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PROCEEDINGS AND DEBATES OF THE 92d CONGRESS, FIRST SESSION

SENATE—*Friday, February 26, 1971*

(Legislative day of Wednesday, February 17, 1971)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore (Mr. ELLENDER).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Thou infinite and eternal spirit, we turn from the clash and clamor of life without, from the fret and fever of daily work, from all discordant noises of the world beyond, from all fantasies and confused thoughts to open our lives to Thy presence. In stillness of heart and in the light of eternity we would ponder the patterns our lives have been weaving.

May there come upon us in this moment a great sense of Thy pervading presence, renewing our spirits, reinforcing our energies, guiding us in paths of righteousness. Give us sensitive souls, alert minds, and steadfast wills to serve the common good.

Bless this good land which Thou hast given us. Direct by Thy spirit all who exercise leadership in it. And be with those who rule in all the nations of the world that by fidelity to Thee and obedience to divine law, peace and brotherhood may prevail.

We pray in the name of the Prince of Peace. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Journal of the proceedings of Thursday, February 25, 1971, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session, the President pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Maj. Gen. George Marion Seignious II, Army of the United States (brigadier general, U.S. Army), to be assigned to a position of importance and responsibility designated by the President, to be lieutenant general while so serving, which was referred to the Committee on Armed Services.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR EAGLETON ON MONDAY, MARCH 1, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday next, immediately following the remarks of the able Senator from Georgia (Mr. TALMADGE), for which an order has already been entered, the able Senator from Missouri (Mr. EAGLETON) be recognized for not to exceed 15 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. The nominations on the Executive Calendar will be stated.

FEDERAL COMMUNICATIONS COMMISSION

The assistant legislative clerk read the nomination of Thomas J. Houser, of Illinois, and Robert Wells, of Kansas, to be members of the Federal Communications Commission.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

CANAL ZONE

The assistant legislative clerk proceeded to read the nomination of Maj. Gen. David Stuart Parker, [redacted], Army of the United States to be Governor of the Canal Zone.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

U.S. AIR FORCE

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Air Force.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

U.S. ARMY

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Army.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

U.S. NAVY

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

U.S. MARINE CORPS

The assistant legislative clerk read the nominations of William J. Weinstein, Marine Corps Reserve, for temporary appointment to major general, and Harold Chase, Marine Corps Reserve, for temporary appointment to brigadier general.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK — IN THE ARMY, IN THE MARINE CORPS, AND IN THE COAST GUARD

The assistant legislative clerk proceeded to read sundry nominations in the Army, in the Marine Corps, and in the Coast Guard, which had been placed on the Secretary's desk.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

THE DEMOCRATIC CAUCUS RESOLUTIONS ON VIETNAM

Mr. SCOTT. Mr. President, the press has dutifully reported on the brave resolutions adopted in camera by the Senate Democratic caucus.

Of course, the "total pullout resolution"—and here I am using what it has been labeled with absolutely deadly precision by the press—has attracted the greatest attention.

It does give one pause to hear of the majority party in the Senate trying to accomplish in secret session what the Senate refused to do but a few months ago after open and full debate where each Senator was recorded.

And yet, in their own way, my Democratic colleagues are presenting an unintended bouquet to the Nixon policies in Southeast Asia and on the domestic scene.

After all, their administrations spent 8 years struggling with the Vietnam question without solution. President Nixon is the originator and successful practitioner of the U.S. withdrawal policy. It has been a steady, step-by-step process, with U.S. battle participation, casualties, and troop levels steadily dropping, while the South Vietnamese forces steadily and successfully assume the defense of their country.

Thus, "withdrawal" is a Nixon concept and accomplishment. True, there were attempts last year to promote resolutions of withdrawal by the end of this year. They were all handily defeated in the Senate.

And, the Democratic caucus itself has been rather circumspect—for it votes in favor of withdrawal "in a time certain." Well, I am just as certain that President Nixon will effect the U.S. withdrawal in more certain fashion than that, because, of course, a time certain really means a time uncertain because we are uncertain among ourselves as to what a time certain can be.

The President considers it rather bad tactics, however, and even more do the U.S. troops still on the line in Vietnam, to notify the Communist forces of the exact date when withdrawal is or will be accomplished.

As I read the rest of the Senate Democratic caucus resolutions, I find the same endorsement of what the Nixon administration has either accomplished or has already proposed in concrete form.

STOP INFLATION?

Compare the interest rates of a year ago with those prevailing today; compare prime discount rates imposed by the Fed with those of a year ago. All down sharply. The cost-of-living climb has slowed, and hopefully will soon actually drop.

All signs point to the beginning of a slow but solid recovery. At the same time, this administration has eliminated a large number of low-income families from the requirement to pay any income tax; has granted more beneficial tax writeoffs for business plant and equipment; has proposed increases in social security for the elderly and a tying in of future payments to the cost-of-living levels. It has proposed reform of the welfare system, including income floors for poor families and incentives for job training by those on welfare. It has cut very successfully into the hunger problem, through expanded use of food stamps and other measures.

The PRESIDENT pro tempore. The time of the Senator from Pennsylvania has expired.

Mr. BYRD of West Virginia. Mr. President, if the Chair will recognize me, I will yield my 3 minutes to the Senator from Pennsylvania.

The PRESIDENT pro tempore. The Senator from Pennsylvania is recognized.

Mr. SCOTT. Mr. President, I thank my distinguished colleague from West Virginia for his very generous action.

STREAMLINE FEDERAL-STATE FINANCIAL RELATIONSHIPS?

Mr. President, the third resolution of the Democrats is a rather vague party platform type of thing; for how many decades have both parties spoken of "streamlining Federal-State financial relationships," of more efficient services, and so forth. But while my Democratic colleagues still talk in generalities, President Nixon has laid on their desks his concrete proposals for revenue sharing with the States and municipalities. We need fewer resolutions now, and more hard, candid work and study of the Nixon proposals. Let us have some "put up" action here on these proposals or some shut down on excuses for inaction.

COOPERATION BETWEEN LEGISLATIVE AND EXECUTIVE BRANCHES?

I would make almost exactly the same comment with respect to resolution No. 4, which wants to "bring about—by streamlining and/or consolidation—more effective operation of the legislative and executive branches."

My friends, where have you been? A massive message on this very subject lies on your desk. Your resolutions would have been in order, and even needed during the years up through January 21, 1969. They now seem but pale caricatures of the real state of government in February 1971.

STRENGTHEN AND IMPROVE THE POLICE AND COURT INSTITUTIONS?

May I point out in all humble honesty, that this has already been done. The Organized Crime Control Act, and the District of Columbia Court Reform and Crime Control Acts, adopted in response to the administration's request of last year, are already having a beneficial effect. If I may ask my colleagues on the other side of the aisle, do you recall from whence came most of the opposition to this action? And have you noted the current reduction in the crime rate—especially in this, our Capital City?

It may be untasty medicine, but I must say in all sincerity that your resolutions are stillborn unless they can be understood as endorsing the goals, programs, and legislation already proposed by the Nixon administration. And may I, in his name, thank our friends on the other side of the aisle for their straightforward approval of his programs. Long ago, someone said that imitation is the sincerest form of flattery. For this, I am sure, our Chief Executive is most grateful.

Mr. BYRD of West Virginia. Mr. President, the able minority leader very graciously had sent to my office a copy of his statement about 15 or 20 minutes before noon today. I am most appreciative of his generosity and thoughtfulness in allowing me an opportunity to read the statement before the session began, although I was unable to read the statement in advance.

Mr. President, the distinguished minority leader refers to "the majority party in the Senate trying to accomplish in secret session what the Senate refused to do but a few months ago."

Mr. President, it is true that the Democratic policy committee meetings and the caucus are not open to the press, if that is what the Senator means. I assume that the meetings of the Republican caucus are, likewise, not open to the press. It must be remembered, however, that the able majority leader—following the meetings of the Democratic policy committee and caucus, to which the minority leader now refers—stated to the press the actions taken by the policy committee and the caucus. So, while these may have been closed meetings, they were not "secret" sessions.

The majority party leader stated, following the sessions of the policy committee and caucus, precisely what had gone on in the sessions. Let us not be scared, therefore, by the words "secret session," as used by the distinguished Republican leader.

With reference to the President's actions in withdrawing our troops, I think that we on this side of the aisle have often complimented the President and have supported him in this endeavor. We hope that he will continue to withdraw our forces from South Vietnam.

The majority leader very clearly stated the intent of the resolution adopted by the policy committee by a vote of 7 to 2 and by the Democrats in the subsequent caucus. As I recall his statement, it was that it was intended to give the President a supporting hand and to encourage him in his withdrawal policy; to let the President know that the effort to withdraw from South Vietnam would be given bipartisan support and that such withdrawal would not be subject to any recrimination from the majority party in the event he withdraws all troops from Vietnam.

That was my understanding of what the majority leader said. There was no effort to force the President's hand.

Some of us had difficulty with respect to the phrase "in a time certain." I am one of those on the policy committee who expressed reservation with respect to those words. I felt that they might be misunderstood. However, the majority leader indicated here again that it would be left up to the President to determine what that "time certain" would be.

The PRESIDENT pro tempore. The time of the Senator from West Virginia has expired.

Mr. SCOTT. Mr. President, I yield my time to the assistant majority leader.

Mr. BYRD of West Virginia. Mr. President, I thank the distinguished minority leader.

The resolution, as I recall it, stated that the Senate majority, during the 92d Congress would work to achieve the end of our involvement in, and withdrawal of all U.S. forces from, Indochina. I do not think anyone could quarrel with that. The resolution urged the release of American prisoners of war. No one can quarrel with that objective. It urged that our participation in the struggle in South Vietnam end "in a time certain."

I hope that the President has a time certain in mind. I would not want him to state that time certain in public. But, if I understand his statement of yesterday, if he has a time certain in mind, it will not be next year. It appears to be a long way down the road, I am sorry to say. What the Democratic majority was seeking to bring about, is a time certain that would not be far down the road into the future.

I think the majority party contributed a service by the adoption of the resolution. I think that the American people want to see an end to the war in Indochina. I think they want to see American troops brought home.

I think they would hope that the administration has at least a tentative timetable within which to bring all U.S. forces home from Indochina.

Mr. SCOTT. Mr. President, I do want to point out that was the import of my statements. We were expressing our thanks to the majority for the support of the President not only with relation to foreign policy, but also with relation to areas of domestic policy. We are glad to see it.

I believe there was a considerable problem over the matter of a time certain, as with all of us. I understand some 13 members of the majority party had at least some problem with that first paragraph.

I am anxious that we keep the consideration of the war out of the political sphere. And I am anxious at the same time that the President receive due credit for what he is doing. As we all know, he has eased the problem and the tensions considerably.

Under the draft now, young men who formerly had to worry until the age of 26 now know within 1 year whether they will be drafted. Under the draft law at the present time, very few draftees are actually serving in active ground combat areas in Vietnam. Under the President's withdrawal policy, the number of combat forces in Indochina is relatively small and will eventually decrease to a point where there will be nothing left but supply, air, medical, and similar forces there.

I do not expect the President to withdraw all forces until we find out what is going to happen there.

Mr. BYRD of West Virginia. Mr. President, the Senator has just used the words "keep the consideration of the war out of the political sphere." I do not think this can be done. This is not to say that the President will not have bipartisan support in bringing an end to our participation in Indochina. That is what he is getting with regard to the resolution that was adopted.

I do not think anyone can hope to keep all consideration of the war "out of the political sphere." It was not kept out of the political sphere when Mr. Johnson was President. I do not expect that it will be kept out of the political sphere under Mr. Nixon.

Now, with respect to the current reduction in the crime rate in the city of Washington, I am happy to see that brought about. I am glad to see that the number of police clearances has increased to 20 percent in 1970. I believe it was 10 percent in 1969, but a long time ago, in 1956, the police clearances were a very commendable 50 percent. In other words, in 1956 half of the major crimes were being cleared with arrests being made.

I compliment those who are responsible for increasing the number of arrests for crimes in 1970 over 1969, but we have a long way to go. It is not yet the time to pat ourselves on the back.

The able minority leader talks of the administration's proposed reform of the welfare system. The administration did send a package up to Congress with a "reform" label on it. But the results of that package would have been to triple the welfare cost and more than double the number of people on welfare.

If one wishes to call that "welfare reform," then let him have his way. But I would say that those members of the minority who assisted those on the majority side last year in rejecting the proposal in the form submitted and in insisting that it have further study and further scrutiny did the administration a great favor.

Mr. President, I simply want to close by saying that I support the President in his efforts to withdraw our forces in a gradual and orderly way from Vietnam. At the same time, I support the resolution that was adopted. It was not adopted in any clandestine, secret, or underhanded manner, it was discussed in a closed session of the policy committee, just as all discussions are carried out there. But any attempt to make it look as if it were a sly, political, and underhanded way of undercutting the President is to be rejected outright.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the order previouly entered, the Senate will proceed to the consideration of routine morning business for a period of not longer than 45 minutes, with statements therein limited to 3 minutes.

QUORUM

The PRESIDENT pro tempore. Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

APOLLO 14 ASTRONAUTS TO VISIT SENATE CHAMBER ON MARCH 2, 1971

Mr. BYRD of West Virginia. Mr. President, I have been asked by the able and distinguished Senior Senator from New Mexico (Mr. ANDERSON) to announce that the Apollo 14 astronauts and their families will be in Washington on March 2, 1971, and will visit the Senate Chamber at 2 o'clock p.m. on that date.

QUORUM

Mr BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Planned Actions in the NASA Fiscal Year 1971 Programs

A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, a report on action the administration proposes to take whereby it will conduct one program at a level in excess of that authorized in the cited Authorization Act together with the facts and circumstances relied upon in support of such proposed action (with an accompanying report); to the Committee on Aeronautical and Space Science.

Report of the Farm Credit Administration

A letter from the Governor, Farm Credit Administration, transmitting, pursuant to law, a report of the Administration for the fiscal year ended June 30, 1970 (with an accompanying report); to the Committee on Agriculture and Forestry.

Proposed Legislation To Amend the Import-Export Overtime Law

A letter from the Under Secretary, Department of Agriculture, transmitting a draft of proposed legislation to amend the act of August 28, 1950, enabling the Secretary of Agriculture to furnish, upon a reimbursable basis, certain inspection services involving overtime work (with an accompanying paper); to the Committee on Agriculture and Forestry.

Report on Department of Army Research and Development Contracts

A letter from the Acting Assistant Secretary of the Army—R. & D.—transmitting, pursuant to law, a report of the Department on research and development contracts, for $50,000 or more, during the period July 1, 1970 through December 31, 1970 (with an accompanying report); to the Committee on Armed Services.

Report of Department of the Army Concerning Officer Responsibility Pay

A letter from the Secretary of the Army, transmitting, pursuant to law, a report concerning officer responsibility pay, for the calendar year 1970 (with an accompanying report); to the Committee on Armed Services.

Report on Export Control

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on export control covering the fourth quarter of 1970 (with an accompanying report); to the Committee on Banking, Housing and Urban Affairs.

Proposed Appropriations for Certain Maritime Programs

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the act to authorize appropriations for the fiscal year 1971 for certain maritime programs of the Department of Commerce (with accompanying programs); to the Committee on Commerce.

Reports of the Comptroller General

Three letters from the Comptroller General of the United States, transmitting, pursuant to law, reports which were referred to the Committee on Government Operations, as follows:

A report on Army inventories—inaccuracies, effects, and ways to improve, Department of the Army, dated February 26, 1971;

A report on the need for improved surveillance over production of critical parts for civil aircraft, Federal Aviation Administration, Department of Transportation, dated February 25, 1971; and

A report on opportunities for savings by increasing competition in procurement of commercial equipment, National Aeronautics and Space Administration, dated February 26, 1971.

Proposed Legislation To Require Certain Corporations To Pay for Space Assigned in Government-Owned Buildings

A letter from the Acting Administrator, General Services Administration, transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949 to require activities financed by wholly owned Government corporations, trust funds, or by the collection of receipts from non-Federal sources, to pay for assigned space, and for other purposes (with an accompanying paper); to the Committee on Government Operations.

Report of the Architect of the Capitol

A letter from the Architect of the Capitol, transmitting, pursuant to law, a report of all expenditures during the period July 1, 1970, through December 31, 1970, from moneys appropriated to the Architect of the Capitol; ordered to be printed pursuant to law.

Report of Bonneville Power Administration

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report of the Bonneville Power Administration, for fiscal year 1970 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Proposed National Foundation for Higher Education

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to establish a National Foundation for Higher Education, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session, the following favorable report of a nomination was submitted:

By Mr. BYRD of West Virginia (for Mr. Randolph), from the Committee on Public Works:

Donald W. Whitehead, of Massachusetts, to be Federal Cochairman of the Appalachian Regional Commission.

PETITION

The PRESIDENT pro tempore laid before the Senate the petition of Homer Phillips, of Leavenworth, Kans., praying for a redress of grievances, which was referred to the Committee on the Judiciary.

RESOLUTION AMENDING RULE XXIV OF THE STANDING RULES OF THE SENATE WITH RESPECT TO NOMINATION AND APPOINTMENT OF COMMITTEE MEMBERS—REPORT OF A COMMITTEE — INDIVIDUAL VIEWS (S. REPT. NO. 92–23)

Mr. CANNON, from the Committee on Rules and Administration, reported, unfavorably, Senate Resolution 17, amending rule XXIV of the Standing Rules of the Senate with respect to the nomination and appointment of committee members, with the individual views of the Senator from Michigan (Mr. Griffin) and the Senator from Kentucky (Mr. Cooper), which were ordered to be printed, and the resolution was placed on the calendar.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. CANNON, from the Committee on Rules and Administration, without amendment:

S. Res. 56. Resolution authorizing the printing for the use of the Committee on Interior and Insular Affairs of additional copies of its committee print entitled "Outer Continental Shelf" (Rept. No. 92–22).

BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. YOUNG:

S. 997. A bill for the relief of Dr. Dionisio Teng Libi and Dr. Bernadette Libi. Referred to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 998. A bill for the relief of John Persad Morris. Referred to the Committee on the Judiciary.

By Mr. FULBRIGHT (by request):

S. 999. A bill to amend the Foreign Service Act of 1946, as amended, to lower the mandatory retirement age for Foreign Service officers who are career ministers. Referred to the Committee on Foreign Relations.

By Mr. MUSKIE:

S. 1000. A bill to authorize the Secretary of the Air Force to adjust the legislative jurisdiction exercised by the United States over certain lands within the area formerly known as Dow Air Force Base, Maine. Referred to the Committee on Armed Services.

S. 1001. A bill to authorize and direct the Secretary of Transportation to cause the vessel *Cap'n Frank* owned by Ernest R. Darling of South Portland, Maine, to be documented as a vessel of the United States with full coastwise privileges;

S. 1002. A bill to authorize and direct the Secretary of Transportation to cause the vessel *Eugenie II*, owned by J. C. Strout, of Milbridge, Maine, to be documented as a vessel of the United States with full coastwise privileges; and

S. 1003. A bill to authorize and direct the Secretary of Transportation to cause the vessel *Barbara Ann*, owned by Larry A. Torrey of Winter Harbor, Maine, to be documented as a vessel of the United States with full coastwise privileges. Referred to the Committee on Commerce.

S. 1004. A bill to amend the Tariff Schedules of the United States to provide for the temporary free importation of certain motion picture films. Referred to the Committee on Finance.

S. 1005. A bill for the relief of Waclaw Janusz Rzeszotarski. Referred to the Committee on the Judiciary.

By Mr. MUSKIE (by request):

S. 1006. A bill for the relief of Kenneth W. Downing. Referred to the Committee on the Judiciary.

By Mr. LONG:

S. 1007. A bill for the relief of Louis E. Liles. Referred to the Committee on the Judiciary.

By Mr. BYRD of West Virginia (for Mr. Chiles):

S. 1008. A bill to authorize the Secretary of the Army to dredge the Miami River, Dade

County, Fla. Referred to the Committee on Public Works.

S. 1009. A bill to require the Secretary of the Army, acting through the Chief of Engineers, to engage in public works for the prevention and control of water pollution. Referred to the Committee on Public Works.

By Mr. WILLIAMS:

S. 1010. A bill for the relief of Daniel Henry Sattler. Referred to the Committee on the Judiciary.

S. 1011. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes. Referred to the Committee on Public Works.

By Mr. COOPER (for himself, Mr. Boggs, Mr. Allott, Mr. Beall, Mr. Baker, Mr. Bayh, Mr. Bennett, Mr. Brock. Mr. Buckley, Mr. Dole, Mr. Dominick, Mr. Ervin, Mr. Fannin, Mr. Goldwater, Mr. Gurney, Mr. Hatfield, Mr. Hruska, Mr. Javits, Mr. Jordan of Idaho, Mr. Mansfield, Mr. Mathias, Mr. Miller, Mr. Muskie, Mr. Packwood, Mr. Pastore, Mr. Pearson, Mr. Percy, Mr. Prouty, Mr. Randolph, Mr. Saxbe, Mr. Schweiker, Mr. Scott, Mr. Spong, Mr. Taft, Mr. Tower, and Mr. Weicker):

S. 1012. A bill to amend the Federal Water Pollution Control Act, as amended. Referred to the Committee on Public Works.

By Mr. COOPER (for himself, Mr. Boggs, Mr. Allott, Mr. Beall, Mr. Baker, Mr. Bayh, Mr. Bennett, Mr. Brock, Mr. Buckley, Mr. Dole, Mr. Dominick, Mr. Ervin, Mr. Fannin, Mr. Goldwater, Mr. Griffin, Mr. Gurney, Mr. Hatfield, Mr. Hruska, Mr. Javits, Mr. Jordan of Idaho, Mr. Mansfield, Mr. Mathias, Mr. Miller, Mr. Packwood, Mr. Pastore, Mr. Pearson, Mr. Percy, Mr. Prouty, Mr. Randolph, Mr. Saxbe, Mr. Schweiker, Mr. Scott, Mr. Spong, Mr. Taft, Mr. Tower, and Mr. Weicker):

S. 1013. A bill to amend section 8 of the Federal Water Pollution Control Act, as amended, and for other purposes. Referred to the Committee on Public Works.

By Mr. COOPER (for himself, Mr. Boggs, Mr. Allott, Mr. Beall, Mr. Baker, Mr. Bennett, Mr. Brock, Mr. Buckley, Mr. Dole, Mr. Dominick, Mr. Ervin, Mr. Fannin, Mr. Goldwater, Mr. Griffin, Mr. Gurney, Mr. Hatfield, Mr. Hruska, Mr. Javits, Mr. Jordan of Idaho, Mr. Mansfield, Mr. Mathias, Mr. Miller, Mr. Packwood, Mr. Pastore, Mr. Pearson, Mr. Percy, Mr. Prouty, Mr. Randolph, Mr. Saxbe, Mr. Schweiker, Mr. Scott, Mr. Spong, Mr. Taft, Mr. Tower, and Mr. Weicker):

S. 1014. A bill to amend the Federal Water Pollution Control Act, as amended. Referred to the Committee on Public Works.

By Mr. COOPER (for himself, Mr. Tower, Mr. Allott, Mr. Beall, Mr. Baker, Mr. Bayh, Mr. Bennett, Mr. Bentsen, Mr. Boggs, Mr. Brock, Mr. Buckley, Mr. Dole, Mr. Dominick, Mr. Ervin, Mr. Fannin, Mr. Goldwater, Mr. Griffin, Mr. Gurney, Mr. Hart, Mr. Hatfield, Mr. Hruska, Mr. Javits, Mr. Jordan of Idaho, Mr. Mansfield, Mr. Mathias, Mr. Miller, Mr. Muskie, Mr. Packwood, Mr. Pastore, Mr. Pearson, Mr. Percy, Mr. Prouty, Mr. Randolph, Mr. Saxbe, Mr. Schweiker, Mr. Scott, Mr. Taft, and Mr. Weicker):

S. 1015. A bill to establish an Environmental Financing Authority to assist in the financing of waste treatment facilities, and for other purposes. Referred to the Committees on Public Works and Banking, Housing and Urban Affairs jointly

By Mr. COOPER (for himself, Mr. Hatfield, Mr. Allott, Mr. Beall, Mr. Baker, Mr. Bayh, Mr. Bennett, Mr. Boggs, Mr. Brock, Mr. Buckley, Mr. Dole, Mr. Dominick, Mr. Fannin, Mr. Gurney, Mr. Hart, Mr. Hruska, Mr. Javits, Mr. Jordan of Idaho, Mr. Mathias, Mr. Muskie, Mr. Packwood, Mr. Pastore, Mr. Pearson, Mr. Percy, Mr. Prouty, Mr. Randolph, Mr. Saxbe, Mr. Schweiker, Mr. Scott, Mr. Spong, Mr. Taft, Mr. Tower, and Mr. Weicker):

S. 1016. A bill to control the generation and transmission of noise detrimental to the human environment, and for other purposes. Referred to the Committees on Commerce and Public Works, jointly.

By Mr. MONDALE (for himself, Mr. Bible, Mr. Burdick, Mr. Cannon, Mr. Church, Mr. Cranston, Mr. Gravel, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hughes, Mr. Humphrey, Mr. Inouye, Mr. Jackson, Mr. Javits, Mr. Kennedy, Mr. Mansfield, Mr. McGee, Mr. McGovern, Mr. McIntyre, Mr. Metcalf, Mr. Moss, Mr. Muskie, Mr. Nelson, Mr. Percy, Mr. Prouty, Mr. Randolph, Mr. Ribicoff, Mr. Sparkman, Mr. Tunney, Mr. Williams, and Mr. Young):

S. 1017. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes. Referred to the Committee on Public Works.

By Mr. CHURCH:

S. 1018. A bill to amend the Rail Passenger Service Act of 1970 in order to expand the basic rail passenger transportation system to provide service to certain States. Referred to the Committee on Commerce.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FULBRIGHT (by request):

S. 999. A bill to amend the Foreign Service Act of 1946, as amended, to lower the mandatory retirement age for Foreign Service officers who are career ministers. Referred to the Committee on Foreign Relations.

Mr. FULBRIGHT. Mr. President, by request, I introduce for appropriate reference a bill to amend the Foreign Service Act of 1946, as amended, to lower the mandatory retirement age for Foreign Service officers who are career ministers.

The bill has been requested by the Assistant Secretary of State for Congressional Relations and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill be printed in the Record at this point, together with the letter from the Assistant Secretary of State dated February 9, 1971, to the Vice President, and the detailed explanation of the bill.

There being no objection, the bill and letter were ordered to be printed in the Record, as follows:

S. 999

A bill to amend the Foreign Service Act of 1946, as amended, to lower the mandatory retirement age for Foreign Service officers who are career ministers

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 631 and 632 and the headings thereto of the Foreign Service Act of 1946 (22 U.S.C. 1001 and 1002) are amended to read as follows:

"FOREIGN SERVICE OFFICERS WHO ARE CAREER AMBASSADORS

"Sec. 631. Any Foreign Service officer who is a career ambassador, other than one occupying a position as chief of mission or any other position to which he has been appointed by the President, by and with the advice and consent of the Senate, shall be retired from the Service at the end of the month in which he reaches age sixty-five and receive retirement benefits in accordance with the provisions of section 821, but whenever the Secretary shall determine it to be in the public interest, he may extend such an officer's service for a period not to exceed five years. Any such officer who hereafter completes a period of authorized service after he reaches age sixty-five shall be retired at the end of the month in which he completes such service.

"PARTICIPANTS IN THE FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM WHO ARE NOT CAREER AMBASSADORS

"Sec. 632. Any participant in the Foreign Service Retirement and Disability System, other than one occupying a position as chief of mission or any other position to which he has been appointed by the President, by and with the advice and consent of the Senate, who is not a career ambassador shall be retired from the Service at the end of the month in which he reaches age sixty and receive retirement benefits in accordance with the provisions of section 821, but whenever the Secretary shall determine it to be in the public interest, he may extend such participant's service for a period not to exceed five years. Any such officer who hereafter completes a period of authorized service after he reaches age sixty shall be retired at the end of the month in which he completes such service."

Sec. 2. The amendment made by section 1 shall be effective upon enactment, except that any Foreign Service officer who is or becomes a career minister and who is not occupying a position to which he has been appointed by the President, by and with the advice and consent of the Senate, shall be mandatorily retired for age in accordance with the schedule below and receive benefits under section 821 of the Foreign Service Act of 1946, as amended, unless the Secretary determines it to be in the public interest to extend his service for a period not to exceed five years.

RETIREMENT SCHEDULE

(1) Any career minister who reaches age sixty-five during the month of enactment of this Act shall be retired at the end of such month;

(2) Other career ministers who are age 60 or over as of the date of enactment of this Act shall be retired at the end of the month which contains the mid-point between the last day of the month of enactment of this Act and the last day of the month during which the officer would reach age sixty-five counting thirty days to the month; and

(3) On the last day of the thirtieth month which ends after the date of enactment of this Act, all other career ministers who are age 60 or over shall be retired, and thereafter the amendment made by section 1 shall be applicable in all cases.

(4) Any career minister who completes a period of authorized service after he reaches mandatory retirement age as provided in the above schedule shall be retired at the end of the month in which he completes such service.

DEPARTMENT OF STATE,
Washington, February 9, 1971.

Hon. SPIRO T. AGNEW,
President of the Senate.

DEAR MR. VICE PRESIDENT: Enclosed is a draft bill "To amend the Foreign Service Act of 1946, as amended, to lower the mandatory retirement age for Foreign Service officers who are career ministers."

The bill would lower the mandatory retirement age for career ministers from age 65 to 60. However, such officers would continue to be exempt from mandatory retirement for age while serving in positions to which they have been appointed by the President, by and with the advice and consent of the Senate. The bill would continue the Secretary's authority to extend the service of any officer for up to five years beyond mandatory retirement. This would insure that the lowered retirement age would not work to the detriment of the public interest. The bill also provides for a gradual implementation of the change in order that affected officers may have time to make necessary adjustments.

The majority of Foreign Service officers who attain the rank of career minister serve, during their remaining careers, in chief of mission positions or in other positions to which they are appointed by the President. After it has been determined that a career minister past age 60 will no longer serve as a chief of mission or fill a position requiring appointment by the President, he should be mandatorily retired as in the case of all other Foreign Service officers in class 1 and below. This change will serve to accelerate retirement of career ministers who are not assigned or appointed to positions of the type for which career ministers are needed.

A detailed explanation of the bill is enclosed.

The Department has been informed by the Office of Management and Budget that there would be no objection from the standpoint of the President's program to the enactment of this legislation. We would appreciate early consideration of this proposal.

Sincerely,

DAVID M. ABSHIRE,
Assistant Secretary for Congressional Relations.

EXPLANATION

The proposed legislation would lower the mandatory retirement age for career ministers from age 65 to age 60. Such officers would continue to be exempt from mandatory retirement for age while serving in positions to which they have been appointed by the President, by and with the advice and consent of the Senate. Also, the Secretary would retain the authority to extend the service of any officer for up to five years beyond mandatory retirement.

The majority of Foreign Service officers who attain the rank of career minister serve, during their remaining careers, in chief of mission positions or in other positions to which they are appointed by the President. When it has been determined that an officer past age 60 who has been promoted to the rank of career minister will no longer serve as a chief of mission or fill a position requiring appointment by the President, he should be mandatorily retired as in the case of all other Foreign Service officers of classes 1 and below. This change will serve to accelerate retirement of career ministers who are not assigned or appointed to positions of the type for which career ministers are needed.

There should be some delay in putting a change of this type into effect. The period of delay should take into account both the legitimate career expectations of officers now serving as career ministers and the Service's need for an early effective date of the change. The attached draft legislation specifies that for officers age 60 or over at the time of enactment, the effective date would be set midway between the date of enactment and the date the officer concerned reaches 65.

For example, the retirement date under the proposed legislation for an officer 64 years old at the time of enactment whose 65th birthday is ten months hence would be five months after the date of enactment. A 62 year old officer whose 65th birthday was to be 30 months hence would be subject to retirement 15 months after the date of enactment. An officer whose 60th birthday coincided with the date of enactment would be subject 30 months hence. This 30-month date would be the outerlimit, and the end of that month would be the effective date of the legislation for all career ministers reaching 60 after the date of enactment. Thus after two and a half years following the date of enactment, all career ministers would be mandatorily retired on reaching the age of 60, unless they were serving at that time in positions to which they were appointed by the President with Senate confirmation, or unless they were extended by the Secretary.

The proposed legislation also includes two technical changes. The first would permit all participants in the Foreign Service retirement system to work and earn retirement credit until the end of the month in which they reach mandatory retirement age. Present wording in the law prevents them from earning retirement credit past the birthday on which they reach such age. Since Foreign Service annuities do not begin before the first of the month following retirement, the change would be both equitable to participants and simplify administration for the Department.

The second technical change would make explicit what has long been done in practice, namely, to require the retirement of officers serving after mandatory retirement age either as a result of a Presidential appointment or of an extension by the Secretary. Such retirement would take place at the end of the month in which such service was completed.

EXISTING LEGISLATION	PROPOSED LEGISLATION
FOREIGN SERVICE OFFICERS WHO ARE CAREER AMBASSADORS [OR CAREER MINISTERS]	FOREIGN SERVICE OFFICERS WHO ARE CAREER AMBASSADORS
SEC. 631. Any Foreign Service officer who is a career ambassador [or a career minister], other than one occuying a position as chief of mission or any other position to which he has been appointed by the President, by and with the advice and consent of the Senate, shall [upon reaching the age of sixty-five,] be retired from the Service and receive retirement benefits in accordance with the provisions of section 821, but whenever the Secretary shall determine it to be in the public interest, he may extend such an officer's service for a period not to exceed five years.	SEC. 631. Any Foreign Service officer who is a career ambassador, other than one occupying a position as chief of mission or any other position to which he has been appointed by the President, by and with the advice and consent of the Senate, shall be retired from the Service *at the end of the month in which he reaches age sixty-five* and receive retirement benefits in accordance with the provisions of section 821, but whenever the Secretary shall determine it to be in the public interest, he may extend such an officer's service for a period not to exceed five years. *Any such officer who hereafter completes a period of authorized service after he reaches age sixty-five shall be retired at the end of the month in which he completes such service.*
PARTICIPANTS IN THE FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM WHO ARE NOT CAREER AMBASSADORS [OR CAREER MINISTERS]	PARTICIPANTS IN THE FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM WHO ARE NOT CAREER AMBASSADORS
SEC. 632. Any participant in the Foreign Service Retirement and Disability System, other than one occupying a position as chief of mission or any other position to which he has been appointed by the President, by and with the advice and consent of the Senate, who is not a career ambassador [or a career minister] shall[, upon reaching the age of sixty,] be retired from the Service and receive retirement benefits in accordance with the provisions of section 821, but whenever the Secretary shall determine it to be in the public interest, he may extend such participant's service for a period not to exceed five years.	SEC. 632. Any participant in the Foreign Service Retirement and Disability System, other than one occupying a position as chief of mission or any other position to which he has been appointed by the President, by and with the advice and consent of the Senate, who is not a career ambassador shall be retired from the Service *at the end of the month in which he reaches age sixty* and receive retirement benefits in accordance with the provisions of section 821, but whenever the Secretary shall determine it to be in the public interest, he may extend such participant's service for a period not to exceed five years. *Any such officer who hereafter completes a period of authorized service after he reaches age sixty shall be retired at the end of the month in which he completes such service.*
None.	*Effective Date—Section 2 of Bill* *Sec. 2. The amendment made by section 1 shall be effective upon enactment, except that any Foreign Service officer who is or becomes a career minister and who is not occupying a position to which he has been appointed by the President, by and with the advice and consent of the Senate, shall be mandatorily retired for age in accordance with the schedule below and receive benefits under section 821 of the Foreign Service Act of 1946, as amended, unless the Secretary determines it to be in the public interest to extend his service for a period not to exceed five years.*

Retirement Schedule

(1) Any career minister who reaches age sixty-five during the month of enactment of this Act shall be retired at the end of such month;

(2) Other career ministers who are age 60 or over as of the date of enactment of this Act shall be retired at the end of the month which contains the mid-point between the last day of the month of enactment of this Act and the last day of the month during which the officer would reach age sixty-five, counting thirty days to the month; and

(3) On the last day of the thirtieth month which ends after the date of enactment of this Act, all other career ministers who are age 60 or over shall be retired, and thereafter the amendment made by section 1 shall be applicable in all cases.

(4) Any career minister who completes a period of authorized service after he reaches mandatory retirement age as provided in the above schedule shall be retired at the end of the month in which he completes such service.

By Mr. LONG:

S. 1007. A bill for the relief of Louis E. Liles. Referred to the Committee on the Judiciary.

Mr. LONG. Mr. President, I introduce for appropriate reference, a bill for the relief of Louis E. Liles, and ask unanimous consent that a letter which I received from attorney Adolph J. Levy in connection with this measure be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LEVY, SMITH & PAILET,
New Orleans, La., December 15, 1870.

Re Louis E. Liles.
Hon. RUSSELL B. LONG,
Senator, U.S. Senate,
Washington, D.C.

DEAR SENATOR LONG: We represent Louis E. Liles who was a Third Assistant Engineer on the "Clearwater Victory" in 1967, which vessel was on a voyage carrying cargo to Viet Nam. He suffered injuries to his respiratory system while on that vessel because of problems aboard the ship.

The ship was owned by the United States but was operated by the National Shipping Authority through the Alaska Steamship Company as agent. Mr. Liles was not, of course, employed by the military, but was a civilian merchant seaman.

General admiralty law provides for a three-year statute of limitations for claims under the Jones Act and for laches under other remedies. However, because Mr. Liles was actually working for the United States, although the vessel was being operated by a non-governmental agency, his period within which to sue was shortened to two years. Because the two-year limitation of the Public Vessels Act and the Suits in Admiralty Act, 46 U.S.C. 6740, et seq., is not generally known, Mr. Liles did not timely file suit and his rights are now in all probability precluded.

I understand that this is not an uncommon problem which arises with regard to such people as merchant seamen who are aboard vessels owned by the United States and who do go to Viet Nam but who are not regular military personnel and who, unknown to them, do lose their rights.

It would be greatly appreciated if you could have a special legislation passed waiving the statute of limitations with regard to Mr. Liles' claim and allowing Mr. Liles to sue, within say, one year from the date of the passage of the act or such shorter period as is normal. If I can give any additional information, please contact me. With appreciation for whatever aid you can give to me, I am

Very truly yours,

ADOLPH J. LEVY.

By Mr. BYRD of West Virginia (for Mr. CHILES):

S. 1008. A bill to authorize the Secretary of the Army to dredge the Miami River, Dade County, Fla. Referred to the Committee on Public Works.

Mr. BYRD of West Virginia. I ask unanimous consent that I be permitted to introduce, in behalf of the Senator from Florida (Mr. CHILES) a bill to authorize the Secretary of the Army to dredge Miami River in Dade County, Fla.

By Mr. BYRD of West Virginia (for Mr. CHILES):

S. 1009. A bill to require the Secretary of the Army, acting through the Chief of Engineers, to engage in public works for the prevention and control of water pollution. Referred to the Committee on Public Works.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to be permitted to introduce, in behalf of the Senator from Florida (Mr. CHILES), for referral to the Committee on Public Works, a bill to provide for water quality control and the prevention of water pollution.

By Mr. WILLIAMS:

S. 1011. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes. Referred to the Committee on Public Works.

Mr. WILLIAMS. Mr. President, again this year I am introducing legislation designed to strictly control the dumping of wastes into the ocean. This bill is almost identical to the measure which was introduced last year as the National Marine Waters Pollution Control and Quality Enhancement Act of 1970. However, the situation which this bill would attempt to rectify has not remained static.

The dumping of sewage sludge and highly contaminated harbor dredgings into the Atlantic Ocean sometimes as near as 4.5 nautical miles to the New Jersey coast, has continued unabated. A dead sea has developed in the sewage sludge area off New York City of almost 20 square miles, and there are indications that many other areas formerly used by fishermen are being contaminated. The Food and Drug Administration has already declared two areas off limits to shell fishermen in the last year, due to the potential that exists for contaminated products getting on the market place.

I would also like to point to two additional developments which have occurred since the introduction of this legislation last year. A study made of sewage sludge samples by the Marine Sciences Research Center at the State University of New York at Stony Brook has revealed that some of the elements found in the waste material were not only highly toxic to marine organisms, but were carcinogenic in nature.

In addition, a very recent survey by the Food and Drug Administration as reported in the press has led to the discovery that U.S. Government figures regarding the amount of polluted wastes being dumped into the Atlantic Ocean have been seriously underestimated. The 1970 report to the President on ocean dumping, had reported a total of 7.1 million tons of polluted dredge materials, and on this basis, concluded that there was a critical need for a national policy on ocean dumping. New findings by Capt. James Verber, an oceanographer with the FDA laboratory in Davisville, R.I., have estimated that at least 13.8 million tons are being dumped annually off the East Coast, almost twice the previous estimate. These new findngs, which also revealed the existence of 35 additional dumping sites not mentioned in the 1970 ocean dumping report, further show that 98 percent of the dredge spoil sites off the Atlantic are within 9 miles of the coastline.

Mr. President, I cannot emphasize too strongly the need for halting this incessant pollution of our immediate ocean areas. My legislation would permanently prohibit the discharge of wastes into the waters of the contiguous zone—the 9-mile belt surrounding our territorial sea. It would also require special regulations for the dumping of wastes within 100 miles of the United States.

My bill would also contain provision for grants to States and municipalities for transporting and discharging of wastes beyond the contiguous zone so long as those wastes receive the most advanced treatment possible in order to prevent any damage to the ocean waters and the total environment.

The legislation which I am introducing today would be a first step and an important beginning in our attempt to reverse the destruction of one of our most important resources, the ocean waters. We must set as an ultimate goal the phasing out of ocean dumping as a regularly accepted method of disposal of sewage sludge and other toxic materials.

Mr. President, I ask unanimous consent that my bill be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1011

A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Marine Waters Pollution Control and Quality Enhancement Act of 1971".

SEC. 2. The Federal Water Pollution Control Act, as amended, is further amended by redesignating sections 16 through 27 as sections 17 through 28, and by inserting after section 15 a new section as follows:

"MARINE WATERS POLLUTION CONTROL AND QUALITY ENHANCEMENT

"SEC. 16. (a) The Congress finds and declares that—

"(1) in the pursuit of solving significant problems involving the disposal of municipal, industrial, and other wastes, man has turned to the sea;

"(2) man, realizing the potentially vast assimilative capacity of ocean waters, in disposing of treated, untreated, and inadequately treated wastes into the sea;

"(3) recent studies indicate that the largely uncontrolled discharge of wastes into the waters of the contiguous zone and the sea and beyond is degrading the quality of the marine environment and threatens to pollute the navigable waters of the United States and adjoining shorelines; and

"(4) it is therefore the purpose of this section to provide means and measures to control the discharge of wastes transported by any means from areas within the United States and to protect and enhance the quality of the marine environment.

"(b) For the purpose of this section, the term—

"(1) 'wastes' means matter of any kind or in any form;

"(2) 'discharge' means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping;

"(3) 'vessel' includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water;

"(4) 'onshore or offshore facility' means any facility of any kind and related appurtenances thereto located in, on, or under, the surface of any land, or permanently or temporarily affixed to any land, including lands beneath the navigable waters of the United States or lands of the Outer Continental Shelf of the United States, which is used or capable of being used for the purpose of transporting or discharging wastes;

"(5) 'United States' and 'State' include a State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Canal Zone, and the Trust Territory of the Pacific Islands;

"(6) 'owner or operator' means, as the context requires, any person, subject to the jurisdiction of the United States, owning, operating, or chartering by demise, a vessel, or owning or operating an onshore or offshore facility;

"(7) 'person' includes an individual, firm, corporation, partnership, association, State, municipality, and other political subdivision of a State; and

"(8) 'contiguous zone' means the entire zone established by the United States under article 24 of the Convention on the Territorial Sea and the Contiguous Zone.

"(c)(1) No owner or operator shall discharge or cause or contribute to the discharge of wastes from any vessel, except sewage discharged from marine sanitation devices, or from any onshore or offshore facility into or upon the waters of the contiguous zone.

"(2) No owner or operator shall discharge or cause or contribute to the discharge of wastes from any vessel, except sewage discharged from marine sanitation devices, or from any onshore or offshore facility into or upon waters beyond the contiguous zone, unless permitted by the Administrator of the Environmental Protection Agency, by regulations, promulgated under this section, or unless as permitted under this section.

"(3) Any owner or operator who violates paragraph (1) or (2) of this subsection or any regulation issued under this section shall be assessed a civil penalty of not more than $10,000 for each violation. Each occurrence of a violation may constitute a separate offense. A civil penalty shall be assessed by the Secretary of the department in which the Coast Guard is operating only after the person charged with a violation under this section has been given an opportunity for a public hearing and such Secretary has determined, by decision incorporating his findings of fact therein, that a violation did occur, and the amount of the penalty which is warranted, and incorporating, when appropriate, an order therein requiring that the penalty be paid. Any hearing under this section shall be of record and shall be subject to section 554 of title 5 of the United States Code.

"(4) If the person against whom a civil penalty is assessed fails to pay the penalty within the time prescribed in such order, such Secretary shall file a petition for enforcement of such order in any appropriate district court of the United States. The petition shall designate the person against whom the order is sought to be enforced as the respondent. A copy of the petition shall forthwith be sent by registered or certified mail to the respondent and thereupon such Secretary shall certify and file in such court the record upon which such order sought to be enforced was issued. The court shall have jurisdiction to enter a judgment enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order and decision of such Secretary or it may remand the proceedings to such Secretary for such further action as it may direct. The court shall consider and determine de novo all relevant issues. On the basis of the jury's findings, the court shall determine the amount of the penalty to be imposed. Subject to the direction and control of the Attorney General, as provided in section 507(b) of title 28 of the United States Code, attorneys appointed by the Secretary may appear for and represent him in any action to enforce an order assessing civil penalties under this paragraph.

"(d)(1) Within one hundred and eighty days after the effective date of this section and from time to time thereafter, the Administrator of the Environmental Protection Agency shall, consistent with the purposes of this section and with maritime safety and marine and navigation laws, issue proposed regulations governing the discharge of wastes by any owner or operator of a vessel or onshore or offshore facility into or upon all or any portion or portions of the waters beyond the contiguous zone. Such regulations shall establish the quantities, times, locations, circumstances, and conditions of such discharges and shall designate the area of such waters where such discharges may be permitted. Such regulations shall be such as to protect the public health and welfare and enhance the quality of the waters and shall take into consideration the latest available scientific data, temperature and salinity of the waters, currents, type of wastes to be discharged, seasons of the year, and other environmental factors. Such regulations shall be consistent with maritime safety and with marine and navigation laws.

"(2) Such regulations shall be published in the Federal Register and shall afford interested persons a period of not less than thirty days thereafter to submit written data or comments. Except as provided in this subsection, the Administrator may, upon the expiration of such period and after consideration of all relevant matter presented, promulgate such regulations with such modifications as he deems appropriate.

"(3) On or before the last day of any period fixed for the submission of written data or comments under paragraph (2), any interested person may file with the Administrator written objections to a proposed regulation, stating the grounds therefor and requesting a public hearing on such objections. As soon as practicable after the period for filing such objections has expired, the Administrator shall publish in the Federal Register a notice specifying the proposed regulations to which such objections have been filed and hold a public hearing to receive relevant evidence. Within sixty days after completion of the hearings, the Administrator shall make findings of fact which shall be public. The Administrator may promulgate such regulations with such modifications as he deems appropriate. In the event the Administrator determines that a proposed regulation should not be promulgated or should be modified, he shall within a reasonable time publish the reasons therefor.

"(4) The Administrator shall not promulgate any regulations or part thereof to which the Governor of any State has filed written objections on the basis that such regulations will permit discharges of wastes into or upon waters beyond the contiguous zone which will adversely affect the public health and welfare or the waters, shorelines, or natural resources of such State.

"(5) Whenever waste discharges under regulations issued under this subsection are permitted, such wastes and the effects on the environment shall be monitored for such periods as may be appropriate by the owner or operator permitted to make such discharges at his expense and the reports thereof shall be available to the public.

"(e) Pending the promulgation of regulations pursuant to subsection (d) of this section designating water areas beyond the contiguous zone where wastes may be discharged, any owner or operator of a vessel or onshore or offshore facility authorized under any other provision of law on the effective date of this section to discharge wastes into the waters beyond the contiguous zone may continue to discharge such wastes, except that such owner or operator shall not discharge such wastes within 100 nautical miles of the United States. The Administrator shall provide financial assistance in the form of grants to any municipality, State, or other political subdivision of a State to cover any actual increase in costs incurred by such municipality, State, or other political subdivision thereof in complying with the provisions of this subsection and the Administrator shall promptly act to establish reasonable procedures for determining such costs and providing such assistance.

"(f) In furtherance of the purpose of this Act, the Administrator shall from time to time study, collect, evaluate, and publish data on water temperatures and salinity, currents, waste discharges, the effects of such discharges on the environment, and such other information as he deems appropriate. The Administrator may enter into contracts with, and make grants to, public and private agencies and organizations and individuals in carrying out the provisions of this subsection. No research, demonstrations, studies, or experiments shall be carried out, contracted for, sponsored, cosponsored, or authorized under this section, unless all information, uses, products, processes, patents, and other developments resulting therefrom, with such exception and limitation, if any, as the Administrator may find to be necessary in the public interest, be available to the general public.

"(g) The Administrator shall make grants available to any State, municipality, or other political subdivision of a State in the percentages specified in section 8 of this Act for the construction of treatment works annually to provide financial assistance to them for the costs of transporting on, and discharging from, vessels wastes into or upon waters beyond the contiguous zone in accordance with applicable regulations issued under this section. The Administrator shall not provide any such financial assistance unless he determines that such wastes will receive, in order to prevent any damage to such waters and the total environment, treatment before such discharge by means and measures that utilize the most advanced treatment technology available."

By Mr. COOPER (for himself, Mr. Boggs, Mr. Allott, Mr. Beall, Mr. Baker, Mr. Bayh, Mr. Bennett, Mr. Brock, Mr. Buckley, Mr. Dole, Mr. Dominick, Mr. Ervin, Mr. Fannin, Mr. Goldwater, Mr. Gurney, Mr. Hatfield, Mr. Hruska, Mr. Javits, Mr. Jordan (Idaho), Mr. Mansfield, Mr. Mathias, Mr. Miller, Mr. Muskie, Mr. Packwood, Mr. Pastore, Mr. Pearson, Mr. Percy, Mr. Prouty, Mr. Randolph, Mr. Saxbe, Mr. Schweiker, Mr. Scott, Mr. Spong, Mr. Taft, Mr. Tower, and Mr. Weicker):

S. 1012. A bill to amend the Federal Water Pollution Control Act, as amended. Referred to the Committee on Public Works.

By Mr. COOPER (for himself, Mr. Boggs, Mr. Allott, Mr. Beall, Mr. Baker, Mr. Bayh, Mr. Bennett, Mr. Brock, Mr. Buckley, Mr. Dole, Mr. Dominick, Mr. Ervin, Mr. Fannin, Mr. Goldwater, Mr. Griffin, Mr. Gurney, Mr. Hatfield, Mr. Hruska, Mr. Javits, Mr. Jordan (Idaho), Mr. Mansfield, Mr. Mathias, Mr. Miller, Mr. Packwood, Mr. Pastore, Mr. Pearson, Mr. Percy, Mr. Prouty, Mr. Randolph, Mr. Saxbe, Mr. Schweiker, Mr. Scott, Mr. Spong, Mr. Taft, Mr. Tower, and Mr. Weicker):

S. 1013. A bill to amend section 8 of the Federal Water Pollution Control Act, as amended, and for other purposes. Referred to the Committee on Public Works.

By Mr. COOPER (for himself, Mr. Boggs, Mr. Allott, Mr. Beall, Mr. Baker, Mr. Bennett, Mr. Brock, Mr. Buckley, Mr. Dole, Mr. Dominick, Mr. Ervin, Mr. Fannin, Mr. Goldwater, Mr. Griffin, Mr. Gurney, Mr. Hatfield, Mr. Hruska, Mr. Javits, Mr. Jordan of Idaho, Mr. Mansfield, Mr. Mathias, Mr. Miller, Mr. Packwood, Mr. Pastore, Mr. Pearson, Mr. Percy, Mr. Prouty, Mr. Randolph, Mr. Saxbe, Mr. Schweiker, Mr. Scott, Mr. Spong, Mr. Taft, Mr. Tower, and Mr. Weicker):

S. 1014. A bill to amend the Federal Water Pollution Control Act, as amended. Referred to the Committee on Public Works.

By Mr. COOPER (for himself, Mr. Tower, Mr. Allott, Mr. Beall, Mr. Baker, Mr. Bayh, Mr. Bennett, Mr. Bentsen, Mr. Boggs, Mr. Brock, Mr. Buckley, Mr. Dole, Mr. Dominick, Mr. Ervin, Mr. Fannin, Mr. Goldwater, Mr. Griffin, Mr. Gurney, Mr. Hart, Mr. Hatfield, Mr. Hruska, Mr. Javits, Mr. Jordan of Idaho, Mr. Mansfield, Mr. Mathias, Mr. Miller, Mr. Muskie, Mr. Packwood, Mr. Pastore, Mr. Pearson, Mr. Percy, Mr. Prouty, Mr. Randolph, Mr. Saxbe, Mr. Schweiker, Mr. Scott, Mr. Taft, and Mr. Weicker):

S. 1015. A bill to establish an Environmental Financing Authority to assist in the financing of waste treatment facilities, and for other purposes. Referred to the Committees on Public Works and Banking, Housing and Urban Affairs jointly.

By Mr. COOPER (for himself, Mr. Hatfield, Mr. Allott, Mr. Beall, Mr. Baker, Mr. Bayh, Mr. Bennett, Mr. Boggs, Mr. Brock, Mr. Buckley, Mr. Dole, Mr. Dominick, Mr. Fannin, Mr. Gurney, Mr. Hart, Mr. Hruska, Mr. Javits, Mr. Jordan of Idaho, Mr. Mathias, Mr. Muskie, Mr. Packwood, Mr. Pastore, Mr. Pearson, Mr. Percy, Mr. Prouty, Mr. Randolph, Mr. Saxbe, Mr. Schweiker, Mr. Scott, Mr. Spong, Mr. Taft, Mr. Tower, and Mr. Weicker):

S. 1016. A bill to control the generation and transmission of noise detrimental to the human environment, and for other purposes. Referred to the Committees on Commerce and Public Works, jointly.

Mr. COOPER. Mr. President, on February 18, I had inserted in the Congressional Record the text of six bills proposed by President Nixon to implement the program he announced in his environmental message to the Congress on February 10.

In my remarks asking unanimous consent that the text be printed, I announced that I would be introducing these bills after circulating among the Members of the Senate an invitation for cosponsorship. I am today introducing five of the six bills on behalf of the administration as the first formal step in the legislative process which hopefully will lead to enactment of laws in the subject areas of each of these bills. I will introduce the sixth bill to provide for the regulations of ocean dumping next week.

Mr. President, I believe no Member of the Senate or the Congress will stand apart from the growing evidence concerning the deterioration of our environment. The facts are available to anyone who seeks them. The solutions, on the other hand, are not so readily available. The Committee on Public Works, on which I serve as ranking minority member, has been striving for solutions to these problems for many years. The activity of the committee, in large measure, has contributed to the public awareness of the grave problems of pollution. In the second session of the 91st Congress the committee was responsible for four major environmental protection acts, the Water Quality Improvement Act, Public Law 91-224; the Resources Recovery Act, Public Law 91-512; the Clean Air Amendments, Public Law 91-604; and Great Lakes Dredging, Public Law 91-611. The committee has announced hearings to begin the week of March 15, on pending omnibus water pollution legislation.

The general authorization of one essential element of the Federal Water Pollution Control Act of 1965, that contained in section 8, to assist the construction of waste treatment works, expires on June 30, of this fiscal year 1971. Congress, therefore, must reauthorize the program. In addition, Congress has a duty to go beyond simple reauthorization in order to refine and improve the regulatory provisions of the water pollution control law. Three of the bills recommended by the President, which I introduce today, propose amendments, improve and advance the 1965 Federal Water Pollution Control Act, as amended.

Senators Mansfield and Scott, the majority and minority leaders of the Senate, are sponsors of various bills. Senator Scott of all the five bills, Senator Mansfield, of four. I am particularly pleased that Senator Jennings Randolph, the chairman of the Public Works Committee, Senator Edmund Muskie, long the chairman of the Subcommittee on Air and Water Pollution, and Senator Caleb Boggs, ranking minority leader of the subcommittee, whose service in the environmental field is outstanding, are sponsors of various bills.

I am honored to introduce these bills in behalf of the administration, but in doing so, I want to pay my tribute to all cosponsors, from both majority and minority for their interest, and for the help they will give in bringing these proposed enactments.

The first of these, a bill to amend sections 5, 6, and 7, of the 1965 act would enhance tremendously the quality of State water pollution control programs by increasing Federal assistance to support such programs and by providing increased flexibility to the Administrator of the Environmental Protection Agency to assure the most expeditious and efficacious implementation of State programs. The text of the bill to amend sections 5, 6, and 7 of the 1965 act was printed in the Record of February 18, at page 3069.

The second water pollution bill proposed by the President would amend section 8 of the Federal Water Pollution Control Act, the section authorizing Federal assistance for the construction of municipal waste treatment systems. In this area, perhaps more than any other, we have some measure of the great expense involved in abating water pollution. The President has proposed an increase in the authorization of Federal funds to carry out this program from $1.25 billion in fiscal 1971 to $2 billion for each of the next 3 fiscal years for a total of $6 billion, to match on a 50-percent basis an equivalent amount of money from States and local governments. In other words, the President's program would provide for $12 billion of new construction in the next 3 years.

In addition to the amount of money necessary for the construction of waste treatment works, there are problems regarding such elements as the establishment of priorities for such construction, the proper assessment of costs through user charges, and others which need improvement if waste water is to be adequately treated and we are, in fact, to achieve water quality standards.

Another difficult area which has developed in the application of the section 8 grant program since its enactment in 1966 results from the failure of the Federal Government to provide the actual funds authorized in 1966. As most of the Members of the Senate know, during the first several years of this program, the actual Federal dollars fell far short of the authorization, and, more unfortunately, the expectation. Consequently, one of the areas that will need careful investigation by the committee is the reimbursement of Federal dollars at least morally owing to several States and municipalities which prefinanced the Federal share in order to get projects started.

The text of this bill was printed in the Record of February 18, at page 3071.

The third water pollution bill the President has proposed would tighten considerably the water quality standards setting and enforcement process. The President's bill adopts many of the procedural provisions recently enacted by Congress applicable to air pollution and would move tremendous strides toward improving the quality of the Nation's water.

Particularly significant in the President's bill is the proposal to extend Federal approval authority for water quality standards and plans to all navigable and ground waters of the United States. At the present time Federal involvement is restricted to interstate navigable waters and the restriction has been strongly criticized by qualified experts. Another area in existing law which has been subject to criticism, and which the President proposes to improve, is the character of Federal enforcement of the requirements imposed on persons pursuant to implementation plans. Under present law, enforcement proceedings are characterized by delay and frustration. The President's bill clearly retains the primacy of State enforcement but would provide clear authority for the Federal Government to act, and act decisively, to enforce where the States have been lax.

Reflecting the strong commitment this administration has made to public participation in the process of government, the President has recommended that citizens be afforded the right to seek enforcement of the requirements established under the Federal Water Pollution Control Act, as amended, in the Federal courts. In so doing, the President has adopted a similar provision in the recent clean air amendments and is to be commended for recommending this authorization of public participation be extended to citizens in the enforcement of water pollution laws.

I ask unanimous consent that the text of the remarks of the Honorable Timothy Atkeson, the general counsel of the Council on Environmental Quality, before a forum at George Washington University Law School on the question of citizen suits be inserted in the Record at this point.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Citizen Suits To Protect the Environment

(Remarks of Timothy Atkeson, General Counsel, Council on Environmental Quality at Envionmental Law Course Sponsored by Environmental Law Society and Environmental Law Institute, George Washington University February 12, 1971)

As you know, the President sent forward a very extensive Environmental Message at the beginning of this week. I wonder how many of you noticed in the section dealing with water quality the words:

"I propose an authorization for legal actions against violation of standards by private citizens, as in the new air quality legislation, in order to bolster State and Federal enforcement efforts."

This proposal marks a quite remarkable evolution of the Administration's position within the last year or so with respect to the role of citizen suits in protecting the environment. Because this has been a subject of great interest to the Council on Environmental Quality, I would like to list a number of the developments along the way you should be aware of.

First, as to the general value of citizen suits, you will recall that Chairman Train last fall wrote Commissioner Thrower of the Internal Revenue Service in connection with the IRS review of the charitable status of public interest law firms that it was the Council's view that:

"Private litigation before courts and administrative agencies has been and will continue to be an important environmental protection technique supplementing and reenforcing government environmental protection programs."

The Council had previously, in its First Annual Report (pp. 281–219) described briefly the role of Citizen Groups in the Courts. I might add that the Council regards the development of environmental law as one of the most dynamic areas within its purview and, as part of its mandate to "coordinate Federal programs related to environmental quality" is taking an active interest in the position taken by the Government in environmental litigation. We hope to give extensive treatment to the subject in the Council's next Annual Report.

Secondly, on the issue of standing of citizen groups to sue, the Council has taken the position that Section 102(2)(C) of the National Environmental Policy Act confers standing on citizen groups concerned to challenge violations of that Act and, so far as I know, the courts have been going along with this view. You will recall that the President, on the Council's recommendation, set the policy in Section 2(b) of Executive Order 11514 that all agencies "develop procedures to ensure the fullest practicable provision of timely public information and understanding of Federal plans and programs with environmental impact in order to obtain the views of interested parties." In the Council's proposed revision of its 102 guidelines there is provision for advance notice to the public and, where appropriate, for public hearings on agency decisions affecting the environment. We intend to follow up these general rules with revised agency procedures which are responsive to the new requirements. Such agency procedures will, of course, be relevant in future citizen Environmental Policy Act. Nothing makes a court prick up its ears faster than to learn that an agency violated its own procedures.

Generally, on standing to sue, the Council subscribes to the view expressed by the Second Circuit last April in *Citizens Committee for the Hudson Valley v. Volpe,* 1ER1237, 1241 (CA2, 1970), cert denied ————:

". . . the public interest in environmental resources—an interest created by statutes affecting the issuance of [the permit in that case]—is a legally protected interest affording these plaintiffs, as responsible representatives of the public, standing to obtain judicial review of agency action alleged to be a contravention of that public interest." (The type of statutory provision on environmental considerations referred to is now appearing in a great deal of legislation on Federal projects, ranging from mass transit and airports, to highways and water resource projects.)

It is worth noting that the Solicitor General in seeking certiorari on the *Hudson Valley* case did not challenge the standing portion of the Second Circuit's ruling. We will be most interested to see whether the Supreme Court grants certiorari in the *Mineral King* case, another decision involving standing of citizen groups in environmental litigation. The absence of such environmental legislative provision as the National Environmental Policy Act or such as figured in the *Hudson Valley* case would seem to make the adverse ruling by the Ninth Circuit on the Sierra Club's standing in the *Mineral King* case distinguishable if the Supreme Court does not clarify the matter.

A third area of development of the law with respect to citizen environment protection suits relates to the defense of sovereign immunity. In the view of the Council, citizen suits to enforce the National Environmental Policy Act are entitled to be met on the merits and not with the procedural hurdle of sovereign immunity. I know of no court which has seriously considered this defense to a NEPA suit; hopefully the need to relitigate this defense in future NEPA actions will diminish drastically. With respect to citizen suits against the Government to abate pollution from Federal facilities, the Council believes that the policy behind Executive Order 11507 (Prevention, Control and Abatement of Air and Water Pollution at Federal Facilities) is highly relevant. The President has said that the Federal Government should take the lead in meeting pollution control requirements. We plan to follow out the implications of this policy with the Justice Department.

The fourth development you should be aware of was that the Council took the lead in winning acceptance within the Executive Branch of the citizen suit provision which appears as the new Section 304 of the Clean Air Act. In the discussions on this we were greatly aided by the support of Bill Ruckelshaus who at that time was still Assistant Attorney General in charge of the Civil Division.

The fifth and final development I want to comment on is the type of legislative provision Michigan has adopted and Senators Hart and McGovern introduced for Federal enactment last year as S. 3575, the "Environmental Protection Act of 1970." Professor Sax who did much of the drafting on this legislation is a member of the Council's Legal Advisory Committee and has just published a most interesting book on the subject, *Defending the Environment, A Strategy for Citizen Action* (Knopf, New York 1971). Because of the limitations of time I cannot describe this proposal in detail. Suffice it to say that it a) creates a Federal cause of action for injunctive relief on behalf of any person against any other person or entity for unreasonable impairment of the environment, b) permits courts to proceed independently of administrative agencies with jurisdiction and c) permits review of administrative determinations "to the extent necessary to protect environmental rights."

Our Legal Advisory Committee advised us last fall that they supported the principles of the Hart-McGovern bill with certain provisos as to the role of administrative determinations on environmental questions,

That the rule requiring exhaustion of administrative remedies prior to court action continue where applicable,

That courts be permitted to remand or refer matters raised in suits before them to appropriate administrative agencies, whether or not such agencies have acted on such matters previously, and

That there be further study of the problems of the extent to which courts may review administrative environmental determinations.

In drawing the attention of the Council to the position of its Legal Advisory Committee the editorials in the *New York Times* and *Washington Post* did not mention these provisos. But we did not need editorials to recognize the important issues present in the Hart-McGovern proposal and we are continuing to give the subject careful consideration.

At the time of our Legal Advisory Committee's discussion on the subject we made a staff analysis of the Hart-McGovern Bill and identified at least three problem areas:

a. The bill, in contrast to the air and water quality legislation where we support a citizen suit provision, has no established standards or criteria for environmental protection. This could lead to very difficult determination of what is unreasonable impairment of the environment which courts would be reluctant to handle.

b. The bill invites courts to override administratively established environmental standards and invites the Federal courts to write environmental law in any area where Congress has failed or been unable to legislate.

c. The bill pushes the Federal courts deep into many matters (e.g. land use questions) traditionally regarded as the primary responsibility of State courts and legislatures.

This last comment leads me to say that we are deeply interested in having some State experience with legislation of this type. We are watching the cases in Michigan and the legislative debate on similar bills elsewhere.

In conclusion I think I would say we favor specific legislation on the various environmental problem areas,—water quality, air quality, oil spills, ocean dumping, pesticides, toxic materials, noise, land use policy, strip mining, power plant siting, etc. rather than throwing these problems into the courts to set standards. You will notice that these are all items on the President's environment action agenda. This is where we will put our prime reliance and we invite the support of all those interested in building meaningful environmental protection for citizens.

Mr. COOPER. Mr. President, combined with the President's action in establishing the Environmental Protection Agency, with its new Administrator, the Honorable William Ruckelshaus, these three bills should make the water pollution control program effective and produce the kind of results the American people have good cause to expect.

The text of the bill to improve water quality standards and enforcement procedures is printed in the RECORD of February 18 on page 3074.

One of the paramount difficulties in financing waste treatment projects under section 8 of the Water Pollution Act has been the inability of several governmental entities, particularly smaller municipalities, to obtain the financial support necessary to provide the share to match the Federal share. Consequently, in many areas facilities have gone unconstructed and water pollution unabated. The President has proposed to assist such municipalities through the establishment of an Environmental Financing Authority, to be administered by the Secretary of the Treasury, in order to provide a Federal market to purchase the bonds and securities of municipalities which have poor credit ratings.

The bill to create an Environmental Financing Authority is innovative and merits close and early consideration by Congress so that the simple fact of poor financial status of municipalities and communities does not stand in the way of the enhancement of the waters of the United States.

Because the bill touches on the jurisdiction of the Committee on Public Works and the Committee on Banking, Housing and Urban Affairs, it will be jointly referred, and Senator Tower, the ranking minority member of the Banking Committee, has joined with me as the principal cosponsor in introducing this legislation. The Committee on Public Works expects to act upon this bill as an integral element of the water pollution legislation and will report the bill to the Banking Committee for its review prior to consideration by the Senate.

The text of the Environmental Financing Authority bill was inserted in the RECORD on February 18 at page 3083.

Mr. President, the final bill proposed by the President which I introduce today would authorize a regulatory program over a form of pollution that Congress addressed for the first time and in a limited manner, in the Clean Air Amendments of 1970. In that act, Congress authorized a study of noise, its sources and its effects, and asked for recommendations for legislation to establish a regulatory program. In part, the President anticipated the problem of noise pollution and pursuant to an administration study he requested he has recommended to Congress that it regulate now the major sources of noise pollution. The bill he has proposed would authorize the Environmental Protection Agency to establish noise control standards and other requirements, such as labelling, for products which are major sources of noise pollution. In addition, the bill will bring the Environmental Protection Agency's authority and expertise to bear on the already authorized programs designed to regulate noise emissions from aircraft.

On the issue of noise from aircraft, it should be noted that a very recent study of the Environmental Studies Board of the National Academy of Sciences National Academy of Engineering recommended that present noise standards for subsonic jet aircraft be reduced by 10 units. This report dated February 17, 1971, examines aircraft and airport problems in an environmental context including noise pollution problems and I recommend it to the Senate. I ask unanimous consent that the principal conclusions and recommendations be printed at the conclusion of these remarks

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. COOPER. The noise control bill that I introduce today will be jointly referred to the Committee on Public Works and the Committee on Commerce. Senator HATFIELD, who has long been in the lead of those concerned on the effect of noise pollution on our citizens, serves on the Commerce Committee and joins me as the principal cosponsor of this legislation. Noise is a particularly subtle form of environmental pollution: one of great aggravation to citizens throughout the Nation; its control is absolutely necessary. I commend the President for his initiative in this area.

The text of the bill to regulate noise pollution is printed in the RECORD of February 18, at page 3085.

I ask unanimous consent to have printed in the RECORD following my remarks a statement by the Senator from Delaware (Mr. BOGGS) on his cosponsorship of the administration's bills. He wanted to be here and make these remarks but a personal loss in his family prevented him from doing so.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

JAMAICA BAY AND KENNEDY AIRPORT: A MULTIDISCIPLINARY ENVIRONMENTAL STUDY—VOLUME I: CONCLUSIONS, RECOMMENDATIONS, SUMMARY

(A Report of the Jamaica Bay Environmental Study Group)

PRINCIPAL CONCLUSIONS AND RECOMMENDATIONS

A major environmental decision faces the people of New York City. Should additional portions of Jamaica Bay be filled to provide more runway capacity for Kennedy Airport? It has been claimed that the proposed expansion might impede or make more costly an existing program to improve water quality, adversely affect the maintenance of an unusual wildlife sanctuary, and impair the ecological integrity of a major estuarine area of the New York metropolitan region. It is also feared that aircraft noise in surrounding communities would be increased and the recreational usage of the Bay would be curtailed. Can such environmental damage be avoided while still providing for a needed expansion in air transportation facilities?

This study was prompted by a concern for minimizing the environmental impact of a proposed airport expansion program. In proposing this study the Port of New York Authority suggested that an airport extension might even be compatible with a program for a complete redevelopment of the entire Bay that would yield both environmental and economic benefits to the metropolitan region.

The Study Group has examined several possible configurations of runways extending into Jamaica Bay from Kennedy Airport, one of which was suggested to us by the Port of New York Authority. We have considered these in relation to the natural ecosystem of the Bay, existing or proposed programs for water quality improvement, recreation, and conservation, and present and expected land-usage patterns near the airport. We have concluded that:

Any runway construction will damage the

natural environment of the Bay and reduce its potential use for conservation, recreation, and housing. The degree of this impairment will be dependent upon the amount of Bay area taken for this airport extension. A sufficiently large land-taking, such as that proposed by the Port of New York Authority (see Figure 4, Chapter 4, Volume II), could cause major irreversible ecological damage to the Bay.

The Study Group has also considered a variety of plans expected to enhance the values of the Bay area for the people who live there or within reach of it. These values were appraised in light of the history of the Bay's development, the present situation, and the likely effects of expanding or not expanding Kennedy Airport.

It is possible to improve the Bay environment by technological means. Such improvements may be made independent of any airport expansion scheme, but any expansion would increase the economic costs or dilute the benefits of these improvements.

We have viewed the problem placed before us as a broad one of seeking means to meet many human needs—housing, transportation, recreation, waste disposal—in a manner compatible with protecting or even improving the environment of Jamaica Bay. New York City is not faced with a hard choice between forgoing any increase in badly needed air transport capacity and the destruction of a valuable natural resource. We have considered courses of action by which the air transportation needs of the metropolitan area may be satisfied while minimizing the environmental impact on the Bay. For the immediate future we recommend that:

1. The Port of New York Authority, in cooperation with the Civil Aeronautics Board and the Federal Aviation Administration, institute immediately a program of landing fees, consolidation of flight schedules, and other administrative devices that will eliminate existing congestion and allow for a more efficient utilization of existing system capacity. Only after complete implementation of these measures will it be possible to assess fully the need for and the timing of an airport expansion. Adoption of these measures will give priority usage of existing facilities at Kennedy Airport to commercial passenger transportation rather than to general aviation.

Such measures will not provide indefinitely for air transport needs. Other possibilities will have to be considered in the future. We further recommend that:

2. Since the evidence indicates that improved air-traffic-control systems would permit substantial increases in the capacity of the region's airports, such systems be developed and adopted as rapidly as possible.

3. If there is a proven need in the future for increased runway capacity at Kennedy Airport after the introduction of these much-needed technological and administrative improvements, then additional runways might be considered, such as those discussed in Chapter 4, Volume II, which would require minimal land-taking in the Bay. No new runways should be constructed or other measures taken to increase the capacity for aircraft movements unless it can be shown that the benefits exceed the costs, where benefits and costs include a full consideration of their impact upon people and the environment of the Bay area and the metropolitan region.

In the long run, planning for the air transportation needs of the New York metropolitan area will require greater federal participation than has been the case in the past. We therefore recommend that:

4. The Secretary of Transportation, the Governors of New York and New Jersey, and appropriate governing authorities in the region should plan now for the new regional air transportation facilities that will be needed in the future. They should proceed immediately to designate and acquire a site for a new regional jetport. The development of such an airport and the timing of its construction should be consistent with a demonstrated need for additional airport capacity in the region. They should also begin an intensive study of alternative systems for intercity air and ground transport, such as vertical or short takeoff and landing aircraft and high-speed trains, which might affect future regional jetport needs.

5. The Secretary of Transportation, in cooperation with appropriate state and local governmental agencies, should make an evaluation of the congestion problem, both at terminals and with respect to the ground access to the three major airports in the region, and propose plans to reduce this congestion.

Aircraft noise, and, to a lesser extent, air and water pollution related to airport operation are perceived as major environmental hazards by residents in communities surrounding commercial airports. We have examined these effects in the environs of Kennedy Airport, and have concluded that:

The construction of new runways will not significantly reduce the number of residents of nearby areas exposed to intense aircraft noise. Major reduction in noise exposure can come only from use of quieter aircraft.

On both the local and federal level, measures need to be taken to reduce the impact of aircraft noise. We recommend that:

6. Public authorities in New York City and Nassau County should establish and vigorously enforce building construction standards that protect the health and welfare of occupants against aircraft noise. These standards should apply to all new construction, especially public buildings such as schools and publicly supported housing.

7. In view of the present impact of noise on the community around the Airport, all relevant public agencies, especially the Port of New York Authority, should press for the development and installation of "quiet engines" on aircraft.

8. The Department of Transportation should:

Require the installation of acoustically treated nacelles on all existing aircraft by 1975.

Accelerate, through increased funding and cooperation with the National Aeronautics and Space Administration and other federal agencies, the development of quiet engines, and establish a regulation requiring that all new aircraft have engines that are quieter by 10 EPNdb (effective perceived noise level) below present standards by 1975.

We have considered the many possible ways in which Jamaica Bay may be used to satisfy the needs of the people of the New York area. With respect to some of these uses, we have concluded that:

The permanent conversion of any estuarine area to airport or other commercial or industrial use diminishes a national environmental asset of great potential value to future generations. Although Jamaica Bay has been greatly altered by man's activities, its ecological viability can be maintained indefinitely into the future by environmental improvements only if no additional major incursions into the Bay occur.

To achieve this potential for sustaining a livable environment for millions of people near the Bay, we recommend the following actions:

9. In the next ten years, the City of New York should develop Jamaica Bay extensively for conservation and recreational uses by its own citizens and for compatible housing. This requires completion of its existing sewage-treatment program, immediate termination of dredging and sanitary-landfill operations, and the extension of mass-transit connections to shoreside areas. The City should oppose federal programs for construction of a hurricane barrier and for creation of a national park in the forms now proposed, since these will impede the development of the Bay for the above uses.

10. The State of New York should establish a Jamaica Bay planning commission, composed of representatives of the Bay communities, the Port of New York Authority, and other relevant City, State, and Nassau County agencies, which should be charged with developing a comprehensive long-range plan for compatible development of the Bay and its contiguous land areas. The planning program should provide opportunity for direct community participation in the formulation of proposals and decisions affecting the uses of the Bay and its related land area, including airport improvements and operations that impinge on the quality of life in adjacent communities.

The ability of local communities to provide for increasing air transportation needs while improving the environment in the vicinity of airports is severely circumscribed by the nature of the air transportation system. A major airport, such as Kennedy, is a component of a national and international system serving air transportation needs of the whole nation. Federal authorities should aid local communities in the resolution of their problems by appropriate actions to bring about those beneficial changes in the entire system that lie beyond local control. In addition to federal action to abate aircraft noise generation, we recommend the following:

11. The Department of Transportation, through the Secretary or its agencies, should:

Take overall responsibility for present and future air-traffic-control system development; select a new and improved system from existing technology; and request the necessary funds and authority to install such a system by 1975.

Conduct an immediate inquiry into the operation of airports that are now or soon will be congested to determine how such operations can make more efficient use of existing capacity, and whether additional facilities are required.

When a need for a new airport has been demonstrated but local authorities have failed to site and construct it, select a site compatible with national environmental and urban growth objectives after consultation with local communities, and take necessary steps to ensure its construction.

Conduct an expanded research and development program for vertical and short takeoff and landing aircraft systems, and evaluate and make recommendations as to the integration of such systems into the total intercity transport system.

Develop ground access systems that can be integrated into an airport complex.

Recommend the modification, or, if necessary, the closing and replacement, of environmentally hazardous airports.

It is our hope that public understanding and discussion of these issues and the options that exist will eventually lead to wise decisions regarding actions to be taken. It is our fear that partisan debate will oversimplify the choices to "birds versus planes" or "jobs versus pollution." In our experience, no environmental problem can be comprehended in such limited terms, nor do we expect that the environmental improvement so sorely needed by our nation can be secured through decisions so narrowly informed.

The economic and political costs of implementing these recommendations may be large, but they are bearable. These are the unavoidable costs of maintaining a livable environment for urban populations. For Jamaica Bay, the environmental bill is due now.

EXHIBIT 2

STATEMENT BY SENATOR BOGGS

Mr. President, I am honored to cosponsor the six pollution control bills introduced today by the distinguished senior Senator from Kentucky (Mr. COOPER). Each of these bills will add significantly to the strong foundation for environmental enhancement that has been established by recent legislation.

As I said at the time President Nixon sent his environmental message to the Congress earlier this month: "President Nixon has prepared a package of proposals that we will be considering for many months to come before many of them are written into the laws of our land. But they are proposals that, when enacted, will bring to our Nation years, and even decades, of progress toward environmental enhancement and thus a better life for every American."

These bills must receive prompt consideration as current Federal programs that assist communities building municipal sewage treatment facilities expire June 30. Continuation of this program is essential to any effort to win the battle against water pollution.

The various proposals advocated by President Nixon and introduced by Senator COOPER include a bill authorizing expenditures of $2 billion a year in Federal funds for waste treatment facilities. This would be matched by State and local contributions. Spending at this level would double the existing program.

According to some of the calculations presented to our subcommittee last year, $2 billion a year of Federal spending over 3 years should eliminate the existing backlog of needed municipal treatment plants, and cover projected growth during those 3 years. In other words, this bill should carry us half the distance toward clean water.

The other half must be reached through reductions in industrial pollution. New enforcement procedures and other provisions introduced today by Senator COOPER should encourage industry to achieve clean water standards in the near future.

In closing, Mr. President, I wish to commend Senator COOPER for his sponsorship of these significant bills. Senator COOPER's leadership has been an inspiration to each of us on the Committee on Public Works, encouraging us to achieve much of the progress toward pollution control that we have been able to attain.

The PRESIDING OFFICER (Mr. BYRD of Virginia). Is there further morning business?

Mr. HANSEN. Mr. President, I ask unanimous consent that the bill just introduced by the Senator from Kentucky (Mr. COOPER), to create an Environmental Financing Authority, be referred jointly to the Committee on Public Works and the Committee on Banking, Housing, and Urban Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HANSEN. Mr. President, I ask unanimous consent that the bill just introduced by the distinguished Senator from Kentucky (Mr. COOPER), to control the generation and transmission of noise detrimental to the human environment, be referred jointly to the Committee on Commerce and the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

By Mr. MONDALE (for himself, Mr. BIBLE, Mr. BURDICK, Mr. CANNON, Mr. CHURCH, Mr. CRANSTON, Mr. GRAVEL, Mr. HARRIS, Mr. HART, Mr. HARTKE, Mr. HUGHES, Mr. HUMPHREY, Mr. INOUYE, Mr. JACKSON, Mr. JAVITS, Mr. KENNEDY, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCGEE, Mr. MCGOVERN, Mr. MCINTYRE, Mr. METCALF, Mr. MOSS, Mr. MUSKIE, Mr. NELSON, Mr. PERCY, Mr. PROUTY, Mr. RANDOLPH, Mr. RIBICOFF, Mr. SPARKMAN, Mr. TUNNEY, Mr. WILLIAMS, and Mr. YOUNG):

S. 1017. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes. Referred to the Committee on Public Works.

Mr. MONDALE. Mr. President, the Water Quality Improvement Act, signed into law on April 3, 1970, cleared the way for the enactment of a comprehensive program to improve the deteriorating condition of our waterways. Its passage marked the culmination of a long struggle to strengthen the Federal Water Pollution Control Act.

I was especially pleased by this action because of the enactment of the clean lakes research provision originally introduced by Senator BURDICK and me in 1966. It enables the Federal Government to undertake basic research or to make grants for studies into the cause and prevention of lake pollution.

The Environmental Protection Agency supplemental appropriation, in December, began the funding of this program with $2 million for the last half of this fiscal year. It is my hope that the administration will utilize these minimal funds carefully to stimulate this vital research, and that more adequate funding will be sought and provided in the 1972 appropriations process.

This is an important first step in what I hope will be a concerted campaign to restore the thousands of lakes which are jeopardized by pollution.

But we need to move immediately beyond research and study and begin implementing programs to restore and preserve these lakes.

Many of the Nation's fresh water lakes are deteriorating. Some of these lakes are in such desperate condition that they cannot wait for the processes set up by the recently passed research provision.

It is to this problem that I am addressing my new legislation.

The bill I am introducing today goes beyond the research program approved by the last Congress. It is in line with the conclusion reached by the 1967 House Committee on Government Operation's report "To Save America's Small Lakes" which stated:

> A twin-pronged approach to the problem of accelerated eutrophication would seem desirable—an expanded program of basic research to add to the limited knowledge about the eutrophication processes and their effective and economical control, plus immediate action in the form of demonstration projects utilizing present knowledge and skills.

The new clean lakes bill would establish a coordinated program of increased waste treatment and lake cleansing utilizing the latest technology. It is aimed at rehabilitating the lakes which are in particularly poor condition.

I am concerned about the hundreds of lakes which already have been fouled by man's carelessness; lakes which have been used as a convenient dumping area for municipal, industrial and agricultural wastes, and lakes which have deteriorated because of runoff from careless shoreline development projects.

Municipal sewage is increasing, filled with phosphorous materials from detergents or human wastes. In many instances, it is dumped untreated into nearby lakes. A recent report by the University of Minnesota Limnological Laboratory indicated that it may take up to 35 years for an urban lake to return to natural equilibrium after the influx of sewage is ended.

Industries find it expedient to locate adjacent to lakes where they can pump their chemical-filled discharges.

Lakes also suffer from agricultural runoffs. Overflows contaminated with pesticide, herbicide, and fertilizer residues wash into the lakes. Construction projects on lake shore areas cause increased runoff of soil and vegetation. Siltation adds to the load.

Unlike moving rivers, lakes have very slow flushing systems to purge themselves of these burdens.

The unrelieved surge of nutrients into these lakes causes the waters to be enriched past their capacity. The problem becomes one of eutrophication—the aging of lakes.

The element added to the lakes by sewage and runoffs act as fertilizers of aquatic growth causing a veritable population explosion of algae. These plants have a self-generating cycle and create an increasing demand on the oxygen in the water, thus killing desirable bacteria which work naturally to cleanse the water.

Meanwhile, lakebeds fill with sludge and debris, and the marine life chokes and dies.

A recent survey by the University of Minnesota indicated that the State's once-sparkling lakes are gradually taking on a new color—green. The study identifies sewage seeping from inadequate disposal systems of lakeshore homes as the main source of pollution. In the West, one of the world's clearest bodies of water, Lake Tahoe, which lies over 600,000 feet high in the mountains, may turn green within 15 years.

This is largely a result of population increase and the boom in water recreation. The population on the shore of Minnesota's recreational lakes is doubling every 20 years. The population on the shores of Lake Minnetonka, outside the Twin Cities, increased by 50,000 in 10 years, and will reach 200,000 by 1980. In 1 year, more than 100,000 pounds of nitrogen entered that lake from seven sewage plants. The University of Minnesota study showed that municipal sewage is dumped directly into the water of 34 major recreational lakes studied.

Runoff of fertilizers from farmland and nutrients from cattle feedlots reduce the quality of many lakes.

The problems are not endemic to the 11,500 lakes in Minnesota which are in excess of 10 acres. Many of the more than 100,000 fresh water community lakes in the Nation are being victimized by the same problems.

Our lakes have too often been forgotten in the rush to improve our environment. Since lakes are so essential to our way of life and represent such an irreplaceable resource, it is obvious that they cannot be neglected.

Yet, unless restorative measures are taken soon, many of our priceless lakes will be irretrievably lost.

The bill I am introducing today recognizes the desperate plight of these lakes and provides for a plan to reclaim these waterways.

There are four major points covered in this new Clean Lakes Act.

First, the bill authorizes an increase in the Federal grant now available under section 8(b) of the Water Pollution Control Act for treatment works which are located near or adjacent to a lake and which discharge treated wastes into the lake or tributary waters. The increase would be to a maximum of 65 percent of the costs, if the State pays at least 20 percent of the costs. To be eligible for this increase, enforceable water quality standards must be established and the works be consistent with the plan for the implementation, maintenance, and enforcement included in the standards. These works must discharge only treated water, and industries hooking up to the municipal system must provide pretreatment of their wastes. The bill authorizes an annual appropriation of $150 million for fiscal years 1972, 1973, 1974, and 1975 for the purpose of funding these increased grants.

Second, the bill directs the administrator to provide technical and financial assistance to the States and municipalities in carrying out a comprehensive program of pollution control. This would include the use of harmless chemicals to destroy unwanted supplies of algae that accelerate the aging process of lakes, the dredging of lake bottoms to remove decaying sludge and other noxious pollutants, the recovery of overgrowth of algae and trash from the surface, and the improvement of lake shores. The bill authorizes up to 80-percent Federal grants for this program from a total appropriation of $900 million over a 4-year period beginning in fiscal year 1972.

Third, the bill authorizes the use of experienced Federal water resource agencies such as the Bureau of Reclamation and the Corps of Engineers, to help carry out this program under agreements with the States.

Fourth, the bill provides measures to enforce water quality standards for lakes subject to this program. These measures include penalties and injunctive relief.

I believe we must take these steps if we are to save these troubled waters.

There are several techniques which can be employed to clean the lakes.

Obviously, we can move to upgrade the waste treatment facilities to cut back the flow of nutrients into their waters. This kind of preventive procedures can sometimes result in rapid improvement, as happily occurred, for example, on Lake Washington in Seattle.

There are other direct measures to be used to rid the lakes of pollution.

Chemicals are being developed which attack algae forms, but do not harm the fish life of the lake. Copper sulfate has been used in the past to control algal bloom for a short period of time. Experiments are also being conducted with alum, which sinks surface sediments, and with lime, which attacks the acidity in some "bog lakes." Research efforts at the Cincinnati Water Research Laboratory resulted in the discovery of a virus which is parasitic, specifically to blue-green algae.

Dredging and surface screening operations have proven successful in clearing lakes of sludge, weeds, and other undesirable contents.

A special treatment developed for the Snake Lake in Wisconsin was less costly than dredging or screening. This consisted of literally flushing the lake's waters into a nearby earth area. There the foul water was strained through a natural filter of sand to seep back into the lake bed. The project, administered by the University of Wisconsin and the Wisconsin Department of Natural Resources through a grant from the Upper Great Lakes Regional Commission, has apparently been a success. The cost was $10,000 to pump the lake's 21 million gallons.

I am hopeful that we can extend our support of such efforts, for the benefit of future generations. Lakes provide not only a source of water but offer recreational outlets, wildlife habitat, and they are a basic part of the beauty of the earth landscape. Clean lakes are basic to the life balances on which our existence depends.

Our lakes are a priceless commodity. To delay action in cleaning our lakes is to risk losing them. We cannot afford this.

Mr. President, I ask unanimous consent that the full text of the bill be printed at this point in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1017

A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Clean Lakes Act of 1971".

Sections 22 through 27 of the Federal Water Pollution Control Act, as amended, are redesignated as sections 23 through 27 and there is added after section 21 a new section 22 to read as follows:

"LAKE POLLUTION ABATEMENT AND QUALITY ENHANCEMENT

"Sec. 22. (a) The Congress finds and declares that—

"(1) the public fresh water lakes of the United States are irreplaceable resources for meeting many of man's public water supply, recreational, esthetic, industrial, agricultural, navigational, and other needs;

"(2) some such lakes, both urban and rural, are carpeted with green scum and formations of slime, their waters grossly turbid and unpleasant in taste and odor, and have been thoughtlessly pillaged by man's technological advances;

"(3) many of America's lakes are suffering from manmade pollution caused by the continuing discharge of untreated or inadequately treated industrial and municipal wastes, from agricultural and urban runoff, including siltation due to soil erosion, and from manufactured products containing harmful pollutants discharged into municipal treatment systems which greatly accelerate the natural eutrophication resulting from the normal aging process of the lakes;

"(4) because a lake has relatively little motion, it has less capacity than a flowing stream to rid itself of wastes;

"(5) while there has been a great deal of publicity about the deterioration of some of our larger lakes, many small community lakes are losing the same battle;

"(6) destruction of water quality in our Nation's navigable lakes cuts deeply into their recreational uses: swimming beaches and picnic areas close; fishing and boating activities decline sharply; shoreline property values fall off; the water supplies of nearby communities and industries are adversely affected and economic disaster can result for the towns and cities whose economic well-being is dependent upon good quality water;

"(7) the restoration or rehabilitation of a navigable lake involves more than the control and abatement of water pollution, since even though the wastes entering these lakes are made less harmful, the discharge of cleaner water into a still degraded lake would solve only part of the problem; and

"(8) It is therefore the purpose of this section to provide a comprehensive and coordinated action program, using the latest technology and available resources, to enhance the quality of public fresh water navigable lakes in urban and rural areas of the United States, with particular attention given to small community lakes.

"(b) (1) The Administrator of the Environmental Protection Agency is authorized to increase the grant percentage for treatment works under section 8(b) of this Act to a maximum of 65 per centum if he finds that the State agrees to pay not less than 20 per centum of the estimated costs of such works and that, in addition to complying with the requirements for treatment works eligible for 30 per centum grants under said section, such works:

"(A) are located in an area near or adjacent to any fresh water navigable lake and discharge treated wastes into such lake or into waters tributary to such lake;

"(B) are located in an area where enforcible water quality standards have been approved by the Administrator for such lake and the waters into which the treatment works discharge wastes, and are constructed or reconstructed in accordance with the plan for the implementation, maintenance, and enforcement included in such water quality standards;

"(C) are planned, constructed, or reconstructed, and equipped, operated, and maintained in a manner that utilizes available up-to-date treatment technology and trained personnel; and

"(D) discharge only treated wastes into such waters and provide for the pretreatment, when necessary, of industrial wastes before entering such treatment works.

"(2) There is authorized to be appropriated annually the sum of $150,000,000 for such increased grants for the fiscal years ending June 30, 1972, through June 30, 1975.

"(c) (1) The Administrator shall provide technical and financial assistance, in accordance with an application approved of all or part of any public fresh water navigable lake located in such States. In addition to controlling effluent discharges, the program should include a description of means and measures to be employed to improve water quality using all available technology including, but not limited to, the use of safe chemical process, the dredging of lake bottoms near shore to remove decaying sludge and other pollutants; the recovery of overgrowths of algae, the recovery of trash and other materials from the waters and shorelines, and the grading of shorelines and planting of grass, trees, and shrubs to protect banks and improve the scenic beauty.

"(2) The Administrator shall annually approve any application submitted under this subsection by a State which—

"(A) sets forth the programs, policies, and methods to be followed, consistent with water quality standards established for such lake, in carrying out such programs;

"(B) provides that such State or political subdivision thereof has, or will have within eighteen months after the effective date of this subsection, adopted enforcible laws to control industrial, agricultural, and municipal sources of effluents discharged into such lakes and to require persons developing land areas near or adjacent to such lakes or waters tributary thereto for commercial purposes to control soil erosion;

"(C) provides such fiscal control and fund accounting procedures as may be appropriate to grants to the States under this subsection;

"(D) contains assurances that such grants will supplement, not supplant, existing water pollution control programs of a State;

"(E) provides that such State will make reports to the Administrator in such form and containing such information as the Administrator may from time to time require; and

"(F) meets such additional conditions as the Administrator deems appropriate to effectuate the purpose of this section.

"(3) The amount granted to any State for a fiscal year under this subsection shall not exceed 80 per centum of the amounts expended by such State in such year for carrying out such a program. There is authorized to be appropriated $150,000,000 for fiscal year 1972; $200,000,000 for fiscal year 1973; $250,000,000 for fiscal year 1974 and $300,000,000 for fiscal year 1975, for grants to States under this subsection which sums shall remain available until expended. The Administrator shall provide for an equitable distribution of sums appropriated for such grants to the States where there is an approved application. Applications for grants under this subsection shall be filed at least sixty days prior to the beginning of such fiscal years.

"(4) In addition to such technical and financial assistance, the Administrator may, at the request of a State, enter into agreements with the Secretary of Agriculture and the Secretary of the Army to provide personnel, services, and facilities to the State in carrying out such a program including the constructing of water impoundments or other facilities designed primarily to improve water quality or control pollution for any fresh water navigable lake for which the Administrator has approved an application under this subsection, or the Administrator may provide such personnel, services, and assistance, may enter into contracts with public or private agencies, organizations, and individuals and may acquire by purchase, lease, donation, or exchange lands or interest therein and transfer such acquired lands to such State as part of any grant made to a State for any fiscal year.

"(d) (1) In case of any public fresh water navigable lake for which an application for a grant is approved under subsection (c) of this section in any fiscal year, no person shall thereafter discharge waters from any public, commercial, or industrial facility of any kind into such lake or waters tributary thereto in violation of established water quality standard or in violation of any other applicable provision of this Act.

"(2) In addition to any other provision of this Act or other law providing for the enforcement of water quality standards for such lake, any person who knowingly violates paragraph (1) of this subsection shall, upon conviction, be fined not more than $10,000 for each violation, or imprisoned for not more than one year, or both, and one-third of said fine shall be paid to the person giving information which leads to a conviction. Each occurrence of a violation may constitute a separate offense.

"(3) The Administrator may also institute a civil action for relief, including a permanent or temporary injunction, restraining order, or any other appropriate order in the district court of the United States for the district in which a person subject to the provisions of paragraph (1) of this subsection is located or resides or is doing business whenever such person violates the provision of said paragraph. Each court shall have jurisdiction to provide such relief as may be appropriate, except that such court shall have jurisdiction only with regard to the issue of relief being sought pursuant to this paragraph. Temporary restraining orders shall be issued in accordance with rule 65 of the Federal Rules of Civil Procedure, as amended, except that the time limit in such orders, when issued without notice, shall be seven days from the date of entry. In actions under this section, subject to the direction and control of the Attorney General, as provided in section 507(b) of title 28 of the United States Code, attorneys appointed by the Administrator may appear for and represent him."

By Mr. CHURCH:

S. 1018. A bill to amend the Rail Passenger Service Act of 1970 in order to expand the basic rail passenger transportation system to provide service to certain States. Referred to the Committee on Commerce.

Mr. CHURCH. Mr. President, on January 28, the Department of Transportation submitted to Congress its final report on the Basic National Rail Passenger System. That report was made in accordance with Public Law 91–518, the Rail Passenger Service Act of 1970.

Since the system grows out of the 1970 act, I was astonished, to say the least, when I found that five States, including Idaho, with populations totaling nearly 3½ million people, were left totally without any form of rail passenger service.

Immediately after the final report was released, the Idaho congressional delegation protested the action of the Department of Transportation in a joint letter to Secretary Volpe. For almost 3 weeks we awaited a reply. Finally, I sent a telegram to the Secretary insisting on a reply and inserted it in the RECORD. Nearly another week passed before the reply finally arrived.

Mr. President, I ask unanimous consent that the text of the letter of the Idaho congressional delegation to Secretary Volpe, the text of my followup telegram, together with my remarks in the Senate at that time, and Secretary Volpe's recent reply, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INATTENTION TO THE NEEDS OF THE PEOPLE OF IDAHO BY THE DEPARTMENT OF TRANSPORTATION

Mr. CHURCH. Mr. President, 19 days ago, I joined other members of the Idaho congressional delegation in protesting to the Secretary of Transportation the virtual isolation of the State of Idaho from the National Rail Passenger Network.

This is a matter of vital concern to thousands of my fellow Idahoans and I have anxiously awaited a reply from the Department of Transportation. To date, no reply has been received. I consider this delay unnecessary and unwarranted.

Today, I have sent a telegram to Secretary of Transportation John Volpe expressing my concern in this matter. I ask unanimous consent that the text of the letter sent by the Idaho congressional delegation to Secretary Volpe and the copy of my telegram to him appear at this point in the RECORD.

U.S. SENATE,
Washington, D.C., February 1, 1971.

Hon. JOHN A. VOLPE,
Secretary, Department of Transportation,
Washington, D.C.

DEAR SECRETARY VOLPE: Our understanding of the final report submitted to the Congress on the Basic National Rail Passenger System by the Department of Transportation is that no passenger service will be provided to our state of Idaho, either on a North-South or East-West basis.

Not only has the Department of Transportation refused to accept the recommendation of the Interstate Commerce Commission that trains 35 and 36 providing North-South service between Butte, Montana, and Salt Lake City be included in the system but in addition, it appears that the Department has dropped from its final report the preliminary designation of a Chicago-Seattle route passing through the Southern portion of our state with possible stops at Pocatello and Boise. Our reading of this report indicates that the State of Idaho is left totally barren of any rail transportation facilities under the Department's plan.

This virtual isolation of our state under this final report we most vigorously protest. We fail to understand how an "Integrated National Rail Network" can be achieved by the blanket denial of such service to our state, and its major population centers.

Frankly, we are shocked not only at this action, but also by the arbitrary manner in which it was accomplished. At the time of the submission of the preliminary report, a distinct impression was made that this was the minimal basis of essential passenger service. Now, only eight weeks later, it has been determined that the possible Pocatello-Boise stops are no longer essential. We do not think it improper to insist that an adequate explanation be made as to why the Pocatello-Boise stops have now been deemed dispensable. And, further, why the subject was ignored in the final report, which spoke only of "additions" to the preliminary routes.

Your early attention to this oversight would be greatly appreciated.

Sincerely,

LEN B. JORDAN.
FRANK CHURCH.
JAMES MCCLURE.
ORVAL HANSEN.

U.S. SENATE,
February 18, 1971.

JOHN A. VOLPE,
Secretary of Transportation,
Department of Transportation,
Washington, D.C.:

On February 1, 1971, I, along with other members of the Idaho Congressional Delegation, requested from you, in writing, your reasons for the isolation of the State of Idaho from the National Rail Passenger System. It is now the 19th of February and I have received no reply from you or your Department to that letter.

This is a matter vitally affecting thousands of Idahoans who have a direct interest in the actions of your Department and this administration in eliminating greatly needed rail passenger service in our State. This delay in failing to respond to our concern is not acceptable.

I respectfully request an immediate answer to our request.

FRANK CHURCH,
U.S. Senate.

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., February 24, 1971.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHURCH: This is in reference to your recent letter, signed jointly by Senator Jordan and Representatives McClure and Hansen protesting the exclusion of rail lines in Idaho from the Basic System of rail passenger service.

I know you recognize that the development of the Basic System was a most difficult task and that it was not practical to preserve the present system without change. To do so would have placed the burden of a $200 million annual loss on the National Rail Passenger Corporation. Therefore, the Department established a Basic System which we believe is responsive to the need for a national intercity rail system and which has a reasonable chance to succeed.

The Idaho services in question are the Salt Lake City/Ogden to Butte and the Green River-Boise-Pocatello-Portland lines. On the Butte line, service is currently on a tri-weekly basis, and the trains (Union Pacific #35/36) average less than 30 passengers per train mile. At this less-than-bus-load level, a train cannot possibly cover its expenses. Furthermore, neither terminal point is a metropolitan area of one million population or more which was one of our necessary requirements for market development purposes.

On the Boise line, two trains now operate daily in each direction. One, known as the "Portland Rose," handles less than 30 passengers per train mile. The second train, the "City of Portland", handles approximately 80 passengers per train mile. While the latter is a more reasonable ridership level, it still would not meet expenses in view of the fact that a train must not only pay for its direct operating costs, but for track and station expenses as well.

While we have not included these Idaho routes in the Basic System, the Corporation, either on its own initiative or at the request of state and/or local groups willing to support at least two-thirds of the loss incurred, can operate over these lines. Such local subsidies for services in excess of the Basic System are provided for in Section 403 of the Rail Passenger Act.

Should you and your colleagues wish to discuss this matter further with the Incorporators of the National Rail Passenger Corporation, I would be happy to personally arrange a meeting.

Sincerely,

JOHN A. VOLPE.

Mr. CHURCH. Mr. President, section 101 of the law providing for the designation of the basic system, under "Congressional findings and declaration of purpose," fixes the purpose of the legislation as that of continuing and improving passenger service "between crowded urban areas and other areas of the country."

In title II, section 201 of the legislation, Congress specifically directed the Secretary of Transportation to take into account, in his determinations, the need for rail passenger service between "all regions of the continental United States," and provided, in addition, that the Secretary, in designating the system, should look to the provision of "service to more centers of population."

It is difficult, Mr. President, to square with these congressional mandates, expressly included in the law itself, the type of basic system which the Nixon administration has now presented to the country.

As I have said earlier, five States, including the State of Idaho, with populations totaling nearly 3½ million people, have been entirely left out of the projected passenger network. These five States are South Dakota, Vermont, New Hampshire, Maine, and Idaho. In addition, there is a possibility that Wyoming will actually receive no passenger service under the basic system. This is certainly not my idea of providing service to all regions of the country, as called for by law. It is not the kind of basic national system I had in mind—and I am sure that many other Senators and Members of Congress had in mind—when they voted their approval of the bill.

Since, in my judgment, the Department of Transportation has simply failed to carry out the intent of the law, I think Congress should amend the basic statute, spelling out that by "all" Congress did not mean all but five or six States. Congress meant "all," including Idaho, South Dakota, Vermont, New Hampshire, Maine, and Wyoming.

The amendment I send to the desk today is designed to correct these omissions. If enacted, it would require that the Secretary must designate, under the "basic" system, rail passenger service to at least a major population center in each of the contiguous 48 States.

Mr. President, I am not wedded to any particular verbal formula. If a better formulation can be found to require the Department of Transportation to designate rail passenger service for all of the contiguous States, I will gladly consider it.

But the time for action is short. Most services to be eliminated will cease to exist on May 1 of this year. As the Commerce Committee stated in its report on the Rail Passenger Service Act of 1970, this will have serious long-range effects, for—

> Once passenger service on any given route is discontinued, stations, terminals, signals and necessary trackage are abolished shortly thereafter; sales and marketing organizations are disbanded; travel is wholly diverted to other modes and must be lured back to the trains from scratch.

The abandonment of rail passenger service in Idaho is a serious disservice to my State and her people. The same is true for the other States dropped out. The Congress must act to assure that its intent in passing the National Rail Passenger Service Act is not ignored in its implementation. Executive "fiat" should not be allowed to deprive 3½ million Americans of rail passenger service.

I send the amendment to the desk for appropriate reference. I intend to contact all Senators from States eliminated from the "basic" system should they wish to join in cosponsorship of this legislation.

Accordingly, I introduce the bill and ask that it be appropriately referred, in connection with which I want to announce that I plan to contact all of the Senators from the States that would be eliminated from the basic system to give them an opportunity to join in the cosponsorship of this legislation.

I urge favorable consideration of the measure and ask unanimous consent that the text of the bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1018

A bill to amend the Rail Passenger Service Act of 1970 in order to expand the basic rail passenger transportation system to provide service to certain States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Title II of the Rail Passenger Service Act of 1970 is amended by inserting at the end thereof a new section as follows:

"SEC. 203. EXTENSIONS OF BASIC SYSTEM AFTER INITIAL DESIGNATION.

"The Secretary shall, within sixty days after the effective date of this section, designate an extension of the basic system to provide adequate intercity rail passenger service to a major population area of each of the contiguous forty-eight states which did not have any large population area provided with intercity rail passenger service by the basic system designated pursuant to Section 201. Extensions pursuant to this section shall be part of the basic system for all purposes of this Act and the designation of such extensions shall not be reviewable in any court."

ADDITIONAL COSPONSORS OF BILLS

S. 428 AND S. 429

At the request of the Senator from Arizona (Mr. FANNIN), on behalf of the Senator from Nebraska (Mr. HRUSKA), the Senator from Delaware (Mr. BOGGS), the Senator from Kansas (Mr. DOLE), the Senator from Mississippi (Mr. EASTLAND), the Senator from Tennessee (Mr. BROCK), the Senator from North Dakota (Mr. YOUNG), the Senator from Rhode Island (Mr. PASTORE), the Senator from Idaho (Mr. JORDAN), the Senator from South Carolina (Mr. THURMOND), the Senator from New Hampshire (Mr. COTTON), the Senator from Alaska (Mr. STEVENS), the Senator from Florida (Mr. GURNEY), the Senator from Utah (Mr. BENNETT), the Senator from Wisconsin (Mr. PROXMIRE), the Senator from Illinois (Mr. PERCY), the Senator from Arizona (Mr. GOLDWATER), the Senator from Pennsylvania (Mr. SCHWEIKER), the Senator from Arizona (Mr. FANNIN), the Senator from Tennessee (Mr. BAKER), the Senator from Maryland (Mr. BEALL), the Senator from Michigan (Mr. GRIFFIN), and the Senator from Iowa (Mr. MILLER) were added as cosponsors of S. 428, a bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising, and S. 429, a bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors.

S. 430 AND S. 431

At the request of the Senator from Arizona (Mr. FANNIN) on behalf of the Senator from Nebraska (Mr. HRUSKA), the Senator from Arkansas (Mr. MCCLELLAN), the Senator from Mississippi, (Mr. EASTLAND), the Senator from Kansas (Mr. DOLE), the Senator from North Dakota (Mr. YOUNG), the Senator from South Carolina (Mr. THURMOND), the Senator from Alaska (Mr. STEVENS), the Senator from Florida (Mr. GURNEY), the Senator from Utah (Mr. BENNETT), the Senator from Wisconsin (Mr. PROXMIRE), and the Senator from Tennessee (Mr. BAKER) were added as cosponsors of S. 430, a bill to amend title 18, United States Code, to provide for the issuance of certain persons of judicial order to appear for the purpose of conducting nontestimonial identification procedures, and for other purposes, and S. 431, a bill to amend the Internal Revenue Code of 1954 to modify the provisions relating to taxes on wagering to insure the constitutional rights of taxpayers, to facilitate the collection of such taxes, and for other purposes.

S. 546

At the request of the Senator from New Jersey (Mr. CASE), the Senator from South Dakota (Mr. MCGOVERN), and the Senator from Minnesota (Mr. MONDALE) were added as cosponsors of S. 546, to require specific congressional approval of construction of an oil pipeline across Federal lands in Alaska.

S. 745

At the request of the Senator from New Jersey (Mr. CASE), on behalf of the Senator from Oregon (Mr. PACKWOOD), the Senator from Pennsylvania (Mr. SCOTT), the Senator from New York (Mr. JAVITS), the Senator from Kentucky (Mr. COOPER), and the Senator from Florida (Mr. GURNEY) were added as cosponsors of S. 745, the Federal Environmental Pesticide Control Act of 1971.

S. 887

At the request of Mr. EAGLETON, the Senator from Florida (Mr. GURNEY), the Senator from Iowa (Mr. MILLER), and the Senator from Maine (Mr. MUSKIE) were added as cosponsors of S. 887, to amend the Public Health Service Act to provide for the establishment of a National Institute of Gerontology.

S. 927

At the request of the Senator from West Virginia (Mr. BYRD), on behalf of the Senator from Virginia (Mr. SPONG), the Senator from Missouri (Mr. EAGLETON) was added as a cosponsor of S. 927, to provide criminal penalties for knowingly making false or deceptive claims in environmental advertising.

S. 956

At the request of the Senator from Pennsylvania (Mr. SCOTT), the Senator from Minnesota (Mr. HUMPHREY) was added as a cosponsor of S. 956, to revise the Federal election laws, and for other purposes.

S. 987

At the request of the Senator from Wyoming (Mr. HANSEN), the Senator from Tennessee (Mr. BAKER) was added as a cosponsor of S. 987, the Health Care Insurance Act of 1971.

ADDITIONAL COSPONSORS OF A JOINT RESOLUTION

SENATE JOINT RESOLUTION 5

At the request of the Senator from Massachusetts (Mr. BROOKE), the Senator from Oregon (Mr. HATFIELD), the Senator from Washington (Mr. MAGNUSON), the Senator from Alaska (Mr. GRAVEL), the Senator from Maine (Mr. MUSKIE), the Senator from Minnesota (Mr. MONDALE), the Senator from Indiana (Mr. HARTKE), the Senator from Rhode Island (Mr. PASTORE), the Senator from Pennsylvania (Mr. SCOTT), the Senator from Colorado (Mr. ALLOTT), the Senator from Kentucky (Mr. COOPER), the Senator from Michigan (Mr. GRIFFIN), and the Senator from Vermont (Mr. PROUTY), were added as cosponsors of Senate Joint Resolution 5, designating January 15 of each year as "Martin Luther King Day."

SENATE RESOLUTION 59—SUBMISSION OF A RESOLUTION RECOGNIZING CERTAIN WIVES AS "WOMEN OF THE YEAR" FOR 1971

Mr. LONG submitted the following resolution (S. Res. 59); which was referred to the Committee on the Judiciary:

S. RES. 59

Whereas there are more than 1,500 Americans being held or missing and believed to be held as prisoners of war by Communist forces in Southeast Asia; and

Whereas the Government of North Vietnam has flagrantly disregarded all the provisions of the Geneva Convention of 1949 regarding the humane treatment of prisoners of war, including refusal to identify prisoners of war held by it; and

Whereas because of the inhumane treatment that has been inflicted upon American prisoners of war and because of the almost total lack of information regarding these brave men, their families, and especially their wives, have undergone and continue to undergo extreme mental suffering and other hardships; and

Whereas the wives of American prisoners of war have demonstrated remarkable bravery, patience, and faithfulness under extremely distressing and anxious circumstances: Now, therefore, be it

Resolved, That the Senate hereby recognizes as "Women of the Year" for 1971 all of those brave women of the United States whose husbands are being held as prisoners of war by Communist forces in Southeast Asia or whose husbands are missing and believed to be so held.

ADDITIONAL COSPONSORS OF A RESOLUTION

SENATE RESOLUTION 38

At the request of the Senator from Alaska (Mr. STEVENS), the Senator from Kansas (Mr. DOLE), the Senator from Tennessee (Mr. BAKER), and the Senator from Indiana (Mr. HARTKE) were added as cosponsors of Senate Resolution 38, to give the Select Committee on Small Business authority to consider and report legislation relating to the problems of American small business.

NOTICE OF HEARING ON FARMERS HOME ADMINISTRATION

Mr. TALMADGE. Mr. President, on behalf of the Senator from South Dakota (Mr. MCGOVERN), I announce the Subcommittee on Agricultural Credit and Rural Electrification of the Committee on Agriculture and Forestry will hold a hearing on S. 290 and S. 578 Tuesday, March 9, at 10 a.m. in room 324, Old Senate Office Building. These bills authorize the Farmers Home Administration to insure farm operating loans. Anyone wishing to testify should contact the committee clerk as soon as possible.

NOTICE OF PUBLIC HEARING TO CONSIDER THE APPOINTMENT OF FEMALE PAGES

Mr. CANNON. Mr. President, I announce that at 10 a.m. on Thursday, March 4, 1971, there will be a public hearing in room 301 of the Senate Office Building on the subject of appointing female pages to serve in the Senate.

The hearing will be conducted by an ad hoc subcommittee of the Committee on Rules and Administration. Testimony will be received concerning existing rules and regulations governing pages, including age, qualifications, education, housing, security, duties, and dress.

"THE SELLING OF THE PENTAGON"—COLUMBIA BROADCASTING SYSTEM DOCUMENTARY

Mr. FULBRIGHT. Mr. President, on the evening of February 23 the Columbia Broadcasting System presented one of the most important documentary productions about our Military Establishment I have ever seen.

Written and produced by Mr. Peter Davis and narrated by Mr. Roger Mudd, the program is a most graphic and impressive portrayal of why our country has become so profoundly dedicated to military affairs.

I ask unanimous consent to insert as a part of my remarks two reviews of the CBS production of "The Selling of the Pentagon," one from the New York Times and the other from the Washington Post.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 24, 1971]

TV: CBS EXPLORES PENTAGON PROPAGANDA COSTS

(By Jack Gould)

The Columbia Broadcasting Systems' news division packed its old-time wallop last night in a brilliant documentary entitled "The Selling of the Pentagon." The fur seems certain to fly in Washington, since C. B. S. nailed down traveling colonels dabbling in foreign policy, the chairman of the House Armed Services Committee making a propaganda film for the Department of Defense, small children being introduced to generally deadly weapons and a frank admission that C. B. S. and its nightly anchorman, Walter Cronkite, had either been duped or had knowingly cooperated in shows not under their independent supervision.

Richard S. Salant, president of C.B. S. News, is a man known for basic guts. In "The Selling of the Pentagon" he authorized an uncompromising look at the incredibly extensive and costly efforts of the military services to win public support and struck a whale of a constructive blow for unfettered TV journalism free from Washington manipulation.

The Pentagon seems certain to wince under the exposé, but the hour was like the proverbial fresh breeze in electronic journalism. An institution supposed to be untouchable was roughed up by some hard-nosed digging that not once impinged on national security. Inevitably, there may be screaming from sincere patriots, but this will not negate the program's main point: In the vast sprawl of the Pentagon there is a lot of Madison Avenue.

The "C.B.S. Reports" documentary, one of the best on TV in a great many years, was written and produced by Peter Davis of the C.B.S. News staff and narrated by Roger Mudd. It was not long in getting to the point: The Pentagon now admits to spending $30-million a year on "public affairs" on the home front. Mr. Mudd said that an unpublished report by the 20th Century Fund suggests that the true total may turn out to be $190-million.

The program cited the annual ritual of Armed Forces Day, when civilians are seated in grandstands to see combat units put on a show. The complaints of mothers about their children buying toy guns paled into comparative irrelevancy. Thanks to the Pentagon, youngsters could play with real guns and sit in real tanks.

The traveling colonels, at taxpayer's expense, were shown one after another championing American participation in Vietnam on ideological grounds, despite an Army regulation stipulating that "personnel should not speak on the foreign policy implications of the United States involvement in Vietnam."

The C.B.S. film is prima facie evidence to the contrary.

A group of V.I.P. industrialists were shown attending a war exercise in North Carolina. They all professed to be tremendously impressed. Less elevating was their subsequent testimony, couched in childlike enthusiasm, of being allowed to shoot off actual guns.

Other data reported by "The Selling of the Pentagon" were these: The Army spends $6.5-million a year in making its own films. A total of 12,000 radio and television tapes are mailed annually to 2,700 radio stations and 546 television stations. Over 2 million favorable releases, reporting medals, promotions and reassignments, are mailed to 6,500 weekly and daily newspapers.

In films made years ago but still in circulation, Mr. Cronkite and Chet Huntley, former anchorman for the National Broadcasting Company, were shown giving the authorized Pentagon line. Jack Tolbert, former Air Force major and public information officer in Vietnam, testified that a program in Vietnam was rigged for the benefit of C.B.S. Handsome pilots were briefed to give similar answers to avoid controversy, he said.

Representative F. Edward Hébert of Louisiana, now chairman of the House Armed Services Committee, was seen interviewing a Green Beret in a program for "the taped home district TV reports from pro-Pentagon politicians."

The standard contention of Pentagon partisans was that all the public-relations efforts were helpful either in recruiting or letting the public know about the activities of the Armed Forces. This could not obscure the Pentagon's participation in politics. Now that the Pentagon's high echelon has seen last night's show, its response will indeed be of major interest, particularly in light of the confusion over the invasion of Laos. C.B.S. News has bravely and skillfully lifted the lid on a story of national importance: What really cooks in the Pentagon?

"The Selling of the Pentagon"

(By William C. Woods)

CBS Reports' "The Selling of the Pentagon" took a local audience by storm Tuesday night, drawing WTOP-TV more than two hundred phone calls, something of a high water mark for Washington response. Area viewers will get a second crack on Saturday night, when this stunning documentary will be rerun—without commercial interruption—at 6:05 p.m. If you didn't see it—see it.

"The Selling of the Pentagon" relies strongly on a series of speeches given by Sen. J. William Fulbright on Dec. 1, 2, 4 and 5, 1969, which were entered in the Congressional Record later worked into his book, *The Pentagon Propaganda Machine.*

Written and produced by Peter Davis and narrated by Roger Mudd, the program represents a year's effort by a reporting team to assess the way the Pentagon's information program for the troops and the public functions as a massive propaganda strafing run on the public alone.

Judging by WTOP's phone calls, the public has some appetite for Big Brother: the calls were largely critical, as though viewers were outraged by a news team delivering news instead of propaganda. According to CBS in New York, however, the nationwide response has been very large and about 50–50.

The documentary comes across with the same blunt impact of the producer's comments on it: "Millions of the American taxpayer's dollars are spent each year to convince that same taxpayer to support something he is already paying for—the American military establishment. We plan to look at how and why that money is being spent, and what the taxpayer is getting for his dollars."

What the taxpayer is getting for his dollars, according to the documentary, are things like Cold War movies about monolithic-communism-and-the-red-menace, touring colonels who lecture on foreign policy (in direct disobedience of Army regulations), costly displays of war games and weaponry (which the kids can play with once the barrel has cooled), and red-carpet tours for powerful civilians so they can get the thrill of putting their very own fingers on the trigger.

These items and more are quietly and tellingly documented in a program that belongs to the finest tradition of the muckraking TV documentary. And that's all the more impressive in light of the fact that the muck raked involved no secrets or security—just a cool-headed look at what's always been there to see, but somehow never before been seen.

"We selected three areas for concentration, Mudd remarks in introducing the special, "direct contacts with the public, Defense Department films, and the Pentagon's use of the media . . . We sought no secret films, no politicians pleading special causes, no access to classified documents. We looked only at what is being done for the public—in public."

What they found will make them no friends in the Puzzle Palace. Taking each point in turn, the CBS team brought in facts and figures that needed no editorial support.

They discovered that the Pentagon plans to spend $30 million this year on public affairs—10 times what it spent 12 years ago. (An unpublished report by the 20th Century Fund guesses the real total may hit $190 million.) And they outlined some of the ambiguous ways that money is being spent.

Joining an Armed Forces Day display at Fort Jackson, S.C., the team found an audience applauding a "mad minute" display of firepower. Moving to Peoria, Ill., it heard a travelling colonel expound the domino theory to an audience of Reservists and civilians (following Mudd's citation of the Army regulation forbidding such activity). Later, in one of the most striking segments of the show, it watched a Green Beret demonstration of hand-to-hand combat, and then watched children mimic the soldiers afterwards.

The concluding segment of the show was less dramatic but even more thoughtful. Military manipulation of the media was demonstrated with a look at the "five o'clock follies" (the daily 4:15 p.m. briefing in Saigon); in a talk with an ex-information officer who admitted conning a CBS news team doing a story on the air war by briefing pilots who would be interviewed to insure uniform response; in an interview with an Air Force sergeant who told of staging a river operation in a safe area with Vietnamese troops, and then not using real combat footage of Americans on a similar mission. And so on.

I have indicated only perhaps half of the material this program covers. The rest is as strong or stronger. Taken as a whole, it amounts to a gutty and intelligent show that is going to have sparks flying for a long time to come. And maybe some heads rolling.

They no doubht will if Chairman F. Edward Hebert of the House Armed Services Committee has anything to say about it. Hebert is featured in an interview on the program, which he claims was acquired by CBS's giving the impression that they wanted to use it for a special on prisoners of war.

He told his committee yesterday that, although he has not seen the program, he surmised that it was "the most misleading, damaging attack on our people over there that I have ever heard of."

COMMENTARY ON INDOCHINA

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the Record a perceptive commentary by the noted journalist, Joseph McCaffrey, relating to Indochina.

There being no objection, the commentary was ordered to be printed in the Record, as follows:

Commentary by Joseph McCaffrey

There is something familiar about what is now happening, all over again, in Indo China. We are told just one little push more and then we've got the thing whipped. We've been giving it that little extra push ever since 1964, and we are still over there, and our men are still dying over there, and we aren't any closer to writing finish to this strange chapter in world affairs than we were on January 1, 1965 or January 1, 1971.

And what has happened since we entered Laos? Well, one thing more that has happened is that we have lost more than 60 helicopters. And this means that we lost more American lives. We have followed the foolish poker player's advice, we have kept tossing in a few more chips on the theory that we already have so many chips on the table that a few more won't matter. That is the way a lot of poker players lose the whole kitty.

The College teach-ins have now started again in protest against the war, but one of those who left here last night to take part in two of them said he wondered what good they would do. Told this today, Senate Leader Mike Mansfield shifted his pipe and asked, "what *would* do any good?" A reporter said, "Nobody is listening Senator."

"I don't know about that," said Mansfield, who has been worried about the war for seven years. "It's taking effect," he said," It's like fermenting wheat, down deep there is a reaction. It may take a little while, but its working, slowly but surely."

QUORUM

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. Presi-

dent, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEE ON RULES AND ADMINISTRATION TO FILE REPORT BY MIDNGHT TONIGHT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Committee on Rules and Administration have until midnight tonight to file a report on Senate Resolution 17, amending rule XXIV of the Standing Rules of the Senate with respect to the nomination and appointment of committee members, together with any minority, supplemental, additional, or individual views.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DECORUM ON THE SENATE FLOOR

Mr. BYRD of West Virginia. Mr. President, during the second session of the 91st Congress—which ended on January 2, 1971—26,300 clerks to Senators had been admitted to the floor, and 10,376 committee employees had been admitted to the floor, making a total of 36,676 employees who had been admitted to the floor of the U.S. Senate during the second session of the 91st Congress—in other words, in one session only.

As to the greatest number of passes issued in any 1 day in 1969, there was a total of 750—554 Senators' aides; 196 committee aides—issued on December 10, at the time the Tax Reform Act of 1969, H.R. 13270, was being debated.

With reference to 1970, the greatest number of passes issued on any 1 day was on December 19, during the debate on the conference report on the transportation appropriations bill, H.R. 17555. On that date, 498 passes were issued—297 Senators' aides; 201 committee aides.

Regarding the greatest number of employees on the Senate floor at any one time in 1969, 115 employees were counted—not including Senate attachés permanently assigned to the majority and minority leadership and the Sergeant at Arms—during a vote on the Haynsworth nomination on November 21.

In 1970, during the debate on the farm bill on September 15, there were 59 employees—excluding personnel regularly assigned to the floor in service of the majority and minority leadership and the Sergeant at Arms—present at one time on a vote.

The joint leadership has taken certain steps to reduce the confusion on the floor of the Senate and to improve order and decorum in the Senate at all times. Among the steps taken are these:

First. The Senate Rules and Administration Committee has amended its regulations to provide that, instead of two clerks to any one Senate being allowed on the floor of the Senate at any one time, only one clerk to a Senator may be on the floor at any one time. That same Senator may have a second clerk meet him in the lobby just off the Senate floor, if the Senator wishes to give dictation, et cetera. The Senator may ask, of course, unanimous consent for the second clerk to come on the floor, if he wishes to do so, but this would be on an individual basis and would be for just that particular occasion.

Second. The floor has been cleared on both of the rollcalls that have occurred on the motions to invoke cloture during this session. Unanimous consent was given in both instances to clear the floor of all clerks to Senators from the time of the start of the rollcall vote until the result was announced. The clerks were encouraged to go to the staff gallery which is regularly set aside for clerks to Senators.

There was splendid cooperation on the part of clerks to Senators and also on the part of Senators. As a result, during both of those rollcalls there was a noticeable improvement in order and decorum in the Senate. Many Senators were cognizant of it and commented on it.

Third. In order to accommodate those clerks who go to the staff gallery, the Senate Committee on Rules and Administration yesterday revised its regulations so as to permit clerks to Senators to take notes in the staff gallery. If they are bona fide clerks to Senators, they may take notes while sitting in the staff gallery. They have heretofore been allowed to take notes if they come on the floor, but heretofore they have not been able to take notes while seated in the gallery. The minority leadership raised the question and suggested that Senate employees ought to be permitted to take notes while seated in the staff gallery. Consequently, hereafter, in accordance with the action yesterday by the Rules and Administration Committee, bona fide employees of the Senate may make notes when sitting in the staff gallery—in the course of their employment.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. GRIFFIN. Mr. President, I seek recognition.

The PRESIDENT pro tempore. The Senator from Michigan.

Mr. GRIFFIN. I yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. I thank the able minority whip.

So the Rules Committee took that action at my request in conformity with the wishes of the minority leadership. I think it was a splendid suggestion on the part of the minority.

Finally, in futherance of the objective of improved order and decorum, Senators are urged to use the microphones. It is an accommodation to the press and to the visitors in the galleries. It is an accommodation to other Senators, who can better hear what is being said on the floor. It is an accommodation to Senate employees who go to the Senate staff gallery. They need to hear what is being said, so that they can advise their Senators, who may not be on the floor at the particular time.

Moreover, when a Senator speaks into a microphone, his voice is piped into the party cloakrooms at the rear of the Chamber. The young men at the desks in those cloakrooms are made aware of what is being said and can better advise the offices of Senators as to what is going on on the floor.

So I would hope that all Senators would, in due time, use the microphones more and more. I think it makes for a better understanding on the part of the general public—and on the part of Senators themselves—as to what is being said on the Senate floor.

Mr. GRIFFIN. Mr. President, I merely want to commend the distinguished majority whip for the interest he has taken in trying to improve order and decorum in the Senate, and to indicate that he has had our cooperation. As far as the minority leadership is concerned, we will do everything we can to work with him and to make sure that these changes, these improvements, actually operate as intended and in the interest of the Senate. I want to take off my hat to the majority whip for his continuing interest and work, and I am sure it is going to pay off.

Mr. BYRD of West Virginia. Mr. President, I thank the able and distinguished minority whip for his statement. The leadership for the majority has had splendid cooperation all the way from the minority leadership in the effort to bring about a better atmosphere here in the Senate, one which will be more conducive to the expediting of Senate business.

Regarding the new regulation controlling the admission of employees of Senators to the Senate floor—to which I earlier alluded, it is as follows:

> Although two admission cards are provided for the qualified staff personnel of each Senator, only one member of a Senator's staff shall be allowed in the Senate Chamber itself at any given time. The other card (of different color) may be used by an additional member of the Senator's staff only to gain admittance to the Senate Lobby (but not the Senate Chamber) for the sole purpose of conferring with the Senator.

TEN SUGGESTIONS TO SENATORS—REVISION

Mr. BYRD of West Virginia. Mr. President, just a few days ago I inserted in the RECORD 10 suggestions to Senators, with appreciation from the leadership, and among those 10 suggestions was a suggestion that Senators contact the leadership on the floor, or have their staff call extension 53735 for an allocation of time, with respect to the allocation of a 15-minute period for a Senator, in advance, if he wishes to speak the following day at a particular time before morning business, or with reference to the allotment of a time, a day in advance, for colloquies before morning business.

The leadership on the majority side apologizes to the minority leadership for not including the telephone extension to which minority Senators may refer in the event they wish to set aside time in advance on a particular day.

Mr. GRIFFIN. Mr. President, will the Senator yield briefly at that point?

Mr. BYRD of West Virginia. I am glad to yield.

Mr. GRIFFIN. Let me say that, for the minority Members, the appropriate extension to call would be Mr. Trice's number, extension 53835.

Mr. BYRD of West Virginia. I thank the distinguished minority whip.

The PRESIDENT pro tempore. The time of the Senator has expired. Is there further morning business?

Mr. BYRD of West Virginia subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD the "Ten Suggestions to Senators," with appreciation from the leadership, to which I have previously referred, and I ask unanimous consent to make the following change in the verbiage of the 10 suggestions:

With respect to item No. 2, delete the language:

> Please contact the Leadership on the floor or have your staff call Extension 53735 for an allocation of time.

And insert in lieu thereof the following:

> Majority Members will please contact the Leadership on the floor or have their staffs call Extension 53735 for an allocation of time. Minority Members will contact the Leadership on the floor or have their staffs call Mr. Mark Trice, Extension 53835, for an allocation of time.

There being no objection, the suggestions as modified were ordered to be printed in the RECORD, as follows:

TEN SUGGESTIONS TO SENATORS

1. Please do not seek unanimous consent for additional time beyond the 3 minutes allotted during morning business.

2. Speeches up to 15 minutes in length may be arranged for the first part of the day if Leadership is notified during the previous day's session. The Senate will come in early to accommodate a Senator who wants to make such a speech. The Senate will come in early for colloquies of longer duration than 15 minutes if the Leadership is notified during previous day's session. Majority Members will please contact the Leadership on the floor or have their staffs call Extension 53735 for an allocation of time. Minority Members will contact the Leadership on the floor or have their staffs call Mr. Mark Trice, Extension 53835, for an allocation of time. Please keep length of speeches and colloquies within the time requested by you.

3. Speeches of more than 15 minutes duration should be made toward the late afternoon.

4. Please observe the Pastore Rule concerning germaneness. It runs for 3 hours following "the conclusion of the morning hour or after the unfinished business or pending business has first been laid before the Senate on any calendar day." (Rule VIII.)

5. Please use the microphone. This will help the visitors in the galleries to better understand what is being said.

6. In debate, the rules prohibit addressing another Senator in the second person. He must be addressed in the third person.

7. No Senator shall introduce to or bring to the attention of the Senate during its sessions any occupant in the Senate galleries. (Par. 7, Rule XIX.)

8. When presiding, remember that it shall be the "duty of the chair to enforce order on his own initiative and without any point of order being made by a Senator." (Rule XIX.)

9. Clerks to Senators are allowed the privilege of the Floor only "when in the actual discharge of their official duties." (Rule XXXIII.) A special gallery is set aside to accommodate Senators' staff members.

10. Twenty minutes is the maximum allotted for a yea and nay vote. A warning bell will ring to indicate that the vote will be announced 5 minutes hence.

With appreciation from the Leadership.

The PRESIDING OFFICER. Is there further morning business?

QUORUM

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RULES OF PROCEDURE OF THE COMMITTEE ON FINANCE

Mr. LONG. Mr. President pursuant to the requirements of section 133B of the Legislative Reorganization Act of 1970, I hereby submit for printing in the CONGRESSIONAL RECORD the Rules of Procedure of the Committee on Finance. The statute requires that they be published in the RECORD not later than March 1.

There being no objection, the rules were ordered to be printed in the RECORD, as follows:

COMMITTEE ON FINANCE—I. RULES OF PROCEDURE

Rule 1. *Regular Meeting Days.*—The regular meeting day of the committee shall be the first and third Wednesday of each month, except that if there be no business before the committee the regular meeting shall be omitted.

Rule 2. *Committee Meetings.*—(a) Except as provided by section 133(a) of the Legislative Reorganization Act of 1946 as amended by section 102(a) of the Legislative Reorganization Act of 1970 (relating to special meetings called by a majority of the committee) and subsection (b) of this rule, committee meetings, for the conduct of business, for the purpose of holding hearings, or for any other purpose, shall be called by the chairman.

(b) In the absence of the chairman, meetings of the committee may be called by the ranking majority member of the committee who is present, provided authority to call meetings has been delegated to such member by the chairman.

Rule 3. *Executive Sessions.*—Except as provided by section 133(b) of the Legislative Reorganization Act of 1946 as amended by section 103(a) of the Legislative Reorganization Act of 1970 (relating to open meetings) executive meetings of the committee shall not be open to the public.

Rule 4. *Presiding Officer.*—(a) The chairman shall preside at all meetings and hearings of the committee except that in his absence the ranking majority member who is present at the meeting shall preside.

(b) Notwithstanding the rule prescribed by subsection (a), one member shall constimittee may preside over the conduct of a hearing.

Rule 5. *Quorums.*—(a) Except as provided in subsections (b) and (c) nine members shall constitute a quorum for the conduct of business.

(b) Notwithstanding the rule prescribed by subsection (a), one member shall constitute a quorum for the purpose of conducting a hearing.

(c) Once a quorum as prescribed by subsection (a) has been established for the conduct of business in executive session, the committee may continue to conduct business so long as five or more members are present.

Rule 6. *Reporting of Measures or Recommendations.*—No measure or recommendation shall be reported from the committee unless a majority of the committee is actually present and a majority of those present concur.

Rule 7. *Proxy Voting; Polling.*—(a) Except as provided by section 133(d) of the Legislative Reorganization Act of 1946 as amended by section 106(a) of the Legislative Reorganization Act of 1970 (relating to limitation on use of proxy voting to report a measure or matter), members who are unable to be present may have their vote recorded by proxy.

(b) At the discretion of the committee, members who are unable to be present and whose vote has not been cast by proxy may be polled for the purpose of recording their vote on any rollcall taken by the committee.

Rule 8. *Public Announcement of Committee Votes.*—Pursuant to section 133(b) of the Legislative Reorganization Act of 1946 as amended by section 104(a) of the Legislative Reorganization Act of 1970 (relating to public announcement of votes), the results of rollcall votes taken by the committee on any measure (or amendment thereto) or matter shall be announced publicly not later than the day on which such measure or matter is ordered reported from the committee.

Rule 9. *Subpoenas.*—Subpoenas for attendance of witnesses and the production of memoranda, documents, and records shall be issued by the Chairman, or by any other member of the Committee designated by him.

Rule 10. *Open Committee Hearing.*—To the extent required by section 133A of the Legislative Reorganization Act of 1946 as amended by Section 112(a) of the Legislative Reorganization Act of 1970 (relating to limitations on open hearings, each hearing conducted by the committee shall be open to the public.

Rule 11. *Announcement of Hearings.*—The committee shall undertake, consistent with the provisions of section 133A of the Legislative Reorganization Act of 1946 as added by section 111(a) of the Legislative Reorganization Act of 1970 (relating to public notice of committee hearings) to issue public announcements of hearings it intends to hold at least one week prior to the commencement of such hearings.

Rule 12. *Witnesses at Hearings.*—(a) Each witness who is scheduled to testify at any hearing must submit his written testimony to the chief counsel not later than noon of the last business day preceding the day on which he is scheduled to appear. Such written testimony shall be accompanied by a brief summary of the principal points covered in the written testimony. Having submitted his written testimony, the witness shall be allowed not more than ten minutes for oral presentation of his statement.

(b) Witnesses may not read their entire written testimony, but must confine their oral presentation to a summarization of their arguments.

(c) Witnesses shall observe the proper standards of dignity, decorum and propriety while presenting their views to the committee. Any witness who violates this rule shall be dismissed, and his testimony (both oral and written) shall not appear in the record of the hearing.

Rule 13. *Audiences.*—Persons admitted into the audience for open hearings of the committee shall conduct themselves with the dignity, decorum, courtesy and propriety traditionally observed by the Senate. Demonstrations of approval or disapproval of any statement or act by any member or witness is not allowed. Persons creating confusion or distractions or otherwise disrupting the orderly proceeding of the hearing shall be expelled from the hearing.

Rule 14. *Broadcasting of Hearings.*—(a) Broadcasting of open hearings by television or radio coverage shall be allowed upon approval by the chairman of a request filed with the chief counsel not later than noon of the day before the day on which such coverage is desired.

(b) If such approval is granted, broadcasting coverage of the hearing shall be conducted unobtrusively and in accordance with the standards of dignity, propriety, courtesy and decorum traditionally observed by the Senate.

(c) Equipment necessary for coverage by television and radio media shall not be installed in, or removed from, the hearing room while the committee is in session.

(d) Additional lighting may be installed in the hearing room by the media in order to raise the ambient lighting level to the lowest level necessary to provide adequate television coverage of the hearing at the then current state of the art of television coverage.

(e) The additional lighting authorized by subsection (d) of this rule shall not be directed into the eyes of any member of the committee or of any witness, and at the request of any such member or witness, offending lighting shall be extinguished.

(f) No witness shall be required to be photographed at any hearing or to give testimony while the broadcasting (or coverage) of that hearing is being conducted. At the request of any such witness who does not wish to be subjected to radio or television coverage, all equipment used for coverage shall be turned off.

Rule 15. *Amendment of Rules.*—The foregoing rules may be added to, modified, amended or suspended at any time.

CHEESE, BOYCOTTS, AND THE SST

Mr. PROXMIRE. Mr. President, lately I have received some letters from State of Washington residents telling me they intend to boycott Wisconsin cheese and other products because of my opposition to the SST.

That is their loss, not ours. Wisconsin cheese, being a superior product, will always have an adequate market. Those who boycott Wisconsin cheese will have to buy inferior products at higher prices.

I have also received many letters from Wisconsin residents urging me to continue my opposition to the SST regardless of a cheese boycott. My constituents tell me they believe the savings of their tax dollars realized by not building the plane will more than offset any effects of a cheese boycott.

I have just received a copy of a letter sent by the Wisconsin State Chamber of Commerce to a Washington State resident which I believe fully points up the absurdity of boycotting products to force legislation. As Mr. Sellinger points out so well in his letter:

> For example, over half the U.S. Senate voted against the SST. Thus, the people in the states whose Senators oppose the SST could boycott the products produced in the states represented by the Senators who voted for it—while the people of those states can boycott the products manufactured or processed in states represented by Senators who voted against it.

I ask unanimous consent to have the two letters inserted into the Record at this point.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Puyallup, Wash.,
January 26, 1971.

State of Wisconsin,
Chamber of Commerce,
Madison, Wis.

Dear Sir: Because of Senator Proxmire's continued fight against the Super Sonic Transport my entire family and many of my friends and neighbors are refusing to buy Wisconsin cheese and any other products produced or processed in the state of Wisconsin.

Please send me a full list of Wisconsin products sold in the Northwest. I challenge you to fulfill this request.

Senator Proxmire has repeatedly shown himself to be irresponsible and uneducated as to the effects of the SST—if you doubt this consult with Dr. Werner Von Braun. I wonder who is more learned in scientific matters?

Sincerely,
Mrs. George Burrows.

The Wisconsin State
Chamber of Commerce,
Madison, Wis., February 1, 1971.

Mrs. George Burrows,
Puyallup, Wash.

Dear Mrs. Burrows: We are in receipt of your letter requesting a "full list of Wisconsin products sold in the Northwest."

We are truly intrigued by your boycott program and the possibility of conducting national affairs on this basis. It could create an endless variety of interesting situations.

For example, over half the U.S. Senate voted against the SST. Thus, the people in the states whose Senators oppose the SST could boycott the products produced in the states represented by the Senators who voted for it—while the people of those states can boycott the products manufactured or processed in states represented by Senators who voted against it.

In fact, considering the number of controversial issues which are acted on by Congress, it is conceivable that the people in each state would wind up boycotting the products produced in all other states.

The people of Wisconsin frequently disagree with the positions and votes of Washington's representatives in the Senate and Congress. However, we have always been pleased by the many fine products manufactured in your state—and we wouldn't dream of allowing childish temper-tantrums to deprive us of their use or consumption.

Unfortunately, as you may understand with less emotional second thoughts, there is no possible way of determining which specific Wisconsin products are sold in which specific states. However, you can always ask the merchant whether items you may be planning to purchase were produced in Wisconsin—and where such is the case, you can then proceed to boycott the merchant for handling products manufactured or processed in the state represented by Senator Proxmire.

This may limit the number of stores you are able to patronize, but it should give you a great deal of satisfaction.

Yours truly,
Philip M. Sellinger,
Director Research Division.

P.S.—You may want to consider boycotting products manufactured in every state represented by the U.S. Senators who voted against the SST. We regret we are not able to provide that list either, but you can obtain it by writing the Clerk of the U.S. Senate.

DEVASTING CBS CRITIQUE OF THE PENTAGON PROPAGANDA MACHINE

Mr. PROXMIRE. Mr. President, last Tuesday, the CBS network presented a program entitled "The Selling of the Pentagon." It was an examination of the numerous programs at the Pentagon for public relations and propaganda. While the vast extent of Pentagon public relations is known to those who have read Senator Fulbright's book "The Pentagon Propaganda Machine," who have examined the military budget in detail, or who have had direct relations with the Defense Department when offering a bill or protesting a wasteful program, the extent of the press and public relations and lobbying activities of the Pentagon is virtually unknown to the vast bulk of the American people.

CBS Reports did not put on a program in which a variety of political critics of the Pentagon held sway. Instead, they showed the press and public relations activities of the Pentagon at work.

The effect was a devasting critique from the mouths of the Pentagon spokesmen and the Pentagon propaganda films themselves.

One highly courageous and healthy aspect of the program was the admission by CBS that a network news team itself had at one point been the victim of the Pentagon public relations ability to manage news from Vietnam.

I ask unanimous consent that the transcript of "The Selling of the Pentagon" be printed in full in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

CBS Reports: The Selling of the Pentagon

(As broadcast over the CBS television network, February 23, 1971)

Produced and Written by: Peter Davis.
Correspondent: Roger Mudd.
Research: James Branon and Helen Moed.
Executive Producer: Perry Wolff.

Roger Mudd. Last spring American soldiers fought a two day battle that did not get into the newspapers or onto the television news broadcasts. Very few people even knew about it. The battle was fought neither in Vietnam, nor in Cambodia, nor anywhere else in Southeast Asia. All the action took place in North Carolina. This was a military exercise, but it was also an exercise in salesmanship—the selling of the Pentagon.

Speaker (for Marine Corps). Gentlemen, today we have shown you the individual Marine—the man who implements foreign policy. He comes from all walks of life, all over the USA. He's not much different from the young men we see on the street corners of America today, except he's been trained as a Marine.

He believes in what he is doing, and he's dedicated to his country and to the job at hand, whatever it may be. In short, we could say he has a lot of plain old, red-blooded American guts. Now this concludes our demonstration at this range. The escorts will now show you to your buses. Thank you very much.

CBS Reports: "The Selling of the Pentagon."

Roger Mudd. Nothing is more essential to a democracy than the free flow of information. Misinformation, distortion, propaganda all interrupt that flow. They make it impossible for people to know what their Government is doing, which, in a democracy, is crucial. The largest agency in our Government is the Department of Defense, and it maintains a public relations division to inform people of its activities.

In December, Congress cut the appropriations for this division, but, according to the

Pentagon, it will still spend 30 million dollars this year on public affairs—an amount more than 10 times greater than what it spent to tell people about itself just 12 years ago. Even this figure may be only the tip of the public relations iceberg. A special, still unpublished report for the prestigious 20th Century Fund estimates the *real* total at 190 million dollars. The combined news budgets of the three commercial television networks—ABC, CBS, and NBC—are 146 million dollars.

Whatever the *true* cost at the Pentagon, there have been recent charges in the press and in Congress that the Department is using these public relations funds not merely to inform but to convince and persuade the public on vital issues of war and peace. Ten months ago, CBS News set out to investigate these charges and to examine the range and variety of the Pentagon's public affairs activities.

We selected three areas for concentration: direct contacts with the public, Defense Department films, and the Pentagon's use of the media—the press and television. We sought no secret files, no politicians pleading special causes, no access to classified documents. We looked only at what is begin done for the public—*in* public.

We began in an obvious location—Armed Forces Day on a military base. Fort Jackson, South Carolina is proud of its soldiers, and once a year the public is invited, to come out and take a look at them. At dozens of other bases, dozens of other audiences see the same show. The major event is a firepower display. But in the interests of information, they not only shoot, they also instruct.

Instructor. The killing zone is 50 metres deep, 50 metres wide, and two metres high. However, its fragments are also effective against light skinned vehicles.

Mudd. The weapons officer on this range claimed that the information display cost two million dollars. Later, Army public relations officials put the expense at twenty-two thousand dollars.

The last part is known as the "mad minute." It would be hard to argue with that description.

When the demonstration itself is over, another activity begins. The ammunition is gone but the weapons are not. Some of these are turned over to children so they can get the heft and feel of the genuine article.

First Child. All right Jack here's a cool tank man.

Second Child. I'm going over to the other tank.

Third Child. Get off....

First Child. What are you doing?

Third Child. I'm going to shoot you.

Second Child. Ready . . . aim . . . fire!

Colonel MacNeill. In the Chinese view only one country has been liberated from colonialism, and that is North Vietnam. The others will not be considered liberated, in the Chinese viewpoint, until each and every one has a Communist government.

Mudd. The Pentagon has a team of Colonels touring the country to lecture on foreign policy. We found them in Peoria, Illinois, where they were invited to speak to a mixed audience of civilians and military reservists. The invitation was arranged by Peoria's Caterpillar Tractor Company, which did 39 million dollars of business last year with the Defense Department. The Army has a regulation stating: "personnel should not speak on the foreign policy implications of U.S. involvement in Vietnam."

Colonel MacNeill. Well now we're coming to the heart of the problem—Vietnam. Now the Chinese have clearly and repeatedly stated that Thailand is next on their list after Vietnam. If South Vietnam becomes Communist it will be difficult for Laos to exist. The same goes for Cambodia, and the other countries of Southeast Asia. I think if the Communists were to win in South Vietnam, the record in the North—what happened in Tet of '68—makes it clear there would be a bloodbath in store for a lot of the population of the South. The United States is still going to remain an Asian power.

Mudd. Over the years, the Colonels have travelled—at taxpayers' expense—to 163 cities and spoken to 180 thousand people. In a question and answer period, they promote American presence in Southeast Asia.

Colonel Serrell. The bloodbath, the indications at Hue during the Tet offensive as to what might be in store for people who would otherwise have some semblance of freedom or individuality, if we did stay and protect their interests as well, admittedly, as our own.

Colonel Bird. I personally believe by and large the college students are very sincere in their belief. I think a lot of them haven't attempted to study, to some degree, the history of other things like this....

Colonel MacNeill. Some say there are no interests at stake today, some say we had none in the beginning. I feel when we put half a million men in there, at least we placed national interest at stake when we did that.

First Child. I want to play this one.

Second Child. Now it's my turn.

First Child. Bob, let's see if you can do this.

Third Child. Let Danny do it.

Father. How many mistakes you gonna make?

Mudd. At a St. Paul, Minnesota shopping mall, an Army display emphasizes power, a recurrent theme in Defense Department public relations programs. The Army Exhibit Unit has been to 239 cities in 46 states and has been seen by over 20 million people. The cost to taxpayers: 906 thousand dollars a year.

Recorded Army Narrator. The four M's—Mission, Motivation, Modernization, and Management—summarize Army Chief of Staff General William Westmoreland's program for the future of the Army.

Mudd. The Army says it won't send these exhibits out unless requested by local civilians. The manager of this shopping mall told us how the Army's exhibit happened to be there.

Mr. Peters. We were approached by Sergeant Kerr who is the local recruiting sergeant in this area, a matter of three weeks ago, and he simply asked us would we care to have the exhibit here on our mall. We said yes. So, it's here.

Announcer (for Air Force). Approaching next will be Major Mike Kirby and his next maneuver, the exciting Wing Walk and Roll.

Mudd. The Air Force Thunderbirds flew 108 exhibitions last year in front of 6 million people. We were told that the Thunderbirds are supposed to attract volunteers, but what we found was a very elaborate commercial for air power.

Announcer (for Air Force). The Air Force has proved again and again its superiority against the enemy in the air war over North Vietnam. In an environment where the majority of our fighter pilots were flying tactical bombing missions and not primarily hunting for enemy aircraft, the enemy still lost three aircraft for every one of ours in air-to-air combat.

General Lewis Walt. We fought them up on the DMZ, we fought them across the Laos border, we fought them down south across the Cambodian border. But they're trying to keep the war going on—why? Because they think that we're going to give up and pull out before the job is done. That's what they've been told, that's what they read in our newspapers and our magazines.

Mudd. Tonight, like any other evening, there are between 6 and 10 Pentagon speakers appearing in public. With military transportation at their disposal, they traverse the country shaping the views of their audiences. For years, General Lewis Walt has been the Marine speaker most in demand.

General Walt. This is what's kept the war going on. If we could have had the entire American nation in back of us, all of our Americans in back of our Armed Forces in South Vietnam, this war would have been over a year and a half ago.

Green Beret Announcer. Please pay particular attention to the hands, the elbows, the knees, and the toe of the boot, which are used to deliver killing blows to the vulnerable portions of the body.

Mudd. When it comes to sheer muscle, the legendary Green Berets are the Army's glamor exhibit. In 21 states last year, the Berets showed how people kill people sometimes. On one occasion, they showed about a thousand kids in New Jersey.

When the Berets finished their act, the audience had its own turn.

Child. C'mon . . . no! Damn you . . . ow!

Mudd. Each year, the Pentagon runs special guided tours for over 3,000 influential civilians. The Joint Civilian Orientation Conference is the aristocrat of these tours, indeed of all Defense Department contacts with the public. For eight days 64 prominent citizens visit key military installations all over the country. To give the community leaders more sense of participation, the Defense Department outfits them in different colors that represent each of the Armed Services. Included in this exclusive party are industrialists, bankers, college administrators, newspaper publishers, and broadcasting executives.

Mudd. High ranking generals accompanied the civilians. These two, three and four-star chaperones were available for briefing, picture-taking, and just mingling. CBS News followed the distinguished visitors on a weekend war game in North Carolina. The purpose of these tours, according to the Pentagon, is to teach military realities. The guests are referred to as "major taxpayers." As their education proceeded, we recorded some of the military realities and part of their impact on the civilians.

The Army gave a demonstration of a massive troop airlift. An air and land assault on enemy territory was simulated for the visitors. The idea here was to show that thousands of troops can be transported thousands of miles in just a few hours. What's more, when they get where they're going, they are ready to fight.

Jitterbug Announcer. Notice the jitterbugging action as the Cayuse make a thorough search of suspected enemy locations. Such tactics were battle tested in Vietnam.

Kennedy Wagon Announcer. To achieve success in combat, an infantry battalion depends upon the fighting strength of its rifle companies. The company is composed of three rifle platoons and a weapons platoon.

Mudd. The 64 civilians themselves paid part of their own costs and the official total price of this tour is only 12 thousand dollars. 12 thousand dollars, however, does not include the amount spent on elaborate briefings, the war game itself, nor the expenses of several thousand servicemen who performed for the civilians along the way.

Kennedy Wagon Announcer. 711 tons of ammunition and 308 tons of fuel.

Dr. Richard Chamberlain. I for one am very grateful for this privilege of seeing how the defense of the country is being organized.

David Connor. I found it enjoyable to talk to the enlisted ranks who are handling the weapons as we got in the tanks. I think there's been a subtle, necessary and important emphasis on talking to the manpower.

Officer. Of course it could carry rockets, it could substitute a rocket part for an arm. It has tremendous flexibility.

Civilian. A lot of killpower though.

Officer. Oh yes, yes.

Mudd. Civilians were shown some of the more advanced equipment and training methods. Among the ordnance the Marines displayed were their planes, their weapons, their tanks, and, of course, their Commandant, General Leonard Chapman.

Officer. Excuse me, General Chapman, this is Mr. Hoover.

General Chapman. How are you, sir, nice to see you.

Civilians (in boat). Oh, we can use a kyack . . . That's right . . . Bob, you're getting a little too enthusiastic . . . Oh boy we're really making time now.

Robert Greenhill. I think the message I would take back is that we have a first-class military organization led by first-class leaders and the people who carry the load on the enlisted men are some of the finest people that I've been privileged to see. I'm in the investment banking business and I travel all over the United States and I know that for a fact.

Willard Dover. I think the message is that you can be proud of your boys in service.

Mudd. The Defense Department did not permit CBS News to film what many regarded as the highlight of the tour. But the civilians were not shy in talking about it.

Mr. Connor. At Fort Hood we all were seated in the gunner's seat of the M-60 Tanks, and we fired the rifles, and were told what excellent shots we were and we were taken over to the recoilless rifles and fired rounds at armored personnel carriers and again told how good shots we were, and we fired grenade launchers and drove tanks and so on . . .

Dr. Chamberlain. We fired tank cannon and recoilless rifles, machine guns . . .

Mr. Conner. My gun jammed while I was shooting it and I thought Oh my God what a great situation to be in were someone moving on me.

Dr. Chamberlain. It was fun to actually get your finger on the trigger of some of the things like the recoilless weapons that most of us have heard about but hadn't actually seen.

Mr. Greenhill. There is no substitute for hands-on experience.

Mudd. The Defense Department says these demonstrations are merely training exercises for war. War, however, is not fought in front of a grandstand.

Marine Announcer. Let me remind you that the speed and flexibility which you have seen today and the maneuverability and coordination of the supporting forces is not a demonstration. It is the stock in trade of the United States Marine Corps.

Mr. Greenhill. One of the things I can personally see from this tour is that a lot of the statements that for example Mr. Fulbright and Mr. Proxmire make are absolutely baseless.

Dr. Chamberlain. I just wish that all the American people could see what we've seen. I think we'd find much less of this carping at the military and we'd find a lot more understanding.

Mr. Dover. I think that one part of this tour is that you won't find a George Romney statement about being brainwashed.

Dr. Olav Sola. As we proceeded through numerous phases where we were personally involved my opinion has changed 180 degrees.

Jack Webb. It seems ironic, that while our finest young men are fighting half-way across the world, other young men and women safe at home, openly advocate abandonment of Vietnam to Communism. Perhaps they really don't know what this war is all about.

Mudd. With scenes of war protesters tinted red for emphasis, the Defense Department introduced a film on Vietnam narrated by television star Jack Webb. Over 300 films a year are made by the Pentagon. Most of them are meant originally for troop information, but a large number is later released for public showing. It is widely known that the Defense Department often helps sympathetic Hollywood producers who need troop support for their war movies. What has received far less attention is that the Pentagon itself spends over 12 million dollars a year on its own pictures. The annual cost of a single Army series, "The Big Picture", is 900 thousand dollars and the overall Army film budget is more than 6 and one-half million dollars a year. During the 1960's, at least 52 million Americans saw Pentagon motion pictures. 45,000 public gatherings viewed them and at least 356 commercial and educational television stations have presented them as part of their public service broadcast time. Facts and information—not opinions and attitudes—are supposed to be the ingredients of Defense Department films. An official Pentagon directive states: "propaganda has no place in Defense Department Public Information programs". In preparing this broadcast we looked only at products of the last decade—all made after the thaw in Cold War politics. Well-known journalists and movie stars often serve as narrators for the films as these excerpts show.

Robert Stack. Hi, I'm Bob Stack. As you may know one of my hobbies is collecting guns. I've hunted on and off, all my life from California to Mexico to safaris in Africa. Speaking of guns and faraway places, I've just come back from a trip to Vietnam where guns are used for an entirely different purpose.

John Wayne. The Defense Department has asked me . . .

Mudd. The Pentagon helped John Wayne make "The Green Berets". John Wayne helped the Pentagon make this film in Vietnam. Over a thousand prints are in circulation.

Soldier (talking to Wayne). In Vietnam, revolution is a double edged word. The enemy uses it—it's what they call the "aggressive war" they're using against people over here.

Wayne. That's the story and there's nothing mysterious about the kind of revolution the enemy has in mind—it's the same thing we've seen in many parts of the world ever since the Communist revolution fifty years ago. Murder, assassination terror, and over here they've killed over 20 thousand civilian leaders. And it's these same brave people, who have had the will and the guts to conduct their own revolution a real revolution for the betterment of their people.

Mudd. Not only movie stars have aided Pentagon propaganda. For patriotic reasons newsmen such as Edward R. Murrow, Lowell Thomas and John Daly often volunteered their talents during World War II and the Cold War. The Pentagon has used many journalists to carry its message, including some years ago, two of the best known broadcasters.

Chet Huntley. I'm Chet Huntley. To most of us, this is the United States Navy—the aircraft carrier, the cruiser, and destroyer. The modern deepwater navy extending American strength across the oceans of the world.

This is the American Navy in Vietnam, moving quickly where and when needed, displaying the flexibility of modern sea power, controlling the seas, extending its influence on land, and holding superiority .n the air. A three-way force for peace, here to meet at any spot on the globe.

Mudd. "The Eagle's Talon" made in 1962, narrated by Walter Cronkite, deals with America's response to Communism.

Walter Cronkite. Starting in World War II, the aggressive Communist tide has spread in Europe and Asia to engulf its neighbors. Communist China even now has plans to dominate Asia by mass murder—destroying ancient civilizations. Right next door is the nation we freed in 1898—Cuba. A Communist tyranny holds sway and whiskers do not hide the naked face of dictatorship. Our army is face to face with Communism around the world. To meet immediate threats on any front we must build up our land forces at home and overseas. This soldier, guarding one of Asia's gateways against Soviet aggression symbolizes the determination of free men everywhere to resist Communist expansion by force of arms.

Mudd. On a policy level, the Pentagon says it has discarded the rhetoric of confrontation. But city by city, public showing by public showing, the language and symbols of the early 60's are still being widely distributed in the 70's. Here, in Elmendorf, Texas this month, a Baptist congregation attends a Pentagon film on Communism made in 1962. Even though the expressed policy of the United States is negotiation and not confrontation—even though Walter Cronkite and Chet Huntley may now disagree with the intent of the films they narrated—even though the roles of journalist and Government spokesmen are incompatible—the films grind on and on.

A Pentagon film often contains a map that seems to be bleeding. The blood turns out to be the spread of international Communism. Interpretations of Communism and assessments of Communist intent are significant themes in Defense Department films. In "Red Chinese Battle Plan", an anonymous Pentagon narrator describes a foreign policy bent on world conquest.

Pentagon Film Narrator. It is a blueprint for world revolution. Red China's battle plan—divide and encircle; conquer and enslave.

Mudd. In an excerpt from a film called "Road to the Wall," the Pentagon has James Cagney tell of a Communist plan that encompasses even more than the world.

Cagney. The Wall is a solid fact. It stands in Berlin today. It stands—and will stand—wherever the road of world Communism leads. Someday, according to its builders, it will surround not merely the world, but the moon, the stars, outer space—the universe!

Mudd. In what is perhaps the Pentagon's most ambitious film, "Red Nightmare," Jack Webb presents a Russian scheme to crush American freedom.

First Russian Soldier. Americans! They have too many freedoms.

Second Russian Soldier. That is another thing you must remember, Comrade. One day it will be your mission to destroy those bourgeois, capitalist freedoms!

Webb. Frightening, isn't it?

Mudd. The hero of Webb's film, a lathe-worker named Jerry Donovan, dreams that his town is invaded by Communists. With remarkable ease, they quickly subvert everyone except Donovan himself, who listens with shock to a Commissar's speech.

Commissar. When the moral fibre of the United States weakens, and the economy collapses under the pressures of competitive coexistence, it will be your responsibility, Comrades, to purge the minds of the reactionary Americans, so that they will welcome the enlightened Soviet system and conform without resistance to the dictatorship of the proletariat.

Donovan (to soldier). Hey! What do you think you're doing?

Mudd. When Donovan returns home, he finds his own daughter about to leave for a commune.

Daughter. It's true Daddy. I did volunteer for farm work.

Donovan. Linda, why?

Daughter. The party convinced me that I should free myself of the lingering bourgeois influence of family life. I am ready. Do not interfere. It is for my own good.

Russian Soldier. And Comrade Donovan. Do not think that your deviationist remarks will be overlooked. They will be reported to the proper authorities.

JUDGE. Comrade Donovan, you are accused of the following crimes against the state: subversion, deviationism and treason.

MUDD. 900 prints of "Red Nightmare" are currently in circulation. It was first released in 1962, then reissued in 1965. The film was made for the Armed Forces Directorate on Information.

JUDGE. As an ugly remnant of the diseased burgeois class, you must be eradicated before the contagion can spread.

DONOVAN. Believe me you Communists can't keep fooling the entire world. You can't even keep fooling your own people. Because the news about Communism is getting around—that it's only another word for slavery! (Soldier fires the gun.)

WEBB. Don't worry Jerry. That bullet will never reach you, because it's time to bring you back from your red nightmare.

MUDD. The Department of Defense believes that one of the best ways to save Americans from a red nightmare that comes true is with films like these. Although the Pentagon labels them informational, these films contain a high proportion of propaganda, as well as an obsession with monolithic Communism. Tax money financed all of them, and they have all been distributed during the Kennedy, Johnson, and Nixon administrations. It has been more than a decade since the national policy of peaceful coexistence replaced the harsher rhetoric of early cold war years. But to the filmmakers at the Pentagon, with at least 12 million dollars a year to spend, 1946 seems to have lasted a whole generation.

MUDD. The Pentagon, in Washington, is the command post of a military establishment with a multitude of ways to get its message across to the public. Many millions of Americans are reached by Defense Department displays, tours, and motion pictures. But the widest, most penetrating of all contacts the Pentagon has with the public is through the media—newspapers, magazines, radio and television. Once each day, the press and the Pentagon have a formal confrontation.

JERRY FRIEDHEIM. I think this is the first time Dr. Foster has discussed the three different kinds of SS–11s . . . That's correct, these are MRV not MIRV . . . .

MUDD. Every morning at 11 o'clock, in pursuit of Defense Department news, Pentagon reporters get a crack at a careful and respected adversary, Deputy Assistant Secretary of Defense Jerry Friedheim. He does not, of course, tell all he knows; he wouldn't have his job long if he did.

FRIEDHEIM. I can't discuss that at all.

NEWSMAN. What about the size of the warhead?

FRIEDHAM. I just don't have anything I can give you on that. We'll pursue that question.

ROBERT GAROLSKI (NBC News). When did you last have three carriers on station in the Med?

FRIEDHEIM. We'll have to check back and find that date for you.

NEWSMAN. Has the Guam chopped to the Sixth Fleet?

FRIEDHEIM. Negative. It has not.

BOB SCHIEFFER (CBS News). Would she normally be going to replace one of them; is that it?

FRIEDHEIM. That has been the normal operations in the past. We've observed some nineteen Soviet combatant vessels there in recent days. The Sixth Fleet strength is roughly comparable, slightly larger.

NEWSMAN. Slightly larger?

FRIEDHEIM. That's correct.

JACK TOLBERT. It's extremely difficult for a Pentagon reporter, even a regular, to establish sources outside the public affairs arm.

MUDD. Former Public Information Officer Jack Tolbert was an Air Force Major who worked with the press at many military bases for twelve years. He believes that the Defense Department confronts reporters with numerous obstacles.

TOLBERT. The Department of Defense has so many avenues of getting its story across, around, and over and under the media, that I'm not even sure even if every reporter who covered the Pentagon was a hard nosed reporter, that we still wouldn't get the story through.

MUDD. The vastness of the Defense establishment confronts a reporter with an almost impossibly complex task. Pentagon stories develop in many other ways besides formal briefings, but the sheer size of the building itself remains bewildering. Often it is impossible to get to a news story—even when the story does *not* involve national security—until the Pentagon chooses to announce it. Going into and out of the 30 thousand Pentagon offices each day are 200 thousand phone calls and 129 thousand pieces of mail. But very little of this communicating is done with the press. Although the Department of Defense is the biggest business in America, over 95% of the news bureau in Washington do not even assign a reporter regularly to the Pentagon. More newsmen cover the pennant race than the arms race. We asked the man in charge of all Pentagon public relations, Assistant Secretary of Defense Daniel Henkin, if he thought the press did a good job covering the Defense Department.

HENKIN. I believe that it does . . . From time to time of course it gives me some headaches and I give the press some headaches. We understand that. We act professionally, as a professional relationship not only with the Pentagon press and other members of the Washington news corps but with newsmen who cover military activities around the world.

MUDD. What about your public displays of military equipment at state fairs and shopping centers—what purpose does that serve?

HENKIN. Well, I think it serves the purpose of informing the public about their Armed Forces. I believe that the American public has a right to request information about the Armed Forces, to have speakers come before them, to have questions, and to understand the need for our Armed Forces, why we ask for the funds that we do ask for, how we spend these funds, what we are doing about such problems as drugs—and we do have a drug problem in Armed Forces. What are we doing about the racial problem in the armed forces, and we do have a racial problem. I think the public has a valid right to ask us these questions.

MUDD. Well is that sort of information about the drug problem you have and the racial problem you have and the budget problems you have, is that the sort of information that gets passed out at state fairs, by sergeants who are standing next to rockets?

HENKIN. No, I wouldn't limit that to sergeants standing next to any kind of exhibit. Now there are those who contend that this is propaganda. I don't—do not agree with this.

MUDD. What the press wants to reveal, the Defense Department often wants to conceal. We asked the Washington Post's military specialist, George Wilson, who should be prouder of Pentagon press coverage, the press or the Pentagon.

GEORGE WILSON. The Pentagon by virtue of its overwhelming troops in this area has done better in propagandizing as a whole than the press has done on exposing. I don't fault the digging reporters and there are several. What I fault is the lack of demand from the editors, both of TV and of newspapers generally.

MUDD. How hard is it Mr. Wilson for a single reporter at the Pentagon to discover the truth when the Pentagon doesn't want the truth to be known.

WILSON. It's difficult. They can always pull out the secrecy stamp and say it's against the national interest to give you the full explanation for what we did, but you'll just have to trust Big Daddy.

MUDD. Can't a case be made, Mr. Wilson, from the standpoint of national security, to prohibit you from printing in your paper information that the enemy wants to know?

WILSON. It certainly can. A case can be made, but my counter to that is that if it's going to be—if the weapon is going to be described in public as it was in 1969 and 1970, along with the sales job to get the antiballistic missile defense approved it should be described accurately. The point here is that because the technology is reachable, that there will always be the pressure to build it. Weapons are inexorable and they're imperious, and only public challenges and public resistance can keep technology from running us right onto the road of Armageddon, and I think that points up why more coverage of the Pentagon is desirable. Editors should have a larger appetite for these weapons because they're not just nuts and bolts; they often dictate the largest policy decisions in the world today.

RADIO VOICE (Hometown News Center). This is Army Specialist Jean Campbell reporting from Pleiku, Republic of Vietnam . . .

MUDD. The Armed Forces do not have to wait for radio, television and newspapers to come to them. They have their own way of reaching the media. At the Army's Hometown News Center in Kansas City, a blizzard of press releases is turned out in all seasons. Each year, 12 thousand radio and television tapes are mailed to 27 hundred radio stations and 546 television stations. Over two million printed releases are sent to six thousand five hundred daily and weekly newspapers. In these releases, medals, promotions and re-assignments are emphasized. While transmitting legitimate information about servicemen, the news center also functions as a publicity agency for American forces abroad. The only news from the center is good news. The center is commanded by Colonel Richard Stewart, who feels the operation is helpful to the Army.

Colonel STEWART. This is another way of seeing your Army in action and it's even more meaningful because the people can relate to this particular soldier. This is not just an exercise or combat operation or something of that nature but this here is Sergeant Willy Jones.

JACK TOLBERT. There are hundreds and thousands of weeklies and small dailies in this country that live on what we call the hometown release, where the Army, Navy and Air Force maintain hometown news release centers, and are just spewing this stuff into these newspapers who accept it willingly and who print it.

STEWART. They have said time and time again when I've talked to them, they've said, "Keep it coming," in effect, words like that "Keep it coming."

TOLBERT. What the press—and this is the whole press, the community press which is extremely important to this country, is giving a free ride to a military story.

REPRESENTATIVE HÉBERT. I'm one of those who believes that the most vicious instrument in America today is network television.

MUDD. Using sympathetic Congressmen, the Pentagon tries to counter what it regards as the anti-military tilt of network reporting. War heroes are made available for the taped home district TV Reports from Pro-Pentagon politicians. Here Representative F. Edward Hébert of Louisiana asks Major James Rowe, a Green Beret and former P.O.W., what keeps the Viet Cong fighting.

Major Rowe. The support that the VC receives from the United States is the only thing that keeps them fighting.

Mudd. Later, Congressman Hébert, who is the new Chairman of the House Armed Services Committee, asks Major Rowe for his reaction to a peace rally.

Rowe. I walked up and I heard one of the speakers yelling, "Down with imperialism, down with capitalism, down with the oppressive leadership in Washington. Power to the people." I heard the same thing from the Viet Cong except there it was in Vietnamese and here it is in English. I looked around the crowd—I walked through the crowd, and I saw some VC flags flying from the flagpole of the Washington Monument, I saw American flags with VC flags flying over the top of them. I saw American flags with the stars removed and a peace symbol superimposed. I saw the red flag with a black peace symbol on it and then I heard one of my Senators say that "We are here because we cherish our flag." And the only thing I could think of in answer is what flag does he cherish?

Hébert. I want to congratulate you. It's an honor to have had you on this program with me, and I only wish to God we could have more people wearing the uniform privileged to speak as you've spoken, because the silent majority will and must be heard.

Mudd. The war is covered extensively not only by the civilian press but also by the Defense Department's own camera crews in Vietnam. Their product is distributed to American TV stations and networks. This is a soccer match played by North Vietnamese prisoners of war and filmed by the Defense Department. It is intended to supplement regular network news coverage. But the Defense Department can hardly be said to be a disinterested observer in Vietnam. Recently, there have been charges that some of the Pentagon's footage was staged. In fact, the cameraman wtho filmed this soccer game told CBS News that the prisoners had never been permitted to play soccer before but were trotted out for this match when his crew arrived. The cameraman, former Air Force Sergeant Thomas Demitor, spoke about his filming experience shortly before leaving the service after 16 years.

Thomas Demitor. In many stories that were filmed in Vietnam, with my team, we staged a number of stories of the Vietnamese. We were propagandizing the war and an example of it was a story titled, "US and South Vietnamese forces patrol enemy infiltration routes." We went out with the Vietnamese in the Riverine patrol, went down the river until we found an area that was suitable for our landing. Because I knew it wasn't an actual combat situation I had no fear—I was off the boat on the land before the Vietnamese infantry came up, so that we could get a shot as the boats came onto the shore. We proceeded inland about three quarters of a mile or half a mile while we were getting shots of them running through the rice paddies. They didn't fire any shots. There were no traces of Viet Cong.

We were told when we thought we had a sufficient amount of footage exposed, to tell the Vietnamese and they would turn around. When someone turns around and asks you well do you have enough film, and you say yes, then it is definitely staging.

Mudd. Later, while filming the same story, Sergeant Demitor shot real combat footage involving American troops.

Demitor. In the final release, we see none of the actual combat footage of the Americans, we see all of the staged footage of the Vietnamese, and it would lead someone to believe that the Vietnamese were doing the majority of the work. The staged action got in. The actual action did not get in.

Henkin. We are trying our best to provide information. There undoubtedly have been times when certain actions have been staged. I think this is true of all TV news coverage; after all this interview here is being staged.

Mudd. How so?

Henkin. Well props were set up, arrangements were made. You and I did not just walk into this room cold. Arrangements were made for it.

Mudd. Well, we wanted to film in your office but your people said let's go into the studio—so we didn't stage it.

Army Briefer. We are conducting limited duration protective reaction air strikes. . .

Mudd. Defense Department information machinery is well established in Vietnam, where a special language has developed that takes some time to learn. "Protective reaction" means the United States resumed the bombing of North Vietnam. "Selective ordnance" means napalm. "Defoliation" means nothing will grow there any more. A "civilian irregular defense group volunteer" is a mercenary. "Population resettlement" means getting villagers out of their villages, and "Military Assistance Command Daily Press Briefing" means this scene right here, which is popularly known among newsmen in Saigon as the five o'clock follies. The most popular phrase at these sessions, however, needs no explanation.

Army Briefer. No comment.

First Reporter. Well, can you please tell us. . .

Army Briefer. I have nothing further to add.

Second Reporter. Why don't you answer my question?

Army Briefer. I have no further comment.

Mudd. Often the Press is an unwitting partner in its own deception. Former Information Officer Tolbert once took great pride in utilizing the media. He's not so proud of the record any more.

Tolbert. A network was coming over to cover and do a documentary on the air war over North Vietnam. They were going to film it out of Danang where I was the information officer. So in preparing for them we tried to pick out the most articulate, the best-looking pilots that we could, to be able to describe through their eyes what the air war was all about. We briefed the pilots so that they would understand that we were trying to present our views in a one-voice concept; we didn't want divergent views coming from a variety of the different pilots that might raise questions concerning whether they understood, or whether they were satisfied with the way the air war in the north was being fought.

Mudd. And the cast of characters that you made available to those network men was such that they never heard any dissension or criticism about the bombing mission?

Tolbert. No, no never. You know, being an insider, knowing fully what was going on, if I was absolutely candid with them, and opened all of our closets to them, yes they would have come out with a lot more balanced report. I could have helped them do that.

Mudd. What was the result of that network team's journalistic efforts?

Tolbert. Frankly it was just great. It represented the pilots, it represented the way we conceived that the air war in the north was being fought by very professional people and it was as good as if we had done it ourselves.

Mudd. Well, I'm duty-bound to ask, I've got to ask you which network it was. Could you tell me?

Tolbert. Yes, yes I will.

Mudd. Which one was it.

Tolbert. It was CBS.

Mudd. Well, taking that incident you had with CBS and applying it, Mr. Tolbert, to your 12 years as a public information officer, what effect do you think incidents like that have on a democratic society which is supposed to enjoy a free press?

Talbert. I feel that the military information arm is so vast, has been able to become so pervasive by the variety and the amounts and the way and the sheer numbers able to present its viewpoint to the American people I think this attitude it was able to develop allowed Vietnam to happen. Had we not been able to convince the American people prior to Vietnam that a military solution was a correct solution, without a doubt and not to be questioned we couldn't have had a Vietnam. I feel that if we allow this pervasiveness to continue, that frankly it could lead us to another Vietnam.

Mudd. We have reported tonight only a fraction of the total public relations apparatus belonging to the Pentagon and supported by the taxpayers.

Indeed, the news restrictions on the current invasion of Laos raise the question whether the public's right to know is being served or thwarted.

On this broadcast, we have seen violence made glamourous, expensive weapons advertised as if they were auotmobiles, biased opinions presented as straight facts. Defending the country not just with arms but also with ideology, Pentagon propaganda insists on America's role as the cop on every beat in the world. Not only the public but the press as well has been beguiled—including, at times, ourselves at CBS News. This propaganda barrage is the creation of a runaway bureaucracy that frustrates attempts to control it.

Last November 6, President Nixon sent this memorandum to executing agencies criticizing what he called self-serving and wasteful public relations efforts He directed an *end* to what he described as "inappropriate promotional activities". The President specifically ordered—in his words—a curtainment of "broadcastng advertising, exhibits and films."

Just since the memo was written the Army's Golden Knights—a parachute team—have performed for the public in Nevada, California and North Carolina. *Other* Army exhibits have travelled to 59 different locations.

Air Force displays, like this Hounddog-Quail missile, have appeared in at least 36 shopping malls and municipal centers since the memo was written.

We went back to the Pentagon and asked what effect the Presidential directive would have. We were told there will be cuts in personnel *not* activities. There may be some disagreement, of course, over just what constitutes an "inappropriate promotional activity". But to date not a single activity shown on this broadcast has been eliminated. Tomorrow morning according to Defense Department schedules, there will be an Army show pushing the ABM in Mountain View, California, an Air Force missile will turn up in Houston on Friday, the Pentagon's travelling colonels will be in Hampton, Virginia on March 8, and next week fifth graders at the Hill Elementary School in Davidson, Michigan will get to see the Navy's propaganda film on Vietnam.

This is Roger Mudd for CBS Reports.

EXTENSION OF TIME FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the period for the transaction of routine morning business, with statements therein limited to 3 minutes, be extended for an additional 15 minutes today.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

QUORUM

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

CLOTURE MOTION

Mr. CHURCH. Mr. President, I send to the desk, under the provision of paragraph 2, rule XXII, of the Standing Rules of the Senate, a motion, signed by myself and 19 other Senators, to bring to a close the debate on whether to proceed to the consideration of Senate Resolution 9. I ask that it be read.

The PRESIDING OFFICER. The motion having been filed, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the motion to proceed to the consideration of the Resolution (S. Res. 9) amending Rule XXII of the Standing Rules of the Senate with respect to the limitation of debate.

RICHARD S. SCHWEIKER, FRANK CHURCH, HUGH SCOTT, JACOB JAVITS, GAYLORD NELSON, ALAN CRANSTON, MIKE MANSFIELD, HARRISON WILLIAMS, HAROLD E. HUGHES, JOHN O. PASTORE, ROBERT GRIFFIN, EDWARD KENNEDY, JOSEPH M. MONTOYA, PHILIP A. HART, JAMES B. PEARSON, WILLIAM PROXMIRE, JENNINGS RANDOLPH, THOMAS F. EAGLETON, EDWARD W. BROOKE, EDMUND S. MUSKIE.

Mr. ERVIN. Mr. President, I should like to make a parliamentary inquiry.

The PRESIDING OFFICER (Mr. BYRD of Virginia). The Senator will state it.

Mr. ERVIN. I should like to inquire as to whether or not this motion is in order. It refers to bringing debate to a close. I have been here in rather constant attendance on the sessions of the Senate. In the English language, the word "debate" signifies a discussion or series of discussions in which adverse views are expressed in respect to a subject. In my opinion, there is no debate to be brought to a close. The proponents of the resolution to change the rules of the Senate have been conspicuous by their absence and by their silence, and I respectfully submit that the rules of the Senate cannot be construed to be applicable to the end of debate upon a proposition when the debate has never begun.

So I raise a parliamentary inquiry as to whether or not this motion for cloture is not, for that reason, out of order.

The PRESIDING OFFICER. The Chair will say that, while the present occupant of the chair may feel that the Senator from North Carolina has raised a pertinent point, the Chair feels that it is not an appropriate parliamentary inquiry at the present time.

Mr. BYRD of West Virginia. Mr. President, I should like to propound a question and direct it to the able Senator from Idaho (Mr. CHURCH).

In the event that the motion to invoke cloture does not carry on next Tuesday, can the Senator state, for the benefit of the leadership and Senators on both sides of the aisle, whether or not it is anticipated that there will be a fourth motion to invoke cloture; and, if so, can the Senator also indicate when the fourth motion to invoke cloture will be introduced?

Mr. CHURCH. Mr. President, in response to the inquiry of the able Senator from West Virginia, I can only say that it is presently intended, should the cloture motion fail on Tuesday next, that another cloture motion will be filed. No decision has been made as to when the motion will be filed, but there is no doubt in my mind that another attempt will be made.

Mr. BYRD of West Virginia. Before the Senator proceeds—the reason I ask is in order that all Senators may be on notice as to exactly when a fourth vote will occur, and we shall perhaps have better attendance for the fourth—and presumably final—vote on the motion to invoke cloture.

Mr. CHURCH. So far as the proponents are concerned, no decision has been made limiting the number of cloture attempts. It could be that if we cannot secure cloture on the next attempt, the proponents would then decide to take the floor and carry on the debate. That would make up for the deficiency the distinguished Senator from North Carolina complains about. For it is quite possible, I assure the Senator, to say as much on behalf of this proposition as can be said against it. This is one of the possibilities open. I would also want to give as much advance notice as possible to Senators. I appreciate the importance of it. I can only say that every effort will be made, once a decision has been reached, to give as much advance notice as possible.

Mr. BYRD of West Virginia. I thank the Senator from Idaho. It was for that express purpose that I sought the information. The Senator, I take it, then, is not in a position to say now whether there is a possibility, a probability, or a likelihood—in the event the motion to invoke cloture does not carry on Tuesday next—that there would be a motion to invoke cloture presented that same afternoon so that there would be a fourth vote on Thursday next? The Senator is not in a position——

Mr. CHURCH. I am not presently in the position to say that.

Mr. BYRD of West Virginia. I thank the Senator from Idaho.

Mr. ERVIN. Mr. President, if the Senator will yield for an observation, I should like to endorse the recommendation of the Senator from West Virginia if a fourth cloture motion is to be filed. I have stayed here throughout this so-called debate in the hope that I would hear just one rational reason advanced why we should alter the rules of the Senate, and I have been here in vain.

On Friday of this week I shall be emulating the example of some of my friends opposing this measure who have gone off to make speeches, and I shall be making two speaking engagements on Friday, so that I would rather vote on Thursday, if possible, than on Friday for that reason.

Thus, I trust that the hope voiced by the distinguished Senator from West Virginia to the distinguished Senator from Idaho will be realized, if we do have a fourth cloture vote.

Mr. CHURCH. Mr. President, if the distinguished Senator had been listening more carefully during the past 4 weeks, I am certain he would have heard some very convincing arguments in favor of Senate Resolution 9; but there is justice in his observation that most of the time has been taken by the opponents, which has placed a burden upon them.

It may be, in the interest of fairness, that we should divide this debate by the month. The opponents have already had 1 month to state their case. Perhaps the proponents should now take next month to state their case, during which the Senator from North Carolina can meet his speaking engagements. Then the opponents could take it up the following month, and, in this manner, we might pass it back and forth for the remainder of the session, in the interest of equity to both sides.

Mr. ERVIN. Mr. President, will the distinguished Senator from Idaho permit the Senator from North Carolina to voice the hope that at least we can bring this alleged debate to a close by the first day of November so that we can have the remaining 2 months for legislative purposes.

Mr. CHURCH. I agree that is one of the possibilities, but perhaps we should find a way to break the impasse before the first of November. In the interest of the country, both sides should attempt to break the impasse now, so that a vote on the merits of this proposal can be reached without further delay.

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. CRANSTON). The Chair, on behalf of the Vice President, in accordance with Public Law 91-213, appoints the Senator from California (Mr. CRANSTON) to the Commission on Population Growth and the American Future.

The Chair, on behalf of the Vice President, pursuant to Public Law 89-81, appoints the Senator from Wyoming (Mr. HANSEN) to the Joint Commission on the Coinage.

ADDITIONAL STATEMENTS

REPORT BY PRESIDENT'S ADVISORY COUNCIL ON EXECUTIVE ORGANIZATION ON SELECTED INDEPENDENT REGULATORY AGENCIES

Mr. PROUTY. Mr. President, on February 11, the President released the report of his Advisory Council on Executive Organization—the Ash Council—containing numerous proposals for reorganizing seven of the major independent regulatory Commissions. All but one of those regulatory Commissions, the Securities and Exchange Commission, come under the jurisdiction of the Committee on Commerce on which I serve as second ranking minority member. Accordingly, I have reviewed the recommendations contained in that report with a great deal of care.

Mr. President, at this time I have serious reservations about the Council's recommendation to replace all of the existing Commissions—with the exception of the FCC and the Antitrust Board proposed to be formed by separation of the FTC into two agencies—with single Administrators appointed by and serving at the pleasure of the President of the United States. This proposal, if adopted, would in effect serve to divorce these agencies from congressional control and move them into the executive branch of the Government.

I am not convinced that this proposal would improve the quality of regulation by the affected agencies, nor is it justified, in my opinion, by the reasons advanced in the report which boil down to the principal notion that regulation by a single Administrator would be more efficient.

I, for one, question whether efficiency should be the sole measure of regulatory effectiveness. In this connection, it should be noted that the Council itself recommended plural headed organizations in the communications area and antitrust fields for reasons which it enumerated as follows:

> We believe that the overriding needs for a mixture of views in the communications area and for extensive economic judgment at the point of decision in the antitrust field justify plural-headed organizations in these areas.

It appears to me that these attributes are equally desirable and should not be lightly discarded in the other areas of regulations studied by the Council.

More specifically, as the ranking minority member of the Subcommitee on Surface Transportation of the Committee on Commerce, I am concerned about the recommendations of the Council that the Interstate Commerce Commission, Civil Aeronautics Board, and Federal Maritime Commission should be combined into a new Transportation Regulatory Agency, headed by a single administrator appointed by and serving at the pleasure of the President of the United States.

Consider for a minute the magnitude of the responsibility that would be placed upon a single administrator charged with the regulation of all modes of transportation and their operations both domestic and international. For one thing, such a man would be responsible for the regulation of industries having combined assets conservatively estimated at substantially in excess of $100 billion. For another he would be responsible for the regulation of an enterprise, which the words of the President in his recently transmitted Economic Report to Congress, "is important both to the Nation's rate of overall growth and to the way that this economic activity is distributed geographically"—page 122. I am not convinced that vesting this much responsibility in a single individual would be either wise or desirable.

In expressing my concern about this recommendation at this time I do not want to be understood to be opposing the concept of merger of the transportation regulatory commissions. It may well be that the technological changes in the various modes of transportation identified by the Council will dictate the need for a unified regulatory response and ultimately the merger of the three presently existing transportation regulatory commissions. If this is determined to be the case, however, merger should only be undertaken after a careful study of the stautes administered and standards applied by each of the presently existing commissions in regulating transportation.

Mr. President, the regulatory conflicts and inconsistencies pointed to by the Council as its principal basis for recommending merger of these three commissions are the direct result of the existence of conflicting statutes and standards being applied by the various commissions in regulating transportation. We, the Congress of the United States, and not the transportation regulatory commissions are principally to blame for this deplorable situation and it is up to us to correct it. We have paid a great deal of lipservice to the concept of creating a balanced and coordinated national transportation system but when it comes to legislating, we proceed to enact legislation on a mode-by-mode piecemeal basis. I have decried our tendency to enact piecemeal legislation in the past and I will continue to do so in the future. The results of legislating in this fashion are just now beginning to manifest themselves in the area of transportation.

Mr. President, it is all well and good to talk about organizational restructuring of these commissions but it should be apparent that such a restructuring will in and of itself accomplish very little so long as the different modes are regulated under different and frequently conflicting statutory provisions.

The Ash Council itself appeared to recognize this fact as evidenced by the following paragraph found at page 82 of its report:

> Merger of the functions of transportation regulation into a single regulatory agency will place a great burden on the administrator of that organization. At the outset, he would have several statutes to administer, which might tend toward inconsistent policy. This result must be avoided if the agency is to exercise its mandate effectively. Statutes written to accommodate the requirements of the public and the industry in 1887, 1916, or 1938, are not the statutes which can serve the requirements of the integrated transportation network of the Seventies and beyond. For these reasons, the Interstate Commerce Act, the Shipping Act, and the Federal Aviation Act must be reexamined to make compatible their provisions and to determine how best they can be amended for the purpose of enabling private initiative to restore a viable and efficient transportation system.

Nowhere is the need for reexamination more apparent then in the area of rate regulation as I have pointed out repeatedly. Last year I introduced Senate Joint Resolution 186 which would have provided for a study of the standards applied by the transportation regulatory commissions in passing upon the lawfulness of carrier filed rates. Unfortunately, although hearings were held by the Subcommittee on Surface Transportation last year with respect to this problem, my resolution got lost in the press of other business before the committee during the concluding days of the 91st Congress. I intend to reintroduce a similar resolution shortly and am hopeful that it will receive early and favorable consideration. Such a study is obviously necessary whether or not the transportation regulatory commissions are to be merged as recommended by the Council.

Similarly, the Senator from Tennessee (Mr. BAKER), also a member of the Subcommittee on Surface Transportation, introduced a bill last year, S. 3760, which would have provided for a comprehensive study of the feasibility as well as the desirability of combining the existing transportation regulatory commissions into a single transportation regulatory commission. I did not cosponsor that bill because it was not clear to me at the time that the study commission provided for would be required to thoroughly review the operating procedures, policies, and substantive provisions of law administered by each of the existing commissions prior to submitting its recommendations for or against merger. Had that bill been considered by the committee, I would have proposed an amendment to clarify that point, because in my view a merger study which does not come to grips with these fundamental issues would be an unreliable base for determining the appropriateness of a merger. Unfortunately the committee did not even hold hearings on that bill during the last Congress.

Happilly, Senator BAKER has recently reintroduced a revised study commission bill—S. 784—which clearly requires the commission to undertake the sort of comprehensive study which I believe to be essential to an informed consideration of reform of the transportation regulatory structure. I strongly support S. 784 and I commend it to the attention of anyone genuinely interested in regulatory reform with respect to transportation. I am hopeful that the Committee on Commerce will expeditiously proceed with hearings on this vitally necessary piece of legislation.

Mr. President, let us not delude ourselves, there are no simple solutions to a problem as complex as overhauling the structure for the regulation of transportation. No one is satisfied with the manner in which that structure is functioning at present. Everyone wants to do something to improve the quality of the transportation regulatory process. But I cannot caution too strongly against acting precipitously in an area of such great sensitivity as the regulation of transportation. What I am saying is: Let us look— and carefully—before we leap to the conclusion that existing transportation regulatory commissions should be abolished and their functions lumped together somehow within the framework of a super transportation regulatory agency.

If as a result of the rate study, which I believe to be necessary, and the study of the other substantive provisions of the laws administered by the existing commissions, such as would be provided under S. 784, it is determined that the statutory mandates of the various commissions can be standardized or at least harmonized, the principal reason which has been assigned to date for merger will have been eliminated. The majority of the proposals for procedural reform advocated by the Council, such as increased reliance on rulemaking and reduction of the number of issues decided on a case-by-case basis, clearly do not require merger for their implementation.

In any event, the study provided for under S. 784 is an obvious necessity if we are to avoid regulatory chaos in connection with attempting to merge the three transportation regulatory commissions. It is even more necessary in my opinion to provide a rational blueprint for regulatory reform, which may or may not include the creation of a single agency or commission to regulate all modes of transportation.

I will have more to say on a number of the subjects covered in the Ash Council Report later. The purpose of these remarks is simply to bring the existence of their report and some of its salient recommendations to the attention of my colleagues. While I find much to disagree with in the report, it is bound to stimulate the sort of vigorous public discussion which the President indicated was his reason for releasing it. In so doing the President urged "all concerned to respond with their comments or criticisms by no later than April 20, in order to help us restructure the regulatory process to make it realize the expectations of the American public." I am hopeful that he will receive the widespread response to the report which he is apparently seeking.

Mr. President, I ask unanimous consent to have printed in the RECORD the statement of the President upon releasing the report to which I have referred and a fact sheet released by the White House summarizing the background, findings, and principal recommendations contained in that report.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT

Today, I am releasing an extensive study on the organization and structure of seven major independent regulatory commissions. Prepared by my Advisory Council on Executive Organization (The Ash Council), the study contains far-reaching recommendations for change.

Of varying ages, the regulatory agencies were established for a variety of purposes.

Following the near collapse of the railroads after the Civil War, and the ensuing era of monopolistic and discriminatory practices, the Interstate Commerce Commission was established in 1887.

The desire to improve competitive markets and protect consumers and shareholders from fraudulent practices were the central goals of the Federal Trade Commission, created in 1914, and the Securities and Exchange Commission, created in 1934.

On the other hand, the development of Federal regulation of radio communication and the radio industry, culminating in the establishment of the Federal Communications Commission in 1934, was in response to an industry seeking regulation of the spectrum for its own protection.

However, there was a thread common to all—the effort of the Federal Government to protect the members of the consuming public against market abuses over which they had little or no control.

Since their establishment, all of these agencies have grown in haphazard fashion—and despite repeated criticism and calls for reform, very little change has been undertaken beyond some modest internal reorganization.

As the agencies deal in areas of great sensitivity, in which major economic interests are affected, and in which interrelationships exist between the executive, the Congress and the courts, the reluctance to reform can be readily explained.

The Ash Council found considerable merit in the following criticisms that some have leveled against the commissions:

1. That, lacking in direct accountability to anyone, their structures frozen into a cast set years ago, the commissions have at times been unresponsive to changing circumstances, and to new needs.

2. That they have at times failed to carry out their statutory responsibilities with either effectiveness or efficiency.

3. That the very constituency they were established to serve—the consuming public—is now the source of increasing and legitimate complaints.

4. That their collegial decision-making is inefficient and permits avoidance of responsibility.

5. That the regulatory process has in some areas become so obscure and complex that it has effectively insulated vital issues of policy from public scrutiny and correction.

6. That the activities of the commissions are largely uncoordinated either with each other or with national policy goals.

However, it should be noted that the deficiencies of the independent agencies may not be entirely attributable to faulty organization and procedure.

The failure to review and reform outdated social and economic policies embedded in the regulatory fabric may also be partially responsible. In addition, the substantive goals of regulation often seem confused, unclear, or even contradictory. Regulation may have been extended to some fields in which market forces would better serve.

Too often, out of habit or inertia, governments maintain organization structures and agencies that are either no longer necessary, no longer relevant, or no longer truly responsive to the problems of the modern era.

The Ash Council's report persuades me that, despite the best efforts and intentions of the commission's members, there is room for substantial improvement both in the way in which these organizations are structured, and in the way in which they carry out their functions.

At this point, I have made no final decisions on the merits of the Council's recommendations. But to stimulate a vigorous public discussion, and to receive the benefit of the views of the agencies themselves, the regulated industries, the interested bar groups, consumer protection organizations and others, I am releasing today this full report of the Advisory Council.

I have asked the Ash Council staff to solicit comments from the broadest possible range of groups and individuals concerned and affected, including consumer and user groups familiar with the industries involved.

I urge all concerned to respond with their comments or criticisms by no later than April 20, in order to help us restructure the regulatory process to make it realize the expectations of the American public. Following an evaluation of these views, I will recommend to the Congress as may be appropriate, those reforms that appear desirable and in the public interest.

FACT SHEET: PROPOSAL FOR A NEW REGULATORY FRAMEWORK

(Report of the President's Advisory Council on Executive Organization on Selected Independent Regulatory Agencies)

BACKGROUND

Major and fundamental changes have taken place in each of the areas of economic enterprise under regulation by the seven independent regulatory commissions studied in the Council's Report:

In transportation, increasing integration between the various modes reflects a persistent striving for greater efficiency in the movement of goods and people;

In trade, new and probably enduring levels of public and producer attention are being given to the quality of goods and services, and to the operation of the marketplace;

In securities, even as the structure of the industry itself and the relationship between Government and industry are experiencing major changes, a well established trend toward institutional investment and new methods of financing are significantly altering the characteristics of securities trading;

In power, where industry structure is also undergoing change, supplies of electrical energy and natural gas have not consistently kept pace with increasing demands in certain areas, and new technologies have yet to take up the slack;

In communications, burgeoning technology has created new avenues for service and new products which together complicate the task of regulation and blur distinctions between the various forms of communications.

The independent regulatory commissions play a critical role in balancing the changing demands of the Nation for the goods and services of regulated industries and the related need for financially sound and effectively managed industries in the regulated sectors of our economy. Unfortunately, obsolete organizational forms limit the effectiveness of these commissions in responding to economic, technological, structural, and social change.

FINDINGS

The regulatory commissions are not sufficiently accountable for their actions to either the Congress or the President. Regulatory activities, therefore, are not adequately supported and are not effectively coordinated with national policy goals.

Inherent deficiencies in the commission form of organization prevent the commissions from responding effectively to changes in industry structure, technology, economic trends, and public needs. Moreover, even the most able administrators have difficulty in serving as coequals on collegial commissions.

Many commissions engage excessively in case-by-case adjudication as a basic for policy formulation rather than using less formal procedures such as exchanges of written or oral information, informal regulatory guidance, or rulemaking. The judicial cast of agency review proceedings generates an organizational environment inimical to regulatory efficiency and to constructive response to industry and the public.

Over judicialization of the administrative process encumbers the time and energies of commissioners and staff, imposes high costs upon litigants, and hinders coordination of agency policy and priorities with those of the executive branch.

Certain functional responsibilities are inappropriately distributed among the various commissions:

(a) Diffusion of responsibility for transportation regulation among the ICC, CAB, and FMC impedes the development and implementation within the Department of Transportation of a consistent national transportation policy. Moreover, responsibility for promotion of transportation which has been vested in some regulatory commissions often conflicts with the regulatory activity of those agencies.

(b) Combination of antitrust enforcement and consumer protection in the FTC deprives that agency of a central purpose.

(c) Regulation of public utility holding companies should be transferred from the SEC to the FPC which possesses the necessary regulatory expertise regarding public utilities.

RECOMMENDATIONS

1. The transportation, power, securities, and consumer protection regulatory functions should be assigned to agencies headed by single administrators, appointed by the President, and respectively designated: Transportation Regulatory Agency, Federal Power Agency, Securities and Exchange Agency, and Federal Trade Practices Agency.

The communications regulatory function and the antitrust enforcment function should, as now, be carried out by multimember bodies for reasons supervening the advantages of a single administrator. The FCC should be reduced in size from seven to five members who are appointed to serve 5-year terms.

2. Internal agency review of proceedings should be limited in time and focused primarily on the consistency of the decision with agency policy. Thus, a 30-day period should be allowed after a hearing examiner's decision for policy review by the single administrator. In a greater percentage of agency cases, initial decisions of agency examiners should become the final determinations of the agency.

3. Appeals from final decisions of many agencies should be heard by an Administrative Court of the United States, consisting of up to 15 judges, appointed by the President and confirmed by the Senate for terms sufficiently long to attract men of high judicial quality. The Administrative Court should review appeals from final agency determinations of the transportation, securities, and power agencies. Decisions of the antitrust, trade practices, and communications agencies would continue to be reviewed directly in the Federal courts.

4. The ICC, CAB, and the FMC should be combined within a new Transportation Regulatory Agency.

5. The promotional subsidy-granting activities of the CAB should be transferred to the Department of Transportation.

6. The FTC's consumer protection responsibilities should be vested in a new Federal Trade Practice Agency.

7. The FTC's antitrust enforcement responsibilities should be vested in a new Federal Antitrust Board consisting of a chairman and two economist members.

8. The regulatory responsibilities of the SEC under the Public Utility Holding Company Act should be transferred to the Federal Power Agency.

Mr. Frederick R. Kappel's dissent to the Council's recommendations for single administrators and for a separate administrative court is on page 9 of the Council's report.

RICHARD BREVARD RUSSELL

Mr. ERVIN. Mr. President, one of the most perceptive journalists on the Washington scene is Mrs. Virginia Weldon Kelly, who had many opportunities to witness the great contributions which our departed colleague, Senator Richard Brevard Russell, made to our country.

On January 29, 1971, the Independent and Press-Telegram of Long Beach, Calif., published in their columns Mrs. Kelly's appraisal of Senator Russell as an individual and as a national legislator. Her appraisal of this great Georgian and American merits the widest possible dissemination. For this reason, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OF RICHARD BREVARD RUSSELL

(By Virginia Weldon Kelly)

"Richard Brevard Russell, Democrat, of Winder, Georgia," is his complete biography in the Congressional Directory. He was a modest, reserved man who detested self-aggrandizement.

When he died a few days ago, the Senate asked President Nixon to defer his State of the Union address for a period of Senate mourning. The President declined. But at the Joint Session of Congress he paid Senator Russell a tribute.

He said that when he visited the senator recently at Walter Reed Hospital, Mr. Russell did not refer to his condition, but made a plea for a strong national defense. This was characteristic of the senator's unselfishness.

For many years, he smoked three packs of cigarettes a day. In 1957, doctors said he had emphysema. At the same time, a brother who was a heavy smoker developed lung cancer. Senator Russell never smoked again, but he went downhill in health.

It is not true that he died a lonely and bitter man (as a Washington newspaper alleged) because he did not become President. Senator Russell never married because he had a tragic love affair in his youth. But he was an admirer and beau of lovely women at home and abroad.

He was one of the thirteen children of the chief justice of Georgia's Supreme Court and Mrs. Richard B. Russell, senior.

Devoted to his mother, he made a home for her throughout her long life. After her death, he had a bench placed by her grave in the family cemetery so that he could rest in the twilight to meditate and pray.

A deeply but quietly religious man, he was reared to read the Bible daily. He helped rear, educate, and counsel his many nieces and nephews, and their children, who were as close to him as if they had been his own. He suffered anguish when a nephew was critically wounded in Vietnam.

He knew no southerner could be nominated or elected President in 1952 when he briefly sought the nomination. He campaigned only a few days, and had no organization and little campaign money. But at the Democratic National Convention, he received 294 votes before Gov. Adlai Stevenson was nominated.

President Truman said, as did many other Democratic leaders, that Dick Russell could have been President if he had not been a southerner.

Senator Russell and Governor Stevenson were distant cousins. Early in the campaign, Russell visited Stevenson in Illinois but they could not agree on important matters.

In the Eisenhower Administration, Senator Russell warned the President, Secretary of State Dulles, and Assistant State Secretary Thruston B. Morton that it would be catastrophic to send arms and technicians to Vietnam. He told succeeding Presidents that involvement in a ground war in Asia was nationally suicidal. But he loyally supported each President when the nation was committed.

Senator Russell was the close friend of President Franklin D. Roosevelt and his successors. But a coolness developed between the Senator and Presidents Roosevelt, Truman, Kennedy, and Johnson because Russell deplored some of their policies. This was especially painful vis-a-vis Mr. Johnson because Mr. Russell exerted his influence to make Johnson Senate majority leader—the big step toward the presidency.

Senator Russell always said he was a fiscal liberal in a depression, but a conservative in good times.

Frugal and above reproach in private and public life, he never even accepted fees or expenses for making speeches.

After he refused to serve on the Warren Commission, the senator was amazed when President Johnson publicly announced that Russell would serve. He did so, but was dissatisfied with the evidence presented and other aspects of the investigation of President Kennedy's assassination.

He was active in legislation which provided rural electrification, home and farm loans which helped millions of poor whites and blacks.

He led the southern bloc against civil rights legislation, but he knew it would come.

Roy Wilkins and other black leaders praised Senator Russell for his leadership in areas other than civil rights.

He supported intervention in Korea, and he advised President Kennedy to take a strong position in the 1962 Russian missile crisis in Cuba.

Senator Russell considered that the Bay of Pigs fiasco and failure to overthrow Castro contributed toward the Vietnam war.

An intellectual, an avid reader of history, he was a renowned constitutional lawyer, a formidable parliamentarian and debater.

Until his illness, he was a skilled woodsman, angler, and hunter; and a baseball and football enthusiast.

ANNOUNCEMENT OF MEMBERSHIP OF JOINT COMMITTEE ON DEFENSE PRODUCTION

Mr. SPARKMAN. Mr. President, section 712(a)(1) of the Defense Production Act, as amended, provides that the Joint Committee on Defense Production shall be composed of 10 members, five of them members of the Senate Committee on Banking, Housing, and Urban Affairs, and five of them members of the House Committee on Banking and Currency. The law provides that these five members from each of the committees are to be appointed by the chairmen of the respective committees, three from the majority and two from the minority party.

The Senate members of the Joint Committee on Defense Production will be the Senator from Alabama (Mr. SPARKMAN), the Senator from Wisconsin (Mr. PROXMIRE), the Senator from New Jersey, (Mr. WILLIAMS), the Senator from Utah (Mr. BENNETT), and the Senator from Texas (Mr. TOWER).

INDIFFERENCE TO FATE OF SCIENTIFIC AND ENGINEERING COMMUNITY

Mr. MUSKIE. Mr. President, I ask unanimous consent that the column entitled "A Word for Science," written by Robert Bendiner, and published in the New York Times of January 15, 1971, be printed in the RECORD. Mr. Bendiner trenchantly argues the need for utilizing our vast scientific and engineering resources in the immense tasks that we have neglected so much at home, especially the problem of pollution. The column addresses itself to those who are indifferent or even hostile to the fate of the scientific and engineering community. I think of this problem more in terms of reorienting the investments we have made in research and engineering from space and military to domestic areas.

It is the same old theme of priorities. In this case, however, we are talking about research and engineering that must be completed before meaningful capital investments can be made. For instance, in the field of pollution control, 5 years of well-financed and highly directed research in the area of waste treatment might lead to the development of techniques which in turn would make past treatment processes obsolesent or even obsolete. The research must come first.

The costs of the Vietnam war and the misallocation of our resources have delayed and perhaps fatally weakened many of our domestic programs. Even more tragic has been the overwhelming use of our scientific and engineering communities in areas that do not benefit our domestic community. We can no longer delay in reorienting at least this sector of our economy if we are to attack our domestic problems in the future with any degree of sophistication.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Word for Science

WHAT TECHNOLOGY HAS DONE TO THE EARTH, TECHNOLOGY CAN CURE

(By Robert Bendiner)

Until recently rich and revered as the great American faith, science has fallen on lean and hungry days. Some 50,000 assorted scientists and engineers are now walking the streets, driving taxis or running gas stations. Where industry recruiters once stood in line to snag fledgling physicists before they could even shed their commencement robes, nearly half the 1967 crop of Ph.D's in physics still had not found full-time work in their field two years after graduation.

Research projects once welcomed by university presidents for the lush finances they attracted to their institutions are so thinned out by now that the president of the National Academy of Sciences talks grimly of the whole national research structure approaching a "shambles." Government money, long since become the secret ingredient of scientific progress, has in some cases shrunk in absolute terms and in others failed sadly to keep up with inflated costs. And among students themselves the linking of research with defense, of progress with pollution, has so discredited science that it has a hard time competing with Taro cards and enlightenment by way of the Zodiac.

In this age of racial romanticism a certain denigration of science is probably inevitable. An electronic rock musician rates ahead of a physicist, rationalism is equated with insensitivity and science is blamed for all the sour products of materialism, instead of materialism being blamed for the misuses of science. Yet to all who want to right the wrongs supposedly fostered by science, particularly to those who want to clean the air, water and earth of this planet, it should be plain that there has never been greater need of the scientist, the engineer and the technician or less sense in their being unemployed for so much as an hour.

We need them, to start with a modest example, to develop efficient machinery for recycling waste. Here would be a triple boon to society: It would dispose cleanly of the rubbish that threatens to bury whole populations alive; it would yield materials better than many ores now being mined to the detriment of the earth above them, and it would preserve those same resources against the day when they might be desperately in demand.

We need scientists, engineers and technicians to develop fuels that can generate more electric power without fouling earth, sea and sky in the process. But why more electric power? Indeed, why not cut back on power and return to a simpler, less demanding, way of life? If only waffle irons and electric toothbrushes were at stake, the argument would be unanswerable.

But the fact is, we need more power to do the very recycling of waste that is so desirable. We need it to operate the vastly expanded sewage treatment plants that a growing population demands. We need it for that immeasurably developed system of mass transportation that our metropolitan areas must have if the automobile is not to make the human lung outmoded. We need it for the herculean clean-up of the nation's lakes and rivers. And, not least, we need it if all who are just emerging from dire poverty are to enjoy a standard of living we have so come to take for granted that many now hold it in scorn (or pretend to). Those who have yet to enjoy it understandably prefer not to knock it till they've tried it.

To achieve these ends—and we are concerned here with keeping the planet livable—we are going to require sources of power that do not themselves add to the world's pollution. And here is opportunity for all the technique we can muster.

European cities, particularly Vienna, have made considerable progress in producing electricity as well as heat from solid waste. We are still not sure about picking the stuff up. Coal is the greatest power source we have, but it is dangerously dirty. Ultimately it will be converted to clean efficient gas—but when? Nuclear fuel promises equally clean and even cheaper power, but atomic plants are still in the Model-T stage. If time, talent and money were concentrated on the breeder reactor, the results could be enormously rewarding.

So it goes. Unlimited cheap fuel with no pollution whatever is the promise of controlled hydrogen fusion, which is thought to be some thirty years off. But need it be? Likewise off in the distance are such other great potentials as oil from shale and geothermal power.

The importance of all these sources lies in the fact that electricity itself is totally clean and nonpolluting. Let it at last be cleanly produced and cleanliness will follow in space-heating, in industry, in transportation, in everything. The world will be so sanitized that we might almost miss the dirt.

On all these fronts—not to mention fields like biology, medicine and oceanography, which not even the most romantic rebel deplores—there is such great good to be done that funds, far from being begrudged, should be poured out as though our lives depended on it. They do.

ADDRESS BY SENATOR DOLE BEFORE NATIONAL FARMERS UNION CONVENTION

Mr. HANSEN. Mr. President, the members of the Rocky Mountain Farmers Union are presently visiting Washington, and are conducting their 69th annual convention sessions in the Capital City.

Last evening, Farmers Union members were addressed by the Honorable Bob Dole, Chairman of the Republican National Committee and Senator from the farm State of Kansas.

Senator Dole expressed during his message a point which bears repeating: The Republican Party cares about farmers, the Nixon administration cares about them, and both are able to match words with deeds.

Senator Dole took occasion to outline, in some detail, ongoing programs and achievements which evidence interest in the welfare of those engaged in agriculture. So that this record can be reviewed by others. I ask unanimous consent that his speech be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks of Senator Bob Dole, Republican National Committee Chairman, 69th Annual Convention, National Farmers Union, February 25, 1971, Washington, D.C.

I am pleased to be with you this evening at this 69th annual meeting of the National Farmers Union, especially for the opportunity it affords to discuss agricultural facts and the real issues. Over the many years of my strong and continuing interest in farm matters, I have learned much from my NFU contacts. I know these will continue to be constructive.

I welcome this opportunity to be with you, for we share a common concern. It is concern for American agriculture and for all segments of American life.

With that concern, we also share a common determination. It is a determination to face squarely the problems of the present, and together develop constructive answers for a brighter future.

It is significant that Tony Dechant has seen fit to invite the chairmen of the two great political parties to discuss issues affecting you this evening. It is significant as an indication of administration interest in farmers that President Nixon should choose for the top Republican political post a man from a western Kansas wheat town who has served on the House Agriculture Committee, is presently serving on both the Senate Committee on Agriculture and Forestry and the Select Committee on Nutrition and Human Needs. I have travelled abroad and will continue to travel whenever the need arises to promote the best interests of all people under the food for peace program. You will recall that this program was initiated by President Eisenhower in 1954 and has had strong bipartisan support ever since. It is one of the greatest and most constructive programs to advance the foreign policy interests of the United States.

Let me make one point clear—just as Secretary of Agriculture Clifford Hardin was given the charge by President Nixon to represent the farmers of this country in the councils of government—so will the present chairman of the Republican National Committee fight not only in the Senate, but also in the political arena for those interests.

Let me say at this point that those interests—the interests of farm people—are the interests of America—just as the strength of a dynamic and progressive agriculture is a source of strength and progress for our nation and the world.

You know and I know that there is a great deal of misunderstanding among our citizens both over the importance and the complexity of farm and rural programs.

If you will permit me one small partisan remark—and I know you suspect that I have one little one tucked away—I can't help be dismayed by the attitude that city Democrats have toward agriculture.

REFUSED TO SERVE

That atttiude was manifested this year when Congressman Herman Badillo of New York City refused to serve on the House Agriculture Committee. Congressman Badillo's fellow Democrats were unhappy that he did not remain on the Agriculture Committee, since the Committee oversees the major anti-poverty legislation concerning food stamps, commodity distribution and school nutrition. Two years ago Representative Shirley Chisholm said, "All I'm asking for is something more relevant than agriculture," when it was suggested by Democrat colleagues that she devote some time to tackling one of the major domestic problems facing the nation—our food and farm policy.

I believe the attitude of these two city Democrats is symbolic of a great segment of the Democratic Party—a group of people who hold dear very little of the values that exist in rural America; values that has made and do make America great.

I am reminded, of course, that similar observations have been made about my own party—that we Republicans don't care about the farmer and rural America.

I even recall a quote from my own friend, Bob Poage of Texas, who once said that neither political party cared about 5 percent of the population when the other 95 percent was off the farm.

GOP DOES CARE

Well, friends, I'm here to tell you that's only half right. The Republican Party does care, and I'm going to do my best to see that it continues to care, and I know President Nixon is going to do his very best to bring prosperity and tranquility to the ruropolis as well as to the metropolis.

Words and phrases are, of course, empty echoes unless accompanied by deeds. And this administration will be like every other administration—measured by its deeds—not its words.

There was a great Democrat who once said, "Let's look at the record." Let's take a quick look at some items of accomplishment that farmers and rural residents from across the nation can examine.

FARM INCOME

First of all, the 1961–1968 average realized net farm income was $13.8 billion. The 1968–1970 average—the Nixon years—was $16.0 billion, or 16 percent. You and I know this is still inadequate. It's still not fair, but it's a start. We intend to do even better with new programs.

GRAIN DUMPING

I recall the millions of bushels of grain dumped into the market to hold down prices during the Freeman years. I recall a former Secretary of Agriculture expressing pleasure when farm prices fell, and a Chairman of Economic Advisors under President Johnson stating on television that dumping corn and other grains on the market was good because it would result in lower hog prices.

I recall an effort made in the House Agriculture Committee to raise the minimum resale price above the 105 percent of loan level and the pressure that came from the Great Society to maintain that low resale price—an effort which was successful by the narrow margin of one Democrat.

I recall the outcries from the farmers union *GTA* against this market-destroying activity.

However, my recall mechanism does not include any statements of criticism of these policies by the present chairman of the Democratic National Committee in regard to the interests of our farm families on this real dollar and cents issue.

NO DUMPING POLICY

I can recall in the mid-sixties farmers would dread the day Commodity Credit Corporation was to announce the sale of some surplus grain. It was a pretty sure bet grain markets would drop 3c to 10c. I am pleased to say that the minimum legal resale for grains is now 115 percent of loan. *CCC* is getting that much and more. There is no "dumping" philosophy or practice in this administration.

Foreign nations know they can depend on the U.S. to deliver the quality grain they want. Your local cash price once again reflects export sales. This is a healthy trend, for as world markets expand, grain prices should increase. On top of this, the farmer still receives his marketing certificate for 100% of parity on his domestic production. When you combine the cash price you receive when you sell your grain and average the marketing certificate income, a blend price is the result.

Let's look at the blend price on wheat the past three years. In 1968 it was $1.79 per bushel. In 1969, it was $1.89, and in 1970 it was $2.11 per bushel. If the administration is successful in maintaining and expanding world markets for U.S. grains, we can foresee a further increase in this blend price in 1971.

IGA

In regard to the international grains agreement, there is another matter of overriding interest to grain farmers and to all the membership of this great farm organization—which I should like to lay on the table for your careful analysis. For it is time you got the real facts on the International Grains Agreement and what it did to you—not for you.

The I.G.A. proved to be an international economic disaster, especially for U.S. wheat growers, despite the following November, 1967 statement by President Johnson at the signing on behalf of the United States:

"The new arrangement thus will prove new price insurance to U.S. wheat farmers."

It proved to be low price insurance and losing market insurance. Other countries undersold us and we were left "holding the bag" full of unexported wheat.

I will not take the time of this group to detail all the reasons for the quick demise of the I.G.A. Perhaps, just the following few words, couched in diplomatic language, by Secretary Hardin on November 17, 1969, are sufficient:

"World production and exportable supplies have climbed to record levels, but import needs have fallen. These changes have been of sufficient magnitude to cause extreme downward pressure upon world wheat prices. Thus the price provisions of the new arrangement were immediately put to the severest possible test. Among the problems encountered with the wheat trade convention are a number of structural deficiencies, which tended to distort trade patterns and weakened confidence in the fairness and workability of the arrangement."

Just listen to this comment by the Australian Minister for Primary Industry, the Honorable J. D. Anthony:

"What has happened is that France has increased her sales at the expense of Canada and the United States. At the same time, the Australian Wheat Board has taken full advantage of its favorable position under the I.G.A. and has been very vigorous and successful in its marketing. As a result—and there is no doubt about this—Australia has gained more than her traditional share of the world market. While this has been happening, countries who are not parties to the I.G.A.—particularly the Soviet Union and East European countries—have been expanding their sales at prices out of line with I.G.A. prices."

A NEW AGREEMENT

A new agreement was negotiated and announced earlier this week which enables U.S. wheat growers *to prosper from expanding markets*. The machinery of the International Wheat Council for consultation and the collection of detailed information about prices, commercial and concessional sales and freight rates will be maintained. The IWC will also keep under review the possibility of convening another negotiating conference when and if it appears that the problems of establishing a reference wheat and a pricing arrangement appears feasible. The new agreement also provides for period meetings and continuous consultations on the general wheat markets. During the life of the new agreement, wheat trading prices are determined by the ordinary play of market forces.

It is the intention of this administration to obtain our fair share of the world wheat markets. Our wheat growers deserve every consideration, and we intend to see that they get it.

HUNGER AND FOOD

Let us discuss another factor of our American scene in which NFU membership has a great direct and indirect interest. It is the question of hunger and malnutrition in the United States.

In May, 1969, President Nixon delivered a memorable "Hunger Message," in which he said, "That hunger and malnutrition should persist in a land such as ours is embarassing and intolerable." Since that date, the United States has moved forward in overcoming these problems.

While there are some whose hunger for headlines exceeds their thirst for facts, I feel you should have an exposure to facts of record since 1969:

A tripling in the number of people benefitted by the Food Stamp Program, from 3.2 million to 9.5 million.

More than a five-fold increase per month in the value of food stamp bonus coupons, from $22 million to the current monthly value of $128.5 million.

An increase from 3.8 million to 6 million in the total of needy children receiving free or reduced-price meals at school. Some 800,000 additional youngsters benefit from special food service and school breakfast programs. Total participation in the school lunch program approaches 24 million.

A widening geographic research for food assistance. In May of 1969, 436 of the country's more than 3,000 counties and independent cities lacked a family food program for poor people; that total has now been reduced to 10.

A near doubling of the total coverage of family food assistance programs, from 6.8 million persons to 13.2 million today.

This is a proud record for all America, for we are well on the way to attaining the President's goal—to banish hunger from this land for all time.

Never before had the leader of a great nation set such a goal as a matter of national policy. Never before in the history of mankind had a nation committed itself to cope with hunger and malnutrition on such a vast and unprecedented scale. Never before have farm families benefitted from so many new and better customers.

But, one more comment. The Food Stamp Program now includes nearly 10 million people throughout the nation. It now incorporates a key element of the President's Family Assistance Program, that is, the "workfare" provision. It includes a specific requirement that those who are able to work should be willing to work if they want to receive the helping hand of their fellow citizens and taxpayers who finance the Food Stamp Program.

FARM EXPORTS

Just a week ago, the USDA issued a press release with the heading "1970 Farm Product Exports Hit Record $7.2 Billion." This was 22 percent above 1969. All of us should rejoice that American farmers cracked the $7 billion barrier for the first time in history . . . and like the man said, "You ain't seen nothin' yet," because we are on our way to a $10 billion annual export goal.

You and I know it is most important that we expand our agricultural exports. In considering farm policy, one must be sensitive to the fact that export outlets for feed grains, wheat, cotton and soybeans, including the products, provide an important share of the market. And we have to be most concerned with the need to maintain and expand these outlets.

Our programs must look to overseas markets, and we must be prepared to compete for maximum utilization of our products throughout the world.

If U.S. farm exports are to reach our $10 billion goal by the next decade—a necessary objective—they must move competitively in the markets of the world. It will be our policy to do everything feasible in our discussions with foreign governments to stimulate export markets for U.S. farm families. We are not satisfied with the results of the Kennedy round of trade negotiations. We know now that in that round agriculture was treated as a poor relative.

MARKET OPPORTUNITY

The new agricultural policies in their emphasis on expanding markets provide an outstanding opportunity to gradually increasing orientation toward a market concept which lets you, the farmer, make most of the decisions. This is in distinct contrast to the previous supply management, government controlled view of commodity movements which assumed that those in Washington are endowed with greater market and production wisdom than you have. Actually, by the end of the 1970 marketing year we will have made considerable progress in keeping the government out of the market for sales of agricultural commodities. The statistics bear this out. Witness the following data on reduction of carryover stocks:

[Amounts in millions]

	1969	Estimate 1971	Reduction in carryover
Wheat (bushels)	819	725	−94
Feed grains (tons)	50	34	−16
Soybeans (bushels)	324	75	−249
Cotton (bales)	6.5	5	1.5

I believe that by the end of this marketing year, the Commodity Credit Corporation will have disposed of all or practically all of its stock of soybeans and corn, and it is the administration's policy to develop programs that will prevent commodities from coming into CCC ownership. Implicit in this concept is the need for agriculture to hold and expand its markets, and achieve higher farm income.

FUTURE OUTLOOK

Now, let's take a quick look into the crystal ball and see what agricultural legislation is pending in coming months.

First, the Sugar Bill expires this year. The present program regulates sugar imports and assures domestic producers about 60 percent of the total market. A decreasing schedule of payments is made to the producer, based on the market of his production. The Act is in effect self-financing. Hearings are expected to be conducted in the near future and Congressional consideration of this legislation is expected early in 1971.

Second, pesticide legislation is to be considered. I needn't remind you of the importance of this legislation. Anyone who has handled these chemicals as much as you have on your farms knows the two factors that must be considered in this legislation:

(1) They are dangerous. They will kill or injure if not handled and applied properly.

(2) They are vital to agriculture. These chemicals have in some cases, replaced the "hired" man . . . in fact, several hired hands if you were to attempt to farm without the valuable "tools" of pesticides and herbicides.

Proposed legislation by this administration would classify these chemicals and restrict the use of the chemicals. Hearings will be held on this legislation in the near future in the Senate. They are already underway in the House. Closely related to this environmental problem is agricultural pollution which is being considered in the Public Works Committee of the Senate of which I am a member. Through the use of sedimentation and other techniques, the abatement of water pollution from animal feedlots can be effectively controlled. The real problem in controlling the amount of runoff rain water that mother nature chooses to drop in the feedlot area. Hearings will be held on this problem soon.

RURAL DEVELOPMENT

Third, rural development is a term used throughout the nation today. Some people would have you believe it is the answer to all the ills of the city. Some proponents visualize literally moving thousands of our urban dwellers back to the rural communities. I've seen the mess some of the urban renewal projects have created—and we don't need to copy that mess in rural America.

A good rural development program will come about only in time—it will evolve—for if we were to attempt a massive shift of population, the rural economic, social and ecological environment could be destroyed in the process.

Consequently, this administration is working toward providing the tools to assist this evolution. Title IX of the Agricultural Act of 1970 dealt with the first step—to appraise existing rural programs and assure residents of rural areas the same federal service and privileges the urban dweller enjoys.

The Rural Telephone Bank Bill was favorably reported by the Senate Agriculture Committee yesterday. This legislation has been pending in the past four Congresses, but the Nixon Administration is the first to advocate and support it. I both hope for and anticipate prompt passage of this constructive measure. It will assure rural America the means to establish comparable telephone service as is available in urban areas.

A Rural Development Bank to make financial and technical assistance available for the establishment or expansion of rural private or public enterprises has also been introduced. Considerable research is underway on other rural development legislation, including a comprehensive revision and expansion of the farm credit system.

Fourth, and not to be minimized, is farm bargaining. Proposals along this line have been made repeatedly in the past with little success. Of the numerous proposals being discussed so far this session of Congress, it would seem a new emphasis is being aligned and there is some well-founded optimism that needed legislation will be worked out.

We all know we have problems. We all know that we all make mistakes. I am not foolish enough to try to tell you that this or any other administration has been perfect in its agricultural or rural record. You and I know there have been mistakes, but I want you to know that whatever errors that occurred were made without malice and in most instances were corrected as quickly as possible.

CONCLUSION

To conclude, I would like to draw attention to some areas where I see agreement between farmers and the Republican Party:

Neither the Republicans nor the farmers like to see surplus grain accumulate and "dumped" on the market to force farm prices down. Under this administration, CCC stocks have been reduced and that grain sold on the market was at margins which did not reduce cash prices to farmers.

Agricultural chemicals are essential "tools" for farmers, and this administration is working to preserve their continued safe and appropriate use.

Farmers like a chance to be independent and to make as many decisions on their farms as possible. This administration helped Congress pass legislation which, for the first time in a decade, permits farmers to plant more of whatever crop makes him the most money.

Export sales help improve domestic prices for grain and this administration has actively pursued expansion of exports of all grains.

Farmers and Republicans feel an obligation and a desire to feed the poor and hungry through commodity distribution, school feeding programs, and the Food Stamp Program. These programs are being expanded as rapidly as possible without losing control of their administration.

I think the farmers and the Republicans agree with the way Louie Armstrong put it on a recent television interview as he recalled an admonition of his father, "We ought to help the poor, needy people . . . but not the poor, lazy." If a man is not handicapped and can work, he should be willing to work to earn food stamps or welfare payments.

Dairy farmers have been generally satisfied with administration actions regarding price support levels, market promotion and other legislation—and this administration has not recommended that housewives use the "low-priced spread."

Rural people and Republicans are completely in tandem on the need for supplemental financing for rural telephone borrowers in order to expend and improve telephone service to farmers, ranchers, and other residents of rural America.

Farmers and Republicans agree the 16.7 percent of disposable income the American consumer pays for food is the biggest bargain in the world.

So let's keep tabs—deeds speak louder than words. From this list and those items we see as possible legislation in the near future, I can see farmers and Republicans already have a lot in common, and there's a lot more to come.

THE GREGORIO CASE

Mr. BROOKE. Mr. President, on February 11, 1971, a young Filipino couple, Angelica and Apolinario Gregorio, were deported from the United States to the Philippines. They left behind their two young sons, Lloyd and Lawrence, ages 2 and 1 respectively, both of whom were born in the United States.

Mr. and Mrs. Gregorio had been in this country for nearly 2½ years, having arrived September 1, 1968, on 30-day visitors' visas. Throughout that period of time, they applied on innumerable occasions for an extension of their visas. The reasons advanced by the couple for these extensions varied: The health of the children, the health and pregnancy of Mrs. Gregorio, Mrs. Gregorio's application for third preference as a professional person, the acceptance of the couple by an educational institution.

On October 9, 1970, only 3 days before the third of four deportation orders were to be carried out, the Gregorios filed suit in the Federal District Court in Boston alleging that since Mrs. Gregorio had married out of her class in violation of Philippine tradition the couple "will in the Republic of the Phillipines—sic—be an object of socioeconomic persecution—which persecution is reasonably expected to visit substantial and irreparable harm and damage." Later, in speaking to the press, the couple alleged that they had violated Philippine marriage laws, and that if they were deported to the Philippines the penalty for the husband would be death.

In the previous 2 years and 2 months of petitions to the Immigration Service and the Federal courts, the Gregorios had never cited possible physical harm of persecution as a reason for extension of their visitors' visas. Nor did they ever file with the immigration authorities—as was their right—a petition under section 243(h) of the Immigration and Nationality Act which specifically provides for exceptions in cases of religious, racial, or political persecution. Philippine authorities when consulted by this office and appraised of the statements made by the Gregorios vehemently denied that the couple had violated any Philippine laws. They dismissed the charges that the couple was likely to encounter persecution in the Philippines as "ridiculous."

With the cooperation of my staff, I made an indepth study of all available evidence. I conferred with the Immigration Service and studied the records of the Gregorio case from the time of their first application for visitors' visas in 1968. I made a thorough study of the judicial record in the case. My colleague from Massachusetts (Mr. KENNEDY), whom the Gregorios first approached for assistance, made all of his records in the case available to me.

I conferred and corresponded with the Philippine Embassy and the Philippine Consulate General in New York about the serious legal and public policy qestions which the Gregorios and their counsel raised. I also consulted with the Chairman of the Senate Judiciary Committee and appropriate staff personnel about committee policy and the rationale underlying that policy in cases of this kind.

On the basis of this exhaustive investigation, I decided not to introduce a private bill in Mr. and Mrs. Gregorio's behalf. I made that decision on the basis of the facts as I was able to ascertain them. I was also convinced that such a bill would not have been enacted by the Senate and the House.

In the final days before the Gregorios' deportation, reports about the case reached crescendo proportions in the Boston-Massachusetts media. I regret to say, Mr. President, that most of these reports were one-dimensional, ignoring the complexity of the case and in some instances reporting as fact what was, in truth, fiction.

A full, detailed explanation is not only in order; it seems to me it is mandatory if those who have followed this case are to understand truly what has happened and why it has happened.

Mr. President, I am considerably saddened that the Gregorios, who were by law precluded from remaining in this country, chose to leave behind their two young sons, who by birthright are U.S. citizens.

At the same time, I do think it would be eminently unfair for the more than 159,000 people who remain in the Philippines awaiting the issuance of permanent resident visas and to their families and sponsors who for many months have anxiously awaited their arrival in the United States to even try to create an exception to existing immigration law.

In the belief that this account will be of interest to the Senate and to the public, I ask unanimous consent that it be printed in the RECORD.

There being no objection the account was ordered to be printed in the RECORD, as follows:

THE GREGORIO CASE

INTRODUCTION

On Thursday, February 11, 1971, Apolinario and Angelica Gregorio were deported from the United States.

Their departure from Logan International Airport in Boston was the occasion of considerable interest in the part of the press and the people of Massachusetts. For four days precedinig their departure and since, articles and news reports have abounded. Statements of fear that the Gregorios would face persecution and death upon their return to the Philippines have been made.

Questions have been raised as to the fairness and effectiveness of the U.S. immigration laws and the adequacy of the legislative remedies available in these cases.

Such questions must be answered. The public record, and the public right to know, demand a full and complete response. The many hundreds of Massachusetts citizens who have written and phoned about this matter, the many thousands more who may entertain unspoken doubts, and the many millions of people throughout the world who have seen fragmentary reports of this particular case and as a result are now experiencing doubt about our democratic system, all deserve to know the facts.

The answers could have been provided by a number of sources. The Immigration and Naturalization Service could cite the law, the precedents, the provisions under which exceptions are granted. The official representatives of the Republic of the Philippines could answer questions about that country's laws and customs as they pertain to this case. The Senate and House Judiciary Committees could provide appropriate information on instances in which legislative remedies are approved.

But this office was sought out as a "court of last resort." And it was this office which, on the basis of the entire record determined that the Gregorio case did not merit legislative action.

What follows is an attempt to set forth all the facts of the Gregorio case. The full chronological record is cited. The claims made by the Gregorios and the press are listed gration cases is explained including House and Senate Judiciary Committee policy and the policy of this office. The conclusions which were reached complete the presentation.

CHRONOLOGY

July 23, 1939: Birth date of Apolinario Gregorio.

May 26, 1947: Birth date of Angelica Dy Gregorio.

May 26, 1968: Day upon which Angelica Gregorio reached majority.

July 20, 1968: Marriage of Apolinario and Angelica Gregorio.

August 31, 1968: Apolinario and Angelica Gregorio admitted to the United States for 30 days on visitor visas—to expire September 30, 1968.

September 30, 1968: Gregorios apply for extension of their temporary stay in the United States until December 3, 1968 "to have enough time to see the U.S." Extension granted.

December 3, 1968: Gregorios visitors' visas expire. Gregorios are illegally present in the U.S.

December 6, 1968: Gregorios apply for another extension of visitors' visas to March 30, 1969. Extension denied because of "failure to establish that (Gregorios) intend to depart from the U.S. within a definite time."

Gregorios informed by Immigration and Naturalization Service (INS) that their departure on or before March 6, 1969 would be satisfactory.

January 7, 1969: Lloyd Gregorio, son of Apolinario and Angelica Gregorio, born in Niskayuna, New York.

February 26, 1969: Gregorios apply for another extension of visitors' visas for one year in order that their son, Lloyd, might receive inoculations and vaccination claimed necessary to be given over a period of twelve months. No action taken by INS.

March 6, 1969: Gregorios' visitors' visas expire. Again, Gregorios illegally present in the United States.

March 25, 1969: INS initiates deportation proceedings against Gregorios.

April 11, 1969: Gregorios appear with counsel at deportation hearing in Albany, New York. They admit deportability. Special Inquiry Officer issued order permitting voluntary departure on or before May 25, 1969.

April 29, 1969: Gregorios apply for another extension of visitors' visas to June 24, 1969. Extension granted.

April 29, 1969: Angelica Gregorio files third preference petition as a Criminologist, in an effort to adjust her status to that of a permanent resident.

May 13, 1969: Third preference petition denied for reason that Angelica Gregorio did not possess the necessary qualifications. No appeal was taken.

June 17, 1969: Gregorios apply for another extension of visitors' visas to July 25, 1969. Extension granted.

July 10, 1969. Gregorios apply for another extension of visitors' visas to September 15, 1969 based on Angelica Gregorios' "current fit of inoculations before travelling to the Philippines." Extension granted.

August 7, 1969: Gregorios informed by INS that no administrative avenues were open to them for adjustment of status to that of permanent resident. Gregorios ordered to depart on or before September 15, 1969.

September 13, 1969: Gregorios apply for extension of visitors' visas to October 30, 1969 based on Angelica Gregorios' "current health and pregnancy." Extension granted.

October 30, 1969: Gregorios' visitors' visas expire.

Congressman Daniel Button of New York introduces private bill in House of Representatives to adjust Gregorios' status to that of permanent resident.

October 31, 1969: Gregorios apply for another extension to January 9, 1970 on grounds of Angelica Gregorio's pregnancy. Extension granted.

November 26, 1970: Lawrence Gregorio second son of Apolinario and Angelica Gregorio, born in Niskayuna, New York.

January 9, 1970: Gregorios' visitors' visas expire.

January 24, 1970: Gregorios apply for another extension of visitors visas to February 26, 1970. Extension granted.

February 26, 1970: Gregorios' visitors' visas expire.

March 23, 1970: Gregorios' reply for another extension of visitors' visas to April 30, 1970. Extension granted.

April 30, 1970: Gregorios' visitors' visas expire.

May 21, 1970: Gregorios apply for another extension of visitors' visas.

May 27, 1970: Application for extension denied by INS. Gregorios ordered to depart on or before June 12, 1970.

June 12, 1970: Gregorios fail to depart. Deportation warrants issued.

July 21, 1970: Gregorios applied for another extension of visitors' visas citing difficulty in making travel arrangements, and expressing desire that the second son should be vaccinated prior to departure.

September 9, 1970: No action taken because of outstanding warrants of deportation. Gregorios applied and accepted for full courses of study at Washington Educational Center, Schenectady, New York, for purpose of adjusting status to student visa. INS refuses approval because of outstanding warrants of deportation.

October 2, 1970: Gregorios notified deportation will take place on October 12.

October 8, 1970: Charles Mamakos and Christie Perdikes of Massachusetts, attorneys at law, retained by the Gregorios.

October 9, 1970: Gregorios file suit in the U.S. District Court in Boston seeking temporary restraining order on deportation. Assistant U.S. Attorney for Massachusetts advised counsel for Gregorios to proceed on petition for review in U.S. Circuit Court of Appeals for 2d Circuit in New York.

October 13, 1970: Gregorios file petition for Review of the Deportation Order in the U.S. Circuit Court of Appeals for the Second Circuit in New York.

October 19, 1970: U.S. District Court in Boston denies Gregorios relief with reference to suit of October 9th. Gregorios appeal to the U.S. Circuit Court of Appeals for the First Circuit in Boston.

December 10, 1970: Gregorios request Senator Edward M. Kennedy to file private bill in the United States Senate to adjust their status to that of permanent residents.

December 14, 1970: Senator Edward M. Kennedy denies Gregorios request for introduction of private bill and refers case to Senator Edward W. Brooke.

January 12, 1971: Gregorios withdraw Petition for Review of Deportation Order in Second Circuit Court of Appeals in New York.

February 1, 1971: Gregorios notified deportation will take place on February 9, 1971.

February 9, 1971: Gregorios applied to U.S. Circuit Court of Appeals for the First Circuit in Boston for temporary restraining order.

U.S. Circuit Court of Appeals for the First Circuit in Boston issues temporary restraining order pending hearing on February 10, 1971.

February 10, 1971: U.S. Circuit Court of Appeals for the First Circuit denies application for injunctive relief.

February 11, 1971: Angelica and Apolinario Gregorio deported to the Republic of the Philippines.

CLARIFICATION OF THE FACTS

(1) *Reported:* Mrs. Gregorio is considered royalty and Mr. Gregorio is considered to be a peasant in the Philippines. (*Herald Traveler*, 2/10/71).

Reported: Mrs. Gregorio's family objects to her marriage to a commoner because it violates the caste system. (*Quincy Patriot-Ledger* 2/11/71.)

Fact: Consul Vincent Reyes, Philippine Consul General in New York stated in his letter of February 17, 1971, to the *Boston Globe*, "there is no 'royalty' in the Philippines."

Fact: The Honorable Alferedo F. Tadiar, trial court judge on leave from the Philippine government to study at Harvard School of Law, in a letter to the editor of the *Boston Globe*, 2/17/71: "I wish to state that the Philippines is a democratic state. We pride ourselves in being the only Christian nation in Asia. We have had no tradition of and there exists no legal discrimination by reason of social class, race, color or religion. There is no such thing as a 'royalty' class, at least for the overwhelmingly Christian Filipinos (more than 90 percent of the total population)."

(2) *Reported:* The couple violated the Philippine marriage law. (*Boston Globe*, 2/8/71).

Reported: Apolinario Gregorio faces possible execution under the Island's marriage laws. (*Boston Globe*, 2/12/71).

Alleged: If the Gregorios are returned to the Philippines, the marriage is doomed. (letter from Attorney Charles P. Mamakos to Senator Kennedy dated 12/10/70).

Alleged: Philippine society is 'persecutive' in nature. (letter from Attorney Charles P. Mamakos to Senator Brooke dated 12/30/70).

Fact: Philippine Consul General Reyes stated in same letter of February 17, 1971 to the *Boston Globe* that, "Under Philippine criminal law, there is no penal sanction upon the act of contracting marriage between any two persons except where such act of contracting marriage constitutes bigamy or polygamy as defined by law. The death penalty is imposed in the Philippines only on the most serious and heinous crimes."

The Consul also stated that, "The persons whose names appear in the by-line of the (*Globe*) article did not communicate in any way with the Consulate concerning the matter. The only inquiry received was a telephone call by a lady who claimed to be an employee of the *Boston Globe* and who was emphatically advised that the allegation concerning the death penalty for marrying a 'daughter of the royalty' is pure fantasy."

Fact: The Honorable Alferedo F. Tadiar stated in letter to the *Globe* of 2/17/71: "I could not help being outraged at the imputation given by this 'Romeo and Juliet' story that the Philippines is still living in the benighted medieval ages when official sanction is given to the murder of anyone marrying against parental wishes! Nothing could be farther from the truth. Under Philippine laws, a woman 18 or over (Angelica Gregorio was 21 years of age at the date of her marriage) is absolutely free to marry whosoever she pleases, irrespective of class, race, color or religion. She does not need parental consent and can get married even against their opposition. Where she is over 18 but under 21, the law only imposes a waiting period of three months to think things over, where there is parental opposition. This is for the laudible purpose of preventing rash marriages for which no remedy of divorce is available in the Philippines. After said three months period, she is free to get married. I wish to stress that social class is and has never been a legal ground for a parent to object to a marriage."

(3) *Reported*: "The Philippine Consulate in New York confirmed that the death penalty still can be imposed on a peasant who marries the daughter of royalty against her family's will, as in this case." (Boston Globe, 2/12/71).

Fact: In a letter to the *Boston-Globe* of February 17, 1971, the Philippine Consul General in New York, stated "It is regrettable that the *Boston Globe* should falsely attribute such as a ridiculous statement to this Consulate. This Consulate absolutely denies having made such a confirmation."

Fact: In a letter to Senator Brooke dated February 22, 1971, the Philippine Embassy in Washington, D.C. stated "It might also interest you to know that the Embassy has been informed by the Consulate General in New York that it had had several previous discussions with the Filipino couple's lawyer over the past two years in connection with the deportation proceedings, and that not once had the alleged possibility of the couple's execution in the Philippines been mentioned in these conversations."

(4) *Reported:* The Gregorios lived in the Philippines as man and wife for a year in fear of being murdered by the Philippine authorities. (*Boston Globe*, 2/8/71).

Fact: The Gregorios lived in the Philippines as man and wife approximately 1½ months before departing for their visit to the U.S. on September 1, 1968. They did not return to the Philippines until their deportation on February 11, 1971.

(5) *Alleged:* The Gregorios needed a private bill to assist them to remain intact as a family unit. (letter from Attorney Mamakos to Senator Kennedy dated 12/10/70).

Fact: They had the option of taking the children with them to the Philippines.

Fact: During the period of time that they were in the United States, the Gregorios had the option of going to a country other than the Philippines to establish a home. They then could have waited in this third country as Philippine citizens until permanent immigration visas became available to them for their return to the United States as permanent residents. They never pursued this alternative.

(6) *Alleged:* It is unfair of the U.S. Government to allow persons from Communist countries to receive political asylum, but "not allow asylum for social persecution which is equally, if not more, intolerable, degrading and dehumanizing . . ." (letter from Attorney Mamakos to Senator Kennedy dated 12/10/70).

Fact: On October 9, 1970, (two months before they wrote to Senator Kennedy and two months and 21 days before they wrote to Senator Brooke) an Assistant U.S. Attorney in Boston advised the Gregorios through their attorneys Mamakos and Perdikes that if they feared persecution because of race, religion or political opinion at the hands of the Philippine Government, the Attorney General of the United States was authorized by Section 243(h) of the Immigration and Naturalization Act to withhold deportation. No request was ever made by the Gregorios or counsel in their behalf under this provision.

(7) *Alleged:* The law now permits any U.S. citizen over 21 to bring in parents "regardless of his or her character as a citizen." (letter from Attorney Mamakos to Senator Kennedy dated 12/10/70).

Fact: The Department of State is authorized to determine whether an alien is admissible under all sections of the law—including moral character. (section 212(a) of the Immigration and Nationality Act of 1952 as amended).

(8) *Reported:* Brooke's office failed to keep them posted on the situation. (*Boston Globe*, 2/8/71).

Reported: It was as if they didn't even care about these people. (*Boston Globe*, 2/8/71).

Reported: An appeal to Senator Edward Brooke went unheard. (*Boston Globe*, 2/12/71).

Fact: After Senator Edward Kennedy denied the Gregorios' request to introduce a private bill on their behalf, he referred the case to Senator Brooke on December 13, 1970. On December 16, Senator Brooke wrote to Charles Mamakos, attorney for the Gregorios, as follows: "As long as this matter is pending before a court of law, I am unable to intervene. Once the decision is rendered, I shall be happy to review the file to insure that all administrative remedies have been exhausted." On this date, December 16, 1970, the Gregorios had an appeal pending in the U.S. Circuit Court of Appeals for the First Circuit in Boston.

Attorney Mamakos and Senator Brooke's office were in constant telephone contact, sometimes as often as 4 or 5 times a day. Attorney was subsequently informed that the information supplied by the Immigration and Naturalization Service, Senator Kennedy and the Philippine Embassy, along with the information acquired through independent investigation, in the Senator's opinion, did not warrant the introduction of a private bill. In addition, allegations which were highlighted by press stories during the week of February 8, were thoroughly researched and found to be unsupported. The Senator reviewed the case again, and after careful consideration concluded that the facts still did not warrant the introduction of a private bill.

RELEVANT STATUTES AND LEGISLATIVE POLICY

The law governing immigration into the United States is contained in 66 U.S. Statutes at Large 163 (1952) as amended by 79 U.S. Statutes at Large 911 (1965).

Any private legislation introduced by a Member of Congress is, by definition, an attempt to obtain an exception to that law.

1. *United States Senate,* Committee on the Judiciary.

(a) Letter from Chairman James O. Eastland to Senator Edward W. Brooke, February 24, 1971.

"The Congress will not approve private legislation in the case of aliens who enter the United States temporarily, and thereafter seek to remain permanently unless unusual equities are present, since enactment of any private bill granting permanent residence deducts a quota number, thus depriving an alien lawfully awaiting his turn on the quota waiting list abroad from the opportunity of immigrating to the United States . . . Certainly, the facts in their cases present no basis on which to justify granting them relief through private legislation, and are no different from those on which the committee has acted adversely."

(b) Memo from Senator Edward M. Kennedy to Senator Edward W. Brooke, February 24, 1971.

"In this particular case it is doubtful that even a private bill would have been beneficial to the Gregorios. It would only serve to delay their inevitable departure.

In addition the introduction of a private bill in behalf of the Gregorios would have created an opening for a deluge of similar requests. It would be impossible to handle these requests with equity and fairness.

Last year alone 159,459 Filipinos legally qualified for permanent residency. It would be unjust to deny these people of their legal rights by introducing a private bill for the Gregorios who do not legally qualify for permanent residency."

2. *House of Representatives,* Committee on the Judiciary. "Rules of Procedure." Adopted February 1970).

"6. The Subcommittee shall not address to the Attorney General communications designed to defer deportation of beneficiaries of private bills who have entered the United States as visitors, exchange visitors, students, stowaways, in transit, or deserting seamen, or by surreptitiously entering without inspection through the land or sea borders of the United States. Exemption from this rule may be granted by the Subcommittee in cases where the bill is designed to prevent extreme hardship. However, no such exemption may be granted unless the author of the bill has secured and filed with the Subcommittee full and complete documentary evidence in support of his request to waive this rule."

3. *Policy of the Office of Senator Edward W. Brooke:* The policy of this office has been and is to introduce private bills only in cases where extreme and unusual hardship can clearly be substantiated should the intending immigrant be required to leave the United States.

After a careful review of the facts, a review of the judicial proceedings, consultation with immigration officials, the Philippine Embassy, the Consulate General in New York, the office of Senator Edward M. Kennedy, the appropriate congressional committee, together with an independent investigation, I concluded that the Gregorio case did not support the introduction of a private bill.

THE DEATH OF SENATOR RICHARD B. RUSSELL

Mr. MUSKIE. Mr. President, Richard B. Russell was a man for trusting. He was courteous. He was considerate. He expected the best from his colleagues and he gave the best of himself. But above all, he was a man we could trust.

We knew he listened to us, considered our views, and responded honestly with intelligence and wisdom. He earned the confidence and affection of his colleagues, and spanned the differences of age, region, and political philosophy. His character won friends. It won respect. It won influence, and it earned good will and understanding for Georgia and the South.

Senator Russell's presence reminded two generations of Senators that the confrontation of ideas need not fuel ill-will. He demonstrated that honorable men can hold honest disagreement without questioning the motives and integrity of another.

These are the qualities that make cooperation and progress possible in a free society. These are the qualities which made Richard B. Russell a great American and great Senator.

In common with so many of my colleagues, I recall my personal relations with Senator Russell. He was unfailingly kind, courteous, and understanding. I shall miss him as a friend and remember my associations with him as one of the privileges and highlights of my Senate career.

THE ALASKA PIPELINE: AN INTERVIEW

Mr. STEVENS. Mr. President, I believe that a series of articles published in the Seattle Times is an important source of information about the proposed trans-Alaska pipeline. The series was written by Stanton H. Patty, who was a newsman in Alaska before joining the Times staff.

I ask unanimous consent that the series be printed in the RECORD.

There being no objection, the articles were order to be printed in the RECORD, as follows:

ALASKA OIL—PIPELINE FIRM PLEDGES TO PROTECT ENVIRONMENT

(By Stanton H. Patty)

Alyeska Pipeline Service Co. will pledge itself to maximum protection of the environment and to hiring as many Alaska natives as possible when new Interior Department public hearing on the proposed trans-Alaska oil pipeline begins Tuesday in Washington, D.C.

"We will welcome the opportunity to tell what we have found to be reassuring about this project," Edward L. Patton, Alyeska president, told The Seattle Times in an exclusive interview.

Patton answered more than 100 questions posed by The Times on topics ranging from environmental concern to financing.

Among other things, he said:

The aboriginal land claims of Alaska's 55,000-plus natives, now pending in Congress, must be settled before construction can begin.

Even if the land-claims issue is settled this year, federal court injunctions are lifted and the necessary federal permits are issued, it is doubtful that construction of the pipeline itself can begin this year.

However, if all the above hurdles are cleared by July, Alyeska likely will start construction of the pipeline service road—north from the Yukon River to Prudhoe Bay—in October.

Following this schedule, with pipeline construction beginning in 1972, it should be possible for the first Arctic oil to be flowing through the pipeline by fall of 1974. If the needed permits and other factors had fallen into place this month, the pipeline could have been in operation by the spring of 1974.

Alyeska will conduct schools in Alaska to train and qualify as many Alaskans as possible for pipeline-welding and other jobs. Special efforts are planned for Alaska natives.

Alyeska already has spent about $6 million on environmental-research and investigations—in addition to other millions spent by the owner oil company. The Alyeska expenditures have included such studies as tundra-reseeding experiments, testing of effects of warm-oil pipelines buried in permafrost and studies of caribou migrations. Not included in the $6 million are extensive soil investigations carried out along the 800-mile pipeline route.

Between 5,000 and 8,000 persons will be employed during the construction period. The exact number will depend on how condensed a construction schedule Alyeska decides to set.

Total right-of-way for the pipeline will amount to only 8.2 square miles—versus Alaska's over-all area of 586,412 square miles. When the road, airstrips, pumping stations and the tanker terminal at Valdez are added, the entire project will occupy a total of just 55 square miles.

Operational safety of the pipeline will be assisted by an elaborate microwave communications system, automatic monitors, emergency shut-off valves and other features.

Patton emphasized that the pipeline will be elevated in permafrost zones that truly are problem areas.

"We have no intention of burying the pipe in unstable soils or in soils that could become unstable when thawed," Patton declared.

Patton also conceded that further long delays could kill the project for the trans-Alaska route from Prudhoe Bay to Valdez.

"Obviously," he said, "there is a point at which (increasing) costs could cause us to drop this way of doing and go on to another scheme."

This could happen, for example, if the temporary injunction granted to conservation groups is made permanent and Alyeska faces a lengthy legal battle all the way through the United States Supreme Court.

What would be the alternatives to the Prudhoe Bay-Valdez route?

There have been no firm decisions on alternatives. But Patton indicated that likely options could include: A trans-Canada oil pipeline from Prudhoe Bay to the American Midwest, or a short pipeline from Prudhoe Bay to a port at Herschel Island, in Arctic Canada's Yukon Territory, for tanker shipments to the East Coast by way of the Northwest Passage.

"The cost is getting higher and higher every day we wait," Patton said.

PIPELINE WILL COST IN EXCESS OF $1 BILLION

To hear some of the critics of the proposed Alyeska pipeline, one might get the impression that Ed Patton is something of an ogre who presides over a sinister apparatus for the big, bad oil companies.

Not so.

Patton, 54, is a soft-spoken Virginian with almost 33 years of experience in the petroleum industry. He has a sincere concern for the environment—and believes the trans-Alaska pipeline can be built and operated safely.

Twice for Humble Oil & Refining Co. in Norway and in California, he was responsible for building clean refineries. The most recent, at Benicia, Calif., won an award from the San Francisco Water Quality Control Board, for outstanding conservation activities.

Now Patton is "on loan" from Humble to serve as president of Alyeska Pipeline Service Co., the combine of seven oil companies assigned the job of designing, constructing, operating and maintaining the 800-mile oil pipeline in Alaska.

Patton intends to see that it is done right. So does the Interior Department, which has written a long list of environmental stipulations.

"I have my own personal standards of environmental protection that I would have insisted on, even if the Department of Interior hadn't imposed any," Patton said.

Understandably, Patton is irritated by irresponsible attacks from some zealots who are trying to block construction of the pipeline. But he is sure of his facts and prepared to weather the rest of the storm.

The reason I was given this job is that I have demonstrated my concern for the environment," he said.

In a wide-ranging interview with The Seattle Times at Alyeska's Bellvue headquarters, Patton put dozens of the facts on the line. Here are some of the answers:

Q. Who owns Alyeska?

A. The largest shares are owned by ARCO Pipe Line Co., BP Pipeline Corp. and Humble Pipe Line Co. Owners with lesser interests are American Hess Corp., Mobile Pipe Line Co., Phillips Petroleum Co., and Union Oil Co. of California.

Q. What happened to the 2 per cent share sold by Home Oil Co., one of the original owners?

A. Some of the other owners bought Home's interest.

Q. Are other North Slope oil producers eligible to join Alyeska?

A. An outside company could try to acquire shares, but the present owners have the right of first refusal if shares are to be released. The pipeline will be a common carrier, so it would be possible for outsiders to ship their oil through it, but probably at a higher cost than will be paid by the Alyeska member companies.

Q. How much will the pipeline cost?

A. More than $1 billion, but the owners will not disclose how much more until all contracts have been awarded. This is to guard against possible automatic escalation of bids.

Q. What will be the pipeline's initial capacity?

A. 600,000 barrels a day, after an extensive testing period. This may be followed by an "intermediate" capacity of 1.2 million barrels daily, but this stage has not been approved yet by the owners.

Q. What will be the ultimate capacity?

A. 2 million barrels a day, with capacity expanding as required and as funds become available through the owner companies.

Q. How many pumping stations are planned?

A. Five in the beginning; 12 at full capacity.

Q. How much oil would there be in each mile of the line at any one time?

A. About 11,000 barrels, based on 42 gallons to the barrel.

Q. How fast will the oil move through the pipeline?

A. Probably at less than 2 miles an hour with initial capacity; at just over 7 miles an hour at full capacity.

Q. What will be the per-barrel cost of transporting the oil to market through the pipeline?

A. This has not been determined. Alyeska eventually will provide a detailed cost estimate to the owners so they can design a tariff structure.

Q. How will the oil be gathered from wells at Prudhoe Bay and fed into the pipeline?

A. There will be two crude-oil receiving tanks—each capable of holding 210,000 barrels—at Prudhoe. Producers will run metered lateral lines into these tanks and the oil will be pumped from there into the Alyeska pipeline.

Q. What is the estimated life of the Prudhoe oil field?

A. Patton said it is none of his business, but he has heard about 30 years. Some say it will be longer.

Q. What is the total right-of-way requested for the pipeline?

A. Fifty-four feet, to permit ample room for construction and maintenance. The 1920 Mineral Leasing Act provides 54 feet for pipeline right-of-way. Even at that, the entire pipeline will occupy a total of only 8.2 square miles along its 800-mile route from Prudhoe Bay to Valdez.

Q. How much pipe is on hand now in Alaska and what is its origin?

A. About 700 miles of the 48-inch-diameter steel pipe has been delivered to Alaska. The balance will be there by July. Three manufacturers in Japan are supplying the pipe.

Q. How will the pipe be protected?

A. It will have a special coating to protect it from chemical corrosion. In addition, there will be an integral cathodeprotection system built into the line to prevent electrolytic corrosion.

Q. Have contracts for the coating work been awarded?

A. Yes. Work will begin in the spring at three plants—in Valdez, Fairbanks, and Prudhoe Bay. The job is to be completed during the summer.

Q. What is the exact mileage of the pipeline?

A. Probably about 790 miles, depending on the outcome of additional soils investigations due to resume next month.

Q. What are the recoverable oil reserves of the North Slope?

A. Patton does not know for sure. The Alyeska owners are saying at least 10 billion barrels. Speculation ranges up to 50 billion barrels.

Q. If other major oil fields are developed on the North Slope, will other Alyeska-size pipelines be required?

A. Logic says, according to Patton, that future developments would make maximum use of the investment already in place before spending new money.

Q. Who owns the land the pipeline will cross?

A. Except for a small portion owned by private parties, the route will traverse land either selected by the State of Alaska, or federal land now in the public domain. Most is subject to the aboriginal land claim of Alaska's natives.

Q. How long will it take to build the pipeline?

A. About three years for the initial stages. There will be at least a dozen major contractors and "hundreds" of subcontractors.

Q. How many persons will be employed?

A. Between 5,000 and 8,000 during the actual construction period; about 200 to 300 during the operating period.

Q. Can construction of the pipeline begin yet this year?

A. Probably not. However, work on the pipeline service road from the Yukon River to Prudhoe Bay might begin in about October, if the necessary federal permits are issued in time and the native land claims have been settled by Congress.

Q. Why does Alyeska feel an early start on the road is so important?

A. There must be a road before any pipeline construction can begin north of the Yukon River. The plan is to work from the Yukon River north and from Prudhoe Bay south with pipeline installations, behind the road construction. Meanwhile, on the southern part of the pipeline (south of the Yukon River) it may be possible to begin a number of "spreads" simultaneously. This will depend on the number of competent contractors Alyeska screens and signs. It may be that some contractors will be able to handle more than one segment.

Q. What is the earliest oil can be flowing through the line if permits are granted by summer of 1971?

A. Probably the fall of 1974.

Q. At what seasons of the year can Alyeska plan on pipeline construction?

A. It appears that work is not possible in the Brooks Range area between about December 1 and March 1. Alyeska will take a good look at the possibility of year-around construction in other areas. In some areas it actually is desirable to work when the ground is frozen so as not to damage the tundra.

THIS IS ROUTE OF PIPELINE FROM PRUDHOE TO VALDEZ

The proposed Alyeska crude-oil pipeline will extend from Prudhoe Bay, on Alaska's Arctic North Slope to a supertanker terminal in the ice-free port of Valdez.

This is the route the line will traverse:

From Prudhoe Bay, the pipeline will follow the Sagavanirktok River and Atigun Valleys, then cross the Brooks Range by way of 4,800-foot-high Dietrich Pass.

On the southern slope of the Brooks Range the pipeline will follow the Dietrich and Koyukuk Valleys and cross the hills and muskeg of the Yukon-Tanana uplands to the Yukon River. The Yukon River crossing will be in the hills west of the Yukon Flats.

South of the Yukon River the line will pass through more rolling hills, going about 10 miles east of Fairbanks, then south to the Alaska Range. The line will reach an elevation of 3,500 feet as it crosses through Isabel Pass before descending into the Copper River Basin.

After it crosses the Copper River Basin it will enter the Chugach Mountains, reaching an elevation of 2,500 feet as it goes through Thompson Pass. From Thompson it descends through Keystone Canyon to the Valdez terminal.

The total distance is about 800 miles.

From Valdez, the oil will be shipped by tankers to refineries or other pipeline terminals in the "lower 48" states.

The Pipeline—Costs Mount as Delay Continues

The long delay in building the Alyeska crude-oil pipeline has been expensive—for everyone.

When the project first was announced in February, 1969, the cost of the 800-mile line was estimated at $900 million. Now it may be past the $1.5 billion mark.

In addition, the oil companies have been hurt by interest payments on money they tied up for the pipeline project. Not to mention the $900 mililon or so in bonus bids they paid the State of Alaska in September 1969, for their North Slope acreage. Stockholders expects quick results.

The state has suffered, too. Not only does the state have to wait longer than anticipated to begin collecting severance taxes and royalties from North Slope oil, but the delay has resulted in increased costs for Alyesko Pipeline Service Co., which seem certain to boost eventual wellhead prices for the oil. The higher the wellhead price—which takes into account the cost of getting oil to market—the lower the state's take.

"What it all means is that we have had two years of escalating costs already," Edward L. Patton, Alyeska's president, said.

The Alyeska pipeline already rates as the most expensive construction project in the history of private industry.

Alyeska is owned by seven of the oil companies with holdings on the North Slope, or their pipeline subsidiaries. It is charged with designing, building, operating and maintaining the giant pipeline.

Here are other answers by Patton to questions posed by The Times:

Q. Was Alyeska perhaps taking too much for granted when it placed orders in Japan for the 800 miles of four-foot-diameter pipe before federal permits were granted?

A. No, the oil companies were acting in good faith. They were proceeding under the Mineral Leasing Act of 1920—the "pipeline law." This act provided a logical basis for approaching the pipeline project. It has been done this way many times in the past.

Q. How much of the system has been designed?

A. In areas of the route where the Interior Department has not expressed concern, most of the engineering is completed. Design of the Valdez terminal also has been completed. Design of the pumping stations is very far along.

Q. What about the problem of installing a pipeline carrying warm oil through permafrost zones?

A. There are several kinds of permafrost. Pipe can be laid underground in "dry" permafrost areas of rock or gravel which have low-moisture content. Such areas remain stable in a frozen or unfrozen state and do not melt when thawed. Where high-moisture content permafrost is found, insulated pipe will be set above ground on a gravel berm or supported on structural bents. Thus, extensive thawing and melting of ice-rich permafrost will be avoided.

Q. How much of the pipeline will be elevated?

A. Interior is suggesting that about 400 miles, or about half of the pipeline, will have to be elevated. Based on its soil investigations, Alyeska estimates about 200 miles. We think the final figure will be somewhere in between. Alyeska will continue its soils investigations and provide the data to the Geological Survey, which will have the final word. Alyeska estimates it has about three more months of soils tests to conduct.

Q. Are Alyeska and the Geological Survey in conflict over details of the pipeline installation?

A. No, Alyeska has to give Geological Survey evidence to move (permafrost) areas from the questionable into the assured category for burying pipe. Alyeska will not bury any pipe in soils that would be unstable when thawed. Alyeska and Geological Survey always have been in agreement on that.

Q. How long have Alyeska and Geological Survey been working together on the project?

A. There have been continuous contacts since the spring of 1969. Alyeska has great respect for personnel of Geological Survey—including Arthur H. Lachenbruch, the scientist whose 1970 report on thermal effects of heated pipelines in permafrost Alyeska feels has been grossly misinterpreted by pipeline foes.

Q. At what temperature will the oil be transported through the pipeline?

A. The oil will emerge from the ground at 170 to 180 degrees, then cool to 100 to 145 degrees by the time Alyeska receives it. A final decision still is pending, but Alyeska probably will carry the oil at a temperature as low as 100 degrees to preserve natural fractions for various products and reduce thermal effects on the environment. The oil could be cooled at pumping stations along the route.

Q. How quickly could the pipeline be shut down in an emergency?

A. About 10 minutes. Valve closing is what takes the time.

Q. If a break should occur, how would the spilled oil be controlled?

A. Alyeska is working now on emergency plans. Berms could be used to corral pools of oil. Stockpiles of sand and gravel would be placed at strategic sites. Vacuum trucks would suck up liquid oil. If the oil were jelled by the cold, it would be scooped up and reliquified to re-enter the pipeline. Affected soil would be cleaned and restored.

Q. How will the pipeline be controlled?

A. The entire line can be controlled remotely from the main control station at the Valdez terminal—in addition to controls at each pumping station. The situation at each pumping station will be monitored continuously. Thus, emergency shutdowns could be accomplished either from Valdez or the nearest pumping station. Pumping stations will be manned around the clock. There will be a microwave communications system, plus backup facilities to protect against failure. Shutoff valves, power-operated and remotely controlled, can be closed to compartmentalize the pipeline, if required.

Q. Can excessive pipeline pressures be avoided automatically?

A. Yes, there will be system controls, relief valves and relief tanks—plus backup relief valves—at all stations.

Q. What other safety precautions are planned?

A. The entire line will be visually inspected daily from the air, weather permitting.

Q. What about earthquake danger?

A. The system is being designed to remain safely operational under the most severe earthquake expected along the route. In addition, the entire system will be monitored seismically by instructions on the basis of G-forces and fractions of G-forces. Readings will be transmitted to the control station at Valdez. At the outset, the pipeline probably will be shut down at the first rumble of an earthquake. It will not be restarted until there has been a complete inspection. In time, we expect to build up a reference base of G-forces through which the pipeline can operate safely.

Q. Will everything be automated?

A. Yes and no. The entire pipeline will be monitored 24 hours a day by the Valdez control center. Two computers there will receive a continuous flow of information from points all along the line. The computers will evaluate the information and react accordingly. There also will be automatic equipment at each pump station. However, the automatic monitors will be backed up by human monitors keeping a 24-hour watch on the line.

The Pipeline—When Oil Wells Run Dry, Pipe Will Vanish

(By Stanton H. Patty)

What will be done with the Alyeska pipeline when the North Slope oil wells run dry?

Virtually all traces of the 800-mile line will vanish when that happens, Edward L. Patton, president of Alyeska Pipeline Service Co., said.

Interior Department stipulations require Alyeska to remove all surface evidence of the pipeline and plug the openings where the pipeline travels underground.

But Alyeska is not going to wait for that time before beginning restoration work. The company plans to reseed the entire route soon after construction with fast-growing perennials and grasses until the slower-growing natural vegetation can take hold again. Reseeding experiments already being conducted on the North Slope are encouraging.

Reseeding is more than aesthetic. Alyeska wants to protect the right-of-way from erosion.

Other answers from Patton:

Q. How will rivers be crossed by the pipeline?

A. Alyeska still is studying each case. It may be best to bury the line in river beds in cases; bridging may be best at other sites. When buried, the pipe will be coated with concrete four inches thick to prevent scouring.

Q. Where will gravel be obtained for construction?

A. Mostly from river beds. However, Alyeska will make some of its own gravel by crushing rock in areas of solid rock. Care will be taken to avoid removals in rivers when fish are spawning and incubating.

Q. How will wildlife be affected by the pipeline?

A. Industry scientists have been studying wildlife along the route for the past two years. Both the route and construction schedule take their findings into account to minimize effects on wildlife. For example, nesting grounds and calving areas will be avoided in critical seasons.

Q. Will above-ground sectons of the pipeline become a barrier to normal caribou migrations?

A. No, studies have shown that caribou normally range 25 to 40 miles a day. If well-worn caribou paths should appear after the pipeline is built, these areas will be provided with ramps or underpasses. Besides, Anaktuvuk Pass, in the Brooks Range, is the main caribou route and we are not using that pass.

Q. In addition to protecting caribou, why did Alyeska choose 4,800-foot-high Dietrich Pass over the lower, 2,200-foot Anaktuvuk Pass in the Brooks Range?

A. Because soils in Anaktuvuk Pass are too high in moisture content. This is another example of Alyeska trying to avoid unstable soils. The decision will result in the expense of an additional pumping station.

Q. How about hunting by pipeline crews?

A. No firearms will be permitted in the camps. Alyeska plans to be only a minor and temporary inconvenience to wildlife of the area.

Q. Will construction crews leave a trail of debris?

A. No. Alyeska will police contractors, and contracts will stipulate that every scrap of garbage and trash must be removed or they won't be paid. And Alyeska does not intend to be the cause of any air or water-pollution input.

Q. What kind of a road is Alyeska planning in connection with the pipeline?

A. Before, pipeline construction can begin north of Yukon River, a road must be built to accommodate construction equipment. This will be a gravel road, 28 feet wide, and about 350 miles long. In the south, most of the pipeline will follow the existing Richardson Highway to Valdez.

Q. Has part of the northern road been built already?

A. Yes, the 57-mile section from Livengood, which is 81 miles north of Fairbanks, to the Yukon River. Existing roads lead from Livengood into Fairbanks.

Q. How many lanes will the pipeline service road have?

A. Three. It must have room for two-way traffic, and a lane for equipment that is stopped and in place for pipeline work.

Q. Will the pipeline road be useable the year around?

A. Yes, within reason.

Q. How will the pipeline road differ from the infamous Hickel Highway, the temporary "ice road" that turns into a bog when winter ends?

A. There is no similarity. Alyeska is planning a permanent road, built according to 34 pages of Interior Department stipulations. To prevent the permafrost under the road from thawing, the road must be built so that it itself acts as an insulator. Tests have indicated that a gravel road bed up to five feet deep will provide the needed insulation.

Q. How many camps and airstrips will there be along the pipeline road?

A. Present plans call for nine camps and three airstrips. Fuel will be flown in for the construction equipment until we get the road going.

Q. What will happen to the road after the pipeline is completed?

A. It will be turned over to the state to be integrated into the state-highway system. In the meantime, Alyeska will maintain the road and control the traffic that is permitted to use it.

Q. What plans are there for spanning the Yukon River in connection with the road?

A. Alyeska will not build a bridge, thus preventing the road's use by casual traffic while under our control. We will use a construction-type ferry and winter ice bridge, in season, to get across the Yukon.

Q. Are standby costs being paid to some

contractors who moved road-construction equipment to the northern section of the proposed pipeline road before work was stalled?

A. Yes, but that information (cost details) is confidential. Alyeska chooses not to disclose to one contractor what another is receiving because each standby agreement was negotiated separately. Some contractors drove better bargains than others.

Q. What is the value of idle equipment on the road route now?

A. Perhaps $30 to $40 million, but this is a guess.

Q. Regarding the oil pipeline itself, has Alyeska learned much of value from various experiments and tests that have been conducted?

A. Yes. The information is proving very useful. It has shown that some of the things we feared haven't happened.

Q. There was a cold-pipeline test at Barrow. What did Alyeska learn from that?

A. For one thing, we found out that the effects of frost-heaving and ice-jacking are negligible, when compared with the strength of the pipe. We also learned how to protect the tundra from damage by installing a thin layer of packed snow. We also found it was possible to roll up tundra and replace it, like sod, and found that we can protect tundra with a layer of foam plastic topped with gravel.

Q. What is the nature of the hot-pipeline test now under way at the University of Alaska?

A. We are pumping air heated to 145 degrees through 1,000 feet of pipe buried in permafrost there to study the effects on the ground and to see whether heat will stimulate plant growth. This test probably will continue for several years, but we have received useful data already. There has been no significant ground warming so far. However, it is too early to tell conclusively what might happen after several years.

Q. Is Alyeska receiving information from a hot-pipeline test being conducted by another combine at Inuvik, in Northwest Territories, Canada?

A. We do have an information-exchange agreement with them.

Q. You discussed permafrost problems earlier, but could you go over it again in connection with the Alyeska pipeline?

A. It is obvious that if a warm line is buried in permafrost of high ice content, the heat of the pipe will thaw the permafrost and melt the ice, this causing a loss of support for the pipeline. That is why, after hundreds of test borings, geologists have selected a route that will take the pipeline through rocky, stable, dry permafrost for most of its journey. In these areas, the pipeline will not create an unstable condition. Where the line crosses ice-rich permafrost it will be elevated to avoid thawing the permafrost.

The Pipeline—Firm Plans to Train, Hire Alaska Natives

Ed Patton wants to make it clear that Alyeska Pipeline Service Co. is "not just fanning the breeze" when it promises to train and hire as many Alaska natives as possible for pipeline jobs.

"We mean it—we are putting it in writing," the president of the pipeline company, told The Seattle Times in an exclusive interview at the firm's Bellevue headquarters.

"We are going to make a special effort where the natives are concerned."

Alaska's natives include Eskimos, Indians and Aleuts. They make up about 20 per cent of the state's population.

Patton gave these answers when asked for specifics:

Q. What "special effort" does Alyeska have in mind for the natives?

A. For one thing, Alyeska will be running welding schools in Alaska for Alaskans. I hope we qualify a lot of native welders for work in building the pipeline.

Q. When will these schools begin?

A. Probably a couple of months before the first pipe spread goes into the field. It takes three to five weeks to train a pipe welder.

Q. What other training programs are planned?

A. We will probably run a qualification school to check out (construction) equipment operators, too.

Q. There are fears that much of the labor for construction of the pipeline will be imported from the "lower 48." Is this so?

A. We would like to hire 100 per cent Alaskans, if they are available and they can be qualified. That would be great.

Q. How many employes will you have after the construction period, that is, during the operating period?

A. Not over 300—to man the pumping stations, the terminal at Valdez, for maintenance, standby, and so on. In my opinion, we will be totally dependent on Alaskans—many natives—to operate the pipeline once it's done.

Q. Please comment on allegations that the pipeline project will disrupt the native cultures.

A. Alaskan native culture has been touched already by the modern world—not always for the good and not always for the bad. Our hope is that education, training and job opportunity provided by Alyeska—coupled with benefits from anticipated land-claims settlements, oil royalties and severance taxes—should improve present conditions for many of them.

Q. What position has Alyeska taken on the native land claims?

A. We take no position on the terms of the settlement. However, aboriginal claims of Alaskan natives, now pending before Congress, must be settled before (pipeline) construction can begin.

Q. Turning to the tanker terminal at Valdez, the southern end of the proposed pipeline, how many docks will there be there for supertankers?

A. In the initial stage, there will be two for vessels of from 16,000 to 250,000 deadweight tons and one for vessels of from 16,000 to 120,000 deadweight tons. Later, there will be at least one more, perhaps two more, additional docks, or a total of five eventually.

Q. How will oil be received from the pipeline at the terminal?

A. In the initial stage (for throughput of 600,000 barrels a day), there will be up to 15 crude-oil-storage tanks at Valdez, each with a capacity of 510,000 barrels. Later (the ultimate capacity of the pipeline will be 2 million barrels a day), of course, there will be additional storage tanks.

Q. What about treatment of tanker ballast at Valdez?

A. Alyeska will have a very sophisticated ballast water-treatment system. We will not load a tanker at Valdez unless the master of the vessel certifies in writing that he has not dumped any ballast at sea on the way to Alaska.

Q. What safety precautions does Alyeska plan at the Valdez terminal?

A. For one thing, no cargo hoses will be used for loading oil into tankers. A hose can break. We will use steel arms instead.

Q. What if an oil spill should occur in the Valdez harbor?

A. We will have automatic cutoff valves—and there will be a floating boom to drop quickly around a tanker if this should happen. We also will have suction skimmers to pick up the oil that might be spilled.

Q. What measures will Alyeska take to prevent tanker accidents in Prince William Sound?

A. There will be the latest navigation aids and a modern communications system throughout the area. In addition, there will be in-and-out lanes established for tankers. There will be one-way traffic in Valdez Arm itself. When a tanker is going out, for instance, an incoming tanker would have to wait, and vice versa.

Q. Is Alyeska aware of the great value of marine resources in Prince William Sound?

A. Yes. We are awarding a contract for a long-term survey of marine life in Valdez harbor by marine experts so Alyeska will have basic information before any work is done there.

Q. Has the Valdez terminal been started?

A. No, and it won't be until we have a clear go-ahead on the pipeline.

Q. Why was Valdez chosen over other ports as the terminal site?

A. Valdez is the northernmost ice-free port in Southern Alaska—it's a good, sheltered, deep-water harbor. It is also the shortest route for the pipeline.

Q. Speaking of tankers, Humble Oil & Refining Co. has suspended its studies in the Northwest Passage after two seasons of work with the icebreaking tanker Manhattan. Does it appear to you that the Northwest Passage is dead now as a tanker route for moving North Slope oil to market?

A. Yes, for the short term—but the idea of icebreaking tankers is not dead, and I would expect that some day use will be made of them. The Arctic Islands of Canada, where they think they have oil, is where I believe they will have their day.

Q. What is the outlook for utilization of North Slope natural gas that will be produced with the crude oil?

A. It's going to be reinjected (into the wells) until there is a way to get it to market. It won't be flared or vented. A little will be used to fuel our northernmost pumping stations.

Q. What is the outlook for a natural-gas pipeline?

A. I think there is certain to be one through Canada from Alaska some day. Study groups are looking at this possibility now.

Q. Why not have the gas pipeline in Alaska instead?

A. It is not economical to tanker gas. And the most direct route to market is through Canada.

Q. The recent environmental-impact report on the Aleyska pipeline by the Interior Department said the pipeline is essential to the security of the United States. Why do we need North Slope oil?

A. The United States requires about 15 million barrels of oil a day. It now produces some 10 million barrels a day and this domestic production, excluding the North Slope—is expected to peak and then decline during this decade. We import crude oil from overseas sources, primarily the troubled Middle East. We have the choice of increasing our dependency on other nations—or developing our own domestic reserves. An assured source of energy will help maintain this nation's security.

Q. Alyeska recently began a series of nation-wide advertisements to sell the pipeline project to the public. Some of your critics have described the advertisements as misleading. What is your comment?

A. We didn't put anything in the ads that isn't the truth.

HUMAN RIGHTS AND INTERNATIONAL LAW

Mr. PROXMIRE. Mr. President, the United States has inspired ideas, movements, laws, and events which have advanced human rights in many other countries. The American Constitution, particularly the Bill of Rights and the

14th amendment, have left their traces in constitutions and in thousands of laws, charters, and manifestos. Some constitutions were drafted with our assistance—those of Liberia, the Philippines, the Federal Republic of Germany, and postwar Japan. American concern about human rights has been exported by American foreign policy and diplomacy, in protest against the mistreatment of minorities by czars and Hitlers; in peace treaties requiring the vanquished to respect the rights of minorities; in the growing protestations of customary international law assuring justice to aliens; in doctrines assuring fundamental human rights to all; in the human rights provisions of the United Nations Charter; in the United Nations Declaration of Human Rights; in covenants drafted under the auspices of the United Nations; and in conventions and institutions of European and other regional bodies.

Influence has not, of course, been a one-way street. Many of the rights protected by the Constitution owe much to French and British antecedents. The ideas and experiences of others helped bring our 18th century constitution up to the changing needs of a new age.

In one respect, however, the United States stood apart from international efforts to promote human rights. Louis Henken, writing in the University of Pennsylvania Law Review, August 1968 says:

> Although the American Government has insisted that observance of human rights is indispensable to international peace and security; although our own observance of human rights is, in most respects, as high or higher than any in the world; although the United States has obligated itself to cooperate with other nations and international organizations to promote human rights; although American representatives have played principal roles in drafting declarations and covenants advancing freedom and justice—the United States has generally refused to adhere to international efforts to establish minimum standards for individual human rights.

For instance, the Genocide Convention has awaited ratification by the Senate since 1949. The United States did not sign the convention on the status of refugees, which it helped draft and promote, until August of 1968.

The United Nations Human Rights Conventions are an attempt to build a lasting body of international law. Through them, we can achieve the international cooperation necessary to help rid this planet of famine, war, persecution, and discrimination.

By our favorable action on the Convention on the Prevention and Punishment of Genocide, we can make this need a reality. The lesson we must learn is that our future lies not in a retreat from the international arena, but in a strengthening of it.

CHILE CANNOT HAVE IT BOTH WAYS

Mr. FANNIN. Mr. President, two subjects in which I have a very deep interest are Latin America and copper.

Recently there have been some very disturbing developments in Latin America, and these developments have involved copper.

The Chilean Government, under newly elected Marxist President Salvador Allende, is expropriating outright American-owned copper investments without paying fair, prompt, or effective compensation.

At the same time, the new Chilean Government proposes to receive loans and grants both from the United States and from U.S.-financed international agencies.

The startling effort on the part of the Allende government to have its cake and eat it too can only be appreciated fully by remembering several important facts:

First. The preceding government, under President Frei, negotiated and virtually forced the American copper companies to sell 51 percent of their interest in most of the American-owned mines in Chile. The American companies agreed under duress, in large part because they were to be paid, even if inadequately, in dollars and over a reasonable period of time.

Second. The Chilean Government formally ratified these contracts. Not only were the contracts approved by the President, but also by the Chilean Congress.

The Allende government now intends to expropriate all American interest in the copper mines without any real compensation. American investment in related plants and equipment purportedly will be paid for in 30-year Chilean bonds at 3-percent interest. Thus, Allende proposes both to repudiate the solemn contracts made by the Government of Chile only months ago in violation of international law. The mines will be seized illegally; the proposed payment for the plant and facilities is not prompt; the interest rates are ridiculously low; and since Chile has 30-percent inflation per year, there is really no compensation at all. Moreover, Allende contends there have been certain excess profits that must be returned and that taxes must be increased retroactively. Thus, through a ridiculous process that is totally inconsistent with law or ethics, he can argue that the American companies actually owe Chile money.

There are certain other pertinent facts. To begin with, the U.S. Government has loaned or granted $1.7 billion to Chile; a billion dollars has yet to be repaid. Moreover, the U.S. Government has insured over $350 million in loans to American copper companies in Chile. If the Allende government expropriates these insured American investments, then our taxpayers will have to pick up a $350 million tab.

It is difficult to see how any government, even one headed by a Marxist, could believe that the wholesale violation of international law along with the systematic repudiation of its own government's contracts, could be rewarded with continued loans, grants, and trade preferences by law-abiding countries. Yet that apparently is precisely what the Allende government expects. It was only shortly after the Chilean Senate passed the President Allende's proposed constitutional amendment to seize American investments without compensation that the President sent his Minister of the Economy to meet with officials of the Alliance for Progress to ask for financial assistance. The Alliance is financed largely by the United States.

Does President Allende really expect the U.S. Government to continue furnishing financial assistance directly or indirectly to a government that plunders U.S. citizens? Chile is at the crossroads. She has a choice of abiding by international law and contracts and thus remain with her historic friends in the hard currency area and receive assistance from Western Hemisphere governments. Or she can continue her plans to expropriate U.S.-owned property in violation of international law, thus isolating herself from the entire Inter-American financial system and bring on economic ruin. Surely the impoverishment of Chile and its people can hardly be the goal of even a Marxist president. Some claim that President Allende is a Chilean first and a Marxist second. We shall soon see if he considers Marxist dogma to be more important than jobs for his own people.

Mr. President, I ask unanimous consent that an editorial on this important subject, published in the New York Daily News of February 23, 1970, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Delegation From Chile

A delegation came up from Chile to Washington over the weekend headed by Pedro Vuskovic, Minister of the Economy in Marxist President Salvador Allende Gossens' new Chilean government.

Sr. Vuskovic wants foreign capital to invest in Chile and wants to tell the Alliance for Progress why he thinks such investment would be well-advised.

What makes the Vuskovic mission look dubious is the fact that Allende is talking about grabbing Chilean properties of U.S. nationals and other foreigners, with alleged compensation which won't compensate or come anywhere near it.

INVEST IN A RED COUNTRY?

If Allende & Co. do that, any foreigner thereafter investing a dime in Chile will be a damned idiot. And any foreigner now investing in Chile is being imprudent.

What are needed are (1) an ironclad guarantee from Allende (whom some call as honest as a Red can be) of the safety of future investments in Chile, and (2) an earnest show of good faith in the form of proper payments for any foreign holdings Allende may nationalize.

Helpful, too—most helpful—would be a stern warning from our White House and State Department that we want no Castro-style thieveries in Chile, and will retaliate (peaceably, of course) if any are committed.

How about it, Mr President Nixon?

IMPORTS OF JAPANESE TEXTILES

Mr. TALMADGE. Mr. President, press reports today indicate that the Japanese textile industry has agreed to unilaterally restrain its textile and apparel exports to the United States. According to the newspapers the Japanese proposal involves:

First. One overall quota at 1970 import

levels for cotton, wool, and manmade fiber textiles. There would be no restraints on individual textile or apparel products.

Second. A short-term period of restraint—not more than 2 years.

Third. An annual growth rate of 5 percent.

This proposal is totally and completely inadequate and cannot be accepted by this administration nor by this Congress. To put it bluntly it is a sham. It apparently excludes all yarn and all manmade fiber.

Without limitation by product lines, the Japanese can concentrate their total exports to the United States in any given market, undercut that market, and shift into another market. This type of limitation is meaningless and worthless.

Now what is this proposal? It is one developed by a Japanese trade association aimed at a major economic problem of the United States. It is designed purely to let the Japanese capitalize on their years of frustrating reasonable negotiation.

There can be little doubt that it is designed to undercut legislation and to destroy the long-term cotton arrangement. Taken with all our past experience in dealing with the Japanese, it demonstrates conclusively the need for legislation to provide proper limitations on our textile imports.

That the Japanese textile industry would put forward such a proposal shows its arrogance and its contempt for our own Government. It gives the Japanese industry all it wants and locks in the heavy job displacements our domestic industry has already suffered. But it does even more. It guarantees additional job displacements on a compounded basis.

This proposal would set the pattern for action by other exporting countries. Japan, while the largest exporter, accounts for any one-quarter of our total imports. These other countries would expect at least as liberal treatment.

It raises the sorry spectacle of the Japanese textile industry frustrating the Congress of the United States from expressing its will on this subject. It is an affront to the administration which has spent 2½ years in an effort to reach a reasonable agreement with the Japanese Government.

We cannot allow ourselves to be put in such a position. The proposition is meaningless. Any enforceable agreement must be on a government-to-government basis. It cannot and will not work, and I do not intend to be a party to it. Rather, I intend to do all that I can to see that appropriate legislation is pushed to a successful conclusion in this Congress.

At a time when our own rate of unemployment is reaching crisis proportions, I appeal to the administration and ask the Department of Commerce not to sit by and be taken in by this arbitrary and unrealistic Japanese offer.

I have known for years from detailed knowledge that the U.S. textile industry must expect high volume imports with some degree of growth rate. But the proposal apparently now being advanced by the Japanese textile industry would frustrate even that generous position of the American industry. If it were to go through, it would mean virtually no controls, with dire economic consequences on U.S. textile manufacturers, and the 2½ million Americans who depend upon textile and apparels for their employment and livelihood, as well as the industry's many suppliers, including a large and important segment of American agriculture.

LAWRENCE FANNING: A TRIBUTE

Mr. STEVENS. Mr. President, I have said farewell to a friend and great Alaskan, Lawrence S. Fanning, who died February 3 in Anchorage at the age of 56.

In the all-too-brief 3 years that Larry was a member of the Alaskan newspaper community, he demonstrated an embodiment of the attributes most admired by Alaskans—courage, independence, sincerity, and compassion for his fellow human being.

His skill as a journalist took him from a beginning as a copy boy to top editorial positions with the Chicago Sun-Times and the Chicago Daily News. It reflected the ability and energy he later used in bettering conditions for all Alaskans, particularly the needy residents of remote Indian and Eskimo villages.

He is mourned by friends throughout Alaska and the Nation.

Tributes to Larry Fanning came from many individuals and newspapers in Alaska and the rest of the Nation.

His own newspaper, the Daily News at Anchorage, paid him tribute in an editorial which I ask unanimous consent to have printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Voice Has Not Died With the Man

Larry Fanning is gone, but he left a legacy that will live on in this newspaper and its employes.

His was a resonant, compassionate voice for the liberal, progressive ideals which to him epitomized the best in our nation and state. He championed the poor, the weak and the oppressed; he had an abiding faith in the young ("Most of my generation has spent too damn much time talking and not enough time listening."); he abhored social injustice, corruption and bigotry.

When he acquired control of The Daily News in 1967, Larry Fanning let the community know right away what it could expect. "The Anchorage Daily News will be a politically independent newspaper," he wrote in an editorial in the first edition of the paper under his ownership. "We expect to be outspoken on issues and candidates. As a consequence, no political organization or power structure is likely to applaud our efforts consistently. Our purpose is to serve the interests of all the people and to provide a forum for dissent as well as consensus."

And that is the way he ran the newspaper—to the delight of some and the chagrin of others.

As time passed, many residents came to know Larry Fanning well, for his door was open to all, and readers of the paper became familiar with his philosophy through scores of punchy editorials.

Two subjects in particular cropped up time and again in his editorials: the need for a generous and honorable settlement, with state participation, of the century-old Native land claims; the necessity of protecting the spectacular Alaskan environment as development proceeds. Neither subject has been particularly popular with a majority of Alaskans. But both fired Fanning's imagination. And when aroused, his displeasure could sting.

Following the Prudhoe Bay oil lease sale, when many Alaskans were deploring the interest the rest of the country was showing in Alaska, he wrote:

"Most Alaskans welcome the boom and look forward to the benefits that prudent and concerned development of our natural resources will bring. But some members of our community want it both ways. They're all for development, but they're becoming increasingly sensitive over the loss of privacy.

"In response to the awakening national interest in the Great Land, they trot out the shop-worn shibboleth of 'Alaska for Alaskans, Outsiders go home' to do battle against visiting, frequently critical journalists . . .

"This type of attack may have been good form when the only outsiders who cared about our state were high school geography students or desk men at the Department of the Interior. It won't do now . . .

"It is all too easy to lapse into a false sense of security based on reading or seeing only that which pleases. The list of those who have paid the price for self-delusion is too long to print here."

After three and a half decades of devotion to a demanding craft, whose pressures and constant contact with the seamy side of life have turned many a flaming young idealist into a cynic by middle age, Larry Fanning retained an undiminished faith in people and the democratic process.

"He was the only man I ever met who, after talking to him, always made me feel better," one friend said this week.

An editorial from the fall of 1969 shows why.

"The great lesson of last year's national election was that participatory democracy still worked," Fanning wrote. "Even in this age of computers, faceless cities and a burgeoning population, individuals made themselves heard. Eugene McCarthy's campaign showed that the hard questions could be asked of our leaders and fair answers demanded as the price of their re-election . . .

"The lessons of the past year have not been lost on some Alaskans. Last spring saw the inspiring Biafra walk as well as the formation of Democrats for Issues and Answers, a group determined to bring rational investigation to partisan issues. The Alaska Citizens Concerned about the Deployment of the ABM proved that not all Alaskans welcomed a poorly rationalized, questionably conceived weapons system.

"More recently the League of Women Voters has turned its not inconsiderable talents with wit, charm and energy to the structure of Anchorage area government. And the Save our State Committee performed a valuable service by focusing attention on the Amchitka nuclear test shot.

"These people are concerned Alaskans, newcomers and pioneers alike, who at considerably personal expense and time are helping to ventilate the key issues of the day . . .

"Free discussion cannot hurt Alaska. The state is already subject to pressures which tax the intellectual and physical resources of our small population and relatively short modern political history. Yet our ability to deal imaginatively and progressively with the challenges of rapid development depends on Alaskans being involved in everything that's going on.

"The simple fact is that the government that governs best does not govern least, but rather governs with the greatest participation of its citizens. Abuse and corruption are the companions of disinterest. Participation, relevance, involvement are the keys to a healthy democratic society."

People were always the key.

And to the young people of Anchorage, many of them distressed by the direction of society, there was this bit of advice in a 1968 editorial:

"Remember always, the struggle is half won, not half lost; the glass is not half empty, it's half full."

And when his long-time friend Ralph McGill, editor of the Atlanta Constitution, died in 1969, Larry Fanning penned a tribute that in many respects could apply as well to himself:

"An extraordinary man died . . .

"A man who left an indelible mark on the land he loved;

"A man who wrote the kind of passionate prose that produced miracles of change and reform;

"A man of courage, integrity, wit and compassion.

"(He) was a newspaper writer and an editor. (He was also a publisher, but he had no appetite for that title. It made him uncomfortable.) . . .

"As a writer, and as a man, (he) answered to his own instincts. And because he did, a generation of writers found their voices.

". . . loved by his friends, respected by his enemies, (he) spoke out in a time when 'it took guts to have guts.'

"Let those words be his epitaph."

There is no way to fill the void that Larry Fanning left at this newspaper. Gone will be the special grace that illuminated everything he touched. But his concerns—social equality and justice in a Democratic society—remain with us as an enduring legacy. We will continue to espouse them.

The voice has not died with the man.

Mr. STEVENS. Mr. President, even his competitors recognized Larry Fanning's ability and worth. I ask unanimous consent that a tribute to him from the editorial page of the Anchorage Times of February 4, 1971, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Lawrence S. Fanning

It was not quite four years ago that Lawrence S. Fanning acquired controlling interest in the Anchorage Daily News and made plans to apply his own image of journalism excitement to the city's morning newspaper.

In assuming the dual role of editor and publisher of the News, Mr. Fanning accepted an assignment that was both professionally stimulating and technically challenging.

He became not only an editor—a task he knew well from a variety of prior duties in the forefront of the nation's newspaper business—but a businessman who had to deal with the problems of equipment, production, advertising, personnel and other aspects involved in manufacturing a new product every day of the week.

He pursued his challenges with vigor and dedication, always armed with good humor and friendly grace, and supported by his wife, Kay, whose own talent in newspapering is substantial.

It was a shock, therefore, to all who learned to know him and admire him in those short years, that he had so suddenly been stricken and so suddenly succumbed.

His death, at the age of 56, is a great loss to his associates on the News and deprives all of us in journalism of a thoughtful man of high ideals whose contributions to our profession were many.

More than that, his loss is one that the whole community suffers.

We mourn especially, however, for his family, to whom he was devoted. We join all his friends and associates in extending sympathies to Kay Fanning in her hour of grief.

Larry Fanning was our chief competitor. He was an admirable one. We honor his memory. And we mourn his death.

Mr. STEVENS. Mr. President, the Chicago Daily News had this to say:

A Tribute From Chicago: To Larry Fanning, People Came First

. . . A man of instilled convictions graced with genial charm, he had a way of bringing along new, young reporters. Many now-prominent newsmen knew him as their "father figure"—the man they could talk to any time and whose ears always were open to new concepts.

And if his proteges had started as newspaper copy boys, all the better as far as Mr. Fanning was concerned. That's the way he began his own career on the San Francisco Chronicle.

By age 27 he was managing editor of that newspaper, an imminence seldom attained on any large metropolitan newspaper by anyone so young . . .

One of Mr. Fanning's frequently quoted pronouncements was: "To hell with the bulletin and the new lead."

That was his pithy expression of the belief that newspaper readers deserved more depth than they often got in news stories.

Mr. Fanning also believed that it wasn't necessarily true that every story had two sides of equal weight.

He once counseled a young reporter:

"Sometimes, in an argument, only one guy is right. When that happens, the people deserve to know the guy is right."

A tall man whose deep voice seldom rose above gentle tones, Mr. Fanning maintained warm, personal relations with his staff.

His office door always remained open and reporters—and copy boys—felt free to drop in for advice. Somehow, he always managed to find time for them.

Maybe it was this style of personal warmth, this love of good talk and banter that gave Mr. Fanning's desk a special place in Daily News annals.

It was always piled high with papers, documents, memos, books, magazines—read and unread, lost and found. Somewhere in that assortment, it was assumed, he knew where everything was. People came first.

And with it all went a command of the newspaper craft that particularly evidenced itself in coverage of major news events.

Mr. Fanning's ability to recognize and develop new writers was equaled by his steadfastness in encouraging them to write what they believed.

Perhaps his biggest talent was being able to spot what had to be done—and then finding the right people to do it. And he would be willing to take a chance. He turned copy boys into vice presidents, literally.

One is John G. Trezevant, now executive vice president of Field Enterprises newspaper division.

Trezevant first worked for Mr. Fanning as a copy boy on the San Francisco Chronicle. Says Trezevant:

"You could put together a thousand little vignettes about things that he did in order to try to describe him. When you got done, all you could wind up saying is that no one is ever going to meet anyone quite like him again."

These comments came from Chicago:

An Uncommon Touch, a Rarely Gifted Teacher . . .

Larry Fanning had an uncommon touch for bringing out and shaping the talent of others and instilling in them his curiosity, enthusiasm and sense of caring. It was the latter quality that gave such distinctive tone to his great gift as an editor. He cared that readers know the significance of events which shape their lives. He cared that newsmen be given the freedom and support to call forth their best efforts.

—The Chicago Sun-Times.

Larry Fanning was dependably late for his next appointment—because he had to give the person he was with the last full measure of attention and, usually, help. Larry Fanning had a warmth that warmed everyone around him; perhaps that was partly why he was able to inspire many of his fellow newsmen to heights they hadn't dreamed they could scale.

—The Chicago Daily News.

The news of Larry came as a terrible shock—he was a central figure in my life—the person who more than anybody else made it possible for me to do most of the things I am now doing. I have always had for him a feeling very much like reverence. His generosity and straightness were unique, and I must be one of many thousands who will miss him more than we can possibly say.

—Joseph Kraft, columnist.

Gerry Boukett, editor of the Southeast Alaska Empire at Juneau, paid him this tribute:

Larry Fanning

We learned of Larry Fanning's death while in Seattle last week and, as with many of our colleagues, we felt a great loss.

Mr. Fanning had been the editor and publisher of the Anchorage Daily News only since 1967 but in that time he demonstrated professional capabilities—a flair for newspapering—that we had not seen before in Alaska.

He was a newspaperman's newspaperman—one we had admired from afar for many years. During our college days, he was managing editor of the San Francisco Chronicle which at that time was a great newspaper, a model for journalism students.

Mr. Fanning went on to become a large figure in Chicago journalism, but we remember him best from his San Francisco days, when we picked up our copy of the Chronicle each morning with keen anticipation.

It was our privilege to go to work for him here in Juneau shortly after he took over the Anchorage Daily News. Not only did we learn a great deal from him but we were profoundly affected by his great enthusiasm and dedication. It was exciting to work for Larry Fanning.

He was controversial, of course. But he was a great human being and while you could disagree with him you could never doubt his sincerity, his compassion for his fellow man.

He was a rarity among newspaper publishers—a man who would consult with his reporters, seek out their opinions and ideas. He was equally at home in an executive suite or the turmoil of a newsroom.

His ability to take charge when major stories were breaking and lay out a dramatic front page was nothing short of dazzling. An imaginative innovator, he shook up his competitors, forced them to make progressive changes in their own newspapers. And he inspired others to try a little harder.

The award-winning series in the News, "The Village People," was admirable. The newspaper became the first in Alaska to take a penetrating look at the hardships of surviving in the bush areas of our state.

Larry Fanning was a remarkable man and we are glad—and fortunate—that he came our way.

—G.E.B.

These comments were made by Thad Poulson, managing editor of the Sitka Sentinel:

Alaska journalism has suffered a great loss with the untimely death of Larry Fanning, editor and publisher of the Anchorage Daily News.

In the three short years he had at the helm of the News Larry Fanning established a standard for journalism that will be his greatest legacy to his adopted state. Larry came to Alaska at the height of a distinguished career in which he guided the news operations of some of the greatest newspapers in America. Yet he always retained the enthusiasm of the youngest reporter in his city room.

We knew Larry only briefly through a series of encounters over the past three years. Yet we retain some lasting impressions: Of his unfailingly courteous manner; of the unwavering attention he gave to whoever should be talking to him—for he was a good listener; of Larry with his shirtsleeves rolled up, bent over a pile of news copy and editing rapidly through the haze of smoke from his ever-present pipe.

By providing an outlet for liberal opinion—rare in the Alaska press—and giving his staffers a free rein, Larry Fanning attracted and developed some of the finest newsmen in Alaska: Joe Rothstein, Bill Fox, Bob Zelnick, and Tom Brown, to name a few. He matched the effort of his youthful staffers in the newsroom and bore the additional burden, as publisher, of charting the rocky course of a paper that has never been free of the shadow of the powerful Anchorage Times.

His time with us was all too short, but Alaskans are the richer for having been served by this exceptional newspaperman.

—JTP.

ANCHORAGE, ALASKA.—Lawrence S. Fanning, 56, editor and publisher of the Anchorage Daily News, suffered a heart attack in his office Wednesday morning and died a few hours later in Providence Hospital.

Prior to joining the News in 1967, Fanning's newspaper career had included service as managing editor of the San Francisco Chronicle, executive editor of the Chicago Sun-Times and editor of the Chicago Daily News.

"Larry Fanning was always in the forefront of leadership in all concerns that dealt with human betterment." Governor William A. Egan said, "Alaska has lost a man of uncompromising principle and high ideals . . ."

Fanning, born April 14, 1914 in Minneapolis, attended the University of San Francisco and San Francisco State College.

He joined the San Francisco Chronicle in 1933 while still in college and became its managing editor in 1945, a post he held for nine years. During that time he also was a member of the Board of Directors of the Associated Press Managing Editor's Association.

Fanning joined Field Enterprises, Inc., of Chicago as editor of the Sun-Times Syndicate Division in February, 1955. He became a member of the Sun-Times editorial department in 1957 and was named assistant executive editor of the Chicago Daily News and took over its editorship in October 1965.

The following January, Fanning was named editorial director of Publisher's Newspaper Syndicate, a division of Field Enterprises. He left that position in 1966 and became editor and publisher of the Anchorage Daily News Sept. 6, 1967.

Survivors include his widow, Kay whom he married in 1966; a son, Michael; a daughter, Judith Hunt of Anchorage; and three stepchildren.

The Fairbanks Daily News Miner had this to say in its editorial page:

STATE LOSES GREAT TALENT

Larry Fanning, editor of the Anchorage Daily News, died suddenly Wednesday, and the state and his profession lost a great talent.

Mr. Fanning came to Alaska in 1967 and purchased the morning News from Norman Brown. He brought with him his talent and experience which had carried him to top editorial positions on such papers as the San Francisco Chronicle, the Chicago Sun-Times and the Chicago Daily News.

We well recall the day that he completed the purchase of the News, signed the papers and prepared to embark on a new field as editor and publisher of a comparatively small paper in a comparatively small town—compared, that is, with San Francisco and Chicago. He was highly optimistic that he could bring to Alaska his beliefs that a good newspaper should present more than just the bare facts of a story. He believed that in-depth reporting, background stories explaining major issues, and strong editorials were required for a newspaper to meet its obligations to its community.

A warm, friendly, outgoing person, he was a definite asset to his profession and his community. His paper won innumerable awards for the work of its reporters. He, too, was cited for his excellence.

Unfortunately, his time as an Alaskan was cut tragically short, but we believe he lived up to his ambitions in every way in the short time he had here. We in his profession, his city and his state will miss him, but we are better for the fact that he was here.

Here is an account of his funeral from his newspaper, the Daily News of Anchorage:

RITES HELD FOR MR. FANNING

The reader intoned the words of the New Testament:

"Though I speak with the tongues of men and angels, and have not charity, I am become as sounding brass, or a tinkling cymbal.

"And though I have the gift of prophecy, and understanding all mysteries, and all knowledge; and though I have all faith, so that I could remove mountains, and have not charity, I am nothing . . .

"Charity never faileth . . . And now abideth, faith, hope and charity, these three; but the greatest of these is charity."

And so it was that some 200 persons commemorated Larry Fanning, whom they had known as a man of charity, at a simple memorial service at St. Mary's Episcopal Church Friday.

Among them were his widow, Kay, his stepchildren, Ted, Kathy and Barbara, and his children, Michael and Mrs. Judith Hunt

Also on hand for the service for the editor and publisher of The Daily News, who died Wednesday of a heart attack, were dozens of colleagues, employes, businessmen and civic leaders, family friends, politicians and admirers.

Included were U.S. Sen. and Mrs. Charles Percy of Illinois, long-time friends of the family, former Gov. Keith H. Miller, former state Senate President Brad Phillips, Executive Editor Bernie Kosinski and Managing Editor Bill Tobin of the Anchorage Times, and publisher C. W. Snedden of the Fairbanks Daily News-Miner.

A. Robert Hahn, first reader of the First Church of Christ, Scientist, officiated at the simple 15-minute service. He read from the scriptures and from the teachings of Christian Science.

Interment for Fanning, who was 56, was to be at Angelus Memorial Park.

"Wherever Larry Fanning lived and worked, he became an integral part of the fibre of the community," Sen. Percy said later in a written tribute. "As an editor in San Francisco and Chicago and editor and publisher in Anchorage, he looked upon his personal mission and that of the journalistic profession as one of informing free citizens in a Democratic Republic about the issues that affected the quality of life in our nation, state and locality.

"Never avoiding controversy, never intimidated, he sought to disseminate truth, to shed light and to expose waste, corruption, bigotry and ignorance.

"Larry Fanning had a zest for life and a mission to fulfill that is the heritage he leaves to his family and friends," Percy said. "In the most intimate way, these past few years, he has shared his emotions and thoughts, his hopes and disappointments with his devoted wife Kay and his stepchildren, Ted, Kathy and Barbara.

They have all worked by his side, at home and in the office, to carry on the tradition of free and open journalism that through the years has brought about, preserved and strengthened the political, economic and social freedom that is unique to our nation.

"We shall all greatly miss Larry Fanning, but we shall all benefit from his life and work. My sympathy goes also to his daughter, Judy, his son, Michael, and their families.

In addition to his immediate family, Fanning is survived by five grandchildren—Mrs. Hunt's sons, Harold Ward and Peter Lawrence, and Michael's children, Gretchen Lisa, Elinor Wynne and Dale Edward—and by three brothers, Thomas of New York City, Paul of San Francisco and Ward of Mesa, Ariz.

The Washington Post had this to say about his death:

LAWRENCE FANNING, NOTED EDITOR OF ANCHORAGE, OTHER U.S. PAPERS

(By Alex Ward)

Lawrence S. Fanning, editor and publisher of the Anchorage, Alaska, Daily News and the former editor of the San Francisco Chronicle and Chicago Daily News, died yesterday after a heart attack in Anchorage. He was 56.

Mr. Fanning, remembered by many of his contemporaries as an imaginative and innovative newspaperman, began his career as a copy boy for the Chronicle in 1933, while he was a student at the University of San Francisco.

Six years later after brief stints as a copy reader, telegraph editor and news editor, he was promoted to managing editor at the age of 27.

In 1954 Mr. Fanning left San Francisco to become editor of the Chicago Sun-Times Syndicate and was named assistant executive editor of the Sun-Times in 1957. He moved over to the Chicago Daily News as executive editor in 1963.

He purchased a controlling interest in the Anchorage paper in 1967 and moved there to become editor and publisher.

During his career, Mr. Fanning was credited with having a perceptive eye for talent. According to Hal Bruno, a Newsweek magazine editor who worked with Mr. Fanning in Chicago, "he had a tremendous knack for surrounding himself with the best possible people, and he was never bound by tradition in hiring them."

Peter Lisagor, Washington bureau chief of the Chicago Daily News, remembered Mr. Fanning as giving Nicholas von Hoffman his first newspaper job, and with promoting Mike Royko, a well-known columnist in Chicago, from a county reporter.

Franc Shor, now an associate editor with The National Geographic, began his career on the Chronicle at about the same time as Mr. Fanning.

"When I first knew him, Larry was a copy reader," recalled Shor. "In a few months, he was in charge of the copy desk, and then every few months he would get another promotion. At 24, he was assistant managing editor, and I think the youngest man in the country that held a position that high on a major paper."

Mr. Fanning, a Minneapolis native, had been a member of the board of directors of the Associated Press and was on the board of Marshall Field Enterprises.

Surviving are his wife, Katherine, who was formerly married to the late Marshall Field IV, a son and two daughters from previous marriages, and a stepson and two stepdaughters.

POSSIBLE INVASION OF NORTH VIETNAM

Mr. MONDALE. Mr. President, yesterday the Senator from Ohio (Mr. SAXBE) and I introduced a bill, S. 974, to prohibit both an invasion of North Vietnam by U.S. ground forces and U.S. combat air support for a South Vietnamese invasion of the North.

We are deeply concerned at the ominous signs that such an invasion may be under consideration.

As I pointed out yesterday, President Thieu, of South Vietnam, is reported to have openly advocated an invasion.

This morning there are disturbing new reports that President Thieu is not only predicting an invasion, but has also asked the South Vietnamese general staff to draw up detailed plans for an American-supported attack across the borders of North Vietnam.

These reports—filed by correspondents in Vietnam—merit the most serious consideration by Congress.

I ask unanimous consent that articles published in the Baltimore Sun and the Washington Post be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

THIEU ASKS PLANNING OF DRIVE INTO NORTH

SOUTH VIETNAM'S CHIEF DESCRIBES MOVE AS BEING "ONLY A MATTER OF TIME"

(By Michael Parks)

SAIGON, Feb. 25.—President Nguyen Van Thieu has asked the South Vietnamese general staff to draw plans for an American-supported invasion of North Vietnam, an operation he described yesterday as being "only a matter of time."

President Thieu asked for detailed plans for a series of coordinated strikes across the demarcation zone and at points farther north along the Lao border, according to usually reliable South Vietnamese military sources.

The plans presumably would call for extensive American air support. President Nixon and other American officials have pointedly refused to rule out such an operation.

WEEKEND CONFERENCES HELD

Their statements had been generally regarded as attempts to deter North Vietnam from sending troops to counterattack allied forces assaulting the Ho Chi Minh trail but it was unclear whether President Thieu is engaged in a similar feint.

He reportedly made the request for battle plans after a series of weekend conferences with top South Vietnamese generals, who are said to have urged him to strike now at Communist troops and supplies in the North while enough U.S. troops remain to support the invasion.

Mr. Thieu also asked for a diplomatic assessment of whether Communist Chinese troops would be sent to aid North Viet * * * invaded, according to South Vietnamese and foreign sources here.

Both requests were said to have been made early Monday. On Wednesday, President Thieu told local leaders in the Central Highlands city of Pleiku that "a march north . . . is only a matter of time," the official government news agency reported.

"NOT JUST PLANNING EXERCISE"

In Saigon, government spokesmen declined to elaborate or clarify the reversal of the President's Public position but several military planners at the Joint General Staff said they had been specifically told that "this is not just a planning exercise."

American officials, caught by surprise by the statement, said they believe the plans were "only for contingency purposes, just a routine updating."

Some Americans also suggested that the reports of a planned invasion, which have been circulating for three weeks, were meant to force the North Vietnamese to dilute their opposition to the allied operations in Laos by keeping more troops at home.

Diplomatic sources here reported, however, that representatives of at least three countries that have diplomatic relations with China have been asked for their assessments of whether Chinese troops would be sent to aid North Vietnam if it were invaded.

"PSYCHOLOGICAL WARFARE"

This prompted one ranking diplomat to comment, "this whole thing is an elaborate psychological warfare operation. If they were going to invade, they wouldn't go around announcing it. But that's what I said about the Laos operations, too."

President Nixon, speaking with newsmen last week, refused to speculate on the possibility of American air support for a South Vietnamese invasion of North Vietnam.

While American participation would have to be approved in Washington, Mr. Nixon said that "South Vietnam now, as we withdraw, has an ever-increasing responsibility to defend itself. South Vietnam will have to make decisions with regard to its ability to defend itself."

THE NEXT LOGICAL STEP

Shortly after the U.S.-South Vietnamese invasion of Laos, Vice President Nguyen Cao Ky said the next logical step would be an invasion of North Vietnam, a course of action he has long advocated.

William P. Rogers, the U.S. Secretary of State, said then that such an operation was "Not under consideration now." He declined to comment further, saying the proposal was not that of President Thieu.

Gen. Do Cao Tri, who was killed in a helicopter crash Tuesday told newsmen last week that "hypothetically speaking, the most effective way to shut off the enemy's supply line is to destroy it at its origins in North Vietnam."

But General Tri warned that "there are many very difficult military problems involved in an invasion of the North. The enemy's defenses would be very heavy, our supply lines very vulnerable and the prospect of long campaign very large."

THIEU SAID TO PREDICT ATTACK ON NORTH SOON

(By Peter Osnos)

SAIGON, February 25.—President Thieu, who until this week had expressed no eagerness to invade North Vietnam, was quoted today as saying a drive across the Demilitarized Zone would take place "in the near future."

Regional and local militias, the president reportedly said, "are able enough to take firm control of internal territory. Main forces can have a free hand for action. Thus a march to the north is only a matter of time."

Thieu's statement, quoted by a number of Saigon newspapers, was made in remarks yesterday in Pleiku to a hawkish audience of 5,000 civil servants and Montagnards.

The crowd, which was said to have enthusiastically applauded mention of the Laos invasion, cheered when Thieu said there would be a "march to the north in order to attack the lair of aggressive Communists directly. This will occur in the near future."

The president's aides could not be reached tonight for confirmation of what he had said. But one government spokesman said the newspapers that printed the remarks were "all right."

It was the second time in three days that Thieu had spoken of a possible South Vietnamese drive to the north, but the latest declaration represents a significant escalation of rhetoric.

In Vungtau Monday Thieu said: "If we dare to launch operations into neutral Cambodia and Laos, why shouldn't we dare to attack the very origin of aggression?"

Whether or not an invasion is actually being planned, Thieu's attitude is seen here as having two immediate benefits for the Saigon government:

First, it diverts local attention from the fighting in Laos, where a South Vietnamese ranger battalion took heavy losses last weekend and the operation to disrupt the Ho Chi Minh Trail is apparently bogged down.

Second, the sabre-rattling is likely to make the North Vietnamese uneasy, meaning they will keep their forces deployed above the DMZ rather than send them against the South Vietnamese in Laos.

The American embassy had no comment on Thieu's statement. A spokesman said that efforts to reach the president's staff for elaboration tonight had been unsuccessful.

While Thieu often takes an uncompromisingly hard line against the Communists before sympathetic audiences, veteran observers here could not recall him advocating a northern invasion—let alone predicting that it would soon take place.

This kind of talk, until now, had only been heard from Vice President Ky, whom officials in Saigon and Washington refuse to take seriously.

Thieu, some observers believe, may be attempting to outflank Ky in hawkish Vietnamese circles that have been calling for an invasion of North Vietnam as a natural follow to the Laotian operation.

While the accuracy of the newspaper reports of Thieu's remarks have not been officially confirmed, the government has not discouraged their publication. If the accounts were embarrassing the president, the papers could have been seized or at least warned against repetition.

EMPLOYMENT IN THE DEPARTMENT OF AGRICULTURE

Mr. CURTIS. Mr. President, recently the distinguished Senator from Wisconsin (Mr. PROXMIRE) made a statement that appeared to be highly critical of the Department of Agriculture. The statement would cause many who read the RECORD to believe that the Department of Agriculture under Secretary Hardin's management was increasing the number of people employed in the bureaucracy that was serving the farmers of our country.

All of us would like to see the number of Government employees reduced. I think this includes not only farm citizens back home but members of the Cabinet, such as Secretary Hardin, and many Members of the Congress. I certainly would applaud any effort to reduce the payroll by any reasonable means. It is important that the record be set straight. It is important that we examine what has happened in the Department of Agriculture since Secretary Hardin took office. It does not show an increase in the number of employees administering our agricultural programs.

In the fiscal year 1968 the total number of full-time employees in the Department of Agriculture was 85,397. The estimated number of employees for fiscal 1971 is 85,600 and the estimated total number for fiscal 1972 is 87,300. However, the figures on the meat and poultry inspection show that the number has increased from 7,293 in fiscal 1968 to an estimated 9,750 for 1972. This is an increase of approximately 2,500 employees for this particular activity. In the Food and Nutrition Service, which administers the food-stamp and school-lunch programs, the number of employees over the same period has increased 500.

The point is these meat and poultry inspection and school lunch and food stamp programs are not farmer programs. They are not programs which have a part in administering the agricultural programs. They are consumer programs. They represent recent enactments of Congress intended to serve consumers and not producers of food.

Consequently, if due allowance is made for this increase in personnel for consumer services, the actual number of employees engaged in agricultural matters has been reduced under the leadership of Secretary Hardin.

I hope the day will soon arrive when the taxpayers of the country will not have to support as big a bureaucracy as they are now supporting in any Federal agency or department. This depends in a large measure, however, upon Congress. Congress adds programs and adds programs. Congress writes the laws relating to civil service and other employment practices. If there is a waste of manpower, and I believe there is, Congress has the primary responsibility.

STATEMENT IN SUPPORT OF THE CLEAN LAKES ACT OF 1971

Mr. CANNON. Mr. President, I speak in support of the Clean Lakes Act proposal because I am convinced that this legislation could be of great help in improving and maintaining the unique purity and clarity of one of the Western United States', indeed the Nation's, most treasured resources, Lake Tahoe.

Nestled in the 10,000-foot Sierra Nevada peaks between Nevada and California, Lake Tahoe is one of the purest water bodies in the world. Since its creation as a glacier lake many thousands of years ago, its color has been a deep, crystal-clear blue.

Lake Tahoe itself is only 22 miles long and 12½ miles wide, but it is deep enough to cover the State of Texas with an 8-inch film of water. At a depth of 1,645, the size is being diminished by algae and mud expanding in the water—a result of man's disturbance of the soil in the watershed.

Thousands of people are being drawn each year to the lake basin to live, work, and play. The present permanent population is estimated at 50,000 and growing. Vacationers swell that amount by an additional 100,000 during peak times. As the use of the Lake Tahoe Basin increases, the water body is in danger of prematurely aging—a process called eutrophication. Scientists tell us fertility in the lake has increased by 72 percent in the last 10 years, and if this progression continues, the lake will decline rapidly, possibly within 20 years.

The fertilization process has been speeded up by the people influx and all that goes with it: Lumbering, roadbuilding, clearing land for housing development, ski slopes, and golf courses.

This is Tahoe's tragedy: The masses of people who flock to the lake and enjoy its beauty are by their presence destroying its prime attraction—its clarity—and thus their reason for being there.

A regional planning agency was approved by Congress a year ago and the agency is already actively involved in establishing standards and controls over air and water pollution, zoning, building, and general development of the lake and surrounding area. But the lake is already in trouble from past neglect. Some research into the eutrophication process is being carried out under a Federal Water Quality Administration grant. We are finding out the causes of eutrophication, its processes, and results, but we have not yet been able to come up with some cures.

This is why the clean lakes bill is so encouraging. The bill directs the Environmental Protection Agency to provide technical and financial assistance to the States and municipalities in carrying out a comprehensive program of pollution control, including the use of harmless methods to destroy unwanted algae. It would help by providing aid to improve land shores and aid in recovery of overgrowth of algae and trash from the surface.

Lake Tahoe is fortunately in a position where it can easily reverse its present dangerous course. This legislation can insure that we do so.

PENTAGON PROPAGANDA—PURE, SIMPLE, AND PERVASIVE

Mr. EAGLETON. Mr. President, in the complex and often bizarre world of government bureaucracies, propaganda goes by many names: Public information, public education, public service, media assistance.

Tuesday night CBS News discussed what the taxpayers are really getting for their $30 million—it could be as high as $190 million, and probably is—that each year goes for "The Selling of the Pentagon." Propaganda—pure, simple, and pervasive.

The Pentagon's almost unlimited manpower and money are used to justify the military's view of such things as the ABM and our SALT position; the continuation of the war in Vietnam and its extension into Cambodia, Laos, and North Vietnam; the requests of the military and the merits of a specific weapons system.

This use—I believe misuse—of the Pentagon's public relations machine has far-reaching consequences. By creating an atmosphere of fear, by selectively releasing information to bolster its own arguments, by retreating behind the barrier of "national security" when its viewpoint is disputed, the Pentagon effectively views the public debate and interplay which are so much a part of our democratic decisionmaking process. In a democracy dependent on the judgments of an informed electorate, there is no higher form of subversion than the suppression or distortion of facts.

A monolithic voice speaking at Government expense to sell its own policies presents a great danger to democracy.

"The Selling of the Pentagon" was reporting at its best. But Congress, not the press, must bear the responsibility of carefully scrutinizing the moneys it authorizes and appropriates. And "The Selling of the Pentagon" shows just how much work we must do in the first session of the 92d Congress.

Mr. President, I ask unanimous consent that the transcript of "The Selling of the Pentagon" be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

CBS REPORTS: THE SELLING OF THE PENTAGON

(As broadcast over the CBS television network, February 23, 1971)

Produced and Written by: Peter Davis.
Correspondent: Roger Mudd.
Research: James Branon & Helen Moed.
Executive Producer: Perry Wolff.

ROGER MUDD. Last spring American soldiers fought a two day battle that did not get into the newspapers or onto the television news broadcasts. Very few people even knew about it. The battle was fought neither in Vietnam, nor in Cambodia, nor anywhere else in Southeast Asia. All the action took place in North Carolina. This was a military exercise, but it was also an exercise in salesmanship—the selling of the Pentagon.

SPEAKER (for Marine Corps). Gentlemen, today we have shown you the individual Marine—the man who implements foreign policy. He comes from all walks of life, all over the USA. He's not much different from the young men we see on the street corners of America today, except he's been trained as a Marine.

He believes in what he is doing, and he's dedicated to his country and to the job at hand, whatever it may be. In short, we could say he has a lot of plain old, red-blooded American guts. Now this concludes our demonstration at this range. The escorts will now show you to your buses. Thank you very much.

ROGER MUDD. Nothing is more essential to a democracy than the free flow of information. Misinformation, distortion, propaganda, all interrupt that flow. They make it impossible for people to know what their Government is doing, which, in a democracy, is crucial. The largest agency in our Government is the Department of Defense, and it maintains a public relations division to inform people of its activities.

In December, Congress cut the appropriations for this division, but, according to the Pentagon, it will still spend 30 million dollars this year on public affairs—an amount more than 10 times greater than what it spent to tell people about itself just 12 years ago. Even this figure may be only the tip of the public relations iceberg. A special, still unpublished report for the prestigious 20th Century Fund estimates the *real* total at 190 million dollars. The combined news budgets of the three commercial television networks—ABC, CBS, and NBC—are 146 million dollars.

Whatever the *true* cost at the Pentagon, there have been recent charges in the press and in Congress that the Department is using these public relations funds not merely to inform but to convince and persuade the public on vital issues of war and peace. Ten months ago, CBS News set out to investigate these charges and to examine the range and variety of the Pentagon's public affairs activities. We selected three areas for concentration: direct contacts with the public, Defense Department films, and the Pentagon's use of the media—the press and television. We sought no secret files, no politicians pleading special causes, no access to classified documents. We looked only at what is being done for the public—*in* public.

We began at an obvious location—Armed Forces Day on a military base. Fort Jackson, South Carolina is proud of its soldiers, and once a year the public is invited, to come out and take a look at them. At dozens of other bases, dozens of other audiences see the same show. The major event is a firepower display. But in the interests of information, they not only shoot, they also instruct.

INSTRUCTOR. The killing zone is 50 metres deep, 50 metres wide, and two metres high. However, its fragments are also effective against light skinned vehicles.

MUDD. The weapons officer on this range claimed that the information display cost two million dollars. Later, Army public relations officials put the expense at twenty-two thousand dollars.

The last part is known as the "mad minute." It would be hard to argue with that description.

When the demonstration itself is over, another activity begins. The ammunition is gone but the weapons are not. Some of these are turned over to children so they can get the heft and feel of the genuine article.

FIRST CHILD. All right Jack here's a cool tank man.

SECOND CHILD. I'm going over to the other tank.

THIRD CHILD. Get off. . . .

FIRST CHILD. What are you doing?

THIRD CHILD. I'm going to shoot you.

SECOND CHILD. Ready . . . aim . . . fire!

Colonel MACNEILL. In the Chinese view only one country has been liberated from colonialism, and that is North Vietnam. The others will not be considered liberated, in the Chinese viewpoint, until each and every one has a Communist government.

MUDD. The Pentagon has a team of Colonels touring the country to lecture on foreign policy. We found them in Peoria, Illinois, where they were invited to speak to a mixed audience of civilians and military reservists. The invitation was arranged by Peoria's Caterpillar Tractor Company, which did 39 million dollars of business last year with the Defense Department. The Army has a regulation stating: "personnel should not speak on the foreign policy implications of U.S. involvement in Vietnam."

Colonel MACNEILL. Well now we're coming to the heart of the problem—Vietnam. Now the Chinese have clearly and repeatedly stated that Thailand is next on their list after Vietnam. If South Vietnam becomes Communist it will be difficult for Laos to exist. The same goes for Cambodia, and the other countries of Southeast Asia. I think if the Communists were to win in South Vietnam, the record in the North—what happened in Tet of '68—makes it clear there would be a bloodbath in store for a lot of the population of the South. The United States is still going to remain an Asian power.

Over the years, the Colonels have travelled—at taxpayers' expense—to 163 cities and spoken to 180 thousand people. In a question and answer period, they promote American presence in Southeast Asia.

Colonel SERRELL. The bloodbath, the indications at Hue during the Tet offensive as to what might be in store for people who would otherwise have some semblance of freedom or individuality, if we did stay and protect their interests as well, admittedly, as our own.

Colonel BIRD. I personally believe by and large the college students are very sincere in their belief. I think a lot of them haven't attempted to study, to some degree, the history of other things like this. . . .

Colonel MACNEILL. Some say there are no interests at stake today, some say we had none in the beginning. I feel when we put half a million men in there, at least we placed national interest at stake when we did that.

CHILD 1. I want to play this one.

CHILD 2. Now it's my turn.

CHILD 1. Bob, let's see if you can do this.

CHILD 3. Let Danny do it.

FATHER. How many mistakes you gonna make?

MUDD. At a St. Paul, Minnesota shopping mall, an Army display emphasizes power a recurrent theme in Defense Department public relations programs. The Army Exhibit Unit has been to 239 cities in 46 states and has been seen by over 20 million people. The cost to taxpayers: 906 thousand dollars a year.

ARMY NARRATOR. The four M's—Mission, Motivation, Modernization, and Management—summarize Army Chief of Staff General William C. Westmoreland's program for the future of the Army.

MUDD. The Army says it won't send these exhibits out unless requested by local civilians. The manager of this shopping mall told us how the Army's exhibit happened to be there.

Mr. PETERS. We were approached by Sergeant Kerr who is the local recruiting sergeant in this area, a matter of three weeks ago, and he simply asked us would we care to have the exhibit here in our mall. We said yes. So, it's here.

ANNOUNCER (for AIR FORCE). Approaching next will be Major Mike Kirby and his next maneuver, the exciting Wing Walk and Roll.

MUDD. The Air Force Thunderbirds flew 108 exhibitions last year in front of 6 million people. We were told that the Thunderbirds are supposed to attract volunteers, but what we found was a very elaborate commercial for air power.

ANNOUNCER (for Air Force). The Air Force has proved again and again its superiority against the enemy in the air war over North Vietnam. In an environment where the majority of our fighter pilots were flying tactical bombing missions and not primarily hunting for enemy aircraft, the enemy still lost three aircraft for every one of ours in air-to-air combat.

Gen. LEWIS WALT. We fought them up on the DMZ, we fought them down south across the Cambodian border. But they're trying to keep the war going on—why? Because they think that we're going to give up and pull out before the job is done. That's what they've been told, that's what they read in our newspapers and our magazines.

MUDD. Tonight, like any other evening, there are between 6 and 10 Pentagon speakers appearing in public. With military transportation at their disposal, they traverse the country shaping the views of their audiences. For years, General Lewis Walt has been the Marine speaker most in demand.

General WALT. This is what's kept the war going on. If we could have had the entire American nation in back of us, all of our Americans in back of our Armed Forces in South Vietnam, this war would have been over a year and a half ago.

GREEN BERET ANNOUNCER. Please pay particular attention to the hands, the elbows, the knees, and the toe of the boot, which are used to deliver killing blows to the vulnerable portions of the body.

MUDD. When it comes to sheer muscle, the legendary Green Berets are the Army's glamor exhibit. In 21 states last year, the Berets showed how people kill people sometimes. On one occasion, they showed about a thousand kids in New Jersey.

When the Berets finished their act, the audience had its own turn.

CHILD. C'mon . . . no! Damn you . . . ow! (Crying).

MUDD. Each year the Pentagon runs special guided tours for over 3,000 influential civilians The Joint Civilian Orientation Conference is the aristocrat of these tours, indeed of all Defense Department contacts with the public. For eight days 64 prominent citizens visit key military installations all over the country. To give the community leaders more sense of participation, the Defense Department outfits them in different colors that represent each of the Armed Services. Included in this exclusive party are industrialists, bankers, college administrators, newspaper publishers, and broadcasting executives.

High ranking generals accompanied the civilians. These two, three and four-star chaparones were available for briefing, picture-taking, and just mingling. CBS News followed the distinguished visitors on a weekend war game in North Carolina. The purpose of these tours, according to the Pentagon, is to teach military realities. The guests are referred to as "major taxpayers." As their education proceeded, we recorded some of the military realities and part of their impact on the civilians.

The Army gave a demonstration of a massive troop airlift. An air and land assault on enemy territory was simulated for the visitors. The idea here was to show that thousands of troops can be transported thousands of miles in just a few hours. What's more, when they get where they're going, they are ready to fight.

JITTERBUG ANNOUNCER. Notice the jitterbugging action as the Cayuse make a thorough search of suspected enemy locations. Such tactics were battle tested in Vietnam.

KENNEDY WAGON ANNOUNCER. To achieve success in combat, an infantry battalion depends upon the fighting strength of its rifle companies. The company is composed of three rifle platoons and a weapons platoon.

MUDD. The 64 civilians themselves paid part of their own costs and the official total price of this tour is only 12 thousand dollars. 12 thousand dollars, however, does not include the amount spent on elaborate briefings, the war game itself, nor the expenses of several thousand servicemen who performed for the civilians along the way.

KENNEDY WAGON ANNOUNCER. 711 tons of ammunition and 308 tons of fuel.

Dr. RICHARD CHAMBERLAIN. I for one am very grateful for this privilege of seeing how the defense of the country is being organized.

DAVID CONNOR. I found it enjoyable to talk to the enlisted ranks who are handling the weapons as we got in the tanks. I think there's been a subtle, necessary and important emphasis on talking to the manpower.

OFFICER. Of course it could carry rockets, it could substitute a rocket part for an arm. It has tremendous flexibility.

CIVILIAN. A lot of killpower though.

OFFICER. Oh yes, yes.

MUDD. Civilians were shown some of the more advanced equipment and training methods. Among the ordnance the Marines displayed were their planes, their weapons, their tanks, and, of course, their Commandant, General Leonard Chapman.

OFFICER. Excuse me, General Chapman, this is Mr. Hoover.

General CHAPMAN. How are you sir, nice to see you.

CIVILIANS IN BOAT. Oh, we can use a kyack . . . That's right . . . Bob, you're getting a little too enthusiastic . . . Oh boy we're really making time now.

ROBERT GREENHILL. I think the message I would take back is that we have a first-class military organization led by first-class leaders and the people who carry the load on the enlisted men are some of the finest people that I've been privileged to see. I'm in the investment banking business and I travel all over the United States and I know that for a fact.

Willard Dover. I think the message is that you can be proud of your boys in service.

Mudd. The Defense Department did not permit CBS News to film what many regarded as the highlight of the tour. But the civilians were not shy in talking about it.

Mr. Connor. At Fort Hood we all were seated in the gunner's seat of the M–60 Tanks, and we fired the rifles, and were told what excellent shots we were and we were taken over to the recoilless rifles and fired rounds at armored personnel carriers and again told how good shots we were, and we fired grenade launchers and drove tanks and so on . . .

Dr. Chamberlain. We fired tank cannon and recoilless rifles, machine guns . . .

Mr. Connor. My gun jammed while I was shooting it and I thought Oh my God what a great situation to be in were someone moving on me.

Dr. Chamberlain. It was fun to actually get your finger on the trigger of some of the things like the recoilless weapons that most of us have heard about but hadn't actually seen.

Mr. Greenhill. There is no substitute for hands-on experience.

Mudd. The Defense Department says these demonstrations are merely training exercises for war. War, however, is not fought in front of a grandstand.

Marine Announcer. Let me remind you that the speed and flexibility which you have seen today and the maneuverability and coordination of the supporting forces is not a demonstration. It is the stock in trade of the United States Marine Corps.

Mr. Greenhill. One of the things I can personally see from this tour is that a lot of the statements that for example Mr. Fulbright and Mr. Proxmire make are absolutely baseless.

Dr. Chamberlain. I just wish that all the American people could see what we've seen. I think we'd find much less of this carping at the military and we'd find a lot more understanding.

Mr. Dover. I think that one part of this tour is that you won't find a George Romney statement about being brainwashed.

Dr. Olav Sola. As we proceeded through numerous phases where we were personally involved my opinion has changed 180 degrees.

Jack Webb. It seems ironic, that while our finest young men are fighting half-way across the world, other young men and women safe at home, openly advocate abandonment of Vietnam to Communism. Perhaps they really don't know what this war is all about.

Mudd. With scenes of war protesters tinted red for emphasis, the Defense Department introduces a film on Vietnam narrated by television star Jack Webb. Over 300 films a year are made by the Pentagon. Most of them are meant originally for troop information, but a large number is later released for public showing. It is widely known that the Defense Department often helps sympathetic Hollywood producers who need troop support for their war movies. What has received far less attention is that the Pentagon itself spends over 12 million dollars a year on its own pictures. The annual cost of a single Army series "The Big Picture", is 900 thousand dollars and the overall Army film budget is more than 6 and one-half million dollars a year. During the 1960's, at least 52 million Americans saw Pentagon motion pictures. 45,000 public gatherings viewed them and at least 356 commercial and educational television stations have presented them as part of their public service broadcast time. Facts and information—not opinions and attitudes—are supposed to be the ingredients of Defense Department films. An official Pentagon directive states: "propaganda has no place in Defense Department Public Information programs". In preparing this broadcast we looked only at products of the last decade—all made after the thaw in Cold War politics. Well-known journalists and movie stars often serve as narrators for the films, as these excerpts show.

Robert Stack. Hi, I'm Bob Stack. As you may know one of my hobbies is collecting guns. I've hunted on and off, all my life from California to Mexico to safaris in Africa. Speaking of guns and faraway places, I've just come back from a trip to Vietnam where guns are used for an entirely different purpose.

John Wayne. The Defense Department has asked me . . .

Mudd. The Pentagon helped John Wayne make "The Green Berets". John Wayne helped the Pentagon make this film in Vietnam. Over a thousand prints are in circulation.

Soldier (talking to Wayne). In Vietnam, revolution is a double edged word. The enemy uses it—it's what they call the "aggressive war" they're using against people over here.

Wayne. That's the story and there's nothing mysterious about the kind of revolution the enemy has in mind—it's the same thing we've seen in many parts of the world ever since the Communist revolution fifty years ago. Murder, assassination terror, and over here they've killed over 20 thousand civilian leaders. And it's these same brave people, who have had the will and the guts to conduct their own revolution, a real revolution for the betterment of their people.

Mudd. Not only movie stars have aided Pentagon propaganda. For patriotic reasons newsmen such as Edward R. Murrow, Lowell Thomas and John Daly often volunteered their talents during World War II and the Cold War. The Pentagon has used many journalists to carry its message, including some years ago, two of the best known broadcasters.

Chet Huntley. I'm Chet Huntley. To most of us, this is the United States Navy—the aircraft carrier, the cruiser, and destroyer. The modern deepwater navy extending American strength across the oceans of the world.

This is the American Navy in Vietnam, moving quickly where and when needed, displaying the flexibility of modern sea power, controlling the seas, extending its influence on land, and holding superiority in the air. A three-way force for peace, here to meet at any spot on the globe.

Mudd. "The Eagle's Talon" made in 1962, narrated by Walter Cronkite, deals with America's response to Communism.

Walter Cronkite. Starting in World War II, the aggressive Communist tide has spread in Europe and Asia to engulf its neighbors. Communist China even now has plans to dominate Asia by mass murder—destroying ancient civilizations. Right next door is the nation we freed in 1898—Cuba. A Communist tyranny holds sway and whiskers do not hide the naked face of dictatorship. Our army is face to face with Communism around the world. To meet immediate threats on any front we must build up our land forces at home and overseas.

This soldier, guarding one of Asia's gateways against Soviet aggression symbolizes the determination of free men everywhere to resist Communist expansion by force of arms.

Mudd. On a policy level, the Pentagon says it has discarded the rhetoric of confrontation. But city by city, public showing by public showing, the language and symbols of the early 60's are still being widely distributed in the 70's. Here, in Elmendorf, Texas this month, a Baptist congregation attends a Pentagon film on Communism made in 1962. Even though the expressed policy of the United States is negotiation and not confrontation—even though Walter Cronkite and Chet Huntley may now disagree with the intent of the films they narrated—even though the roles of journalist and Government spokesman are incompatible—the films grind on and on.

A Pentagon film often contains a map that seems to be bleeding. The blood turns out to be the spread of international Communism. Interpretations of Communism and assessments of Communist intent are significant themes in Defense Department films. In "Red Chinese Battle Plan", an anonymous Pentagon narrator describes a foreign policy bent on world conquest.

Pentagon Film Narrator. It is a blueprint for world revolution. Red China's battle plan—divide and encircle; conquer and enslave.

Mudd. In an excerpt from a film called "Road to the Wall," the Pentagon has James Cagney tell of a Communist plan that encompasses even more than the world.

Cagney. The Wall is a solid fact. It stands in Berlin today. It stands—and will stand wherever the road of world Communism leads. Someday, according to its builders, it will surround not merely the world, but the moon, the stars, outer space—the universe!

Mudd. In what is perhaps the Pentagon's most ambitious film, "Red Nightmare," Jack Webb presents a Russian scheme to crush American freedom.

Russian Soldier No. 1. Americans! They have too many freedoms.

Russian Soldier No. 2. That is another thing you must remember, Comrade. One day it will be your mission to destroy those bourgeois, capitalist freedoms!

Webb. Frightening, isn't it?

Mudd. The hero of Webb's film, a latheworker named Jerry Donovan, dreams that his town is invaded by Communists. With remarkable ease, they quickly subvert everyone except Donovan himself, who listens with shock to a Commissar's speech.

Commissar. When the moral fibre of the United States weakens, and the economy collapses under the pressures of competitive coexistence, it will be your responsibility Comrades, to purge the minds of the reactionary Americans, so that they will welcome the enlightened Soviet system and conform without resistance to the dictatorship of the proletariat.

Donovan (to soldier). Hey! What do you think you're doing?

Mudd. When Donovan returns home, he finds his own daughter about to leave for a commune.

Daughter. It's true Daddy. I did volunteer for farm work.

Donovan. Linda, why?

Daughter. The party convinced me that I should free myself of the lingering bourgeois influence of family life. I am ready. Do not interfere. It is for my own good.

Russian Soldier. And Comrade Donovan. Do not think that your deviationist remarks will be overlooked. They will be reported to the proper authorities.

Judge. Comrade Donovan, you are accused of the following crimes against the state: subversion, deviationism and treason.

Mudd. 900 prints of "Red Nightmare" are currently in circulation. It was first released in 1962, then reissued in 1965. The film was made for the Armed Forces Directorate on Information.

Judge. As an ugly remnant of the diseased bourgeois class, you must be eradicated before the contagion can spread.

Donovan. Believe me you Communists can't keep fooling the entire world. You can't even keep fooling your own people. Because the news about Communism is getting around—that it's only another word for slavery!

Webb. Don't worry Jerry. That bullet will never reach you, because it's time to bring you back from your red nightmare.

Mudd. The Department of Defense believes that one of the best ways to save Americans from a red nightmare that comes true is with films like these. Although the Pentagon labels them informational, these films contain a high proportion of propaganda, as well as an obsession with monolithic Communism. Tax money financed all of them, and they have all been distributed during the Kennedy, Johnson, and Nixon administrations. It has been more than a decade since the national policy of peaceful coexistence replaced the harsher rhetoric of early cold war years. But to the filmmakers at the Pentagon, with at least 12 million dollars a year to spend, 1946 seems to have lasted a whole generation.

Mudd. The Pentagon, in Washington, is the command post of a military establishment with a multitude of ways to get its message across to the public. Many millions of Americans are reached by Defense Department displays, tours, and motion pictures. But the widest, most penetrating of all contacts the Pentagon has with the public is through the media—newspapers, magazines, radio and television. Once each day, the press and the Pentagon have a formal confrontation.

Jerry Friedheim. I think this is the first time Dr. Foster has discussed the three different kinds of SS–11's—that's correct, these are MRV not MIRV.

Mudd. Every morning at 11 o'clock, in pursuit of Defense Department news, Pentagon reporters get a crack at a careful and respected adversary, Deputy Assistant Secretary of Defense Jerry Friedheim. He does not, of course, tell all he knows; he wouldn't have his job long if he did.

Friedheim. I can't discuss that at all.

Newsman. What about the size of the warhead?

Friedheim. I just don't have anything I can give you on that. We'll pursue that question.

Robert Garolski (NBC News). When did you last have three carriers on station in the Med?

Friedheim. We'll have to check back and find that date for you.

Newsman. Has the Guam chopped to the Sixth Fleet?

Friedheim. Negative. It has not.

Bob Schieffer (CBS News). Would she normally be going to replace one of them;

Friedheim. That has been the normal operations in the past. We've observed some nineteen Soviet combatant vessels there in recent days. The Sixth Fleet strength is roughly comparable, slightly larger:

Newsman. Slightly larger?

Friedheim. That's correct.

Jack Tolbert. It's extremely difficult for a Pentagon reporter, even a regular, to establish sources outside the public affair's arm.

Mudd. Former Public Information Officer Jack Tolbert was an Air Force Major who worked with the press at many military bases for twelve years. He believes that the Defense Department confronts reporters with numerous obstacles.

Tolbert. The Department of Defense has so many avenues of getting its story across, around, and over and under the media, that I'm not even sure even if every reporter who covered the Pentagon was a hard nosed reporter, that we still wouldn't get the story through.

Mudd. The vastness of the Defense establishment confronts a reporter with an almost impossibly complex task. Pentagon stories develop in many other ways besides formal briefings, but the sheer size of the building itself remains bewildering. Often it is impossible to get to a news story—even when the story does *not* involve national security —until the Pentagon chooses to announce it. Going into and out of the 30 thousand Pentagon offices each day are 200 thousand phone calls and 129 thousand pieces of mail. But very little of this communicating is done with the press. Although the Department of Defense is the biggest business in America, over 95% of the news bureaus in Washington do not even assign a reporter regularly to the Pentagon. More newsmen cover the pennant race than the arms race. We asked the man in charge of all Pentagon public reactions, Assistant Secretary of Defense Daniel Henkin, if he thought the press did a good job covering the Defense Department.

Henkin. I believe that it does . . . From time to time of course it gives me some headaches and I give the press some headaches. We understand that. We act professionally, as a professional relationship not only with the Pentagon press and other members of the Washington news corps but with newsmen who cover military activities around the world.

Mudd. What about your public displays of military equipment at state fairs and shopping centers—what purpose does that serve?

Henkin. Well, I think it serves the purpose of informing the public about their Armed Forces. I believe that the American public has a right to request information about the Armed Forces, to have speakers come before them, to have questions, and to understand the need for our Armed Forces, why we ask for the funds that we do ask for, how we spend these funds, what we are doing about such problems as drugs—and we do have a drug problem in Armed Forces. What are we doing about the racial problem in the Armed Forces, and we do have a racial problem. I think the public has a valid right to ask us these questions.

Mudd. Well is that sort of information about the drug problem you have and the racial problem you have and the budget problems you have, is that the sort of information that gets passed out at state fairs, by sergeants who are standing next to rockets?

Henkin. No, I wouldn't limit that to sergeants standing next to any kind of exhibit. Now there are those who contend that this is propaganda. I don't—do not agree with this.

Mudd. What the press wants to reveal, the Defense Department often wants to conceal. We asked the Washington Post's military specialist, George Wilson, who should be prouder of Pentagon press coverage, the press or the Pentagon.

George Wilson. The Pentagon by virtue of its overwhelming troops in this area has done better in propagandizing as a whole than the press has done on exposing. I don't fault the digging reporters and there are several. What I fault is the lack of demand from the editors, both of TV and of newspapers generally.

Mudd. How hard is it Mr. Wilson for a single reporter at the Pentagon to discover the truth when the Pentagon doesn't want the truth to be known.

Wilson. It's difficult. They can always pull out the secrecy stamp and say it's against the national interest to give you the full explanation for what we did, but you'll just have to trust Big Daddy.

Mudd. Can't a case be made, Mr. Wilson, from the standpoint of national security, to prohibit you from printing in your paper information that the enemy wants to know?

Wilson. It certainly can. A case can be made, but my counter to that is that if it's going to be—if the weapon is going to be described in public as it was in 1969 and 1970, along with the sales job to get the antiballistic missile defense approved it should be described accurately. The point here is that because the technology is reachable, that there will always be the pressure to build it. Weapons are inexorable and they're impervious, and only public challenges and public resistance can keep technology from running us right onto the road of Armageddon, and I think that points up why more coverage of the Pentagon is desirable. Editors should have a larger appetite for these weapons because they're not just nuts and bolts; they often dictate the laregst policy decisions in the world today.

Radio Voice (Hometown news center). This is Army Specialist Jean Campbell reporting from Pleiku, Republic of Vietnam . . .

Mudd. The Armed Forces do not have to wait for radio, television and newspapers to come to them. They have their own way of reaching the media. At the Army's Hometown News Center in Kansas City, a blizzard of press releases is turned out in all seasons. Each year, 12 thousand radio and television tapes are mailed to 27 hundred radio stations and 546 television stations. Over two million printed releases are sent to six thousand five hundred daily and weekly newspapers. In these releases, medals, promotions and re-assignments are emphasized. While transmitting legitimate information about servicemen, the news center also functions as a publicity agency for American forces abroad. The only news from the center is good news. The center is commanded by Colonel Richard Stewart, who feels the operation is helpful to the Army.

Colonel Stewart. This is another way of seeing your Army in action and it's even more meaningful because the people can relate to this particular soldier. This is not just an exercise or combat operation or something of that nature but this here is Sergeant Willy Jones.

Jack Tolbert. There are hundreds and thousands of weeklies and small dailies in this country that live on what we call the hometown release, where the Army, Navy and Air Force maintain hometown news release centers, and are just spewing this stuff into these newspapers who accept it willingly and who print it.

Stewart. They have said time and time again when I've talked to them, they've said, "Keep it coming," in effect, words like that "Keep it coming."

Tolbert. What the press—and this is the whole press, the community press which is extremely important to this country, is giving a free ride to a military story.

Representative Hébert. I'm one of those who believes that the most vicious instrument in America today is network television.

Mudd. Using sympathetic Congressmen, the Pentagon tries to counter what it regards as the anti-military tilt of network reporting. War heroes are made available for the taped home district TV Reports from Pro-Pentagon politicians. Here Representative F. Edward Hébert of Louisiana asks Major James Rowe, a Green Beret and former P.O.W., what keeps the Viet Cong fighting.

Major Rowe. The support that the VC receives from the United States is the only thing that keeps them fighting.

Mudd. Later, Congressman Hébert, who is the new Chairman of the House Armed Services Committee, asks Major Rowe for his reaction to a peace rally.

Rowe. I walked up and I heard one of the speakers yelling, "Down with imperialism, down with capitalism, down with the oppressive leadership in Washington. Power to the people." I heard the same thing from the Viet Cong except there it was in Vietnamese and here it is in English. I looked around the crowd—I walked through the crowd, and I saw some VC flags flying from the flagpole of the Washington Monument, I saw American flags with VC flags flying over the top of them. I saw American flags with the stars removed and a peace symbol superimposed. I saw the red flag with a black peace symbol on it and then I heard one of my Senators say that "We are here because we cherish our flag." And the only thing I could think of in answer is what flag does he cherish?

Hébert. I want to congratulate you. It's an honor to have had you on this program with me, and I only wish to God we could have more people wearing the uniform privileged to speak as you've spoken, because the silent majority will and must be heard.

Mudd. The war is covered extensively not only by the civilian press but also by the Defense Department's own camera crews in Vietnam. Their product is distributed to American TV stations and networks. This is a soccer match played by North Vietnamese prisoners of war and filmed by the Defense Department. It is intended to supplement regular network news coverage. But the Defense Department can hardly be said to be a disinterested observer in Vietnam. Recently, there have been charges that some of the Pentagon's footage was staged. In fact, the cameraman who filmed this soccer game told CBS News that the prisoners had never been permitted to play soccer before but were trotted out for this match when his crew arrived. The cameraman, former Air Force Sergeant Thomas Demitor, spoke about his filming experience shortly before leaving the service after 16 years.

Thomas Demitor. In many stories that were filmed in Vietnam, with my team, we staged a number of stories of the Vietnamese.

We were propagandizing the war and an example of it was a story titled, "US and South Vietnamese forces patrol enemy infiltration routes." We went out with the Vietnamese in the Riverine patrol, went down the river until we found an area that was suitable for our landing. Because I knew it wasn't an actual combat situation I had no fear—I was off the boat on the land before the Vietnamese infantry came up, so that we could get a shot as the boats came onto the shore. We proceeded inland about three quarters of a mile or half a mile while we were getting shots of them running through the rice paddies. They didn't fire any shots. There were no traces of Viet Cong.

We were told when we thought we had a sufficient amount of footage exposed, to tell the Vietnamese and they would turn around. When someone turns around and asks you well do you have enough film, and you say yes, then it is definitely staging.

Mudd. Later, while filming the same story, Sergeant Demitor shot real combat footage involving American troops.

Demitor. In the final release, we see none of the actual combat footage of the Americans, we see all of the staged footage of the Vietnamese, and it would lead someone to believe that the Vietnamese were doing the majority of the work. The staged action got in. The actual action did not get in.

Henkin. We are trying our best to provide information. There undoubtedly have been times when certain actions have been staged. I think this is true of all TV news coverage; after all this interview here is being staged.

Mudd. How so?

Henkin. Well props were set up, arrangements were made. You and I did not just walk into this room cold. Arrangements were made for it.

Mudd. Well, we wanted to film in your office but your people said let's go into the studio—so we didn't stage it.

Army Briefer. We are conducting limited duration protective reaction air strikes . . .

Mudd. Defense Department information machinery is well established in Vietnam, where a special language has developed that takes some time to learn. "Protective reaction" means the United States resumed the bombing of North Vietnam. "Selective ordnance" means napalm. "Defoliation" means nothing will grow there anymore.

A "civilian irregular defense group volunteer" is a mercenary. "Population resettlement" means getting villagers out of their villages, and "Military Assistance Command Daily Press Briefing" means this scene right here, which is popularly known among newsmen in Saigon as the five o'clock follies. The most popular phrase at these sessions, however, needs no explanation.

Army Briefer. No comment.

Reporter No. 1. Well, can you please tell us?

Army Briefer. I have nothing further to add.

Reporter No. 2. Why don't you answer my question?

Army Briefer. I have no further comment.

Mudd. Often the Press is an unwitting partner in its own deception. Former Information Officer Tolbert once took great pride in utilizing the media. He's not so proud of the record anymore.

Tolbert. A network was coming over to cover and do a documentary on the air war over North Vietnam. They were going to film it out of Danang where I was the information officer. So in preparing for them we tried to pick out the most articulate, the best-looking pilots that we could, to be able to describe through their eyes what the air war was all about. We briefed the pilots so that they would understand that we were trying to present our views in a one-voice concept; we didn't want divergent views coming from a variety of the different pilots that might raise questions concerning whether they understood, or whether they were satisfied with the way the air war in the north was being fought.

Mudd. And the cast of characters that you made available to those network men was such that they never heard any dissension or criticism about the bombing mission?

Tolbert. No, no never. You know, being an insider, knowing fully what was going on, if I was absolutely candid with them, and opened all of our closets to them, yes they would have come out with a lot more balanced report. I could have helped them do that.

Mudd. What was the result of that network team's journalistic efforts?

Tolbert. Frankly it was just great. It represented the pilots, it represented the way we conceived that the air war in the north was being fought by very professional people and it was as good as if we had done it ourselves.

Mudd. Well, I'm duty-bound to ask you which network it was. Could you tell me?

Tolbert. Yes, yes I will.

Mudd. Which one was it?

Tolbert. It was CBS.

Mudd. Well, taking that incident you had with CBS and applying it, Mr. Tolbert, to your 12 years as a public information officer, what effect do you think incidents like that have on a democratic society which is supposed to enjoy a free press?

Tolbert. I feel that the military information arm is so vast, has been able to become so pervasive by the variety and the amounts and the way and the sheer numbers able to present its viewpoint to the American people I think this attitude it was able to develop allowed Vietnam to happen. Had we not been able to convince the American people prior to Vietnam that a military solution was a correct solution, without a doubt and not to be questioned, we couldn't have had a Vietnam. I feel that if we allow this pervasiveness to continue, that frankly it could lead us to another Vietnam.

Mudd. We have reported tonight only a fraction of the total public relations apparatus belonging to the Pentagon and supported by the taxpayers.

Indeed, the news restrictions on the current invasion of Laos raise the question whether the public's right to know is being served or thwarted.

On this broadcast, we have seen violence made glamourous, expensive weapons advertised as if they were automobiles, biased opinions presented as straight facts. Defending the country not just with arms but also with ideology, Pentagon propaganda insists on America's role as the cop on every beat in the world. Not only the public but the press as well has been beguiled—including, at times, ourselves at CBS News. This propaganda barrage is the creation of a runaway bureaucracy that frustrates attempts to control it.

Last November 6, President Nixon sent this memorandum to executive agencies criticizing what he called self-serving and wasteful public relations efforts. He directed an *end* to what he described as "inappropriate promotional activities". The President specifically ordered—in his words—a curtailment of "broadcasting advertising, exhibits and films."

Just since the memo was written the Army's Golden Knights—a parachute team—have performed for the public in Nevada, California and North Carolina. *Other* Army exhibits have travelled to 59 different locations.

Air Force displays, like this Hounddog-Quail missile, have appeared in at least 36 shopping malls and municipal centers since the memo was written.

We went back to the Pentagon and asked what effect the Presidential directive would have. We were told there will be cuts in personnel, *not* activities. There may be some disagreement, of course, over just what constitutes an "inappropriate promotional activity". But to date not a single activity shown on this broadcast has been eliminated. Tomorrow morning according to Defense Department schedules, there will be an Army show pushing the ABM in Mountain View, California, an Air Force missile will turn up in Houston on Friday, the Pentagon's travelling colonels will be in Hampton, Virginia on March 8, and next week, fifth graders at the Hill Elementary School in Davidson, Michigan will get to see the Navy's propaganda film on Vietnam.

This is Roger Mudd for CBS Reports.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask that morning business be closed.

The PRESIDING OFFICER (Mr. Cranston). Without objection, morning business is concluded.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

Mr. BYRD of West Virginia. Mr. President, will the Chair kindly state the pending business before the Senate?

The PRESIDING OFFICER (Mr. Cranston). The pending question is a motion of the Senator from Alabama (Mr. Allen) to postpone for one legislative day consideration of the motion to proceed to the consideration of Senate Resolution 9.

Mr. BYRD of West Virginia. I thank the distinguished Presiding Officer.

QUORUM

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

The Senate continued with the consideration of the motion to proceed to the consideration of the resolution (S. Res. 9) amending rule XXII of the Standing Rules of the Senate with respect to the limitation of debate.

Mr. HANSEN. Mr. President, when I spoke during the controlled time last Tuesday, just before the second vote on cloture, I referred to the fact that there have been a number of instances when unlimited debate in the Senate has made for much better legislation. I spoke of the good that can come from the continuing application of rule XXII remaining unchanged.

There are a number of instances which come to my mind, even in my short tenure in the Senate, when pieces of legislation—including the Civil Rights Act and the various crime control bills, to mention only two—were made better laws than was the case when these bills were first introduced because the majority of the Members of this body by virtue of the application of rule XXII had to listen to the sound counsel, the valid points, the logic, and the voice of the minority.

I am sure that one of the reasons this country has survived for nearly two centuries operating under the Constitution that was adopted at its beginning is because the Senate has supplied the balance necessary to insure that we will have wise laws and that the rules that are made for the behavior of all Americans by the Congress of the United States have been adequately and thoroughly discussed and have the necessary support of the people of this country to insure proper respect and observance of them.

You know, it was once said that we should obey the laws of this country, not because we fear them, not because we necessarily support them, but rather because we respect them.

I think one of the ways in which we can be certain that the laws of this country will be respected is to afford the intelligent and oftentimes the low voices of the people of this country a forum where they can be brought to the attention of all parties.

Mr. President, this is the only time that a number of minorities and a number of people who disagree with the majority have any opportunity of having their thoughts voiced and given consideration. That is the sort of situation that I think assures that there will be respect for the laws of this country. While we may not agree with all of them and while we may not think they are all all right, we will have the assurance that comes from the knowledge that they have been adequately debated and considered and believing that they are understood and do have the support of a significant group of people.

Why is this important? It seems to me we need only recall what happened after the close of the Civil War to understand what happens and what can happen in this country when a bare majority is able to ram through a number of laws that, taken together, form the body of some very controversial legislation.

After the close of the Civil War, the majority party in this body was able to visit some very unjust and unfair laws upon the South. The North was vindictive. It had the power because of the number of Members in this body to pass any kind of laws it chose. And it proceeded to do just that. Without then having the benefit of rule XXII it was able to ram through a lot of legislation that was not well considered, that did not take into account the rights of all of the people. They did not recognize the diversity that has been one of the great strengths of this country. They were able to ram legislation through simply because they had the numbers. And, as a consequence, any student of history knows that many of those laws were never enforced. They were, to state it very bluntly, unenforceable. They did not have the support that I believe is necessary in order to assure that all of the laws we have on the books in this country will not only have the backing of those persons charged with their enforcement, but will also be supported by the majority of the people in this country.

It is for that reason that I appeal today to the Senate of the United States to consider well the great advantages that flow from the continued implementation by this body of rule XXII unchanged.

During the closing days of the 91st Congress, there were many who said the uncompleted tasks of that Congress were the direct result of the inability of the Senate to cut off debate. That, I submit, is simply not true.

The facts are that such a backlog of legislation had piled up that Congress simply was not able to hear all of the necessary committee reports and give proper and adequate consideration and attention to the numerous proposals before it so as to enable it to take final action one way or another on many bills.

There is no doubt in my mind but that some who, next Tuesday, will vote to invoke cloture ought to consider their own positions.

The debate on the SST reflected a very real difference of opinion between the administration, on the one hand, and the Members of Congress, on the other.

It seems strange indeed that some who favor now a modification of rule XXII, within less than the last 6 months were debating—motivated, I am certain, by sincere convictions—proposals before this body that, without the substantial strength that comes from rule XXII, would have resulted in their being denied the opportunity further to debate such things as the SST.

I joined with a number of distinguished Senators in opposing the SST. I will continue to oppose as strongly as I can further funding of the SST.

My reasons are not necessarily those that may prompt the persuasive opposition that was mounted in this body by the distinguished Senator from Wisconsin (Mr. PROXMIRE). I suspect there may be no two of us who oppose further funding of the SST who would agree in every detail and every respect in all of our reasons.

Yet I think this is important not only to this body's operations, but more important to this Republic of ours, that whatever may be the reasons that are compelling and persuasive to us, they should be heard in this body and those of us who believe differently than others should be given the chance to speak.

Now, I think the distinguished Senator from Arkansas (Mr. FULBRIGHT) pointed out that some who today plead with the Senate to change rule XXII could look back or could look ahead, whichever they choose, and find some good reasons for wanting to keep rule XXII unchanged. As a matter of fact, within recent months I think it is true that a number of distinguished Members of this body, whom some characterize as more liberal than others, have used this body and this rule in order to expound at length their opposition to certain measures which could possibly and, indeed, I think may have the support of a majority of the Members of this body.

I have said to the distinguished minority whip and the distinguished assistant majority leader that it will be my intention as this first session of the 92d Congress draws to a close to vote to invoke cloture on appropriation bills.

I think the Senate can be criticized, in that through its failure to act it required that continuing resolutions be passed on appropriation matters. I do not defend nor do I condone the record of the 91st Congress in the closing days of the session for our failure to pass appropriation bills, or at least to take action on them one way or another.

While others may disagree as to the amount of money that should be appropriated, I suspect few people would say it would serve the purposes of our country well to make no appropriations at all for recognized agencies and activities of the Government of the United States. I believed that a little clearer insight into some of the responsibilities we have as Senators would be helpful in assuring that we take prompt and timely action on appropriation bills. For what it might be worth, I would hope my observations in this respect might not go unnoticed.

Mr. President, in addition to the debate on the SST, a debate that waxed long and was fought hard last year, there were a number of other proposals that came up: The trade bill was one, and the family assistance plan was another. A very distinguished member of my party, the senior Senator from New York (Mr. JAVITS) announced sometime late in the fall of last year that, if the trade bill were attached to the social security bill, as indeed it later was attached, that it would be his purpose and his intention to take the floor of this Chamber and to discuss at length the lack of merit for such an amendment being made to the social security bill.

Now, I do not mean to impugn the distinguished Senator's motives at all. He is a very learned, very intelligent, very dedicated, hard-working man, as we all know. I respect his judgment; I respect his position. I happen to disagree with him on some facets of the trade bill, which was attached to the social security bill last year. I think that there is merit in the position I have taken, just as I know he believes there is merit in the position he has taken.

The important point, though, that I wish to make is not whether I might be right or whether he might be right, but, rather, that here is an example of yet another person who normally would go along with those who want to amend rule XXII to require fewer Members—60, rather than the present 67, or two-thirds of those present and voting—in order to invoke cloture, threatening to utilize the right to debate without limitation the merit or lack thereof of a particular proposal.

What I am trying to do is to suggest that this Government has continued longer than many people believed it might have continued. It has been pointed out that there is no government in the world today that is operating under a constitution, a written constitution, that has been in effect for nearly 200 years. There are those who say time is running out for America; that as we look at the record of other countries, of other nations throughout the world, our time is past.

Surely, they say, as we compare America with other republics, other democracies, there is little reason to believe we have much time left in America. I am sure some people—a number of people probably—agree with that thesis. I happen to not agree with it. I happen to believe there is great strength, great latent energy in this country; that we have dedicated young people, that we have a system of government that has been structured by persons who were astute observers of human nature, who were widely read, who had examined in close and scrutinizing detail the other forms of government, and tried to put together the structure and framework for men to act as free and independent citizens so as to secure to them the rights and the benefits and freedoms that go from self-government.

Part of the framework that we have developed and devised, we have improved upon, as we have gone from one decade to another and now from one century to another. We will soon be embarking on our third century in this country.

I believe simply because something is old it does not necessarily mean it is no longer useful. I think a prime example of what I have just said is the continuing validity and applicability of the 10 commandments. They are old. Long before Moses brought them down they were enunciated in slightly different forms by other religious leaders throughout the world. They have continuing applicability today just as I am sure all of us recognize that they will in the next century or in the next millennium.

By the same token we have a Constitution which can be changed and modified. We have spelled out precisely the manner in which those modifications and changes can be brought about and we are debating here today as a continuing body whether or not we should change and modify rule XXII.

I am not as sure that the distinguished senior Senator from Idaho may have been in the Chamber. He has been here many, many hours, and I recognize that, and I want to state now that I have great respect for this very distinguished Member of our body. Whether he may have been in here or not when I made the observation I did about approaching the problem of votes on appropriation bills, I do not know. But I want to say that I do propose to see that I do what I can in order to bring debate to a close if we should be considering appropriation bills as late this year as we did last year.

Because the distinguished Senator from Arkansas expressed so clearly and succinctly an idea that I think has great merit, Mr. President, I would like to refer in a little more detail to what he said.

He said that the proponents of the resolution before the Senate were not interested in a debate. He said they were not interested in dialogue. There has hardly been one of them on the floor when any Senator who opposed it was talking about it. He points out that those favoring a change in rule XXII wish to prolong it in order to be able to say, "Look how long this futile debate has gone on and how much time we have wasted." No time has been wasted on the floor of the Senate, because no legislation is ready for action. This is true at the beginning of every session. The real significance of the issue is not that we can talk a long time; nobody is interested in that. The significance is that of the role of the Senate in our constitutional system. Is it to remain an important element for the adjustment of the differences that arise in a great community? Is it to remain an institution which can influence decisions? Or are we to abdicate our authority and responsibilities under the Constitution and allow the Executive Department to do it all? That is truly what has happened in almost all the other countries of the world. Far more countries of the world are ruled by authoritarian systems than by democracies. None of the other countries have the democratic system we have. They have gone into either civilian dictatorships or military rule. We are the only institution in which it is possible to insure a deep consideration of controversial issues.

The distinguished Senator from Arkansas continued:

> I think people today who are deeply worried about the course of our government look to the Senate as the only place where we can possibly work out reconciliations and adjustments of these issues. That is what this is about. It is not to precipitate long debate. It is in recognition of the fact that in a country with fifty states, with over 200 million people, from time to time there arise certain deeply controversial issues which should not be imposed upon a large minority by a simple majority."
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> The very basis of our Constitution is not majority rule. I do not know how anyone can say that majority rule is essentially democratic. Majorities have often imposed the most unjust decisions upon minorities throughout history, beginning with the well known crucifixion and with many subsequent events. The fact is that some issues arise in our kind of community which require delay, the putting off of the decision until some compromise and adjustment may be worked out. Debate is simply a vehicle. It is not a very happy way to exhibit that disagreement and necessity for further consideration. But as we contemplate the rule of the Senate it is that we are the only body which, when such issues arise, can insure that there is delay sufficient to give not only the Senate but the country as a whole the opportunity to consider those particular divisive issues.
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> One of the great liberals of our time, Nicholas von Hoffman, recently observed, "The Senate's job isn't speed or neat dispatch, but wisdom, and these elements don't always go together. In legislation, part of wisdom is delay and procrastination, knowing how not to get swept off your feet. How to temporize because its better to be late than sorry.
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> "A lone filibustering Senator," von Hoffman continues, "if he's got the guts may be able to make the whole country think twice before its carried off by enthusiasm or by hysteria."

Mr. President, before yielding the floor, let me say that this body has known many great men. I am sure I shall always think of two I have known as being truly great Americans, great patriots, great gentlemen, and very wise men. I have in mind the late Senator Richard Russell of Georgia and the late Senator Everett McKinley Dirksen of Illinois. Both men from time to time spoke out against changing rule XXII. Both men said they knew of no instance in the history of the United States when a piece of legislation whose time had come had been denied enactment because of the operation of rule XXII. But, they each observed, they could recall a number of instances when, because of rule XXII, the Congress of the United States eventually passed better legislation, wiser legislation, legislation which had the support not only of the Senate of the United States and of the House of Representatives, but of a majority of the people of this country as well.

They went on to observe that laws were made better laws because a bare majority had to listen to an important minority in this body by operation of rule XXII before it could pass legislation.

From my own short and limited experience as a Member of this body, I can attest personally to such a fact having been exhibited here. When we passed the Civil Rights Act of 1968, it was debated at length. It was debated because the proponents of the legislation knew that they could not get cloture, that they had to be persuasive, that they had to listen to those who opposed the legislation as it was initially drawn. They tried, as we will recall, from time to time, to invoke cloture, but the debate droned on, and those who thought that some of the provisions in the Civil Rights Act of 1968 as first proposed were unconstitutional, had the opportunity to present their views. They were listened to.

Other people throughout the country read what they said, and they agreed that there was merit in the points being made by the loyal opposition, the minority. As a consequence, we had added to that important piece of civil rights legislation provisions which I think have gone a long way to protect the rights of all of the people.

In the last 4 years' time, I can think of specific instances wherein some distinguished members of the bar, distinguished constitutional lawyers, made the point that in our enthusiasm to assure that no man, no individual may be denied his rights and all of the protections of the law, including the presumption of innocence until he is proven guilty, we have to give, at the same time, consideration to those law-abiding citizens, the quiet majority, who find themselves the victims of crime and attack by other individuals from time to time.

So we have incorporated in the laws that have been passed, just since I have been here, legislation which, among other things, make it a Federal crime to cross a State line with the intent of inciting a riot, and make it a crime to cross a State line in order to bomb a public building or to set fire to a school.

I need no further proof, Mr. President, to persuade me that there is nothing wrong with rule XXII. We may criticize it occasionally because we cannot get action as soon as some of us might wish we could, but as we look down the long corridor of time, and consider the great merits of citizenship in this country, consider the blessings that we all have because of the fact that we are Americans, consider the freedoms that we have, and the protection for minorities, I think the right of a single Senator to speak out, if he is truly persuaded that he is right, with the certain knowledge that he cannot be shut off immediately, has given all of us as Americans a richer heritage than we otherwise would have had.

So in closing, Mr. President, I wish to say that I think a somewhat more responsible attitude—and I am speaking of myself when I say this—insofar as the consideration of appropriation bills goes, will almost certainly leave the proponents of changing rule XXII with little valid argument for changing the rule.

Let us not throw away the significant and identifying characteristic that sets this body apart from any other deliberative body in the world today as being the one place which recognizes and encourages the wise judgment and wisdom that flows from continuing debate and is the result of having to listen to the ideas and views of those with whom we do not agree. Let us keep that. Let us keep this significant thing that the Senate has, because I think it has been one of the real reasons, Mr. President, why this country of ours has been able to function so well.

We have been able to keep the old ship of state afloat. It may not make great progress in any one day, but it has been able to pursue a course that has been directed to the extension of opportunity and freedom for all people, and to my mind, it needs no further justification.

Mr. President, I yield the floor.

Mr. CURTIS. Mr. President, we appear to be faced with a decision as to whether or not cloture should be voted by two-thirds of the Members of this body, or three-fifths. But I wish to point out that that is not the issue at all. I believe that this drive to change to cloture rule is one that has been carried on for some time and will be carried on for a long time further, and that many—not all, but many—of the proponents of this change are opposed to the idea of extended debate in the U.S. Senate. I therefore believe that basically we are faced with a decision on the question, Shall this long-standing practice that a matter can be debated in the U.S. Senate until everyone has had his say be abandoned?

Let us consider the legislative process, and see whether or not there should be, somewhere in that process, a provision for Members, or an individual Member, to rise and say, "Let us wait; let us not do this hastily."

Our country has grown. The House of Representatives consists of 435 Members. As a matter of necessity, they must have limited debate. So a bill can be presented in the House, under their rules, and disposed of one way or the other very quickly. In fact, it is possible for a problem to arise in America, and immediately in the wake of the problem, at the time of the hysteria, it is possible, and it does happen, that the Members of the House of Representatives must make their legislative decision with reference to a remedy while the problem is still in progress, before the excitement dies down, and not from a position of looking back and asking, "What happened? How does it compare with other similar happenings? What would be a wise and good law?"

I think it would be rather impracticable to suggest a slowing up process in the House of Representatives, because the very size of it makes that impracticable. Mr. President, it was my privilege to serve in the House of Representatives for several years, and every day I was over there, I had greater respect for the rules of that body. They were written for a purpose, and the purpose was that the representatives of the people, a great number of representatives, could work their will and dispatch the public business, and everyone have a right to be recorded.

They have a procedure that they use more frequently in the House than we do: The motion to recommit. Historically, it has had a very fine function. Suppose that the majority party brings in a bill. It might be a bill on health insurance. And suppose the majority is a sizable majority. In House of Representatives they cannot just force that through without the minority having a chance to say, "Well, here is our alternative proposal. Pass on that." The motion to recommit in the House of Representatives is a motion reserved, in the first instance, for the minority.

Furthermore, when a Member of the House rises to offer to recommit a bill, the Speaker will ask him, "Is the gentleman opposed to the bill?" If he says, "Yes," he then has a right to offer the motion to recommit. If he says that he is opposed to it in its present form, the Speaker then inquires, "Is there any Member of the minority opposed to the bill entirely?" If so, they get the right to do that.

So it does not matter how small the minority is. They can offer their alternative and get it voted upon and get it before the public, and they can do all this with dispatch.

How about the rest of the legislative process? The President of the United States must attach his signature to a bill or veto it. How long does he have? Not very long. Ten days. Within a certain time limit, the President must perform his part in the legislative process.

Unfortunately, there are bureaus and agencies of the Government that exercise legislative powers. We call it writing regulations. There is no delay there. It is true that if they propose a regulation, it must be published in the Federal Register, which has very limited circulation, and then individuals or groups can appear and suggest changes or oppose. But the time soon comes when the head of an agency, on his own decision, can sign a regulation that affects the lives, the businesses, and the rights of our citizens.

Mr. President, is it not reasonable that somewhere in our legislative process there is a provision that makes it impossible to rush; that there is a provision that makes it impossible for a majority, regardless of how great, to get something done right now because of considerable excitement? I believe it is wise and just that we have a provision in the Senate rules providing for extended debate. I believe that if the Senate yields now and changes that rule from two-thirds to three-fifths, it will be the beginning of the end of extended debate.

Mr. President, I love the State of Nebraska and its people. I like to serve them. I am concerned about their economic well-being and their happiness and that they live under just laws. I believe that every other Senator has the same feeling toward his State and his people. And that is right.

I might ask myself this question: How can the people of Nebraska be injured by having in the Senate of the United States a system of extended debate? Will something be imposed upon them suddenly and before they really know it is pending? No, it will not. Because it slows up the legislative process.

In how many of the problems facing the country is speed the paramount need? Congress has already passed some laws relating to pollution—air pollution, water pollution, other matters relating to our environment. Now, as we approach that, what is most important—that we have good laws, wise laws, just laws, effective laws, enacted, say, in August, or a hurry-up job completed in June?

I believe there is ground to say that the people are never injured by the fact that the Senate of the United States maintains the right of extended debate. On the other hand, I am convinced that when we act too quickly, we can have cumbersome laws, expensive laws, laws that to the people back home are almost ridiculous, because they do not apply well.

This country is blessed with some basic laws that have stood the test of time. The Constitution of the United States is our primary charter of government. It is the one great, basic law that we have. What difference does it make to the person who seeks the protection of the Constitution whether or not the Constitutional Convention completed their work on September 17 or that they hurried up and finished it several months earlier?

The test of the Constitution of the United States is, What kind of document is it? Does it provide for orderly government? Does it provide for progress in the country? Look at the progress we have had since we have lived under it. Does it protect the rights of individuals? It does—sometimes even to the point that it irritates the rest of us. But the Constitution of the United States has done a good job—not because those considering it were trying to save time. It has done a good job in providing a framework for the government of a free people, because it is a sound and good document, a just one, a wise one.

I want to invite the attention of Senators to something else. We hear a great deal of talk about a filibuster. If one is opposed to what is going on on the Senate floor, it is a filibuster. If one thinks that to take more time is a good thing at that particular time, he calls it extended debate.

We have had a number of cloture votes in the Senate in the last year or two. An examination of the rollcall will show that some Senators voted for cloture sometimes, and then, on another occasion, it would be an altogether different alinement.

The right of extended debate is not something that is held by a small minority group, always the same little group, who are obstructionists. It is not that at all. Liberals and conservatives have used the right of extended debate to champion the cause they believed in. Democrats, Republicans, and independence have used the weapon of extended debate to serve their country as they saw it. Sometimes, by those opposed to the way we do things here, extended debate has been pictured as a weapon in the hands of a small crowd, the same people in the establishment, who are forever opposing things and opposing the passage of laws. That is not the case. I invite any interested person to examine the rollcalls on cloture votes over the past few years. They will find that the right of extended debate is something that is used by individuals of various political leanings and beliefs.

Mr. President, it is my opinion that a filibuster cannot succeed unless in the end it convinces the country of the soundness of the position.

I want to cite, in that regard, the history of civil rights legislation. For many years, when civil rights bills were brought up here, they could not muster the number of votes to end debate on these far-reaching proposals and so that particular Congress would not enact any civil rights legislation. It was not that the rule was wrong but what happened was that sentiment changed in the country. In recent years, people in the North, in the South, in the East, and in the West thought through anew their position in regard to racial and civil rights matters. Civil rights provisions have been enacted now that have the support of a substantial public sentiment and, therefore, they succeed.

Mr. President, it is not my purpose to elaborate on civil rights laws or to debate them. My point is, instead of those using the weapon of extended debate to thwart the will of the country, actually the procedure is one that causes the actions of the Senate to conform to the will of the country.

Let us consider the efforts to amend the Constitution just last year in the way of changing our method of electing a President.

Much was written and said about electoral college reform. There was a great hue and cry that it be reformed. A polltaker would stop someone on the street and ask him, "Do you think the President of the United States should be elected by direct vote?" And, of course, the citizen would say yes, because that is the way they vote in 48 out of 50 States. A citizen makes a mark for his choice of President when he goes to the polls. Thus we were involved in phrases and catch words that were a bit confusing to many people.

Now there were those who believed that in counting the votes for President we should no longer count them by States through the electoral voting process but count them on one giant adding machine slip. If we tallied up all the votes of those who voted for one candidate in all the 50 States on another adding machine slip and counted up all the votes that were cast for the other candidate and decided it that way, well, it just happens that we vote directly for the President but the votes are counted by States and each State has the number of electoral votes it has of Representatives and Senators.

One of the heavily populated States has 43 Representatives and two Senators so it has 45 votes in the electoral college. The least populated State, I assume, is perhaps Alaska, which has one electoral vote for its Representative and two for the two Senators which makes three.

In my State of Nebraska, there are three Representatives and, of course, the two Senators, so we have five electoral votes. We vote directly for the President in Nebraska but when the votes are counted, the winner gets 5 electoral votes. That means that we have, in determining who is to be President, five-four hundred thirty-eighths.

Now if we were to change that in the manner provided for in the proposal sent over from the House, the power of Nebraska to elect the President would be materially reduced. Because the electors representing Senators are equal in each State, it is just the other part of the electors where extra weight is given because of population. Based on the last election, under the electoral college counting system, Nebraska has ninety-two one hundredths of 1 percent of voting power in electing the President. Were we to take all the votes on an adding machine slip and decide it on that basis, we would have seventy-two one hundredths of 1 percent of the voting power, a very material reduction.

Now while I do not favor that, I can see that there are others who contend it is all right and is just. They have a right to their opinion, but do you realize, Mr. President, what happened? In our discussion about the electoral college voting system, or direct counting is a better name, many people forgot to read the bill.

The bill sent over from the House accompanied by the sentiment of the country, "Oh, just let us have electoral reform," it passed by an overwhelming vote over there and it would probably have passed by a bigger vote over here. However, there was something else involved, in addition to the struggle between small and large States. Had we passed that bill sent over from the House, we would have provided for the first time that someone could be elected President by having only 40 percent of the vote.

Now the President of the United States, of course, is the most powerful official in the whole world but, likewise, he has the greatest responsibility resting on his shoulders of any official in the whole world.

If he did not represent at least a majority of his people, how could he be an effective political leader here at home? If he was not required to represent at least a majority of his people, how could he be an effective leader among the nations of the world in the struggle to bring about peace? Yet in the hurry, that matter was not debated at all. It was not until those who were opposed to the proposal exercised their right of extended debate that the country became aware that there was a broad change about to happen here, a departure from past practices, an open admission that we could declare someone to be elected President if he had only 40 percent of the vote. That was an important change.

I dare say—and this is speculation—that measure would have passed and would have gone to the States if it had not been for extended debate in this Chamber.

There was something else involved in that measure.

Mr. LONG. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. I am happy to yield to the distinguished Senator from Louisiana.

Mr. LONG. Mr. President, I congratulate the Senator from Nebraska for making the extremely pertinent point that this body is the only place in our Government where free debate is assured. It is not even fully assured in the Senate, but at least it is assured to the extent that it requires a two-thirds majority to deny a Senator the right of free debate.

As the Senator is pointing out, a measure is submitted on which polls have been taken and the press has discussed the matter and the newspapers are satisfied that this is about what should happen. So they say, "Why shouldn't you have a popular election of the President? Why should a man who fails to get the most votes be elected?"

It sounds simple enough. They take a poll and everyone agrees that is the case. The measure can be submitted to the House and voted on the same day. Only a handful of Representatives hear the argument.

It is only in the Senate that one who discovers a fatal defect in a proposal has the freedom of debate essential to expose the shortcomings of that matter and is able to debate it long enough until people admit there is logic to his argument, if there is, in that kind of compelling argument.

As the Senator says, that is a crucial point. It is fine that the man receiving the most votes be elected President. However, suppose he did not get a majority. Suppose he had only 40 percent, or even less than that. Should he have to engage in a runoff election against the man who ran second, or should he be permitted to be President although he did not receive the majority vote. That is an important issue that had not been considered at all.

The matter could have been pushed through the State legislatures, and not one of them has the right of free debate. All they have to do is call a matter up and the floor leader calls for the question. In some cases they do not have the formality of a rollcall vote. The floor leader says, "I move the question." It is usually perfunctory because those who elect a man floor leader feel they should support him. As a matter of procedure, debate is shut off and the measure is passed.

That measure might have been ratified by the States without the matter being fully explored or without the public thoroughly considering the question of whether a man should be elected President when a runoff election would indicate whether that man had majority support.

Mr. CURTIS. Mr. President, I thank the Senator from Louisiana. He has made some very strong points. He has anticipated what I was about to say. The electoral reform bill that was up for consideration last year, in addition to requiring a new departure for the election of a President with as little as a 40-percent vote, also provided a new method of procedure in case no candidate got the required number of votes. What was that new method? It was a new election.

I have not heard of anyone in the United States who wants to go through two presidential elections. It would cost millions of dollars for the candidates of both parties to campaign. It involves such a strenuous physical burden on the candidate for President that we ought to find ways and means to lessen that burden.

That proposal passed the House last year and would have passed the Senate if it had not been for the right of extended debate. The measure then would have been sent to the States for ratification. We would then have had a system where, if the required number of votes were not obtained, we would have had to have a new election. That means that the parties would have to get geared up for a new campaign. They would have to raise more money. They would have to buy television time. They would have to have additional printing done and would have to take their cause again to the voters.

We would have another 4, 5, or 6 months of campaign effort before a new election. The ballots would then have to be counted and all arguments settled about the ballot count.

In the meantime the people of the United States would not know who was going to head their Government. The foreign countries would not know who was going to be the head of the Government of the United States.

Conceivably an unfriendly power could use that occasion to take advantage of the United States. That is the type of bad legislation that is prevented from being enacted when Senators have the right of extended debate.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. ERVIN. Mr. President, I would like to ask the Senator from Nebraska if the proposal for the direct election of the President and Vice President does not, in its ultimate analysis, involve the consolidation into one great electoral precinct of all the 184,000 separate precincts existing in all of the 50 States.

Mr. CURTIS. It did. The Senator is correct.

Mr. ERVIN. Did we not have in 1960 and again in 1968 rather close elections as far as the popular vote is concerned.

Is it not conceivable that in a close election there might be an error in counting votes, or one or two errors, in each precinct, or an average of one or two fraudulent votes cast in each precinct? Those votes would be subject to challenge and to litigation. That would make the question of who was elected President in a close election a matter that would require maybe weeks or perhaps even months to determine.

Mr. CURTIS. The Senator is correct.

Mr. ERVIN. Mr. President, I would like to ask the Senator from Nebraska if the 20th amendment does not provide that the terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the third day of January of the years in which such terms would have ended.

Does not that provision of the Constitution provide that the terms of the President and Vice President end at noon on the 20th day of January, regardless of whether it has been determined at that time who have been elected as their successors?

Mr. CURTIS. I think that is a correct interpretation. As a matter of fact, the Constitution and laws of some States in reference to the terms contain language that indicates their desire to do otherwise.

Mr. ERVIN. Yes.

Mr. CURTIS. They provide that an officer shall serve until a certain date or until his successor shall have been elected and qualified.

Mr. ERVIN. Yes. That is really the general rule, is it not, in respect to the termination of the terms of public officers? That is, that they shall hold office until their successors are elected and qualified.

Mr. CURTIS. Yes; but it is not a common law rule.

Mr. ERVIN. No.

Mr. CURTIS. It is customary to find it in our written Constitution and laws.

Mr. ERVIN. The words of section 1 of amendment 20, which I just read, state positively that—

> The terms of the President and Vice President shall end at noon on the 20th day of January.

This applies regardless of whether their successors have even been ascertained due to controversies about elections. This is made very clear by the words in section 3 of amendment 20:

> If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President-elect shall have failed to qualify, then the Vice President-elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President-elect nor a Vice President-elect shall have qualified, declaring who shall then act as President, or the manner in which one is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Was not that a recognition by the people who drafted and ratified the 20th amendment of the possibility that when the time comes for the ending of the term of office of the incumbent—that is, noon on the 20th of January—it might be impossible to determine who his successor is and it, therefore, stipulates that Congress can provide for what might be called an acting president until it is determined who has been elected?

Mr. CURTIS. It would appear that is the case.

Mr. ERVIN. If that be a correct interpretation of amendment 20, which I think it is, then instead of having a President elected by a majority of the American people, we might have an acting President who is chosen by no one except possibly by the Congress of the United States, if Congress shall so decide. Hence by converting all of these 184,000 election precincts into one big election precinct, we create the possibility that charges and countercharges relating to the casting or counting of the popular votes may result in the people of the United States being governed, as far as the executive branch is concerned, for months and months on end by an acting president who has not been elected President of the United States by the people at all.

Mr. CURTIS. That is correct. It would be known abroad that it was a temporary arrangement, so far as asserting any leadership or attacking any of our long-range problems. He would have his hands tied; he would not be effective.

Mr. ERVIN. So the question of whether anyone had been properly chosen by the majority of the people in the United States to the office of President or Vice President conceivably could be a question that it might not be possible to determine for months and months after the election held on the Tuesday after the first Monday in November.

Mr. CURTIS. The Senator is correct.

Mr. ERVIN. So an amendment providing for direct election of the President and Vice President might plunge this Nation into chaos, might it not?

Mr. CURTIS. Certainly there would be that risk. I think the Senator for the questions he has raised.

Mr. ERVIN. I would like to ask the Senator one or two other questions.

The proposal for direct election of a President and Vice President is a proposal which is utterly inconsistent with the fact that our Constitution was established to create a federal system of government in which it should be recognized that the States have a peculiar interest in the selection of the President and Vice President. Is that not correct?

Mr. CURTIS. The Senator is correct.

Mr. ERVIN. Will the Senator from Nebraska agree with the Senator from North Carolina that the number or percentage of voters in a given State who participate in a national election is determined in many cases by issues which have no connection whatever with the National Government, but, on the contrary, are State issues?

Mr. CURTIS. That is certainly true.

Mr. ERVIN. On the other hand, is it not true that where there are no hot issues in particular States and in one-party States, where the successful candidates for State or congressional offices are really determined in the primaries; the people in those States do not have a tendency to come out in great numbers for the general election?

Mr. CURTIS. There is no doubt that that is correct.

Mr. ERVIN. So it is quite conceivable that a man might be elected President by a majority of the popular votes cast in a general election might not even be the choice of the majority of the qualified voters of this country.

Mr. CURTIS. The Senator is correct.

Mr. ERVIN. So there is nothing in this proposal that would make it certain that any man elected by popular vote was really a man that the majority of the American voters favored for the office.

Mr. CURTIS. The Senator is correct.

Mr. ERVIN. Also would it not be possible under this popular-election amendment for a few large States to control the election of the President, and as a result a man might be elected President who had no broad support throughout the country as a whole?

Mr. CURTIS. That is certainly the opinion of the Senator from Nebraska. I would again point out that this becomes very relevant to the issue before the Senate because if it had not been for the right of extended debate, a very questionable constitutional amendment would have been passed by the Senate and sent to the people.

Today, when we are faced with a change in the rules of the Senate which would interfere, hamper, and lessen the right of extended debate, those things should be kept in mind.

Mr. ERVIN. Does the Senator from Nebraska agree with the Senator from North Carolina that we will have no extended debate, as I choose to call it, or a filibuster, as some choose to call it, unless a very substantial minority of the Senate feel so keenly about the importance of an issue to our country that they are willing to go through all the exertions which an extended debate or filibuster require on their part?

Mr. CURTIS. That is correct. As I pointed out earlier, they cannot succeed in their efforts unless they are able to convince the country in substantial proportions that their cause is right.

Mr. ERVIN. Will the Senator from Nebraska say whether or not he shares the misgivings of the Senator from North Carolina about the way Senators who feel very keenly about an issue have to go about educating the Senate as to the wisdom of their views? The Senator from North Carolina is tempted to observe as a consequence of his experience in the Senate that if Senators wish to educate the Senate in respect to the wisdom of a proposal, they must first educate the news media of the country and hope that the news media of the country will in turn educate the Senate.

Mr. CURTIS. I think there is something to that. I will make some defense about what happens here in this manner: Our Government has grown so much, and the volume of legislation that comes up for consideration is so massive and so voluminous, that the danger of passing an unwise law is far, far greater than it was when life was more simple and our Government less complex and much smaller.

In reference to the point my distinguished friend from North Carolina is making, it is entirely possible to have conscientious Senators laboring long hours, day after day, on certain pieces of legislation, and unable to give time in depth to other pieces of legislation, being caught up in a trend that is directed by the enthusiasm of the time, and perhaps by people with a vested interest, in assuming that what is proposed is all right. So the only way in which the country can be protected is to retain in the few the right to talk until the story does reach the other Senators and does reach the country.

Mr. ERVIN. Does not the Senator from Nebraska agree with the Senator from North Carolina that some of the difficulties in which we who serve in the Senate find ourselves arise from the fact that the Federal Government has had its powers expanded to a great extent and, by reason of that, touches the lives of all our people at so many points that the Senators are called upon to render services to constituents which make it difficult for them in many cases to come to the floor of the Senate and listen to debates?

Mr. CURTIS. I think that is a fact. I still contend that it is the business of a Senator to be here. There is no question that, as the Government grows, as we have so many Government programs affecting the lives of so many people in more ways, it is more important than ever that we retain the right of an individual Senator to engage in unlimited debate, so that he can stay, "Stop, look, and listen. Read this bill. Examine its provisions. See how it will apply."

Mr. ERVIN. Is not the Senator from Nebraska saying, in substance, that, with the tremendous expansion of the Federal Government and the tremendous expansion of the new tasks which such expansion imposes upon Members of the Senate, the right of a Senator or a group of Senators to stand on the floor of the Senate and explain their position on a crucial issue becomes more important in these days than it was at any former time in the entire history of our country?

Mr. CURTIS. I think that is correct.

Mr. ERVIN. Does not the Senator from Nebraska agree with the Senator from North Carolina that one of the characteristics of our society at this time is——

[Manifestation of disorder in galleries.]

Mr. BYRD of West Virginia. Mr. President, may we have order in the galleries?

The PRESIDING OFFICER (Mr. BUCKLEY). Occupants of the galleries are reminded that they are guests of the Senate. There should be quiet and order.

Mr. ERVIN. The number of organized groups in this country which are concerned about getting their own programs through, and whose programs, in many cases, are programs which are calculated to give them selfish privileges to the disadvantage of the rest of the American people; and that these organized pressure groups usually have a great deal of influence upon the Senate. Does not this fact make it all the more imperative that the right of an individual Senator or a minority of Senators who think that these pressure groups are unjustifiably asking for selfish privileges at the expense of the American people be retained so that they will be able to stand on the floor of the Senate and point out the defects in the quest of the pressure groups for special privileges, in the hope of convincing Senators to defeat unwise proposed legislation of that character?

Mr. CURTIS. I agree with that statement.

Mr. ERVIN. So I take it that the Senator from Nebraska agrees with the Senator from North Carolina that, despite the complexities of our national life, and the many issues which confront Congress, the retention of rules like rule XXII in its present form is more valuable and more necessary at this moment in history than it has ever been at any time in the past?

Mr. CURTIS. I believe that is true.

Mr. ERVIN. I thank the Senator.

Mr. CURTIS. I thank the Senator for his contribution.

Mr. President, I believe that if we were to consider a change in rule XXII, we ought to direct our attention to what happens after cloture is voted. I believe that if the proponents of this rule change really want to find an easier way of votting cloture, they ought to examine the procedure that is to be followed after cloture is voted.

Here is what takes place: Once cloture is voted, every Member of the Senate is limited to 1 hour. By reason of committee assignments, needs of constituents, and other factors, some Members are deeply involved in some issues and not in other issues. Therefore, when we limit debate to 1 hour, we are not limiting debate to 100 hours just because there are 100 Senators. In the first place, a Senator cannot yield his time. But what we are doing is saying that the most qualified Senator on that subject can talk only 1 hour. A Senator who may have attended committee meetings for weeks while that legislation was being considered is liimted to 1 hour.

It is not 100 hours of debate; it is 1 hour, applying to each of the people who have worked long and hard, through many sessions of Congress. Mr. President, it is not enough.

Now, there is something else. One of the last times we proceeded under a cloture rule here in the Senate, there were amendments, and they were not frivolous amendments, offered by Senators who had already spoken their hour, and rollcalls were had on amendments without 1 minute of debate.

Without 1 minute of debate; is that a legislative procedure of which we can be proud? Is that a procedure that results in wise, just, and good laws for our people? Of course not.

I say to the proponents of this rule change, If you want to find a way to make it easier to end debate and vote, reform your procedure as to what happens after cloture is voted. See to it that there is more than an hour of debate for those individuals who have served all the rest of us by making an exhaustive study in a given field. Also, make it a point, if an amendment is offered in good faith and it is germane, that there be some debate on it.

Maybe half an hour to the side, I do not know. But as long as we have a procedure where, if cloture is voted, we know that important propositions will be voted upon without any debate, of course it is going to be hard to get cloture. The right answer, I say to the proponents, is not to change the percentage required, but to change the procedure to be followed after cloture is voted.

Mr. President, I hope that in the vote on next Tuesday to invoke cloture, the proponents will not prevail. The right of extended debate is used by all Senators, and I am sure that none of them use it other than in a conscientious way, and in a cause that they feel is for the best interests of our country. The proponents have failed to prove that extended debate causes injury to the country; but it is self-evident that hasty legislation can injure our country.

Mr. President, I yield the floor.

Mr. FANNIN. Mr. President, I commend the distinguished Senator from Nebraska for his very informative discussion of this subject so vital to this body and to the Nation. The colloquy which he had with the distinguished Senator from North Carolina was certainly informative and helpful, and illustrates the seriousness of what is now being done on the floor of the Senate, and how this country could suffer if the issue is not carried to a satisfactory conclusion.

Mr. CURTIS. I thank my distinguished friend.

Mr. FANNIN. Mr. President, the burden of legislation facing this Congress is enormous.

President Nixon has sent us a budget calling for the expenditure of $229.2 billion, or an estimated $11.6 billion more than the anticipated revenues.

The White House has proposed a comprehensive health care program. Other Senators have variations of health care proposals that run the gamut of costs up to $70 billion. This is a subject that will require a great deal of study and debate.

Looking through the stack of papers on my desk today I found that the President had sent us many other major programs.

There is the proposed Higher Education Opportunity Act of 1971.

There is the White House proposal for the Emergency Public Interest Protection Act. This bill would deal with strikes in the transportation industry.

Soon I shall be introducing a more comprehensive bill designed to avert strikes that are devastating to the public interest.

The President has proposed a far-reaching environmental protection program. This, again, is of such magnitude that it will require our full study and attention.

We also face an impending showdown—again—on the subject of the supersonic transport. As I recall, it was a filibuster last December that resulted in stopgap action on the SST.

It is my recollection also that many of those who participated in that SST filibuster, or at least cheered from the sidelines, are now trying to weaken the very rule which enabled them to force a compromise just a few months ago.

As Senators know, I was on the other side of the issue from those gentlemen on the SST issue.

It was, however, their prerogative to discuss the issue at length. By doing so they very effectively marshalled public opinion on their side. They gave their constituents the time to get their letters, telegrams, and phone calls in to Washington.

I support their right to carry through with the campaign in which they were involved. I believe that we would have funded the SST fully last year if it had not been for the filibuster, but still they had that right, and I still support that right, whereby Senators can engage in debate that they feel is necessary to carry through their particular legislation.

Dedicated opponents of the SST, as a result of rule XXII, were able to convert what I would call marginal proponents of the SST to their camp. In other words, what began as a determined minority used a filibuster to convert its position into that of a majority—at least for the time being.

Opponents of the two-thirds rule have tried to make it appear that those who use filibusters always wear black hats, while those who want to change the rule are always wearing white hats. Obviously, this is not the case. It takes a deep conviction to engage in a prolonged discussion at a time when a majority of your Senate colleagues want to hurry along to the next item on the agenda.

Earlier this year, I pointed out how the Senate's traditional dedication to unlimited debate had saved Arizona from being swallowed up by New Mexico in 1906. And it was a filibuster that eventually got Arizona into the Union as a separate State 5 years later.

In 1906, a bill which passed the House of Representatives would have combined the reluctant citizens of Arizona along with the anxious citizens of New Mexico to make one State.

The majority of Senators were very willing to go along with this despite the outcries of many Arizona residents.

The territory of New Mexico at that time in history very obviously would have run roughshod over the territory of Arizona had they been combined into a single State. There was no protection for what would have been the western section of the new State.

If this bill had passed, I believe that it would have hindered the development of Arizona and the West. Instead of becoming the thriving, vibrant State that it is, the area now called Arizona might be many years behind.

A determined few in the Senate demanded justice for the people of Arizona.

Eventually, the will of the minority prevailed in the Senate, and the majority agreed to an election to settle the issue.

If the citizens of the territories of Arizona and New Mexico voted for joint statehood, then there would be a State. If either territory vote against joint statehood, then there would be no statehood—neither jointly nor separately at that time.

Since it was to their great advantage the citizens of New Mexico gladly went along with the joint statehood proposal by a large margin.

The people of Arizona, realizing that they were being sold down the river, voted overwhelmingly against statehood with New Mexico.

So there was no statehood in 1906.

This is a good time, Mr. President, to point out that on many issues time is not quite of the essence we try to make it. Arizonans realized that it was better to wait a few years to get independent statehood than it would be to acquiesce to bad legislation and a bad partnership.

In 1911, the subject of statehood for New Mexico and Arizona came up again. Again, it was a filibuster that brought justice for Arizona.

So it can be seen, Mr. President, why the people of the State of Arizona are thankful that extended debate was permissible and did give them justice.

A bill before the Senate in 1911 would have granted statehood to New Mexico, but not to my State. Through a filibuster, a minority of Senators persuaded the majority that Arizona should be granted statehood also. If this had been done hurriedly, if it had been a case in which extended debate was not involved, decisions would have been made that later would have proved almost disastrous.

This illustrates, I believe, one of the primary virtues of unlimited debate, or the filibuster.

It is obvious that in 1906 a majority of the House of Representatives and a majority of the Senate were wrong in their approval of the idea of joint statehood for Arizona and New Mexico. Although there was a majority, it was not what I would call a totally convinced or an ardent majority.

There was a very dedicated minority that carried the day in 1906. Had there been a really demonstrated need for joint statehood, had there been some vital factor involved, I do not believe that it would have been possible for the minority to win their point.

Mr. President, I digressed when I took up the subject of Arizona statehood. To me, of course, this is a very apropos example of what we are discussing here today. If it were not for unlimited debate in this great body, there would not likely have been any Henry Fountain Ashurst, Ernest W. McFarland, Carl Hayden, or BARRY GOLDWATER, in the U.S. Senate.

The leaders in that debate were able to convince other Members of the Senate that they should not take hurried action. It can be seen why the issue is very dear to the hearts of Arizonans.

Returning to the great issues currently before us, we also have a massive welfare reform bill offered by the President. It would make great changes in the current welfare system. Many people say this is a crisis, and I believe it. Something must be done to relieve the burden on our taxpayers. This applies at all levels—city, county, State, and Federal. Something must be done to encourage people to get off welfare. Something must be done to stop welfare cheating. Something must be done to give an incentive and to motivate people to take the training necessary in order that they will be better qualified to take jobs that may be available.

When I talk about the welfare program, indeed, it is in a crisis.

It would be foolish, however, to take the attitude that "we must do something, even if it is wrong." What we must do is to carefully study the situation, set up a program to test out promising theories, and then reform our welfare system.

Yes, we need a pilot program; and last year we attempted, both in committee and on the floor of the Senate, to obtain a pilot program. We did not accomplish this last year, despite the crisis, and we still survive. Perhaps we will not pass legislation this year, but I hope we can. I hope we can pass a measure that will give us a pilot program so that we can best determine what type of program will be best to take care of the needs of the people of this Nation.

The point is that no legislation on welfare is better than bad legislation on welfare.

Mr. President, I have brought up all these pressing problems in an effort to make a point.

The point is that what we are discussing here today may well be much more important than all the many crises that we have stacked up waiting for us to finish this discussion.

The right of full discussion in the Senate, Mr. President, is a fundamental element in our Government.

This is a basic concept in our system of government. This is what makes the U.S. Senate the U.S. Senate and not simply a rubberstamp for the U.S. House of Representatives.

I believe that the Senate has a special duty to carefully inspect proposed legislation. This is not a town meeting. It is a very deliberative body that operates in an appellate capacity. This requires freedom of discussion on the floor of the Senate.

As I have demonstrated in the case of Arizona statehood—and opponents of the SST or other legislation killed by filibusters last year will argue the same—bills can be gaveled through the House of Representatives at a rapid pace. This is no criticism of the House of Representatives. It is a sizable body that is set up to represent the people in a different manner than the Senate. Unlimited debate in the House would be as wrong as limited debate in the Senate. There are 435 Members in the House of Representatives and only 100 in the Senate.

Mr. President, in these times, it is especially important that we protect the rights of minorities.

Minorities have rights which no majority should override.

If we examine the record over the years, we find that there are many instances where a minority changed to a majority after debate over a period of time.

We heard this argument put forward last summer as the Senate droned on and on debating the administration's policy in Southeast Asia and the Cambodian situation.

Senators opposed to the President's policy were using time and rhetoric in an effort to build up strong public sentiment that might force a change in President Nixon's plan for getting America out of Southeast Asia. As a result of this filibuster there was a huge backlog of unfinished business at the end of the 91st Congress.

However, this prolonged debate was the right of the Senators who thought they could eventually win their point.

Mr. President, in closing I would like to reemphasize two points.

First, a Senate majority does not necessarily represent a consensus of the people or even of the States. Frequently popular opinion upon a question has not been formulated or, if it has been, it is often not effectively expressed.

Second, filibusters really do not prevent needed legislation, because nearly every important measure defeated by filibuster has been enacted later. With rare exception no really meritorious measure has been permanently defeated and some vicious proposals have been killed.

I trust that this body will continue to support the principle of extended debate. In doing so, in my opinion, and in the opinion of many I have talked to throughout this country, the Senate will continue to be a protection to this great Nation of ours.

Mr. President, I yield the floor.

ORDER FOR RECESS FROM MONDAY TO TUESDAY, MARCH 2, 1971, AT 11:30 A.M.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business on Monday next, it stand in recess until 11:30 a.m. Tuesday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON TUESDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that immediately following the recognition of the two leaders on Tuesday next, under the standing order, there be a period for the transaction of routine morning business, with statements limited therein to 3 minutes, the period not to extend beyond 12 o'clock meridian.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR SUSPENSION OF RULE XXII ON TUESDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the operation of rule XXII be suspended on Tuesday next until 12 o'clock meridian.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR CONTROL OF TIME ON TUESDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the 1 hour under rule XXII be equally divided on Tuesday next and controlled by the able Senator from Idaho (Mr. CHURCH) and the equally able Senator from North Carolina (Mr. ERVIN).

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR SERGEANT AT ARMS TO CLEAR THE FLOOR AND LOBBY OF CERTAIN PERSONNEL ON TUESDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Tuesday next the Sergeant at Arms be instructed to clear the Chamber and the lobby of all clerks to Senators at the beginning of the mandatory yea-and-nay vote on the motion to invoke cloture, and that the Chamber and the lobby be kept so cleared until after the announcement of the vote on the motion to invoke cloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR THE SERGEANT AT ARMS TO CLEAR THE FLOOR AND LOBBY OF CERTAIN PERSONNEL FOR EACH ROLLCALL VOTE FOR THE REMAINDER OF THE SESSION BEGINNING ON TUESDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that beginning on Tuesday next, the Sergeant at Arms be instructed to clear the Chamber and the lobby of all clerks to Senators at the beginning of each and every rollcall vote throughout the remainder of the first session of the 92d Congress and that the Chamber and the lobby be kept cleared of all clerks to Senators until after each rollcall vote has been announced.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, the clearance of the Chamber and the lobby during all rollcall votes has the approval of the majority and minority leaders.

PROGRAM FOR WEDNESDAY NEXT

Mr. BYRD of West Virginia. Mr. President, as a reminder to Senators, the Senate will convene on Wednesday next at 11 a.m., following a recess.

Under the previous order, the able Senator from Minnesota (Mr. HUMPHREY) and the able Senator from Kansas (Mr. DOLE) will have control of a period of 45 minutes for the purpose of a colloquy beginning immediately following the recognition of the two leaders under the standing order.

That colloquy will pertain to the 50th anniversary of the Disabled American Veterans.

PROGRAM FOR TUESDAY, MARCH 2. 1971

Mr. BYRD of West Virginia. Mr. President, the program for Tuesday next is as follows:

The Senate will reconvene at 11:30 a.m. on Tuesday next following a recess.

At the conclusion of the remarks of the two leaders, or their designees, under the previous standing order, there will be a period for the transaction of routine morning business with statements therein limited to 3 minutes, the period not to exceed the time of 12 o'clock meridian. The operation of rule XXII will be suspended until 12 o'clock meridian.

Mr. President, under rule XXII, at the conclusion of the 1 hour under the rule there will be a mandatory quorum call. Upon the ascertainment of a quorum by the Chair, a yea-and-nay vote is mandatory under the rule. Consequently Senators are on notice that there will be a yea-and-nay vote next Tuesday at approximately 1:15 p.m. on the motion to invoke cloture on the motion to proceed to the consideration of Senate Resolution 9.

As has been previously stated, on Tuesday next, at circa 2 p.m., the Apollo 14 astronauts and their families will visit the Senate Chamber. The very distinguished senior Senator from New Mexico (Mr. ANDERSON) has asked that the attention of all Senators be called to this event.

The Senator from New Mexico (Mr. ANDERSON) hopes that the wives and families of Senators will visit the galleries on that afternoon in order that they may see the distinguished astronauts and their families when they visit the Senate Chamber.

PROGRAM FOR MONDAY, MARCH 1, 1971

The program for Monday next is as follows: The Senate will convene at 10 o'clock a.m., following a recess. Immediately following the approval of the Journal, if there is no objection, and the recognition of the two leaders, if they desire, under the standing order, the able Senator from Georgia (Mr. TALMADGE) will be recognized for not to exceed 15 minutes.

Upon the conclusion of the remarks of the Senator from Georgia, the equally able Senator from Missouri (Mr. EAGLETON) will be recognized for not to exceed 15 minutes.

Thereafter, there will be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements therein limited to 3 minutes. Senators who have routine morning business on Monday next are urged to be in the Chamber not later than 10:30 a.m., in order that such business may be transacted within the 30-minute period.

At the conclusion of morning business on Monday next, under the previous order the call of the calendar will occur beginning with Calendar Order No. 8. It has been asked and agreed to that the items on the calendar, beginning with Calendar Order No. 8, and proceeding through Calendar Order No. 24—these being the various funding resolutions for committees—will be called in the sequence of their appearance on the calender. Under the previous order, the 5-minute limitation on speeches under rule VIII has been waived.

I also remind Senators that, on Monday next, under the unanimous consent agreement, the Pastore rule will extend for 5 hours, beginning with the call of Calendar No. 8 and extending to the conclusion of action on the money resolutions on the calendar, or to the conclusion of the 5 hours, whichever is the earlier.

There will be one or more rollcall votes on Monday.

At the conclusion of business on Monday next the Senate will stand in recess until 11:30 a.m. on Tuesday next.

RECESS TO 10 A.M., MONDAY, MARCH 1, 1971

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 10 o'clock a.m. on Monday next.

The motion was agreed to; and (at 3 o'clock and 23 minutes p.m.) the Senate took a recess until Monday, March 1, 1971, at 10 a.m.

NOMINATION

Executive nominations received by the Senate February 26 (legislative day of February 17), 1971:

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. George Marion Seignious II, [redacted] Army of the United States (brigadier general, U.S. Army).

CONFIRMATIONS

Executive nominations confirmed by the Senate February 26 (legislative day of February 17), 1971:

FEDERAL COMMUNICATIONS COMMISSION

Thomas J. Houser, of Illinois, to be a member of the Federal Communications Commission for the unexpired term of 7 years from July 1, 1964.

Robert Wells, of Kansas, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1970.

CANAL ZONE

Maj. Gen. David Stuart Parker, [redacted] [redacted] Army of the United States, to be Governor of the Canal Zone for a term of 4 years.

IN THE AIR FORCE

The following-named officers for appointment in the Regular Air Force, to the grades indicated, under the provisions of chapter 835, title 10, of the United States Code:

To be major general

Maj. Gen. Richard F. Shaefer, [redacted] [redacted]R (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Edmund F. O'Connor, [redacted] [redacted]R (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Louis L. Wilson, Jr., [redacted] [redacted]R (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Carlos M. Talbott, [redacted] [redacted]R (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Rene G. Dupont, [redacted]FR (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. James M. Keck, [redacted]FR (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Ernest T. Cragg, [redacted]FR (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. William W. Snavely, [redacted] [redacted]R (brigadeier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Dale S. Sweat, [redacted]FR (brigadier general, Regular Air Force), U.S. Air Force.

Brig. Gen. Douglas T. Nelson, [redacted] [redacted]FR (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Richard M. Hoban, [redacted] [redacted]FR (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Joseph G. Wilson, [redacted] [redacted]FR (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. William G. Moore, Jr., [redacted] [redacted]FR (brigadier general, Regular Air Force), U.S. Air Force.

To be brigadier general

Brig. Gen. Thomas W. Morgan, [redacted] [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Daniel James, Jr., [redacted] [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Leroy J. Manor, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Richard G. Cross, Jr., [redacted] [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Bryan M. Shotts, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Lawrence W. Steinkraus, [redacted] [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Peter R. DeLonga, [redacted] [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Eugene Q. Steffes, Jr., [redacted] [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Billie J. McGarvey, [redacted] [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Robert H. Gaughan, [redacted] [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. William H. Holt, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John W. Pauly, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Walter T. Galligan, [redacted] [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Frederick C. Blesse, [redacted] [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Paul F. Patch [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Darrell S. Cramer, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Harold E. Collins, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Frank W. Elliott, Jr., [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. James E. Hill, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Marion L. Boswell, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. John J. Burns, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Benjamin N. Bellis, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Kenneth L. Tallman, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Lew Allen, Jr., [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Martin G. Colladay, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. William J. Evans, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Kenneth R. Chapman, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Salvador E. Felices, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Bryce Poe II [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. James D. Hughes, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Kendall S. Young, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Lt. Gen. Richard H. Ellis [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Abraham J. Dreiseszun, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Maj. Gen. Maurice F. Casey, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Warner E. Newby, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

I nominate the following-named officers for temporary appointment in the U.S. Air Force under the provisions of chapter 839, title 10, of the United States Code:

To be major general

Brig. Gen. John H. Herring, Jr., [redacted]FR, Reguar Air Force.

Brig. Gen. DeWitt R. Searles, [redacted]FR, Regular Air Force.

Brig. Gen. Joseph H. Belser, [redacted]FR, Regular Air Force.

Brig. Gen. Leo C. Lewis, [redacted]FR, Regular Air Force.

Brig. Gen. Douglas T. Nelson, [redacted]FR, Regular Air Force.

Brig. Gen. Robert N. Ginsburgh, [redacted]FR, Regular Air Force.

Brig. Gen. Levi R. Chase, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Clare T. Ireland, Jr., [redacted]FR, Regular Air Force.

Brig. Gen. Maurice R. Reilly, [redacted]FR, Regular Air Force.

Brig. Gen. George H. McKee, [redacted]FR, Regular Air Force.

Brig. Gen. James A. Hill, [redacted]FR, Regular Air Force.

Brig. Gen. Alton D. Slay, [redacted]FR, Regular Air Force.

Brig. Gen. Abraham J. Dreiseszun, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Lee M. Paschall, [redacted]FR (colonel, Regular Air Force, U.S. Air Force.

Brig. Gen. James O. Frankosky, [redacted]FR, Regular Air Force.

Brig. Gen. Kendall S. Young, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Woodard E. Davis, Jr., [redacted]FR, Regular Air Force.

Brig. Gen. Ray M. Cole, [redacted]FR, Regular Air Force.

Brig. Gen. Richard C. Catledge, [redacted]FR, Regular Air Force.

Brig. Gen. William H. Holt, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. James H. Watkins [redacted]FR, Regular Air Force.

Brig. Gen. Maxwell W. Steel, Jr., [redacted]FR (colonel, Regular Air Force, Medical), U.S. Air Force.

Brig. Gen. Jack K. Gamble, [redacted]FR, Regular Air Force.

Brig. Gen. Foster L. Smith, [redacted]FR, Regular Air Force.

Brig. Gen. Homer K. Hansen, [redacted]FR, Regular Air Force.

Brig. Gen. Clifford W. Hargrove, [redacted]FR, Regular Air Force.

Brig. Gen. Robert E. Huyser, [redacted]FR, Regular Air Force.

Brig. Gen. William J. Evans, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. James L. Price, [redacted]FR, Regular Air Force.

Brig. Gen. John W. Roberts, [redacted]FR, Regular Air Force.

Brig. Gen. Devol Brett [redacted]FR, Regular Air Force.

Brig. Gen. Salvador E. Felices, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Martin G. Colladay, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. James D. Hughes, [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Robert E. Pursley, [redacted] FR (lieutenant colonel, Regular Air Force), U.S. Air Force.

IN THE ARMY

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grades as follows:

To be general

Lt. Gen. Frank Thomas Mildren, [redacted], U.S. Army (major general, U.S. Army).

To be lieutenant general

Maj. Gen. John Hancock Hay, Jr., [redacted], U.S. Army.

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be general

Gen. Ben Harrell, [redacted] Army of the United States (major general, U.S. Army).

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. Fillmore Kennady Mearns, [redacted] U.S. Army.

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. Willard Pearson, [redacted], U.S. Army.

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. Walter Philip Leber, [redacted] U.S. Army.

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. Alfred Dodd Starbird, [redacted] Army of the United States (major general, U.S. Army.)

IN THE NAVY

Comdr. Edgar D. Mitchell, U.S. Navy, for permanent promotion to the grade of captain in the Navy in accordance with article II, section 2, clause 2 of the Constitution.

Adm. Waldemar F. A. Wendt, U.S. Navy, for the appointment to the grade of admiral, when retired, pursuant to the provisions of title 10, United States Code, section 5233.

Vice Adm. William F. Bringle, U.S. Navy, having been designated for commands and other duties of great importance and responsibility determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of admiral while so serving.

Rear Adm. Thomas J. Walker III, U.S. Navy, having been designated for commands and other duties of great importance and responsibility determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

Rear Admiral Malcolm W. Cagle, U.S. Navy, having been designated for commands and other duties of great importance and responsibility determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

IN THE MARINE CORPS

The following-named officer of the Marine Corps Reserve for temporary appointment to the grade of major general:

William J. Weinstein.

The following-named officer of the Marine Corps Reserve for temporary appointment to the grade of brigadier general:

Harold Chase.

IN THE ARMY

The nominations beginning Joe V. Langston, to be colonel, and ending Gordon S. Zuelke, to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on February 10, 1971.

IN THE MARINE CORPS

The nominations beginning Thomas H. Bruce, to be chief warrant officer (W-4), and ending Lawrence R. Zinser, to be captain, which nominations were received by the Senate and appeared in the Congressional Record on February 1, 1971.

IN THE COAST GUARD

The nominations beginning James W. Brawley, Jr., to be commander, and ending Robert C. Houle, to be lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on January 25, 1971; and

The nominations beginning Charles Stuart Allen, to be ensign, and ending James W. Szymanski, to be lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on February 23, 1971.

EXTENSIONS OF REMARKS

IN PRAISE OF THE FFA

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. MANN. Mr. Speaker, I am pleased to take note that this week, February 20 through 27, 1971, marks the 43d anniversary of the Future Farmers of America. This is no small event. In an age when television is given over to the blazoned stories of urban children and adults rioting and college youths sacking the very campuses on which they are supposed to be preparing themselves for a better life, it is refreshing, at least, to note with pride the 443,041 members of this quiet, creative, and patriotic group. Future Farmers of America believe in the age-tested bootstrap theory of individual betterment, not the dole-co-opted hoax of group ennui. In my own State of South Carolina, these youngsters number 10,940 striving and inventive souls among their membership, divided among 242 chapters.

This is a marvelous phenomenon for the State and for America. These are the young people who will bear the heavy responsibility of feeding all the people of the United States, and probably others, in 1990. By that time the demand for meat and wheat will be almost double what it is today, and to do so with pride and with confidence in themselves, they must, now today, live out the dream of maintaining a distinct and viable rural culture in the fact of growing urbanization and sameness. They must practice old Jeffersonian values in a land which, more and more, is beginning to be dunned by the smokestacks and acids of the urban wastelands.

Listen to the sentiments which motivate these most extraordinary young people in our time. The treasurer of one State organization exhorts: "I encourage thrift among the members and strive to build up our financial standing through savings and investments." Imagine, this is said in a day when even our Republican President, much against his past best judgment, has turned to deficit spending for an economic palliative. Not only that, but the Future Farmers of America still voice an oldtime political and spiritual dream; like Moses, the leader of this particular organization defines his function as leading the farming group of today "out of the darkness of selfishness into the glorious sunlight of brotherhood and cooperation."

Such dreams can only endure on the soil. In the cities of the Republic or at the great universities, they would be laughed at. But on the soil, they have a purpose and a virtue. They sustain and embolden that almost forgotten segment of our democratic populace—the farmers of today and tomorrow—to go on performing those simple yet backbreaking tasks without which all the people of this country would weaken and surely perish.

My hat is off to the quiet heroes of the FFA.

DR. SIDNEY D. DRELL: ISSUES AT SALT

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. FRASER. Mr. Speaker, Prof. Sidney D. Drell is the deputy director of the Stanford Linear Accelerator Center. He has testified on strategic weaponry before our Defense Appropriations Subcommittee. He is a distinguished scientist. His statement, "Issues at SALT," is based upon 10 years' experience as an adviser to the White House Office of Science and Technology—including the President's Science Advisory Committee, 1966–70—the Department of Defense and the Arms Control and Disarmament Agency.

But in addition to his firm grasp of the scientific matters involved in the Strategic Arms Limitation Talks—SALT—Dr. Drell is able to clearly and concisely describe these complex matters to us. And he understands that, quoting Einstein:

> Politics is harder than physics.

I agree with Professor Drell that it is imperative that an informed public consituency for arms control be created.

If the House is to lead this constituency, rather than be led by it, we must ourselves be knowledgeable about strategic weaponry. Dr. Drell's paper is an authoritative statement, valuable to either the well-informed veteran of strategic arms talks or the Member who has had little time to devote to this most important matter facing the Nation. I recommend it to all Members:

ISSUES AT SALT

(By Sidney D. Drell)

For more than two decades since the first light of a dawn that blazed brighter than a thousand suns over Hiroshima on August 6, 1945, the world has been engaged in a runaway nuclear arms race of staggering dimensions and dangers—a "race to oblivion," as it has been so vividly called by Herbert York. The picture of the past decade has been one of evermore plundering of the planet's resources for military arms, a million-fold increase in the destructive power of nuclear weapons in the generation since World War II, and a very poor track record toward halting the nuclear arms race.

Despite this grim background I believe we can look ahead into the decade of the 1970's with optimism at the prospects of stopping—or at least tempering—the deadly, dangerous nuclear arms race between the U.S. and the Soviet Union in strategic nuclear weapons deliverable at long range by missiles and bombers.

There are three facts of primary significance that form the basis of my optimism. First—and above all—we are talking. The leaders of both the great nuclear powers have agreed that it is in our mutual and vital interests to get down to the business of taking control of the nuclear arms race and stopping it. Little more than a year ago the U.S. and the Soviet Union entered into bilateral negotiations, the Strategic Arms Limitations Talks, or SALT, at Helsinki and Vienna, with the public commitment to do precisely just that. President Nixon said to the American delegation upon the opening of the first round of SALT at Helsinki last year: "You are embarking upon one of the most momentous negotiations ever entrusted to an American delegation."

This is not the first time we have sat down to work towards reducing the dangers of nuclear weaponry. There have been limited steps in the past such as the Atmospheric Test Ban Treaty of 1963, the Ban on Weapons in Space of 1967 and in the Seabeds of 1970, and the Nuclear Non-Proliferation Treaty of 1968. They were significant steps, but in no way did they stop the arms race to weapons of greater destructiveness in greater numbers. SALT is the first serious effort to come to a broad-based agreement directly between the U.S. and Soviet Union for controlling strategic nuclear arms. And although broad-based or comprehensive formal agreements may be slow in coming, the SALT sessions have very important educational value for the participants. Hopefully SALT will continue as a more or less permanent forum to be used by Moscow and Washington to better understand each other's evolving strategic intentions and vital interests. To stop an arms race requires more than solving a set of technical problems and hopefully SALT will nurture the political climate for arms control.

The second fact on which I base my optimism for progress toward arms control is that the nuclear arms race has entered an entirely new epoch. Both with regard to the intentions and the structure of our nuclear forces the U.S. and Soviet Union have entered a quite new era for the decade of the 1970's.

Concerning intentions, we have in recent years developed mutually compatible political rationales and general goals for our strategic forces. The mission of these forces as explicitly announced is to deter a massive first strike. Neither force is intended to threaten to destroy the other nation's ability to retaliate after a massive first strike, and both nations have renounced a first strike policy.

Concerning the structure of the nuclear forces, the development and deployments of the strategic forces by the Soviet Union and the U.S. have progressed at this time to the point that neither nation threatens the other's ability to follow its declared policy of deterrence. These forces at present are strong enough and well enough protected so that even after absorbing an all-out first strike, either nation could return a massive blow to cause immense damage to its attacker. However, neither the U.S. nor the Soviet force is capable of wiping out the total opposing force, and both sides are well aware of this. We are in fact each other's hostage.

The third reason that I am optimistic about stopping the arms race in the coming decade, despite our failures of the 1960's, is based not on fact but on a political assumption—an assumption, that like people, governments grow up and learn. My assumption is that both nations have had ample time to appreciate the futility of continuing an arms race. Although our own nuclear arsenal has grown to the almost unimaginable level of potential overkill that less than one-tenth of these weapons could destroy some three-fourths of the Soviet industrial base and kill more than 60 million people in an instant, we have by no means or measure achieved improved security. The same is true for the Soviet Union. In this sense the race has been a fraud. If either nation were to unleash their nuclear arsenals, the end result would be their own total destruction. As the President's top national security adviser, Henry Kissinger, has said[1] "Power has never been greater; it has also never been less useful." The arms race has also become a terrible burden. Both nations have pressing needs at home to which monies now squandered on strategic arms expenditures should be turned. Nor is anyone so blind that he doesn't see the desperate world-wide needs for these resources.

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[1] *Problems of National Strategy,* Henry A. Kissinger (Praeger, 1965).

I believe, then, that we are currently at a moment of improved prospects for limiting the nuclear strategic arms race between the U.S. and the Soviet Union. Logically we would also take hope for progress towards arms limitation at SALT, whose fourth phase will resume on March 15 at Vienna.

President Nixon has said that the vital interests of both the U.S. and the Soviet Union require that we have limitations on arms both because of their costs and the dangers of nuclear confrontation. Indeed, every American president and major Soviet leader has endorsed in one form or another what President Eisenhower called the "continuing imperative" of disarmament. Dr. Kissinger has written[1] "Arms control and disarmament are not alternatives to national security policy but an integral part of it."

Recently Harold Brown, formerly Director of the Livermore Nuclear Weapons Laboratory, Director of Defense Research and Engineering, and Secretary of the Air Force, and currently one of the principal U.S. negotiators at SALT, has written in FOREIGN AFFAIRS (1969) that "In military and technical terms, we can envisage agreements to limit strategic arms which would be sufficiently verifiable to be enforceable and which would enhance both the security of the United States and the security of the Soviet Union."

What then are the problems? Why have we seen so little progress at SALT? After the first optimism of spring at the outset of SALT why does President Nixon now say, as he did in his news conference on December 11, 1970, that "we are very far apart because our vital interests are involved," and why do we still see the growing stockpiles of new nuclear weaponry—ABM's, MIRV's, SS-9's, missile submarines?

What are the issues that have to be resolved before SALT can make progress toward the general goals endorsed by both nations, or before SALT can even hope just to keep up with the expanding arms race? I believe there are three major issues at SALT, three obstacles to be cleared. It is about these issues that I want to talk tonight.

The first and foremost of these is the precise definition—not just a general definition—of our goals. There are widely differing views among top political and military leaders as to what specific kind of treaty we want to end up with from SALT, and I am sure this remark applies both within and between the U.S. and the Soviet Union. The term "deterrence" can be given a large variety of interpretations, and what one means by deterrence has to be spelled out in some detail before it defines a specific and clear strategy.

The second major hurdle to progress at SALT is the requirement that the treaty negotiated at SALT can be "adequately verified." National security policy and treaties are based on nations' capabilities, not just on their intentions alone. Any agreement reached at SALT must allow both the Soviet Union and the U.S. to verify that their own strategic situation could not possibly erode as a result of undetected violations of the treaty provisions to the extent of disturbing the strategic balance. The verification problem is not only crucially important, it is a difficult one because the job of actually monitoring the treaty provisions brings us to grips with the greatest asymmetry between the two nuclear superpowers: the U.S. is an open society while the Soviet Union is a closed, secretive one.

This is not the only major asymmetry between the positions of the U.S. and the Soviet Union in today's world. We are surrounded by friendly seas, whereas the Soviet Union faces NATO on the West and Mainland China on the East. This asymmetry presents the two nations with vastly differing geo-political problems. For example, thousands of NATO based nuclear weapons threaten Soviet targets. Are these to be included on the strategic weapons scales to be balanced at SALT? At the same time some 700 Soviet based nuclear tipped missiles of intermediate range threaten NATO—but not U.S. homeland targets. How are these to be regarded at SALT? In fact just what is a strategic weapon? How do we balance such grossly differing geo-political forces in a SALT formula for arms control? Consider another major asymmetry in our forces: The Soviets have a very extensive nationwide deployment of air defense batteries guarding against aircraft attack, including SAM systems of the type operating in the Middle East and North Viet Nam, and they also have any more megatons than the U.S. in their land-based missile forces; but we outnumber them by far in numbers of sea-based missiles and bombers. How do we balance such differing elements in the strategic equations at SALT?

The balancing and adjusting of these strategic and military asymmetries is the third of the major issues at SALT and has been discussed extensively in newspapers recently—both here and in Moscow. The problems created by these asymmetries are indeed difficult and serious issues for SALT. However, I tend to view them somewhat as gambits to be trotted out, worked over, and exercised, while establishing the framework for settling the really fundamental issues that SALT must resolve if it is to get on with its business of taking control of the arms race. They themselves are not, however, at the real crux of the problems at SALT in the same essential sense as are the first two issues that I raised and which I want to probe in some depth—namely, the issues of defining precisely what we mean by our goal of deterrence and of spelling out just what kind of verification we need in order to make sure that an agreement at SALT is in fact being kept.

Political and military leaders of both nations can justly claim that at this time we both have strategic nuclear weapons with the necessary characteristics and in sufficient numbers so that simply and bluntly we are one another's hostages. Even after absorbing the worst conceivable Soviet attack against us, we are confident that enough of our strategic forces will survive and can be launched, and furthermore enough of these forces will penetrate to their targets that we can destroy the Soviet society if we choose to. Simply stated, come what may, our forces guarantee the destruction of a significant fraction of Soviet population and industry. He knows it as well as we do. Our confidence that no country will decide to attack us is based on the fact that our retaliatory capacity both exists and is recognized.

Following the late Leo Szilard, I call this a "minimal deterrent" strategy. What more then do we aspire to? Do we need to be able to fight a small or medium nuclear war and prevail? Do we also insist on limiting the damage we suffer on our own society should deterrence fail? It is of course a basic human instinct to try to defend oneself directly against attack. Moreover, official policy pronouncements often spell out the requirement that U.S. strategy should also permit us to defend ourselves against the major damage which could be caused by small attacks or accidental launches. In fact, Secretary of Defense Laird used precisely these words before the Senate Foreign Relations Committee this past summer in defining the U.S. interpretation of a "sufficient" strategic force.

What we want to ask here is how does this interpretation of sufficiency affect SALT and the nuclear arms race?

If deterrence means simply the threat of retaliation against an opponent's society, existing forces are very much more than adequate, and a treaty at SALT could take the form of a freeze or a stand-still agreement, forbidding any new systems, and setting the stage for future reductions. In contrast, if deterrence is interpreted to include the ability to limit the damage from a small attack, a treaty negotiated at SALT will have to allow for improvements in the existing missile forces. If we think it possible and desirable to engage in limited nuclear fights we will want more warheads and greater accuracy in order to be able to target not only an opponent's society as our hostage but also those unlaunched missiles he is holding in reserve after a limited nuclear exchange. Also, some provision for at least a limited ABM deployment at cities would be required in order to reduce casualties.

But as these damage limiting forces are increased by one country, the other—necessarily judging weapons he sees, not presumed or stated intentions—would feel his own deterrent force threatened. For example, if the U.S. sees the Soviet Union deploying ABM systems or building more missiles and warheads, especially high accuracy MIRV's—i.e., multiple independently targetable reentry vehicles—how can we tell what their mission is? The additional Soviet warheads in growing numbers and with improved guidance accuracy would pose a potential threat to our missiles and bombers before they are launched, and a Soviet ABM would threaten them after they are launched but before they arrive on target. Therefore we will be driven to increase or improve our forces and a technological arms race will continue toward qualitative improvements, even if numbers are constrained.

It is clear, then, that the precise meaning of deterrence has a direct and major effect on what are judged to be the desirable or even acceptable forms of treaties to negotiate at SALT—anywhere from a freeze to a legitimate, although constrained, arms race.

We also require that the U.S. and the Soviet Union can verify with confidence that the treaty provisions negotiated at SALT are being enforced.

I will discuss verification only in the context of what can be accomplished unilaterally by national means alone. On political grounds it is probably futile at this time to require on-site inspection, i.e., to require visits to each other's military bases, missile fields, or test areas. What is more, I believe that we do not need on-site inspection, since what it can tell us that we cannot learn by our technical intelligence gathering systems is very limited, short of requiring a very intrusive form of inspection that would be unacceptable to all concerned. In that context let me quote once more from the 1969 article in FOREIGN AFFAIRS by Harold Brown: "On-site inspection is no longer the immovable roadblock that it has been in the past. Unilateral means of verification, available to both sides, provide forms of inspection as effective for some purposes as on-the-ground surveys."

The important question for SALT is: What does it take for us to be confident that the Soviets, in a super-secret clandestine effort behind their self-imposed veil of secrecy, cannot be developing, testing, and deploying a major nationwide system that will all of a sudden bloom before our eyes, significantly alter the strategic balance under a treaty, and rob us of our confidence in our ability to deter them from attack? For example, just what do we require in order to be confident that the very extensively deployed Soviet surface-to-air missiles for air defense against bombers aren't secretly being upgraded to blossom suddenly as an ABM system, a possibility raised on many occasions by Pentagon spokesmen?

Even when one has at his disposal all the information about U.S. reconnaissance and surveillance systems this is not an easy question to judge. To some, this spectre of a suddenly disappearing deterrence seems very much more real than to others. Expressions of such fears have intensified since the rapid Soviet air defense build-up at the Suez Canal. There is however very little relation between the two situations. Whereas the balance at Suez could indeed be changed in a matter of days, the strategic balance between the U.S. and the Soviet Union can be disturbed only on a time scale of many years which is long enough to allow either nation to respond to treaty violations. There is no such thing as suddenly disappearing strategic deterrence capability. But as the events at the Suez Canal have made very clear, treaties and their enforcement must be based on the actual conditions, and not primarily on intent or promises.

Since the techniques available to the U.S. for verification and surveillance cannot be discussed in public there is not too much that I can say on this problem to help you arrive at your own conclusions as to how well we can enforce different provisions in a SALT treaty. I can however, state two general observations—you might even call them principles—concerning verification of treaty provisions on which to base comparative if not absolute judgments.

The first of these concerns testing. Although Soviet research and development work is carried on in secrecy and we may know little if anything about such work, there is of necessity a long testing, evaluation, and troop training cycle that precedes introduction of new systems into one's strategic forces. We can monitor such a testing, evaluation, and training cycle for major new strategic systems—offensive as well as defensive ones; therefore, it is much easier for us to verify compliance with a treaty that includes both a testing and a deployment ban of new weapons systems than it is to verify compliance with detailed treaty provisions which restrict numbers of specific new and old weapons. For this reason I consider that an important principle to establish at SALT is that of test restraints.

A second general observation is that the verification requirements are more severe the more finely tuned and delicately balanced the terms of the treaty. The more comprehensive the treaty or the more stringent the restrictions, the less sensitive the strategic balance is to cheating, evasion, or sudden abrogation by one party to the agreement.

According to these observations or principles about the nature and demands of the verification problem, I conclude it is easier to verify SALT treaties that permit no changes in existing offensive and defensive systems than it is to verify those which legislate and codify specific changes in kinds or numbers. Big steps toward limiting arms are actually less sensitive to cheating than are small steps.

It follows then that a SALT treaty that bans the testing as well as the deployment of new weapons systems, and freezes forces at or near their present levels, is the easiest to verify.

I would like to state at this time my own views with respect to such a freeze. What I interpret "deterrence" to mean as a policy is fully—indeed extravagantly—satisfied by the forces presently deployed; and completion of those additional forces that are presently under active construction perturbs the balance of U.S. and Soviet forces only in minor ways. However, I believe that massive deployments of the latest weapons systems that technology has spawned—the MIRV's and ABM's—will in the future make it more difficult rather than less difficult to re-establish the stability of balanced deterrents. Therefore, I endorse precisely what Lyndon Johnson first proposed back in 1964 in his Presidential Message to the 18-Nation Committee on Disarmament in Geneva: ". . . a verified freeze of the number and characteristics of strategic nuclear offensive and defensive vehicles."

I also believe that our national reconnaissance and surveillance devices are fully adequate to verify compliance with such a freeze if we are willing to forbid the flight testing, as well as the deployment, of new systems. I am not talking here about restraints on research and development work but about prohibitions on flight testing of new systems. For this we have no need to require visits to each other's test areas or military bases—i.e., there is no need for on-site inspection which to be of value would have to be very intrusive and which in any case is undoubtedly politically unacceptable.

I believe that such a freeze coupled with test restraints achieves all the most desirable goals we can hope for from Stage I of SALT:

(1) Confidence that our present deterrent capabilities will be maintained.

(2) A halt to the arms race in both its quantitative and qualitative aspects.

(3) A simple treaty that can be readily verified. Its provisions require a minimum of collateral constraints or indicators. There is no need to define precisely how much of what a nation can do where and when.

It will also set the scene for Stage II of SALT. Once having stopped the deadly and costly arms race, we can start on the path to reductions of forces from their present monstrous levels of potential overkill.

The keys to this proposal are that we are satisfied with deterrence as it now exists, i.e., with a minimal deterrence, and that we renounce damage limiting or war fighting strategies; and furthermore that we are willing to put a damper on the technological as well as the quantitative arms race between the U.S. and the Soviet Union by restricting testing.

Is anything wrong with this solution? We ask naturally what risks and dangers would we be exposed to if such a treaty were negotiated at SALT. It is important to recognize that there is some risk associated with any arms control negotiations and treaty. However there is also very great risk with continuing an arms race. The challenge is to balance the risks associated with the various possible strategic policies and to judge what is politically acceptable in the context of this balance. I view this problem as follows: There are two alleged risks in a policy of minimal deterrence coupled with a freeze on the testing and deploying of new weapons. The first is that we would be limiting what we could do if deterrence fails. We would be unable to limit damage to ourselves in the event that deterrence fails, or in the face of a small attack or accident originating from the Soviet Union or from a newly emerging nuclear power. The second alleged risk is that because of the restraints against testing new systems we will be vulnerable to technological surprises that in time could erode our deterrent.

A strong R&D—research and development—program will provide the necessary safeguards against this second risk. There is a major difference between developing new technologies with R&D in the laboratories and deploying weapons systems that incorporate these new advances. There would be no constraint on R&D. An R&D constraint would to my mind be both unverifiable and undesirable since it would leave one more exposed to technological surprises. There is no virtue in that. By prohibiting full scale testing of advanced new systems we would however effectively prevent their deployment. Without a realistic test and evaluation program a nation's military and strategic planners will be unable to develop the confidence in a new weapons system that they have if their entire strategic policy and national survival depend on its successful operation. Neither the U.S. nor the Soviet Union should gain a decisive advantage from such a test prohibition. Without the cost of major test and evaluation programs and of new weapons deployments very much more money would be available to devote to an effective, and I think improved, R&D program in order to maintain the desired hedge against the future. The brake on the arms race would be supplied directly and effectively by constraints and outright prohibitions of the testing and evaluation work—and that is precisely where I think the control on arms technology and spending should be applied.

Although testing of new systems would be prohibited we would allow limited testing of existing systems in order to retain the necessary operational confidence in our present forces. Such a test restraint could be monitored and enforced with little difficulty and we could verify that no new threat to our deterrent forces was developing.

How can we judge the first alleged risk that I mentioned earlier of having no way at all to limit damage to ourselves should deterrence fail? Almost everyone who has studied the problem agrees that there is no such thing as an effective defense against all-out attack in this modern missile era when just one warhead or one ICBM carries more destructive power than rained from the skies in all of World War II, and when that warhead can be delivered so accurately from across the oceans that if targeted for San Francisco there will no longer be a San Francisco. However, human instinct drives us to defend ourselves against the possible, if not the impossible. Should we give up on defense entirely by settling for no more than minimal deterrence and negotiating a freeze in weapons? To answer this we must ask how this risk balances against the risks asociated with other courses that we may follow with our strategic policy.

Consider the implications if the U.S. and the Soviet Union negotiate a treaty at SALT that permits us to defend our cities against the major damage which could be caused by small attacks or accidents. We will require then a nationwide deployment of some ABM defense at our cities. If, in addition, we wish to limit damage to our people and cities by destroying that part of the Soviet missile force that had not yet been launched against us during the initial exchanges of a limited war we will require large numbers of accurate MIRV's.

When accurate MIRV's are extensively deployed so that numbers of warheads can no longer be counted just by adding up numbers of launchers; when the numbers of these warheads for each nation are much larger than the numbers of enemy launchers they threaten; when their guidance accuracy is precise enough so that they can destroy hardened missile silos that that invulnerable to anything but almost a direct hit; and when large ABM radars dot the landscape, we shall have considerably greater uncertainty about how dangerous a threat we pose to each other. How will Soviet planners view extensive deployments of such MIRV's and ABM's by the U.S.? Necessarily they will judge the weapons they see—not the words of policy they hear—and it will not be clear whether we are developing damage limiting forces for deterrence or first strike forces aimed to attack and destroy much if not all of their deterrent strength. The problem is that these high accuracy MIRV's and broad coverage ABM's have ambiguous missions, and it is hard to distinguish their deterrent from their first-strike threat. Soviet MIRV's and ABM's will present the same problems to our planners.

This is the curse of weapons systems with ambiguous missions. They begin to bridge the gulf between a deterrent and a first strike policy and will provide additional incentives for deploying new weapons.

This very issue that I have posed in the SALT context has been at the heart of much of the recent public discussion on the Safeguard ABM system and on the U.S. MIRV deployments. Since deterrence is a state of mind and is as much a psychological problem as it is a military one, these systems must be viewed with great discomfort.

Indeed I have no reluctance in principle to attempt to defend myself with ABM's against limited attacks—whether launched from the Soviet Union, France, China, or anywhere else. In practice, however, implementing such a policy will inevitably result in higher force levels of both offensive and defensive forces for the reasons I have illustrated. Will this path lead to improved security? I think not. I view the proliferation of weapons with ambiguous missions—such as MIRV's and ABM defenses with broad coverage—as producing a more fragile stability of deterrence.

ABM is particularly troublesome in this regard. In contrast to MIRV's which threaten only the fixed land-based missiles, a nationwide ABM defense of cities poses a potential thread to blunt the entire deterrent force—land and sea based—of an opponent. Moreover, such an ABM system would have its greatest effectiveness in support of a first strike. Let me explain why this is so. Present day technology as well as the technology of the near future leads to the conclusion that an enemy can defeat an ABM defense with ease by building enough missiles at lower dollar cost relative to the ABM and by taking appropriate steps in designing his missiles, i.e., equipping them with confusion devices or so-called pen aids. Any ABM umbrella we might construct would suffer this criticism. Imagine, however, the situation if we were to strike first in a massive attack on Soviet missiles. Following such a strike their surviving retaliatory missiles could be very much more effectively engaged by our ABM since, in addition to being smaller in number, they might not achieve their planned coordination for saturating and penetrating the defense. So an ABM would be most effective in support of a first strike policy. Therefore more than any other weapons system, ABM will govern the level of forces that can be negotiated at SALT as meeting the requirements of deterrence.

If a comprehensive freeze as I advocated earlier on testing and deploying new offensive and defensive systems is not or cannot be negotiated, then I believe that the most important single step to be taken at SALT would be a limit on large ABM systems that provide extensive coverage to as low a level as can be negotiated—preferably zero. I would strongly prefer to establish a principle of comprehensive limitations on offensive as well as defensive weapons systems even if such limitations were to fall short of the freeze that I have advocated. However I believe it is of primary importance to limit ABM. No difficulties at the negotiating table should be allowed to seriously impede progress toward a limit or a total ban on large ABM systems.

If ABM's are banned, there can be no conceivable reason for major increases of the offensive missile forces. As I have argued, it is both unnecessary and unfortunate that we now find ourselves moving down the path to MIRV's. With MIRV's alone, in the absence of ABM defenses, we both remain each other's hostage and a balance of deterrence can be maintained. However with both MIRV's and ABM's we will have lost our best hope for controlling the arms race at this time and we will truly become its driven slave.

Therefore, short of accomplishing a freeze, I think the most important first step at SALT is to prohibit, or severely limit, ABM defenses with large radars and the potential to protect people and cities. I endorse this not as an end in itself but in the context of the vital first step in a series of many towards accomplishing the "imperative" of arms reductions. I would expect it to be accompanied by clear and continuing restraint in expanding or improving other strategic offensive missiles or air defense systems.

In support of a weapons freeze I have argued primarily from the point of view of stopping the arms race—not of winning a war should deterrence fail. I don't know what it means to fight and win a nuclear war, nor do I think anyone knows what it means. In fact I don't think there is any meaning to talk about "winning a nuclear war." To my mind the greater risk faced by the world's nuclear powers is that of finding ourselves propelled toward a nuclear war by the mad momentum of the nuclear arms race—of finding ourselves propelled into a holocaust of such horror that there will be no winners, just losers all.

I consider the arms race itself our most dangerous enemy and the strategy that I support is to achieve the victory of stopping it while preserving our deterrent. According to a more traditional and historical strategic theory, we should develop forces to be able to accomplish a victory in a nuclear exchange. This means disarming an enemy—that is, destroying all or as much as possible of his strike forces. Moreover, the technology of modern weapons—of MIRV's and ABM's—permits us to dream of forces than can indeed implement such a strategy to destroy his forces—i.e., a counterforce strategy. Such forces would provide our planners with a broader and more flexible range of responses to threats, provocations, or actual nuclear incidents than simply attacking people.

The possibility of a counterforce strategy was specifically raised in President Nixon's public State of the World Message of last February 18. He asked: "Should a President in the event of a nuclear attack be left with the single option of ordering the mass destruction of enemy civilians, in the face of the certainty that it would be followed by the mass slaughter of Americans?"

The case for such a counterforce strategy has been presented in detail recently by Dr. Michael May, Director of the Lawrence Radiation Laboratory at Livermore.[2] He advocates developing forces to ensure a military victory, which he defined as establishing the ". . . condition in which our remaining military forces are superior to our opponent's, to the extent that we could use them effectively in seeking to halt further destruction of our country by defensive measures or counterthreats, of adverse political changes backed by force of arms from being carried out in the future." In support of developing forces such as MIRV and ABM suitable for waging and winning a nuclear exchange Dr. May argue that, if war comes:

"The capability for achieving military victory or at least for preventing military defeat will become the uppermost military consideration in the mind of whatever surviving authority controls the forces of the United States. Retaliation will appear to be a secondary and in fact an unnecessary goal."

Dr. May argues in some detail that the nuclear defense aimed at such a military victory may indeed be technically feasible if we implement fully requirements such as:

(a) Flexible retargeting for our unused missiles.

(b) Post-strike reconnaissance by planes and satellites to assess damage and identify accurately and quickly targets to be struck, primarily unlaunched enemy missiles, but also other military and industrial installations.

(c) Survivable resupply and reload capabilities for our nuclear submarines at sea.

(d) Additional fall-out shelters and food and drug reserves for improved survivability of U.S. citizens.

The case against this strategy is to me a very compelling one and is based on two points. The first I have already given: If either nation attempts to develop and deploy the weapons to implement a counterforce strategy for deterrence, both nations will end up in a frenetic arms race. The end result of this race will be a higher level of armaments and a more fragile stability of deterrence because the additional forces with their ambiguously interpretable missions will bridge the wide gulf that exists today between presently deployed forces for minimal deterrence and those required for first strike. Back in 1962 Henry Kissinger,[3] President Nixon's top national security adviser, expressed the case against a counterforce strategy in this way: "A counterforce strategy designed to win a victory *after* we concede the first blow is an illusion." He also noted the effect of such a strategy on the arms race:

"The effort to develop such a counterforce capability would involve us in a *tour de force*. It would impose staggering force requirements on us, draining off all other military capabilities. The mere effort to develop such a force could not fail to lead to a spiraling arms race and perhaps provoke a pre-emptive attack."

The second point against this course can be made by recalling the experience of the late 1950's and early 1960's—more than a decade ago—when the vision of localized tactical nuclear conflicts first traumatized our leading strategic and military planners. During the 1950's many U.S. planners advocated a nuclear strategy for deterring communist aggression—primarily against the NATO nations of Western Europe. Knowledge that the U.S. would employ nuclear weapons from the very outset was thought to be the most effective deterrent to local aggression. It seemed to offer the best prospect of using the industrial capacity of the West to best advantage while off-setting the manpower advantage of the then solid Sino-Soviet bloc. But further understanding of the difficulties of staying in control of the precipitous flow of events during the extreme confusion and devastation of even localized nuclear conflict soon led to a deeper realization of the enormous dangers of such a policy. It was recognized that once the nuclear line or firebreak was crossed the nations were on unknown terrain with no confidence or experience as to how to control the power and devastation we were unleashing, and no confidence or experience as to how to limit the conflict.

As former Secretary of Defense Robert McNamara was recently quoted as saying about tactical nuclear weapons:

"Once you use them you use everything else; you can't keep them limited; you'll destroy everything."

Similarly, Henry Kissinger has written,[4] "No one knows how governments or people will react to a nuclear explosion under conditions where both sides possess vast arsenals." Recognizing this danger we abandoned the nuclear strategy for aggression in the 1960's and I believe it makes no more sense today to resurrect the notion of fighting nuclear wars and prevailing. Our goals at SALT must not flirt with fantasies of Pyrrhic nuclear victories. The primary issue is to stop an arms race. The overriding concern is not what we do if deterrence fails; it is to make deterrence work by defeating our great common enemy—an arms race—and stabilizing the present balance.

Although I have provided a technical basis for the views expressed here, it is quite clear that in my assessment of dangers and risks I have gone beyond purely objective criteria and entered into important and determining political ones. They are also the much more difficult criteria. "Politics is harder that physics," Einstein once said.

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[2] ORBIS (University of Pennsylvania, Summer 1970)

[3] *The Necessity for Choice: Prospects of American Foreign Policy*, Henry A Kissinger (Doubleday, 1962)

[4] *Problems of National Strategy*, Henry A. Kissinger (Praeger, 1965)

Recognizing this, I think it is also clear that we must look to our political leaders to lead the way with the vision and dedicated commitment of true statesmen to a real halt in the arms race. But we must do more and that is to create an informed public constituency for arms control which will assist in guiding, or pushing, our political leaders toward this goal. Patience and hard technical work are necessary for assessing and balancing the dangers and risks. They are necessary, for example, to distinguish air defense from ABM developments. But much more than technicians and technical analysis are needed here—and above all statesmanship, visionary political leadership, and the determination that has carried pioneers through deserts and over oceans and mountains to seemingly impossible goals. Otherwise arms control may never get a chance to help us survive.

SOCIAL SECURITY BENEFIT INCREASE NEEDED NOW

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. SCHWENGEL. Mr. Speaker, today I insert in the RECORD, part VIII of the article entitled: "Private and Public Retirement Pensions: Findings from the 1968 Survey of the Aged" by Walter W. Kolodrubetz.

I include the article as follows:

INCOMES OF THE RETIRED

The probable effects on income levels of retirement programs that supplement OASDHI can be inferred from the analysis of pension levels already made. For those receiving pensions, such payments were the single most important factor in their relatively high income levels and typically went hand in hand with high OASDHI benefits.

Persons with two pensions tended to occupy a more fortunate income position than the vast majority of the aged. More than half the aged couples with dual pensions had enough income for at least a moderate level of living in 1967, according to measures developed by the Bureau of Labor Statistics. Furthermore, very few would be called poor on the basis of Social Security Administration poverty measures. The income level of married couples with dual pensions was much better than that for their nonmarried counterparts, who presumably need less to live on. These nonmarried persons were in a better financial position than those relying on OASDHI income or with no pension at all and, as among married couples, few would be classified as poor.

Less than 10 percent of beneficiary couples receiving private pensions had combined annual incomes that totaled less than $2,500, 60 percent had incomes from $2,500 to $4,999, and 35 percent had $5,000 or more (table 9). Income levels were lower for nonmarried beneficiaries with private pensions than they were for private pensioner couples, but fewer than 10 percent had less than $1,500 in income. Eighty percent of the nonmarried had incomes between $1,500 and $3,999, and the remainder was sparsely represented in higher income levels.

Incomes of OASDHI beneficiaries with private pensions and of those with no other pension than OASDHI differed significantly. Those with only one pension had a much lower distribution by income class. Two out of 5 of these married couples had income below $2,500 in 1967. Among the aged living alone, 50 percent of the men and 65 percent of the women had incomes below $1,500. The differences in income between OASDHI beneficiaries who received private pension payments and those who did not receive such supplementary pensions are clearly indicated by the median incomes, which had a spread of more than $1,000.

The data in table 9 indicate that OASDHI beneficiaries who also received pensions from a Federal, State, or local government or under the railroad retirement system had total income only slightly higher than that of OASDHI beneficiaries with private pensions. Like private pensioners, they were in a much better financial position than those receiving OASDHI benefits alone. Only 15 percent of OASDHI beneficiary couples with other public pensions, for example, had incomes below $2,500, in contrast to almost 45 percent for units with OASDHI and no other pension.

Another group in the aged retired population—persons not receiving OASDHI benefits but with a pension from the government or railroad retirement systems—was well-off in comparison with persons receiving only OASDHI benefits. As table 9 shows, their median income of $3,745 was 35 percent higher than that of couples receiving only OASDHI payments in retirement benefits. Median income for nonmarried women with OASDHI only or another public pension was about the same, however.

For married couples not receiving retirement benefits, median income was more than double that for couples receiving only OASHDI in retirement benefit income and substantially higher than the total income of dual pensioners and those receiving only a public pension other than OASDHI. This difference reflects the fact that retirement benefits rarely equal preretirement earnings and persons no longer in the labor force would thus tend to have lower income than those still working.

For nonmarried persons the situation was reversed. The median incomes for men and women not receiving retirement benefits were at levels that were low in comparison with those for persons receiving one or more retirement benefits. Nonmarried persons without retirement benefits were not as likely to be working as either member of a married-couple unit and they had lower earnings if they were working. The low incomes for this group also reflect, in part, reliance on public assistance payments for main support by a large number of nonmarried persons, especially the women. An analysis of the role of public assistance will be presented in a later article.

The relationship of private pensions to income levels is demonstrated also by the proportions of units aged 65 and over receiving income from these sources at specified income levels. As table 10 indicates, regardless of the type of unit, relatively few of those at the low-income level received income from a private pension plan. This source was very important for those in the income levels of $3,000 or more, where about 30 percent of the couples on the OASDHI rolls received such payments in 1967. For nonmarried men and women, it was an important source in the income range of $2,000–$3,999. For both men and women it was less important at levels of $4,000 and above.

Other public pensions were also reported as a source of income, mostly by persons with high total income. One-sixth of the beneficiary couples with incomes of $4,000 or more reported other public pension income. Nonmarried beneficiaries receiving government and railroad pensions were even more likely to be found at higher income levels, and a fourth of those with incomes at $4,000 or above had such pensions.

When government and railroad pensions and private pensions are combined, with overlap of programs taken into account, almost half the OASDHI beneficiaries with incomes of $4,000 and above are shown to have had more than one pension. At the lower end of the scale, less than 2 percent of those with incomes under $1,500 reported such receipt. Among nonmarried beneficiaries, two pensions (OASDHI and another public or private pension) were reported by about 40 percent of those with incomes of $4,000 and above and by 3 percent of those with incomes under $1,500.

TABLE 9.—INCOME SIZE BY TYPE OF RETIREMENT BENEFIT FOR OASDHI BENEFICIARIES [1] AND NONBENEFICIARIES [2]: PERCENTAGE DISTRIBUTION OF AGED UNITS BY MONEY INCOME CLASS, BY RECEIPT OF RETIREMENT BENEFITS, 1967

Total money income	OASDHI benefits and—			Public pension other than OASDHI	No retirement benefit
	Private group pension [1]	Other public pension	No other pension		
MARRIED COUPLES					
Number (in thousands):					
Total	1,009	392	3,438	166	525
Reporting on total income	728	299	2,665	127	342
Percent of units	100	100	100	100	100
Less than $1,000	(4)	(4)	4		6
$1,000 to 1,499		1	9	2	5
$1,500 to 1,999	2	4	16	2	8
$2,000 to 2,499	5	8	15	9	6
$2,500 to 2,999	12	6	12	13	1
$3,000 to 3,999	27	22	18	29	4
$4,000 to 4,999	19	27	8	19	8
$5,000 to 7,499	22	21	10	15	21
$7,500 to 9,999	7	6	4	12	22
$10,000 or more	6	6	3		19
Median income, dollars	4,087	4,362	2,748	3,746	6,270
NONMARRIED PERSONS					
Number (in thousands):					
Total	605	476	6,353	343	1,025
Reporting on total income	448	365	5,160	278	860
Percent of units	100	100	100	100	100
Less than $1,000	1	3	30	24	48
$1,000 to $1,499	5	13	31	21	28
$1,500 to $1,999	19	14	18	11	8
$2,000 to $2,499	28	19	9	19	5
$2,500 to $2,999	15	11	4	8	1
$3,000 to $3,999	18	14	4	7	2
$4,000 to $4,999	9	10	1	4	3
$5,000 to $7,499	3	8	2	3	4
$7,500 to $9,999	1	6	(4)	4	2
$10,000 or more	1	2	1		1
Median income, dollars	2,412	2,611	1,284	1,649	1,020

Footnotes at end of table.

TABLE 9.—INCOME SIZE BY TYPE OF RETIREMENT BENEFIT FOR OASDHI BENEFICIARIES [1] AND NONBENEFICIARIES [2]: PERCENTAGE DISTRIBUTION OF AGED UNITS BY MONEY INCOME CLASS, BY RECEIPT OF RETIREMENT BENEFITS, 1967—Continued

Total money income	OASDHI benefits and—			Public pension other than OASDHI	No retirement benefit
	Private group pension [1]	Other public pension	No other pension		
MEN					
Number (in thousands):					
Total	287	128	1,476	109	172
Reporting on income [3]	238	103	1,268	87	153
Percent of units	100	100	100	(5)	100
Less than $1,000	1		22		37
$1,000 to $1,499	3	14	28		36
$1,500 to $1,999	19	7	22		2
$2,000 to $2,499	24	23	13		8
$2,500 to $2,999	15	13	4		3
$3,000 to $3,999	21	14	5		
$4,000 to $4,999	11	7	2		
$5,000 to $7,499	4	12	2		8
$7,500 to $9,999	1	9	(4)		3
$10,000 or more	1	2	1		3
Median income, dollars	2,580	2,812	1,500		1,175

Total money income	OASDHI benefits and—			Public pension other than OASDHI	No retirement benefit
	Private group pension [1]	Other public pension	No other pension		
WOMEN					
Number (in thousands):					
Total	317	348	4,876	234	853
Reporting on total income	210	262	3,892	191	707
Percent of units	100	100	100	100	100
Less than $1,000	1	5	33	30	49
$1,000 to $1,499	7	13	32	28	26
$1,500 to $1,999	20	17	17	11	9
$2,000 to $2,499	33	17	8	14	4
$2,500 to $2,999	14	10	4	4	1
$3,000 to $3,999	14	15	3	4	2
$4,000 jo $4,999	7	11	1	4	3
$5,000 to $7,499	2	6	2	3	3
$7,500 to $9,999	1	5	(4)	3	1
$10,000 or more	1	2	1		1
Median income, dollars	2,302	2,342	1,230	1,290	1,007

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[1] Excludes beneficiaries who received their first benefit in February 1967 or later, the transitionally insured, and special "age-72" beneficiaries; also excludes a small number of units reporting private pensions but no OASDHI benefits, as well as some who did not report on private pension receipt.

[2] Excludes a small number of units who did not report on private pension receipt.

[3] Includes a small number of units reporting both a private and another public pension.

[4] 0.5 percent or less.

[5] Not shown where base is less than 100,000.

TABLE 10.—SOURCE OF RETIREMENT BENEFITS BY INCOME SIZE FOR OASDHI BENEFICIARIES [1]: PERCENT OF AGED UNITS WITH MONEY INCOME FROM PRIVATE AND OTHER PUBLIC PENSION PLANS, BY MONEY INCOME CLASS, 1967

Total money income	Married couples with OASDHI benefits and		Nonmarried persons					
			Total with OASDHI benefits and—		Men with OASDHI benefits and—		Women with OASDHI benefits and—	
	Private group pension	Other public pension	Private group pension	Other public pension	Private group pension	Other public pension	Private group pension	Other public pension
Less than $1,500	(3)	1	1	2	1	2	1	2
$1,500 to $1,999	4	3	8	5	13	2	6	6
$2,000 to $2,999	14	5	20	12	26	12	16	12
$3,000 to $3,999	27	9	24	16	41	11	15	19
$4,000 or more	31	17	17	25	28	22	10	26

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[1] Excludes beneficiaries who received their first benefit in February 1967 or later, the transitionally insured, and special "age-72" beneficiaries; also excludes a small number of units reporting private pensions, but no OASDHI benefits.

[3] 0.5 percent or less.

CONGRESSIONAL SECRECY

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. DRINAN. Mr. Speaker, I attach herewith an editorial published on February 19 in the Worcester, Mass. Telegram.

It is distressing to note, as this editorial points out, that the percentage of closed committee meetings in the House of Representatives in 1970 was the third highest since 1953.

The attached editorial should be a reminder to all of us that the people of this country are intensely interested in the activities and procedures of the Congress and that they will and should be expecting a dramatic improvement because of the implementation of the Legislative Reorganization Act of 1970.

CONGRESSIONAL SECRECY

Last year, Congress passed legislation designed to give the public a better look at committee proceedings.

Then it proceeded to hold 41 per cent of all committee meetings in secret.

The penchant of elected officials for closed doors seems incurable both on the national and local scene: it seems to survive unending criticism and sporadic reform.

The percentage of closed committee meetings in 1970 was the third highest since 1953, with the House contributing 48 per cent of the executive sessions and the Senate chalking up 42 per cent. The House Appropriations Committee led the parade with all 379 of its sessions held behind closed doors. The reason, according to its chairman, Rep. George H. Mahon of Texas, is lack of space for "outside observers."

Reformers try to fight back. The Legislative Reorganization Act of 1970 was the first real attempt by Congress in 24 years to streamline its procedures. But most of the changes are modest and implementation leaves much to the discretion of committee chairmen and members.

For example, House Committee hearings and business meetings can be closed by a simple majority vote. Senate committee sessions may be closed for voting, marking up bills or by majority vote. Senate hearings may also be secret when the content is confidential, related to national security or involves the character of an individual.

So there is plenty of room for privacy. In addition, there will be only one new face among chairmen heading committees which met last year with a high rate of secrecy. F. Edward Hébert of Louisiana, the new chairman of the House Armed Services Committee, believes the open meeting issue has been "exaggerated" by the news media. "The only disadvantage to a closed meeting is lack of understanding on the part of the public," he says.

Not so. There are many disadvantages to congressional executive sessions. Closed meetings may also allow for behind-the-scene deals, influence peddling and promotion of self-interests.

To make it effective, democracy must be widely based and open to scrutiny. There are, to be sure, occasions when closed meetings are warranted. But an executive session is a rare privilege rather than an inalienable right; it must not be abused.

The Legislative Reorganization Act is a step in the right direction.

SCLC HEAD RALPH ABERNATHY SUPPORTS ALL-VOLUNTEER ARMY

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. MATSUNAGA. Mr. Speaker, I have called attention in the past to the remarkable coalition represented by those who support legislation I have introduced to create an all-volunteer army. It is heartening to see those from both major political parties, and from the full range of political philosophies represented within each party, supporting a measure that could easily have become the subject of a partisan struggle.

However, there is another remarkable situation regarding congressional attitudes about the bill. A number of acknowledged liberal Members have stated publicly their reservations about an all-volunteer army, including their fear that it will become a haven for minority groups, particularly blacks, and low-income people. Curiously, this prospect has not deterred such prominent minority group Representatives HERMAN BADILLO, SHIRLEY CHISHOLM, WILLIAM CLAY, LOUIS STOKES, and JOHN CONYERS from sponsoring the bill.

Further, this specific charge was addressed and refuted quite capably earlier this month, in a statement by Rev. Dr. Ralph Abernathy before the Senate Armed Services Committee.

Dr. Abernathy, president of the Southern Christian Leadership Conference, had this to say about the poor-and-black-volunteers argument:

> Of particular concern to the Southern Christian Leadership Conference is the "fear" that an all-volunteer army will become an army of the poor and black. Such condescending *noblesse oblige* is not only unappreciated, it is downright repugnant from the point of view of the black soldier who is ordered to die to preserve a "freedom" that he has never known.

The entire statement by Dr. Abernathy is worthy of study by all those Members who harbor misgivings about the possible adverse effect of an all-voluntary armed force on minority groups. I include it at this point:

> Mr. Chairman and other distinguished Senators, I appreciate the opportunity to appear before you today to testify regarding a matter of immense importance to our Nation today.
>
> We of the Southern Christian Leadership Conference have long been concerned with the status of this Nation's poor and minority groups and with the effect of conscription upon them. This is not the first time in which we have endeavored to constructively aid this great Nation as it confronts its own conscience regarding the draft. Our position has not changed, and it remains today the same as it was in November of 1969 when, in a statement prepared for presentation before the Subcommittee on Administrative Practice and Procedure of the United States Senate Committee on the Judiciary, we said . . . the Southern Christian Leadership Conference is absolutely opposed to the principle of conscription. We view it totally antithetical to the concepts of freedom and democracy upon which this country was founded, and we recommend what we recommend today only as a means of alleviating racial and economic injustice and inequity in a system that we view as immoral, unjust, and unconstitutional at best.
>
> That proposed testimony, though never presented, outlined many changes which we felt could be made along the lines of increased minority membership on local and appeal boards, elimination of deferments, nationalization of standards, selective conscientious objection, and availability and provision of counsel for registrants. If the accomplishment of those ends were to be the guide for our testimony today, we could merely repeat the same testimony we prepared then, for little has changed. But such is not the guide, for that Subcommittee merely concerned itself with the administration and not the existence of conscription while, by virtue of the expiration of the Military Selective Service Act of 1967 on June 30, 1971, this Nation and this Congress must face the question of conscription itself.
>
> Therefore, we do not choose to testify today on any manners of reform nor do we wish to support any resolution dictating repeal. The Congress has displayed on several occasions that it has well-developed and sophisticated powers of non-feasance; we merely ask that now, as an act of National conscience, it exercise those powers and refuse to perpetuate the injustice of conscription any longer.
>
> It should suffice to say that, where no national emergency necessitates it, America, a land proud of the liberty of its individual citizens, should not even consider any other reason for the continuation of conscription. Concerns such as the cost, the establishment of a professional army, and/or the existence of an army of poor and black should not begin to outweigh the assurance that each and every individual citizen can live out his life as he alone determines best.
>
> But, as Dr. King felt compelled to send the "Letter From The Birmingham Jail" to the clergy who expressed honest but misguided concerns with respect to the black man's struggle for dignity, in recognition of the honesty and sincerity we perceive to be the basis for some of the fears of a volunteer army, we feel compelled to discuss those concerns and try to demonstrate their complete inability to justify the continued invasion of personal liberties inherent in the retention of conscription.
>
> The cost of a volunteer army is inconsequential. The Gates Commission estimated that, with a pay raise for first-term recruits, it would cost $3 billion, a reasonable cost (1) as only five or six percent of a $65–70 billion budget and (2) as the premium for the restoration of basic freedoms.
>
> No peace-loving American could help but feel some empathy for anyone who expressed concerns about the existence in America of a professional army and the development of a "military ethos" and its effect upon policy-making. And so the claim that a volunteer army may create such a situation strikes a note of fear upon first thought.
>
> One unfortunate but nevertheless true answer to that claim is that America already has a professional army; a $65–70 billion a year professional army.
>
> And consonant with the fact that we have a professional army is the fact that we do not draft generals; we draft privates, the cannon-fodder of the military machine. Draftees have no apparent effect upon the policies of our armed forces; instead they seem to be little less than fuel with which to propel the war machine. This is borne out by the fact that over one-half of the Army's enlistees who have lost their lives in Viet Nam have been draftees, and draftees constituted eighty-eight percent of the infantry's riflemen there for the last two years. Yet only 368,000 of the 2.9 million men on active duty in our armed forces (or 12.7 percent) are draftees. It is evident that the status of being a draftee puts a label clearly marked "expendable" on a man and that, without a draft, the armed forces would have to devise some more discriminating and hopefully just way of deciding who it is that must risk death. Moreover, those who do run the risk would, by the fact of their enlistment, have had something to say regarding the matter.
>
> Quite to the contrary of conscription precluding the existence of a professional army, conscription is the hand-maiden of militarism. As Assistant Secretary of Defense (for Manpower and Reserve Affairs) Roger T. Kelly was so aptly quoted as admitting in the most recent issue of *Look* magazine, "a conscripted army has an almost unlimited tolerance for wasting people." "If you can go to the well as often as you wish, it makes it easy to misuse human resources."[1] With the draft, the armed forces may procure its "expendables" by requisition, but, if the armed forces were forced to respond to the power of the people and of the Congress before they could send countless men to their deaths, they and the President might in turn be more discriminating in what conflagrations they involve America.
>
> It is the volunteer army's attribute of returning the war power to the people that precludes any retention of registration or any other vestiges of the system while curtailing or eliminating draft calls. If the men who have to die are still available at the stroke of the President's pen, then the temptation for involvement in Presidentially declared wars like Viet Nam is still ominously present. The Gates Commission reviewed the situations obtaining at or near the beginnings of World Wars I and II and the Korean War and concluded that "Congress has not been reluctant to enact a draft when the President requested it."[2]
>
> Similarly, the idea of popular control of the war power devours any argument that, without the presence of draftees in Viet Nam, the massacre at My Lai may never have happened. The whole truth is that, if there were no draftees to fuel the military machine, there may never have been any My Lai at all simply because we may never have involved ourselves in Viet Nam or, having involved ourselves, the American people may have terminated that involvement by refusing to participate any further in it.
>
> Of particular concern to the Southern Christian Leadership Conference is the "fear" that an all-volunteer army will become an army of the poor and black. Such condescending *noblesse oblige* is not only unappreciated, it is downright repugnant from the point of view of the black soldier who is ordered to die to preserve a "freedom" that he has never known.
>
> From the blood of the first man to die in the American Revolution to the 13 percent of American casualties in the Viet Namese War, black men have never ceased to fight and to die for a country that has been all too ungrateful in return. But, if it is of any solace to those who harbor such fears, the armed forces are not now occupied by the poor and black to an overwhelming degree, and there is no reason to presume that they will be so occupied in the future if conscription is abolished.
>
> Currently, according to the Gates Commission, blacks constitute 9.5 percent of the armed forces. Of those 1.7 million enlisted men serving voluntarily in 1969 (excluding draftees and draft-motivated volunteers), black men constituted only 12.7 percent, a proportion quite close to the proportion of black citizens to the whole of the American citizenry. Reenlistments have dropped steadily from 16.3 percent in 1965 to 11.4 percent in 1969, a dramatic decline evincing that, since the build-up in Viet Nam and the death of so many black men in a war with which they could not identify, the armed forces have not proved to be the heaven they may once have been considered.
>
> Much is said about the high rejection rates among the black and the poor. During the recent past, fifty-three percent of the otherwise-eligible black men have been found acceptable while seventy-three percent of the otherwise-eligible white men have been found acceptable. The acceptance rate among black men is rising, but, even if it rises to sixty-three percent, the Gates Commission estimates that, in 1980, only 817,110 black men will be eligible or 22.4 percent of a 3.2 million man force.
>
> The reasons for such a high rejection rate are inextricably woven into the impoverished character of our domestic situation. The standards of the military will remain the same, so a truncation of the rejection rate will indicate a higher standard of living which would in turn lessen the claimed attractiveness that the military has for the poor. And, until the standard of living is raised, those same dismal conditions which are alleged to drive us to the recruitment office will turn us away at the entry station. Moreover, a decent pay-level for first-term recruits will attract the white, middle class, the existing pay-level, as low as it is, already being "attractive" to us.
>
> As I just pointed out, even with an acceptance rate of sixty-three percent, black Americans could constitute no more than

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[1] Moskin, "Uncle Sam Still Wants You, Kid", *Look*, XXXV, No. 4 (Feb. 23, 1971), pp. 21–23.

[2] *Report of the President's Commission On An All-Volunteer Force*, GPO: 1970, p. 121.

22.4 percent of the armed forces by 1980. But, on the basis of all applicable factors, the Gates Commission only foresaw blacks constituting 14.9 percent of the armed forces by 1980.

A similar argument of those who would draft both black and white children, label them "expendable", and send them off to their graves is the argument that, even if we do not completely fill up the enlisted ranks, we will be the ones sent off to combat. That argument fails on many counts. First, the Department of Defense can control this if it wants. The Marshall Commission reported that in 1966, 22.4 percent of all army troops killed in action were black, but Assistant Secretary Kelley testified before the Administrative Practice and Procedure Subcommittee in October, 1969 that the percentage had declined to thirteen percent. Secondly, it would take a period of between one and two years to train and dispatch any recruits enlisted after July 1, 1971 by which time, if we are to believe what we are told, we shall have extricated ourselves from Viet Nam. And then, thirdly, with the President having to look to Congress, the People's Branch of government, hopefully America will not involve herself in any more conflicts without widespread public support and participation.

Of similar insufficiency is the argument that, if the armed forces were staffed by the poor and black, the general public would feel no empathy for the combat soldier, and effective protest would thereby be diminished. A volunteer army would allow the best protest of all, nonparticipation. Moreover such an argument is a slur to the conscience of all Americans, black and white, poor and rich. It presumes that we, the black and poor, would, in mercenary fashion, join up at a price and fight anybody for any cause. And it forgets the Violo Luozos, the James Reebs, the Michael Schwerners, and the Andrew Goodmans who, while neither black nor poor, gave their all in America's struggle for racial dignity. It underestimates the personal courage and selflessness such as displayed by Mr. Charles Palmer who, as President of the National Student Association, testified before the Administrative Practice and Procedure Subcommittee in 1969 and personally opposed the continuation of student deferments on the ground that they discriminate against poor and minority groups.

As in the case of the professionalization argument, the converse of the poor and black army argument is true. The simple fact is that, if the rejection rates do lessen, then the draft itself will put more and more black and poor men into the armed forces. The Marshall Commission reported that thirty percent of the eligible black registrants were inducted while only eighteen percent of the eligible white registrants were drafted. The draft, with its boards made up of only six percent black members and its grossly unfair deferment policies, will continue to create just the problem some fear the all-volunteer force will create.

Finally, with respect to the poor and black army argument, something must be said than just the mere recitation of facts and figures. The admitted detriment of the draft is that it is a form of involuntary servitude. The poverty which we, the black and the poor, find ourselves in today is but the result of a century's effort to wrest free from the vestiges of another, similarly vicious kind of involuntary servitude. It is completely digressive then to impose upon us one institution of involuntary servitude because, in our struggle for freedom from another such institution, we might find attractive a few crumbs and might, in grabbing at such, eat up a whole piece of bread.

It is just plain outrageous for a Congress, itself very unrepresentative of the poor and black of this Nation to sit here and command that some black men, contrary to their own will and conscience, will have to fight a war that is not their own and die for a "freedom" which is not only not generally available to them but which, by the very process of their conscription, is denied them in order to assure that (1) not too many of their black brothers sign up and thus expose our impoverished home front and/or (2) that more white people are killed thus fabricating a sense of equality. Black men may have at one time sought refuge in the military, but today we are learning where our true battleground is, and you can be assured that is where we will fight.

Finally, alternatives such as national service will not help. There are not the facilities existent to involve the thousands of young people who would rather make peace than war. This is because the Nation has not reached the questions of conscience that her young people have reached. The result then of a national service program would be the use of our nation's talented young as hospital orderlies or government building janitors, with no lessening of the infringement on individual liberty that the draft now causes.

In summary, let me say that it seems that some well-intentioned people have taken their eyes off the prize. They are seeking to deal with symptoms and not causes. Rather than avoid a professional, militaristic army by cutting the defense budget at the right spots, and shrinking the Pentagon, they seek to provide civilian control of the military by continuing to force nineteen year olds into the lowest levels. The simple truth is that you do not correct one injustice by creating or perpetuating another. The draft must be abolished, militarism must be eliminated, and poverty and racial injustice must be eradicated.

I extend to you my gratitude for the opportunity to present these remarks today and prayerfully await the results of your consideration.

U.S. OPTIONS IN SOUTHERN AFRICA

Hon. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. FRELINGHUYSEN. Mr. Speaker, there is much confusion in the public mind about United States policy toward southern Africa and the role the United States is playing or ought to play in that troubled and controversial area of the world.

Some critics of our foreign policy have charged that we have been following a course of economic expediency in our relations with the white-controlled regimes of southern Africa, while others feel we have moved too far in the opposite direction—in a futile and injudicious attempt to appease black African nationalist opinion. The question repeatedly is asked: What are our real interests in southern Africa—that is, both narrowly and broadly defined—and what do we really expect to accomplish there? Are our objectives realistic or based largely on wishful thinking?

A number of answers have been provided with unusual clarity and forcefulness by Assistant Secretary of State David Newsom in a recent address he delivered at Northwestern University, sponsored by the African studies program.

Mr. Newsom advances four possible approaches to southern Africa and then proceeds to reject three of them as impractical, imprudent or both. His conclusions are based on thoughtful analysis and a sensitive awareness of a highly complex set of historical circumstances and contemporary attitudes, which often work at cross purposes and frustrate progress.

As Mr. Newsom points out:

> There is no simple analysis nor simple point of view. Attitudes depend largely on where you are.

Another observation might be that it is far easier to adovcate justice than to devise and implement a course of action which will actually serve to promote it.

Mr. Speaker, I place before my colleagues the full text of Mr. Newsom's address, entitled "United States Options in Southern Africa," and commend it to the sober reflection of all Members of this body. The address follows:

UNITED STATES OPTIONS IN SOUTHERN AFRICA

(Address by David D. Newsom)

On December 1 Beverly Carter, one of my deputies in the Bureau of African Affairs and a black American, and I completed a 1-month visit to southern Africa.

Our purpose was to see at firsthand an area of the world which increasingly preoccupies many in this country, in the United Nations, and in Africa.

Thanks to the effective relationships of our own Foreign Service personnel and to the facilities and assistance given us by the governments of the countries visited, we saw representatives of every principal segment of society in this complex and tangled area. I should like to share with you tonight some of our observations, based on nearly a month of intensive conversations.

In the course of the month, we visited Pretoria, Johannesburg, Cape Town, Durban, and two of the Bantustans, Zululand and the Transkei, in South Africa and Swaziland, Lesotho, Botswana, Zambia, and Malawi. We did not visit Rhodesia, although there were echoes of this problem in nearly every stop.

As in any troubled and controversial area of the world, southern Africa is seen from a variety of perspectives. There is no simple analysis nor simple point of view. Attitudes depend largely on where you are.

The greater part of the white population of South Africa, and presumably Rhodesia as well, seeks to preserve the status quo. Although still consciously divided themselves between the Afrikaaner and the English-speaking groups, they emphasize that they built their country and that they mean to remain supreme within it. Many have convinced themselves that the solution lies in separate development through the creation of so-called Bantustan homelands and that this is the path the African, too, prefers. Even a brief visitor to South Africa, however, cannot help wondering whether the bulk of the white population really knows what the African wants or thinks.

The sensitivity of many of the whites with whom we spoke, however, suggests a basic lack of confidence in the future. No doubt many are uncertain; many are afraid. There are clear voices expressing doubts about the path they have chosen. Others, more assuredly, believe things would be all right, if it were not for outside interference, if it were not for communism and terrorism. Yet combined with this is an almost desperate desire at times to be accepted by the world and a sometimes plaintive lack of understanding why the world will not accept South Africa as it is.

The businessman, both South African and foreign, has a slightly different perspective. South Africa is a rich land, a land of tremendous potential, both for trade and investment. Some of our own businessmen in South Africa resent the restraint which they feel our official policy puts on their activities. Yet one has the feeling that businessmen and industrialists in South Africa are now themselves coming face to face with a dilemma built into the system.

There is an increasing shortage of white labor for key jobs. Can the ceilings imposed by apartheid on the use of black Africans in industry and business be raised without undermining apartheid itself? The question is debated constantly, in meetings, at social gatherings, in the press. Similarly, to make separate development work, the Government has placed restrictions on the influx of new black labor into the urban areas. Yet the expansion business wants in these areas cannot proceed without such labor. The perspective of business in South Africa today is one of dilemma. As members of the white community they do not want to move away from apartheid. As businessmen they cannot expand without relaxing some of the present bonds.

ATTITUDE OF URBAN NON-WHITES

The African about whom most whites in South Africa speak initially is the rural African. The policy of separate development is essentially conceived on the assumption that African labor is, or should be, migratory, coming from tribal homelands where they and their families live and remaining citizens of these homelands though they may work elsewhere. It is this African, in the mines, in the farms, in the border industries, who may find his lot improving, who may be prepared to work within the system. But with the passage of time, these Africans become "urbanized" and their attitudes change, in part because thousands are separated from their families by laws which force most dependents to remain in the African homelands.

Left out of this equation is this urban third of the African population, the Colored, and the Indian. One cannot help feeling that these represent the heart of the problem in South Africa.

It was in talks we had with representatives of these groups that we felt the greatest bitterness, the greatest frustration. Among these groups are the most educated, the most articulate of the non-whites. Some have done very well economically. But as they rise in the economic scale, they feel all the more strongly the restrictions and inequities, particularly of petty apartheid, which means the continued indignity of separate doors, park benches, beaches, buses, restrooms, ad infinitum.

I was struck by the fact that for this group there is retrogression rather than progression on the racial issue. As the South African Government moves to implement separate development by making every African a citizen of a Bantustan, those Africans who were born in the urban areas are losing rights they had before: rights to own homes, to keep their families in the area, rights to be South African citizens as they obviously want to be.

So it is, too, with the Colored in the Cape. Next year there will no longer be Colored members in the Cape Town City Council. Coloreds are being moved from the center of Cape Town to sand flats several miles away. Colored students at Cape Town University are becoming fewer and fewer.

VARYING VIEWS OUTSIDE SOUTH AFRICA

The perspective of Africans outside the Republic varies. Immediately apart, yet hemmed in, are those in the former British High Commission territories of Swaziland, Lesotho, and Botswana. Heavily dependent upon South Africa economically, these states nevertheless are successfully maintaining their independence. In the case of both Swaziland and Botswana, the dependence is being lessened as their own economies improve. Lesotho, completely surrounded by South Africa, is in a more difficult position. The perspective of each of these states, however, is one of realism combined with a desire to preserve the nonracial character of their own societies.

Malawi, greatly dependent on the economic return from Malawi labor employed in both Rhodesia and South Africa, has established diplomatic relations with the Republic and seeks to maintain a dialogue. President Banda believes sincerely this is the best course for his country, as well as for other African countries.

The states to the north across the Zambesi, Zambia and Tanzania, are the most militant in their attitude. Being former British-administered territories, they feel a particular sensitivity about what they regard as the failure of the British to bring majority rule to Rhodesia or South Africa. They harbor the headquarters of the liberation movements and colonies of refugees and feel a political responsibility to both. Nevertheless, their perspective contains an element of realism and a desire for a nonviolent resolution which they embodied in the Lusaka Manifesto of a year ago. That perspective is dimming, however, as the months pass without any appreciable response to that document.

A WORLD PROBLEM

Our own perspective, as many in this audience know, is mixed. Many of our citizens feel that South Africa's problems are its own; we should leave them to work them out. They are conscious that we have our own problems and are perhaps not in the best position to talk to others. There are a few of our citizens who view the white domination in southern Africa with a certain nostalgia.

Yet, whether we like it or not, we are involved in the problem of southern Africa because it has become a world problem. The southern African problem in its many forms preoccupies the United Nations. More and more of our own citizens, both black and white, share the feelings of those in the third world against the continuation of practices and policies based solely on the color of a man's skin. While there is debate on either the possibility or the imminence of violence in southern Africa, we cannot rule this out. And a violent confrontation between white and black in southern Africa would have an impact on our own society.

For those in our society concerned with our position in the world, the opportunity afforded the Soviets and Chinese by continued stalemate in southern Africa cannot be ignored. Their inroads in central Africa are perhaps not solely related to African frustrations over southern Africa, but these frustrations are a major element.

There is a tendency on the part of many in South Africa and in our own and other countries to discuss this area by analogy. Why should we pressure the South Africans to change when there is racial discrimination in other parts of Africa? Why should we pressure Rhodesia and ignore Czechoslovakia? It is hard to see the relevance of such argumentation. The fact is that a situation of legal discrimination on the basis of race exists in southern Africa. This discrimination is an affront to the newly independent African as well as the Asian. It is an affront to the black citizens, as well as to many whites, in our own country. It is a problem constantly before the world and the United Nations. It has within it the seeds of violent explosion which could make it an even graver dilemma for us and the world.

FOUR POSSIBLE APPROACHES

Against this background, let us examine the various approaches suggested to us and other concerned nations.

The first we might call *acceptance*. South Africa's problem is its own. We have our own; we should not meddle in others. Let us accept it as it is, have normal relations with it, benefit from its economic possibilities. It is, moreover, anti-Communist; we should put our chips on it in the global struggle.

No American government has accepted this approach. We cannot do so and be consistent with our own efforts to solve the dilemma of prejudice. We cannot do so and maintain our bona fides with even the moderate African governments. We cannot effectively provide alternatives to Communist efforts in black Africa if we isolate ourselves with the white-dominated enclaves of southern Africa.

The second option might be called *liberation*. This calls for support for the liberation movements directed against the present regimes in white-dominated southern Africa. It has been manifested in the recent controversial decision of the World Council of Churches. It has been an issue in the recent meeting of the African Studies Association. It appeals to many who see no other alternative and who are concerned that, in the absence of Western support, the liberation movements will find help only from the Communist countries.

This is the road to violence. Many of those who are in the liberation movements are undoubtedly conscientious, capable men, frustrated by the lack of progress at home. Undoubtedly there are others who find in the movements more of a political than a military base. But even a sympathetic observer finds it difficult to see this path as being either right or effective.

More than any other acts of pressure against South Africa, those directly related to support for the liberation movements have the effect of increasing the fear and determination which lie at the base of the resistance of the white community to change. Given the formidable security and military power of South Africa and Rhodesia, it is difficult to see success for these groups within the foreseeable future. Armed intervention could well set back rather than advance progress toward change. As a Government, however much we might understand the frustrations leading to the espousal of the liberation approach, we cannot find in it a realistic or supportable solution.

A third approach is *isolation*. This approach suggests the breaking of diplomatic relations, the withdrawal of investment, the further isolation of South Africa in sports, communication, trade, and finance.

This is questionable, even if workable. United States investment in South Africa represents only 16 percent of their foreign investment. Even if it were possible to obtain congressional authority to force its withdrawal, an unlikely prospect, there is no assurance that its place would not be taken by other investors. Neither is it a foregone conclusion that U.S. investment in South Africa necessarily helps apartheid; it is also a factor in the economic pressure on apartheid which I mentioned earlier. The South African, particularly the Afrikaaner, is a determined, resolute man. There is no assurance that he would respond constructively to the pressure of total isolation. Further, such isolation would isolate also the African; not many of them want this.

There is a fourth option: *communication*.

The visitor to South Africa is impressed by the grave lack of communication among the principal elements of the scene in that area. White does not talk to urban black in any meaningful way. South Africa does not talk to black Africa, except in a limited way. Similarly, in black Africa there is an imprecise knowledge of current South Africa and the attitudes and circumstances of both black and white.

Several results flow from this.

The South African leaders give the visitor the impression that they do not really know what Africans in South Africa are thinking. The articulate African is afraid to say what he thinks for fear of being banned.

More militant voices shut off communication by viewing with suspicion any South African permitted to leave and to return to his country; this does a disservice to many courageous people. In our own country, there is a tendency to refuse to listen to those who know the realities of South Africa.

Black African countries shy away from diplomatic relations with South Africa, unaware that many black South Africans would warmly welcome such relations as a window to the north. Competent, active African diplomats in South Africa would press and test the system in a way which South Africa itself is inviting.

White South Africans have a very imprecise view of black Africa. They remember the Congo of the early sixties. They do not understand what has happened since. Their view of the African is the rural tribesman. Few South Africans have seen at firsthand the impressive educated, articulate African who is the product of independent Africa. In a lunch with faculty members at Stellenbosch University, only one out of 10 had read the Lusaka Manifesto.

The South African is sensitive about the approach he himself has devised: the approach of separate development. He is sensitive to questions which challenge the sincerity of his approach. Why, for example, is there as much apartheid in the Bantustans as there is in the rest of the country? Why are the cities in the Bantustans decreed white?

Communication can bring people to ask themselves questions. A Cape Argus editorial before Mr. Carter and I left South Africa mentioned that we had obviously not been persuaded that the separate development approach was correct. It asked whether they, the South Africans, should not take another look.

Communication does not mean acceptance. It means, in a sense, a greater challenge than isolation. It does not mean departing from the arms embargo, from the refusal to submit to apartheid in any of its forms, from our continued expression of adhorrence for the system. It could mean that each side knowns better what the other is talking about. It could mean that greater hope could be given to both whites and blacks in South Africa who seek another way.

Admittedly, I have entered a controversial and emotionally charged area. These are thoughts based on experience throughout Africa and a brief but intense visit to the south. They are thoughts expressed with the feeling that other ways will less effectively bring the day which those concerned with this issue seek: the day when the black in South Africa as well as in the rest of Africa can walk with his head upright and have a role in the determination of his own and his nation's destiny.

EFFORT TO CLEAR VICE

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. BOW. Mr. Speaker, Mayor Stanley A. Cmich of Canton, Ohio, my hometown, is winning a well-deserved reputation as one of the most capable city executives in the country, and I wish to include with my remarks, on behalf of Senator TAFT and myself, a feature story from the Plain Dealer of Cleveland reporting his achievements.

Mayor Cmich was in the city today to testify before the Special Subcommittee on Labor on various bills to establish public service employment. His suggestions should be of great help to the committee in its work.

The mayor pointed out, and I agree entirely, that any arbitrary requirement of a high-level unemployment rate as a condition of eligibility for a public service employment program undermines the potential of such program. In his city and in my district generally, the unemployment rate now is between 4.5 percent and 5 percent. The people whose unemployment raises our figure above 3 percent are temporarily unemployed but skilled persons. We need public service employment for the people who make up the initial 3 percent, and who need work and training that may enable them to move out of welfare and into permanent jobs, either public service or in the private sector. I think this is a vital consideration.

I include the Plain Dealer article as follows:

CMICH KILLED CANTON VICE, ATTACKS TAX

(By John L. Koshar)

CANTON—Mayor Stanley A. Cmich is a hard-driving, two-fisted dynamo widely acclaimed for stamping out vice and corruption in this once notorious "Little Chicago."

Now Mayor Cmich (pronounced Kamick) is making headlines of another type.

In an age when the average property owner seems doomed to more and bigger real estate taxes, Cmich has come up with a startling proposal to lower property assessments here in this Stark County city of some 109,000 persons.

The 54-year-old Republican has asked City Council not to put a .5-mill recreation levy on the May 4 ballot for a renewal vote.

THE LEVY, IN EFFECT HERE for many years, produces about $180,000 a year in tax receipts. It is due to expire at the end of this year.

Cmich said the city does not really need the money from the levy because the recreation department is going to be merged with the park department, effecting savings which will offset the tax loss.

"It's not fair to the taxpayer for us (in government) to hang onto everything we can get," Cmich declared.

"The people must have the feeling that somebody in government really does care about them," he added.

"WE HAVE TO BRING a new image to the people that government does more than just spend the taxpayers' money," Cmich observed.

Merging of the two departments, now operating out of two different locations with separate supervisors, personnel and equipment, would eliminate duplication of certain activities, cut the need for some supervisors and other personnel and produce more efficient service with less equipment.

He pointed out that merger of the departments, scheduled for next Jan. 1, would make the city eligible for more federal funds to pay summer recreation personnel salaries.

This, alone, Cmich said, would cut 40% of the cost of the recreation program to the city.

If any city workers are displaced by the merger, they probably would be absorbed by other departments, he said.

"But in a word," Cmich commented, "we have to automate, just like industry. The taxpayers don't care how many people I've got on the payroll. They want more and better service for a better price."

Cmich, who has no doubts that council will take advantage of the chance to cut taxes, says this may only be the first step in his attack on property assessments.

"We will re-evaluate all of our tax structure, and, wherever we can give relief, we will."

Cmich, now completing his third term as mayor, contends that since money from certain taxes can only be used for certain specified purposes, taxpayers must be given relief from taxes in some other areas, if possible.

"Besides, I foresee an increase in costs in other areas of government, such as in water pollution control," he said. "So, I don't see any need to add to the tax burden by hanging onto levies that we don't need."

Cmich had served two two-year terms as mayor when he was elected by a record margin of more than 18,000 votes to his first four-year term in 1967.

"I didn't have to cut taxes before to get elected," Cmich said, "and I don't have to do it now." He is uncontested for the Republican mayoralty nomination May 4.

Cmich has already won council approval of a 1971 operating budget that is lower than last year's budget.

The lower operating budget, another novelty in present-day, inflationary government operations, was the first ever submitted by Cmich, who said it was prompted by a $285,000 general fund surplus from 1970.

Cmich claims his administration has had a surplus each year of about $300,000, but he said 1971 is the first year "we felt we can live with a budget cut."

The former Canton safety director explained that annual surpluses are the result of preparing each year's budget based on a deliberate, anticipated 6% drop in income tax receipts.

But this has never occurred, even during last year's rise in unemployment. So the city comes out financially ahead each year.

Cmich, a native of Pennsylvania and a former Cleveland resident, came to Canton about 25 years ago as district liquor enforcement agent for the state.

A twice-wounded veteran of World War II, Cmich won the attention of former Mayor Carl F. Wise for his reputation as a hard-hitting "untouchable" in the liquor department. Wise appointed him safety director in 1952.

Cmich spent six years in that post, leading in the war here against prostitution and gambling, bringing an "All-American City" award to Canton soon afterward.

Cmich won three man-of-the-year awards in 1952 for his successful vice clean-up crusade from the Canton, Ohio and the U.S. junior chambers of commerce.

He resigned as safety director after Wise retired at the end of 1957 and went into private industry. But he accepted the GOP mayoral nomination in 1963, won the election and has been in office since.

Cmich's administration expects completion of $100 million worth of projects in highways, parks, urban renewal and housing by the end of this year, plus another $60 million worth in the next four years.

The mayor also aims at putting under construction early this year a $28-million sewage treatment plant, plus a $7.8-million storm and sanitary sewer project intended to lift a building freeze imposed last August by the Ohio Water Pollution Control Board.

Another aim is to take over the financially ailing Canton City Lines, Inc., after expiration of its public bus franchise March 31.

Canton's extensive parks system is to be doubled within the next five years, if Cmich has his way, with the aid of state funds.

In addition, construction of 60 neighborhood miniparks, measuring 100 by 200 feet in size, are on the drawing board, with at least the first half-dozen to be built this summer.

Cmich's pride and joy was his elimination of a $100,000-a-year deficit in the garbage collection department for a nine-year stretch prior to his taking office.

"We had to weed out some dead wood in the department," Cmich confided. "But we've added rubbish collection to garbage pickup, added 5,000 customers and have been operating in the black at no increase in cost to the taxpayers."

The city also is doing away with its 50-year-old traffic control system, after being singled out by the U.S. Bureau of Public Roads as the first city in Ohio for a federally-sponsored pilot program aimed at encouraging more traffic engineering.

The first $500,000-phase of the two-year, $2.5-million citywide program was put into effect Jan. 8 in Canton's downtown area.

Canton also boasts a new type of radio-operated fire alarm system, which Cmich said is one of the few such systems in the nation. It was installed last year at a cost of $350,000, replacing a 50-year-old wire and cable setup.

Does Cmich have any political ambitions beyond the confines of Canton or Stark County, like maybe stepping into U.S. Rep. Frank T. Bow's shoes when and if the veteran congressman decides to retire?

"I've had all kinds of offers and propositions put to me," Cmich concedes. "But for right now, I'm satisfied to stay where I am."

WOMAN TO WALK FROM MASSACHUSETTS TO WASHINGTON, D.C.

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. DRINAN. Mr. Speaker, I present some documents about a very moving story of a woman from my congressional district in Newton, Mass., who has undertaken a heroic walk of 45 days from Massachusetts to Washington, D.C., in order to protest the continuation of the war.

I present first the letter of this wife and mother, Mrs. Louise (Severyn T.) Bruyn of Newton Centre, Mass.

Following Mrs. Bruyn's letter is an explanation by her husband of the reasons which led his wife to begin this 45-day pilgrimage to Washington.

Following her husband's letter is a very touching open letter by Mrs. Bruyn's daughter, Susan.

Finally there is a statement of the Five Theses on United States Foreign Policy which Mrs. Bruyn desires to bring to the attention of every Member of the Congress.

I commend these documents to every Member of this great body and here salute the leadership, initiative and enormous generosity of this housewife from Newton, Mass., who has undertaken a long and lonely journey in order that she may somehow call to the attention of the American people the indescribable brutality of the continuation of the war in Southeast Asia.

I insert the following items in the Record at this point:

Newton Centre, Mass.,
Feb. 14, 1971.

Dear Friends and Relatives: I feel I must write each of you to tell you my plans. This Wednesday, February 17, I am leaving our house in Newton, Massachusetts and walking to Washington, D.C. It should take about 45 days to get there. I may arrive around April 2nd, providing I make it.

I am moved to do this because I can no longer sit in the comfort of our beautiful home, knowing the death and destruction we are causing in another land. I cannot separate myself from this though heaven knows I am well insulated. But I know it is my money supporting the war machine, my senators and representatives in Congress approving war measures. People feel so trapped. I felt that I must break my own routine in order to make my protest heard. For me, this is what my action means. I am speaking as strongly as I know how. It is my deep hope that others will be moved to take some action which for *them* is right—as strongly as they know how—to end the war.

None of you needs to have the horrors of the war described. I know of no one who feels the war should continue. Many of you are already engaged in a total commitment to work toward peace. I am trying to reach those who have become anaesthetized and feel there is nothing one person can do. I am asking them to look for alternatives, to actively say "*no*" to the death machine which is war, in *their own way*.

In hope,

Louise.

Feb. 14, 1971.

To Whom It May Concern: My wife, Louise, has decided to walk from Newton, Massachusetts to Washington, D.C. as a protest against the spiraling effects of the war in Vietnam and against the war itself. She is a housewife, a dance instructor at the All Newton Music School, a mother of teenage children, a person whose home means a great deal to her. I believe her protest is noteworthy because she is willing to give up the comforts of her home, her family, her artistic involvements, in order to make an action statement against the war; furthermore, her protest is one which should be communicated to those who have felt it impossible to be articulate about the developing holocaust in Southeast Asia.

Her reasons are simple. They augur a change in the temper of protest. The war has developed into a system of such devastating proportions that there is no longer time to debate its morality. The time has come for a fundamental kind of action which will bring it to a halt. It is the kind of action in which ordinary people who lead ordinary lives—housewives, businessmen, teachers, mailmen, bus drivers—can stop their routines and say that the war has become a seven year massacre. It can no longer be tolerated by any measure of humanity. Debate has ended. This must be the year of citizen action. If nonviolent means of protest are not exercised quietly and firmly across the nation to end the war—by halting work, by ceasing to perform housely duties, in order to engage full time in protest—then surely action as violent as that which the administration is perpetrating on the people of Vietnam, will take place. Ordinary, conscientious people must begin to take the leadership to bring this war to a forceful halt. Soldiers have been in our home telling us about the many My Lais not open to public view. They have told us about the established practice of cutting ears and heads off Vietnamese by our own soldiers. The war is brutalizing American youth. Six million people have been forcibly relocated and close to a million people have been killed—according to our own Defense Department statistics. The massive air attacks on Laos, Cambodia, and Vietnam, the vast destruction of folaige and natural life with its horrendous radiation effects on the people and the genetic consequences to their children are morally indefensible. If China were moving troops into Canada in support of the Quebec Liberation Front, we would take extreme measures to protect this hemisphere from foreign invation and ideology. Can China be expected to remain silent much longer? The American war in Southeast Asia must come to an end before extreme measures—a Chinese nuclear bomb with delivery power—enters into the framework of war or into negotiations. The German people did not do anything collectively and openly to resist their war and the atrocities perpetrated against the Jewish people. This inaction was condemned by the Nuremburg trials. In the United States, many people have debated and talked against the war but little direct action to stop the war has occurred except for the bombings of a radical few. These bombings have been called outrageous by the public when they are directed against buildings and the offenders are hunted down and sentenced. What a twist of morality!

The amount of bombings over Vietnam released by American airborne to kill, burn, and ravage the land of a foreign people averages 2½ Hiroshima bombs per month! The fact that the public should condemn rock throwing in store windows and at the same time support the administrative policy which brings massive human destruction is almost beyond belief! People then wonder why, after the futile attempts to change such morally outrageous war policies, youth turn to a rock or a bomb, or finally, violence against themselves with drugs. Where has the leadership of this nation gone?

My wife expects to leave next Wednesday, February 17th. We will miss her—but she goes with our full support and all our love. She will have the support of her friends in the area. She hopes that her walk will signal others to act nonviolently on a scale that will bring this monstrous policy of killing people in Southeast Asia to an end.

Severyn T. Bruyn.

Newton Centre, Mass.,
Feb. 14, 1971.

Life
Rockefeller Center,
New York, New York.

Dear Sirs: I write this letter to inform you that my mother, protesting the war in Indo-China, is walking to Washington, D.C. from Newton, Massachusetts. The distance is 450 miles and she is going alone. I have often asked myself how I deserved a mother like this. She is a beautiful woman, strong in her beliefs, and full of love and understanding. Yet, this war, she cannot understand.

Thousands of people have died without knowing why and yet we continue to further the massacres and self destruction to "save" the South Vietnamese. All we have been able to accomplish is to destroy a good portion of that same population which we are trying to "save". To decrease casualties, you pull out or never enter the war instead of finding new borders to invade. Thousands of beautiful Vietnamese children have suffered so incredibly because their skin has melted into grotesque distortions from American napalm. They could have lived normal lives.

We have protested, leafletted, signed petitions, and gathered in rallies. We cry for recognition—not for us—but for our country's mistakes. We are thrown in jails for getting exasperated enough to throw rocks, yet at the same time a soldier in Vietnam is being awarded a medal for killing innocent women and children. What has this country come to? Are we looking for a nuclear war with China? We must stop now in order to save the lives of husbands and sons who would have died in vain.

For these reasons my mother walks. What does she think it will accomplish? Perhaps nothing. But she wants people to realize that the war will not stop by itself.

My mother will leave February 17th from Newton and hopes to arrive in Washington, D.C. on April 2. She needs support. My love and prayers walk with her. I ask for your support to help her through this difficult journey.

Thank you.

Susan Bruyn.

FIVE THESES ON UNITED STATES FOREIGN POLICY

In 1517, Martin Luther made public his protest against church domination by nailing ninety five Theses to the door of the All Saints Church in Wittenberg, Germany.

In this year of 1971, I make this protest against state domination by nailing five Theses to the door of the United States Congress. I carry this message written by my family and friends who support my mission.

LOUISE BRUYN.

We love our nation for its ideals but we condemn its war policies. We oppose the fact that we must support the war through our taxes or be forced to go to prison.

We demand that the foreign policy of the United States be directed toward creating the foundations of world peace and law. The following five Theses convey our beliefs about the imperatives of U.S. Foreign policy today:

1. The American troops and air forces must be withdrawn immediately and totally from Southeast Asia.
2. An international commission composed of major capitalist and communist nations should be established to aid Vietnamese people to develop their nation and protect the lives of all people in Southeast Asia.
3. A Study Commission must be created immediately within the United Nations to review its Charter, looking toward the establishment of enforceable international law and a democratically constituted world government.
4. International agencies must be created with the authority to allocate economic aid for national liberation and development, and to prohibit separate aid from stronger nations seeking control over weaker nations.
5. An international agency must be established to control the use of nuclear weapons and ultimately banish their national production for destructive purposes.

FIRE ANTS ARE POLLUTION—ERADICATION WILL RESTORE OUR ENVIRONMENT

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. GRIFFIN. Mr. Speaker, I have long been an advocate of programs to eradicate the imported fire ant because it is a hazard to the environment of man, domestic animals, and wildlife.

Fire ants are unnatural to the ecology of the United States and they are flourishing, primarily, because of lack of natural predators. They pollute by destroying the full- and free-use potential of farmlands, by attacking and killing almost all forms of ground-nesting birdlife, and by posing a constant threat to all persons who chance upon them in forest or field.

In this regard, I would like to call special attention to an article in the February issue of Forest Farmer which discusses some of the aspects of this problem.

I include the article as follows:

WHAT WE ARE DOING ABOUT THE FIRE ANT SCOURGE

A bizzare silence about the hollow post where a pair of bluebirds nest every year was the first thing to alert cattleman J. J. Gandy that all was not well. With sharp foreboding the Enterprise, Miss., farmer climbed to the songbirds' nest and peered into the tiny hollow. What he saw made him retch in disgust.

"I found the young birds dead in the nest," Gundy recalls bitterly. The egg shells were crumbled about the dry skeletons of the emerging bluebird chicks.

The killer? Collapsed shells weakened by pesticides? The choking fumes of industrial and auto exhaust emissions? Neither. The bird slayers were imported fire ants, pin-sized ants which invaded the United States from South America. "Thousands of the ants were eating the birds the minute they pecked open their shells," Gandy laments. Despite its cumbersome scientific name, *Solenopsis saevissima richteri* (most savage ant), the imported fire ant looks little different head to tail from native ants.

The sole exception is a tiny stinger at the insect's abdomen and the fiery cobralike venom that puts man and beast to rout in the ant's path. That path so far spreads from Texas to the Carolinas, a total of 124 million acres in nine southern states. If unchecked, the tiny tormentors could spread west to California and north, according to some estimates, as far as Canada.

Not since the boll weevil and malaria campaigns has the onslaught of such an insect attracted so much attention. "Fortunately," one ant opponent notes, "the boll weevil attacked only cotton."

Unfortunately, fire ants attack everything. From fort-like mounds up to a yard high and only a few feet apart, the ants send out armies of some 100,000 foragers per mound, driven by an insatiable lust for the oily juices of anything alive. The gluttonous ant indiscriminately gobbles insects and spiders, dispatching them with a dose of venom from its fiery stinger.

And the ant's appetite has brought concern from knowledgeable conservationists in the South. In insect-laden regions of South America, fire ants find plenty to feast on and are kept in check by natural predators. Turned loose in Dixie after stowing away on a South American cargo vessel, they munch unmolested, leaving behind skeletons of groundnesting birds like Gandy's songbirds and wiping out up to 15 important species of native ants.

Worse, notes Bill Fancher, long regarded the top fire ant expert for the U.S. Department of Agriculture, at certain times of the year when the ants require greater intake of juices, such as during reproduction cycles, and when the colonies reach such a level of infestation that local insect populations are wiped out, the ants forage far and wide for food. That takes them into the nests of quail to attack hatching eggs, rousting Texas' summer mallards from their nests in marshland, invading hen houses to attack newly hatched chicks, and sucking the bodies of squabs dry in the lofts of pigeon fanciers. Even animals as large as sheep, pigs and cattle are not safe, and the succulent secretions coating the newborn livestock lure stinging, chewing ants by the thousands, many times resulting in death of the animal.

Especially hard hit are quail and ground-nesting fowl. As long ago as 1932, studies in Thomasville, Ga., tagged the fire ant as one of the bobwhite quail's greatest enemies at hatching time, and more recently the ants have been accused of reducing the quail population of St. Tammany Parish, La., by 50 percent.

M. L. Kellum of Big Creek Quail Farm in Mississippi puts the figure even higher. "We used to have quail and rabbits everywhere, but now we have no rabbits or quail at all," he says. "About four or five months ago the ants began springing up overnight and now our quail are gone."

Kellum saved some quail eggs from one nest in a futile effort to hatch them out under a bantam hen in a nest on top of a hollow stump. He checked the eggs closely almost daily. The day the eggs hatched, fire ants swarmed up the stump and killed every bird.

Were the ants only scavengers, coming along after something else killed the birds? Kendall Douglas, who operates a shooting preserve near Utica, Miss., would dispute that argument. "I noticed a quail running excitedly around in the grass recently, and I knew she had a nest close by," Douglas recalls. With a little exploring, he found the nest. About half the eggs had already hatched. "Fire ants literally covered every one of the hatched eggs," says Douglas "We tried to save the birds that were still alive, but they didn't last more than a few minutes."

Joe Lagow of Anahuac, Texas, caught the ants eating fledgling mockingbirds in his backyard, a number of days after hatching. "I checked the birds the day they feathered and a day later all I saw in the nest was a big ball. When I poked it with a stick, fire ants scattered all over the place. All that remained were the skeletons of the four birds."

Even in death, the ants continue to claim victims. When massive fish kills began turning up in farm ponds a few years back, ecologists first blamed pesticides they said were draining from farm fields. Then the autopsy reports began presenting a clearer picture.

Inevitably, the bellies of the dead fish yielded the bodies of fire ants. In Alabama, the State Conservation Department said the deaths of bream were traced to newly hatched female ants which apparently fell into the ponds during spring mating flights. In Harris County, Ga., 25 pond owners reported fish kills. "The degree of fish kill appeared to be in direct proportion to the intensity of ant colonies," a USDA field worker reported.

In the latter cases, the deaths could be traced not only to winged females falling into the water but to ant colonies washed into the waterways. As few as four ants in tests killed a yearling bass.

What can be done about the fire ants? At first, it was hoped a predator might be turned up in the ant's adopted U.S. environment. Then, when nothing was found which could eat any quantity of ants and live, hopes turned south of the border in a bid to import some of the ants' natural enemies in South America.

A delegation from Alabama investigated. The members returned disillusioned and downcast. The only thing that kills the fire ant regularly is the even more vicious leaf-cutting ant which U.S. officials have been trying to keep out of this country.

The best hope so far appears to be a new insecticide bait developed expressly for the fire ant—mirex. But it's the treatment method that kicks the ants right in the Achilles' heel—their insatiable lust for oily juices. When mirex is mixed with soybean oil and impregnated on corncob grits, the greasy concoction is irresistible to the ants. The reddish-black devils take the juicy chunks underground where they feed the first treat to the mother queen. In a few days after the juicy orgy the ants are dead.

The first tests with mirex were conducted in the early 1960s and to date more than 65 million acres have been treated with the insecticide. How safe is the pesticide? No one ever has shown the first case of death of a single bird or mammal from mirex used in the test rate, a meager 1.7 grams of the insecticide per acre, according to Fancher, who now heads the eradication program for Mississippi. Fancher says an animal the size of a dog would have to harvest all the mirex in 40 acres to be harmed.

However, when Florida's bird populations were reported to have declined in the mid-1960s shortly after mirex treatments, the insecticide was blamed. Mrs. Henry P.

Truchot, president of the Sarasota Audubon Society, investigated carefully, concluding that mirex was not to blame since the state's bird population decline was statewide and not limited to fire ant infested areas.

The Audubon Society official later won support when autopsies of the dead birds failed to implicate mirex.

JET NOISE—THE PROBLEM THAT CAME WITH PROGRESS

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. GOLDWATER. Mr. Speaker, in an age where "environment" and "pollution" are household words, I feel that it is very important to look at all aspects of the issues that concern so many of us. In the February issue of "Mainliner," the monthly magazine published by United Airlines, there is an article entitled "Jet Noise, The Problem That Came With Progress." It is an article that sheds a lot of light on the problem of noise pollution and I wish to share it with my colleagues:

JET NOISE—THE PROBLEM THAT CAME WITH PROGRESS

(By Robert J. Serling, the Author of "The President's Plane Is Missing" and Other Aviation Books Examines One of Today's Environmental Dilemmas)

To some, the scream of a jet engine is a sound of progress—a brave, defiant, audible manifestation of the incredible power that has made jetliners the safest mode of transportation in history.

To others, it is about as welcome as the mating call of a lovesick dinosaur parked in somebody's back yard.

It is just as hard to reconcile these two points of view as it is to quiet the jet engine itself. But one of the chief difficulties is that the second point of view is held by those who generally cannot understand—or refuse to even listen to—the first point or view.

This lack of knowledge and/or tolerance is something the aviation industry has tried valiantly to overcome. Contrary to the angry and vociferous claims of certain noise protest groups, airlines, airports, pilots and aircraft manufacturers are not coldly indifferent toward noise complaints. They readily concede the jet is a noisy beast that can shake windows, disturb sleep, interfere with studying and spoil TV reception. And quite beyond this concession, they also have done something about it.

At the very start of the jet age more than 11 years ago, the airlines spent $200 million for development and installation of sound suppressors. This figure did not include what it cost to operate less noisy engines—those admittedly inadequate early suppressors added $10,000 a month extra operating costs per aircraft in the form of reduced power and higher fuel consumption.

A great deal more than $200 million went into the adoption of fanjet engines which enable some of the sucked-in air to bypass the engine and thus travel at a lower velocity. Fanjets, or turbofans as the technicians like to call them, are noticeably quieter and some of the newer models—such as those installed on the Boeing 747 and the McDonnell Douglas DC-10—are an incredible 50 percent quieter.

Mandatory power reductions almost immediately after takeoff, the use of so-called "preferential" runways which take approaching and departing jets away from noise-sensitive areas, and even curfews on jet operations after certain hours—all these were steps taken to suppress noise at its very source. Even more effective have been attempts to reduce exposure to noise, through land acquisition or condemnation, sensible zoning restrictions and construction of new airports away from residential areas.

The sad truth is that all these accomplishments have failed to placate those who persist in treating aircraft noise as a form of illegal pollution ranging from mere nuisance to wanton destruction of health and property. No one has ever added the total value of noise lawsuits filed, mostly against airports, but it must be astronomical; approximately $6 *billion* worth of legal claims have been filed in the Los Angeles area alone.

It is difficult to discuss the merits and validity of noise complaints and their handmaiden of outrage—the lawsuit. The airlines and airports are only too well aware that emotionalism is involved, particularly on the part of citizens who honestly feel they are being wronged in the name of technological progress. In some cases, they are—but in many more cases their anger is being directed against the wrong target. Ponder these facts:

In too many instances, real estate developers built homes close to airports knowing there would be a noise problem. In other words, the airport was operating before people moved into the area, in face of warnings that a noise problem would develop. Airport officials can cite case after case where local governments ignored pleas to prevent residential zoning on land in the proximity of airports. To cite one example: Inglewood, California, on the fringe of Los Angeles International, has filed literally thousands of noise damage lawsuits although the majority involve residences erected *after* jet service began at LA International. The same is true of New York's Kennedy, built in a relatively unsettled area 25 years ago but now swamped by residential noise protests.

Many builders have been guilty of shortsightedness by refusing to soundproof housing units constructed near airports. To cite Los Angeles again, only three years ago a quartet of big apartment houses was erected in close proximity to Los Angeles International and only one was soundproofed; from the other three have come bitter noise protests and lawsuits. There was loud public outcry when a school in the same area was forced to close because pupils couldn't study amid constant jet noise. Yet this school was built in 1955, a time when builders knew the jets would create a noise problem in less than four years and still failed to provide adequate soundproofing.

Unreasonably large and even totally phony damage claims by those trying to turn a fast buck out of the noise controversy have hurt home owners with legitimate beefs. The majority of court decisions in noise damage suits thus far have been against the plaintiffs, in large part because the claims were so obviously exaggerated. One of the principal arguments voiced by noise protesters is that jets have ruined the value of their property—a charge that consistently draws raised judicial eyebrows. Judges are most cognizant that land values in the vicinity of an airport soar instead of diminish. When Chicago's O'Hare was being planned in 1947, land in the proposed area was selling for $400 an acre. In 1960, when the city had to purchase neighboring farmland for expansion, the price tag had jumped to $50,000 an acre. The federal government paid $3,000 an acre for tracts in the area where Dulles International was to be built. Land in the fringe of the same airport today is selling for $20,000 an acre. Even more startling is the jump in land value around LA International—from $250 an acre to $250,000 by the time jet service began! It is true that residential dwellings close to airports may drop in resale value, but the opposite is even more likely. A group of home owners near one major airport formed a noise protest committee, started legal action and finally sold their houses to the airport at a considerable profit. Most of them promptly used the money to buy up more property in the same area and started protesting all over again! Airport and airline officials can be forgiven a certain amount of cynicism toward noise lawsuits so patently based on hypocritical avarice.

There was, for example, a British survey which actually revealed a subconscious factor of fear as the main reason for noise protests. The British study involved persons residing near the London airport, and came up with the disclosure that the majority were not so much concerned about noise as they were about the possibility that planes might crash into their homes. The noise merely symbolized the proximity of the supposed danger.

There also is reason to believe that jet noise has been built up as a major annoyance and threat simply because it is a relatively new and different kind of noise. The Federal Aviation Administration a few years ago took scientific measurements of noise emitted from every type of aircraft using Washington's National Airport. The FAA itself was surprised to discover that some of the old piston aircraft were noisier than the newer jets, in terms of actual decibels. For that matter, jet noise levels are lower than those of noise sources which seldom draw organized protests. A four-engine fanjet only 500 feet overhead produces less decibels than a crowded discotheque jumping with amplified rock music. That same jet isn't much noisier, in fact, than such common items as power mowers, loud television and a combination of simultaneously operating appliances like garbage disposals, washer-dryers and dish-washers.

These comparisons, of course, are based on scientific measurement of decibel output. It is the scream of the turbine engine that seems to produce annoyance, and yet even here there is a decided element of emotionalism—or perhaps a kind of conditioned reflex on the part of people who *assume* they are going to be bothered even before exposure. The FAA found this to be true when it announced that jets would be allowed to use National Airport. It got violent complaints about "those damned jets overhead" on the day before jet service began. The same thing happened in the Chicago area when the Air Force announced that a B-58 Hustler bomber was going to run some sonic boom tests on a certain date. Weather caused the tests to be postponed, but the Air Force was flooded by protests anyway.

Public education about jet noise is a proven weapon against unreasonable resentment. In a number of smaller cities about to receive jet service for the first time, airline and airport officials well in advance of service inaugural met with citizens' groups to explain the noise problem and the industry's earnest efforts to do something about it. In such communities, there has been a minimum of conflict. These educational efforts, moreover, included briefings on the importance of air service to any city, large or small—something which few noise protesters realize or stop to think about.

A classic example was Chicago's once-busy Midway Airport, virtually closed a few years ago because of citizens' objections to jets. The area around Midway quickly became an economic wasteland. Ironically, the same man who headed the drive to ban jets from Midway later became head of a committee requesting the airlines to bring jets into the airport. He explained that his original opposition was based on emotional fears not only about noise but safety. Eventually, he added, he became convinced that the jets were even safer than the older planes and actually produced less noise over settled areas because they climbed so much faster. This, plus the knowledge of what lack of jet service did to the Midway area economically, led to his dramatic conversion from enemy into supporter.

Those economic benefits are no minor element. An Air Transportation Association survey, using Washington National Airport as the subject, showed that 8,400 airport employes in 1968 earned $78 million in wages, and spent $6.7 million on groceries, nearly $9 mililon on housing, $3.2 million on transportation, just under $3 million on clothing and almost $1.8 million on medical care. The airport is the eighth largest employer in the state of Virginia. How much non-resident revenue an airport brings into a city is another matter, but it has been estimated that an annual influx of 300,000 convention delegates will mean nearly $50 million additional income for local hotels, stores and restaurants. Those who would cripple, hamstring or even down airports because of noise seldom take into consideration the role this facility plays in a community's economic life—as Midway proved.

It cannot be emphasized too strongly that reaction to jet noise can be extremely subjective and totally unscientific. In Van Nuys, California, for example, a noise protest committee obtained 40,000 signatures on a petition to ban jet service from the local airport because of the alleged harmful effects on a nearby school. Fortunately, the school officials themselves were fair-minded enough to run a noise study in which classroom sound levels were recorded while jets were taking off and landing at the airport. The readings showed the aircraft were producing lower noise levels than those obtained from ordinary classroom activities.

No one in his right mind would argue that jet noise is solely a product of (1) imagination or (2) greed on the part of lawyers and home owners. It is only too real and, in some areas, only too troublesome. And to be perfectly blunt about it, the present state of the art is such that the airlines and airports have done just about all that can be done in the way of noise abatement measures—often at enormous cost to themselves. Noise abatement procedures and restrictions at JFK, for example, have turned this major airport into virtually a two-runway facility which inevitably results in costly delays and diversions.

Nevertheless, the industry's fight against noise is constant and relentless. The newer fanjet engines going into the wide-bodied jets, as already stated, are dramatically quieter. Experiments are being conducted on new pilot techniques involving higher approach paths consistent with safety. NASA has been flying a 707 with specially modified wing flaps which permit an unusually steep approach. Boeing and Douglas are working on short-duct engine nacelles and also with accoustically lined engines—both promising developments. NASA is optimistic about using serrated turbine blades, actually copied from the common owl which has comb-like wing notches and is nature's quietest flier. Boeing is trying to perfect a new noise-suppressant inlet for its SST power plants.

All of this, however, is still in the experimental stage and by no means ready for immediate adoption. Even if a dramatically effective noise suppression technique or devide were perfected, there is the problem of retrofitting the older jets. A short-duct, acoustically lined engine, for example, would require a $1 billion retrofit program—an expense even high-ranking government officials have conceded is too heavy a burden for the airlines to shoulder.

Land acquisition around airports would be an ideal solution, but this panacea would run about $50 billion—again, a questionable expenditure when weighed against the benefits to relatively few people. The most important thing is for the public to realize that there is no single, immediate cure-all for the noise problem; no quick breakthrough, nor easy solution.

And of equal importance is public realization that overly hasty actions—such as unrealistic, unsound restrictions; bloated legal claims, and premature technological innovations—would provide a cure that is far worse than the disease.

The airport's value to the individual community, and commercial aviation's value to the entire nation, are very much at stake in the noise controversy.

COLUMNIST SMITH HEMPSTONE SUGGESTS INTERESTING WAYS TO PUT ONUS ON BAD DRIVERS

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. BAKER. Mr. Speaker, I am particularly disturbed about the drinking driver and the menace he is to life, limb, and property on our highways. We should not overlook any means of controlling this menace and I thought Washington Star Columnist Smith Hempstone had some interesting recommendations for "branding" all careless drivers, including the drunk driver. He made these in a column which appeared in the February 24 edition of the Washington Star.

I would like to call attention to this column which appeared under the colorful headline, "Zap the Highway Cong With Scarlet Letters."

The column follows:

ZAP THE HIGHWAY CONG WITH SCARLET LETTERS

Too much blood has been shed. The casualty lists grow longer daily. It's time for a cease-fire on this country's highways.

Our streets, roads and interstate freeways have become free-fire zones in which more Americans are killed each year than have died in six years of warfare in Vietnam. In one recent year, the butcher's bill was 52,500 deaths, 2 million disabling injuries and an economic loss of close to $10 billion.

Fundamentally, the problem is that there are too many cars, many of them of unsafe construction, being driven too fast by too many drivers who are reckless, inexperienced or stupid, sometimes all three. Those to whom the bottle is no stranger add an extra element of peril for those who must run the automotive gauntlet.

Because the problem is a complex one, there can be no single solution to it. But a step toward sanity might be made by identifying the highway Viet Cong, the multiple offenders who terrorize our roads and make a commuter's mere survival a feat worthy of a campaign ribbon.

Recidivist traffic offenders who are nearly as great a menace to society as the felons who stalk our sidewalks, number in the many tens of thousands. They come from every age and ethnic group, every stratum of society, every occupation: Teen-agers, housewives, businessmen, laborers.

And they are at the core of the problem, make no mistake about that. The Automobile Club of Michigan, which recently investigated the circumstances surrounding 363 fatal accidents, found that about 25 percent of the drivers involved had been in an average of three previous accidents. Translated into national terms, that would mean that multiple offenders each year take the lives of about 13,000 people, inflict roughly 500,000 disabling injuries and cause damage on the order of $2.5 billion.

Most states have laws on their books which give judges the authority to impose jail sentences or to revoke the licenses of those who have shown themselves to be a menace to themselves and to others. But the automobile has become such an integral part of the centaurian society in which we live that many judges are unwilling to invoke these penalties except in the most extreme cases: Lack of a driver's license may cost a man his job, or make it impossible for a widowed woman to shop for her children.

And yet it is clear that, if the multiple offender has rights, so, too, does the potential multiple victim. At the very least, he (or she) who has been involved in serious moving violations ought to have his car daubed with scarlet letters identifying him as what he is: A potential killer.

One way of doing this would be mandatory replacement of a car's regular license tags with conspicuously colored ones after the vehicle had been involved in two moving violations within a single calendar year.

Now there are some nuts, and I fear their tribe increases, who would continue to drive recklessly even if their cars were painted in polka dots. But it is a reasonable assumption that the knowledge his car bore red tags marked "Dangerous Driver" would slow down most multiple offenders, or at least give others a fighting chance by identifying him so he could be treated with extreme caution.

Highway terrorists with three violations could be given tags of another distinctive color bearing appropriate lettering. Such drivers would be allowed to use their cars only for getting to work and for essential shopping, but not for social purposes.

Since most cars are used by more than one driver, such a scheme admittedly would work a hardship on—and be unfair to—the safe drivers in a family. But the stigma of having to drive a car marked as a potential killer in itself could generate family pressures which might markedly reduce the burgeoning number of traffic fatalities. Normal plates could, of course, be returned to a vehicle after a stated period, perhaps 18 months, free of moving violations.

If a hard-core motoring malefactor were unimpressed by the restrictions placed on his license and his car, if he continued to be involved in moving violations, then for his sake and for that of others his license should be permanently revoked. An automobile can be a weapon as lethal as a submachine gun, and no man has an unalienable right to either.

The drunken driver, responsible for 28,000 deaths annually, has been a serious problem for years. With the spread of the drug culture, we face the prospect of some very bad trips indeed, for users and non-users alike. With a swelling population of 204 million people and 80 million automobiles on the road, the risk of allowing accident-prone drivers to carry on their fender-crunching ways simply has become unacceptable.

Thousands of people can be marshaled to march on Washington to protest American casualties in Vietnam. Yet it is one of the many ironies of our crazy time that nobody is very much interested in protesting against those reckless drivers who kill and main thousands of their countrymen every year.

Each of us, if he is honest with himself, knows that he has driven recklessly on at least one occasion. But it can't go on this way. It's time to de-escalate the free-fire zones which our highways have become. And the situation has reached the point at which only draconian measures can be effective.

VFW VOICE OF DEMOCRACY CONTEST WINNER

HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. STEPHENS. Mr. Speaker, I am proud to announce that the Georgia State winner of the Voice of Democracy contest, for the third consecutive year, is one of my constituents from the 10th district in Georgia. The speech was written by Mr. Kirk Reeves, a student at Thomson High School, Thomson, Ga., and reflects the true sense of responsibility and self-determination which built this country. It is people like Kirk that are the pride of young America and I would like to share his speech with my colleagues.

I submit it, therefore, for insertion in the Record.

Freedom—Our Heritage

The ceiling lights dim. The crowd grows silent. On the motion picture screen before us unfolds a story. We see a dark and dirty prison cell with no windows, no doors, and seemingly no escape. A bruised and tattered man is fastened to one of the four bleak walls by several sturdy, cumbersome chains. There is no way to know how long this man has suffered. Suddenly we hear footsteps and see another man. How or why he came is impossible to say. He moves toward the prisoner and begins to beat upon the chains with a hammer. Diligently, he slaves to free the prisoner; and, finally, the chains give way. Instantly, light pours into the room; and, the man who has suffered the insufferable, survived the unsurvivable, and lived the unlivable, steps into a world of light. The scars remain; but, before this man lives the seemingly impossible happiness he has never known. "The End" flashes across the screen in bold letters; and, the crowd begins to disperse.

Before our eyes has passed the story of mankind. Throughout ancient history mankind suffered and progress was burdened by the chains of monarchy and the suppression of freedom. Then, an idea, long dreamt of but long suppressed, came to the surface, thanks to the bold efforts of men in the history of the United States . . . the idea of freedom! Roger Williams, Lord Baltimore, William Penn, and many others all hammered at the chains of monarchy during the colonial days in America. Benjamin Franklin, Thomas Jefferson, John Adams, George Washington, and countless other people all dealt strong blows and led mankind closer to a successful democracy, during the American Revolution and the early days of the United States as a nation. Men tugged at those chains with documents such as the Declaration of Independence and the Constitution, so that mankind might really know what he was aiming for in a democracy. Then, gradually, through great presidents and other political leaders, through courageous, military figures, through imaginative, inventive minds, and through outstanding talent in cultural fields, the chains of darkness, the bonds of servitude, and the burdens of monarchy were thrown off; and, the greatest, most powerful, most successful democracy the world has ever seen was born.

However, the dark cell will always exist. Those binding chains will always be ready. To stay away from that terrible pitfall, every American must use the abilities he has toward the betterment of our American nation. Indeed, every American should rejoice in the extreme privilege of being a part of the continuing American heritage—that of freedom.

FREEDOM—OUR HERITAGE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. DINGELL. Mr. Speaker, I am delighted to be able to report that one of my constituents, Miss Janet E. Kronberg, 22355 Olmstead, Dearborn, Mich., has won the Veterans of Foreign Wars annual Voice of Democracy Contest in the State of Michigan.

The Veterans of Foreign Wars of the United States and its ladies auxiliary conducts a Voice of Democracy Contest each year. This year more than 400,000 high school students participated in the contest competing for the five scholarships which are awarded as the top prizes. The contest theme this year was "Freedom—Our Heritage."

I have read Miss Kronberg's speech and find it to be a well-thought-out document which exemplifies not only the responsibility of Americans but also the deep love that all of us should feel for this Nation and its precious freedoms and institutions.

So that my colleagues may have an opportunity to read the words of this fine young American, I include the text of Miss Kronberg's speech at this point in the Record:

Freedom—Our Heritage

(By Janet Elaine Kronberg)

In the New York harbor there stands a well-known statue of a woman holding in one hand a torch, and in the other a tablet bearing the date of the Declaration of Independence. But there is another, perhaps less well-known statue, that of a woman who is blind to all prejudice, and who holds a balance and a sword. It is fitting that we think of these two ladies together, for they are sisters, and one is never found without the other. Any people that would be free must understand the relation between Liberty and Justice, and the relation of both to the people themselves.

I believe that there is a difference between Responsibility and Duty, and that a Privilege and a Right are not the same thing. A Responsibility is presented to an individual by God or fate or circumstance, and he must deal with it as best he can but cannot be blamed if his best is not good enough, for he has endeavored to the greatest extent of his ability. A Duty, on the other hand, is meted out to the individual by another human being or by the laws made by human beings, and Heaven help the individual who fails to perform it. Nevertheless, important as they may be, his duties should never be more important to an individual than his responsibilities. Similarly, a Privilege is a special advantage granted by society to some individuals and not to others; whereas, a Right is a sacred opportunity granted to every individual at birth by the laws of nature and nature's God.

The Declaration of Independence maintains that all men are endowed with the unalienable rights of life, liberty, and the pursuit of happiness, the boundaries of these rights being determined by that limit beyond which the actions of one individual infringe upon the rights of another. I agree; but I would add that these rights are not only the rights, but the unalienable responsibilities of all men. And when a number of people are united under one government, it is to the advantage of each and all that personal Liberty be maintained: first, because none is truly free under a state where even one is discriminated against; and second, because only in a state where he is truly free can a citizen contribute to the greatest extent of his ability. In all this we can see a hidden significance in the balance held by Justice: that the most perfect form of government operates under a system of both permissiveness and restraint.

One of the most precious resources available to the government of a free country is dissent. As a blacksmith plunges a red-hot horseshoe into a barrel of water to harden the steel, the people who are permitted to criticize their government can only temper it and improve its quality. For if their dissent is unjustified, the truth and the good qualities of the government will be revealed and may be appreciated. And if the dissent is justified, the truth and those characteristics of the government which need improvement will be exposed and may be acted upon. Dissent would be unnecessary only in a state of perfection, the complete satisfaction of an ideal. No country has the right to be completely satisfied with its government, and no people has the right to stop searching for ways to improve itself. Neither a perfect government nor a faultless people is to be found on this side of Heaven and the angels.

Freedom is precious. Freedom must be respected, or it loses its value. And a form of Liberty that tolerates the intolerance of some of its possessors toward their fellow men . . . that form of Liberty that grants to some the privilege to be inconsiderate of the rights of others . . . that is not freedom, nor is it true liberty . . . but a form of tyrannical self-hatred that suppresses the noblest part of every man who allows it to continue. For this reason, the boundaries of freedom must be sought, established, and preserved by any people that would be free. These boundaries are the laws of Justice, and they are preserved by the obedience of the people and enforced by the sword wielded by Justice for the people. Freedom of expression is the heart of all true Liberty, but Justice is its spine.

Justice demands obedience with her sword, but weighs her own laws carefully in her balance. Her sister Liberty holds high her torch, ever vigilant to the truths revealed by dissent, yet keeps always her reminder of the basic principles upon which our country was founded. Our American heritage of freedom is a series of checks and balances that serves to support, and is supported by, both Liberty and Justice. To claim his right to this heritage, a citizen must fulfill a double responsibility. He must obey the laws, but only if they are just; and he must be unafraid to demand changes, but only if they are needed.

FUTURE FARMERS OF AMERICA WEEK

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mrs. GRASSO. Mr. Speaker, this week public attention is brought to the very fine contributions being made by young people who are participating in vocational agricultural education projects of the Future Farmers of America.

For the celebration of this year's Future Farmers of America Week, there are 536,000 high school students now enrolled in the national FFA program, which was founded in 1928 and chartered by Congress in 1948. In my State of Connecticut, there are 17 chapters with over 1,000 members. The FFA forms a truly integral, not extracurricular, part of the teaching programs of vocational agriculture.

The FFA is used as a teaching tool for motivating, encouraging and developing students who are interested in agriculture and its related fields. There are seven specific areas of concentration which are offered in FFA programs. They are: Product agriculture; agriculture supplies and services; agricultural processing; ornamental horticulture; forestry; agricultural mechanics and engineering-electrification; and natural resources.

Thirty percent of the students enrolled in the FFA program go on to college level courses in their fields of interest. All students are given the opportunity to participate in job training programs and to gain practical as well as theoretical knowledge through laboratory work.

The Farmers Home Administration has joined the Future Farmers of America to sponsor a major project in 1971. The joint project, Building Our American Connum Communities—BOAC—will encourage and assist young people to become more knowledgeable and active in community affairs. The BOAC program, which has spread to all 50 States, seeks to help people in their communities through urban community development geared to the needs and desires of residents.

I am indeed proud to have five of the 17 Connecticut chapters of the FFA in my district. These very fine facilities are located in Canaan, Litchfield, Southington, Suffield, and Woodbury. The president of the State FFA is David Jacquier of New Canaan, and the State secretary is Alan Munsonn of Kensington.

The motto of the FFA is an appropriate definition of the scope and commitment which typifies student involvement in this important work. I would like to bring it to the attention of my colleagues with a note of praise for the gallant job done by the youth of America in the FFA. "Learning to do, doing to learn; earning to live, living to serve."

RESOLUTION ADOPTED AT 52D ANNUAL AMERICAN LEGION CONVENTION

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. THOMPSON of Georgia. Mr. Speaker, one of the standing committees of this House has received long overdue recognition for its many accomplishments. I speak of the House Committee on Internal Security which, together with the Senate subcommittee dealing with the same subject matter, has been praised for its contribution to our national security.

In a resolution adopted at the 52d annual national convention of the American Legion, September 1–3, 1970, legionnaires agreed that HCIS and SSIS—and I quote:

> Have clearly proved their worth to the Nation and its security by exposing, through their investigations, the working of the communist conspiracy within the United States.

It is with great pride as a member of that committee that I ask that the entire text of the Legion resolution be printed in the RECORD at this time.

I thank you.

Resolution No. 114: 52d Annual National Convention, The American Legion, September 1, 2, 3, 1970.

Committee: Americanism.

Subject: Support House Committee and Senate Subcommittee on Internal Security.

Whereas, The House Committee on Internal Security and the Senate Internal Security Subcommittee have clearly proved their worth to the Nation and its security by exposing, through their investigations, the working of the communist conspiracy within the United States; and

Whereas, The current expansion of activities on the part of the Communist Party, USA, recent revelations by the Director of the FBI, and the decisions of the Supreme Court which emasculated the internal security legislation of the United States, have made even more clear the necessity for continued action on the part of these Congressional Committees; Now, therefore, be it

Resolved, by The American Legion in National Convention assembled in Portland, Oregon, September 1, 2, 3, 1970, that it does once again express its confidence in the work of the House Committee on Internal Security and the Senate Internal Security Subcommittee as important instruments for the exposure and eradication of the communist menace within our borders; and, be it

Further resolved, that said Committees be urged to continue vigorously the work which they have so well undertaken in past years; and, be it

Finally resolved, that The American Legion petition the Congress to appropriate sufficient funds to enable these Committees to extend and expand their activities.

WESTCHESTER COUNTY BOARD OF LEGISLATORS FOR REVENUE SHARING

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. PEYSER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

On February 10, 1971, I cosponsored the President's revenue sharing plan as a way to get new money back to our local and State governments. These governments need additional revenues if they are to meet the challenges which confront them on a day-to-day basis.

Legislatures and public officials all over the country are calling on the Congress to pass the revenue sharing bill. In my home county of Westchester, the county board of legislators has passed a resolution calling for support of this legislation. I would like to bring it to the attention of my colleagues at this time because I think it represents the sincere cries for financial help which are coming from all over the country.

RESOLUTION 59–1971

Whereas, the County Executive has in various forms drawn to the attention of this Board the increasing tax load upon the real estate of the County to a point where said load is becoming burdensome to the point of danger, and

Whereas, various remedies are being sought to relieve this load, and

Whereas, one of the most effective of the proposed remedies would be the revenue sharing bill proposed to the Congress of the United States by President Nixon which because of the fact that the Federal taxing powers extend over a much broader field than those of local government would be a much more equitable distribution of the load, now therefore be it

Resolved that this Board hereby approves the revenue sharing bill now in Congress proposed by President Nixon and asks the representatives of the County in the Congress to use all possible means to secure the passage and enactment of said revenue sharing bill into law, and be it further

Resolved that the Clerk be directed to send certified copies of this resolution to Senator Jacob K. Javits and Senator James L. Buckley and Representatives Ogden R. Reid and Peter Peyser.

THE PUBLIC DEBT CEILING

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. VANIK. Mr. Speaker, in reviewing the administration's proposal to increase the debt ceiling to $435 billion, it is shocking to review the reduction in privately held holdings of the Federal debt.

In 1946, the privately held portion of the public debt was $231.6 billion. In December 1970, 24 years later, the privately held portion of the Federal debt is $227.9 billion—almost $4 billion less. In 1946, the public debt was 80 percent privately held. In 1970, the private holding of the public debt has declined to 58 percent of the total debt. It is patently evident that the percentage of private holding of the debt has plummeted in recent years.

Since the Federal Government itself and in its trust funds approximates $158.3 billion of the $391 billion debt or almost 41 percent of the total, it becomes apparent that we are drifting close to a federalization of the debt.

It is interesting to further note the "token" investment of commercial banks in the Federal borrowing. It was reduced from a high of $93.8 billion in 1946 to $59.8 billion today. On the average, commercial banks have invested about $60 billion in the Federal debt throughout a 25-year period. The percentage of the debt investment of commercial banks has steadily declined.

In view of this trend, it is incredible for the commercial banks to continue to dominate fiscal borrowing policies of the Treasury. It is time for the public interest to dominate policies on marketing the Federal debt.

THE MORAL FLAW IN OUR VIETNAM POLICY

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. FRASER. Mr. Speaker, Kingman Brewster, distinguished president of a distinguished university, spoke Saturday, February 20, 1971 about the moral flaw he sees in our Southeast Asian war policy. In his remarks prepared for delivery at the annual Yale University midwinter alumni day luncheon, President Brewster said:

> To my mind the basic flaw in our Southeast Asian war policy is moral. Policy seems to be shaped and is most often discussed as though America had no concern for the sanctity of human life as such, as though we cared only about American lives.
>
> The reduction of American casualties, even the withdrawal of all American combat troops, does not mitigate our moral responsibility: for the spread of the war; for the indiscriminate bombing of neutrals for the scorching of forests and villages; for the massacre of innocents.
>
> Personal and national moral self-respect urge us to reassert that peace, the return of prisoners—not the Vietnamization of continuing American sponsored warfare—must be this country's goal. The issue, to me, is not tactical or strategic. It is the moral callousness of the assumption that the body count doesn't matter as long as they are not American bodies.

Mr. Brewster's complete statement is a major contribution to our understanding of the proper role of a university president in our present national crisis. I place in the RECORD the Sunday, February 21, New York Times report of the Brewster speech and the text of President Brewster's statement:

BREWSTER SEES A MORAL FLAW IN VIETNAM POLICY

(By Joseph B. Treaster)

NEW HAVEN, Feb. 20.—Kingman Brewster Jr., the president of Yale University, declared today that "the basic flaw in our southeastern Asian war policy is moral."

The goal of the United States, he said, should be peace and the return of prisoners rather than the "Vietnamization of continuing American-sponsored warfare."

Speaking at the annual midwinter Alumni Day luncheon in Freshman Commons, Mr. Brewster said the United States' policy in Southeast Asia seemed to be shaped "as though America had no concern for the sanctity of human life, as such—as though, somehow, Americans cared only about American lives."

"The reduction of casualties, even the withdrawal of all American troops," Mr. Brewster continued, "does not mitigate the moral responsibility for the spread of the war, for the indiscriminate bombing of neutrals; for the scorching of forests and villages; for the massacre of innocents."

In an editorial yesterday, The Yale Daily News, the university's student newspaper, urged Mr. Brewster, who has opposed the war on numerous occasions in the past, to utilize Alumni Day "as a forum for denouncing the war policy."

A University spokesman said, however, that Mr. Brewster had decided on the subject of his talk before the editorial was published.

The editorial also urged Mr. Brewster to cancel a speaking engagement at Bryn Mawr College on Monday and to participate in a teach-in at Yale that will protest the recent South Vietnamese incursion into Laos supported by United States forces.

Such national figures as Ramsey Clark, the former Attorney General, Averell Harriman, a former chief negotiator for the United States at the Paris peace talks, and Representative Bella Abzug are expected to participate in the teach-in. It is being coordinated with a similar meeting on Monday at Harvard, where former Sen. Eugene McCarthy will appear. Subsequent teach-ins are expected to be held at Princeton, Duke, the University of Alabama and Notre Dame.

Mr. Brewster told the alumni he was sorry he could not attend the teach-in, which he said would "seek to point a middle way between stultifying silence on the one hand and self-defeating violence on the other."

But he added. "I would not want to stand silent when I feel morally distressed by our nation's policy."

CRITICIZED BY AGNEW

Mr. Brewster came under sharp criticism from Vice President Agnew and several members of the alumni last spring when in a reference to then pending Black Panther court action in New Haven he said he was "skeptical" of the ability of a black revolutionary to get a fair trial anywhere in the United States.

Later, at Mr. Brewster's request, the university trustees reviewed his work during the last seven years and unanimously agreed that he should continue as president of Yale. In November the trustees granted Mr. Brewster a six-month sabbatical leave as a "show of appreciation."

Mr. Brewster told his audience of about 1,000—alumni, their families and friends—that a "terrible tension" existed on the Yale campus amid a struggle to keep in balance the university's imperative neutrality and its imperative morality.

Neither dare be sacrificed, he said, adding that "Yale and all universities have a special responsibility to be sure that this country does not drift in a dead calm of moral acquiescence."

Although there was no sign of disapproval as he spoke—in fact, quite the contrary—Mr. Brewster said he realized that some alumni might feel that in his remarks he had engaged in "unwarranted politicizing" of Yale.

"To this I would say simply that the heritage of this place, a heritage which we all share, demands that none of us by his silence contribute to the moral erosion of our nation," Mr. Brewster said.

REMARKS PREPARED FOR DELIVERY BY KINGMAN BREWSTER, JR., ALUMNI DAY, SATURDAY, FEBRUARY 20, 1971

I hope you don't mind if I use these minutes to share with you my deepest immediate concern. It is not unrelated to what Time magazine headlines as the "Cooling of America." I do not feel cool about the present state of affairs.

There seems to me to be a terrible tension at the moment between the imperative of university *neutrality* and the imperative of university *morality*. This tension is not on the surface of campus life. So it is not reported. But it is seething within anyone who tries to respect the discipline of tolerance along with the urges of moral concern.

It should not be necessary here to recite the many reasons why a university must preserve a credible institutional neutrality. If it had a party line its pretentions to academic freedom would be impeached. If it had a party line it would not deserve the support of a free society. If it had a party line education would be warped into indoctrination.

On the other hand, Yale, brought into being by a strict theocratic society, should not have to explain why it also has an obligation to encourage moral judgment. This goes deeper than the surface attributes of dress or style or even of private behavior. It is concerned with moral sensitivity and moral purpose as essential elements in man's education and development.

Yale men were not slow to find moral purpose in the birth of the republic, the confrontation with Hartford, the struggle to preserve the union, the war to end war, or the war for the four freedoms.

Today the great free university has, as one colleague put it, come to embody the "secular liturgy" of a society which goes to church only on an occasional Sunday.

If you believe as I do, and if you occupy the office I do, then you do right now feel a special tension between the claims of neutrality and the claims of morality.

The claims of neutrality make it terribly important that we should invite and protect the civil reception of all points of view. The claims of neutrality also require that any statement by the President of the university should make it explicit that when he speaks his moral convictions on matters of public policy, he speaks for himself, in his personal capacity, not in behalf of the institution.

But morality, too, has its claim. A college president cannot abdicate a responsibility for stating his personal convictions if he feels deeply about a matter which touches and disturbs his whole community.

At the same time it is terribly important for him to encourage others to do likewise whether they happen to agree with him or not. He must defend fiercely the opportunity for rebuttal and discussion. In a great university merit and reason must be the arbiter, and debate must not be rigged by official pressure or sanction.

As we come upon the Spring there will be no easy resolution of this tension between official responsibility for impartiality and official responsibility for moral leadership.

While I take great pride in the fact that Yale is a campus which can be receptive to all points of view, I cannot avoid the feeling that Yale and all universities have a special responsibility to be sure that we do not drift in a dead calm of moral acquiescence. Indeed, if it were thought improper for those in positions of public and private executive and professional leadership to express their individual convictions, it is hard to see who would be left to speak out for the private conscience on public matters.

Day after tomorrow a group of highly motivated Yale students and faculty members, concerned about the war, will seek to point a middle way between stultifying silence on the one hand and self-defeating violence on the other.

I am sorry I cannot be present because of a prior commitment to a lectureship in Philadelphia. I would not want to stand silent, however, when I feel morally distressed by our nation's policy. To my mind the basic flaw in our Southeast Asian war policy is moral. Policy seems to be shaped and is most often discussed as though America had no concern for the sanctity of human life as such, as though we cared only about American lives.

The reduction of American casualties, even the withdrawal of all American combat troops, does not mitigate our moral responsibility: for the spread of the war; for the indiscriminate bombing of neutrals; for the scorching of forests and villages; for the massacre of innocents.

Personal and national moral self-respect urge us to reassert that peace, the return of prisoners—not the Vietnamization of continuing American sponsored warfare—must be this country's goal. The issue, to me, is not tactical or strategic. It is the moral callousness of the assumption that the body count doesn't matter as long as they are not American bodies.

Some alumni may feel that for me to express such sentiments constitutes an unwarranted politicizing of their university.

To this I would say simply that the heritage of this place, a heritage which we all share, demands that none of us by this silence contribute to the moral erosion of our nation.

We will differ in our judgments. Whatever our conclusions or positions, however, all of us must speak out when we believe that national and personal moral self-respect are threatened by apathy or indifference. Universities, their students, faculties, and graduates have an obligation to prevent the moral cooling of America.

CHILDISH ADULTS GIVE US TROUBLE

HON. DAWSON MATHIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. MATHIS of Georgia. Mr. Speaker, having just recently qualified for membership in the 30 and over age group, I find it easy to identify with both the now and then generations.

I have long felt that one generation is not really so different from another. The youth of today may be slightly better informed, but as pointed out by my good friend, Sam Griffin, editor of the Bainbridge, Ga., Post Searchlight:

> We have not seen any evidence to suggest that they are one bit more mature on an age basis in attitude or judgment now than in past generations.

Sam has reached a number of sound conclusions about the generation gap. He has taken the hide off those—young and old—who have not yet learned that certain responsibilities are attached to the rights of citizenship. His is one of the best articles on the subject I have been privileged to read. Therefore, I would like to share it with all those who read the CONGRESSIONAL RECORD:

TEMPTATIONS LOOK A COUNTRY EDITOR IN FACE

(By Sam Griffin, Jr.)

One of the worse temptations of being an editor of a country newspaper is the temptation to comment whenever one has an opinion. Opportunity helps create the conceit that one's opinions are worth sharing; and having the opportunity once each week to inflict one's views on any and every subject, the editor is not always able to refrain from temptation.

On reflection, this is one of the few temptations the editor of a country weekly has, and it is probably no worse than chasing women, gambling or carousing late at night. It is probably not as interesting, either, but one must make do with what one has.

While yielding to this temptation might not offer as much base for gossip as some of the other vices we have mentioned, we have found, in weekly columns over the years, that it can provide grounds for shouting at the editor for his audacity; for cursing him because of his obvious stupidity; for ridiculing him for his ignorance; and once, in a great, great while, for noting his intelligence because he has said something which agrees with the way you see things. We must conclude, on inspection of these points, that editors perform some function in society and might be tolerated.

With this preamble, we ask your indulgence while we speak some of the things on our mind, not from a position as a pretended expert, but from sincerity of interest.

IT'S NOT THE CHILDREN

Schools have been in the news for the past week or so, in one form or another, and some of the things seen and heard give one cause for careful reflection.

Last week, students in a school just north of Atlanta held a sit-in protest in order to force negotiation of some of their demands for some very trivial matters, and some which were entirely out of place in a place of learning. Their sit-in was successful to some degree, and administrators acquiesced to some of their demands. According to the news reports, one of the matters of contention was approval of smoking breaks during lunch.

In another area, the Senate approved an administration bill to set up voter registration of eligible students in the schools. Arguments of those in favor of the bill revolved prominently around the teaching of citizenship on a first-hand basis.

These things, among others, have caused the editor to think back, beginning with the premise of "when we were in school . . .", and it resulted in some conclusions we believe to be sound.

First, students particularly, and children as a whole, are probably not very different in attitude than what "we" were at the same stage. They are probably better informed on many matters, because there is a great deal more knowledge now than when "we" were coming up. On the other hand, we have not seen any evidence to suggest that they are one bit more mature on an age basis in attitude or judgment now than in past generations.

Reflecting in the past, particularly on misdeeds remembered, we can recall the same attitudes displayed by today's youth, especially concerning reaction to authority. We looked upon school many times as a prison where justice was unknown. We were convinced of the terrible waste of one's time and talents under the archaic tutelage of old fogies who were so out-of touch with the real world that nothing conveyed by them could be of any value. We were absolute in our belief that we could make a better job of the whole thing if those in authority would only step aside and let us get the train on the right tracks.

Youngsters today didn't originate the idea that today's generation is the most intelligent, most informed and most able generation ever; far superior to the level of know-how displayed by their parents and representing the only true hope of the world. That idea has been the property of every rising generation from time immemorial and will no doubt continue to plague the generation known as today's youth. It just ain't nothing new.

If this is true, then what is accounting for the difference in state of our schools, our children, our students and our country as compared to generations ago?

"We" had many of the same attitudes as the youth of today, but we had a generation of adults who had better sense than to dignify childish dabblings as anything more than they are.

This is not to say that the fun-things of youth have no place. They do, but there must be a line drawn between the fun things and the serious things, and even youth must be taught to recognize which is which.

Bell bottom britches, shaggy haircuts, rock bands and headache music and many of the other items on the most-important list of our youngsters are only different manifestations of the not-quite-real world to which youth always has been and always will be entitled. Admittedly, some of the past manifestations have been a little more platable in our opinion, but these things are still "for the young."

And that's where they should stay. Something is vitally wrong when adults ascribe to the trappings of youth and encourage the deification of youthful trivia as matters of real importance. There is something wrong with a grown man who still wants to play cowboys and Indians and does so, whether he dresses like the cowboy or like the Indian. And there is something going wrong with a society which promotes children to play at the important and dead-serious responsibilities of the world.

We hope the taxpayers object strenuously to paying for school days in which administrators allow the students to divert the time allotted from learning to pouting; perhaps they can best show school administrators which of these activities they are willing to finance.

We hope the legislature will decide that a better way to teach citizenship would be to encourage the student to get up off his foundation and go down to the courthouse to register to vote when he becomes of age. The student might just get the idea that there are responsibilities attached to the rights of citizenship; and that there is no obligation on the part of the state to seek his participation in his own government.

Maybe if today's adults cared a little less about being a part of the young generation and concentrated a little more on discharging the responsibilities of mature adults, youngsters would get a better picture of the differences in maturity and immaturity.

Long ago a man counselled others by saying, "When I was a child, I spake as a child, I understood as a child, I thought as a child; but when I became a man, I put away childish things."

Today's children are just being children.

It's our childish adults who are giving us trouble.

END THE WAR RESOLUTION FROM NEWTON, MASS.

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 1971

Mr. DRINAN. Mr. Speaker, I am happy to attach herewith a resolution passed by the Newton Democratic City Committee on February 21, 1971.

This committee, under the able direction of its chairman, Mr. Robert K. Kraft, represents the more than 20,000 Democrats in the city of Newton, Mass. This committee and the city of Newton have been actively and intensively involved in the peace movement since its very inception in 1966 and 1967.

The attached resolve is but another manifestation of the desire of the people of this city and of the Third Congressional District of Massachusetts to disengage from Vietnam as quickly as possible.

The Newton Democratic City Committee, on February 21, 1971, unanimously passed the following resolution:

Be it resolved that the Newton, Massachusetts, Democratic City Committee (numbering 280 members) on February 21, 1971, deplores and condemns the latest extension of the Indo-China war; and implores our Congressional leaders, our Senators and Congressmen, to support the McGovern-Hatfield Bill, as well as any other bill which would set a firm date (such as that suggested in H. Res. 54 of July 4, 1971) to withdraw all United States troops from all Southeast Asia; and in advance of that, to support and bill which would prohibit United States air or ground support, advice and/or any other military assistance to the South Vietnamese troops now in Cambodia and Laos.

Submitted by,
Constance G. Kantor,
Vice-Chairman, Ward VII,
Newton Democratic City Committee.

NUTRITION PROGRAM FOR THE ELDERLY

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. PEPPER. Mr. Speaker, I am reintroducing today H.R. 17763, a bill to provide a nutrition program for the elderly, with the suport of 111 of my colleagues, both Democrats and Republicans. I urge your consideration for the acute need for a national policy aimed at providing the elderly with low-cost, nutritionally sound meals served in strategically located centers such as community centers, senior citizen centers, schools, and other public or private nonprofit institutions suited to such use. The program directs itself to the promotion of both the physical and mental health of the elderly through provision of balanced meals, education in nutrition, as well as opportunity for social contact to end the isolation of old age and the encouragement of greater physical and mental activities.

I wish to remind my colleagues that on May 28 of last year I honored Senior Citizens Month with the introduction of H.R. 17763. This bill received recognition throughout the country by all those familiar with the problems of our senior citizens as providing a sound approach to the needs of the elderly.

The legislation utilizes Federal, State, and local funds on a matching basis together with surplus commodity programs for the provision of at least one hot meal per day at a reasonably low price to the participant.

Typical of the enthusiastic response to the introduction of this bill is the statement of the Honorable William R. Hutton, Executive Director, National Council of Senior Citizens, during hearings on the bill, to the Select Subcommittee on Education of the Committee on Education and Labor. Mr. Hutton, testifying on behalf of the 2,500,000 members of the council said:

> The National Council membership welcomes this legislation and urges its early enactment. We trust that the administration will support H.R. 17763 which is designed to carry out a major recommendation of the Panel on Aging of the White House Conference on Food, Nutrition and Health held in Washington last December . . .
>
> The very first recommendation of the Panel on Aging of the White House Conference on Nutrition calls for legislation contemplated under H.R. 17763.

I commend the report of these hearings to the attention of my colleagues and call particular attention to the testimony of the Honorable John B. Martin, Commissioner, Administration on Aging, the Administration's spokesman. The Administration admitted the need for better nutrition among the elderly and supported the purposes of the bill. However, the Administration put forth the notion that it is time to cease categorical grant programs. Even though the elderly would suffer, they must wait until a nutrition program could be provided for in a total social services scheme that, at some future time, may be accepted and implemented at the Federal level. Moreover, the entire program must then be accepted and implemented, in whole or in part, in the 50 States and four trust territories.

I question what would have been the fate of social security had this legislation been left up to the States. Would experience lead us today to abandon our national social security system and make the benefits dependent upon the action of the individual States? How long can the elderly wait while the administration ponders broad concepts of total social service legislation proposing to take care of health and welfare needs from the cradle to the grave? My bill would make it possible to stretch the social security dollar in the purchase of nutritious hot meals and I believe we need this legislation on a national scale to supplement our national social security benefits.

Furthermore, many of my constituents in Dade County, Fla., would, I know, be handicapped by the vast social-work superstructure of the complex and all-encompassing social services approach. I am sincerely convinced this group of citizens in Miami, New York, Los Angeles, Chicago, and the elderly in other urban and rural areas across the Nation would not be able to cope with the obstacle race that would be created in such a complex HEW structure simply to be able to participate in a hot meal program once a day in a social setting with their friends.

The administration spokesman also proposed there may be a need for more testing. I submit the categorical grant concept provides for continuous evaluation and improvement of the nutrition program and with the knowledge and experience aleady available from the research and development grants under the Older Americans Act. I question the necessity for delay of enactment of my bill for the sake of further research. You must feed the person first and then worry about other needs.

I support the ideal of continuing to integrate people's needs and to improve Federal assistance programs thereby enabling all Americans to share in the wealth of our country. I am aware too that man's inclination to identify with his peers brings forth in today's technological society important legislative challenges for all my colleagues who care about human beings—the young, the poor, the uneducated, the sick, and the elderly.

There are basic needs particularly unique among the elderly and these needs are immediate and urgent. These needs cannot be sacrificed while Congress or the Administration debates methods of administration and funding on Federal, State or local levels. To sacrifice the needs of the Nation's over 20 million elderly while indulging in intellectual challenges of political science is unconscionable and I urge the support of my colleagues to provide for early enactment of this legislation in this session of the Congress.

I am happy to be joined by the following colleagues in this legislation which will be of such great benefit to our senior citizens:

Mr. Abourezk, Mrs. Abzug, Mr. Addabbo, Mr. Anderson of California, Mr. Anderson of Tennessee, Mr. Annunzio, Mr. Ashley, Mr. Badillo, Mr. Barrett, Mr. Bingham, Mr. Brademas, Mr. Brasco, and Mr. Burke of Florida.

Mr. Burke of Massachusetts, Mr. Byrne, Mrs. Chisholm, Mr. Clark, Mr. Clay, Mr. Corman, Mr. Coughlin, Mr. Daniel, Mr. Daniels, Mr. Dent, Mr. Dingell, and Mr. Donohue.

Mr. Dow, Mr. Dowdy, Mr. Drinan, Mr. Dulski, Mr. Eckhardt, Mr. Edwards of California, Mr. Eilberg, Mr. Esch, Mr. Fascell, Mr. Flood, Mr. William D. Ford, and Mr. Fraser.

Mr. Fulton of Pennsylvania, Mr. Gallagher, Mr. Garmatz, Mr. Gaydos, Mr. Giaimo, Mr. Gonzalez, Mr. Gude, Mr. Halpern, Mr. Hanley, Mrs. Hansen, Mr. Hansen, and Mr. Harrington.

Mr. Harsha, Mr. Hathaway, Mr. Hawkins, Mr. Hechler of West Virginia, Mr. Helstoski, Mr. Hicks, Mrs. Hicks, Mr. Howard, Mr. Johnson of Pennsylvania, Mr. Johnson of California, Mr. Kee, and Mr. Koch.

Mr. Kuykendall, Mr. Kyros, Mr. Link, Mr. McCloskey, Mr. McKinney, Mr. Matsunaga, Mr. Meeds, Mr. Metcalfe, Mr. Mikva, Mr. Miller of California, Mr. Minish, and Mrs. Mink.

Mr. Mitchell, Mr. Moorhead, Mr. Morse, Mr. Murphy of New York, Mr. Murphy of Illinois, Mr. Nedzi, Mr. Nix, Mr. Obey, Mr. O'Hara, Mr. Pelly, Mr. Perkins, and Mr. Podell.

Mr. Pryor, Mr. Pucinski, Mr. Rees, Mr. Reid, Mr. Riegle, Mr. Rodino, Mr. Roe, Mr. Rosenthal, Mr. Roybal, Mr. Ryan, Mr. St Germain, Mr. Scheuer, and Mr. Schwengel.

Mr. Sebelius, Mr. Stokes, Mr. Symington, Mr. Thompson of Georgia, Mr. Thompson of New Jersey, Mr. Thone, Mr. Tiernan, Mr. Vander Jagt, Mr. Vanik, Mr. Vigorito, Mr. Wolff, Mr. Wright, and Mr. Yatron.

Mr. Speaker, I include in this statement the text of this legislation which has stirred such great interest throughout the country:

H.R. 18814

A bill to amend the Older Americans Act of 1965 to provide grants to States for the establishment, maintenance, operation, and expansion of low-cost meal programs, nutrition training and education programs, opportunity for social contacts, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. Title VII of the Older Americans Act of 1965 is redesignated as title VIII, and sections 701 through 705 of that Act are respectively redesignated as sections 801 through 805.

SEC. 2. Section 102(1) of the Older Americans Act of 1965 is amended by deleting the semicolon and inserting a comma and inserting immediately thereafter the words "except for the purposes of title VII where the term 'Secretary' shall mean the Secretary of Agriculture."

SEC. 3. The Older Americans Act of 1965 is amended by inserting the following new title immediately after title VI thereof:

"TITLE VII—NUTRITION PROGRAM FOR THE ELDERLY

"FINDINGS AND PURPOSE

"SEC. 701. (a) The Congress finds that the research and development grants, title IV, Older Americans Act, nutrition program has demonstrated the effectiveness of and the need for permanent nationwide programs to provide the nutritional and social needs of millions of persons aged sixty-five or older who are unable to overcome the complex and intertwining problems of inadequate diets. Many of these elderly persons do not eat adequately because they cannot afford to do so, while others, who are economically better off, do not eat well because they lack the skills to select and prepare nourishing and well-balanced meals, have limited mobility which may impair their capacity to shop and cook for themselves, and have feelings of rejection and loneliness which obliterate the incentive necessary to prepare and eat a meal alone. These and other physiological, psychological, social, and economic changes that occur with aging result in a pattern of living, which causes malnutrition and further physical and mental deterioration.

"(b) In addition to the food stamp program, commodity distribution systems and old-age income benefits, there is an acute need for a national policy aimed at providing the elderly with low cost, nutritionally sound meals served in strategically located centers such as community centers, senior citizen centers, schools, and other public or private nonprofit institutions suited to such use and through other means toward this purpose. Besides promoting better health among the older segment of our population through improved nutrition, such a program, implemented through the use of a variety of community resources, would be a means of promoting greater opportunity for social contact ending the isolation of old age, increasing participants' knowledge of nutrition and health in general, and promoting positive mental health and independence through the encouragement of greater physical and mental activities.

"ADMINISTRATION

"SEC. 702. (a) In order to effectively carry out the purposes of this title, the Secretary shall—

"(1) create a new division within the Food and Nutrition Service of the Department of Agriculture, under the Assistant Secretary for Marketing and Consumer Services, for the administration of the program;

"(2) make full utilization of the existing services within the Department including but not limited to the Federal Extension Service under the Director of Science and Education; and

"(3) consult with the Administration on Aging, Department of Health, Education, and Welfare.

"(b) In carrying out the provisions of this title, the Secretary is authorized to request the technical assistance and cooperation of the Department of Labor, the Office of Economic Opportunity, the Department of Housing and Urban Development, the Department of Transportation, and such other departments and agencies of the Federal Government as may be appropriate.

"(c) The Secretary is authorized to use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reimbursement, and on a similar basis to cooperate with other public and private agencies and instrumentalities in the use of services, equipment, personnel, and facilities.

"(d) In carrying out the purposes of this title, the Secretary is authorized to provide consultative services and technical assistance to any public or private nonprofit institution or organization, agency, or political sudivision of a State; to provide short-term training and technical instruction; and to collect, prepare, publish, and disseminate special educational or informational materials, including reports of the projects for which funds are provided under this title.

"ALLOTMENT OF FUNDS

"SEC. 703. (a) (1) From the sum appropriated for a fiscal year under section 708(A) the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, shall each be allotted an amount equal to one-fourth of 1 per centum of such sum and (B) each other State shall be allotted an amount equal to one-half of 1 per centum of such sum.

"(2) From the remainder of the sum so appropriated for a fiscal year each State shall be allotted an additional amount which bears the same ratio to such remainder as the population aged sixty-five or over in such State bears to the population aged sixty-five or over in all of the States, as determined by the Secretary on the basis of the most recent satisfactory data available to him.

"(3) A State's allotment for a fiscal year under this title shall be equal to the sum of the amount allotted to it under paragraphs (1) and (2).

"(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Secretary determines will not be required for that year shall be available for reallotment, from time to time and on such dates during such year as the Secretary may fix, to other States in proportion of the original allotments to such States under subsection (a) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Secretary estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Such reallotments shall be made on the basis of the State plan so approved, after taking into consideration the population aged sixty-five or over. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for that year.

"(c) The allotment of any State under subsection (a) for any fiscal year shall be available for grants to pay up to 90 per centum of the costs of projects in such State described in section 705 and approved by such State in accordance with its State plan approved under section 705. Such allotment to any State in any fiscal year shall be made upon the condition that the Federal allotment will be matched during each fiscal year by 10 per centum, or more, as the case may be, from funds within the State.

"(d) If, in any State, the State agency is not permitted by law to disburse the funds paid to it under this title in the State, or is not permitted by law to match Federal funds made available for use by such public or private nonprofit institution or organization, agency, or political subdivision of a State, the Secretary shall withhold the allotment of funds to such State referred to in subsection (a). The Secretary shall disburse the funds so withheld directly to any public or private nonprofit institution or organization, agency, or political subdivision of such State in accordance with the provisions of this title, including the requirement that any such payment or payments shall be matched in the proportion specified in subsection (c) for such State, by funds from sources within the State.

"PAYMENTS TO STATES

"SEC. 704. (a) Funds allotted to any State pursuant to section 703 during a fiscal year shall be available for payment to such State for disbursement by the State agency in accordance with such agreements not inconsistent with the provisions of this title as may be entered into by the Secretary and such State agency, for the purposes of carrying out the provisions of this title, during such fiscal year in supplying—

"(1) agriculture commodities and other foods for consumption by persons aged sixty-five or over, and

"(2) nonfood assistance in furtherance of the programs authorized under this title.

"(b) The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under this section and the time or times such amounts are to be paid to any State under this section and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

"STATE PLANS

"SEC. 705. (a) Any State which desires to receive allotments under this title shall submit to the Secretary for approval a State plan for purposes of this title which—

"(1) establishes or designated a single State agency as the sole agency for administering or supervising the administration of the plan, which agency shall be the agency primarily responsible for coordination of State programs and activities related to the purposes of this title;

"(2) sets forth such policies and procedures as will provide satisfactory assurance that allotments paid to the State under the provisions of this title will be expended—

"(A) to make grants in cash or in kind to any public or private nonprofit institution or organization, agency, or political subdivision of a State (hereinafter referred to 'recipient of a grant or contract')—

"(i) to carry out the program as described in section 706.

"(ii) to provide up to 90 per centum of the costs of the purchase and preparation of the food; delivery of the meals; and such other reasonable expenses as may be incurred in providing nutrition services to persons aged sixty-five or over. Recipients of grants of contracts may charge participating individuals for meals furnished but such charge shall not exceed a per meal limit to be established by each State agency, taking into consideration the income ranges of eligible individuals in local communities and other sources of income of the recipients of a grant or a contract.

"(iii) to provide up to 90 per centum of the costs of such supporting services as may be absolutely necessary such as the costs of social services and local public transportation to and from the residences of participating individuals to the extent such costs are not provided by grants for these services from the Administration on Aging, Department of Transportation, Office of Economic Opportunity, or other Federal agency.

"(B) to provide for the proper and efficient administration of the State plan: *Provided*, That the amount expended for such administration and planning shall not exceed a sum which shall be agreed upon between the Secretary and the State agency—

"(i) in making report, in such form and containing such information, as the Secretary may require to carry out his functions under this title, including reports of the objective measurements required by section 706, and keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports and proper disbursement of Federal fund under this title, and

"(ii) in providing satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this title to the State, including any such funds paid by the State to the recipient of a grant or contract.

"(3) provides such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are necessary for the proper and efficient operation of the plan.

"(b) The Secretary shall approve any State plan which he determines meets the requirements and purposes of this section.

"(c) Whenever the Secretary, after reasonable notice and opportunity for hearing to such State agency, finds (1) that the State plan has been so changed that it no longer complies with the provisions of this title, or (2) that in the administration of the plan there is a failure to comply substantially with any such provision or with any requirements set forth in the application of a recipient of a grant or contract approved pursuant to such plan, the Secretary shall notify such State agency that further payments will not be made to the State under the provisions of this title (or in his discretion, that further payments to the State will be limited to programs or projects under the State plan, or portions thereof, not affected by the failure, or that the State agency shall not make further payments under this part to specified local agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, the Secretary shall make no further payments to the State under this title, or shall limit payments to recipients of grants or contracts under, or parts of, the State plan not affected by the failure or payments to the State agency under this part shall be limited to recipients of grants or contracts not affected by the failure, as the case may be.

"(d)(1) If any State is dissatisfied with the Secretary's final action with respect to the approval of its State plan submitted under subsection (c), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceeding on which he based his action, as provided in section 2112 of title 28, United States Code.

"(2) The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(3) The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"NUTRITION AND OTHER PROGRAM REQUIREMENTS

"SEC. 706. Funds allotted to any State during any fiscal year pursuant to section 703 shall be disbursed by the State agency to recipients of grants or contracts who agree—

"(1) to establish a program (hereinafter referred to as a 'nutrition program') which, five or more days per week, provides at least one hot meal per day and any additional meals, hot or cold, each of which assures a minimum of one-third of the daily recommended dietary allowances as established by the Food and Nutrition Board of the National Academy of Sciences-National Research Council;

"(2) to provide such nutrition program for individuals aged sixty-five or over (hereinafter referred to as 'eligible individuals');

"(3) to furnish a site for such nutrition program in as close proximity to the majority of eligible individuals' residences as feasible, and, preferably within walking distance;

"(4) to utilize methods of administration including outreach which will assure that the maximum number of eligible individuals may have an opportunity to participate in such nutrition program;

"(5) to provide a setting conducive to expanding the nutritional program to include recreational activities, informational, health and welfare counseling and referral services;

"(6) to include such training as may be necessary to enable the personnel to carry out the provisions of this title;

"(7) to establish and administer the nutritional program with the advice of persons competent in the field of service in which the nutrition program is being provided, and of persons who are knowledgeable with regard to the needs of elderly persons;

"(8) to provide an opportunity to evaluate the effectiveness, feasibility and cost of each particular type of such program; and

"(9) to give preference to persons aged sixty-five or over for any staff positions, full- or part-time, for which such persons qualify.

"SURPLUS COMMODITIES

"SEC. 707. Each recipient of a grant or contract shall, insofar as practicable, utilize in its nutrition program commodities designated from time to time by the Secretary as being in abundance, either nationally or in the local area, or commodities donated by the Secretary. Commodities purchased under the authority of section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, may be donated by the Secretary to the recipient of a grant or contract, in accordance with the needs as determined by the recipient of a grant or contract, for utilization in the nutritional program under this title. The Secretary is authorized to prescribe terms and conditions respecting the use of commodities donated under such section 32, as will maximize the nutritional and financial contributions of such donated commodities in such public or private nonprofit institutions or organizations, agencies, or political subdivisions of a State.

"APPROPRIATIONS AUTHORIZED

"SEC. 708. (a) The Secretary may utilize the programs authorized under this title in carrying out the provisions of clause (2) of section 32 of the Act approved August 24, 1935, as amended (49 Stat. 774; 7 U.S.C. 614c).

"(b) In addition to any other funds which may be available, there are authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

"PROGRAMS EXPENDITURES

"SEC. 709. Of the sums appropriated for any fiscal year pursuant to the authorization contained in section 708 of this title, not to exceed $50,000,000 shall be made available for the fiscal year ending June 30, 1972, not to exceed $100,000,000 for the fiscal year ending June 30, 1973, not to exceed $150,000,000 for the fiscal year ending June 30, 1974, for grants-in-aid pursuant to the provisions of this title, less—

"(1) not to exceed 3½ per centum thereof which per centum is hereby made available to the Secretary for his administrative expenses under this title;

"(2) direct expenditures by the Secretary for agricultural commodities and other foods to be distributed among the States and such public or private nonprofit institutions or organizations, agencies, or political subdivisions of a State, participating in the nutrition program under this title.

"RELATIONSHIP TO OTHER LAWS

"SEC. 710. No part of the cost of any program under this title may be treated as income or benefits to any eligible individual for the purpose of any other program or provision of State or Federal law.

"MISCELLANEOUS

"SEC. 711. None of the provisions of this title shall be construed to prevent a recipient of a grant or a contract from entering into an agreement with a profitmaking organization to carry out the provisions and purposes of this title."

A TRIBUTE TO A SCIENTIST-HUMANITARIAN

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. HOSMER. Mr. Speaker, the February issue of Science magazine, published by the American Association for the Advancement of Science, contains a tribute to that organization's president-elect, Dr. Glenn T. Seaborg.

The article was written by Dr. Gerald F. Tape, a friend and colleague of Dr. Seaborg's on the Atomic Energy Commission and now president of the Associated Universities, Inc.

Dr. Seaborg's monumental achievements as a scientist and administrator, both at the University of California and as Chairman of the Atomic Energy Commission, are duly noted. But I was particularly impressed with discussion of his great concern for the humanities.

I am inserting Dr. Tape's fine words about this scientist-humanitarian in the RECORD:

GLENN T. SEABORG, PRESIDENT-ELECT 1971

Glenn T. Seaborg, the president-elect, has served science and has encouraged the utilization of science in the service of mankind for more than 30 years. His contributions have ranged from those of an outstanding laboratory research scientist, with accomplishments worthy of the Nobel prize, to those of the government public servant, who encouraged the use of science and technology for improvement of the health and economic welfare of peoples both at home and abroad. His vision has guided his own personal activities and the activities of others beyond today's problems; it has provided significant and imaginative goals; it has stimulated youth to become better informed and to understand the role of science and technology in the future development of our society. Glenn Seaborg brings to the office a wisdom derived from a variety of firsthand experiences—as a research scientist, as a team leader and director of research, as an educator, as chancellor of an eminent university, as a government adviser, as a high-level government official, and as a proponent of international understanding and security.

Although his career has been linked to science and especially to nuclear science, he has been prominent in other endeavors. His many writings and speeches, especially in the past 15 years, have reflected the importance of the humanities. His personal interest in sports is well known to his associates. His concern for peace in the world through communication, understanding, and friendship is shared equally with his concern for national economic and military security.

Glenn Seaborg is recognized as a world authority on the transuranium elements. During the last half of the 1930's at Berkeley, he completed his graduate work with a thesis on the inelastic scattering of fast neutrons, served as personal research assistant to G. N. Lewis, became one of the now famous disciples in E. O. Lawrence's cyclotron laboratory creating and identifying many new radioisotopes, and, after the discovery of fission by Hahn, Meitner, and Strassmann in 1939, moved vigorously into the investigation of the transuranium elements. Starting with element 94 (plutonium) in 1940, he was codiscoverer during the next 18 years of nine transuranium elements. In 1941 Seaborg and his associates—including graduate students—identified plutonium-239 and uranium-233, the nuclear energy isotopes so important to future energy production utilizing breeder reactor technology with uranium and thorium as the respective natural resources.

In April 1942, Seaborg took leave from the University of California to head the plutonium work of the Manhattan Project at the University of Chicago Metallugical Laboratory. He directed the development of the chemical process for separating plutonium from fuel elements irradiated in the Hanford production reactors; in the course of that work, he and his associates discovered element 95 (americium) and element 96 (curium). In May 1946, he returned to Berkeley as full professor and also became responsible for the direction of the nuclear chemical research at the Lawrence Radiation Laboratory.

In addition to work on transuranium elements, Seaborg and his colleagues were responsible for the identification of more than 100 isotopes of the elements. Working with physicists in Lawrence's laboratory, Seaborg brought to the research endeavor a chemical finesse most important at that stage of exploration to the separation and identification of a large number of isotopic activities. Particularly significant, especially for applications in research and in medicine, are iodine-131, iron-55, iron-59, cobalt-60, manganese-54, and antimony-124.

Seaborg has emphasized the ordering of information as a forerunner to the development of theory and the subsequent prediction of new physical effects and phenomena. He was author of the actinide concept of the heavy element electronic structure, which demonstrates that the heavy elements form a "transition" series of actinide elements in a manner analogous to the lanthanide series of rare earths. This then permitted the prediction of hafnium-like properties for element 104 and the postulation of the chemical properties of elements of even higher atomic number. The information assembled in Seaborg's laboratory and by associates who have followed him has made it possible to predict the characteristics of many elements still unfound. Whole new systems of methodology and instrumentation have been developed under his leadership.

Seaborg was born of Swedish parents in Ishpeming, an iron-mining town in Michigan's upper peninsula. The family moved to California, principally to extend the children's horizons, when Glenn was 10 years old. Although several generations of Seaborg men were machinists and his mother preferred a commercial course for him, young Seaborg, upon entering high school in the Watts District of Los Angeles, chose a college preparatory curriculum. Having the good fortune to have an outstanding and inspiring teacher for high school chemistry and physics, Seaborg chose science as his future course of interest. Attendance at a university was possible only because of California's low cost higher education opportunities and a variety of summer jobs, odd jobs, and university assistantships that provided Seaborg with the wherewithal to continue his education. His years at UCLA further confirmed his interest in science. Although at the time he preferred physics, he believed that a chemist had a wider range of job opportunities. He chose the University of California at Berkeley for graduate work; the chemistry staff at Berkeley was legendary and the attractions of Lewis and Lawrence were overpowering. His association with Berkeley has been long and continuous, interrupted only by leaves of absence, first for wartime work in the Manhattan District and second as chairman of the Atomic Energy Commission.

While devoted to science, Seaborg early showed other interests. At the University of California in Berkeley he served as faculty althetic representative to their intercollegiate athletic conference. His interest in athletics and his support of the University of California's athletic teams let him to undertake this added assignment. In the summer of 1958, Clark Kerr became president of the university, and Seaborg was summoned to fill the vacated position of chancellor of the Berkeley campus. His acceptance required him to reduce the amount of time previously devoted to his foremost interests of research and teaching. However, he continued as an associate director of the Radiation Laboratory and continued to direct the research of graduate students. This was the beginning of a long period of administrative responsibilities, and yet Seaborg was able personally to maintain his leadership in his chosen field of science, to stimulate his associates and others to new research endeavors, and generally to provide a guiding hand.

Seaborg served as chancellor of the Berkeley campus for 2½ years. This period during the late 1950's saw important academic developments and a tremendous expansion of the physical plant of the university. His concern over the need to strengthen the humanities, to provide some balance with the sciences, contributed to the creation of the Institute for the Humanities. Interested in teaching and its need to be significantly strengthened, Seaborg became chairman of the Chemical Education Material Study (CHEM Study), a program that has revolutionized the high school curriculum in chemistry throughout the nation. He proposed the Lawrence Hall of Science, a facility in which research in science teaching and the dissemination of knowledge to the public could be carried out.

In January 1961 President Kennedy asked Seaborg to serve as chairman of the Atomic Energy Commission, a position which he has continuously held, serving under Presidents Kennedy, Johnson, and Nixon. The appointment of a scientist as chairman of the AEC emphasizes the role of science and technology in such an agency and the importance, which President Kennedy foresaw, for science in the government in general. This was not Seaborg's first role in the federal government, although it was his first as a full-time employee with operational responsibility for one of its major agencies. He had been appointed by President Truman in 1947 to the first General Advisory Committee for the Atomic Energy Commission, a position he held until 1950, and by President Eisenhower to the President's Science Advisory Committee (PSAC) in 1959 and to the National Science Board in 1960, positions from which he resigned in 1961 when he joined the AEC. During his PSAC service he was chairman of the panel that prepared the report "Scientific Progress, The Universities and The Federal Government." In this document, which has become known as "the Seaborg report," the federal policy in support of basic research is spelled out, as well as the integral relation between research and graduate teaching and the need for strengthening university advanced teaching programs. He was a member of the Commission on the Humanities, an activity which in 1965 led to the creation of the National Foundation on the Arts and Humanities.

Seaborg has written many books and articles throughout his career, even in those periods when he has held demanding administrative responsibilities. Of the books that reflect his field of scientific knowledge, the latest is a two-volume work with Hyde and Perlman, *The Nuclear Properties of the Heavy Elements*. More recently he has treated a wide variety of subjects by hundreds of speeches to public forums, national and international conferences, academic assemblies, youth forums including symposia for high school students, and as president of Science Service, the International Science Fair, and the Science Talent Search.

Seaborg has served the Atomic Energy Commission well, and his position as chairman has permitted him to contribute personally to the strengthening of programs in science, education, national welfare, and international security. He has delineated the role of basic research and the need for extensive research efforts in universities, national laboratories, and industry to provide for the continuing understanding of nature, the impact of the utilization of technology, and the economic development of the individual nations of the world. He has stressed the role that energy will play in our lives and emphasized the development of adequate energy resources to satisfy the world's needs. He holds a lifelong view that science in our time is not an ivory tower and that scientists should bring their experience and special knowledge into the general matrix of knowledge from which decisions are made in a democracy that increasingly depends on science and technology. In many respects Seaborg has built a second career fashioned around the public aspects of science, one which closely parallels in time his service with the federal government and which is no less impressive than his research career.

Seaborg's activities derive not only from a motivation to be a participant in human affairs but also from his understanding of the impact of the scientific revolution on social institutions. For over a quarter of a century he has advocated the peaceful aspects of the scientific revolution, acting to expand and to strengthen science and technology not only for the achievement of ancient human aspirations for better material life but also as instruments for cultural and esthetic enrichment.

Seaborg's interests are reflected in the atomic energy program with its diversity of fundamental research and applications to national defense, to space, to human health, and to national welfare, especially in the production of energy. He has expounded the benefits and the risks, communicating with the citizen and with public officials on the national and international scene.

A determined and tireless campaigner for improved international relations through the flow of information, including visits by and exchanges of scientists, Seaborg has visited over 60 countries, touching every continent, during his AEC chairmanship. These visits have included talks with heads of states and other government officials, visits to laboratories, schools and universities, and speeches on specific scientific subjects. His recent most extended trip, a 1970 visit to Africa, opened new channels of cooperation between U.S. scientists and African scientists. His success in these endeavors is widely recognized. Many of his visits permitted constructive discussions with his counterparts of the Non-Proliferation Treaty, which he strongly supported. He has headed the U.S. delegation to the International Atomic Energy Agency General Conference annually since 1961, was a member of Secretary Rusk's delegation to Moscow for the signing of the Limited Test Ban Treaty in 1963, and was chairman of the U.S. delegation to the Third Geneva Conference on Peaceful Uses of Atomic Energy in 1964.

Seaborg's honors have been extensive and are far too numerous to list. Best known are the major awards for scientific achievement; the Nobel prize (with E. M. McMillan) for work in the chemistry of the transuranium elements in 1951, and the Atomic Energy Commission's Fermi award for work in nuclear chemistry and his leadership in scientific and educational affairs in 1959. The Arches of Science Award was presented in 1968 by the Pacific Science Center for contributions to the public understanding of science in a complex and changing society. He has been recognized nationally and internationally by honorary degrees and memberships in various academies and professional societies. An early indication of these honors to come was his selection by the U.S. Junior Chamber of Commerce as one of America's ten outstanding young men of 1947, a recognition of early clear-cut achievements in a specific field coupled with the promise of broader contributions to come.

The president-elect comes to the AAAS as a highly qualified proponent of science; an able practitioner of communication and understanding in the arts, humanities, and sciences; a firm believer in youth and the future of the world; and a gentleman sensitive to the views of others. His vigor and ability to fit everything into the 168-hour week will still permit time with his wife, the former Helen Griggs, and their six children; occasional attendance at a sports event and a myriad of public service activities—in addition to his continuing obligations to the government in particular and to science and education in general.

DECISION IN BRUSSELS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. DRINAN. Mr. Speaker. On February 23, 1971, an historic conference on Soviet Jewry opened in Brussels. A fine editorial with regard to this extraordinarily important world conference appeared in the Jewish Advocate on February 18, 1971.

The editorial reprinted below reflects the perceptiveness and excellence of the Jewish Advocate, a splendid weekly, published in Boston and read everywhere in the English speaking world.

[From the Jewish Advocate, Boston, Mass., Feb. 18, 1971]

DECISION IN BRUSSELS

Delegates from some 55 countries are already reported to be gathering for the World Conference of Jewish Communities on Soviet Jewry in Brussels from February 23 to 25 to intensify efforts for their rights and liberties. It is expected to be one of the most powerful expressions of Jewish solidarity since the Second World War. The 500 delegates will hear an impressive list of speakers, including former Israel Prime Minister David Ben-Gurion, Elie Wiesel, Arthur Goldberg, Saul Bellow, Chaim Gross, French Nobel Prize Winner Dr. Rene Cassin and Dr. Hans Morgenthau, among others.

World Jewry's deep concern for their coreligionists in the Soviet Union is shown by the declaration of the Brussels sponsors which includes a number of Jewish organizations here and abroad. "The imprisonment of Jews in the USSR, the sentences handed down against Jews after (the Leningrad) closed-door trial," the declaration said, "makes more imperative than ever, international action to protect their basic rights and to assure that all Jews who wish to emigrate to Israel or elsewhere should be able to do so." It points out that "Soviet Jews are themselves in the van of the struggle for these rights, to their great peril." But, nevertheless, it notes, "the fundamental plight of Soviet Jews . . . is worsening as the Soviet authorities increase their anti-Jewish pressures."

Professor Boris Tsukerman, physicist and mathematician, "Zionist agitator" (in the eyes of the Soviet secret police) and star arrival among the recent newcomers to Israel from the USSR, has said that even if all the major "agitators" are allowed to leave the Soviet Union, as he was, or imprisoned, young Jews there will continue to protest. He stated the young are under increasing and tremendous pressures there and the struggle in their behalf must be kept up, not only because it bolsters Jewish morale inside the Soviet Union (they know, he affirms, of each individual demonstration on their behalf and are heartened by it), but because Moscow must not be let off the hook. Leonid Vladimirov-Finkelstein, the Russian-Jewish journalist who defected to England five years ago, assures that there is little prospect for spontaneous improvement for Soviet Jewry, not only because of the Kremlin's involvement with the Arab states but also because Jews still serve as a convenient scapegoat for economic difficulties and social unrest afflicting Soviet society.

Some Jewish leaders believe the Brussels meeting will fulfill the sponsors' declaration and Prof. Tsukerman's hopes and thereby have the same dramatic and finally practical impact on international Jewish life as the first Zionist Congress in Basle. Others, however, while lauding the Jewish solidarity expressed by the holding of such a convocation, are of the opinion that "not very much" will be accomplished. Which judgment of Brussels emerges rests with the delegates and their willingness and freedom to participate. From Boston alone, as indicated in a front-page story in this issue of the Advocate, a knowledgeable and spirited delegation will be attending. If elements of this group along with like-numbers from throughout the world are given the opportunity to propose and have adopted an action program for Soviet Jewry, that has both continuity and innovative aspects, the event can become historic. If the delegates generally find fulfillment in the conference itself, as has been too often the case in Jewish life, it will have failed not only those who participate but those whose lives may depend on its decisions. Success or failure: the assessment of Brussels will be made in Jewish flesh and blood.

AN UPPER MISSOURI BASIN ECONOMIC DEVELOPMENT COMMISSION

HON. JOHN MELCHER

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. MELCHER. Mr. Speaker, since 1965, the Upper Missouri Basin States have been attempting to take advantage of title V of the Economic Development Act and obtain the establishment of an Upper Missouri Basin Economic Development Commission.

Members of Congress from the area were participants in writing title V, authorizing such commissions, into the act in the first place, so we could obtain such a commission. The area has been patient for too long about the establishment of its commission. Five others have been established, but not for one area for which title V was designed.

Although Congress appropriated $300,000 last year specifically for an Upper Missouri Basin Economic Development Commission, the administration has chosen to impound the funds.

Yesterday, it was my privilege to appear before the Economic Development Subcommittee of the Senate Public Works Committee, along with Senate Majority Leader MIKE MANSFIELD and the Governors of Wyoming, Montana, both Dakotas, and Nebraska, and recommending extension of the Economic Development Act, but this time with language that makes the Upper Missouri Basin Commission mandatory.

Following the hearing, the five Governors and the nine active Senators from the five States—Senator KARL MUNDT of South Dakota is recoverng from illness—met and dispatched a joint letter to the White House insisting that the funds appropriated by Congress to launch the Commission be released and the Commission established.

I rise at this time, Mr. Speaker, to say that the House Members from the Missouri Basin did not join in the letter because there was not time to assemble them and get signatures.

I would like the record to show, however, that when the latest application for the Commission was filed, every Member of the House of both political parties, every Member of the Senate of both political parties, and every Governor of both political parties from the five States involved joined in the request for the Commission's establishment.

All of us from the Upper Missouri Basin in the House are stoutly behind the effort.

In my testimony before the Senate committee I pointed out that, if the policy is really to return power to the States—back from the Federal Government toward the people—then certainly the Federal Government should not veto this unanimous application of the Governors, Senators, and Congressmen elected by the people of the five States as their representatives.

To complete the record on this matter, I insert the text of the letter sent to the White House by the Governors and Senators, the testimony of Gov. Forrest Anderson before the Senate Economic Development Subcommittee, and my own testimony on that occasion:

U.S. SENATE,
OFFICE OF THE MAJORITY LEADER,
Washington, D.C., February 24, 1971.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Nearly a year ago, an application was submitted to create the Missouri River Regional Economic Development Commission under the authority of Public Law 89-136, Title V, as amended.

Correspondence to the Secretary of Commerce on June 17, 1970, conveyed our great interest and support for this Economic Development Commission proposed for the Upper Missouri. It was our feeling that the establishment of this Commission would be a major step toward finding a vehicle to aid in resolving some of the more difficult environmental and economic problems which are common to the Upper Missouri region.

Congress has appropriated $300,000 to permit the Commission to become operative during this fiscal year. However, the application has not been approved and funds have not been released by the Office of Management and Budget even though a year has passed.

It is our considered opinion that the establishment of this Commission fits in the concept of revenue sharing being proposed by the Administration. If revenue sharing is enacted, this Commission would provide an administrative vehicle for advanced planning and a wise expenditure of such funds as may be made available on a regional basis.

Your assistance is respectfully requested in authorizing the Missouri River Regional Economic Development Commission and in the release of the necessary funds to permit it to get on with its work.

With best personal wishes, I am

Sincerely yours,

MIKE MANSFIELD, U.S. Senator; LEE METCALF, U.S. Senator; GEORGE MCGOVERN, U.S. Senator; QUENTIN BURDICK, U.S. Senator; MILTON YOUNG, U.S. Senator; CARL CURTIS, U.S. Senator; ROMAN HRUSKA, U.S. Senator.

CLIFFORD HANSEN, U.S. Senator; GALE MCGEE, U.S. Senator; Forrest Anderson, Governor of Montana; James Exon, Governor of Nebraska; William Guy, Governor of North Dakota; Richard Kneip, Governor of South Dakota; Stanley Hathaway, Governor of Wyoming.

AN UPPER MISSOURI BASIN DEVELOPMENT COMMISSION

(Statement by Governor Forrest H. Anderson, Mont., to the Subcommittee on Economic Development of the Committee on Public Works, February 24, 1971 in Washington, D.C.)

We are standing at the beginning of a new era on the northern plains. I believe the economic decline that has plagued this region of great farmlands in the recent past can be halted. We can begin to move forward again.

The agriculturally based economy of the plains states has suffered. Many farms have vanished, agricultural employment has decreased, per-capita income has fallen and good people have moved away.

In Montana alone, the number of persons employed in agriculture fell from fifty-four thousand in 1950, to thirty-three thousand at the end of 1968. This general decline has also caused economic problems in cities that support the agricultural population.

Montana has been static in an age of progress. We did not keep pace with the tremendous advances the national economy achieved in the last decade.

National per-capita income has increased 66 per cent since 1960. During the same period, per-capita income in Montana has risen only 53 percent. These are disturbing figures because they relate directly to the manner in which we live and raise our children.

The economic decline I have mentioned is not exclusive to Montana. The same problems exist in Cheyenne, Bismarck, Rapid City and all across the plains. The region has common problems, interests and resources. It has a mutual need to move forward with the rest of the nation. The Missouri River Economic Development Commission will be built on this foundation of commonality.

The Commission will emphasize the role of the states in a federal-state relationship. The national government will work in cooperation with the five Commission states to analyze problems, inventory resources and develop plans to improve the quality of life in the region.

The Commission is needed to work to improve the economic and social conditions of the rural and urban areas within the region. Priorities have already been established—recreation and tourism, improved transportation facilities to effect lower freight rates, and increased trade. Human and natural resources will be better utilized. The economic base will be expanded to halt outmigration, raise median family income and provide additional job opportunities.

Achievement of these objectives will require much time and effort. There will not be immediate results, but programs such as the Commission offers are steps toward a better tomorrow. *We are confident these steps will become strides.*

The Missouri River is the timeless bond of the northern plains. It was the route of exploration and commerce that enabled young America to expand into the open lands of Nebraska, the Dakotas, Wyoming and Montana. The course of the river has been the course of history in this region.

Through the Commission, the Missouri River Basin States intend to begin a new history—a history of progress.

The states to be involved in this compact, as I have mentioned, have common problems, interests and resources. Regional solutions, through the Commission, rather than a proliferation of separate programs, will reduce costs and save tax money in each state.

A regional approach would be particularly effective in combatting air and water pollution. The Commission could establish effective and uniform emission control standards for the entire region. This would eliminate the possibility of an individual state reducing its pollution standards and threatening its environment to gain a competitive advantage in the search for new industries. Antipollution legislation would be enacted and enforced on a regional basis. Uniform laws would assure maintenance of the quality of our environment and promote balanced economic development.

A Regional Commission will be the best means of promoting judicious development. The Commission will have broad authority from initiating research on improved range management and livestock improvement, to financing all methods of transportation, industrial parks, housing grants, recreation facility loans, or any project which can be related to economic growth.

The primary problem in agricultural areas throughout the region is a lack of facilities to process the abundance produced on our farms and ranches. Most of the livestock, grains and other products of our ranches and farms are shipped directly east for processing. The only return we receive is higher consumer prices and marginal farm prices.

A priority of the Commission will be to attempt to develop processing facilities in the region to establish vertical integration of the agricultural economy. This would benefit the man who raises the product and the man who buys it in the market by reducing excessive transportation costs.

The Commission is not a pipe dream nor an empty scheme hidden behind a pompous title.

This idea has been tested under the most difficult circumstances, and it works.

The Appalachian Regional Commission has achieved substantial social and economic improvements in that area of extreme social disintegration and hardcore poverty. And there are 5 other regional commissions presently in operation.

If the application for the establishment of the Commission is approved—and the states work together in a common effort—we will begin to realize the enormous potential of the northern plains region and its people.

This will not be easy, but in all of the states of the Missouri River Basin there are those that believe the Commission will achieve the progress we need.

A regional commission will not conflict with revenue sharing proposals presently being considered by Congress and the Administration.

The Commission will be an administrative apparatus.

It will be an inter-state compact to develop cooperation, better utilization of resources and common solutions to the social, economic and environmental problems of the northern plains region.

It will actually enhance the effect of any finally enacted revenue sharing program by establishing the administrative capability to apply regional solutions to regional problems.

Let me assure you that this Commission is necessary.

I have outlined the serious collection of problems afflicting the northern plains states.

Nothing has been done for too long.

And I believe it is time we counter the economic decline of recent years and begin to move toward a better tomorrow.

A REGIONAL APPROACH TO ECONOMIC DEVELOPMENT IS NEEDED IN THE UPPER MISSOURI BASIN

(Statement of Congressman JOHN MELCHER, of Montana, before the Senate Public Works Committee, February 24, 1971)

Mr. Chairman, a regional approach to economic development is essential in areas of relatively sparse population, capital, and public revenues. In such areas, it takes the combined strength and numbers of the people of a river basin, or a geographic region with common problems, to provide the capital and other essentials for growth which a single state, or small political subdivision, does not have standing alone.

Energy is an excellent example. Low cost energy is essential to industrial development. Small electric generating units are uneconomical. Only when an area with consumers sufficient to justify generating plants of at least 100,000 kw capacity—and a million is better—has been linked into a single transmission grid can the economies of size be achieved which are necessary to be competitive in the field of electric energy supply.

The Upper Missouri Basin was one of this Nation's highest cost electrical energy areas until development of the main stem of the river required the development of a transmission grid to market the power. That grid now serves eight states and has now made possible the construction of generating units, to meet load growth, in multiples of 100,000 kilowatts.

We are increasingly confronted with the need for size—an adequate service or supporting area—to justify specialized educational programs, a medical college, for example; or adequately broad research programs, in plains grazing lands management as an example in that field; or on transportation problems, animal health, livestock breeding—many problems which one farmer or rancher, or even one state, cannot support alone.

In the Upper Missouri Basin we have common minerals development problems which need joint attention. I believe we are on the threshold of a breakthrough in use of giant beds of low-sulphur coal found in both of the Dakotas, Eastern Montana, and Wyoming. Our coal is now moving east to generate power for the Twin Cities and Chicago in competition with oil, gas, and atoms. With the perfection of magnetohydrodynamics (MHD), which is a process for generating electricity directly from coal, which doubles its efficiency and provides nearly pollution-free generation, our area can become the powerhouse, or power source, of the northwestern quarter of the United States. But we need a united regional effort to speed the development of this process—and the Tennessee Valley Authority developed high concentrate fertilizers to the benefit not only of its area but of the whole nation.

And we will need a regional approach to regulatory problems in this same respect—common requirements for strip-mined land restoration if we are to avoid competition for coal resource development in terms of lax and inadequate strip-mined land restoration requirements.

We have a great opportunity to develop recreation—leisure industries—in the Upper Great Plains area. On the West are Glacier National Park, Yellowstone and the Grand Tetons. A plan for a vast recreational complex including the Great Lakes of the Missouri River—the reservoirs behind the great mainstream dams,—a Lewis and Clark Trail tourway, a prairie wildlife refuge, Indian reservations, and historic sites, has already been blueprinted for us. A prairie tourway through the center of the regional commission's area, and a parkway linking our Western mountain parks from Glacier to the Rocky Mountain National Park in Colorado, have all been proposed but still lay on the drawing boards for want of an agency, or a vehicle, which will unite the efforts of the states to bring about their completion and the expansion of tourist, or leisure industries, which our area and the citizens of the nation, now being crowded into overflowing parks and campgrounds and other recreational faciliites, very greatly need.

There is not time to dwell at length on our need for the development of industry—general industry, our agricultural industry, mining, and the so-called leisure industries; our need for specialized educational facilities and research; and our need for the development of common policies in many fields, illustrated by the strip mining problem I have mentioned.

Our common problems are numerous, and so are our common opportunities. All of the Governors of the five States, all of the Senators of the five States, and all of the Congressmen from the five States—men of both political parties—have joined in petitioning for an Upper Missouri Basin Regional Economic Development Commission.

If the desire is to "return power to the people," to let the States and governmental units below the federal level make more of the decision, as President Nixon stated to the nation last month, then it is difficult to comprehend why funds for this regional commission have been impounded. The elected spokesmen for these states and the congressional districts within them are unanimously supporting a commission.

They say "Yes," unanimously.

The President's policy says "yes."

But the Office of Management and Budget, which is increasingly becoming the real federal voice, says "No."

I urge this Committee, Mr. Chairman, to renew Title V of the Economic Development Act and to write the word "shall" into it, to be applicable at least in all those areas which meet the qualifications for an economic development commission and in which all the Governors of both parties, all the Senators of both parties, and all the Congressmen of both parties, have cast their votes for its establishment.

We can use a little revenue sharing *now*, and we prefer not to wait the obviously extended period it is going to require to get agreement on revenue sharing, get it approved, and get it operative.

EMPIRE STATE IS EXPECTING MILITARY VOTE TO DOUBLE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. DULSKI. Mr. Speaker, I have just received the annual report for 1970 of the New York State Division for Servicemen's Voting which spells out the efforts to provide voting opportunities to our men in service as well as the response received at the ballot box.

This report is of particular interest to me, because of my continuing concern that men in service be assured of their voting rights. Further, the report spells out the manner in which the State of New York has proceeded to attempt to reach and convince every serviceman of the need for exercising his voting rights.

It is interesting to note that the State agency is predicting a doubling of the military vote as a result of the lowering of the voting age from 21 to 18.

For the information of my colleagues, I am including with my remarks the text of the report as prepared by Elmer E. Lux, chairman, and Walter E. Cooke, secretary, who are the directors of the division:

Annual Report For 1970

Military information indicates that approximately one hundred forty-nine thousand (149,000) men and women from New York State are serving in the Military Service throughout the world.

The Division for Servicemen's Voting is responsible for the continuing administration of the original and amended laws of Chapter #852 of 1942 (Chapter #31 of 1970)—Ballots for Military Personnel.

The Law guarantees to every eligible voter of this State in the active military service of the State or of the United States, in the army, navy, air force, service academys, or any branch thereof, or in the coast guard, and the spouse, parent and child of such voter accompanying or being with him or her, if a qualified voter and a resident of the same election district, the right to cast a ballot for every office, federal, state and local, and for every amendment, referendum, proposition and question to be voted upon at every general election and every special election.

Thirty-two thousand two hundred fifty-one (32,251) eligible military voters were provided ballots for the November 3, 1970 Elections in New York State. Eighty-three thousand (83,000) 1970 ballot applications and detailed instructions were forwarded to those who voted in the years 1968 and 1969—for the November 3, 1970 Elections.

APPLICATION MADE AVAILABLE

In addition to these mailings, ballot application forms were available at all military installations, induction and reception centers and other service organizations throughout the world, such as USO, Red Cross, Catholic, Jewish, YMCA and YWCA Service Units, and the Travelers Aid. All of these units have been generously cooperative in alerting military personnel to the availability of these applications.

The Press, Radio and TV media again extended the use of their space, time and effort through the publication and presentation of Press releases and spot announcements, informing the servicemen and their families of the availability of these ballot applications and their opportunity to protect the servicemen's great American privilege to vote. Many newspapers printed facsimiles of the ballot application, which were accepted as a valid request when properly filled in and signed.

The offices of Governor, Lt. Governor, Attorney General, Comptroller, Supreme Court Justices, U.S. Senate, Congress, State Senate and Assembly in addition to many important county, city, town and other local offices were on the Ballot this year.

There were four Special Elections in New York State during 1970. (Borough) Bronx—84th Assembly District, (Borough Queens—25th Assembly District, (County) Wayne—County Refuse District, County Herkimer—Charter Amendment for City of Little Falls.

STATE POLICE DELIVER BALLOTS

Special thanks again to the Superintendent of State Police William E. Kirwin and his efficient associates under the direction of Sergeant James Tedesco, who delivered the ballots to all the boards of elections throughout the State of New York. We are profoundly grateful for the efficient, courteous and indispensable service they perform each year during this important period.

During 1970 periodic conferences were held with the Election Commissioners and the Joint Legislative Committee, to review and revise various provisions of the law. These exchanges of information and the conference participation at the annual meetings of the election commissioners have been most helpful in our continuing efforts to improve and make more efficient the administration of the election laws as they relate to military personnel.

The usual tentative political calendar has been delayed pending a determination of the 1971 Primary Date by the Legislature. We are hopeful that a decision will be made before the Election Commissioners Conference scheduled for February 23, 1971.

MILITARY VOTE MAY DOUBLE

The reduction in the voting age from twenty-one (21) to eighteen (18) will, unquestionably double the military vote, as this group represents the largest age bracket inducted in the Armed Forces annually. We have revised all Ballot Application Forms etc. to meet the age requirements and administrative changes necessary. We are making studies as to the impact this will have on our staff requirements beginning with the 1972 elections; or any special federal elections before 1972.

We again received many letters anent the military voter's interest and concern with receiving their ballots in time to vote in the general and special elections. Most of these letters are complimentary but some are sharply critical in such instances where a Board of Elections has failed to promptly print and mail the Military Ballots as provided by law, that Military Ballots must never be delayed for any reason, including court challenges to a nomination or certification.

It is interesting to also note in the many communications we are currently receiving—the thought already being given by many servicemen and women, to the change in the law granting the Right to Vote—to all citizens beginning with their eighteenth birthday.

Servicemen have become increasingly aware of the fact that their vote, while they are away from home, is equally as important—if not more so because of the closeness of so many elections in the last few years.

We are grateful to the Secretary of State—Judge John P. Lomenzo and his staff, Assemblyman Peter Biondo and his Joint Legislative Committee and to the Boards of Elections for their cooperative dedication to do the kind of job that the Military Voters expect of us.

HATS OFF

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. CHARLES H. WILSON. Mr. Speaker, one of the most rewarding privileges we enjoy as Members of this great body is that of appointing outstanding young men to our Nation's military service academies. I have been personally pleased each time a boy decides to become a candidate for this honor and I know many of my colleagues in the House share this feeling of pride and satisfaction. It is equally rewarding to keep track of the progress made by candidates appointed in the past. Because the education afforded to these young men is among the finest available in our Nation, the standards are rigorous and demanding. It is, therefore, especially satisfying to me to learn of appointees who attain high honors in their respective academies.

In a recent editorial, the Cocke County Banner in Eastern Tennessee expressed very well some of the feelings which I have on this subject and complimented my distinguished colleague from Tennessee, Representative JAMES H. QUILLEN, on the valuable assistance which he has given to young men seeking an education and a career in our Nation's military services. As a member of the House Committee on Armed Services, it is my wish to bring this editorial to the attention of my colleagues and to join the Banner in commending those mentioned in its text:

HATS OFF

> This newspaper was pleased to learn of Congressman James H. Quillen's principal nomination of Iliff R. McMahan, Jr., for appointment to the United States Military Academy at West Point, New York. Cadet candidate McMahan is now stationed at the United States Military Academy Preparatory School at Fort Belvoir, Virginia, and if memory serves us right, he is the second young man from Cooke County to attend that school. After we study the curriculum of the preparatory school and knowing generally the military needs of our country, we realize and take comfort in the knowing that the United States Military Academy Preparatory School has eagerly prepared thousands of young men to meet the needs of our country to insure our national security.
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> The BANNER commends the U.S. Army, the United States Military Academy Preparatory School, Lt. Col. Walter S. Cousland, Commandant, the commissioned and non-commissioned officers and the instructors at this institution who we feel should be given credit for devoting so much of their time and energies to training the thousands of young men to become our future military leaders.
>
> Like today's military leaders, the graduates of the U.S. Military Academy Preparatory School will serve to stand between this country and those subversive forces which seek to destroy it. In these critical times when the "In" thing to do is to criticize the military, it behooves all Americans to stop, think and be grateful for those who, despite severe criticism, possess the courage and patriotism to select and train our military leaders of tomorrow. For exercising this excellent foresight, we say "Hats Off" to the U.S. Army and to all others whose duty it is to see the continued success of the U.S. Military Academy Preparatory School.
>
> And we feel special recognition is due Lt. Col. Cousland, on whose shoulders fall the success or failure of this great preparatory school, and Congressman Quillen who makes it possible for a number of young East Tennesseans to be afforded the opportunity to attend West Point and the other military academies. We proudly salute those we have mentioned because we feel they care and have the courage to exercise their options to keep the United States of America the light of the Free World.

GEN. THADDEUS KOSCIUSZKO A FIGHTER FOR FREEDOM

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. HELSTOSKI. Mr. Speaker, on the 12th of this month Americans of Polish descent commemorated the birth date of Thaddeus Kosciuszko, a true lover of freedom, a true architect of American independence, a true volunteer soldier who left the comforts of his native land to fight in the most noble cause—for American independence.

Called by Thomas Jefferson "the purest spirit of liberty," Kosciuszko was born on February 12, 1746, at Siechnowicz, Poland. As a youth his brilliance and particularly his aptitude for engineering were so outstanding that they came to the attention of the King of Poland, who sent him to France to study at the leading French military schools.

In France he studied the art of soldiering under Lafayette and preceded his teacher to America, arriving in August 1776, when he was immediately commissioned as colonel of engineering in the Continental Army.

He masterfully built fortifications at West Point and his brilliant choice of battlefields and erection of fortifications at Saratoga are said by many to have been a major factor in turning the tide of battle in favor of the Americans.

He fought at Ticonderoga and later was a leader of the American troops in South Carolina.

It was while he was fortifying West Point that he recommended this spot be considered as a future site for a military academy. It was his recommendation that led to the selection of West Point for our U.S. Military Academy which was established on March 16, 1802, with a first class, numbering 10 cadets, entering on July 4, 1802. West Point has been a military post since January 20, 1778.

Kosciuszko not only contributed great skill as an engineer and tactician but he endeared himself to his troops and fellow officers for his valiant and courageous leadership on the fields of battle.

He could well have chosen to remain in America and enjoy the love and acclaim of the American people while making continued contributions to our Armed Forces of which he was now a full fledged general.

However, Kosciuszko chose to return to Europe and to his native Poland where he issued a call to arms. Polish patriots rushed to his side to begin a telling battle for Polish independence. Unfortunately, the military might of Catherine the Great was so enormous, the efforts of Kosciuszko and his followers were in vain. The gallant leader was captured at the Battle of Maciejowice and imprisoned in a dungeon. Only after the death of Catherine was he liberated—sorely ill and suffering physically, but still having a burning passion for freedom.

Because of his valor and because of his accomplishments, a grateful Congress bestowed upon him all the rights and privileges of American citizenship along with a grant of 500 acres of land and $12,000 in cash.

Before his final departure from American soil, Kosciuszko left a document with his friend, Thomas Jefferson. It was his last will and testament, dated May 5, 1798, directing that his American property be used to purchase freedom for Negro slaves and to provide for their education.

It is Thaddeus Kosciuszko's complete and unselfish dedication to the principles of human rights and freedom for all peoples that I particularly ask the House to recall today. In testimony to this dedication, I wish to include the text of the will which he left with his dear friend Thomas Jefferson:

> I, Thaddeus Kosciuszko, being just on my departure from America, do hereby declare and direct that, should I make no other testamentary disposition of my property in the United States, I hereby authorize my friend Thomas Jefferson to employ the whole thereof in purchasing Negroes from among his own or any other giving them liberty in my name; in having them instructed for their new condition in the duties of morality which may make them good neighbors, good fathers and mothers, husbands and wives, in their duty as citizens; teaching them to be defenders of their liberty and country, of the good order of society, and in whatsoever may make them happy and useful.

Mr. Speaker, as a result of this will, there was a school built in the 1820's at Parisippany, N.J. which educated "men of colour" to teach religion and science in Liberia and Haiti.

Mr. Speaker, I would like to insert at that point of my remarks excerpts from "The African Respository and Colonial Journal," volumes 1 and 2, 1825–26, which led to the establishment of the Kosciuszko School, fulfilling the intent of Kosciuszko's last will and testament:

[From the African Repository, vol. 1, 1825–26]

AFRICAN SCHOOL

> The Board of Directors of the African School at Parsippany, N. Jersey, have made a report to the Synods of New-York and New-Jersey, recommending an important change in the plan of that Institution. They state, that efforts to obtain funds for the school in its present state, have been vain; that the insensibility to the worth of virtuous and

enlightened character, among the people of colour, renders it necessary that education, to be of high benefit, should be commenced early in life. and that the exigency of the times demands an Institution more enlarged and better endowed, to prepare coloured men for civil offices in Liberia and Hayti, and to fit them to instruct others in science and religion:

"The board take the liberty of urging the following, among many considerations, that bear, as they conceive, with peculiar force upon the Synods of New York and New Jersey, in view of the proposed improvement of the plan for the education of our African population.

"The States in which the Synods are located have done much in legislation to emancipate their slaves. A few years will consummate the hope of philanthropy as to one grand step in her progress, and leave not a soul in bondage within our borders. But this will be only a preliminary step; for, while the reproach of the name is taken away, the debasing and corrupting influence of slavery will remain to degrade this long afflicted people. Indeed, from the results of the manumission system, we are almost led to believe that to extend mere freedom to the slave, is like the tender mercies of the wicked. You set him loose upon society to act for himself, with no qualifications but a freedom paper; when to all the practical purposes of useful life he needs a guardianship more than infancy; and if his ignorance does not perpetuate his degeneracy, the deep rooted prejudice of the whites, that separates him from all communion in social and civil intercourse, will fix him in hopeless despondency. And shall we then, after our civil rulers have yielded to the desires of humanity and broken off the shackles from the body—shall we without another struggle leave the benighted soul in darkness and the shadow of death?

"Experience has demonstrated that no system of amelioration for them can possess any energy unless it be exclusive. They are emphatically a separate people! They must be trained and educated by themselves; and it is the dictate of the soundest wisdom to deal with them as they are. Let them so understand us—that we are instructing them not for our society—not to form our magistrates or legislators; but preparing them to go home."

"The Committee to whom the consideration of this report was referred, introduced the following resolution, which was passed unanimously:

"*Resolved,* That the African School be continued—and that the Board of Directors be instructed to digest a more extensive plan of operations for the school, and report thereon at the next stated meeting—And that in doing this they be at liberty to correspond with the Board of Managers of the New-Jersey Colonization Society, or such individuals as may feel interested in the welfare of the Africans, as to the Board may seem expedient."

In consequence of this Report, the Synod of New-York passed several similar Resolutions, of which we insert the following:

"*Resolved,* That the Board of Directors, to be appointed by the Synods, be authorized to open a correspondence with such individuals and bodies of men, and to adopt such other measures as to them may be thought expedient, with a view to the more extended and efficient instruction of the African race; and that in this enterprize, they have the hearty approbation of this Synod."

"The Directors chosen on the part of the Synod of New-York are, Rev. Robert McCartee, Elihu W. Baldwin, Loring D. Dewey, Mr. Thomas Masters, Dr. Thomas Weed, Mr. John R. Murray;"

This school is one of those objects, which we think has an urgent claim for aid upon all the charitable and Religious. The resurrection of a race long morally and intellectually dead to the light of knowedge, hope and virtue, is not a matter to be despised by a generous soul. From the darkest shades of its present existence, a voice is heard, the tone of which is thrilling to every feeling heart. "Watchman, what of the night?" and is there none of those who have themselves been cheered by the day spring from on high, to answer—"The morning cometh." Affluence may make itself richer by its donations to such a purpose, laying up durable wealth, in the kingdom of Heaven, and securing an interest, which will accumulate in funds not to be corroded, and never to perish. We have reason to hope, that the bequest made by Gen. Kusciusko for the redemption and education of African Slaves, may be in some way applied for the enlargement and support of this school, and perhaps the name of this noble friend to a people whose friends have been few, shall be associated with an institution for their benefit, durable as the liberties or mountains of our country, and bright as the discoveries of Bacon.

[From the African Repository, vol. 2, 1826–27]

SOCIETY FOR THE EDUCATION OF AFRICAN YOUTH

On the third Monday in April last, a meeting of the friends to African education was held in Newark, New Jersey, where a very respectable number both of the clergy and laity of the state, expressed a deep interest in the object for which they were convened. An association was organized. (the name of which is at the head of this notice,) a constitution adopted, and seven trustees elected for the management of its concerns. The trustees will meet again on the 1st Monday in August, to adopt further measures for the accomplishment of their design. We indulge great hopes that the Kusciusko fund, may be applied in some way, to advance the noble purposes of this Institution, and should this be the case, no doubt is entertained, that the public charities will soon establish it on a broad and durable foundation. A few liberal donations from the opulent of our country, added to the generous bequest of Gen. Kusciusko, would build up a seminary of immense utility to Africa and the world. May a plan so well commenced, not fail of a completion.

[From the African Depository, vol. 2, 1826–27]

KUSIUSKO SCHOOL

A committee of the *African Education Society* in New Jersey, have addressed a circular letter to the public explaining the origin of their institution and its object, and soliciting funds in aid of the same. The preparation of free coloured children and youth for usefulness in Africa, is a prominent purpose which the trustees of this school will aim to accomplish, and we hope on this account, if on no other, it will receive general countenance and a liberal support. The committee state, that the Kusiusko Fund originally left by an illustrious foreigner in the hands of Mr. Jefferson, to be employed in liberating and educating African slaves, and which was confided by the lamented executor to Benjamin L. Lear, Esq. of this city, will be appropriated for the benefit of their school, and they express the hope that the "collected fruits of benevolence from the whole American people, will not prove less than the free will offering of a single Polander, to the captives of Ethiopia enslaved in our land." The available amount of the fund left by gen. Kusiusko, is at this time about thirteen thousand dollars, and the trustees wish to raise from public charity an equal sum. The contribution of *eight dollars* is necessary to constitute a subscriber a member of the Society. "The board of trustees intend to rent a small farm—and to connect the literary pursuits of the school with agricultural and mechanial employments. They hope to secure the services of a pious practical farmer, a mechanic of like character, and at least one judicious well qualified preceptor of the school and superintendent of the whole establishment. Donations for this institution should be remitted to Joseph C. Hornblower, Esqr. Newark, New Jersey, secretary and treasurer of the Board.

Polish Americans are justly proud of the memory of Thaddeus Kosciuszko, whose name is treasured as a shining example of the Polish contribution to American life; but all Americans, and all men, owe honor to the memory of one whose life was dedicated, with entire unselfishness and with unswerving courage, to the cause of liberty—the hero of Poland and of America, Thaddeus Kosciuszko.

MORAL DECLARATION ON DRUGS BY PARKVILLE SENIOR HIGH SCHOOL STUDENTS

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. LONG of Maryland. Mr. Speaker, the seniors at Baltimore County's Parkville High School in my district have declared war on hard drugs. A delegation elected by Mr. Ralph Jaffe's social studies classes visited my office recently to urge a congressional moral declaration of war against the use of hard drugs. The students accompanying Mr. Jaffe were Michael Gaffee, William Herd, Stephen Lee, Robert Martino, and John J. Scott.

The 1970 Comprehensive Drug Abuse Prevention and Control Act and earlier laws establishing stiff penalties for drug abuse and creating drug education programs imply that we are waging a moral war on drugs.

I should like to commend the students for their interest in the legislative process and for their willingness to work within the system instead of against it. At this point I should like to share their views with my colleagues:

STUDENTS ASK FOR DECLARATION OF WAR AGAINST HARD DRUGS

In accordance with article I Section 8, a group of students from Parkville Senior High should like the Congress to pass a moral declaration of war against the usage of hard drugs by the people of our nation. We are taking this stand because we believe this is a step in the right direction, to demonstrate our concern of drug addiction and to demonstrate to our nation that not all students believe that hard drugs are the answer to our problems. We believe further research is needed to determine whether or not marijuana or other soft drugs should be legalized, but we do have very strong feelings about our opposition to the following hard drugs: Opium derivatives, Cocaine, Coca Leaves, Dihydrocodinone, Dihydromorphinone, Laudinum, Mesperidine, Isonipecaine, Methadone, Pantopon, Paragoric, NU 2206 (3-Hydroxy-N-Methyl-Morphinan).

We also believe this declaration of war by Congress should encourage its members to develop a further extensive program, whereby trained ex-addicts can have more opportunities to go into the elementary and junior high schools to relate and not to preach about their experiences and problems with drug addiction in the hopes of giving students a better understanding of drug addiction.

We also believe that the citizens of the United States should know what countries are illegally exporting drug traffic to the United States, so that all citizens can determine for themselves whether or not a boycott of those nations' products would help to stop the illegal drug traffic.

CLEVELAND URBAN LEAGUE

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. STOKES. Mr. Speaker, it is a pleasure to bring to the attention of my colleagues the fact that the Cleveland Urban League recently held its 53d annual meeting. During those 53 years, its members have worked with tireless dedication to achieve and insure equality for all Americans.

Several indications of the league's activity were included in the January 1971 issue of its newspaper, the New Thrust. One article summarized the urban league's important but unknown efforts in assisting the Census Bureau to make an accurate count of Cleveland's black community. Two other articles recapped the comments of two men who have made significant contributions to their city and their organization. Ernest C. Cooper, executive director, commented on "1970 in Retrospect" and President Julian Madison, addressed himself to "The Challenge of 1971."

Mr. Speaker, in this new year and new Congress, it is my view that my colleagues can benefit from learning something of the Cleveland Urban League's achievements. The articles follow:

1970 In Retrospect

(By Ernest Cooper)

The year 1970 has been a demanding one for the Urban League. The Urban League has entered 1971 with the greatest tenacity.

A lack of adequate funds from the Welfare Federation;

gross unemployment;

the inability to get construction unions to meet with equal and fair employment practices;

the continuing refusal of major groups to comply with existing federal statues;

failure of the Federal government to strongly enforce Equal Employment Opportunity (EEO) laws;

the adamant resistance of local employers to the city equal employment ordinance;

the lack of high priority in the local community to the problems and needs of the poor;

the disadvantaged and the elderly;

the quest of the black and other minorities to exercise power thwarted at every hand;

the demise of a Federal manpower program designed to provide a secure economic base for the unemployed and underemployed, coupled with the death of the proposed Family Assistance Plan at the hands of Congress.

If this sounds depressing; if this creates a sense of disillusionment, if this smacks of disappointment and despair, then this adequately describes 1970.

Against this backdrop and in response to these demands, the Urban League is obligated to provide constructive channels and alternatives for the black and other minority communities to realize some of their hopes and aspirations. We have continued to expand and resolve employment opportunities for minority citizens through our work with employers in the community. We have formed coalition with other involved groups to work on problems in the construction industry and in education. We launched the Street Academy Program, a pilot demonstration program to assist dropouts continuing and completing their education. We are working with veterans, especially Viet Nam veterans, to assist them in their readjustment to civilian life. We have provided information to citizens and groups to help them more fully participate in the civic life of our city. We have challenged the housing system to make its services and the housing supply truly open to all in accordance with the law. We have cooperated with and called upon agencies of government to carry out their responsibility to insure equal employment for all.

These demands are still with us and must be attacked with increased effort in 1971. In order for us to do our job, we must have increased support from the community.

1. Economic well being of minority families: depends on the expanded and improved employment training opportunities up and down the job ladder. Increased opportunities for minority groups—people to participate in the economic life of the community as businessman entrepreneurs and employers.

2. Education: This is potentially one of the explosive problems facing us today. For our present education system is not serving effectively many people. The system must be changed so that we cease to produce people who are not prepared to compete in our rapidly changing society. We must have greater citizen involvement in the direction and quality education provided our youth. More alternatives must be provided for the educational fulfillment of people.

3. Housing: Too many of our citizens are ill-housed and with no prospect for improvement in their houses because of current practices and attitudes in the housing market. The inadequate manner in which we have responded to the housing needs of low or moderate income citizens is a horrible indictment against our housing system. We must insure that all people have true access of the total housing supply of our community, based on their limited financial ability and desire. We must have true compliance and implementation to fair housing laws. In addition, new methods of providing adequate amounts and quality of housing for low middle income families must be found.

4. Citizen participation: For too long blacks and other minority group citizens have felt alienated from the mainstream of American society—lacking the opportunity to participate in all phases of community life and at all levels of human endeavor. This must be changed so that we can make use of the abilities and concerns of all citizens in our city.

These are the problems that will occupy the attention of the Urban League during 1971 and the years ahead. These are obtainable goals, but we need your help. Because of the attitudes of people, the economic state in our society, and the distorted priority system in our community, than private voluntary agencies including the Urban League, working in an human services field, have been severely pinched financially. If we are to do the job we must, then we will need increased support from the community, from both organization sources as well as individuals.

We earnestly appeal to you for your participation and support of the Urban League and its program to make them more effective and relevant to today's needs. Will you join with us in making our community a healthier and happier place for all of our citizens to live in?

The Challenge Of 1971

(By Julian C. Madison)

1970 was not a good year for those of us with long service in the fight for freedom, nor for the millions of Americans, black and white, who know poverty in a land of plenty.

For Julian Madison, as president of the Urban League of Cleveland, 1970 was a year of mixed rewards and frustrations.

And even then, the rewards were deceptive . . . a tortuous tokenism that saw a limited number of new jobs opened to the talented black tenth so long denied employment commensurate to their skills and education; a trickle of black entrepreneurship; a major surge in the election of non-whites to public office in the deep South; the movement of a few black upper middleclass families to suburbia, that were glamorized in the press, but miniscule in their effect on the total problems posed by black poverty and black powerlessness.

The frustrations however, were quite familiar . . . spreading slums, the outgrowth of urban redevelopment planning that resulted in "Negro removal" rather than adequate housing for low-income families; black children continuing to be crippled by irrelevant, de-facto segregated public schools; tightened barriers against the acquisition of skilled trades, and the ever-dormant white racism that pervades our society curdling into a bitter backlash against further black progress.

It has been my good fortune to have been given a penetrating look into these contradictions as president of the Urban League of Cleveland, and to be inspired to contribute to their solutions by the Urban League's national director, Whitney M. Young, the dynamic young man who has challenged all League affiliates to engineer a "New Thrust" to the League's traditional approaches to the long-standing problems posed for non-whites in a majority white society.

My most gratifying experience in 1970 is to have witnessed, and to have played a part in, the development of this new and resolute stance that has been adopted by the staff of the Urban League of Cleveland in dedicating themselves to a dynamic program that has, for now and in the foreseeable future, abandoned forever its former image of subservience to gradualism in its quest for equal citizenship and equal opportunity for those who look to the Urban League for leadership.

Historically noted for its penchant for peace—at almost any price Urban League, the nation over, can no longer—will no longer—settle for the snail-like pace of progress our society has ordered in its timetable for black equality, black pride, and black dignity.

Peace, under such conditions, to men of spirit, has become obnoxious!

Thus, we of the Urban League, allied with those white citizens of goodwill who with us have served their apprenticeship in the gloom of the ghetto, on the pock-marked palisades of poverty, in the stench and stagnation of the slums, and in the frightening forest of frustration, are determined in 1971 to march together as full journeymen in the fight for freedom in our time, not content to wait for the ever elusive tomorrow.

In 1971, we are determined not only to assert a new thrust, but also to launch a bold and effective attack against those still-unyielding forces in our society that stand adamantly in the path leading to:

Equal justice under the law.

Equal opportunity to live in a decent neighborhood.

Equal opportunity to have our children

receive quality education in the public schools.

Equal opportunity to become employers instead of employees.

Equal opportunity to direct community planning.

Equal opportunity to govern as well as be governed.

In our resolution, we are not unmindful, nor ungrateful, for the gains produced during the turbulent 60s, gains growing out of the climate set by national leaders with the courage to demand reform, not because it was politically expedient but because it was right. Further, we here pay special tribute to those Cleveland corporations, large and small, that have given more than lip service to the slogan "Equal Opportunity Employer."

But we are not lulled into either complacency or false hopes by what, in the sum total of the struggle, amounts to paltry tokenism.

Nor are we unaware of the forces of racism and bigotry that have been set into motion by these paltry advancements. With every forward step we have taken to better our condition, there are those who have responded with equal and opposite reaction.

It is a reaction, growing with alarming intensity . . . that leaps boldly from the front pages of our powerful newspapers, day after day:

That assails our eardrums from billions of radio sets.

That sneaks into our living rooms from electronic picture tubes, while program sponsors "integrate" their commercials in order to win our dollars.

That rises from the floor of Cleveland City Council, from the state house in Columbus, and from the Halls of Congress.

That is beginning to emerge from the United States Supreme Court that has been deliberately diluted of its liberalism in a calculated attempt to restore the status-quo in constitution interpretation that once opted for "separate but equal schools."

And of late, we hear if emerging from Christian pulpits from which pious prelates preach from their personal "Book of Bigotry" a text that says "keep them out."

We can sense the effectiveness of this racism in the flight of our one-zealous "liberal" friends from the fight, and in the half-measures offered us as 'conscience money' by those who publicly prate of peace and brotherhood and of law and order.

We can sense it in the acts of those who occupy the seats of power who continue to prescribe laxitives for a social system badly in need of a purgative; whose community involvement investments are calculated to produce peace rather than black progress . . . quiet instead of quality.

Through the years these are the forces that have looked to the Urban League to provide the "bridge of communication" between themselves and the damned, and to maintain the role of peacekeeper and talent scout to attract that black talented tenth desired as tokens of their tolerance.

Meanwhile the neighborhoods surrounding Urban League offices stir with discord, discontent, futility and frustration.

We observe United Appeal funds lavished on recreation, cultural centers instead of relevant programs that will equip disadvantaged non-whites to enter the mainstream of our society.

The Urban League of Cleveland, during the past year, has assembled a staff of dedicated professionals and involved trustees and volunteers that, we feel, ideally equips us to deal with compassionate, knowledgeable efficiency many city, state and federal programs that thus far have been entrusted either to luke-warm bureaucrats or to calculating opportunists.

It is no secret that in 1971 we shall make strong arguments, beginning with the President of the United States, to be given administrative supervision of some of these programs, and to structure others of greater relevance.

Meanwhile, the Urban League of Cleveland—in 1971—is challenged to direct its skills, its resources, however meager, and its talents, from accommodation to aggression. We are challenged to direct our priorities.

From the talented tenth to the underprivileged 90th.

From hard-core incurables to the working poor.

From an artificially forced culture to a black heritage.

From the recruitment of the unskilled to the development and utilization of the black skill potential.

From the soap box to the ballot box.

In this task, armed with the tools we have sharpened in our adversity, impressed with the urgency of our mission, and sustained by the conviction that self-help is the principal ingredient of self-respect, we solicit the support and prayers of all men of goodwill in our community, confident that our cause is just as well as in the best interest to the nation to which our loyalty and devotion is a matter of indelible record.

"Operation Full Count" in Census Surveillance

More than two million Black Americans were missed by the 1960 census takers, comprising about 10 percent of the black community in the United States.

The Urban League of Cleveland decided to monitor the census bureau project in the Greater Cleveland community, and became one of ten cities in the United States to launch "Operation Full Count."

The United States Census Bureau admitted that such an error did occur, and blamed the attitudes of residents of the major urban ghettoes, and fear on the part of white census takers for the undercount.

Such a mistake was costly for black people. Had the count been accurate, there might have been as many as five more black representatives elected to Congress and 19 additional state legislators.

The incorrect count also cost black communities throughout the United States federal funds that are usually allocated in accordance with census figures.

To insure the most nearly accurate count, the Urban League of Cleveland hired well known radio personality John B. Slade, and launched an onslaught of publicity and media communications seldom seen except in paid advertisement.

Slade, who was appointed project director, joined the project after seventeen years at Radio Station WJMO.

Every attempt was made to assist the Census Bureau in cooperation with more than two hundred community groups, to impress on people the importance of filling out and returning their census questionnaires. Further, the League helped recruit census takers, enumerators, clerks and other categories of workers for the bureau—along with a major community education program.

More than 100,000 pieces of educational material was prepared by the local office and every radio and television station in the city ran copy submitted by Slade and assisted this project.

For a six month period, the duration of the census project, the Urban League exhorted the black community to be sure and return the questionnaire, so that Cleveland would be eligible for federal programs, based on population.

Many, many residents complained about the highly sophisticated forms that were obviously arranged to frustrate the ordinary citizen. Many others complained that too many questions were asked that invaded the privacy of the individual. Many citizens called the League to say that census takers never showed at their address. The project director noted that whole sections of apartment houses on the East side of Cleveland had not been contacted, either through mail or by visit.

A temporary report that Cleveland had lost many thousands of Black American citizens brought the Urban League to a hearing from the Congressional Committee, headed by George Gould, field representative.

Mrs. Anita Polk, Deputy Director of the Urban League, arranged an appointment with the committee and Arnold L. Pinkney at Cleveland City Hall, at their (Committee's) request and made many of the observations as to the League's accountability in the "Operation Full Count." Of the ten cities, the National Urban League praised the totality of the Cleveland League effort, unsurpassed in record keeping and in-depth understanding for what was a most difficult task.

PHILADELPHIA'S REHABILITATION AID PROGRAM

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. EILBERG. Mr. Speaker, Philadelphia homeowners received 647 Federal grants and loans for home improvements in 1970, amounting to $3,408,411, it was announced today by Francis J. Myers, Jr., director of the redevelopment authority. This is an increase over the 1969 totals of 537 grants and loans and $3,093,374.

The 5-year total since the rehabilitation aid program began is 2,643 grants and loans amounting to $11,049,848. Philadelphia has utilized this means of assisting families to rehabilitate their houses more than any other city in the country, Myers said.

These figures are in addition to a similar program by the city's department of licenses and inspections in special code enforcement and neighborhood renewal program areas. The loans and grants pay for improvements such as new roofs, porches, bathrooms, kitchens, wall and floor repairs, and installation of modern electrical, heating, and plumbing systems.

The grants, up to $3,500, are made to low-income families and do not have to be repaid. The loans, issued at 3 percent interest, are for improvements to single-family homes in amounts up to $14,600, and may be repaid for a period up to 20 years.

Myers said the 1970 total includes 428 grants, 121 loans, and 98 combinations, most of them in the Haddington and West Mill Creek renewal areas in West Philadelphia, Whitman and Pennsport in South Philadelphia, and Nicetown, Model Cities, Strawberry Mansion, and Morton in North Philadelphia.

In the development authority's major rehabilitation neighborhoods during 1970, approvals amounted to more than $1 million in Haddington, $342,000 in Whitman, $316,000 in Model Cities, $198,000 in West Mill Creek, $197,000 in Pennsport, and $188,000 in Nicetown.

Myers pointed out that this program has been of tremendous value in rehabilitating hundreds of homes whose owners could not otherwise have afforded the repairs, and the work is accomplished while the families remain in their homes.

VOLUNTEERS, NOT SLAVES

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. BADILLO. Mr. Speaker, for most of our Nation's history the use of involuntary conscription to raise armies has been foreign to the American character and spirit of volunteerism. At the very inception of the Republic the concept of a draft was rejected as being inconsistent with the constitutional form of government and our Founding Fathers wisely chose to depend, instead, on volunteers to meet the country's military manpower requirements.

Regrettably, the fine precedent established in our country's early years has been destroyed, and, during the 20th century, there has been a generally increasing dependence on conscription. What is worse is that involuntary military service has become nothing more than servitude and the fulfillment of one's "military obligation" has been totally corrupted. Consider the number of servicemen and their families now receiving welfare. Look at the poverty-level conditions in which many servicemen, their wives, and children are living. Let us reflect on the abridgement of certain basic rights of our servicemen. Such conditions are intolerable and are quickly leading to a complete breakdown of our military services. As the days go on, Mr. Speaker, it becomes increasingly clear to many of us—both in the Congress and in the private sector—that a voluntary military service is urgently required to bring an immediate end to the present chaos and to restore efficiency and confidence in the Armed Forces.

Mr. Nicholas von Hoffman of the Washington Post has recently written a very timely and perceptive article which not only comments on the infringement of certain basic rights and common decency now rampant in the Armed Forces but also reinforces—in his own particular style—the contention that volunteers can meet our military personnel needs. It is evident that such a system is more realistic and effective than the present untenable arrangement. I found Mr. von Hoffman's article to be of particular interest and importance, Mr. Speaker, and I am anxious to share it with our colleagues:

Slaving for Freedom

(By Nicholas von Hoffman)

When the American army goes tramp, tramping across the globe, marching hither and yon defending freedom and liberating people from all manner of oppression, what do the beneficiaries think? Do they reflect on the anomaly of their having their freedom protected by an army of slaves?

The ranks of our armed forces are filled by the threat of fine and imprisonment. Millions of young men, year after year, surrender their freedom for fear of jail. You don't hear people talking about the draft any more as "fulfilling your military obligations." The men who are caught by the impressment crews of the Selective Service System go because it's better than the penitentiary; to be drafted isn't a chance to serve the country, it's a catastrophically bad luck.

This kind of compulsion is involuntary servitude, in short, slavery. And if the scrupulous gentlemen who call themselves strict constructionists would read the 13th and 14th Amendments to the Constitution they might be forced to agree that it is a gross violation of fundamental law.

Our Constitution empowers Congress to raise, support and organize armies, but that's it. Nowhere is there the hint of the power to compel people to serve in them against their will. Nor can you argue that the power is inferentially there, for the Ninth Amendment says clear enough for a layman to understand that Congress only has the powers enumerated in the Constitution, no others.

The slavers and the slavemasters, President Nixon, Secretary Laird, Curtis Tarr, the field boss of the Selective Slavery System, and many, many others argue that while it might be nice to grant these young men the liberty the Constitution promises them, there are practical reasons this can't be done right now. Someday, they say, even if we won't give up conscription, maybe we'll at least have zero draft calls.

The first pro-slavery argument is that the cost of a voluntary army would be too high. This isn't so much an argument as an admission that millions of young men are driven into the armed forces because they're cheap labor.

Probably 80 per cent of what the military does could be contracted to civilian enterprises. Very few of the Pentagon functions must be carried out by men under military discipline, but it's cheaper to snap a man off the streets, pay him next to nothing and let his wife and kids live on welfare. It's also better politically because if we paid the people in the army what we pay civilians who do the same work, there would be a taxpayer's revolt that would get us out of Vietnam faster than Henry Kissinger and the other White House dialecticians ever dreamt of.

It's said that a volunteer army would produce an isolated officer corps which might attempt a coup d'etat. The draft civilianizes the army, they argue, neglecting to add that it also militarizes the society. In any event, personal liberty is an absolute right, not to be abridged by speculative hypotheses which no one can prove one way or another.

It may very well turn out that a volunteer army, even a well paid one, will be so small, that if it tries to take over, it will be disarmed by the District of Columbia police department. That's what the slavers really fear. They're not going to have all those Major Matt Mason toy soldiers to play with. In that case, they would be forced to pursue a foreign policy convincing enough to get men to want to sacrifice for it.

That may not satisfy those who're concerned with our living up to our infinite number of commitments to defend this and that all over the earth. For them a small army is a little America, an isolationist foreign policy which they will oppose with the last ounce of every man's strength who's clapped into the service against his will.

Even for them there is an alternative solution. Never forget we can buy anything including a foreign army. Raise the level of appropriations for the Food for Peace program and we'll have battalions and army corps sprouting out of the ground faster than spring wheat. There are 10 million coolies in Asia starving and waiting to be hired.

Isn't that what "Vietnamization" is? A carrying out of what President Nixon calls the Nixon Doctrine, the hiring of coolies to kill other coolies?

General Westmoreland, however, has his doubts. The ferociously handsome, the murderously attractive army chief of staff reasons that even at high wages people won't join the army if we civilians go on badmouthing it. The Army, the general observes with an acuity unusual to him, is getting a bad reputation.

This he and others would blame on peace lovers and kindred undesirables, but in that he's mistaken. The deterioration of the army is a consequence of the draft. The uniformed slaves know why they are forced to serve longer sentences in the service than many a robber and hold-up man must serve in jail . . . not patriotism, but the power of the centralized state with its federal courts, marshals, district attorney and FBI agents ready to take care of them if they don't show up for induction.

That's why the army has a bad reputation. It's a place of punishment for people who've committed no crime, and the growing realization of this fact is destroying it. The sliding discipline, the riotous brawling, racial strife, the slot machines, the drinking and the dope. Can you believe it? A full Air Force colonel with 28 years service time courtmartialed for smoking loco weed? And what does this say to the proposition that a young man learns citizenship, discipline and responsibility in the armed forces?

At a time when the life of the country is actually threatened, there may be good reason to suspend the Constitution and conscript people. Lincoln did, but he had an enemy army a few miles on the other side of the Potomac River, not 8,000 miles away up the Mekong River without a paddle. On the other hand, it wasn't easy for George Washington without a Selective Slavery System but he did it with volunteers who loved their country and wanted to serve it. Perhaps the men who rule from the city named after him might try the same.

LEGAL ABORTION MORALLY JUSTIFIED?

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. O'NEILL. Mr. Speaker, following is an article sent to me by a close personal friend, Dr. Joseph R. Stanton, a member of the Value of Life Committee, which appeared in the New York Times on February 18, 1971. I submit it for the perusal of my colleagues:

Declaration of Concern

Within two weeks our nation tensely waited while her astronaut sons, Shepard, Mitchell and Roosa, with artificial life-support systems, circled the moon, walked upon it, and returned to Mother Earth. During these same two hundred and sixteen hours, an estimated two thousand embryonic Americans, with the natural life-support system of their mothers' nurturing womb, were deprived of the right to continue life and future happiness by legalized abortion.

In the last twelve months, over 75,000 innocent unborn have been destroyed in New York, and thousands more in other states of this nation. What had been evolving human beings, most often with clearly recognizable human limbs and countenances, were passed through pathology laboratories, flushed down sewers, incinerated in hospital furnaces, or in some cases cast in cellophane bags on city dumps.

Medical and para-medical personnel, joined by growing numbers of citizens, are understandably horrified by what abortion really means when recognizably human forms are being destroyed. They grow ever more critical of the claim that legalized abortion is morally justified just because human life at this level is not viable outside the life-support system of the mother's body.

How long can we meaningfully say that all men are created equal while the innocent unborn are sacrificed to personal whim, convenience, or that new test of Americanism in our increasingly technologic and impersonal age: the qualification of being perfect, or being wanted, or being viable?

AIR FORCE'S EFFICIENCY PROMOTES GREATER NATIONAL SECURITY

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. CHARLES H. WILSON. Mr. Speaker, at the 35th annual dinner meeting of the American Ordnance Association on February 8, 1971, Secretary of the Air Force Robert C. Seamans, Jr., delivered an informative and thoughtful address entitled "Technology As Related to National Security in the 1970's." The Secretary made the valid point that many people currently think it is "in vogue" to blame science and technology for a whole raft of problems, without stopping to consider what they have actually accomplished for us. Our standard of living, the advances in medicine, the spectacular achievements in space and our strong national defense are just some of the rewards which advancing technology has reaped for every American.

Secretary Seamans went on to address himself to one of the most important questions relating to today's defense-oriented endeavors: How should our advancing technology be managed? He explains that although errors have been made in the past regarding contracts and procedures, new policies and guidelines have now been instituted which are successfully remedying previous shortcomings. The deliberate processes by which the Air Force has moved to modify procedures and assure the maintenance of a strong and progressively more sophisticated deterrent was the central theme of the Secretary's message.

I think all Americans should be pleased when one of our armed services assesses its responsibilities and procedures, determines areas where strengthening and improvement are needed, and then diligently sets about the task of accomplishing these goals. Secretary Seaman's talk clearly illustrates that this is precisely what has been done within his realm of responsibility and I believe my colleagues will be impressed with the contents of his speech. I include his remarks at this point in the RECORD:

TECHNOLOGY AS RELATED TO NATIONAL SECURITY IN THE 1970'S

One of the greatest tasks ahead of our nation in the 1970s is to use science and technology wisely and to restore public confidence in their use. Tonight I would like to talk first about the need for advanced technology, particularly in maintaining national security, and then about our efforts in the Air Force and the Department of Defense to manage technology more effectively.

Some people have come to view science and technology as an affront to the quality of life and as the source of a never-ending arms race. Such a negative assessment can arise from a failure to understand that it is technology that feeds, shelters and defends us and makes this nation, overall, one of the better places in the world to live. Technology has created a number of problems, but it has the potential, if used correctly, to solve those same problems—and many more.

Of course, advocating technological solutions is like the task of the county agent who was trying to teach new methods to a New England farmer. He promised: "If you try these new techniques, you will be able to farm twice as well as you do now." "Shucks, son," said the farmer, "I don't farm now half as good as I know how."

We must do a better job of applying what we know. Great technical challenges and opportunities exist today. We must use technology to reduce pollution and stop the waste of national resources. Power generation is at the root of many pollution and resource problems. And it is only through improved technology that we can solve those problems and still provide sufficient energy for the world's needs.

In the area of national security—my topic for tonight— improved technology must provide the basis for the continuing deterrence of worldwide conflict. We all hope that the SALT negotiations will be successful. But until we can achieve arms limitation agreements, military deterrent forces based on advanced technology will remain our chief safeguard against war.

Ever-changing technology also can help deter or determine the winners—and losers—in non-nuclear warfare. During World War II, science and technology acquired a large part of its favorable reputation from its contributions to our military victories. One thinks of the Spitfire and radar in the Battle of Britain, and radar again in the Pacific battles.

Technology later played a key role in the Korean War. The helicopter came into its own in rescue and medical evacuation. And our fighter aircraft with new electronic sights used their technological edge over the MIGS to excellent advantage.

In the 1960s, the Cuban missile crisis was effectively resolved, in part, as a result of sophisticated aerial photography.

Technology has also played an important role in Vietnam, particularly during the period of withdrawal of American forces. Improvements in our air operations have been possible through an array of technological advances and innovations, including developments in laser-guided missiles, the use of gunships, and the introduction of new surveillance systems such as low light level television and infrared. All of these developments have enabled airpower to deny the enemy the use of darkness as a safe haven from which to operate.

Because of the success of the Vietnamization program, U.S. Air Force fighter strength in Southeast Asia was reduced by 44% during 1970 with reduction of some 35% in sorties flown. Three-fourths of these aircraft were actually withdrawn from that area, while the remainder were transferred to the Vietnamese Air Force.

But the length and cost of the war have helped develop a negative public attitude towards military technology. This negative attitude has been reflected in a decline in defense R&D expenditures. A slight increase is proposed in FY 72, but with inflation taken into account, the level of effort will still be the lowest since 1960.

The significance of this technological slowdown can best be appreciated by considering the trends in the forces of the Soviet Union. It is hard to determine exactly what the Soviets are doing in the research and development area. But we are seeing many new weapon systems of high quality. They have flown more than a dozen new prototype fighters and bombers in the last decade compared to a total of five for the United States. Our best estimates indicate that Soviet military R&D has almost certainly passed our own level of effort and continues to increase at a rate of over 10% per year. If Soviet R&D efforts produce some future military surprises—as they well may— then we will have paid a high price for public disillusionment with technology.

The current loss of public confidence in military technology has been accelerated by management problems associated with the development and production of a few major systems, such as the F–111, the C–5, the Cheyenne attack helicopter, and the MARK 48 torpedo.

The F–111 is one of our most publicized Air Force programs and has been the subject of a great deal of public and congressional scrutiny. As you know, we have experienced significant structural problems with this aircraft. Because of a major accident in December 1969, all F–111s were grounded and a major test and corrective program was initiated. It was pretty tough medicine to ground all those aircraft.

Our investigation revealed that the problem was one of quality control rather than design deficiency. That is, the nondestructive inspection techniques and procedures in use prior to the accident allowed a flaw in the high tensile strength material to slip through the quality control.

As a result, we have inspected the critical primary structural parts of the aircraft in great detail and are verifying the basic structural integrity of all F–111s by ground proof test at a temperature of —40° F. One by one these aircraft are put into the test cell, and with the temperature down to —40°, the wings are jacked up and the fuselage pushed down until there is a load of 7.3 Gs. We did this successfully to 286 aircraft. Then the major TV networks asked if they could film the tests. And as you are probably aware from news accounts, an aircraft in the test cell developed a crack in a plate—revealed to all present by a loud bang!

Of course, a post-production test program of this type should not be necessary. We are working hard to improve our quality control techniques earlier in the production process, but there is still a great deal to be done in advancing the state of the art.

We are making a number of major improvements in our overall approach to weapons development. These improvements not only make sense as good management, but should also help us regain public confidence in our use of defense technology.

In the past we leaned too heavily toward concurrent development and production. Tooling and production were often initiated before the development of the system was complete. In addition, we tried "total package procurement," which required the bidder to contract for the new system from the "cradle to the grave." That is, his fixed-price bid covered both development and production—and also guaranteed maintenance costs, reliability, and the cost of spares for operating the system. All of these contracting arrangements were made purely on the basis of paper studies.

We are now implementing new procurement procedures. We are separating the development contract from the production contract. And whenever possible, we are using competition in the development phase.

The competitive prototype method will permit us to base our procurement decisions on comparative hardware tests rather than paper studies. It will also provide a strong incentive for best possible contractor performance. We used this method for both the electronics and the engine for the F–15 fighter. We had a fly-off of the fire control electronics between Hughes and Westinghouse. And Pratt Whitney and GE both developed test engines. We selected Hughes on the one hand and Pratt Whitney on the other, on the basis of actual test results.

We also provided hardware competition for the engine of the B–1 bomber. There were thousands of hours of engine component testing, as well as more than 100 hours of demonstration engine testing by GE and Pratt Whitney, before GE was chosen.

In the case of the A–X close support aircraft, the cost of development is low enough that we are going to have a fly-off of the plane itself. Northrop and Fairchild Hiller will each build two aircraft on fixed price contracts. After testing the flying prototypes, we will pick one contractor to proceed with full-scale development and production.

Our objective in developing the A–X aircraft is to provide a better capability for our assigned mission of close support for ground troops. We want to be able to operate over the battlefield at speeds low enough to provide good accuracy. To survive under those conditions, the aircraft must be capable of sustaining high load factors and must have redundant systems and good armor protection. We also want a large ordnance load and fuel for a long time over the target area. We will test avionics systems for night and all-weather operations, but such systems would be used in only a part of the force. Our principal task is to provide an aircraft that can do the job without complex subsystems and high costs. The development program will insure that we can build such a plane before we decide to go ahead with production.

It would be nice to have several companies build prototypes of every new system so that we could decide which one to buy on the basis of hardware performance. But this would cost too much for more complex systems. For the F–15 fighter and the B–1 bomber we found that over half a billion dollars would have been added to the cost.

Since we can't afford competitive prototypes in these cases and since even single contractor development will be expensive, the Air Force must be closely involved in day-to-day trade-offs. We must be able to adjust the characteristics and design of the aircraft in the face of technical and cost problems that are bound to arise. In order to obtain that sort of control and flexibility, we are using a cost plus incentive contract for the development phase. A fixed price contract will then be negotiated if the decision is made to go ahead with production.

McDonnell-Douglas was given a cost plus incentive contract for development of the F–15 with a fixed price plus incentive for the production phases. This was one of the first programs that we designed with emphasis on contract milestones. There is a thorough review at each milestone before proceeding with the next phase of development. The first two milestones—preliminary design review of the engine and the airframe—have been successfully completed.

As you know, North American Rockwell has been awarded a cost plus incentive contract for development of the B–1 bomber. The production decision will not be made until a year after the first flight which means there will be plenty of time for hardware evaluation before going ahead with the production contract.

Even though there is no competitive development, the contractor clearly has a strong incentive to do the best possible job. If he hopes to be awarded a production contract, he must keep down the cost of both development and production, while meeting essential requirements.

The B–1 is a good example of the potential contribution of advanced technology to security. Its principal purpose is to provide more effective insurance against the failure of deterrence. It must have the capability to attack and destroy enemy targets in the face of rapidly improving enemy defenses. And it must be able to accomplish its mission in ways that are different from those built into our land- and sea-based missile forces. If it can do these things—and the Soviets realize it can do them, the risk of nuclear war can be held close to zero.

Each of our deterrent weapons poses inherently different problems for a potential aggressor. Each has its distinctive strengths. For example, our missile forces are designed to ride out the initial enemy attack, since they cannot be recalled once they are launched. The B–1, on the other hand, will be capable of wide dispersal and fast launch on warning so that it can be clear of its bases before enemy weapons arrive. Thus, even if an enemy developed the capability to destroy many of our land- and sea-based missiles before launch, that tactic would not eliminate our bombers—they would already be in the air.

Similarly, while our missile warheads follow predictable ballistic trajectories to their targets, the B–1 will have the tactical flexibility of various speeds, altitudes, and manned penetration systems, in order to fight its way to the target regardless of enemy defenses. Thus, even if an enemy developed a highly effective ABM defense against ballistic ordnance, the bomber would still be a credible deterrent.

A three-way mix of land-based missiles, sea-based missiles, and bombers greatly complicates any plans an enemy might have for launching a strategic attack and provides insurance against unexpected enemy developments which might neutralize a single type force if that were all we had available for deterrence.

The B–1 will be a considerable advance over our B–52s which first flew in 1952. It will have supersonic speed, but also low-level attack capability—the lack of which contributed to the cancellation of the B–70 bomber in the early 1960s. The B–1 will have a faster launch capability, a low radar cross-section and a large payload for penetration devices and multiple weapon systems. The B–1 should make an important contribution to deterrence for a long period of years, just as the B–52 has done before it. And it will provide additional options, short of a nuclear missile attack, which could be used in smaller conflicts, if necessary.

We are applying new management approaches to both the F–15 and B–1 programs. We are giving greater authority and responsibility to our System Program Directors in order to speed up decision making and encourage initiative.

We are also streamlining our reporting procedures. A short time age we required some 430 types of formal reports on each major project. This was cut to about 200 for the F–15 and now to around 40 for the B–1. There will still be adequate reporting for financial management, and we will conduct extensive reviews at designated milestones as development progresses. But we expect our Air Force managers and engineers, working with the contractor, to provide early notice of development problems and fast decisions on the various tradeoffs that are possible.

These management improvements will not solve all our problems, but we believe they will help restore public confidence in Defense technology.

We must continue to work for healthy and adequate defense R&D programs. And at the same time we must look for ways in which the new technology and management techniques that we develop can be useful to the civilian sector. To the extent that we are successful in improving our defense R&D programs, the people of this country will be more inclined to support not only those programs necessary for national security, but also the proper use of technology to solve our domestic problems. Progress toward both of these objectives is essential for the future well-being of our nation.

LITHUANIAN INDEPENDENCE

HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. WIDNALL. Mr. Speaker, February 13 marked the anniversary of a country whose existence was derived from a stronger force than charters, constitutions and diplomatic recognitions. That force continues from the hearts of thousands of Lithuanians who must live their lives apart from their homeland. These are the people who were driven from Lithuania by Soviets because zealous patriotism would be a danger to Soviet subjugation.

Such are the patriots who constitute the Lithuanian community in New Jersey. On the 53d anniversary of the restoration of Lithuanian independence, the Lithuanian Council of New Jersey adopted a resolution that I wish to share with my colleagues:

RESOLUTION

On the occasion of the 53rd Anniversary of the Restoration of Lithuania's independence, we the representatives of the Lithuanian ethnic community of New Jersey, assembled here on February 13, 1971, in Newark, New Jersey to:

Commemorate Lithuania's Declaration of Independence proclaimed on February 16th, 1918, in Vilnius, whereby a sovereign Lithuanian State, having antecedents in the Lithuanian Kingdom established in 1251, was restored;

Honor the memory of the generations of Lithuanian freedom fighters who fought to defend Lithuania's national aspirations and values against foreign oppressors;

Recall with pride the political, cultural, economic and social achievements of the Lithuanian Republic during the independence era of 1918–1940;

Express our indignation over the interruption of Lithuania's sovereign functions as a result of the military occupation of our homeland by the Soviet Union on June 15, 1940, during the course of which national traditions and values were trammeled, the personal freedoms of the people were suppressed and hundreds of thousands of people were liquidated by the Soviet genocidal practices;

And to emphasize once again our confidence that, regardless of what methods the Soviet oppressors devise, they will, in the end, be unable to suppress the aspirations of the Lithuanian people for freedom and the exercise of their human rights. These hopes were made most evident in the recent successful hijacking of a Soviet aircraft to Turkey by Pranas and Algirdas Brazinskas, as well as in Simas Kudirka's heroic attempt at defection,

Gravely concerned with the present plight of Soviet-occupied Lithuania and animated by a spirit of solidarity we, the members of the Lithuanian ethnic community of New Jersey,

Demand that Soviet Russia immediately withdraw its armed forces, administrative apparatus, and the imported Communist "colons" from Lithuania, thus permitting the Lithuanian nation to freely exercise soverign rights to self-determination.

We call upon our Senators and Representatives to make use of every opportunity to urge that President Nixon once again publicly reiterate the long standing United States position of non-recognition of the incorporation of the Baltic States of Estonia, Latvia, and Lithuania into the Soviet Union and to raise this issue in the United Nations and at various international conferences.

Dated at Newark, New Jersey, February 13, 1971.

VALENTINAS MELINAS,
President.
ALBIN S. TRECIOKAS,
Secretary.

STORY OF A MODEL BOY

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. STOKES. Mr. Speaker, I wish to bring to the attention of my colleagues in the House a tragedy which recently occurred in my congressional district. Last November 16, a bright, handsome, and diligent young man by the name of Glenn Callieham was brutally shot to death under mysterious circumstances. He was 17 years old at the time of his death.

In the February 22, 1971, edition of the Cleveland Plain Dealer, reporter Robert P. Daniels told the story of Glenn's life with compassion and insight and explained the frustration of his parents, who worked hard to rear him properly. The authorities believe that his death resulted from his unwillingness to steal narcotics from his father's patent medicine store.

We hear so much that is negative about youth today. Boys like Glenn, boys with hopes and dreams of self-improvement and achievement, remind us that we need not be concerned about the ability of tomorrow's leaders. Let us hope, however, that no more Glenn Calliehams are prevented from realizing their goals for such senseless reasons.

The article, "Story of a Model Boy: He Was Murdered for Doing What Was Right," follows:

STORY OF A MODEL BOY: HE WAS MURDERED FOR DOING WHAT WAS RIGHT

(By Robert P. Daniels)

The man reached to a ledge above his desk and took down a tiny plastic trophy. On its base was a tag that reads: "World's Best Dad."

It was a gift to Jerry Callieham from his son.

"To me, Glenn was something a little exceptional as a son,". Jerry Callieham said. "All my plans were wrapped around him. Now I have no plans, period. When they killed Glenn, they took a whole lot out of me."

The woman, her eyes moist with tears, held a Mother's Day card. On it are the words: "To a Wonderful Mother on Mother's Day."

It came from her son.

"Glenn was the most delicate one to me," she said. "I do what I'm doing now because I have other kids. It seems I can hear Glenn saying, 'Mom, don't worry.'"

Glenn Callieham, delicate, generous and loyal son to both sides of a split family, was shot to death last November because he would not do what he thought was not right. He was 17.

His mother and father are divorced. Both have remarried.

But even separately, they brought up Glenn to do what was right.

Jerry Callieham, 39, owns a patent-medicine store. He has worked hard for what he has and he expects the same from his children.

"I always taught Glenn and all my kids to do things right," he said. "If you do things the right way, you'll be recognized."

Glenn Callieham was shot to death on his way to work at his father's store.

It happened shortly before 6 p.m. last Nov. 16, less than a block from his destination, E. 110th Street and Superior Avenue N.E.

It happened, police reported, because Glenn refused to steal.

Cleveland police believe he was asked by other boys to take medicine from which narcotics could be extracted from his father's store.

When he refused, he was killed.

Glenn Morris Callieham was born in Cleveland on April 4, 1953. The Rev. Dr. Martin Luther King Jr., whom the boy admired greatly, was shot to death on Glenn's 15th birthday.

"I remember the day that happened," said Mrs. Powell. "Glenn came to me and said, 'Mama, isn't it a shame that he died on my birthday?'"

Glenn considered his date of birth significant. He was an Aries and an ardent follower of his horoscope. A symbol of Aries, the ram, hung on a chain around his neck.

He had been following astrological forecasts in the days before he died. He told his mother he was prone to death by accident.

Mrs. Powell said: "He told me one time that his horoscope said he could walk out any day and get killed."

Perhaps not any day. Thursday is the lucky day for Aries. Monday is the unlucky day.

The day Glen was shot, his horoscope read: "Home affairs can be quite difficult. Make sure you do not add to the disturbance, or there can be real trouble."

After he was shot, Glenn made his way to his father's store. There, he collapsed on the floor. He was dead.

It happened on a Monday.

People born under the sign of Aries are said to be affectionate and faithful. They are exceptionally generous; they have a lot of friends.

That was Glenn Callieham.

"He was free-hearted and kind," said his mother, "never a hard-headed child. Sometimes I thought he was a little too good. He didn't think anyone would harm him or anything like that.

"He didn't watch people. He thought everybody was his friend. He'd say, 'Anything I have, my friends can have,' and sometimes if a friend of his was having trouble, he'd come to me about it."

Evidence of his generosity abounds.

In his father's store, Jerry's Patent Medicines, 11002 Superior, his father keeps a cigarette lighter the boy gave him. It's attractive and unusual, shaped like an old flintlock pistol. Glenn also gave his father a desk set.

"He'd always give me a big card and a wonderful gift for Mother's Day," said Mrs. Powell, who lives at 3771 E. 142d Street.

"Just look around this house and you can see them—the clock on the wall, the toaster, things like that. Sometimes he would buy me candy.

"One Sweetest Day he came up to me with his hands behind him and said, 'Mama, I didn't get you anything for Sweetest Day, just this little card.' I read the card, and then Glenn pulled a box of candy out from behind him and gave it to me. He was forever doing things like that.

"Another time he bought my husband (Horace Powell, 50) a little radio he could plug in his ear and hear church music on Sundays. He just said, 'Here, Horace, this is for you.'"

Glenn's friends were numerous at John F. Kennedy High School, where he was a senior, in the neighborhood where he lived and at the store.

Perhaps his closest friends were classmates Fred Burt, 17, of 14008 Glendale Avenue S.E., and Edmund Wilson, also 17, formerly of 3566 E. 149th Street and now living with an uncle at Otis Air Force Base, Mass.

"We were very, very close," said Edmund. "Most people say we were like brothers. I feel as though he was my closest friend."

Despite his slender build (5 feet 10, 140 pounds), Glenn was athletic and liked most sports. Because he worked, he did not play at JFK.

"He played basketball and baseball and he liked track," said Edmund. "We spent a lot of time in my backyard playing basketball.

"There would be Glenn, Fred, Dave (Thomas), my cousin Arthur (Wilson) and me. The days we didn't have to work, we'd play from morning 'til night.

"He also liked to go to parties and talk to the women and make people laugh. He liked music a lot. Just before he died he got interested in hard rock.

"He liked Jimi Hendrix and the Iron Butterfly, but I'd say his favorite artists were the Temptations and Tom Jones. He had a lot of records by them."

"He also used to talk about getting married," said Fred. "That's something he was looking forward to.

"And he talked a lot about his father. He wasn't going to forget what he did for him. Glenn was really good about his family. Anytime he was going to be out past a certain hour, he'd call the house and say if he was going to be home or not."

The person he talked about marrying is India Simpson, 18, of 16220 Stockbridge Avenue S.E. She said he talked about it occasionally when they were alone.

"He'd talk about things like that," she said, "and about the future. He told me he'd like to have a good job, that he didn't want to be a bum."

Miss Simpson saw Glenn the afternoon he was killed. He had stopped at her house after school, then went home to rest before work.

"I was sick and had been to the doctor," she said, "and Glenn came over later. We were sitting there talking about Christmas.

"Glenn said he was going to give me a big Christmas present and he was telling me what he wanted. He said he wanted a watch. He was showing me the kind he wanted in one of those gift catalogs."

Fred and Edmund drove him from India's house to his own.

"As he got out of the car he said, 'I'll see you all later,'" Edmund recalled. "I was going to call him later and see what was happening that weekend. We were sort of planning on going to Akron.

"We were going to take the ladies (Miss Simpson and Loretta Owens, who also works in Callieham's store) someplace special. We wanted to go to someplace out of town, someplace different.

"Fred and I were at work (Zappone's Olive and Grape Restaurant, 26300 Chagrin Boulevard, Woodmere). Then my cousin Marcus (Wilson), came and told me that Glenn got shot, and I didn't believe it.

"Fred called the store, but he couldn't ask about it because he was afraid. So I grabbed the phone and asked. Glenn's stepmother (Mrs. Ann Callieham) was there and she told me.

"It shocked me. I told Fred and Dave and the rest of the friends and they were all shocked."

Glenn Callieham is remembered by others as a gentle young man who liked to have fun and liked others to have fun. He did not like violence.

He was a good pupil—a potentially better one—who earned only one C through his first six years of school. The rest were A's and B's.

His grades weren't as good in high school, but he was working, had more outside interests. They could have been as good.

Glenn was giving serious thought to a career in pharmacy. He wanted to enroll in college next fall. He had not applied for admission because he did not have a particular school in mind. He knew that he wanted to go to a school out of town.

"We were together a lot for about the last two weeks before he was killed," said Rex Harrison, 17, of 13208 Edgewood Avenue S.E.

"He was always easy-going and carefree. He liked to go to parties a lot. He went to quite a few of what you might call the high spots. He liked to dance and he liked music.

"I was over to his house on the Saturday night before he was shot, I talked to him on Sunday and on Monday I saw him here in school. And that was that."

"He always said he didn't like fights," said Miss Simpson. "He used to joke about it. He said if he ever got into a fight, he'd run."

"Glenn wasn't the type you'd figure something like this would happen to," said his brother, Levester Callieham, 21, the eldest of Jerry Callieham's children.

"He was very quiet until you really got to know him. When I heard what happened, I didn't believe it. It's even hard to believe today.

"Now over at my mother's house there's no music played or anything. All the good records are Glenn's, and no one feels much like playing them anymore."

Levester Callieham was with an Army supply outfit in Long Binh, South Vietnam, when his brother died.

He received a 30-day emergency leave and was given an extension when he got home. He has since applied to the Army for a compassionate reassignment to a base close to home. A decision is pending.

"I think Glenn and I were closer when we were younger," he said, "but just before I went into the Army, we were coming back closer again. I was looking forward to the time when he was 21 and we could do some more things together."

He remembers his father teaching the children in the family to do right.

Well, in every family, you have one parent you sort of fear or something, and one you more or less lean on if you do something wrong; one you can talk to, who will try to get the other one to go easy on you.

"We always tried to do right in our family because of what father might say if we didn't. We weren't so much afraid that he'd whip us or anything for what we did; it was what he'd say about it."

The father wipes his damp eyes with a handkerchief and remembers when he and his family were young.

"I got married young and I grew up with my kids," he said. "I think we all learned a lot. I've found out that when a person is determined and wants to make a go of it, he can do it.

"I learned that I could make a go of it, because I always seemed to not let little things get in the way.

"I think my kids learned that, too. They know that daddy stands for certain things, and they've had to learn to accept the fact that he'll always be daddy and that he's not going to take certain things from them.

"The times I remember most with Glenn are the times we went to ball games together. I used to take Junior (Levester) to a ball game once in a while, and then one day Glenn said to me, 'Now it's time to take me to a ball game.'

"So, I said, 'When you come to work Sunday, we'll take off and go to the football game.' And we went down to see the Browns. Going to ball games together . . . football, baseball. He was crazy about all of them."

Glenn also liked to have a good time with his mother.

"He liked to play around with me, like brother and sister," said Mrs. Powell. Sometimes when he was playing he'd call me Thelma.

"'Thelma,' he'd say, 'how about fixing me a hamburger?' And I'd say to him, 'Boy, I'm going to fix you a hamburger, all right, but I'm doing it because I was going to fix them anyway.' And then we'd laugh.

"He was very neat. He didn't like beards and all that. He always kept his Afro trimmed and neat. He wanted his clothes to be neat, too. He wanted his shirts clean and ironed and he liked a crease in his trousers, even in his blue jeans."

(The day Glenn was killed he was wearing neatly creased bell-bottom blue jeans, an expensive—$40—sweater, an overcoat with a fur collar, and a black, wide-brimmed hat, currently a popular item among black youngsters. He bought the clothes with his earnings from his job at the store.)

Tributes to his character are many. No one can remember a bad thing about him. He was, it seems clear, the kind of young man every parent wants his child to be.

"He was just a nice boy who never did bother anybody," said Willie Harvey, who works at the store and who had known Glenn from the day he was born. "He always was quiet and minded his own business."

"I loved Glenn," said Mrs. Sara Pettit, who worked with Glenn for four years. "I worked with him a lot decorating the windows and things. There was nothing he wouldn't or couldn't do. I took him just like one of my own."

"It seemed to me like he was always happy," said Miss Owens, a 1970 graduate of Jane Addams Vocational High School. "He liked to tease me a lot. He always kept us laughing."

"He was a tall, handsome child," said his stepmother. "He was a wonderful child. His father tried very hard to show him the right way to go.

"It's very soft around here now. It's very difficult to talk about him anymore."

Glenn and his stepmother also were very close. He often gave her cards and presents, and she let him drive her car. She had planned to take him downtown shopping Tuesday, the day after he died.

"Glenn didn't try to be like anyone else," said his sister, Katrina (Mrs. Elliott Hollinger, 20). "He had a dream of his own, and he knew it would make his mother and his father happy. He knew it would have been good for both of them.

"He was his own person, his own identity. He wouldn't say, 'I'm this or I'm that or I'm black.' He'd say, 'I'm Glenn Callieham.' Glenn had the one idea that he had to go to school to make it. He knew what he wanted and he knew what he had to do to get it.

"Since this happened, I don't work at the store anymore. Remembering Glenn there, thinking about him, got to be too much for me. I got a nervous stomach from it. There are a lot of people who don't want to work for what they have. Not Glenn. He worked hard for what he had."

Alan J. Klein, Glenn's guidance counselor at JFK, said: "Glenn was what a lot of kids wanted to be and couldn't make."

Frank Jasko, his black history teacher in Room 341, called him "gregarious, the curious type" who took part in classroom discussions.

"Anything I can think of about him is completely favorable," said Jasko. "That's the kind of young man he was."

"He was well-liked by the other students," said Melvyn M. Gross, assistant principal. "I think they admired him most because he was working toward his own cause in a good way."

Gross remembered the week Glenn was shot.

"What you probably don't know is that our students had a double shock that week," he said. "About the time Glenn was shot, Mr. Cowley (Willard B.), one of our math teachers, died.

"The characteristics of both were very similar. Like Glenn, Mr. Cowley was always smiling. And like Glenn, he was well-liked by the students."

(Mr. Cowley, who lived at 20517 Raymond Avenue, Maple Heights, died Nov. 17, the day after Glenn was shot. He had been a teacher in Cleveland public schools for many years.)

"We had a memorial program here in school for both of them," said Gross. "There were two chairs on the stage draped in black to represent them. The auditorium was filled with students and the service was broadcast throughout the school.

"Here's how strong the reaction to their deaths was: There wasn't an incident of any kind here the day of the service."

If Glenn had been under pressure to steal medicine from his father's store, he didn't tell anyone about it, didn't show any concern.

The night before he was killed, he relaxed at the dining room table by working on a project he was doing in crayon for an art-appreciation class.

It is a mass of many-colored rectangles on a large sheet of paper. There is a blank area along the left side of the sheet; the right end is solid black.

He called it "World of Confusion."

Everyone who knew him well said he would have mentioned it if he had been threatened and had taken the threat seriously.

Police have arrested a 15-year-old boy who lived in Glenn's neighborhood. He is accused of the shooting. It is to be decided March 8 whether his case will be handled as that of an adult or a juvenile.

"I knew my boy," said Mrs. Powell. "If he was worried, he'd show it. One boy he would always tell if anything was wrong was Edmund, and he never said a thing about it to Edmund."

"If anybody had threatened him even once, he'd tell me," said Edmund. "He'd get mad. He'd say, 'Look, man, this dude is trying to mess up my life.' He didn't like that kind of stuff."

"I guess he didn't think anything of it, or he would have told me and Ed," said Fred. "If he had, we'd have gone to see about it."

The day Glenn died, his mother had awakened him about 5:10 p.m. to get ready for work.

"He got up and put on his clothes," she said. "I was cooking liver, lima beans and corn bread, and I asked him if he wanted a T-bone, because he didn't like liver very well.

"He said, 'Just have it ready when I get home tonight.' And when he walked out the door, he said, 'I'm going, Mama.' I didn't go to the door with him that day."

Glenn's father had hoped the boy would become a pharmacist. He would have expanded the store and given Glenn increased responsibility when he was through school.

One time he gave Glenn a booklet on pharmacy, hoping to stir his interest. Later, he learned the boy had signed out books at the library on the subject and was reading them on his own.

Glenn Callieham was growing up the way his father had hoped he would.

"It seems like I've had two families, my family at home and this store," Callieham said. "I haven't always been able to spend as much time with the children as I'd like to.

"But I always tried to get across to them that I loved them. I wanted them to know that.

"I wonder if Glenn really knew it?"

The father is pensive. He stares at the wall behind his desk. He clasps his hands and leans forward with his chin on his thumbs.

"He had to," he whispers. "He had to."

GENERAL REVENUE SHARING

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. BROTZMAN. Mr. Speaker, I am today introducing legislation similar to the general revenue sharing bills which I joined in introducing earlier this month. At that time I stated that the enactment of general revenue sharing would establish precedents, for the first time in our Nation's recent history, to yield some of the Federal Government's tax jurisdiction to levels of government which are closer to the people.

In the past 2 weeks, I have had the opportunity of studying further the matter of general revenue sharing. Although I believe it represents the best first step toward implementing the American tradition of having governmental powers located physically as close to the taxpayer as is practicable, it contains one basic flaw.

For general revenue sharing to work most effectively, the pass-through formula for funds going directly to counties and cities must be equitable. That is why I am today introducing revised legislation. The only difference between my bill and the earlier bill is the formula for determining the amount to be passed through the States to cities and counties.

Many areas of high concentrations of population have not incorporated as cities. Instead, they have provided essential services through independent school districts, special sanitation districts, special fire districts, special water districts, special recreation districts, and other special districts. The residents of these areas have taxed themselves accordingly to pay for the services provided by the special districts, and I believe that a system of general revenue sharing, based on revenue effort, should take the tax burden of special districts into consideration when determining the pass through to cities and counties.

The original revenue sharing bill does not do this. Each local government's share is to be determined by obtaining a percentage. The percentage would be based on the ratio of the local government's general revenue to all local government general revenue in the State. Unfortunately, the formula does not take into account independent school district taxes and special district taxes—only those taxes collected directly by municipalities and counties. This is unfair. A tax is a tax regardless of who collects it.

My bill, Mr. Speaker, corrects this inequity. It provides that each local government's share will be based on a ratio of the local government's general revenue plus the general revenue raised by other units of government within the local government's geographical boundaries to the general revenue raised by local governments and other governmental units throughout the State.

If, through general revenue sharing, our goal is the strengthing of local government, then it is imperative that we allow each locality a free hand in determining how it can best provide the services sought. I do not mean to be critical of the administration for the formula inequities which are present in the original bill. We are pioneering a whole new concept in the distribution of Federal resources, and accordingly there are bound to be initial flaws. However these flaws should be corrected before the concept reaches the House floor. My bill is designed to do just that.

Mr. Speaker, I renew my request for early hearings on general revenue sharing, and I urge all of my colleagues to carefully consider the more equitable pass-through formula I have included in my revised bill.

PHILADELPHIA UNCLOGS SEWER INLETS

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. EILBERG. Mr. Speaker, by rough measure, water department crews have removed 2.5 million cubic feet of debris from sewer inlets in the past 19 months, Commissioner Samuel S. Baxter said today. This amount of debris would fill the intersection of Broad and Chestnut Streets, to a height of 368 feet—37 feet higher than the Philadelphia National Bank Building.

Baxter said that since the mayor's "War on Dirt" began in mid-1969, the department's crews have done 107,000 inlet cleanings. As a result, most of the city's 100,000 sewer inlets have been cleaned at least once, and some several times.

The cost of the inlet cleaning program for the 2-year fiscal period from July 1, 1969 through June 30, 1971 is estimated at $2,933,000. This includes $2,100,000 for personnel (both permanent and temporary), $119,000 for materials and supplies, $91,000 for rental of vehicles and services, and $623,000 for purchase of new inlet-cleaning vehicles.

It is estimated that inlet cleanings in the 2-year period will total 135,000 by June 30, 1971.

Baxter noted that in the past, because of inadequate manpower and equipment, it sometimes took several weeks for crews to clean some inlets, after these had been reported clogged. Now, however, the time lapse has been reduced to 6 days or less for most inlets, and by spring this time lag will be further shortened. Emergency jobs, of course, are done immediately or within a few hours.

Baxter said that the department's improved record stems from more funds, larger manpower, and newer equipment. Today the cleaning force has 105 permanent workers, compared with only 36 in mid-1969. It also has 43 vehicles that are used for cleaning. Seventeen of these were freshly purchased last December, and several other new units were bought in the previous year.

Thanks to more manpower and better equipment, cleaning is no longer confined to emergencies. Much inlet cleaning is now being done on a scheduled basis, neighborhood by neighborhood. This helps to clear up in advance some conditions that favor flooding, odors, rats and insects.

Baxter said that the clogged-inlet backlog now numbers only a few hundred at any given time. This is in contrast to a backlog of 18,000 reported inlets and many thousands of unreported inlets in August 1969.

MILITARY BUDGET CAN BE CUT BY $10 BILLION

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. MOORHEAD. Mr. Speaker, I, and a great many other people, have long said that our military budget can be cut in the neighborhood of between $8 and $15 billion, depending on which authority you listen to.

In testimony before the Senate Foreign Relations Committee last year, Dr. Carl Kaysen, the director of the Institute for Advanced Study and former Deputy Special Assistant to President Kennedy for National Security Affairs, gave a rather detailed explanation of how $10 billion could be trimmed from the current $73 military budget.

To those who believe such a cut would make the United States vulnerable to a sneak Soviet attack, Dr. Kaysen's reductions would affect only nonnuclear forces.

Roland A. Paul, writing in the February 12 New York Times, discusses Dr. Kaysen's analysis.

Paul concludes, and rightly so:

> These reductions are being proposed because American interests abroad can be adequately protected with a smaller American force . . .

I am inserting Mr. Paul's thoughtful article in the RECORD and urge that my colleagues read his report of Dr. Kaysen's study:

THE $10 BILLION MISUNDERSTANDING

(By Roland A. Paul)

WASHINGTON.—Last November Dr. Carl Kaysen, the director of the Institute for Advanced Study at Princeton and a former deputy special assistant to President Kennedy for national security affairs, testified before the Senate Foreign Relations Subcommittee on United States Security Agreements and Commitments Abroad. There was no press coverage for Dr. Kaysen's testimony because public attention was absorbed at that time by the dramatic raid on the North Vietnamese P.O.W. camp at Sontay. Nevertheless, Dr. Kaysen had a very important message to deliver—the defense budget for non-nuclear forces, in his opinion, could in the next year or so be reduced by $10 billion.

I would like to explain how this savings of $10 billion can be achieved, based upon Dr. Kaysen's testimony and the work done by the Brookings Institution, which Dr. Kaysen referred to in his testimony.

The 1971 defense budget of about $73 billion is composed of $18 billion for strategic (nuclear) forces, $11 billion as the incremental costs of the Vietnam war this year and $44 billion for the base line general purpose forces, i.e., the pre-Vietnam Army divisions, Air Force wings and Navy task forces at 1971 prices. It is out of this $44 billion which Dr. Kaysen and Dr. William Kaufmann, who did the basic work for Brookings, believe that $10 billion can be saved.

Let me first show the savings that could be achieved among the Army and Marine Corps divisions, and then indicate the parallel savings within the Navy and Air Force. The nineteen and two-thirds Army and Marine Corps divisions which we have today (we had nineteen and one-third in 1964) are roughly allocable eight to Europe, eight to Asia, one to other regions and two and one-third to a strategic reserve.

Some of these, though allocable to a contingency beyond our borders, are, of course, stationed within the United States. Until the recently announced doctrine of the Administration that the United States will henceforth stand ready to engage in one and one-half major contingencies, namely, one in Europe or one in Asia and a minor contingency elsewhere, it becomes clear that we do not need to have the same number of active divisions for an Asian contingency as for a European contingency.

Instead, Dr. Kaysen and Dr. Kaufmann recommend reducing the eight active divisions allocable to Asia by six, leaving two active divisions in being as an immediate force available for an Asian contingency. Since each division deactivated represents an annual savings of $800 million, such a reduction in itself would represent an annual savings of $4.8 billion.

Similarly under the one and one-half wars doctrine, three wings of tactical aircraft and six naval carrier task forces could be cut. The elimination of the three air wings would mean a savings of more than $1 billion annually and the elimination of the six task forces would constitute an annual savings of $3 billion. Additional savings among the antisubmarine warfare carriers and airlift and sealift forces would make the total savings about $10 billion.

Such savings would still leave the United States with forces actually in the Pacific of one, and possibly two, carrier task forces (with one or two backup task forces), four Air Force wings, two ground divisions and, if those divisions were Marine Corps divisions, two additional air wings (since Marine air is integral to the Marine Corps divisions).

Some of these forces recommended for reduction are now in Vietnam. Five of the eight base line divisions mentioned above as allocable to Asia are there. What is recommended, then, is that as Vietnamization occurs and the United States withdraws from a combat role in Southeast Asia, we should demobilize not only those units which represent the special augmentation for that conflict but also units that would have been in existence had there been no such war.

The recent announcement by the Secretary of Defense that he expects an increase in the defense budget suggests that he does not contemplate making all the reductions which I have outlined above, especially since further savings should be possible in Vietnam as we reduce our $11 billion commitment there.

It is not absolutely necessary that the total savings come solely from forces allocated to an Asian contingency. They could also be taken from the eight Army divisions allocable to Europe, the one allocable to other regions, or the two and one-third allocable to the strategic reserve. We also have sixteen Air Force air wings allocable to Europe, which could bear part of the Air Force reduction.

A current myth about such reductions in American manpower should be laid to rest. This myth is that such reductions are tantamount to a return to the doctrine of massive retaliation. This is not so. These reductions are being proposed because American interests abroad can be adequately protected with a smaller American force in being in light of the reduced risk of overt aggression against those interests today, both in Europe and in Asia. The flexible response policy would continue, but with greater peacetime efficiency.

KEEP THE HOSPITALS OPEN

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. RANGEL. Mr. Speaker, on Tuesday, February 23, the Comptroller General of the United States held that the Department of Health, Education, and Welfare has no legal right to close the country's eight remaining Public Health Service hospitals. This reaffirms my belief that the administration's action was precipitate and ill considered.

Adequate medical care for all Americans has been declared a right—a right just as precious as our four freedoms: the freedom of religion, of assembly, of speech, of the press.

Decent, professional medical care for all today stands upon the threshold of becoming our fifth freedom—the freedom from the fear that the lack of a dollar will result in the lack of life-giving medical care.

Who is it that has made this declaration?

The answer, of course, is the American people—the only truly effective voice in our democratic society.

Adequate medical care—in one form or another—now holds top priority among a vast majority of those of us who stand for election, be we Democrats or Republicans. Adequate medical care—in their own self-protective style—is now the chief topic of debate among the mossbacks of the American Medical Association.

There can be no stopping the adoption of legislation that will bring to Americans the right to be protected against disease and death.

And so it is with unbelievable irony that the current administration's Department of Health, Education, and Welfare would take a step backward in proposing that the first—and most efficient—form of Government-supported medical care be dismantled.

I speak of the proposition to close the eight remaining hospitals in the U.S. Public Health Service.

The proposition is bewildering. It is unreal. It is foolhardy. It goes against commonsense. And it runs counter to the obvious demand by the American people to provide far, far more—and not less—medical care for all citizens.

We in the House of Representatives have been stunned by the suggestion that the Public Health Service hospitals be closed.

And we have reacted.

My last count shows that 244 Congressmen—16 more than a majority—have cosponsored a resolution calling for the modernizing, upgrading, and expansion of all of the existing facilities of the Public Health Service.

We have done this because we know—as many of you know—that the U.S. Public Health Service hospitals are meeting today's medical care demands today.

We know that they are efficient. We know that they provide more than a half million Americans—many of them members of the seafaring community—with professional, effective medical care each year.

We know that within the Public Health Service hospital program there lies the seed for a program of the finest medical care for all Americans.

There is, as many of you know, a definite cleavage as to the method that will be used to provide universal medical care.

President Nixon last Thursday issued a message outlining a rather involved program that would expand private health insurance to pay much of the cost of our medical bills.

Employed citizens would pick up much of the cost, either directly or through deferred wages that employers would be required to place in funds to pay for the insurance.

I found an interesting statement in the President's message—one that indicates that someone in the administration is either out of step or out of tune. For the President said, and I quote:

> Rather than giving up on a system which has been developing impressively, we should work to bring about further growth which will fill the gaps we have identified.

I want to agree with the President.

I strongly believe we should not give up on the Public Health Service's system of medical care that since 1798 has been providing quality medical care for a wide range of beneficiaries—and which has made the men of the American Merchant Marine the healthiest in the world.

And, along with a majority of my colleagues in the House, I believe that we should "further the growth" of the Public Health Service facilities—and that through this action, we will help to "fill in the gaps" that exist in all phases of American medical care.

Frankly, I am appalled that the intent of the Congress to strengthen the Public Health Service hospital system—shown time and time again over the past 15 years—has been ignored by the administration.

Congress in 1956, and in 1966, and in 1970, broadened the responsibilities of the Public Health Service so it could provide comprehensive health care for merchant seamen, for Coast Guardsmen, for military personnel and their families.

Congress added to the Public Health Service the duty of establishing and operating a preventive medical care program for urban and rural families with inadequate medical facilities.

We have seen quite clearly the potential to build an efficient network of fine medical care upon the foundation of an established and honored system of health care facilities.

And still, in February of 1971, we find the Secretary of Health, Education, and Welfare wanting to abolish the Public Health Service hospitals at a time when the President is saying we should enhance what we have in the field of medical care.

Yes, these are ironic times.

For the past 5 years, Congress has appropriated funds to modernize the Public Health Service hospitals. And for the past 5 years, the Federal Government has seen fit to ignore these appropriations—to let the facilities physically deteriorate in direct violation of the intent of the Congress to expand the hospitals and to keep them up to date.

Each time a movement begins to improve on the Public Health Service facilities, the buck is passed—in the name of the dollar.

Each time any program of national health care is mentioned, there are those who argue that with only the Federal Government keeping watch, costs would spiral into orbit.

Let us take a look at the record.

It currently costs $55 a day to provide medical care for a patient in a Public Health Service hospital.

For care that is no better—and in many cases not as good—the cost in a private or voluntary hospital per patient day is nearly $100.

Nor is cost the only benefit of the Public Health Service hospitals.

Waiting lists prevail in private, voluntary, and Veterans' Administration hospitals in most areas.

To place the burden of an additional half million patients on these facilities is simply unthinkable. The result would be chaotic.

The victims would be the patients—Americans who have relied upon the Public Health Service hospitals for excellence in medical care.

We cannot—we will not—let this happen.

We in Congress are determined to turn the direction of the Public Health Service hospitals—to modernize and expand this vital arm of American health care. Nothing less will do.

LITHUANIAN INDEPENDENCE DAY

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. DELANEY. Mr. Speaker, I am glad to have this opportunity to join my colleagues in paying tribute to the great Lithuanian people on the occasion of the 53d anniversary of the establishment of the modern Republic of Lithuania.

This distinguished anniversary serves to remind us of our longstanding commitment to freedom, while at the same time bringing to mind the fact that the cherished blessings of liberty must never be taken for granted. It is well to note that this memorable event will not be commemorated by Lithuanians in their own nation, because of their unfortunate subjugation to the Soviet Union.

The tragedy of World War I had the crowning achievement of freeing the gallant Lithuanian people from the bondage imposed for over a century by the tyrants of Russia. For the next 22 years, after they proudly proclaimed their national independence, they knew the blessings of peace, freedom, and prosperity.

However, as a consequence of World War II, Lithuania and its Baltic neighbors were subjected first to the brutality of the Nazi hordes, after which they were tyrannized by the ruthless oppression of the mighty Soviet machine of mechanical men, who fear liberty and are sustained by oppression.

I join with free men everywhere with a fervent hope and prayer that the distinguished and noble people of Lithuania will soon be freed from bondage by their Soviet masters, and take their rightful place in the family of nations.

REPLY TO MR. PHILLIPS

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. STOKES. Mr. Speaker, Mr. Kevin P. Phillips, author of the Nixon administration's southern strategy, recently wrote a column in the Washington Post and several other newspapers entitled "U.S. is unique in helping blacks." Because of the blatant racism evident in that commentary, a brief reply is in order for the benefit of my colleagues and constituents.

Mr. Phillips' thesis is that President Nixon should meet with the black congressional caucus, of which I am a member, and explain to us the many things his administration is doing for black Americans. Further, asserts Phillips, the programs and policies now in effect to benefit blacks are not only adequate but also unique to America, this land of golden opportunity.

Let me suggest that Mr. Phillips' analysis of black people's needs is as faulty as his knowledge of American political, social, and economic history. Underlying his article are two erroneous assumptions: First, that black Americans are an "ethnic minority" comparable to such groups as Basques in Spain, Algerians in France, or French Canadians in Canada; and second, that, like these groups, blacks should not expect to receive Federal aid to help them cause trouble. Phillips stated:

> Foreigners shrink from the idea of giving ethnic minorities public funds to organize and foment insurgency against the surrounding majority community.

The first assumption is fallacious because the history of black people in America is clearly distinguishable from that of any of the ethnic groups Phillips mentioned and, indeed, any ethnic group in any country. This is evident from the fact that blacks were brought to this country as slaves, that our status in the political and economic framework of this country was that of personal property and that, notwithstanding emancipation, blacks were and still are subject to severe deprivations on the ground of race. If this history of oppression is to be changed, steps must be taken without regard to whether or not there are parallels in foreign countries.

The second assumption is not only wrong but a cruel insult to all black Americans. To equate the efforts of blacks to overcome centuries of oppression with fomenting "insurgency against the surrounding majority community" is sheer racism. It is painfully ludicrous to describe as "insurgents" the sick and hungry child, his older brother who cannot read, his mother who must have access to a day care center in order to work and his father who has been denied access to education and vocational training, all living in substandard housing and eating what little they can. It is worse to call efforts to break this vicious circle of poverty "tomfoolery." As Dr. Martin Luther King, Jr., once said:

> It is a cruel thing to tell a man to lift himself up by his bootstraps when he has no feet.

Mr. Phillips concludes that Federal programs designed to make blacks the first class citizens we have never been are the result of a national "guilt feeling." This may be true. But never in my studies, my travels or my experience have I ever discovered a country where such a feeling is more justified.

Mr. Speaker, I submit Phillips also needs to meet with the black congressional caucus.

FASCELL PROPOSES DAY OF RECOGNITION FOR FIRE SERVICE PERSONNEL

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. FASCELL. Mr. Speaker, I am proud to introduce today a resolution designating the second Saturday in May of each year as National Fire Service Recognition Day.

Most citizens are unaware of the diversity of public services performed by our firefighters, fire inspectors, and emergency rescue personnel. Their dedication and willingness to sacrifice all for the safety of others sets an example of public service worthy of recognition.

In addition to honoring our fire service personnel, this special day would be an appropriate time for educating the public about potential hazards in home and industry; available services; and new techniques of fire prevention and safety.

Mr. Speaker, I commend the attention of our colleagues to the text of this resolution and urge that they join in supporting this long overdue recognition of our dedicated fire service personnel.

The resolution follows:

H.J. RES. 390

Whereas the fire service of our Nation performs many public services in addition to the suppression of fire, such as home inspections, prefire planning, inspections of industrial and commercial facilities, rescue and emergency services, and many others; and

Whereas public attention should be invited periodically to the varied and professional-type services rendered by the fire service of our Nation. Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the second Saturday in May of each year is designated as "Fire Service Recognition Day". The President is authorized and requested to issue annually a proclamation inviting the people of the United States to observe this day with appropriate ceremonies and activities.

SENIOR CITIZENS HURT BY INFLATION

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. BADILLO. Mr. Speaker, the present wealth of this Nation is attributable to a large extent to our senior citizens. They have worked and produced in what is now often wistfully regarded as a less complicated age, but what in reality was an age with much fewer employee protections, fewer job safeguards, inferior medical care, longer workweeks, and fewer conveniences. It was their generation that struggled through the Depression, and their efforts helped to put this country back on its feet after that time of national crisis. Yet they receive scant thanks. The money they worked so hard to earn and to save is now being consumed by a steady inflation, brought about to a large extent by misallocation of our national resources. The social security system, started with their contributions, now returns to them benefits that practically preclude their living in decency. They are a group that truly can be called forgotten since the per capita appropriations for programs beneficial to them are among the lowest in the Nation.

Senator HARRISON A. WILLIAMS, JR., of New Jersey, has for years been the champion of our senior citizens. Although keenly aware of the need to avoid waste, he never tried to economize at their expense. The Senator has been a valiant spokesman, making sure that our Nation does not forget those to whom it owes so much.

I am proud to be the House sponsor of a measure that the Senator from New Jersey has introduced in the other body on Tuesday. The measure we are sponsoring would go a long way toward assuring a measure of equity for our senior citizens. I commend it to the attention of my colleagues, and give hereby an outline of its main provisions:

BENEFIT INCREASES

A 15-percent across-the-board benefit increase, retroactive to January 1, 1971, would be provided for by this bill. In addition, there is provision for an automatic adjustment, on an annual basis for each 3-percent rise in the cost-of-living, should Congress fail to take steps to adjust payments. The Secretary of Health, Education, and Welfare should be authorized to conduct a study and consider methods of adjusting benefits based on increases in productivity and the standard of living.

Minimum benefits for single persons, now $64 per month, would be raised to $100 this year and $120 in 1972.

The across-the-board increase, coupled with the increase of benefits for single persons, would serve to lift large numbers of the elderly out of poverty.

EARNINGS TESTS

The amount of earnings exemptions would be raised to $2,100 annually.

WIDOWS' BENEFITS

Widows would receive 100 percent of the benefits due their deceased husbands, the primary beneficiary, rather than the 82½ percent that they are now allocated.

AGE 62 COMPUTATION POINT FOR MEN

This measure provides for equal treatment of men and women with respect to the age-computation point.

PART B PREMIUM COSTS ELIMINATED

Part B supplementary medical insurance premiums—now $5.30 per month—would be eliminated. This would result in sizable savings for the elderly, since the premiums are scheduled to be increased to $5.60 effective this coming July. Under this amendment to the Social Security Act, financing for part B would be provided from payroll taxes and matching contributions from the Federal Government.

MEDICARE COVERAGE EXTENDED TO PRESCRIPTION DRUGS

Presently prescription drugs are not covered by medical coverage provided for the elderly, often forcing the aged into the cruel dilemma of choosing between necessary drugs and essential food. The proposed amendment would extend medicare coverage to prescription drugs.

DISABLED PERSONS UNDER 65 INCLUDED UNDER MEDICARE

Disabled persons, receiving social security, would be included in the medicare coverage, although not yet 65.

GENERAL REVENUE FINANCING

Today's method of financing social security and medicare largely through payroll tax deductions places a regressive tax on workers. Individuals with lower earnings end up paying a larger percentage of their incomes toward financing these programs. Our proposed measure would provide for the use of general revenues to help correct existing deficiencies.

Mr. Speaker, as I mentioned before, this measure is well worthy of the support of every Member of this House. I would urge my colleagues to study the measure and give it their serious consideration.

LOUIS K. MULFORD CELEBRATES 100TH BIRTHDAY

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. RODINO. Mr. Speaker, February 26 marks the 100th birthday of Louis K. Mulford of Wheat Ridge, Colo., formerly of Montclair, N.J.

On this happy occasion, I wish to congratulate him and to extend to him my warmest good wishes for continued happiness and an abundance of satisfaction.

LETTER OF GI WOUNDED IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. LONG of Maryland. Mr. Speaker, I would like to share with my colleagues a letter the parents of SF3 Gordon Clisham, Jr., U.S. Navy, received from his unit commander after Gordon was wounded in Vietnam. It is always pleasant to know how well a young man has served his country—especially when his commander can speak so highly of that service. I certainly share Gordon's parents' pride in the following report.

I include the material as follows:

DECEMBER 25, 1970.

DEAR MR. AND MRS. CLISHAM: Normally, platoon commanders don't write to next of kin unless a man is killed; which fortunately is not the case with Gordon. These letters can be a great pain as one is supposed to say all kinds of nice things about people about whom not many nice things can be said. This letter is particularly easy to write, as I don't have to fabricate any good qualities that did not exist.

Prior to bringing this platoon to Vietnam, I was operations officer for SEAL Team One and one of my biggest jobs was assigning people to the platoons as they were prepared for deployment. My platoon was pretty well filled up before I even realized I would be platoon commander, as I had originally been planning to get out of the Navy in October. When it came time to fill out the remaining six or so slots, I asked the chief in charge of SEAL training to give me two good guys, two medium guys and two bananas from his last class. Gordon's name was put up as the best of the class and I promptly scarfed him up.

Throughout predeployment training he was a real help, as he was always willing to do just about anything that had to be done and myself, my assistant and leading petty officer, came to rely upon him to get things done that we wanted to get done right the first time without having to check up on it every minute. We spent quite a bit of time together during this period, since he would generally ride with me when we drove anywhere. I always got a kick out of the fact that he had more jobs than I could imagine he had time to hold down. If we passed a construction gang, he would say that he had a job doing that one time and how he liked it or didn't like it, or that he worked for a motel and took revenge on a vending machine company or all kinds of different jobs. He might not have told you, but he is still taking revenge on vending machines; we had to hide him in the air craft in Guam after he busted up a sandwich machine in the barracks there.

Once we got in the country he acted as point man for my squad and for the platoon, if we were on a platoon size operation. This is a particularly dangerous job as it requires that the point man go first and check out everything as we go. It also included helping the clumsy patrol leader across the small log bridges the Vietnamese use across the small canals. It requires that the point man check out hootches and bunkers, recover sampans and a host of other things that scared me to death, but Gordon was always not only willing but eager to do.

I think the most impressive thing about him is his sense of responsibility. I had about five other kids in the platoon that were about the same age as Gordon, but they had never learned to do a job correctly without someone looking over their shoulder constantly. What's worse, they don't seem to particularly care if they do it right or not. I think that his having all these various jobs that always used to amaze me, played a large part in his performance with this platoon. However, I think the real reason for his attitude is his parents. I might not be in a position to pass judgment on parents, but I think that I am as I see these kids and how they react in every situation from good times to fighting and dying, and if that doesn't bring out the best and the worst—I don't know what is going to. I may be old fashioned, but I believe that a man is made by his parents and UDT training and SEAL training is not going to make the kind of guy that Gordon is out of someone who had been coddled and babied by his parents. These kind of people do get through training, but they are really not much more than physically tough—but mentally and morally babies. A lot of them go through training just to prove to themselves that they can do it since they have never been given a chance to prove themselves any other way. Since they never have proven themselves any way but physically, and since they don't know any better, they think that all they have to do is fifty push-ups every day and they are doing their job.

Gordon is the kind of guy with a wide range of experience and well-developed responsibility that we really need, and I would trade two or three of the guys that didn't get hit for him if we could get him back.

Since this is Christmas I will wish you a very Merry belated Christmas and Happy New Year. It is probably pretty nice for you to have your son back even if he is a bit perforated, and has a bunch of tubes sticking out. I will try and get a letter off to him here shortly, but if I don't, please give him my best and tell him that the rest of the platoon (what's left of it, I now have seven of the original 14) also send their regards. Also tell him that since he has left, we have no one to fix the jeep.

LITHUANIAN INDEPENDENCE DAY

SPEECH OF

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. KLUCZYNSKI. Mr. Speaker, February 16 marked the 53d anniversary of Lithuanian independence. Events have caused much indescribable misery and suffering to innocent and helpless peoples, especially in Europe. Tens of millions of peoples have been victimized there and robbed of their freedom. The Lithuanian people are a prime example of such victimization.

These gallant and gifted people had regained their independence at the end of the First World War, and had rebuilt their country as a safe haven for themselves. But they were not allowed to enjoy their richly deserved freedom very long. After proclaiming their independence on February 16, 1918, they lived in their newly constituted state for about 2 decades. Then the outbreak of the last war ushered in sad and tragic days for them. The government of the Soviet Union robbed the Lithuanian people of their freedom, put an end to their independence, and annexed the country to the Soviet Union in August of 1940.

At the end of the last war the Lithuanians had hoped for their delivery from Communist totalitarian tyranny, but their hopes were shattered when instead of regaining their freedom, they fell victims to the Soviet Union's tyranny, which became firmly established in the country. Since then these helpless people have been prisoners in their homeland behind the Soviet imposed Iron Curtain.

Suffering under the oppressive and almost unbearable Communist totalitarian regime, they pray for their delivery. On the 53d anniversary of their Independence Day we echo their patriotic sentiments and hope for their deliverance from Communist control.

RARICK REPORTS ON NEED TO RETURN POWER TO THE PEOPLE OVER THEIR LOCAL SCHOOLS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. RARICK. Mr. Speaker, today I reported to the people of my district, explaining to them the need for returning power to the people at the local level to control and conduct their public schools.

I submit the following report:

POWER TO THE PEOPLE OVER THEIR LOCAL SCHOOLS

I'm John Rarick, your Representative with another report to you from your nation's capital.

Systems of tax supported, locally controlled public schools available to all of our youth have played a major role in making the United States the greatest and freest country in the world.

During the past few weeks, numerous instances have come to light both in and out of the South which offer additional proof that federal control of local education is providing to be a failure and a detriment to education. The HEW—federal court imposed plans for a racial mixing of students and teachers according to a fixed percentage is meeting with widespread resistance and resentment.

Here in the nation's capital, the Superintendent of Schools was recently reported in the local press to have said that Washington's schools are in a state of anarchy and that it would take more than a few years to really improve them. Already there are 40 policemen stationed in District schools to protect students, teachers, and property, and D.C. officials are asking for more police to be stationed in secondary schools following renewed robbings and shooting incidents.

In his State of the Union Message, in which he outlined his New American Revolution, President Nixon said:

"People came to America because they wanted to determine their own future rather to live in a country where others determined their future for them . . .

"Let us give the people of America a chance, a bigger voice in deciding for themselves those questions that so greatly affect their lives."

Nationwide there is a groundswell for less federal government control and for people at the local level to decide for themselves "those questions that so greatly affect their lives."

The issue is not between integration and segregation since schools racially mixed several years ago although many since have resegregated as our people use their freedom of choice. The great majority of the people want everyone, not just a few, to have the same rights—freedom of choice.

Freedom of choice is presently the law of the land. For if we do not have freedom, this is no longer the United States. The 1964 Civil Rights Act calls for a halt to discrimination, but it also states that there will be no forced busing or forced integration to obtain racial balance in schools. Under freedom of choice, parents were permitted to choose the school their children would attend. However, parents, both white and black, did not choose to suit the arbitrary whims of the HEW bureaucrats and federal judges. So, the latter—representing the executive and judicial branches of government, remade the law in an effort to achieve their predetermined goal—in each school there must be a certain percentage of black and white students and a fixed percentage of black and white teachers. This was to be attained even if it required busing. Education be hanged!

The only question now seems to be how much longer are the taxpayers and parents going to stand by and let a small group of unelected bureaucrats destroy our society by burdening the taxpayers with tremendous sums to force race mixing not only in our educational, but in our social and penal institutions as well, especially when both races can see that it is failing and widening the gap between the races. If this is social justice, what is tyranny?

Our basic law, the U.S. Constitution, was drafted when the sovereign States united to form this great nation. They made a contract—the U.S. Constitution—and created the federal government. In this contract, the States delegated only limited and specified powers to the federal government. The control of local schools was never one of those powers.

What will it take to make our federal judges and our President realize that the Constitution as written was intended to perpetuate people power? Or is it the power of the people that these bureaucratic demagogues fear?

When the executive or judicial branch violates the Constitution, then it is up to the States or the Congress to repair the damage and restore Constitutional government. The Congress has a duty to rectify the abhorrent conditions existing in the nation's schools by restoring control of local schools to the sovereign States and more especially to local school boards.

In keeping with my oath to represent you the constituents within the confines of defending and preserving the Constitution, I have proposed numerous pieces of legislation. One bill, H.R. 374, would amend the Civil Rights Act of 1964 by adding a new title which restores to local school boards their constitutional power to administer the public schools committed to their charge. It would confer on parents the right to choose the public schools their children attend, secure to children the right to attend the public schools their parents choose, and make effective the right of public school administrators and teachers to serve in schools in which they contract to serve.

To put teeth in my proposed law, I have made provision for a school board or the parent of a student affected by a violation or threatened violation by any department, agency or officer of the United States to bring suit for redress against the United States in District Court.

My bill, H.R. 374, would also restrain federal judges from ordering school boards to comply with illegal and arbitrary regulations of HEW officials in their plans and guidelines to control local schools. The bill provides that "no court of the United States shall have jurisdiction to make any decision, enter any judgment, or issue any order requiring any school board to make any change in racial composition of the student body at any public school or in any class at any public school to which students are assigned in conformity with a freedom of choice system."

The bill would prohibit federal judges from requiring any school board to transport students from one public school to another merely in order to effect a change in the racial composition of the student body. It would forbid federal judges precluding a school board from carrying into effect any provision of a contract with a faculty member specifying the public school where the member of the faculty is to perform his or her duties under a contract.

This bill, if enacted into law, will be one sure way to save public education by rescuing our besieged public schools from the federal mess and deepening morass into which they have fallen. I admit that I do not have all the answers, but I know full well our present course can only lead to more destruction, chaos and denial of quality education.

The alternatives are education and community peace—or conflict, violence and worsening of community relations.

CITIZEN-CHAIRMAN EARL WARREN BACK IN LABOR

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. RARICK. Mr. Speaker, Citizen-Chairman Earl Warren of the United Nations Association, probably best known for his international accomplishments toward destroying constitutional government and public education in our Nation, is back laboring in circles—international circles, that is.

Citizen-Chairman Warren's latest international achievement is his nomination to serve on a committee of the International Labor Organization, the ILO, a spur of the discredited UNO one world body. Supposedly, Citizen-Chairman Warren's new labors will require him to supervise guideline compliance over members of the UNO on international social and human rights standards laid down by the ILO.

Woe unto the workers of the world. Yet, American labor may still survive if only Citizen-Chairman Warren is as successful in using his position to progress the world to chaos, violence, and bankruptcy as he was with the United States. Quite a setback for Chairman Warren who was promised chief justice of the world but then he can find the U.N. Charter repugnant with ILO guidelines.

Citizen of the world, Chairman Warren, being the best Republican catch for the ILO, should indicate to the American people how hard up the UNO is to put another "yes" man on the international payroll. Things must be moving poorly on the international front.

I include a newsclipping, as follows:

[The Washington Post, Feb. 25, 1971]

EARL WARREN NAMED TO ILO COMMITTEE

UNITED NATIONS.—Earl Warren, former chief justice of the United States, has been nominated to serve on a committee of the International Labor Organization, it was announced yesterday.

Wilfred Jenks, ILO director general, nominated Warren to the 19-member commitee on application of conventions and recommendations which meets each year to examine reports from governments on implementation of the international social and human rights standards drawn up by the ILO.

LITHUANIAN INDEPENDENCE

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. BELL. Mr. Speaker, this month marks two important but too little known dates: The 720th anniversary of the formation of the Lithuanian State and the 53d anniversary of the Declaration of Independence of Lithuania.

In an era distinguished by the emergence of newly independent nations, it is a cruel irony that a country with such a long tradition of freedom cannot observe what should be a memorable occasion.

Since June of 1940, after the subjugation of Poland, Lithuania has been subjected to Soviet domination.

Foreign intervention is not new to Lithuania. Situated in a particularly vulnerable position on the Baltic Sea, the country has long known threats from the Teutonic peoples on the west and Russia on the east. But the current oppression has been the most severe.

The conquest was not an easy one. Lithuanians fought fiercely to maintain their independence, and, as a result, many were exiled to labor camps in Siberia. And retaliatory measures did not end there: During the last three decades Lithuania has lost more than one-fourth of her population through the continued Soviet program for deportation and resettlement.

The resistance realized one brief victory in June of 1941 when a free provisional government remained in existence for 6 weeks, only to yield to Nazi domination. Although active resistance ceased in 1952, resistance by passive means has gained a new impetus.

The hijacking of a Russian airliner, and an incident more prominent in the minds of Americans, the defection attempt of Simas Kudirka, vividly illustrate the persistance of the Lithuanian desire for freedom.

The United States recognizes the true attitude of the Lithuanian people by maintaining diplomatic relations with the former free government. It has been the firm and consistent policy of the U.S. Government to support the aspirations of the Baltic people for self-determination and the right to pursue their economic, social, cultural, and religious development freely.

In view of our own cherished tradition of liberty and of the many historical, cultural, and familial ties existing between the peoples of the Baltic States and the American people, it is entirely appropriate that we in Congress take this occasion to focus the attention of the United Nations, other international forums, and free people everywhere on this unjust denial of the right of self-determination, and to bring the force of world opinion to bear on the restoration of these fundamental human rights to the Baltic peoples.

MILITARY JUSTIFIABLE AND POLITICALLY ACCEPTANCE

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. McCLOSKEY. Mr. Speaker, Defense Department spokesmen have recently stated that we have been flying between 12,000 and 14,000 air sorties in Southeast Asia, at least half of which are over the countries of Laos and Cambodia.

To get some idea of the devastation that one such sortie can cause, we are indebted to Life correspondent John Sarr, whose comments were reported in Life of February 19, 1971, together with an editorial concluding that:

> . . . on the whole, we think the actions taken thus far by the Administration and the South Vietnamese in Laos are militarily justifiable and politically acceptable.

Interestingly enough, Life's cover and a feature article described the "Wave of Nostalgia" now sweeping our affluent and peaceful country at the same time that the Congress and our people were silently acquiescing in the "unlimited aerial warfare" proclaimed by President Richard Nixon on February 16, and the massive bombardment which is claiming the lives and homes of so many Laotian and Cambodian peasants.

To understand how many such lives and homes are being destroyed by 12,000 to 14,000 sorties a month, consider the following account of one bombing run by one American warplane, and following such account, consider the words of the New York Times' Tom Wicker on February 21, 1971:

THE EDGE OF LAOS

(By John Saar)

Late afternoon, 6 February 1971. I first hear the distant whistle of a plane as Larry Burrows and I stand chatting at the roadside headquarters of Task Force 11 just three kilometers from the Laos border. Tomorrow, or maybe the day after, this amalgam of elite South Vietnamese army units will pull its armored track carriers back on to dusty Route 9 and head into Laos. We plan to ride with them.

The U.S. advisers are relaxed and pleasant and Task Force 11's commander, Lt. Colonel Bui The Dung, returns our greeting with a warm smile. Everyone knows that across the border in Laos there will be hard battles, but today the mood is light-hearted, almost festive. Chattering and joking, the paratroops are settling in, gouging out slit trenches, stringing tents. Rice savored with onions and vegetables bubbles over dozens of fires, scalding tea in blue-and-white china bowls passes delicately from one hand to the next.

Like a horn on New York's Fifth Avenue, the rising whine of a jet fighter is simply a background noise in Vietnam. I hear it, think "jet on a strike run" and ignore it.

Why not? Every so often someone will say, "Hey, look at that jet roll out," and you watch—detached, safe, vaguely sympathetic to the recipients of the ton of high explosive or tanks of napalm. To the allied armies and the press who travel with them, our air power is as innocuous and reliable as home electricity. Only this time the jet was rolling in on us.

In the fading light the diving plane is hardly visible. But two men, a Vietnamese officer and his American adviser, see it, and the three bombs tumbling toward them. They go headlong into a trench. Alabama-born Staff Sergeant Bob Logan later spoke of it as "high-diving without a pool."

Burrows is talking about film shipments. Two bangs snatch my attention—close, but safe. Then explosions are on us, in us, among us. The world is one terrible *kkerrussh* of sound and blast—and the brain lurches with the impact. For a frozen microsecond I read incredulity and horror on the faces around me, then we are all down and scrabbling for cover.

A shallow cooking trench. Two big fires, two simmering pots inches away. Christ, I'm going to roast to death. But my head is saying, don't move, mortars, mortars, another salvo any moment. I carry that helmet everywhere ,where is it? I look around. One man is moving—fast, decisive—toward the impact area: Larry Burrows. In a thought vacuum I follow. The sunset is still pale gold on the mountaintops. Now there is a stronger, wickeder yellow: flames are licking from the turret of a burning track. We run on and Burrows goes prone to frame the scene. We are the first ones here, and the brain can't accept the visual evidence as real. People bleeding, tattered, broken people strewn everywhere by the steel cyclone. Nightmarishly outlined in the half light, dust-gray apparitions already showing ominously dark, spreading blotches rise to an elbow and extend a pleading arm. From all sides comes the elemental moan of men beseeching help.

Pandemonium. Two officers are already on the radio, calling for Medevac helicopters, but most are momentarily shocked into inactivity. And pandemonium in my head. Again it is Burrows who gives me the lead. "Come and help me bring that chap in," he says. No stretchers. Awkwardly, we pick him up by legs and arms. God, this is not only macabre, it's difficult and tiring as well. We stumble across the broken ground. My hands are slick with the man's blood and I feel its seeping wetness in my clothes. He is hard hit to the chest and stomach, now I know he must be hit in the head as well. From the depths of him comes a groan of unspeakable pain. It wrings from Burrows an answering groan of commiseration.

We bring in two more badly wounded and lay them at the edge of a bomb crater where a dressing station is hubbubbing into action. Excited voices gabbling into radios, figures blundering into one another. A wide-eyed medic arrives running barefoot with a "panic bag" in hand. A roar of exploding ammunition from a burning armored personnel carrier adds to the confusion.

Now the wounded are coming in thick and fast, very few walking. The talk is not of NVA rockets or motars but of something called CBU dropped accidentally by a friendly plane. These cluster bomb units leave the plane as a single bomb, then explode apart into numbers of oval grenades, which in turn explode individually to create a blizzard of steel. If one plane on one run can inflict such savage hurt, I think, what unimaginable suffering has been inflicted by thousands of planes on thousands of runs?

For perhaps 10 minutes Task Force 11 has been overwhelmed by shock. Now paralysis passes and the pressure of emergency reveals personality. Most assertive is Major Todd, Georgian, senior adviser to the paratroops, who bellows orders in a mixture of pidgin English and bastard French which reduces everything to stark essentials. When the first helicopter is coming in, we hear him yell, "Only the man. No stretchers. 'Cause so beaucoup many."

Major Bill Aiken, senior adviser to the cavalry squadron, is on his second tour, but he has seen nothing like this. He sits, head sunk, shoulders hunched, and when one of his team tells him that "So-and-so is badly shaken up," Aiken replies, "He ain't the only one." But later, when there is work to do, he is on hand.

In his command center, neat in a long greatcoat, Colonel Dung coordinates the recovery of the wounded and alerts his outer defenses. He is outwardly calm, but his emotions are suppressed, not absent, and in the morning he allows himself a single telling comment: "It is sad to lose men in this way."

One of two wounded officers is paratrooper Major Nguyen Son Ha. A chirpy man of exquisite manners and delightfully deplorable English, he declines to be Medevaced until 12 hours later. By that time his broken arm is grossly swollen and his face is blanched with pain.

After 30 minutes the wounded are still coming in. Among the last is a man with a broken leg who staggers in unaided. How many are there? Thirty, forty, Christ, at least fifty. Two medics were killed outright and even at full strength there is no way the aid teams could cope with these numbers. As I watch, it becomes plain that the two doctors have been forced to leave some of the worst casualties untended in order to save those with a better chance. Two of the men Burrows and I brought in are dying where we left them. Some of the bandaging has been too hasty. One man squelches in a pool of his own blood as he rocks to and fro with pain. Three medics come over and replace the blood-soaked field dressings. The man is still contorted with pain and rams his head into the side of a corpse alongside.

The moon glides from behind clouds and lights the small slope. It is littered with wounded, blood stains showing starkly against the gleaming white bandages. The medics and the other unwounded figures who scurry about are impossible to distinguish as American or Vietnamese. One man, whose left leg is nothing but bone and shredded flesh, raises his head to see while the medics are scissoring away the cloth. He sees and falls back soundlessly. The thought of what he sees chills me inside. Another man lying on the ground in the crucifix position moves inch by inch to the man next to him. He gropes for the man's hand and clasps it tight. The wounded are talking to one another. I can't imagine, nor do I want to know, what they say.

The Vietnamese follow the Chinese philosophy: pain must be borne with minimum display, and to a Westerner the stoicism is awesome. Men in terrible fear and pain are murmuring for the aid of their Creator and whimpering gently. I yearn for someone to scream so that I too may cry. No one does. But there is no unobtrusive exit for men who are 20 years old and want to live. They fight for breath until you long for them to die. Chest heaving with the effort, one man emits a rasping, almost metallic rattle as he sucks air through a blood-filled throat. At last he dies, chest expanded, as though that last effort stopped his heart. The man whose blood stained my trousers is also dead. One of the two doctors working with frenzied speed is 29-year-old Dr. Phan Van Chuong, who joined the army only six weeks ago. He is appalled by the number and severity of the casualties. In the morning, close to tears, he will say, "It was impossible, impossible."

The first American Medevac helicopter circles cautiously down through the cloud cover and clacks in to land, then pulls away.

"What's the problem?"

"He can't see to land." Route 9 is ankle-deep in dust, and the blades throw up a cloud which drowns the bright landing light.

"Throw water to damp the dust."

The helicopter lands and there is another obscene drama half-seen through the dust. There are too many casualties, no place for stretchers. Little groups of half-real, half-glimpsed figures run out with the worst wounded in their arms. The blinking red lights on the chopper glow eerily on their helmets and seem to pulse Hurry, Hurry, Hurry. Forced to treat their comrades like so many carcasses, the paratroops shove wounded on top of one another until the cabin is a surreal slaughterhouse. Then the chopper sets off on its dangerous return fight.

The airlift goes on for three hours. The accidental bombing by an American aircraft, probably Navy, cost seven dead and 54 wounded. Several of the wounded were expected to die. But slowly Task Force 11 recovers its confidence, turns its face away from the grave of personal calamity and back to the war. After two hours the first quiet laugh is heard. Clunking shovels heap fresh soil on the blood-stained ground, the dead are packaged in ponchos, tied with bandages packs and weapons of the missing men are heaped for removal. An American voice suggests that the helicopter pilots should be called in to back-haul the bodies tonight without being told they are running risks for the dead. Fortunately, Major Todd will have none of that nonsense. The bodies stay. Before they are taken away in the morning, a Vietnamese trooper looks for, finds and removes a pair of boots which are apparently his size.

But now there are still more wounded to move.

"How many to go?" a paratrooper asks.

"Three, I think." And then to me, "Is that one dead?"

I stoop over a man whose face is shrouded from the dust by a towel. My hand is on his chest and I feel a slight movement. "No, he's alive."

"Okay, make it four."

A Slaughter of Innocents

(By Tom Wicker)

WASHINGTON.—President Nixon's news conference of Feb. 17 made clear what skeptics have long believed. His Vietnam policy is by no means one of steadily withdrawing Americans from South Vietnam, then letting the people of Indochina work out or fight out their own affairs. It is instead a policy of escalation by American air power and South Vietnamese manpower, with the aim of military victory.

"I am not going to place any limitations upon the use of air power," Mr. Nixon said, excepting only the use of nuclear weapons. And if South Vietnam invades North Vietnam across the demilitarized zone—"to defend their national security," in the President's Orwellian lingo—Mr. Nixon openly left standing the possibility of sending American air power to support the invasion.

Mr. Nixon was careful at every turn to lay down, as a basis for an unlimited air war, the doctrine that he would be acting only to protect the lives of American ground troops. This blatant deception was used to justify the Cambodian invasion and is being used to justify the current extension of the ground war into the Laotian panhandle. But it was exposed as a fraud by Mr. Nixon himself, who claimed that the fighting in Cambodia had cut one North Vietnamese "lifeline" and then said of the march into Laos:

"This action would either cut or seriously disrupt the other pipeline or lifeline . . . the Ho Chi Minh Trail into the north half of South Vietnam. Therefore, we expected the North Vietnamese to fight here. They have to fight here or give up the struggle to conquer South Vietnam, Cambodia, and their influence extending through other parts of Southeast Asia."

Those are the words of a man seeking a showdown. The clear threat to turn loose the South Vietnamese to invade North Vietnam, under a protective umbrella of American planes and behind a destructive barrage of American bombs, may be in part psychological warfare. But if the President cannot get his victory in Laos, as he could not get it in South Vietnam or in Cambodia, there is only one other place to seek it, and every reason to believe that Mr. Nixon will do just that.

It should be noted well that this President, who was elected promising to end—not win—the war, has effectively jettisoned the Paris negotiations. Not only did he say that American representatives would continue to participate only in hopes of making an arrangement concerning prisoners of war—not the war itself—but he also said flatly that "we are not going to make any more concessions."

Not content with this demolition, Mr. Nixon went further and reiterated the fact that he has also abrogated the only fruitful results of those talks—the October, 1968 "understanding" by which the bombing of North Vietnam was ended.

That understanding was entered in good faith by the previous Administration and by Hanoi. Now Mr. Nixon has asserted without convincing supporting evidence that attacks on American reconnaissance planes over Hanoi constitute a North Vietnamese violation of the understanding that releases him from it; further, Mr. Nixon insists that he will bomb North Vietnam any time he decides anything happening in that country threatens American lives.

So the talks are dead, interred by a President who charges the other side with making no concessions despite having made none himself on any point that matters; and the important understanding those talks produced is also dead, broken by the second American President who failed to honor an arrangement with Hanoi; and the war has been carried by air and invasion to two more countries, with the threat poised of the invasion and aerial devastation of a third.

This is a policy calculated to bludgeon North Vietnam to its knees, without appalling American casualty lists; it is also a policy that risks retaliation elsewhere—in northern Laos or in Thailand—and might bring Chinese entry into the war. But above all, every American, every citizen who loves his country, every man who honors humanity should understand the cost of this policy in life and suffering.

It is a policy of indiscriminate aerial warfare and blind firepower on the ground that means death and destruction wholesale, not just body counts of enemy dead, but a slaughter of innocents—women and children and old people—villages destroyed, the earth ravaged, refugees in their miserable thousands wandering homeless and hungry. For the people of Indochina, it is a wanton lie that this Administration is "winding down" the war; it is spreading the war like a holocaust.

In a forthcoming article in The New York Review of Books, Daniel Ellsberg cites Senate reports showing that more than a million Cambodian refugees have been "generated" in the last nine months; that in Mr. Nixon's first year in office about 50,000 civilians were killed, and in his second, more than 70,000. No one knows how many there will be in his third, or what number of innocents will die in Laos, or how many more will be made refugees.

But they will be many, and every one an ineradicable stain upon the once-proud name of the United States of America.

REVENUE-SHARING IMPLICATIONS: A REPLY

HON. HOWARD W. ROBISON

OF NEW YORK

Tuesday, February 23, 1971

IN THE HOUSE OF REPRESENTATIVES

Mr. ROBISON of New York. Mr. Speaker, the Wall Street Journal of Thursday, February 25, contains a very interesting article by Christopher Demuth entitled "Revenue-Sharing Implications: A Reply." Under permission to extend my remarks, I am pleased to include this article and recommend it to my colleagues' attention as part of our continuing dialog on the pros and cons of revenue sharing:

REVENUE-SHARING IMPLICATIONS: A REPLY

(By Christopher Demuth)

Monroe Karmin's analysis of "The Politics of Nixon's 'Revolution'" (Feb. 11) suggests that the objective of the President's revenue sharing proposal is to shift government attention and largess away from the big central cities, and particularly the poor and black communities within them, and toward the suburban and rural areas where "Nixon people" are found. There is a certain political logic to this, if one is willing to believe that Presidents are strongly motivated by considerations of patronage. But I think it is mostly wrong, and distracts from the more important issues that revenue sharing presents.

Whatever may be the merits of concentrating federal resources on rural areas, revenue sharing is an unlikely vehicle for the task. The existing system of categorical grants-in-aid does redistribute tax money from the wealthier urban states to the less prosperous rural ones. For example, in 1968 New York received from the federal government $313 per capita less than it had paid in income taxes, while North Dakota received $180 per capita more than it had paid. Revenue sharing would distribute funds according to population and local tax effort, and reduce this redistributive effect greatly. The urban industrial states would get back a much larger share of their federal payments. Governors Rockefeller and Ogilvie did not get where they are championing causes that lose them money.

A LESS THAN FAIR MEASURE

Even the most urban states are really more suburban and rural than urban. And, says Mr. Karmin, regardless of how much revenue sharing is earmarked for the hard-pressed big cities in these states, their claim on federal funds "seems likely to be sharply restricted." Compared to what? A domestic "Marshall Plan"! It seems less than fair to measure the President's performance against the campaign slogans of the man he defeated. Had Mr. Humphrey been elected would we have an urban "Marshall Plan" today? Assuming that he took his campaign slogan seriously, he would first have had to figure out what it meant—different from, say, urban renewal (under which even modest programs now take over ten years to complete, and which frequently has difficulty spending all the money appropriated to it) or Model Cities (which was once touted as something of a "Marshall Plan" itself). Then he would have had to steer the program through Congress, which would have meant, if the Model Cities experience is any guide, "Marshall Plans" not only for the big cities but for many very small ones as well (at least as many as there are Senators and Congressmen on the appropriations committees). Then he would have had to find the money to pay for the "Plans," and he almost certainly would have ended up taking more money out of the big cities than he would have eventually turned back to them.

My point is that it is mere speculation to say that a Democratic administration would have spent more on the cities or on the poor.

Federal spending on urban social programs is higher today than it ever has been, both in absolute terms and as a percentage of the federal budget. If the President's revenue sharing and welfare reform proposals are adopted it will be much higher still. No doubt many would like it to be even higher (I am one), especially those who are not inconvenienced with the responsibility of preparing the federal budget. Many will want more under any circumstances. Our desires will always outstrip our means.

The importance of revenue sharing is not in the amount of money it would give out or even in the apportionment among the several layers of government. The important point is that it changes the rules of the game, eliminating massive federal regulation and giving state and local officials far greater say over how federal funds are spent within their domains.

Mr. Karmin states that the President would like to do this "on the theory that they know best how to solve their problems." The theory, I think, is that such officials are elected by voters rather than hired by the Civil Service Commission. They are subject to certain disciplines and obligations that federal employes may freely ignore, for example, the need to reconcile the competing interests of diverse groups of citizens and the need to meet payrolls. Being politicians they must follow not only their private instincts and attitudes but those of the public as well; being executives they must not only promise but perform. But under the present system of narrow categorical grants, with dozens of federal strings tied to every dollar, these officials have been reduced to wards of the federal agencies, scurrying to and from Washington, tailoring their budgets to meet the available programs, drafting scores of applications and reports for the satisfaction of federal civil servants. This is why no one things it odd or disingenuous when a big city mayor seeks to blame all of his troubles on Washington. The central purpose of revenue sharing is to free these officials, to give them the capacity and the responsibility to accomplish themselves the difficult tasks for which the voters elected them.

But, Mr. Karmin notes, the effect of removing those federal strings will likely be to "dilute" the funds that are now focused on the central cities. Good management and good political science, perhaps, but a bad deal for the poor. Other writers have made a similar but much harsher point: state and local governments, they say, are dominated by racists, reactionaries and even Republicans, who are bound to turn their backs on the poor once the federal agencies loosen their grip. What're Sam Yorty and George Wallace going to do with all that cash, anyway?

DISREGARDING THE OBVIOUS

The latter argument (not Mr. Karmin's) shows a remarkable ability to disregard the obvious, especially coming as it so often does from mid-town Manhattan. The mayors of our large cities are, on the whole, the most progressive-minded public officials in American politics, certainly far more "liberal" than their respective congressional delegations. In this they are followed closely by the nation's governors, again taken as a group. Surely these men can be trusted to look out for the interests of the poor and the interest of minorities with at least as much energy and commitment as any others in American government. If, as Mr. Karmin anticipates, revenue sharing funds are more "universalized" and less focused on the physical confines of the poorest neighborhoods, that is not necessarily against the interest of the poor or the cities. The notion of "targeting" funds on discrete neighborhoods was central to the original operation of the Model Cities program, and before long it was precisely this feature that governors, mayors and Model Cities directors alike were imploring Washington to change. And is there a big city mayor who thinks his city's most serious social problems can be solved wholly within the city limits?

Of course each of us can think of state and local politicians whom we would hardly trust to take to heart the interests of the poor or anyone else: they may have obnoxious political views, may be corrupt, or may simply be incompetent. Such men are mercifully few, but what of them?

If they are men of extreme political views, it must be admitted that they represent public resentments that cannot be ignored. It seems likely that we are destined now for a full generation of fairly high and constant social friction. In such times James Madison's famous maxim, that federalism is the best protection against the formation of national factions, holds with especial force. The Max Rafferties of American politics (read in your favorite political villain, right or left) are bound to have their day: far better at the local level than nationally. They will find government far more ambiguous and complicated than they had imagined. They will have to learn to negotiate and compromise just like the rest of us, or be swiftly retired back to private life. (It should be noted here that federal civil rights laws will apply fully to all revenue sharing funds.)

If they are corrupt, it is noteworthy that it is in state and local governments that opportunities for corruption abound. And this is in large part because these governments are heavily dependent on taxing schemes—taxes on real estate values and race tracks, for example—which vest in relatively obscure officials an altogether unhealthy degree of discretion over private economic activities. Revenue sharing (federally audited) will reduce this dependence and increase the use of automatic, corruption-proof taxes.

A SOLUTION FOR INCOMPETENCE

If they are simply incompetent, obviously the only solution is for more competent people to become involved in state and local governments. Today the brightest men and women seek federal office, or at least federal employment, because that is where the opportunities are for leadership and achievement. State and local governments will not attract large numbers of these people until they offer equal challenges.

The wonder is that, under present arrangements, so many able people go into local government at all. When John F. Kennedy was an ambitious young Congressman planning his political career, he avoided running for governor of Massachusetts because he didn't want to be "handing out sewer contracts." Sewer contracts have become much more fashionable since then, as concern over pollution has mounted. And as concern over a host of other, more difficult, urban problems has mounted, so has the importance of other governmental tasks that once were considered mundane and lacking in glamor. Revenue sharing would go a long way toward seeing that they are performed wisely and well.

A TRIBUTE TO MIYAZO FUJIZAWA

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. ANDERSON of California. Mr. Speaker, often these days, our concerns center upon the youth of America, but today I rise to pay tribute to one of the wise elder citizens of Gardena, a community which lies within the congressional district I represent.

Miyazo Fujizawa will enter his 100th year today, having been born in Hara Mura Aza, Kamiishi, Yamagata Gun, Hiroshima Prefecture, Japan, on February 25, 1872. He was the third son born to his parents, Itaro and Kiku Fujiura.

Mr. Fujizawa left his native land before the turn of the century, immigrating to the United States via Vancouver, Canada, in 1896. By February 1897, he had begun working in the orange groves around Riverside, Calif.

Except for a brief period of employment by the Salton Sink Salt Co., Mr. Fujizawa devoted his life to agricultural pursuits because of his deep feeling for the land. Besides working in orange groves, he also grew melons in the Coachella Valley and later farmed and raised cattle in the Imperial Valley.

When he married Miss Rui Fujizawa in June 1912, he adopted her family name. In 1919, the Fujizawas returned to Japan for a 2-year visit before returning to their Imperial Valley farm.

Following the outbreak of World War II, he was interned in South Dakota and later transferred to Poston Relocation Center in Arizona from 1943 to 1945. In 1945, he resumed his active life of farming in Glendale, Ariz., for 2 years before retiring at the age of 75.

Mr. Fujizawa will be an especially honored guest on March 6 when the Gardena Buddhist Church will host a party honoring all of its members who are 80 or more years of age.

Mr. Speaker, I would ask the House of Representatives to join me today in a hearty "happy birthday" wish for Mr. Fujizawa that this honored senior citizen will be able to serve and advise his church for many years to come.

CONTROLS ON FIREARMS

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. ASHLEY. Mr. Speaker, today I am introducing for the third successive Congress legislation to require the registration and licensing of firearms. I believe more firmly than ever that it is absolutely necessary if we are to come to grips with the rising tide of violence and the alarming increase in use of deadly weapons in our country.

The statistics speak for themselves. Since 1900 guns have killed over 800,000 persons in America. More than 20,000 people are shot to death and upwards of 200,000 are injured or maimed by firearms each year.

Total casualties from civilian gunfire in this century exceed our military casualties in all the wars from the Revolution through the Vietnam war. In 1969 and 1970, more people were murdered by guns in the United States than were killed on the battlefields of Indochina.

And still the unlicensed sale of firearms continues to jump dramatically. Rifle sales between 1961 and 1967 increased 115 percent to 1,882,000 annually. In the same period, shotgun sales increased 151 percent to 1,515,000, and pistol sales were up 139 percent to 1,188,000. By 1967, total firearms sales were 4,585,000 annually and still rising.

Present estimates of the number of firearms in private ownership range from 50 million to 200 million, with over 40 million people owning guns.

We have made America an armed camp and we are paying a dear price for it.

In 1968 alone, 8,900 murders, 12,000 suicides, 65,000 assaults, and 99,000 robberies were all committed with firearms. Unfortunately, these statistics are simply part of a continuing pattern. Thus, between 1964 and 1969, robberies with guns increased 113 percent and assaults with guns 117 percent.

The connection between guns and violence is well documented. J. Edgar Hoover has said:

> Those who claim that the availability of firearms is not a factor in murders in this country are not facing reality.

Yet we remain the only civilized Nation in the world which has not acted to control guns. Japan, with one-half our population, had 16 murders and 68 suicides by gunfire in 1966 compared to 6,855 murders and 10,407 suicides by gunfire in the United States in the same year. Canada had 98 gun murders among 19,604,000 people in 1966, one-seventh the rate of the United States. England and Wales had 27 murders with guns in 1966 among 54½ million people, while Houston, Tex., alone had 150 gun murders among its 1½ million citizens.

Even our limited experience with gun control in the United States reveals that murder and other crimes committed with guns occur more frequently where guns are most plentiful and gun control laws least stringent; and the overall murder rate is higher, too.

In the face of such overwhelming evidence, how much longer are we going to permit the slaughter to go on? Can we survive another generation like the last one, where gunfire cost us such valued leaders as John F. Kennedy, Robert F. Kennedy, Martin Luther King, Medgar Evers, and Malcolm X?

My answer is no and that is why I am introducing this legislation to require the registration and licensing of all firearms. Specifically, it would require the national registration of virtually every gun in America. Computer technology has made it possible to feed into a computer bank at the National Crime Information Center the name and address and other pertinent information with respect to the owner of a firearm: The manufacturer, caliber and gage, model and serial number of the gun: The date, place, and the name and address of the person from whom the firearm was obtained. In this respect, it is important to remember that Sirhan Sirhan was identified from leads supplied in seconds by a State computer in Sacramento which recorded the name of the prior owner and identification of the pistol used to murder Robert Kennedy.

The bill also provides a 180-day grace period from the time of enactment, during which gun owners must register their weapons with the Department of the Treasury. Thereafter, possession of an unregistered gun shall result in punishment by fine or imprisonment.

The bill also establishes minimum standards to be followed by States and their political subdivisions in establishing a permit system for the possession of firearms. An adequate permit system must include identification of the permit holder, including name, address, age, and signature or photograph; denial of permits to persons under indictment or who have been convicted of a felony or to persons who by reason of age, mental condition, alcoholism, or drug addiction cannot be relied upon to possess or use firearms safely and responsibly.

The power to prevent crimes with guns where permits are required is very real. Police know and favor strong licensing laws. A man carrying a gun can be charged with illegal possession if he has no permit. Since crime repeaters known to police cannot qualify for a permit, they can be arrested if found with a gun in their possession. This is a very practical and effective deterrent.

Finally, the bill provides that initiative for licensing would rest with the States but Federal licensing provisions would go into effect in any State failing to meet the minimum Federal standards.

I know that many people will still raise objections to gun control despite the clear connection to violence. Therefore, I would just like to take a minute to discuss some of the arguments most frequently raised. First, it is often argued that the Constitution prohibits the registration or licensing of firearms. Such an argument ignores both history and law. The second amendment provides—

> A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

The purpose, as its language clearly states, was to insure to the States the right to maintain an armed militia. It has nothing to do with individual ownership and possession of guns and the courts have so held repeatedly.

Second, it is often argued that possession of a gun can protect a private individual against crime. Perhaps the most lucid answer to this contention can be found in Ramsey Clark's recent book, "Crime in America." He says:

> A state in which a citizen needs a gun to defend himself from crime has failed to perform its first purpose. There is anarchy, not order under law—a jungle where each relies on himself for survival. The wrong people survive, because the calculating killer or the uninhibited psychotic more often wields the faster gun. The average citizen with a gun acting in self-defense—housewife, bus driver, liquor store clerk—is a greater danger to himself and innocent people in the vicinity than is the crime he would prevent. There are bodies of good people in cemeteries all over the nation which evidence this fact.

Third, it is argued that people, not guns, kill. This bit of sophistry neglects to account for the deadliness of guns and human nature. If you wished to rob Fort Knox, you might hesitate if you only had a knife. If you were ready to do battle with a person who outweighed you by 100 pounds, you also might hesitate if you did not have a gun. Guns are the great equalizer; they embolden a person. And that is not surprising when you stop to consider that one person in five who is assaulted with a gun dies, compared to one in 20 where a knife is a weapon.

Moreover, it is important to keep in mind that murder is usually a crime of passion and so not controllable by normal police action. As J. Edgar Hoover stated in the FBI's 1969 Uniform Crime Reports:

> Police are powerless to prevent a large number of these crimes (murders), which is made readily apparent from the circumstances or motives which surround criminal homocide. The significant fact emerges that most murders are committed by relatives of the victim or persons acquainted with the victim. It follows, therefore, that criminal homocide is, to a major extent, a national social problem beyond police prevention.

Thus, the tradegy is that a rifle was in the closet when a son—just for a moment—was so angry he wanted to kill his father, or a pistol was in the night table when the husband became enraged during a drunken argument with his wife.

Finally, it is argued that it is a nuisance to license a gun. Yet, we register everything from cars and dogs to marriages and wills. Is it too much to ask us to register our guns?

The uniform experience in nations and States that have controlled guns has been a lower rate of crime committed with guns. If guns are not at hand, the criminal will not find them. If he does, his possession would be a crime and he could be arrested before he commits a more serious crime.

Mr. Speaker, firearms have taken far too many lives from us. If we are serious about controlling crime, it is essential that we move to control guns or else they will surely continue to control us.

LITHUANIA'S FIGHT FOR FREEDOM

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. GOLDWATER. Mr. Speaker, this last week was the 53d anniversary of the establishment of the modern Republic of Lithuania. I wish to present the following statement regarding the plight of the thousands of Lithuanians, Latvians, and Estonians still behind the Iron Curtain, enslaved by communism:

LITHUANIA'S FIGHT FOR FREEDOM—30 YEARS OF SOVIET OPPRESSION

For too long too many people throughout the world have been unware of what happened to the people of Lithuania. The Kremlin is fond of saying that Russian imperialism died with the czar. But the fate of Lithuania shows this to be a cruel fiction. The Communist regime did not come to power in Lithuania by legal or democratic process. The Soviets invaded and occupied Lithuania in June of 1940, and the Lithuanian people have been suffering in Russian-Communist slavery for more than 30 years.

Americans of Lithuanian origin or descent, numbering over 1,000,000 in the United States, and their friends in all parts of the country will commemorate two very important anniversaries during the second part of February, 1971: (1) They will observe the 720th anniversary of the formation of the Lithuanian state when Mindaugas the Great unified all Lithuanian principalities into one kingdom in 1251; and (2) They will mark the 53rd anniversary of the establishment of the modern Republic of Lithuania on February 16, 1918. But this celebration of Lithuania's Independence Day will not be similar to American celebration of the Fourth of July. It will contain no note of joy, no jubilant tone of achievement and victory. On the contrary, the observance will be somber, sorrowful, underlined with the grim accent of defeat and tragedy. For Lithuania has lost its independence, and today survives only as a captive nation behind the Iron Curtain.

The Lithuanians are proud people who have lived peacefully on the shores of the Baltic from time immemorial. Lithuania has suffered for centuries from the "accident of geography." From the West the country was invaded by the Teutonic Knights, from the East by the Russians. It took remarkable spiritual and ethnic strength to survive the pressures from both sides. The Lithuanians, it should be kept in mind, are ethnically related neither to the Germans nor the Russians. Their language is the oldest in Europe today.

After the Nazis and Soviets smashed Poland in September of 1939, the Kremlin moved troops into Lithuania and annexed this republic in June of 1940. In one of history's greatest frauds, "elections" were held under the Red army guns. The Kremlin then claimed that Lithuania voted for inclusion in the Soviet empire.

Then began one of the most brutal occupations of all time. Hundreds of thousands of Lithuanians were dragged off to trains and jammed into cars without food or water. Many died from suffocation. The pitiful survivors were dumped out in the Arctic Siberia. The people of Lithuania have never experienced such an extermination and annihilation in their long history through centuries as during the last three decades. Since June 15, 1940, Lithuania has lost more than one-fourth of the country's population. The genocidal operations and practices being carried out by the Soviets continue with no end in sight.

Since the very beginning of Soviet-Russian occupation, however, the Lithuanians have waged an intensive fight for freedom. This year marks the 30th anniversary of Lithuania's successful revolt against the Soviet Union. During the second part of June of 1941 the people of Lithuania succeeded in getting rid of the Communist regime in the country: freedom and independence were restored and a free government was re-established. This free, provisional government remained in existence for more than six weeks. At that time Lithuania was overrun by the Nazis who suppressed all the activities of this free government and the government itself. During the period between 1940 and 1952 alone, more than 30,000 Lithuanian freedom fighters lost their lives in an organized resistance movement against the invaders. The cessation of armed guerrilla warfare in 1952 did not spell the end of Lithuania's resistance against Soviet domination. On the contrary, resistance by passive means gained a new impetus.

The persecution of Solzhenitsyn, the clamp on Rostropovich and other dissenters in the Soviet Union received a great deal of publicity in the free world's press. Very well publicized were the Simas Kudirka—Coast Guard tragedy, the Hijacking of a Russian jet liner by Brazinskas and his son, death sentences imposed on two Jews and a young Lithuanian, Vytautas Simokaitis, for trying to escape the Communist tyranny. But this is only the tip of the iceberg or desperation in the Soviet empire. In slave labor camps in the Soviet Union millions of people are still being held. Many dissenters are being confined to psychiatric institutions and being murdered by the Kremlin thugs. It is an established fact that a brilliant Lithuanian linguist, Dr. Jonas Kazlauskas, 40 years old, was murdered in a psychiatric hospital in Moscow three months ago. His only "crime" was that he had received an invitation to come to the University of Pennsylvania (in Philadelphia, Pennsylvania) as a guest professor for this very spring semester of 1971.

The Government of the United States of America has refused to recognize the seizure and forced "incorporation" of Lithuania by the Communists into the Union of Soviet Socialist Republics. Our Government maintains diplomatic relations with the former free Government of Lithuania. Since June of 1940, when the Soviet Union took over Lithuania, all the Presidents of the United States (Franklin D. Roosevelt, Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, Lyndon B. Johnson, and Richard M. Nixon) have stated, restated and confirmed our country's nonrecognition policy of the occupation of Lithuania by the Kremlin dictators. However, our country has done very little, if anything, to help the suffering people of Lithuania to get rid of the Communist regime in their country.

At a time when the Western powers have granted freedom and independence to many nations in Africa, Asia and other parts of the world, we must insist that the Communist colonial empire likewise extends freedom and independence to the peoples of Lithuania, Latvia, Estonia and other captive nations whose lands have been unjustly occupied and whose rightful place among the nations of the world is being denied. Today and not tomorrow is the time to brand the Kremlin dictators as the largest colonial empire in the world. By timidity, we invite further Communist aggression.

The United States Congress has made a right step into the right direction by adopting H. Con. Res. 416 that calls for freedom for Lithuania and the other two Baltic republics—Latvia and Estonia. All freedom-loving Americans should urge the President of the United States to implement this very important legislation by bringing the issue of the liberation of the Baltic States to the United Nations. We should have a single standard for freedom. Its denial in the whole or in part, any place in the world, including the Soviet Union, is surely intolerable.

H. Con. Res. 416

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

THE HEALTH SECURITY ACT

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. RYAN. Mr. Speaker, it is clear that the issue of health care will dominate the 92d Congress, and this is rightly so. Health services are severely inadequate. Their cost is unconscionable.

As a cosponsor of the Health Security Act of 1971, of which our colleagues Mrs. Griffiths of Michigan and Mr. Corman of California are the principal sponsors in the House, and of which Senator Kennedy is the principal sponsor in the Senate, I am particularly concerned that the public become fully involved in the debates concerning health care which will be occupying national attention in the forthcoming months.

I believe an excellent synopsis of the program proposed by the Health Security Act of 1971—H.R. 22 and H.R. 23—is provided by the February 19, 1971, statement of the AFL–CIO executive council on the health security program. As the statement says:

> (G)enerally, all of the proposals, except National Health Security, lack at least one of the following: equal access to health care for all people; comprehensive coverage; restructuring of the health care system; effective incentives for quality and efficiency or controls on costs; or they depend on inadequate private insurance as carriers or intermediaries or both.

I include the full statement of the AFL–CIO executive council at this point in the Record:

Statement by the AFL–CIO Executive Council on Health Security Program

Health care problems in America are frightening—to the patient, who must pay ever larger portions of his family budget for medical care, and to the medical professional, who must try to care for the health of his patients hindered by an outmoded delivery system.

What America needs as the heart of its medical care philosophy is a single primary goal—good health for all its peoples. The profit-making philosophy of the market place—to make money for those who provide and finance medical services—is not an acceptable philosophy for medical care.

The AFL–CIO believes that the National Health Security Bill is the only truly comprehensive program of national health insurance that meets the challenges of care, financing, costs, development and reform. Indeed, the goal of Health Security is health.

CARE

America has the best available medical talent—but available to only part of the society.

Consider the plight of non-white Americans who live in poverty in city ghettos and rural shacks: Their men and women can expect seven fewer years of life than more affluent Americans; their babies have as much chance of surviving as infants in Ecuador; their young mothers have about the same chance of surviving childbirth as the women of Costa Rica.

Health care is not equally provided for all Americans. It is a myth that private insurance is doing—or can do—the job. More than 20 percent of the population under 65 is not covered against the most costly aspects of medical care—hospital and surgical services. More than half have no coverage for physician home and office visits. A minuscule number have coverage for dental costs.

Under National Health Security, every resident of the United States will be eligible to receive virtually the entire range of personal health care services without deductibles or coinsurance.

FINANCING

Financing of medical care today is a patchwork effort of personal, private, state, local and federal funds. Medical bills are paid part by private insurance, part out of workers' pockets, part out of welfare funds, part out of Medicare.

For example, state and local governments are burdened with a $2.5 billion a year expenditure for health care, plus approximately $500 million a year to provide private health insurance for their employees.

National Health Security will be financed by taxes on employers, employees, the self-employed and unearned individual income, as well as from general revenues.

The workers' share—1% of wages and unearned income up to a total of $15,000—represents no new tax. Workers are now paying almost that amount toward Medicare. Further, National Health Security would significantly reduce workers' out-of-pocket, non-reimbursed medical expenses with the added bonus of better and more complete medical care.

Self-employed persons would be taxed at a 2.5% rate up to $15,000.

The employer's contribution—3.5% on payrolls—is about what many employers now pay for inadequate private health insurance for their employees. Some pay much more; some pay less; some pay none.

General tax revenues would account for the remainder of the Health Security Trust Fund—approximately 50% of the total. This is not all new money. Medicaid, Medicare and other medical costs already constitute a significant and growing portion of the federal budget. Health Security would absorb these costs.

The program would also result in a direct form of revenue sharing by relieving state and local governments of much of their present health care burdens. Additionally, state and local government employees would receive comprehensive benefits at no cost to the governmental units.

COSTS

The explosion in medical costs is playing havoc with budgets—personal and governmental.

Last year, the average worker spent $324 on medical care for himself—$324 for his wife, and $324 for each of his children—that is 10% more than 1969 per individual. Medical care costs have been rising at least twice as fast as the general cost of living. Blue Cross premiums have more than doubled, on the average, since the late 1950s.

Union bargaining committees are faced with the dilemma of rising medical costs at every negotiation session. Reasonable wage gains are sacrificed for improvements in health insurance, only to find that their members' medical expenses increase faster than the increase in coverage.

Private insurance companies are unwilling or incapable of dealing with increased costs.

They have acted simply as a pass-through mechanism, paying for whatever care was offered, good or bad, needed or unneeded, efficient or inefficient. Their rates go up not only to pay for increased medical costs of policyholders, but also to maintain profit margins and pay high operating expenses.

National Health Security will have effective fiscal controls by contracting with hospitals and other institutional providers on the basis of an approved budget, and by maximum emphasis on prepayment to contracting groups, such as medical and dental societies.

The program will not constrict individual liberty. Doctors will be free to choose whether or not they will participate. Doctors can be paid by all present methods. There will be no lay interference with their professional judgment. Doctors will be freed from choosing treatment and services on the basis of a patient's ability to pay. Doctors will be freed from the timeconsuming paperwork of billing patients.

Patients will be free to choose their physicians and health delivery systems. And their family physicians, in turn, will be free to refer patients to specialists. Patients will be freed from financial worries and will be able to seek medical care before it is too late.

DEVELOPMENT

An essential feature of National Health Security is the Health Resources Development Fund which will be used for health manpower education and training, group practice development and other means to expand and improve health care personnel. facilities and services.

Enactment of the Health Security program will create increased expectations and demands for services. The Health Resources Development Fund will come into operation two years before benefits begin. It will help insure that as people need medical care, the care will be there.

REFORM

At present, health care is fragmented, disorganized, inadequate and spotty. It is a non-system—a haphazard collection of isolated and uncoordinated institutions.

The result is that care is often received at the most expensive location—hospitals—because that is where doctors are assured of being paid, when the doctor could treat the patient just as well and sometimes better in his office. Doctors and hospitals now are only paid when patients are ill; preventive medicine and early treatment are not practiced to the degree that will reduce illness and shorten hospital stays.

National Health Security has built-in financial, professional and other incentives to encourage organized arrangements for patient care and to encourage prevention and early diagnosis and treatment of disease.

Hospitals will be encouraged to increase efficiency; to cooperate in planning, purchase and utilization of new equipment, and to eliminate unnecessary, wasteful and duplicative expenditures. Doctors will be given a financial stake in keeping their patients well. Care will be provided at the best—not the most expensive—location.

National Health Security—introduced in the House (H.R. 22) by Reps. Griffiths, Corman, Reid and Mosher and in the Senate (S. 3) by Sens. Kennedy, Cooper and Saxbe—is the proper program to provide quality health care for all Americans. The AFL-CIO is proud to endorse it.

We arrived at our decision after careful examination of other proposals—some substantive and some merely crude attempts to avoid needed reforms in the present system of deliverying health care.

The American Medical Association's "medicredit" plan and the private insurance carriers' "Healthcare" proposal are thinly disguised efforts to protect vested interests and insurance company profits. They are band-aids, where surgery is required.

There are other proposals—such as the bills introduced by Senators Javits and Pell and the proposal of the American Hospital Association—which are much more substantive. (Senators Javits and Pell are also co-sponsors of S. 3.)

But, generally, all of the proposals, except National Health Security, lack at least one of the following: equal access to health care for all people; comprehensive coverage; restructuring of the health care system; effective incentives for quality and efficiency or controls on costs; or they depend on inadequate private insurance as carriers or intermediaries or both.

It has been nearly a year since President Nixon declared there is a "massive crisis" in the area of health care and a threat of a "breakdown"of the medical care system. In that time, he has met that crisis by vetoing a hospital construction bill and a measure to provide for the training of more family doctors, and he threatened to close down vitally-needed Public Health Service hospitals.

After taking one action after another to forestall urgently needed health care measures, the President has at long last delivered a health message.

This Council has not had sufficient time to thoroughly analyze the President's proposals which though lengthy are nevertheless devoid of many essential details. We have noted one or two constructive features such as the President's belated recognition that prepaid group practice can deliver better medical care at less cost and his proposal to eliminate the onerous Medicare premium the elderly must now pay.

But it is evident that the President's approach taken as a whole, is both piecemeal and inadequate. It places main reliance on discredited private insurance which has been largely responsible for the high cost, low quality medical care we have today. Under the President's proposals, there is no indication that either the private insurance organizations or the providers of medical care would be subject to effective cost controls or quality incentives.

His proposals fall far short of meeting the "massive crisis" in health care the President has himself recognized.

* * * * *

The AFL–CIO urges the Congress to enact the bi-partisan National Health Security Program during this session so that it will be able to go into operation in 1974. Further, we pledge our unstinting efforts to that goal. It is and will remain our No. 1 legislative goal until victory has been won.

CONGRESSMAN ANNUNZIO HONORED

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, February 26, 1971

Mr. RODINO. Mr. Speaker, last week my dear friend and colleague FRANK ANNUNZIO was honored in Chicago by the Illinois Retail Liquor Stores Association for his work in the area of crime insurance legislation providing direct Federal coverage in areas where it was not available or where its cost was prohibitive.

I wish to commend and congratulate him for his fine efforts.

LITHUANIAN INDEPENDENCE DAY

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. YATRON. Mr. Speaker, I rise to join my colleagues and my fellow Americans in commemorating the 53d anniversary of Lithuanian independence.

On February 16, 1918, Lithuania proclaimed herself a free and sovereign Republic. Although she courageously succeeded in resisting foreign domination during the First World War, Lithuania was occupied and subjugated by the Russian Army in 1944.

Despite military occupation and political repression, Lithuanian patriots and freedom-loving people throughout the world are determined to make the dream of self-determination a reality. I sincerely hope that this observance will help to mobilize international opinion behind the efforts of Lithuania, Estonia, and Latvia to regain their freedom.

Mr. Speaker, in conjunction with the 53d anniversary of Lithuanian independence, I would like to insert in the CONGRESSIONAL RECORD a resolution recently adopted by the Federated Lithuanian Societies and Clubs of Shenandoah, Pa. The Rev. Msgr. J. A. Karalius, a leader in our Lithuanian-American community, was kind enough to provide me with a copy of this policy statement, the full text of which follows:

RESOLUTIONS

Whereas, the independence of Lithuania was proclaimed on the 16th day of February, 1918, and thereafter, following admission to the League of Nations in 1921, its independence was recognized by the Great Powers of the world; and

Whereas, the Republic of Lithuania having thus emerged once more as a free and independent country after having been oppressed since the late 18th century by the Russian Monarchy; and

Whereas, the Soviet States of Russia proclaimed to the world in 1920 its belief in freedom and independence and the right of a free peoples to govern themselves by, *inter alia*, entering into a treaty with Lithuania wherein we read these binding words, "relying on the strength of a declaration made by the Federal Soviet Socialist Republic of Russia to the effect that all peoples of every nationality have the right of self-determination and complete separation from the State to which they belonged previously, Russia, without any reservation whatsoever, recognizes Lithuania as a self-governing and independent State with all juridical consequences that follow from such a recognition and, in a spirit of free and good will, renounce all sovereignty rights of Russia concerning the Lithuanian nation and Lithuanian territory which previously belonged to her. The fact that Lithuania for some time was under Russian sovereignty does not impose on the Lithuanian people and their territory any obligation towards Russia;" and

Whereas, having thus had a new birth of freedom establishing a republican form of government with universal and equal suffrage, Lithuania, as a nation dedicated itself to the task of peace, industry, commerce and learning, free and harmonious relations in the community of nations of the world; and

Whereas, the government of Lithuania, eager to preserve its freedom and happiness and with prophetic guidance as to the source of danger to its newly acquired independence and freedom. entered into a Lithuanian-Soviet Non-Aggression Pact on September 28, 1926, which by mutual consent was to be effective until December 31, 1945, read in part: "Article 2. The Republic of Lithuania and the Union of Soviet Socialist Republics mutually undertake to respect in all circumstances the sovereignty and territorial integrity and inviolability of each other;" and

Whereas, the government and people of Lithuania have no national, religious, economic, political or cultural interests similar or akin to the Russian government or its peoples, but differ therefrom in every conceivable aspect, yet, nevertheless, the Republic of Lithuania was annexed by Russia in violation of the existing treaties, and in violation of international law, by the overpowering force and subterfuge of the Russian Government, whereby through the vehicle of a sham election, controlled and dominated by the communistic government, the Republic of Lithuania was incorporated into the United Soviet States of Russia against the will of all of the Lithuanian inhabitants; and

Whereas, the Government of the United States being interested, in accordance with its avowed declaration in the Atlantic Charter, to permit other peoples of the world desiring freedom to remain free and independent; and

Whereas, the Government of the United States declared war against Germany and Japan to thwart and prevent aggression and tyranny to spread its evil forces; and

Whereas, the Republic of Lithuania, following World War I. emerged as a free and independent nation and since demonstrated its ability of capable self-government, and now, following World War II, finds itself deprived of its freedom by a communistic Russia, and its people living under a government alien and differing in every respect from the desires of its people;

Now, therefore, be it resolved that we, loyal citizens of the United States, of Lithuanian birth or descent, meeting at the Shenandoah Liths Club auditorium this 31st day of January, A.D., 1971, do hereby express our united voices in urging the President and the State Department of the United States and the Agencies of the United States Government to exert fully the courageous efforts of this government in doing its utmost to restore the freedom and independence of Lithuania; and

Be it further resolved, that we beseech the President of the United States and the State Department to request forthwith the withdrawal of the Russian occupational forces from Luthuanian territory and to further request of the United Soviet States of Russia that the Lithuanian people who have been deported from their country to slave labor camps in Siberia and elsewhere be returned to their homes and families in Lithuania; and

Be is further resolved, that we petition the President, the State Department of the United States and Senate Foreign Relations Committee to refrain from signing or ratifying any treaty involving the Baltic region of Europe which fails to embody the free and independent states of Estonia, Latvia, and Lithuania and to present our pleas and supplications for justice and humaneness contained herein to the proper authorities of the United Nations for appropriate action as may be necessary to effect such results of independence and justice; and

Be it further resolved, that a copy of this Resolution be forwarded to the President, the State Department, the Senate Foreign Relations Committee, to the Senators of the United States from the Commonwealth of Pennsylvania, to our Representative in Congress from this district, with a hope and trust that each one, in such manner as he or it may choose, lend every effort toward fostering, aiding and achieving the independence of a people who wish to be free to govern themselves and loosening them from the shackles of communism.

The foregoing Resolutions were passed by the Federated Lithuanian Societies and Clubs of the Borough of Shenandoah, Pennsylvania, at a meeting held this 31st day of January, A.D., 1971, at the Lithuanian Social Club Auditorium located in Schuylkill County, Pennsylvania, by acclamation and unanimous vote.

UNITED STATES SHOULD CONSIDER MIRV BAN

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. MOORHEAD. Mr. Speaker, world peace is desired by men of goodwill everywhere. This is why the United States, when presented with the opportunity to advance the cause of world peace, should make every effort to do so.

I am speaking now about the mutual development by the United States and Russia of the MIRV, the multiple independently targetable reentry vehicle.

Herbert Scoville, writing in the New York Times of February 9, believes that the United States by initiating a ban on production, testing, and deployment of the MIRV, could force the Soviet Union to adopt similar measures.

Scoville says:

> New Weapons Development programs seem to possess momentum to outstrip the plodding pace of the arms control negotiations. Is this not the time for the United States to provide the necessary leadership to obtain limitations on MIRV's before it is really too late? If the Soviets are really slowing their SS–9 deployment and have already begun testing MIRV's, the United States should use this new situation as a trigger to examine its policies. The risks from an unlimited MIRV race far outweigh those from possible violations of a MIRV ban.

I include Mr. Scoville's complete article in the RECORD at this point:

[From the New York Times, Feb. 9, 1971]

THE PROBLEM OF MIRV: II

(By Herbert Scoville)

WASHINGTON.—The control of MIRV's, which would provide such great security and economic benefits for both the United States and the Soviet Union, can be achieved by imposing a ban on MIRV testing and production as well as deployment.

Fortunately, adequate verification of a ban on MIRV testing is easier than one on deployment since it can be achieved by "national" means alone. Some tests leading toward development of MIRV—Multiple Independently Targetable Re-entry Vehicles—capability could be carried out by the Soviet Union under the guise of other weapons development or even a space program. However, any MIRV system that is not flight-tested at essentially full range could never be deployed with confidence that it had high reliability and accuracy.

The United States has been able to observe Soviet ICBM firings ever since the program was initiated in 1957 and it would undoubtedly be able to observe multiple warheads were these tested at full range. Test firings of the SS–9 with MIRV's in space without re-entry or with only a single warhead re-entering the atmosphere would not provide the Russians with a system that they could deploy with confidence.

In the case of submarine missiles, the verification might be a little less certain. However, even in this case, the chance of detecting a multiple re-entry vehicle firing would be good.

A ban on production of MIRV's would be extremely difficult for the United States to verify since the MIRV stage of the missile could be manufactured in relatively small facilities. It would be necessary to have a right to carry out large numbers of onsite inspections. Such inspection would almost certainly be unacceptable to the Soviets; probably also to United States industry.

Thus, only in the testing phase would the United States be able to verify an agreement limiting MIRV's. Fortunately, the Soviets have only just begun MIRV testing and would require a year or more before a deployable system could be available. Therefore, the United States could protect its security under a comprehensive ban on MIRV production, testing and deployment through verification of the testing phase. It could be confident that as long as the Soviets had not extensively tested their MIRV's, they would not carry out any widespread production or deployment. The risks to United States security would be extremely low—certainly less than if the Soviets were allowed to develop freely an optimal MIRV system for their SS–9.

The risks to the security of either the United States or the Soviet Union would be much greater from an unrestrained MIRV race than from a ban on the production, testing and deployment of such weapons.

Why then do both countries appear so reluctant to negotiate seriously such a ban? Despite repeated urgings from the Congress, the Administration has refused to halt its MIRV testing and deployment programs even though a Soviet ABM that would require their existence could not be operational for many years and even though the halt were made contingent on similar Soviet restraint in the MIRV and ABM areas. In place of such a bilateral limitation, the Government has opted for a unilateral United States ban on MIRV accuracy improvements which is not likely to reassure any Soviet planner.

There seems to have been little or no serious discussion of MIRV's at the Strategic Arms Limitation Talks by either side, and the United States appears to be seeking onsite inspection to verify a deployment ban, a move probably considered by the Soviets as a signal of lack of serious United States threat.

Why has the Soviet Union not raised the issue of MIRV's earlier on at the strategic arms talks? While it is understandable that they do not wish to be frozen in a position of inferiority, it is quite likely that had serious negotiations been undertaken at an earlier stage, United States MIRV deployment might have been forestalled. An early MIRV ban would have been clearly in their interest. Unfortunately, the Russian leaders seem reluctant to make a proposal that would be controversial to some segments of their society without some assurance that it would be accepted by the United States.

New weapons development programs seem to possess momentum to outstrip the plodding pace of arms control negotiations. Is this not the time for the United States to provide the necessary leadership to obtain limitations on MIRV's before it is really too late? If the Soviets are really slowing their SS–9 deployment and have already begun testing MIRV's, the United States should use this new situation as a trigger to re-examine its policies. The risks from an unlimited MIRV race far outweigh those from possible violations of a MIRV ban.

CONSERVATIVE AWARDS DINNER

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. GOLDWATER. Mr. Speaker, this month the Conservative awards dinner was held here in Washington, honoring Congressman Robert Michel and Senator Clifford Hansen. It was an outstanding event and one which I believe deserves recognition. It was organized by the American Conservative Union, the Young Americans for Freedom, Human Events, and the National Review. The guest of honor was Senator James Buckley who had such a tremendous victory this past November in New York. I wish to present the text of remarks of Senator Buckley and the list of outstanding Americans who attended the event:

TEXT OF SPEECH BY SENATOR JAMES L. BUCKLEY

I deeply appreciate the opportunity to join you in honoring Senator Hansen and Congressman Michel. Each has served the Nation with distinction—both in positive terms and, at times, through a holding action which has withstood and delayed the pell mell rush to collectivism which has plagued America in the last decade. They have helped buy time—time within which increasing numbers of Americans have begun to assess, in the cold light of reality, the heady rhetoric of the new and fair deals, the new frontier and the great society.

We are now in the throes of a massive national hangover created by the excesses of the past. I am persuaded that Americans in significant numbers are now in the mood to take the pledge; if only we can help them fight off the temptation to try a bit of the hair of the dog.

This is what I want to talk to you about tonight—this new mood in the land. And there is a new mood, or I would not be addressing you tonight, nor would not have the privilege of calling Senator Hansen and Congressman Michel "colleague."

During the last few years we have heard a great deal about a new politics, even about a new culture—and about the marvelous things that were in store for us as a result. In retrospect, all that now seems actually to have been new about the new politics is merely stylistic. The new politics of the late 1960's knew how to make use of the media, and it mobilized its volunteers. But as it appeared, briefly, in the McCarthy movement, and as it appeared on the political scene more generally, as the movement, it did not in fact ever repudiate the themes of the older liberalism. With respect to goals, it merely turned up the volume, as at a rock concert.

Where the older orthodox liberals wanted Federal power to achieve their egalitarian goals, the new politics, so-called, wanted to impose equality today, instantly. The older liberals deeply distrusted the capitalist system. The new politics of the late 1960's hammered away at capitalism incessantly, attacking it as "materialism" or the "military industrial complex." The older liberalism disliked what it called the "nation state"—an ungainly phrase meant to stand in invidious contrast to the dawning "world state." The putative world state, it was understood, would establish permanent peace and prosperity. The new politics leaped over all this intervening and highly theoretical business and called for peace now. The great complaint of the new politics, so called, as it emerged in 1968 and 1969 actually underlined its essential lack of newness. Characteristically, it pointed to the gap between liberal promises and liberal performance. But the alleged "new" spokesmen never seemed to doubt that the promises and the principles behind them were just fine. They merely charged that the promises had not been fulfilled—and further, that they had not been fulfilled because those who had made them were hypocrites. Nothing could be clearer than that the so-called new politics was really the old liberal politics, all the same assumptions, all the same goals—though charging that the older liberals had not been militant enough. Nothing much was new about the new politics. It was merely more excited, and infinitely less civil. And it offered the American public no basis for new hope.

Against this background, you can appreciate my astonishment, when, in the elation of victory on election night, I found myself proclaiming—on live television, in color, coast-to-coast—that I owed my election to a "new politics" and that I was its voice. And it seems now that I am stuck with the phrase despite its copyright by the new left, and despite my normally fastidious respect for property rights.

But now that Richard Nixon is talking about more power to the people, I feel better about my preemption of the term. For it appears, if I may paraphrase Barry Goldwater, that plagiarism in pursuit of politics is no vice.

But I do feel compelled to explain what it was that I anointed myself the voice of—if only to dispel the notion that I took that occasion to make my first overture to the left.

Anyone closely associated with the New York political scene last fall understood what I was talking about. Because I was elected by a coalition which cut across the traditional political spectrum. It was a coalition which included an astonishing 42 per cent of New York's blue collar vote. Over 900,000 democrats crossed over to the conservative party line to give me over 40 per cent of my total vote. And at least as of November 3rd of last year, it was a coalition which represented a majority sentiment in New York State. I say this on the authority of Charles Goodell, who has confirmed that well over half of his vote came from traditional republican loyalists who in a run-off would have voted for me.

But there was much more to my campaign than the fact of a coalition which a handful of liberal commentators have tried to explain away as a conglomerate of haters—the sinister forces marshalled by "the night riders of the hard right," to use the rhetoric of one New York Times editorial.

Quite the contrary. It wasn't fear which caused tens of thousands of men and women to become involved for the first time in their lives in a political effort, and one at that which all the pros knew was doomed to failure. It wasn't hate which caused more than 40 thousand individuals to mail in contributions. It wasn't a hardening of political arteries which mobilized the largest, most effective corps of student volunteers to work for any candidate anywhere in the country during the 1970 campaign.

Rather, it was love of country, an abiding faith in country, an overriding concern for the welfare of America which brought together the coalition which elected me. Think back to the tremors which swept this nation a year ago, which shocked Americans into a realization of the extent to which American institutions and values had been eroded. They had witnessed a paralysis of authority as wave after wave of filth and violence reached their climax last May in the mindless orgy of destruction which burned a hundred campuses. And everywhere Americans turned, they saw other signs of a deep-seated national trouble: the seemingly uncontrollable rise in crime rates and welfare rolls; the disruption of trials; the explosion of pornography; the flight from reality manifested both by the Woodstock phenomenon and the peace-at-any-price movement, the emergence of a small hard-core of self-professed revolutionaries. Small wonder that Americans in and out of New York felt an unprecedented concern last year over the institutional health of their country. This was the mood in New York throughout the campaign, a mood which I believe caused New Yorkers to vote for what they considerd to be the national interest rather than for their private interests.

I know that it is difficult to read national trends into last year's elections. In state after state it is clear that local issues or acute economic dislocations had a decisive influence on the outcome.

But this was not the case in New York. There were no overriding local or economic issues. The campaign provided the voters with sharply defined alternatives, and the voters opted for the conservative alternative. Because they had concluded that on the really critical issues, the conservative view was the right view. I submit, therefore, that what happened in New York last fall has a deep significance for use here tonight and for the country.

I believe we stand at a turning point. There is a fluidity in the political scene, a regrouping going on as Americans search for more realistic, more effective approaches to government. And if New York is any indication, Americans are showing a new predisposition to listen to the conservative analysis and a new willingness to become directly involved in the political process. This is a willingness borne of a sense of urgency, and founded on a continuing faith in the essential soundness of the American system. This is the authentic "new politics" which I had in mind when I proclaimed myself the voice of that politics. It is a politics structured on reality, and a new understanding as to what reality is.

We have a significant opportunity to reshape the politics of this country precisely because the people are searching for new answers, honest answers—answers which substitute common sense for theory, and toughness for soft-headedness. And it is because of this new mood and understanding that we who have labored in the vineyard of conservatism have cause for hope.

There have been a number of factors which have opened up this opportunity. Perhaps the most important of these has been the palpable failure of the panaceas spun out by the liberal utopians. The liberal theologians have promised us that every one of our problems could and would be solved if only enough authority were concentrated in Washington and enough billions spend by the superior brains who have settled along the banks of the Potomac. Their programs have been adopted, the sprawling bureaucracies have been created, and those billions upon billions of dollars have been spent. But nothing has been solved. The problems have merely grown more acute while government has increasingly intruded itself into every corner of the lives of its citizens.

Another, most important factor is the enduring common sense of the American people—a common sense which has restored sanity to our public affairs in the past and which can save us again if we will deal honestly with the public. The American people understand that we live in a predatory world and that we must look to our own defenses, if we are to remain secure and independent. They understand that in a world of nuclear missiles we can no longer retreat to a policy of isolationism. They understand the need for firmness in law enforcement if we are to cope with crime; and because they know human nature, they know that a free society cannot co-exist with chaos. They can sense what is false in political cant, and increasingly they resent being patronized or deceived. They are ready, in short, for a politics which will make a serious and sustained effort to bring political assumptions, political expectations and political language into the closest possible intimacy with reality.

This is the task which faces the conservative community today. Much has been accomplished already—especially by the distinguished organizations which have sponsored this dinner tonight. These sponsors have formulated and sustained an intelligent critique of the prevailing orthodoxies, and they have channeled conservative energies into increasingly effective political action.

Most importantly, they have brought to young Americans a new awareness of the validity and utility of conservative insights. As a result, thousands of our brightest young men and women have found intellectually satisfying and realistic alternatives to the tired proposals of the old left and the strident demands of the new. And because these young people have had to test their thinking in the inhospitable climate of the academic world, they have achieved a knowledge and a grasp of fundamentals which is giving them a growing influence among their peers.

But if we are to take the fullest advantage of the opportunities now being opened to us, we must do much more. We must take the initiative in formulating and then selling workable alternatives in a number of areas where conservatives have too often been silent. A new politics of reality requires that we be able to demonstrate, for example, that we know how to cope with pollution without turning back the technological clock; that we can give minority groups effective access to economic opportunities without governmental paternalism: That the health needs of the poor can be adequately provided for without clamping a single program of government insurance on the entire population.

We who pride ourselves on our sense of reality, and on the fact that the principles which guide us are based on the realities of human nature, we must never lose sight of the fact that we must operate within the here and now. Because among the realities within which we must operate are the political realities. This is particularly true of those of us who are Members of the Congress. Time and again we will be called upon to make pragmatic judgments as to which of the less than ideal alternatives is achievable, which will advance us toward our goals, however circuitously. There will also be times when a proposal which is intellectually sound will be so out of phase with what is politically possible that an attempt to advance it would be worse than futile.

But events move rapidly in the political world; and whereas there is little we can do to change the realities of human nature, we can work to shape the climate which defines what is politically possible. This requires persuasiveness and an infinite degree of patience; and above all it requires that we suppress the all-or-nothing impulse which has frustrated so many conservative enterprises in the past.

As we move into the 1970's, I propose that we fare forward with a new spirit and a new resolve; that we summon the will and the courage to see things as they really are. And if we do, we will find the American people with us. Because we continue to be a special breed, prepared to accept the world for what it is while still pursuing our special vision of what it ought to be.

The New Testament has taught us that the man who loves the world to excess will lose it. But there surely is a corollary. He who fails to see the world will most certainly lose it too.

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ON BUILDING LEADERS

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. SCHERLE. Mr. Speaker, those of us in public life who are concerned with providing leadership for the future may be grateful to the many fine youth organizations in this country dedicated to developing sound leaders among tomorrow's citizens. One of the most outstanding groups devoted to this goal is the Midwest's own Future Farmers of America.

Speaking to the Iowa Farm Bureau Federation in his editorial column, Accent, Booth Wallentine pays tribute to FFA's ability to produce good leadership. I am inserting Mr. Wallentine's article in the RECORD today, during National Future Farmers of America Week:

ON BUILDING LEADERS

(By Booth Wallentine)

February 20–27 is National FFA Week. A time to honor 450,000 of the nation's finest young people.

The Future Farmers of America is organized in high school chapters in every state in the country. In Iowa there are more than 10,000 FFA members in 230 chapters. And membership is on the upswing.

FFA has many purposes, but they all point in one direction—building leaders. Only when you have worked closely with FFA programs can you fully appreciate what FFA can do for a young person.

But millions of Americans whose thoughts may be far from a group of blue-jacketed FFA members in a chapter meeting have enjoyed the fruits of the Future Farmer leadership development programs.

A case in point is Steve Zumbach, the Manchester, Iowa, student recently elected to head the 19,000 member student body at Iowa State University. Steve Zumbach recently completed a term of office as a regional vice president of the National Future Farmers of America. He had worked his way up from chapter officer, district and state president before his national office.

Steve's roots are deep in the soil on the farm where he was raised. But his nationwide travels, speaking engagements throughout the country and meetings with top level leaders, including the President, have expanded Steve Zumbach's horizons far beyond those of the average young man of his age.

The student leadership at Iowa State is in good hands for the coming year.

That's what FFA is all about. Taking young men—and now there are young women in the program too—and molding them into leaders who will give whatever community they belong to the benefit of the FFA motto:

Learning to do,
Doing to learn;
Earning to live,
Living to serve.

EGYPT, ROME, AND MARYLAND

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, February 26, 1971

Mr. HOGAN. Mr. Speaker, I have repeatedly voiced my great concern over the liberalization of our abortion laws. The legislature of my own State of Maryland is at the present time debating this issue. The Maryland House of Delegates will next week, in all probability, be voting on the abortion-on-demand bill.

It has come to my attention that a prominent Baptist minister, the Reverend Robert T. Woodworth, pastor of the Open Bible Tabernacle of Baltimore and producer of Open Bible Broadcasts, Inc., has done extensive research on the history of abortion.

Because of the tremendous importance of the impending abortion legislation, I would like to present Reverend Woodworth's statement, which he delivered to the Maryland State Legislature, for inclusion in the RECORD:

EGYPT, ROME, AND MARYLAND!

(Statement by the Reverend Robert T. Woodworth, Pastor of Open Bible Tabernacle, Baltimore, Md. 21214, and producer of Open Bible Broadcasts, Inc., before the Maryland State Legislature on the questions involved in liberalization of abortion, January 28, 1971)

Twice before in history innocent infants have been destroyed because of a maniac monarch, an oppressive government, and permissive people.

When Pharaoh feared the numerical increase of Israel, he ordered the Hebrew midwives to kill male babies. These brave women refused to obey the Egyptian ruler and spared the sons of Israel, so Pharaoh ordered all male babies to be drowned. (Exodus 1) If this mad man's desires had prevailed, there would never have been a Moses, the world's greatest law-giver. But God intervened. Egypt was destroyed, and Moses became the world's greatest emancipator.

About thirteen centuries later another despot feared a threat to his throne and ordered the execution of all male infants in his kingdom. One brave mother fled from Palestine to Egypt to save her son from this legal lunacy, or Jesus might have been slaughtered in infancy instead of crucified at Calvary. Again God intervened and gave us the Savior of the world.

Without learning from history of Old or New Testament, today, twenty centuries later, there are government officials actually advocating a repetition of Pharaoh's follies and Herod's horror. The Bible says in both Old and New Testaments, "In Rama was there a voice heard, lamentation and weeping and great mourning—Rachel weeping for her children and would not be comforted, because they are not." (Jeremiah 31:15 & Matthew 2:18)

Any government that can legalize the destruction of the innocent before birth will not hesitate to extend this sovereignty over the handicapped and mentally retarded, over aged and infirm, over political opponents, or anyone deemed to be mentally ill by their own standards based upon some "doctor" and one other person.

Killing the unborn intentionally is murder in first degree. In New York it is necessary to file a death certificate for each fetus removed by abortion no matter what the age of the unborn. This is an admission of the charge that to abort is to take a life. In a state where arguments are aired for abortion of capital punishment we now have some of the same people calling for leniency and extended life for convicted criminals guilty of horrible violence to the lives of the innocent unborn simply because they are unwanted by them! Such lunacy, such depravity!

But we need not go back to antiquity for the judgments of God on nations as devoid of moral consequences of infanticide, we need merely examine Sweden and Denmark or even New York to observe objectively this trend toward moral madness. New York City, abortion capital of the world, had over 2,000 abortions in its first month of liberalized laws permitting the butchery of babies conceived, but not allowed to be born because of the fear or hatred of the mother and the approval of her doctor. Three women died from this legal operation, but the defendants of infanticide quickly countered with, "We can tolerate three deaths per 100,000 patients." The same figure applies to Maryland where three deaths occurred in the past few months from these legal operations, and these unfortunate females were dismissed as inconsequential percentages.

But how are abortions performed? There are four common methods depending upon the stage of pregnancy. Here they are outlined by the Minnesota Citizens Concerned for Life, Inc. (4804 Nicollet Ave., Minneapolis, Minn. 55409):

"To abort an early prenancy the doctor inserts a tube through the opening of the womb and connects it to a suction apparatus. The vacuum is so powerful that the fetus is instantly broken up into a fluid mass of blood, tissue, and cartilage. It quickly passes through this tube and is collected in a bottle.

"In the curretage technique the doctor stretches or dilates the mouth of the womb to admit a forceps or currette. He then reaches in and drags or scrapes out the baby and afterbirth. The surgeon must work by touch alone, often cutting the baby into several pieces in order to get it out. The head may be crushed with the forceps to reduce its size for withdrawal. Bleeding is profuse until the womb is scraped completely empty. The bits and pieces of the baby are then disposed of.

"Larger babies to be aborted may require an abdominal operation similar to a Caesarean section. The womb is cut open and the baby lifted out. It usually squirms and moves its arms and legs. It tries to breathe and may manage a feeble cry. If the lungs are too immature to function normally, it will soon stop moving, but frequently the heart continues to beat for several hours before it dies.

"The doctor can stick a large needle through the mother's belly wall and into the womb. After withdrawing some fluid, a strong, sterile, saltwater solution is injected—in effect pickling the baby alive. The baby may thrash about for a few moments, but soon it becomes perfectly still and dies. In about 24 hours labor will start and the already dead body is delivered. This technique can be used right up to the very end of a pregnancy."

But what about the father's rights? Are we to hold the father legally responsible for any offspring he may sire while we deny him any rights in determining the destiny of his own unborn child? Is a baby the sole progeny and property of the mother only? Such new and novel interpretation would mean the complete modification of many consonant laws regarding the rights and responsibilities of both fathers and mothers. How about the effect on our legal attitude toward accidental or unintentional abortions which date back to Anglo Saxon codes from ancient Bible laws? Indeed from these basic laws come our whole Western concept of the sanctity of life—that man is endowed by his Creator with the right to life and liberty, and that to secure these rights governments are instituted among men.

Conception is the life-originating miracle of God. Only God can create life by following his procreative laws. Only by God's laws for governing life can any life be taken morally. Isaiah the prophet asks, "Shall I bring to the birth, and not cause to bring forth? saith the Lord." (Isaiah 66:9)

It is significant that the advocates of abortion liberalization are also associated with other strange proposals, such as, sex education for children without moral restraints, free contraceptives for school girls, sex relations without marriage, family limitations to two offspring, freedom for pornography and perversions and a whole variety of related sins and sicknesses. God forbid that Maryland should become another Egypt or Rome. God forbid that any legislator or state executive should become another Pharaoh or Herold. In fact, God will forbid and intervene with judgments upon society and those who perpetrate these crimes against the innocent and transgressions of divine laws. Let us have a repeal of present permissiveness; not a liberalization of this extended depravity!

FREEDOM OF JEWS TO LEAVE SOVIET UNION

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. ROSENTHAL. Mr. Speaker, the AFL–CIO Executive Council recently issued important statements on several topics of interest to Congress. One of these, reproduced below, concerns the plight of Jews in the Soviet Union who want to immigrate to Israel, the United

States, or other countries. Unfortunately, despite repeated appeals from an aroused world, Soviet leaders resist these pleas.

It seems unenlightened, as well as a betrayal of human dignity and decency, to persist in this attitude. A country's gates should be opened as widely as possible to both those wanting to enter or leave.

What does a country gain, even from its own viewpoint, to imprison its citizens who want nothing more than to find a new home elsewhere?

What man would lock others in his own house, against their will, and then wonder at the disfavor generated in the neighborhood?

The Soviet Union should heed commonsense and its own self-interest, as well as the pleas of those it imprisons for no crimes, by opening its gates to Jews who wish to leave.

I commend the AFL–CIO statement to my colleagues:

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON FREEDOM OF JEWS TO LEAVE THE SOVIET UNION, BAL HARBOUR, FLA., FEBRUARY 19, 1971

The Executive Council urges U.S. government initiative for prompt U.N. action to assure compliance by all member states with the International Convention on the Elimination of all Forms of Racial Discrimination. This Convention which has already been ratified by 46 nations, including the USSR and the Ukraine, provides for "the right of everyone to leave any country, including his own, and to return to his own country." (Part I, Article 5.) This right of freedom of exit is also embodied in the Charter of the United Nations and the Declaration of Human Rights.

Such humanitarian initiative by the Administration is all the more urgent because of the unfortunate developments in the Soviet Union where citizens of Jewish origin are increasingly subject to intense and varied anti-Semitic harassments and persecution. With mounting frequency, this persecuted minority has, at great risk, courageously demanded in the Soviet Union as well as before the U.N. and world public opinion the right to emigrate from the USSR and go to Israel and other countries.

Only an aroused world opinion—stimulated by appropriate U.N. action and political and economic pressure by our own and other liberty-loving countries—could impress upon the Soviet Union the urgency of taking the shackles off the right of their Jewish minority to leave the country for a homeland open to their own free choice.

The Executive Council further appeals to free trade unions everywhere to rally public opinion and governmental support in their respective countries for having the USSR comply with the principles of the U.N. charter, the Declaration of Human Rights, and the International Convention on the Elimination of all Forms of Racial Discrimination and to remove the barriers to members of its Jewish minority exercising their right to leave the Soviet Union for Israel or other lands.

I AM OLD GLORY

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. ROONEY of New York. Mr. Speaker, a constituent of mine, Mr. Clement A. Tamraz, has requested that I insert in the RECORD an essay which he has composed entitled "I Am Old Glory." I believe the essay captures the feeling so many of us experience when we look upon our Nation's flag.

I include the article "I Am Old Glory" as follows:

I AM OLD GLORY

(by Clement A. Tamraz, (M.A.)

The cynical ingrate who tramples on the generous endowments of his country, who burns and defiles the flag of the United States of America, should listen for just one moment what that flag has to say to him, to us. . . .

I am Old Glory, conceived in dreams of Liberty. I was nurtured in the harrowed hopes of Freedom and, in 1777, adopted as the national Emblem of a new nation; bleeding, bent and bowed, yet fighting fiercely for survival and ordained to give all mankind the finest, the noblest concept of human dignity. I am Old Glory.

When they fired that memorable shot heard 'round the world, I was right there and I waved to him on that long and famous midnight ride. I was with the Green Mountain Boys and Minute Men; always by their side. At Valley Forge, covered with ice and sleet, I felt the fierce cold that froze the blood and stung the bone. I gave comfort to General Washington and his tired, sick and hungry Rabble in Arms. I am Old Glory.

At Fort McHenry, amid the rockets red glare and bombs bursting in air, by the dawn's early light I was there . . . yes, though torn and tattered and blood-spattered, I was still there. I am Old Glory.

Through the film of burning tears, mine eyes have seen the fiery wrath kindled by my own boys, the Blue and the Gray, and the psalms of sadness choked my aching heart and drowned my soul in bitter tears as I saw each one laid away, side by side, at Shiloh, Vicksburg and elsewhere. Though far from home, they were not alone, for I nestled them warmly to my bosom when they harkened to the Long Roll and slow Taps. I am Old Glory.

From the halls of Montezuma to the shores of Tripoli, from the Barbary Coast to the Philippines, I was carried high and mighty by the United States Marine. I tramped through the blood-soaked fields of Belleau Woods, St. Mihiel, Argonne Forest, Chateau-Thierry, the Marne; and I never left my boys over there, even when it was over . . . over there. And while you kept the home-fires burning, my heart was yearning as I kept my desolate, bitter vigil over the lonely graves of those who gave their last full measures of devotion, and who'll stay forever to watch the poppies grow amid the crosses row on row in Flanders Field. May GOD damn my soul if I ever forsake them. I am Old Glory.

I was raised on Suribachi during the hell of Iwo Jima and waved farewell to the chaplains who went down with their ship. Mine eyes have seen the fields of gold in piece turned red in war, black when the firing cease and white forevermore. I give courage to the young, comfort to the old and devotion from the cradle to the grave, for I am on the side of God. I am the mantle of the unknown soldier . . . the Stars and Stripes Forever . . . I Am Old Glory.

NEW ENGLAND'S VA HOSPITALS EARN HIGH PRAISE

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mrs. HECKLER of Massachusetts. Mr. Speaker, I would like to call attention to two current articles about Veterans' Administration hospitals written by Don Clark and John M. Langone, reporters for the Boston Herald Traveler. Recently there has been considerable criticism of specific VA hospitals and the VA medical care system. However, these interesting and carefully-researched articles accord highest praise to the VA hospital system and to five of New England's VA hospitals.

Since this represents the judgment of independent observers, having no connection with the Veterans' Administration, I believe the articles will be of special interest to Members of Congress.

Both articles include speculation on the relationship of VA hospitals to a future national health care program.

I found the articles most timely. I have been privileged to serve on the House Committee on Veterans' Affairs since my election to Congress in 1966. As a member of its Hospitals Subcommittee, I have inspected several of the hospitals cited in the articles and many other VA hospitals throughout the country. I will continue to inspect them to insure that American veterans continue to receive the finest quality medical care, and I find it most gratifying when responsible news media contribute to a greater public understanding of the needs and the accomplishments of the VA hospital system.

The articles, which I am pleased to insert in the RECORD, read as follows:

NEW ENGLAND HOSPITALS ARE TOP RATE

(By Don Clark)

A week-long tour of five Veterans Administration hospitals in New England indicates that, whatever the case may be elsewhere, veterans here receive a full range of high-grade medical care.

Sensitive to recent criticism of the VA system, the hospital directors granted—indeed, insisted!—on full access to every crevice of their institutions.

In addition, they encouraged conversations with anyone, staff or patient, who cared to voice an opinion.

These conversations, plus an inspection of scores of wards, clinics, special care units, laboratories, pharmacies, kitchens, laundries, and bathrooms, add up to high marks for VA facilities in New England.

The five hospitals visited were as follows:

The 795-bed neuropsychiatric hospital at Northampton, headed by Dr. James L. Benepe.

The 188-bed general medical and surgical hospital and regional office at White River Jct., Vt., headed by Dr. Dawson Tyson.

The 188-bed general hospital and nursing home at Manchester, N.H., headed by John R. Rowan.

The 909-bed hospital and regional office at Togus, Me., which provides medical, surgical, psychiatric, and nursing home care, headed by John J. Jackson.

The 364-bed hospital at Providence, R.I., which also gives medical, surgical, and psychiatric care, headed by Dr. James E. Black.

Each hospital stands atop acres of scenic grounds, and several enjoy commanding views of the valleys and communities below.

With rare exceptions, the facilities were clean, bright, and pleasant. Filth, foul odors, or signs of neglect were not to be found.

Evidence of renovation, refurbishment, expansion, and new equipment was visible on every hand.

Timothy J. Harrington, a spry 94-year-old veteran of the Spanish-American War, had only praise for the care he gets in the spotless nursing home unit at Manchester.

Relaxing in a sunny day room with a

sweeping view of Merrimack Valley, Mr. Harrington said, "They treat me wonderful here, just wonderful. God bless 'em all!"

Noting the personal involvement of the nursing staff for the patients, John Rowan, Manchester VA director, said, "This hospital holds a prestigious place in the community, and our people consider it a prideful place to work.

"We have some custodians and kitchen staff, for example, who have been here 20 years and more, and they take personal pride in the care we give. We are able to attract a caliber of help that would be hard to recruit in a large city at the same wages."

Dr. William F. Heslin, chief of staff at Manchester, stressed, however, that what really matters is "quality of medical care.

"Physical surroundings and hotel-type service, such as the food and the beds, are important, of course," he said, "but a person can get magnificent medical care in an army tent. That's what we're in business for—to give good care."

"On that score," he added, "VA hospitals don't have to take a back seat to anyone."

The facts seem to support Dr. Heslin's enthusiasm.

The Providence hospital, for example, is the only place in that state with a 16-bed hemodialysis unit, providing the most advanced artificial kidney functions without cost for veterans who would literally die if such care were not available.

The Togus, Me., VA hospital pioneered in that state in the field of intensive coronary care units, and its program is now widely copied.

The White River Junction hospital in Vermont, which is already an indispensable part of the medical degree program of Dartmouth University, is blazing trails in training paramedical personnel with a hospital-university-medical society partnership called "Medex."

The White River Junction facility is also doing advanced research in the field of liver diseases and metabolic disturbances.

Nationally, the VA system has led the field in successful treatment of tuberculosis with drugs. It has also been responsible for most major advances in the care and rehabilitation of paraplegics, quadriplegics, and amputees during the last 25 years.

In addition, New England VA hospitals are leaders in giving continuing atttention to a patient once the hospitalization period has ended.

John Rowan, of Manchester, said, "I think we are doing better than civilian hospitals in keeping pace with new expectations from patients. The community hospital treats a person for disease, and in most cases that's it. But we will not knowingly discharge a patient until we are reasonably sure he will have good care after he leaves us."

Most leaders of New England VA hospitals voice confidence that the VA system furnishes a sound model for any national health care program that might be passed into law.

John J. Jackson, director of the Togus facility, said, "If a national health plan comes, we would expect to take the lead in it."

Dr. Dawson Tyson, director of the White River Junction facility, said, "If government medicine arrives there could be no better model than the VA.

"The VA is the largest health care complex in the world with a background of many years of government control. It has made mistakes and it has corrected them. Its experience would be invaluable. I can't think of any medical enterprise to compare with it."

Dr. Heslin, chief of staff at Manchester, said, "What is being talked about in Washington is a system of prepaid health care. In effect, the VA has always done this. The payment our patients made was their military service."

John Rowan, director at Manchester, said, "One of the main things a national health plan would have to develop would be cost accounting. That is something the VA has been doing for years.

"We have a controlled system of delivering health care, as opposed to an entrepreneurial system. If we know our work load, that is our number of patients, we know what the care will cost."

Dr. James A. Black, director of the Providence hospital, said, "Go to any local hospital and the least expensive rate you will pay will be $70 to $75 per day, plus X-rays, oxygen, blood anesthetics, and fees for private physicians, special nurses, and intensive care, if any.

"Roughly, our costs for everything a patient needs, you name it, will run about $55 per day. This is because we operate on a fixed-fee, non-profit basis."

John D. Bunger, assistant director of the Togus facility, said, "Perhaps our greatest success as a potential model for a national health plan has been our outpatient program whereby a veteran can go for care to his own private doctor, who in turn is paid by the VA on a fixed-fee basis."

Dr. Robert L. Ohler, chief of medicine at Togus, said, "The VA has demonstrated that you can have a large group of federally funded hospitals that provide high-grade care for a large section of the population.

"We run an efficient brand of socialized medicine. It's surprising how few problems arise in this type of program. What impresses me about this system from the standpoint of a doctor is what you can do and what equipment you can get and what programs you can get into depends entirely on yourself, even though you sometimes have to wait for the ponderous government machinery to work."

Dr. Ohler voiced doubt, however, that a VA style of socialized medicine could be applied to the entire population.

"You can't just multiply what we do by 10," he said, "primarily because the people who work in this system are here because they want to be. There are many doctors, however, who don't want anything to do with how we do things."

Dr. James Benepe, director of the Northampton facility, said, "I am not so much interested in the form that a health system takes as in the results it delivers. I am not certain that every hospital should emulate the VA system."

As an alternative, Dr. Benepe called for studies to ascertain what local, regional, and national health needs are and then for creation of systems designed to meet those needs.

"What we finally wind up with may not be anything like the VA," he said.

But Dr. Fernald C. Fitts, chief of staff at Providence hospital, said, "I believe our system can be multiplied any number of times. The point of the matter is that we have a centrally organized national health program that practices excellent medicine and could practice even better medicine with more money."

Dr. Fitts voiced enthusiasm for the incentives that the VA offers to attract and hold good doctors.

"When you compare figures accurately, benefit for benefit, our doctors do very well," he said. "Based on the amount of time they must work, our doctors receive roughly the same as a doctor in private practice."

"A private doctor," he said, "must pay his office staff, his assistants, his accountant, and his insurance. If he takes two weeks off, he has no earnings. It is also very difficult for a private doctor to limit his practice.

"Many come to us because they just start to wear out. Many are disenchanted with the taxes and expenses that go with the large sums of money.

"Our doctors are scheduled for 40 hours a week, although they are technically on call at all times; they get 30 paid days of annual leave, 15 sick days, and authorized paid absence to attend two medical conferences each year. The Government also pays much of the cost of their health insurance and life insurance."

In short, the VA hospital system has moved a long way from its developmental phase of 1922 to 1946 when it was a closed system of bureaucratic medicine, with doctors on civil service.

Today, the VA is moving swiftly toward regional cooperative arrangements with other hospitals, medical schools, and research institutions in order to build a network of specialized facilities that can give complete health care to the veteran population of an entire geographic area.

If the experiment works—and every indication suggests that it will—the Veterans Administration system may soon emerge as the cornerstone of high caliber socialized medicine in the United States.

[From the Boston Herald Traveler, Feb. 8, 1971]

VAST SYSTEM SERVES ELIGIBLES AMONG 28 MILLION VETERANS; VA'S HOSPITALS ALIVE AND WELL—VERY WELL

VA SETS PACE IN RESEARCH, HEALTH CARE

(By John M. Langone)

The VA, the much-maligned but largest medical care system under centralized management in the United States today, has been likened to the paradox of the bumblebee:

Science says it can't fly—but somehow it does.

And, despite long grumbling at "this horrible experiment in socialized medicine," the Veterans Administration hospital system—called the Department of Medicine and Surgery—not only is still very much around and flying but it is making its presence felt in new and exciting ways.

Conversations with VA officials in Washington and throughout New England indicate that amid the exposes of some hospitals, the rhetoric about the medical crisis and all the discussions of national health insurance the VA is emerging as a model for solving national health care problems.

As a result, the VA is a powerful contender for a key spot in any national health program that might be enacted, particularly since the agency has been cooperating more and more with community hospitals and resources.

The role is a natural. Despite criticism, the VA has know-how, efficiency and an overall excellent record in the treatment of patients, training of professionals and the performance of research. The role is more fitting now that there is awareness that the concerns of the VA health system are the concerns of the rest of medicine.

Since its establishment in 1930, the VA has been quietly employing the same essentials of a successful system for delivering quality care that are now being put forth as revolutionary. And the new medical experts, in the eyes of many VA officials, have not yet found that the VA has been through it all.

But it is a role that has too often been neglected by the health planners, by many legislators who have written off the VA's role in a few sentences, by the anti-government involvement solo practitioners, and even by some veterans organizations which see, looming in the distance, the very real possibility that the VA health system may one day be treating non-veterans under a national program that would have no need to "care for him who shall have borne the battle" in a special way.

What is this sprawling system . . . this health arm of the government's "great gray agency" . . . this practitioner of good medicine that seems to have a knack for winding up always, like Boston City Hospital, on the ropes?

"The Mafia is better known than we are," one high VA official in Washington remarked somewhat ruefully to a recent visitor. "The average guy on the street thinks the VA hospitals are just some place where a bunch of old guys lie around spooning pablum."

"The System," as it is referred to by Dr. Marc J. Musser, chief medical director of the VA's Department of Medicine and Surgery (DMS) is size with a capital S.

It is 166 hospitals, 63 nursing homes, 16 domiciles, six restoration centers and 202 outpatient clinics—all serving those eligible among a living veteran population that reached, as of June of last year, some 28 million. (Veterans and their families represent about 96.7 million persons, or about 48 percent of the total U.S. population.)

It is a daily inpatient census that averages 102,000, and about 6.1 million visits to the outpatient clinics.

It is 94 VA hospitals with direct, ongoing affiliation with 80 of the more than 100 approved and developing medical schools in the country, 75 schools of social work, 51 dental schools, 93 departments of psychology, and more than 300 universities, colleges and junior colleges providing courses in various health professions.

It is a staff of 6,000 fulltime and part-time physicians, 15,000 registered nurses and 15,000 licensed practical nurses and nursing assistants.

As a substantial health care provider and employer of health and medical personnel, the VA system is also a significant contributor to the reservoir of health service personnel.

This is reflected in the fact that the agency trains physicians filing 12 per cent of all available medical residency positions (in terms of individuals, 23 per cent of all residents received training in VA hospitals), 50 per cent of all medical school graduates, basic nursing students from 22 per cent of the country's nursing schools including 45 per cent of all baccalaureate programs.

Also, 20 per cent of all social work students in recognized schools, residents in 20 per cent of all approved dental residencies and interns in 33 per cent of all approved dental internships, 32 per cent of all dietetic interns, 20 per cent of all graduating clinical and counseling psychology trainees at the Ph. D. level and 25 per cent of all hospital pharmacy interns and residents.

VA submitted a budget for medical care for 1971 that was some $160 million over the previous year. Later, President Nixon decided an additional $50 million was needed and he approved a total request of $1.752 billion, by far the most money ever requested. Congress ultimately approved a budget that was just $105 million over the President's request, an increase of little over five per cent.

"Let's suppose the VA suddenly died," said Dr. Musser, a lay-it-on-the-line physician who feels strongly about the DMS' responsibilities in designing a system of health care for all Americans. "We pump millions into the economy of the Boston area. About 83 per cent of every dollar we spend is for personnel, and 99 per cent of that is spent locally.

"On the day the VA died, a third or half of the medical school classes at Boston wouldn't have any place to go, and they'd overcrowd the facilities. A large number of other health workers wouldn't have our labs for training.

"God knows how many patients, outpatients, indigents. There'd be tremendous impact on welfare programs. We just can't afford to wipe out 100,000 hospital beds.

"And it's not just beds. On the day the VA died, you'd be wiping out the biggest kidney dialysis system in the United States."

Dr. Musser commented on recent disclosures of problems in VA hospitals. "Our gains certainly outweigh our losses. Many of the attacks had to do with the cleanliness of our hospitals, how long it took to get a glass of water, the physical plant and so on.

"But really, if you're sick I'd be most concerned that first, a prompt diagnosis is made and that right treatment is insituted. I don't care what else. If you don't have that you've had it.

"You can talk about color TVs, and ask if the place is like a country club, or is the coffee hot. How the hell essential is all that to the saving and the prolonging of life? It's unfortunate to draw conclusions that the quality of care is lousy. That's all too simple.

"Name me a system that isn't lacking. I reject the implication that our care is below high standard. I put the quality of care in VA hospitals in the upper 15 per cent of all the hospitals in the country. To say we don't have problems would be utterly ridiculous. Our hospitals aren't all palaces, though many are, But we have access to the best talent in the country and we use it."

"The system," with its maturity and experience, deals so effectively in the marketplace that equivalent services in VA have always remained substantially below the cost in the private sector.

"It is the system which establishes our leverage to obtain expensive equipment or scarce manpower and to use these resources in an economically defensible manner," says Dr. Musser. "Make no mistake. It is the system that commands the respect of our colleagues in the private sector. If this point is unclear, try dealing with a medical or dental association from the usual community hospital base.

"Try to set up a residency program or other teaching effort in a community hospital of the same bed capacity as your VA hospital, and take note of the fact that on its advisory committees and consultant roles, VA has secured the best brains in American medicine."

It is Dr. Musser's contention that all the necessary attributes for a successful health delivery system exist and are being exploited by the VA. He listed these as easy and convenient access to the system, a full spectrum of health resources so that care will be comprehensive, emphasis on treatment at the earliest stage of disease, maximum efficiency to assure economic advantages to both public and private consumers (one of the best ways to achieve this is to delegate the expensive duties of physicians to paramedics), and prepayment.

Last month, Dr. A. Wendell Musser, associate chief VA medical director, was in Boston for a seminar of the Harvard Center for Community Health and Medical Care. At the meeting, he outlined a key example of a VA effort—regionalization of medical care facilities.

In several parts of the country, VA hospitals already are working together in what is essentially a regional plan, solving problems that could not be handled by an individual hospital alone.

"We have found," Dr. Musser told the Harvard group, "that we can link together three, four, five adjacent hospitals into a regional complex. These hospitals differ. Some will be small, some large, some psychiatric, but each will be developed to its maximum potential. There will be at least one affiliated medical school or university health center hospital in each complex that is capable of providing a full array of the most sophisticated services."

Regionalization, one of the most useful working concepts of our time, is exceedingly difficult to implement in the private sector. "But, in the VA system this pattern of operation will be comparatively easy to establish," says Dr. Musser.

What of the VA's role in the event a national health program is instituted? And what of the possibility of the veterans hospitals treating non-veterans?

The first question is not easily answered in any definitive way. But what emerges from interviews in Washington and in the Boston area is that if it ever comes—and Dr. Krishan Kapur, chief of dental services at the modernized Boston VA Outpatient Clinic is one who believes "the stage is already set, it's coming"—the VA is ready, willing and able to participate.

One attribute of the DMS is its potential for expansion, and this could serve it well if national health moves in. When hurricane Camille hit the Gulf Coast, for instance, the VA hospitals in the southeast opened their doors to a considerable load of injured and displaced persons.

In 1966, the VA was braced to absorb an overload from Medicare which, as it turned out, didn't come. "It could even be ready to participate in universal health insurance if called upon," said Dr. Musser.

"Discussions about this are increasing, and there are speculations of possible relationships with the VA. The DMS must be ready to play in this league if called upon. Really, we could accommodate an insurance system. All we'd have to do is change our accounting system."

Dr. Francis B. Carroll, director of the 920-bed Boston VA Hospital, affiliated with Boston University and Tufts University Schools of Medicine, put it this way:

"It stands to reason that if the federal government is putting money out of pocket for Medicare and Medicaid and paying big bills for it, and we've got some hospital charging $105 a day, ala carte for just the room, and here's a federal agency that does it all for $55 a day, inclusive—how long do you think the people or the government are going to put up with that?

"Should they have a national health plan when they already have the largest one fully staffed, not dependent on physicians in the community, ready-made and with built-in assets?

Our deficiency is that we don't have women and children. If the law were changed, and we go those patients, this would not be a liability but a big blessing."

John J. Whalen, director of the 936-bed Bedford VA Hospital, a predominantly neuropsychiatric activity linked with Harvard, Tufts and BU, commented:

"With all the discussions of national health insurance we never hear the VA mentioned. We'll have a place in it if it comes.

"We have the knowhow, the ability to organize nationally. Maybe they'll consolidate the federal hospitals as they now stand, but if it comes we'll be ready for it. We'd be in an excellent position with our university affiliations, for preserving the high quality of care."

Another VA official in Boston had this to say: "There's no string of hospitals including the Public Health Service, and they're probably going out of business, tied as closely to medical schools as the VA.

"We feel they'll serve us well when national health comes into being, For one thing it won't come unless the medical schools endorse it. The VA hospitals under a national health system would be dual purpose institutions, not only treating veterans but non-vets, patients at large.

"The schools would love it. Let's face it, we're a workshop for them, and we don't kid ourselves that they'd probably try to take over the whole business if we'd let them.

"If the health system is nationalized maybe the VA would take over some of the voluntary hospitals that are having a bad time of it, annex them and run a dual hospital. A lot probably wouldn't survive without that kind of a union."

On the touchy subject of doing something special for veterans—the necessity for which might be wiped out if everyone were treated under a national health system—many administrators seemed to agree that a system of priority would have to be established to pacify the veterans organizations. "If there's only one bed left in a VA hospital, for example," an administrator said, "and a vet and a non-vet apply, you give it to the vet."

There already is considerable interplay between the community and the VA hospital system. Apart from emergencies like hurricane Camille, and the affiliations with schools and universities, there are other examples of extra-VA links.

In Denver, for example, civilian hospitals send their organ transplant patients to the famed VA hospital, where Dr. Thomas E. Stark, one of the world's most respected surgeons, works.

Recent legislation has placed the Chief Medical Director as an ex officio member of the National Advisory Council of the Regional Medical Programs Service, and a VA representative on each of the Regional Advisory Groups of the established 55 Regional Medical Programs now in operation throughout the country. (With respect to that, one VA official remarked: "They never consulted us on RMP, because they weren't visionary enough. But they're doing it now.")

Under VA regulations, the organization "may join with non-VA hospitals in a cooperative effort to share the use of specialized medical resources." Primary emphasis in this program area is on outpatient diagnostic services and care, but inpatient care is not excluded.

One exciting and hitherto unpublicized project involves what is meant to be a model rehabilitation center at the West Roxbury VA Hospital, a national facility that would treat patients for spinal cord injuries, for orthopedic problems and for cardiac ailments. (West Roxbury VA has three major services: spinal cord injury, with 132 beds; medicine and surgery, all well represented in the field of cardiovascular facilities, with both a cardiocatheterization lab and an open heart surgical program.

The complexion of the hospital's patient population has changed as the facility experiences increased applications and admissions of Vietnam veterans, particularly with spinal cord injuries and orthopedic problems.

Both Dr. Musser and Corydon F. Heard, director of the West Roxbury Hospital, revealed that a team from Harvard Medical School was in Washington recently to discuss lending the school's support.

More interesting is the possibility that an additional unit would be built to handle non-veterans, the victims of increasing spinal cord injuries on the highways and in swimming accidents.

At the Brockton VA Hospital, a unique community - hospital - industry - rehabilitation program (CHIRP) is operated for mentally ill veterans, with the focus on real work. It involves light assembly jobs furnished by local industry for which patients are paid. Nearly 250 industries in New England and some outside states provide work to be done at the hospital.

The hospital's pioneer alcoholism unit also provides lectures and courses for clergymen, police and other interested groups.

"The day the VA had a big fence around it is gone," remarked Bedford VA's Whelan. "We've intensive programs here, and use community resources heavily. Middlesex Community College is on the grounds, and allied health personnel will be trained there."

His view was echoed by Clifford J. Choquette, administrative assistance to Dr. Ernest W. Keil, chief of staff: "The great role the VA will play in the future is the education and training of health care workers. We can really start here."

It stands to reason that the VA could not do its job properly if it existed in a vacuum.

In the area of psychiatric care, for instance, the families are as important as the patient. "A man doesn't get sick all by himself," said Dr. Keil. "One has to consider the problem as a whole, and most often the problem lies in the family."

The Bedford VA Hospital is also one end of a television link with the MGH, a hookup known as teleconsultation. Health professionals exchange medical information immediately and directly across the 16 miles.

Dr. Musser summed it up this way:

"Our enormous system of health insurance, Medicare, Medicaid and other welfare programs are rapidly moving the nation toward, if not a single system of health care, at least a single quality of service. Under such circumstances, no single entity within our society, private or public, can remain in autonomous isolation while the health needs of the nation are unfulfilled."

Heart to Laser to Liver: VA's Major Successes

A total of 5654 investigators participated in 5742 VA research projects during the last fiscal period.

This heavy research role of the VA has paid off in the past. Over the years, some of the big research accomplishments have been:

Treatment of TB has improved to the point that veterans hospitalized for the disease decreased from 17,000 in 1954 to less than 3000.

First successful implant of Pacemaker, achieved at Buffalo.

Pioneering work in lowering body temperature in connection with open heart surgery, done at Coral Gables.

World's first and only successful liver transplant, at Denver.

Development of gamma globulin "horse serum" to control body's rejection reaction in organ transplants.

Some of the earliest work in laser surgery, in progress since 1963 at West Roxbury, Pittsburgh and Washington.

LOCKHEED AIRCRAFT CORP.

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. GOLDWATER. Mr. Speaker, last week I talked with representatives of the press in Los Angeles regarding the present chaos being faced by the Lockheed Aircraft Corp. due to Rolls Royce's abrogation of its agreement to supply engines for the L–1011 jet airliner. The administration and Lockheed are now conferring with officials of both the British Government and Rolls Royce. If the British firm does not supply the engines, Lockheed faces bankruptcy. The following questions from various members of the press and my answers will, hopefully, answer some important questions concerning this situation:

Questions and Answers on Rolls Royce-Lockheed

Q. A great deal of confusion exists from all the speculations in the British press and the American press about the status of Lockheed's commercial airplane program, the L–1011, following the collapse of the Rolls Royce Company in England. What is your understanding of the status of this situation at this moment?

A. The Rolls Royce engine division is the developer and supplier of an engine called the RB. 211 and they have a contract to supply this engine to Lockheed for the L–1011, and indirectly for the airline customers of the L–1011. When they went into a receivership they said they were unable financially to continue the development and production of this engine and therefore would have to abrogate their contract with Lockheed and the airlines. The apparent immediate reason given by Rolls Royce was the withdrawal by the British Government and by British banks from the assurances they had given last November that further financing of about $150 million or more would be provided to Rolls to continue the engine development and to start work on production models. Additionally, they said that the cost of each engine would be about a quarter of a million dollars higher than the contract price they had agreed to at the beginning of the program. After the announcement that Rolls Royce would go into receivership, the British Government announced it would purchase the airplane engine part of Rolls Royce and would continue production of all Rolls Royce engines except the RB. 211. They denied any obligation to Lockheed or the U.S. airlines, but they did indicate that they might be willing to continue this engine if the U.S. Government or Lockheed or the airlines would put up the necessary money and would absolve them of any claims for damages resulting from late delivery of the engines.

Q. Has any way been found for the U.S. Government or U.S. companies to supply the needed money?

A. There does not appear to be any way for the U.S. Government to supply the money, even if it was proper for taxpayers money to be used in this way. As far as Lockheed and the airlines are concerned, they are in bad financial condition themselves currently due to a number of factors, and it would seem difficult, to say the least, for them to supply the money. Particularly, it would be difficult for them to supply the $150 million working capital needed by Rolls Royce for the completion of the engine development and the beginning of production models. They might be able to absorb at least a substantial part of the increased production costs.

Q. What efforts are being made to resolve this situation?

A. I understand Lockheed's chairman, Dan Haughton, arrived in London this morning to meet with various Rolls Royce and British Government officials to determine if there is some practical way to continue production of the RB. 211 engine. Since the first announcements in London, British Government officials have softened their stand a great deal and have indicated they at least might be able to provide the $150 million working capital, if Lockheed and the airlines could pick up the cost increase of the production engines. The British Government has been under great pressure inside the United Kingdom from the opposition party in Parliament—from British labor unions—and from the British news media to fulfill the commitments on the engine contract and to restore confidence in British trade relationships all over the world. Additionally, there have been efforts by various U.S. Government officials, including President Nixon and Deputy Secretary of Defense Packard, to encourage the British to stand by British commitments, in view of the series of catastrophies that would occur in the U.S. if the L–1011 project is cancelled.

Q. Are there no alternate engines manufactured in the U.S. which could be used to power the L–1011?

A. There are two alternate engines—one manufactured by General Electric for use in the McDonnell-Douglas DC–10, and the other manufactured by Pratt & Whitney for use on the Boeing 747. Both of these alternate engines are being analyzed by Lockheed engineers and I understand that both could be used. But it is probable that either of these engines—being somewhat different in size and design from the RB. 211, would force a redesign of the L–1011 tail and therefore require a substantial delay and would substantially increase the cost of the airplane. Lockheed has not announced any delay or cost numbers for one of these alternate engines, but it seems likely that the best solution would be to continue the RB. 211, if satisfactory contract arrangements can be negotiated between Lockheed and the British Government.

Q. What will happen if the alternate engines are not feasible, and if a satisfactory contract cannot be negotiated for the continuance of the RB. 211?

A. It would force Lockheed to cancel the L–1011 and probably would force Lockheed into immediate bankruptcy. Of course, the cancellation would also cause about 30,000 workers in the U.S. to lose their jobs—15,000 at Lockheed and 15,000 or more at L–1011 subcontractors and suppliers. Additionally, the ripple effect probably would cause the bankruptcy of several other U.S. firms who are deeply involved with Lockheed as subcontractors and suppliers of the major systems that go into the airplane.

Q. Why would the cancellation of the L–1011 cause bankruptcy at Lockheed?

A. According to published reports, a consortium of 24 banks already has loaned $350 million essentially for this project, and the airline customers have made advance payments to Lockheed of more than $200 million. Of course Lockheed already has invested very large sums of its own in the L–1011, and the combined total of these investments obviously is somewhere in the high hundreds of millions of dollars. No income can be derived from the L–1011 until actual deliveries to the airlines are made, and therefore there would be no money to pay back the banks and to repay the advance payments from airlines. The losses thus incurred are far more than Lockheed's net worth and therefore a receivership for Lockheed would be the only possible result in order to provide all creditors and Lockheed stockholders with at least some proportionate share of a return on the loans and the investments.

Q. What would happen to other Lockheed programs, like the Poseidon missile, the Agena satellite, the C5A, the P–3 and S–3 for the Navy, the Cheyenne helicopter for the Army, the shipbuilding projects in Seattle, the electronics programs in New Jersey, and all the others?

A. No one knows for sure. Although I am not a lawyer, I understand that, under the terms of a bankruptcy, the trustees in receivership have as their first duty the protection of creditors and stockholders, and they have a wide latitude of powers to abrogate agreements—to sell off assets—and even to alter union agreements affecting employees. It is impossible to say what the trustees might decide about the continuance of the many Lockheed programs—and even the uncertainty that would occur while they were deciding what to do could in itself lead to chaotic conditions for both Lockheed employees and the thousands of Lockheed subcontractors and suppliers. Deputy Secretary of Defense Packard has said repeatedly that Lockheed bankruptcy is not a good solution from the U.S. Government's point of view, as it could seriously jeopardize Lockheed's ability to perform its vital defense contracts and its continuance as a supplier of products that are extremely important to the security of the U.S.

Q. What about the effects on unemployment and California's economy?

A. Most of the 15,000 Lockheed people who work on the 1011 are located in Los Angeles County—either at Burbank or Palmdale—but the 15,000 job holders in subcontractor and supplier plants are scattered all over the U.S. Additionally, the ripple effect of 30,000 people losing their jobs would seriously affect many other service businesses in many states. On top of that, if a bankruptcy, or a series of bankruptcies were to occur, it could further affect many more thousands of employees at other Lockheed locations and at locations of Lockheed subcontractors and suppliers. It is impossible to calculate all of the disastrous effects this series of events would have on our nation's economy. The first and most obvious effect would be to turn these employees from the position of taxpayers instead to the position of having to be dependent on other taxpayers through welfare payments or other programs, such as unemployment insurance. This sort of economic effect is only the beginning—since it would trigger a backward economic cycle of very important proportions.

Q. With all these harmful effects that could occur from the Rolls Royce-Lockheed situation, what are you doing to help solve the problem?

A. First I wrote to Secretary of State Rogers asking that the look at the trade relationships between the British and the U.S., and in view of the importance of these relationships to the British, to indicate that their abrogation of this contract might be very harmful to the British in the long run due to the loss of credibility in the world trade markets. Next, I joined with three other California congressmen—the Chairman of our California Delegation, Chet Holifield; Congressman Al Smith of the Glendale area; and Congressman Jim Corman of the Van Nuys area—to petition President Nixon to use every possible influence available to him to encourage the British to stand by their commitments on the RB.211 engine. Then, just today, I have addressed a letter to Deputy Secretary of Defense Packard and to the House Armed Services Committee and Appropriations Committee asking that an investigation be made to determine if the U.S. Government should continue to buy other engine products from Rolls Royce in view of the unreliability that they have demonstrated in connection with the RB.211 contract. It seems to me that it is questionable whether we can afford to depend on Rolls Royce for engines for U.S. military use, and we ought to be looking for alternate ways of meeting our military requirements. In this way, too, we would indicate to the British that their abrogation of their commitments and responsibilities on the RB.211 would possibly cause severe consequences to them in their other trade relationships with the U.S.

Q. I have heard it said that the British action in seeking to renegotiate the RB. 211 for a higher price is, after all, the same approach Lockheed itself used in connection with the C5A contract and other U.S. military programs. Is there any truth to that?

A. I don't believe the two cases are at all similiar. My understanding is that Lockheed had a series of legal claims against the U.S. Government based on differing legal interpretations of their contracts and Lockheed was merely attempting to press its legal claims. In the Rolls Royce case, there are no legal differences of opinion between Rolls Royce and Lockheed—and if there were any legal claims they would be by the customer, Lockheed, against the supplier, Rolls Royce, instead of the other way around.

Q. What do you think will be the ultimate outcome of these current negotiations?

A. Of course it is a bit too soon to say, but I believe the British people are at a very critical crossroad in their trade relationships all over the world. As we all know, that island kingdom is totally dependent on maintaining good trade relationships for its survival. If they remain adamant in going down the road toward abrogation of solemn commitments, they can destroy their credibility for a generation or more to come. Or, they can stand by their commitments and restore confidence throughout the world that they will live up to their trade agreements. For their sake, as well as ours, I hope they decide to stand by their agreements.

NATIONAL GUARD CIVIL DISTURBANCE TRAINING

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. ASHLEY. Mr. Speaker, today I have been joined by 29 of my colleagues in reintroducing legislation designed to insure that the National Guard is adequately trained and equipped to handle civil disturbances—be they in our cities or on our campuses.

The most recent Army civil disturbance plan—Garden plot—notes:

> The normal reflex action of the well-trained combat soldier to sniper fire is to respond with an overwhelming mass of fire-power.

But it goes on to warn that—

> In a civil disturbance situation, this tactic endangers innocent people more than snipers.

The truth of this statement—as it applies to the far less well-trained National Guard—was made tragically clear on the Kent State campus last May 4 when four students were slain and 10 more wounded—many of whom were not even taking part in the demonstration.

As the President's Commission on Campus Unrest stated:

> The firing of rifles into a crowd of students and the deaths that followed were unnecessary, unwarranted, and inexcusable.

It is clear that the National Guard was ill equipped, in every sense of the word, to handle the situation.

The only thing that could possibly be more tragic than the events at Kent State would be for Congress not to respond positively by making sure that the guardsmen are well trained and equipped before they are sent onto our campuses or into our cities to quell disturbances in the future.

To date, the National Guard's primary duty has been to be ready to respond to its Federal mission; that is, to provide organized units of trained personnel with sufficient and suitable equipment to augment the Active Army and Air Force in time of war or national emergency. To achieve the necessary state of preparedness, guardsmen receive 5 to 6 months of active duty training, and then return to civilian life with a 5½-year commitment to meet one weekend per month as well as for 2 weeks "summer camp" each year.

Since National Guardsmen are civilian 90 percent of the time—for the most part, serving in managerial, professional, or technical positions—they are, understandably, not as well trained and disciplined as are Regular Army units. This is why the Army assumes that another several months training would be required after a call-up before the National Guard units could be committed to a battle.

But when local police forces are incapable of controlling disturbances in their State, the National Guard is called upon to act immediately—either as the State militia or, when federalized, as Federal troops. Thus, the National Guard has been federalized to protect students integrating southern schools and called to duty to meet the riots of 1967 and 1968, as well as to control civil disorders on campuses.

Between September 1967 and June 1970, the National Guard played almost no role in Southeast Asia. On the other hand, during the same period it assisted civil authorities in dealing with urban and campus disorders 221 times. Despite this clear evidence to the contrary, the National Guard Bureau continues to consider its duty to meet emergency breakdowns in State law and order as secondary to its combat support role. Thus, only 3 hours out of the 6-month active duty period are devoted to civil disturbance training—and not even this small amount of training was required prior to January of this year. The rest of the 6 months and the summer camp are devoted entirely to the National Guard's "primary" mission of support of the Regular Army in conventional combat situations.

The Pentagon's response to the rising tide of civil disorders has been sporadic and often shortsighted. In 1967, civil disturbance training was optional. After the 1967 riots, the Kerner Commission recommended increased and upgraded riot training for the Guard. The Pentagon responded by formulating requirements for 33 hours of civil disturbance training, but reduced the annually required time in 1968 to 16 hours of refresher training, with 8 additional hours for new recruits. Since the National Guard is instructed by the Continental Army commander to carry out this training between January and May, the National Guard cannot devote any of its prime training time—during the annual 2-week summer camp—to teaching the Guard how to cope with riots.

The Pentagon's response to the criticism of the Guard following Kent State has also been initially positive. A study group has been set up and, on the basis of its recommendations, the training of the Guard has improved. Not only is the Guard receiving 3 hours of civil disturbance training during basic, but all National Guard units will get an additional 8 hours of civil disorder training prior to May 1, 1971, and the junior officers will get 16 hours of leadership training. All of this is taking place where the Active Army is conducting a capability study of the Guard.

At the same time, 3 hours of training during the 6-month active duty period is woefully inadequate, and the additional 8 hours for everyone and 16 hours for the leaders is only a one-shot deal. Clearly, with a high yearly attrition rate in the National Guard—it was 27 percent last year—and a high potential for more disturbances in the country, we need a continuous, ongoing training program for the Guard.

In the area of equipment, the Army has responded positively. Since Kent State, the National Guard has been equipped with face shields, protective body armor, and riot batons. In addition, research into, and development of, nonlethal weapons has speeded up.

At the same time, it is important to note that the Guard still lacks force options between riot batons and tear gas on the one hand and M–16 rifles on the other. We must make sure that the Guard has a wide arsenal of nonlethal weapons so that they will be capable of meeting all kinds of domestic difficulties with the minimum amount of force necessary—here it is important to remember that the Army's efforts after the 1967 disturbances failed to produce any new nonlethal weapons for the Guard.

In short, we must stop simply reacting to crises and plan ahead. It seems evident that we will continue our sporadic, reactive course so long as the National Guard Bureau and the Pentagon consider the Guard's role in civil disturbances as a stepchild of its role in support of the Active Army.

To remedy this problem, the bill I am introducing today recognizes the importance of the Guard's role in meeting civil disturbances.

It seeks to guarantee that the National Guard will be prepared to meet the constantly changing domestic conditions by creating the Commission on the Capability of the National Guard to Control Civil Disturbances.

The Commission members would be the Secretary of Defense, the Secretary of the Treasury, the Attorney General, the Chief of the National Guard Bureau, and three persons from the private sector who would be appointed by the President with the advice and consent of the Senate. The legislation would also create the States Advisory Council on Civil Disturbances which would be composed of the National Guard adjutant generals and the chief law enforcement officials in each State, with the major objective of attaining coordinated State-National Guard plans in each State to more effectively cope with civil disorders.

The basic task of the Commission would be to establish minimum training, doctrine, and equipment standards for the National Guard with respect to its use in civil disorders. The bill, however, does prescribe three specific standards: First, National Guardsmen would be required to devote at least 1 week of their 6-month active duty training solely to civil disturbance training; second, each commissioned and noncommissioned officer would be required to participate in an officer training school patterned after the highly effective civil disturbance orientation course of the Army; and, third, no command to load and lock weapons may be issued before a National Guard units is deployed at a disturbance unless there is immediate peril of life.

In addition, the Commission would be required to perform annual inspection of all National Guard units to make sure that the standards are being implemented and adhered to; to perform comprehensive reviews and critiques of the operations of Guard units when used in civil disturbance control duty; and to report at least annually to Congress its findings on the capability of the Guard to perform its civil disturbance functions.

Any National Guard unit which was not found in conformity with the standards prescribed by the Commission would not be entitled to Federal funds.

Mr. Speaker, in the final analysis, protection against civil disturbances is our responsibility. The Constitution provides that the "United States shall guarantee every state in this union a republican form of government, and shall protect each of them against domestic violence." The Congress has assumed its responsibility in the past by providing for training and by paying 90 percent of the operating costs, virtually all the costs of the equipment and nearly half of the cost of the physical installations and facilities of the Guard.

As the distinguished former chairman of the House Committee on Armed Services, L. Mendel Rivers, pointed out 4 years ago:

> If these State militia forces do not have adequate equipment and they have not been adequately trained, it is incumbent upon us, because we have assumed this responsibility, to provide the equipment and training.

The objective of my bill is simply to make sure that the National Guard is adequately trained and equipped to handle civil disturbances—that it is capable of performing the delicate and demanding task of preserving domestic peace today, as well as in the future.

Mr. Speaker, I urge prompt consideration of this matter of utmost national importance.

Mr. Speaker, following is a list of those who have joined in introduction of this measure of utmost national importance:

LIST OF COSPONSORS

Hugh L. Carey, Democrat, of New York.
Shirley Chisholm, Democrat, of New York.
John C. Culver, Democrat, of Iowa.
Don Edwards, Democrat, of California.
Marvin L. Esch, Republican, of Michigan.
Dante B. Fascell, Democrat, of Florida.
Donald M. Fraser, Democrat, of Minnesota.
James G. Fulton, Republican, of Pennsylvania.
Edith Green, Democrat, of Oregon.
Seymour Halpern, Republican, of New York.
Richard T. Hanna, Democrat, of California.
Michael Harrington, Democrat, of Massachusetts.
Floyd V. Hicks, Democrat, of Washington.
Joseph E. Karth, Democrat, of Minnesota.
Edward L. Koch, Democrat, of New York.
Robert L. Leggett, Democrat, of California.
Spark M. Matsunaga, Democrat, of Hawaii.
Abner J. Mikva, Democrat, of Illinois.
William S. Moorhead, Democrat, of Pennsylvania.
John E. Moss, Democrat, of California.
Bertram L. Podell, Democrat, of New York.
Tom Railsback, Republican, of Illinois.
Thomas M. Rees, Democrat, of California.
Donald W. Riegle, Jr., Republican, of Michigan.
Benjamin S. Rosenthal, Democrat, of New York.
William F. Ryan, Democrat, of New York.
Fernand St Germain, Democrat, of Rhode Island.
Charles W. Sandman, Jr., Republican, of New Jersey.
Louis Stokes, Democrat, of Ohio.

PITTSBURGH EDITOR TACKLES CONUNDRUM: "WHAT ARE WE DOING IN LAOS, DADDY?"

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. MOORHEAD. Mr. Speaker, every evening on the nightly news, America is treated to one Government or military official after another telling how the United States really is not involved in the invasion of Laos.

We are not involved to the degree that U.S. helicopters, with American men, are being knocked out of the skies almost at will.

We are not involved to the degree that the President will not preclude an invasion of North Vietnam by the South Vietnamese Army, an invasion he knows cannot occur without heavy American assistance.

The duplicity and nitpicking explanations are too much even for those of us who are old hands at hearings Pentagonese.

Tom Hennessy, editor of a delightful weekly publication in Pittsburgh, the Forum, has written a column telling of the difficulties one might encounter explaining to a child what our Government is doing in Laos.

The mysteries and clouds that once surrounded how one explains to children the facts of life seem simple when compared to explaining American foreign policy in Indochina.

For the enjoyment and edification of my colleagues, I wish to introduce Mr. Hennessy's topical and humorous thoughts into the CONGRESSIONAL RECORD:

TOM'S COLUMN

(By Tom Hennessy)

My son, Daniel, recently tripped to my side and said, "Dad, I'm confused about something. I wonder if you could explain it to me."

"Certainly, my young heir. What is it about sex that is confusing you?"

"It's not about sex. It's about Laos."

"Oh. Well, let's discuss it. What would you like to know, small prince?"

"Why have we invaded Laos?"

"You are confused, innocent lad. We haven't invaded Laos at all. The South Vietnamese have invaded Laos."

"Oh, you mean the South Vietnamese are piloting all our helicopters that are being shot down?"

"No, child of wonder. We're piloting our own helicopters."

"But I thought you said we aren't invading Laos."

"We aren't. We're just . . . well, helping out."

"Why are we helping out?"

"Because we want peace."

"If we want peace, why are we helping the South Vietnamese fight?"

"Because if we don't help them fight, we can never have peace."

"That doesn't make much sense. If we want peace, why don't we just stop fighting and leave?"

"Because that would be dishonorable."

"You mean it's more honorable to stay there and help kill people?"

"You don't understand. We're not really killing people in Laos because we aren't there."

"But you said before that we were piloting our own helicopters. Now how can you say we aren't really in Laos?"

"We aren't in Laos because the President and Melvin Laird and William Rogers say we aren't in Laos."

"Oh, there are no Americans in Laos?"

"That's right, my young brave. Thank heavens, you're beginning to understand."

"Then what about the CIA camp that we just bombed in Laos. Aren't the people in the CIA Americans?"

"No . . . I mean, yes."

"What are they doing in Laos?"

"Why don't you ask Walter Cronkite?"

"And why are we bombing our own people anyway?"

"Wouldn't you rather ask me something about sex?"

FOREIGN AID TO THE UNITED STATES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. RARICK. Mr. Speaker, the charitable American people are forced to give billions of their hard-earned tax dollars to foreign countries as foreign aid and to international banking cartels for overseas financing. In most instances the only expected return is progress in the recipient country and friendship and cooperation toward our country.

Now, from New York City financial circles we learn that many of our foreign friends who always have their hands out for free or special reduced interest rate financing are sending their foreign money back to the United States. However, the foreign dollars do not come as foreign aid, but rather as investment capital to capture the high interest rate from the American people.

By the end of 1970, the Commerce Department reported that 491 foreign corporations had 766 subsidiaries or affiliates in this country. As if a warning to those of the dove flock who want domestic priorities at the sacrifice of industrial and scientific development and growth, the largest overseas investment commitment of 1969 was by a British company investing in the United States. English technological advancement, many will recall, has been stymied under the liberal Labor Party following World War II, to the financial detriment of that once-great nation.

Mr. S. Stanley Katz, Director of the Commerce Department's Office of International Investment, calls this new "foreign aid" to the United States "part of the growing internationalization of world production." He proceeds further in a report prepared for the Commission stating:

> In this "one world economy" focus . . . designed to maximize total production and efficiency . . . impact may well be on a par with that of the industrial revolution.

While I most certainly am not opposed to foreign capital investments or foreign expertise entering our industrial fields—so long as they pay taxes as every citizen—I do question the continuation of public tax money being given as foreign aid to these same nations to run their own economy at home.

I am also reminded of the 1969 World Bank Convention held in Washington, D.C., from which came various programs planning the control of internationalized capital so as to destroy nationalism via programs of internationalization of the world's tools of production, thereby making the industrialists and nations interdependent upon one another. In this regard see my remarks in the CONGRESSIONAL RECORD, volume 115, part 21, page 28737, "World Bank Supported Mainly by U.S. Tax Dollars"; volume 115, part 21, page 29311, "World Bank Campaign"; volume 115, part 22, page 30521, "World Bank and Washington Too."

What connection does the influx of foreigners' "foreign aid" investments in the United States play with the President's new deficit fiscal policy and 9-percent anticipated increase in the GNP? Are U.S. taxpayers to face a greater national debt to assure that the foreigners get a handsome return on their investments?

Strange that the President's military generals are not as independent as his financial generals. The feud between the Treasury and the Fed continues to burn. Is it for real or what are they up to?

In the policy vernacular of the U.S. State Department, such a program is "in the best interests of the American people"—we give for nothing, they give for profit.

I insert three news clippings in the RECORD, as follows:

[From the Evening Star, Feb. 25, 1971]

FOREIGN MONEY INVESTED HERE IN RECORD SUM

(By Jack Lefler)

NEW YORK.—Foreign countries poured a record amount of money into investments in American business in 1970.

Financial sources estimate the amount spent to establish or acquire U.S. subsidiaries at $1.2 billion. The Commerce Department had reported the 1969 total was $1 billion.

From its very beginning, the United States welcomed foreign capital for development of railroads, canals and natural resources.

In 1791, Alexander Hamilton, the first Secretary of the treasury, said of foreign investment: "Instead of being viewed as a rival, it ought to be considered as a most valuable auxiliary."

The government still holds open the door to investors from abroad.

At the end of 1970 the total foreign investment here was estimated at $13 billion. Despite the strong growth since the end of World War II, the sum remains small compared with the estimated $70 billion value of direct American investment overseas.

REVERSE FLOW

"The excitement stirred abroad during the past two decades by the international expansion of U.S. industry has tended to distract attention from the presence in the United States of numerous firms affiliated with foreign parent companies," says Morgan Guaranty Trust Co. of New York.

"The diversity of their output is illustrated by such well-known names as Shell, Massey-Ferguson, Dunlop and Lever Brothers. And not only are many foreign firms operating subsidiaries and joint ventures here, more are coming all the time—especially from Europe and Canada."

The Commerce Department reported at the end of 1970 that 491 foreign manufacturing and petroleum companies had 766 subsidiaries or affiliates in this country.

The most prolific investors in American enterprises are concerns whose home bases are in England, Canada, West Germany, the Netherlands and France.

While entry of foreign companies into the U.S. industrial stream intensifies competition, American business sources say they prefer that to an increase of imports. That is because foreign-owned subsidiaries must operate under American tax rates and costs of labor and materials.

Another factor that mutes complaints is that U.S. corporations—particularly oil and chemical firms—are very active in many foreign countries.

"It may be a portent of things to come that the largest overseas investment commitment of 1969 was made not by a U.S. firm abroad but by a British company investing in the United States," Dr. James Leontiades of the University of Pennsylvania wrote in the Columbia Journal of World Business.

This move involved the purchase by British Petroleum of certain assets from Atlantic Richfield and to the subsequent merger of those properties and other BP assets in the United States, including oil leases in Alaska, with Standard Oil of Ohio.

Within recent weeks one of Europe's largest photocopy machine manufacturers, OCE-van der Grinten N.V. of the Netherlands, entered the U.S. market by acquiring control of ICP, Inc., of Skokie. Ill.

West German and Swiss companies have shown a particular interest in acquiring or investing in American chemical and pharmaceutical concerns.

Among the more widely known U.S. subsidiaries of West German and Swiss firms in these industries are BASF Corp., American Hoechst Corp., Standard Chemical Products, Inc., Chemsalt, Inc., CIBA Corp., Geigy Chemical Corp. and Pluess-Staufer.

Commerce Department figures for 1969—the latest available—show that major foreign investments in American industry were $5.3 billion in petroleum, $2.2 billion in insurance and $1 billion in trade.

"The flow of investment capital to the United States may be viewed as part of the growing internationalization of world production," says S. Stanley Katz, director of the Commerce Department's Office of International Investment, in a report prepared for the Commission on International Trade and Investment Policy.

"In this 'one-world economy' focus, investment decisions and operations are designed to maximize total production and efficiency. This development is regarded by some observers as one whose ultimate impact may well be on a par with that of the Industrial Revolution."

FEAR CONDITIONS

While the welcome mat is made highly visible, many foreign firms are apprehensive about conditions and situations they might encounter in this country.

They are barred by the federal government from engaging in coastal or fresh water shipping, domestic radio communications and domestic air transport. Some states prohibit foreign ownership of land for mineral and agricultural operations and of deposit banks and insurance companies.

[From the Washington Post, Feb. 26, 1971]

CONNALLY CRITICIZES FED'S MONEY POLICY

The cold war between White House economic planners and the Federal Reserve Board intensified yesterday when the new Secretary of the Treasury, John B. Connally, criticized the Fed's performance over the past five months.

"The 1.1 per cent increase in the money supply in January was not at all satisfactory," Connally told the House Appropriations Committee.

"The average 3 per cent increase in the money supply since September also was not at all satisfactory," he said.

The argument stems from President Nixon's heavy reliance on the independent Reserve Board expanding the money supply rapidly enough to meet the administration target of a 9 per cent growth rate this year.

Arthur F. Burns, a presidential adviser before he became Fed chairman last year, has stoutly resisted such administration pressure, suggesting that stepping up the monetary growth rate would rekindle the fires of inflation.

Meanwhile, the specter of an outright confrontation between the White House and the Federal Reserve was raised yesterday at Joint Economic Committee hearings, where a majority of witnesses in recent days has claimed the administration itself must combine a more expansive fiscal policy with some form of incomes policy to reach its economic goals.

If the recovery should pick up speed, said Robert Lekachman of the State University of New York at Stony Brook, the following scenario is quite possible:

"An acceleration of price inflation, a reduction by the Federal Reserve in the rate at which it creates new money, and finally either a replay of the Treasury-Federal Reserve confrontations of the Truman era or a retreat by the White House from fiscal expansion. Either outcome is guaranteed to nip an emerging recovery long before it flowers."

[From the Washington Post, Feb. 20, 1971]

BURNS REBUFFS NIXON ECONOMIC POLICY

(By Hobart Rowen)

Federal Reserve Board Chairman Arthur F. Burns yesterday bluntly and decisively rejected the Nixon administration's appeal for a faster expansion of money and credit as unnecessary and probably inflationary.

Moreover, although he said that "a real recovery" from recession may be under way, Burns told the Joint Economic Committee of Congress that the administration prediction of a 9 per cent surge in economic output this year might be "admirable" as a target, but "optimistic" as a forecast.

It was the first time that any high official had referred to 1970 as a year of "recession"; the official euphemism is "downturn."

In nearly three hours before the committee, which is examining the President's Economic Report, Burns made little attempt to disguise the sharp difference of opinion over policy for this year that has grown up between his board on the one hand, and Office of Management and Budget Director George P. Shultz and Economic Council Chairman Paul W. McCracken on the other.

He warned that the President was risking a crisis of confidence by failing to move ahead quickly enough to establish an "incomes policy" that would restrain inflationary wages and prices through direct government action.

"There is plenty of money around. What we (face) in this country is a shortage of confidence, not a shortage of money," the former counselor to the President said.

For the first time, Burns committed the entire seven-man Board of Governors to an "incomes policy." Heretofore, Burns and two or three other governors have separately urged Mr. Nixon to take more direct wage-price action.

Pat Burns opposed giving the President a two-year extension of standby powers to freeze prices and wages as "virtually dictatorial" authority. These powers are scheduled to expire next month.

He criticized as simplistic the projection of OMB assistant Arthur B. Laffer that there is an instantaneous impact on Gross National Product due to a growth in the money supply.

The OMB has relied on an econometric "model" produced by Laffer as the basis for its optimistic forecast for the 1971 GNP.

One important underlying thrust of Burns' comments was the philosophic rejection of the "monetarist" theory of economics, fathered by University of Chicago economist Milton Friedman, and followed to a large degree by Shultz (and to a lesser extent by McCracken). This theory holds that the direction of the economy is almost wholly determined by changes in the supply of money, defined as the total of currency and checking accounts in banks.

"The Federal Reserve will not stand idly by and let the American economy stagnate for want of money and credit," Burns declared. "But we also intend to guard against the confusion, which sometimes exists even in intellectual circles, between a shortage of confidence to use abundantly available money and credit, on the one hand, and an actual shortage of money and credit, on the other."

Then he restated an assurance given the Joint Committee a year ago: "The Federal Reserve will not become the architects of a new wave of inflation."

The Fed's target for money supply growth, he implied, will continue to be in the 5 to 6 per cent range. "But one of the great virtues of monetary policy is flexibility," he added. Thus, if money "velocity" (its actual use) does not rise this year as expected, he left the way open for "relatively larger supplies of money and credit."

"The banks are full of money and looking for customers," Burns told Sen. ———. "For a short time, we will continue (the present) policy and as the year goes by, we may be a little more restrictive or a little more stimulative."

The administration has wanted a firmer commitment. The OMB "model" calls for a steady 6 per cent growth, with no adjustment for seasonal variations. McCracken has said that depending on conditions, the money growth goal should be no less than 6 per cent, and as much as 9 per cent.

The burden of Burns' prepared testimony and answers to detailed questions by members of the committee was this:

Monetary policy, like fiscal policy, would have to remain stimulative "for a time"; but it would be foolish to focus on one element of monetary policy—such as the money supply—and to demand "an excessive rate of monetary expansion (which) could destroy our nation's chances of bringing about a gradual but lasting control over inflationary forces."

Obviously, referring to Shultz and Laffer, Burns said:

"You're getting some simplified economic thinking before this committee and the nation . . . (they say) the money machine would just grind out the GNP. The world isn't that simple. There is no single, one-to-one relationship between the money supply, however defined, and the rate of increase of (national) output."

Burns' statement was more restrained than many of his candid answers to committee questions. When pressed, he acknowledged that his "very discriminating" staff of economists thought the Nixon administration projection for a $1,065 billion GNP in 1971 "very optimistic." The Fed Staff's number was "in a range" near the private forecast average of $1,045 to $1,050 billion, he indicated. (This was a jibe at the Economic Council, which this year departed from its usual conservative practice of naming a GNP forecast within a $10 billion range, and instead picked the single $1,065 billion number).

"Do you think there is a monetary policy," Committee Chairman ——— asked, which will assure us of 4½ per cent real growth in output (the Nixon target) in 1971?"

Burns' cryptic response: "I know of no such monetary policy." Then he added with a smile: "But I'm not quarreling with Secretary Shultz."

The grey-haired economist-turned-central banker took a moderately optimistic view of the economy's prospects for 1971, but it was designed to be more cautious than recent White House statements.

He said that confidence in financial markets had been restored with a growth of 5½ per cent in money supply (currency and checking accounts) and of 8 per cent in a broader definition that includes time deposits as well. Even though this pattern exceeded the historical average, he said it was justified by the "sluggish" condition of the economy.

The economy may be poised for recovery soon, but he took care to underline "weakness" in defense spending and business expansion. "Ultimately," he continued, "the shape of business conditions during 1971 will depend on what happens to spending in the largest sector of our economy—the consumer sector."

He predicted that interest rates later this year might be "somewhat lower than they are now—particularly on mortgages and longer-term securities." He expressed some concern about the adverse impact of this trend on the U.S. balance of payments—lower interest rates here encourage an outflow of capital seeking a better return—but implied that such considerations would not block the degree of monetary ease needed for recovery at home.

In response to questioning, Burns suggested that in addition to increasing import quotas to "provide a little more competition in commodity markets," Congress might want to consider postponement of the increase in the taxable base for Social Security purposes, which is now under consideration. In order to give an additional stimulation to consumer spending, Burns suggested, "I would not be inclined at this time to do that."

RULES COMMITTEE GRANTS SEPARATE VOTE ON REMOVAL OF THE 4¼ PERCENT CEILING

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 26, 1971

Mr. PATMAN. Mr. Speaker, the Rules Committee yesterday granted a rule on H.R. 4690 which will allow the Members of the House to work their will on the key question of high interest rates versus low interest rates.

The Rules Committee, in clearing the debt ceiling bill for floor action, safeguarded the rights of the Members to a separate vote on the proposal to allow $10 billion of long-term Government obligations to be marketed without regard to the 4¼ percent ceiling. The Rules Committee is to be commended for giving the House a separate vote on this issue.

As a result of the rule, I will offer an amendment to strike section 3 of H.R. 4690 which would allow the $10 billion to be marketed without regard to the congressional ceiling. This may come to the floor as early as next Wednesday, and I hope all Members interested in low interest rates will be on hand.

This House is well aware of the issue involved in the 4¼ percent ceiling.

To summarize, let me state:

First. The removal of the 4¼ percent ceiling would drive up all interest rates in the economy and would signal the end of the trend toward lower interest rates.

Second. The removal of the 4¼ percent ceiling would lock in high interest rates on long-term Government bonds of 30, 40 or even 50 years. The Treasury today is able to market short-term issues at about 3½ percent. Long-term Government bonds—according to existing market conditions—would cost the American taxpayer more than 6 percent interest—or 2½ to 3 percent above the cost of short-term borrowings.

Third. Removal of the 4¼ percent ceiling on long-term Government bonds would allow the Treasury Department to enter the long-term market in competition with local and State governments which are now entering the bond market after the long drought created by high interest and tight money. The entry of the Federal Government into the long-term market would drive up rates for municipalities all over the Nation and force many communities to forego badly-needed projects.

Fourth. The removal of the 4¼-percent ceiling would allow the Treasury Department to compete for long-term money with the homebuyer seeking 25- and 30-year mortgages.

Fifth. Removal of the 4¼-percent ceiling will discourage businesses from financing long-term projects and will worsen the already critical unemployment situation.

Sixth. Removal of the 4¼-percent ceiling will drive up interest rates for consumers, small businessmen, and farmers—for any group in need of long-term credit.

Mr. Speaker, the Treasury Department's only defense for gouging the American taxpayer with higher interest bills on the national debt is that this would make for "good debt management." They argue that short-term borrowings make debt management difficult. The 4¼-percent ceiling is intended to make it difficult for any administration—for any Secretary of the Treasury—to lock in long-term borrowings at high interest rates. The 4¼-percent ceiling does indeed make it difficult for the Treasury Department to gouge the taxpayer.

When the Treasury Department can borrow at 3.5 percent in the short-term market, it makes no sense to require the taxpayer to pay 6 percent and more for long-term debt.

The 4¼-percent ceiling has a substantive effect on the cost of the Federal Government and on the level of interest rates generally, but it is also a broad symbol of low interest rates. It is the principal low interest policy of the Federal Government. It is also a mandate from the Congress for the debt managers—whether they be Republicans or Democrats—to hold down interest rates. The Congress has given up much of its power and responsibility to the executive branch, but I hope they will not give up congressional control over the amount of interest that the American taxpayer is required to pay on the national debt. I do not think any of use were elected to abdicate our responsibility to the taxpayers in this manner.

Mr. Speaker, this issue is very, very simple. Removal of the 4¼-percent ceiling will start a new trend toward higher interest rates. The retention of the 4¼-percent ceiling will be a firm word from the Congress that interest rates are to be kept at the lowest possible level.

CONGRATULATIONS TO AYER

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. DRINAN. Mr. Speaker, I bring to the attention of all Americans the centennial of the town of Ayer in Massachusetts. During the past 50 years Ayer has been known to hundreds of thousands of veterans who have spent some time at Fort Devens which is located in the town of Ayer.

I take pleasure in noting the fine editorial from the Fitchburg Sentinel published on February 18, 1971. This editorial presents very vividly the factual background of the town of Ayer which the editorial correctly describes as one of "the most unique communities in central New England." The entire Nation owes an incalculable debt to the people of the town of Ayer where during the frantic years of the Second World War, division after division of American men came and went through the facilities of Fort Devens.

I am certain that it is the desire of the people of the town of Ayer and of the entire Montachusett region that this New England town which has touched the lives of innumerable American men should continue to serve the national security of the United States by its dedication to the growth and improvement of all of the many services offered to the country by Fort Devens.

The editorial follows:

CONGRATULATIONS TO AYER

The neighboring town of Ayer is probably among the most unique communities in Central New England. This is called to mind as the town opens its centennial celebration this week.

Ayer is a dramatic town, a community which has touched many area lives across the years principally because of its proximity to Fort Devens.

In fact, Ayer and Fort Devens are virtually synonomous to many people. Since the innocent days prior to World War One and through the years of turmoil since that time, Fort Devens has had great impact on this section of the nation as thousands of soldiers—training at Devens or awaiting orders—streamed into area towns and cities. Ayer has been host and landlord to more G.I.'s than any other community.

During the frantic and frenetic years of World War Two, when division after division came and went, Ayer's Main Street took on all the aspects of a boom town. This small

New England community became truly an All-American town. Men from all over the country walked its streets—the gentle accents of the Southerner and the mild tones of the Midwesterner mingled with the Yankee twang.

Yet, Ayer managed to retain its own individual character, a character that proved indomitable in times of hardship and disaster. One of these disasters was the $4 million fire in 1961 which destroyed the Hartnett Tanning Company, the town's major industry. Ayer survived that blow somehow, a tribute to the tenacity of its people.

As it observes its 100th anniversary, the town displays its usual hustle and bustle. Plans are going ahead for a beautification program. The new Nashoba Community Hospital is nearing completion, a project that was aided by a town-wide fund drive. The hospital will serve not only Ayer but Groton, Shirley and other communities.

Ayer's school system is one of the finest in the East, again because of the town's unique character. For many years, Ayer has assumed the responsibility of teaching the children of Fort Devens soldiers. In return, the government has provided a good deal of financial assistance. The town used these funds to create an outstanding educational system.

As the town celebrates its centennial—an event that will be climaxed in June—we extend our congratulations to all of those who have contributed to its progress, through the good and bad times.

COMMUNIST ENCIRCLEMENT OF THE UNITED STATES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. RARICK. Mr. Speaker, we hear a lot these days about National priorities. The so-called doves feel that the first priority should be given to the domestic problems of poverty, the big cities and pollution. The so-called hawks tend toward making national defense our No. 1 priority. While I agree we face many problems and must work for just solutions within the bounds of our Constitution, I maintain that our security as a nation must have first priority.

Self-preservation is a primary instinct and a basic principle in the perpetuation of a nation as well as in the security of an individual. Unless the integrity and sovereignty of our yet great country are preserved, we chance losing the marvelous free heritage and liberties secured by our Constitution, and we could become just another statistic in the long list of enslaved countries to fall under the yoke of tyrannical collectivist despots.

Communist plans for the conquest of our country call for the encirclement and infiltration of the United States. They have made unbelievable progress toward accomplisment of the destruction of the U.S. Constitution. In the encirclement process, we now have Canada to the north and Cuba and Chile to the south.

CANADA

You will recall the kidnap-murder last fall of a government official in Canada and the subsequent declaration of martial law which suspended the civil liberties of Canadians by their Premier Trudeau.

What Pierre Trudeau has pulled off in Canada, in my opinion, is a classic example of the Communist strategy of "pressure from below and pressure from above" which was used to impose a Communist dictatorship on Czechoslovakia. This strategy is described in detail in a small book called "And Not A Shot Is Fired" by Communist theoretician Jan Kozak. The idea is to use agitation at the bottom to justify centralization and takeover from the top. Communists or their dupes and fellow travelers, of course, direct the operation at both the bottom and the top.

The pressure from below in Canada has taken the form of a cry for "separatism"—the establishment of a nation composed of only French Canadians. One way the Communists are exploiting this issue is through the activities of the Quebec Liberation Front, which has been frequently identified as a Chinese Communist revolutionary group determined to overthrow the Canadian Government and establish a Communist people's Republic of Canada. The leaders of the FLQ have received extensive training in Communist Cuba, and their idols include Mao Tse-tung. It is the Communist FLQ which on October 18 murdered Quebec's Minister of Labor, Pierre LaPorte, and which held captive British Trade Commissioner James Cross. The kidnapped ransom demands included the release of convicted criminals and their safe passage to Cuba or Algeria—both Communist dictatorships.

As for the "pressure from above," we need to consider the background of Canada's Prime Minister Pierre Elliott Trudeau. I mention facts about his background primarily because the mass media has not, to my knowledge, brought them to the attention of the American public.

In 1945, Mr. Trudeau was a young radical enrolled at Harvard University. Two years later he enrolled under Marxist Harold Laski in the London School of Economics, a Fabian Socialist stronghold. In 1950, Trudeau was in Shanghai when the Communists gained control, and he became an avid admirer of Mao Tse-tung. In 1951, Trudeau made headlines in Quebec when he attended a conference in Moscow. Upon his return he was called a Communist by the newspapers of Ottawa and Quebec City because of his pro-Soviet articles.

In 1957, Trudeau helped found a Leftist publication called Cite Libre. Among his collaborators in this venture were three top Communists as well as a man who became the chief ideologist for the FLG. A stanch supporter of Castro, Trudeau used his position as a professor at the University of Montreal to mobilize pro-Castro activity among the students there. So frenetic was he in his commitment to the Communists that in 1960, he was apprehended by the American Coast Guard off the coast of Key West, Fla., trying to paddle to Cuba in a canoe. Trudeau played on active role in a "Red peace" movement known as CAPRI and for years he tried to create a United Front of all leftist elements in Quebec, being critical of even the Quebec section of the National Democratic Party Socialists for not being left enough.

When Lester Pearson, devotee of one world government, was elected as Prime Minister, one of his first appointments was that of Pierre Trudeau to be Canada's Minister of Justice. What sort of Minister of Justice the Marxist Professor Trudeau would make was indicated in the Toronto Star of April 25, 1967:

> "Justice should," Trudeau stated, "be regarded more and more as a department planning for the society of tomorrow, not merely the government's legal advisers . . ."

Professor Trudeau, then Canada's Minister of Justice, was but faithfully echoing the Soviet textbooks which teach that law is not a framework for order rooted in a concept of inalienable individual rights, but is an instrument for Marxist revolution.

Mr. Trudeau wrote a chapter for a Socialist handbook entitled "Social Purpose for Canada." There he declared:

> Indeed the experience of that superb strategist, Mao Tse-tung, might lead us to conclude that in a vast and heterogeneous country, the possibility of establishing socialist strongholds in certain regions is the very best thing.

So, last fall, Mr. Trudeau took advantage of the FLQ pressure from below to justify pressure from above. When the situation in Quebec became fraught with hysteria after the murder of Mr. Laporte, Premier Trudeau used it as an excuse to impose military law over the entire country of Canada, although the operations of the FLQ were confined almost exclusively to only the one Province of Quebec. This included censorship of news and the press in Canada. And to make sure that Communists around the world did not misunderstand his show of force against the Communist FLQ, Trudeau almost simultaneously announced that his Government would grant full diplomatic recognition to the Communist regime of his old friend Mao Tse-tung.

Mr. Trudeau has exploited the realities of the situation magnificently. The shock troops of the FLQ are safely in jail protected from the Canadian people and Trudeau's ideological friends of Red China have been extended diplomatic recognition without any backlash. To the contrary, Mr. Trudeau has been able to use the incident to catapult his popularity among the average Canadian as a strong advocate of law and order. Even those Canadians who do not relish the idea of having their civil liberties suspended go along under the assurances that it is a temporary measure and, after all, it has restored peace. Trudeau has thus gained for his left of center establishment all of his international aspirations plus the endorsement of popular support for his people.

CHILE

The most recent addition to the Communist encirclement of the United States to the south is Chile. The Communist world is exultant over the recent election of their Kerensky-like man—Salvador

Allende, even though he received only 36 percent of the popular vote. Allende is a self professed Marxist—which is but doubletalk for being a Communist.

The Communist triumph in Chile resulted from the use of an old Communist tactic, the United Front. A leftist coalition of Socialists, Communists, and other radicals provided Allende the slight margin of victory.

Allende makes no secret of his admiration of Fidel Castro and the Communist regime in Cuba. Speaking after the elections, he said:

> For the Cuban people who understand that every country has its reality and its own path, my respect and admiration. For their leaders, represented by Fidel Castro, my friendship as always. The people of Chile have taken a historic step forward, one which implies a great responsibility, and we must prove equal to it. Unwavering friend of Cuba, I remember its loyalty, its faithfulness to its principles, its Latin American dedication and its dignity.

No doubt, the Communist victory in Chile will result in a Cuba-Chile axis that will bisect South America.

CUBA

The situation in Cuba becomes more grave. In remarks entitled "Kissinger Credibility Gap—No Red Naval Base in Cuba," CONGRESSIONAL RECORD of February 18, 1971, pages 3198–3200, I pointed out the serious threat to our national security posed by the Red naval base at Cienfuegos, Cuba. My information was obtained from testimony of the late Honorable Mendel Rivers, chairman of the House Committee on Armed Services, in 1970, U.S. Naval Intelligence, and information provided by Cubans themselves.

This information was known prior to a nationwide TV appearance of the President. In his TV discussion of Cuba and Soviet naval activities in that area, the Commander in Chief affirmed that the Russians had no naval base in Cuba. In his just delivered state of the world message, the President also retreated from the issue of a Red naval base in Cienfuegos by merely stating that the Soviet Union "attempted to expand its influence and its military presence."

Additional information which has come to my attention in the past few days further substantiates my previous remarks on the matter and further confirms the gravity of the menace of the Soviet military build-up in Cuba to the safety and security of our homeland.

It appears that with Canada, headed by a regime that is pro-Communist to the north and with the Chile-Cuba Red axis to the south, we in the United States are encircled by the forces of totalitarian communism, certain to be used as sanctuaries for stepped up psychological as well as military bases against our people.

I am indebted to Dr. Manolo J. Reyes, Latin American news director of station WTUJ in Miami, Fla., for providing me with detailed and recent facts regarding the Russian military activities in Cuba. I exhort, plead, and even beg that all of my colleagues who are concerned for the future of our constitutional Republic and for their children as well as the children of their constituents and for all Americans and who desire to help restore freedom to Cuba to take time to read or reread first, the very significant speech entitled "The Soviet Threat" of the late Honorable Mendel Rivers, CONGRESSIONAL RECORD, of September 28, 1970, pages 33898–33902, and second, Dr. Manuel J. Reyes' statement and "White Paper on Soviet Military Buildup in Cuba."

I hope and trust that you are or will be as perturbed as I am over the seriousness of our military posture and the Cuban situation and that you will join with me in a program of positive action with regard to the Soviet threat just 90 miles distance from our country.

STRATEGY FOR PEACE THROUGH VICTORY

The first thing we can do is to provide for the common defense of our Nation as the Constitution requires us to do. We should consistently vote for measures, which in our judgment, would help servicemen, reservists, and veterans and strengthen the Armed Forces. I believe that when we send our young men to battle, the entire Nation should back them up to the hilt so that a victory might be achieved in the shortest time and with the minimum loss of lives.

The second thing we can do is to provide the truth to the American people about conditions in Cuba. The communications media must be encouraged to disseminate widely the facts of Dr. Reyes and other similar information. If anyone doubts these facts, let there be a national debate on the issue. In this way, Americans can know the truth, a knowledge of which is necessary for making wise decisions to take prudent action vital to our national security.

The third thing we can do is to assist Cubans in exile—not hinder them—in their struggle to throw off the Soviet tyrannical yoke so that they and their enslaved relatives and friends still in Cuba may live once again with human dignity in their homeland as free people.

What has happened to America that we will not stand up to the Soviet threat? Are we a nation of pusillanimous sheep or of valiant and courageous men? Are we still the land of the free and the home of the brave or have we become the land of the subdued and the home of the cowardly? Are we going to be blackmailed into selling our children into collectivistic bondage by the Soviet threat of a nuclear holocaust? The Russians have always backed down when their bluff was called. Are we going to continue allowing the State Department, which favored the Communist takeover of Cuba, to continue working against the best interests of America? Will we go on allowing our fighting men to die in no-win undeclared treaty wars under United Nations auspices or are we going to declare our wars and end them with victory? Are we going to keep on talking about the "peace" or are we going to end the war with a victory? Whoever heard of negotiating peace with Communists from a position of weakness?

If America continues to pursue the present policy of seeking to win a nebulous "peace" through unending conflict instead of ending wars with victory, I fear for the future of our children for the issue is not peace or war but rather freedom or slavery.

The present Kissinger foreign policy calls for the avoidance of any direct confrontation with the Soviets while they enlarge their slave empire and strengthen their military posture to the point of having their missiles and nuclear submarines and guided missile cruisers in the Caribbean off our coasts. This while our Armed Forces are becoming weaker and more undisciplined through the encouraged policies of permissiveness by military leaders; while our great country is weakened from within by revolutionaries and a Supreme Court that seemingly can find constitutional rights only for the criminals, subversives, and atheists; and while pursuing a reckless fiscal policy of exorbitant deficit spending which can but lead to higher and higher inflation, more and more Government controls, and total national socialism.

The time has come for Americans who love liberty to stand up for America and for God and Constitution so as to start reducing the Soviet threat. The time has come for us to decide as a nation that the Soviets of Russia are our sworn adversary and not any mellowing ally as some would have us believe. The time has come for us to remake our world image from that of a weak-kneed giant to that of the strong and courageous defender of right, justice, and freedom which is our heritage. The time for positive action is here.

A good place to begin is right at home, with Cuba just 90 miles away.

I have introduced two measures to help restore Cuba as a free nation. My House Concurrent Resolution 65 would make it the sense of Congress that the question of denial of the right of self-determination and other human rights violations in Cuba be placed on the agenda of the United Nations Organization. If this is done world attention will be called to the slave state that is today's Cuba. The other proposed legislation, House Joint Resolution 160, seeks to prevent subversion of the United States, Central and South America as proposed by Castro and to encourage—not hamper—Cubans in exile in restoring freedom and constitutional government in their homeland.

A free Cuba will be in the best interest of our own national security and will be a giant step in the removal of the Communist encirclement of the United States.

In a recapitulation of a consideration of the priorities of national defense versus the many inflated domestic issues, I am reminded that as to many of the domestic programs there is a question as to their constitutionality; but there most certainly is a specific delegation of power from our people and from the States for Congress to "provide for the common defense."

Cuba must be a top priority for the peace and security of our people. Domestic programs will be of little help if we lose our country.

I earnestly exhort my colleagues to give early consideration and approval of my proposals. The matters of our national defense and the restoration of freedom to Cuba should be a top priority for our Nation's peace and security, Domestic programs will be of little help if we lose our country.

My two resolutions and Dr. Manolo Rayes' letter, statement, and "White Paper on Soviet Military Buildup in Cuba," and a newsclipping follow my remarks:

H. Con. Res. 65

(Mr. Rarick submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs)

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President, acting through the United States Ambassador to the United Nations Organization, take such steps as may be necessary to place the question of denial of the right of self-determination and other human rights violations in Cuba on the agenda of the United Nations Organization.

H.J. Res. 160

Joint resolution to prevent the subversion of the United States and the American continents as proposed by the Communist government of Cuba under Castro, and for other purposes

Whereas there have been many suggestions and several resolutions as to the procedure necessary to stop Cuba's Fidel Castro from subverting the American continents; and

Whereas Fidel Castro's Communist regime has, by its actions, merited the condemnation of the Organization of American States as an aggressor nation; and

Whereas the Castro government at the Tri-Continental Conference declared, openly for all to know, its intent to overthrow every legally constituted government on the American continent, including that of these United States; and whereas, it has already put into practice the revolutionary plans of the Tri-Continental Conference of Havana in Bolivia, Venezuela, and Guatemala; and

Whereas the citizens people of Cuba, terrorized by huge arms buildup and foreign mercenary troops, cannot regain control of their government without outside help from the nearly one million fellow countrymen in exile; and

Whereas it is to the best interest of these United States not to have an aggressive dictatorship, supported by foreign arms and troops, menacing our people with atomic missiles pointed at our cities; and

Whereas it is in the peaceful interest of the United States Government, as well as a moral obligation to all Americans, to prevent Latin America and the United States from becoming battlefields for guerrilla warfare, as planned by Castro at the Tri-Continental Conference of Havana; and

Whereas it would be a waste of the American taxpayers' dollars to donate funds for the Alliance for Progress in Latin America while Castro is at liberty to organize, finance, and direct guerilla bands to attack and overthrow these same governments we are trying to help financially: Therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Government withdraw political recognition of Cuba's Communist government and thus encourage all Latin American countries to do likewise; and

That all governments who wish to participate in the Alliance for Progress must first withdraw political recognition of any Communist government in Cuba; and

That the United States State Department policy be clearly defined as no longer recognizing the Communist regime of Castro at Havana and that no reprisals will be taken against any Cuban in restoring freedom and constitutional government in their homeland Cuba; and

That any nation doing business with Cuba's Communist aggressor government of Fidel Castro will be subjected to an embargo by the United States in equal amounts to that country's imports to the United States; and

That the United States Government will recognize no government in Cuba until a truly constitutional government is established by free elections participated in by all Cubans.

FEBRUARY 23, 1971.

Hon. JOHN R. RARICK,
House of Representatives
Washington, D.C.

SIR: I have been following very closely your statements at the United States Congress regarding the Cuban situation, the Russian military invasion of the island and the Cienfuegos Soviet Naval Base.

Last year on three different occasions, I testified before the U.S. Congress. On June 29th, before the Internal Security Subcommittee of the Senate and on July 27th and November 19th, before the Inter-American Affairs Subcommittee of the House. On November 24th, I testified before the Security Council of the Organization of American States.

At the end of last year, I put together a White Paper with all the facts and figures I had on the Russian Military Build-Up in Cuba, which I am attaching. I am also sending you with this letter the latest report I made for my news program of today.

Thank you for your efforts on behalf of Cuba.

I take advantage of this opportunity to send to you the testimony of my highest consideration.

Respectfully,

MANOLO REYES,
Latin American News Director.

STATEMENT BY DR. MANOLO REYES

The fifth Russian fleet that visits Cuba arrived there in the middle of this month of February. The Red Radio of Havana informed that the fleet, composed of a submarine, a cruiser, an oiler and a sub tender, had arrived in Havana. Nothing farther away from the truth.

The Cuban Patriotic Resistance had just informed that only a Russian cruiser with guided missiles has arrived at the Port of Havana. According to the information received, the Russian cruiser entered the Port of Havana, Thursday, February 11th, at 8 o'clock in the morning. The cruiser has on its prow the number 553 painted in gray.

Outside the Port of Havana, two ships that seemed commercial ships, but were really for military support of the Russian cruiser, remained anchored. The cruiser anchored at the San Francisco Dock, Number 1, in Havana, near the "Templete". During the time the cruiser remained anchored, the crew did not leave the ship.

On Saturday, February 13th, at 11 o'clock in the morning, a car drove in front of the ship. it was a Lincoln Grand Ville, made in the United States and it is the property of the Russian Embassy in Havana. The Russian Ambassador in Havana, Nikolai Pavlovich Toluveyef, and the Russian Military Attache, Amasov, came out from the car. Both went aboard the cruiser and remained there for several hours.

On Tuesday, February 16th, at two o'clock in the afternoon, the Russian cruiser left the Port of Havana with a direction away from the Cuban coast. According to the report we have received, that ratifies that neither the oiler, the sub tender or the submarine were seen in Havana.

The Cuban Patriotic Resistance understands that the submarine, probably a nuclear one (and that the Pentagon made reference to a nuclear submarine in Cuban waters a few days ago), visited the Port of Mariel, that for some years now has been a port of Soviet military character, and through which many offensive weapons were introduced prior to the missile crisis of 1962.

The Soviet sub tender was seen near Cienfuegos, and according to the latest information received, it is believed that the Russian submarine has also been near Cienfuegos, where the Russians have already built a naval base. The sub tender is of the Ugra type, of 9 thousand tons, with a capacity to serve nuclear submarines. It is probable that the sub tender could be in Cienfuegos, near the metallic barges that have remained there since last September, and that are used to discharge water contaminated with a high level of radioactivity and that, later, must be dumped through the method of dispersion.

This Russian naval presence in the Caribbean has a double military and political value. If this situation is strengthened, Cuba could again be used as a point of blackmail and negotiation. But in the military aspect, the situation is extremely serious because of the increase in the Russian logistic military power in the Caribbean, besides constituting a threat to the peace and security of the American Continent and a constant check of the air and naval units in the Western Hemisphere.

"WHITE PAPER" ON SOVIET MILITARY BUILD-UP IN CUBA

(By Dr. Manuel J. Reyes)

INTRODUCTION

In the city of Miami, Dade County, State of Florida, on the 24th day of the month of December, 1970, I issue this "white paper" to denounce the Russian military invasion of Cuba, which is an evident, real and actual threat to the securtiy of the Occidental Hemisphere. I also make this document public to render respect, homage and admiration to the Patriotic Cuban Resistance, whose members, risking their lives, have obtained and furnished the foregoing data. Yet, the Patriotic Cuban Resistance has advised that the noble Cuban population, who, out of idiosyncrasy, repels tyranny and slavery, is about to uprise in a violent explosion, even though there are many Russian soldiers and much military equipment in Cuba. The Cuban people hope that Cuba will not be a replica of Hungary and Czechoslovakia in the American Continent, which would only be a shame and an insult to the Occidental Hemisphere.

As per information obtained from the Patriotic Cuban Resistance, when this internal uprising takes place, many soldiers of Fidel Castro's red regime, will join the new Cuban liberators, regardless of who opposes this, and who dies for this . . . Cuba will be free with the coordinated efforts of all Cubans.

FACTS

Going into the essence of this "white paper", I hereby say that on August 7, 1962, I denounced for the first time over television in the United States, that, as per information received from the Patriotic Cuban Resistance, there were 5,000 uniformed Russian soldiers in the neighborhood of the Canimar River, in the province of Matanzas, Cuba. The information was negated in different spheres of the free world. Twelve weeks later, the 1962 October crisis took place, which crisis not only made the world shake, but also put the world on the edge of a thermonuclear war.

Following the above, I hereby say that on April 28, 1969, I denounced for the first time in six (6) years, a new Russian military build-up in Cuba, taking into consideration the information furnished by the Patriotic Resistance in the island. The report was taken with a lot of skepticism; nevertheless, it was evident that the Russians were going to increase their miltiary position in Cuba, after Fidel Castro publicly announced toward the end of 1968, his support of the Russian invasion of Czechoslovakia. On July 26, 1969, three months after denouncing the new Russian military build-up in Cuba, a Russian naval fleet visited the island, establishing a precedent in the history of the American Continent. It was said that the fleet made a courtesy visit.

On November 9, of the same year, Marshal Grechko, Minister of Defense of the Soviet Union, arrived in Cuba, and even if it was then said that he was visiting the island to study the reasons for the dilapidation of the Russian arms and military equipment given to the communist troops of Castro, the Resistance informed that Grechko visited many Cuban caves.

On April 10, 1970, at the Kiwanis Club of Greater Miami, I denounced that Castro had tripled the number of missile boats which teledirected missiles, torpedo type, from surface to surface, with a 40–50 mile range.

In June 1970, the Intelligence Service of the United States Coastguard Service testified before the U.S. Senate's Subcommittee for Internal Security, of the assertions I previously made before Miami's Kiwanis, on April 10, 1970.

On May 14, 1970, a second Russian naval fleet went to Cuba and this time, as previously announced, went for supplies. The third Russian fleet went to Cuba on September 9th, causing official speculation that the Soviet Union was building a nuclear submarine base in Cienfuegos. We had already advised the American Congress of this fact, in public audience, before the Congressional Subcommittee for Inter-American Affairs, on July 27, 1970.

The fourth Russian fleet arrived in Cuba on December 7, 1970, thus, two Russian naval squadrons met in Cuba for the first time, since there were still Russian war ships which arrived there on September 9, 1970.

The aforementioned are the facts which initiate the foundation of this "white paper".

Following is the way in which the Russian military invasion in Cuba has been developing.

INCREASING SOVIET MILITARY BUILD-UP IN CUBA

I want to make it very clear that I am not a military expert, and I do not have the means to re-check on technical matters; I feel it is my duty that I should tell the facts, figures and evaluation. For many years I have been a catalyst of the Cuban situation. So, today, it is not only my voice addressing you, but the voice of the millions of Cubans who are suffering in the island from one end to another; the voice of many Cubans who are actually risking their lives, working in the underground and furnishing us information that otherwise we would not know, and the voices of many Cubans who have told the truth upon arriving in this land of freedom.

The foregoing history is the repetition of the case of the Trojan Horse in America. That horse, who externally was naive and beautiful and on the other hand, internally, had the military strength to destroy the opponents. To reaffirm the Trojan Horse's thesis, that if at this moment the radar screen of the United States projects an enemy aircraft carrier ready to attack, it would be immediately intercepted and attacked.

Cuba today is a natural aircraft carrier of the Soviet Union, consisting of 900 miles entrenched in the heart of this Hemisphere and 90 miles from the United States of America.

We are going to try to prove that the said enemy aircraft carrier has turned into the Trojan Horse who externally does not show the large military installation and tactical arms under Cuban soil, to avoid being detected through the means Democracy possesses.

Let us start by saying that Cuba is naturally rich in minerals, such as nickel, copper, chrome, cobalt, iron and manganese. Cuba has always been considered as the second country in America in iron reserve. The first one being Venezuela. Cuba is the 3rd country in the world in nickel, cobalt, chrome, and manganese. At times of World wars, Cuba has been considered as the first producer of some of the aforementioned minerals. Because of the aforementioned reasons, Cuba is considered an immense strategic minerals country.

Following the Cuba Trojan Horse's analysis, let us say that in 1960, a military study was initiated in Cuba, done by the Cuban speleologists and Soviet Military Personnel, who covered all the natural facilities of the island, including the keys, for the purpose of using these facilities for military ends, such as the storage of missiles, munitions, reserve weapons, fuel, communications, medicines, and different routes to go in and out. In this study, it was specially taken into consideration the many natural caves in Cuba.

In relations with the above, a michrometric study was made of the exact dimensions of the caves, its internal temperature, its humidity degree, internal and external communication, internal ventilation, water possibility, the relation of the caves in comparison to the surrounding vicinity and also, very especially, a study was made of those caves which merged with the rivers and the sea.

A similar study, as an example, was made on the boundaries of the Escambray Mountains in the Southern area of the "San Juan" river, where several roads were built for the transportation of weapons and ammunition in big trucks. Also, in this study, they measured the resistance of the superior cover of the cave in case of bombing.

As a result of the above study, many of these caves were reinforced with 6" wide concrete. In some cases, they were wider. Work of this nature, of military character, has been done in the "Sierra de los Organos" in the province of Pinar del Rio, in the "Sierra de Lupe", in Oriente Province, and in "Altura Central" in the Isle of Pines.

As evident proof as to show they have worked underground with military character, is as follows: Up until 1958, Cuba produced 4 million barrels of cement a year; each barrel was equivalent to four (4) sacs of cement and each sac weighed 130 lbs. There were four (4) cement factories in Cuba with the aforementioned annual production working eight (8) hours daily. All of this cement was used for civil construction and export, never for military aggressive purposes. When Fidel Castro stole power in Cuba, he absorbed all the cement production of the Island and from the usual eight (8) hours of daily work, he raised it to 20 daily hours. What has been the destiny of this cement which production was raised under Castro in Cuba 12 years ago, which has definitely not been used in urban or rural constructions for the people? There is only *one* answer to this question: That enormous quantities of cement has been used for the military underground constructions of the Soviet Union and the Castro regime in Cuba.

Reaffirming the character of the Cuban Trojan Horse, let us say that in 1963, great shipments of hydraulic cement were sent from Belgium to Cuba and were unloaded at the Cienfuegos Bay. The hydraulic cement is not precisely for surface constructions, rather, this cement hardens at high speed, that is, in a humid area, for which it is understood that the hydraulic cement was used for underground constructions for the storage of missiles and weapons with high humidity coefficient. Let us say that in 1963, only in this occasion, more than 300 cement trucks were unloaded in Cienfuegos and took off to an unknown destiny. However, the Cuban underground has pointed out that said cement was taken to the missile base of "La Campana", in Manicaragua. This base is located in the farm formerly owned by a German-American by the last name of KOOP.

Following the example of the mineral riches in the caves, let us point out now that in the Isle of Pines there are natural marble caves. The resistance of the marble structure of the caves is tremendous against any external bombing. The Isle of Pines also possesses silicon and clay riches.

For all of the aforementioned reasons, and many others which will take quite some time to mention, Cuba today is underground perforated by the Soviet Union and the Castro regime in order to construct strategic underground military bases and so that the Soviet Union would be able to take out of Cuba the nickel, chrome, cobalt, copper and manganese.

Without fear to be in error, we can affirm that in Cuba there are actually more than 3,000 pre-built or natural caves, adapted by the Soviet Union and the Castro regime with strategic military goals. Cuba, *today*, is the Trojan Horse of America.

Continuing our analysis, let us see how the reds have used Cuba as the fertile ground for their offensive attack to the Continent and very specially to the United States of America.

We must analyze that the Castro regime has conventional military equipment and/or weapons to keep themselves in power and try to combat any internal revolt. However, there is a series of tactical arms in Cuba that undoubtedly exceeds the military conventional power of the regime and leads us to the belief that they will be used in open aggressions against the neighboring countries. The Soviets, supported by their red puppet Fidel Castro, are using Cuba in a possible preparation for a first strike attack against the United States of America, as a base to destroy the United States and as an export field of their revolution. At this time, it had been told that there is an average in Cuba of 20,000 to 30,000 Soviet soldiers, and are scattered in different military bases throughout the Cuban national territory.

We must bear in mind that on July 26, 1962, Russian military troops landed in Cuba, wearing weapons, at the Dubroc docks in the Province of Matanzas, using new pier inlet of "Mar y Melena" and at Mariel Bay, in Pinar del Rio province.

We all know that it was said that the Soviets had dismantled the missile bases after the October 1962 crisis, *but*, did the Soviet soldiers leave Cuba? Or are they still there? Have the dismantled bases been reactivated again? Did the Soviets really remove the missiles from Cuba? The Cuban people understand *they did not*, and I reaffirm it on behalf of the Cuban people.

As a final data in this general analysis, let us say that the Castro regime has been building different underground hospitals, among which are the "Sierra de Cristal", in Oriente province, near the Nipe and Levisa bays. Also, there is another underground hospital in "La Loma de San Vicente", on the road going from Santiago de Cuba to Guantanamo. The underground hospitals are an indication that the Castro regime, supported by the Soviets, could very well be getting ready for nuclear war.

Ninety percent (90%) of the fuel reserve in Cuba and many ammunition dumps, are underground, and in an unmerciful way, the others are being used under the schools. Exactly a year ago, there was a terrible explosion at the former Jesuit "Belen" school, which Fidel Castro attended as a youngster. . . . . Eight girls were killed and more than 20 were injured. The Cuban resistance informed that the explosives placed in the school's basement caused the explosion. Let us say, as information, that the underground fuel tanks used by the regime in Cuba are 20 meters long and 3 meters wide, respectively. They are painted in black, have been imported from the Soviet Union, and are buried 4–5 meters deep.

All the Soviet system in Pinar del Rio is protected by a perispheric radar from the "Anafe" hill near Havana. This radar system perfectly covers the provinces of Pinar del Rio and Havana, and sweep the Northwest and Northeast sections. It took 3 years to build this perispheric radar system and this took place after the 1962 October crisis.

Following is a description by sequence of provinces of the military Soviet bases.

PINAR DEL RIO

Let us say that Pinar del Rio is one of the places where the Soviets, for years, have worked most. In Santa Lucia there is a sulphometals plant to produce acids used in the functioning of nuclear missiles. Two of the principal ports with military Soviet objectives are Mariel and Cabanas ports. Both naval installations are being exclusively worked by the Soviets and they do not let Cubans, even if they are soldiers, come near by. At the Cabanas port, they have established the bases of the Komar missile guided boats. This year, the number of these boats has been tripled to the approximate figure of 70. Said boats are provided with two missiles each, guided by radar and with a range of 40 to 50 miles. They are considered offensive weapons and the said missiles are surface to surface.

In "La Gobernadora" hills, near the Sierra de los Organos, there is a military base which has internal train rails. They used to be mines. All of its exterior gives a reddish impression.

At "La Gobernadora," also known as "Cangre" or "San Cristobal," and which is near the town of Candelaria, resides the General Russian Headquarters for the Western side of Cuba. The altitude of the said hills is approximately 1,870 feet. The Soviets have constructed a road from "El Cangre" which goes as far as "Cabanas" and "Mariel." They also have electric lines of 33,000 volts, all of which is very necessary for missiles. The same electric voltage system is the one used at the "Campana" base in Manicaragua, Las Villas province. Following the Pinar del Rio analysis, we can say that south of "Quiebra Hacha", the Russians have constructed a residential district where no Cuban is allowed to live, that is, it is *strictly* for Russian officers. The residential district aforementioned is surrounded by wire fences. They have also built tunnel systems from "El Cangre", which leads to the exterior at Kilometer No. 4 of the road that joins Cayajabo, with the town of Artemisa. During the first week of November 1970, a military Soviet convoy was detected at the Central road of Pinar del Rio, parting from "Las Mangas" village toward the Southwest. There was a jeep leading the convoy, with a chauffeur and a uniformed Soviet soldier, about 40–50 years old. It is presumed, as per the Cuban resistance, that this character was a General of the Soviet Army. This jeep was followed by two trucks with two benches each and each bench had 10 Soviet soldiers around 18–25 years old, which makes a total of 100 soldiers, all wearing uniforms and military helmets.

HAVANA PROVINCE

Continuing our analysis, in the Province of Havana, there is a big Soviet military base in San Antonio de los Banos. The resistance reports that in this base there exists a 140-mile radar scope and from there, they can track the planes from Homestead Air Force base and Boca Chica in Key West. This base is one of the 3 top air bases of the Soviets in Cuba and it is the headquarters for the Soviet Migs 21. There are no Migs 21 in other air bases in Cuba. The bases are defended and protected by ground to air missiles SAM–2.

There is also an executive radar system in Havana, at the former Commodore Hotel, in the middle of a Russian neighborhood, as is the Reparto Miramar (residential district). The SAM missile system initiates in the hills of Averhoff in the Havana-Batabano highway and closes in Managua-Dayaniguas. In Campo Florido, Havana province, there is a SAM missile base camouflaged with an alleged pacific farm known as "Camilo Cienfuegos" and since 1962, in its underground, the Cuban resistance believe the Russians have hidden the medium missiles which never left Cuba.

At "Las Caberas", there is a Russian military complex to which Cubans have no access. In this military complex, there is a guerrilla training camp for foreigners and the Russians are in charge of this training. One of the principal Soviet bases in Havana is precisely at the Managua camp in which neighborhood they have been perforating the nearby hills. The Cuban resistance indicates that in this place, there probably is one nuclear reactor, even though Castro's regime maintains that the same is for peaceful ends. Apparently, the nuclear reactor arrived in Cuba in 1968, and it is not known so far of any indication that this is for pacific ends.

The Cuban Commission of Nuclear Energy resides in Managua, directed by Luis Larragoitia; different electrical power lines have been built from Mariel, Havana and Matanzas, to feed the nuclear reactor in Managua. It is calculated that over a thousand Russian soldiers are in Managua and Santiago de las Vegas.

MATANZAS PROVINCE

The Province of Matanzas, the most important point is the so called "La Laguna del Tesoro". For many years, the Castro Regime has been investing millions of dollars in construction equipment and in different buildings which he said to be of tourist nature, but since the beginning to this date, the "Laguna del Tesoro" has been totally closed to the public and only military personnel, Soviet and Castroist, is within this zone. Therefore, we presume there is a base of military nature.

LAS VILLAS PROVINCE

In Las Villas Province, there is another big Soviet base between Santa Clara city and Calabazar, at a place known as "Malezas". In this base only, Soviet Migs 17 and 91 are found. The base has an anti-aerial defense system and an artillery made up by multiple machine guns as well as a duplex cannon known as "KAR–30", against low range flights. This base, as well as that of San Antonio de los Banos, has underground hangars with special elevators to bring to the ramps the Soviet Mig fighters.

Also, in Las Villas can be found the so-called missile base of Remedios, better known as "La Puntilla" or "Bartolome" base, where they had ICBM's during the October 1962 missile crisis. In the Escambray, the Soviets recently built a road from Guira de Miranda to the Loma de los Vientos. Nobody knows what they have in these hills, but it is known that only Soviet personnel works there, and that they have transported lead units.

CAMAGUEY PROVINCE

In Nuevitas, they are building a big cement factory and one of electrical power. At the Camaguey airport, the Soviets have prepared additional access strips using for this, not the airport itself, but the highway which goes from Camaguey to Nuevitas. They have taken out the islands in the middle of the road, the palm trees and they have strengthened the pavement on the road. They have also made it possible that this highway at a given time, can be converted into a landing strip.

In the island of Turiguano, in the middle of a swamp, there is a hill 385 feet high and on one of the hillsides, the Russians built tunnels and storaged rockets. Eye witnesses have indicated that said rockets are moved on train rails. Two steel doors close the entrance of the tunnel. The exterior of the cave is covered (camouflaged) with grass and trees

All the keys of the Bahamas canal are fortified by the Soviets. Its naval strategic value is enormous, since from that place they can control the traffic from Panama and South America, through Maisi. This position does not allow them to use submarines.

ORIENTE PROVINCE

Surrounding the U.S. Naval Base of Guantanamo, the Soviets and the Castro regime, have a military outfit known at "Batallon Fronterizo" (Frontier Batallion). Said batallion possesses a missile system for their own protection. They also have armored units of tactical fire. Around the "Gran Piedra" hill, the Soviets have built several underground installations, and it is unknown what the Soviets have stored therein.

Another two points of great military strategy in the Province of Oriente, are as follows:

1) The air force base of Holguin city, considered as the largest in Cuba, and in which there are only Migs 15 and 17. In the outskirts of Holguin, they have built a residential section known as "Lenin", wherein only Russian military personnel live. The hangars of this air force base, as well as those of San Antonio de los Banos and Las Villas, are underground.

2) The military base of "Punta de Mula" or "Punta Lucrecia" in the city of Banes, is considered a first-class base and has a 10-mile radius. In its area, the Russians have built a Naval Base for the KRONSTADT and KOMAR boats. Some years ago, Russian submarines were sighted in their vicinities, making military maneuvers. These bases are near the mines that are producing copper and cobalt and which production is being exported from the Nipe bay to the Soviet Union.

Let us point out that the support of the Soviet underground defense in Oriente Province is in the underground system of San Vicente hill near the Boniato mountain; the other support is in "La Sierra de Cristal" near Nipe bay. Precisely, there is a zone in Nipe bay, absolutely secret where nobody has access.

The underground has also reported that in the event of a possible overthrow of Fidel Castro, the communists have designated Oriente province like the main military point of resistance.

I can inform that lately, the Castro regime, assisted by the Soviets, has been conducting warfare games, using anti-personnel gases.

All the military personnel in Cuba has anti-gas masks.

As an evidence that supports this denunciation, let us say that in the middle of 1967, there was a leak of one of the gas tanks in that location and the accident provoked the poisoning of more than 80 persons, including military personnel and civilians. These people were assisted in two hospitals. One is known as the Policlinico of Manicaragua, and the other one the Santa Clara Hospital.

CIENFUEGOS

The Bay of Cienfuegos is in the southern part of Cuba, in Las Villas Province. It is approximately six miles wide.

On July 27th of this year, I said before the Congress of the United States, and now I reaffirm, that in some place, somewhere in the Caribbean, there is a permanent Soviet Naval squadron, headed by a nuclear submarine. The chairman of the Inter-American Affairs Committee of the House of Representatives, Hon. Dante Fascell, asked me, and it is on page 179 of the Congressional record, where I thought it was based, and according to the information I have from underground sources, I said, either Cienfuegos or Havana.

In April 1963, the regime began to show interest in Cienfuegos, and said that they were making a shipyard, in Cienfuegos City near the port industrial area.

In that year, it was reported that in the shipyard the Castro regime was building ships. Actually, the Castro regime said that the yard was only for embarking sugar.

In 1967, the yard was completed at a cost of 8 million dollars and not a single sack of sugar came out of that yard. Then after a period of time, in 1970, we began to hear about the activity in Cienfuegos City, in Cienfuegos Bay, and especially near Cayo Alcatraz.

Cayo Alcatraz is about five blocks long and about two blocks wide.

From the city of Cienfuegos, in a normal day, Cayo Alcatraz cannot be seen.

Right now, at night, the city of Cienfuegos is under a tremendous shortage of electricity as well as the civilian population of Cuba.

So, during the blackouts of the City of Cienfuegos, at night, floodlights can be seen in the horizon. Cayo Alcatraz cannot be seen, but the lights there prove that people are working on it.

Right in front of Cayo Alcatraz, there is a place called La Milpa. All the Cuban fishermen of La Milpa and the surrounding areas have been ordered out. The place now is a military zone.

An underwater net was put in Cayo Alcatraz and also at the entrance of Cienfuegos Bay.

The entrance is under surveillance of Russian guards. Several months ago, a huge Russian spy ship entered Cienfuegos Bay and stayed there for several weeks. Later on, it left.

On this month of December, the Russian spy ship has returned and it has been anchored in a spot between Cayo Alcatraz and Cayo Ocampo. The ship has been fixed with four motors.

On the second part of this year in Cienfuegos city, Soviet sailors have been seen walking the streets wearing full uniform. That uniform is white and light blue.

The Russian sailors were transported by six British Leyland Buses. They were taken back and forth from Cienfuegos city to nearby Cayo Alcatraz.

Three-quarters of Cienfuegos Bay have been banned to Cuban people and are operated by Russian personnel. There is a big pipe line from the bottom of Cayo Alcatraz to Cienfuegos city. In Cayo Alcatraz, the Russians have established large warehouses for military storage, also a powerful radio station, and they have put a naval headquarters there.

Around the middle of December, two huge TU 95 Bear planes from the Soviet Union landed in Havana. Both planes were kept in a secret place at Havana International Airport, in Rancho Boyeros.

Nevertheless, the Cuban underground reported that one of these big military planes, capable of transporting missiles or nuclear weapons, had a number 38 on it.

On those planes, two Soviet Admirals came into Cuba. Later on, the Russian admirals were seen in Cienfuegos city at Punta Gorda. They took a boat and with three Russian civilian engineers went to Cayo Alcatraz on several occasions.

In the vicinity of Punta Gorda, one of Fidel Castro's aides named Celia Sanchez, has established a military complex for Russian officers. They have two bars and Cuban maids with servant uniforms. The place is guarded by dogs, and barbed wires. Each day, the militiamen have to bring gallons of milk for the dogs, meanwhile the Cuban people are not allowed to drink it.

Near the inlet of Las Calabazas:

The Russians have built an eight lane road toward the Escambray Mountains. No civilians are allowed on that road. In the Escambray Mountains, there is a place called the Hill of the Winds (Loma de los Vientos), where the Russians have been working for almost eight months. No Cubans are allowed in that vicinity. The underground reported that lead unit ingots have gone into the Hill of the Winds.

Maybe, the largest barge in the world, has been in Cienfuegos Bay in this month of December. The Russians own it and inside there are 303 Russian sailors. In Cienfuegos Bay, there have been two large Russian barges. In September, the barges left Cienfuegos Bay and went into El Mariel Port, in Pinar del Rio Province, on the northern part of Cuba. Mariel is the number one port of the Soviet Union since 1961–1962, and before the Cuban missile crisis most of the offensive weapons were introduced in Cuba through El Muriel Port. Either the barges were carrying something and left Cienfuegos Bay to go to El Mariel and leave their cargo there, or they were empty and went to El Muriel, picked up something there and came back to Cienfuegos.

The Cuban underground believes the second theory. A Russian nuclear submarine was seen during the period of September 12–20 of this year; first, near Punta de Ladrillos in the western part of Cienfuegos Bay, and side by side with two other regular Russian submarines at Cayo Loco, the former Cuban Navy headquarters.

The previous report of the nuclear submarine in Cienfuegos Bay was sent by the Cuban underground and later on, confirmed by an eyewitness arriving in the United States.

In evaluation of Cayo Alcatraz, it can be said that the place is for maintenance and supplying of the regular and nuclear submarines of the Soviet Union. The nuclear submarines need medicines, food, replacement of crews and rechecking of their missiles. To make the rechecking of the missiles, the nuclear sub needs calm waters like the Cienfuegos Bay, because the missiles are taken out or put through the holes, and a wavy sea can damage or trigger the missiles.

So, Cayo Alcatraz is of a great logistic and military value to the Russians. Plus, Cayo Alcatraz is the motor nerve, is the center of a large military naval complex of the Soviet Union in the southren part of Cuba. Part of that naval complex is Cayo Largo, 64 miles south-southwest of Cienfuegos. Since 1961–62, Cayo Largo has been taken over by the Russians. No Cuban fishermen are allowed to go near Cayo Largo. At the western part of Cayo Largo, the Russians built a big pier plus a big air strip. And in the surface of Cayo Largo, the Russians also constructed huge buildings, of irregular forms. One of them is five floors high, with elevators. In the eastern part of the key, there is a lot of running water. And on the southern part of Cayo Largo, there is a wide beach. Close to the beach, the depth of one, two or more thousand feet.

Part of the naval complex is Isle of Pines. The capital is the city of Neuva Gerona. And the island is almost divided in two by a big swamp. In the bay of Siguanea, west of the Isle of Pines, the Soviet Union established the base of the Comsomol Boat with Komar Missiles. These missiles have a distance capability of 40–50 miles and the range of the boat is about 100 miles.

Little by little, all the civilians on the northern part of the Isle of Pines, have been drained out toward different provinces of Cuba. In the southern part of the island, there were a lot of lumbermen and fishermen, particularly from Great Cayman. They also have been taken out. In 1967, more than five thousand Cuban political prisoners were taken out of the Isle of Pines, because they saw too much. And they were spread through other political prisons in Cuba.

Two miles from the Bay of Siguanea, there are hills called Altura Central. The Russians have been working putting mysterious military equipment inside those hills. Three-quarters of the Isle of Pines are in the hands of Russian military personnel.

I reaffirm that the puzzle has been put together. Many times in the past, since April 28, 1969, I reported that different Russian convoys have been seen either in Pinar del Rio, Havana or Matanzas Provinces heading toward south. These convoys have been seen without Castro soldiers. . . . Just Russian soldiers!

The solution of the puzzle is this:

The convoys have gone to Surgidero de Batabano, a Cuban port in the southern part of Havana. And from there, Russian soldiers and all kinds of military equipment have been shipped to Isle of Pines or Cayo Largo. All of this leads us to believe that there is a large naval military complex of the Soviet Union in the southern part of Cuba with an operational base on Cayo Largo . . . an offensive for surveillance in Isle of Pines and the headquarters at Cayo Alcatraz in Cienfuegos Bay. All of this challenging Guantanamo Naval Base.

The Caribbean . . . which often has been called the Mediterranean of the western hemisphere, has been always protected by the surrounding nations and particularly, by three U.S. Bases at Puerto Rico, Guantanamo and Panama. But, now the Soviet Union, through Cienfuegos, Cayo Largo and Isle of Pines, is challenging that naval defense of the United States, and the basic routes of navigations in the American Continent are in the Caribbean.

The above concludes my presentation and reaffirms hereby what we said at the beginning, that is, that Cuba on the surface presents a picture which is totally different from what is really happening in caves and underground. Actually, there is another Cuba below that surface that poses a real danger and an actual threat not only to the United States of America, but also to all the nations of the Western Hemisphere. Cienfuegos is not the only reason why Cuba is actually a TROJAN HORSE!!!

[From the Washington (D.C.) Evening Star, Feb. 25, 1971]

NIXON SEES THREAT IN CUBA-CHILE TIES

(By Jeremiah O'Leary)

President Nixon's foreign policy report for the 1970s today labeled Chile's establishment of ties with Communist Cuba a challenge to the inter-American system. It warned that the United States and its hemispheric partners would be observing closely the evolution of Chilean foreign policy under Marxist President Salvador Allende.

Nixon's comments on Chile were worded diplomatically but contained unmistakable overtones of warning.

Referring to Chile and Cuba in the same section of his speech, Nixon declared:

"We do not seek confrontations with any government. But those which display unremitting hostility cannot expect our assistance."

Nixon said the election of Allende may have profound implications not only for the Chilean people but for the inter-American system as well. The legitimacy of the Allende government is not in question, Nixon declared, but its ideology is likely to influence its actions.

He cited the resumption of ties with Cuba as a case in point since this action was contrary to the collective policy of the Organization of American States.

The United States has a strong political interest in cooperating with its neighbors regardless of their domestic viewpoints, Nixon said. But echoing the words of President John F. Kennedy, he said "we have a clear preference for free and democratic processes."

HITS DICTATORS

This part of the message clearly was aimed at rightist dictatorships as well as dictatorships of the left.

Nixon said the U.S. will deal with governments as they are and that United States relations depend on actions affecting the inter-American system rather than internal structures or social systems.

In regard to Chile, he said, "our bi-lateral policy is to keep open lines of communication. We will not be the ones to upset traditional relations. We assume that international rights and obligations will be observed. We also recognize that the Chilean government's action will be determined primarily by its own purposes. In short, we are prepared to have the kind of relationship with the Chilean government that it is prepared to have with us."

The President had harsher words for Cuba, now in the 11th year of Communist control. He said Cuba continues to exclude itself from the inter-American system by its encouragement and support of revolution and its military ties to the Soviet Union.

The Russians, he said, have been attempting to expand their influence and military presence in Cuba.

Those governments which violate the system by intervening in the affairs of their neighbors or facilitating the intervention of non-hemispheric powers, he said cannot expect to share the benefits of inter-American cooperation.

"We will work constructively with other members of the community to reduce the disruptive effects of such actions," the President said.

He also informed the nation that he intended to submit legislation soon for promotion of Latin American trade through generalized tariff preferences.

Nixon said he intended to assure special U.S. attention in trade policies for commodities of particular interests to the Latin region and to continue to press for elimination or reduction of nontariff barriers which harm exports of Latin America and other developing areas.

PROMISES GUIDES

He also promised to establish guidelines for the resources to be provided to Latin America through the new development institution and to seek final agreement this year among industrial countries for untying the bulk of development assistance.

Nixon said he would again urge Congress to establish an office of Undersecretary of State for Western Hemisphere Affairs.

Referring to the rising forces of nationalism and extremism in Latin America, Nixon said the United States must seek to preserve the fabric of hemispheric unity. He said we cannot afford to withdraw out of frustration or allow ourselves to become isolated. The U.S. he said will avoid actions which foster or reenforce anti-U.S. nationalism.

TENANTS' RIGHTS

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. BADILLO. Mr. Speaker, the plight of urban apartment dwellers has been a subject of continued discussion in the Congress since the days of the depression during the 1930's. As an attorney who, on many occasions, has represented tenants in the courts of New York City and as a public official who has lived closely with the precarious plight of tenants I have long wondered if the courts of our State would ever reach the point of understanding that we can no longer afford the luxury of applying old legal concepts to present landlord-tenant problems.

It has been stated time and time again that the primary remedy a tenant has against a landlord, if the latter renders the apartment uninhabitable is to remove himself from the apartment and in an action for rent by the landlord raise the defense that he had been constructively evicted. I am not certain that such a rule of law would make sense even if there were a sufficient number of vacant apartments in the city of New York for tenants to move into. However, this point becomes moot in light of the vacancy rate that presently exists in New York City; it is under 1 percent. Under these circumstances to suggest to a tenant that his remedy against a landlord who makes no effort to make an apartment habitable is to break his lease with impunity is an absurdity. Where is the tenant and his family supposed to go? In many urban areas throughout the country and certainly in my own city the answer is nowhere. Therefore, it is abundantly clear that new approaches to landlord-tenant relationships must be developed if today's realities are to be met. Bob Dylan prophetically stated in one of his songs "the times they are a-changin'." At least one member of the judicial system in the city of New York has recognized that radical changes are needed in the area of landlord-tenant law. Judge Leonard H. Sandler, a recently elected reform-minded judge of the civil court of the city of New York recently wrote a landmark decision dealing with precisely the problem I speak of today. Judge Sandler in his decision very succinctly presented the question which judges face day after day in landlord-tenant parts of our courts throughout the nation. He stated:

> The question is whether there is fixed in law of this state so firmly that this court is bound to follow it a system of values that regards the right of the landlord to receive rent as infinitely more important than, and wholly independent of, either his obligation to obey the law or the corresponding right of the tenant to live in a decent apartment maintained in substantial compliance with the law.

Judge Sandler quite correctly found that landlords' rights only exist where they have fulfilled their responsibilities to their tenants and certainly do not exist where they have, as in the instant case, taken affirmative action to harass the tenants.

I strongly recommend Judge Sandler's opinion to my colleagues, and am pleased to insert it in the RECORD:

CIVIL COURT OF THE CITY OF NEW YORK,
COUNTY OF NEW YORK

(Amanuensis, Ltd., Petitioner, against Barnett Brown, Robert Bennett and Angelo Montanez, Respondents; Index Number L & T 53934/70, Part 25)

Sandler, J.:

At a time when the basic fairness and reasonableness of the rules of law regulating relations between landlords and residential tenants are under cogent and persuasive challenge, these non-payment proceedings against three tenants raise questions of grave importance concerning the capacity of our courts to adapt older doctrines to the requirements of fair treatment for tenants living today in multiple dwellings, and most especially fair treatment for those who are poor and without resources.

The most urgent question is whether this court is required to issue warrants of eviction for nonpayment at the instance of a landlord who has flagrantly and systematically refused to operate the building from which it derives rent in accordance with the minimum standards of decency prescribed by the Multiple Dwelling Law and the Housing Maintenance Code. Differently phrased, the question is whether there is fixed in the law of this state so firmly that this court is bound to follow it a system of values that regards the right of the landlord to receive rent as infinitely more important than, and wholly independent of, either his obligation to obey the law or the corresponding right of the tenant to live in a decent apartment maintained in substantial compliance with the law.

A second important question involves the constitutionality of that part of Sec. 302(a) of the Multiple Dwelling Law that requires a tenant to deposit in court that rent demanded by a landlord in a nonpayment proceeding before he can interpose the statutory defense that a rent-impairing violation had continued for 6 months.

Finally, the tenants sought by a post-trial motion to conform the pleadings of the proof to secure damages on the ground that the landlord had failed to maintain adequate security against criminal acts—and that the failure contributed to numerous crimes against them for which, it is urged, the landlord is responsible on tort principles. The issue sought to be presented is important—and the facts before me present a substantial basis for the claim. See Kline v. 1500 Massachusetts Avenue Apartment Corp., F2d D.C. Cir. Ct. of App. (1970) N./L., Aug. 27 (1970). However, I have determined that the post-trial motion should be denied without prejudice to the claims being presented in a new pleading. The landlord is entitled to meet this substantial issue after adequate notice prior to trial.

The significant facts are not in serious dispute. On or about April 15, 1969, the present owners of 310 West 18th Street (the previous mortgagees) acquired the premises.

At that time, and for several years previously, there existed numerous Housing Code violations recorded against the property. The new owners did nothing, or virtually nothing, to correct these violations.

One of the landlord's principals testified that their plan was to persuade the tenants to leave the building by offering relocation payments, and thereafter to remodel the building. He admitted that the landlord had no plans to correct the violations if all of the tenants did not leave.

The conclusion is inescapable, and I so find, that the landlord's design was and is to force the tenants to leave by permitting the violations to continue and the living conditions to become increasingly onerous.

Thus, there has persisted from the date of acquisition until trial a host of record violations. One is a rent-impairing violation affecting the etire building; several others are rent-impairing violations affecting individual apartments (though not the apartments of these tenants); and there are some 90 other violations varying in importance and extent, but the cumulative effect of which is to reduce significantly the habitability of the apartments of the tenants. The efforts of code enforcement agencies have been to no avail.

In addition, the evidence strongly suggests that the landlord tried to "persuade" the tenants to leave by total indifference to the requirements of security against criminal acts. Thus although the lock on the building's front entrance was broken, the landlord took no steps to repair it for many months. When illegal intruders moved into abandoned rooms, and it became apparent that these included drug addicts with a high potential for crime, the landlord took no action to remove them. Each of these tenants was the victim of several crimes.

I find: (1) that the landlord operated this building in willful disregard of its obligations under the Multiple Dwelling Law and the Housing Code, and that the quality of living for the tenants was significantly impaired as a result; (2) that the code enforcement procedures proved wholly ineffective to induce compliance with the law by this landlord; and (3) that one objective of this landlord's behaviour was to coerce the tenants to abandon their apartments.

At the trial, the tenants acknowledged that they had not paid rent for some time. Two principal defenses were interposed.

First, it was claimed that the landlord had breached a warranty of fitness for use and a warranty of quiet enjoyment, which defenses I interpret as raising the question presented at the outset of this opinion.

Second, it was alleged that a rent-impairing violation under Sec. 302(a) of the Multiple Dwelling Law affecting each of the tenants had lasted for 6 months. Since two of the tenants did not deposit the rent demanded by the landlord into court, as required by subsection (c) of Sec. 302(a), this defense requires the court to consider the constitutionality of that requirement.

In addition, the tenants sought damages for breach of the warranty of fitness for use, or habitability.

In considering whether this court is compelled to sustain the right to rent of a landlord who operates a residential building in systematic violation of the law, I am of course aware of the general view that this issue has been definitively resolved in favor of the landlord by controlling appellate decisions. After a careful analysis of the leading cases I am persuaded that they leave this court ample discretion to achieve decent and fair results in accordance with present day realities, and I intend to exercise that discretion.

The leading cases in this area are Davar Holdings, Inc. v. Cohen, 255 A.D. 445 (1st Dept. 1938), rearg. den. 256 A.D. 806, affd. 280 N.Y. 828 (1939), and Emigrant Industrial Savings Bank v. 108 West 49 Street Corp., 255 A.D. 570 (1st Dept. 1938), affd. 280 N.Y. 291 (1939), both First Department cases decided within a few months of each other. Considering the tremendous influence these decisions have had on the day by day disposition of landlord and tenant matters in the trial court of this State, it is surely notable that neither of them confronted the Appellate Division with anything approaching the critical problems of fairness and social policy presented by the case before me—problems common to many present day landlord and tenant cases.

In the *Davar* case, supra, described in the opinion as one of first impression, the lease required the tenant to comply with the requirements of law, and he failed to have the apartment painted. When a violation was issued against the premises because it had not been painted, the landlord undertook to have the painting done himself, but his painter was barred from the apartment by the tenant. Thereafter the tenant had the apartment painted at his own expense and sought to deduct that expense from his rent.

It is surely not surprising that the Appellate Division found for the landlord.

In doing so, however, the court went on to observe that at common law the landlord was under no duty to repair. At p. 448 the court said the following:

"We are of the opinion, therefore, that in a case of this character the tenant may not, himself, procure the required work to be done. Under an order so issued, the controversy is between the landlord and the public authorities. It is the landlord and not the tenant who must satisfy the department that the work has been done properly. The statute providing, as it does, its own penalties, should not, as between landlord and tenant, be further extended in scope."

The court also pointed out that if the conditions ordered to be remedied rendered the premises uninhabitable the tenant could be removed, and, in an action for rent, defended on the basis of constructive eviction.

The *Emigrant* case was similar. The principal distinction is that it involved an action by the lessee of an entire building against an owner. The lessee himself subleased the several apartments to tenants, and the court wisely observed that in any event the Multiple Dwelling Law was intended for the benefit of the tenants actually occupying the apartments, not one in the position of their landlord.

Notwithstanding the widely held view to the contrary, it is my opinion that the Appellate Division did not intend to lay down a rule of universal application, precluding under all circumstances the claim that violations of the Multiple Dwelling Law and the Housing Code are a defense to rent, however substantial and pervasive the violations, and whatever their impact on the habitability of the dwelling. The approach set forth in the *Davar* opinion seems to me more sensibly construed as designed to apply to the kind of situation before that court—one in which the landlord had acted in good faith, the violation did not significantly impair habitability or create an emergency danger, and in which code enforcement might well have been expected to be effective to achieve the statutory purpose. And this view of the holding seems to me to be powerfully buttressed by considerations of fairness, sound legal principles and compelling social need.

Preliminarily it is clear that the decision was strongly influenced by two factual assumptions, undoubtedly well founded in 1938, but neither of which would be seriously urged as realistic today.

The first assumption was that code enforcement penalties were likely to be effective. But the history of the last 32 years surely demonstrates their inadequacy to assure broad compliance with the law. See Gribetz and Grad, *Housing Code Enforcement: Sanctions and Remedies*, 66 Colum. L. Rev. 1254 (1966), Note, *Enforcement of Municipal Housing Codes*, 78 Harv. L. Rev. 801 (1965). The facts of the instant case are illustrative. The bulk of the violations here have continued since 1966, and repeated court proceedings by the enforcement agency have wholly failed to move the landlord to obey the law.

The second factual assumption was that a tenant whose apartment had ceased to be habitable could readily move to a suitable apartment maintained in accordance with the law. The sustained and severe housing shortage dating from World War II and the accompanying deterioration of much of our housing supply, have surely rendered constructive eviction an illusory protection for the urban tenant—and especially for the poor tenant. The language in the *Davar* opinion suggesting that tenants could simply move and then defend against rent proceedings has a nostalgic flavor today.

Without presuming to anticipate that the Appellate Division would overrule *Davar* because of the subsequent invalidation of two of its basic assumptions, it is surely appropriate to find in this development additional support for a comparatively limited interpretation of that decision.

Significantly, modern scholarship is unanimous in its outspoken condemnation of the unfairness and harmful social consequences of a doctrine that permits a landlord to recover rent and evict tenants while defying the statutory requirement that he maintain the premises in accordance with the law. See Quinn and Philips, *Law of Landlord-Tenant: Evolution of the Past and Guidelines for the Future*, 38 Fordham L. Rev. 225 (1969); Sax and Hiestand, *Slumlordism as a Tort*, 65 Mich. L. Rev. 869 (1976); Schoshinski, *Remedies of the Indigent Tenant: Proposal for Change*, 54 Georgetown L.J. 519 (1966).

The origin of that principle has been traced to feudal times when the tenants' concern was possession of the land, and when, by tenurial concepts, "rents" issued directly from the land itself. I am not aware of any persuasive answer to the argument that it is absurb to apply principles rooted in feudalism to modern day apartment dwellers who seek a "house suitable for occupation", Javins v. First National Realty Corp., 428 F2d 1071, 1078 (D.C. Cir. 1970).

Moreover, the profound incongruity of the older concept with the whole evolution of modern law, premised on the interdependence of rights and responsibilities, has been convincingly demonstrated. See Quinn and Philips, supra, at 225–227; Javins, supra, at 1075–1077.

Most important of all, the disastrous social and human consequences of applying outdated concepts to the housing problems of the urban poor have been eloquently described. See Quinn and Philips, supra; Sax and Hiestand, supra; Schoshinski, supra.

Thus, in a widely discussed recent article, two scholars condemned much of the law of landlord-tenant as a "scandal", and went on to say:

"More often than not unjust in its preference for the cause of the landlord, it can only be described as outrageous when applied to the urban poor in the multiple dwelling. There it views with complacency the most wretched living conditions, littered and unlit hallways, stairways with steps and bannisters missing, walls and ceilings with holes, exposed wiring, broken windows, leaking pipes, stoves and refrigerators that do not work or work only now and then. And always the cockroaches, and the dread of the winter cold and uncertain heat." Quinn and Phillips, supra, at 225.

Finally, the high courts of a number of jurisdictions, when recently confronted with the kind of question here presented, have uniformly responded by overthrowing or modifying drastically the older approach, and by shaping new principles more evenhanded in their treatment of landlord and tenant. Javins v. First National Realty Corp., supra; Lemle v. Breedan, 462 F2d 470 (Hawaii 1969); Reste Realty Corp. v. Cooper, 251 Atl.2d 268 (N.J. 1969) Marini v. Ireland, 265 Atl.2d 526 (N.J. 1970); Brown v. Southall Realty Co. 237 Atl.2d 834 (D.C. Ct. of App. 1967); Pines v. Perssion, 111 N.W.2d 409 (1961); Shiro v. W. E. Gould & Co., 165 N.E. 2d 286 (Ill. 1960).

The most important of these recent cases is *Javins*, supra, which is destined, in my view, to be a landmark decision. After a comprehensive review of the law and its relation to modern legal development and present conditions, the court concluded, at 1082:

"We therefore hold that the Housing Regulations imply a warranty of habitability, measured by the standards which they set out, into leases of all housing that they cover . . . Under contract principles, however, the tenant's obligation to pay rent is dependent upon the landlord's performance of his obligations, including his warranty to maintain the premises in habitable condition."

In view of the foregoing, one must conclude that the doctrine set forth in *Davar* was intended to be, and now should be, limited to the kind of circumstances then before the court.

I therefore hold that violations of the Multiple Dwelling Law and the appropriate sections of the Housing Code permit residential tenants to raise defenses to nonpayment eviction proceedings in the following three situations, all of which were established by the evidence in this case.

First, where the landlord has not made a good faith effort to comply with the law, and there have been substantial violations seriously affecting the habitability of the premises.

Second, where there are substantial violations and code enforcement remedies have been pursued and have been ineffective.

Third, where substantial violations exist and their continuance is part of a purposeful and illegal effort to force tenants to abandon their apartments.

In the *Javins* case the Circuit Court plainly declared its view, in accordance with accepted contract principles, that the presence of substantial violations should wholly defeat the claim for rent. A persuasive case can be made, in my opinion, for reducing the rent in proportion to the gravity of the violations, cf. Academy Spires, Inc. v. Brown, 268 Atl.2d 556 (N.J. 1970).

In this case however there is one circumstance that requires as a minimal judicial response the denial of all rent: namely, the use by this landlord of long-continued violations as an integral part of his plan to effectuate the removal of all the tenants. Such an illegal, deliberate effort is intolerable, and precludes recovery of any part of the rent claimed.

The above holdings are consistent with the high purposes that induced the Legislature to enact the Multiple Dwelling Law and are essential, in my opinion, to the achievement of those purposes.

Here, as in so many other areas of the law, the words of Justice Cardozo eloquently describe the human and social reality:

"We may be sure that the framers of this statute, when regulating tenement life, had uppermost in thought the care of those who are unable to care for themselves. The legislature must have known that unless repairs in the rooms of the poor were made by the landlord, they would not be made by anyone. The duty imposed becomes commensurate with the need. The right to seek redress is not limited to the city or its officers. The right extends to all whom there was a purpose to protect." Altz v. Lieberson, 233 N.Y. 16,19 (1922).

Accordingly, I sustain the defense based on a breach of the warranty of habitability and find on that ground for each of the respondents.

Turning to the defense based on Sec. 302(a) of the Multiple Dwelling Law, the evidence is clear that a rent-impairing violation affecting the entire building continued for over 6 months. As to one of the tenants, Barnett Brown, the rent demanded has been deposited in court so the defense as to him may be sustained without further discussion.

The other two respondents, not having tendered the rent demanded, challenge the requirement as unconstitutional.

In pertinent part the statute provides:

302(a) If the official records of the department shall note that a rent impairing violation exists in respect to a multiple dwelling and that notice of such violation has been given by the department, by mail, to the owner last registered with the department and (ii) such note of the violation is not cancelled or removed of record within six months after the date of such notice of such violation, then for the period that such violation remains uncorrected after the expiration of said six months, no rent shall be recovered by any owner for any premises in such multiple dwelling used by a resident thereof for human habitation . . .

(c) to raise a defense under subparagraph a in any action to recover rent . . . the resident . . . must also deposit with the clerk of the court . . . at the time of filing of the respondent's answer the amount of rent sought to be recovered in the action or upon which the proceeding to recover is based, to be held by the clerk of the court until final disposition of the action.

Although involving a very different statute, the decision of the U.S. Supreme Court in Sniadach v. Family Finance Corp. of Bay View, 395 US 337 (1969), seems to me very much to the point. The Supreme Court there struck down as violative of procedural due process a Wisconsin statute that required an employer, upon service of a summons in a garnishment action, to withhold up to 50% of the employee's wages, without any opportunity for the employee to be heard.

Even though the money would ultimately be released to the employee if he were successful, this, was not deemed to cure the constitutional infirmity found in the temporary withholding of part of the wages without a hearing.

We are here concerned with rent money rather than wages, but the vice of the section under attack is the same, and indeed the circumstances taken as a whole seem to me rather more aggravated.

By preventing the tenant from asserting the defense until he has deposited the money demanded, the New York legislature has effectively deprived tenants of the use of their own money for indefinite periods of time without any prior opportunity to be heard.

Three factors combine to make this condition wholly arbitrary and unreasonable, and a violation of procedural due process.

First, the tenant is required to deposit the very amount claimed by the landlord, without any provision for a hearing to insure that the demand is accurate. Thus if a landlord should demand several times the amount actually due the tenant's inability to deposit an exaggerated amount could preclude him from presenting an otherwise conclusive defense.

Second, no time limit is fixed for the landlord to commence proceedings subject to the defense. A landlord may choose to wait many months, or indeed years, putting the tenant under the burden of setting aside monthly reserves of money so that he might raise the defense when and if the proceedings were commenced. Surely this indefinite deprivation of the use of money, without any kind of hearing, cannot be reconciled with procedural due process. Cf. Midman Realty Corp. v. Kane, NYLJ Jan. 20, 1971, p. 19, Civ. Ct. of N.Y. Myers, J.

Finally, the issue presented by the statute makes the requirement of deposit peculiarly unreasonable. For surely in most cases, as in this one, the official records of the appropriate agency will establish, at least presumptively, the validity or invalidity of the defense.

At the very least, a tenant should be permitted to present an official record establishing the violation, and its duration, in lieu of depositing the money. Cf. Bell v. Tsintolas Realty, 430 F2d 474 (1970) pp. 483–485.

The section in question reminds me of an episode in Voltaire's *Zadig*, subtitled "An Oriental Fable", in which the hero was erroneously accused of having falsely denied that he had observed certain valued pets of the royal family. The novelist reports that according to the custom of that realm;

"They condemned Zadig to pay 400 ounces of gold for having said he had not seen what he had seen; first he had to pay the fine; after which Zadig was permitted to plead his cause before the Council of Destenham."

In sustaining the right of the non-depositing respondents to interpose the defense, I reach the same result as a matter of statutory construction under the special facts presented.

In this case the defense was interposed by one tenant who made the required deposit—and the evidence established a rent-impairing violation affecting each of the apartments.

I cannot believe that the legislature intended to deprive the court of the power, under such circumstances, to apply that finding to other tenants, and I accordingly do apply it

Finally I come to the counterclaim in which the tenants seek damages for violation of a warranty of quiet enjoyment and fitness for use. I am entirely satisfied that such a violation may indeed result in damages in excess of the rent sought. Putting to one side the damages arising from the crimes referred to, I do not believe that damages in excess of rent have been proved. And as to the criminal acts, I think that the issues involved in them, which were sought in part to be raised by the above counterclaim and in part by the post-trial motion to conform the pleadings to the proof, should be resolved in a separate trial on the basis of new pleadings which permits resolution of all of the issues raised by that claim for damages.

Accordingly, judgments are to be entered dismissing the petitions here in all respects, with costs to the respondents.

THE SELLING OF THE PENTAGON

HON. MICHAEL J. HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. HARRINGTON. Mr. Speaker, on Tuesday, February 23, the CBS Television Network broadcast a telling documentary entitled "The Selling of the Pentagon."

In 1 hour, this outstanding example of

journalism bared before this Nation the razzmatazz public relations program of the Military Establishment.

I congratulate everyone connected with the production.

A script of the program follows:

The Selling of the Pentagon

(As broadcast over the CBS television network, Feb. 23, 1971)

Produced and Written by: Peter Davis.
Correspondent: Roger Mudd.
Research: James Branon and Helen Moed.
Executive Producer: Perry Wolff.

Roger Mudd (voice over). Last spring American soldiers fought a two day battle that did not get into the newspapers or onto the television news broadcasts. Very few people even knew about it. The battle was fought neither in Vietnam, nor in Cambodia, nor anywhere else in Southeast Asia. All the action took place in North Carolina. This was a military exercise but it was also an exercise in salesmanship—the selling of the Pentagon.

Speaker (for Marine Corps). Gentlemen, today we have shown you the individual Marine—the man who implements foreign policy. He comes from all walks of life, all over the U.S.A. He's not much different from the young men we see on the street corners of America today, except he's been trained as a Marine.

He believes in what he is doing, and he's dedicated to his country and to the job at hand, whatever it may be. In short, we could say he has a lot of plain old, red-blooded American guts. Now this concludes our demonstration at this range. The escorts will now show you to your buses. Thank you very much.

Roger Mudd. Nothing is more essential to a democracy than the free flow of information. Misinformation, distortion, propaganda all interrupt that flow. They make it impossible for people to know what their Government is doing, which, in a democracy, is crucial. The largest agency in our Government is the Department of Defense, and it maintains a public relations division to inform people of its activities.

In December, Congress cut the appropriations for this division, but, according to the Pentagon, it will still spend 30 million dollars this year on public affairs—an amount more than 10 times greater than what it spent to tell people about itself just 12 years ago. Even this figure may be only the tip of the public relations iceberg. A special, still unpublished report for the prestigious 20th Century Fund estimates the *real* total at 190 million dollars. The combined news budgets of the three commercial television networks—ABC, CBS, and NBC—are 146 million dollars.

Whatever the *true* cost at the Pentagon, there have been recent charges in the press and in Congress that the Department is using these public relations funds not merely to inform but to convince and persuade the public on vital issues of war and peace. Ten months ago, CBS News set out to investigate these charges and to examine the range and variety of the Pentagon's public affairs activities.

We selected three areas for concentration: direct contacts with the public, Defense Department films, and the Pentagon's use of the media—the press and television. We sought no secret files, no politicians pleading special causes, no access to classified documents. We looked only at what is being done for the public—*in* public.

We began at an obvious location—Armed Forces Day on a military base. Fort Jackson, South Carolina is proud of its soldiers, and once a year the public is invited, to come out and take a look at them. At dozens of other bases, dozens of other audiences see the same show. The major event is a firepower display. But in the interests of information, they not only shoot, they also instruct.

Instructor. The killing zone is 50 metres deep, 50 metres wide, and two metres high. However, its fragments are also effective against light skinned vehicles.

Mudd. The weapons officer on this range claimed that the information display cost two million dollars. Later, Army public relations officials put the expense at twenty-two thousand dollars.

The last part is known as the "mad minute." It would be hard to argue with that description.

When the demonstration itself is over, another activity begins. The ammunition is gone but the weapons are not. Some of these are turned over to children so they can get the heft and feel of the genuine article.

First Child. All right, Jack, here's a cool tank man.

Second Child. I'm going over to the other tank.

Third Child. Get off.

First Child. What are you doing?

Third Child. I'm going to shoot you.

Second Child. Ready . . . aim . . . fire!

Colonel MacNeill. In the Chinese view only one country has been liberated from colonialism, and that is North Vietnam. The others will not be considered liberated, in the Chinese viewpoint, until each and every one has a Communist government.

Mudd. The Pentagon has a team of Colonels touring the country to lecture on foreign policy. We found them in Peoria, Illinois, where they were invited to speak to a mixed audience of civilians and military reservists. The invitation was arranged by Peoria's Caterpillar Tractor Company, which did 39 million dollars of business last year with the Defense Department. The Army has a regulation stating: "personnel should not speak on the foreign policy implications of U.S. involvement in Vietnam."

Colonel MacNeill. Well now we're coming to the heart of the problem—Vietnam. Now the Chinese have clearly and repeatedly stated that Thailand is next on their list after Vietnam. If South Vietnam becomes Communist it will be difficult for Laos to exist. The same goes for Cambodia, and the other countries of Southeast Asia. I think if the Communists were to win in South Vietnam, the record in the North—what happened in Tet of '68—makes it clear there would be a bloodbath in store for a lot of the population of the South. The United States is still going to remain an Asian power.

Mudd. Over the years, the Colonels have travelled—at taxpayers' expense—to 163 cities and spoken to 180 thousand people. In a question and answer period, they promote American presence in Southeast Asia.

Colonel Serrell. The bloodbath, the indications at Hue during the Tet offensive as to what might be in store for people who would otherwise have some semblance of freedom or individuality, if we did stay and protect their interests as well, admittedly, as our own.

Colonel Bird. I personally believe by and large the college students are very sincere in their belief. I think a lot of them haven't attempted to study, to some degree, the history of other things like this.

Colonel MacNeill. Some say there are no interests at stake today, some say we had none in the beginning. I feel when we put half a million men in there, at least we placed national interest at stake when we did that.

First Child. I want to play this one.

Second Child. Now it's my turn.

First Child. Bob, let's see if you can do this.

Third Child. Let Danny do it.

Father. How many mistakes you gonna make?

Mudd. At a St. Paul, Minnesota shopping mall, an Army display emphasizes power, a recurrent theme in Defense Department public relations programs. The Army Exhibit Unit has been to 239 cities in 46 states and has been seen by over 20 million people. The cost to taxpayers: 906 thousand dollars a year.

Recorded Army Narrator. The four M's—Mission, Motivation, Modernization, and Management—summarize Army Chief of Staff General William C. Westmoreland's program for the future of the Army.

Mudd. The Army says it won't send these exhibits out unless requested by local civilians. The manager of this shopping mall told us how the Army's exhibit happened to be there.

Mr. Peters. We were approached by Sergeant Kerr who is the local recruiting sergeant in this area, a matter of three weeks ago, and he simply asked us would we care to have the exhibit here in our mall. We said yes. So, it's here.

Announcer (for Air Force). Approaching next will be Major Mike Kirby and his next maneuver, the exciting Wing Walk and Roll.

Mudd. The Air Force Thunderbirds flew 108 exhibitions last year in front of 6 million people. We were told that the Thunderbirds are supposed to attract volunteers, but what we found was a very elaborate commercial for air power.

Announcer (for Air Force). The Air Force has proved again and again its superiority against the enemy in the air war over North Vietnam. In an environment where the majority of our fighter pilots were flying tactical bombing missions and not primarily hunting for enemy aircraft, the enemy still lost three aircraft for every one of ours in air-to-air combat.

General Lewis Walt. We fought them up on the DMZ, we fought them across the Laos border, we fought them down south across the Cambodian border. But they're trying to keep the war going on—why? Because they think that we're going to give up and pull out before the job is done. That's what they've been told, that's what they read in our newspapers and our magazines.

Mudd. Tonight, like any other evening, there are between 6 and 10 Pentagon speakers appearing in public. With military transportation at their disposal they traverse the country shaping the views of the audiences. For years, General Lewis Walt has been the Marine speaker most in demand.

General Walt. This is what's kept the war going on. If we could have had the entire American nation in back of us, all of our Americans in back of our Armed Forces in South Vietnam, this war would have been over a year and a half ago.

Green Beret Announcer. Please pay particular attention to the hands, the elbows, the knees, and the toe of the boot, which are used to deliver killing blows to the vulnerable portions of the body.

Mudd. When it comes to sheer muscle, the legendary Green Berets are the Army's glamour exhibit. In 21 states last year, the Berets showed how people kill people sometimes. On one occasion, they showed about a thousand kids in New Jersey.

When the Berets finished their act, the audience had its own turn.

Child. C'mon . . . no! Damn you . . . ow! (Crying.)

Mudd. Each year, the Pentagon runs special guided tours for over 3,000 influential civilians. The Joint Civilian Orientation Conference is the aristocrat of these tours, indeed of all Defense Department contacts with the public. For eight days 64 prominent citizens visit key military installations all over the country. To give the community leaders more sense of participation, the Defense Department outfits them in different colors that represent each of the Armed Services. Included in this exclusive party are industrialists, bankers, college administrators, newspaper publishers, and broadcasting executives.

High ranking generals accompanied the civilians. These two, three and four-star chaparones were available for briefing, picture-taking, and just mingling. CBS News followed the distinguished visitors on a weekend war game in North Carolina. The purpose of these tours, according to the Pentagon, is to teach military realities. The guests are referred to as "major taxpayers." As their education proceeded, we recorded some of the military realities and part of their impact on the civilians.

The Army gave a demonstration of a massive troop airlift. An air and land assault on enemy territory was simulated for the visitors. The idea here was to show that thousands of troops can be transported thousands of miles in just a few hours. What's more, when they get where they're going, they are ready to fight.

Jitterbug Announcer. Notice the jitterbugging action as the Cayuse make a thorough search of suspected enemy locations. Such tactics were battle tested in Vietnam.

Kennedy Wagon Announcer. To achieve success in combat, an infantry battalion depends upon the fighting strength of its rifle companies. The company is composed of three rifle platoons and a weapons platoon.

Mudd. The 64 civilians themselves paid part of their own costs and the official total price of this tour is only 12 thousand dollars. 12 thousand dollars, however, does not include the amount spent on elaborate briefings, the war game itself, nor the expenses of several thousand servicemen who performed for the civilians along the way.

Kennedy Wagon Announcer. 711 tons of ammunition and 308 tons of fuel.

Dr. Richard Chamberlain. I for one am very grateful for this privilege of seeing how the defense of the country is being organized.

David Connor. I found it enjoyable to to talk to the enlisted ranks who are handling the weapons as we got in the tanks. I think there's been a subtle, necessary and important emphasis on talking to the manpower.

Officer. Of course it could carry rockets, it could substitute a rocket part for an arm. It has tremendous flexibility.

Civilian. A lot of killpower though.

Officer. Oh yes, yes.

Mudd. Civilians were shown some of the more advanced equipment and training methods. Among the ordnance the Marines displayed were their planes, their weapons, their tanks, and, of course, their Commandant, General Leonard Chapman.

Officer. Excuse me, General Chapman, this is Mr. Hoover.

General Chapman. How are you sir, nice to see you.

Civilians (in boat). Oh, we can use a kyack . . . That's right . . . Bob, you're getting a little too enthusiastic . . . Oh boy we're really making time now.

Robert Greenhill. I think the message I would take back is that we have a first-class military organization led by first-class leaders and the people who carry the load on the enlisted men are some of the finest people that I've been privileged to see. I'm in the investment banking business and I travel all over the United States and I know that for a fact.

Willard Dover. I think the message is that you can be proud of your boys in service.

Mudd. The Defense Department did not permit CBS News to film what many regarded as the highlight of the tour. But the civilians were not shy in talking about it.

Mr. Connor. At Fort Hood we all were seated in the gunner's seat of the M-60 Tanks, and we fired the rifles, and were told what excellent shots we were and we were taken over to the recoilless rifles and fired rounds at armored personnel carriers and again told how good shots we were, and we fired grenade launchers and drove tanks and so on . . .

Dr. Chamberlain. We fired tank cannon and recoilless rifles, machine guns. . . .

Mr. Connor. My gun jammed while I was shooting it and I thought Oh my God what a great situation to be in were someone moving on me.

Dr. Chamberlain. It was fun to actually get your finger on the trigger of some of the things like the recoilless weapons that most of us have heard about but hadn't actually seen.

Mr. Greenhill. There is no substitute for hands-on experience.

Mudd. The Defense Department says these demonstrations are merely training exercises for war. War, however is not fought in front of a grandstand.

Marine Announcer. Let me remind you that the speed and flexibility which you have seen today and the maneuverability and coordination of the supporting forces is not a demonstration. It is the stock in trade of the United States Marine Corps.

Mr. Greenhill. One of the things I can personally see from this tour is that a Fulbright and Mr. Proxmire make are absolutely baseless.

Dr. Chamberlain. I just wish that all the American people could see what we've seen. I think we'd find much less of this carping at the military and we'd find a lot more understanding.

Mr. Dover. I think that one part of this tour is that you won't find a George Romney statement about being brainwashed.

Dr. Olav Sola. As we proceeded through numerous phases where we were personally involved my opinion has changed 180 degrees.

Jack Webb. It seems ironic, that while our finest young men are fighting half-way across the world, other young men and women safe at home, openly advocate abandonment of Vietnam to Communism. Perhaps they really don't know what this war is all about.

Mudd. With scenes of war protesters tinted red for emphasis, the Defense Department introduces a film on Vietnam narrated by television star Jack Webb. Over 300 films a year are made by the Pentagon. Most of them are meant originally for troop information, but a large number is later released for public showing. It is widely known that the Defense Department often helps sympathetic Hollywood producers who need troop support for their war movies. What has received far less attention is that the Pentagon itself spends over 12 million dollars a year on its own pictures. The annual cost of a single Army series "The Big Picture", is 900 thousand dollars and the overall Army film budget is more than 6 and one-half million dollars a year. During the 1960's, at least 52 million Americans saw Pentagon motion pictures. 45,000 public gatherings viewed them and at least 356 commercial and educational television stations have presented them as part of their public service broadcast time. Facts and information—not opinions and attitudes—are supposed to be the ingredients of Defense Department films. An official Pentagon directive states: "propaganda has no place in Defense Department Public Information programs". In preparing this broadcast we looked only at products of the last decade—all made after the thaw in Cold War politics. Well-known journalists and movie stars often serve as narrators for the films as these excerpts show.

Robert Stack. Hi. I'm Bob Stack. As you may know one of my hobbies is collecting guns. I've hunted on and off, all my life from California to Mexico to safaris in Africa. Speaking of guns and faraway places, I've just come back from a trip to Vietnam where guns are used for an entirely different purpose.

John Wayne. The Defense Department has asked me . . .

Mudd. The Pentagon helped John Wayne make "The Green Berets". John Wayne helped the Pentagon make this film in Vietnam. Over a thousand prints are in circulation.

Soldier (talking to Wayne). In Vietnam, revolution is a double edged word. The enemy uses it—it's what they call the "aggressive war" they're using against people over here.

Wayne. That's the story and there's nothing mysterious about the kind of revolution the enemy has in mind—it's the same thing we've seen in many parts of the world ever since the Communist revolution fifty years ago. Murder, assassination, terror, and over here they've killed over 20 thousand civilian leaders. And it's these same brave people, who have had the will and the guts to conduct their own revolution a real revolution for the betterment of their people.

Mudd. Not only movie stars have aided Pentagon propaganda. For patriotic reasons newsmen such as Edward R. Murrow, Lowell Thomas and John Daly often volunteered their talents during World War II and the Cold War. The Pentagon has used many journalists to carry its message, including some years ago, two of the best known broadcasters.

Chet Huntley. I'm Chet Huntley. To most of us, this is the United States Navy—the aircraft carrier, the cruiser, and destroyer. The modern deepwater navy extending American strength across the oceans of the world.

This is the American Navy in Vietnam, moving quickly where and when needed, displaying the flexibility of modern sea power, controlling the seas, extending its influence on land, and holding superiority in the air. A three-way force for peace, here to meet at any spot on the globe.

Mudd. "The Eagle's Talon" made in 1962, narrated by Walter Cronkite, deals with America's response to Communism.

Walter Cronkite. Starting in World War II, the aggressive Communist tide has spread in Europe and Asia to engulf its neighbors. Communist China even now has plans to dominate Asia by mass murder—destroying ancient civilizations. Right next door is the nation we freed in 1898—Cuba. A Communist tyranny holds sway and whiskers do not hide the naked face of dictatorship. Our army is face to face with Communism around the world. To meet immediate threats on any front we must build up our land forces at home and overseas. This soldier, guarding one of Asia's gateways against Soviet aggression symbolizes the determination of free men everywhere to resist Communist expansion by force of arms.

Mudd. On a policy level, the Pentagon says it has discarded the rhetoric of confrontation. But city by city, public showing by public showing, the language and symbols of the early 60's are still being widely distributed in the 70's. Here, in Elmendorf, Texas this month, a Baptist congregation attends a Pentagon film on Communism made in 1962. Even though the expressed policy of the United States is negotiation and not confrontation—even though Walter Cronkite and Chet Huntley may now disagree with the intent of the films they narrated—even though the roles of journalist and Government spokesman are incompatible—the films grind on and on.

A Pentagon film often contains a map that seems to be bleeding. The blood turns out to be the spread of international Communism. Interpretations of Communism and assessments of Communist intent are significant themes in Defense Department films. In "Red Chinese Battle Plan", an anonymous Pentagon narrator describes a foreign policy bent on world conquest.

Pentagon Film Narrator. It is a blueprint for world revolution. Red China's battle plan—divide and encircle; conquer and enslave.

Mudd. In an excerpt from a film called "Road to the Wall," the Pentagon has James Cagney tell of a Communist plan that encompasses even more than the world.

Cagney. The Wall is a solid fact. It stands in Berlin today. It stands—and will stand—wherever the road of world Communism leads. Someday, according to its builders, it will surround not merely the world, but the moon, the stars, outer space—the universe!

Mudd. In what is perhaps the Pentagon's most ambitious film, "Red Nightmare," Jack Webb presents a Russian scheme to crush American freedom.

First Russian Soldier. Americans! They have too many freedoms.

Second Russian Soldier. That is another thing you must remember, Comrade. One day it will be your mission to destroy those bourgeois, capitalist freedoms!

Webb. Frightening, isn't it?

Mudd. The hero of Webb's film, a lathe-worker named Jerry Donovan, dreams that his town is invaded by Communists. With remarkable ease, they quickly subvert everyone except Donovan himself, who listens with shock to a Commissar's speech.

Commissar. When the moral fibre of the United States weakens, and the economy collapses under the pressures of competitive coexistence, it will be your responsibility Comrades, to purge the minds of the reactionary Americans, so that they will welcome the enlightened Soviet system and conform without resistance to the dictatorship of the proletariat.

Donovan (to soldier). Hey! What do you think you're doing?

Mudd. When Donovan returns home, he finds his own daughter about to leave for a commune.

Daughter. It's true Daddy. I did volunteer for farm work.

Donovan. Linda, why?

Daughter. The party convinced me that I should free myself of the lingering bourgeois influence of family life. I am ready. Do not interfere. It is for my own good.

Russian Soldier. And Comrade Donovan. Do not think that your deviationist remarks will be overlooked. They will be reported to the proper authorities.

Judge. Comrade Donovan, you are accused of the following crimes against the state: subversion, deviationism and treason.

Mudd. 900 prints of "Red Nightmare" are currently in circulation. It was first released in 1962, then reissued in 1965. The film was made for the Armed Forces Directorate on Information.

Judge. As an ugly remnant of the diseased bourgeois class, you must be eradicated before the contagion can spread.

Donovan. Believe me you Communists can't keep fooling the entire world. You can't even keep fooling your own people. Because the news about Communism is getting around—that it's only another word for slavery!

Webb. Don't worry Jerry. That bullet will never reach you, because it's time to bring you back from your red nightmare.

Mudd. The Department of Defense believes that one of the best ways to save Americans from a red nightmare that comes true is with films like these. Although the Pentagon labels them informational, these films contain a high proportion of propaganda, as well as an obsession with monolithic Communism. Tax money financed all of them, and they have all been distributed during the Kennedy, Johnson, and Nixon administrations. It has been more than a decade since the national policy of peaceful coexistence replaced the harsher rhetoric of early cold war years. But to the filmmakers at the Pentagon, with at least 12 million dollars a year to spend, 1946 seems to have lasted a whole generation.

Mudd. The Pentagon, in Washington, is the command post of a military establishment with a multitude of ways to get its message across to the public. Many millions of Americans are reached by Defense Department displays, tours, and motion pictures. But the widest, most penetrating of all contacts the Pentagon has with the public is through the media—newspapers, magazines, radio and television. Once each day, the press and the Pentagon have a formal confrontation.

Jerry Friedheim. I think this is the first time Dr. Foster has discussed the three different kinds of SS–11s . . . That's correct, these are MRV not MIRV. . . .

Mudd. Every morning at 11 o'clock, in pursuit of Defense Department news, Pentagon reporters get a crack at a careful and respected adversary, Deputy Assistant Secretary of Defense Jerry Friedheim. He does not, of course, tell all he knows; he wouldn't have his job long if he did.

Friedheim. I can't discuss that at all.

Newsman. What about the size of the warhead?

Friedheim. I just don't have anything I can give you on that. We'll pursue that question.

Robert Garolski (NBC News). When did you last have three carriers on station in the Med?

Friedheim. We'll have to check back and find that date for you.

Newsman. Has the Guam chopped to the Sixth Fleet?

Friedheim. Negative. It has not.

Bob Schieffer (CBS News). Would she normally be going to replace one of them; is that it?

Friedheim. That has been the normal operations in the past. We've observed some nineteen Soviet combatant vessels there in recent days. The Sixth Fleet strength is roughly comparable, slightly larger.

Newsman. Slightly larger?

Friedheim. That's correct.

Jack Tolbert. It's extremely difficult for a Pentagon reporter, even a regular, to establish sources outside the public affairs arm.

Mudd. Former Public Information Officer Jack Tolbert was an Air Force Major who worked with the press at many military bases for twelve years. He believes that the Defense Department confronts reporters with numerous obstacles.

Tolbert. The Department of Defense has so many avenues of getting its story across, around, and over and under the media, that I'm not even sure even if every reporter who covered the Pentagon was a hard nosed reporter, that we still wouldn't get the story through.

Mudd. The vastness of the Defense establishment confronts a reporter with an almost impossibly complex task. Pentagon stories develop in many other ways besides formal briefings, but the sheer size of the building itself remains bewildering. Often it is impossible to get to a news story—even when the story does not involve national security—until the Pentagon chooses to announce it. Going into and out of the 30 thousand Pentagon offices each day are 200 thousand phone calls and 129 thousand pieces of mail. But very little of this communicating is done with the press. Although the Department of Defense is the biggest business in America, over 95% of the news bureaus in Washington do not even assign a reporter regularly to the Pentagon. More newsmen cover the pennant race than the arms race. We asked the man in charge of all Pentagon public relations, Assistant Secretary of Defense Daniel Henkin, if he thought the press did a good job covering the Defense Department.

Henkin. I believe that it does. . . . From time to time of course it gives me some headaches and I give the press some headaches. We understand that. We act professionally, as a professional relationship not only with the Pentagon press and other members of the Washington news corps but with newsmen who cover military activities around the world.

Mudd. What about your public displays of military equipment at state fairs and shopping centers—what purpose does that serve?

Henkin. Well, I think it serves the purpose of informing the public about their Armed Forces. I believe that the American public has a right to request information about the Armed Forces, to have speakers come before them, to have questions, and to understand the need for our Armed Forces, why we ask for the funds that we do ask for, how we spend these funds, what we are doing about such problems as drugs—and we do have a drug problem in the Armed Forces. What are we doing about the racial problem in the Armed Forces, and we do have a racial problem. I think the public has a valid right to ask us these questions.

Mudd. Well is that sort of information about the drug problem you have and the racial problem you have and the budget problems you have, is that the sort of information that gets passed out at state fairs, by sergeants who are standing next to rockets?

Henkin. No, I wouldn't limit that to sergeants standing next to any exhibit of that kind. Now there are those who contend that this is propaganda. I don't—do not agree with this.

Mudd. What the press wants to reveal, the Defense Department often wants to conceal. We asked the Washington Post's military specialist, George Wilson, who should be prouder of Pentagon press coverage, the press or the Pentagon.

George Wilson. The Pentagon by virtue of its overwhelming troops in this area has done better in propagandizing as a whole than the press has done on exposing. I don't fault the digging reporters and there are several. What I fault is the lack of demand from the editors, both of TV and of newspapers generally.

Mudd. How hard is it, Mr. Wilson, for a single reporter at the Pentagon to discover the truth when the Pentagon doesn't want the truth to be known.

Wilson. It's difficult. They can always pull out the secrecy stamp and say it's against the national interest to give you the full explanation for what we did, but you'll just have to trust Big Daddy.

Mudd. Can't a case be made, Mr. Wilson, from the standpoint of national security, to prohibit you from printing in your paper information that the enemy wants to know?

Wilson. It certainly can. A case can be made, but my counter to that is that if it's going to be—if the weapon is going to be described in public as it was in 1969 and 1970, along with the sales job to get the anti-ballistic missile defense approved it should be described accurately. The point here is that because the technology is reachable, that there will always be the pressure to build it. Weapons are inexorable and they're imperious, and only public challenges and public resistance can keep technology from running us right onto the road of Armageddon, and I think that points up why more coverage of the Pentagon is desirable. Editors should have a larger appetite for these weapons because they're not just nuts and bolts; they often dictate the largest policy decisions in the world today.

Radio Voice (Hometown News Center). This is Army Specialist Jean Campbell reporting from Pleiku, Republic of Vietnam . . .

Mudd. The Armed Forces do not have to wait for radio, television and newspapers to come to them. They have their own way of reaching the media. At the Army's Hometown News Center in Kansas City, a blizzard of press releases is turned out in all seasons. Each year, 12 thousand radio and television tapes are mailed to 27 hundred radio stations and 546 television stations. Over two million printed releases are sent to six thousand five hundred daily and weekly newspapers. In these releases, medals, promotions and re-assignments are emphasized. While transmitting legitimate information about servicemen, the news center also functions as a publicity agency for American forces abroad. The only news from the center is good news. The center is commanded by Colonel Richard Stewart, who feels the operation is helpful to the Army.

Colonel Stewart. This is another way of seeing your Army in action and it's even more meaningful because the people can relate to this particular soldier. This is not just an exercise or combat operation or something of that nature but this here is Sergeant Willy Jones.

Jack Tolbert. There are hundreds and thousands of weeklies and small dailies in this country that live on what we call the hometown release, where the Army, Navy and Air Force maintain hometown news release centers, and are just spewing this stuff into these newspapers who accept it willingly and who print it.

Stewart. They have said time and time again when I've talked to them, they've said, "Keep it coming," in effect, words like that "Keep it coming."

Tolbert. What the press—and this is the whole press, the community press which is extremely important to this country, is giving a free ride to a military story.

Representative Hébert. I'm one of those who believes that the most vicious instrument in America today is network television.

Mudd. Using sympathetic Congressmen, the Pentagon tries to counter what it regards as the anti-military tilt of network reporting. War heroes are made available for the taped home district TV Reports from Pro-Pentagon politicians. Here Representative F. Edward Hébert of Louisiana asks Major James Rowe, a Green Beret and former P.O.W., what keeps the Viet Cong fighting.

Major Rowe. The support that the VC receives from the United States is the only thing that keeps them fighting.

Mudd. Later, Congressman Hébert, who is the new Chairman of the House Armed Services Committee, asks Major Rowe for his reaction to a peace rally.

Rowe. I walked up and I heard one of the speakers yelling, "Down with imperialism, down with capitalism, down with the oppressive leadership in Washington. Power to the people." I heard the same thing from the Viet Cong except there it was in Vietnamese and here it is in English. I looked around the crowd—I walked through the crowd, and I saw some VC flags flying from the flagpole of the Washington Monument, I saw American flags with VC flags flying over the top of them. I saw American flags with the stars removed and a peace symbol superimposed. I saw the red flag with a black peace symbol on it and then I heard one of my Senators say that "We are here because we cherish our flag." And the only thing I could think of in answer is what flag does he cherish?

Hébert. I want to congratulate you. It's an honor to have had you on this program with me, and I only wish to God we could have more people wearing the uniform privileged to speak as you've spoken, because the silent majority will and must be heard.

Mudd. The war is covered extensively not only by the civilian press but also by the Defense Department's own camera crews in Vietnam. Their product is distributed to American TV stations and networks. This is a soccer match played by North Vietnamese prisoners of war and filmed by the Defense Department. It is intended to supplement regular network news coverage. But the Defense Department can hardly be said to be a disinterested observer in Vietnam. Recently, there have been charges that some of the Pentagon's footage was staged. In fact, the cameraman who filmed this soccer game told CBS News that the prisoners had never been permitted to play soccer before but were trotted out for this match when his crew arrived. The cameraman, former Air Force Sergeant Thomas Demitor, spoke about his filming experience shortly before leaving the service after 16 years.

Thomas Demitor. In many stories that were filmed in Vietnam, with my team, we staged a number of stories of the Vietnamese. We were propagandizing the war and an example of it was a story titled, "US and South Vietnamese forces patrol enemy infiltration routes." We went out with the Vietnamese in the Riverine patrol, went down the river until we found an area that was suitable for our landing. Because I knew it wasn't an actual combat situation I had no fear—I was off the boat on the land before the Vietnamese infantry came up, so that we could get a shot as the boats came onto the shore. We proceeded inland about three quarters of a mile or half a mile while we were getting shots of them running through the rice paddies. They didn't fire any shots. There were no traces of Viet Cong.

We were told when we thought we had a sufficient amount of footage exposed, to tell the Vietnamese and they would turn around. When someone turns around and asks you well do you have enough film, and you say yes, then it is definitely staging.

Mudd. Later, while filming the same story, Sergeant Demitor shot real combat footage involving American troops.

Demitor. In the final release, we see none of the actual combat footage of the Americans, we see all of the staged footage of the Vietnamese, and it would lead someone to believe that the Vietnamese were doing the majority of the work. The staged action got in. The actual action did not get in.

Henkin. We are trying our best to provide information. There undoubtedly have been times when certain actions have been staged. I think this is true of all TV news coverage; after all this interview here is being staged.

Mudd. How so?

Henkin. Well props were set up, arrangements were made. You and I did not just walk into this room cold. Arrangements were made for it.

Mudd. Well, we wanted to film in your office but your people said let's go into the studio—so we didn't stage it.

Army Briefer. We are conducting limited duration protective reaction air strikes.

Mudd. Defense Department information machinery is well established in Vietnam, where a special language has developed that takes some time to learn. "Protective reaction" means the United States resumed the bombing of North Vietnam. "Selective ordnance" means napalm. "Defoliation" means nothing will grow there anymore.

A "civilian irregular defense group volunteer" is a mercenary. "Population resettlement" means getting villagers out of their villages, and "Military Assistance Command Daily Press Briefing" means this scene right here, which is popularly known among newsmen in Saigon as the five o'clock follies. The most popular phrase at these sessions, however, needs no explanation.

Army Briefer. No comment.

First Reporter. Well, can you please tell us. . . .

Army Briefer. I have nothing further to add.

Second Reporter. Why don't you answer my question?

Army Briefer. I have no further comment.

Mudd. Often the Press is an unwitting partner in its own deception. Former Information Officer Tolbert once took great pride in utilizing the media. He's not so proud of the record anymore.

Tolbert. A network was coming over to cover and do a documentary on the air war over North Vietnam. They were going to film it out of Danang where I was the information officer. So in preparing for them we tried to pick out the most articulate, the best-looking pilots that we could, to be able to describe through their eyes what the air war was all about. We briefed the pilots so that they would understand that we were trying to present our views in a one-voice concept we didn't want divergent views coming from a variety of the different pilots that might raise questions concerning whether they understood, or whether they were satisfied with the way the air war in the north was being fought.

Mudd. And the cast of characters that you made available to those network men was such that they never heard any dissension or criticism about the bombing mission?

Tolbert. No, no never. You know, being an insider, knowing fully what was going on, if I was absolutely candid with them, and opened all of our closets to them, yes they would have come out with a lot more balanced report. I could have helped them do that.

Mudd. What was the result of that network team's journalistic efforts?

Tolbert. Frankly it was just great. It represented the pilots, it represented the way we conceived that the air war in the north was being fought by very professional people and it was as good as if we had done it themselves.

Mudd. Well, I'm duty-bound to ask, I've got to ask you which network it was. Could you tell me?

Tolbert. Yes, yes I will.

Mudd. Which one was it.

Tolbert. It was CBS.

Mudd. Well, taking that incident you had with CBS and applying it, Mr. Tolbert, to your 12 years as a public information officer, what effect do you think incidents like that have on a democratic society which is supposed to enjoy a free press?

Tolbert. I feel that the military information arm is so vast, has been able to become so pervasive by the variety and the amounts and the way and the sheer numbers able to present its viewpoint to the American people I think this attitude it was able to develop allowed Vietnam to happen. Had we not been able to convince the American people prior to Vietnam that a military solution was a correct solution, without a doubt and not to be questioned we couldn't have had a Vietnam. I feel that if we allow this pervasiveness to continue, that frankly it could lead us to another Vietnam.

Mudd. We have reported tonight only a fraction of the total public relations apparatus belonging to the Pentagon and supported by the taxpayers.

Indeed, the news restrictions on the current invasion of Laos raise the question whether the public's right to know is being served or thwarted.

On this broadcast, we have seen violence made glamorous, expensive weapons advertised as if they were automobiles, biased opinions presented as straight facts. Defending the country not just with arms but also with ideology, Pentagon propaganda insists on America's role as the cop on every beat in the world. Not only the public but the press as well has been beguiled—including, at times, ourselves at CBS News. This propaganda barrage is the creation of a runaway bureaucracy that frustrates attempts to control it.

Last November 6, President Nixon sent this memorandum to executive agencies criticizing what he called self-serving and wasteful public relations efforts. He directed an *end* to what he described as "inappropriate promotional activities." The President specifically ordered—in his words—a curtailment of "broadcasting advertising, exhibits and films."

Just since the memo was written the Army's Golden Knights—a parachute team—have performed for the public in Nevada, California and North Carolina. *Other* Army exhibits have traveled to 59 different locations.

Air Force displays, like this Hounddog-Quail missile, have appeared in at least 36 shopping malls and municipal centers since the memo was written.

We went back to the Pentagon and asked what effect the Presidential directive would have. We were told there will be cuts in personnel, *not* activities. There may be some disagreement, of course, over just what constitutes an "inappropriate promotional activity." But to date not a single activity shown on this broadcast has been eliminated. Tomorrow morning, according to Defense Department schedules, there will be an Army show pushing the ABM in Mountain View, California, an Air Force missile will turn up in Houston on Friday, the Pentagon's traveling colonels will be in Hampton, Virginia, on March 8, and next week fifth graders at the Hill Elementary School in Davidson, Michigan, will get to see the Navy's propaganda film on Vietnam.

This is Roger Mudd for CBS Reports.

DEATH OF LT. GEN. DO CAO TRI, OF THE ARMY OF SOUTH VIETNAM

HON. CLIFFORD P. HANSEN

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Friday, February 26, 1971

Mr. HANSEN. Mr. President, recently death came to Lt. Gen. Do Cao Tri, a courageous officer of the army of South Vietnam. He was killed in a helicopter crash while leading his troops in bitter fighting in Cambodia.

I ask unanimous consent that a fine tribute paid to this brave South Vietnamese officer by Columnist Joseph Alsop, and published in the Washington Post of February 26, 1971, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A BRAVE GENERAL IS DEAD

(By Joseph Alsop)

At the grave of Lt. Gen. Do Cao Tri, killed in action some days ago, the humblest apologies should now be offered by many American politicians and large segments of the U.S. press. For Gen. Tri was a particularly striking proof of the way the most mendacious swill has been poured over the heads of brave allies by partisan and interested persons in this country.

If a personal reminiscence is permissible, I first glimpsed Do Cao Tri more than 15 years ago, as a wiry young battalion commander cheering on his men, in a perfect hail of bullets, from the top of a charging tank. Denis Warner, then of "The Daily Telegraph," and I were lying in a ditch at the end of Saigon's old Boulevard Gallieni, watching the attack that broke the stranglehold on the city of the gangster-sect, the Binh Xuyen.

Long before, to keep out the Communists, the French had sold Saigon to this Vietnamese version of the Capone gang. They had now chosen the local Al Capone, the Binh Xuyen boss, Gen. Bai Vien, as the replacement of the intractable President Ngo Dinh Diem. The attack on the Binh Xuyen therefore made the French very angry indeed.

As Warner and I watched, the French general commanding the Saigon District furiously climbed up onto Do Cao Tri's tank, to remonstrate with the youthful battalion commander of South Vietnamese paratroopers. The general's protests were haughty and furious. But when they got nowhere, a huge packet was produced by the general, as though by magic.

I later learned that the packet contained the equivalent, in those days, of about $100,000. It was curtly rejected. The French general stumbled off the tank again, rather hastily, for the firing was very brisk. The attack on the Binh Xuyen quickly succeeded. And so South Vietnam was on the long, rough road to nationhood.

Do Cao Tri was certainly not a man without faults. He loved good wine. He liked pretty women. He was fond of money, like so many rich men. But as the foregoing episode rather amply attests, he was never wanting in pride or courage, military efficiency or patriotism.

His personal history was also indicative. A long way back, the first Do Cao (the clan name) was a man who had fought hard against the Manchu conquest of China, and had then refused to collaborate. He was therefore among the Chinese refugees who made the first settlement in the Saigon region in the mid-17th Century.

By the early 19th Century, the Do Cao clan was wealthy and part-Vietnamized, and the great Emperor Gia Long was encouraging the Vietnamese settlement of the rich southern delta. Do Cao Tri's ancestor of the time decided this was better than being a member of the Chinese merchant colony. This was how very great landholdings in the province of Bien Hoa came down to Gen. Do Cao Tri. Despite the land reforms, one must add, he remained a substantial landowner.

After his conquest of the Binh Xuyen gangsters, Do Cao Tri had the sort of up-and-down military career that most brilliant fighting officers had in the difficult years in South Vietnam. But his appointment to command the huge military Region III, around Saigon, marked a major turning point. This was one of the first acts, in truth, by which President Nguyen Van Thieu revealed his quiet determination to transform a political army.

The appointment's real meaning was not understood at the time, in part because the divisions which Gen. Do Cao Tri inherited—the Fifth, the Seventh and the Twenty-Fifth—were universally rated as among the five worst on the whole ARVN roster. Rating the awfulness of ARVN divisions remained a popular indoor sport in Saigon, until President Nixon's brave gamble in Cambodia.

At once, every assumption of Saigon's indoor sportsmen was brutally disproven, primarily by the superb performance in Cambodia of Gen. Do Cao Tri and his troops. Something had been happening to ARVN, which no one had been shrewd enough (or perhaps one should say unfashionable enough) to report.

When Do Cao Tri's helicopter finally failed him, moreover, he was leading two divisions minus of his formerly despised troops, against three enemy divisions that have always been rated among the most formidable in Hanoi's army. And in this operation in Cambodia, still in progress, he was giving the enemy perfect unshirted hell, when he died in the service of South Vietnam.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

NOISE LEGISLATION IS NECESSARY

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 26, 1971

Mr. COLLIER. Mr. Speaker, a recent study conducted in Chicago by a firm of acoustical consultants showed that transportation is readily identifiable as the major noisemaker in the Chicago area. Since my district encompasses the busiest airport in the world, O'Hare International, these findings come as little surprise to me.

In our effort to improve the environment, we must consider the effects of increasing noise levels. A recent editorial appearing in the Los Angeles Times summarized this problem and pointed to a solution that should interest every Member from an urban district:

NOISE LEGISLATION IS NECESSARY

The noise level in American cities has doubled in the last 16 years. The clang and clatter of everyday living is not just a nuisance anymore but a direct threat to human health and well-being, even in the unborn. Continuous loud noise, in the home as well as in the streets, not only can impair hearing but also lead to illness-producing physiological changes.

Medical researchers and psychologists say there is mounting evidence that the high levels of noise to which we are more and more exposed may have cardiovascular, respiratory, glandular and neurological effects. For one thing, noise produces temporary constriction of the smaller arteries, which could mean speeded up pulse and respiration rates. Steady exposure to loud noises may result in hypertension, abnormal heart rhythms or ulcers. Laboratory animals have actually been killed by exposure to extraordinarily high levels of noise.

We all know that a loud unexpected noise can be frightening. Prolonged exposure to noise makes many persons irritable and nervous, though we may not always be aware of a cause and effect relationship. Experiments have shown that a fetus in a pregnant woman can perceive sounds and that loud noises can change its heart rate.

We are assaulted by noise not only from traffic and construction outdoors and machinery in factories, but in our homes. Noise is a by-product of technology and affluence. Consider the electric shavers, washing machines, hi-fidelity phonographs, dishwashers, radios, blenders and all the other power-operated consumer goodies we own and use that raise the noise levels in the home. And then consider the people lucky enough to live near airports.

We can't abolish noise, but we can reduce the noise level of our environment and make living somewhat more comfortable and healthy. Some municipalities are already trying to do so with noise-abatement laws backed up by fines for violators. More than a local approach is needed, however.

President Nixon has asked Congress to take a national approach to the noise pollution problem by granting the new Environmental Protection Administration certain antinoise powers.

Included would be authority for the EPA to set noise-emission standards for transportation and construction equipment sold in interstate commerce. That would cover just about all vehicles and building equipment. In addition the EPA could require manufacturers of consumer products—power mowers, dishwashers and the like—to state the "noise characteristics" of their wares. This would allow buyers to make a marketplace choice and, perhaps, induce manufacturers to turn out quieter products.

There is no question at all about the need and value of the antinoise legislation sought by the President. Congress should approve Mr. Nixon's request, quickly and—let us hope—quietly.

FASCELL INTRODUCES EQUAL RIGHTS AMENDMENT

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. FASCELL. Mr. Speaker, on August 10 of last year this body overwhelmingly approved a proposed amendment to the Constitution of the United States. Simply but eloquently it affirmed that "equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex."

I am proud to introduce this resolution again today, with two minor changes proposed by its chief sponsor, our distinguished colleague, the gentlewoman from Michigan (Mrs. GRIFFITHS). The first of these changes imposes a 7-year time limit for ratification by the States, and the second extends the effective date from 1 to 2 years after ratification.

The reasons for favorable action on this proposed amendment were convincing last year, and they are even stronger today. Women are heading households and businesses, pursuing professions, and entering public service to a degree never envisioned by the Founding Fathers. They need and deserve effective protection under the Constitution of the United States. We have come a long way from the first days of the Republic when, under common law definition, women were not legally considered to be persons.

A great effort has been made in this last decade to erase all inequalities under the law. Progress has been realized with such landmark legislation as the Civil Rights Act of 1964.

But a constitutional amendment guaranteeing equality for women would be an important affirmation of the egalitarian principles which nourish a vital democracy.

HOUSE OF REPRESENTATIVES—*Monday, March 1, 1971*

The House met at 12 o'clock noon.

Rabbi Samuel Cooper, B'nai Jacob Synagogue, Charleston, W. Va., offered the following prayer:

טוב להודות לה׳ ולזמר לשמך עליו

It is good to give thanks unto the Lord, and to sing praises unto Thy name, O Most High.—Psalm 92:1.

Eternal God, we offer unto Thee this day the homage of our gratitude. We thank Thee for this good land and for its institutions of freedom and justice. To our thanks, we link our prayers. Humbly and reverently, we ask that Thou bless the Members of this august body upon whose shoulders we have placed the burdensome and demanding affairs of State. Difficult, indeed, are the decisions they are called upon to make and the problems they must resolve. Grant them health and vigor, quicken them with Thy spirit and impart to them of Thy wisdom.

In these days large with challenge and perplexity, we ask not for ease or comfort. We ask, rather, that Thou endow us with those qualities of heart and mind that will help us make real that just and peaceful world envisioned by the Hebrew prophets, the unfulfilled hope and dream of all mankind. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

EXPLOSION AT THE U.S. CAPITOL

(Mr. BOGGS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BOGGS. Mr. Speaker, I have been advised by Mr. Mario Campioli, Assistant Architect of the Capitol, that he received a telephone call from one of the local newspapers at approximately 2:30 a.m. today that an explosion had taken place in the Capitol.

Mr. Campioli immediately called Chief Powell of the Capitol Police, who had already arrived at the Capitol and was on the scene. The Chief advised that the explosion had occurred in the toilet room near the Senate barbershop in the Senate wing of the old section of the Capitol and near the first meeting place of the U.S. Senate.

Mr. Campioli arrived at the Capitol at approximately 3:15 a.m. and, after inspecting the damage, called the supervising engineer of the building and asked him to report immediately to the Capitol and to assemble his operating crew at the Capitol as soon as possible.

The amount of explosives still has not been disclosed, but I am able to say it was a very large amount of a very powerful explosive. If any Members will take the time to take a look at the damage, he will be immediately convinced that this was the case.

The damage consists primarily of cracked and otherwise damaged walls, blown-out doors and windows, destruction of trim, paneled jambs, weakened and damaged masonry floor arch construction, and damage to chandeliers. Some of the weakened arch construction will undoubtedly require shoring, and that work is going ahead.

Representatives of the FBI, the District of Columbia Fire Department, the police, the Senate Sergeant at Arms, and the Architect of the Capitol have been on the scene since early in the day and are investigating the matter.

As of this time no overall estimate of the cost of repairing the damage and of time for repair has been made.

As indicated, the explosion occurred in the men's toilet room immediately outside of the Senate barber shop. Substantial damage was caused in the following areas on the first floor: Adjoining halls and vestibule, rooms S140, S142, S143, S144, and S146, and other damage such as broken glass, cracked plaster, broken windows, and other glassed areas occurred in room S141, the old Supreme Court chamber, the small rotunda on the first floor, in the crypt, the windows on the corridor of the main Senate dining room and the opposite windows in the corridor.

The effect of the blast was indicated by broken glass as far away as the transom over the elevator near the northwest corner of the building.

Some damage also occurred on the second floor in the area immediately above the blast location.

The Architect is proceeding with all possible emergency measures and with cleaning up the area and with ordering the material necessary for permanent repairs.

Mr. Speaker, I think this points up the necessity for additional security measures here in the Capitol of the United States. Many times I have sat here, as the Speaker and other Members of this Chamber have at the joint sessions, when the entire Government is gathered here under one roof, and realized the inadequacy of our security.

I have been terribly concerned that a disaster of monumental consequence could occur here.

I know that in the closing days of the 91st Congress the Congress authorized additional security for the galleries. I hope that work will go forward as quickly as possible.

The gentleman from Michigan (Mr. GERALD R. FORD) and I served on the Warren Commission which investigated the assassination of President Kennedy. There was one overriding fact brought out, and that was that the security for the President was inadequate. That was not meant as criticism of anyone, because we live in an open society and an open country and a democracy, and it is often difficult to make a distinction between suppression of the rights of our citizens and personal danger to the people who make up this Government.

The facts are that one can come into the Capitol Building with little or no trouble or, one can get into the House or Senate Office Buildings at any time. There is not even a requirement that one sign in or sign out during off hours or on holidays.

Mr. Speaker, I am genuinely concerned that unless we increase security here a disaster could happen at any time.

I include herewith a fine editorial from the Washington Evening Star for March 1, 1971.

The editorial follows:

BOMBING THE CAPITOL

No one has bothered for a long time to articulate on what the United States Capitol means to the American people. It has seemed too dependable a national fixture, perhaps, akin to Pike's Peak and the Mississippi River, so we give it little thought from day to day. But today we are thinking about it, because it has been desecrated in a mindless and cowardly act.

No doubt the person or persons who set off a bomb in the Capitol early this morning intended to provoke an avalanche of outrage. There has been some of that, but mostly the feeling is sorrow, that anyone would think of blasting this repository of national memories and, even in its antiquity, this symbol of our finest aspirations.

The power of that symbolism occurs to us today. The Capitol has weathered all the hurricanes since Mr. Lincoln's time; indeed his black-draped catafalque once rested in the rotunda, where the nearby explosion shattered the stillness this morning. Whoever did it was protesting something he referred to as "the Laos decision." But in bombing the Capitol he struck at the Emancipator, and at the whole line of public people of all persuasions who have given themselves for the nation. Some have lain under that dome in this generation, too, and the memory of them is treasured.

This is in fact a hallowed place. The building is not accountable for the wisdom or foolishness of these times. It stands for the best that we have been, and the best that we hope to become. So the citizen in Peoria has a feeling, largely unspoken except at a moment like this one, that when the sun gilds that dome in the morning there is still hope for the Republic.

The dome, of course, is still there and the building is not critically shaken. But this is a bad day for the person from the inlands who is here today for his first look at his Capitol. Perhaps there will be stiff restrictions on touring of the building now—no more leisurely meandering. Extremists exact their penalties in diverse ways.

This one, or these, must be caught and punished. The full resources of the federal investigative agencies must be brought to bear. This madness cannot be allowed to flourish where the processes of freedom are still in full vigor.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished gentleman from Louisiana yield?

Mr. BOGGS. I am happy to yield to the distinguished gentleman.

Mr. GERALD R. FORD. I share the deep concern expressed by the gentleman from Louisiana. Obviously security must be improved.

Second, those who did commit the crime must be sought out and prosecuted as quickly as possible.

The lack of adequate security is evident. About 17 years ago, as I recall, we had an unfortunate incident in this Chamber when three individuals, as I recall——

Mr. BOGGS. Five.

Mr. GERALD R. FORD. Stood in that gallery and fired at random a number of shots. Three or four of the Members who were on the floor at that time were injured, one rather seriously.

As a consequence, some additional security was devised, although I am sure a comparable incident, unfortunately, might happen again despite the actions which have been taken.

We do need to have the Capitol of the United States as open as possible, but at the same time we must take the necessary measures to protect the Capitol and the visitors as well as the Members and the employees. I hope that such action will materialize in the near future as rapidly as possible.

Mr. BOGGS. I thank the gentleman for his very helpful statement.

MEMBERS OF HOUSE WILL HAVE OPPORTUNITY TO BACK UP PROMISES FOR LOW-INTEREST POLICIES

(Mr. PATMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PATMAN. Mr. Speaker, last year the majority of the 435 Members of the House of Representatives were elected on platforms calling for low interest rates. Campaign statements correctly pointed to the relationship between low interest rates and a stable economy.

On Wednesday, the Members of the House will have an opportunity to turn their campaign promises into action.

We will have a separate vote on a motion to strike section 3 of H.R. 4690. This section would allow the Treasury Department to market $10 billion of long-term Government obligations without regard to the statutory ceiling of 4¼ percent on such bonds.

A vote in favor of a motion to strike the section will be a vote for low interest rates and a clear statement from the Congress that it will not tolerate anything which will reverse the trend toward lower interest charges. A vote against the motion to strike section 3 will be a vote for higher interest rates and an end to the trend for lower rates.

In the next few days, Members of the House will hear a lot of folderol about debt management concerning this 4¼-percent ceiling. All of this smokescreen—much of which will be emanating from the White House and the Treasury Department and the financial institutions—will not obscure the fact that the vote Wednesday is a vote on low interest rates versus high interest rates. The American public will so interpret the record vote.

Mr. Speaker, I am firmly convinced that the House of Representatives will support retention of the 4¼-percent ceiling. I urge my colleagues who want to be recorded for low interest rates to be on hand for the record teller vote Wednesday afternoon.

ELECTION TO COMMITTEE ON HOUSE ADMINISTRATION

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 260) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 260

Resolved, That Robert H. (Bob) Mollohan, of West Virginia, be, and he is hereby, elected to the standing committee of the House of Representatives on House Administration.

The resolution was agreed to.

A motion to reconsider was laid on the table.

BOMBING OF THE CAPITOL

(Mr. ABERNETHY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ABERNETHY. Mr. Speaker, on receiving the news that President John F. Kennedy had been assassinated, the Chief Justice of the Supreme Court prejudged who was guilty, ran into the street looking for the press and made an off-the-cuff statement blaming the act on "intemperate-minded" white southerners as their means of getting even with President Kennedy for pressing them so hard on the integration issue. We all know it turned out that this had nothing whatever to do with the vicious and unconscionable act. The assassination grieved us all, southerners as well as northerners.

I trust I am not pulling a bonehead error such as was made by the former Chief Justice. But Mr. Speaker, it is my conviction that the tender, soft glove, and encouraging treatment often accorded the radical leftists and criminals by the courts and many in our society, is largely responsible for the violence in our Nation today, including the bombing of the Capitol Building last night.

I could be wrong. This might have been the act of an insane person. However, I do not think so.

For a number of years now the trend and practice has been to coddle those of the radical and riotous view. Riots have occurred in our streets, buildings and property laid waste and blood shed with nothing being done to those that perpetrate the riots.

In numbers of instances a mockery has been made of our courts by defendants who shout obscenities at the presiding judge and whose conduct in general has turned the courts into a scene of bedlam. Yet, the High Court strains itself to reverse judgments of contempt against these revolutionaries.

The news media of this and other areas is now headlining tremendous concern over the shortcomings of the treatment of these prisoners but one seldom reads an editorial or an expression of concern over the loss of property and the loss of life visited upon our citizens as a result of vicious acts which were committed by these prisoners, or by the many who go unpunished.

No man or woman loyal to our flag and to our great country would deposit a bomb in the very heart of this Nation—its National Capitol. But when one is required to express absolute loyalty to his country before being allowed to serve as a teacher, as a public official, or in any other official capacity, the leftists cry out that their constitutional rights are being trespassed upon and the high courts inevitably side with them.

Radicals and numerous radical leftists object to prayer in our schools, they object to saluting our flag, they object to loyalty oaths, they object to defending our positions abroad to which our flag is committed, they object to law and order, they object to courtroom decorum, they object to laws requiring them to signify whether or not they are Communists, they object to oaths signifying that they do not favor the overthrow of our Government by force or violence, they march in the streets, they burn flags, copies of the Constitution, draft cards, and the President in effigy, they encourage campus unrest in our universities and colleges—they do all of these things and more, all of which are in contravention of the sane and safe society, and the type of government which our forebears established and handed down to this generation.

I repeat, Mr. Speaker, that unfortunately the high courts usually take care of them by some twisted sort of decision when they are prosecuted for what are patent violations of our laws.

I may be wrong, Mr. Speaker, but I am confident that the bombing of this Capitol Building was planned and done by someone associated with the radical left. The time has passed for all Americans to take a stand for this Nation, for its Constitution, for its flag, and for law and order. Instead of so much concern being expressed for those who are in jail or those who ought to be in jail, we should be concerned that the jails are not filled with more of the radical leftists who riot, bomb, preach and teach anarchy, and who are actually guilty of treason.

PROPOSAL BEFORE THE CONGRESS FOR REMOVAL OF THE 4¼-PERCENT CEILING ON LONG-TERM GOVERNMENT OBLIGATIONS

(Mrs. SULLIVAN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SULLIVAN. Mr. Speaker, as a Member who is directly concerned with consumer legislation, I am shocked that there is a serious proposal before the Congress for removal of the 4¼-percent ceiling on long-term Government obligations. The consumer is just beginning to get some relief from the extended period of high interest rates and now we have an administration which says, "Let the Federal Government enter the long-term market—without regard to interest rate ceilings—in competition with the home buyer and local and State governments."

The proponents of this new raid on the taxpayers have asked for proof that removal of the 4¼-percent ceiling would increase the interest charges. The proof is available to anyone who can read the bond listings in the Wall Street Journal and the Treasury bulletins.

Today, the Treasury Department is able to finance short-term debt at 3.5 percent—in some cases, even less. Yields on long-term Government obligations are running between 6 and 6½ percent, and if anyone doubts this, I refer them to Secretary of the Treasury John Connally's testimony before the Ways and Means Committee on February 17. I do not know what kind of proof the proponents want, but in Missouri 6 percent is still more than 3½ percent.

Mr. Speaker, I am happy that we will have a record teller vote on Wednesday on this issue. The low interest and high interest forces in the House of Representatives will be plainly revealed for the American public.

The House should reject by a 435-to-0 vote any attempt to reimpose high interest rates.

DESTRUCTION IN THE CAPITOL IS DASTARDLY

(Mr. DOW asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. DOW. Mr. Speaker, it seems to me that no terms are strong enough to condemn the cruel, outrageous and mindless act of bombing in this Nation's beloved Capitol Building. Whether the perpetrator was fired by political leanings of the right, of the left, or by some perverse anarchism, any meaning for the destruction is beyond our powers of assumption. But one conclusion can be surely drawn from last night's tragic event. Our Capitol has suffered a painful hurt. A hurt has been done to American history, including our fathers who built the Capitol, to the great Americans who walked these Halls, and to all the American people who revere this building as a symbol of the Nation.

Mr. Speaker, even in Communist Russia they preserve the edifices and relics of their czarist past, for it is part of their ancestry and part of them as a people.

The perpetrator of the desecration to this Capitol, whatever his purpose, was sowing fear in this country. From fear hatred arises, and after that repression. No social reform or progress can be born or grown in the atmosphere created by this dastardly destruction visited on our U.S. Capitol.

LONG-TERM BOND INTEREST RATE

(Mr. VANIK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. VANIK. Mr. Speaker, on Wednesday, the Members of this body will have the opportunity to strike from the $430 billion debt ceiling bill an unrelated provision to exempt $10 billion in long-term bonds from the statutory 4¼ percent interest rate.

If this provision is permitted to remain in the bill, it will create a special advantage to those taxpayers who have an estate tax liability. These taxpayers can acquire these bonds of guaranteed high interest at par or at discount with the objective of using them to pay estate taxes.

A statutory provision adopted in 1917—section 765 of title 31—reads as follows:

> BONDS RECEIVABLE IN PAYMENT OF ESTATE OR INHERITANCE TAXES
>
> Any bonds of the United States bearing interest at a higher rate than 4 per centum per annum (whether issued under section 752 of this title or upon conversion of bonds issued under that section or under the Act of April 24, 1917, chapter 4, Fortieth Statutes, page 35), which have been owned by any person continuously for at least six months prior to the date of his death, and which upon such date constitute part of his estate, shall under rules and regulations prescribed by the Secretary of the Treasury, be receivable by the United States at par and accrued interest in payment of any estate or inheritance taxes imposed by the United States, under or by virtue of any present or future law upon such estate or the inheritance thereof.

Under this provision, a person with estate tax liability can purchase these bonds at a discount and suffer no downside risk in their value since they can be credited at face value for estate tax purposes.

The interest rate exemption on $10 billion in long-term bonds is ill timed and contrary to the public interest. It should be defeated on this first utilization of a recorded teller vote provided by recent legislative reforms.

THE BOMBING OF OUR NATION'S CAPITOL

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. PUCINSKI. Mr. Speaker, the bombing of our Nation's Capitol early this morning marks a bizarre anniversary for it was precisely 17 years ago today, March 1, 1954, that another assault on this institution was made when three visitors in the gallery shot up the Chamber here, and seriously wounded five of our Members.

It occurs to me that we have learned very little in the ensuing 17 years. As late as last Friday, I am told, there was a similar call made to the Capitol, occurring at precisely the same hour the call was made this morning, warning that there was going to be a bomb detonated in the Capitol, and warning that the Capitol would be destroyed in retaliation for the President's involvement in Laos. A routine search was made of the building, as such searches are made when such calls are received and, so far as I am able to determine no further precautionary measures were taken until the damage was done this morning.

It occurs to me that the growing recurrence of terrosim in this country ought to alert us to the fact that we have a most serious problem. I agree with the distinguished majority leader, the gentleman from Louisiana (Mr. BOGGS), who urges a greater degree of security in the Capitol building, but I think that the problem goes deeper than that.

I believe the nature of this assault indicates it was committed by someone close to the Capitol. A thorough investigation must be made to determine if indeed this was the work of someone close to Government who has ready access to the Capitol.

CONGRATULATIONS TO JOE BARTLETT

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. HECHLER of West Virginia. Mr. Speaker, those of us on both sides of the aisle have noted with great pleasure the return of my fellow West Virginian, Joe Bartlett, who suffered a very serious automobile accident several months ago and who is back with us for the first time today.

Joe Bartlett formerly served in the House of Representatives as reading clerk for a period of years, and now his title is Minority Clerk of the House of Representatives. We are all very pleased in the House of Representatives to see Joe looking so fine and fit, and back in our midst.

Mr. MINSHALL. Mr. Speaker, will the gentleman yield?

Mr. HECHLER of West Virginia. I am happy to yield to the gentleman from Ohio.

Mr. MINSHALL. Mr. Speaker, I know that Joe Bartlett originally comes from the great State of West Virginia, but I have the distinct pleasure of claiming Joe as my constituent.

Joe was as we all know seriously injured last January when involved in an automobile collision during bad and inclement weather in Cleveland. To have returned so quickly to his duties here in the House is a tribute to Joe Bartlett's great courage and devotion to duty. We all welcome him back.

Mr. HECHLER of West Virginia. I thank my friend from Ohio. The mere fact that two States are vying for the honor of claiming Joe Bartlett indicates that he is a man who represents the Nation.

GENERAL LEAVE

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of Joe Bartlett's return to the House of Representatives.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

BERNADETTE DEVLIN

(Mr. HUNT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUNT. Mr. Speaker, early in February 1971, it was announced that Bernadette Devlin, the well-known militant from a foreign country, would come to these United States once more in an effort to obtain money for some purposes of overthrowing governments.

On February 8, 1971, I wrote to the Honorable William P. Rogers, Secretary of State, protesting her entry in this country and asking that she be deported and that her passport be revoked. I received no answer and on February 22, 1971, I sent a telegram to the Honorable William P. Rogers reiterating my stand and again asking that she be deported. Again I have been ignored and have not to date, received any answer to my inquiry nor to my request.

Let me tell you just a little bit about the lady Bernadette Devlin. She has rerecently completed a jail sentence for throwing rocks at the police in the Bogside of Derry, Ireland.

Quoted in Irish Times of Dublin as saying that she was "too far left to be a Communist, if you speak of it in the Soviet sense—we are true Communists."

Belfast Telegraph reported some of the "charity" money collected last time she was here had gone for gunrunning.

Belfast Telegraph also quoted her as saying:

> We are happy to receive capitalist money in our attempts to destroy the capitalist system. If they are stupid enough to give it to us, we are glad to take it—it is our money anyway.

Mr. Speaker, I want to again today say to Mr. Rogers: Why do we admit this radical to our country when we have so many kookey bomb tossers here already? Why should we entertain somebody who wants to overthrow our form of government and makes no bones about her intentions. I say to you again, we should be firm in our convictions in this respect. Mr. Secretary we should deport Miss Devlin forthwith.

ANNOUNCEMENT OF HEARINGS ON EQUAL RIGHTS FOR MEN AND WOMEN

(Mr. EDWARDS of California asked and was given permission to address the House for 1 minute.)

Mr. EDWARDS of California. Mr. Speaker, I would like to announce that Subcommittee No. 4 of the Committee on the Judiciary has scheduled 4 days of public hearings on proposed constitutional amendments and statutes to provide equal rights for men and women. These hearings will begin on March 24, 1971, at 10 a.m., room 2141, Rayburn House Office Building.

Those wishing to testify or to submit statements for the record should address their requests to the Committee on the Judiciary, House of Representatives, room 2137, Rayburn House Office Building.

APPOINTMENT AS MEMBERS OF THE COMMISSION ON THE BANKRUPTCY LAWS OF THE UNITED STATES

The SPEAKER. Pursuant to the provisions of section 2(a), Public Law 91-354, the Chair appoints as members of the Commission on the Bankruptcy Laws of the United States the following Members on the part of the House: Mr. EDWARDS of California, and Mr. WIGGINS of California.

CONSENT CALENDAR

The SPEAKER. This is the day for the call of the Consent Calendar. The Clerk will call the first bill on the Consent Calendar.

CONCURRENT JURISDICTION (FEDERAL GOVERNMENT AND INDIVIDUAL STATES) OVER CERTAIN LANDS OWNED BY THE FEDERAL GOVERNMENT

The Clerk called the bill (H.R. 481) to provide for the adjustment by the Administrator of Veterans' Affairs, of the legislative jurisdiction over lands belonging to the United States which are under his supervision and control.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, do I understand correctly that this legislation, H.R. 481, is identical to a similar House-passed bill of the last Congress?

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am delighted to yield to the gentleman from Texas.

Mr. TEAGUE of Texas. It is the same, and this is the same legislation that the military departments use and it is the same legislation that the administration has requested.

Mr. HALL. Mr. Speaker, I thank the chairman, and, as I understand the situation, those statements are exactly correct, and it would result in an actual reduction of cost because of granting the authority—providing both the State and the Secretary agree to it—to the patrolling of the roads that traverse Government land, and in this particular instance makes them synonymous with the military reservations as far as Veterans' Administration facilities are concerned. Is that correct?

Mr. TEAGUE of Texas. That is correct.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am delighted to yield to my friend the gentleman from Iowa.

Mr. GROSS. I should like to ask the gentleman from Texas whether this authority is limited exclusively to police jurisdiction and has no other administrative effect with regard to Federal lands?

Mr. TEAGUE of Texas. That is correct. Mr. Speaker, if the gentleman will yield further, the bill would authorize the Administrator of Veterans' Affairs, with respect to Federal lands under his jurisdiction, to relinquish to a State in which the land is situated such measure of legislative jurisdiction as he deems desirable. The relinquishment of jurisdiction would be subject to acceptance by the State. It is identical in purpose with Public Law 91-551, which extended to the Secretaries of the military departments authority to relinquish to a State all, or such portion of, the legislative jurisdiction previously acquired by the United States over lands or interests therein under his custody and control, as he may deem desirable. This bill would extend the same authority to the Administrator of Veterans' Affairs. This legislation would bar a piecemeal approach to this problem which arises because the United States has exclusive legislative jurisdiction over a substantial portion of the Federal lands under the jurisdiction and control of the Veterans' Administration. It is identical in purpose to Public Law 91-45 enacted through the Committee on Veterans' Affairs in 1969.

For some time there have been increasing problems of both minor incidents and serious crimes at VA field stations and in getting appropriate and prompt action concerning these from law enforcement agencies.

Many VA facilities, particularly in metropolitan areas, are located in communities of increasing tensions where demonstrations and rioting present problems of insuring the safety of VA patients and employees and the protection of VA buildings and equipment from damage. In connection with the general trend in the increase in assaults, thefts, and robberies throughout the Nation, there is concern regarding these matters at VA installations. Also, there is continuing concern over the possibility of bodily harm to VA patients and employees by present and former mental patients, or disgruntled veterans and beneficiaries. In fact, recently a former mental patient returned to a VA hospital and went on a shooting spree that left three employees dead and a fourth seriously wounded before the veteran left the station unhindered. Also, with the increasing use of drugs throughout the country, especially on the part of returning Vietnam veterans, illicit drug traffic in VA hospitals could become a serious problem.

The Veterans' Administration estimates that this proposal would entail little, if any, cost.

An identical bill, H.R. 13301, passed the House in the 91st Congress.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from California. Mr. Speaker, reserving the right to object and I shall not object I want to express my support of H.R. 481. This bill will authorize the Veterans' Administrator to relinquish to a State such measure of legislative jurisdiction as he deems desirable over Federal lands under his jurisdiction located within a State.

Specifically, Mr. Speaker, this bill will permit many Veterans' Administration hospitals to avail themselves of local police services when necessary, instead of waiting for Federal authorities, sometimes located many miles away from the hospital, to quell disturbances and investigate crimes committed within the boundaries of Federal jurisdiction.

At hospitals in which the Federal Government has exclusive Federal jurisdiction, there have been instances when difficulties have been encountered in getting Federal law enforcement personnel to respond promptly. This bill will alleviate such problems.

The Veterans' Administration has recommended its enactment and has advised the committee that its enactment will entail little, if any, cost to the Government.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

H.R. 481

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter I of chapter 81 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 5007. Relinquishment of legislative jurisdiction

"The Administrator, on behalf of the United States, may relinquish to the State in which any lands or interests therein under his supervision or control are situated, such measure of legislative jurisdiction over such lands or interests as he deems necessary or desirable. Such relinquishment of legislative jurisdiction shall be initiated by filing a notice thereof with the Governor of the State concerned, or in such other manner as may be prescribed by the laws of such State, and shall take effect upon acceptance by such State."

(b) The table of sections at the beginning of chapter 81 of title 38, United States Code, is amended by adding after

"5006. Property formerly owned by National Home for Disabled Volunteer Soldiers."

the following:

"5007. Relinquishment of legislative jurisdiction."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FIRST ANNUAL REPORT ON GOVERNMENT SERVICES TO RURAL AMERICA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. No. 92-55)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Agriculture and ordered to be printed:

To the Congress of the United States:

I am transmitting today the first annual report on government services to rural America, as required by the Agricultural Act of 1970.

Much of the information is about fiscal year 1970, since we do not have all the information in yet on the 1971 fiscal year. However, even the changes over our first full fiscal year in office showed important gains in the Federal Government's concern for the well-being of rural areas.

As examples, in fiscal 1970, we increased Federal support for waste treatment grants in rural areas by 174% over the previous year, and increased manpower development grants in such areas more than 50%.

We have long recognized that much of the housing in rural America is substandard—in fact about half of all substandard housing is in rural America. We have made real gains in this area. While our 1970 rural housing loan efforts increased 56% over 1969, in 1971 we will have increased these loans another 88%, to an annual amount of over one and a quarter billion dollars.

The report documents other major strides toward improving services to those millions of our people who live outside metropolitan areas.

It is my hope that our next report will show far greater progress. This is because I earnestly hope it will follow passage of some of the initiatives I urged in my State of the Union Message. These new initiatives include:

—Revenue sharing which, in the upcoming budget, can provide $16.1 billion in funds to flow from Washington in such a way that much real decision-making would be moved back to the States, cities and rural communities of America.

I have proposed not only $5 billion in unrestricted, general revenue sharing, but over $11 billion in various "special revenue sharing" grants. Among these is special revenue sharing for "rural community development." Originally budgeted at a level of $1 billion, I can announce today that we have found it possible to make available $100 million more for this important purpose. Furthermore, nearly all the other special revenue sharing funds, for manpower development, for education, for transportation, for law enforcement, and even in some cases for urban community development, will have significant benefits for rural America.

A major reorganization of the civilian agencies of the Federal Government. The purpose is to make Federal program operations work better for the individual citizen and his community. The complaints most frequently heard about Government are that it is too costly; that it fails to match performance to promise; that it is too far from people; that there is nothing the individual person can do about it. We intend to reduce the cost of Government in Washington; to organize it for performance; to return government to the people; to give the people the opportunity to do something about it, by bringing government back to where the people are.

Under our reorganization, economic and community development would be accorded high priority—the objective being to maintain and develop viable communities of all sizes.

My proposed welfare reform. In this needed change of our welfare system, many Americans in rural areas would benefit immediately, while strong incentives would be created to move those able to work into productive employment.

Not only would this reform assist many families operating on small farms and working in the rural communities of this country, but we know it would also help revitalize the economy of rural areas.

—My proposed comprehensive health strategy. My recent special message on health sets forth proposals to provide minimum national health insurance standards for all Americans, regardless of where they live, or what their income. At the same time, my proposals recognize that even with these improvements in the power to *purchase* medical care for all, they would be frustrated without assuring that care can be *supplied* where it is needed.

There is a shortage of doctors and medical personnel in this Nation; but there is also a problem of distribution of medical services. Those in remote rural areas often feel this lack more acutely than those in inner cities. We mean to provide Federal assistance to guarantee that the sick and injured in the rural sectors of America have the opportunity for the same high quality care that is available to Americans in other places. To help bring such services to rural areas, we propose to establish new area health education centers in medically underserved areas, and expand programs to encourage doctors, nurses, and physicians' assistants to serve in scarcity areas.

It is gratifying to be able to report to you that this administration is demonstrating its commitment to the restoration and enhancement of the vitality of rural America.

RICHARD NIXON.

THE WHITE HOUSE, *March 1, 1971.*

CARE IN COMMUNITY NURSING HOMES

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 460) to amend section 620 of title 38, United States Code, to extend the length of time community nursing home care may be provided at the expense of the United States.

The Clerk read as follows:

H.R. 460

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 620 of title 38, United States Code, is amended by striking "six" in the last sentence and inserting in lieu thereof "nine".

The SPEAKER. Is a second demanded?

Mr. TEAGUE of California. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, Public Law 88-450 authorized the Veterans' Administration to operate within its own medical system 4,000 nursing care beds, at the same time it provided in section 620 of title 38 authority for the Veterans' Administration to transfer a hospitalized veteran patient who has reached the nursing home care stage to a public or private institution for nursing care at Federal expense for a period generally not to exceed 6 months. Both of these provisions have had the desired effect of removing from active hospital beds operated by the Veterans' Administration those patients who no longer need hospital care but truly need nursing care. It also had an effect on reducing the hospital load throughout the entire Veterans' Administration medical system. The program, both that administered by the Veterans' Administration, as well as that operated in community nursing homes under VA auspices, has worked extremely well. The latest statistics on the operation of this program are shown in the tables which follow:

TABLE 1.—COMMUNITY NURSING HOME CARE PROVIDED AT EXPENSE OF VETERANS' ADMINISTRATION AND OTHER SELECTED NURSING HOME CARE DATA

	Fiscal year 1970					Fiscal year 1971 (July–December 1970)							Patients requiring nursing home care not placed, October 1970		
							Patients placed—								
								July–October							
State	Average daily census	Patients placed	Discharges	Patients treated	Budgeted cost (thousands)	Average daily census	July–December	Number	Service connected	Discharges	Patient treated	Budgeted cost (thousands)	Total	Discharged from hospital	Remaining in hospital
Total	3,581	10,322	10,639	14,575	$19,515	3,477	4,200	2,933	249	4,763	7,947	$9,996	2,540	202	2,338
Alabama	38	95	119	156	190	39	50	38	2	53	87	98	79	6	73
Alaska	3	14	10	14	21	3	2	(1)	(1)	5	9	13	----	----	----
Arizona	101	312	289	397	544	97	140	96	12	130	229	263	13	1	12
Arkansas	65	169	187	255	284	47	52	31	1	64	107	106	18	4	14
California	276	918	956	1,294	1,640	293	364	273	27	453	695	911	275	14	261
Colorado	58	180	167	241	291	50	66	40	2	93	137	138	56	1	55
Connecticut	49	152	144	192	292	43	69	44	1	59	111	137	4	----	4
Delaware	32	132	70	117	195	35	40	27	----	41	73	111	15	1	4
District of Columbia	54	174	131	195	325	58	66	59	6	56	117	176	13	3	10
Florida	235	652	667	962	1,334	253	204	162	21	308	495	763	71	10	61
Georgia	104	249	310	414	586	82	82	54	5	92	168	246	39	8	31
Hawaii	1	7	4	5	6	3	9	(1)	(1)	4	9	9	----	----	----
Idaho	9	28	31	39	40	11	23	12	----	16	31	25	7	----	7
Illinois	275	788	894	1,178	1,558	293	330	264	5	372	613	882	124	----	124
Indiana	51	158	149	212	295	43	37	21	1	65	99	133	19	3	16
Iowa	71	195	215	288	386	55	72	43	1	96	147	156	7	----	7
Kansas	43	112	95	167	218	67	61	45	6	73	133	178	105	17	88
Kentucky	65	186	221	278	331	51	76	41	3	77	133	138	26	12	14
Louisiana	59	206	204	258	298	62	103	78	3	90	151	154	4	----	4
Maine	17	51	57	72	97	16	28	16	1	23	43	48	15	----	15
Maryland	33	88	106	142	188	35	45	33	5	53	81	106	85	----	85
Massachusetts	156	390	405	452	823	124	117	92	24	127	218	356	48	7	41
Michigan	26	58	51	88	155	27	38	16	8	48	74	83	48	7	41
Minnesota	99	258	318	412	508	90	125	79	11	124	217	247	46	----	46
Mississippi	30	116	102	151	150	31	34	25	12	58	79	81	13	4	9
Missouri	93	268	285	391	522	102	143	96	3	149	250	304	28	9	19
Montana	18	63	57	78	92	17	21	20	----	33	42	48	12	3	6
Nebraska	46	145	164	201	246	35	66	48	----	69	104	100	16	5	11
Nevada	----	----	----	----	----	----	1	----	----	----	1	1	----	----	----
New Hampshire	9	18	28	35	49	6	11	6	----	12	18	16	4	1	3
New Jersey	40	55	93	128	243	38	47	36	1	39	82	121	42	4	38
New Mexico	38	104	94	147	194	38	26	19	2	55	75	101	20	2	18
New York	42	129	127	168	244	42	44	31	6	49	89	122	349	14	335
North Carolina	58	129	154	211	299	47	52	37	2	65	109	122	41	----	41
North Dakota	15	40	45	63	74	21	23	17	6	21	41	50	10	----	10
Ohio	152	393	396	569	858	145	199	128	7	221	371	422	77	----	77
Oklahoma	88	290	258	349	375	76	125	78	10	128	207	164	2	----	2
Oregon	43	153	127	182	210	44	58	31	1	67	108	113	48	1	47
Pennsylvania	171	436	389	600	1,003	189	176	112		185	380	575	52	----	52
Rhode Island	26	91	89	120	144	22	31	14	----	42	61	68	17	----	17
South Carolina	31	99	102	135	167	25	32	27	1	41	61	74	33	8	25
South Dakota	17	35	52	64	81	16	32	20	----	24	43	41	10	1	9
Tennessee	166	430	483	659	841	136	135	75	3	182	311	376	146	26	120
Texas	230	694	700	963	1,198	230	280	208	17	350	536	621	227	12	215
Utah	4	14	15	18	15	6	11	7	2	5	14	12	3	----	3
Vermont	3	9	10	11	14	1	----	----	----	1	1	1	----	----	----
Virginia	81	202	204	289	450	63	48	41	8	65	122	182	52	7	45
Washington	107	381	369	487	598	107	168	101	4	169	282	313	49	----	49
West Virginia	42	149	125	178	202	39	44	26	----	66	106	104	33	5	28
Wisconsin	90	245	301	372	515	109	155	135	8	114	225	335	75	5	70
Wyoming	1	7	7	9	6	5	6	6	3	4	8	11	60	----	60
Puerto Rico	19	59	63	79	89	17	33	27	2	27	44	38	4	1	3

[1] Data not available.

TABLE 2.—VA PATIENTS PLACED IN COMMUNITY NURSING HOMES AT VA EXPENSE—CARE EXTENDED BEYOND 6 MONTHS DURING FISCAL YEAR 1970 BY NUMBER OF MONTHS EXTENDED

State	Total	1 month	2 months	3 months	4 months	5 months	6 months
Total	176	6	12	29	4		125
Alabama	2						2
Alaska							
Arizona	4				1		3
Arkansas							
California	7		2		1		4
Colorado							
Connecticut	3	1		2			
Delaware	2		1				1
District of Columbia	9	3	2	4			2
Florida	49		1	7			41
Georgia	1						1
Hawaii							
Idaho							
Illinois	3	1		1			1
Indiana	5	1		4			
Iowa	1						1
Kansas	3						3
Kentucky	1						1
Louisiana							
Maine							
Maryland							
Massachusetts	1			1			
Michigan	1		1				
Minnesota							
Mississippi							
Missouri	3						3
Montana							
Nebraska							
Nevada							
New Hanpshire							
New Jersey	31						31
New Mexico	3						3
New York	5			3			2
North Carolina	1						1
North Dakota							
Ohio	6		1	3			2
Oklahoma							
Oregon							
Pennsylvania	18		1	1	1		15
Rhode Island							
South Carolina	1				1		
South Dakota							
Tennessee	5			1			4
Texas	5		1	2			2
Utah							
Vermont							
Virginia	1		1				1
Washington	3		1	1			
West Virginia							
Wisconsin	1			1			
Wyoming							
Puerto Rico	1						1

TABLE 2A.—VA PATIENTS PLACED IN COMMUNITY NURSING HOMES AT VA EXPENSE—CARE EXTENDED BEYOND 6 MONTHS DURING FISCAL YEAR 1971 (JULY–DECEMBER) BY NUMBER OF MONTHS EXTENDED

State	Total	1 month	2 months	3 months	4 months	5 months	6 months
Total	172	5	11	19	3		134
Alabama							
Alaska							
Arizona	12			1			11
Arkansas							
California	4						4
Colorado							
Connecticut							
Delaware	4			1	3		
District of Columbia	4	2		1			1
Florida	43		2				41
Georgia	3						3
Hawaii							
Idaho	2		1				1
Illinois	9		2	1			6
Indiana	1			1			
Iowa							
Kansas	3		1				2
Kentucky							
Louisiana	1						1
Maine							
Maryland							
Massachusetts	2		1				1
Michigan							
Minnesota							
Mississippi							
Missouri	2						2
Montana							
Nebraska	1						1
Nevada							
New Hampshire							
New Jersey	6						6
New Mexico	1						1
New York	8						8
North Carolina							
North Dakota							
Ohio	4		1	2			1
Oklahoma	2		1				1
Oregon							
Pennsylvania	13			8			5
Rhode Island							
South Carolina	1						1
South Dakota							
Tennessee	30						30
Texas	8	1	1	1			5
Utah							
Vermont							
Virginia	8	2	1	3			2
Washington							
West Virginia							
Wisconsin							
Wyoming							

TABLE 3.—PLACEMENTS IN COMMUNITY NURSING HOMES AT VA EXPENSE AND NOT AT VA EXPENSE BY COMPENSATION STATUS OCTOBER 1970

		VA expense			Not at VA expense		
State	Total	Total	Service connected	Non-service connected	Total	Service connected	Non-service connected
Total	1,202	764	66	698	438	29	409
Alabama	7	4		4	3		3
Alaska [1]							
Arizona	27	23	4	19	4		4
Arkansas	21	10		10	11	1	10
California	90	29	2	27	61		61
Colorado	13	10		10	3		3
Connecticut	10	10		10			
Delaware	15	14		14	1		1
District of Columbia	29	23	3	20	6		6
Florida	29	13	2	11	16		16
Georgia	25	12		12	13	1	12
Hawaii [1]							
Idaho	1	1		1			
Illinois	63	54	2	52	9		9
Indiana	12	10	1	9	2		2
Iowa	40	25		25	15		15
Kansas	25	7		7	18	5	13
Kentucky	12	6	1	5	6	1	5
Louisiana	22	17	1	16	5		5
Maine	5	3		3	2	2	
Maryland	8	6	2	4	2		2
Massachusetts	26	20	2	18	6		6
Michigan	7	3	1	2	4	2	2
Minnesota	26	14	2	12	12	1	11
Mississippi	15	1		1	14		14
Missouri	44	26	3	23	18		18
Montana	5	2		2	3	1	2
Nebraska	26	19		19	7		7
Nevada							
New Hampshire	4	2		2	2	1	1
New Jersey	14	12	1	11	2		
New Mexico	21	3	2	1	18		18
New York	21	10	1	9	11		11
North Carolina	16	10	2	8	6		6
North Dakota	9	6		6	3		3
Ohio	46	39	2	37	7		7
Oklahoma	40	23	1	22	17		17
Oregon	26	18	1	17	8		8
Pennsylvania	81	72	5	67	9	2	7
Rhode Island	3	2		2	1		1
South Carolina	14	7		7	7	1	6
South Dakota	4	3		3	1		1
Tennessee	34	23	2	21	11	1	10
Texas	116	87	6	81	29	2	27
Utah	26	1		1	25	5	20
Vermont	4				4		4
Virginia	17	12	5	7	5	1	4
Washington	35	21	2	19	14	2	12
West Virginia	15	5		5	10		10
Wisconsin	44	41	8	33	3		3
Wyoming	4	1		1	3		3
Puerto Rico	5	4	2	2	1		1

[1] Data not available.

Particular attention should be given to the figures indicating that for a 6-month period only 176 patients had to be extended beyond the basic 6-month period. It thus seems that the purpose of this bill; namely, to extend the period in which a veteran may be treated in a nursing home at Veterans' Administration expense from 6 to 9 months, is a most desirable measure which would cost a minimal amount in view of the benefit received. The experience and statistics quoted above support this extension of 3 months.

The Veterans' Administration estimates that the cost for the first year would be approximately $6,900,000.

An identical bill (H.R. 692) passed the House in the 91st Congress.

In 1952, after much discussion among the organizations concerned with high standards in the health care field, an independent, voluntary, nonprofit organization, the Joint Commission on Accreditation of Hospitals, was created to take over the responsibility for acceditation of hospitals from the program of hospital standardization, which had been inaugurated in 1918 by the American College of Surgeons.

The Joint Commission on Accreditation of Hospitals is cosponsored by the following member organizations of the Commission: The American College of Physicians, the American College of Surgeons, the American Hospital Association, and the American Medical Association. In 1966, the Joint Commission on Accreditation of Hospitals undertook the additional responsibility for accreditation of health care facilities other than hospitals. Two additional groups, the American Association of Homes for the Aging and the American Nursing Home Association, were added as participating organizations.

The Joint Commission on Accreditation of Hospitals has established standards for the operation of health care facilities as they relate to an acceptable level of patient care. Facilities meeting these standards are accredited by the Joint Commission. Accreditation is voluntary. Special teams of nursing home inspectors have been developed.

INSPECTION OF NURSING HOMES

Our controlled process of inspecting and providing care to veterans through community nursing homes involves:

First. Approval of facility.

Second. Referral of patient information.

Third. Monthly progress report.

Fourth. VA planning and followup of veterans by social work service. Nursing homes desiring to furnish skilled nursing care to patients of the VA make application to local VA hospitals for approval. Unless accredited by the Joint Commission on Accreditation of Hospitals, the facility is inspected by a VA team composed of a physician and other appropriate personnel; that is, social worker, public health nurse, engineer, and medical administration, who have firsthand knowledge of nursing homes and patients' needs. The minimum standards used to inspect a facility are listed on attached VA Form 10–1170, application and contract for furnishing nursing home care to patients of the Veterans' Administration. Special attention is given to compliance regarding discrimination because of race, creed, color or national origin. Our inspection includes standards of management, licensing, level of care, physican supervision, laboratory X-ray and diagnostic services, medical record, nursing service supervision, medications and narcotics, patients' dietary needs, fire and safety practices, and homelike atmosphere of the facility. A formal report of each inspection is prepared and the nursing home is advised of any unsatisfactory conditions found. An opportunity is given to reply in writing as to corrective action to be taken and estimated time necessary to do so.

Patients are given the privilege of choosing a nursing home from VA's approved listing, if feasible. VA Form 10–1204, referral of community nursing home care containing VA information from the physician, nurse, social worker, dietitian, and others, accompanies the patient to the nursing home.

Nursing homes submit monthly invoices to VA accompanied by the completed VA Form 10–1204b, report of nursing home care, for each veteran furnished care which gives the VA appropriate patient oriented information on a monthly basis.

Prior to the patient's discharge from the hospital and during the period he is receiving care, VA social workers actively assist the veteran and his family in planning future needs of the veteran. If they observe any unsatisfactory conditions during followup visits to a nursing home, a report is made to the approving station. These followup visits serve not only to check on the patient's progress, but also as a frequent reinspection of the facility itself.

VA regulations stipulate that where prior accreditation of a nursing home facility has been accomplished the VA may accept such accreditation in lieu of its own inspection at the direction of the local VA hospital or clinic director.

Nursing homes accredited by the joint commission and those inspected by the VA:

Approved homes, 3,284.

Accredited by joint commission, 16 percent.

Inspected by VA personnel, 84 percent.

Nursing home contracts terminated since VA program began in 1965:

Not paying minimum wages, 67.

Failure to meet fire safety requirements, 14.

Failure to comply with title VI, Civil Rights Act of 1964, 2.

Low per diem rates, 80.

Additional material follows:

[VA form 10–1170]

APPLICATION AND CONTRACT FOR FURNISHING NURSING HOME CARE TO PATIENTS OF THE VETERANS ADMINISTRATION

PART I—APPLICATION

Not reproduced in the RECORD.

PART II—CONTRACT

To: The Administrator of Veterans Affairs.

1.

(Official name and address of nursing home) duly licensed or approved by the State of ------------, and hereinafter referred to as the nursing home, agrees to make available its facilities for nursing home care of Veterans Administration patients, effective -----------, 19----, at the all-inclusive rate of $------ per day.

2. Nursing home care will be furnished to veterans for whom such care is specifically authorized by the Veterans Administration. It is understood that the type of patient to be cared for under this contract will normally not require more than occasional visits by physicians or more than minimal laboratory, X-ray and other special services. The care provided will include room, meals, nursing care and any other services or supplies normally provided other patients in the nursing home without extra charge. In addition, the per diem rate established in this contract will include the cost of medical care, emergency dental care, drugs, laboratory, X-ray and other necessary services, unless specifically excepted in paragraph 9 of this contract. It is further agreed that patients receiving care under this contract who begin to require more than occasional visits by physicians or more than minimal laboratory, X-ray and other special services will be promptly readmitted to an appropriate Veterans Administration facility.

3. When a veteran receiving nursing home care under this contract is absent from the nursing home for a period longer than forty-eight (48) hours, no charge will be made for his care during such absence.

4. In the event a veteran receiving nursing home care under this contract dies, the nursing home will promptly notify the Veterans Administration office authorizing admission and immediately assemble, inventory, and safeguard the patient's personal effects. The funds, deposits and effects left by Veterans Administration patients upon the premises of the nursing home shall be delivered by the nursing home to the person or persons entitled thereto under the laws currently governing the nursing home for making disposition of funds and effects left by patients, unless the veteran died without leaving a will, heirs or next of kin capable of inheriting. When disposition has been made, the itemized inventory with a notation as to the disposition of the funds and effects will be immediately forwarded to the Veterans Administration office. Should a deceased patient leave no will, heirs, or next of kin, his personal property and funds wherever located vests in and becomes the property of the United States in trust. In these cases the nursing home will forward an inventory of any such property and funds in its possession to the appropriate Veterans Administration office and will hold them (except articles of clothing necessary for proper burial) under safeguard until instructions are received from the Veterans Administration concerning disposition.

5. The nursing home agrees and warrants that it does not maintain nor provide dual or segregated patient facilities which are segregated on the basis of race, creed, color, or national origin. The nursing home may neither require such segregated use by written or oral policies nor tolerate such use by local custom. The term facilities shall include but not be limited to rooms, wards, sections, eating areas, drinking fountains, entrances, etc. It is agreed that the Veterans' Administration will have the right to inspection of the nursing home and all appurtances by an authorized representative(s) designated by the Veterans Administration, to determine whether acceptable standards are maintained and that adequate care is being rendered. Minimum standards for nursing home care are listed in Appendix "A" hereof, and become part of this contract.

6. It is impossible to determine the exact or estimated amount which will be expended under this contract. It is understood that no obligation will be incurred by the Veterans Administration under this contract until authorizations are issued for nursing home care

of specific veterans. The Veterans Administration agrees to make payment on a timely basis for services rendered in accordance with such authorizations upon receipt of billings submitted by the nursing home at the completion of each month's service. If a veteran is admitted to and discharged from the nursing home on the same calendar day, payment will be made for one day.

7. It is agreed that the Veterans Administration may readily have access to all medical records concerning the veteran's care in the nursing home.

8. It is understood that the veteran may be provided nursing home care at the expense of the Veterans Administration for a period not in excess of that stated in the nursing care and treatment plan received from the Veterans Administration, unless an extension of the authorization is provided in writing by the appropriate Veterans Administration station.

9. It is agreed that the nursing home will submit VA Form 10–1204b, Report of Nursing Home Care, to the Veterans Administration monthly for veterans receiving care under this contract.

10. *Exceptions:* The following services and/or supplies will not be included under the inclusive per diem rate established by this Contract: (*If these are no exceptions state "None."*)

The Veterans Administration will honor billings for these excepted items subject to a maximum average of per day.

11. It is understood that payments made by the Veterans Administration under this contract will constitute the total cost of nursing home care. The nursing home agrees that no additional charges will be billed to the veteran or his family, either by the nursing home or any third party furnishing services or supplies required for such care.

12. The nursing home warrants that all applicable fire laws are being complied with and there are no recommendations of fire officials which have not been resolved.

13. The nursing home further warrants that no person or selling agency has been employed or retained to solicit or secure this contract for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees maintained by this nursing home for the purpose of securing business. For breach or violation of this warranty the Government shall have the right to annul this contract without liability or in its discretion to deduct from the agreed price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

14. The nursing home agrees to accept referral of and to provide all services specified in this contract for any person determined eligible by the Chief Medical Director or his designee, regardless of the race, color, religion, sex (unless otherwise indicated in Item 10, Block A or B, Part I, Application) or national origin of the person for whom such services are ordered. In addition the nursing home warrants that subcontracting will not be resorted to as a means of circumventing this provision.

15. Equal Opportunity in Employment. The nursing home will comply with the Equal Opportunity Clause, VA Form 07–2135, attached as a part of this contract. The nursing home represents that it ( ) has, ( ) has not, participated in a previous contract or subcontract subject to the Equal Opportunity Clause, attached, or the clause originally contained in section 301 of Executive Order No. 10925, or the clause contained in section 201 of Executive Order No. 11114; that it ( ) has, ( ) has not, filed all required compliance reports; and that representations indicating submission of required compliance reports, signed by proposed subcontractors, will be obtained prior to subcontract awards.

16. The nursing home is cautioned as follows: By signing its offer, the nursing home will be deemed to have signed and agreed to the provisions of the "Certification of Nonsegregated Facilities" in this contract. The certification provides that the nursing home does not maintain or provide for its employees facilities which are segregated on a basis of race, creed, color or national origin, whether such facilities are segregated by directive or on a de facto basis. The certification also provides that it will not maintain such segregated facilities. Failure of a nursing home to agree to the Certification of Nonsegregated Facilities will render its offer nonresponsive to the terms of solicitations involving awards of contracts exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity Clause.

17. (Applicable to (1) contracts, (2) subcontracts, and (3) agreements with applicants who are themselves performing Federally assisted construction contracts exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity Clause.) By the submission of this offer, the nursing home certifies that it does not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not permit its employees to perform their services at any location, under its control, where segregated facilities are maintained. It certifies further that it will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it will not permit the employees to perform their services at any location, under its control, where segregated facilities are maintained. The nursing home agrees that a breach of this certification is a violation of the Equal Opportunity Clause of this contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise. It further agrees that (except where it has obtained identical certifications from proposed subcontractors for specific time periods) it will obtain identical certificates from proposed subcontractors prior to the award of subcontracts exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity Clause; that it will retain such certifications in its files; and that it will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods):

NOTICE TO PROSPECTIVE SUBCONTRACTOR OF REQUIREMENT FOR CERTIFICATION OF NONSEGREGATED FACILITIES

(A Certificate of Nonsegregated Facilities must be submitted prior to the award of a subcontract exceeding $10,000 which is not exempt from the provisions of the Equal Opportunity Clause. The certification may be submitted either for each subcontract or for all subcontracts during the period (i.e. quarterly, semiannually, or annually).)

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

18. The nursing home agrees that the Comptroller General of the United States or any of his duly authorized representatives shall, until the expiration of three years after final payment under this contract, have access to and the right to examine any directly pertinent books, documents, papers, and records of the nursing home involving transactions related to this contract. The nursing home further agrees to include in all its subcontracts hereunder a provision to the effect that the subcontractor agrees that the Comptroller General of the United States or any of his duly authorized representatives shall, until the expiration of three years after final payment under the subcontract, have access to and the right to examine any directly pertinent books, documents, papers, and records of such subcontractors, involving transactions related to the subcontract. The term "subcontract" as used in this clause excludes (a) purchase orders not exceeding $2,500 and (b) subcontracts or purchase orders for public utility services at rates established for uniform applicability to the general public.

19. This contract is subject to the provisions of the Service Contract Act of 1965. The nursing home agrees it will comply with the Clause for Federal Service Contracts in excess of $2,500, VA Form 10–1312, attached as a part of this contract. In the absence of a minimum wage attachment for this contract (paragraphs (a), (b), and (c), VA Form 10–1312), the payment of wages not less than those specified in section 6(b) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201–219)—$1.30 per hour beginning February 1, 1969; $1.45 per hour beginning February 1, 1970; and $1.60 per hour beginning February 1, 1971—shall be deemed to constitute compliance with section 2(b)(1) of the Service Contract Act of 1965. (38 U.S.C. 620(c)).

20. This contract shall continue in effect until terminated by mutual consent or until terminated by either party by giving written notice 30 days in advance of the proposed termination. In the event of such termination, the nursing home agrees to continue furnishing nursing home care to the VA patients remaining in the nursing home on the termination date at the same rates and under the same conditions provided in this contract for a reasonable additional period of time necessary for arrangements to be made for their discharge or transfer.

21. Except as otherwise provided in this contract, any dispute concerning a question of fact arising under this contract which is not disposed of by agreement shall be decided by the Contracting Officer, who shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the nursing home. The decision of the Contracting Officer shall be final and conclusive unless, within 30 days from the date of receipt of such copy, the nursing home mails or otherwise furnishes to the Contracting Officer a written appeal addressed to the Administrator of Veterans Affairs. The decision of the Administrator or his duly authorized representative for the determination of such appeals shall be final and conclusive unless determined by a court of competent jurisdiction to have been fraudulent, or capricious, or arbitrary, or so grossly erroneous as necessarily to imply bad faith, or not supported by substantial evidence. In connection with any appeal proceeding under this clause, the nursing home shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, the nursing home shall proceed diligently with the performance of the contract and in accordance with the Contracting Officer's decision.

This "Disputes" clause does not preclude consideration of law questions in connection with decisions provided for in the paragraph above: Provided, that nothing in this contract shall be construed as making final the decision of any administrative official, representative, or board on a question of law.

22. This contract, to the extent that it is of a character specified in the Contract Work Hours Standards Act (40 U.S.C. 327–330), is subject to the following provisions and to all other applicable provisions and exceptions of such Act and the regulations of the Secretary of Labor thereunder:

(a) Overtime requirements. No Contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any laborer or mechanic in any workweek in which he is employed on such work to work in excess of eight hours in any calendar day or in excess of forty hours in such workweek on work subject to the provisions of the Contract Work Hours Standards Act unless such laborer or mechanic receives compensation at a rate not less than one and one-half times his basic rate of pay for all such hours worked in excess of eight hours in any calendar day or in excess of forty hours in such workweek, whichever is the greater number of overtime hours.

(b) Violation: liability for unpaid wages; liquidated damages. In the event of any violation of the provisions of paragraph (a), the Contractor and any subcontractor responsible therefor shall be liable to any affected employee for his unpaid wages. In addition, such Contractor and subcontractor shall be liable to the United States for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic employed in violation of the provisions of paragraph (a) in the sum of $10 for each calendar day on which such employee was required or permitted to be employed on such work in excess of eight hours or in excess of his standard workweek of forty fours without payment of the overtime wages required by paragraph (a).

(c) Withholding for unpaid wages and liquidated damages. The Contracting Officer may withhold from the Government Prime Contractor, from any moneys payable on account of work performed by the Contractor or subcontractor, such sums as may administratively be determined to be necessary to satisfy any liabilities of such Contractor or subcontractor for unpaid wages and liquidated damages as provided in the provisions of paragraph (b).

(d) Subcontracts. The Contractor shall insert paragraphs (a) through (d) of this clause in all subcontracts, and shall require their inclusion in all subcontracts of any tier.

(e) Records. The Contractor shall maintain payroll records containing the information specified in 29 CFR 516.2(a). Such records shall be preserved for three years from the completion of the contract.

23. No member of or delegate to Congress, or resident Commissioner, shall be admitted to any share or part of this contract, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.

Appendix A. Minimum Standards for Nursing Home Care for Veterans Administration Patients

1. A nursing home is defined as a facility or unit operated for the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care but who require skilled nursing care and related medical services, if such nursing care and medical services are prescribed by, or are performed under the general direction of, persons duly licensed to provide such care.

2. Accreditation as a skilled nursing home by the Joint Commission on Accreditation of Hospitals shall be prima facie evidence of compliance with VA standards. Other nursing homes utilized for VA patients shall meet the following standards:

a. The facility shall be licensed or approved by the State in which located and must comply with local governmental regulations.

b. One level of care for VA beneficiaries shall be provided. That will include: (1) skilled nursing home care and related medical services; (2) supportive personal care; and (3) individual adjustment services including social, diversional, recreational and spiritual opportunities.

c. There shall be provision for care of each patient by a duly licensed physician. Such care shall require visitation by the physician as the need indicates for both routine and emergent care. In addition, a physician shall advise the facility on general matters of care and administration where pertinent and there shall be evidence of general supervision of clinical work by a physician.

d. Laboratory, X-ray and other diagnostic services shall be available when needed, either on the premises or nearby.

e. A medical record must be maintained for each patient which includes at least:

(1) Admission-identification record.

(2) VA Form 10–1204, Referral for Community Nursing Home Care.

(3) Admitting evaluation (including diagnosis).

(4) Physician's orders.

(5) Progress notes. (The notes of all professional services may be written chronologically on the same sheet. Physician's notes are written as the case warrants, but no less than once every two months.)

(6) Special reports (laboratory, X-ray, activity, etc.).

(7) Medications and treatments given.

f. The nursing service shall be under the direct supervision of a registered professional nurse, currently licensed to practice in the State. This requirement will be considered to be met if a registered professional nurse is on duty 40 hours or more a week and there is evidence of adequate supervision by her of the overall nursing service. There shall be such other personnel as are necessary to provide adequate care of patients 24 hours a day.

g. Medications and narcotics shall be properly stored and controlled and proper issuance upon orders from physicians shall be provided for and recorded.

h. Patients' dietary needs shall be met in accordance with sound medical practice and records of planned menus shall be kept for one month.

i. Acceptable safety and sanitation practices shall be observed throughout the facility. Exterior walls of one story buildings without basements shall be constructed either entirely of noncombustible materials or of a combination of materials (exterior surfacing must be noncombustible material) listed by local or state codes or the national building code as having a fire resistance rating of at least one hour. Exterior walls, stairs and stair enclosures of buildings of more than one story shall be constructed entirely of noncombustible materials. A concrete slab shall separate all stories and the upper story and attic of buildings of more than one story. (For this purpose a basement is considered a separate story.) Buildings which do not meet the above construction standards may be approved if completely protected by an automatic fire sprinkler system approved by the authority having jurisdiction. In the absence of such an authority, a certificate by the installer that the system protects the entire structure and was designed and installed in accordance with National Fire Protection Association Standard No. 13, Standard for the Installation of Sprinkler Systems, may be substituted for such approval.

j. There shall be a cheerful, homelike atmosphere in which full attention is paid to diversional and social needs. Every effort shall be made to keep patients ambulatory.

Note—VA forms 10–1024 and 10–1024B not reproduced in Record.

VA Regulations

6050.4 (§ 17.50d). Necessity for Prior Authorization.—The admission of a veteran to a non-VA hospital at VA expense must be authorized in advance. In the case of an emergency which existed at the time of admission, an authorization may be deemed a prior authorization if an application, whether formal or informal, by telephone, telegraph or other communication, is dispatched to the Veterans Administration within 72 hours after the hour of admission, including in the computation of time Saturdays, Sundays and holidays. When an application for admission has been made more than 72 hours after admission, authorization for continued care at VA expense shall be effective as of the postmark or dispatch date of the application, or the date of any telephone call constituting an informal application. (Dec. 16, 1968)

6050.5 (§ 17.50e). Use of Public or Private Hospitals Under Sharing Agreements.—Hospital care in a State or local, public or private hospital facility may be authorized for any veterans entitled to hospital care under VA Regulation 6047 when such care is incidental to, or necessary for, the use of a specialized medical resource made available pursuant to an agreement for sharing specialized medical resources. (Dec. 16, 1968)

6050.6 (§ 17.50f). Payment for Authorized Public or Private Hospital Care.—Payment for public or private hospital care authorized under VA Regulation 6050.2 shall not be in excess of the rates the hospital customarily charges the general public for similar services in the community. Payment for ancillary services, supplies, or equipment will be made only to the extent the charges are reasonable and necessary. In the case of services which are out of the ordinary or of an unusual nature, payment will only be made upon a determination by the Veterans Administration that the services were, in fact, necessary and the charges reasonable. In the case of a hospital under contract with the Veterans Administration, all services and supplies will be paid at rates in accordance with the terms of the contract. (Dec. 16, 1968)

USE OF COMMUNITY NURSING HOME CARE FACILITIES

6051 (§ 17.51). Transfers to Community Nursing Homes From VA Facilities.—Nursing home care in a contract public or private nursing home care facility may be authorized [ ] for any veteran eligible for hospital care under VA Regulation 6047 (A), (B), (C) or (D), who has attained the maximum hospital benefit and for whom a protracted period of nursing home care will be required, provided: (Oct. 30, 1969)

(A) Transfer to the nursing home care facility will be from a hospital under the direct and exclusive jurisdiction of the VA (except in Alaska and Hawaii, as provided for in VA Regulation 6051.2), and (Oct. 21, 1968)

(B) The nursing home care facility is determined to meet the physical and professional standards prescribed by the Chief Medical Director, and (Oct. 21, 1968)

(C) The cost of the nursing home care does not exceed 40 percent of the cost of care furnished by the VA in a GM&S hospital as determined from time to time, [and] Oct. 30, 1969)

[(D) The nursing home care will not be for more than 6 months in the aggregate in connection with any one transfer, except in the case of a veteran whose hospitalization was primarily for a service-connected disability. In such case entitlement to nursing home care under this paragraph is not subject to any time limitation.] (Oct. 30, 1969)

6051.1 (§ 17.51a). Extensions of Community Nursing Home Care Beyond 6 Months.—The Chief Medical Director, his Deputy or the Regional Medical Director may authorize [, for any veteran whose hospitalization was not primarily for service-connected disability,] an extension of nursing care in a public or private nursing home care facility at VA expense beyond 6 months for circumstances of a most unusual nature such as when additional time is needed to complete imminent arrangements for other care. (Oct. 30, 1969)

6051.2 (§17.51b). Transfers From Facilities for Nursing Home Care in Alaska and

HAWAII.—Transfer of any veteran hospitalized in a non-VA hospital facility at VA expense to a community nursing home facility in Alaska or Hawaii may be authorized subject to the provisions of VA Regulation 6051, except subparagraph (A). (Oct. 21, 1968)

MEDICAL AND ANCILLARY SERVICES ON A CONTRACT OR FEE BASIS

6052 (§ 17:52). MEDICAL AND ANCILLARY SERVICES ON A CONTRACT OR FEE BASIS

(A) Directors of VA hospitals, domiciliaries and outpatient clinics are authorized to consummate agreements with professional associations, private or public (non-Federal) organizations, or persons to provide medical and ancillary services of acceptable standards on a fee basis. Such agreements will be entered into solely under conditions prescribed by the Chief Medical Director. (Nov. 28, 1961)

(B) Agreements covering the furnishing of medical and ancillary services by other Federal agencies on a fee basis will be executed by the Chief Medical Director. (Jan. 19, 1961)

(C) Subject to such terms and conditions as the Chief Medical Director shall prescribe, Directors of VA hospitals, domiciliaries, and out-patient clinics may enter into contracts with medical schools or clinics to provide scarce medical specialist services (including, but not limited to, services of radiologists, pathologists, psychiatrists, etc.) in facilities under the direct and exclusive jurisdiction of the VA. (Mar. 17, 1967)

VA REGULATIONS, DECEMBER 5, 1969

Remove pages: 5–22R and 6–22R [6–21Ra, 6–21Rb].

Insert pages: 5–23R and 6–23R.

Paragraphs revised: 6051 Introduction, (C); 6051.1.

Paragraph added: 6051(D).

Paragraphs canceled: None.

EXPLANATION

The purpose of the following comment concerning the change included in this amendment is to inform all concerned why this change is being made.

Paragraph 6051. This paragraph is amended, including the addition of subparagraph (D), to exempt any veteran whose hospitalization was primarily for service-connected disability from the 6-month limitation on community nursing home care. This change was authorized by Public Law 91–101 enacted October 30, 1969.

Paragraph 6051.1. An editorial change necessitated by the above has been made in this paragraph.

By the direction of the Administrator:

FRED B. RHODES,
Deputy Administrator.

DEPARTMENT OF MEDICINE AND SURGERY, VETERANS' ADMINISTRATION, NOVEMBER 30, 1967

M–1, PART I, CHANGE 103

Part I, "Medical Administrative Activities," VA Department of Medicine and Surgery Manual M–1, "Operations," is changed as indicated below:

NOTE: In addition to editorial and other minor changes in text, specific changes include:

a. *Paragraph 12.07b:* Revised to incorporate the provisions of Interim Issue 10–67–48 which modified references to VA regulations recently updated.

b. *Paragraph 12.09a:* Revised to provide for transfer to VA Nursing Home Care Units of veterans hospitalized at VA expense in non-VA hospitals.

c. *Paragraph 12.10d:* Revised to authorize Regional Medical Directors to establish controls to insure equal availability of beds for veterans within a reasonable distance of each Nursing Home Care Unit.

d. *Paragraph 12.24c:* Revised to incorporate the provisions of Interim Issue 10–67–11 which increased the maximum amount authorized for cost of services and supplies not included in the per diem rate.

e. *Paragraph 12.26d:* Revised to incorporate the provision of Interim Issue 10–67–24 which amended the interpretation of the term "protracted period of time" to mean a minimum of 1 month of nursing home care.

f. *Paragraph 12.26e:* Revised to incorporate the provisions of Interim Issues 10–C7–11 and 10–67–24 which informed field stations that patients placed in the community nursing home care program who are also eligible for extended care benefits under Medicare may use the Medicare entitlement after VA authorization is terminated.

g. *Paragraph 12.29:* Revised to explain that the services of a Contact Representative are available to VA patients when necessary during a period of community nursing home care.

Page 12–ii, paragraph 1a: Add: "II 10–67–11, II 10–67–24, II 10–67–48".

Pages 12–1 through 12–6: Remove these pages and substitute pages 12–1 through 12–6 attached.

Page 12–8

Paragraph 12.24c, lines 8 and 9: Delete "$1.25. (Example: Drugs . . . X-ray 0.35, etc.)" and insert "$1.50. (Example: Drugs $0.50; medical and dental care $0.60; laboratory and/or X-ray $0.40, etc.)"

Paragraph 12.25

Subparagraph c(2), line 2: Delete "Chief, Medical Administration Division," and insert "Chief of Medical Administration".

Subpargaraph e, lines 2 and 3: Delete "Chief, Medical Administration Division," and insert "Chief of Medical Administration,".

Pages 12–9 and 12–10: Remove these pages and substitute pages 12–9 through 12–10a attached.

Page 12–11

Paragraph 12.28c, line 3: Delete "in paragraph 12.24c." and insert "on the VA Form 10–7078."

Paragraph 12.29, line 4: After "explored." insert "Appropriate assistance is available from the Contact Division when necessary."

Paragraph 12.30c, line 3: Delete "11G" and insert "126".

Paragraph 12.31b(1), line 1: After "each" insert "case".

H. M. ENGLE, M.D.,
Chief Medical Director.

DEPARTMENT OF MEDICINE AND SURGERY, VETERANS' ADMINISTRATION, WASHINGTON, D.C., JULY 1, 1969

M–1, PART I. CHANGE 125

Part I, "Medical Administration Activities," VA Department of Medicine and Surgery Manual M–1, "Operations," is changed as indicated below:

NOTE: The purpose of this change is to:

a. *Paragraph 12.02d:* Revised to define the word hospital as used in this chapter.

b. *Paragraph 12.04:* Revised to reflect terminology of change in chapter 10, not yet published.

c. *Paragraph 12.06:* Revised to provide that the hospital that places the veteran in the community nursing home will pay indicated beneficiary travel costs.

d. *Paragraph 12.08:* Revised to reflect terminology of changes in chapters 10 and 13, not yet published, and to provide for a change in AMIS reporting of patients placed on authorized absence (formerly trial visit).

e. *Paragraph 12.09:* Revised to add restoration centers (Interim Issue 10–68–30).

f. *Paragraph 12.16:* Revised to reflect terminology or change in chapter 13, not yet published.

g. *Paragraph 12.22:* Revised to provide for a change in responsibility for issuing authorizations and processing invoices.

h. *Paragraph 12.25c(3):* Deleted.

i. *Paragraph 12.27:* Revised to make certain editorial changes and deletions.

j. *Paragraph 12.27.1:* Added to provide for placement of veterans in Alaska and Hawaii (Interim Issue 10–68–48).

k. *Paragraph 12.28:* Revised to provide that hospitals will issue authorizations for nursing home care.

l. *Paragraph 12.30c:* Editorial change.

m. *Paragraph 12.33:* Revised to provide for maintenance of treatment files. *Page 12–ii,* add:

"2. LIMITED RESCISSIONS

a. *Interim Issues:* II 10–68–30, II 10–68–48".

Pages 12–1 through 12–6: Remove these pages and substitute pages 12–1 through 12–6a attached.

Page 12–8, paragraph 12.25c: Delete subparagrah (3).

Page 12–10, paragraph 12.27.

Subparagraph a, lines 3 through 6: Delete "The decision of the Chief of Staff . . . for payment of his care".

Subparagraph d

Subparagraph (1)

Line 1: Delete "If the nursing home is located conveniently to the hospital, the" and insert "The".

Lines 4 through 9: Delete "Tentative arrangements may be made . . . will be made by telephone."

Subparagraph (2): Delete this subparagraph.

Pages 12–10a through 12–13: Remove these pages and substitute pages 12–11 through 12–13 attached.

H. M. ENGLE, M.D.
Chief Medical Director.

DEPARTMENT OF MEDICINE AND SURGERY, VETERANS' ADMINISTRATION, WASHINGTON, D.C., DECEMBER 26, 1969

M–1, PART I, CHANGE 135

Part I, "Medical Administration Activities," VA Department of Medicine and Surgery Manual M–1, "Operations," is changed as indicated below:

NOTE: The purpose of this change is to provide that veterans whose hospitalization was primarily for treatment of service-connected disabilities may be furnished community nursing home care without time limitations.

Page 12–8, paragraph 12.26a, lines 4 and 5: After "mind" insert a period and delete "if they require more than 6 months of nursing home care."

Page 12–9, paragraph 12.26b

Line 4: Delete "temporarily".

Lines 7 through 9: Delete "through f below . . . further nursing home care." and insert "and d below, and, as appropriate, subparagraphs g and i below."

Page 12–10, paragraph 12.26f, line 2: After "months" delete the period and insert "for a veteran whose hospitalization was primarily for treatment of non-service-connected disabilities."

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Paragraph 12.28a, lines 3 and 4: Delete "date to . . . However, funds" and insert "date to 'disposition.' For those veterans whose hospitalization was primarily for the treatment of non-service-connected disabilities, add 'but not later than (*insert date—not to exceed 6 months*).' Funds".

Paragraph 12.29, line 10: After "authorizations" insert "for veterans whose hospitalization was primarily for treatment of non-service-connected disabilities".

Page 12–12, paragraph 12.30a, line 2: After "program" delete the period and insert "for veterans whose hospitalization was primarily for treatment of non-service-connected disabilities."

H. M. ENGLE, M.D.,
Chief Medical Director.

CHAPTER 12. NURSING HOME CARE

SECTION I. GENERAL

12.01 Basic Authority

a. *VA Nursing Home Care.* VA Regulation 6047(E).

b. *Community Nursing Home Care.* VA [Regulations 6051, 6051.1 and 6051.2]

12.02 Definitions

a. *Nursing Home Care.* See VA Regulation [6030(P).]

b. *Clinic of Jurisdiction.* This term refers to the VA field station having fee-basis outpatient jurisdiction over the geographical area where a community nursing home is located.

c. *Clinic Director.* This term when used in this chapter also refers to the Chief, Outpatient Service, of a hospital or center with fee-basis outpatient authority.

d. [*Hospital.* This word, when used in this chapter, applies also to VA regional office outpatient clinics in Honolulu, Hawaii, and Juneau, Alaska.]

e. (Deleted by change 103.)

f. *Community Care Placement.* This refers to a placement for continued care in the community of a patient who no longer needs hospitalization. It does not necessarily mean that the veteran will return to his home. In many instances he could remain in a community nursing home either at his own expense or with financial assistance from his family, the community, other resources, or a combination thereof. Other types of community care placements could be in foster homes, halfway houses, or special placement homes.

12.03 Nursing home care in State homes

See DM&S Manual M–1, part III, chapter 15.

12.04 Institutional awards

a. An institutional award being paid to a VA Hospital or Center Director may be continued when the patient for whom it is being paid is discharged for admission to either a VA Nursing Home Care Unit or to a community nursing home at VA expense. An appropriate statement will be made in the "Remarks" space of VA Form 10–7132 in such a case and a hospital report will be forwarded to the Adjudication Division. Cases in which the institutional award has been discontinued because the estate of the veteran equals or exceeds $1,500 will be similarly reported. The hospital will administer funds of such a patient in a community nursing home in the same manner as the funds of a patient on [authorized absence.]

b. Timely appointment of a fiduciary when indicated in such a case is imperative. The Chief of Medical Administration of the referring hospital is responsible for requesting, coordinating, and forwarding information required for this purpose by the Adjudication Officer and the Chief Attorney. Adequate controls will be established to insure that the need for this information is promptly anticipated.

c. If such a patient is ready for discharge from a VA Nursing Home Care Unit or VA authorization for community nursing home care is to be terminated, and necessary adjudicative action has not been completed, the institutional award will be continued until payment is authorized either directly to the veteran or to a fiduciary.

12.05 Admission of women veterans

a. Each VA Nursing Home Care Unit will accept women veterans who meet the requirements for admission.

b. Women patients will be assigned to rooms containing one or two beds whenever possible. If private or semiprivate bathing and toilet facilities are not available, local controls will be established to the extent required to provide these services.

c. The community nursing home care program may also be used for women veterans who meet its requirements.

12.06 Transportation

Beneficiary travel necessary in the nursing home care program will be paid [by the hospital which authorizes the nursing home care] subject to the same limitations applicable to hospital [admissions,] transfers and discharges. Transportation may be paid to a suitable community nursing home in the area of the veteran's legal residence in cases where his physical presence there is a prerequisite to qualify him for needed community assistance. Transfer to a VA hospital in the vicinity of a nursing home will be considered, if necessary to facilitate admission to the nursing home. If the veteran requests admission to a more distant nursing home, payment of transportation will be allowed not in excess of the costs which would have been incurred if he had selected a nursing home in an area to which travel could properly be paid. [ ]

12.07 Prosthetic and similar appliances

a. Artificial limbs, braces, orthopedic shoes, hearing aids, eyeglasses, artificial eyes, wheelchairs, medical accessories, similar appliances, and special clothing made necessary by the wearing of such appliances, may be purchased, made or repaired, when determined medically necessary for patients receiving care in VA Nursing Home Care Units.

b. Such items may *not* be furnished to VA patients in community nursing homes unless the patients are eligible for them on an outpatient basis under the provisions of VA Regulations 6060(A) through (D) and 6060(G), or the patients meet the basic eligibility requirements described in VA Regulation 6115.3, pertaining to therapeutic and rehabilitative devices being authorized for pensioners who are entitled to aid and attendance.

12.08 [Non-service-connected outpatient care and authorized absences]

a. Patients will not be placed on [non-service-connected outpatient care of authorized absence] status at the same time they are receiving nursing home care as a VA beneficiary, except that patients approved for admission to *VA* Nursing Home Care Units may be placed on [authorized absence,] when necessary for legal purposes under the same conditions prescribed for domiciliary care in paragraph 10.18, this part.

b. Upon termination of nursing home care as a VA beneficiary, a patient may be furnished [non-service-connected outpatient care or authorized leave] if a VA physician determines such additional care is necessary and appropriate. Unless the physician responsible for followup care examines such a patient at the time of placement on [NSC OPT] or TV, a followup visit will be scheduled so that the patient will be seen for reevaluation within 30 days.

(1) *Procedure for Placement on PHC Status.* Discharge from the nursing home will be classified statistically in accordance with the circumstances. The patient will then be picked up on the PHC rolls of the appropriate VA station without recording a readmission to the hospital. Applicable procedures outlined in chapter 17, section III, this part, will be followed.

(2) *Procedure for Placement on TV Status*

(a) *From Community Nursing Homes.* The patient will be shown as a loss to "other absent bed occupant status" on [AMIS segment 349,] field 19, and remain in that status on the rolls of the [VA hospital] for period of [authorized absence.] Followup care and final disposition of the case will be the responsibility of the [ ] hospital [which will report such final disposition of the case] in AMIS segment 349, field 23 or 25. [This fact will in no way preclude followup care of the patient by a VA station other than the one placing him on authorized absence.]

(b) *From VA Nursing Home Care Units.* The patient will be shown as a loss to "other absent bed occupant status" on [AMIS segment 345,] field 18, and remain in that status for the period of [unauthorized absence]. Followup care and final disposition of the case will be the responsibility of the outpatient service of the hospital of which the Nursing Home Care Unit is a part unless he is properly referred to another VA station. Final disposition will be reported in AMIS segment 345, field 23 or 25.

(c) *General.* Applicable procedures outlined in chapter 10, section IV, this part, will be followed.

SECTION II. VA NURSING HOME CARE UNITS

12.09 Admission requirements

a. Admissions to VA Nursing Home Care Units will be effected only from inpatient or member status in a VA hospital, [ ] domiciliary, [restoration center] or from inpatient status at VA expense in a non-VA hospital. Movement from a hospital, [ ] domicilary, [or restoration center] bed to a nursing home care bed on the same station will be accomplished by discharge from the hospital, [ ] domiciliary, [or restoration center] and admission to Nursing Home Care Unit. Veterans will not be admitted to VA hospitals, [ ] domiciliaries [or restoration centers] for the sole purpose of subsequent admission to a Nursing Home Care Unit.

b. Only veterans who have been hospitalized under VA Regulation 6047 (A), (B), (C) or (D) and attained maximum hospital benefit or domiciled under VA Regulation 6047 (C) or (D) and require a period of nursing home care will be eligible.

c. In addition, a patient must meet all of the following conditions:

(1) Requires skilled nursing services, supportive health services and intermittent services of physicians.

(2) No longer needs hospitalization.

(3) Has no current possibility for a community care placement. (Patients being treated for service-connected conditions are not required to meet this condition.)

(4) Cannot meet self-care criteria for admission to or continued care in a VA domiciliary as specified in VA Regulations 6047(C)(3) and 6047(D).

(5) Is not terminally ill (life expectancy of less than 3 months) or does not otherwise require intensive medical care.

12.10 Screening committee

a. A Screening Committee will be appointed consisting of the physician responsible for the direct medical care of nursing home care patients, the Supervisor, Nursing Home Care Unit, and other appropriate personnel which will make recommendations to the Chief of Staff on proposed admissions. Personal discussion with the staff of the hospital requesting the admission may be desirable in certain cases before arriving at a final decision. Final acceptance will be the decision of the Chief of Staff having professional supervision over the Nursing Home Care Unit.

b. The Screening Committee will meet as often as necessary to avoid undue delay in considering requests for care.

c. Medical considerations will be the basis for establishing priority for admission, but preference will be given to patients being treated for service-connected conditions and to Spanish-American War veterans.

d. Applicants who are currently hospitalized or domiciled at the same station where the Nursing Home Care Unit is located will not be given preference over applicants from other stations. Regional Medical Directors [should] insure equal availability of beds for veterans within a reasonable distance of each Nursing Home Care Unit. This may includes establishment of primary service areas with bed allocations.

12.11 Admission procedures

a. *Referring Hospital or Domiciliary*

(1) Request for admission to a Nursing Home Care Unit will be initiated by the patient's or member's physician and will be supported by sufficient medical findings to show that the veteran meets the requirements of paragraph 12.09c. The request will be forwarded to the Medical Administration Division in the same manner and through

the same channels as a request for interhospital transfer.

(2) The Chief of Medical Administration will be responsible for review to assure that all necessary requirements have been sufficiently documented.

(3) If the referring station has a Nursing Home Care Unit, the request will be forwarded by the Medical Administration Division to the Screening Committee unless it has been determined that the patient should be admitted to a Nursing Home Care Unit at another station.

(4) If the referring station does not have a Nursing Home Care Unit, or if it has been determined that the patient should be admitted to a Nursing Home Care Unit at another station, the request will be processed in the same manner as an interhospital transfer as prescribed in chapter 11, this part.

b. *Receiving Hospital.* The Chief of Medical Administration is responsible for prompt referral of all requests for nursing home care to the Screening Committee and for prompt action and notification to all concerned after a decision is made. All necessary arrangements will be coordinated with the Chief of Medical Administration of the referring station.

12.12 Medical records and [administrative records] folders

The complete hospital medical record will be transferred and will accompany the veteran to the Nursing Home Care Unit. A strip of light cardstock or other appropriate material will be fastened in the folder to separate records of the period of hospitalization from the period of nursing home care. Similarly, a new [adminstrative records] folder will not be established. [Administrative records] folders will be maintained by the Medical Administration Division and integrated with the file of hospital [administrative records] folders. Plastic tabs or other markers may be used to designate the [administrative records] folders of veterans receiving nursing home care, if desired. Plates used during the period of hospitalization with appropriate corrections (such as source of admission, etc.), or new plates embossed if necessary, will be used to prepare medical records required.

12.13 Clothing

The provisions of chapter 9, this part, are applicable. Veterans receiving nursing home care will be permitted, insofar as possible, to retain custody and care of their clothing in lockers or wardrobes at bedside. Excess clothing, luggage, valuables, etc., should be stored in the central clothing storeroom, or other appropriate place.

12.14 Issues to indigent veterans

Issues for indigent veterans receiving nursing home care will be processed by the Medical Administration Division in the same manner as for hospital patients. Clothing will be issued to the extent required to meet the actual need of the individual veteran and will not be limited to the quantities established in paragraph 9.31, this part.

12.15 Other administrative procedures

Wherever feasible, the procedures prescribed elsewhere in this part for hospital patients and domiciliary members will be used for nursing home care patients unless inapplicable or otherwise provided for in this chapter.

12.16 Dispositions

The following types of disposition may be used for nursing home care cases:

a. Maximum benefit discharge.

b. Readmission to hospital or domiciliary.

c. Death.

d. [(Deleted by change 125.)]

e. [(Deleted by change 125.)]

f. Transfer to a Nursing Home Care Unit at another VA station.

g. Discharge for admission to a community nursing home. (This provides for those veterans who develop potential for a community care placement after admission. It is not intended that an intensive program of outplacement to community nursing homes from VA Nursing Home Care Units be carried on.)

12.17 Deaths

a. The provisions of chapter 14, this part, apply to patients who die while receiving nursing home care.

b. Transportation of the remains of a veteran who dies while receiving nursing home care from the VA, after being properly admitted, may be furnished on the same basis as if he had died while hospitalized by the VA.

12.18 Summaries

VA Form 10–1000 will be prepared for each patient at time of disposition from a Nursing Home Care Unit. This summary will contain only information necessary to show any changes in condition since discharge from the hospital or domiciliary.

12.19 Gains and loses sheet—Bed census

A separate G&L sheet is not required to report gains and losses of nursing home care cases, but this information will be reported on the regular G&L sheet of the hospital under appropriate headings. The same headings will be used in the bed census report, but separate totals of hospital, domiciliary, and nursing home care patients will be shown.

12.20 forms

Existing VA and standard forms will be used to the maximum extent for nursing home care cases, the same as for hospital patients and domiciliary members. Requests for local forms will not be submitted in any case where it is possible to use existing VA or standards forms.

SECTION III. COMMUNITY NURSING HOME CARE

12.21 general

a. Nursing home care may be provided in public or private community nursing homes at VA expense under the conditions and subject to the limitations prescribed in this section.

b. [The term "VA hospital," as used in this section (except par. 12.27 a through f), also means a non-VA hospital in Alaska or Hawaii.]

[c.] VA Regulation [6051] provides for *transfer* from VA hospitals to such nursing homes of eligible veterans who have attained maximum hospitalization benefits. For statistical reporting purposes these transfers will be referred to throughout this chapter as *"discharges MHB"* from the VA hospital and *"admissions"* to the nursing home. They will be reported in AMIS inpatient care reports as *"Discharged to Nursing Home"* and *"Admissions"* to nursing homes. When coding VA Form 10–1004, Code 34, "Discharged to a non-VA nursing home," will be used.

12.22 responsibilities

a. [Hospital Directors will be responsible for selecting and placing patients, issuing authorizations and processing invoices, and coordinating the followup of patients. They will also participate in the inspections of nursing homes.]

b. [Appropriate Clinic Directors will be responsible for negotiating agreements and coordinating inspections.]

c. [Referrals for followup may be made to the clinics when the distance between the hospital and the nursing home or other compelling circumstances would make followup by the authorizing hospital impracticable. When two or more VA hospitals place patients in the same nursing home, followup services may be exchanged by mutual agreement.]

d. [The implementation of the community nursing home care program is a joint responsibility of Hospital and Clinic Directors. A high degree of cooperative team effort will be evidenced between hospital personnel and their clinic counterparts.]

12.23 Minimum Standards for Nursing Homes

Accreditation as a skilled nursing home by the Joint Commission on Accreditation of Hospitals shall be prima facie evidence of compliance with VA standards. Other nursing homes utilized for VA patients shall meet the following standards:

a. The facility shall be licensed or approved by the State in which located and must comply with local governmental regulations.

b. One level of care for VA beneficiaries shall be provided. That will include: (1) skilled nursing home care and related medical services; (2) supportive personal care; and (3) individual adjustment services including social, diversional, recreational, and spiritual opportunities.

c. There shall be provision for care of each patient by a duly licensed physician. Such care shall require visitation by the physician as the need indicates for both routine and emergent care. In addition, a physician shall advise the facility on general matters of care and administration where pertinent and there shall be evidence of general supervision of clinical work by a physician.

d. Laboratory, X-ray, and other diagnostic services shall be available when needed, either on the premises or nearby.

e. A medical record must be maintained for each patient which includes at least:

(1) Admission—identification record.

(2) VA Form 10–1204, Referral for Community Nursing Home Care.

(3) Admitting evaluation (including diagnosis).

(4) Physician's orders.

(5) Progress notes. (The notes of professional services may be written chronologically on the same sheet. Physicians notes are written as the case warrants, but no less than once every 2 months.)

(6) Special reports (laboratory, X-ray, activity, etc.).

(7) Medications and treatments given.

f. The nursing service shall be under the direct supervision of a registered professional nurse, currently licensed to practice in the State. This requirement will be considered to be met if a registered professional nurse is on duty 40 hours or more a week and there is evidence of adequate supervision by her of the overall nursing service. There shall be such other personnel as are necessary to provide adequate care of patients 24 hours a day.

g. Medications and narcotics shall be properly stored and controlled and proper issuance upon orders from physicians shall be provided for and recorded.

h. Patient's dietary needs shall be met in accordance with sound medical practice and records of planned menus shall be kept for 1 month.

i. [Acceptable safety and sanitation practices shall be observed throughout the facility. Exterior walls of one-story buildings without basements shall be constructed either entirely of noncombustible materials or of a combination of materials (exterior surfacing must be noncombustible material) listed by local or State codes or the National Building Code as having a fire resistance rating of at least 1 hour. Exterior walls, stairs, and stair enclosures of buildings of more than one story shall be constructed entirely of noncombustible materials. A concrete slab shall separate all stories and the upper story and attic of buildings of more than one story. (For this purpose a basement is considered a separate story.) Buildings which do not meet the above construction standards may be approved if completely protected by an automatic fire sprinkler system approved by the authority having jurisdiction. In the absence of such an authority, a certificate by the installer that the system protects the entire structure and was designed and installed in accordance with National Fire Protection Association Standard No. 13, Standard for the Installation of Sprinkler Systems, may be substituted for such approval.]

NOTE: A nursing home with which an agreement, based on the previous standard, was already in effect at the time of publication of this standard, will be given until March 1, 1967, to comply with this revised standard.

j. There shall be a cheerful, homelike atmosphere in which full attention is paid to diversional and social needs. Every effort shall be made to keep patients ambulatory.

12.24 Agreements

a. *Negotiation.* Agreements will be negotiated with nursing homes which meet the minimum standards and desire to furnish care to VA patients. Appropriate hospital personnel (usually Social Work Service) will advise the Clinic Director of suitable nursing homes known to them. Every effort will be made to secure an agreement to include within the per diem rate, in addition to room, meals and nursing care, the cost of routine medical care, emergency dental care, drugs, laboratory, X-ray and other necessary services. If this is not possible, the nursing home will specify in the agreement, those services and supplies which are not included under the per diem rate.

b. *Format.* Agreements will be executed on VA Form 10–1170, Agreement for Furnishing Nursing Home Care to Patients of the Veterans Administration. VA Form 07–2135, ["Equal Opportunity"] Clause for Government Contracts, will be marked "Appendix B" and attached to the agreement. No changes will be made in the wording of the agreement unless authorized by Central Office.

c. *Maximum Per Diem Rate.* The all-inclusive per diem rate may not exceed one-third of the agencywide general medical and surgical hospital per diem rate. The exact rate, as published in current directives, will be adjusted by Central Office as necessary. It is emphasized that this is a maximum and, whenever possible, agreements should be negotiated at lower rates, and in no event should the rate exceed that charged the general public for similar care. In instances where the negotiated agreement lists services and supplies not included under the per diem rate, the maximum per diem rate will be decreased by the estimated average cost of these items, not to exceed $1.25. (Example: Drugs $0.40; medical and dental care $0.50; laboratory and/or X-ray $0.35, etc.)

12.25 Inspection of nursing homes

a. Nursing homes will be inspected prior to approval unless accredited as a skilled nursing home by [the Joint Commission on Accreditation of Hospitals.] Subsequent inspections will be scheduled as often as the Clinic Director deems it necessary, or whenever recommended by the Director of a VA hospital which places patients in the nursing home.

b. The Clinic Director, with the concurrence of Hosptial Directors concerned, will designate the inspection team which will consist of a physicain and other appropriate professional and administrative personnel from the clinic and/or hospitals in the vicinity of the nursing home. Full use will be made of hospital personnel who have firsthand knowledge of nursing homes and patients' needs.

c. Preliminary to making each inspection of facility and survey of care of patients, the team leader will:

(1) Contact the person in charge of the nursing home to arrange date and time of inspection.

(2) Review report of most recent previous inspection, if any, and discuss with the Chief, Medical Administration Division, and the Chief, Social Work Service, any problems or irregularities which they may have encountered in dealing with the nursing home.

(3) Secure a list of veterans who are presently patients at the nursing home. This list should indicate the date of admission, diagnosis, and authorization period.

(4) Review terms of existing agreement.

d. A formal report of each inspection will be prepared. The appropriate official of the nursing home will be advised of any unsatisfactory conditions found and will be given an opportunity to reply in writing stating corrective action to be taken and estimated time necessary to do so. If satisfactory corrections are not made in a reasonable time, the agreement with the nursing home will be terminated as soon as suitable arrangements can be made to discharge or transfer patients. The original report and pertinent correspondence will be filed in the clinic and disposed of in accordance with provisions of DM & S Records Control Schedule 10–1. A copy will be furnished to each VA hospital in the geographical area usually served by the nursing home.

e. If social workers observe any unsatisfactory conditions during a followup visit to a nursing home, they will be reported in writing to the Clinic Director or Chief, Medical Administration Division, as appropriate.

f. As part of each inspection, special attention will be given to evaluating compliance by the nursing home with the requirements of paragraph 13 of VA Form 10–1170 which prohibits discrimination because of race, creed, color or national origin.

12.26 Eligibility

a. The primary purpose of the community nursing home care program is to aid the veteran, his family and the community in making the transition from a hospital to a community care placement. It provides time at VA expense, if needed, for them to marshal their resources for his continued care. Patients will be selected with this objective in mind if they require more than 6 months of nursing home care.

b. Veterans who require more than 6 months of nursing home care for treatment of a service-connected condition, following hospitalization, will be offered a bed in a VA Nursing Home Care Unit. If such a bed is not immediately available, the veteran may be temporarily placed in a community nursing home at VA expense. If he declines the offer of a bed in a VA Nursing Home Care Unit because he prefers a nursing home in his own community, care may be authorized at VA expense, provided he meets the requirements of subparagraphs, c through f below, and, as applicable, subparagraphs g through i below. At the expiration of the VA authorization, he will be expected to assume responsibility for the cost of further nursing home care.

c. Veterans must have been hospitalized in a VA hospital under VA Regulation 6047 and received an MHB discharge.

d. Only veterans needing skilled nursing home care for convalesence, rehabilitation or continued care for a protracted period of time will be eligible. Normally, this will be interpreted to mean a minimum of [1 month.] Veterans who require more than occasional visits by physicians or more than minimal laboratory, X-ray, and other services will not be placed or continued in this program.

e. [(1)] No specific criteria relating to ability to pay has been established, but economic need for community nursing home care at VA expense must exist. This will be judged individually in each case. The needs of veteran's family and other obligations will be fully considered. Extreme care will be exercised to avoid forcing a veteran to seek a lower level of care at his own expense than would be provided at VA expense. Any doubt will be resolved in favor of placement at VA expense.

[(2) Persons covered under title XVIII, Public Law 89–97 (Medicare), who are discharged from VA hospitals following a stay of 3 days or more, are entitled to care in an extended care facility approved by the Social Security Administration for participation in the Medicare program, if admitted within 14 days after discharge from the hospital. A transfer agreement between the VA hospital and the extended care facility is not required.

(3) Medicare entitlement will be considered as an additional resource. Before a determination is made, that a patient will not be placed at VA expense because of such entitlement, full consideration will be given to the following:

(a) Coverage under Medicare, part A, is limited to 100 days and is subject to payment by the patient of $5 per day for the 21st through 100th day.

(b) Unless a Medicare patient subscribes to the voluntary supplemental medical insurance program (Medicare, part B), he is responsible for paying for physicians' services, laboratory, X-rays, drugs, etc.

(c) The patient pays 20 percent coinsurance for all Medicare, part B benefits, plus an annual deductible of $50.

(d) The need by the patient to use Medicare entitlement following termination of authorization for nursing home care at VA expense.

(4) Although the decision to place a patient at VA expense is made by the VA, the ultimate decision to use Medicare entitlement is made by the veteran or his authorized representative. The role of VA personnel is to advise, assist and focus attention on the pertinent factors. The VA social worker active in planning the placement will be responsible for assuring that the veteran, and/or his family or representative, fully understand the implications of this decision.]

f. The requirements of paragraph 12.30 must be met if care is extended beyond a period of 6 months. Periods of absence from the nursing home for which no VA payment is made will not be counted as part of the 6-month period.

g. Patients held in VA hospitals under commitment will not be placed in this program unless their behavior and prognosis justify termination of the commitment. In those States where termination of a commitment is not accomplished automatically when the patient is discharged MHB, the necessary action will be initiated prior to admission to the community nursing home.

h. Short-term rehospitalization in a VA hospital (15 days or less) for diagnostic workup or brief intercurrent illness will not be considered justification for beginning a new 6-month period of eligibility for community nursing home care.

i. Patients will not be admitted to hospitals for the sole purpose of transferring them to a community nursing home. However, [ ] beneficiaries [hospitalized at VA expense] in a non-VA hospital may be transferred to a nearby VA hospital for this purpose.

12.27 Selection and movement of patients

a. Selection of patients for placement in community nursing homes will normally be made at ward level by the patient's physician, nurse, and social worker, subject to approval by the Chief of Staff of the hospital. The decision of the Chief of Staff is not subject to review by the clinic of jurisdiction. No patient will be moved to a community nursing home under this program, however, until the clinic of jurisdiction has advised that funds are available for payment of his care.

b. If feasible, patients will be given the privilege of choosing a nursing home from a selected group of suitable facilities approved by and available to the VA. Listings of local nursing homes will be maintained by each VA hospital and kept current on the basis of information provided by the clinic of jurisdiction as agreements are negotiated or terminated. Admission to the nursing home will be accomplished promptly following completion of hospitalization.

c. VA Form 10–1204, Referral for Community Nursing Home Care, will be prepared in triplicate by the ward clerk or secretary who will be responsible for securing the necessary information from the physician, nurse, social worker, dietitian or other source. The form will be filled out as completely as possible. If additional space is needed for any item, the "Remarks" space may be used or additional information may be furnished separately and attached to the form. When appropriate, forms required by local public assistance agencies will also be completed.

d. If the proposed placement is approved by the Chief of Staff, the following action will be taken:

(1) If the nursing home is located conveniently to the hospital, the [Chief of Medical Administration] or his designee, will contact its officials to ascertain availability of a bed unless the social worker has already done so and it is so indicated on VA Form 10–1204. The tentative arrangements may be made to reserve the bed. The [Chief of Medical Administration] or his designee, will promptly contact the clinic of jurisdiction to arrange for issuance of necessary authorization. When necessary to expedite movement of a patient to a nursing home, these arrangements will be made by telephone. The hospital will be responsible for complying with any requirements of local governments or regulatory bodies prior to movement of the patient to the nursing home.

(2) If the nursing home is *not* located conveniently to the hospital, there usually will have already been contact with the clinic of jurisdiction to locate a suitable nursing home. The [Chief of Medical Administration of the referring hospital,] or his designee, will contact the [Chief of Medical Administration] of the clinic of jurisdiction to make necessary arrangements for placement of the patient and issuance of necessary authorizations. The clinic of jurisdiction will notify the hospital of any requirements of local governments or regulatory bodies so that they may be complied with prior to departure from the hospital, if possible.

e. The original VA Form 10–1204 will be forwarded to the nursing home so that it is available when the patient arrives there. A copy, signed by the Chief of Staff, will be promptly forwarded to the clinic of jurisdiction and the remaining copy will be filed in the veteran's correspondence folder at the hospital. An additional copy will be reproduced and forwarded to the station which is to conduct the followup, if the station is other than the referring hospital or clinic of jurisdiction.

f. VA Form 572, Request for Change of Address, will be completed if necessary by [Medical Administration] personnel prior to departure of the veteran from the hospital. If there are any unresolved questions about other VA benefits, the veteran will be referred to the Contact Division for interview.

g. The need for any dental care or prosthetic or similar appliances will be fully considered prior to discharge from the VA hospital. Prosthetic or similar appliances may not be ordered and dental care, other than emergency, may not be furnished, while a veteran is receiving care at VA expense in a community nursing home except as provided in paragraph 12.07b or VA Regulations 6120 (A) through (C), (E) through (H) and 6123.

12.28 Authorizations

a. VA Form 10–7078, Authorization and Invoice for Medical and Hospital Services, will be used by clinics of jurisdiction to issue authorizations for nursing home care. The authorization validity period will be from the initial effective date to "disposition, but not later than (*Insert date—not to exceed 6 months*)." However, funds will be obligated on VA Form 4–1358, Estimated Miscellaneous Obligation or Change in Obligation, [ ] as prescribed [ ] in DM&S Supplement, MP–4, part V, paragraph [3.04.]

b. The VA Form 10–1078 will be further annotated to authorize additional payment by the VA for items of medical care, emergency dental care, drugs, laboratory, X-ray, or other necessary services not included within the per diem rate. The maximum average amount payable per day for such services will be stated, and along with the cost of any services to be furnished by the VA clinic of jurisdiction as provided in subparagraph c below, will not exceed [$1.50.] In no instance will the total cost of care exceed the maximum allowable per diem rate, as published in current directives.

e. The original VA Form 10--1204 will be forwarded to the nursing home to that it is available when the patient arrives there A copy [ ] will be filed in the veteran's [administrative records] folder at the hospital. An addiitonal copy with be reproduced and forwarded to the station which is to conduct the followup, if the station is other than the [authorizing] hospital [ ].

f. VA Form 572, Request for Change of Address, will be completed if necessary by Medical Administration personnel prior to departure of the veteran from the hospital. If there are any unresolved questions about other VA benefits, the veteran will be referred to the Contact Division for interview.

g. The need for any dental care of prosthetic or similar appliances will be fully considered prior to discharge from the VA hospital. Prosthetic or similar appliances may not be ordered and dental care, other than emergency, may not be furnished, while a veteran is receiving care at VA expense in a community nursing home except as provided in paragraph 12.07b or VA Regulations 6120 (A) through (C), (E) through (H) and 6123.

[*12.27.1 Procedures in Alaska and Hawaii*

The procedures in paragraph 12.27 a through f will be used in Alaska and Hawaii to the extent feasible and appropriate. When applicable, the procedures prescribed for non-VA hospitalization in chapter 21 will be followed.]

12.28 Authorizations

a. VA Form 10–7078, Authorization and Invoice for Medical and Hospital Services, will be used [by hospitals] to issue authorizations for nursing home care. The authorization validity period will be from the initial effective date to "disposition, but not later than (*Insert date—not to exceed 6 months*)." However, funds will be obligated on VA Form 4–1358, Estimated Miscellaneous Obligation or Change in Obligation, as prescribed in DM&S Supplement, MP–4, part V, paragraph 3.04.

b. The VA Form 10–1078 will be further annotated to authorize additional payment by the VA for items of medical care, emergency dental care, drugs, laboratory, X-ray, or other necessary services not included within the per diem rate. The maximum average amount payable per day for such services will be stated, and with the cost of any services to be furnished by the VA [ ] as provided in subparagraph c below, will not exceed [the amount indicated in paragraph 12.24c.] In no instance will the total cost of care exceed the maximum allowable per diem rate, as published in current directives.

c. Items not included in the per diem rate may be furnished by the authorizing VA [hospital;] however, the cost thereof must be included in and may not exceed the maximum allowable cost of such items as shown [on VA Form 10–7078.] Example: In most instances, it will probably be feasible to require that prescriptions be sent to the VA [hospital] pharmacy for filling.

12.29 Planning and followup

Prior to the patient's discharge from the hosptial and during the period he is receiving nursing home care, Social Work Service will actively assist him and his family in planning to assume responsibility for his future needs. Entitlement to monetary benefits, both VA and other, as well as available community resources will be fully explored. [Appropriate assistance is available from the Contact Division when necessary.] To avoid unnecessary occupancy of hospital beds, discharge from the hospital to a community nursing home will not be delayed because of any incomplete phase of such planning. If the veteran and/or his family decline to cooperate, they, the nursing home and, when appropriate, community agencies will be notified in writing by the authorizing [hospital] not later than the end of the 5th month of nursing home care, that VA authorizations will be discontinued in 30 days. Social Work Service will continue to offer assistance in planning, and appropriate information will be made available to community agencies when requested and proper consents are received. Readmission to a VA hospital will be considered when appropriate.

12.30 Extensions beyond 6 months

a. In almost all cases, 6 months should provide sufficient time to accomplish the primary purpose of this program. Extensions beyond 6 months will be held to a *minimum* and must meet *all* of the following conditions:

(1) Both medical and economic need exist.

(2) Circumstances of a most unusual nature have prevented discharge from the nursing home or assumption of financial responsibility by the family or community within the 6-month period. (An impasse in planning for community care will not be considered unusual circumstances for this purpose.)

(3) There is evidence of adequate planning for community care with reasonable expectation that VA authorization for nursing home care can be discontinued on or before the expiration of the extended period.

(4) Extension is approved by the Chief Medical Director.

b. Extensions must be for a specific period of time, not to exceed 6 months.

c. Cases which meet the requirements of subparagraph a (1), (2) and (3) above will be fully developed and documented, including recommendations of the physician and social worker. [Using the appropriate region number, cases will be forwarded to the Regional Medical Director, Region No. ——— (126) at least 30 days prior to expiration of the current authorization.]

12.31 Readmission to hospitals or domiciliaries

a. Cases requiring emergency rehospitalization will be admitted to the appropriate VA hospital under emergency priority, unless this is not feasible because of distance or urgency. If nonemergency rehospitalization is required or the veteran begins to require more than occasional visits by physicians or more than minimal laboratory, X-ray and other services, readmission to the VA hospital will be accomplished promptly without regard to priorities established in VA Regulation 6049(A)(3). When appropriate, these cases will also be given consideration for admission to a domiciliary without regard to the priorities established in VA Regulation 6049(B)(2).

b. Payment may be made by the VA [hospital under VA Regulation 6050.2(H)] for hospitalization in a medical emergency in a non-Federal hospital if all of the following conditions are met:

(1) VA authorization in each [case] has been obtained. (This condition will be con-

sidered to be met if the request for authorization was received by the VA within 72 hours after the date and hour of admission.)

(2) Prompt readmission to a VA or other Federal hospital is not feasible.

(3) Authorization is limited to the period of care required to meet the *emergency* need until the veteran can be safely moved to a VA facility.

12.32 Billing and Reporting Procedures

a. Nursing homes will be requested to submit invoice to the [*authorizing hospital*] on their own letterhead at the completion of each month's service. A completed VA Form 10–1204b, Report of Nursing Home Care, for each veteran, will accompany the bill. The [hospital] will furnish a reproduction of the report to the VA station conducting following up of the case.

b. Billings received from the nursing home, veteran's physician, or other third parties for supplemental services or supplies authorized under paragraph 12.28b may be approved and processed for payment if otherwise in order. *Supplemental authorizations will not be issued.* The maximum amount allowed for such services may be computed prospectively, based on a period of not to exceed 30 days. Care will be exercised, however, to insure that the maximum will not have been exceeded when nursing home care is terminated. Appropriate cases will be reviewed periodically so that those which will require more than an average of the allowable maximum may be promptly readmitted to a VA hospital.

c. Payment may be made for either the first or last day of nursing home care, but not both. If the patient is admitted and discharged on the same day, payment will be made for 1 day.

12.33 Treatment files

[A strip of light cardstock or other appropriate material will be fastened in the folder to separate records of the period of hospitalization from the period of nursing home care. Similarly, a new administrative records folder will not be established. Administrative records folders will be maintained by the Medical Administration Division and integrated with the file of hospital administrative records folders. Plastic tabs or other markers may be used to designate the administrative records folders of veterans receiving nursing home care, if desired. Plates used during the period of hospitalization with appropriate corrections (such as source of admission, etc.), or new plates embossed if necessary, will be used to prepare medical records required.]

12.34 Deaths

a. Upon the death of a VA patient in a community nursing home, the utmost assistance will be afforded relatives in arranging a dignified funeral and burial. The provisions of chapter 14, section VII, this part, concerning patients authorized care in non-VA hospitals will apply to patients in community nursing homes.

b. The nursing home will immediately assemble, inventory, and safeguard the deceased patient's personal effects. The funds, deposits, and effects left by VA patients upon the premises of the nursing home shall be delivered by the nursing home to the person or persons entitled thereto under the laws currently governing the nursing home for making disposition of funds and effects left by patients, unless the veteran died without leaving a will, heirs, or next of kin capable of inheriting. When disposition has been made, the itemized inventory with a notation of the disposition will be immediately forwarded to the VA [hospital] authorizing admission. Should a deceased patient leave no will, heirs, or next of kin, his personal property and funds wherever located vests in and becomes the property of the United States in trust. In these cases the nursing home will forward an inventory of any such property and funds in its possession to the VA [hospital] and will hold them (except articles of clothing necessary for proper burial) under safeguard until instructions are received from the VA.

c. Transportation of the remains of a veteran who dies while receiving care as a properly authorized VA patient in a community nursing home may be furnished on the same basis as if he had died while hospitalized by the VA. The remains of such veterans may also be interred in VA cemeteries.

12.35 Notification to Adjudication Division

a. VA Form 10–7132, Patient or Member Status Change [will be] furnished to the Adjudication Division in compliance with item 1, part III of VA form 10–7131, Exchange of Beneficiary Information, to report the discharge of a veteran to a community nursing home. [VA Form 10–7132 will include the name and address of the nursing home.]

b. The [hospital] will furnish an additional completed VA Form 10–7132 to the Adjudication Division to report disposition from the nursing home of each patient for whom a copy of VA Form 10–7132 was [submitted by] the hospital as prescribed in subparagraph a above. Periods of absence from the nursing home for which no VA payment is made will be reported as prescribed in paragraphs 6.25 through 6.27, this part. The Adjudication Division will request any other needed information by submitting VA Form 10–7131 to the [authorizing hospital.]

(Mr. TEAGUE of California asked and was given permission to revise and extend his remarks.)

Mr. TEAGUE of California. Mr. Speaker, I rise in support of H.R. 460. This bill will extend the length of time community nursing home care may be generally provided for veterans from its present 6 months to 9 months. A similar bill, Mr. Speaker, passed the House of Representatives in the 91st Congress, but was not passed by the other body.

Under existing law, Mr. Speaker, the Veterans' Administration is authorized to transfer a hospitalized veteran-patient who has received maximum hospital care but is still in need of nursing care to a public or private nursing home for a period generally not to exceed 6 months. This community nursing care program, which was enacted in the 88th Congress, has had the desired effect of freeing beds devoted to active hospital care much sooner than would otherwise be possible were it not for the nursing care program.

While it is true that existing law vests in the Administrator the authority to extend this community nursing care at Government expense beyond the authorized 6 months, this authority is used only in unusual circumstances. In actual practice, a hospitalized veteran who is ready for nursing care will not be transferred to a community nursing home, unless it is generally indicated that he will require not more than 6 months nursing care. Then, should his progress toward recovery or rehabilitation be less than expected, the Administrator's authority to extend the time may be exercised.

Those veterans who obviously will require more than 6 months of nursing care are not even considered for transfer to a community nursing home. Instead, they must remain in a more expensive hospital bed awaiting transfer to one of the Veterans' Administration operated nursing care units, or other disposition of his case.

This bill authorizing 9 months of care instead of 6 months will permit many of these veterans to qualify for the community nursing care program.

This has been a good program, Mr. Speaker. It has saved the Government's money and it has served to fill a longstanding void in the program of care and treatment for veterans. Experience has dictated that this program can be more effectively administered if the 6-month time limit is extended to 9 months. Therefore, I support the bill and urge my colleagues to do the same.

Mr. ZABLOCKI. Mr. Speaker, I would like to commend the honorable gentleman from Texas (Mr. TEAGUE), for again initiating action to improve the medical benefits which are available to our Nation's veterans. I certainly share the support of the Veterans Affairs Committee for this important program. However, information has come to my attention which raises serious questions about whether this is a viable program as it is presently being operated by the Veterans' Administration. It seems to me that these questions must be answered by Veterans' Administration officials before we act favorably on H.R. 460.

The report from Administrator Johnson on H.R. 460 expresses opposition to this legislation on the grounds that he does not believe that an extension of the time period for eligibility under the community nursing home program authorized by Public Law 88–450 is warranted. Administrator Johnson further notes that the medicare and medicaid programs can be used to extend the period of community nursing home care for an eligible veteran.

Further, Administrator Johnson makes no mention of the fact that sufficient funds are not presently being made available to VA hospitals to allow the community nursing home program to operate even on the basis on which it was authorized by Congress in Public Law 88–450. In this situation, local VA medical officers are being forced to make use of the medicare and medicaid programs not to supplement community nursing home care, but to supplant it. I strongly question the legality and/or propriety of such action.

If I may provide a specific example: The fiscal 1971 funds allocated by VA officials to the VA hospital at Wood, Wis., for the community nursing home care program have already been depleted. To their credit, the medical officers at Wood have tried to make use of other resources to care for veterans eligible for this program. Namely, they have kept them in VA hospital beds when they could have been placed in community nursing homes or they have tried to obtain medicare or medicaid coverage for the veterans' nursing care needs.

Needless to say, these alternatives are not consistent with the intent of Congress in enacting Public Law 88–450 and in providing an extra $105 million in fiscal 1971 for veterans medical care. The result at the Wood VA hospital has been that, during the first 6 months of the fiscal year, veterans eligible for the community nursing home care authorized by Public Law 88–450 have received that care. However, despite the efforts of the medical officers at Wood, veterans who are now becoming eligible for community nursing home care may have to pay for it themselves—and often at a much higher price that it could have been obtained for them through the VA. Another result has been an unnecessary use of needed VA hospital beds or of the already overburdened medicare and medicaid programs.

Administrator Johnson of the VA has informed me that he does not intend to seek a supplemental appropriation to adequately fund the community nursing home care program. Little wonder, therefore, that he has expressed his opposition to the enactment of H.R. 460 which would extend the statutory period during which a veterans would be eligible for this care.

Mr. Speaker, I submit as we take favorable action today on H.R. 460, we must also serve notice on the VA that we except that this program be adequately funded and operated. By our very action today in extending it, it should be indelibly clear to Administrator Johnson that the Congress intends to take action to see that the policy and the will of the Congress will be fulfilled.

Mr. MINISH. Mr. Speaker, I rise in support of H.R. 460, to extend the time community home care may be provided for veterans. This legislation, which I cosponsored, passed the House unanimously on June 2, 1969, but died when the Senate failed to act on it during the 91st Congress.

Under present law, the Veterans' Administration may transfer a hospitalized veteran patient who has reached the nursing home care stage to a public or private institution for up to 6 months. However, studies of the operation of this program have demonstrated that a number of veterans need nursing home care for longer than 6 months. In most cases, a 3-month extension is sufficient.

Mr. Speaker, the cost of enacting H.R. 460 will be minimal, but its benefit to individual veterans will be great.

Mr. PEPPER. Mr. Speaker, Chairman TEAGUE and the members of the Committee on Veterans' Affairs are to be commended for their efforts to provide this Nation's veterans with a more adequate program of health service.

The extension of the Veterans' Administration program to include up to 9 months of nursing home care for those who no longer require hospitalization will be an effective improvement, first, in providing more comprehensive service responsive to the needs of patients requiring a period of convalescence following hospitalization, and, second, in releasing hospital beds and reducing hospital load throughout the entire Veterans' Administration. The extension of VA services through the program already in operation, providing 6 months of nursing home care after periods of hospitalization, has proved both practical economically and beneficial in improving health service.

At the same time, however, I believe the services provided by nursing homes might be utilized still more effectively. I recommend further extension of the VA health program and provision of nursing home care not solely for former hospital patients, but, in addition, for those veterans with service-connected and non-service-connected disabilities in need of nursing home care on a permanent basis.

We cannot afford to overlook the welfare of those elderly and permanently disabled veterans who are ineligible for hospital treatment, yet in obvious need of health service. The utilization of nursing home facilities to meet this pressing demand on the part of those who fought to protect this country merits our attention and careful consideration.

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in support of H.R. 460. This bill will extend the time limit during which veterans with non-service-connected disabilities can receive community nursing home care at Veterans' Administration expense from its present 6 months to 9 months.

Experience has dictated that the 6-month limitation on community nursing care is inadequate in the case of many veterans. Despite the fact that the Administrator has the authority under existing law to extend this time limit, he has exercised this authority in only 176 cases during the last 6 months. This bill will permit such nursing care for such time as is needed up to a maximum of 9 months, without the necessity of administrative action after 6 months. I urge that the bill be passed.

The SPEAKER. The question is on the motion offered by the gentleman from Texas that the House suspend the rules and pass the bill H.R. 460.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GROUP MORTGAGE INSURANCE FOR SERVICE-CONNECTED PARAPLEGIC AND QUADRIPLEGIC VETERANS

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 943) to provide mortgage protection life insurance for service-connected disabled veterans who have received grants for specially adapted housing.

The Clerk read as follows:

H.R. 943

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 21 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 806. Mortgage Protection Life Insurance

"(a) The Administrator is authorized, without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), to purchase from one or more life insurance companies a policy or policies of mortgage protection life insurance on a group basis to provide the benefits specified in this section.

"(b) Any policy of insurance purchased by the Administrator under this section shall be placed in effect on a date determined by the Administrator and shall automatically insure any eligible veteran who is or has been granted assistance in securing a suitable housing unit under this chapter against the death of the veteran, unless the veteran elects in writing not to be insured under this section or fails to timely respond to a request from the Administrator for information on which his premium can be based.

"(c) The initial amount of insurance provided hereunder shall not exceed the lesser of the following amounts: (1) $30,000, (2) the amount of the loan outstanding on such housing unit on the date insurance under this section is placed in effect, or (3) in the case of a veteran granted assistance in securing a housing unit on or after such date the amount of the original loan. The amount of such insurance shall be reduced according to the amortization schedule of the loan and at no time shall exceed the amount of the outstanding loan with interest. If there is no outstanding loan on the housing unit no insurance shall be payable hereunder. If any eligible veteran elects not to be insured under this section, he may thereafter be insured hereunder only upon application, payment of required premiums, and compliance with such health requirements and other terms and conditions as may be prescribed by the Administrator.

"(d) The premium rates charged a veteran for insurance under this section shall be paid at such times and in such manner as the Administrator shall prescribe and shall be based on such mortality data as the Administrator deems appropriate to cover only the mortality cost of insuring standard lives. The Administrator is authorized and directed to deduct the premiums charged veterans for life insurance under this section from any compensation or other cash benefits payable to them by the Veterans' Administration and to pay such premiums to the insurer or insurers for such insurance. Any veterans insured hereunder not eligible for cash benefits from the Veterans' Administration may pay the amount of his premiums directly to the insurer or insurers for insurance hereunder.

"(e) The United States shall bear all of the cost of the insurance provided under this section except the amount of the premium rates established for eligible veterans under subsection (d) as the mortality cost of insuring standard lives. For each month for which any eligible veteran is insured under a policy purchased under this section there shall be contributed to the insurer or insurers issuing the policy or policies from the appropriation 'Compensation and Pensions, Veterans' Administration' an amount necessary to cover the cost of the insurance in excess of the premiums established for eligible veterans, including the cost of administration and the cost of the excess mortality attributable to the veterans' disabilities. Appropriations to carry out the purposes of this section are hereby authorized.

"(f) Any amount of insurance in force under this section on the date of death of an eligible veteran insured hereunder shall be paid only to the holder of the mortgage loan, the payment of which such insurance was granted, for credit on the loan indebtedness and the liability of the insurer under such insurance shall be satisfied when such payment is made. If the Administrator is the holder of the mortgage loan, the insurance proceeds shall be credited to the loan indebtedness and, as appropriate, deposited in either the direct loan or loan guaranty revolving fund established by section 1823 or 1824 of this title, respectively.

"(g) Each policy purchased under this section shall also provide, in terms approved by the Administrator, for the following:

"(1) reinsurance, to the extent and in a manner to be determined by the Administrator to be in the best interest of the veterans or the Government, with other insurers which meet qualifying criteria established by the Administrator as may elect to participate in such reinsurance.

"(2) that at any time the Administrator determines such action to be in the best interest of veterans or the Government he may (A) discontinue the entire policy, or (B) at his option, exclude from coverage under such policy loans made after a date fixed by him for such purpose; however, any insurance previously issued to a veteran under such policy may not be canceled by the insurer solely because of termination of the policy by the Administrator with respect to new loans. If the policy is wholly discontinued, the Administrator shall have the right to require the transfer, to the extent and in a manner to be determined by him, to any new company or companies with which he has negotiated a new policy or policies, the amounts, as determined by the existing insurer or insurers with the concurrence of the Administrator of any policy or contingency reserves with respect to insurance previously in force.

"(3) issuance to each veteran insured under this section of a uniform type of certificate setting forth the benefits to which he is entitled under the insurance;

"(4) any other provisions which are reasonably necessary or appropriate to carry out the provisions of this section; and

"(5) an accounting to the Administrator not later than ninety days after the end of each policy year which shall set forth, in a form approved by the Administrator, (A) the amount of premiums paid by veterans and contributions made by the Veterans Administration accrued under the contract or agreement from its date of issue to the end of such contract year; (B) the total of all mortality and other claim charges incurred for that period; and (C) the amount of the insurer's expense and risk charges, if any, for that period. Any excess of the total of item (A) over the sum of items (B) and (C) shall be held by the insurer as a contingency reserve to be used by such insured for charges under the contract or agreement only. The contingency reserve shall bear interest at a rate to be determined in advance of each contract year by the insurer, which rate shall be approved by the Administrator if consistent with the rates generally used by the insurer for similar funds held under other plans of group life insurance. If and when the Administrator determines that such contingency reserve has attained an amount estimated by him to make satisfactory provision for adverse fluctuations in future charges under the contract, the Administrator shall require the insurer to adjust the premium rates and contributions so as to prevent any further substantial accretions to the contingency reserve. If and when the contract or agreement is discontinued and if after all charges have been made there is any positive balance remaining in the contingency reserve, such balance shall be payable to the Administrator and by him deposited to the appropriation 'Compensation and Pensions, Veterans' Administration,' subject to the right of the insurer to make such payment in equal monthly installments over a period of not more than two years.

"(h) With respect to insurance contracted for under this section, the Administrator is authorized to adopt such regulations relating to eligibility of the veteran for insurance, maximum amount of insurance, maximum duration of insurance, and other pertinent factors not specifically provided for in this section, which in his judgment are in the best interest of veterans or the Government. Insurance contracted for under this section shall take effect as to eligible veterans heretofore granted assistance under this chapter on a date determined by the Administrator, and as to eligible veterans hereafter granted assistance under this chapter at the time of the closing of his loan. The amount of the insurance at any time shall be the amount necessary to pay the mortgage indebtedness in full, except as otherwise limited by the policy.

"(i) Insurance contracted for under this section shall terminate upon whichever of the following events first occurs:

"(1) satisfaction of the veteran's indebtedness under the loan upon which the insurance is based;

"(2) the veteran's seventieth birthday;

"(3) termination of the veteran's ownership of the property securing the loan;

"(4) discontinuance of payment of premiums by the veteran; or

"(5) discontinuance of the entire contract or agreement.

"(j) Termination of the mortgage protection life insurance will in no way affect the guaranty or insurance of the loan by the Administrator."

SEC. 2. The analysis of chapter 21, title 38, United States Code, is amended by adding at the end thereof the following:

"806. Mortgage Protection Life Insurance."

The SPEAKER. Is a second demanded?

Mr. TEAGUE of California. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, sections 801–805 of title 38, United States Code, provide a $12,500 grant for specially adapted housing for veterans who— are entitled to compensation under chapter 11 of this title, based on service after April 20, 1898, for permanent and total service-connected disability:

First, due to the loss, or loss of use, of both lower extremities, such as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair;

Second, which includes blindness in both eyes, having only light perception, plus loss, or loss of use, of one lower extremity; or

Third, due to the loss, or loss of use, of one lower extremity together with residuals of organic disease or injury which so affect the functions of balance or propulsion as to preclude locomotion without resort to a wheelchair.

In acquiring a suitable housing unit with special fixtures of movable facilities made necessary by the nature of the veteran's disability, and necessary land therefor, the regulations of the administrator shall include, but not be limited to, provisions requiring findings that it is medically feasible for such veteran to reside in the proposed housing unit and in the proposed locality; the proposed housing unit bears a proper relation to the veteran's present and anticipated income and expenses; and the nature and condition of the proposed housing unit are such as to be suitable to the veteran's needs for dwelling purposes.

This bill would authorize the administrator of Veterans' Affairs to purchase a policy from a commercial insurer to provide mortgage protection life insurance for seriously disabled veterans who have been granted assistance as described above.

The initial amount of the insurance could not exceed $30,000 or the amount of the mortgage loan, whichever is the lesser amount. The amount of the insurance would be reduced as the mortgage is amortized. The insurance would be payable only to the holder of the mortgage loan and no insurance would be payable if the mortgage was paid off prior to the death of the veteran. No insurance protection would extend beyond age 70.

Eligible veterans would be automatically insured unless they elect in writing not to be insured or fail to furnish the administrator information on which their premiums can be based. Veterans who elected not to be insured could later elect to be insured under certain conditions.

The premiums charged eligible veterans would only cover the cost of insuring standard lives. The Government would bear the administrative cost of the insurance and the cost of the excess mortality attributable to the veterans' disabilities. In general, the veteran's premiums would be deducted from their compensation, and the Government's contributions to the cost of the insurance would be made from the appropriation for compensation and pensions, Veterans' Administration.

The rates which veterans would probably pay for this insurance are indicated in the chart which follows:

PROPOSED (TENTATIVE) PREMIUM SCHEDULE FOR MORTGAGE INSURANCE ON DISABLED VETERANS QUALIFYING FOR SPECIALLY ADAPTED HOUSING GRANTS UNDER CH. 21, TITLE 38
MONTHLY PREMIUM PER $1,000 OF OUTSTANDING MORTGAGE INDEBTEDNESS AT ISSUE OF INSURANCE

[(1) 8-percent mortgage; (2) 4-percent mortgage]

Age at issue of insurance	Number of years remaining under mortgage at issue of insurance															
	5		10		15		20		25		30		35		40	
	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
20	0.04	0.04	0.05	0.04	0.05	0.05	0.06	0.05	0.07	0.06	0.08	0.07	0.11	0.09	0.13	0.11
25	.04	.04	.05	.05	.06	.06	.07	.07	.09	.08	.12	.10	.16	.13	.20	.16
30	.05	.05	.06	.06	.08	.07	.11	.09	.14	.12	.19	.16	.24	.20	.31	.25
35	.07	.07	.10	.09	.13	.12	.17	.15	.23	.20	.30	.25	.39	.32	.49	.40
40	.13	.12	.17	.16	.22	.20	.29	.26	.38	.33	.49	.41	.62	.52	.76	.63
45	.21	.21	.28	.26	.37	.33	.48	.42	.62	.52	.78	.66	.96	.81	1.15	.96
50	.36	.34	.46	.43	.60	.55	.77	.69	.98	.86	1.22	1.05	1.46	1.24	1.68	1.43
55	.58	.56	.75	.70	.97	.88	1.23	1.10	1.54	1.35	1.85	1.61	1.25	1.86	2.39	3.09
60	.93	.90	1.20	1.13	1.55	1.42	1.94	1.74	2.36	2.09	2.75	2.43	3.09	2.73	3.33	2.98

Source: Office of Chief Actuary, Insurance Service, Department of Veterans Benefits, July 1970.

It is expected that a maximum of 10,000 veterans is involved at the present time and that about 500 new grants might be made each year.

It is estimated that the death claims will amount to about $1,750,000 a year of which $1,575,000 would be a cost to the Government and that the first year administrative cost could be $200,000 and thereafter approximately $40,000.

An identical bill (H.R. 18448) passed the House in the 91st Congress.

I desire to commend particularly Mr. Speaker, the diligence of the gentleman from Mississippi (Mr. MONTGOMERY), for promptly introducing this bill and sponsoring it before our committee in the first executive session which we have had, in this Congress.

Mr. Speaker, I yield now such time as he may require to the gentleman from Mississippi, author of the bill.

Mr. MONTGOMERY. Mr. Speaker, I thank the chairman for giving such quick committee action on H.R. 943.

I and other Members of the Congress introduced a similar measure in the 91st Congress and that bill received unanimous approval of the House during the 91st Congress, but it was not acted upon by the Senate, along with five other House veterans' bills.

Mr. Speaker, the purpose of this legislation is to provide more security for the families of the severely handicapped veterans. Again I am pleased to sponsor this legislation which would provide group mortgage insurance for service-connected paralyzed veterans. The bill, if enacted, would anthorize the Administrator of Veterans' Affairs to purchase a policy from a commercial insurer to provide mortgage protection life insurance for severely disabled veterans who have been granted a special housing assistance.

The initial amount of the insurance could not exceed $30,000 or the amount of the mortgage loan, whichever is the lesser amount. The amount of the insurance would be reduced as the mortgage is amortized. The insurance would be payable only to the holder of the mortgage loan, and no insurance would be payable if the mortgage was paid off prior to the death of the veteran. No insurance protection would extend beyond age 70.

Eligible veterans would automatically be insured unless they elect in writing not to be insured or fail to furnish the Administrator information on which their premiums can be based. Veterans who elected not to be insured could later choose to have the coverage under certain conditions.

The premiums charged eligible veterans would cover only the cost of insuring standard lives. The Government would bear the administrative cost of the insurance and the cost of the excess mortality attributable to the veteran's disabilities. In general, the veterans' premiums would be deducted from their compensation, and the Government's contribution to the cost of the insurance would be made from the appropriation for compensation and pensions of the Veterans' Administration.

It is estimated that the cost to the Government for the mortgage insurance coverage would be about $1,575,000 a year and that the first year's administrative cost could be $200,000 and thereafter approximately $40,000 a year.

Also, Mr. Speaker, I might say the cost to the Government would come down each year, because as we unwind the war, there would be less severely handicapped veterans who would come under this category.

I might also say this would affect around 10,000 severely handicapped veterans. It is estimated approximately 500 young men have come under this category per year during this Vietnam war.

Mr. Speaker, I urge adoption of this bill.

Mr. TEAGUE of California. Mr. Speaker, I also, unqualifiedly support this bill.

Mr. Speaker, I rise in support of H.R. 943. This bill, if enacted into law, will provide mortgage life insurance for certain seriously disabled service connected veterans who have received grants for specially adapted housing. A similar measure passed this House on September 17, 1970. Unfortunately, the bill was not acted upon in the other body.

Under existing law, Mr. Speaker, the Administrator of Veterans' Affairs is authorized to provide a $12,500 grant for specially adapted housing to veterans whose permanent and total service connected disabilities affect balance and propulsion and preclude their locomotion without a wheelchair.

Unfortunately, this magnanimous grant will not purchase the home. In most cases, the veteran purchaser must assume a $20,000 to $25,000 mortgage. Because of their serious disabilities, few, if any, of these veterans can obtain mortgage protection life insurance from commercial sources.

This bill, Mr. Speaker, therefore proposes to provide mortgage life insurance not to exceed $30,000 or the amount of the mortgage loan, whichever is lesser, to this small group of seriously disabled veterans at a premium cost not in excess of the premium cost paid by the average citizen for similar protection. The insurance would in most respects be similar to the life insurance coverage provided for servicemen. It would be underwritten by a commercial carrier. The veteran would pay a premium covering the cost of insuring standard lives. The Federal Government would bear the administrative costs of the insurance and the cost of the excess mortality attributable to the veteran's disability.

The Veterans' Administration has estimated that a maximum of 10,000 veterans would be eligible for this insurance at the present time and that about 500 new grants might be made each year in the future. This is sound legislation, Mr. Speaker, and I urge that it be passed.

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in support of H.R. 943. This bill will provide mortgage insurance for service-connected disabled veterans wno have been the recipient of grants for specially adapted housing.

These veterans, for the most part, are paraplegic and quadriplegic veterans. However, any veteran whose disabilities have qualified him for specially adapted housing is eligible for such a grant. The specially adapted housing consists of ramps and other devices for veterans who require a wheelchair or other propulsion device for locomotion.

Because of the serious nature of their disabilities, these veterans are unable to purchase mortgage life insurance protection. The bill before you will authorize the Government to furnish such insurance protection at standard premiums to the veteran. The insurance would be underwritten by a commercial insurer, much in the same manner as the serviceman's group life insurance coverage. The increased premium resulting from the serious disability of the veteran would be paid by the Federal Government. After the initial group of 10,000 are insured, Mr. Speaker, it is anticipated that not more than 500 new grants might be made each year. This insurance protection is important to the recipients and in view of the seriousness of the service-connected disabilities affecting this group of veterans, the Federal Government can well afford to assume this responsibility. I urge that the bill be passed.

Mrs. HECKLER of Massachusetts. Mr. Speaker, I wish to take this opportunity to express my full support for H.R. 943 which will permit certain service-connected disabled veterans to have mortgage protection life insurance.

The bill is aimed primarily at quardiplegic or paraplegic veterans whose disabilities require them to have specially adapted housing. The indomitable spirit of these men is an inspiration to all who know them and, in my judgment, we must assist them in meeting needs they cannot fulfill because of the injuries they have suffered in the service of their country.

It is gratifying to me that our Veterans' Affairs Committee was able to move so rapidly on this measure. This legislation was approved by the House last fall but, unfortunately, died in the other body during the lame-duck session. Hopefully, our early passage of the bill in this Congress will permit its enactment into law.

The proposal permits the Government to assist veterans who, because of their serious disabilities, are unable to purchase mortgage protection life insurance. Veterans who are eligible for this assistance will pay the portion of the premium attributable to a standard life expectancy while the Veterans' Administration will bear the additional cost caused by the service-connected disability.

This legislation is extremely worthwhile and I urge that it be adopted unanimously today.

The SPEAKER. The question is on the motion offered by the gentleman from Texas that the House suspend the rules and pass the bill H.R. 943.

The question was taken; and (two-thirds having voted in favor thereof) the the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the veterans' bills considered today.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PRESIDENT'S STATEMENT ON CONSUMER AFFAIRS

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MONTGOMERY. Mr. Speaker, I would like to commend President Nixon for his very forthright statement on consumer affairs. I was also pleased that the President elevated his special assistant for consumer affairs, Mrs. Virginia Knauer, to Director of the newly created Office of Consumer Affairs. Mrs. Knauer has proven herself a most capable administrator and protector of the rights of the buying public.

Some of the worthwhile features of the President's consumer message bear special mention. First is the Consumer Product Safety Act. In the past, the Congress has passed legislation to protect children from unsafe products. The President is carrying this one step further by insuring the protection of every man, woman, and child in America from hazardous materials.

Mr. Nixon's proposals for a Consumer Fraud Prevention Act is the first step toward truth in advertising. Too often we have seen customers lured into places of business through gimmickery advertising for unavailable products or sold products which do not meet advertised specifications.

I am particularly pleased with the plans to promote consumer education on a nationwide basis. In my home state of Mississippi, Mrs. Knauer's office has already been instrumental in organizing consumer groups which in turn have begun a program of consumer education in public schools. Consumer education is important for all age groups, but it is becoming more and more important for America's young people. This is particularly true since a rather large portion of the consumer dollar is being spent by the youth in our Nation.

A fourth important feature in the President's consumer message is his proposal for a Fair Warranty Disclosure Act. Too often in the past we have seen consumers become the unwilling victims of meaningless warranties that offer no protection whatsoever against defective products.

Mr. Speaker, the President has given the Congress very significant pieces of legislation for consumer protection. I hope my colleagues will join with me in studying each bill thoroughly and giving Mr. Nixon's proposals our every consideration.

ACTION ON FLORIDA CANAL VERY STRANGE

(Mr. FUQUA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FUQUA. Mr. Speaker, millions upon millions of dollars have been spent on a canal which was to traverse the State of Florida.

Today that work has ended and there are the reservoirs, the completed portion of the canal which now leads nowhere, and massive evidence of the unfinished project in construction work which was started and will now not be completed.

I have been highly critical of the manner in which this entire matter has been handled. Our congressional delegation was bypassed when the decision was made to abandon work. It would have seemed that simple courtesy would have dictated that we could have had an opportunity to present our side of the question before that decison was made.

This, however, was not the case.

Now the problem continues to become more confusing.

Representatives of the U.S. Army Corps of Engineers and the Florida Defenders of the Environment huddled behind closed doors on Monday, February 22, to discuss what will happen to the land acquired for building the Cross-Florida Barge Canal.

While a statement was made that only parties to a lawsuit involving the Canal should be present, the newspaper of Palatka, Fla. presented a different story. Dr. Lee Talbot, an adviser on ecology for President Nixon, was allowed to attend the session held in a glass doored banquet room as an observer.

The Palatka Daily News related that another person who seemingly has no legal interest in the lawsuit was present.

A delegation from Putnam County was denied admission. The men in this delegation could speak for the people of this county about the Rodman Reservoir, supposedly the main topic of conversation at the closed session.

Yet, again, those most interested were bypassed.

It is becoming increasingly strange that those of us who are most directly affected are bypassed at every state of these developments. The Florida Congressional Delegation was bypassed when the decision to abandon work was made.

Now that this decision has been made, local citizens—and I point out that the neighboring counties have issued bonds in the amount of some $9 million for their local support of the project—have been bypassed.

It does not make sense unless something that has been increasingly thought about is true.

Has the Cross-Florida Barge Canal been sacrificed for a pipeline?

TO PREVENT AMERICAN INJUSTICE

(Hr. HULL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HULL. Mr. Speaker, a recent editorial in one of our Nation's leading newspapers, the St. Louis Globe-Democrat, praises the legislative efforts of one of our colleagues, the Honorable RICHARD H. ICHORD, Democrat of Missouri's Eighth District.

The editorial in the February 2 Globe-Democrat points out that Representative ICHORD along with bipartisan support from the Honorable JOHN M. ASHBROOK, of Ohio, and WILLIAM J. SCHERLE, of Iowa, both Republicans, has introduced a bill in this House amending the Internal Security Act of 1950 to provide additional safeguards for individual liberties in time of emergency.

It concludes by saying:

> The corrective measures introduced by ICHORD and Conogressman JOHN M. ASHBROOK, of Ohio, and WILLIAMS J. SCHERLE, of Iowa, merit earnest consideration.

I agree, Mr. Speaker, and I insert the editorial in the RECORD:

TO PREVENT AMERICAN INJUSTICE

Legislation has been introduced in the House calling for amendments to the Emergency Detention Act, which has never been used in the 20 years it's been on the books.

Congressman Richard H. Ichord of Missouri, a co-sponsor of the bill, says it is designed to provide additional safeguards for individual liberties in the time of a national emergency. He presents a sound argument for passage of the measure.

Recalling the mass roundup of United States citizens of Japanese ancestry during World War II, Ichord said: "It is imperative that the Congress enact a law which will insure that the Executive Branch can never again apprehend and detain any class of citizens on the speculation that by virtue of color, race or national origin they might be disloyal to the United States."

He pointed out the roundup of Japanese-Americans in 1941 was based on an Executive Order issued by President Franklin Roosevelt.

In recent years there have been calls for repeal of the act. The Senate on Dec. 22—without hearings, debate or recorded vote—approved repeal.

Ichord, however, contends repeal is not the solution. This course would simply take us back to where we were in 1941. If the Emergency Detention Act had been in effect then, he said, that travesty of justice could not have taken place because the act requires probable cause be shown in a written warrant specifically identifying the individual.

The proposed amendments to the act provide that the law cannot be invoked by the President in time of emergency unless Congress adopts a concurrent resolution. Representation by counsel for any person detained is also assured.

The corrective measures introduced by Ichord and Congressmen John M. Ashbrook of Ohio and William J. Scherle of Iowa merit earnest consideration.

TO EXPAND COVERAGE UNDER THE EMPLOYMENT SECURITY AMENDMENTS OF 1970

(Mr. O'NEILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'NEILL. Mr. Speaker, the tragic and pervasive instances of unemployment which exist in our Nation today continue at an alarming rate. Everyone is aware of the frustration and anguish

which the man who is unemployed experiences, especially if he has the additional burden of supporting a family and a home. In most cases, he must also fulfill scores of other financial responsibilities which accompany daily living, whether it be the cost of education for his children or the health of his wife. On top of this, the unemployed citizen must subsist on a fixed income, in the face of growing inflation. For a man, or woman, to lose his sole source of sustenance, suddenly and unexpectedly, is an extremely trying and degrading experience. The man or woman out of work is not only coping with inflation, but with a feeling of hopelessness and despair which often causes as great a psychological misery as it does a physical one. The average wage earner who is now unemployed is further victimized by a vicious cycle of rising consumer prices, high interest rates and a general decline in the value of his dollar, not to mention ever-increasing health costs.

It is the responsibility of the Government, on both the Federal and State levels, to come to the aid of these people. It is a responsibility the Nixon administration has consistently refused to assume. Moreover, the Nixon administration has attempted, in theory, to trade inflation for unemployment. In actuality, they have not achieved their goal. Instead we have to deal with the compound problem of high unemployment and continuing inflation.

Of still greater importance, is the growing number of unemployed people, in every occupation and field of endeavor. Both workman and technician, white collar and blue collar workers alike have been affected by spiraling rates of unemployment. As my colleagues know, unemployment imposes the same hardship on everyone, regardless of one's ethnic or social background. It is a hardship that must be eliminated.

Unemployment last month was 6 percent according to the Bureau of Labor Statistics, while 1 year ago in January 1970 unemployment was 3.9 percent. This is quite a substantial increase, especially if we realize that we are actually describing the state of millions of men and women, not mere percentage points. While the annual average unemployment rate for 1969 was 3.5 percent, the average annual unemployment rate for 1970 was 4.9 percent. In my home State of Massachusetts, the problem of unemployment is a real and devastating one, the rate often climbing as high as 12 percent of the work force. Unemployment is like a plague. It begins gradually, then spreads at an alarming rate, until it flourishes at the epidemic level at which it does today. The people affected by this economic plague must receive treatment in the form of money to live on.

With all this in mind, I am today submitting a bill which would help alleviate some of the hardship placed on people by the current rise in unemployment. The bill would expand the coverage granted under the "Employment Security Amendments of 1970." In that bill the Congress established on a permanent basis a program of extended benefits over 13 weeks for unemployed workers who exhaust their right to benefits over an initial period of 26 weeks, thus bringing total coverage to 39 weeks. The new bill would establish on a permanent basis a program of extended benefits over an additional 13 weeks for unemployed workers who exhaust their right to benefits over the initial period of 39 weeks, thus bringing coverage to 52 weeks.

It is impossible to sustain a standard of living based on 39 payments a year when a man or woman lives all 52 weeks of the year. The person who suddenly finds himself unemployed one day does not see prosperity on the horizon, as the administration does. For him, there is no reason to believe that a job is waiting around the corner. The probability that the person will be unemployed for more than 39 weeks is great. While encouraging that worker to seek employment elsewhere, we must provide for that person's needs. The prospect that he or she will find a job in the near future is not promising at this point, as the ranks of the unemployed swell from month to month. We must help these people face the uncertainty of the future by guaranteeing them minimal financial security.

It is imperative that we, the elected Representatives of the people, enact legislation that will lessen the hardship and anxiety of unemployment. The high rate of unemployment which the Nixon administration has fostered through inaction and the pursuit of unsound economic policies must be reversed before the situation worsens. The States cannot carry the burden alone. They are already hard put to support their burgeoning welfare roles. They must be assisted by the Federal Government.

It is toward this end that I ask for the enactment of this bill by Congress to permit Federal sharing of the cost of unemployment benefits which extend for 52 weeks.

Mr. Speaker, I represent an area in which unemployment is growing rapidly, mostly in the field of those who have been engaged in scientific development. I hope that the appropriate committee will give every possible consideration to this bill.

LAOS SITUATION

(Mr. DENNIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENNIS. Mr. Speaker, so far as Southeast Asia is concerned, these are times that try men's souls. The Government of the United States is engaged in an important effort to stabilize the situation in a manner consistent with our national interest and holding forth some hope for future peace. These efforts reached a critical phase with the current operation in Laos.

We ought not to complicate our problems either by the fears of panic or by the rhetoric of politics.

Mr. Speaker, I call on my colleagues, and I call on the American people, to stand by our Government and the policies of our Government in the Far East.

Like many other Americans, I have been giving a great deal of thought to the situation in Laos and to our position in Southeast Asia in general. This is a most serious and distressing situation to all Americans, and particularly so to those who have, or have had, members of their families personally—and sometimes tragically—involved. It is certainly not least distressing to the President of the United States.

The situation in Indochina is unsatisfactory basically because of mistakes made in the past. It is certainly highly debatable whether we should ever have engaged in such a military venture on the mainland of Asia, and in my judgment it is not debatable at all that—once having done this—we should have fought the war, with conventional weapons only, but with the view to obtaining, and in such a fashion as to have obtained, a prompt, decisive, and favorable military decision.

Instead, we first intervened on the mainland, and then gradually drifted into military escalation, without ever making a decision to go in and win.

These mistakes had been made when President Nixon came into office. He had to face and to deal with the very difficult problem thereby created.

In this situation President Nixon rejected, wisely, as I believe, the two extremist arguments. One urged a much belated, all-out, and greatly expanded military effort—an effort which our people were unwilling to support. The other advocated an immediate and complete American withdrawal, cutting our losses and leaving the South Vietnamese to their fate. This latter would in effect have been the end of America as a Pacific power, perhaps as a world power, and would have left the bitter taste of frustration and dishonor in the mouths of many Americans.

President Nixon has attempted a middle way. That way calls for negotiation with the enemy on the one hand—and all our proposals here have been summarily rejected. It calls on the other hand for gradual American military withdrawal and for so-called Vietnamization of the war.

This is a hard program, because it calls for continued, although reduced, American losses, without the promise of ultimate American victory. It calls also, however, for the creation of a viable and friendly government in South Vietnam, and for an honorable and successful maintenance of an American influence and presence in the Pacific world. It has called not for any true escalation or widening of the war, but rather for the recognition of tactical realities, by means of a successful incursion into Cambodia against enemy bases there, and through a similar Vietnamese incursion into Laos against enemy supply lines in that country. The success or failure of this Laotian effort hangs currently in the balance, and its reasonable success is very likely vital to the success of the whole Vietnamization program.

American authorized troop strength in Vietnam has decreased by more than 200,000 over that of 2 years ago, and according to plan will have been decreased by 265,000 men by the first day of May. Combat deaths in 1970 were over 10,000 less than in 1968. But a residue of American support troops may remain in South Vietnam, as they have remained in South Korea, for an indefinite period of time, and they will remain—as the President has said—so long as American prisoners of war continue to be held by the enemy.

Let those who object to these policies dare to suggest as their political platform that America abandon to their fate these, our fellow Americans, who are prisoners of war.

The course before us is hard, but for myself I do not see what else President Nixon—or any President—can or could do, given the present circumstances.

The President has acted responsibly, boldly, and with decision. He has made few promises, and has kept those he has made. In his ongoing effort for our country he needs, and he deserves, our support.

CREW OF APOLLO 14 VISIT CHAMBER TOMORROW

(Mr. FREY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FREY. Mr. Speaker, tomorrow the crew of Apollo 14 will be coming to this very Chamber. This alone will be an honor for my colleagues and me and yet these three gentlemen are but a symbol of something even greater. Fifty years ago, we were lucky if we could fly across the Atlantic and now we have had six men on the moon. It is amazing that our country has been able to progress so rapidly in these past few decades and it speaks well for our technology and know how.

Today, when our goal of reaching the moon has been accomplished our space program is under severe attack. Critics are popping up and asking "why go to the moon while people are starving and suffering back here on earth?" What many of these people fail to recognize is that there is a benefit to all on earth from our space program.

First and foremost, the technology which took us to the moon, has the capability to improve the living here at home. As Dr. Thomas Paine, the former Director of the National Administration of Space once said:

> Given all the technological resources of our country and the money required and we could render Los Angeles a smog free city in ten years.

What Dr. Paine was saying is that given the national resources which we have we could clear our Nation of smog and air pollution. The same is true of almost any technological problem. From our space program can come the scientist, the engineer, and the technician, all with the skill needed to solve these problems. In fact, it is because of this capability that I have worked with the colleges in my district, and with Federal agencies to establish "Project Retro," a retraining center to move these skilled technicians into the fields of environmental sciences and urban planning. The accomplishments of the three astronauts is a symbol of American technological know-how.

But there are other benefits from our space program. Soon there will be an orbital lab. It is here that scientists will conduct experiments to better the well-being of mankind. If Louis Pasteur had not experimented, we would not have penicillin today. The same may well be true of our experiments in outer space. One thing is certain, the presence of an orbital lab and eventually the space shuttle will assist in our understanding of the universe around us. The presence of a telescope in outer space will eliminate that interference of our atmosphere. The ability to study the effects of the suns radiation on our planet and the seismic experiments carried out in the Apollo missions are just a few examples where space and the manned space flight program has and will benefit us. There are a multitude of others.

In brief, the achievements of these three astronauts and the people involved in the space program are just the beginning. Their knowledge and ability to solve problems will continue to improve the well-being of man and will continue to be one of America's most important national resources.

GREATER SECURITY NEEDED FOR CAPITOL HILL

(Mr. MINSHALL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MINSHALL. Mr. Speaker, the bomb that exploded in the Senate wing of the Capitol this morning comes as a shock to all Americans, but as no surprise to those of us who long have anticipated just such a calamity in view of the ridiculously lax security measures in force on Capitol Hill.

Six years ago, on January 13, 1965, I took the House floor calling for greater security measures. This was shortly after a member of the American Nazi Party charged into the House Chamber and disrupted a session. At that time I introduced a resolution to create a bipartisan special committee to investigate and report on Capitol Hill security. No action was taken on my resolution.

Two years later, on February 1, 1967, I reintroduced this resolution, pointing out that crime on Capitol Hill, including the Capitol Building, five office buildings and grounds, had risen 51 percent over the previous year. Again, my resolution was left to gather dust in committee.

What does it take to open the eyes of Congress to the fact that through its laxity it is endangering the lives of thousands of Capitol Hill employees and tourists, to say nothing of jeopardizing these priceless and historic buildings which house irreplacable treasures dating back to the very founding of our Nation's Capital in Washington. It is bravado of the most foolish kind to pretend that real and present physical dangers do not exist, and to ignore a tightening of security that will apply not only to Hill personnel, but to visitors as well.

In this connection I would like to point out the growing concern many of us feel over unauthorized persons using office facilities in the House. I do not know what the situation is on the Senate side, but it is a fact that one House Member presently permits use of his office as headquarters for a private organization lobbying against the war in Vietnam. Another group issues a news bulletin called "Leadership Letter" out of 1709 Longworth Office Building, a two-room suite assigned as "additional space" to a House Member. I understand that the House leadership is aware of these abuses of taxpayers' property but allegedly is at a loss as to what to do about it. The steps to be taken are clear enough and on the books. No Member has authority to turn over office space to further the lobbying efforts of any private organization no matter how worthy may be their goals.

It is this sort of slipshod administration that has led to slipshod security on Capitol Hill.

Ironically, the explosion this morning comes just 17 years to the day after the Puerto Rican nationalists shot up the House Chamber, gravely wounding a number of Members. I submit that under present lax security, a repetition could occur in either Chamber at any time. As for gaining access to the Capitol Building at night, despite prefunctory police protection at building entrances, it is child's play to get into any of the buildings, and through the network of connecting tunnels, to reach the Capitol Building at any time.

We were fortunate that no lives or injuries can be counted among the costly damages of this morning's bomb explosion. Next time, innocent victims may be involved. In order to prevent a "next time" from occurring, I am revising my original resolution. New legislation, which I will introduce within the next few days, will call for creation of a joint committee of the Congress, composed of members of both parties from House and Senate, to investigate and report recommendations for insuring greater security in the Capitol and adjacent buildings.

I hope that the Congress will be prompt in acting on my resolution.

REPEAL OF CERTAIN EXCISE TAXES BY THE FEDERAL GOVERNMENT COULD BE A PRIME SOURCE OF ADDITIONAL INCOME FOR STATES AND LOCALITIES

(Mr. LATTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. LATTA. Mr. Speaker, on February 4, 1971, President Nixon sent a message to the Congress detailing a proposal he first outlined in his state of the Union message for sharing Federal revenues with the States. The President has provided the Congress and the American people with a clear concept of the bold steps that must be taken to help relieve the various States and municipalities of their ever-mounting fiscal burdens, and to assist State and local governments to effectively meet the needs of their people.

It is clear that unless something is done, many State and local government units face bankruptcy.

In short our federal system faces the greatest trial of our history. A new direction is imperative if we are to slow down, and hopefully reverse, the continued erosion of private and State-local responsibility that has been accompanied by the steady accumulation of Central Government direction. A new set of fiscal conditions is necessary if we are to rescue federalism in the United States.

The President's proposals outline a possible path of rescue. At the same time, however, we cannot lock the door to other possibilities for providing additional sources and avenues of relief. Therefore, it is the clear and manifest duty of the Congress to examine rigorously the President's proposals, and if alternatives must be accepted, to accept them.

I have gone over the President's proposals with a great deal of care. I believe they will work. Therefore, I have joined with other Members of this body in sponsoring the legislation that will transfer the concept of revenue sharing into law.

Since the President and others have detailed the specifics of the proposals, I will not venture a point-by-point reexamination. I think, however, it might be worthwhile to go into the arguments for and against the concept.

In general, revenue sharings has the following advantages over other practical alternatives:

Revenue sharing is simple, straightforward, clear, and direct in its conception and operation;

It provides the States with more discretion and greater fiscal autonomy than do other alternatives;

It is not a stopgap measure but puts substantial funds in the governments that face the major responsibilities for social goods and services;

It is closely hitched to the growth of the economy, and would automatically increase at a pace greater than the rates of other taxes;

It is flexible enough to be employed to achieve precise and explicit policy goals through adjustments in base, rate, amount, and distribution;

It would enhance public confidence in State and local government by better enabling them to meet local needs;

It would cut redtape involved with categorical grants-in-aid; and

It has ample precedent in other countries, at the local-State level in this country, and in infinitesimal form at the Federal-State level—thus insuring adequate examples and experience upon which to draw in undertaking a major new commitment.

There are, however, and I would be the first to recognize them, cogent arguments against revenue sharing;

Revenue sharing would cost additional money unless other programs are cut; and

Revenue sharing would simply compound the confusion, waste, and ineffectiveness associated with governmental spending because many States and local governments are not as professionalized as the Federal Government.

These, however, are arguments that do not stand up against the hard, cold light of reality. Levels of professionalism are constantly rising at the State and local levels. Responsiveness is great at the State and local level.

Furthermore, it is doubtful whether complete misfeasance at the local level could be any more wasteful than that caused by the sheer size and inertia of the Federal bureaucracy, and the totality of duplication under existing programs.

Much more convincing than these arguments is the contention that under tax sharing, the responsibility for raising revenue will be divorced from the authority to spend it.

Again, Mr. Speaker, I want to emphasize my support for the President's revenue-sharing proposals.

However, we must also be realistic and look to providing contingency proposals in the event it flounders on political opposition. Already the chairman and ranking member of the Ways and Means Committee have indicated their opposition to revenue sharing. Substantial numbers of the opposition have put forth alternative proposals such as the federalization of all welfare programs.

It does not take a great deal of insight to know that the President's program is in for some tough sledding.

So it stands to reason to have a workable alternative that stands on its own merits and meets the critical objections to revenue sharing.

Therefore, I am today pleased to introduce a bill which will accomplish the following:

First. It will provide a source of additional revenue—some $6 billion—to the States.

Second. It will do this without the imposition of Federal strings.

Third. It continues the criterion that the responsibility of raising revenue should go hand in hand with the right to spend it.

I would add that this measure allows the States much greater latitude and discretion than do the other alternatives proposed.

The bill would repeal the Federal excise taxes on alcohol and tobacco to provide a source of additional revenue for the States.

Why a tax cut?

Revenues of State and municipalities increase directly and indirectly through tax cuts.

Indirectly, they increase from the economic expansion generated by tax reduction. Directly, Federal tax cuts provide an opportunity for the non-Federal sector to take up the slack of a tax decrease in increased State or local taxes.

Estimates are not as predictable of the increase to State-local revenues from Federal tax cuts as from other methods of assistance but prof. Walter Heller, using figures for 1964–65, indicates that "an estimated $3 billion extra a year is flowing into State-local coffers from the 1964 tax cut alone, a 7-percent increase for both State and local tax revenues."

Prof. Deil S. Wright has stated that if Heller's figures are correct "then the Federal tax cut was responsible for nearly 90 percent of the $3.5 billion in added tax revenue obtained by the State-local sector in fiscal 1965 over 1964."

According to Office of Management and Budget statistics, Federal alcohol excise tax collections for fiscal year 1970 were $4.6 billion. For tobacco they were $2.093 billion. Between the two we are looking at some $6.6 billion that could be used by the States and local governments to increase their revenues.

The figure exceeds the President's proposals for general revenue sharing which is in the neighborhood of $5 billion.

At this point I to insert a table showing a breakdown of alcohol and tobacco tax collections during fiscal 1970 by Internal Revenue regions, districts, and States. It gives a rough approximation of the amount each State would stand to benefit by if the Federal excise and tobacco excise taxes were repealed. It follows:

INTERNAL REVENUE COLLECTIONS OF FEDERAL ALCOHOL AND TOBACCO EXCISE TAXES BY STATES FOR THE FISCAL YEAR ENDED JUNE 30, 1970

[In thousands of dollars]

State	Alcohol	Tobacco
North Atlantic region	621, 964	866
New York	363, 863	17
Maine	2, 437	
Massachusetts	172, 058	47
Vermont	102	
Connecticut	71, 801	226
New Hampshire	302	
Rhode Island	11, 402	
Mid-Atlantic region	776, 893	509, 016
Maryland and District of Columbia	267, 396	68
New Jersey	260, 976	41
Pennsylvania	240, 333	24, 861
Virginia	8, 137	484, 046
Delaware	51	
Southeast region	130, 607	1, 140, 888
Georgia	10, 450	958
Alabama	2, 362	2, 078
South Carolina	719	2, 014
North Carolina	12, 774	1, 124, 203
Mississippi	232	
Florida	81, 118	11, 472
Tennessee	22, 950	162
Central region	1, 544, 447	433, 148
Ohio	259, 379	890
Michigan	259, 914	4
Indiana	324, 609	459
Kentucky	694, 259	431, 562
West Virginia	6, 285	233
Midwest region	801, 817	12
South Dakota	68	
Illinois	479, 111	4
Iowa	408	
North Dakota	98	
Wisconsin	136, 654	7
Nebraska	7, 834	1
Missouri	125, 435	1
Minnesota	52, 208	
Southwest region	201, 759	170
New Mexico	685	
Texas	93, 278	168
Wyoming	44	
Colorado	63, 222	
Arkansas	581	
Louisiana	41, 281	2
Oklahoma	1, 161	
Kansas	1, 406	
Western region	598, 695	91
Alaska	176	
Idaho	85	
Montana	866	
Hawaii	4, 980	9
California	505, 246	80
Arizona	2, 483	
Oregon	12, 476	
Nevada	116	
Utah	38	
Washington	72, 231	1
Office of International Operations	70, 199	10, 022
Puerto Rico	70, 199	10, 022
United States, total	4, 746, 382	2, 094, 212

Mr. Speaker, there are no accumulative statistics that show exactly the per capita consumption of alcohol and tobacco on a statewide basis. Library of

Congress economists, however, indicate that consumption patterns are relatively similar, with few exceptions, across the Nation. Therefore, distribution of the revenue dividend would be divided among the States on the general basis of population.

I want to emphasize that repeal of these taxes at the Federal level will not mean the end of the Federal Government's supervisory and enforcement activities over alcohol and tobacco manufactures. Under the bill, occupational taxes will continue to be collected by the Treasury. According to the Department's figures, occupational taxes for fiscal 1970 amounted to $19,745,000. During the same period, costs associated with administration and enforcement activities were $29,625,000. Therefore, we are looking at a deficit of around $10 million—an amount that could be made up from the general fund or from an increase in the occupation tax. I trust the Ways and Means Committee will give very close attention to this detail when they consider this legislation.

In my judgment passage of this measure will enable the States and the political subdivisions, who bear the heaviest duty and responsibility under our federal system, to maintain and upgrade their level of services to the American citizen. To fulfill these commitments they must have a greater share of the Nation's fiscal resources.

In conclusion, the problems of our States, cities, and counties are unique. A solution designed for Baltimore will, more often than not, fail to meet the needs of Bowling Green, Ohio. Thus it is imperative that we do something to help the States and local governments finance their own programs, and, in this way, insure the flexibility that will allow them to set their own priorities.

I trust, Mr. Speaker, this body will give this measure very serious consideration.

WAR CRIMES: THE BITTER FACTS

(Mr. DELLUMS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DELLUMS. Mr. Speaker, as the war spreads, so does the possibility and danger of additional war atrocities committed by American soldiers. Yet, the Military Establishment continues to ignore or downplay not only the factual existence of these ghastly horrors but it also refuses to question the issue of ultimate responsibility for war crimes past and present.

Today, along with 21 of my colleagues, I am reintroducing a joint resolution proposing a full-scale congressional inquiry of American war crimes and war crime responsibility. Joining with me in backing this resolution are Mr. Diggs, Mr. Rangel, Mrs. Abzug, Mr. Collins of Illinois, Mr. Roncalio, Mr. Mitchell, Mr. Rosenthal, Mr. Hawkins, Mr. Ryan, Mr. Scheuer, Mr. Edwards of California, Mr. Eckhardt, Mr. Conyers, Mr. Kastenmeier, Mr. Mikva, Mr. Seiberling, Mr. Burton, Mr. Koch, Mr. Helstoski, Mr. Dow, and Mr. Badillo.

Mr. Speaker, the Defense Department blatantly ignores its responsibility to deal with war crimes. Instead, the Military Establishment attempts to pin the blame on lower echelon personnel—men such as Calley, Henderson, and soon, I presume, Medina—while refusing to acknowledge that the prime responsibility lies at the highest levels of civilian and military command.

Indeed, to all intent and purpose, the Military Establishment acts as if war crimes are minute aberrations, the deranged acts of men temporarily enraged by the horrors of combat. Of course in some cases, that is true. But there have been far too many instances of premeditated atrocities for this excuse to be accepted anymore.

Mr. Speaker, the material I shall now insert into the Record is for the most part some of the most gruesome and beastly testimony that I have ever read. The transcript which follows is that of the National Veterans Inquiry on U.S. War Crimes in Vietnam held last December here in Washington. The inquiry was undertaken by the Citizens Commission of Inquiry in order that the American public and Government realize the terrible realities of war atrocities as an integral component of our illegal, insane, and immoral adventurism in Southeast Asia.

The testimony contained in the transcript is blunt. But blunt also has been the Government's ridiculous efforts to bypass or soft-pedal the responsibility for these actions. Congress represents the people of America, and I believe the people are sick of the war, sick of the war crimes, and sick of the Military Establishment's handling of these problems.

The transcript follows:

TRANSCRIPT

INTRODUCTION

Johnson. My name is Robert Bowie Johnson, Jr. I'm a Vietnam veteran, ex-Army captain, and West Point graduate. I'm currently a veteran coordinator of the National Citizens Commission of Inquiry on U.S. War Crimes in Vietnam. On behalf of the Citizens Commission, I'd like to welcome you to the National Veterans Inquiry on U.S. War Crimes in Vietnam.

Most of you have received the schedules of when the veterans will testify. This afternoon, nine members of the Americal Division will testify. After that, Noam Chomsky will deliver a brief perspective; and after that the testimony on ground combat operations will continue until 4:30 pm.

Initially, six witnesses here will testify. They'll be interviewed by regional coordinators. After each witness testifies, we ask that the press hold their questions to about five minutes; then after all veterans have testified we will open the floor up again for questions. Should there be any question relating to procedure or scheduling, these questions will be directed to Mr. Tod Ensign or Mr. Jeremy Rifkin, national coordinators for the Citizens Commission.

Let me introduce our first witness, Mr. Mike McCusker.

MIKE M'CUSKER

McCusker. My name is Mike McCusker. I am an ex-Marine. I was discharged as a sergeant. I enlisted in the reserves in 1959 in July; served six years in the reserves; and then in 1965 went active duty for two years, which means I had eight years of service. While in the reserves, I was trained in Recon, which meant that I became a jumper, a parachutist, scuba, and all the other John Wayne varieties. In the two years that I was active I was what was called a combat correspondent for the First Marine Division in Vietnam, generally out of Chu Lai. In that position I saw damn near everything from command to the field. Perhaps an indication of that is an interview—off the cuff, which I understand you know well enough—with the commanding general of the First Marine Division at that time, and said that Vietnamese society was ignorant and superstitious, the children were raised as thieves and liars; we could do nothing with the old; the children themselves should be taken from their families and indoctrinated all their lives in government camps. A colonel, on an interview with him, said his job was to kill gooks—except I knew better what to write, and put it a different way, such as country, God, duty, and devotion, helping these people even though both of us knew it was a lie, and not worth considering as far as the military was concerned. Lifers and NCOs continually referred to Vietnamese as gooks, inferior, of no worth. As a reporter I could not write of these things, nor could I write of atrocities, nor could I write of the treatment of POW's; I could not write of women fighting with the VC, nor of women or children taken prisoners, nor of harassment and interdiction fire, of even napalm, which was referred to as incender-gel about halfway through my tour.

My job essentially was to cover things up from the press, to be the PR, and come off with the Marine Corps looking like a shining knight on a white horse. If anything was coming up that would embarrass the Marine Corps, we were to take reporters someplace else and make sure that they didn't know about it. The general trend was to allude in our stories to all Vietnamese as Communists, not only dehumanizing them but indicting them as something that we are programmed to fear and abhor. Every dead Vietnamese was counted as Viet Cong, because they would not be dead if they were not Viet Cong, whether they were ninety years old or six months old. The body count was any pool of blood, and I used to think that perhaps multiplied by seven. The villagers were destroyed or forcibly removed to New Life Hamlets—which is what they were called—which were nothing more than concentration camps with barbed wire and machine guns. The huts were too close, there was hardly any food—which forced beggars and whores of once-proud farmers. And perhaps that was the most degrading atrocity: the garbage cans of the different battalions and companies, they would allow one or two vietnamese to empty these garbage cans into their buckets—which also let the Marines think, after these farmers were reduced to nothing else, that these people must be inferior if they lived out of garbage cans.

Now there are two incidents, perhaps, that are of particular value as far as atrocity is concerned. They were SOP and they're examples of general procedure.

One happened on my mother's birthday, October 27, 1966, northwest of the Chu Lai perimeter, at a village called Duc Pho. It was a large village complex. A sniper killed a staff sergeant, so the skipper pulled us back and then ordered nape [Napalm] on the village itself. "Just napalm the hell out of it." When we went in later, after the fires burned down, there were many, many bodies of old women and men. But I think the worst was thirty dead children who had been laid out for us to see by the survivors, who got the hell out of there before we got in. They laid these children out for us to see in one courtyard, and from being completely—just their bodies mutilated, to some of these kids looking like they'd just been sunburned, all of them were dead, all of them were very young—boys and girls both.

Another time we destroyed two entire villages—which was a month earlier than that. One of our old men, a man who had been around for six months, got hit by a sniper. The battalion went into a frenzy and destroyed these two villages in the Pinapple Forest, which was southwest of Tam Ky about ten miles. Everything living died. It was just—it was mad, it was insane. Everything died and burned, and there was nothing left, nothing left of those two villages.

The general trend in Vietnam at that time that I was there, for the entire year, if you received incoming rounds, sniper rounds from a village, one or two or three, you called in artillery strikes on that village, you napalmed that village; whether it was artillery or air, whichever was the closest. And this was indiscriminate and this was usual.

Moderator. Mike, in that village you last described, could you estimate the amount of civilian casualties?

McCusker. The village—it's really very hard to estimate the casualties. I would say anywhere from fifty to one hundred fifty. I can't really say, because bodies even that day were burned, thrown into huts that were burning and tossed in there. So it's very, very hard to get an estimate. Of course, the situation report on it was essentially that we engaged a very large enemy force, and I forgot how many KIAs were listed; but then again, the body count you cannot take it for worth anything.

Moderator. Could you estimate the date of that incident, Mike?

McCusker. Yes, that was—if I remember the correct date, it would be 7 September, 1966.

Moderator. Perhaps it would be good to have some questions at this point if there are any from any of the members of the press.

Floor. Was there ever any investigation of either of these incidents, 7 September or 27 October, by the 1st Marine Division or any other agency?

McCusker. No, there was no investigation.

Floor. Why not? Why do you think there was no investigation?

McCusker. Essentially because I would imagine nobody thought it out of—nobody thought to question it. It was, as I said by this time SOP, and you can consider the embarrassment of insanity on coming down from it.

Floor. Could there have been an investigation that you didn't know about?

McCusker. There could be a lot of things I didn't know about. As a matter of fact, generally we were kept in ignorance. One unit didn't know what the other unit was doing. So the average troop really had no idea exactly what was going on except in his own platoon. Now in that time when the thirty dead children were burned and napalmed, by the way, a captain came to me, because he knew I was the reporter, and he said, "Look what the Viet Cong did to their own people." And I got very angry and I said, "The Viet Cong didn't do this. I saw the strikes and that's napalm." And he said, "Well I think, Sergeant McCusker, you had better write that the Viet Cong did this."

Floor. Did you write that?

McCusker. I didn't write anything on that story.

Floor. Who was the officer?

McCusker. He was a captain. I don't—I can't even remember his name. He was I think the battalion, perhaps the battalion S–1, if I remember correctly, but I'm not sure. Another thing too, if we did write in our stories the things that we did see, there was absolutely no chance of them getting out anyway, because every story you turned in first went to your divisional office, through a staff sergeant, through a gunnery sergeant, through a lieutenant, and then a major, and then it was sent to the Combat Information Bureau at 3rd Marine Amphibious Headquarters in Danang, across the river from General Walt's headquarters. And each story which had already gone through this redlining procedure went through more lifers like gunnery sergeants, it went through a captain, for final analysis, and then up to a colonel for final analysis—before it was ever released to the press. So, no matter what you tried to do, even through your stories, there were so many checks and counterbalances that by the time your story got out, if there was anything that you had put in, it was completely devoid of it; it was just—all the life was taken out and there was nothing but a shiny little shallow story about Vietnamese love us and the Marines succeeded again and every battle was a great victory.

Floor. Mr. McCusker, could you give us the names of the villages and the dates that this happened—pinpoint this just as close as you possibly can?

McCusker. The two villages that were destroyed?

Floor: Yes.

McCusker. It was, as I said, ten miles northwest—well, about ten miles due west of Tam Ky. It was down from Hill 488 where Howard got his medal of honor, and it was in the same area where the same battalion had gotten into a fire fight the month before.

Floor. And the dates?

McCusker. The date, as I said, approximately, as closely as I can remember was 7 September that this happened, this incident.

Floor: Both of these incidents?

McCusker. The incident of the dead children was 27 October, 1966, as I said it was my mother's birthday, which to me was an irony because it seemed like her children were dead.

Floor. Have you reported these incidents before?

McCusker. No, I'm afraid I never officially reported either of these two incidents.

Floor. Why haven't you, seeing as it happened four years ago and being—

McCusker. Oh, I have, I have, since I've been out of the Marine Corps, I've written of these incidents, I've spoken of these incidents, in the Marine Corps I've spoken of these incidents but I never did anything official.

Floor. What I'm driving at is why do you choose now to come here and instead of, if you feel this was an atrocity.

McCusker. All right, I wrote the Fulbright Commission about this. I received nothing but an innocuous answer. Everytime I've ever written anything to the government, and I have carbons of these, you just receive an answer that says, yes, we'll check into this, and we'll call you later about it, and you hear nothing. I've done this many times, until you just throw up your hands in disgust, you know it's just going to be swept under the floor. And I have, as I said, carbons of damn near every letter I've ever written, even to the prisoner of war issue—H. Ross Perrot, to which I never received an answer. Also the Saigon news correspondent who said the Army was lying—he was immediately made a chaplain's assistant. I wrote to the Fulbright Commission which said it was going to begin to check into the management of news by the Pentagon, and military news, and I received nothing but a little answer saying, well, we don't have enough time to really call this commission right now. It's very interesting testimony you have, but we'll call you later.

Floor. Is it your impression that these incidents were the exception or were these the rule?

McCusker. No, These were not the exception. Oh, pardon me, these are not the rule. I'm sorry, I'm getting all fuddled up—these are not exceptions; these are generally the rule. Now, what's an atrocity? The killing down of one man running in the field? Well, in other testimony, wherever you naped a village, the villagers were running from it, helicopters would shoot them down. Under the general operating procedure that anybody running must be a Viet Cong or he wouldn't run from you. It was not taken into account that he might be just scared to death and he knows what the hell you're doing. And so they were shot down in the field as they were running through the paddies. No, these were the general rule, whether it was the shooting down of one man or whether two villages were hit.

Floor. What battalion was this?

McCusker. This was the First Battalion, Fifth Marine Regiment, First Marine Division.

Floor. In both these particular incidents.

McCusker. In both these particular incidents, yes.

Floor. Who was the commanding officer at that time?

McCusker. I'm sorry, We're not going to give names, it's on file who he is.

Floor. Well, if it's on file, can you tell us?

McCusker. Well——

Floor. What's the reasoning there?

McCusker. Okay. The reason for not giving any particular names is once again we're going to lay it back on individuals. And, the whole thing for this investigation is to take it away from individuals and not lay the blame back on them again and make it as if it were isolated. That this is the highest policy possible; that field grade officers were present at this time and the field grade officers yet were under orders themselves.

Floor. You're absolving the CO of the battalion as just doing his duty under standing orders, are you?

McCusker. I'm absolving him as, in essence, the same way I'm absolving myself. That he was just as much a victim of the rigid structure in which he was involved, which especially his whole career was involved and so he was frozen within that position and could not do much more. And he was under orders as I was under orders. And I felt a great sense of powerlessness.

Moderator. We'd like to move to the next witness, Mr. McCusker, unless there is a really pressing other question. We've got five other guys.

DANIEL K. AMIGONE

Moderator. Danny Amigone will be speaking to the problem, the area of mistreatment of civilians in ground combat. Dan?

Amigone. Thank you, Chuck. Good afternoon. My name is Daniel K. Amigone. I'm from Buffalo, New York, the queen city of the Great Lakes. I enlisted in the United States Army after I received my master's degree from Arizona State. As you know Arizona State, or Arizona, is a big, conservative hotbed of American politics, and at the time I really thought that what all we were doing in Vietnam was the right thing to do. So I enlisted in the United States Army and—for a three-year hitch by the way—and to this day I regret that. At any rate, I went through basic and AIT because I had plans of going into OCS, but just before, just before my actual departure for OCS at Fort Benning, they had a review board in my behalf and they decided I was not officer material because of various views that I had had during basic and AIT. And this I believe starts the whole process.

But anyway, after they refused my application to OCS, they sent me to Germany and I was over in Germany for three months and I volunteered for Vietnam, not like a lot of these people who have testified here before. I actually volunteered. At any rate, I went to Vietnam in March of 1968, March of 1968 I arrived at Bien Hoa and Bien Hoa just had been cleared of the Viet Cong. It was just right after Tet. I didn't have too much in-country training because we were really badly needed, and I was assigned to Company D, 3rd Battalion, 7th Infantry, 199th Infantry Brigade and we were called the Red Catchers. And this began my career in Vietnam, I was assigned to a infantry unit as 11 Bravo, which is an infantryman because all the training I had was during basic and AIT.

And this training I think is very important to the whole philosophy that goes into the mind of a man that goes into the front lines over in Vietnam. Basic is just, as they say, basic, you know. They teach you how to fire usually a—in my case it was an M–14. They teach you the basic fundamentals of drill, and, etc. Once you get into advanced infantry training, the process gets stepped up and the process gets more involved.

And I heard a question before about racism. Well, racism starts in AIT, Advanced Infantry Training. It's not a rasicm designated against the Blacks and Puerto Ricans; it's racism designed toward the Vietnamese people. On the ranges when you are firing for record score to qualify, you're taught by your platoon sergeant and the man who is the instructor to holler kill every time you squeeze that trigger, and you're killing a gook, as they call them. And this is really where racism goes. They're not people anymore, they're gooks. They're not Vietnamese, they're gooks. So on the bayonet range, your drill sergeant would holler, "What's the spirit of the bayonet?" And the people would as they lunged into their targets, would say, "kill, kill, kill." So that's—its the spirit of killing that these infantrymen have when they go over to Vietnam. It's really imbedded into them. And they get over to Vietnam and we practice what they have taught us.

There's one especially—topic I want to get into, and that's the question of McNamara's Brigade. In 1967, because of the drainage of manpower in the United States, Secretary of, I believe, Defense McNamara needed more manpower to fill the ranks over in Vietnam, in the infantry. So what he did was: lowered the mentality, mentality standards for acceptance, accepting men into the armed forces especially the Army. What happens to these men—in particular I remember one man was in my company. He was a platoon sergeant in basic, acting platoon sergeant. I remember this one man who came up to me. He was only eighteen years old, a black boy from Newark, New Jersey, and he was married and had four kids, and he couldn't even read the letters that his wife wrote home to him. The Army had accepted him for combat duty. The Army was going to send him to paratrooper school and eventually to Vietnam. The man asked me to read his letter to him, and I read his letter to him and I said, "Well, what are you going—are you going to write to her?" And he said, "I don't know how to write."

What had happened was that the Army had drafted this man, and then put him through a three-week course so that he could learn how to write his name and sign his pay voucher. And what happens? These men go through this killing process. They learn to kill and they go to Vietnam and they do kill, and they do get killed, because given the fact that their reactions are a lot slower than a man with a normal intelligence, they haven't been told that when you hear a bullet fly you're supposed to duct. All they've been told how to do is to kill. So they kill, and they get killed. And if you look at *Morning Reports—Morning Reports* is a document, a document that registers your KIAs which are people killed in action, or your wounded people—you will find a disproportionately high number of people were these '67s. I say *were* because the Army had gotten a little grief about this, and they changed their system from using US or RA to social security numbers. That way they could hide anybody they wanted to.

At any rate, these people go to Vietnam and they die. And these people, I'd like to point out, they come from the ghettos. They come from the squalid areas of this country. They come from Appalachia, they're blacks, they're Puerto Ricans, they're poor whites. And I personally believe it's a sort of genocide, a genocide in both ways, a genocide in the effect that they're using the poor to fight the poor over in Vietnam.

So what happens when we get over there? Well, as I say I arrived in the country just after Tet, and about the first week in the country I witnessed my first atrocity. We were in the middle of a fire fight, in the middle of a fire fight, and this GI to the left of me, ahead, captured a peasant girl. And he raped her, raped her. In the middle of the fire fight, raped her and then when she tried to get away, she killed—he killed her. And it was written off as a KIA, enemy casualty killed in combat.

And one more incident I'd like to bring up. I did not actually see it, but it happened when we were out on a patrol. We had captured three enemy prisoners and because of the lateness of the evening, we decided to hold them in our camp. And we held them and the next morning all three of them were dead, and they were shot in the back. And the—one of the platoon sergeants who were on duty at the time claimed the victory for killing them in the back saying that—he said that they tried to escape but what actually came out later, that he really just killed them. He loosened their binds and just killed them. And we both times went to the CO, both times, and he said, "Well, that's war."

Moderator. Excuse me, Dan. How did it come out that he had killed them? Did anyone see him?

Amigone. Well, nobody really saw him kill them but he—one night he got drunk and it came out through his spirits.

Moderator. Are there any questions to be addressed to Mr. Amigone from the press?

Floor. You support that a disproportionate number of the poor were killed because I think you said their responses were slower. Would it be—would that be the case, or would it be the case that a disproportionate number of them are sent up to the front lines?

Amigone. Well—a very high rate of this 1967's that I'm talking about, that's where they go. The Army cannot use them anywhere else. And the real sad part of it is, after they have used them for two years and if they're still alive after their two year period, they cannot re-enlist in the army because the Army's standards are too high for reenlistment. And yet they have fought their war for two years.

Floor. You said that you went to your CO after each of these incidents. Did you fear any kind of harassment or reprisal for doing that, or in fact did any such harassment or reprisal happen to you?

Amigone. Well, the first time I was like—as I said, I was brand new in the country. And he says, "Well, you'll see this happen all the time, just brush it off." The second time it happened late in my career and I soon after got wounded myself and was sent back.

Floor. So you're——

Amigone. Nothing really happened, no.

Moderator. Are there any more questions?

Amigone. I'd like to add one more thing. We've heard about officers, and I'd like to just relate one incident. A fellow member of the 199, just back here: what happened was, I believe it was in May or April, in April of 1968—we were operating in a very dense, a very highly vegetated area called the Pineapple. It's outside of Saigon. And the night before, a sister company of mine went into this area and had suffered 60 per cent casualty. And it's very heavy booby-trapped. So what happened was that our company was given the orders to go into it the next night. And my CO said, "No, I will not go in." And the colonel said, "You go in or else I'll relieve you of the command." And my CO called back and said, "I stand relieved of my command." And we didn't go in that night. Well, another company went in and suffered almost 50 per cent casualties that night.

GREG MOTOKA

Moderator. *I'd like to introduce the next witness, Mr. Greg Motoka, from Philadelphia—correction, from Pittsburgh, Pennsylvania.*

Motoka. My name is Greg Motoka. I served with the 4th Battalion, 47th Infantry Regiment, 9th Infantry Division, 4th Corps, Ben Tre Province, South Vietnam, from January 1969 to June of 1969.

The first thing that really struck my mind, the reason why I might be testifying here today; well, I was being transferred from an engineering unit to an infantry unit there in Dac Tau. The commanding general of the 9th Infantry Division made a statement to all the men who had just finished division training there at base camp at Dac Tau. And he said, quote, he stated, "We have the highest body count of any division of South Vietnam. We're proud of it, and with your men's help, we're going to keep it that way."

And soon after I was transferred to my unit there, it was easy to understand why they had such a high body count. Ah, from the very first mission out—we had set up an ambush patrol outside of a village. Airstrikes had been called in, near, around the village, and the lieutenant's orders were—he said, "Set up a machine gun," an M–60 machine gun with an M–16 rifleman beside him, facing up the trail. I had my back to him, facing down the trail. The lieutenant's orders were very specific to the machine gunner and to me to shoot anybody that comes down that trail. Anybody. He made no specifications or qualifications whether they were carrying weapons or not. Well, someone came down the trail. It was a woman carrying her child. And following our lieutenant's orders, they were shot. And the only thing the lieutenant had to say about that was, "Let's get out of here." Not because he really dreaded the sight of blood, but because he figured we'd wasted enough time in . . . Also going on a few operations later—we had just broken camp in the morning. This was around the beginning of May. I was the point man, I might also add, for our squad. I was walking down the trail and coming through the trail where I was—there was another trail going to meet in a point, a junction there. Well, I could see on top over the grass the heads of three Vietnamese walking down, I could see from their shoulders up. And I stopped the squad and I sent back word to the lieutenant: three Vietnamese coming down the trail. The response was almost instantaneous: kill them. So, I killed them, just like that. At the time I was elated over it, you know. And I wanted to go up and check to get the rifles because I hadn't seen any rifles, to make sure that they were carrying them and perhaps get a rifle as a souvenir. Well, when I started down the right side of the trail where they were supposedly laying, the lieutenant called me back and moved me in another direction. Also, this kept in the policy of never being allowed to see who you shot or fired at.

Our operations would begin going down the river. I might add I was a Riverine Force, what we called ourselves. We worked all the way up and down the Mekong River. Upon going down the river, we carried three boats each equipped with two fifty caliber machine guns, two grenadiers, and a rifleman supplied by Navy personnel. An area on the bank was saturated with prep fire. I mean it was so completely devastating that you could not see the shoreline any more, you couldn't see anything but the smoke from the grenades, the bullets, the fifty caliber machine guns. I asked the reasoning behind this, and it was said, to clear away any booby traps or any land mines that might have been set. Well, this makes sense but there's only one thing that doesn't, because we never landed where we had set up the prep fire, which is absolutely assinine. Many times in the very close sight of villages and of towns and hamlets. This is one reason I think it's so completely assinine to ask, "Well, why didn't you report to your commanding officer any war crimes?" Mainly because your commanding officer is ordering you to commit the war crimes.

One other thing I might also add as far as this body count goes. Both times this woman and child were killed, five VC were reported killed. When three Vietnamese were killed, carrying no weapons, this was reported as seven Vietnamese were killed. The captain ordered—talked to all of us point men and said—he says, "Anything gets in your way in that trail, you blast it." He says, "If you find any blood, we'll give you credit for a body count." And that means a Sach Cong award or perhaps a three-day in-country R and R.

One other incident that's mentioned here that I just want to explain. When I was in the engineers, we had set up—we were building a bridge outside of a village. At the time, an ARVIN company had moved in fairly close to the village and fighting had broken out. All of our engineer company was pulled back to our perimeter except for five men who stayed there to guard the bridges that they were working on. I was one of the five men.

Napalm strikes were called in very, very close to that village. Like the undergrowth was so thick, I couldn't see any actual hamlets going up but I could see the smoke coming from very close to that village. A few minutes later a man was walking—came walking out of that village across the pontoon bridge we had made temporarily, and he proceeded to walk down the road. Our sergeant ordered him stopped, and he wanted to hold him for questioning not because—he didn't want to give him any medical assistance because his face was badly burned. He didn't want to give him any medical assistance, but he thought he might be a possible VC suspect. He sent me to ask my lieutenant-colonel what we should do with him, and I related the incident to the colonel, who happened by a coincidence to be there. He said, "Just get him out, just get him away from here." I guess he thought it wasn't important enough to help because his skin was yellow and he had slanted eyes. That's about it.

Bob Johnson. I might add one thing. The question was raised many times about reporting war crimes. Well, I just want to say that during four years at West Point while I was there and in my time in the Army, we were never taught, never received one meaningful hour of instruction at the elitist, the so-called cream of the crop institution not one meaningful hour of instruction on the rules of land warfare. And if we, the so-called professionals, didn't know what war crimes were, who did? I didn't know what war crimes were, what the rules of land warfare were, until I returned from Southeast Asia. Are there any questions of Greg Motoka from the press, the audience?

Floor. Did you—you were in the 9th Division, right?

Motoka. Right.

Floor. Did you ever see a kind of helicopter called a "gook mobile?"

Motoka. The gook mobile?

Floor. Yeah.

Motoka. Is it a particular kind of helicopter?

Floor. It was the commanding general's helicopter at Uhl's—but I don't know if it was there during his tenure.

Motoka. No, not offhand. I really couldn't say. I don't remember it.

Floor. Were you there during Uhl's—during General Uhl's command?

Motoka. I really don't know his name. I never paid attention to any of the generals' names or anything. I was there from January of 1969 to June of 1969.

Floor. You didn't know the name of your division commander?

Motoka. No. I didn't know the name of the division commander—at the time I probably did, but it's been so long that I forgot it.

Floor. Can I ask you to explain again—I know that you just amplified one of the questions but you said it's assinine to consider reporting to your CO for war crimes because it is your CO who is ordering you to do the war crimes?

Motoka. Exactly.

Floor. Well, you see there is a chain of command in the military whereas you are to report anything up the chain of command. If you see anything—well, not even necessarily war crimes, but in this case it would be war crimes—you would report it up to your next highest echelons, level. All right. The highest echelon there in the immediate vicinity was the CO, and he was the one who ordered me there at the time to shoot the Vietnamese. So if he's the one telling me, what's the sense of reporting to him?

Moderator. Well, when all Vietnamese in Vietnam generally are treated with disgust, it's very hard to understand that you're involved in a war crime. Most of the GIs feel—well, they're the enemy. They're in a free-fire zone, they support the VC maybe, so they're the enemy. You don't think in terms of it being a free fire zone. Orders don't come down and say: go out and murder prisoners. They say, as has been said here, get me a bigger body count. And it's understood what's to be done. The search and destroy policy teaches GIs not to value human life and property. It doesn't teach them in their minds to go commit a war crime. But what we're saying—what I say is that atrocities in Vietnam, the torture of prisoners and so on, is a logical consequence of our inhuman policy in Vietnam. Any other questions from the press or members of the audience?

Floor. In your unit did you ever hear the terms: pacification, civic action, winning hearts and minds?

Motoka. Sure. There was a pacification process. I forget—Chieu Hoi, the Chieu Hoi program, yes. This was very interesting. As a matter of fact, because members in Chieu Hoi, the so-called VC who gave themselves up, were supposed to be given outstanding treatment and put in secure, what they call secure areas. I happened to visit by chance a secure area one time. I passed by. It was nothing but a concentration camp with a barbed wire, machine guns pointed out, eventually in. But this is what they mean by "pacification process" in the delta. It was the big Chieu Hoi program: turn yourselves in and we'll put you in this pacified area, which is nothing more than a prison. That's their extent of pacification.

Moderator. Another very common euphemism, used at the highest levels, for the destruction of Vietnam, is a program called Nation Building. It's called Nation Building. I was briefed on it and participated in it in Vietnam. And of course it's not nation building at all, it's nation destroying.

Floor. Can I carry that question just one step further?

Motoka. All right.

Floor. Your unit, or other units, did they attempt to practice civic action aside from telling of a body count? What—the other side of the coin.

Motoka. We had one thing where we would go—the only civic action that we had was checking ID cards. As far as going out to give medical help or medical support to wounded or injured, there was none. On one instance I know—we had to go through it many times, we went to small villages to check for ID cards. Upon—a few incidents I know, the people didn't have an ID card. They were dragged forcibly from their hamlet while their wife and children would beg and plead and cry on their hands and knees to let them go, but you are—the atmosphere is so entirely oppressive to everybody that its—you're so numb that you just don't care. But they're down on their knees pleading with you, and that's the extent of the pacification.

Moderator. Okay. Thank you very much, Greg.

KENNETH BARTON OSBORN

Moderator. Gentlemen, our next witness will be Kenneth Barton Osborn, from Washington, D.C.

Osborn. Mike, here, just provided me with my own documentation, which I'd provided him with earlier. My name is Kenneth Barton Osborn. I live here in Washington and I'm a student here at American University, in the International Service Division. This is my DD 214, which proves that I was honorably discharged this past, let's see, October of 1969. I entered the Army—can you all hear me—I entered the Army in 1966 and was released from active duty in October of 1969, and this is the form that proves that.

I was in Vietnam from September of 1967 until December of 1968. My MOS in the Army was 97C40, which simply is described as an area intelligence specialist. I was trained at Fort Holabird from April of 1967 until right before leaving for Vietnam in September of 1967.

My job in the Army is described overtly—unclassifiedly—as that of an area intelligence specialist; that is, I'm supposedly familiar with the geographical area, culture in that area—and work to provide cross-cultural empathy facility for the Army, that is, so they can understand the culture into which they go on any operational basis. In fact, when we started the program at Fort Holabird—we were there a couple of days for general orientation and when the class was organized, sat down and in walked a colonel who was a military intelligence—a full colonel in the Army—who gave us what they call the scare lecture. He described to us that what we were going to be trained for was not, in fact, just area specialty, but the function of what they call a case officer, or an agent handler. This is the job of spotting, analyzing, recruiting, training and running and terminating agents, who in fact are broken down as principal agents who run nets and sub-agents who are in fact the people in the field who are gathering information. There are two basic functions in military intelligence: that of the counter-intelligence agent, who supposedly does just that—counter the enemy's intelligence—and the classified function, which is denied by our government, of the overt, active, aggressive collection of intelligence. It was my job to perform that classified function.

Of course, the starting point with the orientation at Holabird was that, all this that we were going to be trained to do was against the Geneva Accords, and if we had moral compunctions about it, we could opt out of the program if we wanted to. If we had none, you just go ahead and play along with the program—be trained this way, and then they would return to us as a result the privilege of autonomy from the military. That is, at one point in our training we would be released from uniform, from military structure, we would be subservient to only a few people. In other words, we would be more or less free agents.

This did happen when I got to Vietnam. I worked in the Danang area—that's the I Corps area—and ran agent nets there. I won't go into an awful lot of detail that's unnecessary; it's sufficient to say that I organized nets in the I Corps area and provided lead information to—I was with the 525th military intelligence group, with their 1st Battalion in the I Corps area. Traveled there under the cover of a GS-7 and later a GS-9 as I promoted myself during the year.

I lived under a cover name which is not my own name—which is not necessary to go into, I guess, and lived there in a house in Danang City and served using organizations being the 1st Marine Division, the 3rd Marine Division, the 3rd Marine Amphibious Force, Army units such as the Americal Division down in Lower I Corps, the 7th Armored Cavalry, which was in An Kay, and later came up to Danang. When I first got there, there was no liaison with the using units, and I had to establish that and also start from the beginning and establish nets and so forth. It took me a couple of months to get into business, and also to sell my services to the American military, who were reticent to use "foreign nationals," that is, indigenous Vietnamese personnel, for information. When I proved on a retrospective plausibility basis, that is, look what I report and see what happens and if you believe it then accept my reports—when I sold them this information that way and they believed it, we were in business and I served in the 1st Marine Division, and the 3rd, and the 3rd Marine Amphibious Force primarily, because at that time the majority of the operations in the area were Marine operations. My liaison was with the G-2 officers of those organizations, and with subordinate S-2 officers in regimental headquarters subservient to those divisions in the area. So that was my function in Vietnam. I was there, in that function, for 15 months.

During that time, I worked with interrogations and I worked with the using units in their field operation at different times mostly to get a reading on what kind of information they needed—I needed requirements. I needed to know what to collect. I needed to know what to levy on my agents and as a result, since I couldn't get any specifics, other than things from the Pentagon like "Beware of troop movements around the western Czechoslovakian border," and so forth—couldn't be more specific than that, and we were in Southeast Asia, I had to go out and get my own requirements from the using units so that I could travel to the field with the Marine counter-intelligence investigating team. During that time, I saw several incidents which I want to relate to you here.

There was a counter-intelligence team, an interrogation team, there on the compound of the 3rd Marine Amphibious Force, which is adjacent to the Danang air base in their G-2 shop, they have an investigation—they had at that time—I think it was 1967 or 1968—they had an intelligence team in there which were made exclusively of American Marines. There were no Vietnamese there. These Marines were trained and spoke Vietnamese. They were interrogators. In the course of collecting intelligence information, I would come up with what Ed Murphy referred to as VC infrastructure detail, personalities, descriptions of people working in the local committees in the villages which were VC organizations. When I got this information—at first there was no function, that is, no use for it, because there was no program that could effectively deal with eliminating VC infrastructure on a combat-unit basis. I later got into the Phoenix program on—as a result of searching around for a unit that could use this information. At the time, early in the game, I used to give the information to the 3rd Marine Amphibious Force interrogating teams and they would pick up personally. There was a lieutenant, first lieutenant Marine, who was later promoted to captain during his tour there that I knew him, who would go out to the village with other Marines, Marine EM—enlisted men—and scarf up these people who were described in my reports and bring them in for interrogation. They had two hootches right there on that 3rd Marine Amphibious Force compound, which were devoted to interrogation and they used the following modus operandi: at one point, I had described a certain individual of a local village—suburban village of Danang. They went out and scarfed her up and brought her in and simply put her in one of the wire mesh cages that were inside this hootch, which was divided into four cages. She was in one of them, and they simply put her in there. There were no facilities other than a wooden bench—regular, like a picnic bench, which stood on, like, a sawhorse—on which she could sit, sleep, do whatever she wanted to. There were no toilet facilities. There was no food and there was no water. And the idea was that she should stay there until she talked. When they had weakened her, I was on the compound one day and the—a lieutenant said to me, I want to show you what we're doing with so-and-so whom you—who we got from your report there. Come on over next door and I'll show you the process and when we went over—and they had set this hootch up within the week. And they were quite proud of the fact that they were just leaving the people there to starve. I said, well, we'll just leave her there until she talks. They did leave her there for about ten days until, finally, she was so weak that she couldn't respond to anything, and at that point, they just sent her back to her village and called it a loss—got no information from her.

At another point, I had identified one of the members of the village committees for VC logistical supply, as I remember. In any case, he was picked up and brought in as what was described earlier as a detainee, not a POW, but a detainee. The fellow was put in the same hootch with the four cages, in another cage, and he was forced to lay on the floor with his hands tied behind his back and they would insert a bamboo peg—a wooden peg, I'm not sure if it was bamboo—a wooden peg, a dowel with a sharpened end, into the semicircular canal of the ear, which would be forced into the head little by little as he was interrogated. And eventually, did enter the brain and killed the subject, the detainee. They never got any viable information out of him—they called that a loss but in any case that was one thing that was a standard operating procedure. And I asked the lieutenant, I said, how often do you do this kind of thing? He said, whenever we can't get information by easier methods. These methods being, I won't re-describe the ringing up of the telephone sort of thing to the women's breast nipples and the men's genitals. When these things failed, then they went further into—the, I think, worst of the torture methods that I saw was the one of the inserting the dowel into the ear.

With that same unit, the 3rd Marine Division, I went along twice when they would go up in helicopters which belonged to the Marine Division and take two detainees along. They used one as a scare mechanism for the other. If they wanted to interrogate detainee A, they would take someone along who was either in bad health or whom they had already written off as a loss—take both these Vietnamese along in the helicopter and they would say, they would start investigating Detainee B, the one they had no interest in, and they wouldn't get any information out of him and so they would threaten to throw him out of the helicopter. All the time, of course, the detainee they wanted information from was watching. And they would threaten and threaten and, finally, they would throw him out of the helicopter. I was there when this happened twice and it was very effective, because, of course, at the time the step one was to throw the person out of the helicopter and step two was to say, "You're next." And that quite often broke them down, demoralized them, and at that point they would give whatever information. Sometimes the information was accurate; sometimes this was considered an ineffective method of investigation. Sometimes the Vietnamese, when threatened with things like the dowel treatment or the telephone treatment or in one case, the helicopter incident, would start babbling anything at all—would say whatever you, he felt, wanted to hear, and this, again was ineffective. But that was the modus operandi used, and those were the incidents that I actually was involved in.

FLOOR. Excuse me—you did actually see these two people thrown out of the helicopters?

OSBORN. Yes sir, on two different occasions, yes sir.

FLOOR. Could you tell me when and——

OSBORN. Yes sir, that was——

FLOOR. Be as specific as you can?

OSBORN. Yes sir, I will. That was in the month of April, 1968, and it was northwest of Danang, perhaps fifteen miles just beyond the suburban villages there. The base of operations was the 3rd Marine Amphibious Force compound adjacent to the Danang air base in I Corps, and they would go from there up in a helicopter and go through this procedure and come back down again with what was considered a successful interrogation.

FLOOR. You went up there for that specific purpose?

OSBORN. That's right.

FLOOR. Now, what was, what procedure did you follow, how did you do it?

OSBORN. Simply go out to—from the Marine Wing, they called it, there, there were on the compound that were the interrogation headquarters, go out to the helicopter there in a jeep, take these people with us. They weren't badly restrained, they had their hands tied behind their backs. They walked, they were pushed and so forth onto the helicopter, and when they got up they would simply start on the subject that they didn't want to interrogate, to scare the one that they did want to interrogate, and they'd terminate—they would throw the second subject out to scare the first one into whatever they either wanted to hear or whatever was appropriate.

FLOOR. Who did the throwing?

OSBORN. The throwing was done by Marine enlisted men.

FLOOR. On whose orders?

OSBORN. On the lieutenant's orders.

FLOOR. Where were you when it happened?

OSBORN. I was there in the helicopter on one of the side seats observing——

FLOOR. How far would you be from the door?

OSBORN. Five feet.

FLOOR. What would you say? Did you ever make an attempt to stop it or——

OSBORN. No, I did not. I was there to observe.

MODERATOR. Mr. Osborn has some additional testimony, sir. Could we—unless you have any objections—could we get that out before we have any additional questions.

OSBORN. What else do you want to know?

MODERATOR. Bart, you said that you worked closely with the CIA in the Phoenix program; how closely did you work with the CIA, and what did the Phoenix program mean to you?

OSBORN. As I had mentioned briefly earlier, sometimes the using combat units in the I Corps area, which is the area I basically served because that's where the nets were gathering information, had no use for potentially valuable information, accurate information and timely, that we would gather just in the course of getting reports in from the field, from the Vietnamese agents. I was frustrated to let a lot of the information on a timely basis go down the drain. If I would have a VC who was the head of a committee or a fairly high-placed individual in the VC infrastructure and I found out where he was, where he would be, how he could be picked up and so forth, and I'd take this to the Marine Division and they'd say that's nice, but we really don't have the facilities to use it. I lived in Danang and I happened to run into a fellow in the club where I—the Stone Elephants, the Navy officers' club—ate there, and I ran into a fellow who ran the I Corps area for CIA operations and I talked to him and found out through him that they had a program that could receive that kind of information.

On a discreet basis, I called him aside after dinner one night and asked him if he knew where I could disseminate this information on an effective basis. He put me in contact with an Army major who was at a house there rented by the CIA in Danang, and I established the liaison necessary in order to disseminate whatever VCI information I got with my reports, and did that for, I guess, for the last eight months or so that I was in Vietnam.

Moderator. Does the term exterminate, to terminate with extreme prejudice—are you familiar with that term?

Osborn. There are two ways—yes—there are two ways to terminate an agent. When you are through with the agent, that is, when he serves no more function to you, you can do one of two things. You can terminate him by paying him an amount of money, thanking him for his service, swearing him to secrecy, and simply letting him go—that's without prejudice. There is termination with prejudice where the agent constitutes a threat either to your operations, to you personally as a case officer, to whatever has determined the threat, and you terminate him with prejudice by either killing the individual or perhaps relocating him in the—I remember one incident of an agent up in Phuo By who was relocated as a prisoner of war into a Chieu Hoy camp and reoriented—I'm not really familiar with the details of that, but the main idea was to, of course, neutralize the individual. I got orders a couple of times to terminate agents with prejudice because of things they had done which were considered illegal or in bad taste or threatening—bad security—while I was there.

Floor. Did you follow those orders out, sir?

Osborn. I had an agent, for instance, in Danang who was an effective principal agent—ran a net in the I Corps area around Danang. And who had worked—had told me when I hired him that he had never worked for American intelligence before. That was a starting point when I hired him. He spoke English so we communicated well—he was fluent in French and English, and he told me, no, he had never worked for the American intelligence community before. It turned out, though, that while he had been working for us for some time, in March of 1968, a list came out from the CIA, from CSD, they're in Danang. And it was called the catalog of undesirable personalities, and we called that a blacklist. People who had done no-nos and were to be left untouched by the American military intelligence community. His name was on that list and I was shocked to find that out. I went—I went to a captain, an Army military intelligence captain, and I asked him what he thought I ought to do in the method of termination. He said, well, you do whatever you want to do, he's your man, and generally that was the case, that the case officers were able to use their own discretion. But he said, "I want the man dead," and so I said, "All right." And I went out and he was a resident of Danang, had a family, a wife who also spoke English and a fine woman, also two children, two or three children. And so this would be eliminating the father of two children, obviously, and for no real reason, because what he had done was to have worked previously for the CIA as an interpreter and they didn't like his interpreting because he had been feeding information to agents on the side in order to corroborate their information and get them better pay. He'd sit down with two agents and say, what do you have and what do you have, and he'd cross the information. They found this out and they fired him, on the blacklist as a result. He was an active agent with me, he was blacklisted, so he had to go. I took him aside; at the time he had quite a number of pieces of equipment. He had a Yamaha motorcycle that I had lent him for running around, he had a two-way radio, a little Motorola set that we communicated with on an emergency basis, he had a number of things and he owed me a lot of piastres which he's drawn on his salary—which I had done in order to get a handle on him, in order to make him work effectively. And so he was strung out, and he was obligated in this way, and I sat him down and said I need these things back—it was a period of about ten days. And when I had gotten all these things back, which, of course, were compromising logistics, I then told him what I had been told to do and told him that if he did not disappear from the city, with his family or without his family but in any case disappear for at least three months, I would have to come back and kill him. That was a hollow threat but it worked. And he left and whether it was followed up or not, I don't know, but that's an example of going beyond what the orders were in neutralizing agents.

Floor. What about the other orders?

Osborn. I had an agent in Phu Bai, which was the 3rd Marine Division base, and he had been involved in some black market activities, and that came up in the course of an interview one time that I had with him one time. And I reported it to—in a report which was standard after every interrogation, after every what they call personal meeting with your agent. Because he would be compromised by having his finger in the black market, and was not working exclusively for me or for the American intelligence community, he was considered a threat. I was told to terminate him. I went up to Phu Bai and I brought him down to Danang to live with some relatives, and that's what happened.

Moderator. Are you familiar, Bart, with any incident where a person was actually terminated, liquidated, with extreme prejudice?

Osborn. Yes, I'm afraid I had at one point in my employ a woman who was Chinese and who lived in Vietnam. She was a Chinese Vietnamese citizen. She was educated to the point where she spoke several languages, she spoke fluent English. And I used her as an interpreter and also as a guide to the culture that I was working in because as a Westerner, there were a lot of things there that I couldn't have been sensitive to. She was my guide in that respect. She also was my direct contact with agents, that is, I had people I didn't want to meet because I didn't want them to know me because in case they got compromised, they couldn't compromise me. So she was my go-between. She acted as an interpreter, guide, and support agent, that is, a courier. And at one point she had been—because we were short of people who were that well trained in Vietnamese, she was cross-exposed to operations. She was into a lot of my operations. She worked with—and incidentally, I ran only unilateral operations, American operations only, not in cooperation with the Vietnamese, which is against the Geneva Convention.

And so this was a sensitive area. When it was determined by a military intelligence captain that she was too cross-exposed, he reported that to Saigon and he got the reading back that she ought to be terminated from the scene. She ought to be let go. It was not determined—it wasn't said whether she ought to be terminated with prejudice or not. He took it upon himself to terminate her by murdering her. He murdered her with a .45 in a street in Danang, shot her in the neck and let her lay in the street there. It was said that there were Viet Cong agents, or terrorists, or sappers, or something in the area who shot her, and it was plausible because we knew that she was heavily involved in intelligence and would have been targeted by the unfriendlies—that's the Viet Cong.

Moderator. I have one further question before I turn this over to the press. Bart, since your return to the United States have you ever worked, have you ever been in contact with the CIA since that time?

Osborn. Yes I have, Mike. I had been pretty deeply involved in a number of operations in Vietnam, as I said, and as a result when you recruit agents you usually do it by recruiting their loyalty to you, and then get them to relate to the mission. When I left Vietnam I turned over my operation to my successor, but because a number of these things were CIA-supported, like the Phoenix program, VCI operations, and so forth, I was recontacted when I got back to the states, back a couple of months. They recontacted me and asked if I would serve on an advisory basis, and I did for a while. I don't think that that's all that relevant to this whole thing, but it is true that these things continue. I terminated that whole thing this June, and I have no association with the CIA any more.

Moderator. Gentlemen, any questions, please.

Floor. When you were recruiting these agents, you were working for the CIA?

Osborn. Yes sir, these were military intelligence modus operandi—you know, method of operation—nets. They were serving military combat units for combat intelligence and the Phoenix program for VC infrastructure, and they were laterally disseminated on a discretionary basis. If I had only combat information I'd only send it to combat units. If I had only VCI I'd send it only to the Phoenix program, the Phoenix coordinator there in Danang.

Floor. Mr. Osborn, in that first incident you mentioned, about the termination, you said that was a hollow threat. Why did you say that?

Osborn. Because at the time that I said that, I didn't have any intention of killing him, but just of exercising a second threat if the first one didn't work. I may have killed him eventually if he became a viable threat. That is, he may have gotten bitter and compromised a number of things I was involved in and as a result have threatened my life. I may have. But I didn't. But as I say, at the time that was a hollow threat because I didn't intend to kill him, when I told him I did.

Floor. You would have killed him if necessary?

Osborn. Yes I would have.

Floor. Why are you spilling all the beans now? Because we haven't won the war?

Osborn. No, ma'am, it's not.

Floor. Well, will you tell us why?

Osborn. Yes. I feel as if this standard operating procedure, which is authorized by the American military community, and by the CIA, is against the American value system. I don't feel that I can come back with a clear conscience from Vietnam and consider myself a good Christian, or I don't feel I can have a clear conscience, knowing that my government is working despictable methods of operation in other parts of the world, *and* denying it; working against the Geneva Conference and blaming other nations for doing the same; taking action against foreign interests which are doing the same thing that we're doing, it's just that we classify it as they do—we catch them, they catch us, and it constitutes one heck of a hypocrisy. The reason I've said these things today is simply to document or add evidence to the fact that we are doing these things, and my suggestions would be that we don't have to. We should not criticize others for doing the same things that we're doing, or we ought to cut it out. One of the two. I simply want to add to what the others have said, and that's why I'm here today.

Floor. Do you consider yourself a war criminal, under Nuremberg?

Osborn. Yes, for some of the things that I did in Vietnam I feel that they definitely were criminal.

Floor. Mr. Noetzel, did you ever terminate an agent yourself?

Osborn. Mr. Noetzel?

Floor. No, I'm sorry.

Osborn. Mr. Osborn. I beg your pardon?

Floor. Did you ever terminate an agent by death yourself? Did you ever kill an agent?

Osborn. No, I didn't. I never killed an agent.

Floor. In that first case, the case of the agent with the Yamaha. Is it possible that when he was working for the CIA he was not aware of that?

Osborn. No, it is not possible that he was not aware that he was working for the American military intelligence community, and that was my question to him that he had denied. So in essence he had lied to me. And the interest in lying was simply this: the American intelligence community was hiring him, and they were the only force hiring him in the area, and if he wanted a job—and he was qualified because of his multilanguage capability—he had to get on with somebody. And he had been fired by the CIA, and as a matter of fact he had not re-approached us, we had approached him.

Floor. With the Chinese agent who was killed, did you have any advance news that he was going to be killed?

Osborn. No, I had not advance news.

Floor. In that case, what was your reaction, if you felt it was unnecessary? Did you protest?

Osborn. Yes, I protested to the fellow who had murdered her and asked him why, and he simply explained that she was too cross-exposed and was too involved in operations. And I didn't feel that since she had been asked to help us, and had never done anything actively or passively that was against our interest, but had only followed through and had gotten involved in as many operations as we had asked her to get involved in, then to determine her fair bait for murder seemed wrong.

Floor. Sir, did you ever kill anyone other than an agent?

Osborn. In Vietnam?

Floor. In Vietnam.

Osborn. Not that I can tell you about. In fact, during the fifteen months that I was in Vietnam I was responsible for deaths, yes.

Floor. In what respect?

Osborn. Several respects. One of our functions in supplying combat information to the 1st Marine Division, especially their G–2 office, was to get targeting areas for B–52 strikes, and we would follow these up to see how effective we had been. For instance if we had gotten an NVA unit reported in an area, and they would come in with the B–52s and they would target them as they came in and they would plough an area—that is, they'd drop bombs and plough an area there—and we'd follow up occasionally, and I'd find that we had killed civilians in the process. And whether or not they were Viet Cong agents or not I don't know. There were civilians dead as a result who were not, in fact, part of the NVA units that were targeted.

Floor. Did you ever kill any civilians or POWs yourself?

Osborn. Not myself, no.

Floor. Did you ever make any attempts to tell anybody, any government authorities, about these things?

Osborn. In other words, bring charges or make an official complaint? No, never did.

Floor. Will you tell us why?

Osborn. Yes. Because it was so much the SOP, and my entire peer group had been doing the same thing, and to bring this up as a subject was old news. And as a matter of fact the people to whom I talked privately, private citizens, when I came back to the United States, doubted this—frankly didn't believe me, or if they believed me generally, and knew that I was not known to be a liar, knew that I wouldn't have any reason to lie about this, thought it was sad that I had been exposed to a war, but that's war.

Floor. Have you ever told this in public before?

Osborn. What about your peer group, what is their attitude about these cages, and throwing people out of helicopters and that sort of thing, as you say.

Osborn. They vary. They do vary in their attitudes. I know people who are conscience-stricken about the methods of operations that we described, I know other people who just looked on it as a dirty necessity, of being in Vietnam for a year. And you get your year over and you go home and forget about it. There were all levels of conscience about it. Generally, though, it was an accepted thing.

Floor. Tell us what your rank was.

Osborn. Yes sir, I was in Vietnam, when I first got there, a Pfc, an E–3 in the Army, and when I left Fort Holabird an E–3. It was a long time before I was promoted to an E–4. I was an E–4 when I left Vietnam, and was promoted to E–5 by administrative process just before I left the Army.

Floor. Did you ever get extra pay? Did you have a living allowance, or that sort of thing?

Osborn. Yes. We had allowance for separate rations, because we had to eat, we had to live in the status and keep up—GS–9s make a good bit of money in Vietnam. They have a 25 per cent pay increment and so forth. On Pfc salary I couldn't necessarily do that, and so there were separate rations, separate living allowance, and then a lot of our expenses were paid through a separate intelligence fund, so we didn't have to put it out of our own pockets.

Floor. Would you explain what you understand to be your violations of the Geneva Accords?

Osborn. Yes. Primarily it was this. I mentioned the scare lecture that we had at Holabird, and it mentioned that we would be working in an area, that is, agent operations, that is plausibly denied by the American government. If we didn't want to associate with it that was up to us, but we had to make that value judgment and do it voluntarily. In fact, out of a class of thirty-seven people only one opted out, and we were told that it would not be a mark against us if we decided not to continue with this at that point, but that we would have the rest of the day to think about it, and we were let go that day from class. And the next day we came back and a fellow had opted out, and the rest stayed because about half the class knew that that was the case, that area intelligence specialists were in fact agent handlers, and the others, who were surprised, accepted it.

Floor. Sir, what were the violations, though?

Osborn. Oh, all right. Yes. And we were told, we were told at the time that our function would be to run illegal operations, that is, active collection of intelligence by utilization of spies, nets, agent nets—and this was illegal. It alludes to the thing about if you are caught or compromised, we'll deny the whole thing. And that's basically why we lived in cover status in Vietnam. Because if John Smith, and that's a fictional name, was caught doing so and so, he would be pulled back to Saigon and perhaps sent out of country, perhaps changed back to uniform, and he would simply evaporate—and so if charges were officially ever brought against the government that said, "We know of a John Smith in the I Corps area, who was in fact recruiting agents," they'd say, well, you document that, and that's fine. That was plausible denial, and it worked very effectively. This was illegality number one. Another example of what we were doing illegally, I mentioned before, we were running unilateral operations only. Just unilateral. They were an American effort, no cooperation whatsoever with the Vietnamese, based on the assumption that whatever the Vietnamese did was compromising because they might be infiltrated by the Viet Cong. In any case, it is, in fact, it is in conflict with our agreement with the government of South Vietnam to have exclusively unilateral collection of intelligence operations, which is what we had.

Floor. Sir, do you feel in any personal danger as a result of your appearance here today?

Osborn. I don't feel as if, if somebody came out and reported to the press involvement with classified operations which are still classified, to which I have agreed not to speak, and I have signed agreements with the Department of Defense saying that I would not go into specific detail, which I, in fact, have not named names today—this is not a crucifying session of any kind—I have agreed not to go into this in detail. It was implicit in my agreement with the Department of Defense, that if anyone asked me what I did in Vietnam, I was an area intelligence specialist; "What was that?" Well, you were kind of familiar with the area and you studied geography and knew map reading and things, but I don't know map reading and things very well, so that was not very plausible. And so I don't think that this would do me any good, if I went to apply for top-secret clearance, like I had before, I probably wouldn't make out too well, but what I plan to do is go into private industry on the basis of my education when I complete it, and so forth. And I hope to be able to stand on my own two feet—not a precarious process like investigation. Is the "pinko" questionable? I feel as though the classification system is closed to me as a result of today, and whatever else I get into.

Floor. You say you are at George Washington?

Osborn. I'm at American.

Floor. And what is your major?

Osborn. My major is languages and linguistics. I'm in a Masters degree for International Services program, in the school there, and I'm Western Europe oriented—German and so forth.

Floor. What was your analysis of the Green Beret case in 1969, in Nha Trang? The way in which the Administration and the Department of the Army handled that?

Osborn. I mentioned plausible denial to you before. And I think that if you were familiar with the method of operation that went on, and it was a part of your life, you lived with it—and if that were your goal, your mission, your assignment, and so forth, if you heard of having a double agent through the 5th Special Forces, who was to be terminated, and it flapped, that is, it became known, and it was necessary for our government to deny it, to see them deny it, and go through the legal process to divert attention from it or whatever they were trying to do, was not surprising at all. That's the way I saw it.

Floor. Sir, you say you saw Marines push Vietnamese out of helicopters. Could you tell me what the reaction of the Marines aboard the helicopters was when this occurred? Was there any reaction, or this sort of thing, and what was the reaction of the victims?

Osborn. The victims fell.

Floor. Before.

Osborn. Before they left the helicopter? That's two questions, sir.

Floor. I'd like to know a little about what was going on in the helicopter.

Osborn. Right. We'd go up, and the interrogation team chief—the lieutenant—and one, two, three EM, I'm not—there were two or three EM, I guess. And they would have these people with them, and they would have their hands tied behind their back, and they would load them on the helicopters, and the helicopter would take off and the—the Marines, you have to understand that wherever they were in a function like interrogation, any support function at all, they considered it less dangerous than a combat mission. They would go out in the boonies and kill via their M-16 rifles. And so I didn't ever see any moral compunctions about that being done; as a matter of fact when they were told to go ahead and push the fellow they would go ahead and push him. And on both occasions that happened.

Moderator. I'm sorry to interrupt this right now. We're already five minutes over the time of this session, and we have two more witnesses. Mr. Osborn will be available for additional interviews, he'll be here during the day, so I'd like to move on right now.

NORM KIGER

Moderator. The next witness is Mr. Norm Kiger.

Kiger. My name is Norman Kiger, age twenty-two. I'm from Mount Rainier, Maryland. I served in Vietnam from December of 1968 until August of 1969, during which time I was with the communications company, 7th Communications Battalion, 1st Marine Division.

At one point in my tour in Vietnam I was attached to the 1st Tank Battalion on an observation post called Observation Post Bear, which was near the village of Tuy Lon, which is approximately ten miles southwest of Danang. On this observation post, the commander there was a staff sergeant. It was a daily occurrence for him while I was there, it was either daily or every other day; it was several times a week he would test fire claymore mines into the village, which was at the bottom of the hill. The village was approximately 75 to 100 meters away and the range of a claymore is approximately 200 meters. From on top of the hill we could hear the pellets from the claymore hitting the hootches, we could hear dogs barking, chickens running around, children screaming, that sort of thing. I was never able to see exactly what the results of these firings were, but it was not done as any kind of a tactical move. It was done strictly for fun. The staff sergeant always voiced his hatred for gooks, as he called them.

On one particular night in, I believe it was the month of February, of 1969, I was asleep. I was not on watch, but there was a man who was on watch in my bunker, or was supposed to be. Apparently he was somewhere else, goofing off, during which time a volley of rockets were fired from nearby, out in front of his position, the position of my bunker. The rockets were fired at Danang airstrip. No one saw—actually saw them fired, you could only hear them. No one saw where they came from, or who fired them. We all ran up to have a look in the direction where they'd been fired from and out in the graveyard near the bunker—maybe 100 meters—there were three people. I have no idea whether they were Vietnamese. They could have even been Americans. You could not tell whether they carried any type of hand weapons but they definitely had no rocket launcher of any type.

This was not a free fire zone, but the staff sergeant in command told the other man on my bunker to open fire on these men with a 50-caliber machinegun, which he did. And killed all three of them. We never did go out to see who they were; we never really did find out who they were, although the next morning, at the village, there was some sort of celebration. I don't know what a Vietnamese funeral service is like, but that's what I assumed it to be.

Also it was a daily occurrence at approximately sunset, when the Vietnamese were bringing their livestock in from the fields—they would herd them from the fields into the village. As they were doing so, many of them had to pass by our position. And at this time the staff sergeant and some of the others on the hill would harass the civilians by firing the 50-caliber machineguns directly behind them as they walked, trying to scare them. And they were successful.

Moderator. Okay. Are there any questions from the press? Anything else you'd like to add?

Kiger. In the end of February, 1969, the Tet offensive was just beginning. The word was, on the radio, the condition was called "Stormy." And the world was that in our area that there were approximately a regiment-sized group of North Vietnamese regulars coming across; they had come across from Cambodia, and in the direction from which they were coming is where this village of Tuy Lon was. We knew they were coming. We knew approximately when they would get there, but at no time was there any move made to evacuate the village. And that night, I believe it was the night of February 23rd, we were hit by the North Vietnamese, and we had to shoot back. In shooting back, many of our rounds seemed to go into the village. The next morning, after the fighting was over—we had received reinforcements, air strikes, artillery—I had to go back to my battalion, and in walking out I walked out of the outpost at the same time that some of the villagers were bringing casualties in. They were bringing them up to the hill apparently for medical treatment. I don't know if they ever received it because I didn't stick around. I had to leave, but I tried to avoid seeing any of the casualties. But I couldn't miss one. One was a girl, approximately age twelve to fourteen, with an enormous bullet hole in her mid-section. Apparently, I would say it was probably from a 50-caliber machinegun, which is what I had to man while I was there. The 50-caliber machinegun—I didn't know it at the time but apparently it is not to be used according to the Geneva Accords on ground troops. We were forced to use them on ground troops. The 50-caliber machinegun is an anti-aircraft weapon with high explosive rounds.

Moderator. Any questions now from the press?

Floor. You say February, 1969—or 1967?

Kiger. 1969.

Floor. You said right after the Tet offensive?

Kiger. This was at the beginning of the Tet offensive, this last incident.

Floor. The Tet offensive wasn't in 1969.

Kiger. There is a Tet every year.

Floor. Oh I see. I thought you meant *the* Tet offensive.

Kiger. No this was *a* Tet offensive.

Floor. From what level of command did the use of the 50-caliber machinegun come?

Kiger. I could not tell you. Everywhere I went this was one of the standard weapons used. The—I never thought it was particularly efficient because it is very slow in firing, but it does have a demoralizing effect on the enemy because it is so enormous.

Floor. I understand that. But you don't know what military command was issuing these directives?

Kiger. Well, it doesn't take a directive to place a machinegun wherever you want to use it.

Floor. Then it was from the Military Issue Command?

Kiger. I beg to differ with you. We carried those things everywhere we went.

Floor. Oh, then you were just issued them for your general use.

Kiger. Yes, for whatever we needed them for.

Moderator. Okay. Thank you, Norm.

GAIL GRAHAM

Moderator. Our next witness will be Mr. Gail Graham.

Graham. My name is Gail Graham. I'm twenty-thnee years old, live in Jamestown, New York. I was drafted in the Army in June, 1967. In November, 1967, I went to Vietnam, got out of Vietnam January, 1969. In Vietnam I served the capacity of a medic door gunner. I would like to relate a few incidents of the general disregard and mistreatment of civilians while I was in Vietnam.

In June of 1969, we had a pick-up zone north of Camp Evans in a village where we were going to pick up ARVNs to take out on a combat assault. We came into this village in a six-ship formation. We came in at a pitch hover, low-level, about maybe twenty feet over the hootches. We went into this formation for about a hundred yards. I flew with the flight commander, which was a captain, and I requested the captain to pull the ship up because with our rudder wash we were literally blowing the hootches away. There were tin hootches, straw, and they were being blown down. I could see villagers being hit by the tin flying around—things like that. We were literally blowing the village down. The captain said "Screw it. Blow them all away." So we made three passes to pick up—we didn't take any—we could have taken a different route into this pick-up zone. We didn't. And we blew about fifteen to twenty hootches away, I would say. Sort of a harassment of the South Vietnamese civilians.

In December of 1968, in the Cu Chi area, where there were supposedly pacified villages, we went on missions that were called snatch missions. On these missions, we went within a mile radius of villages, picking up any males of military age—military age being nine to sixty-one or whatever that was—and females. On these missions, we had two slickbirds, two gun-birds, and one light observation helicopter. We were told on these missions that if a civilian ran, we were to shoot him. Now these—I stress, these were pacified areas; supposedly the people were supposed to be all civilians. Now, when we went into these areas, we had usually infantrymen on our birds, when we went down to pick up these civilians, we pointed at them; they froze, usually, in the rice paddies. Luckily, none of them ran. When the infantrymen went down to pick up the civilians, they repeatedly hit them with their rifle butts, they hit them with their fists, they kicked them. If they were girls, it was standard policy to try to rip off their clothing. They dragged them on the ships by their hair or whatever else, and brought them back to the base camp for interrogation. I don't know what they went through as far as interrogation went. Also, while we picked up these civilians, they were holding up their ID cards, trying to prove that they were Vietnamese civilians, and they still were treated in this manner. They offered no resistance as far as getting on the helicopters.

April 19, 1968, the First Air Cavalry initially assaulted into the As Sau Valley. In that valley, we lost or had heavily damaged thirty-one helicopters, which is something that wasn't really printed up here—back here in the states. With this loss and this loss of life, the majority of the aviation battalions were very bitter at what happened in this operation. I've been on ships and I've seen, while flying in the air and while on the ground, ships of guys picking up POWs, wounded POWs, unconscious some, some of them just with their arm blown half off, things like that—slapping the POWs. On the bird I was flying, at one time we had an individual who was unconscious with a head wound, and the gunner across from me kicked the individual in the head. I went and gave a verbal protest, saying, "You shouldn't be doing that"—which is really uncommon for me because I thought—I was very well trained in Army procedure and I thought that the only good gook was a dead gook. The pilot told me to shut up, he was trying to make a call in to a ground area, get a ground station. I've seen this done repeatedly. I've seen plasma bottles, the tubes on plasma bottles squeezed for up to thirty seconds to a minute by gunners to keep the plasma from going into the veins of the wounded individuals.

While—December 25, 1968, on Landing Zone Rita in III Corps, we went and we sat down—we were flying log missions for the Army and they had a prisoner in. This prisoner was—had a sandbag over his head. He was repeatedly slapped and kicked around. They had a hole, right in the middle of the landing zone about three or four feet deep, and it was in the area of where the prisoner was. I asked the lieutenant, the interrogator, what the hole was for. He called it a "hot pit." He said—it was out in the open with no shade—he said they used the area, they went and put the prisoner in the hole, they put a poncho over the hole, tried to seal it as much as possible to keep air from getting into it and used it as kind of like a fabricated oven, with the poncho and the hole and the sunlight. I didn't see the use of this but they said they were going to use it in the daytime. I had a mission to fly.

While in Vietnam, our fliers indiscriminately used CS and white phosphorous grenades in civilian areas. It was standard while flying back from a mission to drop a CS grenade on the outskirts or inside of a village—harassment of the civilians again. In December, 1968, I, myself, personally threw at least three white phosphorous grenades into an area east of Dao Tiang, on a mission over a rubber plantation. Now this was at truce time—there should have been no firing, no nothing. Just to watch them explode. I couldn't say there were civilians in the area—there were hootches and there were people working in the plantation. I couldn't say if they were there permanently or not, but we just threw them off, just to watch the white phosphorous explode and start fires.

In June and May of 1968, we flew missions—as you've previously heard of—into Laos, with reconnaissance, Green Berets, up to a dozen Green Berets, into the area. We flew these missions out of Wey Phu By area, the same area as the Marine captain told you before, and on these missions, there was complete security—meaning we gave up our dog tags, no identification. Instead of painting over the insignias on the choppers we brought in, we taped over all our insignias And we were told if we went down in these areas—especially our birds—there'd be no attempt to get us out. We would be listed as missing in action since they couldn't say we were in Laos because they considered that a neutral area. While flying into these areas we had two blue and grey helicopters following us in, which I asked the pilot, what those birds were. They had no gun mounts on them. And they said they were Air America helicopters following us in—I guess to check out our missions. To make—basically—I guess they figured it was CIA in those birds, that's what the pilots told me. Now, I can't be sure.

Moderator. Are there any questions of Mr. Graham?

Floor. Yes. Can you tell us anything about who formulates these—who in military command—what branches of military command—formulate these policies which servicemen are requested or forced to carry out?

Graham. Being an enlisted man, I really—I really couldn't get into the structure of who formulates these missions—

Floor. The policies—

Graham. The policy, yes, I really couldn't. It may be the battalion—as far as interrogation goes and things like that, I can imagine it's left up to the company commander or whatever official there is in the area. Snatch missions—it would depend on probably the commander to—on what treatment the civilians got.

Floor. In other words, as far as you know, no, for example, no Pentagon directive or CIA directive that company commanders should observe the following civilian harassment techniques for the purposes X, Y, or Z?

Graham. It was more or less free-lance—with the set-up of the missions, these things had to happen.

Floor. How so?

Graham. Well, if you are in a pacified area and you are told to shoot anyone that moves, I mean anyone that runs away from your bird, which could happen, from just fright of a low-flying helicopter, there must be some mistrust generated there and there—you know—thereby beatings would occur with this mistrust.

Floor. Right. But I mean, who would direct that this should be done? In other words—

Graham. Like I said, we had—we had two helicopters flying on a snatch mission. One was a command helicopter.

Floor. Oh, I see. The command helicopter would issue this order?

Graham. Right—to go down and get these civilians.

Floor. And who would be on a command helicopter, what type of—

Graham. I'd say a lieutenant colonel, and a captain, probably a company commander.

Floor. And that would be U.S. Army or that would be—

Graham. Army—right. From the infantry units.

Moderator. If there are no more questions, I think we can, oh, excuse me—

Floor. Maybe he gave his unit but—would you give your unit?

Graham. Company B, 229th Aviation Battalion, the 1st Air Cavalry Division.

Floor. How did you define pacified areas on these snatch missions?

Graham. Well, these were defined as areas where VC, say, have not been found in the area for the last six months and they could be called pacified.

Floor. Were there any South Vietnamese troops guarding the villages?

Graham. Popular Forces, yes. We had no South Vietnamese with us or interpreters on the missions with us trying to explain to the South Vietnamese we picked up that, you know, we're just bringing you back for interrogation. They had no idea of what was going on—little panic for the——

Floor. In the case of Vietnamese prisoners of war, was there any attempt to publish lists of them, to notify their families of what happened to them, by the Red Cross?

Graham. I really don't know.

Moderator. Okay, let us move on now to our next veteran.

STEVE NOETZEL

Moderator. Our next witness this morning will be Steve Noetzel, a resident of new York City.

Noetzel. My name is Steve Noetzel, spelled N-o-e-t-z-e-l. I live in Floral Park, Long Island. I have a family there, three children. I work for the Bell System, I have a management position at their headquarters, of one of the Bell System headquarters in New York. I was in Vietnam in May of 1963 to May of 1964. I predate Mr. Martinsen in this area. I have for the benefit of the gentleman who seeks immediate proof of——

Floor. That's for all of us, incidentally, at least me and the other gentlemen.

Noetzel. All right. For whoever. At any rate, my DD 214, which is my discharge papers showing I was discharged in April, or May, of 1964, from the Augmentation Headquarters Detachment, 5th Special Forces Airborne, Vietnam.

Floor. Could you go over that one more time?

Noetzel. Yes. Augmentation Headquarters Detachment, 5th Special Forces Group, Airborne. I have three commendation letters for my work with the psychological warfare team that I worked in during the year that I was in Vietnam. The first one is from a Theodore Leonard, Colonel—commanding officer of the Special Forces in Vietnam at that time. Also from a major who was a team chief of the PSY war team that I worked in. And also a two-page commendation letter from a—the director of the Combined Studies Division of IV Corps in Vietnam. Combined Studies Division is the Vietnam word for the CIA.

The program that I worked in was under the direct auspices, or was paid for, by the CIA, funded by CIA funds by the embassy in Saigon. But it was handled under the auspices of Special Forces B Team. That's in Can Tho, which is south of Saigon in the Mekong Delta. On top of that I have an affidavit and a seven-page—or eight-page—statement that I have given to the Army just this past summer of an interview. It's the transcript of an interview that I had with the Army investigator and the Army is supposedly investigating the charges that I have made and will make today at this hearing. This statement was turned over to Investigator William Bass from the Military Ocean Terminal, 12th Military Police Group Criminal Investigations, Brooklyn, New York. They've informeed me that the investigation is continuing.

The work that I did in Vietnam was a PSY war effort, and I need not go into what the specific program was about. It's not relevant to other things that I saw, that I want to talk about today. But the point is that I had opportunity to travel all over the IV Corps area, because we implemented psychological warfare programs in all of the Special Forces A Team detachments in the Mekong Delta. So I traveled with the team leader, a major, and some other people to several or to all of the eighteen locations. And while at these locations for two, three, four, sometimes ten days, we witnessed the day-to-day operations of Special Forces.

At one particular time, this was in November of 1963, I was going from Can Tho—that's about 120 miles south of Saigon—to Saigon. At the time I had some business to do in Saigon on a weekend. I had to see CSD people there. At the time you just—you didn't need orders for anything, you just hitchhiked a ride on any airplane that was going from one airfield to another. You didn't need to explain to anyone where you were going. I was waiting for a flight of helicopters at Can Tho, at the airport—I had heard that there was a flight of helicopters going to Saigon that morning, and they were transporting some prisoners—sixteen prisoners in all—to Saigon for a rehabilitation program. I don't know what they do with prisoners now in Vietnam, I don't know first-hand, but at that time captured prisoners were brought eventually, after interrogation at several levels, were brought to Saigon for a rehabilitation program lasting six months, and then were released. Many of the people who captured prisoners were not happy to see them go to interrogation or to reform in Saigon, and then be released.

So in this particular incident there was—I boarded a helicopter. It was a HU I–V, single-rotor helicopter. I saw them load eight prisoners onto each of two H–21 helicopters—those are the double-rotor, banana-shaped helicopters. These prisoners were in black pajamas, Army issue, brand new, spanking-new pajamas. They had their hands tied behind their backs and they were tethered together around the neck with small pieces of rope about five feet long from one to the other. Eight tethered together went on one chopper, eight went on another. They were guarded by ARVN prison guards, or ARVN soldiers. The choppers of course were flown by American pilots, and they were American crewmen, machine-gun crewmen, in the doorway of each helicopter.

I flew in the first helicopter, the point helicopter, and we went—took off from Can Tho and went straight to Tan San Nhut. There was no stopping on the way, all of the helicopters stayed in formation for the entire trip. There was no way for any helicopter to land and catch up with us later. We had advertised on the radio to Saigon that we were arriving with sixteen prisoners. They had quite a welcoming party there for us—a colonel from MACV and other people from the MACV headquarters in Saigon were there when we arrived at Tan San Nhut Air Force Base. The helicopters set down and they delivered one prisoner from one helicopter and two prisoners—excuse me, three prisoners—from another helicopter. A total of four. Of the sixteen prisoners we took off with, twelve were pushed out over the Mekong Delta. I couldn't believe it when I got out of the helicopter and saw them delivering three prisoners, who were now untied. They had blindfolds on; they didn't have them when we started off; and of course they were no longer tethered together by the necks. The colonel asked the American crewman and the Vietnamese captain in charge of the prison transportation what happened to the other twelve prisoners. And the Vietnamese captain answered that they tried to escape on the way. I couldn't believe it. I felt upset, and I went over to one of the door gunners—American door gunners—of one of the choppers. And he looked shaken himself. And I said, "What happened?" I knew what happened but I couldn't believe it and I said—he said, they pushed them out. And I couldn't believe—I was dumbfounded. And he said go over and look at the doorway of one of the helicopters and I went over to one of the choppers and there was flesh on the doorjamb. These helicopters have no doorways, just sort of arches that are open through the entire flight. There was flesh on the doorjamb, there was blood on the floor. That was the first incidence of prisoner mistreatment that I saw in Vietnam. There were several others.

At a—in January or February of 1964—at a camp called Tanh Phu, a Special Forces A Team camp—this camp was deep in the Camale Peninsula, the deepest or the southernmost Special Forces A Team in Vietnam at the time. It was completely surrounded by—or, it was in Viet Cong territory. There I witnessed a public display of electrical torture by American and Vietnamese interrogators. They had two prisoners, one an old man, one a young boy about sixteen years old. They questioned these prisoners in the open. There were field tables set up. They attached electrical wires to their wrists, necks, bottoms of their feet, and genitals. They asked them questions. There was a tape recorder on the table—a Sony tape recorder—that was hooked up and running. An American sergeant, Special Forces sergeant, had a switch under the table that activated the electrical shock. The shocks came not from cranks but they were several 6-volt batteries hooked up in series. They told the prisoners through the interpreter that the tape recorder was a lie detector. The prisoners didn't know the diffrence between a tape recorder—had never seen a tape recorder. They told them that it was a lie detector and that they were going to be interrogated—and the lie detector would know when they were lying and would give them shocks when they didn't tell the truth. In fact, the switch of course was operated by a Special Forces sergeant who held the switch under the table and he just intermittently, not knowing whether they were telling the truth or not, of course, just shocked them at times, and they screamed and jumped up and down when he did this. I don't know what information they got or even what information they were looking for. Watching this whole procedure was over a hundred Vietnamese Strike Forces from the Tan Phu area, as well as a hundred or more civilians, standing on a bridge over a canal that is just outside the compound walls, sort of a little hump-back bridge that goes over the canal, and from the middle of the bridge there's a view into the compound over about a five-foot wall. And they could see in the center of the compound the interrogation. They stood on the top and watched.

Also at that same camp, Tan Phu, they had some barbed-wire cages. They were sort of coffin shaped, there were stakes driven into the ground, and barbed wire was wrapped around the stakes. When they had a prisoner—they had one prisoner that they had left there for twenty-four hours while I was there. They slid him into this barbed wire cage. He just about fits in, there, laying down. He was nude. Then they wind up barbed wire in the other end of the cage, to keep him in there. His hands were tied behind his back. He stayed there through the day in the sun, temperature of over 110 degrees, and through the night. They had sprayed something on him to attract insects, and he was full of mosquito bites in the morning, and swollen. If he moved in that cage he punctured his flesh, no matter which way he moved. And by morning he had several cuts, and he was completely swollen from head to toe with mosquito bites. I don't know what they sprayed on him, but I saw an American sergeant pump some kind of a spray thing that attracted mosquitoes.

At our C Team headquarters in Can Tho, they also used an interrogation method that I watched, where they took Viet Cong prisoners, or detainees, took them to a small rice paddy behind our compound, it was about 4 feet deep, and tied their hands behind their backs, blindfolded them, took them in a little rowboat—and this rice paddy was full of feces and urine because it was the drainage from our latrine went into this rice paddy. It wasn't any longer a rice paddy. It was filthy and stank. And they would row them around in this water, and when they refused to answer knock them out of the boat into the water. Their hands were tied behind their backs and they had blindfolds on and they spluttered around until they found out which way was up, and they were finally hauled back into the boat, after drinking I don't know how much of the water. Also at Can Tho they had a python snake, which is a constrictor. It was there—it was advertised supposedly for rat control, but many times when they brought prisoners in and were going to interrogate them the next day, they put them in a room, dark room, with the python snake and let them struggle with that thing all night. The snake cannot really kill an adult male, but it can—it does wrap around you and constrict. The Special Forces guys used to have wrestling matches with it.

Floor. Explain to us just how they'd do that.

Noetzel. The snake was already in a darkened room—

Floor. How big was it?

Noetzel. Eight feet long. It was already in there. And they just walked the prisoners in there and said you'll have to stay here tonight, walked in and slammed the door shut. That was it. We could hear them screaming in there almost all night. The snake would attack every once in a while, and if they got it off them it would go back into the corner and coil and jump at them again. It took two or three men to help unwind the thing, given the Vietnamese—given their small stature, and so on. There was also a snake at several other A Team locations. The one at a camp called Chau Lang was over eighteen feet long. It also was used in prisoner softening-up process.

Floor. Did they put them in there one at a time with the snake?

Noetzel. No, there were two or three prisoners at a time in the room with the snake.

The last type of torture of prisoners that I saw, there were some—at one camp called Long Tom there were some VC that had allegedly blown up a road. And they tethered them together by the necks and made them work on the road, repair the road until it was fixed. This took three days. They had no food until they had it finished, and they were beaten and bleeding while they were working.

Moderator. Does the press have any questions for Mr. Noetzel?

Floor. This flight from Can Tho to Saigon when did that occur?

Noetzel. I don't know the exact date, it was in November of 1963.

Floor. What is the—do you know what happened after the brief questioning at the airport by the colonel?

Noetzel. It seemed to me as if everyone, by the captain's answer to the question of what happened, everyone understood what happened and no one was going to bring it up any further. I don't know if it was ever brought up later at MACV headquarters. It certainly was dropped immediately on the air field at Tan San Nhut.

Floor. Do you know of any time——

Noetzel. I have never seen any reprisal or any command policy coming down to stop any of the types of torture that I have seen.

Floor. Did you see any other instances of prisoners being pushed out of helicopters?

Noetzel. I heard of it, but that's the only one I have seen.

Floor. You said this was in November of 1963?

Noetzel. Right.

Floor. And how many were on the helicopter when they left?

Noetzel. There were sixteen prisoners—eight on each helicopter. And when we landed there was one left on one helicopter, and three left on the other.

Floor. You said you were flying in the point helicopter. Could you see the two helicopters carrying prisoners?

Noetzel. If I looked back I could see them. I did not see prisoners falling from the helicopters, if that's what you mean.

Floor. Did you look back?

Noetzel. I looked back, occasionally, during the flight.

Floor. In all these instances on the helicopters, if they were in ARVN custody did they have ARVN guards, who pushed them out the doors?

Noetzel. There were—you have to understand how this works. In the doorway of the helicopters there's a bar that's bolted to the side, it comes off very easily, with a .30 caliber machine gun attached. For anyone to go out those doors, that door gunner—American door gunner has to either let them out, or has to be taken away, and the gun has to be taken away or they have to be flipped over the gun. There has to be some kind of help or complicity or whatever from the American crewmen.

Floor. But they had ARVN guards inside?

Noetzel. They had ARVN guards.

Floor. In the place where you had the public display, you had an American sergeant presiding, is that correct?

Noetzel. An American sergeant was presiding over the interrogation, and there were two Vietnamese intelligence, I think they were officers, or one officer and one enlisted man, helping.

Floor. You say other cases, such as with the snakes, could that in any way be construed as the work of the LLDB? The Vietnamese Special Forces?

Noetzel. They worked constantly with us. We all had counterparts.

Floor. Was it American stimulated or Vietnamese stimulated?

Noetzel. I honestly can't—I don't know how to put the blame for who stimulated what, what kind of—

Floor. The Vietnamese and Americans were together.

Noetzel. Always together. Worked very well together.

Peter Martinsen. I'd like to make one point, if it's possible to make one point—. In all the interrogation work I did in Vietnam, and all the interrogation work I witnessed down in Vietnam, there was always a Vietnamese interpreter present, because the Americans could not speak Vietnamese sufficiently well to interrogate effectively. Now this is often taken by the—well, I don't know who—by somebody to mean that the Vietnamese are doing the torturing. This is not the case. The Vietnamese are doing the interpreting. They also may be doing the torturing at the same time, but the Americans are doing it too.

Noetzel. That's right.

Moderator. Are there any additional questions, please?

Floor. What was your rank in the Special Forces?

Noetzel. I was a Spec 4.

Floor. You were actually a Green Beret, you weren't just assigned to them?

Noetzel. No, I was attached to Special Forces. I had never gone through their training at Fort Bragg, however, I did wear the Green Beret, and was a Green Beret in Vietnam. I was a member of the organization.

EDWARD MURPHY

Moderator. We'll go on then to our next witness, who is Edward Murphy, Staten Island, New York.

Murphy. Like the fellows who have come before me I brought my DD 214, and if you want to see this, it states on there that I entered the Army in January, 1967, and that I left the Army in January, 1970. I completed my tour with the Army with the 116th Military Intelligence Group in Washington, D.C., here. Anyone who watched "First Tuesday," last night, they saw what Army intelligence is doing here in Washington, D.C. The 116th Military Intelligence Group.

Floor. When did you go in?

January, 1967, and I got out January, 1970. I did basic training in Georgia, at Fort Gordon. I was trained as a counterintelligence special agent in Fort Holabird, Maryland. I was trained for eight months, six hours a day, to speak Vietnamese, at the Defense Language Institute in El Paso. I was assigned to the 4th Infantry Division in Vietnam in May, 1968, to May, 1969, and in May, 1969, returned to Washington, D.C. I also received the Army commendation medal as the other fellows have.

One of the things I'd like to mention just briefly, I think some of them mentioned before—about the laws, and being trained in interrogation. What he didn't mention was that there are two systems of law in the military. One, the second one, especially in Vietnam, besides the UCMJ, you have the second law, which is "Cover you ———." You may be trained in the UCMJ, and you may be trained in interrogation techniques, as far as Western civilization goes, but there is also the understood law, and as an intelligence agent you are also trained in that understood law. We were trained at Fort Holabird that there are some things we do and there are some things we don't do. That's on paper. But in your training you're taught there are some things you have to do, and if you have to do them, do them, but don't get caught, because the UCMJ if you're caught is the instrument of reprisal. An example is Lieutenant Calley and Captain Medina. Now these men are being tried.

When I was in Vietnam, I was assigned to the 4th Infantry Division, and because I could speak Vietnamese, and was the first agent there who spoke Vietnamese, I was assigned to work in a domestic net on the base camp. And then I started working in liaison with the various police and intelligence units in Pleiku. As I got to know my way around, and I became more familiar with the CIA and with the Green Berets and the Air Force in Pleiku, I was taken off the job that I was doing, where I was under a lieutenant, and I was made directly responsible to a counterintelligence chief and I became the liaison officer to Pleiku. Now as you may have noted in the information put out, I was a sergeant in the Army. But like Mike and the other agents, when you're in Vietnam you don't wear rank, and you're just known as Mr. Murphy or Mr. Uhl. And when I worked in the Phoenix program, every Tuesday I went down to CIA for the meetings, I was the representative, and there was no rank involved there. It was just Ed Murphy or Mr. Murphy. I worked with the lieutenant colonels in the Air Force, with the Agency, with the Green Berets, with the 525th MI group, as Mr. Osborn's going to be testifying about the Phoenix program.

I'd like to get into a few things. Although everybody has talked already about electrical torture and physical torture in Vietnam, I'd like to say, just to corroborate their information briefly, that's all, the use of the field telephone, beatings, the use of scout dogs against people to interrogate them, but I'd like to go on to terrorism. Now the people talk about the terrorists in Vietnam and how they use bombs—the Americans are also using terrorism. And I'd like to cite maybe one example.

One of our agents went into a village that everybody, in quotes, "knew" was VC. Mortars had come to the base camp from this one village. Agents were saying that VC were in the village, people were cooperating with the VC. Two agents went into the village one day after mortars had hit us, and 122 millimeter rockets. And they went in with a Grunt unit, and one of the Grunts suggested to the agent a way that he could kind of talk to the people and get the information. And this was the way.

He got the women together and he got their kids. But he kept the kids separate. And they took the kids off to the distance and they said to the women, "Tell us about the VC," and they asked the regular questions. They didn't talk. So they said tell us about the VC or we're going to kill the kids. They didn't talk. And the guns went off. And they brought back a sandbag that had something in it, and there was blood dripping from it. But the women still didn't talk. I don't know why they didn't talk. They actually did not kill the babies. What they had done, was that they had killed two chickens, and they had brought the chickens back in the sandbag with the blood dripping, leading the women to believe that these were the babies. To this day I don't understand why the women didn't talk. If it had been my child I'm sure I would have talked.

As an example of terrorism, of beatings, things like this—I was in the hospital, 71st Medical Evacuation Hospital in Pleiku. One of the people that worked for us was a Montagnard, and he'd been shot down—not shot down, but he was in a helicopter and the helicopter when he spotted some NVA, and he got into a firefight, the guy was wounded really bad, he was hit in the spine and he was in the hospital for about a year. One of my jobs was to go to see this fellow, who was working for us also, and continue to pay him, continue to get information from him. I spent a lot of time around the hospital there. One day an NVA had been brought in, and nobody knew what his rank was so the interrogation team from II Corps headquarters came over. The Americans and the Vietnamese—and this was, I think, just before dark, it was starting to get late—and they were interrogating him. And they were interrogating, say, about where that wall is [twenty feet] and there was a curtain here that they put up, and the night nurse—she was a major—she was sitting within earshot, I'd say from there to here, when they were beating him. This prisoner was wounded. He was an NVA. They were beating him, we could hear it. But when you're in a hospital, I guess, and you're a nurse, and you see a lot of people coming in that are shot, you don't really care if they're beating up a gook, if that's the way you're looking at it.

Moderator. Ed, I'd like to ask you one question. While you were the liaison officer for the Phoenix program for your unit, the 4th Division, what were you told the primary objective of the Phoenix program in Vietnam was?

Murphy. Well I had some familiarity with the Phoenix program before I went to Vietnam, when we were in Texas some people told about the Phoenix program. And then when I got to Vietnam, and started to do liaison with the Phoenix, the words were "Neutralization. Neutralization of the VCI—Viet Cong Infrastructure." On paper this was never really defined further. But like I said, there are two systems. There's what's on paper and there's what's understood. And as is in the documents here, it was operationally considered as getting people done away with, getting people blown away if they're in the way. An example of when and how this was going to be done was soon after I got into Vietnam, was a guy named Tran Trung Ly. And Ly was a kind of a con man. And he'd been working in various intelligence agencies, and hadn't been giving very good information, and he was going to be done away with. The reason he wasn't done away with was he had a brother who was an NVA major, and the CIA figured they could use him. They'd maybe try and send him up north. To answer the question, I guess it would be to neutralize or to do away with, whatever way you can.

Moderator. How would the CIA or your unit verify the information that you got or the evidence that a man in fact was a member of the Viet Cong cadre or infrastructure?

Murphy. Because information is very difficult to verify in Vietnam—the lack of files and things like this—we would rely on the information given by one person, and that person would say another man was a VC or a woman was a VC, and we would accept that. Just an example of how this misinformation comes about: I only did one interrogation while I was in Vietnam, and it was a girl who was working on the base camp. And one of our agents had said she was working with the VC. We brought her in and we talked to her and talked to her and talked to her, and she didn't admit to anything. We later found out—what she did finally say—was that the agent had demanded that she had gone to bed with him. I figured that—it sounded—I figured they picked this up off the Americans, the idea, so that they could get some sympathy, and I didn't believe it. But I later found out that it was true. This was the type of information we were relying on—people, other Vietnamese, were getting favors from the Americans, and they'd say to another Vietnamese, "You'd better help me out or I'll turn you over to the Americans." And the Americans would say "We'll turn you over to the Province Interrogation Center, where the Vietnamese National Police can just work on you."

Moderator. Do you have any questions from the press, please.

Murphy. I just want to mention one more thing about the Phoenix program. People who were Phoenix co-ordinators would come into the country, and they would be maybe a Second Lieutenant, who would be trained in infantry. But because the Army needed an officer for the Phoenix program, this man would be assigned to be a Phoenix coordinator. Most of them had no psychological training concerning the Vietnamese. They had no language training. It would be simple to say they were incompetent.

Floor. In the summaries of testimony it said that you were going to attest to incidents in which several civilians were killed.

Murphy. I don't think that says that under me. You have the wrong one. Is that from Philadelphia?

Moderator. Edward J. Murphy?

Floor. Edward Murphy of Philadelphia.

Murphy. I'm from Staten Island.

DANNY ALFIERO

Moderator. Our next witness is Daniel Alfiero from Phiadelphia, Pennsylvania.

Alfiero. My name's Danny Alfiero from Portland, Maine. I was a Lance Corporal with the 2nd Battalion, 4th Marine Regiment, 3rd Battalion, 7th Marine Regiment in Chu Lai. I was a machine gunner in a rifle company, and what I have to say pretty much reinforces the type of things you have been hearing all day.

First of all, one incident that will always stay in my mind. Returning from a patrol, when we were fired upon we returned the fire, and there were five people in the vicinity. So the lieutenant gave us the order to fire at them. After about a two or three minute skirmish, we checked the bodies and found that they were five girls between the age of fourteen and fifteen. There wasn't any weapons or any shells or anything. And so the radio operator called the company CO and told him we had five VC KIAs.

Another incident which I saw a lot of was tearing and cutting off limbs, noses, ears, what have you.

Another one was shooting of an old man in a cave. Somebody had said they had seen two people run in a cave, so the lieutenant ordered us to throw in a CS, which is a tear gas grenade, in there. The man came out with his arms extended over his head, and somebody gave the order to fire.

Another incident——

Moderator. Would you speak up?

Alfiero. Another incident: we had set up an ambush outside our perimeter, and another patrol was in the vicinity and by chance they caught the ambush and a few people were killed. They were Americans, by the way, and the company checked it out and they said the VC had done it.

Moderator. Are there any questions? Okay. Well in closing, I'd like to briefly reiterate two short points. Number one, we're concerned here not with the matter of guilt and innocence but with the matter of responsibility. Who is responsible for what's happening on the ground in Vietnam?

And secondly, I'd like to reiterate our challenge, our hope, that member of Congress, members of the Senate will come here tomorrow, listen to the veterans who will testify tomorrow and Thursday, question them, and make their own judgments. Thank you.

SECOND SESSION

Moderator. I'd like to welcome you to the second day of hearings of the National Veterans Inquiry on U.S. War Crimes Policy in Vietnam. A Pentagon spokesman noted yesterday—that a lot of our testimony he said was unsubstantiated. This is definitely not true. It is true, however, that the Pentagon and Administration claims that war crimes are isolated, aberrant acts, is unsubstantiated.

Today we will hear testimony on the systematic torture from military intelligence people of Vietnamese civilians and Vietnamese prisoners of war. The gentleman who will interrogate our first witness is a lieutenant on active duty, a 1968 graduate of the United States Military Academy, a distinguished graduate, who graduated in the top five per cent of his class—Lieutenant Louis Paul Font.

Font. Let me state first, if I may, who I am and what it is I am doing here on this interrogation panel. My name is Louis Paul Font. I'm a First Lieutenant in the United States Army stationed at Fort George G. Meade, Maryland, about 20 miles from here. I'm here today because I feel that this testimony is very important to the American public. I am here because I feel strongly that it is my duty to be here on the panel today getting to the very heart of this matter with regard to war crimes policy. When I was introduced, it was stated that I graduated from West Point. At West Point I worked very hard. I graduated in the top five per cent of my class. And if there is one thing that I learned at West Point, if there was one principle that was driven into me during those four years, it is that lieutenants do not set policy, and it is that a commander is responsible for everything that goes on in his command. This was told to me time and time again. I'm also attending this hearing because I'm seriously considering filing some form of charges with regard to the generals and the high command and war crimes policy. This can be done, for example, under Article 138, of the Uniform Code of Military Justice, which allows for an individual in the armed forces to put forward a complaint with regard to the activities of his commanding officer. In my case, at Fort Meade, Maryland, my commanding officer is a lieutenant general, who was in charge of those activities of which Mr. Martinsen is going to speak today—Operation Cedar Falls and others. I feel very strongly that if Lieutenant Calley is guilty of anything, then the people above him are far more responsible. And now we'll go on to the testimony.

Floor. Pardon me, would you show us an ID card, to prove you are who you say you are?

Font. Certainly, if you'd like to see one. (Produces ID card.) You're welcome to come up and take a look.

ROBERT MASTER

Moderator. I'd like to introduce Captain Robert Master, now stationed in Fort Meade, Maryland, and recently returned from Vietnam. Captain Master may be, during the day or during the entire session, asking some questions of the veterans who are giving testimony.

Master. My name is Robert Master. I am a Captain, medical corps officer—physician—in the United States Army. I'm now serving at Fort Meade, Maryland; I've recently returned from Vietnam after a one-year tour of duty there. I'm speaking as one of a growing number of concerned active-duty officers who are rightly appalled at what we consider to be the immorality and criminality of American policy in Vietnam. I'm speaking of my experience in Vietnam where I witnessed the wholesale destruction of the entire fabric of Vietnamese rural life, the creation of a nation of refugees, living in squalor, wracked by epidemics such as bubonic plague, without dignity, without independence.

I speak to endorse wholeheartedly the efforts of those Vietnam veterans who speak up at this time—who I must say courageously speak up at this time. I want them to know and I want everyone else to know that there are a number of concerned, a growing number of concerned active-duty officers who are listening, who are supporting their testimony and the ends of this tribunal. It is our hope that the American people will come to realize that war crimes in Vietnam are not isolated, aberrant acts but the inevitable result of a policy which in its direction of waging war against the civilians, Vietnamese civilians, is in itself immoral and criminal.

PETER NORMAN MARTINSEN

Moderator. Mr. Martinsen, would you please give us first of all your name, your age, your hometown, and what it is that you are doing now? Very slowly so that members of the press can get it down.

Martinsen. My name is Peter Norman Martinsen, I'm twenty-six years old, I am a cost accountant, I work in a non-defense firm in Los Angeles, California. Right now I'm involved in anti-war activities, and I'll give you my former rank, serial number, and unit. This is an Army commendation medal, which I received for being a prisoner-of-war interrogator at Vietnam. This is an honorable discharge certificate. I'm honorably discharged after four years of service, 1963 to 1967. This is the actual order for the commendation medal from 9th Division Headquarters, which I was not attached to. I also want to correct a little mis-release in the press release: I was not attached ever to the 101st Regiment in Vietnam, the 541st Military Intelligence Detachment. This is my graduation certificate from the U.S. Army Intelligence School at Fort Holabird, Prisoner of War Interrogation Force. I can't think of any more things I can show you. I can show you my DD 214, which is the actual discharge paper.

Now I think that I have given you adequate documentation to show you that I am who I say I am.

Moderator. Yes. Would you please explain to us, Mr. Martinsen, what it is that you did in the Army, the years and the month and so on before you went to Vietnam, from your induction until when you went to Vietnam. Very briefly.

Martinsen. I actually enlisted in the Army in June of 1963, was sent to Fort Ord for basic training, was then sent to cook school, was then transferred around from post to post. I finally took what is called a short discharge and re-enlisted, which gave me an extra year in the Army and ended up being in the Army Language School, which was here in Anacosta Annex. I don't know where it is now, I think it's at Fort Hood. But I studied Italian there, graduated with honors, and then went to the Army Intelligence School at Fort Hollabird, in Baltimore. This was in—July 15th, I believe, 1966; say 1965. Beg your pardon.

Moderator. Yes. Would you tell us what preparation you had specifically for going to Vietnam in Intelligence School?

Martinsen. Well, in the Intelligence School there was very little in the curricula for preparation for Vietnam because Vietnam was not yet big at the time. We had four hours total preparation for Vietnamese-style interrogation, and I cannot say that was in any way illegal because it wasn't. I considered it, as a personal opinion, slightly racist as they kept referring to the Vietnamese as gooks, but aside from that I cannot say anything else. Now I can't tell you about the full course without running too long. The course, though, they try and pump order of battle into you, which is what the enemy is doing, how many tanks they have, their troop dispositions, and so on. But it's primarily oriented towards an Eastern-bloc communist war—against an Eastern-bloc country, or a Russian or a Chinese Communist war; and therefore we use maps oriented toward that area and so on. Now the interrogator's bible, so to speak, is called Military Intelligence Interrogation FM 30-15. That's Field Manual Thirty dash Fifteen, it's classified as confidential by the Army. Now there is actually no reason to classify this manual confidential, which is a low classification by the way. But there is no reason to classify it confidential because it's quasi-illegal, and that's why it is classified. But it's against the law. If you follow me, it's against the law to classify stuff just because it's illegal.

But I'll tell you why it's illegal. There is an interrogation technique in there called the Big Brother technique. The Big Brother technique is very simply—as practiced by the police here in our country too—a big man enters the room, sees the prisoner, perhaps throws him up against the wall, beats him up a little bit. Then a little man comes in—he's obviously of a higher rank—and he berates the big man, and sends him out of the room. And the little man, of course, out of gratitude talks.

Now the Geneva Convention states that you not use force or coercion against any prisoner of war. We're also taught this in the school, to abide by the prisoner-of-war code, that you do not treat prisoners any differently than really a civil prisoner would be treated in your own country.

MODERATOR. Let' get to the issue of Vietnam specifically. When did you arrive in Vietnam?

MARTINSEN. I was sent to Vietnam with the 11th Armored Cavalry Regiment, 541st MI Detachment, approximately in the middle of August, 1966. Arrived in country, since we traveled by boat, I believe it's September 6, 1966 in Vung Tan.

MODERATOR. What were the names and dates of the main operations you were involved with? And how large were these operations, Mr. Martinsen?

MARTINSEN. Well, at the time we arrived we set up camp in Long Binh, which is very close to Bien Hoa. We staged there, and then we moved out to an area south of Xuan Loc in the III Corps area called Long Giao, spelled L-o-n-g G-i-a-o. And then as soon as we got—finally set up all our housekeeping and at the same time more units were being brought in and beefed up—Westmoreland started these major operations, the first one being operation Attleboro. And we were involved in Attleboro on just more or less a supporting role, because we were an armored cavalry regiment and we were running mainly road reconnaisance. Only one squadron of the regiment was actually involved. I was doing no interrogation work at the time on Attleboro; however, at the time I was doing interrogation work at the base camp in Long Giao.

Now in order to understand the whole context of what's going to follow, you have to see that the 11th Armored Cav was always in a supporting role. Just called in as Op Con—operational control of somebody else. And they were always Op Con of somebody, and that's why I managed to get around so much of III Corps area in Vietnam and that's why I was on all these operations.

Now during this time that we were in the base camp, a good friend was killed when we were convoying out of the base camp, and we felt rather strongly about it because generally military intelligence men are not killed, especially photo-interpreters. And we got a group of detainees in, and let me tell you what a detainee is.

A detainee is not a prisoner, but a detainee is a man or woman or child who is picked up on suspicion and brought in for interrogation. It's the interrogator's job to determine just exactly what you have, whether you have what is called a prisoner of war, which would be a VC or NVA; whether you have a civil offendant, which is a person guilty of breaking the laws of Vietnam, perhaps not carrying his ID card around after curfew but not necessarily a VC; or you might have innocent civilians; or the fourth classification, you might have what is called a Hoi Chanh, which is a rallier, a deserter from the other side.

Now we picked up—not we personally but people were brought into us who were detainees, and I saw the use of force, a lot of harrassments, beatings, knives being held to throats, and so on. This is in October of 1966 in the Long Giao base camp.

But one night particularly sticks into my mind as the first night that I really got involved in torture techniques myself, and I was interrogating an older man and he was sitting in a chair, just as I am sitting in a chair here, across the table from me. And there was a lieutenant standing behind screaming at me to "break" the man, "break" being the military intelligence term to break a prisoner, break him down, get the information. And he was screaming to break him, and so I pushed him over backward and I almost broke his neck. But anyway, that didn't succeed in breaking the man.

I finished that interrogation and I walked across our compound to another tent where interrogation was going on: a man of draftable age, no ID card. We were quite convinced he was a VC. And I proceeded to beat him with my fists. And you can beat a man senseless with your fists and not leave marks, except for a slight reddening of the skin perhaps. And this went on for some time and I wasn't getting any effect at all, and the lieutenant came in and—I'm not naming names, the Pentagon already has the names. And anyway, a lieutenant came in and he proceeded to beat the man to no effect, and then be wired electrical field phone wires around the man's left wrist after burning the insulation, and proceeded to "ring him up," as the term goes.

Now, this didn't work and the, the man—I said, "Lieutenant, you can't do that," and he says, "Well, this man just got killed. I'd rather torture one man than have one more man get killed because of lack of tactical information." So anyway, the man. The lieutenant pulled down the man's trousers and proceeded to touch the electrical wires to the man's genitals and cranking the field telephone at the same time, giving him very painful shocks, all he got was a lot of "I don't know's" and some very violent screams. I walked out of the tent, saying, "Lieutenant, you just can't do that." But the lieutenant was not reprimanded. This was a First Lieutenant, Army Interrogation Officer.

MODERATOR. Would you describe to us Operation Cedar Falls?

MARTINSER. Cedar Falls was the first major operation that I was actually on. We conveyed to Ben Cat on Route 13 about 30 Kilometers north of Saigon. We set up a base camp. It was to clean out the Iron Triangle. It was designed to clean out the Iron Triangle. And the Iron Triangle was the triangle formed by the Song Be, which is a river running roughly—if I had a map I could show you much better, but anyway. It's a north-south river, and another river forms a triangle, and it's a very densely forested area. There are some towns in there, or there *were* some towns in there, I should say, and one of the towns was Ben Suc, spelled B-E-N S-U-C, and another one was called Rach Kien, R-A-C-H K-I-E-N. Now this occurred in January of 1967.

Now the operation was designed to bring all the inhabitants out of the area, clear the area so that it could no longer be used as a VC stronghold, because it had been used actually by the Viet Minh and even before that had been used by Viet Cong forces fighting the Japanese, and it was a very well fortified area. And so, first of all they started the operation with helicopter gunships flying overhead and people speaking to the Vietnamese, telling them to get out of the villages because—and get all their belongings—because they're going to be moved out, which the people started to do. And then, a POW cage is what it's called, was set up, a detention cage was set up, and myself and a staff sergeant from the 173rd Airborne Brigade—and we were op con of the 173rd Airborne Brigade at the time—we proceeded to interrogate this flow of prisoners—detainees, I should say. Now these were men, women, and children, mainly women, and there were 4,000 of them approximately. I didn't count them all. But it's a, physically, an impossible task to screen 4,000 people. So what we did was, we first of all, we took all the men. There was a captain and a lieutenant actually in charge of us, but they preferred to drink beer during the operation so I was actually more or less in charge of it myself. So what I did was, I took all the men of draftable age and I immediately turned them over to the Vietnamese authorities, which was kind of strange, an American inducting Vietnamese into their own army. And then we started screening the women, the visibly pregnant women, the younger women, and some of these we selected for interrogation and some we didn't. Then they were loaded on flatbed trucks and taken down to a camp in Phu Loi, which was—I passed it on the way back from the operation, it's on Route 13. I looked in it and it was nothing more than a concentration camp, surrounded by barbed wire with machine guns.

Now we had all these detainees and then the operation commenced, and they started taking prisoners. And they actually were prisoners, they were bound, with guns, and so on. Also at this time the order was given out—this is now a free fire zone, if it moves shoot it. So the 173rd was operating in the lower part of the Triangle, and the 1st Infantry Division was operating in the upper part of the Triangle, the 25th was also operating in the eastern—in the western part of the Triangle, rather, and the 11th Army Cavalry was on the eastern part, and we had our base camp set up op con the 173rd on a hill overlooking Ben Cat. If I had a 1 to 50,000 scale Army map, I could point it out to you exactly, where we were.

Now these detainees started coming in and most of them were obviously NVA—not NVA, VC—and I can recall instance after instance of torture, electrical torture with field telephones. Electrical torture. One man was captured, he admitted to being an NVA, a North Vietnamese Army officer—coincidentally he was the only North Vietnamese we ever captured in the 11th Army Cavalry. But anyway, he admitted to being a North Vietnamese Army captain. I started to interrogate him, and he was a very high-ranking prisoner, and the word got up to 1st Infantry Division Headquarters in Lai Khe that we had this man. And they wanted tactical information right away and I wasn't getting anything from him, because I decided to be nice, because if you start torturing, where can you go from there?

Anyway, I let him wash his hands and gave him lunch, and it was obvious he was just playing me for the patsy. So a Spec 6 and an interrogation officer came in and relieved me and I went out and ate lunch, C rations, and came back. And I found the man's hands had been tied to an Army field table, which is just an olive-drab field table made of wood, with field bone wires, and the lieutenant was placing bamboo splinters under the man's fingernails. At the same time the Specialist 6 was "ringing him up" around his ears with a field telephone. Later on, the lieutenant was reprimanded very badly for leaving marks on the man, because the credo of intelligence work and POW interrogation is, you do not leave marks. Do anything you want, but do not leave marks. In other words, cover yourself.

And this is hence the use of electrical torture and beatings with the open hand. I saw it done on women, I saw it done on young girls, sixteen years old. I witnessed it and I participated in it. I'm not proud of it. Now any of these things are war crimes, by the Army Field Manual itself, FM 100–51, "The Law of Land Warfare."

Moderator. Mr. Martinsen, would you explain to us please what was the highest ranking military officer that you saw witness these events?

Martinsen. The highest ranking military officer I saw witness that was the commander of the detachment who was along. He was a major, I won't mention his name, and he not only witnessed it, he also participated in it himself. These are specific events. These happened in January of 1966, as I say, about 1 kilometer from Ben Cat, off Route 13 in South Vietnam. Now this happened in sixty or seventy cases and there was also a case——

Now we were op con, like I say, to the 173rd. We were working with the 172nd MI detachment, which is their military intelligence detachment for the 173rd Airborne Brigade. One night when we were standing around and drinking beer, a captain came over and says, "Well, I just lost one." And I said, "You just lost one what?" And he said, "Well, I was just wiring him up and he fell over and died." And he said, "The guy was just about ready to break." Well, I didn't actually see the man fall over and die, but I went over and saw his dead body, and I hear the captain admit to me that he was wiring him around the ears and that the man just keeled over and died, those were his exact words. Now the death was diagnosed by a lieutenant colonel, the brigade surgeon of the 173rd Airborne Brigade, as death due to heart failure. Perhaps it was. The field phone can't give a killing voltage, but if a person has a weak heart, it probably will give a killing voltage.

Moderator. It's now open for questions from the press.

Floor. Sir, what did you feel, first of all when you were participating in this torture; and secondly, had you thought about, if you consider these crimes, bringing them to the attention of higher authorities?

Martinsen. I brought them to the attention of the major. Of course, well, he knew about it, he told us about it himself. I mean, he was there participating himself. I did not go beyond the major because you don't rock the boat in Vietnam, because it's a very lethal place to be. And aside from the personal stress in going along with the group, and I still can't explain my actions. I mean, I cannot live with myself as a human being, but I mean that's why I take tranquillizers at night to sleep. But still, the point being is that you'd be surprised how many sand bags you can fill and how many dangerous missions you can go on if you start rocking the boat.

Floor. Then you feared for your life, that was one reason—

Martinsen. Well, that was one reason. Another reason was the fact that everybody else was doing it, and therefore if I brought it up, I would be getting some of my buddies into trouble too.

Floor. What about after you got out of the service, did you think about——

Martinsen. I thought about it very heavily, yes.

Floor. Why did you wait so long?

Martinsen. I haven't waited long. I've been talking about this for three years. The CID has talked to me about it, and as soon as they advised me of my rights, that I could very well go to jail from what I was going to tell them, I decided that I'd get an attorney and he advised me to tell them nothing unless they grant me immunity. And I'd be happy to talk to any Senate committee on it, and in fact I'll even talk to the CID now, if they want to talk to me about it.

Now the CID has come around twice, and they've also phoned up my mother, of all things, and "Where is Peter Martinsen?" And she told them where I was, and I phoned them back. This was in Los Angeles. I phoned them back at Fort MacArthur, and you might write the man's name down: Major Ledbetter, in Washington, D.C. wanted to talk to me. And I said—and I don't know, I think he's within the First MP Detachment CID—but I told them, I said "I think you can save Major Ledbetter's time and my time," and the only way I'll talk to them is if they grant me immunity. Now I'm six years, I'm out, there's actually no jurisdiction over me. So there's actually nothing that can be done to me personally. But see, I'm not trying to get individuals scape-goated. Some of these people are still in the Army. Some of these people I'd still like to consider my friends and I don't want to see them in jail, that's not the point. The point is that this policy is tacitly condoned at all levels, and known.

As Congressman Roman Pucinski, who debated me in Chicago in 1968 at an all-boys high school. He said, "I will have a congressional investigation of this man and show him to be the liar that he is." I said, "Congressman, go right ahead, here's my name, rank, and serial number."

Later on the CI—that's when the CID came around, but they came around nine months later, in November of 1968, and that's when I told them I wasn't going to tell them anything because I wasn't yet completely out of the Army. And—but what it seems to me, the impression I got, is that they had a can of worms that they didn't feel like opening.

Floor. Mr. Martinsen, on this—what is this one incident when you returned to find the NVA captain wired to the field table?

Martinsen. Yes.

Floor. And somebody in the process of wiring his ears to ring him up? In both of these cases, was that the lieutenant doing that?

Martinsen. No, the lieutenant—I saw it, I witnessed it, and the major witnessed it too.

Floor. Yes, but who was driving the splints under—

Martinsen. The lieutenant was driving the splints underneath the—

Floor. And who was wiring him up?

Martinsen. The Specialist 6 who was the interrogation section leader.

Moderator. We have time for one more question from the press.

Floor. That was in January, 1967, wasn't it?

Martinsen. 1967, yes. Yes that's right.

Floor. Can I ask the lieutenant a question?

Martinsen. Certainly.

Floor. Now you say the commanding general in Fort Meade, is that right?

Font. The commanding general of the First United States Army who is stationed at Fort Meade, Maryland, is my commanding officer.

Floor. He is your commanding officer.

Font. Yes, sir.

Floor. He was the man who was in charge of the operation?

Font. He was in charge of Operation Cedar Falls, sir.

Floor. Now what are your prospects as a lieutenant under his command now that you've appeared at this hearing?

Font. My military career is ended. A typical career pattern for me would have been to have gone to Vietnam within the next month or two at least, as a military intelligence analyst, and after that, to come back and work in the Pentagon as an intelligence analyst, or go back to West Point and teach government and political science. I'm seeking discharge from the Armed Forces because I object particularly to the Vietnam War, not necessarily to all wars.

Floor. Will you get that discharge?

Font. I do not know.

Floor. Do you think this will help you?

Font. I don't have any idea. I can't——

Floor. Well, do you expect any reprisals?

Font. No, I do not because I am exercising my constitutional rights. I'm on leave right now from the United States Army for the last three or four days, and the coming three or four days, so—and I'm simply speaking out as a concerned American citizen. This is an issue of concern to all American citizens, and that includes lieutenants in the United States Army.

Floor. Would you spell your name for us?

Font. Certainly. F-O-N-T. L-O-U-I-S. My home town is Kansas City, Kansas I'm age twenty-four.

Floor. Is this the first time you've come out with this, or did you take part in a press conference with the gentleman sitting next to you——

Font. I took part in a press conference a couple of weeks ago stating that I would be sitting on this interrogation panel, sir.

Floor. Well, I was acquainted with this gentleman here. I've seen him several months ago——

Font. No, he was not. No, he was not. That was unrelated to the issue here.

Martinsen. Can I add one more thing, sir, just to straighten the facts out. Again, the press release says I was in the 101st Airborne. I wasn't in the 101st Airborne, I was in the 11th Armored Cavalry Regiment, and 541st MI, Spec 5. My MOS was the 96–C, which means I was an interrogator, 21, which means I was a linguist, and 3–9, which is the language of the battalion.

Floor. Is there—do you think there are alternatives to these interrogation techniques?

Martinsen. Yes, there are alternatives because we found the use of electrical torture was not effective. In other words, if you torture a man he'll tell you everything he thinks you want to know, and he'll tell you lies, a pack of lies. And so it develops into a kind of mindless thing, you start ringing the telephone and ringing the telephone and you're getting more angry and more angry and more frustrated and the telephone keeps ringing, and the man is in obvious pain, screaming and swearing in Vietnamese and so on, and not giving any information at all. Or if he is giving information, he's giving false information.

Floor. What are alternatives?

Martinsen. What are alternatives? To abide by the law.

Floor. You could find out these things just by extensive questioning in——

Martinsen. I cannot think as a professional interrogator—or as I was a professional interrogator—I cannot think at the tactical field level that I was at, and that was regimental and squadron level which is—in the field, I mean, I cannot think of a quick way to get tactical information without the use of force, except—make an exception, except from a deserter.

Floor. I'm sorry. You said—just tell me again: when was the date approximately?

Martinsen. This was in January of 1968, Operation Cedar Falls. I could go on to Operation Junction City, I can go on to Operation

Manhattan. In the interests of time, if you want to hear about it, fine. If not—it's just more of the same.

Moderator. No, we really don't have the time this morning, but Mr. Martinsen will certainly be available for interview. He'll be here all day. Any other questions? We have time for one more question from the press.

T. GRIFFITHS ELLISON

Moderator. Our next witness is a Marine Corps veteran, T. Griffiths Ellison.

Ellison. My name is T. Griffiths Ellison; I'm presently a business student at the University of Virginia. I enlisted in the Marine Corps 9 January 1966. I'd like to point out that I did enlist; I was not drafted—under the J program, for a two year tour of duty, and at that time I enlisted for rather patriotic reasons. One: I'd like to briefly explain my background. I'm a military brat. My father just retired from the Navy. His last position was Chief of Staff, Alled Naval Striking Forces in Southern Europe. So I've had some background as far as military life goes, military procedures, and I thought I understood it pretty well when I went into the Marine Corps. Training in Paris Island was at the time for me rather enjoyable. It was the epitome of military life. It was rather brutal. As a consequence most of the trainees who come out of Paris Island have a dehumanized attitude toward any person that does not happen to be a flag waver. I went to Vietnam in September of 1966 with the 3rd Battalion, 26th Marines Regiment. We operated on an operation called Operation Chinook I in an area northwest of Quane Tri City in Quane Tri Province. The area was called Co Bi Tan Tan and I believe Bernard Fall has written a book about that area called *Street Without Joy*. It was indeed a street without joy for us. During December of 1966, for three weeks prior to Christmas, we operated under search and destroy. And what I'd like to do is briefly explain what search and destroy meant to our battalion.

This area was designated a free fire zone. We were instructed to shoot any moving civilian, whether he was armed or not. We were instructed to burn down every hootch, grenade every bunker, without giving any warning, destroy every temple, and in fact, on one day which I approximate to be December 11th, we were instructed by our platoon sergeant to dig up every grave we saw. I was personally ordered—although I questioned this order—to dig up two graves near a hootch that we had just burned down, to increase body count. We were a new unit in Vietnam and we had to make our name known, and to make your name known in Vietnam, you go for body count. That's the only way they can gauge this war. Upon digging up the graves, we found what I approximate to be a young girl, fourteen or fifteen years old, and a very old man. They were obviously—their deaths were obviously a result of artillery rounds. They were fairly well blown up. We proceeded in this same manner on Operation Chinook I sweeping the fields, still burning down hootches. I think, more or less, we were a zippo battalion rather than anything else. We had very light engagement with the enemy.

One afternoon, rather morning, we had been setting up on various hills—our CP, platoon CPs, command posts, and moving from each hill the next day to avoid being pinpointed by the VC or NVA. Due to Marine Corps training, we were instructed to bury all our garbage, C-rat cans, anything else, to avoid detection by VC scouts or something like that—although they could see us ahyway. But this morning, that morning, our lieutenant gave an order to our sniper platoon to fire on a hill that was approximately 300 meters from us where Vietnamese civilians were digging up our garbage to eat.

On a search and destroy operation we not only destroyed the buildings but we also destroyed any available food supply because it was a free fire zone and anyone using that food was designated a VC, VC suspect, sympathizer, and so forth. As a consequence, the people that remained in that area were rather hungry, so they were digging up our garbage. I cannot give an accurate count of the number of people that the sniper platoon hit, but the people certainly got out of that area in a hurry.

About 2 days after that we were on patrol approaching the mountains that border the Co Bi Tan Tan Valley and the As Sau Valley. Two woodcutters were walking down the trail; they were not armed. We could see that. As a matter of fact, they walked right up next to us. They ran. And we fired upon them. One was hit, rather seriously wounded, and after a delay for interrogation was sent back to the battalion aid station.

Moderator. Griff, did you every witness the torture of prisoners while you were in Vietnam?

Ellison. I was transferred to 3d Battalion, 4th Marines, because they had to balance 326 for rotation purposes. We went out on what is called a Medcap operation, medical aid operation south of Quy Vet River in February of 1967. We approached a village and gathered up every male that looked like he should have been in the ARVN Army or else he was a VC sympathizer and at that time, South Vietnames interrogators who were working with us bound up two men, up against a tree, used fine wire, stripped como wire, you know, I believe it's copper inside of it, I'm not sure, but they stripped the rubber casing off the como wire, wrapped that wire around these men's wrists, and with a various set of tools, started pulling, tearing the flesh. At that time, the battalion commander, a lieutenant colonel, was present at those proceedings; and I don't know what kind of intelligence they got out of it or not.

Moderator. Well, Griff, we've heard a lot of testimony about the indiscriminate slaughter of civilians, as a consequence of the free fire zone, search and destroy and so on. From your experience who did the command in Vietnam—who did the soldiers in Vietnam consider to be the enemy?

Ellison. One of the things that happens, especially to Marines going over there, they have very intense training to build up esprit de corps. Prior to our leaving for Vietnam, in Camp Pendleton, our battalion commander addressed the troops and referred to all Vietnamese saying, "The only good gook is a dead gook," therefore justifying increased body counts—you kill anything that has slant eyes or a slope head.

Moderator. Did this apply to Viet Cong or North Vietnamese?

Ellison. No, there was no differentiation whatsover between the South Vietnamese population and what ever troops—I believe the term now is the "other side" troops—were operating in that area. Matter of fact, I think this is one of the main causes for a disproportionate body count that includes civilians, because when operating under free fire you have this attitude that the only good gook is a dead gook, so you're going to rip him off regardless of whether he carries a weapon or not.

Moderator. Well, can you—in the interests of time I would like to open the floor to questions of Mr. Ellison by the press at this time.

Floor. What's your father's name?

Ellison. Well, it's obviously Ellison.

Floor. What's his rank?

Ellison. Captain.

Floor. What's his first name?

Ellison. Thomas.

Floor. Did he know you were going to testify here?

Ellison. He knows I testified in Richmond, and he doesn't necessarily agree with my feelings about this, but then again that's understandable.

Floor. What was your father's position? I'm sorry, I didn't hear it.

Ellison. Chief of Staff of Allied Naval Striking Forces, Southern Europe.

Floor. Navy rank?

Ellison. He's a captain.

Floor. He's retired now?

Ellison. Yes, he is.

Floor. Those orders of "the only good gook is a dead gook"—did they originate with the officers or with the men?

Ellison. No, I think this is a necessary—in order to conduct this war, anyway—this is a necessary Marine Corps policy whereby we dehumanize an enemy, we dehumanize a people because we really don't know who the enemy is over there. In fact, one thing I'd like to address some of the press on is that I was at Con Thien, the siege of Con Thien, my capacity at that time was a squad leader and I can verify the intelligence was rather poor. Regardless of how often we fired upon hills, the fire was returned. In fact during Operation Hickory, my unit spent four days trying to take a Hill 117. There was a great bit of rebellion, although I don't think it ever reached the press because a lot of us refused to go up the hill the third day. That same hill, the squad—my squad—in fact, lost over half of them—why I was—I received a minor wound at that time, nothing to speak of, but 2 weeks later, when we were on Con Thien itself, we received fire from that hill, so that was sort of standard operating policies and procedures we had over there.

Floor. Well what happened when you refused to go up the hill? Did you eventually go the third day or what?

Ellison. Well, what happened is we told the company commander, unless he was going to go up with us, we weren't going to go, because the whole time he was sitting back in the back trying to direct troops. On the first—excuse me, the second day, we were up there, we were pinned down on three sides, and he was down there telling us to charge bunkers and he was at the bottom of the hill. We thought that was a little ironical. I think he got a silver star of that action.

Floor. Did he eventually go with you all up the hill the third day?

Ellison. I don't know. I didn't go up the hill the third day because I was out, I was evacuated.

Moderator. One more question from the press before we move on.

Floor. I was wondering, were there any measures to destroy the food supply, was there defoliation in this free fire zone also?

Ellison. Yes, as a matter of fact, we called napalm up on as many feasible rice fields as possible. We napalmed rice fields.

Floor. Was there ranch-hand defoliation?

Ellison. What was that?

Floor. Defoliation, where the C–130s come over with defoliant?

Ellison. I really don't know because we had just come in-country and we were all rather green at the time. I don't know, I wasn't aware of things like H and orange being used at that time. Although it was used extensively in Northern Corps when I was up there.

ED MELTON

Moderator. Our next Vietnam veteran is Ed Melton who served some time as a corpsman in the Navy.

Melton. My name is Ed Melton. I was with the 3rd Battalion, 1st Marines—1st Marine Division—as a Navy hospital corpsman with a Marine infantry unit. I arrived in Vietnam on July 28, 1968, and left July 1, 1969. I think the whole point of emphasis that I'd like to make is that my unit was about as average an infantry unit as you could imagine. And my experiences are as average as the experiences of any infantryman in Vietnam.

I was four months in the field until November of 1968 when on Operation Mead River I was wounded in action, spent three weeks in the hospital and then was released back to my battalion rear area to allow me to convalesce another month since I couldn't walk. While I was back there, there was a POW camp for North Vietnamese and Viet Cong prisoners. It was directly contiguous with the battalion rear compound there. Matter of fact——

MODERATOR. Where was this?

MELTON. This was about ten miles southwest of Danang in an area right adjacent to a large area known as Dodge City. They had several operations there since then. But it was while I was there at the BAS recuperating—I was on crutches—that the doctor there, the battalion surgeon, suggested that we ought to go down to the prisoner-of-war compound and check on the medical conditions down there. We hadn't heard anything—and this was right in the wake of the Operation Mead River, which I had participated in, and there were a great deal of people down there. The compound itself was very small. It was only about the size of half this room. It was barbed wire, and machine-gun posts at all four corners. And so we went down there one day in the jeep, and took medical supplies with us. And the strange thing about this prisoner-of-war compound was most of the people in there weren't prisoners of war, they were women and children. There were some wounded Viet-Cong, some wounded North Vietnamese, but most of the people there were detainees.

I think one of the people yesterday explained exactly what detainees are. They are just people that are picked up in areas, mostly civilians, women and children, maybe some old men, and oftentimes there's not even a question of whether or not they're Vietcong, the question is just: maybe they've got some information that the Americans can use. Well, this really wasn't a prisoner-of-war compound, it was a concentration camp, a small concentration camp which was filled about five times its capacity with people. And in the building itself, there were about—I described the size of the building—there were about, I'd say, over a hundred people in these, the majority of which were women and children. And there were only—well you can imagine how many beds there would have been, how many cots in a compound the size of half this room.

MODERATOR. *What sort of medical care were these people receiving?*

MELTON. They had received none at all. As a matter of fact, most—the operation at this time had been over about a week and I remember most of the Viet Cong and North Vietnamese still had battle dressings put on them by the North Vietnamese medics. But obviously they were a week old. Most of the wounds had maggots in them. They had received no medical care since arriving at the American facility. For women and children there was only one latrine. The sanitation conditions were appalling, obviously.

These people were really glad to have someone, you know, finally to give them some care because they'd been totally neglect medical-wise. There were children and women with horrible sores on—anyone who has been in Vietnam knows what kind of sores I am talking about, these inflammations that you get from being over in a moist, tropical area. And so we did what we could to treat these people, and attempted after that, while I was there, to basically provide some sort of on-going medical assistance, but we received no encouragement at all from the battalion staff. It was something we basically had to do on our own, and I got the impression from the guards at the prison camp that they would just as soon that we left these people alone and didn't give them any medical care at all.

MODERATOR. *Were these guards Americans?*

MELTON. Yes, they were. I remember them bringing one—we had to bring one of the wounded North Vietnamese officers up to the battalion aid station to treat him, and two prison guards came with him, and they were beating him and trussing him up the whole way, and they brought him in—and I told the guard just to get out, we'd take care of him. And he said something to the effect that it didn't really matter because after these people were treated and after the Americans had gotten what they wanted out of them, that they'd be turned over to the, I believe, the Vietnamese National District Police, and that if they couldn't get what they wanted out of them they'd just kill them. So—

MODERATOR. Ed, when you were in the field you had opportunity to work on Medcap and normal ground operations. Could you briefly describe what a Medcap operation is, considering time limitations, and specifically the incident that you detailed to us earlier?

MELTON. All right. A Medcap is just an abbreviation for Medical Combined Action Program, and what it's basically—it's an attempt at civic action, or that's the ostensible purpose. It's really civic propaganda. You go into villages with medical care and you try to treat everyone in the village. You try to get in once a week, and you stay right in the center of the village and all the people come to you that need to be treated. But here again, this is another example of how a basically humane institution such as medical care which could do a lot for the people over there has been perverted to the uses of the U.S. military policy over there. Because the basic problem with this is that no one really cares about treating these villagers. They're just looking for the propaganda value in it. You're totally unable to provide any really thorough or real follow-up care.

Most of these people have things like tuberculosis, venereal disease—which is I think largely an import from the United States—infections of different sorts, vein varicosities—especially the men at a very young age—a high infant mortality rate, and yet these are the things that never get treated. My experience was that the Americans—what they do is they like to do things like repairing cleft palates because this is a very symbolic thing. You can take someone with cleft palate and operate, and restore the person's looks. And this is something that outwardly looks very nice. But actually it's not much at all, it really doesn't do much. I mean, it's a good thing to do, but in terms of the real medical needs, they're not being met at all. There is no attempt to meet these needs. There is no attempt—you're not allowed to give villagers medicines for more than two days at a time because everyone says they'll turn them over to the Viet Cong. So what you do is you find someone with a bad infection and sometimes, maybe, you can get them into the Danang Hospital for Vietnamese, but usually you just have to give them as large a dose of penicillin as you can and hope that it works out, because you may not see them next week. In short, there's just no follow-through in medical care at all, and it doesn't meet the medical needs of the people over there at all.

Another example of perversion in medical care was, before I was wounded we were on a sweep southwest of Danang, and we were going—it was an area that we weren't familiar with. We were op con to another battalion, and we were moving through a village-hamlet area, there were several villages sort of connected together. Some of the men in my platoon thought they saw some movement in a tree line and fired into it. It was a little girl and a water buffalo. It killed the water buffalo and wounded the girl in the leg. It was not a mortal wound, but it was a very painful wound and a wound which would have been infected, which did I'm sure become infected.

She was obviously in need of medical care. The parents were crying, they were very worried, and I wanted to call a medical evacuation helicopter to send her back. You know, get her in a hurry, we couldn't, that just do the best we could. I'd just have to put a battle dressing on her and—she was in a great deal of pain, and I kept insisting on calling a helicopter. Finally he told me to shut up and do what I was told, so I put a battle dressing on and gave the girl a little—just enough morphine to stop the pain. And we had to move on. I'm quite sure that the wound and the pain—it was an open wound that had no bone involvement but it did lay the flesh open—and I'm quite sure that the wound became very badly infected after we left.

FLOOR. How old was the girl?

MELTON. I would estimate about thirteen.

Another thing that happened while I was recuperating back at battalion aid station is that there was a vill about—I guess about a mile away—that everyone claimed was a Viet Cong vill. And yet for some reason or the other—you know they were always getting a few sniper shots from them when troops would go by there on patrols, but never anything really big. Well, it was known, though, that the brass in our batallion wanted to get the Viet Cong in the vill. It's very strange: while we were there on a routine mortar fire mission at night, five mortar rounds fell in this village and there were very few young men there, but they brought in I believe women and children. There were fifteen very badly mutilated women and children and another five who were brought in dead. I don't know how we—we did what treatment we could for the fifteen and sent them on, we never heard whether they made it. Many of them had lost one arm, two arms, an arm and a leg. Most of these were children and women, and a few old men. It just—you know, it was just suddenly in the middle of the night, these mortar rounds came in and killed these people.

The rationale behind it was that these had been short rounds and they'd accidentally fallen short on the vill. But I talked to several members in the mortar squad and they said that the ammunition they were using they knew was faulty, and they had told the executive officer of the battalion about it, and he told them to go on and use it anyway that people were the most expendable thing in Vietnam. So I don't know whether there was any—whether this was purposely, whether these rounds were fired purposely into the village, but they were fired with knowledge beforehand that they were faulty and could very well fall short.

Another time while I was convalescing—I only spent two months back at this BAS and all these things happened while I was back there, so I would imagine they were pretty much standard operating procedure the whole time. An old woman was walking along the road right outside our battalion area, and she was run down by a truck. And they brought her in and she died at the BAS. There was nothing we could do for her. But the road wasn't crowded. I don't know if the truck driver, you know, meant to run her down, but there was never an investigation launched. He had no remorse about it at all. It was just another gook who got in the way, you know, and "sorry about that."

MODERATOR. Are there any questions from the press?

FLOOR. I'd like to know, what was your impression of the general attitude of the American medical corps toward treating Vietnamese?

MELTON. The doctors that I served with—I served with four doctors over there, of which three of them were superb doctors and very compassionate, and were very much concerned with treatment of Vietnamese. But here again they were limited very much by official policies, so there was only so much they could do. And here again, whenever—the medical service over there is considered only an adjunct of the official military arm, and whenever you start trying to do something, which is almost always going to run counter to military policy over there, you're going to be told to shut up and mind your own business. You know, leave the war to the soldiers and you just patch them up. That was my experience and that was the experience of the doctors I served with. I think the attitudes among the doctors varied a lot. But at any rate, regardless, a doctor no matter what he feels is very limited, he's hamstrung in doing anything at all for the people.

FLOOR. I wonder if you could give us examples of these official policies?

MELTON. All right. One policy was that—our battalion aid station was in a very good area to treat people. It just happened to be in the center of a rather populous rural area. That is, there were villages radiating out from our area. Our doctor there wanted to institute a sort of a relay station for all people in the area. You know, to come to, to get medical care as a sort of an intermediate step between here, there, and the hospital. That way we could keep records on these people. We could have—we could provide some sort of care, you know, some sort of follow-through care. And this was knocked down by the battalion commander because he said he didn't want all these people coming into BAS, you know, the battalion aid station. That a lot of them might be Viet Cong, and saboteurs and sappers, and this, and he said he just didn't want these people inside the compound. So I think that's a primary example right there.

FLOOR. What did you call that program, Medcap?

MELTON. Medcap, that's correct. A Medical Combined—no, Medical Civic Action Program, or Medical Combined Action Program. It's called both, I believe.

MODERATOR. Any other questions from the press?

CHUCK HAMILTON

MODERATOR. Our next veteran is Chuck Hamilton and he was in the Navy.

HAMILTON. My name is Chuck Hamilton. I'm an art student at the University of North Carolina. I joined the Navy on September 26, 1966, and I left the Navy on June—July, pardon me—July 6, 1970. During this time most of my time was spent on board a support oiler, the U.S.S. *Potchetula*. I was a second-class gunner's mate, E-5. Most of what I want to depict to you is about my training.

When I was a gunner's mate—they had a gunner's mate school in the Great Lakes. The instructors there tried to dehumanize the Vietnamese. It was a process that they didn't tell us any difference between, say, a Japanese, a Filipino, a Vietnamese, a North or South Vietnamese, they were all jokingly referred to slant-eyes or gooks. It was an accepted thing to say that the only slant-eye you can trust was a dead one; or things like that. We were shown Korean kill-team movies for entertainment. There was—when the instructors were not prepared on their lesson plans, they would show us these flicks. And this was all done in a jovial manner. Everybody was happy and there wasn't anything to say that was bad.

We had a lot of discussions about CBU's, which were the rounds, anti-personnel rounds that had one explosion and then there would be other explosions. This is all anti-personnel, and it was the favorite rounds of most of the instructors there. They liked this because they could tack people up with it and tear them up, and it was a good round to throw in when you didn't want to spend a lot of time shelling and stuff like this.

After that, when I was on the *Potchetula*, I had volunteered all this time to go on PBR's, which is patrol boat rivers. It's a small riverboat which has twin .50 caliber machine guns on the front and I think an M-60 in the back, maybe a .50 in the back also. So I was very interested in going to Vietnam. A lot of the people I came in contact—a lot of the gunner's mates had been to Vietnam, and when I was on the *Potchetula* I found out a lot of the policy. There was a third class gunner's mate that had fired during the evenings, when it was pretty boring. He'd only been in twenty-seven fire fights, and to him that was pretty boring. And in the evenings when he was in Vietnam and it was boring and they didn't have anything to do, he would fire tracers out of the .50 caliber machine guns into villages, just to see the arching effect and the way the rounds—the white and all that stuff—the way they hit the ground and the villages and stuff like this. I also know of incidents where the second-class gunner's mates had thrown grenades into sampans and stuff like that, just without checking them. It was just that they weren't supposed to be on the river at this time or something like that, and they would just go by, swiftly run by, and it was kind of like a big war thing for them, you know, to ride the boats by real fast and then to throw grenades into these sampans. Things like that.

MODERATOR. Any questions from the press?

LEE MEYROWITZ

MODERATOR. Our next veteran is Lee Meyrowitz.

MEYROWITZ. My name is Lee Meyrowitz and I served with the 1st Brigade, 101st Airborne Division, C Company, 502nd Infantry, in Vietnam, from 1965 to 1966. I was a point man, and for a while I was a squad leader when the other squad leader was shot, and for a while I was a fire team leader. I did not spend my whole time in the infantry. When I first went to Vietnam, it seems that—I had one semester of college education, so—they made me a clerk because I had intelligence. That was a farce, and I made very conscious efforts—and I have to stress this, I made a very conscious effort to get to an infantry unit because I was trained as an infantryman. There is also a very elite esprit de corps in the 101st Airborne Division, which almost forces you to somehow prove something.

Well, on the times that we operated—we operated in an area called II Corps area which is—we operated from Tuy Hua south to Phan Diet, west to a place called Non Koh, which is on the Cambodian border, and north to a place called Dac To. We were the first unit to enter Dac To.

Most of the things that happened I know—we spent the majority of our time in Tuy Hua, which is on the north above Nha Trang. And while there we worked on search and destroy missions. And on one specific occasion, on a search and destroy area, we opened a new area of which it was told to us it was all VC, and I quote that: that was "all VC". It wasn't called free-fire zone, and this was 1965 and early 1966, it wasn't a free fire zone but all VC, everybody was a VC. We moved in, landed, went to a village. The village was occupied by women, children, old men. We proceeded to search the village, sack the village, destroy the rice crops, burn the village to the ground. We did not evacuate the people, we did not provide for them in any way, shape, or form. They were VC. We left the village, moved on in the search and destroy mission, and in no way do I know of was there any effort to evacuate the people or re-establish their village.

FLOOR. Do you know the name of the village?

MEYROWITZ. I do not. I'll tell you the God's honest truth. I do not know the name of any village on any grid coordinate that I was at. We were given—many times we were given grid coordinates, maps that were wrong and inaccurate, and the only time that I can name names is the major area we operated in. The 101st operated as a pet unit to General Westmoreland, who was a Division Commander at Fort Kemble, Kentucky. We operated strictly from rucksack. The base camp for the 101st was Phan Rang. They landed there around July of 1965, they did not see that base—when I left Vietnam in December of 1966, they had not returned as major unit to that base. We operated strictly out of forward base areas, we operately strictly out of rucksacks, we operated strictly in terms of twenty, twenty-five, thirty, thirty-five day operations, with re-supply of C rations every five days.

OK. I was in C Company. C Company had an excellent reputation as a fine, fine, respectable killer unit. We were told that we were one of the best units, best battalions in Vietnam, that we had highest body count, highest captured weapons—which were the first two standing orders, were body count and weapon count. When I came to the unit—and let me say one thing on this unit. This unit was the unit that was commanded by Captain Carpenter, if you remember at Dac To.

FLOOR. Five-oh-dence?

MEYROWITZ. Five-oh-dence.

And there was a company commander before that time, in 1965 before December—there had been some mutilations of bodies and I think it was south of Ben Hoa or Ben Cat when they were pulling some assistance with the 173rd, they mutilated bodies. And the company commander had given an order that everybody was to carry hatchets to mutilate the bodies. The company then became known as Hatchet Company. This was found out by General Westmoreland, and General Westmoreland stopped it but not—after it had occurred, the action was completed.

FLOOR. Could you please go over that again? You carried hatchets—

MEYROWITZ. I did not myself, not myself. In 1965 before I got in the unit, as related to me by men in the unit, C Company was known as Hatchet Company. They did carry hatchets. The company commander sanctioned it, and it was only stopped by General Westmoreland himself.

MODERATOR. Let him continue his testimony and we'll get into press questions afterwards. All right?

MEYROWITZ. As I said before, while in Vietnam the first thing the radio said—or clamored—was, "What was your body count?" Now there's three specific instances I'd like to relate about body count. One was in an operation when we came upon a VC village, supposedly, in a dense forest, jungle, and we found four graves. I was then ordered to dig the graves up, which I did. There were four males, fairly recently buried, and they were called in as body count. These are conscious efforts to add to the figures. These people could have died from anything else but they were body count.

The other thing is on an operation: we were in a plain, on a hill. Our sergeant spotted a man, I won't say VC, and in black pajamas. He told us that he was a VC, and in some insane moment we ran after the man, did not attempt to capture him, made no attempt to capture him by words or actions, and shot him and killed him and called him in as a body count. For those people in the audience, I consider that a war crime atrocity, because I shot him.

Another instance I know of specifically. We were operating—one of the sergeants in my platoon was very highly decorated, considered to be an extremely good sergeant. Out of frustration and anxiety, I don't what the psychological principle would be, he found a man, I think in around his fifties or maybe sixties, and stabbed him to death, I think approximately sixteen times was what the story—I did not see it, I was on my position, but the rest of the guys told me what happened. And the lieutenant allowed it to happen without reporting it. The man was not a VC, he was a villager. He was called in as a body count.

Another instance is the handling of prisoners. I think there is one thing you have to understand about Vietnam, that it's—and I hate to reiterate this thing—but it's an agrarian country, an agrarian society. Most people in the countryside don't necessarily have cards, they live out in the countryside. We came upon four men and a woman dressed in black pajamas. And it seems it's an equation that exists in Vietnam: If you wear black pajamas you're a VC. Well, if anybody knows anything about the culture of Vietnam, they should know that white is the color of mourning, that white is only worn by the schoolgirls. But in the U.S. Army, black is the equivalent of VC. These four people began to run away from us, which was many times a natural reaction. We did not shoot over their heads to stop them but we shot at them, wounded one man. We captured them, called in for a helicopter. The one man was wounded, the dressing was just dressed. There was a woman with them and when we called in the capture of these people, the woman was equated as prostitute. We had no proof of that, but she was called a prostitute. And these four men were called VC, we had no proof of that.

The helicopter came in and we then proceeded to put the man on the helicopter. I was—myself and another man took the wounded man—he was not Medivacked out, he was taken out in a helicopter—and I proceeded to throw the man on the helicopter. That I consider to be mishandling of prisoners of war, more than likely, under the Geneva Convention.

I must reiterate something about myself. Before I went to Vietnam I had or was going to get a principal appointment into West Point. I went to the United States Military Academy Preparatory School at Fort Belvoir, Virginia, and many times throughout the Army I was constantly pressured to go to OCS or flight school. I also must say that the 101st Airborne is an extremely elite-type unit operating many times in an elite-type status, and that I was an infantryman far, far away from the mainstream of major decision-making processes. So what I saw, as Ed stated, were pretty much average-day occurrences in an infantry unit.

Moderator. Questions from the press?

Floor. This incident in the village where you sacked everything and then moved on, did you ever do that again?

Meyrowitz. We didn't burn the villages, but we kind of wrecked them up pretty good sometimes. The battalion—the battalion commander found out about it and somehow the word came down that we weren't to do these things any more because the burning left too many traces. We could wreck them up a little bit though. These were implicit, not explicit, orders, and no, we didn't burn them again.

Floor. What was your attitude towards all this at the time? These are second thoughts now.

Meyrowitz. Very much so. I go to school at Chapel Hill, and I teach. I've been giving discussion classes on Vietnam and a girl brought this question up the other day. And at the time, somewhere in my cognitive structure I felt that something was not in balance, and I don't know why I continued, but it seems that when you're twenty miles out in the jungle it's very difficult to throw down your rifle and say I'm leaving. It's a hell of a long way back, eleven thousand miles, and I haven't been able to walk on water. But it seems that when I went to Vietnam, from the community I came from, I sincerely believed I was helping the Vietnamese free themselves from aggression, to keep their institutions democratic and allow them the freedom of decisions to decide what their fate may be. When there I saw that lies were perpetrated upon me. But I didn't realize things until I got back to the United States. And the whole time there, I justified all the means to reach a certain end.

Moderator. Are there any more questions from the press?

Floor. Yeah, could you give us your age and rank?

Meyrowitz. I was a Specialist Fourth Class, E-4. My age is twenty-five, and I go to the University of North Carolina, where I'm a student.

Floor. And your unit?

Meyrowitz. Was the 1st Brigade, 101st Airborne, C Company, 502nd Infantry.

Floor. What was the certain end you say you justified all the means by?

Meyrowitz. I think it was the fact that I had been told somewhere along the line that we were helping the people. You know, we were helping them to free themselves from communist aggression. And I would—myself, I was brought up in a small town where everything was put in a Manichean dichotomy of democracy—good, communist—evil; and I think you're inculcated with that, and propagandized with that idea. I sincerely believe that I was programmed to think like that, and didn't realize it until after the actions had occurred, which were just completely unnatural actions. I never thought I could kill a man, and I did. And I don't understand why. He was unarmed, completely unarmed.

On other occasions if somebody was firing at me I'd think it was something different, but this man was completely unarmed. And that—it's murder in its truest sense.

Floor. Do you think we could have got it if you would have done it in this way, spared the villages, spared the people and not shot that man, if the whole Army would have pursued that course, and then you could have gone about your fire fights, do you think that would have been effective?

Meyrowitz. What I think—do you want me to say this, I'll say what I think was effective. I see no legal, moral, ethical, diplomatic, right, privilege for the United States to be in South Vietnam. Since I've come back to the United States, my major area of studies is Asian studies, and I've done a great deal of research and reading and listening and talking, into the why, wherefores, and hows the United States got into Vietnam. They've progressed from a state of just advisers to a state now of war. And so I sincerely believe that even if these incidents hadn't occurred, and I had been just a straight infantryman with nothing happening to me, I'd still feel the same way. That it's an illegal, unmoral, unethical act.

Floor. Don't go there at all, don't even bother to attempt the military problem? Is that what you're saying?

Meyrowitz. I'd say yes. America has no right to intervene militarily in that country.

Moderator. All right, in the interests of time we've got to move on.

THIRD SESSION

Moderator. The Congressman-elect from Maryland, Parren J. Mitchell, is here to listen to the testimony and perhaps make a statement. He also represents today Representative John Conyers of Michigan.

Our first witness this afternoon is Doctor Gordon Livingston, a 1960 graduate of the United States Military Academy at West Point.

GORDON LIVINGSTON

Livingston. My name is Gordon S. Livingston. I have proof of that in my driver's license. I don't have any of my military documents, so that what I say in that regard has to be taken on faith or checked up on.

I graduated from the Military Academy in 1960, went into the infantry, served with the 82nd Airborne Division as a lieutenant. In 1960 through 1962, I applied for and received a five-year leave of absence without pay to attend medical school at my expense. I graduated from Johns Hopkins in 1967, and following that took an army internship at Walter Reed General Hospital. I volunteered for service in Vietnam with the understanding that I would return to Walter Reed following my tour to undertake a residency in psychiatry. I received training in the Foreign Services Institute, a State Department affiliate, before going to Vietnam, which included 150 hours of language training. I also received training at the U.S. Army Aviation School as a flight surgeon. I went to Vietnam in 1968, with the rank of major, and was assigned as regimental surgeon of the 11th Armored Cavalry Regiment, at that time commanded by Colonel George S. Patton III.

Although I went to Vietnam as I guess what might be described certainly as a career officer, and with what might be described as a qualified supporter of the war effort there and with some sense that I had perhaps something to contribute in a useful way, what I found when I got there was that the rationales which I had been led to believe justified our presence in Vietnam—essentially being two in number, that we were there to ensure self-determination to the Vietnamese, and, secondly, to prevent a communist takeover in that country—were in no sense justified or vindicated by the nature of our effort there. Now we've all heard testimony this morning of the most heinous and brutal war crimes. I can add to that testimony to a degree from my own personal experience, but I don't want my message to be lost in recitation of yet other forms of violence toward the Vietnamese. These occur, and have been documented well, and I'll document at least one instance of that in my testimony. But what is more important, and what I want to do most of all is broaden the scope of what we're talking about to include the other, more pervasive forms of dehumanization which mark our—characterize—our presence in Vietnam, and which lead, and which create a climate in which the extreme sorts of cruelty, which we've been exposed to today, can occur. This spectrum of dehumanization of which I'm speaking might be seen to start out at the level at which the Vietnamese can be thought of—as they are by practically all Americans in Vietnam—as being of no consequence, as being subhuman in some sense. And, for example, of being referred to as gooks, and slopes, and dinks, and of being treated at best in an indiscriminately inhumane way, whether it's in a fashion that our troops drive, or indiscriminate firing into villages, or whether it's the more calculated kinds of atrocities that we have been talking about today. But what I want to do and what I want to say, is to emphasize that these atrocities, which are obviously, I guess, the primary interest, of the greatest sensation value, do represent just one manifestation of this very, very broad spectrum of this inhumanity and dehumanization that marks our effort there and makes a mockery of our national objectives.

Now, specific examples from my experience in Vietnam, include such things—and show the breadth of participation, the fact that it's not just a few GIs here and there doing it, but a very pervasive kind of thing. For example was an incident in which a helicopter pilot in our unit, flying a low-level reconnaissance—one can imagine how low level by my telling you that he ran down two women who were riding bicycles down the road. Now, it's difficult to establish whether or not this is an accidental happening. I can tell you from my interview with the pilot that he himself was somewhat in doubt. What was clear however was that he attached no significance to the act, and what was clear in the subsequent events is that the Army didn't either because what happened was that these women were killed—absoluely innocent civilians—and the pilot was temporarily grounded, a board of inquiry was convened, and he was exonerated. And there was never any real doubt about that issue. It was not considered, you know, to be a terribly important thing.

During a period of my service in which I served as a medical officer in the emergency room of the 93rd Evacuation Hospital, one evening a young boy who had been hurt in an automobile accident was brought in, a young Vietnamese boy. It was the obligation of American military medical installations to provide care to any Vietnamese who was injured as a direct result of American action. If it was not a direct result then it was up to the discretion of the surgeon in charge whether or not the person would be treated. The nature of this boy's injury were fracture of both bones of the lower leg, of which one of them was very badly comminuted and exposed. It made it clear to me that unless he obtained very definitive orthopedic surgery the leg would be lost. We had the capacity to provide that surgery, the orthopedic surgeon had nothing else to do, and refused to perform the operation. The nurse announced the boy's arrival as being that of just another gook, and the surgeon refused to operate. The boy was evacuated to the province hospital and there's no doubt in my mind that he lost his leg as a result.

Some of the more calculated forms of brutality, as we go up the scale, I guess could be illustrated in a couple of slides that I have and we might now show.

Slide 1.

This occurred on an operation conducted by the 11th Armored Cavalry Regiment in the village of Hoa Loi I in December of 1968. The prisoner being tortured there was a detainee from the village and the people administering the water torture—that is, pouring the water successively over his mouth and nose to induce a feeling of suffocation—are members of the National Police field force. These are South Vietnamese troops, but what is significant is that this was a small detachment of South Vietnamese who were working for the 11th Armored Cavalry Regiment and this activity was sanctioned by American officers up to and including the rank of Lieutenant Colonel. The American involvement in this fits, of course, with the sorts of things we were talking about earlier today where the Vietnamese sometimes are the instruments through which the brutality is mediated, but the American involvement cannot be avoided.

And now I'd like to see that other slide.

Slide 2.

I think it becomes explicit in this slide, when the intelligence gathered in this case was the revelation that there was a bunker nearby which the prisoner stated contained two of his fellow VC and offered to take us to the bunker. You'll note in that picture the distinct absence of Vietnamese. As we began to approach the bunker, the gentleman in the center in the camoflage fatigues carrying the shotgun is an American National Police Field Force adviser, a civilian. When I approached him about the earlier water torture and my feeling that this was in direct violation of a whole bunch of rules of warfare, he seemed surprised at my raising the question and stated that it seemed like a moot point to him since when they got the prisoner back to province headquarters they would subject him to what was euphemistically described as the "Bell Telephone Hour." And I think considering the testimony we heard this morning I don't need to expand further on what that meant. The other Americans are evident in the picture and I think make the point that I'm trying to make, which is that the level of involvement of Americans in this kind of thing is evident.

So, and then let me give you one final instance of the pervasive nature of this involvement. I think everyone has some sense of the physicians's role as being that of a noncombatant. It's so defined in the Geneva Convention. But I will tell you of a conversation I had with a medical corps lieutenant colonel, who at that time was the chief of anesthesiology for U.S. Army Vietnam. At the time I had been ordered by my commanding officer to inquire about the possible use of sodium pentothal in the interrogation of prisoners. When I approached this medical corps anesthesiologist about that he said that he would certainly be happy to assist us in that regard, but that his suggestion was that we might use Sucsoneal coline, which is a drug administered during specific surgical procedures which has the effect of paralyzing all the voluntary muscles in the body—the most profound effect of which, of course, is to stop respiration. The nature of the drug is such that it can be titrated in very small quantities, it is quickly reversible so that the effects of it can be transient, and his view was that this would be a very effective interrogation technique, to inject a small quantity of this into the prisoner, producing this paralysis of the respiratory muscles, reverse it, and prolong it as necessary to get the information. Well the fact that the proposal was not transmitted by me and was not acted upon, at least in my area, I think does not alter the main point, which is that everybody, literally everybody, is involved in this. And to say that the people who commit war crimes or who conceive them represent a small, aberrant minority is really what I think is very incorrect. I think it's a very pervasive and widespread kind of ethnic, and has very important psychological roots in how the whole war is being run in terms of disregard for Vietnamese lives, indiscriminate destruction, and so on and so on. But that essentially is what I had to say about my time there.

MODERATOR. Gordon, as a principal staff officer for Colonel George S. Patton III, what was his attitude toward the treatment of prisoners and to the Vietnamese in general?

LIVINGSTON. Well this raises another issue, which is the role of the professional military. It's easy to make a whipping boy of the professional military for what has happened in Vietnam, and in a sense unjust because the professional military has been asked to execute an essentially—in many ways, an impossible kind of mission. They've gone about it with the traditional military techniques, and the price for the nation has been very high indeed. Now I think Colonel Patton represents the prototype of the professional military persons. That is, the individuals who as individuals have profited very highly by what has happened in Vietnam. That is, when they say, for example, that no one hates war worse than the soldier, well all right, now, when you're a Pfc. or a specialist 4th class in the middle of the jungle, I think that's easy to support, but if you're a professional officer then Vietnam's the road to success, there's no other way to look at it. One goes over there and gets the requisite command time, gets the requisite number of decorations, and his career is a success—and can't be a success without them. Therefore there's a great deal of clamoring for things like command time and so on. Well I think also what it produces is an emphasis on some method by which a commander's performance can be assessed, and that criterion in Vietnam happens to be the body count. And regardless of what protestations are made about the importance of the pacification effort and so on, the fact is that score is kept on the basis of the body count. This is what Colonel Patton was interested in, and this, I think characterized our failure. And I'll cite one example of what I'm talking about in terms of prisoner interrogation. Although Americans are flown directly to large evacuation hospitals by helicopter when they're wounded, North Vietnamese and VC who were wounded were brought to our regimental command post, where I was asked to provide some level of care, obviously not definitive surgical facilities or anything, but just intravenous drips and morphine, and whatever, to stop the bleeding, so that they could be interrogated. Well a wide variety of things happened. There was an essential conflict between my perception of the issue, which was to provide medical care, and the command perception, which was to gain intelligence information. So that for example on one occasion I was told by Colonel Patton when I informed him that a seriously wounded prisoner in my opinion was not likely to survive a lengthy interrogation, his response was, we just need to keep him alive for a few moments so we can question him, and after that he can die, it doesn't matter to me.

Well, that kind of an attitude is what I'm talking about. And the fact that I don't have any stories to tell of Colonel Patton personally torturing prisoners, or personally shooting a wounded prisoner or anything like that doesn't alter the fact that when the pervasive kind of attitude toward the war finds that sort of expression, then all the excesses that we've been hearing about today are inevitable. There's no way to get around them. So it's—even the chaplain was involved. Even the chaplain was asked to pray for a big body count, at the nightly briefing, which, you know, for anyone who's read Heller is straight out of Catch 22. In that case it was a tight bomb pattern; in Vietnam it was a big body count. And he did so—which is more important. But—and again now, what I'm trying to show is that the involvement here is very, very broad, and it does no good to just select out a few people who personally participate in excesses.

MODERATOR. Questions from the press?

FLOOR. In the nature of our relationship with the Vietnamese, on the example of the water torture there, did any American officer have the authority to stop the Vietnamese village policeman?

LIVINGSTON. Yes, and in fact did, eventually. It was stopped when a sufficient protest was raised, and it was stopped by an American. But the fact was that it had been tolerated up to that point, so that it was clearly an American operation under American control, and the South Vietnamese police were acting under our direction, that's right. So that there was no doubt about who was in charge of the operation.

FLOOR. Aren't there many instances where torture is condoned because we just have to hand these people over to the Vietnamese and it's their show and not ours?

LIVINGSTON. Well, that's the rationale. But as demonstrated in the slides, we're perfectly willing to make use of the information gained, so that while we may—if we're not pouring the water that may give us some sense of being in some way not morally involved, I guess what I'm trying to point out is that that is really the ultimate in self deception, if we really believe that.

FLOOR. Where is Colonel Patton now?

LIVINGSTON. He's a brigadier general now, and I don't know where he is. He went from Vietnam to the Army Aviation School at Fort Rucker.

Floor. He was a lieutenant colonel at that time?

Livingston. He was a full colonel.

Floor. Can you tell us about the chaplain praying for a big body count in more detail. When did this occur?

Livingston. Well, it occurred, I think, about February of 1969, and the specific words of the prayer went as follows. The standing order of the regiment was to "find the bastards and pile on." That was printed on signs in every bivouac area. And that, in fact, is what the chaplain prayed for when asked to pray for a large body count. He said, "Help us, Oh Lord, to fulfill the standing order of this regiment. Give us the wisdom to find the bastards, and the strength to pile on."

Floor. When was this?

Livingston. February, 1969.

Floor. Would you repeat that again—slowly, slowly.

Livingston. "Help us, Oh Lord, to fulfill the standing order of this regiment. Give us the wisdom to find the bastards and the strength to pile on."

Floor. Did any body say Amen?

Livingston. Everybody felt amen. I think I——

Floor. Was that true about his Christmas cards?

Livingston. Yes, well the Christmas card is another issue. Again, all of these things being in a way symbolic, but I think illustrative. Now the Christmas card being referred to was in the Christmas of 1968. Colonel Patton was given by the commander of the reserve cavalry troop a color photograph of a North Vietnamese bunker that had been hit by a 750-pound bomb from a B–52, and what it essentially showed were a series, or a collection of dismembered bodies lying near a shell crater. It was in full color, and Colonel Patton was sufficiently impressed by this photograph that he placed it on a Christmas card over the inscription "Peace on Earth, Colonel and Mrs. George S. Patton," and sent it to a variety of people, one early recipient being General Creighton Abrams. When General Abrams saw the card, he, I think as Colonel Patton did not, quickly appreciated the explosive political implications and ordered him to stop sending them out. So that I think probably a total of perhaps ten or fifteen were sent out. But again, now, the significance is what kind of a view of the world does that imply, to be able to do that sort of thing. That was written up in the New York Times *Magazine*. I think Jack Anderson got a hold of it, and so on.

Floor. What Christmas was this?

Livingston. It was Christmas of 1968.

Moderator. One more question from the press.

Floor. In your references to Colonel Patton, was that a quote you were talking about?

Livingston. Yes. "Just keep him alive for a few moments, few minutes, so we can question him. After that he can die, it doesn't matter to me." That is an exact quote. I wrote it down at the time. I wrote down a lot of other quotes too, but because as this became more and more evident what was going on, it just obviously deserves some documentation, and so I kept a rather meticulous journal, and wrote down those things at the time they happened, so that I would not——

Floor. Do you remember what the body count you were supposed to get was at the time of that prayer? Evidently there was some kind of quota or something like that.

Livingston. No, to my knowledge there was never a quota established in that unit. The body count was rewarded, but I don't think we ever got any directives to produce a certain number of bodies each——

Floor. Did you hear any references to the use of anthrax on barbed wire?

Livingston. No.

Moderator. Okay, in the interests of time we've got to move on.

Floor. Are you a doctor now?

Livingston. I'm a resident in psychiatry at Johns Hopkins Hospital.

Moderator. Thank you, Dr. Livingston.

GREG TURGEON

Moderator. The next witness is Greg Turgeon, of Minneapolis, Minnesota.

Turgeon. My name is Greg Turgeon, and I enlisted in the Marine Corps in 1966, May, for two years. Went to San Diego, Camp Pendleton, for basic training, graduated as a rifleman, and then had two months of language training in Camp Pendleton—Vietnamese—and was sent to Vietnam. I arrived in Vietnam in December 1966, and left Vietnam in January 1968. My function—maybe I should tell you what unit I was in. I was in 3rd Battalion, 7th Marine, 1st Marine Division. It was an infantry battalion, and I was part of the S–2 section, intelligence. My formal title was sort of a Scout-Linguist, and what that meant was, I was supposed to act as a relay for intelligence from the line companies back to battalion. I also had responsibility for anywhere from one to three Kit Carson Scouts—which were Viet Cong defectors who worked with us—and worked with the line companies in their combat patrols and operations.

First thing I'd like to say is that it doesn't take any inhuman being to perform the acts that everybody has been talking about so far. I consider myself an average person, and I consider most of the people that I worked with in the Marines average people.

The first incident I'd like to relate happened about March 1967 on Operation De Soto, which was in around Duc Pho area. We had captured—not captured, we had picked up some people, detainees, about three men, age about thirty or so, and we began questioning them. During that time a helicopter flew in and our battalion commander, who was a lieutenant colonel, came down, and was interested in what information we were getting out of these people. We weren't getting very far at all. We were beating them slightly at that time. He instructed me to take one of the prisoners down into this ravine with this scout dog, which is like a German shepherd. It was a vicious dog, it had to be muzzled all the time. We brought this prisoner down into the ravine. His hands were bound behind his back, and then the muzzle was removed from the dog and he was shoved into the dog. The dog leaped on him and started biting him and this kind of thing.

This did not result in any good information either, so the colonel instructed one of our combat engineers to take some detonation cord—which is a cord about the size of this wire here, it's an explosive in itself. He was to tie it around a tree, set a fuse and blow it up. The tree maybe was about this big around/gestures with hands, showing diameter of approximately seven inches/ and it toppled over. Then the combat engineer was instructed to tie another piece of det cord around the prisoner's neck, and attach about a minute fuse to it. The pin was pulled and the fuse went and by this time the prisoner was willing to talk, and it was taken off. That's one instance of the type of technique which was sanctioned—not only sanctioned but ordered—by a lieutenant colonel.

I was in on quite a few interrogations. Most of them were out in the field. They were just preliminary interrogation to more or less determine who I thought was suspicious enough to be sent back to a professional interrogator. I was not a professional interrogator. But I have witnessed on one occasion, about May of 1967 in Dai Loc area, a professional interrogator to use the radio to get information. The crank radio, with electrical wires hooked up to this person's ears to get information. But most of the time it was just beatings and this kind of thing to get information out of somebody.

To get off the treatment of prisoners—these people, by the way, I should mention, were just detainees; and all that means is that they may know something about Viet Cong activity. Maybe there were some Viet Cong moving in that area, and these people were living in that area, and we assumed that they might know something about the Viet Cong. It did not imply that they were Viet Cong or were sympathetic to the Viet Cong, but just that they knew something about their activities. These were primarily what the professional interrogators interrogated. Very seldom did we pick up any actual hard-core Viet Cong or NVA.

I'd like to move on out of the treatment of POWs a bit—except for one more, excuse me, one more incident which happened about October 1967, and we were on a patrol and we picked up an old man about sixty years old, and he was beaten to death on the way back into the compound. He was just a suspect. There was no real information about him that would lead us to suspect him as a Viet Cong, and we just told—the person who had beat this person to death—just told the officer back at base camp that this person had fallen off the tank.

Well, there's many, many incidents I could recall, but it's just repeating most of the things that have already been said by everybody else. And so I'd just like to leave it here, and—anybody have any questions?

Floor. You said that you don't characterize yourself as an inhumane man. Now how do you explain how otherwise humane people commit inhumane acts?

Turgeon. Okay. Well, I think it's mainly what I call brainwashing in the military training, and also that most of the people are pretty young and easily impressed by any propaganda that the military might give them. And it's just the whole nature of the war, the atmosphere, etc., that just makes an ordinary person degenerate.

Moderator. If there are no further questions, we'll go on to the next witness, Richard Altenberger.

RICHARD ALTENBERGER

Moderator. Richard, would you first state your name and unit, and the time you were in Vietnam?

Altenberger. My name is Richard Altenberger. I was with the 173rd Airborne Brigade, separate, in Vietnam from May 1965 to August 1966.

Moderator. Would you just briefly describe some of the experiences in Vietnam with your combat unit?

Altenberger. Well, I was with the Aviation Brigade, and when I first arrived at Bien Hoa with the brigade, in May, I was a driver for the aviation battalion commander, and every day the commanding general of the brigade would have a briefing. After several months in Vietnam, after one of the briefings, our company commander came back to our hootch and he said that the general put out that whenever a unit would go through a village, nothing would come out alive—animals, domestic animals, cattle, crops, everything would be destroyed.

I had some slides, but they got misplaced so we can't see them.

And then I was, I transferred onto a helicopter as a door gunner, and I seen the general's orders carried out. They'd go into a village, burn it down. I can't say I seen any women or children executed, but villages were destroyed. That's about all my activities over in Vietnam.

Moderator. Could you give us approximate dates, within a month or so, of these policies of destroying these villages?

Altenberger. The approximate date would

be about the end of July, when the order came down that the villages would be destroyed.

Moderator. What area of Vietnam, roughly, was this policy carried on in?

Altenberger. Well, we were in the Bien Hoa area; we worked in the Ben Cat area. Three times we went into the Iron Triangle and cleaned it out—every time it was supposedly cleaned out.

Moderator. Are there questions for Richard?

Floor. What happened when you came into a village and you found a population?

Altenberger. I was not with the infantry, I was in aviation, I flew with the general in his helicopter.

Floor. Did you ever hear him give any orders, from the air, the aviation helicopter, as to what to do with the civilian population?

Altenberger. No, the general was on a sidebeam radio, which he had—he was in contact with his ground troops and only his ground troops could hear him.

Floor. I'd like to pursue that just one step further. Did they ever send helicopters down to remove the people, make them into refugees? Was that your experience?

Altenberger. We have moved refugees into camps—take them out of villages and put them in camps.

Floor. Did you ever hear the general ask for larger body counts, or make references to torture, or the use of the field telephone, any things of this sort?

Altenberger. No.

Floor. Did you ever hear the general make statements to things that you now feel were wrong?

Altenberger. No, except to annihilate villages.

Floor. What did the general say?

Altenberger. Well, like I said. At this briefing he said all villages, domestic animals will be flattened. Animals, people—nothing would come out alive.

Floor. As a door gunner, what orders were you under?

Altenbeger. Well, as a door gunner, we were instructed not to shoot until we were fired upon. As I say, my experience in Vietnam was very limited compared to the fellows that talked before me. Flying with the general, you don't see much action.

Moderator. Can we have one more question?

Floor. When you were flying with the general or in any other command-post-type vehicle, did your craft ever receive orders or a request to come into a heavy fire zone and evacuate American wounded, and then refuse to do so?

Altenberger. No. As a matter of fact, I'll put a point in for the general. He went in and took some people out.

Floor. Did you ever carry prisoners of war?

Altenbeger. No.

Floor. Were you a door gunner on a CFC ship, a radio ship?

Altenbergeg. Yes.

Moderator. Okay. I'm sorry, we're running so far behind, we'll move to next witness, Bob Connelly, and then after that we'll have a presentation by the two psychiatrists that are on the schedule. I'm sorry for these changes, but the session this morning was longer than we anticipated.

BOB CONNELLY

Moderator. The next veteran who will be testifying is Bob Connelly. Bob, would you state your name again slowly, and tell us who you are?

Connelly. My name is Bob Connelly, I was with the 2nd of the 8th Cav, 1st Air Cav Division. For the first nine months, nine and a half months over in Nam, I was an infantryman, and the last two months I worked with G–2 division headquarters in Phuc Vinh, and I was working as an operations secretary keeping the daily journal. I was over there from April of 1969 to April of 1970.

I'd like to start out with the first incident I saw over there which was on LZ Carolyn, and it was on the date of May 6th and 7th. We came under a ground attack on this LZ. It started at 1:00 at night—which was a habit they had, of starting late—and it went till 5:00 in the morning, when dawn started to come. After that we kept out our artillery barrages called blocking forces to keep anybody from clearing out of the area until we could get enough daylight to move out. When the daylight did come, we moved out and we started rounding up, counting the dead, rounding up wounded, and taking prisoners. Out of this there were thirty prisoners taken, but there were also between fifteen and twenty prisoners that were killed in the field there. They'd come out of their foxholes in the field there, like they'd come out of their foxholes or whatever they were in and they'd start yelling "Chieu Hoi, Chieu Hoi," which is "surrender," and they'd start yelling this and they'd get shot down—depending on who was there and what their feelings were. And a lot of the wounded were, just weren't bothering with, so they were eliminated too. This kind of thing carried out more or less while I was there. We took about ten prisoners the whole time I was over in Nam and out of the ten of them, five of them were killed out in the field before they were even evacuated, depending on whether we had a place to move them out or if we'd have to carry them with us for a while. If we had to carry them with us for a while, it just wasn't worth the trouble. And we had out of these one that was wounded, was Medvacked; and as soon as they left the ground, they were gone for about a minute. I was operating as platoon ITO at the time on the Medvac net, and I received a call from the helicopter pilot that I could increase the body count by one from this ambush, because the man had fallen out of the helicopter.

Moderator. We heard Professor Nielands speak to the problem of tear gas and CS gas used in Vietnam. Did you have any experience with that while you were over there?

Connelly. Yes, I did. Well, as our unit went, which was typical of the cav, every person in the unit was required to carry three gas grenades, CS gas grenades, plus we had the grenade launchers which also carried ten rounds of CS. And then we had this new thing that came out, which was a tube about this long, about three feet, and it was called persistent CS, and any time we came across any kind of village-bunker complex or anything else, we popped a fuse on it and left it in there. This stuff we were told was supposed to last from six to nine months, depending on the weather and when the monsoons came. And we used the stuff extensively, and, like, if we'd get a contact, like in a bunker complex, this happened four or five times, the first thing we would do when we opened up, we'd fire CS into this, and start calling in artillery and then just lay on a barrage of small-arms fire with the machine guns and weapons, and as we did this, as they came out of the bunkers from the CS, we just cut them down.

Moderator. When they came out of the bunkers, how were they coming out? Did they have tehir weapons, were they firing, or—

Connelly. Every now and then one would come out firing, but the majority of the time they'd come out there, they were holding their eyes, they couldn't see what they were doing. They were coughing, gagging, screaming, and we got them.

One thing that I found as a discrepancy is when I got this rear job back at G–2, in the operations center. I was typing up the daily journal, which is the 1st Air Cav's history and becomes a permanent record on operations of all troops for the day, and where the units were located, what their plans were, and everything else. This stuff was coming through me as a clerk back there. While I was out in the field, we had a Chieu Hoi bird, which is a psychological operation in which they try to talk them into surrendering, and if they surrender they send a bird down to pick them up and take them in for interrogation and then put them in a POW camp. Well, while we were out in the field I was on the battalion net—this is this platoon RTO again—and word came across on the net: there were fifteen of these people out in the field. They wanted to know if we could get to them. We were three klicks away and couldn't, so then there wasn't any way they could get the bird down there, because they were in a small field down there, waving at it. So they called in a cobra gunship, and then it was fifteen KIAs. When I went back to the rear, it had no mention of the Chieu Hoi bird or anything. When I started going back through the old journals, looking up actions and such I'd been in out in the field, it just had down: the gunship spots fifteen NVA in the field, fifteen KIA.

Also, another discrepancy I ran into over there was, we were operating off LZ Becky, around the end of August—this was in III Corps, Tay Ninh, in the Fishhook area. It was heavy concentration of NVA there, and it was right near the Cambodian border. And we logged up and we moved out, and we were sitting within a klick of the border, and we'd send two platoons over at a time for five-day periods on this log. We did this for three times. The platoons went over into Cambodia, they went in about 1 to 2 klicks, and as they'd set up at night—the reason I know it was Cambodia was since I was platoon RTO, I was map man and called in our night locations. So we called in artillery fire, got the spotting rounds, then I figured out the coordinates, plotted it on the map, and called it in for a night log so the battalion would know where we were at. Well, somewhere along the line things got switched around, because when I went back to division headquarters and looked it up, the coordinates had us anywhere from 1 to 3 klicks inside of Vietnam. We had never left Nam as far as they knew. Somewhere along the line between battalion and division something got changed around.

And another difference I found back there was like on body count. Like we'd get one killed out in the field, and back there they'd have two or three marked down on the daily journal.

Moderator. Are there any questions?

Floor. Throwing CS gas in bunkers—was this part of your training in this country?

Connelly. The only CS training I had in this country was in basic, when they gassed us in a gas room.

Moderator. If there are no further questions, we'll move along.

ROBERT LIFTON

Moderator. Our next presentation will be given by Dr. Robert Lifton, I believe—who recently—in January, as a matter of fact—spoke before Senator Cranston's subcommittee on veterans affairs. Dr. Lifton is a psychiatrist, well known. He has written several books, one was the winner of the National Book Award in science, that book was Death in Life, Survivors of Hiroshima. He's also the author of Revolutionary Immortality. Dr. Lifton is here to speak to us and speak directly to the psychological problems involved in the soldiers' committing war crimes in Vietnam.

Lifton. Let me first just give you my background, and then maybe a few general remarks or observations on the psychological issues, and I hope you'll raise questions of your own. Some of you have already raised in connection with other people's testimony, and I'll try to speak to those. I've lived and worked in the Far East for a total of about seven years over the past eighteen or so, mostly in Tokyo, in Japan and in Hong Kong, but I've also made two trips to Vietnam, one far back in 1954 and one during the summer of 1967. I've also served as an Air Force psychiatrist in the Korean War. My kind of work that I do in general has to do with psychology in history, and the interplay of the two, and also with what we call extreme situations, situations that are unusually intense and that deal with death, and with life and death situations. And that includes work I've done in Hong Kong with Chinese thought reform, or so-called brainwashing, and also includes the work I did in Hiroshima that was mentioned, study of survivors of the bomb and psychological effects of the bomb. In addition to that, during the last year and a half or so, I have talked extensively to Vietnam veterans, mostly in informal dialogue rather than in a formal research fashion, about their experiences in Vietnam. I've tried to understand these from the standpoint of the psychology of the survivor, which I'm much interested in and tried to develop in my work on Hiroshima. Right now I teach at Yale Medical School as a professor of psychiatry.

I want to say first that one way to look at what goes on in Vietnam is to see the entire situation there as atrocity prone. It is an atrocity-prone situation. As so many men have said here so truly today, it does not require an abnormal person to commit atrocities. Atrocities are the norm, they become the adaptive, the well-adjusted form of behavior in Vietnam. One has to get a picture of ordinary moral standards being turned on their head, so that in many ways it takes the unusual man—somebody who is in some way idiosyncratic or not too well adjusted—to avoid atrocities. This is really turning things directly on their head.

I had occasion to talk to a man who had been at My Lai, who had not shot at all, and sure enough it turned out he was not too well adjusted in many ways. He was kind of a loner. He was not in with his group. So one has to get a picture of a total reversal of ordinary standards both morally and psychologically. This results from many things, including the sending of young Americans to a very alien place, fighting really against the ordinary people of a country, and being able to make no distinction between ordinary people and guerrillas or so-called enemies.

One point to make that I learned in my talks with returning Vietnam GIs, veterans, is the extent to which some of these atrocities were committed as in a dream, in a kind of dreamlike state. That is, when they would describe what they did or saw, groups of people would be going about in a situation where they weren't focused sharply on the details of their landscape. Of course they knew what they were doing, but they were not responsive or focused in a direct and sharp fashion as they might be in ordinary life. And they themselves would describe the situation as dreamlike, in terms of lost-ness and dislocation, which again grows out of the very nature of our involvement in Vietnam.

I'd also emphasize very much what I call psychic numbing. Psychic numbing is merely a kind of desensitization. It is very much connected with the sort of brutalization that's been described so eloquently by so many who've testified here today. In other words, as they said earlier, to cover your ass you must also cover your mind. You must not feel. And in Vietnam one undergoes a process of psychic numbing, both in service to survival, physical survival—because one has to do the things that are expected of one in one's unit, one cannot "rock the boat," as some have indicated, therefore one falls in with the atrocities. But one also must keep alive psychologically, and to do that, one cannot afford to feel. And psychic numbing moves very directly and quickly into a form of brutalization in which one ceases to be aware of the humanity of any Vietnamese, and indeed one ceases to be in touch with one's own humanity.

I would stress also very much, because this is the legacy that veterans bring back, and that they have to cope with when they return to this country, the enormous fear, rage, confusion, and frustration that GIs feel in fighting in this war. Again this more psychological and personal side has not been brought out so much in the testimony today, and I want to emphasize it. They can't find the enemy most of the time. They can't trust anybody, or trust any indications, whether in the landscape or in other Vietnamese who are supposed to be their allies. There are no guidelines, no reliable signs of either safety or danger, and there's no structure to the whole war. Again, you don't have battle lines; you don't have rules or customs of combat, the way you do in an ordinary war, as opposed to a guerrilla war like this one. This leads to this combination of fear, confusion, rage, and frustration, and it leads to a desperate need for an enemy. Under these conditions it becomes almost inevitable to make all Vietnamese the enemy, or to take, as happened at My Lai—and it's been very well documented—as well as elsewhere—as documented here—to take elderly women or small babies, or whoever they might be, are the enemy, who has finally been made to stand still and lined up and engaged. And that is quite a deadly form of illusion.

Actually, deadly illusion is what characterizes our whole involvement in Vietnam. And I'd very much want to emphasize the relationship between the illusions surrounding our entire intervention in Vietnam—those are historical and political illusions—and the illusions associated with atrocity that I have described and that others today have described. In other words, the individual GIs sent to Vietnam under the illusory claim that there's a viable American mission to stop communist invaders from the otuside, when actually, of course, as we all know, it is a revolution that's both nationalistic and communistic, from more than forty years standing. And moreover, it's an internal revolution, a civil war, in its beginnings, in that country. Also the illusion of fighting side-by-side with a democratic regime who share American democratic ideals. I don't have to tell this audience what an illusion that is, and that in this sense we have in essence merely a despotic and suppressive, inefficient and corrupt regime that we fight alongside. Now I mention these historical and political factors because they are absolutely inseparable from the illusions which produce war crimes.

The ultimate illusion has been referred to a number of times; I want to refer to it again in a psychological fashion—that is, the illusion of the body count. I've said elsewhere, and I repeat here, if a fair history is written about the Vietnam War, and what happened to Vietnam and to America, the central theme of that history will be the body count. Everything that's wrong, that's psychologically illusory and that's morally evil in our involvement there is wrapped up in the phenomenon of the body count. First, take the illusion of the count itself. Well, we heard: it's a totally unreliable count. Bodies are either counted or they're made up, because that becomes the criterion for success. Even if the numbers were accurate, you well know, any of you who've studied guerrilla war in any way, realize that a body count tells you nothing in guerrilla warfare, because for each body you kill, that may give rise to ten or twenty or one hundred new guerrillas, depending upon the sense of what you're doing there and how you kill that particular person. And of course, there's the issue of which bodies you're counting. That's the ultimate issue. We learned very vividly, from the details about My Lai and the details testified to here today, that a good number, perhaps most, perhaps the great majority of the bodies counted in the body counts are bodies of innocent civilians. So there's the illusion of the body count being enemies when they're clearly bystanders—civilians, women, children, old men, what have you. So the body count is illusory in a statistical sense; it's illusory as an indication of military progress in a war in which there is no military progress and no chance of military victory unless one totally pulverizes the entire country; but most of all in a moral sense. Think of what it means when you kill innocent people indiscriminately and then proudly count their corpses on behalf of an allegedly virtuous mission. Well, this is a form of moral schizophrenia, and the ultimate moral illusion

What about the psychological legacy? I think it's apparent from what I've said, at least some idea of it—and I don't want to go on too long here about it, but clearly vets who come back, and those in the audience who are vets know this all too well, have to live with and cope with all of these factors that I've just described. They're survivors of this extreme situation, but it's a very tainted situation, they can't help but feel that they carry some of this taint, as they tried to convey to you, I think, so well today. They must, like all survivors—and I learned this very vividly in Hiroshima, also I've learned it from the literature of concentration camp survivors—they must in some way cope with the situation they've survived and what they have done in order to survive. Because much of the brutalization is in the name of the struggle to survive. In the case of surviving a war, any veteran must examine his war, what he did in his war in order to survive, and what meaning or significance or justification he can find in what he did, and ultimately in the war itself. Well, in this sense, this is another sense in which the Vietnam War is very special, because it's probably the least justifiable of any American war that we've ever entered upon, and it's impossible for any veteran—even if he comes out a hawk—to really feel a deep sense of justification of a necessary job, well-done, with meaning and significance. That just doesn't happen.

Now he may feel a psychological need to defend the war, because that may be a desperate struggle for finding significance in the war, wanting to find significance in order to in some way justify the suffering that he's gone through. Or he may, in a way that I think is a more positive and constructive fashion, try to look directly at the true nature of the war, as the vets who testified here today have done, and to look underneath and expose the illusions in the name of a process of rehumanization, or re-sensitization. And that's a very desperate and difficult struggle, I think, for Vietnam vets.

I guess I'll close by saying that this process of adjustment, or really re-humanization and finding their way in American society, can never be smoothly or perfectly achieved. There is no clear path to resolution and people are bound to remain troubled, bitter, resentful toward their own country, again no matter how they feel about the war, because they can't help but feel in some way victimized by some strange and unworthy cause. And what may really be the worst legacy of all then from the Vietnam War, in terms of its psychological impact on veterans but also upon the rest of society, is the widespread loss of faith in the moral legitimacy of the country and of its purposes and institutions, and in a way a similar loss of faith in life itself.

And that's a lot covered over a very brief span, but I'd be glad to respond to any questions people have.

FLOOR. Doctor, could you speculate on anti-social behavior of returned Vietnam veterans? For instance, do they have more difficulty than others in relating for instance to their wives, to their children? What difficulties do they encounter with blatant or subtle racism in this country? Do they tend to justify violence when they encounter it here?

LIFTON. Well, these are all very important questions, and the returns on these questions simply aren't in yet. But there are some indications that there are lots of problems already occurring. After all, the pattern of psychic numbing is not that easy to dramatically overcome, just because you happen to return to the United States. And there's lots of indication that many veterans retain strong patterns of numbing in their relations right in their family. There are a lot of indications of family difficulties, difficulties in relating to their wives and children, parents. It's hard to say about antisocial behavior, but there will undoubtedly, and are undoubtedly a group of veterans who find it difficult to really get out of the habit of killing, and who in a desperate effort to in some way put together and justify what they have done, are attracted toward continuing violence. To some extent, that is true after every war, it may be a little bit more true after this war.

And about the issue of racism, and I don't want to leave that out either, racism was of course a very important factor, it is still in Vietnam, because it enhances the pattern of dehumanizing the enemy. You can make your enemy more into a thing, if you have some reservoir, potential reservoir of racist feeling toward him. Now in coming back, if one happens to be a black GI and comes back to this country, his bitterness is likely to be multiplied just that many fold and he'll undergo all the patterns that I've described for GIs in general but will have an added element of a sense of having been maltreated and victimized by his country, or his people having been maltreated over decades for a very long time. And I think we'll also find all kinds of psychosomatic and psychological disturbances. But I think most likely the majority of vets will be in an in-between situation where they will not necessarily seek psychiatric care, will not necessarily engage in anti-social behavior, but will remain deeply troubled, maybe partially incapacitated in various ways.

FLOOR. Dr. Lifton, the illusions that you spoke of that are the very foundations of the war, about there being a democracy to defend there, about there being invaders, are these illustrations cynically foisted upon the soldiers by people high up or would you say that everyone up to and including the President of the United States is subject to these illusions?

LIFTON. Well, unfortunately I don't have access to all those high-ranking psyches, but I think it's a mixture of an illusion born of our particular ideologies, the overwhelming force of a very simple—I'd say three elements in our ideology that lead us to this situation. One is communism as pure evil, no matter where it arises and in what way; American attitudes abroad as pure virtue, especially in stopping communism; and a very important element to technicism—a worship of technology—and a viewing of the most complex historical and political issues—here a forty-year-old revolution, of the kind that I've mentioned, that other people have written about in more detail—as "a job to be done," with a kind of technical out, you look at the job, how do you get the wherewithal to do the job and how do you do it, and often with very technical means in ways that I've described. That plus an element of cynicism—ideological fervor and then a kind of cynicism in defending what one considers to be an ultimately justified ideological position. I think they combine.

FLOOR. What exactly do you think that a person's experience in Vietnam, that is in terms of the institutions he has to relate to there, and the things he has to do, contribute to psychic numbing? Do you think that that might be a preparation for a lower level of behavior in the United States, for instance? You know, one of the parallels you might draw is, in Vietnam you have the two prongs of loyalty, that is, you die not only for your country but you die for the Cav—you know, for the 1st Cavalry Division. Now in the United States you eat your heart out not only for your country, but for General Motors. Do you think there is a parallel?

LIFTON. I see, you think the kind of loyalties that are asked in this country have a parallel to that. Well, yes to some extent. There is a certain parallel to all small or medium-sized group loyalty. Sometimes the immediate group can really take over one's entire landscape, as you are implying. And when you are in Vietnam, I don't think you think so much about the glories of the nation but rather how your unit will survive as a unit and how you can live up to your responsibilities to the guys around you. I think that the pattern you mentioned with General Motors is very much parallel. I think it's true in all advanced industrial society, not just in this country, and I think it's a tradition of war, also, to develop very intense small-unit loyalties, and it's a condition of any situation where survival is threatened.

FLOOR. Would you please clarify the action of the individual soldier at Vietnam when you say that he is ready to kill an innocent woman or child or man? Isn't he under orders to do that? Or you impress me as if he was doing that under his own individual judgment. I'd like you to clarify that.

LIFTON. Well, it could be either or both. There can be orders, as some vets testified earlier today, to kill everything that moves, and therefore to kill everyone in a particular village. Or without those orders being directly given, there can be implicit in the knowledge of GIs that this is okay if you don't get caught. What I'm saying is, in addition to that general atmosphere that's created from higher up and from the nature of our entire involvement in Vietnam, there develops a psychology among GIs which grows out of desperation and fear, rage and confusion, and also—what I didn't mention but which is very important—the loss of buddies. When you lose buddies in a war it's an overwhelming experience of loss and guilt. You are a survivor in that immediate sense, and you have to in some way find significance in that buddy's death, and find a way of giving significance to his death, giving meaning to it. And in wartime the traditional way of doing that is by plunging into combat and getting revenge on the enemy. Now in Vietnam you can't find the enemy, or you don't know who the enemy is. It's very hard to get any direct revenge. It's very easy to be simply enraged and overwhelmed by your own rage and guilt, and to seek the first Vietnamese and take it out on him as if he were the enemy. So all those situations converge on that sort of behavior.

FLOOR. I have a two-part question. You spoke about the illusion system and the need for an enemy. You mentioned the black veteran who returns and how he might act this out. The first part of this question is, what extent would this need to have an enemy enhance or facilitate anti-black feelings on the part of white veterans? The second part of the question is—well, I have to give a little background to this. I would not be disturbed so much about the future of the men who testified here this morning; they are getting something out of their system. But you said that there will be a group of men who will neither seek help nor rid themselves of this. Is there anything that we could do, collectively, in terms of sort of defusing the psyche of this guilt, or the hostility, of the feeling of—well, I needn't push it any further.

LIFTON. Right, now I understand both questions. The first question is to what extent this need for an enemy—can it lead white GIs to seek in black GIs that enemy, or at least toward any minority group. You mean in Vietnam or subsequently?

FLOOR. Here in America.

LIFTON. Right. Well, I think that it can. I think that one danger, especially in those returning GIs who do not in any way make an effort to confront their experience but rather seek to bury it, ignore it, deny it, and justify it without coming to terms with it, there is a danger of moving toward what might be called chauvinistic politics, in which they will move toward right-wing causes, try to scapegoat a particular minority group and see in them all the causes for the country's troubles rather than the true and more fundamental causes that lead to the war, the war itself and so on. This doesn't mean that it will be true of the average veteran at all. It does mean that there may be a group of veterans who take this direction. It is one direction that a survivor of this kind of situation who does not, as you say, attempt to come to grips with his own experiences, could take.

FLOOR. Would I be safe in saying then, that Nam has the real potential for enhancing racism, which is already extant in this country?

LIFTON. Absolutely, it does. After all, there is a tradition in which veterans come back from wars and then defend war, defend warmaking in general. That is a kind of veteran survival ethos, that is all too traditional. You join certain kinds of veterans groups who become associated with chauvinistic politics of this kind—which tend to scapegoat people. And in this country it's likely to be blacks because they are frequently scapegoats for so many things, and that is very much bound up with the return from war. After the Vietnam War, the tendencies are likely to be stronger because the frustrations are stronger.

Now it's hard to say how to avoid that. We need enlightened attitudes in order to try to avoid it, and one way I see is the sort of thing going on here, which has to be expanded to a much broader scale, in which things are brought into the open. A country like a person has to dig, has to sort of descend into its own purgatory, the truth of what it has done and been, in order to emerge from it. I think that, for instance, many vets individually here will be strengthened as human beings for what they've done—not just here, but general spirit with which they come to terms with the most difficult and painful sort of material and experience. And I think the whole country has to in some way struggle toward that effort of confrontation of what the Vietnam War really is. That's easier said than done. But I think we have to continue to think and write, not only about atrocities, incidently, but to put them in some perspective; because when people are hit over the head with atrocities and only atrocities, unless they are given some perspective or some understanding or interpretive understanding, they are likely to be turned off. And then they undergo, the audience undergoes numbing, or else they are likely to get angry and to defend the integrity or whatever of their country and deny them. Still, I think the whole experience must be faced.

FLOOR. This man here asked a question about the leaders of this country, and how this relates and how the individual feels. I had Thanksgiving dinner at the White House. I'm a Vietnam vet at Walter Reed. And due to my political feelings I was kept at a table far enough away that I couldn't actually hear what was being said. On the way back, on the bus, a man that *was* at the table—or rather the kind of person you are talking about, that justifies his actions—he, quote "I like the man that talks like that," speaking of the President. A man that is willing to go in and save these GIs, speaking of the raid north of Hanoi and that president, Nixon—quote from this man said that "all North Vietnamese are barbaric." End of quote. Now, I mean, if you can call people barbaric, or dinks or gooks, and you justify it in yourself when you have leaders in this country that go around and tell the ironworkers or the hard hats that it's justifiable for people to beat up college students because your patriotic duty is coming in now, this is a feeling of patriotism—it wasn't right. This happens to be Agnew's speech a few weeks ago, reprinted in the ironworkers' magazine. I think that when you go to this level of rhetoric, I just don't know what to think about my country.

Lifton. I much agree, I don't think it requires any further comment. The statement is really one of the ways in which leaders, by their own tendency to dehumanize whole people and in a sense dehumanize themselves as well, really extend the process across the whole country. They have that influence, and I think that's true. That is why one has to at every opportunity recreate Vietnam, all Vietnamese including perhaps especially North Vietnamese and Viet Cong, as human beings in terms of their struggles, and to face what we have done to them and to ourselves.

Floor. In 1954, there were supposed to be elections in 1954, and I've read some things that were written by President Eisenhower that said we couldn't have these elections because 80 per cent of the population would have voted for their national hero, who was our ally in World War Two, because he was a communist. Now our foreign policy when we're dealing with communism, people, if they were to have brought tractors over there instead of tanks. I mean, they could change the government three times a week, as long as you win over the civilian population.

Floor. Dr. Lifton, do you see a problem of national guilt and humiliation parallel to that of what postwar generations in Germany went through in this country, in our postwar period, as we continue to reveal U.S. war crimes without providing a solution?

Lifton. Yes, it's very hard to know how to evaluate large-scale guilt or issues like national guilt, but certainly one can say that we see already in this country a widespread national struggle with, first of all with defeat, because we haven't and can't and won't win the war in Vietnam—of course, the worst outcome would be if we tried to, in a complete sense—but also with guilt and confusion, and I think that the young in this country have already responded profoundly to that, to those emotions. I think the rest of us too are experiencing them. It doesn't mean that everything that has happened—the so-called generation gap or at the university campuses—is a direct result of the war, but the war certainly did mobilize and intensitfy and in a way poison whatever was going to happen in a broad social/historical sense. Whether one would compare it exactly with Germany is hard to say. There are parallels, in terms of the widespread psychic numbing that is now being broken through to some extent as much of the country, more and more of the country, realizes that there is something terribly dirty that we have been involved with there, and this kind of inquiry that we are having today becomes more and more possible, and more and more responded to. I think that things can go either way in a country that does that. There are bound to be profound problems. There can also be elements of wisdom if one can try to cope with it, but it will take decades to deal with.

Moderator. *Just a few more questions.*

Floor. Does the psychic numbness have an *a priori* basis, in your estimation?

Lifton. What do you mean?

Floor. Before experience. Does the psychic numbness have an *a priori* basis in soldiers in Vietnam?

Lifton. Well, I think of the situation in Vietnam, that kind of extreme situation, a situation dominated by illusions as I tried to describe, will create elements of psychic numbing in anyone. But then different people may have different degrees of it or different susceptibilities to it based upon prior tendencies.

Floor. Do you see the problem as coming from an American base?

Lifton. Yes, to some extent there is much in American life that tends to numb one, whether it's large organizations, forms of racism, relationship to technology in this country—which is a source of very great numbing as people are beginning to realize and write about.

Floor. Which would have the greater priority, racism or technology?

Lifton. I don't see it as either/or. I think that—you know Sartre has written that when you get a combination such as the kind we have now in Vietnam, of a revolution and guerrilla war fought by revolutionaries in a technogically underdeveloped country with intervention by an outside force from a highly developed, highly advanced technological country, you're bound to get a situation that leads to genocide. And that's true even independently of racism. However, there tends to be elements of racism that are added to that situation, because underdeveloped people tend often to be non-white and highly developed countries, technologically, tend to be white. So the element of racism contributes to it. I think it would be possible without the racism, but the racism intensifies it. I wouldn't say either/or.

Moderator. Just one last question.

Floor. Dr. Lifton, do you see a relationship between the frustration of the left in this country and its inability to end the war and the rise in the use of violence among some elements of the left?

Lifton. Very much. I think that there are many reasons for the increased militancy of the left, and for violence on the part of a small fraction of the left, though—and one has to add that—it is a tiny, minuscule amount of violence compared to the violence officially perpetrated by the government in Vietnam and elsewhere. But I think that that violence on the left, insofar as it does exist, has to do with a sense of the sort of moral inversion that I mentioned in this country, in which things are stood on their head, and a tremendous frustration and impotence in terms of altering the path and the policy, along with a more generally violent climate that the country takes on, as the illustrations that I mentioned are defended not only in Vietnam but defended at home. After all, much of the uprising of the left, primarily nonviolent, is an effort to puncture the illusions and protest the war. In putting down that protest, in whatever way it's put down, there is a reaffirmation, so to speak, of the illusions, and a defense of the illusions. And defense of illusion in that way is likely to lead to violence. And I would emphasize the increasing violence of various kinds that the government is becoming prone to, and is a greater danger in the future on the basis of illusion.

CHAIM SHATAN

Moderator. **We now have with us Dr. Chaim Shatan, who is a New York City psychiatrist, who will also speak briefly to the problem of psychological effects of war crimes on the GI.**

Satan. I'd just like to mention briefly that I was in Canada during the Second World War, and I was in the Canadian Officers Training Corps, in the Royal Canadian Air Force Reserve, in the Royal Canadian Army Medical Corps. After the war, I worked in veterans' hospitals for two years, including one year as a psychiatrist. In 1956, at the time of the drownings at the Parris Island Marine training camp, I did a study of the drownings and of the Marine ideology that was being invoked to justify them at that time. Since it was 1956, I was unable to get the study published anywhere, even in a socialist journal.

What I'd like to do is to focus in more detail on some of the psychological processes that go on inside people when they're prepared for the roles that Dr. Lifton was describing so eloquently. I think it's important to get a picture of how this comes about, because I think that we're all potentially capable of it, given the right circumstances. To put it another way, although what's been done to the Vietnamese while saving them from communism is now becoming better and better known, we haven't faced the fact that many of the two and one-half million American Vietnam veterans, although alive, are themselves victims as well as executioners. For example, a door gunner wrote to us, "I want to forget what death spasms look like, and what a rocket sound like. They suffer the defeat, but we're paying the price each minute we live. We carried out the orders. We can never forget the look in their faces as they're put to death. I'll never forget." A former Army medic insisted that no one could stand all the truth about Nam, that the revulsion would shake the fabric of everything. He said, we're lied to and deceived, used, betrayed, and even our leaders are blind. Death and evil in quantities that are beyond imagination. He also says that three years after leaving Vietnam, he feels that war is still his spiritual condition within, the prevading fear is still with him, the psychic exhaustion, the unendingness of some things, never forgetting, loving a dead place in himself, which remains permanently dead, because of Vietnam.

So I think we're entitled to ask at what spiritual and psychic cost to themselves were some Americans enabled to become mass executioners. How do even good men or men who want to be good, learn to do this? How do they learn to rack up the illusory casualty counts to earn promotions for their commanders? I believe that the American people and soldiers have been gradually habituated to accept torture, then atrocity, later massacre, and finally, though not yet, genocide. This habituation has been fostered whether wittingly or unwittingly by the nature of modern combat training in general, and by the unique character of this particular war.

So first I'd like to say something about modern combat training. This has been vividly depicted in a number of journals and books in the last few years. One writer, Pierre Boulatte, photographed the first two months of West Point training, the most humiliating time of a cadet's life, when he's called a beast, and whipped into shape by unmerciful harassment and scolding. This is referred to as West Point's proven method, interestingly enough, by Major-General Koster who was then—who recently resigned as commandant of West Point after having been for a while mentioned as a possible—for possible indictment in connection with My Lai.

West Point's proven method subjects each beast to such tremendous physical and mental pressures all at once, that he must shed much of his individuality to cope with them. He is taught unquestioning obedience of all military orders. Later, he works off the strain by shouting, "Hate, Hate!" at his taunting instructor during bayonet drill. While being stripped of his individuality, each beast has a monumental task to replace this personality with something else.

There's a hint of the underlying psychological process when Boulatte reveals that the humiliations and indignities are inflicted on the beasts by a group of selected senior cadets led by a king of beasts. The upper classmen, who were beasts once themselves, are eager to give as much as they once had to take. In the Marine Corps this process is called "harassing the troops." The long succession of assaults and insults, like those formerly inflicted on the upper classmen themselves, slowly wipes out individual human dignity. Spit-polishing of boots and floors, privates forced to eat cigarette butts if an area hasn't been policed to the sergeant's satisfaction, rifle inspection, drill marching, and so forth. All accompanied by a clear cut impression that the GI and the officer are totally unequal.

This proven method has several effects. In the first place, the trainees are forged and welded like component parts into a single organism, like a human centipede. Mass human protoplasm, the unit becomes a complaint instrument, a thing, a tool. The inculcation of discipline trains each soldier to regard himself as only one cell of this larger organism, without his own will. Military drill compels the habit of obedience, all the cells respond to the will of the commander, even if he's not himself present. By robbing them of independent thinking, drill trains men to carry out various movements as second nature and stimulates them to develop a feeling of corporate strength, of moving together as one man. Therefore, it's only logical that the commanding officer, the CO, should have the powers of summary punishment as though he alone were the conscience of this organism. Of course it's also taken for granted that some of the cells must die at the will of the commander and that the life or death of any one cell hardly matters to the collective body or unit.

A second effect of this proven method of training is that the crushing of each man's spirit culminates in his psychological habituation to a lot of human suffering, his own suffering. Though this suffering is less obvious than that due to a mushroom cloud, it's the first step in preparing him for genocide. By learning to devalue himself as an individual, he learns to devalue all human life. As one Korean War Marine wrote, "It is suggested that we take out our resentment on the enemy later." Picture that, a thousand men with persecution complexes.

A third effect of this proven method, one thats perhaps among the most subtle and maybe perhaps the most important, can be best summarized by the phrase, "if you can't beat 'em, join 'em." The frustation and mistreatment of the GI in training is accompanied by his being allowed only one outlet. Only one avenue of compensation remains for him to take care of his frustration, and this is to pattern himself after those who are training and persecuting him.

He learns to take them out by frustrating and dehumanizing the stinking gooks, the foreigners, just as he is himself dehumanized. Like a child playing dentist, he will try to impersonate his tormentor, he will try to imitate the officer's or the NCO's cruelty and aggression. He acts as well as talks like his drill sergeant or NCO. This change from passive submission to his superiors, to active subjugation of his inferiors is the soldier's central means for surviving the unpleasant stresses he is compelled to endure.

To sum it up, obedience flows not from understanding but from mental mimicry. The external prohibitions and the commands and threats of his training are absorbed and built into the soldier's conscience, altering it sometimes beyond recognition. He can now defend these ideas and these commands, because they are now his own. As a result of becoming a fragment of a bigger unit and of adopting the attitudes of his superiors, the GI also becomes very dependent on his superiors. Like a child, he expects them to think for him, to know everything, and he endows them with great powers.

Now I'd like to say something briefly and connect it afterwards with what I've just said about some of the ways in which this war is so different and so unique in American experience. In the first place, it's a war that's conducted by a mega-corporation, the Pentagon. As General Walt, the Assistant Commandant of the Marine Corps, has said, restraint and concern for the people are nonexistent. This is also the first computerized war, a war in which the destruction of human beings and resources is equated with progress. The figures are nationally advertised, like the gross national product, the managers consolidate their power by increasing their productivity, and the product is the dead and wounded on both sides. Of course some of the products are quietly shipped home in Reynold's Wrap coffins. I think that it's important for us to note that not since the Nazis has a government judged success by the number of foreign human beings it kills. Officers, like Brigadier General George Patton, worship death as much as did the high priests of the Aztec skullracks. This is a different war in another sense, it's a perpetual guerrilla war. Now Henry Kissinger has said that a cardinal maxim of guerrilla war is that the guerrilla wins if he doesn't lose. A conventional army loses if it doesn't win. Now Napolean, who was one of the earliest practitioners of counter-insurgency, discovered in the Spanish Peninsular War that his only real weapon against the guerrillas was terror. And terror, permanent and universal terror, is the one true counter-insurgency weapon of the U.S. in Vietnam, regardless of the means by which it's applied.

Now one of the things that happens to the GI as a result of the application of terror in Vietnam is that information has begun to leak out recently of the following important facts. U.S. terror tactics have been leading to an escalation of Viet Cong terror tactics by booby traps and mines, so that in the past few weeks 60% of U.S. deaths in action have been due to booby traps and mines. This has been borne out by medical officers, who say that the bulk of the injuries they're now getting are from booby traps and mines, perhaps four or five times as many as only four or five months ago.

What I'd like to say something about now is how these combat experiences lead to feelings of vengeance on the part of the GI and to scapegoating. If the circumstances are sufficiently extreme, if enough chronic resentment is generated in the GI by goading from his own authorities and also by the experiences his buddies have had, and if only one channel of expression is available, the GI can become habituated to inflicting ferocious cruelty on others. A medic who spent the year in Vietnam and returned three years ago, vividly documents how the GI learns that his value is only a cut above that of the gook, that his life may be just as marked for extinction. He may actually serve his highest military function as a corpse, for when cover is a premium, a corpse can give excellent cover. This medic documents a visit to an apparently friendly village in which one man is blown up by a mine, the second officer is so destroyed that only his head and shoulders are found, a sniper is shot—a sniper shoots a man through the heart accidentally because the bullet happens to penetrate the zipper of his armored vest. After he lists all these, he then asks rhetorically, "Would you mind if we burned that village down now in a zippo party?" Well he doesn't burn that village down, what he does instead is that he subtly takes it out on some of the Viet Cong wounded. He gives an example of putting a tourniquette on a wounded Viet Cong's leg. Then he says, "No one could complain that I hadn't treated him, but a pressure dressing really would have been better; gangrene wouldn't have been so inevitable. I also didn't waste any morphine on him. The boys punched him around, and pretty soon the gook told us everything he knew."

A central factor in the brutalization of the GIs is that like the guerrillas, the GIs live like fish in the sea, but for the GIs it's a hostile sea. There's a total absence of structure, which Dr. Lifton referred to. There's a feeling that the enemy is on all sides, that death comes from everywhere. It is utterly impossible for a scared GI in the dark to instantly discriminate between the non-uniformed foe and the civilian populace with whom they are intermingled. This form of environmental stress, the relative absence of meaningful patterns of cues, of stimulation is similar to being shipwrecked or being brainwashed. It has been studied both experimentally and naturally. It's been called sensory deprivation, but I think a more accurate term is sensory dislocation. As a result of losing the normal cues which help him judge what's going on around him, the GI can develop intense restlessness, suggestibility, hyper-alertness, hyper-suspicion, his thinking can deteriorate, and in extreme cases, he may become depressed, confused, and may even develop delusions and hallucinations. Lack of speech enhances all of these distortions of external reality, even more.

Now the way in which all of the defineable goals and guidelines are missing in Vietnam has already been described and I won't repeat them. I just want to say that obviously this process adds to the GIs confusion and to his mounting fury and frustration. As his fury and frustration mount, his leaders can permit only one outlet, revenge and vengeance against the subhuman gooks, any gook. Accordingly, even South Vietnamese soldiers are devalued as human beings. Their hospitals are given blood considered unfit for American usage, morphine, is not wasted on them, the saying is, "No gook is ever an emergency." General Westmoreland's rules of engagement instruct the troops to use their fire power with care and discrimination. Such rules are patently absurd. They sound like a description of operating room techniques. Moreover, the examples set by officers in the field have far more prestige and authority for soldiers than mere words. Accordingly the combat soldier, seeing the rules of engagement flutter on all sides, is much more influenced by mere gook rules, body counts, and free fire zones.

The free fire zones is an original U.S. invention in counter-insurgency. It probably plays one of the biggest parts in habituating the soldier to terror. After the population of an area is forcibly removed, he can burn everything that stands, and shoot everything that moves, whether a North Vietnamese soldier or a child. In the ferocious climate of the free fire zone, General Westmoreland's surgically precise rules are a farce. When you have a PhD in advanced fear, you shoot first, and investigate later. I won't go into what was already said about retaliating for the loss of one's buddies. Suffice it to say that it works in with all these other items that were mentioned.

To summarize, I think when you look over this whole process, the process of training, the process by which a soldier is brutalized and dehumanized himself, a process by which he learns that his life is not much more valuable than that of the enemy—step by step these processes lead to situations like My Lai. GIs who have been out in the field which they call Indian country, are naturally the most indiscriminate in their killing of villagers. They obliterate whole villages. Other veterans bear out some of the testimony which has been given today; the most vicious atrocities are usually perpetrated after someone has been hit by a sniper or lost a limb due to a mine or booby trap. Often the burden of a heavy field pack and the searing tropical sun can be enough to act as the last straw and set some GIs off on a vengeful course. These results are in line with one of the consistent finding of modern psychiatry and of combat psychiatry in particular. Nearly every man has his breaking point under enough stress, and if the stress permits a violent attack on the outside world this is at least as likely to occur as is an inner emotional upheaval of psychiatric symptoms.

In other words, we have to ask whether given sufficient stress every man has his Eichmann point. Psychological research on obedience has shown taht even without war most men will tend to follow instructions to harm others if the instructions come from people in authority, and if the situation is one which makes the tormentor dependent on the authority. In combat authority is so absolute, and the context of dehumanizing Orientals so pervasive that mass murder becomes easy. The punishments for disagreeing with authority and the rewards given to and by those in command for killing, promote killing even more. Both the policies and the rewards come down the chain of command from the very top and many examples of this have been given. This step by step process becomes a logical development. It can begin very slowly, it can begin with something like John Sachs' story in *Esquire* of the GI who is overcharged for a soda by a slow broad, but decides not to shoot her after all. He lets her go. Step 2 is that when he questions some villagers, he may beat up an old man and release everyone. Step 3 is questioning some villagers, beating up the old man and then killing him. Step no. 4 is wiping out a whole village. And when Captain Medina orders an accurate count of civilian casualties this order is at once countermanned by General Koster from his helicopter overhead. The more responsibility was taken by someone at the general officer level. For My Lai was only one of many instances of terror, only one of many instances of this permanent and universal terror, terror designed for its mass psychological impact by the policy makers at the very top.

I'd like to read you one quote before stopping. "There's a strong temptation to dismiss the atrocities as an incomprehensible aberration that cannot have any possible bearing on normal lives and times. The truth is that they represent a new and different chapter in human experience and one from which we may learn new dimensions of human capacities for evil and good, selfishness and devotion, and that they are a logical if horrible development." I wanted to quote this to you, because this quote is not about My Lai, this quote appears in a book publish in 1947, *The Other Kingdom* by a French journalist David Rousette, describing the experiences in the concentration camps. I think it's very important to notice how closely these same words can be applied to the news about My Lai and similar atrocities because it's not impossible that we could set out on the same course as the Nazis once did.

Floor. Doctor, could you tell us anything about the veterans you met with and the relationship between their service in Vietnam and their use of drugs? When I was there, like young people, perhaps sixty to eighty per cent of the men smoked marijuana. I went back there this summer and I found that, you know, like guys were getting into very hard drugs such as heroin and we're getting thousands of heroin addicts coming back to the United States. Could you tell us if you know something about this?

Shatan. I think you know more about that than I do because I've had contact with relatively few Vietnam veterans. The work with veterans I mentioned before was work with veterans of the Second World War.

Floor. When I was over there, when I first got there—but it really didn't affect our operation—40 per cent of my company smoked it continuously. As far as methodrine, they could get that from the hospital in quart bottles if they wanted it. We didn't have a drug problem, we didn't have any restrictions over its use.

Moderator. I'd like to thank Dr. Shatan. Before closing today's session, I'd like to announce that the inquiry will continue tomorrow. Testimony will begin at 10:00 a.m., and there will be a number of GIs whose testimony will detail the air-war activity in Vietnam.

FINAL SESSION

Moderator. Good morning. I'd like to welcome you today to the final session of the National Veterans Inquiry into War Crimes in Indochina. At this final session we will have the eyewitness testimonies of seven Vietnam veterans.

DON ENGEL

The first veteran who will be testifying this morning is Mr. Don Engel, a former Marine captain and pilot.

Engel. My name is Donald Engel. I'm a resident of Buffalo, New York. I am twenty-six years old. I joined the Marine Corps in 1964, August of that year. I went to basic. From there I took tests and went to Pensacola for flight training. After about twenty months of training, I was commissioned a Second Lieutenant in the U.S. Marine Corps and I received an MOS as helicopter pilot. Six months later I arrived in Vietnam. This was in November of 1966. I went over there with the 262nd Unit. While there I flew over five hundred combat missions, mostly in the I Corps and DMZ.

Approximately April of 1967, I was working a two-plane light out of Khe Son. We got done at about five o'clock in the afternoon and I was eating my Charlies—C rations—up on a bunker, just looking at the countryside—Khe Son is on a plateau and you have a pretty good view, especially south. There's a little village down there called Long Ve. I was just watching and all of a sudden I saw two F–4s, phantoms, coming out of the west, which would have been Laos at that time. These planes—it's pretty easy for a pilot to pick out planes, I mean it's your job and you know, you're afraid of everything that moves when you're in the air so there was no doubt about recognition. Although there was some question about it later, but it was resolved. These were two F–4s. Right south of this Khe Son, like I said before, is this town called Long Ve. Now, I'm very familiar with this town because we would resupply there just practically every day. There was an American advisory unit there with Montagnard—oh, I wouldn't know what you would call them, Popular Forces or whatever they call them, I'm not too familiar with the terms.

Well, anyway on this particular day they were—they were—we put them out in the field—they were on an operation—for about two hundred men with the American advisers and the only people left in the village were older men, a small detachment to guard. It was an armed village, it had a helicopter pad clearly marked, about a 30-foot-wide circle with a big white H marked on it. It was really distinguishable from the air. These two F–4s—and it was not a free fire zone, besides that, you had to be cleared to fire in this area—these two F–4s just came out of the west and pickled their bombs on this village, just lowered, really lowered the boom. Of course we scrambled immediately, just tried to pull out the survivors. We flew until one o'clock in the morning, until the fog got too dense and we couldn't bring anybody out any more. The only thing that actually we could fly that late was because of the fires, I mean it just lit up the whole sky. We pulled approximately one hundred and fifty casualties out of there. Most of the people we just left because they were dead. And—that, that was just about the worst thing I've ever seen, you know. It was just women and children—they had like—they were just burnt. They used CBUs on them, nape, everything you could think of.

Moderator. Don, what are CBUs? I don't know that everyone is familiar with that.

Engel. These are cluster bomb units, they're called. When they detonate they throw out little bombs about—oh, I don't know—four inches in diameter, and these explode in turn, they're definitely anti-personnel. And in a village like this, a flat village, they did one hell of a job, there's no two ways about that.

Moderator. From your knowledge of the situation, Don, was there any reason why these, why the village was bombed. Was there any action, any military operation taking place there?

Engel. No, definitely not. At this time, especially in this area—these people had no clearance, first of all. Apparently—I don't know if they thought they were in Laos, if they thought they were in North Vietnam, because this is right up in the corner of South Vietnam and if you travel, you know, 600 knots, I'm sure they won't know where they were all the time. Well anyway, the next day there was a sort of unofficial inquiry into it because everybody really got uptight, considering that these were all friendly forces, and definitely a friendly vill. You know. So the old pacification people came in and started giving out money to survivors and—but there was an Air Force general there, and a Marine general and a captain—a Navy captain—and these people were all trying to put it off on the other. In fact, it got so ludicrous after a while, they were trying to tell me, are you sure they were F–4s, are you sure they just weren't MIG 21s or your painter flight. It was ridiculous, you know—there were no MIG 21s in South Vietnam at that time. Anyway, it turned out that these planes were—they were grey color and I though they might have been Marines, because this is the color of their F–4s. The Air Force uses camouflaged F–4s. It turned out that they came from Thailand. But, I think that the pilot—I read a blurb about it a month later—I think the pilots were grounded and that was as far as it went. Grounded for maybe a week or two. Very ridiculous.

Moderator. Did this investigation result in any, in any action? Was any situation resolved, do you know?

Engel. No, not at all. A little sidelight: the Special Forces people, I guess, ended up bearing the brunt because about three weeks later, a team was murdered in their beds in the village. I can't understand why though. But this is what happened.

Moderator. Don, I have here that you flew missions into Laos. Would you tell us something about that?

Engel: Yes, I can. This is—I started flying missions into Laos in about, I think, February of that year—this is in 1967 again. I guess they liked—they wanted you to get familiar with the area at that time. So they gave you two months off. They started sending us up to a place called Hue—Phu Bai, which is in the northern part of I Corps, about 7 miles south of Hue city, Hue citadel. And while there they made us paint our aircraft, all markings, took away our identification, made us sign papers that we'd never reveal what we did. Everybody, almost every 46th pilot in I Corps got a chance in the barrel, it was like he would go up there for two weeks and then get two months off and then go up there for two weeks. It was like dreaded, everybody hated it. I mean, just about every pilot knew about it, it wasn't very top secret at all, but it was supposed to be. We used to work with the Special Forces team that was a battalion of Chinese mercenaries, they call them Chinese Nungs. They were paid soldiers, they used to bail them out of the Cho Lon district of Saigon, which is the Chinese district. At that time Chinese didn't have any rights at all in South Vietnam so they, these people were mostly sixteen or seventeen years old and they would pay them on the incentive basis. Gear, so much money; rifles, so much money; mission, so much money; and they were very well paid compared to the South Vietnamese Army. While there, so we would go in there—what was happening in Laos that they were so concerned about was of course the Ho Chi Minh Trail, or the highway they were building back there was quite a unique highway. It was probably better paved than Highway 1. We put ninety-man forces of these Chinese mercenaries with American advisers and they would go in and cut the road—interdiction—would usually last about nine days, if they didn't get in trouble, but usually they got in trouble. And then there was like a scramble to get them out all the time. We also supplied Royal Laotian battalions in Laos. This was a mistake on the blurb that was handed out: it says American, permanent American bases; these were not American bases, these were Royal Laotion Army troops. But also at this time of course Laos was a neutral country, and I think we still claim we don't use American military men in Laos, which is a lot of crap.

Floor. What year was this?

Engel. This was in 1967. But it was going on in 1966 also. And I'm sure it was going on even before then. I was also contacted by Air America when at the close of my tour, to fly for them, which they operate mainly out of northern Thailand into Laos and Cambodia. I didn't want it. I just couldn't fly over there any more.

Moderator. Are there any questions for Mr. Engel from members of the press?

Floor. You mentioned something about two Special Forces troops being murdered by the—

Engel. Yes, these were the advisers for the Montagnards at Long Ve.

Floor. Why were they murdered?

Engel. Why were they murdered? Well, these people were a little ticked off about all their women and children being killed when they were out on a mission for the Americans. So about three weeks later—their advisers, they just killed their advisers. Of course, right after that, there was—they started getting real hot up at Khe Son, and so everybody started pulling back anyway, so they didn't really give a damn about the village anymore. It wasn't useful to them any more.

Floor. Do you have any idea how many people were killed?

Engel. Oh, yes. It's got to be, I think that one hundred and fifty was a conservative estimate. And the reason for the high death rate is because we had no place to take the wounded, we had to take them back to Khe Son and the fog rolled in, we couldn't get any aircraft in to get them out of Khe Son, and there wasn't proper medical facilities, there was just a reinforced company, I believe, at Khe Son at the time and it was I think maybe one or two doctors.

Floor. Have you ever heard an explanation of why this place was attacked?

Engel. No, there was no explanation. In fact, they knew they blew it. That's the first time I ever seen the brass get so excited. They—I mean, there was other things that happened over there, and that was just passé, but they knew they blew it this time. They really got upset. But then they squashed it.

Floor. Would you say that this village was a Montagnard village?

Engel. Yes.

Floor. Do you remember the days that you took troops into Laos?

Engel. No, I flew into Laos, as I said, close to twenty times. You get a little time in and a little time off. There's one particular incident which is quite interesting. A body snatch. An American soldier was killed, one of the advisers there, and they couldn't get the body out at the time so they left the body in the landing zone, the LZ. He was there about three weeks, he was completely bloated and booby trapped, because we would take pictures of him every day. So the major of the Special Forces team had this fabulous idea of going in and said we'll just go for the skull. Because of the teeth, he was afraid he could be identified with the teeth. And he had all sorts of grappling hooks and of course the body was deteriorating at this time and they were going to put us gas masks on so they could stand the stink. I refused the mission, I was relieved, I was sent back to my squad. I don't know if they ever did it or not.

Floor. How far did you penetrate into Laos? Did you go over the /inaudible/ river there?

Engel. No, we—I'd have to look at a map, I'll tell you the truth. But it wouldn't be more than 10 miles, 15 miles into Laos at any time.

Floor. Did you have any LZs over there?

Engel. Not that good. No. And there were also the opposite, we had a lot of trouble. We lost a lot of aircraft going to Laos. It was really, you know, it wasn't a very good deal, everybody wanted to stay away from it, they avoided it. We used a conglomeration—we were the only ones who weren't volunteers, first of all, everybody else was volunteers for this mission. You used Army gunships, Air Force A–1s, Sky Raiders, because they can stay on a target a long time. And the only reason they used Marine medium helicopters was because at that time there was no troop-carrying helicopters in the I Corps. The Army's wise. This was an Army operation. The name of the operation by the way was Shiny Grass. It was SOG.

Floor. Shiny Grass?

Engel. Right, that's the code name and the official name was SOG. And I believe it's still going on.

Floor. What's the name of the troops?

Engel. This is the name of the team, the battalion. This is their code name.

Floor. Where were you before Pensacola?

Engel. I was going to the University of Buffalo before I joined the Marine Corps in 1964. And I went—when I joined the Marine Corps I took a test and I went to Pensacola, I was commissioned out of Pensacola, I never went to Officer's Candidate School at Quantico.

Floor. Did you ever know what become of these guys? You said it was a hassle, like, getting them out sometimes. Did you ever have any idea what happened to them on the ground there? Were they effective or ineffective, did they always meet stiff opposition?

Engel. Yes, most of the time they did meet stiff opposition. It was a very heavily guarded road. It was—in fact, one particular day we lost five aircraft trying to get them out. This is including fixed-wing. We lost two A–1s.

Moderator. Thank you, Don. At this time I'd like to make note of Mr. Hans Frank, who is here as an observer. Mr. Frank is the Secretary General of the International Commission of Inquiry into U.S. Crimes in Indochina, and Mr. Frank is here today observing our inquiry. I've been asked to announce that he will be available for comments, interviews, etc., during the day and during the noon lunch break. We can now have our next veteran. Griff, are you going to introduce him?

GARY THAMER

Moderator. Our next Vietnam veteran will be Gary Thamer who served in the Air Force as a forward air controller in Vietnam.

Thamer. My name is Gary Thamer. I was a sergeant E–4. I was assigned to the 19th Tactical Air Support Squadron in Ben Wha. From there I was assigned to a—I was a radio operator with a forward air control team with the 11th Armored Cavalry Regiment.

In November of 1967—I was there from 1967 to 1968. In November of 1967, the unit was going on Operation Santa Fe. A free fire zone was declared which included part of Highway 1, it was just east of a city called Swan Lac. I have no idea if the population of this area was told that a free fire zone was declared in that area.

The first day that I had got word that this area was a free fire zone, a Vietnamese in a Lambretta motorcycle, which is the usual type of transportation they use over there, was found driving down the road. There was nothing unusual about the Lambretta, the man was not armed, he was not carrying anything on the Lambretta. But considering it was a free fire zone, the pilot decided—he saw this Lambretta, I notified the Army, the Army sent out two helicopter gunships, and they eliminated the Lambretta. The Lambretta was exploded with machine guns and the man was killed.

In January of 1968 we were operating out of Loc Minh which is very close to the Cambodian border. The unit sent a long-range reconnaissance patrol into Cambodia. About 10 kilometers inside of Cambodia, the long-range reconnaissance patrol received fire, enemy fire. They were pinned down. The pilot who was flying the aircraft called to me and said that he wanted some immediate air strikes. To get these air strikes I had to send in coordinates that were in Vietnam, to get the airstrikes. Three squadrons of F–100s were sent up there, bombed the area, and the Army finally sent helicopters in to extract the LRRPs, the long-range reconnaissance patrol.

Later on, in April of 1968, we ran an experiment in War Zone D. It was a classified operation. I don't know exact details of the operation. I was on the radios when it took place. What happened was, a number of HC–130 cargo aircraft loaded with aviation fuel, barrels of aviation fuel, flew over this one area of War Zone D. They dropped the aviation fuel onto the ground, and then an aircraft went over, threw napalm onto it, and started a gigantic fire. What the idea of it was, was to start a large enough fire so that you could burn out a huge, huge area of War Zone D so that we would not have to send troops in there to root out the Viet Cong, we'd just burn them out. This experiment didn't work too well. I guess it had just rained, the jungle was kind of wet and the fire wasn't very sustained. So the area that was burned was not that large. We never tried it again because it was not that effective.

Another thing I'd like to talk about is the use of cluster bomb units. We did use cluster bomb units extensively over in Vietnam. And the policy was that CBU would be used at any time as long as American forces would not be moving into the area after they were used. The reason for this being that there was a high dud rate of CBU, and that if Americans would go in there, this would constitute a hazard for them. They were afraid that these CBUs would explode on them. But as long as any American troops were not going into the area, these CBUs would be used extensively.

Floor. Does that mean that if South Vietnamese troops were going into the area they would use CBUs?

Thamer. I never really worked with the

South Vietnamese so I didn't really know, but we never took them into account if that's what you mean.

FLOOR. Did you go with these long-range patrols into Cambodia?

THAMER. No, I didn't. I was just a radio operator.

FLOOR. They were radioing back to you?

THAMER. Yes, they were.

FLOOR. Did you observe any incidents of Viet Cong terrorism? Was the only terrorist activity that you observed American? Or were there also incidents of terrorists activity that were North Vietnamese?

THAMER. Well, the only real terrorist activity that I'd seen on account of the North Vietnamese was in Lay Khe, when a zephyr group went into the officers club and he had central charges on him, and exploded them inside the officers club, killing some officers. Other than that I was usually with the headquarters unit. We did not spend too much time, the cavalry did not spend too much time in populated areas. We usually fought out in the jungle itself. And as far as terrorist activities, they usually occurred in populated areas, so I didn't, I wasn't exposed to anything like that too often.

FLOOR. Do you know anything about the rules for establishing a free fire zone?

THAMER. No, I don't. All I do know is that when they were established, we just got it that they said, "This is now a free fire zone," and we were told what area it was. The S–2 for the regiment would tell us, but he didn't tell us the day that it would go into effect. Supposedly, they were supposed to warn the people in the area that a free fire zone was going to be declared. But I never knew of any time when they actually did.

FLOOR. Was Colonel Patton your CO?

THAMER. Yes, Colonel Patton was my commanding officer for the last month I was in Vietnam, not for the whole time.

FLOOR. Did you ever see him in action?

THAMER. No, I didn't. I was being processed out most of the time that Colonel Patton was there.

FLOOR. You said that CBUs were not used in areas where U.S. troops would go?

THAMER. They were going to be moving in right after the bombing attack.

FLOOR. How about—was that your unit policy or—

THAMER. That was our unit policy. Because we were armored, in vehicles, and it would have taken a pretty heavy toll on the vehicles.

MODERATOR. If there are no further questions, we'll move on.

STEVEN HASSETT

MODERATOR. Our next witness will be Mr. Steve Hassett, who served with the 1st Air Cavalry in Vietnam.

HASSETT. My name is Steven Hassett. I spent three years in the Army. I enlisted in February, 1966, in the Army Airborne Program. I went through basic training, advanced infantry training, airborne school. I then went to Vietnam for a year, where I served as an infantryman with C Company, 1st Battalion, 5th Cavalry Regiment, 2nd Brigade, 1st Cavalry Division, Air Mobile. During my year as an infantry man I served as a machine gunner, as a machine gun squad leader, as a rifle squad fire team leader, as a rifle squad leader, and my last month as an acting platoon sergeant.

In my unit, throughout the year I was in Vietnam, I noticed that we consistently used a very high degree of fire power in everything we did. Most of my year, I spent in Bin Dinh Province on the central coast of South Vietnam, which, to my knowledge, was the second most productive rice-growing area in Vietnam. And it was our standard procedure to call in massive artillery fire, helicopter gun ships, and air force jet strikes if we had the slightest suspicion that there were Viet Cong or North Vietnamese in any village we went into. We would usually do this even though we had no evidence of any enemy presence in these villages.

I can think of one instance when we were moving out one morning in about my eighth month—it would have been about May of 1967. We moved out one morning and one of our patrols received some light sniper fire early in the morning, killing one man and lightly wounding another. For the rest of the day we moved through a very populous area at a fairly fast pace—calling in air strikes and artillery in front of us in what amounted to a wall—a wall of fire preceding us as we moved through the area. We moved through for a distance of any where from 3,000 to 5,000 meters, calling in this artillery fire, with artillery fire and air strikes on our side. All this for one or two snipers. We leveled this area. We burned all the little clusters of hamlets we went through. We went through this area so fast we did not have time to search the huts or anything. We just lit them as we walked by, threw grenades in all the air shelter bunkers that were characteristic to that area—almost every civilian household had an air raid bunker. In the evening, when we went to bivouac, there were approximately 150 to 200 civilians following us, directly behind us because it was the only safe area. All the area in front of us and to our sides was still being pounded by artillery fire and air strikes.

As we bivouacked for the night, we killed all the livestock we could find in the area—cows, water buffalo, and pigs and then we drove the civilians off by firing shots just over their head and into the ground just in front of them. I don't know what civilian casualties there were that day, though I would be very surprised if they were light, with the amount of fire we brought in on them and the indiscriminate use of the bombing. I'm sure many people were hit. I know just from my own experience, a pilot in a jet fighter can't distinguish too well what the target is on the ground. During that day, my platoon got strafed on one occasion as we were crossing open rice paddies, strung out in a file on a rice paddy dike, and I don't know how we could have been more clearly revealed as American troops than we were at that time. Yet we were strafed twice by F–100 jets. Reactions like this were fairly typical. To one sniper round or, again, even if we suspected something to be there, we would be able to call in artillery and air strikes at this basis and we did it—we did it for the entire year I was there.

As for our treatment of civilians, I didn't see that much open mistreatment. It was quite common for us to slap civilians around if we thought they were moving too slow or kick them if they did not respond to our orders and, of course, we didn't speak Vietnamese—they rarely did respond to our orders. If we told them to clear out of an area or we were trying to round them up for interrogation to be moved back—this was something we frequently did—if they were slow we kicked them, hit them with rifle butts. I've seen Vietnamese interrogators with us pistol-whipping suspects.

I remember one occasion, we were operating just for a period of about one week up near Duc Pho—you've heard the name before, some of the people that were in the Americal have mentioned it. This was before the Americal moved in there. We were the first Army troops up in the Duc Pho area. We had replaced the Marine unit. We were sweeping down the peninsula that led into the sea and two women and one or two children were wounded by one of our grenades. We were grenading all the civilian air raid bunkers again. We would just walk up to them, shout, "Come out, come out" in Vietnamese into the bunker, wait about ten seconds, fire a few shots in there—wait a few more seconds and flip the grenade in. Every bunker we did this to. One bunker—some women and children came out. A man went to flip a grenade in and it bounced off the jamb—the door jamb of the bunker—back into the women and children, wounding them—wounding two women and two children—one of the women quite seriously. Our company commander refused to allow the medic with us at the time to give the woman treatment. I don't recall whether or not the medic *wanted* to give her treatment, but I remember the company commander made some sort of statement to the effect that leave her be, that the other civilians could carry her along and when we bivouacked for the night, which would have been in a few—in about two more hours, we would get her evacuated on a supply chopper. She died as the other civilians were carrying her along. We did evacuate the other woman and the one or two children.

As for body counts—the pressure in my unit was as intense it was in any other unit to produce a high body count. For a while, in my first few months there, they were offering a three-day pass to An Khe to anybody who killed, made a confirmed North Vietnamese or Viet Cong kill. By confirmed—it had to be reasonably sure that the man was an enemy soldier. You just couldn't go out and kill a woman and say it was a Viet Cong. Though I know of a few cases where women were killed in operations and they were counted as Viet Cong in the body count, but the individual soldiers received no credit.

As for treatment of prisoners, I know in one instance, shortly after we had been in a major battle where we had lost about a third of our company, on the Cambodian border. The day after the battle—or two days after the battle—our battalion commander, a lieutenant colonel, called those of us who were—had made it through the battle together—there were perhaps sixty people there who had not been wounded and had not been killed in battle. And made a statement to the effect that he had felt that some of the people—one of our platoons had been overrun in this battle—that he felt that some of the people had been shot in the head at close range by the North Vietnamese who had overran them and because of this, he did not expect to see any prisoners from Charlie Company for a long time to come. We took this for what it was—just a blanket permission to kill prisoners rather than turning them in. Though we made very sparse contact for the next few months and I know of no cases in my company where anybody took a prisoner and killed him. Our contact was just too low.

In regards to protesting anything that we thought was a war crime—at the time, I know myself and everybody else there believed in what we were doing. When we burned a village we didn't question the order, we thought it was the right way to fight a war. It wasn't till my last few months that I began to think that we were being unnecessarily brutal in the field and that something was wrong in what the Army had told us to do and what we were doing—what the Army stated our mission was. A big phrase then was, "to win the hearts and minds of the people." It was becoming increasingly clear to me that you don't win the hearts and minds of the people by burning their villages and killing their livestock. But as an example of what would happen if people stirred up trouble or made waves, on one occasion, I antagonized my platoon leader, who was a second lieutenant—this was about my third month there—it was for an incident I won't go into—it was a minor incident, it had nothing to do with my reporting a war crime or with anything that would have affected his career, it was something I did. At any rate he became very antagonized. It was the same day of the battle where we had lost a third of our company. It was about three hours after the battle. As a punishment for what I did, he put me out in a one-man observation post. This was within half a kilometer of the Cambodian border. For all we knew there was still a major part of a crack North Vietnamese battalion running around the area—that's what we'd been fighting earlier in the day.

He put me out as a one-man observation post with no radio. Now it's an unwritten rule in the Army that you never do anything alone when you're in Vietnam. You always take another man with you when you're in the field. If you go to the latrine you take another man with you. If you go to pick up your mail you take another man with you. If you go to put out a flare in the evening as you're setting up, you take another man with you. You never go anywhere alone. They sent me out alone near the Cambodian border with no radio. I would have been—there's no way I could have been—conducted an observation post or been able to warn them if I'd seen anything without this radio short of just running back in and saying that the Vietnamese are coming. I stayed out there for I don't know how long, perhaps a few hours, until the sun started to set and nobody had called in. For all I knew they'd forgotten me and on my own initiative I decided I had better get back into our lines before it got too dark or if I tried to get in someone would probably panic and shoot me. As I got back in, my company was putting on its gear and starting to move out. The lieutenant who had put me out there had apparently forgotten all about me. The men on my machine gun crew were—had said that they were just about to ask the lieutenant that to send someone out to get me when I came in, but apparently the lieutenant had forgotten about me. This is, like I say, this was a very minor incident. This happened to one or two others on different occasion, they were put out on one-man OPs without radios, and I've heard the threat used to a man who was questioning orders or something, that he would be a one-man ambush patrol at night. They'd just send him out there alone to be an ambush patrol on his own. Needless to say, you didn't want to make waves when this type of thing could happen to you.

MODERATOR. Are there any questions of Mr. Hassett?

FLOOR. I've heard from many servicemen that when a commanding officer would do stuff like this, that servicemen would when they were out in the field, just shoot him.

HASSETT. This type of story went around a lot, that people felt that way; I know of no specific instances of this. I do know, again referring to the one battle on the Cambodian border, our company commander in that battle was wounded quite seriously and he was evacuated and was replaced by a new company commander. Had he not been wounded, I am sure that I could think of at least a half a dozen guys in my platoon alone that would have shot him at the first opportunity. They felt that he walked us right into an ambush. I know of no other time when people were antagonized enough to perhaps shoot an officer, but I have heard rumors of this being done. And, of course, again, when I was there, I was in what was almost exclusively a volunteer unit who felt that we were where we should be and that we were fighting for a good cause, and I'm sure that as time has gone on in Vietnam things like this would be much more apt to happen.

FLOOR. You use the pronoun "we" kicked civilians, hit them with rifle butts, burned down their hootches, did you personally commit any of those acts?

HASSETT. Yeah, in my—it was about my eighth or ninth month that I began to realize that what we were doing was, Like I say, was inconsistent with what we had been told, and up until that time I was a pretty typical soldier. I'd slapped civilians around; I'd burned houses. My last three or four months on a personal level I refused to do things like this but, of course, it did not stop it from being done.

FLOOR. And what happened to you as a result of refusing to do things like that?

HASSETT. I just sort of got a reputation as an oddball. But at the time, I was, like, one of the most experienced men in the platoon and we'd had a very high turnover rate—I was one of the few people who'd stayed in that company for a full year without being killed or wounded or getting a bad case of malaria or something and having to be Medvacked and they needed my experience too much to do any disciplinary action.

FLOOR. What period did you say you were in Vietnam?

HASSETT. I was in Vietnam from August, 1966 to August, 1967.

FLOOR. You say—you were talking about that it was standard operational procedure and that's how you amassed fire support, and I'm very interested in this idea of—you advanced behind a "wall of fire." That in fire-fighting, there was a fire going in front of you and on both of your flanks. Do you think that any period you were going through these areas too fast to search them adequately or were you just traveling through them destroying everything, or were you actually searching for Viet Cong?

HASSETT. In the one case, I said it. We were going—we were just out to destroy. We were going through too fast to——

FLOOR. Every time?

HASSETT. It would vary. Occasionally we would move through on a fast sweep and just like glance in the house, if, you know, there was a rifle standing out in the corner, we'd see it, but we very rarely gave it a chance to—we very rarely went slow enough to make a thorough search of an area.

FLOOR. So, it is generally true that on a search-and-destroy operation, it was more destroy than search?

HASSETT. In our case, it was.

FLOOR. Was it definite in a free fire zone to always burn the village? To always destroy the village, always destroy life?

HASSETT. It varied. Generally, we always destroyed a village. Well, in a free fire zone. we always destroyed a village. Theoretically, a village in a free fire zone would be deserted, usually they would be, perhaps you'd get one or two civilians who'd come back to try and reclaim some of their valuables. Sometimes they moved—they had to move out quite fast. Most of the time when we went through and there were civilians there, we were not in a free fire zone.

FLOOR. Were you ever on operations which evacuated civilians from a free fire zone?

HASSETT. I've seen civilians forcibly moved, I don't know whether they were from free fire zones at the time or what. Most of the free fire zones that I knew that—as being clearly labeled free fire zones—were already established. And you could just tell, it was like a ghost town in what had been a very productive rice-growing area. I mean, you'd see hundreds of acres, whole valleys would be listed as a free fire zone from the mouth of the valley on back, and hundreds of acres of rice paddies would just be stagnant. The villages would be deserted. If there was anything standing we'd burn them. The instance that I cited earlier—where we went behind a wall of fire—was not a free fire zone, to my knowledge. It was occupied by civilians. Usually we used the rule-of-thumb that if the house was occupied, not to burn it, if there was civilians in the house at that very moment. Though quite frequently, a guy would come up behind a house, light the thatch roof and then walk around and look in the door and see civilians there and by that time all he could do was tell them to get out because once the thatch roof caught on the house went up in a matter of minutes.

FLOOR. In your whole year operating in Bin Dinh Province, during that time, at one time or another, what per cent of the province, would you say, had been covered by a free fire zone and had been destroyed in this way?

HASSETT. I couldn't say. As for destruction, it was quite extensive. As for what was officially listed as a free fire zone, I couldn't say.

FLOOR. Do you think the purpose of search-and-destroy was not just to search but simply to destroy? That you started at a free fire zone and you'd go through and, you know, you burn everything there and then you move to a free fire zone some place else and you go and burn that so that you get the people congregated around one place?

HASSETT. Roughly this is what happens. Of course, to my knowledge, American troops aren't equipped to adequately search a village anyway.

FLOOR. Why not?

HASSETT. You just don't know what's in it. I know of one case where in an area that was officially declared pacified, a man in my platoon took out a squad on a short patrol, went into a village and went into—saw a central rice storehouse and decided that there was too much rice in that village for the people there. This was—the man was fairly new in Vietnam—it was a pacified area—the village chieftain and two Popular Forces soldiers came up to him and protested his decision. It was also within a week or two after the rice harvest, after a biannual rice harvest, and presumably the amount of rice there had to last the village for six months. This man declared that there was too much rice, a helicopter was sent in and the rice was bagged and confiscated. A company commander and a battalion commander were aware of this decision. They were listening on the radios; he was talking to the platoon leader.

MODERATOR. Excuse me, we're going to have to move on now. Mr. Hassett is available for interviews.

KENNETH CAMPBELL

MODERATOR. The next witness will be Kenneth Campbell.

CAMPBELL. Good morning. My name is Kenneth Campbell. I was a lance corporal with the First Marine Division in Vietnam. I was a forward observer, an artillery scout observer for Bravo Company, First Battalion, First Marine Regiment, First Marine Division. As a forward observer my job was to support the infantry company that I was attached to with artillery fire. As a Marine fighting in Vietnam, well prior to going to Vietnam, I went through the usual basic training in the special school for FOs. The things that I was taught were such things as, "the Vietnamese are inferior"; they were constantly referred to as slant-eyes, gooks, zips; and that there was little distinction between VC and suspected VC. And I was also taught in FO School that artillery was the greatest killer on the battlefield, and I was to use this whenever possible, and use it as much as possible. In mid-August of 1968 my company was at a place called Con Thien, which I believe is familiar to quite a few people. In Con Thien there is an observation post called OP 1. From this observation post I observed two villages north of the demilitarized zone. These were not in the DMZ; they were north of it, actually in the southern part of North Vietnam. I observed these villages through a pair of ship's binoculars, which are quite a bit more powerful than regular binoculars; they are 20 by 120 power. And these villages were approximately ten miles away, but through these binoculars I could see them clearly.

Upon observing these vills, I went back to the FSCC bunker, which is the Fire Support Coordination Center. I went to a lieutenant there, who was at the time the officer in charge of the bunker. He was a personal friend of mine because he served as the FO team's lieutenant when I first arrived in Vietnam, and then he was switched to the FSCC post after I was there for about three or four months. I mentioned the fact that I saw these vills and asked to fire on them. He gave me permission to fire on them, and I told him that they were—that there didn't seem to be any kind of enemy activity there. But being as they were in a free fire zone I thought maybe I could fire on them. And he said yes, I could fire on them, and a good reason for firing on them is because they supply the NVA with food and support and that they were indeed the enemy also. So I went back to the observation post and I called in—directed—heavy artillery on these two villages. I directed 8-inch high explosive rounds, 175 millimeter high-explosive rounds and with mixed fuse. That is, a variable time and quick fuse. The variable time fuse would set the round off approximately twenty meters above the ground and would send shrapnel down and out, and the quick fuse would go off on the ground on impact. I fired both these missions, and observed the firing and I would make the approximation of about twenty-five, maybe even more, hootches destroyed, and I could actually see farmers, women and children, running from the exploding rounds, and some of them not making it. I believe that approximately twenty people didn't make it to safety.

Moderator. Approximately when was this?

Campbell. This was in mid-August of 1968.

Moderator. And what did you see when you were looking through those binoculars?

Campbell. Before I called in the strike?

Moderator. Yes.

Campbell. I saw two individual villages, several thousand meters apart, and I saw people walking through the rice paddies. It looked like they were working. There were water buffalo walking through just like any normal Vietnamese village.

Moderator. Did you see any arms or ammunition?

Campbell. No, I didn't.

Moderator. How many rounds did you call in on the two villages?

Campbell. That's hard to say. I called in quite a bit. A Marine battery of 175s consists of four guns, and I think maybe including the adjustment rounds, maybe twenty rounds of 175 and maybe about the same number of 8-inch. That's including both missions.

Moderator. Would anybody from the press like to ask Mr. Campbell a question?

Floor. Yes. He called in this artillery fire in August of 1968. Here it is 1970, and you're reporting it now as something that was wrong to do. What happened to you between then and now that changed your attitude toward this?

Campbell. Well, one thing that changed my attitude toward it was immediately after firing I—my radio man was with me at the time, he didn't seem to take to the incident too well, to the actual firing. He didn't say much but he didn't look like he agreed very much with the idea, which gave me second thoughts. And after that, I thought quite a bit about it and I never fired any more missions on unarmed vills for no other reason than that they were supplying the enemy with rice. And after I got back from Vietnam I really started thinking heavily amout it. I just came to the conclusion it was all wrong and that I must have been temporarily insane to be doing something like that. But the more I thought about it the more the whole thing was insane; the whole war was insane and this was common procedure and for an FO to wipe out a vill was one of the biggest things he could do over there. One of the, you know—it was like an honor to be able to really wipe out a vill with artillery and to show how great destruction is with artillery.

Floor. Do you consider this an atrocity, Mr. Campbell?

Campbell. Yes, I do.

Floor. You said that you were told in FO school about the omnipotence of artillery. Can you think of other ways in which this kind of doctrine, this mystique was directed at the people using it?

Campbell. I'm not sure I understand the question—other than the artillery schools?

Floor. Yes. Did they indoctrinate you in the artillery school with the idea that artillery is the weapon in Vietnam, that artillery and air support are principal weapons?

Campbell. This didn't cease in FO school. I worked with officers in artillery at different times when I was in Vietnam, and this kind of indoctrination continued there. It was done—this type of indoctrination was pushed because they wanted us to have pride in the unit we were in and the type of unit we were in. So I guess that's why they did it.

Floor. The other thing is, who got the body count in this particular incident. Did anyone get the kill credit for it?

Campbell. The artillery battery that fired it got the credit.

Floor. For killing thirty people, right?

Campbell. Well, it was approximately—I couldn't say thirty, I'd approximately say twenty.

Floor. How far away was this village from your observation post?

Campbell. Approximately ten miles.

Floor. Ten miles away.

Campbell. Yes.

Floor. So you counted approximately twenty body count from——

Campbell. Ten miles away, that's correct. The reason why I could count so accurately was like I said, these binoculars were very powerful. They were 20 by 120 ship's binoculars. They were not something you could handle with your hands. It was built on a stand, and they were heavy—they must have weighed about thirty pounds. If you can picture a gigantic pair of binoculars weighing thirty pounds, they were like a telescope only with two lenses instead of one.

Floor. Con Thien, in August of 1968, was a relatively peaceful place, is that correct?

Campbell. Well, compared to what? In 1967 there was quite a bit of activity going on in Con Thien; it was being shelled daily. In 1968 it wasn't being shelled daily, it might have been being shelled every other day instead.

Floor. Given that situation what do you think the proper posture would have been for the artillery batteries in Con Thien?

Campbell. The artillery batteries at Con Thien should have been firing at artillery batteries firing at Con Thien, not firing at villages.

Floor. Did you always know exactly where they were?

Campbell. No, we didn't but we had—I don't know exactly how strong the intelligence, our intelligence, was, but there was always need to be firing at either suspected NVA batteries or else known NVA battery positions. Even when we knew where the NVA battery positions were, we still couldn't get them with artillery most of the time because they draw all these guns back into their positions in the hills. You could fire as much artillery as you wanted. Most of the time it wouldn't get to them.

Floor. Mr. Campbell, I'd be interested in your thoughts about the nature of the war?

Campbell. My personal thoughts are that there's actually two types of people in the U.S. Forces in Vietnam. Those who actively participate in atrocities and those who are also taught this indoctrination but don't actually carry it out. But they don't act against committing atrocities when they see them, because they are convinced that this is a necessity of war and that it happens in every war, so why should they come out and say something against it—that's the reason these things continue to go on. Yes, I'm definitely against these atrocities being committed; I wish they would be stopped. And I hope that through my testimony and the testimony of the other people here at this commission, maybe the American people will wake up and realize these things are actually being committed and that this isn't some fantasy story being concocted just to get people like Lieutenant Calley off the hook. These things are being committed.

Moderator. In the interests of time we're going to move on to the next witness. Will you save your questions for Mr. Campbell until the end?

SAM RANKIN

Rankin. My name is Sam Rankin. I'm from Billings, Montana. I served in the Peace Corps, 1966–1967, in India, graduated from Eastern Montana College in 1968, was drafted shortly thereafter. I was a combat medic with the 199th Infantry Brigade in Vietnam. 199th was stationed right outside of Saigon. The incident I'm going to relate to you this morning is one in which a hamlet in the Delta, about 15 miles south of Saigon.

We—on the night of June 14, 1969, that's on a night ambush—under the impression that there was a VC force that was going to try and cross the river and come into this hamlet to get supplies, so the captain of the company stationed two platoons on each side of the village and another where they thought the VC unit would cross the river and I was at the spot where they thought they would cross the river. As it turned out—I feel it's relevant to make the parallel between Army intelligence with this prisoner of war thing in Vietnam about a week or so ago—intelligence reports were approximately about three weeks old as we found out about after this whole thing happened. Anyway, we were under the impression that there was a VC unit in that area and we were all ready for it.

We were waiting to move into our final positions and while it got dark. And finally the two platoons upon each side of the village started moving into position and from a separate part of Nippo Palm, a jungle which was separate from the village, they received about ten to twelve of AK fire. No one was wounded, no one was killed—they took no casualties whatsoever. Of course, the first two platoons didn't know quite what was going on. They couldn't see where it was coming from and so on. They started shooting at the village, just a few rounds, just to see what would happen, see if they could get any return fire to be able to tell where it was coming from. They didn't receive any fire. They called the captain who was with my platoon, and asked him what to do, of course, and he said well, get the star light scopes which is a thing in Viet Nam which takes the available light and it makes it real magnified so you could see in the dark if there's any light at all. And they saw a lot of movement in the village.

Everyone was under the impression, especially that close to Saigon that all the hootches, whenever there's a fire fight or any kind of firing around, at people supposed to get into their bunkers inside the hootches. Everyone thought this was kind of funny—this was the rationale later—and we thought that the VC were moving through the village when they saw all this movement. Naturally they assumed it to be the VC unit. The captain got on the horn—radio and called the battalion commander and asked permission to get two gun ships in and permission was granted. The gun ships were overhead shortly thereafter. We still had received no fire from the village.

Along with the gun ships there was a firefly, which has a giant spotlight on the side and he flew around and every so often he would turn it on and there was definitely a lot of movement. So the CO gave the okay for them to strafe the village with the gunships and they made about three or four runs firing mini gun fire and 2.75 rockets into the village. And of course, the hootches started to burn. I was about 1,000 meters away and I could see the people running about the village as silhouettes. Then the infantry unit opened up indiscriminately in the village, not heavy fire but the M–16 machine gun fire and M–16 rounds and a few M–79 grenades. Then the gunships came back in and expelled their load until they had just enough to get back to their base camps and they asked us if we wanted them to come back and we said no, that there wasn't much to come back for.

The village was just about destroyed by then. The next morning the two platoons that were on either side of the village were called back and the third platoon went in to survey the damage with the captain. I was the only medic along—senior medic—and there was quite a few wounded people. The serious ones had already gone to our base camps to be treated by our medical facilities. And we had to police up the bodies, pick them up, and help the villagers—they were all crying and coming at us and talking to us—I suppose they were asking us why we did it and so on and so forth. I counted about fifteen myself. Mostly children and old women. I found out later that all the villagers did have IDs and that they all did live there.

There was two that were in doubt, but most of the villagers verified that they were inhabitants and had lost their IDs or some such thing. So it turned out that there was no VC unit in that area. We also looked for the expended AK rounds and any AK weapons, and found nothing whatsoever the next morning at all. In fact, the captain called the three lieutenants and told them to collect all the souvenir AK rounds from the troops. Whether they were used in the subsequent investigation, which did take place, I'm not sure, but I think they were. We were also told not to discuss this incident until the investigation took place. It was obvious that there had been a big mistake and everyone was cognizant of the fact that there was going to be an investigation. The thing I heard about how the investigation turned out—it—this is hearsay—that the battalion commander was transferred. Now whether he was promoted or demoted in that move I don't know, but he did leave shortly thereafter. And that was the last of this—as far as anything official.

Moderator. Could you spell the name of the village and give us it's approximate location?

Rankin. Can Giouc, fifteen miles south of Saigon—it's——

Moderator. What was the date again, please?

Rankin. The 14th of July.

Floor. What year?

Rankin. 1969.

Moderator. What was the official body count recorded that day?

Rankin. Well, they never did call in a body count. Through the medical facilities, which was what I was concerned with, they eventually did get an official twenty-three dead, but I don't believe they ever did call it in as body count as such.

Moderator. What was the reaction of the men in your platoon—you were the men that actually went in and counted bodies. What was the reaction among those men?

Rankin. It may sound trite, but disbelief. I'd only been in the country about three months and I really didn't know this thing—what a mistake it was, until November when I heard Captain Medina on the radio in Vietnam stating some particulars about the My Lai incident. I realized then that this thing did happen quite a bit and that—I was in the rear at that time, and I talked to quite a few of the soldiers, and it does happen quite a bit. So at the time—not much—I thought that was war—these things happen, but later on I realized what a mistake it was.

Moderator. In your experience as a medic with infantry units, did you ever have occasion to see how prisoners or detainees were treated?

Rankin. Yes, I was a medic with American advisers—I believe it's called the Phoenix program. We went out on helicopters about twenty strong, mostly infantry and maybe a few military and intelligence officers, where there were supposed to be suspected VC holding out—just one or two in deserted villages and so on. We dropped down and would get them. And the military intelligence officers would treat them fairly rough—rough up, hit them, and so on and so forth, kick them; I never saw anyone murdered or extreme torture methods myself, but they definitely didn't treat them, I'm sure, according to the Geneva Convention and so on and so forth—what they were supposed to follow.

Moderator. Okay. Would members of the press like to ask Mr. Rankin some questions? We'll move on to the next witness, then.

PHILIP WINGENBACH

Wingenbach. My name is Philip Wingenbach, I'm from Buffalo, New York. I spent two years in the Army—August, 1967, to August, 1969. I was a paratrooper, I was a medic with the 173rd Airborne. While with them I served with the 3rd Battalion, 503rd Infantry and E Troop 17 Cav. Like a Rat patrol. Gun jeeps. In February 1969—it was during Tet, the Tet holiday, their big New Year holiday, and we were headed from Bay Lok, the 173rd base camp right next to Bay Lok city, to an engineer compound which was about five miles down the road. While we were going through the city, people were celebrating, a lot of people drunk, and you know, having a good time, blowing fire crackers off which they always do during Tet. We were leaving the outskirts of the village, and there were people blowing fire crackers off and our second man in the second jeep opened up on the village with a .50 caliber machine gun. As soon as he started firing, everyone else started firing.

There was eight guns used—four M.16 machine guns, two .50 caliber machine guns, and everyone had .79 grenade launchers. We opened up on them for about twenty, thirty seconds as we rode by. After we got past the village, we stopped and we went back. There were people coming out of the hootches screaming, crying, "No VC, No VC, We're not Vietcong." We went up to them and there were people laying inside the first four hootches in the village. Dead children, women, men—we didn't count—we didn't even stick around, because we knew what would happen.

Guys in my unit just wanted to kill people, that's the way the 173rd was. They don't care who they kill, as long as they're Vietnamese, or gooks, as we called them. So, we left their village. The chief of the village made a complaint to Mac Vee: Military Assistance Command in Bay Lok City, and they brought it up to the colonel of the 3rd, 503rd battalion, who was in charge of the 17th Cav., it was a task force. And it was just whitewashed. All the guys in the platoon got together and, you know, said, we were fired upon. You know. Those firecrackers were AKs. There were no weapons found in the village at all. Every person had died. The village chief—count was eighteen, that they said, and there were six wounded. There was no weapons found. Every person that died had an ID card and they just whitewashed it. In the morning they called in every man to the battalion commander, one by one, in this inquiry. In the morning before everyone went in, the platoon sergeant had said at a formation, "You guys just remember the right story," and that was it, and it was understood. Nobody wanted to incriminate themselves so it was whitewashed.

Moderator. Phil, I'd like to try and emphasize one point. Did you or were you aware at all that you had received any enemy fire, or was there any resistance fire?

Wingenbach. We said there was. We knew there wasn't. It was just a thing. One guy started it and the rest of the guys started it. The platoon leader had no control over his platoon now. Anyone could start shooting their weapons and everyone else got into the act because—you know, it was fun, it was fun to shoot people. That was the thing with the 173rd: they loved to kill. They had a big record over there. They were the first unit in Vietnam. When they first went over there—from stories I heard from guys, they used to—all the prisoners or all their body count, they used to take the patch and nail them into their foreheads to let the Viet Cong know who killed them.

Floor. When did this happen?

Wingenbach. This happened in February 1969, right during Tet.

Floor. Did you fire into that crowd?

Wingenbach. Yes, I did.

Floor. Have you told this story before anywhere?

Wingenbach. No, I haven't.

Floor. Why have you waited until now?

Wingenbach. I was indoctrinated pretty good through paratrooper school. And when I got over there, all the guys over there—gooks were gooks and you killed them. That's what they were for. So we did it. I didn't really bother me at the time. It didn't bother me until I started thinking what really happened.

Moderator. Excuse me. Perhaps we can continue with the questioning after Mr. Wingenbach has finished his testimony. He has two more incidents to relate. You were a medic over there, Phil. Did you have occasion to treat any wounded prisoners?

Wingenbach. In December 1968, I don't know the exact date, it was about the first part of the month. We were in a short fire fight. Like in about twenty seconds they took four prisoners—we took our prisoners—and three were killed. I was working on two of the Viet Cong that we had shot, supposedly Viet Cong. They had weapons so I guess they were. The platoon leader comes up to me and goes, "It would be nice if those guys could die. You know, they got pretty thin arteries there." I told him, "If you want to"—I had just gotten in the country and it was like the first action I had been in and it was different shooting someone. It was pretty easy to shoot someone but to look somebody in the face and cut their arteries, I couldn't do it. So I told him to do it himself. I guess he didn't have the guts either. He called in the choppers and we evacuated our prisoners.

Moderator. You have another incident regarding a Montagnard village that you engaged?

Wingenbach. In April of 1969 we were going down a road about eighty miles west of Phan Rang and we had three gun jeeps. I was in the middle gun jeep and there were two in the front. We were about fifty yards apart. Supposedly, the rear gun jeep got one round of fire from this area of a village. The first front two gun jeeps didn't hear anything. They started firing so we came back and the lieutenant ordered the guys to go in. I stayed on the road. I didn't go in with them. The just fired indiscriminately into hootches. No one was killed; nobody was in the village. There were livestock there. We found three old women in the field and an old man, that's it. No weapons, no nothing. We burned every hootch down and killed all their livestock which was about three water buffalo, chickens, and a couple of pigs.

Moderator. For no reason at all? Had you received any——

Wingenbach. A rear gun jeep——

Moderator. One round——

Wingenbach. Supposedly we had received one round. No one heard it—except the three guys on that gun jeep. I doubt it very much, I don't know.

Floor. What was the name of your unit?

Wingenbach. 173rd Airborne Brigade. Also in May 1968, seven Viet Cong were killed in an ambush early in the morning and we were sent to pick up the bodies and—well, to guard them while the infantry unit was surveying the area. While we're guarding them a platoon sergeant and a couple of other guys were stringing the guys with ropes, the dead bodies, hanging them around the neck, from the feet—they were naked bodies—in the trees and taking pictures of them in the classical hunter pose, you know with your foot on top of his body. "Take that picture." That's what they were doing. I think—I'm not sure—we dropped the bodies off between an ARVN compound and a 173rd Airborne compound, the 3rd Battalion compound. I think—I'm not sure—they took the bodies downtown and laid them out on the sidewalk to show the people what happens to Viet Cong. They were multilated bodies completely mutilated.

Moderator. Excuse me, Phil—in the incidents you're relating, were there officers present? Were there people in a responsible position who would be controlling these types of actions?

Wingenbach. Yes, there were. Officers loved to kill, too. They didn't—no one cared. Any Vietnamese was a gook or a Viet Cong. They didn't tell a difference.

Moderator. I think we can take questions from the press right now.

Floor. Was there ever any conscious attempt to put killer-type personalities or personalities who might be more prone to being ruthless in units like the 173rd?

Wingenbach. The 173rd was an airborne unit and airborne-qualified people went into it. The airborne training you get is so indoctrinated. It's just a kill, kill, kill thing. The three weeks you go through in jump school—you know, it's always "The airborne's got to be the best. It's got to be the best and you got to have the most body count and you got to kill the most . . ." And you got to be the hardest, you know? "Airborne", and that's the airborne mentality.

Floor. Were any of the troops under the influence of marijuana?

Wingenbach. Yeah, a lot. During these incidents, no, they weren't, but during the year I was over there, 173rd had a lot of people smoking grass, that's for sure.

Floor. What about legal counsel? Are you under legal counsel now?

Wingenbach. No, I'm not.

Floor. Is it too late now to be brought up on charges?

Moderator. These gentlemen are civilians and they don't come under military jurisdiction.

Floor. You have no counsel?

Moderator. Yes, we do.

Floor. What's the name of your counsel?

Tod Ensign. I'm an attorney.

Floor. You represent the group?

Ensign. I represent them only in the sense that I'm safeguarding their legal rights.

Floor. They are immune from prosecution now, is that correct?

Ensign. Yes. Under existing law there is no jurisdiction once persons have terminated from active service. And I think I'll point out here just briefly, that even if it were possible to try civilians, the government, as you'll see from the three days of hearings, would have to try thousands, tens of thousands of Vietnam veterans.

Floor. What's the motivation to speak now instead of at that time? That you're immune from prosecution now? Everybody has been asking "Why now?" Is this the reason?

T. Griffiths Ellison. That's not necessarily true because one of the things, especially in the units I served in throughout the Marine Corps, is that enlisted personnel are told time and time again never to question orders. "Follow through the orders." If you have any questions after following through the order, whether it may be lawful or not, then ask the question. Now a lot of us asked questions after we followed those orders, but there was usually no follow-up, no investigations, nothing else. After the act has been committed, most everyone tends to forget about it.

LARRY ROTTMANN

Moderator. We'll again move on to the next witness, Mr. Larry Rottmann.

Floor. Where are you from, Mr. Rottmann?

Rottmann. My name is Larry Rottmann, Columbia, Missouri. Friday, August the 13th, 1965, I enlisted in the Army. After approximately a year I went to Infantry Officer Candidate School. From the period June 5, 1967 to March 26, 1968, I served as the information officer for the 25th Infantry Division, based at Cu Chi, Vietnam. My duties during this period were to be officer in charge of the division newspaper, division magazine, division radio and television show, all other 25th Infantry Division information-disseminating means. During this time I was also the escort officer for visiting newsmen including network television crews, which any of you who have been there know means spending a lot of time in the field because as soon as the information personnel come to the division, the first thing they want to know is, "Where's the action?" While serving in Vietnam I was awarded the bronze star and purple heart. I was honorably discharged from active duty as a first lieutenant on March 26, 1968. I'm the author of the 25th Infantry Division of Vietnam: A Combat History, published by McCall's Corporation, and a contributor to a book titled The Indochina Story, a documentation of the war in South-east Asia by the Committee of Concerned Asian Scholars at Harvard University.

Because of the nature of my assignment, which was one of McCusker's sub-lieutenants in the Information Office at the division, I'm able to verify a great deal the things he said about procedures and information business. I'll just take a few minutes to talk about one particular operation which all of you are acquainted with, that being Operation Junction City. It began February 22, 1967, and concluded May 16 of the same year. Although I did arrive in Vietnam in June of 1967, a month after the conclusion of that operation, I had many first-hand opportunities to visit War Zone C, in particular Tay Ninh Province where the bulk of that action occurred.

By June of 1967 the entire nine-hundred-square-mile Elephant Ear area had been declared a free fire zone, meaning that anything that moved in it would be shot, burned, or killed. Flying over that area in helicopters I could see how the defoliation had reduced the jungle to just barren soil and dead trees. You probably all know how a typical operation of this kind occurs, with air strikes and so on and so forth. I'll just give you a few figures. The Operation Junction City for the 25th Infantry Division began with B–52 bomb raids which dropped a total of 16,000 two hundred, five hundred pound bombs. There were also 1,757 air support sorties by Phantom and Sky Hawk attack bombers. The jets expended 1,648 tons of napalm, 1,104 tons of other kinds of bombs, and countless hundreds of thousands of 2.75 rockets and machinegun fire.

After the prepping, the objects to be searched for by the ground crews: they looked for weapons, foodstuffs, medical supplies, bunkers, tunnels, or anything that could be of use to the enemy. Villages, hamlets, or any other signs of life were to be completely destroyed. Houses were burned, food confiscated, poisoned or urinated on; household items smashed, livestock killed or mutilated, banana trees and gardens destroyed, burned, uprooted. Twenty-one villages in Tay Ninh Province were destroyed during this operation: Af Trai Vai, Zamet—and I won't go through all of them, I have a list of twenty-one if you're interested. You can see them. I brought the map with me, the Joint Operations Ground Map, which you can obtain from the government map bureau, number 1501GNC487 which is standard issue to all ground combat units. I have the map here, I'll be glad to show it to anybody, as well as the villages, later on.

On the censorship itself, we don't have much time so I won't go into detail but I can tell you a partial list of things that never left my office. In other words, if McCusker had written a story at brigade or battalion level and it got as far as me—if it got through his PIO at that level and through his commander, if it somehow managed to get up to me—these are things that would never come through. Now some of this is changed, which you'll recognize, but this is as of June, 1968—March, 1968: ineffectiveness or mistakes of the Army of the Republic of Vietnam; handling, processing, interrogation or treatment of POWs; use of shotguns; use of flame throwers either hand-held or track-mounted; use of lethal or non-lethal gas, gas-dispensing methods or gas masks; young VC, female VC; Huey Cobra helicopters; information on the size, accuracy, range or effects of enemy 122-millimeter rockets; M–16 rifle malfunctions or deficiencies; extent or damage of U.S. casualties from enemy attacks; any story concerning enemy tenacity, courage or ingenuity; marriage of U.S. personnel and Vietnamese; U.S. soldiers' use of pot or drugs; conditions of U.S. military stockades; anything about the CIA or CIA-sponsored activities like Project Phoenix or Air American; anything about U.S. activities in Cambodia and Laos.

And to pause here for a few minutes. I was in Cambodia three times myself in 1967. It was not infrequent at that time for the United States to make incursions into Cambodia although not any more than ten or twenty kicks—kilometers—but it was a very frequent occurrence.

B–52 bombing errors; ambushes or defeats of U.S. units; bulldozing, burning, or other destruction of Vietnamese villages or hamlets; anything about troop morale, pro or con; information about captured enemy materiel was that of U.S. manufacture—weapons, food, clothing, *Playboy* magazines; the term "NFL"; napalm; enemy armor or helicopters.

One other thing I want to bring up is that we've had a lot of talk about the body count, who ordered the body count, where'd the body count come from, who have the orders to collect the bodies. As of March, 1968, it was official MACV policy—MACV being the Military Advisory Command Vietnam—no matter how little contact was made during any given week, VC losses would always be at least two thousand KIA per week. That figure has since been downgraded as you probably know to one thousand. One thousand is the magic figure, gentlemen. No U.S. killed in any given week, but there'll always be at least a thousand. Check it out.

To meet this figure each division was given an unofficial but very real quota of VC to report killed. During a visit by General Westmoreland in 1968, just the week following the beginning of Tet, I heard him tell the commanding general of the 25th Infantry

Division that the 25th Infantry Division needed to put more emphasis on "body count"—that's a quote—"bodies," end quote. The commanding general of the division passed on the pressure to brigade commanders who passed on to battalion commanders to company commanders to platoon leaders, squad leaders, and on down until every man was affected by this body count obsession.

Some U.S. units have large scoreboards on which the body count is kept. The unit that reports the highest body count gets public commendation. The soldier who kills the most VC by himself often gets an in-country R and R to Vung Tau, or even out-country to Australia or Hong Kong. I have seen GIs in the field get in fistfights over who shot what VC, since the reward could be five days in Honolulu with the wife and kids. I've seen instances of doubling, tripling, quadrupling, etc., just on and on and on, of enemy bodies. I've seen accidental and deliberate killing of women and children counted as bodies. I've seen water buffaloes and monkeys counted as bodies, and many times I've seen bodies counted where there weren't any bodies at all. I have had MACV officials call me back after submission of the Daily Situation Report—sit rep—and urge me to quote "dig up a few more bodies," end quote, we don't care how. And that does include digging them up: if you know where some are buried, go out, dig them up and count them. This had happened many times.

We're just about out of time. I want to bring up one further point. Many people here have asked guys on the panel: "This happened last year, two years ago, three years ago—why? How come you bring it up now? Why did you sit on it?" Well, after the first year if you come back, after the first year it's like shock, you know. Like you want to forget, like you don't want to talk about it, like you don't want to think about it. Like how many Vietnam veterans do you know who've had martial troubles, psychiatric problems? You just don't want it to happen—you just want to wipe that all out of your mind. But then after about a year it starts bugging you and you have to talk to somebody about it. So you begin by talking to your friends. If they're not receptive, you just keep talking to wider and wider audiences. You talk as far as you can, you talk to as many people as you can. You try to get the word out, you try to clear your head. Why do we speak up at all? Because we can't sleep at night, that's why. Because we can't sleep. Because we can't go to John Wayne movies any more and not cry. These are grown men we're talking about, men with real feelings, men who know what they did, what they participated in, but can't help themselves for feeling badly about it. It's the way it is.

A really significant incident to point this out occurred on the Vietnam vets' march over Labor Day from Harrisburg, Pennsylvania, to Valley Forge. That's probably one of the best-kept secrets in the whole world, but one hundred fifty Vietnam veterans marched that ninety miles on a blacktop road on a simulated search and destroy mission. One night I woke up—as is usual—in the middle of the night, couldn't sleep. Everybody was sleeping in sleeping bags and blankets all over this farmer's field—and I walked over to the can. As I walked, I walked through one hundred and fifty guys moaning, tossing, rolling, sitting up in their beds, smoking, doing anything they could to try to keep their mind off of it. We speak now because we have to, it's as simple as that.

I'd like to close what I have to say with this thing that I wrote. Maybe it'll help clear something up for you. I don't read it because I think it's great literature, but it's sort of like real history. It's something that I'd like to read. It's entitled "We Are All Lieutenant Calley."

"If you went, you too must share the guilt. The infantry man pulls the trigger that kills, the pilot drops the bomb that slaughters, the artillery man jerks the lanyard that maims, and the engineer plants the mine that mangles. But cooks, clerks, doctors, and chaplains are murderers, too, for there are no non-combatants in this war. Each soldier's presence invites, entices, demands enemy attack, and the haphazard retaliation has the inevitable result: My Lai, Ben Tre, Tan Phuoc Trong, Ben Suc; a half million Asian bodies, four deaths on each and every GI conscience. Have you ever met a happy Vietnam veteran?"

Floor. Mr. Rottmann, what do you know about the use of GV nerve agents in Vietnam?

Rottmann. I've heard that it's used.

Floor. On this fact sheet here, it says that you're going to make the first public disclosure of the presence of these nerve agents.

Rottmann. The disclosure was made in Boston last spring at an inquiry that was held there at that time.

Floor. By you?

Rottmann. Yes, it was. You can read it. It's in the *New York Times*, I believe.

Floor. Tell us briefly what you revealed then.

Rottmann. I just revealed that I had seen what I had seen what I believed to be and was told to be a nerve agent, at that time, at the Phen Ny airfield in Vietnam.

Floor. Used in what way?

Rottmann. Used in what way? To kill people. That's about the only thing it's good for. Some time in the fall of 1967.

Floor. Do you have evidence of how you know that the official policy is to have two thousand KIA?

Rottmann. I was told that over the phone.

Floor. By who?

Rottmann. By officials from MAVC.

Floor. What officials, though?

Rottmann. I don't want to name any names. It goes along with the whole philosophy. If you name a name you blame a person. We blame everybody.

Floor. That's a fairly serious charge. Do you have anything at all you can cite as evidence except that somebody called up on the phone and told you that?

Rottmann. Well, you can check the records and see. Just check the Pentagon release records every week and see if any time during that period the count fell below two thousand. Whether there was any U.S. casualties or not. Just check it out.

Floor. That has nothing to do with the charge, though. Can't you give anything to substantiate it?

Rottmann. I've been told that. I don't have it in writing. Okay?

Moderator. I don't know how this will add to the count of two thousand, but we will have testimony I believe it's tomorrow from a member of Army forces over there that in the outfit he served with, they went out on three-day forays and if they did not have a sufficient body count—approximately fifteen per unit—that they had to stay out in the field. Now if that doesn't indict body-count policy, I don't know what does because that order came from a colonel and was approved by a general.

Floor. I'd like to ask about your quoting William Westmoreland. When did this occur? What were the circumstances? He's visiting the 25th Infantry?

Rottmann. Right. Sometime following the Tet offensive, probably the first couple weeks in February. Things are pretty hectic then as you know. He did come to the division, he did speak to the commanding general at that time at a briefing in which I was present.

Floor. You heard that with your own ears?

Rottmann. My own ears, that's right.

Floor. Now what exactly did he say?

Rottmann. "Bodies." He wanted more bodies. That's B-O-D-I-E-S.

Floor. He said "I want bodies?" "More bodies."

How far were you from the general when you heard him say that?

Rottmann. Closer than you are to me. Ten, five to ten feet.

Floor. You were there as part of the official party?

Rottmann. I was the Division Information Officer. It was my job to be there.

Floor. He didn't say that to you, did he?

Rottmann. No, he did not. He said that to the general of the division.

Floor. Who was the general?

Rottmann. You can check it out. It's a matter of record.

Moderator. Gentlemen, I think the time has run out for the first session.

Floor. Did Westmoreland say any more about bodies than "I want bodies?" What else did he say?

Rottmann. The general conversation just continued along those lines: the fact that pacification was passed (these are not quotes, this is just the general tone of the conversation), that pacification, medcaps didn't prevent Tet, didn't prevent the enemy from launching an offensive. You could build all the bridges you want, it didn't delay the war.

Floor. When did this happen again, this discussion?

Rottmann. First or second week of February, 1968.

Floor. What was your rank, I'm afraid I missed that?

Rottmann. First Lieutenant.

Floor. Would you say that that's the policy now, that the emphasis remains on body count and not on—what do they call it—pacification?

Rottmann. I can't say. I haven't been there for a while so I can't say.

Moderator. Gentlemen, are there any other questions for Mr. Rottmann, or any of the other witnesses?

Floor. I was wondering if any of the other gentlemen can back up your emphasis on body count?

Moderator. I think they already have. Several witnesses have mentioned it today and more of the witnesses will be giving testimony about the emphasis on body count through the rest of the session.

Floor. Was that list that you were reading some kind of direction, an Army directive?

Rottmann. It was an Army directive. It frequently came down in a thing called The Kolonel's Kernels—both spelled with a K—from UCRV.

Floor. Do you have a copy of that?

Rottmann. Not a copy, I have some of the Kolonel's Kernels if you'd like to see them later on.

ROBERT OSMAN

Moderator. Our last witness is Mr. Robert Osman.

Osman. My name is Robert Osman. I'm age twenty-two. I went to Vietnam in the end of June of 1968, and I served there with Charlie One-Three—that's First Battalion, Third Marines, Third Marine Division—until the end of July in 1969. I was attached to 81 mm. mortars. I spent about two months with the guns, then went out as a forward observer with Charlie Company.

Now we operated mostly up in Northern I-Corps Area, in the jungles and mountains. The first contact I had with Vietnamese civilians in the vills was in the first part of December of 1968, when we participated in a County Fair Operation. This is the type thing where we moved out in the middle of the nighttime and kind of walk all over the flatland, and at a certain time around dawn we converge on a vill, and all of a sudden the people are like surrounded. They can't go in, they can't go out. And then we set up for approximately a week, however long it takes, while the ARVNs come in and search the vill. The County Fair that I took place in, participated in, was kind of like a big gala operation as far as the Vietnamese were concerned. They brought in the ARVNs to search the place, there were public speakers, there were banners, flags, all sorts of rallies trying to gain support for the Vietnamese government I guess. However, they went through checking ID cards, checking civilians, and they had them rounded up in barbed-wire confines off in a different section, where they kept different classifications of the Vietnamese that they interrogated; they'd be the ones waiting for interrogation, Vietnamese suspects—Viet Cong suspects, excuse me. In these little compounds they had three or four little tin shacks set up.

This was in the desert. The sun was very hot, and the ARVN officers would interrogate the villagers in these shacks. The interrogations were conducted with rubber hoses. People were brought in—a few minutes later we'd hear them screaming. On one instance there was—I saw a Vietnamese girl, teenager, brought in. She came out about half an hour later completely black and blue. At the end of this operation they had a couple of six-bars, a couple of trucks loaded with Vietnamese civilians taking them away, and many of the villagers were running after crying, little kids running after mothers in the trucks, and I asked the Vietnamese interpreter just what was happening, and he said that these people were suspects, or people they needed information from, and they were taking them off for further interrogation, but they'd informed the villagers that these people were being taken off to be shot. This was my main contact with the civilians. This County Fair type operation was conducted regularly in the flatlands area of Northern I-Corps, up around what was called Leatherneck Square.

As I said, we spent most of the time up in the mountains. It was standard procedure to dig up any graves that we encountered. Frequently we ran into Montagnard villages, deserted mostly; any graves in that area, some quite old, with markers, we dug them up anyway. I don't know whether the bodies were included in the body count or not.

When we'd get a kill—well, on one particular occasion our company had been out on an operation, we'd sustained heavy casualties and we were coming back out of a valley, linking up with another company. Early that morning this other company had killed an NVA soldier. When we marched into their compound, they had the soldier crucified to a tree right next to the trail that we were marching in on. He was on their perimeter. He was nailed to a tree, he was wrapped around with det cord, he had C-4 packed on his head and a SHAPE charge was placed in front of him. After our whole company had marched inside the perimeter, Bravo Company captain had everybody gather around and they detonated the gook. There wasn't just any trace of him left. They wanted to get it over with because there was brass coming out in the field later on in the day.

Moderator. Bob, can you tell us what unit that was?

Osman. Yes, this was with Bravo Company and Charlie Company, First Battalion, Third Marines.

Moderator. Are there any questions now from the press?

Floor. You say he was nailed to the tree?

Osman. Right. Well——

Floor. What did you say he had on him?

Osman. Okay—he was nailed to a tree with his hands over his head like this. [Gestures, hands one in front of the other stretched above head.] He had det cord—which is detonation cord, it's an explosive—wrapped around his middle. He had C-4, which is a plastic explosive, packed on his head and placed on various parts of his body around the abdomen. And there was a SHAPE charge—it's a conical-type charge; I'm not sure what it's used for but it's pretty powerful—that was placed in front of him.

Floor. Was he alive?

Osman. No, he was not alive. He was dead.

Floor. And then your commander marched you in and you stood around this tree and then it was exploded, right?

Osman. Well, not exactly around. There was a lot of explosives. You see, he was by a trail that we had to march on to get into their perimeter, and he was nailed to the tree right by the trail. As soon as we had all marched in—it was the other company commander who had fixed this up as a surprise for us—and when we were all in then we stood up on the LZ and watched the explosion.

Floor. Do you know who nailed him to the tree and who rigged up the explosives?

Osman. Well, there were engineers up there. They were probably the ones to rig up the explosives. As far as who nailed him to the tree, I don't know individuals, there were individuals of Bravo Company, who had set up the perimeter.

Floor. American troops?

Osman. Yes, American Marines. This was under the directives of the Bravo Company commander.

Floor. What was the reaction among the troops when the explosion went off?

Osman. Well, first, when we marched by, the reaction was favorable. As I said we'd just been in an operation where we'd sustained heavy casualties, and when we saw this—ah—gook nailed to the tree, like, you know, wow, that's really great. Afterwards, when people started thinking about it—I know for myself when I marched by I thought, this is really cool. And then right after that, we were standing up waiting for it to go off, I was just thinking, you know—what are we turning into? What kind of people can do this?

Floor. You didn't think at the time of reporting that?

Osman. No. At the time I wasn't aware that there was anything wrong with it.

Floor. Well, you said that you were aware there was something wrong with it.

Osman. I mean, anything wrong legally.

Floor. Do you have any idea how old this guy was? How did he look, did he look like an old man, young man?

Osman. Well, he was an NVA, he was probably in his early twenties.

Floor. How was he dressed?

Osman. He had on NVA uniform. Just green fatigues and a shirt.

Floor. Grey fatigues?

Osman. No, green—green.

Moderator. Okay, thanks very much, Bob.

Before I summarize the National Veterans Inquiry, I'd like to introduce an active-duty Lieutenant who's been here before listening to the testimony, Lt. Louis Paul Font.

Font. I'm Louis Font, an active-duty First Lieutenant, United States Army, stationed at Fort George G. Meade, Maryland. I've participated in this conference over the last three days, and my primary concern is that the testimony not end here.

I feel very strongly that something must be done with the evidence that has been gathered over the last three days. I think it would be very sad indeed, and a sad commentary on our entire society, if this material were simply to end up on some college shelf, some college library shelf somewhere. I think that it is incumbent on each one of us to try to do something to disseminate this information to the public. I feel this very strongly.

There seems little doubt that if a hearing like this had been held three or four or five years ago—and some of the testimony we have heard goes back that far—perhaps today we would not be having the My Lai trial. And perhaps My Lai would never have occurred.

Perhaps this testimony can be taken to Capitol Hill, in written form, or, even more hopefully, people may testify before some congressional committee. Perhaps this testimony can be used in some way directly with regard to the My Lai trial.

I'm an active-duty First Lieutenant, and there are several things that I can do, and over the next month or two I will be preparing and then executing one or more of the following options that are open to me. As an active-duty First Lieutenant in the United States Army, I am subject to the Uniform Code of Military Justice. Article 138 provides that an individual can complain and call for an investigation of his commanding officer. My commanding officer, of the First United States Army, is a man who was very heavily involved—whose unit was very heavily involved—with regard to some of the testimony that we heard here yesterday relating to Cedar Falls Operation.

Furthermore, there is a ruling in the United States Supreme Court, *United States* v. *General Yamashita*. You may be familiar with this case. It holds, quite simply, that a commander is responsible for everything that goes on in his unit. And the Court went even further—to state that he is responsible whether he knows what is going on in his unit or not. I'm in process of consulting with legal counsel, and have been speaking with lawyers, and I may very well do something with regard to this precedent set by the United States Supreme Court in World War Two.

At any rate, what I'm simply trying to get across is that the hearings are nearing an end, and yet the war crimes continue; and that something should be done about this. And further, that what we have heard today are many incidents—different individuals, in many different places in Vietnam, but relating the same sort of information. It seems quite obvious that a pattern emerges. And that pattern, coupled with what I learned at West Point—that a commander is responsible for *everything* that goes on in his unit—makes it quite clear to me that what is going on in Vietnam is something for which someone other than a lieutenant, such as Lieutenant Calley and others, are responsible.

I feel strongly that if Lieutenant Calley is guilty of anything, then the generals, and perhaps even higher are far more responsible.

WE SHOULD FOCUS MORE ATTENTION ON RURAL AMERICA

The SPEAKER. Under a previous order of the House, the gentleman from Iowa (Mr. Smith) is recognized for 1 hour.

Mr. SMITH of Iowa. Mr. Speaker, the farm situation, the rural situation, in America has been rather bad most of the time the past 40 years, but it is still bad and in fact there is some evidence that it is getting worse. As the rest of the Nation has progessed, rural America has not progressed with the rest of the Nation.

We have been hearing a lot about the urban problems in this country and to be sure we do have urban problems in this country. But it is high time that more people realize we also have serious rural problems in this country; and that serious rural problems are very much related to urban problems. In fact, to a considerable extent urban problems have increased because we have not been doing a good enough job of taking care of rural problems. In the past 30 years, millions of people have poured from rural areas and smaller cities into the big cities. Since jobs, housing and pay scales have been higher in the cities all during that time, there has in every year been a flow of migrants toward the cities but the rate of flow has ebbed or increased according to the relative economic situation and the availability of services including housing. There are still millions of people in rural America who could migrate to the cities. In fact, 3 out of 4 in rural America today are not tilling the soil and in many cases have given up hope that they can return to farming as an occupation that will support a family. An even greter increase in migration can be expected unless the job, income, and services situation improves.

But instead of improving, the situation in rural America is becoming worse. The situation is becoming so bad that many farmers simply have no net income. Costs have been increasing every year. The cost of fertilizer is up 8 percent again this year. The cost of seed corn will be 50 percent higher than last year. Real estate taxes which largely pay for public school systems in many States have doubled in the past 5 years at the same time that the cash receipts from the sale of products has not increased. Cattle and hogs are bringing only about two-thirds of what they did a year ago. Yes, it is time both the administration and our colleagues in the Congress take full note of what is going on in rural America.

The recently released census information reports that 73½ percent of the American people live on only 2 percent of the land; and when one looks at what is going on with the people who live on the other 98 percent of the land, it is no wonder so many have crowded into the cities. A recent poll indicated that 83 percent of the people who live in urban areas said they would prefer living outside the central city and 55 percent said they would have chosen a small town or a more rural area.

Since it is so much in the national interest to spread the population more in this country, we should seriously look at the reason this imbalance in the population and the reason why most people live where they do not prefer to live. The reasons lie in the fact that people in rural areas have smaller incomes, their standards of living are lower and there is less opportunity to advance. In other words, there is an imbalance in the distribution of income, services, and off-the-farm employment.

In fact, many farmers also work off of the farm. Thirty percent work off of the farm at least 100 days a year and if they did not, their income would be even lower. In the 15 years from 1950 to 1965, farm output increased by 45 percent and farm employment was reduced by 45 percent. In the past 20 years the decline in farm employment has been 200,000 per year. While the decline in employment opportunities has been reducing constantly, 90 percent of the increase in jobs has occurred in cities with over 50,000 population. Migration patterns have followed the location of these jobs and the availability of housing and other services. It is now estimated that over 20 percent of the growth in the big cities during the last 15 years was due to migration from rural areas. Some have calculated that 550,000 jobs must be created in rural areas to offset the declining opportunities of employment in rural areas if this migration is to be stemmed in the near future. If jobs were as available in rural areas and wages the same as in the urban areas, it would have added $10 billion per year to the income and purchased power of the people from rural America and $2 billion per year to tax receipts of the Federal Government.

Furthermore, the people who are left behind in the county seat cities and smaller towns as their neighbors flood into the urban slums, face more difficulty because it costs more per person when fewer people support public services, a good educational and vocational training system, and adequate health care system, and other opportunities for an equal standard of living. In addition to that, when the younger generation leaves, it depletes the leadership that is needed in many of these areas for progress and for a long term look into the future.

When one looks at the difference in terms of health, education, and housing, it makes discrimination by residence very clear. In 1960, 80 percent of the urban residents lived in sound homes while only 50 percent of the rural people enjoyed the same conveniences. Forty-four percent of all housing units that lack structural soundness were located in rural areas even though less than 30 percent of all the housing units were in those rural areas. Almost 30 percent of the housing units in rural areas were without inside plumbing. Although we appropriated $100 million last year for rural water and sewer projects in areas that have arbitrarily been denied funds under other programs, $56 million of that was held back. Over 100 towns in Iowa alone have applications which have not been funded.

In the urban areas, the average resident completed 11.1 years of school while the rural nonfarm average is 9.5 and the rural farm average only 8.8 years. Because the cost per child is much higher in school districts with under 1,000 pupils and because vocational training courses require large investments and a substantial number of pupils per courses in each of the various trades, an equal chance for that kind of training has been almost out of the question.

At the same time that this disparity in services has increased, Government programs have been directed almost exclusively toward the large urban areas in nonagricultural States. Arbitrarily, towns of under 5,500 population were for years excluded from the benefits of housing programs and it has been extremely difficult for a person with a low downpayment to buy a house in a rural area. As people vacated houses in farm areas, young people who wanted to buy them and fix them up and commute to work found financing almost nonobtainable. Housing laws have been administered in such a way so that young people who want to buy a house with a low down payment, or to secure subsidized housing, almost had to go to a larger city than they wanted to live in.

Even the poverty program has discriminated against the rural areas in the use of its funds. Although the percentage of the low-income people is much greater in the rural areas, less than one-fifth of the OEO funds have been directed toward the nonheavily urbanized areas or the people from them. While 30 percent of the people lived in rural areas, 40 percent of those with incomes under $3,000, came from these areas. The average cash income of a farm family has been of about 60 percent of that of an urban family and the average nonfarm rural resident made only 85 percent as much as the average urban family. As a matter of fact, the average income of farmers working 55 hours per week is $2,000 less than an unemployed family is eligible to receive on welfare benefits in New York City.

I want to warn my city colleagues that there is still a large reservoir of people in the nonhighly urbanized areas who could move into these cities. A large share of the older men that are unemployed or underemployed have few skills and immediately need health services and other benefits which are already strained in cities too. It is in the interest of the city people to also want to do what we can to let people live in that kind of an area where they would prefer to stay. Those with the greater skills that were in the most demand have already migrated in too many cases; and while the ones that are left in almost every instance, do not want to migrate to the cities, unless the trend of the economic and social situation changes, many will be forced to do so. While a man may have been a highly skilled farmer, he is classified as unskilled in the city world of work and statistics show that migrants of rural origin who moved to the central cities in 1967 were more likely than nonmigrants to live in poverty areas. In fact, 35 percent of those living in poverty areas were rural-urban migrants as compared with only 25 percent who had been reared in the poverty area.

Production per man-hour has increased almost three times as fast on the farm as in the city but instead of reaping benefits from this tremendous increase in farm production, it has caused reduction in prices to offset any increase in the return from the higher volume. While the people of the United States use less and less of their income to pay for food, the farmers are getting a smaller and smaller portion of the food dollar. Partly due to this tremendous increase of production per person, rural unemployment rates are constantly higher than they are in urban areas. In fact, all of the gains in employment in the United States in 1969 were in the nonfarm areas. While farm employment actually dropped by 210,000 in 1969, total nonagricultural employment increased 2.2 million.

While the health services available in rural areas are less than in urban areas, the needs are even greater per capita. Twice as many people in rural areas per capita suffer from chronic health conditions and 60 percent more per capita suffer from an activity-limiting chronic health condition. Twice as many per capita die from accidents and the cause of this is generally attributed to the lack of emergency services and medical personnel in rural areas. Rural areas contain a disproportionate number of people over 65 years of age and the lower incomes in rural areas combined with the sparse population situation cause residents of these areas difficulty in competing with residents of higher income, higher density areas for medical services. The 30 percent of the Nation's population in rural areas had available only 12 percent of the Nation's physicians and only 18 percent of its nurses, 14 percent of its pharmacists and 8 percent pediatricians. Private specialists and hospital staffs in the most urban areas exceed those in most rural areas by 1,300 percent. Four times as many of the rural population do not live within 25 miles of a hospital facility of 25 beds, and in many cases that hospital which is within the 25-mile radius does not provide emergency services. In most cases, a house call by a doctor, no matter how sick one is, is simply out of the question; and there are twice as many clinic man-hour services per week available to urban residents. It seems clear to me that, as a practical matter, to effectively provide any reasonable quantity of health services for these areas, we must encourage the establishment of clinics in the towns in rural areas. These clinics can be under the direction of, and in constant telephone communication with, a doctor in a county seat city; but they must be staffed with a family nurse practitioner and perhaps some other professional and paramedical personnel. The family nurse practitioner could provide well child and well baby care including making observations and checking for abnormalities. They can note growth and development of the child and routine evaluation of adults and other children, all of which can be studied in the office of a physician, where he can detect anything indicating a need for a personal observation. Such nurse practitioners can provide immunizations and counseling concerning the feeding of children and methods of maintaining regular health. They can screen patients and initiate therapy; in some instances they can cooperate with the public health agencies where an epidemic is underway or a mass immunization program is needed. They can track down those who react positively to tuberculosis and even provide house calls for the invalid and chronically ill patients who could be treated either by the nurse practitioners on the spot or with the help of a telephone call to and instructions from the physician when necessary. They would be capable of making observations relating to pregnancy, diabetes, congestive problems and make interim reports on the condition of patients who are under continuing and direct care of physicians. They could call on these patients more often than the physician would have time to, and therefore, when a patient needed immediate hospitalization or care of a physician they could determine this and provide that care on a priority basis. In the local clinic, the family nurse practitioner could culture organisms from a sore throat, conduct prenatal examinations, examine, clean and disinfect punctures, give first aid and they could, through a special telephone hookup, initiate an electrocardiograph examination for the physician's office or health care institution which may be many miles away and otherwise unavailable to the patient. Through this modified delivery system, the overworked physician could tremendously expand his eligibility to deliver health care to the family and go a long way toward remedying the serious present imbalance beween supply and demand which simply cannot be remedied by just any amount of money alone.

In spite of the fact that it is so clear that these medical services and reforms are needed so badly in rural areas, the major bills now before the Congress do not address themselves appropriately to this situation and instead are more directed toward big health institutions in large urban areas.

Mr. Speaker, I say it is high time that both the administration and our colleagues here in the Congress give greater appreciation to the fact that there are severe problems in this country in the rural areas and that the solution of these problems in rural areas is not only just as important as the solution of problems in the urban areas but that, in fact, there would not be as many problems in the urban areas if there were a greater equality of opportunity for income and services in the rural areas compared to the urban areas. It is time for everyone to have a greater appreciation of the fact that even greater migration from rural areas into the cities that are not equipped to receive them will surely occur if more attention is not directed to these problems which I have related. I strongly urge that all departments and all levels of Government give greater attention to the importance of this interrelationship and to realize that we do have problems in the rural as well as the urban areas of this country and that the problems in rural areas have in many ways gotten worse.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I am glad to yield to the distinguished Speaker of the House.

Mr. ALBERT. Mr. Speaker, I appreciate the gentleman yielding at this time.

I want to compliment the gentleman and others who are going to follow him for taking these special orders.

There is no part of the economy, there is no part of America, where a cost-price squeeze has been felt as much as it has been felt in the great agricultural sections of this country. Farm parity dropped to its lowest point since the great depression last fall. I am happy that the gentleman is discussing this matter in depth, and I desire to associate myself with his remarks.

Mr. ZWACH. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. ZWACH. Mr. Speaker, I would like to commend the gentleman in the well for his statement in depth on this particular problem of rural and countryside America. Also to compliment him on being a part of making a special order of this problem so that we can explore it in depth.

Mr. SMITH of Iowa. I thank the distinguished gentleman.

Mr. BURTON. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. BURTON. Mr. Speaker, I must commend my colleagues Mr. MELCHER, Mr. SMITH, and Mr. ABOUREZK for their deep concern for the neglect of our agricultural economy, and particularly the effect it has had upon the family farmer. Too often we have seen large corporate agriculture become wealthy while the small farmer is driven from the land.

Today, while the farmer makes tremendous contributions to our economy, he has failed to receive a fair share of prosperity his labors have made possible.

Despite great increases in productivity, despite long hours of hard work, the individual farmer finds his income shrinking.

The administration has neglected rural America, has opposed or cut back many programs to help in rural development, and has not developed any meaningful new programs.

As one who represents an urban area, and who pays continually higher prices for the bounty of the land, it distresses me that my money is not getting back to the men who bring in the harvest.

One of the great sociological dilemmas of our time has been the change from a rural to an urban nation. Our urban areas are already strangling, and government policies which drive more families from the farm to the city create not only personal hardship, but also increase the urban pressures which threaten the fabric of our society.

Again, Mr. Speaker, I must commend Mr. MELCHER, who knows first-hand, and has taken a vital personal interest in the plight of our farmers. I extend my congratulations to him, and to others among my colleagues, who have taken the lead in seeking to eliminate this economic discrimination.

Mr. HUNGATE. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. HUNGATE. Mr. Speaker, I particularly appreciate the statement made in the course of the gentleman's remarks as to the amount of urbanization in the country and the need of housing in rural areas and of programs in cities of under 5,500 which I think has long been overlooked.

When the Census Bureau tells us how many people are in urban areas, anybody in a town of above 2,500 is an urban city and a metropolitan resident. When anybody is either in a town of less or over 5,500—you do not qualify for housing and urban development relief. You go to the Farm and Home Administration to get your aid for sewers and water projects.

So there is quite a gap between 2,500 and 5,500 for people who are considered by one agency to be urban and by another agency to be rural.

I would suggest that if we ever remodify that census definition, to have 5,500 and not 2,500 equal an urban area, we would find a substantially larger proportion of our people living in rural areas. In Missouri, and in Iowa and in the Dakotas I suspect it is difficult to realize when you are in a city of 2,600 that it is really an urban area.

Mr. SMITH of Iowa. The gentleman is quite right. I thank him for his contribution. It is true that there are inconsistencies, and in general interpretations are made against the rural areas.

Mr. ABOUREZK. Mr. Speaker, in 1933, parity stood at 67 percent, thousands of farmers were being driven from the land, and American agriculture stood in serious danger of collapse. Today, 38 years later, parity stands at 67 percent, thousands of farmers are being driven from the land, and American agriculture is in serious danger of collapse.

But there is one very important difference between 1933 and today. In 1933 we in the farm States did not stand alone in our battle for survival. The President and the Nation were united solidly behind us. There was no doubt in Washington then that the American family farm was worth saving.

Today we face the same threats we did during the depression, but nobody seems to care. The President obviously does not care. The Congress is not exactly up in arms. And all the American housewife notices is that the food prices are high.

This depressing lack of concern is the reason for our forum here today. I want to compliment Mr. MELCHER, Mr. SMITH, and Mr. SEBELIUS for their initiative in calling this meeting. They know, as few other Americans do, that the decline in our rural areas is approaching the terminal stage. They know that year upon year of ridiculously low prices and rising costs have forced thousands of our farm families off the land and into our swelling cities. Most important, they know that unless the present administration abandons its policy of total disinterest in the plight of rural America, there simply is not going to be any rural America left to be concerned with.

Mr. Speaker, the reason we are here today is to reverse America's disinterest in the plight of agriculture. The men who are participating in this forum are men whose understanding of our farm problems is truly impressive. Together they are qualified to discuss nearly every aspect of American agriculture, and to present to the American people the case for preserving our existing agricultural system. I am proud to have been asked to join in the presentation of this case.

As my contribution to our forum I would like to discuss just one small part of our existing farm program, the agricultural conservation program. Most Americans have never heard of ACP, but the trouble that ACP is in today provides a perfect example of how shortsighted administration decisions are contributing to the decline of our rural areas.

Despite its anonymity, ACP, is a conservation program that has taught the Nation soil conservation, reduced silt pollution in streams all over the country, placed millions of acres of unwisely tilled land into legumes and cover crops, created over 2 million sediment and water holding structures, and furthered the cause of conservation in a hundred other ways. And yet this program, the ACP, is in trouble today. In trouble not because of its failure, but because of a lack of understanding on the part of too many people about what that program is and what it does.

Others have spoken out in behalf of this program. Indeed for the last 15 years it has only been strong congressional defense that has saved it. On February 19 last year, JOHN MELCHER, of Montana, made a speech before this House entitled, "The Two Old Crows Are Back." In that speech he pointed out that ACP has been the cheapest sort of insurance against destruction of our land base—the most essential resource for survival.

Despite the brilliant defense of ACP by Congressman MELCHER, Congressman WHITTEN, and many others, the program continued to be misunderstood and is now apparently slated for extinction by Secretary Hardin.

Because it is misunderstood the best way to begin a defense is to try to explain the ACP in as simple terms as possible:

Through the agricultural conservation program, authorized by the Soil Conservation and Domestic Allotment Act of February 29, 1936, the Federal Government shares with individual farmers, ranchers, and woodland owners, the cost of carrying out soil, water, woodland, and wildlife conservation practices. The program is designed to meet both current and long-range production needs. The program is flexible. It has provided a fertility reserve, which was drawn on to increase production during the war to meet defense needs. It utilizes a farmer-Government partnership, which recognizes both the farmer's responsibility for protecting and improving his land and the public's responsibility for bearing its fair share of the cost. With the assistance of the agricultural conservation program, the farmers establish grass, legume, and tree cover; improve existing vegetative cover; establish or improve timber stands, build small dams for water storage; construct sod waterways and terraces; level land to conserve irrigation water; apply lime to make possible the growth of conserving cover; and carry out other needed conservation measures. The program provides emergency assistance to farmland damaged by drought, hurricanes, and floods. Through cost sharing, farmers and ranchers invest their own money, time, machinery, and labor, amounting nationally to better than half the cost of installing conservation measures. The agricultural conservation program assistance in the form of materials, service, and financial aid accounts for the remainder. About 85 percent of the funds used represent payments made for practices considered to have direct or indirect pollution abatement or control benefits.

The funds for the ACP are authorized annually by the Congress. The cost-share authorization for each year's program in recent times has been about $220 million. However, during the past 2 years the Congress authorized only $195.5 million. Program payments to farmers ranged from nearly $500 million in 1939 to $193.3 million in 1969. Program payments were reduced to $185 million in 1970 and the estimate for 1971 is $150 million.

The conservation measures carried out under ACP help assure our growing population an increased supply of clean water, an enhanced natural beauty, more opportunities for the enjoyment of outdoor recreation and other improvements in the quality of our environment.

Nearly a million farmers and ranchers in all States, and in Puerto Rico and the Virgin Islands install conservation measures each year with ACP help, and more than 2 million participate over a 5-year period. ACP cost-sharing is usually on a 50–50 basis. However, many farmers bear considerably more than half of the total cost of the practices applied on their land.

The funds authorized for ACP are allocated to the agricultural stabilization and conservation State committees on the basis of the conservation needs of the farmlands in the various States as determined by the Secretary of Agriculture.

The program is administered locally and to a large extent by local people. The ACP and its accomplishments are reviewed annually in the light of changing conditions. The annual program at the State and county levels is developed jointly by ASC committees, the Soil Conservation Service, and the Forest Service with the counsel of the Cooperative Extension Service, the Farmers Home Administration, State government conservation departments and commissions, and representatives of local agencies, particularly soil and water conservation districts, and nongovernmental organizations. The Soil Conservation Service and the Forest Service are responsible for providing technical program guidance to ASC committees as well as technical aid to farmers in carrying out conservation practices.

That, then, is the formal structure of ACP. It is a widely accepted, locally administered, grassroots program. But how has it actually worked?

From 1936 to 1969, 430 million acres of enduring grass or legume cover were established throughout the United States due to ACP. This cover provided needed soil and watershed protection with extensive antipollution benefits. During those same years, nearly 2,200,000 water storage reservoirs were constructed to control erosion, bring about desirable land-use adjustments, conserve scarce irrigation water, and to enhance fish and wildlife habitat. Other water developments, such as springs, wells, and pipelines, served another 116 million acres; 35 million acres were served by the construction of permanent sod waterways to safely dispose of excess water, prevent erosion, and reduce pollution. Thirty-five million more acres were served through the creation of terraces to control erosion, manage water safely, stabilize land, and reduce pollution of streams. Finally, nearly 9 million acres were planted in trees or shrubs to control erosion, reduce pollution, or bring about needed land-use adjustments.

The direct benefits of ACP can be seen in every single county in America. No program has been so universally accepted by our farmers as has ACP. No program has contributed so much to cleaner air with so little fanfare. No program has done so much to reduce pollution of our waterways. Indeed, no program in the history of the world has achieved more basic conservation than has ACP. What is more, no program could have done all this as cheaply as ACP under its 50–50 cost-sharing arrangement with our farmers.

Despite this truly impressive record, we now learn that ACP is to be phased out by a new program, the rural environmental assistance program. USDA tells us that this new program, REAP, will improve on ACP by targeting funds on community wide environmental problems.

This, in my opinion, is baloney. Certainly there is a need for more funds to solve communitywide problems. But is it really necessary to find money for this purpose by throwing out a proven program that has contributed immeasurably to solving the very problems the new program is supposed to deal with?

I would like to know how many farm families were asked for advice on this idea of replacing ACP. It seems to me that REAP is just another example of a program that sprang full blown from some desk jockey in the Department of Agriculture. Like so many USDA plans, this one was concocted wholly without consideration for its effect on the family farmer.

For the administration to talk of scuttling ACP now is just another example of their basic insensitivity to the needs of the individual American farmer. That insensitivity spells financial disaster to thousands of farm families every year.

Mr. Speaker, the purpose of this forum, and of my speech here today is to begin to tell the administration and the American people that the farmer will no longer tolerate second-class status. We demand that programs like ACP not be casually discarded because they do not catch some cost-effectiveness computer's fancy. We demand that the parity concept be preserved instead of being replaced by a phony formula that pretends we are getting something when all we are really getting is poorer. Most important, we demand that the American farmer get a fair return for doing a job which is as hard as any other done by any group in the country.

Mr. SMITH of Iowa. I thank the gentleman for his contribution.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I am glad to yield to the gentleman from Texas, the chairman of the Committee on Agriculture.

Mr. POAGE. Mr. Speaker, I should like to commend the gentleman from Iowa and his associates for arranging this program today, because I believe it is a good thing that we may get together and discuss something about the effect of agriculture on this whole Nation.

I am afraid that the membership of this House, like the average citizen of this country, is not very well advised as to the importance of agriculture in our whole economic and social setup in this country.

We all know, of course, that without agriculture we would all starve; we would go back to hunting rabbits or armadillos. We know that without an efficient agriculture our living costs would be much greater than they are.

But what most of us do not know is that we have the most efficient agriculture in the world today or in any country at any time in history. What most of us know is that the average American housewife is buying food for her family for 16½ percent of the disposable income of the family, and that is the smallest percentage which has ever been paid in history.

Even today in other nations which are well advanced the people pay much more. The nations of Western Europe pay probably 20 to 25 percent of their disposable income for food. The Soviet Union pays probably one-half and in Asia they pay probably as much as 75 to 80 percent of all they make for having a very meager diet.

We cannot maintain, much less reduce the cost of food without an efficient agriculture. We cannot have an efficient agriculture without having a good many things which some of our people seem to feel we ought not to have.

You have to have a profitable agriculture to make it efficient, because agriculture today requires a tremendous investment and you have to have the ability to get that investment in both land and equipment. To do that you have to have credit, and you have to have an ability to pay back. That can only be available when we have a country which recognizes the importance of agriculture and is willing to pay the costs.

We have to have an agriculture in which people like to work. We have to have an environment in which people like to live. We are trying to improve our environment particularly in our great cities, and I think very properly so. I believe we have found in most of our cities that we have an environment which people do not like, and the cities are dying as a result thereof.

In the rural areas we must have an environment which people like or we will not have people working out there and assuming the hardships of agriculture. There are hardships as well as advantages, as we know. We will not have people there unless they feel that the advantages at least offset the disadvantages. That means we have to have a great improvement in our whole rural development program.

Mr. Speaker, I was pleased to hear the President a while ago suggest—and I do not know anything about the details, but I was glad to hear that he was suggesting that there needs to be some improvement in our rural areas, because obviously there must be improvement in living conditions in the rural areas.

The Committee on Agriculture is determined to take up that very problem. In fact, last week we devoted 1 day to a discussion with our long-time colleague, the Honorable Jim Smith, who is now the head of the Farmers Home Administration. We discussed with him the problems of his agency. I think the Farmers Home Administration is probably the most important of these agencies and has probably a more direct influence on living conditions in rural areas, but it is not the only agency by far that is concerned with this. There are a great many other programs and a great many other agencies involved in the welfare of our farmers. Too often this House does not understand the relationship that exists there.

We hope to bring a bill before you in the next few days that was passed out of the Committee on Agriculture 2 weeks ago which provides for an improved method of financing rural telephones, both cooperative and corporate. Too many of our Members will look only at what they see it might do to some utility company. We think it is absolutely essential to provide the same kind of facilities for rural areas which you provide for city areas.

Only this morning I had the opportunity to suggest to members of the committee that as far as I am concerned I think the most important thing we have before us this year is the question of improving conditions in rural areas and providing for the development of our rural areas. As far as I am concerned, I will not be satisfied until we do the job for all of the programs which will make available to the people in the rural areas all of those things that are available to the people in the urban areas. I believe that this can be done, and I believe we are in the realm of reasonable activity when we suggest that it should be done.

Of course, none of these things can be done without a return or a profit or money to handle it. You cannot have a nice home in a rural area unless you can make some money in farming. So our whole agricultural program must recognize that there has to be a profit in farming. You are not going to remake rural America by simply handing out doles, but you can remake rural America by enabling rural people to secure the funds needed and to provide a method whereby they can repay those funds.

That is what we are seeking to do in the Committee on Agriculture. We will bring you a lot of bills I am afraid some of which I think you will think are wild and unreasonable.

But I hope that you will give consideration to the fact that rural people have to make a living just like everyone else has to make a living, that they have to meet a good many problems that the people in the cities do not have to meet, and that they are entitled to have substantially the same kind of life that the people in the big cities are entitled to enjoy.

We are not here to oppose the big cities. I have said time and time again that as far as our Agriculture Committee is concerned, we want to see the cities develop, if nothing more than from a selfish reason. Agriculture cannot succeed without customers. Our customers are in the big cities. We recognize we have a community of interest with those big cities, and we hope that they have a community of interest with the farm people of America, those who produce our food. When we recognize that, I think we will both be better off.

Mr. Speaker, in my opinion it is shortsighted to tell someone or to question them as to why they did not vote for a particular farm bill. There are a lot of people who have not voted for farm bills. I thought they were mistaken. On the other hand, for someone to tell me that I did not vote for some urban bill does not help either. Of course, I must admit that I have not voted for every urban bill which has come up. I have voted for a majority of them, but certainly I have not voted for all of them. I think we have to be discriminating and work together to improve the welfare of all America.

I appreciate the Members making available this time, those who have arranged for this discussion today. I think it is a very fine thing to focus attention upon the importance of those who feed and clothe America.

I want to again express my appreciation both to the gentleman from Iowa and to the other gentlemen who have participated in this discussion and to express my thanks and appreciation to them for their efforts.

Mr. SMITH of Iowa. I want to say that in my opinion everyone agrees that the gentleman from Texas, the distinguished chairman of the House Agriculture Committee, is one of the most knowledgeable men in America on the subject of agriculture, and I am sure everyone appreciates his comments during this discussion.

Mr. ANDREWS of North Dakota. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from North Dakota.

Mr. ANDREWS of North Dakota. Mr. Speaker, I would like to commend my good friend from Texas who speaks so eloquently and well for the farmers of America and, briefly, to add this: Our discussion today is not just for the economic well-being of the farmers of America. Sure, they are in dire economic straits, and we know this. We also recognize that the cities have economic problems as well. But I think if we build up the level of cash flow of our farmers and make our farmers more secure economically, it will help the cities also.

It is a lot cheaper for us to maintain families on the land than to force them off the land because of too low prices and move them into the cities where you have the grave problems of pollution, mass transit, and crowding requiring a large inflow of Federal sums. This is why we need more adequate funding for rural electrification. This is why we need more funds for telephone communications out in the land, and why those expenditures of Federal funds will actually result in great savings to the Federal Government by avoiding the necessity of having to spend to resolve urban problems. We will not be able to get families to stay in the rural areas unless they can enjoy central station electric power, telephones, and other amenities at the same price that the people in the cities are now paying, plus, of course, the most important need of all, having an adequate compensation for their labor, which means better farm prices.

There is a great demand for more adequate electrical service on our farms.

Let me briefly fill you in on the present status of our REA's. In recent months more and more rural electric systems are finding themselves facing problems never before encountered in applying for REA loans and in obtaining advances of funds on loans already approved.

Although REA Administrator Dave Hamil, in a speech before the annual meeting of the National Rural Electric Cooperative Association on February 16 said:

> At the beginning of the year we had 181 loan applications for $408 million. At the end of 1970 there were only 113 applications for $288 million on hand.

I think that if we study this matter, we will find that this statement does not reflect the heavily increasing need for REA loans.

As many of my colleagues know, REA publishes a quarterly list of applications for loans. In watching these lists and comparing them with announcements of loans approved, I find a great number of applications which were reduced in the loan approval or which simply vanished from the list. During the first half of fiscal year 1971, loans were made for a total of $9,652,000 less than the amounts in REA's list of applications. During fiscal year 1970, 167 applications were reduced by a total of $69,300,000 when the loan approvals were announced. This does not include 33 applications for $21.5 million which simply disappeared during the 18-month period. NRECA's loan survey, to which 883 systems responded, reports a total expected loan demand exceeding $1.1 billion over the 18 months from January 1, 1971. Figures reported by these systems indicate that the backlog of loan needs as of July 1, 1971, should be about $449 million.

Mr. Speaker, we do have a stake in the cities as customers, but I would like to say that the cities also have a big stake in us as their prime customers. There is no question but that consumers stand to lose the most if agriculture would be allowed to sink into a depression. In this country, the national economy starts with an agricultural base—a sound, vigorous agricultural industry interrelates with the automotive, fuel, chemical, and other industries that supply and service farmers. City workers have a vested interest in agricultural progress. In a direct sense, the steelworker in Pittsburgh and the automotive manufacturer in Detroit are partners in the agricultural effort. If the farmers of America can be well off so, too, will these major industries of America be well off.

Mr. SMITH of Iowa. I thank the gentleman for his contribution.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Speaker, I thank the gentleman for yielding and commend the gentleman, and the gentleman from Kansas, Mr. SEBELIUS, for their efforts as well as others who are taking part this afternoon in this discussion in order to bring to the attention of the American people the tremendous service that American agriculture is giving to them.

It has been said that if it were not for such low prices, the people of this country would have a much higher cost of living because of higher costs for food and other agriculturally produced items. Therefore, I think the people of this country ought to be made aware of that fact. We should make certain that the people in rural America have the same standard of living and opportunities as those who live in the urban areas.

As others have indicated, the percentage of take-home pay which Americans spend for food is only a little over 16 percent. In countries like Canada, and industrial countries of Europe, the best they can do is 25 percent of their take-home pay used for food. In the Soviet Union and other Iron Curtain countries, about 50 percent is expended for food.

I think we should bear this in mind when legislation affecting rural America is considered. It is my feeling that the Agricultural Act of 1970 ought to be amended so that a payment of 32 cents per bushel for corn would be made even if the set-aside were set below 20 percent. I commend the Department of Agriculture for establishing the set-aside for 1971 at 20 percent in order that the assurance of 32 cents per bushel for corn would be fulfilled.

It is my feeling also that in the immediate future the Farmers Home Administration real estate and operating loans should be freed up somewhat, at least the Federal guarantee should be provided for a larger volume of loans in order that the capital will be provided to enable farmers to continue the amazing production capacity which the 200-plus million Americans enjoy.

Mr. Speaker, last Saturday, February 27, I addressed the Hastings Cooperative Creamery at Hastings, Minn., on a subject of great interest to the dairy industry. I shall include it at this point in my remarks:

EXCERPTS OF ADDRESS OF ALBERT H. QUIE AT THE ANNUAL MEETING OF THE HASTINGS COOPERATIVE CREAMERY, HASTINGS, MINN.

PROGRAM ON DAIRY LEGISLATIONS OF 1970

Prior to discussing the workload ahead, I would like to review briefly progress on major legislations enacted last year.

In the Agriculture Act of 1970, now Public Law 91-524, the major provisions of significance to dairying included:

First: A major provision was the amendment to eliminate the mandatory requirements to support butterfat under the price support law. The U.S. Department of Agriculture is now taking this new authority into account in administering the price support program, particularly, the inter-relationship of purchase prices for butter and non-fat dry milk. As yet, there has not been sufficient time for decisions on pricing to impact the market.

Second: The Congress also approved extension of the Dairy Indemnity Law. Under this program, dairy farmers are reimbursed for losses resulting from milk being barred from markets because of minute traces of residue of pesticides, even though utilized in accordance with Federal regulations. Unfortunately, contamination can result from factors outside control of the farmer, such as wind-drift of pesticide spray, contamination of purchased feed, etc.

For the first time, dairy plants also became eligible for such reimbursement. As yet, the U.S. Department of Agriculture reports that no claims have been filed by dairy plants. For the current year, $550,000 were allocated for this program for dairy farmers and dairy plants. Claims from farmers, however, are running at a rate of about $200,000 a year. For fiscal year 1972, the budget recommends $500,000 for this program: $200,000 for dairy farmers; and $300,000 for dairy plants. Because of increasing sensitivity relating to use of pesticides, this amount is minimal; and it may need to be supplemented later.

Third: Extension and improvement of authority for Class I Milk Base Plans. Across the country, also, dairy farmers are taking a look at the new legislative authority to determine whether or not adoption of a plan would enable them to better market milk in their area.

Fourth: Late in the session, the Congress also approved legislation, Public Law 91-670, authorizing use of pool funds under a milk marketing order; such funds would be used for advertising, sales promotion, education, and research programs to expand domestic market and consumption of milk and its products. Adoption of such an advertising program would require approval by a ⅔rd majority of dairy farmers.

In consultation with the dairy industries, the U.S. Department of Agriculture is developing guidelines for operation of the program. To adopt such a plan, representative voting is allowed by cooperatives. The law provides, however, that a mechanism must be provided by which any farmer who does not wish to participate in such a program can obtain a refund.

LEGISLATION AHEAD IN 1972

The Special Milk Program for children has been in existence for about 17 years. Under this program, more than 17 million children consumed about 3 billion half-pints of milk annually. This consumption represents about 3 percent of the non-farm consumption of fluid milk.

In 1970, the Congress enacted legislation to make the program permanent.

As on previous occasions, however, administrations—both Republican and Democratic—have attempted to kill this program by not proposing funds for the next year. Each time, Congress overruled such action; it approved funds; and the program was carried forward. Again in the budget for fiscal year 1972, no funds are recommended.

Believing this program is of real significance, not only to dairymen, but also to the nutritional health of the children of this country, I will make every effort to ensure that—in accordance with the authorization approved in Public Law 91-295—Congress approves funds to carry forward this beneficial program.

ALL CHILD NUTRITIONAL PROGRAMS

Over the years, the national school lunch, school breakfast, and other child feeding programs, have expanded until these now benefit more than 23 million school children annually. The child nutrition programs have proven to be highly effective and beneficial:

In the nation's efforts to improve nutrition, particularly among children; and

As good outlets for dairy foods purchased by the Commodity Credit Corporation under the price support program.

For fiscal year 1972, the administration recommends—and I am confident Congress will approve—funds for a moderate expansion of these imoprtant programs.

DAIRY SITUATION AND OUTLOOK; 1971

The nation's milk cows produced 117.4 billion pounds of milk in 1970, 0.9 percent more than the 116.3 billion pounds produced in 1969. This was the first annual increase since 1964. Last year's decline in cow numbers was more than offset by the rise in milk per cow.

With prospects for another small decline in cow numbers this year, milk production likely will rise again. However, higher feed prices may hold down grain and concentrate feeding and may slow the 1971 rise in milk output per cow from the 2.4 percent average of recent years.

Prices farmers received for milk last year averaged $5.69 per 100 pounds, up 3½ percent from 1969. The gain was due to a higher support level in April-December than in 1969 and to the strong cheese market

Assuming no change in dairy supports or in Federal milk market order pricing, 1971 price increases likely will be more modest. However, combined with larger farm marketings, price gains will increase cash receipts from dairying above last year's nearly $6.5 billion which was in turn up 4½ percent from 1969.

Commercial disappearance of milk in all products was about the same last year as the 109 billion pounds in 1969, so larger milk supplies caused USDA to remove dairy products from the market equivalent to 5.8 billion pounds of milk equivalent, 29 percent more than in 1969. With increased production this year, little prospect of sales increase, USDA will buy more dairy products than in 1970.

Per capita civilian consumption of milk in all products declined to 560 pounds last year from 568 in 1969, as butter, cream, whole milk, and evaporated milk consumption was off. Cheese and lowfat fluid milk consumption continued to rise strongly.

EXPANSION OF FOOD STAMP PROGRAM

For families of limited resources, food stamps continue to provide an important supplement to nutrition and health. Although apparently it is hard to pin down, the U.S. Department of Agriculture reports that in communities utilizing large amounts of food stamps, increases occur in consumption of fluid milk and other dairy products.

Two years ago the USDA spent $250 million on Food Stamps, last year $610 million. For the Current year, Congress approved over $1.4 billion for the program. For fiscal year 1972, almost $2 billion is recommended in the new budget.

We recognize, of course, that there are some serious problems built into this program. For example, theft, counterfeiting and other abuses have developed. In addition, the food stamp system itself is not always the most effective or convenient way of serving the needy.

Until a better method is developed, however, this continues to be a useful program. Along with the stamps, there is also a need for renewed efforts to improve the nutritional education of recipients of food stamps to enable them to get maximum nutritional value.

MORE RESEARCH ON LIVESTOCK DISEASES

Occurrence of mastitis in milk cows results in great economic losses to dairy farmers.

Regrettably, there has not been adequate research for the development of an effective mastitis control program. For the current year, Congress has approved $743,000 for carrying research forward. In the new budget for fiscal year 1972, about $816,000 has been recommended. The Congress, I believe, should approve this minimal amount to help carry forward research in this area so costly to dairy farmers.

To protect the health of consumers and reduce costs to dairymen, also, the *brucellosis* eradication programs should be carried forward. As of now, about one-half of the nation's approximately 3,150 counties have been certified brucellosis free. About 98 percent have free or modified free certifications. Unfortunately, a previous goal of 1975 for eliminating brucellosis has now been set back several years.

To prevent unnecessary stretching out of the goal, however, I believe that the Congress should approve funds for FY 1972 equal to those of fiscal year 1971—that is, about $26.5 million—including funds for anti-TB programs.

BATTLE AGAINST IMPORTS

Over the years, dairy farmers and cooperatives, too, have found it necessary to carry on a running battle against excessive imports of dairy products.

Primarily, the problem has been one of foreign exporters circumventing "circumventible laws."

For several years, the dairy industry has advocated enactment of more effective laws that would establish a permanent quota on imports—irrespective of the form of imports.

In view of a strong position against quotas by both the administration and many members of Congress—as well as a need for avoiding a tariff-quota war among trading nations—the outlook for enactment of quota legislation for dairy products, frankly, is extremely dim.

Recently, however, we were successful in getting action by the Tariff Commission and the President to reduce the inflow of imports.

On the last day of 1970, President Nixon signed a proclamation placing specific quotas on foreign imports of low butterfat cheese, ice cream, animal feeds containing milk from milk products, and chocolate crumb.

QUOTA LIMITATIONS

[In millions]

Commodity	1970	1971
Ice cream	75	3.4
Chocolate crumb	15	4.7
Low-fat cheese	20	8.9
Animal feed	28	16.5

Originally, the Tariff Commission had recommended zero imports for several of these commodities. Though less strict, the Presidential proclamation represents a tightening up of limitation on imports.

Quotas are also needed for two additional products being imported in increasing volume. These are: Lactose; and cheese varieties priced higher than 47 cents per pound. Lactose import, for example, increased from 374,000 pounds in 1968 . . . to more than 4.2 million pounds in 1969, to . . . 4.22 million pounds in 1970

To be excluded from quotas on cheese under 47 cents a pound importers have upped the prices on several categories of cheese. As a result, higher priced imports increased tremendously. Swiss-Emmenthaler imports over 47 cents a pound increased from 16.4 million pounds in 1969 to 23.3 million pounds in 1970—a 142 percent increase. Other category cheese over 47 cents a pound has increased from 16.3 million pounds in 1969 to 38.5 million pounds in 1970—a 237 percent increase in imports.

The Tariff Commission is being urged to take action to reduce this inflow as early as possible.

COUNTERVAILING DUTIES

Around the world, high dairy production is resulting in ever-mounting stockpiles of surpluses. Continually, they attempt to invade the U.S. market. Because such foreign products are often heavily subsidized—up to 60 cents a pound on butter, for example—it would be literally impossible for U.S. dairy farmers and cooperatives to compete. Section 1303 of U.S. Code 19 requires that duties on imports subsidized by foreign countries should be increased—in addition to the regular duty—by the amount of the subsidy. Unfortunately, the law is not being enforced.

As a result, the nation loses millions of dollars in duties each year. In addition, the displacement of markets for U.S. products by foreign imports increases the costs of the price support program. Failure to enforce the countervailing duties law literally amounts to a subsidy to producers in foreign countries.

Consequently, decisive action should be taken to enforce the law. In addition, it is important to ensure that the law, itself, not be rescinded or emasculated. In 1970, the House of Representatives approved a recommendation (as a provision of the trade bill), that literally would have made the countervailing duties law ineffective. Although the trade bill was not finally approved by Congress, it has been re-introduced again this year as a provision of H.R. 20; again, this provision would cripple the countervailing duties law.

Personally, I believe that every effort should be made to keep this law on the statute books.

CLASSIFYING DAIRY IMPORTS

Over the years, the Bureau of Customs has not been very accurate in classifying imports of dairy products. Last year, for example, it took a special hearing and ruling by the Federal Food and Drug Administration to ascertain that cheese imported as Monterey was really cheddar.

Consequently, a proposal has been made in Congress to authorize transfer of authority for classification of such imports from the Bureau of Customs to the U.S. Department of Agriculture. The Congress, I believe, should give it favorable consideration.

ENVIRONMENTAL POLICY

Across the nation—and rightly so—there is great and growing concern over the need to stop pollution of air, water, and land, and to preserve, protect and perpetuate a healthful environment for our citizens—now and for the future.

In the 92nd Congress, we can expect that this will again be a focal point of real significance. Legislation in this field, of course, will have far-reaching effects upon dairying and all agriculture.

President Nixon has sent to Congress a comprehensive package of 17 separate pieces of legislation relating to protecting and improving the environment. Many members of Congress, including myself, have introduced that legislation.

As legislation is developed, it is extremely important to find reasonable grounds between the extremes of (1) "let the public be damned" in flagrant pollution of air, water and other elements of the environment; and (2) equally unreasonable limitations on use of chemicals, pesticides, herbicides, etc., that would literally take all food off the market and cripple agriculture's ability to create new food.

Mr. SMITH of Iowa. Mr. Speaker, I now yield to the gentleman from Florida (Mr. Fascell).

Mr. FASCELL. Mr. Speaker, I want to congratulate the gentleman from Iowa, Neal Smith, for causing us to focus today on the important agricultural issues which concern all Americans, rural and urban.

The contributions of farmers and farm interests to the greatness of our Nation cannot be underestimated. The discussion which we are participating in today emphasizes the essential cooperation between rural America and urban America and the strength which that unity has brought our country.

As the distinguished chairman of the committee, the gentleman from Texas, Bob Poage, has said, we are not competitors in any sense of the word. The social and economic force of our agrarian heritage makes us strong, whether we come from a big city, as I do, or from a small town, or from rural America. I think it is important that we keep this thought in mind on this special day.

Mr. McKAY. Mr. Speaker, I thank the gentleman in the well for yielding, and I appreciate what is being said in this regard and would like to associate myself with the others on this subject.

Having spent my early years in a farming area in the State of Utah, I have a great interest in the farm industry and I am greatly concerned with the problems the farmers face today.

The president of the American Farm Bureau Federation, William J. Kuhfuss, recently stated:

> Consumers would be paying much higher prices for less food if it were not for the spectacular efficiency and high productivity of U.S. farmers and ranchers.

He pointed out:

> Never has a fewer number of farmers produced such an abundant supply of quality food for a larger number of consumers at a lower percentage of the wage owner's take home pay.

I think we can be proud of the job our farmers have done in feeding our Nation. It is time we gave strong attention to the farming public and the growing number of problems these men face with a continuing cost-price squeeze.

Those in agriculture are not asking for handouts. They have led our Nation to its high standards and deserve a chance for a decent income comparable to that of other industry and urban residents. If not, consumers stand to lose the most as this Nation's national economy starts with an agricultural base.

There are many problems facing agriculture today and we must do something to improve conditions. In my district at the present time, there are livestockmen who have feeder lambs they must sell at 5 to 10 cents a pound less than cost and cattlemen face similar price problems. Even worse is the fact there are those in my district who have a 2-year crop of wool, some even with 3 years, who cannot get anyone to buy it even at a loss.

In my State of Utah there is great concern over inflation, parity, increased grazing fees, and high interest rates. Farmers rank as the hardest hit group in America with inflation increasing costs of over 125 percent in less than a generation. Texas, interest, costs of machinery, and land values jumped so rapidly in the 1960's that farm net income suffered greatly.

Many of those from the farms have been forced to move, creating additional problems, for these men are ofttimes unskilled in the work-force needs where they relocate. We must do something to keep young men interested in farming and provide incentives to keep farm families together. We must also provide adequate medical service for those on the farms. There are counties within my district without the services of a doctor. Help is needed and now.

Our farming segment also faces an ecological challenge—with the public very much concerned with the ecology. I am also greatly concerned as is the farmer. There are those who want to take away the chemical instruments of production that have been developed over the last 50 years. In my State, there are now legislative measures calling for a ban on various chemical agents for farm use and additional air controls are in use or are proposed controlling burning of areas covered with weeds or brush. Our Utah farmers will tell you that many of these controls are going away from reality. They state there is a lack of realization on the part of some that these controls will cut production and decrease the food supply thereby increasing the costs of food to the consumer.

I realize, as does the farmer, that pollution is a major problem that must be solved. The farmer does caution, however, that the always "taken for granted" food supply could be dropped to a point of national hunger if those farming helps were suddenly dropped.

My State also faces a problem in the loss of valuable farming land. We are losing some 20 to 40 acres per day of prime agricultural lands to other uses. Our State has only a million and a half acres of such farmland. We must all realize that we cannot create additional farming land. When we spoil it or ruin it, it is gone forever.

Our farmers cannot be ignored, Mr. Speaker. We have taken this segment of the public for granted too long. The contributions made to our country by the farmers and ranchers deserves more attention and recognition. It is my hope that the President will take another look at the farm program realizing this is one of the basic programs for our Nation. I urge also, Mr. Speaker, that this Congress take some deliberate and decisive action to curb inflation, control interest rates and to open markets for farm commodities so that the children of farmers who do not want to go to the cities may have the option of following the skills of their fathers.

I support and join with the gentleman from Montana (Mr. Melcher), the gentleman for Iowa (Mr. Smith), and the gentleman from Kansas (Mr. Sebelius), and I commend them for their efforts in this dialog. I wish to join with them in this assertion and in whatever we are mutually able to do in behalf of the great agricultural segment of our Nation.

Mr. SMITH of Iowa. Mr. Speaker, I yield to the gentleman from Texas (Mr. Price).

Mr. PRICE of Texas. Mr. Speaker, I commend the gentleman from Iowa (Mr.

SMITH) for reserving time this afternoon to discuss problems of the farmer and rural America.

In a very fundamental sense the farmer and the farm economy provide a cornerstone of the American way of life. Just take a look at these general indicators. First, employment: Farming employs 4.6 million workers. This is more than the combined employment in the transportation, public utilities, steel, and auto industry. Moreover, three out of every 10 jobs in the private sector are related to agriculture. Of these, 8 million people have jobs storing, processing, and merchandizing products of agriculture, and 6 million have jobs providing the supplies the farmers use.

Second, production: The sale of agricultural production assets represents about $50,000 for every farmworker. This is approximately double that of each manufacturing employee. Labor productivity of the American farmer increased by 6 percent a year during the last decade, while output per man hour in nonagricultural industry increased by only 3 percent a year during the same period. According to another measure, each farmworker produces food, fiber, and commodities for himself and 44 other individuals.

Third, consumption: The farmer spends over $38 billion a year for goods and services to produce crops and livestock. He spends another $12 billion a year for the same things that city people buy—food, clothing, drugs, furniture, appliances, and other products and services.

You ask what does the farmer do for me? Let me tell you. The farmer feeds the American people for what amounts to 16.5 percent of each persons disposable income. Contrast this to 1960 when food took 20 percent of our take-home pay, and to 1940 when it took 22 percent. Farmers also produce a rich and varied diet for our people. Last year, for example, every American consumed on the average: 182 pounds of beef, veal, pork, lamb, and mutton; 48 pounds of chicken and turkey; 188 pounds of fruits—fresh fruit equivalent; 260 pounds of vegetables—fresh vegetable equivalent; 563 pounds of dairy products—whole milk equivalent; 116 pounds of potatoes and 6 pounds of sweetpotatoes—fresh equivalent.

Moreover, when we go to the store we can choose from as many as 6,000 different foods—fresh, canned, frozen, concentrated, dehydrated, ready-mixed, ready to serve, or in heat-and-serve form.

Yet it seems paradoxical that with all the things that farming is doing for us and all the things that rural America contributes to our culture and our way of life, farmers do not share more fully in the abundance of our Nation. The following general indexes spell out this fact in grim detail:

First, income: Despite the fact that during the last decade the gross national product rose an average of 9 percent a year, farm income rose on an annual basis less than one-half of 1 percent.

Second, rural poverty: In the cities, one person in eight is poor. In the suburbs, one person in 15 is poor. In rural America, one out of every four persons is poor.

Third, employment: The rate of unemployment in rural areas is often two to three times greater than is in urban areas. Jobs in rural America pay less than comparable jobs in urban areas. There also tends to be far more unemployment in rural than in urban areas.

Fourth, housing: According to official figures, one out of every 13 rural houses is classed as unfit to live in. In terms of living conditions, over half the Nation's substandard housing is located in rural areas.

Fifth, education: Rural education often lags far behind its urban counterparts. Many rural schools lack libraries, laboratories, language facilities, and a wide education curriculum. Not only do rural teachers earn less money than urban ones, public expenditures per pupil tend to be less in rural areas.

Mr. Speaker, I bring these grim facts to the attention of my colleagues not in an effort to merely depress them and not in an effort to merely elicit sympathy for the plight of rural America. Rather, I bring these facts to the attention of my colleagues in an effort to focus, if I can, public concern and attention on the crying needs of rural America; needs that must be faced and met if the fullness and richness of this Nation are to become a reality for all our people.

Mr. SMITH of Iowa. Mr. Speaker, I now yield to the gentleman from Wisconsin (Mr. THOMSON).

(Mr. THOMSON of Wisconsin asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. THOMSON of Wisconsin. Mr. Speaker, I thank the gentleman for yielding. I want to commend those who have brought this matter to the attention of the House this afternoon.

Mr. Speaker, one never really appreciates how fortunate we Americans are until he travels abroad. As a nation, in contrast to most of the world, we have food to sustain us and enough clothes to keep us warm. In fact American food and fiber is so relatively cheap, we purchase our food by taste and clothing by fashion—and still there is more than enough remaining to sell overseas.

This wonder of the modern world can only be attributed to the success of the American agricultural community. Yet the man primarily responsible for this phenomenon, the farmer, rarely receives appreciation or his just financial reward.

My district, Wisconsin's third, covers a large portion of America's dairyland. For this reason I am particularly pleased the Nixon administration and specifically Secretary Hardin have seen fit to recognize and appreciate problems existing in one of agriculture's major sectors—the dairy industry. Their interest and actions have undoubtedly contributed toward maintenance of a healthy dairy economy.

If we review this administration's record on dairy, three important points emerge:

First, last year the USDA announced an increase in the support price on milk to the highest level in history—$4.66 per hundredweight; that increase amounted to 38 cents per hundredweight, the largest ever. It is no coincidence American dairymen now receive record prices for their milk; second, December 31, 1970, President Nixon announced new import quotas on certain dairy products. Any balanced appraisal will recognize the significance of the import reductions for the dairy farmer. Hoard's Dairyman, one of the Nation's foremost farm periodicals, published a pertinent and factual editorial on the President's action. Mr. Speaker, I would like to insert the editorial in the RECORD at this time.

The article follows:

PRESIDENT'S IMPORT ACTION A VICTORY FOR DAIRYMEN

It may appear to most people that editorial writers in newspapers and magazines are primarily critics of the contemporary scene. And this is probably true because commentary usually is directed to improving a current situation, implying that there is basis for criticism of the status quo.

But criticism should be fair. And we believe some dairy spokesmen have been manifestly unfair, and suspiciously political, in their statements criticizing the President for the import quotas he set December 31. Terms like "cruel insult," "drastic departure," humiliating," and "mysterious reversal" are clearly unwarranted.

The four products on which the President set quotas were ice cream, animal feeds, chocolate crumb, and low-fat cheese. Of these, only ice cream was a high-fat item. And fat is our greatest concern.

Last year, over 8 million gallons of ice cream came into this country. The President cut the quantity back 95 percent!

Next highest in fat was chocolate crumb used in candy. He cut these imports back to less than one-third of what they were last year.

Animal feeds, with no butterfat in them, were cut back about one-half. And skim milk cheese was reduced by about 8 percent.

Dairy leaders who really worked on getting the import quotas announced know that the President was under heavy pressure not to issue them at all. Friendly foreign governments, undoubtedly, pleaded for no action. The President, as he weighed his decision, probably had to look at considerations such as these: Military bases, allies with their soldiers fighting alongside Americans in Viet Nam, serious balance of payments problems, a friendly government in trouble politically, and nations buying feed grains and other products from us.

A lifelong Democrat who worked for months on the import problem is furious at those who criticize the President's action of December 31. He knows what it took to get the favorable White House decision. He considers the President's decision a major victory for dairy farmers. We agree.

Now, however, we don our critic's robe again. Further import control action definitely is needed. In response to any inquiry from the Ways and Means Committee of the U.S. House of Representatives, the Tariff Commission indicated last October that both cheese priced over 47 cents per pound and lactose are in need of attention.

In some respects the cheese problem is most serious because fraud and deceit have been demonstrated repeatedly and are well-known to government and industry.

Thus, we express our deep appreciation to the President for his decision of December 31 and urge comparable and even more vigorous import control action on so-called over-47-cent cheese and lactose.

Third, it is a matter of record that Secretary Hardin spent considerable time and effort in bringing the interested parties together on the dairy section of the 1970 Agriculture Act. While all concerned fundamentally agreed on implementation of the class I base plan, there were considerable differences as to specific provisions. I, for example, insisted that Midwestern dairymen be given access to all markets throughout the country. Fortunately, the Secretary took a positive role in resolution of these differences.

But this administration has done more than just assist the dairy farmer.

In February of last year hogs reached 28 cents. This high price encouraged many farmers to expand production so that by fall the law of supply and demand forced prices to a low of 15 cents. Almost immediately with the downturn in the hog market, the USDA began to purchase pork for use in school lunches and among needy families. At the same time, the Department of Defense began buying pork at two to three times the normal rate. From September 1970, to the present, over 125 million pounds of pork have been taken off the market, double that of any comparable period in USDA history.

It is obvious a healthy farm economy depends on export sales for, as of today, one of every four cropland acres grow produce for foreign markets. I have noted with great pleasure Secretary Hardin's travels throughout the world encouraging other nations to purchase American farm products. His efforts have obviously met with success. In 1970 the United States exported $7.2 billion worth of farm products, $300 million more than any previous year. Thus far in 1971, this favorable trend has continued.

In Wisconsin's Third District, as throughout most of the country, the agricultural conservation program was one of USDA's most popular and successful activities. Nevertheless, the program came under increasing criticism for a variety of reasons. Rather than abolishing ACP as past administrations had attempted to do, President Nixon built on it and refocused it into the new REAP program. It was a wise step; farmers will still continue to benefit under the revised program and the environmental value will be enhanced to an even greater extent.

While we can outline a number of positive steps the Nixon administration has taken to assist the farmer, I do not want to leave a mistaken impression. There is much to be done. The farmer still works the longest hours for the lowest wages and receives the poorest return on his investment of any segment in the American economy.

We must develop new approaches to the farm problem; we must develop new ideas and new thinking; and we must reject the assumptions which have made past farm programs failures.

Mr. Speaker, there has been much discussion of late in the agricultural community over the possibilities of farm bargaining legislation. I anticipate such discussion will grow rather than diminish in magnitude for I believe it possesses the greatest prospect of maintaining a healthy farm economy. Though I do not have a specific proposal at this time, I do want to emphasize that bargaining is the only method by which farmers will ever achieve full parity.

Until such a step can be implemented, however, I would encourage the administration to continue making positive efforts to improve farm income in line with existing programs. Foremost at this time is an increase in parity on milk to the full 90 percent permitted by law. Rising costs have forced parity from 85 percent in April, 1970, to 79 percent early this year—an average of approximately 82 percent. Recognizing that costs will again rise, 90 percent is a realistic figure and one that should be established.

While farm income is the single major problem, there are others with which we must come to grip. Any successful farm operation involves constant and heavy investment. I am pleased to note the trend toward lower interest rates, but it remains essential that small farm operators be granted an investment tax credit. Such legislation would permit the small farmer to modernize and compete more effectively; he would, at least, be partially spared from the strapping debts incurred by purchases of tractors and other machinery, construction of new silos, et cetera.

FHA farm credit programs have remained constant in the last few years with small increases in some areas. In calendar year 1970 for example, FHA provided $630 million in farm ownership loans, $275 million in farm operating loans, and an additional $90 million in emergency operating loans. Expansion of these programs is difficult, however, for the loans involved are directly from the Government.

In contrast, FHA housing programs have used private resources and Government guarantees to increase their activities at an incredible rate. Insured rural housing loans have risen from $133 million just 6 years ago to over 10 times that amount in fiscal 1971. This is an outstanding achievement and one that deserves recognition for its accomplishments in solving the problem of rural housing. Nevertheless, we should use the successful experience gained through private guaranteed loans from FHA and the Small Business Administration, and apply it to farm credit.

Farmers, as a group, have inadequate access to health care, for rural areas are notoriously lacking in medical personnel. Experience has shown that young doctors and nurses just do not gravitate on their own accord toward rural America. We must, therefore, locate and provide incentives to medical practitioners. Several members of this body, including myself, have introduced legislation to forgive debts incurred as a result of college when a medical practitioner locates in a rural area. I hope these bills receive expeditious consideration.

President Nixon is to be congratulated for urgently recommending passage of the rural telephone bank bill. It may come as a surprise to urban dwellers, but the "party line" still exists for all too many farmers. There is no reason for this situation to continue. The rural telephone bank bill will modernize existing service with little cost to the Government. Last year this legislation died in the House Rules Committee, but with a little effort we should be able to secure passage this session.

If in the event a farmer decides to move off the farm or his children decide to move into town, there should be employment opportunities available. It seems foolish that an individual who decided to leave the land should be forced to large urban areas out of economic necessity. Generally he does not want to leave the immediate vicinity nor does the urban center need more population. Nevertheless, this is precisely the situation we find ourselves in today.

It is painfully apparent that this Nation must make a concerted effort to disperse its population and its industry. Consideration, therefore, should be given to any rational proposal creating permanent jobs in rural areas. I would suggest as a first step, prompt airing of the Rural Job Development Act of 1971 and all similar bills. This legislation provides tax incentives to industries and nonretail commercial outlets for location or expansion in rural areas of declining population. While I would not suggest this to be the only approach, it appears to be the most real, reasonable, and popular.

Mr. Speaker, it is essential we improve the quality of life not only on the farm but in rural areas of our Nation as well. I was pleased President Nixon proposed as a portion of his special revenue sharing program, a $1 billion authorization for rural community development. This is a recognition not only of problems facing rural America, but of the future role these areas are to play. As the report of the President's Task Force on Rural Development stated:

> It is in the rural countryside areas that we can find generous resources of clean air, clean water, living space, recreation, scenic beauty, transportation potential, tranquility, and inspiration for tomorrow's people. And it is there that we can most readily and economically develop and preserve these natural resources in living harmony with man as our population expands in the generations ahead.

Mr. SMITH of Iowa. Mr. Speaker, I now yield to the gentleman from Colorado (Mr. Evans).

Mr. EVANS of Colorado. Mr. Speaker, I thank the distinguished gentleman from Iowa for yielding. I also wish to thank the gentleman from Iowa, and the others who have spoken, for taking time today to speak out on what I think is an extremely timely matter.

So few people are left on the farms and on the ranches, and so long has this been true that those who now live in the cities, too many of them, I think, have now lost interest in the troubles and difficulties the farmers and ranchers face.

Mr. Speaker, I am inclined to believe, furthermore, that they have lost so much interest in this problem that the people in the cities have forgotten which end of the cow the milk comes from.

It is also tragic that as the population in the rural areas has decreased during the years, the problems in the rural areas facing the farmers and ranchers who remain there have increased. At times I wonder why it is that people will continue in farming and in ranching when the returns are so few, and the labor is so much longer than that confronting the people in the cities, who can realize more with fewer hours of work, and with far fewer cares in many instances. As if that were not enough for the average farmer—and I am told that the age of the average farmer is now between 52 and 56 years—it is quadruply difficult for their young sons coming along who want to get into agriculture but who do not have sufficient finances to be able to do so with any assurance that they will be able to repay their loans in the years ahead. Many sons would like to follow in the footsteps of their fathers and are prevented from doing so by the economic facts of life, and the inability to support two families upon one farm. I know that after a few years of father-son operations in many instances some of them have had to separate, because the farm just was not earning enough to support two families.

I just hope that the plight of the American farmers and the American ranchers will come to the attention of the Congress and of the American people, because I am convinced of the absolute necessity for us to solve the many problems in rural America, just as it is in the cities, and that if we do not do this then we are in for very deep trouble not only in rural America, but in the cities as well.

The fact that in each passing year rural America finds that it cannot be productive and competitive as compared with those in the cities will I think in the end cause urban America to realize, and possibly too late, how much they depend on rural America, not only for their source of life and their clothes, but also because of the extent to which they are dependent upon sales to rural America of the many things they produced in the cities.

So, Mr. Speaker, again I congratulate the gentleman from Iowa (Mr. SMITH), and the others who have taken time to bring this to the attention of the Congress, and to the people in America.

Mr. SMITH of Iowa. I thank the gentleman for his contribution.

Mr. FOUNTAIN. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. FOUNTAIN. Mr. Speaker, I want to commend my distinguished colleague, the gentleman from Iowa (Mr. SMITH), and those who collaborated with him, for getting this time to spotlight the subject of agriculture and the problems of the American farmer. Beyond any question, the farmer's plight is a serious one and needs to be spotlighted in every city, town, hamlet, and at every crossroad in America.

It is extremely regrettable that the press and representatives of other communications media are not present in the galleries at this time. If past experience means anything, what is being said here today will make no headlines. I am afraid it will not reach enough ears and eyes. Unfortunately, we in rural America are about to be forgotten.

I am sure all of us here today share the same concern over the failure of the President of the United States, thus far, to send any message to the Congress on the subject of agriculture. We did get a message today, partly in compliance with the Agriculture Act of 1970, but it completely ignores agriculture and the plight of our farmers. Instead the President's message today concentrates its attention on substandard housing in rural America, revenue sharing, governmental reorganization, welfare reform, health strategy, and the shortage of doctors—yes, in rural America, but nothing substantially basic—toward a more meaningful and abundant way of life for American farm families.

On the other hand, the President's reorganization proposal, to which he makes reference in today's message, which is allegedly on rural America, does away completely with the Department of Agriculture and relegates the needs and problems of American farm families to the jurisdiction of a number of agencies.

I am fearful that this administration has yet to learn that a prosperous America demands a prosperous agriculture.

In any event, let us hope that what is said here today will constitute a new beginning toward a better understanding of the totality of the American dream for all of our people.

Time will not permit us to discuss all phases of the problems and needs of American agriculture. Nonetheless, I would like to take this occasion to highlight some of the thoughts which I have heretofore expressed on other occasions and in other ways.

Thirty years ago it was possible for a man to get a start in farming for less than $1,000. Today that does not even begin to pay the starting cost.

According to the Commission on Agricultural Credit, it takes something like $250,000 to establish a farming operation that will provide a good living for a farm family—decent housing, clothing, transportation, and education. This $250,000 may sound a little high for a good efficient small farmer in our area, but no longer can one just suddenly decide he wants to farm and make a living at it. Those days are gone forever. Clearly, farming has become big business.

Farming today does not require as much manpower as it did a few decades ago, and that is a welcome development. Mechanization, electric power, commercial fertilizers, new crop varieties, and weed and pest killers have all helped to achieve this. But the amount of capital required to do an adequate job of farming has gone way up.

The experts tell us that national growth in the next 10 years is going to continue at a healthy rate in all areas of life—in business and industry as well as agriculture. Consequently, a lot of new farm capital will be needed and most of it will have to be borrowed, and from all appearances at high interest rates.

Although we are the wealthiest society history has ever known, it should be remembered that we are still far from being wealthy enough to do everything we want to do all at once, and to do it out of current income.

This means, I am told, that the credit crunch affecting farmers and everyone else will continue for some time to come. And so tight money is just one more big problem facing farmers in addition to all the others they have.

Agriculture statistics over the last two decades show how far mortgage debt has grown. In 1947, America had about 6 million farms with roughly 26 million people living on them. The total farm mortgage debt was $4.9 billion.

Today, we have nearly 3 million farms with only 10 million people living on them but the total farm mortgage debt is $28.7 billion. This indebtedness is good or bad, depending upon farmers' accomplishments. In fact, very few businesses ever got going or became substantial without borrowed money at one time or another. Responsible borrowing like responsible spending has helped in building America.

But, whether wise or not, that is the way many American farmers have kept going—by increasing their mortgages. They have borrowed against rising land values in order to get vitally needed machinery and other equipment, as well as to pay for their children's education and to improve their living conditions. In too many instances they have had to use up their capital investments because of inadequate income.

The average investment per farm doubled between 1950 and 1958, and then doubled again between 1958 and 1968.

It is still going up.

Consequently, we need to do some serious thinking about how farmers will finance their operations if investment needs keep on growing like they have. Is it possible that one day it may take as much as $1 million to go into farming? Where will this money come from? And what will happen to those farmers who cannot get it. These questions must be satisfactorily answered not just for farmers but for the good of all Americans.

Agriculture is, comparatively speaking, a newcomer on the national credit scene. Most farm loans are still made by individuals, not by regular lending institutions. But, farm economists expect this situation to change in the future as farming seeks vast new sources of capital.

Our farmers must have adequate supplies of the credit they need. The Nation cannot afford otherwise. Our people in the cities, towns, and hamlets of America must also be fed and clothed and housed. If farm financing is not forthcoming from private sources, it will have to be provided by public sources.

The Nation's leaders must remember that the farmer can afford to quit, but the consumer and the country cannot afford to have him do so.

Many big-city Congressmen, and apparently the consumers they represent, still do not seem to understand the problems of farmers or our Nation's dependence upon them and a highly developed farm economy. Hence they do not appreciate the necessity for farm legislation in general and crop price supports in particular. This was quite evident during debate on the new farm bill last year.

Farmers still desperately need a press agent in our Nation's cities. All of the many farm organizations might well consider how they can cooperatively help to remedy this intolerable situation.

Farming—a tough business to be in these days—has no monopoly on Federal benefits. In fact, the list of business and industrial interests aided by the Federal Government in one way or another—by favorable taxes, accelerated amortization, loans, grants, tariff relief, or guaranteed prices—is quite long and extensive.

According to a recent study report, the list includes: primary metals, aircraft, missiles, research and development, utilities, railroads, airlines, shipping lines, trucking, banking, medicine, and others.

Opponents of reasonable farm legislation, designed to help insure adequate supplies of food and fiber at prices which give farmers a fair profit, should consider the beam in their own eye before attacking the mote in agriculture's eye.

Actually, the $3.5 billion paid out annually on crop price supports benefits consumers—every American—as well as farmers. In large measure, it is a consumer subsidy.

A look at the history of Federal benefits is most informative, I think. The first true subsidy began in 1845 when the Postmaster General was authorized to award mail subsidies with preference to steamships. But, even earlier than that, the very first Congress passed a law reducing tariffs by 10 percent on imported goods if the goods were transported on American ships.

A more modern case is the below-cost postage rate available to periodicals such as Life, the Readers Digest, and the Wall Street Journal. Life magazine benefits to the tune of $15.6 million each year, the Readers Digest by $9.4 million, and the Wall Street Journal by $11.7 million.

Mining receives benefits from favorable tax rates, stockpiling programs, and in some cases from guaranteed prices. The first guaranteed price program for a mineral began in 1878.

Various forms of transportation have been heavily subsidized on occasion. For example, the railroads were originally built with the aid of $429 million in grants and about $853 million in direct assistance. Subsidies were tremendous in the 19th century. Railroads have also received hundreds of millions of dollars in grants and loans in this century.

In addition, the American merchant fleet has cost the taxpayer $4.3 billion in recent decades. Air transportation costs, too. Development of the jet engine took about $2 billion in public funds and control of air traffic costs almost $1 billion a year.

The point I am making is that big city interests should wake up and realize they are attacking the wrong target and that farm programs are essential to the well-being of all of us. They should realize that their very survival depends on having enough good, wholesome food to eat and enough fiber to use and to wear. If benefits or subsidies are to be cut or eliminated—and all of we taxpayers share this dream—agriculture is not the place to start.

Hopefully, the time will come when price-support programs are not needed to give the farmer a better return on his heavy labors. But, farmers still do not have enough bargaining power in the marketplace. Until they do, a farm program—including price supports—is a basic necessity not only for them but for the rest of the Nation.

More needs to be done for farming, not less.

I wonder if our people, especially those in the cities of our land, really appreciate the extent to which they are dependent upon farmers for the food which keeps them alive.

I understand that the average American in a lifespan of 70 years eats 10,000 pounds of meat, 14 tons of milk and cream, 9,000 pounds of wheat; uses 26 million tons of water, 21,000 gallons of gasoline, and great quantities of other products from the earth, according to agriculture statistics.

When you consider these staggering figures and realize that now we have 205 million Americans to feed, nourish, and transport and that we may have another 75 million by the end of the century, you can see that the American countryside and the American farm simply have to be extremely productive in the years to come.

If our growing population is not to put an intolerable strain on the Nation's resources, then we must all work for a goal of sound growth—as individuals, at the courthouse and in Raleigh, as well as in Washington. Especially must we see to it that future growth in rural areas is sound and proper and balanced.

There has not always been the case either recently or in the preceding 100 years. For example, between 1945 and 1969 our national population increased by 45 percent, but virtually all the growth was concentrated in urban and metropolitan areas. During the same time, our farm population dropped from 24 million to just over 10 million.

This threw the balance between overcrowded cities and underpopulated rural areas even more out of kilter.

Meanwhile, the environmental crisis has developed and the experts say that a majority of Americans, urban and rural alike, now live near polluted water and are forced to breathe polluted air. And we in North Carolina are not exempt from the fruits of more and more people and imperfect technology. The engines which replaced muscle power on the farm and revolutionized transportation also, we must admit, brought along a few problems with them.

Consequently, as we get ready for those 75 million new Americans, we can be sure that the problems of the space-starved cities and the open countryside will greatly increase, unless there is ample opportunity for those who prefer to live and work in a fresh and wholesome rural environment. If the right kind of opportunity is provided, the tide of immigration to urban centers can be stemmed and maybe even reversed.

Again, I think it is appropriate for our big city friends to remember that while we need them for many of the conveniences of life, they not only need us, but they cannot survive without the food we in rural areas are able to produce.

While the overall job facing both rural and urban Americans is monumental, we ought not to become overwhelmed by it. The job can be done. Let us look at some things we have already accomplished.

Despite the doomsayers, despite alleged inefficiency, and despite alleged fumbling, somehow our farmers and agriculture experts have managed to create through their stewardship of soil, water, and forest resources the most abundant food supply the world has ever seen—plus safer drinking water for a higher percentage of our people than ever before, plus facilities for recreation unmatched in history, plus vastly greater opportunities for hunting and fishing—the supply of fish and game is greater now than it was in 1920.

Surely by now we have learned that simply building bigger and bigger cities is not enough. Now we should take the next step.

We should resolve to create a balanced environment—rural and urban alike—that is worthy of our Nation and people.

For many years, despite considerable discussion about the trend toward urbanization of our country, not enough has been done to bring about a balance in rural and urban opportunity and to stem the tide of migration out of rural areas.

In the past 10 years, U.S. farm population has apparently gone down at the rate of about 5 percent each year—an alarming figure. This adds up to a loss of about one-third in farm population since 1960.

Of particular concern is the fact that most of those who leave are in their late teens or twenties, just ready to enter into their most productive years. And when they leave their homes in rural areas, they carry with them a vast resource of human potential. In fact, the experts say that, on average, $15,000 has been invested in each one's upbringing and education.

That means a loss of $12 billion a year to rural areas, an amount which is, incidentally, many times the annual cost of the entire Federal farm program.

It matters not whether these young people want to leave home or not. Necessity forces them to leave and seek their fortunes in urban areas where the quality of life may not compare favorably with what they leave behind.

Almost by default—without necessarily desiring it—America is becoming an urban society. Seventy percent of our people now live jammed together in cities that cover only 1 percent of the land.

As a result, the social scientists are continually voicing alarm about the problem of overcrowding and its effects on human behavior.

If this trend is not reversed, it looks as if 80 percent of our people will be living in densely crowded big cities by the year 2000. And, if those who make such predictions are right, most of these will be crowded into only five supercities.

This just means compounding the pressing urban problems of today: smog, water pollution, housing, education, law enforcement, and so forth. And it also means more problems for the rural areas which lose population.

Of course, people must move if there are no jobs for them within commuting distance. And so, more must be done if we are to preserve a proper balance between rural and urban areas—a balance which I am convinced our people want.

There should be ample opportunity for people who want to live in the fresh air of the country to do so. Those of us from rural areas need to continue doing all we can toward this end. We should continue pressing for better public facilities such as roads, hospitals, water and sewer systems, and recreational areas and programs. By doing so, we will make our sections even more attractive to the vitally needed new industry and the new jobs which industry brings.

This is an important task for each one of us in the years directly ahead. We are not asking for rural favoritism, but we do want to change the national attitude of urban favoritism which has somehow been developing over the years.

Never before in the history of our Nation was it more urgent for urban and rural America to realize their dependence upon each other.

Never before was it more urgent for us to be "one Nation, under God indivisible, with liberty and justice for all."

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. OBEY. Mr. Speaker, I would like to take this opportunity to congratulate the gentleman from Iowa and the gentleman from Montana and the gentleman from Connecticut for organizing this discussion today.

Poverty is often thought of, as many of us here realize, in terms of the urban ghetto and in terms of our urban needs in an industrialized society. But I think if you really want to find poverty, if you want to find real deprivation, if you want to find a shortage of health care, if you want to find declining tax bases, and if you want to find people who are really crippled by inflation—you need look no farther than rural America.

I think those of us who come from rural America have a moral obligation to understand the tensions and to understand the deprivations that exist in many of our urban centers and across the urban areas of this land.

I also think the Members of this House who represent urban centers have just as strong an obligation to understand the tensions, frustrations, and deprivations that really exist in rural America and are clear to anybody who will just take the time to look at them.

Just 3 weeks ago I spoke on this floor about the economic situation today facing American farmers and those in rural America. At that time I said that situation was "one which can only be described as having gone from bad to horrible."

I noted, for example, that parity, in the traditional sense, has gone from 76 to 67 percent in 1 year. Even using the administration's trumped-up new definition, parity for our farmers has slipped nine points over the past 3 years.

Since my earlier remarks I have received additional information about our rural economic situation, including several year-end reports from the U.S. Department of Agriculture. There is nothing contained in those reports which gives me any more cause for optimism than there was before.

We learned, for example, that farm debt rose 6 percent in 1970, to a total of $58.7 billion. The USDA predicted, furthermore, that farm credit would increase in 1971, especially due to increased costs of production.

Production expenses rose from $38.4 billion in 1969 to $40.4 billion in 1970. As production outlays increased more than the rise in gross income, realized net income for the year slipped to $15.8 billion, compared with $16.2 billion in 1969. Furthermore, predicted the USDA, "production expenses will surely advance again in 1971."

Realized net income per farm was $5,392 compared with $5,437 a year ago.

Prices paid by farmers for production items, interest, taxes and wages rose 4½ percent in 1970, and farm wages alone rose 7 percent over the 1969 rate.

Imports of farm products were up 7 percent over 1969, and supplementary imports—those products imported which compete with products domestically produced—rose 11 percent over a year ago. Dairy imports in 1970, on a milk equivalent basis, were running 119 percent over what they were in 1969.

In spite of this bleak picture for the American farmer, the consumer fared much better. As Secretary of Agriculture Hardin pointed out a few days ago, the average American family spent a smaller part of its income on food last year, 16.5 percent, than at any time in recent history. And if the consumer is asked to bear abnormally high food costs in any specific area you can be sure that fact is not the fault of the farmer.

We can be sure, Mr. Speaker, that when our farmers are in economic trouble so are the rural communities which they support. And the facts bear this out.

More than 60 percent of all substandard housing is in rural areas, and nearly half of our Nation's poor.

Over 30,000 rural towns do not have any water systems, and 45,000 additional ones lack adequate water facilities.

Unemployment has been as high as 18 percent in many rural areas, and the Assistant Secretary of Agriculture has estimated that about $12 billion worth of manpower leaves the countryside annually.

In his recent message to the Congress on hospitals and health, President Nixon said that over one-third of our counties have less than one-third the national average of doctors per person. In 130 counties there are no private doctors at all. Do any of us have any doubt but that those counties are in the rural parts of our Nation?

A cross section of rural America would show empty farmhouses, farm equipment which is patched together because any replacement is too expensive, a farm population which is growing older, and large corporations trying to "buy in" when the inevitable "for sale" signs go up.

Mr. Speaker, unfortunately we could go on for quite some time outlining the problems which plague rural America. That, in fact, is why my colleagues and I are taking the time to bring this to the attention of the Congress today.

But certainly these problems are no secret.

The President has said, for example, that "the people who live in rural America have urgent problems which deserve our attention."

In November 1969, the Secretary of Agriculture announced that efforts would be made to deal with some on these problems.

Secretary Hardin said:

> Immediately, we will get to work on such problems as:
>
> The best means of creating new jobs and new economic opportunity for rural America;
>
> How to best adapt extensive manpower training programs to small towns and rural areas, and
>
> How to best insure decent housing for more rural people.

A beginning was made with the appointment of the President's Task Force on Rural Development, a task force which issued its report in March 1970. It is useful, I think, to look at some of their recommendations.

It recommended annual funding for rural water and sewer facilities adequate to meet the thousands of applications which are filed by rural communities each year.

It recommended food assistance in the form of food stamps, nutritional education, and school lunch programs.

It recommended Government-aided manpower training programs aimed at hiring and training both the unemployed and the underemployed in nonmetropolitan areas.

It recommended that all rural development programs assign high priorities to housing and health services.

It recommended increased financial assistance to students and colleges of medicine to train more people for work in the medical professions, and manpower training to develop supporting allied health technicians.

The response to those recommendations has been feeble at best, and I think a case can be made that, in practice, these recommendations have been almost completely ignored.

Instead of more funding for sewage and water system development, as recommended by the task force, the administration has submitted a budget eliminating all funds under FHA for rural water and waste disposal grants for next year.

Instead of providing for manpower training programs the President vetoed the Comprehensive Manpower Act which providing incentives to employers undertaking occupational upgrading programs.

In response to the recommendation for increased food assistance, the administration proposed an inadequate food-stamp program and, in next year's budget, eliminated all funds for the special milk program which provides milk to millions of schoolchildren each year.

In response to the need for better health facilities, more doctors and hospitals, the President vetoed one bill which would have provided funds for the construction and modernization of hospitals and other health facilities. And he vetoed another which authorized $225 million to assist hospitals and medical schools in relieving a shortage of doctors in general practice, those most likely to settle in rural areas.

In response to the need for housing, grants for low-rent housing and related facilities will be cut in half from fiscal year 1971 to fiscal year 1972.

Overall, funds for rural development and agriculture, as a percentage of the total budget, are at their lowest levels since 1961. In actual dollars the "Budget in Brief" estimates that we will actually spend less in 1972 for agricultural land and water resources than we did in 1961.

Mr. Speaker, I am just one of a number of Members of this House who are today trying to point out the problems facing rural America and the lack of action that has been taken to relieve these problems to date. However, we are also putting the Congress and the Nation on notice that rural America can no longer be ignored, and will no longer allow itself to be ignored. Neither the Congress, nor the Nation, nor rural American can afford it.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. ALEXANDER. Mr. Speaker, this is the hour to begin in earnest to analyze agriculture within the scope of a national problem and abandon the outmoded, archaic rural versus urban attitude.

When a man and his family can no longer make a living on their farm in Arkansas and migrate to St. Louis in search of a job, the problem is not a rural one nor an urban one. It is a national one.

Since coming to Congress, I have been encouraged by the willingness of our colleagues from the cities and huge metropolitan areas to listen to the problems of those representing nonurban areas.

I want to compliment my colleagues who have come here today to show their concern for the problems of those Americans who have made agriculture their profession. And, I want to extend equal praise to my colleagues from the nonfarm areas who have invested time and energy in behalf of the farmer, his family, and the hundreds of thousands of nonurban residents whose prosperity is closely tied with that of the farmer.

Mr. LENNON. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. LENNON. Mr. Speaker, I would certainly like to commend my distinguished colleague, the gentleman from Iowa, and those who are associated with him in securing this time.

Some of us are a little bit concerned when earlier this year the NFO brought to Washington a number of its members and tried to let the world know, and particularly our own Nation, what had happened in the swine industry and how prices had precipitously dropped to virtually zero and, yet, when you enter any major market in the United States, the prices for swine, however you might have bought it, was the same as it was last year.

There has been some suggestion in the news media about complaints and about the fact that prices of hogs are up. Frankly, I am happy that they are.

I remember years ago my first experience in Washington that there was, in fact, somewhat of a farm coalition in both branches of the Congress. But even in 1953 and 1954, I could observe that that so-called farm coalition was beginning to dissolve. It is no longer here.

Now our people who are so consumer oriented, and I will concede that it is a principle of this Nation today to protect the rights of the consumer, and with that I agree, but we must recognize that there will be no consumers of the things that keep people alive unless the few people, the 5 percent of people, in America today who are left and are engaged in some reasonable degree of profitable enterprise like farming.

I think we can spend a lot of time on this. There is a lot of work to be done, but we must get back to the people of America that what started the depression in 1929 and in the 1930's was the collapse of farm prices. Go back and read history. It is there substantially recorded in statistics to prove what produced the major depressions in this country.

If we go back to the farm prices we had in the early 1930's just as sure as we are standing here talking today, we will see our Nation come to its knees.

Mr. Speaker, I commend the gentleman in the well and also our colleagues who have spoken today and wish to offer them all the assistance and help I possibly can.

Mr. SMITH of Iowa. I thank the gentleman for his contribution. I think it should be obvious that those who have participated in this dialog so far come from coast to coast and from Minnesota to Texas. They are Members, Representatives of the people at home all over this country. They have testified to the fact that this situation is becoming worse and that more attention should be directed to rural America. So the record will be clear, I wish to say that this is not merely my dialog. My colleague, the gentleman from Montana (Mr. MELCHER) has had a great deal to do with it by calling the original meeting at which it was decided to take this action, and he and the gentleman from Kansas (Mr. SEBELIUS) have coordinated the effort. There has been a large group which has been interested in directing more attention to the urban area problems in this country, actually or derived from rural America, and it is time to look more toward rural America.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. First, I wish to commend the distinguished gentleman in the well (Mr. SMITH), the distinguished gentleman from Montana (Mr. MELCHER) and the equally distinguished gentleman from Kansas (Mr. SEBELIUS) for assuming the leadership in calling to the attention of the Congress and the American people the importance of agriculture in American living. We should make this Farm Day in the House a day on which to thank the American farmer for his indispensable contribution to the greatness of our Nation and to voice our support for national programs which will keep him on the farm. God knows we would not last too long as a great Nation without him.

In the 1960's, the productivity of the American farmer increased by 6 percent a year—double the average of other industries. One farmworker today produces enough food, fiber, and other farm commodities for himself and 44 other Americans. Our agricultural progress has made our Nation the best fed in the world for less of our average income than in any other country of the world. We buy all our food products—in every State of preparation imaginable, and of a consistent high quality—for only 16.5 percent of our per capita disposable income, as compared to 40 or 50 percent and even more in other advanced nations.

Looking ahead to the 1970's, it is clear that agriculture as an industry will face new problems and new challenges. Estimates show that in 1980 our population will have increased by about 25 million people to a total of 230 million. Our gross national product of nearly $1 trillion—about $976 billion in 1970—may almost double. Consumer income after taxes is expected to double to $1.26 trillion by 1980. In terms of buying power, total consumer income after taxes is expected to rise over 50 percent, and per capita purchasing power by nearly one-third. The combination of more people in the United States with substantially more purchasing power per capita will mean increased demand for farm products generally.

U.S. Department of Agriculture economists project that by 1980, consumers will spend about $206 billion for food and beverages. As people in the middle and lower income brackets earn higher incomes, they will increase their quantity demand and will tend to upgrade their diets. Consumption of meat and poultry and more expensive prepared foods will increase. To meet these growing demands, production and marketing efficiency must continue to grow. Hopefully, our foreign markets will continue to expand in this decade, and production must expand proportionately.

Because farming will become less of a way of life and more of a way of making a living, farmers will need increased credit opportunities and new marketing techniques. As fewer people are needed for actual farming operations, better opportunities to find gainful employment outside of agriculture will be needed. Farmers will be asked, in the interest of the environment, to reserve more and more of their land for conservation uses, and to continue to produce on as few acres as possible.

Development of a better rural lifestyle is certainly an issue that will come before the Congress and the Nation, with increased need for definite action in the months ahead. This means that a program to assure a healthier population balance between the urban and rural sectors must be considered. Mere recognition of the problems created by a shrinking rural population and a choking urban population is not enough. Something will have to be done immediately to halt outmigration from rural areas and, hopefully, to reverse the flow of people back from the cities. Better electric and telephone service must be installed. Water and sewage facility expansion in farm communities must move from the planning to the construction stage. Authorization must be made to improve the control of rural fires.

Along with these considerations to improve the working and living conditions of the American farmer and his family, provision must also be made to give him a fair share of the national income. It is indeed a sad commentary on our national life that the American farmer, who has done so much to promote the welfare of the people of this country and, through programs such as Public Law 480, the peoples of many other nations today receives so little for his labors.

Mr. Speaker, in closing, I would like to mention one of the most important pieces of agricultural legislation which will come before the Congress this year, and one which is of particular interest to Hawaii—the new Sugar Act. The Sugar Act of 1965 expires at the end of 1971, and work on the new act will begin soon. We have had a sugar act since 1934. Under present law, the Secretary of Agriculture has projected U.S. sugar needs and, for each year ahead, allocated the supply between domestic and foreign producers. As it stands now, the program is designed to maintain a healthy domestic sugar industry, to provide adequate supplies of sugar for American consumers at a fair and reasonable price, and to promote international trade. Orderly marketing has been achieved through the adjustment of supplies that may be marketed in the United States under the program, and one of its outstanding benefits has been the price stability it has brought to our domestic market. The Sugar Act has reduced uncertainties and inventory problems which both producers and consumers would otherwise face. The program has proven essential to a sound national economy.

Mr. Speaker, as the Nation moves ahead in the 1970's, it is of utmost importance that American agriculture moves ahead with it. To accomplish this desired end we must legislate, if necessary to provide the American farmer with just compensation for his labors and the higher standard of living he has rightfully earned.

I again commend the gentleman from Iowa (Mr. SMITH), the gentleman from Montana (Mr. MELCHER), and the gentleman from Kansas (Mr. SEBELIUS) for assuming the leadership in observing this farm day in the House.

Mr. SMITH of Iowa. Now, instead of merely saying that the participants were from coast to coast, I would say from North Carolina to Hawaii.

Mr. RANDALL. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Missouri.

Mr. RANDALL. I thank the gentleman for yielding. First, I wish to commend the gentleman from Iowa, the gentleman from Montana, and the gentleman from Kansas for reserving this time to be what has been described as farm day in the House.

Earlier in our discussion the point was raised by one of our colleagues on the other side of the aisle about the cost or expense of keeping those on welfare who migrate to our cities from the rural areas and cannot find jobs. It does cost a lot more to provide for unemployed in the cities than it does in our rural areas. But what can we do about this migration? There have been many descriptions applied to the effort to stem this tide of migration, even to turn it around and to encourage it to go the other way from the cities to the rural areas. My own preference is to call this effort rural revitalization. Among other things it consists of the effort to provide facilities that are needed for the rural areas to make rural life more attractive.

I mean such things as recreation, better schools, and better housing.

A few moments ago the President sent to the House a message in which he points out an increase of Federal support for rural housing. In my judgment, if we are to prevent further migration from the rural areas to the cities, we are going to have to encourage light industry to locate in rural areas or small towns to provide alternate or supplementary income for rural residents.

I hope we can see the restoration of the investment credit as a tax credit to industry locating away from the big cities for a while there was a 7-percent investment credit but not especially for rurally oriented industry. For reasons of economy this was repealed. I would hope there could be a restoration of this 7 percent or perhaps 10 percent or even 15 percent pinpointed for the benefit of those industries willing to locate in some of our smaller communities of 2,500, 5,000, and even up to 10,000 population.

Mr. Speaker, I have no way of knowing how our colleagues from the cities view what nearly everyone in America calls the farm problem. Regardless of individual attitudes or varying viewpoints, in my judgment the real farm problem is low farm income. I shall not take the time to present statistics to back this up, but believe me the facts are that 1969 and 1970 were two of our farmers' worst years, and 1971 promises to be no better.

Many of us reluctantly supported the farm bill passed last year. Some of us had to face reality and realize that it was the best that could be passed to escape a veto. I observed at the time that it was just somewhat better than no farm legislation at all. As I have repeated this comment to visiting constituents from our farm areas coming to Washington since the first of the year, most of them correct me to suggest that the present farm bill is really not just a little bit better than none at all because for some segments of farming it amounts to really nothing at all.

The time has come to recognize clearly that the farmer, instead of being subsidized, has for a long time been subsidizing the entire American economy, and particularly the consumer. The farmer's gross income has risen somewhat, but the farmer's net share continues to decrease. In other words, the farmer's net profit on his sales continues to worsen; 1971 net profits may very well become the lowest in all history. What I am trying to point out, Mr. Speaker, is that the farmer continues to meet all food needs with little or no additional return for his efforts.

These special orders today, it seems to me, are of great value because this House except for those Members here participating this afternoon and perhaps for as few as one-fourth of the total membership, fail to appreciate the efficiency of the American agriculture. The majority of our Members are like most of the citizens of America; they do not appreciate the importance of agriculture. The American housewife can feed her family for 16½ percent of the family's disposable income. In Western Europe, that cost is from 20 to 25 percent. In Russia, the cost of food is about 50 percent of total disposable income, while in some parts of Asia, three-fourths an individual's income must go for food.

Today, the American farmer is the most efficient of any in our own history and more efficient than any other farmers in the world. Without his efficiency the costs of living would be much greater than they are at present. Our farmer's efficiency today requires a large investment in equipment, high-priced seed, and fertilizer. This means that the farmer's investment continues to rise while the return on his investment goes in the opposite direction.

What is the answer? In my judgment, there must be a farm bill enacted that will assure perpetuation of the family farm. It must be a bill that will assure for the consumers of our cities the continued enjoyment of the efficiency of the American farmer even if it requires some Federal assistance to the farmer of the type, sort, or kind that was in effect prior to the enactment of the Agricultural Act of 1970.

Today, on this very day of this discussion of farm problems on the floor of the House, we received a message from the President of the United States, being the first annual report on Government services to rural America required by the act of 1970. Now the record will show that I have supported the President on all matters of foreign policy, on Vietnam, and all of his proposals on our national security. This should prove that what I am going to say is not partisan. I have in the past and intend in the future to support the President on some of his domestic proposals. Notwithstanding, the true facts are that the message of the President today was not a farm message. He devoted most of the content of his remarks to revenue sharing and the fact that he would announce when in Iowa this afternoon, that $100 million more in revenue sharing would be earmarked for rural community development. This is commendable but I cannot overlook the fact that in this same message the President speaks of the shortage of doctors in rural America without any mention of the fact that the Family Doctor Act to increase the number of general practitioners in rural America, passed by the Congress last year, never became law because of the lack of Presidential approval.

In the President's remarks made on the floor of the House earlier this afternoon, he calls attention to the cost benefits of his reorganization proposal. Yet, he neglected to mention that if the reorganization plan becomes effective, the Department of Agriculture will be no longer a separate department, but instead a kind of bureau or section in what will be called the Department of Community Development. In other words, the present Department of Agriculture will become only a small segment of this new gigantic department. It will be relatively submerged and secondary to the concept of community development, which, of course, means urban housing and urban renewal, model cities programs, and others. In my judgment, this portion of the reorganization plan should not be approved by Congress, if it means further downgrading American agriculture and the American farmer.

Once again, Mr. Speaker, I believe we should all be grateful to the gentleman from Montana (Mr. MELCHER); the gentleman from Kansas (Mr. SEBELIUS); and our distinguished colleague from Iowa (Mr. SMITH) for discussing the present plight of American agriculture. If some of the Members from the large cities do not wake up to the plight of our farmers, they may learn too late that the cities are dependent upon rural America for their food and clothing. Equally or perhaps even more important to our city dwellers, they may learn too late that they are also dependent upon rural America for the sales of the products made in the large cities of America.

Mr. JONES of North Carolina. Mr. Speaker, I am privileged to join with others in attempting to call to the attention of this House of Representatives as well as the American public in general, the multiple problems that are confronting the farmers of this Nation. First, agriculture is the only segment of our economy which has not shared in the returns of the present inflationary status. On the other hand, sadly enough, agriculture has been the victim of increasing cost as it relates to the commodities which they are forced to purchase.

I cannot stress too strongly the fact that agriculture is industry's biggest customer, while all statistics available prove that it is not receiving its fair share of the consumer dollar.

Another alarming figure is the current decline in our farm population, and unless this trend is reversed, we might all too soon find ourselves in the position of not being able to produce enough food and fiber for the citizens of this Nation. I only wish that those Members of this Congress who are indifferent to the problems of agriculture could come into my congressional district in North Carolina and see the abandoned farm houses, closed churches and in many cases, empty schools. I believe it would bring a concern and awareness of the need for the Federal Government to begin greater emphasis on rural development to make more attractive and beneficial, life on the American farm.

For some time, I have become convinced that if we could devise ways and means to provide industry better facilities, water and sewerage and modern conveniences into our rural areas, that it would solve many of our domestic problems which now exist in the urban ghettos, for it would stop the mass migration and more important, offer an opportunity for those who have left to return to their home communities where opportunities for employment exist. I have talked with individuals of both races, and without exception they agree that they would much prefer living with their relatives and friends, rather than moving to some far distant city and living a loney life.

So, Mr. Speaker, in the interest of a better and more abundant American life in the future, it is incumbent on all of us to diligently seek ways to improve the lot of the American farmer. I hope that all Members of the House will accept this as a challenge and join with us who are today through this special order calling to the attention of the citizens of this Nation the agricultural problems which are all too prevalent.

Mr. RUNNELS. Mr. Speaker, if there is one thing that is unmistakably clear about the state of agriculture in this Nation today, it is that we are approaching a national crisis and that hardly anyone knows what the answer to the problem really is.

At least it would appear that the Congress and the farmers themselves have not been able to come up with a national consensus that even approaches a workable solution.

All one has to do is look at the record over the past 30 years and one can see that the plight of the farmer has continued to worsen with each passing year, despite farm programs which were supposedly designed to come to their aid.

I know we have all heard the arguments many times before, but for the record I think we should all once again look at some facts and figures which explain the situation exactly as it is. I know rehashing old figures will not solve the problem, but before we can even talk about a solution, all Congressmen—whether they come from urban or rural districts—need to be fully aware of what these facts really are.

In 1970 the agriculture budget grand total was $7.804 billion. Of this total $3.952 billion, or 55 percent of the total, went for programs other than subsidies and direct payments.

Included in these expenditures were the food stamp program, child nutrition program, REA and FHA repayable loans, programs having foreign relations and defense aspects, programs involving our national forests, and the program for cooperative agricultural extension work. Each of these programs clearly benefit the consumers and general public.

Other programs which were predominantly for stabilization of farm income, including price supports and acreage diversion payments, totaled $3.852 billion.

From these figures it is plain to see that much of the agricultural budget is spent for programs which do not necessarily benefit the farmer any more than those citizens in our urban districts.

I do not mean to minimize the amount being paid out in direct Government subsidies to farmers, but to set the record straight it needs to be pointed out that the overall agricultural budget does not go for this purpose.

And, while the farmer has been receiving these payments, he has been contributing greatly to the overall economy by his purchases from private industry. For example, each year the farmers spend approximately $4.8 billion for new tractors, machinery, equipment, and vehicles. It takes 113,000 employees to produce this farm equipment.

Farming is the biggest industry in the United States and jointly they spend nearly $36 billion a year for goods and services to produce their crops and livestock; and another $12 billion a year for the same things that city people buy—food, clothing, drugs, furniture, appliances, and other products and services. In fact, three out of 10 jobs in private employment are related to agriculture.

Despite the Federal payments which farmers receive in one form or another, the money they receive today for crops produced is at the lowest level in more than 20 years. During these past 20 years, the per hour earnings of manufacturing workers have increased 127 percent, corporate dividends are up 251 percent, but the average farm prices have actually dropped by 9 percent.

During these 20 years the farmers expenses have risen 54 percent, while the total farm income is up only 2.9 percent. Those farmers who have stayed in business have been able to do so through more efficiency in their operations and increased productivity.

What we have in reality is a situation whereby the farmer is actually subsidizing the consumer. This has been done at the expense of many small farmers who have had to sell their farms and take employment in the cities.

The reason I point all of this out is to get the point across that Government farm programs of the past have not been the answer. Instead of helping the small, independent farmers, which many of them were designed to do, they have actually contributed to forcing them off the farm.

I do not offer any concrete solutions to the farm problem in these remarks today, but I am merely pointing out that the time has come for all of us to take a closer look at what has been going on.

One of the problems today is that the farmers, through their various farm organizations, can not agree on the solutions themselves. Some of them think an increasing role on the part of the Government is the only answer, while others think a gradual return to the free market system is the best approach.

It has taken us 30 years to get where we are today with farm programs, and it may take us that long to turn the situation around. But I think each of us have a responsibility to study the situation in greater detail than we have in the past.

The time has come for us to come up with some bold new concepts. We need some programs that will better enable the farmers to jointly bargain for better prices and let them gradually shift away from the outmoded programs of the past.

The direction we take will be up to the Members of this Congress. We can come up with sensible, workable solutions if we realize the gravity of the situation and give the matter a high priority. The time has come to do just that.

Mr. BERGLAND. Mr. Speaker, the agricultural economy is very diverse and complex, consisting of about 3 million largely independent producing units scattered over our entire Nation. Even within the local community, its characteristics may present a wide range of diversity. There is the part-time farm, the small commercial and the larger commercial farm, the highly specialized farm and the generally self-sufficient farm.

There are at least 59 crops considered to be principal crops. Within such principal classification there are types and varieties, groups and grades, some of them genetic, some seasonal, some geographic, some long established, some experimental. Combination and permutations of the livestock mix are almost endless. I mention this to show the complexity and diversity of American agriculture.

Farming employs 4.6 million workers—more than the combined employment in transportation, public utilities, the steel industry, and the automobile industry.

Agriculture's assets total $317 billion, equal to—about two-thirds of the value of current assets of all corporations in the United States; or about one-half of the market value of all corporation stocks on the New York Stock Exchange.

The value of agriculture's production assets represents about $50,000 for each farmworker, approximately double that of each manufacturing employee.

The farmer is a good customer. He spends over $39 billion a year for goods and services to produce crops and livestock; another $13 billion a year for the same things that city people buy—food, clothing, drugs, furniture, appliances, and other products and services.

Each year the farmer's purchases include—nearly $5 billion in farm tractors and other motor vehicles machinery, and equipment, $2.2 billion was spent in 1966 by the primary metals industry for equipment and new machinery; $4.2 billion for fuel, lubricants, and maintenance of machinery and motor vehicles; farming uses more petroleum than any other single industry; $2 billion for fertilizer and lime; products containing 360 million pounds of rubber—about 7 percent of the total used in the United States, or enough to put tires on nearly 7½ million automobiles; 32 billion kilowatt-hours of electricity—about 2½ percent of the Nation's total, or more than is needed annually by Baltimore, Chicago, Boston, Detroit, and Washington, D.C.; and 6½ million tons of steel in the form of farm machinery, trucks, cars, fencing, and building materials; this is one-third as much steel as the automotive industry uses.

Commonsense tells us that any producing group which buys about $39 billion in production goods per year is an important factor in our general economy. The commercial farmer buys about 5 percent of our total steel production and about 11 percent of our petroleum products. It is estimated that his purchases are the basis for about 6 million jobs in machinery, chemical, and other supply industries. In turn, his products are the basis for processing and marketing industries which provide an estimated 14 to 16 million jobs.

There is an old point of view going way back, that economic depressions are farm led and farm fed. The idea achieved considerable status in the years following World War I.

Farm income is now at 68 percent of parity, the lowest since the depths of the great depression of the 1930's. Thus, 6 percent of civilian labor force were out of jobs in 1971. The Governors of our States were in this Capital City last week pleading for help to prevent the collapse of several of our major cities.

The depression-level prices received by farmers suffering at 68 percent of a fair income is a major cause of the high rate of unemployment and a major factor in forcing people to leave the farms and small towns—streaming into the already overcrowded and financially troubled cities.

The belief that economic depressions are farm led and farm fed in its most extreme form is characterized by what is called the multiplier theory, which in this instance says that $1 or gross farm income generates $7 of national income. Basically the theory rests on the fact that from 1929 to 1950 national income was about 7 times that of farm income.

If farmers were to receive a fair income an additional $20 billion in new wealth would flow into the economy—generating a substantial increase in nonfarm employment and certainly would slow down the exodus of people out of the countryside.

It is not difficult to persuade the president and board of directors of many major corporations that the farm market is highly significant. Just a little more than a year ago the New York Times—December 19, 1969, page 107—carried an item illustrating the point. It said in part:

> A decline in farm equipment sales was a major factor in the 15.4 percent drop in earnings of the International Harvester Co., in the fiscal year ended October 31, Harry O. Bercher, chairman, reported today.

This is not surprising since farm investment in farm machinery and equipment including motor vehicles totaled almost $34 billion in 1970 as compared to only about $3 billion in 1940.

Although there may be difficulties in evaluating the exact impact of agricultural policies and programs, past, present, or future, there can be no doubt that an industry of this proportion has a major impact on the total economy. Nor can there be any doubt that as long as the agricultural economy remains at depression levels—so will the total economy.

Mr. BLANTON. Mr. Speaker, several weeks ago I sent a letter to the President concerning the plight of our farmers. I made this letter public at the time, and I think it is appropriate that it be included in the Record today in view of the special order my distinguished colleagues have taken exclusively for airing of these problems.

The letter to the President is as follows:

> Dear Mr. President: As one of less than 40 U.S. Representatives who represent predominately agricultural districts, I am greatly concerned about the plight of our farmers.
>
> I was most disappointed that in your 5600 word State of the Union Address on January 22, you did not mention the farmers at all. It was unprecedented, Mr. President, for such an omission by an American President in his State of the Union Address.
>
> Agriculture is still one of the largest industries in the United States. There are more than 3 million producing farms, employing 4.6 million workers. Total gross agricultural assets are more than $307 billion, a half of the market value of all corporations on the New York Stock Exchange. In addition to direct farm employment, 8 million workers store, process and merchandise farm products, and 6 million work in supplying essentials to farmers.
>
> On September 14, 1968, when you were a candidate for President, you said at Des Moines, Iowa, "Plainly, however, our farmers and ranchers have been the stepchildren of the Great Society. Their amazing productivity has been exploited to offset fiscal excesses in other areas and the farmer has been caught in a vicious economic squeeze. I propose that our nation commit itself to a national agricultural policy that will maintain an efficient, flourishing agricultural economy keyed to opportunity and abundance, with the family farm enterprise as its cornerstone."
>
> Mr. President, the farmer is in a worse financial squeeze now than he was in 1968. For the past two years, he has netted less on his investment than the average return for the entire preceeding eight year period. The inflation that has caught all Americans has been especially cruel to the farmer, as he has been required to increase his investment by more than 10 billion dollars, during the past two years.
>
> As for the family farm as being the keystone of your policy, I have only to remind you, Mr. President, that 40,000 such farms have disappeared since you took office.
>
> In 1948, net farm income was $16 billion, Mr. President. In 1969, it was the same amount. And yet net farm investments have more than doubled since 1948. The American farmer today would have to have approximately $45 billion net income before taxes

to have the same purchasing power as he had in 1948. He is, then, only 36% as well off as in 1948 and $29 billion dollars short.

Mr. President, your Department of Agriculture is trying to juggle its figures to make the farmer believe he is well off. By reporting gross and net farm income in aggregate for all farms of any type, they do a great injustice to the public knowledge of how bad the farmer really has it today. The USDA doesn't report figures separately. They lump the commercial egg producer, the commercial dairy, the commercial cattle feeder, the commercial poultry producer, the hog farmer and all others together. Thus what the USDA reports as "farm income" isn't actually earned totally by an "on the farm farmer."

Mr. President, I am also concerned and alarmed that you are proposing to abolish the Department of Agriculture and consolidate it with some other agencies. You propose, in effect, to destroy what voice farmers have in their federal government.

I urge you to give the plight of the American farmer top priority in your domestic programs. They deserve as much attention as the problems of their urban cousins.

Signed by RAY BLANTON, M.C.

Mr. HUNGATE. Mr. Speaker, since the beginning of our Nation we have employed Government subsidies the better to effectuate policies designed to benefit all Americans despite some current beliefs that Federal subsidies are bestowed largely, and almost exclusively, on agriculture.

The definition of a subsidy, like that of beauty, varies with the beholder. What one man calls a subsidy may be considered properly due compensation by another.

In the overall subsidy concept the Nation's agriculture is a lesser recipient than either industry or labor. Yet the farmer, in some areas of public opinion, seems to have been cast in the role of chief villain in a drama of Government largess.

Virtually all segments of the American economy enjoy Federal subsidies, either directly or indirectly. Postal subsidies, for example, benefit those receiving the mails as well as those who have posted items at less than the actual cost of delivery. Those using railroads, airlines, and shipping lines benefit indirectly from the subsidies which have been paid out to make sure that these services are maintained.

Some $3.5 billion which annually goes to support farm crop prices, means less costly food and fiber to the American consumer who otherwise would have had to pay that sum, and more, at the retail end of the marketing-distribution chain. Since the farmer receives roughly only a third of the consumer dollar spent on groceries, it is likely that the national food bill would have been boosted much more than $3.5 billion had full production costs been assessed at the retail level.

So long as the farmer must buy his supplies in a Government-protected market, and must purchase equipment manufactured by labor working at pay scales protected by Government laws and regulations, it would seem necessary that he, too, receive a degree of Government financial backing in his efforts to meet the Nation's nutritional needs.

Many nations of the world subsidize agricultural operations, even though their crops are produced with low standard of living labor. The American farmer successfully meets such competition only because of his advanced technology and use of costly fertilizers and other chemicals which have resulted in high yields per acre. The sales abroad of U.S. farm commodities are a vital factor in maintaining a dollar balance of payments in international trade. These sales could not continue at their present level were our farm subsidies withdrawn.

The Committee on Agriculture has produced an excellent historical review of Government subsidy programs. It lists 8 pages of areas of our economy which receive what could be called "subsidies." Of these, the vast majority are nonagricultural. The following is a list of a few subsidy recipients:

Shipbuilding differential subsidy.

Shipbuilding subsidy for fishing vessels.

Ship-operating differential subsidy.

Land grants and cash contributions for railroad construction.

Subsidies for carrying mail.

Partial financing of plants to generate electricity from atomic fuels.

Depletion allowances to minerals producers and other extractive industries.

Accelerated amortization of defense facilities.

Liberalized depreciation schedules.

Unless we show greater concern for rural America, we cannot hope to "keep 'em down on the farm."

Mr. DANIEL of Virginia. Mr. Speaker, today has been set aside as "Farm Day in the House." As this Congress gets underway, such an observance is particularly fitting. Over the past months, we have all heard and read much about the disturbing "urban crisis." Sociologists analyze the repugnant social diseases that plague our cities; mayors of large cities are at a loss in solving local problems and look to the Federal Government for help; and the President has proposed the sharing of Federal revenues with States to alleviate this situation.

Sadly enough, the plaintive voice of America's farmers, ranchers, and country dwellers has not been heard clearly. America's rural communities face difficulties which are equally severe—if not more so—than those of metropolitan areas. Rural residents—just as their urban brothers—have been caught in the tenacious grasp of inflation and are experiencing an economic squeeze.

The agriculture business is America's largest industry. Approximately 40 percent of all workers are employed either directly or indirectly by agriculture despite the severe dwindling of farm population.

Ironically, farmers are victims of their own efficiency. In nonfarm industries, man-hour productivity has increased about 50 percent since 1950; it has jumped 164 percent in agriculture. In 1950, one farmworker produced enough food and fiber for 11 people; today he produces enough for himself and 50 others.

Tragically, the farmer has come out on the shore end of the economic rope. Today, farmers and ranchers receive only 5 percent of disposable income from their products, while consumers spend only 16 percent of their disposable income on food instead of 25 percent as in 1950. Due to increased efficiency and improved technology, a farmer can "go broke" much more quickly under today's conditions. According to an agriculture expert, it took 8 to 10 years for a farmer to "go in the red" before 1930; whereas, today this could occur in 8 to 10 months. Farmers cannot survive if they continually provide inexpensive, high quality food and yet receive a minimal share of return for this labor.

During the last week in February, the Future Farmers of America marked their 43d anniversary. Presently, there are over 450,000 members between the ages of 14 and 21 in this national organization which trains young people in every aspect of agriculture. The theme of this year's FFA observance, "Involved in America's Future," indicated an awareness of the interdependence of agribusiness and industry—of rural and urban. During this Congress, let us accept the responsibility of boosting the economy of agriculture and making it sufficiently attractive to continually draw the Nation's youth. This is the least that we can do for these dedicated young men and women who at an early age have decided to devote their life's work to the betterment of agriculture.

Six out of ten people would rather live in the country if they had their choice, according to a 1970 Gallup poll. This desire is understandable. America's small communities offer a way of life where it is safe to walk the streets at night; where citizens work, yet find time to visit neighbors; and where the beauties of nature abound.

Despite widespread fondness for rural America, recent figures reveal that 70 percent of our citizens live on 2 percent of the land. The 1970 census indicated that 73.5 percent of America's population lives in urban areas, contrasted with 69.9 percent 10 years ago. If our society becomes increasingly urban, the existing crisis in cities will be compounded. People who leave the country and do not obtain employment in larger communities might be forced onto welfare rolls, thus upping already exorbitant costs of this program and adding to the burdens of the taxpayer. Many go to the city for the purpose of becoming welfare recipients.

The overconcentration of industrial and human growth in cities has spawned countless problems, such as filth, smog, noise, crime and breakdown of public services. Then why do hordes of Americans flock to these unhealthy and cramped conditions? Traditionally, they were attracted by diverse employment opportunities, as well as by what they considered other advantages which they felt rural areas lacked.

America's small communities are tied basically to a land economy—agriculture, forestry, mining, and recreation. However, they now possess potential to support diverse industries, such as highway, communications and power systems, and modern schools and other facilities. In order to enhance the economic and cultural value of America's small communities, business and industry must be encouraged to disperse and locate in rural areas. Obviously, a redistribution of opportunity, population and industrial development would serve a dual role in solving problems of both city and country. Toward this end, I have sponsored legislation and will introduce another measure which hopefully will draw industries to rural areas and thereby increase job opportunities.

Ninety-eight percent of our land is countryside. This is our most valuable resource. By tapping it, crowded population centers can be decentralized and industries can obtain a healthy climate, where employees can secure suitable housing and favorable living conditions at a much lower cost than in metropolitan areas. Urban and rural economies are indisputably interrelated. Unless this fact is realized and exploited, America will suffer irreparably.

Rural America is the bulwark of America's strength. However, the Nation's less populated areas must be refortified, lest we risk the crumbling of a foundation vital to our existence.

Mr. WHITE. Mr. Speaker, the district I represent shares the problems of declining income, the price squeeze, and the flight of younger people away from the farms and into the cities. In addition, this district has some problems of its own.

I represent one of the oldest agricultural areas in the Nation. When Spanish explorers first visited the Valley of the Rio Grande in 1536 they found Indians using the waters of that historic river to irrigate their crops. Irrigation is still a necessity in our arid section of America, and meager water supplies have multiplied the problems of an already expensive method of producing crops.

Under the grim necessity of wartime demands our farmers developed a highly specialized agricultural economy centered around some of the world's finest long staple and extra long staple cotton. Today, a sharp reversal in cotton income has driven scores of farmers in our area off the land. Among others, the low margin of return on cotton has made it essential to convert to other crops.

In their attempts to do this, the farmers are confronted with many problems. Financing, whether from strictly private sources, or with the aid of Government organizations, is built around the needs of the cotton industry. Operating loans are often not available to converting to other crops. The farmers have invested heavily in cotton—in mechanical harvesting equipment in highly specialized irrigation works especially geared to the needs of the cotton industry, and in cooperative enterprises such as cotton gins, compresses, oil mills, and warehouses.

They need to develop new means of financing, from both public and private sources. They need the resources of existing Government agencies to research all the problems of the new crops into which they are venturing, from production methods to insect control and marketing methods. They need methods of price stabilization on crops that are not now covered by Government programs.

They must do this in order to revitalize our rural communities and halt the rush to the big cities, which is creating some of our most serious national problems.

In order to turn the spotlight on this and many other problems facing the farmers and ranchers of our area, I am sponsoring, with the cooperation of local chambers of commerce and agricultural organizations, two agricultural conferences in my district. These will be held in El Paso on Tuesday, March 9, and in Pecos on Thursday, March 11. We have invited State and Federal agricultural officials to assist us in these conferences, and from the information developed, we hope to have specific suggestions for legislative and administrative remedies for many of the ills that beset the farmers of the Southwest.

I appreciate the opportunity of calling the attention of the House of these problems of our area on this Special Farm Day in the House.

Mr. LEGGETT. Mr. Speaker, pressure was on Richard Nixon in September 1968 to do something about the farmer cost-price squeeze crunch when he stated in Des Moines, Iowa:

> These (new) policy directions include dedicated efforts to improve market prices and strengthen our market economy; 74 percent of parity (1968) is intolerable in my book; farmers are entitled to better, and I pledge that in my Administration they will have better. (Des Moines, Iowa, Sept. 14, 1968.)

Farm prices have risen 4 percent since 1968, but costs are out of sight, reducing farm parity in November to 68 for the first time since the 1930's. Since farm prices have remained relatively constant, the decrease in parity can be attributed to increased costs, which in turn are largely attributable to inflation.

President Nixon is not the only one to fall through on promises to farmers. I recall speaking in 1963 with Orville Freeman to the Western States Democratic Conference in Salt Lake City on agricultural surplus and utilization of abundance. In a speech there I spoke with alarm of the deterioration of American agriculture—4.8 million farmers in 1954 had shrunk to 3.5 million—we were going to do something about that—this year there will only be 2.8 million farm families left—nearly a 50-percent reduction in less than 20 years.

The cause of this exodus continues to be the relative large disparity between agriculture and urban factory earnings. Per farm earnings were $3,332 in 1961 as compared to the $4,500 average weekly earnings in manufacturing. Today per farm earnings are up $1,000 to $4,330 per farm in 1958 dollars, but factory earnings are also up to $5,100.

With agriculture parity dropping from 80 in 1961 to 68 last month it is obvious that the only reason that per farm income has not similarly deteriorated is because there are nearly 2 million less farms in operation. If the same number of farms were in operation today as in 1960, per farm income in 1958 dollars would slide from $3,332 to $3,100—$12.6 billion agriculture net income of 1961 has been affected by 31 percent escalation of prices to date equal $16.5 billion versus $15.7 billion agriculture net recorded for November of 1970.

Numbers in agricultural economics are sometimes baffling; but when we find, for instance, pears selling in 1972 at 1952 prices and costs of wages escalating from below $1 to above $2 in 20 years, then I believe that reasonable minds can agree that equity and good conscience demand a change.

When food prices rise in 10 years by 33 percent while prices of farm products rise simultaneously only 10 percent, while urban services rise by 58 percent and medical costs go up 54 percent, then I say that our system of social economics demands a change.

Unfortunately things are programed to get worse—building trade rates recently negotiated can only exacerbate the agricultural exodus.

SETTLEMENTS OF VARIOUS BUILDING TRADES

City and State	Occupation	Days on strike	Current rate	Increase	Final rate	Annual percent increase
Los Angeles, Calif	Sheet metalworkers	17	$7.06	$5.00—3 years	$12.06	23.1
Northern Illinois	Operating engineers (heavy, highway)	75	6.03	$4.75—38 months	11.05	25.0
Las Vegas, Nev	Operating engineers	9	7.07	$3.96—4 years	11.03	14.7
Norwich, Conn	Bricklayers	28	6.07	$4.03—3 years	10.10	22.0
New Britain, Conn	Plumbers, steamfitters		6.31	$4.06—2 years	10.37	32.7
Connecticut, statewide	Carpenters		5.69	$4.69—39 months	10.35	25.2
Waterbury, Conn	Electricians		5.95	$6.00—3 years	11.95	33.6
Miami, Fla	Pipefitters	55	6.76	$3.50—27 months	10.26	22.8
Do	Plumbers	50		$5.00—30 months		
Hartford, Conn	Electricians	28	6.75	$5.75—3 years	12.50	28.2
Chicago, Ill	Operating engineers		6.55	$4.50—4 months	11.05	28.8
Wichita, Kans	do	48	5.40	$5.10—3 years	10.50	31.4
Baltimore, Md	Bricklayers	47	6.21	$4.36—3 years	10.57	23.3
Do	Plumbers	47	5.68	$4.38—3 years	10.06	25.7
Missouri areas W-1	Laborers (heavy; highway)	10	3.925	$2.85—3 months	6.775	66.9
Columbus, Ohio	Plumbers		8.205	$3.56—3 years	11.77	14.4
Providence, R.I	do			$4.10—3 years		
South Bend, Ind	Carpenters		6.605	$3.85—3 years	10.455	19.4
Detroit, Mich	Sprinkler fitters		7.80	$3.20—3 years	11.00	14.9
New York, Albany-Troy-Schenectady	Sheet metalworkers	91	5.85	$4.43—3 years	10.28	25.3
Louisville, Ky	Iron workers	10	7.29	$3.15—3 years	10.44	14.4
Niagara Falls, N.Y	Plumbers		8.55	$2.85—2 years	11.40	16.6
Kansas City, Mo	Bricklayers			$4.50—4 years		
Memphis, Tenn	Ironworkers			$4.00—4 years		
New Jersey, statewide	Operating engineers (heavy; highway)			$5.10—3 years		

It is my frank view that farmers and others on relatively fixed incomes can only be spared from the theft of Government tolerated inflation by a system of wage-price guidelines, and control themselves if intermediate conservative methods prove inadequate.

Agriculture and cooperative, it seems to me, have been thrashing about for years to redraft the rules of economic social justice such that a man working in agriculture could approximate the returns to his urban counterparts.

While the urbanites moved to the Wagner Act in the early 1930's setting forth the absolute right of urban workers to bargain for wages collectively setting forth unfair labor practices—agriculture workers have consistently been excluded.

Congress early provided for the right of producers to band together in cooperatives under the Capper-Volstead Acts of 1922 and 1926 and regardless of the criticisms that have been leveled about the ineffectiveness of cooperatives—the fact remains that in a number of areas and commodities due to particular phenomena some crop bargaining has been inordinately successful.

In the main, however, I believe that it has been the farmers' own consistent efforts to refrain from unemployment insurance coverage, minimum wage coverage in prior years, and labor relations act opposition that has led to the virtual total secularization of the agriculture community that has continued to aggravate the agricultural exodus.

Rather the agriculturalists since the 1930's have moved in the direction of priming the pump at the intermediate producer level that has led to scandalous overproduction of basic commodities—total indifference to specialty crop development and production, unjust enrichment of many basic crop producers due to a consistent failure of Congress and the Department of Agriculture to recognize an economic difference in the size or geographic location of those producers. As an example—the laws you lobby for generally fail to recognize that the average cotton producer in California producing 2 bales plus of good cotton on 250 plus acres is averaging $50,000 net plus, whereas the average producer in South Carolina produces less than a bale on about 7 acres—consistently nets less than $1,000.

To my mind farmers are as different as plumbers and basketball players and the failure to recognize the difference has been a fundamental problem restraining development of better legislation.

I do not mean to totally indict the system of price support and supply management of basic crops—this system to my mind has been farmers' best indirect bargaining tool—our overmesmerization with basic commodities—corn, wheat, grain, and cotton—is the problem.

Mr. EVINS of Tennessee. Mr. Speaker, I should like to associate myself with the remarks of the distinguished gentleman from Iowa (Mr. SMITH) and I want to commend my colleague and others for their interest in the growth and progress of rural America.

At a time when the strengthening of rural and smalltown America is a matter of the highest national priority, certainly it is my view that the Congress should not abolish the Department of Agriculture, as has been recommended by the administration.

The Department of Agriculture has served farmers and residents of rural America for 75 years. The development and strengthening of rural America has long been one of the primary themes and thrusts of my service in the Congress.

I have been encouraged to see, in recent months, the general acceptance and advocacy this progress in rural America has received. It is encouraging to see the Secretary of Housing and Urban Development and the Secretary of Agriculture agree on the importance of a stronger rural America as a solution to problems in our large metropolitan areas and in smalltown America.

These high officials agree that our young people must be encouraged to stay in their home communities in rural America to build a stronger America—to build better smaller communities and by reducing outmigration to ease the pressures on our large cities and metropolitan areas.

In this connection I am today introducing the Rural Development Incentive Act of 1971 to provide a system of tax incentives to encourage commercial and industrial development in rural areas.

The results of the 1970 census show that one-half of all the counties in the Nation decreased in population in the last decade while two-thirds of all the counties in the Nation had more people leaving than were moving into these counties.

Therefore, there is an urgent need for programs to encourage greater development of our free enterprise system in our small towns and rural areas.

By creating jobs and employment—challenges and opportunities for young people in these areas—the economic base and the leadership potential in smalltown and rural America will be strengthened.

This bill provides for special tax incentives for new or expanding business for those communities hard hit by outmigration.

Indicative of the importance and significance of this bill is the support provided by such outstanding national organizations as the National Federation of Independent Business, which recently reported that this bill "is strongly supported by the Nation's independent businessmen"—and certainly by American farmers and ranchers.

A recent report prepared for the Urban Institute of Washington concludes:

> The education of future outmigrants places a heavy drain on limited rural resources. The loss of human resources may seriously hamper the ability of rural areas to maintain viable communities. . . .
>
> There is evidence that migration is largely motivated by economic considerations and that the migrants themselves earn substantially more income as a result of migrating.

This is a most important bill and I strongly urge the distinguished chairman of the Committee on Ways and Means, which has jurisdiction, to conduct hearings and that the members of this great committee weigh the merits of this bill in the light of the urgency of the hour and the need for rural development in America.

Mr. GROSS. Mr. Speaker, I appreciate this opportunity to join with others in the House of Representatives in expressing some of my views on agriculture and welfare—particularly the economic welfare—of the farmers.

For nearly 50 years I have tried in every way I know how to promote legislation that would make it possible for farmers to obtain cost of production plus a reasonable profit for the food and fibers they produce and which are necessary to feed and clothe the people of this Nation.

The guidelines for this legislation were laid down in what was known as the McNary-Haugen bill, which was twice passed by both Houses of Congress in the 1920's and twice vetoed.

In addition to cost of production prices for domestic marketings, it would have provided dumping or world prices for surplus commodities sold abroad. In exchange for cost pricing, farmers would have been limited as to their marketings, bushels, hundredweight, and so forth, from units of production acres in their farms.

Through the U.S. Department of Agriculture, State departments of agriculture, and the agricultural colleges of the several States, there is no lack of information upon which to base reliable figures on the average costs of production of feed grains and livestock. Nor is there a lack of reliable information concerning the average annual consumption in the United States of the products of the farms. This wealth of information has never been put to proper use in behalf of either farmers or consumers.

Agriculture is the basic industry in the United States. From the soil comes the bulk of the new wealth that is produced each year. This simply means that the dollars that come from the productivity of the farmers turn over more times in the channels of commerce and trade than dollars which come from any other source.

This also means that when the industry of agriculture fails to obtain its fair share of the national income, the entire economy suffers.

Farmers are the world's biggest involuntary gamblers. They cannot produce inside brick walls and under roofs. Their crops and their livestock are subject to the capricious acts of the elements. Too much or too little rain can mean total loss. Airborne plant and other diseases can mean heavy losses.

They sell on open markets and buy on closed markets. All too often they have little voice in the prices they receive for their products. Prices are fixed on almost everything they buy.

Through the years and right down to this day, farmers have been subsidizing the prices of food to consumers. Last month's small gain in the cost of living is attributed to lower food costs which means but one thing—the American farmer is continuing to take an economic beating. No industry or business in this country can be expected to operate at

67 percent or 70 percent of parity—when 100 percent of parity represents its costs of operation. Why, then, expect the farmer to do so?

Congressional action to provide cost plus reasonable profit prices for providing the necessities of life is long overdue in behalf of our farmers. Further neglect of the Nation's basic industry will hasten the decay that is upon us and speed the day of inevitable chaos.

Mr. FINDLEY. Mr. Speaker, it is always a pleasure to call attention to the strength of American agriculture and the progress farmers have made, as well as the problems farmers face. I am pleased to be able to participate in today's discussion regarding agriculture and rural areas. And progress certainly has taken place in recent years.

This progress can be illustrated in several ways. First of all, the 1961–68 average annual realized net income from agriculture was $13.8 billion. The annual average net income from 1968 to 1970 was $16 billion—a 16-percent increase. While no one will claim this is adequate, it is an improvement over the regressive payments, permits, and allotment programs farmers witnessed during the previous administration.

On February 18, Secretary of Agriculture Hardin told the Joint Economic Committee farm income has increased in the past decade, but far too many farm people still have far too little income. Though farm incomes have improved, the fact that they continue low relative to incomes of nonfarmers remains the No. 1 problem of agricultural policy.

I am including with these remarks the body of the statement made by Secretary Hardin before the Joint Economic Committee, for I think it illustrates clearly some of the agricultural progress which is currently being made by the Nixon-Hardin administration for the benefit of all Americans, both farmers and nonfarmers as well.

Many of my colleagues in the House will recall as I do a statement made by Secretary Freeman that he was pleased when farm prices fell. Farmers have learned that Secretary Hardin makes no such statements. Throughout his administration he has been trying to raise farm income.

Secretary Hardin is working to increase farm exports and his efforts seem to be paying off. Farm product exports in 1970 totaled $7.2 billion, which was a 22 percent increase over 1969. This is particularly significant in my home State of Illinois where the equivalent of one acre in three finds its way into export channels.

A goal of Secretary Hardin is to see farm exports reach $10 billion annually by the end of this decade. If this is to be realized, our farm products must move competitively in the markets of the world. Secretary Hardin, Assistant Secretary Palmby and other key officials in the U.S. Department of Agriculture are doing an outstanding job in seeing that this record of expanding exports continues.

Recent visits I had with agricultural leaders in the German and French Governments confirmed my belief that Secretary Hardin is highly respected in European trade channels as a hard bargainer for the American farmer.

Turning to the domestic farm situation, the new policies of the Nixon-Hardin administration also places emphasis on reducing the role of the Government as a purchaser of domestic farm produce. In wheat, feed grains, soybeans and cotton, sizable reductions in Government carryovers will have been made by the end of the 1970 marketing year. At the end of the year the supply of Government-held soybeans and corn may be disposed of—a goal all of us should applaud.

I am particularly pleased with the progress which has been made by soybeans following the wise and courageous decision of Secretary Hardin to reduce the soybean support level in February 1969. A year ago today the Chicago cash price for soybeans was $2.59½ per bushel. At the close of trading Friday, February 26, 1971, the Chicago cash price for soybeans was $3.05¾. Secretary Hardin's bold decision has resulted in a substantial benefit to soybean producers, and should give all of us a good deal more confidence in the market system when it is permitted to function free of unnecessary Government controls.

I addition to Secretary Hardin's statement before the Joint Economic Committee I also want to include a statement made by the Secretary of Agriculture summarizing the state of American agriculture.

The material follows:

Statement of the Honorable Clifford M. Hardin, Secretary of Agriculture, Before the Joint Economic Committee, February 18, 1971

STATE OF THE AGRICULTURAL ECONOMY

Realized net income per farm in 1970 averaged practically the same as the record level in 1969 and was 82 percent above the 1960 level. The per capita disposable income of the farm population from all sources, farm and nonfarm, in 1970 was 139 percent above 1960. This compares with a gain of 67 percent for the nonfarm population. In 1960, per capita disposable income of the farm population was only 55 percent of the income of the nonfarm population. Last year farm people got 78 percent as much income as nonfarm people. This was a substantial gain for the decade, but far too many farm people still have far too little income. Though farm incomes have improved, the fact that they continue low relative to incomes of non-farmers remains the number one problem of agricultural policy.

Income from nonfarm sources is becoming a larger and larger component of the net incomes of farm people. Off-farm jobs of various kinds are the chief source of such income. In 1970, the per capita disposable incomes of people on farms averaged a record $2,633. Almost half of this (47.7 percent) was from nonfarm sources. These dollars are as useful in buying goods and services as those earned from farming operations.

The year 1970 found crop prices rising and livestock prices falling. The net result was an increase in prices received by farmers of 2 percent above the 1969 level. The decline in livestock prices was primarily due to the large increase in pork production accompanied by continued large supplies of beef, poultry, eggs, and milk. The rise in crop prices was due mainly to higher prices for grains and soybeans, reflecting the smaller 1970 grain crop. Corn blight cut the yield of that crop by approximately 15 percent. Adding to the price strength for grain was an expanding domestic and export demand for both grains and soybeans.

Agricultural exports in 1970 hit a record $7.2 billion, 22 percent above the previous year and 4 percent above the previous record in 1966. Much of the advance was attributable to the poor grain harvest in Eastern and Western Europe and the strengthening demand for grain and grain products for livestock feeding as diets improved in other developed nations. We achieved some export gains through trade concessions that we were able to negotiate.

Agricultural imports continued to expand in 1970 with most of the increase accounted for by gains in animal products, fruits, vegetables, sugar, and beverages. Agriculture showed a net excess of exports over imports of $1.5 billion during the year, thus helping to improve the Nation's overall trade balance. With the comparative advantage enjoyed by much of American agriculture, we should be able to improve our performance even more—if we can keep export markets open.

In the year ahead, agriculture faces substantial change as supply conditions adjust and demand improves. Large supplies of livestock and products may hold farm product prices below the highs of last winter. But with the general economy improving, we are looking for farm product prices to strengthen by around midyear as livestock production tapers off.

For 1971 as a whole, cash receipts from farm marketings are expected to show an increase. Realized gross farm income could run slightly above the previous record.

Although there has been a decline in the ratio of prices received to prices paid by farmers, it is important to recognize the limitations of this measure as an indicator of farmer well-being. The development and application of new production technologies, rapid changes in the size structure and organization of production units, and the further integration of production and marketing processes have yielded very rapid gains in productivity in the post-war years. As a result, it is more meaningful to examine trends in income per farm and in per capita income of farm people.

SERVICE TO CONSUMERS

The average American family purchases its food supply with only 16.7 percent of the family income. Never before has this percentage been so low, and never before has the quality of the food supply been so high.

This remakable achievement, never before attained anywhere in the world, is a tribute to the great efficiency of American farmers. During the last 10 years, efficiency—that is, the amount of output per unit of input—has been advancing about twice as rapidly in agriculture as in the rest of the economy.

To the degree that the relatively low share of the income spent for food results from agricultural efficiency, we take pride. But to the degree that it results from inadequate retuns to the labor, management, and capital employed in the production of food, we feel concern. All of these elements are in the picture.

GEOGRAPHIC DISTRIBUTION OF THE POPULATION

The geographic distribution of population and employment opportunities is an issue of growing national significance. We know from the census of last year that about half of all counties in the nation (most of them rural) lost population over the decade of the 1960's and that another one-quarter grew slowly. They experienced net outmigration and most often the outmigrants were young adults beginning their most productive years of life. In such States as North Dakota, South Dakota, Nebraska, Kansas, Montana, and West Virginia, over three-quarters of all counties lost population.

Yet there are growth centers in most of these States where the rate of population increase equals that of the metropolitan centers.

One of the major challenges before us now is to combine these two forces—the decline and stagnation of large areas and the growth and vitality of nearby centers—in a manner that is mutually supportive.

The increased use and support of planning and development districts will help place the issue in the areawide context that is needed. It will also help Federal agencies bring their efforts into more effective, more complementary relationships at the local level. With the prospect of localities having access to noncategorical grants in the form of Federally shared revenues, these institutions take on even greater potential stature.

A subcommittee of the Domestic Council has been examining the need for a national growth policy, with particular attention to the development of nonmetropolitan areas. I am hopeful that this work will soon take the form of an explicit Federal-wide policy.

ENVIRONMENTAL PROTECTION

The Department of Agriculture has a long and outstanding record in the environmental field. Among the many notable accomplishments are the:

Abatement of the Great Dust Bowl problem through soil conservation.

Reduction of flooding and related damages through upstream conservation.

Control of forest fires on National Forests and on private lands.

Improvement of the landscape and stabilization of soils through cooperative tree planting programs.

We must not, however, permit past successes to make us complacent to present and future needs, which are many. We cannot solve all our environmental problems overnight. It will take a deliberately programmed effort over time to realize the improvements we desire. In some cases we will have to wait for standards to be established and for technological improvements from research. In other situations new or expanded authorities may be needed. The cooperation of public and private efforts will also be an important ingredient. Nonetheless, we are determined to make progress on the entire breadth of the environmental front.

The Department of Agriculture's environmental program for the 1970's as it is now taking shape, will include five major elements. The first will involve the identification, retention, and protection of land for agricultural production. Second, we are designing new approaches to the use of land released from agriculture for aesthetic and recreational purposes. A third element will be to stimulate selected small and medium size growth centers around the nation. As a fourth element, we are intensifying our efforts to determine the capacity of land to absorb wastes and to design means of converting wastes into beneficial uses. Finally, a fifth element involves modifications in the use of agricultural chemicals. We are, for example, already beginning to use a number of biological control mechanisms to replace the more toxic chemicals.

TIMBER SUPPLY

As a result of tight money supplies and housing starts of less than 1.4 million in FY 1970, softwood lumber and plywood prices decline from the very high levels they had reached the previous year. However, demands for lumber and plywood are expected to expand sharply over the next decade in response to projected demands for housing. At present levels of timber management and production, these demands will give rise to significant increases in timber prices.

By acting now to increase timber supplies, we can reduce the impact of rising demands on softwood lumber and plywood prices and housing costs. We have the capability to do this. Within the next decade or so, this capability will be concentrated largely on National Forests. Over the longer run, we will have to depend more on private timber ownerships to meet the rising demands.

In the recent past, public lands have provided some 40 percent of the softwood sawtimber harvests. Industrial forest lands have accounted for almost one-third of the harvests, and the remainder have come from holdings of farmers and other private landowners. As demand increases, the forest industry has usually increased harvest on private lands. However, as a result of past cuttings, this source of supply has been reduced. We must not delay in the development of privately-owned forests. Time lost cannot be regained.

The President, in his response of last June to the findings and recommendations of an Interdepartmental Task Force on Softwood Lumber and Plywood, directed me to formulate plans to improve the level and quality of management of public forest lands to permit the increased harvest of softwood sawtimber, consistent with sustained yield, environmental quality, and multiple-use objectives. Among other steps, the President also directed me to develop programs to increase the production and harvesting of timber on State and private lands, consistent with the maintenance of environmental quality.

In response to these directives, we are developing plans to accelerate reforestation and timber stand improvement work and to reduce the management planning and inventory cycle from 10 to 5 years. The latter improvements will make future allowable cut levels more quickly responsive to investments for increased growth and to management changes.

American Agriculture on the Move

American agriculture is moving into a healthier era . . . toward freerer, market-oriented production, new directions for humanitarian and environmental endeavors . . . already producing benefits for farmers and the entire economy.

During the past two years, there have been sharp increases in family food assistance, efforts to strengthen the economy, in environmental improvement, civil rights, consumer services, and rural development. Progress in basic policy development and farm legislation bolstered the agricultural turn-around, still taking place.

New Federalism approach has been injected into all Department of Agriculture programs . . . emphasizing decentralization, encouraging States to take on more responsibility, greater grassroots participation . . . thus bringing government back to the people.

FOOD ASSISTANCE

Massive efforts were spearheaded by the Department of Agriculture to fulfill the President's vow to eliminate hunger and malnutrition in America.

Food for needy people reached 6.9 million persons when the President issued his "Hunger Message" in May, 1969 . . . today's coverage is 12.3 million.

Food Stamp assistance now extends to 8.8 million persons, compared with 2.9 million in January, 1969. Value of Food Stamp bonus coupons up from $18.5 million to $125.8 million per month over same period.

School Food service programs grew with help of new authorization in Public Law 91–248 of May, 1970. In spring of 1969, 3 million youngsters received free or reduced-price meals at school. Latest total, October 1970, is a record 5.3 million . . . and goal this school year is to reach all needy children, however many there may be.

Geographic scope of food programs widened. At the time of the "Hunger Message," 440 counties and independent cities were uncommitted to any kind of family food program . . . now down to 10, mostly rural.

Nutrition aides, working in low-income communities, teach food values, how to prepare nourishing meals. None existed in January, 1969; today more than 7,000 are employed by the Extension Service in all states, D.C., Puerto Rico, and Virgin Islands. Cumulative total of families enrolled since inception of the Expanded Food and Nutrition Educational Program exceeds 300,000 containing more than 1 million persons.

STRENGTHENING THE ECONOMY

More business activity has been stimulated by loans and grants for rural development, additional electrification, conservation projects . . . Expanded exports and a continuing high level of farm operations plus new products have bolstered the general economy of the Nation.

Rural credit saw its greatest expansion in farm housing, from 54,274 borrowers in fiscal 1969 to 127,337 projected for fiscal 1971 . . . dollar volume of Farmers Home Administration housing loans up from $507 million to $1.4 billion in same period.

Policy changes in FHA emphasize creative cooperation between Federal and local governments, and with private enterprise. Example: FHA developed new bloc sale instrument to make possible the successful marketing of insured notes in major private money markets. Sales topped $1 billion in fiscal 1970 for first time . . . expected to approach $3 billion next year.

Rural electric loans advanced from a cumulative total of $6.8 billion in 1969 to current total of $7.5 billion . . . Consumers up from 6.7 million to 7.1 million. Rural Electrification Administration set policy of advising borrowers to adopt rates in keeping with their financial needs instead of jeopardizing loan security by trying to maintain parity with urban rates . . . The present Administration cut backlog of loan applications, making a near-record of loans in 1969 and 1970.

Agricultural exports were in second straight year of decline when the Nixon Administration took office, fell to $5.7 billion at end of fiscal 1969, then reversed the trend with a 16 percent increase to $6.6 billion in fiscal 1970 . . . prospects good for the current year to set an all-time record of more than $7 billion.

Commercial sales abroad went up from $4.7 billion in fiscal 1969 to a record $5.6 billion last year . . . and are moving upward. Policy decisions by the Secretary of Agriculture to adjust wheat and soybean prices to assure American producers fair competitive access to world markets were a factor in the improved export situation . . . as was the new Export Marketing Service, set up as a separate agency in the Foreign Agricultural Service to administer export pricing, sales of government-owned commodities, barter, and P.L. 480 transactions.

Soybeans dramatized advantages of the new, market-oriented farm policy. In 1966 the price support level had been raised—soybeans lost their pricing flexibility, competition moved in. Early in 1969 Secretary Hardin lowered the support rate . . . crushings of U.S. soybeans rose more than 100 million bushels, exports soared. Results were good for farmers . . . soybeans used or exported in 1969 were worth $2.8 billion, with $3.6 billion forecast for 1970, against only $2.3 billion in 1968.

Farm income totaled about $15 billion net in 1968, rose to $16.2 billion last year . . . is expected to hold at about that level this year. This advance occurred despite the fact that farmers generally are not sharing adequately in the Nation's economic progress . . . in 1969 the average person on a U.S. farm had only 76 percent as much income as the average non-farm American.

Streamlined procedures enabled nearly 3 million farmers to receive the entire $3.3 billion payments due them in the 1970 wheat, feed grains and cotton programs six to eight weeks earlier than ever before and in a single full payment rather than piecemeal. This helped many to meet financing problems without having to borrow at high interest rates . . . also saved the Agricultural Stabilization and Conservation Service time and money. New system was so successful that it was included in the Agricultural Act of 1970.

Research by USDA attacked rising farm costs. Efficiency was increased this year by introduction of new crop varieties, such as cotton that resists storm damage and disease . . . an automated system for processing dairy products will cut operating costs . . . new textile blend of wool, mohair and cotton is expected to widen markets for all three fibers . . . lab tests indicate that high-pressure steam processing converts rice straw into digestible animal feed.

IMPROVING THE ENVIRONMENT

Four interrelated components comprise the Department of Agriculture's environmental mission, within a framework of total governmental guidelines: 1) Providing life's essentials—food and fiber, living space, greater opportunities for human satisfaction; 2) Protecting and improving the natural environment by soil and water conservation, controlling pests, pathogens and forest fires, and assuring food safety; 3) Creating such amenities as outdoor recreation on rural lands, open areas near cities, and an attractive countryside; 4) Improving communications with the public about the Department's environmental activities and available services.

Variety of approaches including research and development, education, technical assistance, financial aid and loans, and regulatory activities are directed at four major issues 1) Land use; 2) Rural development; 3) Environmental degradation; 4) Food safety, qualities, nutrition.

Watershed development had been delayed for two years on nearly 100 projects until President Nixon resolved an impasse with Congress early in 1969. Currently there is a cumulative total of 1,030 watershed projects completed or approved for operations. Between January 1, 1969 and December 1, 1970, 193 projects were added. Two-year benefits include 3.2 million tons of sediment reduction, prevention of estimated $70 million in flood damage, water developments worth $38 million.

Resource conservation expanded. As of January 1969, 51 large multi-county Resource Conservation and Development Projects covering just under 170 million acres had been authorized . . . by December 1970, this total had been increased by 17 projects to 68, covering nearly 245 million acres and including part or all of 413 counties. These are full-scale developmental projects . . . new markets for farm crops, creation of rural jobs, improvements in social, educational and recreational opportunities for rural people. The program was strengthened this year by a new law authorizing USDA help in recreation and fish and wildlife developments.

Great Plains conservation program was extended by law another 10 years, strengthened to broaden USDA help in providing for better disposal of animal wastes, develop wildlife and recreational resources, and carry out conservation measures on non-farm lands that adversely affect farming areas. During 1969 and 1970 more than 250,000 acres of poor cropland was planned for conversion to permanent vegetation, 600,000 acres established in grass and trees for improved soil protection.

Soil Conservation Service activities also involved tree planting on 663,175 acres during the past two years, woodland improvement for more than 1 million acres, farmstead windbreaks on 85,000 acres, and 7,500 miles of field windbreaks.

Scientific studies by Agricultural Research Service were stepped up in emphasis on environmental improvement. Progress was made in developing integrated pest control systems using various methods in proper sequence and timing to reduce amounts of chemicals and yet achieve maximum control with minimum hazards to the environment. Studies showed plant-soil filters can cleanse secondary sewage effluent, providing water suitable for human use at costs of $5 per acre-foot compared to about $50 for chemical treatment.

Chemical pesticide use curtailed. In January 1969, the USDA policy on pesticide registration was that DDT and other persistent pesticides had not been proven sufficiently harmful to people, wildlife and the environment to justify broad action to restrict their use. In June 1969, Secretary Hardin instituted a policy to reduce the "needless or inadvertent release of persistent pesticides into the environment." Since then, a series of major steps has been taken to restrict uses of DDT and other persistent pesticides, mercury fungicides, weed killers like 2,4,5-T . . . and to accelerate research on safer, more effective methods of pest control, including biological controls and use of less persistent chemicals.

Forest Service in the two-year Nixon period added 200,000 wilderness acres in national forests, bringing total to 9.9 million . . . increased acreages of newly planted trees . . . added 478 miles to the Nation's wild and scenic rivers . . . increased persons-at-one-time capacity of national forest camp and picnic grounds by 12 percent, from 508,000 to 614,000.

Agricultural Conservation Program has been reoriented for greater emphasis on community-sponsored projects benefitting wider areas as well as individual lands. Indications are that in 1970 some $160 million of the $185 million of cost-sharing ACP assistance will be invested by many farmers in practices that help prevent or abate pollution, including $3 million for new and special pollution-abatement practices.

RURAL DEVELOPMENT

People and projects provide the measure of progress in rural development, a vital key to implementing the President's policy of creative, balanced national growth. Two years ago the Nation drifted aimlessly along a course marked by overcrowded urban centers and a countryside spotted with large areas of economic and social deprivation. The turnaround in agriculture is giving new, positive thrust to rural development.

Organizational steps are mobilizing people, beginning with the work of the President's Task Force on Rural Development, subsequent combining of Cabinet-level Urban and Rural Affairs Councils into the Domestic Council for a coordinated focus on domestic growth efforts. The Department of Agriculture created a Rural Development Committee at the Washington level and directed the establishment of State-level rural development committees throughout the country. In 1969 and 1970, 274,000 meetings on rural development were sponsored.

Working closely with USDA and the States, the Department of Housing and Urban Development made grants totaling $3.8 million in fiscal 1969 and 1970 to assist 132 district agencies perform comprehensive planning services for areas principally or entirely non-metropolitan in character.

Rural development program categories within USDA now total 18, representing funding of approximately $1.7 billion in 1970, $2.4 billion during the current fiscal year . . . which does not include farm commodity programs, food assistance, and farm loans but does include FHA housing loans, REA electric and telephone system loans, watershed and Resource Conservation and Development Projects and similar activities mentioned elsewhere in this report.

Income benefits in rural development are already substantial. Examples: Watershed projects during fiscal years 1969 and 1970 generated an estimated $37 million in jobs, new business, construction employment . . . Electric and telephone systems financed by REA helped create more than 60,000 new jobs during calendar 1969 . . . Agricultural research project to exploit pine stumpage in Southwest is seen creating at least $50 million in products, and numerous jobs.

Youth involvement was further encouraged when the Farmers Home Administration this year enlisted participation of 450,000 members of Future Farmers of America in a new development program, "Build Our American Communities," combining studies of community problems with corrective action projects.

CIVIL RIGHTS

Significant progress is being made by USDA in developing opportunities for persons of racial minority groups to play a greater part in agriculture.

In the South, three-men county committees that oversee Farmers Home Administration loans are rapidly being peopled with blacks. Latest count is 495, with 231 FHA county committees having black chairmen compared with 17 in January 1969.

More than half of the 7,000 nutrition aides are from minority groups.

Financial help for minorities is increasing . . . 55.7 percent of FHA rural housing loans benefitted blacks in the Southeast in 1969.

Educational benefits are expanding. USDA personnel are now being placed at the 16 black land grant institutions and at Tuskegee Institute, serving in liaison capacity to strengthen the schools' programs of education, research, and public service.

CONSUMER SERVICES

Major strides have been made since January 1969 to assure American consumers a wholesome food supply, through regulatory activities and research.

Poultry. Whereas no State rated "equal to" Federal poultry inspection in January 1969, five now have that designation and 14 States have requested that their intrastate poultry plants be brought under Federal inspection as of January 2, 1971.

Inspection duties were realigned through a reorganization announced by Secretary Hardin in November 1970, so as to provide more direct lines of supervision and communication between Washington headquarters and field inspectors, and to improve relationships with consumers, State administrators, and private industry.

Standards were revised to tighten control over the amount of moisture permitted to be absorbed by poultry during processing . . . more uniform standards of inspection by foreign governments over their meat plants which ship products to the United States . . . new fat limit of 30 percent was set for hot dogs and other cooked sausage products after evidence was found that the fat content in these items had been rising steadily in recent years.

Consumer-related research progress was made by the Agricultural Research Service: New Human Nutrition Research Laboratory at Grand Forks, North Dakota . . . flame-retarding finish developed for cotton fabrics to help cut down on several thousand deaths that occur each year from ignited clothing and bedding . . . new, nutritious orange juice tablets, fortified potato flakes, high-protein food supplement for infants. New wholesale food distribution facilitites to increase food handling efficiency and reduce distribution costs planned for Los Angeles . . . similar facilities recently completed in New York and Boston.

LEGISLATIVE PROGRESS

Climax of the two Nixon Administration years in agriculture was the enactment of the Agricultural Act of 1970, signed by the President on November 30. The procedure by which the measure was formulated marked a departure from previous methods—instead of confronting Congress with a "this is it" proposal, the Department of Agriculture led in developing a broad-gauge, nationwide, bipartisan approach. It began with "listening conferences" throughout the country . . . findings were taken to the agriculture committees of both bodies of the Congress, whose members worked closely for months with USDA officials to structure the legislation . . . as the leadership of both parties in each chamber took active part in moving the bill to enactment.

Salient features of the new law: Imaginative, far-sighted application of the New Federalism. Starting with 1971 crops of wheat, feed grains and cotton, farmers will have more freedom to plan their own production, find new opportunities for efficiency, by deciding for themselves on the best use of their land and resources . . . Market-oriented programs turn away from rigid, commodity-by-commodity crop controls of previous administrations . . . Programs will encourage farmers to look to commercial markets for a larger part of their income, less to Federal payments . . . However, payments will continue to help assure income to farmers as they make operational adjustments . . . Greater incentives for commercial sales abroad as "Food for Peace" donations taper off and pricing policies make American commodities more competitive.

Other legislative gains, in addition to those mentioned elsewhere, include: Housing Act of 1969, which consolidated certain Farmers Home Administration funds and provided for cooperation with rural homesite developers, builders and realtors . . . Public Law 91-116 of November 1969, providing a major expansion for the Food Stamp program.

In summary: New policies, changes of direction in agricultural programs, and new legislation since the Nixon Administration took office are helping the agricultural industry break with the past and attain new dimensions of importance as a factor in balanced national growth and the shaping of a better total environment for all Americans.

Mr. McKAY. Mr. Speaker, I thank the gentleman in the well for yielding, and I appreciate what is being said in this regard and would like to associate myself with the others on this subject.

Having spent my early years in a farming area in the State of Utah, I have a great interest in the farm industry and I am greatly concerned with the problems the farmers face today.

The president of the American Farm Bureau Federation, William J. Kuhfuss, recently stated:

> Consumers would be paying much higher prices for less food if it were not for the spectacular efficiency and high productivity of U.S. farmers and ranchers.

He pointed out:

> Never has a fewer number of farmers produced such an abundant supply of quality food for a larger number of consumers at a lower percentage of the wage owner's take home pay.

I think we can be proud of the job our farmers have done in feeding our Nation. It is time we gave strong attention to the farming public and the growing number of problems these men face with a continuing cost-price squeeze.

Those in agriculture are not asking for handouts. They have led our Nation to its high standards and deserve a chance for a decent income comparable to that of other industry and urban residents. If not, consumers stand to lose the most as this Nation's national economy starts with an agricultural base.

There are many problems facing agriculture today and we must do something to improve conditions. In my district at the present time, there are livestockmen who have feeder lambs they must sell at 5 to 10 cents a pound less than cost—and cattlemen face similar price problems. Even worse is the fact there are those in my district who have a 2-year crop of wool, some even with 3 years, who cannot get anyone to buy it even at a loss.

In my State of Utah there is great concern over inflation, parity, increased grazing fees and high-interest rates. Farmers rank as the hardest hit group in America with inflation increasing costs of operation over 125 percent in less than a generation. Taxes, interest, costs of machinery, and land values jumped so rapidly in the 1960's that farm net income suffered greatly.

Many of those from the farms have been forced to move, creating additional problems, for these men are ofttimes unskilled in the work-force needs where they relocate. We must do something to keep young men interested in farming and provide incentives to keep farm families together. We must also provide adequate medical service for those on the farms. There are counties within my district without the services of a doctor. Help is needed and now.

Our farming segment also faces an ecological challenge—with the public very much concerned with the Ecology. I am also greatly concerned—as is the farmer. There are those who want to take away the chemical instruments of production that have been developed over the last 50 years. In my State, there are now legislative measures calling for a ban on various chemical agents for farm use and additional air controls are in use or are proposed controlling burning of areas covered with weeds or brush. Our Utah farmers will tell you that many of these controls are going away from reality. They state there is a lack of realization on the part of some and that these controls will cut production and decrease the food supply thereby increasing the costs of food to the consumer.

I realize, as does the farmer, that pollution is a major problem that must be solved. The farmer does caution, however, that the always "taken for granted" food supply could be dropped to a point of national hunger if those farming helps were suddenly dropped.

My State also faces a problem in the loss of valuable farming land. We are losing some 20 to 40 acres per day of prime agricultural lands to other uses. Our State has only a million and a half acres of such farmland. We must all realize that we cannot create additional farming land. When we spoil it or ruin it, it is gone forever. Our farmers cannot be ignored, Mr. Speaker. We have taken this segment of the public for granted too long. The contributions made to our country by the farmers and ranchers deserve more attention and recognition. It is my hope that the President will take another look at the farm program realizing this is one of the basic programs for our Nation. I urge also, Mr. Speaker, that this Congress take some deliberate and decisive action to curb inflation, control interest rates and to open markets for farm commodities so that the children of farmers who do not want to go to the cities may have the option of following the skills of their fathers.

I support and join with the gentleman from Montana, Mr. MELCHER, the gentleman from Iowa, Mr. SMITH, and the gentleman from Kansas, Mr. SEBELIUS and I commend them for their efforts in this dialog. I wish to join with them in this assertion and in whatever we are mutually able to do in behalf of the great agricultural segment of our Nation.

Mr. MILLER of Ohio. Mr. Speaker, I am pleased to join my distinguished colleagues today in discussing the critical problems and basic needs of rural America. We hope, that our participation in this forum will help create a better understanding of the desperate plight of the American farmer and generate the necessary legislative action to revitalize our rural environment. We are at a critical time in our history when we must reevaluate our basic institutions and determine what changes in philosophy and methodology we must make to meet the growing challenges of our complex technological society.

First, I would like to make some basic observations of our agricultural community and the economic position of our farmers. The tremendous economic growth in this country is best exemplified and attributable to the productivity of the American farmer. In 1950, one farmer could feed 16 persons; today he can feed over 43 persons. Farm production per man-hour is growing 2 to 3 times faster than production per man-hour in the rest of the economy. As the farmer has increased his productivity, people in other sectors of the economy have gotten their food for a decreasing portion of their total income. Thanks to the farmer's hard work and efficiency, the rest of the population has been able to live better. But the farmer himself unfortunately has not benefited proportionately from the fruits of his labor. The rapid growth in agricultural productivity has caused great disruptions in the market system and produced low farm prices and reduced profits per unit. Economic pressures have necessitated that farmers must mechanize and grow bigger in order to compete in the market. This has required increased capital outlays and subsequently greater indebtedness. But the tragedy of American agriculture is that everything the farmer has to buy has gone up, but everything that he has to sell has gone down. A Government-produced inflation has increased his costs, put him deeper in debt, lost valuable markets, reduced the value of his saving, and created ill-will among consumers who hold him accountable for rising food prices. In essence, the American farmer has been victimized by agricultural progress based on a public policy of high farm production and low farm prices and exacerbated by high interest rates, inflation, and the lack of adequate bargaining positions. Until we restore and maintain the value of a constant dollar and insure adequate accessibility to long-term, low-interest credit, we can hope for little real progress in promoting an agricultural program geared to opportunity and abundance with the family farm enterprise as its cornerstone.

Because of increased production, efficiency, and economic pressures, there has been a surplus of people who are no longer required to farm under the present marketing structure. In fact, during the 1960's, over a million farmers moved off the farm. Over 100 years ago, this Nation's population was 85 percent rural—today it is 35 percent rural. Since 1945, there has been a net migration from rural America of 25 million making it one of the largest movements of people in recorded history and a major reason for our current urban crisis. Each year over 500,000 people from farms and rural communities migrate to big cities. Almost 185 years ago Thomas Jefferson saw this problem in agriculture and wrote:

> Our citizens will find employment in this line (farming), till their numbers, and of course their productions, become too great for the demand both internal and foreign. This is not the case as yet, and probably will not be for a considerable time. As soon as it is, the surplus of hands must be turned to something else.

All of the problems I have described point up the desperate need for a comprehensive rural development program. Improving the economic position of the farmer by revitalizing rural areas will also pay dividends in terms of a coordinated national growth policy and adequate population dispersal.

Today, 70 percent of our people are jammed into 2 percent of the land. In the next 30 years, 100 million people will be added to our population, and if current trends continue, most of this increase will be located in five small geographical areas. As I have indicated, much of the urban problems we have today can be attributed to the deterioration of our agriculture economy and the subsequent outmigration of rural residents. We must begin to realize that today's rural problems are the urban problems of tomorrow and that a better balance between the rural and urban sectors is required.

In his state of the Union message in 1970 the President stated:

> What rural America most needs is a new kind of assistance. It needs to be dealt with, not as a separate nation, but as part of an overall growth policy for all America. We must create a new rural environment that will not only stem the migration to urban centers but reverse it. If we seize our growth as a challenge, we can make the 1970's an historic period when by conscious choice we transformed our land into what we want it to become.

To date we have not received the details of this "new kind of assistance" nor a commitment to embark upon an imaginative and comprehensive rural development program of high national priority. I would hope our comments today will point up the urgency for the administration to act upon the recommendations of the Rural Development Task Force and present to the Congress the long awaited message on Agriculture and Rural America.

What sort of commitment and assistance does rural America need? Many of us last week sponsored the Rural Job Development Act of 1970 which will provide tax incentives for job-producing industry and commercial enterprises to locate in rural areas. Private enterprise has the efficiency and potential to rebuild rural America and provide new opportunities if the Government promotes the necessary climate conducive for industrial location and expansion.

Improved transportation facilities will also facilitate economic development. Last year we took an important step forward by including in the Federal Aid Highway Act a provision establishing rural economic development highways on the primary road system. This same concept can and should be extended to the secondary road system.

For too long the best of our young people have been leaving the countryside and seeking new opportunities in the big cities. With vocational and technical education, we are beginning to make great strides in providing our young with the job skills they need and skills new industry will demand. I believe our young people want to live and work in the clean air and open space of rural America. A recent survey of agriculture graduates at Nebraska University indicated that 80 percent of those who had left the State would return if comparable jobs were available. Economic incentives should also be further provided for on-the-job training of rural adults who are attempting to make the conversion from agriculture to industry.

The availability and accessibility of adequate medical care is another serious problem in many rural areas. The President stated in his recent health message that over 130 counties, comprising 8 percent of our land, have no private physicians. Incentives should be offered to young doctors, optometrists, and nurses to locate in rural areas where there is a serious shortage of medical personnel.

There is little point going beyond the idea stage of rural development if there is not at the end of the line some means of mechanism to finance those projects which run the gamut from idea to action. One very serious impediment in this regard is the lack of credit for the economic development of rural communities. Traditional Government programs and regular lending institutions simply cannot provide large and reliable sources of capital to meet rural needs. Therefore, it is important to move to fill this credit gap by opening up a new source of credit. Specifically, I think we should investigate the possibility of a self-financing corporation chartered by the Federal Government and capitalized with initial Federal seed money. Such a lending institution would be authorized to make loans to finance water and sewer systems, industrial parks, and other important community projects. Creation of this new source will not supplant already existing Government programs and credit, but it will supplement and fill in the enormous credit gap in many areas.

In 1969 the administration indicated it was planning to single out several rural communities to be models of redevelopment in such areas as housing, water and sewer systems, and job opportunities. I would urge such a program be given the highest priority in a national rural development program and be undertaken as soon as possible.

The activities of the extension service should be increased and expanded to provide more planning services and technical assistance for industrial development. The Future Farmers of America play an important role in encouraging young people to stay in farming. Our support and commitment to the Future Farmers of America should also be expanded.

Lack of adequate information on the needs and resources has held back development in many rural areas. A permanent commission staffed by experts on rural affairs should be established to evaluate redevelopment activities, make recommendations for improvements, and offer advisory and technical assistance to rural communities.

In conclusion, let me say that the most appropriate and best equipped Government agency to undertake the coordination and implementation of rural development program is the Farmers Home Administration. I cannot say enough about what this fine program has meant to rural America. It is now the preeminent rural credit arm of the Department of Agriculture. In 1970, FHA added nearly $2 billion to the supply of credit for rural families and communities for family farms, and rural community facility projects.

As I have indicated the time to act is now. We can no longer afford to put off the implementation of a comprehensive and effective rural development program. I urge my colleagues and the administration to give this matter the highest national priority.

GENERAL LEAVE TO EXTEND

Mr. SMITH of Iowa. Mr. Speaker, in view of the interest that we know there is on the subject, I will ask unanimous consent that all Members may have 2 legislative days in which to insert their remarks in the RECORD on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

RURAL DEVELOPMENT

The SPEAKER pro tempore (Mr. ABOUREZK). Under a previous order of the House, the gentleman from Montana (Mr. MELCHER) is recognized for 60 minutes.

Mr. MELCHER. Mr. Speaker, the President of the United States and five of his Cabinet members are in Des Moines, Iowa, today to discuss rural development. The group includes the Secretaries of Interior, Commerce, Labor, Housing and Urban Development, and the Secretary of Agriculture, members of the President's Cabinet committee on rural problems.

Three weeks ago, when a dozen of us met at an impromptu luncheon and decided to take special orders today to discuss farm problems, we did not know of the President's plans to go to the agricultural heartland of the Nation to dramatize concern over rural problems, but it is well that he has done so. There needs to be dialog—public discussion of farm and rural problems at all levels and in all branches of government.

The situation we confront in rural America is that serious—it deserves top priority attention of everyone for the America we have all known—a land strong because vast numbers of its people had a stake in it; they owned farms, stores, and other businesses by millions—is rapidly changing into a nation of large rural holdings increasingly devoid of the security of widespread individual ownerships, with those that remain heavily indebted and a majority of them on the way out.

Ironically, we discuss redistribution of land in South Vietnam as powerful antidote for unrest there, we point to the excellent results of Gen. Douglas MacArthur's land redistribution program in Japan, and a similar program in South Korea. But at the same time we allow American farm families, already reduced from 6.7 million in the thirties to less than 3 million today, to be driven off the land.

Unhappily, in the land-grant institutions which this Congress endowed three or four generations ago to assist family farmers, there appears to be far more concern about clearing people out of the way of technological developments than there is for making technology create new social values and strengthen family farming.

There is a conference at Purdue University this week for agribusiness people on the advantages of "Vertical Co-ordination in the Pork Industry."

There was another conference, or Ag Industry Forum at Urbana, Ill., recently, the home of the University of Illinois. Rural development was discussed and, according to Washington Farmletter, Iowa State University Economist Eber Eldridge gave his view of rural development planning. He recommended that rural development planning provide for:

First, consolidation and relocation of local government units in accord with remaining population and tax base.

Second, the "grateful retirement" of many small town "convenience centers" which are no longer needed. That means small towns should go off and die quietly without giving the bureaucrats, including the State college or State university faculties, any static or difficulty.

Third, removal of abandoned farmsteads.

Fourth, removal of abandoned Main Street buildings and eventual removal of entire small communities.

Fifth, abandonment of rural roads no longer needed, with relocation of farm operating headquarters to remaining all-weather highways.

Professor Eldridge's development planning sounds a great deal more like undevelopment planning to me than it does development planning.

He is proposing that the bulldozers level the physical remnants of a society built by many private enterpreneurs to clear the way so big, vertically integrated food industries can take over without burdening them with the costs of the old order which existed before people were driven into the cities to find jobs, if there were any jobs to be found.

There is a great deal more significance in what Economist Eldridge is proposing than meets the eye. Private ownerships and individual opportunities are to be leveled. So are county courthouses, and schools and churches and civic organizations—opportunities to participate in the political and social life of our land.

Why is this type of reverse development, or social retrogression, going on in rural America? Why are we wiping out widespread individual properties—the economic security of millions of families—and making them jobhunters, without the security of their own enterprise? Why are we leveling and destroying political and social institutions?

We have allowed this deep and significant change in the nature of our American society to progress by neglect of agriculture.

In 1970, according to statistics available in the President's economic report, we produced 30 percent more food and farmers were paid $800 million less net for producing it than in 1950—20 years before. And what they were paid was in dollars of far less purchasing power than the 1950 dollars.

We have driven the cost of food, including imported foods, down to less than 17 percent of disposable national income—close to 16 percent.

Once upon a time farmers got nearly half of that; today they get less than one-third of it, or only 5 percent of disposable national income. A supposedly super-efficient system of chain food stores and super-processing and distribution firms have greatly widened the price spread between farmer and consumer. Their super-efficiency has created a greater spread between producer and consumer prices.

The best rural development program we can adopt is a program to boost the income of family farmers. They are the economic and social base for a strong rural society. Fair price dollars in their pockets will reinvigorate rural towns and all of the institutions within them.

There are those who believe that much of the unrest among young people in America today—and it is not just among the young people, it is to be found among adults who are insecure and therefore "antiestablishment"—is a consequence of the deep changes that are occurring in our society, not just the Vietnam war, although the war gets most of the blame.

If there is an agricultural ladder in this Nation any more, it is a down ladder. In Gertrude Stein's language, a hired hand is a hired hand, is a hired hand, is a hired hand until he dies. And the farmer he works for is a farmer, is a debtor, is a bankrupt, is a jobhunter himself.

The movie title, "Down the Up Staircase" is a reality out in the farm country today.

The same is true beyond agriculture—in the small towns where the abandoned main street buildings are to be bulldozed and in the Twin Cities, where the farm machinery plants are closing.

Much of the antiestablishment unrest we are witnessing comes from the people who are being displaced, as well as from the young people who, like the emigrants who peopled this land originally, would like a little independence and an opportunity to be their own men and women—not the establishment's.

They are concerned about the war in Vietnam, but they are also concerned about the changing nature of the Nation for which they are asked to make sacrifices.

There are others who will speak today on the situation in agriculture and what should be done about it, on a bipartisan basis.

We did not get where we are since January 1969—both political parties share in the responsibility for failure to build and maintain a healthy farm, ranch, and rural society. For the shape agriculture is in today, there is plenty of blame to go around. In the current agricultural crisis we must face the fact that we haven't talked about truly adequate economic and farm price support programs since the early forties, when price support loans were 85 percent of parity and Congress appropriated money to make parity adjustment payments on top of that.

The unicameral Nebraska Legislature—a bipartisan body, passed a resolution a couple of weeks ago unanimously calling for 90 percent of parity price supports for farm products. That is the closest approach to our real needs I have seen in some time.

By traveling "down the up staircase" during a decade of an inflationary spiral, agriculture not only finds itself shrinking in numbers in America, but also that farm and ranch operators are getting older. The younger generation is not moving into farming.

At 53, the average farmer or rancher in America is still doing back breaking work, toiling long hours and, more often than not, has only one hired hand—his wife.

For his sake and her sake, I hope and trust that her average age is nowhere near 53. All too often, these hard-working farm couples have watched their economic future on the land as farm or ranch operators grow dimmer, not brighter, and have seen their children lose the opportunity to become farmers and ranchers on their own for a variety of reasons. Among these reasons is a lack of sufficient capital or credit to start an independent operation and an oppressively poor rate of return on investment.

What we are doing, or where we are going, is a pertinent point for American agriculture today. Currently the House Agriculture Committee is holding hearings on farm credit, hoping to modernize, expand, and stimulate farm credit sources. This is one of the keys to solving the agricultural problems of the 1970's. The committee is also conducting hearings on agricultural pesticides, how they fit into the environment, and what we can do to retain their economic advantages, necessary for crops and forests, without upsetting nature's laws and a good environment.

And third, but also significant, is the opening of the sugar hearings in the House Agriculture Committee to renew the Sugar Act which is currently in its fifth year and needs to be renewed for the crops of sugar beets and sugarcane after this 1971 crop.

In these areas, there will be legislation coming to the floor from the committee during the course of this year. Our goal in committee and on the House floor must be to strengthen agriculture in this decade.

I am convinced that the leeway we have given to the administrative agencies in administering farm laws is quite often not used to the advantage of farmers and ranchers and rural America. For example, if the target price for sugar is not interpreted by the Secretary of Agriculture on a fair, reasonable, and practical basis, his decision will cramp, crimp, and crunch our domestic producers. Dairy price supports and honey price supports are to be set before April 1 for this year by the Secretary under his discretionary authority, and should be increased. Part of the purpose of those of us representing agriculture areas in this House must be to prod the Secretary of Agriculture, the President, and other agencies to take a view and action consistent with the needs of improving agricultural income in this Nation.

In another area, costs, that are directly reflected in prices which must be paid by farm producers, freight rates have been increased three times during the past 18 months. Caught in this squeeze, grain producers in Montana, the grain trade, and the railway carriers are jointly devising ways and methods of lowering rates for our production through new markets and new methods of marketing grain. Failure to do so will result in an intolerable position for our grain producers. We must succeed in this particular area because unless we can get lower freight rates and cheaper ways of getting grain to market, our grain farmers will have nowhere to go but bankrupt, and carriers will be deprived of the business of hauling the grain which, historically, has been the most significant single item in the carrier's business in our country.

To encourage and aid reinvestment in agriculture and small business, so important in rural America, Congressman Link and I have introduced a bill to reenact the 7-percent investment tax credit on the first $15,000 investment in capital improvements and equipment.

I have favored a limitation on the total amount of payments, to limit them to reasonably sized individual ownerships. But the basis for payments should not be a no-profit, loss level, if we are going to use payments as income supports.

It is especially appropriate to talk about higher support levels in a year when our production goals have been set to produce grain in excess of annual requirements and rebuild reserves, or carryover stocks, depleted by corn blight.

A big crop will inevitably break the inadequate prices farmers are now getting in the markets. Corn, selling at a natonal average farm return of $1.41 on January 15, can be forced back down to or under a $1.05 loan if overproduction is encouraged. Wheat, bringing 49 percent of parity at $1.40 per bushel, will be forced back down to the $1.25 loan, or about 30 percent of parity, if production goals are met.

We should get supports, including payments, back up to full parity—and I mean the old, bona fide parity, not the new ratio which is a "silly millimeter longer" and exagerates the swings in farm returns.

One of the things we urgently need to do is to require an increase in the minimum price support loan in any year that farmers are asked to produce more than annual requirements, thereby depressing their markets, as is being done this year.

All in all I hope the dialog we have started this day will be continued and enhanced as a regular event here in the House. The understanding we share today must be put to use constructively to help agriculture and rural America.

Mr. PEPPER. Mr. Speaker, may I ask the distinguished gentleman if he is willing to yield for a brief observation?

Mr. MELCHER. I am delighted to yield to my friend from Florida.

Mr. PEPPER. Mr. Speaker, I wish warmly to commend the distinguished gentleman in the well and others who have spoken today about agriculture for the well-being of this country.

I formerly represented a State which has much important agriculture and horticulture, but now I represent an urban area, the Miami area. Only today I introduced in this House, as I did last session, a resolution to provide, through Federal, State, and local cooperation, a program under which every senior citizen above 65 years of age would be assured of at least a nutritious meal 5 days a week as a minimum.

The hungry people in my area cannot hope to get adequate nourishment or hope to get a minimum diet unless we have in this country a prosperous and productive agriculture. So this is not a matter of dispute and controversy and conflict of interest between the urban areas and the agricultural areas. We are all one country. It is all one economy. That is the strength of this great country, the fact that goods and services move across the borders of the several States from the areas of production and supply to the areas of need and requirement.

I was born on a farm in east Alabama. I knew, in my early years on this farm, the loneliness of life on the farm as well as the problems facing the farmer.

I used to go, as a little boy, with my father, after rising early in the morning, to the nearest town for him to sell his cotton. He would go from corner to corner with his samples in his hand, not being asked how much it cost him to grow the cotton but being told how much they would offer him for it. The only option he had was to go from one to the other of three corners in a little town square which was his only market.

There has been a great deal of progress in agriculture and in respect to the lives of the people who live on the farms of this country in the years intervening, but life is not yet rich enough, and recreational opportunities not plentiful enough and assurance of the well-being and prosperity of the farmers is not yet adequate.

I am delighted to join insofar as I can in support of these knowledgeable colleagues who are calling upon our country to have an agriculture which will be productive and profitable for the producer, and to provide living conditions which will be desirable and pleasant for those who live upon the farms. Then there will be no desire to escape the farm, which seems so prevalent in the country today.

I shall do all I can to work with these able gentlemen knowledgeable on this subject to achieve the high ends toward which they labor.

I thank the gentleman.

Mr. MELCHER. I thank my colleague from Florida.

I yield to the gentleman from North Carolina (Mr. Mizell).

Mr. MIZELL. Mr. Speaker, I am gratified that the U.S. House of Representatives is taking time today to discuss the plight of agriculture and rural areas in America. I am pleased to be given this privilege to express my thoughts.

First may I commend my colleagues Congressmen John Melcher, Keith Sebelius and Neal Smith for organizing this effort and focusing the attention of this most distinguished body on the problems being faced by those in the agriculture industry and our citizens living in rural America.

I, too, have been concerned about rural America and through my membership on the House Committee on Agriculture in the 91st Congress attempted to become more aware of the agriculture industry which has grown to become so important to every American. In addition, I have been giving considerable thought and study to the development of rural America.

It was my privilege to address the annual meeting of the Farm Press, Radio and Television Institute of North Carolina in Raleigh, N.C., on February 19, 1971, and in that address I outlined my plan for the development of rural America.

Therefore, Mr. Speaker, I feel this is an appropriate day and time for me to share with my colleagues my address before this outstanding organization. It is my opinion that many of the problems faced by rural America can be solved and I hope this Congress will join with me in the months ahead to seeing that positive action is taken and all will benefit.

At this point, I would like for this February 19 address to be reprinted for the benefit of this body:

ADDRESS OF CONGRESSMAN MIZELL

It is an honor and a genuine pleasure for me to be here with you tonight for the 19th annual banquet of the Farm Press, Radio and Television Institute of North Carolina.

I am sure that today has been full of proposals and counter-proposals, the free exchange of ideas, and a focusing of concern on one of the most important segments of American life—the agriculture industry.

As journalists, you are accustomed to engaging in the expression of facts and ideas and sometimes opinions, and because this is true, I am sure this has been a successful conference already.

Tonight, I want to discuss with you a few facts I think are of interest to this conference, and a few ideas and opinions of my own.

One hundred and fifty years ago last year, Congressman Lewis Williams, of Surry County, North Carolina, introduced a resolution in the United States House of Representatives to establish a Committee on Agriculture, the first government body in the history of America specifically created to deal with the problems of Agriculture.

I am proud to say that I now represent essentially the same congressional district that Lewis Williams represented then, and that I have the honor of sitting on the Committee on Agriculture, which he fathered 150 years ago.

The American agriculture industry since that time has grown to become the largest and most productive industry in the nation, with assets equal to one-half the market value of all corporation stocks on the New York Stock Exchange.

The growth of agriculture has been the result of a great deal of hard work by farmers. It has been helped along by the efforts of government, and, despite the fact that we are known as an industrial nation, agriculture is still the backbone of our economy and our national life.

Last year, the Agriculture Committee drafted and Congress passed the most comprehensive farm bill in 12 years, setting new policies and making improvements in the operation of almost every phase of farming in America.

The greatest single asset of the new legislation is the fact that it gives the American farmer a great deal more freedom to manage and operate his own farm with a minimum of government interference and a maximum of requested assistance.

These provisions hold the promise of making American agriculture even more vibrant and strong and productive in the years ahead.

But the picture of a strong agricultural industry is not the total picture of rural America today. Not all rural Americans are farmers, and not all farmers are prosperous.

The portrait of much of rural America is painted in desolation and despair and lack of opportunity. Too often, Government has tried to cover that portrait with a piecemeal quilt of federal assistance, but there are gaping holes in this approach, and the pain and plight of much of rural America shows through as a national disgrace.

There is a serious shortage of jobs and housing and industry in rural America, and in general, the level of education and health in rural America is far below the national plane.

What is needed is not a piecemeal approach, but a comprehensive, all-encompassing program of rural development. There is no better place for President Nixon's "New American Revolution" to begin than in the countrysides where most of its other important battles were fought.

The Nation has come to realize the inseparability of the problems of the cities and the plight of many rural citizens. We cannot afford to have prosperity in much of the land while large numbers of Americans go without the sound shelter, good schools and medical care, and job opportunities that a rising national income can provide.

The ultimate costs of such neglect far outweigh the investments in housing, education, health, manpower training and other needs essential to decent life and to both urban and rural development.

It has been estimated that there is a 10-to-1 ratio between the cost of remedial and welfare programs required to help rural-oriented citizens live in large cities, and the cost of developing rural areas to the point that young people don't have to migrate to the cities to find jobs and new lives.

Here in North Carolina, we are fortunate in having not one or two overlarge cities, but a rather large number of medium-sized communities in the 50,000 population range. Communities of this size can provide all the services and opportunities of the sprawling cities ten times their size, but the problems encountered by these smaller cities are usually about ten times less severe.

We have the luxury of being able to learn the lessons of past mistakes and to avoid making those same mistakes as our own cities continue to grow.

With a real concerted emphasis on rural development, I am sure that North Carolina's cities can avoid most of the problems that have beset other cities throughout America.

My conception of rural development would include the following elements.

First, it would involve improvements in our transportation systems. No development program can succeed until we open isolated areas to trade routes. This is the first enticement for industries to locate in underdeveloped areas, and because this is true, road construction should be one of the highest priorities in any development program.

As construction of our interstate highway system is completed, I believe the funds once allocated to that program should now be concentrated on the construction of good primary and secondary roads that can bring isolated areas into the mainstream of commerce and trade.

The 91st Congress passed a bill I had introduced, establishing a 70–30 matching share formula for this kind of road construction, with the Federal government providing 70 percent of all construction funds, and with states and local governments funding the remaining 30 percent.

I cannot emphasize too strongly that this kind of road construction is a necessary first step in opening up rural America to the flow of national commerce, providing access to new areas for development, and making it possible for people to get to and from new jobs and services wherever they could be developed.

Until the transportation problem is at least partially cured, there can be little hope of achieving full social and economic development of rural America. The new roads will get products to markets, men to jobs, children to schools and families to hospitals.

That first step in renovating rural America is closely followed by a second, industrial development. Bringing industry into an area should be a top priority in the rural development scheme, since it has been proven time and time again that a new industry can serve as a revitalizing force for communities that have become little more than ghost towns.

New industry in a rural area can provide the job opportunities that young people are seeking, the opportunities that have been too hard to find in rural America. I believe, and I think you would agree, that despite all the promises of adventure leaving home can hold, most of our young people would much rather live among their friends and families than migrate to a cold and unfriendly city in search of a career.

I intend to introduce in Congress next Thursday a bill that would put an end to that search before a young man could get past the city limits of his hometown.

The legislation is called the Rural Job Development Act, and its purpose is to expand the quantity and quality of economic and social opportunities in rural America so that those who choose to live in our rural areas can do so and not be forced to move away in search of adequate economic opportunity.

To accomplish this goal, job-creating industries would be encouraged to locate in "Rural Job Development Areas"—counties which have no city over 50,000 population and where at least 15 percent of the families have incomes of less than $3,000.

With a series of tax incentives, including property tax credits, an accelerated depreciation allowance and a 50 percent tax deduction on wages paid to workers involved in on-the-job training, industrial and commercial enterprises would be strongly attracted to these rural job development areas.

To qualify, the enterprise must hire at least 10 people, and, wherever possible, must hire at least 50 percent of the work force from the local area.

The bill provides some built-in safeguards to insure the tax incentives are not abused, and it has all the makings of a very effective instrument for attracting new industry.

But most rural areas of North Carolina and throughout the country are equipped with built-in attractions to industry.

Their local tax bases are the lowest of any region in America. There is a labor force in most of these areas that has never been tapped by industry, and it's a labor force made up of people who just want to earn a decent wage instead of getting rich.

And there is more than enough available land area in rural America to accommodate a lot more industry and still maintain the natural beauty that we cherish.

And the very fact that there is beauty here is still another enticement for industry to locate in these areas. I don't necessarily mean the stovepipe industry or a chain of paper mills. But you all know that the tourist industry in this country is rapidly becoming one of the biggest moneymakers and employers this side of General Motors.

Industrial development of all kinds is essential to the expansion of our rural economy, and it's a very important second step because it can provide a basis for every other element in our rural development program.

The third step is vocational education. Mastering a skill is perhaps the most underrated route to earning a sizable income that I know of. We have developed an excellent public school system here in North Carolina, with some of the finest primary and secondary schools, and some of the best colleges and universities in America.

And because we have such a strong base in traditional education, I believe we could well afford to concentrate more of our energies and more of our resources on providing quality vocational education to those students who want it.

Just yesterday, I introduced a bill with Congressman Bill Harsha of Ohio, to extend the Appalachian Regional Commission program for another four years.

One of the best features of that program is its emphasis on vocational education, and it has helped a large number of local communities from New York to Mississippi to fund vocational education centers where young people can learn valuable skills they will need later in life.

The Appalachian program does other things, too, including the primary and secondary road construction I mentioned earlier, hospital and health center construction and health delivery systems, building community colleges and libraries, helping to fund water and sewage treatment plants, restoring areas ravaged by mining activity, and other projects vital to development of that 13-State region.

I consider that program to be one of the best ever devised, and one of the main reasons for that statement is the fact that it does place so much emphasis on immediate solutions to both immediate and long-range problems, and vocational education is just one of the tools it uses, and one of the tools we can use, to develop a strong economic base in rural America.

As American industry becomes more technical and specialized, the need for skilled labor will continue to grow, and skilled laborers will continue to make good money. Vocational education for young people, the third step in my rural development plan, is the best kind of manpower training I can think of, because it solves a potential problem before it becomes a real one. The cost is relatively low, but the dividends can be very high.

The fourth step is housing. Once the roads are built, the industries have located and the people are trained, the steady exodus of our young people from their homes to some distant "promised land" will begin to reverse itself, and we'll have to have places for them to stay.

Living in a rural setting is an enticement for even the slickest of city slickers, and it is especially attractive to people who care about having room enough to live and not just exist.

Rural housing can be built cheaper and built better than urban housing, and this, too, has tremendous appeal and tremendous development potential.

The rural housing program conducted by the Farmers Home Administration is providing a vital service by making low-interest loans to rural housing developers in an effort to overcome the present shortage of housing in rural America.

You may remember that this program had been rather severely cut back as an economy measure last month. If the cutback had been upheld, North Carolina's share of rural housing funds would have been cut by $20 million.

But I'm happy to report that as a result of a telegram I sent the President on the night of his state of the Union address, and as a result of several conferences following that first action, we were able to get every penny of the rural housing program funding restored.

The success of this kind of program is vital to rural development, since it provides the most basic requirement of a developing society, and that is a decent place to live.

And this brings us to the last step in our rural development program—the preservation of a quality environment. This too is deeply involved in making rural America a decent place to live.

The sight of clean air and clean water and clean land is a very rare sight in much of America today, but we're fortunate enough to accept it in our area as a familiar, but still wonderful, sight.

The nation must now look to rural America to see even a remnant of the glories that nature showered on our land. We are proud that so many of these glories abound in our region, and I'm sure that pride will make us the jealous guardians of what remains of nature's beauty.

The growth of industry in rural America does not have to mean that we will suffer the same fate that pollution has brought upon our urban neighbors.

Federal laws now in effect severely limit the amount of pollution an industry can inflict upon a community. These laws were not on the books during America's first industrial revolution, and we are now paying the awful price of neglect.

But we have the law now, and more importantly, we in rural America have time. Time to plan, time to build adequate water and sewage treatment plants, time to make an area grow up the way we want it to, rather than having the outcome forced on us.

History need not repeat itself. We have the expertise and experience to shape our future in an image that will reflect our vision and our concern for the welfare of our children.

The development of rural America is a major feature in that image. The time has come—we must have an all-out effort to develop the resources and realize the potential hidden deep within the heart of rural America.

I believe President Nixon's revenue sharing program, with $1 billion specially earmarked for rural development, can provide the means for seeing our goals achieved.

I believe it provides a system in which we can all participate, whether we work at the local, state or federal level, whether we are members of Congress or members of the fourth estate.

I believe revenue sharing can be made to work to the greatest benefit of all Americans, and I strongly support the concept.

Revenue sharing holds the promise of revitalizing rural America, with the voice of local people being heard and listened to in the highest counsels of Government, and with the old dictatorial voice of the Federal Government being reduced to an unpleasant echo of the past.

I am optimistic that a revenue sharing plan will be adopted in Congress, but if it appears that revenue sharing will not pass, to insure that rural development proceeds at a rapid rate, I intend to introduce legislation that will still put control at the local level, as revenue sharing would do, and that would still give rural America a much-needed shot in the arm, as revenue-sharing would also do.

This legislation would set up a nationwide structure, patterned after the Appalachian Regional Commission program, that will deal exclusively and effectively with rural development in America.

This new Government structure would provide assistance to local communities that don't have adequate tax bases to finance the basic development projects that every community needs so badly to live and grow and prosper.

We now realize that rural life is not inherently inferior to urban life. We know that black smoke billowing from a smokestack is not a sign of progress, but a sign of danger. We know that life in an overcrowded city is at best an imitation of the life most of us seek to lead.

We know that millions of people now live in despair in the burned-out hearts of America's cities, because fate and this Nation's lack of vision—not their own choice—have separated them from the rural setting that was their heritage and would gladly have been their future, had opportunity presented itself.

You ladies and gentlemen can play an important role in seeing to it that every American is aware of these facts, and aware of the steps being taken to improve the quality of life for all Americans.

Supreme Court Justice Louis Brandeis once said, "The function of the press is very high. It ought to serve as a forum for the people, through which the people may know freely what is going on."

What is going on is nothing less than a second American revolution, a peaceful one, but a revolution just the same, with stakes just as high, and with determination and courage just as badly needed.

I hope and I trust that you will use your forum for the people as an instrument of the public good. Rural development, the cornerstone for rebuilding America, is as much your business as it is mine.

Together, we can make tomorrow better than today.

Mr. MIZELL. I thank the gentleman for yielding.

Mr. MELCHER. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Oklahoma (Mr. EDMONDSON).

Mr. EDMONDSON. I thank the gentleman for yielding.

Mr. Speaker, I want to congratulate the able and thoughtful gentleman from Montana (Mr. MELCHER), upon the fine remarks he has delivered to us here today. I think he and the gentleman from Iowa (Mr. SMITH), and the gentleman from Kansas (Mr. SEBELIUS), have rendered a service to the Nation by joining in this series of speeches on the floor of the House to bring to the attention of the Nation the importance of a healthy agricultural economy.

Representing, as many of my colleagues do, an area that is in large measure agricultural in its base, I have known for a long time of the sagging fortunes of this major part of the American economy. Any man who has a district in which there is a large dairy industry or in which there is a large truck farming industry knows just how difficult times have been with steadily rising costs of production and a relatively stable price structure for the raw material itself that comes from the soil. We have indeed had an inflationary situation which has operated to the disadvantage of the producer who is producing the most important thing of all, the food that goes on the tables of the American families.

The gentleman emphasized very properly, I think, the role of the small town and the rural community in the health of our country. I commend him for his address and for the leadership he is bringing to the House on this important subject.

Mr. MELCHER. I thank my distinguished colleague from Oklahoma, a State that has much in common with my State of Montana.

I now am delighted to yield to the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Mr. Speaker, I would like to say I feel that the basic point that the gentleman in the well and the gentleman from Iowa and others have made here so well today was probably put most eloquently a number of years ago by the poet Oliver Goldsmith in his famous lines when he said:

> Ill fares the land, to hastening ills a prey,
> Where wealth accumulates, and men decay.
> Princes and Lords may flourish or may fade—
> A breath can make them, as a breath has made;
> But a bold peasantry, their country's pride,
> When once destroy'd, can never be supplied.

Now, if I may pursue the same basic thought for a moment in a slightly more light-hearted manner, I understand someone asked one of the farmers in my area not too long ago, "What would you do if the Federal Government or some other generous donor suddenly gave you $50,000 in cash?" He said:

I do not know, but I reckon I would go on farming until that was gone.

Mr. MELCHER. I thank the gentleman.

I now yield to the gentleman from Texas (Mr. Price).

Mr. PRICE of Texas. Mr. Speaker, I am gratified by the keen interest regarding farm and rural problems that several of my colleagues are displaying this afternoon. And I would like to thank the gentleman from Montana, John Melcher, for permitting me to comment further on this general subject.

As I have listened to the general debate, I have been warmed by the interest and concern for the farmer and his well-being being displayed. At the same time, however, I would caution my colleagues not to confuse talking about the problems of farmers and rural America with solving the problems of farmers and rural America. Action is needed and swift action at that.

In the remarks I made earlier this afternoon I discussed farm and rural problems in terms of five broad categories: Income, poverty, employment, housing, and education. In an effort to provide a focus for the interest and concern for these problems now being voiced, I would like to briefly set forth what initiatives I have taken and what legislative actions I am pursuing which are calculated to strike at the very roots of these five problem areas.

The state of farm income is deplorable. Mere statistics cannot really describe the dimensions of the problems that are felt by farmers who cannot earn enough money to provide the necessities of life for themselves and their loved ones. While it is true income problems have, in some cases, been created by overproduction of farm products, they have been magnified by the skyrocketing costs of farming and ranching over the last decade. By way of illustration, during the last 7 years capital investment costs for farmers and ranchers climbed 79 percent. Annual outlays for fertilizers increased 64 percent; costs of pesticides and insecticides rose 20 percent; and feed costs increased 33 percent.

To help the farmer better cope with these rising costs I have introduced legislation designed to increase loan limits on the FHA operating loan program from $5,000 to $50,000. This will help this vital FHA loan program better fulfill the farm credit needs of more small farm and ranch operators. In addition, I have proposed transferring the funding of the operating loan program from the Federal budget to the private money market. This will help streamline FHA operations and it will save the taxpayer approximately $275 million a year in Federal expenditures.

I was most gratified that 45 of my colleagues cosponsored these proposals when I reintroduced them February 25. My colleagues who joined with me in this endeavor are:

Bill Alexander of Arkansas, John B. Anderson of Illinois, Mark Andrews of North Dakota, Ray Blanton of Tennessee, Jack Brinkley of Georgia, Garry Brown of Michigan, James T. Broyhill of North Carolina, Tim Lee Carter of Kentucky, William L. Dickinson of Alabama, William Jennings Bryan Dorn of South Carolina, John J. Duncan of Tennessee, Marvin L. Esch of Michigan, Hamilton Fish, Jr., of New York, and Don Fuqua of Florida.

John Paul Hammerschmidt of Arkansas, Orval Hansen of Idaho, James Harvey of Michigan, James F. Hastings of New York, John E. Hunt of New Jersey, Albert W. Johnson of Pennsylvania, Robert W. Kastenmeier of Wisconsin, Earl F. Landgrebe of Indiana, Norman F. Lent of New York, Robert McClory of Illinois, James A. McClure of Idaho, John J. McFall of California, James R. Mann of South Carolina, and Wiley Mayne of Iowa.

Wilmer (Vinegar Bend) Mizell of North Carolina, G. V. (Sonny) Montgomery of Mississippi, John T. Myers of Indiana, Bill Nickols of Alabama, Alexander Pirnie of New York, David Pryor of Arkansas, Tom Railsback of Illinois, John J. Rhodes of Arizona, Fred Schwengel of Iowa, Keith G. Sebelius of Kansas, Garner E. Shriver of Kansas, Sam Steiger of Arizona, William A. Steiger of Wisconsin, Charles Thone of Nebraska, William C. Wampler of Virginia, John Ware of Pennsylvania, and Larry Winn, Jr., of Kansas.

Helping to bolster farm income, however, does not go far enough when laws such as our present inheritance laws exist which cannibalize as individual's estate. Why should anyone spend his lifetime striving to engage in productive work and to save and invest the fruits of his labors when he knows that upon his death the Federal Government, as a matter of public policy, will make every attempt to dilute his inheritance, dissolve his interests, and redistribute his wealth.

That such state of affairs has been tolerated for the last 30 years is unthinkable. That Congress has not acted to solve this problem is unjustifiable. Thus, with great hopes for reform of our ill-conceived inheritance tax laws, I have introduced legislation to reform these laws as they pertain to estates involving small farming, small ranching and small business interests. I have proposed that the executor of such an estate should be allowed to establish the estate value for inheritance tax purposes either on the basis of the earning power of the estate as evidenced by a taxable income measure or by the fair market value of the estate's assets. If enacted, this law would change present conditions wherein an estate is often incorrectly evaluated on the basis of speculative land values and unrealistic fair market values.

In essence, allowing an estate to be assessed on its earning capacity enables small business, farms, and ranches to be kept within a particular family, if so desired. This would preserve a valued way of life for thousands upon thousands of individuals who under present laws fall prey to the ravages of excessive and unjustifiable tax laws. Moreover, it would give people new incentive to work, to be productive and to save for the future and their posterity.

As regards rural poverty, as I have stated before, although nonmetropolitan America has one-third of the Nation's population counted it has one-half of its poverty stricken. This means that almost 14 million poor people live in rural areas.

As we are all well aware, poverty and unemployment go hand in hand; consequently, in an attempt to alleviate rural poverty and to provide new job and living opportunities for young people as well as older persons interested in bettering themselves, I have introduced the Rural Job Development Act of 1971 and the Human Investment Act of 1971. The Rural Job Act would give tax and other incentives to provide enterprises upon their relocating in rural areas and working with individuals and groups interested in improving the quality of life in their communities. The Human Investment Act bill would provide tax credits to offset part of the expenses businesses would incur in establishing, operating, and maintaining job training programs for the unemployed, the underemployed, and those interested in career advancement.

In my view giving business the incentive to relocate in rural areas and establish ongoing job training programs would have four primary benefits: First, the amount of Government involvement in the private commercial sector would be reduced; second, participating businesses would give individuals better targeted training than is now common among Federal programs, because businesses usually know their job needs better than Government officials do; third, individuals would receive more beneficial assistance because private enterprise would substitute modern management techniques for traditional bureaucratic practices; and finally, with more people on payrolls, general economic activities would be increased, welfare costs would be reduced, and additional tax revenues would be generated.

Rural poverty is also manifested by the state of rural housing. For as I mentioned earlier, over half the Nation's substandard housing is located in rural America. The state of rural housing affects more than poor people, it affects many middle-income families as well, for many houses of the nonpoor lack the amenities which we commonly associate with the affluent society.

To strike at the varied problems of rural housing, I have introduced the Housing Rights Act of 1971, a proposal which, if enacted, would suspend local building codes and/or union agreements in all federally-financed housing projects. The need for such a measure is caused by the fact that in many rural communities outdated local building codes often frustrate the attempts on the part of contractors to utilize modern technology in home construction. The same condition is also created by many local union contracts. They prohibit contractors from employing such cost saving building techniques as prefabricated housing parts, and modular construction.

It could be argued that these obstacles would be tolerable if there were not really pressing housing needs in rural America, but the facts proclaim reality to be otherwise. If this Nation is to meet its housing needs in the coming decade, 26 million new units need to be constructed; and of these, 6 million should be suitable for low- and middle-income families. Based on historical experience in the housing industry, it is unlikely these goals will be met, because in the last decade the average annual rate of housing construction was less than 1.5 million. Contrast this with the more than 2 million new units which need to be erected each year during the 1970's if the 26 million mark is to be attained. Moreover, as regards the 6 million units needed for low- and middle-income families, the impossibility of attaining this goal is evidenced by the fact that only 938,000 publicly assisted dwellings have been built since the beginning of the Federal housing program in 1949.

The Housing Rights Act of 1971 will enable tax dollars to be allocated to fullest advantage in the housing area. By permitting outdated local building codes and restrictive local union agreements to be bypassed on federally assisted housing projects the housing needs of the American people will be well served.

Finally, as regard rural education problems rural education will be revitalized if more money is effectively channeled into rural school systems and more individuals are provided with greater educational opportunities. Two bills I have introduced would free up individual resources for educational purposes; the first would establish tax credits for higher education and vocational training expenses. The second would establish a federally guaranteed student loan program designed to help children of low- and middle-income families pursue higher educational and vocational training opportunities.

Mr. Speaker, in closing, I want to emphasize two things: First, these are but the beginnings of my efforts to help reshape and revitalize the future of rural America. I will be making further proposals in coming months. Second, my proposals taken either singly or together do not constitute the last word on any of these areas. Thus, I welcome any suggestions as to improvements or changes, and I am examining all the other proposals that have been made in this general area with great interest.

Solving the problems of rural America is a nonpolitical and nonpartisan matter. It is a cause that in the years ahead will demand the best each of us has to offer.

Mr. MELCHER. I thank the gentleman for his very timely and pertinent remarks.

Mr. ROBERTS. Mr. Speaker, will the gentleman yield?

Mr. MELCHER. I shall be glad to yield to the gentleman from Texas.

Mr. ROBERTS. Mr. Speaker, I thank the gentleman for yielding.

I appreciate the gentleman from Montana, the gentleman in the well, the gentleman from Iowa (Mr. Smith) and the gentleman from Kansas (Mr. Sebelius), for taking this time to point out the problems of the farm family and particularly the family-sized farmer.

I represent an area made up to a great extent of family-sized farmers. It is a dry land farming area. We have no irrigation, so we are subjected to the whims of nature.

Mr. Speaker, we changed the Agriculture Act last year and it is in effect now. I voted for it because it was the best we could get. However, we made one serious mistake. The administration program substitutes subsidy on actual production for "takeout" acreage payments. When we fail to make a crop my farmers will get nothing when they need ASC payments most. The manner in which the law worked for some 10 years, at least they had their set-aside acreage payments on which they could survive to plant again. This way they have nothing. It is causing many more of my people to give up farming at a time when we need to keep more people on the farm. However, we are driving them away from the farm.

I appreciate very much the opportunity to join with these gentlemen in pointing out the difficulties that our farming people face.

Mr. MELCHER. I thank the gentleman from Texas for his remarks.

Mr. KAZEN. Mr. Speaker, will the gentleman yield?

Mr. MELCHER. I yield to the gentleman from Texas.

Mr. KAZEN. Mr. Speaker, I wish to congratulate the gentleman in the well and the gentleman from Iowa (Mr. Smith), as well as the gentleman from Kansas (Mr. Sebelius), and the others of our colleagues who have taken part in this debate this afternoon.

Mr. Speaker, I believe it is high time that this country started paying a little bit more attention to the problems of rural America and to the problems of the ranchers and the farmers.

The agribusiness, as has been said here before, is the largest single contributor to the economy of the United States today. But it is lamentable that agriculture's and rural America's problems have been shoved gradually into the background.

As my distinguished colleague from Florida said awhile ago, this is one united nation, and certainly we ought to give equal emphasis to the problems of all of this Nation. Unfortunately, however, most of the people in the United States now live in urban areas. This is where a tremendous number of the problems exist. We ought to direct our attention to them, and rightfully so, but at the same time I do not think we can afford to forget rural America, because the people there are also contributing their part; that part of the Nation is contributing to the overall problems of both the cities and the rural areas.

For instance, the outmigrations which we have had from the rural areas into the urban areas, have brought about serious school problems, sewer and water problems, pollution problems, health problems, and a greater incidence of crime. All of these problems we are directing our attention to now have been caused by this outmigration. At the same time, the very same people who leave the rural areas and create these problems in our cities, create problems in the areas they leave. When they leave, population decreases and therefore the tax base decreases. You have less services and less revenue while the demand for those services continues.

In the field of education, I believe that the rural schools do a good job.

But when those children leave and go to college they will not come back, because there is no job opportunity, no recreation, nothing to keep them there.

Coming down specifically to our problem of agriculture, ranching, and farming, I dare say that the prices that the farmers and ranchers are getting for their products today are slightly more, but just slightly more, than they were 15 years ago while the cost of producing that article of food or material has risen tremendously. Labor, costs have gone up, the costs of petroleum products, farm machinery, seed, fertilizer, all have gone up, and yet the farmer and the rancher have had to take the brunt of the increase in the cost of living without any commensurate increases for their products.

Mr. Speaker, I believe it is time that we direct our specific attention to solving the rural problems because if we solve the rural problems, I think we have made important progress in solving some important problems in the urban areas.

Again I want to congratulate the gentleman in the well, and my other colleagues, for having brought this matter to the attention of the Congress. I hope we can move forward from here and really improve the backbone of this country, which is rural America.

Mr. MELCHER. Mr. Speaker, I thank the gentleman for his remarks. I would like to say that the gentleman has presented the situation concisely and truly.

Mr. Speaker, I will now yield to my colleague, the gentleman from Mississippi (Mr. Montgomery).

Mr. MONTGOMERY. Mr. Speaker, I would also like to join my colleague in the well, the gentleman from Montana (Mr. Melcher); also my colleague, the gentleman from Iowa (Mr. Smith), and the gentleman from Kansas (Mr. Sebelius), and the other Members who have spoken here today, in bringing to the attention of the Congress the importance of agriculture to this country, and really to even the whole world. I would like to say to the gentlemen that not only is it the importance of agriculture that is involved, but it is the many problems it brings to the people who are in the agricultural field. In my own State the main source of income is from agriculture. The dominant economic force in Mississippi is agriculture, and in my district the majority of the people I represent work in agriculture or agriculture related industries.

I am quite familiar with the dedication of the gentleman in the well to our farm families and ranchers, since I had the honor and privilege of serving with the gentleman on the Committee on Agriculture during the 91st Congress.

I had the opportunity to read a copy of the gentleman's remarks, and also to listen to them as he presented them today. I particularly want to commend the gentleman on his prepared remarks where on page 3 he points out, Mr. Speaker, that in 1970, according to these statistics available in the President's economic report, we produced 30 percent more food and the farmers were paid $800 million less for producing it than in 1950, 20 years before.

These figures are almost unbelievable, but they are true. I want to thank the gentleman for pointing out such glaring inequities that have happened in the last 20 years to the farmers of this country.

Again I thank the gentleman for giving me this opportunity to participate in this special order.

Mr. MELCHER. Mr. Speaker, I thank my colleague, the gentleman from Mississippi (Mr. MONTGOMERY), and I want to inform him that we will miss him on the House Committee on Agriculture, and to, of course, wish him all success on his new appointment to the Committee on Armed Services.

I now yield to my colleague, the gentleman from South Dakota (Mr. DENHOLM).

Mr. DENHOLM. Mr. Speaker, I thank the gentleman from Montana for yielding.

Mr. Speaker, my colleagues, and all citizens that are interested in the future of America, there is one fact that can be recognized when we speak to this issue of agriculture in this country, and one fact that is undisputed by anybody, and that is that agriculture is the largest single industry in the United States. It also happens to be the largest single industry in my State, the State of South Dakota, the State of the home of the Shrine of Democracy, and yet it is presently the most neglected industry of all industries of this great country.

It now appears that the farm policy issues of the 1970's will be shaped in large part not by the farming community but by nonfarm people.

We will spend much of our time reacting to issues initiated by others when we should be initiating actions of our own.

The issue is clear. The farm community and interested groups must either lead—or be led. Some of the reasons for the declining farm influence over farm policy matters are these:

First. The declining farm population.

Second. The general unpopularity of large payments to a limited number of corporate and large farm operating interests.

Third. The growing public concern over long-neglected minority groups; and

Fourth. A certain public weariness with the issues of commodity programs such as the wheat, cotton, and feed grain program payments.

For almost 35 years the Government of the United States has "toyed" with various programs of price supports and production controls of numerous commodities in an attempt to stabilize the economy of the oldest and most essential industry of America—agriculture.

While American agriculture, as an industry, has always and is now the producer of the highest quality and the greatest quantity of food and fiber of any nation in all of the history of mankind, we ironically now find the industry on a 1910–14 parity basis barometer in equal economic status of the depression of 35 years ago.

This is unacceptable and I submit that we can do better.

At this hour the President of the United States is meeting with people in the heartland of America at Des Moines, Iowa. The purpose of the meeting with the people of the heartland is said to be the high interest of the Nixon administration in rural community development.

I submit that that interest could begin by raising the support prices for the basic commodities that farmers depend upon to operate their businesses on the land.

There is now and there will be much rhetoric. What we need is action. The constant cost-price squeeze on the people of the farms and the ranches must be reversed. By all acceptable standards of reason and of justice and of economic equity, the present deficiencies of the income structure for the people who till the soil for a living is unacceptable. This standard of depression is unacceptable to the people involved and is unacceptable to agriculture as an industry, and certainly unacceptable to a nation such as America. It is unacceptable for we, the people, of a mighty country. If it is permitted to exist, a depressed agricultural economy will ultimately influence the further maladjustment of population and resources and the wealth of this great country.

This administration, the Members of this House, and the people, the committees and the career personnel of Government must recognize that "nuts and bolts" legislation of the past has not solved the problem. If it did, we would not be here talking about it today.

We should recognize that "nuts and bolts" legislation will not solve the problem for the future.

I will vote for rural housing programs and I will vote for rural medical health care programs and I will support and hope that we get more appropriations for rural community development, for communications, and all of these programs. But, I ask of you, my fellow colleagues, what does such like and similar legislation do in support of commodity prices—the price of hogs? That is the problem. When we establish a base plan for agriculture that will provide farmers a fair and equitable share of the great wealth of this country, we will then find that they are capable of paying their own hospital bills and of building their own houses.

The people of America have not lost self-initiative and the people on the farms and ranches still believe in the concept that "this is the house that Jack built"—and that it was a good one.

It is time that some of us in Congress recognize that concept. I think it is time for a base plan for agriculture. I think we must realize, as adult people, elected to this House of the people, that a base plan for agriculture ought to be based upon people, based upon production—particularly so when we have people going to bed in this country suffering from malnutrition and a third of the population of the world hungry.

In Isaiah it is written, if I may paraphrase the words, that it would be well to spread the bread among the poor and to shelter and comfort the homeless.

I subscribe to a philosophy that we ought to prepare a base plan for agriculture that would be good for the people, and that we ought to stop paying people for doing nothing and creating a scarcity, when people cannot afford to buy what we now produce at present prices.

With all the knowledge that is seated in this great House of the people we ought to be able to develop that kind of a program.

I will propose a basic four-point program for agriculture. I intend to present it in this session of the Congress. I contend that, instead of trying to write a program based on bushels, bins, and acres, it ought to be a program based on production and people. We did not write a minimum-wage law for the people of this country based on nuts, bolts, and wheels. Yet when we tried to tell the American farm people and the people of rural America that we would write a program to stabilize their income, we based it on bins, bushels, and acres. I submit that in 35 years it has not worked. Agriculture as an industry is worse off today than it was in the mid-1930's, with the parity ratio—the debt ratio—the return on investment, no matter how you measure it. I suggest that we seek a new economic base plan for agriculture. This country and the people in agriculture are ripe for a departure from the traditional agricultural policies and programs of the past.

I suggest that a base plan for agriculture should be established with a 100-percent parity payment directly to each farm family on the first $15,000 of their annual gross sales, that is to say, we would provide for a direct payment to producers equal to the difference between market price and parity on the first $15,000 of the gross annual income of each farm family unit. I am not talking about a family-sized farm. I am talking about farm families, and they can be defined as a matter of law and as a matter of fact. Nobody has been able to define a family-sized farm. Nobody can. The objectives of a sound economy for agriculture must be based on the farm family as an economic unit. The farm family is an essential basic unit to the structure of a strong, economic, political, and social foundation of our system.

There ought to be a provision in the original law by which the amount of the parity payment benefit to producers could be carried back 2 years and carried forward 3 years to allow for overproduction or underproduction in any one year and thereby farmers and ranchers could begin to insure against the hazards and elements of the industry.

Second, and in addition to the $15,000 parity base-plan which is conceived in the interest of people and production—beneficial to consumers and producers alike—each farm family should have an opportunity through incentive payment programs to earn a maximum of $3,000 per year through approved programs of land and water conservation, the preservation of wildlife habitat, and the development of rural recreation facilities. The law should provide an opportunity to coordinate the maximum cooperative effort to farm families to earn a total of $3,000 each year with emphasis on the farmstead and also in approved area or regional work incentive projects. This would constitute a meaningful base-plan for agriculture.

Third, we should renew the investment tax credit concept benefits for homestead improvements at a level high enough to encourage homeowners and farmers to build, maintain, and repair their respective homes and we could then start to rebuild rural America.

We have pursued programs of destruction long enough. Let us pursue positive programs of reconstruction. There is no valid reason that every farm in America can not be like a garden and every home as "a man's castle."

A homestead is generally defined as a matter of applicable law in rural and urban America. Let us paint, fix up, and clean up—it is essential to the preservation of the tax base of political subdivisions of government. It is good for our people. It is good for our communities—it is good for our country. Let us begin.

Fourth, a sound base-plan for agriculture must include adequate credit policies of sufficient terms and at a minimal interest rate level to sustain rural families in times of need.

I propose a full-insured monetary credit policy of at least a 40-year term at a level rate of interest to the borrower not in excess of 4 percent per annum on the remaining unpaid balance from time to time due. Such a credit policy would recognize the banks as the economic nerve centers of each community. Presently, the essential requirements of national monetary policy cause the banking industry to invest billions of dollars in Government securities to meet secondary requirements of fiscal responsibility. Essentially, all such funds belong to the people as depositors thereof. It is a paradoxical dilemma to pursue Government requirements that cause the funds of the people to flow or tend to substantially flow to the Federal Government to be administered back to the people through a complexity of bureaucracies by acts of this Congress. We need a new approach to sound fiscal policy.

I recommend a 40-year, 4-percent loan program that first, provides the level rate of interest at 4 percent to be paid by the borrower; second, provides that the difference between the level rate of interest and the money market rate of interest—but not less than 2 percent—be paid directly to the banks for administration and supervision of the credit and loan finance program.

The Federal Government should be the guarantor of the loans to 100 percent of value on the principal balance for the full term and the funding of the loans should be provided from the deposits of the people and the private sector of the economy.

The result of a new approach to such a credit plan for long-term, low-cost financing would be a direct savings to the borrower for a term that would secure against cycles of economic change; second, a savings to the Government because of the efficiency and interest of bank-supervised acquisition and operating loans would be at a less cost difference than presently paid on Government securities; third, it would constitute a more sound fiscal credit policy than Government securities—Federal Government paper backed 100 percent to face value—because the loans guaranteed to 100 percent by the Federal Government would become secured by "blackacre" and the notes in promise of payment would thereby become negotiable in the private sector of the economy.

Today, Government is pursuing a policy by which bankers and the private sector of our economy buy bonds—invest in Government securities which constitute only Government paper backed 100 percent by the Federal Government—the Government then creates more administrative agencies and the Congress is expected to appropriate more funds to pursue a "round robin" system of policies and programs that impose a greater and greater burden of debt to borrowers in the industry of agriculture and related businesses throughout the country.

Some call the policies of the past right and reasonable. I call such programs nonsense. We are destined on a course that will not work and has not worked and we endanger our whole future if we continue to pursue it.

I submit that we need a 40-year 4-percent financing program whereby Government enters into a partnership with the people and recognizes that the local bank is the nerve center of the community. We need a new credit system of equal economic opportunity for rural and urban people alike.

In essence, this is the kind of program I want to present during this session of Congress and the program for which I shall seek the counsel and cooperation of my colleagues.

Today I commend those people who significantly have chosen this 1st day of March for this discussion, this day when there is a touch of spring in the air, and when the farmer and the people of rural America turn again their attention and energy to the tilling, sowing, and toiling of the soil.

We here in the House of the people must rededicate ourselves to bringing to the people of the rural areas true economic equity and a fair, honest, and true return for their efforts, investments, and labor as citizens of this great country. I thank the gentleman from Montana for yielding and I commend him and his colleagues for their great effort today in the interest of all people of this country.

Mr. MELCHER. I thank my friend, the gentleman from South Dakota, for his pertinent remarks.

I yield at this time to my colleague, the gentleman from Alaska.

Mr. BEGICH. Mr. Speaker, I also commend the gentleman from Montana, the gentleman in the well, and the gentleman from Kansas for taking the time today and obtaining the special orders so we may focus attention upon a major occupation of our country, the agriculture of our Nation.

Mr. Speaker, it is a pleasure to add my remarks to those of my distinguished colleagues in an effort to focus the attention of Congress on the pressing needs of the agricultural community of this Nation. If I may, I would like to add my voice to theirs in a plea for overall solutions to the problems of the farmer, and to tell you some important facts about the history and current status of the agricultural industry in Alaska.

For those of you who do not yet know Alaska well, it could come as a surprise that there is any farming at all. Others of you may be familiar with the giant lettuce, beets, turnips, and other produce that so often characterize the benefits of Alaska's 24 hours of sunlight during the growing season. These magnificent farm products do indeed grow in Alaska but they are only a part of the story of Alaska agriculture.

For many years following the Alaska purchase in 1867, many believed that Alaska could not support an agricultural industry. Yet as early as 1900, a farming area was established in the Tanana Valley near Fairbanks, and continuous farming began in 1914 in the beautiful Matanuska Valley near Anchorage. A third area on the Kenai Peninsula has also been farmed for some time. These three areas, particularly the Matanuska Valley, constitute the agricultural centers of Alaska.

The major crops of these areas are potatoes, lettuce, cabbage, carrots, and other fresh vegetables. In addition, sheep, poultry, cattle, and hog farming are done in these areas, as well as a rather substantial dairy industry in the Matanuska Valley. In other areas of the State, reindeer are raised for market, and constitute a promising industry for the future.

Life in these areas centers around the agricultural community. The University of Alaska maintains an agricultural experiment station and training farm near Palmer, a lovely small town in the Matanuska Valley. Each summer, Palmer hosts the Alaska State Fair, an event having all the color and excitement of State fairs all over the country.

As you can see, the scale may be slightly smaller, but the agricultural industry of Alaska consists of all the elements which made this industry one of the cornerstones of our Nation's economy. It is no different in Alaska, as our farm community is an important part of our Alaskan life and economy. In simple terms, I am extremely proud of it all.

Although it is my pleasure to tell you this story of Alaskan agriculture, there is a far more important task at hand. This is the task of addressing ourselves to the critical needs of the American farmer, and I thank my colleagues, Mr. MELCHER of Montana, Mr. SEBELIUS of Kansas, and Mr. SMITH of Iowa for allowing me to add my thoughts to their efforts in this task.

In many ways, the Alaska farming industry is that of the Nation in a microcosm. The problems of the Matanuska Valley farmer are those of the farmer in Montana, Kansas, Iowa, or any other State.

Consumer prices are rising while farm

prices remain shockingly low; few young people are becoming farmers; interest rates are so high that new capital investments are impossible; rural health and housing services are lagging behind; and the pinch of continued inflation is being felt first in our farm households. It is a sorry picture at this date for our farmers, and remedial action is essential.

Let me add a few of the specific problems of the Alaskan farmer to this story.

Traditionally, agriculture has been a stepchild in Alaska's development. Financial institutions have been unwilling to invest in what they consider to be an ultra-high-risk industry. For this reason, either Federal encouragement or private investment loans are essential to modernize Alaska's farms, and permit new capital investment to take place. Alaska is a harsh environment for agriculture, and the farmer's expenditures for equipment and shelter must necessarily be higher.

Additional programs are necessary to undertake agricultural experimentation in Alaska to develop new crops, new strains of old crops, and whole new agricultural areas. The experiment station of the University of Alaska has done much, but needs even more assistance.

A critical need is for processing and storage facilities in the farming area. With a productive growing season of from 100 to 120 days, a long cold season, and major transportation difficulties, each product must have the longest possible storage and shelf life. This is not possible with the present facilities available for most Alaska products.

Finally, I would say that expanded educational programs and incentives for entering the agricultural field are necessary. One of the main benefits of such incentives will be the bringing of greater amounts of Alaska's unused agricultural capacity into production. I believe it is safe to say that in each product area of agriculture, only between 1 and 5 percent of the available useful land in Alaska is being used for crops, grazing, or other use.

A further benefit of such expanded development might well be the beginning of a new economic base for the Native people of Alaska. Already, in the reindeer and musk ox industries, there are strong trends to support this hope for Native economic development in the agricultural area.

These problem areas, and proposed solutions are but a part of the needs of Alaska's agricultural community. The larger needs relating to farm prices, interest rates, and farm services are shared with the farmers of the Nation, and I share the views of many colleagues who are addressing themselves to these problems today. I hope that I have given you an insight into the agricultural story of Alaska, and I join you in seeking a better future for our farmers.

Mr. MELCHER. Mr. Speaker, I thank the gentleman from our largest State, the gentleman from Alaska, for enlightening us on this subject.

At this time I yield to the gentleman from Iowa (Mr. CULVER).

Mr. CULVER. Mr. Speaker, it is a great pleasure for me to have this opportunity to make a few remarks as we observe farm day in the House of Representatives. I wish to commend the gentleman from Iowa (Mr. SMITH), and the gentleman from Montana (Mr. MELCHER), and the gentleman from Kansas (Mr. SEBELIUS), for organizing this special program to focus attention on this critical subject of the condition of American agriculture.

It is difficult to exaggerate the importance of our discussion here today.

The creativity and independent initiative of the American farmer continue to be the basis of agricultural stability and productivity for the future and, indeed, the very bedrock of a sound and progressive economy on the national level.

Yet, these facts receive decreasing attention in the Congress as the farmers' representation diminishes, are ignored by the executive branch, and are simply unknown or unappreciated by the American consumer.

However, any fair review of the economic plight of the American farmer clearly demonstrates that the farmer not only has not been the cause of the rising spiral of prices but that, on the contrary, he has been one of its most vulnerable victims.

During the last decade, while the disposable income of the average American increased by more than 50 percent, the amount of the average American budget devoted to food consumption decreased by 3 percent, as the consumer benefited from the ability of the farmer to produce more efficiently at lower cost.

But, for the farmer, the price of modernization was oftentimes insurmountable. His production expenses rose from $26.4 billion at the beginning of the decade to almost $38.5 billion by 1969, total farm mortgage debt more than doubled, and the interest rates on loans, when available, increased almost steadily.

Moreover, the relationship between the prices the farmer pays and those he receives, or the parity ratio, dropped to the lowest level since 1933, the depth of the Great Depression, and his share of the consumer's food dollar dropped from 41 cents to 37 cents—2 cents below his 1960 share.

Clearly, it is the farmer who is subsidizing the American consumer.

But beyond the diminishing returns on the farm, the overall neglect of the condition of rural America compounds the stresses encountered by the farmer. Thirty-four thousand of our smaller communities lack modern water facilities and 44,000 do not have adequate sanitation facilities.

By whatever yardstick you measure America's housing needs, we cannot escape the awareness that at least two-thirds of our inadequate housing exists in rural America.

Part of the problem is a lack of coordination and planning at the Federal level. For example, the Federal Housing Administration does not operate effectively in communities having a population of less than 25,000.

The Farmers Home Administration, while it has authority to operate in towns of up to 10,000 in population, generally follows a rule of thumb of 5,500.

Obviously, thousands of rural and small towns are left out by the gap between these two agencies. As Prof. Don Hadwigger, from my own State of Iowa, has pointed out, middle rural cities and semi-isolated urban areas, which are the fastest growing areas and the most viable at this time, are not getting their share of funds for development because of this jurisdictional gap.

But the even more serious part of the problem is how little is being done to reverse the overall neglect of the farmer and rural America. Substantive action has been taken, true, over the last 2 years, but the counsel of rural America has not been sought, and their interests have been ignored.

Much has been said recently about administration neglect not only of rural America but of the totality of domestic interests as well. The administration has as well as admitted this is justified criticism with the President's announced new attention to America's well-being at home.

I welcome that change. But now that the budgetary intentions of the administration are available to us, now that we can judge the administration by its actions rather than its words, it is time to ask what is in the new expansionary budget for rural America. And I would submit to you today that unless the Congress can reverse the low priority given to rural America, 2 more years of shameful neglect are in prospect.

Last year, the President requested a mere $24 million for rural water and sewer grants. Congress increased that amount to $100 million. Now the administration has announced it will spend less than half—$44 million—of what Congress appropriated.

For rural water and sewer loans, Congress more than doubled the administration's request of $40 million last year. But the administration will not spend $68 million, or over two-thirds of the $98 appropriated by Congress.

And the agricultural conservation program, now known as Reap, has been administratively cut by $44.5 million, almost a quarter of the $195.5 million appropriated by the Congress. The administration hopes to eliminate the special milk program completely.

This is the same administration which tried to cut the 502 rural housing insured loan program for fiscal year 1971 from $1.4 billion to $946 million—and only restored the funds after significant congressional pressure was applied.

And this is the same administration whose President has met only twice with the Rural Affairs Council, compared to 19 meetings with the Urban Affairs Council, as of last May, who has yet to deliver even one message to Congress on agriculture, and whose 1970 farm bill was not supported by a single major farm organization. It is one thing to cut back or cancel a program that is not working, or which is no longer necessary.

But to give up on the very ones which have proven most successful in meeting what we recognize as an urgent national problem—rural development—is the height of folly and irresponsibility.

Had the administration been successful in cutting the 502 rural housing insured loan program, the rural housing program would have been closed down for the rest of the year, so far as more than half of the people who filed applications were concerned, and would have been closed down completely so far as any new applications were concerned.

And if we cannot restore the cuts in water and sewer loans and grants, about 800 small communities will have to postpone their development of adequate water and sewer systems.

After waiting for 2 years for the administration to implement constructive rural programs, rural America has been forced to recognize—

That its voice is not heard in the White House.

That its economic plight is not understood by the Administration.

And that rural areas are an administration afterthought—ripe for a short plane trip to Iowa to reaffirm 2 years of unfulfilled promises.

But the Iowa electorate is too smart to be fooled by such an obvious roadshow of snake oiled salesmanship. We await more will, not more words, in the form of a concrete program, not phantom propaganda. For meaningful improvement in the general welfare of rural America will be achieved, not by deceptive lectures, but only by determined leadership.

But if we are serious about our desire to reverse this trend in the future, we must not limit ourselves to an attack on the Administration, however justified that attack may be.

If we are serious in our concern today, we must admit that the only alternative to 2 more years of neglect of the farmer is a reversal of this pattern, which is initiated right in the Congress.

But we too are going to need more than good intentions and high sounding rhetoric if we are to achieve that end.

For while in the 1920's there were 251 congressional seats, or 56 percent of the Members of Congress who could be identified as representing the farmer, by 1960, that representation had diminished to 12 percent. And in 1971, a mere 9 percent of the House represents substantial segments of our farming population.

It should go without saying that we will need to do more than commiserate among ourselves, however reinforcing that may be. And we must do more than discuss problems and solutions with our farm constituents and agriculturally oriented colleagues in the House and Senate.

Rather we must concentrate on making our case to our urban colleagues and their constituents, without whose support the best designed farm program will simply gather dust on the drawing boards, rather than be put into practice on the farms.

This is why I have carried out a program for the past 6 years to bring eastern urban Congressmen to visit on farms in the Second Congressional District of Iowa.

To give them a firsthand, in-depth view of what our problems and needs are and to demonstrate the interdependence of our national economy which makes sound agricultural legislation equally important for their constituents as well.

Moreover, this same reasoning applies in reverse. We cannot hope to get the support we need for sound agricultural and rural programs unless we understand the problems of the cities, and support progressive solutions to urban problems as well.

This is why I sponsored a nationwide program with the U.S. Conference of Mayors, designed to educate Members of Congress from rural and suburban areas on the needs of the inner cities—so that we could see for ourselves the conditions of hard-core and youth unemployment, welfare costs and their administration, transportation, housing, and educational needs of the ghetto disadvantaged, as well as the functioning of police and corrections work.

And so that we would be able to better explain and defend our votes for urban programs to our rural constituents.

In addition to fostering an understanding of the particular problems of geographical areas of our country among our colleagues and constituents familiar with vastly different problems and needs, we must seek a national understanding of the interdependence of the economic sectors of our society.

Because in our interdependent society and economy, there can be no national progress if one section of the country or segment of the population is left behind.

Moreover, we cannot find the answers to the problems of the cities until we first find a way to slow the movement of people to them. For today, we are confronted with the alarming fact that 70 percent of our people are jammed into 1 percent of our land. And they continue to come, from the countryside, at a rate of more than half a million a year.

If we are to reverse this trend and stem the flow to our already congested and overcrowded cities, it is abundantly clear that the solution does not lie in the cities alone.

The solution can only be found if we can offer an attractive alternative to urban life—to realize the importance of developing rural America—to keep our young men and women—with their talents, their energies, and their education—where they are and where they can continue the vigorous growth and development which their parents and grandparents started.

Thus it is essential that we direct our national effort to the critical task of restoring the balance between rural and urban America—so that we can offer to our children and theirs the opportunity to choose, between the best of both.

It has been estimated that at least 40 percent of all existing government programs—in education, housing manpower training, community assistance—can directly aid in rural development. And we must see to it that the fair share does go to these areas, in the interests of rural and urban America alike.

But, we must go further:

First, to provide an adequate income for those who do stay on the farm.

Second, to offer job opportunities in smaller communities for those who leave the farm.

Third, to develop in rural areas the services and facilities which will make them attractive alternatives to the cities.

This is why I have introduced legislation:

To provide a fair farm budget system, to prove to consumers and taxpayers that 64 percent of the agriculture budget goes to subsidize them, not farmers;

To establish long-range low interest credit for young men to invest in family farms;

To eliminate tax loopholes for corporate farmers;

And to insure mandatory advance feedgrains payments.

In the next few weeks, I will be introducing legislation designed:

To serve as a constructive rural compliment to urban renewal programs, which are aimed at massive metropolitan areas, rather than patterned to the needs of our smaller towns.

To provide the opportunity for creative action at the small community level, in a one-step shopping approach which would produce a minimum of administrative headaches for local level staff.

The purpose of this program is to give Federal financial and technical assistance to local initiative in three major areas:

First, to better provide for the living core of any community—from low income housing, nursing homes for the elderly, and health clinics to solid waste disposal and sewer and water systems.

Second, to foster the improvement and expansion of those facilities which make a community a rewarding place to work and raise a family—from libraries and community centers to park and recreational facilities.

Finally, to coordinate and expand existing Federal programs, to stimulate an improvement in the quality of small town and city life, by historical preservation and architectural renovation, and including such significant amenities as sidewalks, street lights, and landscaping.

We will accomplish little if we rivet our domestic resources on the undoubted problems of crime, urban blight, and inner city decay, and allow those gains, in turn, to be undercut by a constant influx of newcomers, who were not offered any opportunities in the rural areas, a paradox already painfully apparent in our current welfare crisis.

These are tasks which will require the combined and imaginative efforts of all of us. I would suggest that what we lack is not the knowledge, not the resources, not the technical skill to implement this goal.

What is needed is the will to seek and implement the solution—and the leadership to motivate that will, to stimulate the commitment we so vitally need. That is the challenge before the Congress. That must be our mandate if we are to truly realize the fulness, the richness, and the diversity of the American way of life.

Mr. MELCHER. Mr. Speaker, I thank the gentleman from Iowa for his comments.

I yield now to the gentleman from Kansas (Mr. Roy).

Mr. ROY. Mr. Speaker, I thank the gentleman from Montana for yielding. I congratulate the gentleman and the gentleman from Iowa (Mr. Smith), and also the gentleman from Kansas, my distinguished colleague (Mr. Sebelius).

Mr. Speaker, I want to direct my remarks not only to the economic health and viability of our rural communities but also to the actual physical and mental health of the people of our rural communities. We cannot have a high quality of life in rural America without quality health care.

I believe that there is a true health crisis in our Nation and particularly in our rural communities. We have seen two simultaneous events which have aggravated and exacerbated this particular crisis. One is the increase in demand for health care, which has come about because of great expectations on the part of the citizens of our country. These are rightful expectations, in that we have made great scientific advances in health care.

We have also had an increased ability and an increased willingness to pay for health care, and we have had, of course, partial health programs provided by the private insurance sector and partial health programs so far as our Government is concerned, and this has made the ability to pay greater on behalf of our citizens.

Simultaneously we have had an decrease in the supply of health personnel and of health facilities available for the people in rural areas.

We have about 140 doctors per 100,000 people in the Nation as a whole, but there are only about 77 practicing physicians per 100,000 people in the area of northeast Kansas which I represent. Moreover, the average age of the doctors in many of the counties is over 60, so this which is an acute problem at the present time will become an even greater problem in the future.

Especially I wish to commend the great services which the rural doctors and physicians and rural nurses and other health personnel have given in rural communities, for many times they are on call 24 hours a day 7 days a week.

With these brief remarks I should like to commend the gentleman in the well (Mr. Melcher) and the other gentlemen who have made comments today about our rural problem.

Mr. Speaker, it is belaboringly obvious to observe that the farmer is an important person. Each of us has his own opinion about how important the farmer is, but we all agree that he is important.

Few of us produce any food anymore, but most of us consume increasing amounts of food. The origin of our food products is our farms. By continuing advancement in techniques and continuing application of scientific knowledge, each farmer now has the capacity to produce enough food for hundreds of persons. The rest of us are free to engage in other industries to produce not only homes and clothing, but also better medical care, rapid transportation, and entertainment and facilities for recreation. We are freed to pursue the arts, to protect our Nation, to explore outer space, to pursue higher education, and if believed necessary and proper, to wage war.

It was not by accident that the great civilization of antiquity grew up in the deltas of the Euphrates and the Nile Rivers. Here man first learned to drain the lands and to grow food in amounts sufficient to feed others than himself.

The basic strength of our Nation springs from our soil. The wealth of our Nation is our land. The primary worker in any society is the producer of food. It is not enough that we realize in some vague way that the farmer is important—we must realize that a healthy, productive agricultural industry is the foundation of our natural strength and the bellweather of our economy.

But agriculture is in a crunch in 1971. Like most of our dilemmas, this situation has not occurred just this week or this year, but has evolved over decades.

The basic problem facing agriculture today is that it is one of our most highly regulated industries. Not only are the prices set in Washington, but to a great extent, the amounts grown and the places of marketing are determined by the National Congress. The free enterprise system and the law of supply and demand, long believed economic principles, and still great national slogans, are operative in very few areas of agriculture.

Agriculture is highly regulated because food production is too important to leave to chance, and because our farms have the potential to produce severalfold the food that we can consume in this country. Moreover, there is no self-regulation, no self-imposed marketing quotas, and industrywide price fixing that we see in many of our industries. It is notable that nearly all of our industries and professions that are believed by society to be of prime importance fall to the control of society as a whole; that it, governmental control, local, State, and Federal.

But there are several things that we as a people, and we as a Congress, must remember about this great industry.

One is that the farmer is often owner, employer, and employee. He deserves a reasonable return on his investment. He deserves a reasonable profit, and he deserves a reasonable wage for his labor. Too often the farmer has to rob Peter to pay Paul. He could not exist, and cannot exist, with a 2 percent or less return on his investment. He could not, and cannot, exist with little profit, or sometimes a loss as a manager of a business. He could not, and cannot, exist on an hourly wage scale, perhaps half that of the average wage in other industries.

Many farmers, as a result, have gone broke and left the farm. I cannot shed a tear for every individual who has left the farm. Many have continued the success of their forebearers, but in other lines of endeavor. Others have necessarily left because the farm is no longer a depository for the unskilled or less motivated members of our society. But darn good farmers have gone broke, or have diminished net worth, or have existed only by great frugality, in an era of prosperity and plenty for the balance of the Nation.

Many farmers continue to operate as farmers only because of the appreciation and/or inflation of land prices. Others continue because of their excellence as managers, but there is a limit to increasing productivity. Others continue because they are "free" to work enough hours even at a calculated low hourly wage, that they can earn a living.

Frankly, I do not foresee in the near future the time when prices and regulations will not be decided by the people collectively, that is, by Government.

But our people, consumers though we all be, and our Government, must realize that agriculture is first among our industries and that only when we have a healthy agriculture can we have a healthy economy and a healthy Nation. We appear to have lost this perspective and the farmer has not shared in the recent prosperity of our Nation. But it appears that he may be among the first to share in any and all recessions. In my view, these two items are interrelated. If agriculture does not share in prosperity, if this basic industry is not at all times a thriving, progressive industry with a return proportionate to its productivity, a national recession becomes increasingly probable.

Let me speak briefly of an ultimate goal, a goal not for only our Nation, but for all mankind. That goal is total production as long as there are those anywhere in the world who are hungry.

Our farms are indeed the goose that lays the golden egg. But we have been troubled by too many golden eggs—so we are seen by starving people in this Nation and throughout the world as either limiting the number of golden eggs laid, or stomping on some, and/or not—interminably—storing these eggs.

The solution to this problem, as with many of our paralleled farm programs. exist not on the farm, but in the halls of many national governments. We must break down the barriers among nations which inhibit world trade.

As long as we go the route of building trade barriers to reward the political stand of special interest groups, we will step further back from the ultimate goal of feeding all human beings throughout the world, and we will necessarily require larger armies to protect either the golden goose, or the storehouse of golden eggs. And this may be eventually counterproductive to the point of extinction.

I thank the gentleman for yielding.

Mr. MELCHER. I thank Dr. Roy for bringing these points to our attention. It is good to have the expert advice of a physician on the very vital role of agriculture and the very significant problem with respect to rural health.

Mr. Speaker, I am pleased now to yield to my good friend, my colleague and my neighbor from North Dakota (Mr. Link).

Mr. LINK. Mr. Speaker, Mr. Melcher and other colleagues who have arranged this farm forum this afternoon, and my collegues, rural America is in trouble.

Parity, a yardstick for determining how farmers are doing economically, dropped from 74 percent in 1969 to 67 percent at the end of last year—the lowest point since the great depression.

Symptomatic of what is happening in rural America is this news item from the Mandan, N. Dak., Pioneer of February 10, 1971.

> Unemployment in North Dakota is still increasing, according to Martin Gronvold, Executive Director of the Employment Security Bureau.
>
> The national average dropped two-tenths of one percent after reaching a 10-year high in January, but North Dakota didn't share in the decline.
>
> Last month alone showed 4,071 new claims for unemployment compensation, Gronvold said. This represents an increase of 31.9 percent over the same period last year.

Mr. Speaker, the plight of rural America also is stated in an article by Douglas E. Kneeland in the New York Times, datelined McClusky, N. Dak., February 13, 1971. I quote from pertinent portions of that article:

> As the sprawling metropolitan areas of the East and West struggle with the miseries of overcrowding, the vast plains of the American midlands—from Montana and the Dakotas through Texas—are growing more desolate.
>
> Weary farmers and ranchers, frustrated village dwellers and, perhaps most of all, the educated young are fleeing the lonely prairies by the thousands.
>
> And this week the Census Bureau, largely reflecting the exodus, reported that the proportion of the nation's population still living in such rural areas fell to 26.5 percent last year from 30.1 percent in 1960 . . .
>
> But what one wearied village business woman called the "snowball effect" of what used to seem a tolerable drain on the countryside has now caused an almost desperate situation in many rural areas, especially on the plains of the heartland. As more people leave, economic survival becomes more difficult and the quality of life harsher for those left behind. Hundreds of towns are dying. Some are already dead . . .
>
> McClusky is merely sick. Still a relatively busy shopping center for the surrounding area, it has seen several stores close as the population dwindles . . .
>
> In the 1970 census, the United States showed a population gain of about 14 percent to slightly more than 203 million. But North Dakota and South Dakota each lost a bit more than 2 percent of their inhabitants. Only West Virginia, plagued by Appalachian poverty, joined them in the downward trend.
>
> The other states in the midlands, most of which have sizable cities to absorb some of the migration from the countryside, recorded increases. Still, their rural counties almost invariably lost people. This out-migration, most observers feel, affects far more than the small towns—like McClusky—that it leaves to wither.
>
> ### THE URBAN PROBLEM
>
> "We're a part of the urban problem," Keith Burkholder, Director of Planning for North Dakota, said in an interview in Bismarck. "If we send fairly well-educated, fairly well-motivated people to urban areas, they're bound to displace some people who are already there who need jobs."
>
> But while they sensed the irony in the steady desertion of rural areas at a time when most of the nation is wringing its hands in despair over such problems as air pollution and overpopulation, it is not the ills of the cities that trouble officials, businessmen and other residents in states such as North and South Dakota. They are most concerned about the problems that the migration has left in and around towns like McClusky.
>
> Set amid the endless wheat fields, 65 miles northeast of Bismarck, this village is the geographical center of North Dakota. It is also the seat of Sheridan County, which was distinguished by having the fastest rate of population loss in the state in the last decade (25.7 percent) from 4,350 to 3,232, McClusky saw its own population drop from 751 to 664. "McClusky and Sheridan County are not unusual—particularly on the plains. Of the total of 728 counties in North Dakota, South Dakota, Montana, Wyoming, Nebraska, Kansas, Oklahoma, and Texas, 483 lost people.
>
> ### A DROP OF 420,000
>
> Few remaining in the depopulated plains feel that either Washington or the rest of the nation are much troubled by their plight. But in these eight states, there are more than 5.6 million people, a drop of 420,000 in the last decade, living in what the Bureau of the Census defines as rural areas—on farms or ranches or in towns of less than 2,500.
>
> In figures released in Washington this week, the bureau noted that the nation was made up of 149.3 million urban and 53.6 million rural residents. This is a massive shift from the balance in 1920, when the country consisted of 54 million urban and 51.5 million rural residents, but it still indictes that a sizable number of Americans are faced with problems considerably different from those usually associated with the last third of the 20th century . . .
>
> The regions that are losing population are primarily agricultural—wheat, cattle, barley, oats, flax and agriculture has changed rapidly. Farmers' returns have not kept pace with the increasing cost of land, labor, machinery, fertilizer and other expenses. To survive, the farmer has had to grow bigger and make his profits on volume and efficiency.
>
> As the survivors expand, others are forced to leave the farm. Some find jobs in nearby towns. But since the towns exist almost entirely to service the surrounding agricultural community, a drop in the number of farmers leads to a decrease in the number of service jobs available. Therefore, many who leave the farm must move out of the area to find work. Their departure leads to a future decline in business at the local grocery or other stores.
>
> Most of the rural counties of the plains have been sparsely populated at best. Having thin labor forces and being far from raw materials and markets, they have little to attract even small industries to help absorb the displaced farmers.
>
> ### GOVERNMENT A FACTOR
>
> The rising educational level of the young has left many too highly trained for the scant opportunities available in their home areas.
>
> The always increasing mobility of Americans, coupled with their inherent restlessness, has affected this region much as it has others.
>
> The climate—constant wind and oppressive summer heat of the Southern plains and long winter sieges on the Northern prairies—has persuaded many to seek more comfortable surroundings, most frequently in California or Arizona.
>
> Some argue that there are still other reasons for the continuing outflow.
>
> Gov. William L. Guy, a 51-year-old Democrat who was elected last fall to his sixth term in North Dakota, blames the Federal Government for much of the drain.
>
> "It isn't something that happened by any natural forces," he said, sitting back in a chair in his office in the 18-story State Capitol in Bismarck. "The forces that caused it were all man-made. The greatest causes for population shifts in America are Federal Government policy, not on a national policy basis, but on a political expedience basis."
>
> Declaring that the Defense Department was "probably the biggest offender," he cited the department's research grants to institutions of higher education, defense contracts and defense installations as examples of the influence it exerts on the pattern of population distribution.
>
> Governor Guy, who for nearly four years has been fighting for a national policy that would "distribute population through distributing opportunity," contended that the present system of concentrating research and contracts in certain areas, particularly on the East and West Coast, was "self-feeding."
>
> "In the next 30 years," he said, "if the trend continues, 300,000 people would leave North Dakota to seek opportunities. Most of these people who leave do not leave voluntarily. We do feel that we have a responsibility to absorb at least our own."

It may not be popular to suggest that food in the United States is the best bargain in the world. I know it does not take too long to get $50 worth of groceries in a cart at the supermarket. But it is wrong to blame the farmers for the soaring cost of living. In most cases, the farmers' share of retail prices is microscopic. From a 37-cent loaf of whole wheat bread, the farmer gets 3 cents in income; from a 31-cent box of cornflakes, he gets 2½ cents; and from a 32-cent head of lettuce, he gets 12 cents.

The productive efficiency of our farmers has increased 6 percent per year since 1960. This is twice the rate of increase of other industries. If productivity in the rest of the economy were comparable to that of the American farmer, we could have higher wage increases without aggravating inflation.

Some might argue that, if the small or moderate-sized operator cannot compete—let him improve his productivity and efficiency or quit—leaving the production of food and fiber to those who can afford to produce at low prices.

Such thinking is as shortsighted as to offer a factory worker longer hours at lower wages so that he can make the same weekly pay and permit the manufacturer to offer a cheaper product because he has more goods at a cheaper unit cost. Labor and management long ago learned that this policy can only lead to self-destruction.

Competition among thousands of individual farm operators, because of the nature of their operation and their products, has not, up to this time, lent itself to the collective bargaining practiced by labor and management.

A continuation of the present type of competition among farmers will lead, eventually, to destruction of the method of production of our food and fiber as we know it today.

We must seek solutions to prevent such destructive competition. The entire Nation has an interest in keeping the production of food and fiber in the hands of owner-operator farmers and livestock producers. This method has resulted in an enormous quantity of high-quality food and fiber at extremely low prices. Farmers by nature produce for abundance rather than scarcity. Abundance means an adequate supply of raw commodities at reasonable prices. Without adequate prices, thousands upon thousands more of our small and medium-sized farm operators will be forced out of production. A continuation of this trend will result in corporation farming. A takeover by corporations could result in complete control and price-fixing of the raw food and fiber supplies of our Nation.

With the possibility of complete control of production for scarcity in order to obtain profitable prices, our Nation could find itself in a food-deficit position at the mercy of foreign production, or even worse, could face a famine.

Mr. Speaker, I cannot impress too strongly upon this body the tremendous importance of strengthening our farm economy. Farmers should be rewarded for their untiring efforts to produce for abundance and not suffer economic hardship because of it.

As one from a rural State where 80 to 85 percent of our economy depends on agriculture, I am mindful of the interdependency of the farmer and his city or suburban counterpart. We must open and maintain clear lines of communication between urban and rural America. We must not permit ourselves to be pitted one against the other. Only in this way can we assure a continuing strong and vital rural America, and a strong, thriving urban community. Economic strength and vitality can be the basis for a social order that will beat out the smoldering flames of injustice, prejudice, and inequality that is so much a part of our Nation today. One segment of our economy or its people cannot thrive at the expense of the other.

Mr. Speaker, this great land of ours with its teeming millions, if it is to rise and prosper at all, must rise and prosper together. For, if we rise and prosper at the expense of any segment of our people, the economic collapse of the one could result in the collapse of the next, and the next—like dominoes.

I would remind my colleagues that, of every 10 jobs in the Nation, three are related to agriculture.

While sustaining blow after blow in income, rural America is becoming a virtual transportation desert, with cutbacks in railroad and airline transportation. The situation threatens to become worse, because the new Railroad Passenger Service Corp. is geared to help high-population centers at the expense of rural areas.

Does it make sense to cut off rural America from the world, while our great cities are choking in traffic?

We must view these problems in a national context. We must achieve a more rational population balance in the United States. The imbalance is illustrated by the fact that my State of North Dakota has a population density of nine per square mile, while the District of Columbia has a density of 12,000.

With these thoughts in mind, I requested and received an assignment to the House Agriculture Committee. Because of my sensitivity to the interdependency of our rural and urban communities in times of prosperity as well as adversity, I volunteered and was pleased to receive an assignment to the District of Columbia Committee.

On Wednesday, I joined with a bipartisan group of Congressmen to cosponsor the Rural Job Development Act to provide incentives for job-creating industries in our rural areas. The primary sponsor of this legislation in the House is the Honorable KEITH G. SEBELIUS, of Kansas. In the other body, the Honorable JAMES PEARSON is the primary sponsor of the companion bill.

Action on all of these fronts is necessary to improve farm income, to give higher priority to the transportation needs of rural areas and to develop industry, generate jobs, and diversify the economy of rural America.

Mr. Speaker, on January 22, 1970, President Nixon in his state of the Union message, promised to work to "create a new rural environment that will not only stem the migration to urban centers, but reverse it."

Features insisted upon by the Nixon administration weakened the Agricultural Act of 1970 as an instrument to raise farm income. But even within the act, the administration was given latitude. Unfortunately, it has not used the powers at hand to improve the economic conditions of farmers.

Mr. Speaker, I hope that we can work together in the Congress to take constructive action and that we can persuade the administration to take a more positive attitude. That is the reason I have joined my many colleagues in the House today to emphasize the urgency of the economic problems of rural America.

In conclusion, Mr. Speaker, I would like to commend my colleagues, Congressman MELCHER, and others who have arranged this forum this afternoon.

Mr. MELCHER. I thank the gentleman for his contribution.

Mr. BURLISON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MELCHER. I would be delighted to yield to my colleague from Missouri.

Mr. BURLISON of Missouri. I want to join my colleagues in commending the gentlemen with whom I serve on the Agriculture Committee and Mr. Smith for their part in taking this special order and generating this discussion on the problems of agriculture. Mr. Speaker, I have listened carefully to the debate this afternoon. We have heard a lot of generalizations, we have heard a lot of platitudes about the plight of our farmers with respect to reality and with respect to what it should be.

However, Mr. Speaker, I think we have given far too little attention to what really can be done and should be done and is being done at the present time to maintain, sustain, and improve farm income.

Now, I do not want to be critical, I do not want to be unfair to anyone or to any agency or any department. But I think that we ought to have a look at what has been the posture and the stance of this administration and the Department of Agriculture in this administration.

My recollection has been that the President in his state of the Union messages has not seen fit to mention or discuss a farm program. Up to this time according to the best of my recollection we have not had a message from the President on the farm program and the farm problem.

Now, it has come to my attention that the President has just sent to the House today a message on what I think we could generally term rural America. He suggests that he has sent a report about rural America to the House. In this report and in the summary of his remarks he has mentioned that we have had an increase in rural housing, and I am not critical of this; I commend this and I have supported it and will continue to support more rural housing.

He has mentioned the need for rural credit and for an increase in rural credit, and again I agree. He has told us that rural America will be benefited by his program of revenue sharing, his program of welfare reform, and his program of health security and medical security.

The question I ask in a review of this statement is in what way has farm income improved? The question of farm income has remained conspicuously absent from these declarations by the President.

Now, we just passed the farm bill at the closing of the second session of the 91st Congress, a farm bill which encompasses one or two dramatic changes from farm programs of previous years. The most dramatic of these changes, I believe, is the so-called set-aside provision whereby the farmer will be required to take out of production a certain percentage of his load, and he cannot grow anything on it, and he is not eligible for compensation for having that land taken out of production. This, in my judgment, will mean a substantial reduction in farm income. And that is really what the farmers are interested in, income.

Another important factor in this new farm bill was the tremendous discretion which has been delegated to the Secretary of Agriculture, and I want to review very briefly some of the exercise of this discretion by the Secretary under the program since it went into effect on January 1.

The first exercise of discretion that I will allude to is that if the Secretary determines that in the case of a disaster, a crop disaster because of adverse weather conditions, in computing the projected yield; that is, the payment yield for the farmer in such a year, that the adjustment cannot be more than 80 percent. Now, we have never had that before. We have been eligible for an adjustment of 100 percent. And in view of the fact that in my district it has been hard hit because of adverse weather this past year, and in fact for 3 or 4 years out of the past 5, this will be a hardship on the farmers of my district when it comes to farm income.

Another exercise of discretion in this same area is the determination that if a farmer plants cotton and loses his cotton, and it is too late to get in any more, or to get in another crop, that he cannot follow that with a late crop of soybeans, for instance, unless he gives up one-third of what he is entitled to on his cotton payment. This flies in the face of the previous practice and what I consider to be the previous as well as present law.

Now let us look briefly at the Department's exercise of discretion with respect to the set aside provisions now in effect. It has been determined that the set-aside for feed grains and cotton will be 20 percent and for wheat 75 percent. It is within the prerogative of the Secretary not to require any set-aside with respect to any one or more of the mentioned commodities. It is also within his province to permit the growing of soybeans or cotton on the set-aside acreage. This, he has thus far declined to do, in spite of the fact that scarcely a week goes by that reports and estimates are cranked out by the various agencies of the Department of Agriculture pointing out the shortage of soybeans and cotton, and the continual favorable and rising market for these commodities. My farmers are going broke in increasing numbers, while the soybean and cotton outlook improves and the farmers are required to lay out their land. This just does not make sense, but thus far the Department has given absolutely no indication that it can hear our pleas, nor recognize the true situation with respect to southeast Missouri agriculture.

I fought the set-aside proposals in the subcommittees and in the full Committee on Agriculture on which I serve. The basis of my opposition was that the ultimate result cannot be other than reduced farm income. As a result of this opposition, I feel there were improvements made in the legislation, that is, lowering the limits on set-aside and reinstatement of the parity concept.

On final passage of the floor of the House on the final vote, I voted for the program on the theory that inadequate as the legislation was, it was probably better than nothing at all. And, recognizing that the bill granted unprecedented power and discretion to the Secretary, I held the hope that a substantial part of this power and discretion would be exercised in favor of our farmers. If such were the case, it is certainly conceivable that farm income could be maintained. I still harbor this hope after existing under the new program for 2 months. However, as pointed out above, the performance thus far has been discouraging, disheartening, and indeed devastating to the farmers of my district, be they cotton, wheat, or feed grains producers. If my farmers are to survive, the President and his Department of Agriculture must begin to listen to my people and act with justice and fairness on the basis of what they hear.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. MELCHER. I yield to the gentleman, the distinguished whip and Representative from Massachusetts to participate in our dialog on agricultural matters.

Mr. O'NEILL. Mr. Speaker, I want to congratulate the gentleman from Montana (Mr. MELCHER) and the gentlemen who brought together this dialog today. This is the first dialog that I have heard on the farm question in many, many years.

I remember when I first came to the Congress as a man from an urban area, we were told at that time that the way the economy of the farmer went was the bellwether as to the way the economy of the United States grows. If the farmer did well, then the rest of the country did well.

Through the years it seems we have centered more on urban problems than we have on farm problems. I have not heard that statement for many, many years. As a matter of fact, I recall when I first came here and went to meetings, we learned about the various problems of the farmers and about what parity was and coming from an area that has no farms whatsoever, it is indeed refreshing to hear you, Congressman MELCHER, and our colleague, the gentleman from Iowa (Mr. SMITH) and other Members of the Congress in this dialog today. I think it augurs well for we who come from urban areas, not only to think of our own problems, which are many, but to understand your problems also.

Mr. RONCALIO. Mr. Speaker, Wyoming is primarily a State of small business concerns and the chief concern of her small business is agriculture. Although there have been significant advances in tourism and mineral development, the traditional reliance on agriculture remains an economic fact of life in Wyoming.

An estimated 84 percent of her cash receipts to farming and ranching come from livestock and livestock products. Her cattle industry is 29th in the 50 States, with a 1970 inventory valued at $273.1 million. Wyoming is second in the States in sheep and wool production with an estimated value of $54.2 million.

In addition to livestock, Wyoming ranks importantly in the production of sugar beets, and also markets dry beans, barley, potatoes, oats, and corn. Her food and food related industries also include the production of cheese and flour.

The 1970 census, indicated that 39.4 percent of Wyoming residents lived in rural areas, also indicated a growth rate of seven-tenths of 1 percent, the fifth lowest rate in the Nation.

Given Wyoming's reliance on agriculture, and the slow growth rate confirmed in the census, the importance of strengthening agricultural production is self-evident, as is the necessity for fair and just treatment in the important area of Federal contributions.

Today, I would like to address two areas of Department of Agriculture participation in the growth of Wyoming, and how they have fared in the proposed budget.

The first, the Farmers Home Administration, has not been funded sufficiently to assure Wyoming's allocation for development grant funds for fiscal 1971.

For fiscal 1971, the national allocation was $160 million loan funds and $40 million grant funds. Wyoming's allocation has been set at $562,000 loan funds and $161,750 grant funds. Although the allocation of loan funds is adequate for the water and sewer projects necessary to fund this fiscal year's, the allocation of grant funds is $272,250 less than is required to fund the projects prepared for action.

What makes this deficiency especially distressing is the fact that Farmers Home Administration assistance for water and sewer projects is already insufficient.

While the Federal Government, through the Housing and Urban Development programs, is providing 50 percent matching fund water and sewer grants to communities over 5,000, the FHA program for rural communities under 5,000 ranges from no grant assistance at all up to 50 percent matching fund grants.

The net effect of the disparity between funding by the Department of Housing and Urban Development and the Department of Agriculture in water and sewer projects is discrimination against rural communities, the same areas which the Farmers Home Administration is supposed to be revitalizing and stabilizing.

To emphasize the problem, let me repeat that of the $200 million in funds available for the FHA, only $40 million, or 20 percent, is available as development grant funds. The bulk of the allocation is for loan funds, the vehicle least helpful to distressed rural communities.

Mr. Speaker, there is a problem in my State of Wyoming in providing for our rural residents that which to us is a simple and overlooked item—the telephone. Particularly in the northwestern part of Wyoming, an especially sparsely populated area of my State, the Dubois Telephone Exchange, Inc., has struggled for years to make ends meet in trying to provide its area residents with the finest in telephone communications as a price the people can afford. Only with continued favorable financing by the Federal Government in the years to come can this company provide the services needed to keep in step with the progress of the Nation as a whole.

Rural telephone systems operate under the same low consumer density as do the rural electric systems. REA rural telephone borrowers served by the Dubois Telephone Exchange are scattered over an average of 3.7 subscribers per route mile of line as compared to a subscriber density of over 40 per mile for Bell system companies.

It is estimated that REA rural telephone borrower systems will require more than $3 billion in new growth capital over the next 15 years, more than double the total of telephone loans made by REA during the past 15 years. In the next 10 years it is expected that the annual requirements for new loans will go up to $225 million, which is double the amount of available loan funds for fiscal year 1967.

There are problems in providing the people in the rural areas of my State with telephone service, as it is plagued with few subscribers hooked together with miles of unused line, but their telephone is as important and necessary to them as is the one sitting on your desk and mine.

In the hard winter months in Wyoming a telephone may mean the difference between life and death for rural residents; it is often their only form of two-way communication with others for weeks on end.

I was pleased to learn that S. 3387 to amend the Rural Electrification Act of

1936 to provide an additional source of financing for the rural telephone program was passed by the Senate in the 91st Congress, and that S. 70 of the 92d Congress, containing the same language, is likely to be passed again.

I am heartened, also, to know that H.R. 7, after so much deliberation within the committee, has been reported out of committee February 22 and is presently on the Union Calendar to come onto the House floor for discussion and vote.

The time is now to act on this much needed service to our rural populations, to bring them in stride with the progress of the rest of this Nation. It is my sincere hope that at the end of the 92d Congress we will be able to add this accomplishment to our list of meaningful achievements for our agricultural population.

Mr. KASTENMEIER. Mr. Speaker, when I received the notice from my three distinguished colleagues—Congressmen MELCHER, SEBELIUS, and SMITH of Iowa—stating that time had been set aside today to discuss the state of our Nation's agriculture, I was reminded of the "Farm Days" that were once held in nearly every village in the congressional district which I represent. Not too many years ago, there was a strong awareness among city residents that their well-being was closely connected with the land and the people who tilled it. Today, it seems that the farmers of this Nation enjoy a less prominent position in our awareness. Unfortunately, this diminished prominence is also detectable in this House of Congress, and I welcome the opportunity today to remind my more urban colleagues that there are still farms, that people still grow corn and hogs, and that they still milk cows and fight the adversities of weather and unpredictable markets. Most of all, I welcome this opportunity to remind you and the administration that the people who produce our food and fiber are in difficult financial trouble, and the situation seems to be getting worse.

It should perhaps come as little surprise that the problems on the farm are getting far less attention than they deserve if the problem is examined strictly in terms of the people now working on our farms. The 1970 census figures confirm what most people predicted—farm families now account for only about 5 percent of the Nation's population, down more than 3.5 percentage points from 1960. I consider the congressional district which I represent to have a strong agricultural economy, yet a recent preliminary analysis showed that farm people make up just a little over 6 percent of the total district population. The county with the lowest farm population had just 2.7 percent of the people engaged in farming, and the county with the greatest farm population had about 21 percent engaged in agricultural production.

Now it may seem politically naive for me to say that I represent a district with strong agricultural interests. But I am not so single minded as to think that population percentages tell the entire story. Although the numbers of people actually producing food are quite small, they are backed by an army of workers who depend directly on the well-being of the farmer for their livelihood. There are feed stores, feed manufacturers, fertilizer salesmen, machinery dealers and repairmen, seed producers, building contractors, and a host of other people who supply the farmer and his family with their needs. They suffer if the farmer suffers. They are closely linked by economics. And now our interest in agriculture should be increased.

On the other end of the marketing chain are thousands of my constituents who market, transport, process, wholesale, and eventually sell in the stores the products produced by only 6 percent of my constituents. Again, our interest in agriculture should be heightened, because the economic well-being of these people is also closely linked to the well-being of the farmer.

Nationally, agriculture has assets totaling some $307 billion—equal to about two-thirds of the value of current assets of all corporations in the United States. Farm people spend over $38 billion a year on goods and services needed for food and fiber production, and another $12 billion on the same consumer items that city residents buy. Three out of every 10 jobs in private employment are related to agricultural production.

I hope that the above will help persuade every Member of the U.S. House of Representatives that he, too, has an agricultural interest in his district, even though the closest thing to production agriculture is a few potted shrubs growing on the 23d story balcony of a downtown apartment house.

The other thought that I would like to develop here today is that farmers are in serious economic trouble and there seems to be little encouragement from present administration policies. In 1968, President Nixon said:

> And let's have this flatly understood: 74% of the parity is intolerable in my book; farmers are entitled to better. They want not merely to receive better, but also an opportunity to earn better, and I pledge that in my Administration they will have better.

On December 15, 1970, farm income in this country was at 67 percent of parity—7 percentage points below what was considered "intolerable" in 1968. Changing the base period for computing the parity formula from the 1910–14 period to the 1967 period, as was recently done by USDA, merely camouflages the deteriorating price and income levels of farmers. It may fool a lot of city residents and a few urban Congressmen, but it will not make life any easier on the farm, nor will it halt the depressing shock waves that could vibrate through our entire economy.

What will help the disastrous farm income situation is some positive actions by administration officials, and positive legislation by those of us in Congress. For those of us who consider that we have strong agricultural interests, I am asking for your support and understanding in activating useful and positive agricultural policies.

We need your assistance in persuading the administration to raise dairy price supports to 90 percent of parity, to keep appropriations for agricultural conservation programs at needed levels, to restore funds for the school milk program, to protect price support programs and prices from gluts of foreign agricultural imports, to convince the Secretary of Agriculture that advance payments on the feed grain and other crop programs are essential, and to convince the administration generally that a serious farm recession is in progress and that help is needed today.

In the long haul, we need your help to pass legislation that would stimulate rural development and lead to a rational land-use policy. We need your assistance in enacting legislation that would allow farmers to better organize and bargain for the prices they pay and the prices they receive for their goods. We need your understanding in passing legislation that would preserve the family farm and prevent their takeover by large, corporate interests. We need your understanding in restoring economic health to an agricultural system that is the most efficient the world has ever produced.

Mr. BEVILL. Mr. Speaker, American farmers suffered many disappointments during 1970. The Department of Agriculture reported that last year farm prices declined to 67 percent of parity, a 37-year low and a 10-percent drop in 1 year. Adding to the troubles of our farmers in 1970 were increasing interest rates, higher machinery prices, and crop failures.

In June and July, dry weather conditions in Alabama did considerable damage to the corn crop. Then the corn leaf blight hit in August causing a $20 million loss to the State's farmers.

The last census showed that Alabama lost 16 percent of its total cropland acreage. Small farms of less than 50 acres declined by almost 25 percent. It is a disheartening fact that throughout the United States, the small farm is falling by the wayside.

There is a great need today to develop a strong program which will provide substantial assistance to the small farmers of America. In our desire to respond to the pressing needs of our large metropolitan areas, we must not neglect the American farmer. To do so would seriously undermine our economy.

Agricultural prosperity is essential to national security. Three out of every 10 jobs in this country are related to agriculture. Eight million persons are employed in the storing, processing, and merchandising of the products of our farmers.

Mr. Speaker, since becoming a Member of Congress, I have worked for a stable farm program, one which would provide substantial aid to the small farmers of America, who have suffered most.

We must have an open, continuing dialog in the Congress in order to explore all the problems facing our Nation's farmers and in order to devise adequate legislation to meet their needs.

To keep our economy strong and to

insure our national security, we must maintain a sound farm program.

Mr. ASPIN. Mr. Speaker, I am extremely pleased that this afternoon has been set aside in the House to discuss the problems of the American farmer. Indeed, it is a subject which has received far too little attention and concern from both the Congress and the administration in the recent past. Today, I would like to address a few brief remarks on future Government policy toward a particularly important segment of the farming population and of my district—the dairy farmers.

The basic Government issue facing the dairy farmer today is the question of parity. I urge the Secretary of Agriculture to raise the dairy support level to 90 percent of parity. Such an increase would provide equitable and needed income to dairy farmers—income which is necessary for these farmers to continue their operations in the face of increased costs of production.

Since 1954, the number of farms with milk cows has trended downward about 8 percent a year. In 1964, for example, there were about 700,000. By 1980, it is estimated that 200,000 or fewer dairy farms will supply all of the milk and dairy products sold to consumers.

Although herds on these farms will be larger, dairy farming should continue to be primarily a family operation. However, the larger herds will mean that a greater number of hired workers must be employed, and more sophisticated technology will require that this dairy labor be more skilled. Thus, dairy farmers will have to pay wages significantly higher than at present to get and keep reliable workers. This could indeed be a very heavy burden on many dairy farmers.

Increases in production costs are already imposing a serious burden on the dairy farmer. According to "Agricultural Prices," the monthly U.S. Department of Agriculture report, the U.S. average index of prices paid for commodities, service, interest, taxes, and wage rates has increased 4½ percent over last year. The specific breakdown of this figure shows that farm wage rates have risen 7 percent; interest and taxes are up 8 percent; and feed costs have increased by almost 9 percent. The Pure Milk Cooperatives of Wisconsin noted that these increases in production costs have been so great that the prevailing prices for milk have not maintained milk production in the great manufactured milk area of the Nation, including Wisconsin.

Continuing Government action favoring imports of dairy products is now probably of greatest concern to dairy farmers in my district. In the face of increasing imports, it is important that we maintain an adequate level of domestic dairy production through favorable prices. Certainly our farmers should not have to face lower milk prices because imports force some domestic production into the hands of the Government.

A true perspective, however, of the dairy farmers' problems can be obtained not only through reading the statistics, but by visiting some dairy farms and by talking to the farmers themselves. It then becomes immediately evident that these farmers are simply not receiving fair compensation for their products. If we are to expect domestic dairy farmers to stay in operation and provide the Nation with the bulk of its milk and milk products, a fair price floor must be established to assure a decent livelihood for these dairy farmers.

Thus, I am urging that the current milk price relationships for butter, powder, and cheese be adjusted upward to reflect 90 percent of parity. This is necessary to assure consumers of an adequate supply of safe and wholesome milk at reasonable prices, to check the decline in the number of dairy farmers and milk producers, and to assure dairy farmers of fair income levels.

Mr. Speaker, I urge the restoration of dairy prices for the manufacturers of milk to the full 90-percent parity in the current marketing year beginning April 1, 1971.

Mr. HAMILTON. Mr. Speaker, we must listen to the voices of rural America.

"What we have here is a process of degeneration," a farmer told me as he stood at the edge of his cornfield. "The population of this town consists of dropouts and people who can barely struggle their way through high school. Those who go off to college just do not return. I took my own son to college last week; I do not expect him to come back here to live."

Another rural community leader said, "The greatest difficulty in the development of this area is the shortage of leaders. I am just spread too thin. I cannot do it all and still stay in business."

Another one said to me, "Three days after the high school graduation, all of the high school senior class had gone from the county. There is nothing to keep them here."

The sights of rural America can be depressing, too.

Weathered and empty stores, broken windows, collapsed barns, rusted gas pumps, boarded houses, vacant lots littered with trash, closed movie theaters, schools needing paint and repair, unkept farms, eroded soil.

The economic stagnation of rural America is visible: in the shabbiness of small towns, in the demoralization of much of rural leadership, and in the overriding preoccupation with development in every rural community.

Every poll I have taken of the 16 counties in the southeastern part of the State indicates people are intensely preoccupied with jobs, economic opportunity, and the revitalization of their communities.

It is no secret that rural America has been declining for many decades. "Rural poverty and powerlessness" are facts of our time.

RURAL POWERLESSNESS

Powerlessness is if you live in rural areas where there is no hospital, and doctors are hard to find; where young people spend most of their time "just fooling around" and soon leave the community; where the meat you buy is not carefully inspected; where the house is a firetrap; where the schools are old, overcrowded, and dilapidated; where the teachers are underpaid and undereducated; where you cannot find a job or where you can but it does not pay enough to support you and your family; where you can buy a car but if something's wrong with it you cannot afford a lawyer to sue; where a conviction for burglary is impossible to get; and it is when you are not organized and do not know how to get organized, and when you have no spokesman for bringing your plight to the attention of the Nation.

Powerlessness is when you think your education was not relevant to what you needed to know and when you think your children go to a school that will prepare them for nothing. It is when you think that the police may not protect you, that industry pollutes your air and water, that your last place to fish is becoming fouled.

Powerlessness is when you are told to vote, but you know that it is a very dilluted power. You are told to write your Congressman, but you know that a Congressman cannot really serve a half million people. It is when you are told to go to the employment office but you have already waited there for long hours. Or you are told to complain to public officials, but you know they, too, are harassed. They cannot even answer their mail and when they answer it, it is usually in platitudes.

RURAL POVERTY

Most of us do not realize the poverty of rural America even exists—the people left behind says one Government report—but it affects some 14 million Americans. It is widespread, acute, and a national disgrace. Its consequences have swept into our cities, sometimes with violence. There is more poverty in rural America proportionately than in our cities. In the cities, one person in eight is poor; in the suburbs, one in 15; but in rural America one in every four is poor.

Rural poverty transcends races and ethnic groups. It certainly is not limited to the farm. In fact most of the rural poor do not live on farms, but in the open country and in the small towns.

Rural poverty causes us to confront some unpleasant facts:

First. Hunger: Many of the rural poor do not get enough food to sustain life or to maintain health.

Listen to the words of the physicians who toured the South:

> We saw children who are hungry and who are sick, children for whom hunger is a daily fact of life and sickness in many forms an inevitability. We do not want to quibble over words but malnutrition is not quite what we found. The boys and girls we saw were hungry, weak, in pain, sick. Their lives are being shortened.

Second. Disease and premature death are startlingly high among the rural poor. Infant mortality is far higher than among the urban poor, and medical and dental care often conspicuously absent.

Third. Jobs: The rate of unemployment in rural areas often exceeds by two and three times the rate in urban areas.

The jobs in rural America pay less than in urban areas. There is also far more underemployment in rural America.

Fourth. Education: Rural education, by and large, just does not measure up to urban education. In a very rough measure, rural residents usually have only about 80 percent of the school attainments of urban residents. If you include the quality of education in terms of the variety of courses offered, the remedial courses, the use of modern educational techniques, this percentage of disadvantage is even more pronounced. Rural schools often lack libraries, laboratories, language facilities. Rural teachers earn less money. The expenditure per child in rural areas tends to be less.

Fifth. Housing: The rural poor live in atrocious housing.

One in every 13 houses in rural America is officially classified as unfit to live in.

Surveys have repeatedly shown that the major percentage of substandard housing units in America are in rural America.

Sixth. Communities: The rural poor often live in chronically depressed communities which have ceased to exist as effective institutions. Their tax bases are inadequate and so are their public services.

Lower bank deposits mean less capital. Fewer taxpayers with relatively low incomes mean rural governments simply cannot furnish public facilities and services. Some 30,000 small communities are without water systems, and about an equal number need a sewer system.

Seventh. Space: And, alas, even space—which is usually considered a blessing in rural America—often becomes a curse. So often the rural poor live in countryside which is a receptacle for trash, garbage, automobile graveyards, roadside litter, rubbish.

What must we do?

What then must we do about rural poverty and powerlessness?

The first step is to understand it better.

First. Population patterns: The long-range population growth patterns are not conducive to rural development. If present trends continue, most of the 300 million Americans of the year 2000 will be concentrated on a very small proportion of the land area.

The exodus from rural areas is often by young people, who represent the area's best hope and carry with them a considerable investment, by the rural area in education and training.

One of the great paradoxes of our time is that as the sprawling metropolitan areas of our Nation struggle with the miseries of overcrowding, the vast areas of rural America grow more desolate.

This week the Census Bureau reports that the proportion of the Nation's population still living in rural areas fell to 26 percent in 1970, down from 30 percent in 1960. That comes as no surprise to us who are close to rural America. We know that weary farmers, frustrated town dwellers and educated youth have been fleeing the farms and small towns by the thousands.

More efficient farmers have swallowed up their neighbor's land. Smalltown residents have sought a better life and a better job in the city. The young heed the excitement and the challenge of the cities.

Moreover, the forces which have been working to create the exodus are still working. There are still too many small farms, too many small towns, too many people in rural America who want the amenities of the city.

This exodus from rural America is part of the urban problem.

Although we only have an average of 58 persons per square mile, it ranges from 5,327 persons per square mile in New York City to one person for each two square miles in Alaska.

This massive maldistribution has occurred only in recent years. In 1920, the Nation was roughly divided between rural and urban residents, but today, according to that latest census report, there are 150 million residents in urban America and just over 50 million rural residents.

There are many reasons for the exodus and the maldistribution.

The areas that are losing population are primarily agricultural. The farmer is caught in the clutches of a frightful cost-price squeeze. To survive he must grow bigger and make his profit on volume and efficiency.

As he expands, others must leave the farm. Some find jobs in nearby towns, some do not, and leave the farm to find work.

The small towns of America find it hard to attract industry. They are sparsely populated, have a thin labor force, and are far away from the raw materials and the markets.

The rising education level of the young people has left too many highly trained for the scant opportunities in rural America.

The restlessness and mobility of Americans has contributed to the exodus, and so has the climate. Summer heat and long winter sieges have persuaded many to leave for more comfortable surroundings.

Second. Dependency ratio: We should also understand about the people of rural America, that the dependency ratio is high. They have a higher proportion of people under 18 and over 65. People will be in the urban areas during their productive and taxpaying years. The nonworking ratio is often 20 percent higher for rural counties than for urban counties.

Third. Political power of rural America is weakening. The political punch of rural America is weakening. The era of the farm bloc in the Congress is simply gone—and probably forever. Of the 435 Members of the House of Representatives, only 31 have districts in which at least one-fourth of the population is involved directly in farming.

In Indiana, often considered a rural State, not a single Congressman represents a district where one-fourth of the constituents are involved directly in farming, and bear in mind these figures are based on the 1960 census. They do not reflect the dwindling farm population.

As the Congress has become increasingly urbanized, Congressmen from rural areas have a difficult time interesting other Members of the Congress in rural concerns. We have about 268 subcommittees in the House, and not a single one of them focuses primarily on the problems of rural development.

Any legislative proposal concerned only with rural areas faces difficulties. A more feasible approach is to design the legislation to apply to both rural and urban areas. This, of course, dilutes its impact on rural areas.

Fourth. Lack of attention: We should observe that rural America suffers from lack of attention.

The Nation's attention has been riveted on the problems of the cities.

Frequently I am visited in my office by men representing the Urban Coalition. The Urban Institute, the Urban League. Where is the rural coalition, the rural institute, or the rural league?

Nobody's organized to speak for small-town people in this Nation's policymaking council. To be sure farm groups exist but their interest is in the economic interest of farmers as producers and most rural Americans are not farmers but small town and small city dwellers and they are not organized at all.

There has really been very little Presidential leadership on the question of rural development. The major Presidential messages, the state of the Union address, the economic report, give no attention to it at all. No Presidential message to the Congress has mentioned it.

Over the last decade I can only name one leading public figure who has made it his mission to sound the alarm on the question of rural development. That was Orville Freeman, the Secretary of Agriculture under President Johnson. He lead a personal and lonely crusade for what he called rural-urban balance.

President Johnson gave him moral support and made a speech or two on rural development and sent some minor messages to the Congress, but the subject remained low on his priority list.

We in the Congress have not done any better.

The Nation's academic and intellectual communities have treated rural development with disdain if not hostility.

Even the rural people themselves have not seen fit to become well organized and they have very few spokesmen to bring the Nation's attention to their problems.

We have concentrated on farm production—with amazing success, but we have neglected nonfarm, rural America.

Fifth. The urgency: We must also understand the urgency for action in rural America.

Simple justice demands that we get moving.

The rural poor have suffered enough. They do not understand why they have not shared in the benefits of economic growth.

They do not understand always that their communities, schools, churches, and governments have been unable to prepare them to participate in the modern world.

Unorganized and inarticulate, they have been shortchanged in transportation, housing, education, health services, area development, and income maintenance.

They see no real hope of improving their situation, and very few of them feel that Washington or the rest of the Nation are interested in their plight.

If we do not act, the rural poor will continue to flood the central cities of America, coming without training, without skill, without housing, but wanting employment. The end will be frustration, despondance, and despair.

Sixth. The complexity: We shall understand that the complexity of the problems of rural poverty preclude the success of a single program or approach.

Some argue for the growth center believing that by concentrating investment growth will occur and spread. Others do not believe concentration of resources is necessary. They say a single plant in a single town may be the most productive way.

Still others contend that many communities must recognize that they cannot expect to grow and to attract industry. The best solution is to improve the communities' services, especially education and training, and give the people the skills they need to migrate out successfully.

These approaches simply illustrate the complexity of even the theory of rural development, let alone the practice.

Along with the complexity of development, we should also observe the competition for development. Every community wants new industry and new jobs. There are only a few hundred new plants built each year, and there are about 1,400 groups seeking to induce them to locate in their area.

The cost to society for dealing with these complex problems will be high. But the cost of not dealing with them will be immeasurably higher.

Our present programs have failed to deal effectively with these problems. For too long we have confused the problems of commercial agriculture with the problems of rural America. Though related the two are not the same.

Just wanting change in rural America will not be enough. The development problems are too tough for that. It will take time, talent, and treasure to get the job done.

ENCOURAGING SIGNS

I do not think any man can be truly optimistic about the chances for success. But there are some encouraging signs.

More people are seeing more clearly that the problems of the cities and the problems of rural America are not two problems but one:

That we simply cannot put 70 and 80 percent of our people on 2 or 3 percent of the land space and live comfortably;

That the cities have problems because of the migration from rural areas;

That the solution of urban problems requires the acceleration of rural development; and

That it is not in the best interest of the Nation to continue indefinitely the depopulation of rural and smalltown America and the building of ever-bigger metropolitan complexes.

Hopefully, rural and urban interests are converging into an effective coalition, politically and otherwise.

If we approach rural development as a conflict between rural and urban interests than the odds against us are overwhelming.

It is just possible that rural development leadership will come, not only from rural America but also from the cities. As this convergence of interest is increasingly recognized.

There is hope in the findings of recent polls which show that as America urbanizes, the longing for rural life gets stronger. More than half the Nation would now rather live in the country. A nation longing for rural life will not let it deteriorate.

There is hope also in the rising tide of concern over man's headlong destruction and fouling of his environment. If people do not generally recognize the interrelationship between rural and urban America with most problems, surely they will see it in the environmental crisis. Rivers do not begin or end at the city limits and air blows willynilly over the city and the countryside.

Rural America is no Johnny-come-lately to the cause of environment. My observation is that they have been sounding the alarm for years for clean air, clear water, and good stewardship of the soil.

As the Nation becomes increasingly concerned with its environment, it will recognize the leadership of rural America in this area and that will be beneficial.

There is hope in the expanding development of new roads, better communication, new water systems, large reservoirs, and the spirit and vitality of some communities.

There is hope for rural development because the problems of the cities are so great that rural areas look good by comparison. Increased costs in the city have made rural areas more attractive for some industries; for example, textiles and furniture.

There is hope in the progress that has been made. We are concentrating today on the problems, but we should pause long enough to see the prosperous farmers, progressive communities; the growing rural centers and sections in the Nation.

The wholesome aspects of rural living are becoming increasingly recognized.

The climate then for rural development has some favorable winds and we must assure that they blow gently and steadily and ever more forcibly.

LEGISLATIVE FRAMEWORK

We can do so by working for a proper legislative framework to encourage and accelerate the rate of growth in rural America. Our present programs must be greatly improved in their potency.

Jobs: We must find better job opportunities for rural Americans.

The task is formidable, but it is the indispensable element to development.

Thirty percent fewer man-hours of work in agriculture will be needed in 1980. This means that 40 percent of the people now working on farms should move elsewhere.

To create full employment in rural America several things must be considered:

Unemployment and underemployment must be reported systematically. Accurate employment information can often guide people to jobs; for example, by advising them where to move for their economic benefit.

Training and manpower programs must be enlarged with emphasis on such fields as conservation, recreation, health, and education. We have had some success here with Operation Mainstream and Green Thumb—these programs have pointed up the need and effectiveness of manpower programs.

Temporary Federal payments for rural families to cover the costs of relocation and to provide adequate training to help them make the transition from farm to city.

Equal protection for rural workers in workmen's and unemployment compensation, social security, collective bargaining, and minimum wages.

And in those cases where it is not possible for persons to find useful and productive roles, the Federal Government might serve as the residual employer.

Education: We must improve educational opportunities in rural America.

It is in the national interest to improve the educational opportunities of low-income rural areas. Sure there is little likelihood rural areas will be able to finance significantly better education, increased Federal and State assistance will be necessary. This assistance should not be given to schools too small to provide high quality education at a reasonable cost per pupil.

Special emphasis must be given to vocational training centers designed especially for the school dropout and the adult.

Communities: Rural communities present special problems. We are really confronted with the necessity of reorganization and reorientation of a rural community, and that does not come about easily. Even with the best of success, progress will be slow.

Public investment is needed in roads, hospitals, health care, vocational training, water lines and sewer systems, family planning, education, and all the infrastructure necessary to strengthen communities.

Every device must be used to encourage private investment: tax incentives, grants, loans, guarantees, subsidies, and industrial parks.

A Rural Development Credit Board should be considered to provide capital for rural housing, water systems and other projects. It would attract funds from outside rural areas, and might spark economic growth.

These communities need the active concern of churches, service clubs, foundations, and individuals, working at countless tasks and projects.

Organization: If rural development is to succeed we must bring greater sanity to its organizational structure.

The organizational problems of rural development have been a lack of coordination, too much duplication, lack of professional staff, and local leadership spread too thin.

We need multicounty and multicommunity organizational groupings. Tiny jurisdictions lack expertise and professional skills. They are deficient in their capacity to conceive, plan, design, and expedite.

Only a larger grouping can marshal the resources and the professional skills needed.

Single multicounty agencies should be responsible for planning, promotion, and implementation of development.

CONCLUSION

Let me conclude simply by observing that there are many obstacles along the path of rural poverty and powerlessness to rural development.

Behind is a decade or two of experimentation, I hope we have learned from it, and that we will get on with the job of seeing that rural America develops its natural environment, harvests its fertile fields, makes its economy vital and vibrant, and gives each of its citizens an opportunity to become the best that is in them.

Mr. McCORMACK. Mr. Speaker, let me say first that I had hoped my maiden speech before this body could be of a positive nature. It distresses me that this is not the case—but I feel the seriousness of the matter before us today compels me to join my collegues in speaking out.

The plight of the farmer in my district in Washington State has reached a critical stage. High interest rates, the general tight-money situation, coupled with escalating operating costs have pushed a full 30 percent of potato farmers in this district to the brink of bankruptcy. They report to me that even if they could stand the going 10-percent interest rate, the money is not available to borrow.

It is no secret that 1970 was one of the worst years that farmers in this Nation have had to endure. With the parity index dropping to it's lowest level in 34 years, we wonder at the administration's promise of 2 years ago to stem the downward turn. At that time the President called 74 percent of parity unacceptable. At the end of 1970 it stood at 67.

And where is the help? The Farmers Home Administration? In the State of Washington alone, the FHA has $300,000 dollars worth of applications that it cannot process because there is no money. The amount needed is about $2 million for the remainder of fiscal year 1971.

The FHA has quit making initial loans because of a lack of funds. Although the State of Washington had an allocation of $6,300,000 for fiscal year 1971 in FHA money, it has already used all except for a small amount held back to meet subsequent needs of existing borrowers.

For the Nation, the FHA had $275 million to use for operating loans for fiscal year 1971—all but about 5 million of that has been allocated. The remainder is being held for what are called hardship cases. FHA officials report their existing applications for funds indicates the need for another $75 million this year.

It would seem, Mr. Speaker, that the time has come for a reexamination of values in connection with the individual American Farmer. The time has come when better fertilizers, better herbicides and pesticides, more efficient methods of operation can no longer keep him from the jaws of the cost-price squeeze—at least while prices for his products fail to keep pace with other consumer goods.

It is time for us to decide if we are, in truth, going to wrestle with the real economic problems of agriculture, or stand by and watch while the small farm operation disappears as a way of life in this country.

Mr. SIKES. Mr. Speaker, I am glad to join my colleagues in paying special tribute to agriculture on this day, March 1, 1971, which has been designated as "Farm Day" in the House of Representatives.

Agriculture has become one of the controversial subjects in the field of legislation. This is due to the high cost of food, plus the fact that most Congressmen and Senators are city-minded rather than rural-minded. Actually, only a fractional part of the high cost of food can be blamed on the farmer. Most of it stems from handling and shipping charges. But the effect of these factors has been to create an atmosphere in Congress which is unfriendly to agricultural programs. This is unfortunate because agriculture is an essential part of the American way of life. The American farmer has established unheard-of records of production and he is able, on comparatively few acres, to supply the agricultural needs of our Nation and much of the world. Much of our Nation's strength and independence has always stemmed from this agricultural capability, and it continues to be an important factor.

For years there have been subsidies for farmers. The farmer is not alone in this situation. Most American industry is subsidized in one way or another, including such giants as airlines and oil. It has long been accepted that without farm subsidies, prices to the consumer would jump to an unacceptable extent and that the farming industry in the United States would perish. Nevertheless, farm subsidies are constantly under attack. A continuation of the farm program is necessary if we are to have a strong farming industry and acceptable standards of living on the farms. Although decreasing, agriculture is America's largest single industry, and rural values, now generally overlooked, are a very important factor in the life and traditions of the Nation.

There is great need for a new program designed to check the rural exodus which now is significantly affecting our country. There has been in recent years a tremendous shift in population from rural and smalltown communities to the cities, to the detriment of both. Simply stated, people have left the farms and small towns because they thought the cities provided a better opportunity for a livelihood. For some of them, it has meant going on relief instead of working for a living and that too is unhealthy. I have long been convinced that one of the most important objectives of our age would be a reversal of this rural exodus to bring people back to the smaller communities and away from the city slums. If this is done, it will be necessary to provide more wholesome living conditions, more jobs, better jobs, and opportunity for the young.

This is something that should concern Government very much, but I see little to indicate real interest. If Government will begin to place more emphasis on a reversal of the rural exodus by the establishment of programs which encourage small industries or recreation programs and help to provide jobs and to improve living conditions, much can be accomplished in a most important area. Possibly in time this would serve to reduce some of the requirements for farm subsidies.

Mr. PICKLE. Mr. Speaker, I am honored to join my colleagues in this special discussion of the problems and promises facing rural America. This is a daily topic with me.

Just last week, I was visited in my Washington office by two outstanding farmers from the 10th District—Mr. Walter Mueller from Thrall and Mr. Rodney Gerner, of Maxwell. Both men issued a straightforward case of the need for corrective action needed to help rural America.

It is time that some champions emerge for these—the truly forgotten Americans. Mr. Speaker, a mere 5 percent of this great Nation is charged with the responsibility of feeding and clothing the rest of us, the other 95 percent. Yet, few people stand up for the farmer.

I am proud of my farm constituency. I am proud to stand up for them today.

As this country began, it was an agrarian nation. From these roots, we grew through the transition to where we are today—a highly technical and industrial and strong nation. But, it was those foundations, those principles which our ancestors learned from working the soil which live with us today and keep us strong.

Think of the enormous responsibility facing the farmers today. They must contend with the weather and the Government—both of which seem reluctant to offer their full assistance. I am glad there are still people who want to be farmers. I am glad there are still people who will take the burden of feeding the Nation. I am glad there are still people who can shake off the "urban press releases" charging that farmers get something for nothing.

And, Mr. Speaker, I think we may be on the verge of a new awareness of the importance of the rural Americans. I detect a small, but clearly discernable signal that the urban Americans are trying to reach back to their ancestors. I refer, Mr. Speaker, to what may seem frivilous but is not—I refer to the fact that many, many urban Americans are clamoring to "rent a farm" for their vacation—to get back on the soil.

To my thinking, this is significant. It may mean a lot of people really want to "go home."

Hopefully, this Congress will take the necessary steps to insure there is still a small measure of future for the man who gives all America an honest day of work from sunup to sundown.

Today, my colleagues speak of the rather bleak situation facing rural America. Our words today will echo against the Agriculture Act of 1970—a compromise of considerable magnitude, though perhaps necessary at the time.

There are many things about that bill I would change—but the thing I would change most is the lack of understanding from our urban colleagues. In all probability, the bill last Congress was the only bill we could muster through and that is the larger tragedy. I am hopeful we can make legislative improvements during the months ahead.

Mr. HENDERSON. Mr. Speaker, 2 or 3 weeks ago, I asked Chairman POAGE of the House Agriculture Committee to conduct hearings on the situation of our pork producers.

Members of the House will recall the visit to Washington in early January of some farmers who brought hogs to Washington to demonstrate the huge gap between what they were receiving for their product and what the housewife was paying for such cuts as pork chops on the supermarket shelves.

It seems that in a year's time, the onfoot price received by farmers for "top" hogs had dropped some 6 to 7 cents per pound while the price of pork in supermarket display cases had remained the same. It was not until after this display by the farmers and the indication of interest by many public officials, including the Secretary of Agriculture that supermarket prices began to drop with the inevitable result that increased consumption began to use up the oversupply and prices paid to farmers began to go back up.

Obviously in an uncontrolled product like pork, where anyone is free to get into production on short notice and get out equally quickly, production is going to fluctuate depending on the market. When the market is up, a lot of people will be producing pork. When it is down, the number of hogs being produced will be reduced accordingly. The hog farmer expects to live by the law of supply and demand.

But the law of supply and demand is thwarted when others up the line above the producer continue to hold the prices to the consumer at an artificially high level.

No thinking person begrudges the meat processor a fair profit on his operation. Indeed, he cannot stay in business without one. And it costs him just as much to kill and process a hog which cost him 15 cents per pound as it does to kill and process a hog which cost him 25 cents per pound.

The same argument holds true for the supermarket operator, but in both cases, the final sale price for the product is determined by adding a percentage markup to the final cost.

I do not know whether in any instance, a processor or a supermarket operator, or all processors or all supermarket operators make unwarranted or unconscionable markups on pork products. Neither do I know what their normal pricing policy is; whether it is deliberately scheduled to make enough when onfoot prices are low to compensate for losses or smaller margins when onfoot prices are high.

But I do know that both the consuming public and the hog producers are entitled to know why onfoot hog prices can drop 6 cents per pound in one year with no discernible drop in what the housewife is paying for bacon, sausage, and pork chops.

I take this opportunity to urge again that the Committee on Agriculture hold hearings on this important question and invite all interests concerned to come in and tell their side of the story for public consumption and to guide us in whatever action seems to be warranted by us.

Mr. ICHORD. Mr. Speaker, I commend the gentleman from Montana, JOHN MELCHER, the gentleman from Kansas, KEITH SEBELIUS, and the gentleman from Iowa, NEAL SMITH, for arranging this special order to focus attention upon the plight of the agricultural interests. Something must be done to revitalize American agriculture if we are to avoid total catastrophe.

I personally feel that we have become so concerned with the immediate problems of our urban areas—and I do not condemn this concern because the problems of the Nation's cities are overwhelming—that we have overlooked the fact that much of the problems of the cities have their source in the ills of American agriculture. The increasing flow of untrained people flooding the labor market in the cities is a case in point. These people are not all native-born city dwellers. Great numbers of them are migrating to the cities from rural America, and we must devise means to not only stop the migration to the cities, but also to reverse the trend if we are to obtain any lasting solution to the problems of the cities.

We need to give immediate attention to the passage of measures now pending in the Congress such as the Rural Jobs Development Act and legislation providing special tax treatment for industry locating in rural America. The problems of the agriculture industry and all of rural and urban America are interrelated, and it is past the eleventh hour for positive action to be taken on the part of Congress to offer relief to the Nation's farmers who play such a vital role in the overall national economy.

America's farmers have contributed more toward building a better land than any other group of trained technicians. The 20th-century farmer has perhaps the greatest responsibilities facing any segment of American industry. On his shoulders rest the economic progress of our Nation, as well as our growing stake in world agriculture, for agricultural prosperity and security seriously affect trade and policies abroad.

I salute the American farmers, individually and collectively, and give much deserving credit to the throng of "agriculture experts" who provide the basic elements of life for America and whose dedicated bond with the soil is as enduring as the principles upon which our country was founded.

Mr. O'HARA. Mr. Speaker, in rising to join my colleague from Montana in his discussion of the problems confronting the Nation's farmers, I must admit unabashedly that I am a city boy.

While my present congressional district presently includes only a small rural area, at one time I was privileged to represent the fertile and prosperous farming area in what we in Michigan call the "thumb."

In those days I was well aware of the very difficult financial situation in which most farmers found themselves—in many cases through no real fault of their own but through subtle and complex changes in the economic underpinnings of our society. Today the farmers in my district with whom I talk tell me that the situation is much more desperate.

Those of us who represent urban constituencies have long noted a symptom of the economic sickness of American agriculture.

That is the intense migration from farm to city during the past decade. Our most serious urban problems may well have their roots in the economic distress down on the farm.

In my work on the Committee on Education and Labor, I have found that many Federal programs in the cities attempt to provide adequate schooling, work skills, and jobs to the children of those who fled the farms years ago.

This is just one example of my thesis that there are no exclusively "rural" or "farm" problems any more than there are exclusively "urban" problems.

The problems of one area inevitably have their impact upon the other, and its high time every American recognized that fact.

In plain economic terms, the transformation of the farm economy has a very real effect upon the pocketbook of the supermarket shopper in the city.

That is why I rise with enthusiasm to join in this special order on the problems of the farmer. If we don't solve this problem, we in the cities are going to find ourselves the losers too.

Mr. RARICK. Mr. Speaker, I wish to commend the gentlemen who arranged for the 3 hours of special orders to focus attention on the plight of agriculture and rural areas. With so much attention being given to the problems of the big cities, many are not made aware that ranchers, farmers, rural businessmen, and rural communities also face growing problems as a consequence of constantly rising costs and stable or declining farm prices.

A perplexing problem with which many farmers are faced is that of steadily increasing real estate taxes. The shifting of people from the overcrowded cities into suburbs and still farther out into the countryside together with improved State and local roads, interstate highways, and electrical services has caused the value of farm property to go up. As the value of farmland increased and local governments because more and more hard pressed for revenues to provide local services, there has been a tendency by local governments to increase the real estate tax on farms to such an extent that it is becoming difficult financially for many small farmers to make a living on farming.

Farmers and country people as a group are independent and solid citizens and form the backbone of our country. Everything possible should be done to enable them to continue earning a living in their noble work.

Local assessors should give every consideration to the plight of the small farmer and qualify farm assessments so as not to tax the small farmer out of business. The policy in the nearby State of Maryland of taxing functioning farms on their use and not their market value seems to be a desirable practice.

A newsclipping about the tax effect on farmers in Fairfax County, Va., states quite succinctly the growing problem our farmers encounter as they diminish in number and become a minority group. Their importance to our society should be remembered at every meal and in offering thanks to the Almighty for the bounty which he has provided us, we might also remember our farmers and their struggle.

I insert a clipping from the December 3, 1970, Washington, D.C., Post at this point:

FARMERS IN SUBURBAN FAIRFAX HAVE A TOUGH ROW TO HOE

(By Thomas Grubisich)

Before Mack Crippen Jr. manures his Fairfax County dairy farm, he checks which way the wind is blowing. Crippen worries about the sensibilities of his neighbors in the townhouses that were recently built across the road. Occasional inquiries—when the wind suddenly shifts—indicate that Crippen's concern is not misplaced.

The wind is not blowing very favorably for farmers these days in rapidly urbanizing Fairfax. Though some of them may become millionaires when they sell their land, many of them are trying—and failing—to survive doing what they know best: raising dairy cows or steers, planting corn or winter wheat.

Crippen is surviving—thriving may be a better word—because he owned 291-acre Lake Fairfax Park, which the county bought in 1966 for $1,717,000. The Crippen family lives in a rambling, low-slung brick home protected from the outside world by expanses of grass and stands of trees. There are also a pool and low-slung brick bathhouses and stables.

Crippen says not one brick of his property was paid for from his dairy farm earnings. He says he and his 70-year-old father, Mack Crippen Sr., who owns a neighboring dairy farm, spend all their agricultural earnings—and more—on real estate taxes. Their 450 cows, machine-milked twice a day, seven days a week, 52 weeks a year, don't—can't—produce enough to offset taxes of $30,000 a year, according to the junior Crippen.

Richard Cockrill owns a dairy farm on Hunter Mill Road, not far from the Crippens' spreads. Cockrill's farm is so close to the Dulles Airport Access Highway that road signs can be clearly seen from the fields. But with land development somewhat sluggish, Cockrill hasn't received any tempting offers from builders lately.

Come the end of the month, $7,000 in real estate taxes will fall due on Cockrill's 140 acres, but he said they'll have to go unpaid, at least temporarily. Cockrill works from "20 after 4 in the morning till 20 after 8 in the evening" six days a week and six hours more on Sunday to avoid more than one hired hand, but even 70 hours of work a week doesn't leave him enough income to pay his county taxes.

He plans to give up dairy farming shortly and concentrate on what he hopes will be more profitable activities—mending fences, maintaining lawns and selling hay to horse owners in the area.

One of Cockrill's vexations is people who, playing country squire on one-acre or two-acre subdivision lots, romp their horses in his open spaces—land on which he pays steep taxes.

Farmers in Fairfax and other jurisdictions in Virginia pay a tax on the marketable value of their land. Though a farm may be entirely planted in corn or used for dairying, its value is determined by the pressures of surrounding suburban land development. In contrast, Maryland jurisdictions tax functioning farms on their use, not their market value. This formula means an easier tax burden for farmers—and land speculators who keep their property in cultivation until they sell it.

Mack Crippen Jr. and other Fairfax farmers think the Virginia formula is unfair to them. Crippen thinks that farmers who earn 75 or 80 per cent of their income from agriculture should be taxed at a lower rate. Looking out toward his own land, he says:

"These cows are not creating anything that requires a tax dollar. These wide open acres don't require any police service, any sewer lines, any schools."

Farmers don't seem to get much sympathy from their suburban neighbors—"city people," as they usually call them. Suburbanites, very conscious of the price of quarter- and half-acre home lots, sometimes maintain that hard-pressed farmers could easily sell their land for $5000 or $8000 an acre and buy another farm several times as large beyond the subdivisions.

But farmer Cockrill does not want to leave the land he and his ancestors have tilled season after season * * * the long hours, provided I can make an equal living. But I pay as much taxes as 15 city people. This is an unfair situation."

Farmers in Fairfax and elsewhere in Virginia may soon be getting some sort of relief. The revised state constitution approved last month by voters permits local jurisdiction to provide lower taxes to farmers if they preserve their land as open space. First, however, enabling legislation must be approved by the General Assembly, which will consider the issue at its special session in January.

Just what form the tax break would take in Fairfax is not certain. The Board of Supervisors, however, did support the constitutional amendment. County Executive Carlton C. Massey thinks one formula might be to permit a farmer to defer his taxes until he sells his land. Then farmers could continue working their land as long as they wished rather than be forced to sell out because of mounting taxes.

Forced sales have not only cost farmers long-held family properties but encouraged "leap-frog" development that has given suburbia some of its unlovely sprawl.

Whatever new relief Fairfax farmers get, their future will not brighten too much. Taxes are their chief burden, but there are other problems, too, as the county moves further away from its agricultural heritage. Cockrill, for example, says hired help is hard to get and is increasingly expensive. He says: "We can't compete with doctors and lawyers who buy farms in other areas further out. They pay the help twice as much because they have other income. The dirt farmers or the dairy farmer doesn't."

Cripplen—who is not the typical dairy farmer—says the average farmhand gets $80 to $100 a week. Tenants are furnished with a home, lights and fuel. One of Mack Jr.'s hands has been with the Crippen family for 42 years, another 30 years. Another hand is a "city fellow with a college degree." Crippen said the man, a journalist by vocation, came by the house one day and said he wanted to work on a farm. "He is working out fine," said Crippen.

Fewer hands means more elaborate—and expensive—farm machinery. Crippen recently paid $6,800 for a hay machine. A tractor cost him $10,000.

Though Fairfax was one of the major milk producers in the state for many years, there are now only nine dairy farms—with a total of 1,200 milk cows—in the county. Twenty years ago there were more than 125 dairy farms with 7,850 milk cows.

One of the most successful farmers in the area is William Brockett. He has 2,800 acres—in both Fairfax and Loudoun counties near Dulles Airport—planted in corn, and 4,300 steers, which feed on the corn before they are shipped to packing houses. But Brockett is successful precisely because he doesn't own the land. He leases it from a syndicate of speculators. And with taxes rising and development sluggish, the price of a side of beef may become as important as the price of an acre of land. That might not be the good news the syndicate has been waiting for, but it can't hurt Brockett.

GENERAL LEAVE TO EXTEND

Mr. MELCHER. Mr. Speaker, I ask unanimous consent that all Members may have 3 legislative days in which to extend their remarks on the subject of the special orders today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

FARM PROBLEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. SEBELIUS) is recognized for 60 minutes.

(Mr. SEBELIUS asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. SEBELIUS. Mr. Speaker, I consider it both an honor and a privilege to join today my distinguished colleagues, Honorable JOHN MELCHER of Montana and Honorable NEAL SMITH of Iowa, on this the first of what I hope will be a bipartisan effort to publicize the plight of the American farmer in the Congress.

I want to express my appreciation and the thanks of the citizens of the district I am privileged to represent, the big first district of Kansas, to both Congressman MELCHER and Congressman SMITH in their leadership in this discussion.

Mr. THONE. Mr. Speaker, will the gentleman yield?

Mr. SEBELIUS. I yield to the gentleman.

Mr. THONE. Mr. Speaker, the gentleman from Kansas (Mr. SEBELIUS) and our colleauges who have joined him here today on the floor of the House are to be congratulated and commended for their leadership in dramatizing the struggle going on in rural America, and I thank the gentleman for allowing me to participate in this special order.

Mr. Speaker, my initial floor talk on Agriculture, 1971, shall be in a positive and affirmative tone. As affirmative as the current farm picture allows, I might quickly add.

Congress, of course, has enacted legislation for cotton, feed grains, and wheat. This legislation, which applies to these crops in 1971, 1972, and 1973 is based on the compensatory payment and allotment approach. It's the current law of the land, and legislation which gives the Secretary of Agriculture, Clifford

Hardin, discretionary authority to be used by him in an effort to keep supplies in reasonable balance with demand. The Secretary, I strongly urge, must use all of his authority in such a manner that farmers will have income opportunities more comparable to those of persons of other segments of the national economy.

First, last and always, the Secretary must be a spirited evangelist for increasing farmer's net income.

With two brothers, I own a farm in northeastern Nebraska. A farm on which I was born and raised. Mr. Speaker, that farm has not been doing well in the last few years—net incomewise. This is the pattern out our way. Something constructive must be done for rural America if the family farm is to survive, and the sooner the better.

So much for the glittering generalities. What is to be done?

Sure, there must be full utilization of all available soil conservation practices, more extended watershed development, more irrigation, extended on-the-farm storage practices, vigorous efforts at diversification and expansion of the animal-agriculture concept.

Also, without a question of a doubt, American agriculture has an important stake in a high level of mutually advantageous world trade.

All fair minded observers agree that parity, based on the 1910–14 formula, is a most fair means of comparing farm prices with farm costs. Make this comparison sometime, I urge you, and be shocked at what has happened to our farmers at the marketplace.

Such advances as mentioned above, and the like, will all help, but as advisable and necessary as they are, they are still not the vehicle for long-range farm prosperity.

In my opinion, there is a crying need to improve the legal foundation upon which farmers can build their own effective marketing and bargaining program. This Congress should enact legislation to improve the opportunity for marketing organizations to succeed. This is a must for American agriculture.

The sooner that new, responsive bargaining acts and marketing acts are passed, the better. Let us all urge and work with the Agriculture Committee of the House and the other body, Senate, to give first priority to strong, effective marketing and bargaining laws. As I see it, these self-help tools are vital if agriculture is to have a fair chance. All of the other proposed solutions are only aspirin-type help when major surgery is called for.

Not for a long time has there been such a clear-cut call for joint action by all farm organizations. The challenge should be most obvious to them. I suggest that they coordinate a massive legislative drive zeroed in on the passage of marketing and bargaining legislation that will get the needed job done.

This is the gut issue for agriculture, 1971. I am totally willing to fully contribute the resources of my office to this effort in an attempt to rescue agriculture from being the low man on the national economic totem pole. Let us go to work—now.

Mr. SEBELIUS. Mr. Speaker, I thank the gentleman for his remarks.

Mr. SHRIVER. Mr. Speaker, will the gentleman yield?

Mr. SEBELIUS. I yield to the senior Member of the Kansas delegation, the gentleman from Kansas (Mr. Shriver).

Mr. SHRIVER. Mr. Speaker, I want to from the big First District of Kansas, Keith Sebelius, and the others who have reserved this time to discuss some of the problems being faced in our rural areas. It is important to point out that while this time might be designated as "Farm Day," the problems described have serious repercussions throughout our economy and our society.

We must recognize that the rural-urban gap is a thing of the past. We must acknowledge that the economic needs of rural Americans are the same as those of urban Americans.

Economic security and cultural satisfaction are worthwhile goals of our national policies in both rural and urban America. Congress recognized this in passing the Agricultural Act of 1970. Title IX of that act provided for a review of all existing rural programs and for assuring rural residents the same Federal service and privileges the urban dweller enjoys.

Rural Americans today are faced with a situation wherein increased farming efficiency and production costs are forcing more and more people to leave the land and seek employment elsewhere. The most logical and preferred source of employment would be found in nearby rural communities, but often this is nonexistant. Thus, an estimated 500,000 rural residents each year migrate to our already over-burdened big cities.

These people do not want to move to the cities, and the cities do not want or need them. Better solutions must be found in rural areas. Our efforts should be channeled toward two basic goals: fairer returns from farming to allow those who wish to continue farming a reasonable chance of doing so, and wider job opportunities in rural areas.

Farming today is the Nation's biggest industry. Its assets comprise about two-thirds of the value of all current U.S. corporate assets. Like any other industry, farming to be healthy must show a reasonable profit on its investment. However, at a time when farmers as consumers and producers are faced with the same problems of inflation nonfarmers face, the returns they receive from their production are going down. Americans pay the lowest percentage of their disposable income for food of any country in the world, and that percentage, now 16 percent, is the lowest it has ever been.

While farmers are justly proud of their efficient methods which feed our Nation so well at such a low cost, we must be concerned about the extent to which low food prices result from inadequate returns to the producers of that pood. In 1970 the par capita disposable income of the farm population was only 78 percent of the income of the nonfarm population.

It is imperative for the sake of the consumer and the producer alike that this farm income situation be improved. An unhealthy or desperate farming industry would benefit no one, and would probably result in much higher food prices in the long run.

Congress and the administration must make a concentrated effort to expand the marketing possibilities for farm produce both at home and abroad. Farm exports reached the $7 billion level in 1970 for the first time in our history. All efforts should be made to continue this upward trend, including a very cautious attitude toward the initiation of self-defeating curbs on foreign imports of textiles and other products.

Domestic marketing possibilities should also be expanded through the joint efforts of the producers and the Government. I support the President's actions which have tripled the number of people receiving food stamps and increased from 3.8 million to 6 million the number of needy children receiving free or reduced-price meals at school.

Last week, I joined in the introduction of the Rural Job Development Act of 1971. I also cosponsored two bills designed to modernize the operations of the Farmers Home Administration to reflect changing economic conditions and needs. Earlier this year I introduced legislation to assure rural America the means to establish comparable telephone service as is available in urban areas.

In introducing these bills, it is my intent to aid in the expansion of the quantity and quality of economic and social opportunities in rural America. I would hope that all of my colleagues, both urban and rural, would join in this effort for the betterment of all of our lives and of our Nation's economy.

Mr. SEBELIUS. Mr. Speaker, I thank the gentleman for his remarks.

Mr. HANSEN of Idaho. Mr. Speaker, will the gentleman yield?

Mr. SEBELIUS. I yield to the gentleman.

Mr. HANSEN of Idaho. Mr. Speaker, let me join those who have spoken earlier in commending my colleague, the gentleman from Kansas (Mr. Sebelius) as well as my colleagues from Montana (Mr. Melcher) and Iowa (Mr. Smith) for having arranged for this forum to examine some of the problems facing American agriculture. You have all done the country a great service in helping to focus attention on some of the needs of rural America.

I hope this will be a regular event in the Congress.

I was raised on a farm. I have the privilege of representing a farm district in the Congress and I take great pride in the enormous contribution that agriculture and rural America have made to the growth of this country.

The farmers have contributed over the last nearly two centuries of the history of our country the food and fiber and other materials that are essential to the building of our great country. They have also given us a rich legacy in a system of values that we associate with the character of our country. These are values that are often in short supply in this modern age and for which there is a great need today—the willingness to work hard, to sacrifice, to help ones neighbor, to cooperate, independence, resourcefulness, pride in individual achievement. Somehow we have lost sight of many of these values today. American farms also gave our country the manpower that helped make possible our dramatic growth as an industrial Nation. But the farmer who contributed so much to the progress of our country, is now the victim of the very advance in technology and the rapid increase in efficiency, that has characterized the remarkable rise in productivity that is a part of the story of American agriculture.

We are now in a deep and serious crisis in rural America. We hear a great deal about the urban crisis, and it is there. There is no denying that it exists. But perhaps because we do not see the same kind of explosions and the dramatic incidents on the farms we often overlook what is a more basic and more serious crisis in the rural parts of our country.

By virtually every standard you can name, we are worse off in the country than we are in the city. Income is lower. Unemployment is higher. The people have less access to health facilities. There is less opportunity for education. The housing is poorer. We see a steady flow, especially of young people, from the farms and rural communities to the cities. Both the cities and rural areas suffer from this migration.

When we look at the solution to the problem of the cities, it is clear that the place to start is in the country. Lack of economic opportunity forces our young people leave the farms and the rural areas to move to the overcrowded cities.

If we are going to make it possible for those who prefer life in the country to remain in the rural areas where family ties and community ties are stronger, and where they can be free of many of the difficult problems of our society, we must create expanded economic opportunities and more jobs in our rural areas.

You cannot build jobs, raise income and stimulate economic growth in the rural areas without dealing with the problem of low farm income. The farm will always be the foundation of the rural economy, and we must raise farm income if we are going to give needed stimulus to the economic growth in our rural areas. We in this Congress and in Government can help by focusing attention on the problem through forums such as this. And, must create the kind of framework within which farmers can expand markets, develop and employ bargaining power that will assure a fair price for their product in the marketplace and maintain the conditions of fair competition that will protect farmers against discriminatory freight rates and import policies that can weaken and destroy markets.

In serving the needs of rural America and of our farmers who have contributed so much, we are serving the needs of America. I welcome the opportunity to join with the very distinguished gentleman from Kansas who is one of the most articulate and effective spokesmen for American farmers in the House of Representatives in the cause which should be the cause of all Americans.

Mr. SEBELIUS. I thank the gentleman from Idaho for his remarks.

I would underline one thing at this point. This year we exported more than $7 billion worth of agricultural products, and $6.2 billion of that was for hard cash, which made America have a favorable balance of trade. That should underline what the producers of farm products are contributing to the balance of trade at this time.

Mr. WINN. Mr. Speaker, will the gentleman yield?

Mr. SEBELIUS. I yield to the gentleman from Kansas.

Mr. WINN. Mr. Speaker, I appreciate the gentleman from Kansas (Mr. SEBELIUS), yielding me a few minutes. Along with other Members of the House, I commend the gentleman from Kansas (Mr. SEBELIUS), as well as the gentleman from Iowa (Mr. SMITH), and the gentleman from Montana (Mr. MELCHER), for reserving the special time this afternoon so we may pay tribute to the farmers and bring out for discussion on the floor the problems that face the farmers of this Nation.

Mr. Speaker, as we all know, much of rural America is economically underdeveloped and lacking in the full range of public services. Millions of people each year are forced to leave our small communities and migrate to our cities because of the lack of economic opportunity. These conditions justify and, indeed, demand major new efforts to improve and expand economic and social opportunities available in rural communities.

It is becoming increasingly apparent that effective solutions to many of our problems relating to our cities—crime, welfare, housing, malnutrition, transportation—must include programs for a revitalized rural America. In order to save our cities, we must also save our countryside by creating a new environment of jobs, education, and favorable living conditions.

When the cost of providing services increases all out of proportion to total population growth, a city has become too big. This becomes perfectly clear when the cost is put on a per capita basis.

Statistics reveal that police protection costs approximately $5 per capita in cities with 100,000 to 300,000 people. When the community grows to 500,000, the per capita cost increases almost five times as much and in our large metropolitan areas, the cost increases to almost $40 per capita.

When a resident of Washington, D.C., moves to the suburbs, he costs the city an unbelievable $23,000 in capital outlay to provide facilities so he can drive to and from work. Contrast that commuter cost with street department budgets under $500,000 for an entire year in many of our communities 50,000 and under throughout rural America.

We must stimulate population growth in our rural and smalltown areas. This can best be accomplished through rural job development, improved farm income, and rural economic activity and income stability.

Mr. Speaker, I, along with our colleague, the gentleman from Texas (Mr. PRICE), have cosponsored H.R. 3141 and H.R. 3142, which we think would help alleviate some of these problems.

In short, too many of our rural communities are underdeveloped. Too many of our metropolitan areas are overcrowded. We must take strong, positive action in the 92d Congress to stimulate economic activity and create income opportunity for farmers and rural and smalltown America.

We must not only recognize rural potential, but we must work together to find solutions to the dual crises in urban and rural America. If we work together, we can reverse the flow of rural people to metropolitan areas and initiate a reverse migration. In short, we must realize the needs of rural and smalltown America and the needs of urban America are interdependent.

Mr. ZWACH. Mr. Speaker, will the gentleman yield?

Mr. SEBELIUS. I yield to the gentleman from Minnesota.

Mr. ZWACH. I thank the gentleman for yielding.

First, Mr. Speaker, may I commend the gentleman now in the chair (Mr. MELCHER), the gentleman from Montana; the gentleman from Kansas (Mr. SEBELIUS); and the gentleman from Iowa (Mr. SMITH) for making this special order available and for giving us the opportunity to point out a desperate situation in our country.

Agriculture, food production, is now and always has been the greatest industry in America, except for income.

We have 3 million producing farms which employ over 4.5 million workers. This is more than the combined employment in transportation, public utilities, the steel industry, and the automobile industry.

Total gross agricultural assets are $307 billion. This is two-thirds of the value of current assets of all corporations in the United States and one-half of the market value of all corporate stock on the New York Stock Exchange.

This represents about $50,000 investment for each farm employee, compared to about $25,000 investment for each manufacturing employee.

Three out of every 10 jobs in private employment are related to our business. Eight million people have jobs storing, processing and merchandising the products of agriculture. Six million people have jobs providing the supplies that producers use.

The farmer and his family represent only 5 percent of our population, however.

Farmers today are twice as efficient as any nonagricultural industrial workers. Farm productivity in the 1960's increased 6 percent each year, while output per man hour in nonagricultural industry increased only 3 percent.

And yet the producer gained not one cent of increased income from his increased efficiency.

One farm worker produces food, fiber, and other commodities for himself and 44 other people. He spends $40 billion for goods and services to produce crops and livestock, and $12 billion a year for food, clothing, drugs, furniture, appliances, et cetera. Yet the farmer is in the lowest income tax bracket in the United States.

American consumers benefit from the highest quality, lowest cost food and fiber in any nation in the world at any time.

In 1950 American families were spending about 25 percent of their take-home pay for food. In 1960 this was 20 percent. Today it is 16 percent.

Today parity is lower than it was at the depths of the great depression.

Mr. Speaker and gentlemen in the House, I submit that the No. 1 problem for countryside America and for city America, for that matter, is countryside fair prices. The No. 2 problem is countryside fair prices. The No. 3 problem is countryside fair prices. Then we can go to farm credit and we can go to development and all the other areas.

There is no question but that we will never solve the problems of the cities nor of the country until we have fair prices in countryside America.

I believe I am known in this Congress as "Mr. Parity." I am very proud of that designation. Parity is the farmer's yardstick.

It is established by the Congress of the United States. It is not a fixed figure in dollars and cents. The legal definition is long and technical, but essentially parity is that price for farm products which will give the producer the same purchasing power from the return of each unit of his products as in a reasonable past base period. The base period used is one where these relationships were considered normal. For example, in 1947–49, the based period now being used, the farmer's return on investment was around 14 percent. This is still much lower than industry's return but far better than what today's farmer is able to receive. Thus, if full parity were achieved today by producers, they would only be beginning to receive a fair return for their investment. Parity only assures a minimum economic position in agriculture. One hundred percent of parity only gives to the producer a mediocre fair price and a net return on net invested capital which is far lower than that received by the rest of the United States and industry; far less particularly than the food processing and the food distribution industries.

Why parity? Many wonder why this concern over parity of income for the producer. For instance, organized labor is protected by wage contracts and by laws. Businesses are protected by business contracts for price and other elements. Utilities are protected so as to be assured of a reasonable return on their investment. The farmer alone of all the large segments of the economy has no predetermined price protection except as the Government offers a price support on some commodities. Further, the producer is subject to many influences over which he has no control. He is subject to the hazards, the peculiar hazards, of the business of agriculture—the hazard of drought, the hazard of blight, as evidenced just recently. The hazards of all types of insects are there, too. There is an unlimited variety of hazards that are peculiar to this business of agriculture. Unlike other segments, the farmer today has no business forum in which to negotiate for his prices. The price issue comes up only after the farmer invested his work and expense and therefore must dispose of his product. It is for this reason that the parity concept setting up what is considered to be a fair price has been determined by the Congress to be in the interests of all of America.

Mr. Speaker, over the past years there have been efforts made to tamper with the parity concept. I would like to read to you a statement made recently by Senator MILTON YOUNG of North Dakota regarding the parity concept. He said:

> I am opposed to any change in the parity formula now as I was when previous Secretaries of Agriculture rigged the parity formula to make their actions look better. This has been going on for at least 15 years. Former Secretary of Agriculture Benson started it. Secretary Freeman followed it with an adjustment of his own.

I want to point out the bipartisan nature of the need for an approach in this area. Let me speak for a moment to the historic significance of the parity concept. Year after year countryside America has been slipping further and further from a fair return as measured by parity. In the depression years, the years of the 1930's and the early 1940's, parity was averaged at 81 percent. In the years of the 1940's—and these are the years of the Korean war, the Truman years—parity was at 107.5 percent. These were the golden years in agriculture. In the Eisenhower years, in the 1950's and into the 1960's, parity was at 84.5 percent.

Mr. Speaker, in the Kennedy-Johnson years they started in the area of 80 percent and wound up in 1967, 1968, and 1969 at 74 percent. In January of 1969, to just show the bipartisanship of this matter when the present administration came in, parity was at 72 percent. It went to 75 percent in January 1970 and back to 68 percent in January of 1971. Right at the moment, in February of 1971, it is back to 70 percent.

Mr. Speaker, this gives us a picture that this is a nonpartisan and a bipartisan problem. I appreciate the fact—I appreciate very much the fact—that we have kept it in the main in that area so far.

Mr. Speaker, I would like now to speak to the period that supposedly has been the greatest period of prosperity in the history of our country, the fading years or decade of the sixties, which produced the most prosperous years in the history of the United States. Gross national product has risen an average of 9 percent per year over the past 9 years. In this same span of time net farm income has risen less than one-half of 1 percent per year, with no allowance for the over $6 billion of acknowledged farms investment that is required. Essentially, the rest of the American economy has increased its income by over 20 times more than the American producer.

Mr. Speaker, agriculture has not shared in our startling national prosperity. The farmer has not had an opportunity to receive the least bit of improvement. His agricultural prices have, in the main, been beaten back by any administration. It was so when I came and there has not been a lot of improvement now. Agriculture at the farmer level has contributed much with regard to the improved gross national product.

In 1940 each farmworker was producing enough to feed and supply 10½ persons. In 1964 he was feeding 44 persons. In spite of this unbelievable rise in efficiency and productiveness the farmer has received barely enough to offset his increased operational expenses.

The American farmer has not been put into the position of sharing the prosperity of the times but, rather, he has been forced into the position of subsidizing the American economy. Not all segments, Mr. Speaker, are treated in the same way. But, let me go now to employees in the U.S. Department of Agriculture, and it would fit doubly well for employees generally in the Government.

Every segment of our U.S. employees—and it would apply equally well to the employees of the House of Representatives and, generally, across the board to all people—in 1961 a grade 17 employee in the Department of Agriculture was receiving $16,680—$16,000 in round numbers. In 1966, 5 years later, that has increased to $25,040. In 1970 that same job is paying $34,810, a jump from $16,000 to more than $34,000.

And they just added another 6-percent raise that is not recorded here. That puts those people above $36,000.

I do not like to say this, but maybe some people around Washington have had parity themselves for too long a time, and forget—and forget—about those poor producers back there in the country producing our food. At least, we have been very, very generous—that is, the Congress—in providing for these increased salaries.

Now, I know that everything in this area cannot be done in Washington, there is not much question about that. The main battle—the main battle for production rages out there among themselves, they are going to need help for themselves, but there is a great deal more that ought and could and should be done here in the Congress of the United States.

In a great many areas there is more that ought to be done. I am speaking to these points today.

Mr. Speaker, I appreciate the gentleman yielding me this time.

Mr. SEBELIUS. I want to thank the gentleman for his very fine and cogent remarks.

Mr. SCHERLE. Mr. Speaker, will the gentleman yield?

Mr. SEBELIUS. I am happy to yield to the gentleman from Iowa.

Mr. SCHERLE. Mr. Speaker, I appreciate the opportunity this afternoon of participating in this generally bipartisan, cooperative effort by Members, rural and urban, in our expressions of concern for rural America. We have a problem that concerns each and every one of us. It is very important because we, as farmers and as agri-businessmen, have become, through modern research and technology, the most efficient food- and fiber-producing Nation in the world; yet we have become slaves to our own efficiency.

The backbone of this Nation is rural

America. When I talk about rural America I am talking about the farmers, as well as agri-businessmen and merchants in the communities. Proportionately there are a greater number of poor people in rural America than there are in the urban centers of the United States. But rural people are proud and they are not willing to tell you they are poor or want welfare. All we want is equal consideration.

It is difficult for me to comprehend in this wealthy America how one segment of our economy is so deprived of a fair return for its investments.

President Nixon is in Iowa today with a great many members of his Cabinet. I am proud of the fact that President Nixon has chosen my State to deliver a farm message. The President is there to give these people a ray of hope. He is the first President to ever address the Iowa Legislature.

I would like to correct a statement that was made by my colleague, the gentleman from Missouri (Mr. BURLISON). Unfortunately, he is not here at this time. He mentioned that President Nixon did not have one single word in his state of the Union message about farming, but we have a farm message today. I have read it. I also have read his prepared text of the message that he will use in the Iowa Legislature this afternoon. I will include that statement at the end of my remarks.

I might recall though that the criticism leveled at President Nixon is not really fair because President Lyndon Johnson in his last farm message only had 15 words. He mentioned agriculture, but he never did anything constructive about it. Many of the problems that exist in rural America today were the result of the inaction of the early and mid-1960's.

Yet, I am not going to leave President Nixon off the hook because the farmers of America are entitled to just a little bit more. I do not blame President Nixon entirely for ignoring rural America. My main concern is that his top aides are not rural oriented. They do not know a disk from a plow. That is the problem.

The President has been shielded out of ignorance because those people that he has surrounding him do not know what agriculture means or its importance to the economy of this Nation. The Secretary of Agriculture should speak out more forcefully for rural America.

President Nixon is in Des Moines and he will leave a farm message there that will be carried throughout the United States. This is fine. I hope he leaves them something to chew on. But I learned a long time ago that the most important part of a golf swing is a follow through. I hope that when the President leaves Des Moines with his aides, he will follow through and not just leave that as an anticlimax for farmers and employees and a lot of agricultural businessmen to say, "He was here and told us what we are going to be faced with in the future—but is he going to follow through?"

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. SEBELIUS. I yield to the gentleman.

Mr. SMITH of Iowa. Since he is in my congressional district, I hope he will also announce while he is out there that he is going to release the $66 million he is holding back.

Mr. SCHERLE. I agree with my colleague, the gentleman from Iowa, as a member of the Committee on Appropriations, Subcommittee on Agriculture, I will certainly support sewer grants.

Every day in this Congress we hear many remarks concerning minorities, but we do not hear one single thing about rural America. Six percent of the population is all we represent. We do not amount to much when you take numbers, but, ladies and gentlemen, we are getting sick and tired of subsidizing this Nation and the consumers by not getting a fair return for our investment. That 6 percent may be true when you take in the total of the Nation of 208 million people—we are only 6 percent. When you consider the Midwest we do not represent 6 percent—we represent 50 percent of the total population there. Anybody with one single ounce of political astuteness had better recognize that fact because these people are important and they represent voters. All we are asking for is a fair shake.

Every single farmer in business today, and a lot of people do not recognize this fact, every man on the farm today through the fact that he is there employs in related industries 40 other businessmen. So when you talk about the farmer, you are not talking of one man, you are talking of 40 related industries that he keeps in business. When the farmer ceases to have a fair return on his investment, you are going to find grass growing on the streets in every city and town in this Nation. Do not forget it. Agriculture is America's No. 1 industry.

As I travel through my district, I notice many empty farm houses and vacant buildings of all sorts. The average farmer today is 52 years of age. We should do what we can to keep our young people in rural America. These people should be entitled to their natural birthright. Our obligation as Members of the Congress is to reverse this migration. We have some of the finest institutions of higher learning in the State of Iowa. We also have the highest literacy rate in the Union. We educate our children and they move away. They are not lost—oh, no—the major cities of this Nation benefit by their intelligence. But I am selfish enough to want them to stay in Iowa if they choose, and I think we should provide these means for them. That is why rural development is so vital to this country.

We owe a great deal to the young people of rural America and agriculture. They are the backbone of the Nation.

I believe in progress. But by the same token, though many people believe it represents an insignificant part, the contribution rural America makes to the world is immense. We feed this Nation and others. It is unfortunate that today people resent buying food because it is a consumable item and not materialistic.

Look at the health and wealth of the Nation, that we produce. Everyone should be overjoyed and thankful that we have a rural America, that we have farmers, that we have agri-businessmen. This Congress, this administration, and those that follow should take into consideration what it means to everyone, that little farm State out in Iowa and her sister States throughout the United States, and what a great contribution they contribute to the fine life that we all have here in America.

I have been equally critical of past administrations. On October 25, 1967, I said:

> Members of Congress who are concerned about Agri-business have been fighting all year to secure import legislation to permanently curb excessive imports of meat, dairy products, textile, steel and other commodities. For example the Dairy Import Act of 1967 has 262 sponsors and the Meat Import bill 114 sponsors in both House and Senate. That, in my book, is a strong reflection of the will of the people. Seldom does any single issue result in the introduction or so many individual pieces of legislation with such overwhelming support.
>
> Recently the House of Representatives unanimously passed legislation authorizing the Administration to take steps to restrict imports produced under substandard working conditions, where these imports are threatening injury to the health and welfare of American wage earners.
>
> Now, finally, the Administration shows its true colors. Senator Long has opened hearings on a series of import bills, including dairy and meat, before the Senate Finance Committee. President Lyndon B. Johnson sent five members of his Cabinet to testify against these bills!!! They include Secretaries Rusk (State), Udall (Interior), Trowbridge (Commerce), Wirtz (Labor), and you guessed it—our Secretary of Agriculture, Orville Freeman. What complete disregard and utter contempt President Johnson is showing for our agri-businessmen.
>
> You would think that with farm prices the way they are, and with such widespread Congressional support for import controls, that the Administration would recognize that these controls are a must to bolster a sagging farm economy. Apparently they just do not care.

RESULTS FOR AGRICULTURE

The unicameral, nonpartisan Nebraska Legislature has just unanimously adopted a resolution which echoed the views expressed by me to President Nixon on the subject of agriculture. The unusually strongly worded resolution from the home State of the Secretary of Agriculture was extremely critical of Cliff Hardin's performance and his low-key approach to representing farmers.

Since those remarks were reported in the news media, a series of changes for the better have taken place. At my urging, the administration finally agreed to a 20-percent set-aside for the feed grain program. In addition, more than $700 million was returned to the Farmers' Home Administration budget. This administration has also pushed for annual development through special revenue sharing.

These welcome announcements have come as a direct consequence of President Nixon's increased awareness of the plight of the agribusiness community. It should not, however, be necessary for me alone to be the strong voice of agriculture in this administration. That responsibility belongs primarily to Secretary Hardin, and he should begin to exercise his vocal chords without undue prodding from the legislative branch. Until he does so, however, I will continue to speak out for rural America.

On February 9, 1971, the Legislature of Nebraska, the home State of Secretary Hardin, unanimously adopted Legislative Resolution 20, introduced by Terry Carpenter, the 48th district, as follows:

Whereas, the agricultural middle west was basically responsible for the election of this Administration, it does not necessarily mean that we will forever be that way when the Secretary of Agriculture is being used to harm, in whole or in part, the very programs necessary for our nationwide prosperity; and

Whereas, the farm population is gradually and consistently diminishing for the reason that, under the present programs and the present Secretary of Agriculture, this exodus can only be continued. If people are going to be taken off welfare and re-established on the farms, a sympathetic change must be effective immediately in order to reverse the trend; and

Whereas, abundant food production and maintenance of an efficient and prosperous agricultural economy are basic elements in the preservation of our domestic security and free world defense; and

Whereas, the dimensions of world food and population problems are unprecedented in the history of man; and

Whereas, this country has the capacity to feed the world.

Now, therefore, be it resolved by the members of the Eighty-second Legislature of Nebraska, first session:

1. That the proposed dismantling of the United States Department of Agriculture is contrary to the national interest and would deny agriculture its rightful rank as a basic cabinet level participant in Federal government councils.

2. That the President has the power, with the stroke of the pen, to make mandatory 90 per cent of 1910–14 parity on farm products under the act and we recommend that he does just that.

3. That the President direct the Secretary of Agriculture to establish for the 1971 crop season at 20 per cent on the feed grain program which is now stalled in the Administration.

This is the concurrent resolution adopted by the Iowa Legislature on February 25, 1971:

Whereas the President of the United States, Mr. Richard Milhous Nixon, will be in Des Moines Monday, March 1, 1971, with cabinet members and members of the Iowa Congressional delegation serving on Agricultural committees, to hold a council on rural development with the Governors of Iowa, Missouri, Illinois and Wisconsin, and

Whereas Iowa is highly honored in the holding of this rural development conference in our capital city of Des Moines, and

Whereas all the people of the Midwest are concerned about our rural problems and appreciate the President's deep interest as evidenced by his special trip to Des Moines, and

Whereas addressing the Iowa General Assembly provides an ideal opportunity for an expression of the President's concern about rural problems,

Now therefore, be it resolved by the Senate, the House concurring, that the 64th General Assembly extend to President Nixon a most cordial invitation to attend a joint session of the General Assembly and present a message to the people of the Midwest.

Be it further resolved that the joint session of the General Assembly be held on Monday, March 1, at such time as is convenient for President Nixon.

Be it further resolved that the President of the Senate, Lieutenant Governor Roger W. Jepsen, and Speaker of the House of Representatives, the Honorable William H. Harbor, be delegated to present this Resolution to President Nixon and personally urge his acceptance of this invitation.

The statement by the President referred to follows:

Prepared Text of Remarks by the President Before a Joint Session of the Iowa Legislature

I greatly appreciate your invitation to address this joint session of the Iowa State Legislature—both to share with you a few of my thoughts about America's future, and to reaffirm my own strong conviction that in the State capitols of America there is a wealth of wisdom and compassion and understanding of the great needs that confront our Nation's people.

This is my first appearance before a legislative body since I delivered my State of the Union address to the U.S. Congress—and I am especially pleased that it can be before this legislature, which I note was recently cited by the Citizens Conference on State Legislatures as one of the best in the Nation.

In that address, I outlined six great goals for America, and I urged the Congress to join in bringing about a new American revolution—a peaceful revolution, in which power was turned back to the people—in which government at all levels was refreshed and renewed, and made truly responsive.

It is especially appropriate that that appeal to the Congress should be followed by this, the first appearance as President of the United States I have had an opportunity to make before a State legislature. For as we consider the changes that are needed in American government, we must remember that we have not one chief executive in America, but many; not one legislature, but many—and that each of these is a vital part of the strength of America.

One of my key proposals to the Congress is that we make a $16 billion investment in renewing State and local government by sharing Federal revenues without the cumbersome restrictions that now follow Federal funds. I have noted that this legislature has already expressed its support for the principle of revenue sharing. I also have propsed a sweeping reorganization of the Federal Government itself to make it more responsive to the needs of the people.

Together, these changes can give us better government throughout all America—but they have special meaning for rural America.

First, in terms of dollars, I am announcing today that I am increasing by an extra $100 million the amount that I originally proposed in special revenue sharing for rural community development, bringing that to $1.1 billion for the coming year—which is 24 percent more for rural development programs than is being made available to the States under existing categorical grant programs this year.

The direct dollar benefit to rural America is obvious. In addition, rural America will share substantially in general revenue sharing funds, and also in special revenue sharing for manpower, education, transportation and law enforcement. Funds for urban community development will also go in part to urban communities in largely rural areas.

A second reason these changes have special meaning for rural America is that one of their chief purposes is to give each State and each community greater freedom to decide for itself those questions that directly affect its own future. If the lessons of the past decades mean anything, they mean that as power has been concentrated more and more in Washington, as decisions have increasingly been made by remote control, the special needs of our rural communities and of the great heartland of America more and more have either been neglected or even gone unrecognized.

I want those decisions that affect rural America made by people who know rural America. And the people who know a place best are the people who live there. To put it bluntly I believe that legislators in Iowa know better than bureaucrats in Washington, D.C. what is best for Iowa.

It is fashionable in a lot of quarters these days to scoff at State and local government. But to those who sneer at State legislatures, at city councils, at any level of government other than that in Washington, I say they don't know the American people.

I reject completely the contention that you cannot trust State and local governments. The patronizing notion that a bureaucratic elite in Washington knows best what is best for people everywhere is completely alien to the American experience.

The honesty and efficiency of government depends on people. Government at all levels has good people and bad people. And the way to get more good people into government is to give them more opportunity to do good things.

You know and I know how much dedication there is in State capitals, how much of a desire to do the right thing—and how much frustration there is with the restrictions and red tape that Washington so often imposes—and also with the tightening squeeze between needs and resources.

Like other State legislatures, you confront enormous problems.

Here in Iowa, as is the case in most of our States, I know you are wrestling with ways of avoiding the prospect of a deficit this year. And I know how heavy the burden of State and local taxes has become.

In the quarter-century I have been in public life, I have seen State and local expenditures rise twelve-fold—and I have seen property tax collections rise to six times what they were just 25 years ago, while State and local debt has increased ninefold.

Against that background, look at the double mismatch we now have: As the Nation grows and the economy expands, needs grow fastest at the State and local level, while revenues grow fastest at the Federal level. And at the same time, experience shows that the Federal Government is very good at collecting revenues and often very bad at dispensing services.

So it makes elementary good sense to turn over some of the money collected by the Federal tax system to meet State and local needs.

It makes good sense, because people on the scene are most often the best judges of what those needs are.

It also makes sense because our people need relief from the mounting burden of State and local taxes.

Here in Iowa, you could use revenue sharing to increase services, to avert a deficit, or perhaps to increase appropriations for the Agricultural Land Tax Credit. The point is that you could choose, according to your best judgment of the needs and wishes of the people of Iowa. That is the way it should be.

Let me also say a word about my proposal to reorganize the Federal Government—in particular as it affects the farmer.

One of the automobile companies has recently been using the advertising slogan "You've changed. We've changed." But when we look at the farmer and the way the Federal Government is organized, it is a different story. The only way to state the case, sadly enough, is that he has changed and we have not. The farmer is a man of many talents now—a businessman, a technician, a scientist—often a man who makes his living in more lines of work than farming alone.

The rural community is becoming increasingly diversified in its economic base and its land use and its population patterns. While all this has gone on, we have sat in Washington with the same Department of Agriculture we have had since 1862. "You've changed and we haven't"—it could become the epitaph for rural America, for the countryside where this Nation's roots are. But to be able to say that you have changed and so have we—that could be the keynote for a new surge of vitality and progress on the farms, on the ranches and in the towns and the open lands across this Nation.

It comes to a question of whether farmers and others in rural America want an Agriculture Department for its own sake or whether they really want things like better farm prices, better technical assistance for agricultural problems, wider development opportunities in rural communities, better schools, better roads, and so on. I think they want the latter—the tangible results.

Under the present setup, only one Cabinet department represents the farmer. Under my proposed reorganization, four Cabinet secretaries—half the Cabinet—will be speaking up for the farmer when his diverse interests are at stake. I submit that this is not less representation, but more—and more effective representation, because the rural interest will be represented wherever decisions are being made that affect that interest.

These proposals I have made are not Republican proposals or Democratic proposals. I have offered them in a bipartisan spirit, and I seek bipartisan support—for they cut to the heart of our hopes for progress in America not just this year, not just next year, but for the balance of the decade and the balance of the century.

I have met with many groups in these past few weeks, talking with them about my proposals for the reform and renewal of government in America. And I have told them that I know there are many objections that people will raise to specific parts of these proposals—but then I have put a challenge to them: Let the first person who thinks we ought to keep things as they are, I say, let him stand up and defend the status quo—and I have not yet had a single taker.

Many were shocked when I said in my State of the Union message that most Americans are fed up with governments.

But we know it's true. They are fed up because they think government costs too much, that it doesn't work and that they can't do anything about it.

What I have proposed is designed to meet these needs—to cut the cost of government, to make it work, and to give the people a greater voice in determining what kind of government they want.

People know that we need a change. They know that what may have been right 20 or 30 or 40 years ago is not right today. They know that like any living thing, government in America has to change and develop; it has to adapt itself to new circumstances. And it has to be made to meet the needs of our people, as those needs exist in today's America—so that for the farmer, the worker, the taxpayer, the housewife—for everyone in America—government can do a better job.

America's great strength lies precisely in its great diversity—in the fact that our States and communities are different, that we do not all fit in the same mold, that each of us has his own ambitions, his own desires, his own individuality. The essence of freedom is to give scope to that individuality and the respect that diversity.

When I talk about returning power to the people, I am talking about just that—about letting people make their own decisions, in their own lives and in the lives of their own communities.

For I have faith in the people of America. And faith in people is what the American system of government is all about. Here in the heartland of America, we can see that the heart of America is good—and that its people deserve our faith.

We became a great Nation because the Nation's founders had the courage to place their faith in people—and because, having that faith, they established institutions that allowed the people to prove themselves worthy of it.

Now the time has come to retun to that faith, to renew those institutions, and by so doing to lead America to a new birth of greatness—a greatness not simply as the richest Nation, not simply as the strongest Nation, but a greatness that springs from the unshackling of the spirit of the people themselves.

So I invite you to join with me in beginning a national renewal—in fitting our Government to the times we live in—in strengthening our Government at the State and local level—in forging a new partnership that can give us prosperity with peace, progress with unity and freedom with diversity.

[From the Des Moines Register, Feb. 26, 1971]

Fears Farmer To Be Neglected if "Ag" Department Is Dismantled

We'd like to believe that the White House plan to abolish the United States Department of Agriculture has some merit. After all, we don't want to oppose something just because it is new.

No doubt the President is finding it very frustrating to get the bureaucratic machinery turning in Washington. It must be about like pushing jelly with a feather.

The plan that the President unveiled in his State of the Union speech would dismantle the 109-year-old USDA completely. Forestry, Soil Conservation Service and the REA might be taken over by a new Natural Resources Department. The Extension Service and the Farmers Home Administration might slip into a new Department of Community Development. The Economic and Agricultural Research Services, and perhaps the ASCS programs, could be absorbed by a new Department of Economic Development.

We suppose that Agriculture should feel complimented. No other Cabinet department is felt to have such far-reaching, vital functions that it is split three ways into the new alignment.

Is 109 years a long enough life for the USDA? Has the country changed so much, and has agriculture become such a small part of our national life, that we don't need the USDA anymore? Should we farmers scrape the moss off our backs and admit that our problems and concerns are like those in cities?

Maybe so. The White House staff must think so, else it wouldn't have recommended dismantling a venerable institution such as the Department of Agriculture.

As for us, we're unconvinced. We see it as another instance where agricultural affairs would be run by government agencies who don't know farming and who don't understand rural areas. There is more than just a change in labels here: The present functions of the USDA would become a subordinate part of larger departments.

There'd no longer be a secretary of agriculture "to speak for farmers and for American agriculture to the White House," as President Nixon is fond of saying. Farm affairs in these new departments would be the tail on an urban dog.

Take Health, Education and Welfare, for example, and its recent effort to scuttle vocational agriculture programs. What about those silly suggestions from the Department of Transportation regarding farm vehicles?

We think the new government setup would mean more of the same, doubled in spades. It's hard enough keeping USDA bureaucrats from going off the deep end—and they usually start with some understanding of farming.

We think that the President has bitten off too big a chunk. We suggest that he leave the present departments and appoint four stem-winding, go-getting "executive vice-presidents" to the White House staff. Put these four in charge of Natural Resources, Community Development, Economic Development and Human Resources. Give them head-knocking power to see that departments and agencies do co-operate with each other and that policies adopted by the Cabinet "board of directors" are carried out.

Mr. SEBELIUS. Mr. Speaker, I want to thank the gentleman from Iowa for his very fine remarks.

Mr. TERRY. Mr. Speaker, will the gentleman yield?

Mr. SEBELIUS. I yield to the gentleman from New York.

Mr. TERRY. Mr. Speaker, I rise in support of the gentleman from Kansas. Certainly, our Nation's farmers are one of the more neglected groups in recent years.

Even during the last decade of low prices received by farmers, our agricultural produce has played a major role in keeping our balance of payments in better shape than it might have been. In fact, on the relatively few times we have had a surplus in our balance of payments, the difference was in the export of farm products.

If receiving low prices for their products was not enough in the face of rising farm costs, the farmers and supermarkets have been singled out by the so-called consumer groups in recent years for adding to the high cost of living. Actually, analysis shows that most increases in food prices are due to the increasing cost of labor at the food processing plants.

The 1970 census now shows that while the rural population is still declining, it is doing so at a slower rate. At the other end of the spectrum, some of our inner cities are showing a decline in population also. It may now be possible to foresee the time when the migration of the farm will largely stop and with it the inmigration to our large cities. It is a well-known fact that our smaller communities have less crime and more civic pride, due to the very human fact that there is a strong sense of identity. You are not as likely to be overlooked in a small village as you are in Greenwich Village. All your actions and activities are known. Therefore, it is essential to the well-being of America that the outlook of rural America be retained for its virtues are many.

Eventually, demand will catch up with supply and farm income will become stabilized. But even then the farmer will still be subject to changing Government policies, foreign policies which affect his exports, and eternally the weather.

Taking all these factors into account, it seems to me that we in the Congress have to be more aware of the farmer when we legislate. Our Nation's syndicated columnists rant and rave about a few farmers who receive excessive payments for land not being farmed, and never once mention the family farmer, who can seldom get help long enough to take a vacation, let alone come to Washington to lobby his Congressman.

Our rural areas must be made more attractive. A critical problem in the Finger Lakes Region of my district is the lack of adequate medical facilities in the small towns and villages. I have been working with the town of Cato in Cayuga County and the town of Elbridge in Onondaga County in attempting to obtain a doctor for them. The shortage of adequate medical facilities and personnel makes this task almost impossible.

For every small town, the situation is nearly the same. Another community in Ontario County recently obtained a doctor after months of negotiations, and the doctor was so overwhelmed with calls in the first months, that he suffered a physical collapse.

The need in our rural areas is not only strengthening the economics of the farmer, but also improving the services in the communities so that families not directly associated with agriculture will remain in the rural areas of the United States. These are matters with which Congress can effectively deal. The last Congress considered a major farm bill, but did not complete action. This Congress will give us the opportunity for a fresh look, retaining the good features of last year's bill and adding constructive provisions to a new bill. I pledge my wholehearted efforts to renew and refresh rural America and call upon my colleagues to join together in recognizing the need for a truly new approach to helping the agricultural communities of our country.

Mr. SEBELIUS. Mr. Speaker, I thank the gentleman from New York (Mr. Terry) for those remarks.

Mr. Speaker, I suppose I will have the concluding discussion today for this first Farm Day in the House.

Mr. Speaker, I consider it both an honor and a privilege today to join my distinguished colleagues, the gentleman from Montana, the Honorable John Melcher, and the gentleman from Iowa, the Honorable Neal Smith, in this the first of what I hope will be a bipartisan effort to publicize the plight of the American farmer in the Congress. I want to express my appreciation and the thanks of the citizens of the district I am privileged to represent, the First Congressional District of Kansas, to both Congressman Melcher and Congressman Smith for their leadership in organizing this discussion.

It is also my understanding that much of the credit for undertaking this effort should go to the National Farmers Union and their leadership here in Washington. I am most pleased that I have been asked to join in this effort and wish to commend the National Farmers Union for their leadership and organizational help to get this bipartisan "Farmers Day" in Congress started.

Our intent is not to fix blame in regard to our problems in rural and smalltown America, but simply to publicize the fact farmers are asked to provide food and fiber for our Nation and a hungry and troubled world, and yet we find the farmer today cannot make a decent living. Our Nation's food supply, and to some extent the food supply of the entire world, depends upon what we in Congress, and in the Department of Agriculture, in the administration, in our many farm organizations, and in the agribusiness industry—what we all do as a team to find workable answers to the problem of farm income.

My remarks today concern primarily the need for hearings on Senator Jim Pearson's Rural Job Development Act of 1971.

Every day we hear of the crisis in our Nation's cities. Crime escalates, pollution threatens the health of urban life, complexities of everyday affairs multiply, and the quality of life in general continues to decline. No one disputes the severity and crucial nature of the urban crisis, but there is another and equally important related crisis in this country: The declining economy and eroded vitality of rural America.

These problem areas are distinct; however, in terms of cause and effect, they are related. Over the past several decades, rising production expenses, higher taxes, and declining farm prices have forced millions of farmers out of business, as well as the closing of many business establishments in our rural communities. This coupled with the lack of adequate housing, educational opportunity, water and sewer facilities, health care facilities, community services, and general economic opportunity has created the tremendous population migration from rural to urban America.

Into the cities have come the unskilled rural poor attracted by the lure of economic advancement. Many gain, but a tragically high number do not. Instead of economic salvation, too many of the rural poor, both white and black, find tenements, unemployment, welfare, and the depersonalized, demoralized environment of the slum ghetto.

Into the cities also come the young, the educated and the talented. They often do much better materially, but for this economic gain they pay the social costs of the loneliness of the crowd, the frustrations of congested streets and crowded stores, the stultifying sameness of the bedroom suburbs, the loss of community identity, and the lack of contact with nature.

These overcrowded conditions in our cities have imposed impossible demands on urban resources to meet the requirements of transportation, education, welfare, crime control, pollution control, health care, public services, and housing. If answers are not found the pressure of people against the resources and services of our cities of the future may simply break them down.

In short, too many communities are underdeveloped. Too many of our metropolitan areas are overcrowed. This unequal distribution of population and economic activity will surely worsen unless we take strong positive action.

To underscore this fact, statistics show that even if today's rural population were doubled by the end of this century, there would still be up to 40 million people added to the metropolitan areas.

Former President Dwight D. Eisenhower was one of the first to recognize this problem in the decade of the 1950's. His proposed solution included the location of industry in rural areas and the possibility of creating new towns in the country. This proposal, in part, reached fruition with the development of the new pilot city, "Jonathan," located 20 miles southwest of Minneapolis, with an eventual population of 50,00 as its target.

The Secretary of Agriculture, Dr. Clifford M. Hardin, in announcing the creation of President Nixon's Rural Affairs Council, succinctly outlined our task in solving the problems of rural and urban America. Secretary Hardin said:

> We have to make the whole of rural America more attractive, economically, culturally, and socially. We must expand opportunity not only for the ten million farm people, but for the other 45 million residents living in the countryside. It is not enough that we think in terms of improving conditions and opportunity for the people living today in rural America, and thereby stemming the flow of people to the cities. We must do much more. We must make it a matter of national policy that we create in, and around, the smaller cities and towns sufficiently good employment opportunities and living environments that large numbers of families will choose to rear their children there.

This is an extension of Dr. Hardin's rural development commitment in the State of Nebraska, a commitment that resulted in the location of 144 plants owned by 84 of the Nation's top 500 industrial corporations in rural areas.

The recent success of the Farmers Home Administration under the very capable leadership of a former Member of this body, Mr. James V. Smith, represents what needs to be done to revitalize rural and smalltown America. This agency served more than 2.2 million people as it advanced $1.94 billion for home construction and improvement, family farms, and rural community facility projects in 1970.

Eighty thousand housing loans for rural families of low and moderate income, including residents of rural towns, accounted for nearly $1.1 billion of FHA's rural development effort. The FHA has become a primary and vital force in bringing water and sewer facilities to rural communities as a result of the landmark Poage-Aiken bill and the Byrnes bill recently enacted by the 91st Congress.

However, the work has just begun. Nearly 60 percent of the Nation's substandard homes are in rural America. Approximately 31,743 rural communities still do not have adequate waste disposal systems. FHA's most recent survey shows that roundly $11 billion will be needed to meet our rural water/waste disposal requirements in rural America.

We must provide this effective agency with new tools to improve conditions and income opportunity in rural America. In this regard, I would like to submit for the Record Administartor Smith's forthright statement before the House Agriculture Committee discussing in some detail FHA programs and the part FHA is prepared to play in helping to improve the quality of life in rural America.

The Rural Job Development Act of 1971 whose principal author is Senator Jim Pearson, my good friend and the distinguished senior Senator from my home State of Kansas, would encourage job-creating industries in our rural areas which would stimulate economic activity and create income opportunity and would be a logical and reasonable means of implementing rural job development.

This legislation, sponsored by 48 Senators and 40 Representatives, is truly in the best interests of our entire Nation. This bill should and can be an integral part of our growing commitment to deal with our Nation's urban and rural crisis.

In brief this bill would work as follows: A series of tax incentives—a 7-percent tax credit on personal property, a 7-percent tax credit on real property, an accelerated depreciation allowance, and a 50-percent tax deduction on wages paid workers given on-the-job training would be offered to industrial and commercial enterprises locating in counties designated as "rural job development areas." Rural job development areas are counties which have no city of over 50,000 and where at least 15 percent of the families have incomes of less than $3,000. Indian reservations are also included. To be eligible the enterprise must hire at least 10 people and wherever possible, must hire at least 50 percent of the work force from the local area. The bill contains a prohibition against "runaway" firms and recapture provisions for those firms which willfully violate the terms of the program.

The economic potential resulting from rural job development is tremendous. Recently a community in my congressional district of western Kansas revealed the projected impact of 100 new jobs. In Hays, Kans., according to the statistics, 100 new jobs would mean a population increase of 296 people, 112 more households, 174 total additional workers employed, 107 more registered passenger cars, four more retail establishments, $360,000 more in annual retail sales, $270,000 more in bank deposits, and $590,000 additional personal income in the community.

We must work together to find solutions to the dual crisis in rural and urban America. United, we can reverse the flow of rural people to metropolitan areas and initiate a reverse migration.

This truly is the turning point in our history. We must provide the tools to achieve a true population balance.

I am hopeful that the record of the 92d Congress will reveal that we operated with dispatch to meet this challenge and that we provided new opportunity and better living conditions for all Americans.

Mr. Speaker, since the Farmers Home Administration is playing such a vital role in our efforts to revitalize rural and smalltown America, I wish to commend to the attention of my colleagues the recent statement by FHA Administrator James V. Smith before the House Committee on Agriculture.

And since the National Farmer's Union was so instrumental in organizing today's discussion regarding the plight of the American farmer, I also wish to commend to my colleagues the remarks of my good friend, Kansas Senator Robert J. Dole, who was privileged to address the 69th convention of the National Farmer's Union here in Washington just this past week. Senator Bob Dole's candid and forthright remarks clearly illustrate the obvious need for a bipartisan effort to find workable answers to our farm income problem. I include both Administrator Smith's and Senator Dole's remarks in the Record:

FARMERS HOME ADMINISTRATION STATEMENT

(By James V. Smith, Administrator, before the House Committee on Argiculture for the Department of Agriculture, February 25, 1971)

Mr. Chairman and Members of the Committee, we are here at the invitation of the Committee to review the programs of Farmers Home Administration, and in particular to talk about rural development and the part FHA is prepared to play in helping to improve the qualitfy of life in rural America.

Members of this Committee have long acquaintance with FHA's supervised credit program. You have sponsored and, in many cases, originated the legislation under which we operate. We value highly the excellent cooperation you have extended to the Farmers Homer Administration.

The Farmers Home Administration is an agency in transition, growing in size and in the diversity of its services. We are a people-oriented agency, sensitive and responsive to the credit needs of rural America.

The agency has grown into a pre-eminent position as the supervised rural credit arm of the U.S.D.A. The budget for FY 1971 is nearly a billion dollars greater than it was two years ago. We have more than $7 billion in outstanding loans, and that figure increases by a billion dollars annually.

Another measure: In the past decade our program levels have increased more than 600 percent, loans outstanding are up almost 500 percent, and collections have increased about 250 percent. This has been accomplished with an increase of 77 percent in man-years of employment.

Our farm programs provide an economic and social base for small towns. The rural housing program makes attractive homes available, improving quality of life for rural residents. And modern water and waste disposal systems undergird our housing efforts.

We are making significant strides in our efforts to help rural America. Earlier this week, the Department issued a news story that started this way:

"In an all-time record year of activity, the Farmers Home Administration added nearly $2 billion to the supply of credit in 1970 for rural American families and communities.

"The agency directly served more than 2.2 million people as it advanced $1.94 billion for home construction and improvement, family farms, and rural community facility projects.

"Housing loans for rural families of low and moderate income, including residents of rural towns, accounted for nearly $1.1 billion of the year's lending by the Department of Agriculture agency.

"Farm loans totaled more than $630 million, and rural community facility loans more than $216 million."

A full copy of the release is attached as Exhibit A.

In cooperation with the Future Farmers of America, we have launched a nationwide program that will involve young people in rural development activities. Called "Build Our American Communities," this program—launched last July at a breakfast attended by many on this Committee—is now gaining impetus.

The rapid growth I have mentioned has been primarily in housing, and our long established farm loan programs have leveled off as illustrated in this table:

[In thousands]

	Fiscal 1965	Percent of Total	Fiscal 1971	Percent of Total
Farm ownership and soil and water loans	$186,123	23.3	$227,000	10.1
Operating and emergency loans	397,622	49.8	344,000	15.3
Total, farmer loans	583,745	73.1	571,100	25.4
Association loans	81,369	10.2	191,055	8.5
Housing	133,041	16.7	1,483,225	66.1
Total program	798,155	100.0	2,245,380	100.0

Even at these levels of funding, Farmers Home Administration is helping to hold people in rural areas, rather than letting them become displaced persons in urban areas. With our help, some small farmers are becoming successful big farmers and new blood has been entering farming, as it must if our agricultural plant is to continue to be strong.

Despite concern about the decreasing farm population, agriculture is still a primary foundation for our economy—and it is *the* primary foundation for most rural communities and the trade centers that serve them.

Farmers are primary producers, and the family farmer we serve is the man who sells about $5,000 to $20,000 worth of produce through the facilities of his market town—adding immeasurably to the wealth and well being of that community, and to the tax base that supplies essential services. Farmers are also consumers of goods and services of industry, buying food and clothing as well as machinery, tools, chemicals and other supplies and components needed in their production efforts.

The higher costs of farming and the decline in purchasing power of the dollar are having very real effects on our program. This is directly reflected in the average size of the loans we are making through Farmers Home Administration, as illustrated by the following:

	Fiscal 1965	Fiscal 1971
Average size of initial farm ownership loans	$16,418	$25,792
Average size of initial operating loans	6 072	8,031
Number of initial farm ownership loans	9,885	8,644
Number of initial operating loans	24,127	14,247

We have taken action administratively to multiply the effectiveness of our farm loan dollars. We have entered into agreements with the Farm Credit Administration whereby we may participate with the Land Banks in joint loans. We are pressing vigorously to encourage banks, insurance companies and other lenders to participate with us in our loans. The results of this participation are obvious. Every dollar of private sector money that we can bring into a loan on a participation basis makes that many more dollars available to lend to other farmers. This we consider a major achievement of the past year and it shows great promise in revitalizing the capacity of Farmers Home to serve the family farmer. The feasibility of a similar arrangement with the Bank for Cooperatives is now being explored.

We have also instituted a national Farm Family of the Year award program to call attention to the fine contribution these men, women and children make to their communities—and to the nation.

HOUSING PROGRAMS

The housing programs of Farmers Home Administration have grown to be the major undertaking of our agency. A considerable amount of our resources and energies the past three years has been devoted to building our capacity to deliver mortgage credit to low and moderate income families under the rural housing program.

New authorities make it possible for us to attract increasing numbers of builders into our programs. Builders have found that there is a strong market for housing in rural areas, and that the mortgage credit available through the Farmers Home Administration permits them to develop this new market. This has brought additional private capital to the scene, and additional hands to help extend our effort to low and moderate income families. There is strong public support of the rural housing program, and recognition of FHA as an important source of supplementary mortgage credit—credit that will build or refurbish some 120,000 rural housing units in this fiscal year.

To carry out a housing program of the size we now have requires the development of good building sites. This has become a problem in some areas, largely because of the difficulties involved in providing adequate water and waste disposal systems. Intensive research should be directed toward developing effective sewage treatment facilities for small subdivisions. Also there is a need for research in the development and treatment of water supplies in areas where an adequate supply of water is not available.

COMMUNITY WATER AND WASTE DISPOSAL PROGRAMS

The community water and waste disposal loan and grant programs of the Farmers Home Administration are authorized by the landmark Poage-Aiken Bill, Public Law 89–240. Under this authorization, the Farmers Home Administration has become a primary and vital force in bringing water and sewer facilities to rural communities.

Passage of the Byrnes Bill by the 91st Congress opened the way to a more liberal funding through use of insured notes, so that FHA may serve the immediate and cogent needs of many more rural communities. Our agency operates in small towns and in sparsely populated rural areas. Families living in these areas are particularly in need of financial assistance because of the high cost of construction resulting from low density population, long distance between users, and other technical problems.

As of January 31, 1971, we had on hand 2,680 applications for loans for water and waste disposal systems representing about $500 million. We also had 1,309 applications for grants representing about $104 million. In addition, over the past three years we have had to return 7,300 loan and grant applications representing $1,176 million to residents of rural communities after telling them that we could not assist them in the immediate future due to the lack of funds.

Our most recent survey shows that roundly $11 billion will be needed to solve our rural water/waste disposal requirements.

We continue to foster innovation and better methods in our personnel and business management of the agency. I want you to be aware of some of the steps we have taken, but will keep them brief so as not to belabor my point. We now use business administration graduates in county offices where the housing case load has become the dominate program. We use technical experts at district levels to augment county capabilities, and we are adding engineers and architects to state office staffs to provide professional, technical guidance. I'm sure that the Committee is aware that our operations are thoroughly decentralized, with loan making authority resting with our 1,700 county offices.

Let's move now to a look ahead. Even with our great diversity of programs and high level of funding, we cannot supply the necessary range of credit needed to rebuild and revitalize rural areas.

The point I wish to make has been underscored in the past few weeks by the report of the President's Council of Economic Advisors which said that "in 1969, families living in metropolitan areas of a million or more had average incomes 12 percent higher than those of families in smaller metropolitan areas, and 37 percent higher than those of families outside metropolitan areas."

Income opportunity must improve if we are to have rural development. Total rural development really absorbs the programs, resources and special competencies of many agencies of government—and calls for still more.

A national growth policy must guide the future commitment of the nation in rural development. The objective must be to rebuild and revitalize rural areas as a place to work, to live, and to raise a family, thus helping achieve a better distribution of population. A key is the generation of economic activity. An indispensable component is capital—high risk capital, operating capital and long term investment.

Farmers Home Administration has a tested delivery system for supervised rural credit. We are working to better coordinate the different authorities so we can offer a package-type service for development of communities: The preparation of building sites, water and waste disposal facilities, and housing.

We presently make loans to farmers to diversify their operations, and these programs could be strengthened. We have been offering help for very low income persons, as well as for cooperatives serving them through Title IIIA Office of Economic Opportunity loans, but this program is being phased out. Assistance to very low income individuals could be incorporated into our supervised lending program.

Selected authorities of this nature, combined with ease of funding from private sources made possible through the insured note authorities of FHA could make the Department even more effective in its rural development efforts.

These legislative items presently have our attention.

Employees of Farmers Home Administration bear harsh financial liability under the legislatively-mandated performance bond requirement.

FHA employees handling government funds are required by 6 U.S.C. 14 to be bonded under a "faithful performance" type bond. They are held fiscally liable for losses resulting from procedural errors or errors of inadvertence as well as for losses caused by fraud or dishonesty.

The bond protects the government, not the employee, so the first step in instances of loss is to seek restitution from the employee to the maximum degree possible. It has meant attachment of employees' final salary payments, travel reimbursements and retirement benefits.

We would like to institute a fidelity bond to protect the government against dishonesty, but to permit administrative action against incompetence or failure to follow procedure, rather than imposition of financial penalties.

We have in process of clearance legislative proposals to calculate all interest rates on a cost-of-Treasury-borrowing formula. Legislation will also be proposed to authorize user fees under the housing program to make it comparable to that of the Department of Housing and Urban Development. We also propose user fees for other programs under the Consolidated Farmers Home Administration Act of 1961.

We will propose an extension of the loan insurance authority under the Consolidated Act, and will propose extension of the October 1, 1971, deadline for making water and sewer development grants to communities that have undertaken, but not completed, a comprehensive plan.

In addition, it may become necessary to seek broader statutory authority for effectively servicing our loans, particularly association loans.

We are studying proposals to raise the $4 million limit on water and sewer loans, so we may fund economically stronger systems. I'm sure Committee members are aware of legislation introduced by Congressman Price. One is a Presidential priority bill to place our operating loans under insurance authority, a second increases operating loan ceilings from $35,000 to $50,000.

This covers our prepared statement, and I will be pleased to respond to questions you may have.

REMARKS OF SENATOR BOB DOLE, REPUBLICAN NATIONAL COMMITTEE CHAIRMAN, 69TH ANNUAL CONVENTION, NATIONAL FARMERS UNION, FEBRUARY 25, 1971, WASHINGTON, D.C.

I am pleased to be with you this evening at this 69th annual meeting of the National Farmers Union, especially for the opportunity it affords to discuss agricultural facts and the real issues. Over the many years of my strong and continuing interest in farm matters, I have learned much from my *NFU* contacts. I know these will continue to be constructive.

I welcome this opportunity to be with you, for we share a common concern. It is concern for American agriculture and for all segments of American life.

With that concern, we also share a common determination. It is a determination to face squarely the problems of the present, and together develop constructive answers for a brighter future.

It is significant that Tony Dechant has seen fit to invite the chairmen of the two great political parties to discuss issues affecting you this evening. It is significant as an indication of administration interest in farmers that President Nixon should choose for the top Republican political post a man from a western Kansas wheat town who has served on the House Agriculture Committee, is presently serving on both the Senate Committee on Agriculture and Forestry and the Select Committee on Nutrition and Human Needs. I have travelled abroad and will continue to travel whenever the need arises to promote the best interests of all people under the food for peace program. You will recall that this program was initiated by President Eisenhower in 1954 and has had strong bipartisan support ever since. It is one of the greatest and most constructive programs to advance the foreign policy interests of the United States.

Let me make one point clear—just as Secretary of Agriculture Clifford Hardin was given the charge by President Nixon to represent the farmers of this country in the councils of government—so will the present chairman of the Republican National Committee fight not only in the Senate, but also in the political arena for those interests.

Let me say at this point that those interests—the interests of farm people—are the interests of America—just as the strength of a dynamic and progressive agriculture is a source of strength and progress for our Nation and the world.

You know and I know that there is a great deal of misunderstanding among our citizens both over the importance and the complexity of farm and rural programs.

If you will permit me one small partisan remark—and I know you suspect that I have one little one tucked away—I can't help be dismayed by the attitude that city Democrats have toward agriculture.

REFUSE TO SERVE

That attitude was manifested this year when Congressman Herman Badillo of New York City refused to serve on the House Agriculture Committee. Congressman Badillo's fellow Democrats were unhappy that he did not remain on the Agriculture Committee, since the Committee oversees the major anti-poverty legislation concerning food stamps, commodity distribution and school nutrition. Two years ago Representative Shirley Chisholm said, "All I'm asking for is something more relevant than agriculture," when it was suggested by Democrat colleagues that she devote some time to tackling one of the major domestic problems facing the nation—our food and farm policy.

I believe the attitude of these two city Democrats is symbolic of a great segment of the Democratic Party—a group of people who hold dear very little of the values that exist in rural America; values that have made and do make America great.

I am reminded, of course, that similar observations have been made about my own party—that we Republicans don't care about the farmer and rural America.

I even recall a quote from my own friend, Bob Poage of Texas, who once said that neither political party cared about 5 percent of the population when the other 95 percent was off the farm.

GOP DOES CARE

Well, friends, I'm here to tell you that's only half right. The Republican Party does care, and I'm going to do my best to see that it continues to care, and I know President Nixon is going to do his very best to bring prosperity and tranquility to the ruropolis as well as to the metropolis.

Words and phrases are, of course, empty echoes unless accompanied by deeds. And this administration will be like every other administration—measured by its deeds—not its words.

There was a great Democrat who once said, "Let's look at the record." Let's take a quick look at some items of accomplishment that farmers and rural residents from across the nation can examine.

FARM INCOME

First of all, the 1961–1968 average realized net farm income was $13.8 billion. The 1968–1970 average—the Nixon years—was $16.0 billion, or 16 percent. You and I know this is still inadequate. It's still not fair, but it's a start. We intend to do even better with new programs.

GRAIN DUMPING

I recall the millions of bushels of grain dumped into the market to hold down prices during the Freeman years. I recall a former Secretary of Agriculture expressing pleasure when farm prices fell, and a Chairman of Economic Advisors under President Johnson stating on television that dumping corn and other grains on the market was good because it would result in lower hog prices.

I recall an effort made in the House Agriculture Committee to raise the minimum resale price above the 105 percent of loan level and the pressure that came from the Great Society to maintain that low resale price—an effort which was successful by the narrow margin of one Democrat.

I recall the outcries from the farmers union *GTA* against this market-destroying activity.

However, my recall mechanism does not include any statements of criticism of these policies by the present chairman of the Democratic National Committee in regard to the interests of our farm families on this real dollar and cents issue.

NO DUMPING POLICY

I can recall in the mid-sixties farmers would dread the day Commodity Credit Corporation was to announce the sale of some surplus grain. It was a pretty sure bet grain markets would drop 3c to 10c. I am pleased to say that the minimum legal resale for grains is now 115 percent of loan. *CCC* is getting that much and more. There is no "dumping" philosophy or practice in this administration.

Foreign nations know they can depend on the U.S. to deliver the quality grain they want. Your local cash price once again reflects export sales. This is a healthy trend, for as world markets expand, grain prices should increase. On top of this, the farmer still receives his marketing certificate for 100% of parity on his domestic production. When you combine the cash price you receive when you sell your grain and average the marketing certificate income, a blend price is the result.

Let's look at the blend price on wheat the past three years. In 1968 it was $1.79 per bushel. In 1969, it was $1.89, and in 1970 it was $2.11 per bushel. If the administration is successful in maintaining and expanding world markets for U.S. grains, we can foresee a further increase in this blend price in 1971.

IGA

In regard to the international grains agreement, there is another matter of overriding interest to grain farmers and to all the membership of this great farm organization—which I should like to lay on the table for your careful analysis. For it is time you got the real facts on the International Grains Agreement and what it did to you—not for you.

The I.G.A. proved to be an international economic disaster, especially for U.S. wheat growers, despite the following November 1967 statement by President Johnson at the signing on behalf of the United States:

"The new arrangement thus will prove new price insurance to U.S. wheat farmers."

It proved to be low price insurance and losing market insurance. Other countres undersold us and we were left "holding the bag" full of unexported wheat.

I will not take the time of this group to detail all the reasons for the quick demise of the I.G.A. Perhaps, just the following few words, couched in diplomatic language, by Secretary Hardin on November 17, 1969, are sufficient: "World production and exportable supplies have climbed to record levels, but import needs have fallen. These changes have been of sufficient magnitude to cause extreme downward pressure upon world wheat prices. Thus the price provisions of the new arrangement were immediately put to the severest possible test. Among the problems encountered with the wheat trade convention are a number of structural deficiencies, which tended to distort trade patterns and weakened confidence in the fairness and workability of the arrangement."

Just listen to this comment by the Australian Minister for Primary Industry, the Honorable J. D. Anthony: "What has happened is that France has increased her sales at the expense of Canada and the United States. At the same time, the Australian Wheat Board has taken full advantage of its favorable position under the I.G.A. and has been very vigorous and successful in its marketing. As a result—and there is no doubt about this—Australia has gained more than her traditional share of the world market. While this has been happening, countries who are not parties to the I.G.A.—particularly the Soviet Union and East European countries—have been expanding their sales at prices out of line with I.G.A. prices."

A NEW AGREEMENT

A new agreement was negotiated and announced earlier this week which enables U.S. wheat growers *to prosper from expanding markets*. The machinery of the International Wheat Council for consultation and the collection of detailed information about prices, commercial and concessional sales and freight rates will be maintained. The IWC will also keep under review the possibility of convening another negotiating conference when and if it appears that the problems of establishing a reference wheat and a pricing arrangement appears feasible. The new agreement also provides for period meetings and continuous consultations on the general wheat markets. During the life of the new agreement, wheat trading prices are determined by the ordinary play of market forces.

It is the intention of this administration to obtain our fair share of the world wheat markets. Our wheat growers deserve every consideration, and we intend to see that they get it.

HUNGER AND FOOD

Let us discuss another factor of our American scene in which *NFU* membership has a great direct and indirect interest. It is the question of hunger and malnutrition in the United States.

In May, 1969, President Nixon delivered a memorable "Hunger Message," in which he said, "That hunger and malnutrition should persist in a land such as ours is embarrassing and intolerable." Since that date, the United States has moved forward in overcoming these problems.

While there are some whose hunger for headlines exceeds their thirst for facts, I feel you should have an exposure to facts of record since 1969:

A tripling in the number of people benefitted by the Food Stamp Program, from 3.2 million to 9.5 million.

More than a five-fold increase per month in the value of food stamp bonus coupons, from $22 million to the current monthly value of $128.5 million.

An increase from 3.8 million to 6 million in the total of needy children receiving free or reduced-price meals at school. Some 800,000 additional youngsters benefit from special food service and school breakfast programs. Total participation in the school lunch program approaches 24 million.

A widening geographic research for food assistance. In May of 1969, 436 of the country's more than 3,000 counties and independent cities lacked a family food program for poor people; that total has now been reduced to 10.

A near doubling of the total coverage of family food assistance programs, from 6.8 million persons to 13.2 million today.

This is a proud record for all America, for we are well on the way to attaining the President's goal—to banish hunger from this land for all time.

Never before had the leader of a great nation set such a goal as a matter of national policy. Never before in the history of mankind had a nation committed itself to cope with hunger and malnutrition on such a vast and unprecedented scale. Never before have farm families benefitted from so many new and better customers.

But, one more comment. The Food Stamp Program now includes nearly 10 million people through the nation. It now incorporates a key element of the President's Family Assistance Program, that is, the "workfare" provision. It includes a specific requirement that those who are able to work should be willing to work if they want to receive the helping hand of their fellow citizens and taxpayers who finance the Food Stamp Program.

FARM EXPORTS

Just a week ago, the *USDA* issued a press release with the heading "1970 Farm Product Exports Hit Record $7.2 Billion." This was 22 percent above 1969. All of us should rejoice that American farmers cracked the $7 billion barrier for the first time in history . . . and like the man said, "You ain't seen nothin' yet," because we are on our way to a $10 billion annual export goal.

You and I know it is *most important* that we expand our agricultural exports. In considering farm policy, one must be sensitive to the fact that export outlets for feed grains, wheat, cotton and soybeans, including the products, provide an important share of the market. And we have to be most concerned with the need to maintain and expand these outlets.

Our programs must look to overseas markets, and we must be prepared to compete for maximum utilization of our products throughout the world.

If U.S. farm exports are to reach our $10 billion goal by the next decade—a necessary objective—they must move competitively in the markets of the world. It will be our policy to do everything feasible in our discussions with foreign governments to stimulate export markets for U.S. farm families. We are not satisfied with the results of the Kennedy round of trade negotiations. We know now that in that round agriculture was treated as a poor relative.

MARKET OPPORTUNITY

The new agricultural policies in their emphasis on expanding markets provide an outstanding opportunity to gradually increasing orientation toward a market concept which lets you, the farmer, make most of the decisions. This is in distinct contrast to the previous supply management, government controlled view of commodity movements which assumed that those in Washington are endowed with greater market and production wisdom than you have. Actually, by the end of the 1970 marketing year we will have made considerable progress in keeping the government out of the market for sales of agricultural commodities. The statistics bear this out. Witness the following data on reduction of carryover stocks:

[In millions]

	1969	Estimated 1971	Reduction in carryover
Wheat (bushels)	819	725	−94
Feed Grains (tons)	50	34	−16
Soybeans (bushels)	324	75	−249
Cotton (bales)	6.5	5	1.5

I believe that by the end of this marketing year, the Commodity Credit Corporation will have disposed of all or practically all of its stock of soybeans and corn, and it is the administration's policy to develop programs that will prevent commodities from coming into CCC ownership. Implicit in this concept is the need for agriculture to hold and expand its markets, and achieve higher farm income.

FUTURE OUTLOOK

Now, let's take a quick look into the crystal ball and see what agricultural legislation is pending in coming months.

First, the Sugar Bill expires this year. The present program regulates sugar imports and assures domestic producers about 60% of the total market. A decreasing schedule of payments is made to the producer, based on the amount of his production. The Act is in effect self-financing. Hearings are expected to be conducted in the near future and Congressional consideration of this legislation is expected early in 1971.

Second, pesticide legislation is to be considered. I needn't remind you of the importance of this legislation. Anyone who has handled these chemicals as much as you have on your farms knows the two factors that must be considered in this legislation:

(1) They are dangerous. They will kill or injure if not handled and applied properly.

(2) They are vital to agriculture. These chemicals have in some cases, replaced the "hired" man . . . in fact, several hired hands if you were to attempt to farm without the valuable "tools" of pesticides and herbicides.

Proposed legislation by this administration would classify these chemicals and restrict the use of the chemicals. Hearings will be held on this legislation in the near future in the Senate. They are already underway in the House. Closely related to this environmental problem is agricultural pollution which is being considered in the Public Works Committee of the Senate of which I am a member. Through the use of sedimentation and other techniques, the abatement of water pollution from animal feedlots can be effectively controlled. The real problem in controlling the amount of runoff rain water that mother nature chooses to drop in the feedlot area. Hearings will be held on this problem soon.

RURAL DEVELOPMENT

Third, rural development is a term used throughout the Nation today. Some people would have you believe it is the answer to all the ills of the city. Some proponents visualize literally moving thousands of our urban dwellers back to the rural communities. I've seen the mess some of the urban renewal projects have created—and we don't need to copy that mess in rural America.

A good rural development program will come about only in time—it will evolve—for if we were to attempt a massive shift of population, the rural economic, social and ecological environment could be destroyed in the process.

Consequently, this administration is working toward providing the tools to assist this evolution. Title IX of the Agriculture Act of 1970 dealt with the first step—to appraise existing rural programs and assure residents of rural areas the same federal service and privileges the urban dweller enjoys. The Rural Telephone Bank Bill was favorably reported by the Senate Agriculture Committee yesterday. This legislation has been pending in the past four Congresses, but the Nixon Administration is the first to advocate and support it. I both hope for and anticipate prompt passage of this constructive measure. It will assure rural America the means to establish comparable telephone service as is available in urban areas.

A Rural Development Bank to make financial and technical assistance available for the establishment or expansion of rural private or public enterprises has also been introduced. Considerable research is underway on other rural development legislation, including a comprehensive revision and expansion of the farm credit system.

Fourth, and not to be minimized, is farm bargaining. Proposals along this line have been made repeatedly in the past with little success. Of the numerous proposals being discussed so far this session of Congress, it would seem a new emphasis is being aligned and there is some well-founded optimism that needed legislation will be worked out.

We all know we have problems. We all know that we all make mistakes. I am not foolish enough to try to tell you that this or any other administration has been perfect in its agricultural or rural record. You and I know there have been mistakes, but I want you to know that whatever errors that occurred were made without malice and in most instances were corrected as quickly as possible.

CONCLUSION

To conclude, I would like to draw attention to some areas where I see agreement between farmers and the Republican Party:

Neither the Republicans nor the farmers like to see surplus grain accumulate and "dumped" on the market to force farm prices down. Under this administration, CCC stocks have been reduced and that grain sold on the market was at margins which did not reduce cash prices to farmers.

Agricultural chemicals are essential "tools" for farmers, and this administration is working to preserve their continued safe and appropriate use.

Farmers like a chance to be independent and to make as many decisions on their farms as possible. This administration helped Congress pass legislation which, for the first time in a decade, permits farmers to plant more of whatever crop makes him the most money.

Export sales help improve domestic prices for grain and this administration has actively pursued expansion of exports of all grains.

Farmers and Republicans feel an obligation and a desire to feed the poor and hungry through commodity distribution, school feeding programs, and the Food Stamp Program. These programs are being expanded as rapidly as possible without losing control of their administration.

I think the farmers and the Republicans agree with the way Louie Armstrong put it on a recent television interview as he recalled an admonition of his father, "We ought to help the poor, needy people . . . but not the poor, lazy." If a man is not handicapped and can work, he should be willing to work to earn food stamps or welfare payments.

Dairy farmers have been generally satisfied with administration actions regarding price support levels, market promotion and other legislation—and this administration has not recommended that housewives use the "low-priced spread."

Rural people and Republicans are completely in tandem on the need for supplemental financing for rural telephone borrowers in order to expand and improve telephone service to farmers, ranchers, and other residents of rural America.

Farmers and Republicans agree the 16.7 percent of disposable income the American consumer pays for food is the biggest bargain in the world.

So let's keep tabs—deeds speak louder than words. From this list and those items we see as possible legislation in the near future, I can see farmers and Republicans already have a lot in common, and there's a lot more to come.

Mr. Speaker, in conclusion I do not want to pick on our good colleague on the Committee on Agriculture (Mr. BURLISON). However he asked the question, "In what way has farm income improved?" I would give him a bipartisan answer, because we must all work together. On January 15, 1969, the average wheat price was $1.27 a bushel. On February 15 of this year it was $1.40. Corn went from $1.08 to $1.42. Grain sorghum went from $1.74 to $2.10 per hundredweight.

I do not do this in a partisan manner, because I believe it is just not enough. It is not near enough, as Congressman ZWACH and others have pointed out. Parity must be reached, however, parity has gone down. That is why we are here today, to see what we can do to arouse the interest and the energy of farm people and give them an opportunity to get us back on the track using a proper approach.

Mr. MELCHER. Mr. Speaker, will the gentleman yield?

Mr. SEBELIUS. Yes. I yield to the gentleman from Montana.

Mr. MELCHER. I thank my colleague and good friend from Kansas and my colleague on the Committee on Agriculture of the House for yielding to me. I want to compliment him on his remarks and for the part he has taken in setting up the 3-hour discussion we have had this afternoon of special orders. We have explored with our colleague participating during the past 3 hours what those of us from agricultural areas realize; namely, that this House must better understand the problem of rural America and of agriculture in general. To that end we have dedicated the past 3 hours during which we have participated in a bipartisan way.

Mr. Speaker, incidentally, we have involved numerous urban Members in our discussion. I think from this we can expect more understanding to be generated and developed with regard to the problems we are facing in rural America.

And I want to state that I hope we can again in this House have an opportunity to do the same thing, and to again focus our attention on these problems and have them openly discussed here at length.

Mr. SEBELIUS. I appreciate those remarks, and I am sure that the gentleman from Iowa (Mr. SMITH), and I shall be glad to join with the gentleman and others on an appropriate occasion in highlighting the real plight of our farmers and what we can do as a team to correct it.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. SEBELIUS. I am glad to yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Speaker, I want to compliment both the gentleman in the well and the gentleman from Montana for working together and cooperating in this discussion of the farm problem.

I do not believe anyone could have expected that we would have 3 solid hours of better discussion than we have had here today. Certainly anyone who wants to read the RECORD, if they were not able to be here today, will for the first time in a good many years have all of the information they need available in order to see what is going on in rural America.

I thank the gentleman for yielding.

Mr. SEBELIUS. I thank the gentleman from Iowa for his contribution.

Mr. SKUBITZ. Mr. Speaker, the American farmer for many years now has been in the cost-price squeeze. He is still confronted with increasing costs of the commodities that he must buy to work with the items he must buy to maintain his livelihood. Yet, the commodities he must sell to maintain his home and family remained at a price level equal to 30 years ago. The farmer is in an unsatisfactory and peculiar position. He cannot arbitrarily raise the price of his goods or commodity to keep pace with increasing overhead costs. Other segments of our economy have been able to increase their prices almost at will in the marketplace to offset increased costs of operation brought on by higher labor costs, higher equipment costs and other costs peculiar to the industry.

Faced with this seemingly perpetual problem wheat producers have made tremendous progress operating efficiently and attempting to offset the burdensome price-cost squeeze. Farm units have been forced to adjust upward in size in order to meet this economic problem. Smaller farmer units are being abandoned and absorbed by larger units. However, we must be ever mindful that there is an efficiency breaking point when additional capital and labor are added, the conditions I mentioned place the family farm in jeopardy and the inevitable result is an ever-increasing number of farmers going into the city either to add to the already overcrowded work force or increase the number on the relief rolls.

The age of many farmers precludes retraining for industry and in many cases contributes to the poverty problem in our cities. This exodus of farm people to the cities is not beneficial to agriculture nor to our economy as a whole.

In 1961, the State of Kansas showed 107,000 farms with land in farms of 50.2 million acres. The preliminary figures published January 1, 1971, by the Kansas Crop and Livestock Reporting Service showed 86,000 farms with land in farms of 49.9 million acres. The average farm size in acres has more than doubled since 1935. Among the 50 States, Kansas has the third highest acreage of farmland in farms and ranks 14th in the number of farms. Urbanization and highway construction are classed as a major cause of the decline of land in farms. Farm income is very important to our whole economy and when income is down, the adverse effect spreads to all other industries. When farmers prosper a tremendous wave of financial health spreads out to the whole country. It is important to everyone that we maintain a growing profitable industry in America. We know from past experience that a prolonged or drastic break in our agricultural economy with the resulting break in purchasing power has led this country into every depression; therefore, we must find ways to alleviate this cost-price imbalance that will eventually strangle our agricultural plant.

Some will say that agriculture contributes only a small amount to our national economy and than an unhealthy agricultural economy will have little if any effect on the overall economic picture. This simply is not true. For your consideration, I present to you a few figures compiled by the Departments of Agriculture, Commerce, Labor, Treasury and the U.S. Securities and Exchange Commission. To choose from the 12 largest industries in the United States, it is noted that spending for equipment per year in farming is $5.3 billion with assets of $256 billion and sales per year of $43 billion. Textiles and apparels spend $1.1 billion per year for equipment with $19 billion in assets and sales per year of $20 billion. Food products spend $1.4 billion per year for equipment, has $34 billion in assets and has sales of $88 billion per year. Motor vehicles show an expense per year of $1.9 billion for equipment with $31 billion in assets and show $46 billion per year in sales.

An agricultural leader once said that it is time that the American public understands the conflict between the farmer's image and reality. The farmer is the greatest producer in the entire American economy but the public sees him as hopelessly inefficient. He is subsidizing the American consumer with the best and the lowest priced food and fiber in American history. Consumers think that they are subsidizing the farmer. As it is with any nation of strength the farmer is the foundation of the economy, but the public thinks the economy is supporting the farmer. He has made abundance possible, but people have blamed him for creating surpluses. He is an amazing success in terms of production and is the envy of every minister of agriculture on the globe but the public considers him a failure and have applied the distasteful label of surplus and subsidy to every farmer in America. We are too complacent. Perhaps we should ask ourselves is it possible that the time may come when money will mean nothing because we cannot buy food or clothing or shelter with it. We hope not, but we must not become so complacent that we do not believe it can happen here. It has happened in other parts of the world.

It may seem farfetched if I say that it should be of urgent personal interest to those in the cities and in industry when government and agriculture set up acreage reserves or initiate a particular program that will assure the supply of food and fiber to us all. Yet, each of these things has a personal and direct effect. The programs for agriculture that we support may mean the difference between our farmers receiving a fair price and an equitable share of the Nation's economy or becoming second class citizens.

The work of our Nation is no greater than its individual parts and it always has been true that the lowest part has a tendency to draw all other parts down to its level. But let us work together as Americans for equity in our economy and strength in our Nation. Let there be a mutual respect in industry and in agriculture. This great Nation was founded on agriculture and the farm people have met every challenge to keep us supplied with an abundance of food and fiber and have contributed greatly to our national prosperity. Therefore, it seems only fitting that they receive an equitable share of the national economy. This is the way farmers and ranchers feel about it and this is the way Kansans feel about it. Let us work together for a greater Nation for all Americans.

Mr. VEYSEY. Mr. Speaker, I rise today to urge a nationwide awakening to the plight of agriculture in America and California. I appeal to this 92d Congress to assign the highest priority to informing the American public of this crisis, and developing the programs to solve it.

California is the Nation's leading farm State, producing some 40 percent of the country's fruits, nuts, and vegetables, 25 percent of our table food, and 10 percent of our gross farm income.

Yet the average California farmer barely ekes out a living on his capital investment of just under $300,000. Documented evidence from the Council of California Growers shows that the average California farmer in 1971 will earn less than 3 percent on his investment, in spite of the fact that the farm population works longer and harder hours than any other segment of our society.

Today in California, Mr. Speaker, one

of every three regular jobs is directly dependent upon agriculture. This adds up to more than 1,700,000 workers in California who depend upon the farm economy for their livelihood. This work force earned $8.4 billion in 1970.

That agricultural economy today is severely strapped by a cost-price squeeze which actually brought a lower net return to California farmers in 1969 than in 1959.

During that period, California farm production costs have increased from $2.2 billion to $3.3 billion. Meanwhile, gross income has increased from $3.6 billion to $4.6 billion, leaving a decrease in annual net farm income of $100,000,000 in the 10-year period.

At the same time, nearly half of the farmers in California have gone out of business. Ten years ago, we had 108,000 active, productive farm families. Today, we have only 57,000 farmers still actively producing food and fiber. And in 10 more years, if the current trend prevails, we can expect to see another 20,000 California farmers sell out their businesses or face financial ruin.

Mr. Speaker, some examples show, quite vividly, the trend that has created this crisis. While prices of virtually every commodity and wages of virtually every family have gone sharply higher each year since 1960, most farm prices in California have actually decreased. For example, farmers received 2.8 cents per pound for potatoes in 1959. In 1969, the same farmers received only 2.5 cents per pound for potatoes. For walnuts, the 1959 farm price was 24 cents per pound, and in 1969, walnuts brought the farmers only 20 cents per pound. Broilers, in 1959, returned 19 cents per pound to the farmer, and in 1969 only 17 cents per pound.

Oranges, a prime factor in California agriculture, returned 4.1 cents per pound in 1959, and only 3.3 cents per pound in 1969. The list goes on and on, for the over 200 major commercial farm products grown in California.

No other industry in America could have survived this long-term depression, and agriculture cannot continue to survive this trend. Can any of us imagine what will happen to the American family if our agriculture fails? The only alternative to making a total national commitment to saving our Nation's agriculture, is economic chaos.

Food prices will soar beyond our imagination, millions will be out of work, and food shortages will be an everyday plague to every American family.

American agriculture is the most efficient in the world. The average American family spends only 16.5 percent of its disposable income for food, by far the lowest such figure in the world.

In Asian countries, each family spends 50 percent of its income for food. In Russia, each family spends nearly 60 percent, and in Poland, last year, over 70 percent of each family's income went for food.

Poland, incidentally, if you will recall, is where the populace rioted because of high consumer prices just a few months ago.

Mr. Speaker, I submit that our current agricultural situation is, perhaps, the most critical and severe problem in America.

It is critical not only to our rural citizens and rural areas, but to every family and every profession. It is most critical of all to our minority areas and poverty-stricken families, who will suffer the most from sharp increases in food costs.

If we, as the leadership and the Government of this country, fail to find immediate answers to our farm crisis, the American free-enterprise economy, and the free-enterprise agriculture that sustains it, will almost surely crumble.

Mr. SCHWENGEL. Mr. Speaker, I commend my colleagues for taking this time today to discuss the problems of agriculture.

This is an area of great concern to me. Representing one of the best agricultural producing districts in our Nation, I have been very close to the farm situation.

While this discussion is taking place here today, President Nixon is meeting in Des Moines, Iowa's State capitol, with his Cabinet Committee on Rural Development. They are briefing the Governors and agricultural leaders of Iowa, Wisconsin, Illinois, and Missouri on this administration's rural development program.

I am pleased that President Nixon announced today that he is increasing by $100 million the amount originally proposed in the special revenue sharing program for rural community development.

There can be no doubt that this administration is concerned about rural America. It is devoting time and resources toward solving the problems faced. We should keep in mind that the problems of rural America have not developed overnight. We have been struggling for many years to solve the basic problems presented.

Mr. Speaker, President Nixon addressed himself to some of the problems facing rural America in an address he made today to a joint session in the Iowa General Assembly now meeting in Des Moines.

I include the remarks of President Nixon in the Record.

Text of Remarks by the President Before a Joint Session of the Iowa Legislature

I greatly appreciate your invitation to address this joint session of the Iowa State Legislature—both to share with you a few of my thoughts about America's future, and to reaffirm my own strong conviction that in the State capitols of America there is a wealth of wisdom and compassion and understanding of the great needs that confront our Nation's people.

This is my first appearance before a legislative body since I delivered my State of the Union address to the U.S. Congress—and I am especially pleased that it can be before this legislature, which I note was recently cited by the Citizens Conference on State Legislatures as one of the best in the Nation.

In that address, I outlined six great goals for America, and I urged the Congress to join in bringing about a new American revolution—a peaceful revolution, in which power was turned back to the people—in which government at all levels was refreshed and renewed, and made truly responsive.

It is especially appropriate that that appeal to the Congress should be followed by this, the first appearance as President of the United States I have had an opportunity to make before a State legislature. For as we consider the changes that are needed in American government, we must remember that we have not one chief executive in America, but many; not one legislature, but many—and that each of these is a vital part of the strength of America.

One of my key proposals to the Congress is that we make a $16 billion investment in renewing State and local government by sharing Federal revenues without the cumbersome restrictions that now follow Federal funds. I have noted that this legislature has already expressed its support for the principle of revenue sharing. I also have proposed a sweeping reorganization of the Federal Government itself to make it more responsive to the needs of the people.

Together, these changes can give us better government throughout all America—but they have special meaning for rural America.

First, in terms of dollars, I am announcing today that I am increasing by an extra $100 million the amount that I originally proposed in special revenue sharing for rural community development, bringing that to $1.1 billion for the coming year—which is 24 percent more for rural development programs than is being made available to the States under existing categorical grant programs this year.

The direct dollar benefit to rural America is obvious. In addition, rural America will share substantially in general revenue sharing funds, and also in special revenue sharing for manpower, education, transportation and law enforcement. Funds for urban community development will also go in part to urban communities in largely rural areas.

A second reason these changes have special meaning for rural America is that one of their chief purposes is to give each State and each community greater freedom to decide for itself those questions that directly affect its own future. If the lessons of the past decades mean anything, they mean that as power has been concentrated more and more in Washington, as decisions have increasingly been made by remote control, the special needs of our rural communities and of the great heartland of America more and more have either been neglected or even gone unrecognized.

I want those decisions that affect rural America made by people who know rural America. And the people who know a place best are the people who live there. To put it bluntly I believe that legislators in Iowa know better than bureaucrats in Washington, D.C., what is best for Iowa.

It is fashionable in a lot of quarters these days to scoff at State and local government. But to those who sneer at State legislatures, at city councils, at any level of government other than that in Washington, I say they don't know the American people.

I reject completely the contention that you cannot trust State and local governments. The patronizing notion that a bureaucratic elite in Washington knows best what is best for people everywhere is completely alien to the American experience.

The honesty and efficiency of government depends on people. Government at all levels has good people and bad people. And the way to get more good people into government is to give them more opportunity to do good things.

You know and I know how much dedication there is in State capitals, how much of a desire to do the right thing—and how much frustration there is with the restrictions and red tape that Washington so often imposes—and also with the tightening squeeze between needs and resources.

Like other State legislatures, you confront enormous problems.

Here in Iowa, as is the case in most of our States, I know you are wrestling with ways of avoiding the prospect of a deficit this year. And I know how heavy the burden of State and local taxes has become.

In the quarter-century I have been in public life, I have seen State and local expenditures rise twelve-fold—and I have seen property tax collections rise to six times what they were just 25 years ago, while State and local debt has increased ninefold.

Against that background, look at the double mismatch we now have: As the Nation grows and the economy expands, needs grow fastest at the State and local level, while revenues grow fastest at the Federal level. And at the same time, experience shows that the Federal Government is very good at collecting revenues and often very bad at dispensing services.

So it makes elementary good sense to turn over some of the money collected by the Federal tax system to meet State and local needs.

It makes good sense, because people on the scene are most often the best judges of what those needs are.

It also makes sense because our people need relief from the mounting burden of State and local taxes.

Here in Iowa, you could use revenue sharing to increase services, to avert a deficit, or perhaps to increase appropriations for the Agricultural Land Tax Credit. The point is that you could choose, according to your best judgment of the needs and wishes of the people of Iowa. That is the way it should be.

Let me also say a word about my proposal to reorganize the Federal Government—in particular as it affects the farmer.

One of the automobile companies has recently been using the advertising slogan "You've changed. We've changed." But when we look at the farmer and the way the Federal Government is organized, it is a different story. The only way to state the case, sadly enough, is that he has changed and we have not. The farmer is a man of many talents now—a businessman, a technician, a scientist—often a man who makes his living in more lines of work than farming alone. The rural community is becoming increasingly diversified in its economic base and its land use and its population patterns. While all this has gone on, we have sat in Washington with the same Department of Agriculture we have had since 1862. "You've changed and we haven't"—it could become the epitaph for rural America, for the countryside where this Nation's roots are. But to be able to say that you have changed and so have we—that could be the keynote for a new surge of vitality and progress on the farms, on the ranches and in the towns and the open lands across this Nation.

It comes to a question of whether farmers and others in rural America want an Agriculture Department for its own sake or whether they really want things like better farm prices, better technical assistance for agricultural problems, wider development opportunities in rural communities, better schools, better roads, and so on. I think they want the later—the tangible results.

Under the present setup, only one Cabinet department represents the farmer. Under my proposed reorganization, four Cabinet secretaries—half the Cabinet—will be speaking up for the farmer when his diverse interests are at stake. I submit that this is not less representation, but more—and more effective representation, because the rural interest will be represented wherever decisions are being made that effect that interest.

These proposals I have made are not Republican proposals or Democratic proposals. I have offered them in a bipartisan spirit, and I seek bipartisan support—for they cut to the heart of our hopes for progress in America not just this year, not just next year, but for the balance of the decade and the balance of the century.

I have met with many groups in these past few weeks, talking with them about my proposals for the reform and renewal of government in America. And I have told them that I know there are many objections that people will raise to specific parts of these proposals—but then I have put a challenge to them: Let the first person who thinks we ought to keep things as they are, I say, let him stand up and defend the status quo—and I have not yet had a single taker.

Many were shocked when I said in my State of the Union message that most Americans are fed up with government.

But we know it's true. They are fed up because they think government costs too much, that it doesn't work and that they can't do anything about it.

What I have proposed is designed to meet these needs—to cut the cost of government, to make it work, and to give the people a greater voice in determining what kind of government they want.

People know that we need a change. They know that what may have been right 20 or 30 or 40 years ago is not right today. They know that like any living thing, government in America has to change and develop; it has to adapt itself to new circumstances. And it has to be made to meet the needs of our people, as those needs exist in today's America—so that for the farmer, the worker, the taxpayer, the housewife—for everyone in America—government can do a better job.

America's great strength lies precisely in its great diversity—in the fact that our States and communities are different, that we do not all fit in the same mold, that each of us has his own ambitions, his own desires, his own individuality. The essence of freedom is to give scope to that individuality and to respect that diversity.

When I talk about returning power to the people, I am talking about just that—about letting people make their own decisions, in their own lives and in the lives of their own communities.

For I have faith in the people of America. And faith in people is what the American system of government is all about. Here in the heartland of America, we can see the heart of America is good—and that its people deserve our faith.

We became a great Nation because the Nation's founders had the courage to place their faith in people—and because, having that faith, they established institutions that allowed the people to prove themselves worthy of it.

Now the time has come to return to that faith, to renew those institutions, and by so doing to lead America to a new birth of greatness—a greatness not simply as the richest Nation, not simply as the strongest Nation, but a greatness that springs from the unchackling of the spirit of the people themselves.

So I invite you to join with me in beginning a national renewal—in fitting our Government to the times we live in—in strengthening our Government at the State and local level—in forging a new partnership that can give us prosperity with peace, progress with unity and freedom with diversity.

GENERAL LEAVE TO EXTEND

Mr. SEBELIUS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this subject.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

FEDERAL LEGISLATION NEEDED TO AID FARM LABOR RELATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. MATHIAS) is recognized for 5 minutes.

Mr. MATHIAS of California. Mr. Speaker, in any discussion of the problems of agriculture, I think it is important that we not overlook the need for Federal legislation to establish guidelines in the area of farm labor relations.

Unlike industry, agriculture has no Federal laws covering labor relations. Agriculture was specifically excluded from the National Labor Relations Act because the Congress recognized the unique and specialized qualities of agriculture. It was felt that utter chaos would result if the same laws were applied to farm labor as apply to industrial labor.

However, the lack of a Federal law has caused serious hardships to the farmers, loss of jobs to the farmworkers, and burdens to the consumers. The labor disputes, unharvested crops, and secondary boycott activities, during the past few years with respect to grapes and now lettuce, are proof that Federal action is desperately needed.

To resolve these threats and problems, a legal framework is needed to protect the rights of farmers, farm laborers, and consumers. The farmers need protection during critical production and harvest periods, and against boycott activities. Agricultural employees must have the right to collective bargaining whenever they freely decide to be represented by a union. And the consumers must be assured the orderly flow of food to the Nation's marketplaces, and guaranteed the right to buy the food they want, when they want it, without threat of violence, coercion, or disruptive harassment.

Failure to act can only result in further undermining agriculture, a critical shortage of food, and higher costs to the consumer. The agriculture industry and the Nation cannot afford strikes at harvest time. If crops are left unharvested and are subsequently destroyed, then a national food and economic crisis could result.

Assistant Secretary of Agriculture Richard Lyng in a speech last week in Atlanta, Ga., said that the Nixon administration will propose farm labor legislation to this session of Congress. He said:

> The time has now arrived when we must adopt Federal legislation governing the relationship between the farmer and those who labor in the fields.

I welcome this announcement of the administration's intentions.

I urge the Members of this Congress to recognize the threats that exist and to join together to take the necessary remedial action.

Today's farmers have enough troubles

without facing the prospects of not getting their crops harvested or marketed because of crippling labor disputes or secondary boycotts.

NEW HIGHER EDUCATION LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. QUIE) is recognized for 60 minutes.

Mr. QUIE. Mr. Speaker, I am pleased to announce the introduction of three major bills in the field of higher education: H.R. 5191, H.R. 5192, and H.R. 5193. Several of my colleagues on the Education and Labor Committee are joining me in sponsoring these bills which I believe will form a sound and workable basis for discussion in our committee.

Two of the bills represent the new proposals of the administration. The President is asking us to take some bold and progressive steps to improve the quality of our system of higher learning and to finally guarantee access to postsecondary education for hundreds of thousands of young people who would otherwise not be able to afford it.

The third bill would provide greatly needed general financial assistance to both 2-year and baccalaureate degree-granting institutions. It is similar to a bill I introduced last session, which has since gained the endorsement of a wide variety of individuals and organizations.

Mr. Speaker, I would like to discuss each of these bills and to have inserted in the RECORD other documents which will further explain them for the benefit of our colleagues.

HIGHER EDUCATION OPPORTUNITY ACT OF 1971

The major administration bill, H.R. 5191, is called the Higher Education Opportunity Act of 1917. It has been significantly improved, in my opinion, over the proposal sent to the Congress last session.

Joining me in sponsoring this important piece of legislation are Mr. DELLENBACK, Mr. BELL, Mr. ERLENBORN, Mr. ESCH, Mr. ESHLEMAN, Mr. LANDGREBE, Mr. HANSEN, Mr. FORSYTHE, Mr. VEYSEY, Mr. KEMP, and Mr. PEYSER.

The most dramatic aspect of this bill is the program for student assistance. We have for several years talked about the need to remove financial barriers from the path of any qualified student who wants to pursue further education. The administration has proposed a way for us to achieve that goal. The President is, in fact, giving a guarantee to every student with demonstrated need that financial assistance is available to him.

Before I explain the other aspects of the bill, I would like to insert at this point a thorough explanation of these far-reaching proposals for student aid:

PROPOSED STUDENT FINANCIAL ASSISTANCE PROGRAMS

FOREWORD

No qualified student who wants to go to college should be barred by lack of money.

This is the opening sentence in President Nixon's 1970 message on higher education. It expresses both the purpose and the theme of the Administration's proposal to improve and expand existing student aid programs.

The President's proposed changes in student financial aid programs would, for the first time in history, guarantee that every qualified student from a low-income family would have sufficient resources to attend college. Under the proposal, grants, work-study payments and subsidized loans will supplement what the families of low income students can afford to contribute to the postsecondary education of their sons and daughters.

The President's proposals will also increase the amount of unsubsidized loan funds available to students at all income levels. This improved access to federally-guaranteed loans will assist millions of undergraduate and graduate students to finance their education.

PRESENT PROGRAMS: DESCRIPTION AND PROBLEMS

The Office of Education presently administers four major programs for aiding students: Educational Opportunity Grants, the College Work-Study program, National Defense Student Loans and Guaranteed Loans.

The first three programs are mainly funded by the Federal Government and administered by colleges and universities. The amount of funds available to the institution for these programs depends on the total funds appropriated by Congress, State distribution formulas and the approval of regional review panels. Once the college has its various allocations, the student aid office determines what mix of grants, work-study payments and loans is appropriate for each individual eligible student.

Commercial lending institutions, primarily banks, operate the Guaranteed Loan programs. Loans are made to students at a maximum interest rate of 7 percent. The Federal Government guarantees the loans against default, pays the student's interest while he is in college and makes a special payment to banks during tight money conditions.

There are several problems with this system of student aid:

Availability of funds—Students do not receive all the aid for which they are eligible under the present system. Allocation formulas, matching requirements and insufficient funds limit the aid which institutions can award to individual students. Colleges enrolling large numbers of disadvantaged students are in an especially difficult position because of the matching requirements.

Limited loan funds—Existing loan programs provide an inadequate volume of lendable funds because (a) the National Defense Student Loan program requires capital outlays from the Federal budget which has been under severe fiscal pressures and restraints for the last several years; and (b) students must compete with other borrowers (who often offer more profitable investment opportunities) for the lendable funds of banks under the Guaranteed Loan program. (Low-income students with poor bank connections sometimes find themselves at a particular disadvantage.)

Open-ended expenditures—The Federal Government is obligated to meet its commitment to pay the interest on Guaranteed Loans while students are in college. As interest rates rise, and as more and more middle and upper income families find it in their interest to take advantage of these subsidies, a larger and larger share of Federal funds for student aid is being diverted away from the most needy students. The system as a whole has a built-in tendency to become less progressive as these subsidies absorb a disproportionate part of any budget increase for student aid.

Uncertainty—A student who wants to go to college cannot tell where he can get aid or how much he can count on in advance of his admission and the particular student aid office determination. Nor can a bank assure the student in advance that it will have funds to lend to him.

Inequitable distribution—Federal funds do not necessarily go to those students who need them most. Moreover, different colleges assess need in different ways. Substantial subsidies go to middle and upper income students, especially under the Guaranteed Loan program.

PROPOSED PROGRAMS: PURPOSES

The Administration's improvements in the existing student aid programs have five major purposes:

To assure the availability of funds to every qualified student.

To assure that Federal funds go first, and in the largest amounts, to the students who need them most.

To provide potential students with as accurate information as possible concerning the aid they can expect.

To assure that all students of equal need are treated alike.

To provide additional financial aid to students attending high cost institutions.

PROPOSED PROGRAM: CONCEPT AND STRUCTURE

The Administration is recommending a coordinated student aid system with two parts: (a) a combination of grants, work-study payments and subsidized loans for full-time undergraduate students with low to middle incomes attending public and nonprofit postsecondary educational institutions as well as proprietary institutions of higher education; and (b) creation of a National Student Loan Association to raise money privately and make it available for all postsecondary students at all income levels.

A. Grants, work-study payments, subsidized loans

The basic concept is that all students whose families can be expected to make the same contribution should have the same help available for their education from Federal sources. The combination of family contributions plus Federal grants, work-study payments and subsidized loans would be enough to enable any student to meet minimum education expenses. The key determinant is family income (and, thus, family contribution). Students from lower income families would receive more Federal aid than students from higher income families. (Lower income students would also receive a larger proportion of their aid in the form of grants and work-study payments rather than in the form of subsidized loans.) But the total resources available (i.e., family contribution plus Federal aid) to students at different income levels would be made equivalent.

The system would work as follows. Each year the Secretary of HEW, after conferring with the Advisory Council on Financial Aid to Students, would publish a schedule indicating the amount of Federal funds available to students at different income levels. Each student's eligibility for aid would be calculated by determining the expected family contribution toward his educational costs. This determination would take into account such factors as the size of the family, the number of children in college, extraordinary family expenses and capital assets. The deficiency between expected family contribution and the amount of resources the student should have available to him would be met by a combination of grants, work-study payments and subsidized loans.

For example, under the Administration's fiscal 1972 budget proposals, students from families with adjusted family income of $10,000 or less, and with two children, one of whom is in college, would be eligible for Federal funds. The maximum total amount of subsidized aid (grant and work-study plus subsidized loan) available to any one student would be $1,400. The maximum grant available to any one student would be $1,000. In addition to these base amounts, students who (1) meet the eligibility criteria for subsidized aid, and (2) attend schools with annual average cost in excess of $1,400 would be eligible to apply for an additional subsidized "cost of education" loan of up to $1,500. This program would be controlled by schools in a manner similar to the present NDEA loan programs and terms to students would be approximately the same as those governing present NDEA loans. The amounts of aid to be available at different income levels for the two-child family described previously as well as one with five children, two of whom are in school, under the funding levels contemplated by the Administration's proposals are illustrated in Attachment I.

Several other features of the proposal deserve mention:

All aid from State and private student aid programs would be *in addition* to Federal aid, and would permit students eligible for it a wide choice of the type of institution they attend.

A "grandfather" clause would assure that students receiving aid under the present program would receive no less under the new system than they were entitled to under the old one.

Institutions of higher education would preserve the option, within national limits set by the Commissioner of Education, of determining *the mix of grants and work-study payments* appropriate to the individual student.

The National Defense Student Loan Revolving Fund (currently about $140 million) would continue in its present form, except that no new Federal appropriations would be made to the fund. Loans would continue to be made in a manner similar to current NDSL's; however, cancellations for teaching, military service, Peace Corps service, etc. would be eliminated for new loans.

Loans from this fund would go first to students eligible under the "grandfather clause" in the bill; remaining funds would be used to provide subsidized loans under the Higher Education Opportunity Act.

Students attending proprietary institutions of higher education would be made eligible for all benefits.

Finally, these proposals would not alter the valuable features of existing programs.

Educational Opportunity Grants would continue as the basic grant program but without matching requirements.

The College Work-Study program would continue. Colleges would continue to match work-study funds provided by the Federal Government (one dollar for four) but this requirement would be waived for institutions or work programs which it would hamper.

National Defense Student Loan benefits would continue under the same terms and conditions as at present for both of the subsidized loan programs discussed above. However, lendable capital would come from the private money markets rather than the Federal Budget.

B. National Student Loan Association

The purpose of the proposed National Student Loan Association (NSLA) is to increase the amount of resources available for loans (both subsidized and unsubsidized) to all students at all income levels.

NSLA would be a private corporation, chartered and established by the Federal Government. It would raise funds by issuing its own obligations for sale in private capital markets. These obligations would be guaranteed against default by the Government, allowing the NSLA to pay a lower rate of interest.

With the proceeds from its sales, NSLA would buy, sell, or warehouse (buy under the condition that the seller will repurchase, i.e., NSLA "stores" the loans) student loan paper from colleges, banks or other eligible lenders. Typically, a college without funds of its own to invest in student loans would make a loan to a student and then turn immediately to NSLA to sell the student's note. NSLA would pay enough for the note to restore the college's cash position.

NSLA would significantly increase the flow of funds into student loan markets. Both banks and colleges would be encouraged to do more student lending. It is estimated that NSLA may buy up to $2 billion worth of loans in its first year of operation.

The Guaranteed Loan Program would continue to be open to all college students, however high their family incomes. However, some changes would be made in the program. First, the 7 percent interest ceiling would be eliminated. Second, the interest subsidy paid by the Federal Government on student loans to above average income students while they are in college and the special allowance paid to banks would be eliminated. Thus, it would now be an unsubsidized loan program except for students meeting a test of need.

Several other features applicable to both subsidized and unsubsidized loans are of significance:

Banks and other financial institutions would make both kinds of loans.

Loan ceilings would be raised and would apply to the aggregate of both subsidized and unsubsidized loans. A student could borrow up to $2,500 a year for up to seven years.

The length of the maximum permissible loan repayment period would be increased to twenty years from the present ten.

Student borrowers would not have to pay interest while they were still in college. Federal payments would cover interest charges on subsidized loans. On unsubsidized loans, lender would be required to allow the student to defer payments of both interest and principle while the student was in college. The Government would guarantee deferred interest payments along with principle.

The student could prepay his loan at any time without penalty.

Lenders would also be permitted to agree, at the time the loan was made, to allow the student to defer payments and interest up to an aggregate of five additional years. In such cases, the student would be allowed to choose those times during the repayment period when regularly scheduled payments would be especially burdensome. The Federal Government would guarantee interest charges during such periods.

PROPOSED PROGRAM: CONSEQUENCES

It is estimated that in Fiscal Year 1972, the first year of operation of the program,:

2½ million students would receive benefits (including unsubsidized loans), an increase of one million over the number of students receiving assistance under present programs.

Approximately $575 million in grants and work-study payments would be available, an increase of $242 million above FY 1971.

About $1.2 billion would be available to make loans under the subsidized loan programs, an increase of $830 million.

PROBLEMS SOLVED AND PURPOSES ACHIEVED

The Administration's student aid proposals overcome the problems and achieve the purposes noted earlier in this paper.

Availability—Every student who qualifies for direct Federal assistance under the schedule established by the Secretary of HEW will receive his Federal funds. NSLA will provide an adequate supply of lendable funds for students who do not qualify for subsidies.

Need—Grants, work-study payments and subsidized loans will be concentrated on those in most need: students from low-income families.

Certainty—The aid schedule published annually by the Secretary of HEW would inform every eligible student of the amount of aid he could expect.

Equity—Students whose families could be expected to make similar contributions would receive equivalent amounts of aid.

CONCLUSION

The Administration's proposals would assure that one of the President's deep convictions is fulfilled:

"Equal educational opportunity, which has long been a goal, must now become a reality for every young person in the United States whatever his economic circumstances."

AID ELIGIBILITY—BASIC PROGRAM (COST OF EDUCATION LOANS AND ALL OTHER STATE AND PRIVATE AID WOULD BE IN ADDITION TO THESE BENEFITS)

Adjusted family income [1]	Family contribution	Equal opportunity grant/work-study	NDEA-type subsidized loan	Family contribution plus aid	Average summer savings	Total student resources	Cost of education loan [2]
Typical resources for a student from a 2-child family, 1 of whom is in college:							
$0 to $3,500	0	$1,000	$400	$1,400	$300	$1,700	$1,500
$4,500	$220	780	400	1,400	300	1,700	1,500
$5,500	430	570	400	1,400	300	1,700	1,500
$6,500	640	360	400	1,400	300	1,700	1,500
$7,500	850	150	400	1,400	300	1,700	1,500
$8,500	1,050	0	350	1,400	300	1,700	1,500
$9,500	1,250	0	150	1,400	300	1,700	1,500
$10,000 and above	1,400	0	0	1,400	300	1,700	0
Typical resources for a student from a 5-child family, 2 of whom are in college:							
$0 to $5,500	0	1,000	400	1,400	300	1,700	1,500
$6,500	110	890	400	1,400	300	1,700	1,500
$7,500	195	805	400	1,400	300	1,700	1,500
$8,500	280	720	400	1,400	300	1,700	1,500
$9,500	360	640	400	1,400	300	1,700	1,500
$10,500	440	560	400	1,400	300	1,700	1,500
$11,500	510	490	400	1,400	300	1,700	1,500
$12,500	580	420	400	1,400	300	1,700	1,500
$13,500	650	350	400	1,400	300	1,700	1,500
$14,500	700	300	400	1,400	300	1,700	1,500

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[1] Adjusted family income represents gross family income adjusted to reflect the number of children in the family, the number of children in school, extraordinary family expenses, and capital assets.

[2] Cost of education loans would be available to eligible students who attend schools with average annual costs in excess of $1,400. The availability of these loans to students at various income levels is subject to appropriations for interest subsidy payments.

Note: Expected family contributions at higher income levels will depend importantly on the amount of capital assets available for meeting educational costs, and on other special family circumstances, as well as on family income. Hence, any aid to students from large families at higher income levels will depend on the overall financial situation of the family, and not simply on income.

Mr. Speaker, I think Members of the House will agree that the philosophy of these proposals is as fair and equitable, as far reaching in its impact on the access to higher education, as any we have seen.

A dramatic increase in grants—about 70 percent over this year—and three times the volume of 3 percent subsidized loans as are now available would be directed to 2½ million students in fiscal year 1972. The President's budget to carry out these programs is before our Appropriations Committee this week.

Mr. Speaker, these proposals give assurance to all low- and moderate-income families that they will get relief in meeting rising costs of higher education. If the Congress should decide it is in the national interest to assist higher income families—as I believe we should—then I hope we would provide tax credits for the expenses of tuition, fees, and books. Several weeks ago, I introduced H.R. 2615, which would do just that. If tax credits are not provided, we should at least enact legislation to allow educational expenses to count as deductions for purposes of figuring an individual's Federal income tax.

This bill also extends with minor amendments existing programs under the Higher Education Act of 1965:

Title I: Community service and continuing education;

Title II: Library programs;

Title III: Developing institutions; and

Title V: Education Professions Development Act.

The Higher Education Facilities Act of 1963 is extended. Added to this act would be a new program for Federal insurance of construction loans to private nonprofit institutions of higher learning.

Title VI of the National Defense Education Act—language development and area studies—would also be extended. Graduate fellowships, title IV of NDEA, would be consolidated with part E of the Education Professions Development Act so that Federal support to those preparing for careers in higher education can be better focused and better coordinated.

Five titles of the Higher Education Act of 1965 are repealed. Except for title VI—improvement of undergraduate instruction—which got its first appropriation amounting to $7 million in fiscal 1971, none of these categorical programs has ever been funded.

Finally, this bill adds a new title which would prohibit discrimination based on sex in any federally assisted education program, except where sex is a bona fide ground for differential treatment.

NATIONAL FOUNDATION FOR HIGHER EDUCATION ACT OF 1971

Joining me in sponsoring H.R. 5192, the National Foundation for Higher Education Act of 1971, are: Mr. **Dellenback**, Mr. **Bell**, Mr. **Erlenborn**, Mr. **Esch**, Mr. **Eshleman**, Mr. **Steiger** of Wisconsin, Mr. **Hansen**, Mr. **Forsythe**, Mr. **Veysey**, and Mr. **Kemp**.

This bill is designed to encourage excellence, innovation, and reform in postsecondary education. It would be headed by a Director who would report to the Commissioner of Education. A Higher Education Foundation Board would be created to advise the Director. This Board would consist of 18 members, appointed by the President, and broadly representative of the public and the higher education community.

Mr. Speaker, I would like to emphasize that this proposal is quite different from the Foundation proposed by the administration a year ago. Unlike the first proposal, no existing programs would be incorporated into the new Foundation. It would have all of its funds—the President has in his budget $100 million in new money for the Foundation—for the support of new programs consistent with its purpose. Ongoing programs for the support of higher education would remain in the Bureau of Higher Education and other agencies within HEW.

Another difference from last year's proposal is the location of the Foundation. Instead of being an automous organization, this new proposal places the Director within HEW. The plan would be to have the Director of the Foundation and the Director of the proposed National Institute of Education both report to the Commissioner of Education. This will assure the necessary coordination of all education programs and would be consistent with the President's interest in consolidating Government agencies.

Because there is such interest in this proposal, I would like to insert at this point a paper prepared by HEW on the National Foundation:

Proposed National Foundation for Higher Education

THE NEED FOR A NATIONAL FOUNDATION

In his message on Higher Education to the Congress in March, 1970, President Nixon noted:

"For three decades now, the Federal government has been hiring universities to do the work it wanted done. In far the greatest measure, this work has been in the national interest, and the Nation is in the debt of those universities that have so brilliantly performed it. But the time has come for the Federal government to help academic communities to pursue excellence and reform in fields of their own choosing as well, and by the means of their choice."

To achieve this broad design, the President has proposed the creation of a National Foundation for Higher Education within the Department of Health, Education and Welfare.

This Foundation would help institutions of higher education to achieve change by:

Encouraging excellence, innovation, and reform in postsecondary education;

Providing assistance for the design and establishment of inovative structures and teaching methods in higher education;

Expanding the methods and patterns of acquiring higher education and opening opportunities for such education to individuals of all ages and circumstances;

Strengthening the autonomy, individuality, and sense of mission of postsecondary eductional institutions, and by supporting programs which are distinctive or of special value to American society; and

Encouraging postsecondary educational institutions to develop policies, programs, and practices which are responsive to social needs, and by providing an organization in the Federal government which is concerned with the rationalization of public policy toward higher education.

THE NATIONAL FOUNDATION AND THE U.S. OFFICE OF EDUCATION

Within the Department of Health, Education and Welfare, the Office of Education is—and will continue to be—the major instrument for Federal policy toward elementary, secondary, and higher education. However, the Office, as presently constructed, has two limiting factors:

The Office is expected to be, and should be, evenhanded in its distribution of resources. Yet the support of excellence and innovation often requires selectivity, rather than equal treatment.

The Office is oriented toward the support and reform of existing postsecondary institutions across the nation. Yet the need is not only for the reform of old structures but also for the creation of new ones.

The National Foundation for Higher Education will be able to surmount both of these limitations. It will have as its mandate the overall needs of the American people for postsecondary education. It will have as its operating premise the principle of selectivity. Its constituency will include people as well as institutions—the housewife struggling for some way to enhance the quality of her life, the college president with a dream to fulfill, the college dropout.

Last year, President Nixon proposed that the National Foundation be created as an independent agency. This year's proposal calls for the establishment of the Foundation as a separate agency within the Department of Health, Education, and Welfare. This latter location for the Foundation is consistent with the overall consolidation and coordination of Federal agencies which the President outlined in his 1971 State of the Union message. In its new location the Foundation will retain the advantages of independence in that it will be able to recruit a talented staff outside the usual Civil Service requirements and will be advised by a strong Board representing the higher education community and the general public. At the same time, it will be responsive to the general policy directions established for the Department of which it is a part. In addition, since it is expected that the Director of the Foundation will report to the Commissioner of Education, the Foundation's operations will be coordinated by the Commissioner with those of the Office of Education and the proposed National Institute of Education.

THE DECISIONMAKERS

To preserve the Foundation's own ability to respond to changing needs and priorities in post-secondary education, it will be guided by a Higher Education Board appointed by the President. This 18-man Board, appointed for staggered three year terms, will represent the full range of the higher education community and the general public. The Board will advise the Secretary of Health, Education and Welfare concerning the Foundation's policies and priorities. Through the Board, the academic community will be intimately involved in the decisions regarding the merits of competing programs, the allocation of resources, and the promotion of excellence and innovation.

Underlying this new structure is the belief that the Higher Education Board, representing the academic community and the general public, is best able to determine priorities for post-secondary education. The annual budget and appropriation process will ensure that the Congress and the Executive can discharge their Constittuional responsibilities and see that the broad outlines and dimensions of Federal support through the Foundation are meshed with other national priorities.

The daily operations and management of the Foundation will be the responsibility of the Director. This individual will be appointed by the President, with the advice and consent of the Senate.

TYPES OF ACTIVITIES WHICH MIGHT BE FUNDED

The Foundation's authorizing legislation lists a number of types of activities, designed to carry out the purposes of the bill, which might be considered for support. The Secretary would not be limited to this list, however.

The creation of institutions and programs involving new paths to career and professional training, and new combinations of academic and experimental learning;

The establishment of institutions and programs based on the technology of communications;

Carrying out change in the internal structure and operations of postsecondary educational institutions when such change is designed to clarify institutional priorities and purposes;

The design and introduction of cost-effective methods of instruction and operation;

The introduction of institutional reforms designed to expand individual opportunities for entering and re-entering institutions and pursuing programs of study tailored to individual needs;

The introduction of reforms in graduate education, in the structure of academic professions, and in the recruitment and retention of faculties;

The creation of new institutions and programs for examining and awarding credentials to individuals, and the introduction of reforms in current institutional practices related thereto;

The development or revitalization of educational and training programs of national importance.

AN ENLIGHTENED CONCEPT OF INNOVATION

In recent decades, public and private agencies have often put a premium on "innovation" for its own sake. Too often, educational institutions have been obliged to devise "innovative programs" simply to satisfy requirements that ignored the real needs and priorities of the institutions. Reform is badly needed in higher education. New models of teaching and learning must be developed. Traditional practices do not merit support simply because they are traditional, but neither do new schemes simply because they are novel. At the same time, there must be a source of support for experimentation, for tentative probings into new areas of scholarship, and for radically different kinds of education. Built into this support must be the *right to fail* as well as the hope of success. For an experiment that is not permitted to fail is no experiment at all.

FUNDING LEVEL

President Nixon's budget for Fiscal Year 1972 includes a request for $100 million of new funds for the purposes of the Foundation.

HIGHER EDUCATION GENERAL ASSISTANCE ACT OF 1971

Mr. Speaker, the third major bill I am introducing today is not an administration bill, but one which I feel compliments the two bills I have just discussed. H.R. 5193 would provide general assistance to both 2-year and baccalaureate degree-granting institutions. I feel it is absolutely necessary for the Congress to provide general assistance to these institutions in a fair and equitable manner.

The following members on the Education and Labor Committee are cosponsoring this proposal: Mr. DELLENBACK, Mr. BELL, Mr. ESCH, Mr. ESHLEMAN, Mr. LANDGREBE, Mr. HANSEN, Mr. FORSYTHE, Mr. VEYSEY, Mr. KEMP, and Mr. PEYSER.

Grants would go to baccalaureate degree-granting institutions based on the number of such degrees awarded the previous year. But the grants could be applied to programs at the undergraduate or graduate level. We estimate the cost of this to be $260 million in fiscal year 1972.

The amount of each institutional grant would be derived from a formula which gives $500 per degree for the first 200 baccalaureate degrees, $400 per degree for the next 300 degrees awarded, $300 per degree for the next 500 degrees, $200 per degree for the next 1,000 degrees, and $100 per degree for the number exceeding 2,000 degrees awarded in a given year.

This scaled formula will not disadvantage the smaller institutions which cannot achieve the same economies of scale which should be possible at larger institutions. For example, an institution would receive a grant of $100,000 if it awarded 200 degrees—average of $500 per degree. An institution awarding 600 degrees would receive $250,000—average of $417 per degree.

For community colleges, and 4-year institutions offering noncredit career education programs, general assistance grants would be based on the full-time equivalent enrollment in the community college or in the career education programs of the 4-year institutions. Twenty percent of the total appropriation would be available for these grants based on enrollment. Using our estimate of $260 million for grants based on the formula applied to baccalaureate degrees, the amount required for grants based on enrollment is about $65 million.

I would like to summarize my feelings about the need for general assistance and how my proposal would meet that need.

First. Institutions of higher education are a national resource of immeasurable value. But the ability of many to continue this quality service to the Nation is in question. A combination of increasing costs and increasing enrollments is building pressure on college budgets as never before.

Second. Federal programs of student assistance in recent years have allowed many more to pursue postsecondary education. But no student pays the full cost of his education. Increasing the accessibility to higher education places an additional financial burden on the colleges for which the Federal Government should feel some responsibility.

Third. Private colleges are drawing on their endowments to meet operating costs. Many are borrowing on the open market. Still others have been forced to close their doors. Tuition increases are not always the answer, since these institutions must keep competitive to maintain enrollments.

Fourth. Diversity among institutions of higher learning has always been valued in America. It is impossible for categorical programs to be administered in a way that fully respects institutional autonomy. In addition, categorical programs often tempt institutions into activities which are not real priorities; or force them to shape a project in a way that is not best for them; or commit them to matching funds which should be spent in other areas. Categorical programs will always be important: they will never be the total answer.

Fifth. This bill is consistent with the concept of revenue sharing, and leaves no doubt as to how the amounts will be determined and to whom the money will go.

Sixth. General assistance grants would allow institutions to maintain or initiate programs authorized by State legislatures or the Congress but which are inadequately funded. The choice would be left to the institution.

Seventh. A formula based on output—number of degrees—is, to the extent practical, better than making grants based on input—number of students. It is also better than the so-called cost-of-education allowances, which would base aid on the number of students receiving Federal education opportunity grants. This latter approach presupposes that it costs more to educate all economically poor students. This approach also mistakenly assumes that all institutions do in fact spend additional sums on students receiving Federal EOG's. Further, under present student aid programs only a rather small portion of all students in college from low-income families receives Federal EOG's. So they do not provide a reasonable and equitable basis on which to allocate general assistance.

Eighth. Basing general assistance grants to 4-year institutions on the number of degrees earned should encourage a deeper commitment to dropout prevention. This approach is consistent with the concept of accountability. It rewards the college for helping a student achieve a complete educational goal.

Ninth. The formula, using a sliding scale for grants based on baccalaureate degrees, results in more assistance per graduate for small institutions which cannot achieve the same economies of scale that should be possible in large institutions. Generally, this approach will not give undue advantage to the lower cost public institutions over the higher cost private schools.

Tenth. Allowing baccalaureate degree granting institutions with noncredit career education programs to receive general assistance based on enrollment in such programs should encourage other colleges to move into this area.

Eleventh. General assistance will meet many institutional needs. It will allow colleges with a deep commitment to the disadvantaged and minority students to provide the additional special programs; institutions with construction needs to participate in the Federal subsidized loan programs; those hard pressed to take advantage of other matching-grant programs will have an easier time doing so. Again the choice will be left to the institution.

Twelfth. The cost of this proposal—about $325 million for fiscal year 1972—amounts to about 5 percent of the President's budget estimates will be the total of all Federal support to higher education in that year. While not a very significant proportion, general assistance is surely a needed and valuable addition to the present impressive list of Federal programs. It gives balance to the total Federal package. Its impact will be greater than its relative size.

CAREER EDUCATION

Finally, Mr. Speaker, I would like to mention one missing piece to a fully balanced Federal higher education package. That piece is occupational education, or as it is more popularly called, career education.

I was disappointed that the administration's proposal did not include a comprehensive program for postsecondary career education. But I do not doubt the commitment on the part of the President, Secretary Richardson, or Commissioner Marland, to far-reaching support in this area. We simply must do far more to provide training to those who do not wish and do not need a traditional baccalaureate degree.

I am now working on a comprehensive proposal for occupational and career education. I know that we can work with the Office of Education in the next several weeks as they, too, give further study to meeting this great need.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a Nation. With our increased technology and shorter work week Americans are more able to enjoy their leisure time. For example, in 1940 Americans spent approximately $3.7 billion on various forms of recreational activity. By 1968 these expenditures had increased nearly nine times to $33.5 billion.

THE HIGHER EDUCATION LEGISLATIVE PACKAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DELLENBACK) is recognized for 15 minutes.

Mr. DELLENBACK. Mr. Speaker, I am pleased to join my colleague, the gentleman from Minnesota (Mr. QUIE) in sponsoring all three of the innovative higher education bills which he has introduced today: The Higher Education General Assistance Act, the Higher Education Opportunity Act, and the National Foundation on Higher Education Act.

Since the major existing higher education authorizations expire this June, it is essential that the Special Subcommittee on Education act with dispatch to produce comprehensive legislation. I believe the package of bills introduced today—two of which are administration proposals—offers a sound foundation from which we can proceed.

There is still, however, one major shortcoming in this package which particularly concerns me. I am referring to the lack of adequate support for community colleges, especially for the costly career education programs offered by these institutions.

Mr. Speaker, community colleges have had a phenomenal growth period during the last decade. In fact, in the past 10 years, the number of community colleges throughout the Nation has jumped from under 700 to well over 1,000, while enrollment has climbed from 750,000 to 2.5 million during the same time period. Moreover, these schools have added significant dimension to this country's higher education system. Their geographic, financial, and academic accessibility have greatly expanded educational opportunities in the United States.

H.R. 5193—THE HIGHER EDUCATION GENERAL ASSISTANCE ACT

I believe these institutions need and deserve generous Federal support to help them maintain quality in the face of such rapid growth. The Higher Education General Assistance Act introduced today as a vital supplement to the administration's two proposals would help fill the gap in Federal assistance to community colleges. Twenty percent of the total appropriations for this bill would be set aside for community colleges and for 4-year institutions offering nondegree career education programs. An estimated $65 million would be expended for this part of the general assistance program during the first year of operation, allotted to eligible schools on the basis of full-time equivalent enrollment.

In addition, an estimated $260 million of general assistance would be provided other higher education institutions on the basis of baccalureate degrees awarded during the preceding year.

The Higher Education General Assistance Act will put the institutions themselves into the driver's seat as far as determining how to use Federal dollars. Categorical aid has been and will continue to be extremely beneficial to higher education institutions, but I believe that general assistance is overdue as a continuing and stable source of Federal aid for higher education.

I want to commend my colleague, Mr. QUIE, for his outstanding leadership in introducing the Higher Education General Assistance Act. His contributions to higher education have been many, and I believe this far-reaching proposal may prove to be one of the most valuable proposals he has made.

While this measure would indeed be a boon to community colleges, I believe we must look to comprehensive legislation in this area. Hopefully the administration's career education proposals will be available soon.

H.R. 5192—THE NATIONAL FOUNDATION ON HIGHER EDUCATION ACT

Considering the critical financial squeeze which so many institutions are confronting, it is likely that funds allocated under the Higher Education General Assistance Act would be targeted solely to meet escalating costs of operation. We must insure that, in the face of such severe financial difficulties, colleges and universities do not put aside reform and innovation. It is unfortunate that innovation has been discouraged by the theory that, in times of fiscal stringency, we cannot afford to be innovative. This concept surely threatens the future of higher education.

When these facts are considered, it becomes obvious that the creation of a National Foundation on Higher Education is a vital part of the higher education legislative package introduced today. As proposed by the administration, the mandate of the Foundation would be to foster change, excellence, and innovation in postsecondary education. It would operate strictly on a project grant basis, hopefully encouraging institutional autonomy and individuality. To prevent the Foundation from becoming another layer of categorical programing and to permit funding of a variety of projects, the language of H.R. 5192 is purposely broad.

With the passage of this bill, institutions would have for the first time a stable, continuing source of funds for experimentation. President Nixon's budget for fiscal 1972 includes a request of $100 million of new funds for the Foundation.

H.R. 5191—THE HIGHER EDUCATION OPPORTUNITY ACT

The third part of the higher education legislative package and the most comprehensive of the three bills is the administration's Higher Education Opportunity Act. The goal of this measure is one which I wholeheartedly support: to make equal educational opportunity in the United States a reality instead of a promise. This goal would be achieved through the enactment of the major student aid reform proposals outlined in the bill.

These proposals are specifically designed to correct some of the inequities that have weakened existing student aid programs. For example, this new legislation is designed to assure that assistance is available to every qualified student, that Federal funds go first and in the largest amounts to students who need help most, and that potential students can be provided with as accurate information as possible ahead of time regarding the aid they can expect.

The student aid package comes in two parts: First, a combination of grants, work-study payments, and subsidized loans for full-time undergraduate students with low to middle incomes attending public and nonprofit postsecondary educational institutions as well as proprietary postsecondary institutions. I was pleased that the administration wants to make proprietary institutions eligible to participate in student aid programs, since I feel strongly that excluding these institutions as we have in the past has unfairly discriminated against students who chose to pursue their education at an accredited proprietary school.

The second part of the student aid package is the creation of a National Student Loan Association to raise money privately and make it available for all postsecondary students at all income levels. The concept behind NSLA is one which I have strongly supported in the past in cosponsoring legislation introduced by my colleague, the gentleman from Illinois (Mr. ERLENBORN) to create a Student Loan Marketing Association.

The student aid reform proposals do not by any means reject all of the features of the existing programs. Several characteristics of the current student aid programs would be maintained. For example, educational opportunity grants would continue as the basic grant program, but without matching requirements that have impaired the program's usefulness. College work-study would also continue, and institutions would keep the option, within limits set by the U.S. Commissioner of Education, to determine the combination of grants and work-study payments most suited to the individual student. National defense student loan benefits would continue under the same terms and conditions as at present for both of the subsidized loan programs; however, lendable capital would come from the private money market rather than from the Federal budget.

In addition to the student aid reform proposals, other significant provisions of the Higher Education Opportunity Act include the extension, with minor amendments, of the following programs authorized under the Higher Education Act of 1965: Title I, community service and continuing education; title II, library programs; title III, strengthening developing institutions; and title V, Education Professions Development Act.

My colleague, the gentlewoman from Oregon (Mrs. GREEN), the distinguished chairman of the Special Subcommittee on Education, has been in the forefront of the movement to end discrimination based on sex in any federally assisted education programs. I hope that she will be pleased by the title of the Higher Education Opportunity Act which would prohibit such discrimination except where sex is a bona fide ground for differential treatment.

The special subcommittee will begin tomorrow to hold hearings on comprehensive higher education legislation. In considering such legislation, I believe we should operate on the assumption of several very basic premises:

First, that higher education has been under increasing fire and has lost valuable sources of assistance during the last few years. In this climate, it is essential that Federal aid become a bigger slice of the educational financing pie.

Second, that institutions themselves often know best what their needs are and should be encouraged to make their own decisions about spending Federal dollars. We must put the institutions in a better position to answer for themselves the critics of higher education who have grown so vocal in recent years.

Third, it is the responsibility of Congress to make equal educational opportunity a reality in the United States. In making it possible for many more students to attend college, however, we must bear in mind that these institutions will face even greater operating costs. We must therefore be ready to make a major Federal commitment to help colleges meet these accelerating costs.

Fourth, we must be alert to the fact that change is coming to higher education, as indeed it should. In fact, if it does not come, I fear that the troubles we have seen already in financing higher education will be but a prologue of even more serious trouble ahead. The major part of the Federal Government's role in helping meet this need for change should be to provide adequate funding. It should be up to the institutions themselves to determine the directions that these changes will take.

Fifth, career education provides a necessary and desirable dimension to higher education, yet it is substantially more expensive for an institution than traditional academic courses. The Federal Government should recognize its responsibility to encourage quality career education, particularly through the development of comprehensive community colleges.

The achievement of comprehensive education legislation is a demanding but vital task. I believe the higher education legislative package introduced today gives us an excellent foundation from which to proceed with this task.

LEGISLATION PROVIDING COMPREHENSIVE IMPROVEMENTS IN THE SOCIAL SECURITY SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. MINISH) is recognized for 15 minutes.

Mr. MINISH. Mr. Speaker, a recent study has disclosed that 1 of every 4 Americans 65 years of age and over now is forced to live on a poverty-level income. This distressing survey, by the Senate Special Committee on Aging, also found that both the number and the proportion of aged poor have been growing in recent years.

In an effort to meet the pressing problems of our Nation's senior citizens, I am today introducing legislation providing for comprehensive improvements and reforms of the social security system.

Among the major provisions of my bill are the following: a 15-percent increase in social security benefits retroactive to January 1, 1971; a mechanism to provide automatic adjustments in benefits as the cost of living rises; an increase in the minimum benefit from $64 to $100 for single individuals, and from $96 to $150 for a married couple; eligibility for medicare for all disabled beneficiaries; permission for benefits to be paid to a married couple on their combined wage record; an increase in the earnings limitation from $1,680 to $2,500; coverage of prescription drugs under medicare; and a requirement that such drugs be furnished on a generic basis.

Mr. Speaker, the President has seen fit to recommend only a 6-percent increase in all social security benefits including the minimum payment level. His position is very disappointing to me and, I am certain, to America's 26 million social security beneficiaries. Such a meager increase is clearly inadequate at a time when the cost of living has been rising at an almost unprecedented pace. I believe the Congress has an obligation to our senior citizens to do more than simply allow them to "catch up" with the rest of the Nation. The 15-percent increase contained in my bill is the least we should enact for this most deserving segment of our population.

Inflation exacts its harshest toll on our elderly citizens. A partial solution to the dilemma of living on a fixed income while prices soar may be found in another section of my legislation. I refer to a mechanism whereby social security benefits would be automatically increased annually by an amount equal to the yearly rise in the cost of living. In this manner, we will insure that the elderly will be able, at the very least, to keep pace with our inflationary economy. However, just keeping pace is obviously not sufficient and the enactment of this provision should in no way preclude the need for periodic general increases in social security benefits.

Americans over 65 presently spend three times as much on drugs as younger persons. The health bill in 1969 for the over-65 group averaged $692, 2½ times that for the 19-to-65 age bracket. Yet, medicare currently pays less than half the health costs of the elderly.

Two related provisions of my bill concern the ever-increasing cost of drugs for senior citizens. The first would cover the cost of all prescription drugs under the medicare program, thereby greatly reducing the health care burden for older Americans. A second provision would require the furnishing of such drugs on a generic rather than a brand-name basis, thereby resulting in substantial savings to the Government.

Mr. Speaker, through the prompt enactment of this legislation we will help to lift our senior citizens from the second-class status to which they have been relegated by years of indifference and neglect. I hope that this measure will receive the enthusiastic endorsement of all Members of Congress.

PROPOSED REMOVAL OF 4½-PERCENT INTEREST RATE CEILING FOR CERTAIN LONG TERM GOVERNMENT OBLIGATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, I feel compelled to step forth today in strong opposition to the Ways and Means Committee's approved proposal to remove the 4½-percent interest rate ceiling for certain long-term Government obligations.

I have long been a member of the Low Interest Rate Steering Committee because of the obvious corrosive effects that high interest rates can have on our economy. Having been burnt, and still stinging from the high-interest policies imposed on our country, it seems somehow unwise for us to "ask for more of the same" by encouraging high-interest rate policies in promoting today's legislation.

For 53 years the Congress has mandated a 4½-percent ceiling on long-term Government bonds. For 53 years the Congress has stood fast to the standard of low-interest rate policy, which serves as an anchor and an incentive for debt managers to seek lower interest rates. And now, at a time when we should least encourage higher interest rates, we are asked to remove this check so that the debt managers can be free to impose any kind of charge on the American taxpayers. And though the removal of the ceiling is only "partial"—for $10 billion—we are not blind to the ease with which subsequent extensions will likely follow.

So, let us look to see why the Treasury Department and the present administration are pressing the Congress to abandon its longstanding policy.

Could it be because Treasury is unable to sell its bonds at the present rates? No, Treasury can borrow at rates well below 4 percent at the present time. Practically, the short-term bonds have been used to finance the deficit during periods of high interest rates; and during low rates, the longer term obligations for 30, 40, and 50 years, have been used—similar to the sound business practices followed by the private sector.

Could it be because there is not sufficient flexibility under the present system for difficult periods of attracting bondbuyers? No, Treasury has the authority to increase the rates in short-term bonds. It seems much more beneficial to the taxpayer to allow this emergency valve, rather than to open up the throttle and allow high interest rates to be paid for longer periods of time. Without the interest-rate ceiling, Treasury would have already obligated its taxpayers for the higher rates, thereby locking them in for generations to come.

I wholeheartedly agree with our illustrious and knowledgeable colleague, Chairman PATMAN, that we should continue to make it "difficult for the Federal Government to gouge the taxpayer," and stand by our convictions.

In light of the possible increase in the national debt to $435 billion, and the obvious tremendous impact that higher interest rates will have on the other interest rates in our economy, I see no alternative but to defeat this proposal today, just as we did during the Eisenhower administration.

REPRESENTATIVE MIZELL REINTRODUCES LEGISLATION PERMITTING LEASE AND TRANSFER OF BURLEY TOBACCO ALLOTMENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MIZELL) is recognized for 5 minutes.

Mr. MIZELL. Mr. Speaker, I rise at this time to reintroduce legislation permitting the lease and transfer of burley tobacco allotments within a 10-acre limit.

I introduced this legislation in the last Congress, and the House responded by passing the bill by an overwhelming margin. I ask for the same response from the 92d Congress.

To briefly recount the features of this bill, I shall begin with its basic purpose, and that is to afford the same treatment to burley farmers that other tobacco growers now enjoy.

Many of the burley growers in my district in North Carolina, as well as in other parts of the State, do not have the labor or the facilities to fulfill their tobacco allotments.

My bill will give these persons the opportunity to make money by leasing their allotments to other growers in the same county.

When a leasing arrangement is made between farmers in the same county, the crop from the leased land will be considered as having been produced on the original cropland. This provision will protect future allotments, as well as referendum voting rights.

Leases, which may be binding for up to 5 crop years, must be filed with and approved by the County Agricultural Stabilization and Conservation Committee. Only farmers who already have burley tobacco allotments will be eligible to lease other allotments.

I urge my colleagues to lend their support to this legislation. At last, it will provide fair treatment to our burley growers and will require no additional Federal funds to be enacted.

The burley growers of North Carolina need this legislation. They have asked for such legislation for years, and they are anxious for a reply from this Congress. I ask that that reply be a positive one.

DEFICIT SPENDING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. WILLIAMS) is recognized for 15 minutes.

Mr. WILLIAMS. Mr. Speaker, President Nixon's fiscal year 1972 budget calls for spending $229.2 billion with a $11.6 billion deficit. Mr. Nixon calls this a "full employment budget in which spending does not exceed the revenues the economy could generate under the existing tax system at a time of full employment." If we are to spend at a "full employment" rate, it is imperative that we tax at a rate to cover the cost of this budget without deficit spending.

Our economy cannot survive continued deficit spending. National debt interest is our third largest budgetary item, exceeded only by defense and welfare. It will become the second largest item in fiscal year 1973 when it will substantially exceed $30 billion.

Meanwhile, in fiscal year 1972, which begins July 1, 1971, national debt interest will exceed $26.4 billion. This includes $5.3 billion in interest paid on money borrowed from the various Federal trust funds. This interest payment comes from your Federal tax dollars. It is a fantastic increase over the $10.5 billion paid in interest on the national debt in fiscal year 1962. Of this interest $1.4 billion was paid to the trust funds in fiscal year 1962.

Of the myriad of trust funds, 10 are major in character. They include those for social security, Federal employees' retirement, and the highway system. In fiscal year 1972, all of our trust funds should contain a total of $115.8 billion. However, the Federal Government has borrowed $110.5 billion from these trust funds to cover deficit spending. Had this money been invested in positive ventures, it would have produced a yield of at least 6 percent, which would not have been taken out of taxpayers' pockets. That would have strengthened the trust funds, increased their value, and made it unnecessary to raise taxes to pay interest on trust fund money borrowed to cope with deficit spending. Deficit spending must stop.

BANKPAC

The Special Committee To Investigate Campaign Expenditures now verifies that I did not receive a 1970 campaign contribution from Bankers Political Action Committee. It says unsolicited BankPAC checks were mailed "to a member of the association in the immediate area of the candidate," and that an unsolicited check intended for my campaign was mailed from Memphis, Tenn., "to a banker in Pittsburgh." Pittsburgh, nearly 300 miles from Springfield, is hardly in my "immediate area." BankPAC seemed as malinformed, geographically, as in presuming I wanted a contribution.

Noting that I "won reelection by a substantial margin," but that the effect of BankPAC's action "could have been devastating," the Investigating Committee recommends that the Committee on Standards of Official Conduct prepare strong legislation to prevent a repetition of this lobbyist action. I am a member of this committee, and you can be assured that this legislation will be developed.

VIETNAM PROGRESS

For many years, the North Vietnamese Communists have been sending troops and supplies into South Vietnam down the Ho Chi Minh Trail through Laos and Cambodia. After the United States-South Vietnamese incursion into Cambodia ended the Communists' use of Sihanoukville, Cambodia, as a major supply port, the trail became all the more vital to the Communists' aggression. On February 8, 1971, U.S.-backed South Vietnamesse forces moved into Laos to cut that route.

This was vital to the Nixon schedule for reduction of U.S. forces in South Vietnam to no more than 284,000 by June 1971; with those men removed from combat roles. This will represent great progress from conditions in January 1969, when, in assuming the Presidency, Richard Nixon found more than 540,000 U.S. troops enmeshed in an escalating war in South Vietnam. This progress will be continued in April 1971, when Mr. Nixon announces further withdrawals. Meanwhile, it must be remembered that the Communists are the Indochina aggressors. Not one square inch of Communist territory has been threatened. These facts should be kept firmly in mind when considering wild charges by the North Vietnamese, their allies, and some Americans.

SOCIAL SECURITY

Social security has more benefits than many people realize. Benefits include help with hospital bills when social-security-covered workers and certain dependents reach 65. Also available is voluntary medical insurance, medicare, through which persons 65 or older may receive help in paying hospital and doctors' bills and other medical expenses. When a worker's earnings stop or are reduced by disability or retirement, monthly cash payments will be forthcoming. When he dies, lump sum payments may be made to survivors. Monthly payments can go to certain dependents when he is retired or disabled, or when he dies.

For example: A retired worker 65 or older or a disabled worker under 65 can receive a maximum monthly payment of $250.70, if the worker had the maximum of $7,800 to his credit. A retired worker at 62 can receive as much as $200.60

monthly. A dependent child of a retired or disabled worker can receive payments of up to a maximum of $125.40 monthly. A widow under 62 with two or more children can receive up to $434.40 monthly. Obviously, each case is different and must be determined accordingly.

You may lose benefits if you wait too long to apply for social security benefits. If at any time you even think that you may be eligible for social security benefits, call the Social Security Administration office in Upper Darby, 6801 Ludlow Street, FL 2–2360, or write to my Washington office, so that you do not risk losing what is properly yours by law.

WELFARE PROGRAMS

President Nixon's budget for fiscal year 1972 calls for a total expenditure of more than $35 billion for welfare programs. Welfare programs have done much to destroy the very fiber upon which the United States was built. They have inspired people to migrate to joblessness in big cities, where welfare payments are more readily available, from rural and small urban areas where jobs were available. They have broken up families, increased the number of dependent children in fatherless homes and intensified problems they were designed to solve. The more welfare benefits are increased to provide adequate living standards the more some persons will refuse to work. Thirty percent of those who participated in job-training programs in Philadelphia said they would not accept job interviews. Of the 70 percent who said they would accept job interviews, 40 percent failed to report for them.

We have a responsibility to care for the aged, the blind, and the mentally and physically infirm. But we should phase out other welfare programs in favor of an employment plan sponsored by the Federal, State, and municipal governments in cooperation with private business and industry. Using Federal minimum wage standards as a base, such a program would assure all families of an income well above the current level of poverty.

MINORITY STAFFING

The Legislative Reorganization Act of 1970 made major changes in the congressional operation for the first time in 40 years. I supported this as an enlightened effort to modernize that operation. One provision provided that the minority members of all House standing committees be assigned one-third of the committee's investigative staff. However, on January 22, 1971, the day after the 92d Congress convened, the House Democratic majority, in a questionable procedure, eliminated the provision from the rules of the House. The Republican minority was thereby denied proper development of "the other side" of legislative questions.

SENIORITY REFORM

House Republican rules now make it necessary for Republicans to vote automatically and secretly on the qualifications of each ranking senior Republican member of the committee on which they serve. If the ranking Republican fails to gain the majority of these votes, the Republican committee on committees must select another name. House Democrat procedure permits a vote on a committee chairman's qualifications only upon demand of 10 members at a meeting of the Democrat caucus. It is extremely difficult to get 10 members to demand a vote on the qualifications of a committee chairman whose powerful position affords him numerous means of retaliation against those who seek to unseat him.

AEC PROPOSES TO DUMP ATOMIC WASTE IN KANSAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. Skubitz) is recognized for 5 minutes.

Mr. SKUBITZ. Mr. Speaker, the Atomic Energy Commission has proposed that some 1,200 acres of land near Lyons, Kans., be set aside for the construction of a depository in which nuclear wastes from private powerplants would be permanently stored.

The proposal, which has been included in budget proposals sent to Congress, has raised considerable controversy throughout Kansas and indeed in many other parts of the United States. Persons concerned with environmental pollution are protesting the burial within the continental United States of deadly radioactive wastes that will continue to emit fatal levels of radioactivity for 100,000 years or more.

I ask that as part of my remarks there be included newsstories and editorials that have appeared in various newspapers throughout Kansas and elsewhere. Following these newspaper comments, I ask that there be printed the text of a February 12, 1971, letter from me to Gov. Robert Docking of Kansas, the text of Governor's Docking reply of February 20, and my response of February 25 to the Governor.

The material follows:

[From the New York Times, Feb. 17, 1971]

Kansas Geologists Oppose a Nuclear Waste Dump

(By Anthony Ripley)

Topeka, Kans., February 16.—A state geological report, sharply critical of plans to build a permanent nuclear waste dump in a central Kansas salt mine, was made public today amid rising opposition to the project.

The report, submitted to Gov. Robert B. Docking last December by the State Geological Survey, said the Atomic Energy Commission's Oak Ridge National Laboratory and the staff of the A.E.C. had "exhibited remarkably little interest" in studying the effects of radiation and heat on the salt.

Plans for the transportation of radioactive waste across the state to the burial site are "completely inadequate," the report states, and plans for removing the radioactive substances if something should go wrong "do not exist at all."

The report was made public by Ronald H. Baxter, chairman of the Kansas Sierra Club. It came to light as Representative Joe Skubitz, a Kansas Republican, asked Governor Docking to join him in opposing a $3.5-million appropriation requested from Congress by the A.E.C. to purchase 2,000 acres of land at Lyons, Kans., and begin preliminary architectural and engineering work.

The Federal agency is also requesting authorization for $25-million for the entire project.

"The fact is," Representative Skubitz wrote the Governor in a letter that arrived in Topeka this afternoon "that however the Atomic Energy Commission may phrase it semantically, a part of Kansas is proposed as a dump for the most dangerous garbage in the knowledgement of mankind. A dump is a dump no matter how the garbage is packed.

Governor Docking's office reported that he had received the letter but had not yet read it.

John A. Erlewine, assistant general manager for operations for the A.E.C. said in a telephone interview in Washington that he had gone over the whole matter in detail with Representative Skubitz on several occasions and had apparently been unable to satisfy the Congressman's objections.

He said that the A.E.C. had worked on all the problems cited in the geological report and suggested that some areas in which the A.E.C. was charged with exhibiting "little interest" were subjects it had already studied. He said those subjects had not been gone over again in detail "perhaps because there isn't any reason to be concerned."

The A.E.C. plans to take radioactive wastes from the nation's nuclear power plants, draw off the liquid and form the residue into ceramic blocks that would be encased in steel capsules for transportation. Once moved to Lyons, they would be inserted by remote control into holes drilled in the underground salt.

The capsules would be extremely hot with outside temperatures of 200 to 400 degrees centigrade and temperatures inside capable of reaching 1,800 degrees. The heat is generated by the decay of radioactive materials.

Because many of the radioactive products are extremely long lived, the storage site would have to be maintained for thousands of years.

Each of the ceramic blocks is expected to contain about 10-billion rads of radioactivity. Rad is an acronym for radiation absorbed dose and is a common measurement of the strength of radioactivity. The present yearly dose of radioactivity approved for the general public is 0.17 rad.

Mr. Erlewine said the central Kansas site had been chosen because of its great geologic stability. A 1966 report by the National Academy of Sciences and the National Research Council said the present four major A.E.C. sites where highly radioactive wastes are stored are located in four geological locations.

Most of these wastes are now stored in liquid form in giant tanks that boil with radioactivity.

Mr. Skubitz asked for the support of the Kansas Legislature and the entire Kansas delegation to Congress.

"The Federal Government cannot compel a sovereign state to do itself and its citizens possible irreparable injury if its officials refuse to be stampeded and bow to Federal pressure," he wrote Governor Docking.

He said that instead of transporting nuclear wastes to Kansas, which he said was "less convenient," he suggested using salt mines in Michigan, Ohio, Pennsylvania or other places closer to the nation's presently operating 17 nuclear plants.

[From the Parsons (Kans.) Parsons Sun, Feb. 19, 1971]

Skubitz' Battle

True to the traditions of his native Kansas Balkans, Rep. Joe Skubitz has fought many scraps in his time, but none may be as important as one which finds him raining blows on the Atomic Energy Commission.

The AEC proposes to dump the nation's atomic wastes into an old salt mine near Lyons, in central Kansas, and Skubitz has turned into the leading congressional critic of the plan although the site is not in his district.

Scientists are uneasy about the scheme. They say the AEC has given it only cursory study and does not know or cannot foretell the ultimate consequences of storing live radioactive material underground—particularly since the wastes will remain "alive" for the next 500,000 years.

While Gov. Robert Docking conceivably still could be in office by the end of that time, the state GOP having failed to recoup and regroup, few of the rest of us will be around, alive and kicking. Skubitz is engaged in a monumental struggle, both for the present and countless future generations.

It is noteworthy that the greatest wastes will be produced in New York, Ohio, Pennsylvania and Michigan, which have atomic power plants and also abandoned salt mines. Transportation of the highly hazardous materials could be eliminated if mines much closer to the source were utilized.

But the AEC doesn't want to do that. It chooses instead the Lyons mine, presumably because the population hereabouts is much thinner and fewer persons will be subject to risks if the whole fantastic project were to blow up one day. Kansas nevertheless puts a high value on human life, even if the state lacks the concentration of it that exists elsewhere.

If it hasn't tumbled yet to the fact, the Atomic Energy Commission will find that it is tangling with a buzzsaw in Skubitz. Once he has chosen his target and his ammunition, Skubitz is a hard man to dissuade or defeat.

In challenging a hitherto sacred cow among federal bureaus and indeed of American life in general, Skubitz not only is waging a battle for Kansas but probably for the whole nation. He is questioning dubious premises on which the AEC has staked momentous gambles that extend far beyond lyons mentous gambles that extend far beyond Lyons modest municipal limits.

[From the Chanute (Kans.) Tribune, Feb. 22, 1971]

THE EAGLE'S CRY

Congressman Joe Skubitz spent nine months researching the questions arising from the Atomic Energy Commission's plan to store atomic wastes near Lyons.

The further he dug, the more convinced Joe became that Kansas was designated an atomic dump not because it would be safe, but rather because it would be the easiest way out. If the AEC tried to store the wastes near populated areas, people would object. So ship it to the bumpkins in Kansas.

Thanks to our Congressman, the plan may be blocked. At least until it is proven safe beyond all reasonable doubt.

When you consider that Lyons is not within his district, it seems an exemplary thing. He deserves the thanks of all. But wait.

At this point in steps The Wichita Eagle. "Such questions should be understood by the public not as positive dangers but as potential hazards postulated by geologists whose duty it is to imagine every possible thing that could go wrong. It would only hinder the search for answers if every Kansan got as hysterical as has Rep. Joe Skubitz of Pittsburg who represents southeast Kansas not the central area in which Lyons is located."

Maybe nine months of research strikes the high-flying Eagle as hysterics, but others should see it as responsible inquiry.

And since when are atomic wastes not positive dangers? If The Eagle writers postulate that they are something less, they might stump to locate the dump in Wichita.

As for telling Skubitz to mind his own business, since when did the interests of Kansans change at the lines drawn for congressional districts? (When stumping for the SST, The Eagle suggests all Kansas would benefit.)

It's hard to understand this slap at Skubitz. He deserves gratitude. The Eagle not withstanding.

[From the El Dorado (Kans.) Times, Feb. 18, 1971]

JOE FIGHTS "DUMPING" PLAN

Rep. Joe Skubitz is the sworn enemy of the plan to make "Kansas the dumping ground for deadly atomic wastes" of nuclear plants in various parts of the country.

The Atomic Energy commission has proposed, and is making plans, to bring in this waste from places where it is now stored and bury it in layers of salt about a thousand feet underground near Lyons, Kansas. That area is not in Joe's Kansas Fifth district, but he submits he has a responsibility as a Kansas congressman to deal with federal actions that affect and concern our state. Therefore, he has addressed a long letter setting forth his position to Governor Docking, to the two Kansas senators and other congressmen and to other officials.

Joe has done his home work well and makes a number of points for his side of this controversy. In reference to a letter which Dr. Glenn T. Seaborg, chairman of AEC, wrote to the Wichita Eagle, Joe quotes him as saying that the Lyons site will not be a national "dumping ground." The wastes will be "carefully packaged, and will be emplaced within the repository in a very precise manner, carefully recorded and surveyed," he wrote.

To this statement, Mr. Skubitz retorts: "But wastes are wastes whether they are garbage in plastic bags or 1800 degree radioactive blocks in stainless steel containers carefully packaged or not. And the danger of pollution to the air above and the water below will continue to exist for a half million years, the period Dr. Seaborg says the waste will remain dangerously radioactive for all living things."

This is a fair sample of Joe's hard-hitting. The late Sen. Andrew F. Schoeppel was bitterly opposed to dumping wastes in Kansas but did not go into the subject as deeply as Joe Skubitz has done. Joe is a fighter and if the AEC succeeds in placing its wastes underground at Lyons, it will figuratively be over Joe's dead body.

[From the Chanute (Kans.) Tribune, Feb. 18, 1971]

RIGHT ON, JOE!

Congressman Joe Skubitz has looked a proposed federal gift horse in the mouth and suggests that it be pastured outside Kansas.

To which we say, right on, Joe.

Rep. Skubitz wanted more information than was offered when the Atomic Energy Commission proposed storing atomic garbage in salt fields outside Lyons in central Kansas. Considering that the atomic wastes will be lethal for a half-million years, assurances indeed should come from first-hand information rather than from those looking for a dumping ground.

To begin with, the wastes are from privately owned nuclear power plants. If salt beds are safe for storage, Skubitz asks, why not use larger beds closer and more convenient to the reactors?

He suspects Kansas is "honored" because we won't object. Storing poisonous wastes is a touchy thing in the areas where the power plants operate.

And what about transporting by train these wastes that are 1,800 degrees hot? Our Congressman remembers the derailment at Melvern last fall, and asks what's to prevent it happening with nuclear poisons. The AEC promises to be working to reduce the likelihood of a rail accident.

That's a good idea. It could best be carried out by storing the atomic wastes in the salt deposits in Michigan, Ohio, Pennsylvania and New York. That's where the waste is created, that's where it should be stored if salt beds are safe.

Skubitz objects to turning Kansas into an atomic junkyard for the convenience of power companies on the eastern seaboard. So should all Kansans.

[From the Wellington (Kans.) Daily News, Feb. 17, 1971]

SKUBITZ AGAINST MAKING KANSAS A GARBAGE DUMP

TOPEKA, KANS.—"A part of Kansas is proposed as a dump for the most dangerous garbage in the knowledge of mankind," Rep. Joe Skubitz, R-Kans, said in a letter to Kansas' governor, which was made public Tuesday.

Skubitz said he has spent nine months studying plans of the Atomic Energy Commission (AEC) to store waste nuclear material in abandoned salt mines near Lyons in central Kansas.

The congressman's letter to Gov. Robert Docking was made public by the Kansas chapter of the conservation-oriented Sierra Club. The club also disclosed a study completed early in December by the Kansas Geological Survey, which raised equally serious questions about the safety of the AEC project.

Skubitz said he felt the project is "a convenience for privately owned utility corporations operating nuclear power plants who are seeking a cheap means of disposing of dangerous wastes away from their own populated areas."

Congress is being asked to provide $3.5 million this year and an eventual total of $25 million for the Lyons repository, Skubitz said. He told Docking Kansas should oppose the authorization at the hearing on the money request, adding "The AEC tried Idaho and that state's senators came in with a loud 'no.'"

The geological survey report said the AEC has shown little interest in studies of radiation damage and a heat flow problem.

The survey said various interaction around the project "could be responsible for breaking the seal of overlying rocks and permitting entry of surface or subsurface waters."

[From the Coffeyville (Kans.) Journal, Feb. 17, 1971]

IN LETTER TO DOCKING: SKUBITZ BLASTS AEC DUMP

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Dangerous In Transit

PORTLAND, OREG.—A research executive for some facilities at the Hanford Atomic Works said Tuesday, in discussing disposal of nuclear wastes, "I don't like the thought of subjecting people to the possible hazard of radioactive salts all the way from here to Kansas by truck or rail."

R. E. Tomlinson, manager of research and development for the Atlantic Richfield Hanford Company, said company engineers are studying the possibility of drilling a tunnel into the basalt underlying eastern Washington.

Wastes have been accumulating in underground storage at Hanford for 25 years, he said and are so vast that to move the high-level solids to the Lyons repository would take a string of trucks spaced 10 minutes apart, moving continuously at 60 miles an hour for five years to complete the job.

"I don't like the odds," he said.

Tomlinson said the suggested tunnel would have to be 20 feet in diameter and 17 miles long to handle past accumulations and future wastes in Washington.

If preliminary studies are favorable, he said, "we will be ready to sink an experimental shaft and dig a cavern about 1978 or 1980." The tunnel would be at about the 3,500-foot level underground and cost perhaps $5 billion, he said.

[From the Chanute (Kans.) Tribune, Feb. 17, 1971]

Skubitz Opposed To Nuclear Dump

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[From the Caney (Kans.) Chronicle, Feb. 18, 1971]

Skubitz Knocks Waste Idea

Plans of the Atomic Energy Commission to convert an area near Lyons, Kan., as a permanent dump for atomic wastes have come under heavy fire of Congressman Joe Skubitz.

He has written to Governor Docking, all members of the Kansas Legislature, and the Kansas congressional delegation in Washington urging united action to block the plan.

He said he has made an intensive, six-month study of the idea of using salt mines as a repository for atomic waste. He said atomic garbage attains the heat of 1800 degrees and will be a danger of pollution to the air above and the water below for half a million years.

In his letter, Skubitz says:

"Atomic wastes produce high levels of heat, dangerous levels of radiation and the potential for a kind of horrible air, ground and water pollution that is beyond the present ability of mankind to control.

"Since we are dealing here with wastes that will remain dangerous for a half million years, who can be sure that underground water sources in adjacent Kansas, indeed in the entire midwest lower river basins, will not eventually become radiation-contaminated?

Certainly, the Kansas Geological Survey suggests this possibility."

[From the Iola (Kans.) Register, Feb. 17, 1971]

Not at Lyons, Nor Anywhere

Yesterday Rep. Joe Skubitz was quoted at length in opposition to using the salt mine caverns around Lyons as a dumping ground for atomic waste.

His arguments are impressive. The waste involved has a deadly "life" of 500,000 years. It would be dangerous to any living thing for that period of time if not shielded.

Skubitz also stressed the obvious hazard involved in moving the material from the atomic energy plants on the East Coast to Kansas by rail to the proposed Lyons dump. Why take this risk?

The Fifth District Congressman stopped his arguments short. Until scientists find a way to deactivate such waste—if deactivation is within the realm of possibility—can we justify producing it at all?

How can we guarantee to ourselves and to generations yet unborn that any method of storage can be devised which would remain secure over half a million years?

Who is to say that earthquakes, volcanic eruptions or other natural massive shifts of land and water would not release deadly radioactivity wherever such wastes were stored?

The congressman's research should not only persuade Kansans to decline the opportunity to become the nation's atomic dump ground but also provoke new studies on a wider question: Does this generation have any right to produce atomic wastes which pose a threat to the next 17,000 generations?

The answer to the question must be a quick negative. It's time to re-evaluate the atomic waste question, using the future safety of the race, not the immediate economic needs of a few, as the yardstick.

[From the Iola (Kans.) Register, Feb. 22, 1971]

We're Producing Time Bombs

Speaking of the proposal to dump radioactive waste in the saltbeds near Lyons, the Wichita Eagle said Sunday:

"It would only hinder the search for answers if every Kansan got as hysterical as Rep. Joe Skubitz, who represents Southeast Kansas, not the central area in which Lyons is located.

"Skubitz has demanded that the governor, without further question, oppose the installation as making 'Kansas an atomic garbage dump.' That's catchy, but quotable phrases aren't what is needed to decide this serious matter.

"What is needed is a full set of answers from the Atomic Energy Commission. And they should be made public as soon as the state receives them."

Joe Skubitz made his argument against storing atomic waste in Kansas after spending nine months trying to get the AEC to give him assurances that the proposal was absolutely safe.

This hardly qualifies as an "hysterical" decision.

The State Geological Survey report on the AEC plan is negative. Our resident experts believe some radiocativity could pollute underground water which would then flow to the surface and be dangerous.

AEC representatives could not persuade either the Kansas geologists or Rep. Skubitz such catastrophes were beyond the realm of possibility.

Scientists tell us the wastes which would be stored would be lethal for the next half million years.

It is utterly incredible that any sane individual would undertake to guarantee that nothing could happen within 500,000 years that might not release this deadly substance from its storehouse.

If the material can be put underground by man, then other men 20 generations from now—a mere 600 years—could dig into it searching for minerals or building an underground city against some unknown threat and die, victims to our callousness.

Is Lyons and that area forever safe against earthquakes or volcanos? How can anyone be certain? And isn't certainty required when we are talking about a length of time many times greater than the total span of civilization to date?

Our responsibility for the atomic wastes we are generating lasts as long as the material is deadly, not just for the future we can foresee. It would seem very much to the point to start a crash program on ways to defuse these bombs before we bury them.

At the very least, it would only seem prudent to insist that no wastes be produced which would remain lethal longer than the generation which produces them can be certain that their location and the nature of the threat they pose would remain known.

We have no way of knowing that such information can be preserved for more than a very few generations.

Far from being hysterical, Joe Skubitz appears to be one of the few in a position of responsibility in Kansas who is looking at this question clearly. He should be congratulated, not put down, for speaking to the issue.

[From the Kansas City (Kans.) Star, Feb. 21, 1971]

Docking Hedges on Salt Mine Plan

TOPEKA.—Gov. Robert Docking said yesterday that if there are any questions that the proposed radioactive disposal site near Lyons, Kas., poses any potential danger to the lives, health and safety of Kansas citizens, or to future generations of Kansans, he will not hesitate to use all the powers of the governorship to halt the project.

Docking's comments were in a letter to Rep. Joe Skubitz (R-Kas.) who had told the governor he believes the state should oppose the athorization of money for the Lyons repository.

"I have not come lightly to this decision to oppose," Skubitz told Docking. "It is the end result of more than nine months of combing of available facts."

Skubitz said his probe into the Atomic Energy commission plan to store the country's nuclear waste materials in the abandoned salt mines at Lyons led him to the conclusion that ". . . a part of Kansas is proposed as a dump for the most dangerous garbage in the knowledge of mankind . . ." and that ". . . the AEC is itself far from certain of the safety of its proposed procedures for burying this atomic garbage."

Docking said interim reports from the State Geological Survey raise serious questions with respect to heat problems, water circulation, radiation-damage effects, subsidence and shear of rocks over the site, retrieval of radioactive wastes and transportation.

"The State Geological Survey regards these problems as extremely critical to the safe storage of radioactive wastes at the Lyons site and expresses concern that the staff of the Atomic Energy commission has demonstrated remarkably little interest in these problems," Docking said. "AEC and Oak Ridge staff members attribute failure to undertake appropriate studies to a lack of funds.

"It will be outrageously incongruous the Atomic Energy commission has no funds to support studies costing several hundred thousand dollars per year which will provide answers we seek, but is requesting an authorization of 25 million dollars for conversion of the Lyons site into a permanent repository. I am convinced that all the recommended studies are feasible, possible and can be completed before mid-1974."

[From the Kansas City (Kans.) Star, Feb. 21, 1971]

Kansas Dubious on AEC Wastes

WASHINGTON.—What once looked like an easy way to get rid of the nation's growing stockpile of deadly radioactive wastes—dump them in the Kansas salt beds—is rapidly turning into another environmental nightmare.

Scientists are tearing apart the Atomic Energy commission's bland assurances that burial in the salt mines of Kansas will be completely "safe."

They've discovered, for one thing, the AEC doesn't have the vaguest idea of how the wastes, which will give off 1,800-degree heat as well as intense radiation, will react with the salt. No one has determined if they could end up polluting water and air by melting or cracking through the salt.

Nor has much study gone into other long-term effects of dumping tons of radioactivity into one place—material that by most estimates would remain dangerously "hot" for 500,000 years.

In the opinion of some Kansans, the AEC's lack of research smells of one thing: Expediency.

"The AEC is in a bind," says an aide to Rep. Joe Skubitz (R-Kans.), an opponent of the dumping plan. "They are holding this radioactive waste in liquid form in temporary vats and the vats will soon wear out. They've got to get rid of it and the salt mine in Kansas is the only place they've studied.

Skubitz, who is trying to kill the 25-million-dollar project by stopping a 3.5-million-dollar down payment appropriation, points out that vast underground salt beds exist all through Michigan, Ohio, Pennsylvania and New York—states where many of the existing or proposed nuclear power plants which generate the waste are situated.

If those beds were used, he says, the danger of hauling the hot cargo all the way to Kansas could be avoided—that is, if such burial is really safe. The AEC has indicated to Skubitz it is skittish about dumping the waste near Detroit with its large population in case of an accident.

How then could it be safe for Kansas? The answer seems to be the proposed national "repository"—as the AEC prefers to call the dump—would be near a small town, Lyons, Kans., with a population of fewer than 5,000 that could be easily evacuated.

What really bothers Skubitz is that most of the wastes would come from privately owned reactors. The AEC, he says, will be subsidizing their disposal at the expense of Kansas, which doesn't have a single nuclear power plant.

"The federal government does not subsidize waste product handling for private non-nuclear power?"

The lawmaker also is wary of wastes getting loose in a railroad accident, noting the town of Malvern, Kans., was nearly wiped out in a non-nuclear rail pileup last year.

The AEC proposes to transport the wastes, after removing the liquid, in steel cylinders imbedded in 100-ton ceramic blocks to prevent radiation exposure to the public. Each block would contain some 10-billion rads of radioactivity—enough to kill everyone in the nation if dispersed in the air.

The cylinders are to be lowered 1,000 feet below the surface of the Lyons mine and dropped by remote control in holes bored in the salt.

Scientists of the Kansas Geological Survey say the AEC expects the 1,800-degree heat to melt away the cylinder casings in about six months so the wastes will begin working directly on the salt.

At present, they say there is no information as to what will happen next. But there are fears the cylinders could melt right through the salt or the waste could react with minute amounts of water in the salt and cause an explosion that would vent radioactivity to the surface.

The AEC has told the state's geologists the heat over a period of time will raise the temperature of the surface only one degree. But the Kansas scientists dispute this, saying it could rise 13 degrees and change the surface environment considerably. Again, no one is certain.

Opposition to underground burial of nuclear wastes already has stymied the AEC in Idaho and Washington. The suspicion here is that if Kansas also defeats the plan, no state will ever buy it and the AEC will have to go elsewhere.

This would spell big trouble for the struggling nuclear power industry, which already has had many plants held up because they would inflict other types of environmental damage. Without waste disposal they can't operate.

Meantime, there is the matter of the AEC's temporary storage vats containing 80 million gallons of radioactive "soup." They are deteriorating every day.

[From the Parsons (Kans.) Sun, Feb. 18, 1971]

Wastes in Kansas Salt Mine: Skubitz Fights an Atomic Nightmare

(By William E. Howard)

WASHINGTON.—What once looked like an easy way to get rid of the nation's growing sea of deadly radioactive wastes—dump them in Kansas' salt beds—is rapidly turning into another environmental nightmare.

Scientists are tearing apart the Atomic Energy Commission's bland assurances that burial in the state's salt vaults will be completely "safe."

They've discovered, for one thing, the AEC doesn't have the vaguest idea of how the wastes, which will give off 1,800-degree heat as well as intense radiation, will react with the salt. No one has determined if they could end up polluting water and air by melting or cracking through the salt or triggering an explosion.

Nor has much study gone into other long-term effects of dumping tons of radioactivity into one place—material that by most estimates would remain dangerously "hot" for the next 500,000 years.

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How then could it be safe for Kansas? The answer seems to be the proposed national "repository"—as the AEC prefers to call the dump—would be near a small town, Lyons, Kan., with a population of less than 3,000 that could be easily evacuated.

What really bothers Skubitz is that most of the wastes would come from privately owned power reactors. The AEC, he says, will be subsidizing their disposal at the expense of Kansas which doesn't have a single nuclear power plant today.

"The federal government does not subsidize waste product handling for private non-nuclear plants. Why then should it do so for private nuclear power?"

The lawmaker also is wary of wastes getting loose in a railroad accident, noting the town of Melvern, Kan., was nearly wiped out in a non-nuclear railroad pileup last year.

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[From the Iola (Kans.) Register, Feb. 16, 1971]

Skubitz Argues Against Disposal of Atomic Wastes in Kansas

Opposition to dumping atomic wastes in the saltbeds around Lyons was voiced late last week by Rep. Joe Skubitz in a lengthy letter addressed to Gov. Robert Docking.

Copies of the letter were mailed to the other congressmen and the senators representing the state in Washington, as well as to the press.

Urging Governor Docking to oppose the plan, Representative Skubitz said:

". . . The Atomic Energy Commission proposes to ship into Kansas 80 million gallons of radioactive 'soup.' This is a waste product from privately owned nuclear power plants. For transport and burial purposes, the waste is converted into solid blocks. These blocks are 1,800 degrees in temperature and will remain hot for hundreds of years.

"When Kansas was first suggested as the national dump for atomic wastes the State's Geological Survey and I promptly asked that the AEC initiate extensive studies on geologic stability. I asked that transportation risks be carefully analyzed. I asked for a survey of alternate sites in more remote areas of the globe, not just in the United States.

"If the AEC studies and investigations and surveys have been made, they have, like so many other Atomic Energy Commission affairs, been kept a deep, dark secret.

"In my view this is not a decision to be made unilaterally by the Atomic Energy Commission; it is a decision that directly affects Kansas residents and they have the right to know the facts, express their views, and indeed make the ultimate decision. Kansas has rights which even the federal government must respect.

"To this day, so far as I can determine, no plans for retrieving the dangerous wastes in case of emergency have been developed even though the Commission chairman admits removal may be necessary. Should Kansas accept AEC's 'generous' offer and Congress authorize $25 million based on this kind of research and facts?

"The State of Kansas has the right, even the duty to evaluate, monitor and insist upon a higher set of standards than those presently relied on by the AEC.

"Most misleading of all is the suggestion that if Kansas agrees to become the nation's atomic dump by permitting the construction of a tax-exempt federal facility, it will be doing the nation a 'vital' service. The fact is that Kansas would be performing a 'vital' service only for the privately owned nuclear power companies of the eastern seaboard. Nearly all of the wastes of future years will come directly from the nuclear power plants of such companies as Consolidated Edison of New York, Detroit Edison in Michigan, and Commonwealth Edison of Illinois. There are no nuclear power plants in Kansas today.

"Atomic wastes produce high levels of heat, dangerous levels of radiation and the potential for a kind of horrible air, ground and water pollution that is beyond the present ability of mankind to control. Since we are dealing with wastes that will remain dangerous for a half million years, who can be sure that underground water sources in adjacent Kansas, indeed in the entire midwest lower river basins will not eventually become radiation contaminated. Certainly the Kansas Geological Survey suggests this possibility. The AEC believes—remember it cannot be certain—that the heat of the wastes will melt the salt and eventually provide a seal that the radiation will not penetrate.

"It occurs to me, as it must to you, Governor, that if the AEC is so certain of its physics and chemistry theories, why are not other, larger and far more convenient salt beds in the United States proposed as atomic dumping grounds? Indeed, why dump in the United States at all? Surely there exists places more remote and much safer for mankind than in the center of the richest and most productive country in the world. Until all of us, including the experts of the Atomic Energy Commission, know more and are sure of their facts, I suggest that this is a safer course to follow."

Congress of the United States,
House of Representatives,
Washington, D.C., February 12, 1971.

Hon. Robert B. Docking,
Governor of the State of Kansas,
State House,
Topeka, Kans.

Dear Governor Docking: You are aware, I am sure, that the Atomic Energy Commission has requested from Congress an initial authorization of $3.5 million this year and $25 million overall to convert the area around Lyons to a permanent repository for atomic wastes of the entire United States. This request will be considered shortly by the Joint Committee on Atomic Energy.

It is my conviction that the State of Kansas should oppose this authorization at the hearing. The purpose of this letter is to solicit your support, the support of the cognizant State officials, and the Legislature to join in registering our opposition to making Kansas an atomic garbage dump.

In taking this position, I owe you, as Governor, the Members of the State Legislature, and my colleagues in the House and Senate of the United States Congress an explanation. I have not come lightly to this decision to oppose. It is the end result of more than nine months of combing available facts. Indeed, it is this very paucity and unsureness of facts by those who are scientifically best informed that has in large measure compelled this proposal to you.

Moreover, while I have a responsibility as a member of Congress from Kansas to deal with Federal actions that affect and concern our State, it must also be understood that the Governor and the legislature of a State have an equally important role in certain circumstances. The Federal Government cannot compel a sovereign State to do itself and its citizens possible irreparable injury if its officials refuse to be stampeded and bow to Federal pressure. It is for this reason that I ask for careful consideration by the Legislature and by you of the problem and hopefully your subsequent support in opposition.

Let it be understood beyond any question that the issue is not the erection and operation of nuclear power plants. No one, certainly not I, is opposed to the installation of nuclear power plants, whether in Kansas or in any other State, so long as safety and environmental factors are considered. Seventeen such plants are now operating in the United States and undoubtedly over the next quarter century or less there may be plants in every State. What I oppose and what I believe we must all oppose is making Kansas the dumping ground for the deadly atomic wastes of these plants.

With this firmly in mind, let us look at some facts and ask ourselves some questions.

The Atomic Energy Commission proposes to ship into Kansas eighty million gallons of dangerously radioactive "soup." This is a waste product from privately owned nuclear power plants. For transport and burial purposes, the "soup" must be converted into solid blocks. These blocks are hot inside—1800 degrees hot! And they will remain hot for hundreds of years! While the outside of the block at time of burial is held at 400 degrees, corrosion and deterioration of the container will take place in a few years. An additional minimum of three and one half million gallons will be accumulating each year over the next ten years from privately owned power plants now operating and to be operating all over this country.

When Kansas was first suggested as the national dump for atomic wastes the State's Geological Survey (I presume at your direction) and I promptly asked that the AEC initiate extensive studies on geologic stability. I asked that transportation risks be carefully analyzed. I asked for a survey of alternate sites in more remote areas of the globe, not just in the United States. I asked that these studies be undertaken by the AEC and considered *before* definite planning went forward at the Lyons site. Incidentally, some of the geological observations by the Kansas Geological Survey raise important questions for all of us.

If the AEC studies and investigations and surveys have been made, they have, like so many other Atomic Energy Commission affairs, been kept a deep, dark secret. We faced a fait accompli when the Commission's demand to the Budget Bureau for authority to buy 2,000 acres and to make preliminary plans for the Lyons atomic dump surfaced in Congress.

In my view this is not a decision to be made unilaterally by the Atomic Energy Commission; it is a decision that directly affects Kansas residents and they have the right to know the facts, express their views, and indeed make the ultimate decision. Kansas has rights which even the Federal Government must respect.

The Wichita Eagle, in a perceptive bit of journalism on January 31, asked AEC Chairman Glenn Seaborg some important questions dealing with the safety of the atomic waste burial proposal. To an Eagle inquiry on safety, for example, Dr. Seaborg said, "retrieval of radioactive waste if absolutely necessary" would be possible but concepts for such retrieval procedures have yet to be examined. Dr. Seaborg thus not only honestly admits the inherent danger of the burial plan, but his answer discloses the lack of thorough planning and research by the AEC before choosing Kansas as its atomic garbage dump.

To this day, so far as I can determine, no plans for retrieving the dangerous wastes in case of emergency have been developed even though the Commission Chairman admits removal may be necessary. Should Kansas accept AEC's "generous" offer and Congress authorize $25 million based on this kind of research and facts?

Dr. Seaborg insisted to the Wichita Eagle in another answer that the Lyons site will not be a national "dumping ground" because, he said, the wastes will be "carefully packaged, and will be emplaced in the repository in a very precise manner, carefully recorded and surveyed." But wastes are wastes whether they are garbage in plastic bags or 1800 degree radioactive blocks in stainless steel containers carefully packaged or not. And the danger of pollution to the air above and the water below will continue to exist for a half million years, the period Dr. Seaborg says the waste will remain dangerously radioactive for all living things.

What are the economic benefits that the Atomic Energy Commission promises us? During the construction phase jobs for perhaps 200 persons will be provided. Thereafter, Dr. Seaborg suggests the surface "could be considered for such a beneficial use as a site for an industrial park." Why the area will be more attractive to industry with the wastes below than it is now is difficult to understand. Is it perhaps because the surface area will be warmer due to the tremendous heat underneath? We should ask ourselves why the Kansas salt beds were chosen for this questionable honor instead of other, more convenient and larger salt beds?

Even the most casual study of the facts shows that Dr. Seaborg has again hedged on other questions raised by the Eagle. Nuclear waste disposal directly involves transportation safety, a danger that could be substantially lessened by locating the disposal dump in the immense salt deposits of the Salina Basin of Michigan, Ohio, Pennsylvania, and New York. This vast salt Basin lies almost directly under and adjacent to the large midwestern and eastern nuclear power plants that will be the principal source of future wastes. The Lyons site, on the contrary, will require transportation by rail over long distances, in some cases across half the continental United States. This will subject large parts of the population of this country to the risks of derailment, collisions, and similar accidents.

Consider, for example, a derailment as tragic as the Melvern, Kansas, accident of last Fall that would involve a train load, or even a single box car, carrying 1800 degree radioactive blocks, material that will remain radioactively fatal for thousands of years. What would happen to Melvern, to the entire state of Kansas, indeed to a large part of the Midwest if such an accident should befall?

Dr. Seaborg promises that the AEC "will be working to reduce the likelihood of a rail accident; we will," he says, "maintain our high standards of containment should an accident occur." Thus Dr. Seaborg agrees that accidents are likely. There can be little doubt that transportation accidents and accidents at the dump site will occur. Moreover, many AEC standards have been sharply criticized by atomic scientists who have studied such disasters as the loss of the submarine *Thresher* and the Rocky Flats atomic plant fire.

The State of Kansas has the right, even the duty, to evaluate, monitor, and insist upon a higher set of standards than those presently relied on by the AEC.

Most misleading of all is the suggestion that if Kansas agrees to become the nation's atomic dump by permitting the construction of a tax-exempt Federal facility, it will be doing the nation a "vital" service. The fact is that Kansas would be performing a "vital" service only for the privately owned nuclear power companies of the eastern seaboard. Nearly all of the wastes of future years will come directly from the nuclear power plants of such companies as Consolidated Edison of New York, Detroit Edison in Michigan, and Commonwealth Edison of Illinois. There are no nuclear power plants in Kansas today.

On the contrary, Kansas has six large and sixty-six smaller power plants all of which burn fossil fuels. All use substantial amounts of coal, oil, and gas produced within Kansas. The great majority of power plants in this country use fossil fuels. The facts are that the use of coal, for example, for the production of electrical power has increased more than two-fold in this country in the past decade and continues to rise at more than 7% annually. The coal resources of this nation are immense. Estimates are that up to as much as one thousand years supply is currently available at present usage rates. Fossil fuels remain safe. The principal drawback of one of them, coal, has been air pollution, a problem that is now well on the way to being moderated and perhaps ultimately solved.

But atomic wastes produce high levels of heat, dangerous levels of radiation and the potential for a kind of horrible air, ground and water pollution that is beyond the present ability of mankind to control. Since we are dealing here with wastes that will remain dangerous for a half million years, who can be sure that underground water sources in adjacent Kansas, indeed in the entire midwest lower river basins will not eventually become radiation contaminated. Certainly the Kansas Geological Survey suggests this possibility. The TEC believes—remember it cannot be certain—that the heat of the wastes will melt the salt and eventually provide a seal that the radiation will not penetrate.

It occurs to me, as it must to you, Governor, that if the AEC is so certain of its physics and chemistry theories, why are not other, larger and far more convenient salt beds in the United States proposed as atomic dumping grounds. Indeed, why dump in the United States at all? Surely there exists places more remote and much safer for mankind than in the center of the richest and most productive country in the world. Until all of us, including the experts of the Atomic Energy Commission, know more and are surer of their facts, I suggest that this is a safer course to follow.

In summary, it behooves all of us to keep firmly in mind these facts:

1. The fact is that however the Atomic Energy Commission may phrase it semantically, a part of Kansas is proposed as a dump for the most dangerous garbage in the knowledge of mankind; a dump is a dump no matter how the garbage is packaged.

2. The fact is that the Atomic Energy Commission is itself far from certain of the safety of its proposed procedures for burying this atomic garbage.

3. The fact is that the Lyons project is not basically for the welfare of the United States Government, nor even in its entirety for the Atomic Energy Commission. It is rather a convenience for privately owned utility corporations operating nuclear power plants who are seeking a cheap means of disposing of dangerous wastes away from their own populated areas. Such disposition is as much a cost of doing business and a part of the final cost of electrical energy as is the construction of a smokestack to vent off the burning coal. The Federal Government does not subsidize waste product handling for private non-nuclear power plants. Why then should it subsidize the cost of handling atomic waste products for other private power plants who use nuclear energy?

4. The fact is that the atomic dump will be of no economic advantage to Kansas and Kansas people. The AEC predicts that peak employment some twenty years later may reach 200 persons. Some of these may be Kansans; a number of atomic technicians will supervise the burial of the radiation material as it rolls in from the country. No plants, no factories, no long-time economic benefits will flow. On the contrary the very presence of the atomic wastes may deter and frighten off prospective industrial plants.

5. The fact is that for reasons that remain somewhat obscure, the AEC doesn't want to bury the wastes in other, larger salt beds adjacent to and far more convenient to most of the existing nuclear power plants. If one reason is AEC concern for the large urban populations in those areas, then I share an equal concern for the more rural Kansas populations that will be exposed.

6. The fact is that some eighty million gallons of hot, dangerously radioactive wastes are now in temporary storage in various places adjacent to privately owned nuclear power plants and AEC operated nuclear facilities in Idaho, Washington, Georgia and elsewhere. AEC is frantically seeking a permanent burial site because the containers are deteriorating rapidly. AEC tried Idaho and that State's senators came in with a loud "no." For reasons not yet clear it can't use Washington as a permanent site. It settled on nice, quiet, clean Kansas as a likely place. Kansas, it is assumed, might buy the subtle propaganda that we were really being honored to be chosen.

7. The fact is that the Federal Government shows more concern for Okinawa than it does for Kansas. Residents of this faraway Pacific island which we are abandoning as a military base protested the continued storage on their land of mustard gas left over from the Korean War. At great cost for repackaging, the Pentagon shipped hundreds of tons of mustard gas to tiny Johnston Island, a coral atoll in the Western Pacific, for burial there. In my view, what is good enough for Okinawans is good enough for Kansans.

I regret that this letter is overly long but I felt it imperative that you, as Governor, the Members of the Legislature, and my colleagues have before them this condensed review. My research has convinced me that a prudent consideration of the available facts inevitably must lead to rational opposition to a project that would make our State the future and permanent home of our country's atomic garbage. I will appreciate your usual courtesy in advising me of your position and the course of action you will follow.

Sincerely,

JOE SKUBITZ.

OFFICE OF THE GOVERNOR,
Topeka, Kans., February 20, 1971.

Hon. JOE SKUBITZ,
U.S. Congressman, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN SKUBITZ: Your letter expressing concern for the federal government's proposal to establish a nuclear depository near Lyons, Kansas, has been received in this office. I share your concern.

Your studies of this important problem is most reassuring for I can be certain that the proposals of the Atomic Energy Commission will now be as carefully scrutinized by the Congress as they have been by this administration.

In Kansas we have not taken lightly the federal government's proposal to establish a permanent repository for atomic wastes at Lyons. *I repeatedly have stated publicly that no atomic waste will be stored in Kansas unless recognized authorities can prove without question the safety of this proposed operation.*

For nearly two years, many persons have been gathering scientific data concerning the proposed depository—as well as reviewing proposed safety precautions. Involved in these planning and study sessions have been the distinguished members of the faculty and staff of the state's two largest universities, the members of the State Advisory Council on Ecology, the Kansas Nuclear Energy Council, the Kansas State Department of Health, and the State Geological Survey of Kansas.

In April, 1970, I directed the Kansas Geological Survey to undertake extensive investigations of the Lyons site. This work is now in progress and is being funded, in part, by the Atomic Energy Commission, and involves the active participation of the United States Geological Survey.

Interim reports from the State Geological Survey raise serious questions with respect to heat problems, water circulation, radiation-damage effects, subsidence and shear of rocks over the site, retrieval of radioactive wastes and transportation. The State Geological Survey regards these problems as extremely critical to the safe storage of radioactive wastes at the Lyons site and expresses concern that the staff of the Atomic Energy Commission has demonstrated remarkably little interest in these problems. AEC and Oak Ridge staff members attribute failure to undertake appropriate studies to a lack of funds.

In view of these problems, I have directed the Advisory Council on Ecology and the Nuclear Energy Council of Kansas to scrutinize and review plans and investigations for this repository site. In addition, I have requested that the Kansas legislature approve funds for a public symposium sponsored by the Advisory Council on Ecology which would be a public review of all plans and studies by competent scientists of national stature. This proposed symposium would be another step in informing the people of Kansas of the proposed depository.

We now are in the process of preparing a response to an environmental statement on the Lyons project prepared by the Atomic Energy Commission. In preparing a response, I have sought the advice of scientists in our state agencies and academic institutions. My response will be highly critical of recently completed studies and will reinforce the equally critical response submitted by Mr. Hollis M. Dole, assistant secretary of the Interior.

The Committee on Radioactive Management of the National Academy of Sciences has recommended that additional studies and investigations be undertaken concurrently with planning and site acquisition. If these studies and investigations reveal problems or conditions which would jeopardize the safety of the storage site, the project should be reconsidered. As I repeatedly have said: *If there are any questions that the proposed depository poses any potential danger to the lives, health and safety of Kansas citizens, or to future generations of Kansans, I will not hesitate to use all the powers of the governorship to halt the project.*

It is my opinion that the Congress is in the most strategic position to require compliance with the recommendations of the Committee on Radioactive Management of the National Academy of Sciences for additional studies and investigations when the joint Committee on Atomic Energy considers the funding proposals of the Atomic Energy Commission. Furthermore, the Congress should make certain that the environmental statement of the Atomic Energy Commission receives extensive and careful review by the Environmental Protection Agency and the President's Council on Environmental Quality. The Congress also can take steps either to make new funds available to the Atomic Energy Commission or require diversion of funds to complete studies that competent scientists in Kansas regard as essential before a final decision on the proposed depository near Lyons is reached.

It will be outrageously incongruous if the Atomic Energy Commission has no funds to support studies costing several hundred thousand dollars per year which will provide the answers we seek, but is requesting an authorization of $25 million for conversion of the Lyons site into a permanent repository. I am convinced that all of the recommended studies are feasible, possible and can be completed before mid-1974.

You can render Kansas an invaluable service if you will assume a leadership role with other members of the Kansas congressional delegation and (1) urge strongly that Atomic Energy Commission funds be made available for the required studies in Kansas; (2) *place constraints upon any development funding so that the project will be abandoned if studies and investigations reveal any potential danger to the lives, health and safety of Kansas citizens;* and (3) make certain that the Environmental Statement is scrutinized most carefully by the Environmental Protection Agency.

I hope you will join me in demanding that the utmost caution be used in considering the proposed depository site in Kansas, and the most complete information concerning the project is made available.

With every good wish.

Yours sincerely,

ROBERT DOCKING,
Governor of Kansas.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 25, 1971.

HON. ROBERT B. DOCKING,
Governor, State of Kansas, State Capitol Building, Topeka, Kans.

DEAR GOVERNOR: I have your letter of February 20 in answer to mine of February 12 in which I raised questions with you about the proposed Lyons nuclear-waste dump.

Your letter seems to say that you agree that some serious questions exist that require answers but you want me—and the Kansas delegation in Congress—to take leadership. The point is—to take leadership to do what?

If I understand the import of your letter, you want additional Federal funds to be made available for "required studies in Kansas." Does this mean you want Federal funds for the State Geological Survey to continue the work it has begun as detailed in its Report of December 2, 1970? (Incidentally, I don't understand why this valuable report that was sent at that time to you and to your Advisory Council on Ecology wasn't promptly made public *then* to alert Kansas people.)

Or are you proposing that the AEC itself carry out additional studies. What types of studies? In my view the official Kansas position ought to be that research should be directed toward finding ways to make the existing nuclear wastes less deadly for all living things. Your letter suggests that the research could be limited merely to *Kansas geological factors* in an effort to come up with an opinion that the wastes can safely be buried in our State. Clearly such a finding would be largely subjective. As a Kansas resident, I don't want the wastes buried there unless and until I know that the wastes are safe, not that the Kansas salt beds are a safe repository.

You suggest that "constraints be placed on development funding so that the project will be abandoned if studies and investigations reveal any potential danger. . . ." Surely Governor, that's a weasling statement if you ever wrote one. To me, it means that you are perfectly willing that taxpayers' dollars be spent to begin the facility—$3.5 million the first year and maybe continue until $25 million is spent—and then abandon it years later if the research indicates danger. It suggests that we Kansans are hungry enough for Federal dollars to see a lot of them spent even if they are wasted. I don't believe that.

You affirm that you will use your powers as Governor to halt the project if it poses any potential danger to the lives, health and safety of Kansas citizens or even to future generations of Kansas. I applaud that statement, particularly since it represents an about-face from an Associated Press dispatch from Topeka that appeared in the July 31, 1970, issue of the Augusta Daily Gazette. The AP quoted you then as saying that "there is nothing Kansas can do now to stop the Atomic Energy Commission from placing a nuclear waste repository at Lyons."

I am pleased that you now agree that this nuclear waste project is your special responsibility as Governor, and surely you can no longer doubt that it does indeed pose at the very minimum a "potential danger" to Kansans. Under these circumstances, you may want to reconsider your suggestion that I, and the other members of the Congressional delegation, assume a leadership role.

Of course, I am willing, and I assume the Kansas delegation in Congress would be willing, to take leadership in any move to protect our State and to oppose the project in its present frame of reference. But you can hardly expect me, or us, to limit ourselves specifically to the three conditional stances you have outlined; i.e., "(1) urge strongly that Atomic Energy Commission funds be made available for the required studies in Kansas; (2) place constraints upon any development funding so that the project will be abandoned if studies and investigations reveal any potential danger to the lives, health and safety of Kansas citizens; and (3) make certain that the Environmental Statement is scrutinized most carefully by the Environmental Protection Agency."

Your final paragraph presumably means you will present these views personally to the Joint Atomic Energy Committee, and while they continue to allow considerable leeway to the AEC to do just what it wants to do, I am glad that you are "joining" the club. I continue to hope that your position will be less equivocal so that the Committee and the AEC will understand that Kansas officialdom is unambiguously opposed to making our State a nuclear dump.

Sincerely,

JOE SKUBITZ.

MR. WILLIAM BLACKIE HONORED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. MICHEL), is recognized for 5 minutes.

Mr. MICHEL. Mr. Speaker, on Thursday, February 25, 1971, at the closing banquet of the Mid-America World Trade Conference at the LaSalle Hotel in Chicago, Mr. William Blackie, chairman of the board of Caterpillar Tractor Co., was the recipient of the first Man of the Year in Mid-America World Trade Award.

Mr. Blackie was chosen for this award, the first of its kind, on his record of leadership and in the promotion of international understanding, international trade expansion, progressive trade policy, and the encouragement of educational activity in world trade.

Mr. Blackie was named president of Caterpillar Tractor Co., in 1962, and in the 8 years since, company sales have risen from $827 million to over $2 billion annually. The company payroll has jumped from 36,000 to 65,000, making Caterpillar the largest private employer in the State of Illinois.

An article appearing in the February 1971 edition of the magazine Government Executive provides us with a close look at this remarkable man and gives us the benefit of his views on some of the more important issues facing the country today. I include the article at this point in the RECORD:

CATERPILLAR'S BLACKIE: "THE FIRST OBLIGATION OF GOVERNMENT . . ."

(By C. W. Borklund)

Born in Glasgow, Scotland, Caterpillar Tractor Co. Board Chairman William Blackie, 64, came to the United States in 1930, still talks with a strong Scottish burr. He went to work for Caterpillar in 1939 as controller, became a vice president in 1944, was named executive vice president 10 years later, president of the company in 1962 and board chairman in 1966.

In the eight years since he was named company president, sales have soared from $827 million to over $2 billion annually today; the employee payroll has jumped from 36,000 persons to 65,000. Today, he commands an industrial giant with 20 manufacturing plants, 24 parts depots and more than 800 dealer outlets, all of them spread all over the world.

Because the firm makes primarily construction equipment (bulldozers, road graders, etc.) and diesel engines to power this heavy equipment (and for other commercial uses), the company does a lot of business directly or indirectly with Government; and because the equipment is used for building—of which Government inspires a lot (see *Government Executive*, October 1970, p. 42)—Caterpillar is at the cutting edge of some prime trends in Government spending.

That involvement also gets Blackie enmeshed in advising Government itself on policies, procedures and programs. Examples: he was a member of the Special Committee on U.S. Trade Relations with East European Countries and the Soviet Union; the U.S. Department of State's Advisory Committee on International Business Problems; the Blue Ribbon (Fitzhugh) Defense Panel; a member of the Advisory Committee of the Export-Import Bank of the United States; a trustee of The Conference Board; a member of the Emergency Committee for American Trade; board member of the International Executive Service Corps.

Against that background, Blackie paused recently in the midst of a routinely hectic, globe girdling schedule to give *Government Executive* his personal views on a range of problems affecting both Government and his company. These are the highlights:

HIGHLIGHTS

1—Caterpillar Tractor Co. Board Chairman, Bill Blackie, believes past antimilitary-industry complex talk is "tempering a bit"; thinks, as part of that, industry has an obligation to help defense—but without getting into a "strenuous underbidding competition."

2—Caterpillar antipollution, emergency power, community improvement work is being done as much for pragmatic company payoff as for corporate "good citizen" reasons.

3—Besides sales profits, Blackie sees both balance-of-payments and peace-keeping values to being an international minded company—which is one of the reasons why the company opposes laws which would tend to restrict international trade.

4—"In some quarters" of Government, Blackie finds a lack of knowledge of just what industry is trying to do to help Government solve national problems.

As a summary comment relative to all the factors which influence why you do the kind of business you do, what is your attitude toward the current, often highly emotional debates today about funding for defense vs. funding for domestic programs, too?

I think the debate is tempering a little bit, but I share the view that the first obligation of Government is to create and maintain national security. If we don't do that, we won't have our kind of Government. We'll have some other form imposed upon us.

That obligation, of course, extends in many ways into many things. In the military sense, it means being strong enough to resist attack and, if necessary, to retaliate with sufficient strength to win. I see no alternative to that.

The military aspect of national security is particularly complicated today because of the variety and the vagueness of what it is we're trying to protect ourselves from. And the difficulty here, as I see it, is in preparing ourselves to meet every possible kind of contingency from the super war to brushfire guerrilla insurgency.

Then you discount the "butter" side of the "guns-or-butter" equation?

I realize there is this problem of preserving the country from being something other than an arsenal. There has to be a measure of balance, and that's particularly true here because our people would not tolerate the development of this country as a military power, *per se*, as Germany under Hitler for instance.

On the other hand, few of us—and I certainly am not—are competent to pass on the relationship between the budget and the military strength necessary. The performance quality of weapon systems may be more important than their quantity. And there is an inevitable conflict among weapon systems themselves. That's natural. You know of the battle between the submarine and the aircraft carrier and between those and the varieties of missiles. These are very, very difficult problems in which some kind of balance has to be worked out by those who are reasonably expert. And I would deem it to be the responsibility of the top military, under civilian direction, to work it out with the appropriate Congressional committees. The man on the street is not competent to pass on it.

How about the outspoken views to the contrary from some colleges?

I regret that some of the most prestigious universities have given in to the clamor of uninformed students.

I believe that appropriately qualified colleges should be kept in certain types of defense research. I believe that the ROTC program should be preserved. I believe also that our West Point, Annapolis and Air Force academies should be preserved because I think we will need all they can contribute. Indeed we are going to need them more than ever because certain aspects of military life are becoming less attractive to many. The soldier is no longer held up as a hero, but we must nevertheless have adequate sources of officer recruitment and training.

As part of that, what is your view of campus riots?

The extremes of Kent State and Wisconsin seem to be operating, as extremes often do, to produce a reaction, a little better balance. So far, there hasn't been much trouble since those explosions; and from all I can hear there's a good possibility that most universities are going back to their primary function of teaching and learning. But before they can do that with full effectiveness, some members of some faculties are going to have to understand better their responsibility in the scheme of things.

Through your plants, you have sensors nationwide, indeed, worldwide. Do you sense in general public opinion that same kind of reaction to extremism is tempering past indictments there, too?

As far as I can sense, it is—attributable in part to the fact that we're withdrawing from Vietnam. The policies we've been pursuing there in the past year or two are apparently succeeding. By that I don't mean we're going to end the war. Too many people are assuming too quickly that our withdrawal means ending it. Actually, we're just going to leave the fighting to the people on the spot, but that may continue for a long time.

From your customers elsewhere in the world, do you detect that these "guns-or-butter" problems we sometimes think are uniquely our own are really pretty universal?

Yes. We know, for illustration, that in Russia the absence of consumer goods has been a matter of concern. Khrushchev discerned it. And some programs had to be modified in order to provide a few of the better things for more of the people.

That's one reason why I'd like to see closer association between East and West—so that they can know what we have. It's one thing to condemn our way of life. But when they see more of the good things it produces, compared to the things they don't have, they are both human and pragmatic enough to want change. I think the results are already becoming apparent. The Fiat deal is one example. The creation of that arrangement is surely a bowing to the fact that they have so few automobiles—responding to the question they have asked themselves: "What's wrong with us as a country? A lot of less powerful countries have far more automobiles."

The dissent, the discontinuity as has Drucker called it, is apparent elsewhere. Japan, for example, has had far more trouble with its universities than we have. Scandanavian countries have been involved in it. Britain had some of it. France had a kind of mild revolution that had a part in the demise of de Gaulle.

Does Caterpillar plan to put a plant in, say, Russia?

No—but if we get an order and then consent from BIC (for Bureau of International Commerce) we would ship from here or other of our sources. Essentially, we try to carry out U.S. Government policy and when BIC approves a transaction with any of these countries that is policy.

But the mood of this country is such, at the moment, that emotions are still a little stronger than reason—and will be, I think, until we get nearly all our men out of the shooting arena in Vietnam.

Do you agree that economic interdependence is one very effective tool for preserving peace?

Yes. You may argue that it didn't happen that way in Germany and Japan 30 years ago. But there, I don't think war was the will of the people. It was the act of a power-mad military and I'm thankful that our system works to guard against that very thing.

I appreciate very much that all our top-flight military leaders espouse civilian control as established by law. From time to time when that control is exercised, they may not be entirely happy about it; but they certainly subscribe to the principle.

But can't the same kind of takeover by militants occur here?

The existence of an aggressive minority is always dangerous. Every movement started with a minority, of course, and if it succeeded, it was because it gained support. In spite of the present agitation by the unsilent minority, I would guess that substantial support for any radical movement is not in the cards.

Incidentally, we don't have any particular trouble with the students—such as the engineers or accountants or whatever they may be—who join us. The ones who want to join us are not the type who want to burn the science lab.

Students aren't all of it. How about the so-called Silent Majority?

The backbone of our country is the guy here in our shops, the man who's producing. He's still the basic American citizen. We've got 25,000 of them here in Peoria (Ill.) alone. They're not quite the same the "hard hats" but they're related.

And they're not willing to tolerate a lot that's been going on. Many of them didn't go to college and they don't want to see their children go to college for anything other than an education.

The campus crowd gets the attention right now, and that's only natural and inevitable because news consists of what's different or violent or exceptional. Otherwise, it isn't news.

But there's a lot of solid citizenry working in plants like ours for an hourly wage. I've got great faith in them; and, you know, they're the ones who do the fighting, too. Most of these students who riot and burn have contributed little or nothing to national security. They've got exemptions of one kind or another.

In a more pragmatic vein, is the Defense Department a good customer?

First of all, I believe that any company operating and existing by the consent of its government is obligated to support that government when it needs help. Our position, by and large, is that we're ready to do anything within our capacity—and I think the military users know what our capacity is.

But we're not prepared to go into strenuous underbidding competition for that kind of business. We don't need it (we've got a pretty good business as it is) and when the procurement people invite bids, they obviously have several *capable* sources. Otherwise, the bidding is rather ineffective.

What do you mean by "capable"?

I subscribe to the Blue Ribbon (Fitzhugh) Defense Panel recommendation that procurement be broken down into: first, development of the concept; second, prototype test and evaluation; and then production. There were no dissents on this point in our committee, incidentally. It was Secretary of Defense Laird, I think, who put the label, "Fly before buy," on it.

In new concepts and untried weapon systems, total package procurement should be abandoned. It has led to the problems of the F-111, the C5A, etc., mainly because those involved neither knew nor could know precisely enough what was involved. There must have been some understanding that any figure given at the outset of the development of such items could only be the wildest kind of estimate of total cost. And under that kind of circumstance, the tendency is to make an underestimate.

But the fact remains—and appears to have been the principal reason for subsequent program difficulties—that the parties were placing a figure on a concept that hadn't been resolved into a protoype, that had not been put into production and in some cases hadn't even been completely designed on paper. Bidding in that kind of situation is little more than guessing and is not a sound method of procurement.

Are you in favor of the key Panel proposal to set up three Defense Deputy Secretaries as part of a top-level Pentagon reorganization?

Yes, I am. By subdividing an overloaded position of great responsibility, we have suggested a means of improving efficiency while still preserving the intent of the applicable law governing the authority and function of the JCS.

You know, of course, many Defense officials don't buy it.

Yes—but I have not yet heard of any solidly reasoned criticism. The focal point seems to be the placement of the JCS in the proposed scheme of things—the alleged subordinating of "the military" to more higher civilian authority. But the proposed subdivision does not create an additional layer of authority, and we developed our recommendation only after rather extensive hearings which included top-flight military officers. We are definitely not recommending change for the sake of change.

Several firms, particularly aerospace, have told us, what with cuts in defense spending generally and the low profit on contracts that are let, they believe the current defense industrial base cannot be held together very long. Do you have any rough rule of thumb on how much Government business you can afford to do?

No. We have never had a policy that prescribed this or that percentage of our business from Government. And we have never had any ideas as to what it should be one way or another. In times of great national emergency, circumstances would tend to dictate what we do—or don't do.

In World War II, the War Production Board took 85 percent of our total machine production and required us to give up one of our crawler tractors that was not needed for defense purposes. Since then, the military requirements for our machines have been fairly limited. That was true of Korea; is true of Vietnam today. I don't know how the wars of the future are going to be fought; but I would guess that they're not going to be fought under conditions that call for much of our machinery. In recent years our business with the Defense Department has been running at less than three percent of total sales.

In the Government market, defense products aren't all you make. Why is Caterpillar getting into such things as antipollution programs, standby electric power to combat brownouts, etc.?

There's a combination of reasons. We have to face the fact that in the process of pursuing industrial progress—using the word advisedly—if anything is not socially acceptable, we (in industry) are going to have to change our ways and modify it. In the long run, we have to cater to the public. That's part of our job.

In this matter of clear air and clean water, we're for it; and I haven't met anybody who's really against it. The only question to be faced is: "How shall we go about it?" We've advertised for years the importance of water management—to save it when it's plentiful for the time of need and to control it in time of flood. Now we're joining the campaign for better water *quality*.

And we know, for example, that if our diesel engine is deemed to be a pollutant then we had better go to work and cut its emissions down to acceptable limits. We might as well face the fact, too, that in the course of time, as the industry develops ways and means of meeting tighter standards, they'll become tighter still.

Our studies indicate we can meet readily the standards called for by 1974. First of all, we have no gasoline engines, only diesel engines; and our kind of diesel starts by being less of a polluter than the gasoline engine. But we ponder the idea that the internal combustion engine might some day be replaced. So, we have looked into fuel cells; have examined what others have been doing with steam; and we've been working now for 10 years on a gas turbine.

Our present thinking, however, is that the industry should drive as hard and fast as it can to meet the environmental standards now being developed and being reflected in law and regulation. What has happened here is that we, the public, are revising our ideas of what the conditions of the future should be—of what is generally acceptable. It's just that today the change comes in a somewhat bigger wave than usual.

Do you find in Government a general lack of knowledge about what industry is doing in regard to these problems?

In some quarters, yes. And I feel some obligation on our part to try to have them better informed. Our attempt I think quite generally has been to work *with* Government. We don't regard it as something hostile. Where there are problems to be met—such as the development of pollution standards, whether state or Federal—we try to do what we can to work with the authorities to develop good standards. We can help in areas of that kind, and I think our credibility is fairly high. The general attitude we have is that we need each other.

Can you give me some examples of areas where you've invested company funds to develop possible solutions to national problems, solutions of which you'd like to have Government officials better informed.

We are in the happy position that our machines are bought and used only for constructive purposes. I can think of a few examples that border on what you have in mind, such as the water management advertising campaign.

We have promoted for a number of years, as another example, sanitary landfill. I don't have any doubt that at this time it is the very best way to dispose of solid waste, primarily because you take—or should—a piece of relatively worthless land and by the time you're through with the fill you've created a piece of valuable, productive, useful land. The method is more than mere disposal: it's a form of creative recycling.

TOTAL ENERGY PACKAGE

Trouble is, people say, "We like the end result but we don't like the years of the fill operation; with the garbage going in and the bulldozers running to compact it and push the dirt on top to build it up." In essence, everybody says they want the good things of life but if these have some undesirable aspect, they say, "then, place that somewhere else."

Isn't the public power shortage due in part to somewhat the same dilemma?

Yes. We know we need more power. The demand has been rising somewhat faster than past rates of supply increase. But the public say they don't want a coal burning plant; they don't want an atomic fuel plant.

Don't you have an answer, however, in this case in your Total Energy Package (TEP) system?

TEP lends itself very well to a number of desirable things. For one, you've got no power lines going into your installation, only a natural gas ground pipe; and—as we have in our new plant at Joliet, Illinois—you've got your heating, lighting, air conditioning and such coming off your own in-house generator. A more important benefit, as we've pointed out in our advertising campaigns, is that TEP provides uninterrupted power, particularly for hospitals, airports, tall buildings and other situations where there could be accident, panic, danger.

New York City has been the prime example of that sort of thing. We are not in favor of brownouts or blackouts, but we do naturally try to capitalize on them by advertising our emergency power products at such times.

On the other hand, we're very conscious of the fact that some would make the bulldozer a symbol of destruction. Construction usually starts with some element of demolition and then you build on it. I see no point in attack on the bulldozer any more than I see one in attack against the Bomb. The bomb doesn't go off by itself, and the bulldozer doesn't run by itself. The control rests in *people*.

Oh, I suppose there can be objection to some trees being knocked down—but for the most part today trees are grown like other crops. They're planted for the purpose of being harvested. I love Nature as it is as much as anybody else; but sometimes it has to be modified to accommodate the legitimate needs of people. These include the transportation of goods and people over highways which are being made both safer and more compatible with the surrounding environment.

Like these examples you've mentioned. Caterpillar has been active in hiring the underprivileged. Has the inspiration to do it been a "good corporate citizen" obligation or are there more pragmatic reasons?

There are several reasons why we've gone into these fields. I'll try to recite them but in no particular order. First, we recognize that in our society today everybody's going to be supported. Nobody's going to be allowed to die for lack of sustenance. So somebody's going to pay for their support whether people work or not. If they're not producers, then they're going to be supported by those who are. The taxpayers pay for the tax supported.

We would think it desirable if everybody could be a taxpayer based on a work contribution—except, of course, the aged, the sick, the women and children, those who have to be helped because, through no fault of their own, they are in no position to help. That's the broad part of it.

The other part is that in the United States we have deliberately placed all our new plants in relatively small communities, and this tends to accentuate and enlarge our responsibilities and obligations as a community member.

When we hire several hundred college grads and several thousand others, in most cases they have to migrate to the community to go to work. So we have a social and pragmatic responsibility to try to make it a better community because, in turn, the more attractive it is the more likely the workers we want will be willing to come and join us.

So in the process of helping ourselves we're helping others and vice versa. The community has got to be good for both. It's like a job. To be right it's got to be good for the company and the man.

We understand you take that same good-for-both view toward your international business. Particularly on the military models of your products, has Government been an obstacle to overseas selling?

No. Unlike many of the new aerospace techniques, our art is older. Machines have evolved over many years and few patents are now basic to modern earthmoving equipment. That's equally true of our engines. Our industry has improved its products to the point that the rate of novelty and innovation has tended to slow down.

EXPORTS HAVE HELPED

Furthermore, I can't think of anything in our standard machines an enemy couldn't find out by examining one of them, and they can always get hold of a machine—just as in Korea we analyzed a Russian equivalent of our D7 crawler.

Whether they understood all that went into it was beside the point. We found they had a pretty good capability to copy and make a machine that was operational with apparently reasonable reliability.

How big is your international business?

We've given particular attention to that, and this year about 50 percent of our sales will be outside the U.S. It has made us one of the biggest exporters of finished goods in the country—something close to $700 million worth this past year. It wouldn't take too many more companies like Caterpillar to get this $3-3.5 billion balance-of-payments deficit licked.

And exports have helped us become the biggest private employer in Illinois.

We oppose the restrictive trade bill now pending in Congress because we believe in freer trade as both a principle and a practice. This fits in with our general philosophy that a policy is not sound for us unless it serves the national interest as well as the company interest. We believe in competition, and if the world is to be our market then we must be prepared to meet all comers on the fairest possible terms of international trade.

HISTORIC LAREDO CEREMONY HONORS SENATOR BENTSEN AS "MR. SOUTH TEXAS"

(Mr. KAZEN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KAZEN. Mr. Speaker, I am pleased to report to my colleagues on a unique event in my home community, the Washington Birthday celebration in Laredo, Tex. For 74 consecutive years the people of south Texas and their many friends across the border in Mexico have joined to honor the "Father of our country." The event is unique because when George Washington was President of the United States, Texas was a Spanish colony, and the only Europeans there were priests or soldiers. But the principles of Washington are honored each year in Laredo, under leadership of the Washington Birthday Celebration Association.

A highlight is the annual honoring of a community leader as "Mr. South Texas." This year, the selection was Texas' new U.S. Senator, whom I am proud to say preceded me in the House seat I now hold. LLOYD M. BENTSEN is a product of our district, and his Laredo friends were honored in return in the message of his acceptance speech.

The popular and personable mayor Laredo, the Honorable J. C. "Pepe" Martin, Jr., eloquently described Senator BENTSEN's career in his presentation remarks. I am honored to share the text of those remarks and Senator BENTSEN's inspiring response.

These addresses follow:

PRESENTATION OF "MR. SOUTH TEXAS"

Our gathering here today to pay public honor to a talented, successful and respected native Texan who is recognized as one of the young giants of our state's business and financial arenas, is as proud an occasion for the citizens of Laredo as it no doubt is for the man we honor. On their behalf, I am privileged to extend their warmest welcome to this afternoon's climax of our 74th Washington's Birthday Celebration, to the hundreds of friends and admirers from the cities and from the towns, from the farms, from the ranches and from the many nooks and corners of South Texas who have joined with us in paying tribute to the man we honor as "Mr. South Texas" of 1971—Texas' dynamic and dedicated new U.S. Senator, our good neighbor and our trusted friend, Lloyd M. Bentsen, Jr.

The presence of so many leaders from our state's highest governmental offices and business capitals speaks louder than any combination of adjectives as to the esteem and respect our honor guest commands among his contemporaries and colleagues in private enterprises and in state and national political circles.

We know it must be particularly heartwarming to the recipient of today's tribute to have so many members of the Bentsen family with him on this occasion. As they are the ones who have been closest to him and who have shared with him first-hand his hopes, his trials and successes, we wish to extend a special welcome to each of them.

We Americans—and Texans in particular—have often been chided by our critics as being so absorbed in pursuing our individual careers that we fail to realize the sacrifices and achievents of others which father change and ultimately exert such profound influence upon our lives.

I think it safe to say that most of us in this room know through experience that no matter what the formula, the demands of success are never attained easily or cheaply—for the diamond is not polished without friction, or the man perfected without trials. These same demands have applied themselves to the career of the man we honor today as South Texas' outstanding son of the year.

As I placed together in chronological order Lloyd Bentsen's achievements for this afternoon's presentation, the evolution of his career from a volunteer and decorated pilot in the Army Air Force during World War II to private law practice, to government, to business and, of course, now back to government, brought to mind the story about the young fellow who had made a blind date. Calling to pick her up, he took one look at the glamorous girl as she came to the door and explained, "Wow! You look like a million dollars!" The girl smiled in demure acknowledgement and replied, "And just as elusive!"

Whether we measure Lloyd Bentsen's career geographically or by deed, we cannot escape being impressed by its magnitude and the multiplicity of its success. His career was cradled in the lower Rio Grande Valley, expanded politically through his representation of his congressional district; transplanted to Houston, where it flourished through the building of a financial holding company that opened corporate avenues into multiple areas of endeavor. Adroitly and resourcefully, he proved the truism of the old rule that nothing succeeds like success.

Lloyd Bentsen today personifies many of those pioneer traits that characterized so many of the rugged, never-say-quit individuals who settled Texas. His grandfather, Peter Bentsen, retired in 1917 from South Dakota to Mission, Texas, where the family took roots. After completing tours of duty with the Armed Forces in World War I, Lloyd Bentsen, Sr., and his brother, Elmer, founded the Bentsen Development Company in Mission and McAllen. From this first enterprise, the Bentsen family has helped foster the development of South Texas and brought new opportunities to its people through the operation of a business empire that includes land development, ranching, lush citrus orchards, banking, investments and oil exploration and production.

It was amid such a setting of initiative, wealth and affluence that Lloyd Bentsen, Jr., his two brothers, Don and Kenneth, and his sister, Betty Bentsen, grew up. Despite the family's wealth, Lloyd, as did his two brothers, struck out to prove himself on his own. Of those early days, Lloyd recalls simply, "I told Dad to let us earn our own spurs." And earn them he has!

The months immediately preceding World War II found Lloyd studying law at the University of Texas. He no sooner received his degree than he entered the Army Air Corps as a private. He became a pilot and flew over 50 combat missions, which earned him the Distinguished Flying Cross and three air medals. He left the service with the rank of Colonel.

From this war service stems the affection Lloyd Bentsen holds for the men and women of the U.S. Air Force today. He is proud of his nation's Air Arm and its accomplishments. He views air power as our first line of defense and as a strong, proven deterrent against aggression. May I digress for just a moment to point out that we of Laredo are proud that our city is the site of one of the ten pilot training schools in the Air Training Command—Laredo Air Force Base. Our citizens are always seeking to do their bit toward helping the base fulfill its mission through excellent community-based relations and an eager spirit of cooperation. We are proud of our neighbors at Laredo Air Force Base and share with them the pride of accomplishment from the performance of many of the Base graduates in the Vietnam theater of operations.

Returning to the Valley after the war years, a still young, but more matured Lloyd Bentsen entered the private practice of law. He established himself as being intelligent, devoted and an extremely hard worker. He then elected to try his hand at politcs. At the age of 25, he was elected County Judge of his home county of Hidalgo. He later won election to the U.S. House of Representatives, where he represented his home district, which included Laredo, from 1948 to 1954. During that term of public service, he created a moderate-progressive image for himself and won the respect and admiration of all members of the Texas delegation in Washington. The primary trait that has brought Lloyd Bentsen success is a fierce spirit of competitiveness. He will never settle for second best. As a boy, he competed as spiritedly with his brothers and his father in work and in such recreational hobbies as hunting, as he did with outsiders. From this background, he developed a strong independence that has characterized both his careers in private business and in public life.

After his service in the House, Lloyd again broke away from his family's Valley operational base to establish his home in Houston. There he helped build and now heads a successful financial holding company, which employs over 600 persons. He has served on the boards of a number of well-known Texas business and financial institutions and his services with these institutions have served to enrich the entire South Texas area and to open the doors to new opportunities for its citizens. I might add that many of us in today's audience have a common interest with the Senator. He is also a cattleman and has extensive ranching interests in the South Teaxs area.

Those who have had the opportunity to work closely with Lloyd in his business and political endeavors praise his versatility—his ability to adapt and to act boldly. They look upon him as the type of man whose leadership makes things happen, and whose word is his bond. But they are quick to point out that he allows no gap between promise and performance.

But more important to the man we honor today than the opinions of his critics or the praises of his associates is his family—his beautiful and devoted wife and his three children. And they, too, are endowed with a rugged sense of independence. His successes as a husband and father equal his business and political achievements. There are no communication gaps or lack of understanding in the Lloyd Bentsen household. Lloyd Bentsen draws both strength and pride from the fact that insofar as his family is concerned, every challenge has been successfully met with a team effort. And the prime source of this team spirit is his wife, the former Beryl Ann Longino, of Lufkin, or "B. A." as the Senator fondly refers to her.

"B. A." zest for competition equals Lloyd's and she proved herself a tireless worker in his recent senatorial campaign. By a strong quirk of fate, they first met when Lloyd was at the University, but did not date until he met her again in New York City, where she was a fashion model. It took them only six dates to decide to marry. The intervening years have proven most rewarding to the Bentsens, but nothing has enriched their lives as have their children, whom they reared in the ways of honesty, morality and respect for the law. The fruition of this training is reflected in their already enviable record of achievements.

Lloyd Bentsen, III, or "Lloyd Three" as he is known, is a graduate of Princeton University and of Stanford University. Now 26 years of age, he is presently associated with a stock brokerage firm in Houston, where he makes his home.

Sam Chase Bentsen, now 23, is a graduate of the University of Texas and is enrolled in the Harvard University School of Business.

His most attractive daughter, 19 year old Tina Ann Bentsen is a student at Southwestern University in Georgetown.

Once Lloyd was committed to his senatorial race, the close family ties manifested themselves immediately. Both sons devoted full time to the campaign, Lloyd Three as business manager and Sam as a Youth for Bentsen organizer. Tina made her contribution by campaigning in the Georgetown area during spare time and on weekends. The three Bentsen children and their parents quickly jelled as a campaign team.

Actually, it was concern for his children and their counterparts throughout the nation that convinced Lloyd to forsake his multi-million dollar empire to return to public service in government.

Shortly after announcing his candidacy, Lloyd was questioned as to what motivated him to leave a successful business life for a political gamble. He answered the question this way:

"I have three children. These youngsters are going to inherit a nation beset with insurmountable problems, torn by distrust and warped by immorality unless we do something to turn things around."

This man, with a profound belief that we are one people of the same destiny, knows full well that only through unity of feeling and judicious actions in service to our fellow countrymen can we preserve the moral excellence of our nation as the richest heritage of our children, emulating the clarion call of the poet Edwin Markham who wrote:

"We are all blind until we see
That in the human plan,
Nothing is worth the making, if
It does not make the man.

"Why build these cities glorious
If man unbuilded goes?
In vain we build the world, unless
The builder also grows."

Dedicated to the ideals of the Democratic Party, Lloyd's integrity, his unimpeachable character and his intelligence and leadership qualities attracted the support of responsible citizens throughout the state. His interpretation of our changing society served to emphasize his concern for those being swept along by the torrent of these changes. For Lloyd Bentsen is concerned about the future of this nation and about the welfare of generations to come. And he is convinced that excellence in education, proper training and equality of competition are the keys to resolving most of our problems.

As one long-time friend puts it, Lloyd Bentsen does things to people. He invades their spirits and warms their hearts with renewed hope.

In the Colonial Legislature of Virginia, the Committees did not write long majority and minority reports. If they favored a measure, they endorsed it with a single word, under which they signed their names. The single word—"Reasonable"—as it define what all humane language and action ought to be, defines Lloyd Bentsen as a statesman and dignified human being.

Ladies and Gentlemen—I have been privileged today to pay tribute at the altar of an ancient friendship to one who serves in the highest post that Texas can tender a native son. A man who brings to that post the determination to maintain the dignity and authority of Texas by every means which thought can shape, discretion approve and and honor justify—The pre-eminent Senator from Texas, Mr. South Texas of 1971—The Honorable Lloyd M. Bentsen, Jr.

ADDRESS BY SENATOR BENTSEN

Last September, I stood not far fom here in Jarvis Plaza to begin the last lap of my campaign for the United States Senate.

I told the people gathered there that I wanted to begin the general election campaign in Laredo because this is my home country.

And I repeat that today: This is my home country.

It's always *good* to be home.

A month ago I took my oath as the new Senator from Texas. So now I'm making my first public speech in Texas as a Senator . . . and I couldn't think of a better place to make it than Laredo.

I don't believe a native South Texan ever loses his feeling for the people of this region no matter how far he travels. As you know, I still have very strong ties with this Rio Grande Border.

Most of my family still lives in the Valley.

And they wouldn't let me forget South Texas even if I wanted to.

Well, I don't want to and I assure you I will *not* forget South Texas.

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To be named "Mr. South Texas" is one of the foremost honors of my life. Last Thursday I celebrated a birthday—one of those milestone birthdays. I was 50. So I consider this honor to be something like a golden anniversary gift—and maybe it will smooth over that slight trauma of realizing you're in your fifties instead of your forties.

In receiving this award I'm in good company. Some of the great men of Texas have stood where I stand today.

As the first United States Senator from the Border of Texas, I'm going to do my best to live up to your gracious endorsement.

This is the seventy-fourth year that the people of Laredo and Nuevo Laredo have joined in celebrating Washington's birthday.

I've been asked occasionally why on earth Laredo would be so deeply involved in paying special tribute to our first President. After all, George Washington died almost 50 years before Texas entered the Union. All of this country was a part of the Spanish colonies and the only Europeans here were a few priests and soldiers. It's doubtful that George Washington did much thinking about the Rio Grande.

But Washington stood for certain ideals and principles that *do* apply to the everyday existence of people along this Border—the attainment of liberty under law, and the idea that nations can live side by side with mutual respect for each other.

Here, at the gateway to Mexico, people of two Republics have been living the ideals of friendship that were expressed by Washington in his Farewell Address.

"Observe good faith and justice toward all nations," Washington told his countrymen. "Cultivate peace and harmony with all . . . The nation which indulges toward another an habitual hatred or an habitual fondness is in some degree a slave."

I like to think that the mutual respect and affection built up over many years in this community for our Mexican neighbors has prevented either side from becoming enslaved to the ideas or the power of the other. The mutual respect we have for each other is our common bond.

We respect each other. We respect our differences. And we know the great value of cultural interchange.

We do not seek to impose our standards upon each other . . . and we do not take each other for granted.

That is the essence of friendship between neighbors.

It's one of the reasons I love and admire this part of Texas which has been so good to me for so long.

I'm not the Senator for South Texas alone, but I made it clear a long time ago that I had a special interest in South Texas and I don't apologize for that at all.

And together with my love and admiration for South Texas there is also a feeling of concern about some of the conditions here that we ought to do more to correct.

So I want to talk to you briefly today about some of my interests as the new Senator . . . interests which I hope can have a profound effect on the quality of life in South Texas.

I'll break it down into three major areas of concern—education, health and economic development. Obviously, the future of South Texas is wrapped up in those four words—education, health, economic development.

And when we look at these areas of concern let's look at them realistically. There is no sense in putting a coat of sugar on a problem. It may taste better that way, but it still makes you ill.

Begin with education.

If you speak of education in national terms, you have to speak of Lyndon Johnson. Here is a man who also loves South Texas. And there was a President who did more to advance the cause of education than any other President in our history.

The Elementary and Secondary Education Act, the Higher Education Act, the Bilingual

Education Act—you name them and he passed them.

Bilingual education has special significance here, of course. This legislation opened the door to expanded Federal aid to school districts for programs to meet the special needs of children who are deficient in the English language.

Yet the promise of bilingual education has never been fulfilled, because the program has been funded at less than one-half of its authorized level.

This year President Nixon has asked for only $25 million for bilingual education. We're authorized to spend $80 million.

In a city such as Laredo, the effects become apparent. There are 14,000 children here who should be receiving bilingual instruction. But only a thousand of them can be instructed at the present time.

We simply have to do better than that.

For my part, I will work for expanded funding of bilingual education and do all in my power to convince the Administration that this program should be pushed forward at a faster pace.

I'm going to work also for more aid for programs of vocational education, which is a crucial need in South Texas.

Without better job training and job stability, we can never reach the roots of poverty in this nation and in this area. I'll talk more about that in a moment.

We must do more to improve the health of the people of South Texas. Great progress has been made in recent years in infant care, in the control of tuberculosis, in the addition of new doctors and medical facilities. Project Hope is a model for the nation—supported by private funds, without a single government dollar.

But let's look at health care in general for one segment of our people—the migrant farm workers. Despite the health projects aimed directly at migrants, the average per capita health expenditure in 1967 was twelve dollars. Contrast that twelve dollars with the per capita average of $200 for our people as a whole.

Does South Texas need better health care? You and I know how great the need really is . . . and I'm going to do all I can to see that better health care is forthcoming.

I want to make a point right here.

We have a bad unemployment record in South Texas and the rates have been running well above the national average.

But we can't close our eyes to a companion problem—the problem of depressed wages and underemployment.

We have a great many people who work long and hard to eke out a bare subsistence for their families. Their opportunities are limited, they may be illiterate, they are poorly trained.

I believe it's a fundamental principle in this country that every man and every family should have the opportunity for good health, the opportunity for education and training, the opportunity to improve their standard of living.

We hear a lot these days about the welfare crisis. It *is* a crisis . . . of alarming proportions.

But let's not overlook another problem in our midst: the problem of the man who doesn't want to be on welfare, who wants to make his own way, but can't do it without some help from his neighbors.

That kind of man is prevalent in South Texas today. One of our great challenges is to help him keep his pride, help him find his own way toward a decent life for himself and his family, and help him become a productive breadwinner with a good job at good wages.

I think it would be a sad mistake for me, a United States Senator, to give you a lot of overblown verbiage about what I'm going to do, how many dollars I'm going to funnel down from Washington, and how I'm going to cause an industrial revolution in South Texas during the next months or years.

No one in Washington or anywhere else is going to lay out some neat little plan to change the economy of South Texas.

It's going to take work—hard work by people in government, your local officials, your bankers, businessmen, educators, leaders of all types.

We're not going to see major results overnight. But I do believe we will see some major progress within a reasonable length of time.

My pledge to you is that the office of Senator Lloyd Bentsen will work full-time on the priority objectives we have outlined here.

I have already initiated efforts to pull together the information, the legislative possibilities, and the identification of the people in government, education, business, finance and industry so vital to a successful program.

We've had a lot of studies already about what our problems are. I'm not interested in any more studies. I'm interested in a plan of action—a plan that will bring all of our resources to bear on developing this area as it should be developed.

The other day I had a long visit with Dr. George Kozmetsky, Dean of the College of Business Administration and the Graduate School of Business at the University of Texas in Austin. I've known him in business circles for several years and I wanted to get his views on Texas economic development, so I went to see him at his office.

He has conducted economic development planning for several areas of this country and he is especially interested in South Texas. And one of the things he told me is an obvious truth but one we sometimes don't like to admit to ourselves. He said that the competition for business, industry and research is so great throughout the world that an area such as South Texas can't count only upon good climate, low wages, low taxes and other so-called incentives to entice more industry.

We've got to re-gear our thinking on what we want the future of this area to be . . . what we're best equipped to be, what we're willing to do to get there.

I'm not really very proud of the fact that one of our enticements is cheap labor. It's been proved time and again that cheap labor is a temporary incentive, and that industries which come to an area for that reason usually move on when they find even cheaper labor.

What we should create is the incentive of *trained* labor—willing workers skilled in their trade.

And the incentive of good education facilities . . . good health care . . . a good way of life.

And the incentive of energetic, progressive local leaders in business and labor and government . . . men and women who have pride in their area . . . the kind of pride that's typified here in Laredo at this great Washington's Birthday celebration.

Let's take stock in these next few moments on what we have in this region.

We have Corpus Christi and Brownsville, potentially two of the great ports of this hemisphere. Beyond these ports are the markets of the world. How do we take advantage of this?

We have some of the richest soil in the world when we can get water to it. Are we doing everything we can in agriculture?

We need to do more in the way of progressive marketing of agricultural products through association and other joint efforts of farmers. Too long the farmer has said, "What will you give me for my product instead of joining together to set a price that brings a fair return?" For over twenty years, agriculture has been in economic trouble and today most of the products that the farmer sells he sells for less than he did twenty years ago. More has to be done in bringing the revolution of food technology to this area where we have the raw materials. This means more has to be done in the way of food processing to transport it to the market as a finished product. The growing of grain such as hegari is particularly suitable for South Texas, and there are strains that are best utilized in preparing food products for human consumption. Yet we continue to concentrate on those that are used primarily in feeding of cattle. These strains will largely replace the growing of corn which has really been the product of the Middle West and not South Texas. So why not, in this revolution of food technology prepare from these new strains of grain adaptable for South Texas needed products and retain the job-creating processes in this area.

These are only a couple of suggestions tossed out as examples. I think our possibilities are limited only by our imagination.

I want to join hands with you in doing some work and some thinking about our future. Whatever I can do to blend in the talents of our educational institutions and our government will be done. Whatever I can do to generate the resources of the Federal government—financial and otherwise—will be done.

You in this hall are the establishment of this area and this State. I believe the establishment wants to become involved a whole lot more than some of our critics claim.

If the merchants and businessmen of South Texas would truly prosper, then the people must earn enough to buy more than beans and flour. If the banks of South Texas are to build their deposits, and if the savings and loans their savings, then the wage earner must earn enough to have discretionary income with which to save. No great city or region has ever been built on welfare. We must look beyond our store fronts to people who want to and can move from the food stamp line, the unemployment line, and the welfare line to the payrolls and to the cash register. They must become taxpayers not tax-eaters. It's going to take your help—our help, if you will—for we are the establishment, and we can bring in the new industry and make the investments and build the jobs that are so necessary if the area is to prosper.

I think I know South Texans. I think I understand what makes us tick. I think I'm fully aware of our aspirations for progress and growth.

I hope, as a United States Senator, that I can help put together the right combination of government assistance, private enterprise and financial investment that can make this an area that is changing for the better.

We can become a greater region for tourists—especially people from the Midwest who traditionally come our way.

We can become a center of technology with good, stable industries to replace a one-industry economy with all of its built-in perils.

And we can do more in agriculture—the real wellspring of South Texas prosperity.

All of this ties back to what I mentioned earlier: education . . . health . . . opportunity.

Without these essentials, we can forget the rest.

Progress must move down one track in a free nation such as ours. Government and private enterprise must be colleagues and not enemies, and there must be enlightened leadership in both.

Thank you so much for the honor you have bestowed upon me. It reminds me again that this is my home . . . this is my bedrock. I'm proud of it. I'm proud to be home with you today.

MILITARY ASSISTANCE TO SAFETY AND TRAFFIC

(Mr. KAZEN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KAZEN. Mr. Speaker, seven counties in my congressional district, along with three others near San Antonio, are currently being served by a splendid demonstration of military-civilian cooperation. It is known as MAST, or Military Assistance to Safety and Traffic. It represents an effort by the Departments of Defense, Transportation, and Health, Education, and Welfare to put military expertise and manpower to civilian service.

I have previously stated on the floor of the House that there is no additional taxpayer expense: the pilots, air medics, helicopters, communications equipment—all these elements—are part of the 507th Medical Company—Air Ambulance—stationed at Fort Sam Houston. In their military function, the men of that company are constantly on the alert for emergency calls from doctors or law officers. And when one of those calls come, Maj. David W. L. Wilk has his men in their chopper and winging off on a mercy flight within 2 minutes.

News reports during the past 7 months testify to the effectiveness of this service. Let me offer some of these for consideration:

The Seguin Gazette reported that James Bell Buchanan, of Seguin, was injured in a late December traffic accident. He was taken to the Guadalupe Valley Hospital, where he complained of no serious injuries. Doctors found evidence of internal damage. The MAST helicopter moved him to Baptist Memorial Hospital in San Antonio, 35 miles away. He was treated for a punctured lung and three broken rips. Two days later he was in satisfactory condition.

The Luling Signal reported February 11:

> A MAST helicopter was at the Edgar B. Davis Memorial hospital Tuesday, 29 minutes after a call to San Antonio for its services. An elderly woman, burned in a home accident, and a man injured in an oil field accident were taken to Santa Rosa Medical center in San Antonio for treatment.

That airlift was 57 miles.

The San Antonio News reported January 4:

> Two men injured in San Antonio area accidents were hospitalized here Monday. Airlifted by army ambulance helicopters were a man who suffered head injuries in a traffic accident near Hondo, and a Uvalde man who accidentally shot himself in the knee while hunting.

In December, the San Antonio Express reported that five men had been injured when an automobile and a truck collided head on. Three were taken to Kenedy, Tex., hospital by ambulance, but two others who were more seriously hurt were airlifted to Santa Rosa Hospital.

The San Antonio News demonstrated the versatility of the MAST service in a report last July. A 70-year-old California man, being treated at a Uvalde hospital after a traffic accident, needed more intensive care so he was airlifted to Bexar County Hospital. And while one chopper crew was caring for him, a second was bringing a 3-day-old infant from Wintergarden Hospital at Crystal City. That tiny baby needed complete blood transfusion, and those husky army medics ferried an incubator over 120 miles to the roof of Santa Rosa Hospital, where the child was turned over to the competent hospital staff.

I do not suggest that newspaper editors in my district are either softer or tougher than others of their profession. I think they are honest in their evaluation of the MAST service. I quote just three of them:

Clarence J. LaRoche, of the San Antonio Express:

> My personal observation as a long-time reporter and editor in this area is that MAST is performing an outstanding service to our South Texas citizens.

Burnis Lawrence, of the Hondo Anvil Herald:

> We are highly in favor of continuing the project.

Otha L. Grisham, the Seguin Enterprise:

> Officials at all local government levels praise this MAST program highly. I will also add that local medical doctors, law enforcement officers and hospital officials have offered highest praise for MAST. Frankly, this is the finest example of co-operation I have ever seen. It is a wonderful program, and must be continued. I personally thank you for your effort along these lines.

These are only examples of editorial comment. We have had the same sort of response from the San Antonio Light, the Luling Newsboy, the Seguin Enterprise, the Seguin Gazette, the Fort Sam Houston Patriot, the Pearsall Leader, the Yoakum Herald Times, the Carrizo Springs Javelin, and the Zavala County Sentinel.

I have offered opinions of this service. Let me close with brief statistics. Since this demonstration project began until the end of January, the men of the 507th Air Ambulance Co. have flown 128 missions, 65 by day, 63 at night. They have carried 150 patients, and in the proccess have logged 156.8 hours of flying time.

They have not saved the lives of every person they carried. In some cases, injuries were too severe. But their contribution has been great, and the people of my district hope it will be continued.

THE GREEK PEOPLE DESERVE THE TRUTH

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, in Greece, the case of Alexander Panagoulis has been the subject of international headlines and even discussed in the parliaments of the world. The United States is no exception. Panagoulis is an army deserter who attempted to assassinate the Prime Minister of Greece last summer. There is, however, startling variation in the statements which have been made. In the beginning, the published reports in the foreign press were almost unanimous in their stories of inhumane treatment by the Greek authorities. Because of the nature of these allegations, the Greek Government invited foreign correspondents to learn the true facts and actually to see Panagoulis. The stories which appeared subsequent to these visits are startlingly different. It would appear that gross misrepresentations were made by the leftist opponents of the Greek Government for propaganda purposes.

Since the Panagoulis case has been discussed on Capitol Hill in an unfavorable light, it is important that Members of Congress have an opportunity to see the actual stories dealing with this case before May 16 when foreign correspondents were invited to see Panagoulis, and those which appeared after their visits. Below I submit dated transcripts as they appeared in print before and after May 16, and I urge that they be read for comparison. The Greek people are our true friends and it would appear to me that their loyal friendship and their close cooperation in the world fight against communism would be a primary subject for discussion by U.S. leaders rather than what did or did not happen to a would-be assassin:

> Le Monde, Paris, May 9, 1969: "For 264 days, i.e. since August 13 of last year, Alecos is kept in a very narrow underground cell from which he is not allowed to come out. He is continuously tortured which has brought him to the verge of insanity. The lack of light has almost blinded him. His hands are deformed because he is handcuffed during all 24 hours" declared Stathis Panagoulis, who is a student in Rome.
>
> Le Monde, Paris, May 18, 1969: Alecos Panagoulis, condemned to death for his attempt to assassinate Mr. Papadopoulos, the Greek Prime Minister, is in good health. This was ascertained on Friday by the correspondents in Greece of foreign news agencies who visited the prison where he is held.
>
> Le Peuple, Brussels, May 10, 1969: This concerns the terrible fate of Alexandro Panagoulis, condemned to 15 years solitary confinement for his participation in an attempt against Mr. Papadopoulos, head of the Government of Athens. The condemned man was at that time transferred to the Island of Aegina, where he is submitted to a barbaric treatment, his brother denounced to the Italian press: My brother is on the point of dying!
>
> Le Peuple, Brussels, May 17/18, 1969: (A.F.P.) Alecos Panagoulis, condemned to death following his attempt to assassinate Mr. Papadopoulos, Greek Prime Minister, is in good health and physically fit. This is what could be ascertained on Friday by the correspondents of foreign news agencies in Greece who visited the prison of Bogiati where Panagoulis is held. The journalists could see him play ball with two guards in the prison yard. Panagoulis is in better shape now than he was at the time of his trial.
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> Times, London, May 7, 1969: The brother of Alexandros Panagoulis alleged today that he is on the brink of death because of torture and maltreatment. He said, the lack of light in his brother's underground cell had made him almost blind and his hands withered through being constantly fettered.
>
> Times, London, May 17, 1969: Alexandros Panagoulis, aged 31, the army deserter who tried to assassinate Mr. George Papadopoulos, the Greek Prime Minister last summer, was described today to be looking "fit and strong" by five foreign news agency correspondents who were allowed to visit the military prison at Boyati, and they saw him playing ball with two soldiers.
>
> Tribune De Geneve, Geneve, May 8, 1969: According to Mr. Stathis Panagoulis who lives in exile in Rome, his brother Alexandros Panagoulis, who was condemned to death last November, is reported to be in danger. The capital punishment to which he was condemned for having attempted to assassinate

the Greek Prime Minister, Mr. Papadopoulos, was not carried out. His brother, therefore, makes an appeal to the free world to assist him.

Tribune De Geneve, Geneve, May 19, 1969: (A.F.P.)—Alecos Panagoulis condemned to death for his attempt to assassinate Mr. Papadopoulos, Greek Prime Minister, is in good health and good shape. The journalists could see him play ball with two guards in the prison yard. Panagoulis is in better shape now than he was at the time of his trial.

Avanti, Rome, May 11, 1969: "We know—reads the denunciation—that Panagoulis is imprisoned in an underground cell; sleeps on a constantly damp concrete floor because he is denied a bed; he is systematically and continuously submitted to tortures which have brought him to the verge of insanity and the absence of light has almost blinded him."

Le Figaro, Paris, May 8, 1969: The conditions of detention of my brother Alexandros Panagoulis are such that he runs the risk of dying at any moment. "My brother is detained in an underground cell without light from which he never goes out; he is tortured every day; he is chained during all 24 hours" declared Stathis Panagoulis, a student of the University of Rome.

Il Messaggero, Rome, May 18, 1969: The foreign journalists could observe Panagoulis (those who had followed his trial have agreed that it was he) during the morning walk in the prison. Panagoulis was playing ball with two guards belonging to the administration of the prison, for about a quarter of an hour. In general, he is in good shape and played with much vigor; with one kick he sent the ball over the wall of the yard.

The New York Times, New York, May 17, 1969: To Quash Torture Rumors (N.Y.T.)—Premier George Papadopoulos allowed newsmen to see for themselves today that Alexandros Panagoulis, the man who tried to kill him last summer, was still alive and kicking. Today, five foreign reporters had seen Panagoulis, the 31-year-old army deserter, kicking a football in the exercise yard of a military prison at Boyati, 12 miles northeast of Athens. He looked plump and fit. His brother Efstathios claimed last week that Alexandros was being tortured to death.

A WAGE BOARD BILL IS NEEDED

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, it will be recalled that a wage board bill to provide an improved method for adjusting the wage system of Federal blue collar workers was approved by the Congress in the last session. However, it was vetoed, and due to the lateness of the session, no attempt to override the veto was possible. In the House the measure passed by record vote of 272 yeas to 89 nays, and in the Senate approved by voice vote. It is highly proper that further efforts be made to insure the enactment of this legislation. A wage board bill still is needed to provide an equitable system of wage adjustment and to eliminate discrimination in wages paid to nearly 800,000 Federal blue collar or prevailing rate workers, some of whom have suffered inequitable and unfair treatment for many years because of the lack of such legislation.

I am introducing such a bill. It will provide by statute the first equitable system for adjusting and fixing the pay rates of wage grade employees. There is within every State a large number of wage grade and nonappropriated fund employees who have been discriminated against. This is a continuing problem and one cannot stress too strongly the need for immediate action. The issue has been ignored too long by those who had the power to correct this unjust system.

Prevailing rate employees make up 27 percent of those paid exclusively from appropriated funds. Additional thousands of employees are included in the nonappropriated fund list. It is significant that these wage grade workers earn annually on an average 16 percent less than classified workers or those in the postal field service. These patient workers have been loyal to their Federal job stature, but we cannot ask them to be patient indefinitely.

The bill which I am introducing, in setting up 10 steps in pay differential, will not only correct the gross inequities of the present three step system, but will establish a range of rates so Federal Wage Board can win comparability with private industry.

As things now stand, the pay differential for classified white-collar workers is about 30 percent; the pay differential of blue-collar workers in private industry follows a similar pattern; but the Wage Board blue-collar workers in Federal installations can only increase their rate of pay by 8 percent. This obviously is an inequitable situation.

Supervisors are given the privilege of a five in-grade system now, so they can enjoy continued financial rewards but the workers they supervise are stuck in an inflexible grade system.

The bill will also establish a Federal Prevailing Rate Advisory Committee within the Civil Service Commission with an impartial chairman appointed by the President to insure that the broad interests of both sides are represented and protected.

Five members of the committee will be appointed by the Chairman of the Civil Service Commission from labor unions representing the largest number of prevailing rate employees under exclusive recognition in Government service. Management officials, five in number, will be appointed from each of the four executive agencies—other than the Civil Service Commission—and Military departments having the largest number of prevailing rate employees and an employee of the Civil Service Commission appointed by its chairman.

An important feature of the bill is that it would include the provision that the nonappropriated fund workers will receive the same benefits as the wage grade workers.

This measure is highly important to the Federal service. These workers have been more than patient, but their patience understandably is growing thin. It is time to correct a mishmash of antiquated executive orders and regulations.

REPRESENTATIVE PERKINS INTRODUCES LEGISLATION TO ESTABLISH A UNIVERSAL FOOD SERVICE AND NUTRITION EDUCATION PROGRAM FOR CHILDREN

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, I introduce today a bill to establish a universal food service and nutrition education program for children.

The bill proposes a program of great significance to the health and well-being of the Nation's children. In the long run, this program is the only sound and practical approach to solving the serious problems of malnutrition and poor diets that exists at all levels of income among the general populace.

This bill has three basic objectives:

First, to provide all children with adequate nutrition, free of charge, as a part of the educational program, on the same basis as most other school activities. No child is to be singled out or identified as different from his classmates.

Second, to provide funds and authority for the conduct of a comprehensive program through State departments of education to teach all children, as they learn and develop, the principles of good nutrition. All the evidence we have from the experts in nutrition and health points to one single conclusion: ignorance is the fundamental, basic cause of undernutrition, and poor diets.

In recognition of this fact, the Department of Agriculture is now spending some $25 million annually on a nutrition education program for families receiving food stamps and donated foods. This is being done because the Department has found that more money for food does not in itself correct the problems of poor diets and undernutrition.

We therefore must undertake a positive program of nutrition education throughout our school systems as a major part of the overall effort to eliminate malnutrition.

Third, to strengthen the administration of food service programs for children by State and local governments. Over the past several years, one Federal program after another has been thrust upon State and local governments to the point that they do not have the financial ability to administer them effectively.

A case in point is the school lunch program. Despite heavy expanding of the program, only a minor amount of financial help has been given to State education agencies for program administration and none to assist the local school districts with regard to the costs of supervision, coordination, training, and other aspects important to administration. This situation should, and must be rectified so that food service programs for children can make their maximum contribution to ending malnutrition.

Mr. Speaker, I am fully aware that this bill is a major departure from present and past legislative concepts and policies for child food service programs. I recognize too that it expresses a bold new approach to combating malnutrition. Also, I recognize the fact that this would be a costly program if measured only in dollars and cents.

Yet I offer this bill for public debate on its merits and objectives. It should be debated and discussed not only in Congress, but across the land by educators, school administrators, parents, experts in the field of nutritional health, and all groups and organizations concerned with this issue. Personally, I am confident that in the long run lunch-at-school programs will become a regular part of the schoolday, no difference than classes in math, history, English grammar or transportation to and from school.

I hope the debate on a universal school food service program will focus on these points:

First, the impact of good nutrition during the school day on the child's ability to learn, his general health, discipline problems, absenteeism, dropout rates, and his overall development.

Second, the extent to which such a program, with heavy emphasis on nutrition education, could reduce health costs in the future.

Third, the need to eliminate the present procedure of identifying children on the basis of income status as eligible for free lunches. No system has yet been devised to completely hide the identity of the child receiving a free lunch. More important, the child himself knows that he himself cannot pay and is therefore different from his classmates.

Fourth, the national school lunch program, while improving, is reaching about half of total school attendance.

Fifth, when we think of children and their needs, we should think of a complete program to meet these needs. If we provide funds and the authority to give free lunches to children in families below the arbitrary poverty standard, what about the vast number of children just above that same level? For these are the children who are not now being reached by the program in a period when prices on all items have been rising beyond the family budget.

Also, what happens to the children who are too proud to admit that they are too poor to pay and eat no lunch at all. It is becoming more and more clear everyday that we are not going to reach all the needy children in school with lunches under the present "means test" procedure, no matter how far we go in in simplifying this operation.

Finally, Mr. Speaker, this bill presents a comprehensive plan for the future health of this Nation's population. Let it be discussed on its merits and objectives. Then in time, I am confident that ways will be found to achieve the necessary financing.

REPRESENTATIVE PERKINS INTRODUCES LEGISLATION TO CONTINUE FREE OR REDUCED-PRICE MEALS THROUGH OPERATION OF SCHOOL LUNCH AND CHILD NUTRITION PROGRAMS

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, I introduce today a bill to assure that needy children will continue to receive free or reduced-price meals for the remainder of this fiscal year through the operation of school lunch and child nutrition programs.

I present this bill to fulfill the commitment which Congress made last April when H.R. 515—now Public Law 91–248—was approved. As you know, this new law requires that beginning January 1, 1971, all children from families with incomes below a national poverty income standard shall be provided with a free or reduced-price meal. Only a simple application form is required from the parent to qualify the child as eligible.

Concern is already being expressed by the States and local school districts that present Federal funding is not sufficient to carry the program through the year. The original estimate of the number of needy children to be fed, as developed by the U.S. Department of Agriculture, was that 6.6 million children in all the schools of the Nation would qualify for a free or reduced-price meal under the new standards. As of February 2, 1971, the Department estimates, on the basis of new reports from the States, that the number of children eligible is 7.8 million in the schools now participating in the school lunch program. This is an increase of 1.2 million above the original estimate. Further, it does not include needy children in some 23,000 schools, with an enrollment of 6.7 million children, which now do not have a food service program.

I include the report of the Department of Agriculture at the conclusion of my remarks.

In this bill, we are therefore proposing that the Secretary of Agriculture be given standby authority to use additional amounts of section 32 funds to insure that all needy children may continue to receive nutritious meals throughout the year.

The material follows:

STATES REPORT ON CHILDREN ELIGIBLE FOR FREE, REDUCED PRICE SCHOOL LUNCHES

Initial estimates from State educational agencies indicate that the number of needy children eligible for free and reduced price lunches in the nearly 78,000 schools participating in the National School Lunch Program may total 7.8 million, the U.S. Department of Agriculture reported today.

Some 5.5 million of them got free and reduced price lunches in November, while another 17.9 million children paid the regular price. The total of 23.4 million participants set a record for the lunch program. Preliminary indications are that some 6 million children received free and reduced price lunches in December, USDA's Food and Nutrition Service said.

The estimates of eligible children enrolled in NSLP schools were made last October, before the mandatory January 1 full implementation of amendments enacted last May to the school lunch and child nutrition acts.

"These reports represent the first State and local experience in reporting children's eligibility for free and reduced price lunches, as required by the new legislation," Assistant Secretary of Agriculture Richard Lyng commented. "We are working now with the States to refine their reporting methods, to assure greater uniformity in subsequent semi-annual reports required every March and October," he said.

"At the moment, however, these are the only benchmarks available. We are using them in our efforts with State and local school cooperators to be sure all eligible needy youngsters in participating schools get a free or reduced price lunch," Mr. Lyng said.

The States' estimates of the number of enrolled children eligible for free and reduced price lunches in NSLP schools totaled 7.8 million in October. The States' reports also showed a total of 77,598 participating schools with an average daily attendance of 38.7 million at the opening of the current school year last fall. Another 23,097 schools with an estimated average daily attendance of 6.7 million were reported as having no food service.

Following are State-by-State estimates of enrolled eligibles, those being reached at schools as of November 1970, schools participating in the National School Lunch Program, and those without any food service.

UNITED STATES DEPARTMENT OF AGRICULTURE—FOOD AND NUTRITION SERVICE, WASHINGTON, D.C.

[Number of children eligible for free or reduced price meals at school, number reached in November 1970; number of schools in National School Lunch program, number of schools without a food service. By States and regions]

Region and State	Estimated number of children eligible, October 1970	November 1970, average reached daily [1]	September 1970, number of schools in NSLP	Schools W/out food service
		Number of children		
Northeast:				
Connecticut	59, 584	23, 036	832	584
Delaware	17, 317	8, 495	182	46
District of Columbia	61, 423	51, 454	195	149
Maine	70, 946	26, 762	660	333
Maryland	80, 713	86, 512	1, 218	178
Massachusetts	122, 929	47, 395	1, 676	1, 649
New Hampshire	8, 648	7, 746	360	188
New Jersey	305, 334	101, 613	1, 319	1, 647
New York	620, 000	548, 197	4, 496	1, 656
Pennsylvania	715, 468	196, 900	3, 719	2, 162
Rhode Island	90, 000	13, 603	243	241
Vermont	16, 244	8, 217	329	103
West Virginia	97, 324	138, 177	1, 188	165
Regional total	2, 265, 930	1, 258, 107	16, 417	9, 101
Southeast:				
Alabama	209, 587	212, 901	1, 383	51
Florida	280, 568	222, 262	1, 832	367
Georgia	274, 871	248, 618	1, 847	101
Kentucky	256, 759	148, 281	1, 610	104
Mississippi	171, 394	199, 769	894	157
North Carolina	246, 846	208, 097	1, 976	80
Puerto Rico	448, 500	253, 105	2, 380	123
South Carolina	185, 905	191, 769	1, 119	66
Tennessee	160, 225	200, 986	1, 730	66
Virginia	214, 844	135, 699	1, 789	119
Virgin Islands	8, 170	14, 270	31	14
Regional total	2, 436, 985	2, 135, 757	16, 591	1, 248

Footnote at end of table.

Region and State	Estimated number of children eligible, October 1970	November 1970, average reached daily [1]	September 1970, number of schools in NSLP	Schools W/out food service
		Number of children		
Midwest:				
Illinois	230, 000	201, 485	3, 279	908
Indiana	89, 500	54, 485	2, 204	497
Iowa	91, 695	34, 788	1, 876	227
Michigan	295, 142	87, 982	2, 586	1, 574
Minnesota	97, 042	75, 326	1, 891	456
Missouri	134, 941	100, 331	2, 541	254
Nebraska	38, 587	34, 388	836	1, 157
North Dakota	15, 303	14, 717	507	131
Ohio	119, 936	155, 465	4, 028	907
South Dakota	26, 250	13, 625	582	558
Wisconsin	53, 953	49, 128	2, 211	794
Regional total	1, 192, 349	821, 720	22, 541	7, 463
Southwest:				
Arkansas	179, 839	109, 336	971	17
Colorado	82, 780	56, 650	1, 195	161
Kansas	22, 487	24, 393	1, 530	315
Louisiana	130, 000	150, 552	1, 630	20
New Mexico	76, 981	76, 981	649	60
Southwest—Continued				
Oklahoma	98, 843	75, 982	1, 819	55
Texas	252, 280	144, 002	3, 969	312
Regional total	843, 210	637, 896	11, 763	904
Western:				
Alaska	13, 074	13, 471	195	84
Arizona	26, 596	43, 809	603	312
California	800, 000	400, 903	4, 928	2, 413
Guam	1, 577	1, 550	36	1
Hawaii	13, 694	17, 001	216	55
Idaho	14, 863	9, 306	494	91
Montana	11, 800	10, 527	510	521
Nevada	2, 558	3, 353	115	133
Oregon	109, 736	31, 201	1, 072	257
Samoa, American	8, 515	9, 204	32	0
Utah	21, 425	23, 115	532	58
Washington	76, 485	57, 484	1, 443	260
Wyoming	2, 523	3, 508	110	160
Regional total	1, 102, 856	624, 432	10, 286	4, 345
Total	7, 861, 330	5, 477, 912	77, 598	23, 097

[1] Adjusted for absenteeism using individual State absentee rate supplied by Office of Education, H.E.W., for school year 1967–68.

UNITED STATES DEPARTMENT OF AGRICULTURE, CONSUMER AND MARKETING SERVICE

[Removal of Surplus Agricultural Commodities Fiscal Years 1961–70]

	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970
Funds available:										
Carryover	$300, 000, 000	$300, 000, 000	$300, 000, 000	$300, 000, 000	$300, 000, 000	$298, 758, 226	$300, 000, 000	$300, 000, 000	$300, 000, 000	$299, 921, 169
Recovery of prior year obligations	802, 033	1, 457, 908	1, 128, 424	451, 225	49, 596	28, 529	157, 060	20, 077	784	130, 188
30 percent of customs receipts	319, 960, 724	325, 826, 751	318, 068, 537	369, 391, 556	378, 907, 331	405, 549, 361	493, 935, 754	578, 911, 603	596, 645, 658	698, 462, 614
Total available	620, 762, 757	627, 284, 659	619, 196, 961	669, 842, 781	678, 956, 927	704, 336, 116	794, 092, 814	878, 931, 680	896, 646, 442	998, 513, 971
Less transfers to Interior (15 U.S.C. 713c as amended)	5, 321, 081	4, 757, 143	5, 071, 342	5, 373, 096	5, 297, 951	6, 610, 596	6, 778, 506	7, 443, 592	7, 412, 775	7, 636, 414
Total available to USDA	615, 441, 676	622, 527, 516	614, 125, 619	664, 469, 685	673, 658, 976	697, 725, 547	787, 314, 308	871, 488, 088	889, 233, 667	990, 877, 557
Obligations:										
Commodity program payments:										
Cotton		24, 000	9, 615							
Dairy products	116, 303, 574	853, 625		85, 000, 000	25, 000, 000	39, 550, 000		9, 131, 064	120, 860, 144	103, 615, 335
Eggs and poultry	37, 597, 468	31, 199, 507	24, 354, 417	27, 012, 132	5, 178, 235	9, 850, 244	4, 346, 876	44, 609, 531	55, 850, 771	71, 218, 747
Fruits	1, 070, 098	1, 531, 370	3, 729, 726	3, 056, 022	4, 259, 537	10, 874, 821	37, 964, 401	11, 523, 200	17, 401, 624	37, 793, 979
Grain	3, 057, 880	7, 816, 011	111, 990	4, 744, 789	2, 266, 380		5, 284, 515	10, 586, 225	8, 893, 961	15, 509, 812
Livestock products	78, 156, 722	82, 031, 993	58, 929, 440	122, 970, 260	175, 974, 126	40, 617, 533	119, 733, 256	67, 613, 465	95, 989, 497	76, 241, 081
Peanuts and products	12, 574, 492	7, 633, 866	3, 000, 881	12, 373, 212	12, 585, 620	11, 967, 360	6, 369, 083	10, 927, 208	14, 903, 267	15, 298, 960
Tobacco		1, 532, 468	2, 995, 579	2, 074, 844	447, 033		−5, 294			
Tree nuts						1, 090, 234	37		−61	
Vegetables	3, 157, 931	10, 572, 230	2, 733, 806	2, 313, 490	1, 418, 894	2, 488, 607	8, 140	13, 167, 208	21, 298, 338	22, 509, 419
Miscellaneous	840, 084	−30, 908	187, 996	−13, 380	−25, 208	573, 744	536, 955	1, 761, 853	5, 063, 418	5, 802, 247
Subtotal	252, 758, 249	143, 164, 162	96, 053, 180	259, 504, 369	227, 104, 622	117, 012, 543	174, 237, 969	169, 319, 754	[1] 340, 260, 959	[1] 347, 989, 580
Food stamp program	906, 213	14, 069, 967	20, 439, 770	30, 505, 716			−86, 420			
Surplus removal operating expenses	2, 324, 205	2, 822, 382	2, 832, 417	3, 082, 082	3, 271, 326	3, 070, 358	3, 374, 689	3, 993, 438	6, 242, 359	7, 185, 804
Marketing agreements and orders	1, 630, 681	2, 263, 591	1, 892, 273	1, 988, 854	2, 140, 144	2, 185, 616	2, 813, 513	2, 335, 418	2, 276, 866	2, 575, 796
Special Feeding Program									[1] 45, 000, 000	[1] 127, 161, 186
Food and Nutrition Aides program									9, 948, 055	33, 566
Total obligations	257, 619, 348	162, 320, 102	121, 217, 640	295, 081, 021	232, 516, 092	122, 268, 517	179, 709, 751	175, 648, 610	402, 740, 310	474, 600, 932
Transfers:										
(1) Foreign Agricultural Service (pursuant to USDA Appropriation Acts)	2, 817, 000	3, 117, 000	3, 117, 000	3, 117, 000	3, 117, 000	3, 117, 000	3, 117, 000	3, 117, 000	3, 117, 000	3, 117, 000
(2) Child nutrition programs (pursuant to USDA Appropriation Acts	45, 000, 000	45, 000, 000	45, 000, 000	45, 000, 000	45, 000, 000	45, 000, 000	45, 000, 000	45, 000, 000	64, 325, 000	194, 266, 000
(3) Food Stamp Program (pursuant to 1965 USDA Appropriation Act)					30, 650, 000					
(4) Special milk program (pursuant to 1965 USDA Appropriation Act)					51, 500, 000		53, 000, 000	104, 000, 000	104, 000, 000	
(5) Commodity Credit Corporation, ARS & CSRS (pursuant to 1964 USDA appropriation Act)				16, 000, 000	12, 080, 554	18, 500, 000	25, 000, 000	15, 000, 000	15, 000, 000	15, 000, 000
(6) Comparative transfer to Office of Inspector General	653, 312	978, 376	1, 225, 000	1, 369, 957						
(7) Miscellaneous transfers		285, 000	21, 400	94, 648						
Total used by USDA	306, 089, 660	211, 700, 478	170, 581, 040	360, 662, 626	374, 863, 646	188, 885, 517	305, 826, 751	342, 765, 610	589, 182, 310	686, 983, 932
Balance	309, 352, 016	410, 827, 038	443, 544, 579	303, 807, 059	298, 795, 330	508, 840, 030	481, 487, 557	528, 722, 478	300, 051, 357	303, 893, 625
Unobligated balance of research funds returned from ARS								317, 305		
Returned to Treasury	7, 894, 108	109, 698, 614	143, 093, 354	3, 757, 463	8, 575	208, 682, 970	181, 467, 480	229, 038, 999		3, 893, 625

[1] Commodity totals include $987,929 in fiscal year 1969 and $10,345,000 in fiscal year 1970 obligated under the special feeding program for commodities distributed through the supplementary food packages program in food stamp areas.

COMMERCIAL SST SERVICE BEGINS IN OCTOBER—BY THE RUSSIANS

(Mr. PELLY asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PELLY. Mr. Speaker, Aviation Daily reported last Friday what many of us in the House of Representatives have long been predicting; the Soviet Union will inaugurate supersonic transport service this coming October. This gives the Russian SST a 3 to 4 year jump on the Concorde, and the amount of jump on the United States is up to us here in the Congress.

The first route is to be from Moscow to Calcutta, and certainly it is reasonable to assume that other routes will be quickly filled as soon as aircraft become available, and the competition between airlines will become increasingly stronger.

This news should remove any question as to whether or not we must carry on with the American SST. It already has been proved to be less noisy than opponents claim, and evidence is firmly indicating that the SST is compatible with our environment under proper restrictions.

Mr. Speaker, for the information of my colleagues, the full text of Aviation Daily's story appears at this point in the Record:

Russia Plans First SST Commercial Flight in October

Russia's Tupolev Tu-144 supersonic transport flying Aeroflot colors is scheduled to enter commercial operation in October on both domestic and international routes. First domestic route will be Moscow to Khabarovsk located at the extreme eastern edge of Soviet Russia near the Sea of Japan. First international route will be Moscow to Calcutta, India with first flight tentatively scheduled for the week of Oct. 23–27.

This gives the Russian SST a three to four year jump on the Anglo-French Concorde which is expected to go into commercial operations in 1974 or '75. The U.S. SST, if it continues to be funded at the original rate and if the program continues as planned, will enter commercial service in 1978.

The Moscow-Calcutta route is approximately 2900 nautical miles and is almost exactly the same distance as London-New York, the route for which the Concorde was planned. The Moscow-Khabarovsk route is farther, about 3300 nautical miles. This may call for an intermediate stop along the route over Siberia.

THE VITAL ROLE OF THE NATIONAL ACADEMY OF SCIENCES

(Mr. BELL asked and was given permission to extend his remarks at this point in the Record, and to include extraneous matter.)

Mr. BELL. Mr. Speaker, I am sure that most of my colleagues are aware of the fine service being performed by the National Journal. I have found its indepth articles particularly valuable to me in my committee work. A case in point is a two-part report by Claude Barfield on the National Academy of Sciences. This report is an excellent analysis of the vital role played by the Academy and its relationship to overall questions of national science policy. It touches on areas of concern to every Member of this body, and I would like to request, therefore, that it be entered into the Record at this point:

Science Report/National Academy of Sciences Tackles Sensitive Policy Questions

(By Claude E. Barfield)

The quality of air American citizens breathe, the food they eat and the drugs they use—all will be affected by a little-known Washington institution whose voice in public decisions is rapidly becoming stronger.

That institution is the National Academy of Sciences, which has not been accustomed, in its 108-year history, to dealing with volatile political issues.

The NAS is taking on jobs that will involve it in resolution of such problems as the proper nutritional content of foods, the environmental effects of a major airport's expansion and the safety of further nuclear development.

The surfacing of the academy as a major adviser to government has been a long time in coming. Since 1863, the NAS has had a congressional mandate to counsel the federal government on matters of science; but, until recently, the government has not asked for much advice, and the academy has not sought out federal work.

That began to change in the 1960s, when government agencies looked to the academy primarily for the expertise it could bring to the study of scientific matters.

ROLE AS ARBITER

Now, the academy is being used not only for its expertise but also because it is often viewed as an impartial arbiter—a voice of reason—in controversial areas of public policy making.

So it was that Robert H. Finch, as HEW, Secretary (1969–70), chose the academy to review the federal government's radiation safety standards, at a time when controversy over nuclear development was fast on the rise. (*See Vol. 2 p. 2483.*)

And so it was that Congress, in writing new clean air legislation (84 Stat 1676), designated, the academy as arbiter of such questions as how fast the automobile industry should be able to reduce exhaust emissions and whether the industry should be given extensions of statutory deadlines for cleaning up its engines. (*see p. 25.*)

The academy emphasizes that it is not a decision-maker on these issues, that federal agencies ultimately bear responsibility for setting policy. But the nature of the academy's involvement is expanding its influence in agency decisions. In a number of important questions now pending, the adviser may become almost indistinguishable from the policy maker.

Does the academy bring a voice of reason to public policy issues? That is a question of concern both within the government and at the academy.

In the radiation standards controversy, the academy's review panel was attacked as beholden to the Atomic Energy Commission, the federal agency charged with promoting peaceful uses of nuclear energy. The academy responded by changing the composition of its panel. Still, when the Joint Atomic Energy Committee tried to give the NAS a statutory role in advising the government on radiation standards, environmentalists balked and the academy retreated.

Activism: The NAS is not shunning involvement in these issues. Indeed, under president Philip B. Handler, the academy's leadership is actively seeking a wider advisory role.

At the same time, the academy is taking steps to protect itself.

Reconstitution of the radiation committee was evidence that the NAS leadership is aware of the perils of involvement in political controversies.

On a broader scale, the NAS has recently established a special committee to monitor NAS reports on politically sensitive issues. The institution is also becoming more careful about the wording of its contracts with government agencies and increasingly is demanding the right to publish its studies independent of government sanction.

These steps are designed to reform NAS relations with federal agencies; but the academy also is having to reassess its relations with Congress.

There never has been much contact between the NAS and the legislative branch, but recently Congress has tried to give the academy a statutory advisory role in specific and controversial areas of public policy making.

Criticism: Changes in the academy's goals and administrative practices are not coming fast enough to head off criticism of the institution. One recent attack came in a speech to the American Association for the Advancement of Science by former Interior Secretary (1961–69) Stewart L. Udall.

Udall accused the organization—and the entire scientific establishment in the United States—of fostering an attitude that has "tended to make scientists political eunuchs." He called for an intensive investigation of the NAS by Ralph Nader's Center for Study of Responsive Law.

NATURE OF THE NAS

The National Academy of Sciences, which describes itself as a private, co-optative society" with a congressional charter, has two functions—one honorific and one advisory.

MEMBERSHIP

Election to its membership is the highest professional distinction, short of a Nobel prize, that a U.S. scientist can achieve. The academy elects only 50 new members a year. Of the more than 125,000 persons in the United States who have PhDs in the physical, natural and social sciences, only about 860 are NAS members.

For years, engineers complained that too few of their numbers were granted membership in the NAS, and finally, in 1964, they were given separate status in a National Academy of Engineers. The new academy is not fully independent, however, and operates under the original NAS charter. It now has about 325 members.

The NAS and the NAE have a more practical mission than honoring distinguished scientists. The unique federal charter granted the NAS in 1863 stated: The National Academy of Sciences shall, whenever called upon by any department of the government, investigate, examine, experiment and report upon any subject of science or art. . . ."

NATIONAL RESEARCH COUNCIL

For many years, the government and the academy largely ignored each other. But their contacts began to increase during World War I when, as a means of mobilizing scientists for the war effort, the academy established the National Research Council as a working advisory arm. Participation in NRC activities was open to all scientists, not just NAS members. From this institutional addition has grown the wide-ranging government advisory role of the NAS.

Some 450 committees, panels and boards with a total membership of more than 7,000 scientists and engineers now comprise the NRC.

The NRC led a semi-independent life until the 1950s, when the NAS reasserted firm control over its research arm. Today, the president of the academy and the 17-member NAS council fully direct the affairs of the NRC, and the NAS president also is chairman of the NRC.

Structure—The structure of the NRC, like that of the NAS, is essentially along the lines of scientific disciplines: behavorial sciences, biology and agriculture, chemistry and chemical technology, earth sciences, mathematical sciences, medical sciences and physical sciences. In addition, there are two offices which deal with problems common to all divisions—the Office of Scientific Personnel and the Office of the Foreign Secretary of the NAS.

Staff and finances—As its activities have proliferated, the NRC has developed a sizeable bureaucracy. It now has 950 full-time employees, 375 of them professionals.

The operating budget of the NAS-NAE-NRC also has grown substantially since World War II; it is increasingly dominated by federal money given under contract to the NRC for advisory studies.

In 1950, the budget amounted to only $5.6 million. In the fiscal year ending June 30, 1970, total income amounted to $33.0 million, including $25.4 million from government contracts, $3.5 million from various sources, such as states, foundations, professional societies and industry, and $1.5 million from trust and endowment funds.

The academy charges no fees beyond its expenses for its services to government agencies.

Similarly, individual NAS members give free advice when the government asks for it through the academy; they, too, are paid only their expenses.

THE HANDLER INFLUENCE

Handler, the biochemist from Duke University who became NAS president on July 1, 1969, takes an activist view of his academy's role in American government and society.

Handler seems destined to preside over the public surfacing of the academy as an important articulator of science policy recommendations and, more important, as a central advisory body for the increasing number of public questions with scientific and technological components.

DEFENDING SCIENCE

Handler and National Science Foundation Director William D. McElroy today are the most effective and persuasive spokesmen for science before the committees of Congress and in other public forums.

Said William D. Carey, a close observer of science policy making over the last decade as a Budget Bureau official: "The partnership of government and science has never been in greater disarray, but the Handler-McElroy combination has been crucial in stemming a worse deterioration—particularly at a time when the role of the President's science adviser is drastically diminished."

Carey formerly headed the Budget Bureau's human resources section; he left in 1969, and now is with Arthur D. Little Co.

During the last year, Handler has repeatedly deplored charges by environmentalists and others that science and technology are to blame for many of society's ills.

In a March 14 speech, he said that "the revolution of rising expectations rests squarely on the promises implicit in the success of our technological accomplishments."

And he has exhorted his fellow scientists to speak out in defense of science.

On April 14, he told a group of scientists to "write an informative letter, next week, to your own Congressmen and Senators who hold the keys to federal appropriations for NIH and NSF. . . . Do not wring your hands or complain to each other—get out your pens and Write! . . . What is at stake is not your research, your institution or science for its own sake. What is at stake is the national future."

NEW ASSIGNMENTS

Last year, even before he assumed his present position, Handler signaled that he would actively seek new assignments for the NAS. He told an interviewer: "There is nothing in the (academy) charter that says we can do nothing unless requested. . . . I don't see any reason why we have to wait to be asked. The (federal) charter is the broadest franchise one could have hoped for."

In an interview with *National Journal*, Handler amplified this theme: "The NAS exists not only to further the development of science. We also have a clear responsibility to provide useful, rational advice to the agencies of the national government, and occasionally to society in the large."

Handler seems fully prepared to move the NAS to the forefront in attacking societal problems. He wants the organization to have a larger role in helping with pollution control and urban development and other pressing problems of the day. The NAS and other parts of the U.S. science establishment have often been attacked for not making contributions in these areas. (*See "Udall Indictment" box.*)

ADVICE TO AGENCIES

Government agencies increasingly are seeing a need for an authoritative, independent adviser on issues—particularly environmental issues—with substantial scientific aspects. As a result, the academy—largely through the NRC committees—is involved in an astonishing number and variety of consulting tasks. (*For a list of controversial issues the NAS has tackled, see "hot potatoes" box.*)

Many are of a potentially controversial nature. In the general area of environment, for example, it has undertaken studies dealing with auto emissions and air pollution criteria, radiation standards and radioactive waste disposal, the environmental effects of the supersonic transport aircraft and use of defoliants in Vietnam. On its own initiative, it will make a study of power plant siting.

In public health matters, the academy is deeply into issues handled by the Food and Drug Administration, both with its study of drug efficacy and with its review aimed at setting standards for the nutritional content of foods. (*For a report on nutrition guidelines, see Vol. 2 p. 2399.*)

METHODS OF OPERATION

The NAS employs a variety of organizational units, and the jurisdictions of its divisions, boards and committees are ill-defined. According to NAS executive officer John S. Coleman, the academy likes it that way because the NAS president and council have a good deal of flexibility in responding to requests.

For emergency requests requiring quick handling, for example, the academy is likely to establish an ad hoc committee. Former NAS President (1962–69) Frederick Seitz did that in June 1969, when the Army asked for an evaluation of its plan to move 27,000 tons of chemical weapons over land from Denver, Colo., to the Atlantic Ocean for disposal.

George B. Kistiakowsky, vice president of the NAS and professor of chemistry at Harvard University, was asked to put together a blue-ribbon panel to deal with the weapons removal issue. Kistiakowsky recalls that he "went out and found men identified with the Defense Department and then men very much opposed to chemical warfare and put them in a room to fight it out."

The panel recommended modifications in the army's safety precautions. The result, Kistiakowsky said, "was a compromise solution that neither the army nor its critics really liked, but the safety of which nobody has yet challenged."

For specific problems of a continuing nature, the academy has a number of standing committees, including committees on radioactive waste management, on undersea warfare and on the biological effects of atmospheric pollutants.

Finally, for large problems which encompass a number of related questions, the NAS over the years has created a group of boards, such as the Highway Research Board, the Food and Nutrition Board, the National Materials Advisory Board and the Environmental Studies Board.

The biggest and oldest of these is the Highway Research Board, which uses more than 2,000 federal and state highway administrators, researchers, engineers and scientists. The board functions as a clearing house for highway research money; in fiscal 1970, it had at its disposal some $4 million.

REASONS FOR AGENCY USE

Interviews with government officials who use the academy revealed substantial agreement on the basic utility of academy pronouncements.

Prestige, quality—Stephen J. Lukasic, assistant to the director of the Defense Department's Advanced Research Projects Agency, emphasized two points which NAS research customers make repeatedly:

"In the first place, the high prestige of the academy gives its recommendations an intrinsic merit of their own. It helps to have them behind you.

"Secondly, the quality of their advice is usually quite good because they can potentially draw together the best people in the country to give counsel on a particular problem."

But government agencies have other motives for turning to the NAS.

Politics—Myron Tribus, who was assistant secretary of commerce for science and technology until November, spoke more directly to the political merits of academy advice.

"I also used them to protect myself against other bureaucrats and politicians," he said. "For instance, with their backing I could appear more confidently at congressional hearings or before the public and not be fearful of having some politician or scientist claim the Commerce Department was all wrong because we hadn't consulted the right people."

From the academy's point of view, there is nothing wrong with that attitude toward its advice, as long as the advice was honestly given.

But Tribus' remarks are exemplary of a view that is becoming common in the agencies—that a stamp of approval from the NAS can be a great help in defusing controversy over agency actions.

The Atomic Energy Commission, for example, last year asked the academy to review its plans to dispose of radioactive waste material in bedded salt mines in Kansas. The AEC probably had a genuine need for advice; but it also was fully aware that it would be in a much stronger position to proceed if it had academy endorsement. In November, an ad hoc subcommittee of the NRC committee on radioactive waste management concluded that the AEC's plans were reasonable and safe.

Former Rep. (1959–71) Emilio Q. Daddario, D-Conn., told *National Journal:* "Agencies keep trying to make them (the academy) their supporters. I think they're resisting this like hell. But there is the continual pressure on their committees and panels to support particular policy, and in the past they're not always been careful enough to avoid the appearance of doing this."

Daddario was chairman of the House Science and Astronautics Subcommittee on Science, Research, and Development from 1963 until he left Congress this year.

"Voice of reason"—Agencies look to the academy, in Handler's words, "as a voice of reason"—particularly on environmental questions, which have high technological and emotional content.

David Z. Beckler, assistant to the director of the President's Office of Science and Technology, expressed the agencies' attitude in a rhetorical question: "Where else could the departments and agencies turn for help on these matters?"

Harold B. Finger, assistant secretary for research and development in the HUD Department, put it this way: "They may make mistakes, but they're the only organization around with the potential credibility to defuse—with a sensible clarification of the alternatives—some of the complex societal questions which derive from technological change."

ADVISER AS POLICY MAKER

The NAS has always stressed that as a private organization it cannot and should not be placed in a position of making public policy.

Henry David, executive secretary of the NRC Division of Behavioral Sciences, told *National Journal:* "We have got to keep our distance from actual policy formulation. We can define the parameters of public policy by laying out the alternatives and clarifying the technological consequences of particular decisions, but it's not for us to make the final choices."

Harvey Brooks, chairman of the prestigious NAS Committee on Science and Public Policy, said: "We should never end our reports with 'therefore,' for then we have made a clear (non-scientific) value judgment." Brooks is dean of engineering and applied sciences at Harvard University.

Yet, as solutions to complex social and political problems require larger scientific and technological inputs, academy recommendations are taking on greater import, and the organization is edging closer and closer to a decision-making role.

Handler, though basically in agreement with David and Brooks, is realistic about the implications of the activities the NAS is undertaking. "The edges of the boundary zone between advising and policy making are indeed fuzzy," he said. "We can only try to make certain that our recommendations are soundly based in technical detail; and then if we must use them as a point of departure to discuss larger social questions, so be it."

FDA studies—The NRC's three-year study of the efficacy of about 2,800 drugs placed on the market betweeen 1938 and 1962 is one example of a past NAS study which is having a big impact.

The review, completed in 1968, found that 369 of the drugs were ineffective, and it raised questions about the composition of many other drugs.

The recommendations of the NRC will have a major impact on the pharmaceutical industry. FDA Administrator Charles C. Edwards estimates that his agency will initiate between 35,000 and 40,000 actions as a result of the review; some 167 drugs already have been removed from the market.

The food processing and manufacturing industry also may be affected in major ways by a study the NRC Food and Nutrition Board is conducting for the FDA. The study's objective is an unprecedented setting of nutritional guidelines for many prepared foods.

FDA officials do not admit to having delegated their regulatory authority. Said Dale R. Lindsay, associate FDA commissioner for science: "We are grateful for their help, but we are the operating agency and cannot delegate to them our responsibilities."

Nevertheless, although the NAS recommendations may not be implemented without FDA action, the crucial decisions over both the drugs and the foods emanate from the NRC committee.

In addition, the FDA's use of the academy enables the agency to speak with greater authority. Said David Z. Beckler of the Office of Science and Technology: "It is unlikely that the FDA could have executed the drug review and removal without academy backing. There would have been too much industry and probably too much congressional opposition for them to have tackled this task alone."

Environment studies—Several other NRC committees are in similarly influential positions.

Foor example, recommendations of the Committee on Biological Effects of Atmospheric Pollutants to the National Air Pollution Control Administration are likely to become, with little change, the basis for state air pollution standard-setting.

And the new Environmental Protection Agency will be under strong pressure to accept the results of an NRC study of the biological effects of radiation as the basis for setting radiation protection standards. The chairman of the Joint Atomic Energy Committee during the last session of Congress, Rep. Chet Holifield, D-Calif., said he wanted the EPA to follow NAS radiation recommendations "or show the reasons why they aren't doing so."

DIRECT INVOLVEMENT

The academy in the past has resisted approaching too close to the role of the final decision maker.

Thus, it has become unhappy with an arrangement under which it helped to decide which persistent pesticides—chemicals whose toxic characteristics persist in the environment—should be removed from the market.

Until establishment of the EPA, responsibility for regulating pesticides was in the Agriculture Department. The NAS, under a 1965 agreement, supplied Agriculture with a list of referees to make final decisions when a department ruling removing a pesticide was challenged. From the full list, the department would choose a small group to decide individual appeals.

The academy's uneasiness, said Paul L. Sitton, Handler's assistant, arose from the involvement of its name in the final stages of direct regulation and from its lack of full control of the referee committee which would speak in its name. A new arrangement will be negotiated with the EPA.

CONGRESS

In the past, most requests for NAS advice have come from executive agencies; but recently Congress has begun to write the academy into legislation. Sitton said there are two reasons for this: an increase in the number of public issues which require scientific and technological expertise, and the fact that Congress and the executive are controlled by different parties.

"Congress naturally is searching for alternate data and answers to keep the Administration honest," Sitton said. "And they are turning to us as an independent source of information."

During the last session of Congress, the name of the NAS became involved in three legislative actions:

An amendment to the fiscal 1971 Defense Department authorization bill (84 Stat 905) directing the Pentagon to contract with the academy for a study of the ecological effects of herbicides in Vietnam;

A Joint Atomic Energy Committee bill (HR 18697), one section of which would have required the Environmental Protection Agency to go to the NAS for advice on radiation standards;

The 1970 Clean Air Act amendments (84 Stat 1676), which named the academy as the organization to monitor the technology of automotive pollution control.

In the last two instances, the academy was caught between conflicting forces which had different ideas of what a statutory role for the NAS would mean in terms of public policy.

The academy, which under its charter does not have to take on federal jobs it does not want, failed to make clear the conditions under which it would accept the responsibilities envisioned in the bills. The silence gave rise to suspicions in Congress that the academy was being used to support the goals of the joint committee in one instance, and of the Nixon Administration in another.

RADIATION

In the case of the joint committee bill, a number of Senators—including Edmund S. Muskie, D-Maine; Mike Gravel, D-Alaska; and Philip A. Hart, D-Mich.—maintained that a statutory advisory role for the NAS on radiation standards would undermine the power of the EPA to exercise independent judgment on radiation hazards. The White House supported that view.

Both sides claimed academy sanction. A White House staff member told *National Journal* while action on the bill was pending in the Senate that the NAS was "very unhappy" about the wording of the bill. Holifield said he had conferred with an NRC staff member before the bill was introduced and had obtained his approval.

In fact, the academy, which since 1959 had been advising the Federal Radiation Council on radiation standards, stood ready to perform the same function for the new EPA. It was surprised by criticism of the wording of the bill, but chose to remain silent rather than to clarify its position. Senate opposition to the radiation standards section finally forced the Joint Atomic Energy Committee to delete it. Clean air: In the case of the clean air bill, a proposed role for the NAS first came up in House-Senate conference when a deadlock developed over deadlines in the Senate version on reduction of automobile pollution. A House Interstate and Foreign Commerce Committee staff member contacted Handler to discuss legislative language under which the NAS would be assigned the task of recommending extensions in the deadlines.

The Nixon Administration opposed the Senate deadlines. And, in a Nov. 17 letter from HEW Secretary Elliot L. Richardson, it recommended eliminating them and basing the automobile manufacturers' timetable for eliminating pollution on recommendations from the NAS or the NAE following technological studies.

According to Handler, the Administration had not previously contacted the academy, and he first read about the Richardson proposal in the newspapers the next day.

Muskie said on Dec. 1 that he did not want automobile emissions monitoring "buried in the bureaucracy of the National Academy of Sciences."

Richard Wilson, a staff member of Muskie's Air and Water Pollution Subcommittee of the Public Works Committee, told *National Journal*: "There's no real hostility toward the National Academy of Sciences here, just bewilderment. In these two bills they seemed to have allowed themselves to be used for other people's purposes."

Herbicides: In talking of the problems presented by the two bills, George Kistiakowsky said: "The Senators and their staffs have telephones, too. They have only to call us anytime to find out our position."

Sen. Thomas J. McIntyre, D-N.H., did just that, with happier results for both sides, before he introduced his amendment directing the Pentagon to contract with the NAS to study the ecological effects of herbicides in Vietnam. McIntyre called Handler, and after some discussion a mutually acceptable wording was worked out before the amendment was actually introduced and adopted as part of the defense authorization bill.

Liaison: In all three instances, the academy failed to take the initiative in contacting officials who were thinking of writing it directly into legislation.

Liaison between the academy and Congress has always been weak. Sitton and another NAS staff member, Robert E. Green, perform some behind-the-scenes chores, but they are kept on fairly close rein by Handler and the NAS council. Handler admitted, however, that "probably we shall have to become more knowledgeable about what's happening on the Hill."

"It's true," he said "that we just don't have the long-standing and relatively comfortable relationships up there that we do with executive agencies."

In discussing the experience of the last session, he said: "We'll have to take our chances on the criticism; and I can only say that we didn't seek these tasks, and we'll do no man's bidding."

GUARDING ITS FLANKS

The academy is protected to some extent from political issues by its congressional charter, which gives it the unusual status of a private organization fulfilling a quasi-public function.

"Nobody can force us to take any task against our will," Handler said, "and every once in a while we have to rear back on our haunches to remind government agencies and Congress of that fact."

But the NAS is not likely to use this protective shield often because of its desire to help solve problems and because of rising pressure from government agencies for advice.

Nonetheless, NAS leaders worry about being used for baldly political purposes. They are trying to protect the academy against that and to maintain its credibility as an independent adviser. For example, the academy is taking steps to:

Make sure that agency questions are carefully worded so that NAS answers will not be misconstrued;

Balance interests and biases in appointing members to study committees;

Review carefully the quality of studies before delivering them;

Monitor the uses and misuses of NAS recommendations once they are delivered.

CONTRACTS AND PERSONNEL

"Fifty percent of our job," said Coleman, the NAS executive officer, "is to identify the right people to do a study and get the question asked us in the right form."

Contracts—The perception of "the right form" for questions is changing at the NAS.

The change arises partly out of concern that the public has misconstrued past NAS studies. It also reflects the view of NAS leaders that the academy should be performing services of more direct relevance to political arguments on technological issues.

The academy is finding it distasteful to perform extremely narrow studies of peculiar aspects of highly controversial issues. Its leaders were unhappy, for example, when studies on the SST commissioned several years earlier led to a public impression in the late 1960s that the NAS backed the development of the aircraft.

The academy, under contract with the Federal Aviation Administration, had been asked to look only at the effects of the sonic boom resulting from supersonic operations of the SST. It concluded, in effect, that the detrimental aspects of the sonic boom alone would not be enough to warrant halting the program.

"Yet," said Brooks, "when the reports were published, it was thought that we had endorsed the SST."

Said Kistiakowsky: "The contract was so worded that we were bound to end up a participant in the SST promotional program. If we were going to do such a study, we should have insisted on looking at the total environmental effects."

"Something of the same thing happened several years ago," Brooks said, "in the agreement we signed with the Defense Department to check to see if the Midwest Research Institute had surveyed all the literature that deals with the ecological effects of herbicides.

"We took the task and found that they had looked at everything—only to discover too late that we had appeared also to have endorsed the institute's conclusions about the policy of defoliation."

Today, the academy is more cautious in defining its contracts with federal agencies. For example, it is insisting that the Pentagon make available all information pertinent to its study, ordered by the McIntyre amendment of the ecological effects of herbicides used in Vietnam.

Personnel—The academy also is taking new precautions in choosing people to man its study committees.

In the past, personnel matters were rarely controversial. For example, when the NAS-NAE Environmental Studies Board was created in 1967, three of the eight board members, chosen by the academies—including the chairman—were men associated with oil and electric power companies.

When criticism of these selections arose, Seitz, the NAS president, defended the board's composition, holding that scientists and engineers could be expected to "sublimate a large part of their personal ambitions when acting in the name of the academy."

"There's still some tendency over there," said Ned D. Bayley, director of science and education for the Agriculture Department, "to think that scientists are scientists and to fail to see that, while a man may not be dishonest, he can bring to a committee a particular point of view."

Full-time executives in the various NRC divisions said that putting together committee rosters is one of their most difficult tasks.

"We try to balance out all points of view," said Russell B. Stevens, executive secretary of the NRC Division of Biology and Agriculture, "but the way we go about it has to be damned informal. There is no national roster or computer to help us, and so we end up talking with people we trust and trying to stay alert."

Coleman said a major responsibility of his job is montoring the several hundred NRC committees and seeing that the lists, which are first generated in the individual divisions, are balanced.

"If there's some reason to believe that the committee roster just drifted up through the bureaucracy," he said, "then we step in with questions. And we give a good deal of attention now to any panel that's likely to be controversial."

Despite the increased precautions, the NAS still gets criticism.

Over the last four months, Handler has exchanged an acerbic series of letters with Sen. Gravel over the composition of the NRC advisory committee to the Federal Radiation Council, which is about to embark on a two-year study of the biological effects of radiation on humans. Gravel has said that the committee is stacked with scientists beholden to the Atomic Energy Commission, and cannot assess radiation hazards impartially. Partly in response to this criticism, the NAS has expanded the committee, adding scientists without AEC connections.

REPORT REVIEW COMMITTEE

One important recent move by the NAS to protect itself against political or public embarrassment is creation of a Report Review Committee to scrutinize all reports of the NAS-NAE-NRC dealing with sensitive issues.

Kistiakowsky, who is chairman of the committee explained: "The academy council has been disturbed for some time about some of the documents going out under our name. A few were of low quality or badly biased, and some were just parochial. What we lacked was a quality control mechanism that all other public bodies consider essential. The review committee fulfills that function."

All NAS-NAE-NRC documents go through this channel now, although the committee expects to read carefully only one in 10 or 20.

Kistiakowski said of the results to date: "For the first time we know what's going to be issued. Before, we sometimes got surprised—and not always pleasantly—when we read in the morning papers what an NRC panel had said."

Guidelines written by Kistiakowsky stress that the committee must not second-guess the original authors or substitute its own views for theirs. The questions for the reviewing members are whether the report is clear, convincing, complete and fair, and "Could the 'conflict of interest' issue harm the report?"

The review committee is giving close attention to an evaluation the Environmental Studies Board is about to publish on the environmental impact on Jamaica Bay (Long Island, N.Y.) of a projected expansion of Kennedy Airport.

AGENCY USE OF ADVICE

The NAS has had some problems in defining the limits of its responsibilities in giving advice to federal agencies. It obviously cannot require an agency to act upon its recommendations; but it can create pressure by making its findings public.

NRC staff members interviewed by *National Journal* were divided on what the academy should do to follow up its recommendations.

Some said the academy's responsibility is discharged when a report is submitted—that what the agency does with the recommendations is its own business. The contracting government agency, they said, has a right to consider the information privileged until it sees fit to publish or act on it.

Others said the academy should insist on publishing its studies independently.

Burying reports—The NAS was embarrassed in 1969 when a Senator disclosed that the academy had allowed the AEC to bury a controversial report. The report, submitted in May 1966, was critical of the AEC's practices in disposing of radioactive materials wastes.

Shortly after the report was submitted, the NRC committee which had prepared it was abolished. In 1968, the NAS established a new committee with similar functions.

In the fall of 1969, constituents of Sen. Frank Church, D-Idaho, complained about burial of radioactive wastes in their state. Church, in the course of investigating the matter, discovered the 1966 NRC report. His efforts finally forced the AEC to publish the critical evaluation.

Church's ire was directed at the AEC, but Mike Wetherel, the Senator's legislative assistant, told *National Journal:* "We were surprised that the National Academy of Sciences let so critical a report be buried, and also wondered at the reappearance of a new committee a year or so later."

M. King Hubbert, a geologist and a member of the academy and of the original committee, said: "That report was suppressed with direct acquiescence by President Seitz, and the committee was reconstituted because we'd become a thorn in the side of the AEC."

An NRC staff member told *National Journal* there was some feeling at the time that, as the AEC claimed, the original committee had exceeded its mandate and expertise.

Handler indicated that the NAS is making efforts to see that its reports are not buried.

"Our contracts today in most circumstances specify an independent right to publish our reports and make them available publicly," he said. "And I'm sure we would find means to make our recommendations known if we felt an agency had not acted just because it found our views uncomfortable."

In negotiations with the Pentagon over terms of the Vietnam herbicide study, the NAS is insisting on the right to publish its findings independently.

Confidential advice—Despite concern about failure to act on its advice, the academy maintains some confidential advisory relationships with government bodies—

aside from classified work it performs for the Defense Department.

Sometimes, Coleman said, these arrangements are made with new departments or agencies which "just don't have the staff or technical apparatus to handle certain research questions. They don't want to admit to Congress or the public that they lack this capability. So they come to us. We try to keep this kind of thing quiet."

NAS committees also meet privately with industry groups occasionally.

For example, the NAS Food Protection Committee gets together sometimes behind closed doors with an industrial food liaison committee, composed of food processing company representatives.

The committee, an NRC staff member said, tries "to act as a kind of early warning system about possible problems in food processing. It needs a confidential relationship with industry in order for both to speak candidly."

James Turner, of Ralph Nader's Center for Study of Responsive Law, has criticized this arrangement. "What this means is that the food industry has a direct input into the committee," he said. "Yet there is no comparable spokesman there for the consumer. Why should industry have this special position?"

NAS AND INDUSTRY

NAS activities often put the institution in a position to affect the operations and profitability of large U.S. industries. The desire of NAS leaders to increase the academy's role as adviser to government will enhance that potential.

AWARENESS

Industry leaders are not all aware of the academy's growing importance in the technical aspects of public policy making.

NAS Treasurer Emmanuel R. Piore, who is vice president and chief scientist of International Business Machines Corp., explained:

"Generally, industry awareness of academy activities depends on two factors. The first is whether the academy is engaged in work that directly affects your industry—then, obviously, it's likely you've become knowledgeable about what they're doing.

"Beyond this, awareness of the academy is greater in those industries with highly technical and complex scientific components. For instance, both the electronics and chemical industries have made extensive use of some of their committees' reports."

IMPACTED INDUSTRIES

Talks with representatives of industries directly affected by NAS activities revealed a fairly general consensus that academy involvement is welcome. Especially among industries facing public controversy, there is a growing sense that the NAS is useful as an arbiter in disputes over the effects of their products.

Industry spokesmen said academy involvement has relieved them—and the government regulatory agencies with which they deal—of some of the political pressures surrounding questions of public health.

(While relatively few scientists employed by companies are elected to NAS membership, the academy tries to see that corporate scientists sit on NRC committees which deal with matters of interest to their industries.)

Atomic power—Howard M. Wintersen, president of the Atomic Industrial Forum, trade association for firms interested in nuclear development, said of the NRC committee's review of radiation standards:

"We welcome their study. There's a lot of irrationality on the issue of radiation hazards, and only through the efforts of some impartial body like the NAS can we get back to a more balanced view of the problems involved. This is especially true with the AEC under fire and with the EPA not yet on its feet."

Food and drugs—Spokesmen for the drug and food processing industries made similar remarks about the academy.

C. Joseph Stetler, president of the Pharmaceutical Manufacturers Association, said of the NAS drug efficacy study:

"The drug industry certainly was in agreement with turning the problem over to the academy. There was no possibility the FDA could have handled it alone. It lacks the expertise now, and it is unlikely in the future to develop the ability to attract and pay top scientists."

Dr. Kenneth G. Kohlstaedt of Eli Lilly Co. agreed with Stetler:

"While we do not agree with all of the individual decisions, the committees provided a rational and impartial solution to the problem. And with the wild allegations about some drugs coming out of congressional hearings, it was imperative that these questions be settled with some dispatch."

Herman P. Schmitt, a vice president of the National Canners Association, said of the academy's role in establishing food nutrition guidelines for the FDA:

"We think they have put together a balanced and fair committee to make the recommendations; and they will hopefully take some of the huge pressures off the FDA."

Schmitt said a systematic, impartial approach is particularly needed now because of the "allegations of some of the 'so-called' consumers' representatives."

NADER GROUP

The academy's activities, its connections with industry and its ties to government agencies may be the subject of a special study by Nader's Center for Study of Responsive Law.

Udall, in publicly proposing the study on Dec. 30, suggested that Nader assemble "a team of exceptional young scientists" to conduct it. The Nader center is considering whether to undertake the study.

Turner, one of five full-time professionals employed by the center, said he believes some NRC committees—particularly those involved in food protection, drugs and the toxicity of pesticides—are too closely connected with the industries whose products they are studying. Scientists manning these committees, he said, often come from laboratories whose activities are dependent upon industry funding.

Beyond this, Turner said the entire regulatory process is being adversely affected by the use of the NAS. "The major problem," he said, "is that regulatory agencies like the FDA keep shunting more of their tough problems to the NAS and then taking the attitude that this absolves them of responsibility. This practice is eroding the regulatory process and being used as a ploy to duck important questions, defuse criticism and lull the public into believing that all's well because the academy has been brought in."

Turner added: "No matter what their prestige we should not turn over these tough questions to such a private organization. They are not subject to the freedom of information act and represent a step backward from open and public decision making. It's difficult enough to deal with the secrecy of public agencies, but the processes and personnel through which NRC committees reach conclusions are impossible to get at."

SOURCES OF FUNDING

The federal government each year supplies most of the money that finances the operations of the National Academy of Sciences, the National Academy of Engineering and the National Research Council. Correspondingly, the three units do most of their work for federal agencies.

For the fiscal year ending June 30, 1970, the NAS-NAE-NRC had income totaling $33,049,401, of which $25,434,539 came from the Federal Government. The organizations received $3,516,257 from various private sources. Most of that came from foundations, although state governments also contributed a large chunk—slightly more than $1 million—for operations of the federal-state Highway Research Board. The organizations also realized $1,521,158 in income from trust and endowment funds which were valued at about $16 million.

Expenditures totaled $30,391,283 in fiscal 1970. Seventy-one per cent was spent on work financed under contract or grant from the Federal Government; 10 per cent went for studies, projects and services for non-federal agencies and organizations and 19 per cent paid for general administrative costs. These percentages have remained very nearly constant during the past decade, although the budget of the NAS-NAE-NRC has risen steadily. In fiscal 1961–63, expenditures each year totaled a little less than $15 million. A steady rise to the current level began in fiscal 1964.

A list of federal sources of funding for the NAS-NAE-NRC for fiscal 1970 shows that most federal funds came from agencies which are heavy users of advanced technology.

NASA	$4,810,192
Atomic Energy Commission	4,150,511
Defense Department	3,712,019
Air Force	484,444
Army	1,608,123
Navy	1,619,452
National Science Foundation	3,314,648
Transportation Department	3,294,411
HEW Department	1,941,990
State Department	1,117,702
Agency for International Development	758,853
Commerce Department	626,648
HUD Department	363,637
Executive Office of the President	315,001
Veterans' Administration	300,367
Interior Department	229,022
Agriculture Department	150,681
Treasury Department	107,366
Arms Control and Disarmament Agency	75,440
General Services Administration	64,914
Smithsonian Institution	56,502
Federal Communications Commission	27,456
Federal Radiation Council	17,179
Total	25,434,539

THE NATIONAL RESEARCH COUNCIL: ITS FEDERALLY FUNDED ACTIVITIES

Most of the $25,434,539 in federal funds paid to the National Research Council in fiscal 1970 derived from contracts made with its committees. These committees are assigned to eight administrative divisions and two independent offices of the NRC. Following is a cross-section of major government-funded activities of the NRC.

ENGINEERING

The Engineering Division received $5,257,526 in government contracts in fiscal 1970. Largest contributor was the Transportation Department ($2,866,875), and other sizeable amounts came from the army ($301,099), navy ($389,210), Commerce Department ($271,077) and HEW Department ($255,232).

Most of the division's contracts are shunted to large boards, which serve as holding companies for a number of related committees.

The largest of these is the Highway Research Board, which last year received $329,803 in general operating funds from the Transportation and HUD Departments and also administered $2,772,822 in money taken from the National Cooperative Highway Research Program. In addition, many state highway departments use the Highway Research Board as a dispensing agent for their own research funds. State funds allotted to the board came to $1,325,664 in fiscal 1970.

The National Materials Advisory Board,

which provides technical advice for materials problems, received $295,354 in general funds from the army and NASA last year. The board traditionally has concentrated on defense questions; included among its committees are panels on critical and strategic materials, gun tube technology and the hardening of materials for reentry vehicles. For special studies undertaken for the navy, NASA and the General Services Administration, the board received an additional $151,027 in fiscal 1970.

And advisory committee on data processing systems for the ABM system received $67,054.

The Maritime Transportation Research Board, which is funded jointly by the navy, army and Commerce Department, engaged in studies to improve the technical capability of the U.S. maritime fleet, both military and civilian. In fiscal 1970, the board received $228,673 in general operating funds. In addition, the navy funded a special contract ($85,101) with the ship hull research committee for a study of new techniques in ship hull design, materials and fabrication.

The Building Research Advisory Board received about half of its fiscal 1970 funds ($187,656) from the Bureau of Standards, to pay for activities of the Federal Construction Council, which coordinates technical aspects of federal construction policy. Another sizeable contract ($141,267) was given by HUD to the advisory committee to the Federal Housing Administration.

Finally, the division's committees on pollution abatement and control received contracts totaling $131,831 from HEW for studies on air quality management and for research on solid waste.

MEDICAL SCIENCES

The Medical Sciences Division had $5,122,342 in federal contracts in fiscal 1970, including $3,874,830 from the Atomic Energy Commission for ongoing studies, by the Atomic Bomb Casualty Commission, of the medical records of survivors in Hiroshima and Nagasaki.

Most other federal funds in fiscal 1970 came from HEW ($734,727), the army ($258,577) and the Veterans Administration ($201,000). Much of this money is spent in an effort to derive useful information from the medical histories of U.S. veterans. The division's followup agency, using well-documented military medical records as a base, watches the health of veterans as an aid to research on the natural history of diseases.

With the help of grants from Transportation ($16,396) and HEW ($24,956), the division is studying ways to improve emergency medical services for accident victims, in part by applying techniques developed by U.S. military forces in Vietnam.

The division last year established a new committee on biologic effects of atmospheric pollutants to advise the National Air Pollution Control Administration. The committee's studies will assess current knowledge and research on pollutants and will produce state-of-the-art reports to be used in developing air quality criteria. NAPCA contributed $27,334 for the studies in fiscal 1970.

The division includes the advisory committee to the Federal Radiation Council, which is undertaking a controversial two-year study of the scientific bases for current radiation protection standards. The HEW Department has budgeted $129,500 for the study during fiscal 1971.

The division's Drug Research Board received $75,356 in general support funds from HEW in fiscal 1970, and an additional $13,855 for its drug efficacy study. The study, formally completed in 1969, reviewed nearly 2,800 drugs.

The division also has a committee on problems of drug dependence, but it has not played a major role in growing government activity in the narcotics area.

One of committee's problems has been the nature of its funding; it received no federal money last year and was dependent primarily on appeals to some 50 pharmaceutical firms for money. It received $186,828.

PHYSICAL SCIENCES

The Physical Sciences Division received $2,637,217 in government contracts for fiscal 1970, mainly from the navy ($467,926), NASA ($1,144,425) and the NSF ($548,788). Smaller amounts came from the Commerce Department, the air force and the AEC.

The division includes under its aegis the Space Sciences Board, which in fiscal 1970 received $269,410 from NASA in general operating funds. In addition, the board's summer study sessions received $67,347 from NASA. These sessions produce the academy's major recommendations to NASA on science policy for space projects.

NASA also contracted for specific board studies in the areas of space biology ($112,724) and the problems of long-term manned space missions ($58,062).

The division includes several advisory panels doing work for the armed services. Most work is performed for the navy through two standing committees. The undersea warfare committee, created in 1946, has been closely associated with developments in submarine technology and engineering. It received $260,048 in fiscal 1970 for its work. During the same year, the mine advisory committee received $65,291 for general operations and $142,587 to complete a study (called Project NIMROD) of the role of mines in naval warfare.

The advisory committee to the Air Force Systems Command undertakes studies on problems of military space and missile technology. It received $73,663 from the air force in 1970.

The NSF supported the work of the committee on atmospheric sciences with a contract for $182,457. A subcommittee of the atmospheric sciences committee is now updating an earlier report on current scientific activities in the area of climate and weather modification.

CHEMISTRY

The Division of Chemistry and Chemical Technology had $497,550 in federal contracts in fiscal 1970.

A major portion of the division's federal money is spent on its Advisory Center on Toxicology, which received $172,852 in fiscal 1970. It is jointly supported by the army, navy and coast guard, the AEC, and the HEW and Agriculture Departments.

The center has concentrated on problems of contamination of the atmosphere and has provided advice to the Transportation Department, NAPCA and the navy (on air contaminants in submarines). It was asked during the past year to review 27 NAPCA reports on common air pollutants and to review drafts of air quality criteria documents.

The division maintains a Numerical Data Advisory Board, which promotes use of standard symbols, units and nomenclature in the United States and abroad. It received $53,577 in fiscal 1970 from the Commerce Department.

The Transportation Department gave the division's advisory committee to the coast guard on hazardous materials $107,366 in fiscal 1970, and the committee performed a number of studies on transportation of industrial chemicals and other dangerous materials.

The division established a new committee on radioactive wastes management in 1968. It received $52,377 from the AEC in fiscal 1970.

BIOLOGY AND AGRICULTURE

The Division of Biology and Agriculture received $978,231 in federal funds last year, mainly from HEW, the NSF and the Agency for International Development.

HEW supports ($104,611 in fiscal 1970) many activities of the division's large and active Food and Nutrition Board. Activities of the board's committees include advising on establishment of food nutrition guidelines and evaluation of data from HEW's national nutrition survey.

AID sponsors ($137,020 in fiscal 1970) several committees that deal with biological or agricultural problems of international consequence, such as foot-and-mouth disease.

The Agriculture Department contributes little to the division; its largest contract last year ($38,473) was with the committee on animal nutrition.

The important food protection committee received sizeable contributions from non-governmental sources; food processing companies and foundations provided $62,162 in fiscal 1970.

BEHAVIORAL SCIENCES

The Behavioral Sciences Division received $625,002 in federal contracts in fiscal 1970.

The largest single contract ($119,563), funded by a number of agencies, supported the activities of a committee studying problems of vision and hearing under unusual environmental conditions.

The division has established an advisory committee to the Census Bureau that studies such problems as underenumeration of certain economic and ethnic groups. The committee received $49,064 from the bureau last year.

A committee on basic research in education, which reviews research proposals for the Office of Education, obtained contracts totaling $68,084 for its work.

The advisory committee to HUD, which is looking into the problems of "social mixing" in housing, received $31,780 in fiscal 1970.

The Office of Economic Opportunity contributed $114,572 in fiscal 1970 for studies by two committees. One is assessing the effectiveness of OEO's Institute for Poverty Research at the University of Wisconsin. The other is charged with designing an institutional arrangement for study of the problems of rural poverty.

EARTH SCIENCES

The Earth Sciences Division advises federal agencies on earth and ocean science programs and supports U.S. scientific groups participating in international earth science research.

The division had federal contracts in fiscal year 1970 totaling $541,324, divided mainly between the navy ($70,568), the Commerce Department ($81,679), the Interior Department ($81,147), and the NSF ($92,256).

One major project of the division is a study undertaken for NSF on the causes and effects of the Alaskan earthquake of 1964. For fiscal 1970, the study received $79,670. The final volume of an eight-volume report is due next October.

The division's committee on oceanography serves as a general adviser to government on oceanographic programs. Several agencies contributed a total of $70,568 to the committee in fiscal 1970.

An advisory committee to the Environmental Science Services Administration (now part of the Commerce Department's new National Oceanographic and Atmospheric Agency) received $69,660 in fiscal 1970. It evaluates ESSA programs and makes suggestions for new areas of study and action.

OTHERS

The Division of Mathematical Sciences received $61,820 in federal funds in fiscal 1970, mostly to support U.S. participation in the International Congress of Mathematicians.

The Office of Scientific Personnel's chief activity is administering various fellowship and research associate programs for NASA and other agencies; it also conducts manpower studies. The office had a budget of $6,545,439 in fiscal 1970.

The Office of the Foreign Secretary, with $1,375,713 in fiscal 1970, administers exchange programs for scientists with Russia and other Eastern European countries, as well as programs to provide scientific development aid to developing nations.

SCIENCE REPORT/HANDLER MOVES TO MAKE ACADEMY MORE ACTIVE, USEFUL AS FEDERAL ADVISER

(By Claude E. Barfield)

The National Academy of Sciences is reappraising and reforming its internal operations, as NAS leaders attempt to expand the academy's usefulness to government.

Discreetly but persistently, NAS President Philip B. Handler is trying to shake up the institution he has headed for the past 18 months.

Handler's activist policies are meeting with resistance within the slow-moving academy. Nonetheless, NAS leaders seem committed to changing the venerable institution and to thrusting it deeper and deeper into advising on controversial federal policy decisions.

In moving toward reform, Handler and the NAS are responding to two kinds of pressure:

Increasing demands from government agencies and from Congress for advice on technological issues;

Increasing difficulties in finding federal dollars to support independent scientific research.

REORGANIZATION

The pressure from government for advice on controversial issues already has prompted the academy to effect some changes. In a quality-control move, the NAS has established a high-level report review committee to monitor the pronouncements of the numerous committees working under the National Research Council. To guard against conflict-of-interest charges, the academy is paying closer attention than ever before to the composition of these committees. (See No. 3, p. 107.)

But Handler also is seeking to effect more basic reforms so as to increase the academy's ability to deal directly with pressing issues of the times.

With backing from the governing NAS council, he is trying to reorganize the academy so that its advisory tasks no longer will be handled predominantly through the traditional narrow lines of scientific disciplines. Handler wants a multidisciplinary approach to increase the quality of the academy's advice and broaden the range of its tasks.

In a related effort, Handler is working to admit greater numbers of social and behavioral scientists to the academy's membership.

This would enable the academy to take on more jobs like one it is performing for the HUD Department: looking into the politically volatile question of mixing socioeconomic and ethnic groups in federally sponsored housing.

The NAS also is moving slowly to lessen its dependence on government—to gain some initiative in choosing the kinds of tasks it will undertake.

SCIENCE POLICY MAKING

Prompted by a dearth of federal funds, the academy, in addition, is trying to play a more significant role in advising the government on where to spend its science-support money. Handler has directed the NAS Committee on Science and Public Policy to tackle the difficult questions of priorities among the various scientific disciplines—a task the NAS has until now evaded.

RESISTANCE TO ACTIVISM

Philip Handler has spoken often and forcefully in recent months of his desire to move the academy into new areas of activity. But he has met resistance in the ranks of the NAS membership.

"There certainly are members," he said in an interview, "who believe that when the academy moves out of its traditional areas of pure science and into the areas of societal needs, we are making a mistake. Some think we are already overextended in that direction, but they are obviously not close to a majority or we wouldn't be doing what we are doing, and I wouldn't be here."

Another leading member of the NAS, while supporting the direction of Handler's thinking, struck a moderating note. "We do have a responsibility to be cautious and not to dissipate our strength and prestige," said Harvey Brooks, chairman of the NAS Committee on Science and Public Policy. "We can't cover the waterfront, and it's important to maintain our long-term credibility even at the expense of short-term accomplishment." Brooks is dean of engineering and applied physics at Harvard University.

Handler's moves toward reform are resisted by some within the NAS who resent his firm, centralized direction of the academy's affairs and by some who believe the NAS has become too much involved in government work.

CENTRALIZATION

Some prefer the days when the academy's affairs were more decentralized. NAS member Marion King Hubbert, a geologist at the U.S. Geological Survey, said: "The organization of the NAS today is essentially an authoritarian blueprint. This allows a small number at the top to do things in the name of the academy that they have no business doing. Many of the members don't know what's going on and are never consulted." Hubbert dates the most baleful results of centralization of authority and lack of democratic procedures to the presidency (1962–69) of Frederick Seitz.

Johnson Administration—George B. Kistiakowsky, professor of chemistry at Harvard University and vice-president of the academy, said he believed that Seitz's assertion of authority was necessary.

"Many of the problems in the past came about first because the NAS was an 'absentee owner' of the NRC," he said. "The NRC structure was allowed to proliferate in an uncontrolled fashion without direction."

But, Kistiakowsky said, Seitz misused the authority of his office: "President Seitz more and more came to think of the academy as a servant and appendage of the (Johnson) Administration. Once you see yourself in that way, there's little choice about the type of job you'll take—or ultimately about the quality of advice you'll give. Fortunately, Dr. Handler has reasserted our independence."

ANTI-DEFENSE ATTITUDES

Disenchantment with NAS work for the Johnson Administration was shared by other academy members. It resulted in large part from the identification of Seitz and of the academy with the defense establishment at a time when the Vietnam war was becoming increasingly unpopular.

Seitz both chaired the Defense Department's science advisory body, the Defense Science Board, and was a member of the President's Science Advisory Committee.

Donald M. MacArthur, who was deputy director of Defense Research and Engineering during the Johnson Administration, told *National Journal:* "From 1965 on, there was a growing vocal group in the NAS which didn't want to have anything to do with the Defense Department. They split that organization right down the middle, and Seitz finally left to keep peace in the family."

Seitz, who is now president of Rockefeller University, agreed that there has developed an anti-defense attitude in the academy.

"It's part of a general anti-DOD attitude in the whole scientific community," he said, "and also the result of certain groups of scientists who have worked their way in fostering such an attitude in the academy."

Asked about the current attitude of the academy toward advice on defense, Handler said: "It is true that our members are increasingly uncomfortable when we become engaged in work which by its intrinsic nature has to be classified. My own belief is that unless we are truly unique for the purposes of the Defense Department, we should not become involved."

Handler has declined to serve on the Defense Science Board on grounds that he knows nothing about the military.

Outside pressure—The wariness of government work developed by some NAS members during Seitz's tenure has not faded away, and it presents problems for Handler as he seeks to expand the academy's advisory role. Moreover, young scientists and students who are severely critical of extensive links between scientists and government have challenged the academy's activities for the government—particularly its contracts with the Pentagon.

Handler has been visited on occasion by groups of students who have told him that the NAS should sever all ties with the government. "This is nonsense," Handler said, "because our charter says we are here to advise the government; and if we stopped that there'd be no basis for our existence."

Handler said most of students' ire is really directed at the Defense Department, and added: "While I want to minimize classified research, it is outrageous to be told we should have nothing to do with the DOD. I, too, hope for the day when we don't need a Defense Department, but as long as we have to have one, it should be a good one—and we must assist it."

In fiscal 1970, the Pentagon disbursed $3,712,019 to the NAS, ranking it third among government agencies in terms of financial support for the academy.

PROBLEMS OF ORGANIZATION

Handler's drive to broaden the range of academy activities has been impeded by critical, and thus far intractable, challenges concerning organization. These include:

Restructuring the NRC from its traditional disciplinary divisions along more flexible problem-oriented lines;

Creating mechanisms to ensure the election of more social and behavorial scientists into the NAS;

Working out a more satisfactory relationship with the fledging National Academy of Engineering;

Fashioning a new institute within the NAS for medical doctors, in order to head off a possible drive for an independent medical academy.

PROBLEM-ORIENTED APPROACH

Handler views the first two organizational reforms as vital to changing the advisory role of the NAS and the NRC.

The societal problems that he and other NAS leaders want the academy to become more involved with cut across the tidy lines of scientific discipline within which the academy traditionally has approached problems. So Handler is attempting to institute a multidisciplinary approach to NAS work in which, for example, reports on environmental problems might get major contributions from chemists, biologists, medical doctors, physicists, engineers and even behavioral scientists, all working together.

Regarding his initial priorities, Handler told *National Journal:* "My first concern was that the NRC was not adequately structured to accomplish its objectives. It is presently organized as a kind of mirror image of the disciplines represented in the NAS. Unfortunately, the problems of society don't come in equivalent packages. Problems of the ghetto, health care and pollution, for example, require large multidisciplinary inputs."

Directly related to this difficulty is the shortage in the NAS of social and behaviorial scientists—specialists in such disciplines as history, economics, political science and sociology. "The credibility of the reports we are being called upon to make," Handler maintained, "will be called into question unless the academy includes these disciplines in its ranks." Of 860 members, the NAS currently lists less than a dozen behavioral scientists, although the NRC has a Behavioral Sciences Division. The academy's complex nominating and election procedures intrinsically favor selection of scientists in those disciplines already firmly entrenched in the NAS.

LONG REPORT

In the fall of 1969, Handler appointed a committee headed by Franklin A. Long of Cornell University to make recommendations on the restructuring of the NRC.

The committee suggested replacing the present NRC discipline divisions with 10 new problem-oriented institutes: health, environment, transportation, defense, scientific personnel, agriculture, urban, communications, space and material standards.

A second and more controversial proposal suggested the creation of four new subacademies under the parent NAS: physical sciences and mathematics, engineering, health sciences, and life and social sciences.

The latter proposal reflected Handler's and the NAS council's deep concern that there may be a proliferation of new academies, each with a congressional charter.

The magnitude of the changes proved too much for the cautious, slow-moving NAS membership.

According to Emanuel R. Piore, vice president and chief scientist of International Business Machines Corp. and treasurer of the NAS: "The members rebelled against the plan because they didn't understand it and got scared of the consequences. They'll now probably be given something along the same lines under another name. Sooner or later, the NRC has got to be modified."

Hubbert said: "What we didn't like about it was the secrecy. It was sprung on the membership after much secret spadework at the top." The Long plan was mailed to the NAS membership on April 1. The academy's spring meeting was held April 27–29, and at that session the members voted to defer action on the plan, in effect killing it.

PARTIAL CHANGES

With sweeping reorganization rejected for the moment, NAS officials have tackled organizational difficulties piecemeal.

Relations with NAE—The most time-consuming and delicate diplomacy involves the relations between the NAS and the NAE.

John S. Coleman, executive officer of the NAS, said: "The general problem stems from the fact that the NAE, understandably, is not happy with being a dependent component. They point out that at any time the NAS Council could wipe them out entirely." (Under the 1964 arrangement, the engineers have their own bylaws, governing board and admission policies. Legally, however, they remain entirely under the original NAS congressional charter.)

Coleman also noted: "They're a young organization and want to achieve their own identity and image—they want a bigger piece of the action."

Some of the problems stem from the different backgrounds and modes of thinking of the two academies' memberships.

Members of the NAS are primarily academics (about 635 of 860); members of the NAE are drawn largely from industrial and engineering firms (about 190 of 325).

Ernst Weber, chairman of the NRC's Division of Engineering, who has been deeply involved in working out the difficulties, said: "The NAS academics tend to think that industry, in being profit-oriented, is somehow dirty and tainted and cannot give truly independent advice. On the other hand, the engineers think that academics often have their heads in the clouds and are not attuned to the real world."

NAE President Clarence H. Linder, Coleman and Weber all said they were optimistic that a satisfactory arrangement would be negotiated. But staff members below them in the NAS-NRC hierachy said they were pessimistic about prospects for harmonious resolution of conflicts between the NAS and the NAE.

The specific point at issue at the moment seems to be the joint use of the NRC. The NAE feels, as one staff member put it, that the "vascularization" (leading veins and arteries) of the advisory body is still too much oriented toward the NAS.

Institute of Medicine—In another attempt to head off a proliferation of academies, the NAS is creating a new Institute of Medicine. Medical doctors, like the engineers, have been demanding a separate organization. (There are only about 30 M.D.s in the NAS.)

Dr. Irving Page of the Cleveland Clinic, one of the leaders in the doctors' drive, told *National Journal:* "We really don't care about the form the organization takes as long as it works. The NAS got burned with the NAE and understandably wanted to avoid that alternative this time." The institute eventually will have about 400 members and will focus on the health care system and its problems.

Transportation division—A significant step to solve the problems of parochialism in NAS transportation activities will be taken if, as expected, the NAS Council decides to establish a new NRC division on transportation.

The NAS, in its current organization, does not have the capability to examine over-all problems of transportation. Its transportation activities long have been dominated by the big Highway Research Board, which is funded by federal and state agencies. Civilian and military maritime problems are handled by the NRC Maritime Transportation Research Board.

Both boards, as well as other NRC transportation units would be included in the new division, under a plan drawn up last year by Weber. The NAS council has agreed in principle to implement the plan, although many details remain to be worked out.

CONTINUING PROBLEMS

Reorganizational moves—both those contemplated in the Long report and those being made now—will not solve some problems which have impeded the academy from taking a broader look at issues. These include:

The fact that NRC boards and committees are inevitably dominated to some extent by the thinking of the government agencies which provide their funds.

A shortage of no-strings-attached money which the NAS could use to study issues of its choosing.

If indeed the new transportation division is established under Weber's plan, the Highway Research Board and the Maritime Transportation Research Board would be transferred intact to it—along with their traditional ties of government funding. If, as is contemplated in the Long report, a new defense division were established, the extent and nature of its activities would be dependent on Defense Department funding.

Government officials and NAS leaders alike admit that the ties of NAS units to government institutions—particularly those with long-standing committees and semi-autonomous boards—have limited the scope of their approach to problems.

Said Paul L. Sitton, Handler's assistant: "We have a major problem with the fact that standing committees and boards, once constituted, just don't fade away. NAS goals and society's problems may change, but they stay and retain their original mandate and constituency."

"It's true," conceded Harvey Brooks, "that some of our bodies—the Highway Research Board, the Food and Nutrition Board, the Building Research Advisory Board and the Space Science Board, for instance—may be constituted too completely with those who have an economic or institutional interest in the outcome of their work."

And William D. McElroy, director of the NSF, asserted: "Some NRC boards and committees should be abolished or at least reorganized. Some are obsolete or just haven't performed their intended function. Others are facing problems that are just too hot to handle as they are presently constituted."

MacArthur, the former Defense Department research official, told of how he influenced the advisory functions of an NRC board while he was in the Pentagon. Explaining his relationship with the National Materials Advisory Board, MacArthur said:

"It took me two years to turn that board around. They were doing textbook studies for graduate students with little application to our problems in the Defense Department. I told them flatly that it was our money and they could do the work we wanted or stop taking the money. Then we sat down and wrote out a new work statement to carry this out."

The boards most frequently cited by NRC critics as needing revised mandates and institutional rearrangements are the two transportation boards and the Space Science Board.

Transportation boards—Richard J. Barber, who was recently hired by Handler to direct a broad study of transportation planning for the academy, explained the reasons for the truncated utility of the Highway Research Board and the Maritime Transportation Research Board.

"The executive committee of the Highway Research Board," he said, "has traditionally been loaded with the old highway guard. They see the board as an adjunct to the ongoing highway program and are just not equipped to perceive transportation problems on a broad scale.

"The same thing is true of the Maritime Transportation Research Board. Its main constituent is the maritime industry which mainly wants help for its own internal problems and the academy name behind it—and not to be disturbed. Both boards tend to answer only the questions of their chief clients."

Space Science Board—The Space Science Board predates NASA; it was created as an advisory body to all government agencies with an interest or mission that included space sciences. But since NASA was created the Space Science Board has in effect become simply the science adviser to that agency.

Prominent nuclear physicist Ralph E. Lapp said of this advisory relationship: "The Space Science Board is a classic example of a recurring problem for the academy. It has to go where the money is . . . In effect, NASA has bought and paid for the board, and thus can use it as it pleases."

However, James E. Webb, former administrator of NASA (1961–1968), said: "We didn't have to have an independent board. Some people urged me to set up an in-house science advisory board that would be easy to deal with; but I wanted outside advice that wasn't a part of NASA."

But Webb noted that "the basic goals of NASA in the 1960s were not scientific."

"President Kennedy," he said, "wanted a man on the moon by 1970, and this was largely an engineering job. Some scientists never understood this. They only knew that one of the biggest programs of the decade had slipped out of their hands, and they've always resented it." Webb said he expected the Space Science Board to accept NASA's basic goals; but within these limits he invited comment and criticism.

Today, said Henry J. Smith, deputy associate administrator for space science in NASA; "the recommendations of the Space Science Board are not ignored, particularly with the uncertainties about the space program in the 1970s.

"And they have disagreed with us before—and do now—on some issues. For instance, they wanted to fly out all of the Apollo missions (NASA has canceled the final three planned moon flights), and they have never really been happy with the sky lab program."

The agency and the board seem headed for a clash in regard to NASA's plans to launch, in the late 1970s, a "grand tour" of the outer planets—Jupiter, Saturn, Uranus and Pluto. The board will recommend shortly that the probes be canceled as too expensive and too risky.

Smith confirmed, however, that there is a close relationship between the agency and the board. NASA officials attend board meetings largely, according to Smith, to supply it with documents and information. The NRC also confers with NASA concerning membership on the board, though Smith said the agency has never been in a position to veto a selection. NASA also is the sole source of the board's funding.

"There are," Smith said, "no doubt, profound questions about their independence. But these questions do not stem from any attempt on our part to control them—they come from the fact that after so many years the two sides are bound to have developed an identity of interest on many questions."

MOVES TO FREEDOM

The reorganization moves of the academy are intended basically to increase the institution's ability to deal intelligently with the kinds of questions that the government is asking today.

The academy is also taking steps toward independent action—both by undertaking studies of public policy issues without government funding and by seeking out government contracts on broader questions than it might have wished to consider in the past.

INDEPENDENT PROJECTS

The number of nongovernment assignments the NAS can undertake is sharply limited by a critical factor—shortage of cash. The academy receives no unrestricted funds from the government, and its own endowment of about $16 million produced income of only $1.5 million in fiscal 1970. (*See box, No. 3, p. 103.*)

For some time, NAS officials have been unhappy about the restrictions imposed by their financial dependence on the government.

Handler, who has spent much of his time on questions of internal NAS–NAE–NRC organization, said of the endowment problem: "To do the things we want to do, we badly need more independent resources of our own. I have felt, however, that I'll be in a better position to solicit more funds after we've solved some of our internal problems and gotten our house in order."

Development fund—The NAS within the last year has decided to use a portion of its limited endowment income to generate its own studies and reports. The academy's current budget provides, for the first time, for a program initiation and development fund.

The fund, totaling $100,000 in fiscal 1971, will allow NRS divisions to explore and enter into the preliminary planning for activities they consider important, but for which there is no government money readily available.

With support from the new fund, the NRC Behavioral Science Division has already begun work on two problems. The first is a study of the nature and dimension of heroin addiction in the United States, undertaken in conjunction with the medical sciences division. The second is a study of problems of social disorder and social control underlying the current drive in the nation for law and order.

LOOKING FOR WORK

The NAS is attempting to be more resourceful in seeking out broader questions to study for government agencies and then attracting qualified individuals with government experience to conduct them.

Transportation study—A good example is the connection established last year with the President's Advisory Council on Management Improvement. Established by executive order in February 1970, the council has a mandate to improve the administrative efficiency of government management. It has decided to concentrate its first efforts in the field of transportation.

Retired Air Force Gen. Bernard A. Shriever, chairman of the council, is a close friend of Handler, and he approached the NAS president for help and advice. Both Handler and Sitton were eager to offer the academy's services. They recruited Richard Barber to head the working staff of a new transportation planning study advisory committee.

Barber, who describes himself as a "new type" around the academy, has an extensive background in government and in transportation planning. A lawyer and an economist, he has served on the staff of the Joint Economic Committee and the Senate Judiciary Subcommittee on Antitrust and Monopoly. From 1967 to 1969, he was deputy assistant secretary for policy and international affairs in the Transportation Department.

Barber said of the transportation study: "It's really quite different from the kind of thing the academy usually gets involved in. It's a much bigger, less sharply defined area of study."

The plan, he said, is to attack on a broad scale problems associated with federal planning for transportation development.

"We'd like, for instance," Barber stated, "to find out what the mesh is between government transportation agencies and also the interconnections in the private sector between airlines, manufacturers, suppliers, banks and insurance companies. My suspicion is that in all these cases there is now very little communication or sense of common interest."

Barber was quick to note that the emphasis of the committee's recommendations also will be on the practical—both economically and politically. "We won't come up with utopian schemes," he says. "We want something that is viable and possible. And we're not trying to end-run the DOT. We plan to maintain close contact with Transportation Department officials as well as with Domestic Council staff."

Power plant siting—The National Academy of Engineering recently established on its own initiative a prestigious committee to study the increasingly controversial issue of siting of electric power plants.

With the panel about to begin its work, the NAE now is seeking a mixture of funding to support its expenses—from government (the AEC and the NSF), industry and foundations. (*See "hot potatoes" box No. 3,* p. *106.*)

EXECUTIVE AND SCIENCE POLICY

Federally supported science activities have come upon hard times. For this reason, the NAS now is edging closer to playing an advisory role for which it is uniquely qualified but which it never before has undertaken—telling the government what its priorities in science spending should be.

HARD TIMES

Fiscal restraints over the past four years have often hit federal science funding unevenly and irrationally. Handler told *National Journal* he estimates that the budgetary restrictions, coupled with inflation, have resulted in a 20 to 25 per cent decrease in federal science support during the period.

At a press conference on Nov. 30, Handler expressed concern about the state of federal science support. "The system is squealing with pain," he said. Handler laid much of the blame for science funding problems at the door of the Office of Management and Budget.

Although Handler later said he was not attacking the Nixon Administration, an account of his remarks in *The New York Times* prompted a letter to that newspaper from Edward E. David, the President's science adviser. The story, David wrote, created a "very misleading impression" about the Administration's commitment to science. That commitment is demonstrated, he said, by the "all-time high" NSF budget in fiscal 1971 ($513 million, up from $440 million in fiscal 1970) and by an 8.7-per cent increase over fiscal 1970 in federal research and development money sent to universities.

PRIORITIES

Nonetheless, the rate of growth of science funding has slowed and has failed to keep pace with rising costs of research.

Decisions about where to allocate federal science money have been made for many years by the President's budget office, because there was no one else to set priorities. A multitude of federal agencies disburse money that helps to train scientists and to support scientific research, but no single voice of science within the federal establishment has ever emerged to state what the emphasis should be within the government's science-support activities.

The NAS, as the most prestigious body of scientists in the United States, might have had a strong say in federal science priorities.

But for many years the NAS has contended that it never speaks as an institution, and NAS officials still say that it true. The academy has always viewed its primary role as that of an adviser on specific, narrow questions of science and technology.

Now Handler is trying to strengthen the voice of the NAS on what general federal science priorities should be.

"It's true," the NAS president said, "that until now we have successfully evaded the question of priorities, and I'm still not sure of our ability to accomplish this task. But with the drastically changed conditions—with no money for young investigators, with no money to make new starts in potentially exciting fields or in some cases to continue work already begun—we have to try to order our values in a way never attempted before."

Handler has urged the NAS Committee on Science and Public Policy to break into the difficult area of making judgments as to the relative merits of federal funding of differing scientific pursuits.

COSPUP

Creation of the Committee on Science and Public Policy (COSPUP) in 1962 marked the first formal step by the NAS to establish itself as a force in federal science policy making. (In 1964, the NAE established a similar committee, the Committee on Public Engineering Policy.)

The initiative for COSPUP came from George Kistiakowsky, who had become convinced of the need for such a group while serving as President Eisenhower's science adviser.

Kistiakowsky says he felt that the individuals and agencies who had responsibility for long-range planning for science (the President's science adviser, the Federal Council on Science and Technology, the National Science Foundation and later the Office of Science and Technology) were being forced to serve the dual functions of advocate and judge.

Kistiakowsky believed the answer was formation of a group of independent, nongovernment scientists who could rationally survey the needs and promise of various scientific disciplines and act as an advocate for the scientific community. The academy bought Kistiakowsky's idea, and he in turn was persuaded to become COSPUP's first chairman. Harvey Brooks succeeded him in 1966.

COSPUP consists of 15 members—a chairman and representatives from 14 disciplines represented in the NAS. Membership on the committee is restricted to academy members, and the committee reports directly to the NAS council. The term of service is three years.

While the NAS remains fixed in its contention that it takes no stands as an institution, COSPUP is for all intents and purposes the academy's voice on broad policy.

Impact—COSPUP is potentially the most influential non-governmental voice of science in the United States.

And it has had a discernible impact on some public policy questions—most notably the Kennedy Administration's decision to provide government support for birth control programs.

Jerome B. Wiesner, Kennedy's science adviser, credits the 1963 COSPUP report, "The Growth of the World Population," as having had a significant influence on the government.

Yet, throughout most of its history, the committee has played a largely peripheral role, with its impact on government uneven and discontinuous. This stems partly from a failure to develop and articulate a cohesive rationale for the total federal science-support system or to develop criteria for priorities within and among various scientific disciplines.

"Where was the academy when science could have used farsighted leadership in the 1960s to look ahead to the time when the government's motivation for underwriting science might wear thin?" asked William D. Carey, who was an assistant director of the Budget Bureau until 1969.

While he was at the bureau, Carey said, "We urged them to wrestle with the tough questions of priorities before the squeeze came. Instead of dealing with across-the-board planning, however, COSPUP opted for the easier task of individual discipline surveys."

Discipline reports—As Carey noted, the most extensive activity of COSPUP since 1962 has been the commissioning of surveys of the present state and future promise of specific scientific disciplines.

Reports have been published on many disciplines, including ground-based astronomy, physics, chemistry, plant sciences, mathematical sciences, the behavioral and social sciences and the life sciences.

The reports have become steadily more comprehensive—and more expensive. The first (1964), on ground-based astronomy, cost $27,500; the last two, on the behavioral sciences (1969) and the life sciences (1970), cost about $400,000 and $500,000 respectively. The life sciences report, issued No. 30, involved 180 contributors and includes a massive statistical survey from questionnaires sent to some 26,000 scientists. Funding for the surveys has come primarily from the NSF.

While generally of high quality, the reports have been uneven in their utility for government officials. Hugh Odishaw, executive secretary of the NRC division of physical sciences, said: "Only gradually have we come to understand the problem of dealing with the multiple constituencies who read the reports. The first surveys, while enlightening for the technically trained project officers of the NSF, may not have been entirely comprehensible to the executive agencies and the Congress."

Carey said: "The reports tended to be merely an aggregate of the requirements of a given field, usually asked the expected—for more support—and in the end not a great deal has come of it all."

David Z. Beckler, assistant to the director of OST, was less critical: "They did give us a feel for the quality of research being done in a given area. But it is true that since most of them consciously avoided the direct question of priorities, their impact was limited."

Both the behavioral and like sciences reports were written so as to be more useful to government administrators. And the current committee updating the original physics survey will explictly attempt an ordering of priorities within the field. D. Allen Bromley of Yale University, the chairman of the committee, canvassed a number of government officials to ascertain the kind of report they would like to see done; and OST submitted to the committee a list of questions that, it felt, would help in determining how to support physics.

Cross-discipline priorities—As it reforms the single-discipline reports, COSPUP also is venturing into the complex problems of setting priorities among scientific disciplines.

The difficulties—and traps—of making judgments among, as well as within, areas of research are both intellectual and political.

Of the intellectual dangers, Handler said: "Which scientific payoffs should we most esteem—those which contribute to public health, those which aid the economy or strengthen the national defense—or even those scientific experiments whose goal is simply to illuminate man and his universe?"

"The pressure," said Robert E. Green, executive secretary of COSPUP, "is bound to be in the direction of the most immediately relevant research; and yet the most important gains for society may well come from basic research that today seems remote from our concerns."

There are also more practical risks in venturing into the political process. Said Harvey Brooks, "There is always the danger that if we speak out to say that some phase of biological research is less imperative at the moment than another phase of chemical research, the Congress will drastically cut the biological research without compensatory gains for chemistry."

But Handler views the risks as necessary. "These kinds of decisions are already being made," he said. "If we don't try to bring some greater rationality into the process, the budget bureau, with a good deal less understanding of the issues involved, will continue to be the chief science policy maker."

GOVERNMENT PERSPECTIVE

Officials in the two most important executive agencies charged with policy making for science—the OST and the NSF—acknowledged that the academy has been weak in providing advice on federal science-support priorities. But they said the NAS is improving in this regard, and that they appreciate the advice the academy gives them on matters such as intradisciplinary needs—although the advice is not always practical.

McElroy said of the NAS: "They are exercising an increasingly strong input into policy making through COSPUP. But their biggest impact will remain in the independent, expert studies and evaluations they give to government agencies on major scientific problems or problems with a strong scientific or technological input. Neither the NSF nor the OST has the staff—or mission—to perform this function."

Beckler of the OST said of the NAS: "When they speak out on policy matters, they are listened to over here—even if we cannot always carry out their recommendations to the fullest.

"We look upon them as an enormous asset. Particularly in conflict situations over complex technological qestions, it's of great importance to have an authoritative, independent organization outside the government to whom we can turn."

Personal links—Communication between the academy, the OST and the NSF is facilitated by the personal connections of top leaders in the three organizations.

Before his elevation to the NAS presidency, Handler was chairman of the National Science Board, which is the governing body for the NSF. Handler also is automatically a member of the President's Science Advisory Committee, which is chaired by the President's science adviser, Edward E. David. David, who heads the OST, is a member of the NAE.

Harvey Brooks, chairman of COSPUP, is currently a member of the National Science Board, as is E. R. Piore, treasurer of the NAS council. NSF director McElroy is a former member of COSPUP. Charles E. Falk, who is planning director for the NSF, and David Beckler of OST are invited to most COSPUP meetings.

CONGRESS AND SCIENCE POLICY

"The Congress has had little or no direction from scientists or their spokesmen about the areas in which we ought to be placing primary emphasis," Sen. Gordon Allott, R-Colo., told *National Journal*. Allott is one of few members of the Senate to have established and maintained a continuing interest in science policy.

The NAS has tried, over the past several years, to provide guidance to Congress, but has failed to set down a list of priorities.

"They seem just to be competing for more money," Allott said, "and a fundamental question arises as to whether any scientists are looking beyond their own special interests to the total interest of the country."

The academy has provided its advice mainly to a subcommittee of the House Science and Astronautics Committee—the only panel in Congress with wide-ranging responsibilities for science policy. (Allott derives his interest in the subject partly from his service on both the Defense Subcommittee and the Independent Offices Subcommittee of the Senate Appropriations Committee, which handles NSF funding.)

DADDARIO SUBCOMMITTEE

NAS advice has been given in the form of reports to the Science and Astronautics Subcommittee on Science, Research and Development, which, behind the leadership of former Rep. Emilio Q. Daddario, D-Conn. (1959–71), has become the focal point in Congress for science policy considerations. (*For profile of subcommittee, see Vol. 2, No. 34, p. 1803.*)

Contact between the NAS and the subcommittee began in 1963. Daddario told *National Journal*. "We were badly in need of advice to make intelligent judgments about the many proposals regarding science coming from the executive. Up to that time, Congress had been working in the dark."

On the NAS side, Kistiakowsky said "The academy had gradually awakened to the fact that Congress was making significant decisions on its own regarding science policy and support, and we were still acting as if the executive were the only branch of government."

The contact was facilitated by spadework done by two staff men, Philip B. Yeager, chief counsel for the subcommittee, and Robert Green the executive secretary of COSPUP. Daddario himself eased the way with informal backyard gatherings at his home. Gradually, he said, "politician and scientist came to see that the other was human."

Studies—As a result of these contacts, the subcommittee commissioned a series of studies by COSPUP on a contract basis.

The first questions the subcommittee asked the scientists concerned the correct level of federal support for basic research and the proper balance of support among different fields of research. Similar questions about applied research and technology was asked later.

COSPUP replied with a set of separate essays relating to the first questions in 1965 and a set of 17 separate essays to the second in 1967.

The essays all were by different scientists. Some overlapped, and nowhere did COSPUP make composite recommendations on priorities in science support. But both Daddario and Yeager said the subcommittee was not dissatisfied.

"We knew," Yeager said, "that they were attempting something few people—and certainly no group of scientists—had yet attempted."

Daddario said: "Their first report was an important factor behind the amendments to the NSF charter in 1968. These amendments (82 Stat. 360) augmented the authority and mission of NSF and went far toward allowing it to become the balance wheel in the federal science-support system."

The last report done by COSPUP for the subcommittee, this time in conjunction with NAE's Committee on Public Engineering Policy, was on technological assessment. It was completed in 1969. According to Daddario, the report was one important factor behind the subcommittee's bill (H.R. 18469) to establish an Office of Technological Assessment. The bill was reported (H. Rept. 91–1437) by the full Science and Astronautics Committee in September, but did not reach the floor of the House. (*See Vol. 2, No. 12, p. 592.*)

Future use: Daddario's retirement from Congress to run for the governorship of Connecticut has left a hiatus in relations between the subcommittee and the academy. Yeager, however, expects that Rep. John W. Davis, D-Ga., the new subcommittee chairman, will use COSPUP in the future for other studies and recommendations.

Yeager said he often gets calls from staff members of other committees who inquire about using the NAS. "The problem," he says, "is with the way the House does business. Most staff people are put off when they are told how complex the process is."

A subcommittee must first get full committee approval for such a contract, and then submit the contract to the House Administration Committee's Subcommittee on Contracts, chaired by Rep. Wayne L. Hays, D-Ohio. "Hays is a tough man to deal with," Yeager said.

Of the Science and Astronautics Committee's success in persuading Hays to fund its contracts, he said, "We were lucky in that the entire committee was willing to go to bat for us before the House Administration Committee."

OUTLOOK

Increasing demands from the federal government for scientific advice and the desire of Handler and other NAS leaders to render that service mean that the NAS will become more and more involved in controversial public policy issues.

The academy's ability to move into broader and more useful areas of study for the government depends in part on Handler's success in reforming the internal organization of the institution.

Beyond that, the academy's effectiveness in dealing with sensitive political issues depends upon its ability to educate itself in the ways of politics and government—to see that its committees are not vulnerable to conflict-of-interest charges, to guard against the misuse of its prestigious name and to maintain its independence from even its most generous government clients.

These are not problems usually associated with scientists and scientific endeavors, but as NSF director McElroy said: "They can't remain above the battle as they've tended to do in the past. They've got to take their chances with the rest of us, and just be more careful as the ticklish political questions come up."

INCOMES POLICY NEEDED

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, thus far the President's method of restoring vitality to the economy has been halting and tentative. While his suspension of the Davis-Bacon Act does provide some slight indication that the President may take a more decisive role in wage-price decisions, he has refused to go beyond singling out this one industry for what amounted to an after-the-fact exercise in wage-price pressure. Secretary of the Treasury Connolly's testimony in favor of discretionary wage-price controls, a reversal of the President's earlier position, also provides hope that the administration will take a more active role. However, the indecisiveness and lack of positive direction remain in regard to the economy as a whole.

The New York Times, on February 28, carried an excellent editorial concerning the Nation's present need for a stronger incomes policy by the administration.

On January 29, I introduced legislation which would provide the more aggressive incomes policy which the Times editorial urges. Entitled the "Emergency Guidance Board Bill," my legislation would create a voluntary wage-price guidance board which after consultation with business, labor, and consumer leaders, would publish a basic set of wage-price guidelines for all major industries and unions. While these guidelines would not be mandatory, any industries and unions planning price and wage increases in excess of the published guidelines would be required to file an economic justification with the Board. The Board would then use the pressure of public opinion to discourage wage-price decisions which were in excess of the guidelines.

The bill would provide a program to deal with the wage-price spiral in a consistent fashion. It would concern itself with all inflationary industries and unions, and not just single out one for special pressure. Chairman of the Federal Reserve Board, Arthur F. Burns, has also advocated this proposal as an effective means of implementing an aggressive incomes policy. Without returning the Nation to mandatory wage-price controls, the Emergency Guidance Board would provide an open means of applying pressure where it is sorely needed, in the wage-price decisions of the private economy, and I urge the President to consider this proposal in place of the inconsistent and confused steps he has taken thus far.

I was quite pleased that a recent editorial in the New York Times supported the approach that I have taken in my legislation. I should like to place the editorial in the Record at this time for the information and consideration of my colleagues:

Incomes Policy Needed

Events are propelling the Nixon Administration toward the development of a national incomes policy, but in such a spasmodic and confused way that it is still impossible to know what sort of policy will emerge.

In order to suspend the Davis-Bacon Act last week, the President had to declare that a national emergency existed. But only a few days before, spokesmen of his Administration were hailing a one-month slowdown in the rate of rise of the consumer price index as evidence that inflation was well under control. Mr. Nixon had to resolve the seeming contradiction by describing construction as a special case, just as steel and oil were described as special cases previously.

What is needed now is a national incomes policy which will bring under genuine control a broad-based inflation that has already lasted far too long and that threatens to continue indefinitely. Is there any reason to suppose that, without a new policy, the country will not see a continuation of seriously inflationary wage settlements and price actions this year?

The nation needs an incomes policy that will be not just a response to present problems but one that it can live with over the long haul. This does not mean a return to World War II-type wage and price controls, with the enormous administrative apparatus that would be required to enforce them if they could be enforced at all. It does mean establishment of a wage-price board which would have limited powers of recommendation in selected industrial disputes or pricing situations that appeared to be of national significance. This would constitute an open means of exerting pressure on the principals through the force of public opinion. But in the end the decision-makers among both management and labor would have to bear responsibility for their own actions.

As voluntaristic as this approach may be, we believe it nevertheless could make a contribution toward changing the inflationary expectations and behavior of labor, business, and the public. Given the heavy cost to the nation of inflation, unemployment, and a continuation of stop-go economics, it is now becoming increasingly urgent that the effort be made.

The president already has stand-by authority granted him by Congress to declare a temporary freeze on wages and prices in all industries. A freeze of extremely short duration, a matter of weeks, would serve two purposes; dramatize the end of the period of inflationary drift, and prevent a last-minute scramble on the part of those who would like to get the final massive wage boost or price increase before the new national wage-price board could be set up. In those few key bargaining situations in which the board decided to become involved, it would have power to postpone, for a limited time, the effective date of wage agreements or price actions until it had a chance to review the case for such actions and to make its own recommendations. If the parties chose to ignore its recommendations, the board would have no further powers of enforcement.

The board would strive to lead the nation back toward lasting price stability by gaining broad acceptance of certain fundamental principles which have now been well established by economic analysis. Most important is the principle that wage settlements in individual industries should be in line with the long-term growth of national productivity. However, this principle need not be a straitjacket; exceptions could be made to deal with inequities resulting from past inflation or to meet special needs of expanding industries.

It is true that past incomes policies have had only partial success—or have failed—both here and in other countries. In the United States, the failure of wage-price guideposts was primarily due to the unwillingness of the Johnson Administration to adopt fiscal and monetary policies adequate to restrain the inflation that resulted from the piling of the Vietnam war on an already fully employed economy. In Britain, the failure of incomes policy under the Labor Government was primarily a result of wavering and unclear guidelines and an unwillingness to stand up to militant trade unions or irresponsible wildcat strikers. But the lack of income policies has produced even worse results, as recent experience has demonstrated both in this country and in Britain.

How to combine price stability with high and growing employment remains the cardinal problem of all modern industrial nations. The Administration, determined to bring about a rapid return to full employment, has the obligation of developing an income policy to assure that expansion will not be accompanied by still further inflation—which in turn could bring about another dose of unemployment-boosting deflation.

NATIONAL COMMISSION ON CAPITOL SECURITY

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, often it takes a calamity to produce action. So it should be with this morning's explosion in the Capitol.

When all the immediate furor is over, the culprit found, and the room rebuilt we will still be faced with serious questions of how we continue to provide the public with access to its Capitol and its representatives while assuring adequate safety and security.

To provide more adequate and systematic protection to Congress I am today introducing legislation to establish a National Commission on Capitol Security. Its purpose would be to analyze the security needs of Congress and to report back promptly its recommendations to the Speaker and the President of the Senate. The bill, of course, is not intended to interfere with steps already taken to tighten security or to postpone action on such further steps as are warranted. It is intended rather to complement such steps and to provide the kind of comprehensive review needed to insure fully adequate protection.

In introducing this legislation I am aware of the need for prompt action. For that reason the Commission's report must be submitted within 6 months. At the same time we must make certain that the Commission's report is as comprehensive as possible. Both these purposes can best be achieved by drawing principally, although not exclusively, on the existing expertise of Federal agencies such as the FBI and Secret Service.

The Capitol and the House and Senate Office Buildings belong not to the Congress but to the people. This fundamental precept must underlie whatever recommendation the Commission may make. Both the Capitol and those who work on the people's business must remain readily accessible to the public. It is for this reason that the majority of the Commission would be drawn from the House and Senate. The Commission would have 12 members: four each from the House and Senate, the Architect of the Capitol, the Director of the Federal Bureau of Investigation, the Chief of the Secret Service, and the Chief of the Capitol Police.

Mr. Speaker, it is my conviction that only such a systematic review of the unique security needs of the Congress can provide the protection needed while assuring the maximum accessibility which democracy requires.

The text of the bill follows:

H.R. 5288

A bill to insure protection of Members of Congress, the general public, and the buildings and records of the Congress

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is established a commission to be known as the "National Commission on Capitol Security" (hereinafter referred to as the "Commission").

SEC. 2. (a) The Commission shall make a complete and comprehensive study of the special security requirements of the Congress to insure that—

(1) the Members of Congress (and members of their staffs) can conduct their business in orderly and safe surroundings;

(2) the general public may have proper access to their representatives; and

(3) the buildings and records of the Congress shall be secured from destructive acts of violence.

(b) The Commission shall report its findings and recommendations of such legislative, administrative, or other advisable and appropriate action as the Commission deems necessary to achieve the purposes of the study to the Congress as soon as possible and in no event more than one hundred and eighty days after the date of the enactment of this Act.

SEC. 3. (a) The Commission shall be composed of 12 members as follows:

(1) Four Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives.

(2) Four Senators to be appointed by the President of the Senate.

(3) The Architect of the Capitol.

(4) The Captain of the Capitol Police.

(5) The Director of the Federal Bureau of Investigation.

(6) The Director of the United States Secret Service.

(b) A vacancy on the Commission shall be filled in the same manner as the original appointment.

(c)(1) Members of the Commission shall serve without compensation.

(2) While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

(d) Seven members of the Commission shall constitute a quorum.

(e) The Chairman and Vice Chairman of the Commission shall be elected by the members of the Commission.

SEC. 4. The Commission may appoint and fix the compensation of such personnel as it deems advisable. The staff of the Commission shall be appointed without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

SEC. 5. (a) The Commission, or any two members thereof as authorized by the Commission, may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission may deem available.

(b)(1) The Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under study by the Commission. Such attendance of witnesses and the production of such evidence may be required from any place within the United States at any designated place of hearing within the United States.

(2) If a person issued a subpena under paragraph (1) refuses to obey such subpena or is guilty of contumacy, any court of the United States within the judicial district within which the hearing is conducted or within the judicial district within which such person is found or resides or transacts business may (upon application by the Commission) order such person to appear before the Commission to produce evidence or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as a contempt thereof.

(3) The subpenas of the Commission shall be served in the manner provided for subpenas issued by a United States district court under the Federal Rules of Civil Procedure for the United States district courts.

(4) All process of any court to which application may be made under this section may be served in the judicial district wherein the person required to be served resides or may be found.

SEC. 6. The Commission shall cease to exist upon submission of its final report.

NUTRITION PROGRAM FOR THE ELDERLY

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, H.R. 5017 of the 92d Congress is the bill H.R. 17763, to provide a nutrition program for the elderly, which I reintroduced on Thursday, February 25, 1971, with the support of 111 of my colleagues, both Democrats and Republicans. I urge your consideration for the acute need for a national policy aimed at providing the elderly with low-cost, nutritionally sound meals served in strategically located centers such as community centers, senior citizens centers, schools, and other public or private nonprofit institutions suited to such use. The program directs itself to the promotion of both the physical and mental health of the elderly through provisions of balanced meals, education in nutrition, as well as opportunity for social contact to end the isolation of old age and the encouragement of greater physical and mental activities.

I wish to remind my colleagues that on May 28 of last year I honored Senior Citizens Month with the introduction of H.R. 17763. This bill received recognition throughout the country by all those familiar with the problems of our senior citizens as providing a sound approach to the needs of the elderly.

The legislation utilizes Federal, State, and local funds on a matching basis together with surplus commodity programs for the provision of at least one hot meal per day at a reasonably low price to the participant.

Typical of the enthusiastic response to the introduction of this bill is the statement of the Honorable William R. Hutton, executive director, National Council of Senior Citizens, during hearings on the bill, to the Select Subcommittee on Education of the Committee on Education and Labor, Mr. Hutton, testifying on behalf of the 2,500,000 members of the Council said:

> The National Council membership welcomes this legislation and urges its early enactment. We trust that the administration will support H.R. 17763 which is designed to carry out a major recommendation of the Panel on Aging of the White House Conference on Food, Nutrition and Health held in Washington last December . . .
>
> The very first recommendation of the Panel on Aging of the White House Conference on Nutrition calls for legislation contemplated under H.R. 17763.

I commend the report of these hearings to the attention of my colleagues and call particular attention to the testimony of the Honorable John B. Martin, Commissioner, Administration on Aging, the Administration's spokesman. The Administration admitted the need for better nutrition among the elderly and supported the purposes of the bill. However, the Administration put forth the notion that it is time to cease categorical grant programs. Even though the elderly would suffer, they must wait until a nutrition program could be provided for in a total social services scheme that, at some future time, may be accepted and implemented at the Federal level. Moreover, the entire program must then be accepted and implemented, in whole or in part, in the 50 States and four trust territories.

I question what would have been the fate of social security had this legislation been left up to the States? Would experience lead us today to abandon our national social security system and make the benefits dependent upon the action of the individual States? How long can the elderly wait while the administration ponders broad concepts of total social service legislation proposing to take care of health and welfare needs from the cradle to the grave? My bill would make it possible to stretch the social security dollar in the purchase of nutritious hot meals and I believe we need this legislation on a national scale to supplement our national social security benefits.

Furthermore, many of my constituents in Dade County, Fla., would, I know, be handicapped by the vast social work superstructure of the complex and all-encompassing social services approach. I am sincerely convinced this group of citizens in Miami, New York, Los Angeles, Chicago, and the elderly in other urban and rural areas across the Nation would not be able to cope with the obstacle race that would be created in such a complex HEW structure simply to be able to participate in a hot meal program once a day in a social setting with their friends.

The administration spokesman also proposed there may be a need for more testing. I submit the categorical grant concept provides for continuous evaluation and improvement of the nutrition program and with the knowledge and experience already available from the research and development grants under the Older Americans Act, I question the necessity for delay of enactment of my bill for the sake of further research. You must feed the person first and then worry about other needs.

I support the ideal of continuing to integrate people's needs and to improve Federal assistance programs thereby enabling all Americans to share in the wealth of our country. I am aware too that man's inclination to identify with his peers brings forth in today's technological society important legislative challenges for all my colleagues who care about human beings—the young, the poor, the uneducated, the sick, and the elderly.

There are basic needs particularly unique among the elderly and these needs are immediate and urgent. These needs cannot be sacrificed while Congress or the administration debates methods of administration and funding on Federal, State, or local levels. To sacrifice the needs of the Nation's over 20 million elderly while indulging in intellectual challenges of political science is unconscionable and I urge the support of my colleagues to provide for early enactment of this legislation in this session of the Congress.

I am happy to be joined by the following colleagues in this legislation which will be of such great benefit to our senior citizens:

LIST OF COSPONSORS

Mr. Abourezk, Mrs. Abzug, Mr. Addabbo, Mr. Anderson of California, Mr. Anderson of Tennessee, Mr. Annunzio, Mr. Ashley, Mr. Badillo, Mr. Barrett, Mr. Bingham, Mr. Brademas, Mr. Brasco.

Mr. Burke of Massachusetts, Mr. Byrne, Mrs. Chisholm, Mr. Clark, Mr. Clay, Mr. Corman, Mr. Coughlin, Mr. Daniel, Mr. Daniels, Mr. Dent.

Mr. Dow, Mr. Dowdy, Mr. Drinan, Mr. Dulski, Mr. Eckhardt, Mr. Edwards of California,

Mr. Eilberg, Mr. Esch, Mr. Fascell, Mr. Flood, Mr. William D. Ford, Mr. Fraser.

Mr. Fulton of Pennsylvania, Mr. Gallagher, Mr. Garmatz, Mr. Gaydos, Mr. Giaimo, Mr. Gonzalez, Mr. Gude, Mr. Halpern, Mr. Hanley, Mrs. Hansen, Mr. Hansen, Mr. Harrington.

Mr. Harsha, Mr. Hathaway, Mr. Hawkins, Mr. Hechler, Mr. Helstoski, Mr. Hicks, Mrs. Hicks, Mr. Howard, Mr. Johnson of Pennsylvania, Mr. Johnson of California, Mr. Kee, Mr. Koch.

Mr. Kuykendall, Mr. Kyros, Mr. Link, Mr. McCloskey, Mr. McKinney, Mr. Matsunaga,

Mr. Meeds, Mr. Metcalfe, Mr. Mikva, Mr. Miller of California, Mr. Minish, Mrs. Mink.

Mr. Mitchell, Mr. Moorhead, Mr. Morse, Mr. Murphy of New York, Mr. Murphy of Illinois, Mr. Nedzi, Mr. Nix, Mr. Obey, Mr. O'Hara, Mr. Pelly, Mr. Perkins, Mr. Podell, Mr. Pryor, Mr. Pucinski, Mr. Rees, Mr. Reid, Mr. Riegle, Mr. Rodino, Mr. Roe, Mr. Rosenthal, Mr. Roybal, Mr. Ryan, Mr. St Germain, Mr. Scheuer, Mr. Schwengel.

Mr. Sebelius, Mr. Stokes, Mr. Symington, Mr. Thompson of Georgia, Mr. Thompson of New Jersey, Mr. Thone, Mr. Tiernan, Mr. Vander Jagt, Mr. Vanik, Mr. Vigorito, Mr. Wolff, Mr. Wright, Mr. Yatron.

Mr. Speaker, I include in this statement the text of this legislation which has stirred such great interest throughout the country.

A bill to amend the Older Americans Act of 1965 to provide grants to States for the establishment, maintenance, operation, and expansion of low-cost meal programs, nutrition training and education programs, opportunity for social contacts, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Title VII of the Older Americans Act of 1965 is redesignated as title VIII, and sections 701 through 705 of that Act are respectively redesignated as sections 801 through 805.

SEC. 2. Section 102(1) of the Older Americans Act of 1965 is amended by deleting the semicolon and inserting a comma and inserting immediately thereafter the words "except for the purposes of title VII where the term 'Secretary' shall mean the Secretary of Agriculture."

SEC. 3. The Older Americans Act of 1965 is amended by inserting the following new title immediately after title VI thereof:

"TITLE VII—NUTRITION PROGRAM FOR THE ELDERLY

"FINDINGS AND PURPOSE

"SEC. 701. (a) The Congress finds that the research and development grants, title IV, Older Americans Act, nutrition program has demonstrated the effectiveness of and the need for permanent nationwide programs to provide for nutritional and social needs of millions of persons aged sixty-five or older who are unable to overcome the complex and intertwining problems of inadequate diets. Many of these elderly persons do not eat adequately because they cannot afford to do so, while others, who are economically better off, do not eat well because they lack the skills to select and prepared nourishing and well-balanced meals, have limited mobility which may impair their capacity to shop and cook for themselves, and have feelings of rejection and loneliness which obliterate the incentive necessary to prepare and eat a meal alone. These and other physiological, psychological, social, and economic changes that occur with aging result in a pattern of living, which causes malnutrition and further physical and mental deterioration.

"(b) In addition to the food stamp program, commodity distribution systems and old-age income benefits, there is an acute need for a national policy aimed at providing the elderly with low cost, nutritionally sound meals served in strategically located centers such as community centers, senior citizen centers, schools, and other public or private nonprofit institutions suited to such use and through other means toward this purpose. Besides promoting better health among the older segment of our population through improved nutrition, such a program, implemented through the use of a variety of community resources, would be a means of promoting greater opportunity for social contact ending the isolation of old age, increasing participants' knowledge of nutrition and health in general, and promoting positive mental health and independence through the encouragement of greater physical and mental activities.

"ADMINISTRATION

"SEC. 702. (a) In order to effectively carry out the purposes of this title, the Secretary shall—

"(1) create a new division within the Food and Nutrition Service of the Department of Agriculture, under the Assistant Secretary for Marketing and Consumer Services, *for* the administration of the program;

"(2) make full utilization of the existing services within the Department including but not limited to the Federal Extension Service under the Director of Science and Education; and

"(3) consult with the Administration on Aging, Department of Health, Education, and Welfare.

"(b) In carrying out the provisions of this title, the Secretary is authorized to request the technical assistance and cooperation of the Department of Labor, the Office of Economic Opportunity, the Department of Housing and Urban Development, the Department of Transportation, and such other departments and agencies of the Federal Government as may be appropriate.

"(c) The Secretary is authorized to use, with their consent, the services equipment, personnel, and facilities of Federal and other agencies with or without reimbursement, and on a similar basis to cooperate with other public and private agencies and instrumentalities in the use of services, equipment, personnel, and facilities.

"(d) In carrying out the purposes of this title, the Secretary is authorized to provide consultative services and technical assistance to any public or private nonprofit institution or organization, agency, or political subdivision of a State; to provide short-term training and technical instruction; and to collect, prepare, publish, and disseminate special education or informational materials, including reports of the projects for which funds are provided under this title.

"ALLOTMENT OF FUNDS

"Sec. 703. (a) (1) From the sum appropriated for a fiscal year under section 708(A) the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, shall each be allotted an amount equal to one-fourth of 1 per centum of such sum and (B) each other State shall be alloted an amount equal to one-half of 1 per centum of such sum.

"(2) From the remainder of the sum so appropriated for a fiscal year each State shall be alloted an additional amount which bears the same ratio to such remainder as the population aged sixty-five or over in such State bears to the population aged sixty-five or over in all the States, as determined by the Secretary on the basis of the most recent satisfactory data available to him.

"(3) A State's allotment for a fiscal year under this title shall be equal to the sum of the amount allotted to it under paragraphs (1) and (2).

"(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Secretary determines will not be required for that year shall be available for reallotment, from time to time and on such dates during such year as the Secretary may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Secretary estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Such reallotments shall be made on the basis of the State plan so approved, after taking into consideration the population aged sixty-five or over. Any amount realloted to a State under this subsection during during a year shall be deemed part of its allotment under subsection (a) for that year.

"(c) The allotment of any State under subsection (a) for any fiscal year shall be available for grants to pay up to 90 per centum of the cost of projects in such State described in section 705 and approved by such State in accordance with its State plan approved under section 705. Such allotment to any State in any fiscal year shall be made upon the condition that the Federal allotment will be matched during each fiscal year by 10 percentum, or more, as the case may be, from funds within the State.

"(d) If, in any State, the State agency is not permitted by law to disburse the funds paid to it under this title in the State, or is not permitted by law to match Federal funds made available for use by such public or private nonprofit institution or organization, agency, or political subdivision of a State, the Secretary shall withhold the allotment of funds to such State referred to in subsection (a). The Secretary shall disburse the funds so withheld directly to any public or private nonprofit institution or organization, agency, or political subdivision of such State in accordance with the provisions of this title, including the requirement that any such payment or payments shall be matched in the proportion specified in subsection (c) for such State, by funds from sources within the State.

"PAYMENTS TO STATES

"Sec. 704. (a) Funds allotted to any State pursuant to section 703 during a fiscal year shall be available for payment to such State for disbursement by the State agency in accordance with such agreements not inconsistent with the provisions of this title as may be entered into by the Secretary and such State agency, for the purposes of carrying out the provisions of this title, during such fiscal year in supplying—

"(1) agriculture commodities and other foods for consumption by persons aged sixty-five or over, and

"(2) nonfood assistance in furtherance of the programs authorized under this title.

"(b) The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under this section and the time or times such amounts are to be paid to any State under this section and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

"STATE PLANS

"Sec. 705. (a) Any State which desires to receive allotments under this title shall submit to the Secretary for approval a State plan for purposes of this title which—

"(1) establishes or designated a single State agency as the sole agency for administering or supervising the administration of the plan, which agency shall be the agency primarily responsible for coordination of State programs and activities related to the purposes of this title;

"(2) sets forth such policies and procedures as will provide satisfactory assurance that allotments paid to the State under the provisions of this title will be expended—

"(A) to make grants in cash or in kind to any public or private nonprofit institution or organization, agency, or political subdivision of a State (hereinafter referred to 'recipient of a grant or contract')—

"(i) to carry out the program as described in section 706.

"(ii) to provide up to 90 per centum of the costs of the purchase and preparation of the food; delivery of the meals; and such other reasonable expenses as may be incurred in providing nutrition services to persons aged sixty-five or over. Recipients of grants of contracts may charge participating individuals for meals furnished but such charge shall not exceed a per meal limit to be established by each State agency, taking into consideration the income ranges of eligible individuals in local communities and other sources of income of the recipients of a grant or a contract.

"(iii) to provide up to 90 per centum of the costs of such supporting services as may be absolutely necessary such as the costs of social services and local public transportation to and from the residences of participating individuals to the extent such costs are not provided by grants for these services from the Administration on Aging, Department of Transportation, Office of Economic Opportunity, or other Federal agency.

"(B) to provide for the proper and efficient administration of the State plan: *Provided*, That the amount expended for such administration and planning shall not exceed a sum which shall be agreed upon between the Secretary and the State agency—

"(i) in making report, in such form and containing such information, as the Secretary may require to carry out this function under this title, including reports of the objective measurements required by section 706, and keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports and proper disbursement of Federal fund under this title, and

"(ii) in providing satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this title to the State, including any such funds paid by the State to the recipient of a grant or contract.

"(3) provides such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are necessary for the proper and efficient operation of the plan.

"(b) The Secretary shall approve any State plan which he determines meets the requirements and purposes of this section.

"(c) Whenever the Secretary, after reasonable notice and opportunity for hearing to such State agency, finds (1) that the State plan has been so changed that it no longer complies with the provisions of this title, or (2) that in the administration of the plan there is a failure to comply substantially with any such provision or with any requirements set forth in the application of a recipient of a grant or contract approved pursuant to such plan, the Secretary shall notify such State agency that further payments will not be made to the State under the provisions of this title (or in his discretion, that further payments to the State will be limited to programs or projects under the State plan, or portions thereof, not affected by the failure, or that the State agency shall not make further payments under this part to specified local agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, the Secretary shall make no further payments to the State under this title, or shall limit payments to recipients of grants or contracts under, or parts of, the State plan not affected by the failure or payments to the State agency under this part shall be limited to recipients of grants or contracts not affected by the failure, as the case may be.

"(d) (1) If any State is dissatisfied with the Secretary's final action with respect to the approval of its State plan submitted under subsection (c), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceeding on which he based his action, as provided in section 2112 of title 28, United States Code.

"(2) The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(3) The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"NUTRITION AND OTHER PROGRAM REQUIREMENTS

"SEC. 706. Funds allotted to any State during any fiscal year pursuant to section 703 shall be disbursed by the State agency to recipients of grants or contracts who agree—

"(1) to establish a program (hereinafter referred to as a 'nutrition program') which, five or more days per week, provides at least one hot meal per day and any additional meals, hot or cold, each of which assures a minimum of one-third of the daily recommended dietary allowances as established by the Food and Nutrition Board of the National Academy of Sciences-National Research Council;

"(2) to provide such nutrition program for individuals aged sixty-five or over (hereinafter referred to as 'eligible individuals');

"(3) to furnish a site for such nutrition program in as close proximity to the majority of eligible individuals' residences as feasible, and, preferably within walking distance;

"(4) to utilize methods of administration including outreach which will assure that the maximum number of eligible individuals may have an opportunity to participate in such nutrition program;

"(5) to provide a setting conducive to expanding the nutritional program to include recreational activities, informational, health and welfare counseling and referral services;

"(6) to include such training as may be necessary to enable the personnel to carry out the provisions of this title;

"(7) to establish and administer the nutritional program with the advice of persons competent in the field of service in which the nutrition program is being provided, and of persons who are knowledgeable with regard to the needs of elderly persons;

"(8) to provide an opportunity to evaluate the effectiveness, feasibility and cost of each particular type of such program; and

"(9) to give preference to persons aged sixty-five or over for any staff positions, full- or part-time, for which such persons qualify.

"SURPLUS COMMODITIES

"SEC. 707. Each recipient of a grant or contract shall, insofar as practicable, utilize in its nutrition program commodities designated from time to time by the Secretary as being in abundance, either nationally or in the local area, or commodities donated by the Secretary. Commodities purchased under the authority of section 32 of the act of August 24, 1935 (49 Stat. 774), as amended, may be donated by the Secretary to the recipient of a grant or contract, in accordance with the needs as determined by the recipient of a grant or contract, for utilization in the nutritional program under this title. The Secretary is authorized to prescribe terms and conditions respecting the use of commodities donated under such section 32, as will maximize the nutritional and financial contributions of such donated commodities in such public or private nonprofit institutions or organizations, agencies, or political subdivisions of a State.

"APPROPRIATIONS AUTHORIZED

"SEC. 708. (a) The Secretary may utilize the programs authorized under this title in carrying out the provisions of clause (2) of section 32 of the Act approved August 24, 1935, as amended (49 Stat. 774, 7 U.S.C. 614c).

"(b) In addition to any other funds which may be available, there are authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

"PROGRAM EXPENDITURES

"SEC. 709. Of the sums appropriated for any fiscal year pursuant to the authorization contained in section 708 of this title, not to exceed $50,000,000 shall be made available for the fiscal year ending June 30, 1972, not to exceed $100,000,000 for the fiscal year ending June 30, 1973, not to exceed $150,000,000 for the fiscal year ending June 30, 1974, for grants-in-aid pursuant to the provisions of this title, less—

"(1) not to exceed 3½ per centum thereof which per centum is hereby made available to the Secretary for his administrative expenses under this title;

"(2) direct expenditures by the Secretary for agricultural commodities and other foods to be distributed among the States and such public or private nonprofit institutions or organizations, agencies, or political subdivisions of a State, participating in the nutrition program under this title.

"RELATIONSHIP TO OTHER LAWS

"SEC. 710. No part of the cost of any program under this title may be treated as income or benefits to any eligible individual for the purpose of any other program or provision of State or Federal law.

"MISCELLANEOUS

"SEC. 711. None of the provisions of this title shall be construed to prevent a recipient of a grant or a contract from entering into an agreement with a profitmaking organization to carry out the provisions and purposes of this title."

HEROIN SEIZURES UP 21,905 PERCENT

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, the U.S. Customs Service, operating through a small but professional unit in Miami, has compiled a remarkable record of seizures and arrests of international smugglers of cocaine and heroin since the crackdown ordered by the President on a nationwide scale. This includes, among other startling statistics, an increase of 21,905 percent in seizures of heroin, the most dangerous and debilitating of all illicit drugs.

In an important address to the Kiwanis Club of Miami on January 22, 1971, Commissioner of Customs Myles J. Ambrose declared that Miami has supplanted New York City as the country's major gateway for cocaine and heroin seizures. We are not proud of this designation in Miami. But we think that Commissioner Ambrose and his dedicated staff deserve the respect and cooperation of all Americans in an uphill fight to interdict the powdered poison coming to our shores.

A few short months ago the Select Committee on Crime, on which I serve as chairman, held hearings in Miami. We documented the extent to which the cocaine smuggling traffic has grown in Miami. I applaud the Customs Service for the enforcement record which they are compiling in their dedicated efforts to choke off entry ports in Miami for the smuggling of these terrible drugs.

Mr. Speaker, under unanimous consent, I include the text of Mr. Ambrose's remarks to the Kiwanis Club of Miami at this point in the RECORD:

TEXT OF AN ADDRESS BY U.S. COMMISSIONER OF CUSTOMS MYLES J. AMBROSE

I am happy to be here today as your luncheon speaker, and I thank especially Mr. Stanley Dodd, your President, and Ed Bishop, Program Chairman, for giving me the necessary impetus to leave frigid-bound Washington for the Sunshine State.

Let me congratulate the Kiwanis Club of Miami for having the initiative and resourcefulness to mount "Operation Drug Alert," in line with the program worked out by the International Kiwanis.

I am informed that you are planning a four-week project, which will begin next month, and use all of the information media—press, radio, TV, magazines, the speakers platform—to awaken the public to the epidemic sweeping our country: drug addiction.

Your project would not come at a more timely moment, when it is obvious that the drug abuse problem has assumed frightening proportions, and unfortunately is still like a spreading cancer among our young people.

A New York Times story on December 30th reported that 1,050 young people between 15 and 35 years of age died of narcotic-related causes in New York City alone—more than the city's fatalities in Vietnam during the same period! Similar stories can be told of many other large cities throughout the U.S.A.

It's especially appropriate that a prestigious and influential organization like Kiwanis takes the leadership in this city, one of our major gateways, and the site of some of the most dramatic seizures and arrests made by the Bureau of Customs in recent years.

I know that no one likes statistics, but I want to take a moment or two to report that in the Miami Customs District cocaine seizures have increased 279% over 1969 . . . hashish seizures have gone up by almost 3,000% . . . marijuana seizures have increased by 90% . . . dangerous drugs, five-grain units, by 131% . . . and heroin, the most dangerous of the hard drugs, by a phenomenal increase of 21,905%—I repeat, 21,905%.

Just imagine for a moment what these depressing figures mean when translated into disrupted lives, deaths from overdose, long jail sentences for young people, ruined careers, and incalculable cost in energy and money which could have been channeled into better causes.

In the short time I have to speak to you, let me tell you what we in the Federal Government are trying to do about this problem—and what the prospects are for coping with it.

President Nixon, in his message to Congress, on July 14, 1969, said:

"A national awareness of the gravity of the situation is needed; a new urgency and concerted national policy are needed at the Federal level to begin to cope with this growing menace to the general welfare of the United States."

He then directed the Bureau of Customs, through the Treasury Department, to "initiate a major new effort to guard the nation's borders and ports against the growing volume of narcotics from abroad."

First that directive was backed up with a substantial anti-narcotic supplemental budget request.

Congress responded magnificently and, late in December 1969, passed an appropriation for 8.76 million dollars for 915 men and for equipment. This was over and above our regular appropriation, allowing us to hire almost 1,000 additional Inspectors and Special Agents, thus bringing our total strength, nationwide, to about 11,500. It is worth while mentioning that we have, for the first time, slightly more Customs personnel than we had in the time of Calvin Coolidge in the twenties!

Our newly hired Special Agents and Inspectors were recruited, trained, and deployed along our borders and major gateways in record time. Our co-workers, the Bureau of Narcotics and Dangerous Drugs, likewise was beefed up by a supplementary appropriation of $7 million.

What else have we done?

We have established international narcotic intelligence groups with offices in major U.S. cities to provide better evaluation of information relating to smuggling into the United States.

In support of the intensified enforcement effort, a central automatic data processing intelligence network, we call it CADPIN, was installed which provides a comprehensive bank of suspect information on a 24-hour basis to Customs officers. Much of our information comes from local enforcement officials—and increased cooperation with your cities is essential in this operation.

We opened two new Customs stations in the remote Big Bend area of Texas, a favorite section of the border for smugglers.

New laboratories to provide rapid identification of narcotics and dangerous substances have been established. This prompt analysis of narcotics will speed the judicial processing of violators.

We have equipped our Customers' officers with more aircraft and boats capable of pursuing smugglers along our southern border and at major lakes and coastal areas.

We have embarked on a major training program stressing techniques of narcotics smuggling. This is particularly important for Customs Inspectors and Import Specialists who appraise commercial shipments. In addition, a new consolidated Federal Law Enforcement Training Center in Maryland is being created to insure the highest training standards for our Special Agents as well as those of other Federal government agencies.

As a direct consequence of Operation Intercept, now called Operation Cooperation, we have developed a closer relationship with our southern neighbor, Mexico, than ever before in history. An agreement has been reached with the government of Mexico on how our two Customs Services will cooperate more extensively in the prevention of smuggling of illicit drugs into the United States from south of the border.

The Mexican Congress has under consideration a bill to prohibit the planting or growth anywhere in Mexico of marijuana, opium poppies, or any other narcotic. Passage of this proposed law will be an unprecedented action in international cooperation.

Finally, the most dramatic change in Customs is the new emphasis on intensified inspection of passengers and their baggage and intensified examination of commercial cargo.

There is another sphere of activity which has yielded important seizures in smuggled narcotic drugs—in the preclearance of passengers through U.S. Customs, prior to their departure from Montreal, Toronto, Vancouver and Winnipeg, Nassau, and Bermuda.

This procedure, which has instituted during a previous administration to save time for passengers arriving at U.S. ports of entry, was a tempting loophole in our security, and we have taken steps to seal it up.

On the first flight re-checked after entry into the United States at Buffalo, New York, over one million dollars worth of cocaine was seized from a pre-cleared passenger. The pattern is being repeated over and over again.

Our current intensified enforcement drive means travelers and their baggage, vehicles and cargo clearing Customs are being inspected more closely at all ports of entry. I am happy to report that the public reaction is favorable; and, in many cases enthusiastic. Distraught parents and teachers write to me daily to express their pleasure and support of our efforts to stop the flow of the drugs into the country.

The extent and rate of modern international trade and travel have created vast enforcement problems for Customs. Annually, millions of tons of cargo and 250 million travelers—(more than the country's entire population)—arrive in the United States via millions of vehicles, vessels, and aircraft.

Of necessity, only a small percentage can be examined. Narcotic drugs by their very size and shape can easily be hidden in a myriad of places on vessels, vehicles, cargo and on persons. The introduction of contraband can and does occur anywhere on the United States border area, which represents 20,000 miles of border and coastline and 291 ports of entry.

The smugglers vary from small groups to organized crime syndicates with operations spanning oceans and continents. Drug smugglers have often used commercial imports as a hiding place and there are two and one-half million separate entries of cargo a year in this country.

A recent case will show the kinds of problems we face. In mid-November, an international cocaine-smuggling ring was smashed as a result of the joint efforts of the Bureau of Customs and the Bureau of Narcotics and Dangerous Drugs.

Culminating nine months of joint investigation by the Agents of both agencies, arrests were made in New York and San Juan, Puerto Rico, after tremendous amounts of cocaine, worth millions of dollars, were seized in Norfolk, Baltimore, Philadelphia, Hoboken, and here in Miami, which has become a key transiting point for the smuggling rings operating from South America.

Innocent-looking passengers, youths and the aging—all manner of people from many walks of life—are enlisted by the ruthless smuggling syndicates in their deadly trade.

For instance, on November 24th, a purser aboard an Avianca flight from Bogota, Colombia, was picked up at JFK Airport in New York with six pounds of cocaine in his suitcase with a street value of $650,000.

On December 12th last, 208 pounds of heroin, which is worth $22 million dollars on the street, were seized from four persons who arrived in Miami in a DC-3 from South America. It was Christmas-wrapped and was seized in a raid on Collins Avenue, Miami Beach.

Just a month ago, I returned from an extensive three-week tour of Southeast Asia for the purpose of analyzing our problems and seeing what we can do about them.

I conferred with U.S.A.I.D. and other officials in Manila, Saigon, Bangkok, Hong Kong, Taiwan, Okinawa, Tokyo, and Korea.

I found that the spreading drug problem is not confined to the United States; that these cities are transiting points and important sources of heroin and marijuana and other hard drugs which bring the best prices from the U.S. market; that our military services are taking extraordinary steps to curb the use of drugs among our troops overseas . . .

But it is obvious that government cannot do the job alone.

We look to the American people, especially its business leaders, to help in this fight.

Let me close with a quotation from President Nixon's address at the 25th Anniversary Session of the United Nations in October:

"It is in the world interest that the narcotics traffic be curbed.

"Drugs pollute the minds and bodies of our young people, bring misery, violence and human and economic waste. This scourge of drugs can be eliminated through international cooperation. I urge all governments to support the recent recommendation of the U.N. Commission on Narcotic Drugs, to take the first step toward giving them substance by establishing a United Nations fund for drug control. And I urge all governments to support a strengthened narcotic treaty that would govern all production by restricting it solely to medical and scientific purposes. The United States has already circulated such a proposal for consideration at the next session of the U.N. Narcotics Commission."

I am certain that through education, we can and must arouse the nation to the seriousness of the problem.

I appeal to you, as parents, as responsible citizens, as supporters of a stable society in an unstable world, to join with us in our effort.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. Foley (at the request of Mr. O'Neill) for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Patman, for 60 minutes, tomorrow, and to revise and extend his remarks and include extraneous matter.

Mr. Reuss, for 30 minutes, tomorrow, March 2.

(The following Members (at the request of Mr. Dennis), to revise and extend their remarks and include extraneous matter:)

Mr. Price of Texas, for 15 minutes, today.

Mr. Mathias of California, for 5 minutes, today.

Mr. Quie, for 1 hour, today.

Mr. Miller of Ohio, for 5 minutes, today.

Mr. Dellenback, for 15 minutes, today.

(The following Members (at the request of Mr. Keating) to revise and extend their remarks and include extraneous material:)

Mr. Mizell, for 5 minutes, today.

Mr. Halpern, for 5 minutes, today.

Mr. Williams, for 15 minutes today.

Mr. Skubitz, for 5 minutes, today.

Mr. Michel, for 5 minutes, today.

(The following Members (at the request of Mr. Melcher) to revise and extend their remarks and include extraneous material:)

Mr. Minish, for 15 minutes, today.

Mr. McKay, for 10 minutes, today.

Mr. Gonzalez, for 10 minutes, today.

Mr. Badillo, for 60 minutes, March 4.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Madden, and to include extraneous material.

Mr. Sikes in five instances, and to include extraneous materials.

(The following Members (at the request of Mr. Dennis) and to include extraneous matter:)

Mr. Price of Texas in four instances.

Mr. Scherle in 10 instances.

Mr. Terry.

Mr. Young of Florida in 10 instances.

Mr. Wyatt in two instances.

Mr. Railsback.

Mr. Esch.

Mr. Broomfield.

Mr. Forsythe in two instances.

Mr. HARSHA.

Mr. PELLY in two instances.

Mr. DERWINSKI in two instances.

Mr. CARTER.

Mr. ANDERSON of Illinois in three instances.

Mr. GUDE.

Mr. BRAY in three instances.

Mr. DEVINE.

Mr. MCCLURE.

Mr. SCHWENGEL.

Mr. FREY.

Mr. MICHEL in two instances.

Mr. LATTA in two instances.

Mr. HOSMER in two instances.

Mr. REID of New York.

(The following Members (at the request of Mr. KEATING) and to include extraneous material:)

Mr. ERLENBORN.

Mr. SCHMITZ in two instances.

Mr. WYMAN in three instances.

Mr. HALPERN in two instances.

Mr. MIZELL in two instances.

Mr. VEYSEY.

Mr. TERRY.

Mr. ARCHER in five instances.

Mr. SCHERLE.

Mr. LANDGREBE in two instances.

Mr. GOLDWATER in two instances.

(The following Members (at the request of Mr. MELCHER) and to include extraneous material:)

Mr. DINGELL in three instances.

Mr. WILLIAM D. FORD in four instances.

Mr. ASPIN in two instances.

Mr. EVANS of Colorado.

Mr. BADILLO.

Mr. EILBERG in two instances.

Mr. BEGICH in two instances.

Mr. VANIK in two instances.

Mr. ROYBAL in six instances.

Mr. MCKAY in two instances.

Mr. LONG of Maryland in three instances.

Mr. TEAGUE of Texas in eight instances.

Mr. HATHAWAY in two instances.

Mr. RODINO in five instances.

Mr. BOLLING.

Mr. VAN DEERLIN in two instances.

Mr. ICHORD in two instances.

Mr. NATCHER in two instances.

Mr. SEIBERLING in 10 instances.

Mr. BINGHAM in two instances.

Mr. BOLAND in three instances.

Mr. O'HARA in two instances.

Mr. HUNGATE.

Mr. RUNNELS.

Mr. GONZALEZ in two instances.

Mr. DRINAN in two instances.

Mr. RARICK in four instances.

Mr. BRINKLEY.

Mr. RYAN in three instances.

Mr. FISHER in four instances.

Mr. ANDERSON of California in two instances.

Mr. ZABLOCKI in two instances.

Mr. CELLER.

Mr. FASCELL.

Mr. ULLMAN in five instances.

Mr. PEPPER in three instances.

Mr. HÉBERT in two instances.

Mr. HAMILTON in two instances.

Mr. DOWDY in two instances.

SENATE ENROLLED JOINT RESOLUTIONS SIGNED

The Speaker announced his signature to enrolled joint resolutions of the Senate of the following titles:

S.J. Res. 31. Joint resolution extending date for transmission to the Congress of the Report of the Joint Economic Committee.

S.J. Res. 44. Joint resolution to extend the time for the proclamation of marketing quotas for burley tobacco for the three marketing years beginning October 1, 1971.

ADJOURNMENT

Mr. MELCHER Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 50 minutes p.m.) the House adjourned until tomorrow, Tuesday, March 2, 1971, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[*Pursuant to the order of the House on Thursday, February 25, 1971, the following reports were filed on February 26, 1971.*]

Mr. SISK: Committee on Rules. House Resolution 258. Resolution providing for the consideration of H.R. 4713, a bill to amend section 136 of the Legislative Reorganization Act of 1946 to correct an omission in existing law with respect to the entitlement of committees of the House of Representatives to the use of certain currencies (Rept. No. 92–27). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 259. Resolution providing for the consideration of H.R. 4690, a bill to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes (Rept. No. 92–28). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 213. Resolution authorizing the Committee on Education and Labor to conduct certain studies and investigations; with amendment (Rept. No. 92–29). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 115. Resolution creating a select committee to conduct an investigation and study of all aspects of crime affecting the United States; with amendment (Rept. No. 92–30). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 170. Resolution authorizing the Committee on Interstate and Foreign Commerce to make studies and investigations within its jurisdiction; with amendment (Rept. No. 92–31). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules. House Resolution 19. Resolution creating a permanent Select Committee on Small Business to conduct studies and investigations of the problems of small business; with amendment (Rept. No. 92–32). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 22. Resolution to authorize investigations by the Committee on Agriculture; with amendment (Rept. No. 92–33). Referred to the House Calendar.

Mr. SISK: Committee on Rules. H.R. 4713. A bill to amend section 136 of the Legislative Reorganization Act of 1946 to correct an omission in existing law with respect to the entitlement of committees of the House of Representatives to the use of certain currencies (Rept. No. 92–34). Referred to the Committee of the Whole House on the State of the Union.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

321. A letter from the Governor, Farm Credit Administration, transmitting the 37th annual report of the Farm Credit Administration, covering fiscal year 1970 (H. Doc. No. 92–18); to the Committee on Agriculture and ordered to be printed with illustrations.

322. A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to amend the act of August 28, 1950, enabling the Secretary of Agriculture to furnish, upon a reimbursable basis, certain inspection services involving overtime work; to the Committee on Agriculture.

323. A letter from the Architect of the Capitol, transmitting a report of all expenditures during the period July 1 through December 31, 1970, from moneys appropriated to the Architect of the Capitol, pursuant to section 105(b) of Public Law 88–454; to the Committee on Appropriations.

324. A letter from the Secretary of the Army, transmitting a report on special pay for officers holding positions of unusual responsibility and of critical nature, pursuant to 37 U.S.C. 306; to the Committee on Armed Services.

325. A letter from the Acting Assistant Secretary of the Army (Research and Development), transmitting a report on Department of the Army research and development contracts for $50,000 or more awarded during the period July 1 through December 31, 1970, pursuant to section 4 of chapter 882 of Public Law 557, 82d Congress; to the Committee on Armed Services.

326. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting notice of the proposed transfer of the escort ship U.S.S. *Portage* to the Nunan-Slook Post 338, American Legion, Havertown, Pa., pursuant to 10 U.S.C. 7308; to the Committee on Armed Services.

327. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to establish a National Foundation for Higher Education, and for other purposes; to the Committee on Education and Labor.

328. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to extend and amend the Higher Education Act of 1965, and for other purposes; to the Committee on Education and Labor.

329. A letter from the Acting Administrator of General Services, transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949 to require activities financed by wholly owned Government corporations, trust funds, or by the collection of receipts from non-Federal sources, to pay for assigned space, and for other purposes; to the Committee on Government Operations.

330. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to grant all minerals, including coal, oil, and gas, on certain lands on the Fort Belknap Indian Reservation, Mont., to certain Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

331. A letter from the Secretary of Commerce, transmitting the 58th annual report of the Secretary, covering fiscal year 1970, pursuant to 15 U.S.C. 1519; to the Committee on Interstate and Foreign Commerce.

332. A letter from the Secretary of Transportation, transmitting the first annual report of the Federal Aviation Administration's operations under the Airport and Airway Development Act of 1970, covering fiscal year 1970, pursuant to section 24 of the act;

to the Committee on Interstate and Foreign Commerce.

333. A letter from the General Manager, Atomic Energy Commission, transmitting a report for calendar year 1970 on contracts entered into, amended, or modified by the Commission to facilitate the national defense under the extraordinary emergency authority contained in Public Law 85–804; to the Committee on the Judiciary.

334. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize appropriations for the fiscal year 1971 for certain maritime programs of the Department of Commerce; to the Committee on Merchant Marine and Fisheries.

335. A letter from the Secretary of Transportation, transmitting the 1971 reports on the urban area traffic operations improvement and the fringe parking facilities programs, pursuant to sections 10 and 11 of the Federal-aid Highway Act of 1968; to the Committee on Public Works.

336. A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting a proposal that NASA conduct one program at a level in excess of that authorized, together with a statement of the facts and circumstances relied upon in support of such action, pursuant to section 4 of the NASA Authorization Act, 1971; to the Committee on Science and Astronautics.

RECEIVED FROM THE COMPTROLLER GENERAL

337. A letter from the Comptroller General of the United States, transmitting a report on the necessity for improved surveillance by the Federal Aviation Administration over production of critical parts for civil aircraft; to the Committee on Government Operations.

338. A letter from the Comptroller General of the United States, transmitting a report on inaccuracies, effects, and ways to improve Army inventories; to the Committee on Government Operations.

339. A letter from the Comptroller General of the United States, transmitting a report on the application of "should cost" concepts in reviews of contractors' operations, Department of Defense; to the Committee on Government Operations.

340. A letter from the Comptroller General of the United States, transmitting a report on opportunities for savings by increasing competition in procurement of commercial equipment by the National Aeronautics and Space Administration; to the Committee on Government Operations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H.R. 5182. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act; to the Committee on Agriculture.

By Mr. BENNETT (for himself, Mr. Byrne of Pennsylvania, Mr. Fascell, Gallagher, Mr. Pryor of Arkansas, Mr. Riegle, and Mr. Wolff):

H.R. 5183. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for employers who employ members of the hard-core unemployed; to the Committee on Ways and Means.

By Mr. BRADEMAS:

H.R. 5184. A bill to amend the Internal Revenue Code of 1954 and title II of the Social Security Act so as to permit exclusion from social security coverage and refund of social security tax to members of certain religious groups who are opposed to insurance; to the Committee on Ways and Means.

By Mr. BUCHANAN:

H.R. 5185. A bill to provide for the establishment of a national cemetery in the State of Alabama; to the Committee on Veterans' Affairs.

By Mr. CONTE (for himself, Mr. Stokes, Mr. Tiernan, Mr. Vanik, Mr. Whitehurst, Mr. Wolff, Mr. Wydler, Mr. Wyman, Mr. Macdonald of Massachusetts, Mr. Pike, and Mr. Ryan):

H.R. 5186. A bill to terminate the oil import control program; to the Committee on Ways and Means.

H.R. 5187. A bill to repeal the Connally Hot Oil Act; to the Committee on Interstate and Foreign Commerce.

By Mr. DAVIS of Wisconsin (for himself and Mr. Steiger of Wisconsin):

H.R. 5188. A bill to amend the war orphans' and widows' educational assistance provisions of title 38 of the United States Code in order to provide monthly training assistance allowances thereunder for eligible persons for apprenticeship and other on-job training; to the Committee on Veterans' Affairs.

By Mr. DENT:

H.R. 5189. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. EVINS of Tennessee:

H.R. 5190. A bill to encourage national development by providing incentives for the establishment of new or expanded job-producing and job-training industrial and commercial facilities in rural areas having high proportions of persons with low incomes or which have experienced or face a substantial loss of population because of migration, and for other purposes; to the Committee on Ways and Means.

By Mr. QUIE (for himself, Mr. Dellenback, Mr. Bell, Mr. Erlenborn, Mr. Esch, Mr. Eshleman, Mr. Landgrebe, Mr. Hansen of Idaho, Mr. Forsythe, Mr. Veysey, Mr. Kemp, and Mr. Peyser):

H.R. 5191. A bill to extend and amend the Higher Education Act of 1965, and for other purposes; to the Committee on Education and Labor.

By Mr. QUIE (for himself, Mr. Dellenback, Mr. Bell, Mr. Erlenborn, Mr. Esch, Mr. Eshleman, Mr. Steiger of Wisconsin, Mr. Hansen of Idaho, Mr. Forsythe, Mr. Veysey, and Mr. Kemp):

H.R. 5192. A bill to establish a National Foundation for Higher Education, and for other purposes; to the Committee on Education and Labor.

By Mr. QUIE (for himself, Mr. Dellenback, Mr. Bell, Mr. Esch, Mr. Eshleman, Mr. Landgrebe, Mr. Hansen of Idaho, Mr. Forsythe, Mr. Veysey, Mr. Kemp, and Mr. Peyser):

H.R. 5193. A bill to promote higher education throughout the Nation by providing general assistance to colleges and universities; to the Committee on Education and Labor.

By Mr. EDMONDSON:

H.R. 5194. A bill to provide for guarantee and insurance of loans to Indians and Indian organizations; to the Committee on Interior and Insular Affairs.

H.R. 5195. A bill to provide for the disposition of funds appropriated to pay a judgment awarded to the Creek Nation or Tribe of Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5196. A bill to convey certain federally owned land known as the Yardeka School land to the Creek Tribe or Nation of Oklahoma; to the Committee on Interior and Insular Affairs.

H.R. 5197. A bill to amend the law establishing the Indian revolving loan fund; to the Committee on Interior and Insular Affairs.

H.R. 5198. A bill to convey certain land of the United States to the Inter-Tribal Council, Inc., Miami, Okla.; to the Committee on Interior and Insular Affairs.

H.R. 5199. A bill to provide for the disposition of funds appropriated to pay judgments in favor of the Miami Tribe of Oklahoma and the Miami Indians of Indiana in Indian Claims Commission dockets numbered 255, 256, 124–C, D, E, and F, and of funds appropriated to pay a judgment in favor of the Miami Tribe of Indians in the Commissioner's docket No. 251–A, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EDMONDSON (for himself and Mr. Camp):

H.R. 5200. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Absentee Delaware Tribe of western Oklahoma, et al., in Indian Claims Commission docket No. 72 and the Delaware Tribe of Indians in Indian Claims Commission docket No. 298, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EDMONDSON (for himself, Mr. Belcher, Mr. Camp, Mr. Jarman, and Mr. Steed):

H.R. 5201. A bill to provide for the establishment of the Five Civilized Tribes National Park in the State of Oklahoma; to the Committee on Interior and Insular affairs.

By Mr. EILBERG:

H.R. 5202. A bill to authorize retirement for disability for certain former members of the Armed Forces; to the Committee on Armed Services.

H.R. 5203. A bill to extend commissary and exchange privileges to certain disabled veterans and the widows of certain deceased veterans; to the Committee on Armed Services.

H.R. 5204. A bill to facilitate and encourage cooperation between the United States and certain defense contractors engaged in the furnishing of defense material to the United States in providing for an orderly conversion from defense to civilian production, and to assure, through such cooperation, that the United States and such defense contractors will be able to meet the challenge arising out of the economic conversion and diversification required by reason of the changing defense needs of the United States to provide for such an orderly conversion in an effort to minimize, to the extent possible, the hardships and other disruptive factors likely to be encountered by defense workers and their families as a result thereof; to the Committee on Interstate and Foreign Commerce.

H.R. 5205. A bill to provide for the compensation of persons injured by certain criminal acts, to make grants to States for the payment of such compensation, and for other purposes; to the Committee on the Judiciary.

By Mr. WILLIAM D. FORD (for himself, Mr. Clay, and Mr. Hawkins):

H.R. 5206. A bill to amend the Department of Defense Overseas Teachers Pay and Personnel Practices Act with respect to the giving of credit to new teachers for prior experience; to the Committee on Post Office and Civil Service.

By Mr. GALLAGHER:

H.R. 5207. A bill to provide for the equalization of the retired pay of members of the uniformed services of equal grade and years of service; to the Committee on Armed Services.

By Mr. GARMATZ (for himself, Mr. Clark, and Mr. Pelly):

H.R. 5208. A bill to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; to the Committee on Merchant Marine and Fisheries.

By Mr. GAYDOS:

H.R. 5209. A bill to revise the Welfare and Pension Plans Disclosure Act; to the Committee on Education and Labor.

H.R. 5210. A bill to create a national system of health security; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 5211. A bill to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. GREEN of Oregon:

H.R. 5212. A bill to establish the French Pete Creek National Woodlands Recreation Area; to the Committee on Interior and Insular Affairs.

H.R. 5213. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance for the aged; to the Committee on Ways and Means.

By Mr. HALEY:

H.R. 5214. A bill to amend the Federal Reserve Act to place insured nonmember banks on a parity with other insured banks in respect to their eligibility as depositories for member banks; to the Committee on Banking and Currency.

By Mr. HALPERN:

H.R. 5215. A bill relative to the air war in Cambodia; to the Committee on Foreign Affairs.

H.R. 5216. A bill to amend the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

H.R. 5217. A bill to amend the Special Foreign Assistance Act of 1971 (Public Law 91–652); to the Committee on Foreign Affairs.

By Mr. HALPERN (for himself, Mr. Badillo, Mr. Flood, Mr. Donohue, Mr. Addabbo, Mr. Mikva, Mr. Burke of Massachusetts, Mr. Pepper, Mr. Eckhardt, Mr. Rosenthal, Mr. Sarbanes, and Mr. Hathaway):

H.R. 5218. A bill to protect consumers against unreasonable risk of injury from hazardous products, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HALPERN (for himself and Mr. Addabbo, Mr. Badillo, Mr. Harrington, Mr. Mikva, Mr. Aspin, and Mr. Roybal):

H.R. 5219. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 in order to promote competition among motor vehicle manufacturers in the design and production of safe motor vehicles having greater resistance to damage, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5220. A bill to regulate interstate commerce by requiring certain insurance as a condition precedent to using the public streets, roads, and highways, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HALPERN (for himself and Mr. Addabbo, Mr. Badillo, Mr. Harrington, Mr. Roybal, and Mr. Aspin):

H.R. 5221. A bill to promote the greater availability of motor vehicle insurance in interstate commerce under more efficient and beneficial marketing conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. HALPERN:

H.R. 5222. A bill to provide that certain earnings of the Federal Prison Industries shall be used for vocational and rehabilitational training of prisoners, and for other purposes; to the Committee on Judiciary.

By Mr. HALPERN (for himself, Mrs. Abzug, Mr. Addabbo, Mr. Badillo, Mr. Biaggi, Mr. Brasco, Mr. Broomfield, Mr. Burke of Massachusetts, Mr. Carney, Mr. Clay, Mr. Corman, Mr. Coughlin, Mr. Dellenback, Mr. Dellums, Mr. Donohue, Mr. Drinan, Mr. Eckhardt, Mr. Esch, Mr. Fish, Mr. Frenzel, Mr. Harrington, Mr. Hathaway, Mr. Horton, Mr. King, and Mr. McClory):

H.R. 5223. A bill to amend the Federal Water Pollution Control Act to establish health and welfare standards which must be met by all synthetic detergents and to ban from detergents all phosphates and those synthetics which fail to meet the standards by June 30, 1973; to the Committee on Public Works.

By Mr. HALPERN (for himself, Mr. McKinney, Mr. Moorhead, Mr. Morse, Mr Nix, Mr. Pepper, Mr. Roe, Mr. Roncalio, Mr. Rosenthal, Mr. Roybal, Mr. Scheuer, Mr. James V. Stanton, Mr. Steele, Mr. Stokes, Mr. Tiernan, Mr. Thompson of New Jersey, Mr. Thomson of Wisconsin, and Mr. Vander Jagt):

H.R. 5224. A bill to amend the Federal Water Pollution Control Act to establish health and welfare standards which must be met by all synthetic detergents and to ban from detergents all phosphates and those synthetics which fail to meet the standards by June 30, 1973; to the Committee on Public Works.

By Mr. HALPERN (for himself, Mr. Addabbo, Mr. Badillo, Mr. Harrington, Mr. Roybal, and Mr. Aspin):

H.R. 5225. A bill to amend the Internal Revenue Code of 1954, and for other purposes; to the Committee on Ways and Means.

By Mr. HALPERN (for himself, Mr. Horton, and Mr. Reid of New York):

H.R. 5226. A bill to restore balance in the federal system of government in the United States; to provide both the flexibility and resources for State and local government officials to exercise leadership in solving their own problems; to achieve a better allocation of total public resources; and to provide for the sharing with State and local governments of a portion of the tax revenue received by the United States; to the Committee on Ways and Means.

By Mr HALPERN:

H.R. 5227. A bill to amend the Internal Revenue Code of 1954 and the Social Security Act to provide a comprehensive program of health care for the 1970's by strengthening the organization and delivery of health care nationwide and by making comprehensive health care insurance available to all Americans, and for other purposes; to the Committee on Ways and Means.

By Mr. HARRINGTON (for himself, Mrs. Abzug, Mr. Anderson of Tennessee. Mr. Aspin, Mr. Badillo, Mr. Clay, Mr. Conte, Mr. Conyers, Mr. Culver, Mr. Dellums, Mr. Drinan, and Mr. Edwards of California, Mr. William D. Ford, Mr. Fraser, Mr. Halpern, Mr. Hamilton, Mr. Helstoski, Mr. Kastenmeier, Mr. Koch, Mr. Leggett, Mr. Mikva, Mr. Mitchell, and Mr. Nix):

H.R. 5228. A bill to amend the Foreign Assistance Act of 1961, as amended, to prohibit any involvement or participation of U.S. Armed Forces in an invasion of North Vietnam without prior and explicit congressional authorization; to the Committee on Foreign Affairs.

By Mr. HARRINGTON (for himself, Mr. O'Neill, Mr. Rees, Mr. Reuss, Mr. Rosenthal, Mr. Roybal, Mr. Ryan, Mr. Sarbanes, Mr. Scheuer, Mr. Seiberling, Mr. Stokes, Mr. Tiernan, and Mr. Thompson of New Jersey):

H.R. 5229. A bill to amend the Foreign Assistance Act of 1961, as amended, to prohibit any involvement or participation of U.S. Armed Forces in an invasion of North Vietnam without prior and explicit congressional authorization; to the Committee on Foreign Affairs.

By Mr. HARSHA:

H.R. 5230. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to remove the limitation on the aggregate amount of financial assistance to any one organization; to the Committee on Agriculture.

By Mrs. HICKS of Massachusetts:

H.R. 5231. A bill to increase by 9.5 percent the monthly rates of veterans pension payable to "old law" pensioners, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HORTON:

H.R. 5232. A bill to amend the Immigration and Nationality Act with respect to naturalization fees; to the Committee on the Judiciary.

By Mr. HULL:

H.R. 5233. A bill to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. HUNGATE (for himself, Mrs. Chisholm, and Mr. Mitchell):

H.R. 5234. A bill to amend the Internal Revenue Code of 1954 to terminate certain tax preferences for builders and dealers in low- and moderate-income housing; to the Committee on Ways and Means.

By Mr. KARTH:

H.R. 5235. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H.R. 5236. A bill to provide for the creation of an authority to be known as the Reclamation Lands Authority to carry out the congressional intent respecting the excess land provisions of the Federal Reclamation Act of June 17, 1902; to the Committee on Interior and Insular Affairs.

H.R. 5237. A bill to carry into effect a provision of the Convention of Paris for the Protection of Industrial Property, as revised at Stockholm, Sweden, July 14, 1967; to the Committee on Judiciary.

H.R. 5238. A bill to amend section 6 of title 35, United States Code, "Patents," to authorize domestic and international studies and programs relating to patents and trademarks; to the Committee on Judiciary.

By Mr. KEMP:

H.R. 5239. A bill to regulate the dumping of material in the oceans, coastal, and other waters, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LATTA:

H.R. 5240. A bill to repeal the Federal excise taxes on alcoholic beverages and tobacco products for providing the several States with a source of additional revenue; to the Committee on Ways and Means.

By Mr. McCLURE (for himself, Mr. Archer, Mr. Buchanan, Mr. Carter, Mr. Don H. Clausen, Mr. Donohue, Mr. Eckhardt, Mr. Halpern, Mr. Hansen, of Idaho, Mr. Hastings, Mr. Johnson of Pennsylvania, Mr. King, Mr. Kuykendall, Mr. Lloyd, Mr. Lujan, Mr. McClory, Mr. McKinney, Mr. Mazzoli, Mr. Mikva, Mr. Myers, Mr. Pirnie, Mr. Sandman, Mr. Shoup, Mr. Whitehurst, and Mr. Wyatt):

H.R. 5241. A bill to encourage States to establish motor vehicle disposal programs and to provide for federally guaranteed loans and tax incentives for the acquisition of automobile scrap processing equipment; to the Committee on Ways and Means.

By Mr. MARTIN:

H.R. 5242. A bill to amend the Communications Act of 1934 in order to provide that licenses for the operation of a broadcasting station shall be issued for a term of 5 years; to the Committee on Interstate and Foreign Commerce.

By Mr. MATSUNAGA (for himself, Mr. Long of Maryland, Mr. Mosher, Mr.

Railsback, Mr. Rangel, Mr. Robison of New York, Mr. Rodino, Mr. Rostenkowski, Mr. Ruppe, Mr. Seiberling, Mr. Tiernan, Mr. Udall, Mr. Vanik, and Mr. Charles H. Wilson):

H.R. 5243. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on Judiciary.

By Mr. MATSUNAGA (for himself, Mrs. Abzug, Mr. Aspin, Mr. Begich, Mr. Boland, Mr. Brasco, Mr. Corbett, Mr. Cotter, Mr. Coughlin, Mr. Culver, Mr. Danielson, Mr. Drinan, Mr. Eckhardt, Mr. Forsythe, Mr. Fulton of Tennessee, Mr. Gibbons, Mrs. Grasso, Mr. Helstoski, Mrs. Hicks of Massachusetts, Mr. Keith, Mr. Kluczynski, Mr. Link, Mr. McKinney, Mr. Mazzoli, and Mr. Michel):

H.R. 5244. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on the Judiciary.

By Mr. MILLER of Ohio:

H.R. 5245. A bill to amend title II of the Social Security Act to provide a 10-percent across-the-board increase in benefits thereunder, with a minimum primary benefit of $100, and to increase to $2,400 a year the amount of outside earnings a beneficiary may have without loss of benefits; to the Committee on Ways and Means.

By Mr. MINISH:

H.R. 5246. A bill to create a health security program; to the Committee on Ways and Means.

H.R. 5247. A bill to amend the Social Security Act to increase OASDI benefits by 15 percent (with a $100 minimum) and raise the earnings base, with subsequent adjustments as the cost of living rises, to provide various improvements in benefit computations, to liberalize the earnings test, to permit the payment of benefits to a married couple on their combined wage record, and to liberalize eligibility for disability benefits; to make disabled beneficiaries eligible for medicare without regard to age, and to cover prescription drugs; to require the furnishing of drugs on a generic basis under the medicare and public assistance programs; and for other purposes; to the Committee on Ways and Means.

By Mr. MIZELL (for himself, Mr. Wampler, Mr. Broyhill of North Carolina, and Mr. Taylor):

H.R. 5248. A bill to authorize the lease and transfer of burley tobacco acreage allotments; to the Committee on Agriculture.

By Mr. MOORHEAD:

H.R. 5249. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. NIX:

H.R. 5250. A bill to authorize repatriation of Americans of African descent and the furnishing of development aid to Africa, and for other purposes; to the Committee on Foreign Affairs.

By Mr. O'NEILL:

H.R. 5251. A bill to amend the Federal-State Extended Unemployment Compensation Act of 1970 to permit Federal sharing of the cost of unemployment benefits which extend for 52 weeks; to the Committee on Ways and Means.

By Mr. O'NEILL (for himself, Mr. Sikes, Mr. Chappell, Mr. Kyros, Mr. Hathaway, Mr. Mitchell, Mr. Morse, Mr. Harrington, Mr. Burke of Massachusetts, Mr. Addabbo, Mr. Podell, Mr. St Germain, Mr. Tiernan, Mr. Dorn, Mr. Mann, Mr. Abbitt, Mr. Poff, Mr. Scott, Mr. Wampler, Mr. Broyhill of Virginia, Mr. Robinson of Virginia, Mrs. Hicks of Massachusetts, and Mr. Drinan):

H.R. 5252. A bill to grant to each coastal State mineral rights in the subsoil and seabed of the Outer Continental Shelf extending to a line which is 12 miles from the coast of such State, and for other purposes; to the Committee on the Judiciary.

By Mr. O'NEILL (for himself and Mr. Young of Florida, Mr. Donohue, Mr. Sandman, Mr. Conte, Mr. Boland, Mr. Helstoski, and Mr. Keith):

H.R. 5253. A bill to grant to each coastal State mineral rights in the subsoil and seabed of the Outer Continental Shelf extending to a line which is 12 miles from the coast of such State, and for other purposes; to the Committee on the Judiciary.

By Mr. O'NEILL (for himself, Mr. Sikes, Mr. Chappell, Mr. Kyros, Mr. Hathaway, Mr. Mitchell, Mr. Morse, Mr. Harrington, Mr. Burke of Massachusetts, Mr. Addabbo, Mr. Podell, Mr. St Germain, Mr. Tiernan, Mr. Dorn, Mr. Mann, Mr. Abbitt, Mr. Poff, Mr. Scott, Mr. Wampler, Mr. Broyhill of Virginia, Mr. Robinson of Virginia, Mrs. Hicks of Massachusetts, and Mr. Drinan):

H.R. 5254. A bill to create a marine resources conservation and development fund; to provide for the distribution of revenues from Outer Continental Shelf lands; and for other purposes; to the Committee on the Judiciary.

By Mr. O'NEILL (for himself, Mr. Young of Florida, Mr. Donohue, Mr. Sandman, Mr. Conte, Mr. Boland, Mr. Helstoski, and Mr. Keith):

H.R. 5255. A bill to create a marine resources conservation and development fund; to provide for the distribution of revenues from Outer Continental Shelf lands; and for other purposes; to the Committee on the Judiciary.

By Mr. PATMAN:

H.R. 5256. A bill to authorize the Secretary of the Interior to protect, manage, and control free-roaming horses and burros on public lands; to the Committee on Interior and Insular Affairs.

By Mr. PERKINS:

H.R. 5257. A bill to amend the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced-price meals to needy children; to the Committee on Education and Labor.

By Mr. PRICE of Illinois:

H.R. 5258. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

By Mr. PRICE of Illinois (for himself and Mr. Betts):

H.R. 5259. A bill to provide for disclosures designed to elicit a balance of expression to the Congress with respect to legislative measures, and for other purposes; to the Committee on Standards of Official Conduct.

By Mr. REID of New York (for himself, Mr. Horton, and Mr. Halpern):

H.R. 5260. A bill to restore balance in the federal system of government in the United States; to provide both the flexibility and resources for State and local government officials to exercise leadership in solving their own problems; to achieve a better allocation of total public resources; and to provide for the sharing with State and local governments of a portion of the tax revenue received by the United States; to the Committee on Ways and Means.

By Mr. ROBINSON of Virginia:

H.R. 5261. A bill to authorize acquisition by the United States of certain real property contiguous to the national cemetery at Culpeper, Va.; to the Committee on Veterans' Affairs.

By Mr. ROE:

H.R. 5262. A bill to establish a commission to plan a permanent memorial to Rev. Martin Luther King, Jr.; to the Committee on House Administration.

H.R. 5263. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

By Mr. ROGERS:

H.R. 5264. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 5265. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania:

H.R. 5266. A bill to provide for the issuance of a commemorative postage stamp in honor of the firefighters and the 100th anniversary of the Chicago fire on October 8, 1871; to the Committee on Post Office and Civil Service.

By Mr. RUPPE:

H.R. 5267. A bill to declare certain real property in Houghton County, Mich., as nonnavigable; to the Committee on Interstate and Foreign Commerce.

H.R. 5268. A bill to regulate the dumping of material in the oceans, coastal, and other waters, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SCHMITZ:

H.R. 5269. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 5270. A bill to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SIKES (for himself, Mr. Blanton, Mr. Mayne, Mr. Vander Jagt, Mr. Pickle, Mr. Melcher, Mr. Kyros, Mr. McCormack, and Mr. Broomfield):

H.R. 5271. A bill to amend section 4182 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. SKUBITZ:

H.R. 5272. A bill to amend the Railroad Retirement Act of 1937 and title II of the Social Security Act to eliminate those provisions which restrict the right of an individual to receive survivor benefits simultaneously under both acts; to the Committee on Interstate and Foreign Commerce.

H.R. 5273. A bill to amend the Public Works Acceleration Act to make its benefits available to certain areas of extra high unemployment, to authorize additional funds for such act, and for other purposes; to the Committee on Public Works.

H.R. 5274. A bill to amend the Internal Revenue Code of 1954 to provide charitable deduction for blood donations; to the Committee on Ways and Means.

By Mr. STAGGERS (for himself and Mr. Springer):

H.R. 5275. A bill to control the generation and transmission of noise detrimental to the human environment, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5276. A bill to amend the Federal Hazardous Substances Act, as amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5277. A bill to assure protection of environmental values while facilitating construction of needed electric power supply facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STUBBLEFIELD:

H.R. 5278. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. TEAGUE of Texas:

H.R. 5279. A bill to increase the monthly rate of pension for World War I veterans' widows entitled to pension under section 9(b) of the Veterans' Pension Act of 1959, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TERRY:

H.R. 5280. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. THOMPSON of New Jersey:

H.R. 5281. A bill to assure equal access for farmworkers to programs and procedures instituted for the protection of American working men and women, and for other purposes; to the Committee on Education and Labor.

H.R. 5282. A bill to improve and increase postsecondary educational opportunities throughout the Nation by providing assistance to the States for the development and construction of comprehensive community colleges; to the Committee on Education and Labor.

By Mr. VIGORITO (for himself, Mr. McDonald of Michigan, Mr. Green of Pennsylvania, and Mr. Roy):

H.R. 5283. A bill to reduce pollution which is caused by litter composed of soft drink and beer containers, and to eliminate the threat to the Nation's health, safety, and welfare which is caused by such litter by banning such containers when they are sold in interstate commerce on a no-deposit, no-return basis; to the Committee on Interstate and Foreign Commerce.

By Mr. WAGGONNER:

H.R. 5284. A bill to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5285. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 5286. A bill to amend the maritime lien provisions of the Ship Mortgage Act of 1920; to the Committee on Merchant Marine and Fisheries.

By Mr. WYLIE:

H.R. 5287. A bill to provide for the suspension of air commerce between the United States and any country which grants sanctuary to an individual who hijacks an American aircraft, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL:

H.R. 5288. A bill to insure protection of Members of Congress, the general public, and the buildings and records of the Congress; to the Committee on Public Works.

By Mr. MILLS (for himself, Mr. Pryor of Arkansas, Mr. Hammerschmidt, and Mr. Alexander):

H.R. 5289. A bill to establish a national policy relative to the revitalization of rural and other economically distressed areas by providing incentives for a more even and practical geographic distribution of industrial growth and activity and developing manpower training programs to meet the needs of industry, and for other purposes; to the Committee on Government Operations.

By Mr. PATMAN:

H.R. 5290. A bill to authorize the Smithsonian Institution to promote the development of living histortical farms in the United States; to the Committee on House Administration.

By Mr. PERKINS:

H.R. 5291. A bill to establish a universal food service and nutrition education program for children; to the Committee on Education and Labor.

By Mr. PUCINSKI:

H.R. 5292. A bill to make possible appropriate, economical, and accessible learning opportunities for all adults, both for their individual fulfillment and for the social and economic well-being of the Nation; to the Committee on Education and Labor.

By Mr. SCHERLE:

H.R. 5293. A bill to require advance payments to feed grain farmers participating in the feed grain program; to the Committee on Agriculture.

By Mr. BENNETT (for himself, Mr. O'Konski, Mr. Abbitt, Mr. Byrne of Pennsylvania, Mr. Moss, Mr. Dulski, Mr. Halpern, Mr. Addabbo, Mr. Edwards of California, Mr. Leggett, Mr. Matsunaga, Mr. Hungate, Mr. Duncan, Mr. Helstoski, Mr. Goodling, Mr. Brasco, Mr. Nichols, Mr. Alexander, Mrs. Abzug, Mr. Aspin, Mrs. Hicks of Massachusetts, Mr. Roncalio, and Mr. Thone:

H.J. Res. 408. Joint resolution to authorize the establishment of a Joint Committee on Peace; to the Committee on Rules.

By Mr. DELLUMS (for himself, Mr. Diggs, Mr. Rangel, Mrs. Abzug, Mr. Collins of Illinois, Mr. Roncalio, Mr. Mitchell, Mr. Rosenthal, Mr. Hawkins, Mr. Ryan, Mr. Scheuer, Mr. Edwards of California, Mr. Eckhardt, Mr. Conyers, Mr. Kastenmeier, Mr. Mikva, Mr. Seiberling, Mr. Burton, Mr. Koch, Mr. Helstoski, Mr. Dow, and Mr. Badillo):

H.J. Res. 409. Joint resolution calling for full-scale congressional inquiry into U.S. war crimes and war crimes responsibility in Southeast Asia; to the Committee on Rules.

By Mr. DINGELL (for himself and Mr. Ichord):

H.J. Res. 410. Joint resolution to establish a Joint Committee on the Environment; to the Committee on Rules.

By Mrs. DWYER:

H.J. Res. 411. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GAYDOS:

H.J. Res. 412. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.J. Res. 413. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. HORTON:

H.J. Res. 414. Joint resolution to rename the U.S. Coast Guard cutter *Vigilant* the *Simas Kudirka*; to the Committee on Merchant Marine and Fisheries.

By Mr. HOWARD:

H.J. Res. 415. Joint resolution proposing an amendment to the Constitution of the United States to extend the right to vote to citizens 18 years of age and older and to require that such citizens be treated as adults for the purposes of all law; to the Committee on the Judiciary.

By Mr. MILLER of Ohio:

H.J. Res. 416. Joint resolution proposing an amendment to the Constitution of the United States requiring the submission of balanced Federal funds budgets by the President and action by the Congress to provide revenues to offset Federal funds deficits; to the Committee on the Judiciary.

By Mr. RODINO:

H.J. Res. 417. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

By Mr. ROE:

H.J. Res. 418. Joint resolution designating the third Wednesday of April of each year as "Earth Day"; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.J. Res. 419. Joint resolution authorizing the President to proclaim the week of March 14 to 21, 1971, as "International DeMolay Week"; to the Committee on the Judiciary.

By Mr. TERRY:

H.J. Res. 420. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. WYATT:

H.J. Res. 421. Joint resolution to place the question of approval of dimethyl sulfoxide (DMSO) for human use as a prescription drug before the National Academy of Sciences; to the Committee on Interstate and Foreign Commerce.

By Mr. HORTON:

H. Con. Res. 187. Concurrent Resolution that it is the sense of Congress that the United States and the various political entities thereof should adopt "911" as the nationwide, uniform emergency telephone number; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas:

H. Con. Res. 188. Concurrent resolution expressing the sense of Congress that no further troop withdrawals should take place until an agreement for the exchange of prisoners has been reached by the United States with representatives of the North Vietnamese and the Vietcong; to the Committee on Foreign Affairs.

By Mrs. HICKS of Massachusetts:

H. Res. 261. Resolution calling for the humane treatment of U.S. prisoners of war held by North Vietnam; to the Committee on Foreign Affairs.

By Mr. THOMPSON of New Jersey:

H. Res. 262. Resolution to amend the rules of the House to abolish joint sponsorship of bills, memorials, or resolutions; to the Committee on Rules.

By Mr. WAGGONNER:

H. Res. 263. Resolution providing funds for the expenses of the Committee on House Administration in the development and operation of a computer system for the House of Representatives; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 5294. A bill for the relief of Leon B. Licos; to the Committee on the Judiciary.

By Mr. ADDABBO (by request):

H.R. 5295. A bill for the relief of James J. Carpenter; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 5296. A bill for the relief of Giuseppi and Vincensa Maggio and minor children, Peppino and Antonino Maggio; to the Committee on the Judiciary.

H.R. 5297. A bill for the relief of Kalman Rubinstein; to the Committee on the Judiciary.

H.R. 5298. A bill for the relief of Shum Chun Fat (also known as Shum Chun Fat Sang); to the Committee on the Judiciary.

By Mr. BENNETT:

H.R. 5299. A bill for the relief of Maj. Henry C. Mitchell, retired; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 5300. A bill for the relief of Chung Ping Yung; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 5301. A bill for the relief of Liceria M. Bautista; to the Committee on the Judiciary.

By Mr. BURTON:

H.R. 5302. A bill for the relief of Margherita Sarfatti Larson; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 5303. A bill for the relief of Nunzia Platania; to the Committee on the Judiciary.

By Mr. COTTER:

H.R. 5304. A bill for the relief of Ivo Lopes Mendes Brandao and Jose Mendes Brandao, Jr.; to the Committee on the Judiciary.

By Mr. DANIELSON:

H.R. 5305. A bill for the relief of Lauro Alfonso Ochoa Gonzalez; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 5306. A bill for the relief of Alfonso De Laurentiis and Irma De Laurentiis; to the Committee on the Judiciary.

By Mr. FREY:

H.R. 5307. A bill for the relief of Reynaldo Canlas Baecher; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 5308. A bill for the relief of Pamella Bernadette Nelson; to the Committee on the Judiciary.

By Mr. HANSEN of Idaho:

H.R. 5309. A bill for the relief of Walter M. Piccirillo, his wife, Emma Piccirillo, and their children, Mario Piccirillo and Daniel Piccirillo; to the Committee on the Judiciary.

By Mr. HELSTOSKI (by request):

H.R. 5310. A bill for the relief of Franco Avorio; to the Committee on the Judiciary.

H.R. 5311. A bill for the relief of Kazimierz Bielecki; to the Committee on the Judiciary.

H.R. 5312. A bill for the relief of Nikolaos M. Parkas (also known as Nick Barkas and Nikolaos Barkas); to the Committee on the Judiciary.

By Mr. HICKS of Washington:

H.R. 5313. A bill for the relief of Santiago D. Sison; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 5314. A bill for the relief of John R. Groves; to the Committee on the Judiciary.

By Mr. OBEY:

H.R. 5315. A bill for the relief of Gary R. Uttech; to the Committee on the Judiciary.

By Mr. PRICE of Illinois:

H.R. 5316. A bill for the relief of Karen (Byung Yun) Lee; to the Committee on the Judiciary.

By Mr. RUPPE:

H.R. 5317. A bill granting authority to the Secretary of the Army to renew the license of the Ira D. MacLachlan Post No. 3, the American Legion, Sault Sainte Marie, Mich., to use a certain parcel of land in Saint Marys Falls Canal project; to the Committee on Armed Services.

H.R. 5318. A bill for the relief of Mrs. Fernande M. Allen; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 5319. A bill for the relief of Nicola Augelletta, his wife, Ida Augellettaa, and their children, Rosa Augelletta, Maria Carmela Augelletta, and Susanna Augelletta; to the Committee on the Judiciary.

H.R. 5320. A bill for the relief of Mabel Mollineau; to the Committee on the Judiciary.

By Mr. SHIPLEY:

H.R. 5321. A bill for the relief of Ofelia C. Santos; to the Committee on the Judiciary.

By Mr. SKUBITZ:

H.R. 5322. A bill for the relief of Mrs. Nashiki Sugimoto; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 5323. A bill for the relief of Luigi Giuliano and his wife, Giuseppina Testa Giuliano, and their children, Michelina Giuliano and Magdalena Giuliano; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 5324. A bill for the relief of Rosita E. Hodas; to the Committee on the Judiciary.

By Mr. VIGORITO:

H.R. 5325. A bill for the relief of Brenda Wedekind; to the Committee on the Judiciary.

By Mr. WAGGONNER:

H.R. 5326. A bill for the relief of Ivo Tomasovic; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

34. By the SPEAKER: A memorial of the Senate of the State of Indiana, relative to daylight saving time; to the Committee on Interstate and Foreign Commerce.

35. Also, a memorial of the Legislature of the Commonwealth of Massachusetts, relative to the establishment of a Veterans' Administration hospital in the north shore area of Essex County, Mass.; to the Committee on Veterans' Affairs.

36. Also, a memorial of the Legislature of the Commonwealth of Massachusetts, relative to consolidating Federal assistance programs for needy and elderly persons under the social security system; to the Committee on Ways and Means.

37. Also, a memorial of the Legislature of the State of Arkansas, relative to providing incentives for more even and practical geographic distribution of industrial growth; to the Committee on Government Operations.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

35. By the SPEAKER: Petition of David Harold Yates, Vine Grove, Ky., relative to abortions; to the Committee on the Judiciary.

36. Also, a petition of the Steering Committee, National Urban Coalition, relative to declaring the birthday of Martin Luther King, Jr., as a national holiday; to the Committee on the Judiciary.

SENATE—*Monday, March 1, 1971*

(Legislative day of Wednesday, February 17, 1971)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. ELLENDER).

The Reverend Donald H. Bowen, pastor, Downtown Baptist Church, Alexandria, Va., offered the following prayer:

Our Lord and our God, we come into Thy holy presence, not as beggars asking crumbs, but as children talking to their Father.

We pray that You will grant to our President his request for an understanding heart in these days when there is so much misunderstanding. And what we ask for him, we ask for these and all others into whose hands world affairs are entrusted.

May we always remember that much is required of those to whom much is given. As a nation, You have blessed us beyond our deserving. May we give back in the same proportion to the end that justice may run down as waters and righteousness as a mighty stream.

If, like Thy servant of old, we are ever offered the desires of our hearts, may we, like that same servant, have vision enough to ask for a double portion of Thy spirit.

In the name of Him who gave His all for us, even Jesus Christ. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Journal of the proceedings of Friday, February 26, 1971, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. The nomination on the Executive Calendar will be stated.

APPALACHIAN REGIONAL COMMISSION

The assistant legislative clerk read the nomination of Donald W. Whitehead, of Massachusetts, to be Federal cochairman of the Appalachian Regional Commission.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

PRESIDENT NIXON'S HEALTH MESSAGE

Mr. SCOTT. Mr. President, the President's health message includes a proposal that is particularly heartening to me. A health profession scholarship program to begin in fiscal 1972 will provide up to $3,000 per year for students from low-income families and from minority groups. These scholarships will be concentrated in the first 2 years of their training. It is hoped that, during these first 2 years, students will have achieved a level of continuing motivation and commitment to encourage them to seek guaranteed loans for the remaining 2 years of education.

Forgiveness of these loans will be provided for graduates who practice in a scarcity area. This feature will benefit not only the new health professional, but also the sick people who have had inadequate or nonexistent access to needed health care.

Furthermore, a forgiveness feature for those disadvantaged students that are unable to graduate should encourage more of these young people to enter the health careers. I, for one, think that many young people would thereby lose their fear of undertaking indebtedness for education in the health field.

We, here in the 92d Congress, should proceed with dispatch to insure that the health manpower legislation is extended before its expiration date of June 30, 1971.

Our Nation cannot afford any lost time in increasing its health manpower resources.

BOMBING IN SENATE WING OF THE CAPITOL

Mr. SCOTT. Mr. President, the dastardly bombing of the Senate wing in the middle of the night by some person or persons unknown, brings to the Senate wing the terroristic tactics which have been followed by various groups of people in America who believe that if they cannot persuade by reason or by logic perhaps they can terrify the American people.

This bombing appears to have been of a political nature, to have been tied, in some way, into our foreign policy, in view of some of the surrounding circumstances.

One hopes, of course, that they will be apprehended and if apprehended and if guilty will be convicted; and if convicted one would rather expect that the District Court of Appeals in the District of Columbia would find a way to extricate them from that embarrassment and turn them loose on the American people again, because that is the track record of the District Court of Appeals in the District of Columbia. But whether that happens or not, I do not think that we in the Senate should permit, for 1 minute, any impression to go out to the people that we would be led, by this action, into a new form of repressive tactics.

The Senate wing of the Capitol will again be opened to the public just as soon as the damage can be cleaned up.

I am sure that we should not interfere with the right of our people to know what is going on in their Capitol. Indeed, that may be the purpose of this kind of terrorism, to lead us into some kind of excessive or repressive action. Whatever the cause, this is no way by which foreign policy is determined. This is not the way by which the Senate of the United States will make its decisions. We are certainly not going to be terrified by these would-be terrorists.

I hope that we can apprehend them, but whether we apprehend them or not, we will continue to do what we regard as our duty.

Mr. BYRD of West Virginia. Mr. President, I wish to express agreement with what the able minority leader has just said with respect to the necessity for tracking down, apprehending, trying, convicting, and punishing the saboteur or saboteurs who planted the bomb in the Senate wing of the Capitol during the night.

In recent months, too many people in this country have been lulled into believing that these violent acts had passed from the American scene. This is a reminder that they are still with us.

I join the able minority leader in saying that the American public must be allowed continued access to the Capitol of the United States, the seat of their Government. It is the symbol of our American form of constitutional government, and they must be allowed continued access to it.

However, I think we must agree that the security arrangements which have heretofore been in operation around the Capitol—and I cast no reflection on anyone—have not been sufficient. Security must be tightened. Certainly there are areas in the Capitol that should be better controlled and better policed than heretofore has been the case.

There is no assurance whatsoever that this is the last such occurrence we will witness. The people's business must be carried on. The Government must continue to operate. I hope that the joint leadership, in conference with those responsible for effectuating security in the Capitol, will be able to come forward with some additional plans and procedures whereby these security arrangements will be greatly tightened, so that we might at least feel assured this act of violence will not be repeated.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the previous order, the senior Senator from Georgia (Mr. TALMADGE) is now recognized for 15 minutes.

(Mr. TALMADGE'S remarks, when he introduced S. 1019, are printed in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

The PRESIDENT pro tempore. Under the previous order the Senator from Missouri (Mr. EAGLETON) is recognized for 15 minutes.

(Mr. EAGLETON'S remarks, when he introduced S.J. Res. 59, are printed in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

TRANSACTION OF ROUTINE BUSINESS

The PRESIDING OFFICER (Mr. (TALMADGE). Under the order previously entered, morning business is now in order.

Mr. EAGLETON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BELLMON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OPERATION OF BOEING 727-200 AIRCRAFT AT WASHINGTON NATIONAL AIRPORT

Mr. BELLMON. Mr. President, on November 14, 1969, I directed a letter to Mr. John H. Shaffer, Administrator of the Federal Aviation Administration, urging the introduction of Boeing 727-200 aircraft at Washington National Airport for the convenience of passengers who find National preferable to other airports in the Washington area. I ask unanimous consent that the text of the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NOVEMBER 14, 1969.

Hon. JOHN H. SHAFFER,
Administrator, Federal Aviation Administration, Washington, D.C.

DEAR JACK: As one who has frequent occasion to fly from National Airport to Oklahoma, as well as to New York and other points, I am writing to suggest the possibility that the prohibition against the operation of the 727-200 aircraft from National be lifted.

This request is being made for the reason that the extra capacity of the 727-200 would reduce the number of takeoffs and landings from National and thereby lessen congestion. There is presently a high-load factor on the airlines which serve National, and the additional capacity of the 727-200 would provide relief for this situation without adding additional fights.

It is my understanding that the noise record of the 727-200 is excellent, provided these aircraft are equipped with proper noise suppression devices. Therefore, the danger of negative effect on the environment from the use of 727-200 aircraft should not be noticeable and might even be lessened.

While I realize there are many aspects to this problem, I would appreciate any relief which you can provide for those of us who frequently must travel from National to points north and west.

Sincerely,

HENRY BELLMON.

Mr. BELLMON. Mr. President, since I am one who urged the action which the FAA subsequently took in April 1970, I feel constrained to comment on the criticism which has followed this decision.

The Federal Aviation Administration, I feel, has been unjustly and unfairly criticized for permitting the so-called stretched 727 jets to operate at Washington National Airport. Further, it is alleged that these operations have had an adverse impact on the growth of Dulles International Airport.

In this context, I underscore the word "international" for it properly identifies the primary market for which Dulles was originally designed to meet the needs of Washington's highly transient public.

It is vitally important at the outset that we fully understand the relationship between these two airports, as well as Friendship to the north, and the respective roles they play in providing air transportation for those traveling to and from the Metropolitan Washington area.

We must look at Washington National, one of the most convenient close-in airports in the country, as a terminal which very efficiently serves a segment of the public flying relatively short distances.

National's ground handling facilities have increased 60 percent since 1967. There are no international or nonstop transcontinental departures from National. And the vast majority of flights to and from there are under 500 miles.

Dulles, on the other hand, supplies international and intercontinental public air service. It should be noted here that in 1970 the number of international airline passengers using Dulles rose 16 percent over the previous year.

Obviously, the operations at National, whatever they might be, have not impeded the international traffic potential at our majestic gateway to the world—Dulles Airport.

Friendship International Airport, near Baltimore, is more of a composite, in terms of public benefit. It provides air service over short-, medium-, and long-stage lengths. And like Dulles, it does not compete with Washington National. They supplement and complement each other.

In fact, Mr. President, National, Dulles, and Friendship together furnish a quality of public service far superior to that available in any capital on earth.

Contrary to allegations, FAA's analysis of Boeing 727–200 operations at National, submitted recently in response to congressional request, reaches no final conclusion as to the future utilization of aircraft in this category.

It does support the view, however, that there is no evidence that 727–200 operations at National have had any detrimental effect on growth trends at Dulles—or even Friendship.

Mr. President, the complete study, entitled "Analysis of Boeing 727–200 Operations at Washington National Airport," was entered in the CONGRESSIONAL RECORD on February 24, 1971.

However, I think it essential to add the following statistics, which may help bring this criticism of the whole metropolitan airport matter into sharper focus.

The increase in international passenger traffic at Dulles last year, up from 248,063 to 288,269, all but offsets a slight decline in the number of domestic passengers using the airport. This dipped from 1,762,809 passengers in calendar year 1969 to 1,692,722 in 1970.

I wish to stress that the overall drop in the number of passengers using Dulles in 1970 reflected a nationwide trend with most major airports around the country reporting traffic decreases.

At Washington National, for example, it was down 5.1 percent—9,905,134 in 1969 to 9,400,099 in 1970—compared with Dulles' 1.5 percent.

Significantly, international aircargo at Dulles showed gains: Airmail soared 67.6 percent to 2,520,000 pounds, and international freight climbed 24.6 percent to 15,389,000 pounds.

Aircargo shipments were up at both airports—1.3 percent at National and 0.1 percent at Dulles. However, the rise in international cargo at Dulles was offset by a decline in both domestic airmail and domestic freight.

Mr. President, again contrary to what has already been reported, the study submitted by FAA Administrator John H. Shaffer last week did in fact take into account work stoppages affecting air carrier operations at all three of the airports serving the region surrounding Washington.

It is a very honest, objective, straightforward study and in no way implies a final decision as to the future of 727–200 or any other scheduled aircraft operation at Washington National Airport.

During the period of evaluation, as indicated in the official document, the entire air transportation industry experienced unusual financial losses. And as the report states, all three Washington area terminals suffered a decline in business. Labor strikes accounted for much of the drop.

Even so, Mr. President, it is impossible for any one knowledgeable in the air transport industry to flatly state that stretched jet operations at National have had any adverse impact on either Dulles or Friendship.

The data in the analysis is sound. It takes into full account the conditions of the time. The fact that during the period of study air carrier passengers at Friendship declined 0.8 percent, at Dulles 2.8 percent, and at National 7.4 percent is a manifestation of economic conditions, not the type of aircraft being used.

In the light of the foregoing statistics, it is difficult to believe anyone can accuse National of diverting passengers from Dulles, Friendship, or any other public air terminal.

The impact of the criticism is that passengers should be denied the opportunity to use the airport of their choice by limiting seat availability. The critics have put themselves in the position of advocating a policy of subordinating passenger convenience to airport facility welfare.

It it my contention that if passengers find that National serves their needs more conveniently, these needs should be met. The use of the 727–200 is a step in that direction.

There is absolutely no rational justification for any artificial restraint of Washington National Airport's future for the imagined benefit of Dulles. The FAA's objective is to serve all the people.

One thing we must all understand. As long as it serves an existing demand in the public interest, the operation of aircraft in the 727–200 class will not compromise the ability of Dulles, Friendship, or other terminals in the area to grow and prosper.

Each is a unique facility, serving different segments of the public need. And all are vitally essential to our national transportation system.

Interestingly, Mr. President, the 727–200 is virtually identical to its predecessor, the 727–100. It has the same engines, operates at National at the same weights, and is only 20 feet longer—about the length of the average conference table.

Dulles was never intended as a replacement for National. In fact, by 1980 we can anticipate the requirement for a fourth major terminal in the National Capital area.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

PROPOSED LEGISLATION TO AUTHORIZE INSURANCE FOR LOANS FOR THE PRESERVATION OF RESIDENTIAL HISTORIC PROPERTIES

A letter from the Secretary of Housing and Urban Development, transmitting, a draft of proposed legislation to authorize insurance in connection with loans for the preservation of residential historic properties (with accompanying papers); to the Committee on Banking, Housing and Urban Affairs.

REPORT OF FEDERAL AVIATION ADMINISTRATION

A letter from the Secretary of Transportation, transmitting, pursuant to law, a report of the Federal Aviation Administration's operations for the fiscal year ended June 30, 1970, with an accompanying paper); to the Committee on Commerce.

REPORT ON THE HIGHWAY TRUST FUND

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on the financial condition and results of the operations of the Highway Trust Fund for the fiscal year ended June 30, 1970 (with an accompanying report); to the Committee on Finance.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on application of "should cost" concepts in reviews of contractors' Operations, Department of Commerce, dated February 26, 1971 (with an accompanying report); to the Committee on Government Operations.

PROPOSED LEGISLATION TO AMEND THE HIGHER EDUCATION ACT OF 1965

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to extend and amend the Higher Education Act of 1965, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

Reports on the Urban Area Traffic Operations Improvement and the Fringe Parking Facilities Programs

A letter from the Secretary of Transportation, transmitting, pursuant to law, the 1971 Annual Reports on the Urban Area Traffic Operations Improvement (TOPICS) and the Fringe Parking Facilities Program (with accompanying reports); to the Committee on Public Works.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

Resolutions of the Commonwealth of Massachusetts; to the Committee on Finance:

"Resolutions Memorializing the Congress of the United States To Enact a National Health Insurance Program

"*Whereas*, Current private health insurance programs are beyond the financial reach of millions of United States citizens, particularly those living on fixed incomes; and

"*Whereas*, Medicare coverage does not apply to all persons upon reaching age sixty-five; and

"*Whereas*, The failure of Medicare to cover all medical expenses, including drug costs, has caused a continuing hardship to those receiving it; and

"*Whereas*, The cost of medical attention has escalated so acutely in recent years that it has become a source of economic deprivation to most United States citizens; and

"*Whereas*, Indications are that such cost will continue to escalate causing even greater hardship in the future; therefore be it

"*Resolved*, That the General Court of Massachusetts hereby respectfully urges the Congress of the United States to enact legislation providing for a national health insurance program covering all United States citizens; and be it further

"*Resolved*, That a copy of these resolutions be transmitted forthwith by the State Secretary to the President of the United States, to the presiding officer of each branch of Congress and to the members thereof from the Commonwealth."

"Resolutions Memorializing the Congress of the United States To Enact Legislation Providing That the Federal Old Age Assistance Program Be Administered by the Department of Health, Education, and Welfare Through the Social Security System

"*Whereas*, There exists an urgent need to consolidate governmental assistance for needy and elderly persons, particularly those less fortunate receiving old age assistance; therefore be it

"*Resolved*, That the General Court of Massachusetts hereby respectfully urges the Congress of the United States to enact legislation providing that the federal old age assistance program be administered by the department of Health, Education and Welfare through the social security system; and be it further

"*Resolved*, That copies of these resolutions be transmitted forthwith by the State Secretary to the President of the United States, to the presiding officer of each branch of Congress and to the members thereof from the Commonwealth."

Resolutions of the Commonwealth of Massachusetts; to the Committee on Veterans' Affairs:

"Resolutions Memorializing the Congress of the United States To Enact Legislation Providing for a Veterans' Administration Hospital in the North Shore Area of the County of Essex

"*Whereas*, There is an urgent need for the establishment of a two thousand bed Veterans' Administration hospital in the north shore area of Essex county; therefore be it

"*Resolved*, That the General Court of Massachusetts hereby respectfully urges the Congress of the United States to enact legislation providing for the establishment of a two thousand bed Veterans' Administration hospital in the north shore area of Essex county; and be it further

"*Resolved*, That a copy of these resolutions be transmitted forthwith by the State Secretary to the President of the United States, to the presiding officer of each branch of Congress, to the members thereof from the Commonwealth and to the Administration of Veterans' Affairs."

BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. TALMADGE:

S. 1019. A bill to improve the work incentive program established under part C of title IV of the Social Security Act. Referred to the Committee on Finance.

By Mr. PROXMIRE (for himself and Mr. Case):

S. 1020. A bill to amend the Foreign Assistance Act of 1961 to require a comprehensive annual report to the Congress regarding foreign assistance provided by the United States. Referred to the Committee on Foreign Relations.

By Mr. GOLDWATER:

S. 1021. A bill to further improve the voting opportunities of U.S. citizens by expanding the time for voting in presidential elections to a uniform 24-hour period. Referred to the Committee on Rules and Administration.

By Mr. RIBICOFF (for himself and Mr. Schweiker):

S. 1022. A bill to revise and restate certain functions and duties of the Comptroller General of the United States; to change the name of the General Accounting Office to "Office of the Comptroller General of the United States," and for other purposes. Referred to the Committee on Government Operations.

By Mr. PASTORE:

S. 1023. A bill for the relief of Domenico Fantani. Referred to the Committee on the Judiciary.

By Mr. MOSS:

S. 1024. A bill for the relief of Edwardo Valle, Theresa Valle, and Emma Valle. Referred to the Committee on the Judiciary.

By Mr. MOSS (for himself, Mr. Metcalf, and Mr. Case):

S. 1025. A bill to establish a Department of Natural Resources and Environment. Referred to the Committee on Government Operations.

By Mr. MOSS (for himself, Mr. Bennett, Mr. Bible, Mr. Cranston, Mr. Hansen, Mr. Harris, Mr. McGee, Mr. McGovern, Mr. Metcalf, Mr. Tower, and Mr. Tunney):

S. 1026. A bill to amend the Small Reclamation Projects Act of 1956, as amended. Referred to the Committee on Interior and Insular Affairs.

By Mr. RANDOLPH:

S. 1027. A bill for the relief of Nenita L. Laguna;

S. 1028. A bill for the relief of Chein Danh Florio; and

S. 1029. A bill for the relief of Mostafa Ibrahim Shaaban and his wife, Aziza Shaaban. Referred to the Committee on the Judiciary.

By Mr. RANDOLPH (for himself, Mr. Allen, Mr. Anderson, Mr. Bayh, Mr. Beall, Mr. Bible, Mr. Boggs, Mr. Burdick, Mr. Byrd of West Virginia, Mr. Cannon, Mr. Church, Mr. Cooper, Mr. Cranston, Mr. Dole, Mr. Eastland, Mr. Gravel, Mr. Gurney, Mr. Hansen, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hatfield, Mr. Hollings, Mr. Hughes, Mr. Humphrey, Mr. Inouye, Mr. Jackson, Mr. Javits, Mr. Kennedy, Mr. Magnuson, Mr. Mansfield, Mr. McGovern, Mr. McIntyre, Mr. Miller, Mr. Mondale, Mr. Montoya, Mr. Muskie, Mr. Nelson, Mr. Pastore, Mr. Percy, Mr. Prouty, Mr. Ribicoff, Mr. Spong, Mr. Stevens, Mr. Thurmond, Mr. Tower, Mr. Tunney, and Mr. Williams):

S. 1030. A bill to amend the Vocational Rehabilitation Act in order to assure rehabilitation services to older blind persons, and for other purposes. Referred to the Committeee on Labor and Public Welfare.

By Mr. RANDOLPH:

S. 1031. A bill to credit certain service rendered by District of Columbia substitute teachers for purposes of civil service retirement. Referred to the Committee on Post Office and Civil Service.

By Mr. HART (for himself and Mr. McGovern):

S. 1032. A bill to promote and protect the free flow of interstate commerce without unreasonable damage to the environment; to assure that activities which affect interstate commerce will not unreasonably injure environmental rights; to provide a right of action for relief for protection of the environment from unreasonable infringement by activities which affect interstate commerce and to establish the right of all citizens to the protection, preservation, and enhancement of the environment. Referred to the Committee on Commerce.

By Mr. BAKER:

S. 1033. A bill to provide for publication of the U.S. Multilateral Treaties in Force Annotated. Referred to the Committee on Rules and Administration.

By Mr. BAKER (for himself and Mr. Tower):

S. 1034. A bill for the relief of Carl Johnstone, Jr. Referred to the Committee on the Judiciary.

By Mr. BAYH (for himself, Mr. Eagleton, Mr. Hart, Mr. Hughes, Mr. Jackson, Mr. Kennedy, Mr. McGee, Mr. Metcalf, Mr. Mondale, and Mr. Randolph):

S. 1035. A bill to amend title XVIII of the Social Security Act so as to eliminate, in certain cases, the requirement that an insured individual have first been admitted to a hospital in order to qualify under such title for the extended care services provided thereunder. Referred to the Committee on Finance.

By Mr. TOWER:

S. 1036. A bill for the relief of Michael Wunderwald. Referred to the Committee on the Judiciary.

By Mr. WILLIAMS (for himself and Mr. Proxmire):

S. 1037. A bill to make it possible appropriate, economical, and accessible learning opportunities for all adults, for their individual fulfillment and for the social and economic well-being of the Nation. Referred to the Committee on Labor and Public Welfare.

By Mr. HUMPHREY:

S. 1038. A bill for the relief of Mr. Reno Comardo. To the Committee on the Judiciary.

By Mr. McGOVERN:

S. 1039. A bill to provide public financing of certain campaign costs incurred in campaigns for election to Federal office, to insure full public disclosure of campaign finances, and to regulate unfair campaign practices. Referred to the Committee on Finance.

By Mr. MATHIAS:

S. 1040. A bill for the relief of Minas Kritharis;

S. 1041. A bill for the relief of Kenneth Adam Andoll:

S. 1042. A bill for the relief of Ana Leonor Lopez Rivera;

S. 1043. A bill for the relief of Miguel Angel Alvarado-Granda, Dalinda Mora de Alvarado, Miguel Almir Alvarado-Granda;

S. 1044. A bill for the relief of Aida E. Kash;

S. 1045. A bill for the relief of Teresa Gina Bisghini;

S. 1046. A bill for the relief of Paolo Endrizzi;

S. 1047. A bill for the relief of Adela Escobar de Rosales;

S. 1048. A bill for the relief of Vieiro Marques-Palmira dos Santos;

S. 1049. A bill for the relief of Sara Elena Rasines de Maldonado;

S. 1050. A bill for the relief of Fernando Agustin Maldonado;

S. 1051. A bill for the relief of Giuseppe Migliaccio; and

S. 1052. A bill for the relief of Francisco R. Franco Ching. Referred to the Committee on the Judiciary.

By Mr. HOLLINGS (for himself, Mr. Mathias, Mr. Allen, Mr. Beall, Mr. Chiles, Mr. Cooper, Mr. Cranston, Mr. Eastland, Mr. Ervin, Mr. Gravel, Mr. Griffin, Mr. Gurney, Mr. Hart, Mr. Hatfield, Mr. Humphrey, Mr. Inouye, Mr. Jackson, Mr. Javits, Mr. McGovern, Mr. Magnuson, Mr. Muskie, Mr. Pastore, Mr. Pell, Mr. Scott, Mr. Spong, Mr. Stevens, and Mr. Williams):

S. 1053. A bill to authorize a program to develop and demonstrate low-cost means of preventing shoreline erosion. Referred to the Committee on Public Works.

By Mr. GRAVEL:

S. 1054. A bill for the relief of Per Einer Jonsson. Referred to the Committee on the Judiciary.

By Mr. CURTIS (for himself, Mr. Allott, Mr. Bennett, Mr. Ervin, Mr. Fannin, and Mr. Tower):

S. 1055. A bill to amend the National Labor Relations Act with respect to refusals to bargain. Referred to the Committee on Labor and Public Welfare.

By Mr. EAGLETON:

S.J. Res. 59. Joint resolution regarding the powers of the Congress and the President to commit the Armed Forces of the United States to hostilities. Referred to the Committee on Foreign Relations.

By Mr. BAKER:

S.J. Res. 60. Joint resolution to authorize the President to issue annually a proclamation designating the fourth full calendar week in May of each year as "National Credit Week." Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. TALMADGE:

S. 1019. A bill to improve the work incentive program established under part C of title IV of the Social Security Act. Referred to the Committee on Finance.

Mr. TALMADGE. Mr. President, the administration has again this year begun its efforts to secure congressional enactment of welfare expansion legislation by calling it "welfare reform." Members of the Committee on Finance, who spent many months last year examining the administration proposal, became quite aware that its major impact would be to make some 12 million additional persons eligible for welfare.

The key element repeatedly stressed by administration spokesmen in defending the welfare expansion bill was that it contained a strong work incentive and a strong work requirement. These are goals with which I am sure most of us would agree. Unfortunately, they proved to be just rhetoric. The bill did not require welfare recipients to work but only to register for such work and training as the Secretary of Labor might provide—and based on past experience under the work incentive program, we would expect this to be precious little.

In 1967, the Committee on Finance designed the work incentive program which is now part of the Social Security Act. I supported this program in 1967 and I continue to support it today since I feel that it is good legislation. In administering the program, however, the Labor Department has failed miserably to meet the promise of the legislation to lead welfare recipients to useful, productive, independent lives.

Last year, as a constructive alternative to the wholly inadequate work and training provisions of the administration's welfare expansion bill, I introduced in amendment form a series of provisions designed to make the work incentive program the success we had hoped for. My proposals were adopted by the Finance Committee and were incorporated into the bill that passed the Senate last year by a vote of 81 to 0.

Today, I am reintroducing my amendment as a bill, in virtually identical form to the provisions contained in the 1970 Senate-passed bill.

Mr. President, I would like to outline briefly the major provisions of my amendment.

INCREASING EMPLOYMENT-BASED TRAINING

The major single criticism of the work incentive program is that it has not placed welfare recipients in jobs. The reason for this is that more than 98 percent of the enrollees in the program are given classroom-type training instead of employment-based training. Two kinds of employment-based training are authorized under present law: On-the-job training with private employers and public service employment in created public jobs. These must be given a much higher priority if welfare recipients are to be employed rather than put into training programs leading nowhere.

In fiscal year 1969, less than 3 percent of the funds used for the work incentive program were devoted to on-the-job training and public service employment. In fiscal year 1970, that percentage had dropped to less than 1 percent—$887,000 out of a total of $101 million. The 1972 President's budget contemplates pushing the percentage up above 2 percent.

Whether 1 percent, 2 percent, or 3 percent, these proportions are clearly inadequate, vastly inadequate. What use is institutional training in a classroom when no job results?

Under my bill, the Labor Department would be required to spend at least 40 percent of the expenditures for the work incentive program for on-the-job training and public service employment. To increase the amount of public service employment, the amendment would simplify the financing and increase the Federal share of the cost of public service employment by providing for 100 percent Federal funding for the first year, and 90 percent Federal sharing of the cost in subsequent years. If the project was in effect less than 3 years, Federal sharing for the first year would be cut back to 90 percent.

As an incentive for employers in the private sector to hire individuals placed in on-the-job training or employment through the work incentive program, my bill would provide a tax credit equal to 20 percent of the wages and salaries of these individuals. The credit would apply to wages paid to these employees during their first 12 months of employment. The tax credit would be recaptured if the employer terminated the employment of the individual during the first 12 months of his employment or before the end of the following 12 months. This recapture provision would not apply if the employee became disabled or left work voluntarily.

The tax incentive is a key provision of my bill. I believe that no work incentive or job training program can ever be successful unless we have the full cooperation of private business. We know that many welfare recipients will be very poor employment risks, requiring special training before they can achieve full productivity. It is unrealistic to expect that the business community will undertake this kind of new responsibility without some form of extra financial help in the initial stages. The tax incentive provision in my bill is designed to bridge the gap between the work incentive program and productive employment.

In approving this provision last year, the Committee on Finance felt that it had everything to gain and nothing to lose. We know that there has been virtually no on-the-job training or placement of welfare recipients in private employment under the present program. We are starting from what amounts to a zero base. Any use of the tax credit, therefore, will amount to employment that we may assume would not otherwise have taken place. Let us assume that a former welfare recipient is placed in a job paying $5,000 per year. The tax credit amounts to $1,000 if the former recipient works for 2 full years. Welfare payments during those 2 years in most States would have amounted to more than five times that amount.

LINKING TRAINING TO ACTUAL JOBS

Operations under the work incentive program have often failed to meet the objective of the program because too little attention was paid to the actual labor market conditions and requirements in the geographic area. My bill would require the establishment of local labor market advisory councils whose function it would be to identify present and future local labor market needs. The findings of this council would serve as the basis for training under the work incentive program at the local level.

IMPROVING ADMINISTRATION AND COORDINATION

Under present law, the welfare agency is supposed to prepare an employability plan fo reach "appropriate" case and make referrals to the Department of Labor, which then is required to prepare an employability plan and place the individual in employment, on-the-job training, institutional training, or public service employment. Problems have arisen in this referral and preparation process.

In some cases, the welfare agency has not referred sufficient numbers of persons, while in other cases they have referred too many persons, without first arranging for such supportive services as child care needed in order for the welfare recipient to participate in the work incentive program. Due to lack of coordination between the welfare agency and the Labor Department, persons have sometimes been referred who do not match the training or employment opportunities available in the area.

My bill would solve this problem by requiring the welfare agency to set up a unit with the responsibility of arranging for supportive services so that the welfare recipients may participate in the Work Incentive Program; Federal matching for these supportive services would be raised from 75 percent to 90 percent. My bill would require that the welfare agency and the Labor Department at the local level enter into a joint agreement on an operational plan—that is, a plan setting forth the kinds of training that will be arranged for, the kinds of job development the Labor Department will undertake, and the kinds of job opportunities both agencies will have to prepare persons for during the period covered by the plan. In addition, both agencies will jointly develop employability plans for individuals, consistent with the overall operational plan, which will assure that individuals will receive the necessary supportive services and preparation for employment without unnecessary waiting.

The requirement that all "appropriate" persons be referred for work and training has been criticized as difficult to administer with consistency. My bill would end the problem by establishing clear priority among persons registering for employment and training. The bill would require the Secretary of Labor to accord priority in the following order:

First, unemployed fathers;

Second, dependent children and relatives age 16 and over who are not in school, working, or in training;

Third, mothers who volunteer for participation; and

Fourth, all other persons.

Other provisions of my bill would mandate coordination between the Departments of Labor and Health, Education, and Welfare; would specify an allocation formula for distribution of funds under the work incentive program among the States; and would require on a State-by-State basis that at least 15 percent of the registrants for the work incentive program be enrolled in the program each year.

I am offering my bill today, Mr. President, because I feel that any attempt at thorough welfare reform must be in the direction of strengthening the work incentive features of the welfare law and relating work training provisions to actual jobs. In our society, the way to economic independence is through employment, and it is this route that we must follow in helping those who are now economically dependent on welfare to become independent.

Mr. President, I introduce the bill and ask that it be appropriately referred and printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1019

A bill to improve the work incentive program established under part C of title IV of the Social Security Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Work Incentive Program Amendments of 1971".

AMENDMENTS TO IMPROVE THE WORK INCENTIVE PROGRAM ESTABLISHED UNDER PART C OF TITLE IV OF THE SOCIAL SECURITY ACT

Sec. 2.(a) (1) Section 402(a) (15) of the Social Security Act as amended to read as follows:

"(15) provide (A) for the development of a program, for each appropriate relative and dependent child receiving aid under the plan and for each appropriate individual (living in the same home as a relative and child receiving such aid) whose needs are taken into account in making the determination under clause (7), for preventing or reducing the incidence of births out of wedlock and otherwise strengthening family life, and for implementing such program by assuring that in all appropriate cases family planning services are offered to them, but acceptance of family planning services provided under the plan shall be voluntary on the part of such members and individuals and shall not be a prerequisite to eligibility for or the receipt of any other service under the plan; and (B) to the extent that services provided under this clause or clause (14) are furnished by the staff of the State agency or the local agency administering the State plan in each of the political subdivisions of the State, for the establishment of a single organizational unit in such State or local agency, as the case may be, responsible for the furnishing of such services;".

(2) Section 402(a) (19) (A) of such Act is amended to read as follows:

"(A) provide that every individual, as a condition of eligibility for aid under this part, shall register for manpower services, training, and employment as provided by regulations of the Secretary of Labor, unless such individual is—

"(i) a child who is under age 16 or attending school full time;

"(ii) a person who is ill, incapacitated, or of advanced age;

"(iii) a person so remote from a work incentive project that his effective participation is precluded;

"(iv) a person whose presence in the home is required because of illness or incapacity of another member of the household; or

"(v) a mother or other relative of a child under the age of six who is caring for the child;

and that any individual referred to in clause (v) shall be advised of her option to register, if she so desires, pursuant to this paragraph, and shall be informed of the child care services (if any) which will be available to her in the event she should decide so to register;".

(3) Section 402(a) (19) (C) of such Act is amended effective July 1, 1971, by striking out "20 percentum" and inserting in lieu thereof "10 per centum".

(4) Section 402(a) (19) (D) of such Act is amended to read as follows:

"(D) that training incentives and other allowances authorized under section 434 shall be disregarded in determining the needs of an individual under section 402(a) (7);".

(5) Section 402(a) (19) of such Act is further amended by striking out subparagraph (E).

(6) The parenthetical clause in section 402(a) (19) (F) of such Act is amended by striking out "pursuant to subparagraph (A) (i) and (ii) and section 407(b) (2)" and inserting in lieu thereof "pursuant to subparagraph (G)".

(7) Section 402(a) (19) of such Act is amended by adding at the end thereof the following new subparagraph:

"(G) that the State agency will have in effect a special prorgam which (i) will be administered by a separate administrative unit and the employees of which will, to the maximum extent feasible, perform services only in connection with the administration of such program, (ii) will provide (through arrangements with others or otherwise) for individuals who have been registered pursuant to subparagraph (A), in accordance with the order of priority listed in section 433(a), such health, vocational rehabilitation, counseling, child care, and other social and supportive services as are necessary to enable such individuals to accept employment or receive manpower training provided under part C, and will, when such individuals are prepared to accept employment or receive manpower training, refer such individuals to the Secretary of Labor for employment or training under part C, and (iii) will participate in the development of operational and employability plans under section 433(b); if more than one kind of child care is available, the mother may choose the type, but she may not refuse to accept child services if they are available;".

(8) Section 403 of such Act is amended by adding at the end thereof the following new subsection:

"(e) Notwithstanding any other provision of this Act, the Federal share of assistance payments under this part shall be reduced with respect to any State for any fiscal year after June 30, 1972 by one percentage point for each percentage point by which the number of individuals referred, under the program of such State established pursuant to section 402(a) (19) (G), to the local employment office of the State as being ready for employment is less than 15 per centum of the average number of individuals in such State who, during such year, are required to be registered pursuant to section 402(a) (19) (A)."

(9) Section 403 of such Act is amended, by adding after subsection (e) the following new subsection:

"(f) Notwithstanding subparagraph (A) of subsection (a) (3) the rate specified in such subparagraph shall be

90 per centum (rather than 75 per centum) with respect to social and supportive services provided pursuant to section 402(a) (19) (G)."

(b) (1) The first sentence of section 430 of the Social Security Act is amended by striking out "special work projects" and inserting in lieu thereof "public service employment".

(2) Section 431 of such Act is amended (1) by inserting "(a)" immediately after "Sec. 431.", and (2) by adding at the end thereof the following new subsections:

"(b) Of the amounts expended from funds appropriated pursuant to subsection (a) for any fiscal year (commencing with the fiscal year ending June 30, 1972), not less than 40 per centum thereof shall be expended for carrying out the program of on-the-job training referred to in section 432(b) (1) (B) and for carrying out the program of public service employment referred to in section 432(b) (3).

"(c) (1) For the purpose of carrying out the provisions of this part in any State for any fiscal year (commencing with the fiscal year ending June 30, 1973), there shall be available (from the sums appropriated pursuant to subsection (a) for such fiscal year) for expenditure in such State an amount equal to the allotment of such State for such year (as determined pursuant to paragraph (2) of this subsection).

"(2) Sums appropriated pursuant to subsection (a) for the fiscal year ending June 30, 1973, or for any fiscal year thereafter, shall be allotted among the States as follows: Each State shall be allotted from such sums an amount which bears the same ratio to the total of such sums as—

"(A) in the case of the fiscal year ending June 30, 1973, the average number of recipients of aid to families with dependent children in such State during the month of January last preceding the commencement of such fiscal year bears to the average number of such recipients during such month in all States; and

"(B) in the case of the fiscal year ending June 30, 1974, or in the case of any fiscal year thereafter, the average number of individuals in such State who, during the month of January last preceding the commencement of such fiscal year, are registered pursuant to section 402(a) (19) (A) bears to the average number of individuals in all States who, during such month, are so registered."

(3) (A) (i) Clause (1) of section 432(b) of such Act is amended—

(I) by inserting "(A)" immediately after "(1)"; and

(II) by striking out "and utilizing" and inserting in lieu thereof "and (B) a program utilizing".

(ii) Clause (3) of section 432(b) of such Act is amended by striking out "special work projects" and inserting in lieu thereof "public service employment".

(B) Section 432(d) of such Act is amended to read as follows:

"(d) In providing the manpower training and employment services and opportunities required by this part, the Secretary of Labor shall, to the maximum extent feasible, assure that such services and opportunities are provided by using all authority available to him under this or any other Act. In order to assure that the services and opportunities so required are provided, the Secretary of Labor shall use the funds appropriated to him under this part to provide programs required by this part through such other Act, to the same extent and under the same conditions (except as regards thhe Federal matching percentage) as if appropriated under such other Act and, in making use of the programs of other Federal, State, or local agencies (public or private), the Secretary of Labor may reimburse such agencies for services rendered to persons under this part to the extent such services and opportunities are not otherwise available on a nonreimbursable basis."

(C) Section 432 of such Act is further amended by adding at the end thereof the following new subsection:

"(f) (1) The Secretary of Labor shall establish in each State, municipality, or other appropriate geographic area with a significant number of persons registered pursuant to section 402(a) ((19) (A) a Labor Market Advisory Council the function of which will be to identify and advise the Secretary of the types of jobs available or likely to become available in the area served by the Council; except that if there is already located in any area an appropriate body to perform such function, the Secretary may designate such body as the Labor Market Advisory Council for such area.

"(2) Any such Council shall include representatives of industry, labor, and public service employers from the area to be served by the Council.

"(3) The Secretary shall not conduct, in any area, institutional training under any program established pursuant to subsection (b) of any type which is not related to jobs of the type which are or are likely to become available in such area as determined by the Secretary after taking into account information provided by the Labor Market Advisory Council for such area."

(4) (A) Section 433(a) of such Act is amended—

(i) by striking out "section 402" and inserting in lieu thereof "section 402(a) (19) (G)"; and

(ii) by adding at the end thereof the following new sentence: "The Secretary, in carrying out such program for individuals so referred to him by a State, shall accord priority to such individuals in the following order, taking into account employability potential: first, unemployed fathers; second, dependent children and relatives who have attained age 16 and who are not in school, or engaged in work or manpower training; third, mothers, whether or not required to register pursuant to section 402(a) (19) (A), who volunteer for participation under a work incentive program; fourth, all other individuals so referred to him."

(B) Section 433(b) of such Act is amended to read as follows:

"(b) (1) For each State the Secretary shall develop jointly with the administrative unit of such State administering the special program referred to in section 402(a) (19) (G) a statewide operational plan.

"(2) The statewide operational plan shall prescribe how the work incentive program established by this part will be operated at the local level, and shall indicate (i) for each area within the State the number and type of positions which will be provided for training, for on-the-job training, and for public service employment, (ii) the manner in which information provided by the Labor Market Advisory Council (established pursuant to section 432(f)) for any such area will be utilized in the operation of such program, and (iii) the particular State agency or administrative unit thereof which will be responsible for each of the various activities and functions to be performed under such program. Any such operational plan for any State must be approved by the Secretary, the administrative unit of such State administering the special program referred to in section 402(a) (19) (G), and the regional joint committee (established pursuant to section 439) for the area in which such State is located.

"(3) In carrying out any such statewide operational plan of any State, there shall be developed jointly by the Secretary and the administrative unit of the State administering the special program referred to in section 402(a) (19) (G) in each area of the State an employability plan for each individual residing in such area who is participating in the work incentive program established by this part. Such employability plan for any such individual shall (i) conform with the statewide operational plan of such State, (ii) provide that the separate administrative unit referred to in section 402(a) (19) (G) (ii) will provide the services referred to in section 402(a) (19) (G) (ii), and (iii) provide that the Secretary shall be responsible for providing the training, placement, and related services authorized under this part."

(C) (i) Section 433(e) (1) of such Act is amended by striking out "special work projects" and inserting in lieu thereof "public service employment".

(ii) Section 433(e) (2) (A) of such Act is amended by striking out "a portion" and inserting in lieu thereof "100 per centum (in the case of the first year that such agreement is in effect, if such agreement is in effect at least three years) and 90 per centum (if such agreement is in effect less than three years; or, if such agreement is in effect at least three years, in the case of any year after the first year that such agreement is in effect)".

(iii) Section 433(e) (2) (B) of such Act is amended by striking out "on special work projects of" and inserting in lieu thereof "in public service employment for".

(iv) Section 433(e) (3) of such Act is hereby repealed.

(D) Section 433(f) of such Act is amended by striking out "any of the programs established by this part" and inserting in lieu thereof "section 432(b) (3)".

(E) Section 433(g) of such Act is amended by striking out "section 402(a) (19) (A) (i) and (ii)" and inserting in lieu thereof "section 402(a) (19) (G)".

(F) Section 433(h) of such Act is amended by striking out "special work projects" and inserting in lieu thereof "public service employment".

(G) Section 434 of such Act is amended—

(i) by inserting "(a)" immediately after "Sec. 434."; and

(ii) by adding at the end thereof the following new subsection:

"(b) The Secretary of Labor is also authorized to pay, to any member of a family participating in manpower training under this part, allowances for transportation and other costs incurred by such member, to the extent such costs are necessary to and directly relating to the participation by such member in such training."

(5) (A) Section 435(a) of such Act is amended, effective July 1, 1971, by striking out "80 per centum" and inserting in lieu thereof "90 per centum".

(B) Section 435(b) of such Act is amended by striking out "; except that with respect to special work projects under the program established by section 432(b) (3), the costs of carrying out this part shall include only the costs of administration".

(6) Section 436(b) of such Act is amended by striking out "by the Secretary after consultation with" and inserting in lieu thereof "jointly by him and".

(7) Section 437 of such Act is amended to read as follows:

"Sec. 437. The Secretary is authorized to provide to an individual who is registered pursuant to section 402(a) (19) (A) and who is unemployed relocation assistance (including grants, loans, and the furnishing of such services as will aid an involuntarily unemployed individual who desires to relocate to do so in an area where there is assurance of regular suitable employment, offered through the public employment offices of the State in such area, which will lead to the earning of income sufficient to make such individual and his family ineligible for benefits under part A)."

(8) Section 438 of such Act is amended by striking out "projects under".

(9) Section 439 of such Act is amended to read as follows:

"Sec. 439. The Secretary and the Secretary of Health, Education, and Welfare shall, not later than six months after the date of enactment of this Act, issue regulations to carry out the purposes of this part, as amended by this Act. Such regulations shall provide for the establishment, jointly by the Secretary and the Secretary of Health, Education, and Welfare, of (1) a national coordination committee the duty of which shall be to establish uniform reporting and similar requirements for the administration of this part, and (2) a regional coordination committee for each region which shall be responsible for review and approval of statewide operational plans developed pursuant to section 433(b)."

(10) Section 441 of such Act is amended—

(A) by inserting "(a)" immediately after "Sec. 441.";

(B) by adding immediately after the last sentence thereof the following sentence: "Nothing in this section shall be construed as authorizing the Secretary to enter into any contract with any organization after June 1, 1970, for the dissemination by such organization of information about programs authorized to be carried on under this part."; and

(C) by adding after and below such section the following new subsection:

"(b) The Secretary shall collect and publish monthly, by State, by age group, and by sex, the following information with respect to individuals registered pursuant to section 402(a) (19) (A)—

"(1) the number of individuals so registered, the number of individuals receiving each particular type of work training services, and the number of individuals receiving no such services;

"(2) the number of individuals placed in jobs by the Secretary under section 432(b) (1) (A), and the average wages of the individuals so placed;

"(3) the number of individuals who begin but fail to complete training, and the reasons for the failure of such individuals to complete training; and the number of individuals who register voluntarily but do not receive training or placement;

"(4) the number of individuals who obtain employment following the completion of training, and the number of such individuals whose employment is in fields related to the particular type of training received;

"(5) of the individuals who obtain employment following the completion of training, the average wages of such individuals, and the number retaining such employment three months, six months, and twelve months, following the date of completion of such training;

"(6) the number of individuals in public service employment, by type of employment, and the average wages of such individuals; and

"(7) the amount of savings, under Part A of this title, realized by reason of the operation of each of the programs established pursuant to this part."

(11) Section 442 of such Act is amended to read as follows:

"TECHNICAL ASSISTANCE FOR PROVIDERS OF EMPLOYMENT OR TRAINING

"SEC. 442. The Secretary is authorized to provide technical assistance to providers of employment or training to enable them to participate in the establishment and operation of programs authorized to be established by section 432(b)."

(12) Section 443 of such Act is amended by striking out "20 per centum" wherever it appears therein and inserting in lieu thereof "10 per centum".

(13) (A) Section 444(c) (1) of such Act is amended by striking out "section 402(a) (16) and section 402(a) (19) (F)" and inserting in lieu thereof "section 402(a) (19)".

(B) Section 444(d) of such Act is amended (i) by striking out "a special work project" and inserting in lieu thereof "public service employment"; (ii) by striking out "project" at the end of the first sentence and inserting in lieu thereof "employment"; and (iii) by striking out "402(a) (15)" and inserting in lieu thereof "402(a) (19)".

(c) The amendments made by this section shall, except as otherwise specified herein, take effect on January 1, 1972.

TAX CREDIT FOR CERTAIN EXPENSES INCURRED IN WORK INCENTIVE PROGRAMS

SEC. 3. (a) Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 40 as section 41, and by inserting after section 39 the following new section:

"SEC. 40. EXPENSES OF WORK INCENTIVE PROGRAMS.

"(a) GENERAL RULE.—There shall be allowed, as a credit against the tax imposed by this chapter, the amount determined under subpart C of this part.

"(b) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section and subpart C."

(b) Part IV of subchapter A of chapter 1 of such Code (relating to credits against tax) is amended by adding at the end thereof the following new subpart:

"SUBPART C—RULES FOR COMPUTING CREDIT FOR EXPENSES OF WORK INCENTIVE PROGRAMS

"Sec. 50. Amount of credit.
"Sec. 50A. Definitions; special rules.

"SEC. 50. AMOUNT OF CREDIT.

"(a) DETERMINATION OF AMOUNT.—

"(1) GENERAL RULE.—The amount of the credit allowed by section 40 for the taxable year shall be equal to 20 percent of the work incentive program expenses (as defined in section 50A(a)).

"(2) LIMITATION BASED ON AMOUNT OF TAX.—Notwithstanding paragraph (1), the credit allowed by section 40 for the taxable year shall not exceed—

"(A) so much of the liability for the taxable year as does not exceed $25,000, plus

"(B) 50 percent of so much of the liability for tax for the taxable year as exceeds $25,000.

"(3) LIABILITY FOR TAX.—For purposes of paragraph (2), the liability for tax for the taxable year shall be the tax imposed by this chapter for such year, reduced by the sum of the credits allowable under—

"(A) section 33 (relating to foreign tax credit),

"(B) section 35 (relating to partially tax exempt interest),

"(C) section 37 (relating to retirement income), and

"(D) section 38 (relating to investment in certain depreciable property).

For purposes of this paragraph, any tax imposed for the taxable year by section 531 (relating to accumulated earnings tax), section 541 (relating to personal holding company tax), or section 1378 (relating to tax on certain capital gains of subchapter S corporations), and any additional tax imposed for the taxable year by section 1351(d) (1) (relating to recoveries of foreign expropriation losses), shall not be considered tax imposed by this chapter for such year.

"(4) MARRIED INDIVIDUALS.—In the case of a husband or wife who files a separate return, the amount specified under subparagraphs (A) and (B) of paragraph (2) shall be $12,500 in lieu of $25,000. This paragraph shall not apply if the spouse of the taxpayer has no work incentive program expenses for, and no unused credit carryback or carryover to, the taxable year of such spouse which ends within or with the taxpayer's taxable year.

"(5) CONTROLLED GROUPS.—In the case of a controlled group, the $25,000 amount specified under paragraph (2) shall be reduced for each component member of such group by apportioning $25,000 among the component members of such group in such manner as the Secretary or his delegate shall by regulations prescribe. For purposes of the preceding sentence, the term 'controlled group' has the meaning assigned to such term by section 1563(a).

"(b) CARRYBACK AND CARRYOVER OF UNUSED CREDIT.—

"(1) ALLOWANCE OF CREDIT.—If the amount of the credit determined under subsection (a) (1) for any taxable year exceeds the limitation provided by subsection (a) (2) for such taxable year (hereinafter in this subsection referred to as 'unused credit year'), such excess shall be—

"(A) a work incentive program credit carryback to each of the 3 taxable years preceding the unused credit year, and

"(B) a work incentive program credit carryover to each of the 7 taxable years following the unused credit year.

and shall be added to the amount allowable as a credit by section 40 for such years, except that such excess may be a carryback only to a taxable year beginning after December 31, 1971. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the 10 taxable years to which (by reason of subparagraphs (A) and (B)) such credit may be carried, and then to each of the other 9 taxable years to the extent that, because of the limitation contained in paragraph (2), such unused credit may not be added for a prior taxable year to which such unused credit may be carried..

"(2) LIMITATION.—The amount of the unused credit which may be added under paragraph (1) for any preceding or succeeding taxable year shall not exceed the amount by which the limitation provided by subsection (a) (2) for such taxable year exceeds the sum of—

"(A) the credit allowable under subsection (a) (1) for such taxable year, and

"(B) the amounts which, by reason of this subsection, are added to the amount allowable for such taxable year and attributable to taxable years preceding the unused credit year.

"(c) EARLY TERMINATION OF EMPLOYMENT BY EMPLOYER, ETC.—

"(1) GENERAL RULE.—Under regulations prescribed by the Secretary or his delegate—

"(A) WORK INCENTIVE PROGRAM EXPENSES.—If the taxpayer terminates the employment of any employee with respect to whom work incentive program expenses are taken into account under subsection (a) at any time during the first 12 months of such employment (whether or not consecutive) or before the close of the 12th calendar month after the calendar month in which such employee completes 12 months of employment with the taxpayer, the tax under this chapter for the taxable year in which such employment is terminated shall be increased by an amount (determined under such regulations) equal to the credits allowed under section 40 for such taxable year and all prior taxable years attributable to work incentive program expenses paid or incurred with respect to such employee.

"(B) CARRYBACKS AND CARRYOVERS ADJUSTED.—In the case of any termination of employment to which subparagraph (A) applies, the carrybacks and carryovers under subsection (b) shall be properly adjusted.

"(2) SUBSECTION NOT TO APPLY IN CERTAIN CASES.—

"(A) IN GENERAL.—Paragraph (1) shall not apply to—

"(i) a termination of employment of an employee who voluntarily leaves the employment of the taxpayer, or

"(ii) a termination of employment of an individual who, before the close of the period referred to in paragraph (1) (A), becomes disabled to perform the services of such employment, unless such disability is removed before the close of such period and the taxpayer fails to offer reemployment to such individual.

"(B) CHANGE IN FORM OF BUSINESS, AND SO FORTH.—For purposes of paragraph (1), the employment relationship between the taxpayer and an employee shall not be treated as terminated—

"(i) by a transaction to which section 381 (a) applies, if the employee continues to be employed by the acquiring corporation, or

"(ii) by reason of a mere change in the form of conducting the trade or business of the taxpayer, if the employee continues to be employed in such trade or business and the taxpayer retains a substantial interest in such trade or business.

"(3) SPECIAL RULE.—Any increase in tax under paragraph (1) shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit allowable under subpart A.

"SEC. 50A. DEFINITIONS; SPECIAL RULES.

"(a) WORK INCENTIVE PROGRAM EXPENSES.—For purposes of this subpart, the term 'work incentive program expenses' means the wages and salaries of employees who are certified by the Secretary of Labor as having been placed in employment under a work incentive program established under section 432(b) (1) of the Social Security Act which are paid or incurred for services rendered by such employees during the first 12 months of such employment (whether or not consecutive).

"(b) LIMITATIONS.—

"(1) TRADE OR BUSINESS EXPENSES.—No

item shall be taken into account under subsection (a) unless such item is allowable as a deduction under section 162 (relating to trade or business expenses).

"(2) Reimbursed expenses.—No item shall be taken into account under subsection (a) to the extent that the taxpayer is reimbursed for such item.

"(3) Geographical limitation.—No item shall be taken into account under subsection (a) with respect to any expense paid or incurred by the taxpayer for training conducted outside of the territory of the United States.

"(4) Maximum period of training or instruction.—No wages or salary of an employee shall be taken into account under subsection (a) after the end of the 24-month period beginning with the date of initial employment of such employee by the taxpayer.

"(5) Ineligible individuals.—No item shall be taken into account under subsection (a) with respect to an individual who—

"(A) bears any of the relationships described in paragraphs (1) through (8) of section 152(a) to the taxpayer, or, if the taxpayer is a corporation, to an individual who owns, directly or indirectly, more than 50 percent in value of the outstanding stock of the corporation (determined with the application of section 267(c)), or

"(B) if the taxpayer is an estate or trust, is a grantor, beneficiary, or a fiduciary of the estate or trust, or is an individual who bears any of the relationships described in paragraphs (1) through (8) of section 152(a) to a grantor, beneficiary, or fiduciary of the estate or trust.

"(c) Subchapter S Corporations.—In case of an electing small business corporation (as defined in section 1371)—

"(1) the work incentive program expenses for each taxable year shall be apportioned pro rata among the persons who are shareholders of such corporation on the last day of such taxable year, and

"(2) any person to whom any excess expenses have been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expenses.

"(d) Estates and Trusts.—In the case of an estate or trust—

"(1) the work incentive program expenses for any taxable year shall be apportioned between the estate or trust and the beneficiaries on the basis of the income of the estate or trust allocable to each,

"(2) any beneficiary to whom any expenses have been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expenses, and

"(3) the $25,000 amount specified under subparagraphs (A) and (B) of section 50(a)(2) applicable to such estate or trust shall be reduced to an amount which bears the same ratio to $25,000 as the amount of the expenses allocated to the trust under paragraph (1) bears to the entire amount of such expenses.

"(e) Limitations With Respect to Certain Persons.—In the case of—

"(1) an organization to which section 593 applies,

"(2) a regulated investment company or a real estate investment trust subject to taxation under subchapter M (section 851 and following), and

"(3) a cooperative organization described in section 1381(a),

rules similar to the rules provided in section 46(d) shall apply under regulations prescribed by the Secretary or his delegate.

"(f) Cross Reference.—

"For application of this subpart to certain acquiring corporations, see section 381(c)(24)."

(c)(1) The table of subparts for part IV of subchapter A of chapter 1 of such Code is amended by adding at the end thereof the following:

"Subpart C. Rules for computing credit for expenses of work incentive programs."

(2) The table of sections of subpart A of part IV of subchapter A of chapter 1 of such Code is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 40. Expenses of work incentive programs.

"Sec. 41. Overpayments of tax."

(3) Section 381(c) of such Code (relating to items taken into account in certain corporated acquisitions) is amended by adding at the end thereof the following new paragraph:

"(24) Credit under section 40 for work incentive program expenses.—The acquiring corporation shall take into account (to the extent proper to carry out the purposes of this section and section 40, and under such regulations as may be prescribed by the Secretary or his delegate) the items required to be taken into account for purposes of section 40 in respect of the distributor or transferor corporation."

(d) The amendments made by this section shall apply to taxable years beginning after December 31, 1971.

By Mr. PROXMIRE (for himself and Mr. Case):

S. 1020. A bill to amend the Foreign Assistance Act of 1961 to require a comprehensive annual report to the Congress regarding foreign assistance provided by the United States. Referred to the Committee on Foreign Relations.

Mr. PROXMIRE. Mr. President, on behalf of myself and the Senator from New Jersey (Mr. Case), who is delayed on business today in New Jersey, I am introducing legislation which calls upon the President to submit annually to the Congress a report on all aspects of American foreign military and economic assistance programs. The purpose of the bill is to bring order out of chaos. The American taxpayer who is footing the bill for foreign aid should at least know what he is paying for.

Recent hearings held by my Subcommittee on Economy in Government of the Joint Economic Committee revealed that somewhere between $4.8 billion—the Pentagon's estimate—and $7 billion—Senator Fulbright's—is being spent each year by the United States to arm foreign nations. In addition, there are large outlays for economic assistance and contributions to international organizations.

The most alarming fact is that nobody seems to know for sure exactly how much is being spent.

Many people have wrongly assumed that the amount of money voted under the Foreign Assistance Act for economic and military aid—$2.4 billion in fiscal 1971—was the totality of the American programs. But this does not include cash and credit military sales, military advisory missions, outright gifts of military equipment, Defense Department funded aid for Southeast Asia, and even the use for military purposes of foreign currencies generated by the food-for-peace program. Moreover, it does not include private arms sales to foreign nations which amounted to $52,387,000 in 1969.

Information on some of these programs is reported regularly to Congress and the public. In the case of others, the information is either classified or buried deep within departmental budgets. And with at least one program—excess property given to the South Vietnamese—apparently no records at all have been kept.

Senator Case and I have a continuing interest in this subject because of our service on key Senate committees with jurisdiction over the subject. Senator Case is a member of the Foreign Relations and the Appropriations Committees, and I am now the chairman of the Foreign Operations Subcommittee of the Senate Appropriations Committee which handles foreign aid.

Congressional concern about military assistance and sales was shown at the end of the last session when, in the Foreign Military Sales Act, Congress called on the President to make a full review of military aid programs. This same act urged the President "to use the power and prestige of his office—to check and control the international sales and distribution of conventional weapons of death and destruction" and also "to commence a general debate in the United Nations with respect to the control of the conventional arms trade."

The object of the Case-Proxmire bill as written is "that the Congress and the American people may be better and more currently informed regarding the volume and cost of assistance extended by the U.S. Government to foreign countries and international organizations, and better informed regarding the sale of arms to foreign countries and international organizations by private industry of the United States."

We think it is vital that there be compiled in one place, for all to see, a list of what military aid the United States is giving away, lending, selling, leasing, or otherwise providing countries.

In the case of any item of information to be included in the report that the President, on an extraordinary basis, determines is clearly detrimental to the security of the United States, the Case-Proxmire bill provides that he shall explain in a supplemental report to the Congress why publication of each specific item would be clearly detrimental to the security of the United States.

We see no justification for the present classification of country-by-country information and on the grounds that it would be embarrassing to the countries involved. This is no more true than the publication of the U.S. military budget would be embarrassing to the President or Secretary of Defense. In addition, in a few days I intend to introduce legislation denying to the President the right to classify the country-by-country amounts of military aid which we give.

The list would be broken down in terms of the aggregate dollar value of: First, all foreign assistance provided to all countries and international organizations and to each individual country and organization; second, each category of foreign assistance provided to all countries and organizations and each individual one; third, each means—grant, loan, and so forth—of foreign assistance provided to all countries and organizations and each individual one; and fourth, all war material exported under any export license to all countries and organizations and to each individual one. The President would also report on the total amounts of foreign currency paid to the U.S. Government and the uses made of that foreign currency. Finally, the President would report on all other matters concerning foreign assistance which he considered appropriate, including explanations of the information provided above.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD at this point.

There being no objection the bill was ordered to be printed in the RECORD as follows:

S. 1020

A bill to amend the Foreign Assistance Act of 1961 to require a comprehensive annual report to the Congress regarding foreign assistance provided by the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 653. ANNUAL FOREIGN ASSISTANCE REPORT.—(a) In order that the Congress and the American people may be better and more currently informed regarding the volume and cost of assistance extended by the United States Government to foreign countries and international organizations, and in order that the Congress and the American people may be better informed regarding the sale of arms to foreign countries and international organizations by private industry of the United States, not later than December 31 of each year the President shall transmit to the Congress an annual report, for the fiscal year ending prior to the fiscal year in which the report is transmitted, showing—

"(1) the aggregate dollar value of all foreign assistance provided by the United States Government by any means to all foreign countries and international organizations, and the aggregate dollar value of such assistance provided by the United States Government to each such country and organization, during that fiscal year;

"(2) the aggregate dollar value of each category of foreign assistance provided by the United States Government by any means to all foreign countries and international organizations, and to each such country and organization during that fiscal year;

"(3) the aggregate dollar value of all foreign assistance provided by the United States Government, under each of the different means used by the United States Government in providing such assistance to all foreign countries and international organizations, and to each such country and organization, during that fiscal year;

"(4) the total amounts of foreign currency paid by each foreign country or international organization to the United States Government in such fiscal year, what each payment was made for, whether any portion of such payment was returned by the United States Government to the country or organization from which the payment was obtained or whether any such portion was transferred by the United States Government to another foreign country or international organization, and, if so returned or transferred, the kind of assistance obtained by that country or organization with these foreign currencies and the dollar value of such kind of assistance;

"(5) the aggregate dollar value of all arms, ammunitions, and other implements of war, and the aggregate dollar value of each category of such arms, ammunitions, and implements of war, exported under any export license, to all foreign countries and international organizations, and to each such country and organization, during that fiscal year; and

"(6) such other matters relating to foreign assistance provided by the United States Government as the President considers appropriate, including explanations of the information required under clauses (1)-(5) of this subsection.

"(b) All information contained in any report transmitted under this section shall be public information. However, in the case of any item of information to be included in any such report that the President, on an extraordinary basis, determines is clearly detrimental to the security of the United States, he shall explain in a supplemental report why publication of each specific item would be detrimental to the security of the United States. A supplement to any report shall be transmitted to the Congress at the same time that the report is transmitted.

"(c) If the Congress is not in session at the time a report or supplement is transmitted to the Congress, the Secretary of the Senate and the Clerk of the House of Representatives shall accept the report or supplement on behalf of their respective Houses of the Congress and present the report or supplement to the two Houses immediately upon their convening.

"(d) For purposes of this section—

"(1) 'foreign assistance' means any tangible or intangible item provided by the United States Government under this or any other law to a foreign country or international organization, including, but not limited to, any training, service, or technical advice, any item of real, personal, or mixed property, any agricultural commodity, United States dollars, and any currencies owned by the United States Government of any foreign country;

"(2) 'provided by the United States Government' includes, but is not limited to, foreign assistance provided by means of gift, loan, sale, credit sale, or guaranty; and

"(3) 'value' means value at the time of transfer except that in no case shall any commodity or article of equipment or material be considered to have a value less than ⅓ of the amount the United States Government paid at the time the commodity or article was acquired by the United States Government."

(b) Section 644(m) of such Act is amended by striking out—

"(m) 'Value' means—"

and inserting in lieu thereof—

"(m) 'Value' means, other than in section 653 of this Act—".

SEC. 2. The provisions of this Act shall be effective on July 1, 1971.

By Mr. GOLDWATER:

S. 1021. A bill to further improve the voting opportunities of U.S. citizens by expanding the time for voting in presidential elections to a uniform 24-hour period. Referred to the Committee on Rules and Administration.

Mr. GOLDWATER. Mr. President, it is my purpose today to introduce a measure designed to broaden the effective voice of our citizens in the selection of the two highest offices in the Nation. My bill will make it easier and more possible for millions of Americans to vote in presidential elections by stretching the time for voting to a full 24-hour period set over parts of two calendar days.

The legislation marks the continuation of my effort to eliminate the barrier of outmoded legal technicalities that deprive citizens of their right to vote. One of the deepest impressions which I hold from my experience as a candidate for the office of the President is of the terrible loss suffered by tens of millions of Americans who have been denied participation in our political system solely because of archaic and unneeded technical hinderances.

Over 5 million citizens were deprived of their franchise by outmoded residence requirements. Another 5 million individuals were eligible to vote, but could not by reason of the widespread lack of absentee registration and balloting opportunities. Eleven million other Americans were disqualified because they were not considered old enough to vote, even though the same individuals were allowed to marry, operate cars, obtain insurance, enter the civil service, and enjoy other rights of responsible citizenship.

Mr. President, these restrictions alone deprived approximately 21 million citizens of their right to cast ballots for their Chief Executive. Fortunately, by reason of a united campaign by Congress and the executive branch, and among Republicans and Democrats, we were able to enact laws during the 91st Congress which remove the disabling effect of these limitations so far as presidential elections are concerned. I might add it was my privilege to join in this movement by sponsoring and advocating reforms in each of these areas.

But we must not sit on our laurels. The progress made is extensive, but it is not complete. For as strange as it seems, there may be up to 10 million additional citizens who cannot vote for President and Vice President due to the abbreviated and inconvenient times when the polls are open. For instance, the 1968 postelection survey by George Gallup discovered that 3 million citizens were barred from casting ballots because they were unable to leave their work. Seven million more citizens were sick or disabled on the day of the election. In both cases, it is my belief that several millions of these persons and others who stayed home for different reasons would find it possible to vote if the polls were open 24 hours and if people were given a choice of convenient times for balloting on portions of 2 calendar days rather than on only one.

Mr. President, the legislation I am introducing would seek to increase the voting opportunities of our citizens by establishing a 24-hour period beginning at 6 p.m., central standard time on the first Monday in November in each presidential election year and running through to 6 p.m. on Tuesday, the next calendar day. This lengthened period, overlapping as it does 2 different calendar days, would offer a substantially broader range of hours among which a citizen may choose to go to the polls.

No State now holds their polls open in a presidential election longer than 14 hours. In fact, only two States offer this generous a voting period. Twenty-two States keep their polls open for a period of 13 hours and 17 others grant their voters a 12-hour election period. All other States provide for voting periods ranging from 5 to 11 hours' duration. Therefore, my proposal will double the length of time during which citizens can go to the polls in over half of our States and provide at least 10 extra voting hours in all others.

The specific period I have selected is designed to permit voters to use the polls near the end of normal working hours on Monday, the first date of voting, through the evening and night of that day, then prior to starting work on Tuesday, the second day, and even up to the mid-afternoon of Tuesday. While I am openminded on any suggestions for a different starting and closing hour, I do believe that keeping the principle of a 24-hour voting period extended over convenient segments of two calendar dates would provide the optimum flexibility and assistance to the American voters. In fact, I am convinced such a break with tradition would enable several millions of citizens to select a time when it is easy for them to vote, but who now find themselves blocked by strict working hours, their temporary illness, or other unavoidable and unexpected demands on their time.

As an intended bonus, my bill could eliminate much of the criticism arising because of the reporting of election returns from some States before the polls close in all other States. With voting expanded to a uniform 24-hour period which offers favorable balloting hours in all parts of the Nation right up to the close of the polls, the possible influence of vote projections should be considerably reduced.

When the polls close, they will close simultaneously all across the country and the hour when voting ends will be set at a time when people are just as likely to be voting in one State as in another. At 6 p.m. central standard time, it will be 7 p.m. on the east coast, 5 p.m. in the mountain standard states, 4 p.m. in the Pacific States, 3 p.m. Yukon standard time 2 p.m. Alaska-Hawaii standard time, and 1 p.m. Bering standard time.

Mr. President, I think we need to investigate the practical benefits such a change would bring. We should reexamine the traditional election system and inquire whether the old reasons for scheduling elections a certain way continue to hold the same meaning and importance today. We should learn from the past and reject change for the sake of change, but where a significant problem develops which is not capable of solution under the usual and present methods we must seek a practical, different way of meeting it.

Speaking as one who has had a unique opportunity to explore the inner mechanism of our election machinery, I know a serious problem truly exists. The present election hours are too limited and too inconvenient. Anytime as many as 10 million citizens may be adversely affected by the current voting procedure, then you know it is time to be making a change.

It is the responsibility of our political system to work on behalf of our citizens, not against them; and with that in mind, I believe it is the duty of all elected representatives to study and seek to develop a revised election timetable which will encourage and assist in the maximum participation by our citizens in the selection of their President.

Though I realize it is novel to think about offering a voting session of 24 hours' duration, and even more novel to consider setting this period over two separate calendar days, I believe these are the kind of fresh ideas which must be explored. The important thing is to aim our sights on the purpose of altering and improving the Nation's election processes so that the greatest numbers of citizens shall be able to vote.

If the operation of a 24-hour period is impractical or too costly, then let the State officials demonstrate this and present their own alternatives. If it is impossible to conduct two sets of elections, one the regular general election and the other the presidential balloting, at different times, then let the election officials tell us why they could not hold the two elections over parts of the same period. Is it too much to ask for a slight adjustment in traditional methods, if this will substantially expand the voting rights of millions of American citizens?

Mr. President, I shall welcome the responses and opinions of State administrators and officials. But it is important that we should begin thinking about this problem. Let us begin with prompt hearings on proposals of this kind and devote our strongest efforts to choosing the most practical revision suggested which will provide for the widest possible participation by our people, in the election of their President. In this way, we can retain and build upon the excellent momentum which was made in the previous Congress along the road toward sensible election reform.

Mr. President, it may be helpful for Members to have before them a summary of present State laws governing the times for the opening and closing of their polls in presidential elections; and for this reason, I ask unanimous consent that a list of these States' practices be printed at this point in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

TIMES FOR OPENING AND CLOSING POLLS IN PRESIDENTIAL ELECTIONS

State	Conditions	Open	Close
Alabama	Counties over 400,000 population using voting machines.	8 a.m	7 p.m.
	Elsewhere	do	6 p.m.
Alaska		do	8 p.m.
Arizona		6 a.m	7 p.m.
Arkansas		8 a.m	7:30 p.m.
California		7 a.m	8 p.m.
Colorado		do	7 p.m.
Connecticut		6 a.m	8 p.m.
Delaware		7 a.m	Do.
District of Columbia		8 a.m	Do.
Florida		7 a.m	7 p.m.
Georgia		do	Do.
Hawaii		do	5:30 p.m.
Idaho		8 a.m	8 p.m.
Illinois		6 a.m	6 p.m.
Indiana		do	Do.
Iowa	In cities where registration is required.	7 a.m	8 p.m.
	Elsewhere	8 a.m	Do.
Kansas		7 a.m	7 p.m.
Kentucky		6 a.m	6 p.m.
Louisiana		do	7 p.m.
Maine		Not earlier than 6 a.m., nor later than 10 a.m.	8 or 9 p.m. if voting machines are used exclusively.
Maryland		7 a.m	8 p.m.
Massachusetts	Must be open at least 10 hours.		Not later than 8 p.m.
Michigan		7 a.m	8 p.m.
Minnesota		do	Do.
Mississippi		do	6 p.m.
Missouri		6 a.m	7 p.m.
Montana		8 a.m	8 p.m.
Nebraska		do	Do.
Nevada	In counties of less than 25,000 population.	do	6 p.m.
	In counties of more than 25,000 population.	7 a.m	7 p.m.
New Hampshire	Polls shall be open not less than 5 hours in towns of population of less than 700.		
	All other towns	Not later than 10 a.m.	Not earlier than 6 p.m.
New Jersey		7 a.m	8 p.m.
New Mexico		8 a.m	7 p.m.
New York		6 a.m	9 p.m.
North Carolina		6:30 a.m	6:30 p.m.
	Where voting machines are used.		7:30 p.m.
North Dakota		9 a.m. but not earlier than 7 a.m.	7 p.m. but not later than 8 p.m.
Ohio		6:30 a.m	6:30 p.m.
Oklahoma		7 a.m	7 p.m.
	If a petition is filed	6 a.m	
Oregon		8 a.m	8 p.m.
Pennsylvania		7 a.m	Do.
Rhode Island		Varies from town to town from 7 a.m. to 12 noon.	Everywhere 9 p.m.
South Carolina		8 a.m	7 p.m.
South Dakota		do	Do.
Tennessee	In no event less than 7 hours between 8 a.m. and 9 p.m.	9 a.m. (in cities over 15,000).	4 p.m.
Texas		7 a.m	7 p.m.
Utah		do	8 p.m.
Vermont		Not earlier than 6 a.m.	Not later than 7 p.m.
Virginia		6 a.m	7 p.m.
Washington		7 a.m	8 p.m.
West Virginia		6:30 a.m	7:30 p.m.
Wisconsin	1st-, 2d-, and 3d-class cities.	7 a.m	8 p.m.
	4th-class cities, villages, and towns.	9 a.m	Do.
	Except at option of the municipality.	7 a.m	Do.
Wyoming		9 a.m	7 p.m.

By Mr. **RIBICOFF** (for himself and Mr. SCHWEIKER):

S. 1022. A bill to revise and restate certain functions and duties of the Comptroller General of the United States; to change the name of the General Accounting Office to "Office of the Comptroller General of the United States", and for other purposes. Referred to the Committee on Government Operations.

Mr. **RIBICOFF**. Mr. President, I introduce the Budget and Accounting Improvement Act of 1971 for appropriate reference.

This bill is identical to S. 4432, which passed the Senate unanimously on October 9, 1970.

The purpose of my bill is to broaden and strengthen the role of the General Accounting Office in assisting the Congress to legislate more effectively. It is an outgrowth of hearings held in 1969 by the Subcommittee on Executive Reorganization on the capability of GAO to analyze and audit Federal programs.

The bill amends the Budget and Accounting Act of 1921 by assigning significant new responsibilities to GAO, which is renamed the Office of the Comptroller General of the United States.

First, the Comptroller General is authorized to conduct studies of pending legislation and alternative proposals at the request of either House of Congress, a committee, or an individual Member of Congress. These studies will evaluate the long-term costs and benefits of each proposal, the analysis used in justifying them, and the validity of the supporting data.

Second, the Comptroller General is required to report annually, and at other appropriate times, on the status of major Federal research, development and procurement programs in both the defense and civilian sectors. These reports will keep the Congress informed of the current cost estimates, changes in costs or specifications, and time schedules of multimillion dollar weapons systems, construction projects, and other government contracts.

Third, the bill provides several new tools for the Office of the Comptroller General to carry out its upgraded functions. These include--augmented staff, elimination of outmoded statutory auditing procedures, access to department and agency records, subpoena power over the records of government contractors, and the right to bring suit in cases where the Comptroller General differs with the Attorney General on the legality of a Federal action.

A summary of the bill follows:

Title 1. Grants the Comptroller General authority to—

First, analyze legislation before Congress at the request of Members;

Second, audit periodically Federal research, development, construction, and procurement programs; and

Third, employ additional personnel to carry out his new responsibilities.

Title 2. Redesignates the General Accounting Office the "Office of the Comptroller General of the United States," renames the Assistant Comptroller General the "Deputy Comptroller General" and establishes two new positions of Assistant Comptroller General.

Titles 3 and 4. Amend the audit requirements for Government corporations and revolving funds to specify that they be audited only once every 3 years, rather than every year.

Title 5. Authorizes the Comptroller General to pay experts and consultants at the rate of level II on the executive pay scale. The highest rate GAO can now pay is GS–18.

Title 6. Grants GAO subpoena power over the records of contractors it is otherwise entitled to review and provides for the enforcement of subpoenas.

Title 7. Provides that where the Comptroller General and the Attorney General differ as to the legality of a certain Federal expenditure, the Comptroller General may bring suit in court, unless Congress disapproves such action, to represent his own position and seek a resolution of the dispute.

The total cost of the bill is estimated at about $9 million over a period of several years. This sum will be used to recruit and train 400 to 500 new professionals. In the first year 50 to 75 professionals will be hired at a cost of $1 million.

Mr. President, GAO's reports have resulted in the saving of millions of dollars and in the reform of many Federal programs. However, these reports frequently are issued long after the event in question has occurred. I believe that the GAO can be more useful by focusing on current legislative proposals as well, so that Congress can select the most effective program alternatives.

Congress should be an equal partner with the executive in the legislative process. However, too often it lacks the necessary information on which to make sound judgments. Too often it is forced to accept or reject a proposal without adequate knowledge of the facts about the proposal or available alternative.

The dilemma of most Members was aptly described by Senator SCHWEIKER 2 years ago. He told the subcommittee:

> The pressures of time are so great for Senators and Congressmen that it is often impossible for us to go into much detail. How can a legislator meet his responsibilities to his constituents when it comes to voting on a $20 billion bill, if he does not know what is in it?

The distinguished majority leader, Senator MANSFIELD, not long ago observed the following:

> Congress as a coequal branch of Government will exercise its equality as a branch only if it is willing to accept the responsibility of hard decisions on questions of policy. For Congress to make the type of contribution the Constitution envisioned, the burden of independent factfinding and judgment making must be assumed.

In recent years a dangerous trend has developed in our Government. Congress has been losing its authority to legislate to the executive branch. This threatens to destroy the checks and balances which the Constitution built into our system of government.

With a Federal budget of more than $225 billion and thousands of programs in more than 150 departments and agencies, it is obvious that the 535 Members of Congress cannot personally review every program or analyze in detail every legislative proposal. We need help to carry out these responsibilities.

The GAO can be a significant new source of assistance to Congress. For years GAO has assured the honesty of the Federal Government's financial dealings. Now it is time to expand its mission—to bring its resources and unquestioned competence to bear on the legislative problems of the seventies.

This bill will put GAO at the service of Congress in the legislative process. Its reviews and reports will raise the level of debate on important issues. As a result, the quality of the work of Congress will be improved and vital public confidence in Congress will be enhanced.

By Mr. **MOSS** (for himself, Mr. METCALF, and Mr. CASE):

S. 1025. A bill to establish a Department of Natural Resources and Environment. Referred to the Committee on Government Operations.

Mr. **MOSS**. Mr. President, I am today introducing, once again, for myself, Senator METCALF, and Senator CASE, a bill to establish a Department of Natural Resources and Environment, and to transfer to it certain agencies and functions.

Since I first introduced a similar bill in the 89th Congress, events have marched toward the establishment of such a department. And this year, as explained in his State of the Union Address, President Nixon is urging the Congress to create a Natural Resources Department.

I commend the President for this reorganization proposal. Nevertheless, I am again introducing my bill. I do this because it differs in a major particular from the Nixon proposal and I believe it should be before the Congress for consideration at the same time.

First, let me explain this difference between the content of this bill and the President's proposal, at least as I now understand that proposal. Then I will discuss the provisions of my bill which is very similar in content to those I have introduced in prior years.

A basic thrust of the Moss proposal is the establishment, within the same department, of functions having to do with protection of natural resources as well as those having to do with development. President Nixon, on the other hand, would retain a separate agency charged with responsibility for environmental protection—such matters as clear air, clean water, solid waste disposal, prevention of pesticide damage, and limitation of radiation hazards.

Last July, I testified before the Subcommittee on Executive Reorganization of the Committee on Government Operations on Mr. Nixon's Reorganization Plans Nos. 3 and 4 which established the Environmental Protection Agency.

I said at that time it would be helpful to have in one new agency all of the programs which deal with air and water pollution, solid waste disposal, radiation, and pesticides, just as it would be helpful to place all of the programs dealing with oceanography under one administrator. However, I also said:

> But how much more sensible it would be if all our resources development programs be coordinated with our resource regulation programs.

For example, when a license is granted to build a hydroelectric plant on a river, I believe, the question of how much this plant will pollute the atmosphere, and how this pollution must be curbed, should be considered and settled within the same Department that grants the license.

In January, I told a meeting of mining executives of my concern at the trend toward giving "veto power over all natural resource development proposals to independent, 'ivory tower' agencies that have no responsibility for anything except to say 'no'."

I question giving authority to negate development programs to agencies that have no responsibility for affirmative action—for getting a job done. My point is that we must give ample consideration to the positive side of our production and consumption problems as well as emphasizing the "thou shall not" aspects.

In a sense, we are cast on the horns of a dilemma. Like a hero of Greek tragedy, we find only two courses of action open either of which is fatal. If we put the brakes on production, we face a sinking standard of living; if we press full steam ahead on production, we may—through pollution—destroy the life-giving environment.

Somehow, the technological and political genius of the American people must be harnessed to give us both development and conservation. Otherwise, American society as we have known it must pass into oblivion.

To accomplish this great task, I believe we need a Department of Natural Resources and Environment exercising comprehensive authority. It must have the responsibility and the capability of leading the Nation into the new paths that must be found—paths that will permit an advanced industrial society to grow and still survive.

Therefore, I repeat that the Department of Natural Resources and Environment established by my bill includes such protective agencies as the Water Quality Office, Air Quality Office, and Solid Waste Office, while the Nixon proposal apparently does not. There are also some other differences between the Moss and Nixon approaches to this problem, but they are less basic.

Regardless of my differences with the President, however, I am delighted to see the great prestige of the While House put behind the creation of a Department of Natural Resources. And I am confident that, if given the facts, the American people will wholeheartedly support such a move. Certainly those of us who stood for reelection last year can testify to the great concern of our citizens about the state of environment; and public opinion polls invariably show pollution as a major issue. The American people want pollution stopped; some even go so far as to advocate closing down major industrial establishments unless their contamination of air and water is virtually eliminated.

So there is no longer a question about the desirability of preserving the environment. Everyone agrees on that. But there is no agreement—and there is a great lack of understanding—as to what it will take to preserve it.

To state the issue again, but in different terms, we must do two things: first, provide the raw materials—minerals, food, timber, fuels—to assure a desirable rate of economic growth; and second, reverse the tide of environmental destruction.

These are monumental tasks. They are tasks that cannot be performed through half measures, and I am afraid half measures are all that we have had so far.

Mr. President, considering its importance, the bill I am introducing today is remarkably simple. In effect, it would abolish the Department of the Interior by transferring most of its agencies to the new Department of Natural Resources and Environment, and transferring the few current Interior agencies that remain to other departments.

I have discussed the evolution of the Department of the Interior previously in this Chamber. Originally, it was a catchall for agencies handling internal problems. Over the last years, however, it has evolved into an organization chiefly concerned with management, protection and administration of natural resources—timber, forage, water, minerals, wildlife, and with the marketing of power and the promotion of outdoor recreation opportunities. Some of its functionaries have argued that it is already the Nation's Department of Natural Resources and Environment. But the rub is that there are many resource functions and responsibilities of great magnitude outside Interior. These include the work of the Forest Service and the Soil Conservation Service in the Department of Agriculture, and the vast multiplepurpose water resources activities of the U.S. Army Corps of Engineers. Also outside are the agencies responsible for the development of ocean resources and the abatement of ocean pollution.

My basic concern when I introduced a Department of Natural Resources bill 4 years ago was the lack of coordination and long-range planning in the management, development, and abatement of pollution of our water resources.

There are three major Federal departments with primary water resources responsibility. These are the Department of the Army, the Department of Agriculture, and the Department of the Interior. At one time, there was a fourth—Health, Education, and Welfare—but in 1967, President Johnson, under his reorganization powers, transferred the Water Pollution Control Administration from HEW to Interior. President Nixon has now moved it to the new Environmental Protection Agency and renamed it the Water Quality Office.

It must be understood that Congress did not deliberately fragment the water resource responsibilities. Our three major water managers were created years ago to solve specific problems. The Corps of Engineers was born in the 1820's with an appropriation of $75,000 and an assignment to remove sandbars and "sawyers, planters and snags" in the Mississippi and Ohio Rivers to aid navigation. The Bureau of Reclamation—in the Department of the Interior—was created in 1902 to "reclaim" land in 17 western States for agriculture. With the passage of the years, both have graduated to multipurpose water resource development, often and with almost no overall direction. In 1954, the Department of Agriculture got into the water resources picture in a big way, with a watershed protection operation which was put—perhaps logically at that time—in the Soil Conservation Service. So we have three major dam-building agencies. All engage in river basin planning. In addition, an important independent agency—the Federal Power Commission—also does river basin planning because with it rests the authority to license the dams built by private power companies.

The need for coordinated water resource planning and management has, of course, been recognized for a long, long time. But it was only in 1965 that Congress enacted a Water Resources Planning Act. It provided, essentially, a committee of Cabinet officials (assisted by a very competent staff) to coordinate the programs of the great departments in the water field and to make a biennial assessment of the adequacy of the Nation's water supply.

The act was a step forward; but the weakness of this program is evident. First, it places responsibility in a committee of departmental secretaries, rather than in an individual. Second, it involves a number of men who have more than full time jobs running their own departments, and who already serve on several other high level committees. Such an arrangement might have worked quite well 30 years ago. But it is clearly inadequate today, when careful planning of our water resources is essential to prevent actual deficiencies.

The agencies dealing with lands should also be coordinated, although the problems in that area are not as severe as in water management. At present, we have the Bureau of Land Management in the Department of the Interior responsible for the administration of part of our public lands, while most of the remainder is administered by the Forest Service in the Department of Agriculture. It might be wise to maintain these as separate offices in a new department, but they now operate under many conflicting policies and procedures which should be coordinated in the interest of good resource management as well as for the convenience of the public.

The management of outdoor recreation resources is also divided up among major departments. Citizens are frequently surprised to learn that the Department of the Army serves more recreation "customers" than any other. This, of course, is because of the millions of visits made each year to the reservoirs managed by the Corps of Engineers. Next in recreation volume is the Department of Agriculture, because of its management of the National Forests. Behind these two agencies trails the Department of the Interior, even though it contains the Bureau of Outdoor Recreation.

The sea is a somewhat new frontier in the resource field. In my view, coordinated natural resources programs cannot be set up without recognizing the rich resources of the oceans and the fact in management, it is difficult to separate the sea from the land or the ocean from the river which flows into it.

The need for an oceanography program has been well demonstrated. The only questions that remains is which department can operate it most efficiently. I believe it fits into a Department of Natural Resources and Environment.

It will be argued that placing protection and environment in the same agency could favor exploitation at the expense of conservation. It will be said that a check is needed, and that the Environmental Protection Agency provides such a check.

Yet, though I propose one department, I do not intend it to be the sole monitor of environmental condition. I would retain the Council on Environmental Quality, and I advocate passage of Senate Joint Resolution 17, to create a Joint Committee on Environment in the Congress. In brief, this would result in the following arrangement:

The Department of Natural Resources and Environment would exercise the operating responsibilities of the Federal Government relating to natural resources development and protection. The Council would exercise present responsibilities which would include evaluating the state of the environment and the operation of the Department. The Council would continue to prepare annually the official Environmental Quality Report of the President. The Joint Committee would have the responsibility to hold public hearings on the report and to recommend such action as it deemed necessary to the legislative committees of the Congress.

Such an arrangement, I believe, would constitute a rational solution to the problem of organizing the Federal resource management effort to best combine development and protection.

Now let us look briefly at the provisions of this bill. It provides for a Secretary of Natural Resources and Environment and a Deputy Secretary. It provides for two Under Secretaries, one for water and one for land.

The jurisdiction of the Under Secretary for Water includes: the functions exercised by the Bureau of Reclamation; the civil works functions of the Corps of Engineers in the Department of the Army; the work of the Soil Conservation Service; the Water Quality Administration; coordination of river basin plans with the Federal Power Commission; the Bonneville Power Administration; the Southwestern Power Administration; and all agencies in the Department of the Interior that have water resource matters as their principal concern.

The Under Secretary for Water will supervise the Assistant Secretary for Oceanography. He will have jurisdiction over the functions of the sea grant programs of the National Science Foundation, and appropriate data and engineering research. It would also be wise to transfer to this Assistant Secretary the portion of the U.S. Fish and Wildlife Service which deals with the fisheries resources of the oceans. An office might also be created to coordinate efforts of our other mineral resource agencies in development of the minerals in and under the ocean.

While I have not provided for further administrative division in the bill, it would appear logical to divide the responsibility of the Under Secretary for Land into four branches, each headed by an Assistant Secretary.

The Forest Service and the Bureau of Land Management could report to an Assistant Secretary for Land Resources. The National Park Service, the Fish and Wildlife Service, and the Bureau of Outdoor Recreation could report to an Assistant Secretary for Recreation and Wildlife. The Bureau of Mines, Geological Survey, the Office of Coal Research, and the several other agencies in the Department of the Interior with responsibility in the fields of minerals and fuels could report to an Assistant Secretary of Minerals and Fuels. The fourth Assistant Secretary would supervise our air pollution abatement program.

The adoption of this proposal is long overdue. The task of protecting and wisely utilizing the land, the water, the forests, the wildlife, the oceans is one task. All these resources are interdependent. Today, all require wise management on a national basis.

In addition, consolidation of Federal resource agencies will improve the efficiency of State operations. The States cannot protect their resources without Federal cooperation. Our river basins, our waterfowl, our forests, our lakes do not recognize State boundaries. Yet State responsibilities in these fields are widespread. We should do everything possible to facilitate their carrying out their responsibilities effectively.

To sum up, what passage of this bill will do is to enable one executive department to coordinate, at the levels of Under Secretary and Secretary, the activities of all agencies dealing with natural resources. It will enable the President, the Congress, and an executive department to evaluate effectively the Nation's resource requirements and the investment needed to meet them. It will provide the data and the management structure on which long-range planning can be based. It will enable us to consider with sufficient leadtime the raw material requirements of our industries.

It will, I believe, put more skill and more energy behind our efforts to control pollution.

It will provide coordinated administration of farflung resource programs. It will make it easier for the States, counties, and cities to carry out their expanding responsibilities in the natural resource field.

Mr. President, I send to the desk for appropriate reference my bill to establish a Department of Natural Resources and Environment. I ask unanimous consent that the bill be printed in the Record following my remarks.

There being no objection the bill was ordered to be printed in the Record, as follows:

S. 1025

A bill to establish a Department of Natural Resources and Enivronment

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE; FINDINGS

Section 1. (a) This Act may be cited as the "Department of Natural Resources and Environment Act".

(b) The Congress hereby finds that—

(1) expanding population and a rising standard of living combine to place unprecedented demands on the natural resources of the United States;

(2) the natural environment is suffering a progressive deterioration which affects the air we breathe, the water we drink, the soil which nourishes our food, the areas in which we take our recreation, and the natural beauty of our homeland;

(3) such deterioration demonstrates a failure in the larger sense of our conservation efforts, even though many successful conservation programs have been undertaken during the past many years by Federal, State, and local governments and by private groups;

(4) safeguarding the environment—air, water, and land—is a necessity to maintain conditions under which man and wildlife may continue to exist, to provide the raw materials essential to an expanding standard of living, and to maintain the beauty and usefulness for all purposes of our land;

(5) the responsibility of the Federal Government includes the exercise of leadership in water resource development, land management, ocean resource development, and air pollution abatement, as well as the operation of many programs and cooperation with State and local government and private groups in the carrying out of their resource management responsibilities; and

(6) the Federal agency structure which deals with natural resources grew up during a less demanding period of our history, and must be coordinated and reorganized if today's tasks are to be performed effectively.

DEPARTMENT OF NATURAL RESOURCES

Sec. 2. (a) There is hereby established at the seat of government, as an executive department of the United States Government, the Department of Natural Resources and Environment.

(b) The Secretary of Natural Resources and Environment may approve a seal of office for the Department, and judicial notice shall be taken of such sea.

PERSONNEL OF THE DEPARTMENT

Sec. 3. (a) There shall be at the head of the Department of Natural Resources and Environment a Secretary of Natural Resources and Environment (hereinafter referred to in this Act as the "Secretary"), who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) There shall be in the Department of Natural Resources and Environment a Deputy Secretary of Natural Resources and Environment, who shall be appointed by the President, by and with the advice and consent of the Senate. The Deputy Secretary of Natural Resources and Environment (or, during the absence or disability of the Deputy Secretary, or in the event of a vacancy in the office of Deputy Secretary, an Under Secretary or the General Counsel of the Department, determined according to such order as the Secretary shall prescribe) shall act for, and exercise the powers of the Secretary, during the absence or disability of the Secretary or in the event of a vacancy in the Office of Secretary. The Deputy Secretary shall perform such functions as the Secretary shall prescribe from time to time.

(c) There shall be in the Department of Natural Resources and Environment an Under Secretary of Natural Resources and Environment for Water, and an Under Secretary of Natural Resources and Environment for Lands, who shall be appointed by the President, by and with the advice and consent of the Senate.

(d) There shall be in the Department of Natural Resources and Environment a General Counsel, who shall be appointed by the President, by and with the advice and consent of the Senate. The General Counsel shall perform such functions as the Secretary shall prescribe from time to time.

(e) The Secretary is authorized to appoint and fix the compensation of such officers and employees, and prescribe their functions and duties, as may be necessary to carry out the purposes and functions of this Act.

(f) The Secretary may obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code.

TRANSFER OF FUNCTIONS TO DEPARTMENT

SEC. 4. (a) Except to the extent otherwise specifically provided by this Act, there are hereby transferred to the Secretary of Natural Resources and Environment all functions which were carried out immediately before the effective date of this Act by the Secretary of the Interior, including all functions of the Secretary of the Interior being administered by him through any agency, service, bureau, office, or other entity of the Department of the Interior.

(b) There are hereby transferred to the Secretary of National Resources and Environment all functions transferred to the Administrator of the Environmental Protection Agency by paragraphs (1), (2), and (3) of section 2(a), and paragraphs (1) and (2) of section 2(b) of Reorganization Plan No. 3 of 1970, and all functions transferred to the Secretary of Commerce pursuant to subsection (d) of section 1 of Reorganization Plan No. 4 of 1970.

(c) There are hereby transferred to the Secretary of Natural Resources and Environment all functions which were carried out immediately before the effective date of this Act—

(1) (A) by the Forest Service, Department of Agriculture; or

(B) by the Secretary of Agriculture, insofar as the functions relate to functions transferred under this paragraph from such Service;

(2) (A) by the Soil Conservation Service, Department of Agriculture; or

(B) by the Secretary of Agriculture, insofar as the functions relate to functions transferred under this paragraph from such Service;

(3) (A) by the Corps of Engineers, Department of the Army, relating to civil works; or

(B) by the Secretary of the Army, insofar as the functions relate to functions transferred under this paragraph from such Corps of Engineers; and

(4) (A) by the National Oceanographic Data Center Department of the Navy; or

(B) by the Secretary of the Navy, insofar as the functions relate to functions transferred under this paragraph from such Center.

(d) In time of war or such other national emergency as the President determines, he may transfer—

(1) the functions transferred under paragraph (3) of subsection (c) of this section to the Secretary of the Army, and

(2) such personnel, assets, liabilities, contracts, property, and records as he determines are used with respect to such functions to the Department of the Army. At the end of the war or the period of national emergency the President shall transfer such functions back to the Secretary of National Resources and Environment, together with such personnel, assets, liabilities, contracts, property, and records.

TRANSFERS FROM THE DEPARTMENT OF THE INTERIOR

SEC. 5. (a) All functions of the Bureau of Indian Affairs in the Department of the Interior, and all functions of the Secretary of the Interior being administered through the Bureau of Indian Affairs, are transferred to the Secretary of Health, Education, and Welfare.

(b) All functions of the Office of Territories in the Department of the Interior, and all functions of the Secretary of the Interior being administered through the Office of Territories, are transferred to the Secretary of Health, Education, and Welfare.

SAVINGS PROVISIONS; MATTERS RELATING TO TRANSFER OF AGENCIES AND OFFICES

SEC. 6. (a) All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges—

(1) which have been issued, made, granted, or allowed to become effective in the exercise of functions which are transferred under this Act, by (A) any Federal instrumentality, any functions of which are transferred by this Act, or (B) any court of competent jurisdiction, and

(2) which are in effect at the time this Act takes effect, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the appropriate officer to whom such functions are so transferred, by any court of competent jurisdiction, or by operation of law.

(b) The provisions of this Act shall not affect any proceedings pending at the time this section takes effect before any Federal instrumentality, functions of which are transferred by this Act; but such proceedings, to the extent that they relate to functions so transferred, shall be continued before such instrumentality. Such proceedings, to the extent, they do not relate to functions so transferred, shall be continued before the instrumentality before which they were pending at the time of such transfer. In either case, orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or repealed by the appropriate officer to whom such functions are so transferred, by a court of competent jurisdiction, or by operation of law.

(c) (1) Except as provided in paragraph (2)—

(A) the provision of this Act shall not affect suits commenced prior to the date this section takes effect, and

(B) in all such suits proceedings shall be had, appeals taken, and judgments rendered, in the same manner and effect as if this Act had not been enacted.

No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of any Federal instrumentality, functions of which are transferred by this Act, shall abate by reason of the enactment of this Act. No cause of action by or against any Federal instrumentality, functions of which are transferred by this Act, or by or against any officer thereof in his official capacity shall abate by reason of the enactment of this Act. Causes of actions, suits, or other proceedings may be asserted by or against the United States or such official of any such instrumentality as may be appropriate; and, in any litigation pending when this section takes effect, the court may at any time, on its own motion or that of any party, enter an order which will give effect to the provisions of this subsection.

(2) If before the date on which this Act takes effect, any Federal instrumentality, or officer thereof in his official capacity, is a party to a suit, and under this Act—

(A) such instrumentality is transferred, or

(B) any function of such instrumentality or officer is transferred,

then such suit shall be continued by the appropriate instrumentality (except in the case of a suit not involving functions transferred by this Act, in which case the suit shall be continued by the instrumentality or officer which was a party to the suit prior to the effective date of this Act).

(d) With respect to any function transferred by this Act and exercised after the effective date of this Act, reference in any other Federal law to any Federal instrumentality or officer so transferred or functions of which are so transferred shall be deemed to mean the instrumentality or officer in which such function is vested pursuant to this Act.

(e) Orders and actions of any Federal instrumentality or officer thereof, in the exercise of functions transferred under this Act, shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been issued or taken by the instrumentality or officer, exercising such functions, immediately preceding their transfer. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by this Act shall apply to the exercise of such function by any other officer of the United States pursuant to this Act.

(f) In the exercise of the functions transferred under this Act, the appropriate officer of the Federal instrumentality to which such functions were so transferred shall have the same authority as that vested in the officer exercising such functions immediately preceding their transfer, and such officer's actions in exercising such functions shall have the same force and effect as when exercised by such officer having such functions prior to their transfer pursuant to this Act.

TRANSFER OF AGENCIES AND OFFICES

SEC. 7. (a) All personnel, assets, liabilities, contracts, property, and records as are determined by the Director of the Office of Management and Budget to be employed, held, or used primarily in connection with any function transferred under the provisions of this Act, are transferred to the appropriate Secretary of the executive department to whom such function is transferred by this Act. Except as provided in subsection (b), personnel engaged in functions transferred under this Act shall be transferred in accordance with applicable laws and regulations relating to transfer of functions.

(b) In any case where all of the functions of any Federal instrumentality are transferred pursuant to this title, such instrumentality shall lapse.

TECHNICAL AMENDMENTS

SEC. 8. (a) Section 19 (d) (1) of title 3, United States Code, is amended by deleting "Secretary of the Interior" and inserting in lieu thereof "Secretary of Natural Resources and Environment".

(b) Section 101 of title 5, United States Code, is amended by deleting "The Department of the Interior" and inserting in lieu thereof "The Department of Natural Resources and Environment".

(c) Subchapter II of chapter 53 of title 5, United States Code (relating to executive schedule pay rates), is amended as follows:

(1) Section 5312 is amended by deleting "(6) Secretary of the Interior" and inserting in lieu thereof "(6) Secretary of Natural Resources and Environment".

(2) Section 5313 is amended by adding at the end thereof the following:

"(20) Deputy Secretary of Natural Resources and Environment."

(3) Section 5314 is amended by deleting "(8) Under Secretary of the Interior." and inserting in lieu thereof the following:

"(8) Under Secretary of Natural Resources and Environment for Water."

"(8A) Under Secretary of Natural Resources and Environment for Land."

(4) Section 5315 is amended (1) by deleting "(18) Assistant Secretaries of the Interior (5).", and (2) by deleting "(42) Solicitor of the Department of the Interior." and inserting in lieu thereof "(42) General Counsel, Department of Natural Resources and Environment.".

(d) The first sentence of section 4(e) of the Federal Power Act (16 U.S.C. 797(e)) is amended by (1) striking out "the Chief of Engineers and the Secretary of the Army", and inserting in lieu thereof "the Secretary of Natural Resources and Environment", and (2) inserting immediately before the period a colon and the following: *Provided further*, That no license affecting the comprehensive plan of any river basin commission developed pursuant to the Water Resources Planning Act shall be issued until the plans of the dam or other structures affecting any such comprehensive plan have been approved by the Secretary of Natural Resources and Environment".

REPORT

SEC. 9. The Secretary shall, as soon as practicable after the end of each calendar year, make a report to the President for submission to the Congress on the activities of the Department during the preceding calendar year.

DEFINITION

SEC. 10. As used in this Act, the term—

(1) "function" or "functions" includes powers and duties; and

(2) "Federal instrumentality" means any executive department of the United States or any agency, bureau, office, service, or other entity therein.

DELEGATION OF FUNCTIONS

SEC. 11. Any officer of the United States to whom functions are transferred pursuant to this Act may delegate such functions, or part thereof, to such of his officers and employees as he may designate, may authorize such successive redelegations of such functions to his officers and employees as he may deem desirable, and may make such rules and regulations as he may determine necessary to carry out such functions.

EFFECTIVE DATE; INITIAL APPOINTMENT OF OFFICERS

SEC. 12. (a) This Act shall take effect ninety days after the date of its enactment.

(b) Notwithstanding subsection (a) of this section, any of the officers provided for in section 3 of this Act may be appointed in the manner provided for in this Act, at any time after the date of enactment of this Act. Such officers shall be compensated from the date they first take office, at the rates provided for in this Act. Such compensation and related expenses of their offices shall be paid from funds available for the functions to be transferred pursuant to this Act.

By Mr. MOSS (for himself, Mr. BENNETT, Mr. BIBLE, Mr. CRANSTON, Mr. HANSEN, Mr. HARRIS, Mr. MCGEE, Mr. MCGOVERN, Mr. METCALF, Mr. TOWER, and Mr. TUNNEY):

S. 1026. A bill to amend the Small Reclamation Projects Act of 1956, as amended. Referred to the Committee on Interior and Insular Affairs.

Mr. MOSS. Mr. President, I am today introducing a bill which is designed to bring the Small Reclamation Projects Act of 1956, as amended, up to date. The purpose of that act, you will remember, is to encourage State and local participation in the development of projects under the Federal reclamation laws and to authorize specific Federal assistance to non-Federal organizations in the 17 western reclamation States.

The act provides loans and grants for both design and construction of the projects, and also provides that the borrowing organizations be responsible for both.

My amendment would not change the original purpose of the act. In fact, they would enhance it. They make three principal changes:

First, raise the ceilings on size of projects and amount of loans according to changes in construction costs, subsequent to 1956 when the ceilings were first established.

Second, raise the limit on total funding authority of the act, as amended, so that local interests will undertake the expense of preparing proposals even as project approvals approach the limit of existing authority.

Third, assure that the definition of project (in the act) is in harmony with the stated purpose of the act and delete language tending to complicate the stated purpose.

SIZE OF PROJECTS

The first proposed change in the act results from the increased costs of construction since 1956. At that time, the maximum cost of any project eligible for loan was fixed at $10 million. My bill would change that project limit in proportion to changes in construction cost. The $10 million limit of project cost would rise or fall according to "changes in cost of construction work of the type involved as shown by engineering cost indices," with 1956 as the base year.

Under existing law, the combination of loan and grant funds may not exceed $6.5 million—a limit which is 65 percent of the maximum size of project covered by the act. My amendment retains that relationship, providing that no loan, or grant, or combination thereof shall be in excess of 65 percent of the maximum allowable project cost.

Grants are set as in similar water resources developments of the Corps of Engineers, the Bureau of Reclamation, and the Soil Conservation Service. For example, the borrowing agency must repay—with interest—half the costs of joint use facilities properly allocable to fish and wildlife enhancement or public recreation."

TOTAL AUTHORIZATION

The second proposed change in the act stems from the necessity of raising the ceiling on the total amount of money that may be loaned under the act. The present ceiling is $200 million. While projects totaling only about half of this amount have been approved by the Secretary—after submission of each project to the Senate and House Interior Committees as required by the act—the number of projects in the pipeline seeking approval is approaching the authorizing limit. So we should act now to increase the total which may be committed. Otherwise organizations needing to rehabilitate, extend, or construct small projects would be unwise to spend their money to prepare new proposals because the total authority of the act would be reached by the time their respective proposals could clear the congressional committees.

My bill proposes increasing the total authority from $200 million to $300 million. Of course, no money under this additional authority would actually be loaned in fiscal year 1972; probably not even in fiscal year 1973. The purpose of giving the authority at this time is to assure prospective borrowers that the act will not have reached its lending limit during the time they require to draw plans, to coordinate, and to obtain approvals of a new proposal.

ENVIRONMENTAL PROTECTION

The purpose of the Small Reclamation Projects Act, as conceived a decade and a half ago, centered on irrigation. Today the large projects of the Bureau of Reclamation are concerned also with pollution, ecology, and the distribution of population. But the phraseology of the 1956 act was so fully directed to irrigation as to create uncertainty about the eligibility of projects where irrigation does not dominate other uses.

For example, consider an irrigation district which distributes water through open irrigation channels. Open channels may be dangerous to children; hazardous to animals, and conducive to growth of unsightly vegetation. To convert open channels to pipe would not only overcome the stated disadvantages, but also would provide more efficient pressure and distribution, and would facilitate use of water for domestic, commercial, park and playground purposes. Such changes would improve the environment. We should assure that the present language of the act would not prevent such changes. This can be done by simply redefining a project as any water resource undertaking for purposes authorized under reclamation laws (provided that the cost shall not exceed the stated limits). This bill would do this without changing the established principles for cost sharing.

Further, if studies by the Water Resources Council or the National Water Commission should result in changes in cost sharing under reclamation laws, the changes would apply to the loans of small projects.

Similarly, changes in reclamation law in the interests of the environment would apply to the small loan program as well. The little projects would be in harmony with the big ones.

Mr. President, I ask that a summary be placed in the CONGRESSIONAL RECORD at this point which shows sections of the Small Reclamation Project Act of 1956, as amended, as they now stand and the changes which my bill proposes. Underlined words are new:

There being no objection the summary was ordered to be printed in the RECORD as follows:

UNDER SECTION 2

Language before amendment

"(d) The term 'project' shall mean (1) any complete irrigation undertaking, including incidental features thereof, or distinct unit of such an undertaking or a rehabilitation and betterment program for an existing irrigation project, authorized to be constructed pursuant to the Federal reclamation laws."

Language after amendment

"(d) The term 'project' shall mean any complete *water development* or features thereof, *as could be* authorized for construction under Federal reclamation laws."

Before

"The term 'project' shall not include any such undertaking, unit, or program the cost of which exceeds $10,000,000, and no loan, grant, or combination thereof for any project shall be in excess of $6,500,000."

After

"The term 'project' shall not include any such undertaking, unit, or program the estimated cost of which exceeds $10,000,000 (January 1956 prices) *plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction work of the type involved as shown by engineering cost indices.* No loan, grant, or combination thereof for any project shall be in excess of *65 percent* of the maximum allowable estimated project cost."

IN SECTION 4, SUBSECTION (E)

Before

"(e) The Secretary shall give due consideration to financial feasibility, emergency, or urgent need for the project, whether the proposal involves furnishing supplemental irrigation water for an existing irrigation project, whether the proposal involves rehabilitation of existing irrigation project works, and whether the proposed project is primarily for irrigation."

After

(e) The secretary shall give due consideration to financial feasibility, emergency, or urgent need for the project.

IN SECTION 5

Before

(a) Said loans shall not exceed the lesser of $6,500,000 or . . .

After

(a) Said loans shall not exceed the lesser of *65% of the project cost or* . . .

IN SECTION 10

Before

There are hereby authorized to be appropriated such sums as may be necessary, but not to exceed $200,000,000 . . .

After

There are hereby authorized to be appropriated such sums as may be necessary, but not to exceed *$300,000,000* . . . .

By Mr. RANDOLPH (for himself Mr. ALLEN, Mr. ANDERSON, Mr. BAYH, Mr. BEALL, Mr. BIBLE, Mr. BOGGS, Mr. BURDICK, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CHURCH, Mr. COOPER, Mr. CRANSTON, Mr. DOLE, Mr. EASTLAND, Mr. GRAVEL, Mr. GURNEY, Mr. HANSEN, Mr. HARRIS, Mr. HART, Mr. HARTKE, Mr. HATFIELD, Mr. HOLLINGS, Mr. HUGHES, Mr. HUMPHREY, Mr. INOUYE, Mr. JACKSON, Mr. JAVITS, Mr. KENNEDY, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MILLER, Mr. MONDALE, Mr. MONTOYA, Mr. MUSKIE, Mr. NELSON, Mr. PASTORE, Mr. PERCY, Mr. PROUTY, Mr. RIBICOFF, Mr. SPONG, Mr. STEVENS, Mr. THURMOND, Mr. TOWER, Mr. TUNNEY, and Mr. WILLIAMS):

S. 1030. A bill to amend the Vocational Rehabilitation Act in order to assure rehabilitation services to older blind persons, and for other purposes. Referred to the Committee on Labor and Public Welfare.

Mr. RANDOLPH. Mr. President, I introduce for appropriate reference a bill to amend the Vocational Rehabilitation Act to assure rehabilitation services for older blind persons. Blindness is increasingly a condition which affects older persons in the United States. The National Society for the Prevention of Blindness estimates that there are approximately 430,000 persons in the United States whose visual impairment is within the accepted legal definition of blindness; i.e., central visual acuity of 20/200 or less in the better eye with correcting lenses, or concentric contraction of the visual field in the better eye to 20 degrees or less if visual acuity is better than 20/200. Of this number, the society estimates that three-fourths of the total group are 40 years of age or older. It is estimated that 40,000 persons become blind each year and that 30,000 of those are 40 or older.

The National Center for Health Statistics of the U.S. Public Health Service estimates that there are 1,239,000 Americans with severe visual impairment, inability to read ordinary newspaper print with correcting glasses. Of this number, the National Center estimates that 1,099,000 are 45 years of age or older.

According to the National Eye Institute, glaucoma, senile cataracts, and diabetic retinopathy cause 42.5 percent of all the blindness in the United States. All three of these conditions primarily affect people over 40. Additionally, cardiovascular diseases, such as arteriosclerosis, hypertension and stroke, and other conditions which frequently accompany the aging process sometimes result in blindness.

Since the prevalence of blindness in the United States in the light of current scientific knowledge is a function of population, it can be anticipated that the number of older blind persons will increase as the number of older persons increases.

Mr. President, total rehabilitation of a blind person involves specific, highly specialized services designed to assist him in minimizing the handicapping effects of blindness and learning how to function effectively and efficiently without sight. These include learning to move about safely in a variety of situations—orientation and mobility skills—how to dress, arrange one's clothes for nonvisual selection, handle money, etc.—personal management skills—how to read and write braille, use sound recordings, type—communication skills. These elements are among the basic skills which every blind person of every age must acquire to minimize dependence on others or even to avoid helplessness. Admittedly, a few blind persons can acquire some of these skills on their own on a hit-or-miss basis. But most blind persons need professional instruction by specialists, who can impart the best current techniques in an efficient manner, whether training is conducted in a rehabilitation center setting or elsewhere.

Ideally, the blind child receives basic rehabilitation services as part of the education process or as a supplement in the vocational rehabilitation process. The problems confronting the newly blinded adult of employable age, however, are more severe. The newly blinded older person for whom retraining for employment under the vocational rehabilitation program becomes less feasible in direct proportion to increasing age, is generally out of luck. He should be entitled to receive basic rehabilitation services as part of the vocational rehabilitation process.

I do not mean to imply that older blind persons are not receiving rehabilitation services in all cases. If the older blind person is fortunate enough to be employed in a job he can carry on without sight after basic rehabilitation services and special training in techniques needed in the job, it is likely that the State vocational rehabilitation agency will arrange for the requisite training. If the older blind person has the financial resources after the considerable drain of medical expenses of treating a blinding eye disease, he may at his own expense secure basic rehabilitation services in a residential center. If he lives in a community which has a voluntary agency for the blind with a comprehensive service program, then he may get adequate rehabilitation services, depending on the extent of the demand upon agency staff and the agency's financial resources. The latter situation with similar limitations of staff and budget would apply if an older blind person resides in a State where the commission for the blind or general vocational rehabilitation agency could use State funds for rehabilitation teaching, orientation, and mobility services.

Unfortunately, most older blind persons are in circumstances where none of these conditions exist in a way to assure them of adequate basic rehabilitation services. Except for the limited extent to which the present Vocational Rehabilitation Act can be used, no other Federal program—medicare, medicaid, public assistance, OASDI under the Social Security Act, the Older Americans Act, the Public Health Service Act—covers nonmedical rehabilitation services for older blind persons. Some States use limited State funds for this purpose, but most State rehabilitation funds are devoted to matching Federal funds to finance the vocational rehabilitation program. Further, there are local voluntary agencies which have adequate basic rehabilitation services, but their availability to an older blind person whose way is not paid by a public agency is limited by the financial resources of the agency. No private health insurance plan covers nonmedical rehabilitation of older blind persons.

Over the years, public and private agencies serving blind persons have tended to emphasize educational and related services for blind children; vocational rehabilitation and employment of blind adults of optimum employable age; and income maintenance for blind adults of all ages for whom employment cannot be found. But basic rehabilitation services to older blind persons have been spotty and minimal. Increased Federal financial assistance has reinforced the pattern of existing services to children and employable adults, but has overlooked older blind persons. At the same time, our steadily increasing lifespan and changing population patterns have resulted in older persons becoming the largest single group in the blind population. The need of these persons for adequate basic rehabilitation services to alleviate the handicapping effects of blindness has now become critical.

Mr. President, it is my belief that the most effective way of meeting this critical need of older blind persons will be in providing Federal financial assistance channeled through appropriate State and local agencies, as well as institutions of higher education, to provide direct services, train specialized personnel, and conduct research and demonstration projects.

The national organizations concerned with this problem—the American Association of Workers for the Blind, American Council of the Blind, American Foundation for the Blind, Blinded Veterans Association, National Council of State Agencies for the Blind, and the National Federation of the Blind—have recommended the mechanism of a Federal program to aid older blind persons. I have been privileged to work with representatives of these organizations in the development of the measure I introduce today.

The bill would:

First, establish a new Section 18 of the Vocational Rehabilitation Act entitled "Rehabilitation Services for Older Blind Persons."

Second, authorize appropriations of $10,000,000 for the fiscal year ending June 30, 1972; $20,000,000 for the fiscal year ending June 30, 1973; and $30,000,000 for the fiscal year ending June 30, 1974, in order to launch the program.

Third, allot the appropriation to each State on the basis of population similar to the formula used in the basic program of grants to the States for vocational rehabilitation, but assuring a minimum allotment each year of $50,000 to each State.

Fourth, authorize the Secretary of Health, Education, and Welfare to pay each State 90 percent of the cost of providing rehabilitation services to older blind persons under an approved State plan.

Fifth, establish State plan requirements similar to those used in other sections of the Vocational Rehabilitation Act, including designation of the State vocational rehabilitation agency serving blind persons to administer the program.

Sixth, define "older blind persons" as individuals whose combination of severe visual impairment and age makes gainful employment less readily attainable in the light of current employment practices.

Seventh, authorize separate appropriations in amounts to be determined by the Congress to cover the cost of research and demonstration projects and personnel training to improve the effectiveness of rehabilitation services for older blind persons.

Eighth, authorize the Secretary to make grants to or contracts with public and private nonprofit organizations for research, demonstration, and personnel training.

Mr. President, those of us concerned about the special needs of older blind persons—including the national organizations I named—recognize that the initial 3-year program proposed is small in scope. However, the program will demonstrate what we believe to be the most effective method of reaching and serving a too long neglected segment of our population. A special, Federally-assisted program for the older blind will relieve the individuals served and their families of burdensome dependence and overwhelming anxiety. It will alleviate the many difficult problems in their transition from the world of sight to the terrifying world of blindness.

By Mr. HART (for himself and Mr. McGovern):

S. 1032. A bill to promote and protect the free flow of interstate commerce without unreasonable damage to the environment; to assure that activities which affect interstate commerce will not unreasonably injure environmental rights; to provide a right of action for relief for protection of the environment from unreasonable infringement by activities which affect interstate commerce and to establish the right of all citizens to the protection, preservation, and enhancement of the environment. Referred to the Committee on Commerce.

Mr. HART. Mr. President, in the past year great strides have been taken both by the administration and Congress in the developing crusade to protect and enhance our environment. Yet, this progress, instituted by Government, should not be taken to mean that Government can do the job alone. One useful supplement to Government action in this sphere which lately has assumed considerable prominence is the environmental lawsuit. Recently, established conservation groups have accelerated their activities in the courtroom, while new groups have arisen which are dedicated primarily to environmental litigation. Moreover, a new institutional concept, the "public interest law firm," has developed to assist these groups with their efforts in court.

Outmoded legal doctrines, however, have continued to pose serious obstacles to enlightened suits by these and other citizens. In order to modify some of these doctrines, such as excessive limitations on standing to sue and severe restrictions on judicial review of administrative action, the Senator from South Dakota (Mr. McGovern) and I last year introduced S. 3575, the Environmental Protection Act of 1970. The Senate Commerce Subcommittee on the Environment held 4 days of hearings on the bill, at which witnesses emhpasized the need for such legislation and the opportunities it offered for really significant environmental improvement. Because of the fundamental changes proposed by the bill, however, it was felt that a more extensive record was needed prior to full consideration of the bill in committee.

In reintroducing the Environmental Protection Act, for myself and the Senator from South Dakota, I feel constrained to point out that our purpose is actually more basic than that of environmental protection. What is really at issue here is the broadening of participation by citizens in the resolution of problems which directly affect them. Both within and outside the environmental movement, we increasingly witness the frustration of those who, while deeply committed on matters of public policy, feel powerless to influence such matters. If it continues to be frustrated, howin the proper manner, it can be relied upon to alleviate many of society's ills. If if it continues to be frustrated, however, both the physical and moral environment of our country may be damaged irreparably. It is my hope that the bill introduced today will in some manner help to shield us from the treat of such damage.

I introduce for appropriate reference, on behalf of the Senator of the Senator from South Dakota (Mr. McGovern) and myself, this bill entitled the Environmental Protection Act of 1971, and ask unanimous consent to have the bill and a detailed section-by-section analysis of the bill printed in the Record.

There being no objection, the bill and analysis were ordered to be printed in the Record, as follows:

S. 1032

A bill to promote and protect the free flow of interstate commerce without unreasonable damage to the environment; to assure that activities which affect interstate commerce will not unreasonably injure environmental rights; to provide a right of action for relief for protection of the environment from unreasonable infringement by activities which affect interstate commerce and to establish the right of all citizens to the protection, preservation, and enhancement of the environment

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Environmental Protection Act of 1971".

Sec. 2. (a) The Congress finds and declares that each person is entitled by right to the protection, preservation, and enhancement of the air, water, land, and public trust of the United States and that each person has the responsibility to contribute to the protection and enhancement thereof.

(b) The Congress further finds and declares that it is in the public interest to provide each person with an adequate remedy to protect the air, water, land, and public trust of the United States from unreasonable pollution, impairment, or destruction.

(c) The Congress further finds and declares that hazards to the air, water, land, and public trust of the United States are caused largely by persons who are engaged in interstate commerce, or in activities which affect interstate commerce.

Sec. 3. (a) Any person may maintain an action for declaratory or equitable relief in his own behalf or in behalf of a class of persons similarly situated, for the protection of the air, water, land, or public trust of the

United States from unreasonable pollution, impairment, or destruction which results from or reasonably may result from any activity which affects interstate commerce, wherever such activity and such action for relief constitute a case or controversy. Such action may be maintained against any person engaged in such activity and may be brought, without regard to the amount in controversy, in the district court of the United States for any judicial district in which the defendant resides, transacts business, or may be found: *Provided*, That nothing herein shall be construed to prevent or preempt State courts from exercising jurisdiction in such action. Any complaint in any such action shall be supported by affidavits of not less than two technically qualified persons stating that to the best of their knowledge the activity which is the subject of the action damages or reasonably may damage the air, water, land, or public trust of the United States by pollution, impairment, or destruction.

(b) For the purpose of this section, the term "person" means any individual or organization; or any department, agency, or instrumentality of the United States, a State or local government, the District of Columbia, the Commonwealth of Puerto Rico, or a possession of the United States.

SEC. 4. (a) When the plaintiff has made a prima facie showing that the activity of the defendant affecting interstate commerce has resulted in or reasonably may result in unreasonable pollution, impairment, or destruction of the air, water, land, or public trust of the United States the defendant shall have the burden of establishing that there is no feasible and prudent alternative and that the activity at issue is consistent with and reasonably required for promotion of the public health, safety, and welfare in light of the paramount concern of the United States for the protection of its air, water, land, and public trust from unreasonable pollution, impairment, or destruction.

(b) The court may appoint a master to take testimony and make a report to the court in the action.

(c) The court or master, as well as the parties to the action, may subpena expert witnesses and require the production of records, documents, and all other information necessary to a just disposition of the case.

(d) Costs may be apportioned to the parties if the interests of justice require.

(e) No bond shall be required by the court of the plaintiff: *Provided*, That the court may, upon clear and convincing evidence offered by the defendant that the relief required will result in irreparable damage to the defendant, impose a requirement for security to cover the costs and damages as may be incurred by defendant when relief is wrongfully granted: *Provided further*, That such security shall not be required of plaintiff if the requirement thereof would unreasonably hinder plaintiff in the maintenance of his action or would tend unreasonably to prevent a full and fair hearing on the activities complained of.

SEC. 5. The court may grant declaratory relief, temporary and permanent equitable relief, or may impose conditions on the defendant which are required to protect the air, water, land, or public trust of the United States from pollution, impairment, or destruction.

SEC. 6. This Act shall be supplementary to existing administrative and regulatory procedures provided by law and in any action maintained under the Act, the court may remand the parties to such procedures: *Provided*, That nothing in this section shall be deemed to prevent the granting of interim equitable relief where required and so long as is necessary to protect the rights recognized herein: *Provided further*, That any person entitled to maintain an action under this Act may intervene as a party in all such procedures: *Provided further*, That nothing herein shall be deemed to prevent the maintenance of an action, as provided in this Act, to protect the rights recognized herein, where existing administrative and regulatory procedures are found by the court to be inadequate for the protection of such rights: *Provided further*, That at the initiation of any person entitled to maintain an action under the Act, such procedures shall be reviewable in a court of competent jurisdiction to the extent necessary to protect the rights recognized herein: *And provided further*, That in any such judicial review the court shall be bound by the provisions, standards, and procedures of sections 3, 4, and 5 of this Act, and may order that additional evidence be taken with respect to the environmental issues involved.

SECTION-BY-SECTION ANALYSIS

Section 1 establishes a short title for the Act. For the purpose of citation and reference, it shall be known as the "Environmental Protection Act of 1970."

Section 2 sets out Congressional findings and declarations with respect to the air, water, land and public trust of the United States. In Section 2(a) Congress find and declares that each person is entitled to the protection, preservation and enhancement of the environment of the United States, and that each person has a responsibility to contribute thereto. In Action 2(b) Congress finds and declares that the public interest necessitates that each person be provided with an adequate remedy to protect the air, water, land and public trust of the United States from unreasonable pollution, impairment or destruction. In Section 2(c) Congress further finds and declares that hazards to the air, water, land and public trust are caused largely by persons who are engaged in interstate commerce, or whose activities affect interstate commerce.

Section 3(a) establishes the right of any person to maintain a judicial action for declaratory or equitable relief, relief that would order the defendant to desist or moderate the practice or act in question, either individually or in behalf of a class of persons, without regard to the amount in controversy, to protect the environment, or public trust from pollution, impairment or destruction which results from or reasonably may result from any activity and such action for relief constitute a case or controversy, a real issue with adverse parties. Section 3(a) also provides that such actions may be maintained against any person whose activities affect interstate commerce, and may be brought in any district court of the United States for any judicial district in which the defendant resides, transacts business or may be found. Section 3(a) further provides that State courts shall not be prevented or preempted from exercising jurisdiction in any such action. However, it is not the intent of Congress that actions brought in the United States District Courts shall be remanded to the State courts when jurisdiction is otherwise proper. Section 3(a) further provides that complaints in such actions shall be supported by affidavits of at least two technically qualified persons affirming that the defendant's activity damages or reasonably may damage the environment or public trust of the United States. This requirement for affidavits, which is not required by the Federal Rules of Civil Procedure, will eliminate frivolous actions and alleviate the burden upon the courts. Section 3(b) defines the term "person" as any individual or organization or any department, agency or instrumentality of the United States, a State or local government, the District of Columbia, the Commonwealth of Puerto Rico or a possession of the United States.

Section 4 prescribes the judicial procedures and standards under which the act is to be administered by the courts. Section 4(a) provides that when the plaintiff has made a showing that on first appearance the activity of the defendant has or reasonably may damage the air, water, land or public trust by unreasonable pollution, impairment or destruction, the defendant then has the burden of proving that there is no feasible and prudent alternative and that the activity at issue is consistent with and reasonably required for promotion of the public health, safety and welfare when viewed in light of the paramount concern of the United States for the protection of the environment and the public trust. Section 4(b) authorize the court to appoint a master to take testimony and make a report to the court in the action. Section 4(c) grants to the court, master and the parties authority to subpoena expert witnesses and require the producing of records, documents and all other information necessary to a just disposition of the case. Section 4(d) provides that costs may be apportioned to the parties if the interests of justice require. Section 4(e) exempts the plaintiff from posting bond, except in those instances where clear and convincing evidence is presented to the court by the defendant that wrongfully granting relief will result in irreparable damage to the defendant. However, if requiring the plaintiff to post bond would unreasonably hinder the plaintiff in the maintenance of the suit or would tend unreasonably to prevent a full and fair hearing on the activities complained of, a bond shall not be required of the plaintiff.

Section 5 grants the court authority to provide declaratory relief, temporary and permanent equitable relief, or to impose conditions on the defendant's operations which are required for the protection of the air, water, land or public trust of the United States from unreasonable pollution, impairment or destruction.

Section 6 provides that the act shall be supplementary to existing administrative and regulatory procedures provided by law and grants the court authority to remand the parties to such procedures. Section 6 also provides that nothing in the section shall prevent the granting of appropriate interim equitable relief to protect the rights recognized under the act for as long as is necessary and further provides that any person entitled to maintain an action under the act may intervene as a party in all such administrative and regulatory procedures. Section 6 provides further that nothing in the section shall prevent the maintenance of an action to protect rights recognized in the act where the court finds existing administrative or regulatory procedures to be inadequate for the protection of such rights. Section 6 further provides that at the initiation of any person entitled to maintain an action under the act, such procedures shall be reviewable in a court of competent jurisdiction to the extent necessary to protect the rights recognized in the act. Finally, Section 6 provides that in any such judicial review, the court shall be bound by the provisions, standards and procedures of Section 3, 4 and 5 of the act and may order that additional testimony be taken on the environmental issues.

Mr. McGOVERN. Mr. President, at the end of a decade which was one of the most violent in our history, an issue arose involving the most subtle but perhaps the most destructive form of American domestic violence. The victims are the American people as a whole and their surroundings, the innocent earth. I refer to the steady ravaging of our environment by industrial growth and governmental neglect.

Ecology has become a leading issue of the day and the Congress has already taken major strides toward the protection of our environment.

Traditionally, environmental protection has been left to Federal and State regulatory agencies. Too much of our current environmental legislation relies upon elephantine regulatory and administrative procedures. Additionally, the enforcement authority of the Federal pollution-control agencies is weak at best. Too often, the agencies entrusted to protect the environment on behalf of the public have simply been unable to do so. In some cases, those agencies have refused to do so. The individual citizen has been prevented from intervening and participating in the regulatory process by a variety of legal and administrative roadblocks. Private citizens have been slowly, far too slowly, breaking down these obstacles to participation when it is apparent that their own best interests and the interest of a truly healthy environment have not been represented. But the door to that participation is far from being fully open.

Accordingly, Senator Hart and I are today reintroducing our proposal to grant for the first time to every American citizen a federally guaranteed right to a pollution-free environment and the right to bring suit in the Nation's courts to enforce that right. I regard this bill, which was endorsed last year by the Sierra Club, the New York Times, and the Washington Post, as a having top priority in my legislative program.

I am convinced that this bill is the only means to adequately involve the individual citizen in the protection of his environment. The democratic process has fallen apart in this regard because of the inadequacy of the Federal and State regulatory agencies. This bill will serve to protect our Nation's environment by restoring the democratic process to the fight for pollution-free environment. Most importantly, we hope to give citizens an opportunity to share the full responsibility for saving their environment. I believe they are eager to undertake that responsibility. And I believe that this bill will accomplish that purpose.

By Mr. BAYH (for himself, Mr. Eagleton, Mr. Hart, Mr. Hughes, Mr. Jackson, Mr. Kennedy, Mr. McGee, Mr. Metcalf, Mr. Mondale, Mr. Randolph):

S. 1035. A bill to amend title XVIII of the Social Security Act so as to eliminate, in certain cases, the requirement that an insured individual have first been admitted to a hospital in order to qualify under such title for the extended-care services provided thereunder. Referred to the Committee on Finance.

Mr. BAYH. Mr. President, I introduce for appropriate reference a bill which would eliminate in certain cases the requirement that an insured individual must first have been admitted to a hospital in order to qualify for extended medical-care services, and would expand posthospital extended care services to include therapeutic as well as nursing care under certain circumstances.

It is a well-known fact that all medical costs have risen sharply in the last few years. The largest increase of all has been in the charges incurred for hospital services, which have contributed substantially to the spiraling costs of health care.

There is evidence that at least some hospitalized persons may not be in need of the full complement of services now provided by most modern hospitals. For instance, former Secretary Wilbur J. Cohen pointed out that—

> Services, especially costly hospital services, are sometimes utilized unnecessarily; i.e., they are not medically necessary.

A study conducted at Columbia University found that two of five bed patients could be as well cared for in a properly equipped and staffed nursing facility as in a general hospital. Although conditions vary, it seems to me that one way to encourage reduced hospital usage would be to permit physicians to assign selected eligible patients who need special treatment but who are not critically ill directly to a qualified extended care facility without loss of medicare benefits.

The basic Medicare Act—Public Law 88–97—now provides that, in order to qualify for extended-care service, an eligible person must first have been a patient in a hospital for not less than 3 consecutive days. No doubt many elderly persons who become seriously ill require hospitalization, perhaps for long periods, but there are certainly other instances in which the illness may not be of sufficient severity to justify immediate hospitalization.

Under these circumstances, it does not make sense to me to require a prior 3-day stay in a hospital for all older patients who are in need of extended care. I fully realize that medicare is not intended to provide mere custodial care for persons confined to convalescent homes. In the case of those elderly who need specialized medical attention but do not require hospital treatment; however, I see little reason to insist in all cases that they must first spend at least 3 days in a hospital.

Procedures would have to be established which would guarantee that a patient's physical condition is such that he or she needs and would benefit from extended care. There is no reason this objective could not be achieved without requiring, as present law does, that a person must first be admitted to a hospital and stay a minimum of 3 days in such an institution. My bill proposes that extended care would be made available to an eligible person only if he has received prior outpatient hospital diagnostic services and has been admitted to a qualified extended care facility within 14 days after that need was certified. In my opinion, this would provide adequate safeguard against any lowering of standards or possible abuses. Such procedure should eliminate any temptation and minimize pressure to assign an elderly patient to an extended-care facility merely because of sympathy, convenience or financial need. Each patient would have to be certified that he was in need of extended-care services by both the hospital and the patient's physician.

Mr. President, this relatively minor change in the law ought to help relieve some of the pressures for space in our hospitals and reduce total medical care costs. At the same time, it would not reduce eligibility standards for care nor complicate administration of the act. Scarce and costly hospital beds should not be occupied by elderly persons, even for 3 days, if they can receive adequate care and treatment in extended care facilities.

Perhaps it is time for Congress to review the whole extended care program under medicare. The American Nursing Home Association has recently pointed out that there has been a "steady decline in utilization of available extended care approved beds by the elderly." The association estimated that less than 5 percent of the more than 300,000 beds in nursing homes which have been approved for extended care under medicare are being used by such patients. Moreover, the association president, David R. Mosher, has been very critical of Social Security Administration rules and regulations which have greatly restricted the right of elderly patients to payments for extended care.

Many persons who believed they were entitled to extended care have become disillusioned and numerous nursing home operators believe that unrealistic and indefensible regulations have been imposed which make the system almost unworkable. As a consequence the association in its January, 1971, board meeting in New Orleans officially withdrew its unqualified support for the extended care medicare program and urged their members to assess their own individual situation about continued participation.

Mr. President, it seems to me that the Senate should review the extended care program and should give prompt and serious consideration to this and other proposals which have been made to make it more effective. I ask unanimous consent that a short article from the American Medical News of February 15, 1971, reporting on the recent action of the American Nursing Home Association, as well as the text of my bill, be printed at the conclusion of my remarks.

There being no objection the article and bill were ordered to be printed in the Record, as follows:

[From the American Medical News, Feb. 15, 1971]

NURSING HOMES WITHDRAW, CALL MEDICARE "CRUEL JOKE"

The American Nursing Home Assn. has withdrawn official support of the Medicare program for extended care. The action was taken at the mid-winter ANHA executive board meeting in New Orleans.

ANHA declared that in its opinion extended health care benefits have been denied arbitrarily by the government against the intent of Congress. ANHA President David R. Mosher said, "The tragic aspect of the Medicare program for extended care is that the Social Security Administration led America's senior citizens to believe that, if their physicians thought it necessary, they were entitled to 100 days of extended care at government expense. Subsequent rules and regulations issued by SSA have virtually ruled this out."

Citing Social Security Administration statistics that indicate a steady decline in utilization of available extended care approved beds by the elderly, Mosher said, "Less than 5% of the 340,000 certified Medicare extended care beds are being utilized. Such limited and restrictive use has resulted in a national failure to 'achieve a less costly alternative to hospital in-patient services' as intended by Congress."

"The conscience of this association," he added, "no longer will allow official ANHA support of the Medicare extended care program. They have added an economic burden on our profession in the form of administrative requirements which are frivolous and unrealistic, and far worse—Medicare is a cruel joke on the senior citizen—a joke perpetrated by an army of bureaucratic government administrators whose empathy for the problems of the elderly, I seriously question."

S. 1035

A bill to amend title XVIII of the Social Security Act so as to eliminate, in certain cases, the requirement that an insured individual have first been admitted to a hospital in order to qualify under such title for the extended care services provided thereunder.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1814(a)(2)(D) of the Social Security Act is amended to read as follows:

"(D) in the case of post-hospital extended care services, such services are or were required to be given on an inpatient basis because the individual needs or needed skilled nursing care on a continuing basis for—

"(i) any of the conditions with respect to which he was receiving inpatient hospital services (or services which would constitute inpatient hospital services if the institution met the requirements of paragraphs (6) and (8) of section 1861(e)) prior to transfer to the extended care facility or for a condition requiring such extended care services which arose after such transfer and while he was still in the facility for treatment of the condition or conditions for which he was receiving such inpatient hospital services, or

"(ii) any condition requiring such extended care services and the existence of which was discovered or confirmed as a result of findings made while the individual was receiving outpatient diagnostic services, or, in the case of an individual who has been admitted to an extended care facility for such a condition, any other condition arising while he is in such facility;".

(b) The first sentence of section 1861(i) of such Act is amended to read as follows: "The term 'posthospital extended care services' means extended therapeutic and/or nursing care services furnished an individual (A) after transfer from a hospital in which he was an inpatient for not less than 3 consecutive days before his discharge from the hospital in connection with such transfer, or (B) after he has received outpatient hospital diagnostic services, if, after reviewing the findings revealed by such services, his physician and the hospital from which he received such services certify (not later than 7 days after the termination of such services) that he is in immediate need of extended care services, and if he is admitted to an extended care facility within 14 days after the date on which his need for extended care services was so certified.".

By Mr. WILLIAMS (for himself and Mr. PROXMIRE):

S. 1037. A bill to make it possible, appropriate, economical, and accessible learning opportunities for all adults, for their individual fulfillment and for the social and economic well-being of the Nation. Referred to the Committee on Labor and Public Welfare.

Mr. WILLIAMS. Mr. President, I am introducing, for appropriate reference, a bill to make possible appropriate, economical, and accessible learning opportunities for all adults, both for their individual fulfillment and for the social and economic well-being of the Nation. A similar bill is to be introduced in the House of Representatives today by Representative ROMAN PUCINSKI.

The bill would:

First. Establish a Bureau of Adult Education within the Office of Education to operate, coordinate, develop long-range planning, and administer any adult education programs assigned to it by the Congress or by the Commissioner of the Office of Education. It would also promote coordination and dissemination of information among such programs.

Second. Establish a National Center for Adult Education which would employ an initial Federal grant for development of combined public-private funding of information and referral services throughout the Nation, and for pilot projects and applied research to solve problems in the field of adult education.

Third. Create an Advisory Council on Adult Education to assist the Bureau of Adult Education and to serve as the policy body for the National Center.

Fourth. Authorize appropriations of not less than $1 million for each fiscal year through 1976.

Mr. President, this bill was developed in consultation with the Adult Education Association of the U.S.A., which presents these arguments for early action on the legislation:

The Adult Education Opportunity Act of 1971 recognizes the importance of adult education both for individual fulfillment and for the social and economic well-being of the Nation. It is the first legislation recognizing adult education as a vital part of national policy.

For .0003 of present estimated annual Federal expenditures for adult education, the act would make possible rapid improvement and development of the total field of adult education in the United States by better utilizing what is now being done.

At least 476 different Federal programs have adult education components, yet nowhere is information available about all of them. Sharing of ideas and experiences is usually accidental. No one knows what needs are being met how well, and what needs are falling between the programs. No basis for planning exists.

Only a handful of adult education programs are operated by the Office of Education. Major programs are also in the Departments of Agriculture, Defense, and Labor as well as in Health, Education, and Welfare. Every department operates some programs, as do most independent agencies. Nowhere are the programs coordinated.

No agency has responsibility for evaluating legislative recommendations for possible effects of adult education provisions. In 1970 alone 2½ feet of legislation was filed with major adult education implications. The Congress has no access to information about how a specific bill might affect the overall field of adult education, or even existing programs.

The Federal Government spends an estimated $3 billion each year on adult education activities with no way of knowing if we are getting $3 billion benefit. Personnel development has many different formats, with little comparative evaluation. No basis exists for allocating resources.

In addition, hundreds of thousands of local, State, private, and voluntary programs are being conducted, for the most part in isolation. No information systems exist.

The bill would of course be of considerable help to any adult who is beyond the traditional age for high school or university training. But, as former chairman of the Senate Special Committee on Aging, I would like to point out that it would have special value to older Americans, especially those near or in retirement.

Time and time again, the committee has been told that retirees wish to have educational opportunities designed specifically for them. Well-informed witnesses have told us that well-being—and even health—of the elderly improves when those individuals are living active and stimulating lives. Education certainly would make a significant contribution toward such a goal.

The president of the Adult Education Association is Mr. Ray J. Ast, Jr., director of the Adult and Continuing Education Resource Center of Montclair State College. In testimony before the Committee on Aging last year, he made several compelling comments about education for older Americans. I ask unanimous consent that excerpts from his testimony be reprinted at the conclusion of these remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM TESTIMONY BY MR. RAY J. AST, PRESIDENT, ADULT EDUCATION ASSOCIATION OF THE U.S.A.

In education, we are often very "hung up" over stereotyping, characterizing, and categorizing. Many have the idea, when we talk of the aged aging, and the elderly, that they are interested, from the continuing education standpoint, only in basket weaving, bridge, or that type of program.

If we look at the concept of aging, it is a very normal process, and is a normal process throughout all of life. Whether you are 18 or 85, the process has within it a constant need for what we call, adult education. The adult at any age has the same basic needs, concerns and aspirations; whether it be for health services, or whether it be for food, shelter, love, and a community of neighbors. The adult's desire for activity, as well as learning, is all too important to overlook.

When we speak of the person as being a retired person, many oftentimes think of him, in a stereotype fashion, as being put on the shelf. In continuing education we would like to conceive, and develop the idea more fully, that the retired person is simply retired from an earlier working or occupational activity that served as his primary source of revenue, his economic livelihood. More often than not the retiree continues on, in a variety of activities that are far more active than the vocation or job which he had prior to retirement. It should be further noted that he does not "retire" as a citizen. He does not "retire" as a homemaker. He does not "retire" as a consumer. He does not "retire" as a human being. Therefore, when we take an arbitrary age bracket of age 65 and say: "that is retirement"; "this is the aged person,"—I get a little upset and more than a little disturbed.

Stereotypes of age, and by reactions, reflect a personal part of my own life. I think of my father as an illustration. Now, in his mid-seventies, he is far more active than when he was a principal of an elementary school in the city of Buffalo. He happens to be, at the present time, president of the New York State Retired Teachers Association. He is far more active in terms of general activity. His health is as good as it always has been. I can refer to my father in law, at the age of 88, as an inventor and consultant, his day to day activity continues him in continuing learning situations.

In both personal references I find to be true, relative to continuing education, age is no barrier to learning.

There are certain aspects of learning that require certain skills and may take longer to learn, but age is no barrier to learning or to the activity of learning which man undertakes throughout his whole life. There is a reason why I like to think of adult education in terms of education for the aging. We are thinking of education, for the moment, as a part and parcel of what we call continuing education.

We should not segregate continuing education programs by age group. I think one of our basic problems that we have is a stereotype. It is the so-called generation gap. It is really not a generation gap, it is a communication gap. We see today a dismay among our older adults about the younger adult under 30 and refer to a generation gap. Time and time again we find it simply a communication gap between the younger and the older adult. Nonsegregated continuing education can reduce this conflict or dismay.

I hope we do not get bogged down in our own thinking, in our own planning, in our own working with the so-called older adult, and create another "generation gap."

A continuing education program for all adults, including the older and younger adult, rests also with recognizing the validity, and worth, of nontraditional methods of learning that are being undertaken today. The creation of special adult learning centers are specific example of nontraditional approaches in the city of Newark, and in the city of Camden.

In each of these adult learning centers we have recognized that more than 60 percent of the adults are non-English speaking persons. They include older adults as well as younger adults.

Many of them are Puerto Ricans. Many of them are Cubans. When you look in the pamphlet, Older Americans Speak To The Nation, page 9, and you identify older adults having less than an eighth grade education, it does not take into account the non-English speaking adult. They are older as well as younger adults.

We also find, among the older adults who come to our learning center, that many of them come beoause it is a completely individualized type of learning program, based upon his particular need.

His need may be one of consumer education, a consumer problem that confronts him. It may simply be an informational concern. Counselors are available as well as instructors. Adult learning centers have undertaken the development of individualized learning materials for those individuals who have little or no grasp of the English language.

Adults come to a learning center for many problems they have. They may want to know how they can get a pair of glasses. They have gone to the health clinic. They have had difficulty in making themselves understood. The little pamphlet they receive is unreadable. The readability level is too high. If it is in Spanish, it may be written in Castillian Spanish rather than a Puerto Rican vernacular. We find that learning center programs are not traditional, in the form of classes, but are designed for individualized instruction. Adults find them very helpful.

POTENTIAL FOR CABLE TV

We look at another example of a nontraditional mode for learning experience which I foresee can be encouraged. Under the FCC regulations after January 1, cable TV will open up to every community of 3,500 listeners as many as five educational channels. Many rural areas of our country will have available informational education of concern to adults in their home. Learning can take place in the privacy of the home.

At the present time, there are only two commercial companies in this country producing programs for cable TV. Cable TV is going to be required to originate programs, beginning January 1, and they are really not prepared for it, particularly adult continuing education programs.

We have pleaded with U.S. Government agencies to assist in funding development of newer curricular materials that would be helpful, for continuing education of adults, at all ages.

We are looking to the home economist program at Rutgers Univeristy for a nontraditional home study approach having educational-informational aspects that are not presently available to many of our older adults. We find that, for all adults, continuing education is of the utmost importance. Learning centers, cable TV, correspondence programs, home study, a wide variety of possible approaches are here but none of them have really been developed in our society today.

* * * * *

For youngsters, we have TV programs developed. There is really nothing for the older adult, whether he be a non-English-speaking adult or the older adult who has limited reading ability, or limited communications skill.

It is not only that the adult is unable to acquire the various services that are available within his community, he is often unable because of his inability to communicate, or converse with the agency. At times the agency fails to communicate with the adult.

I will move along to several other points in terms of the plans for a 1971 White House Conference on Aging.

We have a special interest section in the Adult Education Association of the United States, a section dedicated to education for aging working toward preparation for the 1971 White House Conference. Hopefully, they will introduce within the White House Conference a greater emphasis concerned with continuing education for adults than had been in the 1961 Conference.

I have met with the State directors of adult continuing education from each of the States. They are concerned with the development of programs for the older adult, as well as with newer, more effective methods to implement coordination with the Older American Act.

They wish to utilize more effectively, the limited Adult Basic Education Act funds, coordinating such funds with other funding sources. The adult basic education program now provides for adult education through high school equivalency. Little has been done in many of the States toward implementing educational opportunities, with the Division of Aging, or similar agencies for the aging.

By Mr. McGOVERN:

S. 1039. A bill to provide public financing of certain campaign costs incurred in campaigns for election to Federal office, to insure full public disclosure of campaign finances, and to regulate unfair campaign practices. Referred to the Committee on Finance.

Mr. McGOVERN. Mr. President, I introduce today the Federal Campaign Assistance and Disclosure Act, a bill which deals with the serious threat to the effective functioning of our democratic system caused by the skyrocketing costs of political campaigns.

The need for legislative action on campaign financing is urgent, especially in view of President Nixon's veto of the bill limiting television campaign expenditures.

The costs of political campaigns have been multiplying rapidly and constantly and there is no end in sight.

In 1952, presidential campaign spending amounted to $17.2 million. The Citizens Research Foundation reports that, if both prenomination and postnomination expenses are included, the cost of the 1968 presidential campaign exceeded $100 million. This rate of increase far outstrips the combined effects of inflation and population growth.

In 1970, the spending total for all U.S. Senate, House and Governor races has been estimated at $200 million, a new record for a nonpresidential year.

No State, large or small, and no region of the country is unaffected by the rising campaign costs. The cost in New York has been estimated at $20–25 million in 1970. In Wyoming, where there were three contests, spending reached $6.00 per ballot cast on election day.

We are all well aware that the spiraling costs of broadcasting account for much of the increased costs of campaigning. Broadcast spending in the 1968 presidential election shot up 70 percent over 1964. Whatever the value of television campaigning, all candidates seem to be engaged in a contest to spend as much and appear as much as their opponents, no matter what the cost.

Candidates cannot, under present conditions, raise the necessary sums in small gifts from contributors within their own States. They must turn to major contributors, the well-known fat cats. Time magazine estimates that 90 percent of political gifts are donated by 1 percent of the population.

The dependence of political candidates on the help of major contributors raises fears that the candidates will be beholden to their supporters. This concern, which eats away at public confidence in the political system, must be ended. In addition, if individuals contribute to campaigns and feel their contributions are meaningful, they have a greater sense of political responsibility.

Political contributions and spending are virtually impossible to trace or to police adequately under present statutes. Reporting laws are nonexistent or ludicrously loose and open the way for hidden influence by large contributors.

Recently the traditional post-election press reports have demonstrated that Federal statutes (notably the Corrupt Practices Act and the Hatch Act) are notoriously ineffective, routinely ignored and seldom enforced. There are abuses in filing reports and in avoiding limits on the type or amounts of contributions.

What are the results of the present system of campaign financing?

Candidates who do not have adequate personal wealth or are not the recipients of large contributions either are financially disqualified from running or seek office at great disadvantage.

Our political system is shifting so as to favor money, not merit. The nature of the representative system is threatened when people no longer participate equally in the electoral process. Our system has begun to reflect a distorted version of "one man, one vote." Public officials may become more responsive to the special interests on which they depend for campaign financing than on the voters on whom they depend to be elected.

And whatever the public thinks of the ethics of public officials, it will think less of us if we continue to protect ourselves with outmoded laws and special loopholes. Instead, we should protect the public interest with laws embodying adequate safeguards and mechanisms for increasing citizen participation.

The Federal Campaign Assistance and Disclosure Act provides a comprehensive set of proposals for the reform of political finance.

The act would provide for direct financial assistance to be paid to candidates for the Presidency, the Senate and the House, both in general and primary elections. This assistance would come from the Federal Treasury.

The Treasury would make payments directly to those providing goods and services to the candidates, not to the candidates themselves. The total amount of assistance made available on behalf of a candidate would be determined by a strict mathematical formula.

The direct financial assistance would be intended to insure that all candidates, whatever their means or access to financing, would be able to campaign. But this assistance would not be designed to replace individual contributions. On the contrary, this bill would encourage small contributions, which would be limited to $50 per donor per political contest. A tax credit would be allowed for half of the first $50 of any political gift with a maximum of a $100 credit.

The bill provides that media charges could be prevented from becoming exorbitant.

Minor parties and new parties would be eligible for limited assistance as a result of the number of votes previously cast for them or by submitting petitions with an adequate number of signatures.

A key feature of the bill is that enforcement of the disclosure provisions would be based on automatic monitoring of each candidate by his opponent. The bill provides for full reporting by all political committees, daily report by all suppliers of services to candidates, publication of candidates' reports in newspapers and the establishment of a supervisory Federal Elections Commission. It also prescribes effective postelection corrective procedures in case of violation of the act.

Presidential debates would be made possible through the permanent suspension of the equal time provisions of the Communications Act.

Finally, the bill contains a provision limiting the total amount that may be expended by any candidate in a political campaign to an amount equal to two times the Federal contribution. This ceiling would be set at a level that would not, in any way, discourage small contributors. By setting a ceiling on campaign spending, we can be sure that no candidate will be required to spend an inordinate amount of time raising funds to the detriment of his political campaigning. Such a ceiling would also serve to guarantee that a candidate who depended primarily on the direct Federal assistance would not be completely outdistanced by a candidate who could supplement this assistance with an almost limitless number of private contributions.

In his veto of the bill to limit campaign spending through the media, the President indicated that what was needed was a more comprehensive approach. I believe the Federal Campaign Assistance and Disclosure Act embodies this approach. It is designed in such a way as to deny partisan advantage to either the Democrats or the Republicans.

This act is designed to allow each candidate the right to determine how he will spend the resources available for his campaign. If he desires to spend all of his campaign funds on television, he may do so.

This act is designed to eliminate the hypocrisy bred by our present reporting laws.

Most importantly, this act is designed to increase the participation of all citizens in our political process. It aims at restoring their faith in the honesty of that process by making the process more honest. It would enable them to feel that their contributions were meaningful and valued, not insignificant in comparison with the resources of the great and special interests.

For these reasons, I commend this bill to the attention of the Senate and ask for its consideration along with other proposals on this subject. There is an urgent need for action now if we are to have improved legislation on the books prior to the next national electoral contest in 1972.

Mr. President, I ask unanimous consent that at this point a summary of the principal features of the Federal Campaign Assistance and Disclosure Act together with the text of the proposed act be printed.

There being no objection, the bill and summary were ordered to be printed in the RECORD, as follows:

S. 1039

A bill to provide public financing of certain campaign costs incurred in campaigns for election to Federal office, to insure full public disclosure of campaign finances, and to regulate unfair campaign practices

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Campaign Assistance and Disclosure Act".

TITLE I—CAMPAIGN ASSISTANCE

DEFINITIONS

SEC. 101. As used in this title—

(1) "Candidate" means a candidate for nomination for election, or election, to Federal office;

(2) "Federal office" means the office of President of the United States, or Senator or Representative in, or Resident Commissioner or Delegate to, the Congress of the United States;

(3) "Fund" means the Federal Campaign Assistance Fund established under section 103;

(4) "Major party" means—

(A) any political party whose candidate received 30 percent or more of the total votes cast in the next preceding general election for the same office as the election for which campaign assistance is sought under this Act; or

(B) any candidate not affiliated with a political party who, as such a candidate, received 30 percent or more of the total votes cast in the next preceding general election for the same office as the election for which campaign assistance is sought under this Act;

(5) "Minor party" means any political party or individual seeking assistance under this Act and failing to meet the definition of "major party" set forth in clause (4) of this section;

(6) "Campaign expenses"—

(A) means expenses incurred by a candidate for or in connection with his campaign for election to Federal office (including primary and general elections for such office) for which the candidate has received an invoice, the salary of any person employed by or on behalf of a candidate for purposes of his campaign, and such other easily verifiable expenses as the Secretary may prescribe by regulation; but

(B) does not include the salary of a candidate;

(7) "Secretary" means the Secretary of the Treasury.

PURPOSE

SEC. 102. It is the purpose of this title to provide public financing of certain costs incurred by candidates in campaigning for election, thereby increasing the opportunities for meaningful participation in political contests for Federal office without regard to the financial resources available to individual candidates.

ESTABLISHMENT OF THE FUND

SEC. 103. (a) There is established within the Treasury a Federal Campaign Assistance Fund. Payments shall be made from the Fund by the Secretary in accordance with the provisions of section 104. Any funds made available for the payment of campaign expenses under this title which are not paid out within six months after the election for which they were made available shall revert to the Fund. Any money in the Fund not needed for current operations shall be invested in bonds or other obligations of, or guaranteed by, the United States.

(b) To carry out the provisions of this section, there are authorized to be appropriated to the Fund—

(1) an initial appropriation of $300,000,000; and

(2) such additional amounts thereafter as may be necessary to meet obligations incurred in accordance with the provisions of this title.

PAYMENTS FROM THE FUND

SEC. 104. (a) On application by any candidate, the Secretary shall pay, out of any money in the Fund available for the payment of such candidate's campaign expenses, to any person who has furnished services or products to the candidate for which payment may be made under this title the amount charged the candidate by such person for such services or products. The application shall be accompanied by an invoice submitted by the person to receive payment describing the services or products furnished the candidate, together with a sworn statement by such person certifying that the charges are not in excess of amounts usually charged for similar services and products by such person, and stating the total amount of services and products furnished by such person to the candidate for the purposes of that campaign, whether or not payment for such services and products was made from the Fund. No part of any amount paid from the Fund to a person under this section shall be paid or delivered to or received by the candidate or political committee to whom the services and products for which payment is made were furnished. Violation of the provisions of this section is a misdemeanor punishable by a fine not to exceed $1,000, in addition to other penalties provided by law.

(b) Applications for payment from the Fund shall be submitted not earlier than 90 days before, nor later than 30 days after, the date of the election in connection with which the goods and services were furnished for which payment is requested.

(c) Whenever the Secretary determines that amounts remaining in, or available to, the Fund will be, or may be expected to be, inadequate to meet obligations arising under this section, he shall—

(1) advise the Congress of his determination, together with a recommendation concerning the amount which must be added to the Fund in order to meet fully such obligations during the current fiscal year; and

(2) notify by registered or certified mail each candidate currently entitled to receive payment of his campaign expenses from the Fund that the amount which is available to him under the provisions of this title may be reduced.

(d) Whenever the Secretary makes a determination under subsection (c), he shall reduce the amount available for the payment of the campaign expenses of each candidate by a percentage equal to the percentage obtained by dividing (1) the total amount to which all candidates who are qualified at the time of such determination to have campaign expenses paid from the Fund are entitled (less any amounts already paid at such time to such candidate) into (2) the amount remaining in the Fund at the time of such determination. The Secretary shall notify such candidates by registered or certified mail of the reduced amounts available to them. If, as a result of a reduction under this subsection in the amount available to any candidate, payments have been made from the Fund for such candidate's campaign expenses in excess of the amount to which he is entitled, such candidate shall be liable for repayment to the Fund of such excess under such procedures as the Secretary may establish by regulation.

DETERMINATION OF AMOUNTS PAYABLE

SEC. 105. (a) (1) The amount payable from the Fund for the campaign expenses of any major party candidate which are incurred to connection with a primary election held for the purpose of nominating a candidate for election to Federal office other than the Presidency in an amount equal to 25 cents multiplied by the average number of votes cast in the next preceding 2 general elections for such office in the district from which such candidate seeks election.

(2) The amount payable from the Fund for the campaign expenses of any major party candidate incurred in connection with a general or special election held for the purpose of electing a candidate to Federal office other than the Presidency is an amount equal to 50 cents multiplied by the average number of votes cast in the next preceding 2 general elections for such office in the district from which such candidate seeks election.

(b)(1) The amount payable from the Fund for the campaign expenses of any major party candidate for President incurred in connection with a primary election held for the expression of a preference for the nomination of persons for election to the office of President is an amount equal to 12.5 cents for each vote cast for President in the next preceding Presidential election in the State in which the primary election is held. No amount shall be payable under the provisions of this paragraph for such campaign expenses in any State unless the candidate's name appears on the official primary election ballot of such State.

(2) The amount payable from the Fund for the campaign expenses of any major party candidate for President incurred in connection with the general Presidential election is an amount equal to 25 cents for each vote cast for President in the next preceding Presidential election in any State in which the candidate's name appears on the official election ballot.

(e) The amount payable from the Fund for the campaign expenses incurred by any minor party candidate in an election campaign in any State is to be determined as follows:

(1) for a minor party candidate representing a party whose candidate received at least 20 percent of the total votes cast in the next preceding general election for the same office, an amount equal to one-half of the amount available to any major party candidate in the same election campaign;

(2) for a minor party candidate representing a party whose candidate received at least 10 percent but less than 20 percent of the total votes cast in the next preceding general election for the same office, an amount equal to one-third of the amount available to any major party candidate in the same election campaign; and

(3) for a minor party candidate representing a party whose candidate received less than 10 percent of the total votes cast in the next preceding general election for the same office, and for any other candidate required by section 107 of this title to qualify by petition for assistance under this title, an amount equal to one-fifth of the amount available to any major party candidate in the same election campaign.

(d) No amount in excess of 20 percent of the total amount payable from the Fund for the campaign expenses of any candidate incurred in connection with any election campaign is payable for the salaries of all persons employed by or on behalf of such candidate for purposes of such campaign.

(e) No amount shall be payable from the Fund for the campaign expenses of any candidate incurred in connection with an election campaign in which he is not opposed by another candidate for the same nomination or for election to the same office.

(f) Amounts made available from the Fund for the payment of campaign expenses incurred in connection with a primary election campaign may not be expended for any debt incurred after the date on which such election is held, nor may any amount made available for the payment of campaign expenses incurred in connection with a general election campaign be expended for any debt incurred in connection with a primary election campaign.

NEW ELECTION DISTRICTS

SEC. 106. For the purpose of determining the amount which is available from the Fund to pay the campaign expenses of any candidate who is campaigning for election to the House of Representatives from a district which has been established, or whose boundaries have been altered, since the next preceding general election for such office, the calculation of such amount and the determination of whether such candidate is a major or minor party candidate shall be made by the Secretary based upon the number of votes cast in the next preceding general election for such office by voters residing within the area encompassed by the new or altered district.

NEW CANDIDATES AND NEW PARTIES

SEC. 107. (a) A minor party candidate representing a party whose candidate received less than 10 per cent of the total votes cast in the next preceding general election for the same office and any other candidate not entitled to receive payment by the Fund of his campaign expenses under the provisions of section 105(a), (b), or (c)(1) or (2), may qualify for such payment in an amount equal to one-fifth of the amount available from the Fund to any major party candidate in the same election campaign by presenting to the Secretary, in such form and with such certification as the Secretary may require, evidence of the candidate's qualifications to participate as a candidate in the election under the laws of the jurisdiction within which the selection is being held, and—

(1) in the case of a primary election, a petition signed by a number of voters, who are qualified to vote in that primary, equal to 1 percent of the total number of votes cast in the next preceding general election for the office sought or 1,000 such signatures, whichever number is greater; and

(2) in the case of a general or special election, a petition signed by a number of voters, who are qualified to vote in that election, equal to 2 percent of the total number of votes cast in the next preceding general election for the office sought or 2,000 such signatures, whichever number is greater.

(b) Any petition used for securing signatures for the purpose of obtaining assistance under this title, except a petition required by State law and whose form is established under State law, shall set forth prominently at the top and bottom of each page of such petition, in no less than 24 point type, the words, "PETITION FOR FEDERAL CAMPAIGN ASSISTANCE", and the candidate's party affiliation.

(c) Whenever the laws of any jurisdiction require that a candidate secure the signature of a certain number of persons before his name may appear on the ballot, any signatures secured by a candidate for that purpose may be counted toward the percentage and numerical requirements of subsection (a) if, at the time of securing such signatures, the candidate gives notice, in such form and manner as the Federal Elections Commission shall prescribe, that such signatures will be used to obtain Federal campaign assistance.

(d) The Federal Elections Commission, established under title III of this Act, shall enter into arrangements, by contract, grant, or otherwise, with appropriate agencies of each State or its political subdivisions for the verification of signatures required under this section, and shall certify to the Secretary any candidate meeting the requirements of this section. No amount shall be paid from the Fund for the campaign expenses of any candidate required to qualify for such payment by petition under this section unless his qualification under this section is certified to the Secretary by the Federal Elections Commission.

RUNOFF ELECTIONS

SEC. 108. When a runoff election is necessary in order to determine the winner of any election for which assistance is available under this title, there shall be available to any candidate in the runoff election, for the payment of campaign expenses incurred in connection with such runoff election, an amount equal to the amount which was available for the payment of the campaign expenses incurred by him in the election which made the runoff necessary.

LIMITATION ON CAMPAIGN EXPENSES

SEC. 109. (a) No candidate may incur campaign expenses in excess of an amount equal to two times the amount payable for his campaign expenses under sections 105 and 107 (without regard to any reduction of such amount under section 105(d) in connection with his campaigns for nomination for election, and election, to any Federal office.

(b) For purposes of this section—

(1) campaign expenses incurred by the candidate of any political party for the office of Vice President of the United States shall be held and considered to have been incurred by such party's candidate for the office of President; and

(2) expenditures made by a political committee or any person other than a candidate for the purpose of influencing the outcome of any primary, general, or special election for candidates for Federal office, shall be held and considered to be campaign expenses of the candidate for whose benefit such expenditures were made.

(c) Any person who violates the provisions of this section by incurring campaign expenses as, or for the benefit of, a candidate in any amount in excess of the limitations of this section shall be fined an amount equal to such amount.

TITLE II—TAX CREDIT

TAX CREDIT FOR CAMPAIGN CONTRIBUTIONS

SEC. 201. (a) (1) Part IV of chapter 1A of subtitle A of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new section:

"SEC. 41. FEDERAL POLITICAL CAMPAIGN CONTRIBUTIONS

"(a) In General.—There shall be allowed to an individual as a credit against the tax imposed by this chapter in any taxable year one-half of any campaign contribution of up to $50 made by him during such year to any candidate for nomination for election to or election to the Senate, the House of Representatives, or the Presidency.

"(b) Limitation.—The amount of the credit allowed under subsection (a) of this section shall not exceed $100 in any taxable year for any individual taxpayer."

(2) The table of sections contained in subpart A of part IV of chapter 1A of subtitle A of such Code is amended by adding at the end thereof the following:

"SEC. 41. Federal political campaign contributions."

(3) The amendment made by subsection (a) (1) of this section shall apply only with respect to taxable years beginning after December 31, 1970.

(b) (1) Part VIII of chapter 61A of subtitle F of the Internal Revenue Code of 1954 (relating to designation of income tax payments to presidential election campaign fund) is repealed.

(2) The chapter analysis of subtitle F of such code is amended by striking out the item relating to part VIII of chapter 61A.

(c) The Presidential Campaign Fund Act of 1966 (80 Stat. 1587) is repealed.

TITLE III—DISCLOSURE OF FEDERAL CAMPAIGN FINANCING DEFINITIONS

SEC. 301. When used in this title—

(1) "election" means (A) a general, special, or primary election for the selection of a member of the Senate or the House of Representatives (including Delegate and Resident Commissioner), or the President, or a candidate for any of such offices, or (B) a primary election held for the expression of a preference for the nomination of persons for election to the office of President or Vice President;

(2) "candidate" means an individual who seeks nomination for election, or election, to Federal office, and for purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he (A) has taken the action necessary to have his name appear as a candidate on an election ballot, or (B) has received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, or such an office;

(3) "Federal office" means the office of President or Vice President of the United States; or of Senator or Representative in, or Resident Commissioner or Delegate to, the Congress of the United States;

(4) "political committee" means any committee, association, or organization which accepts contributions or makes expenditures on behalf of a candidate, or for the purpose of influencing the outcome of an election, in an aggregate amount of $1,000 or more in any calendar year;

(5) "contribution" means—

(A) a gift, donation, payment, or loan of money or any thing of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office or as a presidential and vice-presidential elector, or for the purpose of influencing the result of a primary held for the expression of a preference for the nomination of persons for election to the office of President and Vice President;

(B) a transfer of funds between, but not expenditures of, political committees;

(C) any financial assistance received from the Federal Campaign Assistance Fund established under title I of this Act;

(D) the payment, by any person other than a candidate or a political committee, of compensation to an individual for personal services rendered for such purposes to or on behalf of such candidates or committee, including the continuation of regular salary or compensation of an employee assigned temporarily to such candidate or commmittee by his employer; and

(E) a special edition or extra press run of a newsletter, newspaper, or other publication of an organization in which there is an advertisement or editorial endorsement of any candidate or such other extraordinary activity by any organization on behalf of or in opposition to any candidate as the Commission may define as a contribution by published regulation of general application;

(6) "expenditure" means a purchase, payment, loan, advance, deposit, or gift of money or any thing of value, made for the purpose of influencing the nomination for election, or election of any person to Federal office, or as a presidential and vice-presidential elector, or for the purpose of influencing the result of a primary held for the expression of a preference for the nomination of persons for election to the office of President and Vice President, and includes a transfer of funds between political committees for such purposes;

(7) "person" means an individual, partnership, committee, association, corporation, labor organization, and any other organization or group of persons;

(8) "State" means any of the United States, the District of Columbia, or Puerto Rico.

PURPOSE

SEC. 302. It is the purpose of this title to insure the prompt public availability of information concerning the sources of funds used in Federal political campaigns and the nature and amounts of expenditures made in connection with such campaigns and to provide a mechanism for overseeing the reporting of campaign financing and insuring the full and accurate disclosure thereof.

FEDERAL ELECTIONS COMMISSION

SEC. 303. (a) There is hereby created a Federal Elections Commission (hereinafter referred to as the "Commission") which shall be composed of five members, not more than three of whom shall be members of the same political party, who shall be appointed by the President, by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of two years, one for a term of four years, one for a term of six years, one for a term of eight years, and one for a term of ten years, beginning from the date of enactment of this Act, but their successors shall be appointed for terms of ten years each, except that any individual chosen to fill a vacancy occurring for reasons other than the expiration of a term shall be appointed only for the unexpired term of the member whom he shall succeed. The members of the Commission shall elect a chairman and a vice chairman from among their number. The term of office of the chairman and vice chairman shall be two years, and no member elected to either office may succeed himself in such office. The chairman shall be responsible on behalf of the Commission for the administrative operations of the Commission, and shall appoint and fix the compensation of such officers and employees as he deems necessary to assist the Commission in the performance of its functions. The vice chairman shall act as chairman in the absence or disability of the chairman or in the event of a vacancy in that office.

(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission and three members thereof shall constitute a quorum.

(c) The Commission shall have an official seal which shall be judicially noticed.

(d) The Commission shall at the close of each fiscal year report to the Congress and to the President concerning the action it has taken; the names, salaries, and duties of all individuals in its employ and the moneys it has disbursed; and shall make such further reports on the matters within its jurisdiction and such recommendations for further legislation as may appear desirable.

(e) (1) Section 5314 of title 5, United States Code, is amended by adding at the end thereof the following:

"(56) Chairman, Federal Elections Commission."

(2) Section 5315 of title 5, United States Code, is amended by adding at the end thereof the following:

"(94) Members, Federal Elections Commission."

(f) The principal office of the Commission shall be in or near the District of Columbia, but it may meet or exercise any of its powers at any other place and, during election campaigns, establish field offices in such locations as may be appropriate.

(g) Notwithstanding any other provision of law, officers and employees of the Commission shall be subject to the provisions of section 732(a) of title 5, United States Code.

DUTIES OF THE COMMISSION

SEC. 304. (a) The Commission shall—

(1) develop prescribed forms for the making of the reports and statements required by this title;

(2) prepare and publish a manual setting forth recommended uniform methods of bookkeeping and reporting for use by persons required to make reports and statements required by this title;

(3) develop an information retrieval system in order to facilitate access to information obtained under this title;

(4) make the reports and statements filed with it available for public inspection and copying during regular office hours, com-

mencing as soon as practicable but not later than the end of the second day following the day during which it was received, and permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person;

(5) preserve such reports and statements for a period of 10 years from date of receipt;

(6) compile and maintain a current list of all statements or parts of statements pertaining to each candidate;

(7) prepare and publish an annual report including compilations of (A) total reported contributions and expenditures for all candidates, political committees, and other persons during the year; (B) total amounts expended according to such categories as the Commission shall determine and broken down into candidate, party, and non-party expenditures on the National, State, and local levels; (C) total amounts expended for influencing nominations and elections stated separately; (D) total amounts contributed according to such categories of amounts as the Commission shall determine and broken down into contributions on the Nation, State, and local levels for candidates and political committees; and (E) aggregate amounts contributed to candidates for Federal office by any contributor shown to have contributed the sum of $50 or more;

(8) prepare and publish from time to time special reports comparing the various totals and categories of contributions and expenditures made in preceding election years;

(9) prepare and publish such other reports as it may deem appropriate;

(10) assure wide dissemination of summaries and reports;

(11) make from time to time audits and field investigations with respect to reports and statements filed under the provisions of this title, and with respect to alleged failures to file any report or statement required under the provisions of this title;

(12) report apparent violations of law to the appropriate law enforcement authorities;

(13) enter into arrangements, by contract, grant, or otherwise, with State and local government agencies for the validation of petition signatures under section 107(d) of this Act;

(14) prescribe suitable regulations to carry out the provisions of this title.

(b) For the purpose of any audit or investigation provided for in paragraph (11) of subsection (a) of this section or in section 305(a), the provisions of sections 9 and 10 of the Federal Trade Commission Act (15 U.S.C. 49, 50) are hereby made applicable to the jurisdiction, powers, and duties of the Commission, or any officer designated by it, except that the attendance of a witness may not be required outside of the State where he is found, resides, or transacts business, and the production of evidence may not be required outside the State where such evidence is kept.

COMPLAINT PROCEDURE

SEC. 305. (a) Any candidate who believes a violation of this title has occurred may file a complaint with the Commission. If the Commission determines there is substantial reason to believe such a violation has occurred, it shall make a prompt investigation which shall include an investigation of reports and statements filed by the complainant, as well as of the matter complained of. If, on the basis of such investigation and after affording due notice and opportunity for a hearing on the record, the Commission determines such a violation has occurred, it shall issue an order directing the person committing such violation or the candidate supported by such person to take such action as the Commission determines may be necessary in the public interest to correct the injury occasioned by the violation. Such action may include requiring publication of the fact that a violation has occurred, and the nature thereof, and may also include requiring the person committing such violation or the candidate supported by such person to make public complete statements, in corrected form, containing information required by this title. The Commission may also take action to correct such an injury by making public the fact that a violation has occurred, and the nature thereof, and may also publish statements containing the information required by this title. Any party in interest who is aggrieved by a determination of the Commission under this subsection may, within sixty days after such order is issued, file with the United States court of appeals for the circuit in which he resides or in the United States Court of Appeals for the District of Columbia circuit a petition for review of the action of the Commission in issuing the order. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commission. The Commission thereupon shall file in the court the record of the proceedings on which it based its action, as provided in section 2112 of title 28, United States Code. The findings of fact by the Commission, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commission to take further evidence, and the Commission may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall, likewise be conclusive if supported by substantial evidence. The court shall have jurisdiction to affirm the action of the Commission or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(b) If the Commission determines that a member or member-elect of either House of Congress has committed a violation of the provisions of this title, it shall report its determination to the Senate or House of Representatives, as may be appropriate, of the Congress to which such member or member-elect is elected for referral to the appropriate committee.

(c) (1) This subsection is enacted—

(A) as an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such it shall be considered as part of the rules of each House, respectively, and shall supersede other rules only to the extent that it is inconsistent therewith; and

(B) with full recognition of the constitutional right of either House to change such rule (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

(2) The committee to which such a report is referred shall report its findings and recommendations to the full House within 60 days after such referral.

ORGANIZATION OF POLITICAL COMMITTEES

SEC. 306. (a) Every political committee shall have a chairman and a treasurer. No contribution shall be accepted and no expenditure shall be made by or on behalf of a political committee at a time when there is a vacancy in the office of chairman or treasurer thereof. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their designated agents.

(b) Every person who receives a contribution for a political committee shall, within five days after the receipt of such contribution, render to the treasurer a detailed account thereof, including the amount, the name and address of the person making such contribution, and the date on which it was received. All funds of a political committee shall be kept separate from other funds.

(c) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

(1) all contributions in the amount of $50 or more made to or for such committee;

(2) the full name and mailing address of every person making any contribution, and the date and amount thereof;

(3) all expenditures made by or on behalf of such committee; and

(4) the full name and mailing address of every person to whom any expenditure is made, and the date and amount thereof.

(d) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the goods and services received for every expenditure of $100 or more made by or on behalf of a political committee. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for periods of time to be determined by the Commission in accordance with published regulations.

REGISTRATION OF POLITICAL COMMITTEES; STATEMENTS

SEC. 307. (a) Each committee which anticipates receiving contributions or making expenditures in an aggregate amount of $1,000 or more in any calendar year shall, within ten days after its organization or, if later, ten days after the date on which it has information which causes it to anticipate it will receive or make contributions or expenditures in such amount, file with the Commission a statement of organization. Each such political committee in existence on the date of enactment of this Act shall file a statement of organization with the Commission at such time as the Commission prescribes.

(b) The statement of organization shall include—

(1) the name and address of the committee;

(2) the names, addresses, and relationship to the committee of any affiliated or connected organizations;

(3) the area, scope, or jurisdiction of the committee;

(4) the name, address, and position of the custodian of the committee's books and records, and other principal officers, including officers and members of the finance committee, if any;

(5) the name, office sought, and party affiliation of (A) each candidate whom the organization is supporting and (B) any other individuals whom the organization is supporting or opposing for nomination or election to public office; or, if the organization is supporting the entire ticket of any party, the name of the party;

(6) a statement as to whether the committee is of a continuing or temporary nature;

(7) what disposition of residual funds will be made in the event of dissolution;

(8) a listing of all banks, safety deposit boxes, or other repositories used;

(9) a statement of whether the committee is required by law to file reports with State or local officers, and if so, the names, addresses, and positions of such officers; and

(10) such other information as the Commission may require by published regulation.

(c) Any change in information previously submitted in a statement of organization shall be reported to the Commission within a ten-day period following the change.

(d) Any political committee which, after having filed one or more statements of organization, disbands or determines it will no longer receive contributions or make expenditures of $1,000 or more in any calendar year shall so notify the Commission.

REPORTS BY POLITICAL COMMITTEES AND CANDIDATES

SEC. 308. (a) Each treasurer of a political committee and each candidate shall file reports or receipts and expenditures with the Commission, on forms to be prescribed or approved by it. Such reports shall be filed on the 10th day of March, June, and September, in each year, on the fifteenth and fifth days next preceding the date on which an election is held, and also by the fifteenth day after such election. Such reports shall be complete as of such date as the Commission may prescribe which shall not be less than five days before the date of filing. The report which is due after the election shall state, in addition to the information required under subsection (b), the total amount of expenditures made during the campaign for each candidate supported by the committee or in opposition to each candidate whose nomination or election is opposed by the committee and any debts incurred by the committee during such campaign which are not paid as of the reporting date.

(b) Each report under this section shall disclose:

(1) the amount of cash on hand at the beginning of the reporting period;

(2) the full name and mailing address of each person who has made contributions of $50 or more to or for such committee or candidate (including the purchase of tickets for events such as dinners, luncheons, rallies, and similar fund-raising events), together with the amount and date of such contributions;

(3) the name and address of each political committee from which the reporting committee of the candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts and dates of all such transfers;

(4) each loan to or from any person, together with the full names and mailing addresses of the lender and endorsers and the date and amount of such loan;

(5) each contribution, rebate, refund, or other receipt not otherwise listed under paragraphs (2) through (4);

(6) the total sum of all receipts by or for such committee or candidate during the reporting period;

(7) the full name and mailing address of each person to whom an expenditure of $100 or more has been made by such committee or candidate within the calendar year, and the amount, date, and purpose of each such expenditure;

(8) the full name and mailing address of each person to whom an expenditure for personal services, salaries, and reimbursed expenses of $100 or more has been made, and which is not otherwise reported, including the amount, date, and purpose of such expenditures;

(9) the total sum of expenditures made by such committee or candidate during the calendar year;

(10) the amount and nature of debts and obligations owed by or to the committee, in such form as the Commission may prescribe; and

(11) such other information as the Commission may require by published regulation for the purpose of carrying out its duties under this title.

(c) The reports required to be filed by subsection (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report only the amount need be carried forward.

STATEMENTS FILED WITH CLERK OF UNITED STATES COURT

SEC. 309. (a) A copy of each statement required by this title to be filed with the Commission shall be filed with the clerk of the United States district court for the judicial district in which is located the principal office of the political committee or, in the case of a statement filed by a candidate or other person, in which is located such person's residence. The Commission may require the filing of reports and statements required by this Act with the clerks of other United States district courts where it determines the public interest will be served thereby.

(b) It shall be the duty of the clerk of a United States district court under subsection (a)—

(1) to receive and maintain in an orderly manner all reports and statements required by this title to be filed with such clerks;

(2) to preserve such reports and statements for a period of ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for only five years from the date of receipt;

(3) to make the reports and statements filed with him available for public inspection and copying during regular office hours, commencing as soon as practicable but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person; and

(4) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate.

NOTICE OF GOODS AND SERVICES FURNISHED

SEC. 310. No person shall furnish goods or services of a value in excess of $100 to a candidate or political committee in connection with any election campaign for Federal office without first notifying the Commission of such transaction. For such purposes, the posting of a properly addressed first class letter to the Commission and the clerk of the United States District Court for the judicial district in which is located the candidate's residence or the principal office of the political committee, or the dispatch of a telegram or cable to the Commission and such clerk constitutes notification. The notice shall contain such information as the Commission may require by regulation.

CERTAIN PERSONAL CONTRIBUTIONS

SEC. 311. (a) No person shall contribute an amount in excess of $50 to or for the benefit of any single candidate in any primary, general, or special election.

(b) Any person (other than a political commitee or candidate) who makes contributions or expenditures, other than by contribution to a political committee or candidate, aggregating $100 or more within a calendar year for the purpose of encouraging or opposing the election of any candidate, or influencing the result of a primary held for the expression of a preference for the nomination of persons for election as President and Vice President shall file with the Commission a statement containing such information required by section 307 as the Commission by regulation may require. Statements required by this section shall be filed on the dates on which reports by political committees are filed, but need not be cumulative.

FORMAL REQUIREMENTS RESPECTING REPORTS AND STATEMENTS

SEC. 312. (a) A report or statement required by this title to be filed by a treasurer of a political committee, a candidate, or by any other person, shall be verified by the oath or affirmation of the person filing such report or statement, taken before any officer authorized to administer oaths.

(b) A copy of a report or statement shall be preserved by the person filing it for a period of time to be designated by the Commission in a published regulation.

(c) The Commission shall have authority to modify, suspend, or waive by published regulation of general applicability such of the requirements of sections 307, 308, 309, 310, and 311 as it finds to be unnecessarily burdensome to the persons required to report thereunder or not be necessary to effectuate the purposes or this title. The Commission may, by published regulation of general applicability, relieve any category of political committees of the obligation to comply with section 307 if such committee (1) primarily supports persons seeking State or local office, does not support candidates, and (2) does not operate in more than one State or on a statewide basis.

(d) The Commission shall, by published regulations of general applicability, prescribe the manner in which contributions and expenditures in the nature of debts and other contracts, agreements, and promises to make contributions or expenditures shall be reported. Such regulations shall provide that such contributions and expenditures be reported in separate schedules. In determining aggregate amounts of contributions and expenditures, amounts reported as provided in such regulations shall not be considered until actual payment is made.

PUBLICATION OF REPORTS BY NEWSPAPERS

SEC. 313. (a) A copy of each report to the Commission made under section 308 shall be furnished at the same time to a newspaper of general circulation by the person or organization making such report in accordance with the following:

(1) reports made with respect to a candidate for election to the House of Representatives shall be furnished to such a newspaper within the district from which the candidate seeks election;

(2) reports made with respect to a candidate for election to the Senate shall be furnished to such a newspaper within the State from which the candidate seeks election; and

(3) reports made with respect to a candidate for election to the Presidency shall be furnished to such a newspaper in each State in which the candidate's name appears on the official ballot for the expression of a preference for the nomination of persons for election to such office or for the election of Presidential electors.

(b) The Commission shall cause such reports to be published in the next regular edition of each such newspaper which is issued after the receipt by such newspapers of the reports. In order to carry out the provisions of this subsection, the Commission is authorized to enter into contracts or other arrangements with such newspapers under such regulations as the Commission shall prescribe, and to pay rates for such publication which are not in excess of the rates customarily charged for commercial advertisements.

PROHIBITION ON CONTRIBUTIONS IN NAME OF ANOTHER

SEC. 315. No person shall make a contribution in the name of another person, and no person shall knowingly accept a contribution made by one person in the name of another person.

REPEAL OF EQUAL TIME PROVISION FOR PRESIDENTIAL CANDIDATES; COST OF POLITICAL ADVERTISEMENTS

SEC. 316. (a) The first sentence of section 315(a) of the Communications Act of 1934 (47 U.S.C. 315(a)) is amended by inserting before the colon a comma and the following: "except that the foregoing requirement shall not apply to the use of a broadcasting station by a legally qualified candidate for the office of President or Vice President of the United States".

(b) Section 315(b) of such Act is amended to read as follows:

"(b) The charges made for the use of any broadcasting station by any person who is a legally qualified candidate for any public office shall not exceed the lowest unit charge of the station for the same amount of time in the same time period."

(c) No publication which is entitled to periodical publication mail privileges under title 39, United States Code, shall charge a rate for advertising purchased by a candidate for Federal office in connection with his campaign for nomination for election to, or election to, such office which is in excess of the rates usually charged by such publication for commercial advertising.

PENALTY FOR VIOLATIONS

SEC. 317. Any person who violates any of the provisions of this title shall be fined not more than $1,000 or imprisoned not more than one year, or both.

STATE LAWS NOT AFFECTED

SEC. 318. (a) Nothing in this title shall be deemed to invalidate or make inapplicable any provision of any State law, except where compliance with such provision of law would result in a violation of a provision of this title.

(b) The Commission shall encourage, and cooperate with, the election officials in the several States to develop procedures which will eliminate the necessity of multiple filings by permitting the filing of copies of Federal reports to satisfy the State requirements.

PARTIAL INVALIDITY

SEC. 319. If any provision of this title, or the application thereof, to any person or circumstance is held invalid, the validity of the remainder of said title and the application of such provision to other persons and circumstances shall not be affected thereby.

REPEALING CLAUSE

SEC. 320. The Federal Corrupt Practices Act, 1925, is repealed.

AUTHORIZATION OF APPROPRIATIONS

SEC. 321. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

Principal Features of "Federal Campaign Assistance and Disclosure Act"

1. *Federal assistance to campaigns for Federal office:* the bill provides for direct financial assistance to candidates for the Presidency, the Senate and the House, both in the general and primary elections.

2. *Protection against misuse of Federal assistance for candidate's personal benefit:* to insure that the Federal assistance funds will be used for the proper objective of reaching voters rather than for the personal benefit or enrichment of the candidate, the funds are given in such a way that the candidate never sees any of the Federal money. The assistance is in the form of drawing accounts in the Federal Treasury. The candidate would send to the Treasury invoices for any invoiceable goods or services furnished him in connection with his campaign. *The Treasury would send the funds directly to the purveyor of the goods or services, and not to the candidate.* There would be stiff penalties against "kickbacks" to the campaign.

3. *Assistance based on prior general-election votes cast:* for general elections to the Senate and House, the drawing accounts for major-party candidates would amount to 50 cents per vote cast in the average of the last two prior elections for the office in question (to even out off-year vote fluctuation). For Presidential general elections, the drawing account would be computed state by state, in each state in which the Presidential candidate appears on the ballot. For major party Presidential candidates the drawing account would amount to 25 cents per vote cast in the next preceding Presidential election.

Assistance to candidates in primary elections would in all cases amount to one-half the assistance available to major-party candidates in the comparable general election: 25 cents per vote in House and Senate primaries; 12½ cents for Presidential primary candidates—available in Presidential primary states where the Presidential candidate's name appears on the ballot.

Assistance would not be available in uncontested elections.

(For an indication of the drawing accounts that would be available in typical states and congressional districts in 1972 see table A, attached.)

4. *Annual cost of 69 cents per citizen of voting age:* under the above formula, the annual cost of the Federal campaign assistance program (assuming it were in effect in 1972) would amount to $93 million, or 69 cents per U.S. citizen of voting age. (See table B, attached).

5. *Limit of $50 on private contributions:* private gifts would be limited to $50 per giver per political contest.

6. *Partial tax credit to stimulate small gifts:* any taxpayer would be entitled to a tax credit (i.e., a reduction of his tax due) of half of the first $50 of any political gift (with a maximum $100 credit per taxpayer in any year.) That is, he would get a $5 credit for a $10 gift; a $25 credit for a $50 gift, etc.

7. *Total spending limitation:* no funds could be spent for or by a candidate in excess of an amount of two times the amount of the Federal subsidy. This would place a ceiling on total campaign spending without it being so low as to discourage individual contributions.

8. *Reduced rates for radio, TV and newspaper political advertising*: broadcasters and newspapers would be barred from selling time or space to political candidates for Federal office at more than the lowest unit rate at which the broadcaster or newspaper sells comparable time or space to commercial advertisers. It is estimated that this will lower the cost of political broadcast advertising time between 25 and 40 percent.

In no case would the Campaign Assistance Fund honor an invoice containing a premium (more-than-normal) charge for any service.

9. *Minor parties and new parties eligible for partial assistance by petition or prior vote record*: new parties or candidates, or minor parties, would be eligible for drawing accounts one-fifth the size of the major parties if they (a) had polled from 5 to 10 percent of the vote in the last general election or (b) submitted petitions with signatures of registered voters amounting to two percent of the previous general-election vote (but in no event less than 2000 signatures). (For primary candidates, the figures would be 1% or 1000 signatures.)

All petitions must show prominently that they are a "Petition for Federal Campaign Assistance."

Minor party candidates or parties that had polled from 10 to 20 percent of the vote in prior elections would be entitled to drawing accounts one-third the size of the major parties. Those that had polled from 20 to 30 percent would get one-half the major-party drawing account. Those polling over thirty percent would be considered major parties.

10. *Effective disclosure provisions with enforcement based on "automatic monitoring" of each candidate by his opponent*: this bill would plug the many loopholes in the reporting and disclosure requirements of existing law. All political committees supporting or opposing candidates for Federal office would be required to report all contributions and expenditures.

Equally important, rather than relying on a single official commission to monitor 33 separate Senate races and 435 separate House races (plus hundreds of primary contests), the disclosure provisions of this bill are designed to make possible a maximum amount of monitoring of each candidate's expenditures and his fund-raising and expenditure reports by his opponent(s).

Among the principal disclosure provisions of the bill:

a. *Full reporting by all political committees*: the reporting requirements apply to all political committees organized to influence the outcome of a Federal election.

b. *Day to day reports by all purveyors of services to candidates:* a key provision to facilitate a full current accounting of all political expenditures is the requirement that before anyone can furnish a service to a candidate for Federal office, whether or not paid for by the Federal Campaign Assistance Fund, he must report same to the Election Commission established under this bill.

c. *All candidates' reports published in full in newspapers:* the reports of contributions and expenditures required under the bill (March 10, June 10, September 10 and 15 and 5 days before an election) would not only have to be filed with the Elections Commission, but also published in full in a newspaper of general circulation within the relevant state or Congressional district. The publishing of these reports would be at Federal expense.

d. *Establishment of Federal Elections Commission:* bi-partisan, made up of five members serving initially staggered 10-year terms, with appropriate independent staff and authority to establish state offices in election "seasons," the Commission would receive and publish all required reports from candidates, hear and investigate complaints and make findings. In addition, reports would be filed with U.S. District Court clerks to ensure ease of inspection by the public.

e. *Effective post-election corrective procedures:* to address the problem of large last-minute expenditures that may not be reported in pre-election reports (undertaken, perhaps, in the belief that any abuses uncovered after the election will not matter), post-election corrective procedures are provided (complaint to Elections Commission by any aggrieved party alleging a violation; submission to Congress of any Commission finding of a violation; judgment by the appropriate House of Congress of the findings and of the qualification of any member guilty of such violation to sit in the House to which he had been elected.)

11. *Presidential debates would be possible:* the legislation suspends permanently the equal time provisions of the Communications Act to allow broadcasters to present debates and other appearances by major party nominees without giving equal time to minor party candidates.

TABLE A.—TYPICAL DRAWING ACCOUNTS THAT WOULD BE AVAILABLE IN 1972

Office	Votes cast in prior elections (rounded)	General election			Primary election (major party)	
		Major party drawing account	Minor party			
			Number signatures required	Drawing account	Number signatures required	Drawing account
President:						
Democrat and Republican	77, 300, 000	$18, 300, 000				
American		6, 500, 000				
Total		43, 100, 000				
Senate:						
New York, California	7, 000, 000	3, 500, 000	140, 000	$700, 000	70, 000	$1, 750, 000
Illinois, Pennsylvania	4, 500, 000	2, 250, 000	40, 000	450, 000	45, 000	1, 125, 000
Florida, Indiana	2, 000, 000	1, 000, 000	40, 000	200, 000	20, 000	500, 000
Maryland, Georgia, Connecticut	1, 100, 000	550, 000	22, 000	110, 000	11, 000	225, 000
Arizona, Louisiana	500, 000	250, 000	10, 000	50, 000	5, 000	125, 000
South Dakota, North Dakota, Idaho	280, 000	140, 000	5, 600	28, 000	2, 800	70, 000
House:						
Largest district	250, 000	125, 000	5, 000	25, 000	2, 500	62, 500
Large district	200, 000	100, 000	4, 000	20, 000	2, 000	50, 000
Average district	150, 000	75, 000	3, 000	15, 000	1, 500	37, 500
Small district	100, 000	50, 000	2, 000	10, 000	1, 000	25, 000
Smallest district	41, 000	20, 500	2, 000	4, 200	1, 000	10, 250

TABLE B.—SUMMARY OF 1972 COSTS OF FEDERAL CAMPAIGN ASSISTANCE PROGRAM

General elections	Major party drawing accounts		
	Assistance base (millions of votes)	Cents per vote	Amount (millions of dollars)
President (Democrats and Republicans $18,300,000 each, American Party $6,500,000) [1]	73.2	25	43.1
Senate	29.5	50	29.5
House	[3] 56.4	50	56.4
Primary elections:			
President	[4] 36.8	12½	4.6
Senate	[5] 188.0	25	47.0
House	[5] 177.0	25	29.2
Total			209.8
Annual cost (¼ President; ½ House and Senate)			93.0
Annual cost per citizen, 18 and over, cents			69¼

[1] Based on Wallace percentage of vote in each State, in accordance with bill's formula of 5 cents per vote where Wallace received 2–10 percent; 8.3 cents where Wallace received 10–20 percent; 12.5 cents where Wallace recieved 20–30 percent; 25 cents where Wallace received more than 30 percent.

[2] Based on seats regularly up for reelection in 1972. Because many large States have no senatorial election in 1972, this figure is abnormally low. In other years the vote base would be closer to 50,000,000 and the major party drawing accounts would likewise be about $50,000,000.

[3] Based on 1968 total House vote minus 15 percent (assuming average off-year dropoff of 30 percent).

[4] Based roughly on candidates whose names were deliberately on ballots in contested 1968 presidential preference primaries.

[5] Based on number of entrants in 1968 primaries for House and Senate who received more than 1 percent of primary vote. Includes runoff primaries.

By Mr. HOLLINGS (for himself, Mr. MATHIAS, Mr. ALLEN, Mr. BEALL, Mr. CHILES, Mr. COOPER, Mr. CRANSTON, Mr. EASTLAND, Mr. ERVIN, Mr. GRAVEL, Mr. GRFFIN, Mr. GURNEY, Mr. HART, Mr. HATFIELD, Mr. HUMPHREY, Mr. INOUYE, Mr. JACKSON, Mr. JAVITS, Mr. MCGOVERN, Mr. MAGNUSON, Mr. MUSKIE, Mr. PASTORE, Mr. PELL, Mr. SCOTT, Mr. SPONG, Mr. STEVENS, and Mr. WILLIAMS:)

S. 1053. A bill to authorize a program to develop and demonstrate low-cost means of preventing shoreline erosion. Referred to the Committee on Public Works.

Mr. HOLLINGS. Mr. President, today, along with Senator MATHIAS and 25 cosponsors, I am introducing a bill to authorize $6 million for a 5-year program to develop and demonstrate low-cost means to prevent the eradication of one of our most valuable natural resources—the ocean and Great Lakes shoreline. This bill directs the Corps of Engineers to administer this program, and directs the Secretary of the Army to establish a 15-member shoreline erosion advisory panel which will recommend criteria for selection of demonstration sites, make periodic reviews of the program, and, more importantly, suggest methods to disseminate the information learned about shoreline erosion control devices developed.

The erosion of our shorelines is fast becoming a serious national problem. The U.S. Atlantic, Pacific, and Arctic coastlines total 88,633 miles, and there are 10,980 miles of U.S. coast bordering the Great Lakes. Although there is wide physical diversity of these shorelines, approximately 50 percent of the coastline is susceptible to erosion. The interest in combating this problem is, of course, shared by private landowners, conservation interests, the Federal Government, and the States. Unfortunately, rapid intensified use of our coastal shoreline has surpassed the capabilities and the technology of private interests and local governments to properly preserve the shoreline and effectively prevent erosion from taking place.

As in most ocean coastal and Great Lake States, my State of South Carolina has suffered many costly problems and, in many cases, irreparable harm as a result of shoreline erosion. Marine life has been altered or destroyed, navigable channels have been blocked, and land has literally been lost. Many of these problems, of course, are caused by the natural elements such as waves, tides, currents, land water drainage, and wind. Man has also caused many of these problems through the development of navigational facilities, housing sites, industrial projects, and other programs which have not taken into account the byproduct of shoreline erosion. The fight against this problem is an ancient one, and the list of attempts to combat these forces range from seawalls and dikes to more sophisticated methods of planting artificial seaweed. Certainly the technology is available to properly combat the problem, but there is a lack of technical expertise for low-cost devices and programs. Too often the technical and financial limitations have resulted in ill-advised and mostly ineffective results.

In 1968, Public Law 90–483 authorized the Corps of Engineers to conduct a 3-year study to deal with the overall problem of beach erosion, including surveys of State and local activities, types of remedial action possible, and preliminary cost estimates of such action. This report is due to be completed by August of this year. This study was to generally provide an overall comprehensive assessment of shoreline erosion problems from the national viewpoint. The bill that we introduce is a logical extension of this study in an attempt to determine what methods can be used for "planning, contracting, operating, evaluating, and demonstrating prototype shoreline erosion devices." We should permit the earlier interest of Congress in this area to be followed to its logical conclusion.

As chairman of the Subcommittee on Oceans and Atmosphere, I have earlier this session introduced a bill calling for the development of management plans and programs for our coastal and estuarine zone areas in the United States (S. 582). This modest effort contained in the bill we are introducing today is a complementary program to such an overall effort for our coastal zone areas. The potential return of such a program is clearly substantial. Financial losses due to shoreline erosion are sizable, and the technical expertise in order to successfully combat these problems is minimal. Consequently, I view this legislation as a wise investment in preserving, restoring, and developing a natural resource that we cannot afford to be irrevocably lost.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection the bill was ordered to be printed in the RECORD, as follows:

S. 1053

A bill to authorize a program to develop and demonstrate low-cost means of preventing shoreline erosion

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Shoreline Erosion Control Demonstration Act of 1971".

FINDINGS AND PURPOSE

SEC. 2. The Congress finds that because of the importance and increasing interest in the coastal and estuarine zone of the United States, the deterioration of the shoreline line within this zone due to erosion, the harm to water quality and marine life from shoreline erosion, the loss of recreational potential due to such erosion, the financial loss to private and public landowners resulting from shoreline erosion, and the inability of such landowners to obtain satisfactory financial and technical assistance to combat such erosion, it is essential to develop, demonstrate, and disseminate information about low-cost means to prevent and control shoreline erosion. It is therefore the purpose of this Act to authorize a program to develop and demonstrate such means to combat shoreline erosion.

SHORELINE EROSION PROGRAM

SEC. 3. (a) The Secretary of the Army shall establish and conduct for a period of five fiscal years a national shoreline erosion control development and demonstration program. The program shall consist of planning, constructing, operating, evaluating, and demonstrating prototype shoreline erosion control devices, both engineered and vegetative.

(b) The program shall be carried out in cooperation with the Secretary of Agriculture particularly with respect to vegetative means of preventing and controlling shoreline erosion, and in cooperation with Federal, State, and local agencies, private organizations, and the Shoreline Erosion Advisory Panel established pursuant to section 4.

(c) Demonstration projects established pursuant to this section shall emphasize the development of low-cost shoreline erosion control devices located on sheltered or inland waters. Such projects shall be undertaken at no less than two sites on the shoreline of the Atlantic, Gulf, and Pacific coasts and at not less than one site of the Great Lakes. Sites selected should, to the extent possible, reflect a variety of geographical and climatic conditions.

(d) Such demonstration projects may be carried out on private or public lands except that no funds appropriated for the purpose of this Act may be expended for the acquisition of privately owned lands. In the case of sites located on private or non-Federal public lands, the demonstration projects shall be undertaken in cooperation with a non-Federal sponsor or sponsors who shall pay at least 25 per centum of construction costs at each site and assume operation and maintenance costs upon completion of the project.

SHORELINE EROSION ADVISORY PANEL

SEC. 4. (a) No later than one hundred and twenty days after the date of enactment of this Act the Secretary of the Army shall establish a Shoreline Erosion Advisory Panel. The Secretary shall appoint fifteen members to such Panel from among individuals who are knowledgeable with respect to various aspects of shoreline erosion, with representatives from various geographical areas, institutions of higher education, professional organizations, State and local agencies, and private organizations: *Provided*, That such individuals shall not be regular full-time employees of the United States. The Panel shall meet and organize within ninety days from the date of its establishment, and shall select a Chairman from among its members. The Panel shall then meet at least once each six months thereafter and shall expire ninety days after termination of the five-year program established pursuant to section 3.

(b) The Panel shall—

(1) advise the Secretary of the Army generally in carrying out the provisions of this Act;

(2) recommend criteria for the selection of development and demonstration sites;

(3) recommend alternative institutional, legal, and financial arrangements necessary to effect agreements with non-Federal sponsors of project sites;

(4) make periodic reviews of the progress of the program pursuant to this Act;

(5) recommend means by which the knowledge obtained from the project may be made readily available to the public; and

(6) perform such functions as the Secretary of the Army may designate.

(c) Members of the Panel of the United States shall, while serving on business of the Panel, be entitled to receive compensation at rates fixed by the Secretary of the Army, but not in excess of $100 per day, including traveltime; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in Government service employed intermittently.

(d) The Panel is authorized, without regard to the civil service laws, to engage such technical and other assistance as may be required to carry out its functions.

Mr. MATHIAS. Mr. President, I am pleased to join the distinguished Senator from South Carolina (Mr. HOLLINGS) in introducing legislation authorizing the Corps of Engineers to establish and conduct a 5-year program for the development and demonstration of low-cost ways to control shoreline erosion.

At a time of growing attention to the future of our coastal areas, this bill offers a modest but essential start toward combating a perennial problem and literally saving the shores of our seacoasts, estuaries, and the Great Lakes.

Shoreline erosion by the continuous action of waves and wind is certainly not as spectacular as the damage wreaked by hurricanes and storms. Over a period of years, however, this quiet, persistent erosion can change the contours of our shores as much as can a major natural disaster. Valuable coastal land can be gradually eaten away. Public beaches and recreation areas can be eliminated or moved. Navigable channels can be clogged by sediment. Marine life in offshore waters can be harmed as currents shift and spawning areas change.

In my own State of Maryland, erosion has worn down both the high cliffs along the western shore of the Chesapeake Bay, and lowlands such as the sandy beaches of Point Lookout, Assateague Island, Ocean City, and the marshes of the Eastern Shore. In fact, it is estimated that in Maryland alone, some 300 acres of land are lost each year to shoreline erosion.

The problem is particularly serious for the local governments and individuals who own fairly small parcels of coastal land and cannot afford to invest large sums in massive protective systems such as seawalls and jetties. For these owners, there often seems to be no remedy for the frustration of watching one's property being slowly eaten away or rearranged by the elements.

Ironically, to date we have focused public resources on curbing erosion primarily where it has reached crisis proportions. The Army Corps of Engineers and other agencies have gained considerable expertise in protecting shorelines most often exposed to severe storms and wave damage. But we know far less about the more modest approaches which would be sufficient in more sheltered areas.

This legislation is designed to fill that gap. It would establish a 5-year demonstration program to develop, test, operate and evaluate low-cost shoreline erosion control methods, focusing on the needs of sheltered and inland shore areas. Both engineered and vegetative control devices would be tested at a variety of sites on the Atlantic, gulf, and Pacific coasts and along the Great Lakes. At the conclusion of the 5-year program, the Secretary of the Army would be directed to make a comprehensive report to Congress on the results of the demonstration efforts and recommendations for future work and legislation.

Mr. President, this would be an extremely modest program, limited to not more than $6 million over its 5-year life. It is intended simply as a demonstration in a field in which more knowledge and experimentation are badly needed.

In my judgment this bill is extremely timely. It would be folly, in fact, to allow our shorelines to continue to slip away while we debate strategies for protecting them and channeling the use of our coastal resources. Through the legislation I am introducing today, we can find better ways to save our shores and minimize the loss of land which now continues every day.

By Mr. CURTIS (for himself, Mr. ALLOTT, Mr. BENNETT, Mr. ERVIN, Mr. FANNIN, and Mr. TOWER):

S. 1055. A bill to amend the National Labor Relations Act with respect to refusals to bargain. Referred to the Committee on Labor and Public Welfare.

Mr. CURTIS. Mr. President, today I introduce a bill as an amendment to section 8(a)(5) of the National Labor Relations Act. The purpose of this bill is to prevent the National Labor Relations Board from circumventing the employee election provisions of section 9 of that statute. My bill would prevent the Labor Board from using such discredited devices as the card check to force employers and employees to accept a particular union as the bargaining agent.

It may be useful at this point, Mr. President, to cite a little history of this situation. Under the 1935 Wagner Act the National Labor Relations Board justified the card check practice by a reliance on the statute as then written. Section 9(c) of the Wagner Act authorized a "secret ballot—or—any other suitable method" to determine the wishes of employees as to union representation. In passing the Taft-Hartley Act in 1947, however, Congress struck out the language authorizing "any other suitable method." This was done to prevent the Labor Board from using the card check or any other device which would saddle employees with a union they had not chosen by secret ballot.

One would have thought, Mr. President, that such a clear directive by Congress would have caused the Labor Board to stop completely the discredited use of card checks in either representation proceedings or in refusal-to-bargain proceedings. Regrettably, this has not been the case. In recent years, through a long series of cases, the Labor Board has reinstituted the card check practice as though Congress had never spoken at all.

Mr. President, my bill would not disturb the practice under which for years thousands of employers and thousands of unions have entered into collective bargaining arrangements, based on the employer's voluntary and lawful recognition of a union which is in fact the legitimate representative of the majority of employees in a bargaining unit. My amendment does provide, however, that if there is not such a voluntary and lawful recognition, then there must have been a secret ballot election among the employees before the National Labor Relations Board can force an employer to deal with a union as the representative of the employees concerned. By this means the discredited card check practice will be eliminated without interfering with the rights of employees and employers to enter into voluntary lawful recognition arrangements where a union is in truth the representative of the majority of employees concerned.

Mr. President, I can think of no amendment more in keeping with the basic American sense of justice and fair play than this one. The secret ballot is an honored element in American life. I know of no reason why this Congress should permit is to be denied to the working men and women of America.

Joining me in presenting this bill today, Mr. President, are Senators ALLOTT, BENNETT, ERVIN, FANNIN, and TOWER.

By Mr. EAGLETON:

S.J. Res. 59. Joint resolution regarding the powers of the Congress and the President to commit the Armed Forces of the United States to hostilities Referred to the Committee on Foreign Relations.

Mr. EAGLETON. Mr. President, I am introducing today a joint resolution which attempts to define clearly the constitutional roles of Congress and the executive in warmaking.

Over the past 2 years, Congress has debated this question with regard to the war in Southeast Asia. We have succeeded in establishing some limits on the scope of U.S. activities outside South Vietnam.

Nevertheless, the respective powers of Congress and the Executive in the most crucial area of public policy—warmaking—remain ill defined. In the interest of restoring public confidence in our national decisionmaking process, and, indeed, in the interest of our national security, I consider it critically important that we clearly specify the areas in which unilateral Presidential military action is constitutionally acceptable, and necessary in the present-day context.

My joint resolution sets forth well-defined limits on both congressional and Executive powers. It deals with the question of when the President can commit troops to hostilities without congressional sanction and when he cannot. It defines the Presidential power to protect American troops and citizens; and it restates the principle that any commitment, whether in the form of a treaty or an executive agreement, cannot bind this country to future hostilities without further congressional approval.

SUMMARY OF MAJOR PROVISIONS

The preamble asserts that the power of Congress to declare war means that the Congress can and must initiate, define, and limit the scope of hostilities; that the power of Congress to enact laws respecting the raising and use of such Armed Forces includes power to govern their deployment in any foreign country; and that the appropriations power authorizes the Congress to allocate funds so as to circumscribe the overall scope of hostility and the use of the Armed Forces of the United States.

The preamble also notes that the President, as Commander in Chief and Chief Executive possesses the power to conduct hostilities initiated by the Congress and to respond to, and repel, attacks on the United States, its Armed Forces, and under certain circumstances, to rescue endangered citizens of the United States located in foreign countries.

The body of the resolution further defines the scope of these constitutionally mandated powers.

Section 1 recognizes that—

> No treaty previously or hereafter entered into by the United States shall be construed as authorizing or requiring the armed forces of the United States to engage in hostilities without further Congressional authorization.

This provision comports with the Constitution, since treaties themselves are voted on only by the Senate, whereas the Constitution requires both the House and the Senate to decide when we go to war.

Section 2 deals with the instruments through which Congress authorizes the President to engage in war—"a declaration of war, statute, or joint resolution." It explicitly states that congressional authorization shall not be inferred from legislative enactments, including appropriations bills, which do not specifically include such authorization. For instance, money contained in authorization or appropriation bills for such items as "military assistance," which may include military advisors, cannot be considered as congressional authorization for the President to engage U.S. troops in hostilities.

Section 2 also acknowledges that when hostilities are legitimately authorized, the President, regardless of the limitations contained in the specific authorizing legislation, can order the U.S. Armed Forces to "enter, invade, or intrude upon the territory or air space of a country with which the United States is not then engaged in hositilities," when:

> (a) in "hot pursuit," which this resolution specifically defines, or
>
> (b) when a clear and present danger exists of imminent attack on the United States or its forces.

Section 3 recognizes, as the Constitution does, that there may be circumstances under which the President may commit the Armed Forces of the United States to hostilities without a governing congressional auhorization. Under section 3 of the resolution, the President is authorized to:

> (a) "repel an attack *on the United States* by military forces with whom the United States is not engaged in hostilities at the time of such attack and to eliminate or reduce the effectiveness of any future attacks by such military forces which are commiting the attack being repelled; and
>
> (b) "repel an attack *on the Armed Forces* of the United States by military forces with whom the United States is not engaged in hostilities at the time of such attack and concurrently to eliminate or reduce any clear and present danger of future attacks by the military forces which are commiting the attack being repelled; and
>
> (c) "Withdraw citizens of the United States, as rapidly as possible, from any country in which such citizens, there due to their own volition and with the express or tacit consent of the government of such country, are being subjected to an imminent threat to their lives, either sponsored by such government of beyond the power of such government to control:
>
> *Provided*, That the President shall make every effort to terminate such a threat without using the Armed Forces of the United States; *And provided further*, That the President shall, where possible, obtain the consent of the government of such country before using the Armed Forces of the United States."

A previous draft of the resolution contained a provision which sanctioned a preemptive strike to avoid "the clear and present danger of an imminent attack on the United States by military forces with which the United States is not engaged in hostilities at such time to the extent necessary to eliminate such danger." It has been deleted.

In a sane world dependent on the universal acceptance of mutual deterrence for its survival, a first strike should not be sanctioned.

No one can guarantee that some time, some day, a demented world leader will not attempt an irrational nuclear attack on the United States. This remote possibility may be reason enough to justify an explicit grant of power to the President to act unilaterally and preemptively. This point should be debated at far greater length.

However, in my opinion, all any War Powers Resolution can expect to achieve is to hold a President legally and politically accountable for his actions. The consequences of a nuclear holocaust make the question of political and legal responsibility moot.

Section 3(c) pertains only to the withdrawal of private citizens of the United States and not, for example, to the protection of their property.

It would not permit the President to rescue prisoners of war by invading the territory of a country if the United States were not engaged in authorized hostilities with it. Obviously, in such a case the President could and should come to Congress for additional authorization. As Commander in Chief during authorized hostilities, the President could rescue U.S. prisoners of war held in a belligerent nation.

Section 4 provides that if hostilities are initiated unilaterally by the President under section 3, without specific congressional authorization, the President shall report to Congress the circumstances "under which such hostilities were initiated, the estimated scope of such hostilities, and the consistency of such hostilities with the provisions of section 3." The Congress must then decide, in not more than 30 days, whether to continue or terminate such hostilities. This resolution then spells out the specific provisions modeled after those contained in Senator Javits' bill to insure congressional action within the required 30-day time period.

While authorized hostilities are in progress, the President is required to report to the Congress periodically under section 5.

Section 6 defines the "hostilities" governed by the resolution to include the deployment of U.S. forces outside the United States under circumstances where an imminent involvement in combat activities is a reasonable possibility. It also recognizes that the assignment of United States soldiers to "accompany, command, coordinate, or participate, in the movement of regular or irregular armed forces of any foreign country when such foreign armed forces are engaged in any form of combat acivity," should also be defined as "hostilities."

Finally, in an attempt to elevate this resolution from the morass of vitriolic feelings that many of us share over the Indochina war, section 7 states that—

> This resolution shall not apply to hostilities commenced before the enactment of the resolution.

I have held, along with many other Senators, that the Gulf of Tonkin resolution was a legitimate congressional authorization to conduct the war. Without it, in my opinion, the President has no authority but to withdraw our troops from Vietnam as rapidly as possible consistent with their safety.

Presently Congress is deeply involved in the ongoing conflict there. That Congress can set a timetable through the use of its appropriations power is not in doubt. That Congress has set a limitation on the use of American combat troops in Laos, Thailand, and Cambodia is a matter of public record. And a pending bill prohibits explicit or implicit U.S. assistance to an effort to invade North Vietnam.

Eventually it may prove impossible to deal with the war powers without becoming involved in the Indochina debate.

However, I believe this bill must deal with the future rather than serve as a vehicle to rake over the coals of the past. Section 7 is an attempt to make sure it does.

In summary, I offer this resolution because I believe that the collective judgment envisioned by our Founding Fathers with regard to warmaking authority is even more important in today's fast moving world.

By providing guidelines for joint congressional-executive decisions in cases where deliberation is possible and indeed essential, and at the same time providing the President adequate discretion, this resolution maintains our Founding Fathers' wise desire for collective deliberation amidst the exigencies of our nuclear age.

Mr. President, I ask unanimous consent that the text of my joint resolution be printed in the Record at this point.

There being no objection, the joint resolution was ordered to be printed in the Record, as follows:

S.J. Res. 59

Joint resolution regarding the powers of the Congress and the President to commit the Armed Forces of the United States to hostilities

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

Whereas the Framers of the Constitution of the United States intended the separation of powers doctrine to apply to the initiation of hostilities as a means for ensuring collective judgment, whenever possible, before the Armed Forces of the United States were committed to such hostilities; and

Whereas the power to declare war was assigned to the Congress to initiate, define, and limit the scope of hostilities involving the Armed Forces of the United States; and

Whereas the power to make rules regulating and governing the Armed Forces of the United States was assigned to the Congress, and this power authorizes the Congress to enact laws respecting the raising and use of such Armed Forces including their deployment in any foreign country; and

Whereas the power to appropriate moneys to support the Armed Forces of the United States was also assigned to the Congress, and this power atuhorizes the Congress to allocate funds so as to circumscribe the overall scope of hostilities and the uses of the Armed Forces of the United States; and

Whereas the Commander-in-Chief and Chief Executive powers were assigned to the President and these powers authorize the President to conduct hostilities initiated by the Congress and to respond to, and repel, attacks on the United States (including its territories and possessions), its Armed Forces, and, under certain circumstances, to rescue endangered citizens of the United States located in foreign countries: Now therefore be it

"Resolved by the Senate and House of Representatives of the United States in Congress assembled that:

"Sec. 1. Except as authorized in Section 2 or Section 3 of this Resolution, the President shall not commit the Armed Forces of the United States to hostilities. No treaty previously or hereafter entered into by the United States shall be construed as authorizing or requiring the Armed Forces of the United States to engage in hostilities without further congressional authorization. It is specifically recognized that such treaties as the Charter of the United Nations, the North Atlantic Treaty, and the Southeast Asia Collective Defense Treaty do not authorize or require the President to commit the Armed Forces of the United States to engage in hostilities without a further authorization from both the Senate and the House of Representatives.

"Sec. 2. The President may commit the Armed Forces of the United States to hostilities to the extent authorized by Congress through a declaration of war, statute, or joint resolution, but authorization to commit the Armed Forces of the United States to hostilities may not be inferred from legislative enactments, including appropriation bills, which do not specifically include such authorization. The Congress recognizes that during such authorized hostilities against an enemy country or enemy forces, the President's powers as Commander-in-Chief and Chief Executive provide him with the further authority, regardless of the limitations contained in the specific declaration of war or other authorizing statute or resolution, to order the Armed Forces of the United States to deliberately enter, invade, or intrude upon the territory or airspace of a country with which the United States is not then engaged in hostilities:

(a) when in hot pursuit of fleeing enemy forces who have attacked, or engaged in battle with, the Armed Forces of the United States and then retreated to the territory or airspace of such country, to the extent necessary to repel such attack or complete such battle, or

(b) when a clear and present danger exists of an imminent attack on the United States or the Armed Forces of the United States by enemy troops located in such country, to the extent necessary to eliminate such danger.

"Sec. 3. In the absence of a governing congressional authorization described in Section 2, the President may commit the Armed Forces of the United States to hostilities, to the extent reasonably necessary to:

(a) repel an attack on the United States by military forces with whom the United States is not engaged in hostilities at the time of such attack and to eliminate or reduct the effectiveness of any future attacks by such military forces which are committing the attack being repelled; and

(b) repel an attack on the Armed Forces of the United States by military forces with whom the United States is not engaged in hostilities at the time of such attack and concurrently to eliminate or reduce any clear and present danger of future attacks by the military forces which are committing the attack being repelled; and

(c) withdraw citizens of the United States, as rapidly as possible, from any country in which such citizens, there due to their own volition and with the express or tacit consent of the government of such country, are being subjected to an imminent threat to their lives, either sponsored by such government or beyond the power of such government to control: *Provided,* That the President shall make every effort to terminate such a threat without using the Armed Forces of the United States; *And provided further,* That the President shall, where possible, obtain the consent of the government of such country before using the Armed Forces of the United States.

"Sec. 4. The commitment of the Armed Forces of the United States to hostilities pursuant to Section 3 of this Resolution shall be reported promptly by the President to the Congress, together with a full account of the circumstances under which such hostilities were initiated, the estimated scope of such hostilities, and the consistency of such hostilities with the provisions of Section 3. The question of continuing or terminating any such hostilities shall be decided upon by the Congress as soon as possible and not more than thirty (30) days from the day on which hostilities were initiated, under the following procedures:

(a) any bill or resolution, authorizing the continuance or termination of military hostilities if sponsored or cosponsored by one-third of the Members of the House of Congress in which it originates, shall be considered reported to the floor of such House no later than one day following its introduction, unless the Members of such House otherwise determined by yeas and nays; and any such bill or resolution referred to a committee after having passed one House of Congress shall be considered reported from such committee within three days after it is referred to such committee, unless the Members of the House referring it to committee shall otherwise determine by yeas and nays; and

(b) any bill or resolution reported pursuant to subsection (a) of this section shall immediately become the pending business of the House to which it is reported, and shall be voted upon within three days after such report, unless such House shall otherwise determine by yeas and nays.

"Sec. 5. In any case where the Armed Forces of the United States have been committed to authorized hostilities, the President shall, while such hostilities are in progress, report to the Congress periodically on the status of such hostilities, as well as on the estimated scope and length of such hostilities.

"Sec. 6. For purposes of this resolution, the term 'hostilities' includes land, air, or naval actions taken by the Armed Forces of the United States against other armed forces or the civilian population of any other nation, the deployment of the Armed Forces of the United States outside of the United States under circumstances where an imminent involvement in combat activities with other armed forces is a reasonable possibility, or the assignment of members of the Armed Forces of the United States to accompany, command, coordinate, or participate, in the movement of regular or irregular armed forces of any foreign country when such foreign armed forces are engaged in any form of combat activities.

"Sec. 7. This resolution shall not apply to hostilities commenced before the enactment of the resolution."

By Mr. BAKER:

S.J. Res. 60. Joint resolution to authorize the President to issue annually a proclamation designating the fourth full calendar week in May of each year as "National Credit Week." Referred to the Committee on the Judiciary.

Mr. BAKER. Mr. President, 1971 is the diamond jubilee year of the National Association of Credit Management, a member-owned and controlled organization of 121 affiliated local associations in the United States, Europe, the Philippines, and Mexico which was founded in 1896 to promote laws for sound credit, protect honest businesses against fraudulent debtors, develop better credit practices and methods, and establish a code of ethics. I am pleased to introduce today, at the request of the association, a joint resolution recognizing the valuable contribution of sound credit practices and policies to the continued growth and stability of our economy by authorizing the President to designate the fourth week in May of each year as National Credit Week.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed at this point in the Record.

There being no objection, the joint resolution was ordered to be printed in the Record, as follows:

S.J. Res 60

Joint resolution to authorize the President to issue annually a proclamation designating the fourth full calendar week in May of each year as "National Credit Week"

Whereas the original colonies of this continent were established and first flourished on credit arrangements;

Whereas the National Association of Credit Management, organized in 1896 to establish more firmly the basis on which commercial credit was founded, will celebrate its 75th anniversary in May 1971;

Whereas the stability and growth of the present national economy are interdependent with the sound credit policies and practices of the credit managers of American business;

Whereas the greater part of all such business is reliably estimated to be conducted on a credit basis; and

Whereas the future status of the United States in the world community of nations involves stable credit relationships among the governments and business of those nations: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, as a tribute to the National Association of Credit Management and in recognition of the vital role of credit arrangements in furthering the growth of our national economy, the President is authorized and requested to issue annually a proclamation designating the fourth full calendar week in May of each year as "National Credit Week", and inviting the people and business community of the United States to provide and participate in programs which will increase the appreciation of the value of credit to business and our national strength.

ADDITIONAL COSPONSORS OF BILLS

S. 36

At the request of the Senator from Connecticut (Mr. Ribicoff), the Senator from New Hampshire (Mr. McIntyre) was added as a cosponsor of S. 36, to promote the resources of the Connecticut River Valley.

S. 120

At the request of the Senator from Pennsylvania (Mr. Schweiker), the names of the Senator from Tennessee (Mr. Baker), the Senator from Arizona (Mr. Goldwater), the Senator from Oklahoma (Mr. Harris), the Senator from Montana (Mr. Mansfield), and the Senator from Illinois (Mr. Percy) were added as cosponsors of S. 120, to prohibit assaults on State and local law enforcement officers, firemen, and judicial officials.

S. 318

At the request of the Senator from Connecticut (Mr. Ribicoff), the Senator from New Hampshire (Mr. McIntyre) was added as a cosponsor of S. 318, to promote the resources of the Connecticut River Valley.

S. 376

At the request of the Senator from South Dakota (Mr. McGovern), the Senator from Minnesota (Mr. Humphrey) was added as a cosponsor of S. 376, the Vietnam Disengagement Act of 1971.

S. 869

At the request of the Senator from Connecticut (Mr. Ribicoff), the Senator from West Virginia (Mr. Randolph) was added as a cosponsor of S. 869, to equalize the tax treatment of single persons.

S. 922

At the request of the Senator from Connecticut (Mr. Ribicoff), the Senator from Hawaii (Mr. Inouye) was added as a cosponsor of S. 922, the youth camp safety bill.

S. 973

At the request of the Senator from Indiana (Mr. Bayh), the Senator from Wisconsin (Mr. Nelson) was added as a cosponsor of S. 973, to amend the Federal-State Extended Unemployment Compensation Act of 1970 to expedite its implementation and to provide 100 percent Federal financing of the benefits payable thereunder.

SENATE RESOLUTION 60—SUBMISSION OF A RESOLUTION TO REFER SENATE BILL 1034 TO THE UNITED STATES COURT OF CLAIMS

Mr. BAKER (for himself and Mr. Tower) submitted the following resolution (S. Res. 60); which was referred to the Committee on the Judiciary.

S. Res. 60

Resolved, That the bill (S. 1034) entitled "A Bill for the relief of Carl Johnstone, Junior", now pending in the Senate, together with all accompanying papers, is referred to the chief commissioner of the United States Court of Claims. The chief commissioner shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28, United States Code, and report thereon to the Senate at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States, or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

SENATE RESOLUTION 61—SUBMISSION OF A RESOLUTION AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF CERTAIN HEARINGS

Mr. KENNEDY submitted the following resolution (S. Res. 61); which was referred to the Committee on Rules and Administration:

S. Res. 61

Resolved, That there be printed for the use of the Senate Committee on the Judiciary seven hundred fifty additional copies of Part I of the hearings before its Subcommittee on Administrative Practice and Procedure during the Ninety-first Congress, second session, on Federal Handling of Mass Demonstrations.

SENATE RESOLUTION 62—SUBMISSION OF A RESOLUTION RELATIVE TO MILITARY DISENGAGEMENT FROM THE VIETNAM WAR

Mr. BROOKE. Mr. President, the grueling war in Southeast Asia continues to take its terrible tolls—death in the field, division in our midst. President Nixon has made admirable and historic progress in reducing the number of Americans in the war zone, in curbing U.S. casualties, and in shifting the burdens increasingly to the South Vietnamese themselves; yet deep uncertainty continues to perplex us. How can we best terminate the American involvement in a manner which will maximize the chances for an early and enduring peace in that region? Is there any reasonable and acceptable course through which we can turn the empty negotiations in Paris toward meaningful exchanges? In the absence of fruitful diplomacy, how soon should we plan, nonetheless, to have extricated all U.S. forces from South Vietnam? How can we insure the timely release of the American prisoners now suffering captivity in North Vietnam?

All these are weighty and troubling issues. They demand the most sober attention of those responsible for the policy of this country. The obligation of each of us in Congress is especially heavy. We know the depth and intensity of feeling among our constituents. We see firsthand the rending of our people by this bitter, constant, costly struggle.

But there is an added factor urging the Congress to address such questions. In the history of this undeclared war, the political responsibility of Congress has been far larger than its political role. It takes no deep analysis to detect in the House and Senate a widespread sense that we have not acted as wisely as we should in shaping policy over this conflict. Adding to the frustration with the war is the feeling that our institution did little to correct the unhappy directions sometimes pursued by the executive branch. This helps to account for the fact that, while all our institutions have experienced severe stresses in recent years, the Congress especially has been buffeted by demands for action and cries of contempt when it failed to act on the overriding concern of our time—the war.

To my mind the fact that Congress has failed to take a central part in shaping past policy toward the war is a crucial reason for authoritative action in molding our policy for disengagement. Indeed to assert clear legislative authority over the manner in which the United States extricates itself from an undeclared, and unduly prolonged war would be a vital step toward reviving congressional powers over the initiation of conflict. That objective, I suggest, is shared by virtually every Member of this body. There is, thus, a great institutional need for Congress to devise an appropriate means for making its voice heard in the momentous decisions regarding disengagement.

To say this is in no way to invite a battle between the branches, legislative and executive. Quite the contrary, for my own purpose would be to seek accommodation between them on a common and constructive policy. I would argue that so long as Congress adopts a hands-off attitude toward high policy for the war, it undermines both itself and the President—itself by implying it lacks the will or capacity to act, the President by denying him the enormous advantages of pursuing an explicitly agreed policy in this area.

The President has already embarked on a broad program of disengagement, many elements of which enjoy wide support in and out of Congress. But I believe he deserves more than uncritical applause for the promising efforts he has begun. He deserves the serious, critical, concerned counsel of this Congress in designing and implementing the still more difficult policies to come. And because the President knows that America needs a Congress capable of addressing the gravest issues, I think he should welcome responsible legislation in this matter.

It will be noted that I am not advocating a specific course for congressional enactment. My purpose in rising is not to argue for a particular policy or to press upon my colleagues my own views as to exactly what should be done. Rather, my argument is a simple and highly preliminary one, namely, that Congress should act. It may well be that after due deliberation, Congress would choose to endorse the essentials of the program already launched by President Nixon, perhaps extending it even further.

The vital thing, from my point of view, is that we should set in motion the normal procedures which will enable Congress to express itself authoritatively on the larger questions of disengagement. Is it not clear that our entire international posture will be marked for years to come by the manner in which we terminate our role in South Vietnam? Few issues have more direct bearing on our future national security and domestic well being. For Congress to remain silent or to play a passive role would be to neglect our duty in the most grevious way. It would add to the sense of futility many of us have acquired from the war and would compound the oversights and mistakes which marred earlier congressional performance in this area.

There is yet another reason which heightens the urgency of congressional action in this regard. The decision of the majority party in the Senate to support "a time certain" for total withdrawal of all U.S. military personnel from South Vietnam can become either a step toward consensus or toward new controversy. We must all recognize that it would be a sad turn of events for this question, of all those we face, to be caught up in partisan dispute. If we are to rescue the issue of disengagement from partisan bickering, the need for thoughtful, bipartisan action through the official channels of the Congress should be evident.

In considering this problem for many months, I have been convinced that the Senate should invite prompt consideration and recommendations on this matter by the principal committees concerned with our overall national security and foreign policy. For this purpose, I am submitting a Senate resolution.

This modest proposal solicits the advice of our colleagues on the Committees on Appropriations, Armed Services, and Foreign Relations. It in no way prejudges what that advice shall be. It seeks only to insure that the full Senate will have the benefit of these committees' deliberations in deciding what action, if any, may be appropriate. Furthermore, this proposal in no way constrains the committees in deciding how best to address these questions. The chairmen and their ranking associates may decide to proceed separately and independently, or jointly.

I would personally hope that the chairmen might see fit to designate a joint body from the membership of all three committees and to hold suitable hearings, preferably open and providing ample opportunity for administration and other witnesses, as a basis for reporting to the Senate. There are important precedents in previous joint actions on national security matters, for example, during the Korean war and in considering the nuclear test ban treaty. But decisions on procedure are left entirely to the committees themselves.

The imperative function of this proposal is not to dictate how the committees shall proceed, but to insure that they address the far-reaching implications of the disengagement program to which the President and the vast majority of Americans are committed. I am confident that no one would suggest that the responsible committees of the Senate should not address these portentous issues and tender their advice to the Senate. My discussions in and out of the Senate convince me that there is a profound need for Congress to demonstrate that it is capable of deliberate and effective action regarding the war. I am pleased to note that this proposal has already won the endorsement of Mr. John Gardner and the important nonpartisan organization, Common Cause. I trust my colleagues will also receive it sympathetically.

Since this measure is strictly procedural and reaches no substantive recommendations itself, I hope that the Senate will accept it by unanimous consent. In this manner we may avoid the prospect of difficult and inconclusive debate over the many specific proposals which have been advanced regarding the war. With prudent consideration in the committees, we may hope to find sensible grounds for reconciling the differences among us. I can think of no task so deserving of our most vigorous labors.

If, as I believe, the general sentiment of Congress is one of deep distress that our institution had no opportunity to act decisively in governing the prior evolution of the Vietnam war, surely we must seize the occasion to demonstrate our institutional authority and capacity to oversee our National extrication from that conflict. We can confirm the soundness of the President's basic movements toward disengagement and share with him responsibility, as we must in any case, for the hard decisions which must be taken to achieve that goal. Only by doing so can we meet our obligations to the country, the Congress and the President.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution, which reads as follows, was referred to the Committee on Foreign Relations:

S. RES. 62

Whereas the President of the United States has undertaken an historic program to disengage military forces of the United States from South Vietnam; and

Whereas the Congress and the American people strongly endorse the President's progress in reducing the number of American personnel in that region; and

Whereas the President has formulated a major new doctrine restricting the direct use of the military power of the United States and emphasizing the obligations of other nations to defend themselves against aggression and externally-inspired insurgency; and

Whereas the termination of American military involvement in South Vietnam poses grave decisions for the United States, with serious implications for the nation's future security posture; and

Whereas the Congress and the President share responsibility for the presence and protection of American forces abroad: Now, therefore be it

Resolved, That in order to facilitate and expedite the President's programs of military disengagement from South Vietnam the Senate Committees on Foreign Relations, Appropriations, and Armed Services should examine the requirements and consequences of the orderly withdrawal of all armed forces of the United States from that region; and

Resolved further, That said Committees shall report to the Senate not later than ninety (90) days following adoption of this resolution such recommendations as they deem appropriate concerning the manner, method, and scheduling of U.S. military disengagement from Southeast Asia, including provisions for safe return of American prisoners of war now held captive in that region.

ADDITIONAL COSPONSORS OF A RESOLUTION

S. RES. 45

At the request of the Senator from West Virginia (Mr. RANDOLPH), the Senator from Montana (Mr. METCALF), and the Senator from Connecticut (Mr. RIBICOFF) were added as cosponsors of Senate Resolution 45, to authorize the Committee on Interior and Insular Affairs to make a study of national fuels and energy policy.

CAPITOL BOMBING INCIDENT TO BE SUBJECT OF HEARING BY PUBLIC WORKS SUBCOMMITTEE

Mr. RANDOLPH. Mr. President, the chairman of the Senate Subcommittee on Buildings and Grounds, Senator GRAVEL, Democrat, of Alaska, will conduct a public hearing tomorrow—March 2—to receive testimony on this morning's bombing incident in the Capitol Building.

The hearing will be held at 9 a.m., March 2, in the Public Works Committee room, 4200 New Senate Office Building.

Senator GRAVEL will hear testimony on the following matters:

First, review of the bombing incident itself;

Second, assessment of damage caused by the explosion;

Third, estimate of time needed to make necessary repairs;

Fourth, review of present security measures in effect on the Capitol Grounds; and

Fifth, the need, if any, for additional legislation to provide better security for the Capitol or to make proper restoration of the building.

Members of the committee serving with Chairman GRAVEL are Senators BENTSEN, Democrat, of Texas; TUNNEY, Democrat, of California; BOGGS, Republican, of Delaware; and WEICKER, Republican, of Connecticut.

Mr. President, all members of the Public Works Committee, and all Senators, as well as our citizenry throughout the land, are shocked at the bombing.

We shall have reports and recommendations from the Capitol Police, the Architect of the Capitol and the Sergeant at Arms of the Senate, and others, at the hearing.

We want to determine how an explosive device could be successfully planted in the Capitol of the United States. We also will solicit recommendations on possible changes in the law if they are necessary to protect Government buildings from other such occurrences.

This tragic incident represents an attack on the very center of the Government itself. The Capitol building is not only the seat of our National Legislature, but is one of the great national edifices.

Protection of the Capitol is a complex and delicate matter. We must secure it against attack while providing security to all citizens and free access to this symbol of our liberty.

QUORUM

The PRESIDING OFFICER. Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

RULES OF THE COMMITTEE ON COMMERCE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a statement by the distinguished Senator from Washington (Mr. MAGNUSON) concerning rules of the Committee on Commerce be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MAGNUSON

Mr. President, pursuant to section 133B of the Legislative Reorganization Act of 1946, as amended, the Committee on Commerce has adopted rules governing the committee's procedure.

I send a copy of the Committee's rules as adopted to the desk and ask that they be reproduced in the RECORD, as required.

COMMITTEE RULES

I—MEETINGS OF THE COMMITTEE

Regular meeting days are the first and third Tuesdays of each month.

II—QUORUMS

1. Ten members shall constitute a quorum for official action of the Committee when reporting a bill or nomination; provided, that proxies shall not be counted in making a quorum.

2. For the purpose of taking sworn testimony a quorum of the Committee and each Subcommittee thereof, now or hereafter appointed, shall consist of one Senator.

III—PROXIES

When a record vote is taken in Committee on any bill, resolution, amendment, or any other question, a majority of the members being present, a member who is unable to attend the meeting may submit his vote by proxy, in writing or by telephone or through personal instructions.

IV—BROADCASTING OF HEARINGS

Public hearings of the full Committee, or any Subcommittee thereof, shall be televised or broadcast only when authorized by the chairman and the ranking minority member of the full committee.

V—SUBCOMMITTEES

Subcommittees shall be considered *de novo* whenever there is a change in the chairmanship and seniority on the particular Subcommittee shall not necessarily apply.

POLITICAL USAGE OF PRISONERS OF WAR IN SOUTHEAST ASIA

Mr. TOWER. Mr. President, I ask for unanimous consent to have printed in the RECORD an interesting and provocative article about the nature of the East-West war and the political usage of prisoners of war in the present Southeast Asian conflict, written by Comdr. Roy N. Beavers, and published in the February issue of the Armed Forces Journal.

Commander Beavers is assigned to the U.S. Arms Control and Disarmament Agency, and his thoughts on the significance of the POW issue in the war are germane to our philosophy regarding American defensive posture in the East in general.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POWS AND THE "POLITICAL WILLPOWER" DIMENSION OF WAR

(By Cdr. Roy N. Beavers, USN)

(Note: Commander Beavers is currently assigned to the U.S. Arms Control and Disarmament Agency. The views he expresses in this article do not necessarily reflect those of ACDA or any official policy of the U.S. Navy)

Within the past year most americans have come to understand that our prisoners of war in North Vietnam are being held as political hostages. The average American is shocked by this practice. It is regarded as inhumane as well as unlawful activity on the part of Hanoi.

The use of prisoners of war (POWs) as hostages for political objectives has few parallels in the annals of recent Western warfare. Prior to the Western civilization's earliest attempt to protect POWs—following the Thirty Years' War—it was not uncommon, however, for the rights of prisoners to be largely ignored so far as the conduct or termination of war was concerned. In antiquity, prisoners were even killed or sold into slavery.

In 1874, a conference held at Brussels, and attended by most of the European states, drew up a draft convention relating to prisoners of war, but it was never ratified. The Hague Conference of 1899 produced the first set of rules governing the treatment of prisoners which was recognized internationally. This set of rules was expanded by the Hague Conference of 1907 and the Convention of 1929.

THE GENEVA CONVENTION

Today the laws governing the rights and status of prisoners of war are largely contained within the Convention on "Treatment of Prisoners of War" that was one of four conventions on the laws of war produced by the Geneva Diplomatic Conference of 1949. It is worth noting that the need for this convention, on top of the previously established legal doctrines covering POWs, resulted in large part from the conduct of the Soviet Union following WW II, the failure of the Soviets to repatriate literally millions of POWs following WW II remains one of the most serious violations of customary and conventional rules of war in modern times.

The Soviet Union and a number of its satellite states, in signing the 1949 Convention, entered a reservation against that Convention to the effect that prisoners of war convicted by them of "committing war crimes and crimes against humanity" would be treated like other criminals. Under this doctrine, millions of common soldiers—officers, noncoms, and privates who could not possibly have been politically involved—were never returned after the end of the war. It is also worth noting that the government of North Vietnam has renounced the 1949 Geneva Convention on POWs.

The prisoner of war issue may not be the only one wherein the U.S. perception of the Vietnam War is basically different from Hanoi's. The following discussion suggests that two fundamentally different concepts of warfare, in terms of both objectives and means, are being pursued in Vietnam—by the U.S. on the one hand and by North Vietnam on the other. If the thesis offered here is valid, then the U.S. may need to reconsider some of its policies in Vietnam—in order to ensure the return of its prisoners of war held by Hanoi, as well as in the interest of speeding the war to a satisfactory conclusion.

It is often said that the purpose of war is to achieve a given political objective. This objective may be of any scope—it may be relatively simple (defense of the status quo) or extremely complicated. History demonstrates that the objective may involve the acquisition of territory, of wealth, or of people—it may be as small a thing as forcing an opponent to change his way of life or his religion (if one deems such to be a small thing), it may be as large a thing as the imposition of total destruction (or slavery) upon an opponent. But the point is that war is the simple process of imposing one's will—through force of arms—upon another.

THE TARGET: WILLPOWER

From this, it follows that, in endeavoring to win a war, the target which should be at the apex of one's efforts is the opponent's *willpower*, his readiness to resist—his determination to "stand in the way" of your objective. By breaking his will—or by coercing him to alter his objectives—you successfully conclude your war. In the process, your own objectives may also change. It is a rare historical phenomenon (particularly in long, difficult wars) when both sides—both the "winner" and the loser—do not change their objectives during the course of a war.

The reader may answer that the above is obvious. Clausewitz has observed the same. More recently, so has Mao Tse-tung. But this paper is written to argue that in spite of the obviousness and simplicity of the above proposition, its implication is not well understood by most Americans—including most Americans belonging to the professional military fraternity, and perhaps even a large number of those academicians who in recent years have come to dominate the study of warfare and national security policy in the United States.

What, then, is the implication of the proposition described above? It is this: If the purpose of war is to coerce an opponent toward a given objective by breaking down his willpower, *military conflict may or may not contribute toward that end*. ("Military conflict" is used here to include only the actions of combatant forces against combatant forces, as opposed to actions of one sort or another that may be directed against noncombatants.) Some military conflict directed toward the defeat of an enemy's army in the field may be irrelevant—some may even prove counterproductive. We shall later ponder, for example, whether the U.S. air war in Vietnam was counterproductive. The important fact, though, is that war strategists who pursue a policy only in terms of its military dimensions miss the most vital aspect of warfare—the enemy's will.

Even Karl von Clausewitz evidently failed to perceive the central importance of this fact. This allegation may require some explanation, because Clausewitz did talk around the "willpower" subject rather extensively. He spoke initially of war as "directed at the overthrow of the enemy's power of resistance," and he noted that in the application of force "there is no limit." "The hostile tension and the activity of hostile agencies, cannot be regarded as ended so long as the will of the enemy is not subdued," he wrote. But he somehow proceeded from this to the conclusion that "the aim is to disarm the enemy. . . . The military forces must be destroyed, that is to say, put into such a condition that they can no longer continue to fight." The rather comprehensive theory of warfare he then proceeded to build rested on the presumption that the defeat of (or the acquisition of a decisive advantage over) the enemy's army in the field was the *sine qua non* of successful warfare.

DEFEAT, NOT DISARM

Clausewitz was wrong—and by and large the whole Western military tradition has followed him into the dead end of that same non sequitur. The aim is not to disarm the enemy, the aim is to break the enemy's will. Defeat of the enemy's army in the field is one way of breaking his will, but oftentimes it is not the best way. It is certainly not the only way. And a number of recent wars—Algeria, the Arab-Israeli War, and the U.S. war in Vietnam—rather conclusively illustrate that the military dimension may not be the heart of the matter. (The reader will no doubt come up with additional examples.) In each case, a more or less victorious army in the field failed to successfully conclude its war because the enemy's will had not been broken.

This idea will not appeal to many Western military thinkers, because it leads quickly to a consideration of kinds of warfare that seem incompatible with Western concepts, as manifested in the traditional missions and means assigned to military forces. Specifically, in some wars—rather than to "war" against the enemy's army in the field—it may be more important to inflict destruction, or "pain," at the source of the enemy's will, wherever that may be—even if it is the enemy's social, political, and economic structure, including his noncombatant civilians *and his sanctuary*. This could mean destruction of the enemy cities, or his ricefield irrigation systems, or whatever may be of importance to him—a notion of warfare that the West has historically tended to reject. But it is nevertheless a concept of warfare that we need to examine carefully, particularly if it is the way that a non-Geneva Convention enemy must be persuaded to undertake a prisoner exchange in the face of a successful Vietnamization program by the U.S.

"UNCONVENTIONAL" WARFARE?

On another tack, the essentially guerrilla war philosophy advocated by such revolutionaries as Mao Tse-tung, Lin Piao, Che Guevara, the Black Panthers, and others does not seek the "defeat" of a usually superior enemy army. Their doctrines preach, instead, that "liberation forces" make themselves sufficiently obnoxious so that the opponent will "give in" to the demands of the revolutionary. The tactics involve harassment, subversion, sabotage, the taking and exploitation of hostages, and (as in Vietnam) are likely to embrace a heavy reliance upon pure terrorism: murder, torture, and overt intimidation of noncombatants. (It is perhaps significant that in the terminology of the Western military tradition such warfare is classed as "unconventional." There is no valid reason for this classification, except perhaps that it reflects the failure of the West to fully acknowledge this dimension of warfare.)

As has often been said, guerrilla forces "win" by surviving. That proverb is an oversimplification to which this author does not entirely subscribe, but the intent of the message is clear. It is not always necessary to "defeat" the enemy's military forces; it may be sufficient to inflict intolerable discomfort.

Another important aspect of this type of warfare, particularly in terms of its impact on the traditional Western concept of neutrality, arises out of the consequences of the "sanctuary principle" as we have seen it practiced in each of the wars involving the East and the West that have taken place since 1945. Start with the Civil War in Greece, and then proceed to list those wars which have gained not only their sustenance but also their inspiration and *willpower* from an outside source or sanctuary, and you will conclude that such wars are now the pattern rather than the exception. An incomplete list would include the Civil War in Greece, the Korean War, the Vietnam War, the War in Laos, the little wars that have occurred in Yemen and around the Arabian Peninsula, the war in Algeria, and a number of other takeovers or near takeovers in the Arab world, particularly in Syria and Iraq.

In short, the non-Western kind of warfare we have seen become the pattern since 1945, not only is the state of the enemy's willpower more important than the condition of his army, but the chances are good that the *source* of his willpower (and perhaps his warmaking capacities) resides in some *sanctuary* which—because of traditional Western inhibitions or various interpretations of international "law"—enjoys a high degree of immunity from the consequences of the battlefield war.

THE IMPLICATIONS

If the foregoing thesis is valid, it has important implications for the conduct of limited war today and for the eventual return of U.S. prisoners of war. What follows is a discussion of—rather than an advocacy of—these implications as demonstrated by the U.S. experience in Vietnam.

Let us start by suggesting that the U.S. war policy in Vietnam (closely locked in to the Western tradition) suffered from its failure to attach greater importance to the state of the enemy's *will* than to the state of his army in the field.

The earlier stages of the U.S. Vietnam War saw the initial U.S. response to what had virtually already become a successful Communist guerrilla effort—we sent the Green Berets, our own special forces version of counter-guerrilla warfare. The U.S. policy sought to "frustrate" the Communist guerrilla army by denying it access to its target—the South Vietnamese people and political structure. There was little in our policy at this point that was directed at the enemy's *will* to fight on. But by 1965 the enemy army in the field was still winning. Through terrorist tactics directed mainly at lower-level government officials and other noncombatants, Hanoi was progressively expanding its direct control and indirect influence over the South Vietnamese population.

The South Vietnamese population was Hanoi's primary target. But the U.S. continued to direct its efforts against Hanoi's guerrilla structure. Eventually more American participation was needed to bolster a South Vietnamese government that was losing the *will* to continue. In this, that government tended to reflect the state of mind of its citizenry. In fact, it can be argued that for various reasons the South Vietnamese government demonstrated more willpower to resist than did its citizenry throughout most of the war.

After 1965 a larger and more direct U.S. participation in the south was answered with more support for the enemy combat effort from the north. North Vietnam—and eventually Laos and Cambodia—because the sanctuaries that sustained the war taking place in South Vietnam. In time, North Vietnamese manpower and supplies, funneled into and through North Vietnam and Cambodia, became the essential sustaining factor in the enemy *combat* war effort and *Hanoi's determination* became the focal point of *enemy will-power*. Still the U.S. war effort was engaged in a future endeavor that sought to throttle the Communist forces in the field, rather than at the source. We flailed away at the tentacles of the octopus, rather than going for the head or the heart.

THE AIR WAR

As escalation progressed on both sides, the enemy's heavy infiltration of troops and supplies and increased reliance on North Vietnamese regular forces was answered by U.S. bombing of his lines of communication (and, much too late, by our brief excursion into Cambodia). This bombing campaign requires a closer analysis, because more than any other aspect of the U.S. war policy it reveals America's inability to come to grips with the central sustaining element of the Communist war effort: Hanoi's willpower.

As noted, our bombing campaign was directed at the enemy lines of communication, not at important political, economic, and social targets more directly related to his will to continue the war. Even in this regard, the most important funnel for his supplies from out of the country—the Haiphong port complex—was excluded by political decision in the U.S. Eventually some economic targets were hit, such as electric power plants. These were justified by U.S. policymakers on the grounds that they contributed to the Communist war effort. It is probably true that much of the enemy's actual arms and ammunition did not enter through Haiphong, but came instead down the rail line through Communist China. (It is also undoubtedly true that large quantities of "war supporting" goods—such as trucks—did enter North Vietnam via the seaports.) The U.S. did bomb the rail lines that connect North Vietnam to China, but this again proves that the air campaign was aimed at the enemy's war-fighting potential, not his willpower.

Some civilians must have been hit by this bombing campaign. It is difficult for a pilot to discriminate when in a bombing run and engaged in evading enemy groundfire and surface-to-air missiles (SAM's). It is also true that in modern societies legitimate war targets tend to be located uncomfortably close to civilian areas. It has been suggested that in some instances the North Vietnamese deliberately placed military hardware—such as SAM's and AAA emplacements—in positions adjacent to civilian population concentrations. But the point is not that some civilians might have been or were hit by this bombing campaign. The point is that civilians (and the enemy's willpower as manifested within his political, social, and economic fabric) were not the targets. The targets were the enemy's warmaking facilities, supplies, and lines of communication.

GRADUALISM IN VIETNAM

In addition to the *scope* of the U.S. air war policy, there is another aspect that needs to be examined—its *gradualist* pace.

Much is going to be written about Vietnam gradualism in the years ahead. One of the better discussions of this subject has already appeared in the *U.S. Naval Institute Proceedings*, written by Col. A. P. Sights, jr., USAF-Ret. ("Graduated Pressure in Theory and Practice," July 1970 issue. See also the author's "A Doctrine for Limited War" in the October 1970 issue of the same publication.)

Recognizing the skepticism that, at least within the Washington community, has come to surround the worth of the U.S. air war in Vietnam, it is to be hoped that all the air war critics will read Colonel Sights' essay. He makes a number of valid points which should stand up over time. But his central thesis—that "the stategy of graduated pressure . . . will very likely be retained for lack of an acceptable alternative"—needs to be questioned.

Colonel Sights traces gradualism from its inception with the uncertainties of atomic warfare through its theoretical development in "scholarly study" of war strategy, mostly by non-military strategists.

There are a number of difficulties with "gradualism" as an idea, in any kind of warfare. One is obvious: it provides the enemy with the opportunity to recover, adjust, and compensate. Gradualism may also signal weakness to your enemy. As interpreted in the oriental culture, that can be highly significant. More fundamentally, the flaw of the gradualism doctrine as it has evolved in practice for the conduct of limited warfare is that it is predicated—perhaps subliminally—on the desirability of minimizing the "hurt" in war. In the abstract, this is a commendable objective, but gradualism may be counterproductive in this respect, particularly in limited war.

When war is made more palatable, is it not also made more conceivable, and thus more likely? After a war has begun, do measures introduced to constrain the level of violence prolong the war and thus produce more casualties and more human misery, rather than less? Someday someone must do a study on the proposition that an early and aggressive U.S. air war against North Vietnam—one that was aimed less at military hardware and lines of communication, more at inflicting the maximum "hurt" on the political, social, and economic fabric of the society, always with the promise of more punishment to come—would have obviated the need for the 40,000 American combat deaths that later occurred. It might even be worthwhile to ask whether the fear of really "horrendous" punishment—the atomic bomb—could, at some point, have deterred North Vietnam from further transgression.

These questions cannot be avoided merely on the grounds that they make us uncomfortable (locked in, as we are, to our Western tradition). If for no other reason, they should be examined on the off chance that the other side may not be thinking the same way we are about what counts in winning a war. Moreover, the answers to these questions may illuminate the way toward the speedy exchange of prisoners desired by the U.S.

Some will argue that such air wars serve to bolster the determination, and thus reinforce the willpower, of the target population and political structure. This argument continues to surface in criticism of the U.S. air war in Vietnam, and there may be some evidence to support it. But in one sense, at least, the argument and the evidence are specious, for the U.S. air war in Vietnam was not given the mission of breaking the enemy's will—it was given the mission of interdicting his lines of communication. It remains to be seen what would have happened if the air war had been given the mission of diminishing the enemy's will.

The history of other air wars is inconclusive in this respect also. The Battle of Britain and the Allied air war against Nazi Germany are frequently cited as examples of air campaigns that did not contribute to a diminution of national willpower to continue a war. But again, it is not clear that such was the purpose of those air campaigns. It is also possible that our Western military traditions inhibit our ability to plan and execute such campaigns successfully.

If our record in this regard is, in fact, one of failure, that failure should not be taken as proof that it cannot be done. Given the capabilities of air power in the present day, it is hard to accept the view that air war campaigns designed to break an enemy's will are not possible of design and execution—as some now try to persuade us. Does not the U.S. strategic policy of "deterrence" of general war rest on the proposition that an enemy will turn from conflict rather than endure intolerable consequences? Finally, in at least one case, an air war campaign can be said to have materially contributed to a national diminution of resolve to continue a war—in Japan in 1945.

MUCH WE DON'T UNDERSTAND

All of this suggests that there is much that we in the West do not yet understand about the nature of limited warfare. The words "we in the West" should be emphasized, because there is growing evidence that our enemies possess a better understanding of this "political willpower" dimension of warfare than we do—or perhaps it is that their different cultural values place less inhibition upon them in their pursuit of the goals involved in winning a limited war. Is it not now also evident that their different values have led them to exploit the POWs as political hostages rather than as objects of international law?

Some scholars have begun to examine Eastern and Western cultural differences in an original and objective manner. Their earliest studies in this area (though not specifically related to the subject of this essay) suggest to this writer that as more wars occur between Western and non-Western powers, the patterns of conflict are likely to change from past patterns—probably away from the traditional Western concepts of warfare derived largely from the history of wars within the Western civilization—which the West has mistakenly come to accept as the norm. Indeed, the evidence offered in this essay suggests that a substantial change has already taken place.

The question the U.S. must ask itself is whether a new strategy for dealing with these non-Western wars is needed—one which would place greater emphasis upon the "political willpower" dimension of warfare. If our present outlook is deficient in this regard, as I believe it is, then we may be setting out upon a re-examination of basic premises that will have far-reaching impact, not only upon our strategy for limited wars, but perhaps for general war as well. (Once "political willpower" defines your objective—in general war—do you need a "counterforce" capability as well? It not "deterrence" a *finite* level of intolerable pain that restrains your potential nuclear war opponent?)

Let it be clear, however, that this essay is not making the usual appeal for increased U.S. attention to the role of psychological warfare. Such a reemphasis may be in order as part of the process suggested above, but that is not the thrust of my suggestion. Instead, I have here taken issue with the underlying philosophical tenet which governs the conduct of warfare in the West—the idea that wars are conducted by armies. They are not. Wars are fought by people, possessed of the will to continue or the will to stop. When the enemy "people" are controlled by a tight totalitarian system, the willpower that counts may reside in but a few individuals who are aminly concerned with the security of their own political position. The history of U.S. war policies and practices since 1945, particularly in Indochina, suggests that the U.S. has not well understood the significance of this "political willpower" factor, but now the time has surely come to face up to it!

It is recognized that the overriding policy decisions contained in the foregoing discussion (of Vietnam) were mainly decisions derived through the U.S. political structure and process—of which the American military is only a part. Nevertheless, America's military must ask itself whether its acquiescence in these decisions has contributed to shortcomings of the U.S. policy.

Perhaps we should also ask ourselves whether or not a policy of Vietnamization—which is allowed to result in a "fading away" of the war without benefit of a truce and concomitant prisoner exchange—is the policy best calculated to obtain the release of our POWs, some of whom have been in virtual isolation for the past four to six years.

SENATOR MUSKIE'S ADDRESS AT THE UNIVERSITY OF PENNSYLVANIA

Mr. HART. Mr. President, on February 23, my colleague, from Maine, Senator MUSKIE, spoke in Philadelphia about the dangers of our widening involvement in Indochina. He delivered a compelling call for "wisdom, moderation, and restraint" so that we can help create the conditions for peace. I commend his words to your attention and ask unanimous consent for their inclusion into the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR EDMUND S. MUSKIE AT THE CONNAISSANCE LECTURE, UNIVERSITY OF PENNSYLVANIA, PHILADELPHIA, PA.

George Kennan once wrote that "A political society does not live to conduct foreign policy . . . it conducts foreign policy in order to live."

Our experience in Indochina is a tragic demonstration that our foreign policy affects us no less than it affects other nations.

Foreign policy is not a game. It should be a means for allowing us to get on with what ought to be our fundamental tasks—of building a whole society here in America, and of helping other nations improve the quality of life for their citizens. The time has come to return to these tasks.

Now is the time to do what we must; to end the war; to end the killing 10,000 miles away; to stop tearing our own country apart. For almost 200 years as a nation, we have proclaimed our belief in peace and in the dignity of man. Yet for too many years, we have permitted that belief to wither away in the jungles of Indochina. We have too often behaved in Indochina as if the use of force should be a first alternative rather than a last resort. We have too often behaved in Indochina as if our nation's men and resources were bargaining chips in an international game of poker. We have too often behaved, in Indochina and elsewhere, as if the preservation of the status quo abroad were essential to our survival here at home. We have too often behaved, in Indochina and elsewhere, as if international politics were a simple contest between the forces of darkness and the forces of light.

How, then, *should* we behave in a world where distrust and hostility still run deep, where the aims of nations continue to differ in fundamental respects? While remaining prepared to resist the threat or use of force, we must also be prepared to exercise the wisdom, moderation, and restraint which are necessary if man is to create the conditions for peace.

We must remember that saving men's lives is more important than saving face for governments. We must remember that a foreign policy which cannot be presented honestly to the American people does not deserve their support. I speak tonight out of deep concern that we have forgotten these very principles in Indochina, and so the war goes on.

I am deeply concerned that after this Administration has assured us it was winding down the war, it has taken new military actions across the face of Indochina. I am deeply concerned that this Administration has ruled out any further initiatives by our negotiators at the Paris Talks. I am deeply concerned by the news blackout before the invasion of Laos, and the conflicting reports of what is happening there now. Eventually, we will know, and the Administration will learn that it can embargo the news, but it cannot embargo the truth.

It is cynical for this Administration to argue that Americans are not engaged in ground combat in Laos when American helicopter gun crews are involved in ground combat, and American lives are being lost. A difference of thirty feet in altitude between helicopter gunners and the ground troops they are firing at is no difference at all in function.

I believe it was wrong to unleash South Vietnamese troops across the border of Laos and support them there, as I believed it was wrong to lead them across the border of Cambodia. What we have attempted, with a limited number of South Vietnamese, is an operation that has been rejected in the past for far stronger U.S. forces. Once again, this Administration has minimized the risks and exaggerated the benefits of a new military adventure. Whatever the apparent or illusory short-term military gains, this action has resulted in a substantial extension of our military involvement and has further undermined the Paris talks.

I believe it was right for the President to have told us last June that no combat support missions would be flown across the skies of Cambodia. I believe it was wrong for his Secretary of Defense, six months later, to characterize this pledge and the words of the Cooper-Church Amendment as matters of "emantics." If these matters are semantics, then neither the pledge nor even the laws of our government can have any reliable meaning.

I believe it is wrong to increase once again the bombing of North Vietnam. And I believe it was wrong for the President to refuse to rule out an invasion of North Vietnam by the South Vietnamese—who could not attack the North without our support.

The longer we lend our presence to this expanding conflict, the longer this conflict will endure. And the longer it endures, the more profound will be the injury done, not only to the peoples of Vietnam and Cambodia and Laos, but to our own country—to our men who are killed or maimed and to their families, to our institutions of learning, to our procedures for governing, to our confidence in our society's ability to reach for its own ideals.

The President has had more than two long years to implement his so-called plan to end the war. But all that he has revealed is a program for maintaining a substantial American military presence in Indochina. Our troop level in South Vietnam will have been reduced to 284,000 men by May of this year. I welcome that reduction. I believe all Americans welcome that reduction. This Administration has tried to make us believe, however, that its policy is to train the South Vietnamese to take over the fighting so our troops can be withdrawn. But has the President said that this is his policy? No—he would only say last Wednesday that we will withdraw all our troops as part of a mutual withdrawal.

Then what are we to make of the President's refusal to say his policy will lead to a complete withdrawal of American troops? Must Americans fight and die indefinitely in Vietnam and Cambodia and Laos? Must our men in South Vietnam remain indefinitely as props for the Thieu-Ky regime? And how long must further thousands of our men in Thailand and on the seas off Indochina be committed to this war? These are the things we want this Administration to make perfectly clear.

This much we already know: Vietnamization is not the answer. Vietnamization is no answer for our American men still held captive as prisoners-of-war. Vietnamization is no sure answer for the safe withdrawal of our remaining troops. Vietnamization is no answer for a negotiated settlement to end all of the fighting. Vietnamization perpetuates the illusion of ultimate military victory.

This Administration now argues that its activities in Cambodia and Laos will protect Vietnamization and thereby hasten an end to the war. It is a curious logic that would conclude a war by widening it. What will happen if American troop levels continue to drop and our forces become more vulnerable to attack? Will there then be more invasions of Laos by the South Vietnamese, with continuing American support? Or will the President then resume the air war against North Vietnam beyond the vague limts of what is now called "protective reaction?"

Only last Wednesday, the President said he was "not going to place any limitation" on the use of conventional air power anywhere in Indochina, including North Vietnam. Let us remember that the bombing of North Vietnam accompanied a massive increase in American troops from 1965 to 1968. The bombing left hundreds of American pilots prisoner in North Vietnam. The bombing did nothing to prevent the TET offensive. And when we stopped the bombing in October 1968, our objective was to begin substantive negotiations.

The President now says he will take no new initiatives at the Paris talks. All that is left of the President's so-called plan is Vietnamization. Some say that plan will work. Some say it will not work. I say it is the wrong plan in either case.

If the plan does work, we can look forward to continued warfare among the Vietnamese and an indefinite American presence. If it doesn't work, this Administration does not exclude the possibility of attacks on North Vietnam itself. The dangers are incalculable. A plan which leaves only these alternatives, which gives us only these bleak expectations, is the wrong plan. It is the continuation of a war which must come to an end.

I am convinced that for the right policy we must look—not toward Vietnamization, but rather toward the peace negotiations and toward creating the conditions for peace. We must seek to negotiate in Paris what is negotiable and what can never be settled on the widening battlefields of Indochina.

We cannot hope to dictate the lasting terms or even the shape of a political settlement of this conflict. Only the Vietnamese can settle their political differences. Only they can fashion a settlement in which they have a stake. Only they can understand the political realities which such a settlement must reflect.

It should be clear to all of us by now that this war is essentially a war fought among the Vietnamese people for political ends. And therein lies a lesson of this tragedy. We cannot substitute our will and our political system for theirs. We cannot write the social contract for another people. We may, however, be able to reach agreements on those issues which concern us most, provided we make clear our intention to withdraw all our troops from Vietnam by a fixed and definite date.

I have no doubt we could then negotiate the release of our American prisoners of war before that deadline. I have no doubt we could then negotiate the safe withdrawal of all our troops now stationed in South Vietnam. In addition, there could be a cease-fire between our troops and theirs which could be the first step toward a complete standstill cease-fire among all the parties. At the same time, we could work toward agreements to end the fighting in Cambodia and Laos. And we could encourage the Vietnamese parties to negotiate a political settlement that would restore a measure of peace to all of Vietnam. These must be the goals of our policy in Indochina.

Many Americans believe that events have taken over, that things have gotten out of hand, that nothing they can do will change the policy of this Administration. But I believe you can make a difference, even before 1972. You can exert responsible public pressure upon the Executive branch for an American commitment to complete withdrawal, before 1972. You can support initiatives in the Congress to establish an Indochina policy which makes sense, before 1972.

That is why I introduced a sense of the Senate Resolution last May, calling on the President to establish a timetable for the complete and orderly withdrawal of all American troops. That is why I co-sponsored the McGovern-Hatfield Amendment in the last Congress. And that is why I have agreed to co-sponsor it in this Congress, and to support its establishment of a deadline of December 31, 1971.

It should be clear to us by now that for too many years, we have pursued the wrong policy in the wrong place in the wrong way. The price of that policy has been a terrible cost in American lives and resources. The price has been a terrible cost in the suffering of the peoples of Indochina.

We have helped to destroy their countryside, their towns and their villages, the very fabric of their lives. And if we now have any commitment in Indochina, it must be this: we must help the people of this region rebuild their countries and heal the wounds of war. We must show in Indochina that we understand what foreign policy is all about, what wisdom and judgment and restraint are all about, what compassion and moral obligations are all about.

Isn't it clear then what we must do? After so many young Americans have felt compelled to demonstrate against their own government; after so many Americans of every description have come to doubt what their government says and to doubt that their government will listen; after so much division and disillusionment throughout this land; isn't it clear?

Of course, it is clear. It is clear that the only light at the end of the tunnel will be the one we strike ourselves. We must withdraw all our troops from Vietnam. We must do so by the end of this year. We must be willing—all of us—to say, "Enough."

THE PRESIDENT'S EXECUTIVE REORGANIZATION PROPOSAL

Mr. PERCY. Mr. President, both the Chicago Daily News and Chicago Sun Times have recently reacted favorably to the President's proposed reorganization of the Federal bureaucracy. Both newspapers hope the reorganization plan can be made effective to make the Government more responsive to the people.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point these two excellent editorials.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Chicago Daily News, Jan. 26, 1971]

NIXON'S BIG RESHUFFLE

"Change is hard," President Nixon conceded when he confronted Congress with proposals for sweeping changes in government organization. And although the need for change in any number of musclebound institutions of government can be readily demonstrated, the road to achievement is long and lonesome, and strewn with booby traps.

The elements of Mr. Nixon's plan to restructure federal departments are soundly conceived. Even to the untrained eye, it is clear that the functions of Cabinet officers overlap at many points, and at lower levels the mushroom growth of federal agencies in recent years has created a bewildering jungle.

The proposed new structure would leave only four of the present departments intact—State, Defense, Treasury and Justice. The remaining seven (now that the Post Office has been set aside) would be refined into four, under the headings of Human Resources, Community Development, Economic Development and Natural Resources.

This formulation grew out of a study under the chairmanship of Roy L. Ash, president of Litton Industries, and seeks to apply some of the management techniques of big business to the biggest business of them all, the federal government. But the political touch is also evident in the proposed labels. "Natural Resources" has a certain ring that is lacking in the Department of the Interior, which would be the nucleus of the new department, and who could resist the appeal of a whole wing of government dedicated to "Human Resources"?

Plainly, there would still be some overlap, for every department meets all the others coming 'round the bend. Economic development doesn't exist in a neat little compartment walled off from human and natural resources or community development. Co-ordinating the whole remains the job of the President. But merging most of the functions of Commerce, Labor, Agriculture and Transportation into the single Economic Development category would surely make sense.

The obstacles to such sweeping changes, however, are formidable. Long-established relationships between special interest groups and their government would be severely scrambled. The farm lobby, to cite only one example, cannot be expected to welcome the disappearance of a Cabinet-level Department of Agriculture. The reorganization would also disrupt any number of cozy positions of influence on congressional committees. The committees themselves would have to be reshuffled to align with the new look in the Executive branch. Between the external lobbying and the foot-dragging within Congress, the reorganization plan isn't likely to give the proverbial snail much competition.

Nevertheless, the challenge has been hurled and Congress can't very well ignore it. Mr. Nixon can carry his appeal again to the people, on the same grounds that he laid down in his State of the Union message: The reorganization is needed to make government more responsive to the people, as well as more efficient.

That's an impressive selling point, and if the plan falters it will be the opponents of change who must carry the burden of proof.

[From the Chicago Sun-Times, Jan. 26, 1971]

FORM, CONTENT, AND MR. NIXON

Mr. Nixon's proposal in the State of the Union message to reduce the present 12 Cabinet departments to eight and thereby streamline the federal bureaucracy cannot but envoke enthusiasm. The public often sees the bureaucracy as a creature whose tentacles ensnare not only the citizen but the bureaucracy itself.

If the President plunks a rich chord, he also encourages skepticism. For it is not whether there is bureaucracy, since bureaucracy is crucial to governing, but what kind of bureaucracy. One finds little hint in his talk as to how the new bureaucracy could surpass the present one; the present bureaucrats would run the new one. Who else would or could?

Now, the State of the Union address is of course no place for a chalk talk on office management. But since Mr. Nixon in the 92d Congress faces adversaries who could shake the confidence of Francis of Assisi, one wonders whether he has set out a project impossible to obtain at this time. His reorganization proposal is the kind one might expect from a President who is getting along with the Congress or who has just been convincingly returned to office. Alas for his program, Richard M. Nixon is neither.

To propose a massive plan such as this implies the change in form will be accompanied by real content—that is, effective governing. That could happen. But the point is that there is no convincing prologue to the play Mr. Nixon has written.

The State of the Union message as it always does has political overtones. But in fact we are glad to see him saying in effect (no matter what he says about turning the country back to the people, whatever that means) that the time has come for strong, positive, assertive leadership from him and the government. How else, he was in effect saying, can his hopes for welfare reform, a national health program, protecting the environment and keeping the Ping-Pong ball economy stable be realized?

We have at times criticized the President harshly and we feel that his major accomplishments are yet to come. But because he is President of all the people, we would like nothing better than for him to make a stunning record in the coming two years including the reorganization. If he does, he can then go before the people and the Congress on other matters with considerable confidence. And if he has a good record, they will have confidence in him, confidence that reorganization of the government will mean a change not only in form but toward better government.

COSPONSORSHIP OF THE FEDERAL EMPLOYEES FREEDOM-OF-CHOICE ACT

Mr. TOWER. Mr. President, I am again pleased to cosponsor with the distinguished Senator from Utah (Mr. BENNETT) the Federal Employees Freedom-of-Choice Act.

This is an extremely important piece of legislation. The passage of the bill would put Congress on record in support of the Federal employees right to refrain from joining a union. In his remarks, Senator BENNETT noted the Presidential action already taken to preserve this right. I join the Senator from Utah in praising the action of our three latest President's for their support of the concept of freedom of choice as it pertains to becoming a member of a particular organization such as a union.

However, I am sure that this body, in toto, would agree that congressional support of this concept would be more significant and lasting than the Executive order procedure undertaken by the President, whomever he may be. Last year during the debate on the postal reorganization plan, the Congress inserted a provision similar to the one that is now being proposed by Senator BENNETT and myself. Congress should act this year to extend this freedom of choice clause to all of our Federal employees.

The bill seeks to establish a clearly defined balance between the employer, in this case the U.S. Government acting as a representative for the citizens of this country, and the employee, the Federal civil servant. This balance is accomplished by giving to that civil servant the opportunity to choose whether or not he desires a union to be his sole representative during labor negotiations.

Again, I wish to thank the distinguished Senator from Utah for availing me the opportunity to cosponsor this bill. Senator BENNETT has long recognized this problem and has fought courageously to have the freedom of choice concept clearly defined. I trust that all Senators will give this bill their careful consideration.

FBI REVIEW NEEDED

Mr. McGOVERN. Mr. President, a few weeks ago I brought to the attention of Congress the case of former FBI agent, Mr. John F. Shaw, whose treatment at the hands of J. Edgar Hoover reflected the sorrowful state of the administration of the FBI. I called for hearings to review and correct that situation.

On a subsequent occasion, after discovering that Mr. Hoover had revealed his version of the case in the public press, yet refused to submit the same information in response to an inquiry from the Subcommittee on Administrative Practice and Procedure, I noted that Mr. Hoover's action amounted to contempt of the Congress.

A study of the previous attempts to secure a review of Mr. Hoover's administration will reveal that his frequent response is to create a diversion from the key issue. In reply to my call for an inquiry, he raised a false issue about the dates of the various aspects of his action. But the indisputable fact remains that Mr. Hoover publicized his version of the Shaw case while refusing to provide that same information in response to a request of a committee of Congress. And the key issue remains the quality of the present administration of the Federal Bureau of Investigation.

In this regard, I am submitting a copy of a letter I received written on behalf of 10 present agents of the FBI. The letter is written on the letterhead of the FBI. It is unsigned. The reasons are obvious. But the information it relates has been confirmed to an extent that demonstrates the great need for the most serious review of Mr. Hoover's administration.

I am also submitting for inclusion in the RECORD a copy of my response to their letter so that these agents may know that their call for review has not gone unheeded.

I have also received a letter from the John Jay Law Club of the John Jay College of Criminal Justice. These men have asked me to add their voice to a call for an investigation of the treatment of agent Shaw.

The Attorney General replied to my earlier request for an investigation of the circumstances involved in the Shaw case by noting that since the Shaw matter had been filed with the courts, it would not be appropriate to contest it in another forum. This is, of course, correct with regard to the Shaw case specifically, and its individual merits. But an appropriate regard for the judicial function does not bar a general review of the administration of the FBI, encompassing the serious questions and criticism raised in Mr. Shaw's original letter to his professor, as is supported and elaborated by the letter from 10 agents which I have received, and confirmed by a pattern of public and private conduct which has made it common knowledge among law-enforcement officials that Mr. Hoover has become a liability to law enforcement.

It is time that the American public be made aware of the seriousness of this situation. I am, therefore, writing to the Attorney General to request that he proceed with this long overdue investigation, and I encourage the appropriate congressional committees to undertake a similar review.

Mr. President, I ask unanimous consent that the following items be included in the RECORD: The letter I received from 10 agents of the FBI, my response to their letter, and the letter I received from the John Jay Law Club.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF INVESTIGATION,
Washington, D.C., February 2, 1971.

HON. GEORGE MCGOVERN,
U.S. Senator, Senate Office Building, Washington, D.C.

DEAR SENATOR MCGOVERN: I am writing this letter for myself and on behalf of nine associates. We are all Special Agents of the Federal Bureau of Investigation. We ask you to excuse the fact that it is unsigned. We are not accustomed to acting in this manner but in view of the treatment recently afforded former Special Agent Shaw of the New York Office we hope that you will understand and afford some consideration to this letter.

We are writing to urge you to press for the hearings about the FBI that the news services have recently reported you in favor of. The treatment given Mr. Shaw, while harsh, is not so unusual as to be dismissed as an isolated instance. Rather, it is indicative of an entire attitude and method of operation employed by FBI headquarters. There are many, many others who suffered similar fates of varying degrees whose stories could be told. Because of different family and other situations there were not able to bring this matter to light as was Mr. Shaw. Nothing similar has happened to any of us but there is not a man in the Bureau who does not know someone that something has been done to of a similar nature.

But there is much more involved than personnel matters. We have read newspaper accounts of Mr. Shaw's letter. The criticisms he makes of the FBI are all correct. The situation as it now exists is stifling any good that the FBI could do in this country.

Our statistical accomplishments about which Mr. Hoover publicly takes so much credit are, for the most part, phony. A large number of them, especially in the fugitive and stolen auto areas are taken from the work of police departments. As such, they are reported twice. This makes the FBI Uniform Crime Reports grossly inadequate to say the least. Those statistics in the conviction field which are ours are for the most part from matters involving minor or petty offenses in which the subjects can be easily talked into pleading guilty in return for a lesser charge. A large number of convictions claimed by the FBI, especially in Washington, are the result of police work on a matter in which there is joint jurisdiction. The police report the conviction and so do we. We are not allowed to fight the real crime in this country which should be fought—it is long and hard work and does not produce the volume convictions of which Mr. Hoover is so proud. Our convictions are concentrated predominately among minority groups who commit minor offenses, usually disregarded by police departments. Mr. Hoover insists that we concentrate in this area among people who do not understand their rights as well as others. It produces record numbers of convictions. If an actual breakdown of what is really involved in the convictions we claim were ever made known to the public every Agent in America would be ashamed to show his face. The list is endless.

To be honest, we are younger Agents, between twenty-seven and thirty-one years of age. But this letter is not written out of inexperience. One has only to spend a few years in the FBI to learn how the system operates. We write, rather, because we believe that the FBI could be a vital force within our system of government for good if allowed to do the job that needs doing. If we could for only a few moments forget about the Director's image and the preservation thereof. At the present that is all we exist for.

We write to you in the hope that you are sincere in your statements about the Bureau. We urge you to continue to make inquiries into the operations of the FBI and to try and bring about a much needed change. Mr. Hoover has rendered great service to America. We do not argue with this. We do state, however, that in the recent past Mr. Hoover is tearing down that which he has built up, and at a much faster rate, both through his public statements and through the attitude of "take the easy road" which he is demanding throughout the FBI.

This letter is written on letterhead paper in the hopes of convincing you of its origin. Please make whatever use of it you deem necessary. We only ask that you do not let the original out of your possession. It could possibly be traced. And believe us, it would be.

MCGOVERN LETTER TO FBI AGENTS, MARCH 1, 1971

Your letter urging that I press on for hearings on the administration of the FBI adds to a now lengthy record of reasons to review Mr. Hoover's administration. I requested an investigation after being informed of the outrageous treatment afforded a loyal agent of the FBI. Mr. Hoover's action in inducing this man to resign, and then accepting his resignation "with prejudice" so as to prevent him from securing further employment, went well beyond internal questions of personnel policy to the most fundamental matter of human rights and basic decency. Mr. Shaw is the father of four children and his wife is seriously ill. I requested hearings as a means of setting right the grave injustice he is suffering.

But as you have recognized, Mr. Hoover's action in the case of this one man reflects a much more pervasive crisis in law enforcement in America. In particular it should be noted that the vindictive persecution of an employee for privately voicing a criticism of Mr. Hoover contrasts sharply with Mr. Hoover's own public castigation of his former superiors, Ramsey Clark and Robert Kennedy.

Mr. Shaw is being persecuted for privately voicing constructive criticism of the FBI's administration. Mr. Hoover engages in scurrilous public name-calling directed at two former Attorneys General to whom he was responsible, and he continues to be glorified and protected through the most highly developed public relations system ever employed by a governmental agency. If any other administrator of an agency of our government was known to have engaged in the intimidation of his employees, to have publicly castigated his former superiors, to have violated the most fundamental tenets of due process of law by announcing the criminal guilt of American citizens prior to even the filing of an indictment against them, a Congressional investigation would be initiated. That there has not been such a call long ago is testimony to the extraordinary position of privilege which Mr. Hoover has enjoyed; privilege absolutely inconsistent with the fundamental prerequisites of government in a free society.

Tyranny has many faces. Bureaucracy encrusted with procedures and policies dedicated to its perpetuation and glorification without regard to the public interest is probably its most threatening appearance in a free society. It becomes especially dangerous when it is devoted above all to sustaining the power and ego of one man.

Mr. Hoover *has* rendered valuable service. Particularly when it is understood that the operations of the FBI touch the most sensitive aspects of our society, his years of professional performance deserve recognition. But it is precisely because of the importance of the FBI for law enforcement and its relevance to the rights of all Americans, that the degeneration of his leadership must not be allowed to continue.

The vindictive treatment of FBI Agent John Shaw, the attacks on Ramsey Clark, Robert Kennedy and Martin Luther King, are not simply a reflection of extreme oversensitivity to criticism. They betray an ominous and increasing egotism and personal prejudice in Mr. Hoover's statements and activities. The seeds of this misdirection appear to rest in long established policies, though much of this information has only recently come to light.

For example, after first refusing to reveal the information to a syndicated columnist, and only after public pressure was brought to bear, Mr. Hoover revealed through the Justice Department that as of January 31, only 1.3% of the FBI's 7,910 special agents are of minority races.

Mr. Hoover has begun to make public his disparagement of Mexican-Americans and other minorities. And his disgraceful attack on the integrity of Martin Luther King, a man who blessed an entire nation with the bounty of his compassion and conscience, is the ultimate measure of Mr. Hoover's isolation from a true sense of justice in America.

I regret to have to recognize that neither you nor I nor the American people are likely to receive any aid from the Administration in setting right the house of the FBI. As you may know, when two high Justice Department officials recently criticized Mr. Hoover for his irresponsible statement in the Berrigan case and suggested that he should retire, they were summarily rebuked and silenced by the Administration.

I know also that I can expect to confront the massive public relations operation which has long stifled any criticism of Mr. Hoover's administration. Indeed, within two days of announcing that I had received an unsigned letter written on behalf of ten present Special Agents, I received a letter from a present agent of the FBI extolling Mr. Hoover's virtues, and condemning my criticism. Although this agent asserts that he is writing without the acquiescence or knowledge of Mr. Hoover, its distinctly public relations character inspired a check by my office on the function of the agent writing the letter. We were informed by the FBI operators that he is employed in the Office of the Assistant Director of the Crime Records Division, Mr. Thomas E. Bishop, who as I'm sure are aware, is Mr. Hoover's publicist.

Your letter indicates that you realize that because it is unsigned it is open to this sort of effort to discredit the call for a review of Mr. Hoover's administration. I do not, however, think your apology is necessary. No man should presume to be your conscience where the well-being and security of your families is concerned.

I do suggest, however, that we all take a longer look at what constitutes the well-being and security of our families. We must ask what measure of freedom and justice we want for our children. I cannot believe that we want our great nation to become a land where our personal privacy and our personal freedom is jeopardized by the abuse of power by a police official who seems to believe he is a law unto himself.

Sincerely,

GEORGE MCGOVERN.

JOHN JAY LAW CLUB,
New York, N.Y., February 10, 1971.

Through: Hon. George McGovern, U.S. Senate, Washington, D.C.

To: Hon. John Mitchell, Attorney General, Justice Department, Washington, D.C.

DEAR SIR: The officers and members of the John Jay Law Club, of the John Jay College of Criminal Justice, implore you to take positive and responsible action in regard to Senator George McGovern's request for an investigation of J. Edgar Hoover's treatment of agent John F. Shaw, for writing a letter on the strengths and shortcomings of the Federal Bureau of Investigation.

We agree with Senator McGovern that the injustice which this man has suffered cannot be tolerated in a free society. But, beyond consideration of the personal tragedy, what is at stake is the integrity of our government and the effective enforcement of its laws.

A reply concerning your actions on this matter would be appreciated.

Very truly yours,

HENRY HARRISON, *President.*

HUNGER

Mr. PERCY. Mr. President, as the ranking Republican member of the Select Committee on Nutrition and Human Needs, I join the distinguished Senator from South Dakota, the chairman of our committee, in urging support for Senate Resolution 22.

Since the resident delivered his historic "hunger message" in May of 1969, the administration together with Congress and the committee have made significant, often dramatic gains, in the antihunger programs.

The new School Lunch Act guarantees a free or reduced-price lunch to all needy schoolchildren. Participation in this program has increased from less than 3 million to 5½ million. The new Food Stamp Act promises greater food benefits to more hungry Americans. Participation in this progam has increased from 2 to 10 million. All together the number of poor Americans participating in food programs has risen from 6 to 12 million. And funds for Federal food assistance programs have increased by more than $1½ billion.

However, our work is not finished; in fact, it is only half done. Of America's 25 million eligible poor, our efforts have reached only 12 million. An estimated 13 million poor Americans are still without Federal food assistance.

I am confident that this administration will continue to move forward in making the paradox of hunger in the most affluent nation in the world no more. Like the distinguished Senator from South Dakota, I believe that the committee's efforts have greatly contributed to the progress made against hunger. I can assure you that the committee asks not to broaden its mandate but to fulfill it. I hope my colleagues will see fit today to extend the life of the Select Committee on Nutrition and Human Needs and allow it to continue helping the President finish his war on hunger.

COMPREHENSIVE PREPAID HEALTH CARE—WHY?

Mr. HUMPHREY. Mr. President, the Nation is experiencing a crisis in health care that cries out for extensive reform in both the delivery and financing of the way in which these services are provided the American people.

We are blessed in this country with excellent medical technology, the world's best trained doctors and nurses, the finest scientific research and treatment facilities.

The problem before us is to get all of this to all of our people at prices everyone can afford to pay.

Americans spent $70 billion on health care last year—that is about $325 for every man, woman, and child in the country—and yet we rank worse than 10 to 17 other nations in terms of life expectancy and infant mortality.

We are the only major industrialized nation that does not provide some form of national health service for its citizens.

Dr. Solomon J. Zak, a highly respected physician in the Minneapolis-St. Paul community, has addressed himself to this subject in an informative, learned, and readable article entitled "Comprehensive Prepaid Health Care—Why?"

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article

was ordered to be printed in the RECORD, as follows:

COMPREHENSIVE PREPAID HEALTH CARE—WHY?

(By Solomon J. Zak, M.D.)

This nation is faced with a breakdown in the delivery of health care unless immediate concerted action is taken by Government and the Private Sector. . . .—Robert H. Finch, Secretary, Health, Education, and Welfare, 1969.

Numerous pronouncements made in the mass media relating to the extraordinarily high health care costs in the United States have served to sensitize the American public to that aspect of failure of our present fee-for-service system of health care delivery. Thus, in 1950, the combined public and private spending for health and medical care in the United States was 12.1 billion dollars, with 9 billion accounted for by private spending. By 1955 the total rose to 17.9 billion dollars. In 1960 total health and medical care in the United States had increased to 26.4 billion and in 1965 to 38.9 billion. In 1969 a remarkable increase took place to 60.3 billion dollars which amounted to 6.7% of the Gross National Product in fiscal 1969. One-third of the total was met by government (local, state, federal) funds.

While there has been a significant increase of persons partially covered by various forms of health insurance during the past quarter century, some forty million persons in this country still have no health insurance whatever. Some sixty million persons under the age of 65 years have health insurance coverage that must be considered as grossly inadequate. Furthermore, the percentage of consumer health expenditures met by health insurance in the years 1960 through 1968 peaked in 1968 at a figure of only 36%.

There are other additional and equally compelling reasons why re-organization of health care delivery systems in this country is so essential. Multiple standards in the delivery of health care are readily acknowledged, and are directly related to the factors expressed in the well known statement: "Today medical treatment is too often oriented towards what the patient can afford, rather than what the patient truly needs." Truly comprehensive and complete medical and hospital care coverage by existing plans is virtually non-existent in this country, and routine examinations with an emphasis towards preventive medicine are not even covered under the existing Medicare Act.

Unfortunately, at present, there are too few truly concerned physicians, hospital boards, hospital administrators or statesmen making any serious effort to alleviate these problems. It must be recognized that apathy in the private sector will lead, inexorably, to greater governmental control of the health care industries, and that the responsibility for assuming the initiative in altering our health care delivery system must be assumed by the medical profession itself.

An alternative for the cumbersome and expensive fee-for-service system of health care delivery is available; Comprehensive Prepaid Health Care has proved successful in many parts of this country and is receiving growing recognition as the principal bulwark against the further spread of socialized medicine. The social, economic and professional superiority of comprehensive prepaid health care has been carefully analyzed and tested, and can be achieved by a thorough commitment to at least the following five basic principles:

PREPAYMENT

Prepayment basically eliminates the cost barrier for medical and hospital services. The individual family can budget its health costs in an orderly and knowledgeable manner.

The entire concept of claims and claims adjustment, which is such an integral and expensive part of the contemporary insurance scene, is virtually eliminated by the principle of prepayment. Those entrusted with the leadership responsibility for governmental, industrial, indigent, union, educational and other groups can plan more confidently knowing that the health costs will be predictable and will not continue to increase rapidly and uncontrollably, year after year.

The incentive to over-utilize expensive hospital facilities, which is altogether too common under present insurance programs, is negated via the prepayment method, for admissions to hospitals for diagnostic studies comprise the exceptions, and care is oriented to keeping the patient active as well as healthy. An in-depth survey of health costs in the state of California conducted by the Health Manpower Commission of the U.S. Public Health Service for 1960 to 1965 compared the Kaiser Foundation Hospital System with fee-for-service hospitals throughout the state of California and revealed the following: the requirement for hospital beds under the Kaiser-Permanente Plan was found to be 1.69 per thousand persons per year, whereas the rest of California required 3.39 beds per thousand persons per year. Furthermore, the Kaiser Foundation Hospitals and associated Permanente Medical Groups with their emphasis on appropriateness of care to patients, resulted in only 528 hospital patient days per 1,000 persons per year, whereas the rest of California required 891 hospital patient days per 1,000 persons per year.

Prepayment allows the physician to develop a program of analysis and treatment based entirely on the individuals' health needs, rather than upon the patients' economic limitations.

The administrative advantages of prepayment are particularly clear cut because accounts receivables are virtually eliminated and billing procedures are greatly simplified, resulting in major decreases in administrative expenses.

THE USE OF FULLY INTEGRATED AND CENTRALIZED FACILITIES

Full benefit to all concerned can only be realized when physicians offices, administrative functions and hospitals facilities are housed in conjoint structures. Economy and efficiency of operation are achieved through the use of the same facilities for both in- and out-patients. Expensive medical equipment is subjected to maximum utilization, with a resultant decrease in the financial burden to both physicians and patients which now accrues through the all-too-common duplication of equipment. Signficant conservation of physicians time is thus assured but of great importance also, and too often simply ignored, is the conservation of patients' time.

VOLUNTARY ENROLLMENT

This principle of comprehensive prepaid health care assures that each family whether enrolled individually or through group membership is always provided with a free choice of type of medical care coverage. Members are permitted to cancel subscription to the health plan on appropriate notice with a re-imbursement schedule for unused fees. This method thus assures that the membership is one which is basically satisfied with the services of the health plan; each member thus becomes, by definition, a positive exponent of the Plan. It is this feature of a successful prepaid health care plan that is credited with a significant contribution to membership enrollment and to remarkably effective public relations between the Health Plan and the Public.

GROUP PRACTICE

Within the complex of group medical practice, highly qualified physicians, be they generalists or specialists, can share the professional responsibilities for maintaining the health of the subscribers. Unlimited consultation and extensive medical services of all types are available in group practice within both the hospital setting and clinic to assist each physician in the optimum management of his patients. The physicians benefit by the continuous opportunity for professional interchange and a continuing, carefully supervised postgraduate medical educational program.

Financial security, including fringe benefits such as pension and profit sharing plans and incentive programs, allows the physician to devote his time solely to medical matters, relieving him completely from administrative burdens if he so wishes.

Additionally, group practice in a prepaid setting wherein voluntary enrollment is an essential feature, may well provide a means of averting the ever increasing influence of Government on the control of the health care industry. Large independent groups of physicians, caring for and representing much larger groups of satisfied patients whose opinions can be readily assessed, can exert a predictable influence on Government. This is particularly true if these self-same physicians have been responsible through their own initiative in curtailing the spiraling rises in health care costs.

Finally, group practice within a major hospital setting can provide outlets to those physicians who have the talents and desires to diversify their professional activities to the administrative, research or educational fields.

PREVENTIVE MEDICINE

Since the sick person becomes the liability, and the well person becomes the financial asset, comprehensive prepaid health care with emphasis on preventive medicine constitutes a true reversal of the prevailing economics of medical care. Fee-for-service care, indeed, is synonymous with sickness care, whereas comprehensive prepaid health care embodies both care and health maintenance. Since the cost barrier is essentially removed for health care under prepayment, there is a great tendency to seek medical care earlier in the course of illness. Thus, an early diagnosis usually means less treatment both in and out of the hospital.

The full influence of the physicians' knowledge in the health education of large numbers of lay persons can approach its full potential in prepaid health care with its emphasis on preventive medicine. Presentations to Health Plan members of authoritative information of self examination of the breast, anesthesia, pre- and post-natal care, the circulation, human growth and development, certain aspects of mental health, the use and abuse of drugs, diabetes and obesity have already been made available in certain of the successful prepaid health care plans by effective audio-visual devices.

THE LOCAL SCENE

In order to provide for a comprehensive prepaid health care plan in the Minneapolis-St. Paul-Greater Metropolitan Area, a group of practicing specialists have formed a professional association fully committed to the principals described above. This incorporated group has been named *Health Care Professional Association*. This medical corporation has achieved a mutual understanding with Health Central, Inc., a non-profit community hospital corporation which controls under a single board, three modern hospitals ranging in size from 150 to 225 beds. Health Care Professional Association and Health Central, Inc., have expressed a mutual intention to explore and develop comprehensive prepaid health care for this area. The development of an appropriate Trusteeship for a third corporation, a Health Plan Corporation, is now under way. When that corporation is established health coverage will be offered publicly to various groups and individuals.

Fundamental to the success of a Health Plan Corporation is the development of a Trusteeship which is fully committed to the welfare of the member patients, while at the same time accepts legal and moral responsibilities that arise out of the contractual relationships with the hospitals and the physicians. The Health Plan Trusteeship must be both representative of and sensitive to the needs of both the users and the providers of health care.

It is in this specific area of mutual trust both legal and moral, that a Health Plan Corporation would differ so greatly from the prevailing philosophy of health insurance; since ordinarily, a health insurance company does not accept the responsibilities for providing for the medical care it contracts to pay for. The Health Plan Corporation would function as a nonprofit corporation whose purpose would be to represent and coordinate the activities of the three principal groups, namely the Physicians, Hospitals and Subscribers. It would collect all funds in accordance with its contractual agreements with users, and prepay the Physicians Group and Hospital Corporation based on budgetary estimates.

By way of summary, it can be stated that economic, demographic, technological and sociological factors are all contributing to an evolutionary need for a new and more effective form of health care delivery. Comprehensive prepaid health care has been tested over the past 25 years and has been found to be a successful approach to health care of large numbers of persons. Such a plan depends upon the successful implementation of five basic principles:

Prepayment;

Fully Integrated and Centralized Facilities;

Voluntary Enrollment;

Group Medical Practice;

Preventive Medicine.

Additionally, the philosophy, implementation and practice of a successful comprehensive prepaid health care plan requires an enlightened Trusteeship to co-ordinate and direct those activities set forth above while at the same time assuring the integrity of both users and providers of the health services.

LITHUANIAN INDEPENDENCE

Mr. **HRUSKA**. Mr. President, it is a privilege to join with my colleagues who last week commemorated the 53d anniversary of the establishment of the Republic of Lithuania.

While official duties prevented me from making this statement on the day officially assigned as the day of commemoration, I do want to send greetings to the people of Lithuania and the other Latvian nations. I want to say to them they are not forgotten in this time of trial.

It has now been 30 years since the proud people of this small country were swept into slavery by the Soviet Union. But even 30 years of cruel servitude cannot extinguish the spark of freedom in man's breast. That spark still burns in Lithuania, as it does in Czechoslovakia, in Poland, and all of the other European countries who languish under the oppression of Communist puppet governments.

Like their equally unfortunate neighbors, the Lithuanians are a proud people. They had lived peacefully in their land for many years. Their language is the oldest in Europe today.

Onto this land ground the iron boot of communism. The Soviets, with few preliminaries other than the usual bogus election, began one of the most brutal occupations in the history of mankind. Lithuanians died and were exterminated until today—30 years later—the country has lost more than one-fourth of its population.

Still the fight against oppression continues in Lithuania, as it does in other Communist-dominated countries. The most recent hero of the battle is of course Simas Kudirka, the Lithanian crewman who sought asylum recently with the United States Coast Guard off the coast of New England.

We need not be reminded of the terrible debacle which culminated in his capture and return to custody of his Russian masters. Let us only hope that this tragedy brought home to Americans and other free people the horrible fate of those who live under Communist rule. To have returned this heroic sailor to his ship was in all likelihood tantamount to sentencing him to death. I am not persuaded by recent publicity that shows him living well behind the Iron Curtain. We know the Russians well enough to realize there is a method and a purpose behind their actions.

Despite its callous lipservice to human rights and its endorsement of international covenants designed to preserve such rights, the Soviet Union goes on about the business of denying human, personal, or political rights to anyone who becomes an obstacle in its monstrous path to world domination.

They are denying freedom in Russia, in Lithuania, in Czechoslovakia, and other countries. By and large, they display a cynical indifference to appeals from outside the Iron Curtain for humane or reasonable treatment of its captive peoples.

Sometimes however, the outrage of the free world swells to such a volume that even the hardened Russian people-masters are moved to caution. I reported on such an incident only last week when complaints of clumsy blackmail attempts against Czech and Slovak exiles became so strenuous that the puppet Czech government announced it was going to cease its practice.

Thus, by calling attention to the continuing struggle for freedom being valiantly carried on by many peoples, we find we may be making some headway in the cause of freedom.

Let us hope and pray that these messages of encouragement to Lithuania will hasten the day of liberation for its suffering people.

TENTH ANNIVERSARY OF THE PEACE CORPS

Mr. **MUSKIE**. Mr. President, today, Monday, March 1, marks the 10th anniversary of the Peace Corps. This is an occasion for expressing thanks to those Americans who through their Peace Corps service have worked so effectively for their country and for mankind; it is also an occasion for reflection on what the future holds for the Peace Corps and other volunteer organizations in America.

On March 1, 1961, President Kennedy established the Peace Corps. Its purpose has been to promote world peace and friendship through providing American men and women to help other countries meet their needs for trained manpower, and through increasing understanding between the American people and the peoples of the countries served.

I believe that the Peace Corps has been carrying out these purposes effectively. Since 1961, over 50,000 Americans have served in the Peace Corps in more than 60 foreign countries. These volunteers have made significant tangible contributions to the development of the countries where they have served. For example, countless numbers of students have been taught, communities developed, skills imparted, agricultural methods improved, and health programs established. Equally important have been the intangibles. To mention but a few: the growth in communication at a people-to-people level between our country and other countries with whom in many cases we had had little previous contact; the imparting of the principle of self-help, which has been a major element in these volunteer efforts; and the increased skills and dedication with which most Peace Corps volunteers have returned to America.

There have been setbacks along the way, and disillusionment among some volunteers. But overall, the Peace Corps in the last 10 years has demonstrated that large numbers of average Americans can be trained and sent overseas to make a meaningful contribution to development. Beyond this, the Peace Corps has helped show the world that America is more than military might or material achievement—that America is also humane; that we care. It has thus embodied what I consider to be one of our great qualities as a people: Our concern for the individual, whomever he may be; and the direr his circumstances, the deeper our concern.

In the 1960's, the Peace Corps concept was emulated here in the United States and by other countries. VISTA and the Teacher Corps came into being at the Federal level, and similar organizations—both private and public—developed at the State and local level. There began in a sense a "volunteer service" movement. It was a new development, and yet also an outgrowth of our fine tradition of volunteerism which has been so long expressed in our community service organizations.

But in the last few years this volunteer service movement seems to have faltered. The number of persons applying for and serving in the Peace Corps has markedly declined. VISTA and the Teacher Corps, after promising starts, have leveled off at a minimum size. No new programs have been developed.

I believe it is important to America that the decline in this movement be reversed. I further believe this can only be done by basic changes in governmental policies that will restimulate the desire of our people to serve as representatives of America overseas or here at home. Without such rejuvenation of the desire to serve, the mere amalgamation of volunteer programs, which the President suggested in January, will probably be of little consequence.

With respect to the Peace Corps, this rejuvenation requires a foreign policy which ceases to be established primarily on cold war concepts and its replacement by a foreign policy that places our ideals above our fears, that seeks long-term peace rather than short-term tactical advantage, and that emphasizes what we as Americans stand for as well as what we stand against. On the domestic side, this rejuvenation needs a recommitment to a meaningful attack on poverty in the United States, to the saving of our environment, and to the overcoming of the morass of problems that consume our urban areas. Only with basic changes such as these can a climate be restored in which the people of this country truly want to serve.

Thus, on this the 10th anniversary of the Peace Corps, I congratulate all those who have answered the call to service—in the Peace Corps and in the host of other private and public volunteer organizations; and I urge that we as a nation commit ourselves to rekindle the Peace Corps spirit, so that Americans will continue to have not only the vehicles through which to serve their fellow men but also the desire to do so.

CAPTIVE NATIONS

Mr. PERCY. Mr. President, I know that my colleagues share with me the deep concern for those in central and Eastern Europe who live under regimes which do not represent their ideals or their aspirations. It is one of the tragedies of our time that such situations exist year after year without hope of immediate change. It is very sad that the United Nations is not a protagonist for change.

On the occasion of the 25th anniversary of the United Nations, Vasil Germenji, chairman of the Assembly of Captive European Nations, sent the following telegram to Dr. Edward I. Hambro, president of the United Nations General Assembly:

> The Assembly of Captive European Nations, composed of democratic representatives of the silenced people of Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland and Rumania, extends to Your Excellency and the General Assembly its sincere congratulations on the twenty-fifth anniversary of the United Nations.
>
> The United Nations, founded amid great hopes for a just and lasting peace, is entering a crucial stage of its existence. In spite of many notable accomplishments, the U.S. has unfortunately failed to address itself to a number of deep-seated problems plaguing mankind. Our Assembly respectfully draws the attention of Your Excellency and that of the General Assembly to the following:
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> 1. Not one of the nine countries listed above is represented in the United Nations by delegates designated by a freely elected government. These delegates have no right to speak on behalf of our nations. They speak in behalf of regimes which have been imposed on these countries by, or with direct assistance of, a foreign power, and which have maintained their stranglehold over East and Central Europe by force, intimidation and threats. In an age of world wide advocacy of the right to self-determination, this continued misrepresentation of 100 million East and Central Europeans in violation of the Charter of the United Nations should be condemned, and corrective measures instituted.
>
> 2. Since the nine nations enjoy no genuine representation in the U.N., their citizens have no recourse for airing their grievances concerning violation of human rights and political freedoms and seeking redress. It is submitted that the U.N. should devise, and make operative, a machinery that would allow nationals of these countries to take specific steps to bring their case to the attention of the world forum.
>
> 3. The implications of the Brezhnev Doctrine of Limited Sovereignty—formulated after the invasion of Czechoslovakia—are in direct contravention to the principles of the U.N. Charter, which postulates that each member state is to enjoy full sovereignty. It is inconceivable how a member state—the Soviet Union—can enunciate a Doctrine so fundamentally opposed to the letter and spirit of the U.N. Charter, without being brought to account by the members of the United Nations.
>
> The U.N.'s prestige can be enhanced only if the organization consistently and without exception defends and adheres to the provision of its Charter and the Universal Declaration of the Rights of Man.
>
> A case in point is the situation in the Captive European Nations and specifically the unresolved question of Hungary.
>
> The Assembly of Captive European Nations respectfully submits to Your Excellency and to the General Assembly that the time to act on pressing issues including those outlined above so essential to international peace and security, is now—on this solemn occasion when the U.N. observes twenty-five years of its existence.

The sentiments expressed in Mr. Germenji's telegram are in keeping with the feelings of a great majority of Americans who want freedom and autonomy for the peoples of central and Eastern Europe. His comments about the so-called Brezhnev doctrine are especially compelling and deserve the attention of all in this body. I commend them to you.

THE WIDENING WAR IN LAOS AND CAMBODIA

Mr. CHURCH. Mr. President, on February 16, 1971, the CBS television network presented a new special entitled "The Changing War in Indochina: The Widening War in Laos and Cambodia." This program was one of the most comprehensive and objective accounts of the war in Indochina that the media has produced.

I ask unanimous consent that the transcript of the program be printed in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

The Changing War in Indochina: The Widening War in Laos and Cambodia

AS BROADCAST OVER THE CBS TELEVISION NETWORK, FEB. 16, 1971, WITH CBS NEWS CHIEF FOREIGN CORRESPONDENT CHARLES COLLINGWOOD

Produced by CBS News

Charles Collingwood. This scene is as familiar as the story of America's involvement in Vietnam: Massed U.S. units on the move. But this may be the final big-scale American action in South Vietnam—and on the ground, it is strictly limited. The orders are to go up to the border with Laos and no farther. It is the South Vietnamese who are going across.

The war in Indochina is changing, radically and rapidly. The American combat role on the ground is diminishing. The South Vietnamese are taking over. But in the air the American combat role continues. There are as yet no boundaries to the exercise of American air power and as the geography of the war expands, the great weight of our air strikes has switched from South Vietnam to Laos and Cambodia.

There is a paradox about this busy war on new battlefields at the very moment the United States is winding down its participation in Vietnam. Administration officials deny that the invasion of Laos represents an extension of the war.

Secretary of Defense Laird. No, the area of the war is being narrowed because the war has moved out of South Vietnam to a large extent, it's moved out of North Vietnam and now the war has narrowed into the area of the occupied territory of Cambodia—northeastern Cambodia and in southern Laos. So, by any measurement, the war is being narrowed as far as its scope is concerned.

Collingwood. Critics insist that by any measurement the war is obviously being widened.

Marvin Kalb. Senator, the Administration claims that its actions in Cambodia and Laos have really not widened the war, and, in fact, have hastened the timetable for the U.S. withdrawal.

Senator Frank Church. Haven't widened the war?

Kalb. Have not widened the war.

Church. Opening a front in Laos? It doesn't widen the war?

Kalb. Well, that's what they claim. Now what is your own feeling?

Church. Black is white? Night is day? Up is down? Doesn't the language mean anything any more? Of course the war has been widened, in the sense that the fighting now is going on in Laos, and it's going on in Cambodia, and American forces are participating on fronts that didn't exist before.

Collingwood. The U.S., and more particularly the South Vietnamese, are now participating on fronts that did not exist before. To a degree, the fate of South Vietnam is now being decided in the jungles of Laos and Cambodia. Yet Secretary Laird is also right. The war is narrowing—at least in the American commitment of lives, of money, of troops on station.

These contradictory changes, these transformations of the last year in Indochina, and their implications are the subjects of our broadcast tonight. I'm Charles Collingwood.

Announcer. This is a CBS News Special Report, the first of two broadcasts on "The Changing War in Indochina." Tonight: "The Widening War in Laos and Cambodia." With CBS News Chief Foreign Correspondent Charles Collingwood.

(Announcement.)

Collingwood. South Vietnamese troops are now well into their second week in Laos, with American planes supporting them overhead and 9,000 American troops backing them up across the border in South Vietnam, but no American soldiers fighting with them. The operation was born under a news embargo and has been scant on information ever since, but the South Vietnamese Command says the advance has already been consolidated along the axis of Route 9 to a point about halfway between the border and the town of Tchepone, a key point on the Ho Chi Minh Trail. Reconnaissance troops are said to have reached Tchepone itself.

According to Saigon, about one-half of the Ho Chi Minh Trail complex in this area has already been blocked. This, of course, is the purpose of the operation, to cut the supply line from North Vietnam down into South Vietnam and into Cambodia. The enemy is believed to have been making a special effort this year to push his men and supplies down the Trail, but because of bad weather at the beginning of dry season, the progress is thought to have been delayed and supplies piled up in the northern part of the Trail. Therefore, it is reasoned, if the Trail is cut now, North Vietnamese offensive operations would be prevented this dry season and possibly next. That is the rationale of the present attack in Laos, but expectations in Indochina have a habit of being denied. The name of this operation is Lam Son 719, the 719th in a series of South Vietnamese Army operations. There is no reason as yet to think there will not be a 720th or 30th or—that is to say, there is no reason to believe that the invasion of Laos will in itself end the war. At most it is a way station on the road toward American departure and South Vietnamese self-sufficiency.

Although the Army of South Vietnam is bearing the brunt of the fighting in Laos, the way for the offensive was prepared by Americans. Don Webster reports.

Webster. When the offensive began January 30th, the first vehicles to move were American. They pushed westward down Highway 9, a road which runs all the way from the South China Sea across Vietnam and then across Laos.

The decision to reopen Highway 9 and the bases which are strung out along it created a virtual traffic jam of vehicles. In the air, helicopters of all varieties were used to ferry troops and supplies to key locations. This tremendous activity in an area which had been deserted couldn't be concealed. In this important way it differed from the Cambodian operations of last summer, which took place with little visible evidence of advance preparations. Despite attempts by the military to place a news embargo on the preparations for Laos, there was worldwide speculation about it ten days before it even began.

One by one, American troops reopened their old bases, Camp Carroll, Vandergrift, Khesanh, Lang Vei—and many small bases which don't even have names. This one at Lang Vei had a special significance: it is the only outpost in this war which Americans have had to abandon, on the run, under enemy fire. Three years ago Communist troops overran it, using tanks, in a middle-of-the-night attack.

As to the G.I.'s, at a glance they appear much the same as before, loaded with goods they will need in the field. But the tactics being used by American troops are different. Basically, they went to their locations and stayed there. They are not holding night ambushes. They are not holding combat assaults. There are not very many reconnaissance patrols. That is now the job of the ARVN.

Konyha. Really, we're simply mainly for forming a blocking force function. Road clearing and things like this in support of the Vietnamese operation.

Webster. Would you like to go with them into Laos?

G.I. Definitely not! From what—We don't know anything about it, but from what everybody says, it's—you know—it's pretty hairy over there. So, I don't think so. I think, as I just said, I imagine I'm just like the rest of the guys and want to go home.

Webster. How long do you think you'll be out here?

G.I. Well, when we left our area, why, they told us that we'd be up here about thirty days. And I don't know if that's for sure or not.

Webster. Will you be glad to get back?

G.I. Yeah. I'd be glad to get back where I came from.

Webster. Besides all the logistical help and the artillery, the other major U.S. role has been in the air, for transport of Vietnamese troops into Laos and the use of American helicopters and gunships in Laos. It is in this area the Vietnamese need the most help. President Thieu, when he visited the Laos Command Center in Vietnam the other day, was well aware of this.

Do you think in the future you could continue to conduct operations in Laos like this without American air support?

Thieu. I think that we still need American air support, as a very frank . . .

Webster. For years to come?

Thieu. It depends upon how our aviation will be developed. That's a very important factor.

Webster. Do you think that in the future, in years to come, South Vietnamese troops are going to have to continue to go back into Laos again and again as you are in Cambodia?

Thieu. We cannot say what we will do one year ahead. Now, we can say only what I have said, it's a very limited operation—limited in time, in space and the duration and every year. Now it depends upon how the war is going on and we will decide later on.

Webster. It's been a good many years since the U.S. sat back and let someone else do the bulk of the fighting, in Vietnam or anywhere else. But with American offensive operations due to end in Vietnam by May First, this may be a preview of the way the U.S. will operate here in the future. Don Webster, CBS News, in Quang Tri, South Vietnam.

Collingwood. Although the ground operations in Laos are South Vietnamese, the Americans in their secondary role have taken substantial casualties. The Pentagon reports 19 Americans have been killed in "air operations." Earlier, ten Americans had been reported killed in "Operations Dewey Canyon." Fifteen U.S. helicopters have officially been listed as destroyed, and many more are believed to have been shot down but later recovered.

Casualties among the South Vietnamese are higher—71 reported killed. And they claim to have killed nearly five hundred of the enemy. Nevertheless, North Vietnamese resistance so far has been less vigorous than expected, as the South Vietnamese move ahead slowly and cautiously. Jeff Williams reports from Laos.

Williams. The South Vietnamese thrust into Laos is proceeding at a snail's pace, and these airborne forces appear to be in no real hurry. They know they will be in Laos for a long time.

While one thrust toward the Ho Chi Minh Trail was made on the ground, Ranger and airborne units were helicoptered directly into the conflict, in U.S. Army choppers. Although the United States Government says it is not sending Americans on the ground into Laos, U.S. troops are playing a major air support role. The overwhelming majority of all Vietnamese troops carried into combat go on U.S. helicopters, as do the tons of supplies they need.

Troops pushing across the dry Laotian hills are slowly but steadily uncovering enemy supply caches, like here right in the Ho Chi Minh Trail complex. The goods are stored in these bunkers for short periods, then carried on south into Cambodia or east into South Vietnam.

What type of supplies did you find?

South Vietnamese Officer. Every kind. Ammo, rice . . . medical—every kind. And many—many (indistinct) material.

Williams. This part of the Trail is quite elaborate. It includes bamboo trellises over exposed parts of the road to hide it from planes. Gasoline drums were left behind as the Hanoi regulars fled the base camp. The Vietnamese troops hope to find many such dumps, but they may be disappointed.

The Ho Chi Minh Trail is a pipeline for supplies, and as such, the goods are kept moving and are not stored in large amounts. The North Vietnamese, with more than a full combat division in the area, are fighting back from an elaborate network of bunkers along the Trail. And as the South Vietnamese push forward, the enemy resists more stubbornly. Casualties are increasing. Wounded men are flown out of combat areas by both American and Vietnamese choppers. But medical attention for the Vietnamese in the field is poor. Not a few soldiers bleed to death because the average soldier is not skilled in basic first aid.

Some causes for the slow progress of the incursion are the elaborate preparations by the Vietnamese, including a series of artillery bases like this. The Saigon troops are going in to stay, and they're using bulldozers to build lasting defensive positions. Here again, it's the U.S. bringing in the supplies. Technically, the South Vietnamese invasion into Laos is a limited operation. The purpose of this drive is to cut the Ho Chi Minh Trail, but until that is completed, the South Vietnamese are not likely to leave. Jeff Williams, CBS News, on a firebase inside Laos.

Collingwood. If the South Vietnamese do contemplate staying indefinitely astride the Ho Chi Minh Trail in Laos, they will face heavy risks from the weather and the enemy. When the rainy season begins in May, what is now dust along Route 9 will turn into mud, hampering ground movement; and in the air the sodden skies will limit American air support. Like the rains, the North Vietnamese are bound to come sometime, too. As they push farther into Laos, the South Vietnamese are bracing for enemy counterattacks. Already the North Vietnamese have intensified their pressure in the northern part of Laos, tightening their encirclement of the CIA-based camp at Long Cheng, less than 100 miles from the capital of Vientiane.

In Vientiane, the neutralist government of Souvanna Phouma issued only a token protest against the South Vietnamese entry, put the main blame on the North Vietnamese for being there in the first place. Souvanna told our correspondent, Ed Rabel, he did not feel that the U.S. has escalated the war and said he doubts that China will be drawn in.

(Announcement.)

Collingwood. If the current South Vietnamese ground operations in Laos are new, U.S. air operations over Laos are not. We have been bombing Pathet Lao forces in the North and the Ho Chi Minh Trail for at least five years, although President Nixon announced it officially only last March. In recent months the bulk of the missions have been against the movement of supplies.

From US airbases in South Vietnam and Thailand, and from aircraft carriers in the Tonkin Gulf, American fighter bombers flew almost 100,000 sorties against targets in Laos during 1970. They are going after crossroads, supply dumps, truck parks, and moving vehicles along the Ho Chi Minh Trail. Some of the missions are flown by C–119 gunships, equipped with infra red and other devices to enable them to spot and strafe moving vehicles at night. From U Tapao, Thailand, B–52 bombers fly missions against the trail, averaging about 900 a month, almost the entire number of B–52 missions the Air Force is permitted in South East Asia each month.

More than 400 planes have been shot down over Laos since we started bombing there, more than fifty in the last ten months, not counting the current ground combat support operations there. American pilots say the ground fire is heavy, accurate and increasing. Jed Duvall spoke with pilots just returned from a mission over Laos.

Captain EAST. I've been over here for a year now and it seems like recently they've been shooting at us more than ever before. They've gotten more guns in, of course they have a lot of ammo it seems, and every target we go in on, they're hammering away at us. And it's big stuff.

DUVALL. What do you mean, big stuff?

Captain EAST. It's just big stuff, it comes up as big red tracers at us and explodes just like it does in the movies, World War II, you know, you see the guns come up and the flak start, that's all it is, just flak, just like they had in World War II and the Korean War. It's bad stuff.

Lieutenant GROVES. Most of the time the guns that fire, the closer you get to the target, the more the guns will fire. If you're not close they're not going to fire very much, but the closer you get to the trucks, they really open up.

DUVALL. Captain, what are your targets on the Trail, what are you trying to hit?

Captain LEMON. Well, the targets, mainly consist of movers, in other words, loaded trucks. And IDP's, or interdiction points, choke points where the roads will come together at one point and we try to crater these roads, to inhibit the flow of the traffic. And oftentimes, the forward air controllers in the area will find trucks that are actually moving on the Trail and we will also try to hit these. These are basically the two prime targets that we have on the Trail.

DUVALL. Do you get the idea that you're stopping some of the traffic or most of the traffic or what?

Captain EAST. We're stopping some of it. We're stopping some with our bombs, and we're stopping some with the threat of our bombs. The traffic doesn't move much in the daytime, very, very little. At night they do most of their moving and we stop a lot of it, but of course, not all of it. We're helping a great deal, in my opinion, but we're not stopping the flow completely.

DUVALL. Lieutenant, what does the Trail look like? Is it one straight road?

Lieutenant GROVES. Largely it's a honeycomb. There are places where there's not much jungle around it, but those places are pretty scarce. It runs a lot of times pretty close to a river, almost paralleling at times, but most of the rivers here are so crooked they can't do that very well. The triple-layered canopy is pretty bad. You can't see it in a lot of places, you have to have——

DUVALL. By triple-layered canopy, you mean heavy jungle?

Lieutenant GROVES. Yes, three different layers of jungle above it, different heights of trees and it grows in three layers. And you can see the trail in spots from the lighter color dirt road with the green background all around it, but to really get a good look at it you have to be a little slower than we are and a little lower.

Captain EAST. There's one thing I'd like to add. I don't think people realize about the Trail, is the fact that it is so large. Now, everybody thinks of it as maybe four or five roads coming right in to South Vietnam and that's not true at all. That thing is about fifty miles wide and two-three hundred miles long. And the whole thing is nothing but a network of roads, just everywhere. Now they're well travelled. There is traffic on them constantly. Every road it seems is travelled. If we should hit the road, which we try to do, with a bomb to stop the traffic, it's fixed within a period of just a matter of hours. They have big bulldozers come in and clear the road and the traffic starts again.

COLLINGWOOD. American fighter-bombers, B–52s and helicopter gunships also fly strikes against targets in Cambodia, and in recent months, as the ground situation there has deteriorated, the number of fighter-bomber sorties has increased, about 1500 a month for the last few months compared with 500 a month earlier in 1970. It has been obvious to newsmen on the ground that some of them, at least, especially in the Route 4 operations, have been close air support for Cambodian and Vietnamese troops. During the heavy fighting last month to reopen that key road from Phnom Penh to the port of Kompong Som, Cambodian and South Vietnamese troops were getting American helicopter support from two carriers in the Gulf of Siam and from a helicopter base at Phu Quoc Island, just off Cambodia's southern coast.

We spoke to General Lucius D. Clay, Jr., commander of the 7th Air Force in Southeast Asia, about the changing air war in Indochina.

General CLAY. In the last several months that I've been here, we've seen a decided decline in the air operations in the Republic of Vietnam, as compared to what it might have been a year ago or the last time you made a survey of this nature.

On the other hand, with the importance of the logistic activities of the Viet Cong, particularly as they relate to the Ho Chi Minh Trail, we find our activities up there are just as busy as ever. So I guess in substance then, the answer is that in terms of close air support and direct support of the U.S. Army in the Republic of Vietnam, there has been a decline. But in terms of our other activities throughout Southeast Asia, we're still fighting a pretty busy war.

COLLINGWOOD. General Clay, how effective has been our bombing of the South—of the Ho Chi Minh Trail?

General CLAY. Well, I'd like to give you a good firm answer to that, Mr. Collingwood, but unfortunately, there is no firm answer. I happen to think that so far this year we've been more effective than ever. We've introduced some new equipment, particularly in the form of gunships, which have been highly effective. However, I think the full story remains to be told because as you well know we work over there most effectively during the dry season. This, of course, is the dry season now, and it will come to a close some time around May, the latter part of May 1971. And at that time, we'll have a story to put together as to just how effective it's been.

COLLINGWOOD. Do we contemplate training and equipping the South Vietnamese eventually to undertake the interdiction missions that we are now flying in Laos and Cambodia?

General CLAY. No, sir, we're not. Basically, the Vietnamese Air Force is being trained to handle the insurgency problem within the country, within the Republic of Vietnam. As you may know, the fighter aircraft we are leaving with the Vietnamese Air Force are basically A–1s and A–37s, basically short-range, close-support type airplanes. So we're not leaving heavy carriers of ordnance, long-range type airplanes, which are the kind necessary if you're going to be operating in trails of Laos and outside the Republic of Vietnam.

COLLINGWOOD. General Clay makes a point and poses a question. His point: The Vietnamese Air Force is being trained and left with strength to operate only within South Vietnam's boundaries. The question: If air operations outside continue to be necessary, who will conduct them, and how?

(Announcement.)

COLLINGWOOD. Whatever the South Vietnamese operations across the border may ultimately accomplish in Laos and Cambodia, they have certainly given Saigon's armed forces a psychological shot in the arm. They have shown that they are not only vastly superior to the amateur armies of Cambodia and Laos but that in conventional warfare they are often more than a match for the North Vietnamese themselves. This has given them a new and heady self-confidence. I asked General Do Cao Tri, who commands the Vietnamese now in Cambodia, whether his operations were a strain on his troops and his resources.

General TRI. Not at all. On the contrary, it gives more opportunity to our regular army to be able to continue to impose our pressure to our enemy. Last year we strike them in their sanctuary and we forced them to withdraw far away from our border. And we continue to have our initiative of action in Cambodian territory and to keep such pressure on the enemy regular forces as long as we intend to stay in Cambodia.

COLLINGWOOD. Well, do you foresee that you'll be making a greater effort in Cambodia than in the future?

General TRI. I think so. And I'm quite optimistic about our military potential in Cambodia because the dry season comes now, and it's the most favorite time for our military operations. The terrain in Cambodia is favorable for the use of combined arms and we plan to employ our full firepower to destroy the enemy where they are.

COLLINGWOOD. The war in Indochina is changing; what are the principal changes that you have seen?

General TRI. From outside, the big change is that it's become, really, a Vietnamese war, in which South Vietnamese Army and the people are fighting against Communist aggression. There will be no more U.S. combat troops commitment in our fighting.

COLLINGWOOD. General Tri, do you think that you'll ever see in your military region a resumption of the big war, main force elements making another threat to Saigon?

General TRI. Never it will happen, because I keep the enemy main forces far away now from our border. How can they come back again once they have to fight against us where they are?

COLLINGWOOD. You mean you keep them in Cambodia?

General TRI. Quite sure.

COLLINGWOOD. In any discussion of the widening war in Indochina, Laos and Cambodia are now run together almost as one word. They're very different countries with different problems, but it was a similar military logic which converted them into battlefields.

At the beginning, the Cambodian operation was oversold as a brief surgical stroke which would solve the problem of the sanctuaries once and for all. Well, nine months later it's still going on. The South Vietnamese are back in Cambodia, scouring the sanctuaries and keeping roads open. They are actually more deeply involved in Cambodia today than they are in Laos. Nevertheless, there is no doubt that the Cambodian incursion did greatly relieve the military pressure on the southern part of South Vietnam, permitting dramatic progress in extending government control. It is hoped that Laos operation will do the same thing for the central and northern provinces. But whatever its salutary effects in South Vietnam, the widening of the war has made a shambles of Cambodia.

The most important thing about Cambodia is that it has survived. It is 11 months now since the overthrow of Sihanouk brought the war to what was surely one of the most unprepared countries on earth. But with American and South Vietnamese help, the Government of Lon Nol, however precariously, stayed in power under increasing enemy pressure. And there is no reason to think, even in the light of his illness and replacement by Sirik Matak, that his government will fall now. But the price of survival has been heavy.

Phnom Penh, once the most agreeable of

Southeast Asia capitals, now bears all the familiar signs of a city under siege. Sandbags and barbed wire abound. Patriotic slogans are flaunted to catch the eye and charge the spirit. There is a prevalence of uniforms, not only for those actually in the Army, but for civilians as well, to whom even a quasi-uniform is worn as a sign of solidarity in the struggle against the enemy.

If the fate of a peaceful people were not at stake, some of the preparations for the defense of the fatherland would be touchingly funny. As it is, there is a certain air of hasty improvisation about Cambodia's defense preparations. The roadblocks that ring the capital are even less effective than they look. The Communists showed how easily they could penetrate Phnom Penh's defense perimeter by their devastating raid on the capital's airport in which they blew up most of Cambodia's fledging air force and got away scot free. They also hit brutally at a barracks compound.

These, and similar acts of terrorism are reminiscent of the way the Viet Cong was operating in Vietnam in the early 1960's. I asked the U.S. Ambassador to Cambodia, Emory Swank, about that.

SWANK. I'm not familiar with all of the situation in Vietnam in the early '60's, but I can think off-hand of a very important difference, and that is that this country really is not in a state of civil war. This is outside aggression, unmistakably, from North Vietnam and from the Viet Cong.

COLLINGWOOD. Are the people of Cambodia behind the present government?

SWANK. My impression, certainly, from the time that I've been here, since last September, is that the government enjoys the support of most of the important element of the urban population. Quite frankly, concerning the countryside, the returns are inconclusive, and I don't think we have enough information to make a valid judgment.

COLLINGWOOD. How do you foresee the enemy's intentions toward Cambodia? Do they want to take over the country?

SWANK. This is, of course, a very interesting and difficult queston to answer, because we can't probe the enemy's thinking, completely. But my own personal judgment is that the enemy's principal object of interest remains South Vietnam, and that Laos and Cambodia are both way stations along that road.

COLLINGWOOD. Were the present government in Cambodia to be seriously threatened, could the United States really just stand idly by?

SWANK. This is a bridge that I would rather not cross right now, Mr. Collingwood.

COLLINGWOOD. One of the ways in which the enemy can easily produce a critical situation in Cambodia is to cut the main arteries linking Phnom Penh with the rest of the country. A regular object of his attention is Route 4, which connects Phnom Penh with its seaport of Kompong Som. Last month the enemy closed the highway and it took the Cambodians, plus a large South Vietnamese task force, plus powerful U.S. air support, to open it again.

Th Cambodians aren't cowards. They fight and they take casualties, but compared to the South Vietnamese, let alone the veterans from North Vietnam, they are not impressive soldiers and they are having to learn the hard way. While they are learning, Cambodia is clearly vulnerable to a major North Vietnamese attack with all the repercussions that would have on the situation in South Vietnam. I asked Fred Ladd, the U.S. official charged with guiding the Cambodian Army, how the enemy with only 6,000 effective fighting troops could blow up the airfield, close the roads and rivers, and what would happen if he poured more troops in?

LADD. Well, I think if he were to commit more troops at that kind of an objective, the airfield, or a road, or the river, it would be easier for the Cambodians and their Vietnamese allies to deal him rather severe blows. And I feel that his strategy is to do these attacks rather spectacularly, but do them with very few people, and cause a sensational environment, when really the military situation as such is not that critical.

COLLINGWOOD. To what degree has the Cambodian Army improved?

LADD. Well, I think it's—I'm glad you asked. It's one of those points that isn't brought forward very often. They started in June or July with about 30,000–40,000 men in the army. This army was a rather makeshift affair, poorly led. It wasn't a very inspired group of people. And in the eight to nine months that have passed since then, the army has grown to about the strength of 200,000. So I think that, although it's still an amateur army, it gets better every day, and it isn't evident unless you sit and watch it over a period of months. But I do think they're much more effective today than they were in May.

COLLINGWOOD. If the enemy did mount a major attack against Cambodia, would the United States, in its own interest, be able to just let it collapse?

LADD. I really don't know, because I assume, and I have—the guidance I have received is that we would like a non-Communist government maintained in Cambodia. And it would depend on when it would be, I think. If it were right now, no. They want the Vietnamization program and the troop withdrawal—the United States does, in its interests, to continue. And if Cambodia were to fall today, I think that this would seriously jeopardize both the troop withdrawals and the Vietnamization program.

COLLINGWOOD. The goal is for Cambodia eventually to be able to defend itself by itself, a Cambodianization program, if you will. To that end, thousands of Cambodians are being trained in South Vietnam. Don Webster reports.

WEBSTER. The program began last July, if not secretly, at least very quietly. It's estimated 16,000 Cambodians will be trained here this year. In the midst of a war which is winding down, this program is escalating rapidly. The Cooper-Church amendment prohibits any American ground troops or advisers in Cambodia, but it doesn't prevent Americans from advising the Cambodians by bringing them across the border. However, the Americans here deny that's happening. They say they are merely advising the Vietnamese, who in turn are instructing the Cambodians.

Vietnamese instructors here work through interpreters to get their points across. Some of the Cambodian pupils are just 15 years old. Presumably, the young Cambodians are learning more about Vietnam than just a few words . . . "mot hai, sat sat" . . . "one, two; kill, kill."

There's plenty of discussion whether the Vietnamese Army is ready to fight alone, but there seems general agreement the Cambodian Army is not ready.

How much longer do you think Cambodian troops will come to Vietnam for training?

Major SALAT. I think it will be one or two years more, sir.

WEBSTER. How long do you think it will take the Cambodian Army to become as good as the South Vietnamese is now?

Colonel BETTS. Well, by making a comparison with the Vietnamese Army, I would say in the neighborhood of eight to ten years.

COLLINGWOOD. Despite all the multinational efforts to train and equip the Cambodian forces, one thing is perfectly clear—Cambodia cannot yet survive without somebody's help. Right now it is militarily dependent upon South Vietnam. There are more South Vietnamese troops fighting in Cambodia now than there are in Laos—16,000 going over the old sanctuary areas of the Parrot's Beak and the Fishhook. The South Vietnamese Economic Minister is budgeting for a constant level of 20,000 troops operating across the border in Cambodia. The Cambodians wish it were otherwise. They have an ancient antipathy for the Vietnamese, North and South alike, but they are willing to take help where they can get it now and are surprisingly confident that they will be able to hold off the North Vietnamese and still retain their independence and identity.

I asked Um Sim, Cambodia's Minister of Communications, if the enemy had any success recruiting the people to their side.

UM SIM. It all depends upon the definition of the word "success." I think to a certain extent they succeed in recruiting some of the Cambodian people. But this most mainly is done by force, not by persuasion or any other peaceful means.

COLLINGWOOD. Mr. Minister, is Cambodia receiving the amount and degree of assistance from the United States that is necessary to permit it to continue the fight on its own?

UM SIM. I think the American government has helped Cambodia to survive by moving into the sanctuary of the Viet Cong, North Vietnamese and by clearing up all the area. And later we have got some aid, but usually the aid has not come as fast as the situation was getting—you know, worse.

COLLINGWOOD. Mr. Minister, do you foresee any circumstances in which Cambodia might ask the United States once again to introduce ground forces into the war here?

UM SIM. This I am positively sure that the Cambodian government never asked for, the ground troops from the United States to help in fighting this war. I'm positively sure.

COLLINGWOOD. Do you hope that the South Vietnamese military operations in Cambodia would be able to be decreased in the future rather than increased?

UM SIM. I do hope so, because as the number of our well-trained troops is increasing, we will do our best in order to replace the South Vietnamese troops in here. And both parties agree to do so, because the presence of South Vietnamese troops in Cambodia is not doing any good to our policy.

COLLINGWOOD. Before illness struck him down last week, Cambodia's Prime Minister, General Lon Nol, was supremely optimistic, many Americans thought too much so. He even dismissed the blow at Phnom Penh's airport as a mere incident and a sign of the enemy's desperation. What he wanted most was more American aid and equipment before his countrymen face the full brunt of a North Vietnamese attack.

LON NOL (through interpreter). I have requested that delivery should be speeded up in the program. As for the aid covered by the program, we are holding meetings with our American friends in order to formulate an effective program with regard to both planning and execution. We hope that this will be done quickly.

COLLINGWOOD. What do you think of the enemy's intentions?

LON NOL. I think the intention for the long run is as follows: The enemy, being unable to go straight into South Vietnam and also because they now lack bases and sanctuaries, is directing the whole effort against us—the whole effort.

COLLINGWOOD. General, is there anything that you would like to say to the American people?

LON NOL. It gives us great moral encouragement to know that in the United States of America the people are learning to understand our problems more and more.

(Announcement).

COLLINGWOOD. It must have come as a relief to the Administration, if not a surprise, that the invasion of Laos did not provoke the same public outcries and disturbances which followed last year's entry into Cambodia. The cynical say it's because the public—even the young—have become so numb about Indochina they won't get exercised unless American ground troops are directly engaged. Anyway, the kids stayed in school this time and the protests have been muted.

Nevertheless, what is happening in Laos is, in a real sense, only an extension of what already happened in Cambodia—minus Americans on the ground. The same basic arguments pertain, for and against, and the same arguments are being made. In Washington, Bob Schieffer spoke to Secretary of Defense Melvin Laird, and Marvin Kalb talked with Senator Frank Church, still a strong Administration critic.

KALB. Senator, its claimed by the Administration that the war has been fought in this part of Laos for five years now, so it really hasn't been widened, and that's what they're saying.

CHURCH. It hasn't been fought with American helicopters in close tactical support, hovering above the tree-tops and firing into any enemy target of opportunity. It hasn't been fought in the middle of Cambodia and the western reaches of Cambodia. No, of course the war has been widened. Why fool the people?

KALB. Senator, why do you feel that there has been so little public outcry? There was public outrage last year at the time of Cambodia.

CHURCH. Because now we don't have an American army on the ground. We don't have thousands of American troops moving in on the ground to engage the enemy in hand-to-hand combat. And I'm glad that we were able to enact the Cooper-Church Amendment, which restricts the introduction of American ground forces in Laos and Cambodia. Otherwise, I think we'd have an American army in there, just as we had an American army in Cambodia eight or nine months ago.

KALB. Is the difference in climate, in your judgment, limited solely to that one reason, that there is not an American army in Laos?

CHURCH. No. The difference in climate is partly due to the fact that this is just more bombing. And the country has long since become accustomed to the bombing. Its been one of the brutalizing effects of this war.

But there's another reason for the change of climate. The President seems to be saying that he's winding down the war and he has withdrawn substantial numbers of American troops. I give him credit for that. I don't think that in that sense, his Vietnamization program is a token program. If he continues his present pace, if this is all the faster he feels he can go, I'd be willing to settle for that, as long as I knew that we're going to continue to come out . . . That we're not going to stop in May or August or in December of this year, and leave a large American military force in Vietnam indefinitely.

KALB. Come out lock, stock and barrel?

CHURCH. Come out. The time has come. We've equipped the Vietnamese, they have the capability. After all, we didn't promise to make that country the 51st American state, or use American men indefinitely to defend a government that South Vietnamese men should be willing to defend. And now that they have the capability the overriding objective in American policy should be to come out.

KALB. Senator, have you heard about any time limit on the use of American air power in support of South Vietnamese units in Cambodia or Laos?

CHURCH. No. No time limit at all. This is part of the reason why long-time critics of the war grow cynical when they hear about Vietnamization. They're fearful that rather than bringing us out of the war, it's just a method for changing our method of warfare, for converting our participation from ground warfare to air warfare, logistical support and artillery support, and that this is just going to go on endlessly.

There's going to come a time at the end of the summer, or the fall of this year, when the President will have to face his moment of truth on Vietnamization, when he's going to have to take his chances with the Vietnamese being able to do their job in their country . . . when he's going to have to turn back the risk of the war, and the eventual outcome of the war, to them.

SCHEIFFER. When the United States moved into Cambodia, there was a great public outcry. And yet when the details of this operation into Laos became known there was not really very much public criticism. Why do you suppose that is?

LAIRD. Because the South Vietnamese are handling this operation themselves as far as the ground combat is concerned, not only in the Cambodian situation but also in Laos. If there's been any escalation in this war, it's been the escalation in South Vietnam, giving South Vietnam a capability to defend itself and to carry on these combat responsibilities.

SCHEIFFER. But the fact is that U.S. helicopters are going in there, ferrying the troops directly into battle, as it were. They're landing, they're on the ground. Is that cutting the line a little bit thin, by using this air power for this close troop-lift as it's being used?

LAIRD. Air support has not been prohibited by the Congress. This was discussed at some length, but air support is perfectly within the letter of the law as well as the intent of Congress.

SCHEIFFER. The question I think that many critics are asking is this: How do you shorten the war by widening it? Is that a fair question?

LAIRD. Well, the important thing here is to disrupt the supply routes that are going to Cambodia and into South Vietnam from the Cambodian sanctuaries. By any kind of criteria you want to use on the success of this operation, even if we were to withdraw air support and the South Vietnamese were to leave Laos at the present time, this operation is to disrupt the logistic supply route so that we can reduce American casualties as we withdraw American troops. We will be withdrawing additional thousands of Americans, as a matter of fact while these operations are going on.

SCHEIFFER. Mr. Secretary, there will be another dry season next year, just like there's one this year. Will that require another South Vietnamese operation into Laos to interdict supplies?

LAIRD. Well, that would be a matter that would certainly be up to the South Vietnamese. I would—to be very frank with you they will even have a greater capability to carry on those kind of operations next year than they have this year.

SCHEIFFER. As I understand it there's no plan now to train or equip the South Vietnamese to handle this bombing of the Ho Chi Minh Trail in Laos once the United States stops that. What do you do about that? Does the United States just stay there? Will we be required to stay there and bomb as long as the North Vietnamese send supplies——

LAIRD. I don't know whose plans you're looking at. Our plans do give them very important gunship capability which is needed and necessary to interdict supplies and logistics on the Ho Chi Minh Trail. I don't know where you got your information that they weren't being prepared in this area, but we are turning over the gunships, we also are using the A-1s and other types of aircraft that can carry on a very effective interdiction campaign as far as the South Vietnamese are concerned.

SCHEIFFER. You're telling me that that plan is already underway?

LAIRD. The plan is underway to give the South Vietnamese Air Force an interdiction capability.

(Announcement).

COLLINGWOOD. Today Secretary Laird told the President the Laos operation is "going well." But even if it is a military success this time, it may have started something we are not prepared to finish. A precedent has now been established which would allow the South Vietnamese to push beyond their borders whenever necessary to keep the enemy off balance. But will they be capable of doing so, even if it were desirable?

This time, the massive operation was heavily dependent on U.S. air. Secretary Laird indicates that, in the future, South Vietnam will be able to furnish its own air support. But his air commander for Indochina, General Clay, indicated we are not leaving them that kind of force.

Three hundred U.S. helicopters, just for starters, are being used for the Laos attack. The entire projected South Vietnamese helicopter fleet is five hundred. And they will have little, if any, long-range fighter or bomber capability.

So, we may have solved a problem for this dry season—but what about the next, and the ones after that, as long as the North Vietnamese keep coming down the Ho Chi Minh Trail?

To fly cover for future adventures across the border, will we have to leave the South Vietnamese a far bigger and costlier air force, and one which will take us far longer to train? Or will we keep the U.S. air strength there longer, and will the rate of its withdrawal be slower rather than faster from now on? And, if so, will the muted reaction of the American public to this geographical extension of the war remain that way?

Like all operations designed to buy time, the success of the ones in Laos and Cambodia will ultimately depend on how the time bought is used. And that means within South Vietnam. What is happening there is the second part of our report. Next Sunday at this same time I'll report on the situation in South Vietnam today—military, economic, political.

This is Charles Collingwood. Good night.

(Announcement).

ANNOUNCER. This has been a CBS NEWS SPECIAL REPORT, "The Widening War in Laos and Cambodia," the first of two broadcasts on "The Changing War in Indochina."

PROPOSED CUTS—ADMINISTRATION ON AGING FUNDS

Mr. PROUTY. Mr. President, it is with considerable regret that I take note of proposed reductions of more than $7 million in the 1971-72 budget for the Administration on Aging in the Department of Health, Education, and Welfare.

It is my understanding that cuts in funding for community grants under title III of the Older Americans Act and Foster Grandparents program by the Bureau of the Budget were contrary to recommendations from HEW Secretary Elliot Richardson.

The needs of older Americans, and hopes created by unanimous enactment of the Older Americans Act in 1965, are such that there should be an immediate reconsideration of these funding cuts.

I am especially disturbed by proposed reductions in activities directly involving older individuals. Important among these are the community programs—senior citizens centers, homemakers services, meals on wheels, and so forth—funded through State grants under title III of the Older Americans Act and the Foster Grandparents program.

I am also deeply disturbed, however, about the persistent downgrading of the Administration on Aging within the Department of Health, Education, and Welfare. This process began almost immediately after the passage of the Older Americans Act of 1965 and has continued under both the Johnson and Nixon administrations.

Even before the Older Americans Act, action taken during the Kennedy administration suggested a bias within HEW against the needs of the elderly that has continued unabated ever since. Indeed, passage of the Older Americans Act of 1965 without a dissenting vote in either the House of Representatives or the Senate could, in itself, be interpreted as a congressional protest against current and previous discrimination against the elderly within HEW.

It may again be time for Congress to take a serious look at what appears to be a basic long-term departmental policy within HEW contrary to congressional intent. President Nixon's action in naming the Commissioner on Aging to a second post as Prsidential Assistant on Aging strongly suggests that he, too, is personally concerned about the elderly and recognizes their need for a highly visible focal point within the executive branch of the Federal Government.

Proposed cuts in the Administration on Aging budget would seriously impair realization of this objective and work of the AOA. The total AOA budget does include some improvements. Among these, the increase of $4,500,000 in funding for the recently authorized retired senior volunteers program, RSVP, is worthy of special commendation. It provides money for out-of-pocket expenses incurred by retirees doing voluntary community service. Its approval and implementation will do much to expand opportunities for involvement by older Americans in projects useful to themselves and others. There is also a proposal to increase funds for areawide projects by $1,800,000.

This step forward with RSVP, however, and area-wide projects, does not justify the backward steps on existing, highly successful programs, particularly at the community level. The $3,650,000 reduction in funds for community program grants under title III of the Older Americans Act and the $3 million reduction for the Foster Grandparents program will work serious hardship in almost every State. Many persons and organizations in my own State of Vermont are seriously disturbed by this possibility. Also deserving review is the $2,150,000 cut in funds proposed for research and training.

While the proposed reductions are a substantial percentage of the total Administration on Aging budget, it should be remembered that the savings they would involve would be almost insignificant in comparison to other Federal expenditures and would have little impact on the total Federal budget. Certainly the amount is small when related to the needs of over 20 million older Americans and all out of proportion to damage the cuts would do to the State Offices on Aging.

Serious as the immediate problem would be if the proposed reductions are allowed to stand, my work as a member of the Senate Special Committee on Aging since 1962 makes me wonder if they are not a symptom of a far more serious problem within the Federal Government's executive branch regarding older persons.

I do not propose to give a complete review of the history of HEW's attitude. Certain facts on the record suffice to indicate the problem and its persistence.

In 1962, the very year after the White House Conference on Aging called by President Eisenhower had emphasized the importance of a strong focal point for needs of older persons in the Federal Government, the Office of Aging was downgraded and made a subsidiary part of the Welfare Administration in HEW. This action was probably a factor in heightened interest on the part of Congress in an independent unit on aging, an interest which ultimately produced the Older Americans Act of 1965.

Resistance from HEW continued. This is documented by repeated testimony between 1962 and 1965 by the Secretary of Health, Education, and Welfare against proposals similiar to that finally enacted. That the Congress did not share such reluctance to move on behalf of older persons is shown by its action in passing the Older Americans Act, which was signed into law by President Johnson, July 14, 1965.

In August 1967 a reorganization plan was announced placing the Administration on Aging under a new Social and Rehabilitation Service within HEW. So far this action, recommended by then Secretary of HEW Wilbur Cohen and regarded by many as violating Congressional intent, remains unchanged.

That this persistent pattern of submerging programs for the elderly has generated much dissatisfaction among older Americans is obvious. That it is contrary to the intent of Congress in its passage of the Older Americans Act of 1965 and subsequent amendments is clear.

It seems to me that corrective action, either by the administration or by the Congress, deserves serious consideration. A first step, but only a first step, will be early action on the proposed budget cuts for the Administration on Aging. The entire history of the Administration on Aging strongly suggests, however, that a thorough review of its relationship to other Federal agencies should be undertaken.

CEYLONESE INDEPENDENCE

Mr. MUSKIE. Mr. President, on February 4, 1971, Ceylon commemorated the 23d anniversary of its independence. Ceylon has remained a stable democracy throughout the last two decades of our history and has carried on the finest democratic traditions in its election of government officials, and in the other functions of its government

I should like to express my admiration for the people of Ceylon and my hopes that their example will serve as an inspiration to other countries of the world.

THE SEV AND THE ARCTIC

Mr. STEVENS. Mr. President, in a time when many persons have expressed concern about damage that could be done to the tundra by surface vehicles, we should consider all alternatives. One method of transport which may hold the answer to the problem is the Surface Effect Vehicle—SEV—which rides on an air cushion. An article dealing with the SEV and its potential in the Arctic was published recently in "Rendezvous," the public relations department magazine of Bell Aerospace. The article, is based in part on a technical paper by A. W. Courtial, technical director for SEV development at Bell Aerospace.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

> Awesome, icebound and ruler of one of the Free World's last potentially great oil and mineral deposits, the Arctic region of Alaska and Canada lies waiting . . . majestically influencing world weather conditions and challenging man's every move along its frontiers.
>
> Exploration to date has surfaced the prospect of vast resources in Arctic Alaska and Canada. The southern slopes of Alaska's Brooks Range promise huge stores of metallic ores. Below the northern slopes are huge reservoirs of low-sulphur coals. Recent evidence of submerged gold is being pursued on the northern continental shelf in Norton Sound off the coast of Nome.
>
> Although the Prudhoe Bay oil strikes are now history, additional millions are being invested each year in attempts to speed development of the oil-rich Alaskan North Slope. However, as it is with practically every other polar project, significant progress here has been limited to a large extent by the lack of an effective, flexible and economically feasible off-road transportation system.
>
> Approval for the Trans-Alaska Pipeline System also has not yet been granted. The pipe for it remains stored at Valdez, Prudhoe Bay and strategic points to the north along the proposed pipeline route.
>
> The mammoth tanker Manhattan, which attempted to establish the feasibility of year-around operations through the Northwest Passage, proved only that the transport of crude oil from the Arctic continental land mass by tanker would be economically unfeasible.
>
> Scientific research in the Arctic Basin and surrounding land masses is still looking for a transportation system that will return more for the budget dollar.
>
> Personnel and high-value cargo transportation in the Arctic today is primarily by air. Such air transports as the C130, DC–3, 727 and 737 are serving remote airstrips, many of which are makeshift, and accessible only during certain months of the year.
>
> And, once on the ground, most air-lifted cargoes still face the ever-present deterrents to delivery of cargo from the landing strips to the final point of delivery.
>
> For example, railroads are almost nonexistent. Roads are generally prohibitively expensive and normally useable only during winter months, therefore are few in number and most often local only. Rivers are shallow, winding, boulder-strewn and generally unnavigable by conventional craft. And, transportation by ship or barge where possible, is limited to the short summer when the Arctic ice is melted or penetrable. Helicopters are constrained by range, weather and restricted pay-load carrying capacities. Cargo transport by snowmobile or dog sled is slow, limited and economically impractical.
>
> Then there's the vast, flat and barren Arctic tundra. Criss-crossed with thousands of frozen ditches, troughs and other obstacles in the sub-zero winter months, the tundra is interspersed with thousands of small lakes

and riverlets in the summer months, that make off-road travel even on foot all but impossible.

Tracked and over-sized wheel vehicles have negotiated the Arctic tundra during thaw periods only with difficulty. Furthermore, their tracks have inflicted such permanent and erosion-prone scars on the terrain that they have been banned from the Alaska North Slope during the summer months as a preventive measure against further ecological damage.

Fear that it also may do irreparable harm to the Arctic permafrost has halted work on the Trans-Alaska Pipeline System which stands as the major hope for making the North Slope oil fields economically feasible.

Most of the localized work roads have been constructed from river-bed gravel—a practice that at this early stage has already caused significant change in fish life as well as the rivers themselves.

Another dimension of the problem is posed by the millions of square miles of Arctic Ocean—a constantly moving ice cover that is interlaced with an endless and ever-changing network of pressure ridges, ice fields and open water that makes it virtually impenetrable by conventional surface vehicles.

Today, the question of how best to develop an effective, economical and safe high-speed transportation system in the Arctic is being addressed by a growing number of private and governmental interests in both the United States and Canada.

As a result of studies and operational experience to date, one of the most promising concepts in Arctic transportation today is the amphibious Surface Effect Vehicle (SEV) which, by virtue of the fact that it rides on a cushion of air, has demonstrated its ability to successfully overcome many of the heretofore deterrents to Arctic terrain mobility.

Although the production SEVs now in operation have spent most of their time over water, some also have been adapted in cooperation with Canadian government agencies by the Bell Aerospace Company to extensive overland roles in the past four years in test programs over a wide range of representative terrain in Arctic Alaska and northern Canada.

Two 10-ton SEVs have been operating with encouraging results over the North Slope oil fields since 1969 as logistical support craft. Although not specifically designed for this environment or mission but instead modified passenger-carrying craft, these craft have vividly demonstrated their ability to handle and negotiate the Arctic terrain without leaving scars.

Operating on cushion pressures ranging from 0.1 to 0.5 pounds per square inch, the SEV is now the only surface vehicle permitted to operate over the tundra on the North Slope during the May-to-October thaw—the Arctic time-frame that offers the best overall working conditions.

SEVs also have demonstrated their ability to utilize heretofore unnavigable waterways as direct and/or alternate routes by which to bypass limiting terrain conditions. In 1969, for example, the 80-mile overland route between Sagwon Airport and Prudhoe Bay was first negotiated by an SEV that went via the previously unnavigable Sagavanirktok River and made the trip in just over two hours.

Other SEVs have also made trips from Yellowknife on Great Slave Lake, up the Mackenzie River and west along the Arctic Coast to Prudhoe Bay. These and other voyages have provided invaluable information on the nature of ice formations and the operational difficulties that future SEVs can expect to encounter under such conditions.

This data today is being applied by Bell Aerospace engineers to the design of SEVs for a variety of Arctic overland and oceanic missions.

Envisioned among the near-term possibilities is the development of a family of SEVs of from 15 to 300 tons, designed initially for such overland commercial transport and research operations as oil field development, seismic and geophysical survey, search and rescue, cargo transport and personnel ferry.

Such craft are well within the scope of available technology. Payloads of up to 150 tons could be realized, as could speeds of up to 70 miles per hour.

Currently under development by Bell is a new 38-ton heavy-haul SEV designed specifically for Arctic Operations. Called the Voyageur and designated the Bell Model 7380, the twin-engine craft's rugged flatbed structure will be capable of handling a 25-ton payload and at speeds approaching 50 knots.

The craft's 25-ton payload carrying capacity is equal to that of the C-130 "Hercules" air transport now in regular supply operations in the North.

The Model 7380 could provide the much needed off-road transportation link for the movement of men, material and supplies from the Arctic's few scattered air strips to settlements and support bases.

To be of modular construction, the craft will be capable of being rapidly disassembled into easily-handled units for transportation by air, road or rail. On-site reassembly would be equally as fast.

A transportation system integrating the Model 7380 with the "Hercules" aircraft could be the biggest breakthrough yet in North Slope logistical support operations.

The look at the 1980s and beyond centers on the Arctic Ocean where the emphasis will be on the 500-to-1,000-ton SEV transporter that will be needed for long-range, deep penetration of the Arctic Ocean area.

Because air seal system thickness increases proportionately with the size of a craft, these SEVs would have the obstacle clearance capabilities required for Arctic Ocean travel.

Fundamental to any assessment of SEV applicability to Arctic operations is the understanding by their developers that SEVs in themselves are not the overall answer to polar transportation problems . . . but rather a viable candidate to be included in the mix of air and surface craft that inevitably will be needed to reap the full scientific, economic and military rewards offered by Arctic Alaska and Canada.

JOHN MUIR, PROPHET OF THE 1970'S

Mr. CHURCH. Mr. President, we face in this decade the problem of changing from an attitude that man must conquer nature to an attitude emphasizing coexistence with nature. We can find no better guide for this task than John Muir, America's great naturalist.

John Muir spoke to the value of nature, of the need to protect and treasure nature's creations. His voice finds a welcome refrain in the thanks of those who find their spirits lifted, their vision enhanced, by their contact with nature. His voice helps us place in proper perspective the merits of projects such as the SST, giant oil tankers, and other offshoots of a technology out of control.

The value of nature is found even in our thought. Our expert pointed out recently that city children who are not exposed to plant life and animals find that their language resources suffer as a result. Many an analogy and many a term in the American language is based on nature. Our language and our thought would be that much the poorer if we fail to maintain a relation with nature in our living patterns. Cities that destroy their parks, States that fail to protect their wild areas, men that assault nature, do us all a disservice.

Those who seek to correct the contemporary emphasis on mechanics may find the article appearing in the February 13, 1971, edition of the Washington Post of interest. In it, Colman McCarthy comments on the meaning of John Muir to this decade. I ask unanimous consent that the article be printed in the Record for the information of Senators who may be interested in it.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Odd Profession of John Muir: Living

(By Colman McCarthy)

In March 1868, a young man with a strong survival instinct left the crowded East and arrived in the open city of San Francisco. One of the many newcomers who was lighting out for the territories, he could put up with San Francisco for only a day; even then, urbanity crushed in. He asked a native for the quickest route out of the din. "Where do you want to go," inquired the townsman, to which the wanderer replied, "to any place that is wild." The directions must have been adequate; until his death in 1914, John Muir endlessly roamed the valleys, foothills, mountains and icelands of the West, a vacuum spirit that sucked in the nourishing loose ends of nature and fed on them as if no other riches existed.

Many consider John Muir to be America's most profound and most easily read naturalist. Although popular tastes often give that honor to Thoreau, next to Muir the nonconformist of Concord seems like a mere vacationer to wildness. The Sierra of California, the Yosemite and the coast of Alaska were to Muir as Walden was to Thoreau, not visited for a season but embraced for nearly the whole cycle of adulthood. As with many men of action, Muir had little time for book writing, his first one being published at age 56. Yet he rarely let a day pass that some word or thought was not jotted on an odd piece of pocket-crammed paper, stowaway thoughts traveling secretly between his soul and heart. They eventually filled 60 volumes, much of it in the fluent style of the Transcendentalism then popular and all of it in the wisdom of a man who couldn't be bribed by civilization. Muir, in a third-person passage, said his writings gathered themselves as a result of "scribbling by flickering campfires when his body was numb with fatigue; or in the dark lee of some boulder or tree while the storm raged without; or tramping over a vast glacier, his fingers stiff with cold and his eyes blinded by the snow glare."

When he left the lowlands of San Francisco that day, Muir headed for the mountain pastures of the Sierra. Early the next spring, he jotted—almost pantingly—in his diary: "The night wind is telling the wonders of the upper mountains, their snow fountains and gardens, forests and groves; even their topography is in its tones . . . Would I could understand them! The stream flowing past the camp through ferns and lilies and alders makes sweet music to the ear, but the pines marshalled around the edge of the sky makes a sweeter music to the eye. Divine beauty all. Here I could stay tethered forever with just bread and water, nor would I be lonely; loved friends and neighbors, as love for everything increased, would seem all the nearer however many the miles and mountains between us."

How does a man get to talk like that, without being put away? In Muir's case, the conversion to naturalism and conservation bucked many odds, most of them imposed by his Scotch Calvinist father. At the Wisconsin family farm, Hickory Hill, Daniel Muir couldn't believe a son of his could relish the woodland or delight in animals. The father, a doleful tartar who needed to prove his virility, believed in fighting the harshness of Nature, not seeking out its softer serenity. One approached the forests and beasts with ax and gun, and the good Bible-carrier who used them best prospered most.

This is still largely the ethic of America in its conversation with the wild, filled with big talk of success and loud shouts that more-is-better. The whole environmental struggle today is basically that: exhaling from our national lungs the foul air of progress-at-any-cost that we now breathe unthinkingly.

Many believe that ecology is a new term. Actually, battles to save the land raged 100 years ago and, unsurprisingly, John Muir, led them. Setting aside Yosemite as a national park captured his interest early. The merchants and speculators asked about Yosemite, "What are a few acres of trees and some herds of elk compared to the development of mining and lumber that will yield millions of dollars?" The axle of this logic has turned a thousand times since, whether the wheels of "progress" carry us to Adirondack timberlands or the oilfields of the North Slope. No one says anymore that "millions can be made"; that is too blunt. We now exploit Nature because of "national security," or "balance of payments." And besides, a government report says it's safe.

Thanks to his articles in the old Century magazine, Yosemite became a national park in 1890. The victory put Muir even more on the watch for industrial cormorants busy against innocence. He had no doubts whose side he would choose in a conflict between nature and man: "Let a Christian hunter go to the Lord's woods and kill His well-kept beasts, or wild Indians, and it is well; but let an enterprising specimen of these proper, predestined victims go to houses and fields and kill the most worthless person of the vertical godlike killers—oh! that is horribly unorthodox, and on the part of the Indians atrocious murder. Well, I have precious little sympathy for the selfish propriety of civilized man, and if a war of races should occur between the wild beasts and Lord Man I would be tempted to sympathize with the bears."

Hard talk? Muir went further. "The world, we are told, was made especially for man—a presumption not supported by all the facts. A numerous class of men are painfully astonished whenever they find anything living or dead . . . which they cannot eat or render in some way what they call useful to themselves."

Libraries are beginning to carry some of the vast Muir literature in all its richness. Houghton Mifflin has published his works in the Sierra edition, from "A Thousand Mile Walk to the Gulf," to "John of the Mountains." The essence of Muir's life can be had in the anthology selected by naturalist Edwin Way Teale; the Twayne series published an excellent critical guide to Muir's thought in a volume by Herbert F. Smith. "Not Man Apart" is the invaluable John Muir monthly newspaper sent to members of the Friends of the Earth. An application of his philosophy to the wilderness issues of today, the newspaper is available to nonmembers also.

Muir liked to say, echoing Thoreau, that his "profession was living." This put him in genuine communion with nature, that term being only a grand synonym for life itself. Long before Teilhard hinted that rocks and plants are not mere slugs of deadness, Muir understood that they also had claims to livingness. "Plants," he wrote, "are credited with but dim and uncertain sensation, and minerals with positively none at all. But why may not even a mineral arrangement of matter be endowed with sensation of a kind that we in our blind exclusive perfection can have no manner of communication with?"

It is foolish to go to Muir in hopes of "feeling good" about nature. Visit the garden club greenhouse for that. Muir is saying, come be a part of wilderness, if even for an afternoon or weekend. In Cuba once, he wrote about the growth of the agave plant: "It is said to make a mighty effort to flower and mature its seeds and then to die of exhaustion. Now there is not, so far as I have seen, a mighty effort or the need of one, in wild nature. She accomplishes her ends without unquiet effort." That is what Muir wants men to be a part of. It won't hurt, and most likely nature won't mind. It is tolerant of earthquakes, blizzards, storms and all manner of destruction. So it can tolerate human beings, too. Up to a point and provided we come with neither ax nor gun.

ALASKA AND THE SST

Mr. STEVENS. Mr. President, with the Senate soon to resume its consideration of the question of continued Federal funding for the SST, I am inserting in the RECORD a paper on this subject which was recently presented to the Anchorage Chamber of Commerce by a New York consulting firm.

Entitled "Alaska and the SST," this paper presents the tremendous advantages inherent in SST flight, the background of SST development, and the problems which must be overcome before the supersonic transport becomes operational. The statement makes particular reference to my State of Alaska, the crossroads of the world, and concludes with the observation that intelligent Government leadership and industry performance in the 1960's has resulted in the development of a good SST program, which is now balanced on the brink of success. I believe that it would be a serious national setback if this research and development program is not funded at the level to insure the completion of the two prototype SST's and the testing program necessary to fairly judge the SST.

This statement refers to exhibits the speaker had prepared on slides which are not available to me. I ask unanimous consent that "Alaska and the SST" be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ALASKA AND THE SST

(By R. Dixon Speas)

[Illustrations not printed in RECORD]

The role of Alaska as an aerial crossroads of the world will become enhanced with the advent of the SST. Two reasons support such a conclusion. SSTs are 2 and 3 times as fast as subsonic jets. The increased speed will allow air transportation to become more effective. Major distant markets such as the Far East to and from Europe and North America can be expected to grow more rapidly under the encouragement of substantially shorter flight times. Secondly, the SST now emerging, for at least the next generation, will have flight range limitations. The limitations will require an enroute stop in Alaska for serving the aforementioned markets. Subsonic jets have recently emerged into non-stop Orient to Seattle and Orient to San Francisco schedules. With further technical development the subsonic jets could be expected to provide non-stop service between the Orient and Seattle-San Francisco and Los Angeles terminals in both directions—bypassing Alaska.

Figures 1 and 2 illustrate the magnitude of forward step with respect to speed of transportation as it has been represented in the transition from piston aircraft to jet aircraft. If we reflect upon the transportation improvements, which have come to Alaska since jets started regular service approximately 10 years ago, and when we reflect upon the related economic benefits to the Alaskan community which have come as a result of this advanced transportation, we can gain some foresight as to what to expect when air transportation takes the pending giant step in moving into the SST era as illustrated by the differential between Figure 2 and 3.

At the moment, there are three major SST projects in the world. The British-French project, the Concorde, which has advanced through test flying of two prototypes, is shown in Figures 4, 5, and 6. This aircraft flew almost two years ago on March 2, 1969 and in November of 1970 it was announced that the aircraft had obtained a speed of over twice the speed of sound, which speed was reportedly held for 53 minutes. Incidentally, the reference to speed twice the speed of sound is designated Mach 2.0. The Mach number of an aircraft relates its speed to the speed of sound under atmospheric conditions in which an aircraft is flying at point of measurement. Most subsonic jets fly at a cruising speed of Mach .82. So you can see that going to over Mach 2.0 represents a giant step, indeed.

The Russian SST, the TU-(Tupelov)-144 first flew on December 31, 1968 just two months before the Concorde. The TU-144 shown in Figures 7, 8, and 9 flew at Mach 2.2 (1,458 miles an hour) just two months ago on November 12, 1970. It is designed to fly at Mach 2.35, approximately 200 miles an hour faster than the Concorde.

As to the third SST project of the world, namely that of our nation, at the moment we must content ourselves with artist views, such as Figures 10, 11, and 12. Also, as I am sure you know that if the opponents of the SST are successful in their current congressional battle, artists sketches are all we will ever have.

Opposition to new developments is nothing new in our society. It was just over 20 years ago that a prominent public figure stated to me that he felt we should. ". . . stick to piston powered aircraft and turboprops, because no one would wish to go to heaven on a blow torch . . ."

There is a strangeness about the opposition to the USA-SST program which comes into clear focus when we consider the fundamental circumstances as are involved. It was in the 50s, 1958 to be exact, that the aeronautical engineering talent of our nation first expressed serious interest in a supersonic transport aircraft. For approximately five years, there were numerous studies by aircraft manufacturers, engine manufacturers and government agencies of the nation searching out the feasibility and economic viability of an SST project.

In 1963, an executive decision to proceed was announced by President Kennedy and a comprehensive development program was launched. As a result of this total of 12 years of study, research and development, we are now within sight of the first flight of a USA-SST as scheduled for November of next year. Federal monies spent as shown in Figure 13 have reached more than beyond the halfway point as can be seen in the Figure 14 comparison of USA funding and British-French funding of the Concorde.

Here in the eleventh hour of a logical development program, at a time when to stop the program would result in total cost of approximately 80% of that required to complete two prototypes and fly them for 100 hours, it is seriously proposed that we stop our forward progress. Is it not strange that we would consider stopping now or drastically changing our course of committed action? The overlay comparison between the three aircraft as shown by Figure 15 and the specification comparison as shown on Figure 16, present the USA–SST as substantially faster and of higher passenger capacity and of longer range flight capability than the other two SST aircraft. As to availability, however, it would be reasonable as of this date to think in terms of 1973 for commercial use of the TU–144, 1974 for commercial service of the Concorde and 1978 for commercial service of the USA–SST.

In effect, the USA program has chosen a later time schedule to come forward with an advanced performance aircraft. A strong requirement that we advance forward with our transport aircraft development program into the SST era is clear to those authorities in industry and government who are directly associated with world air transportation responsibilities. Some legislative leaders and others, however, have strongly objected to the SST program on the basis of national priority circumstances. Among the suggestions of those who object to the SST program is that we might seek to "trade out" the competitive threat of SST services by convincing England, France, and Russia that they should discontinue their efforts and in return we would discontinue our efforts. Mr. C. R. Smith, recently pointed out that such endeavor would be hopelessly weak because we have very little to trade on with no SST flying until late next year and with a schedule calling for SST into operation 4-5 years later than those we would seek to influence.

Among the "anti-SST" groups, there appear to be two prime objections to the SST program:

1. The money which would go into the SST could be used for social welfare programs which would more broadly benefit the citizens of our nation than would the engineering and development work needed to carry the SST to a production plateau.

2. The SST will mess up our environment by adding pollution to the atmosphere and noise to communities.

With respect to objection No. 1, a desire to accomplish social advancement programs is most certainly consistent with the objectives of our nation. We must recognize, however, that social advancement must be paid for by taxes which come from industries and individuals. The air transport manufacturing industry has paid millions and millions of dollars in taxes and it can continue to pay millions and millions in taxes if given the support now needed and required to stay in the lead of world transport aircraft manufacturing. Taxes are meaningful only if there is a broad tax base. The fact that there are approximately 90,000 people in the United States currently at work engineering and manufacturing advanced transport aircraft for this nation and world markets is itself an indication of the tax base provided by transport manufacturers.

Further, concerning the Federal Government contribution, the program is one where the taxpayer is scheduled to recoup all of his money with the sale of the 300th airplane and both Boeing, General Electric and many subcontractors have invested millions of dollars of their own funds and the airlines have placed millions of dollars on downpayment of the SST as direct evidence of their confidence in the program's viability.

With respect to concern on pollution and noise, it is increasingly clear that the SST program as undertaken must give full consideration to pollution reduction. One of the most recent expressions of concern came from a group of 23 leading national and international environmentalists who gathered at Williams College to consider world environment circumstances. Their preliminary conclusions and recommendations dated July 1, 1970—(a full report is scheduled for later this year) express concern ". . . that uncertainties about supersonic transport contamination and its effect be resolved before large scale operation of supersonic transports begin. . . ." In the research and development programs underway in this country at present, there is sufficient evidence that the balancing effects of SST environmental relationships can be evolved with full compatibility with the best interests of mankind in this century and centuries to come. Figures 17, 18, and 19 as prepared by the Boeing Company give reassurance as to the basic considerations. With emphasis properly applied during the eight years before the earliest scheduled service by the USA-SST, there is no more reason to reject the SST out of hand than to have rejected many other prior technological advances of great consequence which have positively affected man's welfare.

As to noise, it is clear that substantial improvements must be made and evidence is mounting that such improvements can be made before anybody's SST goes into large scale service on major trade routes of the world. A recent pronouncement by the British Government states that additional funding is being provided for noise reduction of the production Concordes. It is to be expected that the Russians are sufficient realists in international and political matters to recognize that protests of local populations surrounding airports in major capitals of the world are sufficiently important that noise specification must be established and met if SST operations are to be normally accomplished. A review of the forecast noise circumstances from the USA-SST as compared to the subsonic jet is shown by Figures 20, 21, and 22.

It can be seen that because of the high rate of climb of the SST, the noise exposure extends for less distance than for the subsonic jet. It is true, however, that sideline noise extends to a further degree for the supersonic than the subsonic.

In reflecting upon the significance of SST speeds related to air routes of the world, it is of interest to do so with respect to the major trade routes of the respective nation. Figure 23, shows SST one-hour zones constructed from New York and San Francisco. Figure 24 shows this construction from London and Paris and Figure 25 from Moscow-Vladivostok. An interesting hypothetical circumstance of SST transport aircraft operation from Moscow and Vladivostok with subsonic aircraft operation out of New York-San Francisco, as some SST opponents would have it, gives the travel time results shown in Figure 26. Under these circumstances, it is to be noted that two of our states, Alaska and Hawaii, would be closer timewise to Vladivostok than to San Francisco. Such combinations could emerge, however, only if the USA would continue its air transportation programs on subsonic jet performance bases with the Soviet utilizing advanced speed capabilities of the SST.

There is a view in some quarters that the Soviets may not be seriously advancing their SST aircraft program. Such a conclusion, however, does not appear to be warranted. By now we are well acquainted with the basic policy of the Soviets to achieve their technological advancement and production outside the limelight of world publicity. Therefore, we must consider basic motivations in judging whether given programs can be expected to be advanced. When one looks at the gradually emerging pattern of Aeroflot international trade routes as they reach into the major markets of the world (Figures 27, 28, 29, and 30), there is a clear line of reasoning apparent as to why the Russian SST is a serious and major undertaking of basic Soviet policy significance.

Initially, Aeroflot entered New York via Montreal on July 15, 1968. Early this year their North Atlantic service was broadened to include 2 flights a week Moscow-Paris-Montreal with traffic rights granted for carrying passengers between Paris and Montreal; previous operations had been from Moscow to Montreal direct. Also 2 flights per week were established earlier this year Moscow-London-New York with traffic rights yet to be granted between London and New York. In Singapore, one sees the Aeroflot scheduled flights coming in through 2 gateways, Delhi, India and Karachi, Pakistan.

Of highest significance with respect to Aeroflot's developing network of international air trade routes and Russia's SST program, was the opening of the Moscow-Tokyo route on April 17, 1967. As part of a joint agreement between Japan and Russia, both Japan Air Lines and Aeroflot initially operated this route. Since that time, Air France and BOAC have undertaken operations to the Far East via Moscow, which route offers significant timesavings, compared to going around the Soviet territories. Also, it was recently announced that an agreement has been reached whereby SAS will start operations from Europe to Tokyo via Moscow and several governments are negotiating with respect to rights for their carriers.

In Africa, Cairo, Khartoum, Entebbe, Brazzaville, and Lagos are among the 13 major cities of the African Continent served by Aeroflot with other extensions expected. In the Latin American area, Aeroflot operates three weekly services as far as Havana, with discussions underway with respect to extensions into the South American Continent. The Soviet air transport presence in Latin America became further apparent when Soviet aircraft undertook a substantial airlift of supplies to Peru following the disastrous earthquakes of May 1970. Soviet transport aircraft carried supplies and equipment to Lima via Iceland, Nova Scotia and Cuba. In addition to providing aircraft for its own services, it is clear that the Soviets are considering aircraft manufacture as a means of increasing exports.

Thus far, Soviet transport aircraft have been sold almost entirely within Communist Nations who are closely allied to the Soviet through trade agreements or other alliances. A number of unsuccessful attempts have been made by the Soviets to interest western countries in their transport aircraft. Until now, however, their transport aircraft have been either design deficient with respect to performance, operating systems and maintainability (for example, their TU–104 of Figure 31, compared to our 707s and DC–8s) or, they have lagged with respect to timing and availability (namely, their IL–62 of Figure 32, which emerged in 1967, compared to availability in 1959 for the DC–8s and 707s and 1962 for the VC–10).

It is clear that the Russians have full technological capability for developing and producing superior transport aircraft. Russian designers are among the world's greatest aircraft designers and development requirements once undertaken (as in the case of Sputnik and more advanced space achievements) have been successfuly achieved in a manner that clearly demonstrates an ability of the Russian industry to achieve when national policy so dictates. Thus far, we have only viewed the results of Russian transport aircraft marketing under the previously mentioned competitive disadvantages—design deficiencies and timing.

A Russian SST without competition from either USA or England-France, and there are many in USA, England and France who suggest that the SST development be given up, would have quite different results than the prior Russian marketing efforts. Indications of increased activity on marketing of Russian aircraft to western nations is becoming evident these days including such items as the recent advertisement in Aviation Weekly. (Figure 33)

In summary, it would appear that several conclusions can be drawn from the current status of SST aircraft development as they relate to Alaska:

1. Within two to three years, SST aircraft will be operating to and from the State of Alaska, with service benefits and economic benefits to the State. Probably a Russian SST first, followed by the Concorde.

2. A successful SST program by our nation is required if we are to maintain our position of leadership in air transport development, production and services.

3. A noise and pollution reduction effort as is underway can be expected to accommodate the SST characteristics and the flight program which involves two prototypes in flight operations is a required accomplishment in order to provide the base for required research programs.

4. A successful SST program by our nation is required if the air transport manufacturing industry is to continue its share of contributing corporate and individual taxes in support of needed social advancement products.

Under intelligent government leadership and industry performance of the 60s, we now have a good SST program which is balanced on the brink of success. It is important to this nation that we carry this program through to a successful conclusion.

SENATOR TAFT PRAISES YOUNGSTOWN MAYOR—CITES CLEVELAND PLAIN DEALER ARTICLE

Mr. TAFT. Mr. President, the Friday, January 29, 1971, edition of the Cleveland Plain Dealer carried a most interesting article about Youngstown's progressive, dedicated mayor, Hon. Jack C. Hunter.

Mayor Hunter brought a new spirit to Youngstown and has proven himself not only an able administrator but an effective leader. It is a new Youngstown, one that its citizens can be proud of.

Along with my colleague, Hon. Frank Bow, I request that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Youngstown Gets New Image

Youngstown.—"The Mob" apparently was interested in "buying" bank official Jack C. Hunter three months after he became the Republican nominee for mayor of this tough Mahoning County steel city of 139,000 persons.

A character purportedly representing a top Youngstown racket figure offered to finance Hunter's campaign, replace his five-year-old car and provide "anything you want afterwards—if you win."

In return, Hunter was to arrange that "Youngstown not be deprived of the income from gambling."

The meeting took place at Berlin Reservoir in western Mahoning County, where Hunter was fishing one August afternoon in 1969. The contact man and another soft-spoken, dapper racketeer arrived wearing suits and ties.

Hunter had agreed to meet them because he was curious. He gave them no answer because he did not want to close a pipeline to information on what the Mafia was doing in Youngstown.

Their interest waned, Hunter recalled recently, after straw votes indicated he was going to be defeated by incumbent Democrat Mayor Anthony B. Flask and when Hunter vowed while campaigning to choke the network that funnels wealth to the Youngstown underworld.

Hunter, a former Sunday school teacher surprisingly won the mayor's race. He won without any help from the rackets and, without them, will run for a second term this year.

The first week he occupied the mayor's office in the southeast corner of Youngstown's soot-trimmed City Hall, some opportunists visited him. They wanted directions to the bag man.

To whom do we go to get favors from the new administration, they glibly inquired of the outraged Hunter.

"I found out there were some hoodlums, architects, contractors, suppliers, car dealers, municipal job applicants and you name it, that had really expected me to accept a payoff for contracts or for special favors," Hunter said. "I found out it was the way of doing business in this town for a small, wheeling and dealing few."

At least one other Youngstown mayor, Harry Savasten, who served in 1962 and 1963, affirmed that he had the same approaches made to him—on a barbotte game and a city contract.

Ex-Mayor Flask denied having had any such experience.

"They knew better," Flask said.

"No more," promised the 40-year-old, pipe-puffing Hunter.

Hunter has one more problem than did mayors of most middle-aged Midwest communities—a bad municipal image.

Hunter believes that Youngstown's reputation for corruption helps explain a 16% dip in population in the last decade and the ease with which outlying areas pirate businesses and industries. He cited a general resistance to taxes, some because of lack of pride, and so the city limps on a $22 million budget.

It was bad enough for a school levy to be defeated six times, bringing ultimate padlocking of classrooms two years ago.

But people remember most the catchy-appellations for this city—Murdertown, USA; Crime City, America—earned for 14 rackets killings and 100 bombings in 20 years.

On Dec. 31, 1969, a rain-spattered inauguration day in Youngstown, Hunter gave his police department a green light to rout vice. The word got out and some operations fled to the peripheries before new Chief Donald Baker dispatched his tactical squad to interrupt numbers pools, barbotte, prostitution and after-hours liquor sales.

As soon as Hunter took office, he did some instant housecleaning.

He unplugged the vending machines in municipal buildings and insisted that vendors bid properly for city contracts. As a result, vending operators coughed up more income in three months in 1970 than they produced in all of 1969.

Hunter promptly distributed the lucrative towing business among qualified firms.

Baker, a 20-year policeman with savvy, asked for the Federal Bureau of Investigation for help in cleaning out Youngstown rackets at a meeting of police chiefs with the federal strike force in Cleveland in March 1970. Baker said that all but one other chief at the session indicated that everything in their towns was in order.

"I knew we had trouble," Baker said.

Lawyer Robert Gary, second in command of the Cleveland-based federal strike force in Ohio, confirmed, "We were not surprised. We knew the rackets were entrenched in Youngstown and coddled."

The Justice Department in Washington had said that one sixth of Ohio's official "syndicate" membership could be attributed to Youngstown and environs.

Of cases handled by the strike force until early this year, at least 80 percent of the principals were from the Youngstown area, Gary pointed out.

An FBI effort to strangle organized crime in the Youngstown district started with arrests in the autumns of 1968 and 1969.

It has been stepped up and speculation is there may yet be 30 indictments from raids last October that nipped an interstate numbers ring. The operation was tying together a long-time Youngstown "bug" setup with the organization of a Pennsylvania contractor who does business with officials of the Keystone state and Pittsburgh's primary numbers "bank."

Gary said pressure from the FBI and the Hunter administration has "crippled the Youngstown rackets."

Baker affirmed: "They're confused."

Numbers writers say that though operations began to accelerate a little early in November, business by telephone was low key because of fear of wiretaps. Some of the writers reportedly are short of income and funds to pay off on hits. But numbers activity again is on the increase today.

An FBI sortie on a sports betting network operating between Warren, Cleveland and Pittsburgh just before Christmas added to underworld nervousness.

Although no estimate has been made of the numbers taken here, one principal in a ring including several Youngstowners—upset by the FBI in 1969—had personal annual income of more than $350,000 from the illegal business, according to government spokesmen.

The 1970 raids here boosted the morale of Youngstown police. Police were asked for information by the FBI and were invited to go along on massive searches to collect numbers paraphernalia.

Said one officer: "Finally, we're trusted. We were tarnished as a unit for a long time. It was so bad—there was so much rottenness—some of the men who were on the force didn't even ask about salaries.

"The protection racket paid well for those who were dishonest. If a store didn't want burglaries, if a joint wanted to stay open after hours, the owners saw to it the police got food or clothing for their kids, or pocket money.

"Now we're negotiating like professionals for better pay and benefits and we're interested in training, education, upgrading. It's good to have respect."

He polished his badge as he spoke.

Drug raids that netted 25 violators in November and shut off 99% of the flow of hard narcotics into the city were another boost for police morale. Some anonymous Youngstowners were so pleased that they sent the chief a bouquet of 15 roses, one for each of the squads that participated.

Baker, going for 100% muzzling of drugs, still may have to deal with one major Youngstown racketeer who, informants say, is involved in the top level of drug distribution on the North Side of Youngstown.

Mayor Hunter, who gave a pep talk before the drugs hits and who, aides say, personally answered the call when a bakery driver was robbed at gunpoint some weeks ago, is close to the rehabilitation of his police department. "I was the nearest car," explains the mayor whose police radio listing is No. 1.

"There were some personnel there and in other offices I wanted to chop off the city payroll," Hunter admitted. "Then I decided to give them a chance, put confidence in their doing a job. Most have come out smelling like roses."

And he has delegated authority to department heads.

Ironically, out of this situation has come the first of the credibility crises of the Hunter administration.

The first crisis stemmed from a lack of trust between police and the city prosecutor's staff over disposition of racket cases. Too many were being dismissed or excused after small fines were assessed, police said. They protested that their war against crime was being nullified.

In August, a rookie patrolman in plainclothes played a number at the Bononza Bar on Mahoning Avenue and audited a telephone transaction dealing with numbers allegedly by Mrs. Gladys Evanovich, wife of the permit holder. Mrs. Evanovich and an elderly bartender were arrested and booked.

Police heard that the prosecutor reportedly intended to drop the case. The mayor intervened.

When the charges were presented in Municipal Court in September, the judge freed Mrs. Evanovich and the barkeep, saying that the violation was minor, the two defendants were aged, and that the assistant prosecutor had, by his own admission, no evidence.

Police complained that they tried to submit the evidence but that the prosecutor rejected it, saying it was too late.

The Bonanza Bar was one of the establishments searched in the FBI raids last fall. Affidavits revealed that agents had monitored two telephone conversations that dealt with the Evanovich arrest. The text concerns attempted deals with a public official, an effort to communicate with a councilman and conniving for reduced penalties.

Mayor Hunter was adamant that there was no wrongdoing.

"It appears everyone was just conscientious," he said of the Bonanza Bar affair.

"In any town but Youngstown, this would cause no suspicion," he said. "Here there is limited faith because of what has happened in the past."

And though Prosecutor John Mock turned in his resignation, he emphasized that he had stated he would fill the law department post for only a year when he accepted it in January 1970.

Mock said relations between police and the prosecutor's office "have improved" recently.

Former Mayor Savasten has predicted that Hunter would still have some problems with police and other employees who have been "controlled for years" and dared not back out on their affiliations.

And Hunter may find difficulty in the stance of the Civil Service Commission that has such stretch in its rules that one policeman moonlighted in 1969 as the vice president of a major development firm. Another is health and welfare administrator of a Teamsters union.

In the first nine months of 1970, according to FBI compilations, Youngstown crime escalated at a faster pace than crime in other cities, with burglary, robbery, larceny and car theft rising spectacularly.

A salesman told a newspaper reporter he was so afraid to work in the city that he purchased a sawed-off shotgun and slipped it under the front seat of his automobile. The gun was stolen.

Mayor Hunter suspects the city's crime statistics have not always been accurate. He believes that some totals for felonies, other than bombings and murders, which are hard to hide, have been altered, artificially improving the picture.

Problems that could have been dealt with were sheathed, he said.

He speculates that this also happens in the police record departments of other cities and that Youngstown may have had some unpublicized companions in the years it got its notoriety.

The mayor has so much confidence in what was achieved in 1970, that he said: "If there's a racket or labor bombing now, it's to embarrass the administration."

Until 1962, bombings in Youngstown were related to gambling control. Since then, reports show, the majority have evolved from disputes among Teamsters and trucking and construction industries. The last was a major exchange between Teamsters and the Operating Engineers in 1969.

Seven local Teamsters, among them John (Chike) Angelo, testy secretary-treasurer of Local 377, have been indicted by a federal grand jury for shakedowns at the General Motors site in Lordstown in Trumbull County, west of here. This was in a case investigated by the Labor Department and the FBI, and filed by strike force lawyers.

"Head busting," said a Labor Department investigator, "is a way of life in Youngstown."

Students of politics say the voters are tired of "head busting" and that is why Jack C. Hunter won the mayorality. His victory came in the wake of armed conflict between Teamsters and truckers on smoky Poland Avenue and was a reaction to that shootout. Hunter had accused Mayor Flask of being aware that the Teamsters were armed and said Flask failed to stop them.

The Teamsters have been a power in Youngstown since 1950, a Labor Department aide said. Hunter, however, ventures that the Teamsters and the racket people are latent forces now.

Hunter lists power blocs in the city as being national, religious, racial, labor generally, and management and special interest groups. Among the last is a covey of contractors who will want to build the new terminal complex and runway and make other improvements valued at a total $22 million at Youngstown Municipal Airport.

"I can't take the credit but we had no civil disturbances in 1970, and it made Youngstown look better," Hunter said. "I hope it shows the people are getting the city's ear."

The mayor writes off December bombings at the home of a white realtor and a Negro civil rights leader as personal matters "based on Negro housing and rights."

There had been times during the emancipation of City Hall that skeptics felt Hunter was not strong enough and that the clique and its tentacles would overcome the naive, "nice guy" mayor.

Tall, gangling, sometimes buoyant Jack C. Hunter runs his town not with charisma, but sincerity. Nor does he do it by Braille.

He is out where the action is. It is not unusual for him to drive through the city's South Side and for a group of blacks to stop his familiar Thunderbird and ask him to come into a bar and have a bottle of beer with people congregated there.

They have something to talk over.

There is nothing patronizing or ingratiating about the mayor's complying. "I have to know what is happening in Youngstown and they help me tune in," he says.

After the drug arrests, Hunter toured the jail where those arrested were lodged. He was chastized by one of the prisoners. A man in a cell down the row defended Hunter.

"Hey, shut up, man," he yelled. "The mayor's on our side."

On Christmas Day 1970, Hunter joined a group who distributed cigarettes, cigars, candy and fruit to jail inmates.

One of the "mayoresques" ascribed to Hunter is that he is "nonhyphenated."

"I don't believe in Negro-Americans, Italian-Americans, Slav-Americans," Hunter observes. "I just believe in Americans."

He wears a U.S. flag in the lapel of his otherwise unornamented gray suit.

"He is everything opposite to the backslapping, baby-kissing and handshaking politician," says Martin Milich, the mayor's administrative assistant.

"If it hadn't been for Democrats, Mayor Hunter would have never been elected," grieved County Chairman Jack Sulligan, citing the city's Democrat registration majority.

Youngstown citizens want Hunter to run again, if response to an advertisement published in the Youngstown Vindicator is indicative.

Of the more than 300 replies to the ad asking citizen opinion whether he should seek a new term, the mayor has been supported in a ratio of 9 or 10 to 1.

"Some have told me off," he admits, but he is going to run.

Hunter first ran for mayor in 1969 while he was Ward 5 councilman.

"I didn't want to," he says, "but I protested so much to my friends about gaming and graft in the city, they told me to 'put up or shut up.' "

When he was elected to the $20,000 a year post, with limited GOP support, he resigned a modest paying job as assistant trust officer of the Mahoning National Bank. The bank gave its blessing.

Since, according to Hunter, "banks are bastions of conservatism," this was a departure from tradition.

As mayor, he has no banking hours. His day starts at 7 a.m.

But because he came out of a banking background, he has been dubbed an "establishment" candidate.

Hunter served in the Marines in the Korean war after "not doing very well" at Youngstown University. While he was being educated in the Youngstown school system, his father, a paymaster at the Republic Steel Corp., warned him he had "better get nothing below a C."

"I got nothing above it either," Hunter recalls.

But after military duty, he made the dean's list at the University of Denver, where he studied economics. Later he majored in political science at Youngstown State University.

"The attitude is that I'm an impertinent young punk," Hunter points to his attacks on the city's upper crust for lethargy and lack of civic commotion.

Historically, Youngstown has been a make-a-living town, starting with discovery of ore in a creek, through the era of the charcoal furnace, local coal and gasping Bessemer converters.

The contrast between the elegant, who built the industries, and immigrants, who worked in them, has not been totally erased, Hunter said.

Until the 1930s, Youngstown had seldom elected a mayor whose name was other than North European.

When Italians and Slavs started politicking, the power structure clambered into ivory towers and generated no influence, except cultural, he notes.

Youngstown has a symphony and a building donated for it; a beading of libraries; posh, columned Stambaugh Auditorium; an able playhouse group; an art institute, museum, parks and the university, the latter well-endowed by the dynasty that operated it before it was given state status.

The university is surprisingly immune from student disorders of any magnitude. Capt. Chester Hayth of District 4 of the State Highway Patrol credits the tranquility to commuter student population and limited space for congregating. Now educating 15,000, Youngstown State University has a tremendous draw in the Youngstown area and in western Pennsylvania.

The mayor is pragmatic about Youngstown.

"We need new business and diversities. We used to let Santa Claus come to us. Finally, he didn't. Now, we're writing to Santa Claus to sell our assets.

He exhibited advertising promotional gimmicks that will be expanded and released to trade publications and industrial organs that have influential readership. Basically, they say, "Youngstown is what you want."

"Faint hearts never won fair hands," says the unmarried mayor.

He lives with his elderly mother in a frame house surrounded by a manicured yard in the city's southwest residential area.

Interestingly, it may be another native who will rebuild the downtown. The developer, once in the Flask camp, has been meeting in exploratory discussions with some city leaders since September.

"My vision," Hunter said, "is of a vertical building for business and professional use, flanked with an elongated structure closer to the ground, a mall idea. Quite large."

Projects, valued at $4 million were assured for three urban renewal areas at the end of December. A 3½-deck parking garage for Youngstown State University, a new building for the Goodyear Tire & Rubber Co. and rehabilitation of the Youngstown Automobile Club structure on Front Street are slated. Advance Dies of America and Dyna-Kleen Power Cleaning plan to build in another section.

If Youngstown does get a new skyline, it will be because of a homogenization of effort and money from federal, state and banking sources. The banks are vitally interested in the Youngstown city core, where their main offices are located.

They are giving umbrellas and silverware as incentives to keep depositors here, said one banker.

The cautious mayor is not taking a chance on losing what Youngstown has now.

Some weeks ago, he discovered that a merchant renting a store two blocks from City Hall had tacked a yellow sign on his door that announced he was going out of business.

The mayor dispatched an emissary to ask the businessman to give the city five weeks to come up with a solution for him. The man obligingly ripped down the sign.

"By George!" the businessman said, "I think I'll stay around to see what happens next. It's just not the same old Youngstown."

"Precisely," said the mayor.

LITHUANIAN INDEPENDENCE DAY

Mr. MUSKIE. Mr. President, on February 16, 1971, Americans of Lithuanian descent commemorated the 53d anniversary of Lithuanian independence, with celebrations and festivities throughout the Nation. Lithuania gained its independence from the Czarist Russian Empire at the end of the First World War, only to lose it again to the Soviet Union at the beginning of World War II. The celebration is a reminder of past freedom, and an impetus to strive for the return of that freedom.

It is important that the 53d anniversary of the independence of Lithuania be recognized, for perhaps it will serve to remind us that there are many peoples in the world who are striving—yet without success—to attain the very freedom we take for granted.

RULES OF PROCEDURE OF THE COMMITTEE ON GOVERNMENT OPERATIONS

Mr. McCLELLAN. Mr. President, in compliance with the requirements of section 133B of the Legislative Reorganization Act of 1946, as amended, I submit herewith for publication in the RECORD the rules of procedure adopted by the Committee on Government Operations.

There being no objection, the rules were ordered to be printed in the RECORD, as follows:

Rules of Procedure Adopted by the Committee on Government Operations, Pursuant to Section 133B of the Legislative Reorganization Act of 1946, as Amended

RULE 1. MEETINGS AND MEETING PROCEDURES OTHER THAN HEARINGS

A. *Meeting Dates.* The committee shall hold its regular meetings on the first Thursday of each month, when the Congress is in session, or at such other times as the Chairman shall determine. Additional meetings may be called by the Chairman as he deems necessary to expedite committee business. (Sec. 133(a), Legislative Reorganization Act of 1946, as amended)

B. *Calling Special Committee Meetings.* If at least three members of the committee desire the chairman to call a special meeting, they may file in the offices of the committee a written request therefor, addressed to the chairman. Immediately thereafter, the clerk of the committee shall notify the chairman of such request. If, within three calendar days after the filing of such request, the chairman fails to call the requested special meeting, which is to be held within seven calendar days after the filing of such request, a majority of the committee members may file in the offices of the committee their written notice that a special committee meeting will be held, specifying the date and hour thereof, and the committee shall meet on that date and hour. Immediately upon the filing of such notice, the committee clerk shall notify all committee members that such special meeting will be held and inform them of its date and hour. If the chairman is not present at any regular, additional or special meeting, the ranking majority member present shall preside. (Sec. 133(a), Legislative Reorganization Act of 1946, as amended).

C. *Meeting Notices and Agenda.* Written notices of committee meetings, accompanied by an agenda enumerating the items of business to be considered, shall be sent to all committee members at least three days in advance of such meetings. In the event that unforeseen requirements of committee business prevent a three-day notice, the committee staff shall communicate such notice by telephone to members or appropriate staff assistants in their offices, and an agenda will be furnished prior to the meeting.

D. *Open Business Meetings.* Meetings for the transaction of committee business, shall be open to the public, except during executive sessions for marking up bills, for voting, or when the committee by majority vote orders an executive session. (Sec. 133(b), Legislative Reorganization Act of 1946, as amended).

RULE 2. QUORUMS

A. *Reporting Legislation.* Ten members of the committee shall constitute a quorum for reporting legislative measures or recommendations. (Sec. 133(d), Legislative Reorganization Act of 1946, as amended.)

B. *Transaction of Routine Business.* Six members of the committee shall constitute a quorum for the transaction of routine business. (Rule XXV, Sec. 5(a) Standing Rules of the Senate.)

C. *Taking Sworn Testimony.* Two members of the committee shall constitute a quorum for taking sworn testimony, provided, however, that one member of the committee shall constitute a quorum for such purposes, with the approval of the chairman and the ranking minority member of the committee, or their designees. (Rule XXV, Sec. 5(b), Standing Rules of the Senate.)

D. *Taking Unsworn Testimony.* One member of the committee shall constitute a quorum for taking unsworn testimony. (Sec. 133(d)(2), Legislative Reorganization Act of 1946, as amended.)

E. *Subcommittee Quorums.* Subject to the provisions of Sections 5(a) and 5(b) of Rule XXV of the Standing Rules of the Senate, and Section 133(d) of the Legislative Reorganization Act as amended, the subcommittees of this committee are authorized to establish their own quorums for the transaction of business and the taking of sworn testimony.

F. *Proxies Prohibited in Establishment of a Quorum.* Proxies shall not be considered for the establishment of a quorum.

RULE 3. VOTING

A. *Quorum Required.* No vote may be taken by the committee, or any subcommittee thereof, on any measure or matter unless a quorum, as prescribed in the preceding section, is actually present.

B. *Reporting Legislation.* No measure or recommendation shall be reported from the committee unless a majority of the committee members are actually present, and the vote of the committee to report a measure or matter shall require the concurrence of a majority of those members who are actually present at the time the vote is taken. (Sec. 133(d), Legislative Reorganization Act of 1946, as amended.)

C. *Proxy Voting.* Proxy voting shall be allowed on all measures and matters before the committee, or any subcommittees, thereof, except that, when the committee, or any subcommittee thereof, is voting to report a measure or recommendation, proxy votes shall be allowed solely for the purposes of recording a member's position on the pending question and then, only if the absent committee member has been informed of the matter on which he is being recorded and has affirmatively requested that he be so recorded. All proxies shall be addressed to the chairman of the committee and filed with the chief clerk thereof, or to the chairman of the subcommittee and filed with the clerk thereof, as the case may be. All proxies shall be in writing and shall contain sufficient reference to the pending matter as is necessary to identify it and to inform the committee as to how the member wishes his vote to be recorded thereon. (Sec. 133(d), Legislative Reorganization Act of 1946, as amended).

D. *Announcement of Vote.* (1) Whenever the committee by rollcall vote reports any measure or matter, the report of the committee upon such measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each member of the committee. (Sec. 133(d), Legislative Reorganization Act of 1946, as amended).

(2) Whenever the committee by rollcall vote acts upon any measure or amendment thereto, other than reporting a measure or recommendation, the results thereof shall be announced in the committee report on that measure unless previously announced by the committee, and such announcement shall include a tabulation of the votes cast in favor of and the votes cast in opposition to each such measure and amendment thereto by each member of the committee who was present at that meeting. (Sec. 133(b), Legislative Reorganization Act, 1946, as amended).

(3) In any case in which a rollcall vote is announced, the tabulation of votes shall state separately the proxy votes recorded in favor of and in opposition to that measure, amendment thereto, or recommendation. (Sec. 133(b) and (d), Legislative Reorganization Act of 1946, as amended).

RULE 4. HEARINGS AND HEARING PROCEDURES

A. *Announcement of Hearings.* The committee, or any subcommittee thereof, shall make public announcement of the date, place, time and subject matter of any hearing to be conducted on any measure or matter at least one week in advance of such hearing, unless the committee, or subcommittee, determines that there is good cause to begin such hearing at an earlier date. (Sec. 133A(a), Legislative Reorganization Act of 1946, as amended).

B. *Open Hearings.* Each hearing conducted by the committee, or any subcommittee thereof, shall be open to the public unless the committee, or subcommittee, determines that the testimony to be taken at that hearing may (1) relate to a matter of national security, (2) tend to reflect adversely on the character or reputation of the witness of any other individual, or (3) divulge matters deemed confidential under other provisions of law or Government regulations. (Sec. 133A(b), Legislative Reorganization Act of 1946, as amended).

C. *Radio, Television and Photography.* The committee, or any subcommittee thereof, may permit the proceedings of hearings which are open to the public to be photographed and broadcast by radio, television or both, subject to such conditions as the committee, or subcommittee, may impose. (Sec. 133A(b), Legislative Reorganization Act of 1946, as amended).

D. *Advance Statements of Witnesses.* A witness appearing before the committee, or any subcommittee thereof, shall file a written statement of his proposed testimony at least one day prior to his appearance, unless this requirement is waived by the chairman and the ranking minority member, following their determination that there is good cause for failure of compliance. (Sec. 133A (c), Legislative Reorganization Act of 1946, as amended).

E. *Minority Witnesses.* In any hearings conducted by the committee, or any subcommittee thereof, the minority members of the committee shall be entitled, upon request to the chairman by a majority of the minority, to call witnesses of their selection during at least one day of such hearings. (Sec. 133A(e), Legislative Reorganization Act of 1946, as amended).

RULE 5. COMMITTEE REPORTS

A. *Timely Filing.* When the committee has ordered a measure or recommendation reported, following final action, the report thereon shall be filed in the Senate at the earliest practicable time. (Sec. 133(c), Legislative Reorganization Act of 1946, as amended).

B. *Supplemental, Minority and Additional Views.* A member of the committee who gives notice of his intention to file supplemental, minority or additional views at the time of final committee approval of a measure or matter, shall be entitled to not less than three calendar days in which to file such views, in writing, with the chief clerk of the committee. Such views shall then be included in the committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the committee report may be filed and printed immediately without such views. (Sec. 133(e), Legislative Reorganization Act of 1946, as amended.)

C. *Draft Reports of Subcommittees.* All draft reports prepared by subcommittees of this committee on any measure or matter referred to it by the Chairman, shall be in the form, style and arrangement required to conform to the applicable provisions of the Standing Rules of the Senate, and shall be in accordance with the established practices followed by the committee. Upon completion of such draft reports, copies thereof shall be filed with the chief clerk of the committee at the earliest practicable time.

D. *Cost Estimates in Reports.* All committee reports, accompanying a bill or joint resolution of a public character reported by the committee, shall contain (1) an estimate, made by the committee, of the costs which would be incurred in carrying out the legislation for the then current fiscal year and for each of the next five fiscal years thereafter (or for the authorized duration of the proposed legislation, if less than five years): (2) a comparison of such cost estimates with any made by a Federal agency; or (3) a statement of the reasons for failure by the committee to comply with these requirements as impracticable, in the event of inability to comply therewith. (Sec. 252(a), Legislative Reorganization Act of 1970).

RULE 6. SUBCOMMITTEES AND SUBCOMMITTEE PROCEDURES

A. *Regularly Established Subcommittees.* The committee shall have four regularly established subcommittees, as follows:

Permanent Subcommittee on Investigations

National Security and International Operations

Intergovernmental Relations

Executive Reorganization and Government Research

B. *Ad Hoc Subcommittees.* Following consultation with the ranking minority member, the chairman shall, from time to time, establish such ad hoc subcommittees as he deems necessary to expedite committee business.

C. *Subcommittee Membership.* Following consultation with the majority members, and the ranking minority member, of the committee, the chairman shall announce selections for membership on the subcommittees referred to in paragraphs A and B, above.

D. *Subcommittee Meetings and Hearings.* Each subcommittee of this committee is authorized to establish meeting dates and adopt rules not inconsistent with the rules of the committee.

E. *Subcommittee Budgets.* Each subcommittee of this committee which requires authorization for the expenditure of funds for the conduct of inquiries and investigations, shall file with the Chief Clerk of the committee, not later than January 31 of that year, its request for funds for the 12-month period beginning on March 1 and extending through and including the last day in February of the following year. Each such request shall be submitted on the budget form prescribed by the Committee on Rules and Administration, and shall be accompanied by a written justification, addressed to the chairman of the committee, which shall include (1) a statement of the subcommittee's area of activities; (2) its accomplishments during the preceding year; and (3) a table showing a comparison between (a) the funds authorized for expenditure during the preceding year, (b) the funds actually expended during that year, (c) the amount requested for the current year, and (d) the number of professional and clerical staff members and consultants employed by the subcommittee during the preceding year and the number of such personnel requested for the current year. (Sec. 133(g), Legislative Reorganization Act, 1946, as amended).

THE DAVIS-BACON ACT

Mr. TAFT. Mr. President, I believe the President's action in suspending the Davis-Bacon Act will have positive effects on curbing the wage-price spiral in the construction industry.

The act, which provides a mechanism whereby the Federal Government can suspend payments to Federal contractors who fail to meet prescribed wage levels, provided an option for the President, and one which I am happy he chose to follow, as opposed to a wage-price freeze.

In effect, suspension of the act may force unions and contractors to hold prices and wage levels in order to compete.

I believe we are faced with an emergency situation which required such drastic measures.

Once we are past this crisis stage in housing and other construction costs, I expect that the President will reinstate the Davis-Bacon Act.

RULES OF THE SENATE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, in accordance with the provisions of section 133B of the Legislative Reorganization Act of 1946, as amended, the following rules were adopted by the Committee on Foreign Relations on March 1, 1971:

RULES OF THE COMMITTEE ON FOREIGN RELATIONS

COMMITTEE AND SUBCOMMITTEE MEETINGS

1. The regular meeting day of the Committee on Foreign Relations for the transaction of Committee business shall be on Tuesday of each week, unless otherwise directed by the Chairman.

2. Six Members shall constitute a quorum for the purpose of transacting Committee business.

3. Proxy voting will be permitted on all matters, except that no measure or recommendation shall be reported unless a majority of the Committee were actually present.

4. The Chairman of the Committee on Foreign Relations, or the Chairman of any Subcommittee thereof, is authorized to fix the number of Members who shall constitute a quorum for the purpose of taking testimony.

5. Except when funds have been specifically made available by the Senate for a Subcommittee purpose, no Subcommittee of the Committee on Foreign Relations shall hold hearings involving reporting expenses without prior approval of the Chairman of the full Committee or by decision of the full Committee.

6. Unless otherwise authorized by law or Senate resolution, Subcommittees shall be appointed each Congress by the Chairman. They shall be of three general types: consultative, "study" or "oversight," and ad hoc.

Consultative subcommittees are created primarily for purposes of consultation and not for the consideration of legislation.

Study or Oversight subcommittees are created to deal with specific problem areas which may or may not require legislative action originating with the Committee.

Ad hoc subcommittees are created to act on behalf of the full Committee on specific legislation or treaties.

COMMITTEE TRAVEL

No Member of the Committee on Foreign Relations or staff shall travel abroad on Committee business unless specifically authorized by the Chairman, who is required by law to approve vouchers and report expenditures of foreign currencies, and the ranking minority Member. Requests for authorization of such travel shall state the purpose and when completed, a full report shall be filed with the Committee.

NOMINATIONS

1. Unless otherwise directed by the Chairman, the Committee on Foreign Relations shall not consider any nomination until six days after it has been formally submitted to the Senate.

2. Nominees for any post who are invited to appear before the Committee shall be heard in public session, unless a majority of the Committee decrees otherwise.

3. No nomination shall be reported to the Senate unless the nominee has been accorded security clearance on the basis of a full field investigation by the Federal Bureau of Investigation, and, in appropriate cases, has filed a confidential financial statement with the Committee.

TRANSCRIPTS

1. The Committee on Foreign Relations shall keep verbatim transcripts of all Committee and Subcommittee (except consultative subcommittees) meetings and such transcripts shall remain in the custody of the full Committee, unless a majority of the Committee decides otherwise.

WITNESSES

1. The Committee on Foreign Relations will consider requests to testify on any matter or measure pending before the Committee.

2. If the Chairman so determines, the oral presentation of witnesses shall be limited to ten minutes. However, written statements

of reasonable length may be submitted by witnesses and other interested persons who are unable to testify in person.

TRANSCRIPT REGULATIONS

1. Maintenance and security of classified transcripts.

a. The Chief Clerk of the Committee shall have responsibility for the maintenance and security of the classified transcripts.

b. A record shall be maintained of each use of the classified transcripts.

c. Classified transcripts shall be kept in locked combination safes in the Committee offices except when in active use by authorized persons. They must never be left unattended and must be returned to the Chief Clerk promptly when no longer needed.

d. Classified transcripts shall be permitted to leave the Committee offices only in the possession of authorized persons. Delivery and return shall be made only by authorized persons. They shall not be permitted to leave the city or the country, unless adequate assurances are made to the Chairman for their security.

e. Transcripts classified secret or higher shall not be permitted to leave the Committee offices.

f. Extreme care should be exercised to avoid taking notes or quotes from classified transcripts. Their contents must not be divulged to any unauthorized person.

2. Persons authorized to use classified transcripts.

a. Members and staff of the Committee, in the Committee rooms, or, by permission of the Chairman, in their offices.

b. Senators not members of the Committee, in the Committee's Capitol offices, by permission of the Chairman.

c. Members of the executive departments in the departments, or, in the Committee's Capitol office, by permission of the Chairman.

3. Declassification of executive transcripts and other executive records.

Executive transcripts and other executive records of the Committee shall be released to the National Archives and Records Service for unclassified use in accordance with the policies of that Agency whenever all members of the Committee at the time such transcripts or records were made shall no longer be living or shall no longer be members of the Congress, and shall have given their permission for such use.

REGULATIONS FOR THE USE OF CLASSIFIED MATERIAL (OTHER THAN TRANSCRIPTS)

Receipt and distribution of classified material.

1. All classified material received or originated by the Committee shall be keyed in at the Committee's offices in the New Senate Office Building, and except for material classified as "Top Secret" shall be filed in the NSOB offices for Committee use and safekeeping.

2. Each such piece of classified material received or originated shall be card indexed and serially numbered, and where requiring onward distribution shall be distributed by means of an attached, indexed form approved by the Chairman. If such material is to be distributed outside the Committee offices it shall, in addition to the attached form, be accompanied also by an approved signature sheet to show onward receipt.

3. Distribution of classified material among offices shall be by Committee Members or staff only. All classified material sent to Members' offices, and that distributed within the working offices of the Committee, shall be returned to Room 4229 NSOB. No classified material is to be removed from the offices of the Members or of the Committee without permission of the Chairman. Such classified material will be afforded safe handling and safe storage at all times.

4. Material classified "Top Secret," after being indexed and numbered, shall be sent to the Committee's Capitol offices for use by the Members and staff in those offices only.

5. The Chief of Staff is authorized to make such staff regulations as may be necessary to carry out the provisions of these regulations.

STAFF REGULATIONS

The Committee recommends that the following concepts serve to guide the staff in its activities:

1. The staff works for the Committee as a whole, under the general supervision of the Chairman of the Committee, and the immediate direction of the Chief of Staff.

2. Any Member of the Committee should feel free to call upon the staff at any time for assistance in connection with Committee business. Members of the Senate not members of the Committee who call upon the staff for assistance from time to time should be given assistance subject to the overriding responsibility of the staff to the Committee.

3. The staff's—as, indeed, the Committee's—primary responsibility is with respect to bills, resolutions, treaties, and nominations.

4. The staff and the Committee also have a responsibility under Section 136 of the Legislative Reorganization Act which provides that ". . . each standing committee . . . shall review and study, on a continuing basis, the application, administration, and execution of those laws, or parts of laws, the subject matter of which is within the jurisdiction of that committee." In the case of foreign relations, there is an additional responsibility deriving from the advice and consent clause of the Constitution. By the same token, there are limitations deriving from the President's special constitutional position in regard to foreign relations.

5. In addition to carrying out assignments from the Committee and its individual Members, the staff should feel free to originate suggestions for Committee or Subcommittee consideration, making it clear in every case that the decision lies with the Committee or Subcommittee concerned. The staff should also be free to make suggestions to individual Members regarding matters of special interest to such Members.

It is part of the staff's duty to keep itself as well informed as possible in regard to developments affecting foreign relations and in regard to the administration of foreign programs of the United States. Significant trends or developments which might otherwise escape notice should be called to the attention of the Committee, or of individual Senators with particular interests.

6. In carrying out the responsibilities in paragraph 5, the staff should bear in mind the workload of Senators and attempt not to deal in trivia but to limit itself to broad questions of basic policy, or specific matters which point up a question of basic policy.

7. The staff should pay due regard to the constitutional separation of powers between the Senate and the executive branch. It should, therefore, try to help the Committee bring to bear an independent, objective judgment on proposals to the executive branch and when appropriate to originate sound proposals of its own. At the same time, the staff must avoid impinging upon the constitutional prerogatives of the executive branch in the day-to-day conduct of foreign affairs.

8. In those instances when Committee action requires the expression of minority views, the staff shall assist the minority as fully as the majority to the end that all points of view may be fully considered by Members of the Committee and of the Senate. The staff must bear in mind that under our constitutional system it is the responsibility of the elected members of the Senate to determine legislative issues in the light of as full and fair a presentation of the facts as the staff may be able to obtain.

9. The staff should regard its relationship to the Committee as a privileged one, in the nature of the relationship of a lawyer to a client. In order to protect this relationship and the mutual confidence which must prevail if the Committee-staff relationship is to be a satisfactory and fruitful one, the following criteria are suggested:

a. The staff must be completely nonpartisan and responsible only to the Committee. Staff members should be hired and fired by the Committee solely on the basis of merit and without regard to political considerations.

b. Members of the staff must not be identified with any special interest group in the field of foreign relations or allow their names to be used by any such group.

c. Members of the staff must not accept public speaking engagements or write for publication in the field of foreign relations without specific advance permission from the Chief of Staff, or in his case, from the Chairman and the ranking minority Member. In any event, such public statements should avoid the expression of personal views and should not contain predictions of future, or interpretations of past, Committee action.

d. The staff must in no circumstances discuss with anyone the proceedings of the Committee in executive session or conversations with individual Senators without specific, advance permission from the Committee or the Senator concerned.

PROVISIONS OF LEGISLATIVE REORGANIZATION ACT

In addition to the foregoing, the Committee on Foreign Relations is governed by the standing rules of the Senate and the rules and procedures set forth in the Legislative Reorganization Act of 1946, as amended.

TRIBUTE TO THE LATE SENATOR RICHARD B. RUSSELL

Mr. GOLDWATER. Mr. President, very few times in the course of a man's journey through life does he have the opportunity of living with greatness and nobility. This rare experience has been mine in the friendship I have always borne for the late Richard Russell, a friendship which I have proudly considered to be mutual.

I had not been in the Senate more than 3 days before Senator Russell approached me and asked me what he could do to help me get started, and he reminded me of his long friendship with my friend and colleague, Carl Hayden.

Later it was my pleasure to serve with Dick on the Armed Services Committee and there I really had the opportunity to learn and know this great man. There is nothing that I can possibly say that could add to the eulogies already given him, but I would like his family and his friends wherever they may be to know that I consider him to be one of the greatest Americans we have ever produced whose influences on the legislative processes of our Nation have probably been greater than any other man, and his example of honesty and courage, knowledge, and nobility have been an inspiration to everyone who has come in contact with him, particularly the junior Senator from Arizona.

FOUR YEARS OF TALK ON HUMAN RIGHTS CONVENTIONS, BUT NO ACTION

Mr. PROXMIRE. Mr. President, on January 11, 1967, I served notice that I would speak daily to remind the Senate of our failure to ratify a number of major human rights conventions of the United Nations. It has now been 1,519 days since my pledge and we have yet to ratify three of these important conventions.

What do these conventions propose that is so controversial that we have been unable to reach agreement on them?

The Genocide Convention would outlaw the terrible international crime of genocide. This treaty was unanimously approved by the General Assembly of the United Nations.

A second treaty would prohibit forced labor.

The Convention on the Political Rights of Women guarantees women all their political rights.

Obviously these treaties guarantee to all the world's people the basic rights which Americans are guaranteed in our Constitution. Yet we in the Senate have not ratified these important international documents.

A major hurdle was cleared late during the last session of Congress when the Senate Foreign Relations Committee reported favorably to the floor of the Senate the Genocide Convention. Due to the extremely heavy work load at that time, this convention was never brought up for consideration by the Senate. I hope the Foreign Relations Committee will again report this convention to the floor.

It is long past time for us to consider ratification of all of these conventions. Certainly we should not allow the opportunity to pass without action on the Genocide Convention. Favorable action on the Genocide Convention would be a giant step in the right direction.

ABOUT THE CONCORDE

Mr. GOLDWATER. Mr. President, in light of the coming debate over whether the United States should abandon the SST and relinquish its lead and superiority in the manufacture of aircraft, both subsonic and supersonic, we should begin to put things in their proper context.

This whole question of whether we are to go ahead with an American SST has been vastly complicated by arguments having to do more with the ecology and economics than with air travel.

Because of this, it is becoming more important for us to obtain direct information on the problem of supersonic travel from acknowledged experts. One such is Mr. Robert Hotz who recently wrote a very important editorial in the magazine Aviation Week and Space Technology entitled "The Concorde Is Coming." Because I believe this editorial, which appeared in the February 8, issue of the magazine, should be read by every Member of this body I am asking that it be placed in the RECORD at this point in my remarks. The Members will find that Mr. Hotz states in a few words the truth about the testing of the Concorde—truths that were overlooked in the closing days of the last Congress.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CONCORDE IS COMING

The Anglo-French Concorde supersonic transport has emerged in 1971 as a new factor in the international airline equation for the next decade. After more than a decade of technical development, it has flown through its crucial flight test envelope to prove that the concept of a supersonic transport is sound and its increased productivity offers an interesting profit potential.

The flight test program of the French prototype 001 and its British counterpart 002 during the winter of 1970–71 has proved that the production versions of the Concorde can deliver their guaranteed payloads over nonstop ranges including London and Paris to New York and key transpacific stage lengths. A solid technical base for Concorde production has been demonstrated by the initial test program. A variety of airline pilots and safety board examiners have flown the Concorde prototypes through the supersonic regime and found no special handling problems even with simulated double engine failure. The recent incident of an air intake ramp door tearing loose at Mach 2 and going through the Olympus engine without any further incident than an engine shutdown and a three-engine return to base is an example of both the Concorde's durability and docility.

Much detailed test flying remains to be done to isolate the many problems that develop only with experience in the air. When it enters airline service in the 1974–75 period, Concorde will be the most thoroughly tested transport in history. It will have amassed nearly 4,000 hr. of flight testing including certification to U.S., French and British standards and 1,000 hr. of actual route flying by airline pilots. BOAC, Air France and Pan American pilots will probably begin this route simulation this spring using the prototypes to get an early start on adapting Concorde's performance to airline patterns.

Next step will involve working out the detailed equation of fares, utilization and passenger appeal that are a necessary preliminary to the firm contract negotiations between the Concorde manufacturers, British Aircraft Corp. and France's Aerospatiale, and the key bellwether airlines, BOAC, Air France and Pan American for the Atlantic and Qantas and Japan Air Lines for the Pacific. This should begin by summertime.

Concorde was the first supersonic transport program to take shape more than ten years ago. It triggered both the Russian and American efforts to get into this market. This has been both an advantage and a problem for Concorde. By using basic, well-proved state-of-the-art aerodynamics, propulsion, avionics and materials, it built on a sound technical base. But in the decade of Concorde development, technology has advanced rapidly in all areas, opening wide possibilities of improvement for a second generation SST.

Similarly, Concorde's early start has given it a significant lead over its most potentially serious commercial competitor, the Boeing 2707. At the very time that U.S. political resolve to back its SST program is wavering, the Anglo-French governmental support for Concorde appears to be gathering strength.

The gap between Concorde's entry into airline service and the appearance of a U.S. supersonic transport on the market is an extremely significant factor in Anglo-French economics. For the longer the Concorde enjoys a western world monopoly on supersonic service on the Blue Ribbon high-density routes across the Atlantic and Pacific, the more aircraft its makers will sell and the more money its airline customers can harvest from its slender cabin. At the moment, a solid five-year gap is firming and any further slippage of the U.S. program would provide an additional bonus for Concorde.

Concorde technology was also pretty firmly committed long before the environmental issue arose and adapting to the operational temper of the times will pose some problems. The sonic boom is the least of these. Supersonic tests over a previsely instrumented range in western England have dispelled many of the boom superstitions with facts. The historic cathedrals are undisturbed by Concorde though the measuring instruments showed alarming vibrations from their local organ peals.

A cow may have been frightened by a Concorde boom into an unwarranted romp that aborted its calf, but thunderstorms, trains and a small boy throwing stones could have produced the same result.

Nor will Concorde emit a sonic boom over any land on its currently contemplated airline routes. Heavy smoke trails from the early Olympus engines are unacceptable and are being eliminated in the production aircraft. Less amenable to solution is the ground sideline noise from the afterburning Olympus. Palliatives applied to date leave Concorde ground noise somewhat above currently accepted standards.

Nevertheless, with all of its anticipated and unanticipated operational and economic problems, Concorde is now coming on strong as a contender for the Blue Ribbon traffic of the mid-1970s and already is the strongest challenger to American domination of the international transport market in history.

THE CLOTURE RULE

Mr. RIBICOFF. Mr. President, for nearly 5 weeks now, we have been debating Senate Resolution 9 to relax the cloture rule of the U.S. Senate. I support this resolution and have twice voted this year to end the present filibuster. Two motions to end this filibuster have been defeated. But I share the determination of the other supporters of Senate Resolution 9 to persist during this session of the 92d Congress until the cloture rule permitting filibustering is modified. There will be a third attempt to end the debate tomorrow and I shall again cast my vote in favor.

The merits of the case are compelling. Since 1917, 54 years ago, Senate rule XXII has permitted debate to be ended—cloture—only if two-thirds of the Senators agree. On 49 occasions during these years, efforts have been made after extended debate to apply cloture to a variety of vital legislative matters. Cloture has been voted only eight times. In addition, on numerous other occasions the threat of a filibuster, implict, in rule XXII, has resulted in constructive legislation being weakened, if not abandoned.

Rule XXII, with its two-thirds cloture formula, is unworkable. It creates a major barrier to the rational and effective conduct of the business of the Senate in its efforts to legislate.

Senate Resolution 9 proposes a modest change. It would reduce the requirement for ending debate from two-thirds to three-fifths of Senators present and voting. If a three-fifths formula had prevailed, Mr. President, cloture would have succeeded on several critical issues during the past years including the electoral college reform amendment last September. Exactly 60 percent of Senators present and voting supported cloture on that measure.

The resolution to modify rule XXII, Mr. President, would establish no radical change. It would not alter the essential and desirable character of the Senate as a deliberative body. It would not jeopardize the opportunity for extended debate. It would simply afford a large majority of Senators after a matter is discussed thoroughly for several weeks the ability to say: "Enough. We have heard all the arguments. We have had time to discuss the matter and think about it. Now let us vote."

I think this is fair. I hope my colleagues who have been reluctant to join in a modification of the cloture rule will now agree. The time has come to end a situation in which undue power to obstruct legislation is placed in the hands of a relative few.

THE 50TH ANNIVERSARY OF DISABLED AMERICAN VETERANS

Mr. EAGLETON. Mr. President, I am pleased to have this opportunity to pay tribute to the Disabled American Veterans on this observance of the 50th anniversary.

Many of us in this body speak from time to time about the barbarities of war and the urgency of finding a better method of settling international disputes. And I believe rightly so.

But sometimes we tend to forget that no one knows more intimately the horrors of war than those of our fellow citizens who bear its physical and emotional scars.

This occasion serves to remind us that our dedication to the ending of war must be matched by our dedication to the care and rehabilitation of those who have already borne personnally the burden of war.

The DAV has a proud record of 50 years of service to disabled veterans. It has been invaluable in assisting Congress in discharging the Nation's obligations to these men.

Mr. President, I salute the DAV—and in particular its 8,000 members in Missouri—for their outstanding service to our country both in war and the aftermath of war.

IN PURSUIT OF TRUTH

Mr. GOLDWATER. Mr. President, it grieves me to say that I do not believe there has been an advancement suggested in American technology or American aviation that has been so grossly distorted as the recommendation for the production of an SST prototype for the United States.

I do not wish at this time to go into all the mistatements, innuendos, and outright lies which have been recorded by some of the enemies of the SST program. I will merely point out that many newspapers throughout the country last year carried scare stories to the effect that supersonic flights might cause an epidemic of skin cancer throughout the world.

This unsubstantiated and fantastic suggestion was used effectively by critics of the SST at a time when it was heading toward a decisive vote in the Senate.

Because of the zest with which the SST opponents grab and distort any problem that arises in connection with supersonic planes being developed abroad, I want to call the Senate's attention to an article in Aviation Week & Space Technology of February 8 which tells of a difficulty encountered January 26 on the 122–D test flight of the French Concorde prototype 001. The problem arose when a ramp door tore loose from the aircraft and was ingested by one of the engines. The pilot shut down the engine and effected a perfect landing without difficulty.

Mr. President, I realize that problems such as the one I just mentioned provide grist for the propaganda mills of the SST critics. For this reason I should like the entire article entitled "Concorde off Flight Status for Modification" to be printed in the RECORD at this point in my remarks. I intend to continue telling the truth, not only about the American SST but also about the experiences of the British and French Concorde and, where we can obtain the truth, about experiences of the Russian SST prototype called the TU–144.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONCORDES OFF FLIGHT STATUS FOR MODIFICATIONS

PARIS.—Both Concorde supersonic transport prototypes will be grounded until the end of this month for modifications, including strengthening of the barn door auxiliary intake ramps. Action came after the ramp unit on the No. 4 engine tore loose from the French-built 001 prototype during a recent Mach 2.0 test.

Parts of the ramp mounting were ingested by the Rolls-Royce/Bristol-Snecma Olympus 593 engine, forcing the crew to shut it down. The ramp door also damaged the nacelle as it was ripped away.

The aircraft commander, Andre Tunrcat, director of flight test at France's Aeropatiale, flew the prototype back to its home base at Toulouse on three engines and landed without further incident. Single- and multiple-engine failures have been simulated often during Mach 2.0 tests (see p. 48).

The incident occurred Jan. 26 on the 122nd flight of the 001 prototype. Aerospatiale officials acknowledged the incident two days later. The flight was the second since the aircraft had been grounded for modifications to reduce drag and improve the pressure seal of the nacelles (AW&ST Jan. 18, p. 16).

On the first flight after grounding, the 001 logged 2 hr. 33 min., with 1 hr. 20 min. spent at supersonic speed. Highest speed reached was Mach 2.05. On the second flight, the aircraft logged a total of 2 hr. 32 min., with 1 hr. 2 min. spent at supersonic speed. Aircraft performance had been evaluated at Mach 1.5 and 1.8 before accelerating to Mach 2.0. The intake ramp tore loose shortly after Mach 2.0 speed was reached.

Officials at both Aerospatiale and British Aircraft Corp., the other partner in the Anglo-French program, said grounding would not seriously affect the pace of the current Concorde test phase. Both 001 and 002 prototypes are being used to gather Mach 2.0 data for contract performance guarantees.

Mach 2.0 data obtained so far is good quality and may be sufficient for performance computations, according to one observer. BAC officials said the two companies have enough Mach 2.0 data for the Feb. 18 Concorde program review by Frederick Corfield, British Minister of Aviation Supply, and Jean Chamant, recently named French minister of transport.

This, coupled with the fact that flying weather generally is bad in February, prompted BAC to extend the 002 grounding to include revisions other than intake modifications. Prototype 002 has flown a total of 73 flights, logging 146 hr. A total of 26 hr. 39 min. has been at supersonic speed.

Some new instrumentation will be installed on the 002, and two engines will be replaced. Both engines have old style carbon chrome steel washers on the main bearing bevel gear. Metal from the washers was found in the No. 1 engine oil filter on the 002 prototype late last year (AW&ST) Sept. 28, 1970, p. 23). New washers of harder steel are now being used.

One engine on 001, which is equipped with the old style washer, also will be replaced.

Test schedule for the immediate future with 001 is in a state of flux due to the grounding. After Mach 2.0 performance test, the aircraft had been scheduled to make a roundtrip flight from Paris to Dakar, Senegal, to simulate a North Atlantic crossing.

The aircraft was scheduled to depart from the Bretigny flight test center near Paris, fly 2,300 mi. to Dakar and return in the same day. The aim would be to fly the profile an operational aircraft would fly on the Paris-New York route. The Paris-Dakar flight with the prototype is roughly equivalent to a Paris-New York flight with production Concordes which will have improved performance.

Prototype 001 also is scheduled to make some Mach 2.0 sonic boom tests and take aircraft registration officials and airline crews on demonstration and familiarization flights.

DEATH OF GUY "RED" MACKEY

Mr. BAYH. Mr. President, last Monday my State of Indiana lost one of its outstanding men, Guy "Red" Mackey. Red was the dean of Big Ten Athletic Directors and was associated with Purdue University as student, coach and administrator for 45 years.

Mackey was born at Glasgow, Ky., December 14, 1905, but called New Albany, where he graduated from high school in 1925, home.

Mackey began his career at Purdue as a student in the university's agriculture school, but he spent most of his time on the football field.

He won outstanding plaudits for his brilliant play as a defensive end on Boilermaker teams from 1926 to 1928.

From the days as a player, Mackey could be described as growing up with the modern Purdue athletic system. He became an assistant freshman football coach on the Purdue staff following his graduation in 1929. Three years later he was promoted to the varsity staff as an assistant.

Mackey was made an administrative assistant to athletic director Mal Elward in 1941 and stepped up to the top spot in the Boilermaker athletic setup a year later when Elward entered the naval service.

The smiling, affable and hard-working redhead stimulated athletic department business and plant improvements to the point that Purdue is one of the top-rated, most soundly run intercollegiate athletic programs in the country.

One of his friends, Bob Collins, wrote his reminiscences of Red in his column in the Indianapolis Star on February 25. His conclusions capture the feelings that we of Prude and all who knew Red share at his passing. I ask unanimous consent that the column be printed in the Record.

There being no objection, the article was ordered to be printed in the Record as follows:

Sports Over Lightly

(By Bob Collins)

I would rather remember the happy times. And there were many.

There was Red the "teaching pro," who couldn't keep his mouth off of anybody's golf swing, completely taking apart my game and reassembling it in nine holes.

Then, peacock proud of himself, he asked, "There, don't you notice a difference?" To which I replied, "It would be hard as hell not to, since I was hitting the ball in the air before I started listening to you."

And there was the day he dedicated himself to curing my hook and was so spectacularly successful I finally sliced a tee shot across two fairways.

Then there was the time, like two big, friendly grizzly bears, feeling our oats (or was it corn?) we engaged in a wrestling match for the "overweight" championship of Vinton Woods. It concluded with me on top and Red declaring himself the winner—a real hometown decision.

And there was Red the world's worst teller of jokes. He always had one and I used to drive him up a tree by sitting poker-faced after he delivered the punch line and saying, "Go on, Red, what's the rest of it?"

And let us not forget the annual "Mackey Open" for members of the media. It featured some of the worst golf and best corn and prime rib in Indiana.

Red Mackey was a man of strong opinions. And he could be cantankerous. But he was straightforward and nobody ever doubted exactly where he stood on any issue. Also, I don't think I ever met a man who tried so hard to be fair.

He was a man of fierce, unyielding loyalty. Members of his staff knew that, whatever his personal feelings, he would stand behind them if they were under attack. And they repaid him in kind. In 22 years of covering Purdue, I never heard a staff member, even in anger, saying anything derogatory about Red.

Red loved Goldie and he loved sports. But Purdue was his mistress. It was a love affair that never wavered. There couldn't have been a happier man on this earth. He was exactly where he wanted to be, doing exactly what he wanted to do for most of his life.

Once, some years ago, I was sitting in his office complaining about the people who lie to newspapermen. After the tirade I said, "Red, I don't think you'd ever lie to me."

Without hesitating, he answered, "I would if I had to do it to protect Purdue."

Red was not wealthy and he and Goldie were childless. But he left a legacy. While his achievements were many, the legacy is not in the brick and steel of the athletic plant or in the record book.

It is right here, walking this earth. It is his hundreds of friends who will remember him and think well of him as long as they are here.

If life is but a journey, then there is no doubt that Red had a beautiful trip.

THE PROBLEMS OF CRIME—ESSAY BY JUDGE J. C. DUVALL

Mr. TOWER. Mr. President, recently Judge J. C. Duvall, of the county criminal court No. 1 in Fort Worth, Tex., wrote an essay on the problems of crime. This essay was entered in a national contest and was judged to be the best entry in the country. I believe that Judge Duvall made some very interesting observations which are buttressed by his distinguished service on the bench in Texas.

To share Judge Duvall's thoughts with Senators, I ask unanimous consent that an article published in the Fort Worth Star Telegram about Judge Duvall be printed in the Record.

There being no objection, the essay was ordered to be printed in the Record, as follows:

[From the Fort Worth Star-Telegram, Dec. 24, 1970]

Prize-Winning Essay—Judge Drafts Call for Law, Order

County Criminal Court No. 1 Judge J. C. Duvall is an outspoken champion of law and order.

In a recent essay, which he entered in a nationwide contest and which won him first prize, Duvall explains what law and order is and why it's necessary.

It's needed, Duvall wrote:

"Because this country is founded upon the principle that all men have a right to liberty and equality under the law and any impairment of law and any disruption of order is an assault upon the equality of men and the freedom to which they are entitled."

In the 2½-page essay, Duvall wrote that the American system of government and the law and order it needs to exist "is the most perfect system of government that the world has ever known.

"We know that it is not perfect, but it so far surpasses the systems which govern other people that the great majority of the citizens of the United States are willing to sacrifice to maintain it at any cost."

Duvall strikes out hard at those "among us who would destroy our constitutional republic and who offer us nothing as a substitute for it.

"There are those, a small minority it is true, who confuse liberty with license and order with violence; there are those who would substitute violence for our constitutional processes, well knowing that their efforts, if successful, would result in chaos in our nation and the destruction of liberty."

Law and order, says the jurist in the essay he wrote for judging by the Fraternal Aesthetic Cultural Technical Society (FACTS), is necessary "because our forebears and the great majority of our citizens have sacrificed to perfect the system of government under which we live.

"We have seen our land grow great under our democratic processes; we have seen our people enjoy safety in their homes and on their streets and we have also seen the havoc wreaked upon some communities by a disgruntled few who undertake to substitute their personal desires for our fundamental laws and to acquire the fulfillment of those desires by violence and disorder."

Crimes and disorder cost $51 billion per year, Duvall said.

"Assaults alone have cost our people $5 billion per year; vandalism, a senseless crime without any kind of reward to the offender, is now costing us in excess of a billion dollars per year; drunk drivers are killing more than 24,000 people per year, and our parks, our streets and our homes are no longer safe."

Duvall said that criminals must not be coddled.

"One must give more thought to the rights of the honest, law-abiding citizens than to those who have no regard for our property or our lives.

"We do not need more laws to keep America free and safe—we need to vigorously enforce those that we have.

"We need law and order and, by the grace of God, we the people of the United States, intend to have it.

"We the people are sick and tired of long-haired, drug-ridden dreamers threatening our institutions, rendering our parks and our streets unsafe and undertaking to substitute their immature judgment for the orderly process of government.

"We are tired of a situation in which our youth is unable to pursue education peacefully . . . We are sick and tired of seeing our national flag burned and insulted by a few disgruntled dissenters, we are sick and tired of seeing a small group of unwashed zealots disrupting the due process of government."

Duvall concludes that "so long as we have respect for the things we hold most dear, law and order must and will prevail and no blind Samson of ignorance and lethargy is going to destroy our heritage of justice and law.'

A JUST SETTLEMENT FOR THE ALASKA NATIVES

Mr. CRANSTON. Mr. President, on February 17, 1971, I joined with nine of my distinguished colleagues in cosponsoring S. 835, a bill to provide for the settlement of certain land claims of the Alaska natives. S. 835, the Alaska Native Claims Settlement Act of 1971, is an alternative to S. 35, also cited as the Alaska Native Claims Settlement Act of 1971, previously introduced by Senator Jackson and now pending in the Senate Committee on Interior and Insular Affairs.

Mr. President, the bill which I am cosponsoring—S. 835—reflects the position of the Alaska Federation of Natives. The other bill—S. 35—is identical to the bill passed by the Senate last July. The major thrust of S. 835 is to preserve the right of self-determination for the natives of Alaska by insuring them a sufficient land base for their economic and social needs. S. 835 provides the natives with title to 60 million acres of land, a figure which represents a conservative estimate of the land now used and occupied by the natives. It constitutes only 17 percent of the land to which they have a valid legal claim. In contrast, S. 35 provides the natives with title to only 10 million acres of land, a mere 3 percent of the lands to which they have a valid legal claim. Yet the 60,000 Eskimos, Indians, and Aleuts make up over 20 percent of the population of Alaska.

S. 835 contains several important provisions that are different from those proposed by the committee bill. It provides for 60 million acres of land. It deletes the provision which provides for the phasing out or termination of Federal services to the Natives of Alaska within 5 years. It provides for three, rather than two, Natives on the five-member Commission to be appointed by the President. This Commission will have the duty of preparing the final membership roll of the Natives. It also differs on the provisions to establish and manage regional corporations and the moneys to be received from mineral production.

The single most important issue in this settlement bill is land. It is my judgment that the 10 million acres provided by S. 35 is not sufficient to support the Natives. It is not an adequate economic base and it may very well destroy the Native culture. To the Natives, the land is life. They continue to use and occupy 60 to 80 million acres out of a total of 375 million acres in the State. They hunt whale, walrus, and seal in the coastal waters and caribou on the tundra. They hunt moose, beaver, muskrat, rabbit and bear in the forests. They do all this as they have for many years—without upsetting the ecological balance of the region.

Shortly after the Senate passed S. 1830 last July, the Association for American Indian Affairs published an economic analysis of the Senate bill. This analysis concludes that without an adequate land base, the Native economy and culture are doomed.

> The proposed settlement in S. 1830 is economically unsound, for the Alaska Native people and for the nation. It will impoverish many Alaska Natives by substituting an unlivable annual cash income supplement ($53 per person in the first year, rising to $418 in 20 years) for their present right to make a subsistence living (and some cash income) by hunting, fishing, berrying, trapping on the lands this bill strips from them. It does this without offering these natives the means of transition from a subsistence style of life to a full cash/job economy.

I believe this is a sound analysis of the inadequacy of 10 million acres for the Alaska Natives. We must consider not only the potentially damaging effects this settlement proposal may have on the Natives, but also the probable social costs which result from an abrupt transition to a full cash/job economy without proper assistance.

Mr. President, it is the duty of every Member of Congress to seek an immediate and just settlement of the Alaska Native land claims. This obligation dates back to the Organic Act of 1884 which stated:

> The Indians . . . shall not be disturbed in the possession of any lands actually in their use or occupancy or now claimed by them but the terms under which such persons may acquire title to such lands is reserved for future legislation by Congress.

The obligation is further delineated in section 6 of the 1958 Alaska Statehood Act:

> The State and its people . . . forever disclaim all rights and title . . . to any lands or other property (including fishing rights), the right and title to which may be held by any Indians, Eskimos, or Aleuts. Such lands . . . remain under the jurisdiction of the United States until disposed of under its authority . . .

I believe we also have a responsibility to refrain from including provisions for the termination of Federal services to the Alaska Natives in this legislation. This provision was included in the Senate-passed bill in the last Congress, although I voted for an amendment to delete it. The policy of "termination" dominated Federal Indian policy during the decade of the 1950's. It resulted in the forced termination of Federal services to Indians under Federal supervision, without regard to their potential for economic development and totally ignoring the special Federal responsibility to Indians established by numerous treaties and agreements.

Although termination has been denounced by many, the Senate passed the Alaska Native Settlement Act last July just 7 days after President Nixon's historic message on Indian affairs. This message repudiated the policy of forced termination and elevated a policy of "self-determination." It would be a sad mistake if the Senate again passed legislation with the unfortunate policy of forced termination.

Mr. President, we can delay this settlement no longer. The discovery of valuable mineral resources has stimulated widespread interest in the vast lands of Alaska. If we are to fulfill our obligation to the Alaska natives we must provide them with an immediate settlement, an adequate land base, and a fair share of the moneys to be derived from mineral production from the lands they will cede.

The Alaska Native Claims Settlement Act is not a welfare bill. The natives are not seeking the generosity of the U.S. Congress. They have not asked to give up their lands. We are asking them to give up a major portion of the lands to which they have a valid legal claim, lands which are rich in valuable mineral resources. This calls for generosity on the part of the Alaska natives. Let us avoid, if we can, the tragic mistakes we made in dealing with the Indians of the continental United States. Let us grant them an adequate land base—60 million acres—in order that they might survive economically and culturally.

The natives of Alaska have waited for 103 years for Congress to act. The time is at hand for Congress to fulfill its longstanding obligation to the natives of Alaska in a fair, reasonable, and humane manner.

RECOGNITION FOR JOE FLOYD

Mr. McGOVERN. Mr. President, a distinguished citizen of my State, Mr. Joe Floyd, president, Midcontinent Broadcasting Co., Sioux Falls, S. Dak., was recognized recently in the February 1971 edition of Format, the official publication of the Advertising Club of Minnesota.

I have known Mr. Floyd for many years. He is a leader not only in his profession, but in the civic activities of his community and our State. This recognition is most appropriate not only for what he has accomplished, for what he is doing, but for the rich promise his future service holds for broadcasting and the development of the upper Midwest.

I am pleased to join with the editors of Format in recognizing the accomplishments of this dedicated South Dakotan and ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

I'm Joe Floyd—I Consider Myself a Helluva Salesman

(By Howard Phillips)

When Joe Floyd was 15, he found he could fill empty theatre seats at the "Minnesota" in Minneapolis by running much and by saying "the last vacant seat please."

Today at 59, Joe Floyd is running more and still trying to fill the future vacant spaces.

From his modest beginning as a Theatre usher to his position today as president of Midcontinent Broadcasting Company, heading Com-Net Inc., Floyd has maintained the same basic philosophy . . . find what the people want and give it to them.

Joe managed a rather impressive history through the depression years of promoting motion picture theatres, sometimes with fairly conventional methods, but more often with more innovative ideas . . . like auctioning feminine wearing apparel . . . while it was still on the model.

His promotional methods today, while just as effective, are considerably more sophisticated, although it could be said that Joe Floyd is still a brain storming promoter.

Early in his business career he became associated with Eddie Ruben, still partners and deep friends for over 30 years.

An avid fan of aviation, Joe travels 24 days out of 30 and well over 100,000 air miles a year now promoting and selling his beloved Kelo-Land Television, now the major advertising medium in the Dakotas.

His first radio experience was on the production-side as originator and packager of "Blind-Date" first starring Arlene Francis on her famous career.

The horn-rimmed glasses, the clipped moustache, the unlit cigar, the booming voice, and the unexpected sudden grin, combine to present a figure now familiar from Sioux Falls, South Dakota to L.A., D.C. and of course Madison Avenue. The broadcast recognition was not too easily won. In 1953, when the Kelo-Land concept was born, Joe armed himself with a pocketful of cigars and an unrivaled enthusiasm and introduced himself to Madison Avenue, through the help of the Clifford Gill Agency.

"I'm Joe Floyd, I consider myself a helluva salesman."

It mattered little to Floyd that he had nothing to sell but an idea. It was his idea and it was a good one. They had only the shell of a television station, with no live cameras; he had no viewers, since there were no TV sets in the area and very few people. But Joe did have one tangible . . . himself. In selling his idea, Joe Floyd sold the man, Joe Floyd.

Selling Kelo-Land to Madison Avenue was only a beginning. With his Minneapolis-based partners Eddie Ruben and now N. L. (Larry) Bentson, Joe then proceeded to sell Kelo-Land to potential listeners, building a major selling force that now reaches over a million listeners in 85,000 square miles in five states.

In addition to Kelo-Land, and its satellite hookup, Joe and his associates operate the parent firm of Midcontinent Broadcasting, operate radio interests in Wisconsin, and 30 motion picture theatres in more than a dozen cities in the Dakotas and Minnesota.

The Floyd name also figures in cable television interests in nine cities in South Dakota; the BFR broadcast group operating WLOL radio in Minneapolis, and more recently as president of Com-Net, an organization exploring the possibilities of nationwide cable transmission.

Nor does the Floyd enthusiasm diminish outside of sales and broadcasting. Joe's great love of aviation has made itself felt in his home territory. Much of the fine air service now enjoyed by South Dakota is due in part to the untiring public service efforts of this man.

He was instrumental in the establishment of a commercial airport in Sioux Falls in the early 1950's and more recently helped promote a new four million dollar terminal in South Dakota's largest city.

Whether it's aviation, theatre, or broadcasting, Joe Floyd is still "a helluva salesman," who now, with over 500 people working for the Midcontinent Enterprise, prefers to keep running more and thinking harder, and—always trying to fill "the last vacant seat please."

THE BIG THICKET NATIONAL PARK

Mr. TOWER. Mr. President, On January 27, 1971, I introduced a bill, S. 378, to establish the Big Thicket National Park in Texas. Since that date, I have received indications of support from many Texans. I would like to call the attention of my colleagues to a letter from the Texas Society of Architects endorsing my bill. I ask unanimous consent that this letter be printed in the Record at this time.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Texas Society of Architects,
Austin, Tex., February 15, 1971.

Hon. John Tower,
U.S. Senator, Old Senate Office Building, Washington, D.C.

Senator Tower: I wanted you to know that the Texas Society of Architects supports the Bill for the establishment of the Big Thicket National Park that you have introduced in the Senate.

The TSA has formally endorsed creation of the Park of sufficient size and design to preserve this unique area and has asked for a similar endorsement by the American Institute of Architects in Washington.

Our best wishes for speedy action in the Congress on this important Bill.

Tom Bullock.

THE FAMILY FARM

Mr. McGOVERN. Mr. President, I have long been concerned with the progressive disappearance in my State of South Dakota, as well as in neighboring States, of the last real bastion of our independence in rural America, the family farm. And along with the elimination of the small, independent farmers goes the gradual but irreversible demise of the communities dependent on them for business, including goods, professional and governmental services. The prairies are dotted with these formerly vital and now vanishing communities.

The Minneapolis Tribune of February 21, 1971, contains two excellent news articles describing in graphic detail the dying farm towns and the migration of their residents to other States in search of employment. I ask unanimous consent that they be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Minneapolis Tribune, Feb. 21, 1971]

The Young, the Weary Leaving Small Prairie Farm Towns

(By Douglas E. Kneeland)

As the sprawling metropolitan areas of the East and West struggle with the miseries of overcrowding, some areas of the vast plains of the American midlands—from Montana down through Texas—are growing more and more desolate.

Weary farmers and ranchers, frustrated village dwellers and, perhaps most of all, the educated young are fleeing the lonely prairies by the thousands.

The Census Bureau has reported the proportion of the nation's population still living in such rural areas fell to 26.5 percent last year, from 30.1 percent in 1960.

The outflow has been going on for years as the more efficient farmers swallowed up their neighbors' land, as small-town residents sought better jobs or more hospitable surroundings and as the young heeded the lure and challenge of the cities.

But what one observer called the "snowball effect," building upon what used to seem a tolerable drain on the countryside, has now caused an almost desperate situation in many rural areas, especially on the plains of the heartland. As more people leave, economic survival becomes more difficult and the quality of life harsher for those left behind.

There is another phenomenon operating in other parts of the Prairie states. New industries, looking for cheaper, more enthusiastic labor and sometimes lured by tax breaks and other local incentives are springing up in small towns. Last year 23 new plants opened in Iowa, 41 in South Dakota, 48 in North Dakota, 50 in Nebraska, 107 in Kansas and 311 in Minnesota.

But agriculture-centered towns are dying in the Prairie states. Some are already dead.

McClusky, N.D., is merely sick. Still a relatively busy shopping center for the surrounding area, it has seen several stores close as the population dwindles. The Roxy Theater no longer shows movies. And the town has never been able to keep a doctor in the small but modern medical clinic it built a dozen years ago.

Denhoff, 9 miles to the east, a once-thriving railroad town of several hundred, is down to its last 50 residents, most of them aging and retired.

Lincoln Valley, 19 miles northeast of McClusky, is beyond help. It has one resident, a farm-implement dealer.

Winnett, the seat of Petroleum County in central Montana, lost 89 people and now has 271 clustered around its courthouse, its one store, two taverns and two filling stations. The whole county is down to 675. The nearest doctor is in Roundup, more than 40 miles away.

Although Roundup shrank from 2,842 to 2,116, the only doctor there is so overworked that he is threatening to leave. The community is offering $30,000 a year to get another doctor to lighten the burden.

In eastern Wyoming, such hamlets as Albin and Chugwater and Fort Laramie are fading fast. And bigger towns, such as Newcastle, Upton and Lusk all lost about 20 percent of their population during the last 10 years.

Down through Nebraska and Kansas and the panhandles of Oklahoma and Texas the story is echoed over and over.

Nebraska, for instance, has seven counties, all in the sandhills region in the west-central part of the state, that have fewer than 1,000 residents. Of these, Arthur county is the smallest, with just 606 people.

"The forces which have been working are still at work," said Everett E. Peterson, an agricultural economist at the University of Nebraska in Lincoln. "It can't be over yet, though. There are still too many small farms, too many small towns. But unless some counties become completely depopulated, you have to imagine the population will level off somewhere.

"We hear a lot of high-sounding phrases about rural development," he said, "but people get stymied. By and large, even farm people who want the quiet, bucolic life still want the amenities of urban living. And there's the dilemma. Farm people want good schools, access to good medical services, and good entertainment, without the pressures of urban living. but these may be incompatible goals."

These things are not available in most of the forgotten towns of the prairies. And the exodus continues.

In addition to those given by Peterson, there are other reasons for the continuing migration from the Great Plains at a time when millions of Americans are yearning for the clear skies, breathable air and limitless living space that those same plains offer. They include the following:

The regions that are losing population are primarily agricultural—wheat, cattle, barley, oats, flax—and agriculture has changed rapidly. Farmers' returns have not kept pace with the increasing cost of land, labor, machinery, fertilizer and other expenses. To survive, the farmer has had to grow bigger and make his profit on volume and efficiency.

As some expand their holdings, others are forced to leave the farm. Some find jobs in nearby towns. But since the towns exist almost entirely to service the surrounding agricultural community, a drop in the number of farmers leads to a decrease in the number of service jobs available. Therefore, many who leave the farm must move out of the area to find work. Their departure leads to a further decline in business at the local grocery or other stores.

The rising educational level of the young has left many too highly trained for the scant opportunities available in their home areas.

The mobility of Americans, which is always increasing, coupled with their inherent restlessness, has affected this region much as it has others.

The climate—constant wind and oppressive summer heat in the southern plains and the long winter sieges on the northern prairies—has persuaded many to seek more comfortable surroundings, most frequently in California or Arizona.

If the migration goes on, McClusky need only look down the road a few miles to Denhoff for a glimpse of what could be its future.

On the wall of the tiny post office at Denhoff is a faded picture of the main street taken in 1907, when the town was the end of a rail line. Printed on the picture are notes of the glories that were Denhoff's in that era—five hotels, four stores, three grain elevators and a dozen other businesses.

Behind the grilled window of the post office, Mrs. Barbara Peerboom, the acting postmaster, recalled that when she came to town in the 1930s there were more than 300 residents. About 50 remain, and the main street is reduced to the post office, a small grocery, a dingy bar and the Farmers Union Oil Co., all clinging grimly to life amid the dilapidated hulks of vacant buildings.

A few miles away lies Lincoln Valley—a name that recurs frequently in conversations in Denhoff and McClusky.

Lincoln Valley is two and a half miles of gravel road from Hwy. 14, an island of pleasant trees, houses and church steeples on a sea of snow-covered farmland that stretches from horizon to horizon. But there are no tracks in the shallow snow on the gravel road. The main street is eerily silent in the flat light of the afternoon winter sun.

Joe Leintz's fading red International Harvester shop is locked, too. He still lives there—he's the last one. But word is abroad in Sheridan County that he is in a hospital in Bismarck.

No one is left in Lincoln Valley to explain why a town had to die.

Many Dakotans Flock to California's Lodi

Lodi, Calif.—Everyone in Lodi isn't from the Dakotas. It only seems that way. As it did, for instance, to Leo Leberman when he moved here several years ago from Leola, S.D.

"When I first came out here, when I naturally didn't know anybody except my sister that I'd known before," the 28-year-old Leberman said the other day, "one Sunday I was sitting in church and I counted 21 people from St. Paul's Lutheran Church in Leola that were now in St. Peter's Lutheran here. There was an old Sunday school teacher of mine and her husband and various people I had known—some farmers and others.

"Here you are, 1,600 miles from home and you run into them."

When Leberman left Leola in McPherson County, on the North Dakota border, he wasn't thinking about becoming a statistic. But he was. His departure was part of the continuing outflow from the prairies that left the Dakotas to join West Virginia as the only state losing population during the last decade. And he was part of the nation's population shift from 30.1 to 26.5 percent rural that the Bureau of the Census announced recently. Not to mention his role in reducing Leola's population from 833 in 1960 to 787.

"Out of our family of eight, there are four of us right here in Lodi," said Leberman, an advertising salesman for the Lodi News-Sentinel. "And, of course, I have several uncles and cousins here. I only have one sister who lives back there. There's nothing for the younger generation back there. They stick around while their friends are there and then when their friends leave, they leave."

Henry A. Glaves, city manager of Lodi, relaxed behind his desk, and tried to estimate the number of Lodi residents who had migrated from the Dakotas.

"I don't know whether you could guess as high as 25 percent, or not," he said. "I suspect at one time it was close to half, when the city was around 10,000 people."

Lodi's population is 28,600 now, an increase of 6,400 since 1960 and almost 15,000 since 1950.

Thirty-four miles south of Sacramento, in the rich farmland of the northern San Joaquin Valley, Lodi is as flat as the prairies from which its Dakotans fled.

And despite its occasional palm trees, there is much of the Midwest about the place.

The sprawling, low-built business district is paralleled by railroad tracks. The name of the town is in lights on an arch over Pine St. The inevitable strip is lined with bowling alley, drive-in restaurants, motels and gas stations, chicken-fried steaks, $1.65 menu special.

But Lodi's mean temperature in winter is about 44 degrees, and fog and drizzle are not snow.

Moreover, it has industries, small but diversified, to soak up those who no longer can or who no longer will farm.

Many of those who leave the plains are the young who have gone to college and have been forced to scatter to find opportunities to match their education. But the migration to Lodi does not seem to fit that pattern. It is more reminiscent of the flow of job seekers from Maine to Massachusetts and Connecticut, or the stream of refugees from Appalachia to northern Ohio. They follow relatives and friends—some elderly folks follow their children and retire here—and in a sense never leave home.

"I doubt, if many of them are college graduates," said Thomas A. Peterson, the youngish,, crewcut assistant city manager. "They're mostly high school graduates—young men in their late 20s or early 30s with families—looking for jobs."

SICKLE CELL ANEMIA

Mr. KENNEDY. Mr. President, sickle cell anemia has afflicted black people in America for many years. Only recently has there been widespread awareness of this malady. Significant studies and research on this disease by Dr. Roland B. Scott, chief of the Department of Pediatrics at Howard University, Washington, D.C., have begun to extend our knowledge on ways to gain relief for the many thousands of victims who annually suffer with sickle cell anemia.

As the newly appointed chairman of the Senate Subcommittee on Health, I intend to offer support and assistance to those who are fighting for solutions to the suffering caused by this disease.

My attention was drawn to a recent feature in the Boston Globe that describes work on this sickness by the Boston Children's Hospital. I believe that those who are examining methods that will cure this dreadful disease deserve the full service of all available resources.

Accordingly, Mr. President, I ask unanimous consent to enter in the RECORD a series of articles from the Boston Globe on January 31, 1971.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

FREQUENTLY CALLED "BLACK CANCER"—INFAMOUS SICKLE CELL DISEASE

Dr. David G. Nathan, chief of hematology at Children's Hospital Medical Center, offers this explanation of how sickle cell anemia works and why victims are only intermittently ill.

The red cells are made in the bone marrow and delivered into the blood containing the red hemoglobin protein in solution. The function of hemoglobin is to transport oxygen to the tissues.

The normal red blood cell functions like a plastic bag partially filled with water. Its shape can be changed by a squeeze. Otherwise, the red cell could never get through the tiny capillaries of the body to carry oxygen to the tissues.

The oxygen-carrying hemoglobin is made up of chains of amino acids, two alpha chains and two beta chains. Each chain contains more than 100 component parts linked in definite sequence determined by the genes.

A mutation in the genes can cause a variation in the structure of the amino acid chains.

Dr. Vernon Ingram at MIT recently discovered that the sickle cell mutation causes a change in the beta chain of the amino acid.

As a result of the change, sickle-hemoglobin has a tendency to change its state of solubility in a peculiar way when exposed to low oxygen levels.

When this happens the molecules become stacked together like twigs. In doing so, the normally fluid cell becomes elongated and rigid.

These cells cannot get through the capillaries to carry oxygen to the tissues. Instead, the sickle cells block capillaries and they can prevent oxygen from reaching the bones and vital organs, the heart, lungs, and brain.

HER DEATH FOCUSES ATTENTION ON A THREATENING DISEASE—CYNTHIA LEAVES A LEGACY OF HOPE

(By Jean Dietz)

From every black or Puerto Rican child who goes to the Martha Eliot Health Center for routine check-ups, Dr. Irving Williams takes a small blood sample.

A technician adds an oxygen-reducing chemical to the few drops of blood and makes a slide which the pediatrician checks later under a microscope.

A normal red blood cell usually is circular, looking much like a doughnut with a thin membrane in the center instead of a hole.

What Dr. Williams is looking for are cells which are shaped more like a sickle moon or which form a double-curve like an S.

Chances are that he will find such cells in the blood of a number of his young black patients, including many who are apparently healthy in every respect.

It is estimated that one of every ten blacks in the United States carries the trait in his blood. It is when two carriers marry that sickle cell anemia can result in their children.

Although 1 in every 400 blacks may actually have the disease, recent surveys indicate that only 3 of every 10 adult Negroes in the US have ever heard of the disease.

In Africa, up to 50 percent of some tribes are affected by the illness. In fact, sickle cell anemia occurs almost entirely among Afro-Americans in this country because the disorder evolved as a gene mutuation centuries ago in Africa.

At that time, the mutation caused an improved survival rate from a particularly severe strain of malaria. Most American blacks are descendants of Africans who managed to survive this fatal form of malaria.

In the US, the sickle cell problem may also strike an occasional white family whose forebears came from the Mediterranean area and survived the same malaria epidemic.

The average life span of a person who has the disease is about 20 years. First symptoms can occur in children between the ages of 2–4 who may die from a sudden cut-off in oxygen.

URGE SCREENING

But the problem of the sickle cell patient often is not obvious until he contracts another disease, pneumonia or a simple virus infection.

However, doctors propose that the armed services should screen all blacks for the sickle cell trait because of the danger, even to carriers, from violent exercise at high altitudes.

An extreme decrease in oxygen may be hazardous for a carrier. They should avoid mountain climbing in high altitudes or flying at a height over 8000 feet in non-pressurized planes. Usually individuals who carry the sickle cell trait only in a single gene seldom have any problems related to it.

But chances are one in four that parents who both carry the gene will give birth to a child who has two sickle genes and therefore may have the severe form of the disease.

If one parent is a carrier and the other has normal blood, their children will either have normal blood or sickle cell trait.

The test for sickle cell trait has been available for many years; the standardized method was developed at the Thorndike Laboratories of Boston City Hospital by Dr. William Castle. But it has never been widely applied in conjunction with genetic counselling.

"If screening were offered prior to marriageable age, those who were found to carry an abnormal hemoglobin gene could be counseled to be sure that their mates were tested at the same time of marriage," writes Dr. Robert B. Scott of the Medical College of Virginia in the Journal of the American Medical Assn. of Oct. 26, 1970.

Unlike a number of inherited diseases, sickle cell anemia cannot be detected in the fetus by withdrawal of amniotic fluid from the mother during the early months of pregnancy because the fluid does not contain hemoglobin.

Although this genetically carried disease is one of the commonest long-term illnesses in Negro children, only a small group of people in the Boston community are aware of the problem.

The new interest is the legacy of an exceptionally-loved little girl named Cynthia Hearns who was growing up in Roxbury. Just five days before her sixth birthday, Cynthia died from her first bout with a crisis caused by sickle cell anemia, actually her first illness from the disease.

FUND BEGINS

Even today, it is difficult for Mrs. Clifford Hearns, her 44-year-old mother, to talk about Cynthia without crying, as she says

"The loss of a child, I do believe, is the most difficult of all human experiences."

Left on their own, the grief of Cynthia's parents would remain a private matter. But friends convinced them that a fund in Cynthia's memory can help to increase the life span of some 60,000 black boys and girls born each year to families with the same problem.

"We call the problem the 'black cancer'," says Mrs. Annetta Capdeville of Dorchester. "Doctors have emphasized that if we want help for a black disease, it is important that black people begin to arouse interest in it and carry the ball. But we need all the help we can get."

"My own advice to would-be parents who carry this boomerang in their blood is to adopt their children," says Mrs. Hearns, who is just beginning to look at Cynthia's short life as a special gift from God.

She calls the defective gene a "boomerang" because of the double-affliction for the carrier who may or may not have the disease and who should be made aware that the trait can produce the disease if two carriers should happen to marry.

In her case, Mrs. Hearns grew up knowing she has sickle cell anemia.

IN SPLINTS

"Most of the first seven years of my life were spent checking in and out of Grady Hospital in Atlanta, Ga., she recalls. "Often they kept my arms and legs in splits because they were afraid my bones would not develop properly."

(During a crisis, a victim will often double up his limbs from the excruciating pain. Splints may be applied to prevent crippling contractures).

"When Clif and I were married in 1948, we hoped to have four children," Mrs. Hearns went on. "No one told us what effect the sickle cell might have on children. I thought I had outgrown the disease, and there was no one to turn to for counseling.

"Early in my pregnancy with Cynthia, a doctor told us the child would be all right," says Mrs. Hearns. "He was wrong. He should have told us what the statistical chances of our having a healthy child would be."

"It's ironic that sickle cell anemina could be eradicated in time, simply by making more people aware of it," says Dr. Williams. But many medical personnel know little more about the disease than its name.

In Boston, Dr. Williams says he got started screening for sickle cells at the Martha Eliot Health Center simply by "default."

Now, he is medical advisor to the Cynthia Sickle Cell Anemia Fund.

In Cynthia's case, according to her mother, no symptoms of the disease appeared until 12 hours before her death.

The little girl had a remarkable childhood. At 16 months, she was learning to swim with her mother at the Roxbury "Y." By the age of 3, she was ice-skating at Franklin Field. At 4 and 5, she was helping with hospitality after services at the Charles St. AME Church and attending nursery school and kindergarten classes sponsored by a group of nuns at Emmanuel House.

FUND ADDRESS

Following her death, the Hearns family moved to 5 Russell Court, Woburn, which is now the address of the Cynthia Sickle Cell Anemia Fund.

The dream of the founding members of the fund is to have a sickle cell clinic in the Roxbury community where patients could be screened and treated. Meanwhile, screening is available at the major Boston hospitals and some community health centers.

The original group meets each month at Freedom House in Roxbury to share information. First funds, raised through bakery sales and a turkey raffle, have already gone to pay $700 for 25,000 pamphlets distributed to hospitals and clinics explaining basic facts about the disease. The group now seeks to expand its activities to a spring festival in the Roxbury-North Dorchester community.

"It is perfectly clear that it is up to black people to conduct a mammoth campaign to inform the public and eventually support research which will find a cure for this dread disease," says Mrs. Capdeville.

No Known Cure for Blood Disease—Many Questions, Few Answers—Yet

In one, early draft of his recent State of the Union message, President Nixon specifically mentioned sickle cell anemia as one of several diseases for which a cure must be found.

The reference to so-called "black cancer" was dropped from the final speech however, and the President only mentioned a $100 million boost in Federal spending for cancer research, and made no reference to blood diseases.

White House sources say the mention of sickle cell anemia was dropped only because the disease is not well known among the general public, but they stress that new Federal funds will be devoted to the sickle cell mystery.

Whatever the public posture of Washington on the matter, there is no question that intense research attention on the disease is long overdue.

The first clinical description of sickle cell anemia was reported 60 years ago when a doctor noticed peculiarly elongated and sickle-shaped red blood cells in a severely anemic black patient. Since then, the disease has presented many difficult clinical problems, because there is no specific cure and therefore no truly effective management.

The life span of patients who receive proper care has greatly improved, however, although hematologists are still unable to say why some victims do extremely well, sometimes with minimal medical care, and others succumb to the disease.

A recent, widely publicized announcement that the first "fully effective" treatment for sickle cell anemia has been found has met with skepticism from most blood specialists.

The treatment announced in December by Dr. Robert N. Nalbandian, a pathologist at Blodgett Memorial Hospital in Grand Rapids, Mich., consists of intravenous injections of high concentrations of urea, a body waste chemical, in a sugar solution.

He said that the result is an unsickling of the red blood cells and a tremendous alleviation of pain.

At a meeting of American Society Hematology in Puerto Rico in December, however, other doctors noted that there were no control cases in Dr. Nalbandian's progress report on 25 patients treated with urea in four hospitals, that many patients recover from a crisis of sickle cell anemia without treatment, and that the method carries serious danger of side effects.

Dr. Frank H. Gardner, chief of hematology at Presbyterian University of Pennsylvania Medical Center, points out that the urea treatment is an extremely difficult procedure because it must be accompanied by such massive administration of fluids.

A child treated by this method at Children's Hospital in Philadelphia was given 12 gallons of fluid intravenously in a single day to prevent dehydration—an amount of fluid, which, according to Dr. Gardner, presents problems "almost worse than those caused by the disease."

Although very high concentrations of urea can reverse the sickling process of red cells in the test tube, there is still no good evidence that urea, at levels achieved in blood of patients, stops sickling in man, says Dr. Gardner.

In Boston, Dr. David G. Nathan, chief of hematology at Children's Hospital Medical Center, said the effect of urea is now under investigation in Laboratory blood samples, but not on patients.

While clinicians test various methods of treatment, doctors suggest that if mothers can learn to force fluids on a child at the first sign of a crisis, and otherwise maintain good medical care, many crises will be averted, and the general well being of the child can be improved.

"You can't legislate love and marriage," said Dr. Nathan in discussing the disease. "But all healthy persons who carry the trait certainly should be aware of their condition."

Carriers may need careful medical attention in case of pneumonia, he pointed out, and do not make ideal blood donors.

He emphasized that the trait cannot be passed on through blood transfusions, but sickle blood would be inadvisable to give to children undergoing heart surgery, to pneumonia cases, or to newborn infants who need maximum oxygen.

THE BOMBING OF THE CAPITOL

Mr. MATHIAS. Mr. President, the bombing of the Capitol, like the assassination of President Kennedy, not only constitutes a criminal act of violence, but also repudiates the centuries of slow growth in the peaceful use and transfer of power. I hope the persons responsible will be quickly found and strictly punished. In any event, an additional judgment on them must inevitably be the complete futility of the act.

The secret bomber and the unseen sniper assassin alike not only strike at the vitals of the Nation, but also deal a blow to their own causes. Such criminals, whether on the radical left or on the radical right, usually seek to dictate to the rest of the people a dramatic change national policy, but the people will not submit to such tyranny.

TRIBUTE TO SENATOR RUSSELL

Mr. McGOVERN. Mr. President, I rise to add my voice to the great and deserved tribute to the late Senator Richard Russell. Senator Russell graced this Chamber with a sense of personal honor and a parliamentary ability which are unlikely to be surpassed. Great leadership is always unique. The qualities of this man marked him as an aristocrat of the Senate.

He was dean of the Senate as much for his quality of character and mind, as for his long experience and leadership through many trying days of the life of the Republic. His friendships were always marked by the deepest bond of faith. As parliamentary adversary, the strength generated by his ability was of profound proportions.

In the life of the Senate there has seldom, if ever, been a Senator of his parliamentary talent. Richard Russell's memory will endure not only among those who knew him, but is enshrined in the very process of our democracy.

THE PRESIDENT'S "STATE OF THE WORLD" REPORT

Mr. HUMPHREY. Mr. President, the President of the United States recently submitted a report on foreign policy to Members of the Congress which is worthy of our serious attention. Gov. Averell Harriman and Mr. Paul Warnke, speaking for the Democratic National Committee's Policy Council, gave some constructive criticism on this document. Their comments raise several important questions about U.S. foreign policy and the report itself, which will certainly be a central topic of discussion in this session of the Congress. I, therefore, ask unanimous consent that this well-thought out reply to the President's message be printed in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

"STATE OF THE WORLD"—A DEMOCRATIC RESPONSE

WASHINGTON, February 26.—W. Averell Harriman, chairman of the Democratic Policy Council's Committee on International Affairs, and Paul C. Warnke, chairman of the Council's Committee on Arms Control and Defense Policy, reported today the comments of the two committees on President Nixon's State-of-the-World message. A more detailed statement will be considered by the Democratic Policy Council at its March 24 meeting.

The text follows:

INTRODUCTION

Yesterday President Nixon submitted to Congress his second annual report on United States foreign policy—a "State of the World" message.

Reference to the Nixon doctrine crops up in discussions of most parts of the world without definition of whether it means the continuation of old policies or new approaches to old problems. It is suggested that we have joined in partnership with all nations for undefined aims. Generalities and well-meaning declarations attempt to conceal the failure to formulate definite policies or to take effective action. The President is correct in saying that the world is changing but too many of his policies are drawn from the attitudes of past decades. He talked of a generation of peace but his policies are not creating the necessary conditions for peace.

The report's 180 pages of uninformative rhetoric are filled with unstinting self-praise, an absence of candor and a distortion of results. An example of these failings is its statement in the economics section that "In 1970, we made solid progress toward restoring stability as well as growth in the U.S. economy." We can only hope that this nation will be spared another year of such "solid progress" with its increase in unemployment and inflation and decline in real G.N.P. It must also be news that the Administration "did not oppose Congressional restrictions this past year on the use of U.S. ground combat forces" in Laos and Cambodia.

INDOCHINA

Our most urgent international problem remains the ending of the tragic war in Indochina. During the 1968 campaign Candidate Nixon pledged that he had a plan to end the war. Now in 1971, President Nixon admits that his policy in Vietnamizing the war "cannot, except over a long period, end the war altogether." He states that unless the other side agrees to a settlement Vietnamization will lead to "perpetuating the war." Since the President has indicated that he does not expect a negotiated solution, the Administration's policies offer the prospect of endless war.

Although the report claims credit for "winding down" the war, in fact it has been expanded into Cambodia and Laos. Even though American casualties have declined, South Vietnamese are dying in larger numbers and civilian casualties continue to mount. It is callous to assume that only American deaths are important. While American troop strength has been slowly reduced, at the end of nearly two and a half years of the Nixon Administration less than half our troops will have been withdrawn and there has been no assurance of the withdrawal of all American forces.

Our air power is fully engaged in both Cambodia and Laos. United States planes have stepped up the bombing of North Vietnam. The President has indicated that he will not accept any limitation upon the use of American air power anywhere in Indochina and refused to rule out an invasion of North Vietnam, which President Thieu has threatened. Escalation of the war increases the risk of Chinese intervention.

The President continually justifies his expansion of the war as necessary for the protection of American lives and the continuation of his program of slow troop withdrawal. Surely the way to save American lives is to end the fighting and bring our troops home. The report claims continuing popular support of the Vietnamization policy, yet public opinion polls show that the overwhelming majority of the American people favor a total American withdrawal in 1971. In recent elections the people of South Vietnam have themselves indicated they want an end to the war.

There should be a firm unequivocal declaration that all American forces will be withdrawn by the end of this year. A policy of complete withdrawal this year will obtain the speedy release of our men who are prisoners of war. Vietnamization offers no prospect for obtaining their freedom. There should also be agreement prohibiting reprisals by either side against supporters of the other with international supervision. Other issues should be left to negotiations among the Vietnamese themselves.

MIDDLE EAST

The President noted the dangers in the Middle East and the problems in resolving them. We support the Administration's initiative which has brought about a cease fire and the commencement of negotiations through Ambassador Jarring. We are encouraged by the clear indications from both sides of a desire for a permanent settlement. The differences are being clarified and to some extent narrowed. Every effort should now be made to bring about direct talks between the parties to reach the compromises essential for settlement of the highly emotional issues. The four powers should continue their consultations and stand ready to guarantee any settlement reached by the parties. Our objective remains a lasting peace between the Arab nations and Israel—a peace that will assure independence and security to Israel and all other nations in the area.

STRATEGIC ARMS LIMITATIONS TALKS

The President's message notes the extensive efforts that have gone into the preparations for the talks with the Soviet Union on control of strategic nuclear arms. He also discusses the major difficulties that delay the development of a formal agreement.

We recognize the importance of securing as comprehensive an agreement as possible. But we question a policy under which the nuclear arms race is permitted to continue and even to accelerate as both sides seek to build up their bargaining strengths.

What appears to be lacking is the political initiative which would make the SALT talks themselves an instrument for mutual restraint. While continuing to seek a broad agreement, the time has come to take a step toward actual control over strategic arms expansion. Agreement now to limit the deployment of defensive systems need not leave offensive forces unconstrained. An ABM limit could be expressly conditioned on mutual restraint, and preferably a complete freeze on the further deployment of offensive missile systems, while negotiations continue.

EUROPE

We commend the Administration for its continued emphasis on partnership with our European allies which began with the Marshall Plan and NATO and which has been continued by each Administration since then and, in particular, for the care with which it has consulted our European allies on matters of mutual interest.

Progress in Europe has occurred as it should, largely as a result of the efforts of the Europeans themselves. The initiative of Chancellor Brandt to improve relations with the Soviet Union and other Eastern European countries gives promise for the reduction of some of the tensions between East and West and should be fully supported. The treaties he has negotiated with Moscow and Warsaw are to be ratified only after there is a satisfactory agreement on West Berlin. Such an agreement would deal with the most inflammable issue that has existed in post war Europe. It could open the way for an European Security Conference which is a logical forum to arrange for a mutual balanced reduction of forces. We regret that the Administration has been so hesitant about this conference which could lead to an agreement permitting reduction of United States troops in Europe without adverse impact. Pending these developments, our troop stand strength in Europe should be maintained.

We continue to support the expansion of the Common Market. We should also protect our exports to the Common Market, particularly agricultural products.

LATIN AMERICA

There is little new in the report on Latin America, except a few ambiguous promises about trade and assurances of "partnership." This, at the very moment when the White House has sent to Capitol Hill the first foreign aid budget in a decade to omit any line item authorization for the Alliance for Progress. This is hardly a policy equal to the dynamic and momentous changes taking place in Latin America today.

In Latin America, the Nixon Administration has compiled a two-year record of drab failure relieved by an occasional disaster. From the humiliation of the ill-starred Rockefeller trip some two years ago, there has been a process of steady deterioration in U.S. relations with the other nations of the Hemisphere. Consequently, those relation are at the lowest state in the past decade.

Change is afoot. An increasing number of countries are demanding revision of Cuban policy. In the OAS only last month, the United States was unanimously defeated in its attempt to defend itself against charges of economic aggression; no other nation in the Hemisphere joined us in that vote. Chile has installed the first elected Marxist regime in the history of the Americas. Brazil, the largest country in Latin America, suffers from police brutality under a military regime which has given no evidence of returning to democratic ways and is rocked by radical terrorism. Peru has expropriated its major U.S. oil company and is avoiding paying for it. To all these new crises, the Nixon Administration has brought neither leadership nor even a coherent policy.

AFRICA

The report seems to regard Africa as easier to deal with since in the past it has "depended less than other areas on American leadership and assistances" and therefore should be more prepared for the neglect contemplated under the Nixon Doctrine.

Two issues dominate all others in Africa—economic and social development in those countries already free and independent and the demand for racial and political justice in those countries in Southern Africa which are dominated by a racist white minority. The response of the Nixon Administration on both issues has been neglect and cynicism.

The failure of President Nixon to find a way to meet with either President Kaunda of Zambia or President Nyerere of Tanzania during their visits to the United Nations last October is the most flagrant example of the no-profile policy being pursued by the White House.

Africa is a continent with enormous growth potential—yet the Administration fails to show any concern for the aid needed by Africa.

The racial and political crises in Rhodesia, Portuguese Africa, Southwest Africa and the Republic of South Africa (an area containing thirty-four million Africans dominated by four million Europeans) continue to deepen. These minority regimes pursue policies of repression which are leading toward violence, to polarization between black and white, and to the risk of Communist gains feeding on this repression of a huge majority.

FUNDING FOR OLDER AMERICANS ACT MUST BE INCREASED

Mr. CHURCH. Mr. President, the administration's fiscal 1972 budget request for the Older Americans Act has caused widespread concern among experts in the field of aging, lawmakers, and the elderly.

If allowed to stand, this can mean a disastrous setback for programs designed to serve our 20 million older Americans.

Once again, the administration has thrust the elderly in front ranks to fight inflation, although they are least equipped to make this sacrifice.

For fiscal 1972, the administration proposes a hopelessly inadequate $29.5 million for programs under the Older Americans Act—about $1.45 for each elderly person in the United States. This represents about 28 percent of the $105 million authorized funding level under the act, which was extended with overwhelming bipartisan support only 2 years ago.

Especially shortsighted is the $3.65 million reduction for the successful community projects. Under these title III programs, the elderly have been helped in a wide variety of ways, including: Homemaker services, employment referral, transportation for the infirm, meals on wheels, recreational opportunities, adult education activities, and many others.

Despite the unquestioned success of these projects, the administration proposes only $5.35 million for the community grants program—nearly 40 percent below the fiscal 1971 appropriation of $9 million. For every State this will mean a serious cutback in services and programs for the elderly, although the need is greater than it has ever been in our history. In my own State of Idaho, the Federal share for community programs for the aged will be slashed from the fiscal 1971 level of $102,637 to $60,450. This, of course, will mean that many ongoing projects will be terminated.

Mr. Charles H. Chaskes, president of the National Association of State Units on Aging, expressed the alarm of many persons in the field of aging when he stated in a memorandum issued this week:

> We are thus confronted with one of the most severe situations in our history. It is obvious that the Administration is not impressed by the performance of the State Agencies or the community grants under Title III of the OAA (the Older Americans Act). It is also obvious that title III funds have dwindled from $16 million allocated in 1968–69 to $5.3 million for the upcoming year, and the word that I get from Washington, through unofficial sources, is the Administration definitely wants to phase out Title III.

Equally disturbing is the fact that the administration's budget is moving the funding levels backward, to the pre-1969 levels. In fiscal 1969, approximately $32 million was appropriated for programs under the Older Americans Act and the foster grandparent program—nearly $2.5 million more than requested for fiscal 1972. However, our total budget outlays during this same period are projected to increase by nearly $45 billion, approximately a 24-percent raise.

Instead of going backwards in funding projects for the aging, we should be going forward, as we are in other programs.

In his memorandum to State agencies on aging, Mr. Chaskes described the cutbacks as evidence of "a complete disregard of congressional intent by this administration." He said:

> Congress, through its legally constituted committees, holds extensive hearings on matters pertaining to the elderly, and then in its wisdom, allocates funds to start meeting these problems. The Bureau of the Budget, without the experience or the wisdom gained by close contact with the program, then cuts the Congressional authorization to less than one-third.

And equally disconcerting are recent reorganizations which have tended to downgrade the role of the Administration on Aging as the focal point in Government for improving the lives of older Americans. The title IV and title V research and training programs have been transferred to the social and rehabilitation services regional offices. The foster grandparent program has also been transferred to the SRS regions. Many in the field of aging have expressed alarm that these maneuvers would jeopardize funding for aging programs, since they may become submerged in the welfare-oriented activities of SRS. And these fears have been confirmed. Proposed funding for research and training has been cut by more than $2 million, compared with the fiscal 1971 appropriations for these programs. Funding for the foster grandparent program has been trimmed back sharply from this year's appropriation of $10.5 million to $7.5 million.

Quite clearly, these recent cutbacks represent a serious turn of events which can possibly nullify the successful achievements under the Older Americans Act or render the law useless for our elderly. This is not only a matter of vital concern to our Nation's elderly, but also should be a matter of bipartisan concern for every Member in Congress when the Labor–HEW appropriations bill is considered.

Mr. President, I ask unanimous consent that a table comparing the authorized funding levels with the budgetary requests for programs under the Older Americans Act be included at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

1971–1972	Congressional authorization	Bureau of the Budget allocation
Title III:		
Community grants	$30,000,000	$5,350,000
State agency	5,000,000	4,000,000
Areawide model program	10,000,000	4,000,000
Titles IV and V:		
Title IV	20,000,000	1,800,000
Title V		1,850,000
RSVP program	15,000,000	5,000,000
Foster grandparent program	25,000,000	7,500,000
Total	105,000,000	29,500,000

STATE OF MICHIGAN,
DEPARTMENT OF SOCIAL SERVICES,
February 16, 1971.

Re 1971–72 AoA Appropriations.
To: All State Agency Executives, National Association of State Units on Aging.
From: Charles H. Chaskes, President.

By this time you are all probably aware that the budget request for 1971–72 calls for sharp reductions in funding the various titles under the Older Americans Act. The Administration on Aging asked for 9 million dollars for Title III projects which was cut back by the Administration to 5.3 million. The 4 million that was allocated to the State Agencies at $75,000 per agency remains the same. Titles IV and V have been reduced to 3.65 million. The Foster Grandparent Program has been reduced from 10 million last year to 7.5 million this year. The Area Wide Model Program is in for 4 million and the RSVP program is in for the only increase from $500,000 this year, to 5 million next year.

The authorization by the Congress was 105 million for all the titles under the Older Americans Act. The Bureau of the Budget has only authorized 29.5 million.

1971–1972	Congressional authorization	Bureau of the budget allocation
Title III:		
Community grants	$30,000,000	$5,350,000
State agency	5,000,000	4,000,000
Area wide model program	10,000,000	4,000,000
Titles IV and V:		
Title IV	20,000,000	1,800,000
Title V		1,850,000
RSVP program	15,000,000	5,000,000
Foster grandparent program	25,000,000	7,500,000
Total	105,000,000	29,500,000

We are thus confronted with one of the most severe situations in our history. It is obvious that the Administration is not impressed by the performance of the State Agencies or the community grants under Title III of the OAA. It is also obvious that Title III funds have dwindled from 16 million allocated in 1968–69 to 5.3 million for the upcoming year, and the word that I get from Washington, through unofficial sources, is the Administration definitely wants to phase out Title III.

It is time for NASUA and its members to unite and fight for our very existence. The best thing that each individual State Agency can do is to write and contact every member of his State's Congressional delegation, pointing out the sharp reductions, and pointing up the value of the Title III program.

I would suggest that each member of the Congress have called to his attention the complete disregard of Congressional intent by this Administration. Congress, through its legally constituted committees, holds extensive hearings on matters pertaining to the elderly, and then in its wisdom, allocates funds to start meeting these problems. The Bureau of the Budget, without the experience or the wisdom gained by close contact with the program, then cuts the Congressional authorization to less than one-third.

Title II of the OAA definitely stated that there would be established within the Department of Health, Education and Welfare, an administration to be known as the Administration on Aging. Section 202 of the act, defines the duties and functions of the AoA. Now we are faced with the complete decimation of the AoA.

Title IV, the Research and Demonstration section has been transferred to SRS Research and Demonstration section. Title V, the training title, has been transferred to the SRS Training section. The AoA does not even pay the bills or order the printing in connection with the planning of the White House Conference on Aging. This is being handled by the GSA. As a result, it takes a great deal of time to get requests through the GSA, (where we are the smallest kind of a program as compared to their ongoing responsibilities), and this is the reason that there have been all sorts of delays in receiving the materials which were promised us for the White House Conference on Aging.

I cannot over-emphasize the seriousness of this situation. Whatever differences we as a national organization may have had in our thinking in the past, have to be overlooked, and with complete unanimity, we have to memorialize the Congress, calling to their attention the erosion of the AoA and the programs which the Congress has authorized to be supported under the AoA.

Another helpful assist in this fight would be for you to circularize your Title III projects and have the project directors and members of the board of the grantee organizations, write letters in their own words to their congressmen and senators, objecting to the severe reduction in this program, and have them point out the impact which their projects have on the lives of the older people they serve. Only by complete and thorough onslaught of letters to the congressmen and senators, will we be able—if not to stem the tide—to at least call the attention of the Congress to what is going on, and hopefully, make them aware of the complete disregard of their intent by the Administration.

Please send copies of the letters you write to your congressional delegations to me and to:

Mr. William E. Oriol, Staff Director, U.S. Senate Special Committee on Aging, G-233—New Senate Office Building, Washington, D.C., 20510.

I cannot overstress the seriousness of this situation.

BUDGET REQUESTS INADEQUATE FOR AGING PROGRAMS

Mr. WILLIAMS. Mr. President, as the former chairman and now the ranking member of the Senate Committee on Aging, I wish to associate myself with the remarks of the distinguished Senator from Idaho (Mr. CHURCH).

If there is an overriding imperative confronting our Nation today, it is to readjust our national priorities and to make a more effective reallocation of Government expenditures.

Our spending priorities are still determined largely by yesterday's thinking. They fall far short of meeting today's needs. They hardly begin to perceive tomorrow's problems.

And the administration's budgetary request for funding under the Older Americans Act provides a striking example of this tendency. For many other programs, the administration's budget is "expansionary"—but not for the elderly. For our 20 million older Americans, these proposed cutbacks represent a tragic retreat.

Two years ago the Congress expressed its strong intent for expanding and improving the Older Americans Act by authorizing significant funding increases. For this coming fiscal year, the Congress authorized $105 million to be spent. Yet, the administration requests only $29.5 million, only about 28 percent of the authorized funding level. Moreover, the budget estimate for fiscal 1972 is $2.5 million less than the amount appropriated for this year.

Practically every program under the Older Americans Act will feel the financial pinch. Services will be seriously curtailed. And opportunities for the elderly to serve will also be severely hampered.

Today a critical shortage of trained personnel continues to be one of the most pressing problems for expanding and providing services for the aged.

It is estimated that less than 20 percent of the professional and technical workers employed in programs serving the aged have had formal preparation for their work.

Quite clearly there is an urgent need for stepping up training efforts on behalf of the elderly. We know this need exists because it has been documented in a report called "The Demand for Personnel and Training in the Field of Aging."

In that report, it was forcefully pointed out:

> Although some progress has been made in developing appropriate training programs, it is far behind the expanding need. As a result most if not all service programs are faced with critical shortages of trained personnel. The outlook is for little improvement in this regard unless drastic changes are made in the scope and character of the training effort.

Yet, the administration proposes only $1.85 million for the title V training programs, more than $1 million below this year's appropriation. Unfortunately this is only one example. Other programs will also experience similar cutbacks. Funding will be reduced for the community programs on aging, research, and demonstration, and the popular foster grandparent program.

In my own State of New Jersey, the community programs on aging—the lifeline for service for the elderly—will be cut back sharply. It is projected that funding for these successful programs will be reduced from the fiscal 1971 level of $227,394 to $135,092.

However, this is the year of the White House Conference on Aging. And this is the year older Americans will be meeting at local, State, and national levels to formulate a national policy on aging. How can they develop realistic policies, when they may question our Nation's determination to fund existing successful programs with realistic appropriations?

But we owe this commitment to our elderly: To back up authorized congressional policies with the funding necessary to enable these programs to be more than mere hollow promises. And I genuinely hope that this Congress will fulfill its role when funding for the Older Americans Act is considered in the House of Representatives and Senate.

SENATOR RANDOLPH OPPOSES REDUCTION IN FUNDS FOR ADMINISTRATION ON AGING

Mr. RANDOLPH. Mr. President, I commend the able Senator from Idaho (Mr. CHURCH) for his detailed analysis of the fiscal 1972 budget request for the Administration on Aging. As the Senator has outlined, the 1972 budget shows the less than high priority which this administration places on programs serving our 20 million older Americans.

Despite the unquestioned success of the Older Americans Act, the administration requests only $29.5 million—nearly $2.5 million below this year's appropriation—for its continuation in fiscal year 1972.

This is particularly tragic, since this is the year of the White House Conference on Aging. Throughout the year, the elderly, representatives of senior citizens organizations, and experts in the field of aging will be meeting at local, State, and national levels to produce a long awaited national policy on aging. However, with such an inadequate funding request for existing programs, these delegates may well question our Nation's future commitment for such an undertaking.

It was only a couple of months ago that the Congress acted to restore urgently needed funding for the Older Americans Act and the White House Conference on Aging:

To pay $650,000 for delegate expenses for the White House Conference on Aging to assure that elderly persons from all walks of life and income levels will be represented at the Conference in Washington this November;

To fund $500,000 for the retired senior volunteer program for the first time; and

Increasing funds for the popular foster grandparent program from $10 to $10.5 million.

The Congress must again act forcefully to assure realistic appropriations for the Older Americans Act for the coming fiscal year. The administration's present request of $29.5 million represents only 28 percent of the authorized funding level of $105 million.

Practically every program will feel the effect of these ill-advised cutbacks. In West Virginia, Federal funding for the title III community grants projects will be reduced sharply—from $129,181 to $76,745. This represents a 40-percent decrease in appropriations, although there is a critical need for expanding programs funded under this title which provide transportation, nutrition, employment referral, homemaker, recreation, and other services for the elderly.

Funding for the foster grandparent program has also been trimmed significantly, from this year's appropriations of $10.5 million to $7.5 million. Yet, $25 million is authorized for this program.

Since 1968, the number of persons 60 and over falling below the poverty line has increased by nearly 200,000. If these requests are allowed to stand, the effectiveness of the Older Americans Act will be seriously impeded.

Too often the needs of the elderly have been overlooked or ignored. Too often old age brings loneliness and frustration, when it could be a time for continued self-development. This has been well-documented in hearings conducted by the Senate Select Committee on Aging, on which I serve, and was further substantiated in hearings I had the privilege of conducting last year in West Virginia on transportation problems of the elderly.

I join the distinguished chairman of our Select Committee on Aging (Mr. CHURCH), in strongly urging that funding for the Older Americans Act be increased significantly when the Congress acts on the fiscal year 1972 Labor-HEW appropriations legislation.

Mr. President, I ask unanimous consent that a letter I have received from the executive director of the West Virginia Commission on Aging regarding the effect of these cutbacks on our West Virginia programs and a table showing the rising percent of my constituents who will be denied these benefits and opportunities be printed at this point in the RECORD.

There being no objection the material was ordered to be printed in the RECORD, as follows:

WEST VIRGINIA COMMISSION ON AGING,
Charleston, W. Va., February 25, 1971.

Senator JENNINGS RANDOLPH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR RANDOLPH: We have just learned that the Administration's budget request for 1971–72 calls for sharp reductions in funding the various titles under the Older Americans Act, and a weakening of the Administration on Aging.

In West Virginia, we will be particularly affected by the proposed cutback in money for Title III projects. Sixteen million dollars ($16,000,000) were allocated in 1968–1969; only five million three hundred fifty thousand ($5,350,000) are allocated for 1971–72. Title III projects have meant the beginning of needed programs for older men and women in our state. You are familiar, I know, with the senior centers, the special outreach programs, the training of persons working with the elderly, the development of housing programs for rural elderly—all made possible by Title III funds. These programs are so new that they need additional support before they are able to continue without aid.

Interest in these programs has never been higher in the state, and we have many more requests for Title III funds than we can meet. In spite of a tight budget and limited revenues, Governor Arch Moore, Jr. is recommending state funds in 1971–72 to help meet some of the needs not covered by Title III. We are hopeful that the Legislature, now in session, will approve these funds, but the total effect will be for naught if there is a cutback in Title III funds. And in plain language, *we are alarmed* by reports that the Administration wants to phase out Title III completely.

I know you have a deep, personal interest in the elderly in West Virginia, and I want to learn from you what we can do to change the budget picture. How can we make our voices heard? Following Administration guidelines, we have been having meetings all over the state in preparation for the White House Conference on Aging, and we have been planning programs and services in response to the needs expressed at these meetings. Yet precisely at this time we receive reports that we face retrenchment in funds. Have we gone to our older people only to raise false hopes?

I would appreciate your advice and counsel.

Sincerely,

LOUISE B. GERRARD, Ph. D.,
Executive Director.

WEST VIRGINIA COMMISSION ON AGING—STATE CAPITOL, CHARLESTON, WEST VIRGINIA

[Louise B. Gerrard, Ph. D., executive director]

MEN AND WOMEN AGE 65 AND OVER IN WEST VIRGINIA 1970 CENSUS

	Total population	Persons 65 and over	Percent 65 and over, 1970	Percent 65 and over, 1960
West Virginia	1,744,237	194,120	11.2	9.3
Barbour	14,030	2,025	14.4	12.5
Berkeley	36,356	4,031	11.1	10.9
Boone	25,118	2,538	10.1	7.1
Braxton	12,666	1,899	15.0	12.3
Brooke	29,685	2,768	9.3	8.2
Cabell	106,918	12,995	12.2	10.3
Calhoun	7,046	1,000	14.2	11.8
Clay	9,330	1,069	11.5	8.0
Doddridge	6,389	1,053	16.5	15.4
Fayette	49,332	6,168	12.5	8.9
Gilmer	7,782	1,024	13.2	11.5
Grant	8,607	994	11.6	10.3
Greenbrier	32,090	4,074	12.7	10.0
Hampshire	11,710	1,370	11.7	11.0
Hancock	39,749	3,287	8.3	7.1
Hardy	8,855	1,120	12.7	10.9
Harrison	73,028	9,504	13.0	11.4
Jackson	20,903	1,903	9.1	8.7
Jefferson	21,280	1,916	9.0	9.3
Kanawha	229,515	21,528	9.4	7.0
Lewis	17,847	2,950	16.5	15.8
Lincoln	18,912	2,033	10.8	8.6
Logan	46,269	4,209	9.1	5.6
McDowell	50,666	4,555	9.0	6.0
Marion	61,356	8,029	13.1	11.1
Marshall	37,598	4,101	10.9	10.2
Mason	24,306	2,548	10.5	9.2
Mercer	63,206	7,343	11.6	9.2
Mineral	23,109	2,393	10.4	9.5
Mingo	32,780	3,177	9.7	6.9
Monongalia	63,714	5,908	9,3	9,6
Monroe	11,272	1,641	14,6	13,9
Morgan	8,547	1,003	11,7	10,4
Nicholas	22,552	2,296	10,2	7,8
Ohio	64,197	8,686	13,5	12,2
Pendleton	7,031	1,020	14,5	11,7
Pleasants	7,274	766	10,5	10,4
Pocahontas	8,870	1,374	15,5	12,4
Preston	24,455	3,195	12,6	10,2
Putnam	27,625	2,321	8,4	8,0
Raleigh	70,080	7,921	11,3	8,2
Randolph	24,596	3,017	12,3	10,8
Ritchie	10,145	1,742	17,2	16,6
Roane	14,111	2,154	15,3	12,8
Summers	13,213	2,019	15,3	11,7
Taylor	13,878	2,077	15.0	13.6
Tucker	7,447	1,077	14.5	14.3
Tyler	9,929	1,357	13.7	14.8
Upshur	19,092	2,461	12.9	12.3
Wayne	37,581	3,695	9.8	8.3
Webster	9,809	1,230	12.5	8.8
Wetzel	20,314	2,323	11.4	10.7
Wirt	4,154	612	14.7	14.1
Wood	86,818	8,615	9.9	9.7
Wyoming	30,095	2,006	6.7	4.7

KENTUCKY DEPARTMENT OF MINES AND MINERALS REPORT ON THE HYDEN, KY., COAL MINE DISASTERS

Mr. COOPER. Mr. President, the Kentucky Department of Mines and Minerals has just released its report on the coal mine disaster that took place in Leslie County, Ky., on December 30, 1970.

This report was prepared under the direction of Mr. H. N. Kirkpatric, commissioner of the department of mines and minerals, and Mr. J. H. Mosgrove, assistant to the commissioner, with the assistance of Mr. Everett Bartlett, district supervisor for the Hazard district, and Mr. Albert Alexander, Jr., mine inspector for the Hazard district.

In its report the Kentucky Department of Mines and Minerals concludes that—

The explosion occurred when coal dust was ignited by detonating cord (Primacord) and permissible explosives used in a nonpermissible manner or by the use of nonpermissible explosives (dynamite) during the blasting of roof rock for a loading point (boom hole). The explosion was propagated by coal dust which was brought into suspension and ignited by the initial blast.

I do not presume to say that the report is conclusive, but it represents a valuable part of the record being developed on this tragic explosion.

Mr. President, I ask unanimous consent that this report be included in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT OF MAJOR MINE EXPLOSION DISASTER, FINLEY COAL CO., MINES NOS. 15 AND 16, HYDEN, LESLIE COUNTY, KY., DECEMBER 30, 1970.

GENERAL INFORMATION

This report is based on an investigation made pursuant to Kentucky Revised Statutes 352.180—Accidents in mine assistance and reports.

The Finley Coal Company, Mine Numbers 15 and 16 (actually one mine) were opened on Hurricane creek about four miles East of Hyden, Leslie County, Kentucky. One hundred men were employed in the two mines, of which ninety-five worked underground on two coal producing shifts and one maintenance shift, five days per week. The operation produced about 1,500 tons of coal a day with the use of loading machines, rubber-tired mine cars and a belt conveyor system. Each mine was opened with four drift entries into the Hazard Number 4 Seam, which ranged from 29 to 36 inches in thickness locally. The floor, main and immediate roof were generally firm shale.

The coal from the Finley operation is trucked to a preparation plant on a siding of the Louisville and Nashville Railroad at Sibert, Clay County, Kentucky. Operating officials of the company at the time of the explosion were:

Holt Finley, Co-owner, Sibert, Kentucky.

Charles Finley, Co-owner, Manchester, Kentucky.

Stanley Finley, Co-owner, Manchester, Kentucky.

Walter Hibbard (victim of explosion), Superintendent and Mine Foreman, Manchester, Kentucky.

GENERAL CONDITIONS, METHODS, EQUIPMENT AND PRACTICES

The Numbers 15 and 16 Mines were each opened by four drift entries with a coal barrier between the two mines which was intersected at several points. After the entries in the Number 16 Mine had been driven to a point about 260 feet underground, it was decided to interconnect the two mines so that the main belt conveyor which had originally been installed in the Number 15 Mine could be used for both mines. After the first connection was made, the mines were actually developed as a single mine. Two extra entries for each mine were picked up a short distance underground in each mine and the twelve entries, parallel to each other, were driven about 2,500 feet from the mine openings. Connections were made at varying intervals through the barrier pillar between the two mines. Cross entries were operated in sets of six to seven entries off the left and right main entries beginning at points 1,200 and 1,600 feet respectively from the mine openings. They were driven to depths of 110 feet to about 800 feet depending on conditions of the parts of the mine being worked. Entries were driven 20 to 30 feet wide with crosscuts at 60-foot intervals. A block system of mining was employed and pillars were not recovered.

On December 30, 1970, two sections, one in the Number 15 Mine and one in the Number 16 Mine were producing coal. The section in the Number 15 Mine consisting of six entries had been driven about 800 feet off the Number 6 main entry of that mine. A Jeffrey Model 81–C loading machine was used to load coal in this section. The First Left section of the Number 16 Mine consisted of six entries which had been driven about 150 feet off the Number 1 main entry of that mine. Coal was loaded with a WABCO Model 970 loading machine. Since it was intended to extend the workings in the Number 16 side of the mine, a new loading point (boom hole) was being prepared. Holes about 30 inches deep were drilled on about two foot centers in the roof of the Number 1 entry, Two Left near the second crosscut, adjacent to Number 6 entry, of One Left. Measurements made after the explosion showed that the portion to be blasted was approximately 18 feet long and 28 feet wide. Indications were that drilling operations were completed by the day shift at some time during the morning of December 30, 1970.

ROOF CONTROL

Conventional timbering and roof bolts were used for roof control. The roof bolts were installed in accordance with plans which had been submitted by the company and approved by the Bureau of Mines. Roof drilling and bolt installation was performed by the use of rotary-hydraulic drilling equipment. The methods of roof control appeared effective and satisfactory to the Department of Mines and Minerals.

FACE PREPARATION, EXPLOSIVES, AND BLASTING

Permissible explosives and electric detonators were stored in metal magazines located on the surface. A magazine had been provided for each of the mines. Underground storage magazines were not used because explosives were only taken underground as needed. Explosives for underground use were transported into the mine in specially constructed containers in rubber-tired mine cars pulled by rubber-tired tractors.

Two 50-pound cartons and a part-carton of Hercules 40% extra strength dynamite and four 1,000 foot rolls of detonating cord were stored on the surface in a highway type trailer, constructed of wood and metal, about 105 feet from the Number 15 Mine portal.

It was stated by the mine operators that these explosives were used in construction work along the surface roadways leading to the mine.

In preparing coal faces for blasting, undercuts were made to depths of about 9 feet and three or more holes were normally drilled for the placement of explosives. The number of holes drilled depended on the width of the place to be blasted. Stemming consisted of water dummies (plastic bags of water) and shots were fired either singly or in multiple by designated shot firers. Multiple approved type shot-firing units were used to fire shots. Two MSA 10-shot approved type shot firing units were found in the working sections and were later tested in the Explosives Research Laboratory of the Bureau of Mines. They were found to meet the electrical requirements of Schedule 16–B. The explosives used for coal blasting were Hercules Red HL and Austin Red Diamond 9B permissible explosives. Cartridges by both companies were 1¼ inches by 8 inches. The charges were detonated by electric detonators with 8-foot leg wires, made by the Austin Powder Company. It was learned by questioning, after the explosion, that a shot firer whose experience had been principally in road construction work and who was familiar with a variety of blasting materials had been employed by the company to do blasting.

During the investigation and by subsequent questioning, it was learned that holes for preparing loading points were normally drilled during the working shift and that the holes were normally blasted on idle shifts or during the 30-minute interval between the two coal producing shifts with a limited number of men in the mine. The number of shot holes would vary from 45 to 100 or more depending on whether the boom hole to be shot was for a single or double loading point. Witnesses testified that holes were drilled with the roof bolting machine and were prepared for blasting by placing one or more sticks of explosives in each hole. Testimony further showed no stemming as such, was used but that the explosives were held in place in the vertical holes by paper, pieces of brattice cloth or other available material. The lack of proper stemming would have made the shots equivalent to open blasting. It was further learned during testimony that when more than 10 shots were to be fired, that battery operated equipment or power cables were used as a power source. While investigating the areas at and around the boom holes there was no evidence that special precautions had been taken by cleaning up the area and by applying rock dust. Since the holes were drilled 30 inches in depth, it was impossible to determine the amount of explosives used in each hole.

During a follow-up check of the mines following the explosion, evidence was found which indicated that dynamite (non-permissible explosive) was being used. Albert Alexander, Jr., Kentucky Department of Mines and Minerals, found a small sample of explosives in a partially detonated shot hole in a boom hole which was blasted on December 22, 1970 in the Number 15 Mine. The sample of explosive was given to the U.S. Bureau of Mines so that it could be analyzed by the Bureau of Mines' Research Laboratory. The sample was determined to be 40% extra strength dynamite. Permissible explosives found in the mines were also tested by the Bureau's Research Laboratory and were found to meet the permissibility requirements. The detonating cord (Primacord) found in the mine on two separate spools was also tested and was found to be capable of suspending and igniting coal dust. Pieces of detonating cord were found in the vicinity of the boom hole in Number One entry, Two Left of Number 16 Mine where the explosion originated. The Kentucky Mining Law under Section 352.240 states that explosives would be fired only by electric detonators of proper strength, except as provided for in KRS 352.260 which provides for blasting from the solid. KRS 352.240 also provides that when blasting is done electrically, only permissible single shot blasting units and multiple shot units shall be used unless blasting is done from the surface.

Testimony given after the explosion pointed out that detonating cord had been used to blast boom holes in the mines. Other witnesses stated that they had no knowledge of this practice.

MINE VENTILATION AND GASES

Each mine was ventilated by a propeller type exhausting fan which operated continuously. The Number 15 Mine fan circulated approximately 55,000 cubic feet of air per minute, and the Number 16 Mine fan approximately 45,000 cubic feet of air per minute. Air currents were directed through the mines by means of incombustible stoppings, check curtains and line brattices. The mine was not classified as gassy or gaseous by the Kentucky Department of Mines and Minerals, as no explosive gas had been detected. A sample of the return air at the Number 15 fan opening taken about two hours after the explosion, and analyzed by the Bureau of Mines, showed that the return air at that time contained .07% methane, .23% carbon monoxide and .12% hydrogen. Another sample collected near the face of the Number 6 room off the Number One main entry of the Number 16 Mine during the investigation showed .01% Methane. Tests made by Department inspectors using field instruments at the Number 15 fan showed .02% of carbon monoxide about seven hours after the explosion. No methane was detected with methane detectors. Since the mine had no history of liberating methane gas and there are no oil or gas wells on the property, the constituents of the samples analyzed most likely were combustion products produced and distilled by the explosion.

TRANSPORTATION-COMMUNICATION

Rubber-tired mine cars pulled by rubber-tired battery tractors were used to transport coal from face areas to belt conveyors which conveyed coal to the mine surface. Haulage equipment was generally maintained in a satisfactory condition and belts were cleaned and inspected by men who were employed for that purpose. The rubber-tired mine cars and locomotives were used to transport the men to and from their working sections. Both mines were equipped with a system which provided communication between the surface and underground loading points of each mine.

DUST

During the April 1970 State inspection, the operation was found to need additional rock dust near the face areas. A recommendation was made that all dry and dusty sections of the mine must be rock dusted to within 40 feet of the faces. An inspection of the Number 15 Mine made on August 20, 1970, also showed that additional rock dust was needed to within 40 feet of the working faces. A recommendation to that affect was made. A recommendation was made to remove accumulations of loose coal and dust from the roadways and ribs of coal. Another inspection of the Number 16 side of the mine made during the night shift of the same day by the Department of Mines inspetcor also recommended that accumulations of loose coal and dust be removed from roadways and ribs of coal, and that dry and dusty sections of the mine be rock dusted to within 40 feet of the faces. The adequacy of rock dust applications was determined visually. If the inspector had determined by visual observation that conditions creating an imminent danger hazard were present, he would have stopped production operations until the conditions were corrected. The First Left section of the Number 16 Mine had water available by way of a two-inch pipeline for dust allaying purposes, but testimony given later during questioning revealed that water was not being used during cutting and loading operations even though it was available.

It was further learned by questioning after the explosion that a 9-man crew for each mine was employed for the purpose of keeping the mine clean and applying rock dust. The work required of this crew was to shovel loose coal and coal dust from the ribs with hand shovels which was then pushed into piles or to the faces with a blade attached to a battery tractor. The pushed-up material was then loaded up and taken from the mine. The crew was then to apply rock dust to the mine surface with rock dusting machines of which two were available. Witnesses testified, however, that rock dusting machines were not in operation for a period of about two months before the explosion, and that the rock dusting had been done by hand. It was further learned that even though the machines had been restored to operating condition, that the crew continued to apply dust by hand.

ELECTRICITY

Seventy-two hundred (7,200) volts alternating current was furnished to the mine surface where it was reduced to 440, 220, and 110 volts alternating current for use on the surface, and 4,160, 440 and 220 volts alternating current and 275 volts direct current for underground use. The 4,160 volt alternating current was conducted in the Number 4 entry of the Number 15 Mine by a three-conductor, Number 2 shield-type, nonmetallic armored, high-voltage cable. Protection was provided the high voltage by an oil circuit breaker with the neutral circuit being provided with a fail-safe monitor system; however, a current-limiting resistor had not been installed in the circuit. Lightning arresters were provided for the circuit where it entered the mine. The high voltage circuit was provided with a disconnecting switch on the surface, but one had not been installed in the branch line leading from the Number 15 to the Number 16 Mine. The service equipment for the Number 15 Mine consisted of a portable 112-kva, 3-phase transformer, delta/delta connected, with a grounding transformer, and a 200-kw silicon diode rectifier which provided 275 volts of current for direct use. The service for the Number 16 Mine was similar to that provided for Mine Number 15.

The electric face equipment for the Number 15 Mine consisted of the following: two Jeffrey 81–C loading machines, one Joy 12–RB cutting machine, one Long-Airdox TDF–20 coal drill, one Galis 300 roof drill and four Kersey battery-powered tractors. The equipment used in the Number 16 Mine consisted of one WABCO 970–L loading machine, two Joy 12–RB cutting machines, two Long-Airdox coal drills, two Galis 300 roof drills, three S. & S. 160 battery-powered tractors, two Kersey 944 battery-powered tractors and one Elkhorn Industrial Products Corporation battery-powered Load-a-Tram.

Equipment used in both mines was both permissible and non-permissible types, and maintained in a satisfactory condition. Frames of electric face equipment receiving power through trailing cables were not grounded.

Flame resistant type trailing cables were used on face equipment. Automatic circuit breakers were provided for all cables except one of the roof drills in the Number 16 Mine. Inspection of cables after the explosion showed that many of the cables had temporary splices.

MINE RESCUE

Upon learning of the explosion the following companies were contacted by the Department of Mines and Minerals and trained and equipped mine rescue teams were alerted and placed on a standby basis:

International Harvester Company, Benham, Kentucky.

U.S. Steel Corporation, Lynch, Kentucky.

Beth-Elkhorn Corporation, Jenkins, Kentucky.

Island Creek Coal Company, Wheelwright, Kentucky.

Teams from the Clinchfield Coal Company, Dante, Virginia, were also placed on standby by the U.S. Bureau of Mines to be used if needed.

The services of the mine rescue teams were not required during recovery operations.

It was not the custom for employees to wear self-rescuers; however, twenty-one MSA one-hour self-rescuers were stored about 400 feet from the faces of the working places, in the Number 2 main entry of the Number 16 Mine. No self-rescuers were stored in the Number 15 Mine, but sixteen self-rescuers were stored on the surface.

Available escapeways were maintained from working sections to the surface of the mine. The check-in-and-out system utilizing numbered electric cap lamps did not prove adequate, due to the fact that several workmen were wearing lamps which had not been assigned to them. Not all the men wore identification tags and some had to be identified after they were brought out of the mines. Fire fighting facilities were provided and available, but were not needed as no fire resulted from the explosion.

CONDITIONS BEFORE THE EXPLOSION AND RECOVERY OPERATIONS

Organizations and persons assisting with the recovery operation or with surface activity following the disaster, included the employees of the Finley Coal Company and other local area companies, representatives of the U.S. Bureau of Mines and the Kentucky Department of Mines and Minerals, Frontier Nursing Service, Leslie County Sheriff's Office, Leslie County Judge's Office, Leslie County Coroner's Office, State and local police, Red Cross and other organizations of which the Department may have been unable to obtain the names. All these persons and organizations provided invaluable service for which the Department is grateful.

DEPARTMENT OF MINES AND MINERALS PERSONNEL ACTIVITIES

The Lexington Office of the Department of Mines and Minerals learned of the explosion immediately after the occurrence by way of a telephone call from the Department's Harlan Office. Immediate contact was made with the Hazard District Office and Mr. Everett Bartlett, District Supervisor, who was not in at the time, was left word to check on the occurrence. Upon his return to his office, he checked with the Finley Coal Company and learned that an explosion had occurred. He left immediately to the scene, at the same time alerting all his inspectors who were instructed to follow with mine rescue equipment. Personnel of the Lexington Office left immediately and arrived at the scene about 5:30 P.M. to direct the recovery operations.

Bartlett was later joined at the mine by personnel of the U.S. Bureau of Mines' Barbourville Office. Together, they coordinated plans and duties normally observed before recovery work is attempted, and a party of Federal and State inspectors proceeded underground. Other Kentucky Department of Mines and Minerals personnel arrived at various times to assist with the recovery work. They either assisted in directing the work or entered the mines to locate and recover the bodies. All bodies were recovered at about 10:00 A.M. on December 31st. The following persons of the Kentucky Department of Mines and Minerals participated:

H. N. Kirkpatrick, J. H. Mosgrove, Everett Bartlett, Albert Alexander, Jr., Clarence Powell, B. E. Banks, Cecil Sherman, Clabe Mosley, Arnold Turner, Carl Smithers, Grant Hall, L. L. Carroll, Everett Brown, Elihu Coyer, Julius Ferrell, Ray Chapman, Amos May, Eddie Akers.

A Mine Closure Order was posted at the mine openings by the Department of Mines and Minerals to prohibit all persons from entering the mine except those needed in recovery and investigative work.

WEATHER AND MINE CONDITIONS PRIOR TO EXPLOSION

Barometric pressures furnished by the Federal Aviation Agency at the London, Kentucky airport on December 29 and 30 were as follows:

December 29, 1970, 12 Noon, 29.97 inches.

December 30, 1970, 12 Noon, 30.08 inches.

The weather in the Hyden vicinity at the time of the accident was cold and cloudy. Barometric pressure conditions did not appear to be a factor in the explosion.

Since the mine was classed non-gassy by the Kentucky Department of Mines and Minerals, no fire boss examinations were required under the Kentucky Mining Law. Information contained under this heading is as the result of the Bureau of Mines requirement for mine examiner (fire boss report).

For the 7:00 A.M. to 3:00 P.M. production shift on December 30, 1970, it showed that all the places in the Number 15 Mine had been visited and were ready for day shift operation. No record of the book showing preshift examination of the Number 16 Mine could be found. Information obtained by questioning the employee who made the examination revealed that he had actually examined the Number 16 mine but that the record was listed in the Number 15 Mine record book. It was further learned while questioning the man who examined the Number 15 Mine, that he had made an examination of the places in that mine and that the results were recorded in a record book on the surface. No record of this examination could be located. The record books examined did not indicate the time the examiner entered the mine and the extent of areas examined, or whether any unusual conditions dealing with air travel or gases were found.

ACTIVITIES PRIOR TO EXPLOSION AS DETERMINED BY QUESTIONING OF WITNESSES AND BY INVESTIGATION

The day shift crew entered the mines at about 6:45 A.M., traveling in rubber-tired trailers. Thirty-nine men comprised the work force for both the Number 15 and 16 Mines. From evidence, the mine was operating routinely in each of the loading sections until immediately before the explosion.

It was learned that preparations were being made to install a belt conveyor from the main belt conveyor in the Number 15 Mine to the active working section of the Number 16 Mine. On Tuesday night, December 22, 1970, a boom hole measuring 10 feet in width and about 54 feet long had been blasted from the roof to provide space for the conveyor headpiece. On Wednesday, December 30, 1970, another boom hole was being prepared to provide space for the tail section of the conveyor and two elevating conveyors. This hole, 30 inches deep, measured 18 feet in length and 28 feet wide. Testimony given following the explosion revealed that shot holes made for blasting boom holes were not stemmed and that only pieces of material such as wadded paper and brattice cloth were placed in the holes to hold the charges in place. It was also learned, through testimony, that it was a common practice to fire all holes at one time, either from the batteries of mine tractors or from power cables.

Two spools of detonating cord (Primacord) and three short pieces of the cord were found near where the hole had been blasted on December 22. Four short pieces of detonating cord were found in the vicinity of the boom hole which was blasted at the time of the explosion. It should be noted that three pieces of detonating cord were found out by a boom hole in the Number 3 entry of the Number 15 Mine. This strong evidence indicates that detonating cord had been used previously in this type of work. It was customary to drill holes about two feet apart and 30 inches deep into the mine roof, although some holes in the boom hole involved in the explosion were less than two feet apart. It can be concluded that more than 100 shot holes, and maybe up to 120, may have been drilled for this blasting operation.

While being questioned at Hyden, A. T. Collins, Utility Man (belt man), and the only survivor of the underground employees, testified that he entered the Number 15 Mine at 7:00 A.M. and returned to the surface at 11:30 A.M. Under questioning Collins stated that he had observed no unusual conditions in the mine that morning. Collins did state that he saw detonating cord (Primacord) in the mines sometimes prior to Christmas, and that he was instructed by the Mine Superintendent to hide it. He also stated that he was with the Mine Superintendent at about 11:00 A.M. on the date of the accident, and that the Superintendent told him that he had a man in the mine to shoot a couple of holes, and that the blast would be light, but indicated by a wink and a nudge, that the blast might be unusual. Collins stated during questioning that he observed no explosives being transported underground on this date. Two other witnesses, both employees of the Finley Coal Company, testified that detonating cord was used in blasting boom holes. Testimony indicated that it was a practice to fire from power cables or from battery connections of the battery-powered tractors, even though permissible type blasting units were provided.

From all the evidence gathered from witnesses and found during the investigation, it is concluded that a hundred or more holes were fired using detonating cord, set off with an electric detonator to fire all the shots at one time. It must be further concluded that the explosives charges were held in place with wads of paper or other like material, and the charges set off by blasting cable attached to either the shot firing unit, battery connection of a nearby battery-powered tractor or from the power cable. All three sources of power were in the immediate vicinity. In substance, it appears that surface mine and highway blasting techniques were applied to underground mining.

Under the supervision of representatives of the U.S. Bureau of Mines and the Kentucky Department of Mines and Minerals, the rock blasted from the Number 1 entry. Two Left, Number 16 Mine was started to be moved on January 14, 1971 using a Load-a-Tram scoop. An employee was instructed to move the material from the area and on the second scoop load, a detonator leg wire 14 inches in length was found near the outby edge of the fall of rock.

When the thirtieth scoop load was moved, an 11 inch piece of detonating cord was found near the center of the fall. The remainder of the rock was moved the next day but no leg wires or detonating cord were found. The fact that one detonator leg wire and the detonating cord were found, substantiates the conclusion that illegal blasting practices were being followed. Since detonating cord is usually set off by one or two detonators, the findings would indicate that the holes were fired with detonating cord. If each charge had been made up using a detonator for each hole, a greater number of such leg wires would have been found under the fall. Supporting evidence was that the blasting cable lacked 29 feet reaching the boom hole from the location where it was found after the explosion. This would mean that the difference in distance from the firing station could have been made up using detonating cord. In continuing the search for evidence, a 48-foot piece of detonating cord was found near the belt entry in the Number 26 crosscut in the Number 15 Mine.

Indications brought out by testimony were that when boom holes were being blasted, no special precautions were being taken such as applications of rock dust.

When the underground investigation was first started several relatively small pieces of rock were found scattered a distance of about 40 feet from the boom hole toward the mouth of the entry. Some consideration was given to the fact that maybe an unconfined shot or shots (unconfined explosives placed on rock to be broken) may possibly have been used to break rocks which were too large for handling by the loading machine. However, after all the evidence had been gathered the Kentucky Department of Mines and Minerals investigators concluded that the rock was thrown and scattered by the strong blast when the boom hole was shot.

MINE RECOVERY OPERATIONS

The first trip underground after the explosion was made by Federal and State inspectors at about 3:00 P.M. on December 30, 1970. They entered the Number 3 portal of the Number 15 Mine and were able to travel without using breathing apparatus to the Number 24 cross cut between Numbers 3 and 4 main entries (see Appendix B) before they encountered difficulty with carbon monoxide or smoke. They were able to travel this far, even though concrete block stoppings in 12 crosscuts outby the Number 24 crosscut had been partially or completely destroyed. With the use of gas masks the recovery crew was then able to travel on to the 30th crosscut where three bodies were located in that vicinity. High concentrations of carbon monoxide forced the recovery crew to return to the mine surface for brattice material and other supplies so that ventilation could be restored. Federal and state inspectors, along with company employees, reentered the mine to repair the blown out stoppings and to attempt exploring the working places in the Two Right section. At 4:30 P.M. the same day, the Number 16 Mine was entered by Federal and State inspectors and company employees by way of the Number 4 entry. They were able to make their way to the Number 20 crosscut where they were halted by high concentrations of carbon monoxide between Numbers 3 and 4 main entries. After the blown out stoppings were replaced with brattice cloth the crew was able to continue its exploration into the mine. Several stoppings were replaced to clear out carbon monoxide as the crew moved toward the One Left section. The Number 3 entry, One Left, was reached at about 7:00 P.M. It was there that the first body in the Number 16 Mine was found and exploration of One Left section was continued. The crew located fifteen bodies in all, before excessive amounts of carbon monoxide was encountered. They returned to the surface with three of the bodies at 8:00 P.M. on December 30th.

Other crews made up of Federal and State inspectors, company officials and employees and volunteer officials and employees from other Eastern Kentucky mines, entered both mines at various intervals during the night of December 30th and the following morning to assist in reestablishing ventilation and in recovery of bodies. The last bodies were recovered and brought to the surface at about 10:00 A.M., December 31, 1970.

It is the conclusion of state investigators, taking into consideration the location of the victims and their physical condition and appearance, that all but five were apparently killed instantly by the blast. Victims designated by the Numbers 3, 4 and 6 in the Number 16 Mine and R-4 and R-5 in the Number 15 Mine may have moved a short distance from their work location after the explosion. It appeared that the men in the Number 16 Mine may have moved less than a hundred feet and the men in the Number 15 Mine may have moved about 140 feet. The tram controls of the loading machine in the Number 6 entry, Two Right of the Number 15 Mine were found in the forward position which indicated that the machine was in operation at the time of the explosion.

UNDERGROUND INVESTIGATION OF CAUSE OF EXPLOSION

Representing Finley Coal Company

Eugene Barger, Tractor Operator.
Alson Collett, Tractor Operator.
Robert Combs, Crew Leader, 3rd Shift.
Bill Cornett, Mechanic.
Arthur Lawson, Tractor Operator.

Representing Underwriters Safety and Claims

Earl Keene, Inspector.
Warren Mullins, Inspector.

Representing United States Bureau of Mines

James Westfield, Assistant Director—Coal Mine Health and Safety.
William Park, District Manager.
Joseph Malesky, District Manager.
Thomas Mark, Subdistrict Manager.
John Crawford, Mining Engineer.
Clarence Hyde, Coal Mine Inspection Supervisor.
Raymond Linville, Coal Mine Inspection Supervisor.
Monroe West, Coal Mine Inspection Supervisor.
Ralph Jones, Mining Engineer.
Harold Dolan, Mining Engineer.
Charles Sample, Coal Mine Inspector.
Gordon Couch, Coal Mine Inspector.

Representing Kentucky Department of Mines and Minerals

H. N. Kirkpatrick, Commissioner.
J. H. Mosgrove, Assistant to the Commissioner.
Everett Bartlett, District Supervisor.
Albert Alexander, Jr., Inspector.
Clarence Powell, Inspector.
B. E. Banks, Inspector.
Carl Smithers, District Supervisor.
Grant Hall, Inspector.
H. L. Payne, Jr., Engineering Trainee.

Three investigating teams composed of representatives of the insurance carrier, Federal and State agencies and mine employees conducted a detailed examination of Mines 15 and 16 in their entirety. Each team was provided with mine maps to mark their findings so that when the examinations were over each agency would be provided with findings for their respective records. Information was exchanged between the agencies and groups, after the examination was made of the mines.

On January 6, 1971 voluntary witnesses made up of employees and others were questioned at the Leslie County Courthouse at Hyden, Kentucky. The U.S. Bureau of Mines was led by Dr. Elburst Osborn, Director, and H. N. Kirkpatrick, Commissioner, headed the Kentucky Department of Mines and Minerals. James Westfield, U.S. Bureau of Mines and J. H. Masgrove, Kentucky Department of Mines and Minerals, questioned the mine employees and company officials. Other persons were extended an invitation to provide information which they may have had in connection with the events leading to the explosion.

METHANE AND COAL DUST

There are no records of methane having been detected in the Numbers 15 and 16 Mines by State mine inspectors who use flame safety lamps and methane testing field instruments. Since the Department of Mines and Minerals has no laboratory including sophisticated equipment and technical personnel for analyzing dust and air samples it has always depended on analyses made by the U.S. Bureau of Mines and distributed along with Bureau inspection reports. The Department has used and appreciates this information.

The analyses of air samples collected during regular inspections and during the recovery operations indicate that methane was not a factor in the explosion. Coal company records indicate that no methane had been detected by company officials in the two mines. It was evident from findings during the investigation that coal dust entered into the explosion. Deposits of coke and soot streamers were found at numerous locations. The One Left section, where the explosion originated was dry, and accumulations of loose coal and dust were present in the area where the explosion originated. While it was obvious that rock dust had been applied, the quantity, however, was inadequate. The Two Right section ranged from wet to dry and had standing water at several locations. The roof and ribs were dry. Rock dust had been applied to the section, but accumulations of loose coal and coal dust were also present. The main belt conveyor was loaded with coal and it is most likely that coal dust from the conveyor entered into the explosion. The Three Right belt conveyor was empty. Three hundred and eight samples of mine dust were collected during the investigation in a systematic pattern, in areas affected by the explosion forces. Federal and State mine inspectors worked jointly in collecting the samples which were analyzed in the U.S. Bureau of Mines Testing Laboratory. The report of the sampling is available through the U.S. Bureau of Mines report of the explosion and are also shown on the map labeled Appendix C of this report. It should be understood that samples collected after an explosion do not necessarily represent the dust conditions prior to an explosion, as coal dust from face areas, off conveyor lines and other transportation equipment are thrown into suspension and are deposited on rock dust surfaces. Dust sampling conducted over an extensive area of a mine after an explosion will give an indication of the general conditions preceding the occurrence. Samples collected following an explosion determines the extent of flame travel by the presence of coke. Samples taken after this explosion shows that coal dust was a factor.

EVIDENCE OF FLAME TRAVEL

The extent of the flame travel is shown on the map of the mines labeled Appendix C. The extent of the flame travel was determined by burned paper, soot, coke deposits and by shriveled remains of plastic stoppings. The evidence found showed that the First Right section of the mine was not affected by flame and only extended about 500 feet out by the First Right entry in Numbers 1, 2 and 3 main entries of the Number 15 Mine. All the main entries of the Number 16 Mine were involved with evidence of flame to within 500 feet of the portal. Indications were that the flame did not extend to either of the mine portals. The survivor, who stated that he was about 20 feet underground inby the portal of the Number 4 entry of the Number 15 Mine, suffered no burns nor observed any flame. His injuries were the result of flying debris and forces.

LOCATION OF ORIGIN OF EXPLOSION

Evidence found after the explosion, and testimony presented by witnesses, gave conclusive evidence that the explosion originated at a point about 120 feet in by the mouth of Number 1 entry, Two Left, Number 16 Mine. The time of occurrence was about 12:20 P.M. when roof rock for a loading point (boom hole) was being blasted.

EVIDENCE OF FORCES

The evidence compiled shows that the forces started at the boom hole which was blasted the day of the explosion. The forces traveled in different directions from this point from where they then traversed throughout the two mines as shown on map labeled Appendix C. The mine workings permitted rapid expansion of forces from the origin with less intensity enroute to the surface. It is evident that the rock dust applications which had been applied on the main entries helped to cool the explosion on its way to the mine surface. The force extended into the working areas of the mine and along the main entries to the mine surface. More than 60 concrete block stoppings were completely or partially blown out, mine equipment was moved by the forces, and the belt conveyor structures were also displaced and damaged. The offset fans were not damaged; however, the explosion (relief) doors were blown open and required minor repairs before they could again be closed.

Although the forces of the explosion reached the mine surface, it was evident applications of rock dust and the absence of excessive coal dust accumulations, together with the rapid expansion permitted at the point of origin, prevented the spread of the flame to the mine surface.

SUMMARY OF EVIDENCE

Conditions observed in the mines following the explosion, along with subsequent testimony of company officials and workmen, and mine records gave evidence as to the origin and cause of the disaster. The conclusion of State investigators are shown below as the result of the review of evidence:

1. The explosion was initiated by improper and illegal use of permissible explosives along with a nonpermissible detonating agent or by the use of nonpermissible high strength explosives detonated in a nonpermissible manner.

2. A combination of the use of a large quantity of explosives improperly used, plus coal dust were the factors creating the explosion.

3. There was no evidence indicating that explosive gas (methane) entered into the explosion.

4. Permissible explosives, electric detonators, blasting cables, and permissible blasting units were provided for underground use. Two and one-half cartons totaling about 125 pounds of 40% strength dynamite along with two cartons of detonating cord (4,000 ft.) were stored in a highway type trailer on the mine property. Short pieces of detonating cord were found near the boom hole that was blasted on the day of the explosion. While the rock blasted from the boom hole was being removed, additional detonating cord and one detonator leg wire were found. Two spools containing detonating cord were found in the mines following the explosion. If the boom hole shots had been fired electrically a large number of leg wires would have been found when the rock was removed. Witnesses testified during the investigation that boom holes had been blasted using detonating cord before, and that no stemming was used. The charges were held in place in the vertical holes with wads of paper or pieces of brattice cloth.

5. Testimony was given that all shots in a boom hole, which would probably number from 45 to more than 100, were fired at the same time using battery connections of battery-powered tractors or power cables.

6. Witnesses stated that it was a normal custom to blast boom holes between shifts or on off shifts with a limited number of men who were engaged in the preparation and blasting operations, underground.

7. Unsafe practices in handling explosives in these mines had been discovered during previous inspections by State mine inspectors.

8. A sample of explosives found in a shot hole for a loading point that was blasted earlier was analyzed in the U.S. Bureau of Mines Safety Research Center and was determined to be 40% extra strength dynamite.

9. Additional rock dust did not appear to have been applied in the vicinity of the boom holes before they were blasted.

10. Explosives were generally taken underground as needed and kept in original shipping containers.

11. Loose explosives collected from the mine floor in the One Left section of the Number 16 Mine were tested and were found to conform to specifications for permissible explosives by the U.S. Bureau of Mines.

12. Rock dusting was obviously substandard preceding the explosion. Coal dust was deposited on rock dusted surfaces after the explosion. Loose coal and accumulations of coal dust were observed in parts of both mines. Although a water line had been provided for the One Left section, testimony revealed that water was not being used to allay dust during cutting and loading operations at the face.

13. The majority of the victims suffered burns to some degree which confirms the presence of flame and intense heat during the explosion.

CONCLUSION AS TO CAUSE OF EXPLOSION

It is the conclusion of the Kentucky Department of Mines and Minerals that the explosion occurred when coal dust was ignited by detonating cord (Primacord) and by permissible explosives used in a nonpermissible manner or by the use of nonpermissible explosives (dynamite), during the blasting of roof rock for a loading point (boom hole). The explosion was propagated by coal dust which was brought into suspension and ignited by the initial blast.

SUMMARY

An explosion occurred at the Finley Coal Company, Hyden, Leslie County, Kentucky at about 12:20 P.M., Wednesday, December 30, 1970. The mines affected by the explosion were the Numbers 15 and 16 Mines located on Hurricane Creek near Hyden. Thirty-eight of the 39 underground employees were killed. Indications were that 14 of the 17 men who were employed in the Number 16 Mine were apparently killed instantly by the explosion while the three others may have moved a short distance and died from asphyxiation or carbon monoxide poisoning. Nineteen of the 21 who were employed in the Number 15 Mine were apparently killed instantly and the two others may have moved a short distance before dying of asphyxiation or carbon monoxide poisoning. The one survivor who was just inside the portal of the belt entry of the Number 15 Mine when the explosion occurred was injured slightly by the forces and debris coming from the mine. The names of victims, their ages, occupation, experience and number of dependents are listed on the page labeled as Appendix A of this report. An intensive underground investigation of the disaster was made by personnel of the Kentucky Department of Mines and Minerals, along with others, following the disaster. Further questioning of company officials and mine employees was held at Hyden, January 6, 1971.

After reviewing evidence compiled, the Department has concluded that the explosion occurred when coal dust was ignited by detonating cord (Primacord) and permissible explosives used in a nonpermissible manner or by the use of nonpermissible explosives (dynamite) during the blasting of roof rock for a loading point (boom hole). The explosion was propagated by coal dust which was brought into suspension and ignited by the initial blast.

VIOLATIONS

The investigation of this disaster disclosed apparent violations of the Kentucky Revised Statutes which led to the explosion or caused difficulty during the recovery work. The sections of the Law are shown below:

352.060 *Rock-dusting.* The following rules shall govern in the rock-dusting of mines: (1) All dry mines, or parts of mines, or sections thereof, shall be rock-dusted if conditions are found to be dusty or hazardous, after proper inspection. In event such conditions are found to exist then the Chief or his accredited representative shall require the necessary rock-dusting to make the mine, part of mine or section safe.

(2) In all mines, accumulations of fine, dry coal dust shall, as fast as practicable, be removed from the mine, and all dry and dusty operating sections kept thoroughly watered or rock-dusted, or the dust allayed by other methods approved by the Chief, but in every dusty mine, or in any part or section thereof, rock-dusting shall be applied to maintain at all times a minimum percentage of sixty-five per cent of noncombustible matter to within forty feet of the faces, and under certain special conditions the department may require that places be rock-dusted to the faces. The term "dusty-mine" shall not include a wet or damp mine; but the provisions hereof relating to rock-dusting shall apply to any dusty part or section of a wet or damp mine.

352.070 *Checking employees in and out.* The operator or superintendent of every mine shall install a uniform system of checking the employees in and out of the mine, so that each employee, entering the mine, shall be given a check by which he may be identified, and the check shall be placed in its proper place on the check board by the employee when leaving the mine.

352.240 *Explosives and other blasting devices in mines.* (1) The use of black powder, either granular or in pellet form, and the use of dynamite for firing shots is prohibited in all underground coal mines in the State of Kentucky.

(2) Explosives shall be fired only by electric detonators of the proper strength except as provided for in KRS 352.260.

(3) When blasting is done electrically, only permissible single shot blasting units or permissible multiple shot blasting units shall be used unless blasting is done from the surface.

(11) Boreholes shall be stemmed with at least twenty-four inches of incombustible material, or at least two-thirds of the length of the hole shall be stemmed.

(18) Shots shall not be fired from the power or signal circuit while any men are in the mine.

(21) Mixed charges shall not be charged or fired in any borehole.

(22) Adobe (Mudcap) or other open, unconfined shots shall not be fired in any mine.

ACKNOWLEDGMENT

The Kentucky Department of Mines and Minerals gratefully acknowledges the cooperation, assistance and coutesies extended by employees of the Finley Coal Company and other local companies, Leslie County Officials, Kentucky State Police, U.S. Bureau of Mines, Frontier Nursing Service, Red Cross, and several area ambulance services, mine rescue teams of International Harvester Company, U.S. Steel Corporation, Beth-Elkhorn Corporation, Island Creek Coal Company and Clinchfield Coal Company who stood ready to help if needed. Also, others the Department may have overlooked in its effort to keep a record of those who contributed their assistance.

Respectfully submitted,
H. N. Kirkpatrick,
Commissioner.
J. H. Mosgrove,
Assistant to the Commissioner.
Everett Bartlett,
District Supervisor, Hazard District.
Albert Alexander, Jr.,
Mine Inspector, Hazard District.

APPENDIX A

VICTIMS OF MINE DISASTER—FINLEY COAL CO., MINES 15 AND 16—DEC. 30, 1970

Name	Age	Dependents	Occupation	Mining experience
Walter Bentley, 7	60	Wife—6 children	Shot firer-utility man.	8 years.
Billy J. Bowling, R-15	25	Wife—3 children	Tractor operator	Do.
Grover Bowling, Jr., R-3	33	Wife—1 child	do	17 years.
Teddy Bush, R-7	21	Single	Timberman	6 months.
Fred Collins, R-2	18	do	Tractor operator	3½ years.
Kenople Collins, R-11	26	Wife—2 children	do	10 years.
Lonnie Collins, 14	28	Wife—1 child	Roof drill operator	5 years.
Alonzo Couch, R-18	34	Wife—2 children	Tractor operator	17 years.
Holt Couch, 16	34	Wife—3 children	do	15 years.
Howard Couch, 4	34	do	Loading machine operator	Do.
Carl Ghent, R-6	31	do	do	17 years.
Alfred Gibson, 11	44	Wife—2 children	Bratticeman	23 years.
Lawrence Gray, R-13	30	do	Coal drill operator	10 years.
Theo Griffin, 1	28	Wife—1 child	Tractor operator	4 months.
Lester Harris, 9	35	Wife—3 children	Mining machine operator	18 years.
Delbert Henson, R-1	19	Single	Loading point operator	6 months.
Price Henson, R-12	38	Wife—7 children	Roof drill operator	15 years.
Walter Hibbard, R-17	41	Wife—5 children	Superintendent and mine foreman	25 years.
George Holland, R-16	41	Wife—3 children	Mining machine operator	23 years.
Ben Hoskins, 12	24	Wife—1 child	Tractor operator	6 years.
Frank Hoskins, R-14	19	do	do	6 months.
Kermit Hubbard, R-5	39	Wife—3 children	Repairman	23 years.
Jim Jones, 13	36	do	Coal drill operator	15 years.
Rufus Jones, 5	53	Wife	Timberman	20 years.
James C. Minton, R-10	27	Wife—1 child	Tractor operator	4 years.
Lee Mitchell, R-21	18	Single	Beltman	6 months.
Russell Morgan, 2	33	Wife—2 children	Repairman	11 years.
Earl Phillips, R-8	45	Wife—9 children	Shot firer	25 years.
Stanley Roberts, 10	44	Wife—4 children	do	26 years.
Arnold Sizemore, 8	34	Wife—3 children	Utility man	18 years.
Wilbert Smith, 15	33	Wife	Mining machine operator	Do.
Jeffie Spurlock, 3	41	Wife—4 children	Loading machine operator	24 years.
Albert Wagers, R-4	28	Wife—3 children	do	10 years.
Armond Wagers, R-19	40	Wife—11 children	Tractor operator	24 years.
Arnold Wagers, 17	35	Wife—4 children	do	16 years.
Elmer White, R-20	23	Wife—1 child	Loading point operator	1 month.
Andrew D. Whitehead, 6	46	Wife—5 children	Section foreman	31 years.
Denver Young, R-9	29	Wife—1 child	Mining machine operator	7 years.

Note: Number or letter and number following name indicates map identification number.

NOT THE TIME TO QUIT

Mr. HART. Mr. President, this Nation has a trillion dollar economy.

Among other things, the economy supports the production of minibikes for kids, snowmobiles for adults, electric toothbrushes for the bathroom, yearly fashion changes for ladies, and, closer to home, yearly model changes for cars.

And I am among the hundreds of thousands willing to pay $7 a seat or more to see professional football games.

But—and this "but" should be underlined more than once—this trillion-dollar economy has not yet found a way to feed all its hungry, has not yet found the will to make certain no child suffers brain damage because of malnutrition.

We have made the commitment in rhetoric, but not in reality.

Construction of the bridge across that gap has been hampered by politics, word games, and undue pride in what has been done at the expense of concern for what still remains to be done.

Yes, more of the Nation's hungry are receiving help than ever before, but—that ever-reappearing "but"—an estimated 12 million poor remain without assistance and 4 million needy schoolchildren do not have access to free or reduced price school lunches.

Can a nation of wealth which prides itself on a belief in the value of each individual take pride in the fact that it is now feeding half its hungry?

Rather, should we not really be deeply disappointed, even outraged that for no compelling reason so many are still hungry?

My intent in speaking is not to place blame for still another appalling gap between the Nation's rhetoric and reality, but rather to urge that we do not eliminate an effective means of focusing and refocusing public attention on this problem.

The Senate Select Committee on Nutrition and Human Needs has been effective both in publicizing the extent of the problem and in pressing for reforms, and I say mindful that as a member of the committee my remarks may be considered less than unbiased.

But to vote to end the Nutrition Committee today would be interpreted by the poor as another example of quitting before the job is done—and I fear the poor would be correct.

I urge the Senate Select Committee on Nutrition and Human Needs be extended for another year, or more precisely, should be extended until all our hungry have access to an adequate diet.

COASTAL ZONE MANAGEMENT—S. 582

Mr. GRAVEL. Mr. President, I am pleased to cosponsor S. 582 which was introduced February 4, 1971. This is a much improved version of the bill introduced last year. It incorporates most of the recommendations made by the Coastal State Organization. My State of Alaska has an able member on the executive committee of the Coastal State Organization, Dr. Y. R. Nayudu.

This bill has special provisions for the Secretary of Commerce to develop broad national guidelines and sound policies. The bill provides an opportunity to the Governor and the executive branch of the State to develop a balanced coastal zone management plan and implement the program. These grants for planning and implementing programs give a greater incentive to the coastal State to develop programs without user conflicts.

The bill also provides a vehicle for the State government to develop programs for the coastal zone in close cooperation with local governments and regional organizations. It requires Federal Government programs to conform to plans established by the State and thereby strengthens the hand of the individual States in this field.

It is common knowledge that every Alaskan is proud of his State's natural endowments, such as the Continental Shelf and unique estuaries which are in a pristine condition there. Alaska has a continental shelf area of about 550,000 square miles, which is nearly 65 percent of the total U.S. Continental Shelf. The State has a coastline of 34,000 miles which is longer than that of the rest of the United States.

There is a definite threat to these two unique environments by the burgeoning oil industries, population growth, and the impact of recreation, which can lead to an indiscriminate exploitation of these environments. In order for the State's economy to expand in wise and orderly fashion without damaging the environment, this bill enhances the competence and capabilities to develop plans and implement programs for coastal zones.

A key feature of the bill is that it provides authority to the coastal States to set aside estaurine sanctuaries to function as field laboratories and to act as a data arm for the "Coastal Zone Management Agency."

Finally, the bill requires designation of a single agency by the Governor, to receive and administer grants. This agency has the responsibility to develop programs in ecological research (basic research), social, economic, legal, and political aspects of coastal zones for effective management with minimum conflicts among users.

In my opinion the bill is a necessary first step for progress.

ATTACK ON THE CAPITOL

Mr. FANNIN. Mr. President, this morning this building was the target of some senseless violence. There is no explaining the warped thinking which leads a person to the wanton destruction of people or property.

I believe the Evening Star editorial writers have summed up the feelings of many of us at this sad moment. An attack on the Capitol is not so much an attack on the Government as it is an attack on the people of our Nation. It is an attack, as the Star says, on:

> This symbol of our finest aspirations.

Mr. President, I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From The Evening Star, Washington, D.C., Mar. 1, 1971]

Bombing the Capitol

No one has bothered for a long time to articulate on what the United States Capitol means to the American people. It has seemed too dependable a national fixture, perhaps, akin to Pike's Peak and the Mississippi River, so we give it little thought from day to day. But today we are thinking about it, because it has been desecrated in a mindless and cowardly act.

No doubt the person or persons who set off a bomb in the Capitol early this morning intended to provoke an avalanche of outrage. There has been some of that, but mostly the feeling is sorrow, that anyone would think of blasting this repository of national memories and, even in its antiquity, this symbol of our finest aspirations.

The power of that symbolism occurs to us today. The Capitol has weathered all the hurricanes since Mr. Lincoln's time; indeed his black-draped catafalque once rested in the rotunda, where the nearby explosion shattered the stillness this morning. Whoever did it was protesting something he referred to as "the Laos decision." But in bombing the Capitol he struck at the Emancipator, and at the whole line of public people of all persuasions who have given themselves for the nation. Some have lain under that dome in this generation, too, and the memory of them is treasured.

This is in fact a hallowed place. The building is not accountable for the wisdom or foolishness of these times. It stands for the best that we have been, and the best that we hope to become. So the citizen in Peoria has a feeling, largely unspoken except at a moment like this one, that when the sun gilds that dome in the morning there is still hope for the Republic.

The dome, of course, is still there and the building is not critically shaken. But this is a bad day for the person from the inlands who is here today for his first look at his Capitol. Perhaps there will be stiff restrictions on touring of the building now—no more leisurely meandering. Extremists exact their penalties in divers ways.

This one, or these, must be caught and punished. The full resources of the federal investigative agencies must be brought to bear. This madness cannot be allowed to flourish where the processes of freedom are still in full vigor.

IRA KAPENSTEIN

Mr. HUMPHREY. Mr. President, Mr. Ira Kapenstein, deputy chairman of the Democratic National Committee, and former Government official and Washington newsman, died of cancer early today in the George Washington University Hospital. He was 35 years old.

He was associated with the Democratic Chairman, Lawrence O'Brien, since 1965 and became the second ranking officer of the committee when Mr. O'Brien resumed the chairmanship in 1970.

During the Humphrey-Muskie campaign in 1968, Ira was executive assistant to Mr. O'Brien, who was chairman of the DNC and campaign manager. Mr. Kapenstein remained with the DNC until January 1969, when he became executive assistant to the president and then vice-president for administration of McDonnell & Co., Inc., a New York City investment, banking, and stockbrokerage firm.

Before joining the Humphrey campaign in July 1968, he was special assistant to the director of organization of the late Senator Robert Kennedy's presidential campaign from April to June 1968. He worked in Robert Kennedy's presidential primary campaigns in Indiana, Nebraska, Oregon, and California.

Mr. Kapenstein was with the Post Office Department from 1963 to 1968, serving on the senior management staff and on the special task force which developed the proposal for the Government Postal Corporation. He was first appointed to these positions by Postmaster General John Granowski.

From 1956 to 1963 Ira was a reporter, political writer, and Washington correspondent for the Milwaukee Journal. In 1965 he received the Postmaster General's Benjamin Franklin Award for outstanding achievement, and in 1968 he received the William A. Jump memorial foundation meritorious award for exemplary achievement in public administration.

Mr. President, Ira Kapenstein was genuinely admired by all his associates and warmly liked by all who knew him. His death is a personal loss to me and to many others in public life. Despite severe handicaps to his health, he courageously devoted each day of his life to public service. I am proud to have had Ira as a friend and associate, and I know how very proud of him are his family.

Democratic National Committee Chairman Lawrence O'Brien today said of his friend:

> To know Ira Kapenstein was a rare privilege in life. I have loved my intimate friend and wise counselor, a warm and understanding man of great courage. The country and the Democratic National Committee have lost a dedicated leader.

Mrs. Humphrey and I extend our heartfelt sympathy to Mrs. Betty Kapenstein, his wife, and to his fine sons, Joel, David, and James; to his mother Mrs. Alice Kapenstein, of Brooklyn, N.Y.; and his brother, Mr. Harry Kapenstein, of Philadelphia.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, if there is no further morning business, I ask that morning business be closed.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

PRIVILEGE OF THE FLOOR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the consideration of the various money resolutions on the Calendar today, the following personnel from the staff of the Committee on Rules and Administration be allowed the privilege of the floor throughout that consideration: Messrs. Gordon F. Harrison, John Coder, and Burkett Van Kirk.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia subsequently said: Mr. President, there will be perhaps a few more members of committee staffs and clerks to Senators on the floor of the Senate today than would normally be the case, and this will be necessary because of the number of money resolutions which are going to be under consideration affecting the operations of committees. There are seats in the rear of the Chamber. I therefore ask that the Sergeant at Arms be instructed to see that staff personnel and committee personnel who have to be on the floor today, in the service of their Senators and committees, remain in their seats at the rear of the Chamber and avoid conversations as much as possible so as to relieve the Senate of as much confusion as possible.

The PRESIDING OFFICER (Mr. ALLEN). Without objection, it is so ordered and the Sergeant at Arms is so instructed.

QUORUM

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALLEN). Without objection, it is so ordered.

THE CALENDAR

The PRESIDING OFFICER. In accordance with the previous order, the Senate will proceed to the call of the calendar, commencing with Calendar No. 8.

ADDITIONAL EXPENDITURES BY THE COMMITTEE ON ARMED SERVICES

The Senate proceeded to consider the resolution (S. Res. 30) authorizing additional expenditures by the Committee on Armed Services for inquiries and investigations.

Mr. CANNON. Mr. President, this resolution would authorize the Committee on Armed Services to expend not to exceed $420,000 during the present session of Congress for an increase in investigations. During the past session, the committee was authorized to expend not to exceed $300,000 for the same purpose. The pending request covers a 13-month period as opposed to a 12-month period last year.

The Committee on Rules and Administration has reported Senate Resolution 30 with no reduction in the amount requested. The Chairman of the Committee on Armed Services is the Senator from Mississippi (Mr. STENNIS) and the ranking minority member is the Senator from Maine (Mrs. SMITH). The Senator from Mississippi (Mr. STENNIS) is also Chairman of the Preparedness Investigations Subcommittee which would utilize the funds. The Senator from South Carolina (Mr. THURMOND) is the ranking minority member of that subcommittee.

Mr. ELLENDER. Mr. President, I should like to make a general statement pertaining to all the resolutions that will be considered today.

As many Senators know, for many years now, I have been trying diligently to prevent the proliferation of these subcommittees or special committees. It was my belief when the 1946 Reorganization Act was passed by the Senate, there would be a change for the better. Under that act, we recall, the number of standing committees in the Senate was reduced from 38 to 15. It was further provided that each standing committee would have a staff of four professionals and six clericals, making a total for the then existing 15 standing committees of 150 employees.

As time went on, the Small Business Committee, which was a special committee, was added and placed in the same category as the 15 standing committees for staffing purposes. Recently, we took on another standing committee, which relates to veterans affairs. That proposal had been before the Congress for quite some time and Congress finally consented to the creation of that special committee.

Mr. President, I have never objected to legitimate hearings or investigations, but as I understood the Reorganization Act of 1946, we provided for an adequate number of men and women as clericals and professionals. We thought at that time that the number would be sufficient for the reason that we created in the Library of Congress a special Legislative Reference Service headed by specialists in finance, in agriculture, and every facet of life the Congress deals with.

Now the purpose of creating that special bureau in the Library of Congress was to provide for the staffs of each committee a place where they could work and obtain any desired information on any subject.

It seems that few of the committees took advantage of that Reference Service. Instead, the Senate got into the habit of creating special committees and subcommittees in order to hold hearings on problems that were facing us. Many of these subcommittees supposedly were created for a year or two, but we now have some that have been in existence almost 20 years. I have concluded that there is nothing more permanent than a temporary subcommittee in the Senate, especially the one dealing with juvenile delinquency.

I can well remember that former Senator Hendrickson of New Jersey, who was the author of the resolution that created this special subcommittee, assured the Senate in 1953 that by the expenditure of $44,000 for 1 year, he could obtain all the information necessary to help the Senate deal with the problems of juvenile delinquency.

Next year he came back and requested, not $44,000, but $175,000. The record shows that he assured the Senate that the amount would be sufficient to allow the subcommittee to wind up its business and provide the Senate with a final report.

For the benefit of Senators, this subcommittee has been in operation since 1953. It is still going strong. It looks as though the more money we spend on child delinquency, the more delinquency we have.

This subcommittee first started on the basis of the proposition that they could get through and get all of the information necessary by the expenditure of $44,000. The subcommittee has spent $3,156,659.82 in its investigation, and it is proposed here to give it an additional $308,300. It is still going strong.

I wonder if we should continue the existence of such a subcommittee. I do not see what good it does.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CANNON. Mr. President, $308,000 is the amount the Committee on Rules and Administration approved. Actually more was requested. We reduced the request by $15,000. They originally requested $323,000 for this year.

Mr. ELLENDER. Mr. President, I wonder why the committee did not do away with the subcommittee entirely. It strikes me that they ought to justify their existence.

I realize what I am up against with so many subcommittees. There is a lot of back scratching, logrolling, and "you help me and I will help you."

I do not expect that much can be done on the Senate floor. However, I hope to point up for the Senate what is happening.

Mr. CANNON. Mr. President, we have been trying, or I have been trying at least, in the Committee on Rules and Administration to take a close look at some of these subcommittees when they come before us. I am sure that the Senator will recall, since he has said how difficult it is to get rid of a committee, that we carried one committee for 8 years with assurances each year by the chairman of the committee that that year would be the last request for money for further activity. They said that they would be able to close out their business in the one more year. If my recollection is correct, I think that committee went on for 8 years, after assurance each year that it would be for one more year. We finally did get rid of it. But that is the only one that I recall specifically in the 12 years I have been a member of the Committee on Rules and Administration that we have been able to get rid of one. Fortunately, we did get rid of that one.

Mr. ELLENDER. It strikes me that the Senate ought to be willing to get rid of a subcommittee that was created in 1953, which has spent up to now over $3 million for no real good.

Mr. President, as I indicated at the beginning, when the Senate enacted the Reorganization Act of 1946, we provided for 150 regular employees, which I thought at the time was ample. However since that time we have created subcommittees of these committees and special committees, so that today we have in the Senate an employment load of investigators of 807 people—professionals and clericals.

No wonder there is a cry now to build a new Senate Office Building. If we keep on adding to the number of employees we now have, I do not know where we will place them unless we enlarge the Senate Office Building or rent a place or buy a new place adjoining the Senate Office Building.

I understand that in anticipation of these subcommittees being renewed for another year, a movement has been started to occupy the old Plaza Hotel which has been taken over by the Government. That building will cost a lot of money to repair and to make livable so that these committees can meet.

Something ought to be done about this. Just think about the amount of money we have been spending from year to year on these special subcommittees.

I have the figures before me for the amount authorized for special investigations during past Congresses. In the second session of the 88th Congress, the amount was $4,323,333, an increase of $396,000 from the previous year. During the first session of the 89th Congress we increased the amount from $4,719,600 to $5,391,000, or an increase of $671,400. During the 90th Congress, there was an increase of $472,100. During the 91st Congress there was an increase of $896,000. The amount for this Congress, the 92d Congress, tops all previous amounts. For the first session there is an increase of $2,282,000 in order to continue these special committees.

Mr. President, I ask unanimous consent that a table I have prepared, showing these increases be included in the RECORD at this point.

There being no objection, the table ordered to be printed in the RECORD, as follows:

INCREASE IN INVESTIGATIVE AUTHORIZATIONS BY SESSION OF CONGRESS

	Amount	Increase
88th, 1st session	$4,323,333	
88th, 2d session	4,719,600	$396,267
89th, 1st session	5,391,000	671,400
89th, 2d session	5,798,800	407,800
90th, 1st session	6,270,900	472,100
90th, 2d session	6,543,900	273,000
91st, 1st session	7,440,000	896,100
91st, 2d session	9,595,800	2,155,800
92d, 1st session	11,878,150	2,282,350

Mr. ELLENDER. I grant that many of them do a good job. Those should be continued. It strikes me, though, that we should do away with some of them or reduce the amount that is being requested. I am very hopeful that the Senate will take heed of what I am saying. There seems to be no end to what is being done now by way of employing more people, and the number grows from year to year.

One thing that the amendment of the Reorganization Act of 1946 did was to increase the number of professionals for each standing committee by two. Every standing committee of the Senate is now empowered to employ, not four professionals, but six professionals. It strikes me that the Committee on Rules and Administration should have taken that into consideration when they extended and increased the number of employees for these committees, but it did not.

I am very hopeful that as we go along something can be done about it. If I had my hat on my head I would take it off to the Senator from New Mexico (Mr. ANDERSON), because he is the only one who did not ask for an extension of the special investigations authorizations for the Committee on Aeronautical and Space Sciences. Apparently, he is satisfied with the two additional specialists that were made available by the Senate when the 1946 act was amended last year.

I have been a member of the Committee on Agriculture and Forestry for over 34 years. Since I have been on that committee it has never had special subcommittees to make special investigations. As chairman of that committee, I used the Library of Congress whenever we needed any information. Instead of hiring four professionals I hired two people, one good lawyer and one good economist. If I had employed two lawyers and two economists, they would be passing the buck to each other and they rarely would be in agreement, one with the other. I believe that is part of the trouble in Government today. We have too many people dependent one upon the other, and when the day is over we see that the work is not done. We have too many people on the payroll.

Mr. President, I have followed the practice which I have mentioned ever since I have been the chairman of the Committee on Agriculture and Forestry. I am proud to say that my successor, the Senator from Georgia (Mr. TALMADGE) has increased the number of the professional staff on the Agriculture Committee by only one. I was going to do that for special programs such as watersheds, and things of that nature, for the committee had previously empowered me to select someone to do that work. I tried, but I did not succeed in finding someone to proceed with the job. The Senator from Georgia found a good man and he placed him in that position, with the consent of the committee.

Mr. President, it strikes me that if we made some investigations as to the employees on these special subcommittees we would find a good many of them do not lift a hand in their work. Some of them are sent into the States to do political work for their Senators. That practice should be stopped. The only way I see to stop it is to try to do it now. Instead of giving all the funds asked we should cut back on them, and that is what I propose to ask this morning.

Mr. President, there is much more I could say on this subject but I do not care to do so now. I have done so in the past. However, I wish to make one additional observation. This is another thing that I am sure the Committee on Rules and Administration did not look into and they should have. In addition to the two specialists that have been added to each standing committee by past laws enacted by this Congress, 12 additional employees have been added to the Committee on Finance. They have added five additional employees to the Committee on Foreign Relations.

Mr. CANNON. Six.

Mr. ELLENDER. They have added six additional employees. In the Committee on Government Operations one additional employee has been added. In addition to all the employees they already have in the Committee on the Judiciary there have been added two professionals and three clericals.

Notwithstanding the fact that much of the work that was done by the Committee on Labor and Public Welfare has now been transferred from that committee to the newly formed Committee on Veterans' Affairs, instead of reducing the number of people on that committee, the number has been increased. Not only were two given by the amendment to the Reorganization Act of 1946, but 18 others have been added by past amendment of the statutes. That does not include the 58 special employees on the payroll. On the Committee on Labor and Public Welfare there is a total of 88 people. I think that is shameful. I do not see how they can get work out of all those people except perhaps by passing the buck from one to another. The Senate ought to do something about these things.

Let us take the Judiciary Committee. All Democrat Senators are assigned to at least one committee; two or three of them have subcommittees. They may be important; I do not deny that. But I am confident that they could do with fewer employees and get more work done. That is what I am suggesting. We ought to cut back. That is what I believe the Rules Committee should have done, but somehow they did not do it. The number of employees in the Judiciary Committee has increased from 175 to 186, and the total is 198. In other words, there has been a large addition to that committee. I simply think, and I repeat, that something ought to be done to correct this condition. The way to do it is by amendment, and I hope to offer amendments as we go along.

Consider the Committee on Post Office and Civil Service. That committee has seven fewer employees, but 10 special employees who were added in the past are still there. Last year, during the closing days of the session of Congress, we took away from that committee the fixing of salaries for all civil employees. That is out. They have nothing more to do with the Post Office. The special employees were added for that purpose. Yet there are still on that subcommittee 10 employees aside from the regular employees. It is my belief that the committee should be able to handle all of its work with the six specialists that are provided under the Reorganization Act, as amended.

I am wondering why the Committee on Rules and Administration did not take that into consideration. Evidently it did not.

Over my protest, during the closing days of the session last December, a special Commission was created to fix the salaries of classified employees in the Government. That Commission was under the control of the President, and it is the President who now fixes those salaries.

The workload of that committee has been decreased to a point where I am satisfied that the six specialists and the six clericals, we now have under the new Reorganization Act should be an ample staff to handle all the matters dealing with Post Office and Civil Service. Yet, we now see a request to reinstate or extend the life of the special employees and also retain on the payroll the professionals employed by that committee. Most of that work has been taken away by reason of the creation by Congress of the huge corporation to take over the Post Office. There is no earthly reason why those persons should be retained except to keep them on the payroll for reasons of patronage. I am very hopeful that in that area we can at least do something to correct the situation.

As I stated previously, the investigating funds for the Committee on Aeronautical and Space Sciences have been cut out, and that committee will now operate with the 12 employees provided for under the recent Reorganization Act—six professionals and six clericals. I am happy that the chairman of that committee, the distinguished Senator from New Mexico (Mr. ANDERSON), has looked into that situation and is not asking for more personnel. It means that a subcommittee consisting of seven employees has been done away with. I was hopeful that other committee chairmen would follow the same practice.

The pending resolution provides for four new employees. Those four would be in addition to the two who were added by the Reorganization Act of last year, under which, as I have said each standing committee is empowered to employ two additional specialists. The amount asked for this year is $420,000, $75,500 more than provided last year.

I would have no quarrel if the committee could proceed with the same number of employees it had last year and would use the additional two who are employed on the standing committee. I think that number would be ample.

If we were to add the amount for the 13th month, the increase for that 1 month is about $80,000. We could cut from this resolution at least $65,000 to $75,000. That, in my mind, would be a good beginning.

I know that my good friend the Senator from Mississippi (Mr. STENNIS) is a hard worker. He has some good help on the regular committee; there is no doubt about that. With the two additions that he has on the regular committee, it strikes me that he could easily make do with the same number of employees he had last year and thereby try to save the taxpayers in the neighborhood of $70,000. I should like to move to amend the resolution so as to provide for the same number of employees who were on the payroll last year and in addition provide the 6-percent increase in salaries, and also the amount necessary for the 13th month.

It strikes me, with the suggestion I have made because of the two additional employees, that the money provided last year ought to be ample, and that would mean a saving of the amount I have just indicated.

The PRESIDING OFFICER. Does the Senator have in writing an amendment that he wishes to offer?

Mr. ELLENDER. I do not, but I can provide it.

The PRESIDING OFFICER. The Senator made reference to the fact that he was offering some documents for inclusion in the RECORD. Is that the table from which he was reading?

Mr. ELLENDER. Yes.

The PRESIDING OFFICER. Is there objection?

Mr. ELLENDER. I intended to place that in the RECORD at the end of my remarks, because I expect to use it as I go along, but it might be best to put it in the RECORD at the most convenient place.

The PRESIDING OFFICER. The Chair thanks the Senator.

Mr. ELLENDER. I ask unanimous consent that that be done.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON RULES AND ADMINISTRATION, SENATE INQUIRIES AND INVESTIGATIONS, 92D CONG., 1ST SESS.

Committee Print No. 2, Feb. 19, 1971]

			91st Cong., 2d sess.[1]			92d Cong., 1st sess.[2]						Committee employees				
													Investigative [5]			
Calendar No.	92d Cong., Res. and Sec. No.	Committee and purpose	Amount authorized by Senate (12 months)	Amount expended (12 months)	Unexpended balance (Jan. 31, 1971)	Amount requested (13 months)	Difference between 1970 authorization and 1971 request	Excess over 6 percent pay increase on 13-month basis	Amount of Rules Committee amendment	Amount reported by Rules Committee	Amount authorized by Senate [3]	Permanent [4]	1970	1971	Difference	Total, 1971 (projected)
		All committees	$10,051,270	$8,607,379.61	$1,443,890.39							278	498	529	+31	807
		Appropriations Committee [6]	455,470	212,025.30	243,444.70							30	8	10	+2	40
		All other committees	9,595,800	8,395,354.31	1,200,445.69	$11,973,650	+$2,367,850	+$1,001,096	−$95,500	$11,878,150		248	490	519	+29	767
		Aeronautical and Space Sciences	40,600	27,491.38	13,108.62	0	−40,600					12	4	0	−4	12
		Agriculture and Forestry										12				12
		Appropriations. (See above.)														
8	S. Res. 30	Armed Services	300,000	262,470.72	37,529.28	420,000	+120,000	+75,500	0	420,000		12	11	15	+4	27
9	S. Res. 29	Banking, Housing and Urban Affairs	310,000	302,241.18	7,758.82	330,000	+20,000	−25,984	0	330,000		12	15	14	−1	26
	Section 3	Genera	150,000	145,308.45	4,691.55	150,000	0	−22,250	0	150,000			7	7	0	
	Section 4	Housing and urban affairs	160,000	156,932.73	3,067.27	180,000	+20,000	−3,734	0	180,000			8	7	−1	
10	S. Res. 25	Commerce	859,000	805,686.34	53,313.66	1,233,800	+374,800	+247,381	0	1,233,800		12	41	54	+13	66
11	S. Res 24	District of Columbia	133,100	127,255.06	5,844.94	155,850	+22,750	+3,007	0	155,850		12	10	10	0	22
		Finance										24				24
12	S. Res. 26	Foreign Relations	300,000	266,393.70	33,606.30	325,000	+25,000	−19,500	0	325,000		18	18	15	−3	33
13	S. Res. 31	Government Operations	1,098,000	954,770.01	143,229.99	1,582,200	+484,200	+321,330	0	1,582,200		13	49	63	+14	76
	Section 2	Consultants				10,000	+10,000	+10,000		10,000						
	Section 4	Permanent investigations	688,000	566,619.21	121,380.79	821,000	+133,000	+30,945	0	821,000			27	31	+4	
	Section 5	National security operations	105,000	94,982.71	10,017.29	205,000	+100,000	+84,425	0	205,000			5	7	+2	
	Section 6	Intergovernmental realtions	155,000	144,867.15	10,132.85	257,200	+102,200	+79,210	0	257,200			9	12	+1	
	Section 7	Executive reorganization and Government research	150,000	148,300.94	1,699.06	289,000	+139,000	+116,750	0	289,000				13	+5	
14	S. Res. 34	Interior and Insular Affairs	180,000	171,431.00	8,569.00	200,000	+20,000	−6,700	0	200,000		12	10	10	0	22
15	S. Res. 32	Judiciary	3,245,100	2,955,662.90	289,437.10	3,941,800	+686,700	+215,342	−80,500	3,861,300		17	175	181	+6	198
	Section 3	Administrative practice and procedure	246,000	209,146.85	36,853.15	335,500	+89,500	+53,010	−10,000	325,500			14	15	+1	
	Section 4	Antitrust and monopoly	673,000	616,008.03	56,991.97	788,100	+115,100	+15,271	−10,000	778,100			31	31	0	
	Section 5	Constitutional amendments	180,700	179,341.71	1,358.29	248,500	+67,800	+40,996	−20,000	228,500			10	11	+1	
	Section 6	Constitutional rights	240,000	218,641.66	21,358.34	280,000	+40,000	+4,400	0	280,000			14	14	0	
	Section 7	Criminal laws and procedures	152,000	133,579.32	18,420.68	210,000	+58,000	+35,454	0	210,000			8	9	+1	
	Section 8	Federal charters, etc	9,500	4,692.56	4,807.44	9,500	0	−1,409	0	9,500			1	1	0	
	Section 9	Immigration, naturalization	213,500	193,991.83	19,508.17	243,500	+30,000	−1,670	0	243,500			10	10	0	
	Section 10	Improvements in judicial machinery	230,200	208,338.22	21,861.78	259,400	+29,200	−4,947	0	259,400			16	16	0	
	Section 11	Internal security	555,000	525,374.26	29,625.74	620,000	+65,000	−17,325	0	620,000			27	27	0	
	Section 12	Juvenile delinquency	257,500	245,129.22	12,370.78	323,300	+65,800	+27,604	−15,000	308,300			17	17	0	
	Section 13	Patents, trademarks, etc	132,000	116,635.65	15,364.35	140,000	+8,000	−11,580	0	140,000			6	6	0	
	Section 14	Penitentiaries	35,000	12,889.64	22,110.36	74,900	+39,900	+34,709	−15,000	59,900			3	3	0	
	Section 15	Refugees and escapees	134,900	133,017.48	1,882.52	165,500	+30,600	+10,590	−10,500	155,000			8	10	+2	
	Section 16	Revision and codification	55,800	53,703.47	2,096.53	63,600	+7,800	−477	0	63,600			3	3	0	
	Section 17	Separation of powers	130,000	105,173.00	24,827.00	180,000	+50,000	+30,716	0	180,000			7	8	+1	
16	S. Res. 35	Labor and Public Welfare	1,235,000	934,829.18	300,170.82	1,540,000	+305,000	+121,809	0	1,540,000		30	55	58	+3	88
	Section 3	General	720,000	627,292.41	92,707.59	1,065,000	+345,000	+238,200	0	1,065,000			36	43	+7	
		Cancer research	250,000	120,080.41	129,919.59	0	−250,000	−287,083					8	0	−8	
	Section 4	U.M.W. election; pensions, etc	265,000	187,456.36	77,543.64	475,000	+210,000	+170,692	0	475,000			11	15	+4	
17	S. Res. 21	Post Office and Civil Service	275,000	243,286.12	31,713.88	225,000	−50,000	−90,790	0	225,000		13	17	10	−7	23
18	S. Res. 22	Public Works	435,000	384,670.48	50,329.52	600,000	+165,000	+100,475	0	600,000		12	21	28	+7	40
19	S. Res. 28	Rules and Administration	150,000	78,620.76	71,379.24	113,000	−37,000	−59,250	0	113,000		13	7	5	−2	18
		Veterans' Affairs										12				12
20	S. Res. 19	Small Business (Select)	175,000	149,316.92	25,683.08	153,000	−22,000	−47,959	0	153,000		12	9	7	−2	19
21	S. Res. 49	Equal Educational Opportunity (Select)	375,000	293,101.06	81,898.94	494,000	+119,000	+63,375	−15,000	479,000			17	18	+1	18
22	S. Res. 23	Nutrition, Human Needs (Select)	246,000	204,258.88	41,741.12	280,000	+34,000	−2,490	0	280,000			13	13	0	13
23	S. Res. 27	Aging (Special)	239,000	233,868.62	5,131.38	380,000	+141,000	+105,550	0	380,000			15	15	0	15
		Standards, Conduct (Select) [7]											3	3	0	3

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[1] Senate investigative year 1970—Feb. 1, 1970–Jan. 31, 1971.

[2] Senate investigative year 1971—Feb. 1, 1971–Feb. 29, 1972.

[3] Date authorized.

[4] Information on permanent staffs of Senate committees is as follows.

Regular permanent staff: Standing Committees.—Except for the Committee on Appropriations, all standing committees of the Senate are authorized by sec. 202 (a) and (c) of the Legislative Reorganization Act of 1946, as amended, to employ a regular staff of 6 professional staff members and 6 clerical assistants. The total maximum annual compensation authorized thereby, at current salary rates, is $331,608 per committee. Appropriations Committee.—The Appropriations Committee is authorized by sec. 202(b) of the Legislative Reorganization Act of 1946, as amended, "to appoint such staff, in addition to the clerk thereof and assistants for the minority as * * * by a majority vote [it] shall determine to be necessary." Select committee on Small Business.—The staff privileges of standing committees (6 professional and 6 clerical) were extended to the Select Committee on Small Business by Public Law 759 of the 81st Cong.

Additional permanent staff: Additional permanent staff members authorized by the Senate for its standing committees are shown in the following table:

Committee	Additional permanent staff members authorized	Authority: Resolution No.	Authority: Congress	Authority: Date	Total maximum gross compensation †
Finance	6 professional	S. Res. 224	89th	Apr. 20, 1966	$283,392
	6 clerical	S. Res. 66	91st	Feb. 17, 1969	
Foreign Relations	2 professional 3 clerical	S. Res. 30	86th	Feb. 2, 1959	141,696
	1 professional	S. Res. 247	87th	Feb. 7, 1962	
Government Operations	1 professional	S. Res. 355	85th	Aug. 18, 1958	32,718
Judiciary	2 professional 3 clerical	S. Res. 66	81st	Feb. 17, 1949	108,978
Labor	1 professional	S. Res. 253	88th	Feb. 10, 1964	425,088
	1 assistant chief clerk 7 professional 9 clerical	S. Res. 74	90th	Feb. 20, 1967	
Post Office	1 clerical	S. Res. 14	89th	Feb. 8, 1965	14,514
Rules	1 professional	S. Res. 342	85th	July 28, 1958	32,718
Total	44 staff members				1,039,104

† At current salary rates.

[5] The figures on investigative staff are from budget estimates supplied by the committees themselves.

[6] The Appropriations Committee has a permanent authorization for funds for inquiries and investigations (S. Res. 193, 78th Cong., Oct. 14, 1943), which funds are provided by the annual legislative appropriation acts.

[7] The Select Committee on Standards and Conduct, established by S. Res. 338, agreed to July 24, 1964, has permanent authority to expend funds to employ such staff personnel it deems necessary.

Mr. ELLENDER. This document shows the entire membership, in number, of the staffs of all of the standing committees, and also those of the special committees and the subcommittees of the standing committees. It is very revealing.

As I indicated awhile ago, the amount has been increased by a greater sum this year than ever before—more than $2 million. These totals are astounding to me. I am very hopeful that we can obtain assistance from the Rules Committee as well as from the Senator from Mississippi (Mr. STENNIS), who is chairman of the Armed Services Committee.

Mr. STENNIS. Mr. President, I highly commend the Senator from Louisiana for his great vigilance and his very reasonable approach and reasonable request regarding these allowances.

Mr. President, I ask the attention of those who are interested, to give me a chance just to point out the differences in this request, as compared with that of the 90th Congress, for example.

First, though, the money provided here for this Preparedness Investigating Subcommittee goes for the most part to pay the salaries of men who do a great deal of work on the legislative problems of the full committee, which is now divided into subcommittees that conduct very searching and penetrating hearings on this mass program of weapons procurement.

For instance, during the last 2 years we have gone in depth into this $7.5 billion request for research and development. That had not been gone into in depth before. We have had to employ one man whose sole duties are devoted for this purpose and another man who will assist in the effort, among other duties, to get an intelligent approach and consideration of it. They are highly competent and well trained; they are not pickups, they are not from anyone's State as such, and they are doing an excellent job under the direction of the Senator from New Hampshire.

When those men are not tied up with those hearings, they help out somewhat on this preparedness investigating work. Furthermore, since the 90th Congress, we have gone into a detailed study and examination, not only of research and development, but of all the major parts of this military procurement bill.

Mr. President, I believe these facts are worthy of the interest of Senators. We found before us last year an authorization bill on these items I have just been mentioning that was in the neighborhood of $20 billion, representing about a 6-percent reduction, and all of the items in there were examined in detail by our staff and by Senators, and we filed a report consisting of 121 closely printed pages. With all deference, I think that is the most complete analysis of a procurement bill that has been filed in the Senate, certainly for many years, and many Senators, including those who opposed some of these items, told me and the other members of the committee that they greatly appreciated the work that had been done behind this report, and the trouble and effort involved in putting it together, for which many long days and many long nights were required.

That procurement bill itself, Mr. President, in round figures, involves approximately twice as much as the authorizations for all the other departments of the Government; that is, authorizations which are required as a condition precedent to an appropriation. In other words, this fairly small staff, on that one procurement bill alone, covered a greater amount of authorization than all the rest of the Government departments put together last year—in fact, as I say, twice as much. I have the actual figures here.

The total amount for research and development, tests and evaluation, procurement, and military construction and the items that come under it, for the Defense Department, amounted to $25.2 billion. All other authorizations for that year: $12.7 billion. That is almost exactly twice as much. That was for fiscal 1970.

For fiscal 1971, $22.4 billion for those bills; for all others, $11.9 billion. Again, that is almost identically 2 to 1.

For fiscal year 1972, there will be items totaling $24 billion to be examined; for all other departments, $14.1 billion.

That shows the magnitude and the immensity of these problems. We tried to identify those items and give an explanation of them in this bill.

Another thing that has changed since the 90th Congress: These procurement bills for the last 2 years were debated here on the floor of the Senate for 6 weeks. No filibuster, no delay, no interruptions, but 6 weeks of actual, honest debate, exchange of views, and testing of strength.

We had last year, I believe, more than 25 rollcall votes. We had more than 20 rollcall votes on major items of contest. Still, we are asking for only three more men than we had in the 90th Congress.

Mr. ELLENDER. Mr. President, will the Senator yield at that point?

Mr. STENNIS. I yield.

Mr. ELLENDER. According to the Rules Committee's records, he has four new positions, and he has two more under the Reorganization Act amendments adopted last year.

Mr. STENNIS. Well, here are the figures. I can assure the Senate that we have a net increase of only three more men than we had in the 90th Congress. Now, there is a spot here; the money is in here for a fourth man that we may need. I shall explain that later.

The difference in these figures is due to the fact that we had two men last year on a reimbursable basis, who did not show up in the column on number of employees. We had the money in the bill for them, but under the law they were still carried on the rolls of the General Accounting Office. The General Accounting Office paid them, but we reimbursed for them.

This year, we have no one on a reimbursable basis. One of those gentleman went back to the General Accounting Office, and the other is one whom we have employed permanently, in the nature of an auditor and checker on procurement on these immense accounts, keeping a monthly check on them. That is a second item that is different than during the 90th Congress.

We now have working all the time on these immense contracts a man directly from our own staff, over whom the committee has control, of course. He is working for us, and that is proving to be a very effective and very fine look-see and overview arm for the committee. He is a very prominent man, one of the best and most experienced men in this field that the General Accounting Office had.

I want to be frank with the Senate. I think we will probably need additional men during the current fiscal year—I mean this 13-month period. We may need them in the field of auditing. I have an arrangement with the General Accounting Office that if we ask for them, we can get some of their men who are versed in this field to help our staff member along this line, and we will get them on a reimbursable basis.

Let me emphasize that these are all professional men. Not one has been put on who is from Mississippi. In fact, on the preparedness staff and the regular staff is not one person from my State. Except for one man there is no one from my State on the subcommittee staff and he was here long before I became chairman of the committee.

We are trying to do a professional job for every Member of the Senate.

Incidentally, I am authorized by the Senator from Maine, the ranking majority member of the Committee on Armed Services, who cannot be in the Chamber at this time, to say that she supports this request throughout, and she supports that part which says we may have to ask the Senate for more money, depending on the circumstances we may get into.

In a broad sense, I think that covers this matter.

I commend the Senator again for his diligence and his interest in this matter. We need the influence of his being on the floor of the Senate.

I can go a little more into the details. The budget we have now is the same as that of last year moneywise, except for the things that I will develop in particular.

Included in the sum we request is the recent 6-percent increase for the full 13-month period. The personnel costs are, therefore, approximately $351,000 and will all be used, except for $30,000 which will be available as a personnel contingency in the event we need additional people in the course of the year. In other words, except for the $30,000, this $351,000 is needed to pay the people we now have on board.

The other portion of this small budget is for administrative expenses covering such matters as contributions to the civil service fund, $26,000; health program, $3,400; reporters' fees, $7,750; contingency and administrative expenses, $15,000. We have consultants down now for $5,700. I am planning to use consultants, if we can find any who meet the requirements. Some we have used only slightly. Group life insurance is $2,400. That brings it down to almost a minute bill of particulars, as to where this money is expected to go.

Another thing that I think should be mentioned in a little more detail, as compared with the situation in the 90th Congress, is this: With respect to the report of 121 pages that is filed with our procurement bill, we expect to do that in greater detail this year—certainly as complete. That is an extraordinary document, if I may say so, for reference not only by Senators, but also by many interested people throughout the Nation, including the press.

In my considered judgment, we will have approximately 40 percent more work to do in this committee this year than we had last year. It is based primarily on these two considerations: The first is the reenactment of the draft. That law will expire on June 30, and I do not know what contests we are going to have on it. I know it is a difficult proposition. The staff has been working on it since last September, and I have, too. I went around the country to some of the military installations. We have three bills before us. One not only would provide that there would be no power to draft anyone but also would repeal all the selective service laws.

The President and the entire administration are working for a so-called volunteer Army, which I am afraid will get the people confused, even get Congress confused, and make it more difficult to pass a meaningful Selective Service Act. I am being frank about it.

We have another requirement that we have to bring in recommendations for the personnel—there is no more complicated subject in all of Government than personnel—for the Marine Corps, for the Reserves, for the Army, for the Navy, and for the Air Force, during these troublesome times. We do not know the extent, but we have been working on them since November, and there are a great many complications. That in itself, this personnel matter, will involve approximately $20 billion, and the Senate is expecting something definite, a positive recommendation, in figures, with reasons assigned. That is no small undertaking.

I appreciate the sentiments of the Senator from Louisiana. That is my explanation.

Mr. ELLENDER. Mr. President, I wish to point out to my good friend, the Senator from Mississippi, that he did all the work he said he did last year, and we appropriated $300,000 for that purpose. He used only $262,470.72. $37,329.29 was returned to the Treasury. That is what prompted me to offer this amendment.

The amount we are now providing will give this subcommittee—I am saying "subcommittee" now, not the full committee—$352,020. In other words, we are giving this committee more than $80,000 more than they got last year.

The Senator is going to have a good many more people on the staff than he had last year, and more money to spend. I am not trying to subtract from what he had last year.

The amendment I have presented to the Senate will give the Senator more money than he spent last year. In addition, on the regular committee, he is going to have these two extra professionals, who cost the Senate approximately $65,000. I think those two professionals could easily be put to work instead of adding more to the subcommittee.

Those are the things I believe should have been looked into by the Rules Committee, rather than precipitating this debate on the Senate floor.

As I have said, the number of people the Senator had last year will be about the same, if we take into consideration the two who are added to the regular committee.

It seems to me that the Senator from Mississippi ought to be willing to accept this amendment, because it gives him more money than he spent last year. We gave him all he asked for last year. I am sure he made the same arguments last year that he has made this year; yet, he did not spend all we gave him last year. He had $37,000 to spare.

As I said, the amendment I set forth and sent to the desk will give this committee $352,000 altogether, which is much more than last year. I am sure that the committee should be able to get along with that and do the work he said should be done.

Mr. CANNON. Mr. President, in response to the Senator from Louisiana, I want to make it clear that the Committee on Rules and Administration did go into these matters that he discussed and suggested we should have gone into. We went into them. We heard the testimony from the witnesses. We considered the jobs that have to be done.

I may say that I am sympathetic to the position of the Senator from Louisiana. I voted with him last year in the last session to make some reductions, and I expect that I shall probably do so again this year, even though I am in the embarassing position of having to defend the position of the full Committee on Rules and Administration here in proposing these resolutions.

We were impressed by the fact that the Armed Services Committee, as the Senator from Mississippi (Mr. STENNIS) has pointed out so well, exercises jurisdiction over expenditures and authorizations over such a tremendous amount in the Federal budget, more than any other committee in Congress, an amount requested to carry out their responsibilities of $420,000. There are five subcommittees on the standing committees that have requested over $1 million, or up, to carry out their duties. From the standpoint of protecting the taxpayers' money and the authorization of these expenditures, and seeing that the money is well authorized prior to expenditure, I felt, and the remaining members of the Committee on Rules and Administration certainly felt that the request of the Armed Services Committee was a reasonable request.

It is not $80,000 or more in excess of last year's request as the Senator from Louisiana suggested. The actual amount is $75,500 more than the amount requested last year.

The Senator from Mississippi stated that he is carrying out additional duties this year with the Preparedness Subcommittee, that he will be carrying out duties with the Research and Development Ad Hoc Subcommittee, the Tactical Air Power Ad Hoc Subcommittee, the Stockpile Subcommittee, and many other subcommittees of the Armed Services Committee, trying to conserve the Federal budget and Federal dollars.

We believe that this money would be well spent, particularly when we look at the frugality of the request as compared to many others from committees in Congress that do not have comparable jurisdiction.

The PRESIDING OFFICER (Mr. ALLEN). The Senator from Louisiana offered his amendment orally. He has now sent his amendment in writing to the desk, which the clerk will state.

The assistant legislative clerk read as follows:

> Page 3, line 4, strike out the numeral and insert "$352,020."

Mr. ELLENDER. Did the committee consider the fact that last year the Armed Services Committee was allotted $300,000 and used only $263,000 so that there was a balance of $37,000 remaining? The fact is, and I repeat, we are providing $80,000 more than was spent last year and that, it seems to me, is ample money to provide for those necessary to do the work.

In addition to that, as I said, there are two professionals for which $65,000 was set aside to employ them for that purpose. That, in itself, is sufficient to conduct all the work of the committee as outlined by my good friend from Mississippi.

Mr. CANNON. I would simply say that we did consider that and we felt that the Senator from Mississippi made a good case. He pointed out that the two people employed were on loan from the Comptroller General's office, that they would not be used this year, and that a permanent staff of people will be placed on the committee. This, in itself, is a more expensive item. In addition, he has the possibility of one more person, as he testified—of three rather than four—over and above the permanent people put on to carry out the duties of the subcommittee. In addition, he may have to go out for additional accounting type of assistance from the Comptroller General's office.

Mr. ELLENDER. That is done, is it not, by the GAO which is an arm of Congress?

Mr. CANNON. Yes, but the committee reimburses for such assistance when it is used. We did reimburse from the Armed Services Committee last year. We are going to employ two permanent personnel this year to replace the two temporarily used. If he uses them, it will be over and above those two permanent personnel.

Mr. STENNIS. Mr. President, we are going to have a vote on this resolution in a few minutes' time probably, but let me say this in addition, and for emphasis, talking about the money being left over, that we have always turned back money every year. We have turned back some of this money. We are going to do that again, if we can.

Do not worry about the money being thrown away or something like that. It will not be spent unless it is necessary, which I think is an answer to some of the figures.

On the reimbursables mentioned by the Senator from Louisiana, he will understand that in getting this procurement contract surveillance setup, we had these men from the GAO full time under our direction. They were responsible only to us, and not to anyone else. They did institute this system for us in a very fine way. We did not have one of them all of last year. That is one reason why we could turn back in this much money. We had to have some special work done at the Library of Congress on the Selective Service Act and they gave us on a reimbursable basis for about 3 months, as I remember, a very fine analyst and a research director. We want a little money in here to do things of that kind, if necessary. As I have explained, this whole $351,000, except for this $30,000 for possibly an extra man—and I am not thinking of anyone at that rate now—is explained by the absolute demand for the money, because it will cost that much to pay those whom we have on the board now.

With the greatest of deference to the Senator from Louisiana, this work cannot be done at $351,000—not any longer. But, anyway, if the committee is going to pass and make recommendations to Congress concerning $20 billion for hardware and another $20 billion for personnel, if they are not entitled to some margin, some discretion, some allowance here of a few thousand dollars, someone has the cart before the horse.

If we are expected to do the job that is wanted to be done, we need this money.

Mr. ELLENDER. The Senator talks about having to reimburse the Library of Congress and the people working there. He knows that we have the Congressional Reference Service with a contingent of 370 people who are paid out of Congress' funds, so that we can get all the information we want on all subjects.

Mr. STENNIS. I do not know who did this work, but we have got someone here to do the work that will go into reports of the Senate, and I want our committee to have exclusive control of that person. It makes no difference who it is, but we will therefore have to reimburse that person.

Mr. ELLENDER. The GAO is an arm of Congress. I hope the Senator trusts them and the bureau that has been created by the special law are also employees of the Senate. They work for the Senate, and they are paid to work for the Senate. I do not see why such information as may be necessary is not obtained from this arm of the Senate.

Mr. STENNIS. Mr. President, in summary, the point should be made for the entire Senate to know that the legislation which the Senate Committee on Armed Services must consider exceeds in dollar amounts all of the remaining legislation which authorizes funds by a considerable margin. In fiscal year 1971 the procurement bill was $20.3 billion and the construction bill $2.1 billion. All other authorizing legislation which was required as a condition precedent to an appropriation totaled only $11.9 billion. This was the amount in the form of the budget request. For fiscal year 1972 the bills which will be considered by Armed Services will be $21.9 billion for procurement and $2.2 billion for construction, totaling $24 billion. These other authorizations will total $14.1 billion.

In terms of specific authorization bills other than Defense procurement for fiscal year 1971, the space bill was $3.4 billion, the AEC $3.2 billion, and the Office of Education authorization was $7.2 billion. I note these as examples. I am advised that there were over 40 bills enacted related to fiscal year 1971 authorizations.

I would also emphasize that the new legislation requiring the committee to authorize the active duty strengths will deal only in numbers of persons; however, the funds which this exercise will involve will approximate $20 billion.

The committee's workload has vastly increased since the end of the 90th Congress. During the 91st Congress the committee's workload increased even more over that of the 90th Congress. Moreover, for the 92d Congress, which we are now beginning, I estimate that our workload will increase about 40 percent over the 91st.

In terms of employees for both the full committee and Preparedness Subcommittee, there were 11 men at the close of the 90th Congress. As of today, we have 14 men employed. This does not include the ladies, of course, who are clerical assistants. I point this out to show that the total increase has been three, excluding clerical employees.

I have prepared a separate statement showing the need for the increase in the resolution from $300,000 to $420,000. This results principally from three factors:

First. The Preparedness budget before the Senate covers 15 professional and clerical employees as compared to the 1970 period wherein the number of employees ranged from nine to 13 since a number of reimbursables were employed for varying periods.

Second. The new budget is for 13 months.

Third. There is included, of course, the recent 6-percent increase for the full 13-month period.

These personnel costs are therefore approximately $351,000 and will all be used except for $30,000 which will be available as a personnel contingency in the event we need additional people in the course of the year. In other words, except for $30,000, this amount of $351,000 is needed to pay the people we now have on board.

The other portion of the budget is for administrative expenses covering such matters as contributions to the civil service retirement fund, the health program, reporters' fees, stationery, and so forth.

The number of people on the full committee payroll, both professional and clerical, is 13. The number authorized by law is 14.

We have only one additional person on the full committee payroll as compared to the end of the 90th Congress which ended December 31, 1968.

On the preparedness payroll we actually have 14 members—eight professional and six clerical, with the budget containing the number 15 as a contingency for one additional.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 30) was agreed to, as follows:

S. RES. 30

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Armed Services, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency, and (4) to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) common defense generally;

(2) the Department of Defense, the Department of the Army, the Department of the Navy, and the Department of the Air Force generally;

(3) soldiers' and sailors' homes;

(4) pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces;

(5) selective service;

(6) size and composition of the Army, Navy, and Air Force;

(7) forts, arsenals, military reservations, and navy yards;

(8) ammunition depots;

(9) maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone;

(10) conservation, development, and use of naval petroleum and oil shale reserves;

(11) strategic and critical materials necessary for the common defense; and

(12) aeronautical and space activities peculiar to or primarily associated with the development of weapons systems or military operations.

SEC. 2. The expenses of the committee under this resolution shall not exceed $420,000, of which amount not to exceed $5,700 shall be available for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946), as amended.

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 1972.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries.

REPORT ON GOVERNMENT SERVICES TO RURAL AMERICA—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 92–55)

The PRESIDING OFFICER (Mr. CHILES) laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry:

To the Congress of the United States:

I am transmitting today the first annual report on government services to rural America, as required by the Agricultural Act of 1970.

Much of the information is about fiscal year 1970, since we do not have all the information in yet on the 1971 fiscal year. However, even the changes over our first full fiscal year in office showed important gains in the Federal Government's concern for the well-being of rural areas.

As examples, in fiscal 1970, we increased Federal support for waste treatment grants in rural areas by 174% over the previous year, and increased manpower development grants in such areas more than 50%.

We have long recognized that much of the housing in rural America is substandard—in fact about half of all substandard housing is in rural America. We have made real gains in this area. While our 1970 rural housing loan efforts increased 56% over 1969, in 1971 we will have increased these loans another 88%, to an annual amount of over one and a quarter billion dollars.

The report documents other major strides toward improving services to those millions of our people who live outside metropolitan areas.

It is my hope that our next report will show far greater progress. This is because I earnestly hope it will follow passage of some of the initiatives I urged in my State of the Union Message. These new initiatives include:

—Revenue sharing which, in the upcoming budget, can provide $16.1 billion in funds to flow from Washington in such a way that much real decision-making would be moved back to the States, cities and rural communities of America.

I have proposed not only $5 billion in unrestricted, general revenue sharing, but over $11 billion in various "special revenue sharing" grants. Among these is special revenue sharing for "rural community development." Originally budgeted at a level of $1 billion, I can announce today that we have found it possible to make available $100 million more for this important purpose. Furthermore, nearly all the other special revenue sharing funds, for manpower development, for education, for transportation, for law enforcement, and even in some cases for urban community development, will have significant benefits for rural America.

—A major reorganization of the civilian agencies of the Federal Government. The purpose is to make Federal program operations work better for the individual citizen and his community. The complaints most frequently heard about Government are that it is too costly; that it fails to match performance to promise; that it is too far from people; that there is nothing the individual person can do about it. We intend to reduce the cost of Government in Washington; to organize it for performance; to return government to the people; to give the people the opportunity to do something about it, by bringing government back to where the people are.

Under our reorganization, economic and community development would be accorded high priority—the objective being to maintain and develop viable communities of all sizes.

—My proposed welfare reform. In this needed change of our welfare system, many Americans in rural areas would benefit immediately, while strong incentives would be created to move those able to work into productive employment.

Not only would this reform assist many families operating on small farms and working in the rural communities of this country, but we know it would also help revitalize the economy of rural areas.

—My proposed comprehensive health strategy. My recent special message on health sets forth proposals to provide minimum national health insurance standards for all Americans, regardless of where they live, or what their income. At the same time, my proposals recognize that even with these improvements in the power to *purchase* medical care for all, they would be frustrated without assuring that care can be *supplied* where it is needed.

There is a shortage of doctors and medical personnel in this Nation; but there is also a problem of distribution of medical services. Those in remote rural areas often feel this lack more acutely than those in inner cities. We mean to provide Federal assistance to guarantee that the sick and injured in the rural sectors of America have the opportunity for the same high quality care that is available to Americans in other places. To help bring such services to rural areas, we propose to establish new area health education centers in medically underserved areas, and expand programs to encourage doctors, nurses, and physicians' assistants to serve in scarcity areas.

It is gratifying to be able to report to you that this administration is demonstrating its commitment to the restoration and enhancement of the vitality of rural America.

RICHARD NIXON.

THE WHITE HOUSE, *March 1, 1971.*

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. CHILDS) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received today, see the end of Senate proceedings.)

ADDITIONAL EXPENDITURES BY THE COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS

The Senate proceeded to consider the resolution (S. Res. 29) authorizing additional expenditures by the Committee on Banking, Housing and Urban Affairs for inquiries and investigations.

Mr. CANNON. Mr. President, this resolution would authorize the Committee on Banking, Housing and Urban Affairs to expend not to exceed $330,000 during the present session of Congress for inquiries and investigations. During the last session the committee was authorized to expend not to exceed $310,000 for the same purpose. The pending request covers a 13-month period as opposed to a 12-month period last year.

The Committee on Rules and Administration has reported Senate Resolution 29 with no reduction in the amount requested.

The chairman of the Committee on Banking, Housing and Urban Affairs is Senator SPARKMAN, and the ranking minority member is Senator TOWER.

Mr. President, I simply point out in anticipation of Senator ELLENDER's presentation that this amount is $25,984 less than the amount requested last year, plus the 6-percent increase and the amount necessary to cover the 13th month.

We find it rather refreshing that some of the committees did make a net reduction to help us with the objective in mind that the Senator from Louisiana has been attempting to carry out.

I might say also that they have asked for one less position on the investigative staff than last year.

Mr. ELLENDER. Mr. President, I compliment the chairman of the Committee on Banking, Housing, and Urban Affairs.

He did consider, I am sure, the additional employees that were provided. It appears that the 6-percent pay boost was absorbed more or less by the committee so that, as the Senator from Nevada has stated, there still is a net decrease according to my figures of $18,520.

I compliment the distinguished Senator from Alabama.

Mr. PROXMIRE. Mr. President, in the absence of the distinguished Senator from Alabama (Mr. SPARKMAN), I am the ranking member of the committee.

Mr. President, Senate Resolution 29 requests funds in the amount of $330,000 to continue certain operations of the Banking, Housing and Urban Affairs Committee from February 1, 1971, through February 29, 1972.

This resolution contemplates a 13-month budget as was required by the Senate Committee on Rules and Administration this year.

In general, Mr. President, this year we are requesting in a single resolution a total of $330,000 in additional funds to carry out certain operations of our committee. This single resolution is required by an amendment to the Legislative Reorganization Act which was enacted during the last session of the Congress.

In specific, $150,000 of the total is to be used to employ additional personnel to help carry out all of the functions of our committee, except those matters falling in the area of housing and urban affairs generally. I should like to point out that the $150,000 of additional funds we are requesting to augment the full committee staff is exactly the same amount that we requested during the last session of the Congress. Through very careful administration of our funds last year we were able to operate within the amount approved last session, and the chairman believes we can continue to be able to operate within this amount during the first session of the 92d Congress.

The remaining $180,000 of the total amount requested is to continue the operation of our Housing and Urban Affairs Subcommittee. In general, the amount requested to carry on these operations this year is approximately $20,000 more than we requested last year. This increase is necessary to cover the cost of living increases which have been authorized over the last year, and in addition it contemplates a 13-month budget as is required by the Rules Committee. Except for those two matters, the funds requested for subcommittee operation this year would continue the subcommittee at the same rate and level of operation as has been carried on over the last several years.

I would like to call to the attention of the Senate that the Federal Government's contingent liability through the various housing and urban affairs programs that are presently on the statute books exceeds $135 billion. Our subcommittee has legislative jurisdiction over the majority of the programs covered by this $135 billion contingent liability. We also have oversight functions to perform in connection with all of these programs. It was the opinion of our committee that the $180,000 we are asking for here to carry on these operations is infinitesimal when compared with the Federal Government's contingent liability.

Mr. President, the Banking, Housing and Urban Affairs Committee has perhaps the largest and most varied legislative jurisdictional and oversight responsibilities of any committee in the Senate. In order to carry out our assignment, it is absolutely necessary that we have the additional funds requested in Senate Resolution 29. The chairman of our committee (Mr. SPARKMAN) when appearing before the Rules Committee to support Senate Resolution 29 was advised by members of that committee that we are one of the few committees of the Senate requesting less funds for operation this year than in previous years and they were highly complimentary of our Committee because of this.

In conclusion, I wish to report that Senate Resolution 29 was unanimously agreed to by our committee. It has now been favorably reported by the Senate Committee on Rules and Administration, and I urge favorable consideration by the Senate.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution—Senate Resolution 29—was agreed to, as follows:

S. Res. 29

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Banking, Housing and Urban Affairs, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, for the purposes stated and within the limitations imposed by the following sections, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

Sec. 2. The Committee on Banking, Housing and Urban Affairs, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, to expend not to exceed $330,000 to examine, investigate, and make a complete study of any and all matters pertaining to each of the subjects set forth below in succeeding sections of this resolution, said funds to be allocated to the respective specific inquiries in accordance with such succeeding sections of this resolution.

Sec. 3. Not to exceed $150,000 shall be available for a study or investigation of—

1. Banking and currency generally.

2. Financial aid to commerce and industry, other than matters relating to such aid which are specifically assigned to other committees under this rule.

3. Deposit insurance.

4. Federal Reserve System.

5. Gold and silver, including the coinage thereof.

6. Issuance of notes and redemption thereof.

7. Valuation and revaluation of the dollar.

8. Control of prices of commodities, rents, or services.

Sec. 4. Not to exceed $180,000 shall be available for a study or investigation of public and private housing and urban affairs generally.

Sec. 5. The committee shall report its findings, together with such recommendations for legislation as it deems advisable with respect to each study or investigation for which expenditure is authorized by this resolution, to the Senate at the earliest practicable date, but not later than February 29, 1972.

Sec. 6. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL EXPENDITURES BY THE COMMITTEE ON COMMERCE

The Senate proceeded to consider the resolution—Senate Resolution 25—authorizing additional expenditures by the Committee on Commerce for inquiries and investigations which had been reported from the Committee on Commerce with amendments on page 2, line 7, after the word "not", strike out "exceed $———," and insert "exceed $1,233,800.00,"; in line 8, after the word "to", strike out "Exceed $———", and insert "exceed $20,000.00"; and at the beginning of line 13, strike out "exceed $———" and insert "exceed $5,000.00".

The amendment of the Committee on Rules and Administration is as follows:

On page 2, line 8, after the word "exceed", strike out "$20,000.00" and insert "$40,000.00"; so as to make the resolution read:

S. Res. 25

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Commerce, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

Sec. 2. The expenses of the committee under this resolution shall not exceed $1,233,800.00, of which amount (1) not to exceed $40,000.00 shall be available for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $5,000.00 shall be available for the training of the professional staff of such committee, or any subcommittee thereof (under procedures specified by section 202(j) of such Act).

Sec. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 1972.

Sec. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. CANNON. Mr. President, this resolution would authorize the Committee on Commerce to expend not to exceed $1,233,800 during the present session of Congress for inquiries and investigations. During the last session the committee was authorized to expend not to exceed $859,000 for the same purpose. The pending request covers a 13-month period as opposed to a 12-month period last year.

The Committee on Rules and Administration has reported Senate Resolution 25 with no reduction in the amount requested.

The chairman of the Committee on Commerce is Senator Magnuson and the ranking minority member is Senator Cotton.

Mr. ELLENDER. Mr. President, I simply point out to the Senate that this is a committee that has increased from $805,000 to $1,252,000. The number of special employees has increased by 13, for a total of 41 employees to be paid by resolution. In addition, the standing Committee on Commerce is empowered to employ two additional specialists. The total employees now stands at 66.

It would seem to me that in this committee the number of employees, as well as the amount of money provided, is excessive.

I just want to lay the matter before the Senate. I thought I had a good case awhile ago, but evidently I failed.

I will not offer any amendment, I will let it go through. I wanted to bring it to the attention of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended.

The resolution (S. Res. 25) as amended, was agreed to.

ADDITIONAL EXPENDITURES BY THE COMMITTEE ON THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the resolution (S. Res. 24) authorizing additional expenditures by the Committee on the District of Columbia for inquiries and investigations.

Mr. CANNON. Mr. President, this resolution would authorize the Committee on the District of Columbia to expend not to exceed $155,850 during the present session of Congress for inquiries and investigations. During the last session the committee was authorized to expend not to exceed $133,100 for the same purpose. The pending request covers a 13-month period as opposed to a 12-month period last year.

The Committee on Rules and Administration has reported Senate Resolution 24 with no reduction in the amount requested.

The chairman of the Committee on the District of Columbia is Senator Eagleton, and the ranking minority member is Senator Mathias.

Mr. President, when we compute the 6-percent increase and the 13th month, there is a difference of $3,007 requested by the committee over and above the amount requested last year.

Mr. ELLENDER. Mr. President, I can well remember that the Steering Committee had difficulty in selecting Members of the Senate to serve on the Committee on the District of Columbia. We were told of the large number of calls handled through the committee and that the membership was very busy, although I am of the opinion that this committee could be handled easily with 12 people. All it does is to take care of the finances of the District of Columbia. As I recall, Senator Joe Tydings called for the establishment of this special committee which is being continued. I assume the Senator from Missouri (Mr. Eagleton) wants it continued.

Mr. EAGLETON. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 24) was agreed to, as follows:

S. Res. 24

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on the District of Columbia, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

Sec. 2. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 1972.

Sec. 3. Expenses of the committee under this resolution, which shall not exceed $155,850, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF MATTERS PERTAINING TO FOREIGN POLICY BY THE COMMITTEE ON FOREIGN RELATIONS

The Senate proceeded to consider the resolution (S. Res. 26) to provide for a study of matters pertaining to foreign policy of the United States by the Committee on Foreign Relations which had been reported from the Committee on Foreign Relations with amendments on page 2, line 7, after the word "exceed", insert "$325,000"; in line 8, after the word "exceed" insert "$50,000"; and in line 11, after the word "amended)", strike out the semicolon and "and (2) not to exceed $——— shall be available for the training of the professional staff of such committee, or any subcommittee thereof (under procedures specified by section 202(j) of such act)."; so as to make the resolution read:

S. Res. 26

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on thereof, is authorized from February 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

Sec. 2. The expenses of the committee under this resolution shall not exceed $325,000, of which amount (1) not to exceed $50,000 shall be available for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended).

Sec. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 1972.

Sec. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. CANNON. Mr. President, this resolution would authorize the Committee on Foreign Relations to expend not to exceed $325,000 during the present session of Congress for inquiries and investigations. During the last session, the committee was authorized to expend not to exceed $300,000 for the same purpose. The pending request covers a 13-month period as opposed to a 12-month period last year.

The Committee on Rules and Administration has reported Senate Resolution 26 with no reduction in the amount requested.

The chairman of the Committee on Foreign Relations is Senator Fulbright, and the ranking minority member is Senator Aiken.

I might say that when the 13th month is included and the 6-percent pay raise is included, this results in a reduction in the request of $19,500, and a reduction of three positions, three employees, over the request of last year.

Mr. ELLENDER. Mr. President, I wish to point out that in this committee several years ago there were three extra specialists added, and three extra clericals. Under the amendment to the Reorganization Act, there was a provision which provided that all extra employees employed under the special resolution would remain as they are, so that this committee now has on its regular committee 18 employees. That number includes the two employees that were added last year, as well as six employees that were added previously.

The record shows that the request made by the chairman of the special committee is for a reduction of three employees. I believe that the fact that these regular employees were increased prompted the present chairman of the Committee on Foreign Relations not to ask for more, but to reduce the amount. I wish other chairmen had done the same thing.

Mr. SYMINGTON. Mr. President, will the distinguished chairman of the Committee on Appropriations yield?

Mr. ELLENDER. I yield.

Mr. SYMINGTON. Mr. President, I would like to support the position taken by the distinguished senior Senator from Louisiana. In all the committees on which I have served I have never seen any committee more careful of public funds than the Committee on Foreign Relations.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended.

The resolution, as amended, was agreed to.

ADDITIONAL EXPENDITURES BY THE COMMITTEE ON GOVERNMENT OPERATIONS

The Senate proceeded to consider the resolution (S. Res. 31) authorizing additional expenditures by the Committee on Government Operations for inquiries and investigations which had been reported from the Committee on Rules and Administration with amendments on page 2, at the beginning of line 17, strike out "$1,399,200" and insert "$1,572,200"; on page 3, line 1, after the word "exceed", strike out "$746,000" and insert "$821,000"; on page 5, line 19, after the word "such", strike out "$746,000" and insert "$821,000"; on page 6, line 20, after the word "exceed", strike out "$175,000" and insert "$205,000"; on page 7, line 15, after the word "exceed", strike out "$245,200" and insert "$257,200"; in line 25, after the word "exceed" strike out "$233,000" and insert "$289,000"; and on page 9, line 2, after the word "aggregate", strike out "$1,409,200"; so as to make the resolution read:

S. Res. 31

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, for the purposes stated and within the limitations imposed by the following sections, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The Committee on Government Operations is authorized from February 1, 1971, through February 29, 1972, to expend not to exceed $10,000 for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended).

SEC. 3. The Committee on Government Operations, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, to expand not to exceed $1,572,200 to examine, investigate, and make a complete study of any and all matters pertaining to each of the subjects set forth below in succeeding sections of this resolution, said funds to be allocated to the respective specific inquiries and to the procurement of the services of individual consultants or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended) in accordance with such succeeding sections of this resolution.

SEC. 4. (a) Not to exceed $821,000 shall be available for a study or investigation of—

(1) the efficiency and economy of operations of all branches of the Government, including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corrupt or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public: *Provided*, That, in carrying out the duties herein set forth, the inquiries of this committee or any subcommittee thereof shall not be deemed limited to the records, functions, and operations of the particular branch of the Government under inquiry, and may extend to the records and activities of persons, corporations, or other entities dealing with or affecting that particular branch of the Government;

(2) the extent to which criminal or other improper practices or activities are, or have been, engaged in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities;

(3) syndicated or organized crime which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions which are in violation of the law of the United States or of the State in which the transactions occur, and, if so, the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, what facilities, devices, methods, techniques, and technicalities are being used or employed, and whether or not organized crime utilizes such interstate facilities or otherwise operates in interstate commerce for the development of corrupting influences in violation of the law of the United States or the laws of any State, and further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activities have infiltrated into lawful business enterprise; and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce, and to determine whether any changes are required in the laws of the United States in order to protect the public against the occurrences of such practices or activities;

(4) of all other aspects of crime and lawlessness within the United States which have an impact upon or affect the national health, welfare, and safety; and

(5) of riots, violent disturbances of the peace, vandalism, civil and criminal disorder, insurrection, the commission of crimes in connection therewith, the immediate and longstanding causes, the extent and effects of such occurrences and crimes, and measures necessary for their immediate and long-range prevention and for the preservation of law and order and to insure domestic tranquality within the United States.

Of such $821,000 specified in this subsection, not to exceed $5,000 may be expended for the procurement of the services of individual consultants or organizations thereof. Obligations incurred on and after February 1, 1971, shall be charged to this section only, notwithstanding the provisions of Senate Resolution 504, agreed to December 31, 1970, as modified by Senate Resolution 13, agreed to January 27, 1971.

(b) Nothing contained in this resolution shall affect or impair the exercise by any other standing committee of the Senate of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946, as amended.

(c) For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, or its chairman, or any other member of the committee or subcommittee designated by the chairman, from February 1, 1971, through February 29, 1972, is authorized, in its, his, or their discretion, (1) to require by subpoena or otherwise the attendance of witnesses and production of correspondence, books, papers, and documents; (2) to hold hearings; (3) to sit act at any time or place during the sessions, recesses, and adjournment periods of the Senate; (4) to administer oath; and (5) take testimony, either orally or by sworn statement.

SEC. 5. Not to exceed $205,000 shall be available for a study or investigation of the efficiency and economy of operations of all branches and functions of the Government with particular reference to—

(1) the effectivenes of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(2) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge, talents, and skills;

(3) the adequacy of present intergovernmental relationships between the United States and international organizations of which the United States is a member; and

(4) legislative and other proposals to improve these methods, processes, and relationships;

of which amount not to exceed $25,000 may be expended for the procurement of the services of individual consultants or organizations thereof.

SEC. 6. Not to exceed $257,200 shall be available for a study or investigation of intergovernmental relationships between the United States and the States and municipalities, including an evaluation of studies, reports, and recommendations made thereon and submitted to the Congress by the Advisory Commission on Intergovernmental Relations pursuant to the provisions of Public Law 86–280, approved by the President on September 24, 1959, as amended by Public Law 89–733, approved by the President on November 2, 1966.

SEC. 7. Not to exceed $289,000 shall be available for a study or investigation of the efficiency and economy of operations of all branches and functions of the Government with particular reference to—

(1) the effects of laws enacted to reorganize the executive branch of the Government, and to consider reorganizations proposed therein; and

(2) the operations of research and development programs financed by the departments and agencies of the Federal Government, and the review of those programs now being carried out through contracts with higher educational institutions and private organizations, corporations, and individuals in order to bring about Government-wide coordination and elimination of overlapping and duplication of scientific and research activities;

of which amount not to exceed $7,500 may be expended for the procurement of the services of individual consultants or organizations thereof.

SEC. 8. The committee shall report its findings, together with such recommendations for legislation as it deems advisable with respect to each study or investigation for which expenditure is authorized by this resolution, to the Senate at the earliest practicable date, but not later than February 29, 1972.

SEC. 9. Expenses of the committee under this resolution, which shall not exceed in the aggregate $1,582,200, shall be paid from

the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. CANNON. Mr. President, this resolution would authorize the Committee on Government Operations to expend not to exceed $1,582,200 during the present session of Congress for inquiries and investigations. During the last session the committee was authorized to expend not to exceed $1,098,000 for the same purpose. The pending request covers a 13-month period as opposed to a 12-month period last year.

The Committee on Rules and Administration has reported Senate Resolution 31 with no reduction in the amount requested.

The chairman of the Committee on Government Operations is Senator McCLELLAN, and the acting ranking minority member is Senator PERCY.

Subcommittee chairmen and ranking minority members are as follows:

Subcommittee	Chairman	Ranking Minority Member
Permanent investigations	Senator McClellan	Senator Percy.
National security operations	Senator Jackson	Senator Mathias.
Intergovernmental relations	Senator Muskie	Senator Gurney.
Executive reorganization and government research	Senator Ribicoff	Senator Javits.

When the 13th month is included and the 6-percent-pay raise, this request amounts to $321,330 more than the amount necessary to cover those two items and more than the amount requested last year.

Mr. ELLENDER. Mr. President, I wonder if we could get an explanation from the chairman of this committee as to why it was necessary to increase the number of employees by 14. As I recall, sometime ago; I think the record shows that there was one committee divided in two. I wonder what became of that. Why was it necessary to provide 14 additional employees?

Mr. McCLELLAN. Mr. President, of the increase in staff, eight of the additionally requested staff on the Committee on Government Operations and its subcommittees are for the minority. The minority members of the several subcommittees, as well as the minority members of the full committee who serve on these subcommittees, requested additional staff.

As an illustration, Mr. President, the Permanent Subcommittee on Investigations, of which I am privileged to chair, put in a resolution for about the same level of expenditures as last year, adding, of course, the funds that were necessary for the 13-month period and also for the increase in salaries. That is the resolution we submitted. When it was considered by the full committee, the minority members offered an amendment for additional staff members for their purposes.

Mr. President, other minority members of the subcommittees made their cases before the full committee and befor the Committee on Rules and Administration.

Many of the investigations carried on by the investigating committee have saved the Government considerable sums of money.

On the contract for the TFX, we saved literally millions of dollars, because we disclosed facts about that plane which showed it did not measure up to its specifications. As a result, the Navy plane was canceled completely, and the procurement of the number of Air Force planes was reduced by two-thirds.

We now have pending or in process an investigation presided over by the distinguished Senator from Connecticut (Mr. RIBICOFF) as acting chairman, in which the committee has disclosed scandalous corruption among certain elements of the armed services abroad and in the services which we provide for our fighting men overseas.

Many other instances could be noted, Mr. President. I simply believe it unnecessary to argue our accomplishments based on our record of last year. I point out that we have returned $104,500 of what we had available to us last year.

I am speaking particularly with reference to the Subcommitte on Investigations. I could not argue against their having some additional staff. Heretofore, we have had minority staff representation, which has worked right along with the others. There has been no question as to whether he was a minority or a majority member of the staff. But it was felt at this time that there should be one or two members of the staff who should be directly responsible to the majority member of the staff. But it was professional staff members and one clerical assistant, for a $55,000 increase.

This matter was taken up before the committee and in fact, the measure was amended. Upon still further consideration, I have asked for another $20,000 for professional staff members.

To illustrate the budgetary control under which we have in the past operated, I would like to point out that over a period of 4 years, Mr. President—and I shall place this information in the RECORD—the Select Committee on Labor-Management Relations received an appropriation of $2,088,000. The Permanent Subcommittee on Investigation, over a period of 16 years, had appropriated to it $6,809,000. This latter amount, plus the $2 million I have already mentioned, makes a total appropriation of $8,897,841 under which these two committees operated. During this 16-year period, Mr. President, $865,989 was turned back to the Senate. In other words, we have turned back an average of 10 percent of all that has been appropriated to us. I do not know of any organization in the Federal Government which has been more productive for so modest an investment.

In one instance last year, we saved the Government $60 million on one Air Force contract. After the contract had been announced, we took it up with the Department of the Air Force, the Department reversed its position, received new bids, and saved $60 million on the contract.

If Senators will examine the record of amounts that we have returned over the years, I think they show conclusively that the committee has been economical. We have traditionally operated on the basis of what is required to produce.

In this regard, we have not always had success. For example, sometimes we are misled, and are required to spend time in some months investigating matters that finally do not warrant or justify hearings.

All I can say to the Senator from Louisiana is that so far as the Subcommittee on Investigations is concerned, I concur with the minority in asking for additional staff members to help with the work, because the workload of Congress is increasing every day. The burden of work that each Senator carries increases with each session of Congress. Without sufficient staff, we cannot fulfill that responsibility.

I notice in the Chamber another subcommittee chairman, the distinguished Senator from Maine (Mr. MUSKIE), chairman of the Subcommittee on Intergovernmental Relations. The subcommittee is occupied with a very heavy schedule of work. The same is true of all subcommittees.

I agree with the general objective of the Senator from Louisiana that we in this legislative body should set the tone and pace of the economy. But I also point out that the Government is growing. The budget request for fiscal year 1972 is $229 billion. If Congress is to exercise its responsibility and oversee the expenditure of these funds, it is imperative that we are equipped to do that job.

I do not believe we have asked for anything—I know that the Subcommittee on Investigations has not asked for anything—that is not absolutely needed. I will assure you, Mr. President, that if any funds are not needed, they will not be spent.

Mr. President, I shall be glad to yield to the distinguished Senator from Maine, chairman of the Subcommittee on Intergovernmental Relations, if he wishes to make any comments.

Mr. MUSKIE. Mr. President, I thank the Senator from Arkansas for yielding to me. I shall be glad to make some general observations and answer any questions that the distinguished Senator from Louisiana may wish to ask.

I should like to emphasize, as I am sure the distinguished Senator from Arkansas (Mr. McCLELLAN) has already pointed out, that in the year when reorganization of the Federal Government is a prime issue, the work of the Committee on Government Operations is inevitably involved to a greater extent than in a normal year. That is especially true of the Subcommittee on Reorganization and also the Subcommittee on Intergovernmental Relations, which covers the whole broad area of grant-in-aid programs. Those programs are also subject to review and criticism on an ongoing basis. I think that is especially true when the President has proposed something as controversial and far-reaching as revenue sharing. So the jurisdiction of the Subcommittee on Intergovernmental Relations is very much involved.

I think it might be helpful if I were to describe the workload of our committee. During the 91st Congress, the subcommittee held 61 hearings and handled 12 major bills. Two far-reaching measures, the Uniform Relocation Assistance Act and the Intergovernmental Personnel Act, were enacted. The subcommittee also acted upon an extraordinary number of reports—16 in all—from the Advisory Commission on Intergovernmental Relations, over which we have supervisory jurisdiction, and issued two studies of its own.

The subcommittee's responsibilities for the coming year may be the greatest in its history. A major portion of the President's program deals with intergovernmental revenue problems. We anticipate extensive hearings and legislative action on revenue sharing and Federal tax credit proposals. In addition, we expect to explore the inadequacy of Federal categorical grant programs, including legislation concerning grant consolidation, joint funding, uniform accounting, and regular program oversight; and, as a part of the broad review of Federal-State revenue taxes and the impact of the proposed Federal revenue sharing on them are planned.

May I emphasize, Mr. President, that the Government Operations Committee is not a legislative committee. Our work is primarily that of investigation, monitoring, and oversight. That is the work which consumes most of our time.

Nevertheless, because of the growing emergence of legislative proposals in this field, we do have legislative work as well, two aspects of which we were concerned with last year, which I have referred to already in my remarks.

I think that the sums requested and the staffing requested are minimal in the light of the responsibilities which we face; so I support fully the presentation of the chairman (Mr. McClellan), and am willing to answer any question the Senator from Louisiana (Mr. Ellender) may choose to put to us on the work of my subcommittee.

Mr. ELLENDER. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I yield.

Mr. ELLENDER. I wish to say that I do not know of an investigating committee ever created by Congress that has done more or better work than the one headed by my good friend from Arkansas. But I thought that last year we were more or less going to hold the line.

Mr. McCLELLAN. We did. We saved $104,500 last year.

Mr. ELLENDER. No; I am talking about the number of people employed. As I understand, the Senator had made his recommendation to the full committee, and it contained fewer than he is now asking for.

Mr. McCLELLAN. Originally it did. And the full committee, on amendments offered by the minority, increased the number.

Mr. ELLENDER. Did the Senator consider reducing the number of employees on the majority side?

Mr. McCLELLAN. No, sir; I do not. We are not going to employ——

Mr. ELLENDER. He is simply adding them, then, to increase the total number. Does he need them?

Mr. McCLELLAN. We are not going to employ anyone we do not need. We never have. This committee is not stacked. The staff is not packed. I believe we have adequately demonstrated this fact by showing the Senate our tremendous workload.

Mr. ELLENDER. The Senator came to the full committee with certain recommendations.

Mr. McCLELLAN. I did, and the minority——

Mr. ELLENDER. And the committee itself increased the number by how many?

Mr. McCLELLAN. Three, and made an allowance for one additional, which would make four if needed.

Mr. ELLENDER. Then aside from that, the standing committee gave the subcommittee two more.

Mr. McCLELLAN. Well, they are for the minority.

Mr. ELLENDER. I mean two professionals.

Mr. McCLELLAN. They are for the minority, provided by the rules. I have no control over them.

I do wish to say this: In fairness to the minority, I did not ask for it. I tried to encourage them and did encourage them, I might say, to hold the number down. I was reluctant to ask for it, because I tried to operate the committee so there would be no question of minority staff or majority staff. I have told the staff members of that committee—the professional staff—to make information available to the one man determined to be the minority member actually working under my direction. The minority turned him over to me to work under my direction as heretofore and so that he may provide information to minority members. But now they feel they want a staff to work with them directly. They have asked for it, and it has been granted. It had been granted in the first place in the Reorganization Act. That is when the pattern was set. The Reorganization Act provides that they shall have two additional staff members on the full committee. The pattern was set there. Now they come along and want men on each subcommittee.

Mr. ELLENDER. This is not included in the 14, though; it is in addition?

Mr. McCLELLAN. No; but these others, I point out where they come from here. There are three professional staff members requested for the Investigating Subcommittee, and two of them are minority members. Then the minority members on each of the other subcommittees asked for additional staff.

Mr. ELLENDER. How many positions were added, in addition to what the Senator first suggested to the committee?

Mr. McCLELLAN. There have been 14 added this year, to what——

Mr. ELLENDER. I understand that, but how many did the Senator recommend before the committee voted?

Mr. McCLELLAN. I would have to count them. There have been three added on the Investigating Subcommittee.

Mr. RIBICOFF. After the chairman had recommended the number, the minority added two additional.

Mr. McCLELLAN. Two on each one of them, I believe. Just one moment.

We requested six additional on our original resolution, and eight were added by the minority.

Mr. ELLENDER. So, in order to please the minority, the Senator added eight people. Are they necessary?

Mr. McCLELLAN. One might put it that way. The Senator says it is unnecessary. I really do not think it is. But then I might say the other two on the full committee are unnecessary. But the Senate, by its rules, set the pattern of this thing, and the minority members on these committees are demanding and insisting that they have additional staff members to help them keep up with their work.

I did talk with them. I see the distinguished acting ranking minority member of the Investigating Subcommittee is present. We have previously discussed this. I had already filed the resolution when they came to me and wanted this increase. I told them to take it up at the full committee meeting. I talked to them about holding their number down as much as we could. I expressed my desire to operate economically. When they presented it they discussed it, I turned it over to them, and they convinced the committee that they actually needed the additions. The committee, as I remember, agreed unanimously; I do not think there was a dissenting vote.

I am not here trying to get a lot of money. I think that my record shows that this committee has been productive in the matter of bringing into the Treasury of the United States $50, probably, wherever it spent one.

Mr. ELLENDER. I am not questioning that at all. The Senator knows that. But last year, when we considered this appropriation, I thought that the amount presented was fair. I remember we canceled out one of the subcommittees.

Mr. McCLELLAN. We did. Two; I canceled two subcommittees.

Mr. ELLENDER. But here we are going back higher than we were before. So instead of holding the line, the Senator is now saying to the Senate, "We have added eight men to satisfy the minority, and we do not think they are necessary."

Mr. McCLELLAN. We did hold the line last year with our budget.

Mr. ELLENDER. That is right.

Mr. McCLELLAN. We returned $100,000 out of $800,000. We returned about 12 or 13 percent last year, and I have done that each year.

Mr. ELLENDER. Yes.

Mr. McCLELLAN. If I do not have to spend it. But in operating this investigative subcommittee, we cannot predict exactly our expenditures. We cannot put it on a schedule that we will need so many men for clerical and so many professional staff, because issues come up, investigations arise, conditions are brought to our attention which require investigation. That is what the committee is set up for, and we try to do a good job. Sometimes we have to put on extra help.

As has been stated this morning by

chairmen of other committees, we sometimes find it necessary to go out and get professional staff people. In fact, we keep some all the time on a reimbursable basis. We do that so that when we no longer need them, we do not have them as permanent employees. I operate as economically as I know how. I am a little bit Scotch, at that.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. PERCY. This particular request has been made after most careful consideration by the minority. In the Government Operations Committee, of course, our ranking minority member is Senator MUNDT, and Senator MUNDT has worked with this committee for many, many years. His staff, headed by a very able staff assistant, has worked closely with us in making certain that, with one less member on the minority side, we try to do as effective and competent job as we possibly can.

I am now the acting ranking minority member of the Permanent Investigating Committee because of the rules of the Republicans that the second member down, Senator JAVITS, who holds a ranking position on another standing committee, would be succeeded by the next person, who is myself. As I have seen this committee operate, with the very limited staff we have, we undertook an investigation of the F–111, in which we demonstrated and proved that $8 billion had been spent to acquire several hundred aircraft, most of which are grounded today. In an investigation of that type, when we are up against generals, up against technical experts from the contractors, when we are putting ourselves on public record against the degree of competence and power that can be put against us, we are literally naked if we do not have adequate staff and investigation. If we make charges that are not substantiated, if we make accusations which cause disrepute to a contractor or a particular level of commanding officers in the Army or the Air Force, this would be a very serious thing.

As I have seen the staff, it has operated prudently, cautiously, and carefully. Our distinguished chairman has turned back, year after year, additional funds that were not needed. It is very difficult for us to see what the peaks and valleys may be.

The present investigation with respect to the post exchanges, which I have just left and which Senator RIBICOFF has just left, ended up this morning in policy changes that the Air Force has enunciated to us. They are going to take out slot machines that have been in the noncommissioned officers' messes for years. They are stopping practices that have been accepted year after year, excesses that lead to gangsterism-type tactics, kickbacks, and payoffs that literally cost the GI and the U.S. Government millions and millions of dollars.

For the cost of a few investigators, we are able to save the Government a great deal of money. We have asked for two additional men for the Executive Reorganization of Government. I will interview this afternoon some of the most competent staff men who have been retained by the Ash Commission. We are asked now to deal with an entire reorganization of government. The President has said that it is the most revolutionary change in government that a President has ever proposed. We are to consolidate eight departments down to four.

We all recall what happened when President Johnson just suggested the consolidation of Labor and Commerce—two departments to come together in a new Department of Economic Enterprise. The sweeping change that has been proposed by the President cannot be dealt with by our committee—and it will be dealt with by our committee—without adequate and competent help. We do not have that kind of personnel.

I cannot see that we have a dozen Senators working with their bare hands without adequate staff backup to probe, to dig, because we are talking about the transfer of hundreds of thousands of people. It affects their lifes. The cost alone of moving, just physically consolidating these operations, will be immense.

For us to do this without adequate staff, without adequate backup, without competent managerial and skilled personnel, I think would be the height of folly. It would be very pennywise and pound foolish for us not to ask for adequate staffing. When we come on this floor and we have had hearings on these sweeping changes in Government—that aspect of it dealing with revenue sharing alone affects every single level of government—for us to bring that proposed legislation to the floor and not have adequate backup for it would be wrong.

The requests are prudent and reasonable. They were first requested unanimously by the minority and were approved unanimously by the committee as a whole. I can assure the distinguished Senator, who has been the watchdog of the taxpayer for many, many years, that this return on investment will be higher than any other staffing I can put a finger on today. We will get a higher yield, a higher return, on investment than any place else of which I know. I would back that up at the end of the investigations just as I would today.

Mr. ELLENDER. As I have stated, I am not questioning at all the good work done by this committee. I do not know of a committee on the Hill that has done better work and has saved more for the Government than has the Government Operations Committee. I realize the additional amount of work that is to be done.

The thing that concerns me is that the committee is adding 14 people here, and the chairman of the committee came before the full committee and recommended eight less than is now being requested. It strikes me that if the chairman of that committee felt that with an additional four, instead of 14, the work could have been done, it should have remained at that number. If there are too many on the majority, they should be taken from the majority and some should be added to the minority. That is what I think should have been done. But in order to satisfy the minority, the committee is adding eight positions which the chairman said are not necessary. It is just that simple.

Mr. McCLELLAN. Mr. President, I would like to keep the record straight. I do not say they are not necessary or not needed. I said that in preparing the budget and operating as we had operated in the past, I did not include them. I did not have their request when I prepared the budget. I prepared the original budget on the basis as we had operated in the past. The budget already had been prepared and the resolution had been filed when the minority came to me and discussed this situation with me. I called upon them to present their amendment at the full committee, but I urged them to hold it down to the minimum they felt they could justify. It was justified, and we proceeded on that basis.

Something has been mentioned about this committee, with respect to the President's reorganization proposals. I have announced—I am sure with the acquiescence at least of the members of the committee—that the full committee will hold hearings on these reorganization proposals. The two subcommittees each might have jurisdiction of part of it. We will ask them to preside part of the time, and we will use their staffs since, of course, anyone working on a subcommittee staff can be required to help the full committee with its work. But when we go into the proposal to abolish seven departments of Government and create four instead—I believe the Department of Agriculture was among them—we are going to find a great deal of opposition, in my judgment, to this proposal. A searching inquiry will be made into the merits of the President's proposals as to whether they will produce economy and efficiency and whether they will improve the Government or not. I know that we will have the need of this professional help—all we can get.

Mr. ELLENDER. If the Senator will yield at that point, I notice that this subcommittee is under section 7—the Executive Reorganization and Government Research. The Senator added five—an increase of from eight to 13. Now since the committee as a whole will hold hearings on the reorganization plan——

Mr. McCLELLAN. I told the Senator exactly what we are doing——

Mr. ELLENDER. I understand that.

Mr. McCLELLAN. We will hold a meeting of the full committee so that each member may be present to participate, but we will use the staff of these subcommittees in different aspects of it, more phases of it, getting it to work and doing the work. This will be a Herculean task, and I think I know something about it. We have had reorganization plans heretofore that took a tremendous amount of hard work—just one reorganization plan. We have here one giant plan which involves seven Departments of Government as they exist today.

This review is not going to be simple, easy, or quickly done, whichever way we go. I do not know the answer. I have no preconceived judgments on this matter, I do know there is opposition to it, and that there will be more opposition to it. I realize that. It is only natural that those persons who believe in, say, the Department of Commerce, or the Department of Agriculture, or some other Department, will be drastically opposed to reorganization. So far as I am concerned, I think that the President should have a fair hearing and that is what we propose to do.

Mr. ELLENDER. I wonder whether employees other than those three Subcommittees on Government Operations could not help out.

Mr. McCLELLAN. They will help, only I do not propose to use them for that, because they have got more to do now than they can adequately handle.

Mr. ELLENDER. I want to stress that I am sure the Senator from Arkansas worked diligently on his budget. When the question came to fill the committee staff with minority members, it might have been a good thing to take some positions away from the majority.

Mr. PERCY. Mr. President, inasmuch as the Senator from Louisiana (Mr. Ellender) raised the question of the executive request, it is an excellent example of how we have tried prudently and carefully to manage our affairs this year. Before, that committee had one professional person assigned to the minority. I interviewed that particular individual, because this subcommittee will have the responsibility for the entire reorganization of the Government, as well as possibly the revenue sharing. That particular individual has been helpful to the Senator from South Dakota (Mr. Mundt) particularly on his Appropriations Committee work for Interior. In other words, there was not adequate minority staffing on Appropriations and the Senator from South Dakota (Mr. Mundt) has made this man the specialist in such matters as Interior. I happen to be the ranking minority member on Interior now on the Appropriations Committee and this man has thoughtfully offered to assist me and help me. I have no idea where I will get technical assistance and help otherwise, but he does not possess the kind of skill required.

We have asked, therefore, for an increase of two professional people at $26,000 apiece. I have been interviewing people to try to find the kind required to do the job. We have that underway. To start with, to talk to the Booz, Allen, Hamilton people at around $35,000 to $40,000, someone is going to have to give up a major job and come in here and take a job at a substantial reduction, and work twice as hard as they ever worked, probably, before in their lives. Those staff people will be under an impossible pressure as every Government agency will be lobbying—and certainly the lobbies all over Washington who have a vested interest in seeing that we do not reorganize or change the Government.

Mr. RIBICOFF. Mr. President, will the Senator from Illinois yield?

Mr. PERCY. I yield.

Mr. RIBICOFF. May I say to the distinguished Senator from Louisiana (Mr. Ellender) that it is obvious that all of us, including, I am certain, the Senator from Louisiana, realize that the Federal bureaucracy has long ago passed the time for massive reorganization. I have some questions in my mind as to whether the President's plan is a proper one. I could well say that after extensive hearings and investigation we in the Senate might come up with a reorganization proposal of our own, separate from that of the President.

Also, as we read in the newspapers, there is a great deal of opposition in Congress to it. Many Members of Congress have their own thoughts and ideas, and certainly many other people have a vested interest in different departments and agencies and are deeply concerned.

After talking to the Senator from Arkansas (Mr. McClellan), our distinguished chairman, I agree entirely that there will be extensive hearings. We will have the opportunity to be present at those hearings, because of the importance of the problem. Yet, the basic obligation and the work the chairman expects to participate in will be done primarily by the staff of the Subcommittee on Executive Reorganization. As a matter of fact, they are already engaged in much research on the reorganization program.

May I say to the Senator from Louisiana, because he happens to be chairman of the Appropriations Committee, that, at the present time, I am involved with the Permanent Investigations Subcommittee in undertaking a review and an investigation of the whole problem of clubs and PX's. Next to the Sears, Roebuck & Co., the biggest business in the entire world happens to be in clubs and PX's. It amounts to $6 billion. I have talked to the distinguished Senator, the chairman of the Armed Services Committee, the Senator from Mississippi (Mr. Stennis), and I would expect, as the Senator from Louisiana (Mr. Ellender) realizes, that all these funds are nonappropriated funds. They are neither authorized nor appropriated. So that it becomes apparent that after these investigations, it is not my intention that the committee, so to speak, will merely call attention to the wrongdoing, but will have a series of recommendations to make that we will submit to Congress. We will recommend that the authorization go to the Armed Services Committee and the appropriation go to the Appropriations Committee, so that Congress itself will have the understanding and the responsibility to authorize and appropriate these many billions of dollars.

As the distinguished chairman has said, there is no question in my mind that for every dollar we spend, we save many, many fold for the people of this country and for our Government.

Failure to approve this additional staff would be very shortsighted and would keep the committee from doing the excellent task it is expected to do, not only as a matter of policy, but also with respect to the great amount of money involved in the entire reorganization of the Federal Government.

I personally would feel a responsibility of looking very thoroughly into the entire problem of reorganization and giving a full and adequate hearing, not only to the many Senators who want to be heard, but also to every group in our society that is so deeply concerned with this massive reorganization.

Under the circumstances, I feel that the request of the chairman of the committee is justified.

Mr. PERCY. Mr. President, I thank the distinguished Senator from Connecticut. I can only point to one aspect of the reorganization that has been proposed. The chairman of the House Government Operations Committee has charged that one aspect of it alone would throw control of the entire fuel resources of the entire country to the fuel industry. Taking into account that it would encompass such operations as the Atomic Energy Commission, that is a very serious charge to make. Certainly we would want to be adequately staffed with counsel to research the implications of many of these proposals before we make any recommendations in connection with the reorganization plan being put forward.

I as a Senator could simply not in good conscience accept the responsibility for this legislation and for conducting hearings unless we had adequate personnel to do the staff work that would support our work.

I think we are trying to make the Senate far more effective by doing this. There is no boondoggling and no hanging around. These are very hard-working personnel. I would urge that the distinguished chairman of the Appropriations Committee take into account that, while there is wastage in the Senate, I can give him assurance that it is not to be found in this committee. This is a very hard-working committee. Dollar for dollar that we spend, $10, $20, and $30 is returned to the taxpayer time and again.

Mr. ELLENDER. Mr. President, as I have stated on past occasions, as well as today, this committee has done excellent work. There is no doubt about that. However, I have found, since I have been a Member of the Senate, that the more people we have on the committees, more studies are made by them instead of by the Senators.

It would seem to me that there has grown in the Senate over the years a condition whereby we have so many employees to get information for the Senators that many of the Senators depend too much on these employees to do the real work.

Mr. McCLELLAN. Mr. President, I ask unanimous consent to have printed in the Record a statement by the Senator from Washington (Mr. Jackson).

There being no objection, Senator Jackson's statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR JACKSON

The Senate has before it S. Resolution 31, which includes Section 5 requesting $205,000 for the work of the Subcommittee on National Security and International Operations. This request was voted by the Government Operations Committee and reported favorably by the Committee on Rules and Administration.

The request takes account of the requirement to budget for a 13-month period, the necessity of taking care of the recent 6% Congressional pay raise, and it allows us to fill a Subcommittee position with a first-rate professional expert on international negotiation in connection with our major inquiry now underway. The request includes $30,000 requested by the minority members of the Government Operations Committee and voted by the full committee, to permit the hiring of one minority professional staff and one clerical staff.

The Subcommittee is now conducting the first major Congressional inquiry on the process and problems of international negotiation. The focus of our inquiry is on the lessons to be learned from past and present experience in the conduct of negotiations. The Subcommittee is examining the difficulties and pitfalls as well as the opportunities for negotiation. It is seeking to get the central issues relating to international negotiation out in the open, to encourage, to the extent feasible, sounder attitudes and approaches.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the amendments to Senate Resolution 31 be considered en bloc.

The PRESIDING OFFICER. Is there objection? Without objection, the amendments are agreed to en bloc.

The question is on agreeing to the resolution as amended.

The resolution (S. Res. 31) as amended, was agreed to.

QUORUM

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL EXPENDITURES BY THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

The Senate proceeded to consider the resolution (S. Res. 34) authorizing additional expenditures by the Committee on Interior and Insular Affairs for inquiries and investigations.

Mr. CANNON. Mr. President, this resolution would authorize the Committee on Interior and Insular Affairs to expend not to exceed $200,000 during the present session of Congress for inquiries and investigations. During the last session the committee was authorized to expend not to exceed $180,000 for the same purpose. The pending request covers a 13-month period as opposed to a 12-month period last year.

The Committee on Rules and Administration has reported Senate Resolution 34 with no reduction in the amount requested.

The chairman of the Committee on Interior and Insular Affairs is Senator Jackson, and the ranking minority member is Senator Allott.

Mr. ELLENDER. Mr. President, this is another instance where thought was given by the chairman to the number of employees that the committee is empowered to employ. There have been no increases, and the additional costs have been absorbed.

The committee will do all of the work that it did last year, with what appears to be a small saving. I have it here, $4,365.

If I had my hat on, I would take it off to that chairman.

Mr. CANNON. Mr. President, they requested an increase of $20,000, which is enough to take care of the 13th month and the 6-percent increase. It would then leave them with a reduction of $6,700. In other words, if we use the amount they requested last year, plus the amount necessary to take care of the 13th month and the 6-percent increase, we see that they have requested a net reduction of $6,700.

Mr. ELLENDER. Mr. President, I am sorry that I overlooked that. The Senator is correct. The point is that with the additions they have made—by way of the 13th month and the 6-percent pay increase—they are still minus $4,365 under the $20,000 additional they have asked for.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 34) was agreed to, as follows:

S. Res. 34

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Interior and Insular Affairs, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

Sec. 2. The expenses of the committee under this resolution shall not exceed $200,000, of which amount not to exceed $6,000 shall be available for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended).

Sec. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 1972.

Sec. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL EXPENDITURES BY THE COMMITTEE ON THE JUDICIARY

The Senate proceeded to consider the resolution (S. Res. 32) authorizing additional expenditures by the Committee on the Judiciary for inquiries and investigations which had been reported from the Committee on Rules and Administration with amendments on page 2, line 8, after the word "exceed", strike out "$3,941,800" and insert "$3,861,300"; in line 18 after the word "exceed," strike out "$335,500" and insert "$325,500"; in line 23 after the word "exceed", strike out "$788,100" and insert "$778,100"; on page 3, line 3, after the word "exceed" strike out "$248,500" and insert "$228,500"; in line 24, after the word "exceed", strike out "$323,300" and insert $"308,300"; on page 4 line 7, after the word "exceed", strike out "$74,900" and insert "$59,900"; in line 10, after the word "exceed", strike out "$165,500" and insert "$155,000"; and in line 18, after the word "exceed", strike out "$10,800" and insert "$14,800"; so as to make the resolution read:

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on the Judiciary, for any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, for the purposes stated and within the limitations imposed by the following sections, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

Sec. 2. The Committee on the Judiciary, or any subcommittee therof, is authorized from February 1, 1971, through February 29, 1972, to expend not to exceed $3,861,300 to examine, investigate, and make a complete study of any and all matters pertaining to each of the subjects set forth below in succeeding sections of this resolution, said funds to be allocated to the respective specific inquiries and to the procurement of the services of individual consultants or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended) in accordance with such succeeding sections of this resolution.

Sec. 3. Not to exceed $325,500 shall be available for a study or investigation of administrative practice and procedure, of which amount not to exceed $2,000 may be expended for the procurement of individual consultants or organizations thereof.

Sec. 4. Not to exceed $778,100 shall be available for a study or investigation of antitrust and monopoly, of which amount not to exceed $5,000 may be expended for the procurement of individual consultants or organizations thereof.

Sec. 5. Not to exceed $228,500 shall be available for a study or investigation of constitutional amendments.

Sec. 6. Not to exceed $280,000 shall be available for a study or investigation of constitutional rights, of which amount not to exceed $3,000 may be expended for the procurement of individual consultants or organizations thereof.

Sec. 7. Not to exceed $210,000 shall be available for a study on investigation of criminal laws and procedures.

Sec. 8. Not to exceed $9,500 shall be available for a study or investigation of Federal charters, holidays, and celebrations.

Sec. 9. Not to exceed $243,500 shall be available for a study or investigation of immigration and naturalization.

Sec. 10. Not to exceed $259,400 shall be available for a study or investigation of improvements in judicial machinery.

Sec. 11. Not to exceed $620,000 shall be available for a study or investigation of internal security, of which amount not to exceed $3,900 may be expended for the procurement of individual consultants or organizations thereof.

Sec. 12. Not to exceed $308,300 shall be available for a study or investigation of juvenile delinquency, of which amount not to exceed $5,800 may be expended for the procurement of individual consultants or organizations thereof.

SEC. 13. Not to exceed $140,000 shall be available for a study or investigation of patents, trademarks, and copyrights.

SEC. 14. Not to exceed $59,900 shall be available for a study or investigation of national penitentiaries.

SEC. 15. Not to exceed $155,000 shall be available for a study or investigation of refugees and escapees.

SEC. 16. Not to exceed $63,600 shall be available for a study or investigation of revision and codification.

SEC. 17. Not to exceed $180,000 shall be available for a study or investigation of separation of powers between the executive, judicial, and legislative branches of Government, of which amount not to exceed $14,800 may be expended for the procurement of individual consultants or organizations thereof.

SEC. 18. The committee shall report its findings, together with such recommendations for legislation as it deems advisable with respect to each study or investigation for which expenditure is authorized by this resolution, to the Senate at the earliest practicable date, but not later than February 29, 1972.

SEC. 19. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. CANNON. Mr. President, this resolution as referred would authorize the Committee on the Judiciary to expend not to exceed $3,941,800 during the present session of Congress for inquiries and investigations. During the last session the committee was authorized to expend not to exceed $3,245,100 for the same purpose. The pending request covers a 13-month period as opposed to a 12-month period last year.

The Committee on Rules and Administration has amended Senate Resolution 32 by reducing the requested amount from $3,941,800 to $3,861,300, a reduction of $80,500.

The chairman of the Committee on the Judiciary is Senator EASTLAND, and the ranking minority member is Senator HRUSKA.

Subcommittee chairmen and ranking minority members are as follows:

Subcommittee	Chairman	Ranking minority member
Administrative Practice and Procedure	Senator Kennedy	Senator Thurmond.
Antitrust and Monopoly	Senator Hart	Senator Hruska.
Constitutional Amendments	Senator Bayh	Senator Fong.
Constitutional Rights	Senator Ervin	Senator Hruska.
Criminal Laws and Procedures	Senator McClellan	Senator Hruska.
Federal Charters, etc	Senator Hruska	Senator McClellan.
Immigration and Naturalization	Senator Eastland	Senator Fong.
Improvement in Judicial Machinery	Senator Burdick	Senator Hruska.
Internal Security	Senator Eastland	Senator Scott.
Juvenile Delinquency	Senator Bayh	Senator Cook.
Patents, Trademarks, etc	Senator McClellan	Senator Scott.
Penitentiaries	Senator Burdick	Senator Cook.
Refugees and Escapees	Senator Kennedy	Senator Fong.
Revision and Codification	Senator Ervin	Senator Scott.
Separation of Powers	Senator Ervin	Senator Mathias.

Mr. ELLENDER. Mr. President, as I have often pointed out, this committee today has more people on the payroll than all the committees put together in 1946 when the Reorganization Act was passed. I notice that the number of people today amounts to 198—17 of which are regular employees—that is, under the Reorganization Act, as well as resolutions adopted. There is also an additional contingent of 175 for investigative purposes. I cannot for the life of me see how that number of people can be employed fruitfully in these investigations.

I notice the recommendation of the Committee on Rules and Administration is to add six more people to the large number of people we now have. One of them is for the Subcommittee on Administrative Practice and Procedure, another is for the Subcommittee on Constitutional Amendments, another is for the Subcommittee on Federal Criminal Laws, and two for the Subcommittee on Refugees and Escapees.

I thought we were getting away from the refugee and escapee problem. Where do they come from? Here we are using 10 people to investigate that, and for what purpose? One is being added for the Subcommittee on Separation of Powers.

I know this committee has a good deal of work. I can well remember that the Senator from Mississippi (Mr. EASTLAND) has often said more bills come from the Committee on the Judiciary than from any other committee. That is true.

I can well remember when I was chairman of the Claims Committee, before the Reorganization Act. I did the work of that committee with two people, and the record will show that more bills were reported by that Claims Committee of which I was chairman than the rest of the Senate committees put together.

Here we have subcommittees that are headed by professionals and lawyers. In addition, there is the Department of Justice with a large number of lawyers. Then there is the Immigration and Naturalization Service, and they have a large number of lawyers.

So the work that is being done by this committee has increased in cost perhaps 500 times compared to what it was before 1946. To me it is unconscionable that so many people should be employed in the Committee on the Judiciary.

As I said, instead of having the regular 12 that other committees have, that committee has 17 regular employees, which means they have five additional specialists, plus 175 to investigate various programs.

I am not going to spend any more time arguing about this matter, but I think it is shameful for so many people to spend so much money—$3,941,800—to operate this committee.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CANNON. We reduced the overall request in committee by $80,500. Personally, I felt it probably could have been reduced more. That was the action of the committee. The Senator indicated that we approved six additional spaces. We did not act on the additional spaces. We felt that out of this reduction they probably will not be able to increase those six people they intend to increase; at least, we hope they will not, but we would leave them some flexibility.

We did not act on the total employee figure at all; we just acted on the total money figure.

Mr. ELLENDER. I understand the table from which I am reading was made up by the Committee on Rules and Administration.

Mr. CANNON. That is correct. They requested an increase of six, for a total of 198. We did not act on the total number of bodies. We acted to reduce their money request by $80,500 throughout the various subcommittees in the hope of reducing the number of bodies. They will have to reduce the number of bodies or not pay them as much as they expected to.

Mr. ELLENDER. I wonder if anyone could explain why it was necessary to add more positions for the Subcommittee on Refugees and Escapees. Can anybody give an explanation of that?

Mr. BAYH. Mr. President, the Senator from Indiana is not a member of that subcommittee, but I have attended meetings of the full Committee on the Judiciary and heard problems of that subcommittee discussed.

The Senator from Massachusetts, I think, is the chairman of that subcommittee. I think the record will show that with the hostilities that exist in Southeast Asia at this moment in history, in which we are embroiled in a confrontation that most of us feel is a war, one significant result has been of the increasing number of refugees.

If we are going to win the battle to win the minds and the hearts of the people of that area, which in the final analysis is what it is about, we have to find a way to deal with this large number of displaced persons and see that they are rehabilitated, that their lives are reconstituted, and that they have a new way to provide for themselves and their families, and that hopefully they will reinhabit those areas from which they came.

I do not have any way to speak with personal knowledge about those particular staff members. I was not in on the budget process in the subcommittee, but as I have stated, I have attended committee meetings of the Committee on the Judiciary when the matter was discussed.

Mr. ELLENDER. I brought this matter to the attention of the Senate. We have had the refugee and escapee problem facing us since World War II.

Today we have in our country almost a half-million Cubans. Some time ago I made the suggestion that our friends across the seas should assist us in this escapee and refugee problem. I suggested the countries to the south of us should contribute, but what have we gotten thus far? We have gotten a goose egg. Nothing.

To the contrary, they said:

> If you desire us to take refugees from Cuba, you will have to pay the expenses for them.

That is the kind of cooperation we got from our friends abroad. We carry the whole load, but nobody else seems to worry about that.

This committee, if it wants to do good work for the Senate, ought to look into the matter as to why our friends across the sea, whom we have helped, are not willing to help us solve the refugee problem.

Mr. CANNON. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc; and without objection, the resolution as amended is agreed to.

ADDITIONAL FUNDS FOR THE COMMITTEE ON LABOR AND PUBLIC WELFARE

The LEGISLATIVE CLERK. The Senate proceed to consider the resolution—Senate Resolution 35—to provide additional funds for the Committee on Labor and Public Welfare, which had been reported from the Committee on Rules and Administration with amendments on page 2, at the beginning of line 11, insert "$1,540,000"; in line 20, after the word "exceed", insert "$1,065,000"; in line 23, after the word "exceed", insert "$50,000"; on page 3, line 1, after the word "exceed", insert "$475,000"; in line 7, after the word "exceed", insert "$50,000"; and in line 16, after the word "aggregate", insert "$1,540,000"; so as to make the resolution read:

S. RES. 35

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Labor and Public Welfare, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, for the purposes stated and within the limitations imposed by the following sections, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The Committee on Labor and Public Welfare, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, to expend not to exceed $1,540,000 to examine, investigate, and to make a complete study of any and all matters pertaining to each of the subjects set forth below in succeeding sections of this resolution, said funds to be allocated to the respective specific inquiries and to the procurement of the services of individual consultants or organizations thereof (as authorized by section 202 (i) of the Legislative Reorganization Act of 1946, as amended) in accordance with such succeeding sections of this resolution.

SEC. 3. Not to exceed $1,065,000 shall be available for a study or investigation of all matters within its jurisdiction under rule XXV of the Standing Rules of the Senate, of which amount not to exceed $50,000 may be expended for the procurement of individual consultants or organizations thereof.

SEC. 4. Not to exceed $475,000 shall be available for an examination, investigation, and complete study of any and all matters pertaining to the United Mine Workers of America election of 1969 and a general study of pension and welfare funds, with special emphasis on the need for protection of employees covered by these funds, of which amount not to exceed $50,000 may be expended for the procurement of individual consultants or organizations thereof.

SEC. 5. The committee shall report its findings, together with such recommendations for legislation as it deems advisable with respect to each study or investigation for which expenditure is authorized by this resolution, to the Senate at the earliest practicable date, but not later than February 29, 1972.

SEC. 6. Expenses of the committee under this resolution, which shall not exceed in the aggregate $1,540,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. CANNON. Mr. President, this resolution would authorize the Committee on Labor and Public Welfare to expend not to exceed $1,540,000 during the present session of Congress for inquiries and investigation. During the last session the committee was authorized to expend not to exceed $1,235,000 for the same purpose. The pending request covers a 13-month period as opposed to a 12-month period last year.

The Committee on Rules and Administration has reported Senate Resolution 35 with no reduction in the amount requested.

The chairman of the Committee on Labor and Public Welfare is the Senator from New Jersey, (Mr. WILLIAMS), and the ranking minority member is the Senator from New York (Mr. JAVITS).

This amount is $121,809 more than the amount necessary to cover the 13th month plus the 6-percent increase plus the amount requested last year.

Mr. ELLENDER. Mr. President, on this resolution I expect to ask for a yea-and-nay vote. Here we have a subcommittee which is asking for additional personnel notwithstanding the fact that it has 30 regular employees provided under the original Reorganization Act plus the amendments thereto. In other words, there are 30 staff positions on the regular committee. Eighteen of them were added, as I have said, by special amendment of the law. Today, the committee is asking for three more for the investigative staff, for a total of 58 employees, over and above the 30.

Evidently, the Committee on Rules and Administration fails to take into consideration the fact that four of the responsibilities that were under the Committee on Labor and Public Welfare were moved to the Committee for Veterans Affairs, which will handle vocational rehabilitation of veterans, veterans hospitals, medical care and treatment of veterans, as well as civil relief and also readjustment of servicemen to civil life. All of those categories were handled by the Committee on Labor and Public Welfare previously. They were taken away from that committee and placed in the Committee on Veterans' Affairs.

Notwithstanding that decrease in work, the Committee on Rules and Administration approved three new positions. I think it is unconscionable to agree to that. The Committee on Labor and Public Welfare has been relieved of much of its work, yet we are providing more employees for it. Evidently there has not been given to this matter the consideration that should have been given.

On this question I ask for a yea-and-nay vote.

Mr. CANNON. Mr. President, I should like to make it perfectly clear that when the Committee on Rules and Administration added employees, we did not add anyone that the Committee on Labor and Public Welfare had not requested and justified before us. I did not necessarily agree to those additions. I moved to reduce the amount by, I believe, 50 percent as to all committees that requested excess amounts, but my position was not supported. The request for three additional persons was made by the Committee on Labor and Public Welfare. The Committee on Rules and Administration acted on that request and approved that number. So I would not want to have the record to appear that the Committee on Rules and Administration itself added those employees; we simply did not.

Mr. ELLENDER. I notice that the committee requested $1,540,000, and the Committee on Rules and Administration gave them that amount.

Mr. CANNON. That is correct; we approved their request.

Mr. ELLENDER. Exactly; but in that request, they had provided for the three additional positions, so they will have the money for that purpose.

Mr. CANNON. Yes. I am merely saying that I wanted to make it clear that the committee approved their request. We did not on our own add any employees. I would have liked to see them taken off.

Mr. ELLENDER. The Committee on Rules and Administration allowed every dime that was asked for.

A lot of work has been taken from the Committee on Labor and Public Welfare and has been placed in the Committee on Veterans' Affairs, another new committee has been created. That committee will be provided with six professionals and six clericals, at a cost of some $200,000. The work that committee will perform has in the past been performed by the Committee on Labor and Public Welfare. With that reduction in the work of that committee, we have given them $1,540,000, and they can add more employees to do less work than they had previously.

I remember very well that when former Senator Hill was chairman of the Committee on Labor and Public Welfare, we had a debate every time the matter came up. So he had the Senate adopt, over my protest, a resolution to increase the number of regular employees of that committee—that is, professionals—from six to 28.

Today we have 30, and that includes

the two that were added in the amendment to the Reorganization Act of 1946. So here is a committee which has 18 people added to the regular staff, and the Senate can do nothing about it here, because it is in the law.

In addition to those 30, we are adding 58 for the special investigations of that committee. And, I repeat, we have taken away a good deal of the work. Yet its chairman is asking for much more money and many more bodies. Mr. President, I think it is unconscionable for us to do a thing like that, and that is why I shall ask for a record vote on this resolution.

Mr. WILLIAMS. Mr. President, as chairman of the Committee on Labor and Public Welfare, I should like to address myself to the remarks of the very able and distinguished Senator from Louisiana. I do not know of any other Senator who is as careful to see that the committees of the Senate do their job properly.

I should like to point out to the Senator from Louisiana that this committee has jurisdiction and oversight on programs in the executive department which can be measured in many ways, but one way is by the number of personnel in the executive branch administering the programs that we authorize. There are 230,678 people employed in the executive branch administering programs first authorized by the Committee on Labor and Public Welfare. That is one way to measure the dimension of our responsibilities. Another is to look at that program in terms of its total money impact on the budget. That comes to $12.5 billion.

The Senator from Louisiana makes a great point that there are 88 "bodies" that are to be authorized under this resolution. That in fact is not what will happen. I point out to the Senator from Louisiana that we have available to us the experts of the General Accounting Office, and we have used them and it is fully intended to use them again and again, particularly on the pension study that is authorized under this resolution for the Committee on Labor and Public Welfare. Rather than simply adding bodies here, we are going to go wherever we can get the information we need, and on a reimbursable basis we intend in the future, as we have in the past, to use the GAO.

So, rather than see the picture of bodies, the Senate should realize that we with this resolution will be able to reach the most knowledge and the greatest talent to do our job. As a matter of fact, not only is the GAO available to the Committee on Labor and Public Welfare as the result of this resolution, if it is not disturbed, but there is new emphasis on using the Congressional Research Service. There again, while we budget in terms of staff members, as we know, we are already negotiating with the Congressional Research Service for an ongoing member of that organization, again on a reimbursable basis, to help with the work of the Committee on Labor and Public Welfare.

I state further to the Senator from Louisiana that a good part of the budget that was presented by this committee to the Committee on Rules, and fully understood by the Committee on Rules, deals with the largest reservoir of unregulated money in the United States of America—$125 billion in pension and welfare funds; and this today is unregulated to the point where I can show the Senate headline after headline on abuses; for example, here is one on the "United Mine Workers' Money Maze."

I would point out to the Senator from Louisiana that in a private case that is now underway in downtown Washington, brought against the United Mine Workers' pension plan, a great deal of the evidence used in that case, which is aimed at recouping lost money, was arrived at in this Labor and Public Welfare Committee, with assistance that we got from the GAO, and we got it from them on a reimbursable basis.

So I would urge upon the Senator from Louisiana his own personal scrutiny of exactly what the responsibility of this committee is, and the great dimension that is ours, and that he look to ways to make sure that this committee does its job right, and does not do a shoddy job of overseeing $12.5 billion expenditures in the executive department, and investigating and studying to understand the operation of $125 billion in pension funds, so that the Senate can do the right kind of job in both of these great areas.

I do not know how the motion comes about. I do not know that a motion has been put to seek a record vote on this matter. But it would seem to me that if we cut into this budget, we, charged with this broad responsibility, will not be equipped to do our job. And I can tell Senators this: The Labor and Public Welfare Committee of the Senate has a jurisdiction today much broader than that of our counterpart committee in the House of Representatives where the jurisdiction is divided at this time between two major committees. I think we have to do basically the same work of two House committees, in understanding all the health programs that have been assigned to our committee, all of the education programs, the temporary strike legislation that is before us, and the manpower programs.

These are all ours. It is as broad as that: Education, health, railroad retirement—which is critical—all of the emergency strike legislation; these are areas where we want to do the right kind of job.

I suppose that the Senate, on an emotional basis, could cut us back, and we will not be able to do the right job. That, of course, is up to the Senate. But I do urge the Senator from Louisiana, as we now go into the full effort at understanding the private pension and welfare funds in this country, that we not be cut back, because at this time we know that millions upon millions of dollars are lost because there are not national guidelines requiring fiduciary responsibility, and as a result, we have the actions that are now pending in private lawsuits against pension funds.

We want to see national standards securing that pension money, so that working men and women reaching retirement age will have that pension money that they thought they had as they worked through their 20 or 30 years under a pension plan.

This is a part of it, Mr. President. I certainly urge upon the Senator from Louisiana to think in terms of the dimensions of our responsibility, and how we meet that responsibility.

Mr. BYRD of West Virginia. Mr. President, will the Senator from Louisiana ask for the yeas and nays at this time, while sufficient Senators are in the Chamber?

Mr. ELLENDER. I ask for the yeas and nays.

Mr. ELLENDER. I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. Does the Senator wish the yeas and nays on an amendment or the adoption of the resolution?

Mr. ELLENDER. I am going to send an amendment to the desk.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that it be in order to order the yeas and nays on the Senator's amendment even though it has not been offered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The yeas and nays were ordered.

Mr. ELLENDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, I move that in Senate Resolution 35, on line 20, page 2, the figure "$1,065,000" be stricken and "$850,895" be inserted in lieu thereof; that on page 3, line 1, the figure "$475,000" be stricken and "$321,480" be inserted in lieu thereof.

The PRESIDING OFFICER. Is the Senator from Louisiana asking unanimous consent that these amendments be considered en bloc?

Mr. ELLENDER. Yes. I have another amendment. I want to insert on line 16, page 3, "$1,172,375." In other words, that amount is the total of the two figures I have just given.

The PRESIDING OFFICER. Does the Senator from Louisiana ask that these amendments be taken up before the first committee amendment is considered?

Mr. ELLENDER. So far as I am concerned, the three amendments I have offered can be considered en bloc, if there is no objection.

The PRESIDING OFFICER. Without objection, it is so ordered. And they will be acted on before the first committee amendment.

Mr. ELLENDER. Yes.

The PRESIDING OFFICER. Without objection, that is also ordered.

Mr. ELLENDER. Mr. President, as I stated heretofore, this committee has been released of much work that is now transferred to the Veterans' Affairs Committee. The first amendment I have submitted provides the same amount of money for section 3, General Investigations, as was provided for last year, plus $81,920 to provide for the 13th month plus, $48,975 for the 6 percent increase. That is how the figure of $850,895 was reached.

For the second subcommittee, under section 4 for an investigation of the United Mine Workers' election, which has been going on for quite some time now, we have provided for the same amount of money that was given last year, which amounts to $265,000, plus $36,540 for the 13th month and 6 percent increase on the salaries.

This amount on the salaries is a little more than should be provided, but it is just a few thousand dollars more. I figured it on the expenditures to be provided for in the resolution. This amount aggregates $1,172,350 instead of $1,540,000 provided for in section 6 of the bill.

With the transfer of the different responsibilities from the Labor and Public Welfare Committee, as I pointed out—and there are four different categories which have been transferred to Veterans' Affairs—the amount is more than sufficient. This does not affect the 30 employees provided for under resolutions passed, and under the Reorganization Act. In other words, the committee will still have 30 regular employees on it instead of 12, which the other standing committees have. The committee will have, as I just stated, the 55 additional employees they had last year.

Concerning the workload, I do not know what else is to be done, or can be done in this United Mine Workers' election that my good friend from New Jersey speaks of. They have been holding hearings on it for some time. I think that we have amply provided for that.

Mr. WILLIAMS. Mr. President, will the Senator from Louisiana yield at that point?

Mr. ELLENDER. In just 1 minute. It provides a sufficient sum of money for the employment of the extra people that were employed last year, amounting to 11.

What I am dealing with here are the two subcommittees, from which a lot of work has been transferred to the Veterans' Affairs Committee. It is my considered judgment that, after a study of this matter, that the amount should be sufficient.

I now yield to the Senator from New Jersey.

Mr. WILLIAMS. Mr. President, I heard what the Senator had to say about a study that has been going on for a year and a half. What study was that to which the Senator was referring?

Mr. ELLENDER. The United Mine Workers' election. The Senator mentioned that awhile ago.

Mr. WILLIAMS. I regret to say that the Senator is completely in error.

Mr. ELLENDER. Well, I have here before me——

Mr. WILLIAMS. As a matter of fact, we have not even reached the first year of full study—but let me back up——

Mr. ELLENDER. I have here, on section 4, United Mine Workers' election. How long has the Senator been working on that?

Mr. WILLIAMS. Less than a year. This deals with——

Mr. ELLENDER. The Senator spent $265,000 last year for that purpose. What the amendment I sent to the desk provides for is that the Senator will get the same amount of money, plus the 13th month, and the 6 percent on all employees who will work under that subcommittee. I think that is ample. Why would the Senator ask for four more positions on that, in view of the fact that Congress gave the Senator last year the additional employees for the regular committee and the Senator has got, aside from that, 18. This is something that no other committee has. No other committee has as many people on the standing committees who have been put there by law than the committee headed by my good friend from New Jersey

Mr. WILLIAMS. Well, of course, right there, as I read the list that has been provided—print No. 2—taking the first committee—the Appropriations Committee, and then following over, under the column broadly entitled, "Committee Employees, Permanent" I see Appropriations—full committee—and it says 30.

I do not understand why the Senator says that the Labor Committee was the only one that has 30.

Mr. ELLENDER. I said more than provided by law.

Mr. WILLIAMS. No. Under the Permanent Employees, Appropriations has 30. If the Senator would look at the far right——

Mr. ELLENDER. As the Senator knows, the Appropriations Committee is——

Mr. WILLIAMS. Different.

Mr. ELLENDER. Exempt from the staff provisions of the Legislative Reorganization Act.

Mr. WILLIAMS. I agree.

Mr. ELLENDER. It is exempt from the limitation that is applied to all standing committees. I want to say to my good friend from New Jersey that when I assumed the chairmanship of that committee, I found the number of employees shown here. I am now in the process of lowering the number of positions. I can assure my good friend from New Jersey that the appropriations committee, of which I am chairman, will not be overloaded with excess baggage.

What I hope to do is to reorganize the force there so that we can do the work. The Senator well knows that the Appropriation Committee handles all appropriations for every department of Government. But what I was laying stress on was the fact that all the standing committees today have under the new Reorganization Act 12 staff positions, whereas the Senator has 30.

Those are permanent. They were added by my good friend, the former Senator from Alabama, Mr. Hill, and also under the Reorganization Act that was amended last year. The Senator has in addition to the two subcommittees which provide 55 positions, 30 others. All together there are 85 staff employees on that committee.

I think that is ample. I do hope that the Senate agrees to my proposed amendment.

Mr. WILLIAMS. Mr. President, I think the record is quite clear as far as I am concerned. I do wish to correct the remaining error, that the mine workers study has been underway for a year and a half. It was just short of a year ago that we were authorized to look into the United Mine Workers' election.

If the Senator recalls, on December 9, 1969, there was an election of the United Mine Workers, following which there was the tragic murder of the Yablonski family. Following that, we received in the committee a great many charges of irregularities in the election procedures. We were asked as a committee by the Senate to look into that. It was nearly April when we started that. We will be concluding that investigation within a matter, I hope, of 3 or 4 months. As a matter of fact, we learned a great deal that has been useful to the Department of Labor. They moved in and went into district 5. In district 5 there has been at this point a turnabout, and those that had fought alongside Yablonski have had a temporary victory.

A lot of findings were made available by this committee. But we did not get into a full-scale study last year of the pension and welfare funds generally.

As I have said before, there are 34,000 of these pension plans that cover 28 million people. That is a reservoir of money estimated to be $125 billion.

Believe me, this is the most unwatched and unregulated reservoir of money that one could imagine. I am sure that the Senator would want us to do our job correctly.

In that period of time we did not use all of the money appropriated for the committee by the Senate. As of mid-February we had not spent $77,000 under Senate Resolution 360. So, recognizing the full-scale dimension of the pension plans and knowing that we already have established on a reimbursable basis the cooperation of the GAO and the Congressional Research Service, the 88 bodies, so-called by the Senator, will not necessarily be 88 staff people here. A great deal of the funds will be for reimbursement to these two other agencies, GAO and Congressional Research.

Mr. ELLENDER. Mr. President, the GAO, of course, is an arm of the Congress. The matter of the election is in the courts. I do not see what good could be derived from an investigation by the committee of a matter that is in the courts.

As I said, Congress gave the committee authority to investigate the matter. I am not trying to cut that out. I am continuing that at the same rate as last year.

These 30 employees are provided for in the regular legislative bill and are not to be mixed with these extra people the Senator is asking for.

The 30 employees that are permanent are still being provided for. They are not in contest here.

What I am trying to do is simply give the committee the same number of people it had last year, on those two subcommittees I have just mentioned, plus the 6-percent raise in salary. I think that ought to be satisfactory.

Mr. WILLIAMS. Mr. President, I think the Senator is cutting deeply into the marrow here and is attempting to do more than he suggests he is doing. As a matter of fact, this would cut us substantially below the authorization and appropriation last year. And he would do that to the extent of, I believe, $600,000.

So, this is not putting us on the level of last year, but is cutting us well below last year.

I would say that the legislation which has already reached this committee is a lot heavier than was the case last year.

Mr. ELLENDER. Mr. President, I understand the Cancer Research Committee has been eliminated. That is out. And under the tabulation the Senator has before him, he will find under general investigations that the Senate allowed his committee $720,000 for last year. Under Section 4, the miners' election, the Senate allowed the committee $265,000. That is not disturbed, as I have just stated. The committee will get that amount plus the 6 percent and funds for the 13th month.

That is enough to do the job. In addition, the committee is provided in the regular legislative bill with 30 employees instead of the 12 that all of the other standing committees have.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the senior Senator from Louisiana. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Texas (Mr. Bentsen), the Senator from Nevada (Mr. Bible), the Senator from Virginia (Mr. Byrd), the Senator from Mississippi (Mr. Eastland), the Senator from Georgia (Mr. Gambrell), the Senator from Oklahoma (Mr. Harris), the Senator from Indiana (Mr. Hartke), the Senator from South Carolina (Mr. Hollings), the Senator from Iowa (Mr. Hughes), the Senator from Minnesota (Mr. Humphrey), the Senator from Hawaii (Mr. Inouye), the Senator from Washington (Mr. Magnuson), the Senator from Montana (Mr. Metcalf), the Senator from New Mexico (Mr. Montoya), the Senator from Rhode Island (Mr. Pell), the Senator from Alabama (Mr. Sparkman), the Senator from Georgia (Mr. Talmadge), and the Senator from California (Mr. Tunney) are necessarily absent.

I also announce that the Senator from Washington (Mr. Jackson) is officially absent.

I also announce that the Senator from North Carolina (Mr. Jordan) is absent because of illness.

I further announce that, if present and voting, the Senator from Iowa (Mr. Hughes), the Senator from Minnesota (Mr. Humphrey), and the Senator from Washington (Mr. Jackson) would each vote "nay."

Mr. GRIFFIN. I announce that the Senator from Colorado (Mr. Allott) is absent on official business.

The Senator from New Jersey (Mr. Case), the Senator from Kentucky (Mr. Cook), the Senator from New Hampshire (Mr. Cotton), the Senators from Oregon (Mr. Hatfield and Mr. Packwood), the Senator from New York (Mr. Javits), the Senator from Kansas (Mr. Pearson), and the Senator from Ohio (Mr. Saxbe) are necessarily absent.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

Also, the Senator from New York (Mr. Buckley), the Senator from Kansas (Mr. Dole), the Senator from Arizona (Mr. Goldwater), and the Senator from Iowa (Mr. Miller) are necessarily absent.

The Senator from Tennessee (Mr. Brock) is detained on official business.

If present and voting, the Senator from Colorado (Mr. Allott) would vote "nay."

On this vote, the Senator from Tennessee (Mr. Brock) as paired with the Senator from Oregon (Mr. Hatfield). If present and voting, the Senator from Tennessee would vote "yea" and the Senator from Oregon would vote "nay."

On this vote, the Senator from Iowa (Mr. Miller) is paired with the Senator from New York (Mr. Javits). If present and voting, the Senator from Iowa would vote "yea" and the Senator from New York would vote "nay."

The result was announced—yeas 19, nays 46, as follows:

[No. 9 Leg.]

YEAS—19

Allen
Anderson
Bellmon
Bennett
Curtis
Ellender
Ervin
Fannin
Fulbright
Gravel
Gurney
Hansen
Hruska
Jordan, Idaho
Long
Symington
Thurmond
Tower
Young

NAYS—46

Aiken
Baker
Bayh
Beall
Boggs
Brooke
Burdick
Byrd, W. Va.
Cannon
Chiles
Church
Cooper
Cranston
Dominick
Eagleton
Fong
Griffin
Hart
Kennedy
Mansfield
Mathias
McClellan
McGee
McGovern
McIntyre
Mondale
Moss
Muskie
Nelson
Pastore
Percy
Prouty
Proxmire
Randolph
Ribicoff
Roth
Schweiker
Scott
Smith
Spong
Stennis
Stevens
Stevenson
Taft
Weicker
Williams

NOT VOTING—35

Allott
Bentsen
Bible
Brock
Buckley
Byrd, Va.
Case
Cook
Cotton
Dole
Eastland
Gambrell
Goldwater
Harris
Hartke
Hatfield
Hollings
Hughes
Humphrey
Inouye
Jackson
Javits
Jordan, N.C.
Magnuson
Metcalf
Miller
Montoya
Mundt
Packwood
Pearson
Pell
Saxbe
Sparkman
Talmadge
Tunney

So Mr. Ellender's amendment was rejected.

The PRESIDING OFFICER. The first committee amendment will be stated.

Mr. CANNON. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments are considered en bloc, and without objection they are agreed to.

Without objection, the resolution, as amended, is agreed to.

The PRESIDING OFFICER. The clerk will state the next resolution.

ADDITIONAL FUNDS FOR THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE

The Senate proceeded to consider the resolution (S. Res. 21) to provide additional funds for the Committee on Post Office and Civil Service.

Mr. CANNON. Mr. President, this resolution would authorize the Committee on Post Office and Civil Service to expend not to exceed $225,000 during the present session of Congress for inquiries and investigations. During the last session the committee was authorized to expend not to exceed $275,000 for the same purpose. The pending request covers a 13-month period as opposed to a 12-month period last year.

The Committee on Rules and Administration has reported Senate Resolution 21 with no reduction in the amount requested.

The chairman of the Committee on Post Office and Civil Service is Senator McGee, and the ranking minority member is Senator Fong.

Mr. President, I point out that the committee's request, when you consider the amount requested last year, the amount necessary to cover the 13th month, and the 6-percent increase, represents a reduction of $90,790, and a reduction of seven in the total number of personnel.

Mr. ELLENDER. Mr. President, I notice in this resolution that reductions have been made. I had planned to offer an amendment, but judging from the last vote, I think it is useless. By the last vote we have given to a committee more money than it had last year, when many of the categories over which they had jurisdiction were transferred to the Committee on Veterans' Affairs. To me, it is simply irrational for us to provide so much for the Committee on Labor and Public Welfare.

In regard to the Post Office and Civil Service Committee, it is true that there has been a reduction of seven people, but here is a committee that has on its regular payroll, provided by law, 13 employees, which are not in controversy at the moment. The subcommittee that was in effect last year had 17 employees, and that number has been reduced to 10.

Yet, it seems to me that the Post Office and Civil Service Committee could well do without the 10 extra that they have, for the simple reason that this committee no longer has under its jurisdiction the Post Office employees. As Senators will remember, we formed a corporation last year, giving that corporation the power to handle all the mail.

In addition, Mr. President, unfortunately the Senate passed a law giving to the President of the United States the power to fix the salaries of all classified employees, so that this committee has little or no work left for it except to look after what the President will do by way of reducing or increasing the salaries of classified employees.

It is my judgment that, with the 13 regular employees, there would be ample

personnel to take care of the work that is now the responsibility of the committee.

As to the last vote taken on the Committee on Labor and Public Welfare, as I pointed out, that committee has been relieved of duties that were transferred to the Committee on Veterans' Affairs. That committee, as I also pointed out, has 30 employees provided for in the legislative bill, which is not in contest here. In addition to those 30 employees, they have asked for and received from the Senate more money than they received last year, although they have been relieved of much of their work.

I point that out to the Senate, and let it go at that. I believe the public should **be made to realize what the Senate has just done. I regret that there were so few Senators present to listen to my remarks.**

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 21) was agreed to, as follows:

S. Res. 21

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Post Office and Civil Service, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

Sec. 2. The expenses of the committee under this resolution shall not exceed $225,000.

Sec. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 1972.

Sec. 4. Expenses of the committee under this resolution shall be paid from the contigent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL EXPENDITURES BY THE COMMITTEE ON PUBLIC WORKS

The Senate proceeded to consider the resolution (S. Res. 22) authorizing additional expenditures by the Committee on Public Works for inquiries and investigations.

Mr. CANNON. Mr. President, this resolution would authorize the Committee on Public Works to expend not to exceed $600,000 during the present session of Congress for inquiries and investigations. During the last session the committee was authorized to expend not to exceed $435,000 for the same purposes. The pending request covers a 13-month period as opposed to a 12-month period last year.

The Committee on Rules and Administration has reported Senate Resolution 22 with no reduction in the amount requested.

The chairman of the Committee on Public Works is Senator Randolph and the ranking minority member is Senator Cooper.

Mr. President, I might say that this request is $100,475 more than the amount requested last year, plus the amount necessary to cover the 13th month and the 6-percent increase.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 22) was agreed to, as follows:

S. Res. 22

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Public Works, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

Sec. 2. The expenses of the committee under this resolution shall not exceed $600,000, of which amount not to exceed $32,000 shall be available for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act, as amended).

Sec. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 1972.

Sec. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL EXPENDITURES BY THE COMMITTEE ON RULES AND ADMINISTRATION

The Senate proceeded to consider the resolution (S. Res. 28) authorizing additional expenditures by the Committee on Rules and Administration for a study of matters relating to privileges and elections.

Mr. CANNON. Mr. President, this resolution would authorize the Committee on Rules and Administration to expend not to exceed $113,000 during the present session of Congress for inquiries and investigations. During the last session the committee was authorized to expend not to exceed $150,000 for the same purpose. The pending request covers a 13-month period as opposed to a 12-month period last year.

The Committee on Rules and Administration has reported Senate Resolution 28 with no reduction in the amount requested.

The chairman of the Committee on Rules and Administration is Senator Jordan, and the ranking minority member is Senator Prouty. I am chairman of the Subcommittee on Privileges and Elections, which would utilize the funds requested, and Senator Prouty is the ranking minority member.

I point out to the distinguished Senator from Louisiana that our overall request is $59,250 less than the amount requested last year, plus the amount necessary to cover the 13th month and the 6-percent increase.

We have tried to follow the same procedure. We would like to have seen some of the other committees be consistent with the Senate's actions today with reference to these resolutions.

We also have a net reduction of two personnel under the number we had last year.

Mr. ELLENDER. Mr. President, I compliment the Senator from Nevada, and express the wish that others could have done the same as he. Many of these committees have additional employees that are not provided for here, by resolution, but are authorized under the regular legislative act. I am quite certain that if the facts were known to many Senators voting in the negative on my proposed amendment, they might have voted otherwise.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 28) was agreed to, as follows:

S. Res. 28

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Rules and Administration, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, for the purposes stated and within the limitations imposed by the following sections, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent shall be paid from the contingent fund of the Senate upon Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

Sec. 2. The Committee on Rules and Administration, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, to expend not to exceed $113,000 to examine, investigate, and make a complete study of any and all matter pertaining to—

(1) the election of the President, Vice President, or Members of Congress;

(2) corrupt practices;

(3) contested elections;

(4) credentials and qualifications;

(5) Federal elections, generally; and

(6) presidential succession.

Sec. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 1972.

Sec. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL EXPENDITURES BY THE SELECT COMMITTEE ON SMALL BUSINESS

The Senate proceeded to consider the resolution (S. Res. 19) authorizing additional expenditures by the Select Committee on Small Business.

Mr. CANNON. Mr. President, this resolution would authorize the Select Committee on Small Business to expend not to exceed $153,000 during the present session of Congress for inquiries and investigations. During the last session the select committee was authorized to expend not to exceed $175,000 for the same purpose. The pending request covers a 13-month period as opposed to a 12-month period last year.

The Committee on Rules and Administration has reported Senate Resolution 19 with no reduction in the amount requested.

The chairman of the Select Committee on Small Business is Senator BIBLE and the ranking minority member is Senator JAVITS.

I may say to the distinguished Senator from Louisiana that their request is $47,959 less than the amount requested last year, plus the amount necessary to cover the 13th month and the 6-percent pay increase. They also have requested a net reduction of two in the number of their personnel.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 19) was agreed to as follows:

S. RES. 19

Resolved, That the Select Committee on Small Business, in carrying out the duties imposed upon it by S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, as amended and supplemented, is authorized to examine, investigate, and make a complete study of the problems of American small and independent business and to make recommendations concerning those problems to the appropriate legislative committees of the Senate.

SEC. 2. For purposes of this resolution, the committee, or any subcommittee thereof, is authorized from February 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency, (4) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, in the same manner and under the same conditions as a standing committee of the Senate may procure such services under section 202(i) of the Legislative Reorganization Act of 1946, and (5) to provide assistance for the members of its professional staff in obtaining specialized training, in the same manner and under the same conditions as any such standing committee may provide that assistance under section 202(j) of such Act.

SEC. 3. The expenses of the committee under this resolution shall not exceed $153,000, of which amount (1) not to exceed $500 shall be available for the procurement of the services of individual consultants, or organizations thereof, and (2) not to exceed $750 shall be available for the training of the professional staff of such committee.

SEC. 4. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date.

SEC. 5. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

EXPENDITURES BY THE SELECT COMMITTEE ON EQUAL EDUCATIONAL OPPORTUNITY

The Senate proceeded to consider resolution (S. Res. 49) authorizing expenditures by the Select Committee on Equal Educational Opportunity, which had been reported from the Committee on Rules and Administration with an amendment.

Mr. CANNON. Mr. President, this resolution as referred would authorize the Select Committee on Equal Educational Opportunity to expend not to exceed $494,000 during the present session of Congress for inquiries and investigations. During the last session, the select committee was authorized to expend not to exceed $375,000 for the same purpose. The pending request covers a 13-month period, as opposed to a 12-month period last year.

The Committee on Rules and Administration has amended Senate Resolution 49 by reducing the requested amount from $494,000 to $479,000, a reduction of $15,000.

The chairman of the Select Committee on Equal Educational Opportunity is Senator MONDALE, and the ranking minority member is Senator HRUSKA.

Mr. ELLENDER. Mr. President, I wonder whether we could have an explanation of what has been done by this committee up to now. As I recall, it is supposed to be a temporary committee; and I presume that, as many other committees that were created on a temporary basis, it has become permanent.

Mr. MONDALE. I am glad that the Senator from Louisiana has propounded that question.

It is our desire and our expectation to conclude the work of this committee at the end of the resolution, which expires at the end of February 1972. I have indicated to the Rules Committee that that is our objective.

We have had a very intensive period of work. We have held 45 hearings. We have heard 158 witnesses. I will submit the topic matters discussed at our hearing. I ask unanimous consent to have printed at this point in the RECORD excerpts from our memorandum to the Rules Committee which further details that activity and our future plans.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXCERPTS FROM MEMORANDUM

THE COMMITTEE'S ACTIVITIES IN 1970

The activities of the select committee to date have focused on the extent to which racial and ethnic isolation in school deny equal educational opportunities to children throughout America; the extent to which a combination of racial; ethnic and socio-economic integration can provide equal educational opportunities; and the extent to which integration is a feasible remedy under a variety of demographic situations.

These activities involved extensive hearings at which 158 witnesses were heard during 48 days of hearings.

The committee began its inquiry with 11 days of overview hearings intended to provide an introduction to the issues related to school integration and equal educational opportunity. They included a preliminary review of: the effects of racial or ethnic isolation in the schools on black, white, Mexican-American and Indian children; proposals such as educational parks and various forms of urban-suburban and interdistrict cooperation that are designed to remedy the problems of racial or ethnic isolation; voluntary school integration efforts in Hartford, Conn.; Berkeley, Calif.; Detroit, Mich.; and Boston, Mass.; recommendations for innovations and services concerning the use of television to further school integration and equal educational opportunities; the relation of school decentralization and community participation to school integration and equal educational opportunity, and the problems of racial isolation confronting American Indians.

Following a joint hearing with the Education Subcommittee on June 9, 1970, at which former HEW Secretary, Robert Finch and former Commissioner of Education, James Allen testified on the proposed Emergency School Aid Act of 1970, the select committee held 17 days of additional hearings on the progress and problems related to school desegregation under Federal law. These hearings were designed to provide an understanding of the Federal Government's desegregation actions under the 14th amendment and the Civil Rights Act of 1964 throughout the Nation—North, South, East, and West—the quality of the desegregation plans being accepted, and proposals for improvements in the school desegregation program.

In August the committee held 4 days of hearings on the effects of ethnic isolation of Mexican-Americans. These hearings represented the committee's initial efforts to explore the extent to which ethnic isolation or ethnic discrimination in the schools—especially in cases involving language and cultural differences—deny equal educational opportunity. These hearings also included discussions of related problems and programs such as the inequality of financial and other resources and efforts to achieve greater equality of opportunity through bilingual and compensatory efforts that exist in many of the school districts that are attempting to deal with problems of ethnic isolation and discrimination.

During the fall the committee held 11 days of introductory hearings on the causes of and remedies for de facto segregation. These hearings focused on the reasons for racial or ethnic isolation in the schools including local zoning practices; the Government's policy with respect to the location of low-income housing; and school boards' decisions concerning attendance zones, assignment of teachers, and the location of new schools. In addition, these hearings were designed in part to examine the issue of unequal school financing and its relationship to racial and ethnic isolation and the denial of equal educational opportunities. Three hearings, for example, explored the extent to which inequalities in school financing occur in conjunction with and contribute to the problems of segregation and resegregation.

FUTURE PLANS

During 1971, the committee plans to explore in depth the problems of racial and ethnic isolation and unequal educational opportunity. Specifically, it hopes to examine thoroughly questions such as:

Where have efforts to integrate worked, and why?

Where have efforts to integrate failed, and why?

How can integration efforts be structured so that they assure maximum educational advantage to all students?

What are the social and other costs of racial isolation and educational disadvantage?

Where is integration feasible in the near term and where must alternative methods for assuring equal educational opportunities be proposed? How should feasibility be determined? What are the alternatives?

What are the relative merits of school integration versus education in isolation from the standpoint of educational achievement?

What is the effect of isolation of poor white children in urban and rural areas?

What is the relative importance of racial integration, socio-economic integration, and ethnic integration in providing equal educational opportunity?

What is the "tipping point" under various demographic circumstances?

What are the causes of white flight and how can resegregation be prevented?

What are the elements of equal educational opportunity beyond the formal mixing of minority and majority group children in school?

What is the relationship between the inequality of resources and the problems of minority group isolation, and how can such problems be resolved?

What are the particular educational needs of Mexican-American, Indian and other minority-groups experiencing language differences as well as ethnic isolation and discrimination, and what policies and programs should be proposed to alleviate their problems?

Under what particular conditions are specific proposals such as magnet schools, urban-suburban cooperation, educational parks, busing, decentralization, school district consolidation and other proposals related to school integration feasible and desirable?

The committee believes that these issues should be explored firsthand through inclusion of case studies and field visits in our series of hearings and investigations. For example, we hope to hold extensive hearings in a number of large cities to explore the multiple educational difficulties faced by students in large, urban, majority-black and majority disadvantaged school systems. Cities with large concentrations of Mexican-American students, Puerto Rican students, and Indian students would be included. Field visits to one or more medium or small size cities, as well as rural areas, to determine how similar problems relating to high concentrations of minority group or disadvantaged students have been or might be solved under different demographic circumstances are also contemplated. These field hearings would be designed to provide a firsthand examination of the problems of racial and ethnic isolation and efforts to provide equal educational opportunity in a variety of circumstances throughout the Nation.

Mr. ELLENDER. I thank the distinguished Senator. I am very hopeful that the prognostication he made will come to pass. Of course, I have heard that often as to other committees, particularly as to the next one coming up, the Select Committee on Nutrition and Human Needs. That was supposed to end after the first year, but I note that they are coming back for more money. What they are going to investigate this time, I do not know.

Mr. MONDALE. I may say to the Senator from Louisiana that I hope to have the work of my committee ended as quickly as possible.

The PRESIDING OFFICER. The clerk will state the committee amendment.

The legislative clerk read as follows:

On page 2, line 20, after the word "exceed", strike out "$494,000" and insert $479,000".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 49), as amended, was agreed to, as follows:

S. RES. 49

Resolved, That (a) in studying the effectiveness of existing laws and policies in assuring equality of educational opportunity in accordance with Senate Resolution 359, Ninety-first Congress, agreed to February 19, 1970, as amended and supplemented, the Select Committee on Equal Educational Opportunity is authorized from February 1, 1971 through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, (3) to subpena witnesses and documents, (4) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel, information, and facilities of any such department or agency, (5) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, in the same manner and under the same conditions as a standing committee of the Senate may procure such services under section 202(i) of the Legislative Reorganization Act of 1946, (6) to interview employees of the Federal, State, and local governments and other individuals, and (7) to take depositions and other testimony.

(b) The minority shall receive fair consideration in the appointment of staff personnel pursuant to this resolution. Personnel assigned to the minority shall be accorded equitable treatment with respect to the fixing of salary rates, the assignment of facilities, and the accessibility of committee records.

SEC. 2. The expenses of the committee under this resolution shall not exceed $479,000, of which amount not to exceed $20,000 shall be available for the procurement of the services of individual consultants or organizations thereof.

SEC. 3. The committee shall make the final report required by such Senate Resolution 359, together with such recommendations as it deems advisable, at the earliest practicable date, but not later than February 29, 1972.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL EXPENDITURES BY THE SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS

The Senate proceeded to consider the resolution (S. Res. 23) continuing and authorizing additional expenditures by the Select Committee on Nutrition and Human Needs.

Mr. CANNON. Mr. President, this resolution would authorize the Select Committee on Nutrition and Human Needs to expend not to exceed $280,000 during the present session of Congress for inquiries and investigations. During the last session the select committee was authorized to expend not to exceed $246,000 for the same purpose. The pending request covers a 13-month period as opposed to a 12-month period last year.

The Committee on Rules and Administration has reported Senate Resolution 23 with no reduction in the amount requested.

The chairman of the Select Committee on Nutrition and Human Needs is Senator MCGOVERN, and the ranking minority member is Senator PERCY.

Mr. ELLENDER. Mr. President, I have just referred to this committee. This is one in which the work was supposed to have been completed last year. The record shows that they asked for an extension and that the extension was granted to file the report, which I thought would be final. Here we are again, providing for more money than was spent last year.

The amount of money first asked was $25,000 to start this program of investigation. Later, $250,000 was requested, and with that amount the Senate was given to understand that this work would be completed.

As I have often said, there is nothing more permanent than one of these temporary committees.

Last year—that is, during 1970—the committee received $246,000, and this year they are asking for $280,000. We see ourselves spending $801,000 for a committee that was supposed to complete its work in the first year of its existence, and it is still going strong.

Mr. President, I ask that a tabulation showing the history of the funds made available to this committee be printed in the RECORD at this point.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS

Authority	Allotment	Limitation
S. Res. 281, July 30, 1968	Established, no funds	June 30, 1969
S. Res. 394, Oct. 4, 1968	$25,000	Oct. 4, 1968 through Jan. 31, 1969.
S. Res. 68, Feb. 18, 1969	$250,000	Feb. 1, 1969 through Dec. 31, 1969.
S. Res. 279, Dec 12, 1969		Through Jan. 31, 1970.
S. Res. 323, Feb. 16, 1970	$246, 000	Feb. 1, 1970 through Jan. 31, 1971.
S. Res. 23 reported	$280, 000	Feb. 1, 1971 through Feb. 29, 1972.

Note: Total past authorizations, $521,000; Total including current Resolution, $801,000.

Mr. ELLENDER. Mr. President, I also ask that a collection of statements taken from the record of past debates on extending this select committee also be placed in the RECORD at this point.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

SENATE SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS

CONGRESSIONAL RECORD, volume 114, part 23, page 29579: S. Res. 394: Authorized funds for Select Committee on Nutrition and Human Needs: "The select committee is directed to study the food, medical, and other related basic needs among the people of the United States, and to report back to the appropriate committees of the Senate, terminating its activities not later than June 30, 1969."

CONGRESSIONAL RECORD, volume 114, part 18, page 24161: Mr. CLARK. "Mr. President, the resolution as reported from the committee calls for the select committee to report back to the Senate and terminate its activities not later than the opening of the 91st Congress. Faced with the realties of our heavy Senate schedules, I do not believe that this target date will give the select committee time for adequate implementation of its task.

Mr. President, I ask unanimous consent that the resolution be amended by striking out, on page 3, line 7, the words "the opening of the 91st Congress" and substituting therefor "not later than June 30, 1969." The purpose of this amendment is to give the committee created by the resolution appropriate time to prepare its report and report back to the legislative committees of the Senate."

The PRESIDING OFFICER. "The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 281), as amended, was agreed to, as follows: and terminate its activities not later than June 30, 1969."

CONGRESSIONAL RECORD, volume 115, part 3, page 3668: Mr. CURTIS. "Frankly, I cannot see how we could find out who the hungry are in a 1-year senatorial investigation."

Mr. McGOVERN. "I have no way of knowing whether we could do it in 1 year, either. I think that we can. I think that we can get enough information to assist the Senate, the House, and the administration in making needed changes through legislation, administrative order, or both.

Granted, 1 year is a short time in which to deal with a problem as far-reaching as this one. So let us not stretch out the time needlessly by crippling this committee with a $100,000 cut, one which would be pennywise and pound foolish.

* * * * *

Mr. PERCY. "If I may answer the distinguished Senator, as we analyzed the budget, we decided this committee should not be a continuing committee. The continuing function should be carried on by the agencies.

"We had a question as to whether or not we could focus attention in a period of 12 months in various areas of the country, taking the Northern States, the Southern States, the Eastern and Western States, taking the rural and urban poverty, all types of families, and taking them as specific cases, so we could turn this body of evidence over and give impetus to a program that should be recommended and carried out by the administration." CONGRESSIONAL RECORD, volume 115, part 3, page 3673.

Mr. COOK. "I would say to the Senator from Nebraska that I am asking for this restoration, not for a block by block survey in this country, because the situation is in existence—it is here now—but I am asking for his help on the sound and logical basis that an answer to this problem must be found. It can be found here. We can only hope that, by the restoration of these funds, and the fact that this resolution also calls for the specific cut-off for this committee, an answer to this problem can be found, because it must be found." CONGRESSIONAL RECORD, volume 115, part 3, page 3676.

* * * * *

Mr. JAVITS. "So we have to prove the facts. And how are we going to prove them? If we can get $250,000, which is not a great deal of money, considering the way we spend money around here, with the firm commitment by Senator McGOVERN himself and the whole committee that it will last only until the end of the calendar year, it will go out and prove the facts on two grounds: First, that the situation exists; that it is pervasive; that it affects millions of people, including hundreds of thousands of children; second, that the governmental machinery, somehow or other, just is not working in order to deal with it. We have no other recourse but what I consider to be a commitment—and I think the whole committee is committed to it, operating under a tight budget—to utilize the necessary resources to do the job." CONGRESSIONAL RECORD, volume 115, part 3, page 3676.

* * * * *

Mr. JORDAN of North Carolina. "In addition tion to the Select Committee on Nutrition and Human Needs, two subcommittees of the Senate will be carrying on somewhat similar studies during the coming year.

In his appearance before the Senate Rules Committee, Senator RIBICOFF, chairman of the Subcommittee on Executive Reorganization, of the Committee on Government Operations, emphasized that his subcommittee, during the coming year, would concentrate on the 21 separate departments and agencies involved in health care in America. Senator YARBOROUGH, chairman of the Subcommittee on Health, of the Committee on Labor and Public Welfare, also plans to make an intensive study of health problems and legislation related thereto." CONGRESSIONAL RECORD, volume 115, part 3, page 3684.

* * * * *

Mr. BYRD of Virginia. "Mr. President, it is not often that the Senator from Virginia supports an appropriation greater than that recommended by the appropriate committee. Today, however, I have listened to the debate, and it seems to me that the Senator from South Dakota (Mr. McGOVERN) has made a good case. I am impressed also by the fact that the Select Committee on Nutrition and Human Needs has a termination date. In view of all this, it seems to me that the figure which the Senator from South Dakota (Mr. McGOVERN) seeks is not an unreasonable one, and I shall support his amendment." CONGRESSIONAL RECORD, volume 115, part 3, page 3684.

The PRESIDING OFFICER. The question is on agreeing to the resolution. (Putting the question.) The noes appear to have it.

Mr. ALLEN. Mr. President, I ask for a division vote.

The PRESIDING OFFICER. A division is requested.

All those in favor of the resolution stand and be counted.

All those opposed stand and be counted.

Mr. CANNON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. ALLEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLEN. Mr. President, I call on the Chair to announce the result of the division vote.

Mr. McGOVERN. Mr. President, I ask for the yeas and nays on this matter.

The PRESIDING OFFICER. Is there a sufficient second?

There was not a sufficient second.

Mr. McGOVERN. Mr. President, I suggest the absence of a quorum.

Mr. ALLEN. Mr. President, a point of order. The absence of a quorum cannot be suggested while the vote is in progress, and all the Chair has to do is to announce the result of the previous vote.

The PRESIDING OFFICER (Mr. ROTH). The yeas and nays have been requested. That can be done before the results are announced. In fact, it must be done before it is announced.

Mr. ALLEN. The call for the yeas and nays was not sustained, and all the Chair had to do was to announce the result of the division vote.

The PRESIDING OFFICER. The yeas and nays not being ordered, the quorum call can be demanded and the clerk will call the roll.

Mr. McGOVERN. Mr. President, I intend to ask that the quorum call be live.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 10 Leg.]

Aiken
Allen
Beall
Bellmon
Boggs
Byrd, W. Va.
Cannon
Chiles
Church

Ellender
Ervin
Fannin
Griffin
Humphrey
Long
McGee
McGovern
McIntyre

Mondale
Nelson
Percy
Randolph
Roth
Scott
Spong
Young

The PRESIDING OFFICER. A quorum is not present.

Mr. BYRD of West Virginia. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After some delay, the following Senators entered the Chamber and answered to their names:

Anderson
Baker
Bayh
Bennett
Brock
Brooke
Buckley
Burdick
Cooper
Cranston
Curtis
Dominick
Eagleton
Fong
Fulbright

Gravel
Gurney
Hansen
Hart
Hollings
Hruska
Jordan, Idaho
Kennedy
Mansfield
Mathias
McClellan
Moss
Muskie
Pastore
Prouty

Proxmire
Ribicoff
Schweiker
Smith
Stennis
Stevens
Stevenson
Symington
Taft
Thurmond
Tower
Weicker
Williams

The PRESIDING OFFICER. A quorum is present.

Mr. McGOVERN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. McGOVERN. Mr. President, I urge Senators to support Senate Resolution 23, which calls for an extension of the life of the Select Committee on Nutrition and Human Needs, the so-called hunger committee.

The committee's budget of $280,000 for 1971 represents an actual decrease of $2,490 from the 1970 budget. Our 1970 budget was $246,000.

The fact that all committees are now budgeted for 13 months rather than for 12, together with the 6-percent salary raise authorized by the Federal Pay Comparability Act of 1970, represents a change that has occurred in the budget of this committee. Taking these new factors into account, the budget for 1971 is $2,690 below the budget we acted upon last year.

The select committee has, in my opinion, an excellent record and is highly deserving of this extension. The sad thing to me is that the committee's merit of new life comes chiefly not because of our accomplishments, but because of the continued existence of poverty-related hunger and malnutrition in America.

This committee, the Congress, and the Federal Government as a whole have much to be proud of in our efforts to come to grips with the shameful paradox of millions of poor and hungry people in the most affluent nation on earth.

Some progress, of course, has been made and I think a great deal of the credit for that progress in the fight against hunger can be attributed to the efforts generated by this committee. Our successes have been realized because of the truly bipartisan nature of this committee effort.

There has never been a time when partisanship was injected into the hearings or into the work of this special select committee. The distinguished Senator from Illinois (Mr. PERCY), who now serves as the ranking minority member of the committee, has continued in the same tradition set by the Senator from New York (Mr. JAVITS) when he was the ranking minority member of the committee, and the relationships among the members of this select committee dealing with the problems of hunger have at all times been on a nonpartisan basis. But, as we all now fully understand, progress has been slow and our failure to end hunger in America in the past year outweighs our progress toward that final goal.

As such, I and other members of the committee have conceded our overoptimism in thinking back in 1968 that 1 short year would be an adequate life for a committee whose mandate requires it "to study the food, medical, and other related basic human needs among the people of the United States." As a matter of fact, it took our entire first year to document the extent, incidence, causes, and consequences of hunger and malnutrition in America. It really took that long to simply bring hunger before the national conscience of this country in an effective manner.

Since that time, the number of poor Americans participating in food programs has risen from 6 to 12 million of America's total of nearly 25 million eligible poor persons. We have increased the funding for Federal food assistance programs by more than $1½ billion.

The Congress has passed and the President has signed into law a new School Lunch Act that guarantees a free or reduced-price lunch to every needy school child. We also passed a Food Stamp Act which, while containing serious flaws, does extend food benefits to more hungry Americans.

But the shame of hunger is still on our national conscience. An estimated 12 or 13 million eligible poor people are still without Federal food assistance and over 4 million needy schoolchildren still do not receive free or reduced-price school lunches. I commend the President on his stated purpose of seeing to it that those children are reached with a free or reduced-price lunch, and I think that the work of this committee can be helpful in achieving that goal. Our primary responsibility in the next year will be to determine how we can best close this existing malnutrition and hunger gap in the United States.

Mr. President, the committee has in no way broadened its original mandate from the Senate. On the contrary, we have specifically focused our efforts on the nutritional problems of the poor people in America, and only insofar as other problems have impinged on the problem of nutritional health have we extended the investigation of our committee.

The Congress and the President have now pledged themselves firmly to the elimination of hunger in this Nation. It is essential that the Select Committee on Nutrition and Human Needs continue for another year to participate in this effort. Hopefully, by that time we will be able to claim victory in this, our most urgent domestic undertaking.

Our subjects for study and action will be an extension of this past year's activity. Our No. 1 priority will be to exercise continuing oversight in implementing the school lunch reform measures passed by the last Congress.

The next priority of the committee will revolve around our activities to insure the implementing of improvements in the recently passed Food Stamp Act of last year, as well as seeking further improvements in that program. I believe the importance of that undertaking cannot be overestimated, since the food stamp program is at the very heart of the effort to end hunger in this country.

We also have a commitment to report to the Agriculture Committee and the Senate on the need for extension and improvement of the school breakfast program, the authorization for which expires this coming June.

We are currently holding hearings on the followup to the White House Conference on Food, Nutrition, and Health held on February 5, 1971, in Williamsburg. The conference chairman, Dr. Jean Mayer, who has been working as a consultant to President Nixon, felt it was vital that the select committee monitor the conference and its recommendations, and we are attempting, as a committee, to do that.

In addition, we shall this year study the direct commodity distribution program, fraud, and other abuses in the food stamp program, and the effect of the administration's executive reorganization plan upon our national nutrition programs.

I think the committee members have been very careful in defining our goals and activities for the coming year. In conclusion, I would only like to say that I believe we finally have defined the problem and realized the limitations of our present mechanisms to deal with the very serious problem of hunger and malnutrition. We must now encourage and direct the national will necessary to deal fully with the realities of hunger and malnutrition in this country.

For that reason, I hope my colleagues will support Senate Resolution 23, now pending before the Senate, to extend the life of this very vital committee.

Mr. **SCHWEIKER**. Mr. President, I wish to register my strong support for Senate Resolution 23 and for the extension of the Select Committee on Nutrition and Human Needs for another full year.

I agree with the contentions that the select committee should not continue indefinitely. Eventually, the functions of the committee should be absorbed into the appropriate existing committees of the Senate. Nevertheless, as a new member of the committee it is evident to me that the committee's activities should not be ended this year. During the period of time in which the select committee has been established and funded, that is from 1968 to date, a great deal of progress has been made in the war on hunger and this committee is responsible for much of what has been done. The number of Americans participating in food programs has increased from 6 to 12 million of the 25 million poor people in this country. Funding for food programs have increased by more than $1½ billion.

Last year, the select committee conducted broadly based hearings into many aspects of the hunger problem. Twenty-two days of formal hearings were held, including extensive hearings concerning welfare reform and its relationship to Federal food programs.

The committee has mapped out its activities for 1971, which include a consideration of the amendments to the National School Lunch Act, particularly with regard to the national eligibility standards. I feel that these oversight hearings are urgently needed in order to guarantee that children receive the free or reduced price lunches as intended by Congress in this legislation.

The committee will also consider the implementation of improvements in the Food Stamp Act passed by Congress last year, the school breakfast legislation which expires this coming June, the direct commodity distribution program, problems of fraud in the food stamp program, the relationship between deteriorated living conditions and health, and a matter in which I am particularly interested, a study of the present national nutrition policy for the purpose of formulating a comprehensive national policy and providing recommendations for implementation of such a policy to Congress.

Mr. President, during the existence of the select committee we have discovered much about the problems of hunger and malnutrition which are evident in this country. The White House Conference on Food, Nutrition, and Health has provided us with valuable information on what is required and the recent followup conference in Williamsburg provided dramatic evidence of the urgent need for us to continue to focus on this serious national problem. We are just beginning the battle, and I believe that it is essential that the Senate continue the existence of the select committee for another year so that we can continue the valuable work which has already been done. With the great resources of this country, the problem of hunger should be a temporary one—let us continue the temporary existence of the select committee for another year so that we can provide the Senate with the kind of penetrating analysis which the subject of hunger so urgently deserves.

Mr. **KENNEDY**. Mr. President, once again we must act to extend the Select Committee on Nutrition and Human Needs. I want the committee's activities continued because the problems of those who are hungry have continued. Sparked by the committee's examination of hunger in America, sporadic attacks on the hunger crisis have been generated over the past 2 years. Yet, for those who are poor, the pains of hunger have not been brought to an end.

Food stamps and surplus commodities are feeding about 12 million persons now. Free school lunches go to 6 million children. But, at least 25 million poor are deprived of an adequate diet.

Sitting as a member of this committee, I have studied repeated evidence of the existence of chronic hunger and malnutrition in the United States. We have even learned of specific cases of kwashiorker—the tragically consuming disease that saps the lifeblood and all of the body's energy.

Testimony received by the committee just last week revealed cases of youngsters starving and suffering from this deadly killer disease.

Three million children go to bed each night without a decent meal. They always wake up hungry. Shamefully, food assistance programs are deliberately designed to provide only two-thirds the volume of food per person estimated to be an absolute minimum for nutritional health.

Most of us have to admit that existing assistance programs do not provide the means to insure even minimum well-being for the unfortunate. The notion that an abundantly adequate subsidy for the "worthy" factors of our economy has not yet spilled over to the care we allocate for the poor.

This is not a problem, however, that is insoluble. Many experts agree that Federal food assistance programs are not bad devices. With enough money and flexibility they can be effective.

Encouraging advances on this front have emerged in the struggle to produce results—particularly because of the committee's work. It is important to note that the rate of funding requested for the extension of the committee for another year is at the same level as that approved last year. As stated by our committee chairman, one of the most vital tasks still ahead for the nutrition committee is to "exercise continuing oversight" of Federal food assistance programs, in order to insure that all needy people receive the full benefit of these programs.

For the coming year, the members of the committee have agreed on a full agenda that includes hearings to—

First. Examine ways to improve the food stamp program.

Second. Consider expansion of the present school breakfast program.

Third. Review the recommendations and suggest legislation to implement the recommendations of the White House Conference on Nutrition.

Fourth. Prepare a comprehensive report of the commodity distribution program.

Fifth. And finally, upon the recommendation of Senators SCHWEIKER and BELLMON, this committee will consider the development of a national nutrition policy. Hopefully that policy will be helpful in providing an answer to the baffling problem of how we can end hunger now.

Mr. President, I am deeply committed to all of the aims and tasks of the Nutrition Committee. It is not enough that the committee's past work has produced a move toward the kind of change we all want to see, but we are committed to ending the rhetoric about feeding the poor and starting to deliver foodstuffs that will fill the empty stomachs of the poor.

I would like to see the Senate sustain its commanding lead in the assault on ending hunger in America. What we must seek to achieve is a comprehensive system that guarantees an adequate diet for every American. The hunger emergency can be ended with new and innovative responses to this critical problem.

The least we can do as representatives of the poor is to endorse the effective programs committed to doing something about their plight. The Nutrition Committee has brought to light many of the injustices suffered by the poor. By continuing the committee, we shall serve notice that this Senate intends to continue the struggle against needless nutritional suffering. I strongly endorse the extension of this committee because of its far-reaching goals and I look forward to efforts that will bring about the changes we want to insure.

Mr. CRANSTON. Mr. President, as a newly appointed member of the Select Committee on Nutrition and Human Needs, I wish to comment on the need for the Senate to approve Senate Resolution 23, continuing the committee through February 29, 1972, and authorizing additional funds for this period.

The committee has pinpointed a number of areas for investigation during 1971, including an examination of the commodity distribution program. The committee also plans to hold hearings on possible abuses within the present operation of the food stamp program, and to look into the relationship between deteriorated living conditions and health.

During the first 2 days of hearings in 1971—February 23 and 24—the committee heard testimony which brought home the fact that hunger and malnutrition still exist and persist in America. The committee has made a substantial contribution to the expansion and improvement of the school lunch program and the food stamp program. But it is all too clear from the recent testimony on health conditions in migrant camps in Colorado that these improved programs still are not reaching the chronically poor and malnourished.

I believe that another year of investigation and hearings in these vital areas of the national interest may make it possible for us to put an end to hunger in America, to put an end to this terrible waste of human resources, to put an end to this useless suffering. Accordingly, I urge Senators to approve Senate Resolution 23, continuing, and authorizing additional expenditures by, the Select Committee on Nutrition and Human Needs.

The PRESIDING OFFICER. The question is on agreeing to the resolution. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Nevada (Mr. BIBLE), the Senator from Virginia (Mr. BYRD), the Senator from Mississippi (Mr. EASTLAND), the Senator from Georgia (Mr. GAMBRELL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from Iowa (Mr. HUGHES), the Senator from Hawaii (Mr. INOUYE), the Senator from Washington (Mr. MAGNUSON), the Senator from Montana (Mr. MANSFIELD), the Senator from Montana (Mr. METCALF), the Senator from New Mexico (Mr. MONTOYA), the Senator from Rhode Island (Mr. PELL), the Senator from Alabama (Mr. SPARKMAN), the Senator from Georgia (Mr. TALMADGE), and the Senator from California (Mr. TUNNEY) are necessarily absent.

I also announce that the Senator from Washington (Mr. JACKSON) is absent on official business.

I also announce that the Senator from North Carolina (Mr. JORDAN) is absent because of illness.

I further announce that, if present and voting, the Senator from Iowa (Mr. HUGHES), the Senator from Washington (Mr. JACKSON), and the Senator from Washington (Mr. MAGNUSON) would each vote "yea".

Mr. GRIFFIN. I announce that the Senator from Colorado (Mr. ALLOTT) is absent on official business.

The Senator from New Jersey (Mr. CASE), the Senator from Kentucky (Mr. COOK), the Senator from New Hampshire (Mr. COTTON), the Senators from Oregon (Mr. HATFIELD and Mr. PACKWOOD), the Senator from New York (Mr. JAVITS), the Senator from Kansas (Mr. PEARSON), and the Senator from Ohio (Mr. SAXBE) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

Also, the Senator from Kansas (Mr. DOLE), the Senator from Arizona (Mr. GOLDWATER), and the Senator from Iowa (Mr. MILLER) are necessarily absent.

If present and voting, the Senator from Oregon (Mr. HATFIELD) would vote "yea."

On this vote, the Senator from Colorado (Mr. ALLOTT) is paired with the Senator from Iowa (Mr. MILLER). If present and voting, the Senator from Colorado would vote "yea" and the Senator from Iowa would vote "nay."

The result was announced—yeas 51, nays 17, as follows:

[No. 11 Leg.]

YEAS—51

Aiken
Anderson
Baker
Bayh
Beall
Boggs
Brooke
Burdick
Byrd, W. Va.
Cannon
Chiles
Church
Cooper
Cranston
Dominick
Eagleton
Fong
Fulbright
Gravel
Griffin
Hart
Hollings
Humphrey
Jordan, Idaho
Kennedy
Mathias
McClellan
McGee
McGovern
McIntyre
Mondale
Moss
Muskie
Nelson
Pastore
Percy
Prouty
Proxmire
Randolph
Ribicoff
Roth
Schweiker
Scott
Smith
Spong
Stevens
Stevenson
Symington
Taft
Weicker
Williams

NAYS—17

Allen
Bellmon
Bennett
Brock
Buckley
Curtis
Ellender
Ervin
Fannin
Gurney
Hansen
Hruska
Long
Stennis
Thurmond
Tower
Young

NOT VOTING—32

Allott
Bentsen
Bible
Byrd, Va.
Case
Cook
Cotton
Dole
Eastland
Gambrell
Goldwater
Harris
Hartke
Hatfield
Hughes
Inouye
Jackson
Javits
Jordan, N.C.
Magnuson
Mansfield
Metcalf
Miller
Montoya
Mundt
Packwood
Pearson
Pell
Saxbe
Sparkman
Talmadge
Tunney

So the resolution (S. Res. 23) was agreed to, as follows:

S. Res. 23

Resolved, That the Select Committee on Nutrition and Human Needs, established by S. Res. 281, Ninetieth Congress, agreed to on July 30, 1968, as amended and supplemented, is hereby extended through February 29, 1972.

Sec. 2. (a) In studying matters pertaining to the lack of food, medical assistance, and other related necessities of life and health, the Select Committee on Nutrition and Human Needs is authorized from February 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, (3) to subpena witnesses and documents, (4) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel, information, and facilities of any such department or agency, (5) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, in the same manner and under the same conditions as a standing committee of the Senate may procure such services under section 202(i) of the Legislative Reorganization Act of 1946, (6) to interview employees of the Federal, State, and local governments and other individuals; and (7) to take depositions and other testimony.

(b) The minority shall receive fair consideration in the appointment of staff personnel pursuant to this resolution. Such personnel assigned to the minority shall be accorded equitable treatment with respect to the fixing of salary rates, the assignment of facilities, and the accessibility of committee records.

Sec. 3. The expenses of the committee under this resolution shall not exceed $280,000, of which amount not to exceed $10,000 shall be available for the procurement of the services of individual consultants or organization thereof.

Sec. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. McGOVERN. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. CANNON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTIONS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled joint resolutions:

S.J. Res. 31. Joint resolution extending the date for transmission to the Congress of the Report of the Joint Economic Committee; and

S.J. Res. 44. Joint resolution to extend the time for the proclamation of marketing quotas for burley tobacco for the three marketing years beginning October 1, 1971.

ADDITIONAL EXPENDITURE BY THE SPECIAL COMMITTEE ON AGING

The Senate proceeded to consider the resolution (S. Res. 27) continuing and authorizing additional expenditures by the Special Committee on Aging.

Mr. CANNON. Mr. President, this resolution would authorize the Special Committee on Aging to expend not to exceed $380,000 during the present session of Congress for inquiries and investigations. During the last session the special committee was authorized to expend not to exceed $239,000 for the same purpose. The pending request covers a 13-month period as opposed to a 12-month period last year.

The Committee on Rules and Administration has reported Senate Resolution 27 with no reduction in the amount requested.

The chairman of the Special Committee on Aging is Senator Church, and the ranking minority member is Senator Prouty.

Mr. President, the amount requested was $105,550 more than the amount approved last year, plus the amount necessary to cover the 6-percent increase and the 13th month.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 27) was agreed to, as follows:

Resolved, That the Special Committee on Aging, established by S. Res. 33, Eighty-seventh Congress, agreed to on February 13, 1961, as amended and supplemented, is hereby extended through February 29, 1972.

Sec. 2. (a) The committee shall make a full and complete study and investigation of any and all matters pertaining to problems and opportunities of older people, including but not limited to, problems and opportunities of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing and, when necessary, of obtaining care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill, or otherwise have legislative jurisdiction.

(b) A majority of the members of the committee or any subcommittee thereof shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of taking sworn testimony.

Sec. 3. (a) For purposes of this resolution, the committee is authorized from February 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to hold hearings, (3) to sit and act at any time or place during the sessions, recesses, and adjournment periods of the Senate, (4) to require by subpena or otherwise the attendance of witnesses and the production of correspondence, books, papers, and documents, (5) to administer oaths, (6) to take testimony orally or by deposition, (7) to employ personnel, (8) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel, information, and facilities of any such department or agency, and (9) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, in the same manner and under the same conditions as a standing committee of the Senate may procure such services under section 202(i) of the Legislative Reorganization Act of 1946.

(b) The minority shall receive fair consideration in the appointment of staff personnel pursuant to this resolution. Such personnel assigned to the minority shall be accorded equitable treatment with respect to the fixing of salary rates, the assignment of facilities, and the accessibility of committee records.

Sec. 4. The expenses of the committee under this resolution shall not exceed $380,000, of which amount not to exceed $17,000 shall be available for the procurement of the services of individual consultants or organizations thereof.

Sec. 5. The committee shall report the results of its study and investigation, together with such recommendations as it may deem advisable, to the Senate at the earliest practicable date, but not later than February 29, 1972. The committee shall cease to exist at the close of business on February 29, 1972.

Sec. 6. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL FUNDS FOR THE COMMITTEE ON APPROPRIATIONS

The resolution (S. Res. 11) to provide additional funds for the Committee on Appropriations was considered and agreed to as follows:

Resolved, That the Committee on Appropriations hereby is authorized to expend from the contingent fund of the Senate, during the Ninety-second Congress, $50,000, in addition to the amount and for the same purpose, specified in section 134(a) of the Legislative Reorganization Act, approved August 2, 1946.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

Mr. BYRD of West Virginia. Mr. President, I ask that the Chair lay before the Senate the pending business.

The PRESIDING OFFICER (Mr. Roth). The Chair lays before the Senate the pending business which will be stated by title.

The assistant legislative clerk read as follows:

A motion to proceed to the consideration of the resolution (S. Res. 9) amending rule XXII of the Standing Rules of the Senate with respect to the limitation of debate.

The Senate resumed the consideration of the motion.

CONCLUSION OF CALENDAR CALL

Mr. BYRD of West Virginia. Mr. President, action has been completed on Calendar No. 24; has it not?

The PRESIDING OFFICER. The Senator is correct.

Mr. BYRD of West Virginia. Mr. President, that completes the call of the calendar.

ORDER FOR RECESS TO 10:30 A.M.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in recess until 10:30 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR SYMINGTON TOMORROW

Mr. BYRD of West Virginia. Mr President, I ask unanimous consent that tomorrow, immediately following the approval of the Journal, if there is no objection, and the recognition of the two leaders or their designees under the standing order the able Senator from Missouri (Mr. SYMINGTON) be recognized for not to exceed 1 hour for the purpose of conducting a colloquy.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Order Nos. 28 and 29.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

AMENDMENT OF THE RURAL ELECTRIFICATION ACT

The Senate proceeded to consider the bill (S. 70) to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes, which had been reported from the Committee on Agriculture and Forestry with amendments on page 12, line 17, after the word "of," strike out "loans" and insert "loan"; on page 18, after line 12, strike out:

"(7) No portion of any loan made under this Act shall be used to finance any political activities prohibited under sections 600, 601, 610, 611, and 612 of title 18, United States Code, and prior to the making of any loan the borrowing entity shall agree in writing not to engage in any such prohibited political activities during the term of such loan.

And at the beginning of line 20, strike out "(8)" and insert "(7)"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the policy of the Congress that the growing capital needs of the rural telephone systems require the establishment of a rural telephone bank which will furnish assured and viable sources of supplementary financing with the objective that said bank will become an entirely privately owned, operated, and financed corporation. The Congress further finds that many rural telephone systems require financing under the terms and conditions provided in title II of the Rural Electrification Act of 1936, as amended. In order to effectuate this policy, the Rural Electrification Act of 1936, as amended (7 U.S.C. 921–924), is amended as hereinafter provided.

SEC. 2. The Rural Electrification Act of 1936, as amended, is amended by adding the following two new titles:

"TITLE III

"SEC. 301. RURAL TELEPHONE ACCOUNT.—There is hereby established in the Treasury of the United States an account, to be known as the rural telephone account, consisting of so much of the net collection proceeds (as defined in section 406(a) of this Act) as the Administrator may determine necessary to provide for investment in the capital stock of the Rural Telephone Bank in accordance with such section 406(a): *Provided,* That such investment shall be deemed paid in capital of the said bank notwithstanding that funds representing the proceeds from the sale of such stock shall remain in the rural telephone account until required for actual disbursement in cash by the said bank.

"SEC. 302. DEPOSIT OF ACCOUNT MONEYS.—Moneys in the rural telephone account shall remain on deposit in the Treasury of the United States until disbursed.

"TITLE IV

"SEC. 401. ESTABLISHMENT, GENERAL PURPOSES, AND STATUS OF THE TELEPHONE BANK.—(a) There is hereby established a body corporate to be known as the Rural Telephone Bank (hereinafter called the telephone bank).

"(b) The general purposes of the telephone bank shall be to obtain an adequate supply of supplemental funds to the extent feasible from non-Federal sources, to utilize said funds in the making of loans under section 408 of this title, and to conduct its operations to the extent practicable on a self-sustaining basis.

"(c) The telephone bank shall be deemed to be an instrumentality of the United States, and shall, for the purposes of jurisdiction and venue, be deemed a citizen and resident of the District of Columbia. The telephone bank is authorized to make payments to State, territorial, and local governments in lieu of property taxes upon real property and tangible personal property which was subject to State, territorial, and local taxation before acquisition by the telephone bank. Such payment may be in the amounts, at the times, and upon such terms as the telephone bank deems appropriate but the telephone bank shall be guided by the policy of making payments not in excess of the taxes which would have been payable upon such property in the condition in which it was acquired.

"SEC. 402. GENERAL POWERS.—To carry out the specific powers herein authorized, the telephone bank shall have power to (a) adopt, alter, and use a corporate seal; (b) sue and be sued in its corporate name; (c) make contracts, leases, and cooperative agreements, or enter into other transactions as may be necessary in the conduct of its business, and on such terms as it may deem appropriate; (d) acquire, in any lawful manner, hold, maintain, use, and dispose of property: *Provided,* That the telephone bank may only acquire property needed in the conduct of its banking operations or pledged or mortgaged to secure loans made hereunder or in temporary operation or maintenance thereof: *Provided further,* That any such pledged or mortgaged property so acquired shall be disposed of as promptly as is consistent with prudent liquidation practices, but in no event later than five years after such acquisition; (e) accept gifts or donations of services, or of property in aid of any of the purposes herein authorized; (f) appoint such officers, attorneys, agents, and employees, vest them with such powers and duties, fix and pay such compensation to them for their services as the telephone bank may determine; (g) determine the character of and the necessity for its obligations and expenditures, and the manner in which they shall be incurred, allowed, and paid; (h) execute, in accordance with its bylaws, all instruments necessary or appropriate in the exercise of any of its powers; (i) collect or compromise all obligations assigned to or held by it and all legal or equitable rights accruing to it in connection with the payment of such obligations until such time as such obligation may be referred to the Attorney General for suit or collection; and (j) exercise all such other powers as shall be necessary or incidental to carrying out its functions under this title.

"SEC. 403. SPECIAL PROVISIONS GOVERNING TELEPHONE BANK AS AN AGENCY OF THE UNITED STATES UNTIL CONVERSION OF OWNERSHIP, CONTROL, AND OPERATION.—Until the ownership, control, and operation of the telephone bank is converted as provided in section 410 (a) of this title and not thereafter—

"(a) the telephone bank shall be an agency of the United States and shall be subject to the supervision and direction of the Secretary of Agriculture (hereinafter called the Secretary): *Provided, however,* That the telephone bank shall at no time be entitled to transmission of its mail free of postage, nor shall it have the priority of the United States in the payment of debts out of bankrupt, insolvent, and decedents' estates;

"(b) in order to perform its responsibilities under this title, the telephone bank may partially or jointly utilize the facilities and the services of employees of the Rural Electrification Administration or of any other agency of the Department of Agriculture, without cost to the telephone bank;

"(c) the telephone bank shall be subject to the provisions of the Government Corporation Control Act, as amended (31 U.S.C. 841, et seq.), in the same manner and to the same extent as if it were included in the definition of 'wholly owned Government corporation' as set forth in section 101 of said Act (31 U.S.C. 846);

"(d) the telephone bank may without regard to the civil service classification laws appoint and fix the compensation of such officers and employees of the telephone bank as it may deem necessary;

"(e) the telephone bank shall be subject to the provisions of sections 517, 519, and 2679 of title 28, United States Code.

"SEC. 404. GOVERNOR.—Subject to the provisions of section 410, the Administrator of the Rural Electrification Administration shall serve as the chief executive officer of the telephone bank (herein called the Governor of the telephone bank). Except as to matters specifically reserved to the Telephone Bank Board in this title, the Governor of the telephone bank shall exercise and perform all functions, powers, and duties of the telephone bank.

"SEC. 405. BOARD OF DIRECTORS.—(a) The management of the telephone bank, within the limitations prescribed by law, shall be vested in a board of directors (herein called the Telephone Bank Board) consisting of thirteen members.

"(b) The Administrator of the Rural Electrification Administration and the Governor of the Farm Credit Administration shall be members of the Telephone Bank Board. Five other members of the Telephone Bank Board shall be designated by the President to serve at his pleasure, three of whom shall be officers or employees of the Department of Agriculture but not officers or employees of the Rural Electrification Administration, and two of whom shall be from the general public and not officers or employees of the Federal Government. The Administrator and other officers and employees of the Department of Agriculture and the Governor of the Farm Credit Administration shall serve as members without additional compensation.

"(c) As soon as practicable after enactment of this title, the President of the United States shall appoint six additional members of the initial Telephone Bank Board to be selected from the directors, managers, and employees of any entities eligible to borrow from the telephone bank and of organizations controlled by such entities, with due regard to fair representation of the rural telephone systems of the Nation. The six members thus appointed shall serve until their successors shall have been duly elected in accordance with subsection (d).

"(d) Within twelve months following the appointment of the six members of the initial Board as provided in subsection (c), the Governor of the telephone bank shall call a meeting of all entities then eligible to borrow from the telephone bank and organizations controlled by such entities for the purpose of electing members of the Telephone Bank Board. Each such entity and organization shall be entitled to notice of and shall have one noncumulative vote at said meeting. Six members of the Telephone Bank Board shall be elected for a two-year term, three from among the directors, managers, and employes of cooperative-type entities eligible to vote and organizations controlled by such entities, and three from among the managers, directors, and employees of commercial-type entities eligible to vote and organizations controlled by such entities. These six members shall be elected by majority vote of the entities and organizations eligible to vote and such entities and organizations may vote by proxy.

"(e) Thereafter, in accordance with the bylaws of the telephone bank, the six members of the Telephone Bank Board shall be elected by holders of class B and class C stock, three from among the directors, managers, and employees of cooperative-type entities and organizations controlled by such entities holding class B or class C stock, and three from among the directors, managers, and employees of commercial-type entities and organizations controlled by such entities holding class B or class C stock. These six members shall be elected by majority vote of the entities and organizations eligible to vote and such entities and organizations may vote by proxy.

"(f) Any Telephone Bank Board member may continue to serve after the expiration of the term for which he is elected until his successor has been elected and has qualified. Telephone Bank Board members designated from the general public, pursuant to subsection (b), or appointed or elected pursuant to subsections (c), (d), and (e), shall receive $100 for each day or part thereof, not to exceed one hundred days per year for the first three years after enactment of this title and not to exceed fifty days per year thereafter, spent in the performance of official duties, and shall be reimbursed for travel and other expenses in such manner and subject to such limitations as the Telephone Bank Board may prescribe.

"(g) The Telephone Bank Board shall prescribe bylaws, not inconsistent with law, regulating the manner in which the telephone bank's business shall be conducted, its directors and officers elected, its stock issued, held, and disposed of, its property transferred, its bylaws amended, and the powers and privileges granted to it by law exercised and enjoyed.

"(h) The Telephone Bank Board shall meet at such times and places as it may fix and determine, but shall hold at least four regularly scheduled meetings a year, and special meetings may be held on call in the manner specified in the bylaws of the telephone bank.

"(i) The Telephone Bank Board shall make an annual report to the Secretary for transmittal to the Congress on the administration of this title IV and any other matters relating to the effectuation of the policies of title IV, including recommendations for legislation.

"Sec. 406. Capitalization.—(a) The telephone bank's capital shall consist of capital subscribed by the United States, by borrowers from the telephone bank, by corporations and public bodies eligible to become borrowers from the telephone bank, and by organizations controlled by such borrowers, corporations, and public bodies. Beginning with the fiscal year 1971 and for each fiscal year thereafter, the United States shall furnish capital for the purchase of class A stock and there are hereby authorized to be appropriated from net collection proceeds in the rural telephone account created under title III of this Act such amounts, not to exceed $30,000,000 annually, for such purchases until such class A stock shall equall $300,000,000: *Provided,* That on or before July 1, 1975, the Secretary shall make a report to the President for transmittal to the Congress on the status of capitalization of the telephone bank by the United States with appropriate recommendations. As used in this section and section 301, the term 'net collection proceeds' shall be deemed to mean payments from and after July 1, 1969, of principal and interest on loans heretofore or hereafter made under section 201 of this Act, less an amount representing interest payable to the Secretary of the Treasury on loans to the Administrator for telephone purposes pursuant to section 3(a) of this Act.

"(b) The capital stock of the telephone bank shall consist of three classes, class A, class B, and class C, the rights, powers, privileges, and preferences of the separate classes to be as specified, not inconsistent with law, in the bylaws of the telephone bank, Class B and class C stock shall be voting stock, but no holder of said stock shall be entitled to more than one vote, nor shall class B and class C stockholders, regardless of their number, which are owned or controlled by the same person, group of persons, firm, association, or corporation, be entitled in any event to more than one vote.

"(c) Class A stock shall be issued only to the Administrator of the Rural Electrification Administration on behalf of the United States in exchange for capital furnished to the telephone bank pursuant to subsection (a), and such class A stock shall be redeemed and retired by the telephone bank as soon as practicable after June 30, 1985, but not to the extent that the Telephone Bank Board determines that such retirement will impair the operations of the telephone bank: *Provided,* That the minimum amount of class A stock that shall be retired each year after said date and after the amount of class A and class B stock issued totals $400,000,000, shall equal the amount of class B stock sold by the telephone bank during such year. Class A stock shall be entitled to a return, payable from income, at the rate of 2 per centum per annum on the amounts of said class A stock actually paid into the telephone bank. Such return shall be cumulative and shall be payable annually into miscellaneous receipts of the Treasury.

"(d) Class B stock shall be held only by recipients of loans under section 408 of this Act. Borrowers receiving loan funds pursuant to section 408(a) (1) or (2) shall be required to invest in class B stock 5 per centum of the amount of loan funds so provided. No dividends shall be payable on class B stock. All holders of class B stock shall be entitled to patronage refunds in class B stock under terms and conditions to be specified in the bylaws of the telephone bank.

"(e) Class C stock shall be available for purchase and shall be held only by borrowers, or by corporations eligible to borrow under section 408 of this Act, or by organizations controlled by such borrowers and corporations, and shall be entitled to dividends in the manner specified in the bylaws of the telephone bank. Such dividends shall be payable only from income and, until all class A stock is retired, shall not exceed the current average rate payable on its telephone debentures.

"(f) If a firm, association, corporation, or public body is not authorized under the laws of the jurisdiction in which it is organized to acquire stock of the telephone bank, the telephone bank shall, in lieu thereof, permit such organization to pay into a special fund of the telephone bank a sum equivalent to the amount of stock to be purchased. Each reference in this title to capital stock, or to class B, or class C stock, shall include also the special fund equivalents of such stock, and to the extent permitted under the laws of the jurisdiction in which such organization is organized, a holder of special fund equivalents of class B, or class C stock, shall have the same rights and status as a holder of Class B or class C stock, respectively. The rights and obligations of the telephone bank in respect of such special fund equivalent shall be identical to its rights and obligations in respect of class B or class C stock, respectively.

"(g) After payment of all operating expenses of the telephone bank, including interest on its telephone debentures, setting aside appropriate funds for reserves for losses, and making payments in lieu of taxes, and returns on class A stock as provided in section 406(c), and on class C stock, the Telephone Bank Board shall annually set aside the remaining earnings of the telephone bank for patronage refunds in accordance with the bylaws of the telephone bank.

"Sec. 407. Borrowing Power.—The telephone bank is authorized to obtain funds through the public or private sale of its bonds, debentures, notes, and other evidences of indebtedness (herein collectively called telephone debentures). Telephone debentures shall be issued at such times, bear interest as such rates, and contain such other terms and conditions as the Telephone Bank Board shall determine after consultation with the Secretary of the Treasury: *Provided, however,* That the amount of the telephone debentures which may be outstanding at any one time pursuant to this section shall not exceed eight times the paid-in capital and retained earnings of the telephone bank. The telephone bank shall insert in all its telephone debentures appropriate language indicating that such telephone debentures, together with interest thereon, are not guaranteed by the United States and do not constitute a debt or obligation of the United States or of any agency or instrumentality thereof other than the telephone bank. Telephone debentures shall not be exempt, either as to principal or interest, from any taxation now or hereafter imposed by the United States, by any territory, dependency, or possession thereof, or by any State or local taxing authority. Telephone debentures shall be lawful investments and may be accepted as security for all fiduciary, trust, and public funds, the investment or deposit of which shall be under the authority and control of the United States or any officer or officers thereof.

"Sec. 408. Lending Power.—(a) The Governor of the telephone bank is authorized on behalf of the telephone bank to make loans, in conformance with policies approved by the Telephone Bank Board, to corporations and public bodies which have received a loan or loan commitment pursuant to section 201 of this Act, (1) for the same purposes and under the same limitations for which loans may be made under section 201 of this Act, (2) for the purposes of financing, or refinancing, the construction, improvement, expansion, acquisition, and operation of telephone lines, facilities, or systems, in order to improve the efficiency, effectiveness, or financial stability of borrowers financed under sections 201 and 408 of this Act, and (3) for the purchase of class B stock required to be purchased under section 406(d) of this Act but not for the purchase of class C stock, subject, as to the purposes set forth in (2) hereof, to the following provisos: That in the case of any such loan for the acquisition of telepohne lines, facilities, or systems, the acquisition shall be approved by the Secretary, the location and character thereof shall be such as to improve the efficiency, effectiveness, or financial stability of the telephone system of the borrower, and in respect to exchange facilities for local services, the size of each acquisition shall be not greater than the borrower's existing system at the time it receives its first loan from the telephone bank, taking into account the number of subscribers served, miles of line, and plant investment.

"(b) Loans under this section shall be on such terms and conditions as the Governor of the telephone bank shall determine, subject, however, to the following restrictions:

"(1) All loans made under this section shall be fully amortized over a period not to exceed fifty years.

"(2) Funds to be loaned under this Act to any borrower shall be loaned under this section in preference to section 201 if the borrower is eligible for such a loan and funds are available therefor. Notwithstanding the foregoing or any other provision of law, all loans made pursuant to this Act for facilities for telephone systems with an average subscriber density of three or fewer per mile shall be made under section 201 of this Act; but this provision shall not preclude the making of such loans from the telephone bank at the election of the borrower.

"(3) Loans under this section shall, to the extent practicable, bear interest at the highest rate which meets the requirements set forth in paragraph (4), consistent with the borrower's ability to pay such interest rate and with achievement of the objectives of this Act; but not less than 4 per centum per annum.

"(4) Loans shall not be made under this section unless the Governor of the telephone bank finds and certifies that in his judgment (i) the security therefor is reasonably adequate and such loan will be repaid within the time agreed, and (ii) the borrower has the capability of producing net income or margins before interest at least equal to 150 per centum of the interest requirements on all of its outstanding and proposed loans, or such higher per centum as may be fixed from time to time by the Telephone Bank Board in order to allocate available funds equitably among borrowers or to improve the marketability of the telephone debentures: *Provided, however,* That the Governor of the telephone bank may waive the requirement of (ii) above in any case if he shall determine (and set forth his reasons therefor in writing) that this requirement would prevent emergency restoration of the borrower's system or otherwise result in severe hardship to the borrower.

"(5) No loan shall be made in any State which now has or may hereafter have a State regulatory body having authority to regulate telephone service and to require certificates of convenience and necessity to the applicant unless such certificate from such agency is first obtained. In a State in which there is no such agency or regulatory body legally authorized to issue such certificates to the applicant, no loan shall be made under this section unless the Governor of the telephone bank shall determine (and set forth his reasons therefor in writing) that no duplication of lines, facilities, or systems, providing reasonably adequate services will result therefrom.

"(6) As used in this section, the term telephone service shall have the meaning prescribed for this term in section 203(a) of this Act, and the term telephone lines, facilities, or systems shall mean lines, facilities, or systems used in the rendition of such telephone service.

"(7) Notwithstanding any other provision of law, (i) no borrower of funds under section 201 of this Act shall, without approval of the Administrator, sell or dispose of its property, rights, controlling interest, or franchise, or merge or consolidate with any other corporation, until all indebtedness, including all interest and charges, to the Rural Electrification Administration shall have been repaid, and (ii) no borrower of funds under section 408 of this Act shall, without approval of the Governor of the telephone bank under rules established by the Telephone Bank Board, sell or dispose of its property, rights, controlling interest, or franchise, or merge or consolidate with any other corporation, until all indebtedness, including all interest and charges, to the telephone bank shall have been repaid. Any such approval of the disposition of all, or substantially all, of such property, rights, interest, or franchise, or of such merger or consolidation, shall be conditioned upon (1) agreement by the new owner, or the entity resulting from such merger or consolidation, to pay not less than such rate or rates of interest as would be required by this Act if a new loan, or loans, were made to it and (2) refinancing of the loan, or loans, to the extent necessary to effect this result.

"(c) The Governor of the telephone bank is authorized under rules established by the Telephone Bank Board to adjust, on an amortized basis, the schedule of payments of interest or principal of loans made under this section upon his determination that with such readjustment there is reasonable assurance of repayment: *Provided, however,* That no adjustment shall extend the period of such loans beyond fifty years.

"SEC. 409. TELEPHONE BANK RECEIPTS.—Any receipts from the activities of the telephone bank shall be available for all obligations and expenditures of the telephone bank.

"SEC. 410. CONVERSION OF OWNERSHIP, CONTROL AND OPERATION OF TELEPHONE BANK.—(a) Whenever class A stock issued to the United States has been fully redeemed and retired pursuant to section 406(c) of this title—

"(1) the powers and authority of the Governor of the telephone bank granted to the Administrator of the Rural Electrification Administration by this title IV shall vest in the Telephone Bank Board, and may be exercised and performed through the Governor of the telephone bank, to be selected by the Telephone Bank Board, and through such other employees as the Telephone Bank Board shall designate;

"(2) the five members of the Telephone Bank Board designated by the President pursuant to section 405(b) shall cease to be members, and the number of Board members shall be accordingly reduced to eight unless other provision is thereafter made in the bylaws of the telephone bank;

"(3) the telephone bank shall cease to be an agency of the United States, but shall continue in existence in perpetuity as an instrumentality of the United States and as a banking corporation with all of the powers and limitations conferred or imposed by this title IV except such as shall have lapsed pursuant to the provisions of this title.

"(b) When all class A stock has been fully redeemed and retired, loans made by the telephone bank shall not continue to be subject to the restrictions prescribed in the provisos to section 408(a)(2).

"(c) Congress reserves the right to review the continued operations of the telephone bank after all class A stock has been fully redeemed and retired.

"SEC. 411. LIQUIDATION OR DISSOLUTION OF THE TELEPHONE BANK.—In the case of liquidation or dissolution of the telephone bank, after the payment or retirement, as the case may be, first, of all liabilities; second, of all class A stock at par; third, of all class B stock at par; fourth, of all class C stock at par; then any surpluses and contingency reserves existing on the effective date of liquidation or dissolution of the telephone bank shall be paid to the holders of class A and class B stock issued and outstanding before the effective date of such liquidation or dissolution, pro rata.

"SEC. 412. BORROWER NET WORTH.—Except as provided in subsection (b)(2) of section 408, notwithstanding any other provision of law, a loan shall not be made under section 201 of this Act to any borrower which during the immediately preceding year had a net worth in excess of 20 per centum of its assets unless the Administrator finds that the borrower cannot obtain such a loan from the telephone bank or from other reliable sources at reasonable rates of interest and terms and conditions."

SEC. 3. (a) Subsection (f) of section 3 of the Rural Electrification Act of 1936, as amended, is amended by inserting in lieu of the first word of said subsection "Except as otherwise provided in sections 301 and 406(a) of this Act, all".

(b) Section 201 of the Rural Electrification Act of 1936, as amended, is amended by inserting ", to public bodies now providing telephone service in rural areas", immediately after the word "areas" in the first sentence and also immediately after the word "areas" in the first proviso of the second sentence.

SEC. 4. The right to repeal, alter, or amend this Act is expressly reserved.

SEC. 5. This Act shall take effect upon enactment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 70) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 92–21), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPT FROM REPORT

SHORT EXPLANATION

This bill creates a rural telephone bank to provide supplemental financing for telephone borrowers. With the committee amendments, it is identical to S. 3387, 91st Congress, as passed by the Senate on April 2, 1970, except that (1) the dates on pages 10, lines 15 and 22, and page 11, lines 2 and 24 (of the bill as introduced) have been advanced 1 year, and (2) the word "loans" on page 12, line 17 (of the bill as introduced) has been changed to "loan" to correct a typographical error.

SUMMARY OF PROVISIONS

The bill adds two new titles to the Rural Electrification Act of 1936 to provide for (1) a rural telephone account (title III), and (2) a rural telephone bank (title IV).

COMMITTEE AMENDMENTS

The committee amendments would (1) strike out a political activities provision similar to one stricken from S. 3387 last year, and (2) make a typographical correction. Political activities are already covered by sections 600, 601, 610, 611, and 612 of title 18, United States Code, and there is no need for further provision in this bill with respect to them.

NEW TITLE III—RURAL TELEPHONE ACCOUNT

The rural telephone account would consist of so much of the net collections received under the 2-percent telephone loan program after July 1, 1969, as may be necessary to provide for the Government's investment in the new bank. It could be used only to provide such investment and only pursuant to appropriation act.

NEW TITLE IV—RURAL TELEPHONE BANK

A. *Bank Directors and Governor.*—The Administrator of the Rural Electrification Administration would be the chief executive officer (Governor). There would be 13 directors as follows:

The REA Administrator.

The Governor of the Farm Credit Administration.

Three Department of Agriculture (but not REA) employees appointed by the President.

Two public members (not Federal employees) appointed by the President.

Six members elected by holders of class B and class C stock (to follow six temporary presidential appointees and their six elected 2-year successors). Three would be elected from among personnel of cooperative-type entities and three would be elected from among personnel of commercial-type entities.

B. *Financing of the bank* would be through the sale of stock and debentures and through U.S. financing as follows:

(1) U.S. stock purchases of $300 million ($30 million annually to be appropriated from net collection proceeds in the rural telephone account).

(2) Use of USDA facilities and personnel without cost.

(3) Exemption from U.S., State, and local taxes (with authority, but no obligation, to make payments in lieu of taxes on real and tangible personal property previously subject to such taxes).

Bank debentures may not exceed eight times paid-in capital and retained earnings, and are not tax-exempt.

C. *Loans by the bank* would be made to existing or approved borrowers under the 2-percent loan program, would be for up to 50 years, and would bear interest based on the ability of the borrower to pay, but not less than 4-percent per annum.

D. *Loan purposes.*—Loans could be made for the same purposes as section 201 loans, or to finance or refinance system improvement, or for the purchase of class B stock. System improvement loans would not be subject to the "rural area" or 40 percent refinancing limitations of 2-percent telephone loans.

E. *Acquisition limits.*—The bill limits loans for any single telephone acquisition, with respect to exchange facilities for local service, to the size of the borrower's system at the time of its first loan from the bank.

F. Classes of stock.—Class A: Issued only to U.S. Government, bearing an annual return of 2 percent, to be redeemed as soon as practicable after June 30, 1985, and in any event, after class A and class B stock totaling $400 million has been issued, in at least the amount of annual stock sales of class B stock.

Class B: Issued to borrowers, who are required to invest an amount equal to 5 percent of the loan (not including that part of the loan made for the purchase of the stock). No dividends, but patronage refunds in class B stock would be paid in accordance with the bylaws.

Class C: Sold to borrowers or persons eligible to borrow or organizations controlled by them. Dividends in accordance with bylaws, payable only from income. Dividends may not exceed the average rate on debentures until all class A stock is retired.

G. *Conversion to private ownership.*—Upon retirement of all class A stock—

(1) The powers of "Governor" would be vested in the board, to be performed by a Governor selected by the board and such other employees as the board designated;

(2) The five Presidential-appointed board members would cease to be board members and the board would be reduced to eight (including the REA Administrator and the Governor of the Farm Credit Administration);

(3) The bank would cease to be an agency of the United States subject to the supervision of the Secretary, but would continue as an instrumentality of the United States;

(4) The limits on the bank's loans for acquisitions contained in the proviso to section 408(a)(2) would become inapplicable;

(5) The bank's authority to use USDA facilities would terminate; and

(6) Various additional provisions of section 403 dealing with status as a wholly owned Government corporation, suits by and against agencies of the United States, and other matters would become inapplicable.

H. *Borrowers eligible for 2-percent loan program.*—Loans for facilities for telephone systems with an average subscriber density of three or fewer per mile would be made under the existing 2-percent program unless the borrower elected to take a telephone bank loan. A system with greater density would not be eligible for a 2-percent loan unless (1) its net worth was not in excess of 20 percent of its assets, or it could not obtain a loan from the telephone bank or from other reliable sources at reasonable rates and terms. Where a borrower eligible for a 2-percent loan is also eligible for a bank loan and financially able to bear the higher interest cost, a bank loan is to be made in preference to a 2-percent loan, if funds are available for such a loan. In determining whether funds are available, the Administrator may consider all of the anticipated demands on both sources of funds.

COMMITTEE CONSIDERATION

The committee's Subcommittee on Agricultural Credit and Rural Electrification held hearings during the 91st Congress on S. 1864 and S. 2202. These hearings were held on November 6, 1969, and have been printed.

In addition to providing for a rural telephone bank, those bills provided for a direct loan account which could be used for making section 201 loans, as well as providing the funds for the Government's investment in the bank. The committee felt that this provision served a purely technical accounting purpose, and that the bill should be restricted to the creation of the rural telephone bank. Consequently the bill reported in the 91st Congress provided, and the bill reported herewith provides, that the rural telephone account can be used only for the purchase of bank stock. It can be used for that purpose only pursuant to future appropriation acts.

S. 1684. and S. 2202 would have made the bank a mixed ownership Government corporation with some of the attributes of a wholly owned Government corporation. The bill reported in the 91st Congress and the bill reported herewith would make it a wholly owned Government corporation until its conversion to private ownership. The essential effect of this provision would be to subject the bank to annual budget review until conversion to private ownership. The bank would be required, after such conversion, to consult with the Secretary of the Treasury before determining the terms and conditions of its debentures. This would assist the Treasury with its complex problem of timing and management of the public debt. Both of these provisions were suggested by the Department of Agriculture.

The most difficult problems confronted by the committee in its consideration of the bill in the 91st Congress were those of determining (1) which borrowers would be entitled to 2 percent loans under section 201 of the Rural Electrification Act of 1936 and which would be entitled to loans at higher interest rates from the bank under the new section 408 which would be added to that act by the bill, and (2) the interest rates to be charged by the banks. S. 1684 and S. 2202 provided for two bank interest rates, to wit, an "intermediate" rate of 4 percent (based on current conditions) and an "other" rate reflecting the cost of money to the bank. The committee felt at that time that this did not afford the bank adequate latitude. The objective of the bank is to provide supplemental financing to borrowers who are able to pay interest rates above the 2 percent level, but who are not able to go to the regular money markets and pay the going interest rates. To accomplish this objective, the bill reported in the 91st Congress and the bill reported herewith provide for the highest interest rate the borrower is able to pay, but not less than 4 percent per annum. The borrower's ability to pay would be determined under section 408(b) on the basis of its net income before interest.

Section 408(b) requires that the rate be such that the borrower's total interest costs can be covered by his net margins before interest at least 1.5 times (or such higher multiple as may be fixed by the Bank Board in order to allocate available funds equitably among borrowers or to improve the marketability of the telephone debentures). A higher multiple would, of course, result in a lower interest rate for the proposed loan.

Following is a hypothetical case illustrating operation of the interest coverage requirement. In this simplified example it is assumed—

(1) That the borrower has a prior loan balance of $2 million on which it is currently paying 2 percent interest or $40,000.

(2) That it requires a new loan of $1 million making its projected total loan balance $3 million; and

(3) That it is estimated that the borrower will be able to produce a net income or margin before interest totaling $120,000.

Since the borrower will have a net income or margin before interest of $120,000, the maximum interest it would be able to pay on all its outstanding and proposed loans and still meet the 150 percent interest coverage requirement would be two-thirds of $120,000 or $80,000. Since the borrower is already paying $40,000 interest on the old loan balance of $2 million, it can pay no more than another $40,000 or 4 percent interest on the new loan of $1 million; and that would be the rate required by section 408(b)(3) of the bill.

In order to provide still greater latitude in tailoring interest rates to the borrower's ability to pay and available funds the committee contemplates the blending of section 201 loans and bank loans to result in an average rate of interest which reflects the borrower's ability to pay. For example a borrower able to pay a maximum of 3 percent on its new borrowings might obtain half of its requirements from the bank at 4 percent and half of its requirements under section 201 at 2 percent REA, in reviewing the loan application, would in each case determine the highest practicable effective interest rate the borrower could pay on the new loan and still meet the bank's interest coverage requirement. If the borrower could pay more than 2 percent and meet this test but not as much as the bank's lowest rate, REA would make a loan for enough of the funds required at 2 percent to reduce the borrower's composite interest rate on present and proposed loans to a level which would meet the bank's interest coverage requirements and qualify the borrower for a bank loan covering the largest practical amount of the new fund requirement.

The general rule under the bill for determining which borrowers receive 2-percent loans and which receive higher interest loans follows the same rationale as the rule for fixing bank interest rates. Section 408(b)(2) provides that funds to be loaned under the act to any borrower shall be loaned under the bank loan provision in preference to section 201 if the borrower is eligible for such a loan and funds are available therefor. In determining whether loan funds were available for a bank loan, the Administrator could look at all of the expected demands for funds for the fiscal year and plan for the optimum use of loan funds from both sources.

The bill provides for two exceptions from this general rule as follows: First, section 408 (b) (2) provides that loans for telephone systems with an average subscriber density of three or fewer per mile shall be made under section 201.

Second, section 412 prohibits a section 201 loan to any borrower with a greater density which during the immediately preceding year had a net worth in excess of 20 percent of its assets, unless the Administrator finds that the borrower cannot obtain such a loan from the bank or from other reliable sources at reasonable rates and terms.

In order to prevent companies with ability to pay higher rates of interest from acquiring borrowers with low interest rate loans, the bill provides in section 408(b) (7) that approval of the disposition of all, or substantially all, of a borrower's assets, or approval of the merger or consolidation of a borrower with another corporation, shall be conditioned upon the agreement of the new owner to pay not less than such rate of interest as would be required by the bill if a new loan were made to it. The committee last year also gave some consideration to making similar provision where control of a borrower is obtained through acquisition of the borrower's stock. This proved difficult to do since (1) the borrower cannot control transfers of its stock, and (2) the borrower is not necessarily put in a better position to pay a higher interest rate by a wealthy entity's acquisition of a controlling interest in its stock. However, the committee felt that this was a matter which should be examined further by the Administrator and the bank with a view to looking through the corporation to its controlling stockholder in apprpriate cases. It is conceivable that if the borrower had a large volume of outstanding 2-percent loans under section 201 and sought a small loan from the bank, the interest rate which would meet the feasibility requirements of section 408(b) (4) could be an unreasonably high rate for it to pay. If this were the case, the borrower might obtain the loan from some other source with or without subordination of the REA lien, or the Bank Board might determine under the subcommittee language that such unreasonable rate was not practicable or consistent with the borrower's ability to pay or with the achievement of the objectives of the act, and charge a lower rate which would be practicable and consistent with such ability and objectives.

To the extent that a bank obtains higher interest rates, it will be able to obtain a larger volume of funds to loan.

The following table illustrates the total volume of loans that could be made at various average interest rates with $30 million of class A stock proceeds (maximum class A stock would be $300 million) and varying amounts of debenture proceeds. As the average interest rate rises from 3.71 percent, plus an allowance for expenses, reserves, and losses up to 7.33 percent, plus a similar allowance, a greater volume of loan funds can be obtained through the sale of debentures, and the total volume of loans can rise from $42 million of $270 million:

Mix ratio	Class A stock at 2 percent	Debentures at 8 percent	Total amount	Average cost (percent)
1 to 0.4	$30, 000, 000	$12, 000, 000	$42, 000, 000	3. 71
1 to 1.0	30, 000, 000	30, 000, 000	60, 000, 000	5. 00
1 to 2.0	30, 000, 000	60, 000, 000	90, 000, 000	6. 00
1 to 3.0	30, 000, 000	90, 000, 000	120, 000, 000	6. 50
1 to 4.0	30, 000, 000	120, 000, 000	150, 000, 000	6. 80
1 to 5.0	30, 000, 000	150, 000, 000	180, 000, 000	7. 00
1 to 6.0	30, 000, 000	180, 000, 000	210, 000, 000	7. 14
1 to 7.0	30, 000, 000	210, 000, 000	240, 000, 000	7. 25
1 to 8.0	30, 000, 000	240, 000, 000	270, 000, 000	7. 33

OUTER CONTINENTAL SHELF

The Senate proceeded to consider the resolution (S. Res. 56) authorizing the printing for the use of the Committee on Interior and Insular Affairs of additional copies of its committee print entitled "Outer Continental Shelf."

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 56) was agreed to, as follows:

S. Res. 56

Resolved, That there be printed for the use of the Committee on Interior and Insular Affairs three thousand three hundred additional copies of its committee print of the current session entitled "Outer Continental Shelf", a report by its Special Subcommittee on Continental Shelf.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 92–22), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 56 would authorize the printing for the use of the Committee on Interior and Insular Affairs of 3,300 additional copies of its committee print of the current session entitled "Outer Continental Shelf," a report by its Special Subcommittee on the on Continental Shelf.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

3,300 additional copies, at $353.97 per thousand $1, 168. 10

QUORUM

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BELLMON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RE-REFERRAL OF SENATE JOINT RESOLUTION 58 TO THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. BELLMON. Mr. President, I ask unanimous consent that Senate Joint Resolution 58, which has been referred to the Committee on Commerce, be re-referred to the Committee on Interior and Insular Affairs.

I make that request, Mr. President, because Senate Resolution 45, which pertains to a similar matter, has already been referred to the Committee on Interior and Insular Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUORUM

Mr. BELLMON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRIFFIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IS ANYBODY LISTENING?

Mr. GRIFFIN. Mr. President, in yesterday's Washington Star there appeared an editorial entitled "Nixon Reasons, But Is Anybody Listening?" The editorial, in a perceptive way, discusses President Nixon's report on the foreign policy of the United States for the 1970's.

Mr. President, I ask unanimous consent that the editorial may be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Nixon Reasons, but Is Anybody Listening?

If Americans were capable of being reasoned into a consensus on foreign policy, President Nixon's second encyclopedic teach-in on his conduct of our affairs in the world would be rated as an extremely effective job. As the President puts it:

"It is always a requirement of American leadership to explain, as clearly as possible, its over-all approach. We must convincingly demonstrate the relaitonship between our specific actions and our basic purposes. In turn, the leadership can ask the American people for some degree of trust, and for an acknowledgment of the complexities of foreign policy. This does not mean a moratorium on criticism. It means listening to the rationale for specific actions and distinguishing attacks on the broad policy itself from attacks on tactical judgments."

Mr. Nixon certainly has explained himself at great length and in considerable detail on all the major features of his actions over the past year in the area of foreign affairs. No important area of the world has been overlooked. None of the critical problems has been evaded. His message is, furthermore, an explanation rather than merely a defense or a recital of administration successes. The President does reply to some of the arguments of his critics. But the tone throughout his 180-page report is restrained, lucid and non-polemical to the point of blandness.

No startling revelations or new departures are forthcoming. Much of the document consists of a restatement of familiar themes. The connecting thread that runs through the discussion is a reaffirmation of the Nixon Doctrine of shared responsibilities and limited American commitments. But at the same time, it reflects a sensivity to new forces of isolationism in the land, firmly rejecting isolation as a viable American policy.

When it comes to discussion of the major problem areas of the world, the outlook is confident and modestly hopeful.

On Vietnam, the President points to the progress of his Vietnamization program over the past year in terms of American troop withdrawals, which he pledges to continue, and sharp reductions in the rate of American casualties. Improvement in the over-all military situation is attributed largely to the success of the operations against the Communist sanctuaries in Cambodia last spring. At the same time, Mr. Nixon concedes that North Vietnamese forces in both Cambodia and Laos will continue to create severe problems for those countries, and for the South Vietnamese as well, as American forces withdraw.

Little hope is held out for the peace talks in Paris. The Communists, the President says, continue to reject all proposals for taking part in the political life of South Vietnam, while pressing for an imposed settlement which would guarantee their take-over of the country. On the question of war prisoners, Mr. Nixon repeats his promise that some American troops will remain in Vietnam as long as any Americans remain in North Vietnamese hands.

On the Middle East, the focus is on the substantial improvement in the prospects for a settlement of the Arab-Israeli conflict that has taken place since a year ago—the establishment, at least temporarily, of a cease-fire, the resolution of the crisis in Jordan and the beginnings of serious negotiations under the auspices of Gunnar Jarring.

Here again, there is no effort to minimize the problems that remain to be resolved. The assessment of the administration is that peace cannot be assured except through acceptance by the Arabs of a binding peace settlement that guarantees Israel's security and the acceptance by Israel of a withdrawal from territories lost in the June war. It is emphasized, however, that the terms of a settlement should be left to the parties to work out through negotiation, rather than imposed from the outside.

Special attention is given to the role of the Soviet Union in the Middle East—a role which has not encouraged the hope of peace. Although it is recognized that the Russians have important interests in the Middle East, they are sharply warned against trying to establish a dominent position there at the expense of the nations of the area, Western Europe or the United States.

In discussing our relations with the Soviet Union, there is a consistent effort to adapt to the realities of a new balance of nuclear power in the world and, if possible, to stabilize this balance through negotiation, perhaps at lower levels of armaments than exist today. The President is under no illusions when it comes to dealing with the Soviets. He recognizes basic conflicts of interest in many parts of the world and widely differing perspectives in the approach to specific problems. He enumerates the hopeful factors, such as the treaties to prevent the proliferation of nuclear weapons to countries now not atomically armed and prohibiting the implantation of atomic weapons on the seabeds. But he balances these plusses against much less encouraging Soviet behavior in the cases of Berlin, the Middle East and Cuba.

Perhaps the most newsworthy—and also most controversial—section of the report deals with problems of armaments control and specifically the Strategic Arms Limitation Talks (SALT) which have been going on with the Russians in Helsinki and Vienna. Mr. Nixon is encouraged by the fact that the Soviet approach to the negotiations has been serious and lacking in propaganda. But he notes grave difficulties in arriving at a mutual concept of equivalency between widely differing weapons systems and their employment. He appears to reject a Soviet proposal aimed at the limiting of defensive weapons only and reaffirms his decision to proceed with the deployment of the Safeguard antiballistic missile system and multiple nuclear warheads known as MIRV.

It is difficult to come up with an over-all assessment of the validity of such a wide-ranging and all-inclusive discussion of our foreign policy problems. For our part, however, with minor reservations in some areas, we support the foreign policy of this administration. We believe, indeed, that it is essentially the foreign policy that any responsible administration—Republican or Democratic—would inevitably pursue, given the reality of present power relationships and the narrow scope of the options within which an American president must operate.

For those who take the trouble to read it, this report probably will promote understanding and respect for the administration's position, though probably not, in the present political atmosphere, the "solidity of domestic support" that the President seeks.

On the contrary, Mr. Nixon's statement has coincided with a renewed outburst of congressional criticism, centering on his policies in Vietnam. A group of 17 Democratic senators, including several of the presumptive presidential candidates, has introduced a bill to bar American support for an invasion of North Vietnam. Republican Senator Javits of New York has warned that Mr. Nixon will be in "grave danger" unless he gives up his policy of Vietnamization. A new decision to send American teams into Laos on rescue missions is certain to add fuel to the controversy.

In any event, no single document can change the new facts of life in this country: Political differences which once stopped at the water's edge now often start there. The great issues of foreign policy will remain among the most divisive and most politically charged issues as long as thinking Americans hold doctrinal—one could almost say religious—differences on the role of the United States as a world power. And this unhappily is the case today.

QUORUM

Mr. GRIFFIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BELLMON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESCISSION OF ORDER OF REFERRAL OF A JOINT RESOLUTION

Mr. BELLMON. Mr. President, I ask unanimous consent that the order just entered referring Senate Joint Resolution 58 to the Committee on Interior and Insular Affairs be vacated.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR PRESIDENT PRO TEMPORE TO SIGN JOINT RESOLUTIONS DURING RECESS OF SENATE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President pro tempore be authorized to sign two joint resolutions during the recess of the Senate until 10:30 a.m. tomorrow, Tuesday, March 2, 1971.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BYRD of West Virginia. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 10:30 a.m., following a recess.

At the conclusion of the remarks of the two leaders under the standing order, the able Senator from Missouri (Mr. SYMINGTON) will be recognized for not to exceed 1 hour for the purpose of conducting a colloquy.

At the close of the 1 hour, there will be a period for the transaction of routine morning business not to extend beyond 12 o'clock meridian, and with statements therein limited to 3 minutes.

The operation of rule XXII will be suspended until 12 o'clock meridian. Under rule XXII, at the conclusion of the 1 hour under the rule—that hour to be equally divided and controlled by Mr. Erwin and Mr. Church—there will be a mandatory quorum call. Upon the ascertainment of the presence of a quorum, a yea-and-nay vote is mandatory under the rule. Consequently, Senators should be on notice that there will be a yea-and-nay vote tomorrow at approximately 1:15 p.m. on the motion to invoke cloture on the motion to proceed to the consideration of Senate Resolution 9.

As has been previously stated, at about 2 p.m. tomorrow the Apollo 14 astronauts and their families will visit the Senate Chamber. The distinguished senior Senator from New Mexico (Mr. ANDERSON) has asked that this visit by the Apollo 14 astronauts be called to the attention of Senators.

RECESS UNTIL 10:30 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 10:30 tomorrow morning.

The motion was agreed to; and (at 4 o'clock and 39 minutes p.m.) the Senate took a recess until tomorrow, Tuesday, March 2, 1971, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate March 1 (legislative day of February 17), 1971:

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

James C. Fletcher, of Utah, to be Administrator of the National Aeronautics and Space Administration, vice Thomas O. Paine, resigned.

LAW ENFORCEMENT ASSISTANCE

Jerris Leonard, of Wisconsin, to be Administrator of Law Enforcement Assistance, vice Charles H. Rogovin, resigned.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the National Oceanic and Atmospheric Administration:

To be commanders

Florwick, Donald J.
Bradly, Walter L.
Petersen, Sigmund R.
Land, Ralph J.
Hayes, C. William
Crawford, Darrell W.
Jeffries, Freddie L.

To be lieutenant commanders

Gelb, Edward M.
Fisher, Carl W.
Rolland, John O.
Callahan, John K., Jr.
Schaefer, Glen R.
Perry, Leslie H.
Matsushige, Roy K.
Nelson, Larry K.
Wallace, Jack L.
Molyneaux, Charles Y., Jr.

To be lieutenants

Smart, Robert V.
Stubblefield, William L.

To be lieutenants (junior grade)

Pier, Kenneth A.
Hodgson, C. Patrick
Adelseck, Charles G., Jr.
Divis, Allan F.
Miller, Jerry A.
Briggs, Douglas A.
Duernberger, Paul M.

Mathis, Richard M.
Campton, John P.
Goodman, Lowell R.
Bodnar, Andrew N., Jr.
Mulhern, Martin R.
Langdon, Charles H., III
Potter, Kenneth W.
Scolnik, Stephen H.
Retzlaff, Gerald C.
Suva, Donald C.
Wright, Newell W.
Leuthesser, Lance E.
Spillman, Donnie M.
Morley, Joseph J.
Thomasson, John E.
New, Larry A.
Adams, Michael L.
Elliott, Garry W.
Theberge, Albert E., Jr.
Flior, Arthur N.
Hudson, John R., Jr.
Stokoe, James L.
Wagner, Michael E.
Hunt, Robert E., Jr.
Muller, Richard K.
Suloff, Donald L.
Mangis, Stephen J.
Hewitt, Roger P.
Johnson, David H.
Hirschman, Alan D.
Lake, Lawrence L.
Lovelace, Norman L.
Sikes, Andrew L.
Ballentine, Thomas
Lawson, Robert B.
Parry, Harvey L., Jr.
Gester, Ronald L.
Richards, Thomas W.
Rushing, Robert W.
Herz, Howard W.
Snolowitz, Ronald J.
Nostrant, Donald W.
Schwartz, Stephen C.
Davis, Archibald C., III
Reilly, Raymond W.
Rousch, Robert C.
Anderly, Stephen E.
Viertel, William A.
Johnson, Robert L.
Fuller, George C.
Annett, John R.
Goforth, Thomas M.
Hornick, William M., Jr.
Hoyle, Wayne A.
Louis, Raymond
McGee, Stewart, Jr.

To be ensigns

Bernard, Eddie N.
Greber, Michael A.
Beaupre, Richard T.
Wood, Emerson E.
Yeager, David W.
Norris, Robert K.
Coon, Kurt D.
Franklin, Nelson M.
Adams, William L.
Freirich, Glenn E.
Turnacliff, Wayne F.
Rivers, William M., Jr.
Birkey, Steven R.
Schnebele, Kurt J.
Crumley, Bruce L.
Faris, James R.
Kolesar, Michael F.
Kureth, Charles L., Jr.
Lawrence, Christopher B.
Minter, Larry L.
Moore, Richard P.
Newcomer, James E.
Smyth, Carl S.
Wehling, Patrick L., Jr.
Wexler, James A.
Whitaker, Stephen D.
Wilson, Joseph D.
Zider, Robert B.
Arbusto, Frank P., Jr.
Hoge, Robert C.
Young, Stephen A.
Zachariason, Richard A.

IN THE ARMY

The U.S. Army Reserve officers named herein for promotion as Reserve Commissioned officers of the Army, under provisions of title 10, United States Code, section 593(a) and 3384:

To be major general

Brig. Gen. James B. Faulconer, SSAN [redacted].

Brig. Gen. Stephen S. Ferebee, Jr., SSAN [redacted].

Brig. Gen. Harry J. Rockafeller, SSAN [redacted].

Brig. Gen. Moise B. Seligman, Jr., SSAN [redacted].

To be brigadier general

Col. Edwin I. Creed, SSAN [redacted], Ordnance Corps.

Col. Richard T. Cuneo, SSAN [redacted], Infantry.

Col. Edward W. Gaupin, Jr., SSAN [redacted] Corps of Engineers.

Col. Frank C. Harold, SSAN [redacted], Medical Corps.

Col. Howard A. Louderback, Jr., SSAN [redacted] Infantry.

Col. George W. McGrath, Jr., SSAN [redacted] Field Artillery.

Col. Albert G. Peterson, SSAN [redacted], Infantry.

Col. Joseph G. Rebman, SSAN [redacted], Signal Corps.

Col. W. Stanford Smith, Jr., SSAN [redacted] Infantry.

Col. Edwin B. Taylor, SSAN [redacted], Infantry.

Col. Donald A. Yongue, SSAN [redacted], Infantry.

The Army National Guard of the United States officers named herein for promotion as a Reserve Commissioned officer of the Army, under the provisions of title 10, United States Code, section 593(a) and 3385:

To be brigadier general

Col. Kennedy C. Bullard, SSAN [redacted] Field Artillery.

Col. John F. Burk, Jr., SSAN [redacted], Infantry.

Col. O. T. Dalton, Jr., SSAN [redacted], Corps of Engineers.

Col. Sherman J. Gage, SSAN [redacted], Armor.

Col. Howard G. Garrison, SSAN [redacted] Armor.

Col. John J. Godfrey, SSAN [redacted], Corps of Engineers.

Brig. Gen. Wilfred C. Menard, Jr., SSAN [redacted] Adjutant General's Corps.

Col. James L. Moreland, SSAN [redacted], Infantry.

Col. Edward M. Yoshimasu, SSAN [redacted] Infantry.

The Army National Guard of the United States officers named herein for appointment as Reserve Commissioned officers of the Army under provisions of title 10, United States Code, section 593(a) and 3392:

To be major general

Brig. Gen. William R. Sharp, SSAN [redacted] Adjutant General's Corps.

To be brigadier general

Col. John Blatsos, SSAN [redacted], Field Artillery.

Col. Charles J. Cronan, III, SSAN [redacted] Field Artillery.

Col. Edward M. Frye, SSAN [redacted], Infantry.

Col. Van D. Nunally, Jr., SSAN [redacted] Armor.

Col. Guy N. Rogers, SSAN [redacted], Infantry.

Col. Willie L. Scott, SSAN [redacted], Air Defense Artillery.

IN THE NAVY

The following named (Naval Reserve Officers Training Corps candidates) to be permanent ensigns in the line of staff corps of the Navy, subject to the qualifications therefor as provided by law:

James R. Allen
Lance Antrim
Dan E. Babarik
Timothy L. Baker
William E. Balson
Laughlin M. Barker
Robert F. Barnes, Jr.
James A. Bingaman
Stephen H. Brown
William B. Brown, Jr.
Christopher W. Cole
John H. Collins, Jr.
Peter A. Danforth
James E. Doherty
David A. Duncan
Terence D. Edwards
William R. Ellis
Alan A. Ellison
Troy J. Erwin
Alfred W. Fazio
William L. Fleming
John E. Foerst
Thomas A. Guzman
Martin R. Haase
Alfred G. Harms, Jr.
John A. Hayes
Marc A. Helgeson
Gary L. Helwig
Vincent J. Hill
Thomas H. Hough
William A. Hudson
Jerry S. Hughes
David E. Jarvis
Thomas M. Jaskunas
Wayne A. Johnston
Stanley L. Jones
James E. Keeper
Michael W. Korin
Lawrence M. Kryske
Christopher "K" Lane
Gregg D. Larson
Gerard T. Lennon, Jr.
James W. Locke, Jr.
Bruce A. Lovell
John M. Lowe
George W. McClellan
Erwin L. McClendon
Kenneth F. McCoy
Larry W. McGough
William D. McLean
Thomas D. Macris
Steven P. Moffat
Ralph I. Murphy
Gregory S. Murray
James A. Mustain
James D. Olson
Jack J. Parrino
Norman J. Pheleps
David C. Pugh
Robert E. Reeve
James D. Reily
Stacy A. Resco
Joseph A. Revolinsky
Daniel D. Riley
Steven L. Riley
William M. Ritter
Christopher A. Rusch
David P. Rush
Robert D. Sagendorf
John A. Sampson
Jonathan B. Schmidt
Leonard P. Scullion
Charles S. Sharrocks, Jr.
Robert S. Shaw
Robert H. Shay
Theodore C. Sheline, II
*Lee E. Simon
Ronald J. Skewis
Gary W. Smith
Richard M. Stewart
James D. Swearingen
George M. Teague
Edgar A. Touchette, Jr.
Henry J. Vandenbergh
Jon J. Walkwitz
Robert C. Wallace
Robert C. Wallis
Robert B. Wells
William A. Wenslaff
Mark D. Wessman
Joseph D. West
Gary E. Williams
John W. Williams, Jr.
James M. Wilson
Richard G. Wright

The following-named (naval enlisted scientific education program candidates) to be permanent ensigns in the line or staff corps of the Navy, subject to the qualifications therefor as provided by law:

Robin L. Adams
Robert L. Anderson
Richard C. Avery
Richard M. Bailly
Edwin R. Benson III
Michael E. Brennan
Paul R. Bumgardner
Michael E. Chandler
Robert O. Crawford
James W. Davis
James L. Davison
Ronald W. Dennis
John C. Evans
John R. Fitzsimons
Kenneth W. Fleming
Michael E. Flenniken
Richard L. Flones
Thomas F. Floyd
Russell D. Freeman
Ronald A. Gates
Robert L. Gessner, Jr.
James H. Gogolin
Michael J. Goldman
James F. Green
James M. Haddock
Stephen C. Hall
Richard W. Harding
Lee D. Hoffman
James C. Hunt
Michael Ilku
Jared F. Interholzinger
John E. Jackson, Jr.
Craig M. Jannusch
Vernon J. Jarvis
James D. Johnson
Patrick W. Kelly
Arlin K. Kirkpatrick
Lawrence E. Kulp, Jr.
James R. Landry
John M. McLochlin
Edward W. Meisenbach
William R. Michell
Ronald R. Miller
Jack "B" Mills
Joseph A. Mitchell
Michael L. Morneau
David M. Mosey
Thomas E. Murdock
James M. Nelson
Alan M. Nibbs
Bobby L. Nickelson
James W. Patton
John S. Pipis
John B. Reigeluth, Jr.
Irvine A. Renton, III
Patrick A. Rich, Jr.
Robert L. Schilling
George W. Schultz
David P. Sisk
Paul R. Skurski
Duke A. Smith
Gerard R. Steiner
Paul E. Steward, Jr.
Lee B. Taylor
Ronald M. Thomas
Douglas F. Thompson
Lloyd A. Thorpe
Richard K. Troxell
Jay E. Turner
Larry J. Tuttle
Harley J. VanEaton
Paul M. Warr
Robert F. Whitacre, Jr.
Michael L. Williams
Mark C. Winter
David R. Wood
Marcelle E. Wood
Richard F. Wright
David K. Young

The following named (naval enlisted scientific education program candidates) to be permanent lieutenants (junior grade) in the line or staff corps of the Navy, in lieu of permanent ensigns as previously nominated and confirmed to correct grade, subject to the qualification therefor as provided by law:

*Bobby J. Felton
*Ralph L. Morris

The following named (civilian college graduates) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualification therefor as provided by law:

*Don C. Maddox
*Charles F. Ness
*Ronald M. Rosenberg
*Frank Siciliano

*Alvin D. Campbell (Naval Reserve officer) to be a permanent lientenant and a temporary lieutenant commander in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

The following named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualification therefor as provided by law:

*Alfred E. Brandt
*Richard W. Burkey
*Kenneth M. Collins
*Arthur S. Daley, Jr.
*Dennis D. Kommer
*Robert J. Vosskuhler
*Clyde K. Wattenbarger

The following named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualification therefor as provided by law:

*Larry H. Bowers
*John Y. Chew
*John F. Donaldson
*William A. Downs
*Paul B. Flandermeyer

Jimmy L. Strube, temporary chief warrant officer to be a permanent chief warrant officer W-3 and temporary chief warrant officer W-4 in the U.S. Navy, subject to the qualification therefor as provided by law.

The following temporary chief warrant officers to be permanent chief warrant officers W-2 and temporary chief warrant officers W-3 in the U.S. Navy, subject to the qualification therefor as provided by law:

Robert F. Carlton
Edwin L. Dickinson
Billie G. Hannon
Gerald S. Lear
Theodore G. McManus
Joe D. Meade, III
Neal D. Olson
James A. Posey, Jr.
Charles J. Reddix
David L. Richardson
James H. Richey
August Spata

The following temporary chief warrant officers to be permanent chief warrant officers W-2 in the U.S. Navy, subject to the qualification therefor as provided by law:

James E. Adrian
Lary K. Alley
Ellis C. Anderson
Alfred E. S. Armfield
Andrew T. Atchley
Ricardo J. Aterrado
Gary E. Ball
Sam M. Barnes
James A. Bartley
Arthur Beatty
Richard A. Biondo
Harold L. Bolton, Jr.
Robert S. Booth
George T. Boring
Allen G. Brice
Clarence Broussard
James E. Brueggeman
Clyde L. Butler
Alvin E. Callahan
Willis E. Campbell
John G. Catron
Roland L. Cave
Harold D. Chambers
Richard P. Chesbro
David L. Clements
Dennis E. Clifford
Jimmy T. Clifford
Earl M. Colley, Jr.
Ira B. Cortez
James O. Cooper
Anderson H. Cox
Frederick P. Crickman
William D. Cutler
Walter E. Courtney
Richard K. Cunningham
John Cultrera
William C. Daily
Bobby G. Davis
Gene F. Dove
James T. Dubose
Arthur A. Dumas
James R. Duren
Thomas M. Edwards
Norman H. Faulkner
Bernard J. Ferrara
Gordon P. Fields
Robert F. Fisher
Dale K. Free
George Freeman
Allen P. Freese
Robert Friedenreich
Jack W. Furlong
Robert M. Galindo
Richard E. Gibson
Durell M. Bissinger
Joseph F. Giunta
Michael J. Grace
Charles R. Gray, Jr.
Edward C. Griggs
Leon T. Grigsby
Manuel W. Guerra, Jr.
Zollo R. Gutierrez
Henry C. Haggard
Harold W. Harter
Herbert M. Hartley, Jr.
James L. Harvey
Lynn D. Harvison
John F. Hilton, Jr.
William P. Hinson
William V. Hubbard
Donald E. Hubner
James E. Hutcheson
Charles R. Hughes
Roy D. Hughes
William P. Jeffries, Jr.
Charles D. Johnson, Jr.
Valery C. Keaveny
James H. Kilpatrick, Jr.
Edward Kopanski
Charles S. Krauch
Preston I. Carraway
George Lawson
John C. Lisk
John F. Loonam
Thomas P. Long
William J. Lynn
Thomas E. McClimont
John P. McGowan
Terry L. McKinney
Ernest J. Malboeuf
Vincent R. Marseglia
Dale A. Menard
Clyde D. Miller
Robert A. Morris
Walter S. Morrow
Kenneth L. Munn
Ronald E. Nash
Richard O. Nason
Stephen R. Nelson
Robert E. L. Norwood
James T. O'Keefe
Jim F. O'Neal
Joseph R. Paquin
William G. Parsons
Donald V. Patino
Joseph T. Patkus
Bryant L. Payden
Allen B. Perry
John E. Peterson
Vernon A. Plantz
Thomas R. Pletcher
Louis E. Potts
John E. Price
Charles J. Raggo
Richard A. Riddle
Neal D. Rife
Donald D. Robbins
Robert J. Robbins
David M. Roby
Roger W. Rutland
Lee E. Smith
Lewis B. Smith
Theodore L. Smith
Alton E. Stapp
James C. Stendel
Richard H. Story
John R. Strusinski
John E. Stuart
William W. Sutter
Clovis H. Tapp
George L. Taylor, Jr.
Donald R. Thomas
Byron H. Thompson
Jerry Tingle
Ernest A. Toth
George T. Treptor
Donald P. Turner
Thomas R. Turpin
Warner R. Tyler
Bennie J. Valeu
Robert J. Ventgen
George W. Wallace
William C. Walsh
William F. Walsh
Lee L. Walz
Robert H. Weaver
Elvin B. Webb
James G. Wilke
Joseph K. Winsey
Guy W. Woody
James L. Worley
Clarence F. Wreath
George D. Zeitler

CONFIRMATION

Executive nomination confirmed by the Senate March 1 (legislative day of February 17), 1971:

Appalachian Regional Commission

Donald W. Whitehead, of Massachusetts, to be Federal Cochairman of the Appalachian Regional Commission.

EXTENSIONS OF REMARKS

ABRAHAM LINCOLN AND HIS CHURCH ACTIVITIES

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, March 1, 1971

Mr. SCOTT. Mr. President, much has been written over the years about Abraham Lincoln and his church activities. In fact, some historians have claimed that the 16th President did not display much interest in church.

I want to dispel this point, Mr. President. Abraham Lincoln had a deep faith; he possessed a strong religious conviction; his actions showed a "Humble Lincoln Walked in the Path of God."

Mr. President, I ask unanimous consent that news articles on Lincoln's birthday which have appeared in the Kansas City Times, the Phoenix Gazette, the Milwaukee Journal, and the Philadelphia Evening Bulletin be printed in the Extensions of Remarks. These articles were written by Herman Blum, of Philadelphia, who has an exceptional collection of Lincoln memorabilia and who, over the years before becoming a textile industry executive, was a reporter on newspapers in Wisconsin, St. Louis, New York, and Chicago.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CRAFTEX MILLS, INC. OF PENNSYLVANIA,
Philadelphia, Pa., February 20, 1971.
Senator HUGH D. SCOTT,
Senate Office Building,
Washington, D.C.

DEAR HUGH: I thought you might be interested in a few of the nationally important newspapers that ran my byline article on the editorial pages on Lincoln's birthday this year. The most complete of these reprints is the one which appeared in the Kansas City Times.

If you think it worth while to insert it in the Congressional Record, I think it would be readable and a tribute to the understanding of our 16th President.

With kind regards, I am,
Yours very sincerely,
HERMAN BLUM.

[From the Kansas City Times, Feb. 12, 1967]

"LINCOLN THE INFIDEL" IN FACT RELIGIOUS

(By Dr. Herman Blum)

When Abraham Lincoln ran for president the first time, in 1860, his detractors claimed that since he was not a member of any church, had never been baptized or made formal profession of faith, he could not be considered religious. His outright enemies did not hesitate to call him an infidel.

It was in 1846, while a candidate for Congress that Lincoln felt impelled to state his position on the subject of religion which became an issue in his campaign. Accordingly he published the following letter:

"To the voters of the Seventh Congressional District of Illinois.

"A charge having got into circulation in some of the neighborhoods of this district, in substance that I am a scoffer at Christianity, I have by the advice of some friends concluded to notice the subject in this form. That I am not a member of any Christian Church is true, but I have never denied the truth of the Scriptures, and I have never spoken with intentional disrespect of any religion in general, or any denomination in particular.

I do not think I could, myself, be brought to support a man for office whom I knew to be an open enemy of, and scoffer at, religion. Leaving the higher matter of eternal consequences, between him and his maker, I still do not think any man has the right thus to insult the feelings and injure the morals of the community in which he may live.

"If then, I was guilty of such conduct, I should blame the man who should condemn me for it; but I do blame those, whoever they may be, who falsely put such a charge in circulation against me."

(Signed) A. LINCOLN.

Charges that he was an unbeliever continued, but these did not dismay Lincoln. He used to become enmeshed in distorted interpretations of Christianity, which were current then in the narrow religious ways of the day. He was not opposed to creed, but he did say this:

"I cannot without mental reservations assent to long and complicated creeds and catechisms. If the Church would ask simply for acceptance of the commands, 'Thou shalt love the Lord thy God with all thy heart and with all thy soul and thy neighbor as thyself'—that Church I would gladly join with."

OTHER EVIDENCE

Besides his own statement, there is other evidence that Lincoln had deep religious convictions and constantly sought divine guidance. The Bible was probably the first book that Lincoln read.

A few denominations have falsely claimed Abraham Lincoln as a member. It is true that his father, Thomas, was a member of the Baptist church, but Abraham never joined.

If any particular congregation has a claim upon Abraham Lincoln, it is the First Presbyterian church of Springfield. His connection with this church is well documented, but he never became a member.

In the fall of 1849 Lincoln and his family journeyed to Lexington, Ky., to settle the estate of Mary Lincoln's father, Robert S. Todd, who had died on July 16 of that year. While in the Todd home, Lincoln browsed in the large library there. The Todds were Presbyterians, and Mary had been reared in the faith. But during her stay with the Ninian W. Edwards family in Springfield, she attended the Episcopal church with her sister and brother-in-law. For this reason, the Episcopal minister had married Mary and Abraham in 1842.

But Presbyterian books were in the Todd library, and one of them caught the fancy of Lincoln. This was "The Christian's Defense," by the Rev. James A. Smith. Dr. Smith was the pastor of the First Presbyterian church back in Springfield.

Lincoln was deeply impressed with Dr. Smith's logic, who dealt with all the usual objections which infidels raise against the Bible. Lincoln was so devoted to Dr. Smith's book that he secured a copy for the family bookcase. Robert Lincoln recalled that it was one of his father's few personal books.

It was a tragedy in the Lincoln household which brought them closer to Dr. Smith. Little Edward Baker Lincoln died on February 1, 1850, as a result of chronic consumption. He had suffered severely for 52 days, and the doting parents were worn-out physically and spiritually. In this time of affliction, Lincoln turned to Dr. Smith. This learned man conducted the funeral services at the home on the following day and later visited the Lincoln family to give them solace.

Soon the Lincolns began to attend the First Church which at that time was located on the southeast corner of Third and Washington streets. Within a short time Lincoln rented pew number 20. Mary Lincoln formally joined the church on April 13, 1852. Their son, Thomas, called "Tad," was baptized in the church on April 4, 1855.

NEW MINISTER

In 1855 Dr. Smith left Springfield to work for the Synod, and Dr. John H. Brown from Lexington, Ky., replaced him. Dr. Smith's departure did not affect the religious life of the Lincolns. They continued to attend the Sunday services as usual. Said Beverly P. Herndon, son of Lincoln's law partner, William H. Herndon: "I saw Lincoln often, at the 1st Presbyterian Church." Dr. Brown was an excellent preacher and must have also known Mrs. Lincoln's Lexington friends and relatives.

But Lincoln's religion penetrated much deeper into his soul than a mere personal attachment to a particular church or minister. His belief in God grew as Lincoln himself grew in knowledge. As President, Lincoln attended the New York Avenue Presbyterian church in the capital where the Rev. Phineas D. Gurley was pastor. In Dr. Gurley's mind, Lincoln was a practicing Christian.

Who could doubt this opinion after having read Lincoln's state papers? His Second Inaugural is not just a political declaration—it is a sermon: "With malice toward none; with charity for all; with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle; and for his widow, and his orphan—to do all which may achieve and cherish a just, and a lasting peace, among ourselves, and with all nations."

As he stood on the platform of the special train that was to take him from Springfield to Washington and to the White House, he said to those who came to bid him Godspeed, "Without the assistance of the Divine Being I cannot succeed. With that assistance I cannot fail. Trusting in Him who can go with me and remain with you and be everywhere for good, let us confidently hope that all will be well. To his care commending you, as I hope in your prayers you will commend me, I bid you an affectionate farewell."

After taking his presidential oath of office, March 4, 1861, Lincoln declared in his inaugural address that he had a solemn oath "registered in Heaven" to "preserve, protect and defend" the government. He could not, he insisted, "shrink from the defense of" his oath and his government.

He truly symbolized the passage in the Bible which makes clear the nature of true religion: "What doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?"

Lincoln memorized long passages from the Bible, particularly those chapters that reflected his passionate oration of the Bible's doctrine of freedom for all, regardless of race or creed. Perhaps no president who occupied the White House ever read the Bible as much as Lincoln. The White House guards used to find him, before he had breakfast in the morning, turning the pages of his Bible in a small room he used for a library. His two great speeches, the Gettysburg address and the Second Inaugural, are filled with the words and poetry of the Bible. He prayed daily and called prayer "talking with God." In the Washington Cathedral the beautiful bronze statue of Houck's kneeling Lincoln recalls Lincoln's remark "That man is tallest who is on his knees."

[From the Phoenix Gazette, Feb. 12, 1971]

NO CHURCH AFFILIATION: HUMBLE LINCOLN WALKED IN THE PATH OF GOD

(By Dr. Herman Blum)

Historians cite Abraham Lincoln's religion as being of "no formal affiliation." Our 16th president attended Presbyterian services in Washington and Springfield, Ill., every so often, but was not a member of the church.

When he ran for president the first time, in 1860, detractors of Lincoln claimed that since he was not a member of any church, had never been baptized or made formal profession of faith, he could not be considered religious. His outright enemies did not hesitate to call him an infidel.

Notwithstanding these allegations, historians do not have any doubt that the epic that Lincoln lived was based on the broadest concept of religion.

It was in 1846, while a candidate for Congress, that Lincoln felt impelled to state his position on the subject of religion, which became an issue in his campaign. Accordingly he published the following letter:

"To the voters of the Seventh Congressional District of Illinois."

"A charge having got into circulation in some of the neighborhoods of this district, in substance that I am an open scoffer at Christianity, I have by the advice of some friends concluded to notice the subject in this form. That I am not a member of any Christian Church is true, but I have never denied the truth of the Scriptures, and I have never spoken with intentional disrespect of any religion in general, or any denomination in particular.

"I do not think I could, myself, be brought to support a man for office whom I knew to be an open enemy of, and scoffer at, religion. Leaving the higher matter of eternal consequences between him and his Maker, I still do not think any man has the right thus to insult the feelings and injure the morals of the community in which he may live. If then, I was guilty of such conduct, I should blame no man who should condemn me for it; but I do blame those, whoever they may be, who falsely put such a charge in circulation against me."

Charges that he was an unbeliever continued, but these did not dismay Lincoln. He refused to become enmeshed in distorted interpretations of Christianity, which were current in the narrow religious sects of the day. He was not opposed to creed, but he did say this:

"I cannot without mental reservations assent to long and complicated creeds and catechisms. If the church would ask simply for acceptance of the commands, 'Thou shalt love the Lord thy God with all thy heart and with all thy soul and thy neighbor as thyself'—that church I would gladly join with."

Besides his own statement, there is other evidence that Lincoln had deep religious convictions and constantly sought divine guidance. The Bible was probably the first book that Lincoln read.

A few denominations have falsely claimed Abraham Lincoln as a member. It is true that his father, Thomas, was a member of the Baptist Church, but Abraham never joined. If any particular congregation has a claim upon Abraham Lincoln, it is the First Presbyterian Church of Springfield. His connection with this church is well documented, but he never became a member.

Lincoln's religion penetrated much deeper into his soul than a mere personal attachment to a particular church or minister. His belief in God grew as Lincoln himself grew in knowledge. As president, Lincoln attended with regularity the New York Avenue Presbyterian Church, where the Rev. Dr. Phinaes D. Gurley was pastor. In Dr. Gurley's mind, Lincoln was a practicing Christian. Who could doubt this opinion after having read Lincoln's state papers? His Second Inaugural is not just a political declaration—it is a sermon: "With malice toward none; with charity for all; with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle; and for his widow, and his orphan—to do all which may achieve and cherish a just and a lasting peace, among ourselves and with all nations."

As he stood on the platform of the special train that was to take him from Springfield to Washington and to the White House, he said to those who came to bid him Godspeed, "Without the assistance of the divine being I cannot succeed. With that assistance I cannot fail. Trusting in Him who can go with me and remain with you and be everywhere for good, let us confidently hope that all will be well. To His care commending you, as I hope in your prayers you will commend me, I bid you an affectionate farewell."

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He truly symbolized the passage in the Bible which makes clear the nature of true religion: "What doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?" Perhaps no president who occupied the White House ever read the Bible as much as Lincoln.

Lincoln sought constantly, with humility and patience, to learn what his part was in the divine-human drama. His faith in God and his reliance upon God freed him from any false pretensions and imaginings that he was greater and more important than any human being has a right to assume. Often he told those who came to him that his concern was not to get God on his side, but to be sure that he and the American people were on God's side.

[From the Milwaukee Journal, Feb. 6, 1971]

Deeds Showed Lincoln's Faith

(By Herman Blum)

When he ran for president for the first time, in 1860, detractors of Abraham Lincoln claimed that since he was not a member of any church, had never been baptized or made normal profession of faith, he could not be considered religious. His outright enemies called him an infidel.

But historians do not have any doubts that the epic Lincoln lived was based on the broadest conception of religion.

In 1846, while a candidate for Congress, Lincoln stated his position on religion, which became an issue in his campaign. He published the following letter:

"To the voters of the 7th Congressional District of Illinois.

"A charge having got into circulation in some of the neighborhoods of this district, in substance that I am an open scoffer at Christianity, I have by the advice of some friends concluded to notice the subject in this form. That I am not a member of any Christian church is true, but I have never denied the truth of the Scriptures, and I have never spoken with intentional disrespect of any religion in general, or any denomination in particular.

NO RIGHT TO INSULT

"I do not think I could, myself, be brought to support a man for office whom I knew to be an open enemy of, and scoffer, at religion. Leaving the higher matter of eternal consequences, between him and his maker, I still do not think any man has the right thus to insult the feelings and injure the morals of the community in which he may live. If then, I was guilty of such conduct, I should blame no man who should condemn me for it; but I do blame those, whoever they may be, who falsely put such a charge in circulation against me.

July 31, 1846.

(Signed) A. Lincoln."

Lincoln refused to become enmeshed in the interpretations of Christianity that were current in his day. He was not opposed to creed, but he did say this:

"I cannot without mental reservations assent to long and complicated creeds and catechisms. If the church would ask simply for acceptance of the commands, "Thou shalt love the Lord Thy God with all thy heart and with all thy soul and thy neighbor as thyself'—that church I would gladly join with."

CLAIMED BY SOME

A few denominations have falsely claimed Lincoln as a member. It is true that his father, Thomas, was a Baptist, but Abraham never was.

If any congregation had a claim upon Abraham Lincoln, it was First Presbyterian Church of Springfield.

In the fall of 1849, Lincoln and his family went to Lexington, Ky., to settle the estate of Mary Lincoln's father, Robert S. Todd, who had died on July 16 of that year. While in the Todd home, Lincoln browsed in the large library there. The Todds were Presbyterians, and Mary had been raised in the faith. But during her stay with the Ninian W. Edwards in Springfield, she attended an Episcopal Church with her sister and brother-in-law. The Episcopal minister married Mary and Abraham in 1842.

But Presbyterian books were in the Todd library, and one of them caught the fancy of Lincoln. This was "The Christian's Defense," by the Rev. James A. Smith, pastor of the First Presbyterian Church back in Springfield.

DEEPLY IMPRESSED

Lincoln was deeply impressed with Smith's logic, which dealt with the usual objections raised against the Bible. Lincoln was so devoted to Smith's book that he obtained a copy for himself. Robert Lincoln recalled that it was one of his father's few personal books.

A tragedy in the Lincoln household brought the family closer to Smith. Little Edward Baker Lincoln died on Feb. 1, 1850, as a result of chronic consumption. He had suffered severely for 52 days, and the doting parents were worn out physically and spiritually. In this time of affliction, Lincoln turned to Smith. This learned man conducted the funeral services at the home on the following day and later visited the Lincoln family to give them solace.

BELIEF GREW

Soon the Lincolns began to attend First Church. Within a short time Lincoln rented pew No. 20. Mary Lincoln formally joined the church on April 13, 1852. Their son, "Tad," was baptized in the church on April 4, 1855.

Lincoln's belief in God grew as Lincoln grew in knowledge. As president, Lincoln regularly attended the New York Avenue Presbyterian Church, where the Rev. Phineas D. Gurley was pastor.

In Gurley's mind, Lincoln was a practicing Christian.

Lincoln memorized long passages from the Bible. Perhaps no president who occupied the White House ever read the Bible as much as Lincoln. White House guards would find him, before he had breakfast in the morning, turning the pages of his Bible in the small room he used for a library. He prayed daily and called prayer "talking with God."

[From the Philadelphia (Pa.) Evening Bulletin, Feb. 12, 1971]

Lincoln's Religious Creed

(By Dr. Herman Blum)

Historians cite Abraham Lincoln's religion as being of "No formal affiliation." Our 16th President attended Presbyterian services in Washington and Springfield, Ill., every so often, but was not a member of the church.

When he ran for President the first time, in 1860, detractors charged that since he was not a member of any church, had never been baptized or made formal profession of faith, he could not be considered religious. His outright enemies did not hesitate to call him an infidel.

Notwithstanding these allegations, historians do not have any doubts that the epic that Lincoln lived was based on the broadest conception of religion.

It was in 1846, while a candidate for Congress that Lincoln felt impelled to state his position on the subject of religion which became an issue in his campaign. Accordingly he published the following letter:

"To the voters of the Seventh Congressional District of Illinois."

"A charge having got into circulation in some of the neighborhoods of this district, in substance that I am an open scoffer at Christianity, I have by the advice of some friends concluded to notice the subject in this form. That I am not a member of any Christian Church is true, but I have never denied the truth of the Scriptures, and I have never spoken with intentional disrespect of any religion in general, or any denomination in particular.

"I do not think I could, myself, be brought to support a man for office whom I knew to be an open enemy of, and scoffer at, religion. Leaving the higher matter of eternal consequences, between him and his maker, I still do not think any man has the right thus to insult the feelings and injure the morals of the community in which he may live.

"If then, I was guilty of such conduct, I should blame no man who should condemn me for it; but I do blame those, whoever they may be, who falsely put such a charge in circulation against me." July 31, 1846.

(Signed) A. Lincoln.

Charges that he was an unbeliever continued, but these did not dismay Lincoln. He refused to become enmeshed in distorted interpretations of Christianity, which were current in the narrow religious sects of the day. He was not opposed to creed, but he did say this:

"I cannot without mental reservations assent to long and complicated creeds and catechisms. If the Church would ask simply for acceptance of the commands, 'Thou shalt love the Lord thy God and thy neighbor as thyself'—that Church I would gladly join with."

If any particular congregation has a claim upon Abraham Lincoln, it is the First Presbyterian Church of Springfield. His connection with this church is well documented, but he never became a member.

While President, Lincoln regularly attended the New York Avenue Presbyterian Church in Washington where the Rev. Dr. Phineas D. Gurley was pastor. In Dr. Gurley's mind, Lincoln was a practicing Christian. Who could doubt this opinion after having read Lincoln's state papers?

His Second Inaugural is not just a political declaration—it is a sermon; "With malice toward none; with charity for all; with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle; and for his widow, and his orphan—to do all which may achieve and cherish a just, and a lasting peace, among ourselves, and with all nations."

VOICES OF SPRING

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. BOLLING. Mr. Speaker, former Under Secretary of State, George M. Ball, has written a perceptive article entitled "Voices of Spring," which appears in the March 1 issue of Newsweek magazine.

Mr. Ball is well qualified to discuss the subject of his article covering political and military commitments. He has served as Associate General Counsel with the Lend-Lease Administration, Director of the U.S. Strategic Bombing Survey in London, and Under Secretary of State in the Kennedy-Johnson administration. Most recently in 1968, he served as the permanent U.S. Representative to the United Nations. The article follows:

Voices of Spring

(By George W. Ball)

Before Latin gave way to basket weaving, every schoolboy used to learn about Marcus Cato the Censor, a Roman statesman of quite remarkable achievement. By proclaiming again and again that Carthage must be destroyed, not only did he launch a vast urban-clearance project, but, even more important, he taught future politicians that a good way to make a reputation is by repetition.

It is a lesson that has been well learned, as we Americans rediscover every spring, for, as inevitable as the ground hog or the seven-year locust—those animate symbols of punctuality in a computer-driven world—we know we will hear, again and again, certain old refrains as Congress reassembles. Among the most insistent of those chants—and always from the same senators—is the impassioned demand that American troops be promptly withdrawn from Western Europe.

FERVENT

A fervent declaration, and well intentioned, it carries a commonsensical appeal. For is it not "unnatural" that 25 years after the second world war we should still have 300,000 troops in the heart of Europe, 3,000 miles from home?

Yet, though no one who is serious and fair-minded can give other than an affirmative answer to the question, the conclusion that follows is by no means self-evident. To contend, because their current deployment is "unnatural," that we should, therefore, bring our men back presupposes that we live in a "natural" world, which is manifestly not the case.

Is it "natural" that Germany should be split into two parts? Or Western Europe? Or that the world should still be polarized between antagonistic centers of power? I know no one who would argue that such a grotesque global predicament is either "natural" or attractive; yet it is not likely to alter much overnight. Meanwhile, we must face the hard problem of maintaining an uneasy equilibrium in a period when the Soviet Union appears once again to be in an expansionist phase. It is an expansionism that is, unhappily, showing profits, since for the first time in history a Russian fleet patrols the Mediterrean, while the ancient czarist dream of a power base in Egypt grows more tangible each week, as more and more planes, ships, missiles and men debouch in Cairo.

Nor is the equilibrium strained only by forces on the East, for today the capitals of Western Europe are on the verge of central decisions. If, at long last, Britain casts her fortunes with the new Europe, then the slow evolution of a soundly balanced European political structure is not only possible but likely. But if Britain fails to take the lowered fence for quite unworthy reasons, then forces of fragmentation will likely accelerate. A new generation of Germans, uninhibited by bad memories, will be tempted to press even further their atavistic interest in an independent Eastern policy, while France, at long last free of the Gaullist illusion and anxiously aware of German weight and threatened dominance, will turn more and more inward. Meanwhile, Italy, a Mediterranean power no longer surrounded by an exclusively Western sea, may, sooner or later, be driven by her own faction-ridden politics into an uneasy arrangement with her huge Communist minority.

DELICATE

For America to choose such a fluid moment to disturb the delicate interplay of forces by removing the political and military assurance implicit in our stabilizing presence would be reckless indeed—particularly when the compensating benefits of withdrawal are quite insubstantial. Doctrine has already determined that our strategic military reserve can be as easily maintained in Europe as in the United States (perhaps even more cheaply in budgetary costs); and though, even after offset arrangements, there may still be a balance-of-payments disadvantage, that is no longer the obsessive concern it was some years ago.

So far President Nixon has stood commendably firm on this issue, and Senator Muskie is now lending reinforcement. With good luck the embattled position can still be held during the critical months ahead. It had better be.

NATIONAL COUNCIL OF STATE GARDEN CLUBS ENVIRONMENTAL EDUCATION PROJECTS

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, March 1, 1971

Mr. SCHWEIKER. Mr. President, on January 27, 1971, I had the pleasure of welcoming to my office Mrs. Maxwell W. Steel, of Huntingdon, Pa. Mrs. Steel is the incoming president of the National Council of State Garden Clubs, Inc., and came to tell me about the national council's conservation environmental education project for 1971–72.

The goal of this project, which Mrs. Steel calls "one of the most timely, important, and far-reaching programs ever undertaken by a national organization," is to provide teachers with the material necessary to make conservation/environmental education an integral part of the educational activities of every classroom in the United States. They hope to reach this goal by donating to teachers in every school in America the appropriate volume from the eight-volume series of Teachers' Curriculum Guides to Conservation Education, People and Their Environment.

People and Their Environment is a program of over 400 lessons written by teachers for teachers and designed to make conservation/environmental education a living part of a school system's overall curriculum.

The publication of these teachers' guides is the culmination of a 7-year project by the South Carolina Department of Education, with a grant from the Belle W. Maruch Foundation, and under the direction of Dr. Matthew J. Brennan and Dr. Paul F. Brandwein of the Pinchot Institute for Conservation Studies. The Pinchot Institute is located in Milford, Pa., in the ancestral home of America's first conservationist and two-term Governor of Pennsylvania, Gifford Pinchot.

Each volume in the series was specifically developed for use in a particular grade or subject area.

To implement this ambitious educational program, the 387,700 members of the over 14,500 garden clubs affiliated with National Council of State Garden Clubs will seek the support and aid of friends, neighbors, other civic organizations, businessmen, and members of industry.

As a member of the Subcommittee on Education, I am most heartened to note that the National Council of State Garden Clubs' project directs its attention to that area of environmental education emphasized in Public Law 91–516, the Environmental Education Act of 1970, passed unanimously by this body and signed by President Nixon on October 30, 1970; namely, to encourage and support the development of new and improved curriculums designed to develop citizen understanding of the Nation's environment and environmental problems and policies; and to encourage citizen support of activities designed to enhance environmental quality and maintain ecological balance. It appears that if National Council of State Garden Clubs' project is successful, the Nation will have taken a giant step toward accomplishing the purpose of the Environmental Education Act.

Furthermore, this project illustrates how—at no cost to the Federal Treasury—a national federation of State organizations, each member working within her own local community, can join with businesses and Government in an attempt to solve one of our Nation's most pressing problems.

I urge all Senators to support this project and to encourage the citizens of their States to do likewise.

A WAGE BOARD BILL IS NEEDED

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. SIKES. Mr. Speaker, it will be recalled that a Wage Board bill to provide an improved method for adjusting the wage system of Federal blue collar workers was approved by the Congress in the last session. However, it was vetoed, and in the lateness of the session, no attempt to override the veto was made. In the House the measure passed by record vote of 272 yeas to 89 nays, and in the Senate this bill passed by voice vote. It is highly proper that further efforts be made to insure the enactment of this legislation. A wage board bill still is needed to provide an equitable system of wage adjustment and to eliminate discrimination in wages paid to nearly 800,000 Federal blue collar or prevailing rate workers, some of whom have suffered inequitable and unfair treatment for many years because of the lack of such legislation.

I am introducing such a bill. It will provide by statute the first equitable system for adjusting and fixing the pay rates of wage grade employees. There is within every State a large number of wage grade and nonappropriated fund employees who have been discriminated against. One cannot stress too strongly the need for immediate action. The issue has been ignored too long by those who had the power to correct this unjust system.

Prevailing rate employees make up 27 percent of those paid exclusively from appropriated funds. Adding the thousands of employees included in the nonappropriated fund list, the number would be about 800,000.

These patient workers have been loyal to their Federal job stature, but we cannot ask them to be patient longer. Rankling is the fact that the President vetoed a bill which would have helped these people—vetoed it at the end of the last Congress.

The need is apparent for speedy action on this measure to cope with unfair treatment which has snowballed over the years and has made these loyal Federal workers the step-children of the Government service.

Discrimination is rampant against these employees. Wage grade workers earn annually on an average 16 percent less than classified workers or those in the postal field service.

This bill, in setting up 10 steps in pay differential, will not only compact the gross inequities of the present three step system but will establish a range of rates so Federal Wage Board can win comparability with private industry, who now operates successfully under similar rate ranges.

As things now stand, the pay differential for classified white collar workers is about 30 percent; the pay differential of blue collar workers in private industry follows a similar pattern; but the Wage Board blue collar workers in Federal installations can only increase their rate of pay by 8 percent. How, under existing rules, do you reward these employees, particularly since most of them are in the final step shortly after they begin work?

Supervisors are given the privilege of a five in-grade system now, so they can enjoy continued financial rewards while the workers they supervise are stuck in an inflexible grade system.

This bill will also establish a Federal Prevailing Advisory Committee within the Civil Service Commission with an impartial chairman appointed by the President to insure that the broad interests of both sides are represented and protected.

Five members of the committee will be appointed by the Chairman of the Civil Service Commission from labor unions representing the largest number of prevailing rate employees under exclusive recognition in Government service. Management officials, five in number, will be appointed from each of the four executive agencies—other than the Civil Service Commission—and military departments having the largest number of prevailing rate employees and an employee of the Civil Service Commission appointed by its Chairman.

An important feature of the bill is that it would include the provision that the nonappropriated fund workers will receive the same benefits as the wage grade workers.

This measure is vital to the Federal service. These workers have been more than patient, but their patience is growing thin and they could, should we ignore them, resort to other means to connect a mishmash of antiquated Executive orders and chaotic regulations.

PRESIDENT'S FIGHT AGAINST CANCER MUST HAVE SUFFICIENTLY TRAINED MANPOWER

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. DEVINE. Mr. Speaker, central to the effectiveness of any scientific program is the presence of sufficient manpower—manpower that is trained and available at the point of greatest need. Central to the effectiveness of the President's fight against cancer will be the availability of that trained and experienced manpower pool, enlivened and enriched by a long association among the investigators and other research personnel who have brought us this far along the road.

To initiate now a new agency, or super agency, to handle an accelerated effort to conquer cancer is, to my mind, somehow lacking in logic, lacking in appreciation of what has already been achieved, and—finally—lacking in an awareness of the personnel problems that would inevitably be entailed.

The know-how—the day-to-day association and exchange of knowledge among virologists, immunologists, cell biologists, epidemiologists, pharmacologists, and others involved with research that is so critically relevant to areas of promise in the cancer field—all of these factors are in being at the National Cancer Institute. It would take years for an independent agency to construct a similar group. In the last analysis, it would seem to be a waste to try and double the workers in a field where critical trained manpower shortages now exist.

ONE MAN'S OPINION

HON. WALLACE F. BENNETT

OF UTAH

IN THE SENATE OF THE UNITED STATES

Monday, March 1, 1971

Mr. BENNETT. Mr. President, recently, Mr. Frank McIntyre, vice president of KLUB–AM in Salt Lake City, ran a series of radio editorials on his show "One Man's Opinion." They dealt with professionalism and the deterioration of quality performance and workmanship in America.

I think the series was very interesting and ask that they be included in the Extensions of Remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

ONE MAN'S OPINION

(By Frank C. McIntyre)

Frank McIntyre at the microphone. One Man's Opinion. We had Christmas dinner at a lovely Salt Lake restaurant. Knowing how hard it is to get help on Christmas day, I was prepared for sub-par service. But, our waitress was doing her utmost under trying circumstances. I heard the host of the party at an adjoining table ask another waitress if his guests could have some water. The gal replied, "This isn't my table—and I'm awfully busy." The poor guy obviously looked shocked—so the waitress asked him to describe the girl assigned to his table. And she proceeded to look for the proper waitress. She spent precious minutes explaining why she couldn't get the water—and more precious minutes looking for the right girl—instead of spending a mere fraction of the time pouring the water. Not to do the job must have taken 5-minutes—to do the job would have taken about 60-seconds. An example of the lack of professionalism—that we find everywhere. How many Christmas toys have fallen apart? How many small appliances have you junked because they don't work? How many times have you reported for a 10 o'clock appointment and find yourself still cooling your heels waiting at 11. In government, industry, business, professions, education and the arts we find incompetence rampant—incompetence triumphant. A few years ago I was convinced all was lost—that we, as a nation—even as a race—couldn't survive. Then I read the Peter Principle—a book devoted to why things go wrong. Raymond Hull, in the introduction, says: "Incompetence knows no barriers of time or place". He lists as examples a report by Samuel Popys of the British Navy in 1684: "The naval administration was a prodigy of wastefulness, corruption, ignorance and indolence". Wellington examined the roster of officers assigned him for his 1810 campaign in Portugal and mused, "I only hope that when the enemy reads the list of names, he trembles as I do". Robert E. Lee complained bitterly, "I cannot get my order carried out". Harry Truman, many years later, echoed Lee's words. I'm convinced that any boss who strives for perfection will lose his mind, I'm also convinced it's difficult to attain mediocrity. Dr. Laurence J. Peter, in his book, "The Peter Principle," maintains the reason for inefficiency is that we all reach our level of incompetence. We rise from a position in which we function efficiently to a position we're incapable of filling . . . and there we stay, gumming up the works for ever more. Our level of incompetence. He gives many illustrations to back up his theory. I think that may be part of the problem—but only part. We'll go into that tomorrow. Frank McIntyre at the microphone.

ONE MAN'S OPINION—PART II

(By Frank C. McIntyre)

Frank McIntyre at the microphone. One Man's Opinion. We continue on the subject of incompetence-inefficiency. Dr. Laurence J. Peter, in his book, "The Peter Principle," says the reason incompetence is rampant—incompetence is triumphant everywhere—is because we all reach our "level of incompetence. By performing well in a lesser job, we're promoted to a job we can't handle—our level of incompetence." Maybe that's part of the problem—but I feel many—too many—people earn their living in a job they HATE at worst—or barely tolerate at best. I feel sorry for the man who dreads to see Monday roll around after a pleasant weekend—because he can't stand the thought of returning to his job. If you don't enjoy—yes enjoy—your job, you can't do your best work. We need dedicated workers—but it's impossible to be dedicated to a job you despise. If you're bored with your job—quit it. Or, make every effort to put some life, vim and vigor into what you're doing. Too many people—especially in government—have a tendency to play it safe—avoid controversial positions—they're afraid to rock the boat—and adopt a policy of blandness, until blandness becomes a way of life. Maybe you feel if you're anything but bland—if you speak your mind with force and candor—you'll grate on your bosses nerves and if you don't get canned, you'll languish in your present position and never advance. But, isn't it worth a try? You can't exist indefinitely in an atmosphere of boredom. Simple boredom drives able men to drink—or to the fringe of lunacy. If you don't choose to quit your job, at least look for ways to make it interesting. No matter how long or high your position, if you take pride in what you're doing, you'll automatically do a better job—and this in itself will bring you an amazing amount of satisfaction. Incidentally—and I've said this before—I have no sympathy with those who say increased pay means increased quality. Good pay, by itself, does not insure good work. To insure good work, you must first have good people. If pay is the incentive—the people and their services are of doubtful value. I'm not quarreling with any individual or group for wanting—asking for—or even demanding—more pay. But, please don't tell the employer, "If I made more money, I'd do better work." If you're not already doing the best job of which you're capable, you shouldn't receive more dough—you should be canned. Play the part of a martyr—do a minimal job because you feel you're underpaid, unappreciated and exploited, and the boss will probably say—or at least think—Hallelujah, if you tell him you're quitting. Make yourself so valuable—so close to being indispensable—do such a terrific job that the boss will shudder at the thought of losing you. You might be surprised what he'll do to keep you. More on professionalism—or lack of it—tomorrow.

ONE MAN'S OPINION—PART III

(By Frank C. McIntyre)

Frank McIntyre at the microphone. One Man's Opinion. During the past two days, I hope I haven't created the impression that I blame all of today's inefficiency and incompetence on the workers. Far from it. I feel the operation of any company—or department of government, industry, business, professions, education or the arts—is a direct reflection on the attitude of the manager—the top man—the guy in charge. For instance, have you ever noticed you do NOT receive the same treatment, consideration, courtesy at ALL outlets of any given chain? I refused to go inside one large, modern store because of the discourteous, disinterested treatment I received or imagined I received. Yet, a matter of blocks away this same company operated a store that was an absolute joy to visit. Every customer was treated as an honored guest—an old friend. The cold treatment at Store A was the direct reflection of a cold boss. The friendly treatment at Store B was the direct reflection of a friendly boss. To further prove my point, a new manager was appointed for the "friendly" boss—and almost overnight the atmosphere changed. Same employees, for the most part—but the new boss was a "cold fish" and his attitude soon rubbed off on his employees. "A happy ship" must be helmed by a "Happy captain." His enthusiasm can't help but rub off on his crew. Employees—knowingly or unknowingly—tend to take on the traits, mannerisms and characteristics of the boss. If the boss just couldn't care less—why should the employees? What can management do? Well, management must set the "tone"—show by *example*—and not just by pious lectures to the crew—that the company does care. If the employees see and hear with their own eyes that the boss is in fact concerned, they, too, will be concerned. Also, policy must be set by management—and transmitted clearly down the line. The employees must know the rules of the game they're playing. But, management must realize that people aren't computers. People can't be pre-programed for every conceivable situation—so they must be given some flexibility. Flexibility tempered with common sense. The perfect exemplification of no common sense was the incident I spoke of Tuesday—the waitress who refused to get some diners glasses of water—because they weren't sitting at her table. Also, I'd suggest that management manage. Many decision makers are afraid to make a decision—afraid to manage. So they appoint committees to make decisions that are so watered down that they're really non-decisions. More about this tomorrow. Frank McIntyre at the microphone. One Man's Opinion.

ONE MAN'S OPINION—PART IV

(By Frank C. McIntyre)

Frank McIntyre at the microphone. One Man's Opinion. Yesterday, we suggested one way we could lick the inefficiency and incompetence that is rampant—that reigns triumphant—would be for management to manage. In and out of government, we've fallen into a committee syndrome—committees and staff meetings. Henry Kissinger said, "The committee approach to decision making is less an organizational device than a spiritual necessity". Many decision makers are afraid to make a decision. I feel a manager or department head who has the authority to make decisions and doesn't, should be replaced. I'm aware many policies are loaded with booby traps—and some decision makers are afraid they'll wind up the booby. Making decisions a collective responsibility greatly reduces the risk—and also reduces the number of decisions. Policy by committee results in compromised language and obscurity—a hodge podge, greatly inferior to any of the individual views—out of which it is brewed. Committee systems also account for the extraordinary amount of red tape in the process of making policy. Many decision makers are afraid to make mistakes. But, the man who built AVIS—the "we try harder" people—(I forget his name)—to the great institution it became—frankly admits no more than ⅓ of his decisions were correct. He made wrong decisions ⅔ of the time—and look what a success his company became. What's the old cliche—"Do something, even if it's wrong!" Meetings—meetings—meetings. As many meetings as we have in government, industry, education, business and the professions—it's a miracle anything is ever accomplished. How can anyone take care of business—which to me means doing things—doing something constructive—if you're tied up in non-stop meetings? I don't think we've ever had a general staff meeting here at KLUB and KWIC. We operate under an "open door" policy. Anyone can walk in and talk to anyone at any time. But most of the time, we're not meeting—we're working. As a result, we accomplish a lot with a very modest staff. At the risk of being accused of indulging in self-righteousness or pious platitudes, I'll say I feel deeply that we're all here to serve our fellow man—and we must justify our existence. We all have responsibilities—we're all accountable. Responsibility and accountability. If we'd accept this precept of responsibility and accountability, we could lick inefficiency and incompetence overnight. We're all responsible for performing some service for our fellow man—we're all accountable to our fellow man. You'll sleep better tonight if you can honestly tell yourself, "I accomplished a lot today. I had a good day". Frank McIntyre at the microphone. One Man's Opinion.

STUDENT LOAN SECONDARY MARKET VITAL

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. ERLENBORN. Mr. Speaker, a keystone in the President's student financial aid proposals this year is the call for creation of a secondary market to increase the amount of money available for student loans. The need for such a facility has been recognized by 18 of our colleagues: Mr. Quie, Mr. Thompson of New Jersey, Mr. Dellenback, Mr. Dent, Mr. Esch, Mr. Pucinski, Mr. Steiger of Wisconsin, Mr. Daniels of New Jersey, Mr. Landgrebe, Mr. William D. Ford, Mr. Hansen of Idaho, Mr. Hathaway, Mr. Collins of Texas, Mr. Gaydos, Mr. Don H. Clausen, Mr. Scherle, Mr. Price of Texas, and Mr. Morse and me in introducing H.R. 710, to establish a Student Loan Marketing Association.

Sally Mae—SLMA, or the National Student Loan Association as it is called in the President's proposal, will serve to widen the availability of insured student loans by creating a market for existing loans to which banks and other eligible lenders can sell their loan paper, thus increasing the pool of resources available for lending to students. The increased liquidity of student loans will solve the last remaining major problem which has kept a large percentage of the Nation's banks from participating in the program.

It would operate as a Government-sponsored, privately financed corporation. By the sale of Government bonds and preferred stock, it will permit the participation of large investors—pension and retirement funds, insurance companies, and the like—who, understandably, have been reluctant to participate at the primary lending level in the student loan program.

The concept is not new. It is patterned after an arrangement that has been in existence for some years in the housing mortgage market through the Federal National Mortgage Association.

Furthermore, by expanding credit in this manner, it will be possible to terminate the special allowance payments now made to lenders to induce them to make student loans. Interest rates on these loans will fluctuate at the market rate in the future.

Estimates of the Association's operations show that Sally Mae may buy up to $2 billion worth of loan paper in its first year of operation.

The creation of this Association is vital to the continuing success of the student loan program, which has provided 2½ million students with $3 billion in loan funds in 5 years. It is vital to the President's comprehensive student financial aid program contained in "The Higher Education Opportunity Act of 1971." I urge consideration of this entire package at the earliest possible moment.

THE SST AND THE 747

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. HÉBERT. Mr. Speaker, this body will soon be resuming debate on the supersonic transport program. The debate in the last session, unfortunately, was marked by a series of emotion-fraught, irrational attacks which came close to crippling a project of great importance to the Nation. Let us hope that this time we will all take a look at the latest authoritative, as opposed to speculative, information and vote on the program in an atmosphere of reason.

It is an unhappy fact of our history that major technological advances have always been resisted. Earlier in our transportation history there was strongly expressed objection to the railroad train, the steamship, the automobile, and the first airplanes, for example, on grounds of safety, economics, and, yes, even damage to the ecology—arguments that have long been forgotten as their authors would wish them to be.

In the case of the supersonic transport, we are dealing with a truly major technological leap forward. It is also of great importance to our national economy in terms of employment, the balance of trade, and very substantial tax revenues to help pay for the programs we all realize must be implemented to meet our many urgent social needs.

Yet the SST is encountering the same kind of opposition faced by the earlier advances in transportation—and buttressed by equally specious arguments that the aircraft will somehow adversely affect the environment.

Mr. Speaker, it should have been apparent to us all during the consideration of this program last year that the great bulk of informed scientific opinion is in favor of continuing development of the SST prototypes. Further authentic information has been developed since and will be presented during the new hearings. I am confident it will dispel any honest doubts remaining in the minds of reasonable Members.

I have mentioned the value of the SST program to the economy. One aspect of the economics is the fact that there has been too little discussion of the investment made so far.

To date, the Government, the prime contractors and the airlines have committed nearly $1 billion to the SST; it is expected that the total cost of building and testing two prototypes will be about $1.3 billion. But this is a carefully calculated investment that ultimately will return the taxpayer's share of the funding plus a billion-dollar dividend. By contrast, killing the program would cost nearly as much as completing it—and obviously would represent an utter and unconscionable waste.

Still another aspect we have heard little about is the importance of SST development to national security. It seems to me sensible to assume that in the not-far-distant future our military will benefit greatly from SST technology and may possibly have a requirement for a supersonic troop transport. In the past, military aircraft programs technology has helped make possible civilian versions that have formed the bulk of our commercial airline fleets; in this case, I believe, almost the reverse will be true—a major step forward in civil air transport will benefit the national security in the future.

I recommend to my colleagues a recent editorial in the Washington Daily News entitled "The SST and the 747":

[From the Washington Daily News, Feb. 15, 1971]

THE SST AND THE 747

The argument over the SST (supersonic transport) is sure to be resumed as soon as the 92nd Congress finishes playing musical chairs and gets down to work, and we suggest that both sides might find useful guidance by looking at the impressive record that is being made by the 350-passenger 747 (subsonic) jet.

The 747 has been in airline service for a year now and by any measure is well on its way to proving itself one of the greatest commercial aircraft ever built. It has flown 71 million miles and carried seven million passengers.

Once debugged (an evolution every new aircraft goes thru) it has proved itself an immensely reliable airplane. Boeing, which has delivered 100 of the huge planes since last January, reports reliability (departure within 15 minutes of schedule) is now running at 90 per cent. One carrier reported 100 per cent reliability for December, another posted 97 per cent.

Largely obscured by the horrible financial year the airlines had in 1970 is the fact that the 747 itself has wrought a minor economic miracle. Boeing and some 1500 subcontractors invested $400 million in facilities to produce the 747. By the time 200 of the planes are in service (estimated mid-1972) the big birds will have generated $3.6 billion in sales—$1.3 billion of that in sales abroad with their vital impact on U.S. balance of payments.

Last year an average of 68,000 people were employed in building the 747, at an estimated annual payroll exceeding $500 million. Airline revenues from 747 operations will reach $6 billion by the end of this year.

One more measure of the magnitude of the economic impact of the plane: By next December 747 passengers will have paid out over $300 million in ticket taxes alone.

What has all this to do with the argument over whether to continue with the two SST prototypes?

Simply this. In 1966, when the 747 was no more than a gleam in the eye of aircraft engineers, many of the same arguments were raised in opposition to it that are now being made in an attempt to smother the SST in its nest.

The 747, wailed the crepe-hangers, would be so noisy that it couldn't use existing airports; so heavy it would crush present runways; its engines would gulp fuel at such a rate as to bankrupt the airlines; people wouldn't fly in it; it would dangerously overwork pilots; it would be perilously unstable at low speed.

The facts, of course, are the reverse. The 747 is perfectly at home in present airports. It is so economical that even the financially pinched airlines are stumbling over themselves to spend $23 million each for the plane. People do like to fly in it (they seem to prefer it to the cherished 707). Pilots love it. So far its safety record is superb.

No one, pro or con, has sufficient information to be dogmatic about the SST—whether it will be a money maker, or whether people will prefer its 1,800 mph speed to the present jets' 500 mph or whether it will in fact pose insuperable problems of environmental pollution.

But the track record of the U.S. aircraft industry for building great airplanes is very good. Good enough, we judge, amply to justify going ahead with the SST.

Not until the prototype aircraft are flying will the truth be known about the ecological horror stories being laid at its door, or the equally speculative economic doomsdaying regarding it, or the dire prediction that after 5,000 years of wanting ever to travel at faster speeds mankind is suddenly going to decide that sub-sonic is quite fast enough.

There was never a sure-thing investment. But the SST looks amply good enough to get on with the prototype program.

FREE WORLD FORCES IN LAOS

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. LANDGREBE. Mr. Speaker, there are elements in this country who would condemn the recent incursion by free world forces into Laos as aggression. This charge is easily refuted by anybody who knows the facts about the role of that troubled land in the Indochina conflict.

The aggression in Laos is clearly on the part of the Communists. Beginning with the 1962 Geneva agreements and continuing right up to our present day, North Vietnam has violated those agreements, using Laos as a supply route and base of operations for their war of conquest.

Now that our ally, South Vietnam, is taking action that threatens to cut off the Ho Chi Minh Trail, those who appear to want nothing less than total Communist victory suddenly demand that the neutrality of Laos be honored. But what about Hanoi?

The Communist disregard for treaties was so flagrantly shown in Laos, that even one of the better-known American "doves," Mr. W. Averell Harriman, felt compelled to acknowledge this treachery.

Unlike so many others who occupy our domestic dovecote, Mr. Harriman has the intellectual honesty to recognize Communist villainy when he sees it.

But in the current debate over Laos, Mr. Harriman's remarks, made nearly a year ago, would have gone unnoticed except for the alertness of one of our Nation's finest publications, Human Events. The liberal press, if they mentioned Mr. Harriman's remarks at all, certainly did not stress them. But Human Events, as it has done in so many other instances, has brought them to public attention.

Mr. Speaker, I commend the fine work that is being done by Human Events to alert the public and for the article which appears in the February 20 issue concerning Mr. Harriman's remarks.

In order to bring these important facts to the attention of my colleagues, Mr. Speaker, I ask to insert a copy of the article at this point in the RECORD.

I include the article, as follows:

HARRIMAN'S STAND BOLSTERS NIXON POSITION IN LAOS

Democratic presidential front-runner Sen. Edmund Muskie (Maine) criticized, albeit mildly, the South Vietnamese sweep of portions of Laos last week, but few realize that W. Averell Harriman, Muskie's chief foreign policy adviser, provided the rationale behind the President's go-ahead decision almost a year ago.

Harriman, who negotiated the Laotian agreement in 1962, acknowledged last March on NBC television that the North Vietnamese had violated the Laotian agreement from the beginning.

When an NBC reporter asked the former ambassador "Why haven't the agreements on Laos that were agreed upon in 1962 held," Harriman responded: "I have no idea. It's written into the agreement that the British and the Soviets have responsibilities for the observance of the agreements. . . . The . . . Soviets are the ones that should have kept North Viet Nam in line. They [North Viet Nam] didn't keep the agreement for a single day, you know. We took out all of our military persons, some 600-odd, and the other side [North Vietnam] had some thousands and they left at least five or six thousand in the country [when they were supposed to withdraw]."

The NBC reporter then said: "Well, there's no doubt in your mind, then, the North Vietnamese have never abided by the Geneva agreements?"

Harriman replied, "That's right. They never abided by it. They were—they had one interest which they have, and they never intended to keep, which was that Laos should not be used against a neighboring country, and they've been using the Ho Chi Minh Trail, you know, to bring down their men and supplies and infiltrate them into South Viet Nam."

Asked if the U.S. had abided by the agreement, Harriman stated: "They abided by it completely. We—most meticulous, and then in 1962, both in the letter of the agreement and the spirit of agreement, we took out everyone—every military personnel we had, and we only gave supplies that were asked for by Souvanna Phouma which was—he was entirely entitled to ask for. . . ."

Harriman also denied that the situation in Laos amounts to a civil war: "The present situation is, I think, pretty entirely the North Vietnamese invading. The Pathet Lao no longer have any military strength that amounts to much, but the North Vietnamese are invading Laos to use it as a corridor and then, also, to keep the country divided."

Not only Harriman, however, but the neutralist Laotian government has blamed the North Vietnamese for the disintegration of the 1962 Geneva agreements. While liberal lawmakers were condemning the U.S.-backed sweep of Laos last week, for instance, the neutralist government of Laos felt the blame for the incident lay with Hanoi.

On February 8 the Laotian government issued a communique which regretted the action taken, but pointedly added: "It is true that primary responsibility for this development rests on the Democratic Republic of Viet Nam, which has violated international law and the 1962 Geneva agreements. The DRV has violated and is continuing to violate the neutrality and territorial integrity of the kingdom of Laos."

According to military observers, however, the U.S.-supported incursion into Laos is not only justifiable on ethical grounds—i.e., the North Vietnamese didn't live up to the Geneva agreements—but it is correct militarily.

With the closing of the Cambodian port of Sihanoukville, the cutting off of other water routes to the Communists by allied ships, and the destruction of the North Vietnamese sanctuaries along the Cambodia/South Viet Nam border, the Ho Chi Minh Trail in Laos has become the sole remaining major artery supplying the North Vietnamese units fighting in South Viet Nam and Cambodia.

Thus the hope is that by harassing these sanctuaries, the offensive punch of the North Vietnamese can be greatly reduced. The goal is the strengthening of free Asia and the quickening of the Vietnamization program.

THE 18-YEAR-OLD VOTER

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. GONZALEZ. Mr. Speaker, in cosponsoring today a House joint resolution proposing a constitutional amendment to fully enfranchise 18-year-old voters, I am reiterating my longstanding confidence in the ability of our young people to exercise a responsible role in the election of our Federal, State, and local officials.

I have sponsored 18-year-old suffrage legislation ever since my first term in Congress in 1961, and in light of the December 21, 1970, Supreme Court ruling which accomplished the enfranchisement of 18-year-olds in Federal elections, it seems only logical to me that the 1970 Voting Rights Act privileges be extended to include State and local elections.

A voice in the selection of a city councilman, a Mayor, a State legislator, or a Governor, is as important to the young voter as a voice in the election of a Congressman, a Senator, or a President.

Since the Supreme Court's ruling on the Voting Rights Act obviously resulted from the recognition that the individual States should maintain their authority to establish voter qualifications in State and local elections, it is now up to the Congress to complete the job it set out to do when it approved the 18-year-old provision of the Voting Rights Act.

To my mind, the full enfranchisement of 18-year-olds now eligible to vote in Federal elections is not even a debatable issue. The idea of requiring county clerks to maintain two separate registration lists, one for Federal elections and another for local and State elections, is absurd.

The House joint resolution requires prompt action by both Houses of Congress and an equally prompt ratification by the legislatures of the various States.

PETER COHEN TALKS OF FREEDOM

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. HATHAWAY. Mr. Speaker, Peter A. Cohen, a senior at the Edward Little High School in Auburn, Maine, was recently awarded first place in the Maine's statewide Voice of Democracy contest.

The contest is annually sponsored on a nationwide basis by the Veterans of Foreign Wars and its Ladies auxiliary. This year, according to Cooper T. Holt, executive director of the VFW's national office here in Washington, over 400,000 students participated in the contest, competing for the five scholarships which are awarded as the top prizes. Winning contestants from each State will be brought to Washington for the final judging later this month as the guests of the VFW. The national winner will receive a $10,000 scholarship; second prize is $5,000; third prize, $3,500; fourth prize, $2,500; and fifth prize, $1,500. The contest's theme this year is "Freedom—Our Heritage."

Peter Cohen, the son of Mr. and Mrs. Sheldon Cohen of 51 Grandview Avenue, Auburn, Maine, has, at 17, already distinguished himself as student, athlete, and writer. He is a varsity letterman in football and track, a most successful participant in the advanced junior study program at the University of Maine, a coeditor of his school's yearbook, and winner of Pepsi-Cola's essay contest "I've Got a Lot To Live."

I congratulate Peter for achieving yet another high distinction, realizing that the excellence of his Voice of Democracy theme evidences a wisdom and understanding that will assure him many more future achievements. Peter, I understand, is considering a career in law. Should he be as successful in this endeavor as he has been in past performances, he is sure to be an outstanding credit to that profession.

Mr. Cohen's essay follows:

FREEDOM—OUR HERITAGE

(By Peter Cohen)

It is now four A.M. I was awakened by the powerful words of Martin Luther King swirling in my mind:

"I'm not weary. I'm not fearing any man. Mine eyes have seen the glory . . ."

I have seen fields pregnant with colorful blooms and children romping the hillside. I have seen the smiling little girl, with her soft hair swaying in the breeze, running along a desolate beach in pursuit of sea shells. I have seen the snugness of a New England farmstead during a Northeastern snowstorm.

I have seen everything that is distinctively American—from the sweat of the steel mill to the chilly ritual of maple sugaring in Vermont. I am happy; I am jubilant; I am exultant; I am feverishly optimistic.

Yes, I have seen the glory!

I have seen the little boy with his grandfather fishing on the bank of a stream. I have seen families sitting around a raging fireside, hashing over old times spent together. I have seen cheering fans eating sizzling hot dogs and steaming hot chocolate at a typical bleak football game. I have seen the young boy on a swing—laughing cheerfully as he swings higher and higher in the sky—flying into a new future. . . .

Yes, I have seen the glory!

I have seen an inner air, a majestic air in which an individual can draw the breath of self-respect.

I have seen a country that gives every individual—rich or poor—the opportunity to forge ahead and reach the top. I have seen a country that allows a man to work at what he pleases without interference from the government. I have seen a country that believes that men and women have an inherent right to hew out the patterns of their individual lives, just as long as they don't harm their fellow human beings.

I have seen a country where all sorts of different people, drawn from every nation in the world, get along together under the same big sky.

Yes, I have seen the glory!

I have seen a country that has created a Bill of Rights which protects the individual from narrowness and despotism. I have seen a country in which poor men can hold their heads as high as rich men, even when fate seems to be going against them.

But most important, I have seen people—people like you and me, who go to any church they choose, and who cannot be prosecuted for their religion. I have seen people who elect the representatives they wish to govern them, and remove those representatives by vote. I have seen people who remain loyal to one cause, one country and one flag.

I have seen people who have a fierce belief in individual liberty, in individual opportunity, and in the collective wisdom of free men.

Yes, I have seen FREEDOM, this seven-letter word that means so much to any human being. But it is not enough to have freedom, what is needed is to use freedom responsibly. Men joined together in society lose some forms of freedom and gain others. We exchange the brutal freedom of the savage for the sophisticated freedom of civilized man.

This is how we grew. This is what we are. These are the things we believe. This is freedom!

The late Martin Luther King stated:

"When we let freedom ring, when we let it ring from every village and every hamlet, from every state and every city, we will be able to speed up that day when all of God's children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual, 'Free at last! Free at last! Thank God Almighty. We are free at last!' "

POW PLEA TO VIETCONG

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. ICHORD. My Speaker, I include the following:

As you and my colleagues know, the Committee on Internal Security in the 91st Congress conducted several investigations and hearings into the activities of subversive groups, some of which were operating on campus and affecting the lives of our college students.

During two of those inquiries—one into the activities of Students for a Democratic Society, a second into the New Mobilization Committee to End the War in Vietnam—we became especially concerned with the confinement and treatment of prisoners of war held by the North Vietnamese and the Vietcong.

Especially informative was the testimony of Lt. Robert F. Frishman and Petty Officer Douglas B. Hegdahl, two servicemen whose release from Communist captivity was ostensibly arranged through the intervention of a delegation which included representatives of the New Mobilization Committee to End the War in Vietnam, the Fort Hood Three, SDS, and Newsreel, the tradename of Camera News, Inc., which is affiliated with SDS.

Then we heard the heart-rending testimony of the wives of two prisoners of war, Mrs. Edwin Arthur Shuman III, and Mrs. Dale Walter Doss, both of Virginia Beach, Va.

Their accounts of efforts to send and receive mail from their husbands revealed the callousness of those not truly concerned with the plight of our prisoners.

However, perhaps some progress is being made in reaching and, hopefully, influencing the decisionmakers among the North Vietnamese and the Vietcong.

A few weeks ago in my district a small group of residents and students from Columbia were granted a rare interview with Vietcong representatives at the Paris peace talks.

A staff writer with the St. Louis Globe-Democrat, Sue Ann Wood, wrote a noteworthy account of that meeting. Let me share her story, titled "Group Takes POW Plea to Viet Cong," which appeared in the February 20–21 weekend edition of the Globe-Democrat.

The efforts of those students and educators point up the leadership and responsibility of our academic communities when, it seems to me, it has been, at least in recent months, almost commonplace to lambast the American college student and play down his evinced desire to end the war as radical campus rhetoric.

I am proud of the leadership exhibited by the teachers and students at Stephens College and by the Missouri State Teachers Association, whose executive director is my good friend, Everett Keith.

Miss Wood's story follows:

GROUP TAKES POW PLEA TO VIET CONG

(By Sue Ann Wood)

American concern about prisoners of war held by the North Vietnamese and Viet Cong was graphically expressed by a small group of Columbia, Mo., residents and students granted a rare interview with Viet Cong representatives at the Paris peace talks early this month.

Now back from their trip to Paris, members of the Columbia group were in St. Louis Friday to talk about their experiences.

Dr. David A. Otto, who teaches biology at Stephens College, headed the group of eight making the trip to deliver some 20,000 letters from Missouri State Teachers Association members and petitions bearing 15,000 signatures of Columbia students and citizens. Others in the delegation were Dr. Eugene Windmiller, a surgeon; Dale Cornelison, grocery store owner, and Misses Carolyn Crawford, Debby Hargett and Ann Searles, Stephens College students.

The idea for the Paris venture began last fall, Otto said, when he and others started gathering signatures on a petition to the North Vietnam government asking for humane treatment of prisoners under terms of the Geneva Convention.

At about the same time, the state teachers' organization, which has about 52,000 members, began a letter-writing campaign along similar lines. The drive was an indirect result of a talk given by H. Ross Peret, Texas industrialist who has worked for release of American prisoners in Vietnam, at the MSTA meeting last fall in Kansas City.

From the first, Otto said, leaders of the petition campaign had intended to go to Paris to try to deliver the petitions personally to North Vietnamese and Viet Cong delegates at the Paris peace talks.

When definite plans for the trip were made, Otto was asked by the MSTA to take along their letters for personal delivery and he readily agreed. The eight carried the letters and petitions in seven suitcases, he said.

Before leaving, they had consulted with leaders of groups in other states who have made similar trips on behalf of POWs and were warned of some of the difficulties that faced them.

"We were told we probably would have no chance of seeing the Viet Cong delegates," Otto said, "but might get to talk to some North Vietnamese representatives."

Arriving in Paris in late evening of Jan. 31, the Columbians waited until the next day to begin efforts to make appointments with the two delegations.

Miss Searles, 21, of Washington, D.C., speaks French and took over the telephoning chores, while others penned letters and wires to be delivered by mail.

To their surprise, the North Vietnamese gave them the cold shoulder while the Viet Cong gave them an appointment for an interview at the home of Madame Nguyen Thi Binh, foreign minister of the Provisional Revolutionary Government of South Vietnam—better known as the Viet Cong.

For three hours on Feb. 3, the Missouri group sat in the living room of Madame Binh's suburban Paris house holding a trilingual discussion with three Viet Cong delegates to the Paris peace talks—Tran Van Tu, Madame Nguyen Ngoc Dung and Madame Pham Thanh.

Otto was spokesman for the group, Miss Searles translated his words into French and Tran Van Tu replied in Vietnamese, which was translated into English by a member of his staff.

"They were very polite to use," Otto said, "and listened while we made what I feel were several major points. We said most Americans would not favor complete withdrawal from Southeast Asia until all American prisoners are released."

Also, Otto said, the Viet Cong representatives were told that American people are tired of the war and feel they have made a gesture of peace by the withdrawal of 200,000 troops. Now, an "equal response" is expected in the form of release of American prisoners, he told them.

In reply, the Viet Cong spokesmen said they too are weary of the war but stressed that they will continue to fight and will not release any prisoners until all American troops leave, Otto reported.

During the next few days, the Missourians continued to try without luck to see the North Vietnamese, who were angry because another American group had staged a demonstration in front of their building in Paris, Otto said. So the letters and petitions finally had to be sent by messenger.

"We feel," he said, "that our trip was successful in that we saw a group that has rarely been seen by Americans and who control a large number of prisoners . . . At least now they know how many Americans feel about not favoring troop withdrawal until the prisoners are released."

THE NATIONAL PESTICIDE CONTROL AND PROTECTION ACT

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. ANDERSON of California. Mr. Speaker, pesticides have a double-edged effect on today's society—at the same time both beneficial and hazardous. The benefits of using pesticides have been clearly established. There can be little doubt that pesticides are important for protecting man from disease and increasing his ability to produce food and fiber. However, there is always some risk; and the acute need—while very real—does not mean that we can ignore the hazards that pesticides represent to man, wildlife, and the environment. We must always keep foremost in our planning the fact that some of these pesticides are highly toxic to man. Others persist in the environment as a threat to birds, fish, and beneficial insects.

Today, a number of pesticides are suspected of having a long-term impact on the health of those who come into contact with them directly through food, air, and water. Evidence presented by a researcher at a conference on pesticides in Stockholm, Sweden, showed DDT to affect the human metabolism. Other studies have shown that pesticides can affect the liver, cause tumors, stunt reproduction, and possibly cause cancer.

The greatest recipients of the harmful effects of pesticides have been wildlife—particularly fish and birds. The pesticide DDT is known to impair reproduction of birds, because it acts to reduce the thickness of egg shells and thus causing premature breakage of the shells. Since the 1940's the population of such birds as hawks and eagles has been faced with extinction due to such mutations in reproduction. Also, last year, the Senate subcommittee hearing on the environment concluded that 2,4,5-T caused birth defects in many animals.

The nature of these hazards, and the growing evidence of tremendous threats of damage by pesticides, makes it obvious that our present pesticide control is not adequate to prevent environmental damage and to protect the public from chemical poisoning. Thus, the challenge is to institute the necessary mechanisms to protect man and the environment on the one hand, and to control pests on the other.

Ideally, legislation would promote complete public safety from the hazards of pesticides. However, safety is a relative term; in any of his activities, man cannot achieve absolute safety. Therefore, more realistically, we need to enact legislation which will help assure that danger to health and the damage to the environment will be reduced to the absolute minimum.

In order to do this, I am introducing the National Pesticide Control Act. This legislation will make an assessment as to whether the benefits of the pesticides exceeds the risks. Under this legislation, the Administrator of the Environmental Protection Agency and the Secretary of Health, Education, and Welfare would have the responsibility of making such a cost-benefit analysis. In making the determination, the EPA and the HEW must consider: First, the extent of and the nature of the harm done to nontarget organisms; second, the persistence and the mobility of the pesticides or its byproducts; third, the toxic and other health effects of the pesticide or its byproduct; fourth, and the adequacy of the knowledge of its effects on the public health, safety, and welfare or the environment.

Also, by transferring the authority for pesticide regulation from the Department of Agriculture to the new EPA, more uniformity in the regulation of pesticidal pollution should emerge. As Senator NELSON has concluded:

> Simple geographic boundaries of a state cannot assure that a pesticide used in one state will not move through the soil, air, water, or animals and cause distinct environmental health hazard in another state. The persistency and mobility of pesticides is too great to be contained by invisible barriers. Therefore, all pesticides should be subject to the same requirements and the same regulations.

Other provisions of the bill include the following:

First, the EPA will act as a clearinghouse which would be responsible for a systematic examination of all pesticides and devices prior to marketing and prior to their entry into commerce.

Prior to registration, the EPA must determine if another biological or nonchemical alternative means of pest control could more harmlessly replace the use of each pesticide.

Upon examination, all pesticides must be classified according to their degree of harmfulness to the public health and the environment. Those believed to have a high degree of harm or substantial environmental contamination can be obtained only by a "prescription" or by an approved pest control operator.

This pesticide regulation will apply only after the classification and registration of each pesticide. All conflicts will be settled by the EPA, but all cases are free to appeal any EPA decision.

Private individuals and groups of individuals should have the right and means to protect themselves from the hazards of pesticides. Thus, private citizens will be able to sue the manufacturer, distributor, or company from which the pesticides were purchased. The suit can only be justifiable if the market of the pesticide has been prohibited by the EPA.

The issues of the need for pesticides, the manner by which the Government influences their availability and use, and the unintended side-effects to man and the environment, have been subject to exhaustive study by Congress, the executive agencies, and others for over a decade. But, the need for reform of our pesticide law is now. Thus, in presenting this bill which is synonymous with the proposed legislation of Senator NELSON and Congressmen OBEY, I would hope that new pesticide regulation and control will be one of the accomplishments of the 92d Congress.

NIXON HAS EDGE ON KEY ISSUES

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. McCLURE. Mr. Speaker, the American public is obviously not fooled by all this talk of ecology and the environment. They have been able to sift through the rhetoric and throw their support behind the one man who is doing something concrete about the problem—Mr. Nixon. A recent Harris poll said that in answer to the question, "Who do you think could do a better job on air and water pollution control as President?" thirty-six percent chose President Nixon over Edmund Muskie and George Wallace. I submit this poll for inclusion in the RECORD so my colleagues may study its other significant findings as well:

[From the Chicago Tribune, Feb. 23, 1971]

NIXON HAS EDGE ON KEY ISSUES

(By Louis Harris)

In a first test on who might handle 12 key issues better as President, Richard Nixon finishes ahead of Sen. Edmund Muskie (D., Me.) on eight ties with him on one and runs behind on three. These results indicate that Nixon has a reservoir of strength on the current issues of American politics and that Muskie has yet to establish an impact on the American public on the issues of the day.

Recently, a cross section of 1,627 households was asked:

"Here is a list which has on it some problems people say they are concerned about these days. Now for each problem on this list, who do you think could do a better job on this issue as President—Richard Nixon, the Republican; Edmund Muskie, the Democrat, or George Wallace the Independent?"

[In percent]

	Nixon	Muskie	Wallace	Not sure
Build up national defense	37	25	11	27
Foreign aid	36	26	9	29
Drug-abuse control	36	23	11	25
Air and water pollution control	36	33	7	24
Crime prevention	35	27	16	22
New welfare program	35	30	9	26
Health-care aid	34	33	3	25
Control of pornography	32	25	11	32
Aid to public schools	32	33	9	26
Racial equality	30	35	10	25
Aid to cities	32	32	7	29
Aid to the poor	29	37	10	24

Some of the issues on this list could be considered areas of natural Nixon strength: such as crime prevention, control of pornography, buildup of national defense and drug-abuse control—all matters on which Nixon campaigned rather vigorously in both 1968 and in 1970.

The surprise of this poll is Nixon's ability to outscore Muskie on such issues as air and water pollution control and health care.

Muskie has been a leading sponsor of much of the antipollution legislation over the last few years. Democrats in Congress repeatedly have stressed the health issue, even to the point of overriding Nixon vetoes.

When asked about the health, pollution and education issues in previous Harris Surveys, the public has expressed roughly a 3-to-2 preference the way the Democrats might handle them.

Yet, Muskie does not run nearly as strongly as his party on these issues. He does edge out Nixon on aid to schools, and holds a clear lead on matters of racial equality and aid to the poor. But he achieves no better than an even split on the crisis over aid to the cities.

In light of these results, two questions must be raised:

1. Why does Muskie come thru relatively lacking in appeal on so many of the key issues?

2. With this kind of weakness on issues, how did Muskie manage in the same poll to lead Nixon by a margin of 43–40 per cent in a trial heat for 1972?

Part of the answer to the first question can be explained in terms of personality of appeal. Nixon and Muskie have parallel profiles, but Muskie has fewer negatives against him, while projecting just about all of the positives Nixon possesses.

The key to the Muskie appeal is a sense of sincerity, coolness, calm and communication of quiet confidence. The latest results also suggest that this low-key style has not forged a clear-cut position in the minds of voters on many issues of the day.

The fact that two to three out of every 10 voters are not sure which man might do better on each of the issues leaves room for change. Muskie also has the advantage of public discontent with an incumbent President in many areas without paving to offer concrete alternatives.

NIXON GIVES COURT A CONSERVATIVE STAMP

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. LATTA. Mr. Speaker, one of the reasons Americans elected Richard Nixon as President in 1968 was on his promise to restore a conservative balance to the U.S. Supreme Court. At the time, they were dismayed by a Court which time and again ruled in favor of law breakers while ignoring the rights of the law abiding. The public was losing confidence in a Court which acted as a legislative body rather than a judicial one in instances such as reapportionment and voluntary prayer in public schools.

Since his election, two of the President's nominees, Chief Justice Warren E. Burger and Associate Justice Harry T. Blackmun, have been confirmed to the Court. Recent Court decisions indicate they are beginning to restore some balance to the Court.

In the March 1, 1971, Washington Post staff writer John P. McKenzie wrote an excellent analysis of the rulings. Because of their importance to a reversal of the Warren court's liberalism, I include the article in the RECORD. It clearly shows that the President has kept his promise.

The article follows:

PRECEDENT-UPSETTING RULINGS GIVE COURT A NIXON STAMP

(By John P. MacKenzie)

If ever it seemed that President Nixon had made his mark on the Supreme Court, it was last week.

On two successive days the court handed down decisions cutting deeply into precedents of recent years. No holding of the Warren Court was directly reversed, but foundations were shaken.

Rumblings from the week's output of 20 decisions indicated strongly that further shakeups in the law are on the way, spurred by the votes of the Nixon appointees, Chief Justice Warren E. Burger and Associate Justice Harry A. Blackmun.

On Tuesday, the court proclaimed a rebirth of "Our Federalism" and told federal judges to keep their hands off criminal cases in the state courts except in the most provocative circumstances.

Then on Wednesday, Burger casually released his first majority opinion of his second term, a 5-to-4 decision that opened a gaping hole in the confession rules laid down in the much-disputed 1966 case of Miranda v. Arizona.

After 18 months of inconclusive maneuvering among the court's factions, the message suddenly was this: The conservatives are ready to deliver some major results. Furthermore, important movements in the conservative direction can be made without going to the trouble of directly repudiating past rulings.

The "Our Federalism" and criminal cases were not the only signals of change. Blackmun delivered an opinion which took pains to point that the court was not—that is, not now—reexamining a 5-to-3 decision of June, 1969, expanding servicemen's rights to civilian trials.

And in a series of decisions involving the power of states to inquire into the character and beliefs of applicants for the bar, the majority stressed repeatedly that it was hostile to broadside attacks on the bar examiners' rules and preferred to review the complaints of individual lawyers.

Not long ago the high court was very receptive to attacks against a law "on its face" and was quick to strike down many of them because of their potential for intimidating people out of exercising their rights of free speech and association.

Some of these signals of change were transmitted by language telling the bar and the public that the court was merely refusing to go one step further than required by a prior decision. Such are the dynamics of Supreme Court decisions that the refusal to expand on prior rulings can start the law traveling in the opposite direction.

Burger did not come to the court with a reputation as a scholar in the field of federalism, which to the judiciary means the proper relationship between federal and state courts. The U.S. Court of Appeals in Washington, where Burger served for 13 years, handles masses of cases involving the federal government but is unique among the federal appellate courts in the small number of federal-state problems that reach it.

However, Burger has made clear, in wide-ranging, off-the-bench speeches, how deeply he desires a reduction in federal court caseloads.

By contrast, Burger is a veteran of combat over the use of incriminating statements obtained illegally from suspects in police custody. He labored in the court of appeals to limit the impact of the Supreme Court's 1957 decision, Mallory v. United States, a forerunner of Miranda.

Over a dissenter's protest that the result was "monstrous," Burger held that illegally obtained statements, which could not be used in the prosecutor's basic case, may be used to discredit the testimony of a defendant who takes the stand.

In the course of a brief opinion, Burger cast doubt on the court's policy, dating back 50 years and more, of excluding evidence that authorities have obtained illegally. With none of the majority justices indicating the contrary, Burger said he was only "assuming" that the policy had validity before going on to say that it would not be employed in the case at hand.

To many observers it is too early to say that the Supreme Court has been "turned around." Administration officials, for example, won't feel secure until there are nine Burgers and Blackmuns.

There still is much momentum in the civil rights area—at least until the court rules on school busing—that hasn't been completely halted. Among the five-member majority of Wednesday there are three justices, John M. Harlan, Potter Stewart and Byron R. White, who sometimes take turns crossing over to vote for the defendant's claimed rights. But there is much uncertainty, drift, and change.

THE FAMILY FARM

HON. WILLIAM H. HARSHA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. HARSHA. Mr. Speaker, recently, the Farmer's Union held their National Convention here in Washington, D.C. Many members of this outstanding farming organization from throughout the Nation were meeting and planning for the future during these sessions. Participants included men, and women of all ages, families and relatives all dedicated to improvement of the problems facing the modern farmer. Among the participants was a young lady from Georgetown, Ohio which is in the Sixth Congressional District. Sixteen-year-old Sandra Schmidt won her trip to Washington through a statewide Farmer's Union Essay Contest in Ohio. Her essay on the topic "The Family Farm," provides an insight, through the eyes of youth, into the problems, emotions, strength, and future of farming in the United States. I commend this essay to my colleagues and congratulate Sandra on her fine cogent remarks:

THE FAMILY FARM

(By Sandra Schmidt)

What is the value of the family farm? Its worth cannot be determined in any one sum.

The family farm is a combination of family love, cooperation, and understanding. It is one of the major vertebrae in the backbone of our nation. It builds the foundation of prosperity that motivates our world.

The family farm is where the family can enjoy fishing in the farm pond. It's fun to watch the children catch fish with a cane pole and an earthworm as bait, while the father stands by and wonders why he isn't even getting a bite on his expensive equipment.

On the farm, each member does his share of the work—not only the parents but also the children, even the small ones.

The farm must receive good care to produce an abundant harvest. God lends a helping hand by sending sunshine and rain. Then He places His blessing on the crops.

The family farm is all of the crops that provide sufficient products for marketing and personal use. These products help to build a stronger nation, just as calcium helps to build and strengthen foundation bones.

At times, the sale of a farmer's products is threatened by production and sale of synthetic products. This is where the Farmer's Union steps in. It may introduce bills to prevent excessive production of these synthetic products. This is only one of the jobs that is attended to, by the Farmer's Union, to help keep the farmers in business.

The family farm is all of the joys and satisfactions of living. I know because I live and work on a farm. I realize that there is a lot of work to do on the farm, but the product of this work is always rewarding.

A BILL TO DOUBLE THE PROPOSED GENERAL REVENUE SHARING FUND FROM $5 BILLION TO $10 BILLION

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. REID of New York. Mr. Speaker, I am introducing today a bill sponsored by the distinguished Senator from New York (Mr. JAVITS), in the other body last Thursday and cosponsored today by Mr. HORTON and Mr. HALPERN as well. This bill would double the proposed general revenue sharing fund from $5 billion in the first year, as requested by the President, to $10 billion.

The increase would cover just less than half of what State and local governments indicate is the additional burden being placed on them this year. Equally, the States and localities would still have to raise more than $10 billion additional themselves to meet their fiscal needs.

The Javits bill also doubles the percentage of the Federal income tax base that would go into the general revenue sharing fund from 1.3 to 2.6 percent.

Finally, the new bill moves the date of the fisrt revenue sharing payment up from October 1, 1971, in the President's bill to July 1, 1971. This coincides with the start of the fiscal year in most States and would enable a greater portion of State services to be met out of general revenue sharing funds.

While I am a cosponsor of President Nixon's $5 billion revenue sharing plan, I am introducing this larger bill today because I feel that only the Federal Government has the resources to help State and local governments meet their pressing financial needs.

GIRL SCOUTS OF THE U.S.A., 59TH ANNIVERSARY

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. NATCHER. Mr. Speaker, during the week starting on March 7 through 13, the Girl Scouts of the U.S.A., will observe the 59th anniversary of their founding, and certainly I consider it a distinct honor and pleasure to take this opportunity to salute this outstanding and commendable organization.

The Girl Scouts of the United States of America was founded by Juliette Gordon Low on March 12, 1912, in Savannah, Ga., and was chartered by Congress on March 16, 1950. During the intervening 59 years the impact of nearly 4 million Girl Scouts and adult volunteers has touched every State in our country and every community overseas where there are Girl Scouts.

There are about 400 Girl Scouts councils in the United States. Troops of these Scouts are organized and meetings are held weekly with adult leaders to plan their various activities and I think it is an impressive fact that there are now 163,000 Girl Scout troops in this country and at U.S. military and civilian locations in about 48 countries around the world. Membership is open to all girls in the age brackets of 7 through 17 and statistics bear out a substantial growth on a national, regional, State, and program age-level basis. These are typical young girls, spirited and fun-loving, yet fully aware of both their opportunities and responsibilities. Clearly they exemplify that organized youth can be and often is, a vital force in establishing the principles and ideals that are so much a part of our great American heritage.

Actually it is hardly necessary to cite the excellent programs carried out by a national membership of nearly 4 million girls and adult volunteer leaders, because I am sure that all of us are well aware of their remarkable achievements.

The country is divided into six regions and Kentucky is in region No. 2 and, Mr. Speaker, I am very pleased to tell you that at the present time my home state has an enrollment of nearly 37,000 Girl Scouts and adult leaders. Starting with the Brownie membership and on through the Junior, Cadette, and Senior levels, each group is making excellent progress and handling their various assignments with the utmost diligence and enthusiasm. I can further assure you that this successful expansion certainly applies to the Girl Scouts in the Second Congressional District as they continue to provide an efficient and effective organization through which they can work together to serve and improve their communities.

As we all know, the purpose of the Girl Scouts organization is to inspire girls with the highest ideals of character, conduct, patriotism, and service so they may become happy and resourceful citizens. If one were only to scan the activities of our Girl Scouts we could not fail but be impressed with their genuine concern for those individuals with special needs; those homeless children of migrant laborers, and the very young children who need a "big sister." Numerous other situations could be cited to prove beyond a doubt the truth of one of the most important doctrines of the Girl Scouts; namely, that its what you do that counts, and that the truly worthwhile deeds are those that make life better for everyone.

Certainly these young ladies excell to an admirable degree in many areas and as they prepare to observe their 59th anniversary I want to extend my sincere congratulations to the entire membership of the Girl Scouts everywhere for their past tremendous accomplishments and to wish them even greater success and the happiest of birthdays.

ADULT EDUCATION OPPORTUNITY ACT

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. PUCINSKI. Mr. Speaker, today I am introducing H.R. 5292, the Adult Education Opportunity Act of 1971, which has as its basic purpose the coordination and improvement of adult education throughout the country.

Although this purpose is simple to state, it will be extremely difficult to achieve. The Federal Government alone funds more than 475 programs which have adult education components. And this vast array of programs is in addition to the uncounted number funded solely from State, local governmental, and private funds.

All these efforts have no focal point, no central leadership and physical location where adult educators and administrators can learn from each others' mistakes and accomplishments. The Federal Government, for instance, has no coordinating mechanism to plan or operate a unified adult education strategy. Every Federal department operates adult education programs with the Office of Education, ironically, administering only a few. The National Government spends almost $3 billion a year on these programs, but nowhere within the Government is there one agency charged with evaluating their effectiveness or even with collecting simple information on all of them.

The Adult Education Opportunity Act would seek to remedy this failing by providing for central leadership for Federal programs and by creating a focal point for all efforts, Federal, State, local, and private. The act would seek this goal by: first, creating a U.S. Council on Adult Education which would be charged with making recommendations for effective allocation of Federal resources and for coordination of all adult education programs however funded; second, establishing within the Office of Education a Bureau of Adult Education which would have the prime responsibility for collecting information about all Federal programs and for promoting their coordination, and which would also administer such programs as would be assigned to it; and third, creating a National Center for Adult Education which would serve as the focal point for information and ideas about all programs however funded. The authorization of appropriations for all three of these bodies is only $1 million a year.

Mr. Speaker, at this time I would like to thank the Legislative Policies Committee of the Adult Education Association of the United States for its excellent assistance in helping draft this bill. I know that the AEA and all other organizations interested in adult eduction will join me in seeking the improvement of our programs by better coordination and by better exchange of ideas.

The bill follows:

H.R. 5292—THE ADULT EDUCATION OPPORTUNITY ACT OF 1971

A bill to make possible appropriate, economical, and accessible learning opportunities for all adults, both for their individual fulfillment and for the social and economic well-being of the Nation.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the Adult Education Opportunity Act of 1971.

PART I

ADVISORY COUNCIL

SEC. 101(a). There shall be created the United States Council on Adult Education to serve in an advisory capacity to the Bureau of Adult Education and to serve as the policy body for the National Center for Adult Education. It shall be composed of 15 members broadly representative of the field of adult education and shall be appointed by the President. One of the members shall be designated as Chairman.

(b) The Council shall consider as its main responsibility making recommendations for effective allocation of Federal resources as between public and private facilities, programs and services, and recommendations for the coordination and development of Federal, State, local, and regional activities to meet the education needs of adults. It shall use its collective knowledge and experience to expand consideration of ways of evaluating effectiveness, of disseminating information, of expanding alternatives, and of developing improved systems of providing opportunities and relationships among adult education programs.

(c) The Council shall meet at least four times a year to review activities and recommendations of the Bureau and of the Center, and to react thereto, as well as to consider matters developed as a result of its own deliberations pursuant to subsection (b).

(d) The Directors of the Bureau and of the Center shall sit ex officio with the Council and shall submit monthly summaries of activities, problems and recommendations to be considered by each Council member who, in turn, shall be responsible for involving his constituency in discussions concerning problems and possibilities.

(e) For the purposes of this Act, adult education shall include all education for adults who have completed or interrupted formal schooling and who have assumed adult roles and responsibilities. Such education may be for purposes involving occupation, family, citizenship, self-development, and similar adult learning concerns.

PART II

BUREAU OF ADULT EDUCATION

SEC. 201. (a) There is hereby created in the Office of Education a Bureau of Adult Education (hereinafter called the "Bureau").

(b) The Bureau shall be headed by a Director who shall be selected from a list of candidates which shall include at least five names recommended by the Advisory Council. There shall also be appointed a Deputy Director to perform such duties as the Director may designate and, during the absence or incapacity of the Director to act as the Director.

SEC. 202. (a) The Bureau shall work with all Federal adult education programs, to collect and disseminate information about each of the programs, to lead comprehensive planning, and to promote coordination for such programs and services in cooperation with the various Federal agencies involved in adult education, and to promote knowledge of adult learning processes and the improvement of methods and materials in the field.

(b) The Bureau shall administer such adult education programs as may be assigned to it by the Congress and by the Commissioner of Education.

SEC. 203. (a) The Director shall implement the purposes of the Bureau.

(b) The Director shall employ such experts, consultants and staff personnel as he considers necessary to effectuate the intent of this Act, including specialists in the following areas: data processing and information retrieval, planning and coordination, systems development and research, and reports and liaison.

(c) The Director shall utilize, with their consent, the services, personnel and facilities of other Federal, State, and private agencies and instrumentalities with or without reimbursement therefor. He shall make every effort to develop coordination of planning programs and resources among the several Federal agencies involved in adult education and with existing coordinating, information, and planning groups concerned with specific areas in the field.

(d) The Director shall transmit to the Congress each year a report for the preceding year, including a comprehensive statement of activities and accomplishments, and an evaluation of the status of adult education, together with his recommendations. He shall also serve as an advisor to Congress on the relation to and possible effect of proposed legislation on existing adult education programs.

(e) The Director shall serve as Executive Secretary of the Advisory Council.

PART III

NATIONAL CENTER FOR ADULT EDUCATION

SEC. 301. (a) There is hereby created the National Center for Adult Education, to be located in the District of Columbia.

(b) The Center shall develop information and referral services for adult educators throughout the nation, pilot projects and applied research to improve knowledge and techniques in solving problems in the field of adult education, promotion of in-service education of adult educators through internships and special programs, and the exchange of ideas and information to improve adult education throughout the Nation and to promote working relationships with other nations.

SEC. 302. (a) A Director of the National Center for Adult Education shall be appointed for a period of three years by a two-thirds vote of the Advisory Council. He may succeed himself.

(b) The Director is charged with developing a program to demonstrate creative and effective education for adults, and with making optimum use of data systems and telecommunications in promoting exchange of information and application of knowledge.

(c) The Director shall employ such experts, consultants, and staff personnel as are necessary to effectuate the intent of the Act regarding the Center, with specialists in applied research, information-referral resources, professional in-service education, program and systems development, communications, and such other specialists and staff as are required to implement the program.

PART IV

APPROPRIATIONS AUTHORIZED

SEC. 401. (a) There is hereby authorized to be appropriated for each fiscal year through 1976 at least $1,000,000, of which will be allotted:

(1) to implement Parts I and II, for the Advisory Council and the Bureau, a sum not less than $250,000 for the fiscal year ending June 30, 1972; than $300,000 for the fiscal year ending June 30, 1973; than $450,000 for the fiscal year ending June 30, 1974; than $600,000 for the fiscal years ending in 1975 and 1976; and

(2) to implement Parts III, for the National Center, a sum not less than $735,000 for the fiscal year ending June 30, 1972; $700,000 for the fiscal year ending June 30, 1973, $550,000 for the fiscal year ending June 30, 1974, $400,000 for the fiscal year ending June 30, 1975; and $200,000 for the fiscal year ending June 30, 1976. Thereafter, the Federal share for the Center shall not exceed 20 percent of the operating budget.

(b)(1) Any operating programs assigned to the Bureau shall be separately funded.

(2) The Center shall develop non-Federal sources of funding, and may accept grants, contributions, and other sources of income as well as property in furtherance of the intent of this Act.

BABY ELIMINATION IN MILITARY HOSPITALS

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. SCHMITZ. Mr. Speaker, all across the country now there are signs of growing revulsion against the practice of abortion on demand, particularly where the law permits elimination of babies at an advanced stage of development. In New York State, 26 babies have already been aborted alive; one actually survived to be put up for adoption.

Dr. Jean Pakter, director of the maternity and newborn services of the New York City Department of Health, and a former supporter of that State's new abortion law, is quoted now as saying:

> In many of these cases where the fetus comes out alive, it takes a gasp or two and that's it. This is not right. As a physician I don't like to see life ended or hurt in any way.

Dr. Vincent Fontana, director of pediatrics at St. Vincent's Hospital in New York where two babies were aborted alive, spoke more bluntly:

> To have a woman go in for an abortion and then to have the baby born alive only to die later is tantamount to murder. There's no question about it.

Since abortion has been, and in most States still is, a crime defined by State law, and in view of this rising opposition to abortion on demand, it would seem that at least the Federal Government should not be in the forefront of the baby elimination movement. Yet, through a mere administrative memorandum last July 31, virtually all previous restrictions on abortions in U.S. military hospitals were withdrawn. A fact sheet of August 10, 1970, from the office of Dr. Louis Rousselot, Assistant Secretary of Defense for Health and Environment, states the current policy:

> Pregnancies may be terminated in military medical facilities when medically indicated or for reasons involving mental health and subject to the availability of space and facities and the capabilities of the medical staff.

Overriding a recommendation by Lt. Gen. Alonzo A. Towner, Surgeon General of the Air Force, that abortions in military hospitals be performed only "within the limits of local State laws," memorandum of July 22, 1970, Dr. Rousselot ruled that "authorized family planning procedures"—including abortion—"should be provided in military facilities in the United States without regard to local State laws," memorandum of July 31, 1970.

This directive is now being implemented by the Army, Navy, and Air Force, still with no limit on the age of the baby being eliminated. The Defense Department has admitted that since last August there have been 135 abortions at one military hospital alone: The Wilford Hall Air Force Medical Center in Houston, Tex.

Late last year 15 prominent persons, including doctors and theologians, sent a letter to President Nixon protesting the new abortion policy in U.S. military hospitals. Among them were Paul Ramsey, professor of religion at Princeton; George H. Williams, professor of religion at Harvard; and Arthur J. Dyck, professor of population ethics at Harvard. All three are Protestants. As the Christian Science Monitor pointed out January 9, opposition to abortion "is commonly but mistakenly thought to be a sectarian Roman Catholic view."

On February 10, I introduced H.R. 4257, which would require military hospitals to abide by the abortion laws of the State in which they are located, just as they must abide by other State laws regarding crimes against persons. The 10 cosponsors of H.R. 4257 include Congressman ALTON LENNON, a senior Democrat member of the House Armed Services Committee, and Dr. TIM LEE CARTER, a Republican Congressman from Kentucky, long active in public health legislation.

The conscience of America cannot rest while babies are being forced out of the womb alive to die gasping on hospital tables. The right to life is sacred, and our Constitution guarantees it.

SUPPORT OUR POW'S

HON. JOHN H. TERRY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. TERRY. Mr. Speaker, few problems have caused this Nation more distress than the continuing shame of the treatment of our men currently being held captive in North Vietnam POW camps. This problem has touched my family very closely since our son-in-law was reported missing in action in December of 1968.

Last week, my former colleagues in the New York State Legislature passed a resolution memorializing Congress to take such affirmative action as necessary to obtain the immediate release of our prisoners of war.

Mr. Speaker, it is a privilege to submit for the attention of the House of Representatives the following joint resolution of the New York State Legislature.

The resolution follows:

JOINT RESOLUTION OF THE LEGISLATURE OF THE STATE OF NEW YORK MEMORIALIZING THE MEMBERS OF THE UNITED STATES CONGRESS TO TAKE SUCH AFFIRMATIVE ACTION AS MAY BE NECESSARY TO OBTAIN THE RELEASE OF THE AMERICAN PRISONERS OF WAR HELD BY THE PEOPLES REPUBLIC OF NORTH VIETNAM

Whereas, the government of North Vietnam is now holding certain United States citizens as prisoners of war and has knowledge and information concerning the identity of other United States citizens who have died in captivity; and

Whereas, The government of North Vietnam, although a signatory to the Geneva Conventions, refuse to supply a complete list of the name, rank and serial number of all United States prisoners presently held or who have died in capivity, in violation of the Geneva Conventions; and

Whereas, The government of North Vietnam has refused to allow the International Red Cross to regularly inspect its prisoners and communicate with its United States prisoners of war, in violation of the Geneva Conventions; and

Whereas, the government of North Vietnam has refused to allow prisoners to regularly receive and transmit letters to their families in violation of the Geneva Conventions; and

Whereas, the government of North Vietnam has refused to enter into prisoner exchange allowing its United States prisoners of war to return to their homes and families; and

Whereas, the government of North Vietnam has disregarded the rules of civilized conduct and have held these prisoners in violation of the Geneva Convention; and

Whereas, the said government has conducted itself in a manner which acts against the rights of human beings; now, therefore, be it

Resolved, That the Legislature of the State of New York respectfully, yet firmly, urge and memorialize the members of the Ninety-first Congress to take such affirmative action as may be necessary to obtain the immediate release of such prisoners of war; and be it further.

Resolved, That copies of this resolution be transmitted to the Vice-President of the United States, the Speaker of the House of Representatives, and to each member of the Congress of the United States duly elected from the State of New York.

A CONCURRENT RESOLUTION CALLING FOR HUMANE TREATMENT FOR AMERICAN POW'S

HON. K. GUNN McKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. McKAY. Mr. Speaker, I would like, at this time, to call attention to a Concurrent Resolution of the 39th Legislature of the State of Utah, with the Governor concurring, asking the Democratic Republic of North Vietnam to take all necessary actions to insure fair and humane treatment for American prisoners of war and to insure the release of these prisoners unharmed.

I am greatly concerned over the welfare of our prisoners of war and those missing in action in Vietnam and I am sure the people of the State of Utah are equally concerned. This joint resolution from the State's elected officials expresses this concern by adding their names to the list of concerned citizens asking for humane treatment or release of these prisoners.

Our prisoners are entitled to fair and humane treatment and I would like to urge, as my State is doing with the concurrent resolution, that the officials of North Vietnam treat these men as members of the human race abiding by the accepted rules of war for the treatment of prisoners of war.

The Office of the Secretary of State of Utah has submitted the Resolution of the Utah Legislature, calling for humane treatment for American prisoners of war, to the North Vietnamese Delegation at the Paris Peace Talks, and, I urge this delegation to take all necessary action to insure fair and humane treatment for American prisoners.

I would like now, to have the concurrent resolution of two-thirds of all members elected to both Utah Houses and with the concurrence of Utah's Governor, Calvin L. Rampton, officially enclosed in today's House RECORD:

STATE OF UTAH,
OFFICE OF THE SECRETARY OF STATE,
Salt Lake City, February 5, 1971.

To: Hon. K. Gunn McKay.
Hon. PREMIER PHAM VAN DONG,
Democratic Republic of North Vietnam, c/o North Vietnamese Delegation, Paris Peace Talks, Paris, France

Honorable PREMIER PHAM VAN DONG: The Office of Secretary of State of the State of Utah, United States of America, has been instructed by its 39th Legislature to transmit to you copies of a Resolution, concurred in by both houses of its legislature, memorializing the Democratic Republic of North Vietnam to take all necessary actions to insure fair and humane treatment for American prisoners of war and to assure the release of American prisoners of war unharmed.

Copies of this Resolution are enclosed to you by registered mail. Your acknowledgment would be appreciated.

Sincerely,

CLYDE L. MILLER,
Secretary of State.

Enclosures.

1971 AMERICAN PRISONERS OF WAR IN NORTH VIETNAM

A concurrent resolution of the 39th legislature of the state of Utah, the Governor concurring therein, memorializing the Democratic Republic of North Vietnam to take all necessary actions to insure fair and humane treatment for American prisoners of war and to assure the release of American prisoners of war unharmed

Be it resolved by the Legislature of the State of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof and the Governor concurring therein:

Whereas, an unavoidable incidence of the conflict in Southeast Asia is the taking of prisoners of war;

Whereas, prisoners of war are entitled to fair and humane treatment as members of the human race;

Now, therefore, be it resolved, that the Democratic Republic of North Vietnam is requested to take all necessary actions to insure fair and humane treatment for American prisoners of war and to assure the release of American prisoners of war unharmed.

Be it further resolved, that the 39th Legislature of the State of Utah is concerned about American prisoners of war in the Republic of North Vietnam and desires to add their names to the list of concerned citizens asking for the humane treatment or release of these prisoners.

Be it further resolved, that the members of the Legislature and the Governor of the State of Utah do hereby affix their signatures in support of this resolution.

Be it further resolved, that the Secretary of State of the State of Utah shall send copies of this Resolution to the President of the Democratic Republic on North Vietnam in Hanoi.

SUCCESS IN LABOR AND RACE RELATION PROBLEMS: INDUSTRIAL CALUMET REGION OF INDIANA

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. MADDEN. Mr. Speaker, on Sunday, February 21 at a testimonial dinner sponsored by the steelworkers of the Calumet region, and outstanding testimonial tribute was paid to Curtis Strong, a member of the United Steelworkers of America for over 35 years and now one of the organization's top officials.

Over the years, Curtis Strong has been one of the pioneers in successfully handling and assisting the district director, Joe Germano, and the subdistrict director, Orval Kincaid, in many of the critical problems confronting union problems and race relations in the Calumet region.

The following editorial from the Gary, Ind., Post Tribune reveals a great message to the people residing in all urban communities as to the results which can be obtained in labor and race relations by leaders who use commonsense, good judgment, and sensible discussion on both sides The great Calumet industrial region of Indiana has had an excellent record of peaceful negotiations on labor and racial problems over the years.

I include the article as follows:

GOOD ADVICE FOR BOTH SIDES

The very persons who most openly protested in advance the speech here of Negro civil rights leader Bayard Rustin in paying justifiable tribute to Gary's Curtis Strong last weekend will cheer considerable of what he said.

We hope, though, they will also understand it is advice which needs to be heard on both sides of the color line.

Because he was a black speaking to a primarily black audience, Rustin warned against those of his race who advocate separatism and advised that "it's time to stop blaming the white man for all our problems."

But the coin is also valid on its other side. It is likewise time for the whites to stop blaming the blacks for all of the nation's troubles, whether it's in the field of crime, narcotics, welfare confusion or political chaos.

While Rustin showed the courage to denounce by name such black revolutionaries and separatists as H. Rap Brown, Huey Newton and Bobby Seale, those whites who cheer that aspect of his speech should likewise have the courage to denounce such white extremists as George Wallace, Lester Maddox and others of their ilk.

His advice that "the only way blacks and whites are going to be uplifted from their present economic status is by holding a union card and getting to the ballot box" is also worth reading by members of this nation's two largest racial divisions.

Not everyone of either race, of course, needs to be in a union. That will depend in part on whether he is a worker or a representative of management regardless of color. But the idea that men with common goals need to work together without regard for skin color remains sound.

We called the tribute paid Strong "justifiable." That's because he is a man who, while standing up for men of his own Negro race, has recognized that its goals may best be attained by seeking to change the system gradually from within, working with whites as well as blacks in seeking the betterment of his people.

GOLDEN ANNIVERSARY OF THE DISABLED AMERICAN VETERANS

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. BYRON. Mr. Speaker, today marks the golden anniversary of the Disabled American Veterans. It gives me great pleasure to be able to participate in the celebration of this anniversary and to commend the deeds of this worthy organization.

The Disabled American Veterans, Department of Maryland, is an especially active organization founded Aprli 16, 1945. It has over 5,000 members at the present time and is headed by Mr. Walter D. Hyle, Jr., department commander. The DAV, Department of Maryland participates in hospital work at five veterans and military hospitals in the State of Maryland. This program has expended over $10,000 in the last year and has involved 650 volunteers visiting and helping over 23,000 patients. A salvage program also assists needy veterans with clothing and furniture problems.

The Disabled American Veterans, Department of Maryand is presently active in the POW/MIA program. They have joined the national DAV effort to send millions of letters and cables to the North Vietnamese Embassy in Paris and to the North Vietnamese in Hanoi. These letters express the concern of the American people for the welfare and safe return of the American POW's and urge the North Vietnamese to abide by the provisions of the Geneva Convention. This is a commendable program—one which deserves the support of every American.

It is work such as this that commands the respect of the American people and makes the golden anniversary of the Disabled American Veterans a significant event for all of us.

SENATE—*Tuesday, March 2, 1971*

(Legislative day of Wednesday, February 17, 1971)

The Senate met at 10:30 a.m., on the expiration of the recess, and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Bless the Lord, O my soul; and all that is within me, bless His holy name.

Bless the Lord, O my soul, and forget not all His benefits:

Who redeemeth thy life from destruction; who crowneth thee with lovingkindness and tender mercies.—Psalms 103: 1, 2, 4.

We thank Thee, O God, that Thy dwelling place is not in temples made with hands but in the human soul open to Thy presence. But here we thank Thee also for this visible temple of democracy and this forum of freedom. May it be so hallowed by the people that it may never again be tarnished by terrorists nor assaulted by anarchists, but preserved unscarred and undesecrated for generations yet to come.

Deliver us, O Lord, from excessive fear and the hysteria which makes judgment weak and the will impotent. Heal all sickness of soul and assuage the hurt of those who are distraught or discouraged. Make our leaders great and good and strong. Out of difficulties bring a new unity and a firm loyalty to the things that matter most for the welfare of the people, the enhancement of public order, and the dawning of a permanent peace.

We pray in the Redeemer's name. Amen.

DESIGNATION OF THE ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. ELLENDER).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., March 2, 1971.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JAMES B. ALLEN, a Senator from the State of Alabama to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,
President pro tempore.

Mr. ALLEN thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Monday, March 1, 1971, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECESS FROM WEDNESDAY, MARCH 3, 1971, UNTIL 11 A.M. THURSDAY, MARCH 4, 1971

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the Senate completes its business tomorrow, Wednesday, it stand in recess until the hour of 11 o'clock on Thursday morning next; and that, immediately after the prayer, the distinguished Senator from Indiana (Mr. HARTKE) be recognized for not to exceed 1 hour, for the purpose of conducting a colloquy.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FURTHER CONCENTRATION OF POWER, EXECUTIVE PRIVILEGE, AND THE "KISSINGER SYNDROME"

The ACTING PRESIDENT pro tempore. At this time, in accordance with the previous order, the distinguished senior Senator from Missouri (Mr. SYMINGTON) is recognized for not to exceed 1 hour.

Mr. SYMINGTON. Mr. President, in his state of the Union address this year President Nixon presented a series of proposals which he stated he believed would "reform the entire structure of American government so we can make it again fully responsive to the needs and the wishes of the American people."

The President cautioned that—

> The further away government is from the people, the stronger government becomes and the weaker people become. And a nation with a strong government and a weak people is an empty shell;

And then he said:

> Let us give the people of America a chance, a bigger voice in deciding for themselves those questions that so greatly affect their lives.

These statements could well lead the American public to believe that this administration is currently taking steps to return power to the people, and in that way give new meaning to the concept of participatory democracy.

With the possible exception of revenue sharing, however, both the proposals and the actions of this administration would appear to be oriented in the opposite direction — drawing increasing decisionmaking authority into the White House at the expense of the people and their elected representatives in Congress.

As but one example, President Nixon has now proposed a major reorganization of the existing Cabinet structure through the transformation of seven existing departments into four new superdepartments. One of those, Human Resources, would have a budget nearly as large as that of the Department of Defense.

In addition, proposals have been made for a general overhaul of present independent regulatory commissions by combining a number of such agencies; also by replacing the various boards of commissioners with single administrators, the latter appointed by the President.

Some reform of the growing Federal bureaucracy is overdue, but it is important that any such a merging of Executive power at highest levels does not result in the executive branch becoming less responsive to Congress, and therefore to the people. With the importance of such accountability in mind, let us hope that Congress, with an open mind, nevertheless takes a long hard look at these new proposals.

Three additional examples of the present trend toward concentration of authority in the White House are: First, the creation of a Domestic Council to "advise and assist the President in the formulation and coordination of national domestic policy," second, the establishment of an International Economic Council "to pull together military and economic aid, international trade, and monetary, financial, investment and commodities into a cohesive body of policy," and, third, the widening role of the Office of Management and Budget under the direction of Presidential Assistant George Shultz, former Secretary of Labor.

A glance at the proposed 1972 Federal budget provides ample statistical evidence of such concentration.

In the fiscal year 1968, Congress appropriated $3 million for the White House Office. This year that appropriation has tripled to $9,073,000—a figure apart from the operating expenses for the Executive Mansion.

During that same period the number of permanent positions authorized for the White House staff will more than double, from 250 to 540 employees. In addition, dozens of civil servants paid by their own agencies, including 15 from the State Department alone, are detailed to work in the White House.

In 1968, the former Bureau of the Budget operated with a budget of $9.5 million and had some 500 permanent employees. For the fiscal year 1972, however, the budget request for the new Office of Management and Budget is $19 million, double the money in 4 years with 693 authorized permanent positions.

In addition to the two new Councils previously referred to, there has been created, within the Office of the President, the Office of Telecommunications Policy. This new Office, with a budget request of some $2.6 million and a staff of 65, we are told is needed to coordinate the telecommunications activities of the executive branch; also to assure that the views of that branch on national telecommunications policies are effectively presented to the Congress and the Federal Communications Commission.

When pieced together, these typical examples establish a pattern of further concentration of authority in the White House, and in a manner that often makes it difficult, if not impossible, for Congress to meaningfully review, in accordance with its constitutional authority, the functioning of the executive branch.

Most disturbing is the concentration of foreign policy decisionmaking power in the White House, with a resultant obvious decline in the prestige and position of the Secretary of State and his Department; and it is this particular facet of this overall trend that I would explore more fully today.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. BYRD of West Virginia. I compliment the Senator on the address he is making. He has indicated that now he has reached a turning point in his speech, and will devote the rest of the speech to the impact on foreign policy which the executive branch is making increasingly, and to the lessening of impact on foreign policy by the legislative branch.

I wish to say that, with respect to the growing army of employees and the proliferation of agencies and offices and various adjuncts of this department or that department, I think the Senator is touching a very important and sensitive nerve. These agencies come up to Congress year after year. They approach the Appropriations Committees for funds with which to add 500 new employees, a thousand new employees, or 1,500, and they are generally allowed most of the new positions that they request. If they ask for a thousand and we allow them 800, they come back, in a supplemental bill, and request the remaining 200, or perhaps 300, and we allow those, while at the same time we pennypinch when it comes to providing our own research personnel. We do not want to add an additional person to our own staffs; we do not want to add any personnel to the committees' staffs.

Agencies downtown have ample personnel, they have computers, they have every advantage, and we are expected to cope with this mammoth executive organization, with its army of people, with its computers, and with all of its resources, and we dare not add a single staff member to this committee or to that subcommittee. I am not saying that all committee staff people earn their pay, or that all clerks to Senators earn theirs. I would imagine that some Senators might not fully earn theirs, from time to time. But, in any event, we just do not have the guts, when it comes to providing the resources, the personnel, the computers, the space, or whatever tools we need in the legislative branch to maintain our constitutional position of being an equal and coordinate branch—equal to each of the other two branches.

I think it is disgraceful that we are virtually cowards when it comes to providing for our own branch of Government. I do not see how we can possibly cope with the growing executive branch. I do not see how we can carry out our oversight function under the Constitution as long as we give the executive branch everything they ask for and do not provide adequately for our own branch, so that we might conduct research and carry out our own proper responsibilities under the Constitution.

I think that even if the Senator does not say another word, he has already made a good speech with respect to the proliferation and the growth in the executive branch, and I merely wish to take this opportunity to thank him and to compliment him, and to add my little bit with respect to the way we in the legislative branch let these people get by with this growth, and while we are afraid to add to the resources, the personnel, and the equipment that the legislative branch needs in order to carry out our constitutional responsibilities.

I thank the Senator for yielding.

Mr. SYMINGTON. Mr. President, I am very grateful to the able assistant majority leader. He knows only too well the problem he has outlined so well, because he is also a member of the Senate Appropriations Committee, and knows as much as any Member of this body of what he speaks. I am grateful for his contribution.

Mr. President, recently the New York Times carried a series of articles analyzing U.S. foreign policy, the men and forces which shape that policy, including the role of the executive branch and the Congress; and running through that series of seven articles was one central theme—the unique and unprecedentedly authoritative role of Presidential Adviser Henry Kissinger.

These articles illustrate the extraordinary influence of Dr. Kissinger in all aspects of foreign affairs—economic, military, and diplomatic. He emerges as clearly the most powerful man in the Nixon administration next to the President himself.

Under the present concept of executive privilege, however, he has never appeared before the proper committees of Congress to justify any of his decisions, although his domestic counterpart, Director Shultz, frequently testifies before congressional committees.

Under these circumstances it would seem appropriate to examine both the nature and the scope of Dr. Kissinger's present authority.

Dr. Kissinger is assistant to the President for national security affairs. In that position he heads the staff of the National Security Council. That staff consists of some 110 people.

The fiscal year 1972 budget request for the National Security Council staff is $2.3 million, almost four times the amount expended in 1968—the amount requested for outside consultants alone is nearly $500,000.

As outlined in the official U.S. Government Organization Manual, the function of the National Security Council is "to advise the President with respect to the integration of domestic, foreign, and military policies relating to national security."

The staff of the Council was intended to advise the members of the Council. Instead, however, said staff operates as an in-house policy shop for the President himself.

With this broad mandate, Dr. Kissinger has established under the National Security Council a complex structure of six committees which formulate and review policy options on a wide range of subjects before they are forwarded to the President.

Dr. Kissinger himself is chairman of all six committees.

Although these committees have basically the same core membership—high level representatives from State, Defense, the Joint Chiefs, and the Central Intelligence Agency—perhaps the most powerful of the six committees is the Senior Review Group which, unlike the other more specialized committees, deals across the board with those most critical policy issues which are of special interest to Congress and the people as well as to the administration.

Another committee Dr. Kissinger chairs is entitled the Vietnam Special Studies Group. The area of concern of this committee is obvious, but its function somewhat nebulous.

Some say it is the advisory voice of Dr. Kissinger that has been heard the loudest with respect to all major decisions that involve the United States in Indochina—more so than that of either the Secretary of State or the Secretary of Defense; in fact reports have been circulated that one major military decision in this area was made within the White House, without prior consultation with the Joint Chiefs of Staff.

A Washington newspaperman reported that Dr. Kissinger and his Washington Special Action Group—another of the six committees—despite opposition from high ranking military, devised the plan for troops of Cambodia, South Vietnam, Laos and Thailand to drive into northern Cambodia and southern Laos.

Further with respect to the scope of Dr. Kissinger's authority, he is Chairman of the Verification Panel, a National Security Council panel which deals with the vital SALT negotiations; and according to an article in the Christian Science Monitor last December:

> The White House won't trust the State Department or even the Arms Control Agency with any part of the strategy on SALT. The Kissinger people believe that the toughest of all possible lines should be held against Moscow on this and they consider the State Department a profound security problem in these negotiations.
>
> The State Department has been much more willing, in the inner counsels, to suggest following up Soviet overtures which the White House considered meaningless.

Subsequent events and press reports would appear to bear out this purported influence of Dr. Kissinger's views; that is, the reported rejection by the United States of a Soviet proposal to limit ABM deployment; and also the fact that no U.S. response to the reported slowdown of Soviet SS–9 deployment has been forthcoming.

Requests to brief the Foreign Relations Committee on SALT had to be approved by the White House—that is, Dr. Kissinger—and it was Kissinger, rather than the Secretary of State or Director of the ACDA, who, when the administration finally decided to brief the Congress on SALT, came to Capitol Hill to brief, not the Armed Services Committee or the Foreign Relations Committee, but an informal leadership meeting.

Another committee chaired by Dr. Kissinger, the so-called 40 Committee—named for the Presidential directive which set it up—is described as one which supervises covert intelligence operations.

The remaining committee is the Defense Programs Review Committee. According to the Times articles, this committee has been established "to apply a blend of political, economic, and diplomatic assessments to defense budgeting and force levels." In practice, however, it would appear that said committee has been limited to the providing of broad budgetary guidance; and that so far the Secretary of Defense has been successful in preventing it from making decisions on basic weapons policy and other such matters.

Underlying all these six committees as well as the National Security Council staff, Dr. Kissinger has set up six interdepartmental groups according to specific regions of the world—Europe, the Middle East, Africa, and so forth. Each group is headed by an Assistant Secretary of State.

Under such an organizational setup, the line of functioning authority at these levels can only be somewhat hazy, and that condition in itself raises interesting questions.

As but one example, do these Assistant Secretaries of State, as heads of interdepartmental groups under the National Security Council, report directly to Dr. Kissinger, or do they report to the Secretary of State? If the former, anyone experienced in the actual operation of the executive branch knows that Dr. Kissinger is Secretary of State in everything but title, with this organizational arrangement a vital key to the formulation of foreign policy.

One result of the function of these interdepartmental groups has been to place certain broad categories of executive branch communicators beyond the reach of legitimately interested members of Congress. As example, on more than one occasion within the past year, members of the Foreign Relations Committee who sought to discuss pending policy matters with executive branch officials have been told by those officials that their ability to discuss the subject in meaningful terms was limited because it was a matter pending within the National Security Council process.

If, on the other hand, these Assistant Secretaries of State report to Dr. Kissinger as well as to Secretary Rogers, such a dual track system counters one of the basic principles of sound management, and can only lead to confusion and misunderstanding in the execution of policy.

Dr. Kissinger has other official powers. As example, he is a member of the new Council on International Economic Policy. This Presidential Council, noted previously, is designed to "pull together military and economic aid, international trade and monetary, financial, investment and commodities matters into a cohesive body of policy, taking into account the requirements of foreign policy."

If effective, this Council would put under direct Presidential control matters which heretofore have been handled in various executive agencies and departments, including the Department of State.

In the past it has been reported that the hard line approach Dr. Kissinger has taken with respect to trade with Eastern Europe has thwarted both State and Commerce Department proposals for more liberal trade policies toward Iron Curtain countries. In any case, as a member of this new Council, and with such a concentration of foreign economic policy decisions, it would appear that Dr. Kissinger's leverage in that area could well equal the authority he possesses in the other two areas of diplomacy and national security.

In addition to these official roles, it would appear that Dr. Kissinger has further authority. He is reported to have taken a summary of the world situation that had been prepared originally by the State Department for delivery by Secretary Rogers, and then redrafted and expanded it for release as President Nixon's 1969 State of the World Message. Neither Secretary Rogers nor any other representative of the State Department was present at the time of the official signing of this message.

It is reported that another relatively recent "takeover" development is that Dr. Kissinger and his staff now prepare answers for the President to probable foreign policy questions at news conferences, a function formerly performed by the Departments of State and Defense.

According to the Times articles, it was Dr. Kissinger whom the President selected to deal directly with the Soviet Union in connection with the possible installation of a submarine facility in Cuba; thus bypassing the Secretary of State, who reportedly had a more restrained view toward the matter.

Numerous other examples of Dr. Kissinger's role in the shaping of policy—official and unofficial—could be cited. Those delineated above, however, illustrate well the degree as well as the nature of his authority.

At this point, soemone might ask, in the vernacular, "So what?" Is there any danger resulting from this "Kissinger syndrome," this unprecedented concentration of authority into the hands of a man who consistently briefs various groups and individuals on matters of domestic and foreign policy; but because of his "Executive privilege" is equally consistent in refusing to testify, even in closed sessions before the proper committees of Congress?

Some degree of concentration of authority in the hands of the President and his advisers, particularly in the area of foreign policy, is no doubt necessary so as to deal with some situations requiring prompt Presidential decisions unique to the nuclear-space age in which we now live. Any legitimate need for such further concentration of decisionmaking authority, however, is now being expanded to the point where Congress as well as the American people are being increasingly denied access to pertinent facts about major foreign policy decisions; and therefore neither Congress nor the people have any real knowledge, let alone any voice, in the formulation of policy decisions which could well determine the Nation's future.

Policy decisions are no doubt easier for the executive to arrive at if not subject to congressional review, but that is not the manner in which a democracy is supposed to function. Only in a totalitarian state can refusal to disclose important policy decisions to the proper legislative representatives of the people be justified on grounds of expediency.

Such isolation from members of the Senate on the grounds of Executive privilege not only nullifies the basic constitutional concept of advice and consent, but also distorts the fundamental premise on which our country was founded—representative democracy.

How can those of us who are elected to represent the people, and in whose hands is the sole authority to appropriate those funds necessary for the executive branch to carry out policy, perform properly our constitutional function if we are barred from knowledge of the true reasons for said policy or policies.

This development is of particular concern in the field of foreign affairs. In that field the people are forced to rely more on the national security considerations—than is the case with respect to domestic affairs. Nevertheless it is in the former area that Congress is now being asked to appropriate increasingly more money so as to carry out policies and programs about which they have been receiving increasingly less knowledge.

Sitting as he does in such a broad seat of authority, Henry Kissinger is clearly the best-informed administration official on White House policy; and he is permitted to lobby the decisions of the executive branch to the news media, to representatives of foreign countries, to the Cabinet, to the military, to Government boards and commissions, and also to various private groups and individuals, without any accountability of any kind whatever to the Congress. In passing, only recently he expounded his views to all for 1 hour on a national CBS network show.

It is now clear that this development has placed the Senate, particularly the Foreign Relations and Appropriations Committees, and at times the Armed Services Committee in an awkward and often impotent position; for whereas it is becoming ever more obvious that Dr. Kissinger, not Secretary Rogers or the State Department, is the primary spokesman on foreign policy for this administration under the present interpretation of Executive privilege. Dr. Kissinger does not and apparently will not appear before the duly constituted committees of the Congress. As was recently demonstrated, neither will members of his staff even after they have attacked both the integrity and the competence of certain Senators and their staffs. That is a matter which will be discussed at a later time in more detail.

This lack of communication with the actual architect of our foreign policy has created a serious denigration in the position of the Foreign Relations Committee and the Senate in the performance of the latter's constitutional role of advice and consent, to the point where it is now little wonder that some view the appearance before the committee of the Secretary of State, or the head of the Arms Control and Disarmament Agency, as a rather empty exercise.

Further concentration of authority in the White House, particularly with respect to foreign policy, is not confined solely to the present administration, but these recent changes in the organization and functioning of the executive branch are rapidly accelerating a trend that has been developing over the years.

The Congress itself, however, is far from blameless in allowing this trend to gain its present momentum. As the chairman of the Foreign Relations Committee pointed out in a recent address:

> Out of a well-intentioned but misconceived notion of what patriotism and responsibility require in a time of world crisis, Congress has permitted the President to take over the two vital foreign policy powers which the Constitution vested in Congress: the power to initiate war and the Senate's power to consent or withhold consent from significant foreign commitments.

In the past several years, the Senate has taken significant steps in an effort to reassert its role in the conduct of foreign affairs. If the Senate is to have any real influence on foreign policy, however, its Members must first regain, and then utilize the constitutional authority which they have allowed to be preempted.

All of us know that the most effective congressional authority is the power of the purse; and only through the proper exercise of that power can the Congress regain its constitutional role in the formulation of policy.

Let us earnestly hope, therefore, that the Congress will review thoroughly all administration requests for the Nation's increasingly limited resources, particularly in the field of foreign economic, political and military policy.

We could well begin by taking a long hard look at the $2.3 million appropriation request for the "little State Department" currently in residence at the White House.

Once again, we recognize well the authority of the President to organize his staff so as to conduct our foreign policy—along with the flow of information and advice—in the manner which best suits him. But this should not be done in a way which prevents the Congress from receiving accountability from the responsible officers of the executive branch.

Mr. JAVITS. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am glad to yield to the able senior Senator from New York.

Mr. JAVITS. Mr. President, this is a most provocative and interesting speech given by the Senator. In the last Congress he handled, in my judgment, one of the most important responsibilities of our Government; that of finding out what are the foreign policy commitments of the United States, and what we are doing about them, and how they expose us, and whether it is worthwhile being exposed to them—often it is. I serve on the subcommittee that he chairs.

I know Dr. Kissinger very well—and I think that is an important point in this colloquy—the frustration which the Senator from Missouri has faced, and I have faced, and committee members have faced in the invocation of "executive privilege." Many of us have felt denied information, even in executive session, necessary and proper for us to have so as to carry out our constitutional responsibilities as Senators.

The Senator is himself a man of high talent, very highly prized talent, so he has a great respect for talent in others. What troubles me is whether we are shooting at the right target, if we pick Dr. Kissinger and set him up as some kind of an eminence grise. He is an able man.

Moreover, he is in a tradition which is actually quite familiar in this country—and which is not so unique as may be implied. Woodrow Wilson had Colonel House. Franklin D. Roosevelt had Harry Hopkins. I think, in a sense, Averell Harriman served Harry Truman along somewhat the same lines. And, of course, McGeorge Bundy was believed to have exercised very great authority in the national security field under President Kennedy, as did Walt Rostow under President Johnson.

Now President Nixon has Henry Kissinger. The President knows a lot about foreign policy and he thinks he has got himself the best man there is to advise him.

It seems to me that these organizational things that the Senator speaks about, the President can choose to do if he wishes. That is his privilege as President. He does not have to tell us some things which we would like to know, even though we might think public policy dictates that he should tell us. This is especially so as regards the organization and conduct of his office—the Presidency. That is the basis of "Executive privilege." Why we should not hold the President himself responsible rather than Dr. Kissinger for the effect upon Congress of the organization of his Presidency, respecting international security affairs. Dr. Kissinger is the President's man. The President can fire him tomorrow and get someone else. It is the President who is doing this, not Dr. Kissinger. By "this" I mean excessive use of Executive privilege so as to impede our work and our prerogatives. We had a situation which the Senator complained about before—and I supported him 100 percent—where an ambassador came before us and said that he had executive privilege. They told him not to testify.

We have legislative oversight over the State Department in the Foreign Relations Committee. We have a right to complain about the fact that the State Department is being denuded of the things it does, things for which we have a right to hold it accountable and that the President is organizing his office in such a way as to accomplish this. The invocation of Executive privilege in an excess way so as to interfere with our activities, is a matter the President is responsible for, rather than Henry Kissinger.

Henry Kissinger happens to be a very gifted man and he has the confidence of the President. If he brings peace to Vietnam and to this country, I suppose the President ought to erect a statue for him. That is his business.

I ask this question in good faith, because I know the man. I believe he is really trying to do his best within his ability to advise the President. Is not our proper target the President and the way he has set up the State Department?

Mr. SYMINGTON. Mr. President, it has been my privilege to serve many years with the able Senator from New York; also to work with him on our commitments subcommittee. No one has more respect than I for the ability of the Senator from New York.

I would not necessarily agree with some of the historical references he made to people who were close to former Presidents.

Let me say to my friend that I am sorry he has completely missed the basic thrust of my address this morning. I, too, have great admiration and respect for Dr. Kissinger, have known him perhaps as long as has the distinguished Senator from New York. He is one of the ablest men it has been my privilege to have as a friend.

These words this morning are not a criticism of Dr. Kissinger. I agree wholeheartedly with the opinion of the Senator from New York about the ability and patriotism of Dr. Kissinger—I was not looking for any personal target, either Dr. Kissinger or the President.

Based on previous experience in business and the executive branch of Government, what I was addressing myself to this morning was what I believe is an illogical, unsound, and potentially dangerous organizational structure in the Federal Government. It may be that the functioning of what I believe is an unsound structure can, because of the brilliance of the men involved, function adequately.

I will say, however, that I do not believe results justify any sweeping observation of that character.

Another friend for an equally long time is the distinguished Secretary of State, who, when I first came into Government, was counsel for the Military Preparedness Subcommittee of the Senate. I am talking about the Honorable William P. Rogers. His position is becoming very difficult with respect to what is going on, not because of any inefficiency, or desire for power, or careless thinking on the part of any individual; but because of the nature of the organization that has been set up and under which he functions.

I will not get into the details of that functioning this morning, or a discussion of the men who no doubt are able public servants. But I do believe that the organizational setup in the executive branch is not operating for the best interests of that branch, or the best interests of the Congress and our form of government.

That is the basic reason why I am making this talk this morning.

Mr. JAVITS. Mr. President, will the Senator yield further?

Mr. SYMINGTON. I yield.

Mr. JAVITS. Mr. President, the Senator really does my heart good, for this reason. Had I not said what I had to say and had the Senator not said what he had to say, which is typical of his ability and fairness, I could see the headlines: "Symington Attacks Kissinger." That, of course, would not have been the thrust of the Senator's statement.

What do we do about it? We have a perfect right to tell the President that we do not like the way he is setting this up, and we have a perfect right to refuse any money that he asks us for either his office or Kissinger's office.

Our own judgment of what we really ought to do is to demand of the State Department the information we are entitled to get from them, information which the Secretary of State ought to have.

Thereby, we would know if there is any real inefficiency that exists through their not being put in the position of being able to do their job. We have legislative oversight over them.

I will say that as I now understand the thrust of what the Senator has in mind, as we negate the idea that this fellow Kissinger is some kind of conspirator who has enthralled the President—which is very important to negate, because he is not that kind of man and the President is not that kind of man—having done that, I would like to join with the Senator in pushing as hard as we can to secure the information.

We, as members of the Foreign Relations Committee, the Senate, and also the public, ought to have the information. If the State Department does not have it, the information ought to be made available to us as to why they do not have it, and thereby demonstrate, as the Senator is demonstrating, the defect in Government of which he is complaining.

Mr. SYMINGTON. Mr. President, let me make my position perhaps even more clear to the able Senator. I do not question the right of the President to have any member of his staff possess the type and character of authority Dr. Kissinger has, or even that of Mr. Lehman of Dr. Kissinger's staff, as they go out and lobby for the policies and programs of the executive department, domestic or foreign policy.

I do not question the fact that recently Dr. Kissinger gave a 1-hour interview on CBS, in which interview he answered, in great detail, many questions propounded to him by some of the more able news media people. But I do question the fact that when he does so, he nevertheless continues to refuse to come before the Senate Foreign Relations Committee, even in executive session, to report to the proper Members of the Senate under the advice-and-consent clause of the Constitution.

To me that is not representative government under our form of government.

This is said with some background, because I served on the National Security Council in two different positions. It would appear that the former Secretary of Labor in the domestic field does not fear the Congress as apparently Dr. Kissinger does, or the President, in the foreign policy field. Dr. Shultz, with greater power than other Directors of the Bureau of the Budget in the history of this country, nevertheless is willing to come down and discuss, in open session, before the proper committees of Congress, the domestic policies and programs of this administration. If the No. 1 man under the President in the White House on domestic issues is willing to discuss these matters in great detail, surely the No. 1 White House man on foreign policy, perhaps also on other policies, should be willing to do the same with the proper committees, in executive session.

Mr. JAVITS. Mr. President, will the Senator yield again?

Mr. SYMINGTON. I am glad to yield.

Mr. JAVITS. I thank the Senator. I think this is a very useful colloquy.

I think the point on which we differ is that Dr. Shultz is really the successor of the Director of the Budget.

Mr. SYMINGTON. I do not mean to interrupt, but the authority given Presidential Adviser Shultz is far more extensive than that of any previous Budget Director in the history of the United States.

Mr. JAVITS. I do not think the Senator changes what I said. He includes the duties which have heretofore been the subject of executive and public hearings. He is more than that, but he is also that.

On the other hand, Dr. Kissinger's job traditionally has been direct confidential adviser to the President. He deals with highly classified matters of national security. I have not checked the precedents, but I understand there always has been a great reluctance on the part of a President to have his adviser or emissary go before committees. No doubt there is a lot of abuse, also, of the use of "security classifications" to keep information away from us. That is another subject, and one which deserves hard scrutiny and corrective action.

The President himself does not have to come to us and he can instruct his personal man that he does not want him to appear either. But I do not believe Cabinet officers can do that.

I say we have a right to call Bill Rogers, whom I respect enormously. He has been a friend of mine as he has been of the Senator from Missouri, and I respect and admire his authority and I want to build him up. But I think we have a right to call him and say, "We hear on radio and television the following things emanating from the President. What do you know about it?" We can go after that hammer and tong. We have oversight over that Department, but the President, under the Constitution, is a separate official. We establish the State Department and the Secretary's office, by legislation. The Presidency is established by the Constitution.

Mr. SYMINGTON. If the Senator will yield, I do not have much time remaining and would make a further observation.

No doubt the Senator can obtain information from Dr. Kissinger any time he so desires. I do not begrudge him that opportunity, but happen to represent the millions of people in my State, and I am not getting adequate information, that needed prior to making a decision.

The able Senator from New York said this could be construed as a talk against Dr. Kissinger. Nothing could be further from my intent; but it could be construed as a talk for the prerogatives of the Senate under the Constitution, and it could be construed as a talk for the Secretary of State.

Wherever one goes in the afternoon or evening around this town one hears our very able Secretary of State laughed at. People say he is Secretary of State in title only. Now, there is something even more serious about that, based on my past experience, than just the difficulty of any one individual being placed in that position with his assistants and the public. If the Senator does not think this is affecting negatively the morale and capacity of other members of the State Department, I possess information he does not have.

Under this type and character of "cut-through" operation, serious deveolpments could occur in the world as it is today from the standpoint of the future of our country.

There has been criticism of our committee and other committees. That is unfortunate because I do not believe the recent criticism is justified. I do know also that a large majority of Senators who appropriate the money necessary to handle our foreign policies do not have the information that a member of any Board of Directors of a corporation would demand, if he were a good director before approving an appropriation of funds to be expended by the operating heads of that corporation.

The real power of the Congress lies in the power of the purse, and we have a right to request more information than we are receiving on subjects which come before my committees, information asked for only in executive session. It is true, and the Senator knows it, that on many basic policy matters we find out more from reading the newspapers than we do even in executive sessions.

I do not intend to just ride along with this administration or any other administration. I am not attacking any individual. I have great respect for these people as individuals. But I am criticizing the system which has now developed, a system which I believe could be very harmful, in the long run, to this country.

Fifteen or 20 years ago one of our more able Secretaries of State, Dean Acheson, wrote a book in which he said the greatest single change in the Government of the United States in this century was the further delegation of power of the legislative branch to the executive branch. That was before the Kennedy administration and the Johnson administration and the Nixon administration. If it was true then, I ask my able friend from New York how much more true would be justification for such a criticism today?

Mr. JAVITS. Mr. President, will the Senator yield again?

Mr. SYMINGTON. I yield.

Mr. JAVITS. If we do not have the information which we should have as a director on a board of directors, then we should not vote for the money; and if we cannot persuade our colleagues to that effect, then there is something deficient in us, because that is what our function should be. If we do not have enough information, then we should not act.

Mr. SYMINGTON. That is right.

Mr. JAVITS. The Senator said that I have more information.

Mr. SYMINGTON. I said the Senator could get more information.

Mr. JAVITS. I state flatly that is not a fact. The Senator can go to Dr. Kissinger just as I can and get exactly the same thing.

Finally, I am sorry to hear what the Senator said about Secretary of State Rogers. It is not the case, and if it were he would resign. He is that kind of man; he is a man of great dignity, an outstanding lawyer, and an outstanding public official. If that were true he would not stay on the job.

I would insist that in governmental organization the Department of State should have the full power and authority, notwithstanding Dr. Kissinger, that it is supposed to have under the organization of government.

Mr. SYMINGTON. Mr. President, as our time runs to the last allowable minute or two for this colloquy let me say to the Senator from New York, whom I respect a great deal, that it is much to the credit of Secretary Rogers that he does not resign. Some people in business resign when their company is not making a profit. I have just read a book by Barbara Tuchman, "Stilwell and the American Experience in China," which demonstrates that often patriots who are getting a bad deal believe they owe it to their country to stick around and do the best they can under unfavorable circumstances.

Mr. JAVITS. I thank the Senator. This colloquy has been extremely useful. I am happy to have been able to join the Senator in making it more so.

Mr. SYMINGTON. Mr. President, anything proposed which the Senator from New York joins is a plus for the Senator from Missouri. I am grateful to the Senator for this colloquy.

Mr. President, I yield the floor.

QUORUM

Mr. SYMINGTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRANSACTION OF ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. At this time, in accordance with the previous order, the Senate will proceed to the consideration of routine morning business for a period not to extend beyond 12 o'clock noon, and with speeches by Senators limited to 3 minutes.

IS VIETNAM A THREAT TO PRESIDENT NIXON?—ADDRESS BY SENATOR JAVITS BEFORE MID-AMERICA WORLD TRADE CONFERENCE, CHICAGO, ILL.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a speech I made in Chicago on Thursday, February 25, 1971, before the Mid-America World Trade Conference. The speech is entitled "Is Vietnam a Threat to President Nixon?" It was discussed throughout the country after I made it, and I think it should be made available to all who read the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

IS VIETNAM A THREAT TO PRESIDENT NIXON?

President Nixon was elected in November 1968 with an unmistakable national mandate to end the Vietnam war. Few Americans will forget the tragic experience of his predecessor. President Johnson was elected in 1964 by the biggest margin in history—only to be forced to announce his withdrawal from politics three and a half years later. President Johnson struggled as hard as any man could to mould American public opinion in support of the Vietnam war. In the end, his effort destroyed his Presidency and forced deep fissures in the American body politic which continue to scar our national life.

In his first two years in office, President Nixon has tried to meet the national demand for an end to the war by a process of gradual withdrawal of U.S. troops based on Vietnamization. The President's troop withdrawal program has generally succeeded in lowering the emotional pitch of the Vietnam issue. Nonetheless, feelings about Vietnam continue to run very deep and very strong in this country.

The big question is whether time is running out for President Nixon on the Vietnam issue, as in my judgment, it would be unrealistic for the President to assume that he is going to be given the same amount of freedom of maneuver that he had in his first two years on this issue.

I feel the time has come for a Republican Senator to post warnings that the ship of state may be headed for the same rocks which broke up and sank the Presidency of President Johnson; and that there is yet the time and opportunity to steer another safer course for the nation. I consider these warnings to be prudent, as I feel the Nixon Administration has much to give the country in the two terms it normally would have. I do not want to see President Nixon beguiled by the same vision of a "victory" by military means which proved to be the undoing of Lyndon Johnson's presidency. What could our nation possibly win in Vietnam that would be worth the destruction and the division—economic, social and in morale—which this war is inflicting on our own nation?

To cite some examples, the Vietnam war has so weakened international confidence in the dollar that our world financial position is being jeopardized. It has so eroded the motivation of the American worker that our very productive and technological superiority—our greatest strength—is threatened. It has so dismayed American youth that large segments have lost faith in the essential effectiveness, decency and humanity of our society—in our culture—and even in our credibility. It has so strained our resources as to bring on a great inflation and a dangerous erosion of confidence in our economy resulting in serious unemployment.

Along with this we have the deep aggravation of our urban problems—leading to the near "bankruptcy" of city governments across America—and the deep sense of alienation and pessimism now so prevalent in what used to be known as the most optimistic nation in the world. And there are those 50,000 American lives lost and the 200,000 wounded and that $100-billion of treasure.

There are many indications that 1971 will prove to be the make-or-break year in Vietnam for the Nixon Administration. Some really hard choices which have been avoided or postponed over the past two years will have to be faced this year. In my judgment, how the President decides on these critical breaking-point issues could be a major factor in determining whether President Nixon is to be a two-term President.

I am deeply disturbed by implications of a goal of "military victory" in President Nixon's recent statements. In the President's February 18 press conference, he said: "Time is running out for the North Vietnamese, if they expect to negotiate with the United States", and added, "We are not going to make any more concessions."

On the same occasion, the President said: "I am not going to place any limitation upon the use of air power except, of course, to rule out . . . the use of tactical nuclear weapons."

In addition, the President refused to rule out the possibility of a South Vietnamese invasion of North Vietnam. He described the current South Vietnamese invasion of Laos as having been made possible by the invasion of Cambodia, and as a reflection of increased South Vietnamese and American military power in relation to the communist forces.

Clearly, the President must rely for such judgments on his military advisors. I think it is only prudent to note that essentially the same commanders advised President Johnson, too.

It is not that any American would deny that in war he wants "military victory" for the U.S., but it is that Vietnam is not our war and that we never went into Vietnam with any intention of unconditionally making war until a "military victory" is achieved.

Recently, I had occasion to reread a speech given by General Westmoreland to the National Press Club on November 21, 1967—just two months before the Tet Offensive of 1968 when the Vietcong succeeded in penetrating the American Embassy itself in the heart of Saigon.

On that occasion, General Westmoreland said the enemy ". . . sees the strength of his forces steadily declining." He further told us:

"It is significant that the enemy has not won a major battle in more than a year . . . he can fight his large forces only at the edges of his sanctuaries. . . . We have reached an important point when the end begins to come into view."

In a very trenchant article published in *Foreign Affairs* just before the Nixon Administration took office, the President's Advisor, Henry Kissinger, summed-up the flaws of the Johnson Administration approach:

"We fought a military war; our opponents fought a political one. . . . In the process, we lost sight of one of the cardinal maxims of guerrilla war: the guerrilla wins if he does not lose. The conventional army loses if it does not win."

It seems to me that the Nixon Administration faces the same dilemma now which faced the Johnson Administration in 1967. I am speaking here of the "winning" and "losing" syndrome which spurred President Johnson on to those measures of military escalation and insensitivity to public opinion which brought his political career to an end.

Our nation is facing its gravest internal crisis since 1861. The real issue could be whether we are going to win or lose America. In that context, it would be irrelevant whether we are going to "win" or "lose" in Vietnam.

The ability of the communist forces—with the help from Russia and China—to offset the constantly escalating American military effort of the Johnson years demonstrated that the illusion of "military victory" is a path to American frustration and disappointment.

It is time to redefine the Vietnam issue in terms of America's interests. I believe that there is now an unmistakable national conviction that the *American* interest can be best served by an orderly but complete withdrawal of American forces from Vietnam, not dependent on the pace of success in the Vietnamization program, and that this should be accomplished by mid 1972. If this does not become our national policy, I believe there is a good chance that the Congress will act to establish it by law.

The Vietnamization policy of the Administration suffers from a major defect. It gives veto power both to Saigon and to Hanoi. "Vietnamization" is tied to the concept of Saigon's readiness to hold up militarily on its own. In this sense, "readiness" has got to include "willingness," and here the political calculations of President Thieu, as well as his rivals, are bound to be a factor. I believe the time has long passed when Americans are prepared to condition U.S. withdrawal on the exigencies of Saigon politics, as well.

In addition to the veto given to Saigon, a veto has been given to Hanoi, for the President has said that the pace of U.S. disengagement will be related to the degree of military pressure applied on our forces by North Vietnam.

In his February 18 press conference President Nixon further expanded Hanoi's veto by declaring:

"As long as the North Vietnamese have any Americans as prisoners-of-war, there will be Americans in South Vietnam and enough Americans to give them an incentive to release the prisoners."

I will yield to no one in my solicitude for American prisoners-of-war, but I do not believe the only way to rescue our prisoners is to continue the war; the history of warfare teaches that prisoners are released when wars are ended.

In conclusion let me repeat my belief that time is closing in on the Administration with respect to ending the Vietnam war. In 1971, the President is facing the big moment of truth as to whether we are going to govern withdrawal from Vietnam according to the American interest, and without being dependent on the state of readiness of Saigon or the veto of Hanoi. There is also the question of whether he is going to give first priority to a search for "victory" through a series of military campaigns throughout Indochina. His generals may well be seeking to convince him that he will surely find that elusive pot of military gold at the end of one or another of those endless jungle trails.

The President seems under some temptation to go on with Vietnamization as a base of the Vietnam policy. If he does, there is grave danger that the American people may conclude that their mandate in 1968 was to end the war and that it has not been met. If this proves to be the case, President Nixon's reelection could be in grave danger—a contingency which I want to do all I can to help him to avoid.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that tomorrow, immediately following the colloquy of 45 minutes with respect to the fiftieth anniversary of the Disabled American Veterans, which, under the previous order, is to be under the control of the Senator from Minnesota (Mr. HUMPHREY) and the Senator from Kansas (Mr. DOLE), there be a period for the transaction of routine morning business not to exceed 45 minutes, with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

QUORUM CALL

Mr. BYRD of West Virginia. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will please call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the vote which will occur on the motion to invoke cloture on the motion to proceed to the consideration of Senate Resolution 9, the able assistant to the Senator from Idaho (Mr. CHURCH), Mr. Wes Barthelmes, be granted the privilege of the floor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MINORITY MEMBERSHIP ASSIGNMENTS TO THE SELECT COMMITTEE ON EQUAL EDUCATIONAL OPPORTUNITY

Mr. GRIFFIN. Mr. President, on behalf of the Republican leader, I send a resolution to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The resolution will be stated.

The legislative clerk read as follows:

S. RES. 63

Resolved, That the following shall constitute the minority party's membership on the Select Committee on Equal Educational Opportunity, pursuant to Senate Resolution 359 of the Ninety-first Congress: Mr. Roman L. Hruska; Mr. Jacob K. Javits; Mr. Peter H.

Dominick; Mr. Edward W. Brooke; Mr. Mark O. Hatfield; and Mr. Marlow W. Cook.

The ACTING PRESIDENT pro tempore. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

SPECIAL REVENUE SHARING—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 92-56)

The ACTING PRESIDENT pro tempore (Mr. ALLEN) laid before the Senate the following message from the President of the United States, which was referred to the Committee on Finance:

To the Congress of the United States:

Many of our State and local governments today are in serious financial difficulty. This has not diminished the growing demands on their financial resources, however: their needs continue, their populations increase and their social problems multiply. All these circumstances point to the need for outside assistance, and the Federal Government has tried to provide such assistance. But in doing so, it has frequently added to, rather than reduced, State burdens.

In the past decade, the Federal Government has turned increasingly to a complex system of grants for providing financial assistance to State and local governments. Today Federal aid programs account for one-fifth of State and local revenues. In theory this income should reduce the pressure on State and local budgets and it should free financial resources at those levels for use at those levels. In practice the reverse is commonly the case.

To qualify for Federal grants, States and local government units are frequently required to match Federal funding, often seriously restricting flexibility in the use of State and local resources. Recipients are placed in the position of having to accept Federal money with its concomitant restrictions on State funds, or receive no Federal money at all. Thus, we may find States and local governing units pursuing projects which may be of low priority to them simply because money for these projects is available, but the matching requirements for such grants may have to be met at the expense of programs of higher priority to the community.

In other cases, State and local agencies are required to maintain their financial commitment to a project in order to qualify for Federal grants to that project. The result, again, is diminished flexibility in the use of financial resources at the State and local levels.

Equally burdensome are project-by-project requirements for prior Federal approval of grants. These requirements often delay the availability of much needed funds; generate Federal, as well as State and local, bureaucratic delay, and inject needless confusion into the Federal, State and local relationship. Rigidity in adhering to exact requirements is rewarded, and new or imaginative ideas are frequently lost because they fail to fit exact bureaucratic guidelines.

Finally, Federal grants have proliferated to such a degree that simply discovering their availability is a bureaucratic chore all in itself. The processes of application frequently contribute to the difficulty, and delay the process, of obtaining grants to a degree which further aggravates the problem the money is designed to assuage. And, because the Federal Government, with all the best intentions, cannot really know the needs of the States and local governing units as well as the people who govern at those levels, these grants frequently cannot be aimed with real precision at the needs which exist at those levels.

Certain of these difficulties are most prevalent in the narrowly defined "categorical grants," and therefore I have long supported the concept of block grants which permit State and local governing units to receive financial assistance on the basis of what *they* know is necessary. This eliminates many of the problems of the categorical grants. The block grant does, however, retain other shortcomings: requirements for matching funds, maintenance of effort, and prior approval by the Federal Government. I believe the time has come to further reform our system of providing financial assistance, and to streamline, where we can, the system of grant aid by adopting a system of Special Revenue Sharing which provides the benefits of Federal assistance without the burdens of assistance built into the present grant programs.

The purposes of 130 of our narrowly based categorical grant programs now in existence can be reduced to six broad areas of national concern. In a series of special messages, of which this is the first, I will propose that funds be made available to States and localities to assist them in meeting their problems in the areas of law enforcement, manpower training, urban development, transportation, rural development and education, by converting these grants to Special Revenue Sharing. Funds for assistance in these areas, as I proposed in my State of the Union message, will include more than $10 billion of the money allocated for the narrow-purpose grants plus $1 billion of new funds. Special Revenue Sharing would require no matching funds, no maintenance of effort, no prior project approval and, within the six broad areas, recipients would have the authority to spend these funds on programs which are of the highest priority to them.

I am proposing today legislation for the first of these six Special Revenue Sharing programs. This legislation is directed to matters of primary concern in our national life: the control of crime and the improvement of this nation's system of criminal justice. Much has been accomplished in combating these problems, but much remains to be accomplished.

Part of the market progress of the past two years can be attributed to the Law Enforcement Assistance Administration (LEAA). The LEAA was created by the Omnibus Crime Control and Safe Streets Act of 1968 to aid State and local law enforcement agencies in funding programs for police, courts, corrections, control of organized crime, civil disorders, and other related crime problems. This is a national problem—but the basic responsibilities for solving this problem rest at the State and local level and the LEAA provides for Federal assistance to these levels of government.

This program is based on the assumption that those who bear responsibility at the State and local level are best qualified to identify their enforcement problems, and to set the priorities and develop the means to solve these problems. It is designed particularly to encourage and provide for experimentation and innovation in the search for more effective solutions to the crime problem. With LEAA assistance each State has developed, in partnership with local governments, a comprehensive statewide approach to improving law enforcement and reducing crime. Each State is receiving funds under this program, and is moving to execute its plans.

The program is effective. In the District of Columbia, LEAA assistance has played a role in achieving encouraging reductions in various categories of crime. With LEAA assistance, Oakland, California, has launched a unique effort against street crime using citizen-police cooperation. A feature of this effort has been more than thirty bilingual "citizen forums" in high-crime areas.

LEAA has launched the first major Federal research and development program in criminal justice. It has initiated the first nationwide computerized information system—Project SEARCH, which will help provide instant interstate information on offenders. It has funded the first national survey of crime victims, and the first national jail survey. In the six New England States a joint program is underway to collect and analyze intelligence information and plan a coordinated effort against organized crime in that area. This was funded by LEAA. LEAA assistance to the States for corrections has increased from $3 million in fiscal 1969 to over $68 million in fiscal 1970. This final year the total exceeds $100 million. In another area LEAA has initiated the first major Federal program to enable law enforcement and criminal justice personnel to continue their educations. More than nine hundred colleges are involved in this program.

I think it is clear that LEAA has assumed a vital and effective role in this area of Federal, State, and local concern. But, I believe it can and must be made more effective. Therefore, I am proposing amendments to the Law Enforcement Assistance legislation which I believe would strengthen and increase its effectiveness in the war on crime by increasing both the resources of State and local enforcement and judicial agencies, as well as their freedom to use the resources at their disposal.

MATCHING FUNDS

I propose that the requirement for matching funds be eliminated from LEAA grants being converted to Special Revenue Sharing.

MAINTENANCE OF EFFORT

I propose that requirements for maintenance of effort be eliminated as a condition for receiving Special Revenue Sharing payments.

PRIOR PROJECT APPROVAL

I am recommending that State planning agencies continue to prepare comprehensive statewide law enforcement plans. These will continue to be submitted to LEAA for review and evaluation, to assist LEAA in its role of counseling State and local government agencies. I am proposing, however, that requirements for prior approval of these plans by LEAA be eliminated. Prior approval would not be required to receive Special Revenue Sharing funds.

COVERAGE

Special Revenue Sharing would replace the present LEAA action grants and their payment would be automatic. Special Revenue Sharing for law enforcement for the first full year would be $500 million. Fifteen percent of this would be in grants which can be awarded at the discretion of LEAA, and the remainder in grants awarded automatically on the basis of population.

CIVIL RIGHTS

I urge that the protection from discrimination now provided minorities under Title VI of the Civil Rights Act of 1964 be expressly extended to Special Revenue Sharing.

CONCLUSION

The changes provided in the LEAA legislation are not extensive. But I believe they will have a profound effect. They are designed to improve a good program which already has many of the elements we seek to obtain in other programs. Special Revenue Sharing will permit the needed improvements. And by further freeing State and local governments, both from the restrictions of onerous Federal control, and from the administrative and fiscal restrictions which accompany or result from much of our Federal assistance, we can release the creative capacities of each level of government in these areas of national concern.

RICHARD NIXON.

THE WHITE HOUSE, *March 2, 1971.*

EXECUTIVE MESSAGE REFERRED

As in executive session, the Acting President pro tempore (Mr. ALLEN) laid before the Senate a message from the President of the United States submitting the nomination of James T. Lynn, of Ohio, to be Under Secretary of Commerce, which was referred to the Committee on Commerce.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. ALLEN) laid before the Senate the following letters, which were referred as indicated:

REPORT ON SPECIAL PAY FOR DUTY SUBJECT TO HOSTILE FIRE

A letter from the Deputy Secretary of Defense, reporting, pursuant to law, on special pay for duty subject to hostile fire from the calendar year ended December 31, 1970; to the Committee on Armed Services.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of financial statements of the U.S. Government Printing Office, fiscal year 1970, dated February 26, 1971 (with an accompanying report); to the Committee on Government Operations.

AMENDMENTS TO RULES OF PRACTICE AND REPORT OF THE JUDICIAL CONFERENCE OF THE UNITED STATES

A letter from the Chief Justice of the United States, transmitting, pursuant to law, the amendments to the Rules of Civil Procedure for the U.S. District Courts, to the Rules of Criminal Procedure for the U.S. District Courts, and to the Federal Rules of Appellate Procedure which have been adopted by the Supreme Court, together with the report of the Judicial Conference of the United States (with accompanying papers and a report); to the Committee on the Judiciary.

REPORT ON CONTRACT MODIFICATIONS BY ATOMIC ENERGY COMMISSION

A letter from the Deputy General Manager, Atomic Energy Commission, reporting, pursuant to law, on actions taken under the authority of Public Law 85-804, approved August 28, 1958, which establishes regulations for entering into and amending or modifying contracts to facilitate the national defense for the calendar year ended December 31, 1970; to the Committee on the Judiciary.

REPORTS OF NATIONAL MEDIATION BOARD AND NATIONAL RAILROAD ADJUSTMENT BOARD

A letter from the Chairman, National Mediation Board, transmitting, pursuant to law, a report of the Board, including a report of the National Railroad Adjustment Board, for the fiscal year ended June 30, 1970 (with accompanying reports); to the Committee on Labor and Public Welfare.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. ALLEN):

A resolution adopted by the City Commission of the City of Dunedin, Fla., praying for the enactment of legislation relating to revenue sharing; to the Committee on Finance.

Mr. PELL. Mr. President, the State of Rhode Island has been severely affected by the recession which has struck our economy.

In view of this situation, the General Assembly of Rhode Island has petitioned the Congress to extend unemployment benefit coverage for an additional 26 weeks.

I, therefore, ask unanimous consent that the resolution be printed in the RECORD at this point.

The ACTING PRESIDENT pro tempore. The resolution will be appropriately referred; and, without objection, the resolution will be printed in the RECORD:

The resolution was referred to the Committee on Finance, as follows:

RESOLUTION

Memorializing Congress in view of the present economic recession to enact such legislation necessary to extend unemployment benefit coverage an additional 26 weeks

Whereas, Rhode Island's rate of unemployment reached 6.4 per cent in mid-December, 1970; and

Whereas, During that same month the state paid out more money in unemployment compensation benefits than in any month in the 33-year history of this program; and

Whereas, The single most significant factor in the situation is that approximately 20 per cent of the payment went to persons who were covered under the 13 weeks of benefits which were extended as a result of a special session of the general assembly; and

Whereas, If these unemployed persons exhaust their extra-time benefits and are compelled to turn to welfare, then the states will face increased unforeseen expenditures of staggering proportions; and

Whereas, The causes of rising unemployment are directly traceable to the trends of the national economy which are molded by the policies of the federal government; and

Whereas, Since the causes are traceable to the federal government, the responsibility of bearing the cost rests directly with the federal government; and

Whereas, The states under such a federally funded program should maintain control as to disbursement of the funds to the unemployed and should be reimbursed for full costs, including interest over the period of the next succeeding four years; and

Whereas, Institution of such a plan would: a) eliminate the transition of unemployed workers to the welfare rolls; b) remove the cost burden of unemployment benefit payments from the local employers to the federal government; and c) allow the federal government to assume and extend over a longer period of time the cost of such a program; now, therefore, be it

Resolved, That the general assembly of the State of Rhode Island and Providence Plantations hereby memorializes the Congress to enact such legislation as would be necessary to extend payment of benefits to unemployed workers by as much as 26 additional weeks with the federal government assuming the entire cost; and be it further

Resolved, That the secretary of state be and he hereby is authorized and directed to transmit duly certified copies of this resolution to the senators and representatives from Rhode Island in said Congress.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. SPARKMAN, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S.J. Res. 55. Joint resolution to provide temporary extension of certain provisions of law relating to interest rates and cost-of-living stabilization (S. Rept. No. 92-24).

BILLS AND JOINT RESOLUTION INTRODUCED

The following bills and joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. BYRD of West Virginia:

S. 1056. A bill to amend title II of the Social Security Act to provide a 12-percent across-the-board increase in benefits (with a minimum old-age or disability benefit of $100), and to provide for the financing of such increase by raising the wage base to $9,000 and by making appropriate adjustments in the social security tax rates. Referred to the Committee on Finance.

By Mr. CHURCH (for himself and Mr. Jordan of Idaho):

S. 1057. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to increase the loan limitation on certain loans, and to enable the Secretary of Agriculture to extend financial assistance to desertland entrymen to the same extent as such assistance is available to homestead entrymen. Referred to the Committee on Agriculture and Forestry.

By Mr. CHILES:

S. 1058. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, so as to authorize certain grapefruit marketing orders which provide for an assessment against handlers for the purpose of financing a marketing promotion program to also provide for a credit against such assessment in the case of handlers who expend directly for marketing promotion. Referred to the Committee on Agriculture and Forestry.

By Mr. SCOTT:

S. 1059. A bill for the relief of Soccorso M. Tecce, and his wife, Bruna Tecce;

S. 1060. A bill for the relief of Angelo Luciano Colavita, his wife, Maria Carmela Colavita, and their son Antonio Colavita; and

S. 1061. A bill for the relief of Nesibi Tahtakilic. Referred to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. Beall, Mr. Dominick, Mr. Griffin, Mr. Prouty, Mr. Schweiker, and Mr. Scott):

S. 1062. A bill to establish a National Foundation for Higher Education, and for other purposes. Referred to the Committee on Labor and Public Welfare.

By Mr. BROCK:

S. 1063. A bill for the relief of Elisabetta Foglia. Referred to the Committee on the Judiciary.

By Mr. HARRIS (for himself, Mr. Church, Mr. Cannon, Mr. Humphrey, Mr. Inouye, Mr. McGovern, Mr. Magnuson, Mr. Mondale, and Mr. Randolph):

S. 1064. A bill to provide opportunities for American youth to serve in policymaking positions and to participate in National, State, and local programs of social and economic benefit to the country. Referred to the Committee on Labor and Public Welfare.

By Mr. HARRIS:

S. 1065. A bill for the relief of the owners of certain interests in lands located in Caddo County, Okla. Referred to the Committee on the Judiciary.

By Mr. HARRIS (for himself and Mr. Bellmon):

S. 1066. A bill to provide for the disposition of funds appropriated to pay certain judgments in favor of the Iowa Tribes of Oklahoma and of Kansas and Nebraska. Referred to the Committee on Interior and Insular Affairs.

S. 1067. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Absentee Delaware Tribe of Western Oklahoma, et al., in Indian Claims Commission docket No. 72 and the Delaware Tribe of Indians in Indian Claims Commission docket No. 298, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

S. 1068. A bill to provide for the disposition of funds appropriated to pay judgments in favor of the Sac and Fox Indians, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

S. 1069. A bill to provide for the disposition of funds appropriated to pay judgments in favor of the Sac and Fox Indians, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

S. 1070. A bill to provide for the disposition of funds appropriated to pay judgments in favor of the Kickapoo Indians of Kansas and Oklahoma in Indian Claims Commission docket Nos. 316 and 193. Referred to the Committee on Interior and Insular Affairs.

By Mr. BOGGS (for himself, Mr. Brooke, Mr. Case, Mr. Cotton, Mr. Ervin, Mr. Hart, Mr. Javits, Mr. Pell, Mr. Percy, Mr. Prouty, Mr. Ribicoff, Mr. Roth, Mr. Scott, Mr. Spong, and Mr. Williams):

S. 1071. A bill to clarify the status of funds of the Treasury deposited with the States under the act of June 23, 1836. Referred to the Committee on Finance.

By Mr. JAVITS:

S. 1072. A bill to amend the Higher Education Facilities Act of 1963 in order to increase the maximum Federal share under such act to 66 percent in the case of certain developing institutions. Referred to the Committee on Labor and Public Welfare.

S. 1073. A bill to consolidate and improve certain programs for higher education, and for other purposes. Referred to the Committee on Labor and Public Welfare.

S. 1074. A bill to authorize assistance to the States in establishing and carrying out programs of higher education student aid. Referred to the Committee on Labor and Public Welfare.

By Mr. HARTKE:

S. 1075. A bill to create a Senate Tax Reform Commission. Referred to the Committee on Finance.

By Mr. HARRIS:

S. 1076. A bill to provide for the striking of medals in commemoration of Jim Thorpe. Referred to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PERCY (for himself and Mr. Stevenson):

S. 1077. A bill to authorize the Secretary of the Interior to establish the Lincoln Homestead National Recreation Area. Referred to the Committe on Interior and Insular Affairs.

By Mr. GRIFFIN:

S. 1078. A bill to amend chapter 55 of title 10, United States Code, in order to provide for the defense of certain malpractice and negligence suits brought against members of the Armed Forces for alleged acts or omissions committed while performing duties as physicians, dentists, nurses, pharmacists, or paramedical or other supporting medical personnel, and for other purposes. Referred to the Committee on Armed Services.

By Mr. SPARKMAN:

S. 1079. A bill for the relief of Elizabeth C. Cruz. Referred to the Committee on the Judiciary.

By Mr. BAYH:

S. 1080. A bill to amend chapter 23 of title 38, United States Code, to increase the maximum amount which the Administrator of Veterans' Affairs may pay to cover the burial and funeral expenses of certain deceased veterans. Referred to the Committee on Veterans' Affairs.

By Mr. BAYH:

S. 1081. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty. Referred to the Committee on Government Operations.

By Mr. CASE (for himself, Mr. Boggs, Mr. Gravel, Mr. Muskie, Mr. Packwood, and Mr. Williams):

S. 1082. A bill to regulate the discharge of wastes in territorial and international waters until 5 years after the date of enactment of this act, to prohibit such discharge thereafter, and to authorize research and demonstration projects to determine means of using and disposing of such waste. Held at the desk for future reference by unanimous consent.

By Mr. MONDALE:

S. 1083. A bill for the relief of Rosa Einisman, Adolfo, Rosa Maria, Isaac, Dona, and Karin Einisman. Referred to the Committee on the Judiciary.

S. 1084. A bill for the relief of Jorge Alvarez-diaz. Referred to the Committee on the Judiciary.

By Mr. HANSEN (for himself, Mr. Allott, Mr. Anderson, Mr. Bennett, Mr. Bible, Mr. Curtis, Mr. Dole, Mr. Dominick, Mr. Gurney, Mr. Jordan of Idaho, Mr. McGee, Mr. Metcalf, and Mr. Young):

S. 1085. A bill to amend the Federal Meat Inspection Act to require that imported meat and meat food products made in whole or in part of imported meat be labeled "imported" at all stages of distribution until delivery to the ultimate consumer. Referred to the Committee on Agriculture and Forestry.

By Mr. SPONG:

S. 1086. A bill to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes. Referred to the Committee on Post Office and Civil Service.

By Mr. HRUSKA:

S. 1087. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968. Referred to the Committee on the Judiciary.

By Mr. FANNIN:

S. 1088. A bill to provide for the establishment of a U.S. Court of Labor-Management Relations which shall have jurisdiction over certain labor disputes in industries substantially affecting commerce. Referred to the Committee on the Judiciary.

By Mr. HARRIS:

S.J. Res. 61. A joint resolution to authorize the President to proclaim April 16, 1971, as "Jim Thorpe Day." Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CHURCH (for himself and Mr. Jordan of Idaho):

S. 1057. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to increase the loan limitation on certain loans, and to enable the Secretary of Agriculture to extend financial assistance to desertland entrymen to the same extent as such assistance is available to homestead entrymen. Referred to the Committee on Agriculture and Forestry.

Mr. CHURCH. Mr. President, today, on behalf of my colleague from Idaho (Mr. Jordan) and myself, I introduce legislation designed to update the current loan authority of the Farmers Home Administration and to allow the FHA to make loans to desert entrymen to the extent that FHA may now make loans to homestead entrymen.

We are all aware of the increasing cost of living in our Nation today. America's farmers struggle to meet the increased costs that face us all, but because they occupy that unenviable position—a producer who cannot set the price for his product—they are especially in need of aid to help them meet these rising costs.

The current limitation on farm operating loans of $35,000 was established in 1961 under the Consolidated Farmers Home Administration Act. Since 1961, changes in technology, in farming methods, in the size of the family farm, and in the cost of operations, have been immense. During the last 7 years alone, the capital costs for farms and ranches have risen 79 percent. Feed costs have climbed 33 percent and outlays for fertilizers are up 64 percent.

Mr. President, last year, companion legislation to my bill, S. 3608, was passed by the Congress and signed into law by the President. This legislation increased FHA loan authority for farmownership loans from the then existing $60,000 to $100,000. I think that now is the time to accomplish the other half of the job. Idaho farmers I have spoken with overwhelmingly support increases in operating loan authority. The bill which I now introduce would increase that loan authority from the current $35,000 to $50,000.

The second part of this bill, Mr. President, would help in the development of desert land entries. For some time, the FHA has had the power to loan funds for the development of lands under the Homestead Act. Currently, no comparable authority exists to allow for loans to settlers developing desert land entries.

This bill would simply eliminate the discrimination, allowing loans to be made by the FHA to desert entrymen in the same manner they are made to homestead entrymen.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD following the introductory remarks of its two sponsors.

The ACTING PRESIDENT pro tempore (Mr. ALLEN). Without objection, it is so ordered.

(See exhibit 1.)

EXHIBIT 1

STATEMENT OF SENATOR LEN B. JORDAN

Mr. President, I am pleased to join my distinguished colleague, Senator CHURCH, as a co-sponsor of this bill to effect some needed revisions in Farmers Home Administration loan authority.

The first provision of this bill would increase the limit on farm operating loans from $35,000 to $50,000. This is a recognition of the need for increased credit in modern farm operations. It is even more of a necessity for western irrigation farms, which demand heavy investments in irrigation facilities and water payments in addition to the increasingly heavy financial requirements for modern mechanized farm equipment and farm operation.

The second provision of the bill seeks to eliminate a discriminatory feature of the existing FHA loan program. An Act of October 19, 1949 authorized the Farmers Home Administration to extend financial assistance to homestead entrymen, but such action has not been taken with respect to entrymen under the Desert Land Act, a similar land disposal program in the arid West. We seek to end this discrimination and enact this legislation to put all our farmers on the same basis so far as Federal farm loan availability is concerned.

This new loan authority should not involve any large amount of financial assistance, because the Desert Land entry program has been declining in its public land disposal accomplishments. Since 1955, an average of only 17,000 acres annually has been patented under the Desert Land Act.

However, a major credit challenge is presented to the average farmer who obtains an approved entry and seeks to remove desert land from the public domain and convert it into tax-paying private property. To get the entry acreage into production, the entryman has to clear the land, install a water supply and distribution system, and prepare, plant, and cultivate the farm land converted from the desert environment. This requires a heavy capital and operating investment, but until the land is actually brought into production, the entryman has not title and is unable to utilize the property as equity for a loan.

This legislation will make it possible for young farmers, veterans, and other qualified individuals without large financial resources to apply for and successfully develop a farm under this disposal program. There are still opportunities for them to do so in Idaho and other arid Western States if they can obtain credit and develop a water supply.

A similar bill won support from the Executive Branch and passed the House last session. I hope the Senate committee of reference will conduct hearings and act favorably on this bill during the present session.

S. 1057

A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to increase the loan limitation on certain loans, and to enable the Secretary of Agriculture to extend financial ssistance to desertland entrymen to the same extent as such assistance is available to homestead entrymen

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (1) of section 313 of the Consolidated Farmers Home Administration Act of 1961, as amended, is amended by deleting the figure "$35,000" and inserting in lieu thereof "$50,000".

SEC. 2. (a) The first sentence of the Act entitled "An Act to enable the Secretary of Agriculture to extend financial assistance to homestead entrymen, and for other purposes", approved October 19, 1949 (63 Stat. 883; 7 U.S.C. 1006a), is amended by striking out "homestead entry" and inserting in lieu thereof "homestead or desertland entry".

(b) The last sentence of the first section of such Act is amended by striking out "reclamation project" and inserting in lieu thereof "reclamation project or to an entryman under the desertland laws".

By Mr. JAVITS (for himself, Mr. BEALL, Mr. DOMINICK, Mr. GRIFFIN, Mr. PROUTY, Mr. SCHWEIKER, and Mr. SCOTT):

S. 1062. A bill to establish a National Foundation for Higher Education, and for other purposes. Referred to the Committee on Labor and Public Welfare.

Mr. JAVITS. Mr. President, I introduce for appropriate reference the National Foundation for Higher Education Act. I introduce the bill on behalf of myself, the Senator from Vermont (Mr. PROUTY), the Senator from Maryland (Mr. BEALL), the Senator from Colorado (Mr. DOMINICK), the Senator from Michigan (Mr. GRIFFIN), the junior Senator from Pennsylvania (Mr. SCHWEIKER), and the senior Senator from Pennsylvania (Mr. SCOTT).

Mr. President, this is an administration bill. Although the bill itself does not provide an amount of funds, it is budgeted by the administration at $100 million. Its purpose is to encourage innovation in higher education. We simply cannot take for granted in modern times that education is a 4-year course for undergraduates; that it is a 3-year course for postgraduates; that there are certain norms and forms for doctorates or masters' degrees; or that only those within given age groups, to wit, roughly from 19 to 24 or 25, are appropriate students for higher education.

The bill would create a National Foundation for Higher Education with the Department of Health, Education, and Welfare as the Federal Government's principal agency for stimulating innovation and reform in postsecondary education and for the support of quality postsecondary programs.

At a time when some 8.2 million of our young people are enrolled at the Nation's colleges and universities and higher education has an annual budget of $26 billion—and both figures are steadily increasing—it is vital that innovation, reform and educational excellence be nurtured if postsecondary schooling is to be able to meet the challenge of this new age.

Under the bill, institutions of higher education will be able to undertake innovative programs which they heretofore have not been able to venture into because of the narrow confines of existing Federal programs and their own tight budgets. The Foundation will have authority to make grants, for example, for programs based on communications technology, developing cost-effective methods of instruction and operation, introducing reforms in the structure of academic professions and the recruitment and retention of faculties, new combinations of academic and experimental learning, and the creation of programs of study tailored to individual needs.

The recent announcement by the Carnegie Corp. and the Ford Foundation that they intend to spend $1.8 million in New York State to help start two new off-campus degree programs represents exactly the type of activity which the Foundation might undertake to help break down the walls which exist in some areas of the higher education community.

Some years ago Clark Kerr, as president of the University of California, observed:

> I find that the three major administrative problems on a campus are sex for the students, athletics for the alumni and parking for the faculty.

In an era where enrollments have tripled since 1955, higher education budgets have doubled since 1960, and annual expenditures per student have been rising three times as fast as the cost of living. This no longer can be true.

Truly, in the years ahead, innovation is the key, if the Nation's colleges and universities are to be able to offer quality higher education to the growing number of our people of all ages and from all walks of life desirous and capable of achieving it. New models of teaching and learning must be developed. There must be a source of support for experimentation, for probings into new areas of scholarship, and for radically different kinds of education, time, and facilities in which to undertake them.

I ask unanimous consent that there be included at this point in my remarks a section-by-section analysis of the National Foundation for Higher Education Act of 1971, the pertinent excerpts from the President's February 22 message entitled "Expanding Opportunities for Higher Education," and the news story from the February 17 New York Times describing the Carnegie Corporation-

Ford Foundation program in New York State to which I earlier referred.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF THE NATIONAL FOUNDATION FOR HIGHER EDUCATION ACT OF 1971

CITATION

This section provides that the Act may be cited as the "National Foundation for Higher Education Act of 1971."

Section 2. Establishment of National Foundation for Higher Education

Section 2 of the bill establishes in the Department of Health, Education, and Welfare a National Foundation for Higher Education. The President is authorized to appoint, with the advice and consent of the Senate, a Director of the Foundation who is to perform such duties as the Secretary of HEW prescribes.

Section 3. Purposes of the Foundation

Section 3 states that the purposes of the Foundation are—

(1) to encourage excellence, innovation, and reform in postsecondary education;

(2) to provide assistance for the design and establishment of innovative structures for providing postsecondary education and innovative modes of teaching and learning therein.

(3) to expand the ways and patterns of acquiring postsecondary education and to open opportunities for such education to individuals of all ages and circumstances;

(4) to strengthen the autonomy, individuality, and sense of mission of postsecondary educational institutions, and to support programs which are distinctive or of special value to American society; and

(5) to encourage postsecondary educational institutions to develop policies, programs, and practices responsive to social needs, and to provide an organization concerned with the rationalization of public policies toward postsecondary education.

Section 4. Higher Education Foundation Board

Section 4 authorizes the President to appoint, without regard to laws governing appointment in the competitive service, an 18 member Higher Education Foundation Board. The Board is to advise the Secretary and the Director with respect to matters of general policy arising in the administration of this Act and programs to be carried out under the Act. The Board is also to prepare an annual report to the Secretary on the current status and needs of postsecondary education in the United States. The Secretary is to transmit this report to the President with his recommendations.

Subsection (*b*) provides that there shall be 18 members on the Board, broadly representative of the general public and the education community. Members are to serve staggered three year terms, except that members appointed to fill a vacancy are to serve for the remainder of that term. Board members are to receive per diem and travel expenses while serving on the business of the Board.

Section 5. Assistance

Section 5 authorizes the Secretary to make grants to and contracts with public or private agencies, organizations, or institutions, or any combination thereof, in order to achieve the purposes of the Foundation. Grants may be made only to nonprofit private agencies, organizations, or institutions. Among the activities for which assistance may be awarded are—

(1) the creation of institutions and programs involving new paths to career and professional training, and new combinations of academic and experiential learning;

(2) the establishment of institutions and programs based on the technology of communications;

(3) the carrying out in postsecondary education institutions of changes in internal structure and operations designed to clarify institutional priorities and purposes;

(4) the design and introduction of cost-effective methods of instruction and operation;

(5) the introduction of institutional reforms designed to expand individual opportunities for entering and re-entering institutions and pursuing programs of study tailored to individual needs;

(6) the introduction of reforms in graduate education, in the structure of academic professions, and in the recruitment and retention of faculties;

(7) the creation of new institutions and programs for examining and awarding credentials to individuals, and the introduction of reforms in current institutional practices related thereto;

(8) the development or revitalization of educational and training programs of national importance; and

(9) the alteration or remodeling of buildings to the extent necessary to achieve the objectives of any other activity assisted under section 5.

The Secretary is also authorized to make grants or contracts for studies in the field of postsecondary education, including studies related to postsecondary education finance, organization and management.

Section 6. Fellowships

Section 6 authorizes the Secretary to award fellowships and to pay stipends (including allowances for subsistence and other expenses for the fellows and their dependents) to fellowship holders where appropriate and necessary to carry out the purposes of the Act.

Section 7. General authority

Section 7 gives the Secretary the authority—

(1) to enter into contracts without performance or other bonds, and without regard to section 3709 of the Revised Statutes (dealing with solicitation of proposals).

(2) to make advance, progress, and other payments without regard to the provisions of Section 3648 of the Revised Statutes.

(3) to receive money and other property donated, bequeathed, or devised to the Foundation with or without a condition or restriction, including a condition that the Foundation use other funds for the purposes of the gift; and to use, sell, or otherwise dispose of such property for the purposes of the Act;

(4) to publish or arrange for the publication of information without regard to the provisions of section 501 of title 44, United States Code (requiring printing work to be done by the Government Printing Office).

(5) to accept and utilize the services of voluntary and uncompensated personnel, notwithstanding the provisions of section 3679(b) of the Revised Statutes, and to provide transportation and subsistence as authorized by section 5703 of title 5, U.S.C. for persons serving without compensation; and

(6) to arrange with and reimburse the heads of other Federal agencies for the performance of any activity which the Foundation is authorized to conduct.

Section 8. Miscellaneous provisions

Section 8 in subsection (a) authorizes the Secretary to appoint and compensate such non-civil service technical and professional personnel as he deems necessary to accomplish the functions of the Foundation.

Subsection (*b*) authorizes the transfer of funds appropriated under this Act to any other Federal department or agency for use (in accordance with an interagency agreement) by such agency for purposes for which such transferred funds could be otherwise expended by the Secretary under this Act. The Secretary is likewise authorized to accept transferred funds from other Federal agencies for use under this Act.

Subsection (*c*) requires that all laborers and mechanics employed on construction projects assisted under this Act be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act.

Section 9. Joint funding

Section 9 provides that, pursuant to regulations issued by the President, where funds are advanced by the Foundation and one or more other Federal agencies, any one agency may be designated to act for all in administering such funds. In such cases, any agency may waive a technical requirement which is inconsistent with similar requirements of the administering agency, or which the administering agency does not impose.

Section 10. Amendments to executive schedule

Section 10 amends section 5316 of title 5, U.S.C., relating to positions at Level V of the Executive Schedule, by striking out the Commissioner of Education and inserting the Director of the National Foundation for Higher Education.

Subsection (*b*) *of section 10* amends section 5315 of such title, relating to positions at Level IV of the Executive Schedule, by adding the Commissioner of Education.

Section 11. Availability of appropriations

Section 11 provides that funds appropriated to carry out this Act shall remain available until expended.

EXPANDING OPPORTUNITIES FOR HIGHER EDUCATION

(Message from the President of the United States)

To the Congress of the United States:

Nearly a year ago, in my first special message on higher education, I asked the Congress to join me in expanding higher education opportunities across the nation. First, I proposed to reform and increase aid to students. Second, I proposed a National Foundation for Higher Education designed to reform and strengthen post secondary education.

Neither house of Congress acted on these proposals. Now the time for action is growing short. Existing legislative authority for the basic Federal higher education programs expires at the end of the current fiscal year.

1971 can be a year of national debate on the goals and potentials of our system of higher education. It can be a time of opportunity to discover new concepts of mission and purpose, which are responsive to the diverse needs of the people of our country. I therefore again urge the Congress to join with me in expanding opportunities in two major ways:

* * * * *

RENEWAL, REFORM AND INNOVATION

If we are to make higher education financially accessible to all who are qualified, then our colleges must be prepared both for the diversity of their goals and the seriousness of their intent. While colleges and universities have made exceptional efforts to serve unprecedented numbers of students over the last decade, they must find additional ways to respond to a new set of challenges:

—All too often we have fallen prey to the myth that there is only one way to learn—by sitting in class, reading books, and listening to teachers. Those who learn best in other ways are rejected by the system.

—While the diversity of individuals seeking higher education has expanded in nearly every social dimension—age, class, ethnic background—higher education institutions have become increasingly uniform and less diverse.

—Increasingly, many colleges, and particularly universities, have become large, complex institutions which have lost their way. The servants of many masters and the managers of many enterprises, they are less and less able to perform their essential tasks well.

—At the present time, thousands of individuals of all ages and circumstances are excluded from higher education for no other reason than that the system is designed primarily for 18–22 year olds who can afford to go away to college.

—At the present time, institutional and social barriers discourage students from having sustained experiences before or during their college years which would help them get more out of college and plan for their future lives.

The relationship between the Federal Government and the universities has contributed little to meeting these needs because it has not been a genuine partnership. In many cases the Federal Government has hired universities to do work which has borne little natural relationship to the central functions of the institution. Too often, the Federal Government has been part of the problem rather than part of the solution.

Certain Federal agencies promote excellence, innovation, and reform in particular areas. The National Science Foundation has played a magnificent role in the public interest for science, and the National Institutes of Health have played a similar role for health.

The National Foundation for Higher Education would fulfill a new role in the Federal Government. It would have as its mandate a review of the overall needs of the American people for postsecondary education. It would have as its operating premises, the principles of selectivity and flexibility. Its constituency would include people as well as institutions—and not only the usual secondary student entering college, but also others—such as the person who wants to combine higher education with active work experience, or the one who has left school and wants to return.

The Foundation can do much to develop new approaches to higher education:

—New ways of "going to college." I am impressed with the need for new and innovative means of providing higher education to individuals of all ages and circumstances (Britain and Japan, for example, have already taken significant steps in the use of television for this purpose).

—New patterns of attending college. A theme of several recent reports is that students are isolated too long in school, and that breaking the educational "lockstep" would enable them to be better and more serious students (as were the GI's after World War II). If so, student bodies would reflect a greater mix of ages and experience, and colleges would be places for integrating rather than separating the generations.

—New approaches to diversify institutional missions. Colleges and universities increasingly have aspired to become complex and "well rounded" institutions providing a wide spectrum of general and specialized education. The Foundation could help institutions to strengthen their individuality and to focus on particular missions by encouraging and supporting excellence in specific areas—be it a field of research, professional training, minority education, or whatever.

CONCLUSION

These are but some of the new approaches to higher education which need to be pursued. A theme common to all of them is a new kind of engagement between all the citizens of our society and our system of higher education. All of us can make a contribution to bringing about such an engagement by taking part in a thoughtful national discussion about our priorities for higher education. Students and faculties can make a contribution by reexamining their goals and the means they choose to achieve them. The Federal Government can do its part by supporting access to higher education for all of our people and by providing the resources needed to help develop new forms of higher education which would be responsive to all of their needs.

RICHARD NIXON.

THE WHITE HOUSE, *February 22, 1971.*

[From the New York Times, Feb. 17, 1971]

$1.8 MILLION TO AID OFF-CAMPUS STUDIES

(By M. S. Handler)

The Carnegie Corporation and the Ford Foundation have awarded the State University of New York and the State Education Department grants totaling $1.8-million to help start two new off-campus degree programs.

Th programs, if successful, could introduce radical changes in the structure of higher education in the United States.

The programs will permit off-campus students—adults who were unable to go to college—to earn degrees through independent study and examination outside the traditional patterns and rules of college education.

The foundations each provided $500,000 to the State University and $400,000 to the State Education Department, to be disbursed over two years. Governor Rockefeller, in a statement yesterday, praised the program, which will also require financial support from the State Legislature.

The general outlines of the off-campus degree programs, largely inspired by London University's external-degree program and Britain's new Open University, were discussed at a news conference yesterday.

The participants were Alan Pifer, president of the Carnegie Corporation, Harold Howe, 2d, vice president of the Ford Foundation, Dr. Ernst L. Boyer, Chancellor of the State University of New York, and Ewald B. Nyquist, Commissioner of the State Education Department. The conference was held at Governor Rockefeller's office at 22 West 55 Street.

Dr. Boyer said that the $1-million the University would receive would accelerate plans to establish an off-campus undergraduate college in the Albany area. Its function will be to administer the University's program.

Under faculty direction centered at many of the system's colleges, students of the new college will pursue individual programs of study through counseling, correspondence, occasional seminars and examinations.

NO TIME LIMIT SET

There will be no time limit on the number of years required for a degree. High school graduates will be eligible for the program, which will be available in combinations suited to the individual's needs and circumstances.

Chancellor Boyer estimated that at least 500 students would be enrolled in the academic year of 1971-72. He stressed the great reservoir of untapped talents among adults who did not get an opportunity to enter college because of financial or other reasons.

The State Education Department's $800,000 program, which will start at the same time, while substantially different from that the State University, will complement it by reaching another category of adults.

Under the department's program, the Board of Regents will award an associate or bachelor's degree to persons who pass the required number of college level examinations regardless of how they prepared for them.

Commissioner Nyquist said there were many men and women who had acquired more than a bachelor's knowledge in the working careers and were capable of taking examinations for degrees.

REGENTS TO AWARD DEGREES

The Board of Regents will award undergraduate degrees to persons, without regard to such considerations as age or place of residence within the state, who possess knowledge equivalent to that of a regular college graduate.

Mr. Pifer and Mr. Howe said the two New York State programs would be the largest off-campus degree experiments yet tried in the United States.

Mr. Pifer said the Carnegie Corporation and the Ford Foundation had for many years been interested in introducing greater flexibility in American higher education and that they were delighted when Mr. Nyquist and Dr. Boyer came forward with their specific program suggestions.

Pursuing its policy of greater flexibility in higher education, the Ford Foundation also announced yesterday two other grants—One, for $400,000, will go to 19 institutions participating in the planning and development of a new University Without Walls program. The other, for $300,000, will go to the Policy Insurance of Syracuse University to study the establishment of an external baccalaureate degree program coordinated through institutions in the counties of Onondaga, Madison, Oswego, Cayuga and Cortland.

By Mr. HARRIS (for himself, Mr. CHURCH, Mr. CANNON, Mr. HUMPHREY, Mr. INOUYE, Mr. MCGOVERN, Mr. MAGNUSON, Mr. MONDALE, and Mr. RANDOLPH):

S. 1064. A bill to provide opportunities for American youth to serve in policymaking positions and to participate in National, State, and local programs of social and economic benefit to the country. Referred to the Committee on Labor and Public Welfare.

Mr. HARRIS. Mr. President, for myself and Senators CHURCH, CANNON, HUMPHREY, INOUYE, MCGOVERN, MAGNUSON, MONDALE, and RANDOLPH, I introduce for appropriate reference the Youth Participation Act of 1971, a bill designed to encourage our private and public institutions to give attention to the growing generation gap now troubling the American political scene.

In 1970, Congress lowered the voting age to 18. This important step politically enfranchised our youth in Federal elections. But in other areas they remain alarmingly disenfranchised. American institutions undertake actions that deeply affect youth but they do not consult our young people except in confrontation or crisis. Nor is there evidence that we are making progress in ending this dangerous disaffection of one generation with another. To date, not enough American institutions have searched for solutions to the requirements of youth; instead, too many have taken half measures designed to pacify young people long enough for them to pass into adulthood.

I believe we must be more imaginative than this for two reasons. First, it is arguable that our young people will change their attitudes during adulthood. Experts have been telling us for years that the first mass-educated generation of Americans is different from earlier generations. It is time we began to explore the consequences of that likelihood. But second, even if our young people do change their views in adulthood, our society cannot tolerate the stark forms of generation confrontation we have witnessed in the past several years. Father against son is not a satisfactory formula for preserving the stability of any nation, least of all our own.

Bruno Bettelheim, the distinguished University of Chicago sociologist, has trenchantly described the plight of young people today by contrasting it to the role of youth in the past. He writes:

> For centuries most men lived on farms tilled by small landowners or serf-tenants, or else made a living as small artisans or shopkeepers. In those times economic success and often mere survival depended on the physical strength and skill of the head of the family. So it seemed "natural" that as a father's vigor declined, a son just reaching the prime of his strength should take over.

This passage makes clear the source of some of the frustration our youth feels today. In a world of automation and computers, youth's virtues—physical strength and mental alertness—take second place to the safer qualities of seniority and experience. No longer is it natural or even necessary for the older man to give way to the younger, whose rise is now often either resented or feared. In short, our altered economy has laid the foundation for a permanent generation conflict unless we take corrective action.

Moreover, although an economic asset to a family in the past, the young are now an enormous financial burden. As education costs continue to mount, few of us consider how demoralizing this trend must be for traditional family ties in America. We should ask ourselves, however, why it is necessary for society to increase the psychological stress of these family strains. Why do we effectively bar our young people from participation in every area of society except the educational system where dependence on parents is at once so painful and pronounced?

What can only be described as the unplanned obsolescence of human beings in modern society is another source of frustration among American youth. In the past a young man had assurance that if he mastered a certain body of knowledge or group of skills, this would serve him for the rest of his life.

But the pace of change now seems to exceed the human scale. Education becomes continuous and there is no guarantee that skills which people have acquired only after long years of effort will be useful in later life. It is not surprising that in these circumstances young people hesitate in the choice of a career, which may later prove either irrelevant or unneeded. Nor should we be astonished when they lose patience with parents who draw on the experience of a less-complex era in their effort to offer advice. Indeed, how can young people be expected to make reasonable career choices when we now limit their experience to that provided by our schools and universities?

In our own life there were certain completion points—confirmation, bar mitzvah, graduation day—that signified entry into the adult world. Today, we are in the process of creating a world of endless educational hurdles, none of which signifies final acceptance.

These, then, are the problems of youth. They assume an added dimension when we consider the nature of the new generation. This is the most mature, physically fit, mentally alert group of young people in world history. Surveys involving thousands of girls and boys have documented that primarily because of better diet, young people throughout the world are maturing earlier. The average age of physical maturity in American young people has dropped from 17 to between 12 and 13 in the last 100 years or so.

Physically mature at an early age, American youth are also vastly better educated than their parents. In 1940, only 37.8 percent of the age group 25 to 29 enjoyed an educational level of 4 years of high school or more. By 1970 this figure had risen to 75.4 percent.

Congress must ask the country to face these biological and educational facts of life. It would be a tragic mistake to tell these young people that society is unable to make use of their skills until they have finished their education. These young people are ready to participate now and at an earlier age than their elders.

If only as political realists, we should strive for imaginative programs to meet the needs of this new generation. Fortune in its January 1969 issue conducted a detailed survey of American youth. It concluded that although the number of campus radicals is small, the number of those prepared to follow them on specific issues is not. Labeled the "forerunners" by Fortune or the "concerned" by others, these young people may number as many as 2,300,000. We can tap their energy and talent for the public welfare. Or we can allow them to dissipate these in painful confrontation with authority. The choice is ours.

Some will argue that because the students are again quiet, there is no immediate need for action. This would be a very shortsighted view. We are dealing with fundamental, long-range problems that place unusual burdens on our young people. We must begin to cope with these problems or we may expect new difficulties. Moreover, we must keep in mind the example our youth will find in other countries. In 1968, youth sparked major outbreaks in more than 30 countries. Today one-half of the world's population is under the age of 25. Throughout the world youth is eager, impatient, ready to participate. The politically mature youth of our own country will not prove less so.

Recently, President Nixon proposed the creation of a new Federal youth agency which would create a new volunteer service corps to give young Americans an expanded opportunity to serve their country in work beneficial to the Nation's welfare. The proposal deserves support, but more is required in my view. We must aim at more permanent changes than the creation of a 1- to 2-year program for idealistic young people. We want to be certain when these young men and women return from that program, they find other opportunities to participate in community life. In short, we want community participation to be the rule for American youth, not a 2-year exception.

The Youth Participation Act of 1971 calls for the establishment of a Foundation on Youth Participation and a National Advisory Commission on Youth. The Foundation would be composed of a 12-member board of trustees. Members would be appointed by the President and confirmed by the Senate. Each member would serve for 3 years and eight of the 12 would be required to be under 30 years of age at the time of appointment.

Subject to supervision and direction by the board of trustees, the Foundation programs would be carried out by a director and deputy director. Both the Director and his Deputy would also be appointed by the President and confirmed by the Senate.

The Foundation, as its primary function, would make grants to public and nonprofit agencies which sponsor programs for youth that involve their active participation in planning and implementation. Foundation grants would serve as "seed money" to encourage local organizations to set up permanent programs for youth which involve their participation in planning and direction and which are funded from local sources. Foundation efforts would encourage industry and unions to invest in youth participation programs. Another Foundation function would be to offer technical assistance to those public and private agencies which contribute to its purposes. The Foundation also would be empowered to accept private donations furthering youth participation.

I offer the following as areas where the Foundation might play a creative role.

Open Enrollment: The coming trend in American higher education is open enrollment. California adopted this policy in 1960. New York State will soon follow. Moreover, the Carnegie Commission on Higher Education recently endorsed selective waiving of regular admissions standards to help achieve universal access to colleges and universities in the United States. How will American universities handle this new challenge? Surely youth has a role to play in preparing for this major revolution in American education. The Foundation might fund studies which would establish guidelines to insure that young people have a voice in the important decisions that must be made.

Political Involvement: A city mayor might apply to the Foundation jointly with a local youth organization for funds to set up an advisory office on youth involvement in city government. This office could help the mayor and his administrators: (a) to create positions throughout the city government for youth to work; for example, as community aides with the police department or the welfare department; and (b) to administer a citywide summer youth volunteer program providing education, job training and employment opportunities for young people. The Foundation might also fund studies on ways to encourage more active participation of young people in the political process now that the vote has been given to 18-year-olds.

Business Involvement: Youth needs greater communication with U.S. business, which is the principal source of something young people need desperately—jobs. In November 1970, the unemployment rate for those whites between 16 and 19 actively seeking jobs was 16 percent. For blacks, the rate was 32 percent. The Foundation might assist local youth groups and businesses to set up jointly administered "job banks" for young people. A study group of the American Academy of Arts and Sciences recently recommended that colleges should make it easier for students to interrupt their studies for long periods, that is, that the traditional "lockstep" form of education should be radically reformed. To succeed, this proposal will require the active cooperation of U.S. business. The Foundation could therefore also fund studies to explore this important area for reform.

Job Counseling: On their own initiative students at some colleges are setting up new placement offices which try to find jobs with meaning for young people. This student initiative could turn out to be a significant spur to U.S. business to identify positions in their own organizations that tap youth's idealism. It seems undeniable that the growing trend of large law offices to permit their lawyers to accept public interest cases is related to the success of the Department of Justice in hiring some of the most talented lawyers in America to work in the socially relevant field of civil rights. The Foundation could explore the possibility of assisting students in setting up this new form of placement office.

Besides the Foundation, this act provides for a National Commission on Youth.

The Commission, composed of nine members, would be appointed by the President. At least four of the nine would be under 25 years of age at the time of appointment.

The Commission would fulfill several functions. I have already called attention to the mounting evidence that our young people mature earlier than former generations. This phenomenon has widespread legal and social implications that are only imperfectly understood at this time. As Walter Sullivan of the New York Times has pointed out, thousands of statutes in this country and abroad provide that until a person is "of age" he or she is subject to parental control and forbidden to vote, serve on juries, or hold certain jobs. One role of the Commission would be to begin a broad survey for submission to the President and the Congress of the social and legal implications of the earlier maturation of our young people. This report would be submitted by December 31, 1972.

The Commission would also investigate other matters of concern to youth, such as educational reform, job opportunities and welfare policies affecting youth. It would also investigate youth programs to determine that local and Federal youth programs are in fact providing participation opportunities for young people.

The Commission would be directly responsible to the President and would advise the President and the Foundation on ways to increase participation of youth in our society.

This question of youth participation is not one that will wait. We should not base our actions on whether American campuses are now active or quiet. We must truly enfranchise our youth and do it now. Fairness demands it; I believe full use of our human resources requires it.

Mr. President, I ask unanimous consent that the bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1064

A bill to provide opportunities for American youth to serve in policymaking positions and to participate in National, State, and local programs of social and economic benefit to the country

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—GENERAL PROVISIONS

SHORT TITLE

SEC. 101. This Act may be cited as the "Youth Participation Act of 1971".

STATEMENT OF PURPOSE

SEC. 102. (a) The Congress finds that—

(1) encouragement of youth participation in National, State, and local programs of social and economic benefit to the country is an appropriate matter of concern to the Federal Government;

(2) American youth today are maturing—physically and intellectually—at earlier ages than ever before, yet technological and other advances have eliminated opportunities of work for an increasing proportion of the young, while requiring them to continue their education in order to acquire the skills and knowledge demanded by a sophisticated economy, and as a consequence, the period during which young people must wait to enter society as productive members in position of power and responsibility lasts longer for youth today than for any previous generation;

(3) the extension of the period during which youth are waiting to enter society, the unprecedented rapidity of recent technological and social change and the emergence of huge, impersonal institutions have helped to produce social cleavages between older and younger Americans that are wider than the distances which separated past generations from one another, and these cleavages may grow unless the Nation deliberately creates a forum for a mutually respectful and meaningful exchange of opinions between old and young and develops viable means by which the young can participate more directly in American life and institutions and in decisionmaking processes;

(4) acute problems of economic inequality, racial discrimination, and social inequity continue to burden the Nation and prevent it from achieving its full economic potential, from developing the full human resources of all its citizens, and from fully realizing its democratic principles;

(5) in the idealism, energy, and imagination of American youth, the Nation possesses resources which can be mobilized to help relieve these problems, and are not now fully employed because the Nation lacks adequate institutions through which young people can channel their potential contribution to the national welfare; and

(6) programs at the national level, such as the Peace Corps, and programs at the State and local levels which rely heavily on the interest and participation of youth, now lack the necessary coordination to insure the maximum participation of youth.

(b) In order to implement the findings set forth in subsection (a), it is the purpose of this Act to create a new program, which will help to direct the resources of youth to the solution of critical needs of the country and encourage the fuller participation of youth in American public life, by offering young people opportunities to participate in the planning, administration, and operation of programs which benefit our society and economy, and by establishing National and State forums for the discussion and resolution of problems concerning youth.

DEFINITIONS

SEC. 103. As used in this Act—

(1) "youth program" means any program designed to provide opportunities for youth to serve or participate in projects of a social or economic benefit to the local community, the State, or the United States; and

(2) "private nonprofit organization" means any organization, including any organization owned or operated by one or more corporations, agencies, or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

TITLE II—FOUNDATION ON YOUTH PARTICIPATION

ESTABLISHMENT OF FOUNDATION ON YOUTH PARTICIPATION

SEC. 201. (a) There is hereby established in the executive branch of the Government an agency to be known as the Foundation on Youth Participation (hereinafter referred to as the "Foundation").

(b) The Foundation shall be subject to the supervision and direction of a Board of Trustees (hereinafter referred to as the "Board"). The Board shall be composed of twelve members appointed by the President by and with the advice and consent of the Senate, of whom at least eight shall be persons who at the time of their appointment have not attained thirty years of age. The Director of the Foundation shall be an ex officio member of the Board. In making appointments, the President shall consider recommendations from youth organizations, business and professional organizations, and from public agencies conducting or assisting programs relevant to young people.

(c) The term of office of appointed members of the Board shall be three years, except that—

(1) the members first taking office shall serve as designated by the President, four for a term of one year, four for a term of two years, and four for a term of three years; and

(2) any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed.

(d) Members of the Board who are not regular full-time employees of the United States shall, while serving on business of the Foundation, be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per diem, including traveltime; and while so serving away from their homes or regular places of business. All members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

(e) The President shall call the first meeting of the Board of the Foundation at which the first order of business shall be the election of a Chairman and a Vice Chairman who shall serve for a term of one year. The Vice Chairman shall perform the duties of the Chairman in his absence.

(f) Any vacancy in the Board shall not affect its powers and seven members of the Board shall constitute a quorum.

DIRECTOR AND DEPUTY DIRECTOR

SEC. 202. (a) There shall be a Director and a Deputy Director of the Foundation who shall be appointed by the President, by and with the advice and consent of the Senate. In making such appointments the President is requested to give due consideration to any recommendations submitted to him by the Board. The Director shall be the chief executive officer of the Foundation. Each shall serve for a term of four years unless previously removed by the President. The Deputy Director shall perform such functions as the Director, with the approval of the Foundation, may prescribe, and be acting Director during the absence or disability of the Director or in the event of a vacancy in the office of the Director.

(b) The Director shall carry out the programs of the Foundation subject to its supervision and direction, and shall carry out such other functions as the Foundation may delegate to him consistent with the provisions of this title.

FUNCTION OF THE FOUNDATION

SEC. 203. (a) It shall be the function of the Foundation to—

(1) make grants to public agencies and nonprofit private organizations, upon such terms and conditions consistent with the provisions of this title as the Board deems appropriate, for—

(A) the establishment of State programs of youth participation approved by the Board;

(B) the development and operation, by public agencies and nonprofit private organizations, of programs under which young people who have not attained twenty-five years of age are recruited, selected, trained, and employed in social and economic programs of benefit to local communities, especially programs which concern youth generally and programs designed to reduce poverty and physical blight, improve health, education, and welfare of the people concerned, end racial discrimination, and achieve equal justice under law for all citizens; and

(C) the development of coherent plans and programs, by such public agencies and private nonprofit organizations, which ensure the meaningful participation of young people who have not attained twenty-five years of age in policymaking positions of governmental and private organizations which administer social and economic programs, described in subparagraph (B);

(2) encourage private industry and charitable educational foundations to invest in youth participation programs;

(3) encourage State and local public agencies to develop and adequately fund youth participation programs;

(4) provide technical assistance, either directly or by way of grant or contract, to States and otherwise encourage the establishment of appropriate programs of youth participation at the State level;

(5) establish and maintain a national information center to collect, store, and analyze information with respect to youth programs and volunteer programs conducted by Federal, State, or local public agencies or private nonprofit organizations in order to disseminate appropriate materials concerning any such youth or volunteer program (including an evaluation thereof) which the Director determines is successful in carrying out the purposes for which it was established; and

(6) establish and encourage the adoption of procedures to assure the free exchange of information concerning volunteer opportunities in Volunteers in Service to America, the Peace Corps, the Job Corps, the Neighborhood Youth Corps, the Federal volunteer program established under this title and any other relevant Federal youth program, including making available streamlined application procedures for service in such programs.

(b) No payment may be made pursuant to paragraphs (1) and (5) of subsection (a) of this section, except upon application therefor, which is submitted to the Foundation in accordance with regulations and procedures established by the Board.

LIMITATION ON PAYMENTS

SEC. 204. (a) No payment shall be made pursuant to this title in excess of 90 per centum of the cost of the program, project, or activity for which an application is made.

(b) No compensation or stipend paid to any volunteer pursuant to this Act may exceed $4,000 in any fiscal year. This limitation shall not apply to medical or travel expenses and other necessary expenses as determined by the Foundation.

(c) Assistance pursuant to this Act shall not cover the cost of any land acquisition, construction, building acquisition, or acquisition of labor or equipment.

ADMINISTRATIVE PROVISIONS

SEC. 205. (a) In addition to any authority vested in it by other provisions of this title, the Foundation, in carrying out its functions, is authorized to—

(1) prescribe such regulations as it deems necessary governing the manner in which its functions shall be carried out;

(2) receive money and other property donated, bequeathed, or devised, without condition or restriction other than that it be used for the purposes of the Foundation; and to use, sell, or otherwise dispose of such property for the purpose of carrying out its functions;

(3) in the discretion of the Foundation, receive (and use, sell, or otherwise dispose of, in accordance with paragraph (2)) money and other property donated, bequeathed, or devised to the Foundation with a condition or restriction, including a condition that the Foundation use other funds of the Foundation for the purposes of the gift;

(4) appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this title;

(5) obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code;

(6) accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code;

(7) enter into contracts, grants or other arrangements, or modifications thereof to carry out the provisions of this title, and such contracts or modifications thereof may, with the concurrence of two-thirds of the members of the Board, be entered into without performance or other bonds, and without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5) or any other provision of law relating to competitive bidding;

(8) make advance, progress, and other payments which the Board deems necessary under this title without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529);

(9) rent office space in the District of Columbia; and

(10) perform such other duties as are necessary to carry out the provisions of this title.

(b) The Foundation shall submit to the President and to the Congress an annual report of its operations under this title which shall include a detailed statement of all public and private funds received and expended by it and such recommendations, including legislative recommendations, as the Foundation deems appropriate.

TRANSFER OF FUNCTIONS

SEC. 206. (a) The functions of the President's Council on Youth Opportunity and the Citizens Advisory Board on Youth Opportunity established pursuant to Executive Order 11330, approved March 6, 1967, are transferred to the Foundation.

(b) All personnel, assets, liabilities, property, and records as are determined by the Director of the Bureau of the Budget to be employed, held, or used primarily in connection with any function transferred by subsection (a) are transferred to the Foundation.

COMPENSATION OF DIRECTOR AND DEPUTY DIRECTOR

SEC. 207. (a) Section 5314 of title 5, United States Code, is amended by adding at the end thereof the following new clause:

"(54) Director, Foundation on Youth Participation.".

(b) Section 5315 of such title is amended by adding at the end thereof the following new clause:

"(92) Deputy Director, Foundation on Youth Participation.".

APPROPRIATIONS AUTHORIZED

SEC. 208. There are hereby authorized to be appropriated such sums, not to exceed $20,000,000 in any fiscal year, to carry out the provisions of this title.

TITLE III—NATIONAL ADVISORY COMMISSION ON YOUTH

COMMISSION ESTABLISHED

SEC. 301. (a) There is established an Advisory Commission on Youth (hereinafter referred to as the "Commission"), composed of nine members to be appointed by the President from among persons who are recognized as specially qualified to serve on the Commission. In making such appointments the President shall give consideration to any recommendations submitted by the Board, and to the appointment of individuals who collectively will provide a broad range of experience, backgrounds, educational levels, occupations, age groups, ethnic origins, and regional representation. At least four members appointed to the Commission shall not have attained twenty-five years of age on the date of appointment.

(b) The terms of office of each member of the Commission shall be three years, except that—

(1) the members first taking office shall serve, as designated by the President, three for a term of one year, three for a term of two years, and three for a term of three years; and

(2) any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed.

(c) The President shall designate one of the members of the Commission to serve as Chairman. Each Chairman shall serve for a term of two years.

(d) Any vacancy in the Commission shall not affect its powers, and five members of the Commission shall constitute a quorum.

FUNCTIONS OF THE COMMISSION

SEC. 302. It shall be the function of the Commission to—

(1) prepare a study by December 31, 1972, for submission to the President and the Congress of the legal and social implications of earlier physical and mental maturation of American youth;

(2) investigate issues of concern to youth in America, including, but not limited to, student unrest, higher educational opportunities for blue collar youth, youth working conditions, and employment opportunities for youth in government;

(3) investigate, study, and evaluate youth programs conducted or assisted under any provision of Federal law to determine if such programs are—

(A) being planned and administered so as to furnish substantial opportunities for the participation of young people;

(B) engaging volunteers in ways that permit and encourage them to assist in the planning, administration, and evaluation of policies and programs;

(C) where appropriate, assigning young volunteers to work directly with clients and beneficiaries of federally assisted or conducted programs; and

(D) providing experience which leads to careers for volunteers in the fields in which they work;

(3) investigate federally conducted or assisted programs which directly affect the lives of young people, including, but not limited to, programs under the jurisdiction of the Selective Service System, the Justice Department, the Civil Service Commission, and the Office of Economic Opportunity, and determine ways of improving such programs

in order to make them more responsive to the needs and concerns of young people;

(4) advise the President, the Board, and the Foundation, after consideration of the findings of the Commission, with respect to ways of increasing the participation of youth in programs administered by the Foundation;

(5) consult with the President, Federal, State, and local public agencies with respect to governmental programs affecting youth in order to recommend how such programs can be made more responsive to the needs and concerns of young people; and

(6) prepare and transmit to the President and to the Congress at least twice in each fiscal year a detailed report on the activities of the Commission during the six-month period prior to the preparation of the report, together with such recommendations, including legislative recommendations, as the Commission deems appropriate, and may, at its discretion, prepare and transmit to the President and to the Congress such interim reports as are necessary to carry out the objectives of this title.

ADMINISTRATIVE POWERS

SEC. 303. (a) The Commission is authorized to—

(1) appoint and fix the compensation of such staff personnel, including an executive secretary, as it deems necessary;

(2) procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code;

(3) conduct such hearings as may be required for the performance of the functions of the Commission, administer oaths for the purpose of taking evidence in any such hearings and issue subpenas to compel witnesses to appear and testify and to compel the production of documentary evidence in any such hearings;

(4) issue, amend, and revoke such regulations as may be necessary for the performance of the functions of the Commission;

(5) enter into contracts and other agreements with Federal, State, and local public agencies, private firms, institutions, and individuals for the conduct of such research or surveys as may be required in the performance of the functions of the Commission;

(6) secure from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the United States Government, or of any State, or political subdivision thereof, information, estimates, and statistics required in the performance of the functions of the Commission; and

(7) delegate to any member of the Commission any of the foregoing functions.

(b) (1) Subpenas issued pursuant to paragraph (3) of subsection (a) shall bear the signature of the Chairman of the Commission and may be served by any person designated by the Chairman of the Commission for that purpose.

(2) The provisions of section 1821 of title 28, United States Code, shall apply to witnesses summoned to appear at any such hearing. The per diem and mileage allowances of witnesses so summoned under authority conferred by this section shall be paid from funds appropriated to the Commission.

(3) Any person who willfully neglects or refuses to appear, or refuses to qualify as a witness or to testify, or to produce any evidence in obedience to any subpena duly issued under authority of this section shall be fined not more than $500, or imprisoned for not more than six months, or both. Upon the certification by the Chairman of the Commission of the facts concerning any such willful disobedience by any person to the United States attorney for any judicial district in which such person resides or is found, such attorney shall proceed by information for the prosecution of such person for such offense.

(c) Each department, bureau, agency, board, commission, office, independent establishment, or instrumentality referred to in paragraph (6) of subsecton (a) is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission upon written request made by the Chairman of the Commission.

COMPENSATION OF MEMBERS

SEC. 304. Members of the Commission who are not regular full-time employees of the United States shall, while serving on business of the Commission, be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per diem, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

APPROPRIATIONS AUTHORIZED

SEC. 305. There are authorized to be appropriated such sums not to exceed $5,000,000 in any fiscal year, to carry out the provisions of this title.

By Mr. HARRIS:

S. 1065. A bill for the relief of the owners of certain interests in lands located in Caddo County, Okla. Referred to the Committee on the Judiciary.

Mr. HARRIS. Mr. President, I introduce for appropriate reference a bill I introduced during the 91st Congress for the relief of the owners of certain interests in lands located in Caddo County, Okla., which was never acted upon by the Judiciary Committee. The exact description of the land involved in this legislation is some 150 acres in W½ of section 15, T. 8 N., R. 12 W., Caddo County, Okla.

Some 10 years ago this land was flooded by the United States following the construction of the Fort Cobb Reservoir in Caddo County. Claims for compensation of mineral rights in this land were submitted to the Bureau of Reclamation of the U.S. Department of Interior by the claimants. However, the claims were denied on the grounds that the Tucker Act, upon which claims for compensation of this loss would be based, contains a 6-year statute of limitations.

This special relief legislation would waive the statute of limitations so that the claimants might be successful in their proposed suit to recover damages for the loss of their mineral rights.

I ask unanimous consent to have printed in the RECORD a copy of the reply I received from the Department of the Interior in regard to these claims. I urge that this legislation be expeditiously and favorably considered during the 92d Congress.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE INTERIOR,
Washington, D.C., August 21, 1970.

Hon. FRED R. HARRIS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HARRIS: This is in response to your letter dated June 18, 1970, inquiring as to the feasibility of special legislation waiving the statute of limitations as to certain claims against the United States, as suggested in letters from Mr. Lon B. Turk and Mr. John W. Nichols, both of Oklahoma City.

Messrs. Turk and Nichols claim to be the owners of mineral rights in land that was flooded by the United States some ten years ago following construction of the Fort Cobb Reservoir, Caddo County, Oklahoma. Last year they asserted a claim for compensation with the Bureau of Reclamation of the United States Department of the Interior. The claim was denied on the ground that the statute of limitations barred claims not asserted within six years of the flooding. They further assert that in the condemnation of similar property close to theirs, the owners of the mineral rights were awarded $100 per acre. There appears to be about 150 acres involved.

Special relief legislation waiving the statute of limitations is a feasible avenue for relief. Such statutes normally recite the names of the claimants, the nature of the claim and the statute by which the claim is barred. They normally provide a fixed period of time in which the action can be brought.

I am sure you understand that the Department of the Interior cannot at this time state what position it will take on such a bill should it be introduced.

Sincerely yours,

CHARLES W. DOLE,
Assistant Secretary of the Interior.

By Mr. BOGGS (for himself, Mr. BROOKE, Mr. CASE, Mr. COTTON, Mr. ERVIN, Mr. HART, Mr. JAVITS, Mr. PELL, Mr. PERCY, Mr. PROUTY, Mr. RIBICOFF, Mr. ROTH, Mr. SCOTT, Mr. SPONG, and Mr. WILLIAMS):

S. 1071. A bill to clarify the status of funds of the Treasury deposited with the States under the Act of June 23, 1836. Referred to the Committee on Finance.

Mr. BOGGS. Mr. President, a great deal is being said and written these days about revenue sharing. Well, I believe this is not such a new idea. It seems to me that revenue sharing was born more than 130 years ago when Congress passed the Surplus Revenue Act on June 23, 1836. That act distributed a Federal Treasury surplus of $37 million among the then 26 States of the Union.

This is a most appropriate time to bring this little-known event to light and to recognize it as an early precedent for revenue-sharing measures which are currently before this body.

I am today reintroducing legislation which, I believe, will serve these purposes as well as clarify the status of these funds.

The money was distributed in three installments in the following manner, based on the congressional representation of the States:

New York received $4,014,520.71; Pennsylvania, $2,867,514.78; Virginia, $2,198,427.99; Ohio, $2,007,260.34; Kentucky, North Carolina, and Tennessee, $1,433,757.39 each; Massachusetts, $1,338,173.58; Georgia and South Carolina, $1,051,423.09 each; Maine and Maryland, $955,838.25 each; Indiana, $860,254.44; Connecticut and New Jersey, $764,670.60 each; Alabama, New Hampshire, and Vermont, $699,086.79 each; Illinois and Louisiana, $477,919.14 each; Mississippi, Missouri, and Rhode Island, $382,335.30 each; and Arkansas, Delaware, and Michigan, $286,751.49 each.

Most States did one of four things with their share of the money. They either invested it in bank or railroad stock; used it to build schools; used it to finance public works and internal improvements; or divided it among local governments. In most cases, the money was lost as a result of unwise investments, poor management, and economic setbacks.

The only States to profit in the long run as a result of the surplus revenue of 1836 were Vermont and my own State of Delaware.

The major part of Delaware's windfall was used to purchase 5,000 shares in the Farmers Bank of the State of Delaware. That investment, as it turned out, was sound.

The Farmers Bank has prospered, and the original 5,000 shares has grown to about 225,000, and are today worth $7.2 million.

The need for the legislation I am reintroducing today arises from the fact that these funds were officially deposited with the States on a loan basis. The fact is that no one seriously believed the loan would ever be recalled. As a result, arrangements for interest payment and amortization of the debt were never made. In 135 years, the Congress has never moved to recall the debt.

In fact, the surplus revenue of 1836 has been forgotten by the Congress, the States involved, and all but the most learned scholars of American financial history. Were it not for an inquisitive reporter of the News-Journal Papers in Wilmington, Del., who discovered the incident, this obscure chapter of our history might never have come to light.

As a practical matter, no State which received a share of the 1836 surplus funds is capable of repaying with 5 percent interest—the prevailing rate on Treasury funds in 1836.

Delaware, which profited from its investments, would owe about $150 million, which is more than half the entire State budget. Repayment would be an even more impractical matter for States which received a greater allotment.

There is no likelihood that this debt will ever be recalled. But the central problem is that the States are forced to carry it as a debt in their account books.

The bill that I am reintroducing today would eliminate any doubt as to the status of these funds. It would simply change their status from a debt to an outright grant, which could not be recalled by Congress. The Treasury Department has announced that it has no objections to this legislation.

I am pleased to announce that I am joined in sponsoring this legislation by the distinguished Senator from Massachusetts (Mr. Brooke), the distinguished Senator from New Jersey (Mr. Case), the distinguished Senator from New Hampshire (Mr. Cotton), the distinguished Senator from North Carolina (Mr. Ervin), the distinguished Senator from Michigan (Mr. Hart), the distinguished Senator from New York (Mr. (Javits), the distinguished Senator from Rhode Island (Mr. Pell), the distinguished Senator from Illinois (Mr. (Percy), the distinguished Senator from Vermont (Mr. Prouty), the distinguished Senator from Connecticut (Mr. Ribicoff), the distinguished Senator from Delaware (Mr. Roth), the distinguished Senator from Pennsylvania (Mr. Scott), the distinguished Senator from Virginia (Mr. Spong), and the distinguished Senator from New Jersey (Mr. Williams).

Mr. President, I send this bill to the desk for referral to the appropriate committee and ask that the text of the bill, along with a pertinent article from the Wilmington Evening Journal be printed in the Record at the conclusion of my remarks.

There being no objection, the bill and article were ordered to be printed in the Record, as follows:

S. 1071

A bill to clarify the status of funds of the Treasury deposited with the States under the Act of June 23, 1836

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) any funds of the Treasury which were deposited with any State under section 13 of the Act of June 23, 1836 (5 Stat. 55), shall be considered to have been a grant to such State for the purpose of providing for the general welfare of the United States. Any certificate of deposit issued by any State for such funds which is held by the Secretary of the Treasury shall be canceled.

(b) The last proviso of section 13 of such Act is hereby repealed.

First State Proposed on 1837 Loan From U.S. Surplus: Delaware, 25 Other States, Cherish Fiscal Time Bomb

(By Bob Schwabach)

A financial timebomb has been quietly ticking away in the treasures of 26 states, including Delaware, for 132 years.

In 1837 the federal Treasury had a surplus of more than $40 million revenues and Congress decided that the sensible course was to lend it to the 26 states—all there were in the Union at that time.

It's a long fuse but still aglow.

Delaware's share of the "windfall" was $286,751.49 and the state used a large chunk of that to buy shares in the Farmers Bank of the State of Delaware—the same shares which the state still holds.

The legislation which permitted the deposits to the 26 states said clearly that the monies were a loan, not a gift. Now, though hardly anyone remembers the loan, the money is still recallable if Congress should ask for it, and it may even re recallable with accumulated interest.

Sen. J. Caleb Boggs, R-Del., said last night that he is definitely considering the presentation of a bill to void the right of Congress to ever recall the loan. Such a bill would be for the relief of all 26 states, not just Delaware.

Boggs said he had put his legislative assistant to work researching the loan shortly after being informed of it by the News-Journal papers a few weeks ago.

Sen. John J. Williams, R-Del., was unavailable for comment.

Rep. William V. Roth Jr., R-Del., said last night that, in his opinion, "as a practical matter it is unlikely that the loan would ever be recalled."

The 26 states that owe the money, Roth said, would hold a majority in the Senate and probably in the House as well.

A state budget analyst is now tracing all the investments and transfers that the loan has gone through in 132 years so that the state will be prepared in the event of a recall to account for the funds. Officials in the budget department were unaware of the long-standing debt obligation until informed of it about three weeks ago by a News-Journal reporter.

The story of that loan and sister loans to the other states begins in 1836 when the U.S. Treasury discovered the surplus of nearly $42 million.

The surplus had been building for years and in the absence of a national debt the argument was raised in Congress that the money should be returned to its rightful owners, the people.

Those arguments prevailed and an act of that year decreed that the money should be divided among the states on the basis of their representation in Congress. Some senators and representatives wanted the distribution to be a gift but the majority, wishing to be prudent, decided that it should be a loan, to be available for recall in a time of national emergency or whenever Congress chose.

New York received the largest amount, $4,014,520.17, and Delaware, Arkansas and Michigan received equally the smallest shares. In all, $37,468,859.97 was loaned out.

Delaware used $180,000 of its share to purchase 5,000 shares of stock in the Farmers Bank.

The bank has done well in the past 132 years and these 5,000 shares have now grown to about 225,000 worth $7.2 million. In addition, each of the shares pays a $1 annual dividend, so that each year's dividends alone now equal more than the initial investment.

The fortunate purchase of those shares leaves Delaware as one of only two states to have used the loan profitably—Vermont is the other one—and far beyond all the states in the return it has gained.

No state, even Delaware, which has been the most prudent and successful with the money, could repay the loan with interest if recalled.

The prevailing rate on Treasury loans in 1837 was 5 per cent. At that rate Delaware would have to repay about $150 million, which is almost the entire state budget.

What happened to the rest of the loan Delaware received is still being researched, but in preliminary form here's how it went:

The state used $80,793 to buy bonds in the Philadelphia, Wilmington and Baltimore Railroad and the New Castle and Wilmington Railroad. Both lines are now defunct, but before they went under the state cashed in its bonds in 1881 and made a nice profit. The money was put into the Permanent School Fund.

The state loaned $5,000 to Sussex County to build the Sussex County Courthouse. That loan was repaid and the money put in the school fund.

The state used $20,958.49 to buy stock in the Smyrna Bank and the National Bank of Delaware. Some of that stock was sold and the money put in the school fund; the remainder still in stock is worth more than the original investment.

Dividends from Farmers Bank stock also went into the school fund, and because of the loan and amazingly good management, Delaware had no school tax until this century.

Other states have not been so prudent. Most of the states in the South and Midwest dissipated their loans in a very few years. The New England and Middle Atlantic States were more careful but bad luck combined with bad management took only a little longer to reduce their shares to virtually nothing.

Calls to the treasurers of most of those states revealed that few state treasurers had even heard of the 1837 loans let alone kept an accounting of it.

A high treasury official in Maryland did not know of the state's obligation and when informed said he had no intention of making provisions to pay it. In Pennsylvania, officials took the matter more seriously and expressed real fear that should Congress recall it the state would be thrown into bankruptcy. (Pennsylvania received nearly $3 million.)

New York and New Jersey, while they no longer have the initial loan funds, carry the debt as a liability on their budgets and stand willing to repay it out of the General Fund if called upon. New York has carried an exact account of all transactions of the loan for every year since 1937.

Through all the examinations of what the other states have done or failed to do with their share of the 1837 surplus it is clear that Delaware emerges with great credit. It would be very hard to find a money manager today, even among the new breed of highly sophisticated professionals, who would feel confident of investing profitably over a period of 132 years.

By Mr. JAVITS:

S. 1072. A bill to amend the Higher Education Facilities Act of 1963 in order to increase the maximum Federal share under such act to 66 per centum in the case of certain developing institutions. Referred to the Committee on Labor and Public Welfare.

Mr. JAVITS. Mr. President, I introduce for appropriate reference a bill to amend the Higher Education Facilities Act to provide 66 percent Federal construction matching funds for "developing institutions," defined in title II of the Higher Education Act as colleges which, for financial or other reasons, are struggling for survival and are developing institutions themselves. These schools, for the most part, serve students from lower income families and have very little in the way of endowments or other financial resources to meet their needs.

Under existing law, all colleges, both established and developing institutions, receive 50 percent Federal matching funds for construction of facilities.

The education appropriation bill for the current fiscal year provides $43 million for grant construction assistance.

Typical of these developing institutions are the 68 private and 43 public higher education institutions with a predominantly Negro student body. The median family income of the students attending these institutions is $3,900; the national median is $7,974. In 1968 and 1969, predominantly white colleges received $96 milion in grants from private philanthropy of which $11 million was for building and equipment. This is contrasted with the $4.6 million given to predominantly black schools of which some $150,000 was for construction and equipment.

The Office of Education indicates that there are some 400 developing institutions in the Nation. Included among those which are located in New York State are the College of St. Rose in Albany, Keuka College in Keuka Park, Manhattan College in the Bronx in New York City, and Trocaire College in Buffalo.

By Mr. JAVITS:

S. 1073. A bill to consolidate and improve certain programs for higher education, and for other purposes. Referred to the Committee on Labor and Public Welfare.

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, the Consolidation of Special Higher Education Programs Act.

This bill consolidates into one title a number of existing higher education programs which have been previously authorized by the Congress but not funded. These programs are interinstitutional networks for knowledge—title VIII of the Higher Education Act, education for the public service—title IX of the Higher Education Act, clinical experience for students of law—title XI of the Higher Education Act, and international affairs and foreign language education—the International Education Act and title VI of the National Defense Education Act.

By consolidating these provisions, new life can be breathed into them so that they might realize the promise envisioned when first enacted by the Congress.

An authorization of $86.5 million for fiscal year 1972 is provided, which is the sum of the authorizations which were provided for the component programs; thus consolidation does not diminish the intent of the legislation.

By Mr. JAVITS:

S. 1074. A bill to authorize assistance to the States in establishing and carrying out programs of higher education student aid. Referred to the Committee on Labor and Public Welfare.

Mr. JAVITS. Mr. President, I introduce for appropriate reference the State Higher Education Student Aid Act of 1971.

This measure has two principal provisions:

First, the bill would provide student incentive grants to the States on a matching basis to assist young people from families of substantial need to obtain a higher education. This provision is designed to encourage the States to expand their present programs of grant assistance to students, and complements the administration bill and existing student-aid programs of Federal educational opportunity grants, direct and guaranteed loans, and work-study. States would receive funds only when they expand their present efforts. Thus, this money would supplement, not supplant, existing programs.

Second, the bill would provide for educational-opportunity centers in areas with major concentrations of low-income population to facilitate the recruiting of disadvantaged children into higher education. These centers would provide information concerning financial and academic support available at colleges, assistance in applying for admittance to such schools, including preparing detailed documentation for use by admissions and financial aid officers, provide counseling services and tutorial help. This second part follows recent recommendations of the Carnegie Commission on Education, which has emphasized that—

> To make recruiting programs fully effective, there is an urgent need for institutions to coordinate planning and combine resources.

Thus, programs such as New York State's urban centers would be encouraged throughout the Nation by this provision.

For the first year, the bill authorizes $50 million for the student incentive grant program and $20 million for the educational opportunity center program.

What is being done now by my own State of New York to assist individual students to attend college serves as an example of what this measure seeks to develop. During the last complete school year some 245,500 young New Yorkers held State scholarships and grants worth about $69.9 million, a tenfold increase over the past decade. And just as New York is being confronted with presssures due to increased enrollments and rising tuition costs to still further expand its program, so are other States similarly beset. In New York, the dollar amount of regents scholarships ranges from $250 to $1,000 yearly, depending upon the financial resources of the student. My bill would provide up to 750 Federal dollars for each student in equal matching funds from the State.

College enrollment, now at over 8 million and double that of a decade ago, is expected to increase nearly 50 percent by 1976–77. Today 40 per cent of young Americans enter college; a century ago, shortly after President Lincoln had signed the land-grant college law, only 2 per cent were so privileged.

And while enrollments have increased, so have costs. The average amount an undergraduate pays for tuition and required fees has doubled in the past 10 years. The Office of Education indicates that the estimated average amounts for tuition and required fees, board and dormitory rooms is $1,324 in 4-year public colleges and $2,844 in private universities.

It is obvious that if we are to achieve the goal iterated by President Nixon in his February 22 message on higher education, that "no qualified student who wants to go to college should be barred by lack of money", not only must the Federal Government enlarge its efforts, but the States must also do so. This bill seeks to encourage the States to do just that.

By Mr. HARTKE:

S. 1075. A bill to create a Senate Tax Reform Commission. Referred to the Committee on Finance.

Mr. HARTKE. Mr. President, I introduce today, for appropriate reference, a bill which would create a commission to study our tax laws and propose desirable changes. Title 26, the Internal Revenue Code, occupies 879 pages of the 1964 edition of the United States Code, and amendments to title 26 occupy an additional 410 pages of the 1965–69 supplement. Hundreds of amendments to the code are offered to every Congress, yet no completely comprehensive study of our tax laws and their functions has ever been made.

The Federal Government raises roughly some $200 billion in tax revenues annually. The way in which this is done is undoubtedly the single most important factor in the economic life of the Nation, if not in the entire range of social and political affairs. The spectrum of goods and activities on which taxes are levied, the rates of taxation on each item, the degree of graduation of rates, the numerous special provisions intended to encourage or discourage specific activities, the loopholes and quirks in the law which sometimes have effects quite different than the original intents, these have an extremely strong, in some cases determining, impact on all phases of American life. Slight changes in one or more provisions can vastly alter for large segments of the economy choices between more work and more leisure, between more consumption or greater saving, among the multitudinous possible allocations of investment. By the judicious framing of various provisions, we can provide incentives for greater or lesser spending on housing, on pollution control, on urban renewal, on medical research, or on production of hula hoops.

The time is long overdue for us to examine our tax structure as an integrated whole: to decide what objectives we wish to accomplish, to determine the specific influences of individual provisions with respect to each of these goals, to learn what we can about the interrelationships among various goals and instruments designed to achieve them in order to eliminate counteracting influences, and finally to determine an integrated policy to achieve, or help to achieve, the desired results.

My bill will create a Commission which will study the situation in all of its aspects. The Commission will submit interim reports as and when it considers advisable, and within 2 years will submit a final report, which will shed light on the aforementioned considerations.

We can no longer afford to deal piecemeal with tax problems as they occur to us or are forcibly impressed upon us. Nor can we continue to consider individual issues in isolation, that is without allowance for the complicated interrelationships that exist. And finally we cannot abdicate our responsibility to consider the far-reaching effects of each provision of our tax system, for whether we change the structure or leave it as it is, it will continue to affect us, and we are therefore making an implicit decision in either case. We must not allow the outcome of that decision to rest purely on the vicissitudes of chance.

By Mr. PERCY (for himself and Mr. STEVENSON):

S. 1077. A bill to authorize the Secretary of the Interior to establish the Lincoln Homestead National Recreation Area. Referred to the Committee on Interior and Insular Affairs.

Mr. PERCY. Mr. President, it is my pleasure to reintroduce with the cosponsorship of the distinguished junior Senator from Illinois (Mr. STEVENSON) a proposal that would authorize the creation of the Lincoln Homestead National Recreation Area in Coles County, Ill. I would remind my colleagues that this bill was first introduced in 1966 by Senator Douglas and by Congressman SPRINGER and Congressman SHIPLEY in the House. The proposal was still being studied in 1969 when Senator Dirksen and I reintroduced the measure, and Congressman SPRINGER again initiated consideration of the bill by reintroducing it in January of this year.

The creation of a national park in Illinois is long overdue. Illinois is one of only five States that does not have a single National Park Service area within its borders. And, of these five States, it is the largest in area and most highly populated.

As proposed, the Lincoln Homestead National Recreation Area would add 10,500 acres to the soon-to-be-constructed Lincoln Reservoir on the Embarrass River in Coles County. The site is abundant in historical relevance and natural beauty. To be located on the Lincoln Heritage Trail, the recreation area would include the Lincoln Homestead where Lincoln's father and stepmother lived from 1840 until the time of their deaths. It is close to the Moore House where Lincoln, as President-elect, last visited his stepmother; the Shiloh Cemetery, burial place of Lincoln's father and stepmother; and the site of the Lincoln-Douglas debate in nearby Charleston.

The recreational possibilities of the Lincoln Reservoir area are ample. Adjacent woodlands and open spaces would provide a safe, convenient, and refreshing atmosphere for families and individuals of all ages to enjoy camping, boating, fishing, riding, and hiking. The recreation potential is enhanced by the proximity of existing facilities in nearby rural areas, such as the Charleston parks and the Coles County Fairgrounds. The Lincoln Recreation Area also could provide desirable conservation of open spaces and preservation of wildlife.

The private study conducted by Victor Gruen Associates of Los Angeles, Calif., in 1966, estimates that more than 26 million people within a 250-mile radius would have easy access to the Lincoln Recreation Area by Interstate Routes 70 and 57. Furthermore, the Gruen report shows that the Lincoln Homestead National Recreation Area complies with the established criteria for a national recreation area. This fact is also upheld by the Corps of Engineers in its study.

Since the early 1960's, when this proposal for a national recreation area was first made by Dr. Ferrel Atkins of Eastern Illinois University, Illinois' citizens have been solidly behind it. Both former Governor Kerner and Governor Ogilvie have had a strong and continuous interest in Federal development of the area as a national recreation site. Resolutions in support of the LHNRA have been approved by both the 75th and 76th general assemblies and similar resolutions have been sponsored by conservation groups in the State, such as the Wabash Valley Association and the Great Lakes Chapter of the Sierra Club.

Recreation has a value beyond economic figures. It affords us aesthetic and spiritual benefits that exceed budget estimates and actual investments. Conservation and environmental issues are now receiving a tremendous amount of public interest and support. Like most of my colleagues, I have received an avalanche of mail from constituents expressing a deep interest in the preservation of our vanishing natural resources and in halting the destructive effects of man's technology.

As parents, we want our children and grandchildren to be able to experience the simple beauty and enchantment of nature. This should not be an idle hope; midwesterners should be able to expect that the natural endowments of their area will be preserved. The Midwest has been called the "forgotten stepchild" as far as Federal contribution to recreation are concerned.

I am, therefore, hopeful that this will be changed, and that the Bureau of Outdoor Recreation and Secretary Morton will recommend that the Lincoln Homestead Recreation Area be authorized. I am confident that the Interior Committee, to which this bill is to be referred, will request such reports as soon as possible from the Department of the Interior. I can assure the committee that as ranking minority member on the Interior Subcommittee of the Senate Committee on Appropriations I will fully support full funding for this important project.

By Mr. GRIFFIN:

S. 1078. A bill to amend chapter 55 of title 10, United States Code, in order to provide for the defense of certain malpractice and negligence suits brought against members of the Armed Forces for alleged acts or omissions committed while performing duties as physicians, dentists, nurses, pharmacists, or paramedical or other supporting medical personnel, and for other purposes. Referred to the Committee on Armed Services.

Mr. GRIFFIN. Mr. President, today I introduce for appropriate reference a bill to provide Government defense of malpractice suits brought against physicians and other medical personnel who serve in the Armed Forces.

In recent years, the number of medical malpractice insurance claims has mushroomed. In addition, escalating increases in the average amount of damages awarded in malpractice suits have caused insurance rates to soar.

In his recent health message to Congress, President Nixon emphasized that over—

> **The past *five* years, malpractice insurance rates have gone up an average of 10 per cent a year—a fact that reflects both the growing number of malpractice claims and the growing size of settlements.**

He further noted that—

> **Many doctors [are] having trouble in obtaining *any* malpractice insurance.**

In recognition of this problem, the President directed the appointment of a special Commission on Medical Malpractice to make an in-depth study and to submit recommendations.

In the meantime, there is one aspect of the overall problem which calls for immediate attention by Congress which cries out for legislative action now to correct a serious inequity overlooked too long. I refer to the fact that doctors in the Armed Forces are required to provide their own malpractice insurance to protect themselves against possible liability which may grow out of their treatment of wives and other dependents of servicemen.

At the present time, physicians in the armed services are called upon to provide medical services to dependents of servicemen despite the fact that the Federal Government has no obligation to defend a malpractice suit brought

against the military doctor or to pay any damages that may be awarded.

Consequently, a physician serving his country in the Armed Forces is left with no alternative but to purchase, at his own expense, expensive malpractice insurance. For example, I know of one ear, eye, nose, and throat specialist serving his country in the Armed Forces who pays an $832 annual premium for malpractice insurance; I am aware of the case of a plastic surgeon who pays an $1,800 annual premium.

Since physicians in the Armed Forces frequently are nonresidents of the State in which they happen to be stationed by the military, they are often required to pay higher rates than resident private physicians who can take advantage of low-cost group insurance plans.

Needless to say, the compensation received by the average physician in the military is substantially below the average earnings of his counterpart in civilian life.

While the number of malpractice suits actually brought against doctors in the Armed Forces and other uniformed services is relatively small, such a physician either must pay the substantial premiums charged for malpractice insurance or he must live under the perpetual threat of possible litigation. The dilemma posed by this situation undoubtedly affects some doctors in their decision to enter or to continue serving in the Armed Forces.

Mr. President, the bill I introduce today would eliminate an unconscionable disparity that now exists between medical personnel in the uniformed services and medical personnel in the Veterans' Administration.

In 1965, the Congress enacted legislation to provide that the exclusive remedy for malpractice or negligence on the part of medical personnel in the Veterans' Administration would be available through action against the United States. As a result, because a suit for malpractice can be brought only against the United States, doctors serving in the Veterans' Administration are under no requirement to carry malpractice insurance.

Earlier in 1961, Congress provided similar protection for Government employees in the operation of motor vehicles.

The bill I am introducing would extend similar consideration and protection to medical personnel in the uniformed services as defined under chapter 55 of title 10, United States Code. The bill would protect physicians and other medical personnel in the Armed Forces, the Commissioned Corps of the Environmental Science Services Administration—now the Commissioned Corps of the National Oceanic and Atmospheric Agency—and the Public Health Service.

Mr. President, this legislation is necessary because, as it has been interpreted, the Federal Tort Claims Act does not bar a personal suit against a Government employee, although it does bar such an action once judgment has been rendered against the United States arising from the same act or omission.

Furthermore, the Federal Tort Claims Act does not subject the United States to liability for an assault and battery committed by a Government employee. Malpractice suits, arising out of medical treatment, sometimes are based on "lack of consent" and brought on a theory of assault and battery.

The legislation I introduce would do several things:

First, it would provide medical personnel with immunity from personal liability in actions brought by dependents of members of the uniformed services or by retired members. If the medical care or treatment were provided in line of duty, the only remedy would be in an action against the United States.

"Good samaritan" treatment and treatment rendered to civilians in a nonmilitary medical facility, while the military physician is connected with a residency or other training program, would be considered to be treatment rendered in the line of duty.

Second, the legislation would provide medical personnel with immunity from personal liability in actions brought by members of the uniformed services in State courts.

In *Feres* v. *United States*, 340 U.S. 135 (1950), the Court held that an injured member of the Armed Forces was barred from suing the U.S. Government under the Federal Tort Claims Act because Congress had provided an alternate system of compensation under chapter 61 of title 10, United States Code. However, this decision might not protect a doctor in the Armed Forces from suit in a State court.

Third, by amending section 2680(h) of the Federal Tort Claims Act to permit malpractice actions based on assault and battery to be brought against the United States, the bill would assure that a plaintiff's existing right of action for alleged acts of malpractice is not limited.

Fourth, in order to provide complete protection for medical personnel in the uniformed services, my bill would direct the United States to pay any damages awarded in a successful suit based on a claim arising in a foreign country.

Essentially, the Federal Tort Claims Act does not permit suits against the Government for acts committed by Government employees in a foreign country. My proposal would provide protection for the physician in the Armed Forces who is sued in the United States for medical services performed by him while he is stationed abroad.

To relieve a physician serving in the Armed Forces of the costs of defending a malpractice action and in order to protect the Government's interest, the Attorney General of the United States would be authorized under the legislation to defend any such suit—provided, of course, that the defendant was acting in the line of duty.

Mr. President, I believe that a correction of this inequity which exists between medical personnel in the uniformed services and those in the Veterans' Administration is long overdue.

Accordingly, I urge early consideration and action by the Congress with respect to this legislation.

I ask that the text of the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1078

A bill to amend chapter 55 of title 10, United States Code, in order to provide for the defense of certain malpractice and negligence suits brought against members of the Armed Forces for alleged acts or omissions committed while performing duties as physicians, dentists, nurses, pharmacists, or paramedical or other supporting medical personnel, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 55 of title 10, United States Code, is amended by adding at the end thereof a new section as follows:

"§ 1088. Defense of certain malpractice and negligence suits

"(a)(1) The remedy against the United States provided by sections 1346(b) and 2672 of title 28 for damages for personal injury, including death, allegedly arising from malpractice or negligence of a physician, dentist, nurse, pharmacist, or paramedical (including, but not limited to, medical and dental technicians, nursing assistants, and therapists) or other supporting personnel in furnishing medical care or treatment while in the exercise of his duties as a member of the Armed Forces shall hereafter be exclusive of any other civil action or proceeding by reason of the same subject matter against such physician, dentist, nurse, pharmacist, or paramedical or other supporting personnel (or his estate) whose act or omission gave rise to such claim.

"(2) The Attorney General shall defend any civil action or proceeding brought in any court against any person referred to in paragraph (1) of this subsection (or his estate) for any such damage or injury. Any such person, against whom such civil action or proceeding is brought shall deliver within such time after date of service or knowledge of service as determined by the Attorney General, all process served upon him or an attested true copy thereof to his immediate superior or to whomever was designated by the Secretary concerned to receive such papers and such person shall promptly furnish copies of the pleading and process therein to the United States attorney for the district embracing the place wherein the proceeding is brought, to the Attorney General, and to the Secretary concerned.

"(3) Upon a certification by the Attorney General that the defendant was acting in line of duty at the time of the incident out of which the suit arose, any such civil action or proceeding commenced in a State court shall be removed without bond at any time before trial by the Attorney General to the district court of the United States of the district and division embracing the place wherein it is pending and the proceeding deemed a tort action brought against the United States under the provisions of title 28 and all references thereto. Should a United States district court determine on a hearing on a motion to remand held before a trial on the merit that the case so removed is one in which a remedy by suit within the meaning of paragraph (1) of this subsection is not available against the United States, the case shall be remanded to the State court.

"(4) The Attorney General may compromise or settle any claim asserted in such civil action or proceeding referred to in paragraph (1) of this subsection in the manner provided in section 2677 of title 28, and with the same effect.

"(5) Nothing in this subsection shall be construed as authorizing an action for damages against the United States by members of the uniformed services, or by the dependents of such members or former members, who are eligible for benefits provided by the United States for such members and the dependents of such members and former members, including (but not limited to) benefits provided under chapters 55 and 61 of title 10 and under title 38, but not including any payment made under section 2733 of title 10.

"(6) The provisions of this subsection shall not apply in the case of any civil action if the incident out of which such action arose occurred in a foreign country.

"(b)(1) Where a civil action is brought against any person described in subsection (a)(1) of this section for damages for personal injury, including death, allegedly arising from an action described in such subsection and the grounds for such civil action allegedly occurred in a foreign country, the Attorney General shall provide counsel and otherwise assist such person to defend such civil action if the Attorney General determines, after consultation with the Secretary concerned, that such person was acting in line of duty at the time of the incident out of which the civil action arose. The Attorney General may compromise or settle any claim asserted in any such civil action in the same manner in which he is authorized to compromise and settle claims against the United States under section 2677 of title 28.

"(2) Where a judgment for damages is rendered against such person in any such civil action, payment thereof shall be made by the United States in the same manner as if such judgment had been rendered against the United States under section 1346(a); and where the Attorney General compromises or settles any claim asserted in any such civil action, payment thereof shall be made by the United States in the same manner as if such compromise or settlement had been made under section 2672 of title 28."

(b) The table of sections at the beginning of chapter 55 of title 10, United States Code, is amended by adding at the end thereof a new item as follows:

"1088. Defense of certain malpractice and negligence suits."

Sec. 2. Section 2680 of title 28, United States Code, is amended by striking out the period at the end of paragraph (h) and inserting in lieu thereof a comma and the following: "except claims within the provisions of section 1088(a)(1) of title 10 arising out of assault or battery."

By Mr. BAYH:

S. 1080. A bill to amend chapter 23 of title 38, United States Code, to increase the maximum amount which the Administrator of Veterans' Affairs may pay to cover the burial and funeral expenses of certain deceased veterans. Referred to the Committee on Veterans' Affairs.

Mr. BAYH. Mr. President, I introduce for appropriate reference a bill which would authorize an increased payment by the Veterans' Administration toward the burial costs of disabled and wartime veterans. At present no more than $250 can be contributed toward the funeral expenses and costs of transportation to the burial site of deceased veterans who served during periods of armed conflict and certain peacetime veterans whose deaths are service related. Provision is made for transporting the remains of veterans who might die while hospitalized or domiciled in a veterans hospital or elsewhere at the expense of the Veterans' Administration.

This bill, which is similar to those I introduced in the 90th and 91st Congresses, reflects a need brought about by higher charges for burial services in the 12 years since enactment of the present law. For example, the National Funeral Directors Association, which conducts an annual nationwide survey, estimated that the average cost of regular adult funeral services increased from $661 in 1958 to $926 in 1969. Interment and cremation charges, which are separate from those paid to the funeral director for his services, have also increased. Charges for opening and closing a grave run from $45 to $150 and cremation costs vary from $35 to more than $100.

All evidence indicates that the $250 now authorized for veterans' burial expenses is inadequate. Some administrative flexibility is needed whereby the Veterans' Administration could share the unavoidable burden which falls on the estate and the family of a wartime veteran. My proposal would authorize payment of an amount determined to be reasonable and necessary up to a maximum limit of $500. If this were adopted, the Administrator would be able to vary the amount of contribution according to actual need and to take into account the rising costs for services, within the maximum authorized amount of $500. Let me stress that there is no intention here to increase automatically the amount of such contribution in all cases; rather, the purpose is to raise the maximum allowable amount so that where real need is demonstrated the contribution can be more in line with actual costs.

Perhaps it would be relevant to point out the difference in the treatment accorded to active servicemen and wartime veterans in this respect. Present law (10 U.S.C. 1482 et seq.), in providing for the final disposition of the remains of deceased active duty military service personnel, authorizes the appropriate Secretary to pay for all necessary burial expenses. In addition to preparing the remains, purchasing an appropriate casket, and providing transportation with an escort to the place of burial, a cash interment allowance is paid in accordance with the circumstances for "necessary expenses" which are not larger than those "normally incurred." This language permits a reasonable adjustment of the amounts paid according to actual costs, but the maximum interment allowance for burial in a private cemetery is $500.

My bill would confer similar discretionary authority on the Veterans' Administration to adjust the payments for the burial of other eligible wartime veterans so that they would be more in line with need and actual costs. In no case could the total exceed $500. Since the bill's coverage is limited to wartime and disabled veterans, plus those who might die while confined in a veterans' hospital or elsewhere at the expense of the Veterans' Administration, it would not apply to the bulk of peacetime veterans.

In responding to a request for comment on my earlier bill (S. 987), the Veterans' Administration on May 22, 1970, commented that it would be "premature" to consider it then because other measures were pending which contemplated establishing a National Cemetery System. Mr. President, there may be good reasons why such a basic policy should be approved, but there is no certainty that it will be done. Moreover, even if Congress should create new national cemeteries for veterans, such action would not resolve this problem. For various reasons many families of veterans will continue to want their loved ones interred in nearby family plots with other relatives, and the cost factor will in no way be relieved in such cases.

It seems to me that where actual financial need exists, adequate funds should be provided to help meet unavoidable funeral expenses. This is especially true in those cases where the estate is so small that interment charges become a sizable drain on the resources of a veteran's family. I hope that serious consideration can soon be given to authorizing more realistic assistance for this worthy cause.

Mr. President, I ask unanimous consent that the text of this bill be printed in full in the Record at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1080

A bill to amend chapter 23 of title 38, United States Code, to increase the maximum amount which the Administrator of Veterans' Affairs may pay to cover the burial and funeral expenses of certain deceased veterans

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of section 902(a) of title 38, United States Code, is amended (1) by striking out "may pay a sum not exceeding $250 to such person as he prescribes" and inserting in lieu thereof "may pay to such person as he prescribes an amount determined by him to be reasonable and necessary"; and (2) by striking out the period at the end of such sentence and inserting in lieu thereof a semicolon and the following: "but in no case shall the amount exceed $500.".

(b) Section 903(a) of such title is amended by striking out "$250" and inserting in lieu thereof "$500".

Sec. 2. The amendments made by the first section of this Act shall be effective in the case of veterans who die on or after the date of enactment of this Act.

By Mr. BAYH:

S. 1081. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty. Referred to the Committee on Government Operations.

Mr. BAYH. Mr. President, the 90th Congress enacted landmark legislation (Public Law 90-291) which for the first time provided benefits for law enforcement officers employed by State or local governments who might be killed or seriously injured while apprehending violators of national law. As a result such officers or their survivors are now entitled to receive benefits comparable to those provided by the Federal Employees Compensation Act—less whatever amounts they are paid by their employers or other compensation systems—if they suffer personal injury or loss of life in the line of duty while enforcing Federal laws.

This important step forward recognizes the valuable services rendered to the Nation by State and local enforcement personnel. However, it does not apply to those who incur death or sustain disabilities while in the process of searching for or arresting persons accused of committing non-Federal criminal acts, nor does it apply to firemen who are injured or killed while on duty. It is well known that State and local government disability and death compensation for these employees varies widely throughout the country, because of differences in size and financial ability of the employing jurisdiction.

Consequently, I am again introducing for appropriate reference a bill which would attempt to rectify these discrepancies in compensation. The purpose of this measure is to recognize properly the important service which these individuals perform for the whole Nation as well as for their own communities. It would extend comparable Federal Government benefits to all policemen or firemen who might be killed or totally disabled in the line of duty, whether or not a specific Federal law happens to be involved in the specific instance during which the loss occurred.

This expanded coverage would be justified, it seems to me, because the job of law enforcement and fire protection has in many respects become a national responsibility. Fugitives from justice or persons intent on committing crimes are able to travel around the country much more easily and speedly today than ever before. A person killing or injuring a policeman or an arsonist starting a blaze which results in fatalities could easily have come within a few hours or even minutes from another State or could quickly flee from one State jurisdiction to another. Likewise, injuries are often incurred by local policemen and firemen while they are protecting interstate travelers or those who may have interrupted their journey only temporarily while enroute elsewhere.

It is truly difficult today to draw hard and fast lines which separate jurisdictional responsibility for police and fire prevention functions. These are public employees who are devoted to protecting the lives and property of all persons without regard to their domicile, place of origin, or final destination. Whenever a public safety officer dies or is seriously injured while protecting others, his sacrifice and that of his family have been in the interest of the whole Nation. Accordingly, it seems to me that Congress should recognize this national responsibility by helping compensate those who become casualties in the common task of preserving law and order. Our country owes these men no less than a guarantee that neither they nor their dependents will suffer undue economic disadvantage because of physical harm which has befallen them while answering their call to duty.

The benefits which would be made available if this bill were enacted would be identical with those provided by Public Law 90–291, which became law on April 19, 1968, and which was limited only to those officers involved in apprehending violators of Federal law. Perhaps it is not necessary to point out that under this act, as well as under my amendment, any benefits which were paid because an employee had lost his life or had been disabled would be reduced or adjusted to reflect all benefits received from State or local government compensation systems, except for the amounts which the employee himself might have contributed to the fund. In other words, the Federal contribution would be supplementary to and would be reduced according to other compensation to which State and local policemen or firemen were entitled. In summary, although the level of payments would be the same as under the earlier law, its scope would be extended to include those not now covered by the provision restricting compensation to purely Federal jurisdictional matters.

If this bill should become law, a widow who is the sole survivor of a policeman or fireman killed in the line of duty would be eligible to receive approximately 45 percent of the monthly wage rate of her deceased husband. This compensation would continue as long as she did not remarry. If there are dependent children, the widow would receive 40 percent and each child 15 percent, up to a total of 75 percent of the monthly wage of the deceased. In cases of total disability, however, benefits would equal two-thirds of the monthly wage rate if there are no other dependents, but would be increased to three-fourths of the monthly wage if there are dependents.

I was disappointed to note rather unfavorable responses to my earlier bill (S. 1277) on the same subject by the Department of Justice and the Department of Labor. The official position of these agencies seems to be that the National Government should not assume any responsibility for local law enforcement or fire protection activities that do not involve a specific Federal crime or function. While the traditional separation of national and State activities would of course substantiate this view, as indicated earlier it seems to me that it is no longer possible to separate completely these jurisdictional lines in the area of law enforcement and public safety. The complexity of modern society and the technological revolution have in many situations rendered almost meaningless the historic, often artificial boundaries dividing our various governmental units. To the extent that law enforcement problems have become national rather than local, the burden of aiding those policemen or firemen and their families who are seriously injured or who lose their lives while executing their official duties should be shared nationwide. This, of course, does not imply, as one administrative representative contended, that such a step could mean that the Federal Government might as well assume responsibility for local salaries as well.

I realize that other approaches to this problem have been suggested, such as authorizing a Federal group life insurance program, making grants to States to supplement local and State compensation systems, or giving these officers special tax exemptions. The exact procedure by which assistance is extended to the families of public safety officers killed in the line of duty or to those who become totally disabled is not significant. Any plan which provides Federal assurance that would help relieve the suffering and loss of earning power resulting from deaths or disabling injuries incurred by policemen and firemen, whether or not a specific attributable Federal function or activity can be proven to be involved, will receive my support. Certainly this is an issue which deserves to be studied carefully by the proper committee so that an adequate compensation system can be assured for these victims.

Mr. President, I ask unanimous consent that the text of this bill be printed in full in the Record at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1081

A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 8191 of title 5, United States Code, is amended to read as follows:

"§ 8191. Determination of eligibility

"The benefits of this subchapter are available as provided in this subchapter to eligible public safety officers (referred to in this subchapter as 'eligible officers') and their survivors. For the purposes of this Act, an eligible officer is any person who is determined by the Secretary of Labor in his discretion to have been on any given occasion—

"(1) employed as a law enforcement officer or fireman by a State or a political subdivision of a State,

"(2) an officially recognized or designated member of a legally organized volunteer fire department, or

"(3) serving without compensation as an officially recognized or designated member of a legally organized law enforcement agency of a State or political subdivision of a State thereof,

and to have been on that occasion not an employee as defined in section 8101(1), and to have sustained on that occasion a personal injury for which the United States would be required under subchapter I of this chapter to pay compensation if he had been on that occasion such an employee engaged in the performance of his duty."

(b) The heading at the beginning of subchapter III of chapter 81 of title 5, United States Code, and the item relating to such subchapter in the table of sections at the beginning of such chapter are amended by striking out "LAW ENFORCEMENT" and inserting in lieu thereof "PUBLIC SAFETY".

Sec. 2. The amendments made by the first section of this Act are effective only with respect to personal injuries sustained on or after the date of enactment of this Act.

By Mr. CASE (for himself, Mr. Boggs, Mr. Gravel, Mr. Muskie, Mr. Packwood, and Mr. Williams):

S. 1082. A bill to regulate the discharge of wastes in territorial and international waters until 5 years after the date of enactment of this Act, to prohibit such discharge thereafter, and to authorize research and demonstration projects to determine means of using and disposing of such waste. Held at the desk for future reference by unanimous consent.

Mr. CASE. Mr. President, to most of our coastal areas, a massive increase in the already growing level of wastes that are dumped into our oceans and the Great Lakes represents a threat of widespread environmental deterioration.

To New Jersey and its neighboring States, it is more than a threat.

In terms of esthetics and in other ways, our beaches are beginning to show the effect of offshore dumping.

But the major effect at this point has been a reduction in populations of fish and seafood.

In the 7 years between 1962 and 1969, the amount of fish taken by commercial fishermen from the ocean waters off New Jersey and New York decreased by more than a half billion pounds—from 673 million pounds to 133 million pounds.

While comparable figures are not available for the catches of sports fishermen, they may have had even worse luck because commercial fishermen probably used improved techniques to a greater degree to offset reduced abundance.

The commercial fisheries have been particularly hard hit by a decline from 514 million pounds of menhaden caught in 1962 to a 1969 catch of 44 million pounds of this nonfood but commercially valuable fish. The food fish catch dropped from 159 million pounds in 1962 to 89 million pounds in 1969.

During the same period oyster production off the New Jersey and New York coasts dropped from 2,300,000 to 1,300,000 pounds. In 1931, the oyster harvest from the same waters was 21 million pounds.

In the last year the Federal Food and Drug Administration has closed areas off New York Harbor and Delaware Bay to shellfishermen.

Directly or indirectly, all of this is attributable to dumping of wastes into the ocean.

The President's Council on Environmental Quality has warned that ocean dumping will become a serious problem on a nationwide basis in the future if something is not done to halt it now.

To those who makes their living from the waters off the New Jersey coast, the problem is serious—indeed critical—now. And it is easy to recognize that it is only a matter of time before others along all of the coasts of the United States will experience similar, if not worse, problems.

It is time that we adopt a national policy to control effectively the dumping of wastes which already have turned some offshore areas into dead seas incapable of supporting any form of life.

Several different bills have been submitted to control ocean dumping. I am introducing legislation that incorporates provisions of legislation introduced by Congressman CHARLES SANDMAN in the House of Representatives together with additional features that I believe will help develop a strong program in this area.

Other bills dealing with ocean dumping are limited in jurisdiction to an area extending 12 nautical miles from shore. By controlling the disposition of the wastes at the loading site, the bill I am introducing would make possible effective control of dumping anywhere in the ocean waters or the waters of the Great Lakes.

During the first 5 years after enactment of my bill it would permit the loading of wastes onto vessels only if these wastes will be dumped beyond the Continental Shelf of the United States. This control will be exercised through authority given to the Administrator of the Environmental Protection Agency to issue permits for loading of the wastes onto the vessels while they are in port.

After the 5-year period, the bill would prohibit dumping anywhere in ocean waters or the waters of the Great Lakes.

During this 5-year period, the bill authorizes the Administrator of the Environmental Protection Agency to conduct and encourage research into means of recovering useful materials from wastes and disposal of wastes in a manner that will not endanger the public health and welfare. The agency also may give financial and other assistance to appropriate public and private agencies to conduct such research and demonstration projects.

In some cases, feasible and economic land-based disposal methods already are available for wastes currently being dumped into the oceans and the Great Lakes. In these cases, the authority given to the Administrator will help to make these methods known to those who need them and demonstration projects will show their utility.

The authority for research and demonstration projects in our bill is modeled after similar provisions in the Resource Recovery Act of 1970. But the 1970 act applies only to solid waste. Our bill would apply to all wastes currently being dumped in our oceans, whether they are in solid, liquid or other form.

Our bill would immediately ban dumping in the area where it is most serious, between the shore and the edge of the Continental Shelf.

But it goes on from there. It recognizes that eventually all ocean dumping must be halted because it will damage our ocean resources even if dumped beyond the Continental Shelf.

At the same time, it recognizes that ocean dumping will not be halted until there are feasible alternatives.

Eventually, international cooperation will be needed to preserve our oceans. In my view, the best way to stimulate this international cooperation is for this country to set an example by demonstrating that ocean dumping can be—and will be—halted.

The time is short. Only recently, the Food and Drug Administration doubled its estimates of the amount of polluted wastes being dumped into the Atlantic Ocean. And the Environmental Quality Council warns that pressures will increase to dump additional wastes off the Gulf and Pacific coasts, as well as in the Great Lakes, if steps are not taken quickly.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the bill introduced by the distinguished Senator from New Jersey (Mr. CASE), a bill to control the dumping of wastes in oceans and the Great Lakes, be held at the desk for the time being.

The PRESIDING OFFICER (Mr. TUNNEY). Without objection, it is so ordered.

By Mr. HANSEN (for himself, Mr. ALLOTT, Mr. ANDERSON, Mr. BENNETT, Mr. BIBLE, Mr. CURTIS, Mr. DOLE, Mr. DOMINICK, Mr. GURNEY, Mr. JORDAN of Idaho, Mr. MCGEE, Mr. METCALF, and Mr. YOUNG):

S. 1085. A bill to amend the Federal Meat Inspection Act to require that imported meat and meat food products made in whole or in part of imported meat be labeled "imported" at all stages of distribution until delivery to the ultimate consumer. Referred to the Committee on Agriculture and Forestry.

Mr. HANSEN. Mr. President, today I am introducing legislation for myself and several cosponsors which would amend the Federal Meat Inspection Act to require that imported meat be labeled "imported" or "imported in part" at all stages of distribution until delivery to the ultimate consumer.

The cosponsors are Mr. ALLOTT of Colorado, Mr. ANDERSON of New Mexico, Mr. BENNETT of Utah, Mr. BIBLE of Nevada, Mr. CURTIS of Nebraska, Mr. DOLE of Kansas, Mr. DOMINICK of Colorado, Mr. GURNEY of Florida, Mr. JORDAN of Idaho, Mr. MCGEE of Wyoming, Mr. METCALF of Montana, and Mr. YOUNG of North Dakota.

This legislation would enable the consumer in the grocery store to recognize and choose between foreign and domestically produced meat. I am sure that there are many Americans who, if they had their choice, would prefer to purchase meat which has been raised and processed here in the United States. To the housewife who demands top quality in wholesomeness and cleanliness in the products which she serves to her family, there is much to be said for the domestically produced meat which undergoes the strict inspection system which we have here in the United States.

Aside from this, there is another very valid reason why the American consumer should be told whether the meat he is buying is domestic or foreign.

Under existing laws and regulations which control the Department of Agriculture's meat inspection program, foreign meat imported for manufacturing or processing purposes is normally shipped in frozen blocks of 50 to 60 pounds. These blocks are labeled as to origin. However, after processing in this country, the product is not further identified as being of foreign origin.

In other words, the processor, packer, canner or distributor who purchases the meat at port of entry is considered the "ultimate consumer" and no further labeling of the origin of the meat is required.

In this situation, a problem develops from the fact that the greatest part of the total red meat imported is frozen boned beef which is thawed, ground, blended with fat trimmings from domestic beef, and then sold as hamburger. A housewife has no way of knowing when she purchases a package of hamburger at the retail outlet whether it is all or part imported beef, or, more significantly, whether it has been previously frozen.

The freezing and thawing of imported meat seem inconsequential until we realize that Department of Agriculture bulletins warn:

> Cook thawed meat immediately or keep for only a short time in a refrigerator. Avoid refreezing thawed meat.

Despite this clear instruction from the Department, there is no way for the housewife to know whether she should freeze the hamburger she buys at the meat counter. If the hamburger is made of imported meat, it has already been frozen and thawed once. By refreezing the meat, a housewife could do her family great harm in using it later.

Mr. President, this is a fraud on the consumer, and I believe we are justified in taking such steps as are necessary to see that the consumer realizes the problems which could result from purchasing meat which has already been frozen.

Mr. President, this is good legislation. It is designed to protect the consumer and I hope that it will receive favorable consideration by the Congress.

By Mr. SPONG:

S. 1086. A bill to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes. Referred to the Committee on Post Office and Civil Service.

Mr. SPONG. Mr. President, I am pleased to introduce today for appropriate reference a measure which is identical to Representative David Henderson's bill, H.R. 2164, which provides an equitable system for fixing rates of pay of prevailing rate employees of the Government. These bills are similar to H.R. 17809 which the President vetoed last year. I believe the new bill contains some improvements and refinements.

I know there is considerable unrest among our 750,000 wage board employees. These artisans and craftsmen, the backbone of the Government's industrial capability, want Congress—and justifiably so—to recognize their pay problems. I think the system of establishing wage board salaries should be established by law.

The bill which I propose will put into law the current administrative principles of the wage board pay procedures. But, it goes further and provides additional pay steps—five steps up to 112 percent. There are also additional issues.

In my opinion, the veto of the Henderson bill of last year was an unjustified action. It was no more inflationary than a number of other governmental actions including the classified pay bill. I find it difficult to suggest that longevity and stewardship of service is justified in 10 in-grade steps for classified employees, while five steps are not justified for wage board employees.

The nonappropriated fund employees have needed help for some time. It would appear that the truth of the matter is that the executive branch and perhaps the Civil Service Commission specifically simply want complete control and authority to adjust Federal salaries at their will. I do not believe that they are that qualified. Correspondence received by me over the past 4 years leads me to believe that employees working in nonappropriated fund activities have received rather unjust treatment. We need able, devoted personnel in the Federal Government and to encourage such hard-working, dedicated people to continue their tasks, we must see to it that they are treated fairly.

Mr. President, I ask that the remarks I made on this subject last week before the annual convention of the National Association of Supervisors be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Hon. William B. Spong, Jr., Before National Association of Supervisors, Washington, D.C., February 23, 1971

Mr. President, honored guests and fellow Government employees, I welcome the opportunity to meet with you on the occasion of the 33rd Annual convention of the National Association of Supervisors.

I have personally met with many of you who are employed at major installations in the State of Virginia. I am always impressed with the soundness of approach and reasonableness that attend these meetings.

I consider it a privilege to speak to you as Supervisors. At the very outset I want to make it clear that I am not here tonight posing as a manpower expert. I do not serve on the Post Office and Civil Service Committee in the Senate. What familiarity I have with your problems and the problems of other Federal employees has come from my efforts to assist in getting answers to questions to which you are entitled. In this endeavor, we have received excellent help, especially from Congressman Dave Henderson, Chairman of the House Manpower Subcommittee and from his staff man, Bunn Bray, I think I can tell you that you have no better friends in Congress than those two men.

When Federal employees must resort to the courts to obtain reasonable answers to reasonable questions, the personnel policy of the Federal Government has reached a sad state of affairs. While as I say, I do not pose as an expert, I know the problems you have faced. Frankly, I think you have received rather shabby treatment and I hope the Congress will be successful in correcting that this year.

There is no role more important in Government or in industry than that of the Supervisor. You are the indispensable links between the producers and management. You are the backbone of management, because without skilled and understanding supervision, productive efforts would collapse.

As Supervisors you are the leaders, the guides and the teachers, the implementors of management decisions. You are the eyes and ears of management. But your role is not limited merely to implementing management decisions and reporting back to management.

You must counsel and give the benefit of your experience and thinking to management. It is you, as Supervisors, who supply the continuity necessary for good management—particularly in periods of transition.

Only you, as Supervisors, can observe the problems—the successes and failures—firsthand. Only you can report to top management the progress or lack of progress, in particular programs, and the probable causes therefor, but you have another role.

Not only must you report faithfully and accurately to top management, but you must also listen to, counsel, protect, and guide those employees you supervise. Yours is a dual role. You owe your allegiance to top management and your loyalty to the employees you supervise.

During the past seven years, a number of things have happened to Federal employees:

(1) The white collar employees have had nine pay raises since January 1964.

(2) The wage board employees have been brought under the Federal Coordinated Wage System.

(3) The Nonappropriated Fund employees are now under the Federal minimum wage.

(4) Thousands of temporary appointees have been given civil service status.

5) The retirement system has been modernized and liberalized and hopefully made more actuarily sound than it was prior to the last amendments.

6) The Federal Government's suggestion awards program has been revamped.

7) During one 18 month period—1966–1967—over 75,000 military jobs in support work were replaced with civilian personnel.

Despite this list of accomplishments, you and thousands of other Federal employees feel much is yet to be done. David Henderson, indicated to me that the typical Federal employee is as worried about tomorrow as, he has noted, in ten or more years.

My own mail from across the state of Virginia indicates this is correct. They are worried about a number of things.

Department of Defense personnel for example have seen their own ranks reduced by more than 80,000 in the past 16 months. Many of you have had some firsthand experiences. In many cases perhaps in the large majority, only the personnel have been reduced. The functions and the missions have remained virtually the same.

You and the other 1.2 million civilian employees in the Military Departments are asking the question, "How much and when?" So far, the extent of R.I.F.'s and the military activities to be cut or closed in 1971 is the best kept secret in Washington. With this kind of administrative approach it is only natural that all kinds of rumors are afloat.

It is normal that the typical civilian employee in the Defense Department wonders if these heavy R.I.F.'s of civil service workers mean more contracting out and/or greater use of military personnel. I have in the past and shall continue to oppose the use of military personnel for the performance of purely civilian functions. This is false economy. The Defense Department's own studies in the past have proved this to be a purely and simply budgetary manipulation.

We have witnessed in the past six months an increasing number of active duty military being used in place of civilian employees. It has been reported to me that for years the Air Force has had as many as 60% of its civil engineering, transportation, maintenance and supply functions manned with enlisted men as compared to negligible numbers of military in those functions in the Army, Navy, and Marine Corps. But, now all the Services are filling civilian-type jobs with military men, trained for combat but used as typists, supply clerks, chauffeurs, aircraft mechanics and instructors. In my judgment, such use of military personnel cannot be justified.

I am in favor of a strong military-civilian team. I recognized the importance of rotation and field experience complimenting years of on-the-job know-how. I also know that we cannot and must not, keep a man in Vietnam or on-board a ship indefinitely, but also believe it is an unwise policy and one which is difficult, if not impossible, to justify the drafting of young men to perform work normally and successfully performed by our civilian workforce. If I were a draftee, I would resent it.

On several occasions I have brought to the attention of Defense Officers instances of what appeared to be misuse of military and contractor personnel, especially with respect to work normally performed by civil service employees. I know of several other members of the Senate and House who have done the same.

I am confident that collectively our complaints resulted in the orders issued in February and April of 1970 by the Assistant Secretary of Defense for Manpower. The memorandom of February 27th states in part as follows: "It is also the policy of the Department of Defense that military personnel will not be substituted for civilian personnel being reduced in force," and, in another statement it is emphasized . . . that the planned reductions are not considered to be justification for the use of contract services. I want to make one thing clear here. In my judgment, Federal expenditures on a per capita basis must be reduced and I would propose that all contract services be discontinued. I do not believe that all government services must or should be performed in-house by government personnel. I do not believe that under our system it is even advisable.

We must be fair to the American taxpayer—and that includes all of us—and where work can be performed more economically in the private sector—all things considered—including the need for the maintenance of skills in national emergecies, it should be so performed.

But the budgetary gimmick of ordering reductions in force separating hundreds of personnel in what amounts to a grandstand play at economy and the contracting of work out at much increased costs cannot be justified. The General Accounting Office has already made a number of studies in this connection and during the coming months it is my plan to question the changes made by the Department and if necessary request audits by the General Accounting Office of those questionable changes whether they be from private to government or government to private.

I have some serious doubts concerning the application of the merit promotion system. Cases have been called to my attention indicating that in recruiting, promotions and the making of awards, the old "buddy system" has not been completely eliminated.

I am told that there is ample evidence of jobs being written for a particular individual and of jobs being held open for months for a certain person with job vacancy information left unpublicized. A recent meeting with officers of the Civil Service Commission seemed to establish clearly that promotion programs are frequently based on improper or unrealistic tests.

This past Fall there appeared a story in Washington that the Commission was contemplating the removal of Classification Act jobs in Grades GS–13 through 15 from the Merit System.

I am advised that a few months ago a top official in the Civil Service Commission made a public statement at a gathering of Federal employees that, and I quote, "The Commission is an arm of management and cannot be responsive to the desires of the Federal employees." If this is the total function of the Commission, then it needs to be reconstituted and the sooner the better.

As I have made clear before, I am not posing as a manpower expert but based on the experience of my office, I would like to make a few observations. In my judgment, the Congress itself should provide more overview of the departments and agencies. Secretary Laird, in August 1967, while a Congressman from the State of Wisconsin, said on the floor of the House of Representatives, "Congress can be strong and viable only if it is in a position to exercise a continuing and systematic review of administrative activities and policies. Without the information that comes from such comprehensive oversight activities, Congress runs the risk of being cut off from the mainstream of relevant information and decision-making."

I think we are dangerously close to that point. The Classified Pay Bill passed by the Congress last year does in my judgment provide entirely too much discretionary authority to the Executive Branch.

I know there is considerable unrest among our 750,000 wage board employees. These artisans and craftsmen, the backbone of the government's industrial capability, want Congress to recognize their pay problems. I think the system of establishing wage board salaries should be established by law. With the concurrence of Dave Henderson, I shall introduce a bill which is identical to his bill, H.R. 2164. These bills are similar to H.R. 17809 which the President vetoed last year. I believe the new bill contains some improvements and refinements.

This bill will put into law the current administrative principles of the wage board pay procedures. But, it goes further and provides additional pay steps—five steps up to 112%. There are also additional issues which I understand are acceptable to supervisor spokesmen.

The veto of the Henderson Bill of last year was an unjustified action. It was no more inflationary than a number of other governmental actions including the Classified Pay Bill and I find it difficult to suggest that longevity and stewardship of service is justified in 10 in-grade steps for classified employees, while five steps are not justified for wage board employees.

The nonappropriated fund employees have needed help for some time. They were included in both Dave Henderson's bill and in mine. I am of the opinion that the truth of the matter is that the Executive Branch and perhaps the Civil Service Commission specifically simply wants complete control and authority to adjust Federal salaries at their will. I do not believe they are that qualified. Correspondence received by me over the past four years leads me to believe that employees working in nonappropriated fund activities have received rather shoddy treatment. Information indicates that these so called nonappropriated fund activities lack the kind of independent oversight needed. I am giving consideration to offering legislation to expand the independent auditing procedures of their activities, both from the standpoint of funds and of procurement practices.

I hope the Congress will move ahead in the next year and improve such personnel administrative procedures as those relating to: R.I.F. procedures, promotions, personnel evaluation techniques, handling grievances and appeal procedures. I have been concerned with respect to appeal procedures which provide for determinations being made by the people whose decisions are being questioned. In this connection, I am currently studying the hearing examiner procedures to determine whether hearing examiners in all agencies but particularly in the Social Security Administration are sufficiently independent of the agency to provide the kind of fair and impartial hearing to which they are entitled.

With all these matters and their importance there is a major and primary responsibility which rests in large part with you.

Government activity cannot be inefficient. We must strive to improve overall employee productivity. As supervisors, you are the key—your leadership can mean the difference between just an average performance and an efficient, productive Government activity.

There is a challenge before our country today, tomorrow and next year. Our Nation will continue to need able, devoted personnel in the Federal Government for the tasks ahead, regardless of whether these tasks relate to defense, to environment, to health, to transportation, or to the many other broad areas demanding solutions. These tasks cannot be resolved by government alone. This is a democracy. There is a place and a need for both the public and private sector to keep in mind that we must maintain adequate skills in our Federal installations and capability in the private sector. There is a place in our economy for both and we must see that they are both maintained at as high a level of economic efficiency as is possible.

I am proud to have had this opportunity to meet with you at your annual convention. I have known many of your officers and have been pleased to work with them. I look forward to continuing this relationship through the years.

Mr. SPONG. Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1086

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter IV of chapter 53 of title 5, United States Code, is amended to read as follows:

"SUBCHAPTER IV—PREVAILING RATE SYSTEMS

"§ 5341. Policy

"It is the policy of Congress that rates of pay of prevailing rate employees be uniformly fixed and adjusted and be based on principles that—

"(1) there will be equal pay for substantially equal work for all employees who are working under similar conditions of employment in all agencies within the same wage area;

"(2) there will be relative differences in pay within a wage area when there are substantial or recognizable differences in duties, responsibilities, and qualification requirements among positions;

"(3) the level of rates of pay will be maintained in line with prevailing levels of comparable work within a wage area; and

"(4) the level of rates of pay will be maintained so as to attract and retain qualified employees.

"§ 5342. Definitions; application

"(a) For the purpose of this subchapter—

"(1) 'agency' has the meaning given it by section 5102 of this title;

"(2) 'prevailing rate employee' means—

"(A) an individual employed in or under an agency in a recognized trade or craft, or other skilled mechanical craft, or in an unskilled, semiskilled, or skilled manual labor occupation, and any other individual, including a foreman and a supervisor, in a position having trade, craft, or laboring experience and knowledge as the paramount requirement;

"(B) an employee in the Bureau of Engraving and Printing whose duties are to perform or direct manual or machine operations requiring special skill or experience, or to perform or direct the counting, examining, sorting, or other verification of the product of manual or machine operations;

"(C) an employee of a nonappropriated fund instrumentality described by section 2105(c) of this title who is employed in a recognized trade or craft, or other skilled mechanical craft, or in an unskilled, semiskilled, or skilled manual labor occupation, and any other individual, including a foreman and a supervisor, in a position having trade, craft, or laboring experience and knowledge as the paramount requirement; and

"(D) an employee of the Veterans' Canteen Service, Veterans' Administration, excepted from chapter 51 of this title by section 5102(c)(14) of this title who is employed in a recognized trade or craft, or other skilled mechanical craft, or in an unskilled, semiskilled, or skilled manual labor occupation, and any other individual, including a foreman and a supervisor, in a position having trade, craft, or labor experience and knowledge as the paramount requirement; and

"(3) 'position' means the work, consisting of duties and responsibilities, assignable to a prevailing rate employee.

"(b) This subchapter applies to all prevailing rate employees and positions in or under an agency. All such employees employed within the United States shall be bona fide residents of the United States, unless the Secretary of Labor certifies that no bona fide resident of the United States is available to fill the particular position. This subchapter does not apply to employees and positions described by section 5102(c) of this title other than by paragraphs (7), (8), and (14) of that section.

"§ 5343. Prevailing rate determinations; wage schedules

"(a) The pay of prevailing rate employees shall be fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates. Subject to section 213(f) of title 29, the rates may not be less than the appropriate rates provided by section 206(a)(1) of title 29. To carry out this subsection—

"(1) the Civil Service Commission shall define the boundaries of individual local wage areas and designate a lead agency for each local wage area;

"(2) a lead agency, on order of the Commission, shall conduct a wage survey within the local wage area, collect and analyze wage survey data, and develop and establish wage schedules; and

"(3) the head of each agency having prevailing rate employees in a local wage area shall fix and adjust the rates of such employees in that area in accordance with the wage schedules established by the lead agency in that area.

"(b) The Commission shall order full-scale wage surveys every second year with interim surveys in alternating years, the Commission may order more frequent surveys when conditions so suggest.

"(c) The Commission, by regulation, shall prescribe practices and procedures for conducting wage surveys, analyzing wage survey data, and developing and establishing wage schedules. The regulations shall provide—

"(1) that wages surveyed by those paid by private employers in the local wage area for similar work performed by regular full-time employees;

"(2) for participation at all levels by representatives of employee organizations in every phase of providing an equitable system for fixing and adjusting the rates of pay for prevailing rate employees, including the planning of the surveys, the drafting of specifications, the selection of data collectors, the collection and the analysis of the data, and the submission of recommendations to the head of the lead agency for wage schedules and for special wage schedules where appropriate;

"(3) for requirements for the accomplishment of wage surveys and for the development of wage schedules;

"(4) (A) that a lead agency, in making a wage survey, shall determine whether there exists in the local wage area a sufficient number of comparable positions in private industry to establish wage schedules for the principal types of positions for which the survey is made, and that the determination shall be in writing and shall take into consideration all relevant evidence including evidence submitted by employee organizations recognized as representative of employees in the area; and

"(B) that, when it is determined that there is an insufficient number of comparable positions in private industry to establish the wage schedules, the lead agency shall establish the wage schedules on the basis of local private industry rates and rates paid for comparable positions in private industry in the nearest wage area that it determines to be most similar in the nature of its population, employment, manpower, and industry to the wage area for which the wage survey is being made;

"(5) (A) that each grade of a wage schedule have 5 steps, the first step at 96 percent of the prevailing rate, the second step at 100 percent of the prevailing rate, the third step at 104 percent of the prevailing rate, the fourth step at 108 percent of the prevailing rate, and the fifth step at 112 percent of the prevailing rate;

"(B) that, with satisfactory work performance of an acceptable level of competence as determined by the head of the agency, an employee advance automatically to the next higher step within the grade at the beginning of the next pay period following the completion of—

"(i) 26 calendar weeks of continuous service in step 1;

"(ii) 78 calendar weeks of continuous service in step 2; and

"(iii) 104 calendar weeks of continuous service in steps 3, 4 and 5; and

"(C) that the benefit of successive step increases is preserved for employees whose continuous service is interrupted in the public interest by service with the armed forces or by service in essential non-Government civilian employment during a period of war or national emergency;

"(6) for special rates and schedules including, but not limited to, supervisory schedules and industry oriented schedules, as appropriate;

"(7) for equal rates of pay for the same work in the same local wage area;

"(8) for pay distinctions in keeping with work distinctions, with proper differentials as determined by the Commission for duty involving unusually severe working conditions or unusually severe hazards;

"(9) rules governing the administration of pay for individual employees on appointment, transfer, promotion, demotion (including retention of pay rates as appproriate), and other similar changes in employment status;

"(10) for a continuing program of systems maintenance and improvement designed to keep the prevailing rate system fully abreast of changing conditions, practices, and techniques both in and out of the Government of the United States;

"(11) for a 7½-percent differential for regularly scheduled nonovertime work a majority of the hours of which occur between 3 o'clock postmeridian, and midnight; and

"(12) for a 10-percent differential for regularly scheduled nonovertime work a majority of the hours of which occur between 11 o'clock postmeridian, and 8 o'clock antemeridian.

"§ 5344. Effective date of wage increase; retroactive pay

"(a) Each increase in rates of basic pay granted, pursuant to a wage survey, to prevailing rate employees is effective not later than the first day of the first pay period which begins on or after the 45th day, excluding Saturdays and Sundays, following the date the wage survey is ordered to be made.

"(b) Retroactive pay is payable by reason of an increase in rates of basic pay referred to in subsection (a) of this section only when—

"(1) the individual is in the service of the Government of the United States, including service in the armed forces, or the government of the District of Columbia on the date of the issuance of the order granting the increase; or

"(2) the individual retired or died during the period beginning on the effective date of the increase and ending on the date of issuance of the order granting the increase, and only for services performed during that period.

For the purpose of this subsection, service in the armed forces includes the period provided by statute for the mandatory restoration of the individual to a position in or under the Government of the United States or the government of the District of Columbia after he is relieved from training and service in the armed forces or discharged from hospitalization following that training and service.

"(c) For purposes of determining the amount of insurance for which an individual is eligible under chapter 87 of this title, an increase in the rate of basic pay referred to in subsection (a) of this section is effective on the date of the issuance of the order granting the increase. However, for an employee who dies or retires during the period beginning on the effective date of the increase and ending on the date of the issuance of the order granting the increase, the amount of the insurance is determined as if the increase under this section were in effect for the employee during that period.

"§ 5345. Retained rate of pay on reduction in grade

(a) Under regulations prescribed by the Civil Service Commission, and subject to the limitation in subsection (b) of this section, a prevailing rate employee—

"(1) who is reduced in grade from a grade of a wage schedule;

"(2) who holds a career or a career-conditional appointment in the competitive service, or an appointment of equivalent tenure in the expected service or in the government of the District of Columbia;

"(3) whose reduction in grade is not (A) caused by a demotion for personal cause, (B) at his request, (C) effected in a reduction in force due to lack of funds or curtailment of work, or (D) with respect to a temporary promotion, a condition of the temporary promotion to a higher grade;

"(4) who, for 2 continuous years immediately before the reduction in grade, served (A) in the same agency, and (B) in a grade or grades higher than the grade to which demoted; and

"(5) whose work performance during the 2-year period is satisfactory or better;

is entitled to basic pay at the rate to which he was entitled immediately before the reduction in grade (including each increase in rate of basic pay granted pursuant to a wage survey) for a period of 2 years from the effective date of the reduction in grade, so long as he—

"(A) continues in the same agency without a break in service of 1 workday or more;

"(B) is not entitled to a higher rate of basic pay by operation of this subchapter; and

"(C) is not demoted or reassigned (i) for personal cause, (ii) at his request, or (iii) in a reduction in force due to a lack of funds or curtailment of work.

"(b) The rate of basic pay to which a prevailing rate employee is entitled under subsection (a) of this section with respect to each reduction in grade to which that subsection applies may not exceed the sum of—

"(1) the minimum rate of the grade to which he is reduced under each reduction in grade to which that subsection applies (including each increase in rate of basic pay granted pursuant to a wage survey); and

"(2) the difference between his rate immediately before the first reduction in grade to which that subsection applies (including each increase in rate of basic pay granted pursuant to a wage survey) and the minimum rate of that grade which is 3 grades lower than the grade from which he was reduced under the first of the reductions in grade (including each increase in the rate of basic pay granted pursuant to a wage survey).

"(c) Under regulations prescribed by the Commission consistent with the provisions of subsections (a) and (b) of this section, an employee who is reduced to a grade of a wage schedule from a position not subject to this subchapter is entitled to a retained rate of basic pay.

"(d) The Commission may prescribe regulations governing the retention of the rate of basic pay of an employee who together with his position is brought under this subchapter. If an employee so entitled to a retained rate under these regulations is later demoted to a position under this subchapter, his rate of basic pay is determined under subsections (a) and (b) of this section. For the purpose of those subsections, service in the position which was brought under this subchapter is deemed service under this subchapter.

"§ 5346. Job grading system

"(a) The Civil Service Commission, after consulting with the agencies and with employee organizations, shall establish and maintain a job grading system for positions to which this subchapter applies. In carrying out this subsection, the Commission shall—

"(1) establish and define individual occupations and the boundaries of each occupation;

"(2) establish job titles within occupations;

"(3) develop and publish job grading standards; and

"(4) provide a method to assure consistency in the application of job standards.

"(b) The Commission, from time to time, shall review such numbers of positions in each agency as will enable the Commission to determine whether the agency is placing positions in occupations and grades in conformance with or consistently with published job standards. When the Commission finds that a position is not placed in its proper occupation and grade in conformance with published standards or that a position for which there is no published standards is not placed in the occupation and grade consistently with published standards, it shall, after consultation with appropriate officials of the agency concerned, place the position in its appropriate occupation and grade and shall certify this action to the agency. The agency shall act in accordance with the certificate, and the certificate is binding on all administrative, certifying, payroll, disbursing, and accounting officials.

"(c) On application, made in accordance with regulations prescribed by the Commission, by a prevailing rate employee for the review of the action of an employing agency in placing his position in an occupation and grade for pay purposes, the Commission shall—

"(1) ascertain currently the facts as to the duties, responsibilities, and qualification requirements of the position;

"(2) decide whether the position has been placed in the proper occupation and grade; and

"(3) approve, disapprove, or modify, in accordance with its decision, the action of the employing agency in placing the position in an occupation and grade.

The Commission shall certify to the agency concerned its action under paragraph (3) of this subsection. The agency shall act in accordance with the certificate, and the certificate is binding on all administrative, certifying, payroll, disbursing, and accounting officials.

"§ 5347. Federal Prevailing Rate Advisory Committee

"(a) There is established a Federal Prevailing Rate Advisory Committee composed of—

"(1) the Chairman, who shall not hold any other position in the Government of the United States or the government of the District of Columbia, and who shall be appointed by the President for a 4-year term at a rate of pay equivalent to the maximum rate for the General Schedule;

"(2) the head, or his designee, of each of the four Executive agencies (other than the Civil Service Commission), and military departments designated by the Chairman of the Civil Service Commission from time to time as having the largest number of prevailing rate employees;

"(3) an employee of the Civil Service Commission, appointed by the Chairman of the Civil Service Commission; and

"(4) five representatives, appointed by the Chairman of the Civil Service Commission, from among the employee organizations representing, under exclusive recognition of the Government of the United States, the largest numbers of prevailing rate employees in the service of the Government of the United States.

"(b) In making appointments of representatives of employee organizations under subsection (a)(4) of this section, the Chairman of the Civil Service Commission shall appoint, as nearly as practicable, a number of representatives from a particular employee organization in the same proportion as the number of prevailing rate employees represented by such organization is to the total number of prevailing rate employees in the Government of the United States and the government of the District of Columbia. However, in any case there shall not be more than two representatives from any one employee organization nor more than four representatives from a single council, federation, alliance, association or affiliation of employee organizations.

"(c) Every second year the Chairman of the Civil Service Commission shall review employee organization representation to determine adequate or proportional representation under the guidelines of subsection (b) of this section.

"(d) The representatives from the employee organizations serve at the pleasure of the Chairman of the Civil Service Commission.

"(e) The Committee shall study the prevailing rate system and other matters pertinent to the establishment of prevailing rates under this subchapter and, from time to time, advise the Civil Service Commission thereon. Conclusions and recommendations of the Committee shall be formulated by majority vote. The Committee shall make an annual report to the Commission and the President for transmittal to Congress, including recommendations and other matters considered appropriate. Any member of the Committee may include in the annual report recommendations and other matters he considers appropriate.

"(f) The Committee shall meet at the call of its Chairman. However, a special meeting shall be called by the Chairman if a majority of the members makes a written request to the Chairman to call a special meeting to consider matters within the purview of the Committee.

"(g) Members of the Committee (other than employee organization representatives and the Chairman) serve without additional pay. Employee organization members are not entitled to pay from the Government of the United States for services rendered to the Committee.

"(h) The Civil Service Commission shall provide such clerical and professional personnel as the Committee considers appropriate and necessary to carry out its functions under this subchapter. Such personnel shall be responsible solely to the Committee.

"§ 5348. Crews of vessels

"(a) Except as provided by subsection (b) of this section, the pay of officers and members of crews of vessels excepted from chapter 51 of this title by section 5102 (c)(8) of this title shall be fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates and practices in the maritime industry.

"(b) Vessel employees of the Panama Canal Company may be paid in accordance with the wage practices of the maritime industry.".

(b) The analysis of subchapter IV of chapter 53 of title 5, United States Code, is amended to read as follows:

"SUBCHAPTER IV—PREVAILING RATE SYSTEMS

"5341. Policy.
"5342. Definition; application.
"5343. Prevailing rate determinations; wage schedules.
"5344. Effective date of wage increase; retroactive pay.
"5345. Retained rate of pay on reduction in grade.
"5346. Job grading system.
"5347. Federal Prevailing Rate Advisory Committee.
"5348. Crews of vessels.".

SEC. 2. Section 2105(c)(1) of title 5, United States Code, is amended by inserting "(other than subchapter IV of chapter 53 and section 7154 of this title)" immediately following "laws".

SEC. 3. Section 5337 of title 5, United States Code, is amended—

(1) by striking out the words "to which this section applies" wherever they appear in subsection (b) and inserting "to which that subsection applies" in place thereof; and

(2) by adding at the end thereof:

"(c) Under regulations prescribed by the Civil Service Commission consistent with the provisions of subsections (a) and (b) of this section, an employee who is reduced to a grade of the General Schedule from a position to which this subchapter does not apply is entitled to a retained rate of basic pay.".

SEC. 4. Section 5541(2)(xi) of title 5, United States Code, is amended to read as follows:

"(xi) an employee whose pay is fixed and adjusted from time to time in accordance with prevailing rates under subchapter IV of chapter 53 of this title, or by a wage board or similar Administrative authority serving the same purpose, except as provided by section 5544 of this title;".

SEC. 5. The first sentence of section 5544(a) of title 5, United States Code, is amended to read as follows: "An employee whose pay is fixed and adjusted from time to time in accordance with prevailing rates under section 5343 of this title, or by a wage board or similar administrative authority serving the same purpose, is entitled to overtime pay for overtime work in excess of 8 hours a day or 40 hours a week.".

SEC. 6. Section 6101(a)(1) of title 5, United States Code, is amended by inserting "other than an employee whose pay is fixed and adjusted from time to time in accordance with prevailing rates under section 5343 of this title or by a wage board or similar administrative authority serving the same purpose" immediately preceding the period at the end thereof.

SEC. 7. (a) Section 6102 of title 5, United States Code, is repealed.

(b) The analysis of chapter 61 of title 5, United States Code, is amended by striking out—

"6102. Eight-hour day; 40-hour workweek; wage-board employees.".

SEC. 8. Section 7154(b) of title 5, United States Code, is amended by striking out "subchapter III of chapter 53" and inserting "subchapters III and IV of chapter 53" in place thereof.

SEC. 9. (a) An employee's initial rate of pay on conversion to a wage schedule established pursuant to the amendments made by this Act shall be determined under conversion rules prescribed by the Civil Service Commission. The amendments made by this Act shall not be construed to decrease the existing rate of basic pay of any present employee subject thereto.

(b) The amendments made by this Act shall not be construed to affect agreements presently in effect as a result of negotiations between departments and agencies of the Government of the United States, or subdivisions thereof, and organized employees. It is the intent of this Act that through negotiations between the Commission, the heads of those agencies referred to in clauses (i)–(viii) of section 5102(a)(1) of title 5, United States Code, and the organized employees, that, in due time, wherever feasible, all prevailing rate employees be covered by the amendments made by this Act.

SEC. 10. (a) Subchapter V of chapter 55 of title 5, United States Code, relating to premium pay, is amended by adding at the end thereof the following new section:

"§ 5550. Pay for Sunday and holiday work; employees of nonappropriated fund instrumentalities, Veterans' Canteen Service

"An employee of the Veterans' Canteen Service, Veterans' Administration, or an employee paid from nonappropriated funds of the Army and Air Force Exchange Service, Army and Air Force Motion Picture Service, Navy Ship's Stores Ashore, Navy exchanges, Marine Corps exchanges, Coast Guard exchanges, or other instrumentalities of the United States under the jurisdiction of the armed forces conducted for the comfort, pleasure, contentment, and mental and physical improvement of personnel of the armed forces—

"(1) whose regular work schedule includes an 8-hour period of service, a part of which is on Sunday, is entitled to additional pay at the rate of 25 percent of his hourly rate of basic pay for each hour of work performed during that 8-hour period of service; or

"(2) who performs work on a holiday designated by Federal statute or Executive Order, is entitled to pay at the rate of his basic pay, plus premium pay at a rate equal to the rate of his basic pay, for that holiday work which is not in excess of 8 hours or overtime work for such employee.".

(b) The table of sections of subchapter V of chapter 55 of title 5, United States Code, is amended by adding at the end thereof—

"§ 5550. Pay for Sunday and holiday work; employees of nonappropriated fund instrumentalities, Veterans' Canteen Service.".

SEC. 11. The provisions of sections 1–10 of this Act are effective on the first day of the first pay period which begins on or after 90 days after the date of enactment of this Act except that, in the case of those employees referred to in section 5342(a)(2) (C) and (D) of title 5, United States Code (as amended by the first section of this Act), such provisions are effective on the first day of the first pay period which begins on or after one hundred and eighty days after such date of enactment or on such earlier date (not earlier than ninety days after such date of enactment) as the Civil Service Commission may prescribe.

By Mr. HRUSKA:

S. 1087. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968. Referred to the Committee on the Judiciary.

Mr. HRUSKA. Mr. President, earlier today, the President of the United States sent a message to the Congress, received here in the Chamber, on the subject of the Law Enforcement Revenue Sharing Act of 1971. He designated it as the first of six special revenue-sharing programs. He reported the proposal as legislation which is directed to matters of primary concern in our national life, control of crime and improvement of this Nation's system of criminal justice. He said much has been accomplished in combating these problems but much remains to be accomplished.

Part of the progress of the past 2 years can be attributed to the Law Enforcement Assistance Administration, the so-called LEAA, which was first enacted in 1968. Later in the day there was a transmittal to the Congress and to this body of a draft bill which would be entitled "The Law Enforcement Revenue Sharing Act of 1971" by the Attorney General. That draft is the draft and that is the bill which I sent to the desk and ask that it be appropriately referred.

The PRESIDING OFFICER (Mr. BROCK). The bill will be received and appropriately referred.

Mr. HRUSKA. Mr. President, I rise to express my support for the President's concept of the law enforcement revenue sharing.

This act will provide the States and units of local government greater flexibility and freedom in expending funds for law enforcement purposes.

Revenue sharing is one of the most innovative and significant proposals this body has ever been asked to consider. President Nixon, by presenting his revenue-sharing program to the American people and the Congress, has recognized the long-felt need of the States and units of local government for adequate untethered Federal financial assistance.

The Federal Government in the past has attempted to meet the revenue needs of the States and local governments through its categorical grant-in-aid programs. These programs have not provided an effective answer. All too often the Federal Government narrowly directed the purposes for which Federal funds could be expended. Pressing needs were not addressed in many areas and money was spent on unnecessary or outdated programs.

The first step toward more effectively meeting the needs of the States and local governments in the law enforcement area came with the passage of title I of the Omnibus Crime Control and Safe Streets Act. The Safe Streets Act, through an amendment offered by the Republican leadership, substituted a block grant approach for the categorical grant program originally included in the act.

Under the Safe Streets Act, funds for improving the strengthening law enforcement are allocated to each State on a population basis. Some of the funds are retained at the State level and the rest are reallocated to units of local government within the State. Each State is free to select its own programs and priorities in accordance with broad guidelines established by LEAA. However, as a prerequisite to receiving its block grant, each State must annually prepare a detailed comprehensive plan setting forth the manner in which its funds are to be expended and LEAA must specifically approve the plan before the State can expend its funds.

Mr. President, I ask unanimous consent that a summary and section-by-section analysis of the major features of the bill which I have introduced, as well as the text of the bill itself be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HRUSKA. Mr. President, the bill introduced today will amend title I of the Omnibus Crime Control and Safe Streets Act and carries the block grant concept a step further by giving the States even greater discretion in the expenditure of LEAA funds.

Before discussing the actual provisions of the bill, I would like to say a few words about the LEAA program. The criminal justice system is one of the most fragmented sections of governmental operation and prior to the creation of LEAA there was no coordinated crime control program. Criminal justice agencies went their own separate ways and the major components of the system—police, courts, and corrections—usually had no real idea of what the others were doing, and they seemed in many cases to care even less.

This is no longer true. Today a nationwide crime control program has been established. Every State has set up a top-level planning agency, working with its units of local government to both plan and implement a wide variety of criminal justice improvement programs. In every State the police, courts, and corrections—that is to say the parole officers, the probation officers, and the rehabilitation officers—are coordinating and integrating their attack on the crime problem and law enforcement. New programs are being developed and solutions are being developed with consideration for the effects on each component of the criminal justice system.

The operation of this program by the State and local governments will be enhanced by the bill I am introducing today. Local jurisdictions know their own problems and they will be given greater responsibility for formulating their own programs for crime control. I would now like to discuss some of the more important aspects of the bill.

First, the concept of comprehensive planning in the Safe Streets Act is retained. A State will still be required to annually prepare and submit to LEAA a comprehensive plan outlining the programs and projects for the improvement of law enforcement that will be funded with its special revenue sharing payments. LEAA will continue to make planning grants to the States for the preparation, development, and administration of the comprehensive plan. However, the requirements for the comprehensive plan have been simplified and the States will have greater leeway in selecting the components of the plan. Additionally, LEAA's role will be to review and comment on the plan, and their approval of the plan will not be required as a condition for receiving revenue-sharing payments.

Second, the bill authorizes LEAA to make special revenue-sharing payments in lieu of the block grants it presently makes to the States. Funds appropriated by Congress for special revenue sharing payments will be allocated among the States according to the population and upon appropriation of these funds; each State will be eligible for its share of the payments if it has filed a comprehensive plan with LEAA by December 31 of the immediately preceding calendar year.

Third, the matching requirements for special revenue-sharing payments and discretionary grants have been eliminated. It should be borne in mind that this is one of the control features, one of the inherent features of the President's program, the special revenue sharing plan in those six areas which he has outlined, that there would be the foregoing and the elimination of the necessity for the States and local governments to match certain payments. That is being done in this, the first of these special revenue sharing plans. Thus, funds granted for these purposes can be used to provide up to 100 percent of the cost of State and local law enforcement programs. These provisions recognize that States and units of local government are in dire financial straits and are having increasing difficulty in supplying the needed matching funds for Federal grants-in-aid. In addition, funds appropriated for special revenue-sharing payments and discretionary grants may be used to provide the matching for planning grants and corrections grants under parts B and E of the Safe Streets Act. The so-called hard match provisions and the so-called State buy-in conditions would be deleted from the Safe Streets Act.

Fourth, the bill contains sufficient provisions to assure that the States will allocate adequate resources to its units of local government under the special revenue-sharing program. The bill retains the provision in the Safe Streets Act that requires each State, beginning on July 1, 1972, to allocate its special revenue-sharing payments to its units of local government in proportion to their law enforcement expenditures. The States must also assure that areas characterized by high crime incidence and high law enforcement activities are adequately provided for. In addition, the State planning agency will be required to establish appropriate review procedures for instances in which law enforcement requests for funds are disapproved.

Fifth, the bill recognizes the Federal Government's responsibility for assuring that its tax dollars are properly allocated. To this end, the States are required to utilize proper fiscal control and accounting procedures in order to assure adequate accounting for its special revenue-sharing payments. The States are also required to submit reports dealing with the status and application of funds it receives.

The fiscal control and the accounting procedures required of the States will be supplemented by two factors. One will be the audits of the General Accounting Office which, as we know, is an arm of Congress. There will be a second discipline which applies to every appropriation and all legislation, and that is the oversight of this entire revenue sharing plan by Congress itself.

Sixth, this bill recognizes that States are hard pressed to even maintain at the same level the present law enforcement efforts and eliminates provisions in the Safe Streets Act that prohibit the States and localities from using funds they receive from LEAA to supplant the funds they are currently allocating for law enforcement purposes. Similarly, the States and local governments will no longer be required to assume the costs of LEAA-funded programs after a reasonable period of time. However, the bill recognizes the danger that large scale Federal support of State and local police salaries could lead to undue State and local dependence on Federal funds and to possible domination of law enforcement throughout the country. Accordingly, the present limitations on the expenditures of LEAA funds for salaries of operational, as opposed to nonoperational, law enforcement personnel, have been retained.

Seventh, it is clear that the Federal Government has an obligation to assure that all citizens participate on an equal basis in its programs and under this bill the requirements of title VI of the Civil Rights Act of 1964 prohibiting discrimination in federally assisted programs are made specifically applicable to special revenue-sharing payments. This is a feature which will be found in each of the special programs as it finds its way into Congress by way of a specific bill.

Finally, all the other LEAA programs are retained in their present form. LEAA will continue to make grants for correctional institutions, programs, and facilities under the program established by the Omnibus Crime Control Act of 1970. Similarly, LEAA would still be authorized to make discretionary grants and the National Institute, academic assistance, statistics and technical assistance programs are retained in their present form.

We must stimulate State and local initiative if we are to effectively solve the problems of police protection and law enforcement. At the same time we must provide the resources for the States and localities to make these improvements. After all, the primary burden of law enforcement in our Republic does evolve upon the State and local political subdivision. That is the way it was originally and that is the way it should be continued. The alternative would be a national police system, which is not something anyone would countenance for this Nation. At the same time, we must provide resources for the States and localities to make these improvements.

The Law Enforcement Revenue Sharing Act will provide States and localities with the necessary resources and will leave the initiative with them. It is for these reasons that I support the Law Enforcement Revenue Sharing Act and I urge that we take steps at an early date to enact this program.

I hope this measure will receive early consideration in the committee and that the committee will see it at an early date to report it to the Senate.

EXHIBIT 1

THE LAW ENFORCEMENT REVENUE SHARING ACT OF 1971

The purpose of the proposed Law Enforcement Revenue Sharing Act of 1971 is to put more control of the Law Enforcement Assistance Administration's program into the hands of the States and units of local government. The proposed Act, however, will retain the essential characteristics of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as recently amended by the Omnibus Crime Control Act of 1971.

The revenue sharing Act would make the following changes in title I of the Safe Streets Act:

Special revenue sharing payments—The bill authorizes LEAA to make special revenue sharing payments to the States for law enforcement purposes. These payments will replace the block grants which LEAA presently makes to the States for the implementation of law enforcement programs. Funds appropriated by Congress for special revenue sharing payments will be allocated among the States according to their populations.

Allocation of revenue sharing payments to local governments—Beginning on July 1, 1972, the percentage of its annual revenue sharing payments each State allocates to its units of local government must be in proportion to the law enforcement expenditures of these units. The States must also assure that an adequate share of its revenue sharing payments are allocated to deal with law enforcement problems in areas characterized by high crime incidence and law enforcement activity. Similar provisions are presently included in the Safe Streets Act.

Matching requirements—There are no matching requirements for special revenue sharing payments and discretionary grants. Funds allocated for these purposes can be used to pay up to 100% of the cost of State and local law enforcement programs. In addition, these funds can be used to provide the match for planning and corrections grants under parts B and E of the Safe Streets Act. The so-called "hard" (cash) match provisions and the State "buy-in" requirement would also be deleted from the Safe Streets Act.

Comprehensive planning—The present requirement that a State annually prepare and submit to LEAA a comprehensive plan would be retained and LEAA will continue to make planning grants to the States. However, the requirement that LEAA approve the plans before authorizing a State to utilize its funds would be deleted. LEAA's role would be to review and comment on each plan. In addition, the States are given greater discretion in developing the components of the plan.

Fiscal control—Part B of the Safe Streets Act would be amended to require the States to utilize proper fiscal control and accounting procedures in order to assure adequate accounting for LEAA funds. The States would also be required to submit on a timely basis reports detailing the programs funded in the previous fiscal year and covering the status and application of funds it received.

Maintenance of effort—The present requirement in the Safe Streets Act that States and local governments maintain their present law enforcement efforts and LEAA funds not be used to supplant State and local funds presently allocated for law enforcement purposes would be deleted. Similarly, the present requirement in the Act that States and local governments assume the cost of LEAA-funded programs after a reasonable period of time would also be eliminated. The salary limitation provisions in the Safe Streets Act are retained.

Civil rights—The requirements of title VI of the Civil Rights Act of 1964 which prohibit discrimination in Federally-assisted programs would be made specifically applicable to special revenue sharing payments.

Other LEAA programs—Part E grants for correctional institutions and facilities are retained in their present form and LEAA would still be authorized to use up to 15 per cent of action funds for discretionary grant programs. The National Institute, academic assistance, statistics and technical assistance programs would also be retained in their present form.

SECTIONAL ANALYSIS

Section 1 is the enacting and title clause.

Section 2 requires each State to utilize proper fiscal control and fund accounting procedures to assure proper accounting for Federal funds and proper disbursement of amounts to which local governments are entitled. The Administration would be authorized to deny or discontinue assistance under Section 509 of the Act if a State failed to comply with this requirement.

Section 3(1) changes the title of part C.

Section 3(2) Provides that assistance under part C will be in the form of special revenue sharing payments as well as other forms of assistance, including discretionary grants.

Section 3(3) removes the requirement

that annual block action grants be conditioned upon prior LEAA approval of the State plans and substitutes the terms "special revenue sharing payments and other forms of assistance" for the term "grant".

Section 3(4) removes the matching requirements for action grants and permits 100 percent of program costs to be paid from LEAA funds.

Section 3(5) requires each State to submit a comprehensive plan to LEAA by December 31 of each year for review and comment by LEAA.

Section 3(6) deletes the requirement that LEAA approve comprehensive plans before making special revenue sharing payments. This section adds flexibility to the provisions to be included in a comprehensive State plan. This section also deletes the requirement that LEAA funds not be used to supplant State and local law enforcement funds.

Section 3(7) requires the State planning agencies to provide appropriate review procedures for cases in which local government's requests for funds are disapproved or their funding is terminated.

Section 3(8) complements section 3(6) by removing a specific condition of LEAA approval of State plans and by allowing LEAA to reallocate funds if a State fails to submit a comprehensive plan within the period specified in section 302.

Section 3(9) provides for special revenue sharing payments and permits 100-percent Federal funding of discretionary grants.

Section 3(10) conforms section 306(b) with section 306(a).

Section 3(11) defines "special revenue sharing payments," provides the method of payment of special revenue sharring funds, and authorizes the use of such funds to provide the non-Federal share for grants under Parts B and E.

Section 4 amends Part E to specifically include provisions of section 303 which were originally included by reference and were eliminated from section 303 by section 3 of this Act.

Section 5 makes clear the reporting requirements for programs and the like funded under special revenue sharing payments.

Section 6 provides an effective date for the amendments of January 1, 1972.

S. 1087

A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Law Enforcement Revenue Sharing Act of 1971."

PLANNING GRANTS

SEC. 2. Section 203 of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by adding at the end thereof the following new subsection:

"(d) In order to assure that Federal assistance to State and local programs is carried out in accordance with this title and the comprehensive statewide plan, the State planning agency shall use such fiscal and accounting procedures as may be necessary to assure (1) proper accounting for payments received by the State and its units of general local government, and (2) proper disbursement of amounts to which the units of general local government are entitled."

FINANCIAL ASSISTANCE FOR LAW ENFORCEMENT PURPOSES

SEC. 3. Part C of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended as follows:

(1) The title of part C is amended to read as follows:

"PART C—FINANCIAL ASSISTANCE FOR LAW ENFORCEMENT PURPOSES"

(2) Section 301(a) is amended to read as follows:

"(a) It is the purpose of this part to encourage States and units of general local government, through special revenue sharing payments and other forms of financial assistance, to carry out programs and projects to improve and strengthen law enforcement."

(3) The words before "(1)" of paragraph (1) in section 301(b) are amended to read as follows:

"(b) The Administration is authorized to make special revenue sharing payments and other forms of financial assistance to States for law enforcement purposes including—"

(4) Section 301(c) is amended to read as follows:

"(c) Any special revenue sharing payment made under this section may be used to pay up to 100 per centum of the cost of programs or projects specified in the comprehensive plan required to be submitted under section 303 of this title."

(5) Section 302 is amended to read as follows:

"SEC. 302. Any State desiring to participate in the special revenue sharing program under this part shall establish a State planning agency as described in part B of this title and shall, not later than December 31 of each year, submit to the Administration, through such planning agency, a comprehensive State plan formulated pursuant to parts B and C of this title. The Administration shall review such plans and provide the State planning agency with such comments and recommendations as it deems appropriate."

(6) Section 303 is amended to read as follows:

"SEC. 303. (a) The Administration shall make special revenue sharing payments to a State planning agency if such agency has on file with the Administration a comprehensive State plan (not more than one year in age) which conforms with the purposes and requirements of this title. Each such plan shall:

(1) provide for the administration of such grants by the State planning agency;

(2) provide that at least 75 per centum of all Federal funds granted to the State planning agency under this part for any fiscal year will be available to units of general local government or combinations of such units for the development and implementation of programs and projects for the improvement of law enforcement, except that each such plan shall provide that beginning July 1, 1972, at least the per centum of Federal assistance granted to the State planning agency under this part for any fiscal year which corresponds to the per centum of the State and local law enforcement expenditures funded and expended in the immediately preceding fiscal year by units of general local government will be made available to such units or combinations of such units in the immediately following fiscal year for the development and implementation of programs and projects for the improvement of law enforcement. Per centum determinations under this paragraph for law enforcement funding and expenditures for such immediately preceding fiscal year shall be based upon the most accurate and complete data available for such fiscal year or for the last fiscal year for which such data are available. The Administration shall have the authority to approve such determinations and to review the accuracy and completeness of such data;

(3) adequately take into account the needs and requests of the units of general local government in the State and encourage local initiative in the development of programs and projects for improvements in law enforcement, and provide for an appropriately balanced allocation of funds between the State and the units of general local government in the State and among such units: *Proivded,* That the plan includes the allocation of an adequate share of assistance for law enforcement problems in areas characterized by both high crime incidence and high law enforcement activity;

(4) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this part; and

(5) provide for the submission of such reports in such form and containing such information as the Administration may reasonably require.

Any portion of such per centum to be made available pursuant to paragraph (2) of this subsection in any State in any fiscal year not required for the purposes set forth in such paragraph (2) shall be available for expenditure by such State agency from time to time on dates during such year as the Administration may fix, for the development and implementation of programs and projects for the improvement of law enforcement and in conformity with the State plan.

"(b) To be comprehensive the plan should consider State-wide priorities for the improvement and coordination of all aspects of law enforcement, the general types of improvements to be made in the future, the effective utilization of existing facilities, the encouragement of cooperative arrangements between units of general local government, and innovations and advanced techniques."

(7) Section 304 is amended by inserting at the end thereof the following new sentence:

"The State planning agency shall provide for appropriate review of procedures of actions taken by the State planning agency disapproving an application for which funds are available or terminating or refusing to continue financial assistance to a unit of general local government or combination of such units."

(8) Section 305 is amended to read as follows:

"SEC. 305. Where a State has failed to submit a comprehensive State plan under this title within the period specified by section 302, the funds allocated for such State under paragraph (1) of section 306(a) of this title shall be available for reallocation by the Administration under paragraph (2) of section 306(a)."

(9) Section 306(a) is amended to read as follows:

"(a) The funds appropriated each fiscal year for this part shall be allocated by the Administration as follows:

(1) Eighty-five per centum of such funds shall be allocated among the States according to their respective populations as special revenue sharing payments to State planning agencies.

(2) Fifteen per centum of such funds, plus any additional amounts made available by virtue of the application of the provisions of sections 305 and 509 of this title to the grant of any State, may, in the discretion of the Administration, be allocated among the States for grants to State planning agencies, units of general local government, or combinations of such units, according to the criteria and on the terms and conditions the Administration determines consistent with this title.

Any grant made from funds available under paragraph (2) of this subsection may be up to 100 per centum of the cost of the program or project for which such grant is made. No part of any such grant shall be used for land acquisition. The limitations on the expenditure of portions of grants for the compensation of personnel in section 301 (d) of this title shall apply to a grant under such paragraph."

(10) Section 306(b) is amended by striking the words "for grants to the State planning agency of the State".

(11) By inserting after section 307 the following new sections:

"SEC. 308.. For the purposes of this part the term 'special revenue sharing payment' means a grant of funds allocated to a State in accordance with section 306(a)(1) and shall be considered as Federal financial assistance within the meaning of Title VI of the Civil Rights Act of 1964.

"SEC. 309. (a) The amounts appropriated and allocated for special revenue sharing payments shall be paid to the respective States at such intervals and in such installments as the Administration may determine, taking account of the objective that the time elapsing between the transfer of funds from the United States Treasury and the disbursement thereof by the State shall be minimized.

"(b) Funds received under special revenue sharing payments may be used by States and units of general local government or combinations of such units to provide the non-Federal share required of grants under Parts B and E of this title."

GRANTS FOR CORRECTION INSTITUTIONS AND FACILITIES

SEC. 4. Section 453 of the Omnibus Crime Control and Safe Streets Act of 1968 is amended as follows:

(1) By amending paragraph (9) to read as follows:

"(9) complies with the same requirements established for comprehensive State plans under paragraphs (1), (3), (4) and (5) of section 303(a) of this title."

(2) by adding after paragraph (9) the following new paragraphs:

"(10) incorporates innovations and advance techniques and contains a comprehensive outline of priorities for the improvement and coordination of all aspects of law enforcement dealt wtih in the application, including descriptions of: (A) general needs and problems; (B) existing systems; (C) available resources; (D) organizational systems and administrative machinery for implementing the application; (E) the direction, scope, and general types of improvements to be made in the future; and (F) to the extent appropriate, the relationship of the application to other relevant State and local law enforcement plans and systems;

(11) provides for effective utilization of existing facilities and permits and encourages units of general local government to combine or provide for cooperative arrangements with respect to services, facilities, and equipment;

(12) provides for appropriate review of procedures of actions taken by the State planning agency disapproving an application for which funds are available or terminating or refusing to continue financial assistance to a unit of general local government or combination of such units;

(13) demonstrates the willingness of the State and units of general local government to assume the costs of improvements funded under this part after a reasonable period of Federal assistance;

(14) demonstrates the willingness of the State to contribute technical assistance or services for programs and projects contemplated by the application and the programs and projects contemplated by units of general local government; and

(15) sets forth policies and procedures designed to assure that Federal funds made available under this part will be so used as not to supplant State or local funds, but to increase the amounts of such funds that would in the absence of such Federal funds be made available for law enforcement."

ADMINISTRATIVE PROVISIONS

SEC. 5. Section 521 of the Omnibus Crime Control and Safe Streets Act of 1938 is amended by inserting at the end thereof the following new subsection:

"(d) It shall be the responsibility of States receiving grants or special revenue sharing payments under this title to provide the Administration, on a timely basis, information detailing the purposes for which such grants and payments were expended and covering the status and application of funds."

SEC. 6. The amendments made by this Act shall take effect on January 1, 1972.

By Mr. FANNIN:

S. 1088. A bill to provide for the establishment of a U.S. Court of Labor-Management Relations which shall have jurisdiction over certain labor disputes in industries substantially affecting commerce. Referred to the Committee on the Judiciary.

Mr. FANNIN. Mr. President, there is a forecast that there probably will be more than 5,600 strikes in the United States this year.

This costly and inefficient method of settling labor-management differences goes on despite the general consensus that the strike or lockout are very poor devices to achieve any agreement.

Some of these strikes, of course, cause relatively little damage other than to the union members and the companies involved.

In our increasingly complex society, however, many strikes threaten severe consequences for innocent persons far beyond the factory walls or the homes of involved workers.

This year, for example, we hear talk of possible strikes in the steel, copper, and coal industries. Such strikes send shock waves through all of American industry. Millions of Americans in effect are forced to suffer and to pay the price for wage increases for a relatively small segment of the population.

Four times in recent years we have had to solve a major labor dispute. Congress has found itself repeatedly on the spot in trying to keep the trains running in America.

Mr. President, we have no business trying to settle labor differences case by case in the U.S. Congress. We in Congress are not equipped to make judgments on the pay, working hours or work rules for various industries—nor should we be expected to be so equipped.

What we do need is a reliable system to settle labor disputes without work stoppages. Attempts to do this through voluntary arbitration have proven a dismal failure.

Therefore, today I am introducing a bill to create a U.S. Court of Labor-Management Relations. This court would provide a system of compulsory arbitration in certain types of disputes between labor unions and management.

SUMMARY OF THE BILL

Briefly, this measure would establish a five-man court consisting of judges trained and experienced in the fields of law, economics, and industrial relations. The jurisdiction of the court would be invoked: First, upon application of the Attorney General, on behalf of the President, after all other procedures for resolving the dispute had been exhausted; or second, upon application of either party to the dispute.

In other words, the court would become involved in a particular dispute only after the parties themselves had exhausted all avenues for voluntary settlement, had failed to come to an agreement, and as a result, a work stoppage appeared imminent, or after the President had determined a settlement is inimical to the best interests of the country.

Once the jurisdiction of the court had been invoked, it would be empowered to enjoin any actual or threatened work stoppage for a period of 80 days. During this time, collective bargaining between the employer and the employee would continue under the supervision of the court, which would be authorized to issue whatever orders necessary, including the appointment of standing or special masters, to induce the parties to make every effort to settle their differences through collective bargaining.

If, at the conclusion of this 80-day period, the parties advise the court that a negotiated settlement is impossible, the court will continue the injunction and set the case down for immediate hearing and final determination. All due processes of law will be guaranteed, and the parties will be given every reasonable opportunity to present arguments in support of their positions.

Finally, a binding judgment will be handed down, covering all matters of dispute including rates of pay, hours and conditions of work, and any other matters necessary to the dispute.

Mr. President, this bill has been introduced in the House of Representatives by Representative JOHN J. RHODES of Arizona.

It is a practical solution to what has become a most serious problem.

As a strong believer in the free enterprise system, I would rather see sensible men sit down voluntarily at a bargaining table and work out labor agreements that are to the best interests of union members, industry, and the public.

The statesmanship I speak of appears to be in short supply these days.

Union leaders are making unreasonable demands for wage and fringe benefit increases ranging up to 25 percent per year and more. Management has shown an increasing lack of will or ability to fend off these exorbitant demands.

When major strikes do occur, the Nation as a whole suffers.

In the end, it is the average citizen who comes up shortchanged.

By setting up the new court, we would provide an impartial and well-equipped tribunal to settle disputes that now result in disastrous strikes.

Mr. President, I send this bill to the desk and ask that it be appropriately referred.

By Mr. HARRIS:

S.J. Res. 61. A joint resolution to authorize the President to proclaim April 16, 1971, as "Jim Thorpe Day". Referred to the Committee on the Judiciary.

Mr. HARRIS. Mr. President, I am here to pay tribute to a great American, a man who brought honor to his State, his people and his countrymen.

Oklahoma's Jim Thorpe, an American Indian, was probably the greatest athlete this country has ever seen. In 1950, the Associated Press polled 393 sports writers and broadcasters for their opinions, first, regarding the greatest football player in the first half of the 20th century, and second, regarding the greatest male athlete. Jim Thorpe led Harold "Red" Grange for the title "greatest football player" by 170 votes to 138. In the poll for "greatest athlete," in which 56 luminaries from all sports received votes, 252 writers chose Jim Thorpe. He received 875 points to 539 for Babe Ruth, 246 for Jack Dempsey and 148 for Ty Cobb.

Jim Thorpe's sports achievements remain a permanent testimony to talent and excellence. But in my opinion Jim Thorpe's greater accomplishment may have been the lesson he taught all of us regarding the innate dignity of our fellow citizen, the American Indian. A man before his time, Jim Thorpe blazed the way for other minority Americans to find positions of worth and dignity. Many of us forget that in 1937 Jim Thorpe returned to Oklahoma to lead a movement to get the Sac-Fox Tribe to rescind its adoption of a new constitution. He believed it surrendered too large a measure of tribal home rule to the Federal Government.

In 1913 a heavy blow was struck against Jim Thorpe. The year before he had won the Olympic pentathlon and decathlon, a feat not accomplished before or since. Now the Amateur Athletic Union decided to strip Jim Thorpe of his Olympic medals because for a short time he had played professional baseball. As Jim wrote:

> On the same teams I played with were several college men . . . who were regarded as amateurs at home. I was simply an Indian schoolboy, not wise to the ways of the world.

When we compare the few dollars he earned with the large scholarships college athletes now receive, we can appreciate the injustice that was done.

I believe it is time for the country on a national level to honor Jim Thorpe not only for his unprecedented athletic achievements but also for his accomplishments in the field of human relations. I am introducing today a joint resolution of Congress to authorize the President to proclaim April 16, 1971, as "Jim Thorpe Day." I ask all Members of Congress to extend this mark of honor to a great American and to help to erase the injustice done in 1913.

ADDITIONAL COSPONSORS OF BILLS

S. 41

At the request of the Senator from Kansas (Mr. Dole), and the Senator from Wisconsin (Mr. Nelson) was added as a cosponsor of S. 41, to establish a National Information and Resource Center for the Handicapped.

S. 78

At the request of the Senator from Wisconsin (Mr. Nelson), and the Senator from New Hampshire (Mr. McIntyre) was added as a cosponsor to S. 78 to amend the Fish and Wildlife Act of 1956 to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft.

S. 488

At the request of the Senator from Idaho (Mr. Jordan), and the Senator from Oregon (Mr. Hatfield) was added as a cosponsor of S. 488, to prohibit the licensing of hydroelectric projects on the Middle Snake River below Hells Canyon Dam at any time before September 30, 1978.

S. 509

At the request of the Senator from Minnesota (Mr. Mondale), the Senator from New Jersey (Mr. Williams), and the Senator from Florida (Mr. Chiles) were added as cosponsors of S. 509, the International Opium Control Act.

S. 592

At the request of the Senator from Hawaii (Mr. Inouye), the Senator from New Jersey (Mr. Case), the Senator from Massachusetts (Mr. Kennedy), the Senator from Washington (Mr. Magnuson), and the Senator from Minnesota (Mr. Mondale), were added as cosponsors to S. 592 to repeal the Emergency Detention Act of 1950 (title II of the Internal Security Act of 1950).

S. 704

At the request of the Senator from Hawaii (Mr. Inouye), the Senator from Indiana (Mr. Bayh), the Senator from Missouri (Mr. Eagleton), the Senator from New Jersey (Mr. Case), the Senator from Florida (Mr. Gurney), the Senator from Oklahoma (Mr. Harris), the Senator from Oregon (Mr. Hatfield), the Senator from Maryland (Mr. Mathias), the Senator from Iowa (Mr. Miller), the Senator from Minnesota (Mr. Mondale), the Senator from Illinois (Mr. Stevenson), and the Senator from Texas (Mr. Tower), were added as cosponsors of S. 704 to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces.

S. 726 AND S. 727

At the request of the Senator from Minnesota (Mr. Mondale), the Senator from Illinois (Mr. Stevenson), is added as a cosponsor of S. 726 and S. 727, the national agricultural bargaining bill and the national agricultural marketing bill.

S. 862

At the request of the Senator from Wisconsin (Mr. Nelson), the Senator from Oklahoma (Mr. Harris), was added as a cosponsor of S. 862 to authorize the Secretary of the Interior to protect, manage, and control free-roaming horses and burros on public lands.

S. 902

At the request of the Senator from Indiana (Mr. Bayh), the Senator from Georgia (Mr. Talmadge) was added as a cosponsor of S. 902, a bill to incorporate the Gold Star Wives of America.

S. 933

At the request of the Senator from West Virginia (Mr. Byrd), on behalf of the Senator from Iowa (Mr. Hughes), the Senator from California (Mr. Cranston), the Senator from Missouri (Mr. Eagleton), the Senator from South Dakota (Mr. McGovern), and the Senator from New Mexico (Mr. Montoya) were added as consponsors of S. 933, the Voter Assistance Act of 1971.

S. 956

At the request of the Senator from Pennsylvania (Mr. Scott), and the Senator from Oregon (Mr. Hatfield) was added as a cosponsor of S. 956, to revise the Federal election laws, and for other purposes.

ADDITIONAL COSPONSORS OF JOINT RESOLUTIONS

SENATE JOINT RESOLUTION 1

At the request of the Senator from Indiana (Mr. Bayh), the Senator from Minnesota (Mr. Humphrey), and the Senator from Maine (Mr. Muskie) were added as cosponsors to Senate Joint Resolution 1, proposing an amendment to the Constitution to provide for direct popular election of the President and Vice President of the United States.

SENATE JOINT RESOLUTION 8

At the request of the Senator from Indiana (Mr. Bayh), the Senator from Oklahoma (Mr. Bellmon), the Senator from Washington (Mr. Magnuson), and the Senator from Maine (Mr. Muskie) were added as cosponsors of Senate Joint Resolution 8 proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

SENATE JOINT RESOLUTION 34

At the request of the Senator from Pennsylvania (Mr. Scott), the Senator from New York (Mr. Buckley), the Senator from Ohio (Mr. Taft), and the Senator from Florida (Mr. Gurney) were added as cosponsors of Senate Joint Resolution 34, proposing an amendment to the Constitution of the United States with respect to the offering of voluntary prayer or meditation in public schools and other public buildings.

SENATE RESOLUTION 64—SUBMISSION OF A RESOLUTION RELATING TO IMPORTATION OF HEROIN

Mr. HARTKE. Mr. President, the specter of heroin addiction is haunting nearly every community in the Nation. It is a scourge which afflicts as many as 500,000 people—nearly 25 percent of them teenagers.

While we spend millions of dollars to prevent and control drug addiction, the flow of heroin into the United States has been increasing. It will continue to grow so long as we fail to take effective action to cut off the supply at its sources.

Fifty years ago, heroin found its way to our urban ghettos. There it remained while we ignored its ravages. Today, heroin stands as the major killer of young people between the ages of 18 and 35. More young people die from overdoses of heroin than from accidents, homicides, suicides or cancer. The time has long since passed when we could afford to ignore this problem.

Addicts in this country must spend more than $15 million a day to maintain their habits. Almost half of this comes as the result of crime. Police officials throughout the country estimate that addicts commit 55 percent of the major crimes in our cities. On an annual basis, a shocking $2.5 billion of goods is stolen by addicts. Add to this the cost of prosecuting and incarcerating criminal addicts, and we begin to see how high a price we all pay for our failure to act.

The trail of heroin leads from this country back over a series of devious and highly complicated routes. Heroin begins its sordid existence as opium, which is harvested from poppies. Eighty percent of the heroin which reaches this country comes from the poppy fields of Turkey, much of it refined in illegal laboratories in France.

Both of these nations have long been allies of the United States, but one must wonder what the definition of an ally is. While Turkey and France have made claims of action and success in dealing with heroin smuggling, the 2 to 4 tons of heroin needed to feed the habits of American addicts are still reaching this country.

Although Turkey has reduced from 21 to 7 the number of provinces in which opium may be produced legally, the number of acres under opium cultivation has actually increased. And while the French have recently increased the number of policemen assigned to domestic and international narcotics work, they have failed to eliminate the big laboratories which produce the heroin.

Both of these nations can—and must—do more to halt the flow of heroin to the United States. Our efforts to bring about the domestic control of heroin addiction are doomed to failure unless we put all possible pressure on our allies to cooperate.

Neither the Turkish farmer nor the French chemist knows of the 16-year-old whose arm is covered with needle marks; but their governments know the extent of the problem in the United States. They know that customs officials are able to seize only one-tenth of the heroin smuggled into this country. They know all of this, and yet they have failed to take the type of action which is necessary to stop the international traffic in heroin.

We in the United States must share the burden of responsibility. We have considered the importance of our allies in national security terms only; but we have failed to comprehend that our internal security is being threatened by a drug epidemic—an epidemic fostered by the inaction of nations which we call our allies.

Mr. President, the measures needed to secure the cooperation of Turkey and France need not be punitive. For example, the average income of a Turkish farmer is about $1,000 a year. Eliminating opium production entirely will require the substitution of new crops for the opium so that the farmers can continue to eke out their meager subsistence. It has been estimated that an effective program of crop substitution will cost about $10 million. When compared with the billions of dollars in economic and military aid which we have given Turkey in the past 20 years, it is a small price to pay. The comparison becomes even more vivid when contrasted with the billions of dollars which heroin costs our society annually.

As recently as last summer, the United States approved a $40 million loan to Turkey with no requirement that Turkey reciprocate with further measures to limit opium production. In light of the havoc which heroin is causing in our society, this international permissiveness on the part of the administration is hard to comprehend.

The situation in France is much the same. Although that government has made some efforts to increase its fight against domestic and international drug trafficking, and although there have been and will continue to be many pronouncements of new programs and new successes, there has been a marked unwillingness on the part of French officials to admit that their country is a prime center for heroin production; nor has the French Government made any serious effort to put pressure on Turkey.

While the United States continues to speak softly to our allies, heroin addiction will continue to spread. And while efforts to stem the flow of heroin into the United States remain at the present level, smugglers will be willing to accept the risks in order to obtain enormous profits. Ten kilos of illegal opium (22 pounds), for which the Turkish farmer receives about $400, have a value of $250,000 when converted into 1 kilo of heroin and cut with milk sugar and quinine.

For the health and well-being of our own society, we cannot afford to let this traffic in death and destruction continue. Unless we put a stop to the ready access which addicts and potential addicts have to heroin, we will never be able to put an end to the problem itself.

For that reason, I am today submitting a resolution on behalf of Senators BENNETT, GURNEY, MCGEE, PELL, RANDOLPH, YOUNG, and myself which would place the Senate on record as urging the President immediately to undertake such diplomatic and economic measures as he considers appropriate in order to prevent heroin from being illegally imported into the United States.

There are a variety of activities which the administration can take to accomplish this objective. What is more important is that we wake up to the menace which is confronting us, and that we take whatever action may be necessary before it is too late.

The ACTING PRESIDENT pro tempore (Mr. ALLEN). The resolution will be received and appropriately referred.

The resolution (S. Res. 64), which reads as follows, was referred to the Committee on Finance:

S. RES. 64

Whereas heroin is the greatest single cause of death among young people in the 18 to 35 year age bracket;

Whereas there are more than 500,000 heroin addicts in the United States;

Whereas heroin addiction is a major cause of street crime in America's cities;

Whereas of the total amount of heroin imported into the United States, approximately 80 percent comes from Turkey and 15 percent from Mexico;

Whereas these two nations are political and economic allies of the United States; and

Whereas present efforts to control the flow of heroin into the United States have not resulted in any significant decrease in the amount of heroin available in this country: Now, therefore, be it

Resolved, That the Senate urges the President immediately to undertake such diplomatic and economic measures as he considers appropriate, including entering into negotiations with, and undertaking necessary joint action with, any international organization or foreign country, in order to prevent heroin from being illegally imported into the United States.

ENROLLED JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on March 1, 1971, he presented to the President of the United States the following enrolled joint resolutions:

S.J. Res. 31. Joint resolution extending the date for transmission to the Congress of the report of the Joint Economic Committee; and

S.J. Res. 44. Joint resolution to extend the time for the proclamation of marketing quotas for burley tobacco for the 3 marketing years beginning October 1, 1971.

ANNOUNCEMENT OF HEARINGS ON PROBLEMS OF THE CITRUS INDUSTRY

Mr. CHILES. Mr. President, I wish to announce that the Subcommittee on Agricultural Exports of the Committee on Agriculture and Forestry will hold hearings on the problems now being experienced by the U.S. citrus industry with respect to preferential treatment being granted by certain importing countries to certain exporting countries, not including the United States, on Thursday, March 18, 1971, at 10 a.m. in room 324, Old Senate Office Building. Anyone wishing to testify should contact the committee clerk as soon as possible.

FLYING INTO INDOCHINA WAR

Mr. BYRD of West Virginia. Mr. President, at the request of the able Senator from Iowa (Mr. HUGHES), I ask unanimous consent that a statement by Mr. HUGHES, together with an editorial published in the Des Moines Register, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUGHES

Mr. President, in the light of recent extension of American involvement in Laos, it seemed to me that an editorial in the Des Moines Register, over a month ago is on target in expressing the viewpoint of a growing number of Americans in the Midwest and elsewhere across our land.

FLYING INTO INDOCHINA WAR

Defense Secretary Melvin R. Laird sounds like a Soviet Union government official: white is black, true is false, war is peace. It is an insult to the intelligence of Americans for Laird to say that the engagement of the United States Air Force in the Cambodian war is not a violation of the Nixon doctrine, that it does not violate the Cooper-Church amendment and does not betray the Nixon Administration commitment to Congress about not expanding the Indochina war.

The U.S. Air Force is now flying bombing missions in support of Cambodian troops. It is flying helicopter gunship missions. Navy ships are stationed in the Gulf of Siam to provide landing platforms for helicopters.

If that is not involvement in the Cambodian expansion of the Indochina war, what is?

There is evidence also that U.S. military advisers have been on the ground with Cambodian forces. Whether this is true or not, it is obvious that the Nixon Administration has decided to permit the Air Force virtually free sway in supporting the Cambodian army against the Viet Cong and the North Vietnamese troops. Senator Frank Church (Dem., Id.) has every reason to call for Senate hearings on this expansion of American military activity in Cambodia, as well as in Laos.

When he pronounced the Nixon doctrine in Guam in 1969, President Nixon clearly said that the U.S. aim was to *withdraw* from military involvements in Asia and to provide U.S. allies with suppiles and equipment, rather than U.S. military forces. There was no exception for air and sea power, as Secretary Laird implied in his press conference remarks the other day.

It is obvious that U.S. military leaders have convinced President Nixon and Secretary Laird that the United States must come to the direct military support of Cambodia and Laos to keep the North Vietnamese from taking over. Just as they told President Johnson in 1965, they apparently have told Nixon that a military victory is possible if only he will grant them authority to conduct these missions by the Air Force. Evidently they have persuaded the President that by doing this the South Vietnamese army will have more time to organize itself and get in better shape to meet the Communists after the United States withdraws its troops.

Their arguments must be very convincing, for Nixon must know he will face backfire from the senators who believe he is betraying a commitment not to enlarge the Indochina war. The political risk is steep for a president who has been making capital out of his "withdraw from the war" policy.

It is hard for us to understand how Nixon, despite his past predilection to military solutions, could swallow this line. The failure of the U.S. Air Force to achieve its military objectives in Vietnam, despite the heaviest bombing of any war in history, ought to be clear to everyone by now. The bombing has cost America heavily in unfavorable opinion around the world. It clearly has not stopped the North Vietnamese, and some observers thing it has stimulated the will to fight on of both North Vietnamese and Viet Cong.

We had no doubt that President Nixon wants to get the U.S. out of the Indochina war. But it is beginning to look as though he has fallen for the same old disproved theories about air power and is getting the nation trapped into a wider Indochina war than before.

INSURERS VERSUS ALCOHOLISM

Mr. BYRD of West Virginia. Mr. President, at the request of the able Senator from Iowa (Mr. Hughes), I ask unanimous consent that a statement by Mr. Hughes, together with an editorial entitled "Insurers Versus Alcoholism," be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Statement by Senator Hughes

Mr. President, we hear constantly about the great unresolved problems America faces. Less frequently we hear of effective action being taken to meet these problems.

As I have often pointed out on the floor, the cost of alcoholism to American industry is immense—both in billions of dollars lost annually and in tragic human loss.

I consider it to be of great credit to some of our forward-looking private industries that they have installed alcoholism rehabilitation programs that have met with extraordinary success. Some of these industries have registered through their programs a recovery rate of two-thirds or greater which means that they are deriving an astonishing return on a modest investment.

An interesting editorial on the subject of alcoholism in industry, with particular reference to the insurance industry, appeared in the January 18, 1971, issue of the magazine *Business Insurance*.

Insurers Versus Alcoholism

In its past two issues, *Business Insurance* ran articles pertaining to the problem of alcoholism in industry and the feelings of insurers toward the problem. It was generally agreed that something had to be done to halt the spread of the disease, that steps were being taken by insurers, insureds and outside parties and that the progress was slow.

The problem of alcoholism in industry is staggering, both in dollars and human loss. Estimates as to how much American business loses every year due to alcoholism range from $6 billion to $8 billion. The National Council on Alcoholism Inc. estimates that 5.3%, or 4 million workers out of a work force of 80 million, suffer from the disease.

Alcoholism is now recognized by most of those who deal with it as a disease like any other. And it is curable. Companies that have begun alcoholism rehabilitation programs report that the recovery rate for those treated is 66%. Bethlehem Steel Corp. has openly admitted an alcoholism problem and has advertised the fact that the company is doing something about it.

Insurance companies have a great stake in the alcoholism problem and are in a position to make their influence felt. If the insurance industry does nothing else, it could educate insured companies as to the problem and effective ways with which it can be dealt. Many insurance companies, Kemper and Equitable to name two, have installed alcoholism rehabilitation programs in their own companies and know well the effectiveness of such programs. Insurers should urge their insureds to look into the prospect of such programs, which are relatively inexpensive to install and the savings, again in both dollars and human resources, are tremendous.

Recovered alcoholics have related stories about the treatment they received from insurance companies, and the tales were saddening. One man, who had group life coverage, went to the same company for additional coverage and was forced to pay premiums 50% higher than normal because he admitted he used to be an alcoholic. The insurance industry should ease up on the recovered problem drinker. If alcoholism is a disease like any other, let it be treated as such. Don't force prospective buyers to stoop to dishonesty.

One of the main obstacles the recovered alcoholic must overcome is the sorry fact that his disease is still, for the most part, cloaked and stigmatized. Society, though unintentionally and because of a lack of knowledge, is responsible for the stigma. That much is known for sure. But insurance companies, particularly life and health carriers, have the tools to wipe out the stigma. Now they should make it their obligation to do so. Life and health carriers could easily pool information and experience on the recovered alcoholic. Such pools of knowledge, made public, would do much to dispel the fallacies, such as the belief that all alcoholics are to be found on skid row.

The tide is turning, very slowly, and things are looking better for the alcoholic but much more can and should be done. Insurance companies are in one of the best possible positions to speed the flow of help.

ADDITIONAL STATEMENTS

PRESIDENT NIXON'S FEELING ON CHANGE IN SENATE RULE XXII

Mr. SCOTT. Mr. President, I ask unanimous consent that a letter from the President of the United States to me regarding his feelings on change in Senate rule XXII be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

The White House,
Washington, D.C., March 1, 1971.

Hon. Hugh Scott,
Minority Leader, U.S. Senate,
Washington, D.C.

Dear Hugh: Thank you for your recent letter and enclosures regarding the Senate debate on Rule XXII and requesting my assistance in efforts to change the Cloture Rule.

My record as Vice President in support of the Senate changing its Rules by majority vote, and my current views recently expressed by my Press Secretary are well known.

Nevertheless, I feel that specific changes in Congressional Rules are matters properly to be determined by the Senate and House of Representatives, and it would be inappropriate for the President to suggest how the Senate should proceed in considering its Rules or to attempt to influence individuals.

I trust you will agree with the wisdom in this approach.

With cordial regards,
Sincerely,
Richard Nixon.

TEXT OF GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, much of the criticism of the Convention on the Prevention and Punishment of Genocide is directed at its verbal construction.

Dean Rusk, as Deputy Under Secretary of State, testified before the Senate Foreign Relations Committee in 1950 that—

> There is no question that so long as we have . . . governments who are committed to the destruction of their opposition there will be other groups who will be the objects of political and governmental attack. There was some discussion as to whether an effort could be made to check the problem, which is a very difficult problem, with this particular convention on genocide, but since these great political issues get into the whole field of political agitation, it was thought wise to limit this convention to the specific subjects of national, ethnical, racial or religious groups . . . This particular convention does not meet the entire problem of freedom or group freedom. It is an attempt to single out that part of which has been most vicious in the past, and which is fairly readily identifiable, and try to get on with that.

Adrian Fisher, legal adviser to the Department of State, testified in 1950 before the Senate Foreign Relations Committee that the words "as such" in the text of the convention were "necessary parts to a precise convention." He further pointed out that this objection was similar to objecting to a "statute of murder because a person charged with murder pleads self-defense and gets away with it when it wasn't true."

There have also been questions raised about the meaning of "mental harm." It is clear from the legislative history of this language that "what was meant was not just embarrassment or hurt feelings, or even the sense of outrage that comes from such action as racial discrimination or segregation, however horrible these may be. What was meant was permanent impairment mental faculty."—Adrian Fisher, Legal Adviser, Department of State, testimony before the Senate Foreign Relations Committee, "Genocide Convention," 1950, page 263.

In article III(e), the phrase "complicity in genocide" has been the subject of some controversy. However, the "prohibition against the complicity is clearly aimed at accessoryship in the crime of genocide, as defined in article II—not the other genocide acts listed in article III. When Congress enacts implementing legislation for the Genocide Convention, it will not be necessary to enact a special provision implementing article III(e) because accessoryship in Federal crimes is already outlawed by the United States Code, title 18, sections 2 and 3. Hearings, "Genocide Convention," Subcommittee of the Senate Foreign Relations Committee, May 22, 1970, pages 221–222.

Mr. President, I urge this body to give its advice and consent to the Convention on the Prevention and Punishment of Genocide. Ratification of the Genocide Convention would place this country where it belongs, in the ranks of those seeking to safeguard basic human rights throughout the world.

PRESIDENT NIXON'S ADDRESS BEFORE IOWA STATE LEGISLATURE

Mr. MILLER. Mr. President, an historic event occurred in my State of Iowa yesterday, when President Nixon spoke before a joint session of the Iowa Legislature.

This was the first time in the history of my State that a President has addressed a joint session of the legislature.

What President Nixon had to say was a timely, understanding, and unprecedented recognition of the importance of rural America, and the vital role of State and local government in our country's system of government. Needless to say, his address was warmly and appreciatively received.

I ask unanimous consent that the President's address be placed in the RECORD.

There being no objection, the text of the address was ordered to be printed in the RECORD, as follows:

TEXT OF REMARKS BY THE PRESIDENT BEFORE A JOINT SESSION OF THE IOWA LEGISLATURE, DES MOINES, IOWA

I greatly appreciate your invitation to address this joint session of the Iowa State Legislature—both to share with you a few of my thoughts about America's future, and to reaffirm my own strong conviction that in the State capitols of America there is a wealth of wisdom and compassion and understanding of the great needs that confront our Nation's people.

This is my first appearance before a legislative body since I delivered my State of the Union address to the U.S. Congress—and I am especially pleased that it can be before this legislature, which I note was recently cited by the Citizens Conference on State Legislatures as one of the best in the Nation.

In that address, I outlined six great goals for America, and I urged the Congress to join in bringing about a new American revolution—a peaceful revolution, in which power was turned back to the people—in which government at all levels was refreshed and renewed, and made truly responsive.

It is especially appropriate that that appeal to the Congress should be followed by this, the first appearance as President of the United States I have had an opportunity to make before a State legislature. For as we consider the changes that are needed in American government, we must remember that we have not one chief executive in America, but many; not one legislature, but many—and that each of these is a vital part of the strength of America.

One of my key proposals to the Congress is that we make a $16 billion investment in renewing State and local government by sharing Federal revenues without the cumbersome restrictions that now follow Federal funds. I have noted that this legislature has already expressed its support for the principle of revenue sharing. I also have proposed a sweeping reorganization of the Federal Government itself to make it more responsive to the needs of the people.

Together, these changes can give us better government throughout all America—but they have special meaning for rural America.

First, in terms of dollars, I am announcing today that I am increasing by an extra $100 million the amount that I originally proposed in special revenue sharing for rural community development, bringing that to $1.1 billion for the coming year—which is 24 percent more for rural development programs than is being made available to the States under existing categorical grant programs this year.

The direct dollar benefit to rural America is obvious. In addition, rural America will share substantially in general revenue sharing funds, and also in special revenue sharing for manpower, education, transportation and law enforcement. Funds for urban community development will also go in part to urban communities in largely rural areas.

A second reason these changes have special meaning for rural America is that one of their chief purposes is to give each State and each community greater freedom to decide for itself those questions that directly affect its own future. If the lessons of the past decades mean anything, they mean that as power has been concentrated more and more in Washington, as decisions have increasingly been made by remote control, the special needs of our rural communities and of the great heartland of America more and more have either been neglected or even gone unrecognized.

I want those decisions that affect rural America made by people who know rural America. And the people who know a place best are the people who live there. To put it bluntly I believe that legislators in Iowa know better than bureaucrats in Washington, D.C. what is best for Iowa.

It is fashionable in a lot of quarters these days to scoff at State and local government. But to those who sneer at State legislatures, at city councils, at any level of government other than that in Washington, I say they don't know the American people.

I reject completely the contention that you cannot trust State and local governments. The patronizing notion that a bureaucratic elite in Washington knows best what is best for people everywhere is completely alien to the American experience.

The honesty and efficiency of government depends on people. Government at all levels has good people and bad people. And the way to get more good people into government is to give them more opportunity to do good things.

You know and I know how much dedication there is in State capitals, how much of a desire to do the right thing—and how much frustration there is with the restrictions and red tape that Washington so often imposes—and also with the tightening squeeze between needs and resources.

Like other State legislatures, you confront enormous problems.

Here in Iowa, as is the case in most of our States, I know you are wrestling with ways of avoiding the prospect of a deficit this year. And I know how heavy the burden of State and local taxes has become.

In the quarter-century I have been in public life, I have seen State and local expenditures rise twelve-fold—and I have seen property tax collections rise to six times what they were just 25 years ago, while State and local debt has increased ninefold.

Against that background, look at the double mismatch we now have: As the Nation grows and the economy expands, needs grow fastest at the State and local level, while revenues grow fastest at the Federal level. And at the same time, experience shows that the Federal Government is very good at collecting revenues and often very bad at dispensing services.

So it makes elementary good sense to turn over some of the money collected by the Federal tax system to meet State and local needs.

It makes good sense, because people on the scene are most often the best judges of what those needs are.

It also makes sense because our people need relief from the mounting burden of State and local taxes.

Here in Iowa, you could use revenue sharing to increase services, to avert a deficit, or perhaps to increase appropriations for the Agricultural Land Tax Credit. The point is that you could choose, according to your best judgment of the needs and wishes of the people of Iowa. That is the way it should be.

Let me also say a word about my proposal to reorganize the Federal Government—in particular as it affects the farmer.

One of the automobile companies has recently been using the advertising slogan "You've changed. We've changed." But when we look at the farmer and the way the Federal Government is organized, it is a different story. The only way to state the case, sadly enough, is that he has changed and we have not. The farmer is a man of many talents now—a businessman, a technician, a scientist—often a man who makes his living in more lines of work than farming alone. The rural community is becoming increasingly diversified in its economic base and its land use and its population patterns. While all this has gone on, we have sat in Washington with the same Department of Agriculture we have had since 1862. "You've changed and we haven't"—it could become the epitaph for rural America, for the countryside where this Nation's roots are. But to be able to say that you have changed and so have we—that could be the keynote for a new surge of vitality and progress on the farms, on the ranches and in the towns and the open lands across this Nation.

It comes to a question of whether farmers and others in rural America want an Agriculture Department for its own sake or whether they really want things like better farm prices, better technical assistance for agricultural problems, wider development opportunities in rural communities, better schools, better roads, and so on. I think they want the latter—the tangible results.

Under the present setup, only one Cabinet department represents the farmer. Under my proposed reorganization, four Cabinet secretaries—half the Cabinet—will be speaking up for the farmer when his diverse interests are at stake. I submit that this is not less representation, but more—and more effective representation, because the rural interest will be represented wherever decisions are being made that affect that interest.

These proposals I have made are not Republican proposals or Democratic proposals. I have offered them in a bipartisan spirit, and I seek bipartisan support—for they cut to the heart of our hopes for progress in America not just this year, not just next year, but for the balance of the decade and the balance of the century.

I have met with many groups in these past few weeks, talking with them about my proposals for the reform and renewal of government in America. And I have told them that I know there are many objections that people will raise to specific parts of these proposals—but then I have put a challenge to them: Let the first person who thinks we ought to keep things as they are, I say, let him stand up and defend the status quo—and I have not yet had a single taker.

Many were shocked when I said in my State of the Union message that most Americans are fed up with government.

But we know it's true. They are fed up because they think government costs too much, that it doesn't work and that they can't do anything about it.

What I have proposed is designed to meet these needs—to cut the cost of government, to make it work, and to give the people a greater voice in determining what kind of government they want.

People know that we need a change. They know that what may have been right 20 or 30 or 40 years ago is not right today. They know that like any living thing, government in America has to change and develop; it has to adapt itself to new circumstances. And it has to be made to meet the needs of our people, as those needs exist in today's America—so that for the farmer, the worker, the taxpayer, the housewife—for everyone in America—government can do a better job.

America's great strength lies precisely in its great diversity—in the fact that our States and communities are different, that we do not all fit in the same mold that each of us has his own ambitions, his own desires, his own individuality. The essence of freedom is to give scope to that individuality and to respect that diversity.

When I talk about returning power to the people, I am talking about just that—about letting people make their own decisions, in their own lives and in the lives of their own communities.

For I have faith in the people of America. And faith in people is what the American system of government is all about. Here in the heartland of America, we can see that the heart of America is good—and that its people deserve our faith.

We became a great Nation because the Nation's founders had the courage to place their faith in people—and because, having that faith, they established institutions that allowed the people to prove themselves worthy of it

Now the time has come to return to that faith, to renew those institutions, and by so doing to lead America to a new birth of greatness—a greatness not simply as the richest Nation, not simply as the strongest Nation, but a greatness that springs from the unshackling of the spirit of the people themselves.

So I invite you to join with me in beginning a national renewal—in fitting our Government to the times we live in—in strengthening our Government at the State and local level—in forging a new partnership that can give us prosperity with peace, progress with unity and freedom with diversity.

SST STUDY REVEALS NOISE BREAKTHROUGH

Mr. GRAVEL. Mr. President, on behalf of Senator JACKSON, I am introducing in the RECORD of the Senate a summary of an excellent report on the SST prepared by Mr. George N. Chatham and Mr. Franklin P. Huddle of the Library of Congress.

This study has done an exemplary job of dealing with the complex economic and environmental issues which have arisen during the course of discussions on the SST. It brings up to date a previous study made by the Library of Congress at my request. As a result of recent breakthroughs in research on noise control, Senator JACKSON requested the followup study, the summary of which I am entering at this time.

This important piece of research will do much to answer the many questions which have arisen with regard to the SST.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR HENRY M. JACKSON

An updated version of the Library of Congress study of the SST project was filed for the Record of the Senate today by Senator Henry M. Jackson.

Senator Jackson expressed high praise for the study which he said "had contributed more to an understanding of the problem than literally hundreds of previous studies."

Senator Mike Gravel of Alaska had requested the original study last year. The updated version was requested by Senator Jackson in order to make available new information on noise control that promises to bring noise levels below that of the present 747. Senator Jackson pointed out that this should reduce opposition among those living near large airports to the development of the SST. The study also includes exploration of both economic and environmental aspects of the SST issue.

The House of Representatives has been conducting hearings on the SST proposal this week. The Senate hearings are scheduled to begin on March 10th.

In filing the study today Senator Jackson indicated that it would clear up the "extraordinary amount of misinformation that had been generated during the SST debate." He said that it is urgent to keep the U.S. program moving "since the Congress must determine whether or not some 150,000 jobs will be exported to Britain, France or Russia. Both the British-French Concorde and the Soviet TU-144 are already flying and preparing for introduction into the commercial market.

Senator Jackson stressed that the SST program includes environmental research in order to maintain adequate safeguards, but, that "only through development of the two U.S. prototypes can the data necessary for prudent decisions on proceeding with the full fleet be made."

SST FACT SHEET

The following statement summarizes a study by Science Policy Research Division, Congressional Research Service, Library of Congress, for issue March 1, 1971, under the title "The Supersonic Transport." The study is by George N. Chatham and Franklin P. Huddle.

LAG IN COMMERCIAL AIRCRAFT TECHNOLOGY

Introductory chapters of the study trace the evolution of aircraft technology. For the first half-century of manned flight, technology of civil aircraft relied successfully on military research and development. However, by the early 1950s, military design engineering became specialized and "systems oriented." Military designs departed from lines important for civil aircraft. Technological competition of ballistic missiles jeopardized the status of the manned bomber to such an extent that no truly successful supersonic bomber has yet been commissioned. At the same time, efforts to maximize parameters of military importance slowed progress in directions important for commerical aircraft. Fuel economy, cabin space, and other commercial considerations were neglected. In particular, military engine designs failed to exploit known developments offering great promise for commercial service. The need became apparent for a separate research and development effort, explicitly aimed at the maintenance of technological advances in civil aircraft.

PLIGHT OF CIVIL AIR TRANSPORT IN 1971

Faults of commercial air transportation began to be identified: airport congestion and inadequate terminal capacity, noise around airports, emphasis on airport-to-airport travel rather than point-to-point, and passenger-baggage separation were among these. Difficulties in coordinating the introduction of new aircraft models with use requirements put the airlines in an economic bind. After maintaining fare schedules without increase, despite inflation, for two decades after World War II, the airlines were faced with the problem of falling revenues and profits. The choice was between improved load factor and fare increases. A third alternative, used successfully in the past, was an increase in productivity of aircraft in service. It was to improve this productivity that the SST was proposed.

ADVOCACY OF THE SST BY POLITICAL LEADERSHIP

Presidents Kennedy, Johnson, and Nixon all reviewed the case for the SST as a stimulus to U.S. transportation, to strengthen civil air technological advance, and to enhance U.S. national posture in a world of technological competition. All three Presidents found in favor of the SST. British, French, and Soviet competition is already at work in this area. Fortunately, foreign designs for the first generation of aircraft, while likely to appear sooner, seem likely to be inferior to the U.S. SST design.

ECONOMIC ISSUES OF THE SST

Operating supersonically, the SST would be comparable in cost per seat-mile to the Boeing 747, except that the increased productivity attributable to the higher speed would enable airlines to increase service with a reduced number of aircraft. This advantage offers significant but indeterminate economies. With respect to national financial gains, the United States balance of payments would be altered to the extent of some $20 billion by producing and selling SSTs to the world market, rather than buying them from abroad.

Although the economic advantages of the SST seem clear to the advocates, it is also true that the design and management of so large an enterprise is not without risk. Much depends on management and technological skill. In any event, the large investment required for the SST inescapably calls for funding participation by the Federal Government. Although all forms of commercial transportation have received various kinds of financial assistance from the Government, aid in the development of aircraft would be a "first."

ENVIRONMENTAL ISSUES OF THE SST

Much of the study is addressed to the question of whether the SST would seriously impair the human environment. There have been many allegations as to its noise, air pollution, and possible climatic effects. After a searching investigation and analysis, the following conclusions were arrived at.

Noise

The SST requires large, powerful engines which are noisy. In addition, when traveling supersonically the SST generates a sonic boom. The boom issue has been provisionally disposed of by an understanding that the SST will travel supersonically only over oceans or uninhabited tundra.

Engine noise is considered in five operational modes: on the ground, sideline noise on take-off, departure (climb from one mile past the end of the runway to cruise altitude), cruise, and descent. Noise is not a factor on the ground, when only minimum power is needed or in cruise when it is too far from the ground to be heard at all. During the three noisy phases, work is needed to reduce sound level. However, much has already been achieved. In the 12 years since commercial jets have been in service, the noise generated per pound of thrust has been reduced to one-tenth of its former value, and the sound (in terms of acoustical energy) per pound of thrust has been reduced to one-hundredth. In view of past progress and future engineering expectations, the Boeing Company has announced that it is committing itself to meeting FAA subsonic aircraft noise limitations (i.e., generating less noise than the 747 does now) with the SST by the time it is certified for service.

Pollution

Judged by engineering criteria, the jet engine is highly efficient in terms of units of delivered power per unit of effluent. Except on the ground at take-off, moreover, the engine diffuses its effluent. Most of the polluting ingredients result from uneconomical practices, for which incentive already exists to hold them to a minimum. Large airports for supersonic aircraft tend to be located remotely from urban areas where air pollution is most serious. Beyond this, the question of urban air pollution is a local problem with each locality requiring its own specific measures of reduction and prevention. The role of the SST, and of jet aircraft generally, is inherently a minor one relative to the effluent from surface transportation media.

Weather modification

Traveling in a new regime at 65,000 feet, the SST is alleged to generate a variety of effluents in such quantities relative to pre-existing ingredients of the upper atmosphere as to threaten to alter the climate below. Examination of these allegations, one by one, shows the effects of the SST in this environment as trivial. With respect to particulate matter, it was found that cosmic dust and volcano effluent far exceed any possible particulate effluent from the SST without significant climatic effect. With respect to water vapor, the injection of water from thunderstorms into the stratosphere exceeds by many orders of magnitude any possible SST effect, but the stratosphere remains both low and fairly stable in water content, indicating that there are stabilizing forces at work.

The allegation that combustion of SST fuel would exhaust the oxygen in the atmosphere is disposed of by the simple statement that the combustion of all fossil fuel (of which jet engines can never consume more than a small fraction) would temporarily tie up no more than three percent of the oxygen in the atmosphere.

The conjectural effect of the carbon dioxide generated by the SST is trivial compared with that from internal combustion engines. Long-range measurements of temperature do not disclose any climatic change attributable to a measured slight increase in CO_2 content over the past century.

There is some need for attention to the possibility of hazard to passengers from radiation from the sun, especially during severe solar flares. (The last severe one was 15 years ago.) With proper instruments, the pilot could be warned in plenty of time to drop down a few thousand feet where atmospheric shielding would eliminate the hazard.

THE SST: REMAINING UNCERTAINTIES TO BE RESOLVED

There are many uncertainties: as to the verity of the competition from the foreign SST developments; as to whether the Boeing SST will produce the economic gains claimed for it; as to the extent of engineering risk this vehicle represents; and as to whether it can stand alone, without other supporting elements of a complete system of air transportation. Many of the defects of present air transportation have nothing to do with air speed or vehicle productivity; the ground sector, for one example, is generally conceded to have been neglected.

The environmental aspects of the SST, and especially the global aspects, have received the bulk of attention of critics. Yet, upon analysis, most of these postulated effects are found to be trivial. Of course, some environmental uncertainties remain. As to these uncertainties, the point is made that it is rarely if ever possible to prove a negative.

But the greater number of uncertainties appear to lie in the field of economics. It is likely that these can be resolved only by actual experience with the product in use. Much hinges on the quality of engineering management in the development of the vehicle, and the system of which it is conceived as a component. Much hinges also upon the quality of management of the airline service and its competition. Of coure, there are general considerations and are therefore imponderables beyond the scope of the study.

DISABLED AMERICAN VETERANS

Mr. BROOKE. Mr. President, I am pleased to join in the tribute to commemorate 50 years of service by the Disabled American Veterans.

Members of DAV can be justifiably proud of the many significant contributions they have made in providing fair benefits for our disabled veterans. By striving to maintain proper standards of health, education, rehabilitation, and welfare of the disabled veteran, his widow, and dependents, DAV fills a vital role in ensuring that a grateful nation will not forget the large debt of gratitude it owes to all of its veterans, and especially those who have suffered lasting physical injury in battle.

In Massachusetts, more than 20,329 members and 103 active chapters continue to engage in worthwhile activities in support of our veterans and Nation. These include carnivals and barbecues at VA hospitals, annual Christmas baskets for needy DAV shut-ins, and parades and other tributes to veterans.

I am also proud to note the efforts of the State and local chapters to assist the national organization in its important effort to gain the release of the hundreds of prisoners of war who still remain in North Vietnam. I am sure that the response of the American public led by many organizations such as DAV has contributed to reported improvements in the conditions under which they are held.

It is most appropriate to insert in the Record at this time the words of the preamble to the DAV constitution. They ought to continually remind us of the very great responsibility which all American citizens have to protect their Nation from those who would challenge its spirit of freedom and to support those men and women who have made personal sacrifice to insure their Nation's strength.

There being no objection, the preamble was ordered to be printed in the Record as follows:

Preamble to the DAV Constitution

For God and Nation, and for our commonweal, we former members of the armed forces of the United States, having aided in maintaining the honor, integrity, and supremacy of our country, holding in remembrance the sacrifices in common made and drawn together by strong bonds of respect and mutual suffering, solemnly and firmly associate ourselves together in creating the Disabled American Veterans, the principles and purposes of which shall be supreme allegiance to the United States of America, fidelity to its constitution and laws; to hold aloft the torch of true patriotism; to strive for a better understanding between nations that peace and goodwill may prevail; to cherish and preserve the memories of our military association; and to aid and assist worthy wartime disabled veterans, their widows, their orphans and their dependents.

DEATH OF IRA KAPENSTEIN

Mr. MANSFIELD. Mr. President, I was deeply saddened yesterday when I learned of the death of Ira Kapenstein who was struck down by cancer at the age of 35. Mr. Kapenstein has served the public with great distinction for many years. His death at such a young age deprives the Nation of the outstanding service he performed—most recently as a top official of the National Democratic Party. Prior to that time he served at the Post Office Department as an executive under two Postmasters General spanning the Kennedy and Johnson administrations. I might say that he began his career as a newspaperman—serving as a reporter on the staff of the Milwaukee Journal. Always did Mr. Kapenstein work tirelessly in behalf of the public interest.

That such a young man accomplished so much in his short life is to be deeply commended. His tragic death at such an early age takes from us a very able, distinguished, and dedicated public servant. I extend my deepest sympathy to his wife and family.

SENATOR SCOTT RECEIVES B'NAI ZION AWARD—SPEAKS ON U.S. ROLE IN MIDDLE EAST

Mr. JAVITS. Mr. President, the distinguished Senate minority leader, Hugh Scott, who for more than a quarter of a century has been in the forefront with respect to U.S. policy in the Middle East, was presented on February 21 with the 1971 American-Friendship Gold Medal by B'nai Zion, the 63-year-old American Zionist fraternal organization.

In his remarks in accepting the award at the B'nai Zion dinner in New York City, Senator Scott said that the Congress has fully supported Arab-Israel peace talks and warned against any attempt by the great powers to "impose" a settlement. He also indicated that the United States must continue to play a key role to achieve peace in the Middle East.

The full text of Senator Scott's address merits the attention of our colleagues, and I ask unanimous consent that it be printed in the Record.

There being no objection, the text of the address ordered to be printed in the Record follows:

Remarks by U.S. Senator Hugh Scott

I am pleased to join you tonight and I am proud and honored to be the recipient of your award. I am also happy that I can bring you a positive assessment of our Government's policy in the Middle East.

All of you know that I have long been enlisted in the struggle for a Jewish state—a Jewish state blessed by security and peace. I have battled on this front from the very beginning of my political career.

Throughout this long period, I have never hesitated to be critical of our Government when I felt that its policies lacked vigor, determination or foresight. Many times I have raised my voice in protest—whether the administration was Democratic or Republican.

In the light of this long experience, I am glad to be able to offer the view that the United States and Israel have never been so close in their perceptions and their objectives on Middle East problems.

Let me speak about the decisive turn in our Governments' policy in 1970.

In 1970, the Administration, after long deliberation, decided to advance generous credits to enable Israel to purchase sophisticated planes and other weapons which she deemed essential to her security and survival.

In 1970, our Government pressed for Arab-Israel negotiations, in the hope that these would lead to a lasting and final peace settlement.

In 1970, we recognized that we would come closer to peace if we stood solidly with Israel—and that the attainment of peace depended to a great extent on the strength and cordiality of U.S.-Israel relations.

In 1970, it became clear that the interests of the United States and Israel had converged—that the security of the United States and the Free World would be strengthened by a policy which recognized the importance of our assistance to Israel's economy and defense.

Let us hope that the policies of 1970 continue through 1971 and that our Government will not hesitate to stand with Israel on two major fronts:

One—We must continue to provide Israel with planes and other military equipment in order to deter the threat of attack—for we must always keep in mind—in all our deliberations—that Israel today faces a massive Soviet-Egyptian buildup on the Suez front.

Two—We must continue to play a key role in the achievement of peace. Our Government must insist that the Arab states recognize Israel and obligate themselves to work for the attainment and maintenance of a genuine peace. We cannot be satisfied—we must not be satisfied—with arrangements which fall short of that goal.

These two principles are fully supported in the Congress of the United States. We had evidence of that in 1969 and 1970.

In 1969, I joined with Senator Ribicoff in the circulation of a declaration which called for direct Arab-Israel peace talks and warned against any attempt by the Great Powers to impose a settlement. That declaration was signed by 70 Senators and 283 members of the House.

In 1970, I was one of ten members of the Senate who joined in the circulation of a letter to Secretary of State Rogers which called for phantom jets for Israel.

That letter was endorsed by 79 members of the Senate—a dramatic expression of congressional support for Israel, reflecting the view of the great majority of the American people.

I am convinced that these declarations helped to promote a positive and constructive response by the Administration to Israel's appeals, for the effect of them was to assure the Administration that Congress would support a strong U.S. posture vis-a-vis Israel.

But the United States was not only saying "Yes" to members of Congress; it was saying "No" to the Soviet Union. It was informing the Soviet Union that the United States would stand by its friends, that we would not permit the Russians and the Arabs to weaken Israel and to bring about her diplomatic and military defeat.

The United Nations envoy, Gunnar V. Jarring, has resumed talks with Israel and the Arab states in the hope that he might be able to bring them to the peace table. All of us pray that these talks will lead to a real settlement.

It has always been our view that sooner or later—and the sooner the better—Israel and the Arab states must sit together in direct negotiations.

We know that this is what Israel has always wanted—for experience has shown that as long as the Arabs and Israelis do not talk to each other, there is not the slightest chance of a genuine settlement.

To me, it seems very strange to be talking about a genuine settlement before a settlement is reached. I am afraid that the effect of this exercise would be to rescue the Arab states from the need to sign any kind of agreement with Israel.

For her part, Israel insists—as she must—on genuine peace treaties, sincerely negotiated and signed by the parties themselves. It goes without saying that the Big Powers should be willing to safeguard the settlement, for that, indeed, is their responsibility and obligation as permanent members of the UN Security Council.

But the major obligation must be assumed by the parties themselves, by the Arabs and the Israelis. They have a triple obligation to preserve the peace—an obligation to themselves, to each other and to the world community.

If we review the record of the last 20 years, we can understand why Israel cannot place much confidence in Great Power guarantees.

All of us recall how the Great Powers faltered in 1948, when the Arab states took military action to resist the implementation of the 1947 UN partition resolution. The permanent representatives of the UN Security Council met and staged Big Power talks. They had the power to enforce the peace and to carry out the UN resolution. But they were weak and impotent. And our own Government came forward with a proposal to suspend the partition resolution and to establish a UN trusteeship in Palestine.

It remained for the Israelis to carry out the partition resolution themselves—to bring their state into being despite the Arab aggression—despite the Big Power default.

The 1948 experience was a demoralizing revelation of the futility of Great Power guarantees. And it was not the last.

After Israel came into existence pursuant to that 1947 resolution—and almost entirely thanks to her own desperate commitment to survival—the Great Powers were unable to bring about a peace settlement.

The UN Armistice Agreements negotiated in 1949 were regarded as stepping stones to peace. The Arab states flouted them by persisting in war.

In violation of their agreements and in defiance of their obligations as members of the United Nations, the Arab states remained in a state of belligerence. They closed the Suez Canal and the Straits of Tiran to Israel shipping, and Arab leaders dispatched Fedayeen into Israel's territory to wage terrorist warfare against Israel's men, women and children.

This led, in 1956, to the Sinai war. The Israelis swiftly won that conflict. But they lost the peace, thanks once again to the blunder of the United States and the plotting of the Soviet Union. Our Government joined with the Soviet Union to compel Israel to withdraw from the Sinai Peninsula and the Gaza Strip, without a peace treaty.

Israel was told that she might rely on assumptions—assumptions that the maritime powers would uphold her right to transit the international waterways of Suez and Tiran. Israel was assured by our Government that if her rights were denied she could resort to Article 51 of the UN Charter—the provision which permits a nation to take military action in self-defense if that should become necessary.

Many of us then spoke up to protest against a settlement which denied peace and which turned Israel's victory into defeat. I raised my voice and I was joined in the House by some 40 Republican colleagues who did not hesitate to criticize, even though it was a Republican Administration we were criticizing.

In the Senate, there were two eloquent voices of protest—Senators William Knowland and Lyndon Johnson—the two floor leaders.

But Israel had no alternative. She was isolated. She had to yield to the pressures from Washington and the threats from Moscow. She was forced to withdraw from Sharm el-Sheikh, from Gaza and from Sinai, without any commitment by the Arab states to make peace.

She wanted peace, they wanted war. Yet she was damned as the aggressor and forced to surrender to those who had made war against her.

In 1967, largely because the Soviet Union believed that Israel was vulnerable and the United States was preoccupied elsewhere, the Egyptians—with Soviet backing—mobilized in Gaza and Sinai, expelled the U.N. emergency force, closed off Israel's waterway to Africa and the Orient and threatened Israel with blockade, invasion and annilation.

In that crisis, the Great Powers and the United Nations were again found wanting. They were weak and derelict. The U.N. debate during the fateful days preceding the outbreak of the war was irrelevant—a cynical travesty.

The powers which had asserted in 1957 that Israel had a right to transit the Straits of Tiran were silent. The three powers which had signed the 1950 tripartite declaration pledging action to prevent aggression were not disposed to move. The 1957 Middle East Doctrine, another pledge to halt aggression, was forgotten, even though it had been approved by both the Senate and the House.

Israel, relying on the U.N. Charter and exercising her right to defend herself, had no alternative but to sweep away the forces which were threatening to destroy her.

Now I do not recite this melancholy history merely for the sake of reminiscence. It is relevant to the Middle East crisis today, for once again the Arab states are proposing that Israel become a trusteeship area under the patronage of others, dependent on outsiders for her very existence.

Against this background we must view the deadlock that persists until tonight.

Israel insists that she must have a genuine peace, that her neighbors must recognize her, that her borders must be defensible. She can no longer live in a state of siege with an international defense canopy which is swiftly blown away by the first blustering wind from Cairo out of Moscow.

We are providing Israel with the arms she must have to protect herself. Let us hope this policy continues.

We are helping Israel with credits—largely low-interest short-term loans. Let us hope that we give sympathetic consideration to her plea for economic assistance. The people of Israel should not be compelled to carry this huge defense burden unaided.

In a reversal of past thinking, we now believe that the best hope for peace is to keep Israel strong.

We have come to realize that there is a genuine convergence of interest between Israel and our Government—that a strong Israel helps to strengthen the Free World, not only militarily—but in a demonstration of the meaning and vitality of the democratic way of life.

Any weakening of our commitment to Israel greatly enhances Soviet power and weakens friendly governments in the Middle East, Africa and Europe.

We have learned that we must not yield to threat and blackmail. Much of it is empty bluff. Despite all the alarming threats hurled at our embassies abroad, the Middle East did not fall apart and American interests were not liquidated when we provided Israel with the arms and credits so vital to her survival.

I pledge to you, my friends, that we will work for a genuine understanding between Israel and her Arab neighbors, that we will insist that Israel be strengthened so that she has the means to deter her enemies from a new assault. This means weapons. It also means economic aid.

The peace we seek—an Arab-Israel peace of understanding—will prove of tremendous benefit to all the peoples of the area, to the Arabs as well as to the Israelis.

I look forward to the day when Israelis and Arabs will be able to turn away from war, when they will be free to end the huge waste of defense expenditures, when they will be able to raise the sights of their people and develop their lands.

Our commitment to Israel is a vital commitment because the survival and growth of Israel means a positive contribution to the welfare of people in many parts of the world.

And here is where American and Israel interests really converge. We share a common commitment—the commitment to freedom, to liberty and to the welfare of humanity.

ALASKA NATIVE LAND CLAIMS

Mr. HARRIS. Mr. President, interest in seeing a fair and equitable settlement of the Alaska Native land claims is growing. People are beginning to realize that Congress has the opportunity to avoid repeating some of the mistakes that have been made in the settlement of claims of the American Indians. If we fail to set aside a sufficient number of acres in the settlement bill, Congress will be legislating out of existence the culture and way of life of the Eskimos, Aleuts, and Indians of Alaska.

In reaching a settlement of the Native claims, it will not be an act of charity on the part of Congress. We will hopefully be reaching an equitable compromise with the Natives, a compromise that hopefully will recognize the legal rights of the Natives to the land.

S. 835, which I, Senator KENNEDY and eight other sponsors have introduced would, among other things, set aside 60 million acres for the Natives, which is only 17 percent of the land they have legal rights to.

The distinguished senior Senator from Maine (Mr. MUSKIE) and the distinguished junior Senator from Minnesota (Mr. HUMPHREY) have now joined in supporting S. 835, and I ask that they be added as cosponsors.

An editorial appearing in the New York Times of February 28, 1971, supports the approach taken in S. 835, and I ask unanimous consent that the editorial appear at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

"TAKE OUR LAND, TAKE OUR LIFE"

Legally and morally, the Eskimos, Indians and Aleuts of Alaska can claim 90 per cent of that state's land. The Organic Act of 1884, which established the territorial government, properly acknowledged their rights, but in the ensuing 87 years Congress failed to convey title.

Now that it is about to do some of that conveying, the shocking question is whether the natives will get as much as 17 per cent of their land, which is what they are asking and what *Senator Harris of Oklahoma* would give them, or as little as 3 per cent, which is what they would get under the bill introduced by Senator Jackson of Washington.

The difference between the two approaches is far more than a question of accommodation on the one side or niggardliness on the other. It is a question of how much land the Eskimos, Indians and Aleuts need in order to live as they have always lived—by hunting and fishing—and whether they should be encouraged to retain that ancient pattern or be assimilated.

On the first of these questions, there is not a chance that the indigenous Alaskans could pursue their traditional way of life on the ten million acres which the Jackson bill offers. A reliable estimate is that a thousand acres are required to support one person, which is to say that the 60,000 natives need 60 million acres. That is precisely what they are asking.

With so meager a grant as the Jackson bill would provide, assimilation would be inevitable. Aside from the question whether it would be a boon (few American Indians ever found it such) who has any right to opt for that solution but the natives themselves? That they would do so is hardly indicated by their poignant battle cry: "Take our land, take our life."

ADMINISTRATION ON AGING

Mr. PERCY. Mr. President, I wish to commend the ranking minority member of the Special Committee on the Aging, the able Senator from Vermont (Mr. PROUTY) on his remarks yesterday. The Senator took note that the budget of the administration on aging had been cut back drastically and that many of its most effective programs will have to be eliminated. He also noted that the administration on aging continues to be downgraded within the Department of Health, Education, and Welfare, clearly disregarding congressional intent.

It is my hope that in this year of the White House Conference on Aging, the Congress and particularly the Senate will give close and careful attention to the problems of our senior citizens. We cannot continue to pass over this large and growing segment of our population that contributes so much to the richness of our life.

There must be a complete review of our national policies toward the aging and an effort must be made to deal comprehensively with the needs of the elderly. The place to begin, as my distinguished colleague noted, is with changing the proposed budgetary reductions for the administration on aging.

I view this as only a first step, however, toward fashioning a new, forward-looking national policy for our senior citizens, one which will offer the promise at least of the necessities of life and dignity they so richly deserve. This is what I shall strive for as a new member of the Special Committee on the Aging.

PROTECTING THE WHALE

Mr. NELSON. Mr. President, I was pleased to read in the Washington Post of this morning that the Secretary of Commerce has moved to protect one of our vanishing mammals, the whale.

Following the courageous action of former Secretary of the Interior Walter J. Hickel last December in placing on the endangered species list the three species of whales now sought by commercial whalers, a move which I urged in August of 1970, the Department of Commerce has now announced that it will terminate licensing to hunt these three species—the finback, sei, and sperm whale.

Recent studies have shown that the very survival of the whale has been threatened by the commercial exploitation of man. It is heartening to see that this situation and its seriousness has been recognized by the U.S. Government, and that our commitment to the preservation of endangered wildlife such as the whale is growing.

I ask unanimous consent that the article from this morning's Washington Post, "Stans' Order Bars Whale Hunting," and an article from the February 15, 1971, St. Louis Post-Dispatch, "Protection of Whales Assailed," be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

STAN'S ORDER BARS WHALE HUNTING

(By Elsie Carper)

The Commerce Department ended yesterday one of the country's oldest and most romantic industries, the hunting of whales for the commercial market.

Secretary of Commerce Maurice H. Stans issued an order that will terminate licensing to hunt the remaining three species now sought by commercial whalers—the finback, the sei and the sperm whales.

The three were put on the endangered species list by the Interior Department last December along with the rarer bowhead, blue, humpback, right and gray whales, already protected by international agreement.

Once a major industry, whaling has declined until only one company, the Del Monte Fishing Co., operating out of San Francisco Bay, is affected by the order. The company sends out charter boats to bring in whales that are processed on shore for animal food and lubricating oils.

In the past the great whaling industry provided wax for candles, oil for lamps, bones for a lady's corset and musty amergris for perfumes.

Whaling as an industry began in early colonial days but reached its peak in the mid-19th Century. Great fleets of boats sailed out of the New England ports of New Bedford and Nantucket and roamed the world. Whaling became synonymous with courage as seamen pursued the whales in open boats with hand-held harpoons.

Herman Melville raised whaling to epic proportions in his narrative "Moby-Dick," and the ill-fated hunt of Captain Ahab for the white whale that cost him a leg.

Much of the romance and danger went out of whaling with the invention of the cannon-fired harpoon with the explosive tip. The harpoon is fired from a ship into a surfacing whale and explodes inside, guaranteeing a kill. The method has been so effective that voluntary restrictions were set up under an international convention to save various species from extinction.

During the current year the United States was given a quota of 40 finbacks, 51 sei and 75 sperm whales.

In issuing the order, Stans said that for the first time in almost 300 years no whaling ships will be operating from what is now the coast of the United States.

The order will be published in the Federal Register and after 30 days for comment the Secretary will issue a final order. It is a follow up to the directive issued last December by then Interior Secretary Walter J. Hickel designating the whales as endangered species.

This barred the importation of products made from the named species of whales but did not end the small U.S. whaling industry.

In his order, Stans said that the Commerce Department is vitally concerned with the economic health of all U.S. business, but is also firmly committed to sound conservation practices.

"In the past," he said, "thoughtlessness and irresponsibility have removed no fewer than 120 different species of wild life from our planet."

PROTECTION OF WHALES ASSAILED

(By William K. Wyant, Jr.)

WASHINGTON, FEB. 15.—Modern whaling techniques have converted the world's oceans into a vast slaughterhouse. Former Secretary of the Interior Walter J. Hickel moved to protect whales last November, shortly before he was fired, and the new Secretary, Rogers C. B. Morton, will support the action.

Hickel's gesture on the whales' behalf brought an anguished outcry from some segments of American industry and from the Department of State. It banned imports of whale products, thereby extinguishing 30 per cent of the world whale market.

The instrument Hickel used was the Endangered Species Conservation Act, which took effect last June 3. His successor, Morton, was cosponsor of the legislation as a Republican Representative from Maryland and is expected to use vigorously the powers it grants.

Under the law, the Secretary of the Interior has the power to determine that a species or subspecies of fish or wildlife is threatened with world-wide extinction because of various factors, including overhunting for commercial or sports purposes.

The Secretary has no bite outside the United States and its waters, of course. But the law gives him a powerful economic weapon: The importation of any fish or wildlife that he has determined to be in danger of extinction is banned. In this and other ways he can encourage foreign nations to co-operate.

Former Secretary Hickel, who was dismissed by President Richard M. Nixon on Nov. 25, announced the day before his ouster that he had placed eight species of whales on the endangered species list as a first step in preventing their disappearance from the seas.

On Hickel's list were not only the relatively rare bowhead, blue, humpback, right and gray whales, but also the three species that are the only ones now seriously pursued by the world's commercial whalers—the finback, sei and sperm whales.

Hickel noted that certain interests had urged him to keep the finback, sei and sperm whales off the list until it could be proved that they were about gone. He said he was not going to wait until that time.

What the law clearly intended, Hickel argued, was that action be taken to prevent conditions leading to extinction rather than delay things until after the whales, or whatever, were on the point of following the dodo and the passenger pigeon to oblivion.

"It is also clear," Hickel said, "that if the present rate of commercial exploitation continues unchecked, these three species will become as rare as the five others."

The chief use of sei and finback whale products in the United States is for cat food, Interior Department officials said. Sperm whale oil is prized for use in automatic transmission oils and other lubricants, and in processing leather.

If existing American importers of whale products can show economic hardship, special permits will be issued setting aside the ban for up to one year from its effective date last Dec. 2. After that apparently, no more whale products will be coming into the country.

The United States whaling industry is virtually nonexistent, although there is still a small station on the West Coast. The Soviet Union takes about 43 percent of the world catch, Japan 42 percent. Peru, South Africa, Norway, Canada, Australia and Spain are the other whaling nations.

London is the headquarters for the International Whaling Commission, of which this country is a member and strong supporter. It seeks to limit catches and curb the rapacity of the hunters, but has not been very effective.

In the early nineteenth century, American sailing ships from Nantucket and other New England ports roamed the seas in search of oil for lamps and spermaceti candles, and whalebone for corset stays. The harpooned whale in that period had a fighting chance and there was romance in the trade.

The Nantucket whale ship Essex was sunk by an 85-foot sperm whale in 1820, somewhere between the Galapagos and the Marquesas Islands in the Pacific. The crew set out for land in three small boats. Seven were eaten by their shipmates, and only nine survived.

Nowadays the Russians and the Japanese have whaling fleets of impressive size and efficiency. The industry is modernized and mechanized, with swift catcher ships and floating factories that dispose of a whale carcass in half an hour—all 80 tons of it. The whalers have radar and helicopters. The harpoon is cannon-fired and has an explosive head.

The greatest whale fisheries are in the North Pacific and the Antarctic. A ruthless, relentless pursuit has bloodied the sea. Blue whales, four times the size of the largest dinosaur, have been reduced to a population estimated at 600 to 6000. In 1930-31, the world catch of blues was 30,000.

On Jan. 4 the two chief domestic refiners of sperm oil, Archer Daniels Midland Co. and Werner G. Smith Inc., filed a petition with the Secretary of the Interior asking that he reconsider putting the sperm whale on the endangered species list.

The two companies, represented by the Washington law firm of Covington & Burling, argued that the sperm whale was not threatened with worldwide extinction. They warned also that Hickel's action would disrupt the work of the International Whaling Commission and have a harmful effect on conservation of sperm whales.

Among conservationists and a legion of whale admirers, however, there has been nothing but applause.

REVENUE SHARING IN AREA OF CRIME CONTROL AND CRIMINAL JUSTICE

Mr. SCOTT. Mr. President, local and State governments throughout the Nation have long faced serious difficulties in raising enough revenue to provide for needed services. In one area—that of law enforcement and criminal justice—the needs have been particularly acute. Crime grew enormously, especially in the decade of the 1960's, and the resources to combat it usually were not equal to the task.

This is one of the reasons why I see unusual significance in the proposal delivered to Congress by President Nixon for a Special Revenue-Sharing program in the area of crime control and criminal justice.

This program, if enacted, would provide not only the funds for more dynamic crime control measures at the local level; it would help provide the impetus for improvements that full responsibility can bring.

Despite the reluctance of some to recognize the facts in the past, there no longer is any real debate over whether there is a crime problem. There is no debate over how serious it is. Crime does exist, and it is a grave problem. The question before us now is how to deal with crime on the most rational, effective basis possible, and how to reduce it on both a long-term and short-term basis.

Through programs either developed or expanded by President Nixon, great strides have been made against crime in the past 2 years. A major vehicle for this work has been the Law Enforcement Assistance Administration, which provides large-scale financial assistance to State and local governments for criminal justice improvement programs.

Most of the LEAA's funds are awarded in the form of block action grants, and Mr. Nixon gave firm support to that concept when Congress was debating in 1968 the form the program should take. LEAA has been effective. But the concept of Federal assistance for local crime problems can be made even more effective under the Special Revenue-Sharing program submitted today.

Congress recognized in the Omnibus Crime Control and Safe Streets Act that crime is primarily a State and local problem, and its control and eventual reduction must be primarily a State and local responsibility. This does not mean there is no Federal role. There is—that of a partner providing financial and technical assistance. But how can that aid be most meaningful; how can it be used to bring the fastest results?

Those ends are best reached, in my view, through special revenue sharing. Let me cite one example of what I mean. Under the current act, the Federal Government provides only part of the funds. It is a major part, to be sure—75 percent in most instances. But State and local governments, whose budgets already have often stretched to the breaking point, are required to provide a substantial share.

The special revenue-sharing program will mean, among other things, that State and local governments will no longer have to provide any matching funds for money they receive from what are now termed block action grants. Once freed of this matching requirement, which in some cases has been a real obstacle to progress, the States and localities will be free to get on with the job.

Equally important, they will have a new, greater measure of responsibility—in fact, nearly complete responsibility. That can serve as a great spur to achievement. It also will bring this aspect of government much closer to the people. And when government is brought closer to the people, it is more responsive and their great needs are better served.

I wholeheartedly support the concept of revenue sharing, and I am particularly enthused by this special revenue-sharing program in the crime control field. It will enable every State, every locality, to fashion their anticrime programs to their own particular needs.

OLDER AMERICANS ACT FUNDING

Mr. HARTKE. Mr. President, one of the most neglected segments of our population has been the older American. After years of making a very positive contribution to our society, he finds himself forgotten by the very people he has benefited.

With the sweeping enactment of the Older Americans Act in 1965, and the sweeping amendments adopted in 1969, the Congress took a very progressive step toward meeting the needs of senior citizens. Under that act, more than a million older Americans have been served with programs such as counseling and transportation services, recreation programs, employment services and many others.

I am, therefore, very concerned, Mr. President, when the administration's fiscal 1972 budget request for the Older Americans Act is a mere 28 percent of the authorized funding level under that act. This represents a move backward to the pre-1969 funding levels.

For senior citizens in Indiana, the proposed cutback will have catastrophic results. In 1971, title III community grants under the Older Americans Act were funded at a level of $188,462. The administration's budget request for 1972 is only $111,964—fully a 40-percent cutback.

Mr. President, when the $29.5 million which has been requested for programs under the Older Americans Act is considered together with the hopelessly inadequate increase proposed for social security benefits, it is obvious that the administration accords the senior citizens of this Nation a low priority.

I believe that this is an important subject which deserves the bipartisan concern of every Member when the appropriations bill is considered.

THE ICC

Mr. BROCK. Mr. President, recently I received a letter from Floyd L. Holt, traffic manager of the Reichhold Chemical Co., located in Grand Junction, Tenn. The letter requested my support for continued viability of the Interstate Commerce Commission. I referred this letter to ICC Chairman Stafford; and in reply, received a statement which I feel should be brought to the attention of my distinguished colleagues in the Senate.

I have been aware for some time of the various moves afoot to discredit that agency, and I feel that my constituent's letter and the ICC's response merits being corporated into today's RECORD.

Mr. Holt's letter and Chairman Stafford's response follow:

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

REICHHOLD CHEMICAL, INC.,
Grand Junction, Tenn., January 22, 1971.
Hon. WILLIAM E. BROCK III,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BROCK: As you are aware, there are various moves afoot to discredit or do away with The Interstate Commerce Commission.

There can be no doubt that some improvements are in order. However, as a general rule, The commission has done an adequate job considering the limitations within which they have to operate.

I believe that to do away with The Commission would result in chaos, not only for the transportation industry, but for the general shipping public as well. Unregulated competition would for all practical purposes eliminate the small "feeder line" carriers almost immediately. The larger carriers left would then virtually have the shipping public at their mercy. They could literally dictate to the public what commodities they would or would not handle, also from and to where they would transport them. They could also control to a large extent the location of industrial plants and expansion. Some large Common Carriers are at present exercising unprecedented selectivity in their choice of commodities and services which they desire to extend to the public. Many carriers are limiting their service to a two line haul now.

The Interstate Commerce Commission was formed in the beginning to protect the shipping public from abuses of the then powerful transportation industries. At present, these same industries have for all practical purposes eliminated all less carload shipments. This has caused manufacturers to look elsewhere for their distribution needs. Many of these same carriers are in financial difficulty at this time. They are very quick to blame regulation for their predicament. We, in industry have no such scapegoat for our ineffective management.

Another example of the trend of the "Regulated" Common Carriers is a large southern truck line which has authority to serve many states east of the Mississippi River. This carrier has 140 terminals and agencies located in these states. Yet they have issued tariff restrictions to their authority limiting it to single line operation within the south. In other words, they must originate and deliver the shipment within this territory, or they will not handle it at all. There are so many other carriers restricting the authority to two line hauls, and specific commodity restrictions, that it is becoming increasingly difficult for even a trained tariff user to read and interpret the tariffs.

Many industries have located plants in local communities outside of the large Metropolitan areas. This has been good, both for the small community and the industry. However, many of these plants are experiencing extreme difficulty getting transportation services under the present conditions. Many have been forced to turn to Private Carriage or Transportation Cooperatives to get their goods to market. If the Commission is done away with, these plants will eventually be forced to close their doors and move back to Metropolitan areas, where line haul service is available. This has already become a necessity in some instances.

The Commission at present, is investigating under several Dockets these service restrictions. However, they are only able to go as far as they have staff and funds available. They are attempting to have the Industrial and Transportation industries themselves develop records of service failures. This would work if properly policed, and if each of these industries would be willing to go to the additional time and expense of assimilating this information. Any decision on matters of this magnitude will require volumes of documented proof. It requires the time and staff necessary to investigate these problems in order to arrive at fair and equitable adjustments for all concerned.

Senator Brock, The Commission is fulfilling a definite need in our economy, and should be supported and augmented if necessary, by all interested parties. Your support of the Commission at this time would be of great importance to The Commission, The Shipping Public and The Common Carriers themselves.

I will be glad to offer my help in any way that you feel would be necessary.

Yours very truly,
FLOYD L. HOLT, Jr.,
Traffic Manager.

INTERSTATE COMMERCE COMMISSION,
Washington, D.C., February 26, 1971.
Hon. WILLIAM E. BROCK III,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BROCK: Thank you for your recent communication enclosing a letter dated January 22, 1971, which you received from your constituent, Mr. Floyd L. Holt, Jr., traffic manager of the Reinforced Plastics Division of Reichhold Chemicals, Inc. As a shipper representative, Mr. Holt expresses his concern about a number of the major transportation problems which this Commission currently is endeavoring to resolve, and urges your support for continued Commission regulation, without which he believes these problems would become insurmountable.

It is indeed encouraging to receive Mr. Holt's thoughtful letter in support of our continuing duty under the Interstate Commerce Act to regulate the surface transportation industry, upon whose services the traveling and shipping public must depend, in the public interest and in keeping with the National Transportation Policy declared by the Congress. This is especially so at the present time when proposals for the abolition or radical altering of virtually all regulatory agencies, which proposals have persisted since at least 1937,[1] have found new and more earnest followers who believe that the answers to our Nation's transportation problems can be found in this simplistic solution.

Mr. Holt, I believe, has successfully answered these critics. Neither the abolition nor the dismemberment of the regulatory agencies—nor, indeed, the massive emasculation of the laws they administer—will improve transportation in America. And neither will the outraged condemnation of Government action or inaction obscure the blame that must be shared by all those directly involved with transportation—carriers, shippers, and employees—who have pursued their own self-interests at the expense of the public welfare. This is not to say, however, that the existing transportation laws and machinery for implementing them cannot stand revision and substantial improvement, or that more cannot be done by this Commission to channel these individual, and often conflicting pursuits in the direction of the greater good.

To the contrary, at this time when the very ability of the government to govern is being challenged on nearly all fronts, we are expending every effort to establish that we are able to regulate surface transportation for the good of all and not just those who would profit from it. In this regard, we have initiated a number of broad investigation and rulemaking proceedings, each of which is designed to alleviate specific aspects of the transportation difficulties with which shippers and carriers are confronted today, and to expedite the further development of a national transportation system fully responsive to the ever-evolving transportation requirements of our Nation's shipping public. These proceedings range from those dealing with carrier traffic selectivity, with which Mr. Holt is primarily interested, to those concerning ecology, consumer affairs, and equal employment opportunity.

Thus, like Mr. Holt, we are vitally concerned about the problems posed by the natural inclination of carriers to handle only the more remunerative traffic at the expense of the smaller shipments which are more costly to handle and which result in lesser returns to the carrier, viz., the small shipments problem. Such carrier discrimination, whether practiced in the form of service refusals or through the instrumentality of tariff or other restrictions, represents a major impediment to the progressive development of a contemporary, balanced national transportation system. As a consequence, this Commisison has taken the lead in attempting to cope with the resulting deterioration in the handling of small shipments which are very important to the small businessman and to the individual. In 1970 we instituted Ex Parte No. MC–80, Maintenance of Service Request Records by Motor Common Carriers of Property, to consider the feasibility of requiring motor carriers, whose services are particularly attuned to the transportation of small shipments, to maintain a daily record of requests for service and to explain their failures to respond to such requests. This proceeding is intended to complement both the rule adopted earlier in 1970, in Ex Parte No. MC–77, which prohibits motor common carriers of property from maintaining tariffs which restrict their services to something less than their full certificated operations, and the decision in *National Furniture Conference* v. *Associated Truck Lines*, 332 I.C.C. 802, which prohibits the selective cancellation of thorough routes and joint rates. With regard to joint-line transportation, this Commission is also presently studying the use by motor carriers of tariff restrictions which limit through service to two or three connecting lines. It is hoped that a definitive policy statement with respect to these limitations, about which Mr. Holt has expressed considerable concern, will be forthcoming very soon.

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[1] The President's Committee on Administrative Management in that year recommended the abolition of the administrative agencies and their absorption into the Executive Branch.

Although carrier traffic selectivity affects the entire shipping public to some extent, it has a more acute impact upon certain segments of our Nation's shippers whose traffic is among that which an increasing number of carriers apparently do not wish to handle. One such segment is comprised of manufacturers and receivers of new furniture. To enable us to evaluate their special transportation problems with a view toward prescribing appropriate remedial measures, we have under consideration a rulemaking proceeding initiated by us in Ex Parte No. MC–72, Motor Service on Shipments of New Furniture. More recently, because of our concern about the increasing reluctance or refusal of regulated carriers to handle C.O.D. shipments as well as carrier proposals to require that freight charges on all shipments which they handle be prepaid, we instituted Ex Parte No. 272, Investigation into Limitations of Carrier Service on C.O.D. and Freight-Collect Shipments, to study these practices and to determine what remedial action should be taken.

In addition to those dealing with carrier traffic selectivity, there are other general proceedings which directly affect the interests of consumers. Foremost among these is a series of proceedings dealing with the transportation of household goods. Recently, in Ex Parte No. MC–19 (Sub–Nos. 8 and 11), we revised our regulations governing the practices of interstate movers of household goods to afford greater protection to householders. The new regulations became effective June 1, 1970. Among pending Commission proceedings which involve the transportation of household goods is Ex Parte No. MC–19 (Sub–No. 9), initiated in 1969, wherein we will determine whether we should further regulate and control agency relationships existing in the regulated household goods moving industry. Our interest in this question has been prompted basically by the fact that householders usually do not negotiate directly with the national van lines, but instead deal with their agents, the majority of which are small motor carriers serving a limited geographical area, in arranging the interstate movement of household goods. Also related to the carriage of household goods is Ex Parte No. MC–19 (Sub–No. 13), Petition for Declaratory Order-Household Goods Freight Charges, where we will determine whether a shipper of these goods must pay freight charges, or any portion thereof, to a carrier for services from origin to intended destination after the shipment is totally destroyed in an accident en route. It is believed that resolution of this issue will permit more expeditious and equitable settlement of future claims of this type. With regard to loss and damage claims generally, there is also pending at this time Ex Parte No. 263 wherein we are investigating the rules, regulations, and practices of all regulated carriers with respect to the processing of loss and damage claims, with a view toward taking such further action as our study of these matters discloses is justified.

Our desire to meet the challenge of contemporary situations and to make transportation more responsive to the needs of the shipping public extends equally to the level of rates published by all carrier industries. Among our most current undertakings in this area are Ex Parte No. 270, Investigation of Railroad Freight Rate Structure, and Ex Parte No. 271, NET Investment-Railroad Rate Base, wherein the more significant aspects of railroad freight rates will be closely examined and considered.

Our enthusiasm for self-improvement has also prompted us to go beyond those matters which are primarily substantive in nature into the realm of procedure. To ensure that each party to a proceeding has access to all pertinent information and to aid in developing the fairest and most complete record that may be compiled in each case which comes before this Commission, we are striving to develop more effective and efficient discovery devices. In furtherance of this objective, we have undertaken an investigation of our discovery rules in Ex Parte No. 55 (Sub–No. 3). We are continually striving to update and improve our procedures, and a number of other procedural modifications are now under study. We are convinced, however, that the door to the administrative decisional process must always remain open to those who cannot afford to have talented counsel, for these are the very persons who administrative agencies such as this Commission were initially created to hear without the aid of a go-between.

In keeping with our public responsibilities, we also have initiated a staff study of equal employment practices within the carrier industries which we regulate with a view toward the institution of a formal investigation and rulemaking proceeding that would require all members of those industries to demonstrate their compliance with the relevant civil rights laws.

Mr. Holt, as one who is actively involved in the chemical industry, may also find it encouraging to know that this Commission is extremely interested in environmental protection and betterment. To encourage and support antipollution programs are the ultimate aims of the rulemaking proceeding, Ex Parte No. MC–85, Transportation of "Waste" Products for Reuse and Recycling (General Motor Carrier Licensing), which we initiated in December of 1970. As a direct result of our study in this proceeding, we hope to vitalize a transportation program which will lend support to plans for the reuse and recycling of waste materials.

It can thus be seen that this Commisison is dedicated to developing the best possible surface transportation system responsive to the needs of the traveling and shipping public of this Nation.

I trust that you will assure Mr. Holt that this Commisison shares his hope for progressive strides in the field of transportation, and that the abiding enthusiasm of this Commisison in bettering transportation is limited only by the bounds of the human and financial resources available to it. I also hope that you will encourage your constituent to participate actively in proceedings before this Commisison so that we might have the benefit of his views and insights.

I trust that the foregoing information will be helpful to you in responding to Mr. Holt's letter which, as requested, is returned herewith.

Sincerely yours,
George M. Stafford,
Chairman.

REORGANIZATION OF THE EXECUTIVE BRANCH

Mr. SCOTT. Mr. President, an excellent editorial has been printed in the Los Angeles Times. I would like to share it with my colleagues, Mr. President. It is entitled, "Nixon's Shake-Up Deserves a Chance." It deals with the bold proposals by President Nixon to reorganize and restructure our burgeoning bureaucracy to make our system more responsive to the public, and at the same time, to take a businessman's view of providing these services. Mr. President, I ask unanimous consent that this editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Nixon's Shakeup Deserves a Chance

Hell hath no fury like that of a bureaucrat (or a politician) who sees his empire threatened. This being the case, President Nixon's blueprint of a far-reaching reorganization of the Executive Branch faces very rough going indeed.

Under the shakeup proposed by the President, the Department of State, Treasury, Defense and Justice would remain roughly as they are. The remaining departments would be swallowed up by four new superagencies:

A Department of National Resources, built around the existing Interior Department, to concern itself with the environment and natural resources.

A Department of Human Resources, to oversee health services, welfare, Social Security, education and manpower. Its core would be the existing Department of Health, Education and Welfare.

A Department of Community Development, for housing, rural and urban development and redevelopment. Into it would be absorbed the existing Department of Housing and Urban Development.

A Department of Economic Development, for maintaining and strengthening the American economy. Its core would be the Departments of Labor, Commerce and Transportation.

White House spokesmen note that there has not been a serious debate on the organization and management of the Executive Branch for nearly 20 years. During that time, the budget has increased from $42 billion to more than $200 billion, and the number of domestic programs has multiplied ten-fold.

Waste and duplication abound. Federal recreation areas, for example, are administered by five agencies in three departments. Nonmilitary public lands are managed by four agencies in two departments. Interior, Agriculture and the Army each have a hand in water and power projects.

Mr. Nixon is known to be exasperated, too, by the fact that the departments now tend to represent narrow vested interests, such as Agriculture for farmers, Labor for the unions and Commerce for businessmen. As a result, their clashing viewpoints can now be settled only at the White House level.

The proposed reorganization is intended to produce reconciliation of such conflicts within the departments themselves.

Another purpose, not so plainly stated, is to make members of the permanent bureaucracy more responsive to the President and less to the special constituencies with which they identify themselves.

Mr. Nixon's plans for reorganization are well meant. Naturally there is room for some skepticism as to whether the reorganization plan would produce all the results desired—and whether, anyway, it is in accord with political realities.

Rep. Chet Holifield (D-Calif.) contends that the four remaining departments would be even larger and more unwieldly than their seven predecessors, and he may be right.

It is not clear, either, how you can deal with economic development without affecting areas of human development, community development and natural resources management—and vice versa. Overlapping is inevitable.

The more serious problems, however, are political.

Both the unions and business are said to fear, for example, that they would not be fairly represented in the Department of Economic Development. The farm bloc is not amused by the prospect of the Agriculture Department's being dismembered and scattered.

Congress and the lobbying industry in Washington are organized to match the existing governmental structure. Major changes in the Executive Branch threaten the whole committee system on Capitol Hill.

No wonder Senate Majority Leader Mike Mansfield predicts that the reorganization will bring out a "combination of lobbies the like of which Congress has never seen.'

President Nixon argues that, while change is hard, "without change there can be no progress."

We hope Congress heeds his plea. Frankly, though, we can't help believing that the reorganization plan is more likely to end up as a historical footnote.

THE WAR IN SOUTHEAST ASIA

Mr. PELL. Mr. President, there appeared in a recent Saturday Review an article by Bill Moyers on the subject "Vietnam: What is left of Conscience?"

I must say I share his views in that today we are tending to simply put out of our minds and our consciences the barbarous acts being carried out in Southeast Asia.

In this regard, I also came across an article in Le Nouvel Observateur describing the habits of the Cambodians in decapitating their victims and cutting out their livers to eat. I believe each of us must come to our own conclusions with regard to these outrageous actions.

At this point I would ask unanimous consent that there be inserted in the Congressional Record the article by Bill Moyers along with the copy of the article that appeared in Le Nouvel Observateur.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Vietnam: What Is Left of Conscience?

(By Bill Moyers)

(Editor's Note.—The following guest editorial is by Bill Moyers, who served as White House press secretary under President Johnson until January 1967, when he left that post to become publisher of Long Island's Newsday. Since last April, Mr. Moyers has been traveling around the country gathering material for his new book Listening to America, which will be published next month by Harper Magazine Press.)

We do not yet know the full extent to which the war in Vietnam has affected our moral sensibilities, but we do know enough to be troubled. News of continuing death and destruction appears fleetingly in the press and is quickly forgotten. In a recent national poll, people said they are more concerned with the economy than with the war. When during a television interview reporters finally asked President Nixon a question about the war, he wondered aloud, with a smile, why they had taken so long to bring it up. A consensus has been reached that the war is winding down, at least our active combat role in it; last month when 300 bombers roared over the countryside of Indochina dropping tons of bombs, barely a peep was heard in the land. There was relatively little outrage over the Cambodian invasion until four students were killed by the National Guard at Kent State. Campuses are quiet, I suspect, because the threat of the draft is disappearing. Americans do not seem able to sustain indignation over a situation that does not cost them personally. We do not mind war as long as we do not have to look at its victims.

A committee of the American Association for the Advancement of Science recently reported that chemical herbicides used by the United States have poisoned some five million acres of South Vietnam—one-eighth of that country; that we have used six pounds of herbicides per Vietnamese, including children; and that the defoliation program, intended to deny food to the Vietcong, often destroyed the crops of the Montagnards, who are supposed to be on our side. Pictures of once fertile mangrove forests look like pictures of the moon. The report was like a rock dropped into a bottomless well. After the first burst of news coverage, hardly anyone paid any attention to it.

When Col. Robert A. Koob was selected foreman of the court-martial panel for the trial of Sgt. Charles E. Hutto, one of the soldiers at Mylai, he was asked by the chief government prosecutor if an enlisted man should be prosecuted if he shot an unresisting prisoner of war at the order of an officer. Colonel Koob was quoted by *The New York Times* as replying: "Since the time I entered the service, I was taught that a soldier was trained to shoot and kill. Haven't we trained soldiers to be responsive to orders?" Koob was also quoted as saying that "this is not a conventional war. We have to forget propriety."

The problem with the colonel's statement is that nations always "forget propriety" in the waging of war, whether they are sending V–2 rockets into London or dropping an atomic bomb on Hiroshima. In all wars, men have observed Seneca's proposition: "Deeds that would be punished by loss of life if committed in secret are praised by us when uniformed generals carried them out."

However, there are exceptions: Lieutenant Calley and others are on trial for what allegedly happened at Mylai. But even here something seems amiss. What do we learn about ourselves when we realize that for all the outcry over events at Mylai and Kent State the public remains quiet over the bombs that continue to fall indiscriminately—they might as well be labeled "Occupant"—on Indochina? Are we indifferent to the destruction our newspapers are unable to describe? Why is it that men like Calley should bear the brunt of punishment for what has been an official policy of mass and impersonal devastation waged in our name in Vietnam? Are they more guilty than the men who fly the bombers? Than the men who give the orders from Saigon or CINCPAC in Hawaii? Than the men who make the policy in Washington? Than all of us?

I do not know how to deal with the dilemma of such questions. Collective guilt, like a trillion-dollar economy, is of such scope as to stagger my mind. I grew up believing in personal responsibility and individual guilt. Much of the country did, too, which perhaps explains why so many seem so little troubled by the anonymous and abstract manner in which we have destroyed so much of Vietnam in order to save it; in the diffusion of responsibility there is comfort. Perhaps it also explains our willingness to permit the Calleys to be scapegoats through whose sacrifice the rest of us arrive at some atonement. Seeing Calley on television as he is entering or leaving the place of trial, I sometimes find myself wishing the worst for him; the acts of which he stands accused seem so heinous a departure from propriety. But in the next moment, realizing that I have never been in war, have never been asked to kill for society, I am engulfed by sympathy for him, not willing that he alone of all of us should be judged.

Perhaps it is these moral doubts to which Colonel Koob unwittingly referred when he said Vietnam is "not a conventional war." Americans have fought brutally in other wars. This is just the first time we have been forced to concede the brutality so frankly and publicly, the first time we have fought with a nagging conscience openly displayed on television, the first time we have acknowledged in such a wholesale way the discrepancy in justice for the individual soldier who kills in our behalf and the anonymous men who from 30,000 feet carry out official policies of mass destruction, also in our name. We have abandoned propriety before; we have never before doubted the reason for doing so, as we doubt it now.

No wonder our armed forces are being shaken. "The Troubled Army in Vietnam" was the title of a recent cover story in *Newsweek*. But we should not be surprised. War is so total a departure from the traditions of civility men have labored for centuries to achieve, so consuming in its requirement that ordinary men inflict upon one another such extraordinary terror that an army can never again be the same once its troops are denied general confidence that their cause is just. A totalitarian government can march men to war under threat of death; better to take one's chance with an uncertain fate on the battlefield than to die certainly at home by the hand of your own master. But if tyranny can force men to become killers, a democratic government must persuade its citizens that killing in behalf of their government is, in the nature of things, justifiable. Conscription in our kind of society can only work well when sufficient numbers of men believe they would not be asked to kill unless their leaders knew what they were doing. When enlisted men lose confidence in the rationale of the policy and begin to wonder if the killing is worth it, discipline and morale inevitably suffer.

Vietnam has demonstrated that Nietzsche was wrong; a good war does not "hallow every cause." War can defile a cause as it can degrade the men who fight it. Old war movies to the contrary, men who look down the barrel of a gun at another human being, intending his death, want to believe that the irrevocable act they are about to commit has grounds more defensible than the exhortation of politicians. When by intuition, observation, or experience they begin to suspect that the brutality being exacted of them is not only not heroic but futile as well—it will not accompilsh what their leaders said it would accomplish, it cannot stay the forces of history—no Congressional resolution or Presidential order can make right to such men what their consciences suggest is wrong.

War is the means by which a government can sanction our worse nature, enabling us to do collectively what singly we would abhor. But men have consciences if governments do not, and when the sanction of the state runs out, men remember what they did and what they became under its protection. This is why governments should not expect men lightly to go to war; governments never feel the need for forgiveness, but men do. If

Samuel Johnson was correct when he observed that "every man thinks meanly of himself for not having been a soldier," governments ought not to require a man to act in such a way that he will think meanly of himself for having been a soldier. "In becoming soldiers," Cromwell's troops petitioned Parliament, "we have not ceased to be citizens."

When men are asked to forget propriety on a scale that challenges the fragile moral values by which they maintain some sanity and some dignity, many things can happen. Some will become more soldier than citizen—as may have happened at Mylai. Some will resist the right of the government to ask of them such an offense to what the Levelers called their "self-propriety" and will seek refuge in Canada or elsewhere. Some are never bothered because in handling the impersonal instruments of war—bombs and herbicides—they are never confronted with the particular consequences of their acts, the charred bodies of the victims or the Montagnard family without food. "I could take it," a young veteran told me last summer, "only because I was in the artillery. I never had to worry about who we hit. It might have been Charlie, it might have been somebody else. We never knew who we hit, so pretty soon we just stopped wondering. That was the best way for everybody."

Still others respond by becoming less soldier, less citizen. A Department of Defense task force reported last week that drug abuse among American military personnel in Vietnam has become a "military problem" for which no effective solution has been found, partly because many enlisted men want so much to get out of the service that they are prepared to risk less than honorable discharge to do so. According to *Newsweek*, since last June "the United States Army . . . has been seen the time-honored medal-award system badly tarnished, witnessed large numbers of its troops take to drugs that are prohibited back home, and experienced a measurable decline in discipline and morale."

For a conscripted army, the only thing worse than defeat is the doubt that it should be fighting at all. There is a limit to how much savagery ordinary men in uniform can either absorb or inflict. Sooner or later they will stop wondering, stop caring, or go mad.

At home, we have also experienced "a measurable decline in discipline and morale." We have turned upon each other in spiteful and accusing fashion, which has resulted in violence, division, charges of intimidation and conspiracy, increased surveillance by the state of its citizens, and increased suspicion of the state by the citizen. Most disturbing of all is the ease with which so many tend to suppress their indignation when they are not personally affected by injustice and suffering. Such is what happens when in the name of its ideals a nation has to "forget propriety." Nations cannot abandon civility abroad and remain civilized at home.

[Le Nouvel Observateur, Jan. 11, 1971]

WHAT I BROUGHT BACK . . .

THE LIBRARY OF CONGRESS,
Washington, D.C.

Dieter Ludwig, a German reporter, has returned from Indochina. Here are his report and photos—intolerable.

I arrived in Saigon on May 8, 1970 after American troops had entered Cambodia.

I started to work as a photographer for the American agencies, Associated Press (A.P.) and United Press International (U.P.I.), and accompanied the American units on their combat missions and, particularly, on those called "search and destroy," that is, missions whose objective is to search for and to destroy the enemy.

After the withdrawal of the American forces from Cambodia, I carried out several reporting missions inside Vietnam. Then, I followed the South Vietnamese troops that returned to Cambodia. When I learned that the military operations were much more forceful on the left bank of the Mekong, I proceeded to Phnom Penh in August. From that time on my job was to accompany the government Cambodian troops on their missions.

WITHOUT AMMUNITION

When I decided to follow the Cambodian units, I hoped I would bring back some real action shots. Indeed, I was to bring back more of those photos than I had ever expected. "If you think you'll be able to work here as you did in Vietnam, you'll soon be reshipped home in a plastic bag," my friends in Phnom Penh had told me. This warning was not as exaggerated as I had first thought it was. During an exchange of small arms fire in the vicinity of Siem Réap, I joined a group of eight government soldiers who tried to reach an enemy position by worming their way along a small canal. Within fifteen minutes, four of them were killed and one was wounded. While the group was withdrawing, its leader was hit by a bullet in his buttock. When we two were under cover, I took his picture that showed him lying on the ground with clasped hands and murmuring a prayer.

I don't know why he prayed but this I know without a doubt: the leaders of the small Cambodian army pray when they need helicopters and arms. A battalion commander almost cried when he told me that a certain number of his men were killed by the Vietcong simply because they had run out of ammunition. The same thing happened to the 95th Battalion on November 9, 1970, when North Vietnamese forces attacked Trang (near Kompong Cham). After a fight that lasted eight hours, the men ran out of bullets and those who were still alive owed their lives to the fact that they ran away.

On November 22, the 6th Paratrooper Battalion ran into an ambush that was set up on a stretch of five kilometers along National Route 7, west of Prey Totang. Most of the men, charged to operate mortars and machine guns, did not carry individual arms with which they could defend themselves. The battalion did not have one single radio set for communcation with other units. As a result, the soldiers took off in every direction. Some even covered the distance of one hundred twenty kilometers that separated them from Phnom Penh where they were found a week later.

Situations of this sort become even worse on account of the fact that Cambodian soldiers are accustomed to take their wives and children with them when they go to war. I can never forget that morning after a mortar attack, carried out by Communist forces on O-Day (National Route 7), when we counted five dead and forty-eight wounded of whom more than half were women and children. Two days later, Cambodian soldiers discovered a family of six peasants that had been murdered by the North Vietnamese apparently because they were seen being friendly to the government troops.

MANHUNT

It wasn't the first time that I had seen civilians killed by the North Vietnamese. But I also saw South Vietnamese soldiers kill unarmed and visibly innocent Cambodian peasants and the same sort of peasants being tortured by government soldiers. I, especially, remember a scene that I had personally witnessed, when I accompanied a Cambodian patrol on National Route 7 in the vicinity of Shoun. While approaching a small village, we saw people running across the road and disappearing in the houses. Obviously, there were no soldiers among them and we didn't see any of these people carrying arms. This didn't prevent the Cambodian soldiers from putting a 60 [mm] mortar into position and bombarding the village. Meanwhile, another armed group encircled a small house located outside the village, opened up with automatic arms and a M 79 grenade thrower until the house collapsed. Nobody returned the fire from the house and after a few minutes of searching the soldiers found a man trembling and sitting in a hole filled with water. When they pulled him out, his face expressed an indescribable fear. He clasped his hands and asked for pity. They beat him and then one of the soldiers pointed his rifle at the prisoners' head. The poor man was frightened out of his wits. I had the feeling that they would have killed him, had they not been restrained by the presence of a journalist.

A little later, the battalion commander arrived and, considering that the man and seven other prisoners were innocent, he released them. Here again, I had the clear impression that the officer had acted only in this fashion because I was there. My impression was confirmed when, a few days later, a Cambodian journalist reported that he had seen the paratroopers, whom he was accompanying, kill on their march all those who looked suspicious to them.

But the most horrid spectacle I had ever seen took place on November 23 in Mien (National Route 7, between Shoun and Kompong Cham, at about 120 km from Phnom Penh).

HEADHUNTERS

A lot of fighting had been going on in Mien and its surroundings where important North Vietnamese forces had stopped a detachment of the Cambodian Army that was moving toward Kompong Cham and where B–57s and F–4 Phantoms of the American Army had bombarded the Communist positions for many days. Most of the positions were intact but the village, on the other hand, was totally destroyed.

It was afternoon and I had a glass of tea with the detachment leader in his command post at O-Dar, when I heard rifle fire coming from the direction of Mien which was located at approximately 2,500 meters from our position. When I arrived, soldiers pointed in the direction of the edge of a forest where one of their patrols was engaged. I ran across the rice fields and joined the men who were pursuing enemy soldiers. They killed three of them and captured a fourth soldier later.

Back in the village, the battalion commander ordered that the wounded North Vietnamese soldier and prisoner immediately receive the necessary attention. Then, while turning to me, he smilingly asked me to take pictures. He knew very well that two days before I had taken pictures of Cambodian soldiers ill-treating a seriously wounded North Vietnamese. It was therefore appropriate to show the "good side of the war", that is, to take pictures when a prisoner was being treated correctly. But, when I was about to take the pictures, I heard repeated shouts. They came from a second patrol that was returning from a mission. With outstretched arms the men were brandishing four Vietnamese heads. I was used to this sight of cut-off heads but on that day I saw something that made me vomit: one of the young soldiers was holding a liver in his hands—a human liver.

I have often heard that the Vietnamese and the Cambodians eat the liver of their dead enemies believing that they would thus take possession of their strength but I had never met anyone who had personally watched such a ghastly scene.

BE MY GUEST

Following the soldiers who just arrived, I saw them throw the heads on the bodies of the three Vietnamese that had been brought in by the first patrol. Then, I went back to the wounded prisoner but I soon learned that the commander had slapped a soldier who had tried to open one of the corpses with a kitchen knife. Thereupon I returned to the place where I noticed a bunch of soldiers and I just arrived in time to see one of them leaning over a corpse. He had removed his shirt and his forearms were covered with blood. The corpse had two large holes below the chest and the "butcher" was getting ready to cut out the liver, when he noticed me; immediately, he dropped the organ which he was holding in his hand and stood up with a leap. I took a picture of him while he was still holding the knife in his hand and another photo that showed him hiding the knife behind his back (see photos).

Another corpse had likewise been opened but the work on it had not yet progressed as much. When they saw me taking pictures, the soldiers started throwing sandals on the corpses so as to hide their wounds. Obviously, my camera brought them up against a problem. Most of them felt embarrassed and tried to leave. But others looked perfectly quiet. I returned the smile of one of them:

"Do you eat liver."

"Oh, sure."

"And how do you prepare it."

"We cook it with vegetables."

"What sort of vegetables."

"Oh, Cambodian vegetables. It's very good. If you want to taste it, be my guest."

I turned down the invitation.

Dieter Ludwig.

THE STONES ARE STILL THERE

Mr. GRIFFIN. Mr. President, a war of words has been raging over the use of marihuana.

The national discussion is far from over. While additional evidence will come to light and should be considered, for the present at least I count myself among those who believe the use of marihuana should not be legalized.

Important information which fortifies my view is included in several editorials that appeared recently in the Muskegon, Mich., Chronicle.

Mr. President, I ask unanimous consent that two such editorials be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

Marijuana May Make You a Psychological Cripple

The answer to the drug abuse problem, here as elsewhere, is in education, and we cite in these columns—hoping that parents will bring the information to the attention of their teen-aged sons and daughters—testimony on the effects of marijuana presented recently to a special subcommittee of the House of Representatives.

The witness was Dr. Sherman N. Kieffer, associate director for patient care at the National Institute of Mental Health, whose research and findings strongly support the behavioral observations made earlier by others that one of the chief dangers of marijuana use is that it can result in lasting psychological damage by turning young people away from mental growth and personality development during a very critical period of their lives.

What Dr. Kieffer says in part is that it is natural, normal and necessary for a teenager to face and learn to solve a seemingly endless series of problems in the years between 13 and 19.

If he does not grow through this process (agonizing to most teen-agers and their parents), he does not grow up.

He may therefore not be able to meet the normal problems and crises adults must cope with—the setbacks and sorrows of life which usually are interspersed with success and other pleasures.

Dr. Kieffer suggests that if a young man (or woman) regularly use marijuana to sidestep these mental struggles, he can quite possibly grow up to be a psychological cripple.

The demonstrable danger, then, is psychological. And it is serious enough—whether or not current medical research turns up evidence that the active ingredient in marijuana is harmful to the body—to warrant all of the public concern so far expressed over its use.

Personality does not grow in a drug-befuddled mind. But read Dr. Kieffer's own words on marijuana for yourself and come to your own conclusions. He has had access to the latest research reported.

". . . since the drug appears to attract some youngsters who already have emotional problems, it may aggravate those conditions while removing the youngster from normally accepted processes of personal growth.

"One needs to be particularly concerned about the potential effect of a reality-distorting agent on the future psychological development of the adolescent user.

"We know that normal adolescence is a time of great psychological turmoil. Patterns of coping with reality developed during the teen-age period are significant in determining adult behavior.

"Persistent use of an agent which serves to ward off reality during this critical period is likely to compromise seriously the future ability of the individual to make an adequate adjustment to a complex society.

"Despite the need for more information on adverse effects, there is reason to believe that the marijuana user is taking a significantly increased risk of either acute or chronic psychological damage.

"Though the instance of serious reaction appears to be low, by definititon, as the number of users increases the total number of those experiencing adverse reactions will rise . . .

"Those users who already have significant psychiatric problems might readily be led to avoid obtaining necessary psychiatric treatment by this form of self-medication, only to wind up as one of the 10 per cent of users whose entire life becomes absorbed in the drug culture . . ."

Which is to say it's something like playing Russian roulette.

All of us have seen the tuned-out behavior of the hippies and "flower children." And certain it is that this generation has much to worry about and much to protest. But it is equally certain that when one carries protest to the point of shielding himself from society behind a smokescreen of pot, he had better be tough mentally, and experienced, for this isn't a Peter Pan world.

One young pot user, interviewed at the time The Chronicle ran its 10-part series on local drug abuse, pooh-poohed the dangers of marijuana use by asking "What is so strange and threatening about a few puffs that bring soft gentleness, shimmering beauty and tranquil joy."

Our answer now as then is that it is strange because it reduces the majesty of the human intellect to a bunch of babbling delusions. There is meaningful beauty in the intricacies of celestial mechanics but how could this have been accomplished by a horde of dreaming vegetables?

It is strange because it is sham. The Almighty didn't have to smoke pot to create a beautiful universe. And you don't need to smoke pot to appreciate it. The invention of the artificial heart pump and the growing of wheat for the starving masses of India require greater acts of love than picking flowers under the influence of pot.

It is threatening because it ignores reality. In today's world he who would make himself a lamb is made by others into lamb chops.

As we said, this is not a Peter Pan world. It is fine to espouse friendliness and freedom of living. And no one will contend that it is better to make war than love. But it is also necessary, somewhere along the line, to make a living.

We can acknowledge that the hippie's way is lighted, at least for many, by good intentions. But these can never take the place of viable goals and workable plans for the future.

The hippie savants have from the very beginning exhorted the faithful to heed St. Francis of Assissi's admonition to go forth and make love. But they omit the fact he added ". . . and life a stone."

The stones are still there. Years of pot-puffing, loving and sniffing didn't move them. Escape into a marijuana fog won't help. Ultimately, as evidenced by the mounting weight of scientific evidence, it can be disastrous.

If you have been smoking pot, stop it. If you haven't, don't. There is no question its use and abuse here is widespread. It is just a step or two down the ladder from the "hard drug" rung and, although it may not always lead to the tragedy of hard drug addiction, it often starts an individual in the morass of drug abuse. One of every 2,000 Americans is now a hard drug addict—and it is estimated that 80 per cent of them started with marijuana.

Again, don't start. And if you are a user, stop.

Evidence Mounts on Dangers of Marijuana Use

We have dutifully published letters expressing the reaction of some of our readers—most, but not all of them young—to our editorial of Jan. 10 noting the growing weight of scientific evidence that the use of marijuana can result in acute or chronic psychological damage, and that one of its chief dangers is in its "turning off" effect on the mental growth and personality development of youthful users.

We will return presently to the reader response, noting first that our concern in the editorial was with the psychic dimension of the problem, particularly with teenagers whose use of the reality-distorting agent may destroy their ability to meet and solve the seemingly endless series of problems they will face in the critical "growing up" period of their lives.

If they don't grow through this process of mental maturation, they simply don't grow up. And if they can't meet the myriad problems and crises adults are faced with—using marijuana to sidestep these mental struggles—they can, on the evidence of intensive research by the National Institute of Mental Health, grow up as psychological cripples.

The fact is that personality doesn't grow in a drug-befuddled mind. To bring it closer to home, how many youths do you know who were once sports-minded, active and outgoing who are now withdrawn from active intellectual, social, athletic and extracurricular activity? Who have abandoned their former interests, even their ties to family, friends and church? Who have lapsed into a lackadaisical, hippyized sort of life? Who are given, occasionally, to fanaticism, and to compulsive obscenities?

We know some, and it is likely that you do, too. And it is this that we fear; the psychic consequences of smoking pot. The evidence so far—but *only* so far—indicates the danger is psychic rather than biological. If this is so, it is no less dangerous. In terms of personal and societal effects, it could be the more so. We don't know. But trained teams of scientists, physicians, psychiatrists and clinicians are hard at work on the answers under NIMH grants and a massive federal study, and there are at least some hints as to what the findings may be—of which, more later.

Each of the several readers who responded by letter to our editorial—all of them beyond doubt completely sincere, well-intentioned, concerned and convinced attacked our alleged "hypocrisy" or "double standard" in indicting marijuana while (purposefully, it was suggested) ignoring the hazards of alcohol—the imbibing of which is viewed, by two young readers, as "the hangup of the older generation."

This is to say they equate the use of alcohol with marijuana suggesting that, while both may be bad, the use of one is no more dangerous nor debilitating than the other. The usual extension of this line of thought is that, since the sale and use of alcohol is legal, why not marijuana?

The argument is attractive on this superficial level, but as Dr. Max Rafferty noted in a recent column on this page, it doesn't wash. For many reasons. To begin with, the vast majority of those who drink alcohol are not drinking to get drunk. They drink for relaxation. It can be granted that confirmed alcoholics are in a sense seeking a "high" which may be compared to the hallucinogenic experience obtainable from marijuana, but the fact remains that alcohol can be imbibed in moderate quantities with no "high" either sought or obtained.

Most drinking is social. Marijuana puffers, on the other hand, may smoke at social gatherings, but the mental effect is antisocial. They tend to withdraw from meaningful communication with each other. Research has indicated pot use has a cumulatively dulling effect on the mind—lack of perception, inability to concentrate and to care, and reluctance to make or to keep long-term commitments. It cuts the attention span and tends to make the user lose sight of goals, living from moment to moment and becoming easily distracted and confused.

Further, marijuana has its own "hangover" after effects. Researchers report they can detect marijuana's effects on a person's thinking for 24 to 48 hours after its use. There are indications of long-term effects on the mind, and chilling recent reports from Wayne State University and University of North Carolina psychiatrists tell of repeated cases in which the marijuana "high" comes on again spontaneously, weeks after the person has had a high—in many cases accompanied by a degree of anxiety sufficient to constitute a psychiatric emergency.

Dr. Keith Yonge, president of the Canadian Psychiatric Association, and head of the Canadian commission of inquiry into the use of nonmedical drugs, has this to say of marijuana: "Its use does induce lasting changes in personality functioning, changes which are pathological insomuch as they impair the 'mental and social well-being.' . . .

"The harmful effects are of the same order as the pathology of serious mental illness (psychosis), namely in distorting the perceptual and thinking processes and in diverting awareness from reality, impairing the individual's capacity for dealing with the realities of life.

"The argument that marijuana is no more harmful than alcohol is specious. Although alcohol does constitute a serious health hazard in our society because of its readiness to intoxication, its action on the mental processes cannot be simply equated with that of marijuana. The primary action of alcohol is that of a relaxant. Impairment of mental functioning occurs when intoxicating quantities are taken. Marijuana, as with all the psychotropic drugs, on the other hand, acts solely as an intoxicant, its effects being primarily a distortion of perception and reasoning.

"In psycho-social development man grows from the prevalence of self-gratification and dependency, with little regard for reality, to the prevalance of self-determination and self-abnegatory involvement in his society. Against this progression, the trend toward 'instant' self-gratification and artificial self-exploration (by the use of marijuana and other psychotropic drugs) is distinctly regressive—a reversion to the immature, the primitive. The regression is further evidenced in the other trends in group behavior with which the nonmedical use of drugs is associated—reversion to the crude or primitive in speech, in sexual expression, and in taste for music forms—however much these may be rationalized as emancipation from socio-cultural oppression . . ."

So much for that. There is more, including evidence from NIMH grant research at UCLA and the University of Oklahoma that tests on long-time pot users (two "joints" a day for two years or more) revealed "abnormal brain wave readings patterned to behavioral changes" and, in some cases, "chronic lethargy and loss of inhibitions for two years after their last usage, indicating significant and lasting organic brain change."

Regular use, it was reported, "contributes to characteristic personality changes—apathy loss of effectiveness and diminished capacity or willingness to carry out complex long-term plans, endure frustration, concentrate for long periods, follow routines or successfully master new material. Verbal facility is often impared, both in speaking and writing," and some individuals show "a strong tendency toward regressive, childlike magical thinking."

There is rapidly growing documentation of the dangerous mental and psychological effects of marijuana use, and on-going research is now turning up evidence—preliminary to be sure, but cause for both interest and concern—that the drug may have grave physiological, biological and genetic effects as well.

The New York Times reported last week that the marijuana study subcommittee of the New York State Temporary Commission to Evaluate Drug Laws announced as its key finding "substantial evidence that marijuana is a dangerous drug."

"Sufficiently high doses of marijuana can cause unpredictable acute—though temporary—psychotic episodes manifesting themselves in the forms of illusions, hallucinations, paranoia, depression and panic," said the report.

"In addition, preliminary research suggests that continued regular use of marijuana or extremely high dosages may cause liver damage, genetic defects, brain damage and upper respiratory ailments."

The Times commented: "Marijuana is not a 'narcotic,' despite its classification as one under existing studies. At the same time, it is a dangerous drug . . . if marijuana is dangerous, the law must reflect this fact. The subcommittee's report wisely suggests that both use and sale should remain criminal offenses, although punishable by reduced penalties, especially in the case of first-time offenders and experimenters."

It is conceivable that both the subcommittee and the Times will want to re-evaluate the situation as regards penalties as the investigations continue. Studies by Dr. William F. Geber, associate professor of pharmacology at the University of Georgia, strongly suggest the possibility of serious harm to the unborn.

Dr. Geber has injected pregnant rabbits and hamsters with large doses of resins from marijuana plants. The resultant fetus contained malformed limbs, spines, livers and brains. They often suffered from edema, or excessive fluid, on the brain and in the spinal region.

A New York City College professor reported recently that pregnant rats induced to inhale marijuana smoke equivalent to one cigarette a day for 10 days had given birth to offspring with genetic defects. The professor, Dr. Vincent DePaul Lynch of St. John's University, said his findings indicate that marijuana use could have "very serious consequences for human reproduction." He reported his findings to the subcommittee convened to evaluate New York State's marijuana laws.

Dr. Lynch said that 20 per cent of the rats' offspring were born with malformations, and that his research team "calculated every aspect of the experiment so that the rats would receive the equivalent amount of marijuana that a human would consume."

He added that his findings, which have been forwarded to the NIMH and the National Science Foundation, tended to support earlier tests conducted in Georgia (Dr. Geber) and the British West Indies. Dr. Geber, informed of Dr. Lynch's findings, said they "added a definite, important link in establishing the dangerous potential harm of marijuana on the developing fetus."

We have dwelt at length on these findings because it was hard evidence of this sort—the capacity for causing genetic defects—that appeared to initiate a trend away from LSD. Scientists found evidence of breaks in chromosomal linkage in humans using LSD, and the developing mass of research may well reveal a similar threat to the unborn among marijuana users.

One of the most puzzling aspects of the marijuana problem is that many persons who are most active in the fight against pollution and the use of various agricultural chemicals because of the potential harm to our bodies, are most strongly against restraints on the use of marijuana where the danger is infinitely greater, at least for those who use this drug.

We will doubtless hear again that more proof of harm is needed. Well, of course more research is necessary. But we ask now—pleadingly, we ask—how much more evidence do we need to stir us up to act more vigorously to find a solution before it is too late?

SUMMARY OF REPORT OF SPECIAL SUBCOMMITTEE ON THE OUTER CONTINENTAL SHELF

Mr. METCALF. Mr. President, within a few days the Special Subcommittee on the Outer Continental Shelf of the Senate Committee on Interior and Insular Affairs will have its report available.

I have enjoyed the privilege and the challenge of serving as chairman of that subcommittee, appointed in 1969 by Chairman Jackson to investigate the matter of a national policy for our continental shelf and seabed.

On February 19, the ranking minority member of the subcommittee, the gentleman from Oklahoma (Mr. Bellmon), summarized the conclusions and recommendations in our unanimous report in a speech before the Marine Technology Society seminar on ocean and seabed policy here in Washington.

Mr. Bellmon's remarks reveal the significance of our report, which will be of national and international interest.

Mr. President, because I feel that my colleagues will profit from reading Mr. Bellmon's address, I ask unanimous consent that it be printed in full in the Congressional Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Senator Henry Bellmon

Mr. Chairman, distinguished guests, ladies and gentlemen, all that water that stretches from our coastline, and what lies beneath it, is no small potatoes. You're here, and I'm here today because, like potatoes, we could figuratively boil in that water, if we're not careful.

We want those shining seas to continue lighting our land with a healthy glow. And you members of the Marine Technology Society know that whether this country boils or shines will be determined by the wisdom of our government's outer continental shelf policy.

So naturally you're concerned about what that policy is going to be. The Congress is equally concerned. That is the reason the Special Subcommittee on the Outer Continental Shelf was created by the Interior Committee.

This interest is international since other countries have growing energy and mineral appetites, too. Like us, they want their fair share of the cake.

But what's fair?

The Interior Committee's concern is a matter of long standing since this is the same committee that spearheaded the enactment of the Outer Continental Shelf Lands Act in 1953.

The Interior Committee's continuing interest in the development of offshore mineral recovery operations prompted the creation of our Special Subcommittee. Our task has been to thoroughly investigate the matter of a national policy for our continental shelf and seabed.

That we've done.

In the last 18 months we've listened to more than 20 expert witnesses in six public hearings and two closed sessions. We've read more than 600 pages of additional communications now bound in three volumes and studied a wealth of information in our own files.

Our report will be available in 10 days to two weeks—just as soon as it gets through the logjam at the Government Printing Office.

Here are some of the committee's findings:

The committee's basic and major conclusion is this:

The mineral estate of this country's continental margin is the heritage of the American people and should be retained and developed for their use and benefit, without interference from any other nation or group of nations.

That conclusion is based on the committee's agreement on a few preliminary basics:

First, the definition of the seaward limits of our sovereign rights.

The committee accepted the definition laid down by the 1958 Geneva Convention on the Continental Shelf and adopted by the American Branch of the International Law Association. That definition says our sovereign rights 'extend to the limit of exploitability existing at any given time within an ultimate limit of adjacency which could encompass the entire continental margin."

The committee believes that definition means that the United States not only has exclusive ownership of the mineral resources of our continental margin . . . it also means we have the last say on the exploration and exploitation of the continental margin.

The International Court of Justice said in 1969 those rights in our submerged land continent are *inherent* rights by virtue of our sovereignty over the land.

Every other coastal nation has the same inherent rights.

Therefore, neither we, nor any other coastal nation, is required to wait for the go-ahead from any other nation to exploit the natural resources of our respective continental margins.

We know what we consider to be the extent of our continental margin. And we know what our inherent rights in that margin are. We do not want these rights eroded.

So where does that leave us on the international scene?

Most of you are aware that President Nixon proposed last May an ocean policy calling for creation of an international regime.

In essence, the regime would govern the use of the seabeds beyond the point where the high seas reach a depth of 200 meters.

A treaty signed by all participating nations would require each to renounce all national claims to seabed resources beyond the 200 meter point in what would be an international trusteeship zone.

The adjacent coastal nations would act as trustee. In this capacity it would collect substantial mineral royalties in that zone. These would be turned over to an international regime which would handle policing of the area and use its resources to provide economic assistance to developing countries.

The President suggested as an interim policy that permits for exploration and exploitation be subject to the international regime to be agreed upon and that part of the revenues collected during that period be turned over to an appropriate international development agency.

No doubt about it, the President's ocean policy proposal contains the offer of bold and daring financial concessions on the part of the United States in the interest of international good will.

The question arrises as to whether these concessions are being made too soon and whether or not our nation is irretrievably surrendering a valuable bargaining position.

The President kept in mind the national interest.

He said there's no reason to stop exploring the seabeds beyond the 200-meter depth during the negotiating process. The Committee believes the President intends for the U.S. to maintain its sovereign rights in its continental margin, even while pressing for acceptance of an international regime.

The Committee generally agrees with the President's policy proposal. But there are a few specific areas where we bump heads.

As you'll recall I said the Committee agreed that this country should not give up the rights it enjoys in its continental margin.

We object to the President's offer to renounce our sovereign rights beyond the 200-meter depth because that could endanger the title we now hold to the resources of our continental margin.

Furthermore, we would have no guarantee that the international regime, yet to be established, would re-delegate to us the same rights we would renounce. And, as I mentioned before, our continental margin are inherent rights.

So, in effect, we would be asking the international regime to give us that which is rightfully ours to begin with.

I might mention here that there are a few nautical hawks in our government that would like to see coastal nations give up the rights they enjoy in their continental margins. Their reason for advocating the sacrifices is their fear that mineral development of those margins would put physical restrictions on what has long been free and unregulated use of the high seas.

The hawks are also concerned about what they call creeping jurisdiction. That is, if developing countries claim exclusive jurisdiction in their continental margins, they might then try to claim the overlying waters as a territorial sea.

These militants believe ocean policy should be reflected in a new treaty embodying the freedom of the seas doctrine. They say some coastal nations have already overstepped their rights under the Geneva Shelf Covention by claiming exclusive jurisdiction over a bigger chunk of the seabed than they were supposed to get.

The Committee found little evidence to support that charge. Most nations are honoring their solemn commitment to the Freedom of the Seas doctrine. That doctrine clearly prevents any coastal nation from claiming jurisdiction over the superjacent waters above its continental margin. In short, the rights a nation enjoys on its continental margin are compatible with the Freedom of the Seas Doctrine.

We see no logic in proposing a treaty which does nothing more than re-state doctrine already covered in existing treaties. We should enforce the treaties we already have.

Now, back to the President.

Committee members think there could be some problems with his interim policy proposal that leases be granted subject to the unknown regime to be agreed upon later.

For instance, representatives of the oil industry say such open end leases would be highly discouraging to them in making new exploration ventures—They're not about to buy a pig in a poke, so to speak. So this country's mineral development and recovery efforts might be seriously curtailed.

Furthermore, such an interim policy would mean loss of revenues from bonus bids and royalties that would otherwise be added to the U.S. Treasury.

But most serious is the possibility that by agreeing to issue such conditional leases, we could jeopardize the title to the natural resources of our continental margin.

The United States voted against the United Nations moratorium resolution calling for a halt to further exploration and exploitation of the seabed. We don't want to put ourselves in a position of having to accept such a halt.

The Committee recommends that leases continue to be issued as they are now—under the provisions of the Outer Continental Shelf Lands Act of 1953 and the 1958 Geneva Convention on the Continental Shelf.

During an interim period lessees should be assured the terms of their leases will not be changed under any future seabeds treaty. Otherwise, we can't expect any investor in off-shore mineral development to take part in such a high risk venture. Under such a policy the energy crisis would get worse.

In our Committee report we did, as I have here—dwell largely on policy matters directly affecting our continental margin.

But I can assure you we are as concerned as is the President that this country's citizens get a fair share of the action outside the limits of our exclusive jurisdiction.

The mineral wealth in the deep seabeds of the oceans should be shared by the nations of the world under a treaty that will encourage investment, exploration and responsible mineral recovery operations.

Before such a treaty is adopted, the United States Government should provide measures to protect investors who want to take advantage of our present high seas rights of exploration of the deep seabed.

The President's ocean policy is contained in the draft working paper presented by the U.S. delegation at last August's meeting of the U.N. seabeds committee.

The paper does not implement the President's proposals as some erroneously think. In fact, the paper bears a disclaimer which cites the need for further study to answer a number of questions raised by the paper.

Certainly many changes will have to be made in the draft working paper before our committee will support it.

You can be sure that there will be sharp and widespread opposition in and out of Congress to the introduction of any new international agreement that would limit our claims of national jurisdiction protected by the Continental Shelf Doctrine.

The United States is going to allow no nation or group of nations to negotiate away our inherent rights without our consent.

As a matter of fact, to do so would be a violation of our Constitution.

The framers of that document put in a safeguard against the danger of ill-conceived treaties affecting the property rights of the United States. Article Four contains a clause which gives the full Congress, not just the Senate or the President, the power to dispose of any U.S. property.

The Committee interprets the meaning of the clause to include the property rights outlined in the 1953 Shelf Lands Act and in the 1958 Geneva Convention on the Continental Shelf.

So, to renounce any of the rights referred to in those laws would require the concurrence of Congress.

The Senate Interior Committee approved the order to print and receive the report of the Special Subcommittee on December twenty first last year.

We think that the Committee has a couple of major tasks ahead of it in helping the Administration develop a good, workable seabeds policy.

First, a thorough, continuing review of the August draft working paper presented to the U.N. Seabeds Committee.

The Interior Committee should seek modifications of that paper so that it will conform to our intepretation of the President's intent with the recommendations I've mentioned here today.

Secondly, further investigation of the special problem of an interim policy—one that would insure continued exploration of our continental margin as well as protect investors who want to explore the deep seabed beyond the limits of U.S. jurisdiction.

The comments by the speakers this morning and the ones to follow this afternoon will provide additional help to us in continuing our work.

I'm hoping, on behalf of the members of the Special Subcommittee and the full Interior Committee, that you'll study our report when it comes off the printing press and send us your comments.

My colleagues and I will have to cast our votes yea or nay on any proposed seabeds treaty.

We'd like to do so with up-to-date information and all available viewpoints under our belts. We genuinely want to do what's best for our country. That's why we'd appreciate having your expert comments.

LOYOLA HIGH SCHOOL

Mr. MATHIAS. Mr. President, improving education for our young people continues to be of major importance in the achievement of the Nation's goals. I was pleased to learn of a program at Loyola High School in Towson, Md., emphasizing for freshman students the interrelation of basic subjects and the importance of learning to work individually. I am also pleased that the Baltimore Evening Sun has taken note of the work being done by the Reverend Lee Murray, S.J., headmaster of Loyola, and his staff. I ask unanimous consent that the Evening Sun article be included in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Baltimore Sun, Jan. 5, 1971]

LOYOLA HIGH INNOVATION: FRESHMEN LEARN HOW TO LEARN

(By Sharon Dickman)

Loyola High School freshmen are spending more of their time discovering how to learn than memorizing facts.

Curriculum emphasis is changing for 194 freshmen so that maximum attention is given to individual needs and the interrelation of one subject to another.

"The mechanics of learning seem to be pretty much the same in all disciplines," the Rev. Lee Murray, S. J. Loyola's headmaster, said in explaining the decision to change from the structured 40-minute periods to more informal classes.

In the late morning and all afternoon, the first year students don't specifically have a science or a history class. Rather, they learn introductory material in the usual subjects—English, history, science—but under the name "communications."

Foreign languages and mathematics are the only subjects which continue to be taught with emphasis on structure and content. "The math and language people felt they needed the more traditional manner," Father Murray noted.

GENERAL PROCEDURE

Generally, freshmen have two courses, along with physical education, in the morning and then return to their homerooms in St. Mary's Hall to work independently.

Father Murray says he knows of no other program in the country like it, although there are others emphasizing increased development of the individual. But, in one way, he added, the program is old-fashioned.

"It's really the old-fashioned idea of a schoolmaster," the headmaster said. He feels this description is accurate because students spend more time with their homeroom teacher than anyone else.

Each homeroom teacher is like a counselor and already has had periodic meetings with freshmen's parents. He teaches them the subjects under the communications program, although he may not have teaching background in some of these subjects.

MATERIAL ORGANIZED

Father Murray indicated that the subject material was organized by a teacher in that specific field even though it is taught by someone else. However, he said the textbooks "are largely self-instructive" and there seems to be no problem for teachers.

"They don't spend more time teaching," Father Murray said of the eight-man team, "but they're always with some students."

Richard Simmons' class is an example. The desks form a square in the middle of the room but they soon become clustered in small groups for discussions and joint projects.

Mr. Simmons spends most of his time at his desk near a blackboard but there is a steady stream of students conversing with him. And more than one freshman pointed out that Mr. Simmons will never give an answer to a student.

"It's better than his just telling you a lot of facts," Michael Cross, a student, said frankly, "and a week later you don't know anything. He just says 'Start over again.'"

UNHAPPY AT FIRST

Victor March was sitting next to Michael and was eager to give a reaction to the new program. "At first, I didn't like it—it seemed like you were in kindergarten," he explained.

Then he recounted one of the class' early exercises when students sat on the floor, each with some blocks, and tried to communicate without using words. "We learned that you can't do anything without communicating with people," Michael added.

At times, it does sound like the freshmen are enjoying themselves too much to be in school. "It looks to the upperclassmen," Father Murray said, "that the freshmen are playing all the time."

Hopefully, Father Murray said the results should be that freshmen "will find learning easier and will be better equipped to work on their own." And the class of '74 will carry these principles with them through the four years at Loyola.

A LOT OF TALKING

However, besides working on their own, the freshmen should also find it easier working with others. The headmaster emphasized that "circumstances are created so that they have to do a lot of talking to each other."

With about 23 students in each homeroom, the students should get to know other freshmen—especially in the same homeroom—better than in the past, Father Murray believes.

Each day the teaching team has a morning meeting to exchange ideas on student reaction to the program and how well the planning has panned out.

During a recent meeting, Robert Keller, program coordinator, answered another teacher's query about the pace each teacher sets in his own classroom. "We still are eight individuals," Mr. Keller said, "and we don't have to conform to the resource manual in the same way."

And since each individual student progresses at his own pace, there are students approaching different levels in each of the homerooms. Sometimes a student in a group may delay the others because he may not be finished with his part of the project.

To some students competition is no longer dwelled upon and there are no grades to strive for. "Each student receives an evaluation," the headmaster explained, "But, if needed, these can be translated into better grades."

But many of the students claim they are still driven by competition and one believes, "Everyone wants to get done first." Brian Brown declared, "I just like to try to finish things fast. "I don't like to spend a long time on one thing—it's boring," he admitted.

The eight homeroom instructors—Brother Darryl Burns, James Johnson, Mr. Keller, Louis Mercorella, Timothy Pierce, Richard Prodey, Mr. Simmons and Father Peter Smith, S. J. direct all their time to the freshmen and some teachers outside the program rarely see them.

ADDITIONAL INSTRUCTORS

Two additional instructors, Father John Sheridan, S. J. and Michael Iampieri, also sit in on the work sessions. At one meeting Mr. Iampieri, art teacher for freshmen and upperclassmen, joked to the others: 'If you're wedded to your homerooms, I'm sorta going steady with all of them."

Since Loyola is a Catholic high school, religion will continue to be taught but not as a separate course.

A report on the freshmen program states, "All the teachers would have to be conscious of the fact that as a Christian community we are trying to communicate values that are often quite different from the values system of the society the students live in."

The headmaster and freshmen team seem pleased with the innovative program, but there are questions that can't be answered until the present freshmen graduate.

Will the emphasis on individual freedom lessen the value of academic work?

"I don't think kids know exactly what is best for them in every case," John Stewart, a math teacher, said. He continued, "I don't hold for absolute freedom and do whatever you think."

Mr. Stewart said he does not disagree with the goals of the program, but wonders, "If they only do what they feel like doing, they wouldn't be prepared to take college entrance exams."

But students apparently learn more than just what interests them. A recent study of the program maintains, "The presumption of the freshmen program is that content as such is less important than the learning process."

And it goes on to clarify, "This does not mean that there will not be any content." However, the content for the sophomore year at the Blakefield campus is still under study and has yet to be announced.

In general, Father Murray says the parents seem pleased—mostly because many notice their sons have more interest in school.

"Many were frightened because it's different," Father Murray admitted, "but the parents are willing to trust us."

THE NEED TO REVITALIZE OUR RURAL AREAS

Mr. MONDALE. Mr. President, in all the rhetoric on such topics as revenue sharing, unemployment, the state of the economy, our impending population crisis, urban decay, and the need for a better urban-rural balance, we often lose sight of the interrelatedness of these issues.

I would like to commend to the attention of my colleagues an editorial appearing in the Lakefield Minnesota Standard which proves a very clear and vivid picture of what these issues mean to rural America.

I ask unanimous consent that two editorials from the Lakefield Standard be represented in the RECORD at this point.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Lakefield (Minn.) Standard, Feb. 4, 1971]

SAME STORY WITH NEW APPROACH

It's interesting, but not necessarily amusing, to note the approach at both the state and national level to the taxation problem.

The favorite preoccupation with chief executives at both levels is not to find ways to reduce spending but to find new and different approaches to the taxation problem itself.

President Nixon, for example, proposes to help cut state and local taxes with a proposal to share $16 billion in federal revenues with state and local units of government.

Gov. Wendell Anderson suggests a similar approach by raising state aids—requiring a raise in state taxes—as a means of reducing local school district taxes.

While this is perhaps providing an interesting challenge for the chief executives, it is merely shifting the money from one pocket to another while doing nothing to solve raises in taxes that have taxpayers showing more concern each year.

But if there is general dissatisfaction with raises in taxes, there has to be even more, if you happen to be a resident of a rural area like this one, with both Mr. Nixon's "revenue sharing" and Anderson's increased state aids.

At the federal level, we in the small rural areas will pay increased income taxes so that the federal government can dole it back to the larger cities as a way out of the mounting problems of extreme urbanization.

At the school district level, we doubt that aids returned will match increased taxes paid for the people of this area.

It would follow, however, that our local property taxes might be reduced and in our rejoicing over this feature, we might tend to overlook commensurate increases in other areas.

In the final analysis, the taxpayer must pay for all the money he receives. If there is any formula for paying a dollar in and getting $2 back, you can bet it won't be applicable in Southwestern Minnesota.

More likely, we'll be paying $1 in to get about 80 cents back and if there is any rejoicing over the 80 cents, it would be only because we did well to get that much of it back.

We tend to agree with Senate Whip Robert C. Byrd that "local people best know how to spend their money without big brother looking over their shoulder from Washington."

IT MAKES SENSE

A bill that would offer tax incentives to industries locating in rural development areas has been proposed in the senate and apparently has the support of Sen. Walter F. Mondale.

In a letter to Minnesota newspapers, Mondale said the Rural Job Development Act would "help revitalize the nation's small rural communities while taking a burden off our cities".

We hope the bill wins the support of enough lawmakers to assure its passage.

It makes sense, it seems to us, since it tends to solve the problems of both the metropolitan and rural areas.

The metropolitan areas have problems with over-population and the rural areas with needed industrial development.

THE HEALTH CARE INSURANCE ASSISTANCE ACT OF 1971—"MEDICREDIT"

Mr. DOLE. Mr. President, I am pleased to join with the distinguished Senator from Wyoming (Mr. HANSEN) in cosponsoring the Health Care Insurance Assistance Act of 1971, or as it is otherwise known, medicredit.

This bill concerns itself with one of the more serious deficiencies of our present health care system, the lack of adequate health care financing for millions of Americans.

I feel this bill embodies a sensible approach to the minimization of the inability to finance adequate health care. It uses the good parts of our health insurance and delivery system, and it seeks to add improvements. It provides Government help for those who need help. And it has incentives for the indigent and those on welfare to go to work and improve themselves, by not depriving them of all the benefits of Government assistance as they improve their situations.

Mr. President, the approach this bill takes to provide adequate health care financing for the American people is similar in many respects to the approach contained in President Nixon's health message transmitted to Congress last week. I intend to cosponsor the administration health care bills that will be sent to Congress in response to that message, in addition, to the proposal of the Senator from Wyoming, because I feel each makes valuable suggestions for combating the current health crisis in America. Specifically, both medicredit and the President's message have in common the following points:

First, they would replace the present medicaid program in whole or in part.

Second, they would establish a federally paid floor of health benefits in all 50 States.

Third, they would provide Federal financial assistance for health care based on the need of the recipient; the most help to those with the biggest need.

Fourth, they would contain incentives for wage earners to improve themselves and for those on welfare to go to work through a system of gradually reducing benefits as the individual's income increases.

Fifth, they would insure benefits sufficient to pay for a serious long-term illness.

Sixth, and they would retain the private insurance industry.

Mr. President, the medicredit approach is essentially a threefold financing method. First, there is the Government-paid insurance policy for the poor. This would include not only those on welfare but those whose earnings are so limited that they have no income tax liability. We are talking here about families with an income of as low as $2,000 or $3,000 per year. Certainly these are the people for whom Government has an obligation to provide medical care. The medicredit approach envisions that these people would receive a voucher which they could turn in to an insurance company. The insurance company would provide a policy of benefits in return, and it is important to note that there must be certain minimum benefits in such policies.

The second feature is especially appealing to me, because it encourages the indigent and the poor to become increasingly productive. There is no automatic cutoff of all benefits when a certain income level is reached. Instead, as the family income increases, the Federal assistance decreases.

The third feature is the protection against catastrophic illnesses. Most Americans are not too concerned, in my opinion, by the medical bills for an occasional visit to the doctor or even by a visit to the emergency room of their local hospital. They are concerned, however, about the impact of a prolonged and serious illness or the results of a serious accident. Should such a catastrophe befall any American family without insurance, the result would certainly be the loss of savings and all other assets, even their home. Fortunately, many Americans are already protected by insurance policies which provide "major medical" benefits. Under the medicredit approach policies eligible for participation in the medicredit program would have to provide catastrophic illness benefits with no ceilings.

President Nixon's health message also addressed itself to the delivery of health care, the production of more medical manpower, and such problems as the conquest of cancer and the provision of health services in rural and ghetto areas. Medicredit is designed to supplement legislation dealing with these aspects of our health system in which there are serious shortcomings.

I believe the approach to financing taken in the Senator from Wyoming's proposal merits thorough consideration and intelligent discussion. It differs in several important respects from the administration's approach, but it is a serious alternative and deserves a full evaluation.

Mr. President, I commend the Senator from Wyoming for his leadership in this vitally important field. His longstanding concern for improving the quality of life for all Americans is compellingly demonstrated through his introduction of this legislation, and I am pleased to join him in introducing it.

Mr. President, I ask unanimous consent to include at this point in the RECORD a statement from the American Medical Association concerning the Nixon administration's health message.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CHICAGO.—The president of the American Medical Association today congratulated the Nixon Administration on the development of "statesman-like" health proposals which were outlined in a mesasge to Congress late last week.

"I think the Nixon Administration is to be congratulated on their health proposals. They have given this very complex subject a lot of attention and study," Walter C. Bornemeier, M. D., said.

"I think they have gone about it in the right way. They have consulted with all the various people who are, of necessity, involved in health care programs and they've consulted with the AMA as representing most of the medical profession.

"We think they have come up essentially with statesman-like forward-looking proposals. The overall approach defines and focuses on the separate problems that need attention. The Nixon plan is neither monolithic nor inflexible. It preserves the many things that are good about our present health care system."

In many areas, Dr. Bornemeier continued, "We seem much in agreement, although the entire program must be studied carefully before we can make specific point-by-point comment."

"The whole idea of removing the economic barriers to health care for the poor and near-poor has been AMA policy for some time," he said. "The Nixon proposals speak to the problems of health care in the ghettos, something I have been talking about constantly since I became president of the American Medical Association last June.

"We heartily endorse an increased national effort to seek cures for cancer and methods to prevent it. We just don't want to see appropriations at a level that might disrupt or impair national efforts in biomedical research with respect to other critical diseases.

"On the matter of insurance against the catastrophic expenses of a long, protracted illness—a medical-health bill that can pauperize a family—we are again agreed in principle.

"The proposal for health insurance to be purchased on a mandatory basis mainly by employers for their employees is an intriguing one. It is a new, imaginative idea which represents an original contribution to this whole dialogue on national health insurance. We need all the innovative ideas we can get.

"We are going to have to take a more detailed look at the proposals on health maintenance organizations (HMO's). Although the Nixon approach is an optional approach, both to doctors and to patients, we are not sure that HMO's represent real solutions to current medical problems. We feel they should be tried on a demonstration basis, and thoroughly researched—as should a number of other delivery methods."

Dr. Bornemeier said that the AMA's health care plan, called Medicredit, will be introduced next Thursday, February 25.

"It differs from the Nixon plan, of course, but in overall philosophy and approach I think you will find a great deal of common ground between what we think will serve the American people best and what President Nixon thinks will serve the American people best," he said.

INFLATION-RECESSION COSTS JUST TOO HIGH

Mr. HUMPHREY. Mr. President, the cost of continuing inflation, rising unemployment, unused plant capacity, loss of income and reduced governmental revenues is intolerable.

Our national priorities should be to end the war, revitalize the economy and use public pressure and congressional and executive leadership to slow inflation across the board.

With a real full employment budget designed to stimulate an economy it is all the more imperative that there be a comprehensive national incomes policy, coupled with an anti-inflationary but expansive monetary and fiscal policy. We have waited for leadership in economic policy far too long. The longer the administration waits to institute and vigorously pursue an effective incomes policy in wages and prices, the more difficult it will be to restore the economy to health and to put America back to work.

Mr. President, I was a guest of the National Economists Club here in Washington last Wednesday night. This organization represents some of the best economic brainpower in the world. I was privileged to discuss with them some of my views on how a man in public life must make decisions dealing with the economy and the people living within that economy.

In order to share my views with my colleagues, I ask unanimous consent that my remarks be inserted in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

The Economy of the Humanist

(Remarks of Senator Hubert H. Humphrey)

We speak freely of a "political economy." That phrase has never been more true than today. But we should be thinking, as Howard Binkeley, your new President-elect mentioned to me tonight, in terms of a "social economy"—an economy that has as a focus the fulfillment of mankind's aspirations for a life of quality as well as quantity.

Economics, perhaps more so than any other discipline, should represent the marriage of the scientist and the humanist. You deal in minute detail with the economic fabric of our lives. But more than that, you see reflected in the ebb and flow of our economic fortunes the desires, hopes and fears of human beings. You measure, and to no small degree, direct the power and wherewithal we exchange for that life of quality which is every man's right. This is why in this period of economic and social disruption, I am particularly pleased to be here with you tonight. You have your work cut out for you in both the social and the economic field and you cannot realistically separate the two. I want to talk to you about both facets of this single human problem.

Though times change, old patterns of thought have a habit of coming back into style. For the first time in several decades economics is again being referred to as the dismal science. Some persons use even stronger adjectives. Many ecologists and conservationists today speak of the "gross national product" as thought it were a contagious disease.

I am sure that all of you, including the most growth-oriented economists, are much concerned about the quality of life and the kind of environment that will be passed on to coming generations. The threat to our environment does not, as such, arise from a high and expanding gross national product. I have been in many of the less developed countries and it is obvious to me that a poor and deprived economy does not provide or even hold out the promise of an ideal environment.

Our problem is not that we produce too much but rather that we may be producing inefficiently and wantonly and without any order of priorities. We are not exercising the care that takes the future as well as the present into account. We must not become blindly enamored of economic expansion irrespective of priorities and consequences. What, for instance, will be the economic and ecological ramifications of two "Dead Seas." It is believed by competent authority that unless a crash program is initiated, the Mediterranean will die in two years time.

But we must also seek the fulfillment of our tremendous unsatisfied public and private needs. In a nation which can increase its total output by nearly 50 billion dollars a year we certainly have the resources to both prevent deterioration in our environment and improve our living standards.

Having said these nice things about economics and economists, let me turn to some present, very disturbing realities. Our economy has been managed badly in the most recent years.

But what have been the specific results of the game plan so far?

Unemployment — approximately 6.2%, highest since the last Republican recession.

Gross National Product—showing an actual decrease in real growth for the first time since 1958, the next to the last Republican recession. This is particularly painful and ironic. GNP is stalling despite that fancy new GOP–GNP clock the Administration started running—apparently in the wrong economic time-zone.

Prices—non-food and services—up to 7.2%.

This leadership vacuum has produced:

"Accelerated and unduly prolonged inflation;

Soaring interest rates and financial disruptions;

Stagnation of production and jobs, the cost of which continues to grow.

Policies that have remained long on hopes and short on achievements."

These descriptions of our game plan losses are by Gardner Ackley, Walter Heller and Arthur Okun, all former Chairmen of the Council of Economic Advisers. It isn't often you get three economists of that stature to agree on the wind direction in a gale, so I find their evaluations as convincing as I find them disturbing.

While discussing the economic performance of the present Administration, let me demonstrate my memory is intact by saying the inflation did start during the Johnson-Humphrey Administration. We were pursuing expansionist fiscal policies up to mid-1965 and these were proper and were needed to get us to full employment. Had it not been for the increase in military expenditures, we probably would have enjoyed a substantial further curtailment in unemployment without any significant degree of inflation.

In retrospect, it is now clear that fiscal policy should have been sharply reversed in 1966 and we should have continued to exercise monetary restraint even after the surcharge was enacted in 1968. There was inadequate fiscal action in 1966 and the surcharge came too late. However, I would call to your attention the fact that the Federal Government's deficit in the national income and product accounts dropped sharply after the second quarter of 1968. The annual rate of deficit was $10.5 billion in that quarter; it fell by more than half in the next quarter and was only $1.1 billion in the last quarter of 1968. The large surpluses of $9.5 billion in the first quarter of 1969 and $13.4 billion peak in the second quarter of 1969 (at annual rates) were within the time period covered by the last Johnson budget.

Any objective observer would have to conclude from the figures that the major fiscal shifts designed to control the inflation had already been planned and put into execution before Mr. Nixon took office.

The major and well deserved criticisms of the economic policy of "no policy" over the past several years relate to the manner in which the inflation has been fought. Many Administration officials and advisers publicly expressed great confidence in the early months of 1969 that the rate of price increase would slacken soon and significantly.

The fact is, inflation proved to be far more potent and far more persistent than almost anyone anticipated. Instead of declining, the rate of growth in prices accelerated in 1969 and again in 1970. The GNP deflator in the most recent quarter rose more than in any but one quarter in recent years despite the 6.2 per cent unemployment in December.

One reason frankly for this persistence in the price spiral, in addition to the consumers saving rate, subsequent softening of demand and lessening of the economies of production, is the greater spread between wage level increases as compared to productivity gains.

In this regard, I might add that, with plant capacity utilization hovering around 73%, recent easing of the depreciation rules should be a stimulus to making production facilities more efficient and modern. It should not generally be used to add to a capacity that is presently underutilized. With our high-wage labor market, it is essential that we insist on production efficienices that permit us to remain competitive in foreign markets.

I am not going to say that there are no signs whatsoever of prospective abatement in the pace of inflation, but I wish there were more visible and more dramatic signs illuminating a price curve that is slowing down steadily and markedly. As a matter of fact, the underlying assumptions in the recent barrage of economic messages from the Administration indicate less optimism about overcoming inflation within a reasonable time than was true a year ago or two years ago. Still, the day-to-day speeches and policy pronouncements keep telling us that signs strongly point to greater price stability around the corner. It seems to me we are getting some loud whistling from those who are walking past cemeteries where broken promises are buried. Talking about such doleful matters, I suspect the spirit of Herbert Hoover may be trying to warn President Nixon about elusive turning points. Also, I suspect Lord Keynes might be a bit suspicious of the sincerity and repentance of some recent converts.

For years my good Republican friends have looked on me and my progressive Democratic colleagues as unreconstructed economic alcoholics. All we could do was spend to excess—spend, spend, spend. Well, it's taken some extremely fancy semantic and public relations footwork but we now have entered the era of "The Full-Employment Budget." I wish we had thought of that when we had a deficit. How easy it is to overspend and be forgiven when your motives are so pure and your goals so responsible.

But we must ask ourselves what the cost has been and whether the performance has been reasonably good by any standards. As far as I am concerned, the cost has been high and the performance poor. We have suffered from an incredible combination of recession and inflation. It is like suffering gout and malnutrition simultaneously. In 1968 the 4.2 per cent increase in consumer prices and the 3.6 per cent unemployment yielded a combined figure of 7.8 per cent. The price-unemployment combination was 10.9 in 1970 and in the final quarter of 1970 it was over 11 per cent. We certainly did not get a very satisfactory trade-off. We got the worst of both unemployment and inflation.

Whether we call what we are experiencing a recession or just a cessation of growth and a little dip is not very relevant. What is important is the fact that unemployment jumped in less than two years from 3½ per cent of the labor force to 6.2 per cent and that the gap between our potential output and our actual output is about $60 billion a year. Think of it—it will have cost us over $120,000,000 by the end of calendar 1971. Over:

$60 billion in real income that Americans will never spend;

$22 billion in after-tax corporate profits;

$6 billion that our crisis ridden state and local governments will never collect in taxes; and

$31 billion that cannot be used to finance the Federal programs this Nation must continue and expand if we are to provide that life of quality for all Americans.

Looking at the more than $16 billion lost last year in Federal revenues is surely the Administration's just reward for their leadership failure. It would just about cover the budget deficit for fiscal 1971.

The economic developments of the past year-and-a-half have cost the nation many tens of billions of dollars in lost production and revenues, grief to the unemployed, insecurity to workers, continued deficiencies in satisfying some of our most critical needs at home and, finally, deep concern to many nations around the world, especially the less developed countries, which look to us for markets for many of their primary products and who find that even a mild recession in the United States can cut deeply into their exports. Our performance has not made it easy for us to sell the concepts of free enterprise to the developing countries.

The Administration's excessive reliance on monetary policy as the instrument to bring about a prompt and substantial curtailment in inflation, was costly and largely inexcusable. I believe in the free enterprise system. I am and always have been a strong advocate of private ownership and private production and vigorous competition. However, it is irresponsible to close one's eyes to the fact that we have less than perfect competition in wage and price determination with big unions—big corporate enterprise—with diminished competition in many areas of our economy, I guess we call it oligopoly—price competition is at a minimum—administered prices at a maximum.

This is the time when there is need to exercise leadership and confront the spiral of inflation head-on. This is when positive efforts can bring results. If ever there was a time for pursuing an incomes policy and for jawboning it is now and it should have been thus for the past 18 months. Instead of minimal efforts to use leadership and moral persuasion and to mobilize the Nation's deep concern about inflation, the Administration spent most of its time telling us that things would soon be better.

The President on January 27, 1969, issued his *carte blanche* for wage and price gouges. The President said: "I do not go along with the suggestion that inflation can effectively be controlled by exhorting labor and management and industry to follow certain guidelines." I suggest to you that this was and remains an invitation to highly inflationary wage settlements and price increases. The President has said to the private sector: "Do it to them, before they do it to you." We all know the results.

When on June 17, 1970 President Nixon belatedly made some commitments with respect to labor-management arrangements to improve productivity, to issuing what Walter Heller called "inflation inerts," and to the use of Government purchasing authority to slow down the rate of inflation, the President still emphasized more strongly what he would *not* do than what he would do. Once again the green light was given to private determinations that were not in the national interest, with no threat of any restraint whatsoever. I recommend that you re-read that speech.

I hope the Administration may be coming around to using its influence and its authority somewhat more aggressively than by just issuing "inflation inerts," as Walter Heller calls them, or by suspending Davis-Bacon in a relatively meaningless, uninformed and posturing move. There have been rumblings of semi-enlightenment leaking from the White House. But many people are not convinced that a new pattern of economic management will emerge. I hope they are wrong.

It is imperative that the President establish a National Economic Stabilization Board—a Wage-Price Profits Board as a part of a total national incomes policy. This Board can add extra strength to the powers of Presidential persuasion and jawboning which have been in the past and can be helpful. Such a Board can help implement a national incomes policy that will be fair to the worker, the consumer, and business enterprise. The actions of the Wage Price Board can be greatly enhanced by establishing regional and local productivity councils. Management and labor cooperating in such councils can help implement reasonable and economically sound wage and price policies and guidelines. We have got to quit dancing around the fires of inflation and attack it head on. We have wasted precious months and, in fact, have aided and abetted the "inflation enemy" by weak-kneed, half-hearted, ineffective policies. With a real full employment budget designed to stimulate an economy, it is all the more imperative that there be a comprehensive national incomes policy coupled with an anti-inflationary monetary and fiscal policy.

Other things are needed. The Congress should renew the emergency wage and price control authority, including the power to impose if needed a temporary freeze on wages, prices, and profits. Two, renewal of authority for imposition of credit controls. These powers must receive periodic Congressional review. They should be used only in dire emergency, but the power should be there to be used when and if needed.

The President should establish a National Economic Policy Board within the government. The membership should include the Secretary of the Treasury, Secretary of Labor, Secretary of Commerce, Chairman of the Council of Economic Advisers, Director of the Bureau of Management and Budget, and the Chairman of the Federal Reserve Board. This board should meet regularly with Congressional leadership, Majority and Minority, to review the state of the economy. The board should be buttressed by a national economic advisory council consisting of representatives of labor, management, agriculture, and consumer.

The national economic policy board should maintain a continuous review of the state of the economy, including the international as well as the domestic economic scene, and present its report to the President and the Congress at least quarterly.

The President and the Council must be prepared to use persuasion and the pressure of public concern and opinion in securing the voluntary cooperation of labor and management in moderating the wage-price spiral.

A determined effort must be made by government and industry to step up our exports in manufacturing, processing, and agricultural products. In some areas this may call for much broader lending authority and export assistance in order to meet foreign competition.

I do hope President Nixon will accept and implement most of Chairman Arthur Burns' catalog of steps appropriate for an "incomes policy." By the way, Dr. Burns' actions gratifyingly coincide very closely with the report of my Inflation Task Force in 1968, chaired by Otto Eckstein.

Most serious is the fact that past failures have put us in a very unsatisfactory position to reverse the economic downtrend rapidly and markedly. Had the rise in unemployment been associated with a very sharp reduction in the rate of inflation, we could stimulate demand and reasonably expect that relatively full employment could be restored with a reasonable time—without rekindling the fires of inflation.

But the Nixon Administration's performance in 1970—when unemployment increased by more than 2 million persons and prices continued to rise at peak rates—leaves us with grave problems and limited prospects for the near future.

Unless the Administration's direct attack on inflation is far more aggressive and far more effective in the future than in the past we will not soon reach satisfactory levels of employment without again fanning the flames of inflation.

As we look at the individual sectors for 1971 it is hard to find evidence of the kind of growth which will get us back to 5 per cent unemployment at the end of 1971 and a 4.5 per cent zone at the middle of 1972. These targets are fine, but they will not be achieved by wishing. I agree with Arthur Burns that confidence is important, but the big question is how one instills confidence. I do not think it comes through rhetoric or exhortation. Government policies and actions are more important than just talk. There may be some economists somewhere who will bet on the $1065 billion dollar level for 1971, but I have not found them, even in the financial or business community. For my taste, the target is not too high. But, it is the Nixon policies or lack of policies that makes the target lack credibility. Dr. Burns himself has indicated the $1065 billion figure is "very optimistic."

Nor do I believe that the programs set forth by the President in the past month include the inherent ingredients for a rapid rise in real output. GNP will rise but the expansion indicated in the Economic Report does not seem to be in the cards. Excessive unemployment will likely prove to be much more stubborn than is anticipated. With the labor force and productivity expanding briskly and with the war in Vietnam continuing to wind down, the GNP will have to grow far above the normal rate of expansion just to prevent a rise in unemployment.

I reiterate, the high goal—if that is what the $1065 billion really was intended to be—is commendable.

I personally believe in the power of positive thinking. I believe that faith can move mountains. But, sad to say, the economy lately has proven to be, at best, an agnostic.

By the way, let me for a moment resume my recent role as Professor and give you another reading assignment. It is a very short assignment. You must read all of page 84 and the top part of page 85 of the Annual Report of the Council of Economic Advisers published just three weeks ago. If you can then tell me whether the 1065 is a "high target" or an "intermediate target" or a "possible development" or a "feasible target" or a "reasonable expectation," I will be deeply grateful for the clarification.

We should aim for a high rate of real growth in order to restore relatively full employment at the earliest possible date. This is desirable not only to remove the tragic consequences of unemployment, but also to overcome the horrible waste in a society which has great unfilled needs. Further, the movement toward full employment would yield substantial improvement in productivity and could yield more favorable prospects for improved price stability. Vigorous movement toward full employment can harmonize with the objective of greater price stability. This depends, of course, on what the Administration does on the price front. If no efforts are made to restrain cost and price increases and if there continues to be excessive reliance on the aggregate demand approach, then rapid growth can bring about a rekindling rather than a slowdown in the rate of inflation. So we are back to questioning Administration policy.

Maybe the Administration will behave differently in 1971 and 1972 than in 1969 and 1970. For the sake of the people in this country, let us hope so. Certainly the political developments of 1970 should have dictated a major change in policy, but it is hard to see a budget balancer really becoming an expansionist budget unbalancer to the degree needed to get the economy moving forward again. Nor is it easy to envisage the President pursuing a determined incomes policy after reading his emphatic statements of what he will not do and his mild statements of what he will do.

We must relate politics and economics and social needs in meaningful and realistic patterns.

Administration spokesmen have insisted that much of the rise in unemployment is due to moving from a war economy to a peace economy. What irony that a Republican Administration should try to prove that Karl Marx was right. Are we to believe that the same specialists, technicians, scientists that were called upon to develop weapon systems under government contract are not needed to develop new cities, new systems of transportation, advance technology in pollution control, and to meet a host of other unmet social needs? Are we to be told that men who know how to build supersonic planes and space vehicles can't be helpful in designing modern methods of housing construction?

I suggest that we set ourselves to the task of maintaining full employment and steady economic growth in peace. This should be our national goal, and here is where the men of learning and the men of public affairs should come together.

What we need is a combination of ambitious goals and firm policies that will give all of us confidence that these goals can be achieved. Then we need implementation which will help us strike a better and more effective balance between output on the one hand and price stability on the other.

There is a dreadful lack of planning, goals, and priorities in both the public and private sectors. We have long needed some mechanism that represents both public and private interests to give us a sense of direction in the use of our resources, giving some guidance as to what should come first and what it will take to achieve our goals. A free society will not long survive if it wastes its talent, time, and resources. National planning is not something to be frightened about. It is something to be desired. Wealth and power are no substitute for intelligence and judgment.

In returning to public office after two years and to the Senate after six years, I am overwhelmed with the feeling that "here is just where I left things." Our unsatisfied needs—not desires—are boundless. This affluent society is littered with poverty, hunger, discrimination, slums, filthy air, dirty water, inadequate housing, frustrated youth and a divided people. Yes, we have made progress but we have more to do than we have done. When I see our unfinished business I have a better understanding of the rebellion of our young people. Much of our traditional wisdom still has relevance but much of it has no place in a world of true and meaningful values.

The economics profession has moved far ahead in the past generation, but like the innovative scientists in health, in nuclear energy, in space, you have so very much more to do. Leaving partisanship entirely aside, I ask your profession to find the better ways to reconcile full employment and price stability, dynamic growth and equitable distribution of the resulting benefits, economic security and incentives for superior performance, peaceful international relations and narrowing the gaps between the "haves" and the "have-nots," and proper balance between private initiative and private responsibility on the one hand and public responsibility for economic and social justice on the other hand. We must develop an economy of the humanist.

We should, each one of us, burn in our zeal to see this great productive blending of the minds, hearts and muscle of Americans continue its growth. The economy's growth is our growth. Its growth is a measure of our ability, as a Nation and as individuals, to accomplish what we know we can and must accomplish. Its failure to grow is our failure. Its failure to grow also leaves undone those deeds that enhance the quality of life for all Americans.

And those deprived are those who can least afford further deprivation of mind, body and soul—deprivation that long ago became instead, a depredation.

When times are lean those voiceless ones: the poor, the disadvantaged, the uneducated, the handicapped—are the first to suffer—to have their part of the American Dream disappear in a flash—only a bitter after-taste lingering on. A "Present hope—(their) future sorrow."

STUMBLING TO GREATNESS

Mr. BROCK. Mr. President, there are times when I am humbled by the shining example of courage and dedication exhibited by those whose strong spirit is housed in a fragile physical home.

Such a man was my good friend Herman Robinson, who despite his own handicaps spent his life and energies helping others who faced physical handicaps and encouraging them to overcome such barriers in order to live a vital and useful life.

Because I would like to share this inspiration with others I ask unanimous consent to insert the following editorial from the Elizabethton Star for February 28, 1971, in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A MAN WHO STUMBLED TO GREATNESS

Most everyone strives to live a useful life. Herman Robinson did more than that.

His hometown community, which he cherished, others in the State of Tennessee, the Nation, and those who knew him throughout the World, have lost a man whom they all admired. He would not give up. From birth, he fought to do the things other healthy children do and which are taken for granted by their parents.

His mother, Mrs. E. E. Robinson of Elizabethton, did not keep a protective shield surrounding him, even though he was a victim of cerebral palsy and could not walk until age 10. Words did not come from his open mouth . . . just gutteral sounds.

Herman Robinson was a guiding example of how one could overcome such great obstacles. He finished high school, several years behind others of his age, went on to East Tennessee State University and received his degree. He served diligently, too, in the Tennessee Legislature for many years.

His love for others and his devotion to help the forgotten was carried out through his newspaper profession. He also, with Allen Taylor, organized the first baseball team in Elizabethton in his teenage days.

Herman Robinson would not be stopped. At the age of 58 when he finished his journey for his fellowman, Herman made sure before he left this World that everything, as much as possible, would be readily accessible to those who attempt to follow his footsteps and carry on his work.

His devotion to help the handicapped was felt by everyone who knew him. His service as chairman of the Governor's Committee on Employment of the Handicapped is an example. During the administration of two governors, the late Frank G. Clement and Buford G. Ellington, he gave of his time and his body to promote the handicapped.

Gov. Winfield Dunn re-appointed Herman chairman last Thursday in a State Capitol press conference. This was the final time all of his immediate family would be together with him before death took its toll. He wanted others to know that the handicapped could live a "productive and useful" life at work and at home.

He traveled extensively throughout the the state and nation, and also abroad while in this capacity, a shining example of what mankind can do to overcome affliction. He did this without being paid for his work as chairman of the Governor's Committee . . . only receiving travel allowances.

In 1965 Herman Robinson celebrated his birthday in the Soviet Union, while on a People to People sponsored tour promoting the United States. Everyone with him watched as he sliced the first piece of a Russian birthday cake. On top, in lieu of candles were the American Flag and the flag of the U.S.S.R.

Herman Robinson was attempting to bridge the gap between men of the World, through his work for the handicapped. He was a member of the President's Committee on Employment of the Handicapped.

His day was long. But he did his other job as Elizabethton bureau chief of the Johnson City Press Chronicle, too. He shouldered awesome responsibilities without hesitancy. He loved what he was doing and the pace he had set for himself seemed to make him work harder.

He knew how to get to the right person in state government in order to help those who sought his help. He was respected by those he worked with.

He was a Christian who rededicated his life at First Baptist Church along side his son, Robert H. Robinson, Jr., who came forward to follow Christ.

Herman Robinson loved his children. He looked forward to seeing his daughter, Jacquelyn Robinson, graduate from Carson-Newman College in June. Everywhere he went he talked about his grandchildren, Robert III and Susan.

Those who visited his office would see a variety of family pictures of these grandchildren, his children and his wife, Marjorie. Marjorie helped Herman mount the insurmountable.

The void of his passing will be felt by many. But he was happy to the very end, a fallen servant the victim of a heart attack. His "BIG" heart to help everyone, his parental guidance as a father, and his love for the job he was doing was above reproach.

As all of us who pick up pieces of the heart will not forget this great man. He somehow knew that "his" work was coming to an end.

After summoning help from his wife via telephone to take him to the hospital after suffering pains in his right shoulder, among other things, he removed a biographical sketch on himself from his office desk and placed it by his telephone.

He finished his report for travel allowance reimbursement too. And then after lying on his hospital bed, gave instructions to his wife to complete other unfinished details. After Marjorie returned to his bedside and reported these details were complete, Herman Robinson rested his mind. He died three hours later.

His typewriter is silent. His office and home telephone is not ringing for the purposes of others seeking help. Others are now showing their appreciation for what he did.

His pipe rests in his ashtray. His paper work is neatly piled on his desk.

He would want the tears spared from mourners.

His work will continue, but a man of his stature and caliber will be difficult to find. The echo of his footsteps will linger in the halls of the Tennessee Capitol and other state government buildings.

His family will sorely miss him too. Their sufferings were already shared by Herman Robinson even before he died. He was so strong that this made him stand above others in a crowd. But you would never hear him say this.

I know that Herman Robinson was all of this and more. I am glad his family shared the generosity of his heart with others. This is the way he wanted it. I know. I am his son. Robert H. Robinson, Jr.

SENATOR HUMPHREY ON "MEET THE PRESS"

Mr. MONDALE. My very distinguished colleague from Minnesota (Senator HUMPHREY) appeared this past Sunday on NBC's "Meet the Press."

His remarks on the fateful issues facing this country were both wise and candid—at a moment when we need wisdom and candor as seldom before from our public leaders.

Recommending Senator HUMPHREY'S statements to all my fellow Members of Congress, I ask unanimous consent that the following transcript be printed at this point in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

MEET THE PRESS

Guest: Senator Hubert H. Humphrey (D. Minn).

Moderator: Bill Monroe, NBC News.

Panel: Max Frankel, The New York Times; Clark Mollenhoff, Des Moines Register & Tribune; Charles Quinn, NBC News; and Lawrence E. Spivak, Regular Panel Member.

Mr. MONROE. Our guest today on Meet the press is the titular head of the Democratic Party, Hubert H. Humphrey of Minnesota. Senator Humphrey was the Democratic Presidential candidate in 1968. He served in the U.S. Senate from 1948 to '64 when he was elected Vice President. He was reelected to the Senate last November.

Mr. SPIVAK. Senator Humphrey, the Senate Democratic Caucus adopted a resolution the other day for which you voted calling for the withdrawal of all U.S. forces in a time certain from Vietnam. Since that resolution has no power over the President, can you tell us what you hope to accomplish with it?

Senator HUMPHREY. It is a resolution that states a purpose on the part of the majority of the Democrats. It expresses what I believe to be the predominant will not only of the Democratic majority but the American people. It encourages the President, as is said, to take meaningful steps to bring about a prompt withdrawal of American forces from Indo-China, and it discourages the President from any incursions or any diversions of military activity into neighboring states such as Laos and Cambodia.

Mr. SPIVAK. Senator, during the Johnson Administration you said you didn't believe the Democratic Platform Committee ought to be engaged in the business of being the general staff for the war in Vietnam. Why do you think the Senate Democratic Caucus should play that role?

Senator HUMPHREY. Because the Senate of the United States has powers of advise and consent. The foreign policy of this country is in part made up by the Congress of the United States, and national security policy should surely be one of the prerogatives of the Congress of the United States.

There is a great deal of difference between a committee of a Democratic Convention that assembles once every four years as compared to Senators and Congressmen that are the elected representatives of the American people.

I believe the Congress has a role to play in foreign policy and national security policy.

Mr. SPIVAK. Well, what about in running the war though?

Senator HUMPHREY. The Congress of the United States appropriates the money; the Congress of the United States is supposed to have the power to declare war. The Congress of the United States shares in national security policy and there is no way that you can interpret it any other way.

Mr. SPIVAK. Senator, you were reported as saying recently that if you had been elected President we would have been well on our way out of Vietnam by now. Can you tell us what you would have done that President Nixon hasn't done to speed our withdrawal?

Senator HUMPHREY. I believe that report came from a book or a statement by the distinguished statesman Averell Harriman, and he is absolutely right. We would have been well on our way out of Vietnam by now, and I would have made the policy decision to have an accelerated systematic withdrawal of American forces, notifying the government of Saigon of our intention, of our schedule of time of withdrawal and proceeding without ever permitting that government to exercise a veto over American policy or permitting any actions on the part of the North to deter us from that policy.

Mr. SPIVAK. Would you have notified North Vietnam also?

Senator HUMPHREY. I would certainly have notified our allies and that was the important thing.

(Announcements.)

Mr. FRANKEL. Mr. Humphrey, we haven't heard a public deadline, but isn't the President doing most of the things you said? Aren't we well on the way out of Vietnam?

Senator HUMPHREY. Well, as you know, Mr. Frankel, I have given the President through the early days of his administration my support on the withdrawal program but I do not agree with the policy of extending the war into Laos and Cambodia. I think it is wrong. I think it is a policy which will lead to our further involvement and it has many possibilities of serious danger.

Mr. FRANKEL. Does it matter to you, as it seems to, to the President, as to what we leave behind? That is, what seems to be holding him from total and quick withdrawal is that he wants to be sure that a non-Communist South Vietnam survives. Is that important to you, sir?

Senator HUMPHREY. I think it is important to all of us that South Vietnam be able to maintain its national identity and its national independence, but those decisions are ultimately in the hands of the people of South Vietnam.

Now, we have been there a long time, since 1954. We have poured in a treasury of money, of men; we have poured in our manpower, our resources, our technical assistance.

South Vietnam today has an army of 1,200,000 regulars, equipped by the American government and the American taxpayer. It has 500,000 regional and local forces. It has had years—ten years, since 1961—to develop a viable regime.

I think we have more than fulfilled any obligation we have ever had under any treaty or any commitment that we may have ever made.

Mr. FRANKEL. And if it is the military judgment that all those forces still couldn't hold their own without our help, you would nonetheless withdraw that help now?

Senator HUMPHREY. Mr. Frankel, I am not an anti-military man. I believe in national security and national defense and I do not like to see people ridicule our military, but four presidents have been accepting the advice and counsel of the military since 1954 and each time we have poured in more men, more money, more bombers, more bombs, always to buy time, as we say, for the regime in South Vietnam.

Now, we are not committed to any one regime. It seems to me that after that period of time we ought to have learned some lessons. That merely going on further doesn't repair the situation.

Our effort should have always been with the people, with the economic and the social fabric. I think there has been far too much emphasis upon the military; I felt so in the Johnson Administration; I said so and I feel so now.

Mr. FRANKEL. When did you decide that we really ought to give up this battle and get out?

Senator HUMPHREY. In 1968 when I outlined a program of accelerated systematic withdrawal in my address, first at some commentary in Philadelphia, later on at Houston and more completely at Salt Lake City.

Now, you know and I know that there were prominent people in our government that didn't agree with that analysis and I felt then that we ought to be on the way out, that the military solution was not possible; not a cop-out, not a bug-out, but a systematic, sensible program of phased withdrawal. And now I believe that this must be accomplished. I think the needs at home are so imperative that we have to put our own national priorities at the head of the list.

Mr. MOLLENHOFF. Senator Humphrey, you were one of the authors of the Food for Peace Program way back in the fifties and in the last week or so you have put in some legislation that would bar use of this for weapons of war.

Senator HUMPHREY. Yes, sir.

Mr. MOLLENHOFF. Could you tell us how you would accomplish this without putting too many strings on it, seeming to meddle in the affairs of other countries?

Senator HUMPHREY. Well, first of all, Mr. Mollenhoff, the monies that are accrued from the sale of surplus agricultural commodities into the Food for Peace Program belong to the Government of the United States. Now, to be sure those monies are worked—as to the use of them—are worked out in relationship to other governments, that is part of the program, but Food for Peace is food for peace, not food for weapons, not food for guns, not food for bullets, and I believe that these other countries need things much more than they need bullets and weapons.

Mr. MOLLENHOFF. Senator, from the standpoint of the mechanics of going about this, what kind of legislation—Senator Aiken has said in the last week that this would be completely unrealistic because it would put us in the position of dictating the internal affairs, budgetary affairs of another country.

Now, what is your response to that and how would you work it out in legislation?

Senator HUMPHREY. There are always honest differences of opinion. You know of my very high regard for Senator Aiken. I consider him one of our most able men, but this money that we are talking about, these rupees, for example, or whatever it may be, the zlotys or whatever they may be, they belong to the government of the United States. We are not dictating how they put their budget together in another country. We are simply saying that "We will not loan you our money out of the sale of commodities known as 'agricultural commodities' for weapons systems," and just put it in the legislation.

We have a right, I think, to tell people what we are going to do with our money.

Mr. MOLLENHOFF. But do you put our General Accounting Office into the position of going into the financial affairs of another country in this respect, and in effect dictate how that country will handle its budgetary matters? Can you keep them from shifting funds from one area over into another and really——

Senator HUMPHREY. Yes, we can. As a matter of fact every dollar under Food for Peace is a negotiated arrangement with the other country. There is no money under Food for Peace that is not a negotiated arrangement when it is released from our Treasury so to speak to another country. It is a negotiated arrangement and I say let's not negotiate the use of those dollars for weapons purposes.

Mr. MOLLENHOFF. Can you legislate on this?

Senator HUMPHREY. Yes, we can legislate on it. I would hope we didn't need to. I would hope the Administration could take care of it, but if they won't, we will legislate it just exactly as we legislated other uses of Food for Peace money, for schools, for health, for the American businessman to be able to buy or purchase some of that money.

Mr. QUINN. Senator, the 1972 Presidential campaign appears to be under way already and the New Hampshire Democrats have invited all potential Democratic candidates to come to New Hampshire for a visit. Have they invited you?

Senator HUMPHREY. I can't recall, but I believe there was a letter that came to my office, but as you know, I have just been reelected to the United States Senate and I have no present plans to be a Presidential candidate. I may very well want to look this situation over a year from now and at that time I will make whatever decision I feel is necessary one way or another, and you will be the first to know, by the way, if you want it that way.

Mr. QUINN. Senator, Senator Kennedy has declined the invitation and I think some others have accepted—Senator McCarthy. Are you going to accept or decline the invitation?

Senator HUMPHREY. I haven't really looked at it. I imagine if it is important for Presidential candidates I would decline it but I would love to go to New Hampshire. I have been there before. It is a wonderful state. But I would like to come in under the auspices, let me say, of just a friendly invitation to go to a group that might want to hear any of my views. I am not a candidate.

Mr. QUINN. Senator, what will some of the factors be in reaching your decision later this year?

Senator HUMPHREY. Well, I am going to base my decision on what the situation is in the country, what the issues are, and how the Democratic Party and its spokesmen respond to that situation and those issues. In other words, I want to base it on the realities of what the economic and social issues will be and how they are being handled by [illegible] party, my party.

Mr. SPIVAK. Senator, if we get all our troops out of Vietnam but the war is still on, would you be for or against military aid of any kind for the South Vietnamese and helping to train their soldiers?

Senator HUMPHREY. I believe that a form of economic assistance, technical assistance—

Mr. SPIVAK. I am talking about military assistance.

Senator HUMPHREY. Not active troop deployment in the area.

Mr. SPIVAK. Military equipment.

Senator HUMPHREY. Military equipment.

Mr. SPIVAK. We have all our troops out. Would you send military equipment? Would you help train their soldiers?

Senator HUMPHREY. If there was a threat to their national security, sir. I would treat the South Vietnamese as we do other friendly countries and other friendly powers. I surely do not want American forces there, but as, for example, as for technical assistance, as to military assistance, we would judge that on the basis of their need just as we have with other countries such as Cambodia, Israel and so forth.

Mr. MONROE. No air support?

Senator HUMPHREY. No troops. The time is at hand to get our forces out of Indochina.

Mr. SPIVAK. Senator, the Democratic Policy Committee of the Senate the other day passed another resolution which you approved, saying that the Senate majority should work to stop the inflation and reverse the recession. Now what do you think you can do about inflation in the Senate, and if you can do something, why hasn't the Senate done something before.

Senator HUMPHREY. Mr. Spivak, the Administration's policies on the economic front have been unbelievably inadequate and they continue to be that way. Filled with confusion, filled with controversy of testimony. One Cabinet officer, in a sense, rebutting another. Filled with all sorts of platitudes and promises, and there are answers.

This Administration in the very beginning in 1969 opened up the Pandora's box of inflationary trouble, or extended it, I might add, but when the President—

Mr. SPIVAK. They didn't open it, did they, Senator?

Senator HUMPHREY. I said "and extended it." When the President said that the Administration would not interfere in wage-price decisions. Now what are some of the remedies? Not merely to rely on the Federal Reserve Board and tight money and high interest, which was the early reliance. One, establish a national economic stabilization board, a wage-price board, with the power of public opinion behind the decisions of that board and the use of Presidential influence in what we call "jawboning."

Two, establish within the Administration an economic council to synchronize and coordinate all economic policies of the Administration. Three, to establish advisory councils to the wage-price board and to the administration of business and labor, to establish productivity councils at a regional and local basis to increase productivity. To have a national incomes policy, which this Administration hasn't. This Administration has a disastrous economic policy. It is its great area of vulnerability.

Mr. SPIVAK. But, Senator, weren't we in trouble economically under Johnson when you were Vice President? Didn't we have a roaring inflation and didn't we have unemployment? Didn't we have all these problems with us?

Senator HUMPHREY. Mr. Spivak, we had some inflation. The inflation rate was about four and a half percent at the end of the Johnson Administration. I think any fair man has to admit that the Nixon Administration inherited a degree of inflation. We had relatively full employment, but I must add that the budget for Fiscal 1969 was a surplus budget. I must add that the special tax, the surtax had been put on. I also must add the Nixon Administration taking a look at those facts never once called together the leaders of the Congress, the spokesmen of the economic policy of the government in one concerted move to try to find ways and means to dampen down the fires of inflation. Instead of that it fueled those fires of inflation and now it finds itself in a serious critical position.

Mr. SPIVAK. But Senator, isn't the Nixon Administration now doing what you Democrats started and that is deficit spending, in the interests of what they call full employment? Aren't they doing that? Are they satisfied with that?

Senator HUMPHREY. They have certainly given some legitimacy to what they have always told us was a mortal sin. They have moralized deficit spending but, Mr. Spivak, deficit spending is not the total answer to our problem. This may be helpful in making the economy—getting the economy on the move again. It is in serious trouble with six per cent unemployment; over five million people without work; with the wholesale price index going up this last month the highest it ever has in the past 15 years. It is in serious trouble. The economy farm parity at 68 per cent of parity.

But, what you need more than just a full employment budget is a national incomes policy. You need a wage-price stabilization board, not with compulsory powers, but bringing to bear public opinion and public pressure, the moral power of the White House. You need a concerted effort by Congress and the Executive Branch to do something about these fires of inflation that are eroding purchasing power, that work cruel havoc upon people that have fixed income like our pensioners, that are just taking—after all, even if you increase the gross national product, if you do not stop inflation it is meaningless. And I submit the Administration vacillates. Its policy has been weak kneed and ineffective and it has been constantly contradictory.

Mr. FRANKEL. The two things, I gather, that trouble you most, Mr. Humphrey—Vietnam and the economy, and inflation, are nonetheless things Mr. Nixon really inherited from the Democrats.

Why do you think the country should, after a quick two years of Mr. Nixon's efforts to cope with problems that were handed him by the Democrats, why should the country listen to many of those same Democrats now when they criticize his performance?

Senator HUMPHREY. Well, Mr. Frankel, we had an election in 1968 and you are looking at one of the men that was in it. The people made a judgment. In that election the President said he had a secret plan for peace in Vietnam. I said I had a proposal too and I outlined my proposal to the American public and I think it would make some interesting re-reading to read the address that I delivered at Salt Lake City in the latter part of September, 1968.

Mr. Frankel. Do you think the President had no plan at all?

Senator Humphrey. I don't accuse him of that. I just want him, if he has a plan, to make it work.

Secondly, the President of the United States said as a candidate in 1968 that he would check the fires of inflation without a rise in unemployment.

Now, we did not have unemployment in 1968. We had begun to reverse the tide of inflation. We were in a surplus position in the budget in fiscal 1969 and I submit that an administration that comes in new ought to learn—if we made mistakes, surely they ought to have learned from our mistakes, and more importantly, there are things they ought to do when they are new and when they come in, particularly on the basis of campaign promises, which were not fulfilled.

This Administration did not present a tax program to the 91st Congress. This Administration did not put a national incomes policy before the American people. This Administration opened up the floodgates of inflation rather than trying to put a brake upon them.

Mr. Frankel. Are there any significant subjects on which you would give the President good marks? His efforts at arms control, the new tone on China? Anything in the domestic area with which you are pleased?

Senator Humphrey. I am pleased with some of the reversals of positions the President is now taking.

For example, I notice this morning the President has changed his attitude on Model Cities and will now release the funds on Model Cities.

I notice now the President feels we do have a national health crisis and has come forth with at least some form of health measure.

I am sure the President tries. There is an honest disagreement between us as to what is the better method.

It is my view that the President's message on the state of the world had many constructive features to it, even though I think it was much more hard line, much more inflexible than his previous messages. He surely has had some forward position on our relationship with China.

I was dismayed though, I must say, in two aspects of his state of the world message. The manner in which he dealt with Indo-China and the manner in which he discussed the arms control situation. I wasn't pleased with that.

Mr. Monroe. We have less than four minutes.

Mr. Mollenhoff. Senator, in the area of labor legislation, you have been a leader over a period of years. In 1949 you were talking about Taft-Hartley as some kind of a burr under the saddle of labor, and when you were Vice President you said you were going to get rid of that burr. Why didn't you get something done on that?

Senator Humphrey. We didn't have the votes, Mr. Mollenhoff, and in this country that is what it takes.

Mr. Mollenhoff. Well, you have said also that the Landrum-Griffin legislation went too far with its restrictions on labor unions. Now, in the last few weeks and months here we have seen the United Mineworkers under Landrum-Griffin and we have seen what Tony Boyle and others of the United Mineworkers did under that.

Do you feel there should be some change in Landrum-Griffin and should it be made tighter, or more loose?

Senator Humphrey. Mr. Mollenhoff, I am not familiar with all the details, but wherever there is a mis-use of the funds that belong to the workers and their pension funds, their trust funds, their union funds, there ought to be strict and stern legislative restraints and there ought to be adequate enforcement. It is just that simple.

I think that we now know that there are difficulties in some of the—not only in unions, but in banks and in business, and we can't condone it.

Mr. Mollenhoff. In fact, hadn't we seen enough through this area through the labor racket investigations in the late fifties and some of the problems of the early sixties, to arrive at some conclusions on this, and you were suggesting a few years ago that you loosen these things up.

Senator Humphrey. Oh, no, I voted for all the restraints and the controls on pension and welfare funds. Mr. Mollenhoff.

Mr. Mollenhoff. But in 1960 you said if you had it to do over again, you would not have voted for Landrum-Griffin.

Senator Humphrey. For Landrum-Griffin, but that is not all the legislation, sir, that we have upon the books relating to health and welfare funds.

Mr. Mollenhoff. Isn't that the one that puts the restraints upon the books themselves and the financial accounting and so forth that we are involved in?

Senator Humphrey. Part of it, sir, but Landrum-Griffin does much more than that and you know it and I know it, so let's not argue about it here.

Mr. Mollenhoff. But it does that.

Mr. Quinn. Senator, how many fewer Americans would be in Vietnam now, today, if you were President? There are about 330,000——

Senator Humphrey. How many are left?

Mr. Quinn. Around 330,000.

Senator Humphrey. About 330,000 fewer.

Mr. Quinn. You'd be completely out?

Senator Humphrey. I would.

Mr. Quinn. What about the argument that moving too rapidly will endanger the American troops?

Senator Humphrey. You know, we have heard this argument all during the years. I just said a while ago if the South Vietnamese have a million two hundred thousand men that we consider to be well trained—we thought some of them were well enough trained to send them barging across the frontier into Laos, others into Cambodia—of course, they go with American support, American airpower, but it seems to me that the first responsibility of those forces in South Vietnam is to be a force to defend their own frontiers within the country.

Our effort today is not to leave Vietnam alone, but to help it to build a viable economy, to help promote regional security in that area, to help these people defend themselves and to encourage the Government of South Vietnam to broaden its political base because surely there will be another election over there or some form of political change and it ought to be on a much broader base than it presently is.

Mr. Monroe. Our time is up. Thank you very much, Senator Humphrey, for being with us on Meet the Press.

WORKSHOP OF THE WORLD

Mr. SCOTT. Mr. President, the city of Pittsburgh has long been a major industrial area. From our early days the excellent waterways of the Ohio, Allegheny, and Monongahela Rivers have contributed to this excellent climate. Pittsburgh is the major trading center for the 56 countywide marketing area in Pennsylvania, Ohio, West Virginia, and Maryland, providing foods and serving over 7 million persons. It is estimated that 75 percent of the Nation's buying power is within a 500-mile radius of the city of Pittsburgh. The Pittsburgh Press business editor, William H. Wylie, recently provided his readers with an excellent capsule of the might of this great city. Mr. President, I ask unanimous consent that the article, "Workshop of the World" be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

"Workshop of World" Still Has Plenty of Muscle

(By William H. Wylie)

For years motorists approaching Allegheny County were told they were entering the "workshop of the world."

Signs near the county line touting Pittsburgh's industrial might were particularly meaningful during World War II when a big chunk of democray's survival was staked on district mines and it's doubtful if the civic boast would have made Axis leaders raise their hands in surrender. But it is known that Pittsburgh's steel-making ability was respected in Berlin and Tokyo.

Of course, the Axis powers plummeted down the sewer of defeat. But Allegheny County is still open for business as usual.

In fact, when the county flexes its industrial muscles, 25 states are overshadowed. That's the word from Lewis E. Conman, director of the U.S. Commerce Department field office here.

Conman, whose people keep track of such things, said the county packs a bigger industrial wallop than 25 of the 50 states. Only 19 other industrialized counties have more manufacturing plants than Allegheny, he revealed in a smattering of fresh business statistics.

In applying its yardstick to the County, Commerce came up with these additional findings:

There are approximately 170 industrial research and testing labs in the Pittsburgh area, making R&D the third largest industry here. More than 20,000 scientists, engineers and technicians earn $175 million annually.

Pittsburgh is the nation's busiest inland river port, moving more than 60 million tons of cargo annually. Approximately 35,100 people are employed by all forms of transportation in movement of goods in and out of the area.

Although the four-county Pittsburgh area ranks as the ninth major market, it is 13th in the number of production workers, ranks 12th in net consumer buying power, 11th in retail sales and ninth in population.

Pittsburgh is the major trading center for a 56-county marketing area in Pennsylvania, Ohio, West Virgina and Maryland, providing food and services to seven million people.

During 1969 an estimated $320 million in goods were exported by Pittsburgh-area firms. The four major categories were electrical machinery, transportation equipment, instruments and controls and non-electric machinery.

THE CIVIL DISTURBANCE INFORMATION COLLECTION PLAN

Mr. BAYH. Mr. President, on Saturday I obtained a copy of the "Civil Disturbance Information Collection Plan," issued by the Department of the Army on May 2, 1968, and unclassified for the first time on February 24, 1971. While this plan has since been superseded, I believe that this comprehensive, 36-page, minutely detailed plan of operation for collecting information about potential civil disturbances would be of interest to every Member of this body.

When I first looked at this document I was saddened and alarmed by the scope and depth of snooping on peaceful civilians which this plan dictates. It is astonishing to me that the Army would include the NAACP and the SCLC, two of the leading organizations in this country urging peaceful reconcilation among the races, and imploring minority groups to following nonviolent ways, in a list of "groups attempting to create, prolong, or aggravate racial tensions."

Moreover, I was also deeply disturbed at the threat to freedom of the press created by suggested Army information gathering concerning the mass media, including questions such as the "identity of newspapers, radio, or television stations and prominent persons who are friendly with the leaders of the disturbances and are sympathetic to their plans," "the use of mass media to influence civil disturbance elements," and the "presence" and "effect of news media representatives in the disturbed areas."

We need a strong Armed Force to protect this country, and we must be prepared to meet the possibility of civil violence as well as threats from outside our shores. But I am convinced that we can adequately protect ourselves without sacrificing the most fundamental of freedoms of all Americans—freedom of speech, freedom of the press, the freedom peacefully to petition the Government and to protest its policies, and the basic right of privacy.

Each of us must remain vigilant against those benevolent souls, those well intentioned people, who would protect our freedom by employing instruments that can destroy it. Police-state tactics of any kind have no place in these United States of America. We can make our streets safe and our homes secure without tapping telephones or photographing peaceful demonstrations or spying on public officials.

The distribution list attached to the plan, to my mind, conclusively rebuts any suggestion by the Army that its intelligence gathering operation has been a limited one. This operation was clearly nationwide in scope and was broadened to include the whole range of national intelligence gathering agencies. The distribution lists shows in excess of 300 copies distributed across the country, including one to each continental U.S. Army command, and one copy to each of the Adjutant Generals of the National Guards in the 50 States.

Mr. President, I ask unanimous consent that this civilian disturbance information collection plan be printed in full in the RECORD.

There being no objection, the plan was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE ARMY CIVIL DISTURBANCE INFORMATION COLLECTION PLAN (ACDP) (U)

1. (U) References:

(a) JCS SM 695–63, May 25, 1963.

(b) JCS Publication 2, paragraph 40505, 40506, and 40507.

(c) DA Civil Disturbance Plan (U), February 1, 1968.

2. (C) General:

(a) The Department of the Army Civil Disturbance Information Collection Plan (ACDP) provides basic guidance and direction for the planning, coordination, and employment of DA intelligence and counterintelligence resources in the collection and reporting of information pertinent to civil disturbances.

(b) It is recognized that Army assistance to local or State authorities in peacetime, as well as in wartime emergency, is a long standing tradition in our country. In most instances in the past, such assistance was rendered with a minimum of advance information concerning the situation. The current civil disturbance situation dictates a change in the degree to which the Army must seek advance information concerning potential and probable trouble areas and trouble makers.

(c) The Army is well aware that the overwhelming majority in both the anti-war and the racial movements are sincere Americans. It also realizes that in both groups there is a small but virulent number who are out to tear America apart. During demonstrations and disturbances these are the activists that control the violent action. These are people who deliberately exploit the unrest and seek to generate violence and terror for selfish purposes. If the Army must be used to quell violence it wants to restore law and order as quickly as possible and return to its normal protective role—to do this it must know in advance as much as possible about the well springs of violence and the heart and nerve causes of chaos. To do less means the professional violence purveyors will have a better chance to achieve their end aims—law breaking, social disintegration, chaos, violence, destruction, insurrection, revolution.

(d) In obtaining the information called for in this plan the Army seeks only to collect that needed to exercise honest and sound judgment of the measures to be taken in suppressing rampant violence and restoring order—to assure that only the mildest effective measures are exercised—to insure that no overstepping of the degree of force or circumscription needed is applied—to conserve military resources and to avoid infringment on the responsibility and authority of civil government agencies—to insure pervasive vigilance for the fundamental rights of private citizens by the selective and enlightened use of force in restraint against those who are truly violating the rights of their fellow citizens.

3. (C) Mission: To procure, evaluate, interpret, and disseminate as expeditiously as possible information and intelligence relating to any actual, potential or planned demonstrations or other activities related to civil disturbances within the Continental United States (CONUS) which threaten civil order or military security or which may adversely affect the capability of the Department of the Army to perform its mission.

4. (C) Situation:

(a) Possible military action required of the Army may include the commitment of federal forces to restore and maintain law and order, to enforce the laws of the United States, or to protect the rights of citizens within a State. Information required to fulfill assigned missions is obtained through liaison conducted with federal, state, and local agencies by US Army Intelligence Command (USAINTC) personnel and by the collection sources designated in Appendix B. USAINTC personnel will not be directly used to obtain civil disturbance information unless specific direction to do so has been received from Headquarters, DA. Predisturbance information to satisfy Army requirements will be obtained by drawing on other Federal as well as State and local sources which secure such data in the course of carrying out their primary duties and responsibilities.

(b) When need for military intervention in a civil disturbance situation appears imminent, the Personal Liaison Officer of the Chief of Staff, US Army (PLOCofS) will be dispatched in advance of the task force to the objective area to coordinate with municipal and state officials, make an estimate of the situation, and report directly to the Chief of Staff, US Army. To fulfill his responsibilities, it is necessary that the PLOCofS have up-to-date and detailed information on the current situation in the designated area.

(1) The officer directing the USAINTC operations in the objective area will provide maximum assistance to the PLOCofS in matters of liaison, coordination, information, and other needs of the PLOCofS in accomplishing his responsibilities.

(2) Upon commitment of Army forces and/or arrival of the Personal Liaison Officer of the Chief of Staff, US Army (PLOCofS) in the objective area, US Army Intelligence Command (USAINTC) personnel are authorized to operate more actively to fulfill intelligence requirements; specifically, intensify or initiate contact with local police and government officials, civil leaders, members of private organizations, and observe demonstrations, riots, and other activities which have a bearing on the situation.

(3) USAINTC personnel will not engage in covert operations pertinent to civil disturbances without prior approval and direction of this Headquarters.

(4) During the execution of civil disturbance control operations, the USAINTC unit covering the civil disturbance responds to the EEI and other support requirements of the Task Force Commander and PLOCofS until they depart the objective area.

(c) Dissemination. Information and intelligence will be disseminated without delay to higher, parallel, and subordinate headquarters in accordance with their requirements by the most expeditious means consistent with its importance and security classification.

5. (C) Execution: This plan is directive to DA elements only and is furnished to other agencies for information and coordination purposes.

(a) DA Agencies: Those DA agencies indicated are requested to respond to requirements listed in Appendix B. Designated agencies may publish supplemental guidance and procedural instructions consistent with this plan. In the event such supplemental instructions are prepared, request that two copies be forwarded to the Assistant Chief of Staff for Intelligence (ACSI), DA, ATTN: ACSI–DSCD, Washington, 20310, within 30 days after publication.

(b) Mutual Support Arrangements. Agencies, offices, and commands from whom mutual support arrangements will be requested are listed in Appendix B. Details of mutual support arrangements, when required, will be outlined in separate correspondence with each agency concerned and will not be made a part of this collection plan.

(c) Comments and Recommendations: Users of this plan are invited and encouraged to submit recommended changes or comments to improve it. Comments should be keyed to the specific page, paragraph, and line of the text in which the change is recommended. Reasons should be provided for each comment to insure understanding and complete evaluation. Comments should be forwarded directly to the Assistant Chief of Staff for Intelligence (ACSI), DA, ATTN: ACSI–DSCD, Washington, D.C. 20310.

6. (U) Priorities: Civil disturbance information collection priorities are contained in Appendix C.

7. (U) Distribution:

(a) Distribution list is contained in Appendix D.

(b) Addressees are requested to make distribution of this plan within their respective agencies and commands. Reproduction of this document in whole or in part is authorized to meet the requirements of individual addressees.

APPENDIX A: REPORTING ON "THRESHOLDS OF CONTROL" FACTORS

1. (FOUO) Violence which is beyond the control of local authorities does not exist solely as a function of the number of incidents. Rather it exists as a function of the commitment of those reserves available to local civil commanders, the capabilities of their personnel, the rate at which the reserves are being used up, compared to the "staying power" of the disturbance causers,

the trends in the character of the disorder, and the interpretations of those specific incidents which reflect on the moods and possible courses of future action by the groups involved in both sides of the disturbance. For example, an outbreak of incidents far in excess of normal levels may not constitute an emergency if local authorities have not committed all of their reserves. In most large cities, with many reserves such as off-duty personnel and personnel from unaffected areas, and a well ordered system of commitment and shifting of resources, this type of situation could perhaps be handled routinely. Conversely, an outbreak of incidents not greatly above normal levels which was sustained for a prolonged period could prove to be an emergency, if the reserves available to civil commanders were committed and exhausted at a rate greater than that at which they could be relieved and rested. A large outbreak of fires may be handled routinely by a fire department that can draw on the reserves of surrounding areas, but a small outbreak may be disastrous if other factors are considered: for example, in the event firemen refused to answer alarms in areas where snipers were active, it could result in the spreading of fires which under normal circumstances could have been easily controlled. The point at which control by civil authorities can no longer be maintained is considered to be the "threshold of control."

2. (FOUO) Thus, the best collectors and analysts are the civil commanders and experts on the scene: the fire and police chiefs, the city managers and like officials. Such individuals will not be expert at predicting the exact course of future events, as has been proved in past riots, but they will be the authorities on the commitment and capabilities of their reserves, the character of the disorder, and the moods of the hostile minority groups. They will differentiate between normal incidents and incident levels, and disturbance incidents and incident levels, without resorting to numerical manipulation. They will make judgments based on consideration of all of these important numeric and non-numeric factors, and their past experience with all elements involved. A police commissioner may not be able to cite the statistics on arrests, fires, false alarms, or lootings in his area on an hour-to-hour basis. But he may be able to report with reliability, that "if these incidents continue at this level for six more hours, my men just will not be able to handle it without help."

3. (C) The Counterintelligence Spot Report System concentrates on incident reporting. Such information is needed in order to chart the course and tempo of an ongoing civil disturbance and keep the responsible military authorities advised of the scale and character of the disorder. However, in addition to the spot reports, information is needed regarding the capabilities of local civil officials to maintain control. Such information will be of great assistance to federal authorities in anticipating the point at which local and state agencies are no longer able to cope with a violent civil disturbance.

4. (C) Liaison with those individuals and agencies who can be expected to have in-depth pictures of the situation, the problems, and the maintenance of order is, in most cases, already established. If these sources are used to provide information regarding advance planning, reserves, commitments, personnel capabilities and limitations, trends in the character of the disorder, and the ability to contain continuing violent disturbances, the picture of future developments and requirements will become clearer than would be the case with incident-by-incident reporting alone.

5. (C) The types of information contained in Appendix B, Section II, Activities During Civil Disturbance, will provide the Federal authorities with the information necessary to weigh the capacity of the civil officials to maintain control of the disturbance.

APPENDIX B TO DA CIVIL DISTURBANCE INFORMATION COLLECTION PLAN (ACDP) COLLECTION REQUIREMENTS

1. (U) Headquarters, Department of the Army civil disturbance information collection requirements are stated in this appendix. These requirements reflect the information which DA requires for the effective discharge of its mission.

2. (C) DA collection agencies who are requested to respond to specific requirements are indicated by the symbols listed below and as annotated on pages B–3 thru B–16. DA collectors are also requested to report information pertinent to other requirements that may be obtained as a by-product of their other activities:

A. Continental Army Command (CONARC).
B. US Army Intelligence Command (USAINTIC).
C. The Provost Marshal General (TPMG).
D. Commander-in-Chief, US Army Forces, Strike (CINCARSTRIKE).
E. The National Guard Bureau (NGB).
F. US Army Security Agency (USASA).
G. Other DA Agencies in COUNS.
H. Major US Army Oversea Commands.

3. (C) Other Department of Defense Agencies, as indicated by symbols below, are requested to report to DA, as soon as obtained, any relevant information which they obtain pertinent to these collection requirements:

I. Department of the Navy.
J. Department of the Air Force.
K. Defense Intelligence Agency (DIA).
L. Other Department of Defense Agencies.

4. (C) The Federal Bureau of Investigation (FBI) is requested to provide information and reports which are relevant to those collection requirements annotated with the symbol "M."

5. (C) Requests to cooperating agencies for information: The following US Government agencies are requested to furnish to the Department of the Army, as soon as obtained, any information which is pertinent to the collection requirements stated herein:

Central Intelligence Agency (CIA).
Subversive Activities Control Board.
Department of Transportation, U.S. Coast Guard.
Department of the Treasury:
(a) Office of the Special Assistant (Enforcement).
(b) US Customs.
(c) Bureau of Narcotics.
(d) US Secret Service.
(e) Internal Revenue Service. Alcohol and Tobacco Tax Division.
Department of Justice:
(a) Community Relations Service.
(b) Civil Rights Division.
(c) Internal Security Division.
(d) Federal Bureau of Investigation.
(e) Inter-division Information Unit.
(f) Immigration and Naturalization Service, U.S. Border Patrol.
Atomic Energy Commission (AEC).
General Services Administration (GSA).

AREAS OF COVERAGE AND COLLECTION AGENCIES

Requirement	Military District of Washington	1st U.S. Army Area	3d U.S. Army Area	4th U.S. Army Area	5th U.S. Army Area	6th U.S. Army Area	Other areas
1. Predisturbance activities.							
a. Indicators of threatening violence in communities having a discontented populace:							
(1) Presence of militant agitators from within a discontented minority community or presence of "outside" militant agitators.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B.C,M	G,I,J,K,L
(2) Increase in thefts, sales of arms and ammunition (including Molotov cocktail ingredients), especially to militant minority groups.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(3) Increase in efforts of extremist minority groups to instigate violence through inflammatory propaganda, either written or verbal.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(4) Increase in number of incidents which reflect minority group rebellion against authority, such as false alarms and vandalism.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L.
(5) Reports and rumors of planned agitation or impending violence related to civil disturbances.	A,B,C,M	A,B,C,M	A,B C,M	A,B,C,M	A,B,C,M	A,B,C,M	G.I,J,K,L.
(6) Increase in activity, such as rabble-rousing meetings and fiery agitation speeches of extremist civil rights groups.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L.
(7) Sharp increase in absentee rate of discontented minority groups.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,J.
(8) Increase in incidents of resisting arrest; the gathering of crowds when arrests are made.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L.
(9) Increase in charges of police brutality; increased resentment of law enforcement.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(10) Stepped up activity by gangs, characterized by anti-social activity on the part of minority group members.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(11) Increase in assaults on police/fire personnel	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
b. Activities preceding planned civil disturbance							
(1) Probable causes, objective, locations, and nature of disturbance	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(2) Probable categories and identification of persons and groups who will create or participate in disturbance.	A,B.C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(3) Estimated number of persons who will be involved. As participants. As observers.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(4) Probable assembly areas and routes. Method of travel	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(5) Leaders identity. Overt and behind the scenes	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(6) Activities, organization, and other plans prepared by the leaders. (a) How will they exert control? (b) Will weapons be used? What type? Where, when, how?	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(7) Identity of newspapers, radio, or television stations, and prominent persons who are friendly with the leaders of the disturbance and are sympathetic with their plans. Will any be present? Participating? How?	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L

AREAS OF COVERAGE AND COLLECTION AGENCIES—Continued

Requirement	Military District of Washington	1st U.S. Army Area	3d U.S. Army Area	4th U.S. Army Area	5th U.S. Army Area	6th U.S. Army Area	Other areas
1. Predisturbance activities—Continued							
b- Activities preceding planned civil disturbanco—Continued							
(8) Location, kind, and amount of arms, equipment, and supplies available to the disturbers.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(9) Location of other arms, equipment, and supplies which, if insufficiently guarded, may be seized by the disturbers in event rioting occurs. Are safeguards against seizure sound?	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(10) Location and name of important buildings/facilities that may be threatened. What makes the building/facilities important? Who is owner/responsible for building/facilities? How can he be contacted?	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(11) Location and description of communications systems, public utilities, and stores of volatile fuel. Responsible person? How contacted?	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(12) Possible threat to Federal property. What? Where? When? By whom?	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(13) Do the facilities in (10), (11), and (12) above have their own physical security? How adequate?	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(14) Identification of Department of the Army personnel (military or civilian) who are or may become involved on the side of the disturbers.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
c. Indicators of potential violence:							
(1) High unemployment or menial work rate among discontented minority groups.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(2) High crime rates for discontented minority groups	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M,	A,B,C,G,L,M	G,I,J,K,L
(3) Wide disparity of average income between white and discontented non-white.	A,3,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,3,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(4) Poor relations between law enforcement officials and discontented minority groups.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(5) Migration of large numbers of persons from discontented minority groups into cities.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(6) Lack of means for minority groups to redress grievances and lack of meaningful communications between law enforcementage ncies and the minority community.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(7) Protests of minority community to conditions in slum areas, such as: de facto segregation in unions, housing, and schools; lack of jobs; lack of recreational facilities; local merchants and landlords overcharging for housing, goods, or services; police brutality; substandard education facilities and teaching staff.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(8) Efforts by minority groups to upset the balance of power and the political system.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(9) Failure of law enforcement agencies to properly respond due to indecision, lack of manpower, or fear of public reaction.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(10) Inequitable law enforcement, real or imagined, towards minority groups.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(11) Public apathy or negative reaction to issues of civil rights and impartial law enforcement.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
d. Evidence of Subversion[1]:							
(1) Formation of a covert subversive organization directed against legally constituted government.	All	All	All	All	All	All	H,I,J,K,L
(2) Evidence of or attempts by subversive organizations to penetrate and control civil rights or militant organizations composed primarily of non-whites.	All	All	All	All	All	All	H,I,J,K,L
(3) Collaboration between subversive groups and non-white organizations and groups.	All	All	All	All	All	All	H,I,J,K,L
(4) Assistance to non-white militant groups from outside the U.S.A., especially from Cuba and Communist China.	All	All	All	All	All	All	H,I,J,K,L
(5) Indications of movement into extremist, integrationist, and segregationist groups by the Communist Party of the U.S.A., American Nazi Party, Nation of Islam, Knights of the Ku Klux Klan, and the Progressive Labor Movement.	All	All	All	All	All	All	H,I,J,K,L
(6) Aims and activities of groups attempting to create, prolong, or aggravate racial tensions, such as CORE, NAACP, SNCC, National States Rights Party, Southern Christian Leadership Conference, and Council of Federated Organizations.	All	All	All	All	All	All	H,I,J,K,L
e. Purposes and objectives of dissident groups:							
(1) Overall purpose and objectives. Long-term and short-term objectives and relationship to problems of minority groups and the country. Estimates of plans and objectives; capabilities, resources to be employed.	A,B,C,G,I,J,K,L,M.	A,B,C,G,I,J,K,L,M.	A,B,C,G,I,J,K,L,M.	A,B,C,G,I,J,K,L,M.	A,B,C,G,I,J,K,L,M.	A,B,C,G,I,J,K,L,M.	A,B,C,G,J,K,L,M.
(2) Specific aims and roles. Coordination with other minority groups and dissident organizations. Support obtained from other agencies.	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M
f. Capabilities and vulnerabilities of dissident groups: Evidence of strengths and weaknesses in terms of ability to create civil disturbance situations, to expand activities to meet emergencies, to enlarge potential for disturbance, and to maintain own internal security.	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M
g. Funds: Source and extent of funds, how are they distributed. General purpose for which funds are used.	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M
h. Organization of dissident groups:							
(1) High Command. Composition and structure of headquarters. Relationship to other agencies. Exact titles, location of functions and responsibilities, lines of authority, organizational charts, rosters of key personnel.	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M
(2) Subordinate elements. Administration, organization, functions, responsibilities, principal and alternate locations, strengths, facilities, lines of authority, organization and key personnel.	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M
i. Tactics and strategy of dissident organizations: How do these elements plan and execute their civil disturbances and related actions. The nature and scope of their tactics and strategy. Proposed or planned deviations from usual or accepted tactics. Internal factionalism and protagonists. Cause themes and appeals.	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M
j. Personnel:							
(1) Number of active members; breakdown of membership by ethnic group, age, economic status, education, criminal record. Biographic data on key numbers.	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M
(2) Potential for increasing membership. Numbers of persons, source of members.	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K L,M	A,B,C,G,I,J,K,L,M
(3) Women members. Age, position within group, authority, biographic data.	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M
(4) Pay. What members receive pay? Are expenses reimbursed? Source of funds?	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M
k. Administration. How is organization supervised and controlled? Who is responsible for correspondence and related actions? Does organization produce publications? Identify.	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M
l. Training. Are skills useful in creating disturbances and doing violence taught, e.g., fabrication of Molotov cocktails, homemade bombs, firearms, booby traps, and other devices? Judo, marksmanship, communication training, countersurveillance, infrared photography. Training areas, source of support, instructors.	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L	A,B,C,G,I,J,K,L,M
m. Logistics. Source of supplies, weapons, vehicles. Location, stocks, capacity of stockpiles. Methods of resupply.	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B,C,G,I,J,K,L,M	A,B C,G,I,JK,L;M	A,B,C,G,I,J,K,L	A,B,C,G,I,J,K,L,M

Footnote at end of table.

Requirement	Military District of Washington	1st U.S. Army Area	3d U.S. Army Area	4th U.S. Army Area	5th U.S. Army Area	6th U.S. Army Area	Other areas
2. Activities during civil disturbance.							
a. Activities during a civil disturbance:							
(1) Location, form and extent of violence and damage. Proximate cause for outbreak.	A,B,C,D,E,F, G,I,J,K,L M	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G.I.J.K.L. M	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G,I,J,K,L, M	
(2) Identification of individuals and groups participating in civil disturbances. Leaders? Government personnel? News media representatives? Spokesman?	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G,I,J,K,L, M	
(3) Targets or planned targets of violence, burning or looting, e.g., neighborhoods, government buildings, Army installations, department stores, and public utilities.	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G,I,J,K,L, M	
(4) Patterns of violence which suggest centralized control and organization, e.g., well organized sniping, selective firebombing, and other systematic destruction.	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G,I,J,K,L, M	A,B,C,D,E,F, G,I,J,K,L, M	
(5) Indications of participation in or instigation of violence by persons or groups known to be subversive.	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M
(6) Expected duration of disturbance. Is it likely to recur? When can it be expected to break out again? In what locations and in what form?	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M
(7) Motive for the disturbance? Antiauthority? Antiwhite? Mixed?	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M
(8) The reserves committed by local agency commanders in the current situation.	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M
(9) The effects on the current situation of reserves that have been committed.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	
(10) The projected effects of reserves that have been requested but not yet committed.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	
(11) The ability of the forces currently on the scene to contain the area and intensity of the disturbance.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	
(12) The direction of the disturbance; whether anti-authority, anti-white, or undirected.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	
(13) The trends of riot connected activity; sniping, looting, bombing	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	
(14) The types of attacks on authorities; rock throwing, sniping	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	
(15) The reactions of authority to attacks; whether withdrawing or counter-attacking.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	
(16) The authorization for use of riot control equipment	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	
(17) The riot control equipment presently in use	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	
(18) The use of mass media to influence civil disturbance elements	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	A,B,C,D,E,F, G,I,J,K,L, M.	
(19) The refusal of local agency personnel to respond in disturbed areas or while under fire	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(20) The presence of news media representatives in the disturbed area	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(21) The effect of news media representatives in the disburbed areas	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(22) The extent of reporting from the disturbed area, and its sources	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(23) The communications with personnel in the disturbed area	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(24) The emergence of spokesmen for the minority element	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(25) The indication of organization and central direction of rioters	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(26) The presence of militant leaders and their activities	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(27) The efforts to instigate or perpetuate violence	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
3. Post-disturbance activities.							
a. Activities following civil disturbance:							
(1) Is disturbance likely to recur?	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	
(2) When can it be expected to break out again? In what location? In what form? To what degree?	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	
(3) Are factors that precipitated the outbreak still present? What factors? To what extent do they still exist?	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	
(4) What is attitude of minority groups who participated?	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	
(5) Have militant agitators and other leaders left the area of civil disturbance? Where are they currently located?	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	

Requirement	USAREUR	USARPAC	USARSO	Other areas
4. International activities related to civil disturbances (Civil disturbance group relationships, international):				
a. Manifestations of support by "peace" organizations or other organizations in either Communist or non-Communist countries.	C, H, I, J, K	C, H, I, J, K	C, H, I, J, K	I, J, K, L:
(1) Name of organization demonstrating support	C, H, I, J, K	C, H, I, J, K	C, H, I, J, K	I, J, K, L.
(2) Leaders	C, H, I, J, K	C, H, I, J, K	C, H, I, J, K	I, J, K, L.
(3) Number of participants	C, H, I, J, K	C, H, I, J, K	C, H, I, J, K	I, J, K, L.
(4) Nature of protest activities	C,H, I, J, K	C, H, I, J, K	C, H, I, J, K	I, J, K, L.
(5) Salient features of protest, if any	C, H, I, J, K	C, H, I, J, K	C, H, I, J, K	I, J, K, L.
b. Exploitation of U.S. prisoners-of-war and internees by foreign countries in support of civil disturbance in CONUS. All available details.	C, H, I, J, K	C, H, I, J, K	C, H, I, J, K	I, J, K, L.
c. Exploitation of U.S. deserters and defectors by foreign countries in support of civil disturbance in CONUS. All available details.	C, H, I, J, K	C, H, I, J, K	C, H, I, J, K	I, J, K, L:

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[1] As relates to civil disturbances only.

APPENDIX C: CIVIL DISTURBANCE INFORMATION COLLECTION PRIORITIES

1. (C) Priority Assignment Base. The Priority Assignment Base (PAB) consists of numerical priorities from 1 through 3. Within each priority, three subpriorities (A, B, C) are established to indicate further the relative degree of urgency for satisfying a requirement. The criteria on which priorities and subpriorities have been determined are shown below:

(a) Priorities:

(1) Priority 1: Information concerning the existing civil disturbance/subversion threat against U.S. national interests, the realization of which could result in large-scale riots involving U.S. forces. This category of information is of such importance as to warrant maximum increased effort.

(2) Priority 2: Information concerning a potential civil disturbance/subversion threat against U.S. national interests, resulting from nationwide local racial incidents, deliberate provocations or regional difficulties which could result in limited involvement of U.S. forces. This category of information is of such importance as to warrant moderate increased effort.

(3) Priority 3: Information concerning natural phenomena and human adaptations, their interrelationships and effects on the civil disturbance situation in the nation. Collection of this information warrants routine effort.

(b) Subpriorities:

(1) A—Items requiring action before subpriority B or C items.

(2) B—Items requiring action after subpriority A but before subpriority C items.

(3) C—Items requiring action after subpriority A and B items.

2. (C) Priority Intelligence Objectives. Department of the Army priority civil disturbance intelligence objectives to be supported by this plan are stated below:

(a) Priority 1:

(1) Maximum prior warning of an impending major civil disturbance outbreak in the United States.

(2) Major developments in the composition, disposition, and capabilities of dissident/subversive groups in the United States.

(b) Priority 2:

(1) Plans, activities and capabilities of dissident/subversive organizations to create disturbances and effect arson, demolition, vandalism and other disruptive activities against property and persons of particular interest to the U.S. Government.

(2) Present and prospective dissident/subversive capabilities to initiate or support civil disturbances, subversive and paramilitary operations in the United States.

(a) Contact with dissident and subversive elements in target areas and support of such elements' activities.

(b) Logistic support to anti-Government elements.

(3) Major developments in the composition, disposition and capabilities of subversive/dissident groups.

(a) Organization.

(b) Strength, location.

(c) Support.

(4) Vulnerabilities of local and state governments to penetration, internal subversion and overthrow, through violence or other illegal means, by subversive/dissident groups and biographic data on current, key leaders of such groups.

(5) Nature and extent of insurgency potential in low income, racially troubled areas.

(6) Extent and nature of Communist aid to dissident/subversive groups.

(7) Intra-group relations and schisms; extent and nature of internal resistance and disagreement within subversive/dissident organizations.

(8) Circumstances, trends and occurrences that substantially affect capabilities of subversive/dissident groups to create civil disturbances, including acquisition of arms and enactment of new legislation.

(c) Priority 3:

(1) Routine developments in the composition, disposition and capabilities of subversive/dissident groups.

(2) Circumstances, trends and occurrences that routinely affect capabilities of subversive/dissident groups to create civil disturbances.

(3) Routine data on personnel, funds, resources, organization, and location of dissident/subversive groups.

(4) Other information concerning civil disturbances that requires routine collection effort.

TABLE OF COLLECTION PRIORITIES

Subject	Key cities	Other areas, United States	Other areas, foreign
(1) PREDISTURBANCE ACTIVITIES			
(a) Indicators of threatening violence in community having a discontented populace:			
(1) Presence of militant outside agitators	1B	1C	
(2) Increase in thefts and sales of arms and ammunition	1B	1B	
(3) Increase in efforts of minority extremist groups to instigate violence	1B	1B	
(4) Sharp increase in number of incidents of violence, such as thefts, window breaking, false alarms, muggings, arson	1B	1B	
(5) Reports and rumors of planned violence	1B	1B	
(6) Increase in activity of extremist groups	1B	1B	
(7) Sharp increase in absentee rate of discontented minority workers	1B	1B	
(8) Increase in number of incidents of resisting arrest; gathering crowds at scenes of arrest	1B	1B	
(9) Increase in charges of police brutality, resentment of law enforcement	1B	1B	
(10) Increase in gang activity; antisocial activity of minority group members	1B	1B	
(11) Increase in assaults on police/firemen	1B	1B	
(b) Activities preceding planned civil disturbance:			
(1) Probable causes, locations, and objectives of disturbances	1B	1B	
(2) Probable types of persons who will create or participate in disturbances	1B	1B	
(3) Probable numbers of persons who will create or participate in disturbances	1B	1B	
(4) Probable assembly areas or routes	1B	1B	
(5) Known leaders, overt and behind-the-scenes	1B	1B	
(6) Plans, activities, and organization prepared by leaders	1B	1B	
(7) Friends and sympathizers of participants, including newspapers, radio, television stations, and prominent leaders	1C	1C	
(8) Location of arms and supplies available to rioters	1B	1B	
(9) Location of arms and supplies liable to seizure by rioters	1C	1C	
(10) Important buildings that may be threatened	1C	1C	
(11) Location of communications systems, public utilities, and stores of volatile fuel	2C	2C	
(12) Threat to Federal property	1C	1C	
(13) Identity of DA personnel (civilian or military) who may be involved on side of disturbers	1C	1C	
(c) Indicators of potential violence:			
(1) High unemployment rate for discontented minority groups	2C	2C	
(2) High crime rates for minority groups	2C	2C	
(3) Disparity of average income between white and non-white	2C	2C	
(4) Poor relations between law and minorities	2C	2C	
(5) Migrations of minorities into cities	2C	2C	
(6) Lack of means to redress grievances	2C	2C	
(7) Protests of minority community to conditions	2B	2B	
(8) Efforts by minority groups to upset balance of power and political system	2B	2B	
(9) Failure of law enforcement agencies to properly respond	2B	2B	
(10) Inequitable law enforcement	2B	2B	
(11) Public apathy or negative reaction to civil rights issues and impartial law enforcement	2B	2B	
(d) Evidence of subversion: [1]			
(1) Formation of covert subversive organizations	1C	1C	1C
(2) Evidence of or attempts by subversive organizations to penetrate and control civil rights or militant organizations	1C	1C	1C
(3) Collaboration between subversive groups and non-white organizations	1C	1C	1C
(4) Assistance to non-white militant groups from outside the United States	1C	1C	1C
(5) Indications of movement into extremist, integrationist and segregationist groups by the Communist Party and other subversive organizations	1C	1C	1C
(6) Aims and activities of groups attempting to create, prolong or aggravate tensions	1C	1C	1C
(e) Purposes and objectives of dissident groups:			
(1) Overall purpose and objectives. Long-term and short-term objectives and relationship to problems of minority groups and the country. Estimates of plans and objectives; capabilities; resources to be employed	2B	2B	2B
(2) Specific aims and roles. Coordination with other minority groups and dissident organizations. Support obtained from agencies	2B	2B	2B
(f) Capabilities and vulnerabilities of dissident groups: Evidence of strengths and weaknesses in terms of effectiveness to create civil disturbance situations, to expand activities to meet emergencies, to enlarge potential for disturbance, and to maintain own internal security	2C	2C	2C
(g) Funds: Source and extent of funds, how are funds distributed, and general purposes for which funds are used	2C	2C	2C
(h) Organization of dissident groups:			
(1) High Command. Composition and structure of headquarters. Relationship to other agencies. Exact titles, location of functions and responsibilities, lines of authority, organization charts. Rosters of key personnel	2A	2A	
(2) Subordinate Elements. Administration, organization, functions, responsibilities, principal and alternate locations, strengths, facilities, lines of authority, organization, and key personnel	2A	2A	
(i) Tactics and strategy of dissident organizations: How are civil disturbances and related actions planned and executed? Nature and scope of tactics and strategy. Proposed or planned deviation from usual or accepted tactics	2C	2C	
(j) Personnel:			
(1) Number of active members: breakdown of membership by ethnic group, age, education, economic status, criminal record, and biographic data on key members	2B	2B	
(2) Potential for increasing membership, numbers of persons, source of members	3A	3A	
(3) Women members. Age, position, and authority within group. Biographic data	3A	3A	
(4) Pay. What members receive pay? Are expenses reimbursed? Source of funds	3A	3A	
(k) Administration: How is organization supervised and controlled? Who is responsible for correspondence and related action? Does organization produce publications? Identify	2C	2B	

Footnote at end of table.

TABLE OF COLLECTION PRIORITIES—Continued

Subject	Key cities	Other areas, United States	Other areas, foreign
(1) PREDISTURBANCE ACTIVITIES—Continued			
(l) Training: Are skills useful in civil disturbances taught, e.g., fabrication of Molotov cocktails, firearms? Communication training. Countersurveillance, other countermeasures. Clandestine skills (infrared photog, SW). Training, areas, instructors. Sources of training support	2C	2C	
(m) Logistics: Sources of supplies, weapons, vehicles. Location, stocks, capacities of stockpiles. Method of resupply	2C	2C	2C
(2–A) ACTIVITIES DURING A CIVIL DISTURBANCE			
(1) Location of violence	1A	1A	
(2) Identification of participants and leaders	1A	1A	
(3) Targets or planned targets of violence, burning or looting	1A	1A	
(4) Patterns of violence that suggest organization	1A	1A	
(5) Indications of participation or instigation by subversives	1A	1A	
(6) Expected duration of disturbance	1A	1A	
(7) Motive for the disturbance. Anti-authority? Anti-white? Mixed?	1A	1A	
(8) The reserves committed by local agency commanders in the current situation	1A	1A	
(9) The effects on the current situation of reserves that have been committed	1A	1A	
(10) The projected effects of reserves that have been requested but not yet committed	1A	1A	
(11) The ability of he forces currently on the scene to contain the area and intensity of the disturbance	1A	1A	
(12) The direction of the disturbance; whether anti-authority, anti-white, or undirected	1A	1A	
(13) The trends of riot connected activity; sniping, looting, bombing	1A	1A	
(14) The types of attacks on authorities; rock throwing, sniping	1A	1A	
(15) The reactions of authority to attacks; whether withdrawing or counterattacking	1A	1A	
(16) The authorization for use of riot control equipment.	1A	1A	
(17) The riot control equipment presently in use	1A	1A	
(18) The use of mass media to influence civil disturbance elements	1A	1A	
(19) The refusal of local agency personnel to respond in disturbed areas or while under fire	1A	1A	
(20) The presence of mews media representatives in the disturbed area	1A	1A	
(21) The effect of news media representatives in the disturbed area	1A	1A	
(22) The extent of reporting from the disturbed area, and its sources	1A	1A	
(23) The communications with personnel in the disturbed area	1A	1A	
(24) The emergence of spokesmen for the minority element	1A	1A	
(25) The indication of organization of the rioters	1A	1A	
(26) The presence of militant leaders and their activities	1A	1A	
(27) The efforts to instigate or perpetuate violence	1A	1A	
(3) POST-DISTURBANCE ACTIVITIES			
(a) Activities following civil disturbances:			
(1) Is disturbance likely to recur?	1B	1C	
(2) When can it be expected to break out again? Where? In what form? To what degree?	1B	1C	
(3) Are factors that precipitated the outbreak still present? What factors? To what extent do they still exist?	1B	1C	
(4) What is attitude of minority groups who participated?	1B	1C	
(5) Have militant agitators and other leaders left the area of civil disturbance? Where are they currently located?	1B	1C	
(4) INTERNATIONAL ACTIVITIES RELATED TO CIVIL DISTURBANCES			
(a) Manifestations of support by "peace" organizations or other organizations in either Communist or non-Communist countries			1B
(1) Name of organization demonstrating support			1B
(2) Leaders			1B
(3) Number of participants			1B
(4) Nature of protest activities			1B
(5) Salient features of protest, if any			1B
(b) Exploitation of U.S. prisoners of war and internees by foreign countries in support of CONUS civil distrubances. All available details			1C
(c) Exploitation of U.S. deserters and defectors by foreign countries in support of CONUS civil distrubances. All available details			1C

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[1] As relates to civil disturbances only.

APPENDIX D (DISTRIBUTION) TO DEPARTMENT OF THE ARMY CIVIL DISTURBANCE INFORMATION COLLECTION PLAN (ACDP) (U)

1. DOD agencies:

Organization:	Number of copies
OJCS	3
DN	3
DAF	3
USMC	2
USSTRICOM	3
DSA	1
DIA	3
DCA	3
USCONARC	3
USARSTRIKE	5
USAREUR	2
USARPAC	2
USARSO	2
USARAL	2
USACDC	2
USAINTC	20
USAINTS	2
USAMC	5
USARADCOM	7
USASCC	3
USASA	3
USASA School	2
MTMTS	2
First U.S. Army	2
Third U.S. Army	2
Fourth U.S. Army	2
Fifth U.S. Army	2
Sixth U.S. Army	2
Seventh U.S. Army	2
Eighth U.S. Army	2
MDW	3
USAJFKCENSPWAR (ABN)	2
III Corps	3
XVIII Airborne Corps	3
2D Armored Division	2
5TH Infantry Division (Mechanized)	2
82D Airborne Division	2
DA	103
SA	(2)
CofSA	(2)
VCofSA	(2)
SGS	(2)
DCSPER	(2)
DCSLOG	(2)
DCSOPS	(5)
ACSI	(15)
ACSFOR	(2)
ACSC–E	(2)
CORC	(2)
CRD	(1)
COA	(1)
CINFO	(2)
TAG	(1)
TIG	(1)
TJAG	(1)
TPMG	(3)
TSG	(1)
CofENGRS	(2)
CofCH	(1)
OPO	(1)
* NGB	(50)

* (One copy for each CONUS State AG)

Directorate of Civil Disturbance Planning & Operations	8
USAMPS	2
USAWC	2
NWC	1
ICAF	1
DIS	1
AFSC	1
USACGSC	1
ASD(I&L)	1
Dir, Scty Policy, ASD (Admin)	1

2. Non-DOD agencies:

Organization:	Number of copies
The President's Foreign Intelligence Advisory Board	2
National Security Council	2
United States Intelligence Board	2
Central Intelligence Agency (CIA)	5
Department of Transportation, U.S. Coast Guard	2
Department of the Treasury:	5
Office of the Special Assistant (Enforcement)	(1)
United States Customs	(1)
Bureau of Narcotics	(1)
U.S. Secret Service	(1)
Internal Revenue Service, Alcohol & Tobacco Tax Div	(1)
Department of Justice	10
Community Relations Service	(1)
Civil Rights Division	(1)
Internal Security Division	(1)
Federal Bureau of Investigation (FBI)	(3)
Inter-division Information Unit	(1)
Immigration and Naturalization Service, U.S. Border Patrol	(2)
Atomic Energy Commission (AEC)	2
Subversive Activities Control Board	2
General Services Administration	1

MINNESOTA SUPPORT FOR RURAL JOB DEVELOPMENT

Mr. MONDALE. Mr. President, I was delighted to give support to the Rural Job Development Act sponsored by the Senator from Kansas (Mr. PEARSON).

There has been a great deal of talk but precious little action and even less resources allocated to the renovation of our rural areas and the restoration of some balance in our population and our economy.

I think an editorial in the Marshall Messenger written by Editor Don Olson gives us an indication of the kind of support this measure has in many of our smaller towns and rural areas.

I wish to call attention to Mr. Olson's editorial as a representative of the kind of understanding and support which these and similar measures have, I believe, throughout our smaller cities, towns, and countryside.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Senator Mondale's Welcome Support

(By Don Olson)

Last week Sen. Walter F. Mondale announced his support of legislation aimed at encouraging industry to locate in "job-starved" rural communities. The specific bill he is supporting is the Rural Job Development Act, which was authored by Sen. James B. Pearson, a Kansas Republican.

Sen. Mondale's support of a measure such as this is not surprising because he always has been a strong champion of the countryside. But it should not go unnoticed by those of us who share his concern and appreciate his efforts.

Commenting on the Pearson bill, Sen. Mondale said, "Because we have not effectively used rural America's excellent human and natural resources, we have forced rural Americans to migrate to metropolitan centers in their search for economic opportunity.

"The cities are busting at the seams," he added, "while much of rural America becomes more and more economically depressed."

The bill, which was introduced in the Senate last week, would make a series of tax incentives available to new job-creating enterprises that locate in rural development areas. It would be administered by the secretary of agriculture.

These are the incentives:

A seven per cent tax credit on personal and real property. The credit would be increased to 10 per cent in areas having a population density of 25 persons per square mile. (Lyon county has a density of almost 35.)

An accelerated depreciation of two-thirds the normal, useful or class life of machinery, equipment and buildings.

A tax deduction equal to 50 per cent of the wages paid to workers for whom the enterprise must provide on-the-job training, an encouragement to hire and train local people who lack required skills.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

The Senate continued with the consideration of the motion to proceed to the consideration of the resolution (S. Res. 9) amending rule XXII of the Standing Rules of the Senate with respect to the limitation of debate.

The PRESIDING OFFICER (Mr. Humphrey). Pursuant to the previous order, the next hour will be controlled respectively by the Senator from Idaho (Mr. Church) and the Senator from North Carolina (Mr. Ervin), and the Senator from Alabama (Mr. Allen). Which Senator now yields time?

Mr. CHURCH. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Idaho is recognized for 2 minutes.

Mr. CHURCH. Mr. President, we have talked and talked about the merits of a rules change. We have given historical arguments; we have given arguments relating to the wisdom of minorities and majorities.

But I want to add one further observation.

In my judgment, an intransigent insistence upon retaining the cloture rule in its present form is a way of informing the American people that we in the Senate regard ourselves as being under siege. We are saying that we 100 Senators are gathered in this Chamber primarily for the purpose of saying "No."

To proceed under the present cloture rule is to insist that the Senate, part of the supreme legislative assembly in our Nation, remain insulated, in the maximum degree, from the most pressing problems of the American people. We are saying that we want to resist, insofar as possible, the resolution of our most bruising domestic and international problems. It is as if we covet the thick masonry walls that surround us.

I insist, Mr. President, that such an attitude reflects a negatively charged vision of our duties and responsibilities as legislators for our Nation. I think such an attitude is unfortunate; I think it bodes ill for the future reputation of the Senate; I fervently hope we do not insist on such a position. These reflections, Mr. President, are not merely my own. They are shared by the American people.

Only this week, the results of the Harris poll, published in the Washington Post 2 days ago, show that the American citizens queried gave the Congress an extremely low grade.

Interestingly enough, the Harris poll shows that the American people gave the Congress high marks in 1965 and 1966, years during which we acted positively and constructively—in the fields of environment, medical care, education, and consumer protection.

Mr. President, I ask unanimous consent to have the results of the Harris poll printed in the Record.

There being no objection, the Harris poll was ordered to be printed in the Record, as follows:

[From the Washington Post, Mar. 1, 1971]

Congress Gets Poor Ratings

(By Louis Harris)

By 63 to 26 percent, the American people give the 91st Congress negative marks on the job it did in 1970—a new low.

President Nixon receives scarcely better treatment: by 59 to 28 percent, he is given low marks in dealing with Congress.

Yet when the public is asked whether it is better for the country to have the executive branch and Congress in control of the same party or different parties, people opt for continuing the present arrangement by 49 to 36 percent. Their reason: at a time when politicians and politics are held in low esteem, most Americans feel "it is good and healthy to have Congress and the executive branch keeping each other on their toes."

A cross section of 1,627 households was recently asked: "Do you like the idea of having a Congress of a different party from the President as a check on him, or do you think having different parties running Congress and the White House makes it difficult to maintain proper government in Washington?"

[In percent]

	Good idea	Bad idea	Not sure
Nationwide	49	36	15
Republicans	41	49	10
Democrats	58	29	13
Independents	45	35	20

The cross section was asked, as comparable cross sections had been asked in previous years: "How would you rate the job Congress did in 1970—excellent, pretty good, only fair or poor?"

[In percent]

	Positive	Negative	Not sure
1971	26	63	11
1970	34	54	12
1969	34	54	12
1968	46	46	8
1967	38	55	7
1966	49	42	9
1965	64	26	10

People were asked: "How would you rate the job Congress has done in the past year on the following—excellent, pretty good, only fair, or poor?"

[In percent]

	Positive	Negative	Not sure
Requiring pollution-free car engine	76	15	9
Banning cigarette advertising on TV	64	26	10
Extending Federal aid to education	59	26	15
Giving vote to 18-year-olds	55	36	9
Rejecting SST subsidy	38	28	34
Passing expanded ABM	37	34	29
Passing anti-crime bill	36	39	25
Turning down Haynsworth and Carswell	26	35	39
Overriding Nixon veto on hospital bill	26	35	39
Not passing Nixon welfare reform bill	25	48	27
Not increasing social security	13	71	16
Not passing revenue-sharing bill	10	46	44

Congress receives its highest marks for its measures in the consumer area, as well as aid to education and granting the vote to the 18-year-olds. It is criticized, however, where it did not go along with the major elements of President Nixon's legislative program.

Mr. ALLEN. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 5 minutes.

Mr. ALLEN. Mr. President, today's will be the third vote on the question of cloture to end debate with respect to Senate Resolution 9. I do not believe that there has been a great deal of change in the sentiment of the Senate since the first two votes were taken, resulting in 37 votes against cloture on the first vote and 36 against cloture on the second vote.

Senate Resolution 9 does not represent an idea whose time has come. The junior Senator from Alabama submits that if the idea, the thought, of a change in the Senate rule with respect to cutting off debate in the Senate were being supported at this time by two-thirds of Senators, we would see more Senators on the floor at this time to take part in the "kill." No, the idea of a change in the Senate rules on debate limitation is not an idea whose time has come.

Mr. President, it has been suggested, and the distinguished Senator from Idaho, in one of his speeches the other day pointed out, according to the committee print on the Senate cloture rule, that prior to the cloture votes on the pending question, there had been, since 1917, 49 cloture votes taken in the Senate. Only eight cloture motions received the required two-thirds vote, which on the face of it would indicate that 41 issues were defeated in the Senate by use of extended debate. That is far from being correct because actually, in many cases, several cloture votes were taken on a single issue.

In the statistics, there are references to 49 separate cloture votes, not separate issues before the Senate. There is a table appearing on page 43 of the committee print, Mr. President, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

LATER ACTION ON 63 FILIBUSTERED MEASURES

Bills	Filibustered	Passed	Not passed (17)
Reconstruction of Louisiana	1865	1868	
Election laws	1879	1909 (repealed)	
Force bill	1890-91		×
River and harbor bills (3)	1901, 1903, 1914	At intervals	
Tristate bill	1903	1907, 1912	
Colombian Treaty	1903	1903[1]	
Ship subsidy bills (2)	1907, 1922-23	1936	
Canadian reciprocity bill	1911	1911[1]	
Arizona-New Mexico statehood	1911	1912 (admitted)	
Ship purchase bill	1915	1916	
Armed ship bill	1917		×
Mineral lands leasing bill	1919	1920	
Anti-Lynch bills (3)	1922, 1935, 1937-38.		×
Migratory bird conservation bill	1926	1929	
Campaign investigation resolution	1927	1927[1]	
Colorado River bills (2)	1927, 1928	1928[1]	
Emergency officers retirement bill	1927	1928	
Washington public buildings bill	1927	1928	
Resolution to postpone national-origins provisions of immigration laws	1929	1929	
Oil industry investigation	1931	1935	
Supplemental deficiency bill	1935	1936	
Prevailing wage amendment to work relief bill.	1935	1936	
Flood control bill	1935	1936	
Coal conservation bill	1936	1937	
Anti-poll-tax bills (4)	1942, 1944, 1946, 1948.	1964	
FEPC bill	1946	1964	
FEPC bill	1950	1964	
Slot machine bill	1950	1950	
Tidelands oil bill	1953	1953	
Atomic Energy Act, amendment	1954	1954	
Civil rights bill	1957	1957	
Do	1960	1969	
Senate rules, adoption of	1961		×
Literacy test for voting	1962	1965, 1970	
Communications satellite bill	1962	1962	
Amend Rule XXII	1963		×
Civil rights bill	1964	1964	
Reapportionment amendment	1964		×
Votings rights	1965	1965	
Right-to-work	1965, 1966		×
Civil rights (open housing)	1966	1968	
District of Columbia home rule	1966		×
Amend Rule XXII	1967		×
Campaign fund financing	1967		×
Open housing	1968	1968	
Fortas nomination	1968		×
Amend Rule XXII	1969		×
Haynsworth nomination	1969		×
Carswell nomination	1970		×
Cooper-Church amendment	1970	1970	
Abolishment of electoral college	1970		×
Family assistance plan	1970		×
Shoe-textile import quotas	1970		×
Funds for supersonic transport	1970	1970	

[1] In special or subsequent sessions.

Source: U.S. Congress. Senate. Committee on Rules and Administration. Limitation on debate in the Senate, hearings. 81st Cong., 1st sess. Washington, D.C., GPO, 42. Addenda compiled by the authors.

Mr. ALLEN. Mr. President, the table points out that of the issues which were defeated by the use of extended debate, 28 of those bills were subsequently passed in the Senate.

The proponents of this measure have been challenged on many occasions to point out one single piece of legislation necessary for the public good that was defeated in the Senate by resort to extended debate. Either the measure was subsequently passed or a compromise was reached. No one has been hurt by the use of extended debate in the Senate.

The PRESIDING OFFICER. The time of the Senator from Alabama has expired.

Mr. ALLEN. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 1 additional minute.

Mr. ALLEN. The best way to stop this filibuster—and I would like to see it come to a close—not that there is any pressing business before the Senate, because I call attention to the fact that on the calendar of the Senate at this time there are only two measures, Senate Joint Resolution 17, a joint resolution to establish a joint committee on the environment, which was placed on the calendar by unanimous consent. That is pending. It could pass at any time.

Another measure concerns another change in the rules. So, we are holding up nothing. The best way to stop the filibuster, if it can be called that, is to vote against stopping the filibuster, because if we have another vote today showing no gain or showing no changes, I believe that the distinguished majority leader would be loath to bring this matter up again.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ALLEN. Mr. President, I yield myself such time as I may require.

Mr. President, we can feel in the air that there is no additional sentiment in the Senate for changing the rules of the Senate. At this point, if there are going to be any changes at all, it looks as though there will probably be some changes the other way.

This matter of bringing extended debate to a close applies only with respect to the motion of the distinguished Senator from Kansas (Mr. PEARSON) to proceed to the consideration of Senate Resolution 9. Even if debate is cut off, we likely will go into another extended debate on Senate Resolution 9. That would not end the matter. We could have several days of debate after cloture had been invoked. If the motion to proceed to the consideration of Senate Resolution 9 were agreed to, we would then go into a debate of the resolution on its merits.

I submit, Mr. President, that the sentiment in favor of the resolution itself is much less strong than the sentiment in favor of the motion to proceed to the consideration of the resolution.

If we defeat this motion to close debate by 36 to 37 votes against cloture, the junior Senator from Alabama feels there is very little chance that the distinguished majority leader would permit another cloture motion to be filed.

Mr. President, the best way to stop this filibuster is to vote today not to stop the filibuster.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CHURCH. Mr. President, I yield 5 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 5 minutes.

Mr. HARRIS. Mr. President, I rise to support the efforts of the distinguished Senator from Idaho, the distinguished Senator from Kansas, and others who once again are leading the Senate in a valiant fight, which is the people's fight in this country, to strike down at long last, or at least to relax one of the most archaic and undemocratic barriers to the public will which exists in our country. I refer to the outmoded and undemocratic filibuster in the Senate, rule XXII.

I would support a rules change which would allow a majority to cut off debate in the Senate. I think the fact that every State has two Senators, regardless of its population and that we have other procedural rules and laws which govern the operations of the Senate are safeguards enough for the minority.

Mr. President, despite my own feelings which I have come to have about the need to change to a bare majority, I would support the efforts of the distinguished Senator from Idaho, the distinguished Senator from Kansas, and others to change the rule to three-fifths as they propose, because I think that has the best chance of adoption.

Mr. President, I think it ought to be noted that whether or not this fight is successful this year, it will be ultimately successful. I have supported it in the past, and will continue to support it, and I believe additional Senators will in time see the necessity of changing this rule. I believe this debate will prove to be a successful effort. It has been very helpful, because among other things, in addition to the educational value it has for the public generally and for the newer Members of the Senate, it also says to a great many people in the country, who really doubt whether the political process in this country will deliver, that there are people in the Senate who feel that this barrier stands in the way of the public will and that these people will continue to stand and fight to knock the restriction down.

I believe it is important to give people hope after they have lost hope. I speak not merely of black people and other minorities, or young people who have show some disenchantment with the political and electoral processes in the past. I trust that they are beginning to come home again to the political process, and I hope that will be accelerated in the months ahead.

I worry about a great many of the plain people in this country who have legitimate complaints and who feel that they are not being listened to. I think it is in their interests that we speak for them and make every effort to streamline the processes of the Senate and modernize the processes of the Senate and make it more possible for the majority will to govern in this body and in the country.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **CHURCH**. Mr. President, I yield 1 additional minute to the Senator from Oklahoma.

The **PRESIDING OFFICER**. The Senator from Oklahoma is recognized for 1 additional minute.

Mr. **HARRIS**. Mr. President, the distinguished Senator from Alabama said that measures which have been blocked by filibusters in the past have later been enacted or compromised. I think that is an important point.

The distinguished occupant of the Chair, the distinguished Senator from Minnesota (Mr. HUMPHREY), has had a role of tremendous and vital importance in the whole field of civil rights when he served the country as Vice President and as a Senator in the efforts in the past to change rule XXII. Those matters have been bound together in the past.

The distinguished Senator from Minnesota knows quite well, as do others, that the race issue, which has been central to all of our national life, has been compromised and compromised and compromised throughout the years at great cost to life, property, and self-esteem in this country.

One reason it has been compromised is because of the necessity in the past in this body to get, not just a majority vote for the passage of civil rights legislation, but to get a two-thirds vote in order to withstand a filibuster.

That is ample reason why we should now cut off debate and allow the Senate to vote on changing rule XXII. The proposal offered by the distinguished Senator from Idaho, the distinguished Senator from Kansas, and others, should be adopted.

Mr. **ALLEN**. Mr. President, I yield 8 minutes to the distinguished Senator from Mississippi (Mr. STENNIS).

The **PRESIDING OFFICER**. The Senator from Mississippi is recognized for 8 minutes.

Mr. **STENNIS**. Mr. President, I think the Senator from Alabama for the time he has yielded to me. I do not have to reexpress my sentiments or my esteem for my distinguished colleagues who propose a change in rule XXII. They have been interested in this matter over the years. The matter is of equal interest and concern to those of us who oppose this proposed change.

Again, with great deference to the proponents of change, I believe that we in the Senate are just killing time on this matter under these circumstances.

The Senator from Alabama said there is no wave or surge of sentiment and there is not even any discernible interest on behalf of the people throughout this Nation for a change in rule XXII at this time. In fact, there is evidence that a lot of people are taking a second thought and a "rethink" to the extent that, after all, why change the rule now?

Our esteemed friend from Oklahoma, in his great sincerity, suggested that the rule should be changed so it would be easier to pass a bill for the benefit of the poor people, the minorities and other groups. I respectfully submit that we are passing bills here, that we passed bills last year and the year before, that the people are not able to pay for. We are passing far more bills than we are willing to impose taxes to pay for. I remember last year we passed bills—and not military matters—by the billions of dollars, at a time when we are operating under a deficit. It is something like the old man down home said, "We will just appropriate the money."

That is the standard we have adopted here. This is not the time to stop, but it is time to slow down and get our bearings.

Mr. President, we have a mighty good rule now that will permit the cutting off of debate in proper instances. I refer to rule XXII as it is presently written.

I sense a realization among the minds of many of the so-called liberals that, "perhaps, after all, we have gotten a lot of our bills passed, and there might be a move to amend or substantially modify the very items we have been fighting for throughout the years, and we had better not open the door to cutting off these matters. We better not make it any easier to modify these bills in the future than can now be done under rule XXII as it is written."

Mr. President, I miss very greatly a dear friend, a respected and admired colleague who has recently left us. His wise counsel, depth of knowledge of the institutions of Government, and his solid judgments in matters of controversy guided our way for many years in this Chamber. I refer of course to the former Senator from Georgia, Richard B. Russell.

As in all matters, his comments on rule XXII of the Senate reflected his wisdom and depth of perception.

Ten years ago, on January 9, 1961, during debate on the same issue that confronts us today, the distinguished Senator from Georgia said:

> Many years ago, a distinguished British scientist and able author came to this country and studied our institutions of government. After concluding his study, he said, "I see nothing so remarkable about the Constitution of the United States, because it is all sail and no anchor." He went on to say that in the years to come, mobs would arise and would take over this country on the impulse of the moment, and that we would, therefore, have our institutions of government destroyed. He also said that the American Republic would be as fearfully plundered as the Roman Empire was in the sixth and eighth centuries, but that the Huns and Vandals would be generated within our own institutions. But, Mr. President, he overlooked the great anchor that has provided stability to these United States through all the years since the Constitution was adopted in 1789; that anchor has been the Senate of the United States, and the rules of the Senate which permit the representatives of the several States to stand upon this floor and speak. That anchor has been the refusal of the Senate to gag its Members as every other parliamentary body has done. In my opinion, the one great stabilizing factor that has preserved our form of government through all the years has been the right of discussion in the Senate.

This is an eloquent and persuasive statement from a great legislator, and a lifetime student of American Government. Are we to permit the Senate to become "all sail and no anchor"? If the Senate amends rule XXII to three-fifths, we simply make it that much easier for the next and inevitable step to be taken, the acceptance of the majority vote in cloture and all other matters. With it we would destroy the sea anchor of our Constitution, the stabilizer that keeps the bow of the ship of state headed into the gales that strike us so often in these turbulent days.

Another early visitor to our country, in its formative years, also had doubts regarding our constitutional government. Alexis De Tocqueville, in his book, "Democracy in America," said:

> If ever the free institutions of America are destroyed, that even may be attributed to the omnipotence of the majority . . . Of all the political institutions, the legislature is the one that is most easily swayed by the will of the majority . . . I am not so much alarmed at the excessive liberty which reigns in that country as at the inadequate securities which one finds there against tyranny.

Senator RUSSELL had some very cogent thoughts on the possible tyranny of the majority, also. A little later in the debate, on the same day 10 years ago, January 9, 1961, he said:

> In the course of the discussion we have been assailed time and again with the argument that there is some great sanctity attached to the sheer weight of numbers, and particularly a majority of one. If there is one body in our system of government which is unique and distinctive it is the Senate of the United States. The feature that makes us such a distinctive body is the fact that our composition is a constitutional refutation of the right of a majority of one to proceed to act in the Government.

Mr. President, I am not given to scare stories or predictions about them. But referring to the times of danger in our country, just yesterday the news was filled with stories about the nefarious act of blowing up a part of the Capitol of the United States. Presumably, that was done by one of our own people.

I watched the 30-minute television news program last night. The President of the United States was making an appearance before the State legislature of one of our fine States. Later there was a demonstration by different groups of people. I mean every word when I say they are fine people. Some were students, some were workingmen, and some were farmers. But there was a demonstration there against the President of the United States which included the throwing of rocks and other missiles. One such missile hit his car.

This is proof that these are turbulent times. It is time to quiet down. It is time for leadership and for people to act calmly.

I do not know of any bill concerning the war, farmers, or the workingman that is being held up or that has been held up within recent history. Certainly rule XXII did not create any of that turbulence or uncertainty.

My plea is: Let us quiet down, let us be calm, let us have solid leadership; let us not surrender the distinctive quality which I think is the great virtue of this body.

I thank the Senator for yielding.

Mr. CHURCH. Mr. President, how much time remains for the proponents?

The PRESIDING OFFICER. Twenty minutes remain to the Senator from Idaho.

Mr. CHURCH. Mr. President, the Senator from Mississippi (Mr. STENNIS) never speaks in this Chamber without receiving the most serious consideration. I have listened to his excellent address in support of rule XXII, as it is now written, and to his wise observation that any vessel needs a good anchor. Certainly, I concur that a vessel featuring all sail and no anchor is a dangerous one on which to travel. But I submit that the best ship is one which boasts both an adequate sail and an adequate anchor.

When the record shows that of 49 attempts to secure cloture over a period of 54 years, only eight have been successful, then it is not unreasonable to conclude that our anchor is too large, our sail too small.

Again and again, it has been said in this debate that rule XXII has never interfered with the passage of any important legislation. I submit that this assertion is not so. Only last year, we had a most important proposal before the Senate to amend the Constitution of the United States. Polls indicated that 80 percent of the American people favored the amendment. There was a legitimate basis for concern that, unless we eliminated the anachronism of the electoral college and permitted Americans to vote directly for President and Vice President, as the times require, we could easily face an election when the candidate receiving fewer popular votes than his opponent, would, nevertheless, win the Presidency in the electoral college.

Sixty percent of the Senate favored proceeding to a vote on that amendment, after a long, exhaustive, comprehensive debate as to all its implications. But 60 percent of the Senators could not get a vote, even though the Constitution itself required a two-thirds vote in order for this body to give its approval to a constitutional amendment. That great inbuilt constitutional protection was not sufficient to convince the opponents of the amendment that they should permit the debate to be closed and allow 60 percent of the Senators to vote on the merits of the proposition.

No, Mr. President, this vessel, the Senate of the United States, does not suffer from too much sail; it suffers from too much anchor. If we were to modify rule XXII as proposed, we would remodel the ship in such a way that the anchor and the sail would come into better balance, so that the ship would be rendered more seaworthy for the stormy waters that lie ahead. All of us could be better assured that the ship would see us through.

I hope, after a full month's debate, every part of which is already familiar to the Senate, so frequently has it been repeated through the years, that we could now come to a vote on the merits of this very prudent suggestion for modifying rule XXII.

Mr. President, I reserve the remainder of my time.

Mr. ALLEN. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Alabama. How much time does the Senator yield himself?

Mr. ALLEN. I yield myself 5 minutes.

Mr. President, there is no such thing as unlimited debate in the U.S. Senate, except in the sense that once a Senator obtains the floor to speak on a debatable issue, he can speak as long as he desires and so long as his physical condition and determination will allow him to speak. Except for that, we have only the right of extended debate in the U.S. Senate.

Rule XXII, far from being a delegation of the power or right of unlimited debate, or even extended debate, is a limitation upon the right to extended debate. This is a rule that has served the Senate and the Nation well for 54 years. The rule now is substantially the same as the rule adopted in 1917. There have been some minor changes. At one time the rule required a constitutional two-thirds, two-thirds of all the elected membership, which today would be 67, to close debate. Now the requirement is only two-thirds of the Senators present. So if 51 Senators are present, the Senate is empowered to act to close debate; and if 34 Senators voted in favor of invoking cloture, we would have cloture.

The distinguished Senator from Idaho pointed out that the constitutional amendment providing for the direct election of the President of the United States with as little as a 40-percent plurality failed to come to a vote in the Senate. Mr. President, it takes two-thirds of the Senators present to pass a constitutional amendment. It takes two-thirds of the Senators present to invoke cloture. If two-thirds of the Senators had been in favor of that constitutional amendment, we know that they would have invoked cloture and would have passed the constitutional amendment.

Since 1917, the Senate has passed tens of thousands of pieces of legislation. The only kind of measure that has been pointed out that was killed by a filibuster—and I submit it was not a filibuster—was the constitutional amendment providing for the direct election of the President with a plurality of 40 percent.

The figure of two-thirds is not reached or grabbed out of thin air. The Constitution itself provides for a two-thirds vote on many issues of importance both in this body and in the other body. It takes two-thirds of the Senators present to ratify a treaty. It takes two-thirds of the Members of the House and two-thirds of the Members of the Senate to submit a constitutional amendment to the States, and then the Constitution requires ratification of the amendment by three-fourths of the States. Two-thirds of the membership present is the number required to expel a Member, two-thirds to convict on impeachment charges, and two-thirds to override a Presidential veto.

Talk about power and talk about filibustering, because that, in effect, is what it is, it takes two-thirds of the Members of the House and two-thirds of the Members of the Senate to override a Presidential veto.

The distinguished Senator from Missouri today spoke for an hour, and part of the thrust of his remarks was that the executive has taken over many of the powers of the legislative branch of the Government.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

He yields himself 2 additional minutes.

Mr. ALLEN. This is just another instance where the Senate would be stripping itself of power, where it would be stripping itself of its prerogatives, where it would be stripping itself of the very attributes that have made it the greatest deliberative body in the world.

Are we going to take away from the Senate the power to discuss issues at length? Over in the other body, Members are permitted to speak for only 5 minutes. They may bind themselves in such a way that they cannot even offer amendments to a bill, so a bill can be rammed through the House of Representatives and come to the Senate, and if we do away with rule XXII and make it easier to stop debate in the Senate, we are going to have legislation flying through the Senate, just as it does through the House.

Mr. President, every 2 years we have a debate on this question. One purpose it serves is that it allows many Senators to extend their recess period for an additional 30 days. I submit that if this motion to close debate on the motion to proceed to the consideration of Senate Resolution 9, seeking to modify rule XXII, is adopted, we are going to have an extended debate, and therefore an extended recess for some of our Members.

Where are those seeking the adoption of this resolution? Where is a Senator, other than voting by rote, in favor of any cloture motion? Mr. President, two-thirds of the Members of the Senate do not favor this cloture motion, as will be ascertained when the vote is taken.

I do wish to commend, as the distinguished majority leader commended them, the principal proponents of this measure, on their abiding by the rules of the Senate in seeking to change the rules of the Senate, in their tacit agreement, by their actions, that it does take a two-thirds vote of the Senate at the beginning of a session or in the midst of a session——

The PRESIDING OFFICER. Two more minutes.

Mr. ALLEN (continuing). To break off debate in the Senate.

On matters of substantive legislation, you can get a two-thirds majority in the Senate quite easily, as has been done many times. But it is a source of great comfort to realize that there are not two-thirds of the Members of the Senate who are willing to change the framework of the Senate, to change the rules of the Senate that have served this body and this Nation in such good stead.

Yes, vote for cloture, if you want to, on substantive legislation. Do not vote for cloture on changing the rules of the Senate, thereby making it easier to cut off the right of extended debate.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. CHURCH. Mr. President, I yield the remainder of my time to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, shortly after 1 p.m., the Senate will be asked to decide whether there has been sufficient consideration of the motion to proceed to consider Senate Resolution 9. An affirmative vote simply means that the Senate is willing to get on with its business and debate and decide the merits of the principle that three-fifths of the Senate should be enough to impose a limitation on debate in this Chamber. It is a principle with which I have long agreed though there is nothing magical about the choice of a three-fifths rule. It does provide a more equitable balance, however, while still protecting sufficiently a minority viewpoint.

I favor the substance of Senate Resolution 9. I believe the Senate ought to be permitted to proceed with the questions involved and to decide them on the merits. Chief among these questions is whether by precluding a vote on the merits of three-fifths, the Senate is not heading down the road to majority cloture. I cannot agree with those in this Chamber who say a three-fifths rule is only one step away from majority cloture. To the contrary, I feel that three-fifths may well be the barrier to majority cloture. If that were not the case, I would not favor the three-fifths resolution. I would prefer to work with the present two-thirds requirement that permit the Senate to move toward a position of majority cloture. Still, there must be a more equitable balance.

Over the years, two-thirds has proven too rigid a standard and too heavy a burden on orderly procedure. In time, this burden will have to be reduced, and by then it could well be with a majority cloture provision. Adoption of the three-fifths resolution now, in my judgment, avoids taking later a path leading to the destruction of the uniqueness of this institution and its vital importance in our scheme of Government. Any path leading to majority cloture would do just that.

To put it simply, I could never and will never support an effort leading to majority cloture. To me the issue of limiting debate in this body is one of such monumental importance that it reaches to the very essence of the Senate as an institution. The protection of minorities, as provided by the U.S. Senate ranks with other fundamental issues framed by our Founding Fathers. To say this is not heretical or undemocratic. Our Constitution itself specifies that nine distinct issues be resolved by more than a majority. The Constitution of the United States is not undemocratic.

To me, the issue of protecting minorities is of transcendent importance. How it is achieved in the U.S. Senate distinguishes this institution as a legislative body throughout the world. It is absolutely vital that this unique characteristic of the Senate be preserved.

To be sure, not always has the so-called cloture rule as presently written assisted the efficient disposition of legislative business. Requiring two-thirds on the great civil rights proposals was an enormous burden. But the burden was met. At the same time I believe the action of the Senate at the close of the 91st Congress in December of 1970 demonstrates that such a procedure does not just benefit one particular minority; but rather it benefits all. In question at that time was the wisdom of the restrictions on the use of ground combat troops in Laos and Cambodia. As I recall, the threat of a so-called filibuster by an apparent minority played no small role in assuring that the restrictions were retained. I do not believe that many Members of this body would today disagree with that decision. Its success is attributable in great part to the few in this body who insisted that the Senate's right on combat restrictions become a part of the law. It was a vigilant minority using the protection of rule XXII that helped so much to achieve this result.

It should be said also that issues arise at times in an atmosphere charged with deep emotions. While other institutions of Government have no protection against responding abruptly and without ample consideration, the Senate stands uniquely as the only forum where calmness, coolness, and reflection may be demanded of even a majority. It should continue to be this way, and a change to three-fifths would preserve this indispensable quality. At the same time, this modest change, in my judgment, would answer the demands that we instead go all the way and write a majority cloture rule. Three-fifths is equitable. It is fair and just. With its adoption, in my opinion, these biennial exercises to change the rules of the Senate will be put to an end. Indeed, it is the only way to stop the effort to gain a majority cloture rule.

Allowing the retention of the two-thirds rule and the inordinate burden it imposes merely threatens the destruction of the very character that distinguishes the Senate and its unique function in our scheme of Government. So, before dismissing the three-fifths proposition so readily, we should ask if not that action would contribute to a process that will lead ultimately and inexorably to majority cloture. The most important aspect of this debate is the issue of minority protection. But the meaning of minority protection should not be clouded by definitions arising in the past on issues long since resolved.

Yes, two-thirds is an onerous burden. It is onerous because there are many who never vote to invoke cloture regardless of the issue. It is thus an unreasonable roadblock so long as Senators remain rigid on rule XXII.

Three-fifths does strike the proper balance. It is workable. It does overcome the rigidity factor. And, most important, it waters down considerably the threat of moving toward a majority cloture position. As will be recalled, 4 years ago a motion to move the previous question was attempted on this issue and failed. The Senate may not be so fortunate in the future. The adoption of three-fifths will strengthen this institution and the protection against majority cloture. To that end, I hope for and I urge the adoption of the pending cloture motion.

Mr. ALLEN. Mr. President, I yield the remainder of my time to the distinguished Senator from Mississippi.

Mr. STENNIS. I thank the Senator.

Mr. President, the Senator from Montana has always given us much logic and much sincere thought; and part of that logic, I respectfully submit, sustains our position here.

I want to read from a statement he made 10 years ago on this identical issue, on January 9, 1961. The Senator from Mississippi had the floor and mentioned proposed legislation that had passed the House but was defeated in the Senate; and the Senator from Montana, with his usual clarity and forthrightness, rose and said this:

> One of those pieces of proposed legislation was the proposal—for which, unfortunately, and to my sorrow, I voted in the House of Representatives—called for drafting the railway strikers.

He said, further:

> Many times since, I have thanked God that there was an institution such as the U.S. Senate where a mistake which we made in the House of Representatives, and to which I contributed, could be corrected and was corrected.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. CHURCH. Mr. President, how much time remains to the proponents?

The PRESIDENT pro tempore. Five minutes.

Mr. CHURCH. I yield 3 minutes to the Senator.

Mr. STENNIS. I thank the Senator. I was just going to read from the statement of the former Senator from Oregon, Mr. Morse, who responded at that point in the debate, in part, by saying:

> The Senator from Montana is correct on the point that on that occasion it was the Senate debate of substantial length which prevented, I believe, the making of what would have been a great mistake.

The Senator from Montana then complimented the Senator from Oregon for his position.

Mr. President, this just shows that the issue here today goes to the very vitals of this great institution. After they are here a while, Senators can see clearer and better, and some entirely change their view and their position, and some change in part. We are dealing here with the most delicate, sensitive, and vital question that I think could possibly come before this body this year.

I trust that we will sustain our former position and keep rule XXII as now written.

I thank the Senator very much for the time.

Mr. CHURCH. Mr. President, I yield 1 additional minute to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, what the distinguished Senator from Mississippi has said is correct. It is perfectly consistent with my position against majority cloture in the U.S. Senate. In the other body, circumstances are different and there are occasions when issues are decided too hastily and in an atmosphere charged with emotion. It is true that I was placed in the position of casting a vote I have regretted ever since. I am against majority cloture but I am willing to move from two-thirds to three-fifths. No further, however, because three-fifths will preserve the uniqueness of this body that is so vital in our scheme of government.

On the occasion that has been referred to I was indebted—and I think the country was indebted—to such men as Senator Morse of Oregon, Senator Taft of Ohio, and Senator Wheeler of Montana, who were in the forefront in preventing hasty action on an obnoxious measure which had passed through the House abruptly and without a resolution even having been printed. I am delighted that the distinguished Senator has recalled this incident.

The PRESIDENT pro tempore. Who yields time?

Mr. CHURCH. Mr. President, I yield myself the remainder of the time.

I cannot possibly add to the sagacious words of the majority leader in summing up the argument for Senate Resolution 9. I can only echo what he said when he reminds us that the best way to safeguard the Senate against the uncertainties of the future, the best way to protect the sanctity of Senate procedures and assure that the right of extended debate will be preserved, is to move from a two-thirds cloture rule to a three-fifths rule. I think the argument he made for his proposition is quite beyond reasonable rebuttal. The history of the Senate itself bears him out.

For that reason, I hope that the Senate, following more than a month's debate on this familiar issue, will now see fit to invoke cloture, so that we can proceed to a determination on the merits.

Mr. President, finally, I ask unanimous consent to have printed in the RECORD an editorial published in the March 1 issue of the New York Times under the caption "Can the Senate Act?"

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CAN THE SENATE ACT?

The pattern of voting in the Senate on the recurrent attempts to break the existing filibuster makes clear the necessity for a change in rules. The initial attempt last month failed, 48 to 37, which was well short of two-thirds. A later vote was 50 to 36, again short.

A larger turnout is expected tomorrow because the party floor leaders are making a maximum effort to round up absentees. But unless President Nixon has done some remarkable—and remarkably secret—missionary work among conservative Republicans, a bigger vote will make no difference. Two who missed the last vote are seriously ill and are not expected to vote. Of the remaining dozen, eight are for closure and four are against it. In other words, the absentees cancel one another out because under the two-thirds rule it requires two affirmative votes to offset one negative vote.

The arithmetic of this controversy is worth rehearsing because it shows up the sham in which the Senate has been engaged for the past month. There is a majority in favor of a rules change. There has been from the beginning, as each vote has shown. All that has been lacking is the willingness of Vice President Agnew to rule that, a majority having voted "aye," debate is ended.

The losers would naturally appeal his ruling; the majority would move to table this appeal, and on this tabling motion an immediate decisive vote could be obtained. When a Vice President and a majority of the members agree that a new Senate is its own master and is not bound by the two-thirds rule of the previous Senate, only then will the filibuster rule be changed.

Why does it matter whether the two-thirds rule is amended? It matters because this procedural question reaches to the heart of the Senate's capacity to act, particularly on major issues and particularly in the closing weeks of a session. As the arithmetic of these closure votes has demonstrated, it is almost impossible to get two-thirds of the Senate to agree on anything unless the ordinary public becomes aroused, as it did on the civil rights bills of the mid-sixties. In ordinary circumstances, a filibuster or the mere threat of a filibuster enables small voting blocs to get exaggeratedly favorable terms in the legislative bargaining which precedes the passage of most bills.

A shift from a two-thirds to a three-fifths rule would improve the majority's bargaining power in dealing with selfish or obstreperous minorities. The question before the Senate is not the right to free and full debate. That is beyond dispute. The question is whether the Senate can simplify its procedures to permit the majority to conduct the public's business in a reasonably democratic and expeditious manner. The connivance of the Vice President and of many Senators in the cynical farce of recent weeks cannot conceal that question.

The PRESIDENT pro tempore. Who yields time?

Mr. CHURCH. Mr. President, if no other Senator wishes to speak on the side of the proponents, I yield back the remainder of my time.

The PRESIDENT pro tempore. All time has now expired.

Pursuant to rule XXII and the hour of 1 o'clock having arrived, the Chair lays before the Senate the pending cloture motion which will be stated by the clerk.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the motion to proceed to the consideration of the Resolution (S. Res. 9) amending Rule XXII of the Standing Rules of the Senate with respect to the limitation of debate.

RICHARD S. SCHWEIKER, FRANK CHURCH, HUGH SCOTT, JACOB JAVITS, GAYLORD NELSON, ALAN CRANSTON, MIKE MANSFIELD, HARRISON WILLIAMS, HAROLD E. HUGHES, JOHN O. PASTORE, ROBERT GRIFFIN, EDWARD KENNEDY, JOSEPH M. MONTOYA, PHILIP A. HART, JAMES B. PEARSON, WILLIAM PROXMIRE, JENNINGS RANDOLPH, THOMAS F. EAGLETON, EDWARD W. BROOKE, EDMUND MUSKIE.

The PRESIDENT pro tempore. Under rule XXII, the Chair directs the clerk to call the roll to ascertain the presence of a quorum.

The assistant legislative clerk called the roll and the following Senators answered to their names:

[No. 12 Leg.]

Aiken
Allen
Anderson
Baker
Bayh
Beall
Bellmon
Bennett
Boggs
Brock
Brooke
Buckley
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Chiles
Church
Cook
Cooper
Cotton
Cranston
Curtis
Dole
Dominick
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Gambrell
Goldwater
Gravel
Griffin
Gurney
Hansen
Harris
Hart
Hartke
Hollings
Hruska
Humphrey
Inouye
Javits
Jordan, Idaho
Long
Magnuson
Mansfield
Mathias
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Roth
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stennis
Stevens
Stevenson
Symington
Taft
Talmadge
Thurmond
Tower
Tunney
Weicker
Williams
Young

Mr. BYRD of West Virginia. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Nevada (Mr. BIBLE), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Iowa (Mr. HUGHES), the Senator from Washington (Mr. JACKSON), and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

I also announce that the Senator from North Carolina (Mr. JORDAN) is absent because of illness.

Mr. GRIFFIN. I announce that the Senator from Colorado (Mr. ALLOTT) is absent on official business.

The Senators from Oregon (Mr. HATFIELD and Mr. PACKWOOD) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The PRESIDENT pro tempore. A quorum is present.

Under the previous order, the Chair directs the Sergeant at Arms to clear the Senate Chamber and the lobby of all aides to Senators during the rollcall vote.

The question is, Is it the sense of the Senate that the debate shall be brought to a close? The yeas and nays are mandatory, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. GRAVEL (after having voted in the negative). On this vote I have a pair with the Senator from Oregon (Mr. PACKWOOD) and the Senator from Massachusetts (Mr. KENNEDY). If the Senator from Oregon (Mr. PACKWOOD) were present and voting, he would vote "yea." If the Senator from Massachusetts (Mr. KENNEDY) were present and voting, he would vote "yea." I have already voted in the negative. Therefore, I withdraw my vote.

Mr. BYRD of West Virginia (after having voted in the negative). On this vote I have a pair with the Senator from Washington (Mr. JACKSON) and the Senator from Texas (Mr. BENTSEN). If the Senator from Washington (Mr. JACKSON) were present and voting, he would vote "yea." If the Senator from Texas, Mr. BENTSEN) were present and voting, he would vote "yea." If permitted to vote, I would vote "nay." Having already voted in the negative, I withdraw my vote.

Mr. RIBICOFF (after having voted in the affirmative). On this vote I have a pair with the Senator from Nevada (Mr. BIBLE) and the Senator from Iowa (Mr. HUGHES). If the Senator from Nevada (Mr. BIBLE) were present and voting, he would vote "nay." If the Senator from Iowa (Mr. HUGHES) were present and voting, he would vote "yea." Having already voted "yea," I withdraw my vote. If I were permitted to vote, I would vote "yea."

Mr. RANDOLPH (after having voted in the affirmative). On this vote I have a live pair with the distinguished junior Senator from Arkansas (Mr. FULBRIGHT), and the distinguished majority leader, the Senator from Montana (Mr. MANSFIELD). If the Senator from Arkansas (Mr. FULBRIGHT) were present and voting, he would vote "nay." The Senator from Montana (Mr. MANSFIELD), who is involved in my request, has already voted in the affirmative. I have already voted in the affirmative. For purposes of accommodation, which I have mentioned, I withdraw my vote.

Mr. MANSFIELD. I withdraw my vote on that basis.

Mr. BYRD of West Virginia. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Nevada (Mr. BIBLE), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Iowa (Mr. HUGHES), the Senator from Washington (Mr. JACKSON), and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

I also announce that the Senator from North Carolina (Mr. JORDAN) is absent because of illness.

As previously announced by the Senator from Connecticut (Mr. RIBICOFF), the Senator from Nevada (Mr. BIBLE) is paired with the Senator from Iowa (Mr. HUGHES) and Mr. RIBICOFF. If present and voting, the Senator from Nevada would vote "nay" and the Senator from Iowa would vote "yea."

I further announce that, if present and voting, the Senator from North Carolina (Mr. JORDAN) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Colorado (Mr. ALLOTT) is absent on official business.

The Senators from Oregon (Mr. HATFIELD and Mr. PACKWOOD) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The pair of the Senator for Oregon (Mr. PACKWOOD) has been previously announced.

On this vote, the Senator from Colorado (Mr. ALLOTT) and the Senator from Oregon (Mr. HATFIELD) are paired with the Senator from South Dakota (Mr. MUNDT). If present and voting, the Senator from Colorado and the Senator from Oregon would each vote "yea" and the Senator from South Dakota would vote "nay."

The yeas and nays resulted—yeas 48, nays 36, as follows:

[No. 13 Leg.]

YEAS—48

Aiken
Anderson
Bayh
Beall
Bellmon
Boggs
Brooke
Burdick
Case
Church
Cook
Cranston
Dominick
Eagleton
Fong
Griffin
Harris
Hart
Hartke
Humphrey
Inouye
Javits
Magnuson
Mathias
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Saxbe
Schweiker
Scott
Smith
Stevens
Stevenson
Symington
Taft
Tunney
Williams

NAYS—36

Allen
Baker
Bennett
Brock
Buckley
Byrd, Va.
Cannon
Chiles
Cooper
Cotton
Curtis
Dole
Eastland
Ellender
Ervin
Fannin
Gambrell
Goldwater
Gurney
Hansen
Hollings
Hruska
Jordan, Idaho
Long
McClellan
McGee
Miller
Roth
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tower
Weicker
Young

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—5

Gravel, against.
Byrd of West Virginia, against.
Ribicoff, for.
Randolph, for.
Mansfield, for.

NOT VOTING—11

Allott
Bentsen
Bible
Fulbright
Hatfield
Hughes
Jackson
Jordan, N.C.
Kennedy
Mundt
Packwood

The PRESIDENT pro tempore. On this vote, the yeas are 48, the nays are 36. Two-thirds of the Senators present and voting not having voted in the affirmative, the motion is rejected.

Mr. CHURCH and Mr. JAVITS addressed the Chair.

The PRESIDENT pro tempore. The Senator from Idaho is recognized.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. CHURCH. I had promised to yield to the Senator from Iowa, but I yield to the Senator from New York.

A RESERVATION

Mr. JAVITS. I should like to make a reservation.

Mr. CHURCH. For the purpose of making a reservation, I yield to the Senator from New York.

Mr. JAVITS. I thank the Senator from Idaho.

Mr. President, I have made this reservation before; I make it again. I do not admit the vote to be a waiver of the question of order as to whether a majority having voted in favor of cloture, as we are operating under the Constitution, not under the rules, for this purpose, cloture should now be ordered. I believe that the next impending vote will be the last one. I shall make the point of order at the end of that vote, assuming it will be the last vote.

Mr. MANSFIELD. Mr. President, will the Senator from Idaho yield to me for the purpose of making an announcement?

Mr. CHURCH. I yield.

ANTICIPATED VISIT TO THE SENATE BY APOLLO 14 ASTRONAUTS

Mr. MANSFIELD. Mr. President, it is anticipated that at about the hour of 2 o'clock the Senate will stand in recess to receive the three distinguished astronauts, Messrs. Shepard, Roosa, and Mitchell.

It is requested by the joint leadership that the distinguished Senators from New Hampshire (Mr. COTTON and Mr. MCINTYRE) be prepared to escort Captain Shepard from the entrance of the Chamber; that the distinguished Senator from Colorado (Mr. DOMINICK) and—due to the absence of the Senator's colleague—the distinguished minority leader (Mr. SCOTT) escort Mr. Roosa; and that the distinguished Senators from New Mexico (Mr. ANDERSON and Mr. MONTOYA) escort Mr. Mitchell.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

The Senate continued with the consideration of the motion to proceed to the consideration of the resolution (S. Res. 9) amending rule XXII of the Standing Rules of the Senate with respect to the limitation of debate.

Mr. CHURCH. Mr. President, I should like to say, first of all, that it will take a little sorting out of the pairs before an accurate assessment of this vote can really be made; but it is obvious that there is no shift in evidence as between the proponents and the opponents; at least, none has occurred so far. I must observe, to my sadness, that we continue to be plagued by absences, more Senators being absent today, on the third attempt to obtain cloture, than on either of the previous attempts. This, of course, has distorted the results.

Mr. MILLER. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I am glad to yield to the Senator from Iowa.

Mr. MILLER. Mr. President, I quite agree with the Senator from Idaho that we seem to be locked in concrete on the votes. The Senator from Idaho and the other proponents are striving for a principle, and the principle is that there be a little relaxation in the cloture rule so that the Senate may, it is hoped, reflect public opinion in this country in which the Senate does. This is an important principle. After all, I think we do want to have both Houses of Congress reflect public opinion, possibly a little more than we have in previous years.

But the Senator from Iowa has been striving for another principle which I think is not completely irreconcilable with the first principle. That principle is one of bipartisanship in what we do. I must say that I simply cannot understand some of my colleagues on this side of the aisle who have been voting for this proposition. Do they not understand that this proposition, the way it stands, could lay the foundation for a ruthless majority to choke off the minority? I want to make progress, just as much as anyone else, but when we make progress, it ought to be bipartisan progress; and by bipartisan I am not talking about 65 on one side and five on another side. I am talking about a majority of the Members of both parties. Then we would have genuine bipartisanship toward the implementation of public opinion as to what we do.

I would hope that since we appear to be locked in concrete, the proponents, particularly the distinguished Senator from Idaho, might see fit to sit down to determine whether we want to establish these two principles in such a way as to make progress, on the one hand, and to assure bipartisanship, on the other hand, in order to reconcile these two principles. I think it is worth a try.

In my 10 years in the Senate—this is my 11th—we have gone through this exercise every 2 years, and we have not got off the ground. I do think the people would like to see some progress made. However, at the same time, I think the people would like to see bipartisan progress. That is what happened in the debate on the great Civil Rights Act of 1964. Cloture was invoked by a majority of Senators on both sides of the aisle. It was genuine bipartisanship. That is why the bill moved as it did.

So I would appeal to my friend from Idaho to consider what I have just suggested.

Mr. CHURCH. Mr. President, I am well aware of the proposal of the distinguished Senator from Iowa. I understand his reasoning. He is concerned lest one party in the Senate run roughshod over the other. Accordingly, he has proposed a modification of Senate Resolution 9 to the effect that a three-fifths vote would be sufficient, provided that a majority of Republicans and Democrats favor the limitation of debate.

I would say to the Senator that we have researched the record to determine how, in the past, those attempts at invoking cloture would have worked out under his proposed amendment. It is interesting to note that in the eight successful attempts to secure a limitation of debate during the past 54 years, in every case a majority of Senators on both sides of the aisle favored the limitation. I say frankly to the Senator from Iowa that if the balance between Republicans and Democrats were reasonably even, as it is today, I would have no difficulty with his amendment. But, from time to time, with the swinging of the political pendulum, one party comes to dominate the Senate with, say, two-thirds of the vote, or even more. So, the single weakness I see in the Senator's proposal is that if the pendulum were to swing over to the point where, let us say, 65 percent of the Senate consisted of Republicans—difficult as that is to conceive—then the Democrats, having only 35 percent of the total, might, under the Senator's amendment, come to exercise an inordinately severe veto power. That is the only problem, I would say to the Senator.

If there is a way to work around that problem and eliminate that possible danger, when the Senate is lopsided as between the two parties, then I should think the Senator's proposal would have definite merit, because it would assure that neither party could run roughshod over the other in a matter so important as limiting Senate debate.

Mr. MILLER. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I yield.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. MILLER. The Senator will, of course, recall that not too many years ago we had 68 percent of the membership on the Democratic side of the aisle and 32 percent on the Republican side of the aisle. I must say that because the record shows that under the two-thirds rule, every time cloture has been invoked, there have been a majority from both sides of the aisle, the risk of a ruthless majority of 68 Democrats closing off debate of 32 Republicans does seem quite remote.

I think that the more important thing to concern ourselves about is whether there is genuine bipartisanship under which what we do here will go forward, in the minds of the public, to be implemented the way we want it to be. I think that the point the Senator from Idaho has just brought out, that where you have a better balance, such as we have today, the most important thing is to assure a majority from both sides of the aisle, is the principle I am seeking, and I do not believe it is irreconcilable with what the Senator from Idaho is trying to achieve. My point is, let us sit down and see if we can reconcile them, so we can make progress.

Mr. CHURCH. I ask the distinguished Senator from Iowa if he knows of other Senators who are favorably disposed toward his suggested amendment of the resolution.

Mr. MILLER. May I say I know of some other Senators who are very much concerned about the point that my amendment brings up, which is the lack of bipartisanship that is inherent in the pending proposal.

I feel so strongly about it that, as I said before, I cannot vote for the pending proposition without some modification to assure bipartisanship; but I do believe that we can, if we modify this resolution, reconcile the two principles we are both fighting for, and obtain a majority, to make progress and assure bipartisanship in what we do.

Mr. CHURCH. Mr. President, I would say that if there is a way to reconcile the two proposals without prejudice to the objectives we seek, if there is a way to circumvent the one possible hazard I see in the Senator's proposal, then I would be most interested in looking at it, and other Senators have expressed an interest in this proposition also.

So I say to the Senator I would be very happy to entertain his suggestions along this line, and I think that a consultation would be very much in order.

Mr. MILLER. I appreciate the Senator's position. May I say, I think men of good will who are striving for principles that can be reconciled can make progress, and I stand ready to do the best I can in that respect.

Mr. CHURCH. I thank the Senator.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. CHURCH. I yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, it is the opinion of the Senator from Rhode Island that no matter how many gimmicks we invent, we just have to be a little more realistic and pragmatic than we are in these discussions.

Here we are, faced with this incongruity: We are invoking old rules—rules that we say do not exist in order to bring about a reparation of the rules to meet our desires. So what do we do? We find ourselves in the very difficult position that we need a two-thirds vote in order to create a three-fifths shutoff.

I do not think that is ever going to happen. Unless we adopt the reservation made by the Senator from New York, I think this is an impossible task.

My own feeling is that rather than continue this charade, if we are going to need two-thirds to cut off debate, then I think the best thing to do is refer the matter to the Rules Committee and let the Rules Committee come out with a recommendation, and then we can have a real filibuster if you will.

As the matter stands now, I do not see what all this adds up to. Here we are today, knowing we need two-thirds in order to bring it down to three-fifths. It stands to reason that anyone who is against the three-fifths rule is not going to vote to shut off debate. So, unless we get ourselves into the frame of mind that at the beginning of every new Congress we have the right to reform the rules, I am afraid we are never going to change the situation.

I am one who has always felt that it would be dangerous to this body, and would reduce the integrity and the personal influence of every Member, if we went to a simple majority vote. I know there are many who are voting against cloture here who would be perfectly willing to go for the three-fifths rule, but are fearful that this is the first step toward a majority cloture, and in that I agree with them and oppose such mere majority cloture.

So I think the best way, rather than prolong this debate on the floor, is to send the matter to the committee. Let us make our presentations to that committee, and let the committee members come out, as they have done several times, with a recommendation that cloture be reduced to three-fifths. Then let us see if we cannot do something about it. To date the score has been the same on three or four votes. The score will always be the same unless we get a ruling from the Chair that a simple majority counts. I do not think we can get that ruling, and I do not think if we could get it we could enforce it.

Mr. President, I repeat again, this country is in trouble, not only at home but we are involved all over the world. We have been here since January 21, doing what? Nothing but talk, talk, talk. And if we stay here another 2 months working on this rule change, we will still talk, talk, talk. The time has come for action. There are too many important things that confront the American people, and I think we ought to get down to the substantive business of this body.

Several Senators addressed the Chair.

The PRESIDENT pro tempore. The Senator from Idaho has the floor.

Mr. CHURCH. Mr. President, as always, there is great merit in the argument of the Senator from Rhode Island, not only in regard to the substance of the argument, but with respect to the convincing way in which he delivers his remarks.

However, I would point out that sending this resolution to the Rules Committee is rather like sending a very sick person to the morgue. We all know that. I confess there is not much life left in this proposition, but there is some, and in the interests of doing what can be done to administer to the ailing patient, I am looking for a hospital, not a morgue.

Obviously, there has to be some movement. The Senator from Rhode Island quite properly points out that there is an unresolved aspect to this question which has yet to be faced, and if I understood the distinguished Senator from New York correctly, he said that on the next cloture vote, if two-thirds of the Senators are unwilling to permit the Senate to proceed to a consideration of this question on its merits, he would then propound those inquiries of the Vice President designed to solicit some ruling which could permit the Senate to pass upon the efficacy of altering the rule by majority vote.

All right; we know such a test is in the offing. Therefore, I do not stand here this afternoon and suggest that we continue to proceed down an endless road. This constitutional question, a most important one, is evidently going to be raised by the Senator from New York, and the Senate will then—on Tuesday next—have an opportunity to work its will.

But let me say that, in my own efforts to resuscitate the patient at hand, I do think there is room for movement. The Senator from Iowa has made a proposal that he and others favor—he and others who have been voting against Senate Resolution 9. I do not know whether it will be possible to reconcile our differences, but if it is, if it can be done without prejudice, then I would want to try, and I say to the Senator from Rhode Island just give us a chance. There are 58 Members in this body who have indicated to me that they favor a three-fifths rule, that they would vote for Senate Resolution 9—not only a constitutional majority, Mr. President, but a very substantial one. And there are other Senators, in addition, who indicate that if we give this proposition some added dimension, they are prepared to consider supporting it.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. CHURCH. So I say, "Let us not bury the patient yet." Give us another week. I ask the majority leader whether he would accommodate that request. I would propose that we file another cloture motion on Friday of this week, that we give the Senate notice, that the leadership send out telegrams, that all of us who care raise our voices to the wandering Senators and tell them to come back to this Chamber, come back to their desks and responsibilities, and face up to a decisive—and what could well be the final—vote on this issue.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. PASTORE. First of all, I want it clearly understood that the Senator from Rhode Island has never been a toxicologist. I have never performed an autopsy in my life, and I am not suggesting that anything be sent to a morgue.

I voted to reduce it to three-fifths. I stood on this floor time and time again and told the Members of the Senate how I felt about cloture and how far we should go and how far we should not go.

Now will somebody answer this for me: If a compromise is going to be made, how is that compromise going to be made on the floor of the Senate? We still have to go to committee to make the compromise, and that is what I am talking about.

All I said is this: Unless we can get a favorable ruling on the reservation that has been suggested by the Senator from New York, the only way we are going to work a compromise is to get it done in committee. I am not suggesting in any way that it be sent to a morgue instead of a hospital. I do not know about what patient is dying. But I want the Senate to know that PASTORE is just as alive as he has ever been in his life.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. CHURCH. Let me simply say that no one has raised any doubts about the good health or vigor of the distinguished Senator from Rhode Island.

Mr. PASTORE. And let no one ever do that.

Mr. BYRD of West Virginia. Mr. President, may we have order in the Chamber and in the galleries?

The PRESIDING OFFICER (Mr. TUNNEY). The Senate will be in order.

Mr. CHURCH. Mr. President, I cannot agree that sending this matter to the committee would be helpful. I think the record is against it. Five times it has been sent to the committee in the past. Four times it never came back to the Senate floor. Even if it were to come back to the Senate floor, we would have the same problem we are facing now—another filibuster. Such a course would not advance us one whit.

As to the Senator's point that compromises can be worked out only in committee, it should be clear to all Senators that this simply is not so. Compromises are worked out all the time by Senators striving to find a way to accommodate the will of the Senate so that we can proceed with our legislative duties.

I yield now to the distinguished majority leader.

Mr. MANSFIELD. I think the distinguished Senator from Idaho has suggested a reasonable proposal—and a final proposal as I understand it. A cloture motion will be filed on Friday and a final vote—I emphasize the word "final"—will be held on Tuesday next.

May I say that I have some grave questions in my mind about the proposal if it provides that a majority of both parties would replace the three-fifths principle. It is entirely conceivable that a simple or a constitutional majority would become the standard and I am on record against that. I could not vote for a proposition of that kind. If, however, it provides that three-fifths would be needed it would be consistent with my position.

I only raise a warning signal at this time, so that the Senate will know where the Senator from Montana stands.

Mr. CHURCH. Let me say, in response, that I agree with the Senator from Montana. No accommodation that rests, in any way, upon the principle of majority cloture would be acceptable to me. As I understand it, we are merely going to explore the possibility of retaining the three-fifths rule, but consider the suggestion of the Senator from Iowa that, in addition to the three-fifths rule, a majority on both sides of the aisle be required.

But, in searching out the possibilities, I would not step back. I will look for a compromise that would move us a step forward, but not one that would open the door to majority cloture.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. SCOTT. This is our final vote. I think it is important that it offer whatever forward movement by compromise can be offered. This is a time to consider compromise approaches.

So far as I am concerned, I am interested in and could support the suggestion of the distinguished Senator from Iowa as a compromise, either standing alone or possibly with some other proposals that might be worked out.

I would be glad to offer the good offices of my office, which is just down the corridor, to the Senator from Iowa and the Senator from Idaho, if they wish to try to work it out. The office is unencumbered by any damage.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. JAVITS. One thing has not been said, and that is that the case—because the country and the world are in trouble—for rules change is very strong. I do not believe that it is desirable to leave the argument solely to those who are opposed, who are engaging in what is euphemistically called extended debate, which is their right. I would hope that Senators such as myself and others who feel strongly about this matter, in the present state of the world, would take the next week to make our case to the people. I think we need to do it in dignity and self-respect to ourselves.

So, for myself, I shall hope to occupy the floor for a reasonable period of time during 1 or more days, so that this case may be made for the country.

That is what makes movement as much as what may be very difficult compromises, as Senator Mansfield has pointed out, though I will join Senator Church in giving the utmost consideration to Senator Miller's ideas.

But I do hope that other Senators will feel it in their hearts and consciences to speak up now. This is the last opportunity to make the case for this Congress. The world is in trouble, and the country is in trouble, and this can only get us in even more trouble; and we ought to make clear to the people what is at stake and why they ought to be urging their Senators to vote for cloture and to get these rules changed.

Mr. CHURCH. I thank the Senator.

Mr. ERVIN. Mr. President, I think it is about time that the Senate begins to act in a more righteous manner. We had 96 Senators today who went on record as to how they stood on this proposition. The vote was 48 for cloture against 36 opposed to cloture. That made 84 Senators actually present and voting. In addition, 12 Senators paired, making 96 Senators who today expressed their opinion with respect to the proposed change of the rule.

Only four absent Senators have not expressed themselves here today. I happen to know that one of them is my colleague from North Carolina, Senator Jordan, who, unfortunately, is detained in a hospital. The other is the Senator from South Dakota (Mr. Mundt), who, unfortunately, is detained in a hospital. Both of them would vote against cloture and against the rule change if they were able to be here. That makes 42 of the 100 Members of the Senate—with the great persuasive power on the part of my good friend from Idaho and my good friend from Kansas—who are opposed to the rule change.

We have had three votes on this matter. These votes have been widely advertised throughout the country, and not one Senator has changed his vote on any of the three rollcalls.

On this vote here today, the proponents of the rule change lacked 22 votes of having enough to get cloture. Where do they expect to get 22 votes to get cloture? I admire the optimism of my good friend from Idaho but I do not respect his mathematical judgment in this particular case.

Now I do not think there is any difference in practical effect between a 60-percent cloture rule and a majority of 51 percent cloture rule.

Any aggressive President can change 51 men into 60 men. They can do that, as some Presidents have tried in the past. They can try to get some of their folks to change their position on an issue, or they can get others to take a journey to the far corners of the earth. That has been done.

Mr. President, Presidents can do this by contracts in States. There is no difficulty changing 51 percent into 60 percent. That is the reason I stand for the rule as it is now written.

I thank the Senator for yielding.

VISIT TO THE SENATE BY THE APOLLO 14 ASTRONAUTS

Mr. MANSFIELD. Mr. President, shortly, the distinguished minority leader and I will ask unanimous consent that the Senate go into recess for the purpose of honoring the three astronauts, Messrs. Shepard, Roosa, and Mitchell. It has been agreed to by the joint leadership and the Senate that the astronauts will be escorted to their seats of honor in front of the President pro tempore by the Senators from their States.

All I want to say at this time is that we are delighted that these men of vision, daring, and boldness, have seen fit to come to the Senate.

We are honored that they will be with us and we look forward to greeting them very shortly.

Mr. SCOTT. Mr. President, perhaps the astronauts will find something familiar about the Senate and being in the Capitol Building, because we have managed to scatter a few loose rocks of our own around here recently.

Today we honor three men who, like Wilbur and Orville Wright, have pioneered a new era in scientific advancement. Any advancement in science brings out a certain element who fail to appreciate the importance of progress by our great Nation to maintain its proper role in the society of international advancement.

But, Mr. President, the honors we bestow today must extend beyond these three outstanding astronauts. Each of the thousands of men and women associated with the space program are to be commended. They have worked against time to make America the leader. And, Mr. President, let us not forget those great Americans, the taxpaying public, who have supported the space program from its inception and who, during the short span of 9 years, made it possible to put three teams of astronauts on the moon, thus taking the leadership in the conquest of space.

To Alan Shepard, to Stuart Roosa, to Edgar Mitchell, congratulations for a job well done and welcome to the Senate.

We are pleased to have you back on earth where undoubtedly you find better and more distinguishable signs to reach one's destination.

To Alan Shepard, I offer this thought: When he leaves the space program, he should have little difficulty in becoming the first golf pro at the Lunar Country Club, but first, may I suggest you review your golf future and credentials with the Senate's golfer in residence, the Vice President.

Mr. MANSFIELD. Mr. President, on behalf of the distinguished minority leader and myself, I ask unanimous consent that the Chair make an announcement.

The PRESIDING OFFICER (Mr. Brock). The Chair, on behalf of the leadership, appoints Senators Cotton, McIntyre, Dominick, Scott, Anderson, Montoya, and Curtis as a committee to escort the astronauts into the Senate Chamber.

PRIVILEGE OF THE FLOOR

Mr. LONG. Mr. President, might I have the privilege of the floor for one of my assistants during the reception of the astronauts in the Chamber?

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess, to greet our distinguished visitors and that the Senate will be called back into session at the discretion of the Chair.

The PRESIDING OFFICER (Mr. Brock). Without objection, it is so ordered, and the Senate will now stand in recess subject to the call of the Chair.

Whereupon, at 2:05 p.m., the Senate took a recess, subject to the call of the Chair.

The three astronauts entered the Chamber. Alan B. Shepard, Jr., was escorted by Senators Cotton and McIntyre; Edgar D. Mitchell was escorted by Senators Anderson and Montoya; and Stuart A. Roosa was escorted by Senators Dominick and Scott; and they took seats in front of the President pro tempore.

[Applause, Senators rising.]

The PRESIDING OFFICER (Mr. Brock). Mr. Shepard, if you have some remarks to make at this time, the floor is yours.

Mr. SHEPARD. Yes, I do. I would like to use my position and prerogative as the commander of the lunar mission, immediately to delegate my responsibilities to my subordinates. We have been spending a little time this morning on a rather detailed report on the successful mission of Apollo 14, the third lunar landing mission. We will not attempt to do that here this afternoon, but will make just a few remarks about why we are so pleased with the flight. I believe the remarks would be in order at this time.

I would like to call upon my two colleagues to make a short presentation to you. First let me introduce my fellow pilot in the lunar module, Capt. Ed Mitchell.

Mr. MITCHELL. Thank you, Alan.

Mr. President, distinguished gentlemen: I thought that I would take my allotted 2 or 3 minutes to give you a brief demonstration of efficiency in Government and cite you an example of National Aeronautical and Space Administration efficiency.

Captain Shepard and I spent 9½ hours, approximately, on the lunar surface. During that time, we set up a nuclear power station. We set up a telemetry station that was powered by the nuclear power station. We connected to that telemetry station six different scientific experiments which are now working quite well and are relaying data back to the United States.

We operated the setup and reported the results of five additional experiments that we handled manually. We took about 267 photographs on the lunar surface and two magazines of movie camera film.

We drove four tubes into the lunar surface to sample the material needed; dug a trench, again to sample the material beneath the surface; and traversed 2 miles of the lunar surface to sample the surface as we saw it.

We evaluated a new lunar vehicle on the lunar surface in an attempt to help understand the use of wheel vehicles on the moon.

We set up a television station, broadcast for 9 hours on television, during which we were the principal actors, including the first lunar Olympics which had two holes of golf and one pro.

We think that was a fine record for 9½ hours.

[Applause.]

Mr. SHEPARD. While Ed and I were busy doing all those things—and I did not realize we had done all of that—while we were busy during these two separate excursions of the lunar surface, Astronaut Roosa was orbiting around the moon by himself. He claims that he was working by himself, but I do not know about that. He did a fantastic job of recording, primarily photographically, a tremendous wealth of material which has a great deal of scientific value as well as being pleasing to the eye.

He did a tremendous job on the mission. I would like to ask him to say a few words. Lt. Col. Stu Roosa.

Mr. ROOSA. I thank you, Al. It is certainly a thrill for me to be able to address this distinguished body today. You know, a CMP, of course, on the mission spends about 2 days in lunar orbit by himself.

But, as you come around the moon and you see the jewel of the earth sitting down in the void of blackness, it makes you feel many emotions.

One of these is humility. And that is what I feel now as I sit on this podium and address this body, as I think back of the distinguished personalities that have passed through this Chamber.

It is a tremendous thrill to me as a citizen of this country to sit here. I look upon Apollo 14 as a terrific privilege and opportunity to serve this country.

I also want to thank each one of you for making the mission possible, and the success of Apollo 14 belongs to each one of you just as much as it does to me.

I take great pride in being part of this mission. I take great pride in being a crew member. I take great pride in being part of the NASA organization. But, most of all, I take great pride in being a citizen of the United States.

I think the space program personifies the spirit of our forefathers that carved this great Nation out of a wilderness. I think this spirit is vital for this country.

I feel humble to be part of it, and I thank you very much. [Applause.]

Mr. SHEPARD. As the commander of Apollo 14, I recognize that there was a great deal published in the press during the preflight stage about the frailties and limitations of a 47-year-old fighter pilot. I must say that I am happy to report that at the end of this mission, none of these limitations was obvious.

Having been in the space program since 1959, it gives me a great deal of pleasure to be able to look around and see familiar faces here on the floor, faces that have been with us for that length of time.

I enjoy the company of these familiar faces, of course. But more than that, I have enjoyed seeing the faces that have been with us during the problems we have experienced. We have not always had spectacular successes. There have been some problems. As you look out here and see the faces of you gentlemen who have been with us during that tougher period, it gives me a great deal of pleasure. It is very nice to be back with you again and to say that we talked this morning about some rather obvious benefits of the efforts of Apollo 14, and the direct scientific benefits that will accrue as a result of the mission.

I think that is certainly the objective of all of us who have familiarity with the way the space effort has gone and the splendid progress it has made. But perhaps even more important than that, it gives me pleasure to be able to report to you today that we have had a totally successful mission, not only from the areas of scientific and technical endeavors achieved, but also in the areas of international prestige and the tremendous posture of this country.

We appreciate coming by here today and being able to share these thoughts with you.

I thank you.

[Applause.]

Mr. MANSFIELD. Mr. President, on behalf of the distinguished minority leader and myself and all Senators, I think it is about time that we give a little recognition to those who supported the men in this venture.

I would like at this time to introduce Mrs. Shepard, Mrs. Mitchell, and Mrs. Roosa and their children.

[Applause.]

I would like to invite them onto the floor of the Senate so that the rest of us can meet them along with their husbands.

The PRESIDING OFFICER. The wives and their children will be escorted to the Chamber.

Thereupon, the astronauts and their families were greeted by Senators in the well of the Senate Chamber.

The Senate reconvened at 2:43 o'clock p.m., when called to order by the Presiding Officer (Mr. BROCK).

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 2 (a), Public Law 91–354, the Speaker had appointed Mr. EDWARDS of California and Mr. WIGGINS as members of the commission on the Bankruptcy Laws of the United States, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 3(a), Public Law 91–129, the Speaker had appointed Mr. HOLIFIELD and Mr. HORTON, and Hon. Joseph W. Barr of Maryland, from outside the Federal Government, as members of the Commission on Government Procurement, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of section 712(a)(2) of the Defense Production Act of 1950, as amended, the chairman of the Committee on Banking and Currency had appointed Mr. PATMAN, Mr. BARRETT, Mrs. SULLIVAN, Mr. WIDNALL, and Mr. BROWN as members of the Joint Committee on Defense Production, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 7(a)(1)(B), Public Law 91–377, the Speaker had appointed Mr. George E. Leighty of Maryland, from private life, as a public member of the Commission on Railroad Retirement, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of section 301, Public Law 89–81, the Speaker had appointed Mr. JACOBS, Mr. MAZZOLI, Mr. CONTE, and Mr. MCCLURE as members of the Joint Commission on the Coinage, on the part of the House.

The message announced that the House had passed the following bills in which it requested the concurrence of the Senate:

H.R. 460. An act to amend section 620 of title 38, United States Code, to extend the length of time community nursing home care may be provided at the expense of the United States;

H.R. 481. An act to provide for the adjustment by the Administrator of Veterans' Affairs, of the legislative jurisdiction over lands belonging to the United States which are under his supervision and control; and

H.R. 943. An act to provide mortgage protection life insurance for service-connected disabled veterans who have received grants for specially adapted housing.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on Veterans' Affairs:

H.R. 460. An act to amend section 620 of title 38, United States Code, to extend the length of time community nursing home care may be provided at the expense of the United States;

H.R. 481. An act to provide for the adjustment by the Administrator of Veterans' Affairs, of the legislative jurisdiction over lands belonging to the United States which are under his supervision and control; and

H.R. 943. An act to provide mortgage protection life insurance for service-connected disabled veterans who have received grants for specially adapted housing.

APPOINTMENT BY THE VICE PRESIDENT

The PRESIDENT pro tempore. On behalf of the Vice President, the Chair appoints Senators PELL and CASE to the United Nations Committee for Peaceful Uses of the Seabed.

EXTENSION OF TIME FOR FILING RULES OF THE COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS

Mr. SPARKMAN. Mr. President, under the Legislative Reorganization Act, under which standing committees of the Senate are required to place in the CONGRESSIONAL RECORD as of March 1, 1971, the rules that have been adopted by those committees, because of the lateness in the organization of the Committee on Banking, Housing and Urban Affairs, and because of the pressing business of the Senate, I ask unanimous consent that the Committee on Banking, Housing and Urban Affairs have until March 15, 1971, to include its rules in the Congressional Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS subsequently said: Mr. President, I rose when the Senator from Alabama (Mr. Sparkman) asked unanimous consent to defer the filing of the rules for the Banking, Housing and Urban Affairs Committee, because I wished to reserve the right to object. It is not material, and I shall not press it. But I do wish to call the attention of the Senate to the fact that this is a very desirable provision, and if committees loosely, in a sense, can just get up and get unanimous consent to put it over, it can easily mean nothing.

Therefore, while I realize that this committee has a special problem, and I have no objection to an extension for them, I serve notice that I shall object to any effort to extend that particular provision hereafter except for cause, and I shall, as any Senator is entitled to, ask for the cause. There may be good reason, in that the committee cannot get together, or something like that. But I do feel, in all honesty, since I was the author of this particular provision, that it can be made meaningless by successive unanimous consent extensions; so I shall object unless extension is sought for proper cause.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

The Senate continued with the consideration of the motion to proceed to the consideration of the resolution (S. Res. 9) amending rule XXII of the Standing Rules of the Senate with respect to the limitation of debate.

Mr. LONG. Mr. President, the experience we have had here today indicates to us how much things change, and how rapidly change can be brought about. It is well, however, in the midst of change, that some things should remain constant.

In the future, I suppose the day will come when we will be sending men to distant planets far beyond the moon. Some of those journeys may very well take years. I suppose, if I am around, I shall be praying for their safe return, just as I did for the other astronauts on previous trips.

I think we should all pray that this may still be the land of the free when they have returned, because that is basically why we have been debating here in the Senate for the past several weeks—the right of free speech, the right of free dissent, the right of a minority to make itself heard and to state its case.

We have already had enough votes to have made it clear that this Senate is not going to shut off debate under the rules of the Senate. The only way to achieve that result is by rape of the Senate and by rape of its rules. That kind of thing can be done whenever the Senate of the United States feels that the situation is so dire as to result in an emergency that would require us to set aside all rights which Americans possess, and engage in usurpation such as we have seen the Supreme Court of the United States engage in repeatedly, and such as we have, on occasion, seen the Executive engage in.

The Senate can do that whenever it wants to do it. But I would submit this question: What need is there, or what problem exists or, what is today so essential about prompt action in this body, that we must dispense with, compromise, or dispose of the right of free men to stand here and fight for that in which they believe?

Mr. President, in years gone by we have heard it said that free speech could not be so important that it should jeopardize the passage of a civil rights bill. Well, the civil rights issues have come and gone. Everything that someone could suggest in the name of civil rights has been enacted. So far as I am able to determine, there is nothing that can muster a majority vote that would be entitled "civil rights" which anyone is now proposing. No one now contends that free speech must be discarded in order to protect someone's civil rights, or in order to meaningfully guarantee the civil rights of some citizen. That is behind us.

Quite to the contrary, so many bills have been passed in the name of "civil rights" that it may well lead, some day, to an effort to repeal some of those measures. Those who have favored the civil rights laws may very well themselves want to claim this right of free speech which impeded some of those civil rights bills in years gone by, to protect the rights they now enjoy. It may well be that the shoe will be on the other foot. That would not be at all unusual, in the way this Government tends to work. The weapons now available for one minority may well be used by another completely new minority which happens on the scene. It works both ways, and it may well be that the freedom of debate which exists here in the Senate might some day be the greatest bulwark of civil rights that exists.

But the free speech we have here has protected us against a lot of unwise decisions, and it will do so again if we but have the good judgment to preserve and retain it. What were the measures, in the previous Congress, that failed to come to a vote? If I recall correctly, there was a proposed constitutional amendment. It had to do with equal rights for women, and it presented a number of problems. Eventually, these measures were voted upon.

Then we had another proposal that had to do with the direct election of a President. As has been discussed in the Senate by the Senator from Nebraska (Mr. Curtis), even the proponents of that measure, at the time it was passed by the House, could not foresee all the problems that the measure would raise. We did not vote on it. But if a two-thirds majority had wanted to vote on it, they could have brought that debate to a close, and it would thus have taken a two-thirds majority to pass the measure.

Mr. President, we saw in the last Congress the first version of a guaranteed annual income for not working, proposed by the President and passed with only token resistance by the House of Representatives. After the bill passed, defects were uncovered, shortcomings of the measure were brought to the attention of Senators, and we found that a great number of problems were involved that had never been pointed out before. We found that it could lead to a kind of welfare state that no one really wanted—and I am not opposed to something just because it has the word "welfare" in it.

This was a proposal which could well have resulted in more than doubling the welfare rolls immediately. In the long run, with benefit increases, it could have resulted in 50 percent of the entire country drawing welfare payments. It would have set precedents which would have plagued this Nation for all time to come.

This measure had been labeled "welfare reform." Yet, when we analyzed it, we found that in fact there was practically no reform in it. We were told that although 14 million welfare recipients were going to be added to the welfare rolls, there would be a strong work requirement. Then we discovered that there was no intention of putting any substantial number of these people to work, that the proponents of the plan, themselves, had estimated that only 225,000—less than 1 percent of all the new welfare recipients—would even receive work training.

So it was not really a "workfare" proposal at all. It was just a guaranteed income for not working. Having said that welfare recipients should register for "suitable" work, the bill, by its own terms, then proceeded to define "suitable" in a way that would offer any recipient who wanted to avoid a job a multitude of excuses for not going to work. It would seem to me that "reform" would convey the idea that present abuses and defects should be corrected. Yet we saw that, far from welfare reform, every mischief of the existing welfare system would have remained in effect under the bill and that new mischief would be heaped on top of that.

All the dangers of this measure have not yet been fully brought out. We are still discovering new shortcomings that had not been disclosed. Yet those who would change the rules of the Senate would deny those who have found defects in these kinds of proposals, those who bring out the shortcomings, the opportunity to hold the floor of the Senate and to freely explain and expose the defects, and to insist on fighting such a measure until they were confident that the Senate had been adequately advised of the dangers inherent in the proposal.

Mr. President, it is not just adequate to guarantee that a Senator have the right to make a speech. It is not a new experience to this Senator to speak to an empty Chamber. If one is right about something and Senators are not present to hear one make the speech, he has to hope that they will read it in the Record. If they do not read it in the Record, and one is determined to prevail, then he has to make his speech more than one time.

Senator Burton Wheeler used to say, that to be sure the Senate knew what you were proposing, you had to make the speech at least twice. After 23 years of service in this body, I am constrained to believe that one has to make his point much more than twice to be sure Senators are aware of the dangers one is pointing out. The speech has to be made enough times so that people hear it, talk about it, think about it, and become aware of the fact that what is being proposed in the nature of a reform is not a reform at all but is a danger to the Republic; and when in due course they learn the facts, learn what is right, learn both sides of a problem, they will take an entirely different point of view about it.

As I have said, I doubt that even to this day the President of the United States, himself, even begins to realize all the shortcomings and defects of the so-called family assistance plan. Some of us will have the duty of trying to enlighten those who are trying to pass the measure, to show them what is involved, and to offer amendments to improve upon it. But that we cannot do if we are to be rushed in such a fashion that the Senate insists on voting, whether or not it knows what it is doing.

I have seen what happens when the Senate votes cloture. When it does so, the Senate is in a completely unreasoning mood. I have seen situations on the floor of the Senate in which the majority had the bit in its teeth, so to speak, and was not disposed to accept any amendments, was determined that it would not accept any amendments, and proceeded to beat down amendments even though they obviously were constructive. I have seen situations in which we have been under a unanimous consent agreement to vote, or situations in which the Senate first voted cloture, when the Senate was not even willing to correct a grammatical error. No—just a majority determined to do something, no matter what violence it did to our institutions, and having made up its mind that it was going to do it, proceeded to insist on the right to shut off debate and to vote these measures through, although some tried to point out that such action was not wise.

Those kinds of things should not be done, Mr. President. There is no emergency anywhere to suggest that that should be the case. Yes, I admit that free debate, like free speech, like the freedom of the press, can be a very vexatious thing. It angers one to read something with which he does not agree. It irritates one to be compelled to hear an argument with which he is familiar and with which he does not agree. It is tiresome; it is bothersome; it is irritating. But of such things freedom is made. I do not agree with many things I hear and read, but I would be the first to say that the right of the other person to speak is a necessary counterpart of my right to be heard and to explain why I think those people are wrong or why I think I am right in the position I take.

Mr. President, one of the articles in the Bill of Rights relates to the protection of the individual in the freedom of religion. No matter how humble he may be, the Bill of Rights guarantees to every individual the right to freedom of religion. That right cannot be taken away by all the minions of groups in the United States. A majority vote cannot take away from him his right to religious freedom. A two-thirds vote cannot deprive him of that sacred privilege. It is guaranteed by the Constitution of the United States. He does not require anyone to sponsor him. He stands on his own feet, in his own right, and says, "The Constitution is my authority. I am entitled to freedom of religion; and if I do not get it I shall go to a Federal court where that right will be asserted, and I will be protected."

I cite these things to show that it is the genius of the Constitution of the United States to have prohibitions and limitations, and to have all these fundamental rights guaranteed by the Government of the United States.

Another clause in the Bill of Rights relates to the right of every citizen to bear arms. That is a right which cannot be taken away by any majority. It cannot be taken away by a two-thirds vote of the Senate. It cannot be taken away by a unanimous vote in the House of Representatives. The rights of an individual citizen of this Republic cannot be taken away from him in any such manner. He can wrap the Constitution about him and say, "This is my protection; this is my defense."

No soldier can be billeted in the house of any citizen of the United States except in time of war, and then only upon the payment of adequate compensation.

These are fundamental rights. I cite them to show that there are some things which cannot be controlled by majorities, which cannot be wiped out by a two-thirds vote, which cannot be negated by a group meeting in some caucus room or by a policy committee in the chambers of the Government of the United States.

The Bill of Rights protects citizens against unreasonable searches or seizures. I shall not elaborate upon that question because Senators know what that means. It means that all the king's armies cannot put upon a citizen an unreasonable search of his private possessions. It is done sometimes, but when it occurs it is in violation of law, and in defiance of the law.

Another right guaranteed by the Bill of Rights is the right of freedom of expression. How are we to have freedom of expression if we limit the representatives of the people and tell them how little they can say and how seldom they can say it in this Chamber? There should be more freedom of debate in the Senate than in any other agency of the United States. When we speak we are not speaking for ourselves. We are speaking for the people in the States whom we represent. When my colleague speaks in this Chamber, it is the voice of my State. It is the voice of Louisiana when the Senator from Louisiana speaks in this Chamber. That right ought not to be limited. Should we limit an entire State which wants to speak upon some public question through its representative and advise other Senators what the position of that State may be? Shall we say, "No; you cannot do it. We have heard a great deal of talk, and we are not going to hear any more. We have already heard the boss' voice, that this bill must pass, and that is the only voice we are going to listen to."

No, Mr. President; if we are to preserve the freedom of a citizen's opinion, we should also guarantee the freedom of expression of his opinion. An opinion locked within the privacy of a man's bosom does not do his fellow citizens any good. But if he has convictions and views, and speaks them through his representatives, they will impress the world, and leave their influence upon the action which may be taken.

The Bill of Rights requires a unanimous verdict of the jury in a Federal court. A man cannot be sent to jail by a majority vote. He cannot be sent to the penitentiary by a two-thirds vote. There must be a unanimous vote. The accused has the right to be heard in his trial. He has the right to be represented by counsel. He has the right to face his accusers and deny the charges brought against him. Yet I suppose there are those who would say, "That takes up too much time. There is nothing involved but a man's life. We cannot put up with this tomfoolery. We are going to bring in a cloture rule limiting the accused to one witness and limiting his lawyer to 30 minutes. We want to get some action and dispose of these cases."

No, Mr. President. That is not the genius of our country. That is not the genius of our courts. That is not the genius of our people, and ought not to be the genius of any group in our Republic.

The Constitution requires that the accused be confronted by his accusers. I am amazed that someone has not suggested a rule limiting the accused to two witnesses, and limiting their testimony to 30 minutes. I am surprised that someone has not said, "We are going to cut him off. We are going to have action. We are not going to let the minority of a jury keep us from executing the law. We were elected last fall, and we have some pledges to keep, and we must put them into effect. We must find some shortcut to fulfill our pledges.

Mr. President, the Senate of the United States is a great institution which has served this Nation well while operating under essentially the existing rules for over 170 years. Through crisis and war, through peace and good times, the Senate has never failed the American people. To be sure, things have not always run smoothly in this body and often many of us have felt the irritation of lengthy debate by one or a few of our colleagues.

However, Mr. President, I have looked back over my 22 years in the Senate and even beyond that to find a single occasion when material damage has been done to the interest of the Nation or to the people through the operation of the rules assuring free and full discussion to every Member of this body. I have found no such occasion, Mr. President. To the contrary, the present rule has prevented much more harm than it has worked.

It was under existing rules that the Senate acquired the proud title of the world's greatest deliberative body. The rules by which we have so long conducted our business have, over time, marked the Senate of the United States as the last citadel of free and full discussion.

It is here in the Senate that the rights of the minority can be fully heard and fully protected. To my knowledge, only in the Senate of the United States among the parliamentary bodies of the earth, may Members speak fully and freely to bring to the attention of the people they represent, vice in measures which are not readily apparent and which the majority are prone to gloss over.

I consider it a great honor to be a Member of the Senate and I feel strongly the great responsibility that membership imposes on each of us. We have a glorious heritage to carry forward and none of us may escape the full awareness of the responsibilities and many burdens that are being thrust upon us. The problems this country faces have caused the duties of the U.S. Senator to be greatly increased over the past few years. This Nation is growing and changing rapidly from within and the place it has taken in leadership among the nations of the world, has brought to the fore many vital and complex problems which cry out for solutions.

While I, in no way, wish to infer that Senators in a prior time of our history had little to do, certainly all of us must agree that during the last half of this century there has been a tremendous increase in the work and responsibility of the Senate and its Members. Most of this has been of our own creation, as we continually expanded the powers of the Federal Government.

With Congress now in session most of the year, as compared to the shorter sessions in past years, it requires no elaboration to point out that the duties of a U.S. Senator and of the entire membership as a whole, has been vastly increased.

Regardless of these pressures, it would be tragic beyond description if this body were ever stampeded into adopting rules of procedure which would deny to any Senator a full opportunity to be heard on any matter brought before the Senate.

I do not intend to be a party to any such effort.

In no legislative body in the world is the right to fully deliberate more carefully protected and guarded than in the Senate of the United States. We must keep in mind that the minority has rights that are just as inviolable as those of the majority.

The full truth and meaning of that statement goes to the very form and substance of our republican system of government. A look at our history will bring to light many instances to support that statement. Great reforms or great steps forward for our people often began through the advocacy of small minorities, minorities that gradually through the years swell into majorities. In time, ideas for advancement that were almost universally frowned upon in years past come to be taken for granted as right and proper. Anyone who has been a Member of this body should be able to cite notable instances in which waves of enthusiasm for legislation or action by the Senate have given way to equally persistent waves of enthusiasm for their rejection after the proposal had been thoroughly debated, thoroughly discussed, and eventually understood by the people. For this reason, clearly, we should take no action for revision of the rules that would in any way foreclose constructive and necessary debate and thorough exploration of controversial issues that come before us.

I hope I never see the day when the Senate imposes upon itself rules to permit crushing of the rights of minorities to be heard and to be given no opportunity to persuade others to conversion of their views.

Some years ago this body lived through a striking example of how the freedom of debate and freedom of deliberation in the Senate serve as a bulwark against revolutionary changes in our Government.

I refer to the so-called Supreme Court packing proposal presented to this body in 1937.

While I was not a Member of the body at this time, that great moment in our history remains fresh in my mind.

It is easily conceivable that similar proposals, disastrous to our republican way of life, may be made in the future. Some of them are at our doorstep today but I remind Senators that the most unfortunate Supreme Court packing proposal never reached the stage in the Senate where resort to cloture was invoked.

The historic processes of the Senate committee hearings and full publicity worked so well that that threat to our form of government was averted by utter rout of the forces that had advocated the proposal.

Yet, Mr. President, the committee procedure which is so much a part of our process of legislating and guaranteeing the wisdom of the legislation has been bypassed. Every Senator, when he is convinced he is right about a measure, is inclined to feel that a committee should be bypassed. We have seen the procedure used of taking a measure proposed by the House, putting it at the desk, and in due course calling it up from the calendar.

We see a proposal now that the Senate rules should be changed without permitting the committee to consider it.

I am one of those who once served on the Committee on Rules and Administration. It is my experience that that committee does a very good job. It works diligently and consciously. It contains good men. Those men should be accorded an opportunity to consider any proposed change of our procedure in the Senate.

Yet we see here an effort not only to do violence to the right of free debate in the Senate, but also to bypass the appropriate committee and to deny the measure thorough study, the right of hearings within the committee, the right of compromise which the committee tends to develop, all in the effort of some to shut off debate. And for what? Where is their bill? Where is their justification for restricting and eliminating the right of free debate in order to legislate more effectively?

As was pointed out by the very able Senator from Arkansas in his speech the other day, it is not our job to legislate rapidly. Our job is to deliberate, to study, to analyze the facts, and to consider the alternatives in an effort to be sure that we are right when we make a change in the laws of our country.

If it is efficiency which is desired, I point out that there is no greater waste of time than that which has taken place in the Senate for the last month. This as been time and again with every new Congress.

We have rules that say that it requires a two-thirds majority to shut off debate and force a measure to a vote. Those who oppose the change in the two-thirds rule do not desire to have debate shut off.

The sponsors of the measure have denied us the right to committee hearings. They seek to shut off debate and not consider the arguments of all Senators even though they must know that they cannot bring the measure to a vote and force this measure through. They knew it on earlier occasions. They know it now. But notwithstanding that, they insist on a number of cloture votes. How many votes have they changed? So far as I know, they have changed none. But suppose they do change some. They would still be far from having their two-thirds majority required to force the Senate to restrict the right of free debate.

This is all for no good purpose. They have no bill in mind.

They have yet to point out what measure they propose to enact under a gag rule which could not be enacted under free debate in the Senate. Where is it? What is that measure?

There have also been efforts to bypass the Committee on Rules and Administration and to do violence to Senate tradition and Senate procedure.

They have wasted enough time with this proposal and with this bum's rush approach to constitute an entire session of Congress, notwithstanding which, I suppose at the beginning of the next Congress and at the beginning of the next Congress after that, we will see the same bum's rush approach attempted in an effort to try to deny Senators the right of free speech.

This is at a time when they cannot suggest any bill, any single bill that must be the subject of shutting off debate. As I say, I can understand how one or two Senators who are concerned about a proposed constitutional amendment which did not become law would like to bring their amendment to a vote. But if they had the two-thirds majority needed to pass this constitutional amendment, I point out that it requires nothing more than two-thirds of the Senators. If those two-thirds of the Senators who would vote for the constitutional amendment were to vote to limit debate, it would be self-evident that if they had a two-thirds majority they could obtain the requirement to shut off debate. That would be the end of it.

The other measure that could well be the subject of extended debate is the Family Assistance Plan, which I referred to briefly earlier. No one in the Senate would contend that that measure had been adequately debated.

From my point of view, I have no intention of conducting a filibuster on that measure. I have no knowledge of anyone else who does. But I will say that if the plan which is presented to the Senate is as unsound and has as many defects in it as the amendment offered to the Senate the last time, if it is fraught with hazard and peril to the country as the measure that was considered by the previous Congress, I would feel compelled to oppose it and to debate that matter at considerable length.

I will say that I have no intention of conducting a filibuster against the measure. If the Senate by and large voted to pass some measure that I believed totally unsound in the welfare area, I would be content that the Senate voted to pass it, but only if this Senator and others who found grave shortcomings in that measure had the opportunity to discuss it, only after we had had the opportunity to offer amendments and have a vote on our amendments, and only after we had had an opportunity to expose the shortcomings we found in such a proposal.

Mr. President, just to point out one of the defects that were so much a part of the President's Family Assistance Plan proposed in the last Congress, it was said that under the existing law a father was encouraged to leave his family so that the family could go on welfare. Mr. President, that same defect would exist if the Family Assistance Plan were law.

The only difference would be that we would be paying a lot more money to the family on welfare when the father departed than we are paying under the existing law. If the family assistance plan became law, a father making about $3,000 in income would be eligible for a small family assistance payment. But if that father simply left the family, and under departmental regulations he would not have to go very far and perhaps he could stay with them and just pretend his income is not available to them, they could draw a much larger benefit in most States by simply working out an arrangement whereby it is made to appear that the father was not present and not supporting his family.

Now, one of the worst things about the existing welfare law, and the same thing would be true under the family assistance plan, is that there is an incentive to destroy the institution of marriage. I will explain how that works. It is an incentive for people who have children not to get married. If a man marries a woman who has children by him, welfare law assumes he will support the wife and children with his income, and they are not eligible for welfare. But if he declines to marry that person, both under the family assistance plan and under the existing welfare program, the mother and children immediately become eligible for welfare if they have no income of their own. So a man can have all of his income without having to share any of it with the mother of his children, and she can obtain the full benefits of welfare or full benefits of the family assistance plan, whatever it may be. The only difference is that one pays more than the other. In addition, they have food stamps, medicaid, direct subsidies, and all those things available to the mother of his children provided the man does not marry her.

As a matter of fact, the man can spend the night in the same bedroom and in the same bed with that woman and as long as she contends he is not making any of his income available to her or the children, that mother and children can enjoy full welfare benefits. It would be only a small increase in the welfare payments to add the father to the welfare rolls. But if the father went on the rolls the benefits could be reduced by about 80 cents for every dollar he earns—if indeed the family is eligible for benefits at all.

Under those circumstances, over a period of time in a free capitalistic economy, it can be assumed that people will be inclined to do what is to their advantage in terms of dollars and cents. The economics of welfare indicate that people should not get married, and that is what is happening.

Unfortunately, it is true. The latest figures indicate that in white families roughly 11 percent of the children live with one parent, and the figure is about 39 percent in Negro families.

This is likely to become accepted morals over a period of time when it is to the cash advantage of a person not to get married because that person would lose $4,000 a year in income which otherwise would be available. If they do get married, the man will have to support a wife and children and if the man does not get married, the wife and children, will be supported by the taxpayers.

The family assistance plan is not the end of these guaranteed income suggestions. The Senator from Oklahoma (Mr. HARRIS) has very logically suggested that if this proposal is to go into effect, we should not stop at $1,600 plus food stamps plus medicaid, but that the family should be guaranteed enough money to be lifted out of poverty; that if it has to be done, how can there be justification in providing income for people and still have them living in poverty? He suggests that the guaranteed income figure should not be $1,600 plus food stamps, but that it should be at least $3,700 for a family of four. It makes a lot more sense than the arbitrary $1,600 plus food stamps proposed by the President.

How much would this proposal cost? We are told that when in full operation, that proposal would cost us about $30 billion a year, and that under that program, welfare benefits would be paid to 59 million people.

Mr. President, that would not be the end of it. That is a very scant, meager proposal, and it will make people look like pikers when they hear what the National Welfare Rights Organization wants.

Former Senator McCarthy of Minnesota thought enough of their plan to sponsor it and I am sure it will have other sponsors when it comes up next time. They say that every family of four should be guaranteed at least $5,500. If they do not get $5,500 they say the people should fight about it and conduct riots. We had some experience with that over in the Committee on Finance where they conducted a sit-in strike. Only last year we were trying to do committee business and their members were charging up and down the halls saying, "$5,500 or fight; kill, kill, kill." They did not do anything about it, such as occurred yesterday, but as far as we know that is a forerunner of things to come: "$5,500 or fight."

There would be 59 million people drawing welfare. Who would be prepared to go before them and say that those 59 million people are not entitled to $5,500? Cannot Senators hear what would be said? "Who can live on $3,700? A man and his wife need at least $5,500 to hold hide and hair together." Cannot Senators hear people standing there and screaming for it? If Senators cannot hear it I suggest they come to the Capitol this year and they will hear it. One can hear them a block away when they shout "$5,500 or fight."

What would that proposal cost? There would be approximately 98 million people on welfare. That would not be the end of it, once they got the $5,500. Anyone who wanted to be elected to office would be guaranteed the vote of 55 percent of all the people by saying, "Let us raise the $5,500 to $7,500."

He would be assured of victory, because that is half of the population right there, on one issue, once they have proceeded to help them organize that big bloc.

It is fine to pay benefits of $5,500 for every family as a guaranteed income. But who is going to pay for it? Nobody expects any of the 98 million who are drawing $5,500 to pay for any of this. Obviously, it has to be paid for by the other 98 million who are not drawing down $5,500. So when we try to figure how to raise the money which would increase the Federal revenue about 30 percent for that one item alone through the relatively small number of people who would be left to pay all the taxes, it would mean that we would have to levy taxes that would leave some person something, according to his needs, after taxes.

So there would be two welfare programs. One would be what would be left to a workingman after taxes, and the other would be what would be given a family that does not work on the basis of the guaranteed income. So the guaranteed income for not working would, over a period of time, be almost as much as the income left, after taxes, for a person who was working, no matter how much he made.

But that would not be the end of spending. Whether we like it or not, we are going to have to do something about child care. I myself sponsored a measure to set up a separate corporation, provide it with initial working capital of $500 million to arrange to make available good child care.

How much should we be spending on this? About $500 million would be a very substantial step in the right direction to provide good child care, so that mothers could seek honorable, gainful employment. But we were confronted with other proposals by those who say, "That is so small, we should not even make a start."

Senators may recall how, last year, the child care provisions of the Finance Committee bill were defeated on a separate vote, with the opponents being sponsors of child care measures which would have cost from $2 billion to $6 billion. Large as those figures were, they were small compared with other proposals of what should be spent by the Federal Government for child care.

There was a White House conference to discuss this subject. It was estimated that it would cost at least $2,000 per child to provide meaningful child care with educational benefits for the children. Projecting that figure and multiplying it by the number of children it was felt should have such care, it was estimated that we should spend about $10 billion a year for that purpose.

Estimates of welfare costs in the past have tended to be too low. Welfare legislation has cost more than the estimates.

The distinguished Senator from West Virginia (Mr. BYRD), who is in the Chamber, is well aware of why such programs tend to cost much more. It is because no one, so far, has mustered the courage to keep off the welfare rolls people who do not belong on them. I know that the Senator from West Virginia has tried to do something to correct that condition. I am sure that he has had bad days following the mornings when he read in the newspapers articles vilifying and chastising him for being the enemy of the poor, merely because he had the courage to contend that persons who were not eligible for the programs should not be in them, and that much more could be done for people who really need help if we declined to put on the rolls the people who do not need the help. The Senator from West Virginia investigated and found that 59 percent of the people on the AFDC rolls in the District of Columbia did not belong on them at all, and that many others, who were eligible, were being overpaid.

Despite this background, the Department of Health, Education, and Welfare proceeded to put into effect a requirement that all welfare applicants should be put on the rolls on the basis of their own certification. Can Senators imagine that? Well over 50 percent were not eligible or were drawing too much. Nevertheless, the Department of HEW sought to require States to put people on welfare on the basis of their own certification.

The Supreme Court came in behind that regulation and undertook to suggest that welfare is a constitutional right and said that no one who was on the rolls, even by fraud, can be taken off the rolls without a hearing.

The Department came along behind the Supreme Court and said that not only were the applicants entitled to a hearing, but also to an appeal and to counsel, and that the Government must not only advise the applicant of his right to appeal but also pay for the costs of the appeal, if the applicant desires to appeal.

Suppose a person goes on the rolls totally by fraud and it takes 6 months after the Supreme Court's decision to discover the fraud. After showing that the person is on the rolls by fraud, how much can the Government get back? He might have had plenty of income on the side, all the time. How much money can the Government get back? There is no mention in the HEW regulations about the Government getting back one penny of what is paid by fraud.

Just the other day, in Louisiana, someone applied to go on welfare, and the person who had put the applicant on the rolls previously saw the woman leaving. She inquired of the person who handled the case why the woman had not been satisfied with the generous treatment she had received. It was found that the woman was using a different name than she had used the first time. This happened right in my hometown. A search warrant was issued, and it was found that the woman was on the welfare rolls four times, under four different names, and with four different social security cards, and would have been on a fifth time, except that by chance she met a welfare worker who knew her and who worked in the same office. The woman's neighbor was on the rolls twice and was planning to get on a third time. She might have succeeded if the welfare people had not met the first woman. So two women were receiving welfare benefits eight times.

I read an article suggesting that a woman is not going to have a child merely for the purpose of going on welfare and getting, maybe, $30, $40, or $50 a month extra; or that if she has two children, she is not going to have another child to get even a lesser amount. I would be the first to say that in all probability that is not why any welfare mother has a child. But we should keep in mind that a child is not necessarily on the rolls only one time.

There is no method presently available to the Federal Government, other than just catching these people by accident, to know whether a person is on the welfare rolls one time or 10 times.

Some State has suggested that we should start taking pictures of the welfare beneficiaries, so that if a person is on the rolls five or six times, the pictures could be compared—a totally impractical suggestion. No one has yet devised a system whereby you can computerize pictures and compare pictures one to the other. If a person is on the welfare rolls five different times, even if it is in the same office, one would not know but what the person depicted might be the recipient's cousin or sister. Everyone has a look-alike. Everyone has a twin somewhere. And since the Supreme Court has declared residency requirements to violate the Constitution if imposed by a State government, there is no area anywhere for anyone to deny a person the right to go on the welfare rolls in 50 different States as fast as he can show up in those 50 States, and there is no arrangement anywhere to check up and see whether a person is or is not present at the place where he is drawing his check.

The procedures that have been imposed, with the cooperation of the Department of Health, Education, and Welfare and with the intervention of these poverty lawyers, has been that if we want to go to a place and see if the person actually lives there, we have to notify her to be there and show up at that particular time. She could be six States away, and get a ticket and come back and be there with her children—or the neighbor's children—back there at that particular address, when you show up to see if that is her residence.

The only way you could positively identify people would be by fingerprints. But when you suggest that you can only go on welfare once, you cannot be on five times in one State or 50 times in 50 States, just watch the howl that goes up. They will all be out here screaming that it is criminal to ask for fingerprints of a person to insure that he is only drawing welfare benefits once, instead of 50 times.

I am sure we shall have to face that problem. I wish we could avoid it, because I would like to hope we could bypass that argument. But, Mr. President, that is just one more of the many facets of the welfare mess, which are mostly created right here in Washington. That is a battle we have to fight.

I say, Mr. President, that if we are to do justice to the people of this country, we cannot fight that battle and resolve it wisely under cloture, because if the Senate has voted to shut off debate and limit every Senator to but 1 hour, then whatever Senator there is on this floor who understands that measure best would have only 1 hour to speak. Frankly, Mr. President, even that 1 hour would not do him much good, because my experience about limitation of debate is that once the Senate has voted cloture, it does not want to hear anyone's argument—just to sit down and vote.

If the distinguished occupant of the chair (Mr. BROCK) does not recall, I recall how it was when we had the cloture vote on the space satellite program. Some of the most logical amendments the mind of man could suggest were simply tabled, without a minute's debate in opposition to the amendment; just a motion to table. The argument was that the manager of the bill was confronted with a great number of amendments, and if he tried to explain the side against the amendment, he would use up his 1 hour and have no more time left to discuss the measure; and so he had no alternative but to move to table, and call on everyone who voted for cloture to vote to table all amendments, regardless of the merits, on a matter as important as a bill to control all future communications in space.

Those kinds of outrages, Mr. President, do a grave injustice to our Republic. They should not be enacted under a 1-hour limitation of debate for each Senator, where the minds of all are closed. The Senate should permit every Senator to speak and debate freely; and a measure of that sort, to be properly enacted by this body, might well require as much as 6 weeks of debate and voting on the amendments that would be offered, and the marshaling of evidence to show whether or not the Senate has made a mistake, and for the effort to change a mistake when made, and the effort to disabuse people's minds of the propaganda that has been spread throughout this Nation. The opportunity should be available to every Senator, and we should take whatever time is necessary to do justice on that basis, to see that we do not make the type of fatal mistake that could be made, to send this Nation down a path of bankruptcy—either moral or dollar bankruptcy—which could have been avoided had we saved for ourselves the protection of reason, logic, the opportunity of a man to marshal his arguments, and the opportunity to present the facts on his side of the case.

Mr. President, I shall have more to say on this subject later on. I am very hopeful that we can pass a social security bill in short order. I hope that the House of Representatives will send us that bill, unencumbered by the family assistance proposal or any other guaranteed income scheme for the time being, and offer us the opportunity to pass a bill which we have debated, thoroughly considered, and passed in the Senate by a vote of 81 to 0. When that bill has been sent to the President's desk, I recommend the House send us whatever they want to send us in the way of a welfare bill, and I assure those on the House side that when that happens, I shall see to it that the Senate conducts prompt hearings, that we avail ourselves of the best advice that can be obtained as well as that which is volunteered to us, and that, when the hearings have been completed, without more than 2 weeks' debate, we will undertake executive sessions in which the Senate Committee on Finance will work its will; and when we have done that, we will report the matter to the Senate. Then this matter will be in the hands of the leadership, to determine when it wishes to call the matter before the Senate.

I have no idea how controversial or noncontroversial that bill may be. I do know that the Committee on Finance brought before the Senate last year a measure that was very controversial and necessary. The parliamentary maneuvering and the debate that occurred resulted in compromises, in the interests of getting something done, and we sent a very good social security report on medicaid and medicare, and public welfare improvement bills, to the House of Representatives; and I regret very much that the House did not see fit to meet with us in conferences to iron out the differences, because the public interest would have been served had they done so.

But I cite that just to show that sometimes a measure which starts out being very controversial, through the force of debate, consideration, logic, compromise, and amendments that can be offered to improve it, and new ideas that can be injected, sometimes resolves itself into a a measure on which a unanimous vote with all Senators applauding the final product, although they do not completely agree with everything in it, can be had.

That is conceivable. It may be too much to expect that we could work out that type of a difficult, complicated arrangement at this time, but, Mr. President, it is my hope that that might happen; because there is no doubt in my mind that Chairman MILLS and the able members of his committee—JOHN BYRNES, JOHN WATTS, and the other fine men who serve with him—are every bit as dedicated to the best interests of this Nation as is this Senator or any other Senator. If they will do their best to move us along the line of real reform of the welfare program, as I am sure they would like to do, rather than just increasing the size and multiplying the problems, then I think there would be a possibility that we could do an equally good job, perhaps an even better job, on this side, with the result that this matter might be worked out in a manner that best serves the national interest.

But I am confident that that will not be done just by federalizing the so-called welfare system. The only impediment there is now to the cost of running through the ceiling is the fact that the States have limited funds with which to match Federal matching. If it were to be federalized, it would still require reform amendments that would, among other things, require a father to support his wife and children and which would encourage people to work for a living, rather than simply living on welfare. These are measures that we can and I hope will work out.

Again I say that the best safeguard to be sure that the answer is in the national interest, rather than to the contrary, is that we retain the right of free debate in the Senate.

Mr. BYRD of West Virginia. Mr. President, I want to compliment the able Senator on his speech. I want to compliment him on his work. He is dealing with a snakepit when he deals with the welfare problem. I think he has the astuteness and the diligence and the courage, however, to do the job.

I also want to compliment him on insisting that an increase for the recipients of social security should be in a separate package from that of welfare reform, and for urging that such a social security increase be sent expeditiously from the other body to this body, and his assurance that it will be acted upon in the Senate hastily when it is so received.

Mr. LONG. I hope very much that we can act upon it as soon as we are in a position to act knowledgeably and responsibly. I would not like to see us act upon it so rapidly that we fail completely to protect the interests of all persons—those who are paying for it as well as those who would hope to be benefited by it.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GIVE US SOMETHING MORE THAN HOPE

Mr. COTTON. Mr. President, on February 10 the Chairman of the Civil Aeronautics Board, the Honorable Secor D. Browne, appeared before the Subcommittee on Aviation of our Commerce Committee during hearings on the economic state of our airline industry. I took the opportunity on that occasion to once again point out the plight of my State of New Hampshire and New England generally resulting from the lack of adequate air service. I requested that Mr. Browne and his fellow members on the Commission give our problem a "sympathetic look."

I, therefore, was somewhat heartened to read the address by the Honorable Robert T. Murphy, member of the Civil Aeronautics Board, before the 54th annual banquet of the Traffic Club of New England in Boston, Mass., on February 16. In that address, Mr. Murphy noted, in part, the following:

> But one thing I do know is that the recent Apollo 14 flight vividly demonstrated that it is much easier for a citizen of New Hampshire to fly to the moon than it is to fly from any point in the Granite State to anywhere else.
>
> Of special interest here in New England is the very critical need of Northern New England, that is, Maine, New Hampshire and Vermont. for adequate air service. This is a subject to which we have devoted particular attention over the years with very disappointing results. Their basic need is for an adequate local service which we have very properly fostered and developed with modest subsidy support in all other parts of the United States including Alaska and Hawaii.
>
> Today, the only two states in the nation for which no subsidy is being paid for air service are Maine and Vermont and the amount paid for service to New Hampshire is negligible. As Senator Norris Cotton recently pointed out, the economic welfare of this region demands that it not be shortchanged by lack of air service. If we are to have a sound national air transportation system then certainly Northern New England must be part of that system. I believe it is fair to say that the Board intends to conduct an investigation of service needs there during the forthcoming year with a view toward correcting the intolerable situation which has been allowed to drift too far and too long.

Mr. President, these words of Commissioner Murphy warm the cockles of my heart. For years this Senator has been pointing to the same intolerable situation which has been allowed to drift too far and too long, in the words of Commissioner Murphy. As the poet Robert William Service once said, "A promise made is a debt unpaid," and I felt that by virtue of Commissioner Murphy's remarks a long outstanding debt of adequate air service to New England was about to be paid.

However, Mr. President, I was then reminded of my own words of earlier date, warning my constituents not to be beguiled by then glittering promises of reasonable and adequate air service in our State. And I regret that this cynicism, developed on the basis of prior experience, was borne out after doing a little research.

On an earlier occasion Mr. Murphy noted, in part, the following:

> I have an abiding interest in the preservation and development of a sound air transportation system geared to the present and future requirements of this area . . .
>
> * * * * *
>
> I suggest that we could borrow as our motto for the future development of air transportation in New England the motto which is found on the Great Seal of the State of Rhode Island—the word, "hope." * * *

Mr. President, those words were spoken by the same Member when he was Vice Chairman of the Civil Aeronautics Board at the Transportation Session, 39th annual conference of the New England Council in Boston, Mass., on November 22, 1963.

Mr. President, I appreciate Mr. Murphy's sympathetic words of February 16. However, I do wish that he and his colleagues at the Board would furnish us in New England something more than hope. It is, I assure you, an exceedingly lean diet to have to subsist on hope alone for almost 7 years.

Mr. President, my faltering faith and growing cynicism is added to when I consider Commissioner Murphy's sympathetic words 7 years ago, and his even warmer words just 2 weeks ago only to realize that he was one of three Board members who cast a vote which resulted in preventing the merger of Northwest Orient Airlines and Northeast Airlines. Such a merger could have provided the only possible ray of tangible "hope"—in Commissioner Murphy's words—for northern New England to receive reasonable and adequate air service from an air carrier with the necessary financial stability, equipment, and experience. Thus, an opportunity was at hand for the Civil Aeronautics Board to dispense with rhetoric, hollow promises, and discharge its long-standing debt to New Hampshire and its sister New England States. Unfortunately, it has chosen not to so act. Rather the Board once again has turned its back on the needs of northern New England for reasonable and adequate air service.

Yesterday, March 1, the Board reaffirmed its decision of last December on the proposed merger of Northwest and Northeast Airlines withholding the Los Angeles-Miami route. Truly, yesterday carried forth the ill-boding of Shakespeare's admonition, "Beware of the Ides of March," with respect to New Hampshire and its sister States for the Board's action spells the death knell for the proposed merger by dashing all hope upon the rocks of despair.

In conclusion, Mr. President, I would respectfully suggest that the next time Commissioner Murphy speaks of hope, I do wish he would recall the following lines from "The Rovers" by the English author, John Hookham Frere:

> Despair in vain sits brooding over the putrid eggs of hope.

For the benefit of my colleagues in the Senate and Commissioner Murphy, I ask unanimous consent that the full text of his remarks of February 16, 1971, and November 22, 1963, be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

ADDRESS BY THE HONORABLE ROBERT T. MURPHY

It is a distinct honor and pleasure to participate in this Fifty-fourth Annual Banquet of the Traffic Club of New England which is the largest and most distinguished transportation convocation in this whole region.

When your able and very personable President, Walter Ballou, asked me if I could speak to you on the thought-provoking topic of, "Space Travel—Its Future for the Airline Passenger" or something equally exciting along those lines, I immediately knew that you and I were in for trouble. Obviously, I was dealing with a man who has silently suffered through many a post prandial dissertation on prosaic traffic subjects designed to put all but the most literal-minded statistician dozing over the coffee cup or squirming uneasily in his chair with a nervous eye on the nearest exit. If he could help it, he wished to spare his colleagues such a fate. In fairness to him I thought that I would make that very plain at the outset since I am frank to confess that I haven't the slightest notion at this moment of history just what the conquest of outer space can potentially offer to the future generations of travelers and shippers. Consequently, if any indictment of the Dinner Committee is drawn subsequent to this evening, Mr. Ballou is entitled to all the immunity granted by the Constitution of the United States as well as that of the Commonwealth of Massachusetts.

We are still close enough to the beginning of 1971 to recall that with the advent of the New Year come many things—swirling memories of things past, vistas of things new, good wishes, good cheer, calendars and New Year's resolutions. At the beginning of this year, to my desk there came on a dark and dreary January day, a modest little calendar book—one of those neatly divided into small blocks for every day of every month wherein you methodically program your life, assuming that one is that type of a methodical person. On its black cover it bore the imprint of one of the world's largest airlines. Before consigning it with those numerous items gathering dust in a handy desk drawer I thumbed it through and there, in the forepart, my eye fell upon a page bearing the impressive legend, "Desiderata"—a page of philosophical advice which seemed to merit reading and rereading. The first sentence, in particular, bore in on me with an unusual impact. It read:

> "Go placidly amid the noise & haste, & remember what peace there may be in silence."

Here, I thought, was sound advice, particularly emanating from such an exalted source as one of the world's largest air carriers. Perhaps, I thought, it would be well to take these words of wisdom to heart and to adopt them as my very own as a sound and advisable New Year's resolution. The more I pondered the matter the more these sage words were commended to me. I found them a warning and an inspiration. At times such as these with so many strident voices being raised and so many conflicting statements being issued as to just what is right and what is wrong with the airline industry, it seemed to me to be an advisable plank for a 1971 platform.

But, here only a few short weeks later, I find myself constrained to publicly shatter the firm resolution which I privately adopted and which may have had some real public interest benefits, at least insofar as the antipollutionists are concerned. The fact that Walter Ballou and my old friend, the distinguished senior Senator from my native State, Senator John O. Pastore, both called upon me to rise to the occasion is perhaps sufficient justification for the early abandonment of that plank in my 1971 platform.

I know that I am speaking to an audience composed of people who have a keen knowledge of, and familiarity with, all transportation modes. However, I trust that it will be of interest to you if I share some general thoughts on the status of the air transportation industry in the seventies.

As you know, unlike some of the other transportation modes the airline industry has enjoyed a vibrant, surging growth during the past decade. During the period 1959 through 1969, traffic jumped by 322 percent and the total net assets grew by 320 percent and employment shot up 90 percent. It has surged to the forefront in trans-oceanic passenger services. Likewise, it has become the principal common carrier for intercity passenger travel in this modern jet age. Measured by any terms or evaluated by any economic index, we have built the world's finest domestic and international air transportation system. At the same time we have achieved preeminent status as the world's leading air technology manufacturing source. Travel almost any place in the world, as many of you do, and you will find the U.S. flag proudly carried by one of our great international air carriers and likewise you will find at all the world's great airports the flags of almost every country of the world emblazoned on the fuselage of U.S. aviation equipment. We can take some pride in these facts—justifiable pride, whether one is in Government or in the industry. Despite what some may say, it is a fact that the air transportation industry has been nurtured and developed by a sound and wise Federal policy in the promotion and development of a domestic and international route system designed to serve the public interest needs, and the commercial and private demands of U.S. citizens.

For most airlines, however, the year 1970 was a rough one. For the first time in a decade traffic growth, both passenger and freight, fell sharply from their annual average growth rate. Indeed, when the final figures are in, it may appear that passengar air traffic in the domestic United States for the trunk carriers remained practically static. This has led to an alarmist feeling in some quarters that the future integrity and viability of our air transportation system is imperiled. Indeed, some have gone so far as to endeavor to draw a general analogy between the disaster visited upon other transportation modes in recent years and months to that of the problems confronting the airlines. I do not seek to minimize those problems. However, let me say without qualification that, in my own personal judgment, such an analogy is neither relevant, warranted or helpful. I think we must view some aspects of the future of air transportation with informed concern but certainly not with hysterical alarm which can only produce a crisis of confidence.

The cyclical financial problems confronting some of our carriers today are essentially attributable to three basic causes, (1) the downturn in the general economy which has been deeper and more extensive than most experts forecast, (2) rising costs—costs of labor, materials, airport charges and, importantly, capital, and (3) substantial, but hopefully temporary, over-capacity due principally to the introduction of the wide-bodied, mammoth 747.

While it is true that business in general has been caught in the crossfire of simultaneous inflation and recession, the problem for the airlines has been more acute because of the equipment transition to the wide-bodied jets occurring at the very same time as the downturn in our general economy. In commenting on this unfortunate concurrence of adverse factors, Mr. Robert Six, the most senior of trunkline presidents recently noted:

"To further complicate matters, this precipitous drop in traffic growth occurred when the carriers were bringing the first of the new wide-bodied jets into their fleets. Available seats thus increased faster than the number of passengers. The new aircraft have resulted not only in excess capacity but also in higher costs. Any new aircraft is much more expensive to operate during the first two years, and this is true of the 747. We introduced this aircraft in mid-1970, and its operational cost will remain higher than conventional jets until near the end of 1971. After 1971, experience and improvement of reliablibity should lower costs to a level below those of present jets."

The decisions to buy those aircraft were made three or four years ago at the very height of airline prosperity and, because of the long lead time required to manufacture such equipment, decisions were required to be made that far in advance. One must bear in mind in appraising the present overabundance of capacity in relationship to present traffic demand that you cannot buy one-half an aircraft nor, indeed, buy them off the shelf, and decisions to acquire them must be made in terms of long-range judgments. If there has been an over-purchase of equipment the responsibility rests wholly on airline management which undoubtedly will give serious consideration to curtailing orders for future delivery of jumbo jets wherever that is possible.

In looking at the trunkline industry, it is paradoxical that the bulk of the losses this past year were incurred by the largest carriers—carriers that account for about 70 percent of the traffic and revenues and which have access to the largest and most lucrative markets both here and abroad, possessing and enjoying route systems productive of the longest range of nonstop mileage. This has led some observers to question whether there is not a dis-economy of scale which makes the largest air transportation corporations more vulnerable to the buffeting of adverse economic winds of change. Likewise, in their view, there is a serious question whether moves which would make these companies even larger would not seriously compound existing economic problems of size.

In the smaller category of carriers, Delta has reported a profit of $41,359,000, a near record profit for this carrier which has a consistent record of efficiency and profitability over a long span of years. Northwest, despite a crippling strike, and Continental will both post a profit showing. Western will register a marked improvement over 1969 and will probably avoid the red ink side of the ledger. National, a victim of a prolonged six-months' strike, will incur a relatively small and understandable loss while Northeast, although cutting its 1969 losses dramatically, will likewise show a loss. Collectively, however, this segment of the trunk industry, which is relegated to about 30 percent of available traffic and revenues, will show a net profit in the range of $65 to $70 million. Thus, we find a kindly and encouraging light emanating from this segment of the industry in the encirclement of darkening gloom from their bigger brothers.

I believe it is fair to expect an upturn in the fortunes of the airline industry in 1971. Already, many air carriers are taking measures to economize and to adjust capacity to demand, for which they deserve great commendation. It is noteworthy that, in his recent message to the Congress, the President has predicted an improvement in the economy and the abatement of inflationary trends. I believe that traffic will grow this year, but probably not to noticeable levels until the second and third annual quarters. An upsurge in traffic taken with a better tailoring of capacity to demand plus a more efficient utilization of plant and equipment should, hopefully, eliminate red ink for most of the industry in 1971. But much depends, of course, on the swing in the general economy, over which the air transportation industry itself has no direct control. It is encouraging to observe the statement of the President of National Airlines, Mr. Maytag, who observed only a few days ago, "Airlines have recently begun to see a bit of blue sky."

During the seventies it is also reasonable to expect a gradual elimination of costly delays in the air and on the ground at all of the nation's high-density airports. A great step forward has been taken with the recent enactment of the Airport and Airway Revenue Act of 1970 which will provide the means and the self-generated funds to close the gap between the demand upon, and the capacity of, airports and airways facilities.

Looking down the corridor of time it is significant that, according to all industry and Government forecasts, the end of the 1970's will see U.S. airlines flying three times as many passenger miles as they did in 1969. Likewise, air freight and cargo, which now accounts for only a fraction of 1 percent of cargo movements, is destined to grow accordingly. Consequently, this great growth potential promises profitable utilization of wide-bodied jets—the Douglas DC–10, the Boeing 747 and the Lockheed 1011 in the foreseeable future. In this sense, the acquisition represents the sound preparation for predicted future demands.

I do not suggest the adoption of a Pollyanna attitude toward the special problems and plight of some of the carriers who have been pretty hard hit, nor to the industry viewed as a whole. Prudent administration of the business affairs of every air carrier as well as prudent administration of the regulatory requirements must be forthcoming in order to successfully meet special short-term needs. This, I can assure you, is the desire and goal of the entire Civil Aeronautics Board.

In this connection let me say that there have been allegations leveled against the Board which are not in accord with the real, hard facts. For example, although it has been said by some critics that the Board has been impervious to the need for increases in air fares, the fact of the matter is that since October 1969 we have authorized upward adjustments of passenger fares estimated to have a favorable revenue impact for the carriers of more than $523 million over a 12-month period. Under the restrictions of a court order obtained by 32 Members of Congress (*Moss, et al.* v. *Civil Aeronautics Board*) we are required to complete the giant and complex *Domestic Passenger Fare Investigation* before further across-the-board fare increases can lawfully be implemented. All parties to that proceeding are agreed that some measure of additional price adjustment is in order. We are hopeful of completing the principal part of this case during the next few months, following which further remedial action, as justified by the record, can be taken.

Great care and restraint should be taken in connection with the pricing of airline services to avoid the potential effect of pricing air travel out of the reach of any of our citizens except the affluent jet set or the traveling businessman.

The important thing, as the President has cautioned, is for each of us during this period to lower our voices. Each segment of air commerce, the airlines, large and small, scheduled, and nonscheduled, the regulators, the public press, the legislators, and the travelers, must avoid pointing the finger of blame at the other. We gain nothing by this and can only delay the time when we can reach a solution to the problems faced by all of us. Both management and Government must avoid taking immovable and unchangeable positions. There was an observation made by a television pundit the other evening that I think is very apt. He said that man was able to travel 250,000 miles through space and land within 60 feet of his target on the moon because there were no people in between. The challenges presented by nature we can overcome but the problems which men create for one another seem at times to be insoluble.

In conclusion let me say that I view this period much like a frontal pattern in the weather. While it is passing through, there are storms and lightning and turmoil. But it is not a permanent thing and like a storm front I believe our economic storm is a symbol and sign of growth and ferment and progress inside the industry. Unfortunately, it appears that in order to reach new levels of efficiency and public service, this industry must periodically weather these storms. But I believe that just as the crisis has been more violent this time than it was a decade ago, the weather to follow will be more salubrious and prosperous for the airline industry.

Statement by the Honorable Robert T. Murphy, Vice Chairman, Civil Aeronautics Board, at Transportation Session, 39th Annual Conference, the New England Council, Statler-Hilton Hotel, Boston, Mass., November 22, 1963

I am honored, indeed, to have this opportunity to participate with you of the New England Council in this discussion today on the transportation needs of my native New England region.

I have an abiding interest in the preservation and development of a sound air transportation system geared to the present and future requirements of this area. Thus, I feel a special duty to acquaint myself with the affairs and thinking of this organization dedicated to the economic development of New England so that I may better understand the problems and their best solution from a grass roots point of view.

No section of this great country is more acutely dependent upon air transportation for its economic and industrial well-being than is New England. This is particularly true of Northern New England—Maine, New Hampshire and Vermont, where rail passenger service has so declined as to be practically nonexistent over much of the area and where problems of terrain and climate pose special problems for surface transportation during much of the year.

In analyzing and planning for a truly regional air transportation system for all of the New England States, we must look beyond the periphery of service to the major metropolitan area of Boston. Adequate levels of air service at Boston do not necessarily accrue to the benefit or meet the needs of other industrial areas of New England whose economy is not irrevocably linked with this great and important Hub City. We must direct our attention to the eastern part of this State, to the many cities and communities north of the Massachusetts border and to the south and southwestern part of old New England. I suggest that we could borrow as our motto for the future development of air transportation in New England the motto which is found on the Great Seal of the State of Rhode Island—the word, HOPE. It has been a special devotion to this great virtue of hope which has kept the sovereign State of Rhode Island very much alive and quite progressive as the smallest political entity in our great Republic despite a trend toward bigness—a trend which has ground under heel at times a tolerant respect for the significant social and economic contributions which can be made by small entities in various phases of our political and social strata.

What does New England need in the way of adequate air service? Of course, no single person can have all the wise answers to such a challenging question. However, I do know this: if New England is to retain its present industry and attract new industry and to move forward, together with other great areas of this country, toward better days for its citizenry, it must hold on to its present level of air service. Present service and carriers must be the base on which we build for the future. To dissipate present service would be a grave mistake and to suggest that it can be radically reduced would not, in my judgment, be wise counsel at all.

We know that other parts of the country, in recent years, have enjoyed a much more impressive rate of industrial and economic growth. A salient factor in arresting the trend of industry away from New England is the preservation and betterment of all of our transportation media—including air transportation.

Keys to an adequate pattern of New England air service are frequent and reliable regular service. Northern New England should have direct through service available to points beyond Boston to New York and south, for example. We need the assurance of through trunk service as our traffic grows.

In any long-range planning for New England, we must take a leaf from what is happening in New York and in Chicago. There is no need to create air traffic problems at Logan Airport by stopping through traffic even though there is still room for expansion and growth here without moving toward satellite airports at this time. There is no reason for people living in Rhode Island to travel north to Boston for beyond air service. In Connecticut, air commerce is being squeezed down to the point of one trunk airport in the entire State—an irreducible minimum of trunk service for this growing industrial State. All elements of the New England business community and of this organization must actively support the services now available if we are to see the future improvements which are so vital to the area.

Special attention must be focused on seasonal air service to meet the vacation economy travel needs of Northern Vermont, Maine and New Hampshire and the other well-known vacation spots in New England. The tourist industry depends on good transport service to make the many attractive vacation spots in New England accessible to the ever-increasing East Coast population. These needs will not be wholly met through area airports which require arrangements for long surface movements to destination. This travel market, so important to the local economy, can and should be served and developed through the aegis of New England's own carrier, Northeast. With subsidy support now available for regional services, Northeast should be able to better meet these needs.

Sound, reliable air service in many areas of New England is not economically possible without subsidy as is also the case in all other parts of the United States, including Alaska and Hawaii. This subsidy represents a sound Federal investment in the economic well-being of this area. It is bread cast upon the waters which will return many-fold in terms of increased business, industry, employment, sales, etc. all to the benefit of the national economy and, hence, our national Treasury. New England's subsidy claim is a relatively modest requirement in comparison with that allocated to other areas of the United States and cannot be regarded as improvident or unnecessary. If we are considering spending $750 million to $1 billion to assist development of some 200 supersonic transport planes, primarily useful in coast-to-coast and foreign travel, then we ought not to balk at wise and provident expenditures for transportation services in New England which are vital not only to the local economy, but which will in turn contribute to our national economy.

Basic to reliable air transportation service in New England is a system of adequate, safe airports. Many of the service complaints of the past were attributable to lack of the modern navigation systems and aids which would assure all-weather service in many areas of Maine, New Hampshire and Vermont. Certain improvements must be installed if we are to build soundly for New England's future in the '60's and '70's. Frequency and reliability of air service are the key to traffic growth. As one New Hampshire aviation expert said recently, it is somewhat ironic that we talk and plan for landing vehicles on the moon with great confidence when it is still impossible to land a plane in inclement weather in New Hampshire. Further improvements are essential and your state and community airport officials must continue their efforts and press their case with the FAA.

One final thought. New England is an ideal area where a modern, economic small aircraft could be laboratory tested, as it were, to see if we can reverse the trend of trying to adapt public service policy to technology, rather than technology to policy. In short, I fear we have been allowing the machine to rule us, rather than building the machines to best serve our multifaceted transportation needs. We are told that the jet is too large to serve small cities and that the DC-3 is wearing out and is no longer acceptable. Why should not the Government cooperate in working out reasonably-priced rental arrangements with selected carriers for experimental use of some of the small aircraft now available? No one can say how such a program would work out but, in my view, it is certainly worth further study and active consideration. Congress has expressed interest in such a proposal and although we would probably require specific legislative authorization, I am of the view that such an experiment could be useful in developing traffic and improving service over some of the lighter traffic routes in this area. The local service carriers and the Government have expended considerable energy in attempting to define criteria for a useable small plane and significant progress is being made. We also see favorable signs in the trunk carriers' increasing interest in shorter-haul aircraft. It would be anomalous indeed were we to see a downgrading in service at middle and smaller size cities as so-called technological advances continue. We must not permit this to happen.

ORDER OF BUSINESS

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

(The remarks of Mr. HRUSKA on the introduction of S. 1087, the Law Enforcement Revenue Sharing Act of 1971, appear earlier in the RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Arizona is recognized.

(The remarks of Mr. FANNIN on the introduction of S. 1088, to create a U.S. Court of Labor-Management Relations, appear earlier in the RECORD under "Statements on Introduced Bills and Joint Resolutions.")

ORDER FOR RECOGNITION OF SENATOR JAVITS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that tomorrow, at the conclusion of the colloquy for which time has been allotted under a previous order, the able Senator from New York (Mr. JAVITS) be recognized for not to exceed 15 minutes just prior to the period for the transaction of routine morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM FOR TOMORROW

Mr. BYRD of West Virginia. Mr. President, the program for tomorrow is as follows: The Senate will convene at 11 o'clock a.m. following a recess. Following the approval of the Journal, if there is no objection, and the recognition of the two leaders, if they desire, under the standing order, the able Senator from Minnesota (Mr. HUMPHREY) and the able Senator from Kansas (Mr. DOLE) will conduct a colloquy for a period of not to exceed 45 minutes. The colloquy will pertain to the 50th anniversary of the Disabled American Veterans.

Following the colloquy, the Senator from New York (Mr. JAVITS) will be recognized for not to exceed 15 minutes, following which there will be a period for the transaction of routine morning business for 45 minutes, with statements therein limited to 3 minutes. Upon the completion of the transaction of routine morning business, the Senate will proceed to the further consideration of the pending business.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

The Senate continued with the consideration of the motion to proceed to the consideration of the resolution (S. Res. 9) amending rule XXII of the Standing Rules of the Senate with respect to the limitation of debate.

Mr. BYRD of West Virginia. Mr. President, what is the pending question?

The PRESIDING OFFICER. The pending question is on agreeing to the motion of the Senator from Alabama (Mr. ALLEN) to postpone until the next legislative day the motion of the Senator from Pennsylvania (Mr. SCOTT) to proceed to the consideration of Senate Resolution 9.

Mr. BYRD of West Virginia. I thank the Chair.

RECESS UNTIL 11 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order that the Senate stand in recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 4 o'clock and 30 minutes p.m.) the Senate took a recess until tomorrow, Wednesday, March 3, 1971, at 11 a.m.

NOMINATION

Executive nomination received by the Senate March 2 (legislative day of February 17), 1971:

DEPARTMENT OF COMMERCE

James T. Lynn, of Ohio, to be Under Secretary of Commerce, vice Rocco C. Siciliano, resigned.

HOUSE OF REPRESENTATIVES—*Tuesday, March 2, 1971*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The heavens declare the glory of God: and the firmament showeth His handiworks.—Psalms 19:1.

Almighty and eternal God, who hast created this expanding universe and who dost keep the planets in their courses, yet art mindful of the faint whispers of our human minds, before Thee we bow in reverence contemplating the glory of Thy being, the greatness of Thy work, and the goodness of Thy spirit. Thou hast blessed us in many ways and led us in many paths. For all these blessings we are truly grateful.

Particularly are we thankful for those who labor so diligently in our space program and for the success of our astronauts in reaching the moon and returning safely. May Thy blessing rest upon all who work in this area and may success continue to attend their efforts. As our knowledge of the world increases so may our faith in Thee increase that we may use our knowledge wisely and for the good of all.

We pray in the spirit of the Pioneer of Life, Jesus Christ our Lord. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

APPOINTMENT OF COMMITTEE TO ESCORT THE APOLLO 14 ASTRONAUTS INTO THE CHAMBER

The SPEAKER. The Chair appoints as members of the committee to escort our distinguished visitors into the Chamber the gentleman from Louisiana, Mr. Boggs, the gentleman from Massachusetts, Mr. O'Neill, the gentleman from California, Mr. Miller, the gentleman from Texas, Mr. Teague, the gentleman from Michigan, Mr. Gerald R. Ford, the gentleman from Illinois, Mr. Arends, the gentleman from Pennsylvania, Mr. Fulton, and the gentleman from New Hampshire, Mr. Wyman.

RECESS

The SPEAKER. The Chair declares a recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 2 minutes, p.m.) the House stood in recess subject to the call of the Chair.

RECEPTION BY THE HOUSE OF REPRESENTATIVES OF THE APOLLO 14 ASTRONAUTS

The SPEAKER of the House presided.

At 12 o'clock and 9 minutes p.m., the Doorkeeper (Hon. William M. Miller) announced the Apollo 14 astronauts.

Capt. Alan B. Shepard, Jr., U.S. Navy; Capt. Edgar Dean Mitchell, U.S. Navy; and Lt. Col. Stuart Allen Roosa, U.S. Air Force; accompanied by the Committee of Escort, entered the Chamber and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. My colleagues of the House of Representatives, I have the very high honor of welcoming on behalf of the House of Representatives to this Chamber those heroic astronauts of Apollo 14 who have accomplished on behalf of mankind and the Nation the most difficult, most sophisticated feat in the history of modern technology.

I have the further honor of presenting to you the distinguished and veteran commander of that flight, Capt. Alan B. Shepard, Jr.

[Applause, the Members rising.]

Captain SHEPARD. Thank you so much.

Since I am the commander of the mission, I have the prerogative of designating how the tasks will be accomplished.

My first designation this morning will be to designate my two buddies over here permission of saying a few words to you—just a few little mementos of what went on during the flight of Apollo 14.

I would like to introduce first Capt. Ed Mitchell.

[Applause, the Members rising.]

Captain MITCHELL. Thank you, Alan.

Mr. Speaker, distinguished ladies and gentlemen, I am hard pressed to tell you about Apollo 14 in the next 2 minutes, but I thought you might be interested to know what we feel we accomplished in 9 hours and 17 minutes on the lunar surface. That is slightly more than a normal working day, but let me see if I can reiterate for you—enumerate for you some of those items.

We set up a nuclear generating station. We set up a telemetry control station which was powered by the generating station. We set up six very complicated experiments that were controlled from the ground. We conducted or set up—performed five additional experiments on the lunar surface. We evaluated a new wheeled vehicle. We collected about 45 different samples totaling 95 pounds, the largest of which was 21 pounds. We drove four core tubes into the lunar surface. We dug a trench so that the geologists could have an insight as to what the surface looked like just beneath what we could see. We traversed approximately 2 miles across the lunar surface making geological observations as we went. We erected a TV station and conducted a 9-hour "Today" show. We formed the first lunar "Olympics," which consisted of two holes of golf and one javelin throw.

That was a pretty good day's work.

[Applause, the Members rising.]

Captain SHEPARD. I would, at this time, like to introduce the third member of the Apollo 14 crew. The poor fellow did not have the fun on the lunar surface as we did, because he had to stay up there and orbit around and listen to all the fun we were having. But nonetheless, he did a tremendous job by himself photographing the lunar surface, and returned with a collection of photographs that will help the cartographers, help the geologists, and enthuse those who are interested in looking at a strange planet.

Command module pilot Lt. Col. Stuart Roosa.

Lieutenant Colonel ROOSA. You know, of all the thrills of Apollo 14 I do not believe any of them can match the thrill that it is for me to stand in front of this body this morning.

I think every American, every citizen of the country, at some time tries his best to visit Washington, D.C. I know I did when I was in high school and passed through the galleries and watched the Congress in action, and was extremely thrilled.

It is very difficult for me to find the words to tell you gentlemen how much I appreciate the opportunity to be standing in this body on this day.

I also want to thank all of you who made it possible for Apollo 14 to be the success it was. I look upon Apollo 14 with a great deal of pride and humility—pride in being a crewmember on 14, pride in being associated with NASA, and pride in being a citizen of this great country. I also feel humble in association with a project which I like to think personifies the spirit of our forefathers, the spirit that took the American flag from the eastern seaboard to the Pacific coast and has three times planted it on the surface of the moon.

Thank you very much.

[Applause, the Members rising.]

Captain SHEPARD. Thank you, Ed; and thank you, Stu.

I would like to add at this time a few of my own thoughts, and if you will allow me to think back to 1959 when we first started the manned space effort, when we first started this country's total space program, many of you here today were there then. Many of you have since suffered with us through the valleys, the low points of our space program, as well as through the high points.

I think you will agree with me, having shared this experience with us, that the mission of Kitty Hawk and Antares—that of Apollo 14—really is the payoff, the culmination of the years of effort and the long hours and days and weeks of work that we all have put into this program together.

We met with Chairman Miller this morning, as perhaps most of you know, and gave him a really detailed report of the contributions that Apollo 14 has made. We talked about the scientific contributions and the immediate and indirect benefits which accrue. We talked about the geological contributions which will enable man to know more about the planet Moon and certainly more about the planet Earth as the result of these studies. We talked about the tremendous momentum that has been achieved as a result of this completely successful flight.

It is a memorable day for all three of us—a day that we will never forget. And, as Stu said earlier, it is the recognition of the contributions of flights such as Apollo 14, the overall benefits and prestige which this country enjoys from having that flag up there, and all the technical benefits which accrue, that is the thing that we rejoice in this morning.

Having suffered through the low points with you and having rejoiced with you in our joint successful efforts, I thank you very much for this opportunity. [Applause, the Members rising.]

The SPEAKER. Our distinguished visitors have agreed to present themselves in the well of the House in order that they may greet all the Members of this body. Will the Committee of Escort now accompany the distinguished visitors to the well of the House.

The distinguished visitors were escorted to the well of the House by the Committee of Escort.

The SPEAKER. Will Members please give attention to the Chair. The Chair would like, while the astronauts are greeting Members, to present those who have honored us just as much as their distinguished husbands, fathers, and sons.

The Chair would like to present the wife of Capt. Alan B. Shepard, Jr., Mrs. Louise Shepard.

The Chair also is pleased to present the children of Captain Shepard: Mrs. Laura Shepard Snyder, Julie Shepard, and Alice Shepard.

Now it is a particular pleasure to be able to present the parents of one of our most illustrious and successful astronauts, who have lived to see him perform great feats, Mr. and Mrs. Alan Shepard of East Derry, N.H.

The Chair would next like to present the wife of Capt. Edgar D. Mitchell, U.S. Navy, Mrs. Louise Mitchell. And the children: Karlyn Mitchell and Elizabeth Mitchell.

The Chair would like to present the distinguished mother, not only because of who her son is, but also because of where she is from, Mrs. Ernest Wagoner of Tahlequah, Okla.

The Chair would like to present the wife of Lt. Col. Stuart Allen Roosa, U.S. Air Force, Mrs. Joan Roosa. And the children: Christopher, John, Stuart, Jr., and Rosemary. The Roosas are going to be flying for a long time.

I also have the honor of presenting the parents of Colonel Roosa, Mr. and Mrs. Dewey Roosa, of Tucson.

May I tell you a few things about these distinguished visitors which you probably do not know.

Capt. Alan Shepard, I am sure you do know, is a graduate of the U.S. Naval Academy, and he is the first flying astronaut in the history of our country. He also has a master of arts degree from Dartmouth College.

Captain Mitchell obtained a B.S. degree in industrial management from Carnegie Institute, a B.S. in aeronautical engineering from the U.S. Naval Postgraduate School, and a doctor of science in astronautics from the Massachusetts Institute of Technology. He entered the Navy in 1952 and was commissioned ensign in May 1953.

This is indicative of the quality and the caliber and the ability of the kind of men who participate in this wonderful program.

May I add that Captain Roosa completed high school at Claremore, Okla., went to Oklahoma State University, the University of Arizona, graduated with a B.S. degree in aeronautical engineering from the University of Colorado.

I am very happy Captain Roosa is from Oklahoma. I wish he had been from my district instead of from Ed Edmondson's. I welcome one and all.

[Applause, the Members rising.]

The SPEAKER. The Chair announces that the House will continue in recess until 1:30 p.m. The bells will be rung 15 minutes before the time for reconvening.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1 o'clock and 30 minutes p.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

The SPEAKER. Without objection, the proceedings had during the recess of the House will be printed in the Record.

There was no objection.

THE LATE IRA KAPENSTEIN

(Mr. EDMONDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDMONDSON. Mr. Speaker, services are being held today in Washington for an outstanding young American, Ira Kapenstein, a native of Milwaukee, who had risen to one of the highest posts in the National Democratic Party as principal aide to our national chairman, Lawrence O'Brien.

Ira Kapenstein was one of the most brilliant and dedicated young men I have ever known. He was a young man with great self-possession, tremendous understanding of the forces and the pressures of politics in today's complex society, and a true sense of dedication to making this country of ours a better place in which to live.

He was the recipient in 1968 of the Postmaster General's Benjamin Franklin Award for outstanding service.

He was a young man who will be very much missed today. Men of his caliber and his dedication are sorely needed on the national political scene.

My wife joins me in extending our deepest sympathy to his lovely wife, to his three sons, and to the remainder of the Kapenstein family.

Mr. BOLAND. Mr. Speaker, Ira Kapenstein, deputy chairman of the Democratic National Committee, died yesterday at George Washington University Hospital here.

A brilliant young man whose career was nothing short of meteoric, Mr. Kapenstein rose from a Milwaukee newspaper reporter to one of the highest posts in his party within a decade.

He was just 35 years old yesterday when cancer took his life.

Since 1965, he served as a principal aide and trusted confidante to Lawrence F. O'Brien, now chairman of the Democratic National Committee and former Postmaster General.

Mr. O'Brien said yesterday that the country and the Democratic Party "have lost a dedicated leader."

I agree, Mr. Speaker.

Cool and clearheaded no matter how pressed by his burdensome assignments in government and politics, Mr. Kapenstein could master problems others considered beyond solution.

His early work on plans for a Government postal corporation, for example, played a major role in the eventual establishment of the new Postal Service.

He earned the Postmaster General's Benjamin Franklin Award in 1968 for outstanding service.

Just 7 years ago, in 1963, Mr. Kapenstein left his job as Washington reporter for the Milwaukee Journal to join the staff of Postmaster General John Gronouski.

He stayed on when O'Brien succeeded Gronouski, becoming the new Postmaster General's special assistant for public information and what most people would describe as his right-hand man.

It marked the beginning of a close friendship between the two men.

The Democratic Party—indeed, the Nation itself—has lost one of its most promising young leaders.

I extend my deepest sympathies to Mr. Kapenstein's lovely wife, Betty, his three sons and the rest of his family.

GENERAL LEAVE

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that all Members wishing to do so may extend their remarks in the Record on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SENIOR CITIZEN TRAVEL BILL

(Mr. DON H. CLAUSEN asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. DON H. CLAUSEN. Mr. Speaker, today I am introducing legislation which has as its purpose, the establishment of reduced standby air fares for our senior citizens.

For years now, this country's major air carriers have offered reduced standby passenger rates for service personnel and students. Under this provision, if there are empty seats on a plane, the standbys are permitted aboard after full-fare passengers have been seated. The reduced standby rates permit a vast number of students and servicemen to fly who might not otherwise be in a position to do so.

In spite of the fact that the standby system has worked well, most of our major air carriers are still feeling a financial squeeze due to a lack of passengers. For anyone who flies commercially on a regular basis, as many of us in this body do, the sight of vacant seats is quite common even with the present standby system in full swing.

Why, then, has there been a marked decline in air passenger travel in recent years? Quite frankly, I believe that a major contributing factor is simply that many people can no longer afford to fly and this is particularly true for those trying to make ends meet on a fixed or retirement income, and those in the so-called lower and middle income categories.

With this being the case, it should be obvious that the solution—both for the airlines and those who cannot afford to fly—does not lie in raising air fares or cutting back flight schedule or passenger service.

Many elderly people today would like to fly—to visit their children and relatives, or to take a much deserved vacation trip abroad. But they do not fly due to the high cost. Yet, summer after summer, students avail themselves of the opportunity to see the world at cut-rate air fares while their parents and grandparents, in many cases, have never set foot out of the State—much less out of the country.

SECURITY AT THE CAPITOL

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, in the wake of the bombing at the U.S. Capitol Building early yesterday morning, it is obvious that security measures must be stiffened. A number of Members have asked me what has happened to a proposal sponsored by the gentleman from Indiana (Mr. JACOBS) and myself to install a plexiglass type of transparent protective covering over the galleries, which would also enable the visitors to hear more clearly and to allow a commentary on the bill being debated, the procedure utilized, who is speaking, and the major issues at stake.

As a member of the Joint Committee on the Organization of Congress, which reported in 1966, I included the following in my statement of Separate Views:

> The galleries should be enclosed with soundproofed, transparent covering, with the floor debates piped into the galleries. The floor proceedings would then be clearly audible to visitors, and gallery noises would not disturb floor proceedings.

It will be noted that my arguments in 1966 were not based on security, but the present situation demands that the security aspects of such a proposal should not be overlooked. The job of the Capitol Police, I am assured, will be much simpler when these steps are taken, and henceforth it will be much easier to protect both the Members and the Capitol itself.

I am pleased that the Legislative Reorganization Act of 1970 contained a provision for a "Special Commission on Modernization of House Gallery Facilities," a five-member commission appointed by the Speaker. Section 499 of Public Law 91–510 empowers the Commission to study and report on necessary measures for modernizing the House galleries, and indicates that any such program formulated and developed by the Commission shall provide for the enclosure of the galleries with soundproof and transparent coverage in such manner as to preserve the visibility from the galleries of proceedings on the House floor and eliminate the audibility on the House floor of noise in the galleries.

Mr. Speaker, I am hopeful that early work may be carried forward to enable action to implement this provision of the Legislative Reorganization Act of 1970.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON BANKING AND CURRENCY; MEMBERS OF JOINT COMMITTEE ON DEFENSE PRODUCTION

The SPEAKER laid before the House the following communication from the Chairman of the Committee on Banking and Currency:

ANNOUNCEMENT OF MEMBERS OF THE JOINT COMMITTEE ON DEFENSE PRODUCTION

MARCH 2, 1971.

Hon. CARL ALBERT,
The Speaker,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: As you know, pursuant to section 712(a)(2) of the Defense Production Act of 1950 (title 50, Appendix, United States Code, section 2162(a)(2)), it is the duty of the Chairman of the Committee on Banking and Currency to suggest five members of the Committee to be members of the Joint Committee on Defense Production.

The members selected to serve on this Committee for the 92nd Congress in pursuance of this law are as follows: Wright Patman, William A. Barrett, Leonor K. Sullivan, William B. Widnall, and Gary Brown of Michigan.

With kindest regards and best wishes, I am,

Sincerely yours,
WRIGHT PATMAN,
Chairman.

REVENUE SHARING — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92–56)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on the Judiciary and ordered to be printed:

To the Congress of the United States:

Many of our State and local governments today are in serious financial difficulty. This has not diminished the growing demands on their financial resources, however: their needs continue, their populations increase and their social problems multiply. All these circumstances point to the need for outside assistance, and the Federal Government has tried to provide such assistance. But in doing so, it has frequently added to, rather than reduced, State burdens.

In the past decade, the Federal Government has turned increasingly to a complex system of grants for providing financial assistance to State and local governments. Today Federal aid programs account for one-fifth of State and local revenues. In theory this income should reduce the pressure on State and local budgets and it should free financial resources at those levels for use at those levels. In practice the reverse is commonly the case.

To qualify for Federal grants, States and local government units are frequently required to match Federal funding, often seriously restricting flexibility in the use of State and local resources. Recipients are placed in the position of having to accept Federal money with its concomitant restrictions on State funds, or receive no Federal money at all. Thus, we may find States and local governing units pursuing projects which may be of low priority to them simply because money for these projects is available, but the matching requirements for such grants may have to be met at the expense of programs of higher priority to the community.

In other cases, State and local agencies are required to maintain their financial commitment to a project in order to qualify for Federal grants to that project. The result, again, is diminished flexibility in the use of financial resources at the State and local levels.

Equally burdensome are project-by-project requirements for prior Federal approval of grants. These requirements often delay the availability of much needed funds, generate Federal, as well as State and local, bureaucratic delay, and inject needless confusion into the Federal, State and local relationship. Rigidity in adhering to exact requirements is rewarded, and new or imaginative ideas are frequently lost because they fail to fit exact bureaucratic guidelines.

Finally, Federal grants have proliferated to such a degree that simply discovering their availability is a bureaucratic chore all in itself. The processes of application frequently contribute to the difficulty, and delay the process, of obtaining grants to a degree which further aggravates the problem the money is designed to assuage. And, because the Federal Government, with all the best intentions, cannot really know the needs of the States and local governing units as well as the people who govern at those levels, these grants frequently cannot be aimed with real precision at the needs which exist at those levels.

Certain of these difficulties are most prevalent in the narrowly defined "categorical grants," and therefore I have long supported the concept of block grants which permit State and local governing units to receive financial assistance on the basis of what they know is necessary. This eliminates many of the problems of the categorical grants. The block grant does, however, retain other shortcomings: requirements for matching funds, maintenance of effort, and prior approval by the Federal Government. I believe the time has come to further reform our system of providing financial assistance, and to streamline, where we can, the system of grant aid by adopting a system of Special Revenue Sharing which provides the benefits of Federal assistance without the burdens of assistance built into the present grant programs.

The purposes of 130 of our narrowly based categorical grant programs now in existence can be reduced to six broad areas of national concern. In a series of special messages, of which this is the first, I will propose that funds be made available to States and localities to assist them in meeting their problems in the areas of law enforcement, manpower training, urban development, transportation, rural development and education, by converting these grants to Special Revenue Sharing. Funds for assistance in these areas, as I proposed in my State of the Union message, will include more than $10 billion of the money allocated for the narrow-purpose grants plus $1 billion of new funds. Special Revenue Sharing would require no matching funds, no maintenance of effort, no prior project approval and, within the six broad areas, recipients would have the authority to spend these funds on programs which are of the highest priority to them.

I am proposing today legislation for the first of these six Special Revenue Sharing programs. This legislation is directed to matters of primary concern in our national life: the control of crime and the improvement of this nation's system of criminal justice. Much has been accomplished in combatting these problems, but much remains to be accomplished.

Part of the market progress of the past two years can be attributed to the Law Enforcement Assistance Administration (LEAA). The LEAA was created by the Omnibus Crime Control and Safe Streets Act of 1968 to aid State and local law enforcement agencies in funding programs for police, courts, corrections, control of organized crime, civil disorders, and other related crime problems. This is a national problem—but the basic responsibilities for solving this problem rest at the State and local level and the LEAA provides for Federal assistance to these levels of government.

This program is based on the assumption that those who bear responsibility at the State and local level are best qualified to identify their enforcement problems, and to set the priorities and develop the means to solve these problems. It is designed particularly to encourage and provide for experimentation and innovation in the search for more effective solutions to the crime problem. With LEAA assistance each State has developed, in partnership with local governments, a comprehensive statewide approach to improving law enforcement and reducing crime. Each State is receiving funds under this program, and is moving to execute its plans.

The program is effective. In the District of Columbia, LEAA assistance has played a role in achieving encouraging reductions in various categories of crime. With LEAA assistance, Oakland, California, has launched a unique effort against street crime using citizen-police cooperation. A feature of this effort has been more than thirty bilingual "citizen forums" in high-crime areas.

LEAA has launched the first major Federal research and development program in criminal justice. It has initiated the first nationwide computerized information system—Project Search, which will help provide instant interstate information on offenders. It has funded the first national survey of crime victims, and the first national jail survey. In the six New England States a joint program is under way to collect and analyze intelligence information and plan a coordinated effort against organized crime in that area. This was funded by LEAA. LEAA assistance to the States for corrections has increased from $3 million in fiscal 1969 to over $68 million in fiscal 1970. This final year the total exceeds $100 million. In another area LEAA has initiated the first major Federal program to enable law enforcement and criminal justice personnel to continue their educations. More than nine hundred colleges are involved in this program.

I think it is clear that LEAA has assumed a vital and effective role in this area of Federal, State and local concern. But, I believe it can and must be made more effective. Therefore, I am proposing amendments to the Law Enforcement Assistance legislation which I believe would strengthen and increase its effectiveness in the war on crime by increasing both the resources of State and local enforcement and judicial agencies, as well as their freedom to use the resources at their disposal.

MATCHING FUNDS

I propose that the requirement for matching funds be eliminated from LEAA grants being converted to Special Revenue Sharing.

MAINTENANCE OF EFFORT

I propose that requirements for maintenance of effort be eliminated as a condition for receiving Special Revenue Sharing payments.

PRIOR PROJECT APPROVAL

I am recommending that State planning agencies continue to prepare comprehensive statewide law enforcement plans. These will continue to be submitted to LEAA for review and evaluation, to assist LEAA in its role of counseling State and local government agencies. I am proposing, however, that requirements for prior approval of these plans by LEAA be eliminated. Prior approval would not be required to receive Special Revenue Sharing funds.

COVERAGE

Special Revenue Sharing would replace the present LEAA action grants and their payment would be automatic. Special Revenue Sharing for law enforcement for the first full year would be $500 million. Fifteen percent of this would be in grants which can be awarded at the discretion of LEAA, and the remainder in grants awarded automatically on the basis of population.

CIVIL RIGHTS

I urge that the protection from discrimination now provided minorities under Title VI of the Civil Rights Act of 1964 be expressly extended to special Revenue Sharing.

CONCLUSION

The changes provided in the LEAA legislation are not extensive. But I believe they will have a profound effect. They are designed to improve a good program which already has many of the elements we seek to obtain in other programs. Special Revenue Sharing will permit the needed improvements. And by further freeing State and local governments, both from the restrictions of onerous Federal control, and from the administrative and fiscal restrictions which accompany or result from much of our Federal asisstance, we can release the creative capacities of each level of government in these areas of national concern.

RICHARD NIXON.

THE WHITE HOUSE, *March 2, 1971*.

APPOINTMENT AS PUBLIC MEMBER OF COMMISSION ON RAILROAD RETIREMENT

The SPEAKER. Pursuant to the provisions of section 7(a)(1)(B), Public Law 91-377, the Chair appoints as a public member of the Commission on Railroad Retirement the following person from private life: Mr. George E. Leighty, of Maryland.

APPOINTMENT AS MEMBERS OF COMMISSION ON GOVERNMENT PROCUREMENT

The SPEAKER. Pursuant to the provisions of section 3(a), Public Law 91-129, the Chair appoints as members of the Commission on Government Procurement the following members on the part of the House: Mr. HOLIFIELD, of California, and Mr. HORTON, of New York, and the following member from outside the Federal Government: Hon. Joseph W. Barr, of Maryland.

APPOINTMENT AS MEMBERS OF JOINT COMMISSION ON THE COINAGE

The SPEAKER. Pursuant to the provisions of section 301, Public Law 89-81, the Chair appoints as members of the Joint Commission on the Coinage the following members on the part of the House: Mr. JACOBS, of Indiana; Mr. MAZZOLI, of Kentucky; Mr. CONTE, of Massachusetts; and Mr. MCCLURE, of Idaho.

THE WASHINGTON POST EDITORIAL CONCERNING THE BOMBING OF THE CAPITOL

(Mr. DENNIS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DENNIS. Mr. Speaker, this morning's editorial in the Washington Post concerning the bombing of the Capitol indicates what is wrong with the Post—

and, more importantly, what is wrong with a certain segment of our society.

The Post concedes that the bombing "is a bad piece of business," but the thrust of its editorial is that, after all, we have had bombings before, and that the "new level of outrage" felt in this instance is because the explosion took place, as the Post says, in a "Senate washroom."

This misses the point.

America's sense of outrage is not because this explosion occurred in a building used by Senators and Representatives. It is because the Capitol is a symbol of our Republic; a monument to our past; a beacon for our future.

The bomber, I am sure, in his own warped way, fully understood and appreciated this point; that the Post does not is an indication of what is wrong with the Post and with that part of our society which shares its general approach and attitude.

The poet asks the question: "Breathes there a man with soul so dead?"

The answer—unfortunately—is "Yes."

PRIVILEGES OF THE HOUSE—TO AUTHORIZE THE PRODUCTION OF CERTAIN DOCUMENTS AND INFORMATION, AND THE TESTIMONY OR DEPOSITIONS OF HOUSE EMPLOYEES

Mr. ICHORD. Mr. Speaker, I rise to a question of a privilege of the House, and I offer a privileged resolution (H. Res. 264) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 264

Whereas, Civil Actions No. 65 C 800 and No. 65 C 2050 had been instituted respectively on May 24, 1965, and December 6, 1965, in the United States District Court for the Northern District of Illinois, Eastern Division, by Jeremiah Stamler, Yolanda Hall, plaintiffs, and Milton M. Cohen, intervening plaintiff, against members of the House Committee on Un-American Activities for matters arising out of the performance by defendants of their legislative duties as Members of the United States House of Representatives;

And whereas, the aforesaid actions were subsequently dismissed against the said members of the House Committee on Un-American Activities on the basis of their assertion of the privilege of Speech and Debate as assured by Article I, Section 6, of the United States Constitution, but that the actions nevertheless continue against persons thereafter joined as defendants in the actions, to wit: John N. Mitchell, Attorney General of the United States; William J. Bauer, United States attorney for the Northern District of Illinois; and Donald G. Sanders, Alfred M. Nittle, and Anniel Cunningham, employees of the United States House of Representatives, serving respectively as chief counsel, legislative counsel, and chief, files and reference section, of the House Committee on Internal Security;

And whereas on December 7, 1970, in the course of said proceedings certain discovery has been ordered on behalf of plaintiffs requiring defendants to produce certain documents in the possession of the United States House of Representatives, to respond to certain written interrogatories to which response may be made on the basis of documents and information in the control of this House, and requiring the depositions upon oral examination of Donald G. Sanders, Alfred M. Nittle, and Anniel Cunningham, employees of the House as aforesaid, and the depositions upon oral examination of Francis J. McNamara, Neil E. Wetterman, and Donald I. Sweany, former employees of this House, which may require the disclosure of information and matters acquired by them in the course of, and by reason of, their employment by this House;

And whereas, by the privileges of the House no documents and no evidence of a documentary character under the control, and in the possession of the House of Representatives can by the mandate of process of the ordinary courts of justice be taken from such control or possession, but by its permission;

And whereas, by the privileges of the House no staff employee or former staff employee of this House is authorized to appear and testify, except by order of the House, concerning any matter requiring the disclosure of information or material in the files or possession of the United States House of Representatives, or of its committees, or acquired in an official capacity by reason of his employment in the said House, the disclosure of which has not been authorized or is not a matter of public record.

And whereas, when it appears by the order of the court or of any judge thereof or pursuant to the rules of said court, documents or documentary evidence in the possession and under the control of the House, or the testimony of an employee or former employee of the House respecting information and knowledge acquired by said employees by reason of their employment in said House, is needful for use in any court of justice, or for the promotion of justice, the House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of the House:

Now, therefore, be it resoloved, That—

(1) With respect to plaintiffs' motion for production of documents in the possession of the U.S. House of Representatives the chairman of the House Committee on Internal Security (or his designee) is authorized to make available for response to plaintiffs' motion, documents to the extent and in the manner following: There shall be made available to plaintiffs for inspection and copying at the offices of the Committee on Internal Security in Washington, D.C., during business hours the printed transcripts of all public hearings held by the Committee on Un-American Activities since January 1, 1957, together with the unedited stenographer's transcripts of the 1965 Chicago public hearings; all published and printed reports, including all annual reports, and all press releases issued by the Committee on Un-American Activities for said period; all newspaper, periodical, or magazine clippings in the custody of the Committee on Internal Security relating to the plaintiffs' subpenas or appearances before the House Committee on Un-American Activities; and a copy of the Rules of the U.S. House of Representatives.

(2) With respect to plaintiffs' interrogatories, the chairman of the House Committee on Internal Security (or his designee) shall be authorized to supply the following information and documents for response to said interrogatories:

(a) As to interrogatory No. 1, there shall be made available to plaintiffs for inspection and copying at the offices of the Committee on Internal Security during business hours all printed reports of public hearings held by the Committee on Un-American Activities since January 1, 1957, together with the stenographer's transcripts of the 1965 Chicago public hearings held by the Committee on Un-American Activities; all press release files of the Committee on Un-American Activities for said period, together with such news clippings as are in the custody of the Committee on Internal Security relating to plaintiffs' subpenas or appearances at the 1965 Chicago hearings; and copies of the Congressional Directory for said period.

(b) As to interrogatories 2, 3, 4, and 5, requesting information relating to persons employed as investigators, counsel, experts, and consultants for the Committee on Un-American Activities since January 1, 1957, this information shall be compiled and furnished to plaintiffs.

(c) As to interrogatories 6 and 7, there shall be made available to plaintiffs for their inspection and copying at the offices of the House Committee on Internal Security during business hours the printed reports, hearings, and annual reports of the Committee on Un-American Activities since January 1, 1957, together with access to the Congressional Record and the United States Code. The plaintiffs may likewise be informed that all bills introduced in the House and referred to the Committee on Un-American Activities or considered by it since January 1, 1957, have been introduced by individual Members of the House, including individual members of that committee, and that counsel and staff members have assisted, on request, in drafting some of said bills.

(d) As to interrogatory No. 8, requesting the names, employers, and last-known addresses of persons who served subpenas upon the witnesses for the Chicago hearings, this information shall be furnished.

(3) Donald G. Sanders, Alfred M. Nittle, and Anniel Cunningham, employees of the United States House of Representatives, and members of the staff of the House Committee on Internal Security, shall be authorized to testify or depose in the aforementioned civil actions to any matters determined by the court to be material and relevant, but shall not testify to or otherwise disclose or produce any information or material in their possession or of which they have knowledge in their official capacity which has not been publicly released by the House Committee on Internal Security or by the former House Committee on Un-American Activities or which is not a matter of public record.

(4) Francis J. McNamara, Neil E. Wetterman, and Donald I. Sweany, former employees of the United States House of Representatives, who may testify or depose in the aforementioned civil actions, are hereby ordered to refrain from testifying to, disclosing, or producing in the said civil actions any information or material in their possession, or of which they have had knowledge in their official capacity because of their former employment by the House Committee on Un-American Activities or by the House Committee on Internal Security, which has not been publicly released by either of said committees or which is not a matter of public record.

(5) A copy of this resolution shall be certified by the Clerk of the House to the clerk of said court.

Mr. ICHORD (during the reading). Mr. Speaker, this resolution was mailed to each and every Member of the House on February 25, therefore, I ask unanimous consent that the resolution may be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. The gentleman from Missouri is recognized for 1 hour.

Mr. ICHORD. Mr. Speaker and Members of the House, as I understand the parliamentary situation I have as mover of the resolution been recognized for 1 hour. I would announce that it is my intention to control the time. I will yield freely for debate only, but at the conclusion of debate I would announce that it is my intention to move the previous question.

Mr. Speaker, this resolution concerns itself with the testimony of former employees of the former Committee on Un-American Activities, one employee of the House Committee on Internal Security, as well as certain documents of the former House Committee on Un-American Activities which are in the physical possession of the House Committee on Internal Security.

This resolution, Mr. Speaker, is necessary as rule 27–C of the Rules of the House of Representatives reads as follows:

> All committee hearings, records, data, charts and files shall be kept separate and distinct from Congressional office records of the Member serving as Chairman of the Committee, and such records shall be the property of the House.

Under the privileges of the House no document under the control and in the possession of the House of Representatives can by the mandate of process of the ordinary courts of justice be taken from such control or possession except by the permission of the House of Representatives, so this resolution is necessary. I as the chairman of the House Committee on Internal Security do not have the authority to release these documents. No Member of the House has the authority to release these documents without the permission of the House of Representatives.

Several interrogatories have been submitted to certain employees of the committee, and an order to produce certain documents has been served upon them, the compliance with which, would require the production of these House documents. They are a part of two cases, No. 65–C–800, and No. 65–C–2050 in the U.S. district court of the northern district of Illinois.

Let me briefly review the background of the whole matter for the edification of the Members of the House of Representatives:

This controversy has its source in hearings of the House Committee on Un-American Activities when one Milton Mitchell Cohen, Yolanda Hall, and Jeremiah Stamler were subpenaed before the House Committee on Un-American Activities in May of 1965 at hearings concerning the committee's investigation of the Communist Party U.S.A., and the Illinois district of the Communist Party.

Each of the witnesses appeared. They answered preliminary questions but refused to testify further and departed the hearings without leave of the subcommittee.

In October of 1966 they were cited by this House for contempt.

Later on July 18, 1967, the Department of Justice sought an indictment and these defendants were indicted under the process of the court by a grand jury.

On May 24, 1965, however, the people I just mentioned who are the plaintiffs in the civil suits; namely, Cohen, Hall, and Stamler, filed their first civil suit. This was the day before the hearings of the House Committee on Un-American Activities in Chicago were to convene. This suit sought to enjoin the hearings of the House Committee on Un-American Activities on the ground that the proceedings were unconstitutional and that House rule XI which established the former House Committee on Un-American Activities was unconstitutional. That was before a one-judge district court. The petition of the plaintiffs in that civil action was dismissed.

After the close of the hearings in Chicago, a second action No. 65C2050 was instituted. That was on December 6, 1965, against the members of the committee, and containing substantially the same averments and requests for relief as in the first action, but including allegations of matters that occurred at the public hearing.

The plaintiffs—Hall, Cohen, and Stamler—also requested the convocation of a three-judge court to determine this action.

On April 22, 1966, the one-judge court dismissed that second proceeding.

Then there began a merry-go-round of appeals.

The courts in this case have developed a very novel concept of permitting defendants in a criminal action to file a civil suit enjoining the prosecution of the criminal action. As a matter of fact, the alleged contempt was committed in 1965. They were indicted by a grand jury in 1967. Here it is 1971 and we have never had a trial of the indictment in the criminal proceedings.

This matter has been up to the court of appeals twice. It has been up to the Supreme Court twice. It has been in the district court, I do not know how many times, and I will predict before this matter is finally concluded, it will again go to the Supreme Court of the United States for a third time.

After the one-judge court in Chicago dismissed the petition, the plaintiffs appealed both civil actions to the U.S. court of appeals. The court of appeals reversed the one-judge court on the ground that a three-judge court should have been convened. It then went back to the three-judge court. The three-judge court dismissed the action but did give leave to file supplemental complaints to add the Attorney General and the U.S. attorney as party defendants.

Subsequently the court entered a pretrial order in the civil actions requiring the defendant committee members and members of the staff of the committee to answer interrogatories and to produce records.

The committee then moved to stay all proceedings and to dismiss the action against the defendant congressional Members. That motion was supported by a claim of privilege and exemption under the speech and debate clause of article I, section 6, clause 1. The court sustained the motion dismissing the action against the defendant.

Deciding in favor of the committee member's claim of privilege and exemption, the three-judge court handed down a decision on June 26, 1968. Judge Hoffman also in that decision dismissed the action against the Attorney General and the Department of Justice.

An appeal was then taken by the plaintiffs in the civil suit to the Supreme Court of the United States. The Supreme Court first dismissed the appeal. In a per curiam decision on November 25, 1968, the Supreme Court granted a motion to dismiss, and the appeal was dismissed. However, on January 20, 1969, following a petition for rehearing, which was denied, the court vacated the judgment on November 25, 1968, and remanded the case to the district court to enter a fresh decree on the ground that the court of appeals made a mistake in convening a three-judge court.

Pursuant to this mandate, the three-judge court dissolved itself, and on January 31, 1969, a single district court judge entered a fresh decree dismissing the claims of Cohen, Stamler, and Hall, and it also dismissed the claims against the Attorney General and the U.S. attorney.

The plaintiffs appealed the dismissal of this action to the U.S. Court of Appeals for the Southern Circuit. That court affirmed as to the congressional defendants but reversed as to the other defendants.

The case was sent back to the U.S. Supreme Court by certiorari. Certiorari was denied. So, after 6 years, we are back where we started from in the district courts in the court of Illinois before a one-judge court.

If I may briefly retrace the actions for the Members, it started out in a one-judge court. Then it went to the circuit court of appeals. Then it went from the circuit court of appeals back to a three-judge court. Then from the three-judge court it went to the U.S. Supreme Court. Then from the U.S. Supreme Court it went back to a one-judge court. Then from the one-judge court it went to the circuit court of appeals. Then from the circuit court of appeals, on certiorari, it went to the U.S. Supreme Court, where it was denied, and now we are back before Judge Hoffman in the Federal District Court for the Northern District of Illinois.

This had led me to comment that any person who would ever be found guilty of contempt before any committee of Congress has to have an extremely poor lawyer or he has to espouse an extremely unpopular cause. I might state that in view of the recent decisions of the Supreme Court, it looks like these whole proceedings will be reversed, because the Supreme Court has recently held that in the case of State proceedings, you cannot use civil proceedings to enjoin a criminal proceeding.

The plaintiffs in this action have filed interrogatories and a motion to produce certain documents.

In this resolution we have authorized the House Committee on Internal Security to release everything they want, except in two areas. Those areas relate to unedited stenographers' transcripts of public hearings since January 1, 1957, and press clippings since January 1, 1957, relating to hearings held by the committee and to persons subpenaed by the committee.

The interrogatories and the motion to produce certain documents ask the House Committee on Internal Security to furnish unedited transcripts covering a 10-year period. It also asks for the committee to provide press clippings of the House Committee on Un-American Activities covering a 10-year period.

As to the unedited transcripts of public hearings, I submit that it would be unduly oppressive to require the staff of the House Committee on Internal Security to search for and collect and sort this documentation, which may comprise more than 600 transcripts over the 10-year period. These transcripts, it must be understood, have been edited, as is the custom of the House, similar to procedures in the preparation of the CONGRESSIONAL RECORD. It seems to me—and this is a matter for the House to pass upon—that the production of unedited transcripts, a matter which also seems irrelevant and immaterial to the plaintiffs' cause of action, would be a violation of the customs and privileges of the House and its Members.

With respect to the production of press clippings over a 10-year period, the former House Committee on Un-American Activities made no compilation of them and what we have were not systematically collected and are scattered through countless files. To accomplish this search would be unduly oppressive.

In view of the fact that press publications are not evidence and are as accessible to the plaintiff as they are to the defendant, to require the production under the circumstances would seem to be an impermissible imposition upon the House and in violation of its privileges. Nor can we permit the plaintiffs to make such a compilation from the files of the House Committee on Internal Security, for the clippings are contained in files which have confidential and executive material to which the plaintiffs should not have access.

Now I would point out again in conclusion, Mr. Speaker, by the terms of the resolution, we do give the plaintiffs in the civil proceedings all of the press clippings in respect to this particular case. We give them the unedited transcript in regard to this particular case. We give them all press releases and all published reports of the House Committee on Un-American Activities.

We do not give them the unedited transcript over a 10-year period. We do not give them the press clippings over a 10-year period.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from New York (Mr. RYAN).

Mr. RYAN. Mr. Speaker, I have several questions.

First, it is clear from the statement of the gentleman in the well that the resolution does not comply completely with the discovery order of the Federal court. Has the committee or have the defendants in this litigation applied to the court for a modification of the discovery order?

Mr. ICHORD. Let me say to the gentleman from New York that I have already discussed the many times that this has been up to the court of appeals and the U.S. Supreme Court.

Back in the first appeal to the circuit court of appeals, after it was remanded to the three-judge District court, the plaintiffs in that action filed discovery proceedings asking for the production of the unedited transcripts over a 30-year period. The Department of Justice did go into those proceedings and contested the motions. The three-judge court made an order limiting the discovery to a 10-year period.

The SPEAKER pro tempore. The time yielded by the gentleman from Missouri has again expired.

Mr. ICHORD. Mr. Speaker, I yield myself 3 additional minutes for the purpose of answering the gentleman from New York.

The three-judge court made an order limiting the discovery to a period of 10 years. However, that was later appealed to the U.S. Supreme Court, and the U.S. Supreme Court voided the proceedings in the three-judge court. We are now back in the one-judge court.

Now, these are motions that were filed by the plaintiff in the one-judge civil court. There was no contest to my knowledge made by the Department of Justice as to these motions. I am informed that in the proceedings in court the court was very reluctant to pass upon the mater, because the court knew that this was a matter affecting the privileges of the House. The court did not know what the House of Representatives would do in this matter. And this is a matter for the House to decide. The House of Representatives cannot be compelled to give the court anything, so far as that is concerned; but I do think that we should take this action.

I think that we should give the plaintiffs all the unedited transcripts in regard to their case. I think they should have all the so-called press clippings. I do not know how that is material, because press clippings are not evidence. I also think they should have all the releases and all the reports that have been made public.

However, I do not believe under the privileges of this House that the House of Representatives should consent to a fishing expedition and require employees of this House to assemble these unedited transcripts that cover a 10-year period and probably consist of some 600 transcripts. I think this is an imposition upon the House. For that reason I have framed the resolution in this form.

Mr. RYAN. If the gentleman will yield further, it seems to me the gentleman is setting up an impasse between the judiciary and the Congress which is unnecessary. The defendants in this case could apply to the court for a modification of the order if it is felt it is unduly burdensome.

In addition, I understand—correct me if I am in error—that the matter was before the U.S. district court in Chicago yesterday, at which time Judge Hoffman himself commented upon the failure to apply for a modification of the order and at which time also the attorney for the defendants, among whom are staff members of the Internal Security Committee——

The SPEAKER pro tempore. The time yielded by the gentleman from Missouri has again expired.

Mr. ICHORD. Mr. Speaker, I yield myself 1 additional minute.

Mr. RYAN. That yesterday the attorney for the defendants advised compliance with the court order.

Mr. ICHORD. I did not hear the gentleman's last statement.

Mr. RYAN. I am informed that yesterday the attorney for the defendants in this matter advised that there be compliance by the Internal Security Committee with the order of the court.

Mr. ICHORD. In answer to the question of the gentleman from New York let me advise the gentleman from New York I am not aware of, and have not been advised of, what went on in the U.S. district court yesterday. I scheduled this matter well over a week ago for today. The gentleman perhaps has been in contact with the attorneys for Stamler, Cohen, and Hall.

I have not had the privilege of that contact. I will state——

Mr. RYAN. Will the gentleman yield?

Mr. ICHORD. Not until I answer the question.

I will state that the Department of Justice has not advised the committee or any member or me in the position as the chairman of the committee as to what we should do with regard to production of these records.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ICHORD. Mr. Speaker, I yield myself 1 additional minute.

Some of the lawyers of the Department of Justice have stated that this may have adverse effects upon their criminal proceedings against these individuals, but they have not advised the chairman nor have they advised the staff of the Committee on Internal Security that these documents should be submitted by the House of Representatives. It is not for the committee to decide. It is for the House to decide.

I will point out to the gentleman from New York that in view of the recent State decision I think this whole merry-go-round of appeals to the circuit court and to the Supereme Court will be negated by recent decisions of the Supreme Court, because in State cases the Supreme Court has recently ruled that civil proceedings cannot be used to enjoin criminal proceedings—a very novel concept.

Mr. ASHBROOK. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I am glad to yield to the gentleman.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. ICHORD. Mr. Speaker, I yield myself 2 additional minutes.

I yield to the gentleman.

Mr. ASHBROOK. I would say to the gentleman, Is it not correct in specific response to the question raised by the gentleman from New York regarding the compliance of our committee with the request of the plaintiffs, the gentleman from Missouri in his statement indicated that this is compliance. The majority of our committee believe that we are complying with the request of the plaintiffs, and the gentleman from Missouri pointed out that the plaintiffs, as is often the case, make requests for matters that we do not even have and ask for clippings not in our possession and ask for many items which are equally accessible to them and which are not in the confines of any of our files. In specific response, is it not correct that this is compliance and is precisely what is before the House at this time?

Mr. ICHORD. There are only two instances where it could be considered as not being in compliance with the order. They did ask for the unedited transcripts over a 10-year period of time. They also asked for the press clippings over a 10-year period of time. It is possible that this may be construed as not being in compliance in that respect.

Again I point out that this is a matter for the House to decide. We are giving the plaintiffs in this action the unedited transcripts that apply in their case and all the press clippings in their case and also authorize the defendant employees of the committee to testify in the court proceedings except that we do not authorize them to testify as to any executive matter. Of course, this would have to be authorized by the House of Representatives.

Mr. ASHBROOK. The gentleman very precisely points out the areas of substantial compliance. I think we have responded to every reasonable request that can be made in the spirit of wanting to cooperate. I think it would be absolutely impossible to say that we have not made an effort to comply with this legitimate request.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. ICHORD. Mr. Speaker, I yield myself 1 additional minute.

I point out to the gentleman from Ohio and the Members of the House that in the criminal proceedings under the indictment—there have been so many proceedings in this matter—we were asked to submit certain information, which we did. Mind you, we are here dealing with the civil proceedings. We gave the court everything they asked for in the criminal proceedings but in this resolution we are not giving them unedited transcripts over a 10-year period of time, that is, transcripts unedited by us over a 10-year period of time. This would be an imposition on the privileges of the House.

I now yield to the gentleman from Massachusetts (Mr. DRINAN) 5 minutes.

(Mr. DRINAN asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. DRINAN. Mr. Speaker, before discussing the reasons why I think the Members of this House should reject the resolution proposed today by the House Internal Security Committee, I would like to present some background material relevant to this matter which was not fully explored in the memo sent by the chairman of this committee to all of the Members of Congress under date of February 25, 1971. The events on which this House is asked to vote upon today began on May 24, 1965, when these three plaintiffs instituted an action against the chairman and the members of the House Un-American Activities Committee. This was 1 day before the plaintiffs were scheduled to appear by subpena before a subcommittee of the House Un-American Activities Committee meeting in Chicago on May 25, 1965.

The plaintiffs instituted this unprecedented civil action against the House Un-American Activities Committee seeking a declaratory judgment that rule XI was unconstitutional and that consequently an injunction should be issued restraining the holding of the scheduled hearings.

On November 10, 1966, the Seventh Circuit Court of the U.S. Court of Appeals ruled in favor of the plaintiffs and held that they had raised a "substantial constitutional question" in their charge that the conduct of the House Un-American Activities Committee "consisted of exposure of witnesses, including plaintiffs, to public scorn, obloquy and harassment, and intimidation of witnesses without any legislative purpose."

The Seventh Circuit Court held that the cases of *Barenblatt* v. *the U.S.*, 360 U.S. 109 (1959) and the decision in *Gojack* v. *U.S.* 384 U.S. 702 (1966), two opinions in which the Nation's highest tribunal adjudicated protests against the conduct of the House Un-American Activities Committee, did not rule out the standing to sue of the Chicago plaintiffs or the substantial merit of the constitutional question which they had raised in their complaint.

On August 5, 1969, the seventh circuit once again reversed the opinion of a single district court judge and ruled in vigorous terms against the Government which had contended that the plaintiffs should be restricted to litigating their constitutional claims in the criminal prosecution brought against them. The circuit court pointed out that the civil action initiated by the plaintiffs made available to them "more suitable discovery procedures and more liberal rules of evidence." The seventh circuit ruled in no uncertain terms that "plaintiffs should not be compelled to go through years of criminal litigation as in Gojack—where the defendant had to stand trial twice, was convicted twice, appealed unsuccessfully twice, obtained a new trial from the Supreme Court and finally the dismissal of charges against him in the Supreme Court." Despite the very clear decision and firm mandate of the seventh circuit court of appeals on August 5, 1969, the Committee on Internal Security asked the Attorney General to apply to the Supreme Court for a writ of certiorari. This petition was denied by the Supreme Court without comment on June 29, 1970. Since that date the plaintiffs in this case have sought to obtain from the remaining defendants in this case those items of information which the Federal court in Chicago has decreed may be obtained by these three plaintiffs.

I would like to outline the several reasons why the Members of this House, in my judgment, should grant to the three plaintiffs in this crucially important case all of those rights of discovery granted to them by a Federal judge after extensive deliberations and negotiations between the plaintiffs and the counsel for the defendants:

First. The chairman of the House Internal Security Committee has stated in his February 25, 1971, memo to the Members of this House that the resolution now being debated makes it possible to have "compliance by defendants with the discovery requested with certain minor exceptions or limitations." It should be noted that these "exceptions or limitations" are by no means minor to the plaintiffs involved. In fact the very two items omitted from those things to be made available by this resolution to the plaintiffs are the very two items on which their whole case may rest.

It is not for the House Internal Security Committee nor is it for the Members of the House of Representatives to decide upon the relevancy or materiality of the evidence decreed by a Federal court to be the inherent right of plaintiffs in litigation in a civil action in a Federal court.

The plaintiffs in this case originally asked for press clippings and other materials which would have gone back to the first day of the reconvening of Congress in January 1945, when a deeply divided House of Representatives first authorized the House Un-American Activities Committee. The discovery authorized and indeed ordered by a Federal court in this case is made up of those basic documents which, in the judgment of a Federal tribunal, are essential to the plaintiffs in making out their case to the effect that the implementation of rule XI on the part of the House Committee on Un-American Activities inhibits and deters the exercise by citizens of the United States of the rights of freedom of speech, press, assembly, and privacy.

One can assume, for example, that the plaintiffs would plan to secure clippings from newspapers with regard to certain witnesses subpenaed by the committee. If, as might well happen, it became clear that very adverse effects almost always came to those citizens subpenaed by the House Committee on Un-American Activities, the plaintiffs could argue that the ultimate effect, if not indeed the purpose, was not the establishment of a unit to secure information on which to base legislation, but rather, in the words of the brief of the plaintiffs, the "creation of a governmental mechanism with the sole purpose and objective of forcing public disclosure of beliefs, opinions, expressions, and associations of private citizens which may be unorthodox or unpopular, resulting in public stigma, scorn, and obloguy all beyond any powers granted to the Congress by the Constitution of the United States."

The plaintiffs similarly seek unedited transcripts of hearings because, in the words of the plaintiffs, they "believe that the printed versions may be edited in ways that might conceal constitutional violations committed by the committee."

For the House Internal Security Committee or the Members of the House of Representatives to substitute their judgment on the relevancy and materiality of what a Federal court has decreed should be available to these plaintiffs is clearly, in my judgment, a serious deprivation of basic justice to these individuals who have been told in the clearest possible language by a three-judge Federal court that they have a cause of action and a basic right to the evidence here in question which, in their judgment, in the judgment of their lawyers, and in the judgment of a Federal court is indispensable to them in carrying on the civil action designed to throw light on the serious constitutional questions which these plaintiffs have presented. This Federal court in *Stamler* v. *Willis* 415 F.2d 1365 (1969) categorically gave to these plaintiffs the right to have their case adjudicated "in this proceeding rather than in subsequent criminal proceedings."

If the House of Representatives today rejects and indeed defies a carefully balanced discovery decree of a Federal court, this House will in effect be denying the three plaintiffs in this 6-year-old case those fundamental documents which a Federal court has decreed as essential if they are to receive justice in these proceedings.

Second. The only reason asserted by the Committee on Internal Security of the House of Representatives for withholding newspaper clippings and unedited transcripts from the three plaintiffs in this case is the convenience of the staff of the committee. Investigation, however, into even a few of the documents of the case of the three Chicago plaintiffs would indicate that the lawyers for these three persons have agreed to all types of reasonable procedures by which they would not in any way unduly burden the staff of the Committee on Internal Security, would not in any way violate the confidentiality of any file in the possession of the committee, and would in no wise intrude into the records of any executive session of any meeting of the House Committee on Internal Security.

The chairman of the Committee on Internal Security concedes in his memo to the Members of the House under date of February 25, 1971, that the committee's "resolution presents no novel questions, nor is the procedure unusual." There is, in other words, no challenge here to documents which the House may not authorize to be used in any civil or criminal proceeding in a Federal or State court. There is, therefore, no question, contrary to the letter of the chairman to the Members of the House, of anything that "would be in derogation of the privileges of the House."

The Committee on Internal Security is not telling the Members of the House of Representatives that the committee desires to withhold access to certain evidence because of any privilege which Members of this House might have but simply because compliance with a decree of discovery given by a Federal court to these three plaintiffs would allegedly create a hardship for the staff of the Committee on Internal Security.

It is axiomatic that the inconvenience or hardship of any person, including Government officials, does not justify any citizen in refusing to a litigant that evidence which a court has solemnly decreed is the right of that citizen to possess.

In the past the House of Representatives has routinely produced copies of documents which have been determined by a court to be relevant and material. Such action is authorized by House Resolution 11, 90th Congress—CONGRESSIONAL RECORD, volume 113, part 1, page 35—where it is stated that when any "court determines upon the materiality and the relevancy of the papers or documents called for in the subpena or other order—the Clerk of the House is authorized to supply certified copies of such documents that the court has found to be material and relevant." The rest of this resolution which refers to the minutes or transcripts of executive sessions is in no wise relevant to the question before this House today.

It is furthermore too late for the Internal Security Committee or this House to interpose the objection that the three plaintiffs in this case can obtain the requested information from other sources. That question was litigated and resolved on behalf of the plaintiffs. For the Committee on Internal Security to suggest, therefore, as the chairman's letter of February 25, 1971, does suggest, that the press clippings requested by the plaintiffs are "equally accessible to the plaintiffs from other sources" constitutes in the final analysis a rejection and indeed a defiance of the decree of a Federal court made after extensive arguments and protracted deliberations.

Third. A third and enormously persuasive argument for the House of Representatives to reject the resolution proposed here today derives from the consequences of this House accepting on this occasion the repudiation of a decree of a Federal court by the Committee on Internal Security totally in the name of inconvenience and alleged hardship. If this House ratifies what in my judgment is a profound mistake and a basic denial of justice by the House Internal Security Committee the plaintiffs in this case will almost certainly move for a dismissal of all of the charges against them. The plaintiffs will indeed be justified in this motion of dismissal because they have been denied by this House what a Federal judge has told them is useful and indeed essential to their case. If the House Internal Security Committee, in the name of inconvenience or alleged hardship, denies to these plaintiffs that evidence without which they cannot proceed in a civil case then the House Internal Security Committee should be prepared to accept the consequence. And that consequence is the possible and perhaps very probable dismissal of all of the charges made against these plaintiffs by the House Internal Security Committee.

In October 1966, these three plaintiffs were cited for contempt by this House. The Speaker of this House certified reports of this contempt to the U.S. attorney for the northern district of Illinois. Pursuant to those citations of contempt the three plaintiffs were indicted by a grand jury on July 18, 1967.

The question before this House today comes to this: Will this House of Representatives which has cited these three individuals for contempt, a citation resulting in their indictment, now say to these defendants that this House will deny them that very evidence which a Federal court, after protracted litigation and extensive debate, has decreed is the essential right of these three individuals?

If this House of Representatives refuses to allow to these three people that this House has itself cited for contempt those things deemed by a Federal court indispensable for the defense of these individuals what else can these persons do but ask for a dismissal of the charges against them? And what else can a Federal tribunal do except dismiss charges when the very agency of Government which has brought those charges denies to those individuals against whom these charges are brought that essential right of discovery without which these persons cannot possibly have a valid case or a fair day in court?

The House Internal Security Committee is in my judgment asking this House today to join in another self-inflicted wound, agreed to by a majority of the members of the House Internal Security Committee.

It may be that if the House of Representatives today agrees with the resolution proposed by the House Internal Security Committee the power of that committee to effectively prosecute any person for contempt will be seriously eroded if not completely eviscerated. And in the ultimate analysis it must be remembered that if the power to protect its own processes and to enhance its own dignity and majesty of the Committee on Internal Security is eroded and debased, this erosion and debasement inevitably carries over to every other arm of this House of Representatives.

I ask you, therefore, to vote against the resolution proposed by the distinguished gentleman from Missouri. The adoption of that resolution will in my judgment bring adverse and possibly catastrophic consequences upon the Committee on Internal Security. If the Members of the House of Representatives adopt and ratify that resolution they will concur in an unprecedented action in which the House of Representatives, for no better reason than its own convenience, will deny to American citizens whom this House has caused to be indicted, access to those totally nonconfidential documents which the judicial branch of our Government has decreed should be made available to these individuals.

If these plaintiffs are given access to the material to which they have a judicial right the Members of Congress will not be imperiled in their essential functions or prerogatives. And if these plaintiffs should ultimately prevail in their civil action against some members of the staff of a House committee neither the Members of Congress nor congressional functions would be impaired but, hopefully, might even be enhanced because they would then be required to conduct their future investigations under a more narrow and more clearly constitutional mandate.

Mr. ICHORD. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. ASHBROOK).

Mr. ASHBROOK. Mr. Speaker, if the gentleman from Massachusetts will remain in the well, I would like to ask him one question.

The gentleman from Massachusetts has raised several points which he deems axiomatic. I think it is also axiomatic in the course of getting a fair trial, as we have seen in the Manson case and in the case of the Black Panthers in New Haven, that quite often these trials are long, cumbersome, and they are expensive.

The gentleman from Massachusetts has not fully stated the case because the plaintiffs have asked for materials which are not readily accessible. They have asked for a compilation of all press clippings when there is no such compilation of all press clippings. There are many thousands of items in the files of the Committee on Internal Security. To compile these—and we do not have them compiled now—would require extensive time and would require a great expenditure of money. The gentleman from Massachusetts talks about axiomatic items. I would ask the gentleman from Massachusetts if he is willing to go to what it might cost insofar as the necessary expense of producing this voluminous material, say, $10,000, $15,000 or $20,000 of additional appropriations to bring about this compilation? It is not our desire to withhold material, it is merely that the material is not compiled, and it would be necessary to do so. Will the gentleman from Massachusetts specifically support an appropriation of $10,000 or $15,000 in order to have an indepth study of every file, every folder, and to have a search of those files? Will the gentleman specifically support that type of request?

Mr. DRINAN. No such thing, let me say, as the gentleman from Ohio has suggested, is requested for by the plaintiffs' attorneys at all.

Mr. ASHBROOK. I would say to the gentleman from Massachusetts that what I have suggested is correct in that we do not have the various files prepared; therefore, we must gather the information. This is not put in under little headings in each separate file. We must go through every single file folder, every investigator's file, every report, and get the information they say we have. This would take an inordinant amount of time. I think the gentleman from Massachusetts realizes that; does he not?

Mr. DRINAN. No, I do not, because in the record—and I have read the entire, voluminous record of this long, protracted case, and the counsel for the plaintiffs have agreed that they would ask for only those clippings in any file of any person subpenaed by the committee since 1957. So a clerk could bring them the clippings. They would not see the files. This could be done in less than 8 hours without any serious inconvenience to the members of the staff. This is stipulated and agreed to by very reasonable men who act as counsel for these three plaintiffs.

Mr. THOMPSON of Georgia. Mr. Speaker, would the gentleman from Ohio yield for a question?

Mr. ASHBROOK. I yield to the gentleman from Georgia.

Mr. THOMPSON of Georgia. May I ask this question: These clippings they are asking for are a 10-year collection of clippings that are in the various files—are those clippings available through any other source, or did the Committee on Un-American Activities have exclusive access to the papers and periodicals from which they were obtained?

Mr. ASHBROOK. As the gentleman from Missouri so aptly pointed out during the course of his presentation of the cases and the resolution, they are in effect asking for something that anyone in the public could gather. They are accessible to them. They can go to the same newspaper files in Chicago or elsewhere and gain what they want.

We do not have them cataloged as the plaintiff's desire. To comply completely we would have to search thousands of files and folders. It would take an inordinate amount of time and would involve great expense.

It is not a question of not being willing to comply. It is a question of an oppressive and unreasonable request and that is why we have failed to comply. But the clippings they want they are able to get from newspaper or library sources, and they have the same accessibility to that as we would have.

Mr. THOMPSON of Georgia. Is it true to state then that they have every source of obtaining the same information as the House Committee on Un-American Activities and they could obtain it from the same sources, which was public information at the time the newspaper published it, and is available to all people.

Mr. ASHBROOK. I would assume that it is intrinsic, in their request they are asking for press clippings, it would be something public, that the newspapers published. So they would have the same access to it.

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman.

Mr. ICHORD. Mr. Speaker, I want to thank the gentleman from Ohio for pointing out that the gentleman now standing in the well, and I know the gentleman did not mean to convey erroneous facts when he used the terminology "two documents." I would state, and the gentleman pointed this out, that they are asking for more. I think the gentleman will agree they are asking for more than two documents. They are asking for probably what will amount to 600—600 unedited transcripts. These will number thousands in all probability—news clippings and so on.

But I also want to thank the gentleman from Ohio for pointing that out.

The SPEAKER pro tempore (Mr. BOLLING). The gentleman from Ohio (Mr. ASHBROOK) has consumed 5 minutes.

Mr. ICHORD. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, also I want to point out I think the argument of the gentleman in the well, would be much stronger if this were in fact a criminal proceeding. But I would point out that this is a civil proceeding.

At this point it is not a criminal proceeding. This matter has been in the courts, Members of the House, since 1967 and there has been an indictment by a grand jury. It has been up to the Supreme Court twice. It has been in the court of appeals twice. It has been in the Federal district courts, I do not know how many times, between a one-judge court and the three-judge courts. These are civil proceedings to enjoin criminal proceedings and we have never had a trial of the criminal proceedings.

Mr. Speaker, I thank the gentleman for pointing out these distinctions and I now yield to the gentleman from Massachusetts since I mentioned his name.

Mr. DRINAN. Mr. Speaker, may I point out that because it is a civil proceeding there is a stronger moral obligation on this body to give the evidence that a Federal court has directed us to give.

Furthermore, that same Seventh Circuit Court has said, and this was said on August 5, 1969, that these plaintiffs should not be compelled to go through years of criminal litigation as in the Gojack case where the defendant had to stand trial twice, was convicted twice, appealed unsuccessfully twice and finally obtained a new trial from the Supreme Court, and finally, the dismissal of charges against him that were brought by the House Committee on Un-American Activities.

If this is, as the distinguished chairman stated in his remarks, a novel and unique procedure, that is no reason to prejudice these three plaintiffs in their trial in Chicago.

Mr. ICHORD. Mr. Speaker, I yield myself 2 more minutes for the purpose of answering the gentleman from Massachusetts.

Mr. Speaker, I would point out to the Members of the House, there is no recent precedent in the House of Representatives for the action we are proposing today. However, there is a very recent precedent in the other body in Senate Resolution 471 which was adopted as recently as September 25, 1970. I want to emphasize the language of the resolution adopted by the Senate by reading the last "resolved" clause, which also applied to civil proceedings to enjoin at that point certain legislative proceedings. The resolution reads as follows:

> *Resolved,* That it is the sense of the Senate that the power of inquiry with process to enforce it is an essential and appropriate auxiliary to the legislative function, and that action by the courts which anticipatorily infringes upon or impedes the right of Congress to require the appearance of witnesses pursuant to its legislative powers, and thus stays contemplated congressional action to be taken pursuant to its investigative processes violates the doctrine of separation of powers and would be an illegal and unwarranted infringement by the judicial

> branch upon the powers, responsibilities and duties of the legislative branch.

In those civil proceedings the chairman of a subcommittee of the Senate, the Senator from Arkansas, Mr. McCLELLAN, was subpenaed before the court. The resolution adopted by the Senate provided as follows as to his testimony and the records that he should produce:

> *Resolved*, That neither the said Chairman, the said members, the said General Counsel, nor any staff employees are to testify to or otherwise disclose any documents, records, correspondence, memoranda, and other written or verbal information in the possession of said individuals or of the Subcommittee which are not matters of public record; be it further

This was the action taken by the other body. It does serve as a precedent for this body.

Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. MIKVA).

Mr. MIKVA. Mr. Speaker, I want to compliment the gentleman from Missouri, the able chairman of the House Internal Security Committee. He has spread a great deal of sand today about the matter that is before the House. I think that if he would speak on this matter the next time we have an ice storm it would do a great deal to melt the ice in the whole Washington area, because as he described the tortured progeny of litigation that was engendered here, two things became lost in the shuffle: First, none of those cases is before us; second, the House started the fight. This is not a case of somebody going in and taking potshots at the House.

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. MIKVA. I should first like to finish my statement.

Mr. ICHORD. I wish the gentleman would explain how the fight started.

Mr. MIKVA. I am about to get into that. These people were subpenaed before the House Internal Security Committee some years ago.

Mr. ICHORD. The House Internal Security Committee was not then in existence.

Mr. MIKVA. The House Committee on Un-American Activities was in existence. If the gentleman would like some of his time back, I wish he would say so; but I will take only 2 or 3 minutes. I will try to be as accurate as I can. I had forgotten that the committee had changed its name.

Mr. ICHORD. No committee of this body is a continuing committee. Every committee expires at the end of each Congress, and we have to set them up again by the adoption of new rules. The Committee on Un-American Activities is no longer in existence.

Mr. MIKVA. Let me say that the original action was started when these witnesses were cited by the House of Representatives—not this House, obviously, because it was not then in existence—by a House of Representatives for contempt of the then existing Committee on Un-American Activities. In response to that contempt citation which the House voted and on which the U.S. attorney in Illinois then proceeded to bring an action, these three filed a civil suit seeking various injunctive relief, and the courts meshed the two suits, the three witnesses then asked for certain discovery proceedings.

Over and over again you heard the chairman say that it is for this House to decide which parts of the order should be complied with. Well, it is for this House to decide, but only if we are going to be prosecutor, judge, jury, and executioner. But for a body which urges restraint, the observance of the legal processes, and law and order as often as we do, it ill behooves us to say whether we like this part of the court order or that part of the court order, or this is a part we will observe or that is a part we will observe.

There are ample appellate processes open. Specifically this order, this little two-page order, which is the only matter before this House, has never been appealed. No modification of that order has ever been sought, either before the three-judge court, or Judge Hoffman, or the Supreme Court of the United States, all of which are open to the defendants in the civil suit.

Similarly, even if they do not want to seek to modify the order, if the gentleman from Ohio is correct, and this is compliance, then a great deal of the time of the House is being wasted. If it turns out that the gentleman from Ohio is correct, and what the chairman is proposing to do is compliance, then there is no skin off anybody's nose. If that is not correct, then the court at that time can order the staff members to produce additional documents; there can be a determination at that time as to whether or not there has been compliance. So I must say to the Members of the House we are doing one of two things: either we are thumbing our nose at a U.S. court, which is really what I think we are doing, and which I think is very bad comity—that is c-o-m-i-t-y, I will say to the Chairman—for the legislative branch of the Government to do; or we are wasting a great deal of time: if the gentleman from Ohio is right, then we do not need this resolution. House Resolution 9, which was passed on the first day of the session authorizes this committee, or any other committee, to comply with orders of the courts.

We ought to vote this down for one of those reasons, that either it is totally unnecessary, or it is one more chapter of "who does what to whom" between the courts of the United States and the Congress of the United States.

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. MIKVA. I yield to the gentleman from Missouri.

Mr. ICHORD. The gentleman does concede the courts of the United States cannot compel this House to do anything?

Mr. MIKVA. The Members of the House are not parties to this lawsuit. Is that correct?

Mr. ICHORD. The House is not a party to this lawsuit. At one time the Members were.

Mr. MIKVA. That is correct. And the courts properly dismissed them out. Is that right?

Mr. ICHORD. At one time the former Committee on House Un-American Activities were parties to this suit.

Mr. MIKVA. But this court the gentleman has been taking such potshots at dismissed them out.

Mr. ICHORD. It was decided in the suit Powell against McCormack to proceed against employees of this House rather than to proceed against the House of Representatives.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ICHORD. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I point out again that these are civil proceedings and that the contempt citation that was voted by the House of Representatives amounted to no more than a warrant directing the U.S. district attorney to go into the criminal district court in the State of Illinois and to seek an indictment. A grand jury was convened. These individuals were indicted for contempt of Congress, a violation of the law, a criminal offense. This matter has proceeded in the civil action now for 4 years. We have never gotten to the trial of the criminal case.

Mr. ASHBROOK. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Ohio.

Mr. ASHBROOK. Mr. Speaker, I want to say for the record, I believe the gentleman from Illinois did not want to leave two impressions which I believe were irrelevant. First of all, he said the House started the action. This is not the case. I was present when the hearings were being conducted. The plaintiffs in this case, the defendants in the contempt citations, by their contempt started the action, not the House of Representatives. By showing sheer contempt for the House and by refusing to reply to any of the questions, they started the action.

So first of all, it is incorrect to say that the House started this action. The defendants themselves in the contempt case, started the suit by their action—not the House.

Second, to say the Government had the option of appealing—this would be more a case, I would say to the gentleman from Illinois, of thumbing our nose at the court. We could say they have no right to ask for anything. Quite the contrary, rather than thumbing our nose at them, we have come forward with everything that is possible and reasonable to answer, and we are presenting that to them; so rather than appealing, which would be thumbing our nose at them, and saying they must prove to us we have to produce these documents and papers, we are voluntarily providing them.

Mr. MIKVA. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Illinois.

Mr. MIKVA. Mr. Speaker, the gentleman is aware the Federal court has the power to dismiss a case where there has not been compliance with an order for a discovery procedure?

Therefore, the court could dismiss the contempt charges, which they may well do if we do not comply with the discovery procedure. Is that not a possibility?

Mr. ASHBROOK. Absolutely. I would say further to the gentleman from Illinois, the court may very well say this has been a reasonable compliance with the request.

The gentleman from Illinois well knows, to use the statement of the gentleman from Massachusetts, it is axiomatic that the plaintiff's attorney and the defendant's attorney often ask for things beyond the bounds of reasonableness.

We think we have responded reasonably. If they say "No," then we are wrong. If they say, "You have produced what is necessary," then we are right.

I happen to believe we have reasonably responded. That particular question is up to the court. We feel we have done everything we should.

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Missouri.

Mr. ICHORD. I would make the further point that this House of Representatives, the present Committee on Internal Security and the former Committee on Internal Security, is not in the business of enforcing criminal law or of punishing people or of trying people. That is for the court.

The SPEAKER pro tempore (Mr. BOLLING). The time of the gentleman from Ohio has expired.

Mr. ICHORD. Mr. Speaker, I yield myself 1 minute.

This House of Representatives, as a coequal branch of Government along with the other body, the Senate, does have the inherent power to punish for contempt of its processes; but we have not chosen to do that. We have turned that over to the courts. All we do when we vote a contempt citation is to direct the district attorney to go in and seek an indictment. It is up to the courts to perform their job as they see fit.

Speaking personally, it is true that they could dismiss the proceedings, but that is not our business. It is their business to enforce the criminal law, to give the defendant his day in court.

Mr. Speaker, I now yield 2 minutes to the gentleman from California (Mr. WALDIE).

Mr. WALDIE. Mr. Speaker, I just want to ask the chairman a question or two. I ask as a nonmember of the committee who is somewhat lost in trying to follow the proceedings.

Mr. ICHORD. Was the gentleman in the Chamber earlier, when I addressed myself to the appeals, and how many times this has been in the Supreme Court and in the circuit court of appeals?

Mr. WALDIE. Yes; the failure to understand is not because of a lack of ability in the gentleman's presentation, but rather and inability on my part to absorb.

Mr. ICHORD. It is such a rambling procedure that I may have been rambling too much.

Mr. WALDIE. Let me ask the gentleman a question.

As was suggested by the gentleman from Illinois, in his view—and I only cite it for consideration—he believes that the adoption of this resolution, if I have not mistakenly paraphrased his comments, would result in our thumbing our nose at a court which has ordered the House to do something.

Mr. ICHORD. That is the view of the gentleman from Illinois. I do not concur in that view.

Mr. WALDIE. I understand. Then he advises that rather than adopt the resolution, which he construes to be a thumbing of our nose at the court, in fact we should defeat the resolution.

The question I have to ask I will address to the gentleman as chairman or to the gentleman from Illinois (Mr. MIKVA). If adopting the resolution constitutes thumbing our nose at the court, since it is a partial attempt to comply with the order—and I believe it is only partial—then defeating the resolution, it would seem to me, would be an absolute rejection of the court order.

I am not prejudging it. I may very well vote to tell the court, "It happens to be none of your concern."

I should like to know, however, these two things. What will be the result of refusing passage of this resolution in terms of the three people who were cited for contempt initially by the committee? What would be the result of this action on those contempt citations?

Mr. ICHORD. Let me answer the question of the gentleman from California. I believe it is a very good question.

The defeat of this resolution would not accomplish the objectives which the gentleman from Illinois seeks. As chairman of the House Committee on Internal Security I can say that the House Committee on Internal Security is only custodian for these documents, which are documents of the House. A court cannot order this House to produce any of its documents unless it has the permission of the House. If this resolution is voted down I could not deliver the documents requested to the court without further authorization of the House.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. ICHORD. I yield myself 1 additional minute for the purpose of answering the gentleman from California.

I would still, if this were defeated, before I could surrender any of these documents, have to come back to this House with a resolution, because I do not have authority nor does any Member of this House have authority to submit one document to the court.

Mr. WALDIE. If the gentleman will yield further?

Mr. ICHORD. Yes.

Mr. WALDIE. I assume if we defeat this resolution——

Mr. ICHORD. It would not accomplish his objective.

Mr. WALDIE. That is right. No information in the possession of the committee or of the House would be turned over to these people for whatever use they desire to put it.

Mr. ICHORD. This is a matter affecting the privileges of the House. These are documents of the House of Representatives. The former House Committee on Un-American Activities was only an arm of this Congress, and the Committee on Internal Security is only the custodian of these records. I do not have nor does anyone else have authority to submit them. I would not submit anything in this regard to the court.

Mr. WALDIE. If the court had no compliance with their order, does that mean they would be in a position where they would no longer proceed against the three people?

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. ICHORD. May I inquire, Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Missouri has 4 minutes remaining.

Mr. ICHORD. Mr. Speaker, I yield myself 1 minute for the purpose of answering the gentleman from California.

I do not know what the courts will do in regard to this action. I would hope that the courts would consider this a sufficient compliance with the motion for discovery and the motion to produce documents, because we are in this resolution providing everything they should need, including the unedited transcripts of the proceedings in Chicago and all of the press clippings and all of the releases and all of the committee reports relating to those hearings. We are denying them only two things; that is, the unedited transcripts over a 10-year period, consisting of 600 transcripts, because I believe this would be a violation of the privileges of the House, and also the many thousands of press clippings that were never compiled by the House Committee on Un-American Activities.

The SPEAKER pro tempore. The gentleman's time has again expired.

Mr. ICHORD. Mr. Speaker, I yield myself 30 seconds.

I would say to the gentleman from California that I have given up long ago predicting, with any degree of certainty, a decision of the courts. I have been out of the active practice of law for many, many years now. Recent decisions, in fact have repealed a great deal of the law I knew. It is my opinion, but I could be wrong, that the courts will consider this in sufficient compliance. They will go ahead and decide the civil suit and then perhaps the defendants will receive their day in court 6 years after the alleged offense was committed in the criminal proceedings that are also pending in the district court of the city of Chicago of the State of Illinois.

Mr. Speaker, as I understand it, I have 3 minutes remaining.

The SPEAKER pro tempore. Two and one-half minutes.

Mr. ICHORD. Mr. Speaker, I promised the gentleman from New York that I would yield to him, and I now yield 2 minutes to the gentleman from New York (Mr. RYAN).

Mr. RYAN. Mr. Speaker, I marvel at the sensitivities of the House Committee on Internal Security. With one of the largest staffs of any committee of the House, and with one of the lightest—if not the lightest—legislative burdens of any House committee, in terms of numbers of bills referred, the chairman of the committee thrusts the Congress into a conflict with the Federal judiciary. He contends that it would be too burdensome to comply with the order of a Federal district court to produce materials ruled necessary in a judicial proceeding.

Only last year, the House Committee on Internal Security brought before the House a resolution which, in effect, sought to restrain another Federal court—in this case the U.S. District Court for the District of Columbia—from action within its legal parameters with regard to another of the committee's activities. This resolution today is another direct rebuff of the authority of the courts.

By way of background, I would just briefly review the contorted proceedings of this venture. In 1965, Dr. Jeremiah Stamler, Milton Cohen, and others were called to testify before the House Un-American Activities Committee, the predecessor of the House Internal Security Committee. Prior to their appearance, the plaintiffs in the case which the resolution before us today involves brought a civil action seeking a declaratory judgment that the rule creating HUAC was unconstitutional, and that, therefore, an injunction should issue restraining the hearings. Since that first step by the plaintiffs, this civil action has gone from the district court, to the court of appeals, to a three-judge court, to the Supreme Court, back to the district court, back to the court of appeals, back to the Supreme Court, and now, once again, back to the district court. It is the district court's discovery order which is now at issue before the House.

The chairman of the Internal Security Committee has dwelled on the length of time which has been occupied by this litigation. Actually, that is a red herring. Justice is not subservient to convenience. But even pursuing that red herring down the stream of rhetoric for the moment, one finds, sparkling in the murky water—to pursue the metaphor as well—the fact that much of this time has been spent dealing with the defendants' court actions:

The legal strategems of the members of the House Un-American Activities, and then of the new defendants—employees of the Internal Security Committee. Surely, if justice is to flow expeditiously, we might look to those who protest its slow progress—and by the way, very expensive progress, as well—and ask if they have not erected dams in the stream to block the herring, to complete the metaphor.

Why do the plaintiffs request the unedited transcripts and newspaper clippings which the resolution before us intentionally does not provide to them? For a very simple reason—these materials are crucial to their case. Their contention is that the interpretation of the rule creating the House Un-American Activities Committee, as expressed by the continued conduct of the House Un-American Activities Committee, "attributes a meaning to the rule which renders it unconstitutional, and that this conduct consisted of the exposure of witnesses, including plaintiffs, to public scorn and obloquy and harassment and intimidation of these witnesses without any legislative purpose but rather to chill and deter them and others in the exercise of their first amendment rights." *Stamler* v. *Willis*, 371 F.2d 413, 414 (7th Cir. 1966).

The resolution before us would not turn over to the plaintiffs, as directed by the court order, the unedited transcripts. Yet, these are necessary, as obviously the court concluded in issuing its order. They are necessary because they may reveal a pattern of harassment of witnesses and witnesses' counsel by the committee.

The resolution before us would also not turn over to the plaintiffs newspaper clippings. Yet these too are necessary, because they may well demonstrate that witnesses before the committee, and even persons merely named by the committee, subsequently experienced harassment, pressures, and even loss of employment.

In brief, the materials which the resolution resists providing are at the crux of the plaintiffs' case—a case which twice the Court of Appeals for the Seventh Circuit has concluded raised a substantial constitutional issue. See, *Stamler* v. *Willis*, 415 F.2d 1365 (7th Cir. 1969); *Stamler* v. *Willis*, 371 F.2d 413 (7th Cir. 1966).

The resolution before us sweeps past all this, and the chairman of the committee pleads inconvenience. Even this claim is without merit. Inconvenience is no justication for sacrificing justice. Nor is inconvenience really even involved. The plaintiffs have offered their assistance in assembling the materials. All that is involved are some 600 unedited transcripts. No one is asking the committee staff to read them, or to tabulate them, or to index them. All they have to do is hand them over to the plaintiffs. Nor is producing the newspaper clippings such an onerous task.

The conflict between the Congress and the judiciary which is foisted upon us by the resolution is unnecessary. The defendants need only have gone into court and requested a modification of the order. If their claim were legitimate, I am sure the judge would consider it. Surely, he should have been given the opportunity to consider the issue—a conclusion expressed, by the way, by Judge Hoffman himself, yesterday, when he was apprised in court of the resolution to be offered today to the House—that is, the resolution now before us.

At any rate, the floor of the House is unfortunately a poor arena for debating difficult, technical issues involving litigation. But this need not obscure the very basic issues involved. We are being asked to resist the order of a Federal court. We are being asked to do so solely on the grounds that it would be inconvenient and burdensome for the Internal Security Committee staff to assemble the materials—clearly a factor of no relevance when we are talking about justice, and clearly an assertion with little merit so far as actual work is involved.

I should like to quote from the 1969 Stamler decision, at pages 1369–1370. The court's statement is clear answer to those who support the resolution before us:

> The judiciary has always borne the basic responsibility for protecting individuals against unconstitutional invasions of their rights by all branches of the Government. Thus the Supreme Court has overturned a major policy decision of the President because he exceeded his powers in seizing the steel mills. Youngstown Sheet & Tube Co. v. Sawyer, 343 U.S. 579, 72 S.Ct. 863, 96 L.Ed. 1153. And the Court has ruled that an Act of Congress designed to prevent members of the Communist Party from holding jobs in defense facilities, and action taken pursuant to that Act by the Secretary of Defense, was unconstitutional because it placed a greater restraint on First Amendment freedoms than was necessary to guard against espionage and sabotage. United States v. Robel, 389 U.S. 258, 88 S.Ct. 419, 19 L.Ed.2d 508. Most recently, the Court determined that federal courts have jurisdiction to review the lawfulness of the exclusion of a duly elected member of Congress despite the constitutional authority of the House to judge the qualifications of its members. Powell v. McCormack, 395 U.S. 486, 89 S.Ct. 1944, 23 L.Ed.2d 491. The Congress has no more right, whether through legislation or investigations conducted under an overbroad enabling Act, to abridge the First Amendment freedoms of the people, than do the other branches of government. For free expression—of transcendent value to all society, and not merely to those exercising their rights—might be the loser. Dombrowski v. Pfister, *supra*, 380 U.S. at p. 486, 85 S.Ct. at p. 1121.

Mr. Speaker, in response to the question raised by the gentleman from California (Mr. WALDIE), the defeat of the pending resolution would not impede full compliance with the court's order, because on January 21 the House passed House Resolution 9, which authorizes the Clerk of the House to supply papers or documents in compliance with a court order. In addition, of course, another resolution which fully satisfies the discovery order could be brought up at any time.

Second, I would like to ask this question of the gentleman from Missouri. Both he and the gentleman from Ohio (Mr. ASHBROOK) spoke of the inconvenience and the burdensomeness of complying with the order for newspaper clippings. Is it not a fact that newspaper clippings are maintained in the files of the committee under the names of the witnesses?

In other words, the files are labeled with the names of the witnesses and contain newspaper clippings regarding them. Is that not true?

Mr. ICHORD. Mr. Speaker, if the gentleman will yield, let me first of all answer the first question which the gentleman raised.

Mr. RYAN. No, I did not raise the question. The gentleman from California (Mr. WALDIE) did.

Mr. ICHORD. First of all, though, the gentleman makes a statement that the House Resolution 9 would authorize me to comply if this resolution is defeated. House Resolution No. 9, if you will read it very carefully, does not authorize me to give anything. I would have to frame another resolution and bring it back to the House of Representatives for action.

Now, in regard to the second question of the gentleman, I do not know, but there are certain press clippings in the files. I have been advised by the staff of the committee that they have not been compiled. They would be scattered throughout the records. I would say that it would take hundreds upon hundreds of hours and research in all probability to get those press clippings. I do not know where they are.

Mr. RYAN. Is it the gentleman's position that there are no clippings filed with the witness files?

The SPEAKER. The time of the gentleman from New York has expired.

The gentleman from Missouri has 30 seconds remaining.

Mr. ICHORD. Mr. Speaker, I yield myself 30 seconds.

It is my understanding that press clippings as such are not evidence; that there are perhaps press clippings associated with the names of the witnesses, but they are not evidence in any sense of the word. They are not arranged, definitely not arranged, the way they want them.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired. All time has expired.

Mr. ICHORD. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MIKVA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 292, nays 63, not voting 77, as follows:

[Roll No. 14]

YEAS—292

Abbitt
Abernethy
Adams
Alexander
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Archer
Arends
Ashbrook
Aspinall
Baker
Baring
Belcher
Bell
Bennett
Bergland
Betts
Biaggi
Blanton
Boggs
Bow
Brademas
Brasco
Bray
Brinkley
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Buchanan
Burleson, Tex.
Burlison, Mo.
Byrne, Pa.
Byrnes, Wis.
Byron
Cabell
Camp
Carney
Carter
Cederberg
Chamberlain
Chappell
Clancy
Clark
Cleveland
Collier
Collins, Tex.
Conable
Corbett
Cotter
Coughlin
Daniel, Va.
Daniels, N.J.
Danielson
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denholm
Dennis
Dent
Derwinski
Devine
Dickinson
Dingell
Donohue
Dorn
Downing
Dulski
Duncan
duPont
Dwyer
Edmondson
Edwards, Ala.
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Flynt
Ford, Gerald R.
Forsythe
Fountain
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gaydos
Giaimo
Gibbons
Gonzalez
Goodling
Grasso
Gray
Green, Oreg.
Griffiths
Gross
Grover
Gubser
Hagan
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Harsha
Harvey
Hastings
Hébert
Heckler, Mass.
Henderson
Hicks, Mass.
Hicks, Wash.
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Jonas
Jones, N.C.
Karth
Kazen
Keating
Kee
Keith
Kemp
King
Kluczynski
Kyl
Kyros
Landgrebe
Landrum
Latta
Leggett
Lennon
Lent
Link
Lloyd
Long, Md.
Lujan
McClory
McClure
McCollister
McDade
McDonald, Mich.
McEwen
McFall
McKay
McKevitt
McKinney
McMillan
Macdonald, Mass.
Mahon
Mailliard
Mann
Martin
Mayne
Mazzoli
Melcher
Michel
Miller, Ohio
Mills
Minish
Minshall
Mizell
Monagan
Montgomery
Moorhead
Morgan
Moss
Murphy, N.Y.
Myers
Natcher
O'Konski
O'Neill
Passman
Patman
Patten
Pelly
Pepper
Perkins
Peyser
Pickle
Pike
Pirnie
Poage
Poff
Powell
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reuss
Rhodes
Roberts
Robinson, Va.
Robison, N.Y.
Rodino
Rogers
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roush
Rousselot
Runnels
Ruppe
Ruth
Sandman
Satterfield
Scherle
Schmitz
Schneebeli
Schwengel
Scott
Sebelius
Shipley
Shoup
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Springer
Stafford
Staggers
Steed
Steele
Stratton
Stubblefield
Sullivan
Symington
Taylor
Thompson, Ga.
Thomson, Wis.
Thone
Udall
Vander Jagt
Veysey
Vigorito
Waggonner
Wampler
Ware
Watts
White
Whitehurst
Whitten
Widnall
Wiggins
Winn
Wolff
Wyatt
Wydler
Wylie
Wyman
Yatron
Young, Fla.
Young, Tex.
Zion
Zwach

NAYS—63

Abourezk
Abzug
Addabbo
Anderson, Calif.
Annunzio
Ashley
Aspin
Badillo
Begich
Biester
Bolling
Burke, Mass.
Burton
Carey
Celler
Clay
Conte
Conyers
Corman
Culver
Dellums
Dow
Drinan
Eckhardt
Eilberg
Ford, William D.
Gallagher
Gude
Halpern
Harrington
Hathaway
Hechler, W. Va.
Helstoski
Kastenmeier
Koch
McCloskey
McCormack
Matsunaga
Meeds
Metcalfe
Mikva
Mitchell
Morse
Mosher
Nedzi
Obey
Podell
Rees
Roe
Rosenthal
Roy
Roybal
Ryan
Scheuer
Seiberling
Stanton, James V.
Thompson, N.J.
Tiernan
Van Deerlin
Vanik
Waldie
Whalen
Yates

NOT VOTING—77

Anderson, Tenn.
Barrett
Bevill
Bingham
Blackburn
Blatnik
Boland
Broomfield
Broyhill, N.C.
Burke, Fla.
Caffery
Casey
Chisholm
Clausen, Don H.
Clawson, Del
Collins, Ill.
Colmer
Crane
Diggs
Dowdy
Edwards, Calif.
Edwards, La.
Foley
Fraser
Frenzel
Frey
Gettys
Goldwater
Green, Pa.
Griffin
Hanna
Hansen, Wash.
Hawkins
Hays
Hillis
Johnson, Pa.
Jones, Ala.
Jones, Tenn.
Kuykendall
Long, La.
McCulloch
Madden
Mathias, Calif.
Mathis, Ga.
Miller, Calif.
Mink
Mollohan
Murphy, Ill.
Nelsen
Nichols
Nix
O'Hara
Pettis
Rangel
Reid, N.Y.
Riegle
Rostenkowski
St Germain
Sarbanes
Saylor
Stanton, J. William
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stuckey
Talcott
Teague, Calif.
Teague, Tex.
Terry
Ullman
Whalley
Williams
Wilson, Bob
Wilson, Charles H.
Wright
Zablocki

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Miller of California for, with Mrs. Chisholm against.

Mr. Caffery for, with Mr. Edwards of California against.

Mr. Bevill for, with Mr. Fraser against.

Mr. Jones of Tennessee for, with Mr. Reid of New York against.

Mr. Hays for, with Mr. Bingham against.

Mr. Teague of Texas for, with Mr. Collins against.

Mr. Zablocki for, with Mr. Diggs against.

Mr. Nichols for, with Mr. Hawkins against.

Mr. Gettys for, with Mrs. Mink against.

Mr. Williams for, with Mr. O'Hara against.

Mr. Griffin for, with Mr. Rangel against.

Mr. Casey for, with Mr. Stokes against.

Until further notice:

Mr. Jones of Alabama with Mr. Blackburn.

Mr. Blatnik with Mr. Frenzel.

Mr. Barrett with Mr. Saylor.

Mr. Nix with Mr. Riegle.

Mr. Rostenkowski with Mr. Broomfield.

Mr. St Germain with Mr. Nelsen.

Mr. Foley with Mr. Goldwater.

Mr. Edwards of Louisiana with Mr. Crane.

Mr. Colmer with Mr. McCulloch.

Mr. Boland with Mr. Stanton.

Mr. Anderson of Tennessee with Mr. Whalley.

Mrs. Hansen of Washington with Mr. Frey.

Mr. Stephens with Mr. Steiger of Arizona.

Mr. Charles H. Wilson with Mr. Del Clawson.

Mr. Madden with Mr. Pettis.

Mr. Mollohan with Mr. Terry.

Mr. Green of Pennsylvania with Mr. Mathias of California.

Mr. Dowdy with Mr. Broyhill of North Carolina.

Mr. Hanna with Mr. Steiger of Wisconsin.

Mr. Murphy of Illinois with Mr. Teague of California.

Mr. Long of Louisiana with Mr. Talcott.

Mr. Ullman with Mr. Don H. Clausen.

Mr. Wright with Mr. Bob Wilson.

Mr. Stuckey with Mr. Kuykendall.

Mr. Mathis of Georgia with Mr. Burke of Florida.

Mr. Sarbanes with Mr. Johnson of Pennsylvania.

Messrs. BRASCO and BYRON changed their votes from "nay" to "yea."

Mr. KYL changed his vote from "present" to "yea."

Mr. HALPERN changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CREATING A PERMANENT SELECT COMMITTEE ON SMALL BUSINESS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 19 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res 19

Resolved, That, effective January 3, 1971, there is hereby created a permanent Select Committee on Small Business to be composed of fifteen Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

Sec. 2. It shall be the duty of such committee to conduct studies and investigations of the problems of all types of small business, existing, arising, or that may arise, with particular reference to (1) the factors which have impeded or may impede the normal operations, growth, and development of small business; (2) the administration of Federal laws relating specifically to small business to determine whether such laws and their administration adequately serve the needs of small business; (3) whether Government agencies adequately serve and give due consideration to the problems of small business; and (4) to study and investigate problems of small business enterprises generally, and to obtain all facts possible in relation thereto which would not only be of public interest but which would aid the Congress in enacting remedial legislation: *Provided*, That the committee shall not invade any subject matter under active investigation by any standing committee of the House.

Sec. 3. The committee may from time to time submit to the House such reports as it deems advisable and prior to the close of the present Congress shall submit to the House its final report on the results of its study and investigation, together with such recommendations as it deems advisable. Any report submitted when the House is not in session may be filed with the Clerk of the House.

Sec. 4. For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House has recessed or adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as the committee deems necessary. Subpenas may be issued under the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

Sec. 5. The majority of the members of the committee shall constitute a quorum for the transaction of business, except two or more shall constitute a quorum for the purpose of taking of evidence including sworn testimony.

With the following committee amendment:

Strike out all after the word "Resolved," and insert in lieu thereof:

"That, effective January 3, 1971, there is created a permanent Select Committee on Small Business (which is not a standing committee of the House) to be composed of nineteen Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

"Sec. 2. It shall be the duty of such committee to conduct studies and investigations of the problems of all types of small business, existing, arising, or that may arise, with particular reference to—

"(1) the factors which have impeded or may impede the normal operations, growth, and development of small business;

"(2) the administration of Federal laws relating specifically to small business in order to determine (A) whether such laws and their administration adequately serve the needs of small business, and (B) whether Government agencies adequately serve and give due consideration to the problems of small business; and

"(3) the problems of small business enterprises generally;

and to obtain all facts possible in relation thereto which would not only be of public interest but which would aid the Congress in enacting remedial legislation. However, the committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

"Sec. 3. Such committee shall not have legislative jurisdiction but is authorized to make studies, investigations, and reports; however, no bills or resolutions shall be referred to the committee.

"Sec. 4. The committee may submit from time to time to the House such reports as the committee considers advisable and, prior to the close of the present Congress, shall submit to the House a final report of the committee on the results of its studies and investigations, together with such recommendations as the committee considers advisable. Any report submitted when the House is not in session may be filed with the Clerk of the House.

"Sec. 5. For the purpose of this resolution, the committee, or any subcommittee thereof, is authorized, subject to clause 31 of Rule XI of the Rules of the House of Representatives, to sit and act during the present Congress at such times and places within the United States, whether or not the House is meeting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as the committee considers necessary. Subpenas may be issued over the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by any such chairman or member. The chairman of the committee or any member thereof may administer oaths to witness.

"Sec. 6. The majority of the members of the committee shall constitute a quorum for the transaction of business, except that two or more shall constitute a quorum for the purpose of taking evidence including sworn testimony.

"Sec. 7. Funds authorized are for expenses incurred in connection with the committee's activities within the United States; and, notwithstanding section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754), or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the committee for expenses of its members or employees, or other Members or employees, traveling abroad."

The SPEAKER. The gentleman from Missouri (Mr. Bolling) is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. Smith), pending which I yield myself such time as I may consume.

Mr. Speaker, it seems to me this is an appropriate time to explain to the House what the intention of the gentleman from Missouri is, by direction of the Committee on Rules, to do this afternoon.

This is the first of 15 resolutions that it is proposed to call up. One of these resolutions makes in order a bill. To the best of my knowledge, there is no controversy on any of these matters except one, and that will be the last matter to be called up. It is the question of an investigative resolution for the House Committee on the District of Columbia.

The resolution before us now creates the usual Select Committee on Small Business. This time it is described as a permanent select committee, recognizing the fact that each 2 years a new Congress establishes these select committees. So we are going to accept it as a permanent select committee. But its authority is not changed. The only change that takes place in its constitution is its size, and at the request of the leadership on both sides it has been increased from 15 to 19 in this Congress.

Now, there was a long committee amendment read to this particular resolution. There will be a long committee amendment to each of the succeeding resolutions except the one that deals with the question of making in order a bill with reference to counterpart funds. That bill, incidentally, is merely to undo a mistake made in the Reorganization Act which eliminated for the House, but not for the other body, the use of counterpart funds when travel is involved.

Members will find, as we come to each of the resolutions, that there are three different categories of investigative resolutions which will be considered as we get to them. As I say, so far as I know only one is controversial. But there are three categories. They are all in the categories and they are to be handled precisely as they were handled in the last Congress. We have conformed each resolution to the provisions of the Reorganization Act, as the rules were changed with regard to when a committee could or could not meet, and these are conformed with to comply with the new rule.

There are also other minor changes that conform to the Reorganization Act. That is the reason for having a long committee amendment to every resolution.

I will be glad, of course, now to answer any questions on this resolution or, as we progress, to answer any questions on the other resolutions.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding.

Do I correctly understand that this committee is authorized to travel abroad?

Mr. BOLLING. This committee is not authorized to travel abroad. It can travel only within the confines of the United States.

Mr. GROSS. So that is the reason why it is precluded from using counterpart funds in section 7, the last paragraph of the bill?

Mr. BOLLING. That is correct.

Mr. GROSS. Do I correctly understand that this committee can sit at any time the House is in session regardless of the parliamentary situation?

Mr. BOLLING. No; they cannot sit when we are under the 5-minute rule. That is provided in the committee amendment. We have conformed it to the new Reorganization Act, but they cannot sit when we are under the 5-minute rule.

Mr. GROSS. I thank the gentleman from Missouri.

Mr. BOLLING. Mr. Speaker, there is a technical error in the committee amendment, and I ask unanimous consent that on page 6, line 2, after the word "any" the word "other" be inserted.

The SPEAKER. Without objection, the correction will be made.

There was no objection.

Mr. SMITH of California. Mr. Speaker,

I yield myself such time as I may consume.

The SPEAKER. The gentleman from California is recognized.

Mr. SMITH of California. Mr. Speaker, the distinguished gentleman from Missouri (Mr. Bolling) has explained the overall situation in his usual very able manner, and I concur in every statement he has made.

May I simply add a few things, Mr. Speaker, with the thought in mind that after we get through consideration of this resolution, every other one should be able to pass without any lengthy discussion or, in my opinion, without having the amendment completely read, because they are all in conformity with the principals set forth by the gentleman from Missouri.

As the gentleman from Missouri mentioned, the resolution relating to mutual security funds or the use of counterpart funds is a little different, but all the rest relate to investigative jurisdiction.

Briefly, may I say that for four reasons we have had to rewrite every one of these resolutions. First, we had to clarify the areas of jurisdiction. None have been changed but, first, we refer to rule 11 and then the particular clause which has heretofore set forth the jurisdiction of each committee.

Second, we cover the sitting of committees while the House is in session. Every committee now will be able to meet up until we come to the 5-minute rule, then, with the exception of five committees, they cannot sit. Those five committees are Rules, Appropriations, Standards of Official Conduct, Internal Security, and Government Operations.

The third change is made to comply with the legislative review responsibility which the Legislative Reorganization Act provides. At the end of each session each committee will have to submit a report summarizing its previous legislative review activities.

The fourth is the language in connection with counterpart funds.

May I say, in addition to that, it has all been broken down, as the gentleman from Missouri has stated, into three categories: Those who travel only within the United States, including the Committee on the District of Columbia, the Committee on Post Office and Civil Service, and the Committee on Education and Labor. There are certain exceptions on Education and Labor as to where they can go. In the resolution relating to that committee's jurisdiction, they are authorized to go to the Commonwealth of Puerto Rico and the Virgin Islands. But that is the rule now with relation to their authority. Other than that, they cannot travel without coming back to the Rules Committee for a special resolution.

The committees whose members will be authorized to travel within and without the United States include Foreign Affairs, Interstate and Foreign Commerce, Armed Services, Merchant Marine and Fisheries, and Science and Astronautics.

Those that can travel within the United States and without, with certain limited authority, which is what I mentioned a minute ago, are the Committees on Interior and Insular Affairs, Veterans' Affairs, Banking and Currency, Public Works, Judiciary, and Agriculture.

Mr. Speaker, I know of no objection to any of these resolutions. I have heard of none. Several chairmen of the committees came before the Rules Committee. Some wanted a little more authority on travel, and they wanted certain language stricken out of one or two of the resolutions that might have placed a little limitation on their committees. But I am satisfied that every committee will have their full investigative authority to enable them to function very efficiently under each of the resolutions we are presenting. I think they are in accordance with the rules and provisions of the Reorganization Act. I not only urge the adoption of this resolution but each and every one subsequent thereto. I reserve the balance of my time. I have no requests for time.

Mr. BOLLING. Mr. Speaker, I move the previous question on the amendment and the resolution.

The previous question was ordered.

The committee amendment, as amended, was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 4713, TO AMEND THE LEGISLATIVE REORGANIZATION ACT OF 1946

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 258 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 258

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4713) to amend section 136 of the Legislative Reorganization Act of 1946 to correct an omission in existing law with respect to the entitlement of committees of the House of Representatives to the use of certain currencies. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Rules, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. Smith), pending which I yield myself such time as I may consume.

Mr. Speaker, this resolution makes in order the bill designed to undo the mistake in the Reorganization Act which deprives the House of the use of counterpart funds rather than appropriated funds in travel by any committee or by any other agency of the House of Representatives.

Mr. Speaker, I know of no controversy about this. When the rule is adopted, I propose to ask that the bill itself be considered in the House as in the Committee of the Whole, so we may proceed promptly with its passage.

Mr. Speaker, I yield now to the gentleman from California (Mr. Smith).

Mr. SMITH of California. Mr. Speaker, I simply say that I concur with the remarks made by the gentleman from Missouri, and I hope the resolution will be approved.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the bill (H.R. 4713) to amend section 136 of the Legislative Reorganization Act of 1946 to correct an omission in existing law with respect to the entitlement of committees of the House of Representatives to the use of certain currencies, just made in order by the adoption of the rule, be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the bill as follows:

H.R. 4713

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 136 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190d), as amended by section 118 of the Legislative Reorganization Act of 1970 (84 Stat. 1156; Public Law 91–510), is amended to read as follows:

"LEGISLATIVE REVIEW BY STANDING COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES

"Sec. 136. (a) In order to assist the Congress in—

"(1) its analysis, appraisal, and evaluation of the application, administration, and execution of the laws enacted by the Congress, and

"(2) its formulation, consideration, and enactment of such modifications of or changes in those laws, and of such additional legislation, as may be necessary or appropriate,

each standing committe of the Senate and the House of Representatives shall review and study, on a continuing basis, the application, administration, and execution of those laws, or parts of laws, the subject matter of which is within the jurisdiction of that committee.

"(b) In each odd-numbered year beginning on or after January 1, 1973, each standing committee of the Senate shall submit, not later than March 31, to the Senate, and each standing committee of the House shall submit, not later than January 2, to the House, a report on the activities of that committee under this section during the Congress ending at noon on January 3 of such year.

"(c) The preceding provisions of this section do not apply to the Committee on Appropriations of the Senate and the Committees on Appropriations, House Administration, Rules, and Standards of Official Conduct of the House.".

Sec. 2. Title I of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 136. Legislative review by Senate standing committees."

and inserting in lieu thereof—

"Sec. 136. Legislative review by standing committees of the Senate and House of Representatives.".

Sec. 3. The amendments made by this Act shall become effective as of noon on January 3, 1971.

Mr. BOLLING. Mr. Speaker, I suggest that no debate is required, and I hope that the bill will be passed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON EDUCATION AND LABOR TO CONDUCT CERTAIN STUDIES AND INVESTIGATIONS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 213 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 213

Resolved, That the Committee on Education and Labor, effective from January 3, 1971, acting as a whole or by subcommittee, is authorized to conduct a full and complete study and investigation relating to all matters coming within the jurisdiction of the committee: *Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For the purposes of such investigations and studies the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within or without the United States, including any Commonwealth or possession thereof, whether the House has recessed, or has adjourned, to hold such hearings and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas shall be issued only over the signature of the chairman of the committee or a member of the committee designated by him; they may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

The committee may report to the House of Representatives from time to time during the present Congress the results of its studies and investigations, with such recommendations for legislation or otherwise as the committee deems desirable. Any report submitted when the House is not in session shall be filed with the Clerk of the House.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Education and Labor of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided*, (1) That no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88-633, approved October 7, 1964; (2) that no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

Strike all after the word *"Resolved,"* and insert in lieu thereof:

"That, effective January 3, 1971, the Committee on Education and Labor, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries within its jurisdiction as set forth in clause 6 of Rule XI of the Rules of the House of Representatives. However, the committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

"Sec. 2. (a) For the purpose of making such investigations and studies, the committee or any subcommittee thereof is authorized to sit and act, subject to clause 31 of Rule XI of the Rules of the House of Representatives during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is meeting, has recessed, or has adjourned, and to hold such hearings and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member. The Chairman of the committee, or any member designated by him, may administer oaths to any witness.

"(b) Pursuant to clause 28 of Rule XI of the Rules of the House of Representatives, the committee shall submit to the House, not later than January 2, 1973, a report on the activities of that committee during the Congress ending at noon on January 3, 1973.

"Sec. 3. Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Education and Labor for expenses of its members or other members or employees traveling abroad."

Mr. BOLLING (during the reading). Mr. Speaker, for the reasons I stated earlier, I ask unanimous consent that the reading of the resolution and the committee amendment thereto be dispensed with and that they be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO CONDUCT STUDIES AND INVESTIGATIONS WITHIN ITS JURISDICTION

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 217 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 217

Resolved, That, effective from January 3, 1971, the Committee on Post Office and Civil Service, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations in connection with all matters coming within the jurisdiction of the committee, including, but not limited to, the following matters:

(1) The United States Postal Service, its administration, operation, and management; and the United States mails and other postal services.

(2) The Postal Rate Commission.

(3) Personnel requirements and manpower utilization, the United States Civil Service Commission, and the Federal civil service generally.

(4) Pay, leave, allowances, and other emoluments of Federal civilian officers and employees.

(5) The Federal civil service retirement, insurance, and health benefits programs.

(6) The classification of Federal civilian positions.

(7) The Bureau of the Census, National Archives and Records Service; and the collection, reporting, and data processing activities of the Government of the United States generally.

The committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or to the Clerk of the House if the House is not in session), at such time or times during the present Congress as it deems appropriate, the results of its investigations and studies, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized to do so by the committee, is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued over the signature of the chairman or, in his absence, the vice chairman of the committee or any member of the committee designated by such chairman or, in his absence, the vice chairman and may be served by any person designated by such chairman, or vice chairman, or member.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provisions of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Post Office and Civil Service for expenses of its members or other members or employees traveling abroad.

With the following committee amendment:

Strike all after the word *"Resolved,"* and insert in lieu thereof:

"That, effective January 3, 1971, the Committee on Post Office and Civil Service, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries within its jurisdiction as set forth in clause 15 of Rule XI of the Rules of the House of Representatives. However, the committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

"SEC. 2. (a) For the purpose of making such investigations and studies, the committee or any subcommittee thereof is authorized to sit and act, subject to clause 31 of Rule XI of the Rules of the House of Representatives, during the present Congress at such times and places within the United States, whether the House is meeting, has recessed, or has adjourned, and to hold such hearings and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member. The chairman of the committee, or any member designated by him, may administer oaths to any witness.

(b) Pursuant to clause 28 of Rule XI of the Rules of the House of Representatives, the committee shall submit to the House, not later than January 2, 1973, a report on the activities of that committee during the Congress ending at noon on January 3, 1973.

"SEC. 3. Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Post Office and Civil Service for expenses of its members or other members or employees traveling abroad."

Mr. BOLLING (during the reading). Mr. Speaker, for the reasons cited before, I ask unanimous consent that the resolution and the committee amendment thereto be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS TO MAKE INVESTIGATIONS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 18 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 18

Resolved, That effective from January 3, 1971, the Committee on Interior and Insular Affairs may make investigations and studies as required in connection with bills, resolutions, and other matters referred to it and, more specifically or in addition thereto, in connection with the following matters:

(1) (a) The status, progress, and administration of irrigation, reclamation, and other water resources development programs of the Department of the Interior and of other agencies insofar as the latter affect the work of the Department of the Interior with respect to such programs, including (i) policies and procedures relating to such programs, (ii) projects previously authorized, (iii) projects proposed for authorization and construction, and (iv) developments under the Small Reclamation Projects Act and the Rehabilitation and Betterment Act; (b) compacts relating to the use and apportionment of interstate waters; (c) the application to Federal agencies and activities of State laws governing the control, appropriation, and distribution of water; (d) the saline water research and development program; (e) the water resources research program; (f) water resources planning conducted pursuant to the Water Resources Planning Act, including the establishment of river basin commissions and financial assistance to the States for water and related land resources planning; and (g) activities of the National Water Commission.

(2) (a) The administration and operation of the mining and mineral leasing laws, including those which govern the development, utilization, and conservation of oil, gas, helium, geothermal steam, and associated resources of the public and other Federal lands; (b) mineral resources of the public lands and mining interests generally, including the conditions, problems, and needs of the mining and minerals industries; (c) mineral resources surveys and the exploration, development, production, and conservation of mineral resources; (d) research facilities needed to improve the position of the domestic mining and minerals industries; (e) capability of mining schools to support research facilities and assure domestic industry of a continuing source of technical talent; (f) proposed long-range domestic minerals and energy programs, including availability of domestic minerals and energy to fulfill all domestic requirements; (g) impact upon domestic mining industries caused by the transfer or disposal of excess and surplus Government-owned metals and minerals; and (h) the effects upon domestic mining industries resulting from the world metal situation and the means available to the Government to permit domestic mining industries to compete favorably in domestic and world markets, including cooperation with established international organizations.

(3) The status, progress, and administration of: (a) the national park system and its units; (b) other national units established for the protection, conservation, preservation, or recreational developments of areas on public domain lands, or areas on reservations created out of the public domain, or areas under the jurisdiction of the Department of the Interior; (c) national outdoor recreation plans and the land and water conservation fund programs; and (d) historic preservation programs.

(4) (a) The administration and operation of the laws governing the development, utilization, and conservation of the surface and subsurface resources of public lands administered by the Department of the Interior, of forest reserves created out of the public domain and of areas of the Outer Continental Shelf; (b) administration, operation, and implementation of the Wilderness Act; planning the use of federally owned lands and lands adjacent thereto; and (c) the withdrawal or restriction on use of public domain or Outer Continental Shelf lands, including reservations created out of the public domain, by military and nonmilitary agencies of the Government from normal operation of the public land and mining laws and the Outer Continental Shelf Lands Act.

(5) (a) The administration of Indian affairs by agencies of the Government participating therein, the programs and policies of those agencies, the adequacy of existing Indian legislation, and the effectiveness with which it is being administered; (b) the release of Indian tribes and bands from Federal supervision, preparation therefor, and the effects thereof; (c) the availability to Indians of health, education, and welfare services and the extent to which they are receiving the full benefit of Federal programs in these areas; (d) the utilization of tribal lands and other resources, with particular attention to the means of developing the skill and aptitudes required for such utilization.

(6) The status, administration, and progress of the territories and insular possessions of the United States, Puerto Rico, and the Trust Territory of the Pacific Islands; the operation and administration of the Revised Virgin Islands Organic Act of 1954, the Virgin Islands Corporation Act of 1949, and Guam Organic Act of 1950, all as amended; local conditions bearing upon and the provisions to be included in Organic Acts for American Samoa and the Trust Territory of the Pacific Islands; the extension of various laws of the United States to American Samoa and the Trust Territory of the Pacific Islands; the granting of citizenship to residents of American Samoa; operations of the Peace Corps in the Trust Territory of the Pacific Islands; and American interest in Antarctica.

(7) The Administration of the laws and programs mentioned in the preceding paragraphs in accordance with the provisions of the National Environmental Policy Act of 1969, the effect of those laws and programs on the environment, the balance achieved under such laws and programs between population needs and environmental protection, and any recommendations with respect to such laws and programs made by the Council on Environmental Quality in its annual environmental quality report to the Congress.

SEC. 2. For the purposes of making such investigations and studies, the committee, or any subcommittee thereof, may sit, hold hearings, and act during the present Congress at such times and places within the United States, its territories and possessions, Puerto Rico, the Trust Territory of the Pacific Islands, and the Pacific flag areas of the United States as the nature of the investigation or study requires, and be represented at any meeting called by an established international organization to consider matters that affect the areas of jurisdiction of the committee; may do so not only during the session but also during periods of recess and adjournment; and may require, by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Interior and Insular Affairs of the House of Representatives and its Members and employees engaged in carrying out their official duties under section 490(d) of title 2, United States Code: *Provided,* (1) That no member or employee of said committee shall receive or expand local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) that no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) that no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose; (4) that each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

The Committee on Rules, having had under consideration House Resolution 18, reports the same to the House with the recommendation that the resolution do pass with the following amendment:

Strike all after the word "Resolved," and insert in lieu thereof: "That, effective January 3, 1971, the Committee on Interior and Insular Affairs, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries within its jurisdiction as set forth in clause 10 of rule XI of the Rules of the House of Representatives. However, the committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

"Sec. 2. (a) For the purpose of making such investigations and studies, the committee or any subcomittee thereof is authorized to sit and act, subject to clause 31 of rule XI of the Rules of the House of Representatives, during the present Congress at such times and places within the United States, its territories and possessions, Puerto Rico, the Trust Territory of the Pacific Islands, and the Pacific flag areas of the United States, whether the House is meeting, has recessed, or has adjourned, and to hold such hearings and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member. The chairman of the committee, or any member designated by him, may administer oaths to any witness.

"(b) The committee may attend conferences and meetings on matters within its jurisdiction wherever held within the United States, its territories and possessions, Puerto Rico, the Trust Territory of the Pacific Islands, and the Pacific flag areas of the United States.

"(c) Pursuant to clause 28 rule XI of the Rules of the House of Representatives, the committee shall submit to the House, not later than January 2, 1973, a report on the activities of that committee during the Congress ending at noon on January 3, 1973.

"Sec. 3. (a) Funds authorized are for expenses incurred in the committee's activities within the United States: however, local currencies owned by the United States shall be made available to the Committee on Interior and Insular Affairs of the House of Representatives and employees engaged in carrying out their official duties for the purposes of carrying out the committee's authority, as set forth in this resolution, to travel outside the United States. In addition to any other condition that may be applicable with respect to the use of local currencies owned by the United States by members and employees of the committee, the following conditions shall apply with respect to their use of such currencies:

"(1) No member or employee or such committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754).

"(2) No member or employee of such committee shall receive or expend an amount of local currencies for transportation in excess of actual transportation costs.

"(3) No appropriated funds shall be expended for the purpose of defraying expenses of members of such committee or its employees in any country where local currencies are available for this purpose.

"(4) Each member or employee of such committee shall make to the chairman of such committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or, if such transportation is furnished by an agency of the U.S. Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

"(b) Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones."

Mr. BOLLING (during the reading). Mr. Speaker, I ask unanimous consent that the reading of the resolution and the committee amendment thereto be dispensed with and that they be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AMENDMENT TO THE COMMITTEE AMENDMENT OFFERED BY MR. BOLLING

Mr. BOLLING. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. Bolling: On page 9, line 3—Strike all of Sec. 3 and add in lieu thereof:

"Sec. 3. Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Interior and Insular Affairs for expenses of its members or other members or employees traveling abroad."

The amendment to the committee amendment was agreed to.

The committee amendment, as amended, was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING INVESTIGATIONS BY THE COMMITTEE ON FOREIGN AFFAIRS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 109 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 109

Resolved, That, effective from January 3, 1971, the Committee on Foreign Affairs, acting as a whole or by subcommittee, is authorized to conduct a full and complete investigation and study of all matters—

(1) relating to the laws, regulations, directives, and policies including personnel pertaining to the Department of State and such other departments and agencies engaged in the formulation and implementation of United States foreign policy and the oversea operations, personnel, and facilities of departments and agencies of the United States which participate in the development and execution of such policy;

(2) relating to the carrying out of programs and operations authorized by the Foreign Assistance Act and by other laws and measures to promote the foreign policy of the United States;

(3) relating to activities and programs of international organizations in which the United States participates;

(4) relating to the effectiveness of the United States programs of oversea assistance and information; and

(5) relating to legislation within the jurisdiction of the Committee on Foreign Affairs pursuant to provisions of paragraph 7 of rule XI of the Rules of the House of Representatives:

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or to the Clerk of the House if the House is not in session), as soon as practicable during the present Congress, the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places, within or without the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Foreign Affairs of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided,* That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

Strike all after the word "*Resolved,*" and insert in lieu thereof:

"That, effective January 3, 1971, the Committee on Foreign Affairs, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries within its jurisdiction as set forth in clause 7 of Rule XI of the Rules of the House of Representatives. However, the committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

"SEC. 2(a) For the purpose of making such investigations and studies, the committee or any subcommittee thereof is authorized to sit and act, subject to clause 31 of Rule XI of the Rules of the House of Representatives, during the present Congress at such times and places within or without the United States, whether the House is meeting, has recessed, or has adjourned, and to hold such hearings and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member. The chairman of the committee, or any member designated by him, may administer oaths to any witness.

"(b) Pursuant to clause 28 of Rule XI of the Rules of the House of Representatives, the committee shall submit to the House, not later than January 2, 1973, a report on the activities of that committee during the Congress ending at noon on January 3, 1973.

"SEC. 3. (a) Funds authorized are for expenses incurred in the committee's activities within the United States; however, local currencies owned by the United States shall be made available to the Committee on Foreign Affairs of the House of Representatives and employees engaged in carrying out their official duties for the purposes of carrying out the committee's authority, as set forth in this resolution, to travel outside the United States. In addition to any other condition that may be applicable with respect to the use of local currencies owned by the United States by members and employees of the committee, the following conditions shall apply with respect to their use of such currencies:

"(1) No member or employee of such committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754).

"(2) No member or employee of such committee shall receive or expend an amount of local currencies for transportation in excess of actual transportation costs.

"(3) No appropriated funds shall be expended for the purpose of defraying expenses of members of such committee or its employees in any country where local currencies are available for this purpose.

"(4) Each member or employee of such committee shall make to the chairman of such committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or, if such transportation is furnished by an agency of the U.S. Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

"(b) Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones."

Mr. BOLLING (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution and the committee amendment be dispensed with and that they be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO MAKE STUDIES AND INVESTIGATIONS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 170 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 170

Resolved, That (a) effective January 3, 1971, the Committee on Interstate and Foreign Commerce may make investigations and studies into matters within its jurisdiction, including the following:

(1) Policies with respect to competition among the various modes of transportation, whether rail, air, motor, water, or pipeline; measures for increased safety; ownership and control of transportation facilities; adequacy of the national transportation system for defense and the needs of an expanding economy.

(2) Policies with respect to the promotion of the development of civil aviation; measures for increased safety; restrictions which impede the free flow of air commerce; promotion of travel and tourism; routes, rates, accounts, and subsidy payments; airport construction, hazards of adjacency to airports, and condemnation of airspace; aircraft, and airline liability; aircraft research and development; market for American aircraft; air navigational aids and traffic control;

(3) Allocation of radio spectrum; cable television; pay television; satellite communications; ownership, control, and operations of communications and related facilities; policies with respect to competition among various modes of communication, including voice and record communications and data processing; policies with respect to governmental communications system; coordination of communication policies both domestic and foreign; impact of foreign operations, international agreements, and international organizations on domestic and foreign communications; technical developments in the communications field;

(4) Adequacy of the protection to investors afforded by the disclosure and regulatory provisions of the various securities Acts; adequacy and effectiveness of the regulatory structure provided for in the various securities Acts; and the adequacy and effectiveness of self regulation in the securities industry;

(5) Adequacy of petroleum, natural gas, and electric energy resources for defense and the needs for an expanding economy; adequacy, promotion, regulation, and safety of the facilities for extraction or generation, transmission, and distribution of such resources; development of synthetic liquid fuel processes; regulation of security issues of and control of natural gas pipeline companies;

(6) Advertising, fair competition, packaging, and labeling;

(7) Research in weather, including air pollution and smog, and artificially induced weather;

(8) Effects of inflation upon benefits provided under railroad retirement and railroad unemployment programs; and inequities in provisions of statutes relating thereto, with comparison of benefits under the social security system;

(9) Adequacy of medical facilities, nursing homes, medical personnel, and medical teaching and training facilities; research into human diseases; provisions for medical care; efficient and effective quarantine; protection to users against incorrectly labeled and deleterious foods, drugs, cosmetics, and devices; other matters relating to public health, including problems of the aging; protection of the public against abuse of narcotic drugs, barbiturates, amphetamines, marijuana, and other dangerous drugs;

(10) The War Claims Act and the Trading With the Enemy Act, including the provisions relating to direct foreign investment;

(11) Current and prospective consumption of newsprint and other papers used in the printing of newspapers, magazines, or such other publications as are admitted to second class mailing privileges; current and prospective production and supply of such papers, factors affecting such supply, and possibilities of additional production through the use of alternative source materials;

(12) Traffic accidents on the streets and highways of the United States; factors responsible for such accidents and resulting deaths and personal injuries; measures for compensation for damages and economic losses; measures for increased motor vehicle safety; and

(13) The administration of provisions of law relating to the above subjects and all others which are in the jurisdiction of such committee.

(b) The committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

SEC. 2. (a) For the purposes of such investigations and studies the committee, or any subcommittee thereof, may sit and act during the present Congress at such times and places within or outside the United States, whether the House has recessed or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

(b) The committee may report to the House at any time during the present Congress the results of any investigation or study made under authority of this resolution, together with such recommendations as it deems appropriate. Any such report shall be filed with the Clerk of the House if the House is not in session.

SEC. 3. (a) Notwithstanding section 1415 of the Supplemental Appropriation Act, 1953 (31 U.S.C. 724) or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Interstate and Foreign Commerce of the House of Representatives and employees engaged in carrying out their official duties under clause 28 of Rule XI of the Rules of the House; except that (1) no member or employee of such committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754); (2) no member or employee of such committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of such committee or its employees in any country where counterpart funds are available for this purpose.

(b) Each member or employee of such committee shall make to the chairman of such committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

Strike all after the word "*Resolved,*" and insert in lieu thereof:

"That, effective January 3, 1971, the Committee on Interstate and Foreign Commerce, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries within its jurisdiction as set forth in clause 12 of Rule XI of the Rules of the House of Representatives. However, the committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

SEC. 2. (a) For the purpose of making such investigations and studies, the committee or any subcommittee hereof is authorized to sit and act, subject to clause 31 of Rule XI of the Rules of the House of Representatives, during the present Congress at such times and places within or without the United States, whether the House is meeting, has recessed, or has adjourned, and to hold such hearings and require, by subpena or otherwise, the attendance and testimony of such witness and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member. The chairman of the committee, or any member designated by him, may administer oaths to any witness.

(b) Pursuant to clause 28 of Rule XI of the Rules of the House of Representatives the committee shall submit to the House, not later than January 2, 1973, a report on the activities of that committee during the Congress ending at noon on January 3, 1973.

SEC. 3. (a) Funds authorized are for expenses incurred in the committees activities within the United States; however, local currencies owned by the United States shall be made available to the Committee on Interstate and Foreign Commerce of the House of Representatives and employees engaged in carrying out their official duties for the purposes of carrying out the committee's authority, as set forth in this resolution, to travel outside the United States. In addition to any other condition that may be applicable with respect to the use of local currencies owned by the United States by members and employees of the committee, the following conditions shall apply with respect to their use of such currencies:

"(1) No member or employee of such committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754).

"(2) No member or employee of such committee shall receive or expend an amount of local currencies for transportation in excess of actual transportation costs.

"(3) No appropriated funds shall be expended for the purpose of defraying expenses of members of such committee or its employees in any country where local currencies are available for this purpose.

"(4) Each member or employee of such committee shall make to the chairman of such committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

"(b) Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones."

Mr. BOLLING (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution and the committee amendment be dispensed with and that they be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON VETERANS' AFFAIRS TO CONDUCT AN INVESTIGATION AND STUDY

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 20 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 20

Resolved, That, effective from January 3, 1971, the Committee on Veterans' Affairs, acting as a whole or by subcommittee, is authorized to conduct a full and complete investigation and study of the following programs of benefits for veterans and their dependents and survivors.

(1) The programs of compensation and pension;

(2) The programs of hospitalization, domiciliary care, nursing home care, medical and dental care and treatment, and furnishing of prosthetic appliances;

(3) The insurance and indemnity programs;

(4) The housing and business loan programs, and the program of furnishing assistance for the acquisition of specially adapted housing;

(5) The programs of education and training (including vocational rehabilitation); and

(6) The furnishing of burial allowances; with a view to determining whether or not such programs are being conducted economically, efficiently in the best interest of the Government and the beneficiaries of such programs, and in such a manner as to avoid the misuse of Government funds; whether or not such programs adequately serve the needs and protect the welfare of the beneficiaries of such programs; and whether changes in the law or in the administration and operation of the programs either will lead to greater efficiency and economy or will make such programs more adequately serve the needs of the beneficiaries of such programs.

The committee is also authorized to conduct a full and complete investigation and study to determine—

(1) the extent to which appeals for charitable contributions are made to the American people, or segments thereof, in the name of American veterans by appealing to the desire of the American people to assist such veterans and their survivors or dependents;

(2) whether an undue proportion of such charitable contributions is used to meet the expenses of conducting such appeals and for other administrative expenses rather than for providing services for or benefits to veterans;

(3) whether any of such appeals are fraudulent in nature;

(4) whether additional supervision of the fund-raising activities conducted by organizations chartered by Act of Congress in the name of veterans is necessary or desirable; and

(5) the existence of any other abuses connected with charitable appeals made in the name of veterans.

The committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or to the Clerk of the House if the House is not in session), as soon as practicable during the present Congress, the results of its investigations and studies, together with such recommendations for legislation as it deems advisable.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether or not the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such records, documents, and papers, to administer oaths, and to take such testimony as it deems necessary, except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member.

SEC. 2. In addition, the Committee on Veterans' Affairs is authorized to send not more than five members of such committee and not more than two staff assistants to the Republic of the Philippines and South Vietnam for the purpose of conducting a full and complete investigation and study into the disability compensation and pension program, the death compensation and death pension program, the dependency and indemnity compensation program, insurance, education, vocational rehabilitation, hospital and medical care, and other subjects properly coming within the jurisdiction of said committee in the Republic of the Philippines and in the case of American veterans and servicemen in South Vietnam the abovementioned subjects and the servicemen's group life insurance program: *Provided,* That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

SEC. 3. The committee is authorized to conduct a full and complete investigation and study of the establishment, operation, and maintenance of cemeteries of the United States in which veterans of any war or conflict are or may be States in which veterans of any war or conflict are or may be buried, whether in the United States or abroad, except cemeteries administered by the Secretary of the Interior. For the purposes of this section the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or elsewhere, as it deems necessary. The committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

SEC. 4. Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Veterans' Affairs of the House of Representatives and employees engaged in carrying out their official duties under clause 28 of Rule XI of the Rules of the House of Representatives: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88-633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country where local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

Strike all after the word *"Resolved,"* and insert in lieu thereof:

"That, effective January 3, 1971, the Committee on Veterans' Affairs, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries within its jurisdiction as set forth in clause 20 Rule XI of the Rules of the House of Representatives. However, the committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

"SEC. 2. (a) For the purpose of making such investigations and studies, the committee or any subcommittee thereof is authorized to sit and act, subject to clause 31 of Rule XI of the Rules of the House of Representatives, during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is meeting, has recessed, or has adjourned, and to hold such hearings and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member. The chairman of the committee, or any member designated by him, may administer oaths to any witness.

"(b) However, the committee is authorized to send not more than five members of such committee and not more than two staff assistants to the Republic of the Philippines and South Vietnam for the purpose of conducting an investigation and study of subjects properly coming within the jurisdiction of the committee in the Republic of the Philippines and in the case of American veterans and servicemen in South Vietnam.

"(c) In addition, the committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within and without the United States, for the purpose of conducting an investigation and study of the establishment, operation, and maintenance of cemeteries properly coming within the jurisdiction of such committee.

"(d) Pursuant to clause 28 of Rule XI of the Rules of the House of Representatives, the committee shall submit to the House, not later than January 2, 1973, a report on the activities of that committee during the Congress ending at noon on January 3, 1973.

"SEC. 3. (a) Funds authorized are for expenses incurred in the committee's activities within the United States; however, local currencies owned by the United States shall be made available to the Committee on Veterans' Affairs of the House of Representatives and employees engaged in carrying out their official duties for the purposes of carrying out the committee's authority, as set forth in this resolution, to travel outside the United States. In addition to any other condition that may be applicable with respect to the use of local currencies owned by the United States by members and employees of the committee, the following conditions shall apply with respect to their use of such currencies:

"(1) No member or employee of such committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754).

"(2) No member or employee of such committee shall receive or expend an amount of local currencies for transportation in excess of actual transportation costs.

"(3) No appropriated funds shall be expended for the purpose of defraying expenses of members of such committee or its employees in any country where local currencies are available for this purpose.

"(4) Each member or employee of such committee shall make to the chairman of such committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or, if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

"(b) Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones."

Mr. BOLLING (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution and the committee amendment be dispensed with, and that they be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON MERCHANT MARINE AND FISHERIES TO CONDUCT CERTAIN STUDIES AND INVESTIGATIONS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 21 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 21

Resolved, That, effective from January 3, 1971, the Committee on Merchant Marine and Fisheries, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries relating to matters coming within the jurisdiction of such committee, including but not limited to the following:

(1) administration and operation of the Maritime Administration and Federal Maritime Commission and all laws, international arrangements, and problems relating to the American merchant marine;

(2) administration and operation of the United States Fish and Wildlife Service and all laws and problems relating to fisheries and wildlife;

(3) administration and operation of the Coast Guard, Coast and Geodetic Survey, and all laws and problems relating to functions thereunder;

(4) administration and operation of the Panama Canal and all laws and problems relating thereto, together with the necessity of providing additional transiting facilities for vessels between the Atlantic and Pacific Oceans; and

(5) the natural resources and environment of the oceans:

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For such purposes the said committee, or any subcommittee thereof as authorized to do so by the chairman of the committee, is hereby authorized to sit and act during the present Congress within or without the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof designated by him may administer oaths to witnesses.

That the said committee shall report to the House of Representatives during the present Congress the results of their studies and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Merchant Marine and Fisheries of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided,* That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502 (b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

Strike all after the word "Resolved," and insert in lieu thereof:

"That, effective January 3, 1971, the Committee on Merchant Marine and Fisheries, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries within its jurisdiction as set forth in clause 14 of Rule XI of the Rules of the House of Representatives. However, the committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

"Sec. 2. (a) For the purpose of making such investigations and studies, the committee or any subcommittee thereof is authorized to sit and act, subject to clause 31 of Rule XI of the Rules of the House of Representatives, during the present Congress at such times and places within or without the United States, whether the House is meeting, has recessed, or has adjourned, and to hold such hearings and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member. The chairman of the committee, or any member designated by him, may administer oaths to any witness.

"(b) Pursuant to clause 28 of Rule XI of the Rules of the House of Representatives, the committee shall submit to the House, not later than January 2, 1973, a report on the activities of that committee during the Congress ending at noon on January 3, 1973.

"Sec. 3. (a) Funds authorized are for expenses incurred in the committee's activities within the United States; however, local currencies owned by the United States shall be made available to the Committee on Merchant Marine and Fisheries of the House of Representatives and employees engaged in carrying out their official duties for the purposes of carrying out the committee's authority, as set forth in this resolution, to travel outside the United States. In addition to any other condition that may be applicable with respect to the use of local currencies owned by the United States by members and employees of the committee, the following conditions shall apply with respect to their use of such currencies:

"(1) No member or employee of such committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754).

"(2) No member or employee of such committee shall receive or expend an amount of local currencies for transportation in excess of actual transportation costs.

"(3) No appropriated funds shall be expended for the purpose of defraying expenses of members of such committee or its employees in any country where local currencies are available for this purpose.

"(4) Each member or employee of such committee shall make to the chairman of such committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or, if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

"(b) Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of difference in time zones."

Mr. BOLLING (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution and the committee amendment be dispensed with and that they be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON SCIENCE AND ASTRONAUTICS TO CONDUCT STUDIES AND INVESTIGATIONS AND MAKE INQUIRIES

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 243 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 243

Resolved, That, effective from January 3, 1971, the Committee on Science and Astronautics, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries with respect to any matter or matters in or related to the fields of astronautical research and development (including resources, personnel, equipment, and facilities), outer space (including exploration and control thereof and air and space law), and other scientific research and development (including international scientific cooperation) coming within the jurisdiction of such committee: *Provided,* That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act within or without the United States, during the present Congress, whether the House has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member designated by him may administer oaths or affirmations to witnesses.

The committee shall report to the House as soon as practicable during the present Congress the results of its studies, investigations, and inquiries, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Science and Astronautics of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided,* (1) That no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) that no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs, (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

Strike all after the word "Resolved" and insert in lieu thereof: "That, effective January 3, 1971, the Committee on Science and Astronautics, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries within its jurisdiction as set forth in clause 18 of Rule XI of the Rules of the House of Representatives. However, the committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

"Sec. 2. (a) For the purpose of making such investigations and studies, the committee or any subcommittee thereof is authorized to sit and act, subject to clause 31 of Rule XI of the Rules of the House of Representatives, during the present Congress at such times and places within or without the United States, whether the House is meeting, has recessed, or has adjourned, and to hold such hearings and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member. The chairman of the committee, or any member designated by him, may administer oaths to any witness.

"Pursuant to clause 28 of Rule XI of the Rules of the House of Representatives, the committee shall submit to the House, not later than January 2, 1973, a report on the activities of that committee during the Congress ending at noon on January 3, 1973.

"SEC. 3. (a) Funds authorized are for expenses incurred in the committee's activities within the United States; however, local currencies owned by the United States shall be made available to the Committee on Science and Astronautics of the House of Representatives and employees engaged in carrying out their official duties for the purposes of carrying out the committee's authority, as set forth in this resolution, to travel outside the United States. In addition to any other condition that may be applicable with respect to the use of local currencies owned by the United States by members and employees of the committee, the following conditions shall apply with respect to their use of such currencies:

"(1) No member or employee of such committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754).

"(2) No member or employee of such committee shall receive or expend an amount of local currencies for transportation in excess of actual transportation costs.

"(3) No appropriated funds shall be expended for the purpose of defraying expenses of members of such committee or its employees in any country where local currencies are available for this purpose.

"(4) Each member or employee of such committee shall make to the chairman of such committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

"(b) Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones.

Mr. BOLLING (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution and the committee amendment be dispensed with and that they be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING INVESTIGATIONS BY COMMITTEE ON AGRICULTURE

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 22 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 22

Resolved, That effective from January 21, 1971, the Committee on Agriculture, acting as a whole or by subcommittee, is authorized to make studies and investigations into the following matters:

(1) The restoration, expansion, and development of foreign markets for American agricultural products and of international trade in agricultural products; the use of agricultural commodities pursuant to Public Law 480, Eighty-third Congress, as amended, and the use of the foreign currencies accruing therefrom; and the effect of the European Common Market and other regional economic agreements and commodity marketing and pricing systems upon United States agriculture.

(2) All matters relating to the establishment and development of an effective Foreign Agricultural Service pursuant to title VI of the Agricultural Act of 1954.

(3) All matters relating to the development, use, and administration of the national forests, including but not limited to development of a sound program for general public use of the national forests consistent with watershed protection and sustained yield timber management, and study of the forest fire prevention and control policies and activities of the Forest Service and their relation to coordinated activities of other Federal, State, and private agencies.

(4) Price spreads between producers and consumers.

(5) The formulation and development of improved programs for agricultural commodities; matters relating to the inspection, grading, and marketing of such commodities; and the effect of trading in futures contracts for such commodities.

(6) The administration and operation of agricultural programs through State and county agricultural stabilization and conservation committee and the administrative policies and procedures relating to the selection, election, and operation of such committees.

(7) The development of upstream watershed projects authorized by Public Law 566, Eighty-third Congress, and the administration and development of watershed programs pursuant to Public Law 566, Eighty-third Congress, as amended: the development of land use programs pursuant to the Food and Agricultural Act of 1962 and the Agricultural Act of 1962 and the Agricultural Act of 1970.

(8) All programs of food assistance or distribution supported in whole or in part by funds authorized to be used by the Department of Agriculture, including but not limited to the food stamp program, the commodity distribution program, the school milk program, and programs established pursuant to the Child Nutrition Act of 1966.

(9) The implementation and administration of the Wholesome Meat Act of 1967, the Wholesome Poultry Products Act of 1968, and the Egg Products Inspection Act of 1970, including the establishment and development of inspection services as required by the Acts.

(10) All matters relating to the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, and all agricultural chemicals registered and regulated under such Act.

(11) All other matters within the jurisdiction of the committee: *Provided*, That, the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For the purposes of such investigations and studies, the committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed, or has adjourned, to hold such hearings, to make such inspections or investigations, and to require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary: *Provided*, That, for the purpose of carrying out this resolution, with respect to paragraph (1), the committee or subcommittee is authorized to sit and act outside the United States. Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths or affirmations to witnesses.

The committee may report to the House (or to the Clerk of the House if the House is not in session) at any time during the present Congress the results of its investigation or study, together with such recommendations as it deems advisable.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Agriculture of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code, for the purposes of carrying out the committee's authority as set forth in paragraph (1) of this resolution: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

Strike all after the word "*Resolved*," and insert in lieu thereof:

"That, effective January 3, 1971, the Committee on Agriculture, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations, and make inquiries within its jurisdiction as set forth in clause I of Rule XI of the Rules of the House of Representatives. However, the committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

"SEC. 2. (a) For the purpose of making such investigations and studies, the committee or any subcommittee thereof is authorized to sit and act, subject to clause 31 of Rule XI of the Rules of the House of Representatives, during the present Congress at such times and places within the United States, whether the House is meeting, has recessed, or has adjourned, and to hold such hearings and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member. The chairman of the committee, or any member designated by him, may administer oaths to any witness.

"(b) However, with respect to matters within its jurisdiction pursuant to Public Law 480, Eighty-third Congress, as amended, the committee or any subcommitte thereof is authorized to sit and act outside the United States.

"(c) Pursuant to clause 28 of Rule XI of the Rules of the House of Representatives, the committee shall submit to the House, not later than January 2, 1973, a report on the activities of that committee during the Congress ending at noon on January 3, 1973.

"Sec. 3. (a) Funds authorized are for expenses incurred in the committee's activities within the United States; however, local currencies owned by the United States shall be made available to the Committee on Agriculture of the House of Representatives and employees engaged in carrying out their official duties for the purposes of carrying out the committee's authority, as set forth in this resolution, to travel outside the United States. In addition to any other condition that may be applicable with respect to the use of local currencies owned by the United States by members and employees of the committee, the following conditions shall apply with respect to their use of such currencies:

"(1) No member or employee of such committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754).

"(2) No member or employee of such committee shall receive or expend an amount of local currencies for transportation in excess of actual transportation costs.

"(3) No appropriated funds shall be expended for the purpose of defraying expenses of members of such committee or its employees in any country where local currencies are available for this purpose.

"(4) Each member or employee of such committee shall make to the chairman of such committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

"(b) Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones."

Mr. BOLLING (during the reading). Mr. Speaker, I ask unanimous consent that the reading of the resolution and the committee amendment thereto be dispensed with and that they be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BOLLING. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. Poage).

Mr. POAGE. Mr. Speaker, like other committee chairmen, and I am sure like other Members of the House, I understand the reasoning behind the Committee on Rules' policy of avoiding jurisdictional disputes between other House committees. I, therefore, support House Resolution 22, as amended.

I appreciate also the overlapping jurisdiction of various committees, but I wish to make as a matter of record at this point several specific jurisdictional areas that have been conferred on the Committee on Agriculture since the last revision of House Rule XI in 1946.

These are as follows:

First. The restoration, expansion, and development of foreign markets for American agricultural products and of international trade in agricultural products; the use of agricultural commodities pursuant to Public Law 480, 23d Congress as amended, and the use of the foreign currencies accuring therefrom; and the effect of the European Common Market and other regional economic agreements and commodity marketing and pricing system upon U.S. agriculture.

Second. All matters relating to the establishment and development of an effective Foreign Agricultural Service pursuant to title VI of the Agricultural Act of 1954.

Third. All matters relating to the development, use, and administration of the national forests, including but not limited to development of a sound program for general public use of the national forests consistent with watershed protection and sustained-yield timber management, and study of the forest fire prevention and control policies and activities of the Forest Service and their relation to coordinated activities of other Federal, State, and private agencies.

Fourth. Price spreads between producers and consumers.

Fifth. The formulation and development of programs for agricultural commodities; matters relating to the inspection, grading, and marketing of such commodities; and the effect of trading in futures contracts for such commodities.

Sixth. The administration and operation of agricultural programs through State and county agricultural stabilization and conservation committees and the administrative policies and procedures relating to the selection, election, and operation of such committees.

Seventh. The development of upstream watershed projects authorized by Public Law 156, 83d Congress, and the administration and development of watershed programs pursuant to Public Law 566, 83d Congress, as amended; the development of land use programs pursuant to the Food and Agriculture Act of 1962 and the Agricultural Act of 1970.

Eighth. All programs of food assistance or distribution supported in whole or in part by funds authorized to be used by the Department of Agriculture, including but not limited to the food stamp program, the commodity distribution program, the school milk program, and programs established pursuant to the Child Nutrition Act of 1966. In this regard, I recognize that a great many advantages can be obtained by merging the food stamp legislation with general welfare, and along with the gentleman from Oklahoma (Mr. Belcher), I have communicated our willingness to the Ways and Means Committee, to merge and meld these programs together under the jurisdiction of his committee.

Ninth. The implementation and administration of the Wholesome Meat Act of 1967, the Wholesome Poultry Products Act of 1968, and the Egg Products Inspection Act of 1970, including the establishment and development of inspection services as required by the act.

Tenth. All matters relating to the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, and the Federal Environmental Pesticide Control Act of 1971, as well as all agricultural chemicals registered and regulated under such act.

Eleventh. Matters relating to rural development through comprehensive community planning, resource conservation and development, extension service activities, rural environmental assistance, rural community grants and loans for public services, and other economic fiscal and social development in the Nation's rural areas.

Twelfth. All other matters within the jurisdiction of the committee as established by rule or precedent of the House.

I wish to make clear, Mr. Speaker, that these legislative matters were and are within the jurisdiction of the Committee on Agriculture.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON PUBLIC WORKS TO CONDUCT STUDIES AND INVESTIGATIONS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 142 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 142

Resolved, That, effective from January 3, 1971, the Committee on Public Works, or any subcommittee thereof designated by the chairman, may make investigations into the following matters within its jurisdiction: In the United States, Commonwealths, territories, and possessions thereof, and Canada, public works projects either authorized or proposed to be authorized relating to flood control and improvement of rivers and harbors, waterpower, navigation, water pollution control, public buildings and ground, roads and highways as well as all other environmental, public works and economic and regional development matters within its jurisdiction, and, in Mexico, and those Central American and South American countries in which the Pan American highway is located, international roads and highways.

For the purpose of making such investigations the committee or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places in the United States, Commonwealths, territories, and possessions thereof, Canada, Mexico, and those Central American and South American countries in which the Pan American Highway is located, whether the House has recessed or adjourned, and to hold such hearings and require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, and documents as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee may attend conferences and meetings on matters within its jurisdiction wherever held within the United States, Commonwealths, territories, and possessions thereof, Canada, Mexico, and those Central American and South American countries in which the Pan American Highway is located.

The committee shall not undertake any investigation of any subject matter which is being investigated by any other standing committee of the House.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1415 of the Supplemental Appropriation Act of 1953 (31 U.S.C. 724) or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Public Works of the House of Representatives and employees engaged in carrying out their official duties under clause 28 of Rule XI of the Rules of the House, except that (1) no member or employee of such committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754); (2) no member or employee of such committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of such committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of such committee shall make to the chairman of such committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

The Committee on Rules, having had under consideration House Resolution 142, reports the same to the House with the recommendation that the resolution do pass, with the following amendment:

Strike all after the word "Resolved," and insert in lieu thereof: "That, effective January 3, 1971, the Committee on Public Works, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries within its jurisdiction as set forth in clause 16 of Rule XI of the Rules of the House of Representatives. However, the committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

"Sec. 2.(a) For the purpose of making such investigations and studies, the committee or any subcommittee thereof is authorized to sit and act, subject to clause 31 of Rule XI of the Rules of the House of Representatives, during the present Congress at such times and places within the United States, Commonwealths, territories and possessions thereof, Canada, Mexico, and those Central American and South American countries in which the Pan American Highway is located, whether the House is meeting, has recessed, or has adjourned, and to hold such hearings and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member. The chairman of the committee, or any members designated by him, may administer oaths to any witness.

"(b) The committee may attend conferences and meetings on matters within its jurisdiction wherever held within the United States, Commonwealths, territories and possessions thereof, Canada, Mexico, and those Central American and South American countries in which the Pan American Highway is located.

"(c) Pursuant to clause 28 of Rule XI of the Rules of the House of Representatives, the committee shall submit to the House, not later than January 2, 1973, a report on the activities of that committee during the Congress ending at noon on January 3, 1973.

"Sec. 3. (a) Funds authorized are for expenses incurred in the committee's activities within the United States; however, local currencies owned by the United States shall be made available to the Committee on Public Works of the House of Representatives and employees engaged in carrying out their official duties for the purposes of carrying out the committee's authority, as set forth in this resolution, to travel outside the United States. In addition to any other condition that may be applicable with respect to the use of local currencies, owned by the United States by members and employees of the committee, the following conditions shall apply with respect to their use of such currencies:

"(1) No member or employee of such committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754).

"(2) No member or employee of such committee shall receive or expend an amount of local currencies for transportation in excess of actual transportation costs.

"(3) No appropriated funds shall be expended for the purpose of defraying expenses of members of such committee or its employees in any country where local currencies are available for this purpose.

"(4) Each member or employee of such committee shall make to the chairman of such committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or, if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

"(b) Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON BANKING AND CURRENCY TO CONDUCT INVESTIGATIONS AND STUDIES

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 114 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 114

Resolved, That, effective from January 3, 1971, the Committee on Banking and Currency, acting as a whole or by subcommittee appointed by the chairman of the committee, is authorized to conduct full and complete studies and investigations and make inquiries with respect to all matters falling within the jurisdiction of the committee under rule XI, clause 4, of the Rules of the House of Representatives or any law of the United States including:

(1) Banking and currency generally.

(2) Control of price of commodities, rents, or services.

(3) Deposit insurance.

(4) Federal Reserve System.

(5) Financial aid to commerce and industry, other than matters relating to such aid which are specifically assigned to other committees under this rule.

(6) Gold and silver, including the coinage thereof.

(7) Issuance of notes and redemption thereof.

(8) Public and private housing.

(9) Valuation and revaluation of the dollar.

(10) Export controls (the Export Control Act).

(11) International Finance (the Asian Development Bank Act, the Inter-American Development Bank Act, the International Finance Corporation, the International Monetary Fund, and the International Bank for Reconstruction and Development).

(12) International trade (the Export-Import Bank Act).

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee may report to the House (or to the Clerk of the House if the House is not in session) the results of its investigations and studies, together with such recommendations as it considers advisable, during the present Congress.

For the purpose of carrying out this resolution, the committee, or any of its subcommittees, is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary: *Provided,* That, for the purpose of carrying out this resolution, with respect to paragraphs (10), (11), and (12), the committee or subcommittee is authorized to sit and act outside the United States.

Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee, or any member thereof designated by him, may administer oaths or affirmations to witnesses.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Banking and Currency of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code, for the purposes of carrying out the committee's authority as set forth in paragraphs (10), (11), and (12) of this resolution: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964, (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; and (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or, if such transportation is furnished by an agency of the United States Government, the cost of such transportation and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

Strike all after the word "*Resolved,*" and insert in lieu thereof:

"That, effective January 3, 1971, the Committee on Banking and Currency, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries within its jurisdiction as set forth in clause 4 of Rule XI of the Rules of the House of Representatives. However, the committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

"SEC. 2.(a) For the purpose of making such investigations and studies, the committee or any subcommittee thereof is authorized to sit and act, subject to clause 31 of Rule XI of the Rules of the House of Representatives, during the present Congress at such times and places within the United States, whether the House is meeting, has recessed, or has adjourned, and to hold such hearings and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee any member designated by him and may be served by any person designated by such chairman or member. The chairman of the committee, or any member designated by him, may administer oaths to any witness.

"(b) However, with respect to matters within its jurisdiction pursuant to the Export Control Act (50 App. U.S.C. 2021, etc.), the Asian Development Bank Act (22 U.S.C. 285, etc.), the Inter-American Development Bank Act (22 U.S.C. 283, etc.), the International Finance Corporation Act (22 U.S.C. 282, etc.), the International Development Association Act (22 U.S.C. 284, etc.), the International Monetary Fund Act (22 U.S.C. 286, etc.), and the Export-Import Bank Act (12 U.S.C. 635, etc.), the committee or any subcommittee thereof is authorized to sit and act outside the United States.

"(c) Pursuant to clause 28 of Rule XI of the Rules of the House of Representatives, the committee shall submit to the House, not later than January 2, 1973, a report on the activities of that committee during the Congress ending at noon on January 3, 1973.

"Sec. 3.(a) Funds authorized are for expenses incurred in the committee's activities within the United States; however, local currencies owned by the United States shall be made available to the Committee on Banking and Currency of the House of Representatives and employees engaged in carrying out their official duties for the purposes of carrying out the committee's authority, as set forth in this resolution, to travel outside the United States. In addition to any other condition that may be applicable with respect to the use of local currencies owned by the United States by members and employees of the committee, the following conditions shall apply with respect to their use of such currencies:

"(1) No member or employee of such committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754).

"(2) No member or employee of such committee shall receive or expend an amount of local currencies for transportation in excess of actual transportation costs.

"(3) No appropriated funds shall be expended for the purpose of defraying expenses of members of such committee or its employees in any country where local currencies are available for this purpose.

"(4) Each member or employee of such committee shall make to the chairman of such committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or, if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identifiction of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

"(b) Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones."

Mr. BOLLING (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution and the committee amendment be dispensed with and that they be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AMENDMENT TO THE COMMITTEE AMENDMENT OFFERED BY MR. BOLLING

Mr. BOLLING. Mr. Speaker, I offer a clarifying amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. BOLLING: On page 7, line 20, the word "filled" should be "filed."

Mr. BOLLING. Mr. Speaker, there is a printing error in the amended resolution. On page 7, line 20, the word "filled" should be "filed." I ask that this technical amendment to the amended resolution be adopted by unanimous consent.

The amendment to the committee amendment was agreed to.

The committee amendment, as amended, was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON THE JUDICIARY TO CONDUCT STUDIES AND INVESTIGATIONS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 161 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 161

Resolved, That, effective from January 3, 1971, the Committee on the Judiciary, acting as a whole or by subcommittee, is authorized to conduct full and complete investigations and studies relating to matters coming within the jurisdiction of the committee: *Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed, or has adjourned, to hold such hearings and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary: *Provided*, That, for the purpose of carrying out this resolution, the committee or subcommittee is authorized to sit and act outside the United States. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on the Judiciary of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code, for the purposes of carrying out the committee's authority. *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employes in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

Strike all after the word *"Resolved,"* and insert in lieu thereof:

"That, effective January 3, 1971, the Committee on the Judiciary acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries within its jurisdiction as set forth in clause 13 of Rule XI of the Rules of the House of Representatives. However, the committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

"Sec. 2. (a) For the purpose of making such investigations and studies, the committee or any subcommittee thereof is authorized to sit and act, subject to clause 31 of Rule XI of the Rules of the House of Representatives, during the present Congress at such times and places within the United States, whether the House is meeting, has recessed, or has adjourned, and to hold such hearings and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member. The chairman of the committee, or any member designated by him, may administer oaths to any witness.

"(b) However, with respect to matters within its jurisdiction pursuant to subsection (h) of clause 13 of Rule XI of the Rules of the House of Representatives, the Submerged Lands Act (43 U.S.C. 1301–1303, 1311–1315), and the Outer Continental Shelf Lands Act (43 U.S.C. 1331–1343), the committee or any subcommittee thereof is authorized to sit and act outside the United States.

"(c) Pursuant to clause 28 of Rule XI of the Rules of the House of Representatives, the committee shall submit to the House, not later than January 2, 1973, a report on the activities of that committee during the Congress ending at noon on January 3, 1973.

"Sec. 3. (a) Funds authorized are for expenses incurred in the committee's activities within the United States; however, local currencies owned by the United States shall be made available to the Committee on the Judiciary of the House of Representatives and employees engaged in carrying out their official duties for the purposes of carrying out the committee's authority, as set forth in this resolution, to travel outside the United States. In addition to any other condition that may be applicable with respect to the use of local currencies owned by the United States by members and employees of the committee, the following conditions shall apply with respect to their use of such currencies:

"(1) No member or employee of such committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754).

"(2) No member or employee of such committee shall receive or expend an amount of local currencies for transportation in excess of actual transportation costs.

"(3) No appropriated funds shall be expended for the purpose of defraying expenses of members of such committee or its employees in any country where local currencies are available for this purpose.

"(4) Each member or employee of such committee shall make to the chairman of such committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or, if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

"(b) Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON THE DISTRICT OF COLUMBIA TO CONDUCT INVESTIGATION AND STUDY

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 27 and ask for its consideration.

The Clerk read the resolution as follows:

H. Res. 27

Resolved, That the Committee on the District of Columbia, acting as a whole or by subcommittee, is authorized to conduct a full and complete investigation and study of the following:

(1) the organization, management, operation, and administration of any department or agency of the government of the District of Columbia;

(2) the organization, management, operation, and administration of any independent agency or instrumentality of government operating solely in the District of Columbia; and

(3) those operations or activities directly affecting the District of Columbia, of any governmental agency or instrumentality operating on a regional basis entirely within the Washington metropolitan area: *Provided,* That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on the District of Columbia for expenses of its members or other Members or employees traveling abroad.

With the following committee amendment:

Strike all after the word *"Resolved,"* and insert in lieu thereof:

"That, effective January 3, 1971, the Committee on the District of Columbia, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries within its jurisdiction as set forth in clause 5 of Rule XI of the Rules of the House of Representatives. However, the committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

"Sec. 2. (a) For the purpose of making such investigations and studies, the committee or any subcommittee thereof is authorized to sit and act, subject to clause 31 of Rule XI of the Rules of the House of Representatives, during the present Congress at such times and places within the United States, whether the House is meeting, has recessed, or has adjourned, and to hold such hearings and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member. The chairman of the committee, or any member designated by him, may administer oaths to any witness.

"(b) Pursuant to clause 28 of Rule XI of the Rules of the House of Representatives, the committee shall submit to the House, not later than January 2, 1973, a report on the activities of that committee during the Congress ending at noon on January 3, 1973.

"Sec. 3. Funds authorized are for expenses incurred in the committee's activities within the United States; and not withstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on the District of Columbia for expenses of its members or other members or employees traveling abroad."

Mr. BOLLING (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution and the committee amendment thereto be dispensed with and that they be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. Smith) pending which I yield myself such time as I may use.

I understand that there are members of the Committee on the District of Columbia who would like to be heard on this, and I am prepared to yield time to them.

I would only say that this resolution

conforms to the other resolutions we have had. We have made it conform to the Reorganization Act. Insofar as I know, it is the same resolution that we had last year.

Does the chairman of the Committee on the District of Columbia desire time?

Mr. McMILLAN. Mr. Speaker, I ask for 3 minutes.

Mr. BOLLING. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina, the chairman of the Committee on the District of Columbia.

Mr. McMILLAN. Mr. Speaker, after consulting with the ranking minority member of the District of Columbia Committee, I introduced House Resolution 27. It is the usual resolution we have been introducing for the past years. There has never been any complaint before this occasion expressed by any member of the committee. I felt we were within our rights in introducing this resolution along with other chairmen of the standing committees.

I understand that there is some question over the fact that we possibly did not take this proposed resolution up before the full District Committee. However, I would like to state that we had no committee organized at that time. Further, I notice that the Foreign Affairs Committee and several other committee chairmen have had such resolutions passed here today and they had not been organized at the time the resolutions were introduced.

Mr. Speaker, I feel we were well within our rights in bringing forth this resolution.

Of course, I fully understand that we can investigate any agency in the District of Columbia under this resolution However, under the reorganization act I must go before the District of Columbia Committee and get permission from the majority of the committee to investigate any of the agencies in the District of Columbia if this resolution is adopted.

Mr. BOLLING. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. MIKVA).

Mr. MIKVA. Mr. Speaker, I rise in opposition to the resolution, not because I believe that the District of Columbia Committee ought not have investigative powers, because obviously it ought to have them, but because I am troubled by the fact that the investigative power this committee has had in the past has been abused. Not only has it been abused, but it has been delegated to nonmembers of the House. Just last year the District of Columbia Committee brought some opprobrium upon this House of Representatives as the result of a report on the subject of the school system in the District of Columbia, which was issued pursuant to its investigative authority. As a result of that report, which among other things, suggested that anyone who was a graduate of Antioch College was unqualified to teach in the schools of the District of Columbia.

Mr. McMILLAN. Mr. Speaker, will the gentleman yield?

Mr. MIKVA. Yes; I yield to the chairman of the committee.

Mr. McMILLAN. As a routine matter the Subcommittee on Investigations requested the school board to furnish them the names of all the teachers who had graduated from this particular college, as the gentleman mentioned, only because we had complaints from the teachers and parents stating that they had too many teachers from that college and they did not think that other colleges were being treated fairly. I do not mind anyone asking how many teachers are teaching in the public school system of the District of Columbia who come from the University of South Carolina or any other school and, therefore, I do not see anything wrong with asking how many are teaching from the college which the gentleman mentioned.

Mr. MIKVA. Mr. Speaker, I would ask my chairman, did they in fact ask about any other university during this period of time?

Mr. McMILLAN. This was the only one they had any complaints about.

Mr. MIKVA. Mr. Speaker, if I may continue my litany about this report throughout the month of December 1970, in the Washington papers there was account after account of this report and other reports that had been issued by the District of Columbia Committee, or rather under the committee's imprimatur. A very distinguished member of the District of Columbia Committee who cannot be here today during the consideration of this resolution, the gentleman from Minnesota (Mr. FRASER), pointed out the fact that even though he was a member of this Special Select Investigating Committee, he never saw the reports until they were printed, and that he never had the opportunity to file dissenting views.

This entire question was thrashed out in the Democratic caucus and the Democratic Members will remember that this was discussed at some length.

Mr. McMILLAN. Mr. Speaker, will the gentleman yield?

Mr. MIKVA. Yes, I yield further to the gentleman from South Carolina.

Mr. McMILLAN. The subcommittee held 14 days of open hearings on school conditions and the Member which the gentleman from Illinois has mentioned was a member of that subcommittee, but whether he attended those hearings or not I do not know. However, before I filed the report on the floor of the House I had the investigators spend 1 solid week trying to get this Member to read this report and apparently he never did read it.

Mr. MIKVA. The gentleman from Minnesota is not here to defend himself, but he did prepare a written speech in which he complained about the issuance of reports in the name of the committee when he had had no opportunity to read them or to file dissenting views in the report.

I think the reputation of the gentleman from Minnesota speaks for itself and I cannot imagine the gentleman making this kind of a statement if, in fact, he had had the opportunity of reading the report.

Once again, I point out that it was not an abuse by any particular member of the subcommittee because it turns out that a good portion of the report was written by a nonmember of the House, singling out this one college as being some kind of subversive institution. It turns out that the consultant for the committee did most of the writing for the committee and, in fact, it was put in print with only the approval of the chairman and such Members as he consulted.

That is why I raise it at this time, because the distinguished chairman of the committee in responding to some of the complaints raised about the manner in which the District of Columbia Committee had been functioning, answered that, and I am now quoting from a document that the chairman circulated to his colleagues on February 1:

> Committee investigations were authorized by special resolution approved by the Rules Committee and by a vote of the House, and funded by supporting resolution providing the necessary funds.

This is the resolution we have under discussion:

> Reports of the studies and investigations by special subcommittees are routinely transmitted by the subcommittee to the chairman, who in turn files the report of the special subcommittee with the House.

The SPEAKER. The time of the gentleman has expired.

Mr. BOLLING. Mr. Speaker, I yield 3 additional minutes to the gentleman from Illinois.

Mr. MIKVA. Mr. Speaker, my desire is not that the District of Columbia Committee be prohibited from engaging in investigations. Rather, as a member of the Committee on the District of Columbia I would like to know in the future that when there are investigations being taken in the name of the Committee on the District of Columbia that those of us who are on that committee, whether we are "troublemakers" or not, will be given an opportunity to have something to say as to the input of the investigation and the scope of that investigation.

I suggest that, based on what the chairman has said here before, if this resolution passes the House today then it is "Katie, bar the door," and we have lost an opportunity to do anything. If the chairman would say that as far as he is concerned the subcommittee is going to run in a different manner than last year, then I certainly do not want to deny the committee any of its legitimate investigating functions.

However, I would like to make sure that we do not engage in any investigations in the future that will carry my name in the report unless I have an opportunity to say something about what the report says.

Mr. McMILLAN. Mr. Speaker, will the gentleman yield?

Mr. MIKVA. I yield to the chairman.

Mr. McMILLAN. Mr. Speaker, I would just like to state again that under the Reorganization Act that we passed in the House last year it will be necessary for all of the chairmen to discuss any investigations with all the members of their committees. And that is my interpretation of the Reorganization Act.

Mr. MIKVA. If the chairman would

permit me to ask him a question about the procedure specifically:

Will the full committee have an opportunity to approve any investigation before it is commenced?

Mr. McMILLAN. They will have approval, certainly.

Mr. MIKVA. Will the full committee have an opportunity to approve any report that is issued?

Mr. McMILLAN. Let me repeat to the gentleman that I did my best to make all Members read the report.

Mr. MIKVA. I merely asked whether or not the report will be approved by the full committee.

Mr. McMILLAN. I even had the report mimeographed and sent to the gentleman's office for him to read, and the gentleman did not come up and ask, before I had already filed the report, to file a supplementary report. I think that I did all I could in that case.

Mr. MIKVA. Let me say, Mr. Speaker, in closing, that none of us desire to wash this committee's linen in front of the House, except that the earlier remarks that the chairman made publicly made some of us feel that we had no alternative but to raise the question now, or be forever barred from raising it. I for one would not like to have the Committee on the District of Columbia, on which I serve, and serve very proudly, issue reports in which I felt I could not or others could not have made known their dissenting views.

In light of the assurances the chairman has mentioned about the proceedings in the future, I am reassured, and hope that we can continue our efforts to try to be the best committee in the House.

The SPEAKER. The time of the gentleman has again expired.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I simply would like to comment that I do not want to get into any internal affairs with any committee but I believe that the gentleman from Chicago (Mr. MIKVA) had a chance to present his views before the Committee on Rules. I presume that this resolution is absolutely in accordance with the Rules of the House, such as have the other resolutions that have been passed here today, and that no changes have been made in the jurisdiction, and that it is in accordance with clause 5, rule XI, which is set forth on page 334 of our rules, and that that is precisely what it is.

There are other ways to proceed if something has to be done, such as for a resolution to change the jurisdiction, which would come before the Committee on Rules, in an effort to change the Rules of the Committee, Mr. Speaker, but other than that I think that this is in order, and I would urge the adoption of House Resolution 27.

Mr. BOLLING. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CABELL).

Mr. CABELL. Mr. Speaker, I would like to clarify the implication made by the gentleman from Illinois concerning his quotation of the gentleman from Minnesota. We are getting into semantics here that are rather tricky.

I would call attention to the fact that the gentleman from Minnesota did say in his statement:

> I did not have an opportunity to read this report.

What he did not say was that he did not use the opportunities that were presented to him on several occasions to read this report. There was only one copy of it let out at that time, but I am reliably advised that on several occasions he was called and it was either to bring it to his office or he could come to the committee office, but that counsel would not turn that one report loose out of his possession. So the fact remains that he did not have an opportunity because of his own volition and not because he was denied an opportunity of reading that report.

Mr. BOLLING. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. JACOBS).

Mr. JACOBS. Mr. Speaker, I am not going to oppose the passage of this resolution. I think it is a proper function of the committees of the House to conduct investigations, certainly, in furtherance of their oversight responsibilities for legislation that has been passed.

But I hope that nobody in the House misunderstands exactly what the problem is in the House Committee on the District of Columbia. I hope no one is confused about the fact that the decisions of the chairman and the appointment of subcommittees and subcommittee chairmen is for one purpose and for one purpose alone—to create rubber stamp subcommittees for his purposes.

The chairman has said as much, and I say parenthetically that I have no personal animosity toward the gentleman from South Carolina (Mr. MCMILLAN), the chairman of the committee. But I do have a great deal of animosity for the manner in which the committee's business has been conducted during the past 4 years and some weeks that I have been a member of the committee.

For example, when I read in the morning press that my committee has conducted an investigation and has reached some conclusion, I think it is a little late for me to be finding out about it. Perhaps it would be a sign of some progress if the chairman could arrange that as a member of the committee I might be given a news release on the night before so that at least I would know before somebody what the committee is supposed to have done.

It is this problem that I find, frankly, very odious.

Again I say it is the procedure—it is the things that are done. I do not attack the individual himself. I said during the Democratic caucus that personally I have no animosities and no resentment or hatred in my heart for the committee chairman. It is the procedure with which I quarrel.

During the session in which we adopted our rules including one requiring specific jurisdiction for the subcommittees—rule by law rather than rule by man—the chairman said:

> Well, you just do not need a chairman.

Now I would turn that point over on its other side and say if every subcommittee chairman—irrespective of a tradition that the chairman is supposed to believe in and apparently is held dearly by the House—if every subcommittee chairman is to be a rubberstamp for the committee chairman without regard to the length of service of such subcommittee chairmen, then really we do not need a committee. We can just let the committee chairman make a determination and report it to the floor of the House. These matters are going to be pressed, of course, at the Democratic caucus and will be brought up from time to time. The only reason I have asked for time today is just so that there will not be any confusion about what is going on inside that committee.

I happen to oppose the seniority system. I believe it is un-American. I believe democracy is the American way. I will tell this House there is one thing I consider worse even than the seniority system where at least the chips fall where they may by fortuity—I would say that democracy is best—seniority is bad. But putting the fix in for rubberstamp subcommittee chairmen without regard to democracy or seniority is by far the worst.

Mr. BOLLING. Mr. Speaker, I move the previous question on the committee amendment and the resolution.

The previous question was ordered.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOW THE ARMY PAYS FOR ADS THAT SHOULD BE FREE—A CASE OF PR OVERKILL

(Mr. VAN DEERLIN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. VAN DEERLIN. Mr. Speaker, the evidence mounts that our defense establishment is overselling itself.

Pentagon public relations now sets the taxpayers back somewhere between $30 and $190 million a year, depending on whose estimate you accept.

Doubtless, many of the activities are justified, but some clearly border on the absurd.

A case in point is a $10.6 million "ad blitz" planned by the Army to drum up volunteers, and described in detail last week by the authoritative trade publication, Broadcasting magazine.

I find considerable irony in this unprecedented campaign to saturate the country with paid radio and television plugs for a Federal agency—the kind of commercials that most stations carry free as a public service.

Federal policy assumes that the airwaves belong to the public, but here the public is getting socked more than $10 million to enable a public agency to use the airwaves.

Fortunately, some stations have seen through this ploy, and are either turning down the Army's money, or else simply refusing to run the ads.

I asked both the Army and N. W. Ayer & Son, the agency handling this account, for a breakdown of how the money was to be spent. Typically, the Army, which is so quick and thorough in the dissemination of self-serving information, was slow in responding to my request. But the Ayer agency, to its credit, complied promptly.

An account executive for the Philadelphia-based firm revealed that $5,815,000 of the $10.6 million is earmarked for radio, $3 million for the three major networks, and $1 million for a bonus effort over local television in eight selected cities. Out of these budgets, the Army will pay $600,000 for the production costs of the television commercials, between $200,000 and $300,000 for producing the radio segments and the usual 15-percent commission to N. W. Ayer. Another $90,000 is allocated for research on the impact of the ads.

This dubious campaign started yesterday, and is scheduled to last 4 months. There are precedents for the Army paying production costs and agency fees for advertising of this nature. But there is no reason the public should have to pay for the on-air time for these public service spots, and I have written Secretary Laird to urge that he use his good offices to obtain the necessary time without cost.

One of the basic licensing requirements of radio and TV stations, after all, is to make time available for precisely this kind of programing. As a former broadcaster, and present member of the Communications Subcommittee, I am deeply concerned about the implications of any effort to erode the public's access to the airwaves.

My letter to Mr. Laird and the pertinent article from the February 22 issue of Broadcasting follow:

CONGRESS OF THE UNITED STATES,
Washington, D.C., Feb. 26, 1971.
Hon. MELVIN R. LAIRD,
Secretary, Department of Defense,
Washington, D.C. 20301

DEAR MR. SECRETARY: I was astounded to learn from the enclosed copy of an article in Broadcasting that the Army intends to spend more than ten and a half million dollars for the production and broadcasting of radio and television announcements. I concede the need of the Army for new recruits and admit the possibility that broadcast of such announcements will help fill the Army's need. I am convinced, however, that the same broadcast exposure over radio and television in response to the Army's needs can be obtained without the expenditure of this substantial sum.

As a veteran of four years service during World War II as an enlisted man, I know that the Army has in its ranks a large number of capable men who are thoroughly experienced in radio and television production and broadcasting techniques, as well as in advertising copy writing and production. As a former radio and television news commentator, and now as a member of the House Committee on Interstate and Foreign Commerce, I am well aware that radio and television stations offer free time for public service announcements.

It seems to me that the Army, utilizing its own personnel and facilities, can produce a series of radio and television announcements that would be the more convincing because of the manner in which they were produced. Radio and television stations would, if properly approached, schedule such announcements for regular broadcast without charge as a public service. They might not always be scheduled in prime time, but the frequency of exposure and the savings in cost would more than compensate for such scheduling.

It the Army were to produce and arrange for the broadcast of its own announcements, the cost involved would be that entailed only in the use of Army equipment and whatever charges might be made against the use of personnel already on Army payrolls. Such personnel, I need hardly point out, are utilized extensively in the making of Army training films. Some additional costs would be incurred for secretarial help in contacting stations on an individual basis, instead of by networks, but these would be minimal by comparison with the ten million plus that the Army so casually contemplates spending to achieve the same result.

I consider the proposed expenditure by the Army to be completely unjustified in the existence of an acceptable alternative that by contrast costs little. I ask that you investigate the Army proposal, with a view to bringing about its cancellation and the substitution of a procedure similar to that I have outlined. If I can be of any assistance, by virtue of my own special experience in this field, you may call on me at any time.

Sincerely,
LIONEL VAN DEERLIN,
Member of Congress.

[From Broadcasting, Feb. 22, 1971]

ARMY ENLISTS AYER FOR AD BLITZ

The U.S. Army Recruiting Command (USAREC) is scheduled to pump $10.6 million into an unprecedented experimental four-month radio and TV advertising campaign created by N. W. Ayer & Son, Philadelphia. Designed in an effort to increase the number of volunteers for Army service, the Army will be using paid time for recruiting advertising on both television and radio in both network and spot. The mammoth campaign has been scheduled to run from March 1 through June and to saturate the country.

Not all stations, however, regard it as a windfall. There have been complaints from some that have carried free recruiting spots in the past and a rejection by at least one major station which refuses payment for such public services.

The Army has contracted with Ayer to produce 30 new 20-second commercials for TV and 100 new radio spots in 30- and 60-second lengths. Frank G. Kenesson, director of information services at Ayer, said the agency began lining up the broadcast time in early February in attempts to reach the Army's primary target audience of young men 17 to 20 years old as well as other persons who may influence their thinking.

The intensity of the TV campaign is emphasized by Ayer's plan to place an average of 13 recruiting spots per week in every TV market in the country via the major networks. Purchases at ABC, NBC and CBS are estimated at more than $3 million. Locally, high-level TV saturation in a number of markets is planned where local TV buys will double the national schedule. At CBS the Army has spent over $1 million for participations beginning Tuesday, March 9. The shows involved are *Mannix, Mission: Impossible, Gunsmoke, Hee Haw,* the *Thursday* and *Friday Night Movies,* plus multiple sports affairs. At ABC, USAREC expenditures are estimated at $750,000, including the *Sunday* and *Monday Night Movies, Room 222, Love, American Style,* the *Movie of the Week,* and sports. Participations purchased at NBC are tallied as comparable to the other networks, but the only show named so far is *The Bold Ones.*

The radio campaign roster includes the ABC Contemporary Network, Blair Radio Network, local contemporary music stations, local general stations, local ethnic stations, and clear-channel stations. The specific stations involved were not disclosed. Tentative schedules call for 144 radio spots per week in each of the top-100 markets, 36 spots per week in the second 100 markets, and 24 spots per week in approximately 1,000 other markets.

Eldon Wyant of USAREC's Advertising and Information Division at Fort Monroe, Hampton, Va., described the Army's new advertising tactic as an attempt to stimulate enlistments through the use of prime time. He commented that although the Army has previously received large amounts of free public service time, these messages were generally aired during nonprime time when few potential enlistees were listening or watching. According to Mr. Wyant, pre- and post-campaign studies will be conducted to ascertain the results of the Army's advertising barrage. Hopefully such studies might help reduce draft calls or promote an all-volunteer Army, but specific information concerning these studies was not available from either the Army or Ayer. However, Mr. Kenesson at Ayer felt that comparing pre- and post-enlistment data would be at least a partial if not significant indication of Army advertising effectiveness. In addition, Mr. Wyant pointed out that the result of these studies would be released to other branches of the armed forces, and that the Army's present time buying did not mean that it would be authorized to do so beyond the termination date of the advertising experiment.

But although the Army has had little difficulty making purchases from the networks, some stations have flatly rejected the proposal or even expressed resentment.

WGN–AM–TV Chicago turned down $50,000 worth of the Army recruiting business, according to a letter written last Monday to N. W. Ayer & Son's Philadelphia office by Ward L. Quaal, president, WGN Continental Broadcasting Co., group owner. He said the refusal applied also to the group's other outlets, KDAL–AM–TV Duluth and KWGN–TV Denver.

Writing to John Coverly-Smith, Ayer broadcast supervisor, Mr. Quaal said the WGN stations have "always given time for such messages free of charge and we will continue to do so as long as I am steward of these precious properties."

Noting, for example, that WGN–TV ran eight free join-the-armed forces announcements during December, Mr. Quaal assured Mr. Coverly-Smith "that we will schedule spot announcements for recruitment purposes just as we carry messages for other public service entities, including the Navy and the Air Force."

WGN Continental has turned down other similar business earlier. Mr. Quaal wrote Illinois Governor Richard Ogilvie Dec. 24, 1970, to explain why he was refusing to accept $11,000 worth of radio spot business from the state on WGN designed to alert highway motorists on the dangers of ice and snow, tires, drinking, etc. The drive, involving the use of 10-second and 30-second spots, was placed through Sperry-Boom Inc., Rosemont, Ill., advertising agency.

Mr. Quaal told the governor that it "is our responsibility and also that of all broadcasters, whether in Illinois or any other state, to air safety messages as those proposed by Sperry-Boom. It was a fine idea, but we cannot accept payment for these spot announcements, which we have rewritten and are airing over our facilities as public service messages, as we have in the past, to alert motorists using the highways."

Sperry-Boom explained the highway safety account is handled as a regular commercial-type account. The agency said the campaign began at the holiday season and is to run through the July 4 weekend. About 40 stations presently are involved in the schedule, it was related, and WGN has been the only outlet to refuse the business.

Taking another view, Howard McDonald, partner and co-manager, KRNS (AM) Burns, Ore., stated in a letter to USAREC dated Feb. 12: "You are no longer qualified for public service time on this station. Our public service time is reserved for groups and organizations that do not have access to advertising budgets. I personally resent any government body buying any form of advertising and I strongly disapprove of your action."

Meanwhile, other federal representatives called on advertising talents. It became known last week that the Department of Commerce has signed a $550,000 six-month contract with Marsteller Inc., New York, to compose an advertising campaign to sell American business on "export awareness." The test project, authorized by Congress in 1969, is being handled by the Bureau of International Commerce, with Ron Demer, a special assistant, in charge.

The campaign, which is not yet final, is expected to use business magazines, and to be similar to a $35,000, seven-time test that took place last summer in Minneapolis-St. Paul. There a package of media was bought that included regional editions of *Time, U.S. News and World Report, Sports Illustrated,* as well as local magazines and newspaper supplements. That campaign was by The Adworks Inc., New York. The national test is due to start in April.

Under the contract with Marsteller, the agency will be reimbursed on a sliding scale depending on how much is spent in media. This runs from $36,000 for expenditures below $300,000 to a maximum of $48,000 for outlays between $400,000 and $500,000. The other $50,000 will be spent for a modest public relations project that would include sales conferences, trade-press releases, direct mail, and speaking dates for Commerce officials, according to Mr. Demer.

The move comes just as the moment when the department is reducing its public-relations activities by $800,000. But, Mr. Demer stressed, there is no connection between his advertising campaign and the reduction, since the export project was in the planning stage well before the cutbacks were ordered.

This is not the only advertising campaign in which the Department of Commerce is engaged. For years, the U.S. Travel Service, an independent office in the department, has advertised abroad, urging Europeans and others to "Visit the USA." In the last fiscal year, it operated on an advertising budget of $1,076,000, with most of that spent on media advertising in Europe, Japan, Canada and Mexico. This fiscal year, ending June 30, its advertising budget is smaller: $821,000, with media buys concentrated in Great Britain, West Germany, Canada and Mexico. In both years, the Mexican advertising was focused principally on TV. The agency is Ogilvy & Mather, New York.

PROPOSED REVISION OF RULE FOR RECOMPUTATION OF RETIRED AND RETAINER PAY

(**Mr. SISK** asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SISK. Mr. Speaker, I am today introducing legislation, "To amend section 1402(a) of title 10, United States Code, to revise the rule for recomputation of retired and retainer pay to reflect later active duty."

This proposal is a part of the Department of Defense legislative program for the 92d Congress. The Bureau of Management and Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress. The Department of the Navy has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

This bill provides that notwithstanding the limitations of section 5(1) of the Uniform Service Pay Act of 1963—incorporated as footnote 1 under 10 U.S.C. 1402(a), relating to the recomputation of retired or retainer pay to reflect later active duty—members of the Armed Forces recalled to active duty after October 1, 1963, who "serve or have earned at least two years of active duty thereafter," shall be entitled to recomputated retired or retainer pay upon release from active duty based on their grade and the law governing the computation of retired or retainer pay at time of release.

The footnote in question, relating to the recomputation of retired or retainer pay to reflect active duty performed after retirement or transfer to the Fleet Reserve or Fleet Marine Corps Reserve, provides:

> For a member who has been entitled, for a continuous period of at least two years, to basic pay under the rates of basic pay in effect upon that release from active duty, compute under those rates. For a member who has been entitled to basic pay for a continuous period of at least two years upon that release from active duty, but who is not covered by the preceding sentence, compute under the rates of basic pay replaced by those in effect upon that release from active duty. For any other member, compute under the rates of basic pay under which the member's retired pay or retainer pay was computed when he entered on that active duty.

The present provisions of 10 U.S.C. 1402(a) are unduly restrictive. The restriction can be traced back to the so-called Uniformed Services Basic Pay Act of 1958 (72 Stat. 122). Prior to the passage of that act, retired personnel were permitted to recompute their retired pay on the basis of any pay increase granted to members of the active uniformed services. The 1958 Pay Act made a significant departure from this practice by providing a percentage increase of their existing retired pay. This was further changed in 1963 by providing that retired pay would be readjusted periodically based upon the consumer price index—CPI.

When it became impossible to recompute one's retirement pay on the basis of a pay increase for active members, it was feared that in order to recompute on the basis of the new pay scale, retired members would manage to have themselves recalled to active duty for 1 day rather than accept a percentage increase of the present retired pay. Therefore, Congress inserted in the 1958 Pay Act a provision requiring a minimum of 1 year's active duty in order to recompute their retired pay. This provision appeared in 10 U.S.C. 6483 and 10 U.S.C. 1402(a).

When the original Uniformed Services Pay Act of 1963 was introduced in the House as H.R. 3006, and in the Senate as S. 847, there was no provision in either bill dealing with recomputation of retired or retainer pay to reflect later active duty.

The House Armed Services Committee added an amendment to 10 U.S.C. 1402(a) in its first draft of H.R. 5555, which later was passed by the House requiring that a member serve for at least 1 year to be eligible to recompute his retired or retainer pay to reflect later active duty. This was based upon the provision of the 1958 Pay Act and was for the same purpose. The legislative history discloses that very little discussion was had by the House committee as to the purpose of the amendment, except that it was meant to prevent a recomputation by a member who had made only a token tour upon recall to active duty.

The Senate amended the provision to provide the present requirement that a member serve for a continuous period of 2 years in a basic pay rate to be eligible to compute under those rates.

An inequity exists in that a person may serve 3, 4, 5, or more years after being recalled to active duty, but under present restrictions he cannot compute his retirement pay on the basis of his last pay rate, whereas a man serving beside him in the same rate and performing the same duties can receive the benefit of the current pay scale. This situation has existed since 1963 because there has been an increase in basic pay every year thereafter.

The restriction in the present law is highly artificial and unduly restrictive. It affects many Fleet Reservists recalled to active duty to serve during the Vietnam buildup in the critical rates for hospital corpsmen and Seabees. Additionally, under special programs designated to help meet increased requirements, the Department of the Army has implemented several programs to recall from retired status for a period of 2 years or more officers and enlisted personnel. These individuals are or will be restricted in recomputing retired pay under the provisions of 10 U.S.C. 1402(a).

I am informed that the Department of the Navy, on behalf of the Department of Defense, is recommending enactment of this general legislation which would provide that any retired member, Fleet Reservist, or Fleet Marine Corps Reservist, who has served on active duty after retirement or transfer, for 2 years or more, be entitled to recompute his retired or retainer pay on the basis of rates of basic pay in effect when he is released from active duty. Enactment of this legislation would not result in any appreciable increased budgetary requirements to the Department of Defense.

Mr. Speaker, a copy of this legislation appears below:

H.R. 5373

To amend section 1402(a) of title 10, United States Code, to revise the rule for recomputation of retired or retainer pay to reflect later active duty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1402(a) of title 10, United States Code, is amended by amending footnote 1 of the table therein to read as follows:

"For a member who has been entitled to basic pay for a continuous period of at least two years upon that release from active duty, compute under the rates of basic pay in effect upon that release from active duty. For any other member, compute under the rates of basic pay under which the member's retired pay or retainer pay was computed when he entered on that active duty, increased by any applicable adjustments in that pay under section 1401a of this title after he initially became entitled to that pay."

SEC. 2. The amendment made by section 1 of this Act is effective on October 1, 1963.

CONGRESSMAN STRATTON OFFERS A REALISTIC AND WORKABLE ALTERNATIVE TO REVENUE SHARING

(Mr. STRATTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STRATTON. Mr. Speaker, on February 25, I introduced legislation H.R. 5069, to offer a realistic and workable alternative to the general revenue-sharing proposals recently put forward by President Nixon and Governor Rockefeller.

Under my bill, individual States, cities, counties, and towns would be authorized to levy taxes on their own residents in the form of an additional percentage of the Federal income tax. This tax would then be collected by the Federal Government, along with the regular Federal tax returns, on a kind of piggyback basis, free of charge to the States and local communities, with the proceeds then remitted to them for their individual use.

One of the chief arguments being used in support of the revenue-sharing plan is that States and local governmental units have far too limited taxing powers, and that property taxes and sales taxes, especially, are far less fair and efficient than the Federal graduated income tax.

By making the Federal tax system available to the States and local communities on a kind of piggyback basis, we eliminate this argument completely and give the local governments every tax advantage enjoyed by the Federal Government.

The only difference is that in the case of my bill, it becomes obvious that these additional funds are not free in any sense, but come from the taxpayers. The same is also true of funds under revenue sharing, but the impression has been widely generated that somehow all this shared money will be free. This has been a most unfortunate and misleading impression and ought not to be allowed to stand.

Besides giving the States and communities the advantage of the efficient Federal collection system, this procedure would also have the following advantages.

First, it will mean that those who do the spending also do the raising. I still believe that any governmental unit is bound to be more careful with tax money when they have to take the responsibility for levying that tax.

Second, the person who pays the tax will see the immediate benefits of his money, instead of having some of it siphoned off to States thousands of miles away. According to my figures, for example, under revenue sharing as proposed by President Nixon and Governor Rockefeller, New York State taxpayers would pay 12.07 percent of the added revenue collected by the Federal Government while receiving only 10.68 percent of the funds in return. Under my plan, the State that levies the tax would get every cent of it back again.

Enactment of this alternative will be especially beneficial to the taxpayers of New York State and I am optimistic about the prospects of action on this bill as Chairman WILBUR MILLS of the House Ways and Means Committee has already indicated he believes this is one alternative to the President's suggestion that should be seriously considered.

FEDERAL ASSUMPTION OF WELFARE COSTS

(Mr. CAREY of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CAREY of New York. Mr. Speaker, I join with 14 of my New York colleagues in introducing a bill to provide for the full Federal assumption of welfare costs.

We view welfare as a national problem and it should therefore be a Federal responsibility. The State and local tax bases, particularly local property and personal income taxes, are inadequate to serve as a source of funds to pay for this program now. They certainly cannot fund the 100-percent increase predicted by 1975 unless the program is reformed.

In New York the State and local share is now in excess of $1.7 billion. Its cost has increased 40 percent in our State in 3 years and there is no peak in sight.

Cities and suburbs alike are joining in such actions as seeking legal relief by rejecting their share of welfare costs in actions in the Federal court.

They are forced to take such actions because the burgeoning cost of welfare is depriving State and local governments of their ability to cope with demands for maintenance and improvement of services in the fields of education, law enforcement, sanitation, public health, and so forth.

Our State and other States in similar circumstances must demand that we obtain a fair share of Federal support for dependent persons and families.

We will seek to join with other delegations in this effort and to enlist the support of other Members of the House without regard to party.

In introducing this legislation we seek to prepare the way for an improved and reformed welfare system such as is now being recommended by the administration before the Committee on Ways and Means.

We view such suggestions as Federal standards for all areas, work incentives, and work requirement programs for the able-bodied and trainable persons in public service employment, Federal assistance and day care centers including construction and more efficient administration of welfare as signs of a new and nonpartisan nationwide effort to substitute dignity for dependency in the field of family security.

This can only be a truly effective national effort if it is not made to depend upon the State and local tax base as it does in New York and elsewhere.

With a fair share of Federal assumption of welfare by a takeover in New York we would hope our State and local officials would begin to plan for apportionment of released revenues on new priorities, which are being sacrificed or starved for funds because of mandated or unavoidable welfare costs.

Finally we should like to make it clear that our effort to achieve a fair stipend through the Federal assumption of welfare is in no way intended to compromise the effort which has been made in our State or in any State to provide a decent standard of living to those families who are forced to seek public assistance. Our bill makes specific provisions for the filing of a State plan in New York to take into account the family needs in New York State and in any State to make certain that the concept of compassion and concern for families and children in need will continue to be observed in any Federal takeover.

CROSS-FLORIDA BARGE CANAL HALT WAS PERMANENT

(Mr. YOUNG of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YOUNG of Florida. Mr. Speaker, advocates of the now discredited Cross-Florida Barge Canal have kept up a continual attack in the hopes of eventually causing President Nixon to reverse his decision halting the project to prevent irreparable damage to the State's environment.

The canal supporters are wasting their time.

The President's halt was permanent. The canal has been reviewed repeatedly; no further review is necessary. The Cross-Florida Barge Canal, quite simply, is dead, dead, dead—as it should be.

The matter now open to discussion is what to do with the area in the future. Some work, I understand, must be done to minimize further environmental damage. Included in this is construction of a highway bridge on State Road 40 near Ocala to assist in reducing the flood hazard.

This work must not be interpreted as an indication that the President might change his mind at a later date and resume the canal project.

In fact, studies are underway to prepare recommendations for the area's future development.

To this activity I would urge all those interested in the canal—pro and con, here and in Florida—to devote their energies. Let us come up with the best possible use for the canal area—best in the interest of all.

Even advocates of the canal, for example, now say that the beautiful Oklawaha River Valley should be preserved for the use and enjoyment of this and future generations of Americans.

The canal has been discussed for 150 years. In early years, the project was rejected on economic and environment grounds. It was not until World War II that the present project was authorized but no work was done until recent years.

The proponents have had their say all these years. Now, finally, the public is being heard on the Cross-Florida Barge Canal.

Unfortunately, canal advocates seem bent on throwing up smokescreens to hide the fact that a 107-mile ditch across the middle of Florida would do substantial damage to the environment.

The latest stratagem is to charge that President Nixon acted for purely political motives in halting the canal—a project long viewed by many as one of the worst boondoggles in our history.

If it is political to act in the public interest, to recognize that Americans are growing ecologically aware and determined to preserve our great natural heritage—if this is "playing politics," then I pray this Nation's leaders do more of it.

The slick public relations campaign launched by canal advocates is aimed at diverting the attention of the public and the Congress away from two fundamental considerations:

First. The canal will cause substantial damage to the environment of Florida, a State whose economy is largely dependent upon the blessing of nature.

Second. The taxpayer is being asked to foot a $200 million bill for a project that will not reduce the cost of groceries anywhere in America.

Ironically, those accusing President Nixon of "playing politics" are not above playing that game themselves.

In a personal letter last week, the chairman of the canal authority attacks me for presuming, as a freshman Congressman, to state my support of the President's action.

He charges that I am uninformed about the canal and that I have suddenly come out against it to gain personal publicity.

The record clearly indicates that I am not new to the conservation cause: As a Florida State senator for the past 10 years, I constantly spoke out against the canal for environment reasons and voted against the appropriation of State funds to carry on the project.

The canal proponents have barraged the public with self-serving statements in recent weeks. I believe it is time that the other side be heard. And this freshman Congressman intends to see that it is.

MILITARY ASSISTANCE TO SAFETY AND TRAFFIC

(Mr. KAZEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. KAZEN. Mr. Speaker, I again want to offer information to the House on the effectiveness of a military-civilian project at Fort Sam Houston, in San Antonio, where Army medical helicopter crews are providing mercy service to critically injured or ill citizens of 10 counties. This is the MAST service—military assistance to safety and traffic—manned by the 507th Medical Company, Air Ambulance. I believe that this has been a most valuable service to my constituents, and I believe it should be continued.

I am far from alone in this opinion. Let me cite responses from public officials and citizens:

Charles J. Hitzfelder, Hondo, sheriff of Medina County:

> I have had occasion to call for the MAST service several times, and I have been very happy with the result. Please add my endorsement for continuation of a program that permits these able Army air medics to be essential in the life-line of service in times of emergency.

Mayor Franklin D. Keller, of Lacoste:

> Please do all you can to have the lifesaving service of MAST continued and expanded throughout our area. I feel this is a very worthwhile service and by all means should be continued.

Sister Laverne Mettlach, administrator, Memorial Hospital, Floresville:

> We have found this program to be invaluable. In a number of cases, we feel certain that because of speedy treatment obtained, lives were saved and more rapid recovery resulted. We feel the program is a great asset to this area, especially since there is no additional funding necessary for its existence.

As I have explained previously, the funds are provided for the military training and service of the Air Ambulance Company, and the military personnel benefit from these lifesaving training missions.

I continue quoting the people who know best the value of the MAST service.

Joe H. Fietsam, publisher, Floresville Chronicle-Journal:

> I can cite one case where the helicopter was set down on the highway adjoining a restaurant to pick up a heart patient, and other times they have landed at the scene of automobile crashes. The helicopter has been timed on one or two occasions, and in our issue of August 13, the one with the photos, a call was sent from Memorial Hospital in Floresville, to Fort Sam Houston, 29 miles away, and from the time of the call, landing in Floresville, and being airborne from the hospital in Floresville, only 35 minutes had elapsed. Their ability to get patients to the city for emergency treatment has saved lives. The entire county has been in favor of keeping this service.

Mayor E. W. Calk, Lytle:

> We do want this service. It is badly needed because of traffic problems en route to the hospital during working hours. We are looking for your assistance in helping us keep this much-needed service.

Faye E. Walker, city secretary, Hondo:

> As a citizen of Medina County, I urgently request your interested action in retaining the emergency helicopter ambulance service as a permanent service.

Drs. Robert R. Reese and O. E. Hall, Jr., Bohman Clinic, Cuero, Tex.:

> Our experience with this service shows it invaluable in providing our patients with the best medical care available. It places within our reach prompt consultation and treatment which we are unable to offer our patients here in Cuero.

Mayor Samuel H. Tschirhart, Castroville:

> It is with sincere appreciation that we acknowledge the service rendered our community by MAST. Daily we learn of the many lives that have been saved by its immediate availability—when minutes can mean the difference between life and death. City Council and other citizens join me in saying "Thank you" from a grateful community.

Let me close with a comment from one of the chopper pilots. Like others of the company, he is a Vietnam veteran. Comparing his war experience with the responsibility of moving injured and wounded citizens, Capt. Samuel B. McLamb said:

> MAST is much the same, but without the shooting.

I hope and trust this important program will not be shot down on our homefront.

THE POST'S SUPPORT OF THE CAPITOL BOMBING

(Mr. WAGGONNER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WAGGONNER. Mr. Speaker, when I first learned of the bombing of the Nation's Capitol yesterday, one of my first thoughts was to wonder how the Washington Post would possibly be able to editorialize in favor of it. There was no doubt in my mind but that they would find a way to support the bombing; my only question was how they would justify it.

This morning's editorial manages to do it in the tortured logic we are accustomed to.

There are a few sentences at the beginning which deplore the bombing, but, beginning with the second paragraph, it is downhill all the way in favor of the bomber. Several Senators are characterized as hysterical in their outrage. The one Senator who has, as much as any other been associated with the new, violent left wing is, on the other hand, made to look like the only sane voice in the other body.

The person or persons responsible for this crime against every American is due more than the patronizing tut-tut of the Washington Post. The just reward is life imprisonment. The only extenuation which should be considered is that the demented bomber may well have been encouraged to do what he did by the Washington Post.

I can only wonder what the Post reaction would be to a bomb planted under their pressroom.

The reprehensible editorial follows:

THE BOMBING OF THE CAPITOL

> The planting of a bomb under the United States Senate is a bad piece of business, which could have had far more tragic consequences had the bomb been planted in another place, and been set to explode at another time, with no telephone warning in advance. So we condemn it and urge that something be done rather quickly to tighten up security at the Capitol. Not the least unsettling aspect of this affair is the fact that earlier telephone threats apparently did not suggest to the police a need for tightening up. It is not pleasant to contemplate the need for a heavy guard around so hallowed a monument to freedom as the U.S. Capitol and there is no doubt that this tells us something about the condition of our society—about the violent streak that is certainly there, and about the easy contagion of extremism in a time of dark frustrations and deep disillusionment.
>
> But in the absence of any more information than was available yesterday to the leaders of government who were so quick to

pass judgment on this affair, we would add that it is not only the bombing itself but also the reaction to it which was disturbing, at least to us. It was almost as if we had not had bombings of corporate offices on Wall Street or black churches in the South or the defiling of government buildings or the public burnings of the American flag; it was as if we were suddenly confronted with a whole new level of outrage—how many times was that word used?—because *this bomb was planted under the Senate floor*. The automatic assumption of many of those who commented was that the perpetrator was insane—and the next assumption, following immediately upon the first, was that it was a dark and devious political plot.

"We cannot tolerate such senseless acts," said Sen. Robert Taft, without so much as a suggestion as to how, as a practical matter, we should go about not tolerating them. "I don't know what group it is," said Senator Dominick, leaping instantly to the conclusion that it was a "group," and never mind the fact that we have had the assassinations of President Kennedy, and Martin Luther King and Sen. Robert Kennedy, without any conclusive evidence that these acts were the work, in each case, of more than one vicious and unbalanced mind. Yet Senator McClellan was talking of "an element in this society that works to foment revolution—they are anarchists and they will resort to any tactics they think will disrupt the operation of government, weaken its effectiveness or bring about its overthrow or destruction." That is strong talk, when you cannot have the slightest idea what, in this instance, you are talking about.

Sen. Hugh Scott likewise pronounced it as "apparently a political bombing," and then went on to deplore the way its effect is "likely to be exaggerated" at home and abroad. "They won't realize that it's one bomb in one washroom." Well perhaps they won't—and maybe they shouldn't, if it was in fact a "political bombing," in the sense of a concerted act by an important revolutionary force. Or if, as the Vice President put it, it was "a calculated act of outrage which will be neither tolerated nor condoned by Americans who value our system and its institutions."

Although we cannot accept the implications in Senator McGovern's altogether divergent and in many ways overdone reaction—"it is not possible to teach an entire generation to bomb and destroy others in an undeclared, unjustified, unending war abroad without paying a terrible price in the derangement of our own society"—there is at least something to be said for the theory that excesses breed excesses. And there is something to be said, also for the theory that there is a "derangement"—a sickness of some sort—at work in our society. At its worst, it can lead to fearful violence; in any case, a bomb in a Senate washroom is nothing to be in any way complacent about. But neither is it something that seems likely to yield to the treatment of over-heated rhetoric from men in positions which presumably call for cool leadership in a critical time.

POSTMASTER GENERAL BLOUNT ADMITS IGNORANCE ON PASSPORT ERRORS

(Mr. GROSS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include a newspaper article.)

Mr. GROSS. Mr. Speaker, I have been increasingly alarmed over the headlong and heedless manner in which the State Department has been pressing its plans to have passports issued by Post Office employees.

I have endeavored to keep in close touch with developments in this area because I had hopes that both the Post Office and the State Department would see the errors of this plan and put a halt to it.

It now appears, however, that the Post Office ignored the repeated warnings given to it by the Director of the Passport Office that postal employees were making far more than the previous number of errors in processing passport applications.

Moreover, postal officials—including Postmaster General Blount—apparently were misled by high State Department officials into thinking that their employees were doing a fantastically good job of processing passport applications.

They were not. For example, during one 30-day period in the 6-month test, the Houston, Tex. post office had a 33.4 percent error rate.

This occurred, of course, in what is the slack season for passport applications. You can imagine what may happen when already harried postal employees are deluged with the tidal wave of applicants planning to go abroad this summer.

Mr. Speaker, there is no earthly reason to put yet another burden—the processing of passport applications—on the shoulders of those Government employees who already have to struggle with the workload of what is probably the most inefficient department in this Government.

We already have a Passport Office that has a proven record for efficiency.

I suspect, if the truth were known, the plan to put the Post Office in the travel business is nothing more than some State Department bureaucrat's latest effort to get rid of the Director of the Passport Office, Miss Frances Knight.

A story in the February 26, 1971 edition of the Des Moines Register quotes a Post Office official as saying the Department wants to take another look at the State Department plan for processing passport applications.

I hope the second look will be considerably more thorough than the first one.

Mr. Speaker, I include the newspaper article for insertion in the RECORD at this point:

POSTAL BOSS "NOT AWARE" OF ERRORS ON PASSPORTS

WASHINGTON, D.C.—Postmaster General Winton Blount said Thursday he had no idea the error rate was running about 15 to 18 per cent on applications for passports handled by postal employees in the last six months.

A Post Office Department spokesman said Thursday that the department had received 30 letters from Miss Frances Knight, director of the passport office, calling attention to a great increase in errors since processing of applications has been taken over by postal employees in 11 cities.

William Dunlap, deputy special assistant to Blount, said that "we have been receiving letters from Miss Knight's office, but we had never bothered to add them up."

"GREAT JOB"

"We tried to follow through on the specific problems as they arose, but we had no notice that statistics showed this margin of error," Dunlap said. "The only thing we had been hearing from (Miss) Barbara Watson (director of the Bureau of Security and Consular Affairs) was that we were doing a great job.

"The secretary of state (William P. Rogers) had also told Blount that he thought we were doing a good job," Dunlap said. "We are going to try to find out what is going on here."

The test program involves 19 post offices in 11 cities in Connecticut, Texas and Michigan.

Only a week ago Miss Watson told a meeting of the International Aviation Club that "the results of the pilot project have been encouraging.

"It now seems likely that use of post offices to accept passport applications will be expanded nationwide to some 500 cities by the end of 1971, and ultimately to 4,000 first-class post offices," Miss Watson said.

Dunlap said the Post Office Department was unaware of the State Department plan for such fast expansion, and would want to take another look at the error rate.

KEPT ADVISED

Miss Knight has kept Miss Watson's office advised of the fact that the error rate on passport applications was less than 5 per cent prior to being turned over to the Post Office Department.

It has been Miss Knight's contention that the initial acceptance of passport applications is one that requires considerably more skill than postal employees have.

She has warned her State Department superiors that the error rate has been so high that it makes the whole passport system vulnerable to organized crime and subversives.

In July, 1970, the number of passport applications with one or more errors was 20.3 per cent. In October, errors dropped to 13.9 per cent. They were up to 20.3 per cent in December and 18.9 per cent in January.

The general post office in Houston had a 34.4 per cent error rate—one in three applications—for January. Only in one small post office was the error rate less than 5 per cent. Willimantic, Conn., had a rate of only 2.6 per cent.

(Mr. MORSE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

RESOLUTION IN SUPPORT OF A MODEL CITIES PROGRAM

Mr. MORSE. Mr. Speaker, I am privileged today to join my distinguished colleague from Massachusetts (Mr. BOLAND) in introducing a concurrent resolution expressing the sense of Congress in support of a model cities program to train unemployed scientists, engineers, and returning servicemen for jobs in local government. A similar resolution has been submitted to the other body by Senator CHILES and Senator BROOKE. We are presently soliciting cosponsors for this resolution, which we will reintroduce as soon as the list is completed.

I am sure all would agree that two of the most pressing issues in the country today are unemployment and urban decay. Tens of thousands of highly-trained scientists and engineers are unemployed and veterans returning from Vietnam are unable to find jobs, while our cities are searching desperately for the trained manpower to help them cope with mounting problems.

In response to these needs, the Assistant Secretary for model cities of the Department of Housing and Welfare has developed an imaginative program which would recruit, train, and place in municipal jobs up to 1,500 persons from the defense and aerospace industries and up to 500 returning servicemen. This demonstration project can be supported by funds already available in the model cities program and would not require additional appropriations.

Mr. Speaker, this program is well conceived, soundly developed and well designed to meet some of our country's vital needs. While modest in its initial scope, it represents an important step toward redirecting our national energies to areas of rising priority. I hope that my colleagues will agree in urging that it receive the full support and cooperation of the administration.

The resolution reads as follows:

CONCURRENT RESOLUTION

Whereas the Congress authorized the Model Cities Program by Title I of the Demonstration Cities and Metropolitan Development Act of 1966; and

Whereas participating state and local governments have taken, through the Model Cities Program, significant steps to improve their capacity to effectively plan and manage the distribution of scarce public resources; and

Whereas one of the roadblocks impeding full achievement of Model Cities objectives as well as the objectives of other Federal programs in the difficulty of state and local governments in attracting qualified personnel; and

Whereas the large number of unemployed defense and aerospace related scientists and technicians and the growing number of "Vietnam era" GIs now being separated from the various services provides the Administration with significant opportunities to assist state and local governments in meeting existing and anticipated personnel needs; and

Whereas a number of Model Cities have initiated with success specific programs to retrain and hire returning GIs and whereas Model Cities initiated in the spring of 1970 an innovative pilot program which led to the recruitment and retraining of "non-urban trained" professionals for placement in positions with city governments throughout the country; and

Whereas it is proposed that the Model Cities Program be the vehicle to recruit, place and train on the job up to 1500 participants from the aerospace industry and 500 returning GIs in positions in state and local governments; and

Whereas the Model Cities sponsored program will provide the Federal government with a prototype model or system susceptible of replication: Now, therefore, be it

Resolved by the Senate of the United States (the House of Representatives concurring), That it is the sense of the Congress of the United States that the Model Cities Program should be used to develop and demonstrate a nationwide system to recruit, place and train on the job, out of work aerospace individuals and homeward bound servicemen, and place them in vacant positions in state and local governments, and that the Administrtaion should pledge its cooperation at all levels in helping to carry out the program.

THE SPECIAL REVENUE SHARING PROGRAM

(Mr. McCLORY asked and was given permission to address the House for 1 minute, and to revise and extend his remarks and include extraneous matter.)

Mr. McCLORY. Mr. Speaker, the shadow of crime fell across all Americans long ago. It has been lifted, in part, during the past 2 years, and our efforts must not flag now. It is my conviction that the goal of nationwide crime reduction can be reached quickest through the special revenue sharing program for law enforcement submitted to Congress today by President Nixon.

While crime has grown into a national problem and a nationwide concern, the fact remains that the responsibility for the control of crime rests solidly with State and local governments. It has always been so in our country, and it must remain so.

Even if it wanted to do so, the Federal Government cannot patrol all of our streets or conduct every trial or operate every prison. Logic and tradition have placed those functions where they belong, at the State and local levels where they are close to the people and responsive to the needs of the people.

To assist States and localities in crime control, Congress created the Law Enforcement Assistance Administration in 1968. Its role is to help fashion criminal justice improvements through financial and technical assistance.

I feel the LEAA program, under the leadership of the Nixon administration, has brought substantial benefits to the country. A statewide crime control program is now a reality in every State. While the program has worked well, it can foster even greater results—through the special revenue sharing program proposed today by the President.

At present, most of LEAA's funds go to the States in block action grants—the formula presently calls for 85 percent of the action funds to be awarded in block grants, with the remaining 15 percent given at LEAA's discretion. This is a program developed by the Congress itself.

That apportionment strikes me as a fair one, and it would be retained under special revenue sharing. However, what does not strike me as particularly appropriate is the present requirement that States and localities must provide matching funds. For most LEAA-sponsored projects, the formula now calls for the Federal Government to contribute 75 percent of the funds for a project's cost, with the State-local share at 25 percent.

Anyone who has studied our cities, counties, and States knows beyond a shadow of a doubt that they are hard pressed to find revenues for improvement of vital public services. Under the President's special revenue sharing program, the matching requirement would be eliminated for State and local governments for action funds. In addition and more importantly from my point of view, in the case of block grant funds, State and local governments would have total responsibility on how the money was used.

We are, and we should discard old methods in favor of new approaches that will produce needed results, that will give all of our citizens the protection against crime that is theirs by right.

Some critics of revenue sharing contend it merely will give funds to governmental units which have not measured up in the past. I reject that argument, for revenue sharing will bring Government closer to the people; and by becoming closer, it will meet their needs in ways that reality dictates.

President Nixon's special revenue sharing program will help to rekindle both the efforts and imaginations of State and local officials throughout the Nation. I urge early and affirmative action by the Congress.

Mr. Speaker, I want to add my support for expanding the activities of National Institute of Law Enforcement and Criminal Justice. This research arm of the LEAA offers excellent opportunities for improving the techniques of reducing crime. The National Institute can provide the leadership and example from which all levels of government can benefit.

THE NATION'S CAPITOL—THE NEW BATTLEGROUND

(Mr. RARICK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RARICK. Mr. Speaker, the war has now been brought home, and quite dramatically, with a civil rights worker losing his nonviolent cool and touching off a high explosive in the Capitol Building. Few should be surprised at this domestic acceleration in violence since our police and security officers have reported to us for several years that the civil rights movement, aided in some instances by OEO funds, was conducting classes in explosives, bombs, and other fright mechanisms to intimidate and vilify the American people.

It is most difficult to see how a ghastly explosion in the bowels of our Nation's Capitol could possibly be considered dissent, a protest for equality, or constructive rebuttal, but then few of the new left teachers start with logical premises or conclude with reasonable conclusions. Suffice it to say that such revolutionary teachings emphasize destroying the past to rebuild for the new future.

I even dare suggest that if the Capitol bomber is ever apprehended, the apologists will further defame the United States by treating him or them as some kind of hero of the new left. In fact, it may even remove Angela Davis from the front page.

The most amazing lack of developments is that none of the liberals has as yet demanded the resignation of J. Edgar Hoover as has been the usual diversionary tactic. But, Bernadette Devlin, a self-avowed Communist and convicted advocate of violence in her own country and against her own people, remains on tour in the United States by courtesy of a license given by the U.S. State Department.

This present act of aggressive warfare against our Nation has resulted in the greatest amount of damage to the Capitol since the burning in 1814 by an alien military force. It was Reds in 1814 also—Redcoats, that is.

Symbolically this bombing was directed against the American people and their form of government. National public indignation can be expected to be swift, certain, and outspoken.

I insert a related news clipping in the RECORD:

[From the Washington (D.C.) Evening Star, Mar. 1, 1971]

CAPITOL DAMAGED BY BOMB; SENATE KEEPS SCHEDULE, BUT BANS VISITORS

A bomb early this morning exploded in a room in the ground floor of the U.S. Capitol's Senate wing, causing severe damage.

A half-hour before the explosion, the Capitol switchboard received an anonymous warning, which tied the opposition to the Indochina war.

Bomb experts were trying to identify today the explosive device which detonated in a washroom about 100 feet from the Great Rotunda at 1:32 a.m., damaging at least 10 nearby rooms.

ARCHES CRACKED

Mario E. Campioli, the assistant architect of the Capitol, said that a number of load-bearing hallway arches were cracked when they were lifted by the blast. However, he said that as far as could be determined, there were no new cracks today in the West Front, already braced because of structural weakness.

The Senate chamber itself was not damaged and the Senate reconvened as scheduled at 10 a.m. Visitors were admitted to the House side and the Rotunda, but only authorized persons were allowed into the Senate side.

Capitol police were inspecting packages of all visitors and requiring some to present identification.

The bomb's force was such that it blew out skylights several floors above. No one was injured.

ANONYMOUS CALL

About 1 a.m. a telephone operator at the Capitol received a call from an anonymous man who, according to Metropolitan police, said:

"Evacuate the building. You may have received other calls like this, but this one is real. Evacuate the building immediately. This is real. This is in retaliation for the Laos decision. The bomb will go off in 30 minutes, 0130."

The message was received by Capitol operator Norma J. Fullerton at 1:00 a.m. exactly, according to the police communications and records division.

A force of 30 Capitol policemen promptly started a search of the building and were the only persons in it when the bomb went off.

"It was a hell of an explosion," said one guard. "You'd have to be deaf if you didn't hear it inside the building," said another, "but you couldn't hear it outside."

A similar bomb threat was received about 1 a.m. Saturday, a Representative said, but police found no bomb.

OPEN UNTIL 5 P.M.

The building was open to the public until 5 p.m. yesterday, he said, and the washroom, situated down a narrow, side corridor and unmarked, was left unlocked.

Capitol Police Capt. James Trollinger said that although the washroom has been used mostly by senators and their staff members, others could have entered it. "The door's never been locked to my knowledge," he said.

The Capitol is open seven days a week and ordinarily visitors must produce identification and passes only after the normal 5 p.m. closing time.

A policeman assigned to the Senate side recently told a reporter that it is almost impossible to protect the building from bombers without closing it to the public.

"Anyone can walk in here," he said, "walk into a men's room, hide a bomb in a waste can or behind a stall and walk right out again.

"Even if we knew there was a bomb in the building, there are so many places to hide it, it would be all but impossible to find it."

Trollinger said there are about 585 members of the Capitol police force and that it has 40 vacancies.

Capitol Police Chief James Powell said security was immediately increased today. Police for the first time, were checking all packages today and requiring employes to sign in and denote their destination.

Albert was one of a number of persons who had to sign in with police at an entrance to the Capitol on the House side as he arrived today.

This precaution was taken at tunnel entrances, but reporters noted that the public was entering the Capitol freely through the main doors to the House side and the rotunda.

Only authorized persons were admitted to the Senate side, however, and all were required to present identification.

Public officials, including President Nixon, expressed shock and outrage at the bombing. Many senators called for increased security precautions at the Capitol, but stressed that the public should continue to have free access to the building where they can see democratic processes at work.

The President said security measures at the Capitol should be improved, perhaps along the pattern of the Executive Protection Service, which protects foreign diplomatic buildings, Ziegler said.

He said Nixon plans to offer the training facilities of the Executive Protection Service and the Justice Department to police.

The heavy plate glass atop the East Front entrance to the Senate wing, though supported by wrought iron grillwork shattered—the only sign from the outside that something was amiss within the building.

At the site of the blast itself, nothing remained of the interior of the 12-by-12 foot men's lavatory. Sinks, urinals and toilets were pulverised, the concrete floor broken into large rocks and two of the masonery walls bulged.

No door within 50 feet of the washroom was intact, and bits of wood were embedded in the corridor walls. The barbershop adjacent was pelted with flying doors, window-frames, tiles and bricks. It was pockmarked with debris.

RUBBLE SIFTED

The inside windows to the Senate dining room 100 feet from the blast were shattered, but workers still busily set tables for breakfast. Moving away from the site, the signs of the blast diminished quickly, possibly because most of the force of the explosion must have been absorbed by the massive masonry of the room itself.

A half-dozen FBI experts worked on their hands and knees sifting through the rubble, much of which was as fine as coffee grounds, searching for some piece of metal or other clue to the bomb itself.

Strangely the lights worked, the wiring even a few feet from the room itself seemed intact; heating pipes and other conduits below the floor also were undamaged.

By the time the press was admitted to the bomb scene, workers and police had five hours of cleaning behind them. Curtains were drawn over broken glass wherever possible, broken doors were removed, mountains of plaster and brick were piled neatly along the short corridor leading to the washroom.

But there was no disguising the wall that had been pushed a foot and a half out of line or the raw wood splintered at every doorway.

Ceiling cracks were visible within a radius of 30 feet from the room where the bomb exploded, but only an engineer or architect could accurately assess the impact on the old mortar, the sandstone walls or the underpinning of the blast area.

Thomas Clancy, supervising engineer for the architect of the Capitol, said workmen were still investigating the degree of the damages.

The second floor—where the Senate chamber is located—escaped with almost no damage. A few prisms from chandeliers in the corridor fell to the floor and shattered and one statue was partially jarred from its base, but there was no other visible damage.

Architects apparently plan to duplicate the damaged items as much as possible. One workman was labeling wooden window frames by window and section and said they would be discarded once they were duplicated.

Almost as soon as the bomb exploded, experts from the District police, the FBI and Army demolition squads swarmed through the building and over its grounds, looking for evidence.

The blast occurred in a room off a small rotunda open to the public, which is next to the chamber beneath the Great Rotunda. The barbershop site is next to a Senate Appropriations Committee hearing room.

The bombing was the Capitol's first since July 1915 when a device left in the Senate Reception Room exploded during the night.

A man named Frank Holt, who the next day wounded financier J. P. Morgan at Glen Cove, N.Y., confessed to having planted the bomb as a protest over arms sales to allies during World War I.

[From the Washington (D.C.) Evening Star, Mar. 1, 1971]

TOURISTS VISITING CAPITOL HAVE FACED FEW REGULATIONS

Until today's bombing, the 1 million or so tourists who visit the U.S. Capitol annually have been free to go anywhere in the building between 9 a.m. and 4:30 p.m. except private offices and the floors of the two chambers.

Capt. James Trollinger of the Capitol Police said he had no word on whether this policy would be changed, but seven hours after the explosion only employees and press were allowed to enter the building on the Senate side.

Trollinger said at midmorning that, except for today's restriction of visitors on the Senate side, no new security regulations for the Capitol had been issued.

He added, however, that Capitol police and Senate officials would be conferring through the day on the need for any long-range changes in building security policy.

A "building check" normally is carried out at 4:30 p.m. when the structure closes for the day, Trollinger added. Although he did not specify procedures, he said the men look for "anything that doesn't belong where it is."

The only regulations on visitors, he said, apply in the Senate and House galleries, considered part of the chambers. Visitors are not allowed to carry cameras or packages of any type into them, he said, except women are allowed to retain their purses.

THE ISSUE—HIGH INTEREST VERSUS LOW INTEREST RATES—THE 92D CONGRESS SHOULD AVOID THE HIGH-INTEREST TAG

The SPEAKER pro tempore (Mr. GONZALEZ). Under previous order of the House, the gentleman from Texas (Mr. PATMAN) is recognized for 60 minutes.

Mr. PATMAN. Mr. Speaker, before the patient—the American public—has recovered from the high fever of the highest interest rates in the history of this land, the Nixon administration is proposing that he be pushed out into the cold once again.

That is the sum and substance of the

proposal to allow $10 billion of long-term Government securities to be marketed without regard to the congressionally imposed ceiling of 4¼ percent. This would be a removal—I repeat, a removal—of the 4¼-percent ceiling which has been in effect for 53 years.

Removal of this ceiling—under the guise of this $10 billion back door scheme—would reverse the trend toward lower interest rates and saddle the American public with another round of tight money and high interest rates. The trend toward lower rates is just beginning to trickle down to the consumers, the farmers, and the small businessmen. Now, the administration—through its Secretary of the Treasury, John Connally—proposes that the Congress go along with an ill-timed, poorly thought-out scheme to wipe out the 4¼-percent ceiling.

The administration's gall stems from the belief that the people have a short memory. The administration believes that the American people—now that interest rates have begun to decline—will forget about the hardships of 1969 and 1970 when interest rates rose and hung at the very highest levels ever recorded in the history of this Nation. The administration believes it can sneak this legislation through the Congress while the people are deceived into thinking that we are headed toward a low-interest policy.

Mr. Speaker, the American people are not as easily deluded as the Nixon administration thinks. The people well remember the disastrous effects of the high interest charges of 1969, and millions are still suffering from the consequences of these high-interest policies. The American people know that the 4¼-percent ceiling is a congressional mandate for low interest and they will not be fooled with high-sounding phrases about debt management, the bond markets, and the sad tales of the overworked Treasury officials.

Even if Secretary Connally has forgotten his democratic upbringing, let me assure this House that the people of the United States have not forgotten what the 4¼-percent ceiling on long-term Government obligations means.

Not only is the Nixon administration attempting to fool the American people, but it also believes that it can pull the wool over the eyes of the 435 Members of this House. Secretary Connally—carrying out the will of the White House—is perfectly willing to have the 92d Congress serve as the fall guy for any future interest rate increases—any increases which occur over the next 2 years. If the Congress allows the 4¼-percent ceiling to be broken, it will be blamed—and rightfully so—when interest rates go up later this year.

I hope there are no Members—be they Republicans or Democrats—who will want to carry a high-interest tag into the 1972 elections.

Mr. Speaker, the amazing thing about this proposal is that the Congress is forced to repeatedly relive history and to reeducate the executive branch. Once before, we had a Secretary of the Treasury—who once bore proudly the label of Democrat—who joined a Republican administration and who quickly trotted up to Capitol Hill with a grandiose scheme to wipe out the 4¼-percent ceiling. This man was Robert B. Anderson—who I must admit was also from Texas.

He tried to sell the Congress in 1959 and 1960 on the wonders of allowing the debt managers to market long-term Government securities without regard to interest rate ceilings.

In fact, Mr. Speaker, it appears that Secretary Connally has found former Secretary Anderson's speech file at the Treasury Department. The similarities are startling. The phrases are the same. The proposal is almost identical. It just happens to be the Nixon administration instead of the Eisenhower administration.

But, my friends, it is a Democratic Congress. It was a Democratic Congress in 1959 and 1960 which turned down Secretary Anderson's ill-conceived scheme. We still have a Democratic Congress and it will be a Democratic 92d Congress which rejects—in overwhelming numbers—this latest proposal to impose high interest rates on the people of the United States.

Mr. Speaker, I hope the Members of this House who were not here in 1959 and 1960 will go back to the CONGRESSIONAL RECORD and review the debates that took place at that time. The Democrats won that fight and I am convinced that the action of the House of Representatives was a major factor in the great Democratic victory of 1960.

In 1960, the Democratic Party stated in its platform:

> The Republican high-interest policy has extracted a costly toll from every American who has financed a home, an automobile, a refrigerator or a television set.
>
> It has foisted added burdens on taxpayers of State and local governments which must borrow for schools and other public services.
>
> It has added to the cost of many goods and services, and hence has been itself a factor in inflation.
>
> It has created windfalls for many financial institutions.
>
> *The $9 billion of added interest charges on the national debt would have been even higher but for the prudent insistence of the Democratic Congress that the ceiling on interest rates for long-term Government bonds be maintained.*

Mr. Speaker, I hope that my Republican friends will forgive me for recalling the good deeds of the Democratic Party in the late 1950's. Let me say that I realize that there are many good Republican Members on this floor who deplore high interest rates and I hope that they will be with us tomorrow afternoon when we vote down this back door scheme to wipe out the 4¼-percent ceiling. I hope that my Republican friends do not repeat the mistakes of some of their colleagues of the late 1950's.

In the past few days, I have talked privately with some of these Republican Members and I am convinced that they plan to resist the strong pressure from downtown on this issue. This issue—here in 1971—need not be a partisan issue unless the Republican leadership desires to make it so.

The American people will divide the issue in clear terms—high interest rates versus low interest rates. That will be the division which will be recorded for the people to analyze and study in the coming months.

Mr. Speaker, it is no secret that some of the experts are predicting another jump in the prime interest rate later in the year. If this happens—and if we remove the 4¼-percent ceiling—it will be very difficult—if not impossible—for the 92d Congress to wipe off the tag of "the high-interest Congress."

The sad thing about this proposal is that the administration—and the debt managers down at the Treasury—have absolutely no need for this new authority. Secretary Connally all but admitted this fact in his testimony before the Ways and Means Committee. In fact, the testimony—as printed by the Ways and Means Committee—shows plainly that Secretary Connally was surprised that the committee was willing to go along with the scheme. He was so surprised that he failed to bring the facts and figures to document his request.

But for some reason, this sad little effort has reached the floor of the House. The House can do a great service to Secretary Connally and the Nixon administration by firmly rejecting this proposal and burying the issue for the rest of this Congress.

Secretary Connally was extremely vague about the interest rates which might be charged the taxpayer if the Government went into the long-term market without the congressional restrictions involved in the 4¼-percent ceiling. Caught by surprise, Secretary Connally has said that the interest rates on long-term obligations would be "somewhere in the ballpark of I would guess 6 percent, 6½ percent, in this general range."

This is startlingly imprecise language for a Secretary of the Treasury who is making a proposal which might cost the taxpayers billions and billions of dollars in added interest charges.

But accepting Secretary Connally's instant economics, it becomes quickly apparent just how bad a deal the proponents of this legislation are attempting to foist on the American public.

Last week, the Treasury Department marketed short-term obligations for around 3½ percent—or 2½ percent to 3 percent below what Secretary Connally is proposing in the long-term market. Mr. Speaker, it takes no great expert to come up with the conclusion that 6½-percent interest is more than 3½-percent interest.

Mr. Speaker, I place in the RECORD a clipping from the Washington Post of Tuesday, March 2, which establishes the low interest available on short-term Government borrowings:

TREASURY BILL RATE HITS 7½-YEAR LOW

> The costs to the government for short-term borrowing continued to fall this week, as Treasury bill rates dropped to their lowest point in seven and a half years.
>
> For 91-day bills the rate was 3.347 per cent, down from 3.497 last week and at the lowest point since Sept. 9, 1963, when the rate was 3.343 per cent. A total of $1.9 billion 91-day bills were sold.

> For 182-day bills, of which $1.4 billion were sold, the rate fell to 3.467 per cent, down from last week's 3.590 per cent, and also the lowest since Sept. 9, 1963, when it was 3.460 per cent.

Based on the proposed borrowing of $10 billion, this interest rate differential—between long term and short term—would cost the taxpayers about $300 million in added interest charges annually. The additional costs, of course, would eventually be much larger than this since once the ceiling was broken we would have a flood of long-term securities issued at high interest rates.

Actually, Secretary Connally's estimate of 6 percent to 6½ percent may well end up being highly conservative. Since Secretary Connally made his public announcement about removing the 4¼-percent ceiling—the long-term bond market has worsened drastically.

Last Sunday's New York Times states:

> By the early part of last week, interest rates on high-grade corporate bonds had jumped nearly a full point from the low levels reached in early February.

Similar analysis—indicating the worsening condition of long-term markets—have appeared in the pages of the Wall Street Journal and the financial pages of other major publications across the land. The situation undoubtedly will get worse in coming weeks since corporations are expected to enter the long-term market to make borrowings in excess of $3½ billion during the month of March. This will be a recordbreaking bond offering by corporations.

Yet we have an administration which is asking the Congress to push the Treasury Department out into this crowded and uncertain long-term market.

It is highly regrettable that Secretary Connally appeared before the Ways and Means Committee without any economic data to indicate the impact of massive long-term borrowings by the Federal Government. I do not think that the House of Representatives should consider any piece of legislation when the proponents of the measure can give no inkling as to its effect on the public.

It is regrettable that Secretary Connally—and his battery of Treasury experts—did not discuss with the Ways and Means Committee the serious impact of long-term Government borrowings—at high interest rates—on local and State governments. Local and State governments, including school districts, are entering the bond markets in growing volume after a long drought created by high interest rates and tight money. Now, the administration proposes that the Federal Government enter this same long-term market, pushing out local governments and stopping thousands of badly needed projects.

If this proposal to eliminate the 4¼-percent ceiling goes through, there will be hundreds of schoolhouses, water and sewer plants, and urban renewal projects canceled. It is ironical that the Nixon administration—which is proposing revenue sharing with the States—would turn around and suggest something which would sop up the available funds for local and State entities.

The home buyer—who has suffered mightily in this high-interest period—is similarly hurt by the 4¼-percent proposal. The home buyer is seeking long-term money—25- and 30-year mortgages—and the Federal Government is threatening to siphon off this credit. Certainly the Congress owes the long-suffering home buyer more.

Mr. Speaker, long-term borrowings by the Federal Government tend to sop up credit and to dampen economic development. We already have well in excess of 6 percent unemployed and this current proposal, if successful, will drive more people into the unemployment ranks.

Members of the House should realize that long-term savings are in short supply and that the long-term market has a very limited liquidity. When the Federal Government enters the long-term market—particularly in periods of high interest rates—it becomes a vicious competitor with long-term investments which create jobs and which provide funding for schools, jobs, urban renewal, water and sewer plants and similar projects.

In contrast, the short-term market is by definition much more liquid and better able to handle Government borrowings without creating serious and adverse conditions for public projects and job-creating businesses.

In their desperate effort to sell this scheme, the proponents have spread many misconceptions about the 4¼-percent ceiling. We have heard a lot about so-called debt management. There have been claims that the 4¼-percent ceiling makes debt management difficult.

If the proponents are saying that the 4¼-percent ceiling make it difficult for the debt managers to impose high interest rates on long-term Government borrowings, they are quite correct. The 4¼-percent ceiling is intended to make it difficult for the debt managers to lock in high interest rates which the taxpayers would have to pay over the 20-, 30-, 40-, and even the 50-year life of long-term bonds.

The Congress never intended to make it easy for the bureaucrats in the debt management office to gouge the American taxpayer. I am much less concerned about the difficulties of the debt managers than I am in the interest bills that the taxpayers will have to pay. If marketing short-term Government securities takes 10 minutes off of the golf games of the various debt managers, I think the Federal Government will still survive.

However, Mr. Speaker, the 4¼-percent ceiling does not prevent the Federal Government from entering the market to borrow the money it needs. The Treasury Department has ample authority to borrow in the short-term market. It can market bills and notes of any kind so long as the maturities do not exceed 7 years. In 1967, the Congress lengthened the definition of a note from 5 years to 7 years and the Treasury Department has yet to make full use of this new authority.

The Congress is not prohibiting the Nixon administration from marketing long-term Government obligations. It is just preventing the administration from marketing the bonds at high interest rates. The 4¼-percent ceiling does not prevent marketing of long-term bonds and the Nixon administration will be able to market all of these types of obligations just as soon as policies are adopted which will drive down interest rates in the long-term market. Retention of the 4¼-percent ceiling is an incentive for the debt managers to pursue and promote policies which will drive down long-term rates. It is wise for the Congress to keep this incentive in the law.

The Treasury Department was able to market long-term Government bonds within the 4¼-percent ceiling until interest rates started skyrocketing in mid-1965. During the 1965–71 period, the Federal Government—as the Congress intended—had had to drop out of the long-term market. It can come back into this market just as soon as the long-term rates drop.

The proponents of this legislation—and I do not blame them—have grasped at various straws to support their case for higher interest rates. The hearing record cites a one-paragraph letter from various former Secretaries of the Treasury—none of whom appeared to answer questions. The proponents have put much stock in the view of these former Secretaries without informing the public or the Congress that these former officials are today commercial bankers, investment advisers, or investment bankers. In one case—David Kennedy—the former Secretary is still a member of the administration and it would be most surprising if he did not support the administration position on the 4¼-percent ceiling. These former Secretaries of the Treasury are all honorable men but it would be amazing if they went against the position of the banking and financial community which now pays their salaries.

In fact, the hearing record contains letters from the American Bankers Association, the Investment Bankers, and similar financial organizations urging that the Congress stick the consumers with higher interest rates through removal of the 4¼-percent ceiling. This has been the traditional viewpoint of bankers through decades of monetary policy.

Unfortunately, the many consumer, labor, and rural organizations—which represent people—were not represented in the hearing record which is being distributed in support of this legislation. All of these groups oppose—in strong terms—the removal of the 4¼-percent ceiling. These groups include:

The AFL–CIO; the United Auto Workers; the Cooperative League of the USA; the National Rural Electric Cooperative Association; the Consumer Federation of America; the National Rural Housing Coalition; the National Farmers Union; the National Council of Senior Citizens.

Mr. Speaker, I place in the **Record** copies of various telegrams and letters which have been received from some of these organizations:

AFL–CIO,
Washington, D.C., March 1, 1971.
Congressman Wright Patman,
U.S. House of Representatives,
Washington, D.C.:

The AFL–CIO strongly urges defeat of section 3 of H.R. 4690 which would allow long term Government obligations to be marketed without regard to interest ceiling. At a time when interest rates are falling on long term loans, it would be counterproductive to the Nation's economic interest to end the longstanding 4¼-percent rate. American working men and women are now paying the heavy cost of inflation and should not be called upon to pay further the cost of unneeded higher interest rates on Government borrowing.

Andrew J. Biemiller,
Director, Department of Legislation.

United Auto Workers,
February 22, 1970.

UAW strongly opposes lifting interest rate ceiling on $10 billion of long-term Treasury bonds. We believe such action would be unduly costly, and would have detrimental effect on home mortgages and state and municipal bond markets. We urge your Committee to reject Treasury proposal.

Leonard Woodcock,
President.

The Cooperative League of the USA
February 22, 1971.

On no subject during its 55-year history of working in behalf of rural and urban consumers has the Cooperative League of the USA been more consistent than it has in opposing high interest rates which strike at the health of the entire national economy, but especially at those on low and fixed incomes who are least able to cope with the immediate devastating effects of any relaxation of interest rate controls.

These include the young newly married couples seeking homes, the elderly trying to make it on small pensions, and the poor of any age.

At its most recent biennial Congress in New York this position was restated in a unanimous action when the Congress declared:

"The Cooperative League believes that a high-interest, tight-money policy in no way benefits the general welfare, but has the effect of stifling economic activity and growth. Cooperatives and small businesses are especially handicapped by such a policy, to the detriment of the people they serve."

Therefore, the Cooperative League of the USA can only view with dismay the proposal to remove the long-established interest ceiling in the sale of $10 billion in long-term government bonds at a time when interest rates are declining for all types of government commitments. To reverse this policy in this way will have a wide-ranging effect throughout the economy that will cost every consumer in ways he cannot afford.

[Copy of Telegram]
National Rural Electric
Cooperative Association,
February 23, 1971.

National Rural Electric Cooperative Association is strongly opposed to the proposal which would allow the Treasury Department to issue $10 billion of long-term government securities without regard to the traditional and statutory 4¼% interest rate ceiling on such borrowings. The nearly 1,000 rural electric cooperatives serving some 24 million rural people are on record against a high interest rate policy because of its detrimental effect on farmers, small businessmen, homeowners and on economic development both in rural and urban America. The proposal to by-pass the interest rate ceiling on some Federal borrowings would set a bad precedent that has serious implications for our national economy, which is already suffering from the general high level of interest rates. We strongly urge that the existing 4¼ per cent ceiling remain in effect on all Federal long-term borrowings.

Robert D. Partridge,
General Manager.

Consumer Federation of America
February 26, 1971.

"Consumer Federation of America believes the consumer has a responsible role in the American economy. We have consistently supported low interest rates. We organized the Emergency Committee for Low Interest Rates in 1969 and through this coalition sought to inform both the Congress and the Administration of our concern.

"I am writing you on behalf of CFA's 190 member organizations whose members are in every state and number in the millions. We are deeply disturbed at efforts to allow the Federal Treasury Department to issue $10 billion of long-term government securities without regard to the statutory 4¼% ceiling. To lift the ceiling on long-term government debt and allow interest rates to soar for future generations seems to us an irresponsible position for this country to take.

"We urge you to lead the fight in the House of Representatives against efforts to repeal the 4¼% ceiling."

Mrs. Erma Angevine,
Executive Director.

The National Rural Housing Coalition
February 23, 1971.

The National Rural Housing Coalition urges you to oppose the Administration's effort to lift the ceiling on the interest rate on long-term Federal bonds. This 53-year-old ceiling represents a Congressional commitment to reasonable interest rates and such a commitment is of vital importance to housing. Interest charges constitute at least one-fourth of monthly housing costs and have been one of the most rapidly rising components in recent years. To allow the Treasury to lock the public into paying higher rates for long-term borrowings would not only be a disservice to taxpayers, it would represent a Congressional sanction of high interest rates and of the damage they do to achievement of our national housing goals.

For far too long the Congress has abdicated its responsibility to "Coin money and determine the value thereof." The interest rate ceiling is the last vestige of its constitutional responsibility.

Clay L. Cochran,
Chairman of the Board.

[Copy of Letter]
National Farmers Union
February 26, 1971.

High interest rates have consistently hurt the farmers and rural citizens across the land. We strongly oppose any tampering with the 4¼% ceiling on long-term obligations of the Federal Government. Removal of the ceiling would help to drive up interest rates throughout the economy and would be another serious blow to the family farmer.

In addition, removal of the 4¼% ceiling would place the Federal Government in direct competition with local communities and state governments which are seeking to finance badly-needed projects after years of tight money and high interest rates. Rural development would be set back for years if the Federal Government was allowed to enter the long-term market at prevailing interest rates.

The Federal Government is able to finance short-term debt for 3½% today and there is no reason to impose long-term debt on the American taxpayer at rates from 6% to 6½%. Removal of the 4¼% ceiling would be a bonanza to the banks and the wealthy and a serious setback for farmers and consumers.

Tony Dechant,
President.

Mr. Speaker, the administration is obviously confused about its monetary and fiscal policy. The testimony before the Ways and Means Committee plainly shows that the administration is not prepared to properly consider long-term financing. Secretary Connally gave only the vaguest kind of answers to the basic questions presented him at the hearing. Several times, members of the Ways and Means Committee pressed the Secretary for facts about the effect of the removal of the 4¼-percent ceiling. The following exchange between the Honorable John Watts of Kentucky and Secretary Connally illustrates just how little the Treasury Department knows about its own proposal:

Mr. Watts. If Congress did raise the interest rates, you would have to come up with some figures that you decided to try an issue on, would you not?

Secretary Connally. Yes, sir.

Mr. Watts. And you would have to come up with some length of time.

Secretary Connally. Yes, sir.

Mr. Watts. And you don't have those figures now?

Secretary Connally. No, sir, I do not.

Mr. Watts. And you didn't want to go to that trouble until you have the authority to do it; is that right?

Secretary Connally. I didn't want to presume too much on the committee, Mr. Watts. This rate had not been changed since 1918, and I frankly didn't think I was going to be so persuasive as to be able to accomplish it this morning.

Mr. Watts. You came up with the expectation of not getting it?

Secretary Connally. No, sir. Not today.

Mr. Speaker, the administration also seems totally confused about the interest rate picture. The testimony before the Ways and Means Committee found Secretary Connally walking on all sides of this vital question. First, Secretary Connally stated:

> I will not attempt to forecast interest rates. But I must express my conviction that it would be imprudent to refrain entirely from medium or long-term financing in the hope that market rates will soon decline to a level that would make such financing practicable within the current ceiling. The possibility of increases, as well as the hope of declines, must be considered in appraising possible costs.

Then later in the same hearing, Secretary Connally said:

> I would assume that with interest rates declining as they are now, that the possibility would exist within the next several months that we could issue some long-term bonds at a very favorable rate of interest.

In one case, Secretary Connally seems to be preparing the Congress for another increase in interest rates; in the other he seems to be attempting to prepare the Congress for a decrease in interest rates. Apparently, the Congress is supposed to guess which is the correct answer.

The administration apparently does not know which way it is leading the country on monetary policy—or which way monetary policy is leading the administration. But apparently the administration wants to drag Congress along as the scapegoat wherever it goes on monetary policy. If it can convince the Congress to remove the 4¼-percent ceiling, the administration knows that the Congress will have to share the blame for any later increases in the interest rates. It is a neat political game that only requires that the Congress play the role of dupe.

Mr. Speaker, the 92d Congress has a distinct responsibility to uphold low interest rates and not to accept administration proposals which would lead to higher rates. Most of this Congress, and this includes quite a few Republicans—ran on platforms calling for low interest rates. Tomorrow, I shall offer a motion to strike section 3 of H.R. 4690. This will delete the provision which would allow the Treasury to market $10 billion of long-term Government obligations without regard to the 4¼-percent ceiling. A vote in favor of the motion to strike will be a vote for low interest rates. We will have a record teller vote and it is important that all Members be present to record their votes for low interest rates. Mr. Speaker, I place in the Record a series of questions and answers regarding the 4¼-percent ceiling:

QUESTIONS AND ANSWERS

Q. Does the 4¼% ceiling on long-term Government obligations prevent the Treasury Department from borrowing to meet money needs of the Federal Government?

A. No, the Federal Government has ample authority to borrow in the short-term market—bills and notes with maturities not exceeding seven years.

Q. What is the effect of the 4¼% ceiling on debt management?

A. The 4¼% ceiling prevents the debt managers from obligating the taxpayers to high interest rates on long-term Government bonds of 20, 30, 40 or even 50 years. It prevents the Federal Government from entering the long-term market when that market is tight and interest rates are high.

Q. If the 4¼% ceiling is retained, when would it be possible for the Nixon Administration to market long-term Government bonds?

A. The Nixon Administration will be able to market all of the long-term Government obligations that it desires as soon as policies are adopted which will drive down rates in the long-term market. Retention of the 4¼% ceiling is an incentive for the debt managers to pursue and promote policies which will drive down long-term rates.

Q. Don't the proponents of removal of the 4¼% ceiling claim that the Federal Government has been unable to market long-term securities in modern times?

A. This claim is false. The Federal Government has marketed long-term obligations within the 4¼% ceiling as late as mid-1965. When interest rates started skyrocketing in the 1965–71 period, the Federal Government—as the Congress intended—had to drop out of the long-term market.

Q. If the 4¼% ceiling were removed, what would be the likely interest charge to the taxpayer on long-term bonds?

A. Long-term Government bonds previously issued are trading in the open market with yields ranging from 6% to 6½%. In testimony before the Ways and Means Committee on February 17, Secretary of the Treasury John Connally said the interest rate on long-term obligations would be "somewhere in the ballpark of I would guess 6%, 6½%, in this general range."

Q. How does 6 to 6½% compare with what the Government is currently financing in the short-term market?

A. There is a large amount of liquidity in the short-term market and as recently as last week, the Treasury Department marketed issues for 3.4% and 3.5% interest. The short-term rates are almost 50% lower than those in the long-term market.

Q. Has the Treasury Department submitted any economic analysis or projections which would indicate the impact of long-term Government obligations issued without regard to the 4¼% ceiling?

A. The Treasury Department has submitted no economic data and Page 24 of the hearing record published by the Ways and Means Committee contains replies from Secretary Connally indicating that no such studies have been conducted. Secretary Connally explained the lack of data in this manner: In a colloquy with Mr. Watts, Secretary Connally explained the lack of data in this manner:

Mr. Watts. You don't have those figures now?

Secretary Connally. No, sir, I do not.

Mr. Watts. And you didn't want to go to that trouble until you have the authority to do it; is that right?

Secretary Connally. I didn't want to presume too much on the committee, Mr. Watts. This rate had not been changed since 1918, and I frankly didn't think I was going to be so persuasive as to be able to accomplish it this morning.

Q. Since the Treasury has not marketed long-term bonds since mid-1965, has the 4¼% ceiling created any debt management problems over the past five years?

A. No, and Secretary Connally is the best authority for this. In his appearance before the Ways and Means Committee, Secretary Connally admitted that the Treasury Department would not have marketed long-term government obligations even if the 4¼% ceiling had been removed.

Q. Is the Treasury Department proposing removal of the 4¼% ceiling because it feels interest rates are declining or is it because they think interest rates are going up again?

A. In the testimony before the Ways and Means Committee, Secretary Connally gave both answers. First, Secretary Connally stated:

"I will not attempt to forecast interest rates. But I must express my conviction that it would be imprudent to refrain entirely from medium or long-term financing in the hope that market rates will soon decline to a level that would make such financing practicable within the current ceiling. The possibility of increases, as well as the hope of declines, must be considered in appraising possible costs."

Then later in the same hearing, Secretary Connally said:

I would assume that with interest rates declining as they are now, that the possibility would exist within the next several months that we could issue some long-term bonds at a very favorable rate of interest.

In one case, Secretary Connally seems to be preparing the Congress for another increase in interest rates; in the other he seems to be attempting to prepare the Congress for a decrease in interest rates. Apparently the Congress is supposed to guess which is the correct answer.

Q. Isn't the proposal just to allow $10 billion of long-term bonds to be issued without regard to the 4¼% ceiling?

A. Yes, but this is simply a backdoor means of removing the ceiling. Limiting the first issues to $10 billion is a gimmick designed to fool the public and the Congress. Once the ceiling is removed for $10 billion, the authority will simply be extended from time to time and the 4¼% ceiling will be gone forever.

Q. Hasn't Secretary Connally indicated that he would use the power carefully?

A. Secretary Connally could have hardly given any other answer. It is the same answer given the Congress by the Department of Agriculture, the Department of Health, Education, and Welfare, the Small Business Administration and all the other agencies. All want the Congress to grant more power and more money and all promise to use it wisely and prudently. Secretary Connally is no different.

Q. In other words, the Congress would be transferring power that it now has over interest rates to Secretary Connally and future Secretaries of the Treasury?

A. Yes, Congress would be relinquishing its last major control over interest rates and debt management. The taxpayers would be left at the mercy of whoever occupies the post as Secretary of the Treasury.

Q. How much are the taxpayers now paying in interest charges on the national debt?

A. The taxpayers are now paying more than $20 billion annually in interest charges.

Q. Would this interest bill to the taxpayers be increased by removal of the 4½% ceiling?

A. Absolutely. With short-term rates at 3.5% and long-term rates at 6.5%, it would appear that the interest charges on many new borrowings will be nearly double if the Congress goes along with removal of the 4¼% ceiling.

Q. Doesn't the Treasury Department claim that various Secretaries of the Treasury who have served in previous administrations support removal of the 4¼% ceiling? Why would they hold such a position?

A. The Ways and Means hearing record does show a brief one-paragraph letter signed by former Secretaries of the Treasury; however, none were invited to appear as witnesses to answer questions. More importantly, these former Secretaries—with one exception—are now in private life and draw their salaries as commercial bankers, investment bankers, and investment advisors. One of the former Secretaries of course is David Kennedy, a former banker from Chicago who is still part of the Nixon Administration and who would be expected to support the Administration's view. The other Secretaries are all honorable men but it would be amazing if they went against the position of their present employers on this issue.

Q. What has happened to the long-term bond market since Secretary Connally appeared before the Ways and Means Committee?

A. Interest rates have been rising spectacularly in the long-term bond market. The Wall Street Journal, the New York Times—and various financial publications—have noted this trend in the past few days. The Sunday New York Times states:

"By the early part of last week, interest rates on high grade corporate bonds had jumped nearly a full point from the low levels reached in early February."

Q. In other words, the Federal Government would be entering a market in which interest rates are going up?

A. That is correct. And the situation is expected to get worse in coming weeks. Corporations are expected to sell more than $3½ billion of long-term bonds during the month of March—a record-breaking amount. Thus the Federal Government would be entering a long-term market which is becoming fantastically crowded and in which interest rates are rising.

Q. What effect would the removal of the 4¼% ceiling have on local and state bond issues?

A. Local governments—including school districts, cities, and states—are moving into the long-term bond market after the long drought created by tight money. The entry of the Federal Government—through removal of the 4¼% ceiling—in this market, would crowd out many local communities and cause thousands of badly-needed projects to be postponed once again.

Q. What would the removal of the 4¼% ceiling mean to the average homebuyer?

A. The Homebuyer, like local governments, needs long-term money—mortgages of 25 and 30 years—and the Federal Government would be in direct competition for these types of funds.

Q. Isn't it argued that the short-term government securities compete with thrift institutions?

A. Today short-term interest rates on government securities are about 3½%. Savings and loan institutions are paying 5% on passbook savings, so it would be difficult for a 3½% rate to be drawing funds from the savings and loans. More importantly, the average small saver does not buy government securities and is in fact discouraged from doing so by Treasury policies.

Q. What is the difference between the long-term and short-term markets and why is there so much concern about the Federal Government entering the long-term market?

A. Long-term savings are always in shorter supply and the long-term market has a limited liquidity. When the Federal Government enters the long-term market—particularly in periods of high interest rates—it becomes a vicious competitor with long-term investments which create jobs, and which provide funding for schools, water and sewer plants, housing, urban renewal, and similar projects.

In contrast, the short-term market is by definition much more liquid and able to handle government borrowings, without serious and adverse effects on public projects.

Q. What effect do long-term Government borrowings have on economic policy?

A. Long-term borrowings by the Federal Government tend to sop up credit and to dampen economic development. Long-term borrowing would almost certainly worsen the unemployment situation in the nation.

Q. Does the record show anywhere how much the Government would charge the taxpayers for these long-term bonds and when and how they would be marketed?

A. These questions—which should be the key to any consideration of the legislation—are answered in vague and incomplete terms by the Treasury. Secretary Connally talks about the possibility of marketing these bonds in "weeks" or "months." At the same time, he refuses to explain what the interest rate would be and indicates the Treasury has made no study of the question.

Q. In short, the Congress would be buying a "pig in the poke."

A. Yes. There is no testimony to answer the basic questions concerning the legislation.

Q. How long were the hearings on the legislation?

A. One day.

Q. What groups support the legislation?

A. The hearing record contains letters from national lobbying organizations such as the American Bankers Association, the Investment Bankers and similar financial institutions.

Q. Who opposes the removal of the ceiling?

A. Virtually all the major labor, consumer and rural organizatons. Theiy include:

1. The AFL–CIO;
2. The United Auto Workers;
3. The Cooperative League of the USA;
4. The National Rural Electric Cooperative Association;
5. The Consumer Federation of America;
6. The National Rural Housing Coalition;
7. The National Farmers Union;
8. The National Council of Senior Citizens.

Q. Who gets the interest from these long-term Government bonds?

A. Purchases in the long-term government bond market are made by commercial banks, insurance companies, and other very large institutional investors. In addition, a select few at the very top-income levels are able to enter this market. So higher interest payments are a bonanza for large institutional investors and the very wealthy. The average person—who will pay much of the tax bill on the higher-priced securities—does not receive the interest payments from long-term government securities.

Q. What effect would long-term borrowings by the Federal Government—at high interest rates—have on other interest rates in the economy?

A. With growing Federal deficits—and a large national debt—borrowings by the Treasury Department would have a substantial effect on other interest rates. If the Government goes into the long-term market at high rates, the action will create shock waves throughout the money markets, pushing up other interest rates. The consumer, the farmer, the small businessman—and others who are at the low end of the monetary process—will feel the effect through higher interest rates. Local governments which will be in direct competition with the Federal Government in the long-term market will be particularly hard hit if the Treasury Department muscles in on an already overcrowded long-term market.

Every person in the economy has been hard hit by high interest rates and it would be tragic if the Congress endorsed a policy which would reverse the trend toward lower interest rates. For example, in recent years, the homeowner has been paying up to $38,000 in interest on a $20,000 home. Similar outrageous interest payments have hit the pocketbooks of consumers in every state and every Congressional district.

Q. Why is the 4¼% ceiling considered a symbol of low interest rates?

A. It is a Congressional mandate to hold down interest rates and the 4¼% ceiling has saved the taxpayers billions of dollars over the years. Congress has let much of its influence over interest rates and monetary matters slip away, but the 4¼% ceiling on long-term government bonds remains as a symbol—as a Congressional statement that the nation wants the lowest possible interest rates and that Government borrowings should be made at the lowest possible interest rate. Removal of the ceiling would be interpreted widely as a signal that the Congress was abandoning traditional low interest policy.

Mr. Speaker, many Members of the House deserve credit for their leadership roles in the various fights to hold down interest rates.

A large number of Members were active on this issue during the 91st Congress and I know that many new Members in the 92d Congress are of like mind.

Ever since the 4¼-percent issue came up in the Eisenhower administration, we have maintained a low interest rate committee of which I have had the opportunity to serve as chairman. The membership of this committee has varied from Congress to Congress and I want to list those members who were active on the committee during the 91st Congress. Needless to say, there were others who were sympathetic to the efforts of this group, but whose names are not listed as part of the formal committee.

I place a copy of a list of members of the Low Interest Rate Steering Committee in the RECORD:

LIST OF MEMBERS

Thomas L. Ashley, Ohio.
Brock Adams, Wash.
Joseph P. Addabbo, N.Y.
Glenn M. Anderson, Calif.
Frank Annunzio, Ill.
William A. Barrett, Pa.
Tom Bevill, Ala.
Jonathan B. Bingham, N.Y.
Frank J. Brasco, N.Y.
Bill D. Burlison, Mo.
Phillip Burton, Calif.
James C. Corman, Calif.
Dominick V. Daniels, N.J.
John H. Dent, Pa.
Charles C. Diggs, Jr., Mich.
John D. Dingell, Mich.
William Jennings Bryan Dorn, S.C.
Edwin W. Edwards, La.
Joshua Eilberg, Pa.
Joe L. Evins, Tenn.
Nick Galifianakis, N.C.
Cornelius Gallagher, N.J.
Tom S. Gettys, S.C.
Henry B. Gonzalez, Tex.
Kenneth J. Gray, Ill.
Edith Green, Oreg.
William J. Green, Pa.
Martha W. Griffiths, Mich.
G. Elliott Hagan, Ga.
James M. Hanley, N.Y.
Richard T. Hanna, Calif.
William D. Hathaway, Maine
Augustus F. Hawkins, Calif.
Wayne L. Mays, Ohio.
Ken Hechler, W. Va.
Henry Helstoski, N.J.
Chet Holifield, Calif.
Richard H. Ichord, Mo.
Joseph E. Karth, Minn.
Robert W. Kastenmeier, Wis.
James Kee, W. Va.
Edward I. Koch, N.Y.
John J. McFall, Calif.
Ray J. Madden, Ind.
James R. Mann, S.C.
Spark M. Matsunaga, Hawaii
Lloyd Meeds, Wash.
John Melcher, Mont.
Abner J. Mikva, Ill.
George P. Miller, Calif.
Joseph G. Minish, N.J.
Patsy T. Mink, Hawaii
Robert H. Mollohan, W. Va.
John E. Moss, Calif.
Robert N. C. Nix, Pa.
Thomas P. O'Neill, Jr., Mass.
Edward J. Patten, N.J.
Claude Pepper, Fla.
Bertram L. Podell, N.Y.
Melvin Price, Ill.
Roman C. Pucinski, Ill.
Thomas M. Rees, Calif.
Henry S. Reuss, Wis.
Peter W. Rodino, Jr., N.J.
Fred B. Rooney, Pa.
Edward R. Roybal, Calif.
William F. Ryan, N.Y.
Fernand St Germain, R.I.
B. F. Sisk, Calif.
Tom Steed, Okla.
Robert G. Stephens, Jr., Ga.
Louis Stokes, Ohio.
Leonor K. Sullivan, Mo.
Fletcher Thompson, Ga.
Robert O. Tiernan, R.I.
Morris K. Udall, Ariz.
Al Ullman, Oreg.
Lionel Van Deerlin, Calif.
Charles A. Vanik, Ohio.
Jerome R. Waldie, Calif.
Charles H. Wilson, Calif.
Lester L. Wolff, N.Y.
Jim Wright, Tex.

Mr. Speaker, special credit should also be given to those Members who sponsored low-interest resolutions during the 91st Congress. The idea for these resolutions was originated by the Honorable

JIM WRIGHT, of Texas, and the Honorable BILL ALEXANDER, of Arkansas, and they did much to keep the interest-rate issue before the Congress and the American public. Mr. Speaker, the following is a list of those Members who sponsored low-interest-rate resolutions in the 91st Congress.

LIST OF SPONSORS

Brock Adams, Wash.
Joseph P. Addabbo, N.Y.
Bill Alexander, Ark.
Glenn M. Anderson, Calif.
William R. Anderson, Tenn.
William A. Barrett, Pa.
Tom Bevill, Ala.
Ray Blanton, Tenn.
Edward P. Boland, Mass.
J. Herbert Burke, Fla.
Earle Cabell, Tex.
Patrick T. Caffery, La.
Bob Casey, Tex.
Bill Chappell, Jr., Fla.
Don H. Clausen, Calif.
James C. Corman, Calif.
Dominick V. Daniels, N.J.
John H. Dent, Pa.
John D. Dingell, Mich.
Don Edwards, Calif.
Edwin W. Edwards, La.
Dante B. Fascell, Fla.
Walter Flowers, Ala.
Donald M. Fraser, Minn.
Sam Friedel, Md.
Nick Galifianakis, N.C.
Sam Gibbons, Fla.
Henry B. Gonzalez, Tex.
Kenneth J. Gray, Ill.
Edith Green, Oreg.
James A. Haley, Fla.
Seymour Halpern, N.Y.
James M. Hanley, N.Y.
Michael Harrington, Mass.
Wayne L. Hays, Ohio
Ken Hechler, W.Va.
Ken Hechler, W. Va.
Floyd V. Hicks, Wash.
Chet Holifield, Calif.
James Howard, N.J.
William L. Hungate, Mo.
Richard H. Ichord, Mo.
Harold T. Johnson, Calif.
Ed Jones, Tenn.
Edward I. Koch, N.Y.
Robert L. Leggett, Calif.
Ray J. Madden, Ind.
Spark M. Matsunaga, Hawaii.
John Melcher, Mont.
Abner J. Mikva, Ill.
Patsy T. Mink, Hawaii
Lucien N. Nedzi, Mich.
Robert N. C. Nix, Penn.
David R. Obey, Wisc.
Arnold Olsen, Minn.
Thomas P. O'Neill, Jr., Mass.
Richard Ottinger, N.Y.
Otto E. Passman, La.
Bertram L. Podell, N.Y.
Richardson Preyer, N.C.
David Pryor, Ark.
Roman C. Pucinski, Ill.
Graham Purcell, Tex.
William J. Randall, Miss.
Thomas M. Rees, Calif.
Robert A. Roe, N.J.
William F. Ryan, N.Y.
James H. Scheuer, N.Y.
Robert L. F. Sikes, Fla.
John M. Slack, W. Va.
Louis Stokes, Ohio.
W. S. (Bill) Stuckey, Jr., Ga.
James W. Symington, Mo.
Roy A. Taylor, N.C.
Fletcher Thompson, Ga.
Robert O. Tiernan, R.I.
John V. Tunney, Cal.
Morris K. Udall, Ariz.
Lionel Van Deerlin, Cal.
Jerome R. Waldie, Cal.
Richard C. White, Tex.
Lester L. Wolff, N.Y.
Jim Wright, Tex.
Gus Yatron, Pa.

Mr. Speaker, I hope all of these Members—and others who are interested in low interest rates—will stay on the floor as much as possible Wednesday afternoon so that we can put this 92d Congress on the right course concerning monetary policy. We now have a chance to put our words and promises into action.

PRAYER IN OUR SCHOOLS

(Mr. HAMMERSCHMIDT asked and was given permission to address the House for 1 minute, and to include extraneous matter.)

Mr. HAMMERSCHMIDT. Mr. Speaker, as a result of the Supreme Court Ruling on compulsory prayer in our public schools, schoolchildren across our land are being denied the privilege of even offering voluntary prayer.

I am today introducing a resolution which proposes an amendment to the Constitution relating to prayer in public schools and other public buildings.

This resolution mentions specifically schools as among those public buildings in which voluntary prayer would be permitted. Since some regard even voluntary prayer as something requiring formal procedure, the measure permits meditation as a substitute for voluntary, nondenominational prayer.

The people in my district have petitioned my efforts toward reversing the Court ruling so that their children might have the opportunity to give thanks to God and continue the traditions of our forefathers. We are a religious people and a prayerful people. In these times of constant turmoil and shifting values, we all need the reassurance which God can give.

The text of the resolution follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. **Nothing contained in this** Constitution shall abridge the right of persons lawfully assembled, in any public school or other public building which is supported in whole or in part through the expenditure of public funds, to participate voluntarily in nondenominational prayer or meditation.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

SPECIAL REVENUE SHARING FOR LAW ENFORCEMENT ASSISTANCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. POFF) is recognized for 10 minutes.

Mr. POFF. Mr. Speaker, today the President has forwarded to the Congress a proposal to transform the LEAA block action grant program into a special revenue-sharing system. This is an important forward step. It is not a repudiation of the LEAA program: rather it is a logical and necessary improvement.

With the passage of the Omnibus Crime Control and Safe Streets Act of 1968 the Congress acknowledged its determination to aid State and local governments in their efforts to control crime and improve their criminal justice systems.

Americans have always opposed a Federal police state. A basic tenet of our society has been that the primary responsibility for law enforcement and criminal justice rests with State and local governments. With the growing threat of crime and public disorder, it became apparent that State and local authorities needed assistance to carry out these responsibilities.

The Law Enforcement Assistance Administration program, created by title I of the Omnibus Crime Control and Safe Streets Act of 1968, has been the vehicle for the furnishing of the Federal assistance.

The LEAA program has been based upon the requirement that each State develop a comprehensive plan for the improvement of law enforcement throughout the State. The act contains detailed specifications of the matters to be included in the plan. After approval of the plan by the Law Enforcement Assistance Administration, a block action grant is made to the State to fund the planned programs: Today, 85 percent of the action funds available to LEAA go to the States as block action grants. In fiscal year 1971 this will amount to about $340 million.

As originally drawn, the act required that State and local governments bear 40 percent of the cost of most projects, with the Federal Government paying 60 percent. Late last year, Congress passed a series of amendments to the act, including one that reduced the State-local share to 25 percent for most projects, with the Federal share increased to 75 percent.

But that attempt at relief for hard-pressed State and local governments did not go far enough. Under the proposal submitted today, with the exceptions noted later, no matching requirement would be imposed on State and local governments. The Federal block action grants could be used to pay 100 percent of any and all projects undertaken by the recipients.

At present, 15 percent of the total action funds are given by LEAA not in block grants but in so-called discretionary action grants. These the agency awards on a categorical basis to help meet special priority needs and to supplement projects funded by the block grants. These discretionary grants are retained under the special revenue-sharing program. However, the matching requirement for these grants would also be eliminated.

Under the President's proposal, the concept of block grants to the States is retained, and 85 percent of the action funds will continue to go to States on the basis of their relative population. However, the Federal Government will no longer impose a requirement that State and local governments contribute matching funds in order to receive those grants.

A second major change contained in today's proposal is the elimination of the requirement that the Law Enforcement Assistance Administration grant prior approval to the comprehensive State plan. A comprehensive State plan will still be necessary and must be submitted to LEAA not later than December 31 of each year. LEAA will review the plan and provide the State planning agency with such comments and recommendations as it deems appropriate. This change is recognition of the fact that the State and local governments, in the final analysis, should be the best judges of their needs and priorities. The function of the Federal authorities is to assist—to lend technical expertise.

A third significant change from the present program is the deletion of the requirement of maintenance of effort. Today's law directs that the plan contain assurances that the Federal funds will be so used as not to supplant State and local funds, but to increase the amounts of such funds that would in the absence of such Federal funds be made available for law enforcement.

As the President so clearly pointed out in his February 4 message on revenue sharing, State and local governments are facing a bitter dilemma. As he said:

> On the one hand, they must cut services or raise taxes to avoid bankruptcy. On the other hand, the problems they face and the public they serve demand expanded programs and lower costs.

The removal of the matching requirements for the action funds and deletion of the maintenance of effort provision will give the State and local recipients financial assistance and added flexibility in their financial planning.

I have discussed the three major changes the special revenue-sharing proposal would make. I would now like to point to some important provisions of the assistance program which would not change.

The present pass through requirements are retained. The States would thus have to make available to units of general local government the same percentage of the Federal funds required under present law. Also retained is the requirement that the plan include the allocation of an adequate share of assistance for law enforcement problems in areas characterized by both high crime incidence and high law enforcement activity.

While the matching fund requirements are removed from the block action grants—which would now be special revenue-sharing payments—and from the discretionary grants, the matching requirements would still remain for planning grants and for the new grants for correctional institutions and facilities. These latter grants were authorized in the amendments which Congress passed at the end of the last Congress—in the Omnibus Crime Control Act of 1970—Public Law 91-644 approved January 2, 1971.

MAN IN SPACE WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman frm Texas (Mr. Price) is recognized for 10 minutes.

Mr. PRICE of Texas. Mr. Speaker, in the wake of the stirring presentation to Congress by the men of Apollo 14, I would like my colleagues to take note of the fact that I, along with 15 other members of the House Science and Astronautics Committee, have introduced legislation authorizing the President to proclaim the third week in July of each year as National Man in Space Week.

Joining me in sponsoring this measure were the distinguished chairman of the committee, the gentleman from California (Mr. Miller); the distinguished ranking minority member, the gentleman from Pennsylvania (Mr. Fulton); and Mr. Bell, Mr. Cabell, Mr. Camp, Mr. Coughlin, Mr. Davis of Georgia, Mr. Flowers, Mr. Frey, Mr. Goldwater, Mr. Hechler of West Virginia, Mr. McCormack, Mr. Roe, Mr. Symington, and Mr. Winn.

I have proposed that a National Man in Space Week be established because, despite the fact that the national space program in general and the manned space flight program in particular have benefited all mankind so greatly, there is no officially sanctioned and designated means by which the American people and people around the world can celebrate and commemorate the achievements of our space pioneers and our space program.

Establishing a National Man in Space Week would fill this present void. Affixing it in the third week in July of each year would be most appropriate, for it was during this week in 1969 that Astronaut Neil A. Armstrong became the first human being to trod the surface of the moon.

Mr. Speaker, the scope and the excellence of the Apollo mission series and the courage U.S. astronauts have displayed in the face of the unknown are both in the highest traditions of greatness that have made this Nation what it is today. Moreover, the dogged determination and ability our astronauts have exhibited in Apollo mission activities has provided a most compelling and needed reaffirmation of the fact that Americans and this Nation can reach unlimited heights of achievement when there is total commitment to a worthy goal.

I urge my colleagues to establish a National Man in Space Week. The space pioneers of this Nation have extended the horizons of man far beyond the borders of this tiny planet. Their accomplishments deserve to be preserved and commemorated for our posterity.

JUSTICE DEPARTMENT ASKED TO CANCEL VISA OF MISS BERNADETTE DEVLIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. Michel) is recognized for 3 minutes.

Mr. MICHEL. Mr. Speaker, I have asked the Justice Department to cancel the visa of Miss Bernadette Devlin who, according to United Press International, offered to lead a demonstration against President Nixon in Des Moines, Iowa.

In light of the bombing incident we had at the Capitol, it is obvious we do not need anyone stirring up violent dissent in the United States and surely we have enough agitators in this country without importing a foreign national to stir up hatreds and unrest.

I have sent a telegram to Mr. Raymond Farrell, Commissioner of the Immigration and Naturalization Service, to inquire about the conditions under which Miss Devlin received her visa. I am sure it does not contain any provisions for her to become an agitator against the U.S. Government or to sponsor such demonstrations. The Immigration and Naturalization Service should move to revoke her visa if Miss Devlin is in violation of its provisions.

Miss Devlin's conduct is presumptuous and an insult to the United States and the Nation does not owe any foreign national the right to attempt to disrupt our affairs.

BOMBING OF THE CAPITOL

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Alabama (Mr. Edwards) is recognized for 3 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, the sobering results of yesterday's bomb blast in the Senate wing of the Capitol Building have shaken more than just the foundations of a manmade structure. They have shaken the foundations of a governmental system that for nearly 200 years has provided the most benevolent and free society the world has ever known.

Were the United States ruled by a despotic government, the blind reasoning behind the bombing might be better understood. I only wish I could predict that the incident would be treated as more than just the act of a splintered element of frustrated radicals. It was an act of aggression against the United States just as if an enemy plane had flown over and dropped a bomb on the Capitol. It must never occur again. Law enforcement officials investigating the case must exert every possible human effort to locate and punish the perpetrators of the bombing lest they, flushed with success, attempt a similar act.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. Miller) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a Nation. Americans have the greatest accessibility to news and information in the world today. There are over 11,383 newspapers in this country, 9,573 periodicals, and 6,791 commercial broadcast stations.

MILITARY SPENDING IN THE MEDIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. MITCHELL), is recognized for 10 minutes.

Mr. MITCHELL. Mr. Speaker, I speak today concerning a recent change in policy adopted by the Army. It is a change which should interest us all. It is a change which disturbs me. I believe that the Army has made a dangerous mistake that will threaten one of our most essential freedoms.

Mr. Brent Gunts, vice president and general manager of WBAL television station, Baltimore, has informed me that the U.S. Army Recruiting Command has proposed the spending of $10.6 million of Federal funds to purchase time on commercial television. The money would be spent to buy spots boosting the Army recruiting program. Already a contract has been negotiated with N. W. Ayer & Son of Philadelphia, one of that city's leading advertising firms, to handle these purchases for the U.S. Army Recruiting Command.

The proposed commitment of these funds to purchase time on commercial television would represent a major revision in policy for the Army. Allow me to quote Mr. Gunts:

> We consider it a highly questionable procedure and a precedent that could quickly lead to the spending of fantastic amounts of Government funds on the broadcast media.

Indeed, this step undertaken by the Army would represent, as far as I know, the first expenditure of any Government funds for such a purpose.

I want to make it very clear right now that there is absolutely no need for the Army to purchase these advertising spots. Traditionally, WBAL, and other television stations throughout the Nation, have made available to eleemosynary organizations free time in the public interest. The time made available without charge is more than sufficient to satisfy the needs of the Army, or any other branch of our Government. I find it disconcerting that the Army, unlike all the other agencies of Government, has found it necessary to purchase time over and above that amount of time already offered gratis by the stations.

The dangers are simple, obvious and frightening. As Mr. Gunts suggests in his correspondence to me, if the Army is permitted to establish this precedent, surely the other agencies of the Government will follow suit. Inevitably, the day will come when the Government will be expending millions of dollars for the purchase of commercial television time. The impact on the media might well parallel the impact of Government spending on the defense industries. I can envision the day when the military would use its purchasing power to influence the activities of television stations throughout the Nation. At the very least, a thousand opportunities and means for tampering with the media would be created.

We assembled here in Congress have not considered guidelines governing how this money should be spent. We have not even authorized its expenditure for this purpose. We have not even examined the question of maintaining the disinterest of the media in the face of heavy Government spending in that industry. These are serious questions that must be answered.

At this point in time, I find it unbelievable that the Army should take the first step in this direction toward Government spending in the media. The credibility of the military is at an alltime low; we are considering fundamental changes in the structure of the armed services, and we have just learned that the Army has in the past spied upon civilian citizens. With this in mind, it is certainly impolitic and surprising for the Army to be leading the way in this affair. Although I must admit that the Army has often managed to surprise me.

Do not misunderstand me. I am not accusing the Army of trying to take over the media. I am simply saying that the Army, and any other Government agency for that matter, is creating a situation where it will be in a position to directly influence the media.

WBAL television has advised the NBC television network that it is not available for the U.S. Army recruiting announcements that have been purchased on that network. Allow me to quote from a letter sent by Mr. Gunts to the N. W. Ayer & Son Co., which he kindly forwarded to me. In it he says:

> WBAL-TV now, as in the past, will make time available without charge to the United States Army for recruiting purposes but according to the expressed needs of the United States Army and in relationship to the best interests of the community we serve.

I want to congratulate Mr. Gunts for his decision in this matter.

Gentlemen, the right of a free and unshackled media is guaranteed in the Constitution. The implications of the new policy adopted by the Army are of grave concern to me. The reestablishment of civilian control over the military is long overdue. I hope that you will join me in asking that the Secretary of the Army forbid the use of Federal funds for this purpose.

A NEW CHINA FOREIGN POLICY FOR THE NEW AMERICAN REVOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. RARICK) is recognized for 15 minutes.

Mr. RARICK. Mr. Speaker, a new first in America's history was the President of the United States giving a state of the world address. Article II of the Constitution which pertains to the executive branch provides:

> He shall from time to time give to the Congress Information of the State of the Union and recommend to their Consideration such measures as he shall judge necessary or expedient; . . .

But the Constitution is silent on any so-called state of the world message.

Apparently this most unusual report—179 pages in length and coauthored by Henry Kissinger—was not intended for the people of America but rather for heads of state, ambassadors, and diplomats of foreign nations, charged with foreign relations to let them know the Nixon-Kissinger foreign policy platform for the 1970's.

Since 1949, when the Communists seized power on the mainland of China, our foreign policy has been characterized by a firm refusal to yield to the threats of Red China or to the pressures from the dear friends of Mao at home and abroad to make concessions to the Peiping regime.

In spite of this policy "in the best interests of the American people," organized efforts continued to change U.S. policies toward Communist China—diplomatic recognition, admission to the United Nations, trade—which amounts to increasing the power and prestige of an enemy of the United States and to perpetuate a totalitarian dictatorship over the long-suffering Chinese people.

To seat Communist China in the United Nations would be breaking faith with the thousands of American POW's now imprisoned in China, Korea, and North Vietnam, desecrating the memory of those young men who gave their lives in Korea and who gave and continue to give their lives in North Vietnam fighting Communist aggression.

To give diplomatic recognition to and to conduct trade with Communist China would help the enemy far more than it could possibly benefit the American people. If not in the best interests of our country why should it be at all?

While a candidate for the Presidency, Mr. Nixon stated that the answer to trade with China, recognition of China, admitting it to the U.N., should come only when the Maoists indicate by deeds that they want to be a part of the civilized family of nations and not an outlaw nation.

President Nixon stated further that he would not go along with those well-intentioned people who said "trade with them" because that may change them. Because doing it now would only encourage them, the hardliners in Peking and hardline policy that they are following. And it would have an immense effect in discouraging great numbers of non-Communist elements in free Asia that are now just beginning to develop their strength and their own confidence.

When a candidate for the Presidency, Mr. Nixon also said:

> We have to realize, looking down the road, that Communist China within six years, seven years, at the very least, will have a significant nuclear capability. And Communist China will be outside of the nuclear club. Therefore, whoever is elected president this next time has to be thinking now as to how we develop the power around the perimeter of China which will convince the Communist Chinese leaders that they will not gain—as a matter of fact, that they will run very great risks—in the event that they attempt to expand in their sorties against India and in other countries who are their neighbors.

According to the President's state of the world address last week, a new Red China foreign policy appears to be evolving. On pages 82 to 85 of the document entitled "U.S. Foreign Policy for the 1970's—Building for Peace," the Kissinger-Nixon "new" foreign policy on Communist China is found.

Regarding our Asia policy for the next decade, Mr. Kissinger wrote:

> We will be striving to establish a new and stable structure reflecting . . . the changing interests of the Soviet Union and the Peoples Republic of China.

An explanation is not given as to what are the changing interests of the Soviet Union and the People's Republic of China nor do we know of any. Since the leaders of both Russia and Red China by their words and actions have made and continue to make clear their intention of enslaving the world under a Communist collectivist system, we must assume that Messrs. Kissinger and Nixon are not letting the people in on their secret as to what are the changing interests of the Soviet Union and Red China.

President Nixon said:

> In April we authorized the selective licensing of goods for export to the Peoples Republic of China.

Despite Nixon's campaign statement that he would not trade with Red China, since that would discourage non-Communist elements in Free Asia, we now see the beginning of trade with Red China. If Nixon would not do it, why is it being done? As with other policies of Government—once a foot gets in the door, the door continues to open until there are no restrictions.

The telltale statement of the China section of the state of the world report is the following:

> In the coming year I will carefully examine what further steps we might take to create broader opportunities for contacts between the Chinese and American peoples, and how we might remove needless obstacles to the realization of these opportunities. We hope for, but will not be deterred by a lack of, reciprocity.

Yet, even a more blatant policy against the sovereignty of our Nation is contained in the Export Control Report, 4th Quarter 1970, from the U.S. Secretary of Commerce, showing export licenses being granted under the current administration to provide sensitive computers and sophisticated industrial machinery to the Soviet Union and other Communist nations supplying arms and material to the enemy. I insert page 8, section 3, of Security Export Controls in the Record.

III. Security Export Controls

EXPORT LICENSING TO EASTERN EUROPE

Commodity applications approved

License applications for commodities valued at $55.9 million were approved for export to Eastern Europe during the fourth quarter 1970. This compared with $33.1 million approved in the previous quarter and $61.5 million approved in the fourth quarter 1969.

The largest dollar volume of export license approvals was for the U.S.S.R., $21.7 million. Other principal approvals were for East Germany, $16.5 million; Czechoslovakia, $5.6 million; Romania, $4.6 million; and Poland, $4.1 million.

Chemicals constituted $12.6 million of these license approvals, including $3.9 million in industrial chemicals and $1.3 million in chemical materials and products for East Germany; $1.4 million in nylon salt and $1.1 million in glycols for the U.S.S.R.; and $0.9 million in industrial chemicals and $0.7 million in vanadium pentoxide for Czechoslovakia.

Construction and manufacturing equipment aggregating $15.4 million were licensed, primarily centrifugal compressors and accessories worth $4.9 million to the U.S.S.R.; rolling mill equipment worth $3 million to Poland and $3.1 million to Romania; and a multistation machine (transfer line) valued at $1.5 million and coil winding machines at $0.6 million, both to the U.S.S.R.

Yellow corn amounting to $8.3 million was the only agricultural product licensed, with $7.5 million to East Germany and $0.8 million to Czechoslovakia.

Computers and parts valued at $7.3 million were licensed, primarily to the U.S.S.R., $3.2 million; Hungary, $1.1 million; Romania, $0.7 million; and Czechoslovakia, $0.5 million.

Scientific and electronic equipment and parts aggregating $0.8 million were licensed to all East European destinations. Other license approvals included video tape recorders, $0.8 million to Hungary and $0.7 million to Czechoslovakia, and $0.5 million in magnetic recording and reproducing equipment to East Germany.

In other words, while the Communist bandits kill our soldiers in North Vietnam and Korea remains a battlefield where American men still die, our "new revolutionary" leader expects his people to be openminded, and even export goods to the enemy. Gone forever are those days when we sent our young men into battle, supported by a unified nation standing as one and giving them our total support so as to end the war as quickly as possible, with the minimum loss of life and releasing those who have been drafted as soon as possible. And these statements of disloyalty—of aiding and abetting the enemy—come from the President of the United States while our men are fighting and dying on far-off battlefields.

Under the present administration, we must face the inescapable conclusion that treason as defined by the Constitution is not only not treated as a crime by the judiciary, but is also ignored by the executive. How can any country survive when treason is given "constitutional" freedoms?

The "new" foreign policy on Red China bodes no good.

Such a policy exceeds merely being "soft on communism" and, while it may be sold as helping win the "peace", it may very well be at the cost of losing the war, nor can it be justified as a mere political malfeasance.

Nevertheless, in the policy vernacular of the State Department, we can be sure that this new policy is "in the best interest of the American people"—we love the enemy and they kill our young men.

> Patriotism means to stand by the country.

So said a former great President. I insert the full statement of President Theodore Roosevelt on patriotism and newsclippings in the Record:

Patriotism

Patriotism means to stand by the country. It does not mean to stand by the President or any other public official save exactly to the degree in which he himself stands by the country.

It is patriotic to support him insofar as he efficiently serves the Country. It is unpatriotic not to oppose him to the exact extent that by inefficiency or otherwise he fails in his duty to stand by the Country.

In either event, it is unpatriotic not to tell the truth—whether about the President or about anyone else—save in the rare cases where this would make known to the enemy information of military value which would otherwise be unknown to him. (Theodore Roosevelt, 1918; Memorial Edition, Vol. 21, p. 316, "The Works of Theodore Roosevelt.")

[From the Washington Post, Feb. 20, 1971]

Henry Kissinger Is Keeping Notes

(By Dorothy McCardle)

Dr. Henry A. Kissinger, assistant to the President on National Security Affairs, is keeping notes on some "fantastic conversations" he has had at the White House which may eventually lead to a book.

"I am not keeping a diary as such," he said last night at the Italian embassy.

"But if these conversations are ever published, they will have to come under the heading of fiction. Nobody will believe them."

As usual, Dr. Kissinger found himself the center of interest as he moved from room to room at the reception which Italian Ambassador and Mrs. Egidio Ortona gave in honor of Emilio Colombo, Italy's Premier.

After Dr. Kissinger had a prolonged conversation with Premier Colombo and Minister of Foreign Affairs Aldo Moro, he was asked if he had talked with them in Italian.

"The only Italian I know I wouldn't want to use with a man," he said, as two young women guests conspicuously snuggled up to him.

Asked if he would like to visit Italy soon again, he said:

"I have no time to go to Italy. If I did, the President might find me dispensable. I have to go back to the White House in a few minutes to work on the President's state of the world message.

"Last week I told someone at the White House that I was working on the President's end of the world report."

Ambassador and Mrs. Ortona had invited 780 guests. By the end of the evening it looked as if all had come with such locust-like appetites that two large buffet tables were cleaned of the last nibble.

Secretary of State William P. Rogers and Sen. ——— both dropped by, but not to eat. Secretary Rogers was on his way home to a dinner party which his wife was having for close friends.

Both men have cultivated sideburns and let their hair grow longer at the back. Both are sporting neck waves. So is former Ambassador to the Organization of American States Sol Linowitz.

Director of the John F. Kennedy Center for the Performing Arts William McCormick Blair, Jr. and Chairman of the Center's board of trustees Roger Stevens dropped by to thank President Colombo for the 3,700 tons of Italian marble, worth close to $2 million, which Italy has sent to the center.

[From U.S. News & World Report, Mar. 8, 1971]

The unwieldy length of President Nixon's "state of the world" message—it covered 180 pages—dismayed even the most loyal White House aides. Henry Kissinger, presidential assistant for national-security affairs, was given the "overkill" credit. "The President asked Henry for a thought or two," an insider reported, "and Henry wrote a book."

RURAL JOB DEVELOPMENT BILL

(Mr. MIZELL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MIZELL. Mr. Speaker, I am quite pleased to have the opportunity to cosponsor the rural job development bill recently introduced by my distinguished colleague from Kansas (Mr. Sebelius).

I believe the passage of this legislation could be the groundwork for building a more vibrant and a stronger economy in rural America.

I also believe that with the building of that stronger economy, rural America will be revitalized and made far more attractive to those considering moving to the large cities of the Nation in search of job opportunities and social fulfillment.

We all know that, for many, the end of that search has been the crowded and desolate blocks of humanity and concrete we know as slums and ghettos.

Rural job opportunities could end that search before it really began, before our young people and others looking for employment could get out of the city limits of their own home town.

These opportunities have been too hard to find in rural America, and this is a tragedy, for I believe my colleagues would agree that despite all the promises of adventure leaving home can hold, most of our young people would much rather live among their friends and families than migrate to a cold and unfriendly city in search of a career.

This legislation is geared to expand the quantity and quality of economic and social opportunities in rural America to the point that heavy migration to the Nation's urban centers is no longer necessary.

To accomplish this goal, job-creating industries would be encouraged to locate in "rural job development areas"—counties which have no city over 50,000 population and where at least 15 percent of the families have incomes of less than $3,000.

With a series of tax incentives, including property tax credits, an accelerated depreciation allowance and a 50-percent tax deduction on wages paid to workers involved in on-the-job training, industrial and commercial enterprises would be strongly attracted to these rural job development areas

To qualify, the enterprise must hire at least 10 people, and, wherever possible, must hire at least 50 percent of the work force from the local area.

The bill provides some built-in safeguards to insure that the tax incentives are not abused, and I believe this legislation has all the makings of becoming a very effective instrument in developing rural America.

I urge my colleagues to vote with me for passage of this legislation.

APPALACHIAN REGIONAL COMMISSION'S HIGHWAY PROGRAM

(Mr. MIZELL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MIZELL. Mr. Speaker, it is with great pride that I rise today to discuss legislation which I introduced on February 18, 1971, with the distinguished gentleman from Ohio (Mr. Harsha) to extend the Appalachian Regional Commission's highway program for 5 years, and its nonhighway program for 4 years.

I am deeply honored to be able to cosponsor this bill with a man like William H. Harsha, who, as ranking Republican member of the Committee on Public Works, has long served as one of the most effective and dedicated legislators on the committee and in the Congress.

I am doubly honored by having the opportunity to sponsor legislation that will extend the life of one of the most innovative and responsible programs ever created. The program is, of course, the Appalachian regional development program.

I can think of no program, out of more than 1,100 throughout the Federal Government, in which money is better spent, in which people are more directly benefited or consulted, or in which the Government assistance concept is better applied than the program conducted by the Appalachian Regional Commission.

Its influence can be readily seen in the vast array of facilities that have become symbols of progress in the Fifth District of North Carolina, which I am privileged to represent, and throughout the Appalachian region.

One need only look at the ever-growing network of Appalachian development highways, or the primary and secondary access roads throughout the region, or the new hospitals, vocational schools, community colleges, regional health centers, water and sewage treatment plants, airports, and other facilities that have spurred development of this region to see that, in a relatively short time, the Appalachian Commission has distinguished itself as an agent of change and a sorely needed instrument of progress.

These so-called brick-and-mortar projects stand today as visible, tangible testimony to the Appalachian Commission's achievement and to its worth. But the greatest achievement of the Appalachian Regional Commission has been the restoration of hope in almost 20 million people who live in that 13-State region, that tomorrow can be better than today.

This is indeed an enviable record, and this program could well serve as an example of the real progress government can achieve if reason is applied, if time is taken to plan, and if intergovernmental cooperation is pursued rather than avoided.

This last element will stand as a lasting legacy of this program when its purpose has been served, though that time has surely not yet arrived.

To me, Mr. Speaker, a special attraction of this program is the master decision-making role played by local people, who can see the need for a project and then play a large part in seeing it through to completion.

The fact that every project must be approved by the Governor of the State involved is an important reaffirmation of the sovereignty of State governments, and of the vital role that State governments should play in so many areas. That role has not been filled in other programs, due in the main to the unwillingness of the Federal Government to surrender a part of the power it guards so jealously.

But the unquestioned success of the Appalachian program is undeniable proof that if local and State participation are actively sought, rather than purposely pushed aside, government at all levels can function better and serve the people more effectively. And this, after all, is what government is for.

The Commission's service to North Carolina is of primary concern to me, since seven of the 29 Appalachian North Carolina counties are included in my district.

In the past 6 years, Appalachian North Carolina has received more than $75 million for vital projects of all kinds.

Approximately $14,413,000 of that total has gone to supplement local and State matching shares in projects that would have been too massive and too costly for those governments to implement alone.

This supplemental grant approach has been a definite asset in the development of Appalachian North Carolina, but the Appalachian Regional Commission program does not stop there.

Almost $9 million in ARC funds has gone to improve the overall quality of health care in Appalachian North Carolina, with a series of health manpower programs, regional health center construction, improvement of health delivery systems, and other health-related activities.

More than $6 million has been used to upgrade or initiate vocational education facilities in the 29 counties of Appalachian North Carolina. Vocational training has been proven as one of best methods of learning a skill and earning a decent income, and such training has been heavily emphasized under the Appalachian Commission plan.

More than $1.3 million has been obligated for land stabilization and erosion control projects, important elements in our quest for a high-quality environment.

An additional $884,000 has been used in construction of sewage and water treatment plants in Appalachian North Carolina, and this too has been an important tool in building a better environment.

Another $1.3 million in ARC funds was involved in various research programs, including transportation patterns, useful experiments in intergovernmental cooperation, manpower development, health delivery services, and other important ventures.

Finally, the Appalachian Commission funded more than $42 million in North Carolina for construction of segments of the Appalachian development highway system, designed to link isolated areas with the Interstate Highway System, and thus, with the broadest avenues of national commerce and trade.

After only 6 years' involvement in such a massive venture as that undertaken by the Appalachian Regional Commission, it is hard to say how great an effect its existence has had or will have on the vast Appalachian region.

I believe the program has won the right to be continued for another 4 years, so that we may better see the results of the regional development concept, and so that we may hopefully see more fruits of a great labor.

I urge my colleagues to vote with me for passage of this extension legislation.

NATIONAL HEALTH INSURANCE PROGRAM—MEDICREDIT

(Mr. MIZELL asked and was given permission to extend his remarks at this point in the Record.)

Mr. MIZELL. Mr. Speaker, I rise to address this body concerning legislation I cosponsored last week with the distinguished gentleman from Tennessee (Mr. Fulton), the distinguished gentleman from Virginia (Mr. Broyhill), and others of this body to establish a national health insurance program called "medicredit."

I strongly support the provisions of this bill, which gives the assurance that no American family will have to suffer undue economic hardship as a result of illness and resulting medical expenses.

The legislation provides a sliding scale of Government assistance in paying for medical treatment, with the amount of assistance dependent on a client's ability to pay.

Under the guidelines of this legislation, the poor would pay nothing for their health insurance certificate, which would provide them with medical care at no personal cost. The well-to-do would pay the full amount, and those in between would pay what they could afford.

I cannot conceive of a fairer approach to the growing crisis in health care we are experiencing throughout the Nation today. And the most important feature of this legislation is the insurance that no American would have to bankrupt himself because of a long-lasting, catastrophic illness.

We all know of instances in which lingering or severe illness has depleted a family's life savings, sometimes to the point that the family can no longer provide for its other needs and becomes an unwilling burden on society.

This legislation can change all of that. For a family whose annual income is $3,000 or less, practically any medical expense is more than they can afford, so catastrophic coverage for these families would begin without any prior payment by the individual.

By the same token, a family making $8,000 a year could be expected to absorb up to $500 in medical bills before qualifying, and a $20,000-a-year family would be expected to pay up to $2,750 in medical bills before their government coverage became involved.

I find this to be the most equitable system yet devised to make sure that every American can enjoy good health by being able to afford good health care. This legislation represents not an approach toward a welfare state, but a realistic approach to our national goal of providing adequate health care for every American, no matter what his station in life.

I urge my colleagues to join with me in seeking passage of this legislation.

NEELY ATKINSON IS WINNER IN VFW DEMOCRACY CONTEST

(Mr. WAGGONNER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. WAGGONNER. Mr. Speaker, a young man in my congressional district, Mr. Neely Atkinson, has been named the winner for the State of Louisiana in the Veterans of Foreign Wars annual Voice of Democracy Contest. His winning essay was chosen from among more than 400,000 entries submitted on the theme, "Freedom—Our Heritage."

I am extremely proud of this young man as are his parents, Mr. and Mrs. Edward N. Atkinson, 4602 Norway Drive, Shreveport, La.

I would like to take a minute to read his essay to you, because I am sure you will find it as much an inspiration as I have. It reads as follows:

Freedom—Our Heritage

Our nation today is faced with problems greater than at any other time in our past. We must meet, and deal with, poverty, racism, pollution, overpopulation, and, above all, the threat of nuclear annihilation. Almost everyday, we hear of riots and violence on our campuses, supposedly in an attempt to help meet these problems. On the other hand, a large number of Americans remain either ignorant of these crises, or apathetic. Probably the single most important question any citizen of our nation today can ask it, "How, as a citizen, can I best help my country to meet these challenges?"

In order to answer this question, we must first answer two others. Firstly, "What is freedom?" and secondly, "How does that concept of freedom apply to me?"

What is freedom? Perhaps the best answer to that was given by the Greek philosopher Epictetus nearly 2,000 years ago. "He is free who lives as he chooses." Yes, this is the essence of freedom, to do what one wishes, and nothing one does not wish. Obviously, however, people being what they are, this is not a workable social structure. Some type of government is necessary. Man, therefore, developed the concept of democracy, under which the government draws its power solely from the will of the people. This is the system we live in today.

"How does that concept of freedom apply to me?" How do I support our democracy? It is one of the paradoxes of the universe that freedom never comes alone. It is always coupled with responsibility. In the words of Thomas Paine, "Those who expect to reap the blessings of freedom, must, like men, undergo the fatigue of supporting it." In other words, it is not only my right to attempt to correct the wrongs I see, it is my duty.

And that brings us back to the original question: Since it is my duty, how can I best aid my country in the years ahead? The answer is to be found, not in senseless anarchy or hopeless apathy, but within our present political structure. Political power is directly derived from the will of the majority, and it is therefore my duty to make as many people as possible aware of the threats we face. Then, and only then, will we be able to meet the challenge of tomorrow. Then, and only then, when every citizen accepts his responsibility and participates in our society to his fullest extent, can we be truly free.

THE PRESIDENT'S REMARKS UPON RECEIVING THE LEGION'S DISTINGUISHED SERVICE MEDAL FOR 1969

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the Record and to include a speech by the President of the United States.)

Mr. GERALD R. FORD. Mr. Speaker, for the benefit of those Members who were unable to attend the dinner February 16 given by the national commander of the American Legion in honor of the Congress, I am placing in the Record the text of the remarks of President Nixon upon receiving the Legion's Distinguished Service Medal:

Remarks by President Nixon

Commander Chamie, my colleagues in the Congress, my comrades in the American Legion, and ladies and gentlemen, all of your guests:

I am very honored to receive this Distinguished Service Award of the American Legion. And in checking the records, I found that in the past 40 years, every President of the United States has received this award from the American Legion. [Laughter.]

That proves it's bipartisan. [Laughter.]

But as I considered the fact that every President of the United States has had the high honor of receiving the Distinguished Service Award of the American Legion, I thought that the time had come for a President of the United States to, in effect, give a distinguished service commendation to the American Legion. And I welcome that opportunity to do so tonight.

As my long-time friend from California, Al Chamie, has already indicated, I am this year finishing my 25th year as a member of the American Legion. I am proud of that association.

I also am aware of the fact that in the past 2 years I think I have learned more deeply than I had ever understood before what the Legion means to America and what it can also mean to the Commander in Chief of our armed services in times of great difficulty.

I recall, for example, that when a great debate was raging in our country, a debate between honest men of differing views, as to what our defense forces should be and whether we should go forward on an antiballistic missile system for defense purposes, that the American Legion took the side of a strong national defense, as it always has. It was of assistance to the Commander in Chief who had made that difficult decision.

I recall on November the 3d, 1969, when I spoke to the Nation at a time when thousands of very honest people who disagreed with our national policy, who called for an immediate, precipitate withdrawal from Vietnam in a way that would have resulted in defeat for America and of all of our purposes in that part of the world—that at that time when I called for a just peace, for ending the war in a way that we would win the peace and not lose the peace, the American Legion stood firmly by the President of the United States.

And then I recall one of the more, shall I say, lonely times, and the office of the Presidency is not a lonely office—I can assure you that there's always somebody there ready to come in if you'll just open the door—but I remember it was lonely from the standpoint of public support, and I understood why.

On April 30th of last year, I had to make a difficult decision, a decision to move on the Communist outposts in Cambodia that were being used for the purpose of killing American men in Vietnam.

When I made that decision, there were those who honestly opposed it, and I respected them for that opposition. There were others who waited on the fence to see how it would come out. There were a few—a few who came in and said, "We support you."

I remember the Commander of the American Legion 4 days after the decision was made. He came to Washington, and that was as soon as he could get here. He came in to see me. He said to me very simply—Commander Milton Patrick did—as I recall, something like this: He said, "Members of the American Legion, Mr. President, know what it means to look down the barrel of a gun, and we support the Commander in Chief in his efforts to see to it that the barrels of those guns in Cambodia are spiked so that they will not be killing our men in Vietnam."

And that kind of support at that time, which could have been delayed, which could have even been withheld, support that was given at a time when many were not sure as to how the operation would come out, was support that was most welcome to the President of the United States, I can assure you, clearly apart from the personalities involved, and support that I will always remember.

The fact that the operation did succeed; the fact that, as you know, our casualties since Cambodia have been reduced by two-thirds; that 100,000 Americans have come home since that time and are continuing to come home; the fact that as a result of that operation the South Vietnamese have developed the confidence and the ability that they now can undertake on the ground by themselves as far as the ground action is concerned in operation to cut the Communist supply line coming down the Ho Chi Minh Trail—all of this, it seems to me, indicates how the American Legion, in the person of its Commander, at a time when it would have been easy not to stand up, did stand up.

I am grateful for that, and I express my appreciation to all the members of the American Legion for that support in that period.

And now we are fortunate as we meet here tonight to be at a time when we can look at this very difficult war in Vietnam, when we can see that Americans are continuing to come home, when we can see the end of the American involvement in Vietnam, but an end of that involvement in a way that it will discourage that kind of war in the future and that it will allow the South Vietnamese to have the strength which they need to defend themselves and to give their people a chance to make their own choice with regard to the kind of government they want rather than to have that imposed upon them by force from the Communists in the North.

And as we look at that situation, the end of the longest war in America's history, and as we look at the time after that, I want to say to the members of the American Legion, to those representing, as you do, the leadership of this great organization throughout the country, that when we come into a period when, we trust, America will be at peace with all nations in the world, at peace not just for the next few years but perhaps for a whole generation, this is a time when it will be vitally important for the American Legion to continue to stand for the strong national defense for which it has always stood.

Let's look at the record: There are a few here who are veterans of World War I. All of you will remember that after World War I the United States became too weak and, as a result, the United States was unable to play the role, the peace-keeping role, which it could and should have played in that period between the two great wars.

We remember that after World War II the same thing happened, and the United States was unable to have the strength that it should have had at the time that the Korean War began.

And now we come to another period, a period when we will end a war, when we will be at peace with the rest of the world, and when the decision will have to be made by the American people as to whether we maintain the adequate national defense that we need.

I will simply say this: That until the United States obtains an arms control limitation between the two great superpowers, one that we can rely upon and that they can rely upon, it is essential that the United States maintain an adequate armed force. We maintain that—[Applause].

And we must maintain that force not because we want war but because in the truest sense of the word in peacetime the Armed Forces of the United States all over this world are truly peace forces.

Let us remember whether it was World War I, whether it was World War II, whether it was Korea, or whether it was Vietnam, the United States has not started a war anyplace.

The United States has fought in defense of freedom and we must maintain those defense and free forces.

So, Commander Chamie, all of our distinguished guests this evening, I simply want you to know that having received this award as President of the United States, as a member of the American Legion and proud of that membership, I urge you to continue to support whoever is the President of the United States, whatever his party, in the cause of the United States maintaining the strength that we must maintain to play the role that must be played by the strongest free world nation if we're to have peace for the balance of this century. I believe we can do it and with your help we will do it.

PRESIDENT'S PROPOSAL TO ASSIST THE STATES IN ALLEVIATING THE CRIME PROBLEM

(Mr. McKEVITT asked and was given permission to extend his remarks at this point in the Record.)

Mr. McKEVITT. Mr. Speaker, today the President has made a proposal to the Congress to assist the States in their great burden of alleviating the crime problem throughout the country.

In the 90th Congress, we enacted legislation to create the Law Enforcement Assistance Administration within the Department of Justice. This important legislation has meant much to those responsible for law enforcement across the Nation. It has provided the means for States and local communities to receive funds for the formulation of comprehensive plans for attacking their problems, and for carrying out programs and projects outlined in those plans. We have, indeed, made real progress through this cooperative action.

Now we have been asked to go forward by enacting a plan for special revenue sharing for law enforcement purposes. This plan, while retaining the structure and many of the major aspects of LEAA, would amend the law to provide Federal funding for up to 100 percent of the costs of programs and projects to be carried out by the States and local governments. While each State would still be required to design plans for the use of Federal revenues, LEAA approval of the plans would not be a prerequisite for the receipt of funds.

I believe that the President's proposal is a significant one. It represents a changing concept of Federal-State cooperation that has been long awaited by many of us—Federal assistance without Federal domination. On February 4, when the President announced that his general revenue-sharing plan would be supplemented by sharing for special purposes, he stated:

> There is too much to be done in America today for the Federal Government to try to do it all.

On the other hand, he recognized that financially, at least, it is very difficult for the States to carry out their responsibilities alone.

Certainly, in the area of crime prevention and control, the great responsibility is upon those units of government which can least support it financially. Therefore, it is fitting and it is encouraging that the President has made this a matter for special revenue sharing.

THERE IS A DIFFERENCE BETWEEN BLOCK GRANTS AND SPECIAL REVENUE SHARING

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the Record.)

Mr. GERALD R. FORD. Mr. Speaker, let nobody else make the same mistake as a Washington Evening Star columnist —that there is no difference between block grants and special revenue sharing.

As President Nixon clearly spells out in his message received by the Congress today, there are vital and distinct ways in which special revenue sharing differs from block grants.

Special revenue sharing differs from block grants in that it would require no matching funds, no demonstration of maintenance of effort, and no prior project approval.

Special revenue-sharing proposals are not a threat to the adoption of general revenue sharing. Special revenue sharing fits in with the same philosophy in which general revenue sharing is rooted—that no program or project strings will govern the use of revenue-sharing funds.

Special revenue-sharing funds would be spent under six broad headings—law enforcement, manpower training, urban development, rural development, transportation, and education. State and local governments would enjoy great freedom and flexibility with the use of funds allocated for those general purposes.

The Nation has reached a critical juncture in the development of our federal system.

Revenue sharing—general and special—represents an historic opportunity to restore fiscal balance to the system and to markedly strengthen State and local government. It is an act of faith in the local political process. It is sorely needed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. Foley (at the request of Mr. O'Neill), for today, on account of illness.

Mr. Jones of Tennessee (at the request of Mr. Boggs), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Dennis), to revise and extend their remarks and to include extraneous matter:)

Mr. Poff, today, for 10 minutes.

Mr. Price of Texas, today, for 10 minutes.

Mr. Michel, today, for 3 minutes.

Mr. Edwards of Alabama, today, for 3 minutes.

Mr. Kemp, on March 9, for 1 hour.

Mr. Miller of Ohio, today, for 5 minutes.

(The following Members (at the request of Mr. Drinan), to revise and extend their remarks, and to include extraneous matter:)

Mr. Mitchell, today, for 10 minutes.

Mr. Rarick, today, for 15 minutes.

Mr. Gonzalez, today, for 10 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Corbett and to include a newspaper article.

Mr. Holifield in five instances and to include extraneous matter.

Mr. Colmer (at the request of Mr. Bolling).

(The following Members (at the request of Mr. Drinan), and to include extraneous matter:)

Mr. Foley.

Mr. Edwards of California.

Mr. William D. Ford in four instances.

Mr. Pucinski in six instances.

Mr. Pepper.

Mr. Mollohan in five instances.

Mr. Scheuer in three instances.

Mr. Daniels of New Jersey in two instances.

Mr. Rodino in four instances.

Mr. Rarick in three instances.

Mr. Pickle.

Mr. Johnson of California.

Mr. Flood.

Mr. Podell.

Mr. Evins of Tennessee in three instances.

Mr. Patman.

Mr. Jacobs in three instances.

Mr. Nix.

Mr. Fountain.

Mr. Kluczynski in two instances.

Mr. Green of Pennsylvania in four instances.

Mr. Rooney of New York.

Mr. Cabell in two instances.

Mr. Anderson of California in two instances.

Mr. Wolff in two instances.

Mr. Chappell in two instances.

Mr. Addabbo in two instances.

Mr. Gonzalez.

Mr. Gallagher.

Mr. Sarbanes.

Mr. Hagan.

Mr. Roush in three instances.

(The following Members (at the request of Mr. Dennis), and to include extraneous matter:)

Mr. Springer.

Mr. Zion.

Mr. Brown of Ohio in two instances.

Mr. Price of Texas in three instances.

Mr. Keating.

Mr. Halpern.

Mr. Baker.

Mr. McKevitt.

Mr. Zwach.

Mr. Wiggins

Mr. Derwinski in two instances.

Mr. Brotzman.

Mr. Gerald R. Ford.

Mr. Lujan.

Mr. Hall.

Mr. Schwengel in three instances.

Mr. Blackburn.

Mr. Snyder in two instances.

Mr. Broyhill of Virginia in four instances.

Mr. Schmitz in three instances.

Mr. Whitehurst.

Mr. Wyman in two instances.

Mr. Landgrebe.

ADJOURNMENT

Mr. DRINAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 19 minutes p.m.) the House adjourned until tomorrow, Wednesday, March 3, 1971, at 12 o'clock noon.

CONTRACTUAL ACTIONS, CALENDAR YEAR 1970, TO FACILITATE NATIONAL DEFENSE

The Clerk of the House of Representatives submits the following report for printing in the Congressional Record pursuant to section 4(b) of Public Law 85–804:

U.S. Atomic Energy Commission,
Washington, D.C. February 25, 1971.

Hon. Carl Albert,
Speaker of the House of Representatives.

Dear Mr. Speaker: The following information is submitted pursuant to the provisions of Public Law 85-804, approved August 28, 1958, and to the implementing instructions as contained in the Federal Procurement Regulations 1-17.000 which establishes regulations for entering into and amending or modifying contracts to facilitate the national defense under the extraordinary emergency authority granted by this Act.

The Act provides that each agency shall, by March 15 of each year, submit to the Congress a report of all actions taken under the authority of the Act during the preceding calendar year. For the calendar year ending December 31, 1970, the Atomic Energy Commission took the following actions under the subject Act.

ACTIONS APPROVED

(1) Authorized the modification of a prime contract to correct a mutual mistake as to a material fact. As a result of this modification, a subcontract termination claim was settled for $7,000.

(2) A Determination dated October 12, 1970, was issued for the Nevada Test Site (NTS) (including Nuclear Rocket Development Station (NRDS) Nevada and Tonopah Test Range (TTR)), and provides that a clause be included in all AEC contracts, and subcontracts thereunder, which are made subject to the Davis-Bacon Act at NTS-NRDS-TTR requiring the contractors and subcontractors thereunder to adhere to the money provisions of labor agreements between Reynolds Electrical and Engineering Co., Inc. and Catalytic, Inc., and various construction crafts in the Nevada area. Such a requirement is deemed to promote labor stability, efficiency, and economy in the performance of contracts and subcontracts at the sites which directly affect the national defense and security.

In addition to this Determination, there are currently in effect two similar determinations covering (1) drilling work and (2) tunnel and tunnel shaft construction at NTS-NRDS-TTR. Both of these determination were issued in July 1968.

Sincerely,

E. J. Bloch,
Deputy General Manager.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

341. A letter from the Chief Justice of the United States, transmitting amendments to the Rules of Civil Procedure of the United States District Courts, to the Rules of Criminal Procedure of the United States District Courts, and to the Federal Rules of Appellate Procedure, adopted by the U.S. Supreme Court, pursuant to 28 U.S.C. 2072 and 2075 and 18 U.S.C. 3771 and 3772; and the report of the Judicial Conference of the United States, pursuant to 28 U.S.C. 331 (H. Doc. No. 92–57); to the Committee on the Judiciary and ordered to be printed.

342. A letter from the Deputy Secretary of Defense, transmitting a report on the number of members of the Armed Forces authorized to receive special pay for duty subject to hostile fire during calendar year 1970, pursuant to 37 U.S.C. 310; to the Committee on Armed Services.

343. A letter from the Secretary of the Navy, transmitting a report of the number of officers of the Navy and Marine Corps above the grade of lieutenant commander or major, by grade and age group, entitled to receive incentive pay under 37 U.S.C. 301(a)(1), and the average monthly incentive pay authorized for those officers during the 6 months ended March 1, 1971, pursuant to 37 U.S.C. 301(g); to the Committee on Armed Services.

344. A letter from the Governor of the Canal Zone and President of the Panama Canal Company, transmitting a report of disposal of foreign excess property by the Canal Zone Government and the Panama Canal Company for calendar year 1970, pursuant to 63 Stat. 398; to the Committee on Government Operations.

345. A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Omnibus Crime Control and Safe Streets Act of 1968; to the Committee on the Judiciary.

346. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to section 244(a)(1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

Received from the Comptroller General

347. A letter from the Comptroller General of the United States, transmitting a report on the examination of financial statements of the U.S. Government Printing Office for fiscal year 1970, pursuant to 44 U.S.C. 309; to the Committee on Government Operations.

348. A letter from the Comptroller General of the United States, transmitting a report that substantial improvements are needed in the financial management of the Virgin Islands government; to the Committee on Government Operations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABOUREZK:

H.R. 5327. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. ASHLEY:

H.R. 5328. A bill; Newsmen's Privilege Act of 1971; to the Committee on the Judiciary.

By Mr. ASPINALL:

H.R. 5329. A bill relating to the construction, rehabilitation, operation, and maintenance of Indian irrigation projects; to the Committee on Interior and Insular Affairs.

H.R. 5330. A bill to amend the act of July 1, 1932, relating to the cancellation of debts owed by Indians and Indian tribes; to the Committee on Interior and Insular Affairs.

H.R. 5331. A bill to repeal a statute relating to the supervision of blacksmiths, mechanics, teachers, farmers, and other persons employed on Indian reservations, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5332. A bill to authorize the sale of certain lands of the Southern Ute Indian Tribe, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ASPINALL (by request):

H.R. 5333. A bill to authorize appropriations for the saline water conversion program for fiscal year 1972, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ASPINALL (for himself and Mr. Johnson of California):

H.R. 5334. A bill to authorize the Secretary of the Interior to continue a program of research, development, and demonstration of processes for the conversion of saline and other chemically contaminated water for beneficial use and for the treatment of saline and other chemically contaminated waste water to maintain or improve the quality of natural waters, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ASPINALL (for himself, Mr. Baring, and Mr. Johnson of California):

H.R. 5335. A bill to preserve and stabilize the domestic gold mining industry on public, Indian, and other lands within the United States and to increase the domestic production of gold to meet the needs of industry and national defense; to the Committee on Interior and Insular Affairs.

By Mr. ASPINALL (for himself, Mr. Johnson of California, and Mrs. Mink).

H.R. 5336. A bill to amend the Organic Act of Guam, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ASPINALL (for himself, Mr. Evans of Colorado, Mr. Brotzman, and Mr. McKevitt):

H.R. 5337. A bill to authorize the construction, operation, and maintenance of the closed basin division, San Luis Valley project, Colorado, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H.R. 5338. A bill to establish certain policies with respect to certain use permits for national forest lands; to the Committee on Agriculture.

H.R. 5339. A bill to authorize the Secretary of the Interior to protect, manage, and control free-roaming horses and burros on public lands; to the Committee on Interior and Insular Affairs.

By Mr. BENNETT (for himself, Mr. Sikes, Mr. Miller of California, Mr. Bob Wilson, Mr. St Germain, Mr. Wyatt, Mr. Whitehurst, Mr. Steele, and Mr. Forsythe):

H.R. 5340. A bill to incorporate the Navy Wives Clubs of America, and for other purposes; to the Committee on the Judiciary.

By Mr. BROTZMAN:

H.R. 5341. A bill to provide for the procurement of voluntary military manpower; to the Committee on Armed Services.

By Mr. BURLISON of Missouri:

H.R. 5342. A bill to authorize insurance in connection with loans to finance improvements to mobile homes; to the Committee on Banking and Currency.

By Mr. DON H. CLAUSEN:

H.R. 5343. A bill to amend the Federal Aviation Act of 1958 to authorize reduced-rate transportation for elderly people on a space-available basis; to the Committee on Interstate and Foreign Commerce.

H.R. 5344. A bill to make it a Federal crime to kill or assault a fireman or law enforcement officer engaged in the performance of his duties when the offender travels in interstate commerce or uses any facility of interstate commerce for such purpose; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 5345. A bill declaring a public interest in the open beaches of the Nation, providing for the protection of such interest, for the acquisition of easements pertaining to such seaward beaches and for the orderly management and control thereof; to the Committee on Interior and Insular Affairs.

H.R. 5346. A bill to prohibit common carriers in interstate commerce from charging elderly people more than half fare for their transportation during nonpeak periods of travel, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL:

H.R. 5347. A bill to amend the Railway Labor Act to establish a method for settling labor disputes in transportation industries subject to that act; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDSON:

H.R. 5348. A bill to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. EDWARDS of Alabama:

H.R. 5349. A bill to amend the Legislative Reorganization Act of 1946 to provide for annual reports to the Congress by the Comptroller General concerning certain price increases in Government contracts and certain failures to meet Government contract completion dates; to the Committee on Government Operations.

H.R. 5350. A bill to amend the Internal Revenue Code of 1954 with respect to the tax-exempt status of, and the deductibility of contributions to, certain private schools; to the Committee on Ways and Means.

H.R. 5351. A bill to provide for orderly trade in textile articles and aricles of leather footwear, and for other purposes; to the Committee on Ways and Means.

By Mr. GARMATZ (for himself and Mr. Pelly):

H.R. 5352. A bill to amend the act to authorize appropriations for the fiscal year 1971 for certain maritime programs of the Department of Commerce; to the Committee on Merchant Marine and Fisheries.

By Mr. HANLEY:

H.R. 5353. A bill to amend title 10, United States Code, to restore the system of recomputation of retired pay for certain members and former members of the Armed Forces; to the Committee on Armed Services.

H.R. 5354. A bill to amend chapter 81 of title 5 of the United States Code to provide for the exemption of certain persons from the limitations on the right to receive compensation for injuries; to the Committee on Education and Labor.

H.R. 5355. A bill to amend title 5, United States Code, to provide additional preference to veterans with service-connected disabilities for purposes of retention in reductions in force; to the Committee on Post Office and Civil Service.

H.R. 5356. A bill to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HARRINGTON (for himself, Mr. Collins of Illinois, Mr. Gude, Mr. Eilberg, Mr. McCloskey, Mr. Hechler of West Virginia, and Mrs. Grasso):

H.R. 5357. A bill to amend the Foreign Assistance Act of 1961, as amended, to prohibit any involvement or participation of U.S. Armed Forces in an invasion of North Vietnam without prior and explicit congressional authorization; to the Commtitee on Foreign Affairs.

By Mr. KEE (for himself, Mr. Slack, Mr. Saylor, Mr. Flood, Mr. Gray, Mr. Nix, Mr. Yatron, Mr. Dent, Mr. Perkins, Mr. Stubblefield, Mr. Corbett, Mr. Staggers, Mr. Mollohan, Mr. Hays, Mr. Bevill, Mr. Gaydos, Mr. Morgan, Mr. Whalley, Mr. Edmondson, and Mr. Price of Illinois):

H.R. 5358. A bill to amend title XVIII of the Social Security Act to provide medicare benefits (financed from general revenues) for disabled coal miners without regard to their age; to the Committee on Ways and Means.

By Mr. KOCH:

H.R. 5359. A bill to amend the Internal Revenue Code of 1954 to increase to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for dependents, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. McCLURE:

H.R. 5360. A bill to prohibit the manufacture or importation of coin replicas unless such replicas are manufactured in accordance with standards prescribed by the Secretary of Commerce, and for other purposes; to the Committee on Banking and Currency.

H.R. 5361. A bill to prohibit the alteration of coins in use and circulation for any purpose; to the Committee on the Judiciary.

By Mr. MELCHER (for himself and Mr. Shoup):

H.R. 5362. A bill to provide for division and for the disposition of the funds appropriated to pay a judgment in favor of the Blackfeet Tribe of the Blackfeet Indian Reservation, Mont., and the Gros Ventre Tribe of the Fort Belknap Reservation, Mont., in Indian Claims Commission docket No. 279-A, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MURPHY of New York:

H.R. 5363. A bill to facilitate the transportation of cargo by barges specifically designed for carriage aboard a vessel; to the Committee on Merchant Marine and Fisheries.

By Mr. PEPPER:

H.R. 5364. A bill to amend title II of the Social Security Act to provide that no reduction shall be made in old-age insurance benefit amounts to which a woman is entitled if she has 120 quarters of coverage; to the Committee on Ways and Means.

By Mr. PETTIS:

H.R. 5365. A bill to provide for the enforcement of support orders in certain State and Federal courts, and to make it a crime to move or travel in interstate and foreign commerce to avoid compliance with such orders; to the Committee on the Judiciary.

H.R. 5366. A bill to provide for the establishment of a national cemetery in San Bernardino County in the State of California; to the Committee on Veterans' Affairs.

By Mr. PICKLE:

H.R. 5367. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. PODELL:

H.R. 5368. A bill to amend the Federal Trade Commission Act to extend protection against fraudulent or deceptive practices, condemned by that act to consumers through civil actions, and to provide for class actions for acts in defraud of consumers; to the Committee on Interstate and Foreign Commerce.

H.R. 5369. A bill to amend the Public Health Service Act to continue and broaden eligibility of schools of nursing for financial assistance, to improve the quality of such schools, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PRICE of Texas:

H.R. 5370. A bill to repeal chapter 44 of title 18, United States Code (relating to firearms), to reenact the Federal Firearms Act, and to restore chapter 53 of the Internal Revenue Code of 1954 as in effect before its amendment by the Gun Control Act of 1968; to the Committee on the Judiciary.

H.R. 5371. A bill to modify ammunition recordkeeping requirements; to the Committee on Ways and Means.

By Mr. SEIBERLING:

H.R. 5372. A bill to amend section 5042(a) (2) of the Internal Revenue Code of 1954 to permit individuals who are not heads of families to produce wine for personal consumption; to the Commitee on Ways and Means.

By Mr. SISK:

H.R. 5373. A bill to amend section 1402 (a) of title 10, United States Code, to revise the rule for recomputation of retired or retainer pay to reflect later active duty; to the Committee on Armed Services.

By Mr. YATES:

H.R. 5374. A bill to provide for appropriation of civil supersonic transport program termination costs; to the Committee on Appropriations.

By Mr. BARING (for himself, Mr. Saylor, Mr. Edmondson, Mr. Haley, Mr. Johnson of California, and Mr. Taylor):

H.R. 5375. A bill to require the protection, management, and control of wild free-roaming horses and burros on public lands; to the Committee on Interior and Insular Affairs.

By Mr. BLATNIK (for himself, Mr. Boggs, Mr. Johnson of California, Mr. Jones of Alabama, Mr. Edmondson, Mr. Wright, Mr. Clark, Mr. Dorn, Mr. Henderson, Mr. Kee, Mr. Roe, and Mr. McFall):

H.R. 5376. A bill to extend the Public Works Acceleration Act, the Public Works and Economic Development Act of 1965, and the Appalachian Regional Development Act of 1965; to the Committee on Public Works.

By Mr. BROOMFIELD:

H.R. 5377. A bill to provide more effective means for protecting the public interest in national emergency disputes involving the transportation industry and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CABELL:

H.R. 5378. A bill to authorize the establishment of the Big Thicket National Monument in the State of Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CAREY of New York (for himself, Mr. Addabbo, Mr. Badillo, Mr. Bingham, Mr. Brasco, Mr. Celler, Mr. Murphy of New York, Mr. Podell, Mr. Koch, Mr. Rangel, Mr. Rosenthal, Mr. Ryan, Mr. Scheuer, Mr. Wolff, and Mr. Dow):

H.R. 5379. A bill to place the various public assistance programs contained in the Social Security Act on a fully federalized basis so that they will be carried out in accordance with federally prescribed regulations and financed entirely with Federal funds; to the Committee on Ways and Means.

By Mr. CHAPPELL:

H.R. 5380. A bill to amend the Dependents Assistance Act of 1950 in order to make members of the Reserve and National Guard ordered to active duty for training for periods of 30 days or more eligible for quarters allowances and to make allotments; to the Committee on Armed Services.

H.R. 5381. A bill to provide for a Veterans' Administration hospital in the Halifax area of Volusia County, Fla.; to the Committee on Veterans' Affairs.

By Mr. DAVIS of Georgia:

H.R. 5382. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DINGELL:

H.R. 5383. A bill to establish a system for the distribution of certain Federal tax revenues to the States, and for other purposes; to the Committee on Ways and Means.

By Mr. EDWARDS of Alabama (for himself, Mr. Dickinson, Mr. Esch, Mr. Harvey, Mr. Vander Jagt, Mr. Cederberg, and Mr. Broomfield):

H.R. 5384. A bill to provide reimbursement for losses incurred by commercial fishermen, as well as allied sport fishing camps, as a result of restrictions imposed by a State or the Federal Government; to the Committee on Merchant Marine and Fisheries.

By Mr. FASCELL:

H.R. 5385. A bill to amend title 10, United States Code, to prescribe health care cost-sharing arrangements for certain surviving dependents, and for other purposes; to the Committee on Armed Services.

By Mr. FISHER:

H.R. 5386. A bill to authorize payment of $25,000 reward for information which leads to the apprehension and conviction of the person or persons responsible for a bomb explosion in the U.S.Capitol Building on March 1, 1971; to the Committee on the Judiciary.

H.R. 5387. A bill to amend title 5, United States Code, to preserve in certain cases the preference in employment and retention in the competitive service for remarried widows of certain veterans; to the Committee on Post Office and Civil Service.

By Mr. GERALD R. FORD (for himself, Mrs. Reid of Illinois, Mr. Broyhill of North Carolina, Mr. Vander Jagt, Mr. Bob Wilson, and Mr. Frey):

H.R. 5388. A bill to control the generation and transmission of noise detrimental to the human environment, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GERALD R. FORD (for himself, Mrs. Reid of Illinois, Mr. Broyhill of North Carolina, Mr. Vander Jagt, Mr. Bob Wilson, and Mr. Coughlin):

H.R. 5389. A bill to assure protection of environmental values while facilitating construction of needed electric power supply facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GERALD R. FORD (for himself, Mrs. Reid of Illinois, Mr. Broyhill of North Carolina, Mr. Vander Jagt, Mr. Bob Wilson, and Mr. Steele):

H.R. 5390. A bill to amend, the Federal Hazardous Substances Act, as amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 5391. A bill to provide a program to improve the opportunity of students in elementary and secondary schools to study cultural heritages of the major ethnic groups in the Nation; to the Committee on Education and Labor.

By Mr. GIAIMO:

H.R. 5392. A bill to authorize a program to develop and demonstrate low-cost means of preventing shoreline erosion; to the Committee on Public Works.

By Mr. GIAIMO (for himself and Mr. McCormack):

H.R. 5393. A bill to authorize the National Science Foundation to conduct research, educational, and assistance programs to prepare the country for conversion from defense to civilian, socially oriented research and development activities, and for other purposes; to the Committee on Science and Astronautics.

By Mr. HALPERN:

H.R. 5394. A bill to authorize the coinage of 50-cent pieces to commemorate the life of the Honorable Sam Rayburn and to assist in the support of the Sam Rayburn Library; to the Committee on Banking and Currency.

By Mr. HANLEY:

H.R. 5395. A bill to revise the eligibility criteria governing the payment of unemployment compensation based on Federal service; to the Committee on Post Office and Civil Service.

By Mr. HARRINGTON (for himself, Mrs. Chisholm, Mr. Donohue, Mr. Edwards of California, Mr. Eilberg, Mr. Fraser and Mr. Halpern):

H.R. 5396. A bill to provide for the sharing with State and local governments of a portion of the tax revenue of the Federal Government and to authorize Federal collection of State income taxes; to the Committee on Ways and Means.

By Mr. HUNT:

H.R. 5397. A bill to limit the sale or distribution of mailing lists by Federal agencies; to the Committee on Government Operations.

H.R. 5398. A bill to amend title 18 of the United States Code to provide a penalty for persons who interfere with the conduct of judicial proceedings, and for other purposes; to the Committee on the Judiciary.

H.R. 5399. A bill to prohibit the use of the name of any of certain deceased servicemen unless consent to so use the name is given by the next of kin of the serviceman; to the Committee on the Judiciary.

H.R. 5400. A bill to restrict travel in violation of area restrictions; to the Committee on the Judiciary.

H.R. 5401. A bill to prohibit the use of channels of interstate or foreign commerce, including the mails, for the distribution of certain material which is harmful to minors; to the Committee on the Judiciary.

By Mr. METCALFE:

H.R. 5402. A bill to amend the Federal Food, Drug, and Cosmetic Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MATSUNAGA:

H.R. 5403. A bill to amend title 39, United States Code, as enacted by the Postal Reorganization Act, to provide additional free letter mail and air transportation mailing privileges for certain members of the U.S. Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MILLS:

H.R. 5404. A bill to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the Arkansas Game and Fish Commission, and for other purposes; to the Committee on Agriculture.

By Mr. MONTGOMERY:

H.R. 5405. A bill to provide for the conveyance of retained mineral rights by the United States to private surface landowners who acquired their land from a Federal Land Bank, and for other purposes; to the Committee on Agriculture.

By Mr. MYERS (for himself and Mr. McEwen):

H.R. 5406. A bill to provide for fiscal responsibility through the establishment of a limitation on budget expenditures and net lending (budget outlays) for the fiscal year 1972, and for other purposes; to the Committee on Government Operations.

By Mr. PELLY (by request):

H.R. 5407. A bill to provide members of the Colville Confederated Tribes with full citizenship and to provide for vesting each tribal member with his equal cash share representing his equity in all reservation assets of the Colville Confederated Tribes in the State of Washington; to the Committee on Interior and Insular Affairs.

By Mr. POFF (for himself, Mr. Hutchinson, Mr. McClory, Mr. Wiggins, Mr. Dennis, Mr. Fish, Mr. Coughlin, Mr. Mayne, Mr. Hogan, Mr. Keating, and Mr. McKevitt):

H.R. 5408. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968; to the Committee on Judiciary.

By Mr. QUILLEN:

H.R. 5409. A bill to amend chapter 73 of title 10, United States Code, to establish a survivor benefit plan; to the Committee on Armed Services.

By Mr. RARICK:

H.R. 5410. A bill to provide for the humane disposition of military dogs; to the Committee on Armed Services.

By Mr. RIEGLE:

H.R. 5411. A bill to amend the Internal Revenue Code of 1954 and title II of the Social Security Act to provide a full exemption through credit or refund) from the employees' tax under the Federal Insurance Contributions Act, and an equivalent reduction in the self-employment tax, in the case of individuals who have attained age 65; to the Committee on Ways and Means.

By Mr. ROBISON of New York:

H.R. 5412. A bill to make available to certain organized tribes, bands, or groups of Indians residing on Indian reservations established under State law certain benefits, care, or assistance for which federally recognized Indian tribes qualify as recipients; to the Committee on Interior and Insular Affairs.

H.R. 5413. A bill to amend the Water Resources Research Act of 1964, to increase the authorization for water resources research and institutes, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROSTENKOWSKI:

H.R. 5414. A bill to amend the Internal Revenue Code of 1954 to provide refunds in the case of certain uses of tread rubber; to the Committee on Ways and Means.

By Mr. BENNETT (for himself, Mr. Sikes, Mr. Miller of California, Mr. Bob Wilson, Mr. St Germain, Mr. Wyatt, Mr. Whitehurst, Mr. Steele, and Mr. Forsythe):

H.J. Res. 422. Joint resolution to provide for the designation of June 3 as "National Navy Wives Clubs of America Day"; to the Committee on the Judiciary.

By Mr. EDWARDS of Alabama:

H.J. Res. 423. Joint resolution to provide for the resumption of trade with Rhodesia; to the Committee on Foreign Affairs.

By Mr. FULTON of Pennsylvania:

H.J. Res. 424. Joint resolution proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

By Mr. HAMMERSCHMIDT:

H.J. Res. 425. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of voluntary prayer or meditation in public schools and other public buildings; to the Committee on the Judiciary.

By Mrs. HICKS of Massachusetts:

H.J. Res. 426. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayers in public schools; to the Committee on the Judiciary.

H.J. Res. 427. Joint resolution to provide for the flag of the United States of America to be displayed in schoolrooms and near every schoolhouse; to the Committee on the Judiciary.

By Mr. McDONALD of Michigan:

H.J. Res. 428. Joint resolution designating the American marigold (Tagetes erecta) as the national floral emblem of the United States; to the Committee on House Administration.

By Mr. MIKVA:

H.J. Res. 429. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.J. Res. 430. Joint resolution to establish a Special Joint Committee on the Security of the Capitol Building and of the Senate and House of Representatives Office Buildings; to the Committee on Rules.

By Mr. NIX:

H.J. Res. 431. Joint resolution regarding the powers of the Congress and the President to commit the Armed Forces of the United States to hostilities; to the Committee on Foreign Affairs.

By Mr. QUIE:

H.J. Res. 432. Joint resolution to amend the Constitution to provide for representation of the District of Columbia in the Congress; to the Committee on the Judiciary.

By Mr. ROBISON of New York:

H.J. Res. 433. Joint resolution granting the consent of Congress to the States of New Jersey and New York for certain amendments to the Waterfront Commission Compact and for entering into the Airport Commission Compact, and for other purposes; to the Committee on the Judiciary.

By Mr. GUDE:

H. Con. Res. 189. Concurrent resolution expressing the sense of Congress with respect to the continued operation of Public Health Service facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. MORSE (for himself and Mr. Boland):

H. Con. Res. 190. Concurrent resolution expressing the sense of the Congress on the expanded use of the Model Cities program; to the Committee on Banking and Currency.

By Mr. BROOMFIELD:

H. Res. 265. Resolution to limit the number of U.S. troops committed to the North Atlantic Treaty Organization; to the Committee on Foreign Affairs.

By Mr. CELLER:

H. Res. 266. Resolution to amend the Rules of the House to abolish joint sponsorship of bills, memorials, or resolutions; to the Committee on Rules.

By Mrs. HICKS of Massachusetts:

H. Res. 267. Resolution calling for the recitation of the Pledge of Allegiance to the flag by all teachers and pupils in elementary and secondary schools in the United States, and for other purposes; to the Committee on Education and Labor.

H. Res. 268. Resolution condemning the persecution of any persons because of their religion in the Soviet Union, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HUNT:

H. Res. 269. Resolution to create a Select Committee on the Investigation of Pornographic Enterprises; to the Committee on Rules.

By Mr. SYMINGTON (for himself and Mr. Buchanan):

H. Res. 270. Resolution expressing the sense of the House of Representatives with respect to an international compact regarding the safety of persons entitled to diplomatic immunity; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUCHANAN:

H.R. 5415. A bill for the relief of Mohinder Pal Singh Gill; to the Committee on the Judiciary.

By Mr. BURLISON of Missouri:

H.R. 5416. A bill for the relief of Ossie Emmons and others; to the Committee on the Judiciary.

By Mr. BURTON:

H.R. 5417. A bill for the relief of Paulina Bustamante Bognot; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 5418. A bill for the relief of Fausto Pitetti; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 5419. A bill for the relief of Corbie F. Cochran, Jr.; to the Committee on the Judiciary.

H.R. 5420. A bill for the relief of Robert F. Franklin; to the Committee on the Judiciary.

H.R. 5421. A bill for the relief of Robert F. Franklin; to the Committee on the Judiciary.

H.R. 5422. A bill for the relief of the American Journal of Nursing; to the Committee on the Judiciary.

By Mr. DRINAN:

H.R. 5423. A bill for the relief of Gilan Tehranchi; to the Committee on the Judiciary.

By Mr. JARMAN:

H.R. 5424. A bill for the relief of Shirley C. Thorne; to the Committee on the Judiciary.

By Mr. KYL:

H.R. 5425. A bill for the relief of Lt. Col. Albert C. Omer, U.S. Air Force (retired); to the Committee on the Judiciary.

By Mr. LENT:

H.R. 5426. A bill for the relief of Piedad V. Montesdeoca; to the Committee on the Judiciary.

By Mr. McDONALD of Michigan:

H.R. 5427. A bill for the relief of Henry L. Trombley; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 5428. A bill for the relief of Boulos Stephan; to the Committee on the Judiciary.

By Mr. RIEGLE:

H.R. 5429. A bill for the relief of Darrell G. Goodfellow; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 5430. A bill for the relief of Pasqua Spedicati; to the Committee on the Judiciary.

By Mr. STEELE:

H.R. 5431. A bill for the relief of Peitro Bracciale; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

38. By the SPEAKER: A memorial of the Legislature of the State of South Dakota, requesting Congress to call a convention for the purpose of amending the U.S. Constitution relating to the sharing by State and local governments of revenues received by the Federal Government; to the Committee on the Judiciary.

39. Also, a memorial of the Legislature of the Commonwealth of Massachusetts, relative to increasing certain social security benefits; to the Committee on Ways and Means.

40. Also, a memorial of the Legislature of the Commonwealth of Massachusetts, relative to a national health insurance program; to the Committee on Ways and Means.

PETITIONS, ETC.

Under clause 1 of rule XXII,

37. The SPEAKER presented a petition of Phillip B. Anderson, Menard, Ill., relative to redress of grievances, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

MONEY IS NOT THE ONLY ANSWER

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. LANDGREBE. Mr. Speaker, too often we have witnessed here and at all levels of government the spend ourselves rich syndrome.

Whenever testimony is heard on any subject in any committee hearing on Capitol Hill, it is close to a sure bet that at least one person will testify that the only answer to the problem under discussion is the infusion of more and more and more money.

This syndrome can be found elsewhere, as well. Recently, a group called the Citizens' Conference on State Legislatures rated the legislatures of all 50 States. The general assembly of the State of Indiana fared rather badly in those ratings, largely because Indiana believes in fiscal responsibility, and its legislators keep a tight grip on the purse strings. Indiana's Legislature has done an admirable job through the years, keeping the machinery of the government functioning smoothly, without incurring a staggering deficit.

On February 24, Donald D. White wrote very eloquently about this syndrome in his column, The Hoosier Day, which is carried in many Indiana newspapers. I insert that column at this point in the RECORD:

THE HOOSIER DAY

(By Donald D. White)

Highest cost is not synonymous with best quality. Money does not always solve all problems.

The Indiana General Assembly recently came under attack by an organization called the Citizens' Conference on State Legislatures. Indiana ranked 40th in a survey by the group, while California ranked first.

A part of the yardstick used to measure effectiveness was salary, offices and staff, and length of sessions. Pay for California legislators has skyrocketed in recent years, and sessions have extended until they are almost continuous.

Larry Margolis is executive director of the Citizens' Conference. He appeared before the pre-legislative conference of the Indiana General Assembly. His proposals for "improving" the sessions included a salary of $25,000 a year, increased staff for every member, and two offices per legislator.

I agree with John V. Barnett, executive vice president of the Indiana Chamber of Commerce. Commenting on the criticism, Barnett said: "The real measurement for the effectiveness of legislatures is not the amount of time and money spent in their deliberations but the end product of those deliberations. The real measurement is whether the product is good government. And by that yardstick, Indiana ranks high."

All too frequently, our first answer to any problem is more money. Often, it is our only answer. Recently I interviewed Rendell A. Davis, executive director of Public Action in Correctional Effort (PACE).

Davis observed: "Within the past six months we have seen some changes take place, particularly at the Reformatory. We have seen changes take place that really are quite remarkable, mainly in the whole area of human relations. They are not the kind of changes that took money, because we didn't have any money. Maybe that is something for us to see . . . that there area great many changes that can take place without money."

Indiana's correctional system does need more money. Even more, it needs a complete reorganization and a shift in emphasis for confinement to rehabilitation, from punishment to prevention.

Even in the field of National security, there are those who would have us believe that higher pay and better living conditions are all that are required for an all-volunteer armed forces.

In preparation, the Army, Navy and Air Force issued new regulations to eliminate "Mickey Mouse" requirements. Beer will be allowed in the barracks, no more routine reveille or bed checks, and we will move toward private rooms.

In the same breath, the Marine Corps announced it is going to get tougher, no matter what the other services do. Gen. Leonard Chapman, Marine Corps commandant said: "The Corps is going to be leaner, tougher, more disciplined and even more professional than ever before."

I will be the first to admit my fighting ability was not diminished by a full beard and moustache when we had no hot water or time to shave. It also was not affected by no bath in a couple of months except for the constant 30 day rain and rivers we crossed. I will also admit, some of the "Mickey Mouse" regulations prepared me to endure some hardships.

So we have relaxed and reduced the draft. Then Jordanian government troops started battling Palestinian guerrillas. Troops were alerted for possible rescue of Americans from Jordan. The Army found not one of its divisions outside of Vietnam is rated combat-ready.

The 82nd Airborne Division is part of the U.S. Strike Command, supposedly ready for quick deployment on short notice. It was so badly depleted, it could only field two of its three 4,500-man brigades. Even these were dated 2 on a scale of 4 in measuring combat-readiness. The ideal is 1, and other divisions in the Army were hurting more than the 82nd.

On this theory, we stake our lives as well as the security of our country. It is said: "Whenever someone gets something for nothing, remember, somebody got nothing for something."

TERROR IN SOUTH VIETNAM—THE PULPING OF A PEOPLE—V

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. SCHMITZ. Mr. Speaker, as President Nixon said in his recent state of the world message, "Communist terrorist activities, assassinations, and kidnapings continue to exact a tragic toll from the Vietnamese people."

It is good that the President has pointed out this facet of the war in Southeast Asia which receives so little coverage in the day-to-day coverage of the war. In order to convey the real meaning of Communism and illustrate the vicious nature of the enemy we fight in Southeast Asia I would like to insert at this point the fifth in a continuing series showing the day-to-day terror which is being applied against the people of South Vietnam.

This information is compiled by the National Police of South Vietnam and published every 24 hours. The list is incomplete as assassinations and kidnapings are not always reported from many areas and many of those listed as wounded eventually die.

Those who continually cry for the limitation of allied operations against the enemy might pause to consider the operations being undertaken by the enemy in order to decimate the people of South Vietnam.

The Roundup of Terrorist Activities, compiled by the National Police of the Republic of Vietnam follow:

ROUNDUP OF TERRORIST ACTIVITIES

Nine enemy terrorist incidents have been reported in which nine Vietnamese civilians were killed, 10 wounded and two kidnapped. Details follow:

Jan. 11—A VC squad, dressed in civilian clothes, entered Thanh Son village, Diem Ban dist., Quang Nam Prov. They threw M–26 grenades at a group of village officials, killing two and wounding two.

Jan. 10—A three-wheeled bus hit a plastic-type mine 6.5 kms north of Kontum city, Kontum Prov. Two civilian passengers were killed and four wounded.

A PSDF member and a village official were assassinated in My Phu hamlet, My An dist., Kien Phong Prov.

Jan. 9—Three civilians were wounded by VC small arms fire in an attack on Phuoc Dien hamlet, Phuoc Ninh dist., Tay Ninh Prov.

Jan. 8—One civilian was kidnapped from Duong Xuan hamlet, Hai Long dist., Binh Thuan Prov.

Jan. 7—A Vietnamese woman cutting wood in Bich Phuoc village, Tri Tam dist., Binh Duong Prov., was killed when she stepped on a booby trap.

Jan. 6—A civilian was kidnapped from the Ruong Lay area, Phan Ly Cham dist., Binh Thuan Prov.

One PSDF was killed and one civilian wounded in an enemy attack on La Van hamlet, Duc Thanh dist., Phuoc Tuy Prov.

Jan. 5—In Gia Dinh Prov., the enemy assassinated a 26-year old woman in Dong Thanh village, Hoc Mon dist.

Five incidents of enemy terrorism have been reported in which five Vietnamese civilians were killed and eight wounded. Details follow:

Jan. 11—Three civilians returning to Tan Binh hamlet, Phu Giao dist., Binh Duong Prov. stepped on a booby trap planted between their rice fields and the hamlet. Two of the victims were killed and the other wounded. An enemy unit fired into a house in Thanh Phu village, Kien Hoa dist. One civilian was wounded.

Jan. 9—Three civilians and a National Policeman, who had been cutting bamboo, were ambushed one km from Tan Canh in Kontum Prov. One of the civilians were killed. The policeman and two civilians were wounded.

Jan. 8—Six VC, wearing ARVN uniforms and carrying M–16s, entered Phu Nhieu hamlet, Phu My dist., Binh Dinh Prov. They assassinated the deputy hamlet chief and wounded his son.

Jan. 6.—A small CV force entered Phuoc Hau village, Can Duoc dist., Long An Prov.

and attacked the village administrative office. A hamlet chief was killed and two civilians wounded.

Four terrorist incidents have been reported in which five Vietnamese civilians were killed, seven wounded and one kidnapped. Details follows:

Jan. 10—An enemy unit threw a grenade into a home in Yen Ne hamlet, Hoa Vang dist., Quang Nam Prov. One civilian was killed and three wounded. One high school student was assassinated and one civilian kidnapped from Dat Loc hamlet, Que Son dist., Quang Nam Prov. Two civilians were killed and four wounded when they stepped on a booby trap in Binh Duc village, Binh Son dist., Quang Ngai Prov.

Jan. 9—A sniper killed the chief of Suoi Dua hamlet, Tri Tam dist., Binh Duong Prov.

Five incidents of enemy terrorism have been reported in which two Vietnamese civilians were killed, four wounded and four kidnapped. Details follow:

Jan. 13—One civilian was kidnapped from Phong Phu hamlet, Phong Thuan dist., Phong Linh Prov.

Jan. 11—A VC squad infiltrated Mai Trai hamlet, Du Long dist., Ninh Thuan Prov. and assassinated the deputy hamlet chief.

Four civilians were wounded by 82mm mortar rounds fired into Huyen Thu village, Duc Duc dist., Quang Nam Prov.

Three PSDF members were kidnapped from Nhon Tho hamlet, Phong Dien dist., Phong Dinh Prov.

Jan. 9—One civilian was assassinated in Cai Trau hamlet, Thanh Tri dist., Ba Xuyen Prov. The victim had recently applied for a position with the National Police.

Seven incidents of enemy terrorism have been reported in which two Vietnamese civilians were killed, two wounded and 10 kidnapped. Details follow:

Jan. 13—Two women and a man were kidnapped from Binh Quoi hamlet, Tan Tru dist., Long An Prov.

Jan. 12—In Binh Duong Prov., Two civilians detonated a booby trap mine near Binh My hamlet, Phu Giao dist. One man was killed and the other wounded.

Jan. 11—A 17-year old girl was kidnapped from Thach Duc hamlet, Dong Xuan dist., Phu Yen Prov.

Two Vietnamese children stepped on a booby trap mine near Tan Binh hamlet, Phu Giao dist., Binh Duong Prov. One child was killed and the other wounded.

Also in Binh Duong, a 16-year old boy was kidnapped from Kinh Nhuong hamlet, Phu Giao dist.

Jan. 6—Three women and a man were kidnapped from Thuong Nghia hamlet, Dong Ha dist., Quang Tri Prov.

Jan. 4—Also in Quang Tri, a 14-year old boy was kidnapped from Nhi Thuong hamlet, Gio Linh dist.

Four incidents of enemy terrorism have been reported in which two Vietnamese civilians were killed, one wounded and one kidnapped. Details follow:

Jan. 12—One PSDF member was wounded in an engagement with the enemy near Phu Giao hamlet, Thanh Tri dist., Ba Xuyen Prov.

Jan. 11—A 10-year-old child, gathering firewood, was killed when he stepped on an enemy booby trap mine. The incident occurred near Thuan Kiem hamlet, Phuoc Binh dist., Phuoc Long Prov.

Jan. 10—A terrorist group penetrated Tan My hamlet, Thuan Hoa dist., Ba Xuyen Prov. and assassinated one civilian.

In Hau Nghia Prov., 20 VC infiltrated Loc Hung hamlet, Trang Bang dist. and kidnapped a Hoi Shanh. The PF platoon defending the hamlet attacked the enemy as they were departing and the victim escaped.

At approximately 0135 hours on Jan. 18th, the VC fired five of 82 mm mortar rounds into Rach Gia city, Kien Giang Prov. Two children were killed and fifteen adults wounded.

This was one of six enemy terrorist incidents reported in which six Vietnamese civilians were killed, 15 wounded and three kidnapped. Details follows:

Jan. 19—10 VC entered a village in the Phu Loc dist., Thua Thien Prov. and kidnapped two men and a woman. One man was assassinated a short distance from the village. A few minutes later, the enemy unit was attacked by a PF platoon. During the engagement, the woman victim managed to escape.

Jan. 14—Terrorists assassinated a man in An Thuan hamlet, Duc Hue dist., Hau Nghia Prov.

Also in Hau Nighia, a VC platoon infiltrated Phuoc Hau hamlet, Trang Bang dist. and kidnapped one male resident.

Jan. 12—One civilian was assassinated in Hung Quo hamlet, Lap Vo dist., Sa Dec Prov.

Jan. 11—In Kien Phong Prov., one man was assassinated in Phu Cong village, Dong Tien dist.

Six incidents of enemy terrorism have been reported in which three Vietnamese civilians were killed, 15 wounded and two kidnapped. Details follow:

Jan. 19—In an engagement between hamlet defense forces and a VC unit, one member of the PSDF was wounded. Enemy casualties are unknown. The incident occurred in Bong Trang hamelt, Hieu Thien dist., Tay Ninh Prov.

Jan. 17—An enemy platoon attacked Lau Vinh hamlet, Hieu Thien dist., Tay Ninh Prov. Three PSDF were killed and three civilians, including two children, wounded. Enemy casualties are unknown, although villagers saw a number of VC being carried away from the scene.

Jan. 16—Also in Tay Ninh, two PSDF were wounded in an attack on Da Hang hamlet, Hieu Thien dist.

A VC unit fired eight 82mm mortar rounds into Dong Thanh village, Binh Minh dist., Vinh Long Prov. Seven children, one woman and a PSDF member were wounded.

Jan. 15—One civilian was kidnapped from Loc Binh hamlet, Trang Bang dist., Hau Nghia Prov.

Jan. 12—One Hoi Chanh was kidnapped from Xom Moi hamlet, Hieu Thien dist., Tay Ninh Prov.

Nine terrorist incidents have been reported in which eight Vietnamese were killed, 25 wounded and one kidnapped. Details follow:

Jan. 19—A civilian was killed and a village council member wounded in a terrorist attack in An Dinh village, Huong My dist., Kien Hoa Prov.

Terrorists abducted a PSDF in My Thanh village, Tra Tri dist., Kien Hoa Prov.

Jan. 17—One PSDF was killed by a VC unit in an engagement at Vinh Phuoc hamlet, Duc Long dist., Chuong Thien Prov.

Jan. 16—A VC unit killed two civilians during an attack against Phuong Thanh hamlet, Long My dist. in Chuong Thien Prov.

The deputy hamlet chief and the assistant military affairs section chief were killed when a VC unit penetrated Hoa Phung hamlet and engaged PF and PSDF. The hamlet in the Duc Long dist. of Chuong Thien Prov.

Jan. 15—In an engagement between a VC unit and PF defenders in Vinh Phuoc hamlet, three PSDF and a civilian were wounded. Vinh Phuoc is in Duc Long dist., Chuong Thien Prov.

A 17 year-old cowherd was killed and 17 civilians were wounded when a VC mine exploded in Tan Hoa Khanh village, Oan Uyen dist., Bien Hoa Prov.

VC decapitated a disabled soldier, planted a flag and distributed leaflets in an incursion in Phuoc Hau II hamlet, Phuoc Long village, Phuoc Long dist., in Bac Lieu Prov.

SOCIAL SECURITY BENEFIT INCREASE NEEDED NOW

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. SCHWENGEL. Mr. Speaker, today I insert in the RECORD, part IX of the article entitled "Private and Public Retirement Pensions: Findings From the 1968 Survey of the Aged," by Walter W. Kolodrubetz.

I include the material as follows:

PRIVATE AND PUBLIC RETIREMENT PENSIONS: FINDINGS FROM THE 1968 SURVEY OF THE AGED—PART 9

The significance of supplementary retirement payments in the income position of the aged is further clarified when they are measured in terms of their contribution to aggregate income. According to Survey results for OASDHI beneficiary couples with more than one pension, about two-thirds of their aggregate income was from retirement benefits. Other income sources, mostly earnings and income from assets, provided the remainder (table 11). For nonmarried OASDIII beneficiaries with another pension, retirement benefits made up three-fourths of aggregate income, and other sources contributed a fourth.

Most surveys underestimate aggregate income, especially for higher income groups, and DECA was no exception. Since the underestimation was greatest for income from assets and earnings, overstatement of the relative importance of the other sources of income, especially retirement benefits, automatically occurs when income shares are considered. Nevertheless, comparison of the income shares and mean income for subgroups of the aged population is useful. In fact, such comparisons reveal striking variations in the composition of total income, as well as a clearer picture of the powerful role of dual pensions. OASDHI benefits, for example, comprised roughly the same share of total income for couples receiving private pensions as for those receiving only OASDHI benefits in retirement benefit income—37 percent and 40 percent, respectively. The mean OASDHI benefit, however, was some 30 percent lower for those receiving only OASDHI than for those also receiving private-plan benefits (table 11). Retirement benefits for those receiving two pensions accounted for two-thirds of total income, compared with two-fifths for those that had only OASDIII as retirement benefits.

A different relationship among retirement income shares emerged for aged units receiving public pensions other than OASDHI, as a result of the already mentioned differences in coverage and noncoverage under social security for this group. For OASDHI beneficiary couples with other public pension payments, combined retirement benefits accounted for 70 percent of total income—about the same proportion as that of private pensioners with OASDHI benefits. The other public pension programs accounted for the largest part of total income, however, and, consequently, of retirement income. Mean income from all retirement benefits was about the same as that for private pensioners and more than twice as much as that for couples with only OASDHI benefits in retirement benefit income. Both the share and the average amount of the OASDHI benefit were much lower for OASDHI beneficiaries with another public pension than for the other groups.

For couples with benefits from other public retirement programs but no OASDHI benefits, such payments amounted to two-thirds of total income. Although this proportion was about the same as that represented by the combined retirement benefits of those receiving two pensions, the average retirement benefit for the first group was $500 lower than the average for dual-pension couples. The average retirement benefit from other public programs, however, was about double that received by couples that had OASDHI as their only retirement benefit.

The share of total income from retirement benefits for the nonmarried was generally higher than that for couples but showed the same general pattern of distribution of shares and differences in means as the pattern for couples. As table 11 indicates, combined retirement benefits accounted for about three-fourths of total income for nonmarried beneficiaries with two pensions, and one-half of the total income of those with only OASDHI benefits in retirement benefit income.

TABLE 11.—INCOME SHARES AND MEAN INCOME BY TYPE OF RETIREMENT BENEFIT FOR OASDHI BENEFICIARIES [1] AND NONBENEFICIARIES: PERCENTAGE DISTRIBUTION OF MONEY INCOME AND MEAN INCOME BY SOURCE, BY RECEIPT OF RETIREMENT BENEFITS, 1967

Source of money income	OASDHI benefits and— Private group pension	OASDHI benefits and— Other public pension	OASDHI benefits and— No other pension	Public pension other than OASDHI
MARRIED COUPLES				
Number (in thousands):				
Total	1,009	392	3,438	166
Reporting on income	728	299	2,665	127
Percent of income	100	100	100	100
Total retirement benefits	66	69	40	66
OASDHI	37	24	40	
Other public pensions	2	45		66
Private group pensions	27			
Other income	34	31	60	34
Mean income from retirement benefits, total	$3,362	$3,372	$1,467	$2,876
OASDHI	1,898	1,190	1,467	
Other public pensions	(2)	2,182		2,876
Private group pensions	1,360			
NONMARRIED PERSONS, TOTAL				
Number (in thousands):				
Total	605	476	6,353	343
Reporting on income	448	365	5,160	278
Percent of income	100	100	100	100
Total retirement benefits	77	74	50	73
OASDHI	44	25	50	
Other public pensions	1	49		73
Private group pensions	33			
Other income	23	26	49	27
Mean income from retirement benefits, total	$2,240	$2,537	$869	$1,580
OASDHI	1,261	857	869	
Other public pensions	(2)	1,680		1,580
Private group pensions	956			
MEN				
Number (in thousands):				
Total	287	128	1,476	109
Reporting on income	238	103	1,268	87
Percent of income	100	100	100	(2)
Total retirement benefits	81	77	52	
OASDHI	44	24	52	
Other public pensions	1	54		
Private group pensions	36			
Other income	19	23	48	
Mean income from retirement benefits, total	$2,451	$3,018	$991	
OASDHI	1,323	919	991	
Other public pensions	(2)	2,099		
Private group pensions	1,101			
WOMEN				
Number (in thousands):				
Total	317	348	4,876	234
Reporting on income	210	262	3,892	191
Percent of income	100	100	100	100
Total retirement benefits	73	72	50	69
OASDHI	44	26	50	
Other public pensions	1	47		69
Private group pensions	29			
Other income	27	28	50	31
Mean income from retirement benefits, total	$1,999	$2,349	$830	$1,291
OASDHI	1,190	833	830	
Other public pensions	(2)	1,516		1,291
Private group pensions	791			

[1] Excludes beneficiaries who received their 1st benefit in February 1967 or later, the transitionally insured, and special "age-72" beneficiaries; also excludes a small number of units reporting private pensions but no OASDHI benefits, as well as some who did not report on private pension receipt.

[2] Not shown where base is less than 100,000.

MICHAEL T. LEINEN FAMILY OF PORTSMOUTH, IOWA, FARM FAMILY OF THE YEAR IN HARRISON AND SHELBY COUNTIES

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. SCHERLE. Mr. Speaker, in this day of huge mechanized business enterprises, in agriculture as elsewhere, it is heartwarming and heartening to know that the spirit of individual initiative lives on and continues to produce success stories. The Farmers Home Administration of the U.S. Department of Agriculture recently named the Michael T. Leinen family of Portsmouth, Iowa, the Farm Family of the Year in Harrison and Shelby Counties for just such an achievement.

By dint of hard work and persistence, Ramonia and Mickey and their 12 children proved that even today the family farm is a viable enterprise and a valuable part of American life. Working their way up first as tenant farmers and then as owners of their own small farm, this close-knit family demonstrated once again the rewards of industry, diligence, and cooperation.

The Leinens are to be warmly congratulated on this splendid accomplishment. The history of their efforts, described in greater detail in the FHA release which follows, should serve as an inspiration to all families, rural and urban:

MICHAEL T. LEINEN SALUTED AS FHA FARM FAMILY OF THE YEAR IN HARRISON AND SHELBY COUNTIES

The Michael T. Leinen family of Route 1, Portsmouth are honored as Shelby and Harrison County's FHA "Farm Family of the Year". A certificate citing the Leinens as successful family-farm operators and commending them for their participation in community activities was presented to the Leinens today.

The award was made in their home, one-fourth mile East of Portsmouth, Iowa. Mr. Edward Hansen, Chairman of the Shelby County Farmers Home Administration Committee presented the Certificate to the Leinens.

As a boy on a Shelby County farm, where his parents were hard-working owner operators, Michael learned to love the land and dreamed of owning his own farm some day.

In due time, Mr. Leinen, now married to the former Ramona Slaven of Portsmouth, who shared his ambition to build a life on the farm, began farming as a tenant in the Portsmouth area. A Farmers Home Administration operating loan in 1961 gave the Leinens the long-term credit they needed for livestock and machinery.

They worked hard and made progress, but found that tenant farming failed to bring the satisfaction of "building something you can keep." They continued to talk and dream of owning their own place and sought the advice of many people. By 1965, they had gained enough in experience and savings that they felt prepared to take the step toward farm ownership.

Once again they turned to Farmers Home Administration for financing to take over the farm where Mr. Leinen had been raised; they would make hogs and beef cattle their main enterprises. Eventually, a suitable farm ownership loan was arranged through FHA, and in January, 1966, they became owners of 200 acres of land in Shelby County.

By this year, the Leinens have developed a hog enterprise of 40 to 50 litters per year; 15 stock cows; 100 acres of corn and 70 acres of beans. The Leinens rent 120 acres in addition to the 200 acres they own. They are joined now in the work of tending crops, raising livestock and buildings improvements on their farm by their children; Richard, 22; Edward, 21; Allen, 19; Martha, 18; John, 15; Thomas, 13; Nicholas, 10; and Anne 8. The Leinen's four other children, Michael, 28; Jeanne 26; Jane 25; and Janet, 24, left the family home for homes of their own and their professions.

Community service and self-improvement as well as the chores of farming rank high on the list of activities for the Leinen family. Three of the four eldest Leinen children have graduated from college. Further education is the goal of nearly all the Leinen children. The elder Mr. Leinen is a familiar figure at sporting events in this area. "Mickey" is a baseball and basketball coach for the Town and Parochial school system. He is a director of the Mosquito Watershed, vice-president of the Portsmouth Housing Corporation, a non-profit organization to provide low-rent housing for the community, ASCS Township Committeeman, reporter, and corn sealer. Both Mr. and Mrs. Leinen are active in the affairs of St. Mary's Church, serving on the Parish Council.

The Leinen's are the second family honored in the Farmers Home Administration "Farm Family of the Year" program. Mr. and Mrs. Henry G. Matthews of Logan were selected as the two county winner in 1969. The award was established as a means of honoring farmers and rural citizens. Farming methods, financial progress, family living, property improvement, community leadership, and overcoming adversaries are some of the criteria used in making the selection.

LITHUANIAN INDEPENDENCE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. EILBERG. Mr. Speaker, at times the propaganda machinery of the Soviet Union and its satellites becomes so all-pervasive that it wears down even the most sophisticated among those who are exposed to its fantasies. When the recipients of this type of information are the less informed or the gullible, the result may not only be neutrality of thought, but even a positive acceptance of the distorted message. This is, of course, the ultimate goal of the propagandist, and the proof of his total effectiveness.

A serious example where Communist propaganda has diverted attention away from its own wrongdoing is in its occupation of Lithuania. The world has been so long subjected to Communist flailings at a "dying" Western colonialism that it has neglected to appreciate the true nature of a very much alive and growing Soviet colonial system. This new imperialism has none of the enlightment of the old colonial system, and amounts to little more than blatant holding by force of the sovereign territory of another nation.

Lithuania has a long and proud history of independence, and February 16, marked the 53d anniversary of the rebirth of this independence which was extinguished when Russian soldiers occupied its land in 1940. The United States has refused, as part of its foreign policy, to recognize the incorporation of Lithuania into the Soviet Union. Mr. Speaker, I believe that it is of utmost importance that the record be accurate for all the world to see. The continued denial of freedom to the Lithuanian nation should be pointed out as giving lie to the outrageous claims of piety on the part of the Communist imperialists, and their simultaneous attempts to direct attention away from their own misdeeds.

Most important, we must never forget the longing for liberty of the noble people of Lithuania, and we must continuously feed the flame of hope which burns within each of them. It is not unreasonable to anticipate that in time their Soviet masters will recognize that the desire of all men to be free to choose their own destinies can never be extinguished. Thus the trend for the assertion of national independence, which is already so apparent in the Soviet bloc, will extend also to Lithuania. Let us hope it will once again take its place as a free nation living in harmony with its neighbors.

Let us therefore mark this anniversary of Lithuanian independence by encouraging the continuing struggle for freedom and by dedicating ourselves to its eventual realization.

I include the material as follows:

REVIEW OF LITHUANIAN HISTORY

SUMMARY

On February 16, 1918, the Lithuanian nation declared its independence. This was a goal for which the Lithuanian people had been striving throughout a long period of Russian domination (1795–1915) followed by German occupation during the First World War. After two decades of independence, Lithuania again fell under Russian domination when it was occupied by the Red Army in the Second World War. It was declared a constituent republic of the U.S.S.R. on August 3, 1940. Following the German attack on the Soviet Union ten months later, Lithuania was in Nazi hands until reoccupied by the Soviet Army in 1944. Since then it **has been considered by the Soviet Union as** a component republic.

The United States has never recognized the Soviet incorporation of Lithuania or the other two Baltic States, Estonia and Latvia.

EARLY HISTORY

Lithuania has been known to history since 1009, when it was a nation divided into many principalities. Threats from abroad were an important factor in bringing the principalities together into a united state. In 1253 a delegate of Pope Innocent IV crowned Mindaugas. who had been baptized two years before, king of a united Lithuania.

By the fourteenth century the boundaries of Lithuania extended into what is now the Byelorussian S.S.R. and the Russian S.S.R. Lithuanian influence was further extended by a union with Poland. This began in 1386 as a personal union resulting from a marriage between Queen Jadwiga of Poland and Jagiello, the grand duke of Lithuania. It was at this time that Jagiello adopted Roman Catholicism. The following year Lithuania was officially proclaimed a Christian state. Two centuries later, by parliamentary action, the personal union was transformed into a legal one which lasted until 1795. One of the outstanding rulers during this period was Vytautas the Great, who extended Christianity and strengthened Lithuania's ties with Western Europe.

Of Lithuania's role in the Middle Ages one scholar has written the following:

The Lithuanians had established a powerful and independent state in Europe during the Middle Ages. They were able to check the German drive to the east for centuries. They protected Europe against the Mongols and the Tatars. They furnished a power and a government behind which the Eastern Slavs could live in peace and safety with a freedom that was unknown in Moscovite Russia. They blessed their subjects with more human freedoms than in the neighboring countries. They encouraged education and toleration, and they played their part in the general development of European civilization.[1]

In 1795 during the third partition of Poland, Lithuania was annexed by Russia. There were many attempts by the Lithuanians to throw off Russia domination, but they were unsuccessful. After a third revolt in 1831, the tsarist government began a policy of attempting to replace Lithuanian language and culture with Russian. This repressive policy was intensified after another revolt in 1863, but the Lithuanians resisted and remained faithful to their religion, language, and traditions. The policy of forcing russification was abandoned in 1905.

WORLD WAR I

Russian domination came to an end in 1915 when Lithuania was overrun by German armies. The cost of the First World War to Lithuania was great, with first the retreating Russians and then the Germans seizing or destroying everything that could be of use. However, the defeat of Germany coupled with the revolution in Russia rendered conditions favorable for Lithuanian independence. In 1917, in response to Lithuanian pressure, the German Government authorized the gathering of a congress of 200 Lithuanian delegates. The congress proposed an independent Lithuania based on ethnographical frontiers, with its capital to be at Vilnius, and elected a twenty-member council. On February 16, 1918, the council proclaimed an independent Lithuanian state based on democratic principles.

Independence was not yet a reality, however. As soon as German troops evacuated Vilnius on January 15, 1919, the Red Army entered the city and installed a Communist government. The next year the Red Army was driven out by the Polish army led by Marshal Joseph Pilsudski and Lithuanian fighting units. Russia signed a peace treaty with Lithuania on July 12, 1920, recognizing it as an independent nation and pledging itself to renounce forever all rights of sovereignty. The treaty stated:

In conformity with the right declared by the Russian Soviet Federated Socialist Republic that all peoples have the right to free self-determination, including the right of full secession from the State of which they were a part. Russia recognizes without any reserve the sovereignty and independence of the State of Lithuania with all juridical consequences resulting from such recognition, and voluntarily and forever renounces all sovereign rights possessed by Russia over the Lithuanian people and territory. The fact that Lithuania was ever under Russian sovereignty does not place the Lithuanian people and their territory under any obligation to Russia.

Although a peace settlement was concluded with Russia, a dispute followed between the once united Poland and Lithuania. The principal issues were the boundaries and the fate of Vilnius, which the Lithuanians had designated as their capital even though the Poles represented a majority of the city's population. On February 3, 1923, the Council of the League of Nations adopted a resolution fixing a line of demarcation which gave Vilnius to Poland. This line was recognized by the Conference of Ambassadors in Paris, but it was not accepted by Lithuania. The Vilnius situation prevented normal diplomatic relations between Poland and Lithuania until 1938.

Although it lost Vilnius, Lithuania gained Klaipeda (Memel) in the peace settlement. The city, predominantly German but situated in a Lithuanian area, was detached from Germany and transferred to Lithuania by the Memel Convention of 1924.

INDEPENDENT LITHUANIA

The League of Nations at first denied admission to Lithuania and the other Baltic states on the grounds that they were not stable enough. They were admitted to League membership on September 22, 1921.

Under a provisional constitution, Antanas Smetona was elected the first President of Lithuania. A permanent constitution was adopted on August 1, 1922. This Constitution accorded freedom of speech, assembly, religion, and communication. The power of legislation was vested in the Seimas (Parliament), and the executive authority in the President and Cabinet of Ministers.

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[1] Clarence Manning, *In* Jurgela, C. R. History of the Lithuanian Nation. New York, Lithuanian Cultural Institute, 1948. p. 9.

Gradually, however, the development of splinter political parties resulted in a situation in which no single political party or workable coalition had a majority in the Seimas, and a crisis occurred. On the night of December 16, 1926, a group of officers of the Lithuanian Army compelled the adjournment of Parliament and brought about the resignation of President Grinius. Two days later, without minority and leftist deputies, the Parliament resumed and elected Antanas Smetona President again. The following spring President Smetona dissolved the Parliament and began a period of government by decree, in effect, which lasted until 1938.

In 1938 a new constitution was brought into being by a Parliament which had been elected two years earlier. The new constitution provided stronger powers for the President, but in general reaffirmed the major provisions of the original constitution.

During the period of independence, great emphasis was placed on improving agriculture, the primary occupation of the Lithuanians. A land reform program was instituted with the result that Lithuania became a nation of small farmers. Prior to World War I approximately 450 families had owned 22 percent of all the land with a minimum ownership estimated at 2,000 acres. By 1939 there were 335,720 farming units, raising a variety of grains, potatoes, sugar beets, livestock, and poultry. In addition, industrialization progressed. In 1913 Lithuania had only 151 industrial establishments with 6,603 employees, while in 1939 there were 16,131 enterprises employing 33,000 workers.

Lithuania also made progress in social legislation, with a labor control law, the introduction of the 8-hour day, and various other social measures. Whereas there were only 1,173 grammar schools in 1930, in 1939 there were 2,328. The number of secondary schools increased from 40 in 1920 to 123 in 1927, but declined to 89 in 1937. In 1938 the University of Vytautas the Great had a student body of 3,041.

In addition, Lithuanian literature flourished. Writers found inspiration in the national folklore of Lithuania, and achievements were made in opera and music.

As to religion, Lithuania was predominantly Roman Catholic. In 1937, 80.5 percent of the population was Catholic, 9.5 percent Lutheran, 7.3 percent Jewish, and 2.5 percent Greek Orthodox. A concordat of 1927 established the church-state relationship between Lithuania and the Holy See.

WORLD WAR II

Lithuania was one of the first countries to experience the aggression of both Hitler and the Soviet Union. When the outbreak of the Second World War seemed imminent, Lithuania attempted to maintain a policy of absolute neutrality, but was gradually engulfed nevertheless. The first loss occurred when Klaiped (Memel) was yielded to Germany on March 22, 1939, in the face of an ultimatum and the threat of German armies.

Next, a mutual assistance treaty was forced upon Lithuania by the Soviet Union on October 10, 1939. Lithuania was required to grant air bases to the Soviet Union and to admit Soviet garrisons in spite of a Soviet-Lihtuanian treaty of nonaggression which had been signed in Moscow on September 28, 1926. On June 15, 1940, the Soviets demanded immediate formation of a "friendly" government and occupied the country. In July 1940 a rigged election produced a congress which requested the incorporation of Lithuania into the Soviet Union. On August 3, 1940, at this "request," Lithuania was declared a constituent republic of the U.S.S.R. by the Supreme Soviet in Moscow.

It is estimated that during this first Soviet occupation, Lithuania suffered the loss of about 45,000 people, as many Lithuanians fled and others were arrested or deported. For example, some 30,000 members of the Lithuanian intelligentsia were deported to Siberia on the night of June 14, 1941, and 5,000 political prisoners were executed when the Soviet forces hastily retreated under German attack.

In a second phase, repating the history of the First World War, German occupation replaced the Soviet. Only a few days after the German attack on the Soviet Union on June 22, 1941, Nazi forces overran Lithuania. During their occupation the Germans inaugurated a colonization policy and several thousand German families were settled in Lithuania. Moreover, almost all Lithuanian Jews were executed by the Nazis.

When the tide of the war turned against Germany, Lithuania returned not to independence but to Soviet domination. Vilnius, which the Soviets recognized as part of Lithuania instead of Poland, was retaken by the Soviet army on July 13, 1944. Soon all of Lithuania was occupied.

LITHUANIA UNDER COMMUNIST DOMINATION

News from the Baltic states has been very sparse since their incorporation into the Soviet Union, for the borders of Lithuania, as well as of Latvia and Estonia, have been kept sealed against the outside world and each other. Until 1959, when Vilnius was opened, no Western observers were allowed in Lithuania. The rest of the country is still closed. This is often attributed to military reasons, observers noting that the Baltic coast is ideally situated for missile bases.

As would be expected, Communist literature claims great accomplishments for Lithuania in industry, agriculture, education and culture. The Communists appear to have concentrated their efforts on industrialization and on collectivizing agriculture. However, the few who have been able to escape report a lack of freedom and the imposition of Communist methods which exists throughout the Communist world.

One visitor to the Baltic states has written:

> These Baltic states demonstrate dramatically the extremely clever system evolved by the Kremlin to keep its numerous minorities under firm centralized control, while permitting them to use their ancient languages and to preserve some of their age-old customs. Moscow's controls are disguised. The Russian garrisons in Baltic states make themselves as inconspicuous as possible. I was told that the only large garrisons are confined to offshore islands, probably missile bases. The only uniformed soldiers I saw were alone or in pairs, and local residents told me most of them are native born. Members of local minorities occupy most government offices having direct contact with the public. But ranking officeholders also are members of the Communist Party—that's the key to the Kremlin's domination. The Communist Party tolerates no opposition party. Baltic Communists, like all others in the Soviet Union, are directly responsible to Moscow. . . . Unless something goes wrong, Russian officials in Baltic countries are not publicly identified. This creates an impression of more independence than actually exists.[2]

Because of Soviet policies, there has been a considerable change in the composition of the population of Lithuania. When the Soviets retook the country in 1944, some 80,000 Lithuanians fled to Western Germany. Another 60,000 were found in Eastern Germany and deported to Siberia. During 1945 and 1946 an additional 145,000 Lithuanians were deported. Still another massive deportation occurred when some 60,000 Lithuanians were deported in March 1949 in answer to passive resistance of the farming population to the collectivization of agriculture.

It is reported that since Stalin's death the attempt to disperse the Baltic peoples has been changed, and that about a third of those deported have been permitted to return home. Most of the others, it is believed, perished in the meantime.

In addition to the loss of Lithuanians, large numbers of Russians have moved in. Visitors to Vilnius this year report hearing far more Russian and Lithuanian spoken than Polish, which predominated in that city before the war.

UNITED STATES POLICY TOWARD LITHUANIA

The United States recognized the independent Lithuanian government on July 27, 1922, and it has never recognized that nation's incorporation into the Soviet Union. It continues to maintain diplomatic relations with the representative of the former independent government, which has a legation in Washington.

Like the other Eastern European states, Lithuania, Latvia and Estonia have had their sovereignty violated and their freedom suppressed by the Soviet Union. Their domination has been carried even farther than that of such nations as Czechoslovakia, for they have been incorporated into the Soviet Union. Within this country there is virtual unanimity of opinion that the aggression and tyranny of which the Baltic states are the victims is the direct opposite of the freedom for which the United States stands. However, there are differences of opinion on the policy the United States should pursue in regard to these states to promote its foreign policy objective of a free and peaceful world.

The Lithuanian World Congress, meeting in August 1958 under the auspices of the American Lithuanian community, adopted a unanimous resolution declaring that "Lithuanians continue fiercely resisting the alien rule" of the Soviet Union and asserting that Lithuanians "have not accepted and never will accept Soviet slavery." The resolution called upon the free nations to "reaffirm on every suitable occasion the inalienable rights of the Lithuanian people to national independence and individual freedom." It asked that the free nations "not be party to any agreement or treaty that would confirm or prolong the subordination of the formerly sovereign Lithuanian state." [3]

A statement by Secretary Dulles dated February 14, 1959, marking the commemoration of the 41st anniversary of the declarations of independence of the Baltic states, recalled the methods by which these countries had been incorporated into the Soviet Union. The statement concluded:

> The United States was quick to denounce this aggression and refused to recognize the forced incorporation of the Baltic states into the U.S.S.R. Today, over 18 years later, we wish to assure the people of Lithuania, Latvia, and Estonia once more that they are not forgotten. The United States still aspires, in the words of the Atlantic Charter, "To see sovereign rights and self-government restored to those who have been forcibly deprived of them." [4]

The New York Times editorial on the 1959 anniversary of Lithuanian Independence Day stated:

> We do not propose to go to war for the liberation of the Baltic States. Nor do the citizens of those states, still resident there or in exile in other lands, argue for the sort of nationalism that existed between the first and second World War. What they do ask for is political, religious and cultural freedom. They are as aware as the rest of us that such freedom can exist only in a world of freedom.

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[2] Bess, Demaree. Inside the Captive Baltics. Saturday Evening Post, October 31, 1959. p. 69.

[3] New York Times, August 31, 1958, p. 16.

[4] Department of State Bulletin, March 2, 1959.

In the Baltic countries the path to a better future is still dark, but it is not lost and will not be. The day of the overlords will not last forever. The time will come when the three lost little nations will be able to come out and join us.[5]

In 1967, Secretary of State Dean Rusk reaffirmed United States policy toward Lithuania. On February 11, the Secretary wrote the following letter to Mr. Joseph Kajeckas, Charge d'Affaires ad interim of the Lithuanian Legation in Washington:

> On the occasion of the forty-ninth anniversary of Lithuania's independence, I extend to you the best wishes of the Government and people of the United States.
>
> United States support of the Lithuanian people's just aspirations for freedom and independence is reflected clearly in our refusal to recognize the forcible incorporation of your country into the Soviet Union and in the warm sympathy manifested by the American people in the Lithuanian cause.
>
> In continuing to look resolutely toward a free and independent existence, the Lithuanian people both here and abroad have established a firm foundation for the hope of free men everywhere that the goal of Lithuanian national self-determination will ultimately be realized.[6]

LITHUANIANS IN THE UNITED STATES

Lithuanian immigrants came to the United States as early as 1688, when it is recorded that they landed at New Amsterdam. Up until 1850, however, detailed information concerning Lithuanian immigration is unavailable. After that time, the chief influxes followed periods of famine or intense political oppression by the Russians. Lithuanian writers estimate that before 1899, some 275,000 Lithuanian immigrants had arrived in the United States. During the period of Lithuanian independence some 30 or 40 thousand of the immigrants returned to Lithuania, but it is estimated that only 10,000 remained there. In more recent times, 24,680 Lithuanians were admitted under the Displaced Persons Act between 1948 and 1955. Another 1,680 were admitted under the Refugee Relief Act between 1954 and 1958. It is frequently estimated that there are now approximately one million Americans of Lithuanian descent.

Among the locations in which Lithuanians settled most heavily were Illinois (particularly Chicago), Pennsylvania (Pittsburgh, Philadelphia, and the anthracite regions), Massachusetts, New Hampshire, and Rhode Island, New York, Connecticut, New Jersey, Michigan, Ohio, Wisconsin, Maryland, Indiana, California, and Minnesota. Most of the Lithuanians live in urban areas.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" a wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

A GRACIOUS AND KNOWLEDGEABLE LADY, MRS. ROBERT P. PATTERSON

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. BRINKLEY. Mr. Speaker, on February 12, 1971, it was my privilege to attend the 19th annual Robert P. Patterson Memorial Award ceremony at Fort Benning, Ga., "The Home of the Infantry," Queen of Battle.

The award is presented each year to the outstanding graduate of the Infantry Officers Candidate School in memory of the late Judge Patterson's distinguished service as an infantry officer and as Secretary of War. This year's recipient was 2d Lt. Edmund Lee Davis, an exceptionally splendid young American.

In her presentation speech Mrs. Patterson, widow of Judge Patterson, addressed herself to the vital question of the role of the military in the United States today. I was most touched and impressed with the insight and effectiveness of her presentation which commends itself to the thoughtful consideration of each of us.

A Gracious and Knowledgeable Lady, Mrs. Robert P. Patterson

Lieutenant General John M. Wright, Jr., Major General Orwin C. Talbott, Second Lieutenant Edmund Lee Davis, Honored Guests and Friends:

My pleasure in being here to talk to the winner of the Robert P. Patterson Award is greatly increased by the knowledge that I am in the presence of the Infantry: for the Infantry realizes the importance of every branch of the American Military Service and joins in accepting the challenge to serve our country and its people—no matter how distant or difficult the task.

Criticism of the Armed Services offends me although it may be understandable, in view of the general confusion about the causes of world wide conflicts. One important cause of conflict is the premise that the USSR has the right to intervene indirectly in order to promote Communist rule anywhere in the world.

The idea of such violent intervention is rejected and has led many of us to bury our heads in the sand rather than admit that conflict and violence are being used to gain power in many parts of the world. It takes no great mental leap from denial of conflict and violence to a conclusion that military security is practically unnecessary.

The thought that no conflict is desired, therefore no military security is needed, has in the past few years led political leaders to pick a more popular priority than national defense. Instead, responding to the universal human longing for peace and progress, they worked on the home front to make much needed improvements in political, economic and social relationships.

Therefore the security of the United States has taken second place to urban renewal, pollution, business ethics and poverty. All of these problems are reflected in the Army and it does its best to reclaim the miserable products of ignorance, prejudice, crime and drug abuse.

The constant down-grading of our military, and also the introspection of our political leaders, have been interpreted abroad as retreat by the United States from global responsibility. And the uncertainty as to our firmness as world leader has caused a major revision in views about the balance of power in the world, accompanied by aggressive probing to uncover possible new power relationships in process of being formed.

For example, the Soviet Union apparently is seeking an answer to the question, "How close can we come to exerting influence and force that isolates the United States from its allies?" People who have watched the expansion of Soviet diplomatic, economic and military initiatives since Korea should not be surprised at this.

The Arab-Israeli conflict is an example of these initiatives. It calls attention to changes in the economic and military relationships between the Soviet Union and virtually all Arab countries and brings out the significance of Soviet naval activities in the Mediterranean, Atlantic, Caribbean and other international waters

Incidentally, we cannot entirely ignore press reports of a Soviet submarine base at Cienfuegos, Cuba, 150 miles from our coast. To say the least, this rumor, hinting at a naval blockade, suggests that our sea defense may need up-grading to restore its competitive capacity.

As maneuvers against us continue our allies sense a drop in U.S. claims to position in the world, and members of the Atlantic Alliance and NATO seek new relationships in directions that have attracted public concern about the firmness of their commitment to European defense.

In my opinion governments seeking Communist ties that promise economic and military assistance—whether European, Asian, African, South or even North American—may find that their bargain has cost their State its independence.

To understand the present state of world affairs let us look back to 1948 when the Czechs became dependent on the USSR and were bound by the Czechoslovakian Communist Party and by military and economic assistance agreements to turn their alliances and trade toward the USSR. In 1968 came the invasion of Czechoslovakia which exposes a common method by which Satellites are persuaded to yield. The Central Command, through the information media and native Parties, galvanizes the Satellite to attack accused friends and neighbors. Thus "People's Democracies and People's Republics" are persuaded to supply arms—and in some cases, armies—in the battle to dominate area by area of the world.

The history of attacks by North Korea and North Vietnam, supported by other so-called People's governments, including Red China and the USSR, have made it clear that the invasion policy goes beyond the consolidation of the Satellites adjacent to the Communist Heartland.

Czechoslovakia has remained subservient to Soviet foreign policy and has cooperated in the Warsaw Pact since its inception. But in 1968 she humbly asked permission for a gentler Communism within her borders. As a result, under the generalship of the Central Command, she was invaded by the other members of the Pact—although each attacking member knew that, in turn, it could be crushed by the same process.

The Invasion of Czechoslovakia in 1968 went as follows, according to Congressman Craig Hosmer:

> In 24 hours the 25 Warsaw Pact Divisions, comprised of armored, mechanized and airborne troops, were moved 125 miles into Czechoslovakia—thereby mobilizing and deploying over half a million men and coordinating five national armies to make the greatest display of force since World War II.

This force was employed to paralyze the

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[5] New York Times, February 16, 1959. p. 28.

[6] Congressional Record, March 1, 1967, p. A983 (Daily Edition).

victim's command and government. Its purpose was to shock, terrify, bewilder—to cause doubt and confusion—in the rear of the invaders where terror would be magnified by rumor until panic became monstrous.

The total success of this maneuver illustrates the point that confrontation by overwhelming force usually results in submission without battle, while confrontation by equal forces could result in a hundred years of battle.

Another example of surprise attack was the Tet Offensive. It attempted to defeat the status quo and counted on the support of overwhelming numbers of Viet Cong and Vietnamese attacking from all directions. The number of Vietnamese who remained steadfast was almost as marvelous as the ability of the allied armies to prevent a debacle.

This successful resistance calls to mind the overwhelming odds that Britain managed to hold out against, while here allies armed to join her defense. Unlike Czechoslovakia, Britain had the sea barrier to keep out invasion—as well as her indomitable leader whose dogged determination proved to the world that people can win in the end if their cause is just.

With this short historical background we can see that the violent confrontations in the world today do not justify relaxation of our military readiness. Instead they make it evident that moral power alone cannot prevent coercion or keep the peace because some world powers still believe that morality is whatever serves their Cause.

In short, the turn of events holds possibilities for good and bad and it is not safe to bask in a false sense of security. Whether events go one way or another is very likely to depend on foreign estimates of our readiness to exert national power to keep things in balance.

Our capacity to deter aggression is also essential in this uncertain period—and let us be grateful that our military stands between us and the power which uses local parties in more than 80 countries, in the attempt to sow civil strife, demoralize the governments and promote so-called wars of national liberation.

Obviously international affairs cannot be ignored today, and we must become stronger, not weaker as we see the enemy probing for soft spots in the hope of scaring us into panic without wasting ammunition on us. We must become more united, always remembering that our Army springs from the community—from the people—and is ready and willing to serve the people.

We hate war, of course! Therefore protection against war and against intimidation is what we need. Without effective military readiness all our efforts on behalf of the environment and people will become valueless.

We need top-notch military force in being—not only to maintain our independence in the world, but also to strengthen the position of free nations whose solidarity could give protection to every country desiring to be free. This requires popular understanding and support here and abroad—and also U.S. Congressional funding for military needs including research and development.

Lieutenant Davis, willingness to accept challenge is the quality most needed in leadership today. And you have accepted leadership at a time when the Army is the particular focus of challenge in our country as regards purpose, leadership, management and conduct. This smear campaign is fomented in part by the enemy, in the effort to demoralize our defenses and the defenses of the world. But the Army has persistently and carefully defended itself against the criticism that is baseless, inapplicable or dangerously visionary.

The Army is willingly subjecting itself to civil authority. And the military is accepting civilian judgment and showing intelligent and sensitive regard for the democratic process and the citizenry. Fortunately, the situation is becoming clearer and there is increasing public interest in military programs.

The Volunteer Army Program, in response to sentiment against the Draft, is a sincere attempt to recognize the value of individuality without diminishing the sense of mission or the soldiery attributes needed to perform a mission. However, all of us must be prepared for a return to the Draft System when the situation requires it.

The new emphasis in the Army is toward individual freedom with accompanying requirements for each man to become responsible and accountable for his acts. The military is interested in making internal reforms in keeping with civil life; but only to the extent that the reforms do not degrade military discipline and effectiveness.

From my view this new program promises a military environment that lives up to principles always held in the Army such as leadership, brotherhood at arms, integrity and sincere acceptance of duty. To me these standards seem ideal for increasing excellence while achieving relationships that are less bureaucratic and less impersonal than in the past. In Judge Patterson's case the devotion between his soldiers and himself warmed his heart to the end of his days. And I stop for a moment to mention those men who shared his love and expressed their devotion to him with courage beyond the call of duty.

Thinking now of your relationship to your new recruits, Lieutenant Davis, there will be many who will have to be trained to accept their accountability and responsibility. Some will no doubt be hippies—people without inner direction or previous exposure to a life that produces this quality. You, Lieutenant, will have to make them men as well as soldiers. Your success will be the measure of your professionalism and character, as well as your capacity to meet the demands of what General Westmoreland has called the electronic battlefield of the future.

Indeed, whatever the situations of the future, battle will continue to be the test of the military forces. I'm sure the requirements for toughness of mind and body, the will to win, thorough knowledge of the tools and tactics of war will continue to be fundamental to success in battle.

Quite obviously, Lieutenant, there lie before you great challenges and opportunities. And, since none of us like war, you will always hear clamor against it. But this dislike of war should never be transferred to military readiness. For without military readiness war becomes more probable—not less! In your case readiness will probably mean training and leading men who are proud of their jobs, their leaders, their units and the Army.

Judge Patterson would be proud of you, Lieutenant. He would say that your selection for this award is evidence that you are considered to have the attributes to meet the challenge. Your leadership in your work with fellow students and soldiers, your position as class president and your performance as Commanding Officer of the Candidate Brigade, attest to the worth that your peers and superiors ascribe to you.

I am honored to present to you, Lieutenant Edmund Lee Davis, this service pistol, so beautifully engraved with your name—on behalf of all the generous friends of Judge Patterson who have made this Award possible.

It is also my pleasure to present this very serviceable check, a present from these same generous friends.

Congratulations and best wishes from all the Pattersons.

U.S. TROOPS IN EUROPE

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. BROOMFIELD. Mr. Speaker, President Eisenhower once said, in refence to our forces in Europe, that "the time has now come when we should start withdrawing some of those troops." That was 1963. Since then we have heard many promises of withdrawal, but seen just one of any notable size—and that came only after the the Berlin buildup had raised our forces to record levels.

It seems as though some new international crisis or new foreign policy tactic has arisen just when reductions appeared most practical.

In 1968, for example, there were plans to bring back a large contingent of American troops; these were disrupted by the Soviet invasion of Czechoslovakia.

In 1970 there were reviews conducted to study the possible return of some American forces to the United States; these are meaningless now under the terms of our latest foreign policy appraisal; the argument that withdrawals of our troops would remove whatever incentive there is for a mutual force reduction agreement with the Warsaw Pact nations.

This appraisal remains the chief stumbling block to troop withdrawals from Europe. Whether it is a valid approach, whether the Warsaw Pact countries are seriously interested in such negotiations, is a highly debatable question. I cannot claim an answer.

But the resolution I have introduced today would give us the flexibility both to pursue this policy approach and to reduce our commitment to NATO. My resolution calls for a 35,000 man cutback of American troops committed to NATO, but not necessarily stationed on the continent of Europe.

This is made possible by the fact that there are 33,500 American troops stationed in the United States, but obligated to answer, within a certain period of time, any threat to the European alliance. These "dual-based" or "M-day" forces were redeployed within the United States after the Berlin crisis had subsided. Their value to NATO must be seriously questioned.

The major argument against redeployment of American NATO forces within the United States has been the claim that they cannot be effective at a distance of over 1,000 miles; that they present no plausible deterrent to the Soviet Union. Now, as long as our military leaders insist upon this line of thought we might as well pursue it a bit further. What then, we can ask our leaders, is the purpose of the 33,500 American troops in the United States, who are, in fact, committed to NATO? We need not await an answer. Within the confines of their appraisal of the situation, these troops have no practical purpose.

We should be able, therefore, to deactivate these "dual-based" forces without endangering our military position in

Europe and without undermining our most recent European policy stance. Since these troops are not based in Europe, they would not be included in any mutual force reduction agreement with the Soviet Union; at the same time, their elimination would not damage the security of the NATO alliance, because they are of little practical value even now; finally, their elimination would save our taxpayers the considerable cost of keeping them stationed and supplied in the United States, where, in fact, such costs are substantially higher than in Europe.

This, then, is one of the ways my resolution could operate. A better alternative, though a bit more complicated, would be this: send these 35,000 "dual based" troops back to Europe, where they could, indeed, be effective and cut those elements of our European force that are presently being wasted on tasks better suited for civilians.

A recent staff report of the House Subcommittee on Europe has indicated that up to 50,000 American troops on the continent of Europe are not being used efficiently; that many of them are engaged in considerable duplication of effort or in jobs they simply cannot perform properly. I will not go into the details of the report, but I would note that it suggests strongly the need for consolidation and reorganization of our European-based troops.

Such an effort would require the elimination of numerous functions now undertaken by these forces and the deactivation of at least 35,000 of them. The report emphasizes the fact that a streamlining process of this type would in no way impair the conventional combat capability of the NATO alliance, and that it would substantially reduce the cost of stationing our troops in Europe.

Now, if the experts continue to argue that the level of our European forces must remain stable for diplomatic purposes, they could replace these troops with those now "dual-based" in the United States. In this way, we would actually be strengthening our European forces, (1) because the 35,000 we replace are not being used efficiently right now and (2) because the 33,500 we replaced them with can only be effective when they are stationed on the continent. For bargaining purposes, therefore, we would have the same level of troops for military purposes, and even more effective fighting force.

Mr. Speaker, I realize that this is a long and involved argument and that, indeed, it skirts the major concern of most reduction advocates: the simple fact that there are many more pressing issues here at home and that we can no longer afford to waste our time and money on the continued deployment of 300,000 troops in Europe. This fact, of course, underlies everything that I have said.

But I believe that the advocates of reduction should not be disarmed by the most recent objection to European troop withdrawals. The use of these forces as a bargaining chip seems to make sense, even if it has not been conclusively proven. I have merely tried to demonstrate that we can live with such a tactic; that it is not, in fact, inconsistent with the withdrawal of a large number of American troops from NATO; and that our works here at home can begin, regardless of these diplomatic appraisals. Accordingly, I urge my colleagues to give this resolution their most thoughtful consideration.

COLLEGE STUDENT FINANCIAL PROVISION CHANGES

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. ESCH. Mr. Speaker, I am pleased to note that the President has transmitted to the Congress his proposed changes in college student financial aid provisions. Those recommendations, contained in the Higher Education Opportunity Act of 1971, would guarantee for the first time in history that every qualified student would have sufficient resources to attend college, regardless of family income. This legislation is similar to that which I introduced earlier this year along with my good friend and colleague, JOHN ERLENBORN. I believe the concept is an important one and I am delighted that the President has given his endorsement to it.

The goal of providing sufficient resources for all students to attend college would be accomplished by providing grants and subsidized loans to those students whose families can least afford to aid them through school. Through those means, plus a new program of "cost of education" loans for those students who choose to attend one of our more expensive schools, every student will be assured free choice of attending any institution for which he qualifies.

Children from middle- and upper middle-income families would also be assured that aid would be available to them if needed. An additional $1 billion in insured loans should become available next year as a result of the creation of the National Student Loan Association. This mechanism would serve as a secondary market for student loan paper and would buy such paper from banks and other eligible lenders. In turn, these lenders would use the proceeds of sales to the National Student Loan Association to make further loans.

The President's recommendations recognize that in a time of fiscal stringency the Federal Government should make its support available to the most needy, since those who are relatively well off may find alternate methods of assistance from non-Federal sources.

At the same time, it assures that those who are not among the "most needy" but who definitely need financial assistance to complete their education will be provided for as well.

I know that many of us are receiving letters daily from parents who urge us to do something to increase Federal support for higher education. I believe that the President's proposals represent an answer that makes sense and that is fiscally responsible. For these reasons, I would urge my colleagues to give the legislation their closest scrutiny and to act as soon as possible on this measure.

AND NOW, "PROTECTIVE ENCIRCLEMENT"

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. BOLAND. Mr. Speaker, American ground combat forces are going into Laos to help rescue air crews marooned there—crews shot down or pinned down by enemy fire. These missions—missions that plainly violate the Cooper-Church amendment—are hard to challenge since their sole apparent goal is to save American lives clearly in peril. Still, Mr. Speaker, they establish a precedent that is chilling in implication.

The cryptic phrase U.S. military commanders have invented to describe the missions, "protective encirclement," is too reminiscent of other miiltary phrases that have misled us in the past. Once "protective encirclement" becomes a comfortably familiar piece of military jargon, an inviting opportunity would arise to use the phrase as a subterfuge for expanded American ground missions in Laos.

A New York Times editorial published yesterday discusses this danger.

Mr. Speaker, I put the editorial in the RECORD at this point:

UP THE ESCALATOR

It is difficult to deny the right of military commanders to send American ground combat troops into Laos if necessary to help effect the rescue of American pilots who are downed there while supporting South Vietnamese forces in the southern panhandle.

But it is absurd to assert, as officials in Saigon and Washington have done, that such action would not represent a violation of Congressional restrictions on American combat operations in Laos. Despite official denials, the introduction of American ground combat troops into Laos under any circumstances would represent a change of policy that could perilously increase United States involvement in the widening war in Indochina.

To describe such rescue operations as "protective encirclement" is to indulge in a familiar semantic subterfuge. The phrase recalls the "protective reaction" sophistry that has been employed to cover air attacks against North Vietnam that clearly have gone beyond the avowed purpose of retaliation against missile batteries. If "protective encirclement" is accepted today for the limited, humanitarian purpose ascribed to it, it will be only a matter of time before these "rescue forces" are engaged in wider operations.

The whole history of the Indochina conflict, beginning with the use of "noncombat" advisers, is one of major escalations growing out of relatively minor increments in the American commitment, made to appear innocent by deceptive phraseology. "Protective encirclement," like the "incursion" it supports, is another step up the escalator.

STATUS REPORT ON NASA INTERNATIONAL PROGRAMS IN SPACE COMMUNICATIONS

HON. CLEMENT J. ZABLOCKI

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. ZABLOCKI. Mr. Speaker, the House Foreign Affairs Subcommittee on National Security Policy and Scientific Developments, of which I am chairman, has in the previous 2 years held hearings on foreign policy aspects of satellite commmunications and space broadcasting.

Those hearings have proved to be valuable in terms of their impact on the policies and procedures of the executive branch, on the understanding of Members of Congress, and on the education of the public to the opportunities and problems presented by space communications.

Because of the subcommittee's continuing interest, relevant agencies were asked to provide the subcommittee with reports on the status of international projects in space communications.

The report prepared by the National Aeronautics and Space Administration has now been received. It describes in some detail the United States-India instructional television experiment—SITE—the Brazil-United States educational television proposal, and the proposed Canada-United States communications technology satellite—CTS—project.

In January 1970, members of the subcommittee conducted a study mission to Latin America on developmental television.

During that visit we had an opportunity to visit the Brazilian Commission for Space Activities—CNAE. We were impressed with the dynamism of its director, Dr. Fernando, de Mendonca, and the quality of his staff and facilities.

Upon its return, the study mission recommended in its report that the United States should encourage and support the work of CNAE.

It is gratifying, therefore, to note that NASA has decided to allow CNAE to make use of the ATF–S satellite for certain experiments, to the extent possible.

Because of the importance of the projects outlined in the NASA status report, I am inserting it in the RECORD at this point and urge the attention of colleagues to it.

I include the material, as follows:

STATUS REPORT ON NASA INTERNATIONAL PROGRAMS IN SPACE COMMUNICATIONS

NASA currently is engaged in *or* considering three major international cooperative efforts in space communications technology development. Two of these, the agreed Indian Satellite Instructional Television Experiment (SITE) and the proposed Brazilian educational television project (SACI), were described in detail during last year's hearings. The third effort, now under discussion with the Canadian Department of Communications (DOC), is a proposed communications technology satellite (CTS). In addition, to these cooperative projects, NASA will launch a Canadian domestic operational communications satellite (ANIK) on a reimbursable basis. The following summarizes the status of each of these projects.

INDIAN-UNITED STATES SATELLITE INSTRUCTIONAL TELEVISION EXPERIMENT (SITE)

As described in the 1970 hearings before the Subcommittee on National Security Policy and Scientific Developments of the Committee on Foreign Affairs, this experiment is made possible by the development of the ATS–F and G satellites. The ATS series will have considerably more power than earlier satellites in the ATS series. As a consequence, while performing a wide range of other experiments of U.S. interest, these satellites can also be used for an extensive ground experiment in community broadcasting. India will contribute this ground experiment with her own resources. Under a Memorandum of Understanding with the Indian Department of Atomic Energy, dated September 1969, NASA will make the ATS–F satellite available to India for one year in 1974, approximately a year after launch, to test satellite TV community broadcasting in an operational setting. A total of some 5000 remote Indian villages will participate in the experiment, 2000 of which will be equipped with augmented receivers for direct TV reception, while the others will receive programs relayed from ground stations. India is assuming responsibility for the instructional ground transmitters, the design and production of augmented TV receivers, the planning and content of instructional programs, and the logistics to support and coordinate all the elements of the system.

During 1970 a Joint Working Group of NASA and the Indian Space Research Organization (ISRO), established by the Memorandum of Understanding to coordinate the execution of their respective responsibilities, met three times—in India in July and at the Goodard Space Flight Center in April and December.

On the U.S. side, a major milestone was passed with the selection of Fairchild-Hiller as the ATS–F/G spacecraft contractor. A letter contract for spacecraft hardware development was awarded January 28, 1971. In late 1970 it was decided to locate the spacecraft at 35° E during the time of the SITE experiment to provide higher elevation angles for village antennas pointed at ATS–F and to permit village clusters in the hilly region in Eastern India to participate in the experiment. This location will also be advantageous from the viewpoint of carrying out other scientific and technological experiments on the spacecraft.

On the Indian side, a significant build-up in (ISRO) project staff began, and technical liaison personnel began to arrive at NASA for on-the-job assignments in the ATS Project Office and other units concerned with project implementation. At year's end there were four engineers working on various technical aspects of the spacecraft. During 1971, additional personnel will arrive to work with NASA spacecraft operations and control personnel and with NASA engineers responsible for the U.S. TRUST experiment (Television Relay Using Small Terminals).

Design work began in India on the village receiver "front-end" augmentation—the receiving antenna and the pre-amplifier-modulation converter. Three ten-foot diameter parabolic antenna designs were developed by Indian groups. Engineering models were fabricated with local Indian materials and performance measurements were made. A final choice among three designs is expected in 1971. The principal effort on the pre-amplifier-modulation converter has been a survey of the various design approaches developed outside India, coupled with a determination of component requirements and costing. Fabrication of breadboard models will take place during 1971 and a final system design will be completed. A major effort on solid-state TV set design was initiated involving about 35 Indian engineers and technicians. Laboratory units will be fabricated and evaluated in 1971.

ISRO completed plans for the development, augmentation or modification of satellite ground stations at Srinegar, Delhi, Bombay-Poona, and Ahmedabad. The main uplink terminal for program transmission at Ahmedabad is being expanded with assistance of the United Nations Development Program (UNDP) and the International Telecommunications Union (ITU).

Draft operational plans for the conduct of the SITE experiment were drawn up by both NASA and ISRO. Comments on these and the Indian specifications for the small terminal ground stations are being formulated and will be discussed at the next Joint Workers Group meeting scheduled for mid-March in India.

The Indian Government has allocated $850,000 in foreign exchange, which will meet all near-term ISRO needs for the project.

Finally, considerable progress in India was made toward developing a unified plan for a purely Indian follow-on operational satellite system. This is not part of the cooperative effort with NASA but will utilize much of the experience gained from the SITE project. A design study was completed by a joint M.I.T./Indian study team for an operational satellite concept. A total system study is planned in 1971 incorporating all aspects of the space and ground segments. Extensive contracting by India in the U.S. would be involved—mainly for a first satellite and its launching.

BRAZIL-UNITED STATES EDUCATIONAL TELEVISION PROPOSAL

Project SACI (Advanced Satellite for Interdisciplinary Communications) is a Brazilian program consisting of three phases: Phase 1—a voice, data link, and slow scan TV experiment, utilizing the ATS–III satellite by the Brazilian Commission for Space Activities (CNAE) and Stanford University; Phase 2—a demonstration broadcast experiment from the ATS–F satellite to 500 (or more) instructional centers in the state of Rio Grande do Norte; Phase 3—a nation-wide broadcast via a Brazilian-owned and operated educational satellite.

For Phase 1, it was agreed in July 1970 that NASA would provide access to the ATS–III satellite VHF transponder for a cooperative experiment involving two-way voice and data transmissions between Stanford University and CNAE for up to six hours a week for 3–6 months. This experiment is expected to begin shortly.

For Phase 2, CNAE proposed to NASA, in May 1970, the use of ATS–F for project SACI. NASA considers the proposal technically viable and desirable as a possible cooperative project. Accommodation of the Brazilian experiment must be arranged in consonance with the schedule requirements of the U.S. experiments and the prior agreement with India. Following these requirements, we would hope to make ATS–F available for Project SACI unless the satellite encounters some difficulty or a higher priority experiment intervenes.

PROPOSED CANADA-UNITED STATES COMMUNICATIONS TECHNOLOGY SATELLITE (CTS) PROJECT

In this project, presently rapidly approaching an agreement with the Canadian Department of Communications (DOC), NASA would launch a Communications Technology Satellite (CTS) into a geostationary orbit position in late 1974 for experimentation directly with earth stations in Canada and the United States. The CTS satellite would be substituted for the fifth satellite in the Alouette/ISIS series as a continuation of the successful collaboration with Canada begun with Alouette I in 1962.

The overall objective of the CTS project is to advance the state of the art in spacecraft and related ground-based technologies relevant to communications and other satellite application systems. The satellite will permit broadcast and distribution experimentation at frequencies above 10GHz in both the US and Canada. Under study for CTS experimentation is a broad spectrum of experiments to develop and test techniques for services to small villages, including community TV and audio broadcast, two-way voice communications, and data linking and distribution including facsimile, which would have potential future applications for the US in Alaska and for Canada in its outlying northern areas.

The chief technological objectives of the project are to conduct communications experiments with 12 GHz ground terminals and to develop and flight test:

(1) a 200-watt superefficiency 12 GHz transmitter tube;

(2) unfurlable solar arrays at powers of over one kilowatt initial capability;

(3) liquid metal slip rings;

(4) an electric propulsion system for spacecraft station keeping; and

(5) an accurate stabilization system for a spacecraft with flexible extended solar arrays.

NASA responsibilities would include provision of a Thor-Delta class launching, development and test of the superefficiency power tube and spacecraft environmental testing. Canada would fund, develop, and construct all other experiments; Canada would also be responsible for the spacecraft design, fabrication, integration, and systems testing, as well as for tracking, data acquisition and command and control of the spacecraft after it achieves geostationary orbit.

US and Canadian experiments would be conducted on a time-shared basis. All scientific and technical results will be shared and made generally available through publication in established channels. As in the case of other NASA cooperative projects there would be no exchange of funds between the DOC and NASA; each side will pay for its own contribution to the project.

CANADA-US REIMBURSABLE LAUNCHING AGREEMENT

NASA, with State Department concurrence, expects to conclude soon an agreement with TELESAT Canada (Canadian Corporation for Telecommunication by Satellite), a quasi-governmental corporation, for the launching of two domestic communications satellites. On a reimbursable basis, NASA would provide the launch vehicles, related launch services, and some tracking and computer support. The two satellites will be launched from the Eastern Test Range in the 1973–74 time period.

MARYLAND GI KILLED IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. LONG of Maryland. Mr. Speaker, a fine young man from Maryland, Spec. 5 Leonard A. Monnett, was recently killed in action in Vietnam. I would like to commend his courage and to honor his memory by including the following article in the Record:

> #### Maryland GI Reported Killed in War
>
> Spec. 5 Leonard A. Monnett, the crew chief of a helicopter, was killed by hostile gunfire while on a mission February 19 near the buffer zone in Vietnam, the Defense Department announced yesterday.
>
> Specialist Monnett, 21, was the son of Mr. and Mrs. Norman E. Monnett, of North Branch in Allegany county.
>
> His mother said yesterday that her son attended the North Hill High School until May, 1968.
>
> Specialist Monnett received his basic training at Fort Knox, Ky., and then applied for helicopter training. He was sent to Vietnam in November, 1968, after receiving his helicopter wings at Fort Rucker, Ala. He re-enlisted last April.
>
> Surviving besides his parents are four sisters, Mrs. Mary Hook, Mrs. Virginia Kready and Mrs. Stella Mae Bauman, of Cumberland, and Miss Barbara Jean Monnett, of North Branch, and three brothers, Paul and Donald E. Monnett, of North Branch, and Frederick E. Monnett, of Greenspring, W. Va.
>
> Services will be held at 2 P.M. Sunday at the James F. Scarpelli funeral establishment, 108 Virginia avenue, Cumberland. Burial will be in the Monnett-Lichleiter cemetery on Route 28, near Ridgley, W. Va.

THE PRESIDENT'S HEALTH PLAN

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. MICHEL. Mr. Speaker, on February 18, President Nixon delivered his health message to Congress and the Nation. His proposals deserve our most serious and thoughtful consideration.

Among the press commentaries on the President's message was the following editorial in the Wall Street Journal of Monday, February 22, which I am certain will be of interest to my colleagues:

> #### Health in the Balance
>
> "We must try to see to it that our approach to health problems is a balanced approach," said President Nixon in his health message to Congress last week.
>
> If any Congressman, Heaven forbid, should ignore everything else in the message, we would hope he would at least remember those words. Because balance will be all important in deciding whether whatever health laws Congress enacts succeed or fail. There probably would be no health crisis if past legislation had helped more to improve the supply of health services, rather than merely expanding the demand.
>
> By and large, the Nixon strategy is a good one, we think. At the very least, it certainly is far better than some of the alternative proposals that have been made, such as Senator Kennedy's simplistic scheme for creating a vastly expensive, all-encompassing federal health insurance bureaucracy.
>
> The Nixon plan is complex in concept because it is aimed not at revolution but at correcting a whole series of problems and inadequacies in existing health care. It has obviously been the result of a lot of examination and thinking by people who are not simplistic in their approach.
>
> The nation's past failures have resulted largely from stressing expansion of health insurance—which has increased the demand for services—and neglecting expansion and improvement of the services themselves. The result has been to rapidly inflate health costs.
>
> The President's strategy is to fill gaps in present insurance coverage—protections against catastrophic medical bills, for example. But for balance, it calls for a whole series of efforts to match increased demand with better health care delivery. Federal incentives would be used to promote programs that keep people well and encourage them not to use health facilities unnecessarily and that augment the supply of doctors and other kinds of health care personnel.
>
> It is complicated. And each piece of legislation aimed at bringing it about will have to be fought out in Congress under the intense pressures that always surround health legislation. Medical societies and other special interests will be attempting to make their influence felt. Some groups, such as small businessmen who face an added new cost as a result of the compulsory nature of the President's insurance proposals, will have serious fears about the impact of the program.
>
> But we would urge all these groups to take a long-range view. If the nation's health care dissatisfactions are relieved with relatively moderate and well thought out legislation now, there is far less chance that drastic and ill-considered laws will be passed in the future.
>
> And we would urge Congressmen to resist the temptation to play political games with health. We all know that there are great political possibilities in any field where personal concerns are so intense. But a good many voters also know by now that some of the political approaches of the past have sounded good but have had very bad side effects.
>
> Congress has been presented with an intelligent, broad strategy. To translate it into effective legislation will require further intelligent and honest reasoning.
>
> The most important thing of all, however, is to be sure that any legislation that expands demand for health services is balanced by laws that improve the supply. We hope Congress will keep that in mind.

SUPPORT FOR OUR MANNED SPACE FLIGHT PROGRAM

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. FREY. Mr. Speaker, as you and many of my colleagues know, I am a firm supporter of the manned space flight program. It is through the efforts of the Mercury, Gemini, and Apollo projects that the level of our country's technical capabilities have been enhanced.

Recently, I received a letter from one of my constituents regarding the space program and its accomplishments. I would like to quote it here, in part, for your information:

> The most significant contribution of the Apollo Program to mankind is the expansion of our knowledge about the universe and this earth.
>
> We, the United States, must demonstrate our strength and dedication to our potential enemies, either by war or some peaceful means. The space program has drawn the best talents of this nation together and shown the world we are powerful and can meet any challenge. In my opinion, this has helped limit our military activities to the small conflicts similar to Korea and Vietnam, instead of a World War III.
>
> Today, your automobile is safer, your home life is more comfortable, and your health services have materially benefited from those things required to make the Apollo Program a success.
>
> Another benefit from space to be considered is that our tax dollars spent on going to the moon provided challenging work for approximately 400,000 people, and almost every penny was spent in this country. These people accomplished the moon landing in addition to making our lives better and safer.
>
> The success of our space program has enhanced our national prestige. Is there a better way to spend our tax dollar and our technical energy?

Indeed, I must agree with Mr. Fowler, the author of this letter, the space program has been a strong plus to our country's image and technical resources. Let us hope that we in the Congress continue to support this worthy program.

HEALTH CARE: WHAT REALLY COUNTS?

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. BOLAND. Mr. Speaker, debate is beginning over a dizzying variety of health-care plans now before the Congress. There is no question, of course, that adequate health care is now beyond the reach of many Americans. There is no question, either, about the need for a searching examination of the country's entire health-care system—a system that, despite America's acknowledged leadership in medical care and research, lags behind the systems of other nations in reach and effectiveness.

Medical experts, however, find a puzzling lack of correlation between the quality of health-care systems and health itself. Sweden, for example, has just 83 doctors for every 100,000 people—a startlingly low ratio for an industrialized European state. Yet the death rate for middle-aged men, a vulnerable group in any society, is only half the U.S. rate.

It appears that what really counts in any health-care system is public awareness of good health habits—how to eat prudently, for example, or how to shield your children against the common diseases that prey on the young everywhere.

Such obvious things as a clean environment, decent housing, sanitation, and health education mean more than all the dazzling medical hardware the U.S. technological community can marshal.

And they mean more especially among the poor.

A New York Times article, written by WCBS-TV, New York, science editor Earl Ubell, discusses the need for better health conditions and better health education.

With permission, Mr. Speaker, I put Mr. Ubell's column in the RECORD at this point:

NATIONAL HEALTH: ARE WE SPENDING MONEY FOR THE WRONG CARE?

(By Earl Ubell)

In the Congress, last week, the debate sharpened over the ways and means of spendng new billions of dollars for the nation's medical care. Yet for a small but increasingly vocal group of economists, sociologists and even physicians, the whole argument seemed somewhat beside the point. More doctors and hospital beds for the millions, they believe, will do little to reduce serious illness or prevent premature deaths.

Health leaders testifying before the Senate Health Subcommittee were arguing the merits of four plans. President Nixon wants a national insurance program that will be paid for by the individual, his employer and —in small part—by Government. The American Medical Association has submitted a similar plan. Senator Edward Kennedy wants the Government to pay the bill. Senator Jacob Javits seeks to extend the present health insurance for the aged to everyone.

Under such programs, the disease-care industry is likely to grow from its present $60,-billion a year to $75-billion or even $100-billion, making it the biggest business in America. So far the major argument has been over the means of financing—government or private—and, peripherally, over ways of restructuring our medical panopoly to provide care that is "better," less expensive and more evenly distributed.

But there is increasing evidence that the medical complex, no matter how restructured or paid for, may be irrelevant to the central health issue. Thus, for example, Dr. Eli Ginzberg, Columbia University economist, points out that, "Despite the substantial increases in expenditures for medical care, there has been no significant increase in male longevity during the past decade." And Dr. Victor Fuchs, another economist, comments: "My reading of the health literature leaves me with the impression that the greatest potential for improving the health of the American people is not to be found in increasing the number of physicians, or forcing them into groups or even in increasing hospital productivity, but is to be found in what people do for themselves."

Both views depend on two self-evident axioms. First, the doctor is helpless before ailments that account for most of the sickness and death in America—heart, kidney and blood vessel ailments, cancer, alcohol and drug abuse, accidents and the general debilitations of age. Even though he can cite individual instances of spectacular cure or life saving, in general he palliates. He reaches the patient with too much medical care too late.

As a corollary, even when doctors get there early, the statistics show little change. At least four studies have indicated that annual physical check-ups do not decrease mortality or morbidity.

A second axiom states that in the modern world, housing, nutrition, accident prevention, sanitation—clean water, food, streets and homes—have produced more health than all the doctors and hospitals combined. Recognizing this, the Community Medicine Department of Mount Sinai Hospital is developing a corps of "super" superintendents to repair toilets, clean out rat and vermin infested basements and maintain deteriorated housing in the slums. These men, it is felt, will produce more health than an equivalent number of doctors and nurses.

Dr. Nathan Glazer, the sociologist, argues further in the current issue of The Public Interest that our personal, psychological and cultural milieu—i.e., the way we have learned to take care of ourselves—may be as important as better environmental conditions and certainly more important than doctors and doctoring.

He points to a curious set of statistics: Sweden has 83 doctors per 100,000 population but it has half the death rate among middle-aged men as the United States, with 140 doctors per 100,000. Furthermore, Americans go to their doctors twice as often as Swedes do. Even within the United States, the wide variations of doctor availability do not seem to have any correlation with health. Rather, health indexes seem more related to poverty levels within states than to numbers of doctors.

Many blame the current financial medical crisis on the inefficient system and they want to improve its efficiency so it delivers more medical care for the dollar. The Kaiser-Permanente Plan and the Health Insurance Plan of Greater New York (HIP), both prepaid insurance plans with doctors working in groups, are one approach to increased efficiency. President Nixon is pushing for establishment of such "health maintenance organizations." But though they can cite statistical evidence showing lower death rates among their members than among users of other kinds of insurance plans, they have been unable to untangle those figures from social and economic patterns of their patients. Thus, maternal mortality rates among blacks in the two plans are lower than those for blacks outside the plans—but higher than those for whites within the plans.

If the critics are right, the new insurance programs, if passed, will serve mainly to drive up demand for health care—which will in turn drive up costs, thereby consuming a substantial portion of our national talent and treasure—and there will be little improvement in the mortality and morbidity statistics to show for it. The alternative: Put more effort into traditional areas of nutrition, housing and sanitation, especially among the poor. And break new ground with non-medical preventive measures—campaigns for auto and home safety, massive anti-cigarette, anti-alcohol, anti-drug programs, and high-powered educational schemes to teach us to take care of ourselves.

CAPITOL MUST BE PROTECTED

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. LATTA. Mr. Speaker, if any doubt existed about the intentions of a small radical minority in this country, the bombing of the U.S. Capitol this morning should erase it.

Let us look at their record.

In the 15-month period between January 1969 and April 1970, this country suffered a total of 4,330 bombings, 1,475 attempted bombings, and 35,129 threatened bombings. This cruel form of terrorism accounted directly for the deaths of 40 people and for $21.8 million in property damage. Countless others were put in imminent danger of physical injury or death.

It is apparent that the neo-fascists have decided to extend the violence to our governmental institutions.

We have laws on the books to deal with this type activity. If they are not adequate, we can pass remedial legislation.

In the meantime, we must take action to prevent a recurrence of what happened early this morning.

The American people place a very deep obligation on Congress to protect this building which is our symbol of freedom. It belongs not only to the present and to the future but to the past.

The bombing this morning indicates we have not taken adequate precautions. Therefore, I strongly urge the leaders of both parties, Democrats as well as Republicans, to institute measures that will prevent a recurrence. Perhaps measures such as have been taken at airports to prevent highjackings will be necessary. Perhaps restrictions will have to be made on entry with packages and suitcases.

I fully realize that any restrictions will be onerous, time-consuming, and inconvenient. Nevertheless, adequate precautions must be taken.

The American people will demand them.

WHO PAYS FOR POSTAGE?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. RARICK. Mr. Speaker, through the confrontation-prone news media we learn that the postal hike from 6 to 8 cents will be opposed in hearings urged by the taxpayer-subsidized mailers. As usual, the average American, who is the only one that pays postage, can expect not to be represented or heard.

Contrary to popular misconception by many citizens, postage and fees collected by the Postmaster do not go to run the Post Office—they go to the Treasury for deposit. All operating costs and salaries for the Post Office Department are paid for by the taxpayers. The Postal Department realizes nothing from postage increases, money orders, and the like—the Post Office does not keep its receipts. Increased postage is but another tax on users.

Who, then, pays postage?

We in Congress have a franking privilege for free postage, as do most governmental agencies. The principal bulk users of the mails are newspapers, magazines, direct mailers, and businesses—including doctors, lawyers, nonprofit institutions, tax-free groups, and professions.

Many of the bulk and news mailers are given reduced rates—which they pay—and as every business and profession using postage, they deduct the postage as an operating expense item from the quarterly income tax payment. This means businesses and professions pay and then deduct. So long as they realize a profit to deduct postage costs from, they pay no postage. It is more or less an out of one pocket into the other pocket arrangement.

This leaves us to conclude that the only Americans who pay postage—a tax toward reimbursing the Treasury for the tremendous cost of the postal service—are the average Americans. Those who write letters for personal use such as the farmer, the worker, the housewife, and the retired person are the ones who cannot deduct their postage as a cost of doing business. They are a part of the same minority which starts out paying for the appropriations for the postal service in the first place through income taxes. As such, on some, postage is a double tax.

Thus it appears, regardless of the postage rate, that we are granting special privilege in postage to some by discriminating against the nonbusiness mail user.

I include a related news clipping, as follows:

[From the Washington Evening Star, Feb. 27, 1971]

PLANNED POSTAGE BOOSTS BRING CALLS FOR HEARINGS

(By Philip Shandler)

Some 50 requests, mostly from commercial mailers, for a chance to be heard on proposed increases in postage rates have been filed with the new Postal Rate Commission.

Most of the petitioners oppose some or all of the boosts asked early this month to provide additional $1.45 billion in postal revenue during the fiscal year that starts next July 1. Other groups indicated they would analyze the proposals later, at hearings to be scheduled by the rate commission.

The Postal Service intends to raise all rates about May 15 by approximately a third, pending consideration by the commission of proposals for larger increases projected over the next several years.

The most substantial boosts would be for publications and records, in second and fourth class. The first class letter rate is scheduled to rise from 6 to 8 cents.

The National Association of Greeting Card Publishers, in its petition, proposes raising the first-class rate to 7 cents, with "substantially higher" second and third-class rates.

Also opposing the proposed first-class increase is Elmer Cerin, a Washington lawyer and former postal official. He is the only individual petitioner.

Former Att. Gen. Ramsey Clark has entered a petition on behalf of the Book of the Month Club, and former Postmaster General J. Edward Day is representing the Associated Third Class Mail Users.

The opposition includes charges that the Post Office has not properly assigned its costs among the different classes of mail, or has not adequately considered the value of some services provided by the mailers.

IN COMMEMORATION OF LITHUANIAN INDEPENDENCE DAY

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. WILLIAM D. FORD. Mr. Speaker, Lithuanians form one of the oldest and smallest nationality groups in northeastern Europe. Their long and glorious history dates to the late middle ages on when they created a Lithuanian Kingdom which extended from the Baltic to the Black Sea and constituted a decisive factor in East European history.

Then, toward the end of the 18th century, when the rising Russian Empire grew strong and aggressive, Lithuania's power diminished and the country became part of Russia.

In 1918 they regained their freedom and on February 16 of that year they proclaimed their national independence.

Thenceforth for a little more than two decades, during the interwar years, they lived in peace and were happy in their liberated homeland. This relatively brief period forms the happiest interlude in the modern national history of the Lithuanian people.

Having recreated and rebuilt their wartorn country, and having put their house in order, they evolved a truly democratic way of life. This happy period was ended by the changing world situation and the approaching war in the late 1930's. Soon after the outbreak of the war, Lithuania was left alone to deal with its giant neighbor, the Soviet Union. First, the Soviets imposed harsh terms by "mutual alliance treaties" upon Lithuania. Next, Soviet troops were stationed in all parts of the country, which was finally completely annexed.

Since those sad days Lithuanian independence has vanished; it now lives only in the hearts and minds of liberty-loving Lithuanians. Today, some 3 million Lithuanians live under the unrelenting regime imposed upon them by the Soviet Union. Despite continued oppression, the stout-hearted people of Lithuania have not given up their hopes for freedom and independence. On the 53d anniversary of their Independence Day, which was celebrated on February 16, 1971, freedom-loving people the world over saluted the Lithuanians for their continuing dream of independence.

FREEDOM—OUR HERITAGE

HON. JOHN DOWDY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. DOWDY. Mr. Speaker, I would like to call attention to a most heartwarming speech written by Barry A. Hays, a student at Lufkin High School, Tex., and the Texas State winner in the Voice of Democracy Contest sponsored by the Veterans of Foreign Wars of the United States and its ladies auxiliary. Over 400,000 school students participated in this script-writing contest, and the State winners will be brought to Washington, D.C., as VFW guests for the final judging. I believe Barry's essay captures the feeling we all experience when we say we love America and the freedom for which it stands. Freedom is our heritage, and I wish to share the following outstanding challenge for our youth to cherish and perpetuate that heritage, and make us a more prosperous nation:

FREEDOM—OUR HERITAGE

The United States of America—people banded together by a common dream and striving for the same glorious ideals of freedom and justice for all. Two hundred years ago, our nation was an experiment in individual freedom, and today it remains just such an experiment. From its inception, our nation has been ridiculed by those who said that our republic would not succeed. Today we still must work to prove that our ideals are feasible, for even now there are those, both within and without the United States, who challenge its power to sustain. If we accept the privilege of living in this free society, it is our responsibility to defend it by proving wrong those who state that the United States cannot survive.

But what is this freedom that we all talk about? Some persons, particularly those of my generation, would define freedom as the right to do anything one wants to do. And they would, in a sense, be correct. Every law, every ideal, every belief of the American way is based upon the premise that one has the right to do whatever he wants to do, so long as it does not infringe upon that same right of the majority. One does not have the right to rob a bank simply because he wants or needs money, for in so doing he would be depriving others of their right to save the money for which they have worked. It ceases to be one's right to drink oneself into an unwitting stupor, when behind the wheel of a car he deprives thousands of people each year of their right to live in safety. That one has nothing better to do than to disrupt the campus of an American college does not mean that such is his right, for in his disruption he encroaches upon the right of the majortiy of students to the education for which they have paid.

Similarly, no matter how loudly one cries that his motives are pure, our nation cannot tolerate wanton destruction and murder such as has been seen recently in the bombings at Michigan State University and at the oil refinery in Linden, New Jersey. Ignoring crimes, treachery, and treason in the name of freedom can result only in anarchy. As Americans, we must all work to protect our society from those forces which seek its destruction, and, at the same time, we must strive to improve America through logical, far-sighted change.

Those who would tell us that peaceful change is impossible—those who cry, "Burn, baby, burn!" delude their followers. Common sense tells us that destruction of the most successful system of government in its most fruitful era cannot in any way be construed as "improvement."

My generation is eager to see change and improvement, but it is unfortunate that our zeal often is channeled down the wrong course by those who scream about problems but offer no pragmatic solution. The older generation expresses great concern over the apparent lack of patriotism and the seemingly absent appreciation of freedom of the younger persons of America. But they must try to understand that we have grown up in a stable environment; we have never seen a world war, nor have we seen a Great Depression; we have not lived through the periods which have challenged America and unified our nation. The dissent which is seen among young people today cannot be attributed, as some would say, to the fact that we don't know any better. Not at all. It is because we don't know any *worse!* Young people simply cannot comprehend the hard times that the United States has faced. Our nation has not wavered in our lifetime. Our freedom never has been threatened.

The concern of most young Americans is not to pull our nation out of hard times. Today's younger generation of Americans is concentrating on improvement of the most perfect society ever seen by man. Our efforts cannot be perfect, for we are human. But on the foundation laid for us by two centuries of patriots, and with the help of God, we will present to our children a greater, more prosperous nation and the heritage of freedom with which we began.

FRANKFORD HIGH SCHOOL—CITY CHAMPIONS

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. EILBERG. Mr. Speaker, at its January 25 meeting, the Philadelphia Board of Education commended the Frankford High School championship soccer team, Coach Walter Bahr and Principal James A. Killough. The team which won the Public League championship and tied Northeast Catholic to share the city championship was cited for: outstanding accomplishment in having completed an undefeated season; the display of outstanding competitive spirit in its desire to become champions; and its dedication, discipline, and good sportsmanship.

Members of the 1970 varsity squad were: Joseph Appiott, Waldir Cavalcanti, Mark Cumberland, Paul Francis, Forrest Hartman, William Hey, Kenneth Keller, Wayne Krause, Edward Leigh, Jerry MacWilliams, Davis Mathes, Peter Maxwell, Conrad Nagle, Joseph Steffler, Gary Wainwright, Michael Wistner, Hank Wiese, and Lewis Wolf with Edward Garofalo serving as manager.

In addition to the 1970 championships, Frankford High School's soccer teams were both Public League and city champions 4 of the 6 preceding years.

JOHN N. HARMAN, COLORADO'S STATE WINNER IN VOICE OF DEMOCRACY CONTEST

HON. FRANK E. EVANS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. EVANS of Colorado. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conducts a nationwide Voice of Democracy Contest. This year more than 400,000 high school students participated in the contest, the theme of which was "Freedom—Our Heritage."

It gives me great pleasure to report that one of my constituents, 16-year-old John N. Harman, of Colorado Springs, was the winning contestant in the State of Colorado.

Mr. Harman is an outstanding young American. One of four children, his father is a U.S. Air Force dentist and his mother is a teacher. John was president of his junior high school class for 2 years and president of his junior high school council. He is vice president of the Student Council at Air Academy High School in Colorado Springs, a member of the varsity football team, an Eagle Scout and junior assistant scoutmaster and youth representative on the Christian Social Action Committee while maintaining a 3.5 grade average in his academic work. He hopes to attend the Air Force Academy following graduation from high school.

Along with the winners from the other States of the Union he will come to Washington as the guest of the Veterans of Foreign Wars for the final judging on March 9, 1971.

I am most pleased to include the text of his winning speech in the Record:

Freedom—Our Heritage

In spite of what idealists would presume to believe, "Freedom" is not our heritage—neither does it or has it ever been a perpetually inherent part of any other culture. Freedom is not already there, but the striving for freedom was the beginning of a dream called America.

One of the most misused words in today's vocabulary seems to be freedom. The definition of freedom is the equality of opportunity for every individual, regardless of race, religion, or sex; to develop his personal potential to the highest degree that his ambition will carry him. According to this definition, then, all people in America are not free. There never has been a society of complete freedom known to man. There are still people who are slaves of bigotry—the attitude of some people that the quality of a man's mind is determined by the length of his hair; sexual bias—because women, as heads of families in poverty, are earning approximately $1,000 less per year than men in the same occupation with equivalent background.

Concerning the question of religion, it's an interesting paradox that the true concepts of Christian neighborly tolerance for that familiar phrase "my brother" has begun to come now when reports say religious involvement in America is at an all time low. Realistically, these conditions do exist, and to ignore them would be true ignorance.

John F. Kennedy stated once, "I am an idealist, without illusions." This is also my personal attitude in viewing the unfreedoms which now exist. But learning to live without illusions and facing reality, I realize the futility of living without ideals.

The most important thing to remember is that while these inequalities do exist, there is no other country in the world where the people who do not have all the benefits of our effluent society can work to improve their conditions. We are guaranteed the right to strive for our freedoms.

These guarantees were not inherent and, as such, the cost of preserving these grantees has been the epitome in dedication of many men and women. Knowing our society was not perfect, that there were people without full freedoms, that there were paradoxes and biases, why, then, would they sacrifice their lives. Because they believed in the foundations of American democracy as a guarantee that all people could develop their full potential. Yet . . . are these foundations still a viable means of change. Yes, because this is our heritage! using the constitution and working within the framework of our government structure to alleviate the inequalities which exist as the acceptance of working with what we have to make something that's good, even better. In the initial break with the English in 1776 we still retained many of the English traditions, adopted them to our new way of life. It is imperative that we hold on to our framework, our heritage not as a root which digs deeper into itself and never sees the light of a new day, but as an anchor—one which can be used to keep us from straying and getting lost but still, when we desire it, lets us move ahead.

Our heritage includes the use of our rights as tools to gain greater extensions of the freedoms that are available.

Heritage is a rational dividend, not a way of life.

In 1858, Ernest Renan, famous French philosopher, warned the French against freedom which pretended to base itself on the principles of reasoning alone, and not tradition.

A liberal school errs in believing that it is easy to create freedom, by reasoning alone.

It doesn't realize that enduring freedom can spring only from historical roots.

Let's not waste these rights by thinking we can improve freedom by destroying its anchor. Out of the revolution of the 1970s, let's bring a nation of concerned people with realistic far-sighted determination to make the United States greater than the hallmark our forefathers granted us.

Our Heritage is not freedom, but the striving for freedom.

SCIENCE SEARCH REAPS RESULTS

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. PEPPER. Mr. Speaker, Florida was honored to place a large and versatile group among the winners of the 30th annual Science Talent Search for the Westinghouse Science Scholarships and Awards, 1971.

Among those to achieve this significant honor for high school students were five young men and women from the Greater Miami area. I would like to enter into the Record the names of these winners and the title of the projects that brought them personal distinction and their schools national recognition. These winners were:

Mr. Glenn Michael Greenwald, 17, 1510 NW 134th Street, of North Miami Senior High School for his project: "Thermal Pollution Effect on *Thalassia*."

Miss Ofelia Martinez, 17, 93 NW 17th Pl., of Miami Senior High School for "A Study of Reaction Rates of Hemoglobin With Oxygen and Cyanide."

Miss Stellan Sven Ostlund, 17, 6822 Camarin St., of Coral Gables High School for "A Computer Subroutine for Contour Plotting."

Mr. Roger Ronald Perry, 16, 302 NE 100th St., of Archbishop Curley High School for "Analysis of a Pendulum With a Barrier."

Miss Maria Elena Quiroz, 17, 5900 W. 12th Ave., of Hialeah High School for "Potentiating Effects of DMSO Upon the Fungicidal Action of Benlate."

All Greater Miamians share my pride in the outstanding achievements of these outstanding students.

DISTRICT OF COLUMBIA TEACHERS SUPPORT ANGELA DAVIS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. RARICK. Mr. Speaker, that we may better understand the depth to which education has sunk in our Nation's Capital, we need only reflect on the recent activities of the American Federation of Teachers in a local District of Columbia elementary school lounge.

The Washington Teachers' Union bulletin board is reported to have carried a large picture poster of Angela Davis, bearing the slogan "Free Angela Davis."

On orders of the city school administration, the school principal tore down the poster and the teachers have now filed a formal grievance defending the poster display as being union business.

The school administration reportedly intends to test whether union business includes support of known Communist subversives on the premises of tax supported educational institutions.

Should anyone wonder why so many of the District of Columbia children make up in revolutionary causes and slogans for what they lack in education, one need only consider the caliber and motives of those local teachers who subscribe to overthrowing our Government. At least it was not defended as academic freedom—yet.

I include the article as follows:

TEACHERS PROTEST ACTION ON POSTER

(By Robert F. Levey)

One day last week, a Washington elementary school principal walked into the teachers' lounge and tore down from the Washington Teachers' Union bulletin board a poster that bore the slogan, "Free Angela Davis," superimposed over a picture of Miss Davis.

That action, ordered by the principal's supervisors in the city school administration, led to a formal grievance filed this week by the union.

The union contends that the principal violated the union contract, which guarantees the union's right to place anything that is "union business" on its bulletin boards.

The administration, according to Supt. Hugh Scott, contends that "it is time to test just what 'union business' means."

The union had unanimously approved a resolution at its January meeting to lead a local fund-raising effort that would "guarantee due process for a beautiful black sister, Angela Davis."

Miss Davis, an avowed Communist and revolutionary, is awaiting trial in California on charges that she bought guns that were later used in a Marin County court house kidnapping in which three persons, including a judge, were fatally shot.

Shortly after its January meeting, the union began to pin up large Davis posters on its bulletin boards in most of the city's schools, according to Charles Cheng, union vice president.

Most boards are in teacher lounges, where students are not permitted and could not have seen the posters, Cheng said.

The union also began selling posters and "Free Angela" buttons for between 25 cents and $1 at its downtown headquarters. Proceeds have gone to the D.C. Area Committee to Free Angela Davis. So far, about $150 has been collected, sources said.

"We're not going off on some wild radical trip," Cheng said. "After all, Angela is one of us. She's an AFT (American Federation of Teachers) member in California. And this local here has been involved in antiwar and social issues for a long time."

Scott said in a telephone interview yesterday that he had asked the D.C. corporation counsel to study the union's contract to see if "a poster like this would be protected."

Scott said that he did not personally give the order for the one poster to be taken down and that he has "mixed feelings" about the charges against Miss Davis.

He added, however, that he "fully supports the judgment" or Dorothy L. Johnson, assistant superintendent for elementary education, who he said gave the order.

THE GIFT OF GIVING

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. PEPPER. Mr. Speaker, in 40 years of public life I have met men and women from all walks and stations in life Occasionally, I was fortunate to meet that remarkable individual for whom the pleasure of giving to others was its own reward.

Such a unique man is Chuck Zink, host of a children's program—"Skipper Chuck's Popeye Playhouse"—broadcast over WTVJ, channel 4, in Miami.

For the past 3 years, Chuck Zink has promoted "Carnivals Against Muscular Dystrophy" on this station. During that period, his efforts have resulted in the raising of much-needed funds in Miami to help advance the research and patient service programs of the Muscular Dystrophy Associations of America, Inc.

"Carnivals" is a project whereby the hosts of television shows invite young viewers to write for free kits which explain how funds can be raised to help children afflicted with muscular dystrophy.

The kits contain all elements needed to produce a carnival which the youngsters conduct in their own backyards. In 1970, boys and girls across the Nation held 22,383 backyard carnivals, raising more than $500,000 for victims of muscular dystrophy. More than $13,000 was collected in Miami.

Identification with such projects are nothing new to Chuck Zink. For many years this remarkable man has brought joy and laughter to children and passed on his sense of compassion for the less fortunate. That, Mr. Speaker, is a great gift.

NIXON'S GOAL IN VIETNAM

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. WILLIAM D. FORD. Mr. Speaker, two editorials in the Detroit Free Press last week poked some significant holes in the curtain of confusion that President Nixon has drawn around this Nation's meanderings in the morass of Southeast Asia.

The first, on February 22, reads between some of the lines of President Nixon's press conference on that date. It demonstrates that the President still has not given up his goal of a military victory in Southeast Asia—a goal that the rest of the country has long since abandoned.

The second editorial, on February 25, points out the cruel hoax that President Nixon has played on the American people in regard to Americans held prisoner by the Communists. The President has stated that American troops will remain in Southeast Asia until the prisoners are released, although it has become obvious to everyone else that they will not be released until our troops are out of Asia.

Mr. Speaker, I insert both editorials in the Record at this point, and suggest that my colleagues take note of their message.

I include the articles as follows:

NIXON'S PURSUIT OF VICTORY FORGETS LESSON OF HISTORY

Vietnamization takes on a new and ominous cast in the light of President Nixon's press conference Wednesday. It means far more than turning the war over to the improved South Vietnamese.

It also means more than the Wild West metaphor of one White House aide: "He's backing out of the saloon with both guns blazing."

What it seems to mean is that President Nixon intends to insure not only the safe withdrawal of American troops from the Asian mainland. but a determination that a military victory will be won—not only in South Vietnam, but in Cambodia as well.

From first-hand reports, Mr. Nixon was relaxed and thoughtful at his impromptu press conference. He had no television cameras to demand instant response, or reporters knocking each other down for a moment in the spotlight. Therefore it can be assumed that the President said exactly what he meant to say. The official text, in fact, shows where he corrected himself or sharpened his meaning.

It certainly was not necessary to invade Laos to withdraw American troops, any more than it was necessary to invade Cambodia last year. The decline in American casualties since the Cambodian invasion reflects only that the war has shifted westward, and that the natives are doing the fighting instead of the Americans. So far, more than 20,000 Cambodians have been killed, by the most reliable estimates.

Further, the President seems determined that the war will be fought roughly along the 17th Parallel. He issued stern warnings against any contemplated North Vietnamese invasion across the DMZ, and put no limits on the possible use of American airpower.

What the President seems to be doing, then, is to carve Indochina along the middle, with the north half ceded to the communists and the southern half protected by the Cambodian and South Vietnamese armies, heavily supported by American airpower.

Once the Ho Chi Minh Trail is severed, there is no end to it. There is another trail 25 miles west. And beyond that, on the border between Laos and Thailand, is the Mekong River.

At the least, the invasion will have to go to the river. And considering that the northernmost provinces of Thailand have been in revolt against Bangkok for years, the line could continue on westward across Thailand until the whole peninsula is severed.

If there is any conclusion in Mr. Nixon's battle plan, which could conceivably succeed in a purely military sense, it is that Mr. Nixon is still thinking as he did in his Cold Warrior days, when an expansionist China had to be stopped, and President Eisenhower stopped it at the 38th Parallel in Korea. Mr. Nixon seems to think it can be stopped at the 17th Parallel on the south.

What reinforces our conclusion is that the invasion of Laos clearly sealed that nation's doom. The Pathet Lao, which already had control of most of the country, has practically been given a free ticket to Luang Prabang and Vientiane.

What then, once the line has been drawn and Mr. Nixon's Koreanization of Indochina deemed a success? Will he have succeeded?

The evidence of history indicates that he will not. Because he is doing just what President Johnson tried to do—to win a political struggle with military means.

As David Anderson pointed out recently in the Wall Street Journal, this can work in highly developed countries. It worked in World War II, it could work in World War III. But we have already dropped more bombs on North Vietnam than we dropped on Germany. We kill people, not economies and industries. And certainly not ideas.

"Indeed," Anderson wrote, "unless a powerful government is willing to exceed all moral restraint, its success in exerting its power in a developing country requires in some degree the consent of that country's residents. This was distinctly lacking for us in much of Vietnam, and our violent potential could do nothing to acquire it."

We will, then, have written off North Vietnam, fiercely independent, to the Chinese. We will have written off Laos. And we will have "saved" South Vietnam and Cambodia from homegrown economic and social revolutions which were long overdue. We will have laid waste at least three countries to maintain our 19th Century concept of Manifest Destiny.

Mr. Nixon, regrettably, has not yet learned that the days of foreign domination of Asia are over. And the cost of the lesson continues to mount.

HANOI, U.S. PLAY WAR GAMES WITH POW'S AS THEIR PAWNS

How many Americans are being held prisoner by Hanoi and how they are treated are questions of obvious concern to every American. Those of us in safe sanctuaries are responsible for them. It is our job, through our federal leaders, to get them back.

It should also concern every American whether we are being told the truth about the prisoners by our State Department, not only because we have a right to know the truth but also because the Nixon administration is apparently trying to use the prisoners as an excuse to delay final withdrawal of American troops from Indochina.

The charge that the prisoners are being used as pawns of war should not be taken lightly. Seymour Hersh, who reported the details in Sunday's Free Press, is the reporter who first told the shocking story of My Lai. Though the Army is still seeking to evade responsibility, no one has yet found anything Hersh reported about My Lai untrue.

Starting in May of 1969, Hersh says, the administration clearly changed its policy about how to handle U.S. prisoners. The policy had been to try to get them released with quiet diplomacy. But 21 months ago the administration determined, through some unknown method of reasoning, that exerting public pressure on Hanoi was a better course. At least it would focus the charge of war guilt on Hanoi.

The cumulative evidence of the change is shocking. Not only have the people of the country been lied to, but so have the families of the prisoners. As if they had not suffered enough, they were told to play roles they knew were false.

If the policy worked at all, it was in getting Hanoi to identify the prisoners it held. But it put no pressure on Hanoi to end the war. There has certainly been no slackening of North Vietnam's fighting spirit or any appreciable change in world opinion.

What change has come about is that Hanoi has seen the value of the prisoners as a bargaining tool, and the American people have seen the cruel hoax played on them. Late last year Hanoi's delegate at the Paris talks, Xuan Thuy, said that if the U.S. would suggest a "reasonable date" for withdrawal of U.S. troops, "we can immediately consider the American suggestion" to exchange prisoners.

Mr. Nixon's counter two weeks ago, that U.S. forces would be kept in South Vietnam as long as prisoners remain in the north, was no "political statement" to a delegation of wives. He was not "trapped" by the wives, as a State Department spokesman said.

In the first place, Mr. Nixon is too savvy to get trapped that way. He could just as easily have made a general statement of support and determination to get the POWs released.

In the second place, he repeated the vow again last week. As Robert S. Boyd, chief of our Washington bureau, wrote, "Mr. Nixon is asking the communists to surrender their prisoners before the war ends—an unusual step."

If anything good comes of this callous official conduct, it may be because the plan might backfire. The wives, it seems, have come to the conclusion that their husbands will not be freed until the U.S. withdraws. And the wives, disillusioned after being turned on an unsuspecting public by the State Department, are turning now on State.

CROSS-FLORIDA BARGE CANAL HALT WAS PERMANENT

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. YOUNG of Florida. Mr. Speaker, advocates of the now-discredited Cross-Florida Barge Canal have kept up a continual attack in the hopes of eventually causing President Nixon to reverse his decision halting the project to prevent irreparable damage to the State's environment.

The canal supporters are wasting their time.

The President's halt was permanent. The canal has been reviewed repeatedly; no further review is necessary. The Cross-Florida Barge Canal, quite simply, is dead, dead, dead—as it should be.

The matter now open to discussion is what to do with the area in the future. Some work, I understand, must be done to minimize further environmental damage. Included in this is construction of a highway bridge on State Road 40 near Ocala to assist in reducing the flood hazard.

This work must not be interpreted as an indication that the President might change his mind at a later date and resume the canal project.

In fact, studies are underway to prepare recommendations for the area's future development.

To this activity I would urge all those interested in the canal—pro and con, here and in Florida—to devote their energies. Let us come up with the best possible use for the canal area—best in the interest of all.

Even advocates of the canal, for example, now say that the beautiful Oklawaha River Valley should be preserved for the use and enjoyment of this and future generations of Americans.

The canal has been discussed for 150 years. In early years, the project was rejected on economic and environmental grounds. It was not until World War II that the present project was authorized but no work was done until recent years.

The proponents have had their say all these years. Now, finally, the public is being heard on the Cross-Florida Barge Canal.

Unfortunately, canal advocates seem bent on throwing up smokescreens to hide the fact that a 107-mile ditch across the middle of Florida would do substantial damage to the environment.

The latest stratagem is to charge that President Nixon acted for purely political motives in halting the canal—a project long viewed by many as one of the worst boondoggles in our history.

If it is political to act in the public interest, to recognize that Americans are growing ecologically aware and determined to preserve our great natural heritage—if this is "playing politics," then I pray this Nation's leaders do more of it.

The slick public relations campaign launched by canal advocates is aimed at diverting the attention of the public and the Congress away from two fundamental considerations:

First. The canal will cause substantial damage to the environment of Florida, a State whose economy is largely dependent upon the blessings of nature.

Second. The taxpayer is being asked to foot a $200-million bill for a project that will not reduce the cost of groceries anywhere in America.

Ironically, those accusing President Nixon of "playing politics" are not above playing that game themselves.

In a personal letter last week, the chairman of the Canal Authority attacks me for presuming, as a freshman Congressman, to state my support of the President's action.

He charges that I am uninformed about the canal and that I have suddenly come out against it to gain personal publicity.

The record clearly indicates that I am not new to the conservation cause: As a Florida State Senator for the past 10 years, I constantly spoke out against the canal for environmental reasons and voted against the appropriation of State funds to carry on the project.

The canal proponents have barraged the public with self-serving statements in recent weeks. I believe it is time that the other side be heard. And this freshman Congressman intend to see that it is.

THE PLIGHT OF NEW ENGLAND FARMERS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. DRINAN. Mr. Speaker, the Third Congressional District of Massachusetts has a very significant number of dairy, poultry, apple, and vegetable farmers. These hard-working citizens, who are well represented by the Massachusetts Farmers Association, need nonetheless all of the representation and support which their Congressman can give them. I intend to continue to talk with these farmers on a regular basis and to bring their grievances to the appropriate agency of the Federal Government.

At a recent meeting with a very large group of these farmers in my congressional district I was disturbed to learn about the serious difficulties which they face in their daily business. Let me name a few:

First. Farmers from the New England States pay exorbitant freight rates for grain and other feed materials shipped from the Midwest.

Second. In negotiations with milk dealers, farmers are prevented by antitrust laws from bargaining on a collective basis through their cooperatives and farm organizations—a policy that is especially troublesome for the small producer.

Third. Freight rates on grain are not equitable throughout the East. New England is a grain-dependent region, and annually some 2¼ million tons are shipped to this region, almost all by rail. In comparison with the Southeast, also a grain-dependent region, rates for shipment to New England are considerably higher, and continue to increase faster than in the Southeast. Before 1967, it was at least 48 percent more expensive to get a ton of grain shipped 750 miles to New England. Now it is 50 percent more expensive, and if the proposed 1970–71 increases materialize, this gap will widen to almost 62 percent. That it should cost more to ship a quantity of material to New England in the first place is alarming; that the margin by which it costs more has been accelerating in recent years is intolerable.

Fourth. A related problem further decreases the ability of New England producers to compete effectively. Shippers in the Southeast allow special rates for large shipments. Rate schedules provide discounts for multiple—5 to 20—car shipments and unit trains—50 to 100 ton cars. This is, of course, a reasonable business practice in light of competition. But the total absence of such incentives for New England farmers has been troublesome for some time. It has been calculated that such inequities result in a cost disadvantage of 1½ cents for a dozen eggs produced in New England.

Fifth. Dairy farmers find unlimited dairy imports very damaging. Besides being heavily subsidized by their own countries, foreign producers do not always have to meet the same standards of herd health, cleanliness, and pesticide control imposed on U.S. dairymen.

Sixth. Federal antitrust laws prevent diarymen from operating through their cooperatives in bargaining with buyers. A good case can be made for granting dairymen collectives the same exemption presently enjoyed by labor unions. As it turns out, it is the small independent farmer who is most affected by these restrictions. Unable to compete with larger chains, the small producer finds the going more difficult every year.

Despite all these difficulties, however, the history of cooperation among farmers has been very bright. In New England, for example, some 95 percent of all dairy farmers operate on a voluntary, collective basis in advertising. The need for the small producer to bargain collectively thus has roots in other efforts that they have made together, short of collective bargaining, to work together for survival.

In summary, the dairy and poultry industry of New England faces difficulties greater than at any time in recent history. The value of this industry to the region can be gaged by the unanimous consent with which the Governors of the six New England States joined together recently to oppose the 15 percent rate increase on freight presently being considered.

I can only begin to convey the urgency that I felt after meeting with those farmers. There is no such thing as an 8-hour day for a farmer. The work is hard, and the hours long. I am deeply concerned over the difficult circumstances in which these men and their families find themselves.

OCEAN DUMPING

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. GUDE. Mr. Speaker, dumping refuse at sea is a bad practice in even remote parts of the ocean. But, obviously, it is most damaging when it occurs in or near such ecologically sensitive points as bays and estuaries. We in Congress are called upon to restrict this abuse of the environment. I hope that sound legislation can be approved early in this Congress.

Already, citizens are taking action, as these reports in the February 21 and 27 editions of the Washington Star show.

I include the articles as follows:

DUMPING SEWAGE AT SEA

(By Roberta Hornig)

WILDWOOD, N.J.—When Clarence Shoffler spots barges carrying sewage sludge or chemicals out to sea he chases after the tugboat operators, shakes his fist at them and hollers, "Where the hell are you going to dump that stuff?"

Shoffler began his chases about six years ago, three years after the City of Philadelphia began dumping its sewage in the Atlantic, 11 miles out from the mouth of Delaware Bay, and nearer the New Jersey and Delaware coastlines. A few years later Camden and Bridgeton, N.J., started disposing of wastes there, too.

The site—5½ miles off Cape May, N.J., and 7½ miles from Rehoboth Beach, Del., both prime resort areas—was a favorite with clammers. Shoffler had angrily noted his fish and clam catches steadily going down and squarely blames ocean dumping.

In May, when the Food and Drug Administration suddenly declared the sewage site off-limits to shellfishers because of a contaminated ocean bottom, Shoffler, in his own words, "really got mad."

"I tied the boat up for a couple of weeks and started talking around," he said the other night at the Happy Hour, a gathering spot for Wildwood townspeople.

"It's not an easy life to begin with, and when the FDA comes out with a report that there's 120 square miles of ocean in your backyard polluted, then I want to do something about it," he said.

In "talking around," Shoffler, a waterman for 25 years, became the catalyst, a kind of Paul Revere for a small but vocal environment movement that has become one of the liveliest along the Eastern seaboard.

Officially incorporated as the "Stop Ocean Dumping Association," it's better known by its acronym SODA.

In its short, active life, SODA has:

Got Rehoboth Mayor Lester Johnson to join Wildwood this weekend in asking Sen. J. Caleb Boggs, R-Del., ranking minority member of Sen. Edmund S. Muskie's Air and Water Pollution subcommittee, to hold a hearing in Rehoboth on the ocean dumping. The hearing was requested by the Rehoboth Beach Board of Commissioners.

The immediate goal is to get Philadelphia and Camden and Bridgeton in New Jersey to dump their sewage sludge at least 100 miles off the coast. Ultimately it wants ocean dumping stopped.

Encouraged U.S. Rep. Charles W. Sandman Jr., R-N.J., to force a defunct Bucks County, Pa., plant to dump 3½ million gallons of toxic industrial wastes at least 100 miles out at sea. The plant originally planned to dump the poisons 30 miles offshore from Ocean City, Md.

Obtained 60,000 signatures on a petition to support congressional legislation, sponsored by Sen. Harrison A. Williams, D-N.J.; Sandman, many other senators and representatives, and the Nixon administration, to end ocean dumping as quickly as possible. This is a fairly impressive number considering that Wildwood proper has a population of roughly 7,000.

Moreover, SODA has become a household word in Cape May County, is becoming well known on the Delmarva Peninsula, and the hard core of its 98 members have become instant ecologists, if not oceanographers.

Wildwood is probably one of the few places in the country where President Nixon's ocean dumping report, published by the Council on Environmental Quality in October, has become almost a best seller.

SODA bought 200 copies and got a discount rate—46 cents each instead of the usual 55 cents—because of the number purchased. Waitresses, the mayor, realty agents and clammers quote some of the report's statistics verbatim, from memory, and know exactly the page they want to make a point.

Several clammers have copied from the report the various kinds of ocean dumping sites in the Atlantic, which is the receptacle for an estimated 39 million tons of wastes annually. They show off their own supersized chart version to anyone who will take a look.

Besides the sewage sludge, the Cape May-Maryland-Delaware offshore area also is a dumping ground for industrial wastes, explosives toxic chemicals, ammunition and radioactive wastes. These sites, on charts at least, are 100 miles away from the coast-line.

It is the Cape May-Delmarva ocean sewage dump, however, that particularly worries SODA. The Wildwood people fear a second Dead Sea is developing off the East Coast—similar to the only other officially designated contaminated ocean area off New York Harbor.

They are eager to spread the word, confirmed by the U.S. Army Corps of Engineers, that roughly 140 million gallons of sludge, 110 million of it from Philadelphia, is known to be dumped annually near their shoreline.

SODA members also tick off these claims: that Philadelphia's sewage is supposed to be 90 percent cleaned up by the time it hits the Atlantic but that Philadelphia also dumps other kinds of waste ('You name it, they're dumping it"); that Camden's sewage is treated only 25 percent and that Bridgeton's (population about 30,000) gets no treatment at all.

The Wildwood clammers and townsfolk who depend on shellfish and seashore vacationeers for a living were well aware of the ocean dumping off their shoreline and had long scoffed at Philadelphia as a "city of brotherly love."

"Humph! I do believe there's another outlet for their sewage other than our backyard. I wonder if they'd be offended if it were reversed," said Wilbur Ostrander, SODA's president and Wildwood's commissioner of public works.

But it was only last July 10—nearly two months after FDA closed the shellfishing grounds—that Don Long, head of the town's clam processing company was officially notified that the ocean area was contaminated and was ordered to spread the word.

It took two more months for the SODA people to get their organization off the ground.

After brooding for weeks, Shoffler in early October went to Capt. Otto Stocker, owner of the town's cruising boat, to discuss the contamination that is forcing clammers to move out further to sea or down the coast.

Then Stocker, Long and Ostrander met in Long's office and Ostrander arranged a boat trip to the sewage dump site for area officials and news media.

From the ocean bottom they dredged up, for all to see, "thousands of dead clams" and what in polite circles is called "Black muck."

The hard-core group—which by then had grown to include Wildwood Crest's mayor, Joseph Von Savage; realty agent Joseph Olwell; Anthony Bianchi, head of the Greater Wildwood Hotel & Motel Association, Mrs. Eleanor Hughes, a printer; and several watermen—then decided it needed a quickie course on ocean ecology.

On Nov. 18, a "marine conference" was held at the Lobster House, a Cape May restaurant. Guests included university oceanographers, New Jersey scientists, an FDA representative, members of the State Department of Environmental Protection and the director of the Shellfish Institute of North America.

In the words of a recently drafted "History of the Stop Ocean Dumping Association":

"Then Ostrander crossed the Delaware Bay and carried the word to the states of Delaware and Maryland."

A week ago, Rehoboth Beach joined. "They've got a good thing going and we're behind them," said Mayor Johnson. "Our only asset is our beach. If that one mile goes, we may as well close shop."

Ocean City, Md., officials are in the process of deciding whether to join up.

Even though its activism is still relatively new, SODA members are now philosophically confirmed environmentalists. They are beginning to question what they had unskeptically accepted in the past.

For example: the closing down three years ago of a once-booming menhaden processing plant in Wildwood.

According to clammer Shoffler and Eirik Kirkeberd, who owns the Wildwood fishing boat dock area, the once-abundant menhaden, used for bait or converted into fertilizer, have just about completely disappeared from catches offshore Cape May County. They also report that they have been catching flounder and sea bass with "big sore rings around their fins, and with tails looking like somebody chomped on them."

"It's something out there that's doing it," Shoffler said, shaking his head.

The watermen also are beginning to question what's happening to fish in the "back creeks," the Jersey Meadow spawning grounds up and down the coast.

"In the ocean, if the fish don't like it, they go someplace else. But in the back creeks, you get fish kills," Shoffler said, and Kirkeberd agreed. In their own minds, they have decided that past pesticide spraying to kill meadow mosquitos is behind the disappearance of several species of fish.

Long produced statistics which seemed to confirm the watermen's theory, at least in part. In the last year, New Jersey has lost 1,671 acres of back creek and estuary areas because of pollution.

Shoffler calls the sewage dumping site "sheer idiocy."

"What really got me is that this area was 70 percent clam bottom and 40 percent of that was clam seed. They buried those poor things alive," he says.

"The mouth of any bay . . . it's like a fertile valley where things grow. That's a desert out there now."

In 1963, Shoffler says, his boat was taking on 2,000 to 3,000 pounds of fish a day. In the last few years, the catch has dropped to 700 to 800 pounds.

In 1963, he says, he had $30,000 worth of lobster pots trapping 100 pounds a day. "Now you just don't see them," he said.

Clams are still on the ocean bottom, but Shoffler and the others are worried about their susceptibility to pollutants.

There are no restraints now on ocean dumping beyond the three-mile territorial limit. This is what SODA wants changed quickly. Its ultimate goal is a complete halt to putting wastes of any kind in the sea.

"Sure we want that sewage to go out 100 miles now. But even if we get those towns to take it out farther, what will it do to the new area? There's life out there too," one SODA member said.

Up to the last month, the Wildwooders operated on a pretty much out-of-pocket basis, with individuals paying their own way to "sell" Rehoboth Beach, set up the marine conference, visit the Bucks County chemical plant and to buy newspaper ads.

Since incorporating as a non-profit organization January 14, SODA has built up a kitty of $3,000, all of it from membership dues of $5 to $250. The smaller amount comes from individuals. The larger comes from the Wildwood Junior Chamber of Commerce and Rehoboth. Eventually, the group hopes to get contributions in the $1,000 range.

"Our original purpose was to combat local problems—to inform educate, persuade and seek passage of effective laws which will ensure that our sea life in every form is not annihilated," realtor Olwell says.

But now SODA sees its mission as changing. "We now recognize the significance of the ocean dumping problem, off the Gulf and Pacific coasts as well as ours," Olwell says.

With its small budget, the new environmentalists are setting out an ambitious program.

Working out of "Eleanor's house" (Mrs. Hughes), Ostrander's office at the city hall or the Happy Hour, SODA is averaging a mailing list of 300 "alert" letters a day. Its current project is sending literature to 10,000 in the next county up, Atlantic.

Next it plans mass mailings on the "down counties" on the Delmarva Peninsula.

"We plan to go up and down the coastline, a county at a time. When we're finished on the East Coast, we'll work our way around the Gulf and up the Pacific. Heck, we might even call a national convention," Ostrander says.

(By Roberta Hornig)

WILDWOOD, N.J.—Federal antipollution officials have been given a graphic and smelly demonstration of what the dumping of sewage sludge near the mouth of Delaware Bay has done to a prime shellfish area in the last few years.

The two officials—David Dominick, head of the Federal Water Pollution Control Agency, and Gordon MacDonald, of the President's Council of Environmental Quality—traveled to this New Jersey resort area yesterday in response to efforts of a small but vocal environment group whose efforts were reported in The Star on Sunday.

Aboard the dredge-clammer "Miss Doxsee," the two federal executives and local officials and watermen churned through choppy seas to just inside an area that in May was designated by the Food and Drug Administration as contaminated for shellfish fishing.

About 14 miles out in the Atlantic, from the mouth of Delaware Bay, the clammer put down its dredge to prove that sewage sludge being dumped by Philadelphia and two New Jersey cities was destroying the watermen's livelihood.

CATCH PROVES "WRETCHED"

A spray from the bobbing sea splattered over the passengers, the dredge was dropped and hauled, twice producing nothing but "good clay bottom," as MacDonald described it.

On the third try, however, the New Jersey activists—banded together in a group called the "Stop Ocean Dumping Association," or SODA—made their point.

The dredge came up with 200 pounds of black, smelling sewage sludge—and a lot of dead clams. "Wretched" was the way MacDonald described the catch. He and Dominick, in a business suit, pawed through the black mess. What they found were many dead clams and one clam still alive, but "barely alive," MacDonald said after looking at it.

Capt. Otto Stocker, who for years has operated a sightseeing boat in the Cape May area and is a prime mover in the SODA group, looked at the sodden catch and said, if things "were right," the dredge in that area would have produced 60 to 70 bushels of good clams on a sweep. Stocker, in his 60s and who winters in Florida, had come up specifically for the federal visit.

HEARING SCHEDULED

SODA got its start in May after the FDA declared the 120-square-mile dumping area off-limits for the shell fishermen.

Clarence Shoffler, who for years had watched his shellfish catch diminish as the dumping gained in volume, became a sort of catalyst in the formation of SODA.

SODA, its membership composed of energetic waitresses, watermen, realtor agents, and the mayor of Wildwood, has generated tides of interest.

Hearings have been set for next month in Rehoboth Beach, Del., on the problem by Sen. J. Caleb Boggs, R-Del., the ranking member of Sen. Edmund Muskie's Air and Water Pollution Control subcommittee.

Dominick and MacDonald, during their visit to Cape May County, repeatedly urged the angry residents to seek a solution to their pollution problem by supporting President Nixon's Ocean Dumping Bill—introduced in the House, but not yet in the Senate because of a haggling over who will introduce the measure.

The legislation would, for the first time, extend American jurisdiction to 12 miles—compared to the current 3-mile limit—for ocean dumping. It also would require a permit from the U.S. Environmental Protection Agency for disposal within that 12-mile area. The Atlantic, about 100 miles from the mouth of the Delaware Bay, now is used as a dumping ground for industrial wastes, toxic chemicals, radioactive wastes, and military explosives.

Dominick told the SODA members that "this situation" in their area would provide "incentive to stop ocean dumping." He said the "tools" must be at hand—such as the President's proposal.

Cape May residents want the 140 million gallons of sludge dumped annually by Philadelphia, and Newark and Bridgeton, N.J., stopped immediately.

MacDonald told the SODA group that he sympathizes with their situation. He said that perhaps the federal government should respond temporarily to their pleas and seek, perhaps with federal assistance, to have the offending cities tow their sludge at least 100 miles offshore. Dominick, however, wondered if it was worthwhile to simply transfer the same problem to a greater distance.

As the 871-foot "Miss Doxsee" berthed after the trip into what the SODA group calls the "Dead Sea" area, the two federal officials continued to plead for support for Nixon's dumping bill. But the residents remained skeptical.

They have become activists and now are thinking in activist terms.

Said Stocker, "If a man's going to try to stop you from making a living out here," referring to the cities' sludge dumping, "we'll shoot to kill if we have to do it to protect our interests."

The SODA people also are talking about an armada of clam boats to surround the sludge barges from Philadelphia, Newark and Bridgeton, as they pull their loads of waste out into the Atlantic.

APATHY THREATENS SPACE GOALS

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. MILLER of California. Mr. Speaker, on February 10, 1971, the San Diego Union published an editorial entitled "Apollo 14 Another Success—Apathy Threatens Space Goals."

I commend this editorial to you, as it carries a very pungent message, and I congratulate the Copley Press on its publication:

Apathy Threatens Space Goals

Using a term of deceptive understatement popular with technologists, the flight of Apollo 14 that ended happily in the Pacific yesterday goes into our space log as a mission that remained "nominal" from beginning to end. Despite a brief launch delay due to questionable weather, despite some temporary problems with mechanical and electronic systems aboard their spacecraft, the Apollo 14 astronauts were able to follow their flight plan down to almost every detail.

The smooth performance of both men and machines in the Appollo 14 flight shows to what an extraordinary degree our astronauts and their support teams on the ground have mastered the challenges of manned space. flight.

It is ironic that their success, both in carrying out objectives and in adapting to unforeseen developments, should contribute to indifference on the part of a great many people toward the significance of their accomplishments. The estimated audience for televised portions of the Apollo 14 flight shrank considerably below those for the two previous moon landings. Even in our own Congress there is a cooling toward further financial support of manned space programs, as though we had accomplished enough in proving that we can get to the moon and back.

We are not sending astronauts to the moon simply because it is there. Apollo 14 may well produce a greater scientific return than our two previous moon landings combined. Astronauts Alan Shepard and Edgar Mitchell performed a series of assignments on the lunar surface that may be of epochal significance to the world in understanding the history and composition of the moon, especially through examination of the 108 pounds of material they brought back with them from the Fra Mauro highlands.

The impact of this knowledge about our solar system and its origin may be years in unfolding. The same can be said of the impact of space flight technology itself on our future as a nation.

The world did not stop building airplanes as soon as the Wright Brothers proved they could make one fly. The fail-sale principles of space flight we are developing in our space program are a beginning not an end, of man's striving toward the conquest of space.

As the Apollo astronauts were streaking toward home Sunday, rocket pioneer Wernher Von Braun was warning a Chicago audience that it is too soon for the American people to assume from the Apollo successes that they have won a space "race" with the Russians. The Soviet space program is picking up momentum at the very time that budget restrictions are sapping the momentum of the U.S. space effort.

Questions about the future of the Apollo program raised by the failure of the Apollo 13 flight to accomplish its mission should be laid to rest with the splendid success of Apollo 14. We must hope that doubts and uncertainties that have overtaken the future of our space program beyond Apollo are also overcome to assure that the United States of America does not voluntarily yield the commanding position it holds in space technology.

SST SIDELINE NOISE REDUCED TO PRESENT LIMITS

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. PELLY. Mr. Speaker, one of the arguments being advanced by opponents of the supersonic transport has been that it is too noisy to be accepted at today's airports. Yesterday, Department of Transportation Secretary John Volpe announced that the U.S. SST sideline noise and noise over the communities surrounding airports will be at least as quiet as the newest four-engine subsonic jet transports. This finding was the result of the SST Community Noise Advisory Committee.

I bring this information to the attention of my colleagues so that they may now dismiss this argument from those being heard against the continuation of the SST. I include the DOT release and a report on it from the New York Times at this point in the RECORD:

Department of Transportation Release

WASHINGTON.—The U.S. SST sideline noise and noise over the communities surrounding airports will be at least as quiet as the newest 4-engine subsonic jet transports, according to findings of the SST Community Noise Advisory Committee.

Dr. Leo Beranek, chairman of the SST noise advisory committee, said in a letter to W. M. Magruder, U.S. SST Development Director, "We reviewed in detail with Boeing and General Electric the status of engine and aircraft design of the production SST with respect to noise. This review included results of recent tests on a number of jet noise suppressors, aircraft and engine performance, and the adequacy of engineering methods in predicting the noise levels for the production SST."

Dr. Beranek, general manager of Bolt, Beranek & Newman, Inc., acoustics research firm of Cambridge, Massachusetts, reported, "We conclude that the level of technology demonstrated by Boeing and General Electric is sufficient to achieve the noise level objectives we recommended."

The noise level objectives for the U.S. SST were to satisfy the requirements set forth in Federal Air Regulation (FAR) 36, which has established 108 EpNdB sideline noise measured from a distance of 0.35 nautical miles (NM) from the centerline of the runway, and 108 EpNdB noise over the community at distances of 3½ NM from start of takeoff and 1 NM from touchdown at landing. These noise requirements effect the new Boeing 747 4-engine subsonic transport, as well as the DC–10 and L–1011 trijets expected to start airline service within the next two years.

Magruder expressed his satisfaction upon receiving the report from Dr. Beranek's committee, and added that continuing research between now and the time the SST will enter service in 1978 may very well bring even greater noise reduction.

[From the New York Times, Feb. 23, 1971]

Cut in SST Noise Is Seen in Study—Federal Committee Lists Changes in Designs

(By Richard Witkin)

Recent engine redesign and airplane improvements will enable this country's supersonic transport to meet Federal rules on noise limits, according to the Government's SST noise committee.

In a report made public yesterday, the seven-member committee said the SST manufacturers had shown they could meet the 108-decibel criteria laid down for all large new jetliners.

Most intercontinental jets now in service, including the Boeing 747 jumbo jet, do not meet these rules. The 747 must do so by the end of the year.

Officials disclosed that the developments making possible the noise reduction included increasing engine size, eliminating the use of a raucous after-burner on takeoff, and refining of wing contours to give the plane a steeper takeoff climb.

Proponents of the embattled SST acknowledged that the changes would increase the cost of the production planes and cut into their potential earning power. But they insisted that the plane would still be able to make a profit.

Anti-SST forces, noting the cost increases, can be expected to intensify their questioning of the plane's economics, noise and other environmental problems during the impending Congressional battle over continued funding of the prototype supersonic program. This calls for construction and 100 hours of flight of two prototype or test versions.

The group whose optimistic report on noise from the projected plane was made public yesterday is known as the SST Community Noise Advisory Committee. Its chairman is Dr. Leo L. Beranek, chief scientist of a prominent Cambridge, Mass., acoustical firm. He had much to do with developing aircraft noise criteria while serving as a consultant to various airport authorities.

NAMED BY MAGRUDER

The committee was named last July by the director of the Federal SST project, William M. Magruder, to advise his office on the noise problem.

Last fall, the Beranek committee advised Mr. Magruder that the noise rules for production SST's should be the same as those imposed on large new subsonic jets. It did so despite complaints from the industry that, while it could get close, it saw no technological way of complying completely without disastrous economic penalties.

"We feel we had a considerable effect on the situation," Dr. Beranek said yesterday in discussing the report that the industry had now found a way to meet the stringent rules.

The rules impose a maximum of 108 EPNdb (effective perceived noise decibels) as recorded at three measuring points at an airport or in the surrounding community. These points are: one nautical mile before the runway threshold on a landing approach, three and a half miles from the start of a takeoff roll, and .25 nautical miles to either side of the centerline of the runway.

The rules permit a plane to go as high as 110 at one point if this is offset by reductions below 108 at another.

A decibel is a unit for measuring the relative intensity of sounds. One decibel equals the smallest degree of difference detectable by the human ear. "Perceived" was added to the noise standard to give greater weight to more annoying high-frequency sounds, like those of a siren. "Effective" was added to account for duration of different component sounds.

It was announced months ago that supersonic planes would meet the 108-decibel level for takeoff and landing approach. But its takeoff noise to the sides appeared a good deal too high. This has been one of the craft's most vulnerable points in the struggle over whether the program should get more funds from Congress or be canceled.

The way officials tell it, three developments came together over the last two or three months to solve the problem of sideline noise.

First, when the first production version engine was completed and tested, its sideline noise was found to be 120 EPNdb, instead of 124 as paper calculations had estimated.

Second, when the latest wind-tunnel model of the proposed production plane was put in the tunnel, it was found to develop considerably more lift on takeoff than had been expected. This meant that, on takeoff, the plane would require less engine thrust than planned, and therefore would produce less noise. The new model had improved wing flaps and a subtly refined wing shape.

Third, it now became possible to solve the rest of the sideline noise problem with engine redesign that previously would have been inadequate.

Specifically, the engine size could be increased so that takeoff could be made without use of the afterburner. This is a device at the rear of the engine that provides a large boost in thrust by burning huge amounts of fuel poured into the exhaust stream. It makes a tremendous racket.

ADVERTISING DRIVE PLANNED

(By Christopher Lydon)

WASHINGTON.—The aerospace industry and the machinists' union, which stood quietly on the sidelines last year when the Senate nearly killed the supersonic transport, announced today a $350,000 advertising program to counter doubts expressed by environmentalists and stress the SST's importance to the national economy.

Full-page advertisements in each of Washington's three daily papers will open the campaign tomorrow, telling Congress that fears of air and noise pollution are unwarranted and, in the light of foreign competition, may also be irrelevant to the immediate question before the House and Senate.

"Congress's real choice on the SST," the ads say. "Not will it be built. But by whom? Where?" Flags of the Soviet Union, Britain and France are printed as reminders of the TU-144 and Concorde, which have already been test flown.

"The decision to build an SST is not within our power to make. Only the decision to build an American SST," the ad states.

SHIFT IN LOBBYING

The public drive by the major SST contractors and the union that represents most of the nation's aerospace workers marks a shift in lobbying strategy as Congress approaches another fight over continued funding of the $1.3-billion development program.

The impasse last December between the House, which narrowly supported the supersonic plane, and the Senate, which rejected it, was resolved only by carrying over all transportation funding, including SST money, at an annual level of $210-million, until the end of next month. Further work on the program to produce two working models some time in 1973, will require new votes of approval in both branches before March 31.

HELP FOR THE NEEDY

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. CARTER. Mr. Speaker, Mrs. William (Lucy) Albright has for years written to the Glasgow Republican of Barren County, Ky. She has an unusual knowledge of American Government. Also, she has a sound philosophy as to what our Government can do and should do for the American people. For God's poor people, the lame, the halt, the blind, and the sick, she would give all assistance necessary; for those who are able to work she would provide work. I agree with her position and commend it to you for your perusal.

LUCY'S LETTER

(By Lucy Albright)

"We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense promote the general welfare, and secure the blessings of liberty to ourselves and our posterity do ordain and establish this constitution of the United States of America." These words are easily recognized as the preamble of the constitution and sets forth the reason and purpose of it and during these almost two hundred years, its reason and purpose has not varied an iota. Although the formulas for the executive of the purposes, has been lengthened to embrace 25 amendments, the most recent, the 25th, on Presidential Disability and Succession.

February, is American History month, as instituted by the DAR in 1952. And it is a wonderful time to give study and appreciation and thanks to our forefathers for their profound efforts and dedication to the founding of this great nation under God. May we briefly analyze the format of the six principles of a democratic country as found in the preamble.

A house divided against itself cannot stand, and a divided country cannot long exist, hence the Civil War, the most perilous time in the history of this country, was fought to preserve the Union. To establish justice, the legislative, executive, and judicial bodies were formed, with each a checkline on the other, courts with judge and jury were established and the day of taking the law in ones own hand with conviction and execution without a trial was outlawed. Many regulations are enacted for domestic tranquility. For living together in peace on the homefront. In the old days of monarchies, a huge wall with a drawbridge was built around the outside of nations or cities to protect them. America has never felt it needed that, but it continued to be strong enough in defense, to protect itself against any threat of an aggressor, and in this missile and atomic age, the need is greatly multiplied. And the traumatic experiences of the Civil War would only be a slight shadow in comparison with a War of today fought on the homefront. The next purpose set forth in the constitution is to promote the general welfare. Now look at that word promote closely, it did not say to provide for the general welfare. The general welfare is a wonderful thing to promote, and it is a sad thing in this affluent age in America for any to suffer from need. And the old, the sick, the needy children need support for their welfare, but when a nation undertakes to provide for the welfare of all then that becomes a gross task, which cannot be done, and should not be done if it could be, for when any person is robbed of his self respect, then there is no word in the English language which can describe his abject condition. Any country that undertakes to be a fairy godmother, without any responsibility on the part of the recipients, is in for a sad plight. And the last is the blessings of liberty, not only for those pioneer fathers, but for their posterity, and not only for us but for all forthcoming generations. And this liberty must be guaranteed, guarded, and protected. All of these things have never lost their precious values through the years. And to keep our nation, which to me is the greatest on earth, moving along in the right direction, requires not only great wisdom of leadership, but it requires a people with self respect, with honor and integrity, and a will to do, that it may always stand proud of its heritage and proud of its fulfillment.

BOY SCOUTS OF AMERICA

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. GOLDWATER. Mr. Speaker, I have been proud to be associated with the Boy Scouts of America over the years and I am pleased to see the active interest that Scouting has taken in the development of young men in our inner-city areas. I am pleased to present the following information for my colleague's information. It is about one of the excellent programs put on by a group of our dedicated citizens; it serves literally thousands of boys throughout the country:

BOY SCOUTS OF AMERICA

Nearly four years ago with an initial grant from the Astor Foundation, the Greater New York Councils prepared a plan to deepen the penetration of the Boy Scout program in certain deeply troubled areas of New York City—the Lower East Side of Manhattan, the Upper East Side of Manhattan and the Bedford-Stuyvesant section of Brooklyn. In all of them there were ethnic and racial conflicts, a high percentage of families with low incomes, many unstable families and abnormally high school dropout and delinquency rates. Moreover, a small percentage of the eligible boys belonged to Scout units or to any other youth groups.

The Scout plan was named the "Saturation Project" and aimed to do exactly what its name said—to saturate the areas with Scouting units and to reach and influence a large number of boys. The aim was more than merely a greater number of Scouts. Through Scouting it was hoped that boys would be helped to rise above their environment of poverty, failure and deprivation. Through the closely supervised project it was felt that it would be possible to judge whether, by concentration on and saturation of an area, boys could really be won to Scouting. And then, if they entered, would they show positive results in their personal lives and as members of the community.

Obviously many of the results of Scouting are intangible and longterm. However in a program such as the "Saturation Project", it was felt that certain results could be measured. For example, how many of the eligible boys joined up. What percentage this represented of the community. How many dropouts came into the Scouting orbit and any evidences of boys kept from dropping out. How many were reached despite records of delinquency and evidences that by Scouting activity other delinquency was deflected. How wide a group of leaders could be developed within the community and, in particular, how many people completely new to Scouting could be attracted.

To give the "Saturation Project" a chance, it was felt that five years were needed to fairly measure its effectiveness. Under the plan, $90,000 per year was the sum needed in each of the chosen areas to provide a fulltime field staff plus support and facilities to do a proper job. The Councils felt that since the project was meant as a special demonstration it should be financed from sources outside the normal operating budget.

Grants from four Foundations allowed a "Saturation Project" for one area to begin. Thanks to additional funds from three other Foundations—the James, Charles S. Hayden and Cleveland E. Dodge Foundations, the Bedford-Stuyvesant area of Brooklyn became the target of a program of saturation. On January 1, 1965 it got underway and within the year, a full staff of four men was on the job.

First the team of Scouting professionals surveyed their area to decide on methods, attract local leaders and spot potential sites for Scouting units. Then came the job of organizing units, finding and training leaders and then recruiting boys. Now, two and a half years later, the first results are known. They are promising. They show a pattern of growth. For example, on May 31, 1967, there were 148 units and 4125 boys in Scouting, an increase of 41 units or 38% and 853 boys, up 26% over December 1964. In attendance at Scout camps the results are also heartening. In 1965, 230 boys from 16 units went to camp. In 1966, 363 boys from 27 units were in camp. The trend in all phases of Scouting is upward.

The "Saturation Project" is but midway in its five-year trial. Another two or three years of intensive activity along the lines now proven and established are needed to learn how effective the program has been and what are its longterm results. Only after this period of time will it be possible to decide which Scouting techniques and modifications of accepted techniques are best suited to reach and influence great numbers of boys in the troubled and deprived areas of New York City—and in inner city areas throughout the country.

In the pages of the following report, which has been published at no cost to the Greater New York Councils, is the story of the first two and a half years of the Bedford-Stuyvesant Saturation Project. It is a log of accomplishment and progress to date. With continued support, we believe that the next two and half years will bring results which can be measured, as well as methods which can be used in the underprivileged areas of America's growing Megalopolis.

SCOUTING SUCCEEDS

In Stuyford live 23,000 boys eligible for Scouting in all of its phases. Of these 4,125 belong to the Scouts. This means that 17.9% of the eligible boys in the district had joined up. This compares most favorably with the figure of 14% for the total area encompassed by the Greater New York Councils, and the 16% for all of Brooklyn. It is well on the way to equalling and perhaps surpassing the 25% average enrollment of eligible boys in the whole of the United States.

To achieve this total, the Boy Scouts of America two years ago zeroed in on the Stuyford area with a wide array of resources and talents, including several special financial grants. The idea was not to change the basic formula of Scouting time-proven in so many different lands and societies, but to concentrate it to achieve results which would be good not only for Scouting, but the community as a whole.

The aim of the Saturation Program in the long run, of course, is to swell greatly the ranks of Scouting. But at first the emphasis is not so much on numbers, welcome though they are, as on planting firm roots for Scouting. Stuyford badly needed organization and training for Scouting, just as it needed them for participation in citizenship. The Scouts have felt that when Stuyford achieved the first it would be well on the way towards the second. Before there could be any vast increase in Scout membership there had to be many more responsible sponsors and leaders. It was essential that the proper groundwork be laid so that the promises of Scouting could be fulfilled, so that eager young Scouting hopefuls would not become disappointed dropouts.

Though the results of the Saturation Program in Stuyford are just beginning to emerge, what has happened so far is both interesting and encouraging. The program came at the right moment, just as the area was starting to wake up and to feel the need to develop some community feeling. The area welcomed the effort to deepen and widen the long-established roots of Scouting in the district. It was ready to be helped. Despite its many disadvantages, Stuyford has responded with favor to the renewed appeal of Scouting. There are many reasons.

HOW?

The Saturation Program for Stuyford brought into the district a dynamic, dedicated and trained Boy Scout professional, Ed Graham, who had worked in Cleveland and Cincinnati. He was fully aware of the multitude of problems facing a worker in a so-called "inner city" area, impoverished, tough, disorganized and tense. With the aid of three more professional workers, Juan Barbosa, Clifford Dawson, John Ford, two Negroes and a Puerto Rican—Graham set out to expand Scouting's base in Stuyford.

Working with key volunteers such as Arthur Bramwell, the District Chairman and Paul Stewart and others already involved in Scouting and respected in the district, Graham sought to bring in new faces and to attract all parts of the community. He roamed in the district, talking to business and civic leaders, to civil servants, policemen, firemen, teachers, office workers, doctors, lawyers and ministers. He sought out the thousands in the district who had once been Scouts. He took his message to parents and their boys directly. He confronted many in the district who had come from such rural areas that Scouting was totally unknown in their lives.

With those already familiar with Scouting his aim was to re-kindle their interest in behalf of new generations. With those who were unaware of its concepts, he tried to awaken a sympathy and active approval. At every turn he was competing with apathy, the effects of poverty, the disruptions in family life, the attractions of being a "swinger" instead of a volunteer, and the lack of many really strong organizations within the community. Even when he found interest, he would discover vast lacks in training and skills. Or, he found a fear of what Scouting might cost, both in money and time. With an almost evangelical fervor, Graham set out to overcome these formidable obstacles.

From the first Graham emphasized the do-it-yourself aspects of Scouting. He and his team were there to assist the local people. He could show them how, give them basic training and support, but then it was mainly their job. From time to time, of course, he might have to be there to throw in a lifeline. But since it would, in the long run, have to be a local effort, he concentrated on finding leadership that would be permanent.

He needed sponsorship from groups which would be in business from one year to the next. His prime list included the many churches in the district, lodges, the fire houses, the police stations and neighborhood houses. In the next echelon came schools and P.T.A.s and finally, a new venture, the storefront centers being set up neighborhood groups. Both of these last, however, offered problems. By their very nature P.T.A.s change leaders often as children come and go within the orbit of a given school. Neighborhood centers have other problems, for they are still such an innovation that permanence has yet to evolve. Their leaders come and go.

Graham spoke to school groups and to residents of blocks and neighborhoods. But his job from the first was to shore up and expand his units in the district's prime institutions. Once he had recruited a nucleus of dedicated, trained leaders, they could set up Troops, Posts and Packs in new sites.

By the middle of 1967 Stuyford had 148 Scout units—60 Cub Packs, 68 Scout Troops, 20 Explorer Posts—up 38%—during the 2½ years of the Saturation Program. The 4,125 members represented an increase of 26%. This was a significant advance which augured well for the future.

To work with these Scouts Graham and his team had to work constantly to maintain and increase his leadership contingents. Stuyford is a hard place to recruit and keep volunteers. Too many of its responsible, able-bodied people are struggling simply to keep alive and their heads above water financially. A man or woman holding down two jobs to maintain an income, is not going to have much time or energy to do volunteer work no matter how great the desire. Graham found also that constant shifting of jobs and homes by many in his district made it hard to keep his volunteers once he had recruited and trained them. It has been a constant battle, but he feels the tide is turning and that his nucleus of trained leaders is beginning to swell.

Among those leaders are a detective, several firemen, lawyers, school teachers, civil servants and—an especially large and active group—transit authority employees, both drivers and guards. His units are established in churches, Masonic lodges, fire houses, P.T.A.s, Tenants' Associations in housing projects, a Salvation Army center and a Boys Club of America clubhouse.

Graham is not one for colorful stories but it is with quiet pride that he and his staff recount the exploit of one of their boys, Joseph Morales, of Explorer Post 530 at Engine House 230, during a fire in a Willoughby Avenue home in early June. Joseph and another boy climbed up to a second floor window ledge and helped a hysterical woman, trapped by smoke and flames and clinging precariously to the sill, to safety. "In another few seconds she would have had to jump," reads the official recommendation for a fire Department Certificate of Merit for Joseph Morales.

POSTMARK LOSS

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. WYATT. Mr. Speaker, it is difficult to identify with a number. But in this age of the computer and, I am told, in the interest of better service, we are being asked to accept a postal zone number to replace the familiar city postmark.

My home town newspaper, the Daily Astorian, carried a perceptive editorial on the loss of the city postmark. The editorial asks the telling question that, while it is difficult to knock efforts to improve postal efficiency, will the loss of the city postmark be enough improvement to warrant the change to the dehumanizing number.

Efforts are under way to commemorate the fact that Astoria at the mouth of the Columbia River was the site of the first post office west of the Rocky Mountains. I will strongly support this effort.

Meanwhile, the numbers game goes on, and I commend the Astorian editorial to my colleagues:

POSTMARK LOSS

The prospect of the Astoria, Warrenton, Seaside, Cannon Beach and other Clatsop postmarks being eliminated under a new Post Office system is disappointing. As an Astoria councilman said this week, it's hard to knock efforts to improve postal efficiency, but will it be enough improvement to warrant doing away with the postmarks?

Probably everyone would agree that postal service could stand some upgrading. This proposed upgrading would take away something important, though—the identification of Astoria, Seaside, Hammond, Arch Cape and thousands of similar places via the mails.

Important because small communities are lost in the shuffle and seldom have chances to call attention to themselves. Some communities that used to have post offices don't have them now, and the ones that have retained their post offices are about to lose their postmarks. In the future, mail from Clatsop County processed in Portland will be marked "U.S. Postal Service 970." The "970" is the postal zone number.

It's similar to what happened to phone service. The conversion to dial phones was a big step toward mechanization, and dehumanization. Then came the switch to long-distance dialing, and with it the elimination of letters in the prefixes (CApital 8–2169 became 228–2169) and the adoption of area codes (Astoria, Ore., 325–3211 became 503—325–3211). It's all done for efficiency, but something is lost in the process.

Loss of the Astoria postmark (on all mail going outside of Astoria; in-city mail would retain the postmark) is particularly significant because of the city having been the site of the first post office west of the Rockies. Sen. Mark Hatfield's recent letter to the city said he didn't want to see Oregon City's postmark discontinued because of Oregon City's great role in Oregon history. Yes, but the senator apparently does not know of Astoria's significance in postal history.

The site of the first post office in Astoria is near 15th and Exchange, just south of Astoria Florists. It was a wooden house, facing north, a bedroom of which was made into a post office by John Shively.

Shively arrived, according to one history, in Oregon City in 1843 by wagon train and came to Astoria (then occupied by British fur-trading companies) shortly thereafter. In 1846, Shively left for the East, meeting in Washington, D.C., with President Polk, cabinet members and the British ambassador to the United States. It was at that time (June 15, 1846) that the boundary between Canada and the Oregon territory was set at the 49th Parallel. Shively returned to Astoria and set up a regional post office (how much an area it served isn't clear).

Shively's only surviving grandchild, 85-year-old Evelyn Meyer of Portland, remembers visiting the house which quartered the post office, although it was no longer a post office when she was a girl. She has said that Shively's first wife and the woman's sister lived in the clapboard structure when she visited. She remembers playing a melodeon (a small organ) there and recalls a pear orchard in back of the house.

Acting Postmaster Dan Thiel and others have shown an interest in commemorating the establishment of the first western post office. Thiel has had refurbished some old furniture that's been in Astoria post offices for decades, and some discussion had centered on making a miniature of the first post office. Mrs. Meyer has sketched the building in which her grandfather handled the mail.

Such efforts at commemoration should be carried through to mark that significant event in the history of the postal service and of the Far West. Even though the Astoria postmark is doomed to disappear.

FORMER CONGRESSMAN URGES JAYCEES TO LEAD EQUAL OPPORTUNITY EFFORT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include this excellent speech by my former colleague, the Honorable Jed Johnson, Jr., before the Minnesota Jaycees earlier this month. His plea for renewed efforts to bring equal opportunity to all Americans is one of which we should all take note.

PERFECTING THE AMERICAN DREAM

(By Jed Johnson, Jr.)

I am glad to be in Minnesota. Recently, in Washington when I was telling your executive vice-president, Bob Dunbar, of my planned trip to Minnesota and that when I was invited I had been told it was snowing in Minnesota, he told me that was good if it snowed because that meant it was 30 degrees warmer than when it didn't. So I have been "thinking snow."

Since the theme of your conference is "Operation Opportunity," it seems an appropriate subject for me to discuss would be sex discrimination in employment, that is is, as well as employment discrimination against minorities.

Seriously, I want to congratulate the Jaycees on initiating "Operation Opportunity." I want to encourage you to lead the way in America to a better day for all citizens: black, white, chicano, rich, middle class, poor, young, middle age and old. We will not have reached our potential as a country until all citizens are able to fully enjoy the rights and privileges of American citizenship.

Today, I would like to speak about race relations in general and equal employment opportunity in particular. It seems to me that we cannot deal with the problems of today in a vacuum. We must understand where we have been to clearly perceive where we must go.

There are no problems today that do not have historical antecedents in the past. Therefore, I would ask you to reflect with me for a few moments on the panorama of the history of where we have been as a nation, so that we might better visualize where we must go.

It is one of those interesting ironies of history that within a year of 1620, when the Pilgrims landed on Plymouth Rock in search of a new society built on individual freedom, the first slave ship landed in the colony of Virginia on the James River bringing the first 20 slaves to America.

My point is that the problem of race and the relations between the races has been irreversibly intermingled from our very beginning and the antecedents date back to our earliest days as a people. And as our destiny has been one from the beginning, so it is today and so it will be one in the future.

Only slightly more than a century ago the National debate that raged was over that of human bondage. Were slaves persons or property? The Supreme Court ruled in the Dred Scott decision of 1857 that slaves were property and possessed no human rights. And until the emancipation proclamation, slaves enjoyed none of the rights of citizenship but were simply bred and sold at auction like cattle.

Of course, the contradiction of a slave society existing within a nation pledged to the protection of individual liberty came to a head with the Civil War and the Emancipation Proclamation freeing the slaves.

In retrospect, it seems to me that the tragedy of the 19th century was that although the slaves were freed from physical bondage by the Emancipation Proclamation there were no real provisions made for the freedman to survive economically in a competitive society. As someone has said, the slave was freed with only the dust under his feet and the sky above his head.

You remember that in the days of slavery, it had been against the law with severe penalties to teach a slave to read or write. So freed slaves did not even possess the most elementary tools of reading and writing. Nor were provisions made for them to have a mule and 160 acres so that they might have a chance to survive on their own.

We all know the subsequent development of "Jim Crow" and legal segregation in schools, buses, parks, hospitals, grave yards, etc. and by the turn of the 20th century racial segregation was not only a way of life, it had become the law of the land.

In the more recent past, in the 1930's the national debate was whether there should be a national law passed by the Congress against lynching. The anti-lynching law was finally passed but not before a great congressional debate that lasted several years.

Racial segregation was so deeply engrained in our society that it was not until after World War II that we integrated our Armed Forces. And it was not until 1947 that we allowed a black to play major league baseball. You all recall Jackie Robinson broke that color bar. Until then if you were black, you were considered inferior and incapable of competing against the whites. Some inferiority!

It was not until 1948, that in my home State of Oklahoma the first black was admitted to the university law school, and even then he was separated from the whites and had to sit outside the classroom in a cage-like contraption, until that was subsequently held unconstitutional.

And finally, in 1954 the land-mark Supreme Court decision held racial segregation in public schools was unconstitutional. And yet 17 years later there are still segregated schools and segregated classrooms in America.

Now where are we today? There have been laws against discrimination in employment since 1964, yet we still get cases like a sign in a window in the Southwest saying "Job opening, Mexican-Americans need not apply."

Or the woman who sought to be an airline pilot, scored in the top 90 percent of the test and had many more flying hours than required, yet was denied the job because she was female.

What about the fact that of the top 50 corporations there are only four blacks as members of board of directors out of 660. And no blacks out of 2,522 senior executive officers. And likewise there are virtually no women in these positions.

It is not that there are no capable women or capable blacks, it is that their advancement has been blocked long before the executive suite level.

The median education for Mexican-Americans in the southwest is 6.2 percent. Only two percent of Mexican Americans who enter school in Houston, the southwest's largest system, complete high school. Something is drastically wrong.

Did you know that the national median income for white high school graduates is higher than for black college graduates?

Did you know that only three percent of full-time employed women make over $10,000 a year while 23 percent of the men do?

Do you know that in the United States that there are only 21,000 women doctors or seven percent of the total while at the same time we need at least 50,000 new doctors. Only eight percent of the dentists and only three percent of lawyers are women.

Have we so thoroughly typed persons from birth that we have prevented them from assuming roles professionally other than those pre-assigned by sex or race?

Does this make sense? I think not.

What a tremendous waste of our most precious resource, our human resource.

What we must do today is see that the doors of opportunity are opened wide to all individuals regardless of their race, sex or national origin. We must see to it that the promotional ladder, too, is open to all and not just the white Anglo-Saxon male.

We must not only see that discrimination ends but take affirmative action to see that those persons are actively encouraged to develop to the fullest of their potential regardless of race, sex, or national origin.

We are a deeply divided, disturbed and distrustful society. Where do we go from here? What do we do? It seems to me there are only two possibilities.

Either we have to quit professing our concepts of human freedom, the worth and dignity of the individual with inalienable rights under the law regardless of race, sex or national origin; or, we have to make those rights a reality for all. The point is, the contradiction of saying one thing and practicing another must stop. We can not have it both ways. Those rights guaranteed but not delivered can no longer be withheld without destroying the very fabric of our society.

Now, if you wish as do I, to help protect and preserve those rights to all citizens; but yet, are still being denied to some let me make some positive suggestions for action.

You can hasten the coming of the day when we all do enjoy equal opportunity. You can help make that dream a reality every day where you work, where you worship and where you live. You can help in the little things, simply by treating other human beings as fellow children of God and not pretending not to see the problems of poverty, racial discrimination and injustice.

Let me suggest to you the concept of each-one-teach-one. If each Jaycee took it upon himself to help one young minority or disadvantaged teenager get a job, help him hold that job and get him into a training program where he could prepare himself for advancement; if that were done, it would go further to solve the problems of unemployment and underemployment that haunt our ghettos and our Indian reservations than any other program I know anything about that presently exists in the private sector.

Ask yourself honestly, do you pre-judge a person and their capability for doing a job by their race, sex or accent?

Are you really freed-up in your dealing with persons of other races so that you are honest with them and communicate your real feelings?

Have you really made an effort to try to help solve the problems of the minority population in your community?

Do you know what those problems are?

Why not set up a task force and find out?

Pretend a day or week that you are black in your community.

Could you hold the same job?

Could you live in the same neighborhood?

When the day comes that you would gladly trade places with anyone of a different colored skin or of a different sounding name or of a different accent, then the day will have arrived when the American dream is no longer a dream but a reality for all our citizens.

You can help as a chapter. You can find out the probelms of the disadvantaged in your community. You can find out where it "hurts." You can do something about that hurt. Whether its starting a non-profit housing corporation as the New Haven Jaycees have done or holding a job fair like the Houston Jaycees.

You can invite a minority to your chapter to visit, to join, to help make it more representative and responsive to community needs. You could set up a minority scholarship fund . . . to help send a minority to school or to become a Jaycee.

I would suggest you establish a "Human Relations Day," possibly January 15, the anniversary of Dr. Martin Luther King's birthday. And spend that day really communicating with the minority community. Get the facts, set objectives and initiate programs to meet those objectives.

Go into North Dakota to the Turtle Mountain Indian Reservation where unemployment is between 70–80 percent.

Are you helping solve the problems? Or are you helping perpetuate them?

Are you willing to stand in your community, your national organization and be counted?

That is a choice that you and I must make. I would suggest the answer which we give, and the answer our fellow Americans give, will in fact determine the future destiny of our Nation and therefore affect the future of all mankind.

Remember, we have the greatest opportunity before us of all recorded human history. Even in the glorious days of ancient Greece, only about 10 percent of the population enjoyed rights of citizenship. The rest were slaves.

We can bring the rights of full citizenship not just to 10 percent, not just to 70 percent; but to all our citizens. America has to solve her problem of race or she cannot survive. And the only lasting solution can be a just one. We can here in America in our day and age build the model for all mankind for all time to come. The choice is yours. The choice is mine. The decision is ours.

There is no going back. The past is closed. There is only the future and it is open. We can make of it what we will. Let us move forward together as Americans: Black and white, rich and poor, young and old, and establish the age-old dream of equality of opportunity once and for all as a reality in our time.

As Abraham Lincoln wrote in 1859, four years before the Emancipation Proclamation:

"Those who deny freedom to others deserve it not for themselves, and, under a just God, cannot long retain it."

REPUBLICAN SUPPORT IS NEEDED IF REVENUE SHARING IS GOING TO BE ENACTED

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. ANDERSON of California. Mr. Speaker, for reason's unbeknownst to me, I receive a publication known as "The Elephant's Roar—A Gazette for Republican Leaders." While I realize that this is a Republican publication, I enjoy reading this account and I find their articles very interesting. I feel that it is necessary for me to know the Republican doctrine—even though I am not a member of that party.

In the February 20, 1971, issue, I was surprised to find an article citing the "Disadvantages of Revenue Sharing." I do not know if this publication always speaks for the Republican Party, but it seems to me that the administration—when and if it turns its wrath on the Democratic Party for failure to enact some of the President's programs—should direct a part of their public relations effort toward segments of their own party who happen not to agree with them.

I know that revenue sharing is a major part of the President's program, and I am sure that it will receive an adequate hearing within the Congress; however, I might suggest that if this program is going to be enacted, the Democratic Congress needs Republican support.

It will be difficult to single out Chairman Mills and blame him if this program is not enacted—especially when "a gazette for Republican leaders" condemns the President's revenue sharing proposal as "increasing the Federal deficit, forcing up the debt limit, making inflation worse, and depriving the people of that much more of their direct control over local government."

The article follows:

Disadvantages of Revenue Sharing: Calling Government to Account

Our system of government is based on the right, the duty and the power of the American people to call their government to account for the way it collects and spends their money and exercises its authority in their name.

But it is becoming more and more difficult today for the people to call their government to account; and more and more often, when they do so, government refuses to accept their verdict and spends the people's money in new ways designed to get around their objections.

Probably the most striking example is to be found in spending for schools. In many school districts throughout the country, and especially in California, the voters have made it known in no uncertain terms that they have "had it" with schools, the costs of which keep on rising, while the quality of the education they provide keeps on dropping, and immorality, drug abuse and even violent crime become more and more common on their premises.

Instead of taking steps to meet these widespread concerns and objections on the part of the public by changing their educational policies and methods, the first response of the education establishment in California was to "sneak through" legislation depriving the people of their right to vote on school tax increases—legislation which, after a fierce struggle, was repealed in the 1969 legislative session in California.

Now, as the people continue to vote down school tax increases, we find increasing pressure for huge increases in school funding from the State and Federal levels of government, where the voters do not have a chance to express their will on the specific issue of whether their own schools should get this much more of their tax money.

This example shows how important it is to make sure that, to the greatest possible extent, each unit and level of government raises the money it spends by its own taxes. But under the "revenue sharing" program now being hailed with such fanfare, the Federal government would turn over tax money to State and local government without specifying its use, completely separating taxation from spending. Most of the voters would not even know that their State and local governments were receiving this money, and so would not even attempt to call them to account for it. And even when they did know, obviously it would be much harder to vote a man out of office for accepting Federal funds than for raising local taxes.

There is a real need, as President Nixon has said, to transfer more responsibility to local government and away from Washington. But this should be done, and easily could be done, by Federal tax reductions, deductions or credits leaving more taxable resources available to State and local government, which could then obtain additional revenue without increasing the over-all burden on the taxpayer, *provided* the taxpayers could be convinced of the need for it.

But the revenue sharing proposal outlined in the President's State of the Union address January 22, would simply add $5 billion for state and local governments on top of all existing expenditures, thereby increasing the Federal deficit, forcing up the debt limit, making inflation worse, and depriving the people of that much more of their direct control over local government.

The only way to keep the size and cost of government at all levels within reasonable bounds is for those who spend public money to have to raise it in taxes as well.

IS MUSKIE COOL ENOUGH?

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. GOLDWATER. Mr. Speaker, in the March 1 issue of Monday magazine, published by the Republican National Committee, an article appears that should be carefully read and considered by all my colleagues. This article has relevance now, but it is especially important as it could have more relevance as time goes by. I present it now for my colleagues' serious consideration:

Is Muskie Cool Enough To Be President?

"As a man gets angry, he falls into error"—The Talmud

While most of the media has portrayed Sen. Edmund Muskie as calm, cool and collected, those who have closely observed the Maine Democrat say that he is really a man with a very short fuse, ready to explode on a moment's notice.

Writing in the Christian Science Monitor, Godfrey Sperling has referred to Muskie's temper as "a potential point of vulnerability." Noting Muskie's testiness at a press conference, Sperling observed: "For a Presidential candidate to indicate, even slightly, that he loses his cool under pressure can very well evoke voter uncertainties on how the man might react under the much greater pressures of the presidency. 'Would we want him to be the one who must make the decision on pushing the nuclear button?' is the way the voter would usually put it."

In a profile piece in the New York Times Magazine last November, Susan Sheehan wrote of Muskie's sisters remembering him as "a stubborn young man with a nasty temper, who could tease them but not take teasing in return, and who hated to lose at anything." Sheehan related how a friend of Muskie's recalled that, when he was in his 30's, he kicked over a Monopoly board after another player made a lucrative move.

In their book, "Muskie," authors Theo Lippman and Don Hansen describe front-running Democrat Presidential candidate as being "a potentially explosive man" with "a waspish temper" often "triggered by the trivial." "Nobody doubts that Muskie's temper tantrums are genuine," say Lippman and Hansen.

The two authors quote Muskie's older sister, Irene, as saying of the possibility that her brother might become President: "I just don't know whether he'd be able to take all the criticism that a President gets. He's so sensitive to criticism."

Numerous columnists have also remarked on Muskie's surliness. Washington Star political writer, Paul Hope, has revealed how at a private meeting several months ago, Muskie went into "a towering rage" when pressed to explain in detail his position on Vietnam. "One thing that isn't generally known about Muskie is that he has a rather short fuse," wrote Hope. "He comes over in public as calm, cool, deliberate and confident, but in private he frequently boils and fumes."

Columnists Evans and Novak have listed the Muskie temper as "a weakness."

Elizabeth Drew, Washington editor of the Atlantic Monthly magazine, is one member of the press who has witnessed the Muskie malevolence first-hand. Interviewing the Senator for NET television, she asked a question which implied that Muskie was a candidate for the Presidency. Muskie snapped: "I am a United States Senator concerned with these issues, as I should be. But I will not, at this point, pitch them on the assumption that I am a candidate for anything at this point. When I want to become a candidate for anything, I think I can find the words that will make my intention clear."

Editorializing recently on the thinness of the Muskie hide, the Bath (Maine) Brunswick Times reminded the Senator of Harry Truman's admonition: "If you can't stand the heat, get out of the kitchen." If he can't keep his cool around a bunch of newsmen, the paper declared, he might not be able to do it during a real crisis at the White House.

It is becoming apparent that the Muskie temper will be a factor in the 1972 Democratic presidential sweepstakes.

SOUTH AFRICA AGAINST THE CHURCH

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. FRASER. Mr. Speaker, the recent arrest of the Angelican Dean of Johannesburg, South Africa, the Very Reverend Gonville Aubie ffrench-Beytagh, is not the first time the South African Government has acted against a churchman who opposed apartheid. Here is a list of some clergymen who have lost their passports or their temporary residence permits, whose return to South Africa was refused or who were refused entry into South Africa, all because they openly expressed opposition to South Africa's racist system:

South African Clergymen Whose Passport Facilities Have Been Removed

Fr. Albert Danker, Catholic priest working in Durban with Young Christian Workers. Passport seized.

Rev. Ian Thomson, Presbyterian minister doing industrial ministry—Johannesburg. Passport seized.

Fr. Stephen Hayes, Anglican worker/priest in Windhoek, Namibia. Passport seized.

Rev. Basil Moore, Methodist minister on staff of University Christian Movement in Johannesburg. Passport seized.

Canon Cyprian Thorpe, Anglican priest, heading the Department of Mission in Johannesburg. Passport restricted.

Fr. Dale White, Angelican priest running Wilgespruit Ecumenical Fellowship in Johannesburg. Passport seized.

Fr. Comas Desmond, Catholic priest on staff of Christian Institute in Johannesburg. Passport application refused.

IMMIGRANT CHURCH WORKERS WHOSE RETURN TO SOUTH AFRICA FROM HOLIDAY ABROAD WAS REFUSED

Rev. C. Fobbe, German Lutheran missionary in Northern Transvaal for many years.

Fr. Ian Atkinson, English Anglican priest working in Pretoria.

ENTRY OF CHURCH WORKERS INTO SOUTH AFRICA REFUSED

Dr. Marie-Louise Martin, Swiss divinity, lecturer of Paris Evangelical Church, formerly of Divinity Department at Roma University, Lesotho.

IMMIGRANT CHURCH WORKERS WHOSE TEMPORARY RESIDENCE PERMITS HAVE BEEN WITHDRAWN

Bishop Edward Crowther, American Anglican Bishop of Kimberley. Temporary permit not renewed in 1965. Given 14 days to leave South Africa.

Miss Sally Camp, American Anglican missionary working in Ovamboland, Namibia. Left October 1968.

Miss Mary King, American missionary of the United Church of Christ working in Natal. Left January, 1969.

Rev de Fruyt. Belgian Catholic missionary working in Natal. Left Jan. 1969.

Fr. A. M. Garrison, American Anglican priest working in Ovamboland, Namibia. Left end of 1966.

Bishop Robert Mize, American Angelican Bishop of Windhoek, Namibia, from 1960. Left July, 1968.

Fr. Pierre Dil, Dutch Anglican priest holding permanent residence visa and population registration card. In South Africa from 1957, deported in Nov. 1966 from Pretoria.

Fr. Robert van der Hart, Dutch Catholic priest. working at Hammarskraal Seminary from 1964. Left December, 1968.

Rev. Hans Haselbarth, General Lutheran pastor holding permanent residence permit. Working in Northern Transvaal and Natal from 1963. Left December, 1968.

Fr. Dick Cadigan, American Anglican priest working in Natal from 1965. Left August, 1970.

Fr. David Shanahan, Irish Catholic priest working in Sharpeville and Evaton from 1969. Left August 1970.

Fr. Robert Mercer, South African holding a dual Rhodesian citizenship and an Anglican priest. Left October, 1970 .

Fr. Bernard Chamberlain, English Anglican priest. Left October, 1970.

Dr. Marcus Braun, German Lutheran pastor working in Welkon and Johannesburg from 1967. Must leave by March, 1971.

And, as many of us feared, the arrest, detention, and prosecution of Dean ffrench-Beytagh are apparently the first moves in a stepped-up effort to silence churchmen. The news items I insert in the RECORD today detail the latest South African moves to eliminate opposition to apartheid.

Mr. Speaker, Rev. Colin Davison, quoted in the Washington Post story by Marjorie Hyer, expresses a very pessimistic view of the South African situation. I am not willing to accept his diagnosis. But I do know that if men of good will are systematically silenced, Reverend Davison's predictions will be realized.

The articles follow:

[From the Evening Star, February 25, 1971]

SOUTH AFRICA POLICE RAID, SEARCH CHURCH OFFICES

JOHANNESBURG, SOUTH AFRICA.—Security police today raided the homes and offices of Anglican church officials, charitable organizations and others in Johannesburg, Cape Town and Durban and seized documents, churchmen said.

The police had search warrants authorizing them to look for materials connected with various banned organizations, including the Communist party and the African National Congress, said the Rev. Neil Harrison, Anglican diocesan secretary.

Harrison said officers came to his home and those of his assistant, the Rev. Colin Collins, and two women who work for the church.

Other places searched included the office of the dean of Johannesburg, an office in St. Mary's Cathedral, the Christian Institute, and the education information center in the Institute of Race Relations Building. The police also questioned the assistant editor of the Johannesburg Star and the night editor of the Rand Daily Mail.

"They searched every scrap of paper and photograph in my flat," said the Rev. Mr. Harrison, "and then as they left at 8:15 a.m. they asked me to accompany them to my car which they also searched thoroughly.

"It seems to have been the same pattern with everyone—a thorough search, leaving the place a mess."

Mark Collier, Roman Catholic researcher at the Christian Institute in Johannesburg, said police seized his South African passport. The institute office at Cape Town also was searched.

Security Police Chief P. J. Venter said the search was in connection with the investigation of the Anglican dean of Johannesburg, the Very Rev. Gonville ffrench-Baytagh. The dean is free on $7,000 bond after being charged last month under South Africa's Suppression of Communism Act. He is scheduled for a court hearing tomorrow.

Dean ffrench-Beytagh is accused of promoting the interests of the South African Communist party and the African National Congress, a black power group.

[From the New York Times, Feb. 26, 1971]

SECURITY POLICE RAID THE HOMES OF CHURCHMEN IN SOUTH AFRICA

JOHANNESBURG, SOUTH AFRICA, February 25.—Security police raided offices and homes of church leaders today in new pressure against opponents of the Government's policy of racial separation.

The early morning raids came only one day before the scheduled court appearance of the 59-year-old Anglican Dean of Johannesburg, the Very Rev. Gonville A. ffrench-Beytagh, who faces charges linking him with the Communist party and other banned organizations.

Early this week, Brig. Pieter J. Venter, head of the security police, hinted that further charges would be placed against the dean, who spent eight days in solitary confinement before being released on bail on Jan. 28.

In the searches here police questioned the dean and officials at St. Mary's Cathedral and spent several hours at the offices of various Christian organizations in the city, including the interdenominational Christian Institute, the South African Council of Churches and the University Christian Movement.

In Capetown they seized documents at the Ecumenical Center.

The homes of two journalists, Neumann Robinson, assistant editor of The Johannesburg Star, and Benjamin Pogrund, night editor of The Rand Daily Mail, were also searched by detectives. Mr. Pogrund has reportedly been doing research on banned organizations in South Africa.

Brigadier Venter denied that the police action was in any way a campaign against the church. "It is only the activities of individual members of churches that are being investigated," he said.

[From the Washington Post, Feb. 27, 1971]

SOUTH AFRICA CRACKS DOWN ON CHURCHMEN

(By Marjorie Hyer)

Two days ago in Johannesburg, Durban and Capetown, security police conducted simultaneous early morning raids on the homes and offices of a number of churchmen well-known for their opposition to the South African government's policy of apartheid.

The raids came on the eve of the scheduled opening of the trial of the Very Rev. G. A. ffrench-Beytagh, dean of St. Mary's Anglican Cathedral in Johannesburg.

The arrest in mid-January of the 59-year-old churchman on charges of contravening South Africa's omnibus Terrorism Act shocked church leaders throughout the world. After being held incommunicado for eight days, he was released on bail only through the intervention of the British government.

Along with this week's police raid on church leaders have come reports of a new batch of deportation orders for churchmen who are not South African citizens and passport restrictions for those who are.

Exact figures are not available, but it would appear that since the first of the year the South African government has moved against at least 15 church leaders, all of whom have taken stands against apartheid.

Government spokesmen have denied that there is any campaign against the church. But church leaders surveying the evidence are not so sure.

With this evidence in view, many churchmen are understandably reluctant to discuss the matter. One who was willing to talk was the Rev. Colin Davison, an Anglican priest who is among those ordered deported.

Mr. Davison has served in South Africa since 1963. He is on the staff of the interdenominational Christian Institute, an organization working to further multiracial contacts, and incidentally, one of the offices raided by police this week.

Two weeks ago in Johannesburg—just 10 days after he learned of the deportation order against him—Mr. Davison talked with this reporter of the situation in South Africa.

"The government is trying to get rid of the church" is the way Mr. Davison sees it. "Nothing will stop them 'til we get more priests into prison." Only such drastic action by the clergy, he feels, will shock the white South African citizenry into a realization of what is happening in their country.

What is happening, he believes, is a replay of events in Germany three decades ago "There is a tremendous parallel between Hitler's final solution and Vorster's," he said, referring to the South African premier's program of apartheid and "separate development" for black South Africans.

Under this program, the white minority government regulates virtually every facet of life of the black African, with both law and custom designed to keep him totally apart from white society except in certain carefully proscribed areas of employment.

Part and parcel of the government's racial policy are heavy police measures—against whites as well as blacks—used to enforce it, Mr. Davison feels. "The law is not in the hands of the citizens but of the secret police. As a result, Vorster and his people have more power than Hitler ever had.'"

He cited as an example the Terrorism Act, which he charged was so vaguely worded that "anything they want to construe as terrorism can be used as an excuse for arrest." Conventional legal safeguards, such as habeas corpus proceedings, do not apply to persons detained under the Terrorism Act and South African courts have no jurisdiction over persons charged under the act.

Mr. Davison charged that the arrest of Dean ffrench-Beytach under the Terrorism Act was "an attempt to smear the church. They picked someone high enough up that it would reflect on the entire church."

Provisions of the Terrorism Act preclude disclosure of the detailed charges against him. It is known, however, that at the time of the dean's early morning arrest, security police took from a back shelf of his office closet a packet of leaflets from the banned African National Congress. Associates of the clergyman insist that the leaflets were planted there to incriminate him.

The observations Mr. Davison was willing to make for the record many of his colleagues agreed to privately; he could afford the luxury of outspokenness since he no longer had a position to maintain. Nevertheless the interview took place in a noisy restaurant, away from the presumably bugged telephones of both his home and his office. Such precautions are routine in South Africa.

His face was drawn from the combined struggle of his unsuccessful attempts to fight the deportation order and efforts to wind up his affairs on less than a month's notice—his wife was visiting family in England when the order came—but his voice remained gentle as he spoke of the people he had served for seven years.

"The white people are the most sick," he said. "The vast majority of white Christians are on the side of the government. Even whites who are close to me, when this thing happened their reaction was: 'Were you really telling the truth?'

"The reaction of blacks was, 'Of course the government was lying.' "

Mr. Davison was deeply pessimistic about the future in South Africa, both for the church and for the country as a whole.

"I don't think there is really anything that whites can do here any more. The real forces of change are the black forces."

White liberals, particularly in the church, he said, need to learn to "listen to the blacks, to be prepared to accept black leadership. The only role I see for the white church is to try to prepare white people for the future. Instead of doling out charity to blacks they should be getting the whites used to change."

That "change," he indicated, would not be an easy one. "Apartheid has in it the seeds of its own destruction. It's too late now for any evolutionary approach."

He paused a moment and his face saddened as he gave voice to the unspoken terror that haunts South Africa's white minority. "It's too late, now. All we can do now is let it come—just get it over with."

FREE ENTERPRISE AND GOVERNMENTAL POLICIES

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. RAILSBACK. Mr. Speaker, I am sure you will agree that an early return to health of our national economy, and the maintenance of its continuing growth in the years ahead, is one of our greatest urgencies. I am equally sure that you will also agree that the track record of our free enterprise system, which over the past 194 years has built the greatest industrial Nation and the highest living standard on earth, is a pretty fair assurance that we are capable not only of maintaining that record but of helping to improve it.

In reviewing the record of legislation considered by the last session of Congress, I think we might fairly say it has leaned largely toward the American consumer. We have considered numerous bills and proposals to protect our public against poor quality products and fraudulent marketing practices, which is all to the good and which I heartily endorse. We are partners of the people and pledged to protect their interests.

At the same time, in recognizing the rights of the consumer, we must also recognize our responsibility to American business, which has produced our unequaled standard of living by generating a very large part of our national revenue in corporate taxes, in payrolls and taxes paid by jobholders, and in products manufactured and taxes paid by consumers on these products.

Recent reports of our Commerce Department have estimated that our gross national product has reached $1 trillion. This certainly indicates that business has met the needs of the Nation and kept pace with its development—at least, up until now. And I submit that, just as we are partners of the people, we are equally and morally partners of our free enterprise system which supports the people.

What concerns me is that the needed vital concern of Congress for the consumer should not turn into a broad and unreasonable condemnation of business in general. The vast majority of the American business community has made enormous contributions to the country as a whole. Through new technology, research, and mass production, it has provided our expanding population with more and more of the daily necessities of life as well as new products to make our lives easier and more enjoyable.

The fact is that most nations today are promoting their national industries rather than restricting them as some of our Government policies are now doing. The result has been that the historic, aggressive American capability in foreign trade has become defensive. We have taken a back seat in what has become a world arena of economic warfare. And in this war we are steadily losing ground—a sad commentary on the once mighty fleet of American merchant ships that in another and prouder day flew the American flag in the major ports of the seven seas.

For example, take the case of the United States and Japan. Since the end of World War II, Japan has made significant inroads into American markets with export products and investments. The result has been a drastic imbalance of international trade between the two countries. The United States today has an unfavorable balance of some $1.5 billion with Japan. And if this trend continues, the annual deficit will rise within 5 years to between $4 to $5 billion.

The Japanese Government is aggressively promoting and literally directing an export blitz on all vital international markets. In a recent Fortune magazine article on this subject by Louis Kraar, it was stated that—

> The export offensive is commanded by Premier Eisaku Sato in person; he heads the Supreme Trade Council, where top business and government leaders quietly slice up the world market and set annual goals for every major product and country.

This article adds that, to boost exports, the government backs corporations with credit at preferential rates, attractive tax incentives, and even insurance against foreign advertising campaigns that fall short of sales targets.

Also, with specific reference to the so-called practice of dumping, the article states:

> Japanese manufacturers of television sets are facing a major showdown with American competitors who have accused the Japanese of dumping—i.e., selling below recognized market prices. . . . While the Japanese TV set makers firmly deny dumping, other Japanese manufacturers openly acknowledge that they often use cutthroat export prices for market penetration. To establish its air conditioners in Western Europe, for example, Hitachi, Ltd., deliberately sold below cost for three years.

American business stands to be further crippled by the recent trend toward protectionism that has been spurred by consideration of foreign trade legislation. Foreign nations have made it abundantly clear that restrictions on foreign imports would spark retaliatory measures against U.S. exports. Again, American industry, already in a struggle with foreign competition, would suffer. In turn, reduction in exports would create greater deficits in our balance of payments, create the possibility of greater unemployment among American workers, and generally stifle an already slow economy.

I have been aware of continuing antibusiness attitudes for some time. Like weeds in the garden, they are hard to avoid. What specifically prompts my remarks today is a speech by Mr. Lee Loevinger, a former Assistant Attorney General, who for many years ably guided the Antitrust Division of the Department of Justice.

In the course of Mr. Loevinger's talk before the Association for Corporate Growth, Inc., in New York on January 13, he discussed some recent developments in the area of Government regulation of business which are disturbing. I would commend to the attention of my colleagues the address of Mr. Loevinger which was included in the CONGRESSIONAL RECORD Extensions of Remarks of February 11, 1971, in four parts as follows: Part I, page 2693; part II, page 2723; part III, page 2709; and part IV, page 2665 by our colleague from San Diego, Calif., the Honorable BOB WILSON. Entitled "How to Succeed in Business Without Being Tried," Mr. Loevinger's speech is an interesting commentary on governmental attitudes toward business.

According to Mr. Loevinger, the Department of Justice has launched a crusade against business, and a crusade that is contrary to present law and past precedents. Under the guise of "potential injury" to competition by large, diversified companies, Mr. Loevinger says, the Department of Justice is trying to make "bigness" a crime. Such an attack on business is contrary to law, and has been so held many times by the highest courts of the land. I might add here that, if "bigness" indeed is a crime, the Department of Justice might do well to look into the Federal Government's broom closet.

Parenthetically, I think it is worth noting that this theory of bigness and potentiality has not yet exactly run away with the show. In March 1969, the Department of Justice began a series of suits against conglomerate mergers by large companies. These suits were based on claims that the mergers in question would promote too great a concentration in the general economy, that they would eliminate potential competition between the merging companies, and that they would provide opportunities or potentiality, for the practice of reciprocity. It is enough to say here that, so far, these suits have been unsuccessful.

As Mr. Loevinger points out, an irrationality of the potentiality theory is that it ignores the difference between mere possibility and reasonable probability, and that anything and everything is possible under potentiality, even to the point of concluding that a pan of water on a hot stove may freeze.

The dangers inherent in such a practicing theory of the Department of Justice are many. Such principles can easily come to be applied to small business as well as so-called big business. And, as I have already pointed out, if we hope to keep up with other nations such as Japan and Germany in the world economic struggle, we are going to need the help—not the hindrance—of our Government, because companies in other nations are getting not only the active encouragement, but also the full support and even the direction of their governments.

There is still another danger—and the most frightening of the many—which this policy holds over the civil rights and political liberties of every American.

As Mr. Loevinger has stated:

> The basic thrust of the potentiality theory is to equate the mere possibility of social harm or abuse with proof that such consequences are likely to occur; and, if potentiality equals proof, then accusation equals conviction. . . .

I speak here, not as a defender of any special interests, but as one deeply concerned about the obvious implications of our present antitrust policy. And it is for this reason that I call the attention of my colleagues to Mr. Loevinger's speech as the most clearly reasoned analysis I have yet seen of this particular Government-fostered problem.

THE STATE OF THE WORLD

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. ANDERSON of Illinois. Mr. Speaker, this past weekend I took the opportunity to sit down and carefully read the President's state of the world message, "Building for Peace." You will recall that last year the President established the precedent of sending to the Congress a separate state of the world message, that one entitled, "A New Strategy for Peace." I think this is a most commendable precedent, and hope it will continue to be observed by subsequent Presidents. As the President pointed out in his latest message:

> In a democracy, policy is the public's business. I believe the President has an obligation to lay before the American people and its Congress the basic premises of his policy and to report fully on the issues, developments, and prospects confronting the Nation.

I therefore have little time for those critics who, grasping at straws, have dismissed the message on such frivolous grounds as being "too long," a "rehash," "nothing new," or "a reversion to old policies." Such comments indicate to me that they either have not taken the time to read the message or did not comprehend the full import of his previous state of the world message. For in his first message, the President did set forth a radically new foreign policy for America, one tailored to the realities of the seventies. Even more basically, the President established a new approach to handling foreign policy issues. As he put it in his latest message:

> Our fundamental goal . . . is to get at the roots of crises and to build a durable structure of international relationships.

In both messages he has gone into considerable detail as to how this is being handled procedurally in the National Security Council with respect to each of the areas covered in his message.

To those who criticize the recent message as being a "rehash," let me say that foreign policy should not be the same as marketing a new brand of toothpaste every year. If there are similarities between the two messages, and indeed there are, it is an indication to me that the President's policy is both correct and being consistently applied and pursued. Perhaps the best comparison between last year's message and this year's, is summed up in two sentences from the most recent message:

> We have set a new direction. We are on course.

That new direction is what the Nixon doctrine is all about. It is grounded in the realities of both national and international politics. In our own country there has been an understandable reaction to overextension; and in other countries there has been a growing strength and autonomy. According to the President, the Nixon doctrine was prompted by a "perception of the growing imbalance between the scope of America's role and the potential of America's partners." He went on to say that—

> Partnership that was always theoretically desirable is now physically and psychologically imperative.

Mr. Speaker, partnership is really the essence of the Nixon doctrine. I have read some commentators who fault the Nixon doctrine on the grounds that it is not altogether clear cut—that it is ambiguous. What they fail to understand is the nature of true partnership. In the President's words:

> We recognize that the Doctrine, like any philosophic attitude, is not a detailed design. In this case ambiguity is increased since it is given full meaning through a process that involves other countries.

And again:

> To attempt to define the new diplomacy completely by ourselves would repeat the now presumptuous instinct of the previous era and violate the very spirit of our new approach.

That is not to say, Mr. Speaker, that the Nixon doctrine is without design. The President has spelled out the three guiding principles of the new partnership approach. First, the United States will keep its treaty commitments both because of their intrinsic merit and the destabilizing impact sudden shifts would cause. In the President's words:

> To desert those who have come to depend on us would cause disruption and invite aggression.

Second, our nuclear shield extends to those who are allied with us in the event they are threatened by a nuclear power. It is this assurance that is at the heart of the nuclear proliferation treaty.

And finally, where other types of aggression is threatened, we shall continue to furnish economic and military assistance to our allies, but we shall look to them to assume the primary manpower burdens for their defense.

Mr. Speaker, once again the President has cautioned the American people not to overreact to overextension. As he put it:

> There are lessons to be learned from our Vietnam experience . . . but there is also a lesson not to be drawn: that the only antidote for undifferentiated involvement is indiscriminate retreat.

And again:

> Our new policy calls for a new form of leadership, not abdication of leadership.

Mr. Speaker, I think any realistic assessment of the progress made under the Nixon doctrine over the last year will indeed support the President's views that we are on course. While the record shows disappointments as well as satisfactions, I think the President must be commended for laying the groundwork for a generation of peace.

CAMPAIGN FINANCE REFORM

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. BADILLO. Mr. speaker, as a member of the bipartisan coalition which last week introduced legislation authorizing much-needed and far-reaching reforms of our campaign finance laws, I want to express my sincere hope that the administration will forcefully and publicly join with us so that the influence of money in politics will be reduced in the 1972 elections.

This bill is by no means perfect but I agree with its principal thrust and most of its provisions. Its two major aims—to broaden the base of political finance and to reverse the trend toward exorbitantly expensive campaigns—are shared I am confident, by the great majority of Americans and their elected representatives.

I think the bill could be improved in these areas:

First, a specific limit on radio and television advertising should be set, since this represents the single largest expenses in most statewide campaigns and in Presidential campaigns. By setting a limit only on aggregate spending in five areas the bill permits statewide candidates in New York, for instance, to spend nearly $2 million on the electronic media, over and above the amount of radio and television time subsidized under the bill.

Second, if we really intend to broaden the base of campaign finance, we should give taxpayers an option between the 50-percent tax credit on contributions up to $50 and perhaps a tax deduction for the full amount of the contribution up to $500. For some taxpayers, the credit would be a positive incentive while for others, a deduction would be more attractive.

Third, the apportionment of publicly subsidized broadcasting time for major candidates seems unfair. In New York State, the formula would give a candidate for the U.S. Senate—a candidate who would represent some 18 million citizens—a total of 3 hours while a House candidate who would represent half a million citizens or less, receives a total of 2 hours. The 2-hour figure might be reasonable for a House candidate; the 3-hour figure for a Senate candidate seems totally unreasonable in a State the size of New York. Perhaps consideration should be given a media formula based on population.

Mr. Speaker, despite these criticisms, the campaign finance legislation we have introduced deserves support and prompt action. I think it only fair to point out that this bill incorporates, in large part, the recommendations of President John F. Kennedy's Commission on Campaign Costs. President Kennedy's words, in transmitting that Commission's report to Congress nearly 9 years ago are pertinent today:

> The problems of political finance are not limited to any political party, but are common to all, and all will benefit from action on the legislation herewith transmitted. Enactment of these proposals will go a long way to improve the political climate.

A WAY TO CURB INFLATION

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. BOLAND. Mr. Speaker, inflation and unemployment, the twin evils of a sluggish economy, have defied solution for too long now. A New York Times editorial published yesterday suggests a promising way to make these stubborn problems yield. The Times proposes a national "income policies board"—a board with quite limited and quite explicitly defined powers—to focus public attention on situations that threaten the economy.

By using the moral force of public opinion, the Times argues, such a board could help stop excessive profits and excessive wage demands.

Mr. Speaker, I place the editorial in the RECORD at this point.

[From the New York Times, Feb. 28, 1971]

INCOMES POLICY NEEDED

Events are propelling the Nixon Administration toward the development of a national incomes policy, but in such a spasmodic and confused way that it is still impossible to know what sort of policy will emerge.

In order to suspend the Davis-Bacon Act last week, the President had to declare that a national emergency existed. But only a few days before, spokesmen of his Administration were hailing a one-month slowdown in the rate of rise of the consumer price index as evidence that inflation was well under control. Mr. Nixon had to resolve the seeming contradiction by describing construction as a special case, just as steel and oil were described as special cases previously.

What is needed now is a national incomes policy which will bring under genuine control a broad-based inflation that has already lasted far too long and that threatens to continue indefinitely. Is there any reason to suppose that, without a new policy, the country will not see a continuation of seriously inflationary wage settlements and price actions this year?

The nation needs an incomes policy that will be not just a response to present problems but one that it can live with over the long haul. This does not mean a return to World War II-type wage and price controls, with the enormous administrative apparatus that would be required to enforce them if they could be enforced at all. It does mean establishment of a wage-price board which would have limited powers of recommendation in selected industrial disputes or pricing situations that appeared to be of national significance. This would constitute an open means of exerting pressure on the principals through the force of public opinion. But in the end the decision-makers among both management and labor would have to bear responsibility for their own actions.

As voluntaristic as this approach may be, we believe it nevertheless could make a contribution toward changing the inflationary expectations and behavior of labor, business, and the public. Given the heavy cost to the nation of inflation, unemployment, and a continuation of stop-go economics, it is now becoming increasingly urgent that the effort be made.

The President already has stand-by authority granted him by Congress to declare a temporary freeze on wages and prices in all industries. A freeze of extremely short duration, a matter of weeks, would serve two purposes: dramatize the end of the period of inflationary drift, and prevent a last-minute scramble on the part of those who would like to get the final massive wage boost or price increase before the new national wage-price board could be set up. In those few key bargaining situations in which the board decided to become involved, it would have power to postpone, for a limited time, the effective date of wage agreements or price actions until it had a chance to review the case for such actions and to make its own recommendations. If the parties chose to ignore its recommendations, the board would have no further powers of enforcement.

The board would strive to lead the nation back toward lasting price stability by gaining broad acceptance of certain fundamental principles which have now been well established by economic analysis. Most important is the principle that wage settlements in individual industries should be in line with the long-term growth of national productivity. However, this principle need not be a straitjacket; exceptions could be made to deal with inequities resulting from past inflation or to meet special needs of expanding industries.

It is true that past incomes policies have had only partial success—or have failed—both here and in other countries. In the United States, the failure of wage-price guideposts was primarily due to the unwillingness of the Johnson Administration to adopt fiscal and monetary policies adequate to restrain the inflation that resulted from the piling of the Vietnam war on an already fully employed economy. In Britain, the failure of incomes policy under the Labor Government was primarily a result of wavering and unclear guidelines and an unwillingness to stand up to militant trade unions or irresponsible wildcat strikers. But the lack of incomes policies has produced even worse results, as recent experience has demonstrated both in this country and in Britain.

How to combine price stability with high and growing employment remains the cardinal problem of all modern industrial nations. The Administration, determined to bring about a rapid return to full employment, has the obligation of developing an incomes policy to assure that expansion will not be accompanied by still further inflation—which in turn could bring about another dose of unemployment-boosting deflation.

CRUELTY TO THE POOR

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. ARCHER. Mr. Speaker, we hear so much these days from the news media and from some Members of Congress about the need to reorder our national priorities and to spend much greater amounts for relief of the poor.

At the same time, I believe that far too little consideration is being given to the effect of the massive increase in nondefense spending that has occurred over the last decade. Our aim, of course, is to see everyone as prosperous as possible. No man should be forced to live in degradation. The real issue, then, concerns how we can most effectively achieve that aim. Many of the new programs are proving ineffective because they fail to recognize a need to incorporate the basic principles of self-reliance and productivity. In not recognizing these principles, we are actually thrusting upon the poor a form of economic slavery, by creating a state of dependency on the Government. The Government, of course, is the average taxpayer who already works 5 full months of the year just to pay his total tax load.

Increased productivity, not increased taxation, points to the effective solution of our poverty problems. Results of the 1970 census demonstrate that in terms of real income, there has been a 4½-percent increase per year—which is 3 to 4 times the rate of population growth. Moreover, the results show that this increase in national wealth was, to a large measure, evenly distributed among the various income groups. These are perhaps the most ecouraging statistics to be produced by the census.

Mr. Speaker, in regard to my previous comments concerning ill-directed Federal programs, I commend to the attention of my colleagues, the following letter written by Mrs. Dorothy Ella Potts of Houston. Mrs. Potts' cogent remarks were recently printed in the Houston Post:

CRUELTY TO THE POOR?

I believe being black, poor, and middle-aged qualify me to make the following statements.

I believe the present welfare and poverty programs in this country will destroy what little guts poor people have left. Charity is a malignancy that will destroy one, and poor people are being given an overdose, and turning into invertebrates by the thousands.

Ignorant people are being given houses, food, medical care, legal advice, etc. They aren't asked to contribute anything in return, maybe, except enlarge the earth's population.

Many welfare programs create ill will. Have you ever noticed working people in a grocery checkout line when the young woman who has just checked out $50 in groceries, 40 per cent of which was precooked meats, precooked pastries and breads, frozen dinners, etc., then pulls out food stamps to pay the bill? Or have you noticed how many common law marriages have come to be since after a period of time the state will accept these people as married but the welfare department will say this is a poor mother with dependent children that we should help? Or the young woman who always prefers a night job so she can be home when her "case worker" comes to call? Notice she never tells she has a regular job?

What are we trying to prove? Where are we supposed to be heading? Who in the . . . we kidding? People are a product of their past and their environment. You can change the environment a lot faster than you can change the person. But if we are to be of any help to our fellowman we must change both. Today our confused country feels we can build a clean house, give one a clean shirt, a clean meal, and suddenly everything dirty will go away. If the mixed-up politician would look back on his way out of the ghetto he would see the people conforming their new surrounding to look and really be a replica of the old.

The sad part is how these people are being used. It always seems to the taxpayer that these are professional parasites looking for a handout, when in reality most of these people don't know or care what programs are in effect. They are told to vote for Joe Blow and items one and four. Hardly anyone will refuse an easy way out. The government is offering to pay these people's way out of the bottom and they are accepting. They realize they are traveling a round track but it does not cost to travel, so—.

The lawmakers, the rich, and others are being cruel to those they say they want to help. I wonder if we can get the do-gooders to turn loose the poor's hand long enough for him to get hold of his boot strap?

DOROTHY ELLA POTTS.

ESTONIAN INDEPENDENCE DAY

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. RODINO. Mr. Speaker, February 24, marked the 53d anniversary of the Declaration of Independence of the Republic of Estonia.

I am united in spirit with this tenacious people who seek self-determination and freedom from the chains of tyranny.

Those of us who are the custodians of democracy have a responsibility and an obligation to those who do not share this precious right; for no man is entirely free until all men are free.

While the Estonian people have been deprived of their liberty and their property—their spirit is undaunted. I salute this courageous people and fervently share their aspirations of restored freedom.

POW'S MUST FEEL THE UNITED STATES CARES

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. MILLER of California. Mr. Speaker, under unanimous consent to revise and extend my remarks in the RECORD I include an article by Ray Cromley entitled "POW's Must Feel United States Cares."

Mr. Cromley is Washington correspondent for the Newspaper Enterprise Association, and as a prisoner of war during World War II, knows what it means to be a prisoner of war and has personally experienced the pangs of frustration, suffering, and sorrow of the man incarcerated because of his citizenship.

It was my privilege when I first came to Congress to meet Ray Cromley and to hear firsthand about some of his experiences and reactions. Later, as a member of the Commission that was sent to Manila to represent our Government at the inauguration of the Philippine Republic, I had the pleasure of seeing him in Tokyo where he had returned at the request of General MacArthur to serve as an adviser.

Much has been written about our prisoners of war in North Vietnam. In all of the wars the world has known prisoners of war always suffer and our sympathy and admiration should go out to them and their loved ones, who are left behind. Mr. Cromley has a message that all should read, and I commend his article to all of you who missed it when it was first published.

The article follows:

POW'S MUST FEEL THE UNITED STATES CARES

(By Ray Cromley)

I have been a prisoner of the enemy in war. Six months solitary confinement in a Japanese prison in World War II.

Perhaps, then, I can suggest in some small way how the American prisoners of war now in North Vietnam feel after the attempt at their rescue.

Thinking back 28 years to my own feelings, I remember two things quite vividly:

The Doolittle raid of April, 1942, and the visit of the Swiss government representative, after I'd spent about five and a half months in solitary. During the war the neutral Swiss represented U.S. interests in Tokyo.

I remember strongly even today because these incidents brought hope to the heart of a prisoner who, through no one's fault, had had no sign from his government and his country during the months of imprisonment.

It did not matter that the Doolittle raiders had not come to free us prisoners but were over Tokyo for an entirely different purpose. You could look out the barred window and see American fliers were there. For hours afterward you could relive this flight by watching the rising smoke and by listening to the excited conversations of the guards. You could feel and hear and know yourself that something was being done—and in a way you could feel that it was being done for you. You were part of it.

When the Swiss came, I cried. I cried because I said to myself," "My country cares!" I said it over again and over again in happy agonizing gulps. In the months of holding in during daily questioning by teams of guards and of sitting, eating, sleeping in my cell, I had not realized how alone I had come to feel myself.

The freedom in my soul and in my voice was not the thought of rescue or release (pleasant as that would be) that mattered so much as the thought that my country cared enough for me—for us, that the Swiss should come to see each of us individually even for a few minutes and should be attempting, whether successfully or not, to do something for us.

I still remember the room in which my Swiss visitor and I sat. I remember the expression on his face and the way his lips moved when he talked.

He asked me a few questions and we talked a little, the normal things men say to each other. He did not promise anything. It was then not yet clear whether negotiations for an exchange of prisoners would be successful. But I walked back down that prison hall with my heart singing as loudly, as strongly, as powerfully and as triumphantly as a gigantic choir in a cathedral as if heaven had opened wide.

I was a man and an American and nothing could defeat my soul.

I never saw my Swiss friend again. But he will remain my friend until the day I die.

It is hope that men require when they are prisoners of war. And a belief that their country cares. And their wives and children.

With these a man can endure all things. Sickness, loneliness, beatings, death.

OPPOSITION TO THE PRESENCE OF U.S. ARMED FORCES IN CAMBODIA

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. WILLIAM D. FORD. Mr. Speaker, the General Council of Ford Local 600 of the United Auto Workers in Dearborn, Mich., unanimously adopted on February 14, 1971, a resolution expressing their opposition to the "continued presence and use of U.S. Armed Forces in Cambodia and the rest of Indochina," their desire for "speedy termination of the war," and their prayer for peace in that "unfortunate area."

The General Council's persuasive argument is of benefit to all Americans and I include the resolution at this point in the RECORD:

RESOLUTION ON OPPOSITION TO THE PRESENCE OF U.S. ARMED FORCES IN CAMBODIA

We are gravely concerned with the growing role of the United States in the Cambodian War. Far from decreasing, all indications are that, contrary to the Cooper-Church Amendment to the Military Appropriation Act of 1970 and to the oft-repeated declarations from the NIXON Administration, the United States role and military presence in Cambodia is actually increasing.

Secretary of Defense Melvin R. Laird stated recently that "we're going to use air power (in Cambodia) and I don't care to get into a question of semantics on that."

Competent U. S. news reporters in Cambodia, however, indicate the phrase "air power" is being used by the Administration to cover a multitude of military activities beyond the conventional task of airplanes.

Vice-President Agnew indicated on August 23 that "we're going to do everything we can to help the Lon Nol government" because "the whole matter of Cambodia is related to the security of troops in Vietnam." The argument of the Vice-President is precisely the one now used by the Administration to explain the invasion of Cambodia last spring.

This Administration, which came to power on the promise to disengage from war in South Vietnam, is clearly not keeping its pledge. Increasing military assistance to South Vietnam will further widen the fighting and will not bring this tragic war to an end.

This administration's concept of ending the war obviously seems based on the hope that it can win. The fallacy of that concept should have become clear in the years since U.S. advisors were first sent into Vietnam.

National governments in a democracy are expected to abide broadly by the wishes of the people rather than by the wishes of their generals. If the two are opposed, the former should prevail. We thus unreservedly condemn the use of any American troops in Cambodia in the air, on the ground or by any other means.

If our presence in Indochina could ever have been justified in terms of our obligations to others, that obligation has been more than met by the 43,000 dead, hundreds of thousands maimed and wounded, and hundreds of bombed and burned villages and towns in Indochina. Let us now commit ourselves to a speedy end to the war and the restoration of peaceful conditions in Indochina.

Further, the excessive and prohibitive expenditures of billions of dollars for military purposes in Indochina has placed a tremendous strain upon our national economy; it has been a very important factor in the creation of the present rampant inflation in our country. It has resulted in the constantly increasing number of layoffs and unemployment in our nation today.

These billions of dollars which have been, and are being wasted, in financing this unfortunate war in Indochina, and elsewhere, could be utilized much more constructively in solving the many grave problems that exist in our country and could thereby reduce inflation, unemployment and layoffs.

The General Council of Ford Local #600, in session on February 14, 1971, representing a total of 33,000 in-plant employees and 15,000 retired members, unanimously approved the recommendation of the Local Officers and Executive Board, to urge our government to take immediate steps to effectuate the speedy termination of the War in Indochina and the restoration of peace.

IF THE MILITARY IS TO BE USED TO QUELL RIOTS, IT IS ENTITLED TO KNOW ABOUT THE TROUBLEMAKERS, THEIR BACKGROUND AND MOTIVATIONS

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. FISHER. Mr. Speaker, the recent disclosure of the Army's "civil disturbance information collection plan," has generated a considerable amount of publicity. Some understandable concern has been expressed by those who feel the scope of surveillance, and the implementation of the plan, were too broad and that names of some individuals were mentioned who obviously were not suspect in any sense of the word.

But let us see what this is all about and not throw the baby out with the wash. Mistakes that were made—and there must have been some—should be corrected. Although the plan has been rescinded, it would seem that, in the public interest, some sort of surveillance will be continued. If not carried out by military intelligence, I would assume the FBI can be expected to continue to be active in that role. It would seem that in view of the monumental scope of the problem, both sources should be drawn upon.

This does not mean that in keeping track of troublemakers the investigators should use scatter guns or involve any innocent people in their factfinding operations. The important thing to keep in mind is that the Army's recent surveillance activities should not be condemned willy-nilly, because the objectives were obviously valid and laudable.

Let us examine those objectives. When initiated on May 2, 1968, the plan was explained in these words:

> The Army is well aware that the overwhelming majority in both the anti-war and racial movements are sincere Americans. It also realizes that in both groups there is a small but virulent number who are out to tear America apart. . . . These are the activists that control the violent action.
>
> If the Army must be used to quell violence it wants to restore law and order as quickly as possible and return to its normal protective role—to do this it must know in advance as much as possible about the wellsprings of violence and the heart and nerve causes of chaos.
>
> The Army seeks only to collect that needed to exercise honest and sound judgment of the measures to be taken in suppressing rampant violence and restoring order. . . .

Mr. Speaker, it goes without saying that the objectives thus expressed are valid. No one would quarrel with the fact that if the Army, including the National Guard, is to be kept trained for riot control, it should be armed with information about the people responsible for such riots, their backgrounds, and motivations.

The military has been called upon many times to quell riots and other civil disturbances. That has happened in the past and it will happen in the future, when civil authorities find it necessary to call for such help. Thus, knowledge about those who seem to habitually spearhead such disturbances is implicit in the mission the military is called upon to perform.

A very lucid and timely discussion of this topic is contained in a letter to the editor, carried in the February 26 issue of the Evening Star, written by a former staff director of the Committee on Un-American Activities. That letter follows:

DEFENDS MILITARY SLEUTHING

SIR: Recent headlines have convicted the Army of "Civil Spying" and "Snooping." The caption on a Carl Rowan column proclaimed "Military Threatening U.S. Freedom" (by "spying on civilians"). Frank Getlein has stated that the as yet unproved charges against the Army are "an authentic outrage" which should "make us all tremble." A Star editorial stated that all Americans should be "startled" by the charges and, while proclaiming that you would not pass judgment until more facts are available, strongly implied that the Army was guilty of unconstitutional action.

The following facts, it is hoped, will help your readers place in proper perspective some of the extremist, highly emotional statements made by Star and other writers, based on Senator Sam Ervin's allegations against the Army.

Beginning with the Harlem riot of 1964 and continuing through the national antiwar "demonstrations" of this year, this country has been plagued by recurrences of mass violence. They have led to several congressional investigations and the appointment of a National Advisory Commission on Civil Disorders (the Kerner Commission) to study the causes and propose solutions to what the overwhelming majority of citizens have considered a grave danger to our country.

In its report published in the spring of 1968, the Kerner Commission pointed out that 75 disorders already studied by a Senate subcommittee had resulted in 83 deaths. More people have been killed in hundreds of disturbances that have taken place since then and property damage from recurring, large-scale violence has cost the American people hundreds of millions of dollars, in addition to thousands of personal injuries.

ACCURATE INFORMATION ABSENT

The Kerner Commission in its recommendations for a program of national action to solve the problem of mass violence made the following statement:

"The absence of accurate information both before and during a disorder has created special control problems for police. Police departments must develop means to obtain adequate intelligence for planning purposes, as well as on-the-scene information for use in police operations during a disorder.

"An intelligence unit staffed with full-time personnel should be established to gather, evaluate, analyze, and disseminate information on potential as well as actual civil disorders. It should provide police administrators and commanders with reliable information essential for assessment and decision-making. It should use undercover police personnel and informants, but it should also draw on community leaders, agencies, and organizations in the ghetto."

The police forces of a few of our major cities have had excellent intelligence units for years. The New York City police force, for example, has penetrated a plot to blow up the Statue of Liberty, the Washington Monument and Liberty Bell and other criminal-political conspiracies. The Chicago police did an outstanding job of developing intelligence on the planned disruption of the 1968 Democratic Convention. Because of underfinancing, however, most police forces in the U.S. have had no intelligence units or inadequate ones. This is one of the reasons massive violence took many of our largest cities by surprise. Without intelligence they were caught completely unprepared.

COULD NOT CONTROL IT

The violence of 1967 was so great that local police and National Guard forces could not control it, and the Army was given the duty of lending assistance. A costly riot control center was erected at the Pentagon. The Army assigned seven task forces, each of brigade size (about 2,000 men) for immediate response to calls for federal assistance in controlling civil disorders.

The above quote from the Kerner Commission report concerning the vital importance of police intelligence gathering became applicable to the Army when it was assigned riot-control duties.

Increased attention to police departments and the problem of riot control has improved the overall police intelligence situation, but it is still far from adequate. The FBI has very effectively penetrated the older subversive groups, but there has been such a proliferation of new organization of this type in recent years that logic indicates its penetration of them is not on the same level. Moreover, it is not keyed primarily to riot-control intelligence and on-the-spot coverage of the numerous demonstrations that are continually taking place. For this reason, in an era of continuing, widespread confrontation-demonstrations, many of which contain the seeds of violence, it would seem that auxiliary forces in his area are required. The traditional agencies just don't have the personnel needed for the task.

A recently released annual report of the FBI states that black extremist groups are still "promoting racial unrest and discontent" and have conducted "guerrilla-type warfare." It also points out that the Weathermen are concentrating on "urban guerrilla warfare" and asserts that "physical riots and confrontations," along with bombings and terrorist attacks by the New Left, are "a distinct danger to our national security."

HAS CONTINUING OBLIGATION

Thus, as long as the Army has its riot-control assignment, it has a continuing obligation to gather all possible information about organizations and individuals who have or may instigate rioting and violence.

This letter is not intended as a complete defense of all the Army may have done in the area of intelligence gathering in relation to its riot control duties. Some mistakes may have been made (though none has been proved as yet). With hundreds of intelligence agents, many of them young and relatively inexperienced, suddenly thrown into a completely new type of work—gathering data on domestic dissident groups—it would be a miracle if there were not some booboos. If there were some, they are to be regretted—and corrected. But they are not grounds for wholesale, free-swinging denunciation of the Army and it's taking steps which, the majority of authorities agree, are essential to sound riot-control operations.

No one could object if Star columnists, reporters and editors uncovered some mistakes in the Army's operations and calmly called for their correction. What must be deplored is the fact that the items published on this subject have not treated the subject objectively and in perspective, defending the right and indicating the need for Army intelligence gathering in this area in line with its riot control obligations.

Not long ago The Star favorably reviewed an excellent book on this general subject, "The Riot Makers," by Eugene Methvin, who has devoted ten years to the study of U.S. and foreign riots, their instigation and control. News coverage of the Army "spying" controversy indicates a compelling need for study of this scholarly work by many writers and commentators.

FRANCIS J. MCNAMARA.

REPORT TO NINTH DISTRICT CONSTITUENTS—MARCH 1, 1971

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. HAMILTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the second of three reports on the Nation's growing welfare crisis:

WASHINGTON REPORT—MARCH 1, 1971

(EDITOR'S NOTE.—This is the second of three reports on the Nation's growing welfare crisis.)

President Nixon, in his State of the Union Message, scored the country's welfare system as a "monstrous, continuing outrage." He found, in that choice of words, widespread agreement—from recipients of welfare who say payments are not enough to sustain a decent life—from administrators of welfare, who wrestle with red tape and regulations to deal with the most disadvantaged in our society—and from the taxpayers, who foot the bill for all of it.

As the costs of welfare ($14.2 billion last year) and the number of recipients (13.5 million last year) accelerate, the financial stability of State and local governments is being threatened. As the need to pay for welfare has increased, some State and local officials have been forced to cut back on other public services.

There is a growing rebellion at this level of government against the rising costs of welfare. The governors of Indiana and California have been quoted as saying they are considering withdrawing their states from the Federal-state program and operating a much less costly system of benefits on state and local funds.

Understandably, the ire of middle-income wage earners is rising, too, as welfare costs go up. Those who carry the main burden of taxes are angered and frustrated at the prospects of funding cuts for public services to accommodate burgeoning welfare rolls.

Out of this frustration has grown the belief that most welfare recipients are lazy individuals who would rather live on a dole than work. Periodic reports of welfare fraud (e.g. Nevada's recent elimination of 22 percent of Aid for Dependent Children cases because of undeclared income) have added to the myth. In the absence of detailed information about the people on welfare, this view has become ingrained in the public's mind.

The first detailed census of the numbers on public assistance wasn't developed until the mid-1960's. It revealed, among other things, that of the 7.3 million Americans on welfare at that time, only 150,000 were males old enough to work. Of that number, 100,000 were incapacitated beyond the ability to work or to be trained for work. That left 50,000 employable men on the welfare rolls—less than one-tenth of 1 percent.

The largest category of welfare recipients was that of the children—3.5 million. Another 2.1 million were over 65 years of age, and most of them were women. Another 700,000 were blind or so severely handicapped they could not work, and still another 900,000 were mothers of young children.

The President's Commission on Income Maintenance Programs, which recently completed a 22-month study of welfare programs, concluded: "The poor cannot be divided into those who will work and those who will not. Unemployment or underemployment among the poor is often due to forces they cannot control."

If the present welfare crisis was primarily a matter of "free loading" or cheating on welfare rolls, the solution to the problem would be relatively easy. The problem is far more complex. To begin with, it helps to separate fact and myth:

Myth: Most welfare recipients are black. Fact: White recipients account for 58 percent of the total. Seventy percent of the Nation's poor are white.

Myth: Some are getting rich on welfare. Fact: Benefits for Aid for Dependent Children (AFDC) families now average $185 a month across the country, which is 43 percent below the Federal government's poverty line.

Myth: Many are freeloaders. Fact: Obviously there is some cheating, but recent government studies estimate that only four out of every 1000 of those on welfare cheat.

Myth: Once on welfare rolls, they stay on. Fact: The typical AFDC recipient stays on welfare for 23 months, according to HEW figures. About 60 percent of the AFDC families are receiving welfare for the first time.

Myth: They have children to stay on welfare. Fact: The average AFDC family is four, compared to a national average of 4.2 children. Moreover, in two-thirds of the welfare families, all the children have the same parents.

CONGRESSMEN VERSUS PRESIDENT

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. MICHEL. Mr. Speaker, on 2 successive days last week, the Peoria Journal Star published editorials candidly discussing the actions of some Members of Congress in their methods of opposing the President's programs, especially his handling of the war in Vietnam.

The editorials speak for themselves in loud and clear tones and need no further comment from me to bolster the import of their message. I include the editorials from the February 22 and February 23 editions of the Peoria Journal Star in the RECORD at this point:

FEBRUARY 22—A BAD DAY: CONGRESSMEN VERSUS PRESIDENT

Today is the true Washington's birthday, but it also marks, oddly enough, the day when American politics sunk to its lowest, rottenest, most viciously partisan point.

On Feb. 22, over 100 years ago, the House of Representatives voted a charge of impeachment against Andrew Johnson, President of the United States by reason of Lincoln's assassination.

The Congress, then controlled by "Radical Republicans" from the northern states and stooges placed in office via the military government of southern states, had passed a "law" over Presidential veto whereby Congress named the Secretary of War and Congress ran the War Department instead of the President.

The law was patently unconstitutional, and Johnson promptly fired the Secretary of War to assert his authority and bring the matter to a test before the Supreme Court on constitutional grounds.

Instead, the House of Representatives voted the bill of impeachment to try the President before the Senate and throw him out of office for "violating a law of Congress" and defying the Congress.

The trial in the Senate was held, and the anti-Johnson men had the votes regardless of the evidence.

But in the final crunch, they lost by a single vote because one man couldn't bring himself to such a dishonest political act and usurpation of power under false pretenses. He accepted political oblivion to preserve the Constitution and the continuity of the United States as a government of separate powers.

(Congress was also moving to take over the Supreme Court at that time.)

In the fullness of time, history has labeled Senator Thad Stevens as a dangerous, unstable power-mad fanatic and his chief ally, Senator Ben Wade, as an utter scoundrel.

All now agree the impeachment effort was a purely political trial and the most disgraceful performance ever staged by the Congress of the United States.

It is curious that such a struggle should mark its anniversary in an atmosphere where once again there is, indeed, a battle between an opposing political faction in the Congress and the President involving the President's traditional and constitutional powers as Commander-in-Chief.

It is curious that once again there is a major effort by a group in the Congress to exert specific controls over the decisions of the Commander-in-Chief in terms of his function in the field.

As in Andrew Johnson's day, the issue is charged with emotionalism and passionate appeals to feeling.

As in Johnson's day, there is much more actually involved and at stake than the wisdom of today's limited actions in today's specific situation.

At stake is the very structure of decision-making, and the question of whether administrative decisions can continue to be made in pace with events, or whether the legislative, deliberative, and debating section of the U.S. government is going to begin making administrative decisions.

Events do not wait upon legislation in the fields of foreign policy or military policy.

Events proceed with or without us.

Events in these fields, all experience demonstrates, will not await a Congressional debate.

That is the real problem.

A legislative body is not designed to make executive decisions and cannot function responsibly or effectively in the administrative area.

This is not a question of philosophy or of desirability.

It is a fact with which we are obliged to live—or pay the inevitable price for default.

Either system will be imperfect, but delay and inaction is certainly the surest way to guarantee utter disaster in some future circumstances in which events demand an immediate answer—or else.

In their eagerness to have their way in a passing situation of this day, and in their political fervor, some of our Senators are tampering with a very basic principle of operational government and practices which could cripple us in unknown future emergencies.

It is a dangerous game to play in 1971, even as it was over 100 years ago. And one which ultimately brings odium not fame in history's cold eye.

Weigh Nixon on Deeds

Richard Nixon is supposed to be, according to his long-time critics, "Tricky Dicky," a completely amoral political gimmick artist with no principles or purpose other than to manipulate to be on the side of winning public opinion.

Ever since Lyndon Johnson decided not to run there has been a cheerful whoop-de-do among the demonstrator groups, and some of the more chauvinistic newscasters, that "we did it," and that public pressures creates national policy in all matters.

This "justifies" such people to themselves (and makes the TV hucksters feel immensely powerful) in the business of "making things happen" through public uproar.

Another version is the urge which often strikes some, quite naturally, who come to the newspaper and want us to front a "Letter-writing campaign." "If they get enough letters, they will do such and such," is the pitch.

Well, far be it from us to belittle our own business, and evidence of public opinion at any given time is certainly a factor in decision-making in a democracy.

But it is only one factor.

Public opinion cannot make it feasible to shorten the moon-flight to 10 hours, for example, or increase the capacity of Apollo to carry five next time.

Public opinion will not persuade a doctor to do brain surgery to remove a splinter from a toe.

And whether it is an academic process of decision-making and "who wins the argument" to us or not, people working with experience and expertise in the realm of the possible have no choice but to consider time, space, numbers, dollars, and other physical factors in determining what is likely to work and what is not.

They are involved with the physical problems involved in detail, and those problems and the means of solving them are potent factors which cannot be overlooked and are often less changeable than public opinion.

The State engineers are not going to commit $26,000,000 to building a bridge at Pekin, for example, that they are convinced would turn into a fiasco after it was built—no matter what public or political pressure might exist for some such site. The first essential is that it has to work after it's done.

The physical conditions, specific events, and physical actions of others have to be taken into account as well as domestic "opinion."

There's no choice, really, unless a fellow is completely amoral.

And whether it makes some folks howling mad in their direct passions on this issue or not, the obvious truth is that the president who had the cool nerve to add up the physical facts available to him and okay the South Vietnamese plan to cut the cancerous Ho Chi Minh trail simply doesn't jibe with the "opportunistic" Nixon "image," pursuing popularity at any price.

He has obviously done what he thought would do the most good even though it had to be a painful decision politically.

You can't have it both ways.

It's time to get off the kick that Nixon is a cheap political opportunist if he does one thing and damn him as a tricky tyrant sinfully "defying" public opinion, when he does something else.

That double-standard conduct can only be explained by unjust, unfair, unreasonable prejudice.

It's about time we viewed the president as a man with a very tough job trying to do it the best he can—and measure him simply by how well he succeeds. How do his decisions come out?

OUR COURSE IN SPACE

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. FULTON of Pennsylvania. Mr. Speaker, the recent monthly lunch of the National Space Club provided us with a good opportunity to hear an address by William Anders, one of our outstanding astronauts, who now serves as executive secretary of the National Aeronautics and Space Council.

Bill Anders' speech was of interest to all of us who attended the lunch. He made special note of President Nixon's space policy for the 1970's and gave an excellent analysis of the administration's budget proposals, which support that policy.

As I believe that Bill Anders' speech is of interest to my colleagues and the American people, I am placing his remarks in the CONGRESSIONAL RECORD for wider coverage.

I am also including the introductory remarks to Bill Anders' speech given by Alan Smith of WTTG–TV, Washington, D.C. Mr. Smith, an outstanding television journalist, is anchorman on the 10 o'clock evening news for Metromedia Television in the metropolitan Washington area. Mr. Smith's reporting of the exciting Apollo lunar missions has brought many distinguished awards to Metromedia news.

Introduction of William Anders by Alan Smith, Metromedia Television (WTTG–TV Washington)

I'm especially pleased to be here since now I can learn from the experts what all those alphabet-soup space-terms we throw around so easily on television really mean. . . .

Frankly, until the Apollo 14 mission, those of us in TV had finally managed to memorize most of the lingo. But now it seems we have to learn a whole new set of exotic terms . . . like . . . bogie . . . birdie . . . eagle . . . mashie and 6 iron . . .

Seriously, if I may, I would like to say that I am quite proud of our country's space accomplishments . . . and so, it is not merely a job when we cover a space mission . . . it is something we have a deep interest in.

Frequently, we hear the argument of "priorities at home," and they can't be ignored. But it would be terribly short-sighted, I believe, to throttle space-exploration . . . and the benefits to man that can accrue from that, by subscribing to that "priorities argument." I believe there can be a sensible balance in both areas.

As for manned, versus unmanned space-flight . . . I believe the human factor will prevail. I think the problems of the Apollo 14 attest to that. As we said on the air at the time. . . as sophisticated as we can make machines, two inanimate sensors . . . haven't the ability yet to stick their heads together and say . . . Hey, let's try this. The Apollo 14 mission might well have been scrubbed, had it been an unmanned flight . . .

In addition, I happen to feel that man's ability to evaluate the intangible, can provide far greater understanding of space (with the help of his machines, of course) than could those machines alone. . . .

And that brings us to our guest this afternoon . . . whom I am very proud to introduce.

I think it is quite unnecessary to run off the long list of credentials and honors belonging to our guest today . . . I am sure they are well-known to all of you, since he is a Governor of the Space Club . . . and his face and deeds have been well-documented on television.

You may recall that he spent Christmas 1968 . . . out of the country . . . on a trip that was the first of its kind . . . The Apollo 8 mission to the Moon. Since that historic feat, our guest has chalked up many honors . . . among them NASA Distinguished Service Award . . . and the Air Force's Distinguished Service Medal . . .

In 1969, because of his space knowledge and expertise, he was appointed by President Nixon to head the staff of the National Aeronautics and Space Council. The Council has the responsibility of advising and assisting the President in the policies and performance of the entire Aeronautics and Space Field.

It's my pleasure, therefore, to introduce . . . former Astronaut . . . and now, Executive Secretary of the National Aeronautics and Space Council . . . Mr. William Anders. . . .

Our Course in Space

(Address by William A. Anders)

Last December I listened to Pat Moynihan's farewell remarks to the Cabinet and Sub-Cabinet when he pointed out some areas in which we in the Administration could improve the way we were doing our jobs. One point that I particularly remember was his claim that too often it seemed that we had not really listened to what the President had said. Our own actions, he suggested, were too often guided by what we imagined the President wanted or did not want, based on some other source than the President's own words. This lack of aural acuity was a great shame, Moynihan continued, because in his first two years in the White House President Nixon had made a series of important and innovative policy statements, ones which those in his Administration sometimes appeared not to hear, not to believe, or even to forget.

As I listened to Moynihan, it occurred to me that somewhat the same thought could be applied against some members of the space community. I hear talk about the lack of a U.S. space policy for the 70's. This surprises me a bit, for there is a clear and forward-looking statement of that policy on the books—a policy issued by President Nixon last March. Quite frankly, I think that some have not paid enough attention to that statement, and its implications for the pace and character of our future space activities. This statement still stands and, in my view, is an authoritative description of "our future course in space."

I want to begin, therefore, by reminding you of the substance of the President's policy for the 70's and then review this year's budget proposals in light of that policy. I believe that a consideration of the character and pace of the program shows that the President has backed up his policy with funding for its implementation. However, even a Presidential plan for a comprehensive and balanced space program is not self-executing. We who favor a continuing and aggressive program of space activities must help to maintain and expand their base of support. Working with the Administration and with Congress, we must convince the people of our country that such a program is, and remains, a worthwhile investment of national resources. In my estimation, there are at least two major selling points to be made in a campaign of this nature. One is that the program of the 70's, in addition to its exploration and basic scientific content, will produce real, relatively short-term, and easily evident practical applications and benefits. The other is that a strong national space program is a prerequisite for productive international cooperation in space. I believe the President has underwritten a viable program and that he now needs our support in gaining its nationwide acceptance.

First then, what about the program and its budget for FY72?

After he had reviewed the Space Task Group report and had heard other advice regarding the future of space, in the context of the total range of our national needs, the President issued his space policy statement. That statement contained some specific conclusions "concerning the future pace and direction of our nation's space efforts." I believe those conclusions—expressed in terms of three general purposes and six more specific objectives—form the basis of a sound and balanced program, one which we can, and should, offer to the nation with little hesitation.

The Administration and, I believe, the people want a balanced program aimed at exploration; at increases in knowledge; and at producing practical applications and benefits here on earth. To these ends, he has proposed six objectives as guidelines for our future activities; let me remind you of them:

1. exploration of the moon;
2. exploration of the planets and the universe;
3. substantial reduction in the cost of space operations;
4. extension of man's capability to work and live in space;
5. hastening and expanding the practical applications of space technology;
6. encouraging greater international cooperation in space (the theme of our Goddard dinner).

I think that if you examine this year's budget proposals and other actions of the past year in light of these objectives you will find that, in the context of the tremendous demands on our nation's resources, the President is taking meaningful steps toward achieving *each* of those six objectives. Let me give you some examples:

First, *exploration of the moon.*

This year's budget contains funds for all three remaining Apollo missions to the moon, spacing these missions to maximize their scientific returns. Even from the very preliminary reports of the Apollo 14 mission, I think we can once again appreciate the great value of man's presence in lunar exploration. The discrimination a highly trained explorer exercises in selecting geologically important lunar material means that each flight significantly advances our understanding of lunar structure, lunar evolution, and, most interestingly, the origin of the earth. To capitalize on man's special abilities, Apollos 15, 16 and 17 will carry lunar roving vehicles to increase very substantially the explorer's radius of action. Each succeeding flight will carry more advanced scientific equipment.

Next, *exploration of the planets and the universe.*

Funds for unmanned exploration of the solar system and the universe have been increased in this year's budget proposal. Highlights include substantial increases or new starts in programs aimed at landing a spacecraft on Mars in 1976 to conduct experiments to determine whether life exists there; programs aimed at sending spacecraft both to the vicinity of the outer planets and to the inner planets; and programs aimed at developing new orbiting observatories for observing high-energy emissions from the far reaches of the universe and to study the sun and other celestial bodies.

Third, *substantial reduction in the cost of space operations.*

Here funds are committed for engine development and for continued airframe design studies for the space shuttle. As you well know, the reusable space shuttle is the *key* to reducing the cost of space operations, whether those operations involve men or not. In fact, I don't believe that the shuttle should be thought of as a manned flight program per se, but rather as a transportation system servicing both manned and unmanned science and applications activities in orbit. Current estimates are that the initial space shuttle will be the "DC-3 of space" for at least a decade after it becomes operational. It is of utmost importance, therefore, to make sure we select the *right* shuttle design. We expect, on the basis of ongoing studies now being conducted by NASA, to have developed a sound basis of understanding concerning shuttle economics and airframe design by this summer. I feel confident that then an appropriate airframe selection can be made and that the funding required for its development will follow. I believe that a cost-effective shuttle system will be flying during this decade and that the caution and study now being exercised will further that end. It is encouraging to note that the Air Force and NASA have recently agreed on a single set of performance characteristics for this national space system.

Fourth, *extension of man's capability to work and live in space.*

In the lunar program we have seen the value of having man there—able to make on-the-spot decisions. To push ahead and explore further man's capability to work and live in space, we have the very important Skylab program, which will provide the essential experience needed for the development of our future space activities. Skylab is an experimental space station in which, over a period of nine months to a year, three crews of astronauts will perform important scientific and engineering tasks and will conduct biomedical experiments related to their own abilities to live and work in space. In the Mercury and Gemini programs, and in Apollo itself, we only opened the door to our understanding of man's capabilities and usefulness in space. Though there is much promise, we can only guess at the ultimate uses of human discretion, when applied to such diverse problems as earth resources survey, ultraviolet astronomy, manufacturing and processing in 0 gravity, weather and the atmospheric environment observation, and further exploration. The Skylab orbiting laboratory is, therefore, a central feature of our space program of the 70's, in which I strongly believe is very necessary.

Fifth, *hastening and expanding the practical applications of space technology.*

The proposed budget provides funding of the previously planned space applications program, including two Earth Resources Technology Satellites, Two Nimbus Experimental Weather Satellites, two Synchronous Meteorological Satellites, and two advanced communications experiments with ATS F&G. In addition, an extensive set of ERS sensors will be flown on Skylab, and other applications-oriented activities will be carried out by the crews of this space laboratory. May I repeat my belief, and yours, too, I am certain, that one of the main hopes and justifications of our future space program, manned and unmanned, lies in this extraordinarily important realm of practical applications. More on this in a moment.

Finally, *encouraging greater international cooperation in space*

There have been intensifying efforts to explore possible forms of international cooperation. Specifically, very important negotiations are currently underway to enlist European participation in the design and construction of the space transportation system. If these negotiations are successful, Europe may well commit a billion dollars to the program, making it by far and away the largest cooperative space effort we have ever undertaken. Our discussions with other developed and developing nations range from coordinated programs to intimate partnership in research, development, and operation. Also, the talks we are having with the Soviets on possible cooperative space activities are important because of their implications in broader arenas. The fruit of these efforts is likely to become clearer in the next year or so, and offers great hope and challenge for us—more on this also in a moment.

In summary, then, I am convinced that we do have a plan for space in the 70's. By taking Pat Moynihan's advice, and listening to the President, we find its objectives clearly stated in his March 7 statement. An examination of the FY72 budget proposal shows his support of its objectives. Although we in the Space Club may wish for even greater funding, this budget seems to me to be a good balance between our capabilities and opportunities in space and the many other competing pressures for use of resources. Also, this budget does represent an end—one which I hope will be permanent—to the decline in allocations to space activities. It does, I think, as did last year's budget, represent a transition from the Age of Apollo to a somewhat more balanced and evenly-paced space program better suited for the 70's. Sure, speaking as an advocate of space, I'd like to be able to do more, but speaking as a realist, I think this budget is the basis of a good program, one which merits support from those who believe in the importance of our space activities in ensuring national progress, power, pride, and international cooperation.

Let me now return briefly to two areas

which I think deserve particular attention in our campaign to expand the base of support for the program—one is the need for greater attention to the practical applications of space technology, and the other is the realization that expanded international cooperation in space can only be based on a continued and strong national space program.

It has been suggested, and my experience on Apollo 8 convinced me that it is true, that one of the most important impacts of our space activities to date is the change they are producing in the way men think about the planet on which they live. Apparently, we have had to leave earth, either in reality as I did, or vicariously through the pictures of earth we have brought back from space, to see our planet as a whole—as a single, seemingly fragile, outpost in the universe in which hundreds of millions of human beings have a stake. The psychological impact of this is an intangible thing, but I think it has had very tangible and far-reaching effects. I doubt whether the widespread concern about the "environment" would be as great as it is if this new consciousness of the boundaries of "Spaceship Earth" did not exist.

I believe that we must build upon this concern for the environment of our home planet in designing our future activities in space. The possibility of helping this important endeavor was one of the major reasons I decided to come to Washington and to the Space Council. During the latter part of the 60's, national concerns turned increasingly toward problems within our borders. We are no longer in a political environment in which a program aimed almost entirely at dramatic journeys of exploration and motivated in large part by a desire to provide a spectacular demonstration of our nation's technological competence is completely acceptable to the public. That kind of program did serve our needs during the 60's. It was undertaken and carried out, much to our credit as a nation, by men of vision—some of whom are here in this room. But, for the 70's if the program is to maintain and expand its public support, I believe it must demonstrate clearly its relevance to the national and international problems and concerns of the 70's.

I think that there is little doubt among those familiar with space operation that this *can* be done, and, in fact, *is* being done, not only by transferring space-age techniques to other undertakings, but more by using our unique space capabilities for such practical efforts as meteorology, communications, resource management, and the like. For this reason, I believe that a major thrust of the United States' space program of the 70's must be designed, as President Nixon has said, to "hasten and expand practical applications." Our manned and unmanned activities and the space shuttle will support this thrust. Communications by satellites have become commonplace and have literally shrunk our globe to a "neighborhood" of nations. Another excellent example of practical applications is our weather satellites. Not only have we been able to improve significantly our weather forecasts, but the general public knows this has happened. They see satellite cloud cover photographs on the evening television news. Similarly, we must be sure that the earth resources survey program is organized and carried out so that the useful results of even the early experimental missions such as ERTS–A and –B and Skylab are disseminated as widely as possible. As some of you know, the Space Council staff has taken the lead in an interagency study of the relationships between the experimental ERS program and a future operational program, as well as the roles and responsibilities of government agencies in both. This study, which has just been completed, also suggests various alternatives for effective management of the ERS program.

I believe this study is a good example of the kind of broad overview activity that can best be undertaken by an organization such as the Space Council and its staff. The Council can select areas of particular promise that cut across lines of agencies' responsibilities, and can serve as a central focus for the development of policy recommendations in those areas. The Council staff can then act as a catalyst for coordination. Increasingly, activities in space will become linked with activities on earth; this, inevitably, will mean increased interagency coordination and, perhaps, even new methods will be needed of conducting programs involving many federal agencies. The small staff of the Space Council intends to remain active, not publicly, but working behind the scenes, in just these complex areas of high potential payoff. Another such area is international cooperation, and is the subject of my final point.

The U.S. has, in the past 18 months or so, developed a complex network of contacts and negatiations aimed at expanding international involvement in the U.S. program. These activities involve every aspect of our space operations. They involve the industrial countries in Europe, Canada, Japan, Australia, and some of the developing countries. There are high hopes that these latter countries will be able to make important use of the earth resources survey satellites. My recent trip to Moscow, incidentally, convinced me that the Soviets now are genuinely interested in expanding our areas of coordination and cooperation. Expanded international cooperation is an important and worthwhile objective, both because it means a better space program and because the habit of cooperation in space may spill over into cooperation in other areas. But, I say again, that it is *crucial* that we maintain a strong and successful *national* space program if we expect to have successful *international* cooperation in space. It is the scope and success of our national achievements to date which has made us desirable partners for other nations, and they will not be interested in expanded cooperation if we do not maintain that scope and success in the future. Although international competition may not be as great a driving force for space activities in the near future as it has been in the past, the United States is still in economic and political competition with other nations. A strong space program will continue to be an asset in that competition. A healthy balance between a national program and international cooperation, between competition and collaboration, is what is needed but difficult to achieve. I believe that, through hard work, we will be able to effect this balance to our benefit and to the benefit of all mankind.

In conclusion, I want to point out again that the President has given us his general plan and specific budget for space as we move into the 70's. It is vitally important to our continued success that we listen to and remember what he has said about the program and that we explain and demonstrate its benefits to the nation. We in the space community cannot do this by talking only to ourselves; we must do a better job of convincing the people of the United States why they should continue to support a national space effort. We must do this in *their* frame of reference; not ours. This is not just NASA's job either; it's up to all of us if we hope to progress successfully. It has been said that a progressive and successful society is one which mixes in its undertakings both visionary enterprises and practical activities. Our space program for the 70's contains both the vision (our continued trips to the moon and planets) and the practical (our assessment from space of our earth's potential). The recent Apollo 14 flight leaves no question that the United States is currently the world's leader in space exploration. I know that you believe as I do that it is imperative that we do all we can to ensure that we maintain this leadership.

Thank you.

BRUSSELS DECLARATION ON SOVIET JEWS

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. RYAN. Mr. Speaker, on February 25 a 3-day conference of national and international Jewish organizations on the plight of Soviet Jewry was concluded. This conference was convened at Brussels to consider the religious and cultural oppression being visited upon the Jews of the Soviet Union, and the restriction of their right to emigrate.

The World Conference of Jewish Communities on Soviet Jewry issued a declaration which I particularly commend to my colleagues. I urgently hope that its import will bring home to the government of the Soviet Union the disapproval of the world community for its actions regarding its Jewish citizens. The declaration called for three substantive steps by the Soviet authorities:

> To recognize the right of Jews who so desire to return to their historic homeland in Israel and to insure the unhindered exercise of this right.
>
> To enable the Jews in the Soviet Union to exercise fully their right to live in accord with the Jewish cultural and religious heritage and freely to raise their children in this heritage.
>
> To put an end to the defamation of the Jewish people and of Zionism, reminiscent of the evil anti-Semitism which has caused so much suffering to the Jewish people and to the world.

The full text of the Brussels Declaration on Soviet Jews follows:

> BRUSSELS DECLARATION ON SOVIET JEWS
>
> We, the delegates of this conference, coming from Jewish communities throughout the world, solemnly declare our solidarity with our Jewish brothers in the Soviet Union.
>
> We want them to know that—and they will take encouragement from this knowledge—that we are at one with them, totally identified with their heroic struggle for the safeguarding of their national identity and for their natural and inalienable right to return to their historic homeland, the land of Israel.
>
> Profoundly concerned with their fate and future, we denounce the policy pursued by the Government of the Soviet Union of suppressing the historic Jewish cultural and religious heritage. This constitutes a flagrant violation of human rights which the Soviet Constitution pledges to uphold and which is enshrined in the Universal Declaration of Human Rights. To cut them off from the rest of the Jewish people, as the Soviet authorities are attempting to do, is a crime against humanity.
>
> Soviet spokesmen claim that there is no need for Jewish culture and education, that there is no Jewish problem in the Soviet Union and there is no anti-Semitism. These assertions have been proven false by the Soviet Jews themselves. The entire world has heard their protests.

Tens of thousands of Jews have petitioned the Soviet authorities for the rights to settle in Israel and raise their children in the Jewish tradition and culture. Letters, messages and petitions, sent at the signatories' peril from the Soviet Union to individuals, to governments, to the United Nations and other international organizations, all demand recognition of these rights.

The reaction of the Soviet authorities to this Jewish awakening has been to mount a campaign of harassment, arrests and virulent anti-Jewish propaganda. The Leningrad trial, shocking to the world, was but one manifestation of such persecution. Far from being crushed by such intimidation, Soviet Jews today demand their rights with even greater courage and determination.

This conference urgently calls upon the civilized world to join with us and with the Jews of the Soviet Union in urging the Soviet authorities:

To recognize the right of Jews who so desire to return to their historic homeland in Israel and to insure the unhindered exercise of this right.

To enable the Jews in the Soviet Union to exercise fully their right to live in accord with the Jewish cultural and religious heritage and freely to raise their children in this heritage.

To put an end to the defamation of the Jewish people and of Zionism, reminiscent of the evil anti-Semitism which has caused so much suffering to the Jewish people and to the world.

We, assembled in this conference, commit ourselves by unceasing effort to insure that the plight of Soviet Jewry is kept before the conscience of the world until the justice of their cause prevails.

We will continue to mobilize the energies of all Jewish communities. We will work through the parliaments and governments of our countries, through United Nations and other international bodies, and through every agency of public opinion.

We will not rest until the Jews of Soviet Union are free to choose their own destiny.

Let my people go!

THE WAR IN INDOCHINA—TIME FOR CONGRESS TO REASSERT ITS AUTHORITY

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. WILLIAM D. FORD. Mr. Speaker, I was very distressed to hear an interview recently on the CBS Morning News with Dr. Henry Kissinger, Assistant to the President for National Security Affairs, in which the following dialog took place:

INTERVIEWER. Dr. Kissinger, could we get your thoughts on what we've been hearing about in a speculative sense of the President not ruling out the possibility President Thieu indicating that something might be underway at sometime in the future, his office changing about some move by the South Viet Nam, that is, into the North?

Dr. KISSINGER. Well, it's a novel problem because so far its North Viet Nam thats invaded all the neighboring countries and the idea that any of the Indo-Chinese countries might be invading North Viet Nam would have been unthinkable, even a year ago. So that this indicates a certain evolution in the relative balance of strength.

INTERVIEWER. Any chance of the evolution becoming a reality?

Dr. KISSINGER. Well, its not the dominate probability at this moment.

INTERVIEWER. Well, who would decide that, Doctor? The South Vietnamese or us?

Dr. KISSINGER. Well, the United States will certainly decide, as the President has pointed out, about any American participation. The South Vietnamese could not involve us in any military move by any American forces even of a purely logistic nature without the approval of the President of the United States.

Dr. Kissinger seems, to imply that American forces could be committed to such an action, merely at the whim of the President. And it is this presumption which I find particularily distressing; for this conversation is a clear indication that the President's top adviser on foreign affairs is under the impression that the President alone shall decide matters, such as the participation of American troops in an invasion of North Vietnam, without first consulting with Congress.

This thinking is completely contrary to my understanding of the decisionmaking processes in this country with respect to the military. It has always been my understanding that under the Constitution of the United States, the President and Congress jointly share the responsibility for establishing and defining foreign military commitments.

Congress has only recently emphasized and reestablished its authority in this area. In 1970 we repealed the Gulf of Tonkin resolution and passed the Cooper-Church amendment, which specifically denies the President the authority to provide any additional assistance to Cambodia without first consulting with Congress, came about as a direct result of the President's invasion of Cambodia last spring without prior consultation with Congress. The clear intent of this amendment was to prevent us from repeating the same mistakes in Cambodia which we made in South Vietnam and to remind the President that Congress, as well as the Chief Executive, has a voice indetermining the actions of the U.S. Armed Forces.

Yet since this action took place, the President has expanded the war even further into Laos, still without consulting with Congress, and now we are hearing talk of a possible invasion of North Vietnam.

Mr. Speaker, it is time once again for Congress to assert its authority. When the President's top adviser on foreign affairs, without making one reference to Congress, casually indicates that any decisions about an American role in a possible invasion of North Vietnam shall be made by the President, and when the President himself states that the only limitation he will place upon the use of airpower is to rule out the use of tactical nuclear weapons, it is time for Congress and the people of this country to make their voices heard at the White House.

It is time to remind the President of the constitutional powers of Congress, and it is time once again to remind the President that he cannot invade countries at his personal whim, that he cannot commit this Nation to military adventures in foreign countries without prior consultation with Congress.

Mr. Speaker, for these reasons I am joining with 33 of my colleagues today in introducing a bill which will prohibit an invasion of North Vietnam by U.S. ground forces and which will prohibit the use of U.S. air combat support or U.S. logistical or advisory activities within the borders of North Vietnam without the prior and explicit authorization of Congress:

The text of this bill is as follows:

A bill to amend the Foreign Assistance Act of 1961, as amended, to prohibit any involvement or participation of United States Armed Forces in an invasion of North Vietnam without prior and explicit Congressional authorization.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Chapter I of part III of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 620A. (a) Congress finds and declares that under the Constitution of the United States the President and the Congress share responsibility for establishing, defining the authority for and concluding foreign military commitments; that the repeal of the Gulf of Tonkin Resolution raises new uncertainties about the source of authority for American involvement in Vietnam; that the United States can in no way participate in or support an invasion of North Vietnam without prior and explicit Congressional authorization.

(b) On and after the date of enactment of this section, in accordance with public statements of policy by the President, no funds authorized or appropriated under this or any other Act shall be used to carry out an invasion of North Vietnam by U.S. Armed Forces without prior and explicit authorization of the Congress.

(c) On and after the date of enactment of this section, no funds authorized under this or any other Act shall be used to carry out combat air support or U.S. logistical or advisory activities within the borders of North Vietnam without prior and explicit authorization of the Congress."

MISINFORMATION ABOUT DMSO

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. WYATT. Mr. Speaker, today I am introducing a resolution transferring the responsibility for testing and evaluating the drug DMSO from the Food and Drug Administration to the National Academy of Sciences. Identical legislation has been introduced in the Senate by Senator MARK HATFIELD of Oregon.

I am taking this step because of the confusion and misinformation surrounding the drug, and the seeming inability of FDA after 7 years to come to any decision on the efficacy of DMSO.

DMSO—dimethyl sulfoxide—is a wood fiber extract first synthesized in 1866. A scientific curiosity for many years, it gradually found widespread acceptance in industry—chiefly the wood products industry—because of its hydroscopic qualities.

In the early 1960's two University of Oregon Medical School physicians began experimenting with the drug for human use. Their efforts produced great promise in the treatment of such ailments as burns, arthritis, bursitis, sprains, and a number of others, and the drug was soon being hailed as the most promising since the discovery of antibiotics.

Because of competing claims concerning DMSO and the seeming inability of the Food and Drug Administration to separate fact from fiction, the drug has never been released for human use here although it is available by prescription in Europe. The reasons given were that investigations on DMSO had been abused by the pharmaceutical industry, and also that the drug after massive applications produced alterations in the eyes of some experiment test animals.

Presently DMSO is certified by the FDA for limited testing, but the redtape involved in getting the agency to approve an application for its use has discouraged more than one pharmaceutical firm from pursuing the matter.

Mr. Speaker, I am not a scientist. But I am convinced that the weight of evidence shows DMSO has great potential for healing and I am most anxious that it be given every chance to prove its efficacy in the alleviation of pain and suffering.

It is in this spirit that I introduce this resolution. Perhaps in view of the many impediments encountered with FDA the clarification and creditability of all concerned will best be served by removing the responsibility for testing DMSO from the Food and Drug Administration and placing it with the National Academy of Sciences.

FREEDOM—OUR HERITAGE

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. BEGICH. Mr. Speaker, I am particularly proud of Miss Tausbee Ordway of Douglas, Alaska. Miss Ordway, daughter of Mr. A. W. Ordway and Mrs. June Ordway, is the winner of the Veterans of Foreign Wars Voice of Democracy contest in the State of Alaska.

Each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conducts a Voice of Democracy contest. This year, over 400,000 school students participated in the contest.

By being the Alaska State winner in the Voice of Democracy speech contest, she adds a new honor to her already long list of outstanding achievements.

Presently Miss Ordway's achievements include Outstanding Teenager of America Award and several honors awards. I think you will find her speech both enlightening and perceptive, and I include it in the RECORD:

FREEDOM—OUR HERITAGE

Two centuries ago a famous American statesman by the name of Patrick Henry stood before the Virginia Provincial Convention and presented his famous "give me liberty or give me death" speech. He called on the American people to fight for their freedom against the tyranny of mother England. Our forefathers answered his call and as a result of their determination to defend our country and its flag, the stars and stripes, we today live in one of the best societies that has ever existed for the benefit of its citizens. I ask you, where else in the world, but in America, do the majority of people have so many advantages? Where else in the world do the people have so much?

Our constitution grants citizens of the United States numerous rights and privileges. For instance, Americans are allowed to live in the privacy of their own homes. They have the right to the possession and enjoyment of their homes and property without interference from others. They are free to travel and see the world around them. They can express their thoughts and ideas without fear of death or persecution. They are free to worship as they please. They can go to college and pursue the career of their choice. Most fantastic of all is their power to elect or reject their own leaders.

The question arises, what can we as teenagers do to maintain freedom? I think the answer to this lies in a young person's willingness to learn what freedom is. You can't possibly believe in freedom unless you understand it. If your freedom has never been seriously threatened, you naturally do not comprehend what life would mean without it. Our soldiers in Southeast Asia know freedoms meaning because they have been exposed to a situation in South Vietnam where men, women, and children have had to make a daily sacrifice in order to keep their country free from communism. Young Americans, who have never had to fight for freedom, would do well to investigate the histories of people in Vietnam, Korea, China, and Czechoslovakia, who have in recent years struggled for a free form of government and the inner freedoms that are so important to a human beings happiness.

Another thing I think American students could do to maintain freedom is to take an active interest in local politics, get to know the candidates, and learn the ropes of party machinery. Only through experience of this kind can young people learn the importance of participation in political elections, in which the people must vote for men who will protect their freedoms both at home and abroad.

I think it is good for young people to be aware of other countries and other forms of government. To be able to compare our standard of living in the United States with that of an average Ukrainian in Russia, for example, is an invaluable lesson in the advantages of a free, democratic society. What incentives are there for a person who knows that he will never be able to own his own land or be able to own his own business? There are no incentives for people who live under socialism. The people are not important. Only the communist state is important.

Freedom, of course, is a tremendous responsibility, and obviously if people were to misuse it, everyone would suffer. That is why it is pertinent to teach youngsters, as early as possible, the significance of freedom and the penalty for infringing upon another person's liberties. We teenagers represent the future of America, and it is with pride and honor that we should accept the obligation to keep our country strong and independent. No one can have total freedom, but on the other hand, one must be given enough freedom to make life worth living.

ASH COUNCIL REPORT ON GOVERNMENT TERMED SUPERFICIAL

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert in the RECORD an excellent article appearing in the New York, N.Y., Times of February 21, 1971, by the very able reporter, Eileen Shanahan, entitled "Ash Group's Report on Government Termed Superficial."

It is hoped that this excellent article will alert both the Congress and the administration to the defect of the Ash Council recommendation on the regulatory agencies which appears to have missed the mark by a wide margin.

The article follows:

ASH GROUP'S REPORT ON GOVERNMENT TERMED SUPERFICIAL

(By Eileen Shanahan)

WASHINGTON.—The report on the Federal Government by the Ash Council is something less than a work of a great depth.

Except for the chapter on the regulation of transportation, it reads as though its authors had decided what to say after a discussion of a day or so and then left the staff to give the thing some tone of scholarship by looking up some citations and writing the footnotes. Indeed, the dissenting opinion by Frederick R. Kappel, the retired board chairman of the American Telephone and Telegraph Co., hints that this is precisely the way the study was done.

The evidences of superficiality, of lack of consideration of facts and information that were available to the council, are everywhere. For example, the report is replete with tables and charts that show that the workload of the Federal regulatory agencies has increased enormously, in some cases several hundredfold, over the last decade or so, but that their personnel has risen by comparatively insignificant percentages during the same periods, and, in some cases, has even declined.

Yet these facts, and their obvious implications for any analysis of the regulatory agencies and their work, are nowhere discussed in the report itself.

Surely distinguished businessmen and lawyers who made up the Council, including Roy L. Ash, himself, the president of Litton Industries, Inc., and chairman of the Council, and the new Secretary of the Treasury, John B. Connally Jr., do not reach decisions on their everyday jobs without considering such relevant data.

Or take another example: The council proposed that in the cases of most of the regulatory agencies, the traditional commission form be abolished and a single judge-administrator be appointed instead. But it made an exception of the Federal Communications Commission because, it said, that the commission's authority over the contents of broadcast programs was too important and too much a matter for subjective opinion to be left to the judgment of one man.

In fact, the F.C.C. is forbidden by law to get into matters of program content. The issue of *over-all* programing has come up in a handful of cases, where it was alleged that a broadcast licensee was so outrageously and consistently biased or had so totally and persistently failed to serve the needs of his community that his license ought not be renewed.

There are also many inconsistencies and omissions in the Ash report. The most startling is its failure to touch upon the question of the desirability or undesirability of ending the regulation of rates on some types of freight transportation.

Advocates of de-regulation (including most economists and several Presidents of the United States) have long held that there is enough competition now to insure ground freight rates that will be fair to customers. But while the Ash Council speaks at length of the desirability of regulating all transportation under one roof, it never reaches the question of reducing the vast scope and volume of this regulation—which may well be a necessary prerequisite to making the proposed unified system work at all.

None of these deficiencies constitute the central failure of the Ash Council report, however. That central failure has to do with the council's central recommendation: the proposed transformation of the commissions into agencies headed by a single individual.

The council is, indeed, persuasive, to those who have watched the regulatory agencies operate over the years, when it argues that the traditional defects of regulation may be traceable to the very commission form itself, the collegial form of decisionmaking, as the Ash Council puts it. The inordinate delays, the lack of development of clear and consistent policies and, above all, the difficulties in attracting and keeping qualified commissioners may well be caused, as the report says, by the multiheaded structure.

But it never comes to grips with what the regulated industries will obviously fear the most—the consequences of one-man rule.

And even more importantly, as a matter of public policy, it never debates the crucial issue of independence vs. Presidential or Congressional control.

One of the main reasons the Ash Council sets forth for proposing a single administrator is the greater degree of "accountability" that he would have than the present multiheaded commissions do, both to the President and to Congress. But the council never says what it means by this. Are Presidents to be allowed to—encouraged to?—intervene in and overturn specific cases? Or are they merely to set an over-all tone of tougher or looser regulation? How would the administrator be accountable?

These are the sorts of questions, it is hoped, that will be dealt with in comments on the Ash report that interested parties have been asked to file by April 20.

SLAVERY—NATIONS OR INDIVIDUALS?

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. DERWINSKI. Mr. Speaker, a veteran newspaperman who has a grasp of history as well as journalism which makes him one of the most knowledgeable observers of the Washington scene is bureau chief emeritus of the Chicago Tribune, Walter Trohan.

His column of February 16 very effectively dramatizes the difference between the treatment of individuals in our country and the internal policies of the U.S.S.R. The article follows:

SLAVERY—NATIONS OR INDIVIDUALS?

(By Walter Trohan)

WASHINGTON, February 16.—Slavery was abolished in the United States more than a century ago, but it still exists in the Soviet Union and no American should forget it. Of course, vestiges of slavery continued in fact in America, but efforts have been and are being made to weed them out, while slavery is being made a way of life in Russia.

Slavery was abolished by the constitution of Vermont in 1777, before Vermont became a state in 1791. In 1780 Massachusetts ended slavery and Pennsylvania launched a gradual program of emancipation in the same year. Other northern states followed.

On Jan. 1, 1863, Abraham Lincoln issued the Emancipation Proclamation which freed some 4,300,000 Negroes in the South. It was not until the passage of the 13th Amendment to the Constitution that slavery was abolished thruout the U.S.

Russia has held peoples in slavery under the czars and under communism. This month two captive nations celebrate their independence days in chains—Lithuania today and Estonia on Feb. 24. Also this month, the Captive Nations Committee has issued its own commemorative stamps to remind Americans of the many peoples under Communist domination by conquest rather than inclination.

The civil rights movements, which so many regard as a praiseworthy manifestation of the American conscience, has prompted wide demands for black studies in our schools and colleges, even though most blacks have been on these shores longer than their fellow white citizens and few can, like their fellow white citizens, spot the towns, areas or even the countries from which they came and where they were seized by black masters and sold to white slavers.

However, most of us have no quarrel with learning of any kind. All of it has value. So we say let us have black studies, but let us also know the history of our fellow whites.

How many of us can name the captive nations? They include Albania, Armenia, Azerbaijan, Byelorussia, Bulgaria, China, Croatia, Cuba, Czechoslovakia, East Germany, Estonia, Hungary, Latvia, Lithuania, North Korea, North Viet Nam, Poland, Rumania, Serbia, Slovakia, the Ukraine and others.

Estonia, Latvia and Lithuania were seized by Russia in 1940 almost without protest from those fighting the Rome-Berlin Axis or by neutrals like the United States.

Others were seized after the war, but the Ukraine, Byelorussia and Azerbiajan are among territories and peoples conquered by the czars. The Outer Mongolia Republic came after World War II and remains a bone of contention with Red China.

Some blacks are agitating for the release of Angela Davis, the former California Communist college instructor, merely because she is a black. She is awaiting trial for her part in supplying arms and direction of a courtroom outrage in which several convicts seized a judge and attempted to escape with him as a hostage. They and the judge were killed.

Last December Simas Kudirka, a Lithuanian radio operator, who sought asylum aboard an American Coast Guard cutter, was returned to Soviet captivity in a shameful and callous disregard for humanity and American sovereignty. Responsible Coast Guard officers were forced to retire, but the part of Washington officials, especially in the State Department, was not made clear.

Signs calling for the release of Angela are found across the country, but there are none for the release of Kudirka. It is strange that the State Department did not suggest a trade of Davis for Kudirka. It would serve to demonstrate that we have Angela, while we have only a Communist report that Kudirka is alive and well and has not been punished.

SENATOR HUGH SCOTT RECEIVES 1971 B'NAI ZION AMERICAN-ISRAEL FRIENDSHIP AWARD

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. CELLER. Mr. Speaker, on Sunday, February 21, 1971, I had the pleasure and privilege of introducing Senator HUGH SCOTT to the assembled guests when he received the American-Israel Friendship Award at the 63d annual dinner of B'nai Zion at the Hilton Hotel in New York City. I include in the RECORD my introductory remarks and those of Senator SCOTT on that happy occasion:

REMARKS BY REPRESENTATIVE EMANUEL CELLER

When America-Israel friendship is ardently embraced by Hugh Scott, we must then know that the cause has gathered unto itself men of the highest caliber and of great achievement. When Hugh served with me on the House Committee on the Judiciary, he gained not only my affection, but my great respect for his perceptions, his scholarship, and his understanding. It surprised me not at all when Hugh became Minority Leader of the U.S. Senate.

For those of us who know him, for those who have followed his career in politics, and still further, for those who have read his books and essays, we remain assured that his friendship is not lightly given.

His great friendship for Israel is no secret, of course. How could it be otherwise, student world scholar as he is? He is aware of the thriving democracy in the Middle East and the promise it holds for the development of that entire area. He knows better than most that the failure to maintain a democratic stronghold in the Middle East could lower a dark curtain upon the world, not even to mention the word "iron." He has watched Israel develop from a hope and a prayer to a nation which is the foundation of freedom in a once remote part of the world. Given the facts, given the understanding how portions of this earth have an undeniable interdependence, Hugh Scott could not deny the dictates of logic and could not deny the birth, the life, and the viability of a new nation dedicated to the nourishment and growth of democracy.

Will you join me in applause for Senator Hugh Scott of Pennsylvania.

REMARKS BY SENATOR HUGH SCOTT

I am pleased to join you tonight and I am proud and honored to be the recipient of your award. I am also happy that I can bring you a positive assessment of our Government's policy in the Middle East.

All of you know that I have long been enlisted in the struggle for a Jewish state—a Jewish state blessed by security and peace. I have battled on this front from the very beginning of my political career.

Throughout this long period, I have never hesitated to be critical of our Government when I felt that its policies lacked vigor, determination or foresight. Many times I have raised my voice in protest—whether the administration was Democratic or Republican.

In the light of this long experience, I am glad to be able to offer the view that the United States and Israel have never been so close in their perceptions and their objectives on Middle East problems.

Let me speak about the decisive turn in our Government's policy in 1970.

In 1970, the Administration, after long deliberation, decided to advance generous credits to enable Israel to purchase sophisticated planes and other weapons which she deemed essential to her security and survival.

In 1970, our Government pressed for Arab-Israel negotiations, in the hope that these would lead to a lasting and final peace settlement.

In 1970, we recognized that we could come closer to peace if we stood solidly with Israel—and that the attainment of peace depended to a great extent on the strength and cordiality of U.S.-Israel relations.

In 1970, it became clear that the interests of the United States and Israel had converged—that the security of the United States and the Free World would be strengthened by a policy which recognized the importance of our assistance to Israel's economy and defense.

Let us hope that the policies of 1970 continue through 1971 and that our Government will not hesitate to stand with Israel on two major fronts:

One—We must continue to provide Israel with planes and other military equipment in order to deter the threat of attack—for we must always keep in mind—in all our deliberations—that Israel today faces a massive Soviet-Egyptian buildup on the Suez front.

Two—We must continue to play a key role in the achievement of peace. Our Government must insist that the Arab states recognize Israel and obligate themselves to work for the attainment and maintenance of a genuine peace. We cannot be satisfied—we must not be satisfied—with arrangements which fall short of that goal.

These two principles are fully supported in the Congress of the United States. We had evidence of that in 1969 and 1970.

In 1969, I joined with Senator Ribicoff in the circulation of a declaration which called for direct Arab-Israel peace talks and warned against any attempt by the Great Powers to impose a settlement. That declaration was signed by 70 Senators and 283 members of the House.

In 1970, I was one of ten members of the Senate who joined in the circulation of a letter to Secretary of State Rogers which called for phantom jets for Israel.

That letter was endorsed by 79 members of the Senate—a dramatic expression of congressional support for Israel, reflecting the view of the great majority of the American people.

I am convinced that these declarations helped to promote a positive and constructive response by the Administration to Israel's appeals, for the effect of them was to assure the Administration that Congress would support a strong U.S. posture vis-a-vis Israel.

But the United States was not only saying "Yes" to members of Congress; it was saying "No" to the Soviet Union. It was informing the Soviet Union that the United States would stand by its friends, that we would not permit the Russians and the Arabs to weaken Israel and to bring about her diplomatic and military defeat.

The United Nations envoy, Gunnar V. Jarring, has resumed talks with Israel and the Arab states in the hope that he might be able to bring them to the peace table. All of us pray that these talks will lead to a real settlement.

It has always been our view that sooner or later—and the sooner the better—Israel and the Arab states must sit together in direct negotiations.

We know that this is what Israel has always wanted—for experience has shown that as long as the Arabs and Israelis do not talk to each other, there is not the slightest chance of a genuine settlement.

To me, it seems very strange to be talking about a genuine settlement before a settlement is reached. I am afraid that the effect of this exercise would be to rescue the Arab states from the need to sign any kind of agreement with Israel.

For her part, Israel insists—as she must—on genuine peace treaties, sincerely negotiated and signed by the parties themselves. It goes without saying that the Big Powers should be willing to safeguard the settlement, for that, indeed, is their responsibility and obligation as permanent members of the UN Security Council.

But the major obligation must be assumed by the parties themselves, by the Arabs and the Israelis. They have a triple obligation to preserve the peace—an obligation to themselves, to each other and to the world community.

If we review the record of the last 20 years, we can understand why Israel cannot place much confidence in Great Power guarantees.

All of us recall how the Great Powers faltered in 1948, when the Arab states took military action to resist the implementation of the 1947 UN partition resolution. The permanent representatives of the UN Security Council met and staged Big Power talks. They had the power to enforce the peace and to carry out the UN resolution. But they were weak and impotent. And our own Government came forward with a proposal to suspend the partition resolution and to establish a UN trusteeship in Palestine.

It remained for the Israelis to carry out the partition resolution themselves—to bring their state into being despite the Arab aggression—despite the Big Power default.

The 1948 experience was a demoralizing revelation of the futility of Great Power guarantees. And it was not the last.

After Israel came into existence pursuant to that 1947 resolution—and almost entirely thanks to her own desperate commitment to survival—the Great Powers were unable to bring about a peace settlement.

The UN Armistice Agreements negotiated in 1949 were regarded as stepping stones to peace. The Arab states flouted them by persisting in war.

In violation of their agreements and in defiance of their obligations as members of the United Nations, the Arab states remained in a state of belligerence. They closed the Suez Canal and the Straits of Tiran to Israel shipping, and Arab leaders dispatched Fedayeen into Israel's territory to wage terrorist warfare against Israel's men, women and children.

This led, in 1956, to the Sinai war. The Israelis swiftly won that conflict. But they lost the peace, thanks once again to the blunder of the United States and the plotting of the Soviet Union. Our Government joined with the Soviet Union to compel Israel to withdraw from the Sinai Peninsula and the Gaza Strip, without a peace treaty.

Israel was told that she might rely on assumptions—assumptions that the maritime powers would uphold her right to transit the international waterways of Suez and Tiran. Israel was assured by our Government that if her rights were denied she could resort to Article 51 of the UN Charter—the provision which permits a nation to take military action in self-defense if that should become necessary.

Many of us then spoke up to protest against a settlement which denied peace and which turned Israel's victory into defeat. I raised my voice and I was joined in the House by some 40 Republican colleagues who did not hesitate to criticize, even though it was a Republican Administration we were criticizing.

In the Senate, there were two eloquent voices of protest—Senators William Knowland and Lyndon Johnson—the two floor leaders.

But Israel had no alternative. She was isolated. She had to yield to the pressures from Washington and the threats from Moscow. She was forced to withdraw from Sharm el-Sheikh, from Gaza and from Sinai, without any commitment by the Arab states to make peace.

She wanted peace, they wanted war. Yet she was damned as the aggressor and forced to surrender to those who had made war against her.

In 1967, largely because the Soviet Union believed that Israel was vulnerable and the United States was preoccupied elsewhere, the Egyptians—with Soviet backing—mobilized in Gaza and Sinai, expelled the UN emergency force, closed off Israel's waterway to Africa and the Orient and threatened Israel with blockade, invasion and annihilation.

In that crisis, the Great Powers and the United Nations were again found wanting. They were weak and derelict. The UN debate during the fateful days preceding the outbreak of the war was irrelevant—a cynical travesty.

The powers which had asserted in 1957 that Israel had a right to transit the Straits of Tiran were silent. The three powers which had signed the 1950 tripartite declaration pledging action to prevent aggression were not disposed to move. The 1957 Middle East Doctrine, another pledge to halt aggression, was forgotten, even though it had been approved by both the Senate and the House.

Israel, relying on the UN Charter and exercising her right to defend herself, had no alternative but to sweep away the forces which were threatening to destroy her.

Now I do not recite this melancholy history merely for the sake of reminiscence. It is relevant to the Middle East crisis today, for once again the Arab states are proposing that Israel become a trusteeship area under the patronage of others, dependent on outsiders for her very existence.

Against this background we must view the deadlock that persists until tonight.

Israel insists that she must have a genuine peace, that her neighbors must recognize her, that her borders must be defensible. She can no longer live in a state of siege with an international defense canopy which is swiftly blown away by the first blustering wind from Cairo out of Moscow.

We are providing Israel with the arms she must have to protect herself. Let us hope this policy continues.

We are helping Israel with credits—largely low-interest short-term loans. Let us hope that we give sympathetic consideration to her plea for economic assistance. The people of Israel should not be compelled to carry this huge defense burden unaided.

In a reversal of past thinking, we now believe that the best hope for peace is to keep Israel strong.

We have come to realize that there is a genuine convergence of interest between Israel and our Government—that a strong Israel helps to strengthen the Free World, not only militarily—but in a demonstration of the meaning and vitality of the democratic way of life.

Any weakening of our commitment to Israel greatly enhances Soviet power and weakens friendly governments in the Middle East, Africa and Europe.

We have learned that we must not yield to threat and blackmail. Much of it is empty bluff. Despite all the alarming threats hurled at our embassies abroad, the Middle East did not fall apart and American interests were not liquidated when we provided Israel with the arms and credits so vital to her survival.

I pledge to you, my friends, that we will work for a genuine understanding between Israel and her Arab neighbors, that we will insist that Israel be strengthened so that she has the means to deter her enemies from a new assault. This means weapons. It also means economic aid.

The peace we seek—an Arab-Israel peace of understanding—will prove of tremendous benefit to all the peoples of the area, to the Arabs as well as to the Israelis.

There is no doubt in the minds of fair minded observers that the primary responsibility for the deadlock today rests on the Soviet Union, which uses the Arab-Israel conflict to further its own imperialistic ambitions in the Middle East.

Since 1954, the Soviet Union has given the Arabs all-out diplomatic support. It has provided them with huge supplies of weapons. It is partisan, rigid and inflexible. For Moscow, the Arabs can do no wrong. Israel is expendable.

Beginning in 1967 and continuing until 1970, the U.S. hesitated to grant Israel's requests for military aid. As a result, the Soviet Union felt completely free to pour new and more menacing weapons and equipment into the Arab States. They more than replaced the equipment destroyed in the Six-Day war. They also greatly expanded the supply of planes and inevitably they provided the pilots and other military personnel.

We would like to think that many Egyptians are tired of war and that many Egyptians recognize that there would be great benefits to all the people of the Middle East if Egypt and Israel could begin to cooperate in genuine understanding and peace.

It is clear that the Jarring mission will not succeed if the Soviet Union and Egypt regard it as an instrument to force Israel's surrender on the issue of territories and to deny Israel genuine peace.

And, so, once again, it seems that the Jewish people are made the pawns in a political war.

I look forward to the day when Israelis and Arabs will be able to turn away from war, when they will be free to end the huge waste of defense expenditures, when they will be able to raise the sights of their people and develop their lands.

Our commitment to Israel is a vital commitment because the survival and growth of Israel means a positive contribution to the welfare of people in many parts of the world.

And here is where American and Israel interests really converge. We share a common commitment—the commitment to freedom, to liberty and to the welfare of humanity.

LAW AND ORDER—AND JUSTICE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. DERWINSKI. Mr. Speaker, many on the extreme left of the political spectrum, who insist that justice must accompany law and order, scream with anguish whenever one of their friends is brought to trial. Good examples are the cases of the Berrigans and Angela Davis.

Yesterday's New York Sunday News had an editorial on the subject that put the matter of justice in proper perspective. I believe my colleagues will be impressed by the writer's lucid comments:

Keep the Records Straight

We take note of innumerable rallies, here and elsewhere, on behalf of the Revs. Daniel and Philip Berrigan and of Angela Davis, with the hat passed at virtually every such powwow.

The claim of the rally arrangers is that the Berrigan boys and the Davis woman are being persecuted by the filthy U.S. "establishment," whatever that is, and that the people should be stirred up to rise in wrathful majesty or majestic wrath and stop the persecutions.

These are lies, compounded originally by Communists and other subversives, and we should all keep the facts in the two cases straight; namely:

The two priests currently are doing time in the federal prison at Danbury, Conn., in connection with the burning of some draft records in Maryland. Also, they are under indictment and facing trial in an alleged plot to kidnap White House adviser Henry Kissinger and wreak criminal damages on government property in Washington.

This is a case of the law having taken its course in one instance, and of its preparing to take its course in a second instance. No persecution is involved, and no radicals can or should be permitted to thwart the law.

Angela Davis is an admitted Communist. She is accused of having furnished some or all of the guns used in a hideous court kidnaping and shootout in San Rafael, Calif., which caused the deaths of four persons. Under California law, she is charged with murder, kidnaping and conspiracy as if she had been at the massacre.

Davis is awaiting regular trial in a California court, and nobody is persecuting her. Her fellow Reds are using her case as a means of raising money for their Party of Traitors, and they give not a hoot whether Davis goes to California's gas chamber or goes free.

Those are the basic facts in these much-debated cases, and let's not forget them, rave the Reds though they may.

OIL CONTAMINATION AND THE LIVING RESOURCES OF THE SEA

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert in the Record an excellent paper published by Max Blumer, senior scientist, Woods Hole Oceanographic Institution, Woods Hole, Mass.

If our people are not frightened of oil spills, and the consequences, this excellent paper should scare the daylights out of them:

Oil Contamination and the Living Resources of the Sea

(By Max Blumer)

ABSTRACT

Pollution introduces an estimated 5–10 million tons of crude oil and oil products into the ocean per year. The threat to the living resources of the sea is most severe in the coastal environment. There, oil pollution adds to the growing stresses from sewage, insecticides, chemicals, overfishing, and the filling of wetlands.

All crude oils are poisons for all marine organisms; many crude oil distillates are more severely poisonous because they contain higher proportions of the immediately toxic compounds. Long-term toxicity may harm marine life that is not immediately killed by spills, and oil can be incorporated into the meat of marine animals, making it unfit for human consumption. Crude oil and oil products may cause cancer in marine organisms and in man; even at very low concentrations oil may interfere with processes which are vital for the propagation of marine species.

The most immediately toxic fractions of oil are water soluble; therefore, recovery of oil slicks is often futile, except for the aesthetic improvement. Treatment with detergents, even the "nontoxic" ones, is dangerous because it exposes marine organisms to higher concentrations of soluble and toxic hydrocarbons and because it disperses oil into droplets that can be ingested and retained by many organisms.

Natural bacterial action eventually decomposes spilled oil; however, the most toxic fractions disappear much more slowly than the more harmless ones. Within the lipids of marine animals and in sediments petroleum hydrocarbons are stable for long time periods.

MARINE RESOURCES—MULTIPLE USES

Throughout history man has used the ocean and especially the coastal waters as a source of food and of minerals, for shipping and for disposal of his wastes. Today, more than ever, the ocean has a very large tangible and intangible value and an even greater potential. The present annual world income from marine fishing in now roughly $8 billion. The world ocean freight bill is nearly twice that. In contrast, the mineral recovery has a relatively small value; the world oil and gas production from the seabed is worth approximately half that of the fish catch, and all other mineral production adds only $250 million.[1] The value of the ocean for recreation and for waste disposal is not easily put into similar figures; through its interaction with the terrestrial ecosystems a healthy ocean may well have critical importance for the survival of the human species.

The economic and aesthetic potential of the coastal regions is far greater than what we realize now; it has been estimated that with presently available technology Puget Sound (in western North America) alone could produce annually 6 million pounds of oyster meat, equal in value to the entire present U.S. fish catch.[2] Most of the potential marine productivity is concentrated in coastal waters. Ryther [3] states that the open sea—90 percent of the ocean—is essentially a biological desert, that produces a negligible fraction of the present fish catch and has little potential for yielding more in the future. The coastal waters produce almost the entire shellfish crop and nearly half of the total fish crop; the remainder comes from regions of upwelling waters that occupy one-tenth of 1 percent of the ocean surface and that are located near the margins of some continents. Similarly, recreational values, oil and mineral resources and marine waste disposal areas are concentrated almost entirely in the coastal regions of the ocean.

MARINE RESOURCES—MULTIPLE STRESSES

Our growing population and our expanding technology lead to an increasing dependence on marine values. Different uses of the marine resources are often in conflict and are being made and planned with little regard for the marine environment as a large interrelated ecosystem. Many unrelated causes contribute to the deterioration of the environment; oil pollution, the subject of this review, is only one of them. Additional stresses come from the loss of marshland, from overfishing, from pollution with persistent chemicals and with domestic and industrial wastes. The marine environment is tolerant of changes—up to a point. Many individual actions and even single large stresses can be tolerated; whether this is still true for the sum of the stresses imposed on the environment now, should be a matter of great common concern. We have polluted many of our rivers and lakes, including some large bodies of water like Lake Erie. The wastes that now enter the ocean are similar to those that have damaged the Great Lakes; in fact they are probably more toxic and more persistent. Given the same damaging input, the ocean differs from the lakes principally only in its size and time constant; changes may take a much longer time to become evident but as a direct consequence, restoration of a polluted ocean will also require an entirely different time scale. A polluted small lake can be reclaimed within a few years. Lake Erie may or may not be restored within fifty years but a polluted ocean will remain irreversibly damaged for many generations.

Ketchum [4] has pointed out "that nature has a tremendous capacity to recover from the abuses of pollution, so long as the rate of addition does not exceed the rate of recovery of the environment. When this limit is exceeded, however, the deterioration of the environment is rapid and sometimes irreversible."

It is not within the scope of this paper to consider the entire field of marine pollution; the further discussion is restricted to the problem of marine oil pollution because of the increasing extent of oil spillage and be-

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Footnotes at end of article.

cause of its severe, but largely unrecognized, biological effects.

OIL POLLUTION—EXTENT

Oil pollution is the almost inevitable consequence of our dependence on an oil-based technology. The use of a natural resource without losses is nearly impossible and environmental pollution occurs through intentional disposal or through inadvertent losses in production, transportation, refining and use. Large catastrophes like that of the "Torrey Canyon", the blowouts at Santa Barbara and in the Gulf of Mexico get the attention of the public because of the obvious aesthetic damage and the harm to birds. Small and continuing spills and their far greater impact on less visible resources are less apparent to the public. It is estimated that 10,000 pollution incidents occur annually in U.S. waters alone and that oil pollution accounts for 7,500 of these. We have estimated that the present practices in tanker ballasting introduce about 3 million tons of petroleum into the ocean. The pumping of bilges by vessels other than tankers contributes another 500,000 tons. In addition, in-port losses from collisions and during loading and unloading contribute an estimated 1 million tons.[5]

Oil enters the ocean from many other sources whose magnitude is much less readily assessed; among these are accidents on the high seas (Torrey Canyon) or near shore, outside of harbors (West Falmouth, Mass.), losses during exploration (oil based drilling mud) and production (Santa Barbara, Gulf of Mexico), in storage (submarine storage tanks) and in pipeline breaks, also, spent marine lubricants and incompletely burned fuels. A major contribution may come from untreated domestic and industrial wastes; it is estimated that nearly 2 million tons of used lubricating oil is unaccounted for each year in the United States alone, a significant portion of this reaches our coastal waters.[6, 7]

Thus, the total annual oil influx to the ocean lies probably between 5 and 10 million tons. There is an urgent need for a more accurate assessment of the pollution of individual oceanic regions and of the relative contribution of different oils.

OIL—COMPOSITION AND PERSISTENCE

Petroleum is one of the most complex natural materials and contains many thousand different compounds. Different crude oils differ markedly in their physical properties, such as gravity, viscosity and boiling point distribution. It is beyond the scope of this paper to describe the crude oil composition more than superficially (see reviews in: Eglinton and Murphy).[8] However, for our discussion, considerable simplification is possible since every crude oil contains the same homologous series of closely related compounds. Different crudes differ mainly in the relative contribution of the individual number of these series. However, within these homologous series, chemical properties and toxicity vary little. Thus, low and high boiling saturated and aromatic hydrocarbons occur in every crude oil and though their numbers may go into thousands, individual members of these series have very similar chemical and biological properties. It follows that in their chemical, biological and toxicological properties crude oils are very similar, in spite of marked differences in individual composition and overall physical properties.

Petroleum and petroleum hydrocarbons in the marine environment are remarkably stable. Hydrocarbons that are dissolved in the water column are eventually destroyed by bacterial attack, though it should be pointed out that the most toxic compounds are also the most refractory ones.

We have demonstrated that hydrocarbons that are ingested by marine organisms can pass through the wall of the digestive tract and can be retained for long time periods.[9, 10, 11] Thus, oysters that had been polluted by a fuel oil spill were removed to a clean aquarium. After six months the analyses showed that the amount and chemical composition of the fuel oil hydrocarbons in the fat of the animals remained nearly unchanged [12]. Hydrocarbons can be transferred from prey to predator; they spread through the marine food web in a manner similar to that of other persistent chemicals, e.g. DDT.[10, 13]

Within marine sediments, hydrocarbons are also well protected from bacterial degradation, especially if the sediments are anaerobic or become anaerobic as a result of pollution. Thus in a spill of fuel oil in 1969 at West Falmouth, Massachusetts, U.S.A., oil was incorporated into the sediments of coastal waters, rivers, harbors and marshes. The oil is still present in the sediments, now, one year after the accident, and transport of oil laden sediment has contaminated more distance areas that had remained unpolluted immediately after the spill.[12]

OIL—IMMEDIATE TOXICITY

All crude oils and all oil fractions except highly purified and pure materials are poisonous to all marine organisms. This is not a new finding. The wreck of the "Tampico" in Baja California, Mexico "created a situation where a completely natural area was almost totally destroyed suddenly on a large scale . . . Among the dead species were lobsters, abalone, sea urchins, starfish, mussels, clams and hosts of smaller forms" [14]. Similarly, the spill of fuel oil in West Falmouth, Massachusetts, U.S.A., has virtually extinguished life in a productive coastal and intertidal area, with a complete kill extending over all phyla represented in that habitat [15]. Toxicity is immediate and leads to death within minutes or hours [16].

Responsible for this immediate toxicity are principally three complex fractions. The *low boiling saturated hydrocarbons* have, until quite recently been considered harmless to the marine environment. It has now been found that this fraction which is rather readily soluble in sea water produces at low concentration anaesthesia and narcosis and at greater concentration cell damage and death in a wide variety of lower animals; they may be especially damaging to the young forms of marine life [17]. The *low boiling aromatic hydrocarbons* are its most immediately toxic fraction. Benzene, toluene and xylene are acute poisons for man as well as for other organisms; naphthalene and phenanthrene are even more toxic to fishes than benzene, toluene and xylene. These hydrocarbons and substituted one, two-and three ring hydrocarbons of similar toxicity are abundant in all oils and most, especially the lower boiling, oil products. Low boiling aromatics are even more water soluble than the saturates and can kill marine organisms either by direct contact or through contact with dilute solutions. *Olefinic hydrocarbons,* intermediate in structure and properties and probably in toxicity between saturated and aromatic hydrocarbons are absent in crude oil but occur in many refining products, e.g. gasoline and cracked products, and they are in part responsible for their immediate toxicity.

Numerous other components of crude oils are toxic, among those named by Speers and Whitehead [18] cresols, xylenols, naphtols, quinoline and substituted quinolines and pyridines and hydroxybenzoquinolines are of special concern here because of their great toxicity and their solubility in water.

It is unfortunate that statements which disclaim this established toxicity are still being circulated. Simpson [19] claimed that "there is no evidence that oil spilt round the British Isles has ever killed any of these (mussels, cockles, winkles, oysters, shrimps, lobster, crabs) shellfish." It was obvious when this statement was made that such animals were indeed killed by the accident of the Torrey Canyon as well as by earlier accidents; work since then has confirmed the earlier investigation. In addition, by its emphasizing only the effect on adult life forms such a statement implies wrongly that juvenile forms were also unaffected.

OIL AND CANCER

The higher boiling crude oil fractions are rich in multiring aromatic compounds. It was at one time thought that only a few of these compounds, mainly 3, 4-benzopyrene, were capable of inducing cancer. As R. A. Dean [20] of British Petroleum Company stated "as far as I know, no 3,4-benzpyrene has been detected in any crude oil . . . it therefore seems that the risk to the health of a member of the public by spillage of oil at sea is probably far less than that which he normally encounters by eating the foods he enjoys." However, before that time carcinogenic fractions containing 1,2-benzanthracene and alkylbenzanthracenes had already been isolated [21] from crude oil and it was known that "biological tests have shown that the extracts obtained from high-boiling fractions of the Kuwait oil . . . (method) . . . are carcinogenic." Further "Benzanthracene derivatives, however, are evidently not the only type of carcinogen in the oil. . . ."

In 1968, the year when Dean claimed the absence of the powerful carcinogen 3,4-benzopyrene in crude oil, this hydrocarbon was isolated in crude oil from Libya, Venezuela and the Persian Gulf [22]. The amounts measured were between 450 and 1800 milligrams per ton of the crude oil.

Thus, we know that chemicals responsible for cancer in animals and man occur in petroleum. The causation of cancer in man by crude oil and oil products has been observed some years ago, when a high incidence of skin cancer in some refinery personnel was observed. The cause was traced to prolonged skin contact by these persons with petroleum and with refinery products.

According to Wilber [16] "there is evidence that even a highly refined, diesel engine lubricating oil obtained from a naphthenic base crude oil, and lacking in substances ordinarily known to be carcinogenic, can induce tumors of the digestive tract of animals." Also, "Cutting oil is known to have carcinogenic potency."

These references and a general knowledge of the composition of crude oils suggest that all crude oils and all oil products containing hydrocarbons boiling between 300 and 500° C should be viewed as potential cancer inducers.

This has severe implications for fisheries and human health. In our study of the West Falmouth oil spill [11, 12] we showed that oil from that spill was taken up by shellfish and built into their body fat without fractionation of the hydrocarbons. In that specific accident an oil boiling between 170 and 370° C was involved; this boiling range overlaps with that within which carcinogens have to be expected. Human consumption of such contaminated shellfish and other fisheries resources should therefore be viewed with great suspicion.

Carcinogenic hydrocarbons can enter the chain leading to human food at an even lower level of the food chain; thus, it was shown by Doerr [23] that intact plant roots can take up carcinogens like 3,4-benzopyrene from their growth medium.

The level of oil pollution encountered in many oceanic regions suggests that fisheries resources may often be contaminated with toxic petroleum derived hydrocarbons at levels that may constitute a public health hazard. Laboratories to assay fisheries products for such contamination do not exist. Public health authorities should be urged to establish such laboratories for continuous surveys of the pollution level encountered in commercial sea food.

Footnotes at end of article.

Other questions suggest themselves: Floating masses of crude oil now cover all oceans and are being washed up on shores. We have shown that such lumps, even after considerable weathering still contain nearly the full range of hydrocarbons of the original crude oil, extending in boiling point as low as 100° C. Thus, such lumps still contain some of the immediately toxic lower boiling hydrocarbons. In addition, the oil lumps contain all of the potentially carcinogenic material in the 300-500° boiling fraction. The presence of oil lumps ("tar") or finely dispersed oil on recreational beaches may well constitute a severe public health hazard, through continued skin contact.

OIL—DESTRUCTION OF FISHERIES RESOURCES

It has been said that "a review of the literature indicates that in deep water, whether in the open ocean or a mile or so offshore, no significant damage to marine life is encountered from even large oil spills because pelagic fish avoid the spill and few other marine species are present"[25]. We wonder whether anyone could take such a statement seriously, who knows the established toxicity of crude oil, the richness of coastal life and the complexity of marine life cycles. The dead fish washed ashore after the West Falmouth oil spill[15] clearly were unable to avoid the spill, nor will the fish fry in estuaries and marshes or the planktonic food organisms in the open ocean be able to avoid a large spill or the plume of toxic dissolved hydrocarbons descending from it. Unfortunately, investigation of the effects of major accidents (e.g. Torrey Canyon, Santa Barbara) have very largely concentrated on the study of damage to adult fish or of any immediate reduction in fish catches. This is not sufficient; we must also consider the damage to the often more delicate juvenile forms and to the food organisms on which commercial fishes feed. Damage to these will not show up immediately nor will it be evident necessarily at the location of the accident. A large spill may lead to a gradual reduction of productivity over a large but diffusely defined area. The combined effect of many such spills and of other stresses, e.g. from overfishing and from the filling of marshlands may lead to a reduction in fishing income which is difficult to trace to any single cause.

The so called "tainting" of fish and shellfish by oil spills has been recognized for many years, however, it was not realized until now that oil passes through the intestinal barrier and is incorporated into and stabilized in the lipid pool of the organisms[11, 12].

It has been widely assumed that fish and shellfish "tainted" by oil will again be fit for human consumption after a period from 2 weeks[19] to several months[25]. Our experience referred to above makes this highly improbable. If the oil were contained solely in the gut of the animals it might be readily displaced, however oil is resorbed and incorporated into the lipids where it may not be readily mobilized as long as the animal lives.

The disappearance of an "oily small" is no clue whether fish or shellfish has cleansed itself of the oil pollution. Only a small fraction of the petroleum has a pronounced odor and loss of these compounds may occur while the more harmful high boiling, taste-and-odorless carcinogens are retained. It has been reported that boiling or frying will remove the odor; however, it will not affect the presence of polycyclic aromatic hydrocarbons.

OIL-LOW LEVEL EFFECTS

We are concerned that oil pollution, even at very low levels, may be responsible for long term damage to the marine ecology. Many biological processes which are important for the survival of marine organisms and which occupy key positions in their life processes are mediated by extremely low concentration of chemical messengers in the sea water. We have demonstrated that marine predators are attracted to their prey by organic compounds at concentrations below the part per billion level[26]. Such chemical attraction—and in a similar way repulsion—plays a role in the finding of food, the escape from predators, in homing of many commercially important species of fishes, in the selection of habitats and in sex attraction. There is good reason to believe that pollution interferes with these processes in two ways: by blocking the taste receptors and by mimicking for natural stimuli; the latter leads to false responses. Those crude oil fractions likely to interfere with such processes are the high boiling saturated and aromatic hydrocarbons and the full range of the olefinic hydrocarbons.

It has long been known that lobsters are attracted to crude oil distillate fractions, especially kerosene[27 28]; this has now been confirmed in the laboratory and with purified hydrocarbon fractions derived from kerosene.[29] Thus it is likely that an oil spill will attract lobsters away from their normal food and guide them into the direction of the spill, where they are more likely to be severely contaminated or killed. Again, this is in direct contradiction to the opinion quoted above[25] that marine animals will actively avoid oil spills. It may be relevant that after the West Falmouth oil spill numerous dead lobsters were washed ashore.

Interference with normal taste reception at very low and seemingly innocuous pollution levels may have disastrous effects on the survival of many marine species, the damage may extend to other species through their links in marine food web.

COUNTERMEASURES

Compared to the number and size of accidents and disasters the present countermeasures are inadequate. However, a rapidly advancing technology is hopeful of developing techniques that will be effective in dealing even with very large spills under severe sea conditions. Yet, while we may hope that the gross aesthetic damage from oil spills may be avoided sometime in the future, there is no reason to believe that existing or planned countermeasures will eliminate the biological impact of oil pollution.

The most immediately toxic fractions of oil and oil products are soluble in sea water, therefore, biological damage will occur at the very moment of the accident. Water currents will immediately spread the toxic plume of dissolved oil components and, if the accident occurs in inshore waters, the whole water column will be poisoned even if the bulk of the oil floats on the surface. The speed with which the oil dissolves is increased by agitation, and in storm conditions the oil will partly emulsify and will present a much larger surface area to the water; consequently, the toxic fraction will dissolve more rapidly and reach higher concentrations.

From the point of view of avoiding the immediate biological effect of oil spills, countermeasures can be completely effective only if *all of the oil is recovered immediately* after the spill. The technology to achieve this goal does not exist. Some comments on existing countermeasures and their biological effects appear appropriate:

Detergents and dispersants

The toxic, solvent-based detergents which did so much damage in the clean-up after the Torrey Canyon accident are presently only in limited use. However so-called "non-toxic dispersants" have been developed. The term "non-toxic" is misleading, these chemicals may be nontoxic to a limited number of often quite resistant test organisms but they are rarely tested in their effects upon a very wide spectrum of marine organisms including their juvenile forms, preferably in their normal habitat. Further, in actual use the dispersant-oil mixtures are severely toxic, because the oil is toxic and bacterial degradation of "non-toxic" detergents may lead to toxic breakdown products.

A dispersant lowers the surface tension of the oil to a point where it will disperse in the form of small droplets. It is recommended that the breakup of the oil slick be aided by agitation, natural or mechanical. Thus, the purpose of the detergent is essentially a cosmetic one, and it appears attractive to those who wish to alleviate only the aesthetic damage. However the recommendation to apply dispersants is often made in disregard of their ecological effects. Instead of removing the oil, dispersants push the oil actively into the marine environment; because of the finer degree of dispersion, the immediately toxic fraction dissolves rapidly and reaches a higher concentration in the sea water than it would if natural dispersal were allowed. The long term poisons (e.g. the carcinogens) are made available to and are ingested by marine filter feeders, and, they can eventually return to man incorporated into the food he recovers from the ocean.

For these reasons I feel that the use of dispersants is unacceptable, inshore or offshore, except under special circumstances, e.g. extreme fire hazard from spillage of gasoline, as outlined in the contingency plan of the Federal Water Quality Administration.[24]

Physical sinking

Sinking has been recommended: "the long-term effects on marine life will not be as disastrous as previously envisaged. Sinking of oil may result in the mobile bottom dwellers moving to new locations for several years; however, conditions may return to normal as the oil decays."[25] Again, these conclusions disregard our present knowledge of the effect of oil spills.

Sunken oil will kill the bottom faunas rapidly, before most mobile bottom dwellers have time to move away. The sessile forms of commercial importance (oysters, scallops, etc.) will be killed and other mobile organisms (lobsters) may be attracted into the direction of the spill where the exposure will contaminate or kill them. The persistent fraction of the oil which is not readily attacked by bacteria contains the long term poisons, e.g. the carcinogens, and it will remain on the sea bottom for very long time periods. Exposure to these compounds may damage bottom organisms or render them unfit for human nutrition even after the area has been repopulated.

Combustion

Burning the oil through the addition of wicks or oxidants appears more attractive from the point of view of avoiding biological damage than dispersion and sinking. However, it will be effective only if burning can start immediately after a spill. For complete combustion, the entire spill must be covered by the combustion promoters, since burning will not extend to the untreated areas; in practice, in stormy conditions, this may be impossible to achieve.

Mechanical containment and removal

Containment and removal appear ideal from the point of avoiding biological damage. However, they can be fully effective only if applied immediately after the accident. Under severe weather conditions floating booms and barriers are ineffective. Booms were applied during the West Falmouth oil spill; however, the biological damage in the sealed-off harbors was severe and was caused probably by the oil which bypassed the booms in solution in sea water and in the form of wind-dispersed droplets.

Biological degradation

Hydrocarbons in the sea are naturally degraded by marine microorganisms. It is hoped to make this the basis of an oil removal technology through bacterial seeding and fertilization of oil slicks. However, great obstacles and many unknowns stand in the

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way of the application of this principally attractive idea.

No single microbial species will degrade any whole crude oil; bacteria are highly selective and complete degradation requires many different bacterial species.[30] Bacterial oxidation of hydrocarbons produces many intermediates which may be more toxic than the hydrocarbons; therefore organisms are also required that will further attack the hydrocarbon decomposition products.[30]

Hydrocarbons and other compounds in crude oil may be bacteriostatic or bacteriocidal; [30] this may reduce the rate of degradation, where it is most urgently needed. The fraction of crude oil that is most readily attacked by bacteria is the least toxic one, the normal paraffins; the toxic aromatic hydrocarbons, especially the carcinogenic polynuclear aromatics, are not rapidly attacked.[12, 13, 30]

The oxygen requirement in bacterial oil degradation is severe; the complete oxidation of 1 gallon of crude oil requires all the dissolved oxygen in 320,000 gallons of air saturated sea water.[30] Therefore, oxidation may be slow in areas where the oxygen content has been lowered by previous pollution and the bacterial degradation may cause additional ecological damage through oxygen depletion.

Cost effectiveness

The high value of fisheries resources, which exceeds that of the oil recovery from the sea, and the importance of marine proteins for human nutrition demand that cost effectiveness analysis of oil spill countermeasures consider the cost of direct and indirect ecological damage. It is disappointing that existing studies completely neglect to consider these real values. A similarly one-sided approach would be, for instance, a demand by fisheries concerns that all marine oil production and shipping be terminated, since it clearly interferes with fisheries interests.

We have to start to realize that we are paying for the damage to the environment, especially if the damage is as tangible as that of oil pollution to fisheries resources and to recreation. Experience has shown that cleaning up a polluted aquatic environment is much more expensive than it would have been to keep the environment clean from the beginning.[31] In terms of minimizing the environmental damage spill prevention will produce far greater returns than cleanup—and we believe that this relationship will hold in a *realistic* analysis of the overall cost effectiveness of prevention or cleanup costs.

SELF CONTROL AND LAW ENFORCEMENT

The oil industry has an outstanding personnel and plant safety record. Oil refineries probably operate more safely than any other plants of equal production capacity. The industry has achieved this record through internal control because of the realization of the cost effectiveness of personnel safety.

We believe that in the past the oil industry has not been fully aware of the substantiated toxicity of oil in the marine environment. We hope that the increasing recognition of the threat of oil pollution to marine resources will lead industry to aim for an ecological safety record similar to the plant safety record.

It would be unrealistic to expect that intentional and negligent oil pollution can be stopped through education or appeals to man's responsibility. In this respect law enforcement will have to speak more strongly. Methods for the identification of oil spills by day and night through spectroscopic surveys from airplanes are becoming available.[32] Active tagging of oil in marine transit [33] should provide for simple and conclusive identification of spills. Even without active tagging, which depends on the willing cooperation of the ship owners and operators, each oil and oil product has its unique fingerprint. Fast and simple analytical techniques are available (e.g. capillary gas chromatography combined with mass spectrometry) that can qualitatively and quantitatively determine hundreds of different compounds in a spilled oil within a very short time. These techniques should be a great aid to more effective law enforcement.

In their effectiveness for law enforcement these techniques could be greatly supported if the oil industry would make available samples or analyses of those crude oils and products which are being transported across the sea.

CONCLUSIONS

The *toxicity* of crude oil and oil products to marine life and the danger of oil pollution to the marine ecology has been established in several independent ways:

(1) Studies of crude oil composition and isolation of compounds known to be toxic, e.g. low boiling aromatic hydrocarbons and the carcinogenic, high boiling polycyclic aromatics.

(2) Laboratory studies of the effect of oil and oil fractions on marine organisms.

(3) Field studies of the effect of oil spills on marine organisms in their normal habitat.

Pollution with crude oil and oil fractions *damages the marine ecology* through different effects:

(1) Direct kill of organisms through coating and asphyxiation.[34]

(2) Direct kill through contact poisoning of organisms.

(3) Direct kill through exposure to the water soluble toxic components of oil at some distance in space and time from the accident.

(4) Destruction of the generally more sensitive juvenile forms of organisms.

(5) Destruction of the food sources of higher species.

(6) Incorporation of sublethal amounts of oil and oil products into organisms resulting in reduced resistance to infection and other stresses (the principal cause of death in birds surviving the immediate exposure to oil [35]).

(7) Destruction of food values through the incorporation of oil and oil products, into fisheries resources.

(8) Incorporation of carcinogens into the marine food chain and human food sources.

(9) Low level effects that may interrupt any of the numerous events necessary for the propagation of marine species and for the survival of those species which stand higher in the marine food web.

Some oil products may be more poisonous than whole crude oils—thus, kerosene and #2 fuel oil are particularly rich in the low boiling water soluble poisons and higher boiling distillates are rich in carcinogenic hydrocarbons. However, the toxicity of oil is spread over such a wide boiling range, and the composition of different crudes in terms of their chemical type distribution is so similar, that all crude oils and distillates must be considered severe environmental poisons.

Crude oil and most products are persistent poisons; they enter the marine food chain, they are stabilized in the lipids of marine organisms and they are transferred from prey to predator. The persistence is especially severe for the most poisonous compounds of oil; most of these do not normally occur in organisms and natural pathways for their biodegradation are missing.

The presence of toxic and potentially carcinogenic hydrocarbons in fisheries products may constitute a public health hazard. Laboratories to measure routinely the contamination level and to assess the public health hazard do not now exist; such laboratories should be organized to carry out continuous surveys of the safety of fisheries resources to public health.

Because of their low density, relative to sea water, crude oil and distillates should float; however, both the experiences of the "Torrey Canyon" and the West Falmouth oil spill have shown oil on the sea floor. Oil in inshore and offshore sediments is not readily biodegraded; it can move with the sediments and can contaminate unpolluted areas long after an accident.

None of the presently used containment and recovery techniques prevents the ecological damage and the damage to fisheries products from oil spills. Toxicity is evident immediately and the poisonous fraction will be carried in water solution away from the accident, even if the surface spill is contained and recovered rapidly. The sinking method and the use of *detergents and dispersants,* while cosmetically effective, are especially harmful since they *introduce all the oil into the environment*. There are no dispersants that are not toxic in the presence of oil. The use of sinking agents and of dispersants should be most strongly discouraged.

Natural mechanisms for the degradation of oil in the sea exist; unfortunately, these are least effective for the most severely toxic components of oil. As a result, the most toxic fractions are also the most persistent ones. The breakdown products of oil and dispersants may also be toxic. Further, oil that has been incorporated into the lipids of marine organisms and into the sediments at the sea bottom and in estuaries and marshes is largely unavailable to the natural degradation; poisoning of the bottom habitats and of the marine food web will therefore be more severe and more persistent than the poisoning of the water column itself.

The tolerance of the marine ecology to oil spills is unknown. The great persistence of oil and the existence of low level effects suggest a lower tolerance than we would expect by considering only the immediate toxicity of oil at high concentration levels.

The effects of oil pollution, especially in the coastal environment cannot be considered without also considering the other stresses on these most productive regions of the ocean.

The combined impact of oil and oil products, chemicals, domestic sewage and municipal wastes, of the filling of wetlands, of dredging and of overfishing might lead to a deterioration of the coastal regions similar to that which we have brought about in the Great Lakes. Because of the much longer time scale of the oceans such a catastrophic deterioration would not likely be reversed within many generations; it would have a deep and lasting impact on the future of mankind.

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THE PEACE CORPS' 10TH ANNIVERSARY

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. ANDERSON of Illinois. Mr. Speaker, if I might lift a riddle from a recent invitation I received: "What is in 60 countries, has 18,000 legs, is red, yellow, black and white, survives on peanuts, is loved by all, and is 10 years old on March 1st?"

In case you have not already guessed the answer is, "The Peace Corps." Today the Peace Corps marks its 10th birthday. President John F. Kennedy first established the Peace Corps by Executive Order on March 1, 1961. Later that year the Congress gave the new agency statutory authority under the Peace Corps Act of 1961. Under that authorizing legislation, the Peace Corps was to have three main purposes: first, to help meet the needs for trained manpower in the developing countries; second, to help promote a better understanding of the American people overseas; and third, to help promote a better understanding of other peoples on the part of the American people.

Over the last 10 years, some 48,000 Americans have served in the Peace Corps, 8,000 of whom are serving today in 60 countries around the world. The Peace Corps has known the outstanding leadership of Sargent Shriver, Jack Vaughn, and Joe Blatchford, the current director. Over the years, the young volunteer agency has adapted to changing world conditions and priorities. The Peace Corps of today is different in many respects from the Peace Corps of a decade ago, just as the world of 1971 is different from the world of 1961. The Corps' adaptability and flexibility is perhaps the key to its continued success and popularity abroad.

As one who has supported this organization over the last 10 years, I want to extend my heartiest congratulations to it on its 10th anniversary, and to wish it another decade of success.

At this point in the RECORD I include an article from the October 1970, Foreign Affairs, entitled, "The Peace Corps: Making It in the Seventies," by Peace Corps Director Joe Blatchford. The article explains the "new directions" at Peace Corps under the Blatchford administration—directions that will enable the Corps to play a continuing constructive role in the third world in this decade. I also include an article from the February 1, 1971, U.S. News & World Report, entitled, "A 'Super Peace Corps' at Home and Abroad?". This article discusses President Nixon's proposal to merge our various domestic volunteer agencies with the Peace Corps into a "new volunteer service corps." I commend these articles to the reading of my colleagues.

[From Foreign Affairs, October 1970]

THE PEACE CORPS: MAKING IT IN THE SEVENTIES

(By Joseph H. Blatchford)

I

Ten years ago this fall John Kennedy first spoke about sending Americans overseas in voluntary service. By the following summer the idea had a name—the Peace Corps—several hundred Volunteers were in training, and even as Congress debated the program it became clear that the idea was catching on. The Silent Generation was ready to be heard from and young Americans were flooding the Corps' makeshift headquarters with thousands of applications. The public saw in it an opportunity to "show what Americans are really like" and redeem the image portrayed in Eugene Burdick's best-seller, "The Ugly American." Surveys revealed thousands of jobs to be done abroad. It seemed obvious that the most modern nation in the world could provide the needed manpower. Despite misgivings, Congress baptized the experiment by overwhelming votes.

The original plan proposed to the President by Sargent Shriver envisioned a role for Americans of all ages, skills and backgrounds and Kennedy responded by calling for all kinds of Americans to volunteer. It was, however, almost exclusively the young who answered the call. They were ready, willing and available in such numbers that it became an immense task to find enough assignments for them abroad.

But the times were propitious abroad as well as at home. In Africa the beginning of the Peace Corps coincided with the first few years of freedom from colonial rule. Many new governments, uncertain of their needs, signed up for anyone who could help. The Peace Corps was invited to send hundreds of teachers for rural schools as young governments expanded an élite colonial school system, trying to reach more of their citizens and educate its own civil service. At one time the Peace Corps provided half of all the secondary school teachers in Ethiopia and Sierra Leone.

The Peace Corps was Point Ten of the Alliance for Progress and thus part of President Kennedy's assistance package for Latin America. Living there at the time, I recall the early sixties as an era of renewed promise. The greatest number of democratically elected governments in Latin America before or since had great schemes for rapid social change, such as a sixth-grade education for every child by the end of the decade. The Peace Corps was to be part of the peaceful revolution; its Volunteers poured in by the thousands.

The agency grew in almost geometric progression. In 1961 there were 750 Volunteers and trainees; in 1963, 6,500; and by 1966, 15,500. The number of countries grew from 8 in 1961 to 44 in 1964. Volunteers were sent in large groups. For example, there were 1,133 in India in 1967, 716 in Nigeria in 1966, 720 in the Philippines in 1968, 625 in Micronesia in 1968 and 639 in Brazil in 1966.

Americans felt genuine excitement and pride when it was discovered that, contrary to our affluent image, Volunteers could live in the villages or barrios and love it. They proved to be popular with the people, and the best of them made remarkable impressions. The American people, in a public opinion poll, declared the Peace Corps to be the best investment among our foreign assistance programs. The agency opened a massive community development program in Latin American avowedly to bring "social revolution" through "agents of change." Great faith was placed in the ability of a young American to mobilize a rural village without substantial training, supervision and support. By the middle of the decade Peace Corps officials were speaking of the possibility of 100,000 volunteers. The idea also caught hold in Europe where a half-dozen countries started smaller groups of their own.

However, problems beneath the surface, ignored in the early excitement, soon began to emerge. Governments became disturbed by the presence of foreigners in schools which transmitted their history and culture. They therefore reduced the number of Volunteer teachers, restricting them to less sensitive subjects and to rural areas. In Ethiopia the Peace Corps seemed to have helped educate a revolution. Students opposed to the Selassie government and the American support of it demanded the withdrawal of Volunteers from education. Student agitation also led to withdrawal of Volunteers from universities and capital cities in several countries, most notably Turkey and the Philippines.

In Latin America the community development venture almost disappeared. It had been founded on the belief that a young American college graduate could mobilize *campesinos* to build up their communities and to demand their full rights as citizens. The Volunteers were thought of as superpioneers, new frontiersmen for a new society. But, as it became clear, this means of setting the Volunteers out on their own (which came to be called "parachuting") failed because of a lack of extensive training, thorough supervision and substantial prearranged local support. At the same time it was found that other projects throughout the world were not sufficiently oriented to the immediate needs of the country.

In 1967 Pakistan decided not to request additional Volunteers "because it has determined that its needs were for technicians and specialists of a more sophicated level than the Peace Corps generally provides." The Peace Corps left nine other countries in the late sixties, most of them for reasons of domestic or international politics, as in Libya and Somalia, where military governments came to power in 1969.

As the decade came to a close, pressures of this kind, plus a growing suspicion within the Peace Corps of the "numbers game" which emphasized the quantity of Volunteers overseas, steadily reduced the number of Volunteers. The press no longer found it exciting. If the public had any thoughts on the subject they could be summed up in one query: "Whatever happened to the Peace Corps?" The Senate Foreign Relations Committee provided one answer when its 1970 report noted that the Peace Corps was "increasingly becoming the target of anti-American sentiment . . . The committee believes that the time is near when the assumptions and concepts on which the Peace Corps was founded need complete reexamination."

What would a reexamination reveal? Has an idea which seemed so timely nine years ago now become outdated? Certainly the election of Richard Nixon, who has no need to champion the Peace Corps, and the shifting outlook of Congress toward foreign aid and involvement abroad, make the Peace Corps fair game for criticism. Are we seeing the beginning of the end for the Peace Corps, or is it perhaps the end of the beginning?

II

There can be little doubt that, as originally intended by the Congress, Peace Corps Volunteers have presented another and more favorable view of the United States, particularly in small countries where they are most visible. Nor can it be doubted that nearly 40,000 Volunteers have provided this country with a new wealth of knowledge and understanding of foreign cultures. Moreover, the Peace Corps experience has equipped Volunteers for innovative roles upon their return to the United States.

There have also been notable examples of success in "meeting the trained manpower needs of developing countries," as Congress expected. However, the Volunteers themselves have put that in perspective. A questionnaire completed by 7,000 returned Volunteers last year revealed that 92 percent thought their service "very valuable" to them and 45 percent felt it had been very valuable for the United States, but only 25 percent felt it had been very valuable for the foreign country. If those who have been through the Peace Corps are accurate judges, the Peace Corps must do more to fulfill its first goal: to help countries meet their needs for trained manpower.

What we have seen so far is that the Volunteer is a unique and valuable resource. The dedication and idealism associated with the Corps concept make the Volunteer willing to persevere. The fact that he serves a comparatively short time, outside of the local civil service systems, can make him constructively impatient and genuinely innovative. The fact that he will live among the people insures that he can understand how to apply his know-how or a particular technology in a way that makes sense in the local situation. The transfer of technology has to start with a desire to receive and use it, which in turn requires that someone see the problem through the eyes of the recipient. This approach, so often ignored, has been at the heart of the Peace Corps. What remains to be done is to hitch this approach consistently to problems of higher priority.

To meet the needs of this new decade the Peace Corps has been undergoing a renewal process for more than a year. In May 1969, a task force drawn from government, business, labor, Peace Corps staff and returned Volunteers undertook a study of 10 specific aspects of the Peace Corps. A survey was taken to get the suggestions of returned Volunteers; another national poll surveyed college seniors; a management consultant firm studied the organization of the Peace Corps and recommended reorganization and a 22 percent headquarters staff reduction, both of which have now been carried out. On two occasions we met with leaders of European peace-corps type agencies and for the first time in the agency's history the 60 overseas country directors were assembled to discuss the future of the Peace Corps and make recommendations.

The Task Force felt that with only 10,000 Volunteers in a world dramatically short of trained manpower, it was still possible to make a substantial contribution. However, they suggested a number of guidelines for increasing the value of their contribution, which have been adopted by the Peace Corps in the form of five new directions for the 1970s. These plans have been approved and supported by President Nixon and generally endorsed by Congress.

The first of these new directions is to shift more Volunteer assignments to the high priority needs of developing countries. Long-range planning is the first step; Country Directors have therefore been asked to work out with local leaders a four-year plan to utilize Volunteers. We expect this planning to take the Peace Corps more heavily into vocational training, irrigation, small business development and such hitherto ignored areas as educational television, self-help housing and urban planning.

In this search we will be making a number of new assumptions.

First, we are willing to seek out and send overseas a single man or woman with a special skill, or to put together a small team of people. Large numbers are not important and can even create an unhealthy dependency. What is important is providing people with the particular and often unusual skills found in a modern society, which a developing society cannot afford to educate—for example, a soil scientist, a man trained in forest fire control or a cattle rancher. Operating on this assumption the Peace Corps will soon have overseas Volunteers in over 320 skill categories.

Second, we will work with those private agencies which have standing within the country and work on important needs. In the past the Peace Corps has dealt almost exclusively with central governments.

Third, once a need is identified we will consult with volunteer-sending agencies in other countries, most of which are in Europe, to put together multinational teams of Volunteers. If carefully selected, these teams will provide a greater capability than Volunteers from a single country and will be less susceptible to political changes.

We hope to build into all projects an indigenous capacity to perform the task for which American Volunteers are being imported; in other words, each project should work itself out of a job in a given number of years. Even in projects such as an immunization program or the building of an irrigation system, where the job needs to be performed only once, the Peace Corps must try to serve a training function.

Using these guidelines, local governments have identified dozens of new projects, 39 this summer alone. In Guinea (which dismissed the Peace Corps in 1966) Volunteer mechanics and electricians have put the bus and truck system of Conakry back on the road, trained Guineans to operate maintenance system and are now going to expand into other parts of the country. This summer in Thailand, Volunteer engineers and agriculturalists began a project to bring irrigation water from the Nam Pong Dam, part of the Mekong Development complex, to thousands of farmers. In India last winter officials told me of the need for Volunteers to go beyond the miracle rice and wheat projects which have involved them for several years to second-stage problems of the green revolution, such as food distribution, grain storage and repair of farm machinery.

The second new direction is to recruit the Volunteers with the skills which meet these higher priority requests. To attract Volunteers from a wider spectrum of American society, the Peace Corps has to broaden its appeal. Many people still think that to serve they must have a college degree or be under 30 years of age. A new message must go out, a new call to all Americans to volunteer. These will, in turn, require new rules and recruiting methods. For example, an experienced engineer, or a machinist, carpenter or farmer is more likely to be married than the typical recent college graduate. To enable him to serve abroad, Peace Corps must relax its prohibition against Volunteers with families. This year 200 families will be serving overseas on an experimental basis to determine the feasibility of such a plan. To recruit the kinds of Volunteers requested overseas, Peace Corps must also achieve closer cooperation with unions and business so that craftsmen or mid-career professionals may join the Peace Corps without jeopardizing their seniority or advancement. In this, as in the recruitment of Volunteers, we already have the cooperation of the AFL–CIO, the UAW and numerous businesses.

Naturally there is widespread skepticism about the agency's ability to attract people with the critical skills, but I would suggest this skepticism misreads the changing times. In 1970 Americans are more mobile and flexible; they are unwilling to stay on one job or even live in one place for 30 years. We are therefore operating on the assumption that Americans with the needed skills *will* respond in this decade just as did the liberal arts graduate in the last decade.

Moreover, I am confident that the young person, single, just out of college, will continue to join the Peace Corps under the right conditions. This is a terribly serious generation. Today's student wants to apply his skills to significant social problems. If the Peace Corps speaks in slogans and vague pleas, it will not appeal. But it will attract students if we say, "Here is what has to be done in *X* country and here is the training we will provide to equip you to do the job." To cite just one example, the Peace Corps has initiated a program with the State University of New York at Brockport under which junior year math and science majors are recruited for study and training during their senior year at college and then for volunteer service as teachers in Peru. This year the University received over 10,000 inquiries to fill just 60 positions. Intern programs like this combine study with action in a dosage which appeals to today's students.

Intern programs are also one means of recruiting members of minority groups into the Peace Corps. Until now less than one percent of Volunteers have been black, and only a handful have come from the Spanish-speaking community. Africans, for one, feel that the Peace Corps is "lily white." The Peace Corps has set up a special division to recruit members of minority groups and recently appealed for the assistance of predominantly black colleges. Intern programs have been established with Shaw, Atlanta and Texas Southern Universities to provide training for Volunteers going to Africa and will award college credit for the service abroad. The same is true of Texas A & M, which is helping to send Mexican-Americans to Peru. We have already doubled the number of minority members in the Peace Corps but this is only the first step.

III

The third new direction of the Peace Corps concerns its relationship to the host country. For as long as we have operated them, aid programs have been presented in terms of cooperation and partnership between giver and receiver, but in fact genuine partnerships have been rare. For the most part the United States has played the benefactor who imprinted the signs of his generosity on all that he gave, like the rich uncle afraid his ragged nephews would forget his generosity. This has engendered in the recipients a hostility quite contrary to the friendship the aid was intended to inspire. Technical assistance has perhaps been better received, but too often the technicians have been clustered in the capital cities, well paid, well housed and isolated from the countryside. Of late, technical assistance has been conducted almost exclusively by contractors who serve a relatively short time overseas. Some do not speak the local language and very few speak the colloquial or tribal languages or understand the culture behind them.

In the beginning most Peace Corps projects also were clearly identifiable as being American undertakings but this slowly changed until in many instances the Volunteer is today responsible to a local ministry and sees the Peace Corps mainly as a paymaster and a source of occasional support. In the process I believe the Peace Corps has demonstrated something about how to conduct assistance programs. A modest living allowance insures that Volunteers will experience life below the level of the élite. Moreover, the Peace Corps has been increasingly concentrated in the sectors of society where change is taking place most rapidly, for example in the application of miracle wheat and rice technology, teacher training, and in the unique professional services which are crucial to development.

But if the Peace Corps has done better than some agencies, it is still behind the times. Somehow the Peace Corps must become a genuine partnership effort so that the undertaking will be "theirs" as well as "ours." It is difficult for Americans to understand the depth of local pride or how easily it can be offended. Dependency—whether in terms of markets or the need for outside manpower—is the bane of all who are conscious of this sense of national identity. In order for the Peace Corps to avoid engaging in a kind of Volunteer colonialism, it must be rooted in local desires and its projects administered by local people.

Therefore we have taken certain concrete steps to help make the Peace Corps a cooperative venture. Our goal is to fill 50 percent of the Peace Corps overseas staff positions—including the upper echelons—with local citizens. The entire process by which projects are selected, operated and evaluated will henceforth be a joint responsibility.

When I visited India in February, the Speaker of the Maharashtra State Assembly and two of his ministers urged me to place responsibility for the Peace Corps under local advisory committees—all the way from a small committee in the township where each Volunteer worked, to national groups which would concern themselves with one type of project or with the operation of the entire Peace Corps in that country.

This idea is now being pursued in most of the 60 countries where the Peace Corps operates. One role for these local committees might be to encourage the establishment of local volunteer corps. These could range from groups of high school or college students working part-time to full-time service like Iran's successful Army of Knowledge, under which 37,000 young Iranian men and women teach or work in the area of their special training for one year upon completion of academic training.

Whether within governments or in semipublic or private organizations, dozens of such service corps are now springing up around the world as leaders recognize the value in harnessing academic training and the energy of youth to national development. The Peace Corps is lending staff and volunteer support to these movements wherever possible. In many cases these local volunteers will take over projects which now engage American Volunteers.

Encouraging volunteer service by international and multi-national teams is the Peace Corps' fourth new direction. My experience has been that most countries still prefer to receive volunteers on a bilateral basis. However, this is not true in all cases. Sometimes one country cannot supply all of the skills needed in a particular project; sometimes governments—particularly those most sensitive to East-West tensions—prefer to avoid too close an identity with any one other government; and many of today's potential Volunteers prefer to serve under an international flag or in concert with Volunteers from other countries. (In a recent poll of college seniors, 80 percent favored service in the Peace Corps as part of an international team.)

The Peace Corps has already begun the process of assigning Volunteers to U.N. agencies and enthusiastically supports the idea of the U.N. Corps, which was approved by the U.N. Economic and Social Council last July and recommended to the General Assembly. If the proposal is adopted, requests will be formulated by U.N. agencies and member countries and their Volunteers supplied through existing private and governmental agencies like the Peace Corps. We expect to provide our share of Volunteers in the years ahead, and more immediately, to undertake joint projects with volunteers from other countries, principally in Europe, before the year is out. Twenty-three such projects have been identified. For example, the Peace Corpsmen in the Mekong River Project will be working with volunteers from England, Austria and Canada.

IV

If the first four new directions emphasize a greater contribution to the foreign country, the fifth is intended to relate the Peace Corps to the enormous problems in the United States. It is common for Americans to ask today, "Why go overseas when there is so much to be done at home?"

The answer to the question is also best exemplified in the nearly 40,000 Volunteers who have now served in the Peace Corps and returned home. After living among the poor abroad and struggling in the agonizing process of change, they are not satisfied with "band-aid" cures. Neither are they given to simplistic solutions such as revolution or benign neglect. It is not surprising that 40 percent of Volunteers change their career plans while in the Peace Corps or that upon returning they continue a life of service to society. Of those employed today one-third are in teaching, many of them in ghetto schools. (It was returned Volunteers who staffed the Cardoza Project in a Washington ghetto school which served as a model for the Teacher Corps.) Another third are working at all levels of government, particularly in community action and poverty programs. Twelve percent work in international and nonprofit organizations and foundations. The young man in Chicago who helped transform a Chicago street gang into a thriving economic development corporation is one of the more dramatic examples of the hundreds who have begun a life of promoting social change.

Still, the returned Volunteer is underutilized. There is too little effort to relate his work abroad directly to needs at home; moreover, with the Corps' emphasis on classroom teaching and rural community development, Volunteers have been prepared to meet only a limited number of America's problems.

In the future we expect the Peace Corps to play a larger role abroad in population, ecology and conservation problems, curriculum reform, vocational education and urban planning. In each of these areas the foreign experience can provide training to meet a need in the United States. We will also undertake programs of "combined service," in which a Volunteer would sign up for three years instead of two and serve part of his time in the United States and part of it abroad. We expect this year to undertake joint projects with the Smithsonian Institution in the fields of ecology and the environment overseas and to double and then triple the number of Volunteers working in cities.

More directly, we are working out "internships," under which Volunteers will return to specific change-oriented jobs in big city governments. Such programs have already been worked out with the cities of Cleveland, Atlanta and San Juan and more will follow with urban-oriented private organizations.

V

These five new directions are essentially untested, and the test flight is coming at a time when the political winds are as turbulent for the agency as at any time since 1961. There is bitter disillusionment over the Vietnam war among the Peace Corps' traditional college constituency. For many of these students the Peace Corps is tainted by the war, an arm of the Establishment, merely the most tolerable part of an intolerable government. An organized and vocal minority of returned Volunteers call the Peace Corps "the smile on the devil's policy."

Moreover, as the country turns inward, voluntary service at home becomes more attractive than service overseas. In the shifting and often fickle competition among social causes the Peace Corps trails well behind ecology or domestic politics. Then, too, the election of Richard Nixon could alter the traditional allegiances. Some think the President will allow the Peace Corps to die of inattention. In the Congress the Peace Corps could fall victim to partisan politics. As for the new directions, none of them lack detractors. Some people are opposed to the partnership approach, others to working with international agencies and volunteers from other countries. One critic has already called our recruitment of skilled workers, farmers and members of minority groups "a disaster," and more charitable commentators are still skeptical that the Peace Corps can recruit in sufficient numbers beyond the campus. To say the least, there is no reason to expect a smooth course for the Peace Corps in the years ahead.

And yet I believe there is reason for optimism. The Peace Corps is in 60 countries, trusted and respected in the main. There is genuine enthusiasm for the new directions among host countries, as reflected in the requests we receive. Two years ago 73 percent of the requests were for "A.B. Generalists," recent college graduates in the liberal arts. This summer the figure was 38 percent. Two years ago the request for experienced farmers was 5 percent of the total; this year 15 percent. The figure for skilled tradesmen and vocational instructors is two and five percent, and rising rapidly. Overall, the number of total requests are "up" for the first time in 4 years.

These requests *are* being filled in 1970. For the recruiting year ending August 31, we have met 94 percent of all requests. This includes over 260 separate skills. For example, Kenya has received 20 civil engineers and 20 experienced farmers and farm mechanics. Volunteers sent to India this summer include a tool and die maker, a welder, an electrical technician, a psychologist, x-ray and medical technicians, and an operational therapist. Iran got 11 experienced mechanics and craftsmen with 148 years combined experience. In total, the Peace Corps this year provided 157 engineers, 332 experienced teachers, 392 farmers, 127 with skill trades, 53 with backgrounds in forestry and conservation.

A Peace Corps so composed might not have been possible 10 years ago but today the volunteer spirit is expanding to students in the professional schools and older Americans who are no longer content to keep their place in the line for affluence and retirement. Millions of Americans still ask themselves what they can do for their country. They, too, are unwilling to undertake "band-aid" assistance overseas, so it is the responsibility of the Peace Corps to insure that the jobs we ask them to do are of high priority and match the skills they have to offer.

As for President Nixon, one would not expect him to shower the Peace Corps with attention as did President Kennedy, but neither would such a confirmed internationalist and advocate of voluntarism overlook the Peace Corps. This President sees the Peace Corps as a source of innovation, a proving ground for new ideas and a people-to-people form of nonpolitical assistance. The separation of the Peace Corps from foreign policy considerations has been reconfirmed by this Administration and the new directions given full support.

The possibility continues that the Peace Corps could suffer from the climate of apathy and skepticism which surrounds most forms of American assistance. Yet in the Congress support spans the political spectrum from Senator Goldwater who recently called the Peace Corps "the best thing we have going in the field of foreign relations" to Senator Church, who has proposed that the Peace Corps take over more of technical assistance.

And there is much more that could be achieved through the Peace Corps. The present system is built on subsistence living and saves $75 a month for Volunteers—taxable and without interest—in the United States. Under these conditions, there are limitations on what can be expected even if the important tasks are identified and matched to the skills of Americans with high idealism. Although we encourage as many as possible to extend for a third or fourth year, too few can afford to delay a return to some degree of savings accumulation and therefore go home at the time they become most effective and might be most willing to stay if they were given some additional incentive.

So we ask ourselves, should there be a second or perhaps a third level of Peace Corps service? Could a successful Volunteer be given additional training and sent back into the field, again living in a modest fashion but working at a higher level of sophistication with additional compensation held for him at home? Should the Volunteers be supported by a cadre of university-professional level experts serving less than two years, again living modestly and with their compensation held in the United States? Particularly in the smaller countries where the Peace Corps seems to have the greatest impact, should it be allowed to give material assistance in small quantities, or at least call upon funds from another grant and loan institution?

Finally, should the Peace Corps remain within the government in future, and if so, where? The Peterson Report has recommended that scientific and technical assistance and social development grants come from an institute having a private-public board of directors and operating like an independent foundation. Should the Peace Corps be part of such an institute?

Mention of these possibilities will no doubt fuel the criticism of those who see the Peace Corps becoming a junior AID—traditional technical assistance in new clothing. Instead of idealistic youth, it will be alleged, the Peace Corps will be the haven of professionals come to practice their trade among the élite; and we will be right back to where we started in 1960.

But the Peace Corps will continue to be a people's agency, dealing primarily with training others and distinguishable by the living style of its Volunteers. Language, adaptation to local culture, and modest living habits will continue to be at the heart of the Peace Corps. This will continue to be so not because idealism is somehow tested and made pure by adversity (villagers consider such reasoning irrelevant or a bit mad) but because the Volunteer must live among the people to become credible and to understand how his knowledge can be applied. As a country we must continue to work directly with the poor and middle classes abroad, particularly in those endeavors where change can take place most rapidly. Certainly an upper-echelon, government-only assistance effort would inappropriately represent the desire of the American people to aid their fellow men. In the Peace Corps, and also in all our dealings with other countries, there must be forged a hitherto unknown spirit of partnership not only with local citizens—which is the most crucial element—but also with international organizations and people from other countries. The Peace Corps cannot speak for others but we can pledge this spirit for ourselves, just as we can recognize the universality of human deprivation and help the returning Volunteer apply his skills to the problems of his homeland.

The world is long on plans today, but short on implementation because somehow the grand designs break down before someone carries them to the level of the people. This is where the Peace Corps must be found in the 1970s—near enough to the impoverished and disenfranchised to understand their problems, yet in touch with the larger forces which course through every society. We promise no panacea and the times have robbed us of the euphoric thrill found in leadership of a youth movement. But in the seventies the Peace Corps can be more lean, more innovative, more capable—a contributor to substantial change in a decade which sorely needs it.

[From U.S. News & World Report, Feb. 1, 1971]

A "SUPER PEACE CORPS" AT HOME AND ABROAD?

It's more than a reorganization of volunteer programs that Nixon seeks. Already, Peace Corps and VISTA are changing. Bigger changes are seen ahead.

President Nixon's idea for "a new volunteer service corps" is beginning to take shape as something resembling a "super Peace Corps" that will operate in the U.S. as well as overseas.

It is to offer Americans of all ages an opportunity to serve their country—and their fellow man—in many peaceful ways.

The result, if Congress goes along with the President's idea, will be a big new federal agency. It will bring together a number of existing volunteer groups—and some to be added.

How large it may become is not yet determined. But organizations already marked for inclusion enlist more than 20,000 volunteers and spend in excess of 150 million dollars yearly. And new agencies that are set up in Washington have a tradition of growing.

The present Peace Corps, which now operates only in foreign nations, is to be a part of the proposed agency. So is the home-based VISTA (Volunteers in Service to America). The Teacher Corps, which also operates in the U.S., is expected to be brought into the new setup, along with several other existing volunteer programs.

EXPANDED ROLES

New forms of voluntary service are to be created. One form: Citizens concerned about pollution are to be given a chance to help clean up the nation's environment.

A place may be made in the proposed agency for conscientious objectors who are willing to work—but not to fight—for their country.

President Nixon, revealing his plan in a January 14 speech at the University of Nebraska, gave an indication of its broad scope. Said the President:

"One thing government must do is to find more-effective ways of enlisting the dedication and idealism of those young Americans who want to serve their fellow man.

"Therefore, I will send a special message to the 92nd Congress asking that the Peace Corps, VISTA, a number of other agencies now scattered through the Federal Government, be brought together into a new agency—a new volunteer service corps that will give young Americans an expanded opportunity for the service they want to give, and it will give them what they do not now have offered to them—a chance to transfer between service abroad and service at home. . . .

"I intend to make it an agency through which those willing to give their lives and their energy can work at cleaning up the environment, combat illiteracy, malnutrition, suffering and blight either abroad or at home.

"To the extent that young people respond to this opportunity, I will recommend that it be expanded to new fields, new endeavors."

What all this could lead to, eventually, is a wide system of "national service"—on a voluntary basis.

What it means, for the immediate future, is significant changes in several existing programs.

Already some big changes are taking place—particularly in VISTA and the Peace Corps. The new emphasis is away from the youthful idealist with great enthusiasm and limited skill. The stress now is on a tougher, better-organized attack on the problems of a developing nation or a U.S. poverty area.

The so-called A.B. generalists—the liberal arts graduate—made up 85 to 90 per cent of the early Peace Corps volunteers. By next summer, less than 1 in 3 new volunteers will be generalists. There will be more plumbers, electricians, mechanics, along with trained teachers, farmers and professional men.

Much of the same sort of changes are under way in VISTA, sometimes referred to as the domestic Peace Corps.

It was the almost instant success of the Peace Corps that stimulated creation of VISTA and the Teacher Corps a few years later.

President John F. Kennedy established the Peace Corps in 1961 and named his brother-in-law, Sargent Shriver, to lead it. Mr. Shriver was later head of the Office of Economic Opportunity when VISTA was organized as part of the OEO in 1964.

Peace Corps volunteers serve two years without pay. They receive living expenses, and when they leave the Corps they are given a readjustment allowance of $75 for each month they served.

AT ITS HEIGHT

The Peace Corps grew quickly to more than 12,000 volunteers in nearly 50 nations by 1966. Volunteers taught school, worked in community development—anywhere a need was felt. At one time, Peace Corpsmen made up half of all secondary-school teachers in Ethiopia and Sierra Leone.

"This was the time of the Peace Corps' great popularity among college students," says C. Payne Lucas, director of returned volunteers, who has been with the agency since its first year.

"Students volunteered in droves and the Peace Corps rushed them overseas often without sufficient training or investigation of proposed assignments. . . . They were sustained more by the glamour and spirit of the Peace Corps than by the belief that they were accomplishing anything useful and permanent."

By the time Jack Vaughn replaced Mr. Shriver as director in 1966, problems were beginning to surface. Some governments were upset over the presence of so many foreigners in their schools. Some were finding the Peace Corps couldn't provide the skilled people they needed. Requests from host nations fell off in the mid-'60s. Eleven countries asked the Peace Corps to leave.

Applications for the Peace Corps began falling in 1965. By 1967, the number of volunteers overseas also began to drop. Currently, there are 7,770 volunteers abroad, compared with a peak of 12,313 in 1966.

Changes had been in the wind for several years when Joseph H. Blatchford was named by President Nixon in 1969 to replace Mr. Vaughn. Mr. Blatchford, 35, spent nine years running his own private volunteer-service corps in Latin America before coming to the Peace Corps.

"I have seen Peace Corps volunteers come into developing countries and be unable to solve the problems," he says. "I look at this from the point of view of the developing countries. They don't need unskilled people. They need people who can do something."

CLOSE COOPERATION

Soon, Mr. Blatchford had committed the Peace Corps to these new directions:

Development of programs which require higher skills, but meet the more pressing needs of host nations.

Recruiting a new type of volunteer to provide these skills.

Giving host nations a larger role in planning and running programs.

With those objectives in view, fewer volunteers will go overseas than in the past, but those who do will be better trained. Plans call for keeping about 8,000 overseas.

Biggest demand is for agricultural experts. Recruiters say they could place everyone graduating in agriculture in the U.S. annually for years to come.

Recruiters visit labor unions and professional societies as well as campuses. A person with a needed skill may take his family overseas with him.

Officials say the new thrust in recruiting is effective. Says one staff member:

"We seem to be getting the very solid work-oriented type of people. That is what the countries want. They feel they can't afford to baby-sit some of our kids and help them grow up for two years. That may be harsh and it probably is unfair, but there is that feeling. On the other hand, we must remember that if these kids hadn't made a significant contribution, we wouldn't be in more than 60 countries today."

TROUBLED WATERS

Whereas the Peace Corps was an instant success, VISTA had trouble from its start.

Except for the fact that its volunteers serve only one year—and that year in the U.S.—VISTA is closely modeled after the Peace Corps.

But, while the Peace Corps generally has stayed out of local politics, VISTA has been embroiled repeatedly in political controversy. In helping the poor, VISTA workers often ended by organizing them to protest their plight. The Nixon Administration has attempted to end this controversy.

The new policy was explained last summer by acting VISTA Director C. Robert Lane. He said:

"VISTA is no longer going to be the place where you can do your own thing . . . especially if that means confronting the Establishment. We hope, predict and are striving for a new type of volunteer who will work within the system and lower the noise level. It might make VISTA more popular and more accepted."

VISTA went for more than two years without a director before Mrs. Carol Khosrovi was named last September. There were rumors that the Nixon Administration planned to cut it back sharply, or even eliminate VISTA. Now, it appears likely to survive, and possibly even expand, in the new combined organization.

A MERGER?

The Teacher Corps also works in poverty areas. It grew out of an experiment using returned Peace Corps volunteers as inner-city teachers. Many staff members, including Director Richard Graham, are former Peace Corps officials.

Created by the Higher Education Act of 1965, the Teacher Corps recruits college students and experienced teachers for two years. They are paid according to qualifications—except while training, when they receive only expenses. Experienced teachers serve as team leaders, supervising teaching "interns." A team teaches two years together. An intern is awarded a degree of bachelor or master of education when he finishes.

A new program indicates what may happen in the future. Volunteers join the Teacher Corps, train and teach in a U.S. school for a year, then serve two years overseas teaching in the Peace Corps.

Some of the other programs which may become part of the new agency now include:

Foster Grandparents and the Retired Senior Volunteer program, whose members work with children and the elderly.

Senior Corps of Retired Executives and the International Executive Service Corps, which provide advice for small businesses at home and abroad.

To head the new agency, Mr. Nixon said he would appoint Peace Corps Director Blatchford.

Summing up Peace Corps accomplishments, Mr. Blatchford says it changed the image of Americans in many foreign lands and proved the U.S. "was willing to put up its money and its own human beings to try to help."

Now Mr. Nixon wants to provide even wider opportunities to apply this willingness to tackle more problems.

INDOCHINA TRAGEDY PROLONGED BY NIXON

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. SEIBERLING. Mr. Speaker, I am sure that there are few if any Members of this House who are not familiar with the name of John S. Knight, the head of Knight Newspapers. I am proud to say that Mr. Knight is a native of Akron, Ohio, the principal city in my district. However, Mr. Knight is much more than the editor of a local newspaper. Knight Newspapers publishes the Akron Beacon Journal, Philadelphia Enquirer, Detroit Free Press, Miami Herald, Charlotte Observer, Tallahassee Democrat, and Macon Telegraph and News. His Editor's Notebook appears each Sunday as the lead editorial in those newspapers. It also appears in 16 other newspapers extending all the way across the United States from Massachusetts to California and from Florida to Alaska.

Mr. Knight's editorial writings have earned him many distinguished national and international awards. There are, indeed, few living newspapermen whose record of achievement and courage in journalism can match that of John S. Knight.

But Mr. Knight is also much more than than a newspaperman. He is one of the few men of national stature who, from the very beginning of our Nation's tragic involvement in Indochina, has had the foresight and the courage to speak out publicly and repeatedly against the folly of our Indochina policy. With such a record, one might think that any new statement by Mr. Knight would add very little to what he has said before.

However, in his Editor's Notebook published on Sunday, February 28, John S. Knight outdid himself in the most succinct and compelling analysis of the administration's Indochina policy that I have seen in public print. It deserves to be read and pondered by every Member of Congress:

THE EDITOR'S NOTEBOOK: INDOCHINA TRAGEDY PROLONGED BY NIXON

One year ago, I found President Nixon's State of the World message to Congress "an admirable statement which took recognition of former follies and gave hope that we will make more realistic judgments in the future."

One year ago the President was vague on Vietnam but he appeared to be giving assurance that we can at least avoid future involvements of this nature." He still seems, I wrote, "to hold high hope for Vietnamization of the war, a program which in my opinion has but a slim chance of success."

One year ago, Mr. Nixon talked of freer trade with Russia, shifting by the United States from dominance to partnership in the community of nations—a long stride away from the "massive retaliation" doctrine of John Foster Dulles.

The President called his message "a watershed in American foreign policy." The speech impressed me "as a sane and rational assessment of world problems and a guide to our future role in dealing with them."

On Thursday last, President Nixon delivered his second State of the World report and the message was in a different vein. Although he did allude to lower casualties in Indochina and a $11 billion year reduction in war's cost, the message was grim, defensive and foreboding.

While defending our invasion of Laos as enabling Americans to leave South Vietnam in safety, the President conceded that the North Vietnamese "have the manpower, the logistical network and the dedication to continue fighting if they wish."

In another reference to Indochina, Mr. Nixon said the enemy remains "a considerable threat in South Vietnam and has the capacity to step up its pressures against the Cambodian government or to increase its hold on Cambodian territory."

Moreover, the President raised some questions about South Vietnam's military leadership and its capacity to assume support as well as combat functions, assist Cambodia, destroy the Viet Cong in the countryside and manage the economy without corruption.

While calling this "a formidable agenda," the President praised South Vietnamese accomplishments to date as demonstrating their capacity to deal with it. According to the President, there are 90,000 North Vietnamese troops in Laos, 100,000 in South Vietnam and more than 50,000 North Vietnamese and Viet Cong in Cambodia.

"If winding down the war is my greatest satisfaction," the President stated, "the failure to end it is my deepest disappointment."

The President called Vietnam "the nation's most anguishing problem but not the most dangerous." He gave "that grim distinction to the Middle East with its vastly greater potential for drawing Soviet policy and our own into a collision that could prove uncontrollable." Mr. Nixon did not find Soviet actions in the Middle East, Berlin and Cuba encouraging.

Mr. Nixon was not optimistic about the Paris peace talks; he is prepared to see Red China "play a constructive role in the family of nations" but would not deprive Nationalist China of its membership in the United Nations.

The President warned of growing Soviet strength in submarines and missiles and the serious threat to "our land-based forces in the absence of agreed arms limitations on both defensive forces."

The contrast between President Nixon's expressions of hope one year ago and his most recent assessments of world conditions is striking. He is now facing up to the stern realities of our involvement in Indochina while warning that we cannot be swept "toward an isolationism which could be as disastrous as excessive zeal."

This kind of rhetoric is unconvincing. Wiser men than the President have long warned against the folly of committing land forces to the jungles of Southeast Asia. Yet even at the time when Mr. Nixon was praising his withdrawal program, we repeated previous follies by making incursions into Cambodia and Laos.

As Editor Mark Etheridge has said in the Detroit Free Press: "What it seems to mean is that President Nixon intends to insure not only the withdrawal of American troops from the Asian mainland, but a determination that a military victory will be won—not only in South Vietnam, but in Cambodia as well."

And, to quote Pulitzer Prize winner David Halberstam who spent years in Vietnam as a correspondent, the Laos adventure "reeks of all the old misconceptions and illusions."

"One," says Halberstam, "is the belief that when we make a move the other side has no alternative, no counter move. This is perhaps the most remarkable continuing illusion of the war. Its entire history going back to 1946 has been that the Vietnamese Communist forces possess the greater roots in society, the greater willingness to die for their ideas."

Whereas Americans tend to think of things and men to be destroyed as in World War II, the Communists deal in ideas and determination. Halberstam quotes Hanio's Pham Vam Dong as saying four years ago: "How long do you Americans wish to fight? One year? Two years? Twenty years? We will be glad to accommodate you."

The inexplicable side of Nixon is that he now admits the enemy's capacity to mount impressive military forces and fight on relentlessly in a limitless time frame. Nevertheless, the President is imbued with the idea that a non-Communist South Vietnam is vital to our interests.

There can be no other explanation for the risks he has taken in Cambodia and Laos—an actual widening of the war at the very time he is pledged to a program of withdrawal.

This raises the question as to whether the President Nixon who talks of peace isn't actually attempting to achieve a military victory. In a sense it is reminiscent of President Johnson who once thought of Vietnam in terms of World War II—the destruction of Germany's industrial capacity—while failing to comprehend that fighting in Southeast Asia is a war of a different color.

More bombs have been dropped on North Vietnam than the U.S. Air Corps let fall on Germany. But this is not a war with a highly developed country which depends upon industrial production to sustain its armies and guerrilla forces.

Despite our efforts to cut the Ho Chi Minh supply trail, the enemy continues to move its supplies both on this trail and alternate routes. The South Vietnamese in Laos have been unable to capture the city of Sepone, an announced objective when they entered the country.

Yet President Thieu of South Vietnam has been reported as saying that a march on North Vietnam is only a matter of time. If true, this could be the crowning misadventure of the war.

President Nixon is considered to be a pragmatic man, constantly assessing and reassessing the chances of success or failure on the many grave and complicated problems which confront him every day.

It is my opinion that he has misread the situation in Indochina, placed too much confidence in his Vietnamization program, underestimated the will and determination of the North Vietnamese and even now is not comprehending the dangers of intervention by Red China.

We are now playing the fourth act of a stark tragedy. The first three acts revealed the innocence of Eisenhower, the poorly advised dispatching of troops by a reluctant Kennedy and the simplistic notions of a prideful Johnson who once advised his generals to "bring back the coonskin."

The appalling futility of it all—the damage to our society, the blood and tears, depletion of our national treasury—calls for an end to a conflict over unattainable objectives being fought in a land where only the Asians can truly find their own destiny.

GALLAGHER PROPOSES STUDY OF ENDING NAVY DEPARTMENT'S PROJECT: GROUP TECHNOLOGY

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. GALLAGHER. Mr. Speaker, at this point in the RECORD I insert an exchange of correspondence between the Department of the Navy and myself, on the issue of a Navy commissioned study entitled "The Value of Human Life: An Initial Analysis." I also insert the study itself, and I would ask my colleagues here in the House whether they believe that studies of this type are worthy recipients of some $1.5 million of Federal funds.

I include the material as follows:

FEBRUARY 17, 1971.

Hon. JOHN H. CHAFEE,
Secretary of the Navy,
The Pentagon,
Washington, D.C.

DEAR MR. SECRETARY: I have recently read a new book: The Choice: The Issue of Black Survival in America, by Newsweek reporter Samuel F. Yette. Mr. Yette is a reputable journalist who has produced a work of great importance to our Nation, for he responsibly documents the encircling web of our society's repressive capacity and the erosion of guarantees to our citizens under the Bill of Rights. One of the most startling and disturbing revelations in the book is the disclosure of a study commissioned by the Office of Naval Research, Group Psychology Programs, Contract No. N00024-67-A-0026, NR 177-911. The work is by Siegfried Streufert and Glenda Y. Nogami and is entitled "The Value of Human Life: An Initial Analysis."

Two somewhat trivial thoughts leap to my mind: 1, the Streufert/Nogami axis as professors at Purdue University is reminiscent of a catastrophic devaluing of human life; and 2, as "an initial analysis" it seems to strongly discredit such earlier works on the value of human life as, for example, the Bible.

But the truly chilling implications of this January 1970 report can best be described by portions quoted in Mr. Yette's book:

"However, value of life is not only relevant to military settings. Several writers have in the last months and years been concerned with life and death, particularly with the future life of the human species on this planet . . . Bonner (1967) has suggested that if current trends are continued the 'haves' will eventually exterminate the 'have nots' so that the 'haves' can benefit even more. Muller (1970) points out a number of effects of 'overdevelopment' in the nations of the 'haves' that will destroy the 'good life,' acceptable human values, and human nature as we now know it. Konrad Lorenz (personal communication) is even more pessimistic; he suggests the respect for others' life will cease as overcrowding reaches levels that are not yet themselves destructive."

The report then goes on to discuss a method devised by Streufert/Nogami, based on a questionnaire, to determine how dearly individuals value life. Mr. Yette raises several points about this incredible Federally financed study and, while he may be extrapolating too much from the document itself, the very fact that Navy funds were used to undertake such a study is a source of great concern to me, especially in a time when, rightly or wrongly, many citizens view actions of the Federal establishment with increasing suspicion.

As you may know, Mr. Secretary, the House Privacy Subcommittee which I have the privilege to chair, has long been concerned with the use of science and technology to create structures which undervalue American traditions. In 1965, for example, we investigated psychological testing and in 1970 one of our concerns was with the Department of the Army's nationwide data bank of information on the Constitutionally protected activities of civilians. Based on my own personal involvement in protecting American civil liberties, I must say that I can well understand the alarm with which Mr. Yette views "The Value of Human Life: An Initial Analysis." I would be very interested to learn of the rationale for such a study, especially raised, as it was, in the context of whether the "haves" are more deserving than the "have nots" of a right to survive. I fail to immediately discern the Navy's legitimate interest in such matters, but I strongly feel the need to have such an understanding and to have that understanding shared broadly by my Colleagues in the Congress and by the American people.

Therefore, Mr. Secretary, I respectfully request answers to the following questions:

1. What is the amount of Federal funds expended on this study?

2. What action, if any, has been taken by the Navy on this study, and has anything beyond "an initial analysis" been performed by Drs. Streufert and Nogami?

3. May I have a complete list of documents produced by the Office of Naval Research, Group Psychology Programs, and the amount of Federal funds used for each?

4. Most important, why is the Navy interested in this area?

I believe that Mr. Yette's important new book, *The Choice,* deserves and will receive a wide readership. For this reason especially I look forward to your reply at the earliest convenience.

With continued best wishes,

Sincerely,

Cornelius E. Gallagher,
Member of Congress.

The Assistant Secretary
of the Navy,
Washington, D.C., February 20, 1971.

Hon. Cornelius E. Gallagher,
House of Representatives,
Washington, D.C.

Dear Mr. Gallagher: In the absence of the Secretary of the Navy, I am responding to your letter of February 17, 1971, in which you requested information regarding the Office of Naval Research Group Psychology Programs and expressed an understandable concern regarding the interpretation of a technical report issued under a research contract with Purdue University. The report in question (entitled "The Value of Human Life: An Initial Analysis") was authored by Professor Siegfried Steufert, who is the Principal Investigator under the contract, and a graduate student of his from Hawaii named Glenda Y. Nogami.

The report was concerned with one small aspect of a larger project (entitled "PERSONNEL TECHNOLOGY: Group Information Processing and Decision-Making in Complex Military Situations) which is a series of scientific inquiries into human capabilities for making coordinated military-type decisions requiring the interpretation of large amounts of diverse information. The research employs the technique of laboratory simulation based upon conditions prevalent in cold and limited warfare situations and seeks to identify the factors which influence the various experimental subjects to make the decisions that they make under the simulated conditions.

The simulation used by Professor Streufert in his project is designed so that different decision makers can respond in different ways, if they are inclined to do so. Early results indicated that there were wide individual differences; i.e., marked tendencies for different individuals to respond differently when faced with the same situation. Much of the work of Professor Streufert has been concerned with seeking an understanding of the many different approaches of persons in simulated situations requiring decisions. In this light, he sought to determine if there were differences in the broad philosophical outlook of the 41 student volunteers who participated in the experiment. To this end, Professor Streufert, in his work associated with "The Value of Human Life: An Initial Analysis", assembled a list of items of the type conventionally used in such laboratory studies and asked the participants to indicate whether they agreed or disagreed with each of the items. It is important to emphasize that the volunteers were assured that the completion of the questionnaire was entirely voluntary that the respondents would be anonymous. The questionnnaire was tried out on a preliminary group of 56 Purdue undergraduates and then administered to a group of 41 additional student volunteers who participated in the simulation experiment itself. The questionnaire was designed to determine the extent of the agreement or disagreement among the volunteer students to the questions posed.

An analysis indicated that the questionnaire lacked certain necessary statistical properties. The report cautioned the reader concerning the tentative nature of the results and indicated that corroboration of the findings would be required before a high degree of confidence could be placed in the interpretations reported. It was the authors' intent to call attention to the tentative nature of the interpretations by means of the subtitle of the report, "An Initial Analysis".

The contract with Purdue has been in force for about four years. In response to the first question on page two of your letter, the program operates at an annual rate of approximately $42,000. Although it is difficult to "cost out" precisely the work associated with this single report from a prolific researcher and his associates, it is estimated that the particular report in question and the work associated with the experiment involved about $4,000 of Federal funds.

The paragraph reportedly quoted in the book by Mr. Yette from the Purdue report was an introductory paragraph for the purpose of indicating that many writers had recently expressed concern for "the future of the human species on this planet". With the current emphasis upon ecology, there can be little doubt that such concern is widespread. The Purdue report and the research unit as a whole do not deal with racial or minority issues and are in no sense "part of an emerging government strategy to subjugate and repress Negroes", as was stated in an Associated Press release. Moreover, none of the authors mentioned in the paragraph quoted from Mr. Yette's book (i.e., Bonner, Muller, and Konrad Lorenz) nor Mr. Yette himself have ever received any funding support from the Psychology Program of the Office of Naval Research.

With respect to your second question regarding Navy action beyond the "initial analysis", no further analysis of the questionnaire has been undertaken or is planned. Consistent with the Department of Defense and Office of Naval Research policy, efforts have been made to share the information obtained from Professor Streufert's work by means of unlimited access to his technical reports and by encouraging him to publish his procedures and findings in the open scientific and professional literature. In addition, systematic efforts have been made to guarantee interaction between Professor Streufert and appropriate members of the staffs of the National War College, Industrial War College, the Naval War College, and the U.S. Naval Academy, since this work is concerned with decision making in complex military situations. In addition, close contact has been maintained with the Department of State which shares an interest in the improvement of the content and techniques involved in programs for training U.S. Personnel in negotiation and decision making skills.

In response to your third question, enclosure (1) lists the technical research reports and journal reprints that have been published by the current contractors in the Office of Naval Research Group Psychology Program during the past two years. The dollar amounts shown are the annual rates of support for each of these research efforts.

In connection with your fourth question, "Why is the Navy interested in this (Group Psychology) area?" the answer is straightforward: to maximize the effectiveness of military personnel. The Group Psychology Program seeks to produce information and techniques to improve the military performance of Navy and Marine Corps personnel operating in teams and crews. The program is organized around such topics as leadership, decision making, morale, group and inter-personal conflict and conflict resolution.

I trust that the above provides the information you desire on our Group Psychology Program and has allayed your fears concerning civil liberties. I can assure you that the Secretary of the Navy shares your objectives and will continue to exert every effort to insure that Navy research programs do not pose a threat to such liberties.

Thank you very much for your interest in this very difficult but very important area of our research program.

Sincerely yours,

Robert A. Frosch.

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FEBRUARY 26, 1971.

Hon. JOHN H. CHAFEE,
Secretary of the Navy,
The Pentagon,
Washington, D.C.

DEAR MR. SECRETARY: I want to thank the Assistant Secretary for Research and Development, Mr. Robert A. Frosch, for the prompt and extensive reply to my letter of February 17, 1971, to you. While I sincerely wish that his letter had relieved my doubts about "The Value of Human Life: An Initial Analysis" and that I could join with you in quieting the alarm raised by Mr. Yette and others over its implications, I must say that I am more concerned than ever.

The program under which the Streufert/Nogami report was produced, "Personnel Technology: Group Information Processing and Decision-Making in Complex Military Situations", has cost the Department of the Navy approximately 1.5 million dollars according to the figures Mr. Frosch so kindly provided. It is my judgment, based on a review of the titles of the studies and an analysis of the Purdue report, that those funds could be far more usefully spent by the Navy. I note that Mr. Frosch states that the work under discussion, costing about $4000, will not be the subject of additional work or study at the Navy, but that Dr. Struefert has been encouraged to publish his findings in the technical literature. I also note that several other titles in the project of Personnel Technology have been published in behavioral research journals. Were these independent media informed of the Navy's sponsorship of the papers and of what value is it to the Navy to encourage publication of documents which seem to have no value to the Navy itself?

For the past eight years, I have been conducting hearings with my Privacy Subcommittee and speaking out on the growing tendency in the United States to regard technology as an autonomous force, only tangentially related to the needs of our citizens. I find the very title of the project, Personnel Technology, to be an indication of these trends to regard people as merely cogs in an indifferent machine. I certainly recognize that a military situation, even in "cold and limited warfare situations," is considerably different from a strictly civilian situation, but I do believe the prediction or simulation of the way men will act under great stress cannot be totally accurate. While that may make me sound somewhat anti-intellectual, I believe that a study of the prior and subsequent lives of winners of the Congressional Medal of Honor would bear out my contention that it is irrelevant, to say the least, to try to define a rigid framework in which effective military action by individuals can be predicted or even understood.

I also believe that the Navy is letting itself in for unnecessary public censure when it funds studies with a title like "Category Analysis of the Scoring System for Hostile Press." I have been informed that "hostile press" is psychological jargon for a tension-laden personal situation, but even the faint suggestion that the Navy is studying categorizing unfriendly newsmen is unfortunate in today's society.

To speak specifically to "The Value of Human Life: An Initial Analysis," Mr. Frosch merely defined the method employed by Streufert/Nogami and did not, in my opinion, directly confront the suspicion that the findings could be used to discern attitudes of Americans toward whether the "haves" or the "have nots" are more deserving of a right to survive. I well appreciate the widening discussion of ecology, but I understand that word and the movement associated with it to mean the active encouragement of an environment in which *all men* have an equal right to survive. I cannot be anything other than alarmed with the following sentences on pages 2–3 of this Federally financed study:

"Do individuals and groups display the same attitudes or the same behavior with reference to aggression, capital punishment, mercy killing, abortion, suicide, and other concepts or actions that relate to life and death? Probably they do not. It might be safe to assume that at least some of those who have engaged in mass killings might hold more value for their own life than for the lives of at least some others."

The assumption in that last sentence is probably the safest assumption ever made by a scholar, but I believe that the use of Navy funds to pay for this study and the others in the project of Personnel Technology is extremely dangerous, especially in a time when military spying on civilians is so widely discussed.

Mr. Secretary, I simply do not understand the justification for the Department of the Navy to be spending 1.5 million dollars on this sort of thing. I would welcome the opportunity to discuss these matters personally with you or Mr. Frosch, but I do now strongly recommend that you conduct a complete review of Personnel Technology with a view toward finding other areas in which to spend the taxpayer's money.

Thank you again for the prompt and comprehensive reply of your Department.

With continued best wishes, I am,

Sincerely,

CORNELIUS E. GALLAGHER,
Member of Congress.

THE VALUE OF HUMAN LIFE: AN INITIAL ANALYSIS

TECHNICAL REPORT NO. 27

(Siegfried Streufert and Glenda Y. Nogami, Purdue University)

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ABSTRACT

A Value of Life Questionnaire (VLQ 1) is developed to measure the components of persons' attitude toward human life. It is demonstrated that value of life consists of several dimensional components which are similar in size (factor loadings) and remain relatively stable over several administrations of the questionnaire (both across and within samples). Some effects of participation in a military/economic decision-making task on shifts for value of life are observed. It is concluded that the VLQ scale may be useful for analysis and prediction of relevant decision-making under complex situational constraints.

One of the concerns of any decision maker who wants to maintain the morale of his associates must be their well-being. For the military decision maker, this kind of concern may even be more crucial; in combat the lives of men are in danger, and any decision might increase that danger. Not only their morale would be affected by an "unnecessary" decision that would increase the probability of death or injury; the success of a mission may itself fail when the number of men who are able to fight is diminished. In addition, the military decision maker may be concerned with lives of the enemy, or with the lives of a local population. When is it morally justifiable to kill, and when is it not? What degree of respect or disrespect for the life of another people can be expected from a soldier who is, or who is not, following orders? What are the motivations, or the belief systems, that are underlying the behavior of military personnel who were involved in the death of civilians at My Lai or at Kent State University? Whether or not these actions were justified in the view of society, were they and are they justified in the views of those who were directly concerned?

To answer questions of this kind, we must initially learn what "value of human life" is. Currently we do not know whether value of life is a unitary concept, or whether it consists of a number of components. We do not know whether people's views of value of human life are stable, or whether they shift from time to time, or from situation to situation. The research reported in this paper is an initial attempt to isolate the components of the "value of life" concept. If such a concept can be identified, and if the components of the concept appear to be stable, then one might expect some important interpersonal differences in decision making by military personnel under constraints of complex situational requirements.

However, value of life is not only relevant to military settings. Several writers have in the last months and years been concerned with life and death, particularly with the future life of the human species on this planet. Probably the most vocal has been Paul Ehrlich (1968, 1969), who proposes that life as we know it might be destroyed by the "population bomb," by overcrowding, and the polluting and destructive side effects of overcrowding. Others have made similar predictions based on related evidence. For instance, Bonner (1967) has suggested that if current trends are continued, the "haves" will eventually exterminate the "have nots" so that the "haves" can benefit even more. H. J. Muller (1970) points out a number of effects of "overdevelopment" in the nations of the "haves" that will destroy the "good life," acceptable human values, and human mature as we now know it. Konrad Lorenz (personal communication) is even more pessimistic; he suggests that respect for others' life will cease as overcrowding reaches levels that are not yet themselves destructive. A slightly less pessimistic view is expressed by J. Weir (1967). He proposes that the more people become the way they want to be, the more excited with life they would become. This would turn them away from aggression and destruction. However, it appears that the views of Weir are—to say the least—reflecting a minority position.

Whether or not any of these theorists will have an impact on the behavior of individuals or groups—or for that matter societies—should in part depend on the value placed on human life. Events in recent history (destruction of Jews in Germany during the Hitler regime, the wholesale killing of Indians in Brazil, incidents reported from Vietnam, and now more recently from Cambodia) suggest that not all persons hold similar values about life and death.

Any attempt to understand, to predict, and in the long run to potentially influence attitudes or values about life and death would presuppose some amount of knowledge about these values. Currently we know more about values toward death (e.g., Feifel, Hanson, Jones, & Edwards, 1967; Feifel & Jones, 1968; Feifel, 1969) than we know about values toward life. This paper presents an initial attempt to analyze values about life; one's own as well as the lives of others.

The question whether "value of life" is a unitary concept was raised above. For instance, do individuals and groups display the same attitudes or the same behavior with reference to aggression, capital punishment, mercy killing, abortion, suicide and other concepts or actions that relate to life and death? Probably they do not. It might be safe to assume that at least some of those who have engaged in mass killings might hold more value for their own life than for the lives of at least some others. Public debates about the question whether a fetus is a "life" with as great (or greater) value than the life of any adult, or whether it may be freely aborted, demonstrates possible orthogonality of yet another group of life values. One might then assume that there can be various different values toward life within the belief and behavioral systems of a single individual, and that these different values might interact with each other. These values might have been created by the learning history of the person; they might be determined by training in general cultural values, by morality, and by the person's social reinforcement history. The values might be affected by other belief systems: religion, political attitudes and covariates of changes in social status.

Whatever the values are, however, they might show further change in response to transient situational characteristics. In other words, situational demands may interact with established values toward life to produce situation specific behavior—behavior which may or may not be reflected in value changes.

Research on human values toward life and death would—at least in the long run—have to take into account all the interactions between value and situation components that have been listed. The current research takes one step in that direction. A Value of Life Questionnaire (VLQ) is developed in an attempt to measure values toward human life in a number of areas (see above). This questionnaire is given repeatedly to determine whether the obtained factors are spurious or reliable. Further, the scale is given before and after the respondents participated in the Tactical and Negotiations Game, a simulated decision-making setting in which participants had to make decisions about the life and death of troops and members of local populations.

METHOD

Scale Development

To tap potential differences in value of life with relevance to divergent concepts and situations, items for the Value of Life Questionnaire (VLQ) were written in the following areas: (1) abortion, (2) suicide, (3) nationalism, (4) mercy killing, (5) aggression, and (6) morality. The order of the items was randomized. Responses to scale items were collected on a Likert scale. The VLQ is presented in the appendix of this paper.

Data Collection

Twenty-nine items concerned with the value of life (see above) were included among a total of 135 attitudinal statements. The remaining 106 items for the test were drawn from various attitude scales. The value of life items were randomly interspersed among the other items.

The scale was administered on three separate occasions. It was first administered to 56 students in an introductory social psychology class at Purdue University. The students were not required to respond to the VLQ, but participation in taking the test was encouraged. Responses were anonymous.

Participants in the Tactical and Negotiations Game (Streufert, Kliger, Castore, & Driver, 1967) served as subjects in the second and third administration of the VLQ. Forty-one participants in the simulated decision-making game responded before participation, and again responded after participation approximately five hours later. In the interim, participants in the game made decisions about simulated troops and civilians, decisions which would likely lead to increased or decreased death rates among these groups.

RESULTS AND DISCUSSION

Data analyses for the three administrations of the Value of Life Questionnaire were carried out separately. Subjects' responses to each item were correlated and factored using varimax rotation procedures. Two through nine factors were extracted from each of the correlation matrices. Items that were not concerned with the value of human life were not included in the analysis. We will discuss the results obtained in each analysis in sequence, and will summarize communalities among the analyses at the end of this paper.

INITIAL ADMINISTRATION OF THE VLQ

The results for the initial analysis are drawn from the responses of 56 subjects to 29 VLQ items. Correlations among the items reached levels of .4 to .6, so that factor analysis and rotation procedures are legitimate. The first five factors, cumulatively accounting for 57% of the variance, remained stable through all rotation procedures. The variance accounted for by each of these factors was 13.8, 10.6, 10.8, 11.7, and 10.2%, respectively. Factors six through nine accounted for 6.7% or less of the common variance and were discarded from interpretative analysis. We will discuss the interpretation of each of the first five factors obtained below:

Factor 1. The following items produced high factor loadings on the first factor:

Item 34: Revenge is usually justified: an eye for an eye, a life for a life. (Loading +.733).

Item 51: In our society a life is worth only as much as that person can or has contributed. (Loading +.526).

Item 57: If a man points something at you through his pocket, assuming you had a gun, you should shoot first and ask questions later. (Loading +.449).

Item 80: An insult to our honor should always be punished. (Loading +.637).

Item 83: Criminals who commit violent crimes should be put to death. (Loading +.828).

Item 101: An insult to the honor of our nation should be punishable by death. (Loading +.692).

Item 25: All criminals should be rehabilitated, not punished. (Loading −.609).

Item 44: Capital punishment should be abolished. (Loading −.813).

This factor appears to be concerned with aggressive, or retaliatory, behavior. In other words, with denial of the value of human life for those who have engaged in behavior which is unacceptable to the respondent. In line with these conclusions, the factor will be defined as "aggressive punishment."

Factor 2. The following items produced high factor loadings on the second factor:

Item 75: In our society, abortion, as a means of limiting population, should be permitted. (Loading +.585).

Item 77: It should be made mandatory that an incurably ill patient should turn over his body for organ transplants. (Loading +.463).

Item 85: Living an immoral life is better than being dead. (Loading +.488).

Item 88: It should be permitted for an unwanted pregnancy to be terminated. (Loading +.800).

Item 10: Abortion is never justified because the fetus is still a human life. (Loading −.773).

Item 54: Society should not permit abortion even when performed with medical competence. (Loading −.704).

The responses loading on this factor are concerned with abortion, organ transplants, and morality. The emphasis of the responses appears to be placed on a "scientific" approach to human life vs. a concern about morality. In line with these conclusions, this factor will be defined as "morality."

Factor 3. The following items produced high factor loadings on the third factor:

Item 18: A person's life is more important than his nation. (Loading +.735).

Item 35: No cause is worth risking a human life. (Loading +.804).

Item 79: No nation is so important that one should be willing to risk his life for that nation. (Loading +.837).

Item 91: When our freedom is at stake, we must be willing to sacrifice some lives. (Loading −.642).

The items loading on the third factor are primarily concerned with the value of human life when there is concern with some cause, e.g., a nation, freedom, etc., for which one might lose one's life fighting. In line with these conclusions, we are defining this factor as the presence of concern about "human life viewed in relation to causes and nationalism."

Factor 4. The following items produced high loadings on the fourth factor:

Item 25: All criminals should be rehabilitated, not punished. (Loading +.514).

Item 28: Every person should have the right to decide about his own life and death. (Loading +.594).

Item 94: People should have the right to commit suicide to end a worthless life. (Loading +.519).

Item 50: Suicide is not within a person's freedom of choice which can be permitted to human beings. (Loading—.830).

Item 87: Suicide is another form of murder. (Loading —.767).

Except for Item 25 (the lowest loading item we are reporting), all items are concerned with suicide. Positive lower order loadings on this factor, however, include items that are also not concerned with suicide, e.g., Item 85: Living an immoral life is better than being dead. This factor, then, appears to have drawn items that are concerned with an individual's rights with regard to his own (rather than other persons') life and death. It will be labeled "individual rights about life and death."

Factor 5. The following items produced high loadings on the fifth factor:

Item 4: If a terminally ill patient asks to die, one should comply with his wishes. (Loading +.766).

Item 13: If a person has an incurable and painful disease, science should not try to prolong his life. (Loading +.703).

Item 6: As long as anyone shows the slightest signs of life, science should try to prolong his life. (Loading —.795).

Item 99: No mercy killing is ever justified. (Loading —.546).

The concern represented in items loading on this factor appears to be with mercy killing, the "right to die under unfavorable circumstances."

Second (Pre-TNG Game) Administration of the VLQ

The results for the second administration of the VLQ are drawn from the responses of 41 subjects who were about to participate in the Tactical and Negotiations Game. Correlations among the 29 items of the VLQ again reached the levels of the initial administration, so that factor analysis and rotation procedures appear legitimate. The first five factors in this analysis cumulatively accounted for 51.19% of the common variance, and for 13.68, 10.23, 9.68, 8.84, and 8.75% of the variance, respectively. Factors 6 through 9 accounted for less than 7% of the variance each, and were dropped for purposes of data interpretation. We will again discuss the factors in sequence.

Factor 1. The first factor in this analysis loads highly on most of the same items that we listed above for the second factor of the first VLQ administration: Item 10 (loading +.814), Item 54 (loading +.566), Item 75 (loading —.590), Item 85 (loading —.727), and Item 88 (loading —.715). The high loading for the parallel factor in the previous analysis for Item 77 did not recur. Two new items loaded highly on this factor in the present analysis:

Item 43: A person would be better off dead than living a consistently immoral life. (Loading +.613).

Item 50: Suicide is not within a person's freedom of choice which can be permitted to human beings. (Loading +.604).

The characteristic items describing the "morality" factor are maintained; the concern is with abortion, organ transplants, morality, and in one case (in this analysis only), suicide.

Factor 2. The second factor in this analysis loads highly on many of the same items that described the first factor in the previous VLQ administration: Item 25 (loading —.744), Item 44 (loading —.685), Item 83 (loading +.859), and Item 101 (loading +.679). The first of these three items is concerned with punishment for criminal acts, and the fourth prescribes the death penalty for an "insult to our honor." Items 34, 51, 57, and 80 did not load on the factor in this administration. These items represent more aggressive or defensive acts which are not necessarily associated with an already committed crime or serious infraction. There were no new high loadings on this factor. Its characteristic "aggressive punishment" theme appears to be generally maintained, possibly with greater emphasis on the punishment component.

Factor 3. The third factor in this analysis shows some similarity to the third factor in the initial analysis. Among the common items in the current analysis are Item 18 (loading +.655), Item 79 (loading +.812), and Item 91 (loading —.442). All three items are concerned with sacrifice of life for nation or freedom. The loading of Item 35 ("No cause is worth risking a human life") was diminished to +.263. New high loadings on the factor were obtained for:

Item 43: A person would be better off dead than living a consistently immoral life. (Loading +.514).

Item 97: Severely mentally retarded children, who become burdens on society, should be killed at birth. (Loading +.516).

We interpreted the parallel factor in the first analysis as a concern with "human life in relation to causes and nationalism." Should the latter two items not turn out to be spurious, they might well fit into a cause point of view, particularly if one considers the midwestern population from which the subjects were drawn.

Factor 4. The fourth factor in this analysis contains high loadings on all items that loaded highly on factor five in the previous analysis—Item 4 (loading —.614), Item 6 (loading +.790), Item 13 (loading —.693), and Item 99 (loading +.422). The factor was previously interpreted as representing items describing the "right to die under unfavorable circumstances." Although items 51 (loading +.543) and 87 (loading +.433) show some positive loading on the factor in this analysis, they appear to have no logical relationship to the remaining items, and—unless the loading would recur—will not be considered. We are, in other words, suggesting that the characteristics of this factor reproduce the characteristics of Factor 5 in the previous analysis.

Factor 5. The fifth factor in the current analysis appears to be a new combination of items. High loading items are:

Item 35: No cause is worth risking a human life. (Loading +.762).

Item 57: If a man points something at you through his pocket, assuming you had a gun, you should shoot and ask questions later. (Loading —.444).

Item 80: An insult to our honor should always be punished. (Loading —.722).

Item 87: Suicide is another form of murder. (Loading —.483).

Item 94: People should have the right to commit suicide to end a worthless life. (Loading +.578).

The items loading on this factor suggest that the concern is with external vs. internal (personal) control over life and death.

Third (Post-TNG Game) Administration of the VLQ

The results for the third administration of VLQ are drawn from the same subjects who were used for the second analysis. In this case, the same 41 subjects were retested with the same 29 VLQ items. In the interim, the subjects had participated in the Tactical and Negotiations Game, and had made decisions about the "life and death" of troops and civilians under their simulated command or control. Correlations again were sufficiently high to permit factor analysis and varimax rotation. The first five factors obtained in this analysis accounted cumulatively for 51.51% of the common variance and each accounted for 14.70, 9.14, 11.65, 10.18, and 9.83% of the total variance, respectively. Factors 6 through 9 each accounted for less than 8% of the variance, and were dropped from interpretative analysis. We will again discuss the obtained factors in sequence:

Factor 1. The first factor in this analysis reproduces the first factor in the second (pre-game) analysis with one exception. Item 50 drops from a loading of +.604 to +.157. It is interesting to note that this item did not load on the comparable factor in the first analysis (+.073), and it will consequently be considered "spurious." In all other ways, the loadings on the post-TNG analysis are highly similar to the loadings obtained on this factor in the pre-TNG analysis, and the factor characteristic of "morality" is maintained.

Factor 2. The second factor in the post-game analysis appears to represent a new series of items with high loadings:

Item 13: If a person has an incurable and painful disease, science should not try to prolong his life. (Loading —.795).

Item 77: It should be made mandatory that a terminally ill patient should turn over his body to science for organ transplants. (Loading —.780).

Item 101: An insult to the honor of our nation should be punishable by death. (Loading—.711).

Lesser loadings were obtained for:

Item 6: As long as anyone shows the slightest sign of life, science should try to prolong his life. (Loading +.327).

Item 97: Severely mentally retarded children, who will become burdens on society, should be killed at birth. (Loading —.422).

The factor represented by these items appears to be a direct effect of participation in the TNG game experiment. All items are concerned with death under conditions where death may be unnecessary. It is interesting to note that items where death is related to important "causes" or to violence committed by the person (who is potentially threatened with death) show near zero loadings on this factor. Apparently the subjects experienced "unnecessary" violence in the game, so that violence either became more or less acceptable. In line with these arguments, we will refer to this factor as the "Game" effect.

Factor 3. The third factor in this analysis shows some similarity to the third factor in both previous analyses. High loadings were obtained on Item 18 (loading —.762), Item 35 (loading —.693)—this item did load highly on the initial analysis for this factor but did not in the pre-game analysis, Item 29 (loading —.913), and Item 91 (loading +.691)—this item did load in the same direction on the pre-game analysis, but loaded in the opposite direction in the initial analysis. No new loadings on this factor were obtained. The concern with life in relation to some superordinate "cause" seems to have been clearly maintained in this factor.

Factor 4. The fourth factor in this analysis shows some similarity to the fourth factor in the pre-game analysis and to the fifth factor in the initial analysis. High loading items are Item 4 (loading —.726), Item 28 (loading —.542)—this item did not load on this factor in either of the previous analyses, Item 50 (loading +.680)—this item loaded highly on the pre-game analysis only, Item 95 (loading —.698)—this item loaded highly on the initial analysis, and Item 99 (loading +.420). Loadings on Item 6, which had loaded highly on both previous analyses, dropped to +.231, and loadings on Item 13 dropped to near zero. Loadings on Item 87, which had loaded previously on the pre-game analysis, dropped to +.389, and loadings on Item 97, which had previously loaded on the initial analysis, were near zero. The characteristic of this factor, a concern whether a person has the "right to die under unfavorable circumstances," is clearly maintained.

Factor 5. The fifth factor in the current (post-game) analysis shows considerable similarity to the first factor in the initial analysis, and the second factor in the pre-game analysis. However, the variance contributed by the factor is considerably reduced, particularly when compared to the initial administration of the VLQ. High loading items in this analysis are Item 25 (loading —.873), Item 44 (loading —.511), and Item 83 (loading +.860). No new high loadings were obtained, and no changes in comparison to the pre-game administration Factor 2 were found. Items 51, 57, and 80, which had loaded on the equivalent factor for the analysis of the initial administration of the scale only. The characteristic description of this factor as "aggressive punishment" is maintained, with emphasis on punishment for criminal acts.

COMPARISONS AMONG THE FINDINGS

On first view, the low variance contributed by each of the factors would suggest that the factors and their loadings might be quite spurious across several VLQ administrations. The opposite appears to have been demonstrated; several of the factors appear to recur with considerable reliability. The general conclusions that might be drawn from these studies are (1) persons have several orthogenal views about divergent areas of concern with life and death, and (2) the dimensions on which these views might be placed are fairly constant over comparable samples and over at least short periods of time.

Four of the five factors obtained in all three of the analyses are constant: (1) the concern with aggressive punishment vs. rehabilitation of criminals or others violating certain codes, (2) the concern with morality, (3) the concern with whether a life should or should not be sacrificed for a superordinate cause, e.g., a nation, and (4) the concern about an individual's right to die if circumstances are unfavorable, e.g., under conditions of painful terminal disease. Each of the administrations of the scale yielded one factor that was not repeated: in the first administration the non-repeated factor indicated concern with general individual rights about life and death; in the second (pre-Tactical and Negotiations Game) administration, the analysis yielded a factor concerned with external vs. internal (personal) control over life and death; and in the post-game administration, a factor that appears to have been specifically game relevant was obtained.

Whether any of the latter three factors will be replicated remains to be seen via future administrations of the VLQ. It is possible that the three factors are not as much at cognitive variance with each other as one might assume on first view. The general concern with life and death which was demonstrated in the first analysis may well have given way to the internal vs. external discrepancy in the pre-game administration, since participants for the game had already read the game manual and were prepared to make decisions which would be concerned with others' life and death. More specific experience in the game may then have modified that concern into the direction of the "Game" factor—toward greater concern with *when* loss of life is justified and when it is not.

Further analysis of the data obtained in the VLQ administrations before and after the participation in the game may yield additional interesting data. It appears, as stated above, that the factor structure for the two administrations remained fairly constant; however, there might have been shifts in potential factor scores for individuals, or for groups of individuals. Information about specific effects of participation in a life relevant task on factor scores rather than on factors will also have to await further analysis.

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APPENDIX

THE VALUE OF LIFE QUESTIONNAIRE (VLQ) USED IN THE RESEARCH REPORTED IN THIS PAPER

Items analyzed for the VLQ are numbers 4, 6, 10, 13, 18, 25, 28, 34, 35, 43, 44, 50, 51, 54, 57, 75, 77, 79, 80, 81, 83, 85, 87, 88, 81, 94, 97, 99, and 101.

PUBLIC OPINION QUESTIONNAIRE

The following is a study of what the general public thinks and feels about a number of important social and personal questions. The best answer to each statement below is your *personal opinion*. We have tried to cover many different and opposing points of view; you may find yourself agreeing strongly with some of the statements, disagreeing just as strongly with others, and perhaps uncertain about others. Whether you agree or disagree with any statement you can be sure that many people feel the same as you do. It is very important to read through the entire statement before you make your rating.

We have provided you with an answer sheet. Please indicate your degree of agreement and disagreement on that sheet ONLY. The items on this questionnaire are numbered. Respond on the corresponding numbers of the answer sheet.

Write +1, +2, +3, or —1, —2, —3, depending on how you feel in each case.

I agree very much +3
I agree on the whole +2
I agree a little +1
I disagree a little —1
I disagree on the whole —2
I disagree very much —3

1. Only a misguided idealist would believe that the United States is an imperialist warmonger.

2. Sex crimes, such as rape and attacks on children deserve more than mere imprisonment: such criminals ought to be publicly whipped, or worse.

3. Our country should not participate in any international organization which requires that we give up any of our national rights or freedom of action.

4. If a terminally ill patient asks to die, one should comply with his wishes.

5. The businessman and manufacturer are much more important to society than the artist and the professor.

6. As long as anyone shows the slightest sign of life, science should prolong his life.

7. Our country is probably no better than many others.

8. It's perfectly clear to all decent Americans that Congressional Committees which investigate communism do more harm than good.

9. No sane normal decent person could ever think of hurting a close friend or relative.

10. Abortion is never justified because the fetus is still a human life.

11. Anyone who is really for democracy knows very well that the only way for America to head off revolution and civil war in backward countries is to send military aid.

12. When a person has a problem or worry, it is best for him not to think about it, but to keep busy with more cheerful things.

13. If a person has an incurable and painful disease, science should not try to prolong his life.

14. Familiarity breeds contempt.

15. It's the fellow travelers or the Reds who keep yelling all the time about Civil Rights.

16. Some people are born with an urge to jump from high places.

17. A person must be pretty gullible if he really believes that the Communists have actually infiltrated into government and education.

18. A person's life is more important than his nation.

19. War should never be justifiable even if it is the only way to protect our national rights and honor.

20. Obedience and respect for authority are the most important virtues children should learn.

21. It is known with complete certainty that the urge to jump from high places is learned, not inborn.

22. It is very foolish to advocate government support of religion.

23. The success of modern science proves that every important thing can ultimately be understood by the human mind.

24. It would not be wise for us to agree that working conditions in all countries should be subject to international control.

25. All criminals should be rehabilitated, not punished.

26. An international police force ought to be the only group in the world allowed to have armaments.

27. Plain common sense tells you that prejudice can be removed by education, not legislation.

28. Every person should have the right to decide about his own life and death.

29. Only if prewar authorities are kept out of the German government, will true democracy be achieved in that country.

30. No weakness or difficulty can hold us back if we have enough will power.

31. It's the agitators and left-wingers who are trying to get Red China into the United Nations.

32. History clearly shows that it is the private enterprise system which is at the rot of depressions and wars.

33. Our country should not cooperate in any international trade agreements which attempt to better world economic conditions at our expense.

34. Revenge is usually justified; an eye for an eye, a life for a life.

35. No cause is worth risking a human life.

36. It would be a dangerous procedure if every person in the world had equal rights which were guaranteed by an international charter.

37. It's all too true that the rich are getting richer and the poor are getting poorer.

38. When a person has a problem or worry, he should drop everything and concentrate on it until the solution appears.

39. Most of our social problems would be solved if we could somehow get rid of the immoral, crooked and feebleminded people.

40. The wild sex life of the old Greeks and Romans was tame compared to some of the goings-on in this country, even in places where people might least expect it.

41. Any intelligent person can plainly see that the real reason America is maintaining armed strength is to stop aggression.

42. It would be better to be a citizen of the world than of any particular country.

43. A person would be better off dead than living a consistently immoral life.

44. Capital punishment should be abolished.

45. What the youth needs most is complete freedom from discipline in order to flow naturally into the onward stream of cooperative progress for the benefit of all mankind.

46. Nobody ever learned anything really important except through suffering.

47. Nowadays more and more people are prying into matters that should remain personal and private.

48. It's the radicals and labor racketeers who yell the loudest about labor's right to strike.

49. All national governments ought to be abolished and replaced by one central world government.

50. Suicide is not within a person's freedom of choice which can be permitted to human beings.

51. In our society, a life is worth only as much as that person can or has contributed.

52. We ought to have a world government to guarantee the welfare of all nations irrespective of the rights of anyone.

53. An insult to our honor should always be overlooked, for "whosoever shall smite thee on thy right cheek, turn to him the other also."

54. Society should not permit abortion even when performed with medical competence.

55. Young people sometimes get rebellious ideas, but as they grow up they ought to get over them and settle down.

56. Homosexuals are hardly better than criminals and ought to be severely punished.

57. If a man points something at you through his pocket, assuming you had a gun, you should shoot and ask questions later.

58. There is hardly anything lower than a person who does not feel a great love, gratitude and respect for his parents.

59. A person must be pretty stupid if he still believes in differences between the races.

60. What the youth needs is strict discipline, rugged determination, and a will to work and fight for family and country.

61. The truth of the matter is this! It is big business which wants to continue the VietNam War.

62. A person who has bad manners, habits and breeding can hardly expect to get along with decent people.

63. If necessary, we ought to be willing to lower our standard of living to cooperate with other countries in getting an equal standard for every person in the world.

64. It's simply incredible that anyone should believe that socialized medicine will actually help solve our health problems.

65. Patriotism should be a primary aim of education so our children will believe our country is the best in the world.

66. Because human nature is improving, war and conflict will eventually be eliminated.

67. A love of freedom and complete independence are the most important virtues children should learn.

68. Most people don't realize how much our lives are controlled by plots hatched in secret places.

69. People can be divided into two distinct classes: the weak and the strong.

70. Our country should refuse to cooperate in a total disarmament program even if some other nations agreed to it.

71. It's already crystal-clear that the United Nations is a failure.

72. Every person should have complete faith in his own independent judgment, not in some supernatural power whom he obeys without question.

73. The rebellious ideas that young people sometimes get must be encouraged and developed at all costs to guarantee mature citizenship in adulthood.

74. We should be willing to fight for our country without questioning whether it is right or wrong.

75. In our society, abortion, as a means of limiting the population should be permitted.

76. Make no mistake about it! The best way to achieve security is for the government to guarantee jobs for all.

77. It should be made mandatory that an incurably ill patient should turn over his body to science for organ transplants.

78. What this country needs most, more than laws and political programs, is a few courageous, tireless, devoted leaders in whom the people can put their faith.

79. No nation is so important that one should be willing to risk his life for that nation.

80. An insult to our honor should always be punished.

81. A person's body is inviolable, even after death.

82. Science has its place but there are many important things that can never possibly be understood by the human mind.

83. Criminals who commit violent crimes should be put to death.

84. It's perfectly clear to all thinking persons that the way to solve our financial problem is by a soak-the-rich tax program.

85. Living an immoral life is better than being dead.

86. Nowadays, when so many different kinds of people move around and mix together so much, a person has to protect himself especially carefully against catching an infection or disease from them.

87. Suicide is another form of murder.

88. It should be permissible for an unwanted pregnancy to be terminated.

89. It's mostly those who are itching for a fight who want a universal military training law.

90. Human nature being what it is, there will always be war and conflict.

91. When our freedom is at stake, we must be willing to sacrifice some lives.

92. If people would talk less and work more, everybody would be better off.

93. All prices for exported food and manufactured goods should be set by an international trade committee.

94. People should have the right to commit suicide to end a worthless life.

95. We should strive for loyalty to our country before we can afford to consider world brotherhood.

96. You just can't help but feel sorry for the person who believes that the world could exist without a Creator.

97. Severely mentally retarded children, who will become burdens on society should be killed at birth.

98. Nowadays, since democracy demands that people of widely different background and station mix together, a person should not be finicky about catching a disease from any of them.

99. No mercy killing is ever justified.

100. All the will power in the world will not help us when weaknesses and difficulties stand in our way.

101. An insult to the honor of our nation should be punishable by death.

102. Wars and social troubles may some day be ended by an earthquake or flood that will destroy the whole world.

103. The deeper and more enduring qualities in getting along well with people are far more important than external things like manners, habits and breeding.

104. It is best to have some Nazi authorities in German government to keep order and prevent chaos.

105. Every person should have complete faith in some supernatural power whose decisions he obeys without question.

106. When I have a number of problems to solve, I like to think about them all for quite some time. I rarely solve them quickly or one at a time.

107. It usually takes me quite some time to make decisions—after all there are so many things to consider.

108. I would rather not be working in a job where I have a planned future. I would much more enjoy a situation where my advancement would be determined only by the quality of my work.

109. I make sure I don't get acquainted with people who are very different from each other.

110. If your thinking in clear, most questions can be answered "yes" or "no".

111. When I am in doubt about an issue, I usually try to find the answer as quickly as possible.

112. I enjoy spending a great deal of time thinking or talking about ideas that don't seem to agree with each other, even if I reach no qiuck conclusions.

113. The more I know about an issue the less certain I feel about it.

114. I can come to several different conclusions using the same facts.

115. When I have leisure time I enjoy learning about notions that are different from my own.

116. When a decision has to be made it is best made quickly. Long indecision is likely to confuse the issues involved.

117. Science has advanced man further than philosophy because it has organized all aspects of the world into a neat system.

118. The future holds great fascination for me. I would rather not know what I will do in later life.

119. When I am confused I cannot rest easily until the doubt has been resolved and its place has been taken by certainty.

120. I don't mind arriving at a movie halfway through the show.

121. I often enjoy taking a different point of view than my own in a discussion.

122. There is no "quick" answer to many of the problem in life.

123. When I am in doubt about an issue, I prefer to consult the best authority on the matter and to accept his viewpoint.

124. The group I have most enjoyed working with has been willing to discuss most matters at some length before deciding on a course of action.

125. When I am given too many choices, I feel uncomfortable. I like to be sure of what I want and then go ahead and get it.

126. I like to know how far I can go with people. That way I can act appropriately and I will not make a bad impression.

127. When I am in doubt about an issue, I prefer asking a number of people what they think. I usually end up with a view slightly different from all others.

128. I find it difficult to work with people who cannot make up their minds. One should not waste time with indecision. A problem requires action, not talk.

129. I have trouble looking at both sides of the story.

130. Most of the great men of the world have succeeded because they have had the ability to make fast and final decisions.

131. If your thinking has been clear about an issue, you will come up with several possible answers.

132. Many problems originate because people make too quick decisions.

133. Once I have reached a conclusion, I would rather not think about the matter again. Why should I waste time—I would only come to the same conclusion again.

134. It is better to let sleeping dogs lie.

135. My friends seem to be very different from each other.

GOLD OF YESTERDAY—OIL OF TODAY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. DINGELL. Mr. Speaker, the proposal to build an 800-mile hot-oil pipeline across the State of Alaska brings to mind the great damage that was done to the fragile ecology of that area during the gold rush days.

In my view, the recollection of the sorry history of those gold rush days convinces me that it is about time that we put first things first.

The statement follows:

FIRST THINGS FIRST

A Ton of Gold! That was the headline that brought Alaska to the attention of the world in 1897. A steamer from the far north had just docked in Seattle bearing a cargo of fabulous nuggets fresh from the Klondike. News of the big gold strike attracted prospectors and stampeders by the thousands. The rush was on!

Like termites, men with picks and gold pans swarmed Alaska's creek bottoms and ripped up the gravel. Later came the giant dredges, hydraulic monitors, and heavy equipment. Gold was all that mattered. In the words of Robert Service, the stampeders had "gone mad with the lust for gold." In their madness, they thought of nothing else.

Each summer they would set the woods afire—just to keep down the mosquitoes. And the forest fires burned all summer, until heavy snow put them out in the fall. Thus, millions of acres went up in smoke. But nobody cared; the timber was considered worthless; gold was all that mattered.

Today, more than 70 percent of Alaska's forest land has been burned over at least once. Some areas have burned several times. As late as 1957, more than 5 million acres went up in flames in a single season. But nobody seemed to bother much. Is gold—or its substitute—all that matters in Alaska?

I could extend my analogy to the salmon industry, big game, and other resources, but what I really want to examine here is oil. To paraphrase Robert Service, "have we gone mad with lust for oil" the same as we did for gold? Are we still burning up the forest just to smoke out the mosquitoes?

The gold rush seems far in the past; it was more than half a century ago. But I seriously wonder—if, in another 50 years, we will look back on our actions of today and find that they were just as shortsighted and foolish? Will we find that we have ripped up the tundra, upset the environment, plundered the wilderness, destroyed the age-old way of life of the Eskimos and Indians, opened the arctic frontier to tourist traffic, hotdog stands, and bulldozers, polluted the rivers, and ruined wildlife habitat—all for the exploitation of the oil resource? Perhaps in another 50 years oil will be no more valuable to us than gold is today. Perhaps then, unspoiled land will be our most precious resource.

Life magazine ran a feature article on public lands in its January 8, 1971 issue. This is the lead paragraph:

"The public lands have always been the arena where Americans fought for their dreams. The dream of wealth, the dream of home, the dreams of peace and escape chase each other across the history of these lands like streaks of light across the Western sky. They are now, as they have always been, inseparable from our national destiny. What we do with them tells a great deal about what we are, what we care about and what will become of us."

What is to become of us? That is the question. What is to become of us when we no longer care about things wild and free?

We have been repeatedly warned of the hazards that accompany the building of the Alaska pipeline—the dangers to the environment, impact upon the Natives, threats to wildlife, serious damage from earthquakes, enemy action, or sabotage, pollution problems, and oil spills. But warnings are not always sufficient. Years before the Great Alaska Earthquake of 1964, the Geological Survey had warned the people of Anchorage that a major portion of their city was built on unstable ground. They had even mapped out the probable slide areas in the event of a violent earthquake. Well you know what happened. No one heeded the warnings, and on Good Friday, March 27, 1964, at 5:36 P.M., disaster struck at Turnagain Heights and downtown Anchorage. It also struck at Valdez and in Cooper River Basin through which the proposed pipeline is planned to pass.

They say that lightning never strikes twice in the same place, but earthquakes do. Earthquakes are a way of life in Alaska. The people learn to live with them. And if we build the pipeline, it, too, will have to "live" with earthquakes.

This is a decision that we must consider with great care. This is a time when we should put first things first. Or as Thomas Paine said, "These are the times that try men's souls."

We are no longer living in the pioneer days of the Klondike gold rush. We live now in the decade of the environment. This is supposed to be a time of enlightenment and scientific understanding of the earth's ecology. No longer can we afford to burn our forests just to smoke out a few pesky mosquitoes.

In closing, I shall again quote Robert Service. In his famous poem "Spell of the Yukon," he shows us that—"somehow the gold isn't all":

SPELL OF THE YUKON

No! There's the land. (Have you seen it?)
It's the cussedest land that I know,
From the big, dizzy mountains that screen it
To the deep, deathlike valleys below.
Some say God was tired when He made it;
Some say it's a fine land to shun;
Maybe; but there's some as would trade it
For no land on earth—and I'm one.

TEXAS LEGISLATURE ADOPTS RESOLUTION IN SUPPORT OF POW'S AND MIA'S OF VIETNAM

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. TEAGUE of Texas. Mr. Speaker, on February 12, 1971, the Texas State Legislature meeting in Austin, Tex., adopted a resolution calling on the President of the United States to do all in his power to arrange for the exchange or release of American prisoners of war. This resolution was adopted during the period of time the Texas Chapter of the National League of Families of Men Who Are Prisoners of War in Southeast Asia were holding their first statewide meeting in Austin. Under leave to extend my remarks in the RECORD, I include a copy of the resolution together with attendant news articles which appeared in the Austin American Statesman the following day:

H.S.R. No. 112

Whereas, There are 1500 American servicemen who are Prisoners of War who are held by the North Vietnamese or the forces of the National Liberation Front; and

Whereas, Over 400 of these servicemen have been in the hands of the enemy for four years or more; and

Whereas, The forces of North Vietnam and the National Liberation Front have not observed and do not today observe the provisions of the Geneva Convention with regard to the servicemen receiving correspondence, packages from the Red Cross and other services; and

Whereas, Good medical care and ordinary humane treatment are not being accorded these Prisoners of War; and

Whereas, There is every reason to believe that the Prisoners of War have been tortured and otherwise mistreated during their period of incarceration; now, therefore, be it

Resolved, That the House of Representatives of the State of Texas request that the President do all in his power to arrange for the exchange or release of the American Prisoners of War while our troops are still fighting for victory in South Vietnam.

MOTHERS, WIVES, SONS—ALL HAVE MISSING LOVED ONES

(By Connie Sherley)

They've come from all parts of Texas—from cities and small towns, representing three generations with a common sorrow. Mothers and fathers, wives, sons and daughters who have a loved one either missing in action or held as a prisoner of war in Southeast Asia.

The Texas chapter of the National League of Families of Men Who Are Prisoners or Missing in Southeast Asia is holding its first state-wide meeting in Austin. The sessions started Friday and will officially conclude Saturday, but when the members return to their homes Sunday, new friendships will have formed and they'll all take home "the consolation of knowing there are others in the same boat."

This may be the first and last state-wide league meeting, because the state of Texas is being divided into two districts to cut distances and make such gatherings easier to attend.

The league has settled on Waco as the point to divide Texas into a north and south district. Mrs. Samuel R. Johns, Plano, and Mrs. Donald M. Klem, Garland, are the nominees for coordinator of the north district. Mrs. Howard Hill, El Paso; Mrs. Darlene Sadler, Houston; and Charles E. R. Cameron, McAllen, have been nominated to serve as south district administrator. Results of the election will be announced Saturday morning at a brunch. Brig. Gen. Daniel James, deputy secretary of defense, will be the morning speaker.

Mrs. Barbara Singleton of Dallas has served as Texas coordinator since the league was organized. The league has called a press conference at 10:45 a.m. Saturday in the Ramada-Gondolier to announce its long range plans.

Mrs. Singleton said Friday that most of the time is being spent "visiting and exchanging information." Texas has 113 men who are either MIA or POWs. They were represented at the meeting by a group estimated at 125–135 relatives. Mrs. Joan Vinson of Alexandria, Va., national league coordinator, also is attending the Texas meeting.

Ross Perot, Dallas billionaire campaigning for POW release, praised the group's strength and courage when he spoke to a joint session of the legislature Friday afternoon, but he said, "They don't want to be this strong forever.

"Most of them feel that meetings such as they are attending this week will give them renewed courage to be strong for as long as is necessary," added Perot.

FINISHED: PEROT WINDS UP TEXAS EFFORTS

(By Connie Sherley)

H. Ross Perot told a Friday afternoon conference that he is "finished" in Texas with his efforts in behalf of Americans who are prisoners of war in Southeast Asia and will now concentrate his campaign in other states.

The Dallas computer millionaire said he feels the Texas effort has been picked up and passed on to the people—and this is where he thinks it must root if it is to be effective.

"I would weaken the effort," Perot said after he addressed a joint session of the Texas House and Senate and heard state political leaders vow to continue the campaign he started more than a year ago.

When asked if he would contribute financial support, Perot replied that he "would gladly write out a check for anything that is necessary but I predict that several thousand Texans would kick me out of the way."

Reporters asked Perot if he thought the current letter-writing campaigns were producing any results, and he answered that the "logic and thinking" behind the letter writing is designed to get Americans involved.

"Letter writing is a commitment with glue on it . . . It's what every American can do," Perot said.

Brig. Gen. Daniel "Chappy" James, deputy secretary of defense, also was present for the press conference. James called the statewide movements "efforts in addition to the government."

"We say what needs to be done and are asking someone else to do it for a change," Gen. James said.

Perot also asked that Americans "be intellectually honest" about the Vietnam War and "call it the way they see it across the board."

"The level of emotion is unrelated to the level of knowledge about this war," Perot said. "What's killing our men on the battlefield is apathy."

From Austin, Perot flew to Washington, D.C., Friday evening. He will speak at an organizational meeting in Mississippi next week.

STATEWIDE DELEGATION URGED

(By Hoyt Spurlock)

A joint session of the Texas Legislature and more than 125 members of Texas POW families heard Dallas computer millionaire H. Ross Perot issue a plea Friday afternoon for a statewide delegation of officials and citizens to "go where they have to go and do what they have to do" to gain release of war prisoners fom the Lone Star State.

"If there's one state that's not going to let them down," Perot told the session and a packed House gallery, "it's the state of Texas."

The Dallas computer magnate, who last year led two efforts directed to Vietnam to generate support for the release of POWs, addressed the legislators along with Astronaut Alan Bean, Brig Gen. Chappy James, deputy secretary of defense, and Maj. James Rowe, a former Viet Cong prisoner.

Wives, children and parents of Texas POWs were escorted into the joint session after witnessing an Air Force "missing man" formation of four jets that streaked over the Capitol at 2 p.m. Each of the honored guests wore a red carnation.

Perot told the group that "our challenge is purely and simply to get them (the pirsoners) out," and the key to their release is an "aroused America."

Perot praised the united efforts of the POW wives in the past year and credited them with being responsible for increased humane treatment of the prisoners.

"We must continue to give them help like water dripping on a rock," he said. "No longer can North Vietnam say we don't stand anywhere."

TO AID POW'S

Perot urged Texans to "put together a delegation of several hundred people" from major cities throughout the state, led by state officials, that would "set an example" for other states in demanding the release of those men now being held.

After Perot's address, Lt. Gov. Ben Barnes assured him that "we accept your challenge today to make our voice heard. Texas will respond."

Barnes said Perot has set an example for free men everywhere" and has given each of us an immediate vehicle we can use to help."

House Speaker Gus Mutscher presented the diminutive millionaire with the Texas House Medal of Honor for his "sincere, imaginative and untiring efforts."

Maj. Rowe, a native of McAllen who spent 64 months in leg irons and arm irons," told the joint session of his life of "monotony, pain, anger, frustration and disease" while being held captive.

Rowe escaped from a Viet Cong prison shortly before he was scheduled to be executed.

Also attending the session was Maj. Fred Thompson, a Viet Cong prisoner for four and a half months who is now a special advisor to the Air Force on POW matters.

In a brief, but chilling statement, Gen. James spoke of Texas soldiers as "some of the toughest breed of cats" he ever met.

I'm a fighter," James said to a loud ovation. "I know how to fight better than I know how to bargain. If we must bargain now, then I will. But when my country says to fight again, then by God, I'll fight whenever she says so."

Astronaut Alan Bean, the first Texan on the moon, said that only 50 of the almost 1,600 POWs and MIAs now reported as captive in enemy territory have been identified.

"We must continue to hope that our efforts will be successful," Bean said.

Mrs. Bonny Singleton, whose husband was shot down in 1965, asked those present at Friday's session to "please help us" in taking "what actions you're prepared to take," but she added, "Don't pity us."

Prior to the beginning of the session, an estimated 1,000 visitors had signed letters of concern placed in the Capitol Rotunda near a Viet Cong cage displayed by the "Austin Cares" office.

Office chairman Gene Ebersole said the barrage of Capitol letters upped the total figure now received at the 609 W. 6th Street headquarters to 2,495.

"Austin Cares" chairman Dan Crowley also announced Friday that 76 Austin area civic clubs and service groups have been invited to attend a Wednesday meeting aimed at generating additional support for the letter writing drive.

Crowley said the 4 p.m. session will be held in the auditorium of the Southern Union Gas Company at 5th Street and Congress.

Tom Johnson, head of the committee's organizational aspects, said the names of the 76 groups were provided by the Austin Chamber of Commerce.

"We're appealing to all service and civic clubs to attend," Johnson added. "If they're not listed with the Chamber, we hope they'll attend anyway."

LEGISLATURE GIVES PEROT "MEDAL OF HONOR"

(By Ann Atterberry)

AUSTIN.—H. Ross Perot of Dallas Friday received the House Medal of Honor and told a joint session of the Legislature his new plan for pressuring North Vietnam into releasing American prisoners of war.

Perot urged Texas to put together a delegation comprised of one representative from every town in the state and led by the state's elected officials "to go where you have to go and do what you have to do" to convince the Vietnamese that Texans care about America's prisoners of war.

The North Vietnamese think American people are their friends, Perot said, "but what they call friendship, I call apathy."

Perot said the North Vietnamese are counting on American friendship because they "are counting on us to help free North Vietnam from China," Perot said.

An aroused America is the key to freeing the estimated 1,500 men who are prisoners of war or missing in action in Southeast Asia, Perot said.

"I hope every citizen in Texas will get involved," Perot told a packed House chamber. "If there is one state in the union that's not going to let those men down, it's the state of Texas."

House Speaker Gus Mutscher presented Perot with the House Medal of Honor for Perot's "sincere, imaginative and untiring efforts" on behalf of prisoners of war.

Attending the ceremony were Gov. and Mrs. Preston Smith, Lt. Gov. Ben Barnes, members of the Texas House and Senate and former U.S. prisoners of war in Southeast Asia, Maj. Fred Thompson and Maj. James Rowe of McAllen, and Apollo 12 astronaut Allan Bean, who was born in Wheeler, Texas.

Maj. Rowe told the joint session of the Legislature that Perot has "led the nation, made a breakthrough and given hope" to prisoners of war, whose lives are filled with "monotony, pain, anguish, frustation, disease and starvation."

Brig. Gen. Chappie James, assistant U.S. secretary of defense, received a standing ovation when he said "I fight better than I bargain, but if my country says bargain then by God I'll bargain until they say it's time to fight again."

Brig. Gen. James called for unity, and said "we don't dare differ on the fate of these men who gave so much."

LITHUANIAN INDEPENDENCE DAY

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. ANDERSON of Illinois. Mr. Speaker, on February 16, the Lithuanian people marked the 53d anniversary of the modern Republic of Lithuania. But it was not a time for rejoicing. For the last 30 years, Lithuania has been a captive nation behind the Iron Curtain. The recent attempted defection by a Lithuanian sailor, Simas Kudirka, was a tragic incident in itself. But I think beyond that, it pointed to a larger tragedy, which is the tragedy of modern Lithuania.

At this point in the RECORD, I would like to include the entire text of an address I delivered before the Rockford, Ill., Lithuanian Club on Sunday, February 21. I would also like to include a letter and memorandum I have received from the Illinois Chapter of Citizens Concerned for Simas. The materials follow:

REMARKS OF THE HONORABLE JOHN B. ANDERSON

I consider it an honor to have this opportunity to address the Rockford Lithuanian

Club today, but I am especially honored to have this opportunity at a time of such great historical significance to the Lithuanian people. It is my understanding that the one-million Americans of Lithuanian descent are actually commemorating two very important anniversaries during this latter half of February. First, you are observing the 720th anniversary of the formation of the Lithuanian State when Mindaugas the Great unified all Lithuanian principalities into one kingdom back in 1251 A.D. And secondly, you are marking the 53rd anniversary of the establishment of the modern Republic of Lithuania on February 16, 1918.

Normally, such significant dates in the history of a people are cause for great rejoicing and celebration But such is not the case with the Lithuanian people today. Instead, these historic events will be observed in a somber and sorrowful manner, underlined with the grim accent of defeat and tragedy. For Lithuania today is a captive nation behind the Iron Curtain, and has lived under Soviet oppression for the last thirty years.

In reviewing the history of this proud little country, steeped in centuries of tradition, I had occasion to ask myself: How many Americans are really aware of the long and painful history of this nation whose language is the oldest in Europe today? How many Americans are even aware of the existence of Lithuania today, let alone the nature of that troubled and uneasy existence? I must confess that there were many things with which I was not familiar.

Someone has said that Lithuania has suffered for centuries from the "accident of geography," and I think the historical facts amply substantiate that claim. From the earliest times, Lithuania suffered the onslaughts from the west by the Teutonic knights, and from the east by the Russians. And so it has been in modern times. When the Nazis smashed into Poland in 1939, the Russians immediately moved troops into Lithuania, and annexed the republic in June of 1940. Then, in typical Soviet fashion, so-called "elections" were held under the barrels of Soviet guns, and, according to plan, the Soviets announced that the Lithuanians had voted for inclusion in the Soviet Empire.

What followed is ample testimony to the fraud of that election. Why would a people, supposedly so anxious to be included in the Soviet Empire, immediately revolt and successfully oust the Soviet occupiers in June of 1941? Freedom and independence was restored to Lithuania for more than six weeks, and then once again it was submerged by the Nazi and Russian crosscurrents of World War Two—once again it fell victim to that "accident of geography."

The fraud of the Soviet election is further reflected in the grim statistics of the period 1940 to 1952 when one-fourth of Lithuania's population was lost in one of the most brutal pogroms of all time. Hundreds of thousands of Lithuanians were crammed into boxcars bound for Siberia. Many died along the way; for the rest, the end of the line was just that—for their lives.

How many people realize that during that same period, the Lithuanian people waged a relentless guerrilla war against their occupiers, and that in that struggle, some 30,000 Lithuanian freedom fighters lost their lives?

Professor V. Stanley Vardys, writing in a recent issue of the *New York Times,* points out that:

"Lithuanian population losses due to Stalinist policies were so staggering that only in the late ninteen-sixties did the republic reach the approximate population figure it had in 1940."

About the time of Stalin's death, in 1953, Lithuania was pacified and Sovietized. The guerrilla struggle ended, but the dream of freedom, independence and national sovereignty did not die, despite the destalinization policy under Khrushchev.

Funds were made available for the rapid industrial expansion of Lithuania and consequently, Lithuania today produces electric motors, cutting laces and appliances, and also builds ships and administers a sizable fishing fleet. In addition, Lithuania, along with Latvia and Estonia, is today the top dairy and meat producer in the Soviet Union and has the highest indices of productivity and consumer services.

Now there is evidence that a period of retrenchment began in 1969, initiated by a warning in Pravda about remnants of "Bourgeois Nationalism" which still exist in Lithuania. Several administrators of Lithuanian cultural institutions have been replaced by more dogmatic and conservative persons.

Despite improved relations with the Vatican, the Soviet regime reneged on a promise to make available in the vernacular new liturgical texts. And there are many other signs of evidence that the constitutional guarantees of religious worship are being trampled upon.

One of the most dramatic and tragic incidents took place just last year with the mysterious death of Dr. J. Kazlauskas, an internationally reknowned professor of Baltic linguistics. He was scheduled to deliver a series of lectures at Penn State University, but then the Soviet Education Ministry informed the university that the professor was too busy to come. On October 8th Dr. Kazlauskas disappeared, and on November 17 his body was found in the Neris River which flows through the city of Vilnius. In typical fashion, the party press called it suicide. Private sources say they know better.

To compound the shock of his death, the chief of the security police was elevated to the position of Minister of Justice in Lithuania—surely an ominous sign in the eyes of the intellectuals.

I could cite other instances with which I am sure you are all familiar, including several aborted hijackings which were punished by executions. The point I am trying to make here, and one which should not be lost on the American people, or the people of the free world for that matter, is that there is a new wave of repression in the Soviet Union—almost what could be called a restalinization process.

It is something which should help to explain the attempted defection by Simas Kudirka last November. It may be that that one incident, more than anything else, served to remind the American people of Lithuania's tortured existence, though I suspect that more attention was focused on the individual and the circumstances surrounding the incident, than on the underlying causes for that defection and the country of origin. I think this is extremely unfortunate.

But there was a universal outpouring of outrage in this country at the news that we had refused to grant political asylum to a defector. Outrage from the White House down to the man on the street. Thousands of letters, telegrams and petitions poured into Washington—all of one voice: the voice of disbelief and disgust. I know most of you wrote letters to me, and I attempted to answer all of them. But perhaps most impressive to me, was the petition sent to me by Leonard Remencius—a petition with over 600 signatures, protesting our refusal to grant political asylum and demanding an immediate investigation and clarification of policy. What most impressed me, as I gazed through those names, was the fact that persons of all ethnic backgrounds had signed that petition. There were German names and Irish names, Swedish names and Italian names, in addition to the many Lithuanian names.

In response to those letters and telegrams and petitions, I repeated President Nixon's outrage and shock, and assurance that it would never happen again, and I promised a full congressional investigation into the matter.

In fact, I think one of the tacit conditions for my appearance here today was that I didn't come empty handed, and that I be able to deliver on my promises. While I cannot claim credit for playing a direct role on the congressional investigation since I am not a member of the House Foreign Affairs Committee, I can say, after reading the report, that it has my thorough endorsement. I would like to read to you, just briefly, from the introduction to the House report, because I think it presents both an excellent capsule summary of the incident and a critical analysis of the misguided policy which was applied on that fateful day:

"This is a report of one day in the life of one man, a Lithuanian seaman named Simas Kudirka. For him November 23, 1970, was a tragic day—possibly even a fatal day. At noon it offered the hope of freedom. Shortly after sundown he was doomed to a world of eternal darkness.

"For the American officials who contributed to the fate of Kudirka it was no less a tragic day—not so much in a personal sense as the manner in which it portrayed the ineptness and confusion of bureaucracy in motion going nowhere.

"The story is very simple. Kudirka, a crewman on a Soviet vessel moored to a Coast Guard cutter in U.S. territorial waters, attempted to defect. His return was requested by the Soviet captain and approved by Coast Guard officers. When he refused to return voluntarily, a Soviet party came abroad the U.S. vessel with Coast Guard acquiescence and forcibly returned him. The significant action and inaction leading up to the decision to return him did not take place on the U.S. vessel. The Coast Guard district office in Boston, Coast Guard Headquarters in Washington, and the Department of State contributed in varying degrees to this inglorious episode.

"The flagrant disregard of the long-established American principle of asylum came as a shock to the Nation. Newspapers took up the story and distraught citizens across the country poured letters and telegrams into congressional offices. The Subcommittee on State Department Organization and Foreign Operations was concerned that Coast Guard foreign policy had superseded U.S. foreign policy. The thought of foreigners boarding an American vessel—in our own waters no less—conjured up scenes of more than a century and a half ago. Accordingly the subcommittee held a series of hearings that extended over eight sessions.

"When the President learned about the incident from newspaper accounts several days later, he ordered an immediate report. Both the Department of State and the Department of Transportation of which the Coast Guard is a part submitted such reports. A week after the incident the Commandant of the Coast Guard appointed a Board of Investigation that met in Cambridge, Mass., and in Washington. The verbatim record, the exhibits introduced before the Board and the report of the Board comprise more than 900 pages. This report has drawn upon the materials developed during the subcommittee hearings and in the other investigations."

Both the official Coast Guard investigation and the House Committee investigation confirm the opinion that the fault lay not with the commander of the ship *Vigilant,* Commander Eustis, but with his superiors back in the Boston district headquarters, Admiral Ellis and Captain Brown. Both Ellis and Brown voluntarily retired rather than face the possibility of a court martial.

In addition, the following statement was issued by transportation Secretary Volpe at the conclusion of the investigation:

"I regret very deeply that a young man had to lose his chance for freedom in order to bring to light the deficiencies in Government procedures for welcoming victims of oppression to American soil. Also, I regret that the proud history of the U.S. Coast Guard which has given shelter to hundreds of political refugees was not upheld in this tragic incident.

"But the errors in procedure have now been corrected. We can now give assurance to the world that an incident such as that which occurred on November 23 can never occur again and that America remains the haven for the oppressed."

Since I do not want to take your time in dwelling on the details of that incident, I am leaving with your chairman a copy of the House hearings and report, as well as the report and findings of the Coast Guard Board of Investigation. I'm sure he'd be happy to lend these to you if you are interested in reading them.

One question which these reports cannot answer is: Why did Simas Kudirka defect in the first place? We don't know the answer to that because no one bothered to ask him. But as one writer put it, "the brutality the Soviets used in his capture should serve as an illustration of the conditions from which he tried to escape."

That writer went on to say, and I quote:

"The denial of freedom to one Balt off Martha's Vineyard calls attention to the denial of freedom to all Baltic people. By invading the Baltic States, the Russians denied not only national freedom, but also individual freedom. That there cannot be a personal freedom and justice without a national freedom and independence is recognized widely, but only privately, in the Soviet Union."

It seems to me that this is the real lesson of the *Vigilant* incident, a lesson which should be impressed upon all Americans who cherish freedom and independence, not only for themselves, but for all the peoples of the world. It is sad but true that perhaps only one in a thousand such incidents ever reach our attention because of the closed nature of Soviet society. When people begin to realize that such abuses of personal freedom are committed every day behind the Iron Curtain then I think there will be the type of universal outcry and pressure of world opinion which often can and does make a difference. We saw it with the commutation of death sentences for the Jewish hi-jackers in Russia, and we are seeing it now with Kudirka who is apparently living in a new apartment in the port city of Klaipeda. But knowing the Soviets, this is probably only temporary until the heat of the world spotlight is turned off. It seems to me that the answer is to keep that spotlight on and keep that heat on, whether it be through the forum of the United Nations, the world press, or voice of America. It has often been said that none of us will be truly free until we are all free. It seems to me that implies a commitment and a responsibility to encourage freedom for all mankind. If we ever forget that responsibility, we will be forfeiting our own freedom forever.

Citizens Concerned for Simas,
Braintree, Mass., February 12, 1971.

Hon. Congressman John B. Anderson,
Washington, D.C.

Dear Mr. Congressman: February 16 will mark the 53rd anniversaary of the declaration of Lithuanian independence. This year, as every year, U.S. Government and other public officials will greet the Lithuanian community and express their solidarity with Lithuanian aspirations of freedom for their country.

Yet recent international events involving Lithuanians have revealed certain ominous inconsistencies in United States policy toward the Baltic States. In the enclosed memorandum we would like to bring to your attention some of these inconsistencies and suggest ways in which they might be avoided in the future.

As residents of your state, we request that you, a Congressman of the United States, make your opinion known to the President and the Department of State and obtain from them a clear public statement of policy toward the Baltic States. We feel that this would be truly a worthwhile contribution in behalf of the Lithuanian people.

Sincerely yours,
Vytes Paukistz,
Citizens Concerned for Simas,
Illinois Chapter.

Memorandum to the Congress of the United States of America

Concerning the recent incident involving a would-be Lithuanian defector on board the U.S. Coast Guard cutter Vigilant, we would like to bring to your attention a number of facts having grave implications for U.S. foreign policy toward the Baltic states.

It was noted widely in the press that the name of the Soviet ship from which Simas Kudirka leaped to the Vigilant was Sovetskaya Litva (Soviet Lithuania) and that he himself was Lithuanian. But these facts were generally mentioned without attached any particular importance to them. Most newsmen and decision-making officials did not notice or did not want to see the specific political implications of the very term "Soviet Lithuanian".

The U.S. Government explicitly does not recognize the incorporation of Lithuania into the Soviet Union and does not give *de jure* recognition to Soviet Lithuania, nor does it enter into negotiations with the Soviet Union if they have a bearing on Lithuanian territory or Lithuanian citizens. All U.S. Secretaries of State have reaffirmed this policy of the United States at least three times a year for the last thirty years. But unfortunately, this reaffirmation is made only to the diplomatic representatives and exile leaders of Lithuania, Latvia and Estonia, and is seldom, if ever, mentioned publicly. The American press ignores this facet of U.S. policy and the U.S. public has almost completely forgotten it. At the same time the Soviet Union blatantly publicizes these countries as Soviet republics at home and abroad.

The name of the mother ship of the Soviet fishing fleet in Atlantic waters, Sovetskaya Litva, is an example of this propaganda effort and is an affront to U.S. policy toward the Baltic states. Had this policy been appropriately publicized by U.S. officials and not ignored by the U.S. press, then it would have been common knowledge not only to high State Department functionaries but also to all public officials involved in the aforementioned incident, from admirals to captains.

The name of the Sovetskaya Litva is not the only affront to U.S. policy. Although the ship is owned by the Soviet Union and is under its jurisdiction, it is registered in and its operations are based in Klaipeda, which is Lithuanian territory not recognized by the United States as part of the Soviet Union.

Simas Kudirka was not the only Lithuanian crew member of that ship. There are many Lithuanians on the fishing vessels which the Soviet Union operates out of the port of Klaipeda. According to U.S. Policy, these Lithuanians are subjects but not citizens of the Soviet Union.

The U.S. Government has promised to commit no acts which would explicitly or implicitly recognize Soviet annexation of the Baltic states. This being the case, the State Department should not have arranged negotiations under its aegis on a ship which by its name and method of operation violates a tenet of U.S. foreign policy.

It is a fact that the negotiations on that ship, undertaken with Coast Guard and State Department cooperation, are a sign that the State Department is not firmly committed to its declared policy concerning the Baltic states. The State Department does not give instructions to U.S. functionaries concerning proper procedures in cases where this policy is affronted. It is not entirely clear exactly when and how the commander of the Vigilant discovered that the would-be defector on his ship was a Lithuanian. But it is all too tragically clear that this fact meant absolutely nothing to him and it is not certain whether he even transmitted this piece of information to his superiors. In all the communications between Coast Guard and State Department officials, it did not occur to anyone that the defector and his ship were from a country which the United States does not recognize as part of the Soviet Union.

As soon as it became clear that the man was Lithuanian, U.S. officials should have refused to enter into any discussions concerning his fate with Soviet authorities, because a Lithuanian refugee from the Soviet Union has full rights to Lithuanian citizenship, which the U.S. Government recognizes. The Lithuanian Legation in Washington should have been notified of the attempted defection before the man was returned.

But in this instance U.S. policy toward the Baltic states was forgotten, and the U.S. officials who were faced with making the decisions were ignorant of this policy and were unable to draw the proper conclusions as events unfolded and civilians on board the Coast Guard ship attempted to inform them.

THEREFORE, IT IS IMPERATIVE THAT AT THE BALTIC STATES BE MADE CLEAR TO LEAST NOW U.S. POLICY CONCERNING EVERY SINGLE U.S. OFFICIAL FROM THE HIGHEST TO THE LOWEST RANK IN ALL AGENCIES HAVING ANY DEALINGS WITH THE SOVIET UNION DIRECTLY OR INDIRECTLY.

Guidelines giving instructions concerning political refugees in general are not enough. It is imperative to explain the specific political and legal implications of defection of nationals of the Baltic states. It should be stressed that a Lithuanian, Latvian, or Estonian defector should automatically be treated not as a Soviet citizen but as a refugee who is entitled to protection of Lithuanian, Latvian and Estonian consulates in the free world. These instructions should be made known not only within the pertinent bureaucracies, but also publicly, so that the American public should be aware of the policies of its Government.

It is a fact that the information media have long ignored or underplayed the abnormal political status of the Baltic countries. But this is to a great extent the result of official silence on the subject. Because the State Department barely whispers about this particular policy, the information media, encyclopedias, almanacs, and the general public are increasingly coming to believe in Soviet allegations about the Baltic states.

A policy of silence on the Baltic states serves no U.S. interest and has been shown to violate grievously the rights of citizens of the Baltic nations. We request that you, a member of the Congress of the United States of America, make your opinion known to the President and the Department of State and obtain from them a clear public statement of policy toward the Baltic states.

Citizens Concerned for Simas,
February 8, 1971.

MESSAGE FROM AEGINA JAIL

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. EDWARDS of California. Mr. Speaker, the island of Aegina lies in the Saronic Gulf, 20 miles from Athens. In ancient times, the naval forces of Aegina played a considerable part in the great defeat of the Persians in the Battle of Salamis, part of which was fought in the strait between Aegina and the nearby island of Salamis. Now Aegina is a tourist attraction on the 1-day boat excursions from Athens. The island's chief attraction is the Temple of Aphaea, older by 50 years than the Parthenon. The Temple of Aphaea was built about 490 B.C. to commemorate the defeat of the Persians. Aegina is also know as a leading producer of pistachio nuts. Unfortunately, it is known for one further and unpleasant reason. It is the site of a dank, unhealthy prison which, I am told, was bad even in the best of times. It is in this Aegina jail that many political prisoners of the Greek military junta now spend their days. Recently, some brave inmates of Aegina prison smuggled a letter out to me. I submit it for the record both for the human tragedy it represents and for its deep insight into the fallacies which tempt America to betray its moral and political principles and to support "provisional" dictatorships such as the one in Greece. We must take heed.

DEAR SIR: In a few months time the military dictatorship in Greece will conclude its fourth year in power. During these four years the colonels main concern has been to continue a series of innumerable frauds and ruses with the aim to deceive the public opinion on the real face and intention of their regime. Official propaganda and the regime's conditioned means of communication, after having attempted to persuade the Free World that the "real" interest of the West would be jeopardized unless democracy in Greece were suppressed and the Greeks were terrorized, activated consequently an unscrupulous mechanism of promises directed to foreign governments and international organizations, ascertaining that the abolition of all fundamental human and civil rights is but "provisional," and that the abnormality would give off to a real constitutional order.

This allegedly provisional situation and the so-called "new order," three years and seven months after its establishment, amount to the following: martial law is still in force and courts-martial continue to function; arbitrary arrests and police questioning in defiance of the fundamental civil rights consist an everyday practice against political opponents of the regime; parliament remains "out of law," and all political action is still banned, except, naturally, for the regime's brainwash activity; and last but not least, political prisoners are still held either in concentration camps, or exiled in remote villages, or detained under heavy penalties in prisons as hostages of the military government. Many of them will have spent their fourth consecutive Christmas Eve in prison.

Yet, these features of the Greek public life have been assessed recently by the official spokesman of the U.S. government (as) an encouraging "trend" towards a constitutional order, a trend which has been considered as a strong reason for resuming full military aid to the colonels.

We are now addressing to you this short message because we feel the need to congratulate you: We would like to express how deep we appreciate the sagasity, integrity and courage which led you to a stand by the side of our people. This stand has put you on the line of our people's history and tradition which is a continuous struggle against all forms of totalitarianism and oppression. We believe it to be of primary importance that the junta did not succeed in ensnaring you into the labyrinth of its lies and deceiving you by its alleged constitutional reforms and notorious timetables of rendering to the Greeks the rights which they should have had by birth.

On this same occasion we would like to underline most strongly the huge mistake, expressed with mounting cynicism, which lies behind the doctrine of modern "provisional" dictatorships in the West. According to this doctrine, a number of free countries must undergo a stage of totalitarian rule, in order that the West can maintain its hold on allegedly precarious areas. On the basis of this doctrine an increasing number of reactionary dictatorships, and among them the Greek regime, are fostered semi-openly by the leading power of the West, under different pretexts. The doctrine is an obvious and tragic contradiction. Not a single people—and especially the Greek people—is prepared to accept, in any covered form whatsoever, the status of mercenary for defending others from faked dangers, nor would it undertake the role of forced guard of foreign interests.

We believe that freedom is the same indispensable to Americans, Europeans and Greeks as well. Only the defence of this common-to-all freedom could be a matter of common interest to all parties.

We thank you for keeping your clear voice in the air echoing the high principles for which we are being kept in prison and others in concentration camps.

We know that at the end these principles will prevail and we can assure you that we will not fail in this fight over a just cause which you have decided to support. We hope that more people will follow your example.

Yours sincerely,

Phoebus Ioannides, lawyer; George Sipitanos, businessman; N. Voulelis, student; Thomas Papoutsis, employee; Nikoe Armenis, artisan; A. Tantsis, student; Stelios Yannitopoulos, artisan.

Stelios Nestor, lawyer; Nondas Ochounos, student; Pavlos Zannas, director of the Salonika International Fair; Argyris Maltsidis, engineer; Antonio Goulas, student; Costas Sophoulis, economist; George Avramis, employee.

Nestor Hatjudis, engineer; Ch. Protopapas, lawyer; K. Kitsirites, lawyer; Nikos Chloros, student; John Vassiliou, economist; A. Politis, petty officer; Anestis Anastasiadis, tradesman.

ANTI-U.S. CARTOON DRAWS RETURN FIRE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. DERWINSKI. Mr. Speaker, the barrage of anti-U.S. propaganda that is continually being directed against us is very effectively answered by Orville Lifka, editor of the Suburban Life of La Grange Park, Ill., in his column in that publication on Thursday, February 18.

The article very effectively makes the point that many of the nations and people which criticize the United States do so while overlooking their own problems and by creating the false impression that such problems are greater in our land than any other.

ANTI-U.S. CARTOON DRAWS RETURN FIRE

(By Orv Lifka)

Taking his pitch from the fluted columns that characterize many government buildings in the United States, a Belgian cartoonist has portrayed them as bulging garbage cans decorated with American flags. They line an automobile jammed street where pedestrians couldn't be more nauseated if they were on the windward side of a limburger cheese sandwich.

As the elephant said when he stepped on the whipped cream cake, this makes quite an impression. Americans are known to be as wasteful as a moth in a yarn factory. Our garbage scows may not be as big as the Queen Elizabeth II, but they make more trips. The strike of Berwyn sanitation workers had burghers wishing for trash containers as big as those in the cartoon.

We have more automobiles than any other country and owe more money for them. After they've rolled their last mile we don't know what to do with them. Our lakes and rivers look like the bathroom sink after Junior's hard day on the mud pile. Our air pollution problem has us gasping.

Things must be different in Belgium if the cartoonist could see all the way to the United States. In additon to fancy lace and Brussels sprouts the country may export fresh air, hot or otherwise.

However, America has no monopoly on ways to foul up the ecology, any more than King Baudouin has on the royalty business. Although the atmosphere has been cleared of Hitler's cloudy thinking, many parts of Europe leave visitors with a dim view.

In Rotterdam the smog is so thick that freighters would sail right downtown if it weren't for the docks. Reinforced by industrial pollution, the port humidity is so high that seamen qualify for submarine pay.

Munich, where pollution of another complexion prevails during the Octoberfest, made history of a sort last year when a traffic policeman passed out from monoxide poisoning. Most tourists believe these stalwarts wave their arms to keep vehicles moving, but they're merely trying to stir up some fresh air.

In Vienna, where narrow downtown streets collect pollution like a shopper accumulates packages, the cab drivers have threatened to wear gas masks. When visitors complain that the Danube isn't blue, residents reply, "Have a couple of liters of our wine; then take another look." But that does little for the pall that often envelops the city.

Now that coal burning has been reduced and Sherlock Holmes no longer stalks around town smoking his tuba-sized pipe, London is beginning to see a little daylight in its battle for clean air. Of course, government policies continue to leave many people in a fog.

Pollution is a problem that must be met face to face, if we can stand it. We can't give the brush to what the Belgian cartoonist portrays about us. But we can hope that his criticism, like charity, begins at home. Wonder if he's stopped smoking?

RESPONDING TO THE NEEDS OF OUR VETERANS

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. CHAPPELL. Mr. Speaker, the great sacrifices which our veterans have made, have given us the freedom which we enjoy today. The American people must now respond to their sacrifices with the proper care and adequate facilities which they deserve.

The veterans in Florida are now asking for our help. We desperately need to construct a hospital to give them medical, surgical, and psychiatric care. We urge that this hospital be located in the area that can best respond to the needs of our veterans and we feel that the Daytona Beach-Halifax area will most adequately serve these needs.

The veteran population in this country is rising rapidly—and is now some 28 million in number. The Vietnam war alone has added over 750,000 veterans to this list. Florida, the fastest growing State, has a veteran population that ranks eighth in the Nation. The Halifax area has approximately 140,000 of these veterans and this hub area is spiraling in population.

Waiting lists for veterans needing hospitalization far outdistances other States and we must now correct this inequity. When a veteran from the Halifax area is finally authorized for admission to one of the hospitals in Florida, he must travel 97 miles to Gainesville, 126 miles to Lake City, 167 miles to St. Petersburg, or 254 miles to Miami. The nearest psychiatric treatment center is 400 miles away in Augusta, Ga. This situation stresses the need for a hospital in the Halifax area.

One of the greatest criticisms we have heard about existing veterans' hospitals is their lack of adequate staffing. The Daytona Beach-Halifax area has special circumstances that make it a particularly desirable location for the hospital.

First of all, this section is a highly desirable place to live—as witness its growth and tourism. It has excellent educational and recreational facilities, including one of the longest and most beautiful beaches in the world; offers extremely good airline services; is surrounded by a fine complex of interlinking highways and roads, and has many fine libraries and live theater groups. In other words, people love the area and are eager to move there because of its fine facilities. We anticipate no problem in attracting an adequate staff.

Secondly, existing medical facilities in the Halifax area will enhance staffing of the veterans' hospital. The Halifax District Hospital and the Ormond Beach Memorial Hospital, with their outstanding staffs and training programs, provide medical facilities and affiliations which are vital to a veterans' hospital. In addition, the executive director of the very excellent guidance center has offered the center's cooperation for additional training programs.

While many grandiose programs and plans for the benefit of all sorts of people are being put before Congress, not one is so compelling as this situation with our veterans. Had these men not sacrificed their time and their health to the cause of freedom, we would be unable to enjoy our liberty today—but they did make these sacrifices and it is time now for us to provide this hospital and care which they so justly deserve.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

"FREEDOM—PRIVILEGE OR OBLIGATION?"

HON. WILLIAM M. COLMER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. COLMER. Mr. Speaker, on February 17, I had the pleasure of attending the 1971 awards luncheon of the Freedoms Foundation at Valley Forge. On that occasion I had the particular pleasure and honor of visiting with one of my constituents, M. Sgt. Marvin W. Reid, U.S. Air Force, Hattiesburg, Miss., who was presented with $100 and the George Washington Honor Medal in recognition of his award winning essay entitled "Freedom—Privilege or Obligation?"

I want to take this opportunity to share Sergeant Reid's well expressed and very timely comments with you and the other Members of the House of Representatives.

Sergeant Reid's essay follows:

"FREEDOM—PRIVILEGE OR OBLIGATION?"

Recently, a soldier just returned from Vietnam was confronted by a group of demonstrators as he walked in downtown Washington. He was a husband, a father, a mature man. He had not had to go to Vietnam, could have avoided it altogether, indeed, it had taken a determined effort on his part to get to Vietnam. And now, he was back to find a mob running in the streets protesting that he had been wrong to give a year of his life to the war.

"But," he said to himself, "that is why I fought, to safeguard even this expression of freedom." After all, this was a man in control of himself, a Green Beret, trained to follow logic and reason, not to explode in rage or race blindly into an explosive situation. Yes, he was prepared to walk away from the chanting, jibing mob, to avoid a confrontation even though their cutting remarks were explicitly designed to elicit a response from him.

But then something happened. One of the demonstrators unfurled the symbol of forces which the soldier had fought against, forces which had killed and wounded his comrades-in-arms, which could have very well killed him—the flag of the Viet Cong. He reached out, seized the flag and threw it to the ground. He was immediately arrested.

Now, we must ask ourselves some penetrating questions concerning this one man's actions: Were they irresponsible? Were they without regard for his training and experience? Were they the thoughtless actions of a man without respect for law and order?

I think not. The words he offered in defense afterwards clearly indicate that he fully realized that what he was about to do would make him liable for arrest and trial, that he expected to be arrested: "I had to pull that flag down. It was an obligation I owed to every soldier who has ever fought and died for this country."

An obligation, also, to freedom. Here was a man who had already shown his preparation to make the supreme sacrifice for freedom, the cost for grabbing that flag was insignificant in comparison. Both acts were, however, his way of meeting that obligation.

How many of us are prepared to sacrifice for freedom? How many of us recognize that freedom only comes for a price, that it is not an inherent right or privilege, that freedom carries with it an obligation to preserve freedom for ourselves and our children, *and to secure it for the world's oppressed?*

We all must acknowledge and meet this obligation to freedom as this one man did, perhaps not in the same manner, but with equal conviction and purpose. We all must be prepared to pay the cost of freedom. We all must be prepared to fight for freedom whether the struggle be waged on the battlefields of war or the ideological battlefields of the mind. Then, and only then, do we meet the obligation of freedom.

DR. RICARDO J. ALFARO: PANAMANIAN JURIST, SCHOLAR AND STATESMAN, 1882–1971

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. FLOOD. Mr. Speaker, in the course of my studies of Panama Canal history, I have found that one of the most illustrious names of Panama is that of Dr. Ricardo J. Alfaro, whose public career spanned the period from the Panama Revolution of 1903 to his death on February 23, 1971, in Panama. He and Mrs. Alfaro recently celebrated their 68th wedding anniversary.

A jurist and scholar of outstanding ability, he served his country in important positions at home and abroad in the field of foreign relations with long service in Washington as the Panamanian envoy. He was a coauthor of the Hull-Alfaro Treaty of 1936, which was proclaimed on July 27, 1939, shortly before the outbreak of World War II.

In order that a record of this distinguished statesman may be suitably recorded in the permanent annals of the Congress, I insert an obituary notice appearing in a Washington paper:

[From the Washington Evening Star,
Feb. 24, 1971]

RICARDO J. ALFARO DIES; EX-PRESIDENT OF PANAMA

(By Richard Slusser)

Ricardo J. Alfaro, 89, a former president of Panama, ambassador to the United States and vice president of the International Court of Justice, died yesterday after intestinal surgery in a Panama City hospital.

Mr. Alfaro was elected vice president of Panama in 1928 and became president in 1931 following one of his country's revolutions. He was the Panamanian envoy here in 1922–30 and 1933–36.

In 1946–47 he was Panama's minister of foreign relations. He was with the International Court of Justice from 1959 to 1964, the last three years as vice president.

U.S. RESIDENT

Mr. Alfaro lived here after retiring from diplomatic service, a career he began in 1905 as undersecretary for foreign affairs. He first was assigned here in 1912 as legal counselor of the Panamanian legation for the Panama-Costa Rica border dispute.

Mr. Alfaro was involved in settling many disputes arising from construction of the Panama Canal and from 1915 to 1918 was judge of a joint commission between Panama and the United States for settling claims in respect of expropriations for the construction of the canal.

He was involved in other negotiations on the canal in 1934-36 and 1953. In 1947 he resigned as foreign minister to protest a proposed bases agreement with the United States.

PROFESSOR IN PANAMA

He formerly was professor of civil law and also of international law in Panama colleges. He was a member of the subcommittee that drafted treaties and arbitration and conciliation for the Inter-American Conference on Conciliation and Arbitration here in 1929.

Mr. Alfaro was defeated in the 1940 presidential election in Panama. He returned here several weeks after the election and declared that "democratic government has ceased to exist in Panama." However, he continued to serve his country.

In 1944, he helped draft a new constitution of Panama and the next year headed the U.N. Relief and Recovery Administration mission to 10 Latin American republics. He also was Panama's delegate to the U.N. Conference on international organization in San Francisco and chairman of the special committee that drafted the Spanish text of the United Nations Charter in 1945.

WORKED ON TEXT

In 1949, Mr. Alfaro was chairman of the legal committee of the third session of the General Assembly of the United Nations that drew up the text of the Convention on Genocide.

He leaves his wife, Amelia Lyons, of Panama City; three sons, Dr. Victor R. of Washington, Ivan of Lima, Peru, and Rogelio of Panama City; two daughters, Mrs. Frank H. Weller of Potomac, Md., and Mrs. H. Cabell Maddux of McLean, Va. 12 grandchildren and four great-grandchildren. One of his grandchildren is singer Nancy Ames.

A state funeral was to be held this afternoon in Panama City.

A NATIONAL NUTRITION PROGRAM FOR THE ELDERLY

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. SCHEUER. Mr. Speaker, I am pleased to join with Congressman PEPPER in cosponsoring his bill to establish a national nutrition program for the elderly. Clearly, there is an urgent need to provide adequate meals at low-cost for older Americans on a widespread and continuing basis.

Testimony before congressional committees and Government studies have brought out shameful evidence that many of our elderly citizens have nutritionally inadequate diets. These poor diets put their health and well-being in serious jeopardy, with disastrous, wasteful consequences. Many elderly must be put into institutions, when the right kind of help in getting meals and other services might have enabled them to remain independent. Newspaper reports of deaths of elderly citizens from bad diets continually remind us that malnutrition is no stranger to the elderly.

The problems older people face in attempting to provide for food and other everyday needs have reached crisis proportions. It is extremely disheartening to note that the economic plight of older Americans seems to be worsening. The number of elderly people living in poverty actually increased between 1968 and 1969, while the number of poor in other age groups declined. Older people are twice as likely to be poor as younger people. At the same time, inflation and especially the rising cost of medical care has taken an increasing share of the older person's meager funds. Frequently the elderly scrimp on food to buy expensive medicines and drugs.

Older people face added problems of limited mobility, poor health, and greater vulnerability to criminal assault—all of which severely curtail their ability to shop for food and cook their own meals. The district I represent in the Bronx includes a great many retired people living alone. Many, because of fear and the difficulties and dangers of transportation, have become virtual shut-ins, cut off from the rest of the community.

Senior citizen meal services provide a vital lifeline to those who feel alone and forgotten. These services offer not only good food but also relief from isolation and despair and a chance to get out and socialize. However, there have not been enough of these services to meet the need, and many of these programs funded through the Department of Health, Education, and Welfare are demonstration projects, scheduled to end soon. It does not make sense to let these valuable nutrition programs die now, when there is a crying need for expansion.

For example, a center in my district of the Bronx which daily serves lunch for 60 senior citizens, has to turn away as many as 20 people a day because they do not have the resources to feed them. To make sure of getting a meal served at noon, people line up outside the dining room by 11:30. This particular meal program manages to keep going with funds from local government and a nominal 25- to 35-cent charge to their customers. The directors tell me that for many it is their only meal of the day.

Certainly, if our Government can spend billions to land men on the moon and wage an endless war in Indochina, we can find the resources to help provide at least one decent meal a day for older Americans who need the service. There will likely be serious debate about whether it is wise to enact a new categorical grant program, while the Congress is considering the broader questions of revenue sharing and family assistance.

These are complex, far-reaching matters that are likely to require lengthy deliberation by the Congress. I strongly urge that we not ask older Americans to wait any longer for a sound nutrition program, which they need now. As one dedicated senior citizen center director wrote me recently:

> The elderly should not go hungry while legislators discuss government philosophy, nor should the imperatives of present need be ignored because they complicate the lawmaking process.

FRANK CHASTEEN, POLICEMAN

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. MANN. Mr. Speaker, I would like to place into the pages of the CONGRESSIONAL RECORD this moving tribute from the Greenville, S.C., News of February 22, 1971. Before coming to this House, during my well-spent years as a prosecuting attorney in the Greenville area, I knew Frank Chasteen as a fine policeman and as a fine citizen of the community. As the editorial implies, there is no way to say just what his tragic death signifies, any more than we can ever write intelligently about that which is inexplicable. We can only say that our hearts go out to his family and those who have been hardest struck by this latest, needless death. And we pray that such deaths will cease, as our land strives to grow toward peace and friendship, once again.

The tribute follows:

FRANK CHASTEEN, POLICEMAN

The tragic death of Greenville Policeman W. F. Chasteen, killed in the line of duty early Sunday, brings home the fact that America's law enforcement officers are in constant, increasing danger every minute as they try to protect the rights of all citizens to what the Constitution calls the "domestic tranquility."

Frank Chasteen's death also focuses attention on a poignant point about the status of policemen and their families in the communities and among the people they serve and protect.

It so happens that the editors and several other staff members of this newspaper knew Frank Chasteen for many years, as we know and like most other members of the Greenville Police Department. Because we knew him as a friend, we leave to others, glowing tributes to his many fine qualities, deserved though they are.

Frank never was much for personal glory. He liked police work. He liked his fellow officers. He genuinely liked the people, black and white, of the communities he patrolled. He was liked in return. But he did not enjoy the limelight, having no need for personal recognition, and we aren't going to betray his friendship by heaping praise on him now.

The fact is that Frank Chasteen was about like most of the veteran Greenville policemen—good officers, good citizens, good family men.

That brings up the poignant point about the status of policemen, here and elsewhere—all too often they are not accepted by some individuals and certain elements of society just because they are cops. Members of their families sometimes feel the sting of undeserved social rejection.

How ironic that today Frank Chasteen is a fallen hero eulogized by the leaders of the community. On Saturday he was just another policeman whose family sometimes suffered slights simply because he was a cop.

Social justice?

We think not. So we refuse to eulogize Frank Chasteen. Instead we lament the loss of a friend. We offer sympathy to the family he loved and who loved him. To his fellow officers we renew a standing pledge of support and understanding.

Anybody who wants to can memorialize Frank Chasteen best simply by according to his fellow officers and members of their families personal acceptance and friendship based upon individual worth. Frank would like that.

U.S.S. "SCORPION" MEMORIAL

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. WHITEHURST. Mr. Speaker, I am gratified to learn of the continued strong support for the memorial dedicated to the memory of the men serving their country aboard the ill-fated submarine U.S.S. *Scorpion*. The memorial is located at the Woodlawn Memorial Gardens, in Norfolk, Va. This is a proper site for the memorial. The *Scorpion* was home ported in Norfolk when she plunged to her death in the Atlantic taking the lives of 99 brave men.

The establishment of the memorial is largely due to the efforts of Mr. Charles H. Gaudreau. Vice Adm. E. P. Wilkinson, commander of the Atlantic Fleet Submarine Force, recently cited Mr. Gaudreau in an official proclamation, and I would like to share the recognition with my colleagues at this point in the Record:

CITATION: U.S. ATLANTIC FLEET SUBMARINE FORCE

The Commander Submarine Force, U.S. Atlantic Fleet, takes pleasure in recognizing Mr. Charles H. Gaudreau and the Woodlawn Memorial Gardens as set forth in the following Citation:

"For efforts in the conduct of the memorial services in honor of the 99 gallant men who gave their lives in the service of their country while serving on board USS Scorpion (SSN589). Mr. Gaudreau spearheaded the effort that resulted in the memorial service and the establishment of a permanent memorial dedicated to the memory of the men of Scorpion. He personally arranged the multitude of details for erecting the memorial, as well as arranging for the families of Scorpion men to be present at the service and dedication of the memorial. The service was a memorable one, conducted with dignity, reverence and honor. Commander Submarine Force, Atlantic Fleet considers it an honor to have been part of the service and wishes to express sincere appreciation to Mr. Gaudreau and Woodlawn Memorial Gardens for their kindness and expression of sympathy in the establishment of the Scorpion memorial."

E. P. WILKINSON,
Vice Admiral, U.S. Navy.

VOICE OF DEMOCRACY CONTEST WINNER IN MARYLAND

HON. PAUL S. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. SARBANES. Mr. Speaker, Miss Patricia Fowler, of Baltimore, who resides in the district which I have the honor to represent, has been awarded first place in the Voice of Democracy Contest for the State of Maryland.

This contest, which is sponsored each year by the Veterans of Foreign Wars, provides an excellent opportunity for the many fine young people in this country to step forward and express their views on the American system. This year over 400,00 students competed for scholarship prizes in the contest.

Miss Fowler has written a very thoughtful and moving essay. I offer her my warmest congratulations on this achievement and commend to my colleagues in the Congress this outstanding essay which I insert in the Record:

FREEDOM—OUR HERITAGE

(By Patricia Fowler)

Freedom is not merely a word. Men do not die for words alone. Words alone are not enough to inspire the mind of man and fire his soul with zeal.

Men die for dreams, for ideals. Men risk their lives for that intangible something that defies definition, but at the same time is an undeniable truth. Freedom is such a thing. The idea of freedom carries with it a great amount of hope, a great amount of faith—and yet, it holds a great amount of irony.

One ironic thing about freedom is that it is not free. It demands a dear price, to be paid in human hopes, human toil, and human lives.

In 1776, a determined group of men knew the cost of freedom and were prepared to pay it. Gathered in the city of Philadelphia in the hottest months of the year, plagued by an ever-present swarm of flies, dogged by discouraging reports from the newly-born Continental Army under General George Washington, sundered by internal disagreements, and racked with doubts, nevertheless these men turned out a document that was to change the course of history. It held strong words, but this Declaration of Independence was written by strong men.

Young Thomas Jefferson, in his pamphlet, "On the Necessity of Taking Up Arms", written in 1775, had resolved to die a free man rather than to live a slave. In the House of Burgesses, in Virginia, Patrick Henry had openly declared that he would have liberty or he would have death—with no alternatives. Benjamin Franklin, a venerable 70 years of age, had openly admitted that if the people of the new nation failed to hang together, they would most assuredly hang separately. The list goes on and on—Robert Livingston, William Paca, Roger Sherman, Richard Henry Lee, John Hancock, Caesar Rodney, John Adams—men of different ages and of different backgrounds, who, in Congress, on July 4, 1776, together pledged for freedom's sake their lives, their fortunes, and their sacred honor.

The spirit of these men cannot be allowed to fade. Their lives cannot be permitted to lose their dimension. Their thoughts must not be regaled to the pages of history books, for infrequent reference by reluctant scholars. Their words must not be forgotten as long as freedom lives in our land. For these men live on, and their dream lives on. It is the dream of John Adams and John Fitzgerald Kennedy; a dream shared by Thomas Jefferson and Martin Luther King; a dream common to Benjamin Franklin and Franklin Delano Roosevelt. It is a dream shared by young and old, rich and poor, black and white. It is freedom—our way of life, and our heritage.

SOUTH DAKOTAN HONORED

HON. JAMES ABOUREZK

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. ABOUREZK. Mr. Speaker, Miss Barbara Kay Preston of Mitchell, S. Dak., one of the outstanding cities in the district which I am fortunate enough to represent, has recently earned a great honor for herself in winning the Voice of Democracy Contest for the State of South Dakota.

This contest, which is sponsored by the Veterans of Foreign Wars, gives American youth an opportunity to express themselves in an entirely wholesome way about how they feel about their country.

It is with a great deal of pleasure that I share Barbara's speech with you:

FREEDOM—OUR HERITAGE

Responsibility—that is the key word. As tomorrow's citizens and leaders we must accept the responsibility of maintaining our heritage—Freedom. This responsibility takes many different forms. Most of them really simple. They are things any value-conscious American would be proud to do. First of all, it is our responsibility to care. Americans need to become more concerned about the internal, as well as the external problems of this nation. Part of this deeper interest lies in being better informed. It is important that we have all the facts before making a decision. After all, this country and her laws can be no better than her citizens. We are America!

Even if Americans do become better informed and more capable of decision making, the effort will be wasted if we, as Americans, will not accept the responsibility of speaking out for America and for Freedom. That's the second point. We've got to become involved—to become active in campaigning for peace. It's important to take a stand, even at personal risk, but at least let other citizens know how you feel. Set an example.

If you find someone desecrating a flag and it disgusts you, do something. Tell that person how you feel about the symbol that he is abusing. Give him a list of the things that the flag has done for him. Ask him where else he would have had the "Freedom" to get away with such mockery. Inform him that if he has so little respect for our national emblem, that maybe he doesn't belong here.

The result might not be instantaneous, but you have made a step toward preserving freedom. You cared. You took action. The growing apathy and the "I don't care, let him do it" attitude must be conquered. Perhaps the new national motto should be the United Fund campaign slogan, "If you don't do it, it won't get done."

The final step is probably the most important. Take time to think about what America has given you. What you and your children have if she were overthrown? It is frightening. With this in mind, it seems almost ironic that so many people reject the idea of defending and dying for their country. But, without her, what purpose would life have?

There is nothing I value more than the privilege and freedom to be myself. America symbolizes this freedom. But—we are America. Therein lies our responsibility. If we as Americans continue to be actively concerned, if we contemplate the value of our liberty, then freedom will thrive. Think about America. Care for America. And become involved in America. Finally, preserve America and her ideals. Love and honor her. Begin now—defending our heritage—Freedom.

BIGNESS ALONE NOT UNLAWFUL

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. WYMAN. Mr. Speaker, I would like to call attention to a syndicated news column that appeared during the week of January 28, 1971, in several newspapers throughout the country. This column, written by Robert S. Allen and John A. Goldsmith interested me, because it shed some important light on and insight into antitrust policies being pursued by the Antitrust Division of the Justice Department.

Over the years, antitrust enforcement has been effective in curbing monopoly, price fixing, and other business abuses. This has been due largely to the fact that Congress has legislated definitively in this field, spelling out certain precise prohibitions on business, but being careful not to curtail or infringe upon legitimate business activity. For example, Congress has consistently rejected the proposition that size alone should be a test in antitrust proceedings: Congress has refused to so legislate and the courts have been equally adamant in rejecting the bigness alone argument. As the Allen and Goldsmith article states, Federal District Court Judge William Timbers recently held that to ask the court to so rule would be "tantamount to asking the the court to engage in judicial legislation. This the court most emphatically refuses to do."

Attacks on legitimate business activities simply because of bigness should be carefully reconsidered, because bigness alone is not unlawful.

The article follows:

[From the Northern Virginia Sun, Feb. 5, 1971]

JUSTICE DEPARTMENT MERGER FIGHT GETS SETBACK

(By Robert S. Allen and John A. Goldsmith)

WASHINGTON.—The Justice Department is continuing to make little headway in its crusade against mergers of big corporations.

It has lost another round in this fanfared drive.

That's the real significance of Federal District Judge William Timbers' decision upholding the acquisition by International Telephone & Telegraph Corp. of Grinnell Corp., manufacturer of automatic sprinkling devices and other equipment.

The Hartford, Conn., jurist flatly rejected the Anti-Trust Division's arguments against the merger.

The sweeping decree is particularly consequential because it erects a major legal barrier against the Justice Department's move to extend the intent of Section 7 of the Clayton Anti-Trust Act beyond its traditional meaning.

Judge Timbers did this by ruling out what he characterized as a "new twist to the government's economic concentration claim." It was this contention that was the principal basis of Assistant Attorney General Richard McLaren's attack on conglomerate mergers. In Timbers' decree he held:

"To ask the court to rule with respect to alleged anti-competitive consequences in undesignated lines of commerce is tantamount to asking the court to engage in judicial legislation. This the court most emphatically refuses to do."

In effect, the ruling upholds the argument that existing laws do not bar diversified mergers simply on the basis of bigness.

Last year, in testifying before a congressional committee, McLaren, head of the Anti-Trust Division, declared that if Section 7 of the Clayton Act does not apply to conglomerate mergers, he would seek legislation to that end. It is evident from the import of Judge Timbers' ruling that he felt McLaren was trying to burden the scope and authority of the law without legislation.

Whether he now will go to Congress to enlarge the range of Section 7 to strike at conglomerates remains to be seen.

It's doubtful that would be permitted by Attorney General Mitchell.

On the ropes—Meanwhile, McLaren's drive against conglomerate mergers is limping badly.

Of the five major anti-trust suits he has initiated, he has so far scored limited success in only one. This was the settlement of the LTV-Jones & Laughlin Steel case. In three suits, the government suffered setbacks, the latest being Timbers' verdict and another case is slated for trial later this year—before the same jurist.

Congressional critics of McLaren's policy are vigorously demanding he drop it on two grounds:

(1) The merger trend has markedly abated because of the decline in the economy, adverse business conditions, rising taxes and stringent accounting rules. These factors, it's held, leave little reason for McLaren to persist in his anti-business warring.

(2) His policy is having serious adverse effect on U.S. companies doing business in foreign markets. Congressional critics point out that while other countries are actively encouraging mergers, the Anti-Trust Division appears to be endeavoring to hamper American concerns in meeting this intensified competition.

This censorious view was vigorously expounded by former Assistant Attorney General Lee Loevinger, who headed the Anti-Trust Division in the Kennedy Administration.

GEORGE WASHINGTON'S TOMB

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. SIKES. Mr. Speaker, I am pleased to submit for reprinting in the RECORD an especially eloquent speech by Col. LaVon P. Linn, U.S. Army, retired. It was delivered under the auspices of the National Sojourners in an impressive wreath-laying ceremony at the tomb of George Washington at Mount Vernon by the chapters of Washington and Fort Belvoir:

ADDRESS OF COLONEL LINN AT GEORGE WASHINGTON'S TOMB, FEBRUARY 20

On a winter day between Christmas of 1799 and New Year's Day of 1800, President Adams and his Cabinet, the members of the U.S. Senate and House of Representatives, the members of the Supreme Court, the Diplomatic Corps, senior military officers, and other national leaders gathered in the German Lutheran Church in Philadelphia to hear the more than two-and-one-half hour George Washington Funeral Oration delivered by Major General Light-Horse Harry Lee.

That day, for the second time in ten days, General Lee used the words "First in war first in peace, first in the hearts of his countrymen." The words were prophetic and they were true.

Many pictures flashed before the mind's eye of the heart-broken General Lee as he spoke. He remembered that a younger Washington was once honored by the Virginia House of Burgesses for heroic achievement, and when Washington rose to thank the gentlemen he was so overcome by emotion he was unable to utter a word. John Robinson, President of the Burgesses, said "Sit down, Mr. Washington. Your modesty is equal to your valor, and your valor surpasses the power of any language that we possess."

General Lee recognized that there were three major events in the last quarter of the 18th Century that were vital to the future of the United States of America. The first was the Revolutionary War, in which the services of George Washington were absolutely indispensable to American victory. The second was the Constitutional Convention of 1787 over which George Washington presided—held in the same room where the Declaration of Independence was signed—and in which Washington took the oath as Commander-in-Chief of the Continental Army. All through that sweltering Philadelphia summer of 1787, Washington kept the convention at work on their problems of political theory and practical politics until 17 September when they brought out our Constitution, which Gladstone called the grandest document ever brought from the heart and brain of mortal man. The third event was the beginning of the United States of America under the new Constitution. George Washington served as President for the first eight years, steering a course through uncharted seas. Thomas A. Bailey devised 43 yardsticks for measuring Presidential performance, called Washington, "in a class by himself in several respects," said that "Washington's foot did not slip a single time."

General Lee died in his sleep in March of 1818 and he could not know the luster which the name of Washington ultimately achieved. In 1901, New York University established a Hall of Fame for Great Americans. In the election that year there was only one unanimous choice—and that was George Washington. In 1962, Professor Arthur Schlesinger formed a panel of leading historians, asked these men to rate our U.S. Presidents from the standpoint of greatness—and Washington and Lincoln led all the rest. There are scores of other examples.

It is the same in geography as in history. Only one of our fifty states has taken the name of a President—and that state is Washington. Thirty-three of our states have Washington Counties. One-hundred-twenty-one of our cities, towns, and villages, including the nation's capital, have the name of Washington in their title, and the same is true of scores of mountains, lakes, rivers, and streams.

In literature, as in history and geography, the accolades are many. From across the sea, here is the voice of Lord Byron:

THE FIRST—THE LAST—THE BEST

The Cincinnatus of the West,
Whom envy dared not hate,
Bequeathed the name of Washington,
To make men blush there was but one.

From across the sea, comes the voice of our Brother, Rudyard Kipling. Kipling wrote a collection of stories called *Rewards and Fairies*. At the end of each story he placed an epilogue containing his evaluation of the principal character. One of these stories was about George Washington. Kipling called the story "Brother Squaretoes." As we read the epilogue to "Brother Squaretoes," we realize that Kipling was comparing each of us with George Washington:

If you can keep your head when all about you
 Are losing theirs and blaming it on you;
If you can trust yourself when all men doubt you,
 But make allowance for their doubting too;
If you can wait and not be tired by waiting,
 Or, being lied about, don't deal in lies,
Or, being hated, don't give way to hating,
 And yet don't look too good, nor talk too wise.

If you can dream—and not make dreams your master;
 If you can think—and not make thoughts your aim;
If you can meet with triumph and disaster
 And treat those two impostors just the same;
If you can bear to hear the truth you've spoken
 Twisted by knaves to make a trap for fools,
Or watch the things you gave your life to broken,
 And stoop and build 'em up with wornout tools.

If you can make one heap of all your winnings
 And risk it on one turn of pitch-and-toss,
And lose, and start again at your beginnings
 And never breathe a word about your loss;
If you can force your heart and nerve and sinew
 To serve your turn long after they are gone,
And so hold on when there is nothing in you
 Except the Will which says to them: "Hold on";

If you can talk with crowds and keep your virtue,
  Or walk with kings—nor lose the common touch;
If neither foes nor loving friends can hurt you;
  If all men count with you, but none too much;
If you can fill the unforgiving minute
  With sixty seconds' worth of distance run—
Yours is the Earth and everything that's in it,
  And—which is more—you'll be a Man, my son!

To Kipling one man measured up and that was Brother Squaretoes.

Finally, at the Washington's Birthday ceremonies in Springfield, Illinois, on 22 February 1843, the speaker was a gangling prairies lawyer named Abe Lincoln. He said this:

"The name of Washington is the mightiest name on earth. Long since mightiest in civil liberties. Still mightiest in moral reformation. On such a name an eulogy is expected. However to add brilliance to the sun or glory to the name of Washington is alike impossible. Let none attempt it. In solemn awe pronounce that name, and in its naked, deathless splendor, leave it shining on."

Ladies and Gentlemen, this concludes the National Sojourner ceremonies in honor of Washington's Birthday. We appreciate your attendance and your attention. Thank you.

THE BIG THICKET NATIONAL MONUMENT

HON. EARLE CABELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. CABELL. Mr. Speaker, today I am introducing a bill to create the Big Thicket National Monument. The Big Thicket in southeast Texas is one of the country's last natural wilderness areas. This land of flowing streams, wildlife, and plants and trees of all varieties is a wonderland of nature at its best and where the Alabama-Coushatta Indians still reside. A startling example of the wonders of the Thicket is the sighting of the ivory-billed woodpecker. This bird, once believed extinct, has been found living here.

My bill specifies that the area within the monument shall not be less than 35,000 acres. Although I realize that this acreage is not a great enough amount to properly preserve the Big Thicket, I feel that if we can initially start with these boundaries, in the future we will be able to expand and improve upon this beginning.

It is vital that the Big Thicket Monument be created as soon as possible, for as the weeks and months go by our ecological balance in this area is being destroyed. The Big Thicket, which once spread across 3.5 million acres, is rapidly being diminished until today it contains only approximately 300,000 acres. In this age of technology and awareness of our environment, it seems incredible that we would let one of nature's bounties go unprotected.

Mr. Speaker, I call for swift establishment of the Big Thicket National Monument.

BERNADETTE DEVLIN'S CRUSADE FOR COMMUNISM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. RARICK. Mr. Speaker, the young Communist member of the British Parliament, Bernadette Devlin, continues her U.S. fund-raising tour and praising a totalitarian collectivist system of government. Interestingly enough, Miss Devlin now denies that her revolutionary escapades are because of any religious crusade which was used to catapult her into any international prominence. She now admits that her activities are to destroy capitalism and unite the workers of the world.

It is not what Bernadette Devlin says that means anything, but rather how she is given a license to peddle her hate and her agitation for violence in our land and why she is given a podium to preach to our young people at taxpayer-supported institutions. Most Americans can understand how she received so much publicity, because the manipulated news media mainly concerns themselves with emphasizing the negative and glorifying the cultural outcasts.

Miss Devlin's readmission to the United States following her conviction and incarceration in her own country for doing just what she is now doing in our country must be laid directly at the feet of the State Department and the President of the United States. Since the State Department, long recognized as a refuge for pinks, Reds, and fellow travelers, is a division of the Executive Department and the President has direct control over the appointment of the Secretary, the ultimate responsibility for whatever turmoil provoked by Bernadette Devlin must rest in the hands of the President and his failure to fulfill his campaign promise to clean house in the State Department. In a campaign speech broadcast from Dallas, Tex. on October 13, 1968, Nixon said:

> I want a secretary of state that will join me in cleaning house in the state department, It has never been done . . . It wasn't done even during the Eisenhower administration.
>
> There are some good men in the state department and I know who they are. The routine men that have been the architects of the past, they will have other assignments and we are going to bring in new men with a fresh approach.

While in San Francisco, Miss Devlin even took time from her busy schedule to visit Angela Davis whom she is reported as describing as a "fellow comrade" and who she said was fighting "in the same struggle."

I include a column by Cam Montgomery, who covered Miss Devlin's recent speech to the Oregon State University student body, and the UPI clipping of her meeting with Angela Davis in the RECORD at this point:

[From the Salem (Oreg.) Capital Journal, Feb. 22, 1971]

BERNADETTE REFUTES "RELIGIOUS" RIOTS THEORY

(By Cam Montgomery)

CORVALLIS.—Bernadette Devlin, in a red leather miniskirt, white leather boots and a brogue as deep as Galway Bay, came to Oregon State University last night bringing a message of worker revolution.

She was greeted with a hearty ovation from some 3,000 young people, many with fists clenched over their heads and shouting "Up the Irish."

Standing on a podium on the basketball floor of Gil Coliseum, her long brown hair parted in the middle and breaking over her shoulders, the 23-year-old member of Parliament told her listeners that someday it will be a workers' world.

Succinctly she stated her Marxist theme that 85 per cent of the wealth in capitalist countries is in the hands of 5 per cent of the people and this is intolerable to the other 95 per cent.

The turmoil in Northern Ireland the past four years, the diminutive revolutionary insisted, has not been over religious differences between the one million Protestants and half million Catholics, but is a result of unemployment and poverty.

Miss Devlin, who in 1969 served four months in prison for participating in the Londonderry uprising that year, cited unemployment figures that reach as high as 50 per cent in some cities of Northern Ireland.

"But these figures aren't very interesting to the capitalist press," she said. "It's much more convenient to tell people we're fighting over religious differences.

"We're not fighting over the virgin birth," she said, "we're fighting for our houses, for work, for more money, something neither the Protestants nor Catholics are getting.

"Women in Ireland are working in dress manufacturing shops for 50 cents an hour. You may say that the cost of living in Ireland is cheaper than in the United States. Well, it isn't that much cheaper and our stomachs are the same size as everyone elses."

"There's an awful lot of poverty going about," she said, "not only in Ireland but in the United States and Europe, too."

Her solution for an end to the poverty and fighting over jobs is for the "workers of the world to unite, to seize the means of production, and take the power and wealth out of the hands of the few and put it in the hands of the many."

Miss Devlin, who was elected to the House of Commons in 1969, also castigated United States firms for their intrusion into the Irish industrial picture.

"Goodyear, Lockheed and Dupont set up plants in Ireland from which they take all the profits while we have to pay 66 per cent of the cost of the buildings, 66 per cent of the cost of the machinery and give them seven years of tax concessions on top of that.

"After 10 years these companies and their stockholders have all their 36 per cent of investments returned and everything from then on is clear profit.

"I say that after 10 years we have paid for those factories with our labor and they belong to us. And some day we're going to take them, without benefit of a bill of sale."

She took the United States to task for the war in Vietnam, claiming that it is only to the benefit of the 5 per cent of the people who own the wealth and power in the country and are "getting rich killing the Vietnamese people and their aspirations for freedom.

"For exactly the same reason the British soldiers are in Ireland.

"And for exactly the same reason both the British and the U.S. troops should get out of the countries they are in."

"We've lived under capitalism for several hundred years now," she said. "We know what it's done for us. It's made us cannon fodder for its wars and it has made us slaves for its factories. Our children have died of starvation.

"When we get pushed to the brink and get fed up with our lot and try to fight back the 5 per cent that owns the power comes down with the jack boot on our threats."

"But it doesn't matter how many of us they kill," she said. "Our movement is built on a principle, not just people, and you can't kill a principle."

"One of these days," she promised, "we'll kill capitalism. It's not a principle, it's only a system."

Following her speech Bernadette answered questions on such things as:

Women's Lib: "I'm part of it. Oppression of women is the most fundamental method of oppressing the working class." However, she said she wasn't concerning herself "with middle class women who complain about being oppressed by middle class men. I think they're an insult to women's lib."

Hard hats: "We've got them in Ireland, too. They're called the National Front. They are working class people who have been to the zoo too often. They think if they ape their master they'll be just like him. I never saw a monkey yet who got out of his cage."

A U.S. communications base in Northern Ireland: "It is defacing our mountain with barbed wire and all the other equipment you use in the international conspiracies you play with the Russians. We'd be grateful if you'd take your base the hell out of there. We've got enough trouble on our hands without getting caught between you and Russia."

Political prisoners: "The Soledad brothers are certainly political prisoners. Did you ever hear of anyone serving seven years for taking $70 in a gas station holdup? Angela Davis is a political prisoner. It's alright for Mr. Nixon to buy guns with your taxes to kill the Vietnamese. But they're not holding Angela because she was supposed to have bought a gun that killed a judge. They're holding her because she's a black, militant communist.

What's going to happen to the 5 per cent who have all the power and wealth after the workers take it away from them?

"We'll teach them a good trade, and if they can't work we'll take better care of them than they took of us."

Miss Devlin is on a month-long visit in the U.S. to try to raise money for a socialist research center in Northern Ireland.

[From the Salem (Oreg.) Capital Journal, Feb. 22, 1971]

Bernadette Visits Angela

San Francisco.—Catholic minority leader Bernadette Devlin of Northern Ireland visited Angela Davis in the Marin County Jail and said both of the young women are fighting "in the same struggle."

Miss Devlin, who spent four months in jail herself for conspiring to riot conviction in Ireland last year, said it was "scandalous" that the 26-year-old black militant was being kept in isolation from other prisoners. She charged Miss Davis was being given poor food and is allowed to exercise only twice a week.

Miss Devlin, at 23 the youngest member of the British Parliament, said she went to Marin County to meet Miss Davis as a "fellow comrade."

POSITION OF GERMANY AS RELATED TO FOREIGN POLICY

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, March 2, 1971

Mr. SCOTT. Mr. President, at Georgetown University earlier this month Helmut Schmidt, the Federal Minister of Defense of the Federal Republic of Germany, presented some most interesting viewpoints on the position of Germany relating to foreign policy.

Drawing on a period of American history, Mr. Schmidt said almost 150 years ago an important cornerstone of American foreign policy was authored in the form of the Monroe Doctrine to call a new world into existence in order to restore the balance in the old one.

I ask unanimous consent that these remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

The Position of Germany Related to East-West Détente

(Address by the Honorable Helmut Schmidt, Federal Minister of Defense of the Federal Republic of Germany, at Georgetown University, Washington, D.C., U.S.A., on February 9, 1971)

By his Farewell Address of 1796 George Washington gave to this nation a document reflecting his last will in the field of foreign policy. This document, which is still familiar to many Americans of the present day, has long since become a classic: It is no longer of any practical importance as regards the shaping of the foreign policy of the United States, which has meanwhile become a world power.

The olden days have long since passed when George Washington could say—and I quote:

"Europe has a set of primary interests, which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary combinations and collisions of her friendships and enmities."

And George Washington went on to ask his countrymen: "Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?"—and again Thomas Jefferson, a few years later, warned his nation: "No entangling alliances!"

But in fact: as the world power it is today, the United States is tied up in a network of international relations for which it might be an appropriate term to describe them as "entangling alliances". Particularly the "European controversies" are since 1917, 1939 and 1945 no longer felt to be "foreign to our concerns" in the United States. Americans as well as Europeans know: their *common* future will depend on the extent of close cooperation between them. Cooperation requires, and always will require, that partners are aware of each other's goals and intentions, dependences and interests.

The German question is one of the "European controversies" which have been the subject of political discussion in both America and Europe; and, as is to be expected, we Germans in particular are constantly trying to find answers to it. I, therefore, appreciate the opportunity of giving you an outline of the position of the Federal Republic of Germany and of some of the efforts the present German Federal Government is making. This is to say I am going to give you an idea of what we Germans ourselves are doing in the attempt to gradually overcome the "era of confrontation" and to arrive, through an "era of negotiation", in the end at an "era of cooperation" the way President Nixon indicated.

On January 28, Chancellor Brandt presented to the German Bundestag the Federal Government's 1971 Report on the State of the Nation. He made the following points:

"(1) In the historical process, the *right of self-determination* as laid down in the Charter of the United Nations must apply also to the German people.

(2) The *German nation remains a reality* in spite of its division into different states and different social systems.

(3) The policy of the Federal Republic of Germany, which is firmly committed to the preservation of peace, also calls for *arrangements* governing her relations *with the German Democratic Republic.* In conducting negotiations to this effect, we shall continue to proceed from the principles and premises set forth in the 20 points formulated at Kassel, where Brandt met the East-German Prime Minister in May last year.

(4) The *legal status of Berlin* must not be impaired. The Federal Republic of Germany will, within the scope of her rights and responsibilities exercised with the concurrence of the Three Powers, make her contribution towards improving and assuring the *viability of West Berlin* in a more effective way than in the past.

(5) A satisfactory outcome of the four power negotiations concerning the improvement of the situation in and around Berlin will enable the Federal Government to submit the *treaty with the Soviet Union*, which was signed in Moscow on August 12, 1970, to the German legislative bodies for approval.

(6) Concurrently and in the same political context, the German legislative bodies will have to decide on the *treaty with the People's Republic of Poland*, which was concluded in Warsaw on December 7, 1970."

The communist leaders in East Berlin are currently striving not to ease the East-West antagonism but to aggravate it. In pursuing their particular interest they have adopted a policy aimed at widening the gulf between the two parts of Germany. The position of the East German government gives an idea of the difficulties we are faced with in seeking a dialogue. *Yet nevertheless we are firmly resolved to carry on our initiative to come to a peaceful modus vivendi between the two German states* with no side dominating the other.

The easing of the situation in and around Berlin has to be part of the relaxation of tension in the centre of Europe we are striving for. The Federal Government proceeds on the understanding that the quadripartite talks will lead to an accord that guarantees the close ties between the Federal Republic and West Berlin and secures unhindered access to West Berlin. Without such safeguards it will not be possible to put treaties on the renunciation of the use of force into effect. With gratification I may say that during the past three months the *cooperation* between Bonn and the three Western governments has *assumed an intensity hardly ever experienced before, particularly with respect to the complex of Berlin.* There is full agreement as to the criteria and substance a Berlin settlement should have in order to be acceptable to us and the Western powers. The governing mayor of Berlin plays a constructive part in all deliberations thus following in the footsteps of his famous predecessor Willy Brandt.

Let me now give you an outline of the *interdependence and inseparability between our foreign policy, our probes toward the*

East and our security efforts. All too often I find that critics of this policy discuss single elements separately thus painting a distorted picture of reality. I will, therefore, point out to you six cornerstones of our policy and discuss them in the light of the overall political context.

To anticipate the conclusion: I am convinced that neither on the side of our government nor on that of reasonable observers of our domestic opposition, neither in the East nor in the West—wherever cool judgment is applied—there is any doubt that our Foreign Policy, including what has come to be called Ostpolitik in public discussion, and our security policy are based on interlinked concepts and have a stable relationship to each other.

Our overall policy is realistic and sober. Therefore, it does not attempt to argue the requirements of security. Our policy is a coherent continuum, an integral concept, which does not threaten anyone, which does not jeopardize our freedom or the freedom of our partners, and which will consolidate peace if that concept leads to success.

For three years, namely since the adoption of the Harmel Report by the NATO-Council—which has, since then, not been stowed away into the Alliance's archives but is an integral part of its operational policy—it has been the common policy of the *countries united in the North Atlantic Alliance to regard security and détente as the two pillars supporting their common policy,* two pillars that are of equal importance and rank. Never before has this been made clearer than in 1970, in particular in May and December 1970, at the last two meetings of the NATO Council.

I regard this combination of security policy and a policy of détente which has been adopted by the Alliance to be *the* essential prerequisite for the present policies of any government. If the Alliance were not convinced of and had not decided upon this combination, we Germans could not—and would not—carry on our policy because Bonn is not capable of pursuing such a policy separately. This combination of security policy and a policy of détente is the essential prerequisite permitting us to seek to consolidate the state of peace, safeguarding at the same time our freedom, but not to forfeit our nation's chances of a peaceful achievement of self-determination. I expressed in the German Bundestag the other day that *it would be unwise to pursue a policy of détente without security, and also vice versa:* that *a security policy without the will for détente would amount to nothing else but a continuation of the cold war.*

In this context the attempt of détente is supplementing by other means the security policy of equilibrium, as I would vary Clausewitz, or, to be more accurate in citation: Our Strategy is the *continuation of the strategy of balance under addition of other means.* The aim is to increase the measure of both our security and of the West's common security, by new impulses emanating from a new impetus in our foreign policy. This process cannot result over night in a resounding success. This we know very well. Therefore we will not permit ourselves to be dragged into impatient actions.

Apparently, some find it difficult to part with obsolete patterns of thinking. Apparently it is particularly painful when, after so many years, now a somewhat modified political platform is used and some political weights are shifted in respect of new objectives:

But let me say this much. The balance between the two military pact systems in Europe, *the counterweight NATO constitutes to the East's impressive military weight in order to establish a balance in the overall system*—all this *has been the vital condition for the preservation of peace in Europe* during the past 20 years, and I do not have the slightest doubt, that it needs to remain that way.

Let me now define *six cornerstones of our policy. First. The Alliance is indispensable for our security and the security of our allies alike.* It enables not only our partners in the Alliance but also us to attempt jointly to make some progress toward an improvement of East-West relations. The fact of the Alliance, the fact of its effectiveness and the fact of our own German contribution to this Alliance, a contribution that is indispensable for the balance which must be maintained by the Alliance, need to be lasting factors in everybody's calculations with regard to Europe.

Within the scope of these realities the foreign and security policies of the German federal government exploit to the full the margin of action open to the Federal Republic of Germany. Now, this fact is exactly what distinguishes us from the preceding governments headed by Dr. Kiesinger and Professor Erhard who partly did not use to the full, partly did not fully comprehend our range of maneuver within the aforementioned scope. The present Federal Government exploits it indeed right to the limits of our possibilities. This I do not want to hide from you.

Second Treaties on the renunciation of force or non-agression-pacts *make in no way dispensable or superfluous the balance in Europe* for which the Alliance is essential. This balance would therefore also not be made superfluous by the treaty on the nonproliferation of nuclear weapons. Nor would it become superfluous if something were to evolve out of the SALT negotiations. It will as well not be made superfluous by the German-Soviet and the German-Polish treaties or a treaty with the GDR, which we desire but which seems to be rather remote at the moment.

Third. This balance—and this is the third cornerstone of our policy—*cannot be maintained without the political and military presence of the United States in Europe.* The military presence of the United States, undiminished in substance, benefits all those interested in a stable and peaceful Europe. West-European States are incapable of replacing the American forces either in military or in political or in psychological respect; this applies especially to the nonnuclear Federal Republic of Germany.

Fourth. Let me remind you of the late Federal Chancellor Adenauer. It was perhaps his good luck that he was the head of the German government during a period in which in our own nation as well as in the French nation trends developed which offered a fertile ground for reconciliation between the two nations after so many generations of what used to be called "hereditary enmity". But nobody will want to deny—at least I, for one, would not deny it—that the achievement of Franco-German reconciliation was to a great extent due to Herr Adenauer's personality. This reconciliation will certainly remain inseparable from his name—as it will remain inseparable from the name of Charles de Gaulle, at that, although we had many objections against General de Gaulle's policies in many fields. *It is a vital necessity for peace in Central Europe that the German nation also seek reconciliation with our eastern neighbors,* since my nation unlike any other in the world must live in peace with twelve neighboring nations—in modern history there has been no nation with such great a number of neighbors. I hope very much that in the same way as Adenauer and others succeeded in reconciling us with our French neighbor, and in the same way as this achievement will continue to be inseparable from his name, the day will come when it will be inseparably linked with the name of Willy Brandt that we, in our turn, succeeded in initiating slowly but steadily our reconciliation with our Eastern neighbors as well.

Fifth. We Germans do not want to jeopardize our friendship with the Western nations which we won after two world wars. In fact, we need that friendship and instituted cooperation to achieve at least a normalization of our relations with the Eastern nations and ultimately our reconciliation with them.

Sixth. We start from the premise that our efforts to achieve the political unity of Western Europe, efforts which may some day also extend to the field of security, will not bar or obstruct the by far longer road of putting all of Europe together again. Nevertheless we have experienced that, as any additional achievement of Western European integration is concerned—and I do consider the entry of Great Britain and others into EEC as an addition which indispensably has to be achieved—tenacious pragmatism serves the political unification of Western Europe categorically better than verbal hunting for structural perfection.

Let me please mention at the end of this list of six cornerstones of our foreign political architecture that it is identical with what I pointed out to my own parliament 2 weeks ago—meeting with approval also from the benches of the opposition.

The twin concept of détente and security, pursued jointly and emphasized expressly at each of its semi-annual meetings, and implemented in concreto by the Alliance, is manifested, for instance, also by the bilateral SALT negotiations on which your administration not only keeps informed the allies, including us, but consults them carefully.

Other manifestations are the quadripartite talks on the sensitive Berlin problem, a problem fraught with risks; the negotiations and drafts between the Federal Republic of Germany and the Soviet Union and Poland; the probes initiated by many Western allies with many Eastern countries concerning the questions of mutual balanced reductions not only of the expenditure for weapons but also of the numbers of tanks, troops and aircraft; the explorations of both sides as to the possibilities of bringing about a conference on European security and to the possibilities that could be exploited at such a conference; and also of course the American efforts and those of others concerning the stabilization of the Near East.

On the other hand, the twin concept is also manifested by the intensification of the defense effort by a defense improvement program for NATO agreed upon in Brussels in December last year by the European NATO countries—I repeat the *European* NATO countries: this is a *point of particular importance, namely, that the European allies have achieved an addition to the joint defense posture just among themselves.*

The twin concept, last but not least, is also manifested by the common thought that transition from confrontation to cooperation will hardly be possible unless the arms race is curbed and the weapons arsenals are ultimately reduced. This goal is of pre-eminent interest to my Government. For the time being, it is true: world-wide total disarmament is still a long way off. But projects of arms limitation and arms control designed to slow down the arms race and to subject it to agreed rules are more urgent, more realistic and also more useful than ever before.

Each of these points shows that on the one hand those concerned feel sufficiently secure to enter into negotiations, into talks, while on the other hand they are unable to imagine the achievement of results without continued security efforts, or—in other wording: without continued equilibrium.

All the examples mentioned here show clearly that the German foreign and security policies are an integral part of the whole. No allied government—neither in Paris nor in Rome, neither in London nor in Brussels, neither in The Hague nor in Ottawa nor in Washington—sees things different from what I have just said.

To me, the most impressive feature about the NATO Council Meeting in Brussels in December 1970 was, that every point vis a vis the East—ranging from Berlin to MBFR—that was included into the NATO Council communiqué had been presented in the Council before being adopted and edited in detail, by one single foreign secretary, at the same time acting on behalf of the U.S. government, the French government, the government of the Federal Republic of Germany, and the UK government, namely by Sir Douglas Home. This was indeed impressive, seeing an agreed common position of four major powers of the West presented to that body item by item. Sure, some minor changes were made then, some editing on details was done, which is the usual procedure if the ideas of other people have to be accommodated also.

But let me refer to one important step taken at this NATO Council meeting that took place eight weeks ago. Quite a start was made by the West Europeans among themselves not only to the extent that the European NATO partners have mutually agreed on a substantial additional financial effort but also to the extent that *this "European Defense Improvement Program" (EDIP) constitutes a promising political element of future European-American relations* and, above all, a very promising element of European cooperation even without our big brother from this side of the Atlantic. The French have also commenced if only on a low scale to partially participate in that joint venture. And mentioning this I take the liberty to say that German cooperation with the French in the military field of security is today better and closer than it has been through many, many years before.

The European side thereby has established a decisive psychological prerequisites to enable the US administration to state in Brussels that the substance of US military presence in Europe will not be changed. We Germans do take a certain pride in the fact that this condition was brought about to a major degree by the political and diplomatic efforts of the Germany Federal Government. But I also must mention the very important role of the Dutch Government and its Defense Minister Wim den Toom and the fact that Denis Healy—then British Secretary of Defense—had the initial idea and started the whole thing shortly before the end of the Labour Government in London.

There is the argument that can be heard occasionally in my country that the Federal Republic of Germany, once it had concluded a treaty with the Soviet Union on the renunciation of the use of force, might withdraw from the Alliance, might scrap the Bundeswehr, or other simplicities and naivetés along these lines. This, of course, is sheer nonsense. I can assure you that there is no party or group or person of importance in the Federal Republic which would heed such destructive ideas.

Finally I should like to refer to a few political spokesmen in your country. I can understand the view of some Senators who think, for various domestic reasons, that the US troop levels in Europe should be reduced. I am glad that the president has explicitly disagreed with such views and stated to the Alliance his will to substantially maintain the US forces in the Mediterranean and on the continental soil of Europe—with the important and welcomed exception that reductions could be brought about between West and East on a mutual and balanced basis.

If there is the argument that the German-Soviet treaty—once it will have been ratified, that is to say once a satisfactory Berlin settlement will have been achieved, and once the treaty with the Poles will become effective—would make it superfluous for the US to play its role in Europe, then one has to know that this is just an argument but not the motivation. We all know that the motivations have not been caused by Brandt's Ostpolitik since they are much older and have been voiced over a long period of years. Among their promoters one finds important and respectable men whose ideas, however, we cannot accept in the interest of our own security and, as we believe also in the interest of the security of the United States itself.

The partners of our alliance agree upon a number of principles. Although this is true—and it will remain so—we all know that there are issues on which different opinions may arise. Common policies may, from time to time, be disturbed by differences regarding details. Let me give two examples. For instance: As the German Ostpolitik is being debated in this country and as some people have very critical views on it, on the other side people in my country as in other European countries discuss the American commitment and activities in South-East Asia.

To give another example: My friend Melvin Laird and officials in your country are debating the possibility of "zero draft". In this context, I should like to stress that we Germans and we Europeans have not in mind to come to anything like "zero draft". We do not think that any similar decision by a European government would be useful for European security. The German and European governments might have a hard time to meet their domestic public opinion in a situation like "zero draft" in the USA. Nevertheless we fully understand the trend in your country. Let me wind up my address by saying that in any *case my Government will in its foreign and security policies obey the necessities. It will at the same time not underrate the opportunities and it will not let any chances go by without probing them.*

When I quoted George Washington at the beginning you may have thought I intended to show off by demonstrating some knowledge of the historical basis of American foreign policy, but I did so to make it plain how vital the American/West European interdependencies are *today*—be it for the continued maintenance of our common security or be it for the continued attempt to ease East/West tension from such a basis.

America would cease to play its necessary role as a world power preserving world peace, if it ever should leave Europe in an unbalanced status vis-a-vis the capabilities, intentions and will of the other global power and vice versa: as America of our days—far away from the time of the Monroe Doctrine—is no longer invulnerable, the USA cannot preserve its own security without the cooperative efforts of Europe.

In conclusion, may I again draw on history. Almost one hundred and fifty years ago, an important cornerstone of American foreign policy was placed in the form of the Monroe Doctrine. Historians tell us, the real initiator of this doctrine was not an American but an Englishman: the then British foreign minister George Canning.

In order to establish the world political context of the Monroe Doctrine, Canning coined the nowadays famous sentence:

"I had to call a new world into existence in order to restore the balance in the old one."

We people of today need not create a new world: it is our will to dynamically maintain the existing balance and at the same time to make use of the existing opportunities—and to do this not separately but jointly.

CIVIL SERVICE COMMISSION CHAIRMAN HAMPTON GIVEN GOOD MARKS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. EVINS of Tennessee. Mr. Speaker, the popular columnist, Joseph Young of the Washington Star, an authority on career service in Government, in a recent column assessed the record of Chairman Robert Hampton of the Civil Service Commission.

Mr. Young praises the work of Chairman Hampton, Commissioners Lud Andolsek and James Johnson, and the capable executive director, Nicholas Oganovic, for their work in modernizing the Government's personnel system and practices and the strengtening of employees' rights in Government.

During my service over many years on the Subcommittee on Independent Offices and Housing Appropriations, which included the Civil Service Commission, it was my privilege to know and evaluate the Chairmen of this Commission, and I want to say that Bob Hampton is one of the finest Chairmen of all times.

Because of the interest of my colleagues and the American people in this most important subject, I insert this column in the RECORD:

CIVIL SERVICE COMMISSION GIVEN GOOD MARKS DURING HAMPTON'S TENURE

(By Joseph Young)

At the 2-year mark, it seems a good time to assess the performance thus far of the Civil Service Commission under the Nixon administration.

All things considered, the CSC's performance under the fine leadership of Chairman Robert Hampton, ably assisted by Commissioners Lud Andolsek and James Johnson, has been surprisingly good.

Surprisingly because the CSC previously had been headed by another excellent chairman, John Macy, under whose shadow Hampton had served as the Republican member in the Democratic administrations of Presidents Kenney and Johnson.

QUESTION OF TOUGHNESS

When Hampton was named by Nixon to take over the chairmanship, there were people around town, including government union leaders, federal personnel officials and members of Congress, who privately wondered whether Hampton had the toughness and the leadership abilities to adequately take the place of Macy.

Hampton didn't take long to convince most people that he did.

The CSC under his leadership and that of the associate commissioners, plus the fine professional staff headed by executive director Nicholas Oganovic, has accomplished much these last two years in the way of modernizing the government's personnel system and practices as well as strengthening employes' rights and benefits.

The CSC has its faults, of course. What agency hasn't? But it generally has the respect and trust of government employe unions, members of Congress and federal personnel officials. The CSC sometimes may move too slowly for some and may appear to be overcautious on occasion, but its overall record is a good one.

Under Hampton's leadership, the CSC has played a major role in strengthening the government's labor-management relations program and further improvements soon will be announced.

The government's grievance and appeals system has been streamlined, with greater safeguards given employes to assure more impartial and expeditious hearings.

PAY COMPARABILITY

The CSC worked closely with Rep. Morris Udall, D-Ariz. and other members of the House and Senate Post Office and Civil Service Committees and congressional leaders to secure enactment of the new semi-automatic federal white-collar pay system in which salaries will be adjusted annually without having to be approved by Congress. It assures federal pay comparability with industry.

Liberalized retirement benefits were enacted into law, with the support of the CSC.

The government increased its contributions to federal health insurance premiums—to 40 percent from the previous 25 percent—as a result of a law approved by Congress with CSC support.

These laws could not have been enacted without the CSC's active support.

There have been rumblings of political clearances required for choice federal career jobs and this has happened in some instances. But these have been the exception to the rule and the CSC has succeeded in preventing any broad or centralized political assault on federal career positions.

Progress has been made in equal employment opportunity programs, although not as fast as minority group employes or the CSC itself would like. But if the progress is slow, the gains are steady.

With the commission's strong support, the financial stability of the civil service retirement system was assured when Congress approved the law providing for annual appropriations to prevent the fund from going bankrupt.

OFFICE FOR COMPLAINTS

The CSC also has set up a complaints office to which federal employes may take their complaints on agency personnel actions.

Another CSC accomplishment is a program to open up better career opportunities for lower-salaried employes by abolishing the use of federal service entrance exams (usually given college graduates) in making promotions.

Also, the CSC has expanded the government's occupational health program to provide on-the-job preventive and emergency health treatment to employes through clinics in various federal buildings.

While government employe union leaders have their share of differences with the commission, they nevertheless have the feeling that the CSC under Hampton usually is fair and sympathetic with their problems and has a generally progressive outlook on federal personnel policies and benefits.

SPECIAL REVENUE SHARING

HON. CHARLES E. WIGGINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. WIGGINS. Mr. Speaker, governmental financing is not a subject that is easily comprehended by the average citizen. One thing is clear, however, to most citizens—more and more money is paid in Federal taxes while the State and city officials find it more and more difficult to find the tax sources to support their needs.

Last month we gained new hope when the President proposed a program for special revenue sharing. I am pleased that the President has selected the area of law enforcement as the subject of his first such program.

Of all the frustrations of governmental officials in all parts of the country, perhaps the greatest is the lack of ability to allocate adequate funds for the protection of citizens from criminal activity. The enactment of the proposal forwarded to us today will provide more Federal assistance in this critical area of governmental responsibility.

In enacting legislation to create the Law Enforcement Assistance Administration—LEAA—in 1968, the Congress recognized that "law enforcement efforts must be better coordinated, intensified, and made more effective at all levels of government." To achieve that goal, the legislation provided that States could receive Federal money for their law enforcement efforts if a plan was adopted by the State, approved by LEAA, and provided for the use of non-Federal funds for financing some percent of the projects to be carried out. The response by the States has been impressive, but if the aims of that program are to be achieved, then greater flexibility in planning and financing must be achieved. That is the purpose of the President's proposal.

Permitting the use of Federal revenues for 100 percent of the costs of many law enforcement efforts, and eliminating the need for LEAA approval of a State plan, this proposal can have a meaningful effect on the war against crime across the country. I give it my full support.

FARM PROGRAM

HON. ELIGIO de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. DE LA GARZA. Mr. Speaker, such discussions of the Nation's farm problems as that held on the floor of the House yesterday are of tremendous value in drawing the attention of the whole Congress and the Nation to these problems.

A healthy agriculture is an absolutely basic ingredient of a healthy economy. Unfortunately our farmers are not at present in a state of economic health. In actual fact they are in dire straits. I realize that urban areas also face serious problems. But it has always been true in our Nation that city dwellers benefit when farmers are doing well.

Fortunately we have in this body Members who understand this fact and who are intimately acquainted with all aspects of the farm problem. It has been and will continue to be my purpose to work with them in every way I can to achieve economic health for those who provide our food and fiber.

THE REGIONAL PLANNING ASSOCIATION

HON. MIKE GRAVEL

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Tuesday, March 2, 1971

Mr. GRAVEL. Mr. President, on February 16 the chairman of the board of the Chase Manhatten Bank, Mr. David Rockefeller, delivered what I consider to be an important speech before the Regional Planning Association in New York. In order to make this speech more widely available to my colleagues I ask that it be inserted in the RECORD.

The speech of David Rockefeller is important not only because of the source but also because of the substantive comment. It is particularly timely in that the Congress is now reassessing a whole series of regional development programs in order to determine what the outlines should be for any new legislation in this domestic field. I refer particularly to the Public Works and Economic Development Act of 1965 as well as the Appalachian Commission and the Alaska Field Committee. In the course of this the Congress is looking for good ideas from every source and should surely entertain those of such a distinguished spokesman in the private sector.

The Rockefeller speech treats the whole question of what business and financial institutions might be appropriate to help solve urban problems with an eye toward the creation of new towns and new independent communities.

I commend this speech to all those who are interested in the general proposition of massive private sector participation in public sector problem solving.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY DAVID ROCKEFELLER, CHAIRMAN OF THE BOARD, THE CHASE MANHATTAN BANK, BEFORE REGIONAL PLAN ASSOCIATION, NEW YORK, FEBRUARY 16, 1971.

I appreciate enormously the generous recognition that has been given this evening to the things I've tried to do toward improving this city that we all love so much, even though it causes us anxiety.

To be singled out for acclaim by the Regional Plan Association is a heartening tribute, indeed, and I am most grateful to you, Rusty Crawford, and all your fine associates.

I should warn you, though, that you may be establishing a dangerous precedent at these annual dinners. My brother Nelson was the speaker at last year's affair, and I myself have that honor tonight. I just wonder whether you are aware that there are three more Rockefeller brothers.

Actually, father was a strong supporter of this association. At one time, he stipulated that funds he provided for land acquisition and an extension of the Palisades Interstate Park System, in the area north of the George Washington Bridge, be used in accordance with the First Regional Plan of 1929.

When Nelson originally ran for governor, I suspect he had occasion to feel sorry that father was so self-effacing. He found to his dismay that the name most frequently associated with Palisades Park was Harriman.

Seeing David Frost here this evening as

master-of-ceremonies reminds me that my place on the program had improved considerably since we last met. On that occasion, David invited me to appear on his TV show, and of course, I was happy to accept. I didn't mind so much waiting in the wings while he interviewed two famous Hollywood actors—but I did think David carried the "upstaging" bit a little too far when he then brought on the Prime Minister of Sweden.

As Rusty Crawford can testify, it is particularly reassuring these days for a banker to hear anybody say nice things about him because, frankly, in these inflationary times, we have been getting far more brickbats than bouquets.

From time to time, I am asked what I think about inflation, and I've never been able to improve upon Milton Berle's definition. Inflation, he said, is when people's money won't buy what it did during the depression when they didn't have much of it anyway.

Bankers have been forcefully reminded of inflation's impact by several recent developments, including the soaring cost of building and outfitting new branches—and you know how many of those are opening up all the time. One survey showed recently that our Avenue of the Americas now has more banks than bars.

Some people, I'm afraid, would not look upon that as a forward step in regional planning.

Some friends and I were discussing urban planning recently while watching the television coverage of Apollo 14. One of the group raised the question why, since we can put men on the moon, we cannot solve our urban problems which are so much closer at hand.

"The explanation is simple," said another. "We know where the moon is!"

In reflecting on this comment, I couldn't help feeling that it pretty well summed up the difficulty we have in coming to grips with that tangled complex of problems we call "The Urban Crisis."

As the Regional Plan Association found out early in its very useful life, the urban crisis is not just a single problem. Rather it is a kind of witches' brew blended from all the major ills of our time—inadequate educational systems, hard-core unemployment, poverty in the midst of plenty, antiquated transportation, shameful housing, insufficient public facilities, and all the rest.

This evening I'd like to touch briefly on some of the problems we face—problems that have been starkly delineated in the Association's recent and comprehensive second regional plan. Then I'd like to explore a concept of development and financing that seems to me to have application not only to our urban areas but also to the exciting development of "new towns" and "satellite cities."

I should tell you at the outset that I personally am not a devotee of the new fashion of urban pessimism. This is the dispirited and disillusioned cult that never ceases to predict an early end to all our cities. Such an attitude, in my judgment, does much less than justice to the thousands of dedicated civil servants, determined businessmen and concerned citizens who have opted for enterprise and ingenuity as their response to a troubled era. To me, it would be both impractical and unthinkable to surrender to frustration at a time when there is so much constructive work to be done.

I spoke earlier of how difficult it is for the average citizen to see the urban crisis in perspective. Perhaps it helps if we think of the United States as two broad geographical areas.

One is rural America, a region so huge that, if it were a separate country, it would rank in area as the world's ninth largest. Yet, at the same time, a region so low in income that, by itself, it would be the world's sixth largest underdeveloped nation.

This rural America contains the highest proportion of our poverty, the lowest average per capita income, the most inequitable distribution of educational opportunity, and the bulk of America's inadequate housing.

The second geographical element consists of six large urban-and-suburban sprawls: The Boston-Washington corridor down the Atlantic seaboard; from Buffalo along the Great Lakes beyond Chicago; the spill-out of Los Angeles engulfing over half the California Pacific; the Florida spread; the Atlanta-Piedmont crescent; and the Fort Worth-Dallas-Houston complex.

Statistics confirm the pattern that the nation's urban areas accommodate 70% of all Americans on about 10% of the land.

Thus, in our rural areas, we have more room than people—more than enough space to expand, together with a need for the advantages that business and industry can provide.

On the other hand, we have the urban areas with far more people than room. In these areas, we have seen haphazard growth in which social ills tend to multiply.

Given these disparities, it is only natural to ask: why don't we get people to move from congested metropolitan centers to sparsely settled rural areas?

In a regimented society that might be a good way to do it, but it is hardly the American way.

Though romantics may still dream of the glories of small-town life, thousands of Americans continue by preference to pour into our great urban regions to take advantage of the unparalleled opportunities they do, in fact, offer. To the country lover, it may seem surprising that nearly all the increase in our national population, over the past decade, took place in metropolitan areas—in some central cities and especially in the suburbs.

In view of this trend and because of the huge investment we have in our existing cities, it is the height of folly to think—as some do—that we can ignore the refurbishing of our present metropolitan areas in favor of creating new cities away from the congested corridors. Realistically, we have no choice but to do both.

Today we have a population of some 206 million. Projections show that we are likely to add as many as 75 million more people by the end of this century—less than 30 years away. While this represents a lower rate of population growth for the United States than in the past—and is substantially lower than that of the developing nations—it still means that we must assimilate vast additional numbers of people in our country. In short, our urban problems will grow, not diminish, in the remaining decades of the 20th century.

Seldom does a day pass that we don't hear the question: "What's the solution?"

But I wonder if a more realistic query wouldn't be: "What's the best approach to these problems?"

Experiences I have had in relation to Morningside Heights, Lower Manhattan and urban activities of our own bank in recent years suggest that the right approach is all-important.

I might add, parenthetically, that this lesson on the proper approach was reinforced, at least in my own mind, when I tried to convince some of my associates, at our friendly little loan company, to decorate their offices with contemporary art! That's a job that definitely calls for the right approach!

At any rate, in approaching urban problems, it is absolutely vital to gain the cooperation of three elements: private business, government, and the local citizenry. Unless these three can reach a broad consensus, even the finest plan will become nothing more than a blueprint for failure.

I believe that the basic task of urban rehabilitation is one for private enterprise. But it must be a cooperative venture. Government must lend support through zoning, through supplying essential services, and through tax incentives. Furthermore, the goodwill of the local residents and their concurrence in the program is an indispensable ingredient.

Clearly, the business and financial community has a growing stake in the economic health of our cities. Good zoning, traffic control and adequate water supply are essential to the entire community but they also bear directly on the success of businesses located there. To attract and retain top talent willing to live and work in our cities, business needs progressive community leadership that is alert to the problems which exist and is prepared to do something about them.

Conversely, cities need the help of business if they are to expand job opportunities and generate an adequate tax base. During this decade of the Seventies, we must create jobs in the United States for about a million-and-a-half men and women who will be entering the labor force every year. Since most of these jobs must be in metropolitan areas, where the population is concentrated, a basic function of any city must be to encourage and support the business and commercial activities that provide its economic base.

It goes without saying that in performing its primary role of producing goods and services efficiently, business is accomplishing a vital function of great public importance. Beyond this, however, more and more businesses are coming to recognize that they have a responsibility to assume a larger share of the social burden, as well, hand-in-hand with government. A notable recent example of business initiative, which went beyond the conventional role of a strictly profit-oriented project, was the case of nine commercial banks which are cooperating with the City in providing nearly $75 million for the construction of the Waterside housing development, to accommodate some 1,500 low- and moderate-income families, on a novel six-acre platform over the East River.

This is just one example of an expanding corporate trend toward direct participation in community improvement that is becoming nationwide in scope. I am not suggesting, of course, that business singlehandedly—without government assistance—can solve the problems of our cities. However, it can take—and is taking—a livelier interest and is playing a larger role. And I believe it will do even more as it becomes convinced that its efforts will receive encouragement and support from government and the community.

One promising area for future collaboration between public and private sectors is in the existing planning and development of "new towns" and "satellite cities."

I say exciting because this represents a dramatically new concept of urban building. Look at any of our present towns and cities and you can see unmistakable reflections of the way they were built—piecemeal.

How much better it would be to have an overall concept of the community which can shape the development right from the outset. That, in essence, is the new town idea. An imaginative builder comes in with a comprehensive plan and works out the details in cooperation with local government.

The location of the community center is carefully selected. You don't have the situation many of us are familiar with today where one municipality waits for its neighbor to provide the shopping and community facilities for both. Housing is planned to meet the needs of all those who will be working in the community You don't run into situations where one municipality drags its feet, hoping the next town will provide the low- and middle-income housing, while it accommodates only the well-to-do.

In recent years, there have been about a dozen communities started which can be classified as "new towns"—that is, politically new and independent units with a wide range of options for housing, employment, worship, education and recreation. Perhaps the outstanding example of a new town in this country is Columbia, Maryland, halfway between Baltimore and Washington. Because Chase Manhattan participated in its construction financing, I have followed this particular "new town' with special interest.

Columbia was started in 1963 and is expected to be completed by 1980. By that time the population—now about 10,000—should reach 110,000. Of its 14,000 acres, about half are for residential use. A quarter of the land is for open space, while another quarter is for commercial and industrial purposes.

A core community is surrounded by what ultimately will be a dozen tree-shaded villages. Each village has been subdivided into racially integrated neighborhoods of about 1,000 families, with homes in a variety of styles and prices, clustered around churches, shops and schools. There are transportation loops around the villages that connect with Columbia's central core. Industrial sites are situated on the outskirts but with easy access routes to residential and shopping areas. The city is designed to be a balanced community with recreational and social facilities to satisfy the human needs of urban living, in addition to the businesses which provide employment and the economic base.

Seeing Columbia evolve, one can readily understand the growing support for new towns which is springing up all across the country.

As an example, the National Committee on Urban Growth Policy has recommended the creation of 100 new communities the size of Columbia and, in addition, ten new cities of at least one million people each.

The Housing and Urban Development Act of 1970 set up a Community Development Corporation to handle the financing of new communities, and provided some of the funds to get them started. These steps are very much in the right direction, but the funding presently available is still far below the waterline of adequacy to get the job done.

I have been giving considerable thought as to how the process of promoting new towns can be expedited. I have come to the conclusion that additional legislation will be required as well as added financial support. Specifically, it seems to me that two steps are needed.

One is a mechanism to help in acquiring land so that sufficiently large and contiguous tracts can be put together. In the case of Columbia, a few parcels could not be acquired and in the end the planners just had to design the city around them. If more parcels had been held out, or if they had been in more critical locations, this could have undercut the whole project. The chanciness related to land acquisition is much too great as things now stand.

The other need is for new sources of financing to provide the enormous sums required before new towns get underway and begin collecting revenue on their own.

To take care of both these needs, I would suggest the creation of two corporations nationwide in scope: one public, the other private or quasi-public.

To deal with the problem of land acquisition—and perhaps provide guidance in terms of national land-use planning—we need either a new federal agency or an existing agency supplied with special additional powers for planning and obtaining sites for new towns.

Such an agency might well require the power of eminent domain. But sufficient flexibility and safeguards should be built in so that the rights and desires of those already living in proposed sites would be protected, and so that there would be no improper infringement on states' rights. Whether it be an Executive branch mechanism or a creation of Congress should be a matter for sober reflection. But the plan would call for a federal agency with the ability to determine sites and projects in a manner consistent with the economic needs and goals of the communities involved as well as those of the nation. Thus, a single agency would handle land acquisition and site location.

The second agency, either private or quasi-public, would be organized on a non-profit basis, to provide the predevelopment financing. Possibly a new kind of bank could be devised which would seek its capital from commercial banks, insurance companies, industry and other sources. To do so, the new bank would need to offer long-term debentures with a modest interest return that would make possible full development of a new town, and yet be sufficiently remunerative so as to assure a continuing flow of capital for other new towns. If the new communities are well conceived, there is every reason why the bulk of the capital could come from private sources.

The two agencies would need to work in close cooperation to see that the site locations of new towns not only met the public standards desired for national growth but also to make sure that they would be attractive to residents and to industry.

Working together, these two agencies could create a whole series of new independent communities, providing adequate housing at reasonable cost and bringing together both the white and blue-collar work force required for industrial expansion.

Aside from the building of new towns, the plan I have outlined could readily direct investment into existing core cities where our national growth policy determined that programs of redevelopment or rehabilitation were desirable.

Perhaps the greatest benefit would be the harnessing of private financing sources, which up to now have not been attracted by urban investment, and directing them into responsible urban developments that are not only profitable but that enhance the environment as well.

Obviously, the building of new towns is an expensive venture. One recent study estimates that a community the size of Columbia might cost as much as $50 million in predevelopment charges alone—in land acquisition, planning and management, and infrastructure such as streets and utilities.

These start-up costs are the very ones that the developer finds so burdensome under present conditions, and the ones that the proposed new financing agency would be designed to handle. As a new town project moves ahead, it can obtain funds in the conventional money market or—in the case of lower income housing—from various government programs or the new National Corporation for Housing Partnerships. But the predevelopment costs are the big roadblock.

If we use this $50 million as a base figure, then the recommendation of the National Committee on Urban Growth Policy for 100 communities of Columbia's size, and ten of one million people each, could cost in the neighborhood of $10 billion.

Standing by itself, this is an imposing figure, indeed. Yet it is less than half of what we have already spent on the man-in-space program. And as great as the benefits from that program have been, I believe that the advantages of new town development—certainly in human terms—could be incalculably greater.

In conclusion, I would like to suggest that in tackling urban problems, we should keep five points in mind:

First, that because these problems are so closely interrelated, they call for the establishment of overall national goals and guidance.

Second, that federal and state assistance must be closely coordinated to stimulate responsible local action and serve the best long-run interests of the overall community.

Third, that the amount of state and local building and rebuilding required is so vast that it will make necessary the expenditure of a steadily increasing share of our total national income. Both private and public funds will be needed. Since states and municipalities are already straining their taxing powers, I believe the Federal Government will have to bear a larger share than in the past. That is why I personally applaud President Nixon's proposal for what he calls "general revenue sharing." The idea of giving local governments greater flexibility in spending a larger portion of federal tax revenues on urban development is eminently sound, and I would hope that the President's approach would eventually find the broadly-based support it deserves on Capitol Hill.

Fourth, that it is imperative for any new town or redevelopment project to include enough profitable activities, whether in housing, commercial development or industry to generate tax revenues sufficient to make the project viable with a minimum of public subsidy.

Fifth and finally, that the task of refurbishing our existing core cities and building new towns can best be accomplished if public and private efforts are creatively combined in such a way as to win the support of the community.

In shaping our cities of the future, we are limited only by the intensity of our concern, the reach of our inquiring minds, and the strength of our determination to provide a better life for all our citizens.

NEWSDAY COMMENDS HUMPHREY-REUSS REVENUE SHARING BILL

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. ADDABBO. Mr. Speaker, Long Island's Newsday, in a February 24, 1971, editorial discusses several features of the Humphrey-Reuss approach to revenue sharing. Notably, the editorial singles out for favorable comment the ideas of linking revenue sharing with State and local government reform, and of encouraging States without income taxes to adopt them. I and 16 other Members—Mr. Carney, Mr. Drinan, Mr. Dulski, Mr. Edwards of California, Mr. Eilberg, Mr. Fraser, Mr. Harrington, Mr. Hamilton, Mr. Hawkins, Mr. Mikva, Mr. Nedzi, Mr. Obey, Mr. Podell, Mr. Rees, Mr. Tiernan, and Mr. Yatron—have cosponsored H.R. 4617, the Humphrey-Reuss revenue sharing bill.

The text of the Newsday editorial follows:

A PLUS FOR REVENUE SHARING

Two years ago a federal commission recommended Washington pay all welfare costs and the states assume the burden of financing education. The report happily was not filed and forgotten.

It is reflected in some of the ideas on revenue sharing being advanced on the Hill by Sen. Hubert H. Humphrey (D-Minn.) and Rep. Henry S. Reuss (D-Wis.). Both men have testified before a joint congressional committee that they favor the gradual assumption of welfare costs by the federal government. And they have sponsored a revenue-sharing bill that would make it easier for states to relieve the local property tax of the cost of education.

Testifying before the same joint committee, an administration spokesman called the Humphrey-Reuss measure a "good bill."

The two Democrats, in turn, indicated they were open to compromise. Said Humphrey: "We cannot permit a stalemate between Congress and the administration on this issue." This aura of statesmanship may not long endure. But its very appearance is a sign that consciousness of the state and local tax crisis is being forced on both the executive and legislative branches.

New York's Republican lawmakers in Washington must not automatically fall in behind the administration's approach to revenue sharing, which would deliver money to the states with very few strings attached. For Humphrey and Reuss have demonstrated a great awareness of the burdens on a state, such as New York, that has tried to meet its responsibilities.

The Humphrey-Reuss bill would distribute federal money to the states under a formula that would count the income tax collected in a state twice to determine its share of federal funds. Thus a state with a high income tax would receive more federal aid than a state with no income tax or a low one. And New York certainly qualifies as a high income tax state.

This incentive could help nudge New York into the long overdue reform in the way education is financed in the state. The property tax was never meant to carry such a heavy burden. In addition, it is an unfair tax because it is almost blind in its ability to recognize ability to pay. The cost of a basic program of education should be paid by the state and the money raised through the income tax, which is far more equitable since it is graduated to reflect relative earning power.

Humphrey and Reuss take a clear-eyed view of the failings of many state governments. They have designed a very sophisticated program that would encourage much-needed reforms, such as annual legislative sessions (some state legislatures meet only once every two years) and tax revision such as the necessity changes in educational financing in New York. In advancing their bill—and especially their ideas—they have brightened the prospects for drafting good revenue-sharing legislation this year.

TRANSPORTATION PROGRESS WITH SECRETARY VOLPE

HON. NORRIS COTTON

OF NEW HAMPSHIRE

IN THE SENATE OF THE UNITED STATES

Tuesday, March 2, 1971

Mr. COTTON. Mr. President, Secretary of Transportation Volpe has in the 2 years since taking office distinguished himself not only as an analyst of the Nation's transportation problems but also as a most effective problem solver in the area of transportation.

On February 4, 1971, Secretary Volpe spoke at the Transportation Association of America's annual meeting in Chicago. I ask unanimous consent that excerpts of his remarks on that occasion be printed in the Extension of Remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF TRANSPORTATION,
Washington, D.C.

EXCERPTS OF REMARKS BY U.S. SECRETARY OF TRANSPORTATION JOHN A. VOLPE

Let me—at the outset—bring you the greetings of the President. He sends his best wishes for a successful meeting. As you well know, he is keenly interested in transportation—perhaps more so than any other President in this century. He clearly demonstrated this interest and concern by submitting to Congress—and successfully achieving—major legislative programs for aviation, public transit, railroads and highways. He understands your needs and the peoples' needs; he recognizes the necessity for full-range, long-term planning if we are ever going to successfully match resources with demands.

And I must say that reflecting on that great State of the Union message, his understanding of our other many needs is clearly evident.

It is a bold new program, containing some monumental solutions to some of the problems now facing this country. Let me comment briefly on two aspects that relate to transportation. First—the proposed new system of sharing Federal revenues with state and local governments. This would be a financial transfusion that can save our Federal system and bring new strength to Government at the grassroots level, Government that you and I know is best qualified to judge and respond to the needs of the people.

Included in the proposal is $11 billion in so-called "special revenue sharing" for specific areas such as transportation but without the narrow program restrictions that have applied in the past. The converting of some of our categorical grants to block grants is most definitely in line with our initiatives over the past two years in the direction of giving states and communities greater flexibility through a single transportation trust fund.

Closely related is the matter of Government re-organization. Some people—even the so-called "Bureaucrats" in my own shop—have gotten a little nervous over some of the reports about re-organization. But let me make my position crystal clear. Re-organization—as the President has outlined it—is simply another step toward integrating transportation into the basic fabric of our lives.

I do not see the President's proposal constraining what we are now doing. On the contrary, I think it will accelerate directions in which we are already moving.

And let me say, Gentlemen, we are moving! Last year, our Department had its best year ever! Five major transportation Bills were passed by the Congress. And most of them passed by overwhelming odds. Each of you, I am sure, is aware of at least a few of these measures. But let me list them for you, just to refresh your memory. We have the Airport-Airways Act, the Urban Mass Transportation Assistance Act, the Rail Safety Bill, the Rail Passenger Service Bill, and—in the final days of the 91st Congress—the new Highway Bill.

Now these are all mighty important pieces of legislation, and I am deeply appreciative of the work everyone in the transportation fraternity did in getting them through. But, frankly, I see them only as a beginning. We still have a lot of hard work that is going to require the very best efforts of both industry and Government.

There is an immediate need, first of all, for better industry-labor relations throughout the transportation industries.

Yesterday at noon the President sent a special message to Congress proposing transportation labor legislation, the "Emergency Public Interest Protection Act."

The proposed legislation calls for establishment of a procedure by which both sides in a labor dispute would submit their best final offer to a neutral, three-member panel. The panel would then select, without alteration, what is deemed the most reasonable offer. This would become the final, binding settlement of the dispute.

This measure deserves your full support.

Another major job before us is our Transportation Needs Study, scheduled for completion in 1972 with an updating every two years thereafter. This total Needs Study is far broader than the traditional "Highway Needs Studies" of past years. It will pinpoint transportation demand in detail for periods of 10 and 20 years ahead. It will not be simply a classical projection, by mode, of how heavy traffic will be in year "X". It will not be pegged exclusively to the modes as we know them. Our aim is to accommodate the doubling of freight and passenger loads in the next two decades—regardless of where the modal chips may fall. We want to know the general needs so we will be able to recommend specific responses. At the same time we are paying close attention to the environmental impact of transportation demand in the realms of safety, pollution, noise, land use, and conservation of human and natural resources. No true transportation system will fail to take close account of these once-hidden, but now obvious, social costs of mobility.

Relocation housing is a case in point. We have made it a firm policy, for instance, that no one will be thrown out on the street just so we can build more streets. Replacement housing *is* a factor in transportation development.

No national transportation policy or needs study can succeed without the input of citizens, state and local governments, regional planning bodies, and especially the industry itself. This is a national problem, and it must be solved in a national way.

Which brings me to another one of our immediate needs that is requiring—and receiving—the very best national expertise we have been able to find. I'm referring to our National Rail Passenger Service Corporation—(call it "Railpax" if you must; we are in the process of looking for a better name.)

Passage of this legislation, and creation of the well-publicized quasi-public operating corporation, is bringing two very important results. First, we are helping ease the railroads' financial pinch by relieving them of the burden of passenger service. Second, we are giving the American travelling public the chance to prove, once and for all, whether or not they will patronize fast, clean, efficient, courteous safe rail transportation.

Our initial demonstrations with the Turbo-Train and Metroliner indicate that people will ride modern rail passenger vehicles.

The Corporation is already in full operation. The incorporators have been meeting practically around the clock since their confirmation by the Senate last month. I, on my part, have designated a basic system of 21 city pairs between which the Coporation shall provide rail service. That was no easy task. I announced our first preliminary plans on November 30, calling for only 16 city pairs. This resulted in my receiving more than 3,000 letters—countless telephone calls and a parade of visiting dignitaries.

With vocal support such as that—and with harder facts following deeper research—we were delighted to be able to expand the system to a point where *no* region of the country is passed by.

The incorporators, meanwhile, are ready to begin negotiations with the railroads in operating contacts. They are shaping up a management team of top people; they are determined to make this Corporation work.

The new Corporation, I remind you, opens for business May first. We are working on a very tight deadline considering the scope of the operation.

I am certain that after initial "bugs" are eliminated, this country will have a true national system of rail passenger service.

I look upon this basic system, however, only as a beginning—as a base from which the Corporation can expand as demand for fast, clean, safe and efficient service between metropolitan centers increases.

I have spent my time—and yours—up to this point with a combination "progress report" and "re-statement of basic goals."

Progress is worth reviewing, and goals are worth remembering. In an "overview" sort of speech like this that is often the most one can be expected to do. But I would like to devote my remaining time to a somewhat narrower approach; and I trust that those of you for whom this is not immediately relevant will bear with me. For over the long run the relevance is very real and very dangerous, no matter what phase of transportation provides you a paycheck today.

There are two phases—two aspects—of transportation in America that pose definite threats. I use a word as strong as that only after two years of living with transportation day and night.

The first of these areas is the threat of urban congestion. Gentlemen, urban congestion is a threat to cities—large and small—in every state in this Nation.

Our obsession with the private car is destroying the quality of life in our urban areas.

I want one fact understood here. I fully appreciate the tremendous mobility and the subsequent tremendous independence the private automobile has given the average American family. I am also a firm believer in the value of our Interstate Highway System, and I am very proud that my first introduction to Federal Civil Service was as President Eisenhower's first Federal Highway Administrator. Notwithstanding all this, I fully recognize that excessive dependence on the auto is damaging transportation, damaging ourselves and damaging our urban areas.

The result of this total emphasis on private cars is that we have, in effect, deprived the inhabitants of our metropolitan areas any reasonable choices in the modes of transportation available to them. They have no alternatives. If they can't drive or don't own an automobile they are immobilized.

The increasing amounts of urban air pollution is another disastrous effect of this heavy auto traffic. A few weeks ago, Los Angeles found its air pollution had reached dangerous levels and had to call on its citizens to restrict driving. The advent of similar conditions in most of our major cities is only a matter of time.

Heavy auto traffic also represents inefficiency. It is an inefficient use of our highways and it impedes the pace of public transit. Heavy urban auto congestion is noisy and a potential safety threat to urban pedestrians. Finally, it involves all of us in a brutally vicious cycle: more people, with fewer alternatives, means more cars—which require more roads—which take more urban and suburban land off the tax rolls and away from housing, business, and recreation while bringing increased pollution and congestion. This—very simply—is a self-perpetuating disaster.

How do we fight this? New York City experimented with the closing of certain downtown areas to traffic and found that on the streets that were closed the carbon dioxide count fell by as much as 90 percent and the average noise level shrank from 78 to 58 decibels. In the financial district, a ban on private parking so opened the streets that it reduced bus and taxi trip time by an incredible 75 percent.

I shall this year, therefore, continue to urge mayors and other local officials to look to ways of both reducing urban auto driving and encouraging the use of public transit. I have stressed this point regularly to the League of Cities, to the Conference of Mayors, and I shall continue that appeal as long as the threat persists.

And, I shall be doing more than just urging and talking.

While details cannot be released at this time, I can say that we will shortly be taking a close look at the transportation situation in the Nation's Capital. This will be a comprehensive approach to the regional transportation needs of the entire metropolitan Washington area. The knowledge we have already tells us innovations must be made. And innovations will be made. This comprehensive analysis will, hopefully, set a pace and a precedent for other major cities of the Nation.

We will cope with this threat that has brought us all too close to urban suicide in all too many metropolitan areas. We shall most definitely make 1971—as one of the trade papers termed it—"Year One of the Transit Revolution."

Now let me turn to the second area within which I—and my policy people—sense a distinct threat to national progress.

No nation of 200 million people that covers 3½ million square miles could possibly exist in this day and age without railroads.

I have already discussed the rail passenger problem, and our involvement there. What perhaps is not understood well enough by the general public is the impending crisis in rail freight. We have simply too much bulk freight, too great a flow of raw materials, too huge a gross national product to conceive of the death of our rail system. Yet we have allowed ourselves to come dangerously close to that fatal point. The fact that $100 million of our $125 million loan guarantee program was snapped up by *one* railroad the first week it was available is proof of that. Bankruptcies, near-bankruptcies, archaic equipment and outmoded regulatory practices are further indices of the problem. And we discovered—during the one-day shutdown in December—that with a nationwide cessation of rail service, the other modes would be hard put to carry even 15 percent of the traffic!

I see little value in going backwards or in assessing blame. Suffice to say, the deterioration of our railroads is a national tragedy. And this atrophy must end.

I shall, consequently, be initiating a series of programs and actions this year which will be designed to assist our railroads. These will cover the range from a series of new legislative proposals, new studies, and new research and development projects.

So—just as this will be "Year One of the Transit Revolution," this will also be the year in which the Federal Government moves in depth to get to the massive task of boosting rail freight up the priority rankings.

Gentlemen . . . there are other topics I could have touched on today. But I felt my time would be better spent in talking of the challenges and difficulties that lie ahead.

But in closing, I want one fact clearly understood and remembered. I have been at my desk in Washington for two years now, and I have come to know the people in the transportation industry. I have, consequently, a sizable measure of confidence in our future. We have come a long way in the last 200 years, and the future is alive with opportunities for service yet undreamed of.

With your help, with our priorities in proper order, with clear policies and a clear direction, transportation can become the cutting edge of social and environmental progress in this country.

SUPPORT BY THE GREAT RELIGIOUS FAITHS FOR VOLUNTARY ASSISTANCE PROGRAMS

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, March 2, 1971

Mr. SCOTT. Mr. President, next week is the annual appeal by our good friends of all three great faiths—Catholic, Jewish, and Protestant—seeking funds to aid those who cannot help themselves. Millions of Americans, each through his own faith, will make special contributions to support voluntary agency assistance programs for the world's homeless, hungry, and destitute beginning March 14 and ending March 21. The three appeals are:

Catholic—the Bishops' Overseas Fund Appeal, March 14–21 in Catholic churches;

Protestant—One Great Hour of Sharing, with special offerings, March 14–21 in participating Protestant churches;

Jewish—United Jewish Appeal, a continuing effort with special emphasis at this season.

Mr. President, the overseas relief programs of the religious faiths serve victims of war, natural disasters, and destitution with both emergency aid and with continuing programs of rehabilitation. All of these groups have done an outstanding job in helping those less fortunate around the world, and I urge all Senators to offer their assistance to the Catholic Relief Services, the Church World Service, and United Jewish Appeal in furthering their responsive efforts.

A TRIBUTE TO ASSEMBLYMAN LARRY TOWNSEND

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. ANDERSON of California. Mr. Speaker, certainly each of us, as Members of Congress, value our working relationships with the State legislators within our districts, but I rise today to pay tribute to a man who is more than a fellow public servant—he is a personal friend of long standing.

A Navy veteran and former union representative for the International Brotherhood of Electrical Workers, Larry Townsend was first elected to the California Assembly in 1966 and is now serving his third term.

In his first term, he was instrumental in the passage of legislation authorizing the Southern California Regional Occupational Center, now in operation in Torrance. During the last session of the California Legislature, he worked diligently for an increase of State aid to senior citizens and approval of the Paramedics Act, which allows specially trained ambulance attendants and emergency services personnel to perform emergency treatment for heart attack victims which has already resulted in the saving of many lives.

In 1970, Assemblyman Townsend was chairman of the Health and Welfare Subcommittees on Child Health, and on Drug Abuse; vice chairman of the Governmental Adminstration Committee; and a member of the Commerce and Public Utilities Committee. With his advancement this year to membership on the important Assembly Rules Committee, he was also added to the Finance and Insurance Committee and serves on the

Wildlife Conservation Board for the State of California.

Since being elected to the assembly, Larry Townsend has forsaken any outside employment interests in order to devote his full time to representing the citizens of Torrance, Redondo Beach, Gardena, Hawthorne, Lawndale, Carson, and Compton.

However, he has continued his many community service activities, including the Boy Scouts, YMCA, Pop Warner Football, Little League Baseball, Lawndale Teen Council advisor. Among the many public service activities in which he was engaged prior to his election to the assembly included two terms as chairman of the Torrance Civil Service Commission; director of the Little Company of Mary Hospital; director of the Travelers Aid Society; a lecturer at UCLA, Los Angeles State College, and Valley State College; and membership in the Public Personnel Association. He is also an active member of the Lawndale Congregational Church.

Too often the well-deserved honors are paid to public servants such as Assemblyman Townsend while their wives and families fade into the background. However, I know that one of Larry's most valuable assets is his devoted and attractive wife, Shirley. They have three children, Lashirl and Lauren, who are students at North High School in Torrance; and Dale, who is studying at El Camino College.

When Assemblyman Townsend first entered the legislature, he established a set of goals toward which he would work and has dedicatedly continued his efforts to further these ends. They include seeking equitable methods of property tax relief; assuring equal rights and opportunities to all citizens along with fair wages and better working conditions; providing effective rapid transit at low cost; advancing the standards of education; and providing all possible aid to law enforcement officials.

Those are certainly worthy goals which have made him the effective and influential legislator whom I wish to honor today.

VOLUNTARY MILITARY PROCUREMENT ACT OF 1971

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. BROTZMAN. Mr. Speaker, I am today introducing the Voluntary Military Procurement Act of 1971. The purpose of this legislation is to provide the incentives necessary to increase the number of enlistments in the Armed Forces to a point where conscription will not be necessary to meet our military manpower needs.

In 1968, I first introduced a resolution to express the sense of Congress that the United States should convert to an all-volunteer military at the earliest practicable date. Since that time there has been increasing interest in an all-volunteer force. Interest reached a peak a year ago when the President's Commission on an All-Volunteer Armed Force, the so-called Gates Commission, concluded that the draft could be practicably terminated. The legislation I am now introducing seeks to implement that Commission's recommendations.

My bill, Mr. Speaker, seeks to establish fair levels of compensation for military personnel. Provision is made for pay increases which average about 50 percent for first term enlisted men, and approximately 28 percent for junior officers. Increases are greater for the lower ranks than the higher ranks.

The legislation also incorporates the personnel management reforms recommended by the Gates Commission by directing the Secretary of Defense to:

Expand utilization of civilian personnel.

Improve and expand specialist education programs.

Improve and expand officer training programs.

Improve and expand recruiting programs.

Improve and expand educational opportunities, including associate degree programs and off duty courses.

Improve and expand housing opportunities.

Alleviate the problem of family separation for married members of the military services.

Formulate a plan for maximum use of civilian medical facilities, including a medical insurance program.

Formulate a new pay structure providing for salary schedules which combine basic pay and quarters and subsistence allowances and which involves cash contributions to a retirement system similar to that for Federal civilian employees.

The bill provides for an adequate number of officer candidates by providing for an increase in the number of Reserve Officer Training Corps scholarships, and an increase in the subsistence allowance for this group. Hostile fire pay is increased from $65 to $200. Special pay for physicians, dentists, and veterinarians would be increased. Finally, to insure the national security in a time of emergency, draft registration would be continued even if the authority for induction expires. The draft could be reinstituted at the request of the President by a joint resolution of the Congress.

Mr. Speaker, there has been a great deal of discussion as to whether or not it is feasible to terminate the draft. Thoughtful people have been unable to agree; however, the most exhaustive study of the matter, that undertaken by the Gates Commission, concludes that it can be done. The Voluntary Military Procurement Act is an effort to test the Commission's conclusion. Because national security must be of paramount consideration, authority for a standby draft is included in the bill. Even if the incentives in the bill do not result in a draft call of zero, it should be enacted for other reasons.

Defense costs at any one point in time are constant. The question for the Government is how to allocate those costs. By underpaying our servicemen we are allocating an unfair share of the cost of defending the country to those in uniform. By paying a fair wage, we would say that the costs of maintaining the military should be borne by the entire public in the same proportion as are other governmental expenditures. In other words, Mr. Speaker, it is time to end the tax in kind now being levied on America's military personnel.

At the present time, the total military compensation for a recruit comes to $2,750 per year. By way of comparison, a person earning the minimum wage of $1.60 per hour would receive an annual salary of $3,300. The annual pay of a Job Corps graduate is $3,900, and the common beginners' pay for unskilled blue collar work is $6,000 per year. Irrespective of the practicality of ending conscription, the men and women of this Nation's Armed Forces should not be compensated at such a low starting salary.

Currently, over 50,000 military men qualify for some form of Federal relief according to Defense Department estimates. Food stamp usage is increasing in military commissaries. Fifteen thousand food stamp transactions occurred in commissaries during a recent 3-month period. Every soldier and sailor at or below the rank of E–3 is currently compensated at a rate under the federally established poverty level. Certainly the buying power of enlisted men is increased by several types of indirect compensation, but even so, the pay raises contained in the Voluntary Military Procurement Act are justified, regardless of the draft, as a means of removing the financial penalty now associated with military service.

There are two often heard fears expressed with respect to an all-voluntary military. One is that it would result in an Army of the poor and the black, and the other is that our society would become more militaristic. After careful study, I cannot accept either of these contentions.

In fact, Mr. Speaker, the more affluent and better educated are already able to avoid military service in many cases. While implementation of the lottery has helped in this regard, it will be the rich who will continue to avoid service through their use of legal machinery and medical exemptions. The Gates Commission studied this question and concluded that a maximum of 14 percent of a conscripted force would be black and that a maximum of 15 percent of a volunteer force would be black. Finally, the broad support an all-volunteer military has received from black leaders in and out of Congress disputes the fear expressed by some that eliminating the draft would discriminate against the poor and the black.

The fear that a professional military would make our society more militaristic is also contrary to the facts. Over 2 million servicemen out of a current total of 2.7 million are already professional in that they enlisted for reasons other than draft pressure or have voluntarily reenlisted. The Gates Commission estimates, even under an all-volunteer force, considerable turnover in both enlisted and officer ranks. Furthermore, the effect of short-term draftees on military policy is probably nonexistant. An all-volunteer force would in no way dilude the historic control civilian authorities have exercised over the military. Also, the bill, by upgrading the ROTC program, will assure a continued infusion of civilian oriented personnel into the officer, or policymaking, ranks.

Finally, Mr. Speaker, an all-volunteer military would lead to a calmer consideration of American foreign policy by both the President and the Congress. Under the Voluntary Military Procurement Act, the need for a large increase in forces would require full congressional debate. Under the existing law, draft calls may be dramatically increased without the prior consent of Congress, as they were in 1965. Under existing law, Congress' only effective control on the executive is the authority to cut off funds once troops are already in the field. The bill I am introducing would allow congressional involvement before massive troop commitments are made.

CHATTANOOGA SERTOMA CLUB GIVES FREEDOM AWARD TO MRS. WAYNE FULLAM

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. BAKER. Mr. Speaker, the Chattanooga Sertoma Club is to be commended for honoring Mrs. Wayne E. Fullam of Chattanooga, Tenn., with its 1971 Freedom Award.

Mrs. Fullam, whose husband, Maj. Wayne E. Fullam, has been missing in action since 1967, was selected for this year's award on the basis of her tireless and selfless efforts to gain freedom for all prisoners of war.

She was one of 58 wives who made the exhausting 21-hour trip to Paris and back on Christmas Day 1969, to confront the North Vietnamese delegation there and request information about the fate of their husbands. She was instrumental in the formation of the National League of Families of Missing Soldiers and Prisoners in Southeast Asia and is Tennessee coordinator for the league. In this capacity, Mrs. Fullam has been praised as the most outstanding and productive State coordinator in the Nation.

Mrs. Fullam has participated in two White House conferences to emphasize to President Nixon how he could assist families of the prisoners of war and those missing in action.

In accepting the Freedom Award, which consisted of framed bronze replicas of the Bill of Rights and the U.S. Constitution, Mrs. Fullam said:

> This is a heartwarming occasion for me, even though half of me, half of my heart, and all of my love is with my husband, somewhere behind the bamboo curtain.

The Chattanooga Sertoma Club has chosen well in honoring Mrs. Wayne Fullam. Surely this will be an inspiration to all who have joined these families in advancing this humanitarian effort.

AFL-CIO ENDORSES PUBLIC SERVICE EMPLOYMENT PROGRAM FOR RELIEF TO UNEMPLOYED

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. DANIELS of New Jersey. Mr. Speaker, there is an alarming trend in our Nation today. Unemployment figures have risen steadily for 2 years and show no signs of decline in the coming months. Discussions by economists and Government officials that cyclical trends in the economy will eventually lessen unemployment are little consolation to the 5,033,000 Americans who are without a livelihood. These men and women are victims of economic forces that are largely out of their control.

It is for these reasons that I introduced H.R. 3613, to create a public service employment program. The Select Subcommittee on Labor which I chair is presently conducting hearings on this and similar proposals. The concept of public employment has been widely endorsed by Government officials, labor organizations, and specialists in the manpower field. Recently, the AFL-CIO executive council adopted a resolution describing the benefits that a program of job-creation would yield:

It would create useful jobs for the unemployed and seriously under-employed. It would also provide badly needed services in parks, schools, health care, recreational centers, libraries, public safety agencies, pollution control, conservation, public buildings, and similar institutions in the government and private nonprofit sectors of the economy.

I wish, therefore, to call to the attention of my colleagues the firm belief of the AFL-CIO that such a program would bring relief to the many unfortunate citizens who are willing and able to work, but find themselves without the opportunities. The text of the resolution follows:

STATEMENT BY THE AFL-CIO EXECUTIVE COUNCIL

A large-scale federal effort to create public service jobs is needed without delay to provide work for the unemployed, bolster the sagging economy and make available public services that would otherwise not be provided.

The AFL-CIO urges the Congress to immediately enact a nationwide public service employment program—with sufficient federal funds to state and local government agencies and private non-profit organizations to create at least 500,000 productive jobs this year, for the unemployed and seriously under-employed. This program should offer these public service employees a ladder for upgrading and job improvement.

Adoption of such legislation would help to meet two of America's pressing needs. It would create useful jobs for the unemployed and seriously under-employed. It would also provide badly needed services in parks, schools, health care, recreational centers, libraries, public safety agencies, pollution control, conservation, public buildings and similar institutions in the government and private non-private sectors of the economy.

Indeed, a job-creation program, along these general lines, could already be working, if it weren't for a presidential veto of the Manpower-Public Service Employment Bill in the closing days of 1970.

The veto was outrageous. It represented a shocking disregard for the plight of the unemployed as well as a denial of the pressing problems of state and local governments in providing needed services.

Studies for the Urban Coalition and the tripartite National Commission on Technology, Automation and Economic Progress have documented the existence of a huge job potential—as great as 5 million—in providing needed public services. These services to the public are not now available, because the state and local government agencies lack sufficient funds.

People hired under such a program would not displace those presently employed. They would be filling job vacancies which would not otherwise be filled. They would be adding to the nation's total employed workforce and expanding the nation's investment in public services.

There can be no doubt about the urgent need for job creation. Over five million Americans are out of work—an increase of 2.3 million in two years. And the prospects for substantial improvement in the near future are not good.

In fact, the tragic unemployment situation is far greater and more serious in human terms and the government's monthly statistics indicate. According to the Labor Department, 11.7 million Americans were unemployed at some time during 1969, the most recent information on the unemployment-impact on people. About 2.6 million were without work for 15 weeks or more. And during the past 12 months of increasing unemployment, the figures are certainly considerably greater.

The creation of 500,000 public service jobs this year will not, in itself, solve the country's unemployment problem. However, its beneficial effects would multiply. Newly-hired workers and their families would spend their earnings, adding to sales, production and employment.

The dollar-cost of such a program will be offset by savings in welfare costs, the tax payments of employed workers and the social benefits generated by the productive employment of otherwise idle workers in expanding needed services to the public.

The job-potential exists. The unemployed are ready to go to work. All that is lacking is a federal program, with adequate funds.

The facts demand immediate action.

TRIBUTE TO THE LATE RAY VOSS

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. GERALD R. FORD. Mr. Speaker, death has taken one of the finest outdoor writers of our time. Ray Voss, outdoor editor of the Grand Rapids, Mich., Press and the Booth Newspapers of Michigan, died of a heart attack last Thursday night.

It is appropriate that Ray was at a dinner in Lansing, Mich., paying tribute to Gerald E. Eddy, director of the Michigan Department of Natural Resources, when death occurred.

Ray was a man who truly loved the outdoors and was capable of transmitting a love of nature to others through his writing. He was most able and truly dedicated—a great guy.

Ray was honored many times for his writing in the field of conservation and also for his nature photography. He had long been recognized as a topflight outdoor writer.

Ray Voss attended the schools in Ludington, Mich., where he was born. He received a degree in journalism from Marquette University. For 4 years he worked at the Ludington Daily News and then went to the Grand Rapids Herald in 1937 as outdoor editor.

When the Grand Rapids Herald ceased publication in 1959, Ray Voss joined the Grand Rapids Press outdoor staff. He became the Press' outdoor editor in 1964.

Mr. Speaker, my wife Betty and I extend our condolences to Mrs. Voss and the Voss family. The world of journalism and all who support the cause of conservation are poorer because of Ray Voss's death.

THE PRESIDENT ON VIETNAM, CAMBODIA, LAOS

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. SCHMITZ. Mr. Speaker, at this point in the RECORD I would like to insert one of the most comprehensive statements on the situation in Southeast Asia which has been issued to date by the President. In his state of the world message President Nixon clearly spells out many of the factors which should be taken into account when considering the protracted conflict on the Southeast Asian front.

The President points out the fact that the enemy is posing the unconditional withdrawal of all U.S. forces as a precondition for negotiations and that acceptance of this precondition would leave nothing to negotiate. This seems to have slipped the minds of some of the more flamboyant critics of allied success and enemy loss.

The President also points out that the enemy plan for a coalition government in which they get to nominate one-third of the government and have veto power over the other two-thirds is simply a formula for a guaranteed Communist political takeover. The arrogance of the North Vietnamese in putting forth proposals of this nature show that they may not take us very seriously.

The success of the allied thrust into enemy held areas of Cambodia is detailed by the President and shows conclusively that taking the war to the enemy, fighting the enemy in those areas which he wishes to reserve for supply and training, eliminating the enemy's ability to carry on protracted operations in areas of his own choosing, is the way in which to save allied lives. For all those who are not banking on a North Vietnamese Communist victory this type of operation also shortens the war as it reduces the enemy's ability to prolong it. Let us never forget that it is the North Vietnamese Communists who have been aggressing against their neighbors, and not the other way around.

The plight of the American men being held by the enemy is also brought to the fore and the President's call for an immediate and unconditional release of all prisoners of war by both parties, allowing them to return to the place of their choice, is repeated. Nothing could be fairer than that. The Communists continued refusal of this generous offer shows that their regard for the prisoners is no higher than their regard for the lives of the South Vietnamese or Cambodian people whom they send their armies south to conquer; or for that matter, no higher than their regard for their own people which are sent south to die.

The President also sets forth his reasons for not seeking a military victory. I am in definite disagreement with him on this matter but it is extremely heartening to see that the reasons for not winning are brought forward and can now be the subject of serious debate. For it is not enough that Americans debate just two approaches to ending the war and omit discussion of what, up until now, has been the unmentionable option.

It has been my experience that many people are astounded when one mentions victory over the enemy. Debate in Congress, confined as it has been on how to limit allied activity rather than how to limit enemy activity, has undoubtedly contributed to this attitude. Discussions dealing with how soon should the United States surrender can only give the enemy hope and increase his intransigence. The enemy must rejoice when he receives his copy of the CONGRESSIONAL RECORD.

The President's statement follows:

INDOCHINA

VIETNAM

"There are many nations involved in the fighting in Indochina. Tonight, all those nations, except one, announce their readiness to agree to a cease-fire. The time has come for the Government of North Vietnam to join its neighbors in a proposal to quit making war and to start making peace." Address to the Nation, October 7, 1970.

"The allied sweeps into the North Vietnamese and Vietcong base areas along the Cambodia-South Vietnamese border:

"Will save American and allied lives in the future;

"Will assure that the withdrawal of American troops from South Vietnam can proceed on schedule;

"Will enable our program of Vietnamization to continue on its current timetable;

"Should enhance the prospects for a just peace." Report to the Nation, June 30, 1970.

These passages concern the two most important events of our Indochina policy during 1970. The first refers to our initiative for a ceasefire-in-place throughout Indochina, the centerpiece of the comprehensive peace proposals that I set forth on October 7. These proposals could end the war rapidly for all participants through negotiations.

The second describes the purposes of the allied operations last spring against enemy bases in Cambodia which helped to assure the progress of Vietnamization and our withdrawal program. These operations were crucial to our effort to reduce our involvement in the war in the absence of negotiations.

The Cambodian operations have borne immediate fruit while our Indochina peace proposals have not yet done so. These two events thus symbolize what has been true in Vietnam since this Administration took office: The South Vietnamese have made great progress in assuming the burdens of the war, a process which is in their hands and ours, but we have made little progress toward a negotiated peace, a process which requires Hanoi's particiption.

After two years of the mandate by the American electorate, we can look back with satisfaction on the great distance we have travelled. This is my tenth major report on Indochina to the American people. The overall trend is consistent and unmistakable.

What we found and where we are

Understanding our purposes in Vietnam must begin with a look at the situation we found when we took office and the situation today. Let us compare them in concrete terms.

Two years ago the authorized troop strength for Americans in Vietnam was 549,500. Troop levels had risen steadily for five years. On January 1, 1971, that authorized level was 344,000, and on May 1, 1971, there will be a new ceiling of 284,000. Troop levels have dropped at a steady rate. The process will continue.

Two years ago American combat deaths for the previous twelve months were 14,561 and averaged 278 weekly. In 1969 the figures were 9,367 and 180, respectively. In 1970 they were 4,183 and 80; and indeed in the last six months they were 1337 and 51. The decline has been constant.

Two years ago the enemy could launch major offensives in most parts of Vietnam. The pacification program was just beginning to recover from the setbacks of the 1968 Tet offensive. Now the enemy mounts very few significant operations and is particularly quiescent in Military Regions III and IV in southern South Vietnam which contain two-thirds of the population. Pacification has made steady progress throughout these two years.

Two years ago there was no comprehensive allied peace plan for ending the war. Now, as the result of several initiatives by the Republic of Vietnam and ourselves, we have laid out a comprehensive and flexible framework for a negotiated settlement.

Two years ago the additional demands of the Vietnam War were costing us approximately 22 billion dollars per year. Today they are costing us approximately half that.

Two years ago the ratio of South Vietnamese forces to American forces in Vietnam was less than 2 to 1. Today it is more than 3½ to 1.

Two years ago the ratio of South Vietnamese to American major engagements with the enemy was about 7 to 1. Now it is about 16 to 1.

Two years ago there was no assurance that the South Vietnamese could undertake large-scale military operations on their own. Now, they have proven their ability to do so.

Two years ago the South Vietnamese constitutional system was just beginning to take hold. Since then the National Assembly and the Supreme Court have played increasingly meaningful roles, and there has been a series of elections at the province, village, and hamlet levels. Today, the political focus in South Vietnam for almost all forces except the Communists is within the established system.

Two years ago large areas of South Vietnam were unsafe and many routes impassable. Now, while there are still many dangerous pockets, the vast bulk of the country is secure.

This progress has been made possible largely by the efforts of the South Vietnamese. It is they who have compensated for the reduced U.S. effort. It is they who now carry the major part of the burden and are progressively taking on more.

In short, with assistance from us and other allies, the South Vietnamese have made their country the most dramatic and concrete example of the partnership principle of the Nixon Doctrine.

Our choices and our objectives

These facts show substantial advance. But to confine discussion of Vietnam to a recital of statistics, however impressive, would be inadequate, even irresponsible. While figures reflect policies, they do not fully define purposes.

Thus, this brief record of achievements is not meant to ignore the serious difficulties that remain. We do not intend to add to a painful record of prematurely optimistic assessments on Vietnam; we will discuss the problems and uncertainties as well as the advances.

The above record does recall the situation we inherited two years ago. I will not dwell on events leading up to January, 1969, but rather on the choices we had in selecting our course.

The conflict had been costly and frustrating for Americans and many believed that this Administration should move to end immediately either the conflict or American involvement in it.

Some urged that we escalate in an attempt to impose a military solution on the battlefield. We ruled out this approach because of the nature of the conflict and of the enemy, the costs of such a policy, the risks of a wider war, and the deeply held convictions of many of our people. Increased military pressure could not alone win a struggle that was in part guerrilla war as well as conventional invasion, and included political as well as military aspects. It would have entailed a greatly increased toll in lives, treasure and diplomatic objectives. It would have heightened the prospects of direct intervention by Hanoi's allies. It would have split apart our own society.

Others urged that we liquidate our presence immediately, cut our losses, and leave the South Vietnamese on their own. I have repeatedly explained why I considered this a disastrous path: For the South Vietnamese people, who would have lost their collective political choice and countless individual lives. For other non-Communist countries, especially in Asia, among whom not a single leader recommended such a policy. For the global credibility of the U.S. word. For those Americans who had made such heavy sacrifices. And for integrity of American society in the post-Vietnam era.

Thus we rejected both of these routes. Yet we knew that we could not continue previous policies which offered no hope for either peace or reduced American involvement.

We chose instead what we considered the most responsible course left to us. We sought above all a rapid negotiated solution to the conflict by progressively defining the terms of a settlement that would accommodate the legitimate interests of both sides. And in the absence of a settlement we sought, through Vietnamization, to shift American responsibilities to the South Vietnamese.

In charting this course we recognized the following realities:

The way we treated the most painful vestige of the previous era was crucial for a successful transition to a new foreign policy for a new era.

The other side which had fought for two decades would agree to a negotiated settlement only if the terms were generous, and the battlefield looked less promising than the conference table.

Progressive turnover of the burden to the Vietnamese themselves, however uncertain, was the only policy available once we had rejected the status quo, escalation and capitulation.

The support of the American people during the remainder of the conflict required a diminishing U.S. involvement.

The health of the American society after the conflict called for a solution that would not mock the sacrifices that had been made.

There has been one guiding principle, one irreducible objective, for both our negotiations and Vietnamization. I stated it on May 14, 1969 and consistently since: "We seek the opportunity for the South Vietnamese people to determine their own political future without outside interference."

In our search for a negotiated solution we have stretched our positions toward those of the other side. But we have not agreed to their demand that we impose a political future on the South Vietnamese at the conference table.

In Vietnamization we have withdrawn our forces as rapidly as the South Vietnamese could compensate for our presence. But we have not withdrawn them so as to allow the North Vietnamese to impose a political future on the battlefield.

A peaceful settlement will remain our overwhelming preference. We will not give up our search. But in the meantime we will not let down our friends.

Our policy has not satisfied—and cannot satisfy—either those who believe in a military solution or those who press for an immediate end to our involvement. For the vast majority of Americans who prefer a just peace to capitulation, there is, of course, still room for debate and criticism. But we ask these Americans to recall the situation we found two years ago, to judge the soundness of our purposes, and to measure the record to date against these purposes. They can be sure that we shall keep our promises in the future, as we have kept them in the past.

Negotiations

From the outset our constant primary goal has been a negotiated end to the war for all participants. We would take no satisfaction in the fact that after U.S. involvement and casualties were ended, Vietnamese continued to fight Vietnamese.

However, it takes two sides to negotiate and Hanoi's attitude has been consistently intransigent. No progress has been made despite the advancement in 1970 of the two elements which might make the North Vietnamese consider negotiations to be in their interest:

The creation of conditions which give them incentive to turn to negotiations rather than protracted war—the tremendous drain on their manpower and resources, the growing strength of the South Vietnamese military forces and political system, and the continuing support of the American people for our Indochina policy.

The elaboration of our various proposals which are designed to make clear to the other side that they will have a fair chance for political power to the extent desired by popular will.

Since 1968 the U.S. has done almost everything that various parties—including Hanoi—told us would kindle negotiations. We halted the bombing and other acts of force against North Vietnam. We agreed to NFL participation in the Paris talks. We agreed to the principle of withdrawal and made initial withdrawals of American troops. We made substantial withdrawals, soon to total 265,000. We agreed in principle to remove all our troops. We took a series of deescalatory steps, such as cutting back our B-52 and tactical air sorties. And we appointed a new senior negotiator in Paris.

These steps, except for the bombing halt, were unilateral measures, designed not only to reduce our involvement, but also to open the door to negotiations. Each of them was urged by the other side as a constructive contribution. None of them has generated movement by the other side.

In an effort to make progress in Paris, we have offered broad proposals for a negotiated solution to the war. On May 14, 1969, I proposed a plan which would remove all outside forces from South Vietnam and allow the people freely to decide their political future through internationally supervised elections. On July 11, 1969, President Thieu invited the other side to participate in the political life of South Vietnam.

These proposals laid out the framework for what we believed would be a resolution of the conflict equitable to all parties. We recognized, however, that a political settlement was the heart of the matter; it is what the fighting has been all about. And we knew that the other side suspected the electoral process and doubted that it would have a fair chance at political power.

We thus moved to define more precisely the political solution we envisaged. On April 20, 1970, I set forth the principles that we think should govern a fair political settlement in South Vietnam:

A political solution must reflect the will of the South Vietnamese people and allow them to determine their future without outside interference.

A fair political solution should reflect the existing relationship of political forces within South Vietnam.

We will abide by the outcome of the political process agreed upon.

Having defined our principles on the central political issue, we looked for a comprehensive approach that might provide both the structure and stimulus for genuine negotiations. During the Cambodian operations I ordered a thorough review within the government of all possible initiatives that might engage the other side in meaningful dialogue. After summer long studies and meetings, on October 7, 1970, I presented a broad five-point peace plan with the concurrence of the governments of South Vietnam, Laos and Cambodia:

An internationally supervised ceasefire in place throughout Indochina, governed by principles which would make it acceptable and credible to both sides. This was designed to stop the fighting at once and hopefully create new conditions and avenues for a negotiated settlement.

An Indochina Peace Conference. This reflected the facts that North Vietnamese forces were in Laos and Cambodia as well as Vietnam and that a stable peace in one required a stable peace in all.

The withdrawal of all American forces from South Vietnam on a timetable to be negotiated as part of an overall settlement. This was to make clear that we were prepared to remove *all* American troops.

A political settlement in South Vietnam based on the political principles I had stated on April 20. This was to reaffirm to the other side our willingness to search for a political process that would meet their concerns.

The immediate and unconditional release of all prisoners of war, journalists and other innocent civilian victims held by both sides. This was to underline our view that the prisoner issue was strictly humanitarian and need not await resolution of other problems.

Months of analytical work had laid the groundwork for the ceasefire proposal. We projected for a year into the future the possible developments on the ground under different ceasefire conditions. We deliberately recognized the other side's essential conditions. And we rejected ceasefire proposals that looked more advantageous for our side in security terms in order to place the greatest possible emphasis on negotiability.

In making our formal proposals and throughout the last two years we have emphasized, both privately and publicly, that we and the Republic of Vietnam would be flexible and generous once serious negotiations were under way.

The other side's constant response has been to demand that we unconditionally withdraw all U.S. forces and replace the leaders of the Republic of Vietnam with a coalition government. Their position is unacceptable to us on several counts.

First, the substance of their demands. They say nothing about what they will do about North Vietnamese forces, when we believe the South Vietnamese should be free of all outside intervention. They ask us to impose a future on South Vietnam, when we believe the people should choose that future.

Secondly, their view of the negotiating process. The Communists pose their demands as *preconditions* to negotiations. If we were to pay this price there would be nothing left to negotiate.

Thirdly, the incompatibility of their demands. Even if we were to agree to their first demand and pull out unilaterally, we would have absolutely no incentive to agree to their second demand of assuring their political victory in South Vietnam. This would be their problem, not ours. It would be up to them to compete with the growing strength of the South Vietnamese.

Lastly, the Communist definition of a coalition government. Their definition makes a mockery of the concept itself. They prescribe that one-third of the coalition government would be from the NLF, one-third from those people in the "Saigon Administration" who stand for "peace, independence and neutrality," and one-third from other forces who also stand for these principles.

Since the Communists reserve the right to define the principles of "peace, independence and neutrality" and to decide which people support these principles, their proposal for a coalition government boils down to a demand that they nominate one-third of the government without restrictions and have a veto power over the other two-thirds. It is a formula for a guaranteed political takeover.

Thus, the issue is not, as some would have it, a question of a few personalities in the Saigon government standing in the way of a peaceful solution. The Communists seek not only the removal of the elected leaders of the present Government but the disruption of all organized non-Communist forces.

The fundamental question in the negotiations, in short, is the means of allocating political power in South Vietnam. The other side wants to negotiate in Paris an allotment of power that would assure their dominance. Our proposals call for a fair competitive process that would consult the will of the South Vietnamese people and reflect the existing relationship of political forces.

We recognize that finding an appropriate and equitable means of expressing South Vietnamese political will is a complex task. There is little guidance to be drawn from Vietnamese history. Nevertheless, if our adversaries ever make a political decision to negotiate seriously, I believe we could find a way to reach a solution fair for all parties. We know that after we leave, the other side will still be there. We know that for a settlement to endure all parties must want it to endure.

We remain prepared to make a major effort in the shaping of such a settlement.

VIETNAMIZATION

Although committed to a maximum effort to reach a negotiated end to the war, we needed an alternative.

For negotiations were not entirely in our hands. North Vietnamese history and doctrine did not make for encouraging prospects. Their calculus of the situation in South Vietnam, and more particularly in the United States, probably made them believe that time was on their side. And even if a settlement did come through negotiations, it might take a long period.

At home we did not have the option of continuing as we had—and the enemy knew it. So we chose a policy that we believed would gain the sustained support of the American people and thus give us a chance both to fulfill our objectives in Vietnam and to demonstrate to the other side that time was not necessarily with them. Such a policy seemed the only chance of giving the South Vietnamese a fair chance and the best hope of inducing the North Vietnamese to negotiate.

Thus the alternative, and hopefully the spur, to negotiations, is Vietnamization that I have described on several occasions.

This policy fulfills our objective of reducing American involvement. It cannot, except over a long period, end the war altogether. Still, if Vietnamization leads to perpetuating the war, it is not by our design but because the other side refuses to settle for anything less than a guaranteed takeover.

In last year's report I described the successes of this program during its first months, and attempted to determine the depth and durability of this progress. We posed four central uncertainties for the future:

The enemy's capability to mount sustained operations and undo our gains.

The actual improvement in allied capabilities, particularly Vietnamese leadership, logistics, tactics, and political sensitivity.

The alternative strategies open to the enemy, including protracted warfare, in which they could wait out our withdrawals and then with reinvigorated efforts, once again seize the initiative.

Most importantly, the attitudes of the Vietnamese people toward both sides and the likelihood that pacification gains would stick.

These issues certainly cannot be resolved in one year. However, on all there was encouraging progress during 1970:

The enemy, partly because of strategy, but in great measure due to limited capability, did not mount sustained large-scale operations. This was partly the result of the Cambodian operations.

A marked improvement in South Vietnamese performance was shown repeatedly in large-scale operations both in Vietnam and in Cambodia, and in their increasing tactical and logistic skills.

The enemy chose a protracted warfare strategy. We still face the question of whether he might regain the initiative once the bulk of our forces have left, but the growing capabilities of the South Vietnamese must give Hanoi pause.

The attitude of the Vietnamese people remains crucial and difficult to judge, but rural security grew and pacification gains were sustained.

During 1970, concrete results of Vietnamization punctuated these trends. Our withdrawal program proceeded on schedule with the April 20 announcement of the withdrawal of another 150,000 Americans below the authorized ceiling, bringing total reductions since the start of Vietnamization to 265,500 by May 1, 1971. The very fact that we could project our withdrawals a year in advance was a sign of major progress.

As we have moved ahead with this program we have continued to confer not only with the South Vietnamese but also the other allies who have sent troops to help South Vietnam—Australia, Korea, New Zealand and Thailand.

South Vietnamese forces showed themselves increasingly capable of providing security for their country. There are now 1.1 million men bearing arms for the Government—200,000 more than in 1968. The continued strengthening of local and territorial forces freed more and more South Vietnamese regular units for combat against regular North Vietnamese Army units. The South Vietnamese accounted for a growing bulk of combat engagements. They took over more of our bases. They completely assumed naval operational responsibilities inside the country. And they substantially stepped up the role of their air forces, flying almost half the sorties in South Vietnam. More intangible, but equally significant, were their greatly increased self-confidence and initiative.

The level of fighting dropped greatly, especially in the southern portions of South Vietnam. And American casualties continued their steady decline, a result of lesser enemy activity, fewer Americans, and the increased share of the combat burden picked up by the South Vietnamese.

Pacification

American withdrawal is the primary reflection of Vietnamization while pacification is its primary goal.

Our withdrawal program poses two fundamental issues. First, at what pace can we take out our forces? We base our decisions on the above considerations backed up by various studies, such as a recently completed analysis of the large unit war situation in each of South Vietnam's four military regions.

Then, how do we protect those forces who remain? We are confident that the steadily growing strength of the South Vietnamese and the impact of the sanctuary sweeps are sufficient to handle possible threats. Nevertheless, North Vietnam might try to take advantage of our redeployments by building up its strength in the South and launching new attacks. In this case, I have made clear on a dozen occasions that I would take strong and effective measures to prevent the enemy from jeopardizing our remaining forces.

The other important aspect of Vietnamization is pacification, which in broadest terms concerns the situation in the countryside—physical security, popular allegiance, and the military, administrative and political effectiveness of both sides. As the enemy's main force units have been pushed farther away from population centers, the task of extending governmental presence has become progressively easier.

In order to assess the progress in the countryside we developed a new indicator to measure the portions of population under Government control, under the influence of both sides, and under the control of the other side. The basic criteria are whether a hamlet has adequate defense and a fully functioning Government official resident both at day and at night. We devised tough and realistic measures of these two criteria.

In mid-1969 the indicator showed roughly 40% of the rural population under South Vietnamese control, 50% under the influence of both sides and 10% under the control of the other side. Recently these proportions were respectively 65%, 30% and 5. When South Vietnam's urban population of six million, all under government control, is added to the over seven million rural population in that category, roughly 80% of the total population of South Vietnam is controlled by the Government.

This indicator cannot tell us precisely what is going on in the countryside. It does give us a good grasp of trends—and the trends have been favorable. We are confident that real and substantial progress has been made.

Honest observers can differ on quantitative measures of success in pacification; it is even more difficult to appraise such intangible factors as rural attitudes toward the central government and confidence in its ability to guide the country's affairs. But today more South Vietnamese receive governmental protection and services than at any time in the past six years.

Pacification progress has been slower, however, in certain key provinces in the northern half of South Vietnam, closer to the enemy's staging areas in North Vietnam and Laos. The supply bases in southern Laos perform the function of the destroyed sanctuaries in Cambodia. In these northern provinces the ravages of war have been more severe and the Communist infrastructure has been deeply rooted for over 20 years. Here especially the South Vietnamese Government must increase its efforts to develop capable forces and implement programs to gain the support of the rural population.

Cambodian sanctuary operations

Much of this accelerated progress in Vietnamization was due to the now indisputable military success of the allied operations against the enemy sanctuaries in Cambodia last spring.

The March 18 deposition of Prince Sihanuok caught us, as well as everyone else, completely by surprise. The situation that had existed in Cambodia, with the North Vietnamese and Viet Cong occupying a series of enclaves along the border, represented a troublesome but not insuperable obstacle to our efforts in South Vietnam. Our first reaction to Prince Sihanouk's removal was to encourage the negotiations which the Cambodian government was seeking with the Communists. However, Hanoi flatly refused such a course and rapidly spread out its forces to link up its base areas and pose a growing threat to the neutral government in Phnom Penh.

As I pointed out in my final report on the Cambodian operations, enemy actions during April and captured enemy documents unmistakably show their intentions. We faced the prospect of one large enemy base camp 600 miles along South Vietnam's flank; a solid supply route from the port of Sihanoukville through which most of the war materiel for the southern half of South Vietnam had come in the previous six years; and a vast staging and sanctuary area from which to attack allied forces in Vietnam with impunity. This would have meant increased enemy attacks, higher casualties among our men and our allies, and a clear threat to Vietnamization, the withdrawal program and the security of South Vietnam.

Our choice, though difficult, seemed the more necessary the longer we pondered it. If we wished to pursue the policy of turning over responsibilities to the South Vietnamese and withdrawing our troops, we had to clear out the enemy sanctuaries. The alternative was to allow the enemy to build up this threat without challenge, to increase his attacks and to raise allied casualties. This would sooner or later have confronted us with the choice of either halting our withdrawals, or continuing them but jeopardizing the lives of those remaining behind.

I preferred to make a difficult decision in April rather than magnifying our dilemma by postponement.

The results of our joint two-month operations with the South Vietnamese, and the subsequent sweeps of the sanctuaries by South Vietnamese forces, removed this threat. There were as well these positive results:

Greatly reduced American casualties; in the six months before the sanctuary operations the average weekly casualties were 93, in the six months after they were 51.

Extensive materiel and manpower losses for the enemy which they are taking a long time to replace.

The ending of the concept of immune Cambodian sanctuaries.

The dislocation of enemy supply lines and strategy in the Saigon and Mekong Delta regions; as a result the main forces war substantially ended for the southern half of the country during 1970.

Precluded the enemy from reopening his route of supply by sea.

Separation of Communist main force and guerrilla unit and a boost to pacification efforts in the southern half of the Republic of Vietnam.

Insurance that our troop withdrawals would continue.

Increased time for the South Vietnamese to strengthen themselves.

A tremendous lift in the morale and self-confidence of the South Vietnamese.

My decision to send U.S. ground forces into Cambodia, though clearly required because of these factors, was nevertheless anguishing because of the domestic reaction.

At the time those who urged an immediate American pullout from Vietnam were joined in protest by some who generally support our phased withdrawals but misread the Cambodian operations as a return to a policy of escalation. I believed then that the impact of thesea ctions—reduced enemy actiivty, lowered U.S. casualties, and continued withdrawals—would ultimately persuade some of the latter of the wisdom of our decision.

While many Americans may still disagree with that decision, I think the facts since June 30 have conclusively demonstrated not only the tactical success of the operations but also their strategic purpose of reducing American involvement in Vietnam.

Political and economic issues

Vietnamization has political and economic dimensions in addition to military ones. They will become increasingly important as the war winds down.

Political development in any newly independent country is a challenging task. When that country is under fire from a determined enemy, the difficulties are multiplied. The government sees its first priority as providing security. Military considerations are likely to dominate the time of officials, the content of programs, and the freedom of political life.

Nevertheless, political development in a paramilitary conflict is a crucial ingredient of a government's effort. It is increasingly important in Vietnam as the military struggle subsides. Ultimately, the fate of Vietnam will turn on political factors—the motivation of the people during the conflict; the cohesion of non-communist political forces in a possible electoral competition with the Communists; the solidity of the political institutions during and after the war.

There has been a steady political evolution in South Vietnam beginning with the election of a Constitutional Assembly in 1966 and of the President and National Assembly in 1967. In 1970 there were continued signs of a growing commitment to the political institutions established by the 1967 Constitution. Elections for hamlet chiefs and for Village, Municipal and Provincial Councils took place throughout the country. There were also elections for half the seats in the Upper House which attracted a wide spectrum of non-Communist political forces.

1970 saw enactment of Land-to-the-Tiller legislation, a sweeping land reform program which will give land to tenant farmers and could have significant political impact. It has our full support.

The Presidential and Lower House elections this year will further test the fabric of the constitutional system, the strengths of the various political factions and the allegiance of the people. 1971 will show the extent of political development in South Vietnam. Vietnamese people of all factions will judge the responsiveness of the political process and register their verdicts. The enemy will seek to exploit the political currents of an election year. But it will also be watching—and perhaps drawing conclusions from—the stability of the system.

The maintenance of a sound South Vietnamese economy is crucial for Vietnamization. This problem was of great concern in 1970 but the Government moved on it with some encouraging results.

Our extensive review of the economic situation in July, 1970. made it abundantly clear that the key Vietnamization goals of constructive political change and increased South Vietnamese military performance were intimately linked to the goal of a sound economy.

Prices rose by over fifty percent in the twelve months up to mid-1970. These increases were eroding the purchasing power of the already near-subsistence pay received by many soldiers and civil servants at the very time they were being tasked with the growing burdens of Vietnamization. Moreover, if inflation had continued, the economic security of other major groups, such as farmers, veterans, and urban workers, could have been jeopardized.

In the fall of 1970 the South Vietnamese Government took strong fiscal and monetary actions, including an important reform of the exchange rate. These difficult steps, supplemented by a slight increase in our assistance to offset the increased budgetary costs of Vietnamization, dramatically arrested an accelerating inflation. The price level rose by only about four percent in the last half of the year, setting the stage for policies that can lead to more enduring economic stability.

There are two lessons to be drawn from these developments:

First, Vietnamization of the economy and the war cannot be accomplished at the same time without our economic assistance. As the South Vietnamese take on more of the fighting they divert more resources from internal production. Our assistance, by providing the external resources to help maintain internal levels of consumption for soldiers, farmers and workers, is a vital aspect of Vietnamization. We will provide external support commensurate with the military burden borne by the economy and people in this difficult period of transition.

Second, we can do no more for the Vietnamese economy than it does for itself. The enterprise and resourcefulness of the Vietnamese people are widely acknowledged. Thus, as demonstrated in 1970, the vital link between our assistance and a sound economy is the Vietnamese Government's economic policy. We will continue to expect the Government to take all reasonable self-help measures.

While we provide assistance to support Vietnamization, we are looking towards the time when the economy can become self-sufficient. The date depends not only on the course of the war but on the pace of economic development. The country's potential is great. For example, even as the war has continued, increasing domestic rice production will cause rice imports to decline from over 700,000 annual tons in the late 1960's to about 100,000 tons in 1971 and zero in 1972. Together with the South Vietnamese we are analyzing the development prospects and plan to begin discussions this year on measures, to include additional funding, that can be taken to hasten the process. We believe other countries will want to participate in this effort.

We look forward to the day when the peoples of Vietnam, South and North, can turn from the waste of war to the constructive tasks of peace.

Prisoners of war

We have the deepest concern for the plight of our prisoners of war in Indochina. Some 1600 Americans, including pilots and soldiers and some 40 civilians, are missing or held in North Vietnam, South Vietnam, Laos, and Cambodia. Some have been held as long as six years, longer than for any other prisoners of war in our history.

The enemy violates specific requirements of the Geneva Prisoner of War Convention, by which they are bound. They violate common standards of decency as well.

They have not permitted impartial inspection of prison camps despite constant attempts to arrange such visits. They have refused to repatriate seriously sick and wounded prisoners. They have failed to identify all prisoners and to allow many of them to correspond with their families.

We and the South Vietnamese have made intensive efforts this past year to secure better treatment and the release of allied prisoners—through global diplomacy, through proposals in Paris and through the courageous raid at Son Tay. Congressional expressions have been valuable in underlining American public concern. The world increasingly condemned the other side's practices, and the U.N. General Assembly passed a resolution this fall which underscored the international obligation to treat prisoners humanely.

I repeat my October 7 proposal for the immediate and unconditional release of all prisoners of war held by both sides. All prisoners, journalists and other civilian captives should be released now to return to the place of their choice. Such action would not only meet humanitarian concerns; it might also lead to progress on other aspects of a peace settlement.

As first steps, the Republic of Vietnam, with our support, has offered to repatriate all sick and wounded prisoners of war. It has unilaterally returned groups of such prisoners, despite North Vietnam's refusal to make orderly arrangements for their repatriation. And it has proposed the release of all North Vietnamese prisoners of war in return for all U.S. and allied prisoners in Indochina and any South Vietnamese prisoners held outside South Vietnam. We profoundly regret the other side's refusal to respond to these initiatives.

The treatment of prisoners of war anywhere is not a political or military issue, but a matter of simple humanity. As I said on October 7:

"War and imprisonment should be over for all these prisoners. They and their families have already suffered too much."

This government will continue to take all possible measures to secure the end of imprisonment as well as the end of the war.

No discussion of Vietnam would be complete without paying tribute to the brave Americans who have served there. Many have sacrificed years of their lives. Others have sacrificed life itself.

These Americans have fought in a war which differed from our previous experience. We have not sought a traditional military victory. The complex nature of this conflict posed unprecedented difficulties for those involved.

It is to their lasting credit that Americans in Vietnam have overcome these difficulties and conducted themselves in our best tradition.

Problems for the future

There are sobering problems still remaining in Vietnam:

Enemy Capabilities and Intentions. Despite heavy losses, the North Vietnamese have the manpower, the logistical network and the dedication to continue fighting if they wish. Although their main force units have been greatly reduced, they still pose a considerable threat, especially in Military Regions I and II in South Vietnam. Hanoi could instead use its buildup of forces in South Laos and Northeastern Cambodia to step up its pressures against the Cambodian government or to increase its hold on Cambodian territory. In any event, Communist terrorist activities, assassinations, and kidnappings continue to exact a tragic toll from the Vietnamese people.

The Vietnamization Process. Vietnamization made very encouraging advances during 1970. The fundamental question remains: can the South Vietnamese fully stand on their own against a determined enemy? We—and more importantly the South Vietnamese—are confident that they can. Substantial problems remain, however: improving the leadership of South Vietnamese forces at all levels enhancing their ability to take on support as well as combat functions; providing assistance to Cambodia and bettering Vietnamese-Cambodia understanding; rooting out the Viet Cong infrastructure in the countryside; assuring political stability in the cities; managing the strains on the Vietnamese economy as we continue to Vietnamize other aspects of the conflict; and moving against corruption which not only poisons the moral atmosphere but also carries potential political impact. This is a formidable agenda, but South Vietnamese accomplishments to date demonstrate their capacity to deal with it.

The Negotiating Stalemate. Our intensive efforts in 1970 failed to yield progress in the Paris negotiations. We frankly expected that our elaboration of political principles, the appointment of Ambassador Bruce, and the October 7 peace initiative would produce some movement from the other side. We will not give up on negotiations, though the past year indicated that it will be extremely difficult to overcome the enemy's mix of doctrine, calculations and suspicion. There is the additional fact that as our forces decline, the role we can play on many aspects of a settlement is also bound to decline.

The substantial record of achievement in the first two years of this Administration cannot obscure one fundamental fact—the fighting continues.

If winding down the war is my greatest satisfaction in foreign policy, the failure to end it is my deepest disappointment. We will not be content until all conflict is stilled. This sentiment was the driving force behind our proposal for a cease fire. It is at the core of our policy, for as I said on April 20:

"The death of a single man in war, whether he is an American, a South Vietnamese, a Viet Cong, or a North Vietnamese, is a human tragedy. That is why we want to end this war and achieve a just peace. We call upon our adversaries to join us in working at the conference table toward that goal."

I once again ask the other side to work for a settlement that will stop the fighting, meet the concerns of all parties, and last because all want it to last.

LAOS AND CAMBODIA

"The war in Indochina has been proved to be of one piece; it cannot be cured by treating only one of its areas of outbreak."—Address by the President, October 7, 1970.

Enduring peace will come for Vietnam only when there is peace for its neighbors.

Hanoi has made the war an Indochina conflict. In South Vietnam there are some 100,000 North Vietnamese troops. In Laos there are about 90,000. In Cambodia there are over 50,000 North Vietnamese and Viet Cong. These troops challenge the legitimate governments of Laos and Cambodia, and they menace South Vietnam from within and without.

The situations in Laos and Cambodia are comparable:

Neither one poses any threat to North Vietnam.

North Vietnam, nevertheless, has for years been violating their neutrality and independence, guaranteed in international accords which Hanoi and its allies signed.

In both countries North Vietnamese regular troops strip away any pretense of civil war. In Laos indigenous Pathet Lao play an insignificant military role while in Cambodia only small numbers of Cambodians help the North Vietnamese and Viet Cong.

In both countries Hanoi has two aims. First, and primarily, to use them as infiltration routes, staging bases, and sanctuaries for attacks against South Vietnam. Secondly, to erode governmental control in order to aid their efforts in South Vietnam and perhaps take over Laos and Cambodia themselves.

U.S. policy

This canvas poses two fundamental questions for the United States:

What should be our policy toward Laos and Cambodia as countries under external attack?

How do we deal with the major implications for our policy in South Vietnam?

North Vietnam's aggression against Laos and Cambodia and its violation of the 1954 and 1962 Geneva Agreements are important. We care about the preservation of international agreements and the independence of these nations. But our immediate concern is that North Vietnam uses them as springboards for assaults on a country where we have a firm commitment, have invested lives, treasure, and prestige, and have Americans to protect as we progressively withdraw. Furthermore, if Hanoi were to gain control of Laos and Cambodia, a large portion of the more than 140,000 Communist troops now engaged in these countries would be freed to fight in South Vietnam.

As we pursued our policy of Vietnamization and negotiation for Vietnam we could not ignore these unavoidable facts on its flank. Our basic choices for Laos and Cambodia became:

To seek diplomatic settlements for both countries, either as part of an all-Indochina arrangement or separately.

To provide military support both to Laos and Cambodia and to South Vietnamese defensive operations, without U.S. ground combat involvement.

We have always wished to stabilize the borders of South Vietnam and to insure the neutrality of its neighbors by diplomatic means. My October 7 peace initiative, supported by the three governments, proposed for all of Indochina:

A ceasefire to stop the fighting.

An international conference to seal the peace.

The immediate release of all prisoners of war.

This comprehensive approach came against a background of consistent efforts to reach diplomatic solutions. From the outset, this Administration has continued American support for the efforts of Prime Minister Souvanna Phouma to reconstitute the 1962 Geneva Agreements guaranteeing his country's neutrality, independence and territorial integrity. In Cambodia we long tolerated a difficult military situation and encouraged negotiations when Prince Sihanouk was removed.

Arguments for Military Victory

To date, Hanoi has rejected diplomacy and spread the conflict. The Lao government for many years, and the Cambodian government this year, have turned to us and others for assistance.

These developments left us with the choice between military options. After our one-time sweep against the Communist bases in Cambodia, we have ruled out American ground combat troops in either Laos or Cambodia for several reasons. Our fundamental Vietnam-related objectives are served by other means. In any event, we believe that the two governments can survive through their own efforts, our various kinds of assistance, and that of other friends. We look to them to shoulder the primary combat responsibilities for their own defense.

Moreover, the enemy has its own problems. Despite its ability and willingness to pour thousands of troops into all three countries, North Vietnam faces certain limits imposed by manpower drain and long supply lines. Lack of indigenous support in Laos and Cambodia severely hampers Communist troop movements. And we do not assume that Hanoi's allies want Laos and Cambodia removed from the map of Southeast Asia.

Thus we did not oppose Congressional restrictions this past year on the use of U.S. ground combat forces in those countries, even though we had strong reservations about the principle of circumscribing executive authority.

Instead of deploying our troops we have helped those countries help themselves. In Cambodia, South Vietnam's preemptive thrusts have been crucial for their mutual defense.

Three arguments are raised against these South Vietnamese operations outside their borders:

That they spread South Vietnamese forces thin. On the contrary, by striking against the enemy's supply system and reducing the border threat, these actions contract the territory that the South Vietnamese army must defend. The alternative of inviolate enemy sanctuaries along a front of 600 miles would stretch South Vietnamese forces much more severely.

That South Vietnam is expanding the war. Its troops have gone only where the North Vietnamese have been entrenched and violating one country's territory to attack another. It is Hanoi which expanded the war years ago.

That our support of the South Vietnamese will draw us into wider war. If we are to reduce our involvement in Indochina, we must shield our withdrawals by backing these sweeps against potential threats. At a time when we are cutting our military presence in one country we are naturally reluctant to send troops into neighboring ones—on grounds both of strategy and American domestic support. It would make little sense for us, while withdrawing hundreds of thousands of ground combat troops from Vietnam, to reintroduce a few into Laos or Cambodia.

The arguments against South Vietnam's defensive actions suggest that Hanoi has the right—without provocation and with complete immunity—to send its forces into Laos and Cambodia, threaten their governments, and prepare to bring its full strength to bear on South Vietnam itself.

The choice for South Vietnam is not between limiting and expanding the war. It is between what it is doing in self-defense and passively watching the menace grow along its borders.

In time the combined populations of 28 million in South Vietnam, Laos and Cambodia, with assistance from their regional partners, should more than balance the resources of North Vietnam, with its population of 20 million. During this transition period, however, our own defensive supporting actions are important. Let me briefly review them.

CAMBODIA

In Cambodia we pursued the policy of the previous Administration until North Vietnamese actions after Prince Sihanouk was deposed made this impossible.

In the previous chapter on Vietnam I briefly recalled the background and results of the allied sweeps against the Communist sanctuaries which were so vital to Vietnamization. With the operations concluded, our policy for Cambodia took shape as follows:

No U.S. ground combat personnel in the country, and no U.S. advisors with Cambodian units.

Air missions against enemy supplies and personnel that pose a potential threat to South Vietnam or seek to establish base areas relevant to Vietnam.

Military assistance to the Cambodian Government in amounts and types suitable for their army.

Encourage other countries of the region to give diplomatic assistance.

Encourage and support the efforts of third countries who wish to furnish troops or material.

The loss of the use of Sihanoukville, as well as the base areas, was a serious setback for Hanoi. For many years almost all North Vietnamese supplies for Military Regions III and IV in South Vietnam passed through the port. Accordingly, during the latter part of 1970 the North Vietnamese stepped up their efforts to reestablish sanctuaries and their attacks on the Cambodian Government. They sought either to reopen their supply lines to southern South Vietnam or to install by force a government in Phnom Penh that would accomplish the same purpose. They failed to do either but they posed significant threats.

To deny them renewed use of these assets we helped the Cambodians defend themselves and we supported South Vietnams operations. Substantially greater military and economic assistance was needed to support the Cambodian army, which was growing from some 40,000 to over 200,000 in a very short period of time. The quarter billion dollars that Congress appropriated as part of the foreign assistance supplemental recognized that Cambodia was facing outright aggression, that it was doing everything possible on its own, and that our assistance was appropriate for its self-defense and to aid Vietnamization and our withdrawals from South Vietnam.

This past year there were also encouraging signs of regional cooperation:

The South Vietnamese, at Cambodia's request, continued to sweep the sanctuary areas, conduct ground operations in support of Cambodian forces, and provide air and logistic support and training.

Other Asian countries, such as Thailand, Japan, Australia, New Zealand, and the Republic of China, supplied various forms of assistance.

Eleven Asian nations met on their own initiative at Djakarta last spring and sought through diplomatic means to preserve Cambodia's neutrality and independence.

Cambodia is, in short, a concrete illustration of Nixon Doctrine principles:

Assumption of primary responsibility for its own defense.

Help from regional friends.

Our support through military and economic assistance.

The objective of all our activities related to Cambodia remains constant: to bar the reestablishment of secure Communist base areas that could jeopardize allied forces in Vietnam. Together with the South Vietnamese, we are trying to prevent the enemy from building up their capabilities for major offensives. Our aim is to destroy their supplies and disrupt their planning for assaults on allied forces in South Vietnam. Communist movements may require fluctuations in the level of our air activities as well as our increased material assistance. They will not deflect us from our overall course of phased withdrawal from Indochina.

LAOS

On March 6, 1970, I gave the first comprehensive accounting of our activities in Laos that has ever been made to the American people. I traced the pattern of subversion and then invasion by North Vietnam. I reviewed U.S. efforts under previous administrations to help the legitimate government. When we took office, there had already been a U.S. military assistance program for six years and increasing U.S. air operations for four.

Since early 1963 the North Vietnamese have in effect conducted two wars in Laos. In the north they have kept up constant pressure against the neutralist government established in 1962 at their own urging. In the south they have occupied and fortified theh Ho Chi Minh Trail area to attack South Vietnam.

In the face of these continuing North Vietnamese actions, we believed that the U.S. role we inherited remained important. Our material aid and air operations in the north were needed to support the Royal Lao Government and preserve the 1962 Geneva Agreements. In the south, Vietnamization called for continued air strikes against the enemy to protect allied forces. Since 1965 at least 630,000 North Vietnamese troops have streamed down the Trail. They have brought with them more than 400,000 weapons, over 100 million pounds of ammunition, and at least 200 million pounds of food.

Our defensive and supportive policy was outlined in the March 6 statement:

No American ground combat forces.

Minimum American presence.

Military assistance for regular and irregular Lao forces when requested by the Lao government.

Reconnaissance flights and air operations to interdict North Vietnamese troops and supplies on the Ho Chi Minh Trail.

Logistic and air support for Lao forces when requested by the government.

Within this framework we have maintained our military aid and air operations during the past year in response to increased North Vietnamese levels of infiltration and aggression.

Southern Laos became critical for Hanoi after the allied Cambodian operations deprived it of the port of Sihanoukville and the border sanctuaries. They swelled their forces in the area by more than 25,000, captured the towns of Saravane and Attopeu, and intensively built up their supplies and their logistics network. Whereas for years southern Laos had been central to Hanoi's operations in northern South Vietnam, at the end of 1970 it was becoming the hub and crossroads of Hanoi's campaigns throughout Indochina. Almost all of its men and supplies were now flowing through this area. The strategic principles that applied to the enemy's bases in Cambodia were valid as well for southern Laos. Hanoi deepened the area's part in the Vietnam war, with direct implications for Vietnamization and our withdrawals.

The prospects

We do not underestimate the difficulties ahead for Laos and Cambodia. Hanoi has intensified the war on these fronts and its focus is likely to remain there in the coming months.

The Lao government has already demonstrated determination to preserve its independence in the face of overt aggression, diplomatically if possible, militarily if necessary. The Cambodians also have the essential ingredients for success—national unity, maximum self-help and the support of friends. The country's small, unprepared army is gaining both in size and ability, and the spirit of its people continues to inspire all observers. We can expect major testing of Cambodia over the coming months, but we believe that time is on its side.

Our future policy in Laos and Cambodia will follow the lines we have established. We face some very serious problems:

At the conference table. Even if Hanoi were to negotiate genuinely about Vietnam, difficult issues remain concerning its neighbors: the removal of North Vietnamese and Viet Cong troops, the securing of South Vietnam's borders, and the reestablishment of the Geneva Agreements.

On the battlefield. Enemy intentions and capabilities in Indochina will pose some hard choices about the deployment of allied troops as we pursue our own withdrawals. While North Vietnamese activities have subsided in South Vietnam, some of their 60,000 troops massed in southern Laos could move into South Vietnam, or into Cambodia or against northern Laos. In Cambodia we can expect sustained enemy thrusts against the government.

In the United States. We will have the continuing responsibility of explaining the purpose and extent of our activities in Laos and Cambodia. North Vietnamese actions could require high levels of American assistance and air operations in order to further Vietnamization and our withdrawals.

I will continue to do what is necessary to protect American men as they leave Vietnam. Throughout I will keep the American people and the Congress fully informed.

THE HEROIN PROBLEM

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 1971

Mr. BINGHAM. Mr. Speaker, today I placed the summary of the plenary session and the panel sessions on protection and correction from the fifth annual Community Leadership Conference in the RECORD. The topic of the conference was, "Safe Streets: A Priority Goal." Certainly the problem of heroin is a major element of this whole discussion and I include in the RECORD at this point a summary of the two panels which addressed themselves to this topic:

PANEL IIA: THE HEROIN PROBLEM
INTERNATIONAL ASPECTS

Chairman: Dr. Lewis Hyde, the Provost of New York University, Heights Campus.

Panelists: Congressman Edward Koch; Hon. A. E. Karasapan, Counsellor of the Turkish Embassy in Washington, D.C.; Mr. Harvey R. Wellman, Special Assistant to the Secretary of State for Narcotics Matters; and Hon. Daniel Hartwig, a representative of the French National Police working in the U.S. with narcotics officials (Mr. Hartwig could not attend the Conference, but he submitted a statement to be read during this panel discussion.)

Reporter: Miss Sheelagh Perry.

Dr. Hyde in introducing the panel noted that one of the key ingredients in effecting "safe streets" is to solve the drug problem and specifically heroin addiction. To solve this problem it is vital to consider the international aspects.

The first speaker was Congressman Edward Koch whose remarks are summarized in the following:

There is a failure of the major countries involved in the heroin problem to meet their responsibilities. The facts are clear enough. It is estimated that over 35,000 children in the U.S. high schools are addicts—up to 200,000 total addicts in the U.S. with an estimated 75,000 to 125,000 in New York City alone. It is a fact that heroin is not produced in the United States. We need to stop heroin from coming into this country. Where does it come from? It is reported that approximately 80% of the heroin sold in this country originates in the poppy fields of Turkey. It is then sent to France to be processed into heroin, after which it is smuggled into the U.S.. According to Mr. John Ingersoll, Director of the Bureau of Narcotics and Dangerous Drugs of the U.S. Justice Department, 90% of the heroin smuggled into this country arrives undetected. Turkey permits the legal growth of the poppy" for medical reasons," but unfortunately a substantial part of the "legal" growth ends up in illicit markets.

Last year the Turkish Government had twenty-one provinces in which the poppy was allowed to grow. Under U.S. pressure this number was reduced to seven. I ask: Why should the government allow even this much to be produced? I was told that if the Turkish Government abolished poppy growing, then the Government might fall. My answer is "I really don't care." If this is the basis of the Turkish Government, then it deserves to fall.

I co-sponsored legislation introduced by Congressman Rodino to encourage governments to stop the illicit export of raw and processed heroin by threatening to cut off U.S. foreign aid to the countries involved unless they do everything they can to help eliminate this trade. The United States gives some $40 million in foreign aid to Turkey, $3 million in subsidies to Turkish farmers not to grow the poppy. The Rodino proposal, which passed the House as an amendment to the Foreign Assistance Act but failed in the Senate, would have forced governments like Turkey to really stop this illicit traffic.

France is not doing an adequate job in this regard either, but unfortunately the United States has no aid to cut off. Marseilles is the center of the processing and exporting of the illicit heroin. Some arrests are being made in France but not enough.

Of course the United States is not doing such a great job either. We all have read about corrupt police who engage in the selling of heroin and have connections with the Mafia. The difference is that our Government does not condone this activity. In France—yes! In Turkey—yes! Reports indicate that Narcotics Bureau Director Ingersoll fired thirty-eight members of the Narcotics squad for involvement in illegal heroin traffic and Governor Rockefeller had to fire four State troopers in the City of New York for the same thing.

Director Ingersoll, in a recent letter to me, talked of new French cooperation on the heroin problem and a material change in their attitude. They have added 100 new officers to their narcotics detail and are working closely with the United States. A protocol between the two nations is expected to be formulated early next year.

Mr. Harvey R. Wellman, Special Assistant to the Secretary of State for Narcotics Matters, was the next panelist to speak. Dr. Hyde, in introducing Mr. Wellman, noted that he is a career Foreign Service Officer serving in a position which didn't exist fifteen months ago. This points up the concern of the United States Government about the heroin problem, Dr. Hyde said, and its pledge to do everything possible to solve it. A summary of Mr. Wellman's remarks follows:

The heroin problem in the United States causes a great deal of suffering and our Government is gravely concerned about it.

What is our Government doing to bring the heroin problem under control? It is pertinent to recall at this point Congressman Bingham's remark that for complex problems (such as the heroin problem) there are no easy or simple solutions. "I endorse that." When we talk about fighting the drug abuse problem, we are talking about the whole problem including not only heroin but also other dangerous drugs such as cocaine, marihuana, hashish, amphetamines, barbiturates, L.S.D., etc. They all must be brought under control. Other countries are finding the psychotropics (L.S.D., "speed," "sleepers," etc.) more threatening to their population than the opiates.

The drug abuse problem is not only a national problem; it is an international one. The opium poppy has been grown from time immemorial from the Middle East through South Asia to Southeast Asia. Legal world opium production which is needed for medical purposes is about 1100 metric tons. This legal production is under effective international control. Illegal opium production is estimated at between 1200 and 1400 metric tons. This is the source we need to control or eliminate. The critical source for us is in the Middle East, but the poppy is also grown in Afghanistan, Pakistan, Southeast Asia, Burma, Laos, and Thailand. If the supply is cut off from the present greatest source of heroin for the U.S. market, namely Turkey, then the illegal traffic will turn to these other sources of supply.

Most of the U.S. supply of heroin is processed from opium gum into morphine base in the Middle East from where it is smuggled into Europe and converted into heroin in simple clandestine laboratories. The heroin is then smuggled into the United States through Canada, South America or Mexico. We can intercept only about one-tenth of this heroin traffic. The better solution is to eliminate it at its source and at the same time to try to reduce demand by treatment of present addicts, and to prevent new addicts by education.

It is a tough problem to control internationally a commodity which is needed as well as abused. Medical science has as yet found no effective synthetic substitute for certain opium derivatives. There also is the problem that opium growing is traditional in certain cultures and in certain countries is outside government control. The heroin problem cries out for international cooperation.

What is our Government doing? We are working in the United States, bilaterally, with certain countries and internationally—using every possible channel—to bring the heroin problem under control. On the domestic scene, the Federal Government, under the new "Comprehensive Drug Abuse Prevention and Control Act of 1970," is attacking the problem on all fronts: supply, demand and the underlying causes. We have a national responsibility to face up to the problem. Bilaterally and internationally we must work to intensify cooperation to intercept this illegal traffic. This cooperation is critical if we are to stop the supply. We have cooperation from the French, Mexican, and Canadian Governments and are working closely with the Turkish Government. We have established a cooperative understanding of our problem. The United States must also work within the framework of international control mechanisms under treaties and within international organizations. The drug abuse problem is a world problem and all countries need to move together. A case in point is the U.S. effort within the U.N. The U.S. initiated action for a Special U.N. Fund for Drug Abuse Control. The U.N. Economic and Social Council recently approved the establishment of the Special Fund as well as an intensified international drug control program to include immediate measures as well as a long term approach to get at the basic causes of drug abuse. The United States has pledged $2 million to start that fund.

The next speaker was Hon. A. E. Karasapan, Counsellor at the Turkish Embassy in Washington. A summary of his remarks follows:

Those of us in the Embassy in Washington recognize the addiction problem in the United States and the Turkish Government is trying to do something about it. Mr. Koch noted that last year, opium poppies were grown in twenty-one Turkish provinces. This is just not the fact. In the last two decades Turkey has gradually but steadily reduced the number of provinces where opium can legally be grown from over 40 to seven. The Turkish Government is fully aware of the seriousness of the problem and, to further stop the illegal export, has confined the legal growing to the interior provinces, away from the frontiers and from seaports. I would like to make it clear that the Turkish Government is doing this on its own, not because of any pressure from the Government of the United States. The Turkish Government has also submitted to the Parliament a new draft law requiring a license for opium cultivation which would assign quotas to farmers in accordance with area cultivated.

As Mr. Wellman of the State Department is aware, heroin abuse is not a simple problem. The crop can be grown anywhere in the East and the countries surrounding Turkey do grow the poppy although they refuse to admit it. The countries that grow it legally are Turkey, the Soviet Union, Yugoslavia and India. In Turkey some 90,000 people earn part of their living from opium growing and it has been growing on their land for six or seven centuries. In Turkey there is no problem of addiction. The poppy seed is used for cooking oil and the remaining plant is used for fodder. Not many plants can grow in the soil of the Turkish plateau. The opium poppy grows easily. The Turkish Government admits that a large amount of what is grown is illegally exported, but controlling this is a matter of cooperation among nations. If you pressure a Government by threatening to cut off aid, the result will be negative feelings which will prevent cooperation.

Hon. Daniel Hartwig, a representative of the French National Police working in the United States, unable to attend the Conference had his statement read by Dr. Hyde. A summary follows:

The status of France and of Western Europe in the international drug traffic depends on the drug involved and its use on a world-wide scale. In speaking of heroin, France is one main route of traffic from the Middle East, specifically Turkey, to the United States. Opium production is officially controlled but a large amount of it is diverted to the illegal market by farmers. To be used by addicts, the raw opium must be processed first into morphine base and then processed and purified into heroin. This processing, though not a complex operation, requires good knowledge of chemistry, minimum apparatus, electric power and water supply. All of these items, if extensively used in an underdeveloped country, would draw the attention of authorities to the processors as well as the purchase of large amounts of necessary basic products in the processing such as acedic anhydride. One kilo of base morphine when processed gives one kilo of heroin. The clandestine labs are most of the time in rather isolated houses in the countryside in areas where the traffickers are settled.

If France is involved in these activities, it is because of her geographical situation: French harbours are at the end of the Mediterranean lines and at the head of the transatlantic lines. France is not the exclusive transit country. Almost any Western European country can be and sometimes is used, but unfortunately heroin processed in France is considered of excellent quality by both traffickers and addicts. Once processed, heroin is packed into half kilo plastic bags and shipped to the United States through conveyers who are most imaginative in finding the safest way to carry the merchandise. The various means of hiding heroin as well as the speed of transportation has made it extremely difficult for law enforcement agents to intercept it. The creation and improvement of new roads from the Near East to Western Europe complicates the problem.

France, realizing the dangers that the abuse of dangerous drugs, notably among young people, poses for our society and the urgent need to remedy this situation, supports all initiatives in this respect both for reasons of internal order and to assist in international cooperation. Drug addiction, which was not a serious problem in France until now, has recently appeared among our young people. Consequently, the Government has been obliged to take a number of measures since the summer of 1969 to intensify the fight against trafficking. In all major French cities, specialized groups have been set up at all police headquarters to deal with the suppression of addiction and to help in the fight against drug traffic. The police squads specializing in narcotics control have been considerably augmented. Various branches of the police have had special instruction to prepare them for more direct participation in the general effort—i.e. training in the detection and surveillance of addicts. Furthermore Parliament is now considering a bill which would double the penalties for traffickers and institute a system of care for addicts who are able to be treated.

France is not indifferent to the international traffic which, in part, crosses her territory. We have committed ourselves to participate on the international level in the fight against drug trafficking, especially by strengthening cooperation between the various authorities responsible for international narcotics control.

After these opening remarks were completed, there was a question and answer session among the panelists:

Dr. Hyde. I would like to know what the U.S. State Department's position was on the proposal passed by the House to cut off aid to those countries not doing enough to cut the heroin traffic.

Mr. Wellman's response. The Department of State while understanding the motivation for this proposal recommended against it because it was believed the international cooperation needed to stop the illegal heroin traffic would be damaged by threats to cut off aid. The Rodino amendment was not considered to be the best way to secure the cooperation required from other countries. The issue was one of tactics not objectives.

Mr. Koch. Getting back to the opening remarks, I disagree with Mr. Karasapan. Pressure is needed on reluctant countries and the United States should use every means within its power to stop the drug traffic. Turkey knows a substantial part of the poppies grown in their country is used for illicit purposes. Why should this be tolerated? This illicit traffic is contributing to deaths in this country—deaths of our young people and 80% of the heroin is coming from Turkey! Why is it our problem what happens to the Turkish Government if opium growing is abolished? My problem is that people are dying because of the Turkish Government's slow pace at bringing the traffic under control and the U.S. is contributing to these deaths with its foreign aid. The United States has to use all the pressure it can to force the Turkish Government to stop the growing of opium.

Mr. Karasapan's response. I would like to say to Mr. Koch that what he has proposed to force the Turkish Government to move more quickly on this matter will not achieve the ends he seeks. I suspect Mr. Koch knows this and the tactic is designed to satisfy his constituents and not achieve the objective of heroin control.

Next, questions were invited from the audience for the panelists to answer:

Question. Isn't diplomacy in the area of drug control failing? For example, with regard to the recent comprehensive interception operation on the Mexican border, didn't we cut it short because Mexico complained it was hurting its tourist trade? Don't we need a club approach like the Koch proposal?

Answer. Mr. Wellman: International cooperation is needed and we must be aware of the problems of other countries involved. We must encourage them to do all they can to control illicit drug production and traffic without causing a breakdown in our relationships with them.

Question. Isn't what the Turkish Government does their business? We don't have any business dictating to them.

Answer. Mr. Karasapan: The Turkish Government is aware and is doing the best it can to cooperate.

Answer. Mr. Koch: I don't accept that. By our policy of granting aid to Turkey, we are encouraging the growth of the poppy.

Question. Hasn't it been shown in history that outlawing something doesn't stop its use? We need to legalize it and control it as well as try to deal with the root causes.

Answer. Mr. Koch: Do you mean legalize heroin? It won't work. It won't decrease the number of addicts. The English system has failed. The applications for free heroin have doubled. I am opposed to the legalization of heroin.

Question. How much has the new efforts to combat drug abuse meant in terms of increased personnel?

Answer. Mr. Wellman: The two Federal Bureaus involved in the effort: the Bureau of Narcotics and Dangerous Drugs and the Bureau of Customs have substantially increased their staffs in the United States as well as personnel working abroad in cooperation with various countries.

Answer. Mr. Karasapan: We have 400 agents working on the problem and will increase this to 700 in the coming year. These men are being given specialized training in cooperation with the French and the Americans.

Question. How would the Turkish Government feel if the roles were reversed and the United States was exporting illegal products into Turkey that the Government opposed?

Answer. Mr. Wellman: The situation is different with the synthetic drugs such as the psychotropics (amphetamines, barbiturates, tranquillizers, LSD, etc.) which are mostly manufactured in the highly industrialized countries. We are trying to cope with this new control problem through the Comprehensive Drug Abuse and Control Act of 1970 and by exploring the possibility of regulation by international treaty.

Question. What about the Iron Curtain countries? Are they involved in the illicit traffic and how do we get them to cooperate?

Answer. Mr. Wellman: Fortunately, this is not a problem with the Iron Curtain countries. They appear to have effective control over their legal production and exports of narcotics. They have a social system in which it is easier to apply strict controls.

Question. Seven years ago I attended a conference on drugs and the same things being said now were said then. Why isn't there any progress?

Answer. Mr. Wellman: I understand your concern, but it's terribly hard to bring drug abuse under control; we can only continue to work at it in every practicable way.

Question. How will the amendment cosponsored by Mr. Koch affect our strategic air bases in Turkey?

Answer. Mr. Koch: I am so outraged by Turkey's inability to control opium production that if there were a choice I would give up our air bases.

Mr. Karasapan responded to this: I would like to point out that Mr. Koch's proposal does nothing. The President already has the authority to cut off aid.

Mr. Koch responded further: In a sense you are right. We couldn't get it passed last year because the Administration opposed it, but we did this year and that means that the House now has expressed a policy clearly in favor of giving the President the power to cut off aid. He may be reluctant to accept such a clear mandate since if he did not use it he would have to face the people and explain why he didn't use it.

PANEL IIB THE HEROIN PROBLEM—ADDICTION

Chairman: Councilman Bertram Gelfand.

Panelists: Commissioner Graham Finney, N.Y.C. Addiction Services Agency; Dr. Judianne Densen-Gerber, Odyssey House; Hon. Howard Jones, Vice-Chairman, N.Y.C. Narcotics Addiction Control Commission; and Mr. Nat Satterfield, Morrisania Youth and Community Service Center, Inc.

Reporter: Miss Patricia Marley.

The following is a summary of Dr. Densen-Gerber's remarks:

She has travelled throughout the country to various schools. Addiction is now different. Public opinion must be changed as to what they think addiction is. There are basically three groups of addicts. The first type can be classified as the "old lady" addicts. These are in the age group of 25 to 53. They seek drugs because of an inability to function in society. They need psychiatric help as a rehabilitative measure. The methodone treatment for this group is questionable.

The second type of addicts can be classified in the 18 to 25 age group. They appear to be reacting to the system. They are turning anger inward and therefore using drugs. The trend seems to be however to turning their anger against society outward.

The third type of addicts can be classified in the 9 to 17 age group. This is the principal group which Odyssey House treats. There seems to be no pathology with this group. They seem to be using drugs to be accepted by their own peer group. To treat this group you must change the peer group with which they associate.

Drug addiction now crosses all racial and economic groups. It is estimated that 35,000 students are using hard drugs in the ninth through twelfth grades in New York City. The figure will probably increase. Drug addiction is highly contagious in this group. There is a strong peer group identification for this age bracket. Individual families cannot do anything about this. There are various things that can be blamed for the drug addiction. The "American Way of Life" and politicians can be blamed. Physicians can treat addiction and should get involved more with communities. We are dealing with an epidemic.

The following is a summary of Mr. Nat Satterfield's remarks (Mr. Nat Satterfield replaced Mr. William Satterfield on the panel):

Drugs are an effect. The causes lie within the social and economic structure of our society. Changes in these structures must occur. There are too many people who are apathetic and therefore doing nothing about the problem. There is action through the program at Morrisania. Social problems cannot be isolated. The home, school, and job are all inter-related. Each addict's case must be treated individually. The drug problem cannot be treated as a group phenomena. Morrisania has thirteen inter-related services. Among these services are housing, employment, education, recreation, welfare, day-care, and direct treatment of addiction. The social ills of the community must be rectified to solve the drug problem. This is why Morrisania is rendering these social services to the community.

The following is a summary of Commissioner Finney's remarks:

Mr. Finney is a newcomer to the field he is now in. He worked in the school system and in urban planning. The drug problem is an effect of other problems in our society. Dr. Densen-Gerber has said many pertinent things. We are in an epidemic. Represented at the panel are components for the attack on drug abuse. We forget sometimes the effort "pioneers" have made in the field (such as Dr. Densen-Gerber). At least, New York City admits to having the problem. In New York City, there are 100,000 heroin addicts. The city of Chicago does not even have funds for drug problems. The drug problem is everywhere. The highest toll is still in the ghettos where other social problems exist. We must think of the problem systematically—enforcement, prevention, and treatment. All components must work together.

The following is a summary of Commissioner Jones' remarks:

In 1950, the District Attorney of New York County, recognizing the alarming increase in the number of drug cases, established a special narcotics bureau in the District Attorney's office, and the Supreme Court authorized a special grand jury to handle the overload of drug cases. The alarm went unheeded at that time except by law enforcement agencies. The response of the public was to increase the punishment for narcotic related offenses. What is it that has spelled the difference now? Why has public opinion changed? In 1950, drug addiction was considered basically an inner city problem. In the 1950's, approximately 90% of drug-related convictions seemed to be from Black and Puerto Rican groups, as seen by the Commissioner, when he worked with law enforcement. Today, however, now that the drug addiction problem has spread to suburbs and so-called "good kids" from the suburbs are now also using drugs and getting arrested, there is widespread concern that something be done to "save" these youngsters. It is regrettable that the same concern wasn't felt 20 years ago so that ghetto youngsters might also have been saved.

Now there are more enlightened views. The state commission (established three years ago) realized it cannot handle the problem itself. It needs the help of the communities. No one approach is the best approach to drug addiction. Each addict has individual problems. There is, as a result, state aid to various types of programs. Other Congressmen should have done twenty years ago what Congressman Bingham has done today—bring the community together to discuss drug problems and examine the causes in each individual community. There are seven major treatment approaches to drug addiction and the state funds all seven.

QUESTION AND ANSWER PERIOD

Comment from the audience: We have to change the "quality of life" in America. We have to get to the social roots of the problem of drug addiction.

Dr. Densen-Gerber's Answer: Society needs certain moral commitments. A sense of brotherhood is needed. The youth are disillusioned with the false sense of values of adults. We must change this sense of values. A problem with our government is that it will not recognize its responsibility to deal with G.I. addicts who are being discharged from the Armed Services.

Mr. Satterfield's comment: How do you instill value in youngsters who are faced with daily problems of slums. At Morrisania, there is really only a "holding action" until there is some type of economic change in the system.

Question: Since there is a scarcity of money, what approach is used most effectively?

Mr. Finney's response: There is no one approach. The objective of the city agency is to work on many fronts.

Question: What priority is given to research?

Mr. Finney's response: The city agency has little money for research. Federal investment is needed in the entire field. At present, the Federal government is cutting back funds.

Dr. Densen-Gerber's response: We need people who are concerned with new methods. Programs are funded by how successful they are. We should be more concerned with the failures of programs, for this is where we can learn new methods of looking at things.

Question: What does the panel feel about legalizing heroin to get crime off the street?

Mr. Satterfield's response: It wouldn't reduce the crime rate that much and it would encourage more addiction.

Mr. Jones' response: History provides part of the answer. New York legalized hard core drugs in the 1920's. The program was abandoned within ten months.

Question: Addiction is hard to define. There are legal, medical, and social contradictions. Where do people turn who want help but do not fit into the narrow definition of addiction?

Mr. Jones' response: State tests do not accurately define addiction.

Dr. Densen-Gerber: We need a new concept for the protection of children. Their rights have to be protected. Old ways do not meet urbanized social problems.

Comment from Mr. Galfand: The Board of Education has not adequately recognized the problem of drug addiction in the schools. The present Board and chancellor have declined to support legislation permitting examination of students to determine drug use so that they may be referred to treatment programs. Rapid detection of those infected by drugs is critical to meaningful rehabilitation.

Mr. Jones: We met with Mr. Scribner of the Board of Education to discuss addiction. The Board of Education wanted to know if they would be sued if they certified a child as an addict. This is a question which the state legislature should take up.

Question: What about the methadone program, is it a politician's excuse?

Dr. Densen-Gerber's response: I have recommended methadone in a minority of cases (perhaps 5 out of 2,000). Methadone is being used as an excuse. The mortality rate from methadone is 1.5% and the mortality rate from heroin is 1.0%. We must face up to the problem of addiction.

Mr. Finney's response: Methadone is one approach which is being tried. Methadone does not deal with the addict's total personality.

IMPORTANCE OF FORENSICS

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. SCHWENGEL. Mr. Speaker, in a recent guest editorial in the Davenport Times-Democrat, Mr. Harold Keller, director of forensics at Davenport's West High School, discusses the importance of speech training to successful careers. Knowing of the deep and personal interest of my colleagues when it comes to speaking, I felt they would like to read Mr. Keller's editorial:

SPEECH STUDENTS OF TODAY

(NOTE.—The guest article today is by Harold C. Keller, 30, director of forensics at West High School, Davenport. Under his and others' tutelage, students at West have excelled in debate and other competitive speech for a number of years. Keller is in his fifth year at West. He got his bachelor's and master of arts degrees from Indiana State University, Terre Haute. He is a native of Lancaster, Ohio, and a graduate of Evansville (Ind.) North High School.)

The forensic program plays an important role in the total program of speech education in secondary schools. It provides the student-participant with a variety of practical educational experiences that few forms of education afford. It offers them an unparalleled opportunity to perfect the techniques of effective oral communication; in fact, interscholastic speaking is the most potent contemporary force outside the classroom in the speech education of thousands of students. The speech programs of the high schools contribute significantly to the intellectual, social and moral growth of participating students.

In most schools, the speech program consists of individual and group speaking performances that are organized as contests or tournaments with the goal of winning interscholastic honors. Prominent among these forms are debate, discussion, extemporaneous speaking, original oratory, oral interpretation, dramatic interpretation and student congress. In addition, there are more than two dozen variations of these forms that are used in the high school forensic program.

Sound educational philosophy dictates the development of classroom and course work for all students who desire increased speaking proficiency. The forensic program is only part of a carefully organized and integrated program, the major part of which is class instruction. The extracurricular program best serves those who want additional training beyond classroom work. The program is designed for those students who have special interests and abilities in speech and who earnestly desire the special training that competitive forensics entails.

The paramount goal of the forensic program is the total growth of the student, reached through a variety of objectives. Thousands of former debaters attest to the benefits. Congressmen, lawyers, teachers and "prominent citizens" are some, among many, who have expressed their feelings on the values of forensics.

Freedom and Union, a magazine, surveyed leaders in politics, business and various professions in 1960 to find out how many of these leaders—who represented success in their field—had debated. One hundred of the 160 respondents had debated, and 90 of the 100 believed debate experience had been extremely valuable in their careers. Edmund E. Muskie, U.S. senator from Maine, says: "Dealing, as one must, with ever-changing opinion, one can hope to be successful in a career of leadership only to the extent that one practices effectively the art of debate." Dr. David D. Henry, president of the University of Illinois, emphasizes: ". . . My speech and debate experience and training . . . was the most important single educational experience of my life." And Dr. Samuel S. Gould, president of Antioch College: "If I were to choose any single activity which had contributed most to my career, I would certainly choose debating." There are many other testimonials from many successful men and women whose fame may not be national in scope but who are prominent in their communities.

In the words of Woodrow Wilson, former President of the United States, ". . . Clearness, force and beauty of style are absolutely necessary to one who would draw men to his way of thinking; nay, to anyone who would induce the great mass of mankind to give so much as passing heed to what he has to say." Aristotle expressed the value of speech in these words: "If it is disgrace to a man when he cannot defend himself in a bodily way, it would be absurd not to think him disgraced when he cannot defend himself with reason in speaking."

It has been estimated that man spends approximately 45 per cent of his communication time in listening, 30 per cent in speaking, and 25 per cent in reading and writing. In short, three-fourths of man's communication time is spent in speaking and listening activities. This is what speech education is all about: Training students to become communicators, not only better speakers, but also better and more intelligent listeners. If America is to maintain a position of leadership, we must make ourselves understood—and understand—other people. Students must learn how to construct messages which will present the individual's position, messages that are consistent with the psychological, social and cultural systems of our masses. And in like manner, they must learn to understand messages and to critically evaluate the content of messages. All of this must be done in the context of people who are quite different from one another. The need for effective communicators is evident, for the future of man rests not in the Sputniks of science but rather in the heart of the man who communicates intelligently, sincerely and ethically with his fellowman.

Since the beginning of recorded civilization, the value and effect of the trained speaker has been recognized. To the relatively few students involved in our high school speech education program today, forensics becomes the incentive for the student to become an effective speaker and listener, and hence a more successful and more influential citizen. These students have the tradition of being school leaders of today. They become members of the National Forensic League, a high school honorary speech fraternity, and share membership with leaders such as President Nixon, former Presidents Johnson and Truman and countless senators, representatives, many people in politics, heads of corporations, lawyers, and other leaders in America. These speech students of today will be the influential state leaders of tomorrow.

POLAND AT A CROSSROADS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. PUCINSKI. Mr. Speaker, the people of the free world are observing with great interest the recent developments in Poland under the regime of Edward Gierek.

The Christian Science Monitor and other reputable publications have reported some cautious improvements in living conditions for the people of Poland and I submit a few of these articles for my colleagues' attention.

It is our hope that all the people behind the Iron Curtain will one day be free to determine their own destiny. These first reports indicate that perhaps a small change is indeed taking place. Those of us who enjoy the blessings of a free society can only hope that these reports are correct.

Mr. Speaker, the articles follow:

[From the Christian Science Monitor, Feb. 6, 1971]

EFFICIENT SOCIALISM—A POLISH YEARNING

(By Charlotte Saikowski)

SZCZECIN, POLAND.—There's a revolutionary spirit in the air here, a fresh hope, a deep yearning for change.

It is above all a hope born of new party chief Edward Gierek's earnest assurances that the new Polish leadership will run the economy to the benefit of the working class.

Mr. Gierek, once a miner, has unquestionably won the hearts and support of the shipyard workers here and in other Baltic towns who less than two months ago plunged the nation into a political crisis that brought down the Gomulka government.

YOUTH SEEKS CHANGE

But the yearning is not just economic. It is political, and this is perhaps the most significant mood which this correspondent encountered in a 10-day tour throughout the country. It could have far-reaching importance.

The younger Communists want change and change that spells greater democratization—not, to be sure, of Poland's political system as the West understands the word, but of the Polish United Workers Party, as the Communist party here is called.

"We cannot imagine life without socialism, but we want a right socialism, a Polish socialism, which means it must represent not one person but all the people," said youthful Mieczyslaw Dopierala, newly elected head of the party organization at the giant Adolf Warski Shipyards here.

"There was nothing antisocialist, nothing anti-Soviet in our strikes, and the fact that I became first party secretary at the yards proves this."

SZCZECIN LEADER SPEAKS

Indeed, it was Mr. Dopierala, a 35-year-old technician at the shipyards, who led the strike committee for the entire city of Szczecin, where at least 16 and probably many more Poles were killed in demonstrations in December.

I met with him and six other members of the shipyard party-executive committee after the spirited nine-hour election meeting last weekend and, as one might have expected, they were filled with the fervor of men who had wrought a political change.

"We respect our elders," said Mr. Dopierala vigorously, chopping the air with his hand. "They won freedom for us and rebuilt Szczecin. But man is born with egotistic traits and many leaders looked only to their personal advantage.

"We want now to change the style and method of work. There must be greater contact with the people, there must be individual responsibility for one's acts. And we demand rotation in office."

"We are not dogmatists," the dark-haired worker went on. "I did not finish a party school and none of us here has a political education. We got it in production, in our jobs."

Another committee member, a doctor at the shipyards, added:

"We must be honest about our mistakes and criticize those who were not honest. We are not going to interfere with management.

"We believe every worker, section chief, superintendent, director must be responsible for the execution of his job, and our task is to see to it that if there are no results they are thrown out. Before no one was responsible, no one took decisions. Now there must be accountability from bottom to top and top to bottom."

I suggested that hopes also ran high in 1956, when Wladyslaw Gomulka came to power and a spirit of "renewal," as it is called, was likewise abroad in the land.

"Ah!" exclaimed one committee member, a worker. "The situation cannot be repeated. I remember 1956. I was 23 years old. Now no one can blind me again. We have learned our lesson. There must be effective work and systematic responsibility within the party.

It was a theme I heard over and over again—in Krakaw, Katowice, Wroclaw. In Gdansk, which was the flashpoint of the labor unrest, Stanislaw Celichowski, a member of the province party committee and editor of the party newspaper Glos Wybrzeza told me:

"In the past the biggest accent was on discipline—without which the Communist movement cannot exist. But therein lies the problem. During the Stalinist period in Poland discipline led to centralism and now we must find our way out and develop Democracy within the party."

"One problem is that we were never allowed to delve into public opinion," said the 31-year-old editor. "Our jargon said 'the peasants believe such and such' or 'the workers think such and such.' But who knew? Four million Poles earned poverty wages for 15 years and no one treated this as a political problem! Political leaders, from top to bottom, must know."

Many nonparty Poles view the current surge of political analysis with cynicism. They believe too many older leaders are entrenched in office and that no less than a thorough housecleaning can change things.

Questioned on this point, Mr. Celichowski admitted that rejuvenation of the party is a big problem. "It's like trying to reform the Catholic church," he said with a quiet smile. "True, one needs to sweep out some people but not those who have worth. It's not a matter of changing cadres but policy—the party needs to be healed.

WARSAW UNDERESTIMATES

"The main thing is that everything be in the open. The inner life of the party died because anything said locally was underestimated in Warsaw."

"Moreover," he continued, "there should be restrictions on how long a man sits in office. Gierek told us here that he would be the first to show the nation how a leader should withdraw."

In the brawny industrial town of Katowice, Maciej Szczepanski, a 40-year-old candidate member of the important party Central Committee and editor of the local party newspaper Trybuna Robotnicza, discussed party failings with astonishing forthrightness. It might be added that Mr. Szczepanski is a close associate of Mr. Gierek whose voice carries considerable political weight.

"We have no alternative now," the blond, articulate Pole said. "The economy has been stifled in the past five years. The old leadership did not manage to utilize the people's potential. Now new instruments of economic management must be found.

"As for the party, it must now maintain a political distance between itself and the administration. The party holds the reins, inspires, controls, sets up cadres. But it cannot take the place of the administration. Gomulka simply did not understand the new era in which socialism must be built with computers."

Among Polish Communists there is thus discussion, debate, questioning, pondering, and, at the moment at least, determination to breathe freshness in the party.

Where they will ultimately lead, whether the new leaders can indeed revitalize the ossified party apparatus remains to be seen. So far there have been a few changes of personnel and with time others are expected.

But it is not at all certain that the old guard will be easy to budge—physically or in attitudes.

Meanwhile, the question that is never far from people's minds is how far the Soviet Union will permit Poland to go. Already the Szczecin party newspaper has warned against "political gamblers" who support Mr. Gierek only as a tactical move in order eventually to propel Poland in a different direction.

Conscious of the perils, Polish Communists vigorously insist that the events in Czechoslovakia in 1968 were of entirely different hue.

"In Czechoslovakia the party itself was under attack," said a prominent party official. "We will never let things go so far. This was a genuine, working-class strike within the Marxist framework and the party will remain dominant. What we want is a just, efficient socialism."

Whatever the future, the workers of Szececin wear an unmistakable pride these days. They feel it was their action following the turbulent strikes in Gdansk and Gdynia which ushered in a change at the top. They also believe that Mr. Gierek's meeting with them will play an important role in the Politburo's future decisions.

As one local Pole ardently put it, "Szczecin made the revolution!"

[From the Christian Science Monitor, Feb. 8, 1971]

Moonlighting, Stealing To Survive—Polish Workers "Had To Strike"

(By Charlotte Saikowski)

SZCZECIN, POLAND.—Boleslaw Dudek, a 47-year-old welder at the Adolf Warski Shipyards, sat in the living room of his sturdy home and chatted quietly about the December strikes.

"The government changed our norms," he said. "A welding job that used to take 10 hours now was supposed to take six—and at the same pay. When it came to bonuses, the engineers and managers took everything and left nothing for the workers.

"Then came the price increases. Sausage went up to as much as 100 zlotys a kilogram ($4.20 at the official rate of exchange)!"

"I can't complain about my life," Mr. Dudek said in soft tones, "but most workers have a very hard time. We had no choice but to strike."

Mr. Dudek, a welder for 20 years, and his family indeed are relatively well off—because four members hold jobs.

He himself nets about 4,000 zlotys ($168) a month by working a 12-hour day six and sometimes seven days a week. His wife also works, at pay of 2,000 zlotys a month, and two sons, both shipyard workers, together bring home another 4,400 zlotys.

The Dudeks are also fortunate in that they acquired a four-room house when they settled in this former German city after World War II and they have managed to buy a small Syrena car.

If the Dudeks feel the strikes were justified, one can well imagine the pent-up resentment of thousands of Szczecin and other Polish workers struggling along on a good deal less.

Poland's new Premier, Piotr Jaroszewicz, recently disclosed that 4.2 million people out of a labor force of about 16 million earn less than 2,000 zlotys a month (about $84).

"PEOPLE WANT MORE"

"It's very simple," said another shipbuilder and party member who was among the leaders of the Szczecin strike. "People want more. Housing is deplorable. At one stage television was a luxury and now it is daily bread.

"And demands will grow. Workers should have something to put aside but even millions who do earn a bit do not have anything to buy."

What, one asks, is the reason for the economic malaise that confronts Poland after 25 years of Communist rule?

Let it be said first that Poland is not an impoverished country. On the contrary, it has some enormous and visible achievements to its credit.

One travels to cities which after the war lay in ruins and now are entirely rebuilt. This energetic town, bristling with giant cranes, points to the eminence that the Polish shipbuilding industry, for one, has achieved.

HEAVY-HANDED PROGRESS

Everywhere—from Warsaw to Krakow to Poznan—handsome young women trip down the streets in stylish midi coats and pantsuits produced in Polish enterprises.

People complain about the quality of meat and occasional shortages, but the annual per capital consumption of meat in Poland is on a par with that of Sweden.

But, like other Communist states of Eastern Europe, Poland now wrestles with the ailments of a rigid command economy—overcentralized planning, low technological level, enormous waste, and lack of managerial initiative.

Of great concern is the attitude of the average Polish worker (sometimes only two or three years removed from the countryside), who is present on the job but does not put in a day's work. As the Poles say, "Whether he stands or sits, 2,000 zlotys he gets."

Perhaps most debilitating for the nation is the widespread demoralization which this state of affairs has induced. The average Pole in order to eke out a living has to moonlight, to have some gimmick on the side, often to hold three or four jobs. The Poles even have a word for it—"kombinowanie."

The driver illegally uses the office car as a taxi. The shop manager hides scarce commodities and sells them to clients at marked-up prices. The factory worker pilfers tools, screws, paint, either for his own use or for sale to privateers.

"Look at the road," complained a cab driver pointing to a rutted, uneven two-lane highway completed only four months ago. "It's sagging because 30 percent of the cement allocated for it went into the road and 70 percent into private hands. And that's the way with everything. People have to live."

Now the overriding question is—what solutions?

Poland's new leadership seems determined to put through economic reforms, many of which had been planned long before the upheavals in December.

These include some decentralization of the planning process, a new investment system to stimulate the most profitable enterprises, and reorganization of certain industries. Needless to say, the new incentive-wage system which helped ignite the industrial strikes, is being reworked.

It will probably be two years and longer, however, before any reforms can show results. Poles are therefore not jumping for joy although they seem to have accepted the leadership's plea for patience in the face of grave economic difficulties.

"We know there are no quick solutions," said a citizen of Gdansk. "We will have to pull in our belts. But if we must exist on a bowl of soup for the next few years, let it be the same bowl of soup for everyone."

Meanwhile, here in Szczecin, where worker demonstrations contributed to the downfall of the Warsaw government, life at the moment is back to normal. The burned party headquarters is under reconstruction.

The shipyard workers are back at work with what one describes as "renewed energy." They fulfilled the January production plan and are working overtime to "cover the higher prices now."

Store and office managers are reported working with more efficiency because they are afraid of losing their jobs.

CONFIDENCE IN GIEREK

There seems to be general confidence in party leader Edward Gierek, who gave away nothing during his visit here but made a palpably good impression on the workers.

"He's an honest man," said Mr. Dudek with feeling. "Not everything can be done at once. We can't expect a five-day week for several years. The most important thing is that the leaders with their hearts have started to think about the workers.

"A leader can't sit behind a desk," he went on. "He must go and talk with the people and Mr. Gierek told us he did not know we had such problems. We liked him and we don't think he will get spoiled."

Not all Poles are so sanguine and they argue, dispute, and philosophize with characteristic Polish exuberance.

"I doubt Gierek can change all this," commented a local resident. "The problem is that we are under Russia's thumb.

"Hungary made reforms, yes. Romania, yes, has a different foreign policy. But Poland is the largest country in Eastern Europe, and Moscow will not allow us any political luxuries. Otherwise we would no longer be under its control."

"No," said another Pole, a party member and member of the intelligentsia. "The Russians know us Poles. We have learned too much to make the same political mistakes as the Czechs. But if we do not bring about reforms in the economy and if within five or six months the situation does not look more promising, the workers will take to the streets again. They can no longer endure without seeing light at the end of the tunnel."

If such is the mood, it indeed poses a formidable challenge to the leaders in Warsaw.

[From the Christian Science Monitor, Feb. 9, 1971]

New Chairs Musical to Poles

(By Charlotte Saikowski)

WARSAW.—Poland's new leadership has strengthened its hand by further political changes that are bound to win popular support.

Wladyslaw Gomulka has been suspended from the party Central Committee for "serious mistakes" in leadership and two of his close associates, economic specialist Boleslaw Jaszczuk and ideologist Zenon Kliszko, have been removed from that body. All three were ousted from the important Politburo last December following the worker disorders in Gdansk and other northern coastal towns.

Several other shifts will also be greeted with satisfaction by Baltic shipyard workers.

At its eighth plenum this past weekend the Central Committee accepted the resignations of Stanislaw Kociolek from the Politburo and Secretariat and of Ignacy Loga-Sowinski from the Politburo.

HARD LINE RANKLED

Mr. Kociolek, party chief in Gdansk until last summer, is a bright, 37-year-old sociologist who rose rapidly in the ranks of leadership. But he angered shipyard workers by his hard-line speeches following the price increases that touched off riots. From that time on demands for his removal grew.

Mr. Loga-Sowinski, for his part, was in charge of the trade unions 14 years and was ousted from that position in December. Among the grievances of the Baltic workers was the failure of the trade unions to look after their interests.

Antoni Walaszek, who stepped down from local leadership of the party in Szczecin, also has resigned from the Central Committee. It was Mr. Walaszek's refusal to see a worker delegation that led to violence in that port town.

Thus the political scores are being settled as the party seeks to convince a weary and often skeptical nation that it genuinely intends to bring about internal reform. Seven of the 12 members of the old Politburo now are gone. The present Politburo has 10 members, as no new appointments have been announced.

Significantly, party Secretary Edward Gierek, in a two-hour speech at the plenum analyzing the causes of the tragic riots, refrained from a sweeping attack on Mr. Gomulka and other ousted leaders, saying it would take time for a "just assessment." The former Polish leader was suspended and not removed from the Central Committee since he was unable, because of illness, to present a defense at the plenum.

Ordinary Poles, who are glad to see Mr. Gomulka fade from the scene, were nonetheless impressed with Mr. Gierek's restraint: Out of a sense of patriotism they do not like to see a leader shamefully disgraced.

TV CARRIES SPEECH

"All of us carry a share of responsibility for what happened, although it does not fall on each equally," said Mr. Gierek in solemn, emphatic tones.

His speech was later televised in full.

Commented a Pole the next day: "It was a fair, objective speech."

At the same time Mr. Gierek, an experienced administrator who made his mark in the coal region of Katowice, spelled out frankly the nature of Poland's political malaise. In recent years, he said, the role of the Politburo, Secretariat, and Central Committee had declined and had been replaced by a form of "narrow leadership" by a small group of people. At the time of the Baltic disorders, he told the plenum, the Politburo did not meet until Dec. 19, the sixth day of the crisis. And the old leadership chose to use force against the demonstrators without consulting the Central Committee.

FOOD-PRICE HIKES CITED

During the riots, he said, 45 persons were killed and 1,165 injured, including 564 civilians, 531 militarymen, and 70 soldiers and officers.

Mr. Gierek cited as the direct cause of the riots the increase in food prices, carried out without relief for the poorest families. But he added that the deeper reasons lay in discontent with the nation's social and economic policy and a weakening of ties between party and people that led to a crisis of confidence in the government.

In suspending Mr. Gomulka, the Central Committee charged that his mistakes in recent years had brought about incorrect development of the economy and finally an open political crisis. It also charged that Mr. Kliszko displayed a lack of feeling for reality during the riots and caused a sharpening of the conflict and Mr. Jaszczuk for acting in an autocratic way, interfering directly in the work of the government, and forcing through decisions that sparked the disorders.

BETTER LIVING PROMISED

Looking to the future, Mr. Gierek, as he has been doing in recent weeks, promised Poles a better life, stating the government would do everything to put more supplies of food and consumer goods on the market and to relieve the housing problem.

But he warned against expecting immediate results. Hard work, tighter discipline, and modernization of the economy and management, he said, are the route to better living conditions.

Not surprisingly, one result of the plenum was a decision to speed the calling of the sixth party congress, not due until 1972. Preparations for the congress are expected to entail more political changes and housecleaning at a local level.

Meanwhile, the Central Committee elected four new full members. These include Lt. Gen. Jozef Urbanowicz, political head of the Army, and Franciszek Wisniewski, a shipyard electrician from Gdansk.

It also approved Mr. Gierek's assessment of the December events and called on the government to push ahead more vigorously with revision of the 1971 economic plan as well as the plan for 1971–75.

Many Poles watched Mr. Gierek on television with interest. And the mood now seems to be, as one Pole remarked, "They have said their bit. Now we'll see what they do."

[From the Christian Science Monitor, Feb. 10, 1971]

POLAND'S KATOWICE BEARS GIEREK STAMP

(By Charlotte Saikowski)

KATOWICE, POLAND.—This is Gierek country.

Brash, bleak, boisterous, Katowice is the Silesian mining region where Polish leader Edward Gierek ruled for some 14 years. And it bears the stamp of his pragmatic style communism.

At every level—from rugged workers to sophisticated intellectuals—one hears words of praise for the tall Pole who was once a coal miner, fought in the Belgian underground, and later became party head in Poland's most important industrial region.

"Gierek's prima!" exclaimed a Silesian worker.

"He's a man of hard labor rooted in the working class," commented a prominent writer. "If he were not a Marxist politician he would belong to the Salvation Army because he has sympathy for people."

PRIORITY ATTENTION

"Said another resident: "Gierek knew that Poles have to have more than "We are marching to communism, hurrah hurrah!"' He mingled with the workers and he gave them something."

People generally seem to feel that Mr. Gierek can do something for the whole country—if, as one local citizen put it, "they don't eat him alive in Warsaw!"

Mr. Gierek's record in Katowice is indeed impressive. It should be added, of course, that because of the region's economic importance the ruling party Politburo (of which Mr. Gierek was even then a member) gave it priority attention. Accounting for 11 percent of Poland's total population, Katowice Province produces 21 percent of its industrial output and 90 percent of its coal.

Nonetheless, it is widely agreed that Mr. Gierek and his associates administered their "fiefdom" well.

NEW BUILDINGS

I recall Katowice 3 years ago, a gloomy, gray city with virtually nothing to commend it. Today, although still darkly stained by smoke, it is a lively metropolis spruced up with gleaming high-rise office and apartment buildings, a broad main thoroughfare, a handsome new stadium and, at a central crossroads, a modern underground passageway lined with intimate coffee shops, attractive stores, and a movie theater.

The industrial heart of the province, stripped of its natural verdure decades ago, is still a dreary region of mines and factories where trees stand black from coal grit. But much has been done to beautify and purify it.

A welcome boon to the 2.5 million people of the area is a 1,200-acre park built near the town of Chorzow. Workers and their families flock to this "green lungs" oasis, as it is called, with its swimming pools (one with an artificially produced ocean wave), restaurants, planetarium, zoo, rose garden, and other attractions. Currently the provincial government is also planting a forest and recreational belt around the industrial core.

MODERN HOUSING

Most important to the Silesian worker, Mr. Gierek went to bat to improve his wages and living conditions. Whereas the average annual factory wage in Poland is 2,500 zlotys ($625), the coal miners earn between 3,000 and 6,600 zlotys ($738 and $1,428).

They also have more housing. In outlying towns, such as Tychy, one comes on blocks upon blocks of modern residential districts—complete with new Roman Catholic churches. At Rybnik, a developing coal-mining area, authorities are encouraging private home building with long-term, low-interest loans, and the town literally bristles with two-story villas. The countryside, too, is studded with sturdy brick houses built by peasants-turned-workers.

Other achievements of the Gierek administration here include a vastly expanded educational network and such social amenities as worker resort homes in the mountains and at the seashore.

AUTOMATED MINE

The present party First Secretary also won a reputation as an efficient industrial organizer. Many of the enterprises in Katowice region are managed by bright, young engineers and technocrats. About 80 percent of the mines are mechanized, and work and safety conditions in them are good.

At the famous Jan Coal Mine, said to be the most atuomated mine in the world, director Andrzej Marcinkiewicz, a boyish-looking engineer, talks with quiet intensity of introducing Jan's advanced technology in other Polish mines. (Jan is the brainchild of Minister of Mining Jan Mitrega, now a Deputy Premier of Poland.)

As a result of competent administration, the economy of the region has performed well. While Poland, within its present borders, produced 69 million tons of coal a year in 1938, its output last year reached 140 million tons, making it the fifth largest coal producer in the world.

SHOCK WAVES

However, even dynamic Katowice Province has acute problems, a fact local leaders unflinchingly admit. When the worker demonstrations exploded in Gdansk and other Baltic coastal towns in December, the shock waves reached Katowice as well. There were no street demonstrations here but some plants and factories organized short sit-down strikes.

Mr. Gierek flew back to Katowice from Warsaw after the official announcement of price increases, which were to touch off the riots, and met with workers in plants and mines as he had often done in the past to hear out grievances and where possible straighten out conflicts.

"It wasn't quiet here," mused Maciej Szczepanski, editor of the mass-circulation party newspaper Trybuna Robotnicza and a candidate member of the important Central Committee. "We experienced the December events as a deep tragedy. But the worst is behind us and now we have lots of work ahead."

TRANSPORT DIFFICULTIES

The bow-tied Marxist, whose newspaper launched the first direct attack on dismissed national leaders Boleslaw Jaszczuk and Zenon Kliszko, cited the continuing hardships which Katowice workers face. Prices are high and salaries still too low. Housing is in short supply—only every third person has moved into a new dwelling since the war. The water supply is poor.

Transport is in a woeful state, said the party official. Fast roads are needed to link Silesia's towns. Problems remain formidable. Labor productivity is low and computers are sorely needed to modernize and automate enterprises.

"We need entirely new economic strategies to meet the demands of a new age," stressed Mr. Szczepanski. "For a while we will have to do without many things because we simply can't do everything at once."

"But," he added with conviction, "we will concentrate on the areas that give the quickest returns. And Poles know how to work well when they have the conditions for this. The important thing is that we have enlightened leaders again."

[From the Christian Science Monitor, Feb. 13, 1971]

LIBERALIZATION SOUGHT—POLES HOPE FOR CULTURAL GAINS

(By Charlotte Saikowski)

WARSAW.—In the wake of a worker rebellion, Poland's intellectuals look for a breakthrough on the nation's cultural front.

It was the proletariat, the working class, which exploded in protest against economic injustice and brought down the old Gomulka regime. The intelligentsia stood aside—just as the Polish workers did in 1968 at the time of the violent student disturbances.

But the political upheaval wrought by the Baltic shipyard workers has now kindled cautious expectations among the writers, artists, educators, scientists. Throughout the country this correspondent found Poles voicing hopes for a cultural and intellectual rejuvenation.

"Gomulka mistrusted the intelligentsia and although Poland made some contribution in music and art, literature was repressed," one of the nation's leading publicists told me in Katowice. "We hope the doors on the world—and on the West—will open wider now."

INDEPENDENCE STRESSED

"We don't expect miracles," said a writer in the historic city of Krakow. "But our hope now is that writers will have more independence."

Commented a prominent theater director in Wroclaw:

"The new leadership has a reasonable and realistic view. We must expose and learn from our errors. The intelligentsia feels the cultural situation will improve."

And, echoing a frequently heard view these days, a Wroclaw editor said: "Gierek is a man of pragmatic bent but he has scope. He was a miner but he earned an engineering degree and he established a university in Katowice. He is thus well rounded." (He was referring to the new Communist Party leader Edward Gierek.)

Poland's cultural life has suffered some grievous setbacks in a quarter century of Communist rule. During the dark Stalinist period to the mid-1950's the arts were smothered by "zdanowszczyzna," the Polish term describing the reign of Stalin's cultural tsar.

When Wlayslaw Gomulka came to power in 1956 hopes for liberalization ran high but the orthodox Marxist had little interest in the arts and ultimately alienated the intelligentsia by his stifling cultural policies and aloofness.

PROGRESS REPRESSED

After the university student revolt in 1968 still another gloomy period of harsh repression and fear of innovation set in.

Now Poles freely tell you that cultural and scientific life—The Polish Academy of Sciences, the writers' and artists unions, the higher schools—were in the hands of a few people in the Politburo, all under the overall control of ideologist Zenon Kliszko, ousted in the December shakeup. "Nothing got done," remarked a journalist. "Everything was under the thumb of the party."

Literature in particular has been in limbo in the past few years, with many good writers producing primarily for the desk drawer. Whether their works now will be published remains to be seen. One practical problem, which the new leaders promise to tackle, is the actute shortages of paper and printing facilities.

On the theater front, there already has been some movement toward greater freedom in the past year. The play "Kurdesz" by Ernest Bryll, for instance, was quickly closed when it opened in Krakow in 1969 because of its criticisms of present-day society. Last year it opened successfully in Warsaw and is still running.

WORKS WIN RECOGNITION

Meanwhile, artists have been free to experiment in every conceivable genre, including abstractionism and pop art. Much of their copious output is inferior in quality but the best works have won worldwide recognition—and much-needed hard currency for the Polish Government.

The question asked today is how far liberalization will go in other fields. Wilhelm Szewczyk, urbane, articulate editor of the cultural magazine Poglady, published in Katowice, is optimistic.

"Socialist realism is a legend now," he said with surprising candor, referring to the literary dogma that was supposed to guide the creative artist. "There should be no restrictions on the writer. He should write on contemporary themes that interest us and be free to criticize. We should have greater cultural freedom as well as economic abundance."

CAUTIOUS MOVEMENT

There is, of course, a line beyond which Poles know they cannot go. Just as they know that their government would not allow publication of the works of Soviet writer Alexander Solzhenitsyn because this would be a provocative act against the Soviet Union. Indeed the new Polish leadership, mindful of the Soviet crunch in Czechoslovakia in 1968, must tread wisely and cautiously in this whole sensitive field.

Jerzy Krasowski, director of the Teatr Polski in Wroclaw, commented on the playwright's social and political obligation in these words:

"It's not true that we are under a political oppression of sorts. In terms of techniques we can do anything we want. Where content is concerned, we of course cannot serve the state's enemies and indeed do not want to. But we raise deep social questions which the viewer must answer."

"The creative artist must have a feeling of responsibility for the future of the country and the people," he added. "He must be aware that his work has a public meaning and so he must be responsible for what he tells people."

ENCOURAGING STEPS

Poles seem to be encouraged by the new leadership's early steps.

While making it firmly clear that information and culture must serve socialism, party leader Edward Gierek at the recent eighth plenum of the Central Committee stated that the news media should be the forum for a "confrontation of opinions" on various issues and should deal with negative features of Polish society. He added the leadership is aware of the necessity of creating a "climate of confidence" conducive to cultural endeavors.

As a sign of the times, perhaps, the satiric magazine Szpilki recently ran a good-natured caricature of Mr. Gierek.

There is thus inkling of change in the broad cultural arena since the turbulent worker demonstrations in December. How deep the change, how far it will go—this the future alone will tell.

DISENCHANTED POLISH YOUTH STOP SHORT OF REBELLION

(By Charlotte Saikowski)

WROCLAW, POLAND.—A lanky young lad in short, flared coat leaned against a building chatting with a friend.

"Who knows about Gierek?" he mumbled with a shrug of his shoulders. "All he's done so far is go to Moscow and back."

His comment was not meant derogatorily but it hinted at the mood of cynicism and disengagement that affects Poland's younger generation.

When the worker demonstrations broke out in the north in December, a wave of intense discussion spilled through the corridors of schools and universities—and a few organized attempts were made at sympathy strikes—but the students did not, as they did in 1968, take to the streets.

Here in the graceful Silesian town of Wroclaw, the shakeup of the government in Warsaw drew some typically wry reaction from students. "The king is dead. Long live the king!" some said in the privacy of their dormatory rooms.

A father told me that his 15-year-old son returned home from school one day with a copy of a satirical ballad about deposed leaders Wladyslaw Gomulka and Zeon Kliszko and new Politburo members Edward Gierek and Mieckyslay Moczur. "It made my hair stand on end," he exclaimed, "and I took it away from him."

Poland's new leadership, as it seeks to restore a nation's confidence, thus faces among its many other problems the grim dilemma that after 25 years of socialism its youth are not convinced the system works.

Sophisticated, knowledgeable about the West, they are bored with Marxist ideology, disappointed in economic results and, at least until now, unimpressed with their leaders. Some, in fact have been more influenced by the church and their parents than by the school or the party.

Commented the 17-year-old son of a Polish intellectual:

"We don't respect the party or our youth organizations because of the opportunists in them. Only those belong who seek some personal advantage."

Since 1968 the climate among university youth seems to have changed. Then the students made revolutionary demands for such idealistic goals as freedom of expression and information. Now they know from experience they cannot change much politically and they tend to avoid discussion of burning political issues. They are more materially inclined and their wants are largely economic.

Above all they yearn for a more modern—

and more motorized—life. And the outlook is dreary.

It is nigh impossible, for instance, for young people to marry and start families before they are 31 because they must wait 5 to 10 years at least for a new apartment. "What kind of life would it be if we lived with my parents one week and my wife's parents the next?" asked a Warsaw University graduate.

Others complain they cannot expect a decent salary after graduation. Consequently many stretch out their studies in order to avoid getting a job that brings them only $83 a month.

YOUTH MORE IMPATIENT

"Youth are impatient with our inefficiencies," commented the editor of Wroclaw's news weekly Wiadomosci. "There may be differences between what youth in San Francisco and in Wroclaw think, but essentially they want to organize the world better than did their elders. And they are right. They want things to be run logically."

Indeed today there are thousands of bright, well-educated young members of the technical intelligentsia who, if they are not satisfied with socialism, at least are not so "unrealistic" as to think any other political system is possible. But they do want good industrial organization and up-to-date technology. As a 31-year-old economist in Gdansk, scene of the first worker disorders, put it:

"Poland's geographical position is such that we must make a friend of the Soviet Union. The Germans always have an appetite for Polish lands. So we have no choice. Socialism is here to stay and the point now is to make it efficient."

"The first thing is that the party not intrude itself everywhere," the dark-haired youth went on. "Let those who know rule the economy—it's ridiculous, for instance, to hold such a dogmatic concept that prices need not reflect costs."

And he added reflectively, "I don't want the government to tell me what I can and cannot do. If I want to leave Poland for 10 years I should be able to. I want to be free."

It is significant, of course, that many of the shipyard and dock workers who went on strike in Gdansk and other Baltic towns—and forced a political change—were of the younger, postwar generation. In Gdansk I was told that the most eloquent speaker at the grassroots talk-out with party leader Gierek in the shipyards in January was a 30-year-old worker.

"HOOLIGANISM" DENIED

In Szczecin one of the strike leaders was a 35-year-old shipyard technician. Asked why he thought the strikes broke out precisely in the northwest of Poland, he suggested it was partly because one half the population of Szczecin, for one, was born after World War II.

"We are a young society," he told me. "There are many young workers and young intelligentsia here. This generation wants to live better—refrigerators are not enough for us."

He and others at the shipyards stressed, however, that it was not responsible workers who burned the party headquarters and looted stores in Szczecin. The "hooligans," he said, were young Poles who had delinquency records and had been assigned to work in the yards for retraining and reform purposes.

This phenomenon, too, points up an added problem of youth delinquents, many of whom have migrated to the cities from the villages where they have nothing to entertain them.

The new leadership in Warsaw seems sensitively aware of the need to win over and engage the younger generation. Mr. Gierek raised this "key issue" at the recent eighth party plenum, saying that youth is "searching for perspectives in life." He called for training schemes that would enable young people to advance into responsible positions and that promised changes in the educational system.

"We must draft such a development program . . . as would show youth new horiozns and satisfy its material, cultural, and intellectual aspirations," he declared.

"We'll see," said a 21-year-old.

[From the Christian Science Monitor, Feb. 17, 1971]

CLIMATE OF CONCILIATION—POLAND'S NEW LEADERS OFFER OLIVE BRANCH TO THE CHURCH

(By Charlotte Saikowski)

KRAKOW, POLAND.—The Roman Catholic Church and the Polish Communist state stand poised for a new dialogue.

Poland's new leaders are holding out an olive branch to the church, and the church appears ready to accept it. As a sign of the times, an episcopal letter read in all Catholic churches Sunday called on congregations to pray for the new Communist rulers and to forgive their predecessors for precipitating the worker rebellion last December.

It also urged Polish Catholics to cooperate with the "children of God of the whole country" and stressed the need now for internal order and peace.

Politically, the Polish church today poses no threat to Communist rule. When former party leader Wladyslaw Gomulka assumed power in 1956, he moved to eliminate the tensions between church and state and established a modus vivendi with the church to keep popular loyalty. Since then there has been a kind of gentleman's peace agreement between the two—as long as the church kept its place.

95 PERCENT ALLEGIANCE CLAIMED

Though the church has lost ground on several issues, it claims the allegiance of more than 95 percent of the Polish population and hence remains a force with which the regime must reckon, especially in the countryside. Moreover, now that the party, emphasizing that the former rulers were out of touch with the people, seeks to reestablish credibility with the nation as a whole, it seems logical that it try to open lines of communication with the church.

"The fact that people are believers does not stop the functioning of socialism," a high-ranking party official told me. "Socialism and religion cannot unite, but they can cooperate."

As a first act, the government has announced it will change the status of properties rented by the church in the former German territories. Considered state property until now, these buildings and lands will be handed over to the church, as elsewhere in Poland.

BUILDING PROGRAM SOUGHT

The Roman Catholic hierarchy has other demands on its agenda. For instance, it would like to build more churches. Hundreds of churches have been rebuilt since World War II, but Catholics complain there are no churches in the new residential districts springing up in Polish cities.

Present state restrictions on the publication of diocesan newspapers and on priestly and liturgical activities also are matters of contention.

How much Stefan Cardinal Wyszynski, the traditionalist, hard-line Primate who rules the Polish church, will demand and how far party First Secretary Edward Gierek and other leaders are willing to go remain to be seen.

At the turn of the year the Cardinal, responding to Mr. Gierek's first overtures, called for greater across-the-board freedoms in Poland. Some party leaders interpreted his declaration as a rebuff, but the leadership refrained from a counterattack and the situation appears to be improving.

Poland's moderate Catholics are particularly heartened by the regime's move toward better relations.

"If there is now a chance of getting on talking-terms with the government, we should take it even if the talks prove fruitless," commented Dr. Jacek Wozniakowski, director of the Znak Publishing Institute here. "What other position can there be if you want a dialogue?"

Dr. Wozniakowski and his associates, known as the "Znak Group," represented the moderate wing of Catholic opinion in Poland. The Znak Institute, which publishes a weekly newspaper, a monthly, and a dozen or so books a year, is the only independent Catholic organization in the country.

Self-financed, it has a large measure of independence. At the same time it maintains ties with the church through direct contact with Karol Cardinal Wojtyla of Krakow. It also has the support of five Catholic deputies in the Polish Parliament, or Sejm.

WORKING WITHIN ADVOCATED

Often taking issue with Cardinal Wyszynski, the Znak Group holds that the Catholic Church can work within the Communist framework without tainting its own religious goals.

"We try to look at the situation realistically," said Dr. Wozniakowski, a tall, intense-eyed art historian who teaches at the Catholic University in Lublin. "We cannot go back to prewar times. We have to reckon with a powerful eastern neighbor and we must remain Communist. But we want to be governed in as law-abiding and democratic a manner as possible. We think this is the Vatican line as well."

The church should not make undue demands on the government, stressed the publisher. In his words: "What it should seek is more openness from the government, more equal treatment of citizens according to merit and not organization. But it would be indecent for the church to ask for special rights outside the general framework of life in Poland."

It is apparently the hope of the Warsaw regime now that Cardinal Wojtyla and other moderates in the clergy and laity can bring pressure to bear on Cardinal Wyszynski for a more accommodating stance vis-a-vis the state.

BREADTH OF APPEAL UNCERTAIN

How much support the Znak circle has among Polish Catholics is difficult to know. Dr. Wozniakowski says Znak's weekly newspaper appeals mainly to the intelligentsia but that many workers and peasants support Znak.

"I think we represent a big fraction of Catholics, possibly even the majority," he stated. "The older people and priests of course are to the right and think we go too far in trying to find a modus vivendi with the state. But the young priests are with us."

"Of course," he added, "the young priests do not make policy, which is in the hands of Cardinal Wyszynski."

According to Dr. Wozniakowski, only a small percentage of Poles are to the left and favor the state-sponsored Catholic organization called PAX, which the regime has tried to use to split the church. PAX, which has extensive publishing facilities, is strongly opposed by Cardinal Wyszynski.

REFORM PARALLEL SEEN

Asked about changes within the church itself, Dr. Wozniakowski said that young Polish priests and many laymen have the same reformist attitudes as Catholics in the West. When the Znak newspaper, for instance, wrote on the need for internal church reform, it received a flood of letters from readers approving its stand. Polish translations of books by Western Catholic theologians are quickly sold out.

"But the external signs of reform are less conspicuous in Poland than in Europe," he added. "Out of internal solidarity Catholics here do not want to make things difficult for the hierarchy."

Meanwhile, the Catholic man in the street seems to favor the current winds of change in church-state relations. When the bishops designated all church collections on Sunday for the families of victims of the December upheavals in the north, the act met with wide approval.

"We hope this all means a new era between the church and state," said a well-educated Pole—who, it might be added, is not only a Roman Catholic but a member of the party.

[From the Christian Science Monitor, Feb. 18, 1971]

POLISH WORKERS TWISTING RED TAIL

(By Paul Wohl)

The effect of the entire Soviet bloc of the successful strikes in Poland's Baltic cities might prove to be that of a charge of dynamite.

Now, the recent sit-down strike in the old industrial city of Lodz in central Poland has added to the charge. It was on the textile workers' barricades in Lodz in 1830 that for the first time in history a red flag was unfurled.

The Polish labor unrest is said to have prompted Czechoslovakia's first secretary Gustav Husak's recent visit to Moscow. The Hungarian central committee also is reported to have dealt with developments in Poland. Even in distant Pyongyang, North Korea, the Polish workers' uprising set off tremors, wrote the Economist of London.

In the western territories of the U.S.S.R. where not only Western and Polish broadcasts but also television programs come through, the Soviet Communist Party has opened a full-fledged campaign to improve the food supply of the population.

Even more disturbing must be the reports about what the Polish workers were able to obtain, which are being relayed by "hooligan radio stations" as the Soviet authorities call the illegal amateur transmitters being increasingly operated by Soviet citizens within Soviet frontiers.

The latest strike in Lodz, involving some 10,000 persons, has virtually brought Poland's textile industry to a halt.

On Feb. 14, a Politburo delegation headed by Premier Piotr Jaroszewicz flew to Lodz to plead with the workers. The Premier was accompanied by four more Politburo members, a Cabinet minister, and the new trade-union president.

For 18 hours this formidable array of party brass negotiated and argued with the workers—apparently in vain. In the meanwhile reports of strikes in other big factories have come in.

In an effort to appease labor unrest, the Premier, on his return to Warsaw on Feb. 15, announced that the December decree which had raised food prices by about 30 percent would be revoked as of March 1.

This is the new Polish leadership's third major retreat before the workers. The first retreat came in January, when first secretary Edward Gierek flew to Szczecin and Gdansk to talk with the strikers after having turned down their invitation and suggesting that they send a delegation to Warsaw.

The leadership's second retreat was Mr. Gierek's promise to the workers that henceforth party and government would deal with democratically elected factory committees.

The latest retreat was the revocation of the controversial price decree of Dec. 12, which had sparked the demonstrations in the Baltic cities.

BORBA CITES CONCERNS

While a majority of the central committee approved the first secretary's cautious approach, an influential minority felt that little had been achieved and that Mr. Gierek's pleading with the workers had established "an unwelcome precedent." Strikes henceforth would be a "legalized institution which would make for political and social insecurity."

This was also the line taken in East Berlin and Prague, where the Communist establishments, according to Yugoslavia's Borba of Feb. 12, felt that the Polish developments might have "extreme consequences which could influence certain norms governing internal political relations in these countries." These norms do not provide for an open dialogue between top leaders and strikers.

Behind this concern lies the self-evident fact that the Polish workers' unrest is increasingly taking on more of a political than an economic character.

[From the Christian Science Monitor, Feb. 18, 1971]

GOMULKA FAILURE RECALLED—PEASANTRY STILL KEEP POLAND FED

(By Charlotte Saikowski)

KOBYLANKA, POLAND.—Michal Piasecki is a 61-year-old Pole whose ruddy, weather-lined face quickly marks him as a man of the soil. He has 22 acres of land which he acquired when he settled in these former German territories 25 years ago; two horses, three cows, and a solid two-story brick house.

He also has three sons—one married and living in nearby Szczecin, another a Catholic priest, and a third who works in a local factory.

Independent, proud, deeply attached to the land, Mr. Piasecki is typical of Poland's peasantry, which has gained more economically and socially under Communist rule than perhaps any other segment of the population.

And, as the nation's new leaders now seek to rescue a deteriorating economy, Mr. Piasecki remains calmly confident of one thing: The regime politically cannot afford to touch Poland's private farms, which account for 85 percent of the total farmland.

COLLECTIVIZATION BID FAILED

When former ruler Wladyslaw Gomulka in 1956 tried to collectivize the Polish peasants, the effort ended in shambles. Today, say Polish officials, collectivization does not make economic sense nor would the peasant permit it. As farmer Piasecki commented drily as we sat chatting in his wife's spotless kitchen:

"Collective farms are good for those who don't want to work. I'm used to managing myself. A man has only so much but he's his own lord."

Basically Poland's agriculture, with its average private farm only 12 acres in size, is not efficient. Yields are higher than in the Soviet Union, where almost all the land is under collective farms, but they are lower than in East Germany, where the farms also are collectivized but managed by far fewer people.

Poland, however, has its own brand of problems.

FARMS SMALL AND INEFFICIENT

The soil, by and large sandy, is not good, and weather conditions are erratic. The land is fragmented into hundreds of small holdings cultivated in the main by horse—and some 2.5 million horses consume a lot of grain.

The farms, moreover, are often run inefficiently by the old and by women as the young people, like Mr. Piasecki's sons, head for the modern lights of the cities. The exodus notwithstanding, 37 percent of Poland's entire work force is still on the land.

Given these factors, say agricultural experts, Poland's farm output has been relatively good. The drop in livestock and grain production in the past two years was due largely to disastrous weather.

Polish and Western economists agree that large-scale amalgamation of farms and mechanization are not the immediate answer for Poland's intensive agriculture. The tractor makes work easier, boosts labor productivity, and enriches the farmer personally, but it also consumes costly oil and gas, which Poland must import.

HORSE STILL CHEAPER

"The horse at this stage is cheaper for us, although we have to import grain," said Dr. Jan Stelmach, assistant director of Warsaw's Institute of Agricultural Economics. "The main thing is to use more fertilizers and to find better substitutes for wheat, since we do not have enough wheat land."

As for collectivization, Dr. Stelmach said the government has not abandoned the concept ideologically but sees no rationale for it now.

For one thing, big farms require a lot of machinery and capital, and the government has no funds. It already has gone beyond its capacity with investments in industry and must now concentrate on increasing wages.

Second, there is no need for collective farms because of the surplus of labor in the countryside. Poland's labor force generally is swelling because of the postwar baby boom and the cities, staggering under the desperate demands for housing and other facilities, simply cannot absorb people off the land.

"There's no point in supplanting cheap farm labor with expensive machines," stated Dr. Stelmach. "Furthermore, what would we do with the people in the cities?"

In several years' time, he said, the population curve should level off and industry will begin to experience a need for labor. Then a drainage from the land will be encouraged and with time—"gradually not suddenly"—the state will organize farm cooperatives, as collective farms here are called. Some experts believe it will be 10 years or so before such a point is reached.

For the time being the government is trying to develop the nation's state farms and cooperatives into efficient units—many already obtain better results than the private farmsteads—and to influence the private sector by marketing and other policies.

It is also encouraging the sale of private land to the state. Mr. Piasecki, for instance, expects to turn over his acreage to the government in five years' time in return for an old-age pension. "My sons don't want the farm," he said laconically.

FOOD PRICES TO DROP

Meanwhile, in another concession to low-earning Poles, the government has announced that with the aid of Soviet credits it will reduce food prices as of March 1 to the level before Dec. 13—when price increases, especially of meat, led to industrial unrest and a political upheaval.

In order to make up the loss this means for the economy, the government is importuning Poland's farmers to produce more food. Toward this end, it has raised purchase prices for livestock and this year plans to import about 2.5 million tons of grain, some 500,000 tons more than in the past. This, too, puts a strain on the economy and whether livestock prices are now high enough to get a real breakthrough from the farmers remains to be seen.

On the agricultural front, the leadership thus sits tight, hoping the indomitable Polish peasant will help a troubled nation out of its difficulties.

[From the Christian Science Monitor, Feb. 25, 1971]

POLISH GAINS STIR EAST EUROPEANS

(By Eric Bourne)

VIENNA.—The fallout from what Polish workers have gained in their struggle with the Communist Party leadership over the past two months now is evident all over Eastern Europe.

Press and other media in European Communist capitals are focusing attention on issues like housing and automobiles—the long-awaited family car for the little man—in a way they have not been spotlighted through years of regime complacency.

Polish workers have won immediate reliefs on their worst grievances. They forced a change in the top leadership of the trade unions, formed their own militant work committees, and got withdrawal of a wage-payment system which would have inflicted new hardships.

The more recent wave of strikes in Poland's great textile city of Lodz was halted only by the government's cancellation of the price rises which were the actual spark for the initial December explosion.

Stirred by these happenings, Communist Party leaders elsewhere in Eastern Europe now talk of the trade unions being allowed a "genuine" role at last in looking after their members' interests. Plans are announced for speeding up the supply of automobiles and housing.

MORE GOODS PROMISED

Even the Soviet Union seems to have felt its effects. The Soviets' 1971–75 economic plan was delayed in publication by apparent differences in the leadership between those advocating more emphasis on consumer needs and the "conservatives" still bent on heavy industrial priorities.

The plan was, it is believed, virtually completed at a Central Committee meeting shortly before the Polish "December." But it was not made public until two months after these events. It is more than likely that its final outline—with its unprecedented stress on an upsurge in living standards—was clinched by the lessons visible in all that had happened in Poland.

It was, it seemed, a victory for the newly consumer-minded elements concerned in Soviet planning.

East Europeans—always sharply tuned to trends on the wind from the Soviet Union, and especially watchful now on the eve of the Soviet Party Congress—are reading it that way anyhow.

They are relieved by Russia's apparent awareness of the acuteness now of consumer dissatisfaction and the decision to do something about it because, they say, this means a setback for the political hard-liners.

The Soviet plan promises a near 50 percent increase in goods of every kind in the shops by 1975. At the other end of the scale, Romania—one of the laggards in domestic reform in the area—is promised something similar.

From December on, Bucharest's shops have carried an increasing flow and variety of goods. Though consumers will still take second place to output of means of industrial production, increases of up to 40 percent in foodstuffs are promised for 1971.

"This year" exulted one of the Romanian provincial city radios "customers will be presented with the latest fashions—from mini to maxi and midi—and shoes with trapezoidal heels, square toes, and metal trimmings also will be on sale."

One of the first assurances given the rebellious Poles was for rapid motorization through production of a new small-engine automobile at a price within working class budgets.

Poland (population 30 million) has a half-million privately owned cars—where the United States stood in 1913 and West European countries in the mid-'30's.

Compared with other East European states today, the lag is still more pronounced.

In Czechoslovakia and East Germany, there is a private car for approximately every 20 inhabitants. Even Hungary—which makes no automobiles itself—has a car for every 54 people, while Poland's ratio is 1 to 67.

HIGH PRIORITY

The private auto now is set as high as housing on the consumer needs to which almost general bloc unrest has compelled Communist regimes to give more heed.

Hungary has the advantage of stability through a promising reform, already in its third year, which Poland and others well may endeavor to emulate.

Even so, Hungary's new five-year plan includes importation of 300,000 cars to bring private ownership to a half-million—1 for every 20 Hungarians—by the end of 1975.

Hungary, Czechoslovakia, and East Germany together are studying a vast joint project for a plant in Slovakia with an ultimate capacity of 400,000 cars yearly.

Under the reform, trade unions in Hungary have already gained considerable voice. They now are pressing for still more.

So the ripples from Poland widen and widen. If a liberalized regime is, in fact, achieved in Warsaw, it can only be on the basis of a new equilibrium and understanding between the workers—now fully awake again to their power—and the party.

Following Hungary's example, it could be an irresistible encouragement to the workers in all other East European countries.

CSC GIVEN GOOD MARKS DURING HAMPTON'S TENURE

HON. ROBERT J. CORBETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. CORBETT. Mr. Speaker, under leave to extend my remarks in the RECORD, I include an article from the Washington Star:

[From the Washington Star, Feb. 15, 1971]

CSC GIVEN GOOD MARKS DURING HAMPTON'S TENURE

(By Joseph Young)

At the 2-year mark, it seems a good time to assess the performance thus far of the Civil Service Commission under the Nixon administration.

All things considered, the CSC's performance under the fine leadership of Chairman Robert Hampton, ably assisted by Commissioners Lud Andolsek and James Johnson, has been surprisingly good.

Surprisingly because the CSC previously had been headed by another excellent chairman, John Macy, under whose shadow Hampton had served as the Republican member in the Democratic administrations of Presidents Kennedy and Johnson.

QUESTION OF TOUGHNESS

When Hampton was named by Nixon to take over the chairmanship, there were people around town, including government union leaders, federal personnel officials and members of Congress, who privately wondered whether Hampton had the toughness and the leadership abilities to adequately take the place of Macy.

Hampton didn't take long to convince most people that he did.

The CSC under his leadership and that of the associate commissioners, plus the fine professional staff headed by executive director Nicholas Oganovic, has accomplished much these last two years in the way of modernizing the government's personnel system and practices as well as strengthening employes' rights and benefits.

The CSC has its faults, of course. What agency hasn't? But it generally has the respect and trust of government employe unions, members of Congress and federal personnel officials. The CSC sometimes may move too slowly for some and may appear to be overcautious on occasion, but its over-all record is a good one.

Under Hampton's leadership, the CSC has played a major role in strengthening the government's labor-management relations program and further improvements soon will be announced.

The government's grievance and appeals system has been streamlined, with greater safeguards given employes to assure more impartial and expeditious hearings.

PAY COMPARABILITY

The CSC worked closely with Rep. Morris Udall, D-Ariz. and other members of the House and Senate Post Office and Civil Service Committees and congressional leaders to secure enactment of the new semi-automatic federal white-collar pay system in which salaries will be adjusted annually without having to be approved by Congress. It assures federal pay comparability with industry.

Liberalized retirement benefits were enacted into law, with the support of the CSC.

The government increased its contributions to federal health insurance premiums—to 40 percent from the previous 25 percent—as a result of a law approved by Congress with CSC support.

These laws could not have been enacted without the CSC's active support.

There have been rumblings of political clearances required for choice federal career jobs and this has happened in some instances. But these have been the exception to the rule and the CSC has succeeded in preventing any broad or centralized political assault on federal career positions.

Progress has been made in equal employment opportunity programs, although not as fast as minority group employes or the CSC itself would like. But if the progress is slow, the gains are steady.

With the commission's strong support, the financial stability of the civil service retirement system was assured when Congress approved the law providing for annual appropriations to prevent the fund from going bankrupt.

OFFICE FOR COMPLAINTS

The CSC also has set up a complaints office to which federal employes may take their complaints on agency personnel actions.

Another CSC accomplishment is a program to open up better career opportunities for lower-salaried employes by abolishing the use of federal service entrance exams (usually given college graduates) in making promotions.

Also, the CSC has expanded the government's occupational health program to provide on-the-job preventive and emergency health treatment to employes through clinics in various federal buildings.

While government employe union leaders have their share of differences with the commission, they nevertheless have the feeling that the CSC under Hampton usually is fair and sympathetic with their problems and has a generally progressive outlook on federal personnel policies and benefits.

THEY SHOOT PEOPLE, DON'T THEY?

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. MIKVA. Mr. Speaker, there is much rhetoric in the land about law and order. Those who must work with law and order every day, and those who have been given responsibility for recommending concrete steps to achieve it, have recognized the urgent need for controlling the arsenal of guns in the hands of private citizens. Innumerable law enforcement officials, and every Presidential commission in recent years which has studied the problems of reducing violent crime in America, have recommended strict gun control legislation. Yet the Congress has failed to act to stop this societal game of Russian roulette. Is it because the Members are not sufficiently aware of the well-established relationship between easy access to guns and the level of violent crime, or because they have abandoned their responsibilities in the face of the well-financed lobby of gun enthusiasts? I would prefer to believe that it is the former. In that regard, I commend to my colleagues the following editorial which appeared in the Washington Post of February 25, 1971, entitled "Straight Shooting":

STRAIGHT SHOOTING

According to the Associated Press, six policemen were killed in week-end shootings, not including a 22-year-old District police officer whose life apparently was taken by a bullet from the pistol of a Montgomery County police officer whom he had joined in a chase following an attempted armed hold-up in the District. It goes to show that the firearms products so widely offered for sale all over the United States are reliable and effective instruments for human slaughter.

These unfortunate incidents afford an interesting backdrop for a bill introduced in the Senate last week by Senator Edward M. Kennedy—a bill which he has called "the Personal Safety Firearms Act of 1971." The act would do three things: It would require the registration of every civilian owned gun in this country; it would require the licensing of all persons who own guns; and it would ban the domestic output of hand-held firearms that are not suitable for sporting or protective purposes.

The aim of this legislation, obviously, is to curtail the use of guns by criminals for criminal and violent purposes and to curtail also the tragic fatalities that result from the careless handling of guns by incompetents. It would not deprive any responsible, law-abiding adult of the pleasure of owning sporting weapons for the hunting of wild game or target shooting in appropriate circumstances. The registration and licensing entailed in the bill would be no more onerous than the registration and licensing of a hunting dog or of the automobile which the hunter might use to take himself to the woods.

"Today," said Senator Kennedy, "it is the misuse and abuse of firearms that taunt the quietude of our family life. We pay an enormous price for our heritage of guns. Over 200,000 gun crimes are committed in one year. Sixty-five per cent of the murders in 1969 involved guns. And at least 71,000 aggravated assaults occurred with guns; while 113,000 robberies took place at gun point." And the Senator added some interesting comparative statistics. The rate of murders by gunfire in the United States, he reported was ten times the rate in Belgium, 21 times the rate in Denmark, 54 times the rate in Great Britain and 90 times the rate in the Netherlands—all countries where the possession of firearms is stricitly regulated by law.

It is a kind of national dementia that allows the frenzy of the gun lobby in this country to put the convenience and amusement of gun enthusiasts ahead of the welfare and safety of the American people. The killing of policemen alone—86 of them were shot to death in 1969—should suffice to bring about strict control of pistols. Policemen ought to demand such control as a condition of carrying on their vital and dangerous duties. An effective remedy for human slaughter by gunfire is readily available to the people of this country—and without injustice or serious infringement of any lawful interest.

GRAEME C. BANNERMAN—A EULOGY

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. HOLIFIELD. Mr. Speaker, to those of us in Congress who knew Jim Bannerman through the years as a dedicated public servant and good friend, news of his death was unexpected and saddening. Our sense of loss is not only personal but public. Jim Bannerman's experience in defense procurement and the conduct of public business was broad and deep and valuable to his country. His cheerful good nature, his unfailing helpfulness to Members of Congress beset with complex problems, and his competence and candor will be sorely missed and always remembered.

A brief but eloquent tribute to Jim Bannerman is the following eulogy presented by John M. Malloy, Deputy Assistant Secretary of Defense—Procurement—on February 4, 1971:

To all who knew him, Graeme C. Bannerman—known as Jim to one and all—will always be remembered as a giant of a man and a true public servant. The Government's records—the documentation—will show that he spent 31 years in the service of his country. His more recent experience in the field of higher education was a fitting climax to his Government career. Regrettably, the records cannot show the human warmth, the understanding, and the integrity of the man himself.

I was fortunate to have had the privilege of observing Jim Bannerman in the conduct of his public life and, from time to time, of sharing many moments of his private life.

He made a mark during his lifetime. He made a mark on his profession, on his business associates, on his friends and on his family. His is a legacy of public service that will be a guide for years to come.

If I were to ask each of you what single trait best typified this man, I am positive you would answer: his great personal integrity. He was a man of positive views but these views were always on display. He never hid behind a superior when the going got tough. He spent his working life in endeavors that offered temptation on every side. But never was his honesty or integrity questioned in any way. Recently a Regent of the University of California went out of his way to remark on the great candor exhibited by this man. Candor and integrity go hand in hand.

The enormous problems that Government officials face daily in getting "the system" to adopt new solutions to old problems was a challenge to his temperament. He approached each problem with an organized pattern for success--for excellence—a determined will to prevail.

He truly made a reputation during his Federal service—culminating in the three years that he served as the Assistant Secretary of the Navy for Installations and Logistics. His appointment by President Johnson to this position was the natural achievement of this great man. It was an achievement of which he was most proud. This was, in his mind, a recognition of the talent residing in the civilian work force of the Government. He was proud and happy to be the symbol of this recognition. He came up from the ranks—and he preferred it this way.

This man left us with a legacy of values. His infectious smile and fierce competitive spirit would often give him more strokes on the first tee than he was entitled to. His will to live—and to enjoy life to the fullest—despite physical adversity—was an inspiration for everyone who knew him and it is testimony to the strength of his character. He mastered the lawyer's highest art, the art of the relevant. I will always remember his ability to persuade with affection and understanding.

Jim Bannerman was a family man. He was proud of his two daughters and with good reason. He loved to pass on to friends the current activities of his girls. Although a tower of strength in his own right, he made no secret of his great reliance on his wife, Ruth. Our hearts go out to this family in their hour of sorrow.

I followed in the footsteps and in the shadow of Graeme C. Bannerman and I am a better man for it. Many others shared my experience. They, too, were enriched by reason of this association.

A SOUTHEAST ASIA ANALYSIS

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. BROWN of Ohio. Mr. Speaker, the South Vietnamese incursion into Laos—with American air support—is aimed at cutting the Ho Chi Minh Trail which has been used by the Communists throughout the war to supply men and materiel to the North Vietnamese troops and the Viet Cong fighting in South Vietnam and Cambodia. The operation in southern Laos has prompted renewed debate over the President's policy of permitting our Air Force to support military actions outside South Vietnam as a means of increasing the security and protection of remaining U.S. troops in South Vietnam as they are withdrawn from the war.

During the past 2 weeks the casualty rates for both South Vietnamese soldiers and American fliers have been higher than in recent weeks and there have been some setbacks in the fighting by some South Vietnamese units. Naturally, Americans had hoped that no such actions would be necessary, but that if required, such strikes could be carried out without the allied losses that have occurred.

We cannot overlook the fact, however, that the "ground" action in Laos is being carried out solely by the South Vietnamese within the framework of President Nixon's Vietnamization policy and the restrictions laid down by Congress in the Cooper-Church amendment. It is a test that will go far in determining the future of Vietnamization and, therefore, the withdrawal rates of the remaining American ground forces in South Vietnam. As the South Vietnamese undergo that test, Americans should keep in perspective the full meaning of the move and the hoped for end result—that "overall" success will decrease the numbers of Americans needed to back up the South Vietnamese.

As the Laotian incursion began, Dan Rather, White House correspondent for CBS News, commented on the current U.S. role in Southeast Asia under the Vietnamization program. What he had to say then is pertinent to the situation today. He pointed up the changing role of American forces in the war, but cautioned that there are still tests of that policy to be met. For the benefit of my colleagues who may not have had an opportunity to hear reporter Rather's comments, I wish to insert a transcript in the RECORD at this point:

FIRST LINE REPORT

(By Dan Rather)

FEBRUARY 3, 1971.

Good Morning!

Widening the war to wind it down . . . some thoughts after this: (COMCL.) In a public relations sense, this is turning out to be one of the most curious weeks ever in the Vietnam War. So much secrecy about whatever is happening on the South Vietnamese Laotian border . . . secrecy for the American public. It will be interesting to see how it all turns out, in terms of the war itself, and in terms of public support for President Nixon's war policy.

While awaiting the result, consider the report of Ernie L.—not giving his name you understand, just his initial. Ernie L. is one of the best reporters I know—fifty years old, thirty years a journalist, graduate of the University of Chicago, first-rate combat reporter in World War II, lived around and wrote extensively from Europe in the cold war era, distinguished himself covering the Hungarian uprising, wide experience in the Congo, the Middle East, Latin America and Asia. All of that by way of backgrounding you to the fact that this fellow has been around . . . he is no ordinary reporter. When Ernie L. talks, other reporters listen.

He is just back from Indochina, his, let's see, must be ninth tour—Vietnam, Cambodia, Laos. This is what he says: "President Nixon is doing what he claims he is doing in Indochina, withdrawing the United States from ground combat. Large U.S. army units," says Ernie, "are no longer involved in combat anywhere. For that matter, neither are middle-sized units. For all practical purposes, U.S. ground forces are out of the combat business. Special forces type still lead tribesmen in Vietnam and Laos . . . some evidence, no hard information, that they may be doing the same just to cross the Vietnam-Cambodian border. U.S. advisers are still active with South Vietnamese units, but U.S. ground force units as such are not fighting and are being phased out.

"The Marines already are out. That leaves," says Ernie L., "the South Vietnamese pretty much on their own. They are on their own now much more than the American public seems to know." How good are they? Damn good and getting better comes the answer, which doesn't necessarily mean they will be over the long pull good enough to prevent an eventual Communist victory militarily. The impression you get from Ernie is that he believes they are, but he always hastens to add that the final decision on whether South Vietnam goes Communist or not will depend less on military factors than on politics and economics.

Politically, the Saigon government seems to be getting stronger; economically, weak and getting weaker. This it should be noted at a time when North Vietnam's economy is reported by most sources East and West as strong and getting stronger.

But back to the military assessment—what about air power? The U.S. Air Force is doing less in South Vietnam says this correspondent. The South Vietnamese are doing much more of their own air combat. U.S. air strikes in South Vietnam down significantly, down about at least twenty-five, perhaps as much as forty per cent. U.S. air strikes in Cambodia and Laos are up, way up, and likely will remain high for the foreseeable future. This amounts to massive air cover for the basic U.S. withdrawals. Outside of North Vietnam, most North Vietnamese troops are now in Laos and Cambodia, so that's where the air strikes go.

But what about Laos and Cambodia? Aren't we widening the war both places? The air war, yes . . . On the ground it is the North Vietnamese who are widening the combat in Laos. In Cambodia, the situation is too confused, too obtuse and wide to make much sense out of who is doing what to whom.

Summary from a tough-minded, dovishly inclined reporter who has been there—President Nixon is trying to do in South Vietnam what was done in South Korea, with the chances of it working fifty-fifty or better. The North Vietnamese have most of Laos and can take the rest whenever they please. Their potential for doing the same in Cambodia excellent but by no means certain.

Now, please this message: (COMCL.) Dan Rather, CBS NEWS, the White House. Thank you for joining us. This has been "First Line Report" on CBS Radio.

A DECADE OF HEALTH BENEFITS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. DULSKI. Mr. Speaker, on July 1, 1970, 1 million births after the implementation of Public Law 86-382—the Federal employees' health benefits program observed its 10th anniversary.

These million new babies were born to parents enrolled in the Government employees' program and arrived almost entirely prepaid at an average cost of $291.

The significance of these new lives is neither in their number nor the $291 million price tag alone, but in the fact that their births occurred under conditions which provided the best possible odds for survival and a healthy start in this world.

Of equal importance with the well-being of these new lives is the security given to their parents and other members of the family, and to all of the employees, retirees, and dependents of the program.

BENEFITS INCREASED FOURFOLD

During the same decade an additional $4½ billion was expended in benefits for enrollees and their families. Benefit payments approximating one-quarter billion dollars in the first year's operation increased fourfold by 1970, and is estimated to attain $1.2 billion during the calendar year 1971.

Aside from the fact that participation in the program has prevented financial disaster, especially where the covered individual's illness or injury has been serious and/or prolonged, it also has contributed importantly to enrollees' welfare in another way—it has improved their health habits.

The assistance provided toward the payment of medical care expenses has made them less reluctant to seek treatment. Particularly is this so in the case of the prepayment group plans which practice preventive care as well as sick care.

Upon its inception the Federal employees' health benefits program became the largest voluntary plan of its kind, not only in the Nation, but in the world, covering about 1.8 million employees and 3.2 million dependents.

LARGEST VOLUNTARY PLAN

It is still the largest, covering roughly 8.2 million persons of whom 2.3 million are employees, 0.4 million are annuitants, and 5.5 million are dependents.

These statistics, while somewhat impressive, do not tell the whole story. From the beginning, the participating plans—now numbering 40—have broadened their coverage substantially.

The influence of the program now extends beyond its own sphere of operation, being frequently cited as the "bellwether" in the health insurance field in providing comprehensive hospital and medical care on a voluntary basis.

Great, indeed, is the value of the Federal system's experience to non-Federal employers who are already operating or contemplating the establishment of similar health benefit programs.

EXPERIENCE HELPS OTHERS

This invaluable experience offers guidelines as to the kinds and extent of benefit levels which might be prescribed and the premium charges required to support the payment of such benefits.

Mr. Speaker, I include with my remarks a letter from the Honorable Robert E. Hampton, Chairman of the U.S. Civil Service Commission, on the highlights of the Federal employees' health benefits program's first decade of operation.

While I share Chairman Hampton's feeling that our Federal program is second to none with respect to its levels of protection, it is my own belief that it falls far short of attaining the stature of a "model" employer program insofar as the employer-employee premium sharing ratio is concerned.

Following is the text of Chairman Hampton's letter to me:

FEBRUARY 17, 1971.

Hon. THADDEUS J. DULSKI,
Chairman, Committee on Post Office and Civil Service, House of Representatives.

DEAR MR. CHAIRMAN: Because of the current national interest in health care and health insurance and your personal interest in the Federal Employees Health Benefits Program enacted by the Congress in 1959, I thought you might be interested in this report on the Program.

On June 30, 1970, the Federal Employees Health Benefits Program completed ten years of operation. It is still the largest voluntary employer-sponsored health insurance program in the world. The protection it provides against both small and large medical bills is, I believe, as good as is found in the best employer-sponsored plans and better than most. It gives employees a uniquely wide range of choice among the different types of plans—service benefits, indemnity benefits, group-practice prepayment, and individual-practice prepayment—and among levels of protection. It is still a pace-setter in the health insurance field and is often cited in the literature as an example of what can be done in providing good health insurance on a voluntary basis.

Here are a few interesting statistics about the Program:

There are 40 plans participating, many offering a choice between high and low options (i.e., levels of protection) at commensurate premiums.

Benefits provided are currently valued at more than $1 billion annually.

Over eight million employees and retirees and their family members are protected.

About one-third of those protected receive covered medical care and benefits annually.

Over the ten-year existence of the Program, one million children were born to protected families.

The Federal Employees Health Benefits Program has experienced at least two of the problems that, especially in the last five years, have become problems for the nation. These are the spiralling cost of health care and the method of financing this cost. The first of these is uniquely a national problem about which the Civil Service Commission, in its role of representing the employer of the Federal work force, can do very little. The second problem, that of financing the cost of health insurance, has been, in my opinion, satisfactorily solved, at least for the next few years.

The solution I refer to is provided for in Public Law 91-418, recently enacted by the Congress and approved by the President on September 25, 1970. This law provides that the Government, as employer, will contribute approximately 40 percent of premium costs and employees 60 percent, effective in January 1971, with annual adjustments to maintain this cost-sharing ratio.

Before enactment of this law, the Government contribution, expressed as a percentage of total premium, had deteriorated from a high of 38 percent in 1966 to a low of 24 percent in 1970. Since the maximum Government contribution was fixed by law, employees had to bear the full cost of the substantial premium increases that occurred annually.

To illustrate the effect of Public Law 91-418, consider a typical employee with family coverage in the high option of the plan with the largest enrollment. In 1970 the monthly premium for this coverage was $38.33 of which the employee paid $29.45 and the Government contributed $8.88. For 1971, the premium had to be increased to $47.91; had Public Law 91-418 not been enacted, the Government would still have contributed only $8.88 and the employee would have had to pay the difference ($39.03), an increase in direct cost to the employee of $9.58 a month. Under the 40%/60% sharing arrangement specified in Public Law 91-418, the Government now contributes $18.72 and the employee $29.19. The net effect of Public Law 91-418 on this employee is that instead of his take-home pay being reduced by $9.58 a month to meet the increased cost of health care, the Government contribution has met the higher cost and his take-home pay is increased very slightly (by 26¢).

Stated in terms of total premium cost for the Program, the Government will contribute, for 1971, about $480 million of the $1.18 billion premium and the employee will pay about $700 million. Had not Public Law 91-418 been enacted, the fixed Government contribution, as a percentage of total premium would have further deteriorated from 24 percent in 1970 to 20 percent in 1971; the Government would have contributed $237 million of the $1.18 billion premium and the employees would have paid the balance of $941 million.

Although Public Law 91-418 has considerably increased the Government's cost, I believe the 40%/60% cost-sharing ratio is eminently fair and reasonable and was very timely enacted. Had enactment been delayed, it is very probable that the 1971 premium increases would have made the cost of coverage under the Program prohibitive for many employees and caused them to cancel, or reduce the level of, their protection.

Although the Commission tries to avoid increases in premium, and, where they are necessary, to minimize them, I believe substantial annual premium increases are inevitable until the rate of increase in the cost of health care can be slowed. One of the best features of Public Law 91-418 is that future premium increases will be shared by the Government and its employees in the 40%/60% ratio, instead of being borne entirely by employees, as heretofore.

In short, the Federal Employees Health Benefits Program has been a model one for the first decade of its existence. It has been of considerable value in helping Government to maintain a competitive position in attracting able people to, and retaining them in, the Federal workforce. Public Law 91-418 was enacted just in time to meet a financial crisis which could conceivably have resulted in the Program losing its effectiveness and its pre-eminent position among health insurance plans.

I can report to you that the Program is now equitably financed and that it continues to provide excellent protection against the costs of health care. This is not to say, however, that there are no problems. I expect that the rapidly rising costs of medical care will generate new pressures for a further increase in the Government's contribution, as well as for new and expensive kinds of coverages in such areas as dental care, vision care, nursing home care, and custodial care. Hopefully, though, if the President's goal, as contained in his State of the Union Message, of "improving America's health care and making it available more fairly to more people" is implemented, it will help ease the health care problems affecting employees and annuitants under our Program.

Attached for your further information is a more detailed report of highlights of the first decade of operation of the Federal Employees Health Benefits Program.

Sincerely yours,

ROBERT E. HAMPTON,
Chairman.

EXPERIMENTAL PROGRAMS IN EDUCATION

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. SNYDER. Mr. Speaker, a good constituent of mine in the Fourth District of Kentucky, R. Marcus "Jack" Crume, has written an article expressing his views on experimental programs in the field of education. I feel many of my colleagues may have similar programs in their districts and will find Mr. Crume's comments germane to their situations.

Mr. Crume is a Louisvillian and a product of its elementary and secondary schools. He has done graduate work in economics at Indiana University, and holds bachelor and master's degrees from Howard University and the University of Michigan. He taught in Louisville secondary schools for more than 30 years before retiring last September.

The article appeared in the Louisville Times on Tuesday, February 2, and the text of it follows:

SCHOOL INNOVATIONS ARE ENSLAVING THE MINDS OF NEGROES WHEN THEY NEED SOLID EDUCATION

(By R. Marcus Crume)

One hundred years after the freeing of their bodies, Negroes are going back into slavery—not the degrading servitude of chattels, but allowing their minds to be enslaved by neglect.

Thomas Jefferson once said that no nation, no people, can be free and ignorant at the same time; an extension of that idea suggests that to be half-educated is to be half-slave. A permissive educational philosophy of the past 30-odd years has negated academic excellence and changed freedom to license of almost anarchistic proportions.

It has harmed middle-class white society, with its built-in drives and motivations, leaving it rudderless in a sea of discarded standards, Christian virtues and acceptable social goals, all of which give life its fullest meaning.

But it has done the greatest damage to black children whose backgrounds lack the inherent disciplines of the factory system, of a highly competitive society, of the lure of affluence.

Forty years of being involved, of learning and practicing my craft as a teacher, have heightened my critical perception of progressive education and deepened my convictions:

That the permissive type of education, which has characterized public-school training since the early '30s, leaves much to be desired in providing children skills in basic language and in computation, in teaching them adequate behavior and in inspiring them to rise above mediocrity.

That Impact and Focus, the current programs being conducted in the city schools, are but another modus operandi of this educational philosophy.

Progressive education swept the country in the early '30s. I, as a young teacher, was caught up in what was almost a religious fervor for this new education, which embraced such lofty maxims as:

1. A child will learn if sufficiently motivated;
2. A child needs to learn the end or goal sought before accepting the learning challenge;
3. A child busy with learning experiences will be disciplined by those experiences (obviating the age-old practices of discipline and correction);
4. Failures (nonpromotions) were an anomaly in the educative process.

While the practical application of these maxims somehow went awry, the philosophy itself enabled the great American public and school boards to "have their cake and eat it." Faced with an ever-increasing school population and constantly mounting costs, boards may have, and understandably so, avidly embraced those tenets that allowed easy promotions, with practically no failures (obviating the need for additional classrooms and teachers for repeaters of any grade).

RESULTS OF PERMISSIVENESS

Let us examine the results, which have eroded the world's most expensive, and what could be the world's best schools.

Discipline—or more accurately, the lack of discipline—is the wellspring of the schools' most serious problems. Discipline may take many forms, but whatever the form, the end product is control, the kind of control that suggests a choice: to do or not to do, with the incumbent consequences.

Today, the child has no set of choices; he does not have to choose between being good or bad, because there are no consequences to being bad; he makes no choice as to performance or nonperformance because promotion is assured if he stays alive; and if he is alive and bad, promotion is doubly assured.

But discipline is the handmaiden of learning, and without it learning languishes. A case in point: A child in the early stages of developing language skills is given, say, five words to "make his own"—that is, to spell, to sound, to use. When he returns without having mastered his assignment, what can the teacher do but compound the felony by giving him five more words, and five more! She cannot keep him after school, because he will miss his bus; she cannot scold, for fear of damaging his psyche; she cannot use physical chastisement, because in progressive education physical correction for nonperformance is unconscionable.

What CAN she do? Give him five more words!

Should it be surprising that he reaches the ninth grade and still reads on the fourth- or fifth-grade level? Could this explain all the remedial classes cluttering up school curricula? Would they be needed for the host of normal children if those children could have been held to the task the first time around? When all else fails, what is so wrong with corporal chastisement for nonperformance? Most of its use in the family is for nonperformance of some sort. Corporal pleasure and corporal displeasure are experiences common to all, and it is only in the schools that corporal correction conjures up wild visions of blood-letting floggings.

IMPACT AND FOCUS

The philosophy behind Impact and Focus goes beyond the idea of the child-centered approach, popular since the '30s, to the concept of the "whole child"; not alone his mind, but his feelings, his attitudes, his recognition in others of the "trust of the human organism."

Some of its tenets, as I am able to understand them, suggest: that when a child perceives a realness, a genuineness, a lack of facade in the facilitator (under Impact-Focus the teacher does not teach, she "facilitates learning"), the facilitator can be most effective; and that if the child senses acceptance, IF there is an atmosphere void of repressions, IF curricula, grades, tests, etc., are removed or made incidental, then learning is best accomplished.

I have no disposition to joust with these theories; as a matter of fact, the claim for the retention of dropouts is probably valid: Why drop out when it is so pleasurable to drop in?

But as a practical method for having children learn, Impact-Focus is indeed an "iffy" proposition. In application, everything seems to be directed toward doing what the child wants, toward making him happy! We seem to be trimming our sails to fit the whims of adolescents.

Why abdicate to the child? Does the doctor allow the accident patient to choose the physical therapy, or the lawyer permit the client to determine the legal presentation?

Teachers and administrators are mature and professional; children are neither. Impact-Focus no more provides for better control, which is the girding for any educational structure, than what we have had for more than three decades.

Supporters of Impact-Focus are asking that it be given a three-year trial; to accede to such a request the black community, in particular, might well be committing itself to a luxury it can ill afford: three more squandered years for children already trailing scholastically.

Impact-Focus pins its hopes on self-initiated learning when, factually, learning is much more routinized, much more externally motivated. I reject its advocacy of freedom that borders on license. Freedom is not a substitute for orderly control, nor is education by happenstance a worthy replacement for structured educational regimen.

I question that children, given these optimum conditions promised by Impact-Focus, will self-initiate worthwhile learning in large numbers, and large numbers is what we deal with in public schools.

I question that the project will beget rapaciously curious students, or that it will give us anything but what we have now: second-rate performers, void of standards or goals, and without a commitment to excellence.

Advocates of Impact-Focus would claim a special efficacy for it in the inner-city schools, where the so-called underprivileged are. Only in the most racially bigoted sense can Negroes en masse be considered underprivileged, yet Impact-Focus programs are in some all-black schools but in no all-white schools, and always in schools predominantly black.

If Impact-Focus can, as it claims, bring about improvement in scholastic achievement and shore up character development, why deprive white children of these "goodies"? To give blacks this exclusivity is to retreat to that old bromide about blacks needing a special kind of education. The Supreme Court in its desegregation ruling of 1954 viewed separate schools as demeaning; are separate curricula for blacks any less demeaning?

If black children are any different as school children, it is only in their lessened drives and motivations. This is the result of more than half a century of disillusionment. Education has not held out the promise for black youth that it has for whites. The Negro could drive the same elevator, sweep the same floors, hop the same bells without an education that he could with one; therefore, he looked at it circumspectly.

Conditions are not the same in 1970: opportunities are opening up, thanks to a concerned government. What black children need for a productive adult life in America is the same exacting educational fare all children need, served up on a rough-hewn platter of orderliness and compliance.

The black families—indeed, the black community—are not without culpability; they should demand that the educational regimen be as hard and uncompromising as life itself; they should insist that the youth approach these schools with a passion for knowledge.

The hue and cry of the community should be to get knowledge, for the salvation of the black youth lies in enlightenment. Pulpits should enunciate it, and parents should make a fetish of it.

Black parents must direct their children away from the beads, the ornaments, etc., which at best are but shibboleths of racial and cultural proudness.

Pride is a feeling, a feeling of representing oneself and one's people well. Pride asks no quarters, no dispensation, no patronizing. Pride, speaking through a youth, says give me the same examination the whites take for the job, face me with the same high standards of college entrance, give me no special considerations, merely equal opportunities.

Jackie Robinson asked no relaxing of team rules, he sought no protection against insults and racial slurs, he asked only for the opportunity to measure his skills against others. His pride made him prepare himself, his pride made him competitive, his pride became our pride.

SCHOOLS REFLECT CONCERN

The schools transmit the cultural heritage of a people, for the benefit of that people, and if those people are concerned and vocal, the schools will surely reflect that concern.

The Negro community needs to focus on what kind of product it wants the schools to turn out:

If the "focus" is on a hard-hitting, demanding educative system, where the only "impact" is the exploding and crashing of ideas, if the black community wants such schools as will turn out good citizens rather than a cult of law-breakers, if it wants such schools as will make productive members of the world of work rather than marginal laborers, if it wants such schools as will fashion a society of thinkers rather than individuals running up and down the streets of other people's minds, then such schools can be theirs for the demanding.

The true mission of the schools is the transmission of the cultural heritage. This cannot be realized through education by happenstance. Inarticulateness in the mother tongue, deficiencies in computative skills, inadequacies in the physical and human sciences, suggest that learning has been relegated to the ashheap.

The approach now is to make the child happy; if allowing the child to decide what he wants to do and when he wants to do it, makes him happy, so be it. Have we forgotten that education is a hard, painstaking series of experiences, sometimes even boring; that the joy comes only after mastery?

We must soon forsake this system that makes education a game of musical chairs, a system that turns the "little red schoolhouse"—formerly the citadel of learning—into a teen-age spa, where youth can loll and play until age 16, for already we seem to be developing a cult of mediocrity.

Let us bequeath the great cultural heritage of our fathers to our children, not surrender it to them.

NO DIME NECESSARY

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. ROUSH. Mr. Speaker, several weeks ago, I addressed the Members of the House of Representatives on an issue of importance to all of us living here in the Metropolitan Washington area. The issue was the implementation of the emergency number "911" throughout the metropolitan area in place of the various seven-digit emergency numbers.

The news is encouraging on the cooperation evidenced in this area to bring about this result, and I am hopeful that we will soon enjoy the use of that simple, three-digit, easily remembered number here in the Washington area.

Along with the single, simple number for reporting emergencies, there is another telephone communications innovation that can be equally important in times of emergency. Three years ago, when I was discussing the issue of the three-digit number with A.T. & T., I also noted the importance of having telephones, outdoors in particular, which were equipped with "dial-tone" first equipment. In other words, persons experiencing emergencies, could use these phones without coins. Many times emergencies occur when you have no change and searching for a dime can extend the time consumed before the appropriate emergency relief arrives.

I am delighted to report today, that the whole Washington metropolitan area, outdoor telephone booths and booths located in transportation areas have dial-tone first. This includes the District of Columbia, and parts of both Virginia and Maryland. What this means is that the distraught citizen, caught up in an emergency, whether crime or fire or health, can stop at any outdoor telephone and immediately dial the operator for assistance. When "911" becomes the emergency number used throughout this area, it should then be possible to dial that number without a coin.

I wish to congratulate American Telephone & Telegraph for making this important facility available in this area. This is one example of how improved technology can be used to assist the American citizen.

I also include in the Record, a very interesting "fantasy" produced for the Today Show 3 years ago. It concerns what emergencies might possibly happen and how they would be met in a city with multiple emergency phone numbers. Although facetious, the incidents described point out the real need for uniformity in emergency telephone numbers.

> Suppose a madman breaks into your home and shoots you in the leg. Now this startles you and you drop your cigarette on the sofa, setting it afire. Calmly, you call an ambulance for yourself, the fire department for the burning sofa, and the police to take away the madman. But wait, in the excitement, your dog runs into the street and is killed by a car. The car goes out of control, knocks over several trash cans and a fire hydrant. The trash clogs the sewer entrance and the water begins backing up into your cellar. Groggy but game, you call the animal collection people to take away the dog, the Water Department to fix that hydrant, and the Sewer Department to unclog that sewer. Now you are undecided as to who will take care of the overturned trash cans, so to be on the safe side, you call both the trash and the garbage people and the street cleaners. And oh, yes, you'd better call another ambulance for the people in that car.
>
> Now, things are so bad that the madman is more depressed than you are and he threatens to kill himself. So still holding on to the tourniquet on your wounded leg, you dial the emergency Mental Health Service and you ask them to come to talk him out of it. But he won't listen; he takes poison. Now you have to call the Poison Control Center. The whole thing has just been too much for your old aunt who chooses this moment to have a very bad asthma attack. That means calling the Health Emergency Information Service and maybe another ambulance because the two you already called are getting pretty crowded by this time.
>
> But you can now relax because you have run out of emergency numbers and nothing more can happen to you.

I am convinced that in the near future, such situations will not be able to occur in this Washington metropolitan area.

CITIZENS AGAINST THE WAR

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. EDWARDS of California. Mr. Speaker, on behalf of the Emergency Committee Against Escalation of the War, an organization in Palo Alto, Calif., I would like to enter in the Record their protest against the present course being pursued by the administration in Indochina. The advertisement in which those views were expressed appeared recently in the Washington Post. I agree with my colleague on the other side of the aisle (Mr. McCloskey) that this war will be ended only when the American people demand that it be ended. I offer the Palo Alto message as an example of one way ordinary citizens can get together and get the message across to an administration which seems to be getting progressively more hard of hearing on the war issue. The advertisement follows in the form of an open letter to Mr. Nixon and Mr. Laird:

> To President Nixon and Secretary Laird From 1,324 Citizens of Palo Alto: Continue To Bomb and Our Country May Never Have Peace Again
>
> When we stopped bombing North Vietnam in 1968, there was hope for peace. But now you have started bombing again.
>
> And you continue to bomb Laos and Cambodia.
>
> We have held some hope for peace. But the bombing means we have given up.
>
> It means we think we must use force.
>
> It means we believe that escalation works, that preventive warfare works, that bombing women and children works.
>
> They have never worked before.
>
> If we try to make them work again we believe our country may never be at peace again, with itself or with the world.
>
> We petition you to stop the bombing now.
>
> We petition our countrymen to join us.
>
> (Signed in Behalf of 1,324 Citizens of Palo Alto, Emergency Committee against escalation, 325 Barclay Court, Palo Alto, California.)

CZECHOSLOVAKIA'S SAD ANNIVERSARY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. DERWINSKI. Mr. Speaker, last Thursday was the 23d anniversary of the Communist coup in Czechoslovakia. It was on February 25, 1948, that President Eduard Benes, acting under extreme pressure, bowed to the inevitable and permitted the formation of a new government in which Communists predominated.

Klement Gottwald, the Communist who had been Prime Minister in a coalition cabinet since July 2, 1946, became President on June 14, 1948, Benes having resigned 7 days earlier. In the meantime, the Parliament, the political parties, the press, and the universities had all been purged.

New nationalization laws covering 90 percent of Czechoslovakia's industrial capacity were enacted by the Communist-dominated Parliament on April 28. On May 9 a new constitution, based on that of the Soviet Union, was promulgated. New elections were held on May 30, as a result of which the single government list of candidates received 90 percent of the votes in the Czech areas and 86 percent in Slovakia. By means of such farcical expressions of support the Soviets claimed to have a mandate over their tiny neighbor.

During the more than two decades that have elapsed since the Communist takeover, the people of Czechoslovakia, who now number 14,418,000, have learned all about peaceful coexistence, relaxation of tensions, and mellowing international communism. Their difficulties, already great, were compounded in 1968 when the Soviet Union dispatched a total of 650,000 Russian, East German, Polish, Hungarian, and Bulgarian troops into its satellite in order to crush attempts to ameliorate the conditions that existed as a result of 20 years of brutal totalitarian dictatorship. Czechoslovakia is just as much an occupied country today as it was from 1938 to 1945, when it was ruled by the National Socialists of Adolf Hitler.

Mr. Speaker, there will be time enough for Americans to talk about increased trade behind the Iron Curtain, building bridges of friendship with the Communist world, and setting up cultural exchanges with the Soviet and its satellites after Czechoslovakia and its sister satellites have been emancipated from bondage. Before agreeing to sit down with the tyrants of the Kremlin to discuss such matters as trade, friendship, and culture, let us insist that they wash the blood of Czechoslovakia from their hands.

A PROPOSAL FOR CABINET-LEVEL DEPARTMENT OF YOUTH AFFAIRS

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. WILLIAM D. FORD. Mr. Speaker, although Mr. Nixon repeatedly claims to be concerned about the alienation of young Americans and about the deteriorating condition of the environment, I am somewhat confused by the efforts Mr. Nixon is making to remedy those conditions. On the one hand, Mr. Nixon suggests or alludes to possible solutions to the problems, and on the other hand he ignores positive legislative proposals before Congress that put into legislative language what Mr. Nixon himself has only expressed in vague, generalized rhetoric.

Specifically, I find it both surprising and discomforting when Mr. Nixon ignores legislation designed to ease the tension between generations and to channel the enthusiasm and energy of young Americans into productive, meaningful activities in our best national interest, that is, protection and preserving the environment. I refer to H.R. 1368—a bill to establish a cabinet level Department of Youth Affairs.

Mr. Nixon in his state of the Union address proposed a sweeping reorganization of the Federal Government in order to make Government more responsive to the needs of all the people. Mr. Nixon acknowledged that "millions of frustrated young Americans today are crying out," asking for the opportunity to serve their country, our country. Mr. Nixon declared that we must give them the chance; "we hear you and we will give you a chance—a chance to participate in government." I could not agree more, but what can we do about it?

Congress proposed a solution to this

problem over a year ago, and Mr. Nixon has yet to recognize the bill still pending which incorporates his own proposals and gives them effective meaning. Last February my distinguished colleague the Honorable CLAUDE PEPPER of Florida, introduced H.R. 6259, now H.R. 1358, and then reintroduced it with my support and many others in March. H.R. 1358 now has over 45 cosponsors, but unfortunately not the support of the President.

If the goals Mr. Nixon has established for his administration are to be achieved, cooperation with Congress must be a high priority. If the order of priorities Mr. Nixon gave in his state of the Union address are to be honored, Mr. Nixon's own first priority is the unfinished business of the 91st Congress. H.R. 1358 is a matter of unfinished business that should receive the prompt and favorable consideration of Mr. Nixon and the entire Congress.

A COMPREHENSIVE REPORT ON THE WAR IN SOUTHEAST ASIA

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. SCHMITZ. Mr. Speaker, some of the mail which I receive from my younger constituents reflects a disturbing lack of knowledge about the conflict in Southeast Asia. It would appear that there are some groups which are engaging in massive historical distortion in order to rally support for the North Vietnamese Communists. This is an unfortunate situation and must be corrected.

Toward this end I am inserting in the RECORD the prologue from the comprehensive report on the war compiled by our former Commander in Chief Pacific, Adm. U. S. G. Sharp and Gen. William C. Westmoreland, former commander U.S. Military Assistance Command Vietnam, entitled "Report on the War in Vietnam." This excellent publication, which should be in every school library, covers U.S. military operations in Vietnam from June 1964 through July 1968.

It is of real importance that the young people have a good grasp of the situation which led up to our commitment in Vietnam, our actions in the theater, and the importance of defeating the North Vietnamese enemy.

The prologue follows:

PROLOGUE

Every war has its own distinctive features. The Vietnam War has been characterized by an invading army that denied its own existence, by guerrilla fighters who lived among the people they threatened, by the employment of highly sophisticated modern Communist weapons systems, and by carefully controlled limitations on the activities of American field commanders imposed less by the capabilities of their own forces and weapons than by considerations of international politics.

For over 20 years South Vietnam has fought to preserve its freedom against unremitting, ruthless aggression. The aggression has been no less real for the fact that it has been by Vietnamese against Vietnamese and by techniques of subversion, infiltration, terror, and attack rather than overt invasion on the classic pattern. The military effort which we and our allies have mounted in assistance to our Vietnamese ally has been one of constant innovation in resistance to a form of attack new in our experience.

In one way this war has not differed from others. The tests of battle have been met by our fighting men with unsurpassed dedication and courage, upholding the finest traditions of our military services.

The Vietnam War has had the most intense press coverage and has been the most thoroughly documented, most centrally controlled, most computerized, and most statistically analyzed in history. This was due in part to the necessity to measure the progress of a war in which there were no clearly drawn battle lines—no front, no safe rear. Because so much has been publicized about the war, this report contains no accounts that have not been reported before, nor revelations not previously expressed. Our goals, our efforts to meet them, our achievements, and our reversals are all part of the public record.

The weapons in this war have ranged from sharpened bamboo sticks through the entire spectrum of modern conventional weapons. Through an evolutionary growth reaching astounding proportions, the war has had one underlying theme—North Vietnam, supported by world Communist interests, has maintained a fierce determination to take over the government and people of South Vietnam, at whatever cost in lives or material. The Communists initially attempted to gain control by subversive methods—simple terrorism and assassination. When those techniques met strong resistance, Hanoi applied all of its resources and all of the aid it could accommodate from its allies, resorting to overt aggression. This report will sketch the profile of this Communist aggression and outline what we have done to counter it.

The United States had no desire to become involved in a war in Asia. One reason we did not send troops to Indochina at the end of World War II to support the French effort to regain control was that we did not want to help reinstate a colonial authority. The indigenous anti-French resistance, which began in late 1946, was not just a nationalist movement, although it sometimes took that guise. The Viet Minh had been organized in 1941 as a coalition of various groups—Democrats, Socialists, Communists, and other less well-defined sections of the independence movement. Its organization was dominated by the Communists, led by Ho Chi Minh who had been trained in Moscow. The war in Korea later proved to the world the seriousness of the threat of Asian Communism and in the early 1950's, after the Viet Minh had revealed itself as an instrument of communism, the United States, therefore, started sending more military aid to France for use against the Communist Viet Minh.

GENEVA—1954

Despite this aid, France's attempt to reinstate colonial rule in Indochina was already failing when the United States, Great Britain, the USSR, and France met in Geneva in 1954. They sought a political settlement in Korea and a truce in Indochina. In May while the conference was in progress, General Vo Nguyen Giap and his Viet Minh forces defeated the besieged French forces at Dien Bien Phu and with this defeat the French decided to leave Indochina.

At Geneva, agreement was reached to partition Vietnam near the 17th Parallel with a provisional demarcation line cushioned by a demilitarized zone. Neither North nor South Vietnam was to interfere with the internal affairs of the other. Elections to reunify the two parts were to be held within two years of the signing.

Of great importance was the agreement banning the introduction of new troops and weapons or the establishment of new military bases. The manpower and materiel already in Vietnam could be replaced but not augmented, according to the treaty. Neighboring Laos and Cambodia were barred from military alliances, and foreign bases in either country were prohibited. All Viet Minh and French troops were to be withdrawn from both countries. To enforce the terms of the armistice, a three-country International Control Commission was created.

The United States and Vietnam did not sign the Geneva Accords, but endorsed them in principle and adhered to them in action until Communist violations had emptied them of meaning and rendered the International Control Commission powerless.

President Eisenhower, speaking for the United States, on 10 October 1954 offered "to assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means" in the hope "that such aid, combined with . . . continuing efforts, will contribute effectively toward an independent Vietnam endowed with a strong government." Our involvement stems from this commitment.

DETERIORATION OF THE SITUATION IN SOUTH VIETNAM

North Vietnam hoped that the newly formed South Vietnamese Government would, if given enough time, fall of its own accord. The Hanoi leaders were ready to step into the resulting politicial void and reap a cheap victory. Such was not to be the case, however, for in the years immediately following the cessation of hostilities the Republic of Vietnam, beset though it was with problems, made steady if unspectacular progress.

The Geneva Accords called for national elections in both parts of Vietnam. But in 1956 the Saigon government refused to hold elections in South Vietnam on the grounds that elections in North Vietnam under the Communists would not guarantee the voters a free choice.

Hanoi had not anticipated this and now set about to gain control of the South by other means. The Viet Minh had left many cadres in the South in 1954. Under Hanoi's orders, they were organized into a political-paramilitary organization.

In 1960 the Central Committee of the Lao Dong Party, the Communist Party of North Vietnam, passed a resolution that South Vietnam was to be "liberated" and that North and South Vietnam were to be unified under a "progressive socialist" administration.

The Hanoi radio then announced the formation in South Vietnam of the National Front for the Liberation of South Vietnam, a front which Hanoi claimed was made up of several political parties of South Vietnamese. Subsequent Hanoi broadcasts identified a "People's Revolutionary Party" as the leading party in this so-called front. It is significant that no announcement of this came out of South Vietnam, and no nationally-known South Vietnamese figure was ever identified with any of the political parties, which were on paper only, mentioned by the Hanoi radio.

Now the insurgent effort was infused with new cadres from the North—South Vietnamese who went, or were taken, North after the 1954 armistice.

The new organization, referred to as the Viet Cong, talked of land reform, a benevolent socialism, freedom from taxes, and the evils of American capitalistic influence. In some areas the Viet Cong were accepted by the people and the organization established local councils. Where the people rejected the Viet Cong, terrorism and armed attack were applied.

All the while, the Viet Cong were strengthening their organization, acquiring arms and experience. A cold-blooded campaign of elimination of local and national government officials, doctors, school teachers, and public health workers was instituted. This campaign, and the turbulent situation within the Saigon government left the country weakened.

The overthrow and assassination of the country's first President, Ngo Dinh Diem, in late 1963 was the prelude to a series of rapidly changing governments. Internal ethnic and religious differences were exacerbated—often by the Communists—and plagued the country during these years. One consistent factor, however, was that all leaders of the various governments asked for increasing military assistance from the United States, for they knew that without it their country could not survive against the determined efforts of North Vietnam to take over South Vietnam.

The Communists exploited the confusion in South Vietnam whenever they could. Still, the insurgents in the South, despite their support from the North, were not able to gain full control of the country. In 1964 Hanoi decided that the introduction of battle-ready North Vietnamese Army Regulars was needed to bring about the defeat of the South.

The troops left their North Vietnamese training bases for what was often a clandestine journey of many months along the trails through Laos and Cambodia (a trail system named for their President, Ho Chi Minh) or infiltrated the zone which had been "demilitarized" at Geneva. They often remained in areas across the South Vietnamese border, where they were safe from South Vietnamese forces, until they were ready to invade. Although the Geneva Accords prohibited the presence of foreign troops in Laos or Cambodia, this did not inhibit the Communists.

Arrivals of United States advisors requested by the government of South Vietnam were announced on the front pages of the world's newspapers. Movement of the Communist forces was made secretly under cover of night and the jungle. The arrival of the Communists and their increasingly advanced weapons often could not be detected until they were met in battle.

For this reason, facts regarding troop escalation lagged behind the estimates. We were able to estimate rates of infiltration, however, and found continuing increases. Until mid-1964 the majority of the infiltrees were ethnic South Vietnamese members of the Viet Minh who had regrouped to the North after the 1954 cease-fire. In late 1964 the number of infiltrators began to increase greatly as regular North Vietnamese soldiers began to be introduced. By the end of 1964 a minimum of 12,000 North Vietnamese had been infiltrated, including the first North Vietnamese Army regiment to come as a unit. In the ensuing years large unit infiltrations have been the rule. As of June 1968 we estimate that more than 300,000 North Vietnamese troops have entered South Vietnam.

THE COMMUNIST AID PROGRAM

North Vietnam could not have supported such a military effort alone. During the period 1954 through 1967, assistance to North Vietnam from other Communist countries totaled some $2.9 billion, most of which came from the USSR. Annual aid agreements with the USSR, Communist China, North Korea, Mongolia, Rumania, Bulgaria, and Cuba have underscored Hanoi's heavy dependence on this outside aid, both to maintain essential production and services and to support the war in South Vietnam.

Russia has equipped North Vietnam with about 35 surface-to-air missile battalions and has supplied a sophisticated communications and radar network, numerous aircraft (including IL-28 jet light bombers and MIG-15, MIG-17, and MIG-21 fighter planes), and large quantities of antiaircraft weapons. All of these weapons contributed to establishing the most sophisticated air defense system ever faced by any force in combat. In addition, the USSR has supplied North Vietnam with modern ground force equipment such as 122- and 140-mm rockets, 120-mm mortars, and 130-mm field guns.

Priority attention has been given to North Vietnam's transportation system. The USSR has supplied not only a large portion of the vehicles needed to move supplies south, but also the road construction equipment needed to keep existing roads serviceable and to build new military roads in North Vietnam, Laos, and Viet Cong controlled areas of South Vietnam. In addition, the USSR has supplied railroad equipment, barges, bridge equipment, and petroleum for North Vietnam's transportation system.

Communist China's percentage of total aid has declined steadily since 1965. Such aid was significant, however, and has included the rehabilitation and development of North Vietnam's railways, highways, and communications facilities, reconstruction and improvement of irrigation systems, and construction of heavy and light industrial facilities. In 1966 it was reported that 40,000 Chinese were being used in North Vietnam for road and rail maintenance and other repair work. By early 1968 this figure had grown to 50,000. Some personnel were also believed to be in antiaircraft units. Military equipment from China continues to be mostly small arms, ammunition, and light antiaircraft artillery; but some MIG-17 jet fighters have been provided.

In the early stages of the war the enemy was handicapped by weapons and ammunition shortages and he relied often on homemade and captured items. Today there is an abundance of the latest models from the Communist conventional weapons arsenals.

SOUTH VIETNAM REQUESTS OUTSIDE ASSISTANCE

South Vietnam has also relied on massive external aid, from the United States and many other countries. In December 1961 South Vietnam sent an urgent appeal to President Kennedy for immediate further help. The President agreed to increase our military assistance. The political and military situation, however, continued to deteriorate. North Vietnam became emboldened by the eroding situation and misjudged American determination. American naval ships on patrol in the Gulf of Tonkin were involved in clashes with North Vietnamese torpedo boats on 2 and 4 August 1964, which led to approval of the Joint Congressional Resolution of 7 August 1964—the Tonkin Resolution—which not only approved retaliatory attacks but also stated that:

"The Congress approves and supports the determination of the President, as Commander-in-Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression. . . . The United States regards as vital to its national interest and to world peace the maintenance of international peace and security of Southeast Asia. Consonant with the Constitution and the Charter of the United Nations, and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom."

UNITED STATES COMMITMENT OF FORCES

During January and February 1965 the general situation in South Vietnam continued to worsen, the military threat increased, political tensions in Saigon deepened, and morale plummeted. It became increasingly apparent that the existing levels of United States aid could not prevent the collapse of South Vietnam. Even as deliberations on how best to deal with the situation were in progress within our government, the Viet Cong launched a series of attacks on American installations in South Vietnam. These attacks indicated that North Vietnam was moving in for the kill. It appeared that they would succeed, perhaps in a matter of months, as things were developing. Acting on the request of the South Vietnamese government, the decision was made to commit as soon as possible 125,000 United States troops to prevent the Communist takeover. At the same time President Johnson indicated that additional forces would be sent as requested by the Republic of Vietnam and the Commander of the United States Military Assistance Command, Vietnam.

As the need increased and as North Vietnam moved in more of its own troops, requests for additional United States troops followed. By December 1965 we had about 184,000 troops in Vietnam. The year of greatest buildup was 1966, when our strength more than doubled. Increases have since been at a slower rate but have continued.

SOUTHEAST ASIA TREATY ORGANIZATION REACTION

The SEATO Council and the Military Advisers, at each of their regular meetings since April 1964, condemned the Communist aggression and Hanoi-directed subversion of South Vietnam. The communiqués following these meetings have become progressively stronger in this regard. Each of the meetings was an occasion for the council to express its appreciation for the contributions from Free World nations assisting the South Vietnamese. The council further evinced its interest and growing concern, as well as support, for South Vietnam, a SEATO Protocol State, by encouraging increasing participation in its meetings by the South Vietnamese observer.

Each of the troop-contributing member nations of SEATO declared publicly that its support of South Vietnam was as a result of, and in accordance with, its obligations under the SEATO Treaty. The United Kingdom and France, though not contributing troops, contributed money, medical aid, technical assistance, and other forms of help.

The government of South Vietnam did not make a formal request for assistance from the Organization per se. Rather, such requests were made directly to each member nation individually. Significantly, all SEATO member nations, in one way or another and in varying degrees, assisted the South Vietnamese in their defense against Communist terrorism and aggression.

FREE WORLD ASSISTANCE TO SOUTH VIETNAM

In April 1964 President Johnson urged all the nations of the Free World to come to the assistance of South Vietnam. South Vietnam itself made formal requests to certain nations for assistance.

In response, nonmilitary assistance from 39 countries other than the United States totaled $55 million from April 1964 to June 1968. Most of those nations preferred to provide civic action and medical assistance rather than active miltary participation.

Prior to April 1964 Australia was the only nation other than the United States to supply military assistance. In 1962 Australia furnished a 30-man Army training team and in August 1964 augmented this team with an aviation detachment. In May 1965 Australia agreed to send a task force to South Vietnam and Australian forces there now total about 7,500 men.

In July 1964 New Zealand furnished a military engineer team and in May 1965 decided to replace this detachment with a combat force. New Zealand forces in 1968 totaled over 500.

Other than the United States the nation supplying the greatest assistance to the Republic of Vietnam is the Republic of Korea. By the end of 1965, 20,620 Korean troops were in South Vietnam and those forces now total approximately 50,000.

By the end of 1965 Thailand and the Republics of the Philippines and China also had given aid in the form of noncombatant personnel to act in either advisory or civic action roles. In addition, Canada, Japan, the Netherlands, the Federal Republic of Germany, and many other nations were contributing economic and technical assistance to South Vietnam, including many nonmilitary advisors and technicians.

In December 1966 a Royal Thai Government decision to assist in the ground war in Vietnam received enthusiastic support from the Thai people. The first element of the Royal Thai Army Volunteer Regiment arrived in Vietnam in July 1967 and the main body of approximately 2,500 men followed in September. Later in the year Thailand decided to send a division, with a total strength of over 11,000 men, to replace the Royal Thai Regiment. This division is scheduled to arrive in Vietnam in two increments, the first by August 1968. The second will follow upon completion of outfitting and training.

THE REPUBLIC OF VIETNAM'S ARMED FORCES

The Armed Forces of the Republic of Vietnam have been fighting without respite for many years. They have carried the heaviest load of casualties and the greatest personal hardships. Most Vietnamese soldiers have served their country gallantly, faithfully, and responsibly throughout the years. With the help and training of their allies they have acquired knowledge of modern military tactics and techniques, which they have applied effectively.

STRATEGY FOR THE CONDUCT OF THE WAR

Our basic objective in South Vietnam has been to establish a safe environment within which the people of South Vietnam could form a government that was independent, stable, and freely elected—one that would deserve and receive popular support. Such a government could not be created in an environment dominated by Communist terrorism. The Viet Cong and the North Vietnamese Army occupied large parts of the country and subjected large areas to armed attacks and acts of terrorism and assassination. These acts were most often directed at the representatives of government in provinces, villages, and hamlets throughout the countryside, the government officials most closely associated with the people.

The United States' military goal was to provide a secure environment in which the citizens could live and in which all levels of legal government could function without enemy exploitation, pressure, or violence. Our strategy to achieve this goal consisted of three interdependent elements—the ground and air campaign in South Vietnam, the nation building effort in South Vietnam, and our air and naval offensive against North Vietnam. Through these integrated efforts we have sought to convince the Hanoi regime that its aggression could not succeed and that such aggression would be too costly to sustain.

To this end United States, South Vietnamese, and other Free World forces went into battle to defeat the Communists and their organizations in South Vietnam. When the enemy was driven out of an area, United States and other Free World forces assisted the Vietnamese people in that area with projects such as building construction, sanitation, and medical care. Skills in these and other specialties were supplied by our soldiers, sailors, airmen, and Marines in their changing roles as both fighting men and workers in civic action.

But before major civic action programs could proceed, the enemy had to be blocked in his aggression. Efforts to defeat enemy aggression in South Vietnam will be detailed in another portion of this report.

As almost all of his war-making material came from or through North Vietnam, we took the war to the enemy by a vigorous and unremitting—but highly selective—application of our air and naval power. Aircraft from land bases in South Vietnam and Thailand and from our aircraft carriers at sea applied this power. We attacked the enemy's military installations and power plants, petroleum products storage areas and industrial facilities which supported the war effort, and the vehicles and roads by which war material moved south—his means of provisioning the aggression. The bombing has been the most precise in history with less damage to nontargets and noncombatants than was ever experienced in previous wars. Communist support of the war was made extremely costly in terms of goods and facilities destroyed.

Our naval forces curbed the movement of men and their food and war-making material as they attempted to infiltrate by sea or by the great river systems of Southeast Asia. Naval gunfire assisted in coastal operations with marked effectiveness.

From a military standpoint, both air and naval programs were inhibited by restrictions growing out of the limited nature of our conduct of the war. The key port of Haiphong in North Vietnam, for example, through which 85 percent of North Vietnam's imports flowed, and at which ships of many nations called, has been a prohibited target. Our planes could not bomb it. Nor was mining of that harbor permitted. Materials shipped from Haiphong were sought out later and bombed on their journey south, when they could be found. The primitive road and trail networks of Southeast Asia and the frequently heavy tree cover made such moving targets and sheltered small storage areas very difficult to find, even with our sophisticated weapons and equipment.

Despite these difficulties, strikes on railroad lines, roads, and waterways greatly impeded the flow of war material. These attacks created additional management, distribution, and manpower problems for North Vietnam.

The bombing of North Vietnam was unilaterally stopped by the United States a number of times, for varying periods of time, in the hope that the enemy would respond by stopping his aggressive activities and reducing the scope and level of conflict. In every case the Communists used the bombing pause to rush troops and supplies to reinforce their army in South Vietnam. Such unilateral truce efforts, while judged politically desirable, accrued some temporary military disadvantages to successful prosecution of the war.

SUMMARY OF PROGRESS—1965 TO 1968

By mid-March 1965 United States forces were exerting pressure on Communist forces in South Vietnam and the United States logistic capability was expanding. In 1966 we commenced deployment of a balanced and effective combat force. Successful spoiling operations during that year prevented a Communist military takeover and forced the enemy to revert to defensive employment of his main force units. A capable and resourceful enemy continued overt warfare, however. He had developed a strong logistic base, much of it in neighboring Laos and Cambodia. The enemy maintained the capability to deploy substantial additional North Vietnamese Army Regulars.

While our air operations over North Vietnam attrited but did not prevent the introduction of external assistance into North Vietnam, substantial progress was made in destroying war supporting industries and resources. Emphasis was directed toward harassing, disrupting, and impeding the movement of men and material to South Vietnam. Such movement was made costly and the enemy was forced to exert a prodigious effort to continue it. He adjusted to our attacks by ingeniously hiding and dispersing his logistics activity, however, and his recuperative capability along the routes of movement was remarkable.

In 1966 we were able to take the initiative against Communist main force units in South Vietnam. However, the enemy was able to disengage many units and to seek refuge in sanctuaries in Laos, Cambodia, and North Vietnam, where our ground forces were not permitted to strike him. This permitted him to establish the pace of the ground war to his advantage. Although it would be erroneous to suggest that the enemy at this stage had reverted purely to guerrilla actions as his primary mode of operations, he realized that he could not defeat and eject United States and Free World military forces by large unit operations. He was sufficiently flexible to hit at times and places of his choosing and under circumstances that offered a good probability of success. In 1966 the enemy's unit integrity had not been destroyed, nor had his logistic capabilities fallen below those needed to continue the war.

The Communists avoided major contact, using their sanctuaries, fighting defensively when forced to do so, and attempting to rebuild and reinforce for operations at an opportune time. Tactical guerrilla warfare was intensified without fragmenting main force units or discarding plans for their buildup and use. Hanoi continued the high rate of infiltration of Regular troops to replace losses and to augment units in the field. Enemy strategy hinged on continuing the war in the hope of outlasting our determination.

Another element of the Communists' basic strategy was a propaganda campaign directed at increasing both domestic and international pressure on the United States Government to stop the bombing of North Vietnam and to settle on terms favorable to the enemy.

By mid-1967 the combination of military operations against the enemy in all areas forced him to reassess his situation in light of his deteriorating military position. He was no longer capable of military victory. There were significant increases in the strength and capabilities of Allied forces in South Vietnam and combat operations were expanded accordingly. Our operations, supported by close air support and B-52 bomber strikes, increasingly neutralized enemy base areas, located and destroyed the supplies on which the enemy depended, and drove him into sparsely populated regions where food was scarce. The overall military trend in 1967 in enemy losses—those killed, wounded, and captured—was favorable to the allies, as was the overall trend in enemy defections. The number of persons and areas under Communist control declined slowly and the number of South Vietnamese impressed into Viet Cong service declined significantly. Consequently, the troop replacement burden fell increasingly on the North Vietnamese. There was evidence of manpower problems in North Vietnam, resulting in wider use of women in the labor force to free men badly needed for military replacements. Shortages of food, material, and medical supplies were taking their toll. Morale and combat effectiveness deteriorated in some of their units, especially those in isolated areas.

In 1967 the enemy did not win a major battle in South Vietnam. Many of his main force units had been driven to positions across the Laos and Cambodia borders where they took advantage of sanctuaries for protection and supply, in much the same way they had operated in 1966 when hard pressed by our combat forces.

The Communist strategy continued to reflect an effort to draw Allied forces into remote areas, especially those areas adjacent to border sanctuaries, leaving populated areas unprotected. This enabled enemy local and guerrilla forces to harass, attack, and generally impede government efforts. Through these means the Viet Cong continued to exert a significant influence over large portions of the population. Although enemy capabilities were at times formidable in local areas, they were never overpowering. Through careful exploitation of the enemy's vulnerabilities and the application of our superior firepower and mobility, we were able to prevent him from making any spectacular gain in South Vietnam in 1967.

During 1967 the air and naval campaign against North Vietnam continued to be an element of our strategy in which we had the initiative. We continued to press this advantage. There was no doubt that our past efforts had hurt North Vietnam and that continued support of the war in South Vietnam was causing severe hardships. From a purely military view, additional operational latitude for air and naval forces would have enabled the execution of campaigns against North Vietnam which would have brought about a more rapid deterioration of the enemy's total war-supporting structure. If more effective curtailment of the Communist war effort had been achieved by drains on their resources, the result would have been a steady reduction of insurgency and aggression in South Vietnam.

In coordination with our military operations, the task of nation building in South Vietnam, the ultimate goal of our struggle, received its full share of attention. True, progress often was interrupted by enemy attacks or harassment, but the demonstration of government concern and aid for every village and hamlet in South Vietnam remained the aim. Efforts in this regard were not new. The French attempted *agrovilles* in the 1950's and the Diem regime tried a program of "strategic hamlets." These all failed for many reasons, not the least of which were failure to base goals on capabilities, to plan realistically, and to take into account the interests and aspirations of the people.

Subsequent efforts at nation building were more attuned to the needs of the people, but in 1966 growth was still slow and painstaking. Although the Vietnamese Armed Forces had the primary mission of supporting pacification, United States forces reinforced their efforts by direct support. Vietnamese Army units were redeployed and retrained to support these programs, but providing the motivation was difficult and progress in orienting those forces was slow.

In 1967, a new constitution was promulgated and the citizens of South Vietnam went to the polls and elected a new national government. Similarly, for the first time since the early days of the Diem regime, representative government was initiated at the village and hamlet level. There were fragmentary but nevertheless encouraging signs that the National Assembly was becoming constituent oriented.

Additionally, during 1967 there was a reorganization and consolidation of United States support of the pacification program. As a result the program was buttressed with added resources, increased military support, and unified civil-military staffing, thus creating a single, forcefully directed, United States pacification support effort.

Progress in the war from 1 January to 20 June 1968 can best be viewed in the context of the enemy's goals for his 1967–68 winter-spring campaign. Sometime in mid-1967 he revised his strategy in order to generate widespread internal uprisings, cause wholesale desertions from the ranks of South Vietnam's Army, and lay the groundwork for a political effort, including negotiations, along with his military effort to attain victory. The United States, the Communists hoped, faced with a collapsing ally, would lose the determination to pursue the war.

To carry out this new strategy, even larger numbers of North Vietnamese Regular Army troops and a heavier volume of supplies and equipment were infiltrated into South Vietnam. With the approach of *Tet*, the Vietnamese New Year season, the Communists felt that the time was ripe to go all out. They chose the first day of the *Tet* holidays for opening the offensive. Contrary to their expectations, the people of South Vietnam did not swing over to their side and there were few defections from the Vietnamese Army. Despite the surprise attack in violation of the Communists' own truce, the Vietnamese Army fought extremely well in throwing back the enemy while bearing the brunt of the assault. By coming out in the open, enemy troops were more vulnerable to our superior firepower, mobility, and flexibility. The result for the enemy was extremely high personnel losses. However, the tempo of the war was intensified. The enemy used new Soviet supplied rockets to initiate assaults on urban centers, notably Hue and Saigon, which were heretofore relatively free from attack.

During the first three months of 1968, the air campaign against North Vietnam was hampered by the rainy monsoon weather. As a result, most attack sorties were conducted against supply routes and military installations in southern North Vietnam.

On 1 April in a further attempt to get Hanoi to the peace conference table, the President of the United States stopped bombing attacks over the principal populated and food-producing areas of North Vietnam, except in the area north of the Demilitarized Zone where enemy actions directly threatened United States and other Free World forces in South Vietnam. Militarily, this action resulted in further concentration of attack sorties in southernmost North Vietnam, primarily directed at traffic on roads and trails, to try to keep reinforcements and supplies from reaching South Vietnam where they would be brought into battle against our forces. Politically, the President's action brought the response from the North Vietnamese that they would come to the conference table.

The enemy continued his countrywide attacks in an attempt to give the South Vietnamese and the world public an impression of North Vietnamese strength while exaggerating the human and material costs of the war to the Allied side. Our tactical aircraft and B–52 bombers continued their support of ground operations in South Vietnam with B–52 effort concentrating primarily on truck parks, storage areas, and troop concentrations. The air effort further compounded the enemy's difficulties in getting supplies and equipment down the infiltration routes.

In early May the Communists mounted further harassing attacks throughout South Vietnam with primary emphasis on the Saigon area and in the northern part of the country. Because of their earlier *Tet* losses, these attacks were not nearly as fierce or well coordinated as the *Tet* offensive. The results, however, were essentially the same—heavy losses for the enemy, a broadening of the war into urban areas, and a quantum jump in civilian casualties. Still, the enemy continued to reconstitute and reposition his forces for further attacks.

Then in late May and early June 1968 the enemy launched new assaults, particularly on the city of Saigon. American military installations and Vietnamese government headquarters seemed to be the initial objectives, although again the enemy showed complete disregard for the lives of innocent South Vietnamese civilians. When these attacks were blunted, the enemy commenced a series of indiscriminate rocket attacks against the civilian populace of Saigon, creating widespread destruction, heavy civilian casualties, and increasing numbers of refugees. These assaults on Saigon obviously were designed to influence the talks that had begun on 13 May in Paris, where Hanoi showed no disposition to modify its hardline stand.

As of 30 June our estimate is that the enemy does not possess the means of achieving military victory in South Vietnam but he does retain a dangerous capability to mount serious attacks. There is no indication that he has abandoned his goal of a unified Communist Vietnam. Against the backdrop of the Paris talks, a major victory would loom large. The enemy no doubt remembers how well a combined military and political strategy worked for him in Geneva 14 years ago.

ACTION URGED ON BEHALF OF PRISONERS OF WAR

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. RODINO. Mr. Speaker, the problem of the treatment of our men who are prisoners of war or missing in action in Southeast Asia has been one of grave concern to all Americans. Many organizations and individuals have aided in the effort to secure humane consideration for the more than 1,500 U.S. citizens who are held captive.

One of these active organizations is the American Legion, and on March 7, 1971, the Essex County, N.J., chapter of this group will sponsor a day of remembrance for the American prisoners of war and those men missing in action. This action of concern is one deserving of commendation and one which I hope many Americans will pursue.

In an effort to convince those peoples of Southeast Asia who have taken captive many American troops to respect the provisions of the Geneva Convention, I have joined in sponsoring in the House of Representatives a resolution calling upon the people of the United States to sponsor and participate in appropriate ceremonies and activities calling for improved treatment of our men. This resolution authorizes and requests the President to issue a proclamation designating the period of March 21–27, 1971 as "National Week of Concern for Prisoners of War/Missing in Action."

I wish to include at this point the American Legion Prisoner of War Prayer and ask all to consider it and then take appropriate action in an effort to relieve the suffering of these Americans and their families:

> "Lord, shelter the prisoners of war in Southeast Asia. Open the hearts and minds of their captors that they may be restored to their homes and loved ones.
>
> "Each has carried the burden of battle. Each has discharged an obligation to his country. Each has been subjected to hazard, pain, and imprisonment beyond the lot of the soldier.
>
> "O Lord, these gallant men who bear so great a burden must not be forsaken. God of Justice to whom we pray, thy compassion we beseech: Lift their burden, give them strength and strike the shackles that deny them freedom. Another great burden is upon the families of these men. Give the wives, children and parents the comfort of love in these anxious days. Amen."

AMPHETAMINE: A CHRISTMAS PACKAGE WITH A TIME BOMB INSIDE

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. GALLAGHER. Mr. Speaker, like every other Member of the Congress, I have long been concerned with the rising rate of drug abuse in the United States. I have especially focused on amphetamines, and similar central nervous system stimulants such as Ritalin, since I discovered they were being given in massive numbers to grammar school children to modify behavior. Among the points I made during the House Privacy Subcommittee hearing into this issue on September 29, 1970, was that encouraging children to find their salvation in "speed" was providing new recruits for the drug culture in the United States.

My able colleague, Congressman CLAUDE PEPPER, has discovered that there are 8 million amphetamines produced in the United States when their logical and valid use would call for the production of only a tiny fraction of that amount. A United Nations sponsored international conference on psychotropic drugs has just called for strict controls in this area. Yet, it is unfortunate that these drugs continue to be dispensed with little or no control: A fact made especially distressing when the Department of Justice has stated it is unable to account for the distribution of 38 percent of the production of amphetamines.

If further proof is needed that amphetamines and similar central nervous system stimulants must be subjected to rigid controls, it is an article in New York magazine of February 8, 1971. "Doctor Feelgood, Are You Sure It's All Right?" by Susan Wood dramatizes in frightening detail the unethical practices of a handful of licensed medical personnel in using these drugs to pander to the self-indulgent desires of their often unsuspecting clients. Miss Wood's truly terrifying personal experiences disclose yet again that these drugs are a national threat and very probably a national disaster.

Mr. Speaker, a method to alleviate some of this agony exists under the Drug Abuse Act of 1970. I call again on the Department of Justice to raise amphetamines from schedule 3 to schedule 2 and thus permit America to make a substantial step toward eliminating the abuse of these drugs. I insert Miss Wood's harrowing description of one aspect of the drug culture into the RECORD at this point and I also insert my letter to John Ingersoll, Director of the Bureau of Narcotics and Dangerous Drugs:

DOCTOR FEELGOOD, ARE YOU SURE IT'S ALL RIGHT?

(By Susan Wood)

The first Dr. Feelgoods practiced in Europe in the 1930s and left their imprint in the annals of dubious medical practice by injecting amphetamines into the veins of the leaders of the Third Reich. Their disciples have since spread throughout the world.

Nobody can say exactly how many Dr. Feelgoods now practice in New York City. Fashionable people—that is, those who get their names in the papers from time to time—seem to go to just four or five of them, including one who is said by his admiring patients to have attended President Kennedy and some of the nation's best-known politicians, businessmen and entertainers.

Regardless of which Dr. Feelgood has the most prominence at the moment—fashions change—each patient, aglow with the incredible zap of his latest shot, is sure his doctor alone is the real Dr. Feelgood. But each Dr. Feelgood has at least two things in common with the next—a persuasive personality and a lucrative practice.

Their offices tend to be located conveniently close to where the bulk of their patients live—near, if not on, Park and Fifth Avenues from the Fifties to the Nineties. One Dr. Feelgood, not unlike Elizabeth Arden and Saks, ran a summer branch in the Hamptons for a while. Another currently in vogue also fixes teeth.

With injections in veins or buttocks, Dr. Feelgood can cure everything: the common cold, pimples, infectious hepatitis, impotence, alcoholism, heroin addiction . . . his followers swear. They firmly believe their doctor can delay aging. One Dr. Feelgood claims dramatic results in cases of arthritis and multiple sclerosis.

Unfortunately, Dr. Feelgood doesn't publish the kind of research papers that enable scientists to verify his work. Ordinary doctors and scientists working to find cures on grants from, say, the Multiple Sclerosis Foundation or the Arthritis Foundation are not impressed with Dr. Feelgood's approach and continue their research along other lines.

The majority of his practice flock to him not for the sake of research but to find relief from what one observer calls "environmental and executive diseases." The symptoms range from low-grade malaise to intense anxiety. The patient goes to him in response to an inner call. Some go daily. Most go three times a week. Appointments are not necessary; the patient need only show up during office hours, which tend to be long. One Dr. Feelgood has a 6 a.m. to 10 a.m. session for the early birds. Another, who caters to a show-biz crowd, has been known to be in his office after midnight.

His patients are for the most part intelligent, educated, talented, affluent achievers. But their very intelligence and income seem to deny them the protection less fortunate souls get from our medical watchdogs. Many public health officials think Dr. Feelgood's practice is questionable, even dangerous, but they don't appear to regard it as an urgent problem. As one public health doctor put it: "It only affects a small segment of our population—the very rich. We can only do so much. Our priorities start with protecting those who don't know better, like slum kids eating paint peelings."

But Dr. Feelgood's patients regard him as an altruist . . . a Dr. Schweitzer of the urban jungle.

I began to look into the Dr. Feelgood phenomenon several years ago because I thought he and his patients added up to a good story about a special New York scene. To get into that scene I would become a patient—for a few visits anyway. I realized that this would involve letting a doctor and chemicals play with my psyche and my health. A few years earlier I might have regarded this as a violation. A few years later I would surely regard it as a risk. But at the time, I had no special concern about making myself a guinea pig. I saw taking Dr. Feelgood's shots as not only essential to the story but as a chance to get a better notion of the drug generation, an opportunity at least, laggard that I was, to have a drug experience safely—with a doctor in charge. Also, I had a lot of time to try new things; my marriage had just come apart.

New York Magazine underwrote the expense of several visits to three practitioners I had heard about through friends and gossip. Not long after I began the story, arrangements were made with the then brand-new narcotics laboratory of the New York County Medical Examiner's office to run tests on me after I received the shots.

My first encounter was with a doctor whom I shall call Doctor A. I was taken by a friend, a regular patient, who assured me that Doctor A's shots were harmless and would merely initiate me into the modern world and good life of the hip, the rich, and the beautiful. The only reason other doctors don't mete out similar shots, my friend told me, is that conventional medical men are too puritanical to dispense drugs that simply make you feel good.

Doctor A's office occupies about half of the ground floor of an old mansion. On the street near his door, when I arrived, were a pair of double-parked Cadillacs. One had M.D. plates and was, I later learned, the doctor's. The other had a stack of parking tickets piled visibly on the dashboard inside the car. A policeman was placing yet another ticket between the wiper and the windshield. The scofflaw Cadillac, it turned out, belonged to one of Doctor A's patients, a 22-year-old oil heir who was then in the doctor's waiting room. He looked like a nervous little frog decked out in a superbly tailored suit. He and a half-dozen sartorially splendid young men formed a golden circle of rich kids around a low table. In that group, too, were two girls, one a former fashion editor, the other the youthful star of a then-current Broadway musical. They were the other halves of couples who "took together."

Beyond the fringes of that golden circle were a half-dozen other patients scattered on various chairs who looked quite different. Huddled into herself was an utterly blank-faced girl, the picture of alienation, who, my friend told me, was a Playboy Club bunny. In a corner two aging women wearing identical black leather jackets out of a 42nd Street rough-trade store, chino slacks, and Keds sat on a bench holding hands. There was also a freaky mulatto man of indeterminable age who upon entering pranced about the waiting room striking dueling poses with a cane until a nurse appeared and shouted at him. He responded by instantly sitting down, like a dog who had just heard his master's command. For beautiful people, Doctor A's patients seemed a mixed bag.

Perhaps four other patients were being treated in the examining rooms, I learned, while about a dozen of us waited. After almost an hour's wait, a crisp nurse in starchy white, who directed the flow from room to room, finally waved the oil heir, my friend, and me into one of the treatment rooms. We perched on a long examining table, our legs dangling, like three kids on a country fence. That seemed the proper spirit.

"Well, well, my children . . ." I heard Doctor A before I saw him. My eyes had been fixed on the other of two doors at opposite ends of the examining room, and when I turned around, there before me was a Slenderella Santa Claus, a cheerful, well-proportioned man with white hair, merry eyes, and an avuncular manner. "Are you about to go off for a nice weekend?" he said. And for me, after being introduced, there was a gentle hug.

I followed him into a large office carefully done in Airport Modern. There he registered no surprise when, although I wasn't fat in the least. I said that I had come because I wanted to lose some weight, (My friend had suggested I say this.) He waved me to a scale and noted my weight.

He then had me take a chair next to his desk. He drew up another chair to take my pulse, blood pressure, listen to my heart, and ask about my racial origins. Doctor A had some interesting notions about blood. To have European blood is good, he said. Eastern European blood may be all right, but not so good as German and French. A Celtic strain is fraught with physiological peril—a weakness for alcohol, the real killer. Did I drink, and how much?

Doctor A then filled a large syringe with a liquid mixture assembled from bottles clearly labeled as various vitamins and minerals. We sat very close, my knees between his. He gripped my arm below the elbow with one hand and with the other found a vein instantly. I saw my own blood float into the pink fluid in the syringe. Ever so slowly, he pushed the whole mixture into my bloodstream.

His large warm eyes looked deep into mine. His voice was gentle. I remember his saying what a nice fellow the guy who brought me was. The rest was lost to me in the incredible warmth that suffused me, glowed within me, and billowed against the limits of my skin and beyond. Click! Muscles bunched at the top of my neck loosened, and now I was dropping 30 floors in the Pan Am elevator and spinning on in an undulating thrill marked not by fear but by a kind of orgasm. By all physical signs I was, as Masters and Johnson describe it, "on the final plateau of arousal."

The syringe was empty, Doctor A slowly withdrew it, and I almost dropped in a slow-moving heap in his arms. Gently, gently, he applied a small Band-Aid to the puncture in my arm and retreated behind his desk.

"Losing weight is mostly a matter of diet," he purred, "but this does help a bit." He looked at me knowingly, as if waiting for me to say something. It all seemed—the whole meaning of the shot—brilliantly clear. My heart raced.

"Reward principle," I said, feeling sure he knew what I meant, "very clever. But my heart! Are you sure it's all right?"

"Yes, yes," he replied. "You're just a little excited."

As I got ready to leave, I blurted out something that had been gathering in my mind: "Are you sure you are doing the right thing for all those neurotic kids out there?" Never had I felt so sure of an insight, so intelligent. I felt like Superman, as if I were ripping off my timid-girl disguise to reveal the real, powerful me. "Shouldn't they be getting analyzed instead of a shot in the arm?" Hardly stopping for breath, I went on about how great it feels and began mumbling something about in the long run, and . . . and . . . I was, in fact, running off at the mouth.

Doctor A cut me off, saying, "Trust. Trust Papa. He knows what he's doing. If there's a physical symptom, there's a physical condition—and a medicine to deal with it." He gave me a paternal kiss on the cheek and a final word. "Don't worry about all this," he said. "Have fun and I'll see you when you get back."

Time remained elusive throughout the rest of the day. Floating sensations alternated with moments of unprecedented decisiveness and confidence. Relaxed, happy, I went on a buying spree at Gucci. Money meant practically nothing. I was absolutely sure I could pick up extra free-lance jobs to pay for anything I wanted to buy.

The sensual kick of the shot lasted only about six hours. But my euphoria extended through the weekend. I went to Fire Island. Late Sunday night the only adverse reactions I was aware of were neck glands a bit tender and a slight feeling of fatigue. But that could have been the late hours I had kept and the rigors of a Sunday night drive from Long Island to Manhattan in summer traffic.

On Monday, I found myself seated once more on a chair facing Doctor A. He looked into my eyes and asked how I felt.

"Terrific," I said.

"Well, then, you don't need anything," he replied evenly. I had the uneasy feeling that he could read my mind. He seemed to sense that I was ambivalent about continuing. He seemed to want me to express more eagerness before he would suggest doing anything more. I wanted more, but I also liked the idea of just dropping the whole thing. I suppose I just looked slightly dumfounded.

"I see people who drink a lot and exhaust themselves," he said, without any further prompting. "Some are alcoholics, some have been drug addicts, some over-eat. Most over-indulge in many ways and all abuse their bodies.

"All this," he went on, with a casual wave, almost a salute, to his office, "helps them, but I do more than simply help medically. I'm like a conscience for my patients. I scold them. I make them adhere to at least one discipline—coming here within the prescribed hours. I talk to them and listen to their troubles. One patient was punishing himself for being a homosexual and I encouraged him to admit to it and value himself anyway. I'm not like Doctor——— [another Feelgood], who is evil. He addicts his patients to things. I don't."

I was puzzled. I said, "Are you saying you don't use . . ."

"I give amphetamines when I think it necessary," he interjected smoothly, "but not all the time." He seemed suddenly to remember all the patients in his waiting room. With the impatience one might show with naughty children pestering for ice cream, he blurted: "Oh, it's always one thing or another. First it was pot they wanted, and now it's meth. This fuss over it is a lot of nonsense. All it does is make them feel a little stimulated."

As he talked, he was ushering me out of his office. He clearly had no intention of giving me another shot. He had sensed my wariness. A good patient, I began to think, wouldn't have felt terrific by Monday.

I began speaking to friends about the shots. I was astonished to learn how many not only had heard about them, but had actually experienced them.

There seemed to be two groups. One was composed of middle-aged, old-guard intellectuals, who said they had gone to a Dr. Feelgood for their work, to get more work out of their brains. Few of them seemed aware, or would admit that the shots were a turn-on.

But the second group, an under-30 crowd, thought of their doctors mainly as a legal source for zappo highs—the top of a mountain where establishment and hip meet. Their elders talked mainly of the vitamin ingredients of the shots that promoted health, work and other virtues. The younger speedsters talked mainly, excitedly, about the amphetamine content of each syringe. The vitamin or other content mattered, if it mattered at all, only as they speculated on its ability to provide new kicks. Regardless of age, they all saw the shots as tomorrow's medicine here today and a mind-expanding extravaganza that had to be good, for it was medicine.

I decided to go on with the reporting. This wasn't just a story about some rich-kid speed freaks getting legal jolts. It was about some of New York's most attractive and accomplished people developing a habit. If I was to return to Doctor A and get to others, however, my editors and I decided that for my own protection, for reasons of both health and law, some tests should be run to determine what I was gettnig in my shots. If I were to report that there was amphetamine in a shot I had received, I had better be able to prove it. The drug had only recently been placed on the Food and Drug Administration's dangerous drug list. Tests for vitamin and hormone levels, it turned out, were staggeringly expensive and not especially reliable. However, reliable tests to determine the presence of narcotics, barbiturates and amphetamines were available. Therefore, urine specimens were analyzed from time to time at the Medical Examiner's toxicology lab on First Avenue and 31st Street, considered one of the best in the country.

"Of course I'll take care of you," Doctor A said with fatherly warmth when I saw him again. "I thought you didn't want me." This time when the needle pierced my flesh I momentarily feared that I was starting something I might never want to stop but . . . Oh! there was that fantastic warmth spreading through me again.

I had planned to stop in two weeks. But I had a sudden bout of intestinal trouble that could be cured, Doctor A told me, by daily shots during a two-week period. There were other odds and ends of medical problems that I ordinarily might have brought to my own doctor, but I would think, "What the hell, for the same price I can feel great immediately."

There were days, including one gloomy Sunday, when I felt down. A few drinks might have been the conventional recourse, but it was just as easy to hop into a cab and visit Doctor A and have him take care of it. All told, through a 90-day period, I had 22 injections.

During those three months, I never knew exactly what went into each injection cocktail. But the injectables were clearly labeled and stacked in large supply in each of Doctor A's examining and treatment rooms. Massed and ready for use on all the work tables were hormones, vitamin B complexes, vitamin C, iron, calcium gluconate, procaine hydrochloride, the anti-depressant Tofranil, Benadryl, and methamphetamine. A toxicologist I later consulted told me that methamphetamine, calcium gluconate, and procaine hydrochloride are valued in some quarters for their ability to create sensations of euphoria.

Of six shots I had tested in the three months, two proved positive for amphetamine, another showed an indication of it, and three showed none present. (The tests on barbiturate and narcotic content were negative.) The fact that no meth showed up in a test did not preclude the possibility that there *was* some in that shot. Toxicologists say there is a 15 per cent chance of error in such tests. Moreover, the body can metabolize enough of the drug to prevent detection of small amounts.

Doctor A was not a cold clinician. We would exchange confidences all the time, the doctor and me. He would tell me of small burdens and minor irritations, or of petty betrayals and his transient losses of faith in people. I had the same kind of problems and found him utterly sympathic.

When I was sloppy, he would suggest tenderly that I tidy up—such a pity for a pretty girl not to look her best. He would tell stories and jokes whose moral was that life should be enjoyed. The perfect, permissive father.

And I came to sample the ebb and flow of patients—the early morning people in the 6 to 10 a.m. session, the lunch-time crowd between 11 a.m. and 2, and the sunset ones from 6 to 8 p.m.

The early crowd was older, more dour. Except for the occasional jet-set type getting an eye-opener, it could be any doctor's waiting room. The early faces were tense, middle-aged, New York-gray. Lunch-time patients were a mixed bag, dominated by those rich kids I met on my first visit—though I began to note an occasional mink-coated middle-aged weight-loser and an occasional fat kid.

But, ah, the sunset people! Here was the velvet underground swathed in mind-blowing pajama suits, thrift-shop wonderments, big-knife ties, antique shoes, the hairdo of the moment. "If this creep doesn't hurry," one impatient velvet undergrounder once muttered to another, "we're going to miss the next one." On with it, on with it, the undergrounders would wish mightily, apparently rushing from one office to the next to double and triple the ante, rushing, rushing.

Providing a sympathetic ear, some encouraging words, a place to go at just the right time, Dr. Feelgood has probably saved some lonely soul from suicide or at least the painful thoughts of it, I began to think. I would not be surprised if Doctor A in particular had saved some foolish patients from inadvertent suicide—an accidental overdose of a self-administered drug.

If Doctor A finds in his work any special reward, apart from money, it may well be the knowledge that he does help where, perhaps, no one else will. Most conventional doctors, I think, would regard his kind of patient as a nuisance. As a further reward, there may be pleasure in having an interesting group of patients, even same with social cachet. Toward these latter Doctor A seemed to feel a special closeness. Even if he didn't know them personally, Doctor A seemed to regard any old-line rich family as part of his flock. Their black sheep were his special care. He often referred to the Times society page. "If only they had sent him to me I could have saved him," Doctor A said one day, commenting on one wealthy young man who got involved in a messy death caused by a drug overdose.

My only problem—which I certainly didn't notice at the time—was that I was happily floating along doing nothing about some real problems. There was a divorce I had meant to get months ago. I was keyed up with energy, full of smiles and laughter, which would give way to feelings of depression. But my happiness, sadness, and even my occasional periods of intense activity were unfocused states of being. I could swing a broom or focus my camera with the same zeal. I seemed to drift. A rude awakening came with the bill. I had already spent far more at his office than I had expected to spend to research all three doctors. And that line at the top—"period of treatment covered"—that was the first time I realized I had been going to Doctor A for three months.

I got the divorce. I became grimly determined to get on to the other two doctors on my list with a maximum of three visits each. I really wanted to chuck the whole thing, but finishing this story became a matter of honor, a test of professionalism.

Picture a gallery of modern art in some fashionable quarter. Bamboo benches elegantly upholstered in bright orange. Beatles and Bach and Beach Boys and Scarlatti on tapes. And, oh yes, a half-dozen paintings. Enormous canvases, they were—Pilgrim fathers among riotous nudes, splashes of black and white colliding with flesh pink, authority enmeshed in sensuality. The people in the waiting room of the physician I shall call Doctor B might debate the meaning of these paintings with as much ease and interest as they might an Allen Ginsberg poem, the politics of Carter Burden, the value of smoking pot, or their identities. Doctor B told me his offices had evolved into a forum for the exchange of ideas. These paintings were one of many changing exhibits. Often, Doctor B would invite a guitarist to play in the waiting room. The doctor was creating "a new medical environment," a sort of pilot model for what he hoped to develop into a preventive medicine center.

But when I entered that office there were only a couple of thin young men in shooting goggles, an obviously rich (Hermès and Gucci everything) but very fat young girl, and an undistinguished photographer's model—to be expected, as I knew one leading model agency sent some skinny girls here to get skinnier still.

My appointment was for 2 p.m., and I was on time. After a mere half hour, zip service compared to the usual wait at Doctor A's, I was ushered into Doctor B's office, a cool gray, white, and glass room, super-mod a *Playboy* version of a bachelor study. The doctor, a short puckish ash-blond with blue eyes, made me take a chair facing him across the Parsons table that served as his desk. Leaning back in his chair, lighting a cigarette, he bluntly asked who had sent me. I named a fashion model, a friend of mine.

"Ah yes," he said "then you know about the shots."

"Well, not fully," I said. Would they make me smarter, sexier, more dynamic?

"You'll feel your body more, of course, but the rest depends on where your head is."

He spoke in that plain undramatic way a personnel director of a large corporation might in explaining a routine job to a trainee. "One patient," he continued smoothly, "tells me he sees people with greater clarity. He says he sees right through their heads. Shots won't make you particularly happier or sadder but just intensify whatever mood you're in. They will help you organize your thinking. The treatment for you would run for three weeks, three times a week. ["Treatment for *what?*" I almost blurted out.] There's also a weight-losing program, but that's a little different."

Leaning over the waist-high book shelves along one wall, my bottom exposed, I accepted a fast intramuscular injection. It was a small needful, injected matter-of-factly. He had not taken a blood sample, had not taken my blood pressure, had not listened to my heartbeat, or anything else. He was hip. We both knew I was not there for my yearly check-up. Because the shot was intramuscular, I had no immediate reaction. Just a quick heart beat in anticipation of wonders to come.

His receptionist told me I had to pay before leaving: $90 for the three-week program. Couldn't I be billed? No. Then could I pay in installment? Sure. Ten dollars, please.

As I wrote a check, a lanky young man was walking out. I caught up to him at the door and asked chummily: "How do you like the shots?"

"I don't take them anymore," he said. "I'm here because of an allergy."

"Oh? Is he good on that?"

"Do you think I'd come here if there was something wrong?" he said. "I just came to get the name of a specialist."

For stimulating intellectual productivity, Doctor B's shots hadn't worked any better, or worse, than Doctor A's. But the crash-down was definitely worse than anything I had known before. Tense, irritable, I crashed into a fit of melancholia and found myself crying over inconsequential problems. But within a day or so I was back to my old self and, in fact, feeling quite relaxed and cheerful.

I had pretty much forgotten about the crash period when I went back about a week later. This time the nurse, not the doctor, wielded the needle. I wondered whether I could influence the dosage. "The first shot didn't energize me enough," I said. Could she alter the formula?

She warned that it wasn't a good idea to put too much of the "adrenal stimulant" in the cocktail, but she said she would add a bit more. I paid the $10.

It was now about 11:30 a.m. and I had a lunch appointment with an attractive man. **As lunch progressed, I felt a new wave of onrushing sensuality. But was it the shot or was it the man? Would the sensation be the same in the company of this man even** without the shot? In the confusion. **I felt my** research experiment toppling. I didn't return for my third shot. Tests on the two shots I had taken showed: Barbiturates—negative; narcotics — negative; methamphetamine — positive.

That small taste of Doctor B's medicine seemed to be all the research I could stand at his hands.* I was now ready to visit the most celebrated—indeed, fabled—Dr. Feelgood of them all, the one reputed to have treated Presidents, a princess, a congressman, and even Eddie Fisher.

Doctor C, as I shall call him, doesn't see just anybody. To be accepted as a patient, those in the know said, I would have to offer credentials and prove my sincerity. I sent him letters of recommendation, tear sheets of my best work as a photographer, and a fawning letter expressing my admiration for the great work I had heard he had done. I pursued him for three months. Finally, I was granted an appointment.

Doctor C's small waiting room: A pay phone on the wall, a desk cluttered with papers and a tray of gummy brown injectables in sealed bottles, a badly groomed receptionist who turned out to be an unemployed actress. No Eddie Fisher, no international royalty in sight. Just a kid in a wheelchair who really looked sick, some menopausal ladies, and several pot-bellied intellectual-looking men in their middle years. The atmosphere was homey, one big, aging family offering to get sandwiches for one another, drop dimes in parking meters, or comfort one poor lady retching into her handkerchief.

After a two-hour wait, I was led by a nurse to a small examining room where she took a blood sample and my blood pressure. (Several weeks earlier I had forwarded, at Doctor C's request, a rather full medical history.) She then brought me into the doctor's office-examining room-laboratary. A beam of ultra-violet light shot through a chunk of quartz formed strange wavy patterns on the ceiling. Tall piles of dog-eared papers everywhere. Odd bits of what appeared to be magnetic sculptures, with pieces of dark metal clinging together. Thick objects wrapped in velvet, tied with string. Bottles and vials rising to the ceiling on long shelves.

In the midst of the clutter sat a man in a rumpled white shirt, hunched over something, his back toward me. "Sit," he said, without turning around, and he pointed to a small stool. Then he wheeled his chair around. His shoes were cracked. His worn blue trousers, with faded patches from knees to pockets, looked as if he habitually wiped them with hands smeared with chemicals. His shirt was open at the neck, the sleeves casually rolled to the elbows. One rolled sleeve had a large fresh blot of what appeared to be blood on it where it touched his skin. From wrists to elbows, where his sleeves cut off the view, the skin of both inner forearms was marked by what appeared to be needle tracks—tiny scabs, very close together.

"Look!" he said, peering at me as he gathered up a pile of snapshots from a work table. "Look!" he repeated, reaching for a velvet-wrapped club of some sort. A twisted piece of rusted metal dangled from the velvet head, apparently held by magnetism. When he tried to pull the bit off, it fell out of his grasp and clanged to the floor. I picked it up for him and he shoved it on the table. "Look!" he said again, and he began rubbing an ordinary color snapshot.

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*Some months later, the story not yet finished, I thought I would check some points with another visit to Doctor B. But he was nowhere to be found. His New York number was, as the girls at the phone company say, temporarily disconnected, and there was no longer a listing for his office in the Hamptons. Some people said he was dead. I recently learned, however, that he is alive and well. I called on him, not as a patient, but as a journalist. He told me he had given up his practice and his hope of creating a "new medical environment." He discovered, he said, that he couldn't trust his patients. "They had no responsibility." But he still believes in his injections. He said the next thing he'd like to work on is a "bio-chemical approach to sex" with "carefully selected, responsible patients."

The photograph showed Doctor C and a middle-aged lady sitting on a terrace in what appeared to be a vacation spot. In front of them were some half-eaten papayas. Behind them was a clutter of palm trees and, in the far background, an overexposed body of pale green water. Rub, rub, rub, rub.

"Look now!" he said excitedly. "Three dimensions!" He looked expectantly at me as I stared at the photograph. The color might have become a bit richer, if one wanted to be friendly about it, but it didn't seem to be three dimensional at all.

"My," I said, "the colors certainly do seem a bit riched." I wasn't ready to lie, but I wasn't ready to fail any sincerity test either.

"Yes, I can bring the color out," he said. "You bring your bad photos to me. I can fix." He rubbed now over a pinkish flower and it certainly appeared to get redder. He began rubbing another snapshot.

"Now do you see three dimensions?" he demanded. Well, frankly, no, I said. Helpfully, I told him that I had often rubbed color Polaroids just after they were developed and the heat did bring out the more slowly developing tones.

"Look again," he demanded impatiently. This time he took a picture of an atomic explosion out of a magazine and he began rub-rubbing again. He *can't* get anything out of a magazine photo, I thought. "Look!" he said, holding it up. "Well? Well?" he demanded.

"Well," I said, "it does bring things out a bit."

His heavy, lined face relaxed a bit.

"All right," he said. "Why are you here?"

"Well, I heard a lot about you and I'm, well, interested in your approach to medicine."

"Yes, yes. You wanted to see the great man. What else?"

"Well, I'm tired a lot and feel depressed, and since my divorce I don't have much interest in things."

"Your 'wells' tell me more than everything else you've said. Do you have a boy friend?"

"Not really."

"Why not? You should. Do you drink?"

"Well, yes."

"You're a drunk, aren't you?"

"No, I drink, but . . ."

"I think you drink too much. No, you can't drink and come to me. You must stop. Have you ever been to a psychoanalyst?"

"Yes."

"No, it doesn't work. Have you ever been to a doctor who gave you shots?"

"Yes."

"Why didn't you continue?"

"It was in Europe," I lied.

"Who?"

I named someone in England I'd heard about.

"Yes, I've heard about him. Did you like it?"

"Yes."

"You look sneaky. You keep things back. You're not telling me everything. You don't tell *yourself* everything."

There was a long pause. His eyes seemed to be penetrating my mind. Should I leave quietly?

"All right," he said at last. "If you come to me, you stop drinking. If not, I don't see you. You cannot drink with these shots. You come to me for a while, then I teach you to give them to yourself."

I was soon lying on the examining table watching him, still sitting in his office chair, wheel himself to the racks of injectables in small vials. He would rub his jowls, hold a vial up to the light. I would see a brilliant flash of green or purple light reflecting off precious stones that were in the vials. He seized one vial, then another, extracting some liquid each time into a small disposable syringe. In the process, he knocked a bottle to the floor and simply left it there.

"Why do you wear glasses?" he demanded. "Take them off and you'll be able to see." He was standing over me with a small syringe. "Take off your glasses and roll on your side." He gave my bottom an intramuscular shot. "Don't you do it i.v.?" I asked, surprised he didn't use a vein. "That's the other—I'm not so sure I believe in them any more. Give me your arm." He found a vein easily and gave me another shot. It was like that first time with Doctor A.

"What do you feel?"

"Like I've just made love."

"Some people say they feel that," he said, smiling. Then he abruptly pushed an eye chart up close to my nose, much too close for me to read it. "Take it," he ordered. "Read! Read!" He seemed to speak mainly in the imperative mood.

"Read!" he said, guiding the chart by pulling my hands about two feet away from my eyes.

"I can't. It's upside down." We turned it right and, yes, I could read it without glasses. A slight improvement, maybe.

"Your vision will improve," he said. Then he stared at me, quietly, and it seemed a most relaxing way to pass the time. "You're embarassed about something," he said after a long pause. "You're hiding something." Another long pause. Then he picked up some bars that had bits of metal clinging to them. "Stand and hold," he said, indicating the eye chart. He passed the bars back and forth over my head, and he asked me to say when my vision was clearest. But I perceived no visual changes.

He rang his nurse and she brought in a bottle of thick yellow liquid. I was instructed to rub the liquid between my palms, cup my hands over my nose and inhale the fumes. It made me feel dizzy, but I was to use the stuff twice a day for three weeks. "Call tomorrow," he said, and turning his back, dismissed me.

"That's $25 for the visit, $10 for the blood test and $5 for the medication," the receptionist said.

"Please bill me."

"You pay now. We don't bill."

I wrote out a check and headed for the lab to get an analysis done. (The test indicated the presence of methamphetamine.) The trees, the kids, the sun, the dogs—New York looked loving, loved, lovable. "Life *is* like a fountain." What a great first line for a magazine article, I thought, after I had settled into a taxicab. "The time of the apocalypse is *now*." Another great article was writing itself in my all-encompassing mind.

Doctor C looked much more together on my next visit, one month later. Trousers clean and pressed, hair combed, shoes gleaming, freshly tanned, the sleeves of his natty turtleneck pullover rolled down to his wrists—he looked positively with it. Once we got past another demonstration of his 3-D photo process, and after the magnets, the conversation went well, too.

I told him I liked the shot, all right, but the ointment didn't do much for me. Didn't do much for him either, he confided. As he turned to the syringes, he asked how I wanted to feel: "Relaxed? Conversational? Brilliant?"

"Relaxed and brilliant will do," I said. "I don't feel like talking at all."

My mood changed as he withdrew the needle with a cool smile. "Can this harm me in any way? Can it addict me?" I asked.

The doctor apparently didn't feel like talking much either. He offered some perfunctory assurances—"After all, what's wrong with continuing something good?" The main ingredient, he said, is the enzymes, highly cell-building. "How old is your father?" he asked as I was leaving. "You should send him to me."

I couldn't find the receptionist and simply walked out. The bill arrived within three days: $25. The doctor's rates apparently varied, for, earlier that evening, as I waited for the shot, I met a fortyish lady artist, a prototype for Raphael Soyder's downtrodden beauties used and abused by the capitalist system, who told me she paid only $5.

It had been a long wait that night, but not so long as the wait in store for me on my next visit, one afternoon a week later: three hours. At the end of the third hour, I walked out without the shot. Twice more I came for shots and twice more I walked out because of the endless wait—and because of the time it gave me to question the wisdom of pursuing this story another minute.

In time, word got around that I was writing an article about these doctors. I began to get calls from friends and friends of friends to inform me of assorted disasters or cures that they or their friends attributed to one Dr. Feelgood or another, or to tell me incredible tales involving an unbelievable list of celebrities. There was and *Iliad* and *Odyssey* of Doctor C stories.

Among the calls was one from a distinguished artist. He offered to help. He knew more about the subject and about Doctor C he said, than anyone else. I knew of him by reputation, of course, but I had never met him. I thought he'd make a good interview.

The interview was arranged the very day I first spoke with him. He picked me up at my studio and took me to his studio where, he said, we could talk freely and where he had at hand various documents on the doctor's work.

There was a catch: he wanted to edit my manuscript. If I let him do that, he would tell me about the doctor's most arcane work, about secret government experiments, about the doctor's contribution to space medicine, about super-secret reports that would astonish me. I refused the deal, basing my position on journalistic ethics.

"What a dumb and old-fashioned idea," he said. Then, his manner changed. He turned tough. "Doctor C is connected with some very powerful and influential people," the artist said, "so powerful they can see you never work for a magazine again. Influences in government, like the CIA, can see that what you write is never printed. There are ways."

Then he produced some documents and said they would reveal to me the importance of Doctor C's work. They were mine to see if I would let him edit this article.

The drama was getting me and I made a little statement: I don't have any knowledge of secret government work and don't want to know about it. If you're afraid about my talking about the "speed" content of the shots, don't. Doctors have the right to prescribe it.

Electrical connection!

Through an unbearably long pause, he stared coldly at me. Then, slowly, firmly, he said, "There is no amphetamine in his shots!"

For the first time I was really afraid to be alone with him. But he soon broke off staring. "If there was amphetamine as an ingredient in the formula," he said more softly, "mixed with other ingredients it becomes something else, something that is essentially what they put in high-energy breakfast cereals."

"So why not just eat Wheaties?" The bad joke broke the tension. He wasn't scary anymore. He became a friendly guy showing me his latest injection site—the fleshy part of his thumb. He proposed lunch with an "important man from Wall Street" and a lawyer who, he said, was connected with the CIA.

The idea was to "talk more about the article" and "straighten things out."

At lunch, it turned out that the Wall Street man was a patient of Doctor C and the lawyer was Doctor C's lawyer. They were all very sweet. The lawyer cautioned that I might be open to libel actions, while the artist and the Wall Street man tried to persuade me of the value of the doctor's work. At last, they hit on an idea: why not let an associate of Doctor C be spokesman for their position? Why not, indeed?

A few weeks and many phone calls later, brochures, it seemed to me—came to me by some literature—essentially fund-raising mail. I recognized them as the "secret reports" that the artist had dangled before me in his studio.

I finally had an interview with Doctor C's associate—at 7 a.m. at his office. He starts working at 6 a.m., he explained, and he considers 7 a.m. a perfectly normal hour for an appointment. Yes, he takes Doctor C's shots and thus, being in the pink of health, needs little sleep. The doctor is misunderstood, he said. Doctor C is totally devoted to his work, is a real humanitarian, isn't concerned at all with money, and is, in fact, poor. Of the doctor's patients, 65 per cent pay partial fees and 25 per cent pay none at all. A famous Hollywood director, I was told, had tried to set up a fund for the doctor's research, but, ironically, he died before this dream was realized—and before paying up $38,000 to the doctor for his own medical bills. All Doctor C is interested in, his associate said, is curing people and carrying on his research.

I asked him to explain the point of Doctor C's research. The brochures, I confessed, didn't make much sense to me. The doctor's experimentation is far-reaching, I was told. He is seeking the key to all illnesses—the universal cure—something you can take that rebuilds damaged cells and defends healthy cells against invaders.

I asked what, exactly, Doctor C's shots did for patients suffering from multiple sclerosis, one of the diseases he was working on.

The doctor's medications give organisms more vitality, more alertness, more ability to fight diseases and meet stresses of modern life, his associate said. And since every organism derives its energy from cosmic rays and transforms them into life, physical changes are but changes in energy levels and therefore a mechanism that increased an organism's ability to do that would be highly beneficial.

Maybe if the doctor himself could see me, I suggested, I could understand all this better.

The doctor is a genius, I was told, and so involved in his work that he doesn't link up with the minds of persons he talks to. Ordinary people who don't have the scientific background cannot follow him. But if I should see him as a patient, his associate suggested, perhaps I could discover the value of his work for myself. He would be happy to arrange that. Apparently no one connected with Doctor C—neither the artist, nor the lawyer, nor the Wall Street man—knew that I *had* been a patient. I declined with thanks and quietly said that I had already seen the doctor several times.

This was a big step for me. I find it hard to close doors on things, and I assumed that this would terminate all contact with the doctor. It did. I called Doctor C directly a number of times thereafter. I was repeatedly told the doctor was out of town indefinitely.

I had a hard time finishing this story. I personally liked many of the people who took Dr. Feelgood's shots. I liked their style, charm, talent. And I disliked the idea of presuming to judge them. I stalled and avoided the story. I accepted an offer of a staff job from a British magazine. I'll finish the story there, I promised myself. But I let it slide.

Yet I continued to stay in touch with the Dr. Feelgood scene. In London, as in New York, it's almost unavoidable in some circles. Like a defrocked member of a secret society, I'd recognize the rhetoric of anyone who was in it. "Got a vitamin shot today," a Londoner connected with the theater would say, adding an elated "Whoooeel!" Within days of my arrival I had the names of London's most fashionable Dr. Feelgoods. From my New York experience, I could tell most of the time whether a person's charm belonged to him or to his latest shot.

About a year later I returned to New York. Motivated by doggedness and shame, I picked up the Dr. Feelgood story again. More interviews, library work, a refresher visit to Doctor A. Bad trip. My jaw muscles ached. I felt as if my teeth were loose. I couldn't chew for a week. I had felt again the physical symptoms of arousal, but where the turn-on really counts—in the head—I merely felt drugged and tense at the same time. Whatever appeal the shots once held was gone. Totally gone.

A postscript: Not long after my return I learned of the death of the artist who had offered to "help" with Doctor C. He was only 47. The obituary I read gave the cause of death as heart attack. But the official death certificate told a different story.

He had died suddenly, on a Sunday. As in all sudden deaths in New York unattended by a physician, the coroners' office was informed. His body was brought to the morgue. An autopsy was put off until Monday. By then, a report arrived from the office of his physician, Doctor C, stating that the dead man had a history of rheumatic heart disease. Medical examiners found, however, that both arms, from his thumbs to his elbows, were tracked with pinpoint lesions and recent injection marks.

After a thorough autopsy, heart attack was ruled out as a possible cause of death. There was no swelling of the larynx, which might have indicated an anaphylactic drug reaction. The only unusual finding was the presence of methamphetamine in the liver and other organs. Noted in the autopsy report was a "history of self-administered intravenous injections of vitamin B complexes and sometimes amphetamines for twenty years. . . ."

The death certificate concluded: "Cause of death: acute and chronic intravenous amphetamine poisoning."

HOUSE OF REPRESENTATIVES,
Washington, D.C., March 2, 1971.

Mr. JOHN E. INGERSOLL,
Director, Bureau of Narcotics and Dangerous Drugs, Department of Justice, Washington, D.C.

DEAR MR. INGERSOLL: I write to you today to express again my belief that amphetamines and other Central Nervous System stimulants such as Ritalin should be raised from Schedule 3 to Schedule 2 on the list provided for under the Drug Abuse Act of 1970.

We know all too well of the widespread abuse of these drugs; many authorities state that they represent a greater hazard than the so-called "hard" drugs. We have seen information developed by the Congress that 8 million amphetamines are produced yearly when there is only a valid need for a tiny percentage of that number. The Department of Justice has itself testified that it cannot account for the distribution of 38% of the amount now produced. The Food and Drug Administration has warned against depending on these drugs for more than a few weeks in weight control programs and they have also found that narcolepsy is so rare that most doctors say they have never diagnosed a case.

My special concern with these drugs is in modifying the behavior of hyperactive grammar school children which, up until my Privacy Subcommittee hearing of Sept. 29, 1970, represented the only area where effectiveness was widely claimed. Now, even that usage is the subject to a "blue ribbon" panel at the Office of Child Development in HEW which was announced just one short week after the Privacy Subcommittee hearing. One particularly surprising fact we learned during our hearing was that no one is able to say exactly how many children are now receiving this sort of treatment: estimates range from 150,000 to 300,000. The increased record-keeping procedures mandated under Schedule 2 would, at the very least, allow us to understand how extensive is this treatment modality.

For these and many additional reasons, I urge the Department of Justice to raise amphetamines and other CNS stimulant drugs from Schedule 3 to Schedule 2.

Sincerely,
CORNELIUS E. GALLAGHER,
Member of Congress.

CONGRESSMEN DO WORK

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. SPRINGER. Mr. Speaker, I include the following: A few days ago, the Danville Commercial News paid tribute to our colleague, LES ARENDS, in its issue of February 21, 1971. I am sure that all of my friends will want to read what one of his own large newspapers in the District had to say about his ability and devotion to duty:

CONGRESSMEN DO WORK

Within reason, we have a right to expect a city council, a board of supervisors, a state legislature and the Congress to get things done. This is what the members are elected to do, what they are paid for and what they have promised us, their fellow citizens, when campaigning for office.

But the business of government bodies often seems exasperatingly slow. Hence, we become impatient and tend to be more critical than we should.

We confess that there have been times when we were perhaps too quick to assail Congress for dragging its feet on important legislation. Much of its work must be done in committee—and the sheer volume of it is staggering.

Rep. Leslie C. Arends, congressman from this, the 17th Illinois District, is ranking minority member of the important House Armed Services Committee. It is a big one, with 25 Democrats and 16 Republicans. The workload is big, too.

For example, in the last Congress, there were 495 committee meetings, 110 involving the full membership. Eighty-three bills were reported to the House and 60 became public law. Action was completed on two House resolutions and one House Concurrent Resolution. Twenty bills were left pending in the Senate.

In the 91st Congress, some 33 special subcommittees of the Armed Services Committee held 329 meetings on such subjects as: Racial disturbances on military bases; the alleged My Lai massacre; the alleged drug abuse among servicemen; the meningitis outbreak at Ft. Leonard Wood, Mo., during late fall and winter of 1969; the *Pueblo* affair; military construction costs, and the military airlift.

We still expect to prod Congress when we feel it is justified and needed. But we believe that a better public understanding of congressional problems would result if more representatives and senators would tell the folks at home—as Rep. Arends has done—how much time must be spent in the nuts and bolt committee work behind the scenes.

THE POWER TO MAKE WAR

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. NIX. Mr. Speaker, I have introduced today legislation to delineate clearly the warmaking powers of the Congress and the President. This is, I feel, one of the great questions facing our country, and I am pleased to sponsor in the House this legislation which was developed by Senator EAGLETON and introduced in the other body yesterday.

As you know, the House Committee on Foreign Affairs, of which I am pleased to be one of the senior members, has conducted hearings in the past on the respective powers of the Congress and the President in this vital area of peace and war. I believe the legislation I have introduced today is an appropriate vehicle for a definitive determination of this question, uncolored by the passions which have been developed by our tragic involvement in Indochina.

It is for this reason that the concluding section of this joint resolution exempts from its provision the hostilities commenced before the enactment of the resolution. This is not to be interpreted by the present administration or anyone else as a resignation on my part or on the part of the Congress to events which are unfolding like a continuing nightmare in Indochina. We are simply seeking to avoid the sort of vitriolic debate over the Vietnam war which might prevent the broader issue of Presidential authority to wage undeclared wars from being thoroughly and thoughtfully debated.

The resolution I have introduced sets forth the boundaries of congressional and executive powers in both declared and undeclared wars. On the specific issue of the Vietnam conflict, I will continue to demand the immediate cessation of hostilities and the subsequent withdrawal of all U.S. forces. But the debate I wish to evoke with this resolution—on which I will seek early hearings in the Committee on Foreign Affairs—is on the substantive issues set forth in the following summary and text of the resolution:

SUMMARY OF RESOLUTION

Section 1 recognizes that no treaty shall be construed as authorizing or requiring the armed forces of the United States to engage in hostilities without Congressional authorization.

Section 2 authorizes "hot pursuit" of enemy forces when hostilities are legitimately authorized and a clear and present danger exists of imminent attack on the United States or its forces.

Section 3 recognizes the responsibility of the President as Commander-in-Chief of the Armed Forces to *repel* an attack on the United States or its forces and to rescue its citizens endangered in foreign countries.

Section 4 provides that if hostilities are initiated unilaterally by the President without specific Congressional authorization, the President must report to Congress the circumstances. Congress will decide, in not more than 30 days, whether to continue such hostilities.

Section 5 provides for periodic reports to Congress by the President while authorized hostilities are in progress.

Section 6 defines "hostilities" to include the deployment of U.S. forces outside the United States under circumstances where an imminent involvement in combat activities is a reasonable possibility. It also includes assignment of U.S. soldiers to "accompany, command, coordinate, or participate" in the movement of troops of any foreign country engaged in any form of combat.

Section 7 is the exemption clause.

TEXT OF JOINT RESOLUTION

Joint resolution regarding the powers of the Congress and the President to commit the Armed Forces of the United States to hostilities

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

Whereas the Framers of the Constitution of the United States intended the separation of powers doctrine to apply to the initiation of hostilities as a means for ensuring collective judgment, whenever possible, before the Armed Forces of the United States were committed to such hostilities; and

Whereas the power to declare war was assigned to the Congress to initiate, define, and limit the scope of hostilities involving the Armed Forces of the United States; and

Whereas the power to make rules regulating and governing the Armed Forces of the United States was assigned to the Congress, and this power authorizes the Congress to enact laws respecting the raising and use of such Armed Forces including their deployment in any foreign country; and

Whereas the power to appropriate moneys to support the Armed Forces of the United States was also assigned to the Congress, and this power authorizes the Congress to allocate funds so as to circumscribe the overall scope of hostilities and the uses of the Armed Forces of the United States; and

Whereas the Commander-in-Chief and Chief Executive powers were assigned to the President and these powers authorize the President to conduct hostilities initiated by the Congress and to respond to, and repel, attacks on the United States (including its territories and possessions), its Armed Forces, and, under certain circumstances, to rescue endangered citizens of the United States located in foreign countries: Now therefore be it

"Resolved by the Senate and House of Representatives of the United States in Congress assembled that:

"SEC. 1. Except as authorized in Section 2 or Section 3 of this Resolution, the President shall not commit the Armed Forces of the United States to hostilities. No treaty previously or hereafter entered into by the United States shall be construed as authorizing or requiring the Armed Forces of the United States to engage in hostilities without further congressional authorization. It is specifically recognized that such treaties as the Charter of the United Nations, the North Atlantic Treaty, and the Southeast Asia Collective Defense Treaty do not authorize or require the President to commit the Armed Forces of the United States to engage in hostilities without a further authorization from both the Senate and the House of Representatives.

"SEC. 2. The President may commit the Armed Forces of the United States to hostilities to the extent authorized by Congress through a declaration of war, statute, or joint resolution, but authorization to commit the Armed Forces of the United States to hostilities may not be inferred from legislative enactments, including appropriation bills, which do not specifically include such authorization. The Congress recognizes that during such authorized hostilities against an enemy country or enemy forces, the President's powers as Commander-in-Chief and Chief Executive provide him with the further authority, regardless of the limitations contained in the specific declaration of war or other authorizing statute or resolution, to order the Armed Forces of the United States to deliberately enter, invade, or intrude upon the territory or airspace of a country with which the United States is not then engaged in hostilities:

(a) when in hot pursuit of fleeing enemy forces who have attacked, or engaged in battle with, the Armed Forces of the United States and then retreated to the territory or airspace of such country, to the extent necessary to repel such attack or complete such battle, or

(b) when a clear and present danger exists of an imminent attack on the United States of the Armed Forces of the United States by enemy troops located in such country, to the extent necessary to eliminate such danger.

"SEC. 3. In the absence of a governing congressional authorization described in Section 2, the President may commit the Armed Forces of the United States to hostilities, to the extent reasonably necessary to:

(a) repel an attack on the United States by military forces with whom the United States is not engaged in hostilities at the time of such attack and to eliminate or reduce the effectiveness of any future attacks by such military forces which are committing the attack being repelled; and

(b) repel an attack on the Armed Forces of the United States by military forces with whom the United States is not engaged in hostilities at the time of such attack and concurrently to eliminate or reduce any clear and present danger of future attacks by the military forces which are committing the attack being repelled; and

(c) withdraw citizens of the United States, as rapidly as possible, from any country in which such citizens, there due to their own volition and with the express or tacit consent of the government of such country, are being subjected to an imminent threat to their lives, either sponsored by such government or beyond the power of such government to control: *Provided,* That the President shall make every effort to terminate such a threat without using the Armed Forces of the United States: *And provided further,* That the President shall, where possible, obtain the consent of the government of such country before using the Armed Forces of the United States.

"SEC. 4. The commitment of the Armed Forces of the United States to hostilities pursuant to Section 3 of this Resolution shall be reported promptly by the President to the Congress, together with a full account of the circumstances under which such hostilities were initiated, the estimated scope of such hostilities, and the consistency of such hostilities with the provisions of Section 3. The question of continuing or terminating any such hostilities shall be decided upon by the Congress as soon as possible and not more than thirty (30) days from the day on which hostilities were initiated, under the following procedures:

(a) any bill or resolution, authorizing the continuance or termination of military hostilities if sponsored or cosponsored by one-third of the Members of the House of Congress in which it originates, shall be considered reported to the floor of such House no later than one day following its introduction, unless the Members of such House otherwise determined by yeas and nays; and any such bill or resolution referred to a committee after having passed one House of Congress shall be considered reported from such committee within three days after it is referred to such committee, unless the Members of the House referring it to committee shall otherwise determine by yeas and nays; and

(b) any bill or resolution reported pursuant to subsection (a) of this section shall immediately become the pending business of the House to which it is reported, and shall be voted upon within three days after such report, unless such House shall otherwise determine by yeas and nays.

"SEC. 5. In any case where the Armed Forces of the United States have been committed to authorized hostilities, the President shall, while such hostilities are in progress, report to the Congress periodically on the status of such hostilities, as well as on the estimated scope and length of such hostilities.

"SEC. 6. For purposes of this resolution, the term 'hostilities' includes land, air, or naval actions taken by the Armed Forces of the United States against other armed forces or the civilian population of any other nation, the deployment of the Armed Forces of the United States outside of the United States under circumstances where an imminent involvement in combat activities with other armed forces is a reasonable possibility, or the assignment of members of the Armed Forces of the United States to accompany, command, coordinate, or participate, in the movement of regular or irregular armed forces of any foreign country when such foreign armed forces are engaged in any form of combat activities.

"SEC. 7. This resolution shall not apply to hostilities commenced before the enactment of the resolution."

COMPTROLLER GENERAL REPORTS FOR JANUARY 1971

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. HOLIFIELD. Mr. Speaker, section 234 of the Legislative Reorganization Act of 1970, which became effective on January 3, 1971, directs the Comptroller General to prepare and transmit each month to the Congress, its committees and Members a list of the previous month's reports of the General Accounting Office.

The first such list was transmitted on February 4, 1971, listing the January reports. Each Member and each committee has received a copy but, to make the list readily available to all congressional staff members, executive branch agencies, and the public at large, I insert it in the CONGRESSIONAL RECORD:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., February 4, 1971

PRESIDENT OF THE SENATE, AND SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Public Law 91-510, the Legislative Reorganization Act of 1970, directs the Comptroller General, in Section 234, to prepare and transmit each month to the Congress, its committees, and Members a list of reports of the General Accounting Office of the previous month.

Accordingly, the attached list of General Accounting Office report issued or released in January 1971 is submitted.

Part I lists reports to the Congress, its committees and Members by the same classifications contained in the Federal budget.

Part II lists reports issued to the heads of departments and agencies. These reports normally contain findings and recommendations of concern chiefly to these officials and are not distributed to the Congress except on request.

The title of each report, date of issuance, file number and agencies reviewed or affected are provided.

Copies may be obtained from GAO's Report Distribution Section, Room 6417. Tel: code 129-3784 or 386-3784.

ELMER B. STAATS,
Comptroller General of the United States.

I. REPORTS TO CONGRESS, COMMITTEES, OR MEMBERS

AGRICULTURE AND RURAL DEVELOPMENT

Program objectives not attained by inclusion of nonagricultural land in the feed grain program. Agricultural Stabilization and Conservation Service, Commodity Credit Corporation, Department of Agriculture. January 12; B-114824.

Substantial payments were being made to withhold land from the production of feed grain. Some of the land was being used for purposes other than agricultural—housing and commercial development, recreation, country estates, sod nurseries, garbage dumps, and gravel pits. The program has been difficult to administer because of changes in land use due to urban development.

Audit of Federal Crop Insurance Corporation, fiscal year 1970. Department of Agriculture. January 13; B-114834.

In the opinion of the General Accounting Office, the Corporation's financial statements were fairly stated and in conformity with applicable Federal laws.

Audit of Commodity Credit Corporation, fiscal year 1970. Department of Agriculture. January 15; B-114824.

In view of the character and scope of CCC's operations—particularly commodity inventories and loan collateral—GAO was unable to reach an opinion regarding the Corporation's financial statements. GAO recommended changes with respect to rice export subsidies, acreage-diversion payments, price-support regulations, controls over sight drafts, and contract documentation.

Procedures and practices should be tightened for use of independent auditors by Farmers Home Administration. Department of Agriculture. January 22; B-170874.

The Farmers Home Administration needs to strengthen its procedures and practices for using independent auditors in administering the FHA loan program. The loans finance water and sewer facilities, recreation facilities, rural housing projects and similar undertakings.

COMMERCE AND TRANSPORTATION

Airport safety inspection program needed to improve flight safety of civil aircraft. Federal Aviation Administration, Department of Transportation. January 15; B-164497(1).

Conditions at airports seriously influence flight safety, but the FAA did not have a program specifically designed to evaluate the safety of public airports. It relied on inspections under programs which did not have safety as a primary objective. The Airport and Airway Development Act of 1970 solved this problem partly as the report explains.

Examination of financial statements of Federal Prison Industries, Inc., fiscal year 1970. Department of Justice. January 19; B-114826.

The Government Corporation Control Act requires that the Comptroller General make and annual audit of Federal Prison Industries and submit a report directly to the Congress. GAO believes the corporation's financial position is fairly presented.

Administration of Metroliner and TurboTrain projects. Federal Railroad Administration, Department of Transportation. January 27; B-164497(5).

Significant delays were encountered in the Federal Railroad Administration's introduction and demonstration of high-speed intercity trains between Washington, New York and Boston. GAO reviewed the planning and administration of the programs and recommended that more use be made of prototypes to develop equipment that is technically satisfactory before new equipment is purchased in large volume and placed in service.

COMMUNITY DEVELOPMENT AND HOUSING

Tighter control needed on occupancy of federally-subsidized housing. Department of Housing and Urban Development. January 20; B-114860.

Procedures and practices of HUD and housing project owners were not adequate to ensure that federally-subsidized housing was provided to families that were intended to be served. In many cases current income information was not obtained, and some HUD insuring offices had not made certain that eligibility procedures were being followed.

HEALTH

Opportunities to reduce medicare costs by consolidating claims-processing activities. Railroad Retirement Board, Department of Health, Education, and Welfare. January 21; B-164031(4).

The present arrangement through which The Travelers Insurance Company, as an agent of the Government, pays Medicare claims on behalf of railroad workers and annuitants of the Railroad Retirement Board—a relatively small, special group of beneficiaries—is not the most efficient nor effective arrangement for making Medicare payments.

INTERNATIONAL AFFAIRS AND FINANCE

Opportunities for better use of United States-owned excess foreign currency in India. Office of Management and Budget; Agency for International Development, Department of State; and Department of the Treasury. January 29; B-146749.

Indian rupees available for U.S. expenditure in India as of June 30, 1969, amounted to the equivalent of $678 million—enough to last 19 years at current rates of spending. Political, economic and legal factors limit the amount of rupees that the U.S. can spend in India. Administrative difficulties in the U.S. government have also restrained useful spending. Even so, considerably greater amounts than are now being spent could be beneficially used within the limit.

NATIONAL AFFAIRS

Need to strengthen management control over the basic research program administered by the Air Force Office of Scientific Research. January 29; B-170801.

The Office of Scientific Research supported projects which had little relevance to the Air Force mission. Research projects were not supervised adequately, reports of the projects' findings were not always obtained by the Air Force, and some reports were not distributed to users of the knowledge.

NATIONAL DEFENSE

Opportunities for improving results of tire-rebuilding programs in Europe. Department of Defense. January 8; B-159200.

About $1 million could have been saved in Europe in one year if the Army and Air Force had used rebuilt tires as much as possible. Both were selling rebuildable tires to scrap dealers at nominal prices, and neither kept track of its tire rebuilding program.

Opportunities to reduce costs and improve the capability of aircraft through prompt processing of engineering change proposals. Department of Defense. January 20; B-152600.

Engineering changes to improve military aircraft safety, performance, reliability, or maintenance frequently are made after production of the aircraft begins. Delays in processing change proposals can increase the number of unchanged aircraft delivered to operating forces and deny the advantages of the change to users, for a long time or even permanently. Making changes after production is generally more expensive. DoD installed new procedures, as a result of GAO recommendations, to speed up processing.

Need to improve management of tactical vehicles development program. Department of the Army. January 27; B-133256.

This follow-up review showed continuing problems in the Army Tank-Automotive command management of development and procurement of tactical wheeled and tracked vehicles.

Fair prices paid for small purchases by Department of Defense. January 29; B-162-313.

This is a follow-up to a similar report in 1968 when DoD appeared to be paying too much for many of its small purchases. GAO's subsequent audit showed that small purchases generally were fairly priced.

VETERANS BENEFITS AND SERVICES

Audit of financial statements of the Veterans Canteen Service for fiscal year 1970. Veterans Administration. January 7; B-114-818.

The financial statements of the Veterans Canteen Service, in GAO's opinion, present fairly the financial position of the Veterans Canteen Service.

II. REPORTS TO HEADS OF DEPARTMENTS AND AGENCIES

Possible need for changing the postal money order system. (To the Postmaster General.) January 12; B-114874.

The Department should consider curtailing the Postal Money Order system, particularly in metropolitan areas.

Opportunities for savings in personnel cost in the fleet ballistic submarine program. (To the Secretary of Defense.) January 27; B-171681.

The Navy should improve the organization and management of training for submarine crew-members.

AN END TO WAR

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. PEPPER. Mr. Speaker, an end to the conflict in Vietnam is but the first step in that wider goal we seek to make this a world free from the sorrow and suffering brought about by war.

It is in the broad context of an end to armed conflict that the Honorable Raymond Wise, former municipal judge and city councilman of Surfside, Fla., addressed himself in a brief article entitled "How to End the Vietnam War."

It has been my pleasure to know Judge Wise for some years and I am impressed with his dedication and devotion to world peace through law. The following article is the essence of Order Please, a book authored by Judge Wise and published this year by Central Book Co., Inc., of New York. It is preceded by an article about Judge Wise which appeared in The Miami Beach Sun of February 1, 1971:

"PEACE FIGHTER" 54 YEARS, JUDGE WISE AN AUTHOR

(By Lloyd Beeker)

In 1917 Raymond Wise interrupted his college education and enlisted in the U.S. Army "to help restore peace."

He was 22 then and thought peace possible.

In 1971 Raymond Wise is still fighting for peace in the world—a task grown far more difficult.

"World politics has diminished common sense, and instead of making life better, the big powers continue to make more bullets and less butter," Wise said from his home in Surfside, where he has lived for the past 17 years and where he just finished a book on peace.

In his years in Surfside he's been a city councilman and municipal judge and has been a practicing attorney for 52 years.

For the last three years he has been writing his book, "with a new and fresh approach of ending the war in Vietnam," entitled, "Order Please."

"I'm no diplomat or statesman, but those so-called experts have been goofing off for 2,000 years, and what have they accomplished?" Wise said. "Who would have thought twenty years ago, a man walking on the moon. We need only the desire, and co-operation to achieve the desire," Wise said.

The first step, he says, to end the war in Vietnam is to end all war.

Point one:

"Convene a meeting of all 137 nations as a World Order Commission to find a global answer to the global problem of abolishing war."

Point two:

"The United Nations cannot end war because the ten nations with 98 per cent of the military power in the world will not surrender it to the control of the majority of nations. These differences must be settled and then compel the rest of the world to settle their disputes in the same manner."

A difficult task, but who would have thought men walking on the moon, he reiterated.

Judge Wise says the benefits to every nation of a world in order are incalculable.

To name a few: "Reduction in armament cost; more funds for domestic needs; increase to trade; development of the use of the atom in industry; joint use of the richest in the oceans; and countless more."

Sovereignty, he says, can be used for good as well as for evil.

HOW TO END THE VIETNAM WAR

The surest way to end the war in Vietnam is to end all war.

The first step is to convene a meeting of all 137 nations as a World Order Commission to find a global answer to the global problem of abolishing war.

President John F. Kennedy said "Mankind must put an end to war or war will put an end to mankind."

Impossible? Twenty years ago it was impossible to walk on the moon. We need only the desire and co-operation to achieve the goal.

All 137 nations express an official desire to end all war. The trouble is no one is doing anything about it. We must create the lacking co-operation.

World War III has been deferred so far by a "balance of terror." No nuclear war can be won. But what an immoral way to try to keep order: by threatening to burn alive millions of men, women and children.

The methods of ending war suggested up to now are all impractical. The United Nations cannot end war because the 10 nations with 98% of the military power in the world will not surrender it to be at the disposition of the majority of nations.

Similarly, the leaders of the 10 powerful nations will not surrender their power to a world government. And finally, they will not give it up through universal total disarmament.

The only way we will have world order is when the 10 nations with 98% of the power agree to settle their differences by orderly means and agree to compel every other nation to settle their disputes in the same manner.

It will happen ultimately—why not now?

It will happen, because there is no longer any profit in war for any nation, and because there is far more profit in maintaining an orderly world than in waging war.

There are 2½ billion people living on $100 a year If, by co-operation, possible only in a world in order, this is raised to only $500 a year, a new trillion dollar market is created for world trade. Both capitalism and communism would profit.

To get a World Order Commission convened, we must take a leaf out of the book of big business and lobby for it. If there are 10 men of real influence and position in the 137 nations, there are 1370 men to influence by lobbying.

Difficult, perhaps, but possible.

The benefits to every nation of a world in order are incalculable. To name a few: reduction in armament cost; more funds for domestic needs; increase of trade; development of the use of the atom in industry; joint use of the riches in the oceans; and countless more.

Sovereignty can be used for good as well as for evil.

RAYMOND L. WISE.

CAPITOL BOMBING CONDEMNED

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. SCHEUER. Mr. Speaker, for 6 years, since my election to Congress, I have labored long and hard to bring the war in Indochina to an end. I have made speeches, I have participated in peaceful demonstrations, I have voted, whenever the issue was presented, in opposition to this gross error in national policy. But, Mr. Speaker, I have never participated in or condoned violence.

While all the evidence is not in, there are indications that opponents of the Vietnam war may have been the perpetrators of yesterday's bombing of the Capitol. As a longstanding opponent of this war, I must condemn this outrage for what it is: an act which cannot be justified by any form of reason and which can only serve to cast discredit upon those of us who are attempting to bring the war to an end.

Mr. Speaker, violence will not end the war. It will not even bring the end closer. Violence will at best have no effect and at worst will only serve to strengthen the hands of those who wish it to continue.

Finally, Mr. Speaker, allow me to add my voice to those of other Members of Congress: let us not permit this incident to diminish the access of the public to the Capitol. Those who perpetrated this act would desire nothing more. Their ultimate goal is to turn the United States into a truly repressive country, hoping thereby to force those they accuse of "fence sitting" into their form of radicalism. Repressive measures must be avoided. Restricting access to the Capitol would fit well into their scheme—a furthering of the goal of alienating the people from their Government. This must not be permitted to occur. The Capitol is where the people govern; it must be kept open.

SOCIAL SECURITY BENEFIT INCREASE NEEDED NOW

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. SCHWENGEL. Mr. Speaker, today I insert in the RECORD, part X of the article entitled: "Private and Public Retirement Pensions: Findings From the 1968 Survey of the Aged," by Walter W. Kolodrubetz:

SOURCES OF INCOME OF THE RETIRED

Differing patterns of sources of other income emerge for persons with two pensions and for those with one or no pension. Private pensioners, as has been pointed out, were among the select of the aged OASDHI population in 1967. As a result, in contrast to persons receiving only OASDHI pensions, they were unlikely to be receiving public assistance and contributions from relatives, less likely to be working, and more likely to have income from assets and from other sources. As table 12 shows, for the 1 million married OASDHI beneficiary units reporting private pension income, almost three-fourths had asset income, almost a third had income from earnings, and negligible numbers received public assistance and contributions from relatives.

For the 3.4 million couples receiving only OASDHI benefits in retirement income, 7 percent had need for public assistance, 46 percent reported income from earnings, and 55 percent had asset income. About the same proportion of private pensioners and of those with only OASDHI benefits reported veterans' payments.

When sources of income for the 6.4 million nonmarried persons with no pension income except OASDHI are compared with the 600,000 nonmarried private pensioners, a pattern similar to that for married couples emerges. The 1.5 million nonmarried men without private pensions more often had income from earnings, veterans' benefits, and public assistance and less often had asset income than the men with such pensions. The same general comparisons were true for women with and without private pension income.

The pattern of sources of income for OASDHI beneficiary couples receiving other public pensions was almost identical with the pattern of private pensioners, except that the former were more likely to receive veterans' benefits. Among beneficiary couples with other public pensions, one-fifth reported veterans' payments. Among the nonmarried receiving two public retirement benefits, the proportion with earnings and veterans payments was sharply higher than it was among nonmarried private-plan pensioners. The disparity in the receipt of veterans' benefits apparently reflects the higher proportion of veterans in government service as a result of preferential hiring and, ultimately, the greater likelihood that government retirees would be drawing veterans' benefits, especially those paid without regard to other income. Married and nonmarried OASDHI beneficiaries with another public pension were unlikely to need public assistance and outside contributions, and asset income was a frequent source for these units.

For public pensioners with OASHDI benefits (as for private pensioners), sources of income differed greatly from those for persons receiving only OASDHI benefits (table 12). One major difference for the couples was that those receiving dual public pensions were more likely to receive veterans' benefits than those without a supplementary pension, for reasons previously stated. Among the nonmarried, about equal proportions of dual public pensioners and those receiving only OASDHI benefits had veterans' benefits.

Units not receiving OASDHI benefits but having other public pensions constitute a large enough group for comparison of sources of income with other selected groups in the aged population. Generally, assets were less frequent for couples without OASDHI benefits but with other public pension income than they were for dual pensioners (OASDHI plus private or another public benefit). For nonmarried persons with only public pensions other than OASDHI, the pattern of sources of income was, in general, similar to those receiving both OASDHI and another public or private pension.

When the comparison is between aged units with only OASDHI benefits and units receiving only government and railroad retirement pensions, some sharp differences in income sources emerge. Neither married couples nor nonmarried persons having only public pensions other than OASDHI reported earnings and public assistance as often as units with only OASDHI benefits in retirement benefit income.

It is also useful to compare sources of income for those who receive retirement benefits with those who did not receive such benefits. About 80 percent of the 525,000 couples without retirement pensions reported employment income; the proportion ranged from 30 percent to 45 percent for those with one or more pensions. Fifty-five percent of the couples without retirement benefits reported asset income—about the same proportion as that for couples with only OASDHI or only a public pension other than OASDHI but substantially lower than the proportion for those who reported two or more pensions. Fourteen percent of the couples without retirement benefits had to resort to public assistance—a much higher percentage than that for comparable units with some type of retirement benefit.

For the nonmarried the picture was very different. Earnings were reported by only 21 percent of the men and 14 percent of the women without retirement benefits. For those nonmarried persons with OASDHI benefits only or with OASDHI and another public plan, the proportions reporting earnings were not much different. These proportions, however, were substantially higher than they were for nonmarried persons with private pension benefits and for those who were receiving only railroad or government pensions.

Income from assets were reported by a fourth of the nonmarried persons without retirement benefits—a much lower proportion than that for persons with retirement benefits. More than half the nonmarried who had no retirement benefits were receiving public assistance; a considerably smaller proportion of those with retirement benefits were on the assistance rolls.

Data on retirement benefits for various other subgroups of the aged population round out the picture of supplementary pensions in 1967. It has been assumed, for example, that persons reaching age 65 today are much more likely to have private pension income than older persons. In 1967, however, there was no significant difference in frequency of receipt between those aged 65–72 and those aged 73 and over (table 13). One underlying reason that the difference was not greater is that the maturing of the private pension rolls is just gaining impetus and the full effect on the total aged population will not be visible for a number of years. Similarly, the proportions of younger and older age groups with public pensions other than OASDHI did not differ greatly.

In 1967, white aged units were much more likely to receive private pensions than units of other races, as table 13 shows. This racial pattern reflects, in large part, differences in previous industry attachment, job changing, and occupational attainment. Other public pensions for OASDHI beneficiaries were received by roughly the same proportion of couples among the two groups—8 percent of white units and 6 percent of those of other races—because of a heavy concentration of units belonging to Negro and other races who received railroad retirement pensions. Among the nonmarried beneficiaries, however, the proportions of those receiving other public pensions and of those receiving private pensions were substantially higher for white units than for those of other races.

TABLE 12.—SOURCE OF INCOME BY TYPE OF RETIREMENT BENEFIT FOR OASDHI BENEFICIARIES [1] AND NONBENEFICIARIES [2]: PERCENT OF AGED UNITS WITH MONEY INCOME FROM SPECIFIED SOURCES, BY RECEIPT OF RETIREMENT BENEFITS, 1967

Source of money income	OASDHI benefits and— Private group pension	OASDHI benefits and— Other public pension	OASDHI benefits and— No other pension	Public pension other than OASDHI	No retirement benefit
MARRIED COUPLES					
Number (in thousands)	1,009	392	3,438	166	525
Percent of units with:					
Earnings	31	32	46	29	80
Wages and salaries	26	25	34	28	53
Self-employment	7	10	18	1	26
Public retirement benefits	100	100	100	100	
OASDHI benefits	100	100	100		
Other public pensions	5	100		100	
Railroad retirement	2	26		69	
Government employee	3	76		33	
Private group pensions	100				
Veterans' benefits	11	20	13	15	5
Unemployment insurance	2	1	2		2
Public assistance	1	1	7	4	14
Income from assets	73	69	55	58	55
Personal contributions	1	(2)	2	2	
Private individual annuities	3	2	2	4	1
Other	4	2	4	4	4

Source of money income	OASDHI benefits and— Private group pension	OASDHI benefits and— Other public pension	OASDHI benefits and— No other pension	Public pension other than OASDHI	No retirement benefit
NONMARRIED PERSONS, TOTAL					
Number (in thousands)	605	476	6,353	343	1,025
Percent of units with:					
Earnings	10	19	17	6	15
Wages and salaries	9	17	13	5	12
Self-employment	(3)	2	4	1	3
Public retirement benefits	100	100	100	100	
OASDHI benefits	100	100	100		
Other public pensions	2	100		100	
Railroad retirement	1	22		60	
Government employee	1	77		41	
Private group pensions	100				
Veterans' benefits	2	8	10	10	7
Unemployment insurance	1	(3)	1		1
Public assistance	2	2	12	4	54
Income from assets	61	61	44	51	24
Personal contributions	2	2	5	2	5
Private individual annuities	4	4	2	5	1
Other	2	4	5	4	5

Footnotes at end of table.

TABLE 12.—SOURCE OF INCOME BY TYPE OF RETIREMENT BENEFIT FOR OASDHI BENEFICIARIES [1] AND NONBENEFICIARIES [2]: PERCENT OF AGED UNITS WITH MONEY INCOME FROM SPECIFIED SOURCES, BY RECEIPT OF RETIREMENT BENEFITS, 1967—Conitnued

Source of money income	OASDHI benefits and— Private group pension	Other public pension	No other pension	Public pension other than OASDHI	No retirement benefit
MEN					
Number (in thousands)	287	128	1,476	109	172
Percent of units with:					
Earnings	13	23	20	11	21
Wages and salaries	12	23	14	8	12
Self-employment	1	----------	7	2	8
Public retirement benefits	100	100	100	100	----------
OASDHI benefits	100	100	100	----------	----------
Other public pensions	1	100	----------	100	----------
Railroad retirement	1	25	----------	66	----------
Government employee	1	73	----------	33	----------
Private group pensions	100	----------	----------	----------	----------
Veterans' benefits	2	13	14	11	7
Unemployment insurance	1	2	1	----------	2
Public assistance	1	----------	14	3	54
Income from assets	55	54	41	51	27
Personal contributions	1	2	2	----------	1
Private individual annuities	1	2	1	6	2
Other	----------	----------	2	5	4

Source of money income	OASDHI benefits and— Private group pension	Other public pension	No other pension	Public pension other than OASDHI	No retirement benefit
WOMEN					
Number (in thousands)	317	348	4,876	234	853
Percent of units with:					
Earnings	7	18	16	3	14
Wages and salaries	7	15	13	3	12
Self-employment	----------	3	3	----------	2
Public retirement benefits	100	100	100	100	----------
OASDIII benefits	100	100	100	----------	----------
Other public pensions	2	100	----------	100	----------
Railroad retirement	1	21	----------	56	----------
Government employee	1	78	----------	44	----------
Private group pensions	100	----------	----------	----------	----------
Veterans' benefits	2	6	9	10	7
Unemployment insurance	1	----------	1	----------	1
Public assistance	3	2	12	4	55
Income from assets	68	64	45	51	23
Personal contributions	2	3	5	2	6
Private individual annuities	7	5	2	4	1
Other	4	6	5	4	5

[1] Excludes beneficiaries who received their first benefit in February 1967 or later, the transitionally insured, and special "age-72" beneficiaries; also excludes a small number of units reporting private pensions but no OASDHI benefits, as well as some who did not report on private pension receipt.

[2] Excludes a small number of units who did not report on private pension receipt.

[3] 0.5 percent or less.

13.—SOURCE OF RETIREMENT BENEFITS FOR OASDHI BENEFICIARIES [1] AND NONBENEFICIARIES [2], PERCENT OF AGED UNITS WITH MONEY SOME FROM SPECIFIED RETIREMENT BENEFITS, 1967

Characteristics	Married couples with—			Nonmarried persons								
				Total with—			Men with—			Women with—		
	OASDHI benefits and—		Public pension other than OASDHI	ASDHI benefits and—		Public pension other than OASDHI	OASDHI benefits and—		Public pension other than OASDHI	OASDHI benefits and—		Public pension other than OASDHI
	Private group pension [3]	Other public pension		Private group pension [3]	Other public pension		Private group pension [3]	Other public pension		Private group pension [3]	Other public pension	
Age:												
65 to 72	18	7	3	7	6	3	13	6	5	6	6	2
73 and over	17	9	3	6	5	5	13	6	5	4	5	5
Race:												
White	19	8	3	7	6	3	13	6	5	5	6	4
Other	10	6	4	4	2	3	9	3	3	1	2	3
Education:												
0–8 grades	17	6	2	6	3	3	13	5	4	3	3	3
9–12 grades	19	10	5	8	7	4	12	9	7	7	6	3
1 year or more of college	22	12	3	7	13	8	16	8	10	5	14	7
Homeownership:												
Owner	18	8	3	6	6	4	16	6	5	3	7	3
Encumbered	19	9	3	7	6	4	16	5	6	4	6	4
Unencumbered	16	7	2	5	9	2	15	9	(4)	2	9	2
Nonowner	18	6	3	7	5	4	12	7	5	6	5	3
Region:												
Northeast	25	6	2	11	5	3	20	7	4	8	4	3
North Central	19	7	3	6	5	5	14	5	6	3	5	4
South	12	8	3	4	6	3	7	5	3	3	6	3
West	16	12	5	5	7	5	9	11	8	4	5	4

[1] Excludes beneficiaries who received their first benefit in February 1967 or later, the transitionally insured, and special "age-72" beneficiaries, also excludes a small number of units reporting private pensions but no OASDIII benefits, as well as some who did not report on private pension receipt.

[2] Excludes a small number of units who did not report on private pension receipt.

[3] Includes a small number of units reporting both a private and another public pension.

[4] Not shown where base is less than 100,000.

Private pensions also were somewhat more likely to be received by persons with higher education. For nonmarried women, the pattern was inconsistent, however, probably in large part because of a concentration of private pension plans in some manufacturing industries and trades characterized by low wages and skill levels and employing large numbers of women.

A slightly different pattern emerged for public pensioners with respect to education. Among OASDIII beneficiaries with another public pension, persons who attended college were more likely to have a pension, particularly nonmarried women, than those with less education. For nonbeneficiary couples with a government or railroad pension, educational attainment was not as important, because of the heavy concentration of railroad retirees with less than a college education. On the other hand, higher education was an important factor among the nonmarried, especially for women.

Another interesting finding was that homeownership was not a distinguishing characteristic found for persons reporting two pensions, despite the fact that they were likely to have accumulated other assets. They were about as likely to be homeowners as the rest of the aged.

Dual pensioners were concentrated in certain geographic regions. A higher proportion of couples and nonmarried persons in the Northeast and North Central regions were receiving private pensions than in the South or the West—a reflection presumably of the concentration in those areas of manufacturing industries with greater likelihood of pension coverage. The regional distribution of public pension recipients was considerably different. Generally, a higher proportion of the aged population received such pensions in the West than in other areas.

STRIVING FOR BETTER WORLD WITH HELP OF GOD

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. HALL. Mr. Speaker, Dr. William M. Komanetsky, M.D., was recently installed as the president of the St. Louis, Mo., Academy of General Practice.

In his acceptance speech, Dr. Komanetsky offered a stirring rebuttal to the oft-times hysterical critics, who attempt to lay the blame for the morass of this Nation's health-care problems at the doorstep of the medical profession.

I offer the speech, with an introduction written by my friend, Dr. Barney W. Finkel, M.D. chairman of the MAGP publications committee, for those who are interested in a view of the other side, from one who has been there.

The speech follows:

STRIVING FOR BETTER WORLD . . . WITH HELP OF GOD

(By Barney W. Finkel, M.D., Chairman MAGP Publications Committee)

"Woe unto them that call evil good and good evil; that put darkness for light, and light for darkness; and put bitter for sweet, and sweet for bitter." . . . Isaiah V, 20.

The above words were written sometime before the year 700 B.C. Inability to tell good from evil is the greatest worry of man's life. Isn't this amazing? The erosion of government continues throughout the life of its formation, because there are among us those individuals who have no moral and ethical code. Troude said that "morality, when vigorously alive sees further than intellect." Morality to me means the body of manners and customs, the mores of a people or of a civilization. I belong to that group of citizens who believe that our moral codes are basically a distillation of all of man's previously acquired wisdom and experience. I feel that our ancestors, over many long ages, learned slowly and laboriously, after many setbacks in their climb toward a more noble and human civilization. It was from this that the "Ten Commandments", the "Sermon on the Mount", and the "Golden Rule" developed. To me, as I have said often, these rules, as I see them, were God given to us. To me, as I write this, one either owes his obligation to God and man, or to the state without God. I therefore stand for a better world with God's help. It is with this in mind that I present the address of Dr. William M. Komanetsky to the St. Louis Academy of General Practice on his accepting the presidency of the St. Louis Academy. It is as follows:

'Honored guests, colleagues, ladies and gentlemen: I can't really express in words the honor that the St. Louis Academy has placed in my trust. I regret dampening the gay mood of the evening—but please, please shed no tears while I am expressing some of my opinions on private medicine's plight. The climate of our times reminds me of the peril that faced England during Dunkirk—but keep in mind that Dunkirk ended up being a victory since the enemy waited too long and was 'too confident.' This in turn solidified the British both in spirit and determination and led them to final victory. I am confident that we, the medical profession, will prevail for the betterment of medical care for all our citizens.

"As of now we are at the mercy of attacks from all sides. We are accused of incompetence and we are accused of inability to deliver medical care to our population, in our way. The attacks to discredit our competence, our honor and our veracity comes not from our patients (where such attacks should arise) but from outsiders—from the Fabian politicians. The verbal onslaught is in full force. The poor result and expense of Medicare and the idiotic procedures of Medicaid are blamed on us—not on the short sighted planning of their authors.

"In the government periodical of February 1970 entitled, 'Medicare and Medicaid Problems, Issues and Alternatives,' the introduction begins: 'The Medicare and Medicaid programs are in serious financial trouble. The two programs are also adversely affecting health care costs and financing for the general population.' It proceeds to place the blame on the private sector of medicine. Herein are listed some of the future plans for the private medical profession—all sorts of directives—paramount of which is the 'Watch Dog System'. Under the so-called Watch Dog System are: '(1) Standard setting. (2) Surveillance. (3) Enforcement. (a) Direct interview with the professional to handle specific problems. (b) Use of professional medical society for administration and peer review. (c) Temporary suspension and fines. (d) Formal administration hearings—with resultant appropriate judgment. (e) Elimination from participation in the program.' These were written in February 1970 and are not new in the Bennett Amendment. This book is available from the Government Printing Office for $2.00.

"The onslaught goes on according to plan. These dreams are not new. This portfolio of dreams was on the shelf since the Murray-Dingle Bill of F.D.R. and even then, do you know who was waiting in the wings?—Wilbur Cohen—just waiting for his Right Man—yes—the 'Great Society Man.' It was our former president who said, 'Why anyone would want to deny a person the opportunity of putting in $1.00 a month along with his employer to insure himself through Social Security against the staggering costs of hospitalization simply amazes me.' My friends, that $1.00 has already risen to $5.30. The deductible has gone from $40 to $50, and will go to $84 or more in 1974.

"We are living in an age of contradictions—(1) There is a shrill cry for more medical care from the politician but not from the patient. (2) The politician tries to practice medicine but ignores blundering inflationary policies in the country which are devastating primarily to our senior citizens. (3) Unions trying to run businesses. (4) Students dictating to college presidents. (5) Politicians directing generals in war. (6) Children—instilling fear in their parents. (7) 'Stamp out the mutilation of Rubella vs. Permitting abortion on demand. (8) The Natural Law vs. God is Dead. (9) Eliminate individual responsibility and promote community responsibility. (10) Ignore the experience in medicine in England, Sweden and Russia and try to emulate their blunders. (11) Medicaid and Medicare are too expensive and a failure, therefore try the same scheme on the whole population.

"David Brinkley (NBC news correspondent) was in town several weeks ago. Some of his statements I believe are monumental. I quote: 'In some 25 years of working in Washington and watching government at close range, I have concluded that it does not do its job. It does not serve our needs but its own. It does not initiate change—it resists it. It never asks what we want. It tells us what we're going to get. It is a massive array of bureaucrats taking our money in arrogant and unfair ways and giving answers to questions nobody asks.' His opinion is that there is only one thing this Federal Bureau does efficiently and that is the handling of the Department of Fish and Wildlife, Forestry and Park Service—and the Space Agency—and these agencies deal with fish, forests, flowers and the moon—not the ordinary affairs of people.

"Dr. Egeberg, assistant secretary of H.E.W. on scientific affairs, was in town on November 20, and some of his statements of note were: (1) In Watts (California) before the riot they had health clinics, etc., but if more serious medical attention was necessary the patient was told to go to L.A. General Hospital. But he said, 'no busses stopped at Watts.' Is transportation now a medical problem?? (2) Some people, he said are weak, have poor nutrition and cannot nor have the desire to work.—Again, I ask is the cause of poverty and hunger now a medical problem?? (3) Thirteen and 14-year-old pregnant children receive very poor prenatal care. Infant mortality and maternal mortality are high. Is this a medical problem? Or is it a social, moral, economic problem?? (4) He also made the comment at St. John's Hospital breakfast meeting on Nov. 21 'that 5–6 percent of doctors are crooks.' Where he obtained his figures he did not say. It apparently was a blanket statement to discredit our profession. (5) He just came back from Russia and England and said, 'Where they have a system, the doctor works fewer hours.' In Russia he works 36 hours per week and in England 42 hours per week—65 hours per week in U.S.A. Was he inferring that Russia and England were better?

"All the foregoing reminds me of the story of an El Italia flight out of New York. The pilot made an announcement: 'This is your pilot. I have some good news and I have some bad news.—First, I will give you the bad news—We are lost! And now for the good news—We are making good time.' So it is with our politicians—they are lost—but they are making great time. I think it is too late to use the forum of writing to our representatives and senators. We are only 300,000 strong. When the time for the involuntary servitude that the lawmakers have planned for you and me arrives, I for one will say 'no.' I will only listen to reason, the dictates of my conscience and our recently formed 'Council of Medical Staffs' for guidance. We together can and will save the greatest medical system in the world, and thereby stop socialism in our great country. I have found that adherence to the message on a plaque hanging in my office waiting room has been satisfactory to both myself and my patients. I would like to read it:

"To all my patients: I will continue to care for you as a private patient as I have always done. I will expect you to pay for my medical services as you have always done. If you are unable to pay, please confide in me and I will treat you without charge as is my custom. Medicare and Medicaid are socialized medicine. It is bad for both you and me because it will prevent me from doing for you what you and I decide is best for you. I will not participate in Medicare and Medicaid because I am ethically and morally bound to protect you from inferior care. I will not sign federal forms and I will not accept federal fees. If you need to go to the hospital I will ask the hospital to admit you in the same manner as I have always done. If the hospital refuses your admittance because it requires that I sign a federal form and agree to government control (Which I will not do), it may be necessary for you to find a physician who practices socialized medicine. I hope you will understand my position and agree with me that my non-participation action in Medicare and Medicaid is the only honorable course I can pursue to safeguard your access to the best medical care.

"The Academy has been policing its own members since 1947 and strives: (1) To promote and maintain highest standards of General Practice. (2) To encourage medical students to become qualified family physicians. (3) To preserve the general practioner's right to practice medicine to the full extent of his ability. (4) To provide post-graduate training opportunities for the Family Doctor. (5) To advance the science of medicine and the nation's health and welfare and to preserve the right of free choice of the physician to the patient.

"This year, 1970, marks a milestone in our endeavors—the examination for Certification of the American Board of Family Practice has been given. I had the honor and opportunity to take the examination, the 'luck' to pass it, and, of course the privilege to pay for it. Passing the examination I found was in great part due to post-graduate study hours accumulated while in the Academy. I encourage all Family Doctors—seasoned, new and future—to consider taking the examination. It is only fair to say that our Academy had the monumental task of initiating this move. Recertification will be (as is should be in all other specialty groups) held every seven years."

I believe in the above, do you? If you do, then you better study in depth the real meaning of Peer Review, PSRO, National Health Insurance, the Constitution for a United Republics of America, and various other state-controlled proposals. They are all old programs that were tried in the history of our world and rejected as total failures. Remember, where people lost their moral code, history does repeat itself. That is why if you want to live under a Republic, you must fight for freedom every day.

REPEALING FEDERAL GUN CONTROL

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. PRICE of Texas. Mr. Speaker, when the Gun Control Act of 1968 was considered by the House, I argued vehemently against it, and I cast my vote against it. At the time I thought the act to be ill-conceived, and nothing that has happened since it was enacted has changed my opinion one iota.

In the 90th Congress and again in the 91st I introduced legislation to repeal the Gun Control Act. As an interim measure, I also introduced legislation repealing the recordkeeping requirements for shotgun and rifle ammunition. I took this latter approach, because I thought that even if the general membership would not be disposed toward repealing the act in its entirety, perhaps the voice of reason would compel them to at least repeal that portion of the act which has proved particularly burdensome to dealers in and users of sporting ammunition.

Despite my frustration over the fact that Congress has not, to date, acted to remove the Gun Control Act from the law books, I was gratified when, during the last Congress, both the House and Senate agreed to exempt shotgun and rifle ammunition from the act. In addition, I greeted with enthusiasm the House action which also freed .22-caliber rimfire ammunition from Federal regulation; but, I confess I was rather dismayed when the measure was stalled in the other body and died at the close of the 91st Congress.

So now, Mr. Speaker, the legislative process must be commenced all over again. For the third time, I introduce legislation to repeal the Gun Control Act of 1968. Once again I implore my colleagues to face reality. I urge them to consider and accept the fundamental fact that guns and ammunition do not kill people—people kill people. And as long as criminals think they can profit from crimes involving the use of guns, criminals will use guns to commit crimes.

I believe the implications of this basic fact are as compelling as they are obvious. What is needed to control armed violence and crime is not Federal gun control, what is needed is upgrading and better equipping State and local police forces, enacting tougher laws to deter potential criminals and to severely punish convicted felons, streamlining the criminal justice system, and reforming the penal system. These are the things that will help restore order with justice to our society. Federal gun control is obviously not the answer.

I am also introducing legislation to remove the remaining Federal regulations on the sale of .22-caliber rimfire ammunition, and I urge my colleagues to act swiftly on this proposal. As I mentioned earlier, the House membership approved similar legislation in the last Congress, but it was not acted upon by the other body. In this Congress we must give the other body ample time to take action.

The Federal restrictions on the sale of .22-caliber rimfire ammunition must, by any standards, be removed. Such removal merits the support of even the most ardent supporter of Federal gun control. I say this because in addition to being ill-conceived and excessively burdensome to buyers and sellers of sporting ammunition, existing Federal regulations have proved to be of no real use in preventing or solving crime. This fact has been publicly documented by the Department of Justice and the Treasury Department. Based on the first 2 years of experience in administering the Gun Control Act, both agencies have reported there is not a single instance where any of the recordkeeping requirements for sporting ammunition has proved helpful in law enforcement or has led to the successful investigation and prosecution of a criminal offense.

In closing, Mr. Speaker, I urge my colleagues to give these two proposals their most careful attention. Repealing the Gun Control Act of 1968 would rid the American people of the burdens of a law that never should have been passed in the first place. Repealing the remaining restrictions on the sale of .22-caliber rimfire ammunition would remove perhaps what to thousands and thousands of freedom-loving and law-abiding sportsmen and merchants, is the most aggravating single feature of the act itself, a feature that has been conclusively shown to have absolutely no bearing on crime prevention and crime control.

RAISE IN SOCIAL SECURITY CEILING

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. PICKLE. Mr. Speaker, today I am again reintroducing a bill designed to increase the amount of outside earnings social security recipients may receive without suffering a reduction in benefits. My bill would raise the ceiling to $2,400 per year.

The ceiling has been increased in the last few years in the recognition that those on social security often needed outside earnings to make financial ends meet. In the 90th Congress the level was raised from $1,500 per year to $1,680. In the 91st Congress the House approved raising the ceiling to approximately $2,000 per year. This increase was contained in the social security amendments. Unfortunately, time ran out before the House and Senate could reconcile their difference on the social security bill. The social security bill which the Ways and Means Committee is presently considering, H.R. 1, contains the $2,000 ceiling. While raising the ceiling to close to $2,000 would certainly be a help, I do not think it would be enough.

With the cost-of-living rates going up at such a rapid rate, it is difficult for fixed-income individuals and couples to maintain any kind of financial stability. Yet, under the present arrangement if they seek substantial outside employment to make up any shortages which arise, they are confronted squarely with the proposition that if their income goes over $1,680 per year, their social security benefits are correspondingly reduced.

This situation needs relief, and I am hopeful that the Ways and Means Committee will give this point its closest scrutiny in its present consideration of H.R. 1.

There are some who feel that there should be no limits at all on outside income, and that if an individual has obtained eligibility for social security payments, then he has a vested interest in having them at whatever level his past earnings warrant.

While there is certain logic to this approach, there are several strong reasons why it cannot prevail. The main reason is that unless there were a limit on the income, there would be a tremendous load on the social security fund. Presently, there is already in the works proposals to increase the withholding tax, removing the limit altogether would simply be prohibitively expensive.

There are public policy reasons for providing that those with the lowest outside income receive top priority in the handling of the social security fund. If the benefits are distributed too widely—including to those who may have very large incomes from other sources and do not really need the social security payment—then the results would be that the man who does need it worse is not helped as much as he might be.

Although the social security check may not be completely sufficient to maintain a comfortable living standard, I believe it is a good way to provide a sound basis for the retirement years. At least the program elevates everyone to a certain floor from which the rest of his needs are within striking distance.

Mr. Speaker, I repeat that the increase is needed and I hope that it is given a good hard look.

THREE MILLION MORE

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. PODELL. Mr. Speaker, 3 million Jews in the Soviet Union are suffering growing repression. They are not allowed either to assimilate or to live a full Jewish life or to emigrate to a place where they might live freely. Because of their birthright, they are being denied the most basic of human rights.

Miss Meryl Handelsman, a resident of

my congressional district in Brooklyn, has written an extremely moving article on the plight of the Soviet Jews. Miss Handelsman, age 15, attends Abraham Lincoln High School, and her article, "Three Million More," first appeared in the Lincoln Log, the school's newspaper.

I believe the article should be read by as many people as possible, and hope that it will inspire all people to speak out against the treatment of the Soviet Jews.

The article follows:

THREE MILLION MORE

(By Meryl Handelsman)

"A long queue has formed outside a butcher's shop; several hours pass but nothing happens. Then suddenly the comrade butcher shows up only to announce: 'The meat deliveries have turned out to be far less than expected; we are having to divert a considerable part of our output to the assistance of our Arab brethren, victims of Zionist-imperialist aggression. Will all Jews kindly leave the queue. . . .'" This is just one of the anecdotes which is going around Moscow today. Is it startling, shocking? Does it bring tears to your eyes, or are you one of the many Americans who sat around while six million men, women, and children were exterminated thirty years ago, or one of those who plan to do the same today while three million are traveling down the same road.

"I hear it again and again. It's the same old story." In fact, it is, and it's about time the world realized that Anti-Semitism is a classic phenomena deeply rooted in Russia. It dates back to Czarist times and unfortunately continues today, for since Communism has failed to "solve the Jewish problem," the Soviet administration feels the answer lies in the exploitation of Jew-hatred in the domestic struggle for power. Obviously, the Russians feel that not all men are "endowed by their Creator with certain unalienable rights, that among these are Life, Liberty, and the Pursuit of Happiness."

The "crime" that the Jews have committed is that they want to be what they are. If they cannot be granted this, then they wish to emigrate. The Soviet government refuses to grant emigration, and claims that the Jews have nothing to complain about. Why should they complain that no edition of the Bible in Hebrew has been published since 1917; that religious calendars are non-existent; that not a single edition of the Siddur (prayer book) appeared from 1917–1958 (in 1958 a single issue of 3,000 copies was printed); that the production of ritual objects including prayer shawls and phylecteries is in fact, if not in principle, forbidden; that one synagogue and one rabbi for every 25,000 worshippers exist, that one single fictitious yeshiva exists with four students? What right have they to complain?

The most recent "Soviet propaganda" which led Jews to protest was the phony alleged Leningrad Hijack plot. A secret police agent provocateur was able to convince a group of twelve persons from Riga, including nine Jews desperate to leave for Israel, that he could fly them from the U.S.S.R. This tactic seems similar to the one used by the Soviet secret police to entrap Vilna Jews in 1945. When these twelve arrived at the Leningrad Smolny Airport they were arrested and charged with treason. Within an hour, a pre-planned series of arrests and searches began throughout the cities of Russia. Hebrew textbooks were seized as "tools of crime." The senseless brutality of the verdict, originally the death sentence, is apparent from the fact that no hijacking actually took place and the conspirators were arrested before they ever boarded the plane. The verdict which was just changed to imprisonment in labor camps for fifteen years obviously brings to light the fact that the court wishes to dispose of the case as quickly as possible and reflects the uneasiness over the severity of the sentences against the group, whose Jewish members had sought unsuccessfully to emigrate to Israel.

This trial which has received world attention was not an ordinary criminal proceeding. On the contrary, it was one of the most important political trials in the Soviet Union since World War II. The defendants were not only those accused, but the tens of thousands of Jews who have demanded the right to obtain religious freedom. In addition to this, the real purpose of the harsh sentences was to terrorize Soviet Jews. Jews are presently being accused of "treason" for various "crimes" including the possession of religious books as well as the attempt to teach their history. Their punishment for this is long prison terms in Soviet labor camps.

They long to retain their five-thousand year old culture and refuse to allow their everlasting faith, which has greatly contributed to our social values, be destroyed. Victor Boguslavsky, one of the men arrested declared: "Their only guilt was that they were born Jews and longed to remain Jews . . . that they wanted to live in their historical homeland, their own national state, amongst their own people."

"So what? Why bother me with something that is not going on here?" Why bother you? Because the fact that the Soviets are encouraging the slow death of a people's culture should open your eyes to a long-lasting evil which must be eradicated. The Jewish people have not been granted their "civil rights" and by all laws of Nature, deserve them. It is impossible to believe any human being could actually agree that the heritage of any group be destroyed. Don't sit around and wait until the day comes when a book can be written entitled, *"While Three Million Died."*

FREEDOM—OUR HERITAGE

HON. BEN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. BLACKBURN. Mr. Speaker, Miss Kathleen Anne Davis, a talented young 17-year-old, now living in the Canal Zone but a resident of Georgia, submitted an excellent speech to the Veterans of Foreign Wars' Voice of Democracy Contest. Now, as winner from Georgia, Miss Davis will be privileged to represent the State at the final judging here in Washington in March.

Writing under the contest theme of "Freedom—Our Heritage," Miss Davis expresses a love and pride in her country, which has given her freedom, that is not often openly shown by our young people today.

This speech was forwarded to me by the Veterans of Foreign Wars and I wish to share it with you at this time:

FREEDOM—OUR HERITAGE

A promise. We, the American people would be free. Liberty was won. We had truly become America—"land of the Pilgrims' pride, land where our fathers died." Today, almost two centuries later, we are still a proud, freedom loving nation. However, what many people fail to realize, is that freedom must be preseved and cherished if it is to be inherited. The generation after us has the right to receive the same unblemished freedom that we have. It is our responsibility to ensure them their inheritance—their freedom. Daniel Webster one said: "God grants liberty only to those who love it and are ready to guard and defend it." I think of freedom like a tree. A tall strong tree must have sunshine, rain and little care. Without all this the tree would wilt, become weak and die.

Freedom needs our support if it is to live and be strong. The government is the roots, we are the tree. Both are necessary—each needs the other. To some people it may seem that today's "liberal" youth do not support or appreciate this gift that they have been given. Thomas Jefferson, John Adams and George Washington were all considered unreasonable liberals searching for an impossible dream. Because these men had the courage to speak up and fight, their dream—the United States of America—was found.

Yes, freedom is our heritage—but only because there were people before us that cherished and preserved it. Freedom must be won with desire and hard work by every generation. Freedom also requires pride. Unfortunately, though, the pride is often hidden from public view. "I pledge allegiance to the flag of the United States of America." This pledge, like freedom, is one of our great heritages.

When I was a child, we always began the day with the Pledge and a rousing patriotic song. Those days taught me about America and her worth and although I was young, it didn't take me long to realize what a great advantage I had over many of the other children in the world. Since that time, I am rarely given the opportunity to publicly pledge myself. "And the Star Spangled Banner in triumph shall wave." Never before, in the history of our country, has the flag been so abused by America's own people. To see the flag used as a knee patch or a door mat can only be showing disrespect. What has happened to the awe we used to hold for this symbol of peace? And when was the last time you sang our National Anthem? The song that people wanted changed because they couldn't "reach the high notes."

As the years go by we seem to be hearing and seeing less of these symbolic inheritances. Not because we aren't proud but because we often forget the blessing we have. People need to be reminded of their inheritance. Patriotism—the love of one's own country—must be shown. Stand when you see the flag or hear our National Anthem. Live, fight and die for your country. Don't just say that you care—show it.

Unfortunately, America and her promise are often taken for granted—except by those who have known neither. Between the years 1791 and 1921, the ocean brought forth 40 million Europeans to America's welcome shores. But why? Life in the new country was hard. The land was wild and unsettled. Jobs in the cities paid low. Nothing was handed out on a silver platter and it didn't take long to discover that the streets weren't really paved with gold. But these people were after more than physical comfort. They had found a land where a common man could be himself.

A land they were willing to fight and die for. These people had to have faith in themselves, their leaders, and most of all, the new country. Abraham Lincoln once said: "You can't build character by taking away man's initiative and Independence." Americans are often known as the most stubborn and proud people there are. This is because they have inherited and used the right to think and to act as they see fit. The American spirit was born to be free. Edmund Burke said: "Depend upon it that the lovers of freedom will be free." Only a true American can and will cherish, preserve, and inherit freedom. That was the promise given to us. We, the American people, would be free.

INDIANA PRESS PAYS TRIBUTE TO "RED" MACKEY

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. LANDGREBE. Mr. Speaker, last week I offered a small, humble tribute to one of my finest friends and one of Indiana's most distinguished citizens, Guy "Red" Mackey, the long-time athletic director at Purdue University, upon the sad occasion of his death.

Since his death, numerous Indiana newsmen and sportswriters, far more skilled than I in the use of the language, have also honored "Red" Mackey in print. I insert some of these stories, editorials, and columns at this point in the RECORD:

[From the Lafayette (Ind.) Journal & Courier, Feb. 23, 1971]

RED MACKEY DIES; SERVED PURDUE SPORTS FOR 46 OF HIS 65 YEARS

(By Bruce Ramey)

Purdue University's Guy J. "Red" Mackey, dean of Big Ten athletic directors, died at 7:49 p.m. Monday at Home Hospital, ending a career of service and devotion to Purdue that covered almost 46 years.

Mackey had been ill since he suffered a stroke early Nov. 8, the day following the Purdue-at-Michigan State football game. While recovering from that stroke, he developed a circulatory problem in early December that required immediate surgery.

On Dec. 6 he was moved to the Mayo Clinic, Rochester, Minn., where his right leg was amputated at mid-thigh on Dec. 8. He suffered a second and more serious stroke Dec. 20, and was moved back to Home Hospital Jan. 5.

Since then his condition slowly deteriorated and he spent the last few weeks of his life in a semi coma, with only brief periods when he was able to completely recognize his family and friends.

Funeral services will be at 2 p.m. Thursday at Central Presbyterian Church, with the Rev. Dr. J. Dayton McCormick officiating. Interment will be in Grand View Cemetery, West Lafayette.

Mackey, 65 years old Dec. 14, 1970, had been athletic director at Purdue since 1942. An intense, dynamic individual, he was "Mr. Purdue" to his many friends and associates over the country, and a strong leader in intercollegiate athletic circles.

In the Big Ten he was a member of the committee which directed the financial operations of the Western Conference office and served on numerous conference and NCAA committees, including a recent stint on the television committees of both groups.

FIRST LOVE

From the time he entered Purdue as a freshman in the fall of 1925 until he died his first love was Purdue athletics and his major goal in life was to make Purdue best in the university's chosen fields.

A fiercely loyal man, he demanded the same loyalty from his coaching staffs and Purdue players.

Under Mackey's leadership Purdue became a power in collegiate football and basketball circles, and the fulfillment of a Mackey dream came in 1966 when the Boilermakers won the right to represent the Big Ten in the Rose Bowl in Pasadena. (Purdue defeated Southern California in the Rose Bowl on Jan. 2, 1967, 14–13).

Mackey was a solid administrator and businessman. Taking over as head of the athletic department at a time when it was deeply in debt, he built the Purdue athletic facilities to their present status of second to none in size and usability. Never a man for needless frills, he made the athletic dollar stretch to its fullest.

Five times he directed enlargement of Ross-Ade Stadium, using only athletic department receipts, until today it ranks as one of the top college stadia in the country with a seating capacity of over 69,500.

Through his strong leadership, Purdue football home crowds grew until at the end of the 1970 season the Boilermakers played before home crowds that averaged 67,525, fourth largest in the nation and outranked only by Ohio State, Michigan and Michigan State, and ahead of other such football powers as Nebraska, Texas and Notre Dame.

He started scheduling Notre Dame on an annual basis, home and away, back in 1946 when the Irish were having trouble finding football opponents and the series has grown into one of the finest in the country.

Mackey also was the moving force behind the construction and financing of the $6-million arena that seats 14,123 for basketball and houses all offices for the athletic department, plus the finest equipment and training-room facilities in the country. It was dedicated in December, 1967.

In addition, he built in 1958 the first corecreational gymnasium in the country (cost $2.5 million) for use by all students—a facility that annually is used by thousands of students for all types of recreational purposes and covering all phases of intramural and coeducational recreation.

Included in Purdue's compact athletic plants are the Fieldhouse, two 18-hole golf courses, separate outdoor track, baseball field, and tennis courts.

HAS ANSWER

Mackey was criticized by some Purdue followers for the lack of championships in some of the minor sports—wrestling, swimming, tennis, baseball and track—but his answer to critics was "They must be self-supporting. I'll help when I can, but not to the point that they jeopardize the money-making sports, football and basketball."

His foresight on this point has been spotlighted recently by the fact that Purdue ranks as one of the few schools in the country—and the Big Ten—whose athletic program is not operating at a deficit.

Because of the athletic department's excellent financial condition, he declined to add an 11th game to the 1970 or 1971 football schedule.

After earning three letters as an end in football (1926–27–28), Mackey joined the football staff as assistant freshman coach in 1929. In 1931 he was promoted to the varsity staff as an assistant, and in 1941 was named administrative assistant to athletic director A. H. "Mal" Elward. In 1942 he became athletic director.

As a football player, Mackey played against Frederick L. Hovde, then quarterback at Minnesota, and in 1945 Dr. Hovde became president of Purdue University. They became very close friends and great competitors on the golf course.

HIGHLY PRAISED

In the spring of 1965 Mackey was honored by friends from over the country at a surprise testimonial dinner at the Lafayette Country Club. It was a turn-away affair.

Speaking of Mackey that night, Dr. Hovde said:

"Red Mackey is one of the few men I know who has always practiced what he preached. I thank him for the advice, loyalty, leadership and deep integrity he has given the university. He has brought nothing but honor to this institution and is truly one of the great men in his profession."

Hovde's remarks have been echoed many times by those with whom he was associated.

A staunch believer from the very beginning in the Big Ten-Pacific Coast Rose Bowl tieup, Mackey fought long and hard to preserve that association when it was in jeopardy of being scrapped, and it was an occasion very dear to him when the Boilermakers went to the West Coast iin December, 1966, to be welcomed by his close associates on the Rose Bowl Committee.

He disdained the usual practice of letting Big Ten and West Coast alumni provide the entertainment for the annual Big Ten party, held in the Hollywood Palladium. Instead he scheduled the Purdue Glee Club and Show Band into the huge ballroom, and gave Purdue's West Coast grads a show with a Hoosier flavor.

An avid, low-handicap golfer, Mackey worked off his vast amount of energy with almost-daily golf on Purdue's two courses, and was highly sought after at alumni and civic golf events over the country.

He instituted the John Purdue Club and Coaches Club, channeling support for Purdue's athletic program into a scholarship fund to help pay costs of grants-in-aid, and saw it grow from a small organization into one that now numbers over 1,700 members.

Mackey suffered a heart attack in 1963, but recovered and carried on his normal work load within a few months.

Two days before he suffered the stroke that eventually took his life he told a press gathering at Michigan State University that he had never felt better in his life, and he desired to remain as Purdue's athletic director "until they kick me out," although he was approaching the retirement age of 65.

Mackey was born in Glasgow, Ky., and graduated from New Albany High School. He received his degree in agriculture from Purdue in June, 1929.

In 1944 he was awarded the Sigma Delta Chi's coveted Leather Medal, presented annually to the Purdue staff member adjudged to have made "the greatest contribution to the welfare, success and reputation of the university."

CITED BY ASSEMBLY

The Indiana General Assembly paid tribute to Mackey in January by adopting a resolution commending him for his contributions to intercollegiate athletics. The resolution cited Mackey's role in the success of the Purdue athletic program and his contributions to intercollegiate athletics across the nation, in the Big Ten and NCAA affairs.

On campus Mackey was an honorary member of the Gimlets, the Reamers and the Iron Key. A Sigma Pi Fraternity member, he was active in the community despite his deep involvement in university affairs.

He was a member of Central Presbyterian Church, Lafayette Elks Lodge 143, F and A M Lodge 724 of West Lafayette, Indiana Consistory, Scottish Rite of Indianapolis, Shrine Club, Murat Temple, National Football Foundation and Hall of Fame, John Purdue Club and Lafayette Country Club.

Mackey was married in 1945 to Goldie P. Nees, formerly of Rensselaer. She survives along with his mother, Mrs. Myrtle Mackey, West Lafayette, and two brothers, Weston "Butch" of West Lafayette, and Malcolm of Fremont, Ohio.

Mackey's friends may call from 5 to 9 p.m. Wednesday at Hippensteel Funeral Home. His body will lie in state at the Central Presbyterian Church from 11 a.m. Thursday to time of services at 2 p.m.

[From the Lafayette (Ind.) Journal & Courier, Feb. 23, 1971]

MACKEY GAVE MORE THAN HE GOT: HOVDE

Purdue University's president, Dr. Frederick L. Hovde, issued the following statement Tuesday morning, eulogizing his friend and associate, Guy J. "Red" Mackey, who died Monday night following a long illness:

"Purdue University and the legion of his friends and admirers in the world of intercollegiate athletics mourn the passing of Purdue's distinguished son, Guy J. Red Mackey, graduate of the class of '29, member of the Purdue faculty for 42 years and director of intercollegiate athletics for the past 30 years.

Red Mackey loved Purdue University and all its members with a fiery passion from the day he became a Purdue student in 1925 and he dedicated his enormous energy, enthusiasm and capabilities to the service of his alma mater. The quality of his friendship had a vitality and a zest which gave more to his friends than he asked in return. His word was as good as his bond and a deep basic integrity and honesty characterized his work and his relationship with others.

He was a man who will always be remembered by those who knew and worked with him, not only for his great accomplishment, but also for the spirit-lifting touch he gave to all who were privileged to know him."

[From the Indianapolis Star, Feb. 23, 1971]

Guy Mackey, Purdue Athletic Chief, Dies

Lafayette, Ind.—Purdue University Athletic Director Guy (Red) Mackey died yesterday evening in Home Hospital following a lengthy illness.

The 65-year-old Mackey suffered a stroke here on Nov. 8 after returning home from the Purdue-Michigan State football game. He was transferred to the Mayo Clinic at Rochester, Minn., in December when circulatory problems arose and was returned to Lafayette Jan. 5.

His right leg was amputated at the clinic and it appeared to solve the circulatory problem, but he suffered another stroke Dec. 20.

Mr. Mackey was the dean of Big Ten athletic directors, taking over the Purdue program in 1942. He was associated with Boilermaker athletics since entering the university as a freshman in 1925.

An outstanding end on the undefeated 1929 Purdue football team that won the Big Ten championship, Mr. Mackey remained at the university as an assistant football coach until his appointment as athletic director. He also was head wrestling coach from 1933 through 1936.

Under Mr. Mackey's leadership the Purdue athletic plant became one of the finest in the nation. Five times the football stadium was expanded and it now seats more than 69,000.

The $6-million Purdue Arena, dedicated in 1967, was Mr. Mackey's greatest achievement. The domed structure seats 14,123 for basketball, houses all the athletic offices and locker rooms for every Boilermaker team.

No state appropriations were used to remodel the football stadium or construct the arena.

A low handicap golfer, Mr. Mackey also realized the value of sports other than football and basketball. Included in Purdue's compact athletic plant are two 18-hole golf courses, a separate outdoor track, tennis courts, a baseball diamond, the fieldhouse and convenient recreational and practice areas.

Also included is a unique co-educational outdoor and indoor recreational center that rates with the best in the country.

Known for his leadership, Mr. Mackey would defend his position to the end, but he also listened to the other side of a story. He believed in backing his employees to the hilt and in doing everything first class.

At the same time he was a sound businessman. Under Mr. Mackey's direction, Purdue was the only Big Ten school that consistently showed an athletic profit at the end of the fiscal year.

Since taking over as Purdue Athletic Director Mr. Mackey always employed the same philosophy—he wanted a happy staff because an unhappy man cannot give top service. He believed in delegating responsibility with authority and in return expected an honest and sincere effort and willingness to make whatever sacrifice necessary to get the job done.

One of Mr. Mackey's closest friends was Big Ten Commissioner Bill Reed.

"Nothing I can say can convey my feelings about the man . . . and that's what he was—a man." Reed said at Chicago when informed of Mr. Mackey's death.

Citing Mr. Mackey's "high principles and loyalty," Reed asserted, "There never was another man like him and never will be another. It comes down to the fact he was a man of absolute integrity.

"The remarkable thing so often overlooked is the fact he was a very sound and far-sighted director. He was a solid administrator and managed finances in such a way as to never be a burden to the university."

Mr. Mackey's integrity was demonstrated when he placed Notre Dame on the Purdue football schedule shortly after World War II and kept the Irish there on a home-and-home basis despite the fact no formal contract was signed for years.

He did it at a time when most schools were thinking only of their own records and would not schedule Notre Dame.

One of the men Mr. Mackey played football against in 1929 was a Minnesota quarterback named Frederick L. Hovde. Today the former Gopher star is president of Purdue and was a constant companion of Mr. Mackey on the golf course.

Speaking at a surprise testimonial for Mr. Mackey in 1965, Hovde said, "Red Mackey is one of the few men I have known who has always practiced what he has preached. I thank him for the advice, loyalty, leadership and deep integrity he has given the university. He has brought nothing but honor to the institution and is truly one of the great men of his profession."

Among the many awards and certificates he received, Mr. Mackey particularly cherished the "Leather Medal" award from Sigma Delta Chi, national professional journalism society.

He was a member of Sigma Pi fraternity, the Elks Lodge, Masonic Lodge, Scottish Rite, the Shriners and the Lafayette Country Club.

Mr. Mackey was born at Glasgow, Ky. on Dec. 14, 1905, and was graduated from New Albany (Ind.) High School in 1925.

He is survived by the widow, Goldie.

Funeral services are pending in the Hippensteel Funeral Home here.

[From the Indianapolis News, Feb. 23, 1971]

Guy "Red" Mackey Directed Purdue's Athletic Growth

Guy Joseph "Red" Mackey was the full name.

Red Mackey explains the full man.

Of all the athletic directors in the Big 10, perhaps of the nation, Red Mackey, who died last night after a prolonged illness, was the common man with the uncommon touch.

Athletic director at Purdue University since 1942, following a football career as a Boilermaker end beginning in 1925, Mackey ran one of the soundest, financially clear athletic programs of any major university.

The physical facilities under Mackey's direction became outstanding—largest football and basketball arena in the state, a 10-lane all-weather track, an intramural set-up that is the envy of many and two championship golf courses.

It rebounds to Red's credit that Ross-Ade Stadium, which grew from a 13,000-seat site to the present 69,400-seat plant, this year averaged more fans at its home football games than any other school in the nation excepting Ohio State and Michigan.

Five times under Mackey's direction the stadium has been quietly enlarged and, as Mackey liked to point out, without the use of state appropriations.

And when anyone tried to assert that universities were placing too much emphasis on sports, Mackey reduced their argument by saying the emphasis could be lightened any time the taxpayer agreed to "pay the freight" for all the sports.

"We have many club sports now," Mackey once said, ". . . sports you do not have to subsidize. They get some help and that is possible because of football gate receipts. Basketball pays its way, but football is the main go."

Purdue's basketball arena, completed and opened for the 1967-68 season, is a 14,123-seat domed structure that cost 5½ million. For the first three years each home game was a complete sellout.

Red loved golf and was one of the state's best amateurs. His push not only developed and maintained the university's two 18-hole courses, but it also provided finally an adequate clubhouse situated between the two.

Red was not without recognition.

Only two years after he was hired as Purdue's sixth athletic director, Mackey was given Purdue's Leather Medal, the university's highest honor given to the person making the "greatest contribution to the welfare, success and reputation of the university."

And in 1965, at a surprise testimonial, Purdue president Dr. Frederick Hovde said, "Red Mackey is one of the few men I have known who has always practiced what he has preached. I thank him for the advice, loyalty, leadership and deep integrity he has given the university. He has brought nothing but honor to this institution and is truly one of the great men of his profession."

Services for Mackey will be at 2 p.m. Thursday at Lafayette's Central Presbyterian Church.

Friends may call at the Hippensteel Funeral Home from 5 to 9 p.m. tomorrow and from 11 a.m. to 2 p.m. Thursday at the church.

The family has requested memorals be made to the Purdue Alumni Scholarship Fund.

While recovering from the stroke that first hospitalized him Nov. 8, Mackey developed a circulation and clotting problem. He underwent minor surgery to arrest the circulatory problem in early December. On Dec. 6, he was moved to the Mayo Clinic in Rochester, Minn., where amputation of his right leg at mid-thigh appeared to solve the circulatory problem.

While making satisfactory progress from the surgery, Mackey suffered a second, more serious, stroke Dec. 20. Moved back to Lafayette Jan. 5, by mid-January, his condition had improved to fair from serious.

In 45 years with the university, Mackey, a native (Dec. 14, 1905) of Glasgow, Ky. and graduate of New Albany, Ind., High School, participated as an end on the varsity football team (1926–29), became assistant freshman coach in '29, and three years later varsity assistant. Before becoming director, he served as administrative assistant to Mal Edward in 1941.

Five football coaches served under the Mackey directorship—Elmer Burnham (1942–43), Cecil Isbell (1944–46), Stu Holcomb (1947–55), Jack Mollenkopf (1956–69) and Bob DeMoss (1970).

Ward "Piggy" Lambert (1919–1946) was Purdue's basketball coach when Mackey was appointed athletic director. But the next three Red hired—Mel Taube (1946–50), Ray Eddy (1950–65) and George King (1965).

The 1971 Indiana Legislature paid tribute to Mackey by adopting a resolution commending the veteran sportsman for his contribution to intercollegiate athletics and Purdue.

Mackey was married to the former Goldie P. Nees of Rensselaer.

[From United Press International, Feb. 23, 1971]

PURDUE'S "RED" MACKEY DIES MONDAY EVENING

LAFAYETTE, IND.—Guy "Red" Mackey, the man who made the Purdue athletic department one of the flowers of intercollegiate athletics, died at Home Hospital here Monday night. He was 65.

Mackey, the dean of the Big Ten athletic directors and a student, coach and athletic department administrator at Purdue for 45 years, had been hospitalized for three months after suffering a stroke early last November. Recovery from the stroke was complicated by a circulatory problem which caused some clotting.

He underwent one minor operation early in December to relieve the circulation difficulty, but he was later transferred to the Mayo Clinic at Rochester, Minn., where surgeons amputated his right leg at mid-thigh to eliminate the problems.

SECOND STROKE

However, while recuperating from the major operation, Mackey suffered a second, more severe stroke, from which he never fully recovered. Purdue officials said doctors reported death was connected with the circulatory problems.

Mackey was born at Glasgow, Ky., Dec. 14, 1905, but called New Albany, where he graduated from high school in 1925, home.

Mackey began his career at Purdue as a student in the university's agriculture school, but he spent most of his time on the football field.

He won outstanding plaudits for his brilliant play as a defensive end on Boilermaker teams from 1926 to 1928.

From the days as a player, Mackey could be described as growing up with the modern Purdue athletic system. He became an assistant freshman football coach on the Purdue staff following his graduation in 1929. Three years later he was promoted to the varsity staff as an assistant.

Mackey was made an administrative assistant to athletic director Mal Elward in 1941 and stepped up to the top spot in the Boilermaker athletic setup a year later when Elward entered the Naval service.

STIMULATED GROWTH

The smiling, affable and hard-working redhead stimulated athletic department business and plant improvements to the point that Purdue is one of the top-rated, most soundly run intercollegiate athletic programs in the country.

Under his direction, Purdue erected a $6 million basketball arena. The domed 14,123-seat structure was completed in 1967. Five times during Mackey's reign as director, the Purdue Ross-Ade Stadium was enlarged without state appropriations.

He administered the setup which included a fieldhouse, two 18-hole golf courses, a separate outdoor track, a unique co-education recreational gymnasium and outdoor pools, tennis courts, a baseball field and practice areas for both indoor and outdoor sports.

Throughout his years as boss of Purdue's athletic system, Mackey aided his coaches as an assistant or scout.

Mackey was married to the former Goldie P. Ness of Rensselaer.

The 1971 Indiana Legislature paid tribute to Mackey by adopting a resolution commending the veteran sportsman for his contribution to intercollegiate athletics and Purdue.

Services will be Thursday at 2 p.m. at the Central Presbyterian Church in Lafayette. Interment will be in Grand View Cemetery. The family has suggested contributions be sent to the Purdue alumni scholarship fund in lieu of flowers.

[From the Indianapolis Star, Feb. 24, 1971]

GUY "RED" MACKEY

Victory after a hard struggle makes the blood course like few other things and victory in that ritualized combat called sports is born in the strong hearts and minds of men like Guy (Red) Mackey.

There's something of the general and admiral in the way great athletic chiefs live and think, choose their lieutenants and their men, their coaches and their players, the loyalties they command with quiet power of presence, the shrewdness of their strategies and the grand excitement of their triumphs.

That something was a driving force in Red Mackey when he entered Purdue University in 1925 as a freshman. It was working when he turned in a fine performance as an end on the undefeated 1929 Boilermakers team that won the Big Ten championship.

Red Mackey's abiding kinship with Purdue would last his lifetime. He stayed as assistant football coach until he became athletic director in 1942. Under his mastery, the Purdue athletic plant became one of the nation's finest and the mighty Boilermaker teams made history. It is further testimony to his talents that his programs, season after season, showed a profit.

The illness that would cut his span of years to 65 came on all too suddenly, like a storm that would keep a winning game from running its full course. But the end, in spite of that, makes his victories and his manly life glow all the brighter.

As Purdue President Frederick L. Hovde, his long-time, close friend said: "He has brought nothing but honor to this institution and is truly one of the great men of his profession."

The honor of Red Mackey of Purdue shines on the state and nation and the whole world of sports.

[From the Indianapolis News, Feb. 24, 1971]

RED MACKEY

In the intensely competitive world of intercollegiate athletics, a university's athletic director is one of the most important officials on the staff. It is he who is mainly responsible for the success or failure of the institution's athletic program.

Purdue has been fortunate for nearly a score of years in having Guy Joseph (Red) Mackey as the man in charge of its far-flung sports program. Under his direction, an athletic plant at Purdue was created which ranks among the best. He enlarged Ross-Ade Stadium until it is the largest football arena in the state, and it has seen attendance grow until Purdue is next to Ohio State and Michigan among the nation's colleges in home football crowds.

Red Mackey's entire adult life was devoted to Purdue athletics, beginning with the time he played end on the Big 10 champion football team in 1929. Athletic director since 1942, he was an articulate spokesman for the value of athletics in college. He often pointed out that football receipts make it possible to operate a varied sports program which benefits all students. The Purdue program has been recognized as one of the soundest financially in the nation.

Red Mackey was an administrator of vision whose ability won him recognition and respect throughout the collegiate world of athletics. His host of friends had hoped he was recovering from circulatory troubles that led to the amputation of a leg this winter. But death came Monday in a hospital at Lafayette. The great new basketball arena and enlarged Ross-Ade Stadium are among the physical reminders of how well Red Mackey served the university he loved.

[From the Indianapolis Star, Feb. 24, 1971]

SPORTS OVER LIGHTLY

(By Bob Collins, sports editor)

I would rather remember the happy times. And there were many.

There was Red the "teaching pro," who couldn't keep his mouth off of anybody's golf swing, completely taking apart my game and reassembling it in nine holes.

Then, peacock proud of himself, he asked. "There, don't you notice a difference?" To which I replied, "It would be hard as hell not to, since I was hitting the ball in the air before I started listening to you."

And there was the day he dedicated himself to curing my hook and was so spectacularly successful I finally sliced a tee shot across two fairways.

Then there was the time, like two big, friendly grizzly bears, feeling our oats (or was it corn?) we engaged in a wrestling match for the "overweight" championship of Vinton Woods. It concluded with me on top and Red declaring himself the winner—a real hometown decision.

And there was Red the world's worst teller of jokes. He always had one and I used to drive him up a tree by sitting poker-faced after he delivered the punch line and saying, "Go on, Red, what's the rest of it?"

And let us not forget the annual "Mackey Open" for members of the media. It featured some of the worst golf and best corn and prime rib in Indiana.

Red Mackey was a man of strong opinions. And he could be cantankerous. But he was straightforward and nobody ever doubted exactly where he stood on any issue. Also, I don't think I ever met a man who tried so hard to be fair.

He was a man of fierce unyielding loyalty. Members of his staff knew that, whenever his personal feelings, he would stand behind them if they were under attack. And they repaid him in kind. In 22 years of covering Purdue, I never heard a staff member, even in anger, saying anything derogatory about Red.

Red loved Goldie and he loved sports. But Purdue was his mistress. It was a love affair that never wavered. There couldn't have been a happier man on this earth. He was exactly where he wanted to be, doing exactly what he wanted to do for most of his life.

Once, some years ago, I was sitting in his office complaining about the people who lie to newspapermen. After the tirade I said, "Red, I don't think you'd ever lie to me."

Without hesitating, he answered, "I would if I had to do it to protect Purdue."

Red was not wealthy and he and Goldie were childless. But he left a legacy. While his achievements were many, the legacy is not in the brick and steel of the athletic plant or in the record book.

It is right here, walking this earth. It is his hundreds of friends who will remember him and think well of him as long as they are here.

If life is but a journey, then there is no doubt that Red had a beautiful trip.

[From the Lafayette (Ind.) Journal & Courier, Feb. 25, 1971]

"RED" WAS A WINNER

In the world of intercollegiate athletics, the Big Ten is considered a powerhouse. On a given Saturday, it is said, any university in that conference can lose to any other member.

Now, this week, all of them lost. All the Big Ten and all the countless others who inhabit the complex world of athletics.

When Guy J. "Red" Mackey died Monday at the age of 65 he left more than the normal dejection that fans feel when a star is removed permanently from the game.

For Red Mackey was, in his own sphere and times, a unique man with an unusual combination of talents. He had the personality and the stamina of a successful politician, with an astonishing capacity to accumulate and retain friendships. The formula was simple; a friend was a person who understood his devotion to Purdue University.

But behind the vigor and the charm was a skilled administrator who was able to make Purdue's athletic program impressively successful, both in the quality of its people and the physical plants they used.

Red Mackey's critics called him a "square," and he would instantly accept the identity. Progressive and even visionary in his own field, he wore old American values like chips on his shoulders, and few tried to knock them off.

In a field that produces coaches with charisma who can dominate athletic departments, Red Mackey was the unchallenged director. The coaches and the stars had the spotlight and responsibilities were generously delegated, but Red had the power. By following rigidly the rule book on leadership, he won respect and affection, the elusive ingredients that make leaders successful, and he ran his organization as a model of stability and efficiency.

During his 45 years of service to Purdue, Red Mackey brought national prestige to the University's athletic department and he became, of course, a national figure with enormous prestige in his profession.

But Red was a total Hoosier. It is here, near Purdue, that he will be buried. Here his widow, his mother and his brothers will find an abundant sharing of their grief. For to Purdue and this community Red Mackey brought an exciting lifetime adventure in fair play and competition, and there will be enduring memories of an uncommon man whose own stature was appropriate to the greatness of the University he served.

[From the Lafayette (Ind.) Journal & Courier, Feb. 26, 1971]

SPORTS FIGURES AT RITES: PASTOR CALLS MACKEY CHAMPION'S CHAMPION

"Let us thank God for the life and accomplishments of Guy "Red Mackey," the Rev. Dr. J. Dayton McCormick said Thursday afternoon, eulogizing Purdue's athletic director who died Monday night.

Dr. McCormick spoke from the pulpit of Central Presbyterian Church during funeral services for Mackey, 65, Purdue's athletic director since 1942. The church was filled with Mackey's friends from this city and sports figures from over the country.

"Let us now praise great men," he said, quoting from the Apocrypha, "leaders of people, wise and eloquent in their instructions . . . their bodies will be buried in peace, but their names will live evermore."

Quoting from Browning, he said: "He never turned his back on any man . . . we fall to rise, sleep to work, fight on forever, there as here.

"Red Mackey was not only a champion, he was a champion's champion. His heart included a large amount of compassion, honesty, loyalty, and integrity. He accomplished in less than a biblical three score and ten years what we all strive for."

Mackey was laid to rest in Grand View Cemetery, not far from his West Lafayette home and the University to which he dedicated his life. A long cortege of automobiles, perhaps the largest in the city's history, wound its way across the Wabash River to the cemetery.

Among the many friends, associates and Big Ten dignitaries attending the rites were several former Purdue athletes. The list includes Mike Phipps, Randy Minniear, Leonard and John Jardine, Ed Cody, Abe Gibron, Alex Agase, Babe Dimancheff and Stormy Pfohl from outside the city.

Mackey's former teammates and compatriots included Paul Pardonner, John Oehler, Roy Horstman, Doxie Moore, George Bell and Harvey Olson.

From the Big Ten office were "Tug" Wilson, former commissioner, John Dewey and Herman Rohrig.

Athletic directors present included Biggie Munn, Michigan State; Don Canham, Michigan; Bump Elliott, Iowa; Bill Orwig, Indiana; Moose Krause, Notre Dame; Bill Rohr, Ohio University; Ed Weaver, Ohio State University, and Tippy Dye, Northwestern. Milt Bruhn and Bud Foster represented the University of Wisconsin, and Ray Eliot, former football coach at Illinois, represented that university.

Others present included Wilfred Smith, former sports editor of the Chicago Tribune; Pete Elliott, former football coach at Illinois, and Mrs. Ray Schalk, Chicago, widow of the late "Cracker" Schalk, long-time friend of the Mackey's.

ON SALUTING FARM CARTS

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. VAN DEERLIN. Mr. Speaker, I suspect that most of our 28 million veterans will react as I with mixed emotions to the news that the hand salute is not quite what it once was in the military services.

In the old days, of course, the general assumption was, "if it moves, salute it." This created some pretty absurd situations, such as those described in an article which I will insert at the end of these remarks. Rendering honors to a cart load of geese with the snappy precision expected at a full dress review at West Point was clearly ridiculous—yet that actually happened, according to the veterans publication, Stars and Stripes-National Tribune.

Things are a great deal different in the "new" Army, with its more relaxed standards. Local commanders are under orders to modify saluting policies in "high-density" areas when too much saluting is "repetitious or otherwise unfeasible."

Those of us who served in World War II, Korea, or World War I may grumble at bit at this erosion of tradition, while at the same time acknowledging that perhaps some new rationality has crept into the daily humdrum of military life.

In any event, the article on hand salutes published in the February 18 edition of Stars and Stripes-National makes good reading, and I am pleased to include it at this point in the RECORD:

ORDER ENDS SALUTES TO FARM CART

After the 1918 Armistice both enlisted personnel and officers had a tendency to let down a bit on discipline. Saluting was one of the fields where they definitely slid.

Writer of these paragraphs recalls that some one of the General Pershing's upper staff passed through the little village of Gudmont where his regiment was quartered after the war ended. A main highway to Chaumont, General Pershing's headquarters, ran through the narrow street of the village. Soldiers got out of the way of his passing car and flying mud. Few of them gave thought of saluting.

A day later the regiment's colonel got a rough message from Chaumont. At retreat that evening, battery commanders issued stern warnings on saluting cars carrying officers.

"Even if you only think the car may have an officer in it," directed Major Louis Howard of the Second Battalion, 65th Artillery, "salute it. As for saluting me, I'll give you back a better one.

"The day of the Armistice the war was over as far as I was concerned, but some of the generals don't think it is. If you want to get out of this forsaken country and back home, do what the generals want. And don't forget to salute them on foot, car or horseback."

The men obeyed the major's word to the letter and better. If a peasant's cart came down the street with a load of geese, the battery men would snap to attention and render a salute adequate for West Point. The farmers and villagers did not know what it was all about, but they waved and saluted back."

Remembering these days of 1918, an article in Army News Features on new saluting orders caught the editor's eye. It is printed herewith:

"Salutes are no longer required to be rendered by or to personnel in vehicles, according to the latest world from the Department of the Army. An exception has been made for gate guards who will continue to salute recognized officers in official vehicles only.

"In another change to the rules, salutes are no longer required to be rendered or returned if either the senior or subordinate or both are in civilian attire.

"Word has been issued to local commanders to "carefully review saluting policies for their installations. Where considered desirable in their judgment, they will develop and publish modified saluting policies for congested, student or high-density living areas where saluting would be highly repetitious or otherwise infeasible."

"It has also been announced that personnel will not be required to wear military headgear on or off a military installation while in a private or commercial vehicle.

STRIPMINING

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. SEIBERLING. Mr. Speaker, stripmining for coal is rapidly destroying—beyond recall—much of this Nation's precious land and water. It is also creating unbelievable hardships for thousands of people who are driven out of their homes or who live in the wake of the strippers.

Many will remember John Steinbeck's famous novel, The Grapes of Wrath, describing the plight of the thousands of good Americans who were driven off their farms in the Dust Bowl back in the 1930's. The plight of the residents of the stripmining areas is strikingly similar. This time, however, not nature, but giant machines controlled by huge, faceless corporations are driving good Americans off the lands of their ancestors and turning them into deserts. This tragedy is even more poignant because it is entirely man made.

Stripmining is a national problem, and it deserves a national solution. It is estimated that there are 71,000 square miles containing 128 billion tons of coal in the United States. These lands are being ravaged at an alarming rate. Last year in Ohio alone, 10,000 acres were devoured. Some 280,000 acres have been previously despoiled in Ohio and 4 million acres nationwide.

I am pleased to have joined with Congressman KEN HECHLER in sponsoring a bill to ban coal stripmining. I am hopeful that hearings on that bill and others providing for the regulation of stripmining will be held in this session.

Stripmining is of particular concern in Ohio where thousands of acres have already been chewed up by the giant gouging machines. And the strippers are working faster than ever now as the threat of State and Federal regulation approaches.

Last weekend I spent a day inspecting some of the more heavily stripmined areas of Ohio. Less than 10 years ago, most of these areas were productive farms and some of the most beautiful scenery in the State. Today, thousands of acres are devoid of vegetation and wildlife. Lakes, streams, and underground water-courses are poisoned. Climb any hilltop and you will see, in every direction, once verdant hills now gashed and eroded and resembling the "bad lands" of some of the arid western regions of the United States.

Whole towns have disappeared from the face of the earth. Many public roads have been closed. The population is falling off drastically. The assessed value of buildings per acre has dropped even more drastically.

The tragedy is so immense in scope that it is almost impossible for the mind to take it in. It is even more difficult to comprehend the kind of mentality that perpetrates and justifies this wanton destruction of the land that is, or was, America. The only hope is that, once the people understand what coal stripmining is doing to their country, they will demand that it be permanently prohibited.

Mr. Speaker, James Herzog of the Akron Beacon Journal has written an excellent series on stripmining in Ohio which I think will be of interest to all Members of Congress. We can and we must learn from the tragic experiences of Ohio and other Appalachian area States if we are to prevent similar destruction in many other parts of the the country.

The articles are reprinted below:

BEAUTIFUL OHIO SPOILED

(Every year Ohio strip miners cut coal out of 10,000 acres in 27 eastern Ohio counties. Digging from the surface with equipment that can remove 200 tons of rock and clay with a single swipe, the miners feed the state's ever-growing industrial needs. Once the miners are through with a mine, they meet Ohio's tax reclamation law and move on, leaving behind useless land. This is one of a series of reports on Ohio strip mining).

(By James Herzog)

Working like a horde of locusts—from Portage County to the southern borders of Ohio—strip miners annually gouge 30.5 million tons of coal from the ground with gigantic shovels and huge draglines.

In their wake the dairy land of Tuscarawas County, the farm land of Harrison County and the rolling hills of Belmont County become scarred and useless.

For 55 years destruction and waste have been the story of the strip mining industry.

A month-long Beacon Journal study of the situation in Ohio shows:

An ineffective law fostered by the coal industry has allowed the widespread destruction of land.

Jagged cliffs—Sometimes 150 feet high—are created. The law has no provision for leveling these when the stripping is finished.

Stripped land—generally worthless—is often praised for tax purposes at $25 an acre. This puts a tax burden on others whose land must support local needs.

A front group for half the strip miners—the Ohio Reclamation Association—has tried to protect the mining industry through lobbying and public relations work. It has a $90,000-a-year budget but reported no lobbying expenses for 1965, the year it worked long and hard to beat back a strong strip mining measure.

Ohio officials, charged with the responsibility to enforce Ohio's strip mining law, maintain a close working relationship with the Ohio Reclamation Association.

Ohio Department of Natural Resources officials, who once proposed selling mineral rights under park lands to coal companies, say they are satisfied with the Ohio law.

This law also allows miners to delay for several years the reclamation work that is actually demanded under it. Sometimes they can avoid any reclamation.

Its complicated provisions allow miners to continue operations in a new corporate front even if they fail to comply with the existing law. Such title changes usually occur after a miner forfeits a bond placed on land as a promise that reclamation will be done. The bond does not always pay the cost of reclamation.

INDUSTRY FOUGHT OFF CONSERVATIONISTS

Strip miners are allowed to knock the tops off piles of waste materials, leaving areas that will not support vegetation and which contain acid-producing material.

Provisions of the law are so loose that a strip miner can increase the number of acres he is mining up to 10 pct. without additional bonding or licensing fees.

Strip miners came to Ohio about 1914. From 1914 to 1947 they stripped about 45,000 acres. Across the state there are naked reminders of those days—jagged cliffs, ditches behind a cover of trees, eroded hillsides.

As conservationist pressure began to rise, the miners employed a Cleveland advertising agency to protect their interests.

An ad man with the firm, Larry Cook, set up the Ohio Reclamation Association in 1945 and became executive director of what became a well-financed Columbus lobby.

In 1948 Ohio's first strip mining-law was passed. Like those that were to follow, it was weak and ineffective.

The miners were strong, and so were the industries that depended on cheap coal. When Frank J. Lausche was governor, he pushed the first stripping law through the legislature. He said he met "almost insurmountable opposition" to a strong law.

In the legislature men like Sen. Oakley Collins, himself an Ironton coal producer, maintained that ever-increasing pollution and cliff-like highwalls didn't exist. He said that before the 1948 law: "There were a few eyesores but not many. The bad strips were made by fly-by-night operators, and there aren't too many of them left."

Nearly 10 years ago Collins said: "I've been all over the state looking at stripping operations and they're doing a good job."

In 1963 a strong strip-mining bill was pushed through the Pennsylvania legislature. It inspired conservationists in Ohio to fight for a tough measure. In 1965 such a proposal was put in the hopper by Sens. Ed Garrigan of Akron, Oliver Okasek of Northfield, Robin Turner of Marion and the late Edmund Sargus of St. Clairsville.

When the bill came before the Senate's Agriculture and Conservation Committee, a subcommittee—Sargus, Collins and Max Dennis of Wilmington—was assigned to study it.

"It was apparent that Sargus and Collins had significantly different viewpoints," said Dennis who chaired the agriculture committee that year.

Dennis, whose position was key, said: "My role was one of attempting to mediate opposite viewpoints."

Statehouse observers recall that the struggle over the bill was one of the toughest the legislature has seen. When the bill came before the full committee, 72 amendments were offered—many written by the Ohio Reclamation Association, according to Dennis.

Dennis said the committee and the Senate "finally decided mining interests simply couldn't stay in business" if a tough bill were passed.

Sargus, a lawyer from the heart of strip-mining country, was caught in the midst of a dogfight. One statehouse observer recalls that a coal industry representative told Sargus: "If you continue to pursue this bill, we will destroy you politically and professionally."

Garrigan, a member of the committee, recalled: "I was personally upset by the devastation in the State of Ohio. I thought it an example of blatant inhumanity to rape a natural area and leave it in this condition."

He added: "You are virtually building monsters in the sky with high walls. For the benefit of future generations I was a cosponsor of the bill.

"When we went through hearings on the measure, it was accepted with 72 amendments. It lost any idenity to what it was.

"The coal mine industry won the battle to reduce the effect good legislation would have had."

Garrigan withdrew his name from the "emasculated" substitute measure that came out of committee.

Supported by petitions that carried 250,000 signatures, conservationists had hoped for success with the 1965 measure.

But, according to Garrigan: "It was a case of 'little people' fighting a big economic block. In mine country I am sure every legislature is supported by people associated in some aspect of the mine industry."

"Do you bite the hand that feeds you?"

Cook, the pale and balding executive director of the reclamation association, speaks for strip miners—the only ones permitted to join the association.

He contended the 1965 bill "wasn't a strong bill—it was a ridiculous bill."

The amended version that has made life fairly simple for the miners is a "doggone good law, working out beautifully," he said.

STRONG PROPOSALS, WEAK LAWS

In 1965 the first bill in the Senate hopper was a strong strip mining measure. Its intent, however, was lost in a flood of amendments, a substitute measure and a conference committee compromise. Here are some of the principal differences between the proposals and the law that emerged:

What must the strip miner do with the highwall (the cliff left by the last cut into the ground?)

Proposal—Put fill back against the highwall "to restore the approximate contour which existed prior to the operation." Or create terracing with a minimum grade of 45 degrees.

Law—No provision for eliminating highwall.

What must be done with water?

Proposal—"Leave no place where acid water may accumulate and permit no drainage of acid water or silt-laden water from the area of land affected."

Law—"Prevent, if possible, drainage of acid water or silt-laden water from the area of land which is affected which is harmful to any stream of adjoining land."

What must be done with piles of waste material called spoils?

Proposal—Grade them "to a useful contour" as ordered by the chief of reclamation. No coal or large stones shall be in the top 12 inches. Those 12 inches must be original top soil or the equivalent "capable of supporting vegetation."

Law—Reduce the peaks and depressions to a "gently rolling, slopping, or terraced topography." Clear the surface of rocks "wherever practicable." Isolated peaks should be leveled. No provision in the law for returning top soil.

Proposal—Geological data on the area. A "description of the technique to be used in the operation and reclamation . . ."

When should an application be denied?

Proposal—The chief of reclamation may not approve a project "until he has found on the basis of information set forth in the application" that the law will be followed.

Law—The chief of reclamation may not approve a project "if he finds on the basis of the information set forth in the application" that the law will not be followed.

(Under the proposal the chief could not allow mining until he was certain the law would be followed. Under the law the chief cannot stop mining until he is sure—on the basis of an application—that the law will not be followed.)

How much bond must be put up as a guarantee that the law will be followed?

Proposal—A minimum of $2,000 per acre and a per acre fee of $500.

Law—A minimum of $2,000 and a per acre free of $500.

By how much may a stripper increase the area he is mining without paying an additional fee?

Proposal—He must pay additional bonding and licensing fees for each acre added.

Law—Up to 10 pct. without paying anything.

If a strip mining company has violated the law and seeks a new license by creating a new corporation, what must the reclamation chief do?

Proposal—Refuse the license.

Law—No provision.

If the cost of reclaiming land will exceed the bond required under law, what must the chief of reclamation do?

Proposal—He may ask for additional bond money.

Law—No provision.

What part of the bond should be withheld after grading is completed and before planing is finished?

Proposal—$200 per acre.

Law—$75 per acre.

Abandoned Strip Mines: Handy Junk Piles

(By James Herzog)

Just beyond the small well-kept lawns of Mt. Eaton in Southwestern Wayne County is an abandoned strip mine that skirts Ohio 241.

Though long deserted and without growth on its jagged cliff, the old strip mine is useful—it is an informal junk yard for residents who want either to dump or to search for something.

Tacked to a tree is the sign, "No Picken." But everyone picks.

In 1967, the U.S. Department of the Interior issued a special report on "Surface Mining and Our Environment." The special report said that one-third of the surface mines surveyed "were being used illegally by the public to discard garbage, rubble, junked vehicles and construction materials." Strip mining is a principal form of surface mining.

The report prepared under Stewart L. Udall, then secretary of the interior, recommended federal regulations to stop the abuse of the land that is being caused by all types of surface mining.

Udall charged the accepted practice in America is "to mine as cheaply as possible the deposits that are most accessible and provide the greatest profit to the producer.

"This preoccupation with the short-term gain too frequently has ignored the long-term social costs involved—the silted streams, the acid-laden waters, and the wasteland left by surface mining."

He said, "Valuable mineral resources have already been lost and several million acres of productive land and water have been left derelict."

Despite land titles and ownership papers, Udall said, "Each generation has only a temporary rendezvous with the land . . . By exercise of choice or by careless default, we shape the land legacy of our descendants."

An estimated four million acres of land—a mass the size of Delaware and Rhode Island together—have been disturbed by surface mining in the United States. Of that 41 pct. of the mining has been for coal. The rest is divided among sand, gravel, stone, gold, clay, phosphate and iron.

In the State of Ohio 267,000 acres have been strip mined in the last 55 years.

The Udall report cited the harmful effects of strip mining:

Stream and river pollution caused by erosion and acid mine water.

Isolation of land areas by the creation of steep walls that are the result of cutting to reach sought-after minerals.

Destruction of natural beauty through the building of huge piles of waste material, through the amendment of equipment at deserted mine sites and through the creation of informal rubbish dumps.

The total effect of surface mining, according to the report, "is a drastic reshaping of the surface, with huge ditches and massive landslides that block streams and highways."

There is an Amish family in the hills of Tuscarawas County that wouldn't use the same language as in the Udall report. But the mother, father, son and daughter know and live with the consequences of strip mining.

A few hundred feet away from the family's house, across the road, the land is naked, stripped clean in the search for coal.

The land is rounded to contour, more so than the law requires, but hard rocky waste prevents any growth.

The strippers need more land to mine. They want the Amish family's 187-acre farm. The family is scared. They aren't sure what the strippers can and can't do, but they aren't selling out.

The family stood in front of the house. The mother served as spokesman. Speaking accented English, she said, "Twelve different times the coal company tried to get the land. They won't take no for an answer."

The father stroked his beard and nodded his agreement. Mother continued, "They keep their equipment across the road. They said our farm has to be next. But we won't sell."

"A lot of our friends sold or leased their land. It was terrible. They're sorry now. We don't even have enough people for a church anymore," she said.

A farm family understands the land is a legacy. The father is ill, and the children are too young to take over the farm. Perhaps it would be best to sell for a quick profit and go South, especially since the land isn't very productive. But the family doesn't want to sell to strip miners.

"This place would never be the same. We won't let them do it," the mother said.

"They offered us $400 an acre if we would sell or 35 cents a ton if we would lease the land," the woman said as the wind rippled through her traditional ankle length dress.

"But the first thing that happens is they spoil the water.

"If you lease, you can't raise anything more for 50 years. If you sell, they tear down the buildings to lower taxes. It's the ruination of life—the ruination of churches," the woman said.

"When they dynamited across the road, our house shook every time. I had to take everything off the shelves or it would have broken," she said.

The Amish woman looked around at her aging white house and her red barn. "I wish they'd leave us alone," she said. "I'm afraid of them."

Abandoned Mine Polluted Water Supply

(By James Herzog)

Donald Heffelfinger knows there is something wrong with Ohio's strip mining law.

He began learning the intricacies of the law in 1963 when fish in the 11-billion gallon Meander Reservoir began dying off.

Heffelfinger, chief engineer of the Mahoning Valley Sanitary Sewer District that supplies 280,000 Youngstown area residents with water, found that a strip mine abandoned in 1961 was releasing acid water into the vast reservoir.

While the 79-acre mine was being stripped throughout the 1950s, it provided a poor grade of coal and a high grade of sulfuric acid, a pollutant that can kill plant and animal life.

Closed, it became a constant source of worry and cost to the people of Youngstown.

STRIP MINING EXHAUSTS THE LAND

"The 'hard' water has regularly cost us $15,000 to $20,000 a year to treat," Heffelfinger said.

On June 30 a dam that held back most of the acid water in the strip mine ditch burst, sending 20 million gallons of highly acid water into Youngstown's water supply.

The reservoir is big enough to absorb the acid, and there is no immediate danger. But Youngstown will have to continue to pay an annual price of $15,000 to $20,000 to clean the water.

Heffelfinger doesn't know what he can do. "We are contemplating legal action. We are trying to get somebody to take the leadership in trying to solve this problem."

He said, "The strip miner complied with all the laws when he closed the mine and has no further legal responsibility. The laws were and are inadequate, or this would not have happened."

The pollution of the reservoir has not ended, Heffelfinger said. Water still collects at the mine site and is polluted as it comes into contact with sulfuric acid. "Nobody wants to do anything. No division of the state wants to take any responsibility," he said.

* * * * *

The Ohio strip mining law requires miners to "construct earth dams in the final cut of an operation . . . to aid in creating lakes and ponds." That was done in Youngstown.

The law also advises the miner to "prevent, if possible, drainage of acid water . . . which is harmful to any stream or adjoining lands." It apparently was impossible to prevent such drainage.

"The experts don't even agree as to what the solution to the acid drainage problem should be. Meanwhile, it is costing us a lot of money," Heffelfinger said.

From time to time there are problems like that in Youngstown, problems that generate newspaper publicity and embarrass Larry Cook's Ohio Reclamation Association, the strip miners' lobby.

But in general strip mining is a back-road disease, hidden from public view in 27 counties, many of which are lightly populated.

In the hills of northern Tuscarawas County, Alice J. Grossniklaus depends on dairy cattle to support her thriving cheese company. For years as secretary to the Community Council for Reclamation the widow has fought for better reclamation.

She is strident and loud. "Go off the beaten path," she tells everyone. "See what is behind the roadside tree cover."

Mrs. Grossniklaus shook her head dramatically. "It seems hard to believe we're having our whole countryside destroyed beyond recognition," she said.

Mrs. Grossinklaus, who run Alpha Alpine Cheese, went to Columbus in 1965 to testify for stronger stripping laws. She did the same in Washington in 1968.

Mrs. Grossniklaus' business will die if the miners take too many farms. Already, a few hundred feet behind her company, strip miners have taken coal from the land.

"We're trying to get our land back to the point that it's approachable and usable," she said. With a sweep of the hand the Swiss-born woman added. "These were all dairy farms—rich land. What are they good for now?"

She takes visitors on a tour of abandoned strip mine after abandoned strip mine. At each one the land is nearly worthless. At each one reclamation has been left for future generations.

"Don't forget," she warned. "Strip mining exhausts the land completely and there are no adequate reclamation laws in the State of Ohio for the protection of citizens shouldering the burden."

In the spring, using Community Council for Reclamation stationery, Mrs. Grossniklaus write a letter to area school principals advising, "Many of the inviting swimming holes contain polluted water, especially in strip mine territory."

She suggested a "field day for interested students" who could take samples of polluted water and take part in an essay contest, with the council giving cash prizes for 200-word papers on "Be an Earth Preserver."

"I didn't hear from any one," she said. "Not one letter."

[From the Akron Beacon Journal, Nov. 18, 1970]

STRIP MINE PEOPLE ADMIT THEY'RE UPSETTING THE EARTH

(By James Herzog)

(Every year Ohio strip miners cut coal out of 10,000 acres in 27 eastern Ohio counties. Digging from the surface with equipment that can remove 200 tons of rock and clay with a single swipe, the miners feed the state's ever-growing industrial needs. Once the miners are through with a mine, they meet Ohio's lax reclamation law and move on, leaving behind useless land. This is one of a series of reports on Ohio strip mining.)

When an airport was needed in Harrison County, the Hanna Mining Co. cleaned up strip land and sold it to the county for $1.

That is one of many stories Hanna Mining Co. officials tell of their generosity. They tell how the Little League uses two ball fields they provide, about how they built a park on the edge of Cadiz and about how they are providing an old strip mine as a free dump for the people.

At the same time, Hanna Mining, a division of the Consolidation Coal Co., is the largest strip mining company in the state, stripping about 2,200 acres annually. Hanna, the Ohio Power Co. and Peabody Coal Co. mine about 5,000 Ohio acres annually. That is half of the state's total.

"There is no question that we're upsetting the earth," Arthur Wallace, the company's reclamation director, said. "But this was never good agricultural country."

Wallace, who joined Hanna as an electrician in the early 1940's, said he learned his lesson early in life. "My dad went broke on this land, raising corn at 60 bushels per acre," he said. So Wallace, like 2,000 others in the area, turned to Hanna for work and lives in a modern home in Cadiz.

Hanna strips on a mammoth scale: A huge shovel called the Silver Spade uncovers coal by tearing up to 200 tons of clay and rock away from the earth in a single pass. The machine requires 65 motors and has 10,000 total horsepower. As high as a 12-story building, the unit removes up to 180,000 tons of unwanted waste material that lies over coal each day.

In Harrison County Hanna gouges mile after mile, leaving behind bleak and brown mined land. According to Wallace, the land can eventually be turned to recreational use, to cattle pasture or to pulpwood forest.

But Hanna doesn't do any of his reclamation work quickly. Taking advantage of a loophole written into the law, Hanna reclaims by "substitution."

Instead of cleaning up land it has just finished stripping, it reclaims another parcel equal in all respects to the stripped land.

Once the state grants permission for Hanna to reclaim a parcel that may have been mined 50 years ago in place of the land being mined at the present, Hanna has no legal responsibility to do anything with its current mining site.

As a result Hanna is able to strip without the immediate worry of what to do with the land.

The company usually goes no further than the law requires, said Wallace. This means jagged high walls can be left standing, and acid water is often allowed to form.

Hanna has no special policy on treating polluted water. Instead of having two-step treatment pools like those in Pennsylvania, Hanna lets the water sift through piles of waste material. This, according to Wallace, is enough to take the sulfuric acid out of the water.

But if the waste piles themselves contain acid materials, polluted water escapes from the mining site.

Wallace defended keeping the bleak high walls that rise dramatically around Harrison County. "There are several uses for them," he said. He suggested using the pits beside walls for landfills or using the wall for protecting cattle from wind.

Along a Harrison County highway there is a sign. "Junked Cars," and an arrow pointed to an abandoned Hanna mining site. A steep high wall rises at the site out of polluted water.

Filled with worn-out cars, appliance and metal goods, the Hanna dump seems popular. The dump was meant to be a service to the townspeople, Wallace said. He said a toughened state landfill law makes it difficult to get rid of waste. The dump has no license. No filling procedures are followed.

Coal companies like Hanna seem secure. During the past year the price of coal rose from 60 and 75 cents a ton and sells for an average of $5 a ton. Companies take from 2,500 to 5,000 tons from each acre they mine, sometimes making $1 profit on each ton.

Nevertheless, coal companies have often said they are in a precarious business, and if more reclamation is required, they will be forced to quit. Ralph Hatch, president of Hanna Coal, warned the Ohio Senate in 1965 that a strong strip mining law would have "a disastrous effect on my company."

He said, "I can't operate my mines in Ohio if the bill is enacted." That would mean no work for the company's nearly 2,000 employes, he said.

The same argument was used for years in Pennsylvania. But passage of a strong strip mining measure in 1963 brought no crisis to the mining industry in that state. Indeed, in 1969 more coal was stripped from the land than in 1968, and more miners were licensed than the year before.

When Congress considered a federal surface mining law in 1968, the coal mining industry stalled action with the same arguments.

A Peabody Coal Co. vice president, Edwin R. Phelps, contended that a federal law "will lower our competitive position in the work market . . . and result in mining limitations in some areas and hence cause us to lose some of our valuable minerals."

Phelps said most stripped land is being reclaimed and added, "The results of this work are lost in emotional-type publicity and literature which do not tell the whole story."

STATE, MINE LOBBY WORK CLOSELY

(By James Herzog)

At age 62 G. Orville Bates, Ohio's supervisor of reclamation, is thinking about his Florida home and retirement.

He will stay on for a year or two, but he looks forward to the day when he won't have to crisscross Ohio week after week, inspecting strip mines.

Bates is charged with the primary responsibility for enforcing a strip mining law that the coal industry itself fostered. Under him are seven inspectors whose duties are to make sure the few conditions set forth in the law are followed.

While Bates said Ohio reclamation is imperfect, he insisted the law should not be changed. "In the next 10 years I'd like to see reclamation increase under the same law," he said.

"We're just now achieving some results from the 1965 law," Bates maintained.

Touring model projects with members of the strip miners' lobby, the Ohio Reclamation Association, Bates saw a Mahoning County field fully returned to farming and nodded his approval. But he added, "Only 1 pct. of all reclamation work ends up like this."

Bates said most of the strip miners meet the reclamation requirements of the law but that only a small percentage of the land ever gets back to something that approaches its original status.

In 1969 only four strip miners forfeited bonds put up as a guarantee that reclamation work would be carried out. The bonds on 29.1 out of 10,000 acres being mined amounted to $4,020.

The forfeitures were on about .3 pct. of land being strip mined.

Bates has for years worked closely with the Ohio Reclamation Association. In fact, now that Bates is edging toward retirement the association, which is made up entirely of strip mine operators, has offered him a job. He said he turned it down.

One of his former inspectors, William A. Dietrich, 76, took a job as a field supervisor for the association when he retired in 1966.

This affinity between the industry's lobby and the state regulating agency is not surprising. Fred E. Morr, director of the Ohio Department of Natural Resources under which falls the division of forestry and reclamation, proposed selling mineral rights under the state park lands to coal miners in 1963. That proposal almost floated through the legislature as a rider. It was blocked by Ed Garrigan, then an Akron senator.

Garrigan said the state intended to sell mineral rights to a wildlife area to the Peabody Coal Co., one of the three largest coal companies in the state, in return for an area the same size or larger. "In the mind of the coal hunter there was nothing wrong with this," Garrigan said.

In interviews, Division of Forestry and Reclamation personnel say little that is directly critical of the industry or law. However, they paint a clear picture of the division's position and their attitudes toward the law.

"It's a known fact," said P. C. Woodruff, an administrative specialist in reclamation. "The strip miners have written every strip mining law this state has ever had."

Asked how good Ohio reclamation is, Woodruff simply replied, "As good as law will permit."

Later, he added, "If strip miners do a minimum job in accordance with the statutes, the next farmer won't lease land to him for mining."

Woodruff said Pennsylvania's tough stripping law "is not nearly as workable as ours. We have excellent cooperation. In fact, many strip miners were doing nearly all the things required before they were written into law."

He added, "Each individual mine or pit is different." Because of this, he contended, requirements must be vague.

Woodruff saw nothing wrong with the Ohio law that leaves steep slopes called highwalls. These cliffs that reach 150 feet in the air are "not as much a hazard as people make them out to be."

Besides, he added, it is economically "not feasible" to go around knocking down highwalls or grading land up to them.

Robert Redett, assistant chief of the division of forestry and reclamation, said he is worried that stiffer reclamation laws in Ohio "would add to the expense" of mining. While he agrees that at present reclamation requirements mean farm land is "not as good as before," he said, "now everybody is stirred up about the environment. But no one has figured out what he wants to pay in dollars."

The cost of saving the environment, Redett said, "will affect everything in the future." One of the leaders that Redett pointed to in the battle for better reclamation was the Ohio Reclamation Association.

The association, he said, is made up of 64 strip mining companies, and, "of course, has an industry viewpoint of the thing."

STRIP MINE LOBBY SAYS PRESENT LAW GOOD

(By James Herzog)

Larry Cook, executive vice president of the Ohio Reclamation Association, leaned against the steering wheel of his new car.

He was tired. He had been on the road for nine days trying to convince federal and local officials and reporters that Ohio strip mining is under control.

Since he left the Hubbell Advertising Agency in Cleveland in 1946, selling the strip miner's point of view on stripping has been his job.

He didn't think much of the 1967 Udall report that said two-thirds of strip-mined acres in America need further reclamation work, that one-third of the abandoned mines were being used as informal junk yards and that mining is done as cheaply as possible in the interest of the "greatest profit."

"The report was written for a purpose—to get a federal law," Cook said. "The Ohio statistics weren't very accurate. They had $2 million to write the report. I don't have $2 million to answer it."

Cook does not like specific laws which require that there be no acid water drainage from mines that could pollute streams or that there be no steep highwalls left after the final cut in the lands is made by the strip miners.

"You have to talk about the principle and methods of operation," Cook said wearily, almost angrily. "Industry principles have been accepted into law in Ohio."

The present state strip mining law, Cook said, "is a good law."

Cook's association is a registered Ohio strip mining lobby with 64 member companies like Hanna Coal Co. and Peabody Mining Co. It spends about $90,000 annually, according to Robert J. Kinnard, executive secretary of the association.

In 1965 the association—members must be strip miners—helped tame a strong strip mining bill and had two lobbyists registered with the secretary of state: Cook and Harold J. Edwards, a Columbus lawyer.

State law requires lobbyists to detail all expenses incurred in trying to influence any matter before the Legislature. Such things as hotel bills, meal receipts and taxi fares must be listed in a report to the secretary of state.

Yet in 1965, when Cook and Edwards successfully lobbied against a strong strip mining measure, they did not spend a single penny, according to their official report.

Even so, according to Kinnard, the association often takes legislators on tours of striped and reclaimed areas to show them the good reclamation that is being done in Ohio.

On such a tour Cook drove through Portage, Stark, Columbiana, and Mahoning counties, stopping occasionally at model reclamation sites. With him on the tour was Dr. Charles V. Riley, Kent State University professor of biology and department chairman. He is a paid wildlife consultant to the strip mining lobby.

Riley said he has been receiving money from the association since he was a graduate student at Ohio State University in the 1940s. At present, he said, the association pays some "travel expenses."

He defended the law, saying, "Hell you can't write a law to handle every situation. You just work with the situation."

Cook echoed Riley's words: "The highwall argument (level off the cliffs as recommended in the Udall report) is a phony. Getting something to grow is what is difficult." He maintained, "Highwalls are beautiful."

Cook stopped his car at two abandoned linestone quarries. Grass was growing on what used to be waste. Cattle were moving through a field. But in a limestone quarry there is no acid drainage problem to inhibit growth.

"There is a tremendous demand now for coal," Cook said. "One day this Winter we had only nine days's supply of coal above the ground. That's too little. Environmental problems must be solved. We've got to solve these things. We want this land productive."

Riley said he is looking for "practical solutions" to strip mining problems. He said he does research on 12 plots and several lakes across the 27 mined Ohio counties.

In Mahoning County, two miles east of North Lima, the tour stops. The party visits George Lukich's farm. In 1957–58 the farm was stripped by the Marshall Mining Co.

Lukich at 75 is lively and energetic. He spends his days working near the corn he planted on land that was once stripped. Near the garden is a lake the mining company built for Lukich. The property is valuable.

"Would you lease your land all over again to the strip miners." Lukich is asked.

"No, I don't think it was worth the worry," Lukich replied.

Fred Abraham has little faith in the strip mining industry. Abraham, the president of the Ohio Federation of Conservation Clubs, said, "There is always a vast amount of publicity put out by the industry through the Ohio Reclamation Association. They show you many views from the road."

Behind the tree cover along the road, charged Abraham, are barren hills and water-filled mining ditches.

"The greatest portion of the land can be and should be reclaimed. We don't oppose strip mining," he said. "Along with recovering coal from the land, restore the land to its original use."

Abraham sat in his Navarre home in Southeastern Stark County. "Recreational land is going to be a premium." He recalled the 1965 effort to pass a strong Ohio strip mining law. "We've always been defeated with a flood of amendments," he said.

"I don't think the law should be outrageous. But there should be something more" Abraham said.

He thumbed through the Ohio law. "If practical, if possible if practical," he quoted. "Where does it say you stop at a stop sign, if practical.

"It's really pathetic that the leaders in this state would allow this to go on. The next Governor will have to go for a stripmine law."

PENNSYLVANIA PROVES TOUGH MINE LAW CAN WORK

(By James Herzog)

"You don't have any law. Your law is just a phony."

William E. Guckert, director of reclamation in Pennsylvania, sounded angry. His words came in a rush.

"Industry has brainwashed you Ohio people," the large, florid-faced man said. "Our old law is exactly the same law Ohio has today."

He continued: "In Ohio they've lied to the people. They're doing the same thing they did in Pennsylvania."

In the early 1960s, Guckert was executive secretary of the Allegheny County Sportsman League. The association spearheaded a fight for toughened strip mining laws. In 1963 the sought-after law was passed, but political maneuvering prevented enforcement.

As a result, in 1967 Gov. Raymond Shafer asked Guckert to take charge of the reclamation program. Guckert, 62, who for 40 years has been stomping around the state demanding that the Pennsylvania hills be saved from strip miners, hesitated. Then, with the governor's promise that there would be no political interference, he took the job.

Not long afterward a county political boss asked Guckert to go easy on a strip miner. Guckert went to the governor.

He recalled that he said, "Ray, this isn't right. If you let this guy get away with it, you can have my job back."

The violator and the party chieftain both fell into line, according to Guckert.

Guckert likes to recall the battle for a tough but fair law. A sportsman newspaper continually attacked the miners. People across the state became aware of the problem. "Once the people saw what was going on, we beat the living H out of the politicians. Now we've got the finest reclamation in the country."

"The people in Ohio don't realize what the present Ohio law is going to cost. Billions. It'll be four times what industry could have done the reclamation work for."

Guckert drove through county after county in Northwestern Pennsylvania, Wherever work was going on he stopped his car.

He pointed to a field where wheat was ready for harvest. Behind it strip miners were digging coal from the land. The wheat field had been mined the year before. Careful reclamation had put it back into use within months.

"We don't allow them to leave the highwall standing—like they do in Ohio," Guckert said. No longer in Pennsylvania do the jagged cliffs that the miners cut remain when the project ends. "That is the most expensive part of reclamation," he said.

When strip mining is finished, under Pennsylvania law, it is necessary to fill the land back to something that approximates the original contour of the land. "We have the finest backfilling in the whole darned country," Guckert contended.

"Ohio has no law. It's a joke. It doesn't have any requirements. It's written by industry. The same experience cost us millions of dollars," he said.

Treating the problem of water that becomes highly sulfuric when it touches coal is a key to good reclamation, according to Guckert. In Pennsylvania miners cannot let water sit in a mining pit, and contaminated water must be treated in a two-pool process as it is pumped out.

A plan of how land will be reclaimed is required in Pennsylvania before a license is issued. There are 20 inspectors in the state, compared with seven in Ohio. "Ohio doesn't need inspectors," Guckert gruffly charged. "They don't have anything to do under the law."

Guckert continued, "The only reason why a lot of strip miners are reclaiming the land is because we make them. If we wouldn't have made the strip miners put the land back, it would cost us billions of dollars."

The toughened Pennsylvania laws have not injured the stripping industry. In 1969 the state reported that 21.7 million tons of coal were stripped from the earth, compared to 20.5 million in 1968. Though miners contended that hard-to-meet reclamation requirements would drive them out of business, a study of Pennsylvania strip mining production does not support this contention.

There are nearly 270 mine operators in Pennsylvania now—120 more than in Ohio. The number of miners has been climbing steadily over the last few years in Pennsylvania, while in Ohio the number is shrinking.

"The law did put many out of business," Guckert emphasized. A few of the marginal operators, however, have been forced to leave the state, he said.

One who lost the right to mine in Pennsylvania by not meeting state requirements, said Guckert, is Thomas Eddy, who now is a principal figure in the Wilmot Mining Co. in Stark and Tuscarawas counties.

In Pennsylvania, Eddy operated the Mac Coal Co., which was headquartered in Pittsburgh. "We confiscated his bond because he failed to live up to the law, period," said Guckert.

Pennsylvania state records show that in 1969 Guckert's department confiscated $47,600 in bond from Eddy.

Hearing Guckert's charges, G. Orville Bates, who directs Ohio's reclamation, said Ohio has different problems than Pennsylvania. The current Ohio law should be tested for at least two more years before any changes are made, he said.

County	Total land area (acres)	Stripped 1914 to Jan. 1, 1969	Percent strip mined land	Stripped 1914 to 1947 (prelaw)	Stripped 1948 to 1969 (under law)	Reclaimed 1948 to 1969 (under law)
Athens	323,000	2,425	0.75	731	1,694	1,606
Belmont	343,000	17,605	5.13	2,254	15,351	9,729
Carroll	248,000	5,389	2.18	1,150	4,248	3,434
Columbiana	342,000	18,929	5.53	4,382	14,547	13,140
Coshocton	349,000	15,808	4.53	622	15,186	12,361
Gallia	301,000	6,639	2.21	34	6,605	6,070
Guernsey	332,000	4,680	1.41	355	4,325	3,340
Harrison	258,000	45,523	17.64	10,777	34,746	30,835
Hocking	269,000	3,114	1.16	731	2,383	2,076
Holmes	271,000	2,040	0.75	303	1,737	1.368
Jackson	269,000	5,748	2.14	449	5,299	3,901
Jefferson	263,000	24,996	9.50	7,805	17,191	14,242
Lawrence	292,000	2,336	0.80	39	2,297	2,051
Mahoning	268,000	6,375	2.38	768	5,607	4,481
Meigs	278,000	5,398	1.94	68	5,330	5.274
Monroe	291,000	14			14	14
Morgan	267,000	13,265	4.97	94	13,171	10,410
Muskingum	424,000	9,477	2.24	1,604	7,873	7,318
Noble	255,000	11,946	4.51	344	11,152	9,297
Perry	262,000	16,945	6.47	3,595	13,350	12,050
Portage	323,000	733	0.23	232	501	501
Scioto	390,000	148	0.03		148	148
Stark	367,000	10,752	2.93	2,897	7,855	7,403
Tuscarawas	353,000	21,379	6.06	4,956	16,423	13,545
Vinton	263,000	3,812	1.45	939	2,873	2,495
Washington	408,000	1,374	0.03	9	1,365	1,128
Wayne	353,000	554	0.16	75	479	456
Total	8,362,000	256,963	3.07	45,213	211,750	178,673

STRIPPED LAND: TAXPAYERS' BURDEN

(By James Herzog)

There's a sign by an abandoned strip mine in Northern Tuscarawas County:

"This strip mine is being reclaimed. Mullet Coal Co. Member Ohio Reclamation Association."

The sign is rusted and bullet-riddled.

Dangerously near, land is being washed away by erosion. Behind there is a cliff, a highwall left by the miner operator. Almost nothing grows on the hills. Water discolored by sulfuric acid appears to be sitting at the foot of the hill.

The Mullet Coal Co. is bankrupt now. One of its owners, according to state officials, is involved in a new company and has no responsibility for old failures.

The new company is Wilmot Mining Co., run by Thomas Eddy. He lost his right to mine in Pennsylvania when the state confiscated $47,600 in bonds he had put up as a promise he would reclaim land in that state.

The land is worthless. It will remain that way until future generations choose to reclaim it.

Across Ohio the story of strip mining is repeated over and over on the tax rolls. Where land once had value and could be taxed to support schools, now it is valueless and a burden to the rest of the community.

In Stark County 10,752 of the county's 376,000 acres were stripped between 1914 and 1969.

Generally in Stark stripped land is appraised at $25 an acre. Marginal farmland there is appraised at $150. Good farmland's value is from $250 to $450 an acre. Sandy ground goes for $95.

Assessment in Stark are 40 pct. of the appraisal price—thus $10 an acre is the assessed value of stripped land.

Osnaburg Twp. is in Southeastern Stark County, a few minutes away from the center of Canton. The land here is rougher than in the northern part of the county, but even on top of many of its rolling slopes corn and wheat are growing.

The farmland in Osnaburg is fast disappearing, however, with new allotments and development taking shape as Canton suburbs.

To one side of Sam Krabill av., which runs north from U.S. 30, are piles of waste left by strip miners. Trees grow here and there, but tremendous gaps in vegetation dot the area. Beyond the piles of waste (called spoil) are steep artificial cliffs left by the strippers. Little grows on the side of these cliffs.

Much of the stripped land in Osnaburg Twp. belongs to Ida Garoux and Trustees, according to the Stark County auditor's records. The Garoux family owns several farms. One plot of 122.9 acres is appraised at $5,310, about $44 an acre for the plot that was less than half stripped.

Good land nearby is appraised at twice as much.

From 1914 to 1969 in Tuscarawas County 21,379 acres out of 353,000 were stripped. Only two counties in the state have been mined more.

A spokesman for the Tuscarawas County auditor's office said, "Stripped land just doesn't have the value it used to have.

"You might have had a fairly productive farm," he said. "Once it's stripped, the value is gone."

Throughout the county stripped land is appraised at $15 an acre. Land of marginal value is appraised at twice that figure. Tillable land goes for four times as much.

When the auditor learns that land is about to be stripped, he automatically puts a $600 appraisal on each acre. But often he doesn't learn the land is being stripped, and the miner is in and out before he can act.

In Harrison County nearly one-fifth of the county has been stripped since 1914—45,523 acres out of 258,000. A spokesman for the county auditor in Cadiz said most stripped land is appraised at $20 an acre.

Meanwhile, good bottom land is appraised from $150 to $200. Grazing land goes from $100 to $125, the spokesman said. Some reclaimed land has been reappraised for as high as $80 an acre, he added.

When land is about to be stripped, the appraisal value jumps to $400 an acre. But as soon as the land is carved out, the figures goes to almost nothing.

The spokesman acknowledged that loss of the stripped land hurt the tax duplicate, but said, "We have other things to replace it. The duplicate has gone up a little every year for the past twelve."

The story in the 27 counties that have been stripped is the same: Land values go up temporarily while the land is being stripped. Then they fall to a minimal figure for a long period.

Of 8.4 million acres in 27 eastern Ohio counties more that 257,000 acres have been stripped—or 3 pct. of the region.

Most of the land stripped after 1948 meets the Ohio reclamation requirements. But the law demands so little that less than 10 pct. is brought back to the former condition and usefulness, according to one state official.

The rest, an ever growing 90 pct., is scarred and useless, a blight on the countryside and a drag on the tax rolls.

TRIBUTE TO THE AEROSPACE TEAM

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. ANDERSON of California. Mr. Speaker, the flight of Apollo 14 was a tremendous technical achievement for our Nation. Not only does this feat illustrate our prowess in conveying men to the moon and safely home; it also illustrates our ability to overcome great obstacles, and to meet practically any challenge.

I am proud to say that the aerospace industry in southern California has been instrumental in the Apollo project. These great industries, with their tremendous supply of talent, are a national resource and should be treated as such. I am confident that they can undertake most any project and produce the desired results.

All of us have accrued the benefits of the aerospace program. These benefits will improve the quality of life for humanity. For example, communication satellites link us to all peoples of the world * * *. Weather satellites give advance warnings of hurricanes.

Technology developed to detect moonquakes will be adapted to predict earthquakes in California.

Space research has devised electronic components which will, someday, allow the blind to see.

Lunar walkers, prepared for use on the surface of the moon, will be adapted to allow a fuller life for the handicapped.

Clothing, designed for comfort in space, will keep you cool when it is hot and warm when it is cold.

Mr. Speaker, the great number of scientific and technical achievements that come directly from our space program are making our world a better place to live.

I would like to take this opportunity to commend the aerospace team that has given us these technological and scientific advances and, especially, I would like to commend the courage and the dedication of Capt. Alan Shepard, commander of Apollo 14, Capt. Edgar Mitchell, and Lt. Col. Stuart A. Roosa.

VFW VOICE OF DEMOCRACY CONTEST WINNER IN INDIANA

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. JACOBS. Mr. Speaker, at the request of Mr. Cooper T. Holt, executive director of the Veterans of Foreign Wars, I am inserting a speech by Miss Alicia Alburtis of Indianapolis, Ind. The speech was designated the winning one for the State of Indiana in the VFW Voice of Democracy contest.

The speech follows:

FREEDOM—OUR HERITAGE

(Speech by Alicia Alburtis)

I have witnessed, I have suffered, I am America. My vigil is endless. I possess an undeniable pride in my people. Their leaders are well chosen, for they are chosen by their brothers.

My people have stood by me in all of the wars, for the wars and the people make up my heritage. Men have fought since my beginning to keep me free. The great general Douglas MacArthur said in his memoirs, "Let no man misunderstand why they do that which they must do. These men will fight, and perchance die, for one reason only, for their country, for America."

As an emerging nation, one man cast a stone that brought down upon the colonies a revolutionary war, a bloody battle in a fight for freedom. As said Patrick Henry—this was no time for the summer soldier or the sunshine patriot. Men of the colonies had in their hearts an unquenchable thirst for liberty. They denied all ties with the mother England and saw clear the cause—human dignity—the rights of men—truth.

At Gettysburg, the Great Emancipator spoke of one nation—by and for her people, that would not perish. And for human rights America fought. Perhaps this was the most terrible war of America's history, for it was fought on our land and among our own people. This Civil War tore America apart from shore to shore. The rivers ran red and brothers were enemies. But freedom was the cause and death was justified.

In the first World War, America saw the free world threatened and stepped in to help. We had never before faced a conflict of such magnitude. After, a Great Depression took hold and the people faced much poverty and hunger.

In the second World War freedom was again in trouble by the rule of iron dictators and power hungry nations, spreading tyranny throughout the world.

The two world wars brought us together with other free nations of the world in an alliance to protect it from total rule. We saw that freedom should be for all men, and our sons and daughters lost their lives in keeping freedom for not only America—but for the world.

Today our conflict in Viet Nam shows that America remains brave and willing to fight against aggression in other lands, in turn protecting the homeland.

Perhaps affluence has made those at home selfish, for many take freedom for granted. They ignore their right to vote—to choose their own government, to take hand in picking the laws. If they don't work every day, they will lose their rights and freedom. Those apathetic Americans permit adverse forces to come in and eat away at our government—our foundation—our freedom.

Don't let me die people. I am only what you make me. I am the heritage, you are the future, *we* are America.

DISTINGUISHED CIVILIAN SERVICE AWARD TO GORDON W. RULE

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. HOLIFIELD. Mr. Speaker, the Secretary of the Navy has recognized the immensely valuable services of Gordon W. Rule as a procurement expert in the Naval Material Command by giving him the highest award that he can bestow on a civilian employee. This is the Distinguished Civilian Service Award, which is granted only for extraordinary service or for contributions of major significance to the Department of the Navy. Nominees for this award are carefully evaluated to insure that the recipients are those who have performed truly exceptional services. The Secretary states that by his distinguished performance and outstanding service in procurement operations, Mr. Rule has demonstrated that he is richly deserving of this award.

The Secretary of the Navy, in a memorandum of February 9, 1971, notified the Chief of Naval Material that the Navy Distinguished Civilian Service Award was being granted to Mr. Rule. For the information of the Members and in appreciation of Mr. Rule's dedicated public service, I offer the text of the citation:

FEBRUARY 9, 1971.

For distinguished performance and outstanding service to the Department of the Navy in the conduct of its immense procurement operations as Director, Contract Clearance Division, Naval Material Command, and in prior positions of high responsibility. Mr. Rule has consistently demonstrated extraordinary acumen, judgment, initiative, and integrity in developing significant advances in the field of defense procurement. He has personally handled with extreme professional skill the most complex and significant procurement problems of the Navy. His superior ability to reach the crux of such problems quickly and effectively has made his counsel sought throughout the Navy procurement community. In recognition of his outstanding service, Mr. Rule is richly deserving of the Navy Distinguished Civilian Service Award.

JOHN W. WARNER,
Acting Secretary of the Navy.

SST SIDELINE NOISE ABATEMENT

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. KEATING. Mr. Speaker, one of the serious indictments against the proposed supersonic transport—SST—program was the fear of the so-called sideline noise.

I am pleased to report that engineers and technicians working in Cincinnati at the General Electric Evendale plant have reduced the noise level to the point where the huge jet engines will be quieter than the engines which now power the commercial 707 jetliners.

This breakthrough again demonstrates the technological capacity of American industry.

I feel that other technical breakthroughs will be made if Congress approves the funding of the two prototype SST's when the matter comes up for a vote by the end of March.

I wish to share with my colleagues a recent article written by Richard Witkin, which appeared in the New York Times on February 23, 1971:

NOISE REDUCTION IN SST PREDICTED—FEDERAL COMMITTEE REPORTS ON CHANGES IN DESIGN

(By Richard Witkin)

Recent engine redesign and airplane improvements will enable this country's supersonic transport to meet Federal rules on noise limits, according to the Government's SST noise committee.

In a report made public yesterday, the seven-member committee said the SST manufacturers had shown they could meet the 108-decibel criteria laid down for all large new jetliners.

Most intercontinental jets now in service, including the Boeing 747 jumbo jet, do not meet these rules. The 747 must do so by the end of the year.

Officials disclosed that the developments making possible the noise reduction included increasing engine size, eliminating the use of a raucous afterburner on takeoff, and refining wing contours to give the plane a steeper takeoff climb.

Proponents of the embattled SST acknowledged that the changes would increase the cost of the production planes and cut into their potential earning power. But they insisted that the plane would still be able to make a profit.

Anti-SST forces, noting the cost increases, can be expected to intensify their questioning of the plane's economics, noise and other environmental problems during the impending Congressional battle over continued funding of the prototype supersonic program. This calls for construction and 100 hours of flights of two prototype or test versions.

The group whose optimistic report on noise from the projected plane was made public yesterday is known as the SST Community Noise Advisory Committee. Its chairman is Dr. Leo L. Beranek, chief scientist of a prominent Cambridge, Mass., acoustical firm. He had much to do with developing aircraft noise criteria while serving as a consultant to various airport authorities.

NAMED BY MAGRUDER

The committee was named last July by the director of the Federal SST project, William M. Magruder, to advise his office on the noise problem.

Last fall, the Beranek committee advised Mr. Magruder that the noise rules for production SST's should be the same as those imposed on large new subsonic jets. It did so despite complaints from the industry that, while it could get close, it saw no technological way of complying completely without disastrous economic penalties.

"We feel we had a considerable effect on the situation," Dr. Beranek said yesterday in discussing the report that the industry had now found a way to meet the stringent rules.

The rules impose a maximum of 108 EPNdb (effective perceived noise decibels) as recorded at three measuring points at an airport or in the surrounding community. These points are: one nautical mile before the runway threshold on a landing approach, three and a half miles from the start of a takeoff roll, and .25 nautical miles to either side of the center line of the runway.

The rules permit a plane to go as high as 110 at one point if this is offset by reductions below 108 at another.

A decibel is a unit for measuring the relative intensity of sounds. One decibel equals the smallest degree of difference detectable by the human ear. "Perceived" was added to the noise standard to give greater weight to more annoying high-frequency sounds, like those of a siren. "Effective" was added to account for duration of different component sounds.

It was announced months ago that supersonic planes would meet the 108-decibel level for takeoff and landing approach. But its takeoff noise to the sides appeared a good deal too high. This has been one of the craft's most vulnerable points in the struggle over whether the program should get more funds from Congress or be canceled.

The way officials tell it, three developments came together over the last two or three months to solve the problem of sideline noise.

First, when the first production version engine was completed and tested, its sideline noise was found to be 120 EPNdb, instead of 124 as paper calculations had estimated.

MORE LIFT ON TAKEOFF

Second, when the latest wind-tunnel model of the proposed production plane was put in the tunnel, it was found to develop considerably more lift on takeoff than had been expected. This meant that, on takeoff, the plane would require less engine thrust than planned, and therefore would produce less noise. The new model had improved wing flaps and a subtly refined wing shape.

Third, it now became possible to solve the rest of the sideline noise problem with engine redesign that previously would have been inadequate.

Specifically, the engine size could be increased so that takeoff could be made without use of the afterburner. This is a device at the rear of the engine that provides a large boost in thrust by burning huge amounts of fuel poured into the exhaust stream. It makes a tremendous racket.

With the afterburner out of the way and exhaust temperatures somewhat reduced, it became possible to use various types of noise-suppression devices, such as tubes or spokes, at the rear of the engine. Most such devices would not have withstood the original afterburner temperatures.

The first plane to meet the new noise rules will be the McDonnel-Douglas DC–10 tri-jet, due in service late this year. The Boeing 747 produces only 101.9 EPNdb in the sideline category but its takeoff and approach figures are 115 and 113.6. The figures for the largest conventional Boeing 707's are 113 on takeoff, 119.5 on approach, and 107.5 to the side.

The Government is pushing to bring down the conventional jet figures but not to the 108 level, which is generally considered impracticable.

Promoting the SST fell largely to William M. Magruder, head of the Office of SST Development in the Department of Transportation, and on the two Senators from the State of Washington where the Boeing Company is doing most of the work on the plane's airframe: Warren G. Magnuson and Henry M. Jackson.

Corporations and trade associations with an immediate stake in the program stayed largely out of sight, whether through overconfidence or because they thought their activity would do more harm than good. In the aftermath of the Senate defeat, the recriminations were bitter.

The chairman of the new committee is Donald J. Strait, vice president of the Fairchild Hiller Corporation, the largest subcontractor on the SST project with about $35-million worth of work asigned on fuselage sections.

AGRI-BUSINESS—CALIFORNIA'S NO. 1 INDUSTRY

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. JOHNSON of California. Mr. Speaker, for many Californians who are witnessing the tremendous growth of manufacturing and commerce in our Golden State, it may come as a surprise that farming still is the State's No. 1 industry.

It is interesting to note that California employs more people on farms—some 263,000 during 1969 which is the latest year for which comparative figures are available—than any other State in the Nation. The California farm work force is slightly more than 5.5 percent of the agricultural work force in all of the Nation, but it is interesting to note that these farmworkers produced nearly 10 percent of the national farm income.

A breakdown by the Department of Agriculture for 1969 reveals that the total cash receipts from farm marketings in the State of California amounted to $4,371,260,000, divided about equally between crop production and livestock production. To this was added some $123 million in Government payments of various types for a total farm income of nearly $4.5 billion for the entire State of California.

Approximately 37 percent of the total area of the State is in farms, slightly more than half of which is in permanent pasture. Another quarter of the total farmland is in crops of a broad variety.

By any standards, this is big business.

In considering the importance of agriculture to a healthy economy and the future of this great country of ours, a few national statistics also should be brought to mind.

Three out of every 10 jobs in private employment in our country today are related to agriculture.

Agriculture's assets total $307 billion, equal to about two-thirds of the value of all corporations in the United States; or about one-half of the market value of all corporation stocks on the New York Stock Exchange.

Capital investment in agriculture is approximately $50,000 per farm worker, double the investment for each manufacturing worker.

About 55 percent of the Department of Agriculture expenditures, in 1970 were for services which are of primary benefit to the general public. Only 45 percent goes for price support and related programs in which farmers are the primary, but not the only beneficiaries. Although, not generally appreciated, much of these subsidy payments are not for not planting crops, but rather are to make domestic grown commodities competitive with foreign products grown in areas with a much lower standard of living. This makes this Nation less dependent upon foreign products and keeps the price to the consumer of manufactured goods at realistic prices.

Assisting domestic farmers to compete with foreign operators in no way should be taken as an indication that American farmers are not efficient. Just the opposite is true. In the United States consumers spend 16.5 percent of their disposable income on food. In Western Europe, consumers spent 25 percent of their income for food. In the Soviet Union, consumer food costs total 50 percent and in many areas of Asia 75 percent of disposable income goes for food.

This magnificent performance of American farms is a direct result of the research and development programs largely authorized and financed by the Congress, beginning about 100 years ago, together with the credit, price, and income stabilization programs of the past 38 years.

In relative terms farm program costs are small—not large, and on a relative basis they are becoming even smaller as national income and other Government expenditures grow.

For the farmer, however, the picture is not all that bright. Less than a third of the disposable income spent on food in this Nation reaches the original producer, the farmer himself.

Farmers in no other country of the

world produce such a high proportion of its citizens' food and receive such a small fraction of the consumers income for their products.

A healthy national economy cannot be achieved without a healthy agricultural economy. Whether this fact is recognized by those who are making proposals to the Congress on restructuring our priorities and the like, remains to be seen. To date the administration's suggestions have been silent on farm priorities. Farmers face many of the same problems that many of the rest of us face—high interest rates, record high mortgage indebtedness, health care, housing, accompanied by generally low income and an advancing average age of those on the farm—now 53.

It is time to take a realistic appraisal of our farm needs of the future and determine how best they are to be met if we are ever to achieve a truly healthy national economy.

JOHN BARRETT OF MILFORD USES BILLBOARD TO PRESS FOR BETTER POLICE-COMMUNITY RELATIONS

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. GIAIMO. Mr. Speaker, in this era of polarization and discord, it is refreshing indeed to note the accomplishments of those who are willing to spend their time and money in the struggle to reverse these dangerous trends. I am proud to say that one of my constituents, John Barrett of Milford, Conn., is such a man.

Recognizing the increased friction between inner-city residents and the police in the neighboring city of Bridgeport, Mr. Barrett, the owner of an outdoor sign company, decided to use the medium he knew best in an effort to promote better police-community relations. On a billboard located off the Connecticut Turnpike in Bridgeport, he depicted a black policeman giving mouth-to-mouth resuscitation to a white child. The message was direct:

> Some Call Him Pig—Support Your Police Department.

The reaction to Mr. Barrett's idea from inner-city residents, the police and passing motorists has been overwhelmingly favorable. He has been praised for showing "concern for the inner city and its problems" and for underlining the problem of law enforcement in Bridgeport. He has received favorable letters from as far away as Chicago. Perhaps the greatest compliment came from Alfredo Ribot, Bridgeport's coordinator of Community Development, who said:

> I personally think that it's a beautiful idea. There are a lot of people who will talk about problems, but they never get up and express their opinion publicly. This sign really hits home to us.

I wish to add my congratulations to John Barrett, Mr. Speaker. His action should serve as an example to those who are truly seeking to bring us together. I am including at this point in the RECORD a news story from the Milford Citizen which describes Mr. Barrett and his "beautiful idea":

MILFORDITES BILLBOARD STIRS COMMENT

The reaction to a large outdoor billboard sign featuring a black policeman giving mouth to mouth resuscitation to a white child in Bridgeport has been very good, according to Alfredo Ribot, Coordinator of Community Development in that city.

The sign and its very direct message, "Some Call Him Pig: Support Your Police Dept." are the work of a Milford man, John Barrett, who dedicated it to the City of Bridgeport.

"I had noticed that there was a critical situation existing between the Bridgeport community and the police," Mr. Barrett told the Citizen, by way of an explanation. "As I own an outdoor sign company, the idea came to me to put up a sign of this nature. I had my son pose, with a patrolman that we know, for the artist."

Barrett stated that the entire idea was his own, was not connected with the Bridgeport police department, except that the police apparently came to like the sign the longer that they saw it posted.

"I have had letters about the sign from Chicago, Boston, Cleveland and points even further West," Barrett said. "I had hoped that some civic minded businesses might pick up the idea."

Mr. Ribot, of Bridgeport's Hall Neighborhood House, praised Barrett's sign as being sensitive to problems of the inner city and further stated that Mr. Barrett is "one of the few residents of your community (Milford) who has shown concern for the inner city and its problems." Ribot told the Citizen that from discussions with neighborhood groups, he felt that the sign really showed the problem of law enforcement in Bridgeport.

The only groups opposed to the sign, he said, were the Panthers and the Young Lords, who evidently were opposed to any such espousal of good relations between Blacks and whites.

"I personally think that it's a beautiful idea," Ribot said. There are a lot of people who will talk about problems, but they never get up and express their opinion publicly. This sign really hits home to us."

PFC. NORMAN J. PEARSON

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. LONG of Maryland. Mr. Speaker, a fine young man from Maryland, Pfc. Norman J. Pearson, was recently killed in Vietnam. I commend his courage and to honor his memory by including the following article in the RECORD:

HEBRON SOLDIER IS KILLED IN SOUTH VIETNAM

HEBRON, February 23.—The Pentagon has reported the death of Pfc. Norman J. Pearson, 21, of Hebron in a mine explosion near Chu Lai, South Vietnam on February 9. He was serving in the 198th Infantry Brigade.

His wife, Mrs. Vickie Ann Kenney Pearson, who lives on Bradley street in Hebron, a small town west of Salisbury, said that Private Pearson was inducted into the Army less than a year ago, on April 13, 1970. He had been stationed in Vietnam for about five months. Mrs. Pearson said that in his last letter he wrote that he had received permission to come home next month on leave.

The Pearsons have been married only a few months when he was inducted into the Army, sent to Fort Dix, New Jersey for infantry training, and within five months sent to Vietnam.

Private Pearson was born in Nassawadox on the Virginia Eastern Shore. He was graduated from Mardela High School in Wicomico county near Salisbury. At the time he went into the Army he was employed by Copes Candy Company in Sharptown, also in Wicomico county.

Besides his wife, he is survived by his mother, Mrs. Beulah Pearson Morley, of Sharptown; his father, Norman Edgar Pearson, now living in Louisiana; two brothers and a sister, R. Wayne Pearson, William Edgar Pearson and Linda Pearson, all of Sharptown; and another sister, Lola Pearson of Baltimore.

Funeral services for Private Pearson were held Sunday at the Holloway funeral establishment in Salisbury.

ONE EFFECT OF CONGRESSIONAL RESTRICTIONS IN INDOCHINA

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. SCHMITZ. Mr. Speaker, a recent report by investigative reporter Paul Scott deserves the widest reading by all Members of Congress. The mesasge is simple. Congressional restrictions on the use of U.S. ground forces in Laos are costing Americans their lives.

The article follows:

RESTRICTIONS IN INDOCHINA

(By Paul Scott)

WASHINGTON.—Before tying the hands of President Nixon further in Indochina, members of Congress should examine the way their curbs on American military forces in Laos are helping the North Vietnamese.

An impartial inquiry would show the congressional bar against using any American ground troops in Laos is causing heavier than usual losses of American helicopters and their crews.

The restrictions also have increased the casualties of South Vietnamese being airlifted into the battle for the Ho Chi Minh network of roads.

Ordinarily, American soldiers called Pathfinders are used to check landing areas for security, set up ground communications, and oversee loading and unloading procedures during battle operations.

But because of the limitation voted by Congress last year, Pathfinders are prohibited from Laos as ground troops, although some are flying in Army helicopters but not allowed to get out of the planes.

This congressional tying of the military's hands is taking its toll in helicopters and crews. These losses are the heaviest of the entire war. An average of from ten to fifteen a day are being downed by enemy fire. Hundreds of South Vietnamese troops caught aboard these helicopters are being killed or wounded during landing operations.

Since the South Vietnamese moved into Laos, middle-echelon commanders have repeatedly asked U.S. Military Command in Saigon for permission to use American Pathfinders to cordinate combat air traffic in Laos.

Use of these elite troops, they argue, could cut present helicopter losses by as much as two-thirds. They would also reduce needless South Vietnamese casualties.

The reply to their request is always the same. Washington says no. Pathfinders are not permitted because of the congressional ban on U.S. ground troops.

An estimated 200 helicopters have been shot down by the North Vietnamese since the fighting began February 8. Larger helicopters equipped with cranes are being used to salvage many of the damaged choppers.

UNNEEDED LOSSES

The problem is that helicopters are most vulnerable when landing troops or supplies at "hot" landing zones, since they cannot take evasive action then. Many of the landing zones are still heavily infested with enemy troops.

If the U.S. were permitted to use Pathfinders, they would have been able to pick and secure much safer landing areas and the losses of machines and men would be greatly reduced.

Originally, the Pathfinders were to train several platoons of South Vietnamese to take over their jobs inside Laos, but the planned five weeks of intensive training was cut to three days because of a decision to move up the date for launching the attack into Laos. The earlier move was deemed necessary when preparations for the Laos campaign began to leak out.

Because of their lack of training, it was painfully discovered that the South Vietnamese could not be used as effective Pathfinders. The Laos campaign was launched without them.

The U.S. Military Command in Saigon has tried to reduce the amount of enemy fire at helicopters with dozens of tactical air strikes and some earth-shaking B–52 raids. So far, these attacks have knocked out 200 of the enemy's estimated 600 guns in the immediate battle area.

HELPING THE ENEMY

Due to the difficulties the congressional restriction is causing the military operations in Laos, the Joint Chiefs or Staff have urged President Nixon to oppose any further legislative curbs on U.S. military forces.

The President has been warned that proposals now pending in Congress to bar the use of U.S. military forces in North Vietnam are an open invitation for Hanoi to continue to use that country as a sanctuary to attack American forces in South Vietnam.

Members of the military intelligence community are even more concerned about the effect these congressional restraints might have on Communist China. With the U.S. barred from hitting the North Vietnamese sanctuary, the pointed out, the Chinese Reds would be encouraged to move "volunteers" to help Hanoi.

These officials believe the President already has made a serious mistake by publicly announcing that he would never use tactical atomic weapons in Indochina. The A-weapons will be needed, they contend, if the North Vietnamese launch an all out offensive across the DeMilitarized Zone between North and South Vietnam.

Administration insiders say it was Henry Kissinger, the President's Chief Foreign Policy Adviser, who recommended that the President publicly rule out the use of tactical nuclear weapons.

NOTE: An estimated 2,000 Chinese Communist military advisers have moved into North Vietnam enroute to Laos. They have been sent there to study North Vietnam's military position and advise on tactics.

STOP BEING FUNNY

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. ZWACH. Mr. Speaker, local taxes throughout the country have been increasing from year to year because of inflation, the need for more schools, higher welfare expenses, and the demand for more local public services.

Too many people fail to realize that these services must be paid for and that there is only one source of funds, their own pockets.

An editorial recently appeared in the Pierz Journal in my Minnesota Sixth Congressional District point out this fact that government has no money to give that it does not first take from its citizens.

Mr. Speaker, insert this editorial in the CONGRESSIONAL RECORD. It contains a lesson for all of us.

The editorial follows:

STOP BEING FUNNY

The old saying that "people are funny" was never truer than it is today. Never were there so many millions asking for public charity doled out to them under a pleasing variety of titles. We overlook the fact that government has no money to give that it does not first take from its citizens in taxes, or higher and higher public debt. The latter today requires the payment of over $20 billion a year in interest charges alone.

No matter what the government, federal, state or local is giving you, don't think you are not paying for it. We are paying for exhorbitant government spending and debt inflated prices and reduced value and buying power of the dollar. We are paying for it in everything we eat, wear and use. The amount of taxes withheld from the average income would have paid for a home not so long ago. What used to be put into savings, now goes to the tax collector, and the one who earned it never sees it.

The people will have to stop being "funny" if they wish to save their bacon in the U.S. Your savings and you government are being destroyed by those who put politics ahead of fiscal responsibility.

DISTINGUISHED COLUMNIST KILPATRICK COMMENTS ON PRESIDENT NIXON—NEW AND OLD

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. EVINS of Tennessee. Mr. Speaker, in a recent column in Human Events, the distinguished columnist, James J. Kilpatrick, provides a perceptive analysis of changes in the administration's fiscal policy—the shift from balanced budget objectives to deficit-spending.

Because of the interest of my colleagues and the American people in this most important matter of fiscal policy, I place this column in the RECORD herewith.

The article follows:

[From The Human Events, March 6, 1971]

MR. NIXON THEN AND MR. NIXON NOW

(By James J. Kilpatrick)

These are hard times for the President of the United States. The economy flaps like a wild spinnaker; he cannot get the thing tied down. He is running in a sea of cross-currents and contradictions, bailing with one arm and steering with the other. It is not the best moment, perhaps, to ask our skipper to reflect on the principles of navigation.

Yet a series of worrisome developments is causing increasing concern among Mr. Nixon's friends and supporters on the political right. We are not ready to abandon ship: Where do we swim to? But it would be pleasantly reassuring, all the same, to know where in the hell we are going.

Treasury Secretary John Connally was up on the Hill recently, asking for a walloping $40-billion increase in the legal limit on the national debt. The increase will have to be granted.

No such massive increase would be required if it were not for the massive deficits in prospect. Mr. Nixon's budget message predicts a deficit for the current fiscal year of $18 billion, and a deficit for the next fiscal year of $11.6 billion, but the figures are written on sand. It is probable that the deficits—and the debt—will be much greater.

"What we need," said Mr. Nixon not so awfully long ago, "is an intelligently balanced economy." And he went on to complain—this was in New York on July 6, 1968—that "we have not yet taken the first step toward federal deficit spending and the ever-increasing federal debt."

This was one of the major themes of the Nixon campaign. He belabored Lyndon Johnson for failing "to cut deficit spending which is the cause of our present inflation." Budget deficits, he said, "lie at the heart of our troubles." For his own part, he renounced any "massive step-up" in federal spending programs. "This is a prescription for further inflation," said Mr. Nixon. "I believe it is also a prescription for economic disaster."

Well, we cheered our skipper then. He was a philosopher of the free enterprise system. "There is nothing the matter with the engine of free enterprise," he said, "that cannot be corrected by placing a prudent and sober engineer at the throttle."

In a major radio address on Oct. 23, 1968, he assailed the notion that wage and price controls could be limited to a few areas. "In order to control wages and prices," he said, "it would be necessary to embark on a road from which it is very hard to escape without major damage to the freedom of all."

This was sound conservative doctrine. Mr. Nixon warmed our hearts in a related field, when he took a "dim view" of any welfare plan that might be predicated upon a guaranteed annual income. Such a plan, he said, would be doubly wrong: "First, it would not end poverty; and second, while it might be a substitute for welfare, it would have a detrimental effect on the productive capacity of the American people."

Where are we, Cap'n? The Administration's Family Assistance Plan, no matter how it is sliced and buttered, is a form of guaranteed annual income. Federal spending is up. Inflation continues. And we are offered, as a "responsible fiscal policy," a budget predicated upon real deficits and make-believe revenues.

The dismal thought is beginning to take hold that Mr Nixon has jettisoned his charts and compass of 1968—tossed them over the rail—and now is steering by the seat of his pants. Last year he would not jawbone; this year he will. The limited price and wage controls that once were anathema now are widely foreseen. Mr. Nixon has us hanging on the rails.

Maybe his course leads to a stable economy; but these are desperate chances Mr. Nixon is taking The rueful notion will not go away that we preferred our skipper then, to our skipper now.

MR. NIXON ON FOREIGN POLICY

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. EVINS of Tennessee. Mr. Speaker, the Washington Daily News in a recent editorial evaluated President Nixon's second annual foreign policy report to the Congress.

The editorial concludes that this report is important because it provides "hostile powers" with an opportunity to understand the Nation's foreign policy and thereby lessens the risk of total miscalculations.

Because of the interest of my colleagues and the American people in this most important matter of foreign policy, I place this column in the Record herewith.

The article follows:

[From the Washington Daily News, Feb. 26, 1971]

Mr. Nixon on Foreign Policy

President Nixon's second annual foreign policy report to Congress is a valuable document that aims at several difficult targets at once.

Mr. Nixon believes that no foreign policy can be effective without popular support, so he tries to explain and sell his goals to win backing for them.

He also seeks to reassure America's allies of the steadiness of these policies. This country, he promises, will keep its commitments and stand by its friends so long as they do their share.

Most importantly, the President invites the Soviet Union to join us in a series of negotiations whose goal would be a stable and just peace. His invitation, if accepted in good faith, could point to a safer future.

The 65,000-word report is dominated by the idea of balance. Mr. Nixon points the country away from its former policy of over-involvement everywhere and in everything. But he warns against a return to isolation, which he is convinced would lead to another great war.

He also tries to balance conciliation and firmness. He seeks good relations with Russia and Red China, offering to recognize their great power status and interests.

"But, when challenged," Mr. Nixon reminds the other side, "the United States will defend its interests and those of its allies."

On Vietnam, he wants to focus attention on his direction—out—instead of on the current furor over the thrust into Laos. He makes a good case in recalling that he has drastically cut U.S. troop strength, casualties and costs, while strengthening the Saigon regime and army.

The President is right in reminding the country that North Vietnam still has a strong military capability and that South Vietnam faces grave economic, political and social problems. This sober warning is, we think, more realistic than the heady optimism of his recent statements about Vietnam.

The Middle East remains Mr. Nixon's candidate for the most dangerous place on earth—where another Arab-Israeli conflict could lead to United States-Soviet confrontation. He may have reduced that hazard by declaring that he will resist any Russian attempt to dominate the area.

Mr. Nixon's disclosure that Russia's nuclear strength "exceeds the level needed for deterrence" is unsettling. The United States has taken the political decision to seek nuclear "sufficiency," not superiority, and the President urges Moscow to make the same decision. Mankind must hope that Russia does so, for without it there can be no real security or arms limitation.

The report takes a calm view of the new Marxist government in Chile. Mr. Nixon correctly believes that what governments do internally is their own business, and he will react to how they behave on the international stage.

We are glad that he does not extend that broadmindedness to regimes practicing racism or persecution. He makes clear America's dislike of apartheid in South Africa and Rhodesia and of Portugal's colonial wars. But he wisely rejects demands that international force be used against those regimes.

A great value of Mr. Nixon's report is that hostile powers get an understanding of his policies and are less prone to act by miscalculation. This is no guarantee of peace, but in a dangerous world it is a useful lessening of risks.

SUBSTANTIAL UNEMPLOYMENT HITS FIVE MORE AREAS OF THE COUNTRY

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. DANIELS of New Jersey. Mr. Speaker, a Department of Labor news release on February 25 gave a bleak report on an already desperate situation. During the past month, five more major areas of our Nation have experienced "substantial unemployment," bringing the total number of areas to 45—the highest since 1963. This documentation serves to underscore the immediate need for an emergency program of public service employment.

The text of news release follow:

Five More Major Areas Have "Substantial" Unemployment; Total Now 45

Five major labor areas were newly classified as having "substantial" unemployment in February, bringing the total to 45—highest since April 1963, Assistant Secretary of Labor Malcolm R. Lovell, Jr., announced today.

They are: *Sacramento*, Calif. (6.7%); *Utica-Rome*, N.Y. (7.6%); *Johnstown*, Pa. (7.1%); *Scranton*, Pa. (6.3%); and *Providence-Pawtucket*, R.I. (6.6%).

All five of the areas shifted the Group C classification (moderate unemployment, 3 to 5.9%) to Group D (6 to 8.9%). *Sacramento* had not been on the "substantial" list in nearly 20 years.

Four other major labor area shifts sent the *Allentown-Bethlehem-Easton*, Pa. (3.3%) area and the *Madison*, Wis. (3.2%), area from the low unemployment Group B (1.5 to 2.9%) category into Group C, and the *New Britain*, Conn. (9.2%), and *Stockton*, Calif. (9.8%), areas, already on the "substantial" list in Group D, to a Group E (9 to 11.9%) rating.

The Manpower Administration each month classifies the same 150 major labor areas, selected to be representative of job market trends throughout the Nation. The 150 areas contain two-thirds of the Nation's work force.

Several hundred smaller areas are also listed when they meet the "substantial" unemployment criteria, but these smaller areas are not otherwise listed in "A," "B," "C," or "D" categories.

In February, 12 smaller areas were added to the "substantial" list, bringing the total of smaller areas on the list to 634. The 12 areas added this month are:

Roanoke, Ala.; *Ashdown*, Ark.; *Fort Smith*, Ark.; *Ottawa-La Salle*, Ill.; *Chestertown*, Md.; *Rolla*, Mo.; *St. Joseph*, Mo.; *Seminole*, Okla.; *Klamath Falls*, Oreg.; *Parkersburg*, W. Va.; *St. Albans*, Vt.; and *Beloit-Janesville*, Wis.

Two smaller areas, *Bristol*, Conn., and *Lock Haven-Renovo*, Pa., were changed from "substantial" to "persistent" unemployment.

There were no changes in the list of "classified sections of concentrated unemployment or underemployment" in February. All changes made this month are effective March 1, 1971, for Federal procurement purposes.

In the aggregate, 679 major and smaller areas are now classified as areas of "substantial" or "persistent" unemployment. Parts of 141 cities, parts or all of 163 counties in 18 States, 31 Indian reservations, and the Commonwealth of Puerto Rico are classified as sections of concentrated unemployment or underemployment.

Firms in or near these sections, as well as those in the "substantial" or "persistent" unemployment areas, which agree to hire disadvantaged workers, are eligible for first preference in bidding on certain Federal procurement contracts.

"Substantial" means the area has a jobless rate of 6 percent or more with the rate expected to continue for at least two more months.

"Persistent" means that the average unployment rate has been 6 percent or more for a year and has been at least 50 percent above the national average for several years.

Four major labor areas—*Stockton*, Calif.; *New Bedford*, Mass.; and *Mayaguez* and *Ponce*, P.R.—remained in the persistent category along with 458 smaller areas. In addition, three large cities—*Oakland*, Calif.; *Newark*, N.J.; and *Cleveland*, Ohio—and 24 separately classified counties are considered persistent unemployment areas.

Sacramento's shift into "substantial" unemployment was attributed to over-the-year job losses in both agriculture and manufacturing (aerospace) and a growing number of young job seekers.

In the other four major areas which joined the substantial list, the worsening unemployment reflected downtrends in durable goods manufacturing employment over-the-year, principally in the metals and machinery industries. *Scranton* and *Johnstown* also experienced declines in apparel. In *Providence-Pawtucket*, over-the-year losses in such nondurables as textiles, rubber and plastics, and in jewelry contributed to the jobless rise.

All four of these areas had been characterized by high unemployment problems in the 1950's and early 60's.

The table below shows for this month, last month, and a year ago, the number of major labor areas in the various classifications:

Labor supply groups	Feb. 1971	Jan. 1971	Feb. 1970
Total, all groups	150	150	150
Group A (overall shortage)	0	0	0
Group B (low unemployment, 1.5 to 2.9 percent)	13	15	57
Group C (moderate unemployment, 3 to 5.9 percent)	92	95	86
Group D (substantial unemployment, 6 to 8.9 percent)	34	31	5
Group E (substantial unemployment, 9 to 11.9 percent)	9	7	0
Group F (substantial unemployment, 12 percent or more)	2	2	2

HOW THE WEST WAS WON—ANOTHER VIEW

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. EDWARDS of California. Mr. Speaker, I place in the Record a letter from Attorney William L. Higgs, addressed to the honorable Justices of the

Supreme Court. For those of us concerned with the problems of the Spanish-speaking Americans of the Southwest, Mr. Higgs' letter gives much food for thought and sheds substantial light on the historical roots of the present Chicano movement. I am not sure Mr. Higgs' view is representative of the entire Chicano community or that his interpretation of the legal history is accurate in all respects. I am not qualified to make a judgment on either point. But I do believe he expresses a view which needs to be heard, a view which can provide us, as lawmakers, with valuable insights. It is in that, I hope, constructive spirit that I present Mr. Higgs' letter:

FEBRUARY 21, 1971.

U.S. SUPREME COURT,
Washington, D.C.

GENTLEMEN: I am writing you this letter somewhat in the nature of a petition for the redress of grievances, somewhat in the nature of a letter of deeply felt and needed expression.

Since I am trained in the law, as such is known in this country (Harvard Law School, LL.B., 1958), I realize that this communication will probably have no meaning, no effect. Nevertheless, I have always given in to the urge to express myself when I felt something was deeply wrong. And this time is no exception.

I shall try to be brief; you have enough to read as it is.

In 1896 the Court gave its opinion in the case of *Plessy* v. *Ferguson*, 163 U.S. 537. That opinion became the cornerstone of legalized racism in this country. One year later in 1897, the Court handed down its decision in the cases of *U.S.* v. *Rio Arriba Land and Cattle Co.* (167 U.S. 298) and *U.S.* v. *Sandoval* (167 U.S. 276). These opinions, together with *U.S.* v. *Santa Fé*, 165 U.S. 675 (1897), now stand as the bulwark against the property rights of the impoverished Indo-Hispano (Chicano) of the Southwest. These cases grew out of the Treaty of Guadalupe-Hidalgo (final ratification by Mexico on May 30, 1848) closing out the war between the United States and Mexico, which many people believe was the most sordid chapter in our history. This Treaty stated that the property (as well as civil and political) rights of the Indo-Hispano would be faithfully protected by the United States. In essence these decisions of the Supreme Court held that the common lands of the pueblos (settlements) of the Indo-Hispano people of the Southwest belonged not to these people but to the U.S. government. (It goes without saying that the Court never considered protecting the inalienable character of the common lands of the pueblos in the Indo-Hispano people.)

The Supreme Court wrote down reasoning to the effect that, since, under the laws of Spain and of the Indies (Spanish America), the King of Spain held and exercised absolute dominion and control over the common lands of the pueblos, the U.S. government as the successor to the King of Spain and to the government of Mexico was entitled to the common lands. In large part these Supreme Court decisions meant that up to 100,000,000 acres of land (about ⅛ of the entire area of the Southwest, Texas to California—according to *The Public Domain*, U.S. Public Land Commission (Washington: U.S. Government Printing Office, 1884), p. 409, claims for 80,000,000 acres were evidently outstanding in New Mexico, Colorado and Arizona alone) was transferred effectively and successfully under the rubric of "legal process" from the Indo-Hispano people to the U.S. government, to shyster lawyers such as the Santa Fe Ring, and to other "Anglo" opportunists skilled in the art of legal intrigue.

In short, these decisions of the U.S. Supreme Court and the type of legal process that they fostered resulted in the loss of about 100,000,000 acres of land by the Chicano people to the U.S. government and Anglos—in direct violation of the guarantees of the Treaty of Guadalupe-Hidalgo.

Though I could not conceivably hold myself out as being anything but an average reader of Spanish, I have spent some time examining the various Spanish Codes, including the *Siete Partidas, Recopilación, Novisima Recopilación,* and others, as well as *La Recopilación de las Leyes de los Reynos de las Indias.* Also I have examined some treatises in Spanish on the subject. I am convinced that the Supreme Court of the *Rio Arriba, Sandoval,* and *Sante Fé* opinions was not correct when it accepted the position advocated by the U.S. government that the King of Spain held and exercised absolute dominion and control over the common lands of the pueblos.

Law 4, Title VIII, Book VII of the *Novisima Recopilación* states in part:

"LEY IV.—Tiempo necesario para prescribir el Señorio de los pueblos, y su Jurisdiccion civil y criminal, á excepcion de la Suprema, y de los pechos y tributos pertenecientes al Rey.

"Ley 2. tit. 27. del Ordenam. de Alcalá; y D. Felipe II. año de 1566.

"Porque algunos en nuestros reynos tienen y possen algunas ciudades, villas y lugares, y Jurisdicciones civiles y criminales, sin tener para ello titulo nuestro, ni de los Reyes nuestros antecesores, y se ha dudado, si lo suso dicho se puede adquirir contra Nos y nuestra Corona por algun tiempo; ordenamos y mandamos: que la posesion inmemorial, probándose segun y como y con las calidades que la ley de Toro requiere, que es la ley 1, tit. 17. lib. 10., baste para adquirir contra Nos y nuestros sucesores qualesquier ciudades, villas y lugares, y Jurisdicciones civiles y criminales, y qualquiera cosa y parte dello, con las cosas al Señorio y Jurisdiccion anexas y pertenecientes; . . ."

Since the words "contra Nos y nuestra Corona" and "contra Nos y nuestros sucesores" are used I take this language to mean that the pueblos at one time—at least until 1805, the date of the *Novisima*—held titles effective even as against the King, primarily because that is what it says.

Moreover, Law 8, Title XXI, Book VII, of the *Novisima Recopilacion* declares—since 1515—that even the King of Spain could not grant to outsiders the common land within the terminos or boundaries of a pueblo.

Laws 1 and 2, Title I, Book II, of the *Laws of the Indies,* above, explicitly makes the laws of Spain applicable to the Indies when the *Laws of the Indies* do not cover the subject.

These laws I have mentioned above apparently were never seen by the U.S. Supreme Court of 1896, which contented itself with studying only some available English-language works and excerpts, much of which was incorrectly translated and contained serious omissions.

In addition, these cases before the Supreme Court invariably reflected only the interests of the U.S. government and the Santa Fe Ring as they struggled over who would get the spoils of the lands of the Indo-Hispano people.

Frankly, I do not feel that a legal brief is in order here. I just want to say that I am convinced that a reading of the Spanish Codes—in Spanish—will leave the reader certain that the Supreme Court of the United States incorrectly decided these cases that deprived the Indo-Hispano people of their land.

In view of the gravity of the continuing harm being done to the Chicano people of the Southwest, I would hope some day a Supreme Court would be big enough and just enough to rectify the wrong—just as Chief Justice Marshall did in *U.S. v. Percheman*, 32 U.S. 50 (1833) when he reversed the holding in *Foster v. Nelson*, 27 U.S. 164 (1829) and upheld a Spanish land grant upon the Court having subsequently called to its attention by means of a translation of the Spanish version the correct interpretation of the 1819 Treaty ceding the Spanish Floridas to the United States.

The consequences of this loss of land to the Indo-Hispano has been incalculable—in poverty, in suppression of culture, in denial of education, in encouraging of racial discrimination. And these effects are still continuing throughout the Southwest. One sees it here everywhere—in the facts and in the statistics.

And these are the consequences of this Court's decisions.

There is a man, Leies Lopez Tijerina, who—though having had only six months of formal education in his life and only learning English at 17—became interested in the plight of the Indo-Hispano, of his people, and in the role of the land in that plight. He traveled to Spain and to Mexico. He studied and purchased many books, including the *Laws of the Indies* and all of the old Spanish Codes. After years of laborious study in lawbooks and talking to the old people he became convinced that the U.S. Supreme Court was wrong, that the pueblo common lands belonged to the people of the pueblos, not directly to the King of Spain. He sought in various ways to petition the U.S. government to correct its error, all in vain. In other contexts he has come to the extrajudicial attention of this Court, particularly that of Mr. Chief Justice Burger.

Mr. Tijerina was charged and convicted by the U.S. government of aiding and abetting an assault on forest rangers in the Carson National Forest in October, 1966, on land which Mr. Tijerina and the neighboring settlers claimed belonged to the common lands of the pueblo of San Joaquin del Rio de Chama (Canon de Chama). Since the rangers had only been led by the arm about ten yards, no one was hurt; but Mr. Tijerina received a two-year sentence, while the ones who actually touched the Rangers' arms were out of prison in two months. This Court refused to even hear the appeal in Mr. Tijerina's case, so Mr. Tijerina now (Jan. 17, 1971) has finished serving that sentence. He has just begun serving another sentence stemming from his wife's burning of two Forest Service signs designating the southern part of the San Joaquin pueblo as part of the Santa Fe National Forest, since he was convicted of aiding and abetting her. Mrs. Tijerina's sentence was suspended. Mr. Tijerina is now still in prison and has been there since June 11, 1969, when his bond on the "assault" case was revoked on the grounds that he was "dangerous to the community." At a new bond hearing after 18 months in prison, bond on the "sign-burning" conviction was denied for the same reason on January 19, 1971, in U.S. District Court in Albuquerque. Various petitions for vacation of sentence and habeas corpus have been summarily rejected or gone unanswered.

After relentless persecution by the state and local police in northern New Mexico because of his struggle for the common lands, Mr. Tijerina was involved on June 5, 1967, in a now-famous shoot-out in the Courthouse in Tierra Amarilla, New Mexico, the county seat of Rio Arriba County, a land of great size and beauty and of great poverty—for the Indo-Hispano. Mr. Tijerina was brought to the state bar of justice on about sixty counts, several capital (kidnaping). At a November, 1968, trial at which the state was forced to select any three charges on which to try Mr. Tijerina, he was acquitted by the jury of all three. Subsequently, in spite of Mr. Tijerina's stand on the double jeopardy clause of the U.S. Constitution, he was retried in November, 1969, and convicted on two of three of the numerous remaining charges. Mr. Tijerina was his own lawyer in both trials. The state had learned its lesson well: At the first trial he was physically free, during the second he was in prison and denied access to legal materials and witnesses necessary to his defense, in federal custody. At the first he had this writer as advisor sitting at his side, at the second I was ordered by the Court to sit with the audience. At the first he could introduce evidence about the pueblos and the common lands, at the second he could not. At the first he could have testimony from those directly involved such as the governor and the district attorney (the object of an attempted citizen's arrest that precipitated the shoot-out), and the second he could not.

Presently Mr. Tijerina's appeal from the sign-burning case is awaiting decision by the Tenth Circuit in Denver. He has been trying for parole or for bond ever since his June 11, 1969, arrest without success. He is now confined in the federal Medical Center in Springfield, Missouri, and has undergone several operations on his throat, accompanied by sharp loss of weight.

I have always considered that I have as much a direct stake in injustice as those who suffer from it. I have been active in the civil rights movement both in Mississippi and in Washington, D.C., ever since my graduation from law school in 1958. Many household names and many forgotten persons of the movement have been my friends or acquaintances.

I believe Mr. Tijerina to be a very great man who passionately believes in justice. I believe that he is being made to suffer not for his transgressions against the law but for his convictions, the light of which the administrators of law and government cannot stand.

I believe the common lands—all 100,000,000 acres of them—in law and in justice belong to the Indo-Hispano people of the Southwest.

I would like to see the Court act in this cause and correct some errors, right some wrongs, and render justice. I do not believe that it will, but a petition at the least has the salutory effect of making the petitioner feel better.

This letter is written with the greatest of respect to nine distinguished scholars and contributors of the law who have high dedication to justice as they perceive it—and I am not sure that one can ask for more.

Yours sincerely,

William L. Higgs.

NATION SUFFERING FROM INFLATION AND UNEMPLOYMENT

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. WILLIAM D. FORD. Mr. Speaker, economists have debated and argued in recent months over the apparent anachronism of our economy suffering simultaneously from both inflation and unemployment.

Metropolitan Federal Savings, in Detroit, analyzed the situation in the winter edition of its Quarterly Indicator, and offered the most concise and logical explanation I have seen:

> We have both inflation and unemployment because the military expenditure levels have short-circuited the flow of money into long-term investments. Instead of permanent investments in plant, machinery, housing and public works of all sorts, we are diverting too many of our resources to nonproductive military use.

Mr. Speaker, here in simple language, is the basic problem of our economy today. This short paragraph puts the blame exactly where it belongs—on the huge percentage of our budget that is poured down the drainhole of militarism. This expenditure reached its logical—and ridiculous—climax this week, when a newspaper columnist pointed out that we are spending $110,000 for every person we kill in Southeast Asia.

I include the Quarterly Indicator's article at this point in the Record:

How Come Inflation and Unemployment Both?

You can not understand the American economy if you leave the high level of military expense out of the reasoning.

There is nothing new about ever higher money outlays to workers from year to year. This is a necessary condition for an increased standard of living for the people.

Traditionally, these outlays have been offset by large investments in plant and machinery which keep the costs per unit down and provide an ever larger flow of goods and services to increase the standard of living of the people.

We have both inflation and unemployment because the military expenditure levels have short-circuited the flow of money into long-term investments. Instead of permanent investments in plant, machinery, housing, and public works of all sorts, we are diverting too many of our resources to nonproductive military use.

And the high levels of unemployment exist because we have not shifted our production processes from war to peace purposes. It is now time to beat our swords into plow shares. Our current direction is to cut back without re-direction to solve human problems such as air and water pollution, better health care and the like. The result is that we have less and increasingly, our people are unemployed. It is bad economics to have so many people out of work. It is also hard on the business community which is suffering along with its customers. So, there is talk of a national budget in 1971 which will be 15 to 20 billion dollars in the red. If this provides a basis for long-term investments in health care, child care, machinery, housing and the like, we will have a genuine basis for combating the inflation, and providing jobs for the unemployed.

Reductions in costs do not come from jiggling with financial flows and adjusting money valves alone. You can have a good heart and circulatory system concurrent with terrible hunger pains in the stomach. Therefore, some attention must be paid directly to the costs of and distribution of food, housing, clothing, medical care, education and all of the other items which are critical to human survival. All of these things require investments in improved technology. This costs money. So does a huge military establishment.

If we are indeed a nation that believes in keeping people alive and raising their standard of living, we ought to back up our beliefs with our money.

A DEDICATION TO WOODROW WILSON

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. BROWN of Ohio. Mr. Speaker, the great men and great Presidents of the United States, regardless of their party, cease to be partisan figures in the minds of the people as history puts their service to the Nation and to mankind in proper perspective.

Thus, it is that Presidents such as Jefferson, Jackson, Lincoln, and Theodore Roosevelt have long since been embraced by Americans of all political persuasions.

Another President who falls into that category is Woodrow Wilson.

Recently, President Nixon spoke at the dedication of the Woodrow Wilson International Center for Scholars here in Washington. Also participating in the ceremonies was Senator Hubert Humphrey, the Democratic candidate for President in 1968.

The ideals, the dreams, and the accomplishments of Woodrow Wilson in his unending quest for peace joined these two leaders that night in a common bond, because they, too, are men who seek for peace. And true peaceseekers acknowledge no party and no narrow politics in that search, for peace truly transcends both party and politics.

For that reason I should like to insert in the Record at this point the remarks of President Nixon at the dedication of the Woodrow Wilson Center on February 18, 1971:

Remarks of President Nixon

Senator Humphrey, Dean Sayre, Dr. Ripley, and all of the distinguished guests present here today: I, first, express my deep appreciation to Senator Humphrey for his gracious introduction and also my commendation for his eloquent remarks.

And I would like to point out that in my opinion, had it not been for him, for his devotion, his dedication and his tenacity, we would not be meeting here today with this project now reaching its culmination. And to him and all the others who worked with him, certainly the thanks of the nation and the thanks of the people around the world go for seeing to it that the living memorial to one of America's greatest men is now coming into being.

And it, of course, is an historic occasion for all of us. For me, too, it is the first time that I have heard the voice of Woodrow Wilson, although I have read, as most of you have, most of what he has written.

And it brings a special meaning to this occasion that one of the distinguished religious leaders of this city and of this nation is here today, and that he is the grandson of Woodrow Wilson.

I am honored to celebrate this occasion and the dedication of this new international study to the memory of one of America's greatest Presidents.

Along with most Presidents of the past half century, I have long been a student of Woodrow Wilson. He was a man born ahead of his time. We have reason to hope that he was not born ahead of our time.

Ironically, this man, who used the English language to uplift and inspire, and who so enriched the lexicon of democracy is remembered most for one phrase he did not coin, a phrase that was twisted into a slogan of cynicism. He took that phrase from H. G. Wells' book, "The War That Will End War." Using that phrase as their center piece, there are some who class Woodrow Wilson as a colossal failure.

He won re-election in 1916 on the slogan: "He kept us out of war." But America went to war. That election, interestingly enough, was the background for my own interest in Woodrow Wilson and the inspiration he has provided for me, as he did for Senator Humphrey, the former Vice President of the United States.

My mother and father were both Republicans. California was the State, as you recall, that decided the election of 1916. The reason was that a number of Republicans voted for Wilson. My mother was one of them. She was a devote Quaker, a deeply dedicated pacifist.

I was only three years old in 1916, but for years afterwards, in a friendly way, my mother and father sometimes spoke of that election of 1916 in which my father had voted for Hughes.

But my mother, despite the fact that America did get into the war after 1916, always had her faith in Woodrow Wilson. She used to say to me, "He was a good man. He was a man who deeply believed in peace." And she believed that the United States made an error in not following his advice after World War I.

He inspired her with his idealism and she in turn passed on that inspiration to me.

We all recall how Woodrow Wilson rallied the hopes of mankind that World War I would be a war that could end wars. We all remember, too, that wars followed, tragically.

He tried to lead the United States in the community of nations, but he failed to stem the tide of post-war isolationism. He died a broken man.

But now, with a half century's perspective, we can see the success of Woodrow Wilson begin to emerge. He identified the United States of America with the principle of the self-determination of all nations, weak and strong.

He lit a spark that merged this nation with the cause of generosity and idealism.

Every war-time President since Woodrow Wilson has been tempted to describe the current war as the war to end wars. But they have not done so because of the derision that the phrase evoked, a reminder of lost dreams, of lights that failed, of hopes that were raised and dashed.

What I am striving for above all else, what this nation is striving for in all that we do is something that America has never experienced in this century, a full generation of peace.

I believe that right now is the time for us to learn to walk in peace. The first step, of course, is to still the sound of war around the world.

We are moving in that direction. We have taken the first steps toward walking in peace. But we must first break the terrible world habit of war and only then can we learn the wondrous habit of peace.

That is why today I do not speak of the war to end wars. Instead, I hope to focus on something that men alive today can achieve for themselves and their children, on a dream that we can realize here and now, a genuine beginning toward our ultimate goal.

That is why I have set our sights on a span of time that men in positions of power today can cope with, just one generation, but one long step on the path away from perennial war.

That, too, is why it is more important now than ever before to summon up the spirit of Woodrow Wilson. For we can only establish the habit of peace by answering the call for human brotherhood, his inspiration for an understanding between men and nations.

Some of Woodrow Wilson's most eloquent speeches were made on the trip that he took to Europe immediately after World War I. On that trip, crusading for a League of Nations, he made the point vividly in the Mansion House in London.

He told the story of a great Englishman of letters, Charles Lamb, who once casually said about another man, "I hate that fellow." And one of Lamb's friends replied, "I didn't know that you knew him." And Lamb said, "I don't. I can't hate a man I know."

And that is how Wilson made his point. He said, "When we know one another, we cannot hate one another."

Knowing one another in its deepest sense means far more than becoming acquainted or improving the atmosphere in relations between nations. It means that we must recognize our differences and come to grips with reality of conflicting national interests.

History has taught us that we do not know one another better by glossing over the substance of disagreements. We know one another better when we understand why nations disagree.

Then, and only then, can we act together to harmonize our differences. When we truly know one another we can have differences without hating one another.

I suggest that the greatest single achievement of Woodrow Wilson was in opening the heart of America for the world to see.

Since Wilson, the world better understands that America does stand for self-determination of all nations, that Americans fervently believe in a world living in freedom and peace.

Wilson died convinced he was a failure. He was wrong. The Wilsonian vision, the American passion for peace and freedom did not die. Through all the years of war, through all the setbacks of isolationism and weakness toward aggression, that vision has persevered—until now it is on the verge of triumph.

When we know one another, we cannot hate one another. In this still imperfect world, I am convinced that realistic understanding is on the rise and mindless hatred is on the decline.

The strong likelihood exists that there will be no need for a war to end wars, that instead by taking one careful step at a time, by making peace for one full generation, we will get this world into the habit of peace.

The time will come when Woodrow Wilson will be remembered not as a man who tried and failed, but as one of those Americans who saw the truth before his time and whose vision became the reality of the generation he inspired.

By his example, Woodrow Wilson helped make the world safe for idealism.

By following that example, by not fearing to be idealists ourselves, we shall make the world safe for free men to live in peace.

COMMUNITY LEADERSHIP CONFERENCE—SAFE STREETS: A PRIORITY GOAL

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. BINGHAM. Mr. Speaker, on December 13, 1970, I was privileged to sponsor the fifth annual Community Leadership Conference which was hosted again this year by New York University at its University Heights campus in the Bronx, N.Y. The topic this year was "Safe Streets: A Priority Goal." We were honored to have former U.S. Attorney General Ramsey Clark and Acting Chief Inspector Elmer C. Cone, who represented Police Commissioner Patrick Murphy, as the principal speakers at the plenary session.

As in past years, following the plenary session there were panels devoted to specific aspects of the conference topic. We were fortunate in having distinguished local and national leaders, including former U.S. Commissioner of Education, James Allen, on these panels. Dr. Lewis Hyde, provost of New York University's Heights campus, joined me as the host at the plenary session and later served as the chairman of one of the panels. I am grateful to him for his and NYU's invaluable assistance in making this conference a success.

Conferences such as ours are valuable for the many good minds they bring together to focus on a problem of importance, but are especially gratifying when the discussion leads to meaningful action. One item that was stressed at the Community Leadership Conference this year was the problem of crime in the schools, a concern particularly to minority groups. In checking into this matter in the days following the conference, I discovered that none of the existing Federal assistance programs provide funds specifically to combat this problem which means that local education funds, already short, must often be diverted to school security and away from central purpose—education. I have developed legislation to provide the needed funds—the Safe Schools Act of 1971 (H.R. 3101) which I introduced on February 1, 1971.

Mr. Speaker, because I believe that the discussions which took place at the Community Leadership Conference are of national importance, I insert in the RECORD summaries of what was said at the plenary session and at each of the six panel sessions:

PLENARY SESSION

(Introductory remarks by Congressman JONATHAN B. BINGHAM)

Many facets of the complicated problem of crime in our society require continued study and discussion. We desperately need to learn more about the nature of crime and its causes, direct and indirect. We need new and sharper ideas on how to curb crime without transforming the free society we all cherish into a garrison state that would be more oppressive than the uncertain fear we now live with. One way to forge these essential discoveries is to talk to each other—to share our experiences and insights. That is the purpose of this conference.

There are, however, a number of needed courses of action to control crime that are all too apparent, and have been for some time—that require not more discussion, but commitment; not more debate, but execution. In my judgment, control of firearms is certainly high on that list.

As the National Commission on Violence quite rightly concluded, firearms do not cause crime or violence. They do, however, facilitate crime and increase horrendously its impact upon society. For the individual that falls victim to a crime, the presence of a firearm in the hand of the criminal may very well mean the difference between the loss only of replaceable property, and the irrevocable loss of life itself.

In the wake of assassinations of some of our most beloved and able leaders in the 1960's, the nation was sufficiently stirred and outraged to make it possible for the Congress to enact new Federal gun control legislation—the Gun Control Act of 1968. That Act curtailed the importation of foreign firearms, significantly restricted mail order and inter-state gun shipments to individuals, and outlawed possession of handguns by convicted felons and other dangerous individuals. But it did nothing to reduce the overall size of the gun population in this country (conservatively estimated at 90-million). Similarly, it did nothing to get at the person-to-person transfer—by sale or otherwise—of second-hand guns. The Violence Commission determined that more than half of all gun acquisitions involve second-hand guns changing hands outside commercial establishments where such gun control laws as we have are presumably observed. As a result, areas with strict local restrictions on firearms like New York continue to be public arsenals and market places for a lively trade in dangerous firearms.

No other developed country in the world is as permissive with firearms as this country. And no other country has anything near the death rate involving firearms that we do. The United States in recent years has had about 3.5 homicides in which a gun was used for every 100,000 Americans—195,936 homicides in all. The next most gun-crazy country in the world, by this index, is Italy—which had only 0.5 gun homicides per 100,000 population (one-seventh the rate of the United States). Countries with the strongest gun laws, like Britain, West Germany, Denmark, the Netherlands and Japan have 0.1 gun homicides OR LESS per 100,000 population (one-thirty-fifth the U.S. rate).

I feel strongly that we must take determined new steps not only to register all guns and license gun-owners, but also to stop completely the manufacture, transfer, transportation, or import in or into this country of handguns by any person except military and law enforcement personnel. I have introduced legislation in the Congress to institute registration and licensing, and to ban handgun trade. Long guns, which have legitimate recreational and sporting uses, and which are difficult to conceal, would not be included in such a ban. Strict gun control need not and should not deprive serious and responsible sportsmen of access to weapons. But neither should the rest of us have to live in terror in order to satisfy the sportsmen.

Support among the general population and in the Congress for stronger gun control measures has lagged deplorably since 1968. Not only has it been impossible to enact new gun control legislation, but the gun lobby has begun gradually to try to gut the 1968 law. Only last week the Ways and Means Committee reported out a bill that would exempt various kinds of ammunition from the reporting provisions of the 1968 Act—an effort I will, of course, do everything I can to block. The public's memory is indeed short, and its attention fickle. But the citizens who live in the cities of this nation realize fully that this nation faces a greater threat from firearms today than it did in 1968. Partial gun control is little better, in effect, than none at all. Is it any more a tragedy or a disgrace that one of our leaders is shot down than that one of our neighbors is shot down—as happens every day in this and many other cities across the nation? I think not, and with that in mind I call for renewed public support and demands to expand our controls on firearms on a nation-wide scale as the item of most immediate priority in the fight against crime.

Highlights of Remarks by Acting Chief Inspector Elmer C. Cone, Representing Police Commissioner Patrick V. Murphy

Inspector Cone believes the police and the community have a common interest and a mutual obligation to make our streets safe. The relationship between the urban population and the police is influenced by the effects of conflict and protest and discontent, with the unfortunate result that the police are sometimes cast in the role of an adversary. The policeman can apprehend persons responsible for crime, but apprehension has little effect on crime rate if offenders are not brought to trial promptly and, once tried and convicted, are placed into institutions that do not correct and return to society more responsible citizens. At least nine of every ten men who leave prison eventually return there. The overcrowded prison with inadequate personnel and poorly designed facilities provides a fertile breeding ground for crime.

For a long time the community has looked to the police to solve problems that society has failed to solve. The amelioration of social and economic injustices is a battle which must be fought concomitantly with the battle against crime. There can be no war on crime without a war on poverty, on racial discrimination, on inadequate housing, and on unemployment. We must strive to ameliorate the conditions of life that drive people to commit crime and that undermine the restraining rules and institutions erected by society against anti-social conduct. Even with a vastly improved criminal justice system, it seems impossible that we can substantially reduce crime if society fails to make it possible for each of its citizens to feel a personal stake in it, in the good life that it can provide, and in the law and order and justice that are prerequisite to such a life.

Among the things being done by those in the police service to cope with the problem of crime and disorder are the following:

The pursuit of policies of modernization and innovation to increase efficiency. The addition of more radio cars and scooters to increase the mobility of the force. The improvement of communication facilities to permit flexible operation and speedy response to calls for assistance. The development of the capability to mobilize manpower and equipment rapidly to meet emergency situations. The adoption of new crime prevention techniques. The recruitment of the largest police force in the city's history coupled with an increased civilian staff to take on clerical and administrative jobs formerly performed by police officers—with the result that a much larger police complement is patrolling the streets of our city. The broadening of training for both recruits and veteran police officers, geared to improve police attitudes in serving the public as well as efficiency in law enforcement. The enlistment of professional educators to train recruits in human and civil rights and to build into every police training course a concern for human rights. The initiation by Police Commissioner Murphy of a new technique to combat street crime: The use of a limited number of officers in civilian clothes on rescheduled tours of duty to increase police protection during high crime night time hours has produced a significant number of arrests for crimes against the person. The implementation shortly of another new technique aimed at restoring a closer relationship between the patrolman and the people on his beat and increasing police accountability for crime control in each police sector. A police sergeant in a given neighborhood will have the responsibility for the work of patrolmen assigned to him, for a 24-hour day (rather than the present 8-hour working day). The local precinct commander, the sergeant and the beat patrolman will receive greater freedom of operation as well as added responsibility in crime control. The radio car patrolmen will be encouraged to leave their squad cars and walk around the community. This so-called "Beat Commander" project, which the Ford Foundation is expected to fund, will be directed by Captain James McGoey of the 43rd Precinct in the Bronx.

The Bronx is benefitting directly from many of these improvements and innovations. With increased demands on police service there has been also a significant increase in felony arrests.

In conclusion, Inspector Cone pointed out that the criminal element constitutes a tiny fraction of society but its conduct has a terrifying impact on the entire community. Peace and good order are attainable if there is a massive effort by society—the courts, the legislature, teachers, clergy, sociologists, penologists, parole and probation authorities, and most essentially, the community itself. The job of the policeman is extremely demanding and its effectiveness demands public support. Inspector Cone earnestly requested citizen cooperation with the patrolman whenever the opportunity arises, alertness and prompt reporting of actual or suspected criminal activity, and assistance in the hazardous task of policing this city.

Highlights of Address by Former U.S. Attorney General Ramsay Clark

In his definition of "crime in the streets", the former U.S. Attorney General indicated "that we have people among us who, for whatever reason, care so little about others or are so unable to control themselves that they destroy life or injure or take property." Clark asked that we try to use reason in our approach to this very emotional subject. He believes that the truth is fairly clear, but we must have the courage to uncover our eyes and face it. We know the answers. The question is whether we've got the will. We can do something about crime in the streets if we care—for we are a rich and generous nation—and Clark suggests that we must approach it in two ways: *The underlying causes* and *the system of criminal justice*.

Unless we are willing to recognize the underlying causes, all our efforts to reduce crime will be futile—like bailing out a sinking ship while water continues to rush in. Clark cited alcoholism, drug addiction, and mental instability as three symptoms of failure in our society.

Alcoholism is a medical problem, but police service is the way society copes with it. Of all the non-traffic arrests in the United States in 1960, one-third were due to alcoholism. Police cannot cure alcoholism.

Even worse than the problem of alcoholism is that of drug addiction, for there is no person with greater human misery than the drug addict suffering from enormous human degradation. And in this age of anxiety, it will get worse. We cannot control addicts with armed force. Surreptitious surveillance, clubs and guns are not the answer. We must seek cure and care. Clark suggested that we divert one-third the cost of a polaris submarine into a laboratory and find that synthetic chemistry that would relieve the body of reliance on opium and its derivatives and require "a national commitment to do something" about drug addiction.

And it follows that police cannot cope with the mental instability brought about by poverty in urban America—poverty which causes family breakdown, constant concern and fighting about money, inability to obtain food, malnutrition, constant insecurity, dehumanization from gross waste of life and talents, and the inability to function in essential interpersonal relationships. And our mentally retarded might be "different" but they are "gentle" people who find it difficult to cope. They need love. For them prisons are not the answer.

Clark put it directly to his audience, that if we care about human dignity, we must help on the underlying causes of crime.

The system of criminal justice in this country is comprised of the police, prosecutors, courts, and corrective institutions.

There is no activity in America that requires greater skills than police service, yet the average police salary in the United States is three quarters of the average necessary to support a family of four, and tens of thousands of our police officers must moonlight to support their families. What does this mean? It means we don't care; it means we want safety on the cheap. And is it fair to expect the police to hold together broken homes; keep our kids from dropping out of school? We should integrate police into the community they serve. We must recognize that they are important to our freedom and our safety. We must be in the most intimate communication with them. All this if they are going to have a chance to make a difference. This will require a commitment of the people at community level.

Our neglect of our officers of prosecution and of our courts is unbelievable. We do not give them the necessary resources to provide effective justice and meaningful rule of law. They perform very much as they performed in the 19th Century. They cannot keep up; they can only mass produce. Justice does not lend itself very well to these shortcomings in our system, and human beings get ground up in the process. The system fails to act as a deterrent and not one serious crime in 50 results in a conviction. Justice is possible in mass society more easily than in earlier times, but we must want it, we must believe in it, we must work for it, and we must support those who live their lives in that service. We are not doing very well.

Perhaps the most tragic neglect in the whole system of criminal justice is corrections. In 1968 we spent about 1.1 million dollars on all corrections in the United States—federal, state, and local—all of our jails, all of our prisons, all of our probation, parole and pre-release guidance, half-way houses, pretrial detention, with 95 cents of every dollar going into pure custody (iron bars and stone walls). We keep 10s of thousands of kids out of school that way. For many it is their last chance to get back into school. And what chance will they have to live a life free of crime without an education today? We know that 90% of these kids are drop-outs. If society had no other intention than its mere safety—no compassion, no concern for anybody, just safety—it would get them back in school. We brutalize in penitentiaries. We arrest without formal charge by a grand jury and we imprison without the benefit of legal counsel. Our prisons are manufacturing crimes. Jails are not the answer. To the offender we must give health, physical and mental, education, a chance to make a living, community stability. We must regard the offender as a human being. If we want him to have respect for the law, the law must be respectable. And therefore the law must not act immorally. When you say you presume they're innocent and you believe in the integrity of the individual and in his dignity until a jury of his peers finds him guilty beyond a reasonable doubt, you can't just throw people in jail without a trial. You cannot just create violent acts—like smashing in doors realizing that violence is behind those doors—and hope to have the respect of the people and not create more violence. You cannot create human dignity by wiretapping and electronic surveillance, hoping somehow or other to catch by mysterious speed of sound those words people utter concerning anti-social conduct. Injustice creates anger.

Clark, who is from the South, pointed out that the relationship between racism and anti-social conduct in America is just enormous. It is no coincidence Clark said, that the murder rate in the South is twice the murder rate in the nation.

In conclusion, Clark emphasized that what America must have to solve the problems of anti-social conduct is a passion for justice.

Message for December 13 Community Conference Opening Session

It is a pleasure to send greetings to the opening session of the Fifth Annual Community Conference at New York University. Indeed, the theme of your conference is timely. The allegedly direct approach to crime as contained in the Organized Crime Control Act of 1970 does not address itself directly to the problem of crime in the streets which represents the greatest danger to our society today. If we are drastically to reduce crime, the first reform that needs to be carried out is the elimination from the category of crimes, of certain common offenses which take a great deal of police time, clog the courts, and divert needed resources from the effort to combat serious crime. One area where this should be done immediately is in the area of drug abuse to which I note, you will devote extensive time in your conference. It has become evident that trying to deter drug-related crime solely by use of the criminal law, has not been effective. We must be prepared to use new approaches, if we are to effectively solve the problem.

Since drug-related crime has been estimated to be responsible for about 50 percent of the serious crime in big cities as New York, it will result in vast savings of money and human misery if we can reduce these crimes. My best wishes for successful deliberations. I would greatly appreciate you sending me transcripts of speeches and deliberations for my perusal.

With best wishes,

Jacob K. Javits,
U.S. Senate.

Panel IA: Protection and Correction—the Police

Chairman: Congressman James Scheuer.

Cochairman: Assemblyman Alexander Chananau.

Panelists: Chief Inspector Sydney Cooper, Dr. Morton Bard, and Mr. Alfred Vickers.

Reporter: Mrs. Ruth K. Nezin.

Congressman Scheuer. It is important for the people to know about the police because we must know what we expect from them and what we expect them to be. We give them an impossible job—expect them to be social serviee workers, nurses, gynecologists, an ASPCA extension force, labor arbitrators—be able to do everything from taking care of a harmless, rambunctious drunk to cornering a heavily armed, dangerous and perhaps psychotic individual. The range of demands is extraordinary and the variety of skills we expect make the policeman's job requirements almost superhuman. If we are really concerned with violent crime in our neighborhoods and want the police to keep the peace and prevent violence, then we must lift off the statute books those laws which many feel society doesn't really want but they have to enforce—the whole range of non-violent crimes (prostitution, gambling, homosexuality, voluntary relations between consenting adults which do not result in violence or other criminal activity). Do we want the police to be traffic fighting or crime fighting police? The waste of manpower and time involved in having policemen deal with traffic offenses could be avoided by giving the job to paraprofessionals; as a matter of fact every time the police give a parking or other traffic violation ticket they erode the relationship between the citizen and the police. In addition to traffic and morals police we call upon them to be political police—to invade college campuses and take an active role in violent student demonstrations. "I wonder if it wouldn't be a good idea to get police totally out of political activities as well as traffic and moral offenses. Present laws define the police role in ways that are wasteful and put the police in a very difficult situation with large groups of the population. I hope there will be some clarification as to the kinds of roles citizens want the police to play." All of us know the police are highly skilled professionals; the average officer has training and background far in excess of what his counterpart had ten years ago. I believe New York's finest really are the finest. I have had a great deal of contact with them and have found the majority to be professional, with pride in their work and responsibility and who are doing their best to fulfill our hopes and expectations He then introduced Chief Cooper, outlining his background of education and experience.

Chief Cooper. states he sees the concern for safe streets not only in the Bronx but throughout the city and the country as a whole. Congressman Bingham has met with him on many occasions in the past. While we have not increased the number of prisons we are making prisoners of ourselves—there are gates on commercial areas; locks and chains on doors; gates and bars on windows; burglar alarms. "We may not be placing more criminals behind bars but we are placing ourselves behind bars to protect ourselves, so that in effect we are the prisoners." The police are attempting to correct this. There has been vast increase in the number of uniformed patrolmen; radio cars; better communication through walkie-talkies and 911 (he quoted statistics; I have some figures if needed)—in an attempt to stem this feeling of fear and the growth of crime—it is going up. Police have only an index of crimes reported. Are finding that people are becoming so used to living with crime they feel there's no longer any need or use in reporting it to the police—"What can they do?" Cooper has made a study of conditions in the Bronx (has been assigned here since 1968). Recent population statistics show that since 1950 there are 3,000 more people residing in the Bronx and since 1952 we have doubled the police force. You measure the effectiveness of the police force by the amount of crime in the street; by safety first, to prevent or detect those responsible, arrest them and bring them before the bar of justice. If they were to measure the number of arrests made the police have been eminently successful; but if you measure success by the amount of crime and fear, the police haven't been successful. In the past two years the number of arrests have doubled in robberies and felonies. Police even undertook a program thinking that by arrests alone they could eliminate the drug problem in the Bronx. In 1968 robbery arrests were 1,400; in the first ten months of 1970 there were 2,300; in 1968 burglaries were 1,700 for a twelve month period and in the first ten months of 1970 there have been 3,500; narcotic felonies in 1968 were 100; this year almost 5,000; narcotics misdemeanors, in 1968 totalled 1,468; this year 5,000.

We are tying up more and more personnel in attempting to curb drug traffic and Cooper said he can see no dimunition of drug traffic in the streets. If the police were to double the number of men no more would be accomplished. Beginning to become aware that arrests may not be the entire answer and the role of the police in identifying the criminal, apprehending him and bringing him before the court is merely pouring this into a basket without a bottom because 68% of narcotics arrests are being dismissed in the courts—not because they are poor arrests but because the courts, the D.A. and the correctional facilities cannot handle them. They find concentrating against addicts does not reduce other crimes. In re "pot"—the police are practical. With limited numbers of men to perform certain duties, of drug arrests in the Bronx only 4% involved marijuana; 92% involved heroin. "We can't be bothered with the 'pot' people except if we come across them either in connection with another crime or a very specific complaint by a member of the community." They have reduced the number of men assigned in plainclothes to enforce gambling laws and placed them to enforce narcotics laws or hard crime detection. With concurrence of the District Attorney have taken a chance and stopped enforcing the Sabbath law in the Bronx. Agrees with Congressman Scheuer on traffic enforcement but on the way up the panel room two Assemblymen and one Councilman complained about cars which were double and triple parked. In 1952 served 47,000 white summons; in the first 9 months of 1970, 142,000. Not counting meter maids, in 1952 served 61,000 parking violations; the first nine months of this year there were 312,000. The public demands it. Program is in effect to turn this function over to paraprofessionals. Despite increased authority of meter maids demands are being made on police personnel because they are there 24 hours a day, 7 days a week and at the other end of 911. If we were to put enough police on the streets to bring back a climate of safety the city would go bankrupt. The police professionals are looking to pull police out of all areas where they believe police functions are not involved or which occupy low priority, and place them where they count. "This is our prime function and this is, at least, what we are attempting."

Congressman **Scheuer** agreed with Chief Cooper that the drug problem is beyond the role of law enforcement. Estimated that from 5–10% of the drugs coming into the Port of New York are picked up and that if there were all the agents that could be used for this purpose they might pick up about 20%. Control of narcotics must be attacked in Turkey, Afghanistan, Laos, Thailand, Mexico, etc. He spoke about the need for the medical profession to develop a blocking drug that is long lasting to replace cocaine and opium. Once this was developed we could say no more opium and cocaine production because it is killing our kids all over the world. U.N. is trying to develop a treaty which will control substances like amphetamines, sleeping pills, barbiturates, etc. These problems are totally beyond the capacity of our police to solve.

Dr. **Bard**. States he came because he thought it would be useful to exchange views with someone from the academic community but who has contact with real people. Believes we have failed to provide police officer with the kind of strategies and skills he needs to do his job. He read a statement concerning lawlessness and crime in New York which came from an editorial in the New York Times of September 6, 1868—states he has a whole collection of this type which sounded like it might have been written today. While we would not think of subjecting ourselves to the administrations of a doctor with medical practices of 1868, we do not have similar expectations about updating the police yet they are similar to physicians in that doctors have authority with the power of life and death over situations involving physical disorder, the police have such authority in situations involving social disorder. In this country physicians are trained on the average of 11½ thousand hours while we provide police officers with fewer than 200 hours of training. A highly complex knowledge is required which will not be resolved by increasing patrol cars, number of communications equipment, computers, hardware. Highly complex interpersonal skills are more necessary. Unless it gets the trust and active cooperation by citizens of the community no Police Department can control crime, and the reason that communities do not trust the police is that the organization is not structured to deal with present realities. The Police Department is still operating structurally along lines similar to those of 1868 and that widens the gap. People do not report crimes because they do not expect anything to happen. We have to be less concerned with the selection and training of police but more about the structure of the organization in which police function; to perform services in relation to the real world; i.e. how it is and not as once was.

Congressman **Scheuer**. There has been a spectacular increase in reported crimes although many crimes go unreported, ⅓ of armed attacks, ¼ of felonies and 10% of rapes go unreported. In Black and Puerto Rican communities there are more people today who think that when they report to the police something will happen. There are intelligent, law-enforcement professionals who feel reported crime is going up because police are doing their job. Five years ago a black would not report his apartment was broken into because he felt nothing would happen and he did not want to be bulied and harassed as indeed he was. Today the fact is he will report such crime—there is an improved conception on his part of the fairness with which he will be treated and the increased possibility that something will happen.

Mr. **Vickers**. Took exception to what Congressman Scheuer said—while there may be an increase in Blacks and Puerto Ricans who report a multiple series of robberies, they do not report the first ones. "If we, as people, will begin to look at ourselves, including the police, as human beings, then we will begin to do something about crime, drugs, education, housing, etc. We must change our attitudes as to how we relate to society, then we can look towards the police to protect that attitude. The police are representative of a structure of government because they are representative of enforcing the law. Therefore they have to observe the law. There is something basically wrong with our society when individuals must steal in order to live, and there is something basically wrong when enforcers of our society claim they do not make enough money and have to steal in order to live. You find police officers who have willingly and with intent sold drugs to individuals to keep them from being a witness against other police officers involved in drug traffic in NYC. Just as in a racial group, what a few individuals do affects the entire race, so the actions of a few policemen will be a reflection on the entire police force. The attitude of Blacks and Puerto Ricans to the police will not change until the behavior and actions of the police force change."

Question. Dr. Bard, it was mentioned earlier that you are involved in crisis intervention. Can you tell me something specifically about it in terms of what it seeks to accomplish, something about its successes, something about whatever its failures may be, future goals. . . .

Answer. The work I began in 1967 is still going on with NYC Police Department and currently with Housing Authority Police Department. It had to do originally with training police for specialized functions and intervening in family crises. I am currently training them to manage human conflict in general. About 80% of the murders in NYC involve people who are related to each other or known to each other This is also true for assaults and major categories of crime against the person. The program as created at CCNY—dealt with the 30th Precinct; 18 police officers were trained to serve as general patrolmen, serving 90,000 people, for 2 years; to respond to all family crises in that area. They were highly skilled in the process of third party intervention—people want a supportive authority who can resolve their conflict with arbitration and impartiality and take the problem away When arrests are affected in such circumstances charges are usually dropped before the case gets to court. They also served as primary case advisers and made referrals to other agencies. The Report, called "Final Report on Training Police as Family Intervention Specialists" is available to U.S. Printing Office. It involved a different concept of relating police services to crime; in this case as a crime prevention and preventive mental health service. The officers in this unit had a better over-all average in all police functions, because of a sense of pride and professional accomplishment and morale. The community was provided with the continuity of services which it wanted. The community "buys" relevant services from the police and are provided with sensitive, professional care and the police are better officers for doing so—and the sooner the police recognize the need to reorganize their structure and provide such services the better for everyone. In their experiment there wasn't a single injury although the probability of injury was very high. From a purely administrative point of view it makes sense to give skills to the police to keep them functioning and have relationships with the community improved. Good community relations flow from fulfilling the hopeful expectations of the citizentry.

(Congressman Scheuer excused himself and left; the chair was taken over by Assemblyman Chananau.)

Question by Mr. Chananau: What happened to your project? Why was it not extended or is this a good example of projects completed and filed away?

Answer. When the results of the project were made known the Police Department was vitally interested in extending it. There are 79 police precincts in NYC and it will take a long time to reproduce that model with the same kind of training and structure but the current Police Commissioner was the man who originally gave the grant from the Justice Department for that project and he has a very vital interest in it. Units are springing up in Police Departments all over the country. There are courses devoted to family crisis in the Police Academy where there never were before; and starting January 1st of this year a method was introduced for collecting statistics on family fights citywide by all commands.

Question. Chief Cooper—take the statement Dr. Bard made—the trust of the community is not here any longer for the police. Why can't the Police Department come back to the old-fashioned idea of the cop on the beat? Children and older people can feel more confident when there is a man they know by name and face doing the job.

Answer. We do have permanent sectors and permanent assignments to the sector. We do not rotate men within the precincts. What you are referring to is that you don't see these men. We now have a system of automatic control and response to radio calls are computerized to provide instantaneous response to calls for police services. You may live in Sector A of the 44th Precinct and if there is a call for police services in another part of the 44th and the sector car there is not available, the computer will send the car there from Sector A. We would love to have a cop on post and I would say about 10% of my time is meeting with community groups and telling them we can't have a foot patrolman on every post. We take the complainants for a walk and show them the comparative distance they can cover on foot as opposed to a car. Every block would like to have its own patrolman and we would like to give it to you but can we afford it—we would have to have a police force of 200,000 and the City couldn't afford it. We are trying to give better service through better communication, walkie-talkies or radio for instantaneous dispatch. Calls for police services have been going up an average 10–15% every year. There were more radio runs this year in 9 months than in 12 months last year. The public demands it and has a right to expect it. With a given number of men this is the only practical and equitable way of doing this.

Question. Chief Cooper, would you say that better than 50% of the police eat free lunch and would you comment either way?

Answer. I don't agree with your comment. In the course of being in a higher command I receive an average of 200 letters a week directed to me through various agencies or from the community and complaints of this sort are few and far between. There has been some public comment about police going into bodegas and groceries in Spanish communities and ghetto areas to enforce Sabbath laws. This has been pointed out as a corruption hazard. We have stopped enforcing this law so far as bodegas, groceries, restaurants, delicatessens, because it is a low priority.

Question. Mr. Vickers—I look at Chief Cooper and visualize him as a man who lies awake nights to try to solve problems. Where do you grasp a problem that is like a spiral that keeps moving around? I take it you are deep into the Black and Puerto Rican community. In your wildest dreams what would you want this man to do as far as starting a program to better community relations—to make the public feel from the guts that the police are with them. What would you suggest; what is on your mind?

Answer. I would be interested in seeing first of all not only Black and Puerto Rican people receiving this community or whatever you may call it relevance but every citizen in NYC and in the U.S. What I would look for is a basic change in human relations, so that the individual police officer can be interested not in the number of tickets he has to get out each month, the number of people he can catch and put in jail, but in justice and law and order; interested in seeing that he has the strength and personal ability to show each resident that he is personally interested not necessarily in the community but in people, because I am a person and what I protect protects you and what you are interested in protecting protects me because I am not a policeman 24 hours a day. I would also be interested in seeing that the idea we have increased the number of arrests in one borough—the number of people on our staff—I would like to see that kind of thing thrown out because it only fools people because the inspector mentioned that the number of people in the Bronx has increased by 3,000 in 20 years and the police force has doubled; that means we will have to do the same kind of thing all over again—building one army against another army. On a realistic basis it may mean that army can go against crime. On a human basis of dealing with the problem I think there is something else we can do. It takes a strong, in touch with the feeling individual to look at what is behind the problem, not to push it under the rug. I am not saying the police are responsible for that but I am saying we as a people are putting it under the rug. My comments are not to smack the police down; it is to smack the people down.

Question. Dr. Bard, what is your prescription to help the police improve human relations?

Answer. This is impossible to answer simply. For one thing, we as individuals must involve ourselves. We can't look to the police alone to control crime and improve relations with the community. You have to insist that certain new structural forms occur for the interaction and you have to participate in the process of crime control. In Syracuse a survey showed a preventive patrol would have to pass a possible target of burglaries every six minutes in order to prevent burglaries. That is impossible. How do we develop new strategies, those of the present, not of the past, to effect this? As human relations is one of these strategies it must be built into the structure of the Department. At the present it is not.

Question. There's so much trouble in the schools—if someone could communicate with young children—those playing hookey in the junior high schools—maybe if you can get to the younger kids you wouldn't be having them in court.

Answer by Chief Cooper: We attempt to give some service to the compulsory education law like many other laws on the books. But put yourself in the police spot. There are only 35–40 patrolmen to put out on the street at any one tour. Would you suggest taking any of them and put them after juveniles where there are other agencies who can handle it? While we would like to enforce all laws and address ourselves to juveniles too, we do not have the police force to do that.

Question. I am very much concerned about whether there is a quota system of arrests. Must an officer have a certain number of arrests either as his duty or for promotion purposes?

Answer by Chief Cooper: Absolutely not. My answer is that if there are criminals out there and police out there to prevent crime or make arrests then every crime in which we don't locate the criminal is a failure or weakness on our part. Unfortunately we don't make enough arrests. There is no quota.

Question. What has not been mentioned is community control. What do you think of the decentralized police force since we have been talking about community involvement. One of the very important issues of the day is community control—the community having something to say at a police board that sits in a community. The first step in human relationship should be community control.

Answer by Professor Bard: Ramsey Clark referred to a practice being initiated about the first of the year called the "Beat Commander Program" which drops the level of accountability from the precinct captain down to the sergeant within a smaller district so that community participation is something that might be aided by an intimate relationship between a lower level accountable supervisor and them. All these things evolve slowly. This is a great step forward.

PANEL IB: PROTECTION AND CORRECTION—COURTS AND CORRECTION

Chairman: Assemblyman Seymour Posner.

Panelists: District Attorney Burton Roberts, Bronx County; Justice Edward Dudley, Administrative Judge, N.Y.C. Criminal Court; and Mr. Henry Ruth, Director, Mayor's Criminal Justice Coordinating Council.

Reporter: Mrs. Sharon Doyle Spring.

Honorable Seymour Posner introduced the panelists, and made the following opening comments: This panel on "Courts and Correction" will be discussing the end of the line: the long process which started with education and environment, continued with arrest end sentencing and now ends with jail. Of the ten people in New York City who end in jail, nine will go on to commit another crime.

The following is a summary of Mr. Roberts' remarks:

The situation confronting the courts and correctional facilities is very serious: during the last two years there has been a 70% increase in felony arrests and a 50% increase in the number of misdemeanor arrests in Bronx County. Court personnel and ancillary personnel are needed to cope with this terrific increase, as are additional correctional and detention facilities which have failed to be increased in proportion to the increase in police personnel.

The problem is money.

Detention facilities for Bronx County have a capacity of 476 but they presently have a population of 1,059—120% over capacity—and this is just the beginning of the problem:

In 1969 there were 36,392 criminal cases; in the first nine months of 1970 there have already been 34,021. Indictments are up from 1400 in 1958 to 4500 for the year 1970.

Despite this increase in volume, the three trial parts which we had in 1960 have only been increased to ten, and even with this increase, there aren't enough ancillary personnel—probation personnel and others who are needed to stop recidivism by providing the after-care during the parole period. There is not adequate supervision of these people in the city. There is a 90% recidivism rate in the city. Supervision and direction are needed.

For years there has been a bill introduced in the State legislature which would authorize construction of half-way houses which correction experts insist are necessary to give direction to one leaving prison. A person ready for parole needs supervision. A person not ready for parole needs something like the half-way house concept which consists of trained personnel such as psychiatrists to help the individual.

All district attorneys are in favor of this bill—and the appropriation for these facilities are always chopped up at the final budget trimming in the State legislature. There must be a reordering of priorities. We can't solve these problems without money. Buildings and personnel are both needed. We must get the legislature and executive branches thinking that citizens are concerned about those in prison—are concerned about recidivism and the crime it represents.

Remember, 85% of the victims of crime come from the poor areas of the city; this on top of the burdens which they already have to bear.

New schools, new housing are necessary, but in the medium range of the fight against crime, we have to reduce the congestion in the courts; the inhuman conditions in the prisons; and to not merely control, but rehabilitate prisoners to a useful life for society's sake as well as their own.

The following is a summary of Judge Dudley's remarks:

In the field of courts and correction, we need all of the energy and expertise we can get—things are getting worse and will get still worse during the next ten to fifteen years unles we turn it around.

The police department is our first line of defense against crime, and its concern should be for the security of the citizen's person and property: not with those 'crimes' which hurt the person committing them such as drinking, prostitution and gambling. We are presently moving in the direction of removing these things from the category of crime. The real problem is what do we do about the assaults, the burglaries? What do we do about the climate of individual homes where the majority of murders occurs?

In New York City, crime has been increasing rapidly during the past four years. In 1967, there were 165,000 arrests (including felonies, misdemeanors and violations); in 1968, 181,000; in 1969, 220,000; and now, in 1970, it is projected that there will be 250,000—and this is only half the story. Good as the police are, they don't arrest everyone: there are hundreds of minor crimes where only summonses are issued. All of this gives you an idea of the numbers involved. The question is how do we cope with it.

First, a word about the structure of the courts in New York City. The Criminal Court handles the majority of criminal cases, everything except the felonies which are always tried in Supreme Court, and then only after the individual has been indicted. The criminal court has 1300 employees; 98 judges and ten court houses, and the worst series of its court houses are in Bronx county. The 98 judges are divided between the five boroughs and they must attempt to deal with the tremendous volume of the arrest cases . . . the police complaint that the arrested person is back on the street before the policeman returns to his post is frequently true.

If you talk to a shopkeeper whose goods have been stolen, he wants the criminal (or suspect) to stay in jail forever.

Other groups will say that that is impossible, but the fact is that there were 14,000 in jail last year; some of them awaiting trial.

Until the people of the community are as concerned about social justice as their personal safety these problems will be with us. We're in for very rough times unless we turn it around. We need people first, then buildings. We haven't had a court house built since 1924.

Mr. POSNER. In order to deal with the immediate problems of crime we're going to have to spend more taxpayer's money—must deal with the root causes, but there is the immediate problem of getting judges, courtrooms, jails, probation officers, and all of these things require taxpayer's dollars.

The following is a summary of Mr. Ruth's remarks:

We ought to look at the resources. 850-million dollars are in the budget for the general heading of "criminal justice" broken down as follows: 80% for police functions; 3/10th of 1% on rehabilitation; under 6% for courts and district attorneys. With this set of priorities, you can't really expect anyone to be better when they get out of jail. Plea bargaining has to be expected even on serious offenses.

Looking at New York City crime, the overwhelming problem is addiction. In 1966 New York State began its "war on narcotics" thought at the time to be the answer to the rising crime rate. Now we know that at this time there is no answer to the problem of narcotics addiction—but we haven't put sufficient resources to work to try to discover one. Most of the prisoners in the city prisons are narcotic addicts who just go through the process, having the charges reduced through plea bargaining, and go back on the streets and back to crime. Over half the people being held in detention facilities are addicts.

In the courts, lawyers aren't good administrators, and in the whole system of criminal justice there has been no attempt to bring in administrators who might try to cope with the situation. Lawyers are "clubby"—judges will grant continuances in order to give the attorney time to collect his fee.

As a society, we haven't decided what the full range of fairness is. The best way to approach fairness is in the proceeding which involves pre-trial hearings and motions. With a different concept of fairness, we could push cases through very fast. Even in England illegally seized evidence is admitted, and there is pre-trial detention. We're far ahead of them in approaching fairness. 90% of the cases in our courts, however, end up with some sort of plea bargaining, and this happens invisibly and is a symptom of our uncertainty in dealing with these problems.

The fundamental question is not just where do we get the money, but how ought the money be spent.

Mr. POSNER. I talk to police—they say "What's the point of arresting someone if they never get convicted?" How do we answer this?

Mr. ROBERTS. Something does happen. It's his function to make an arrest—it's a lot of other people's function from there on. Of 45,000 cases, 15,000 are felonies. Of these 15,000 about 9,000 or 10,000 are reduced to misdemeanors or sentenced to narcotic centers—remember, 60% are addicts.

The purpose isn't to punish, it's to deter and prevent.

Some people erroneously think that 'tis the severity of sentence that deters crime; I believe that it is the *certainty* of justice within a short period of time that is required. Plea bargaining is the only means of disposing of the large number of cases in the courts at this time. New York County has 7,000 indictments, and 98% of those going into the Supreme Court are disposed of by plea. If they weren't, there would be a complete breakdown.

In Bronx County, 95% of the cases are disposed of by plea. If we didn't do this, we would need court houses as large as the Triborough Bridge and half the Bronx for the facilities to cope with it.

Mr. Ruth's Council may have ideas to improve the system—he mentioned the narcotics problem and it is *the* root cause of all crime in urban areas. 60% of the individuals committing crimes in Bronx county are narcotic addicts. The frequency of their crime is directly related to their need to supply a habit which cost $15-$50/day. The addict has to burgle, steal, rob and "push" in order to raise this money. We have to recognize him as a sick and unstable person. Of those who are narcotics addicts, 37% who obtain pre-trial release "skip" according to the Vera Institute of Justice figures. There are 8,900 parole and bail jumps in the Bronx, and 790 in the Supreme Court who have jumped. No one in parole believes in preventive detention—and I hope no one in this room does. When you talk about this, you're talking about the kind of system that they have in totalitarian societies.

A society's greatness is judged by the rights which it gives to the individual—but in doing so, you have to dig into your pockets and pay for it.

Our basic belief is in the presumption of innocence, and all of those involved in the area of criminal justice believe in it. But when you deal with an addict, you must recognize that he is sick with what must be recognized as a communicable disease—he is going to go out and commit crimes and infect others. Recognizing this, and the necessity of unclogging court calendars, you must reduce the crime and treat the person for what he is—sick.

I would urge you not to put labels on ideas which evolve to cope with the problems—don't call them "liberal" or "conservative." See instead if they are practical and workable given the problem.

I suggest that this is an answer to the problem: if the arresting officer states in his report that there are indications that the arrested person is an addict, and states his reasonable grounds for this belief, and the court is convinced that there are such reasonable grounds for this belief, he should be taken to a narcotics facility and tested there to determine whether he is or is not an addict (not because he is guilty of the crime with which he is charged). In any event, he should be back in court within 48 hours. If the doctor at the narcotics facility has found that he is an addict, the court then has to ask the defendant if he wishes to confirm or contradict the report. If he confirms it, and because of youth or the nature of the crime charged, or because there would be sufficient control within the program, the district attorney may move to dismiss the criminal charge and have the defendant sign a commitment to a narcotic addiction facility—and these are what you have to build—where the individual would be committed for 26 months—6 months in the facility itself, and the remaining 30 receiving after-care following discharge. The individual would have no criminal record, and would still be eligible for a civil service or other job.

If the individual decides to have his case tried, he would have to be tried within sixty days or be eligible for bail. An individual whose reported addiction is controverted, would also have to receive a trial within sixty days or be eligible for bail. This system would enable the district attorneys to attend to the more serious crimes and let the addicts get the help they need for their sickness. Remember, it is not the severity of the penalty which serves justice, but the certainty and rapidity.

Question (for Mr. Roberts): Your office recently issued guidelines on teacher searches of school children, in which it is stated that personal searches should be made by school personnel. If teachers, not trained to identify drug problems, have the power to conduct searches, won't this be used to harrass children?

Mr. ROBERTS. The operative word in those guidelines is "no indiscriminate searches."

Question. It is a violation of the student's Constitutional rights.

Mr. ROBERTS. These guidelines were prepared by my office at the request of local school boards who wished to know what the law was on the subject of such searches.

Overton v. State of New York authorizes school personnel to search areas of the school. Narcotics are all over our schools—both senior and junior schools—with between 200 to 400 addicts in the senior high schools. Remember that these schools have students up to 21 years of age, infecting kids aged 14. It is necessary to protect not just the addict population, but the rest of the children in a school.

The Fourth Amendment to the Constitution prohibits unreasonable searches and seizures by the police—this doesn't apply to teachers or others. These teachers are acting *in loco parentis*—in the place of the parents who are worried about their children. If the police made the searches, their (the searched children's) rights would be violated if they were not done on "probable cause."

Probable cause: we discourage any searches, done by anyone, unless there is probable cause—in other words, if the teacher sees an individual with narcotics or needles and syringe, under the Code of Criminal Procedure, that individual has the right, as does any citizen, to make an arrest because a crime has been committed in his presence.

Reasonable suspicion: if the information which a student has supplied in the past has proved to have been reliable, that student's information would give a teacher probable cause to conduct a search.

Section II of the guidelines concerns the State Narcotics Law, and states that it is the preferred way of dealing with youngsters. Under the Mental Hygiene Law, on petition of a parent truly interested, not just one worried about their "Constitutional rights," a child can be committed for treatment.

A little more concern should be shown for the welfare of the non-addict children.

Judge DUDLEY. There is no violation of the Fourth Amendment unless the search is done by the police or state officer. The question is how far should teachers go. I would tell them to be extremely careful, but not to blind their eyes to it.

Question (for Judge Dudley): Why do courts make it so difficult for the victim who has been the object of a crime. I'm thinking of one case where the victim caught the mugger, appeared in court three times, was threatened with contempt if she failed to show up again, and finally dropped the charges.

Judge DUDLEY. Clogged calendars, the necessity of having the police officer present for trial, the defendant's attorney's delays which may attempt to wear out the complainant. It's the fault of the system where we try to get 300 persons before one judge in one day—there's got to be trouble in a situation like that.

Question. I'm a junior in a parochial high school and our lockers can be searched by the administration. I feel that it's a protection for me.

Judge DUDLEY. Don't take that notion too far; unreasonable searches should not be allowed by police.

Mr. ROBERTS. Such searches shouldn't be unreasonable. They shouldn't be done as a form of teacher harassment. In the guidelines, we gave the legal principles on when they would be authorized. The teacher is somewhat in the position of the parent, and the Fourth Amendment doesn't concern itself with private searches.

Question. I don't think much of your guidelines. They are a cop-out for the district attorney; police searches in police stations are claimed to be illegal in fully half of the cases—teachers are far more vulnerable.

Mr. ROBERTS. The police department supplies undercover agents in the schools, and they are placed where they have been requested. These agents are very few in number, and their life in a school is limited because they are quite soon discovered as soon as arrests start being made. Police officers who violate the law in Bronx county are indicted. As to accusations that materials have been planted on them by the teachers, it becomes a question of credibility. What possible motive could the teacher have to do this? I personally advise against the arrest of a kid who is found in possession of narcotics. I suggest that they be treated under the Narcotics Control Act, that the parents be called in, a physical exam of the child made, and the parents petition for facility treatment of the child. As district attorney, I would file the petition if the physical exam showed addiction.

Question. What can an individual do in an active role in problems of criminal justice?

Mr. RUTH. Lack of resources in addict treatment; lack of balance of resources in the budget. Pressure is on a mayor to add more policemen—and this pressure comes from the public—each policeman costs $15,000/year. The average cost of treating an addict for one year is $2,000. The public has to ask for it.

We presently have a punitive system. If the Bronx Zoo kept its animals like we keep our criminals there would be a public outcry. There have to be jobs for ex-convicts; they can't vote, they can't be bonded. We need a system that can do more than rehabilitate. Most of these people need to become, for the first time in their lives, real members of society.

SENATE—*Wednesday, March 3, 1971*

(Legislative day of Wednesday, February 17, 1971)

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. ELLENDER).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O God, to whom "a thousand years are but as yesterday when it is past, and as a watch in the night," watch over us moment by moment. Be Thou to us our strength and guide in things both great and small, in affairs of state and in our private lives. Deliver us from the little sins and petty concerns which lay waste to life. Give us grace to separate the big from the little, the important from the unimportant things, and to give our energies to enduring values. Help us to work as children of the light, as free men created for service in Thy kingdom. Clarify our vision so as to keep our eyes upon far horizons and distant goals while we work at common tasks. Impart Thy strength that we may ever love Thee with our whole heart and soul and mind, and our neighbor as ourselves. When the evening comes, give us the satisfaction of having been good workmen, the peace and rest of those whose minds are stayed on Thee.

In Thy holy name we pray. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Tuesday, March 2, 1971, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DEATH OF A FRIEND—CHARLES W. ENGELHARD, JR., OF NEW JERSEY

Mr. MANSFIELD. Mr. President, inevitably, the death of a friend is a matter of personal sorrow. When it is the untimely passing of an intimate and trusted friend of a quarter of a century and an outstanding American, it is a most grievous loss. Charles W. Engelhard, Jr., of New Jersey was such a friend and such an American. He died suddenly yesterday at the age of 54. I note his death with sorrow to the Senate.

As a business-statesman, Charles W. Engelhard, Jr., was in the vanguard of the enormous development of the international trade of the Nation since the end of World War II. He dealt in bulk minerals and basic commodities and led enormous and complex mining enterprises with ramifications in a half-hundred countries.

Those who knew Charles W. Engelhard, as I did, will attest to his personal detestation of bigotry as, for example, when he stated:

> We all must begin to realize the dignity of man as a basic concept.

He was one of the pillars of Boystown, N.J., and contributed to the care and upbringing of the youngsters there. The Engelhards visited them and they looked forward to their visits to the Engelhard home.

We all recognized and appreciated his interest in the furtherance of social welfare, education, and many other public interests. We were all aware of the fact that he was a confidant who served President Kennedy and President Johnson with dedication, dignity, and loyalty. For President Nixon he had the greatest respect.

To his wife, Jane Engelhard, and his five daughters, his mother, and the other members of his family and household, Mrs. Mansfield and our daughter, Anne, join me in extending our deepest sympathy in this time of great sorrow. May his soul rest in peace.

Mr. HUMPHREY. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I am happy to yield to the Senator from Minnesota.

Mr. HUMPHREY. I asked the Senator from Montana to yield so that I might associate myself with the beautiful tribute he has just paid to a fine and wonderful gentleman, a gentleman whose friendship I was privileged to share.

I want to express my deep and profound sympathy to Mrs. Engelhard, and my thanks to both the Engelhards for their generosity, their kindness, and their goodness throughout the years.

Mr. MANSFIELD. I thank the Senator.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. GAMBRELL) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received today, see the end of Senate proceedings.)

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the previous order, the next 45 minutes will be used by the Senator from Kansas (Mr. DOLE) and the Senator from Minnesota (Mr. HUMPHREY).

The Senator from Minnesota is now recognized.

TRIBUTE TO THE DISABLED AMERICAN VETERANS' NATIONAL ORGANIZATION ON ITS 50TH ANNIVERSARY

Mr. HUMPHREY. Mr. President, do I correctly understand that the next 45 minutes are to be divided between the Senator from Kansas (Mr. DOLE) and myself?

The PRESIDENT pro tempore. The Senator is correct—for a colloquy.

Mr. HUMPHREY. I thank the Chair.

Mr. President, 1971 is the 50th anniversary of the founding of a great organization, a fine, patriotic organization known as the Disabled American Veterans. We refer to it as the DAV.

This is their day on Capitol Hill.

It is our inadequate tribute to the sacrifices for freedom which they have made for us.

I am delighted, with the distinguished Senator from Kansas (Mr. DOLE), to be able to lead in the Senate's tribute to this marvelous and truly dedicated, service-oriented organization and its membership.

I am particularly pleased to pay tribute to the membership in the State of Minnesota. I know of no organization that does more to be of help to the veteran, and particularly the disabled veteran, than the organization known as the Disabled American Veterans.

Disabled veterans are being served with exceptional dedication by the DAV. Commander Albrecht of New Ulm, Senior Vice Commander Earl Schroeder of Austin, and other officers of the Department of Minnesota DAV, should be proud of their own and their staff's accomplishments.

I wish particularly to mention here my dear friend, Jim Monahan, with whom I have worked closely in assisting disabled veterans in Minnesota. Jim is untiring in looking after their interests and helping these young Americans readjust to civilian life.

I salute the Disabled American Veterans' national organization and the sacrifices which their membership have made to guard, protect, and keep America free. Their dedication and patriotism keep us all aware that freedom must be won anew by every generation. It is not a gift, nor is it a part of our inalienable heritage. We must continually struggle to maintain our freedoms.

The DAV is a truly remarkable organization on many counts. First, it is a selfless organization devoted to the best interests of all disabled American veterans whether they are part of the membership or not. "A veteran who needs us is one who receives our help," is their motto. The DAV is dedicated to one principle; namely, service—that most scarce commodity in America today. The service-oriented thrust of the DAV is its single most distinctive characteristic. I am sure that every Member of this body has had a close working relationship with their respective State organizations of the DAV. I am confident each of us in our service in public life has found that the service officer of the DAV is a valiant and valuable ally as we seek to be of help to our fellow citizens in our public service in this body.

The case work that the service officers successfully handle is tremendous. Speaking of the DAV, may I say that we make sure those Americans who have demonstrated their "quiet courage" are given the help they need to readjust to civilian life—a life made more difficult by their determination and their sacrifices in keeping that life free for all Americans.

Mr. President, we have thousands upon thousands of disabled veterans from Vietnam coming back to our shores who are in desperate need of a governmental program that is generous, that is rewarding, and that affords these men and women an opportunity to live out their lives productively and constructively.

One of the many tragedies of the war in Vietnam is the unbelievably large number of the disabled. It has been said that because of the unusually alert and efficient medical care that is provided on the battlefield itself, literally thousands of lives have been saved by what they call the Medivac, the medical evacuation units that can pick up a wounded or disabled soldier who, under other circumstances and in other wars, would have died. That soldier is rescued, brought to a field hospital within minutes of his battle casualty, and then taken to a base hospital for the long-term care, hospitalization and surgery which may be required.

This marvelous medical care, Mr. President, has also resulted in the fact that there are literally thousands and thousands of young men—and they are very young—who are today seriously crippled. But they are alive.

Often they are the victims of incredible shock, as well as physical disability, emotional disability, and physical handicap.

Often they are young men and women that have had no jobs before military service. Therefore, they have no jobs when they return.

Mr. President, that is all the more reason why a government that sent these men into battle should provide every possible service to help them once again regain a true movement in life that offers them many rewards—jobs, home, family, and leisure.

The DAV is working to make this possible. I have met with their officers and membership. Their program, which will be presented at an appropriate time here in this body, is one that every Member of the Congress can embrace.

This organization does not seek pity, nor does it seek just a handout from Government. All it seeks is jobs.

Veterans' Administration records show that nationwide there are 3.2 million disabled veterans and 42,675 of these heroic men and women reside in my State of Minnesota. But the number of disabled continues to grow.

The war in Vietnam continues and medical science enables more of the wounded to survive than did in previous conflicts. This means that many of these young men, America's finest, are returned to civilian life with unusually cruel disabilities and disfigurement, with wounds of both mind and body.

The DAV, even though the number of the disabled continually increases, is ever at the side of these returned veterans. This young man or woman, stunned by war and perhaps embittered by a return to a society that is less than appreciative because of divisions in the Nation over the rightness and value of the war, must be helped and is helped by the DAV.

They provide counseling and support in securing educational benefits, housing, transportation, compensation payments, social, and cultural involvement. The DAV helps make a difficult return to civilian life easier to accomplish and adjust to.

Mr. President, a second remarkable characteristic of the DAV is that it is extremely successful in achieving its national and legislative goals. There is not a single piece of significant veterans legislation that is now law that has not been sponsored or endorsed by the DAV. This is particularly true of legislation that has secured increased and improved assistance for the disabled veteran.

The catalog of past successes is long and impressive. There is no need to go into detail here. However, much remains to be done.

And this is where I mention a third remarkable characteristic of the DAV. It is in no small part due to the persistent and successful efforts of this organization that the Senate has established a new standing legislative committee. I salute the DAV for their part in helping the Senate create its own Committee on Veterans' Affairs. This new Senate committee, chaired by the distinguished senior Senator from Indiana (Mr. HARTKE), is a fitting tribute to DAV effectiveness. It is also a clear-cut example of the Senate's commitment to help the Disabled American Veterans contribute as much to his Nation in peace as he did in war.

This new Veterans' Affairs Committee will give new focus and sharpness to the needs of American veterans. Its chairman and members are known for their dedication to providing our veterans with the best in education, rehabilitation, hospital care, and other services needed for an effective return to civilian life.

Mr. President, I am pleased to help lead in this tribute to the DAV and to all American veterans today. But I think that for us to stand here and sing hymns of praise to this organization and the veterans this organization represents and helps would be somewhat hollow without a followup to show that we really mean what we say.

Teddy Roosevelt said that if a man is good enough to fight, he is good enough to get a square deal when he was through fighting. I agree with him. I think every Member of this body agrees with him. We speak of governmental responsibility to provide a life of both quantity and quality to all Americans. We establish programs for the disadvantaged and deprived and those handicapped in other ways. However, the Government has no direct responsibility for their condition. There are those who impute a cosmic guilt of some sort, but there is no direct cause and effect link here. The Government by its actions has not purposefully gone out and placed certain groups or individuals in trying circumstances.

However, this is not the case here. The Disabled American Veteran has been placed by his Government in the line of fire. He is there to preserve that Government and what it stands for. The responsibility of the Government to the disabled veteran cannot be more direct or clear. The young man who is returned to civilian life and who carries the burden of physical or mental disablement or disfigurement is the most direct responsibility of the Federal Government.

There are some who say, rather cynically, that veterans benefits are a boondoggle. I submit that is nonsense. What we are trying to help the disabled veteran achieve is to be as effective in living and contributing to the betterment of his own and the Nation's life as he was in defending America.

The disabled veteran does not want to sit back and have the Federal Government wipe his nose for the rest of his life. He wants and needs activity and involvement and self-fulfillment as much and probably more so than his untouched civilian counterpart.

For this reason, I say to my colleagues that we must not let these words of high praise for the DAV echo up and around the Senate Chamber and then go blowing in the wind. Let our praise also be the measurement of our commitment and determination that these men who have returned from a war, torn in mind and body, will be given what is their right—an opportunity to live their lives as men and to be able, in time, to give far more than they ever received.

Those that have sacrificed to preserve this Nation have the right to participate in helping America prove worthy of their sacrifice.

Mr. President, this is a day when we can really examine what needs to be done. In times of rising unemployment, special emphasis must be given to the training and the job placement of the disabled veteran and, indeed, of all disabled. It will not happen unless we make a special effort.

Mr. President, I ask unanimous consent that a letter I have received from my distinguished colleague (Mr. Mondale), along with his statement, be printed in the Record.

There being no objection, the letter and statement of Senator Mondale were ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., March 1, 1971.

Hon. Hubert H. Humphrey,
U.S. Senate,
Washington, D.C.

Dear Hubert: I want to thank you and Senator Dole for your letter of February 24, 1971 regarding the colloquy that is scheduled for March 3 to commemorate the Disabled American Veterans's 50th anniversary.

I have out of town hearings scheduled for that date and thus I will not be able to participate in the colloquy, however, I am attaching a statement that I would like you to put in the Record for me on March 3, 1971.

With warmest personal regards,
Sincerely,
Walter F. Mondale.

Statement of Mr. Mondale

I would like to join many of my colleagues at this time in congratulating the Disabled American Veterans on this their 50th Anniversary.

As you know, service to disabled veterans by disabled veterans prompted the founding of the DAV and its care, training, and compensation services for those returning to civilian life after World War I. When the government was unprepared to adequately cope with their problems, the DAV was founded to provide not only physical compensation and care, but spiritual confidence, devotion, and friendship as well. It is this spirit of giving—by those who know too well the suffering and tragedy of war service to those who have returned disabled to begin a new civilian life—which I feel is so very commendable.

These 50 years have not always been easy for the DAV, but through determined spirit and energetic leadership, the organization has continued to expand its service. Today, in addition to its original operations, the DAV maintains a staff of legal aids for all veterans and dependents, publishes the *Disabled American Veterans* monthly magazine, provides a National Scholarship fund for member's children who show ability and need, maintains a Disaster Fund to help victim members of natural disasters, cooperates with the Boy Scouts of America in a program of scouting for handicapped boys, and the list goes on.

I want to offer my personal congratulations and expression of thanks to the Disabled American Veterans for a half century of truly outstanding service to this nation. It is this spirit of unselfish concern, devotion, and understanding which is so appreciated, and will never be forgotten.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a statement by the Senator from Oklahoma (Mr. Harris) be printed in the Record at this point.

There being no objection, the statement of Senator Harris was ordered to be printed in the Record, as follows:

Statement of Senator Harris

Some issues cut across all others. The well-being of our disabled veterans is such an issue.

It would be impossible to overstate the debt that we owe these men. Coming from all corners of our nation, they made a sacrifice few of the rest of us are asked even to contemplate.

Because these men have become disabled in the service of their country. It is important to stress that paying for the costs of their rehabilitation and comfort is not an act of largess by the rest of us. This is our solemn obligation. These costs are as much the price of war as the transport that took these men into battle or the arms we asked them to use.

Today we are celebrating 50 years of service to these men by their own organization, the Disabled American Veterans. To appreciate what this organization has done, we must remember the past. Neither the United States nor any other country at the beginning of this century was prepared for the human savagery wrought by modern warfare. After World War I about 300,000 men returned home wounded, disabled, handicapped or ill. The Federal, state and local governments were totally unprepared for this.

In the American tradition therefore disabled veterans began to organize themselves. The purpose was two-fold—to offer mutual assistance and to call attention to their plight. From a small organization of only 17,486 in 1922, the Disabled American Veterans has grown to 294,566 in 1970. With this growth has come a vigorous expansion of Government programs to provide fair treatment for our disabled veterans.

I join other members of Congress in paying tribute to this organization which has loyally served the interests of deserving Americans over the past fifty years.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that an excerpt entitled "Historical Review" from the anniversary report commemorating 50 years of service of the Disabled American Veterans be printed in the Record.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Historical Review

Service to disabled veterans by disabled veterans, who fully understand the problems of those who have experienced the same suffering and hardships of war service, prompted the founding of the Disabled American Veterans.

Its early objectives have remained its objectives today: "To advance the interest and work for the betterment of all wounded, injured and disabled veterans, their widows and dependents . . . to cooperate with all federal and private agencies devoted to the cause of improving and advancing the conditions, health and interest of wounded, injured or disabled veterans."

The founders of the DAV also resolved that the organization shall "stimulate a feeling of mutual devotion, happiness and comradeship among all disabled veterans."

Because the disabled veteran needed a champion the DAV was born.

Of the approximately four million men who returned to civilian life after World War I, about 300,000 were wounded, disabled, handicapped or ill. This large number of disabled men caught the country by surprise. The government was not prepared to cope with their problems.

Most of these men were in desperate need of immediate help in the form of medical care, vocational training and compensation.

Government bureaus were hastily set up and existing ones tried to handle some of the problems. What resulted was utter chaos. There were many different bureaus, all working at cross purposes. The bewildered disabled veterans were in the midst of it—going from one bureau to another without getting any real or beneficial help.

Medical treatment was deplorable. In the veterans' hospitals disabled and sick men were sleeping on the floor. There were not enough doctors and nurses to care for them properly.

The entire compensation program had bogged down. Many of the men who were entitled to compensation were getting nothing at all and those who were, received unequal and inadequate ratings.

A plan was evolved by the government to institute vocational training courses for disabled veterans in an attempt to give each man a trade or profession to compensate for his handicap. These were poorly organized and run. One such school was attempting to train disabled veterans to raise chickens—and there were no chickens to be found at the training center. Other men who had enrolled for a training course would receive a certificate of completion or "rehabilitation" before he had been in the school for a full week.

Many disabled veterans enrolled in these courses, but the need for self-help and recognition of their problems was all too apparent. They formed clubs—mostly for fraternal reasons and to be in a position to help each other. A number of men had begun to feel that an organization composed of strictly disabled veterans should be formed.

The beginning of the organization was unpretentious. From the ranks of those disabled veterans in the various clubs across the country came the men who conceived and brought into being the Disabled American Veterans.

It is commonly agreed that the first step toward a national organization was taken at a Christmas Day party in 1919. Judge Robert S. Marx of Cincinnati, Ohio, invited 100 fellow disabled veterans from Ohio Mechanics Institute to a Christmas party. The discussion at this party was of the problems facing the disabled veteran. How to obtain a good sound education? How to obtain meaningful vocation training? How to obtain proper and adequate medical care for their wounds and injuries? How to obtain proper compensation for their wounds and injuries? How to obtain benefits that would protect their wives and children if they were unable to work and produce an income? These were just a few of the many seemingly unsolvable problems that were confronting the disabled veteran at this time.

From this meeting came the inspiration to form a permanent organization to help the wounded and disabled veteran.

The second step in the formation of an organization devoted exclusively to the war-handicapped came when Judge Marx and others met with 200 disabled veterans who were vocational trainees at the Ohio Mechanical Institute.

The meeting confirmed that many of the questions raised at the Christmas Party were valid. Vocational training was mismanaged—

medical and hospital care a disgrace—compensation program broken down—and everything was snarled in red tape because of the many different Government Bureaus that were involved.

Confronted by this situation, the disabled veterans who took part in the Christmas and Ohio Mechanical Institute gathering, resolved that an organization with a single purpose—to help the wounded and disabled veteran solve his problems—should be formed immediately.

In a meeting in May of 1920, a committee was appointed to draw up a constitution and formulate by-laws for a national organization of disabled veterans, as well as for a local chapter. A Cincinnati Chapter was formed and it kept in close touch with similar units forming throughout the nation.

After much correspondence with friends and other clubs throughout the country, a National caucus was called in Cincinnati. No record has been kept of the number attending but it is believed that between 200 and 300 disabled veterans, mostly from the midwest, attended this meeting.

At the caucus a provisional Constitution and By-Laws of the Disabled American Veterans of the World War was adopted. This Constitution and By-Laws was to serve until a national convention could be called for the purpose of forming a national organization and electing officers.

Judge Robert S. Marx was elected President of the DAVWW to serve until the first convention.

One of the most important events in the forming of the DAVWW occurred during 1920. Judge Marx was assigned to travel with Franklin Roosevelt during the 1920 political campaign. From all stories and accounts it appears that Judge Marx spent as much or more time making talks, to disabled veterans about the new organization that they were forming, as he did on Roosevelt's campaign.

Each time the train would stop, Marx would quietly slip away and attend a meeting of disabled veterans that he had managed to arrange prior to arriving in the town. He usually worked through contacts that he already had—or through some friend of a present member of the DAVWW.

During the remainder of 1929 and during early 1921 much work was going on across the nation, by many individuals, to organize the DAVWW.

The first National Convention was called for June 27, 28, 29, and 30, 1921 in Detroit, Michigan. The National Headquarters Hotel was the Hotel Tuller.

This Convention was marked with many lively debates, many differences of opinion, but it was a working convention. The 1,000 men in attendance did adopt a National Constitution and By-Laws and elect a slate of National Officers. The first National Commander was Judge Robert S. Marx. They chose Cincinnati, Ohio to be the National Headquarters.

With the purpose of the DAVWW established as rendering service to disabled veterans through a rehabilitation program, the DAV National Service program was begun at the very first convention.

Judge Marx was a consummate showman and he proved it at this first convention by massing all of his troops, some 1,000 of them, and marching them through the streets of Detroit. The parade was truly a DAV parade. It was a parade of people, some of whom coughed violently from TB, some hobbled unsteadily on new limbs, blind men were led by those who could see better and those who could not walk rode in cars or wheelchairs. The parade was escorted by the police and troop of cavalry—and it was raining. The DAV carried the flag of their country as they marched proudly in the rain of Detroit. Men and women who watched dabbed back the tears of memory for loved ones who had not returned from the war. They took their hats off when the flag passed—and did not put them back on in tribute to the proud men who marched behind. The crowd lifted their chins and smiled proudly as they saw the determination of the Disabled American Veterans of the World War. Judge Robert S. Marx marched his troops into the heart of the American citizen.

This was the beginning of the DAV—with little funds—little influence—but a determined spirit to help fellow disabled veterans. The men, who had attained their military objectives on the battlefields of France, resolved to win even a greater battle in their determination to rehabilitate themselves and secure proper consideration and adequate benefits for thousands of their buddies more battle-scarred than they themselves.

Through the efforts of a young and energetic member named Harry Wentworth, San Francisco was chosen as the site of the second DAVWW National Convention. By this time, 1922, the DAVWW was already working hard as a national organization in the field of legislation, and were prime pushers for the consolidation of the many different government agencies into one Veterans Bureau. Many steps had been taken in the direction of helping correct abuses in the administration of veterans' affairs.

The most important event to take place at this convention was the forming of the DAVWW Women's Auxiliary by the wives, daughters and mothers of the nation's wartime disabled veterans. The mothers of war dead also were admitted to the Auxiliary.

The second convention also authorized the publishing of the "Disabled American Veterans of the World War Weekly" newspaper. Each member agreed to be assessed an additional fifty cents a year in dues to cover the cost of publication and mailing. It was strongly felt that the membership needed a publication to keep its members informed of the problems of the disabled and what was being done about them.

Money on which to run the National Headquarters, the Service Program and other affairs of the organization was an early problem. Many methods of fund raising were examined. An early decision was made to use a blue flower called the "Forget-Me-Not". The National Organization would derive its funds from a percentage of the money raised by local chapters. In later years, it was decided that National would derive its funds through the sale of the flower to the local chapters rather than from a percentage of their efforts.

The Knights of Columbus were very generous to the DAVWW in the early years. They gave over $100,000 to the organization.

Madame Schumann-Heink, an opera star who had lost sons on both sides of the war, gave a number of benefit performances for the DAVWW. She was loved by the members whom she called her sons and they returned her love by calling her Mother.

The DAVWW was so broke at the 1927 convention at El Paso that the New National Commander, William Tate had to borrow $10,000 from a man whose claim he had just processed.

The 1928–29 year was a better one financially for the DAVWW and the National Service Fund Foundation was formed. This group was to raise money to ensure the ongoing of the service program.

In November of 1929, the DAVWW and the International Historical Society entered into an agreement. The Society would sell a book called "Progress of Nations" and the DAVWW would get a percentage of the sale. The DAVWW was now on the road to success both financially and in its service program.

1932 was a significant year for the DAVWW. Congress recognized that the DAVWW was giving outstanding service to disabled veterans and was the only group devoted exclusively to the cause of the war-disabled. On June 17, the DAVWW was given a Federal Charter as the "official voice of the nation's wartime disabled".

The Life Membership Fund was begun in 1939. The first year, there were 10,325 Life Members. This program, where a member could buy a lifetime membership for a stated amount, has now grown to a fund of over 5,000,000 and 112,820 life members.

The DAVWW issued their first IDENTO-TAGS, miniature license plates, to American motorists in 1941. Since that time nearly a billion tags have been mailed and over 2,000,000 sets of lost keys have been returned to their owners free of charge. Donations from those who receive the IDENTO-TAGS have become the financial base for the DAV program of service.

The DAVWW Charter was amended in 1942 to admit members of World War II and members of any future wars in which this country might become engaged. The name of the DAVWW was shortened to Disabled American Veterans at this time.

Having only a three week term, National Commander, William Dodd gave the shortest report ever to the 1943 National Convention when he said, "I submit it (the National Commander's Report) as follows: I have had an awfully good time working with and for you. That's all." He received a standing ovation.

The National Service Officers formal training program was begun on October 16, 1944. The men who enrolled in these early courses have become today the nucleus of the DAV's professional staff of National Service Officers. They were trained at American University and Catholic University in such courses as: counseling, guidance, legislation, adjudication, law, physiology, psychology and presentation of medical evidence.

In 1945 the DAV bought much of the equipment and all rights to the exclusive manufacture and issuance of the IDENTO-TAG. This purchase made it possible for the DAV to realize much more money from the program. It was decided at the outset that disabled veterans or their dependents, where possible, would be used to manufacture these tags.

An important milestone was reached in 1946 when membership in the Disabled American Veterans reached an all-time high of 105,034.

In 1948 General Jonathan Wainwright was elected National Commander. He served with distinction and helped the Disabled American Veterans greatly.

Jimmy Stewart starred in a short movie entitled "How Much Do You Owe?" in 1949. This ten minute movie told the dramatic story of the Disabled American Veterans.

"On Stage, Everybody" starring eighteen paraplegic veterans and Bob Hope was released by the DAV in 1950. Hope explained that the movie should make it apparent to the public and to industry in general that disabled veterans can and must be given work—not only because of its therapeutic value but because the disabled are well able to serve industry in many types of jobs. The eighteen wheelchair veterans were featured in a lively musical revue.

In 1955, blind Marine Corps General Melvin J. Maas was elected National Commander. His stature and visible disability did much to strengthen the national image of the DAV.

1959 saw the DAV pass another significant membership milestone. The organization reached a total of 208,867 members including 68,342 life members.

Since 1922, the DAV has been publishing a newspaper. In 1960, a magazine replaced the newspaper as the "Official Voice of the Disabled American Veterans".

In 1962–63 the organization devised a program to raise funds called the "DAV Luggage Tag". This program was to do the same thing for luggage as the Idento-Tag did for keys. Unfortunately, this program did not work out and was discontinued.

1966 was a banner year in the DAV's public relations programs. A 25 minute movie entitled "Walk With Me" was released. It showed why the DAV is needed, what the DAV does, how it functions and answered many of the questions the public had about the DAV.

In the halls of Congress, another significant event took place on June 17. Congress held a "DAV Day on the Hill" in recognition of the organization's 34th anniversary of the granting of its Federal Charter.

On November 11, 1966, the hopes, expectations and dreams of nearly fifty years came to pass when the Disabled American Veterans dedicated their new modern National Headquarters on Alexandria Pike, in Cold Spring, Kentucky. This new building was functionally designed with the needs and peculiar manufacturing requirements of the Organization in mind. It is a building that all members can be proud of.

In the summer of 1967 a new formal training program of National Service Officers was begun. These men would fill vacancies created by deaths and retirement of many of the original Service Officers.

The DAV sold its old Washington, D.C. building and moved into a new and modern leased space in the fall of 1967. It was found that leasing space could be less expensive than the upkeep of the old building that it had purchased many years before.

In 1968, the DAV set up a National Scholarship fund to help defray expenses of members' children who could show ability and need. The Disaster Fund was also created this year to help members who were victims of natural disasters.

The Boy Scouts of America and the DAV began a joint program in 1969. The DAV is giving support and technical assistance to the BSA program of scouting for handicapped boys. Nothing is more natural than for men who have overcome the disabilities of war to teach boys who have natural handicaps how to overcome them.

Because of new and updated management procedure—new equipment—and the gradual public recognition that the DAV is serving a vital function, 1969 was the best year in the financial history of the organization.

Beginning at the 1970 Los Angeles National Convention, the DAV will celebrate its "Fifty Years of Service to the Disabled Veteran". This celebration will culminate at the 50th Annual Convention in Detroit in 1971—the site of the First Annual National Convention.

This has been a brief review of the history of the organization. The history of the DAV has been complicated and tumultuous. Nothing as important as the objectives of this organization is ever easy. The DAV has had its hours of trial—its moments of hopelessness—its time of glory—its periods of riding the crest of the wave. But the important thing to the organization itself, and to the American public in general, is that through all this it has determinedly stuck to its single purpose—that of aiding the wartime service connected disabled veteran return to civilian life in a competitive position with his peers. That he and his family can face the future with confidence knowing that his medical, rehabilitation and employment requirements will be met.

No greater purpose can be served by any organization—no greater challenge can be accepted by any group—no greater privilege is requested by the Disabled American Veterans.

Mr. HUMPHREY. Mr. President, I yield to the Senator from West Virginia.

The PRESIDING OFFICER pro tempore. The Senator from West Virginia is recognized.

Mr. RANDOLPH. Mr. President, I am gratified for the privilege of joining with the able Senator from Minnesota (Mr. HUMPHREY) and the able Senator from Kansas (Mr. DOLE), in concert with other Members of the Senate who shall express their feelings, in reference to the commemoration of the golden anniversary of the founding of the Disabled American Veterans. I salute National Commander Cecil Stevenson and his organization for their dedication to America's war wounded and their survivors. The State of West Virginia, which was born on the battlefields of the Civil War, has traditionally given her sons to defend democracy and preserve freedom. In proportion to its population, West Virginia is said to lead the Nation in the number of war fatalities suffered by its citizens. This is neither a boastful nor a shameful statistic. It indicates that the men and women of the Mountain State have, throughout our history, stood ready to serve when our Nation needs them.

Starting with the guerrilla wars beginning in 1776, America's fighting men and women have given their lives and limbs with honor.

Today there are a few who feel—and I must be careful with my words—that the Vietnam veteran should wear his scars as a badge of shame. It is this attitude that is shameful. Thankfully, the vast majority of Americans feel a deep sense of pride and appreciation to those who have become the real victims of the Southeast Asian conflict. Bullets and shrapnel do not differentiate between an unpopular or a popular cause; death is nonpartisan.

The organization we honor here today symbolizes the sacrifices that these brave men and women are still making in defense of their country.

While we discuss ideologies and accentuate our differences, I remember, as do my colleagues and others, that there is yet a doughboy of World War I who still relives the horrors of Verdun in some seldom visited hospital ward.

While we propound on global strategies, a GI still storms the Normandy beaches in his own mind, living an injured existence within an institution.

America needs to be reminded that the real toll of war is not its economic disruptions and its personal inconveniences. It is the cumulative agonies of the men and women who wage it, and the pain and suffering of those who love them.

There is always the pain and suffering for those back home who are members of the families of those men and women who have gone forth to battle. Those of us who are untouched by these facts cannot fairly judge such sacrifice. We sometimes are not the best judges of the sacrifices made by those fighting for and under the Stars and Stripes.

One splendid example of our active and constructive DAV chapters in West Virginia is Kanawha Chapter 28.

With my colleagues, I salute those leaders in the field, wherever they are stationed, such as Commander Charles Casdorph and Adjutant Everett Richardson, both of DAV Kanawha Chapter 28. Their work is not consumed in glorification of the past; they are dedicated to the painful present.

I note for the record the current activities of just one State chapter, headed by Commander Robert Dunlap and Adjutant C. W. Schamp of Parkersburg. DAV Chapter No. 6 is the oldest continuing chapter in the State. It was organized on July 1, 1929, by the late Casey Jones and Roy Hale, Sr., who is still a member now living at Long Beach, Calif. The 290 members of chapter No. 6 concentrate their activities at the Clarksburg Veterans' Administration Hospital, in providing food baskets for needy families, in providing bus fare to and from VA hospitals where veterans wish to be greeted by friends, neighbors, and families.

They promote a letter campaign for prisoners of war and missing servicemen in Vietnam. This is not a chapter in which men sit and talk about the past. In this DAV Chapter No. 6 the members also participate in all veterans events such as parades, and at present are forming a firing squad so they may more appropriately take part in the exercises when, at the graveside, their comrade is given to the earth. But most of all they are providing a very strong service program for all veterans and their families.

These unheralded labors on behalf of veterans after the battles have ended, after the headlines have faded, are a tribute to the leaders of the Disabled American Veterans. This is a tribute which I express very genuinely to such a group or groups in West Virginia of the Disabled American Veterans. They have not forgotten that the cost of war does not cease when the shooting stops.

I read again just last night, and incorporated in my remarks, Kipling's famous poem about the British Tommy which tells us much about the forgetfulness of the public in times of relative peace and affluence. Especially apt is the final paragraph, which goes:

For it's Tommy this, and Tommy that, and chuck him out, the brute!
But it's savior of 'is country when the guns begin to shoot;
An' it's Tommy this, Tommy that, an' anything you please;
And Tommy ain't a blooming fool—you bet that Tommy sees.

All over America there are men by other names who have understood and done their duty and their obligation, and the DAV has never failed these men who have gone forth.

I am gratified to join in the expression that has been given by my colleagues on this commemorative occasion.

THE DAV'S FIRST 50 YEARS

Mr. DOLE. Mr. President, today we pause to pay tribute to an organization which has distinguished itself in character, steadfast devotion to founding principle, and achievement of its highest goals. The Disabled American Veterans is marking its 50th anniversary, and it is with considerable pride that we join in expressing our individual feelings and those of our constituents of this great occasion.

Speaking personally, as a member of the DAV, I know firsthand what this organization means to the lives of the individuals and families who have been stricken with wartime disabilities. Speaking as one who has served in both Houses of Congress, I know what a diligent and tireless job the DAV does in Washington as the watchdog and advocate of the rights and benefits due to all disabled veterans.

Since its founding on Christmas Day, 1919, the DAV has faithfully served the veterans of every war which involved American Armed Forces, from the Great War to the present Southeast Asian conflict. Every time the call of duty has been answered and freedom's price paid by American servicemen. The DAV has come forward to provide assistance and a vital voice in national affairs on behalf of the disabled, their widows, orphans, and dependents.

From a modest membership of 17,486 in 1922 the DAV has grown to more than 340,000 strong. This growth in itself is powerful testimony to the effectiveness, purposes, and high ideals of its membership, for no group could hope to retain and build the support of so many members if it did not have a solid record of accomplishment and achievement.

The record includes sponsorship and endorsement of most of the legislation which has benefited disabled veterans. It includes the handling of nearly 4 million disabled veterans' claims through its professional national service officers. In 1969 alone these claims amounted to more than $186 million. The DAV's record is further enhanced each year by its representation of more than 200,000 veterans, widows, and orphans. And in addition to its service activities the DAV is actively involved in civic, community, and patriotic endeavors wherever its members are found.

As its record indicates, the major function of the DAV is service, and over the years its national service program has become one of the best organized and most effective action tools of any organization in any field. Because much of this daily work is unpublicized and unheralded, I feel it would be especially appropriate for the public to be informed of its functions and role in the DAV's total effort. Therefore, I ask unanimous consent that a brief explanation of the national service programs and operations be printed at this point in my remarks.

The PRESIDING OFFICER (Mr. Gambrell). Without objection, it is so ordered.

There being no objection, the explanation was ordered to be printed in the Record, as follows:

DISABLED AMERICAN VETERANS NATIONAL SERVICE PROGRAM

The Program is administered by the National Service Director, who is directly responsible to the National Commander. The National Service Headquarters' staff, located at 1221 Massachusetts Avenue, N.W., Washington, D.C. 20005, consists of the National Service Director, the Deputy National Service Director, the Associate Deputy National Service Director, and the National Director of Employment.

Located at 811 Vermont Avenue, N.W., Washington, D.C. 20420, is the staff of the National Appeals Office, whose duties include representation of all designated veterans and their dependents in appeals to the Board of Veterans Appeals of the United States Veterans Administration.

There are presently 146 National Service Officers located in Veterans Administration Regional Offices throughout the United States. The National Service Officers are assisted by Department Service Officers of the 47 DAV Departments and the Chapter Service Officers of the local Chapters which now number more than 1,900.

The basic function of the National Service Program is to assist disabled veterans, their dependents, widows, and orphans in obtaining all benefits to which they have legal entitlement. These include, but are not restricted to, **Veterans Administration** disability compensation and pension, death indemnity compensation (DIC), death pension, vocational rehabilitation and education, hospitalization and out-patient treatment, National Service Life Insurance, assistance in housing and employment, and disability insurance benefits from the Social Security Administration.

With the increased number of Vietnam casualties, emphasis has been placed on representing disabled servicemen in all military and naval hospitals where Physical Evaluation Boards are held to insure that all wounded, or otherwise disabled, servicemen receive all benefits to which they are entitled pursuant to Title 10, United States Code. These include disability retirement, or disability severance monetary benefits, plus hospitalization and outpatient medical treatment and commissary and post exchange privileges.

In addition to representation before Physical Evaluation Boards, this organization also provides counsel before all the Boards for Correction of Military Records and Discharge Review Boards.

A typical example of services rendered is shown by the following:

Veteran A receives multiple gunshot wounds while engaged in combat with the enemy in Vietnam, is hospitalized there and medically evacuated to the United States where his wounds are treated in a service hospital for many months. For one reason or another, perhaps because of the fact that his enlistment is almost completed, he is released to duty and administratively separated, rather than discharged with disability retirement benefits.

Upon return to his home town, he learns from another disabled veteran that he is entitled to many benefits from both the Veterans' Administration and the branch of service from which he was separated. Since there is a DAV Chapter in his community, he attends the next Chapter meeting and discusses his problems with the Chapter Service Officer.

The Chapter Service Officer then obtains a Power of Attorney and assists him in filing a claim (VA Form 21-526) for disability compensation with the Veterans Administration. Additionally, because his wound residuals constitute a serious occupational impairment, VA Form 1900 is completed for vocational rehabilitation.

The Chapter Service Officer forwards the completed forms to the DAV National Service Officer, who is accredited by the Veterans Administration to prepare, present, and prosecute all claims for benefits concerning those claimants who have designated the DAV as Power of Attorney. The National Service Officer, himself a disabled veteran, is well trained in the legal and medical aspects of disability and rehabilitation and acts as an attorney in fact for the claimant. Since in this particular case, the evidence discloses possible entitlement to disability retirement from the service, the National Service Officer advises veteran A to complete and submit DD Form 149, Application for Correction of Military Records, designating the DAV as counsel.

When all the evidence has been obtained, the veteran is represented by the Associate Deputy National Service Director, who takes all necessary action to insure equitable consideration of the request for disability retirement.

There are many instances in which the National Service Officers do not believe that a claim has been properly and fairly adjudicated. If there is an apparent misapplication of the laws, regulations, policies, or disability rating schedule administered by the Veterans Administration, then the National Service Officer prepares a brief and requests an Administrative Review. A staff official at National Service Headquarters will then present the claim to the Veterans Administration, Central Office, with a request for corrective action.

In those cases not involving misapplication of the aforementioned criteria, but which do involve an appeal to the Administrator of Veterans Affairs, each claimant is represented at the Regional Office level by the National Service Officer and at the Washington level by the National Appeals Officer. Both the National Service Officer and National Appeals Officer review the evidence of record and then prepare an appropriate brief in support of all valid claims. This procedure enables all claimants designating the DAV as Power of Attorney to receive more than adequate preparation and presentation of their claims.

Recognizing the need for younger disabled veterans as National Service Officers, the Disabled American Veterans has instituted a combination academic and on-the-job training program for serious disabled veterans of the Vietnam conflict. These young veterans, including 8 double amputees recently entered into vocational rehabilitation, are trained by experienced National Service Officers in various locations.

Mr. DOLE. Mr. President, the record of the DAV is truly impressive, but our attention today should also be turned to the future, because the DAV has a highly important, a crucial role to play in our society in the coming years. One of the great tragedies of our involvement in the Vietnam war is the unprecedented number of maimed and crippled young men it is returning to our shores. The airborne ambulances and hospital ships are being filled with solemn reminders both of the unusually large numbers of wounded which the booby traps and mines of a guerrilla war produce and of the tremendous advances in battlefield medicine that are saving many lives which would have been lost in earlier wars. Our Nation is faced by the dual factors of having more war injuries and disabilities inflicted upon our fighting men and at the same time having more serious battlefield casualties saved and brought home as seriously disabled.

The challenge to America is clear. We must act to insure that these men, these heroes, are provided the utmost care, counseling, and assistance our medical technological and governmental systems can provide. Every American has special obligations to insist that this country meet its responsibilities to the newly disabled of the Vietnam war. But the Disabled American Veterans has a special opportunity to insure that the people's voice is heard and our men's cause upheld. Knowing the DAV as I do, I am confident that they will meet this challenge with the courage, energy, and success which have characterized their efforts for the past half century.

Mr. President, I consider it a significant privilege to have the opportunity to take part in saluting the DAV. Other Senators and Congressmen will add their voices today in a profound and heartfelt demonstration of congressional pride and American enthusiasm in the DAV.

Another sincere tribute was paid to the DAV earlier by President Nixon. On May 6 of last year his message was sent to then National Commander Wayne L.

Sheriborn to express his regard for the DAV and its work. It reads as follows:

> As the Disabled American Veterans observe the fiftieth anniversary of their organization, your grateful fellow citizens join in tribute to the loyalty and courage that have marked your service to America.
>
> Our Nation is stronger and our heritage safer because of your determination. And your patriotism is an example to all of us. By your sacrifices you have indeed made the five decades of your history golden years for our country. Your service can never be forgotten and it will strengthen and inspire men and women for generations to come.

Mr. President, this concludes my remarks, but I could not close without taking time to wish National Commander Cecil W. Stevenson, Immediate Past National Commander Raymond P. Neal, all the officers, representatives, and individual members of the Disabled American Veterans my warmest congratulations for their outstanding first half-century of service to a great cause, and best wishes for continued contribution to their country. And I would also wish to say a sincere thanks to the DAV for what it has meant to me.

It might be well to note, in closing, that the Chaplain of the U.S. Senate, Dr. Edward L. R. Elson, was national chaplain of the DAV in 1950–51. I have worked with veterans' organizations, and I believe I understand veterans' organizations and the great contributions they have made. I personally know hundreds, and probably thousands, of disabled American veterans across the land, and I recognize some of the difficulties that these men face—difficulties that some of those who have not had any physical or mental defect may fail to appreciate.

But I pay personal tribute to the DAV because of their dedicated and unswerving loyalty to the welfare of disabled veterans, their widows and orphans. I know of no greater organization than the DAV. I am very proud and pleased to be a part of it, to be a member of it, and to be here today, praising this great organization.

I yield at this time to the distinguished senior Senator from North Dakota.

Mr. YOUNG. Mr. President, it is most appropriate, that the Senate honor the Disabled American Veterans in observance of their half-century record of achievements for disabled veterans, their widows and children.

I know of no veterans' organization, which has dedicated itself so totally, to obtaining the help, which these veterans have earned, by their services and sacrifices.

Federal expenditures for veterans' benefits, should in no way be considered either welfare or subsidies. These benefits are a direct responsibility, of our country's participation in wars, and this country has both a moral and legal obligation, to those who fight our wars.

Mr. President, my remarks in tribute to the Disabled American Veterans, would not be complete, without recounting the contributions made to this organization, and his country by the late Francis Beaton of North Dakota, who was national commander of the DAV in 1967 and 1968.

Commander Beaton, a very close and good friend of mine, passed away in 1969, shortly after he had addressed a State DAV convention, in Fresno, Calif. I never knew a more dedicated American. I was privileged to work closely with him on legislation, helping not only veterans, but many others. He was one who devoted most of his lifetime, to helping his fellow veterans and Americans everywhere.

The Disabled American Veterans of my State number about 2,200, making the North Dakota DAV, one of the largest chapters in the country. They first became active in North Dakota in 1921, and have compiled a tremendous record of achievement in behalf of their members ever since. Our present State commander, Mr. Robert Hannah of Grand Forks, is carrying on the fine tradition of the DAV.

I join with my colleagues in saluting this organization, on the occasion of their golden anniversary. I know they will continue to be effective, in not only working for their members, to whom this country is deeply obligated, but in their many other patriotic and civic activities.

Mr. BYRD of West Virginia. Mr. President, at the suggestion of the able Senator from Minnesota (Mr. HUMPHREY), and having cleared the request with the distinguished Senator from New York (Mr. JAVITS), who is to be recognized under the previous order immediately following the colloquy, I ask unanimous consent that the time to be allotted to this colloquy be extended for an additional 30 minutes, without prejudice to to the senior Senator from New York.

The PRESIDING OFFICER (Mr. GAMBRELL). Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, I yield time for further colloquy, with the consent of my distinguished colleague from Kansas, to the distinguished Senator from California (Mr. CRANSTON).

Mr. DOLE. To be followed by the Senator from South Carolina (Mr. THURMOND).

Mr. HUMPHREY. I believe the Senator from Virginia also wanted to be recognized thereafter. Is that agreeable?

Mr. DOLE. That is agreeable.

Mr. CRANSTON. Mr. President, I thank the Senator from Minnesota for yielding to me.

Last summer, in July, it was my privilege to address the national convention of the DAV on the eve of that organization's 50th anniversary year. It is a great pleasure to join in this discussion today of the DAV, of their great services to their Nation, and of our unpaid debt to them.

Last year, in my capacity as chairman of the Veterans Subcommittee of the Committee on Labor and Public Welfare, I engaged, with that committee, in a study of medical care for veterans, and the state of that medical care in our Nation at the present time. The DAV was tremendously helpful in that investigation. They rendered very helpful testimony, and helped us unearth many, many facts. They worked very closely with our committee.

The end result of that investigation, unhappily, was to reveal that we are not giving to members of the DAV and to other wounded, ill, and sick veterans the medical care that we owe them. We were not giving them that care at that time, and despite the investigation and the appropriation of some additional funds, we are still not giving them that care. We still have a task left undone, and I know that the DAV will do all within its power to help see to it that we in Congress, as well as the administration, overcome whatever obstacles stand in the path of giving to veterans the first-class medical care that they must have.

It seems totally unacceptable that veterans, who make the great sacrifices that they are called upon to make, many of whom return to our country very badly disabled, surviving in this war because of the medical care that they get on the battlefield wounds they would not have survived in other wars, then find that we give them, in many cases, not first-class, not second-class, but third-class medical care, without enough doctors, without enough psychiatrists, without enough nurses, without enough technicians, and without enough equipment to see to it that they have all the care we owe them.

This is a battle that is not yet won. It is a battle that, as a member of the new Veterans Committee of the Senate under the chairmanship of the Senator from Indiana (Mr. HARTKE), I am determined, with him and the other members, to win. We are determined to see to it that we learn all the facts and do all possible to remedy the present sad situation. I know that the DAV, with its great record of serving the needs of veterans and of our country, will join in this effort until the effort is completed. I thank them for all I know they will do in the struggle which we will launch very soon to remedy this situation.

Mr. DOLE. Mr. President, I yield to the Senator from South Carolina.

Mr. THURMOND. Mr. President, 50 years ago, following World War I, a group of men saw the need for an organization to meet the problems faced by disabled war veterans and their families.

As a result of the efforts of these visionary leaders, there came into being an organization known as the Disabled American Veterans, which this year is observing its golden anniversary.

The National Government has properly recognized this celebration by issuing a commemorative DAV 6-cent postage stamp. The current national commander, Cecil W. Stevenson, of Jonesboro, Ark., is here in Washington and in the Capitol today as DAV Day in Congress is observed, and we are delighted to have him and all of the DAV members from all over the Nation who have come to Washington on this occasion. I am proud of the South Carolina members of the DAV who are here today. No other organization in my State has finer citizens as members than the Disabled American Veterans.

Those men representing the South Carolina DAV in the Senate gallery today are some of my State's most prominent citizens. The South Carolina delegation is headed by George J. Mitchell, of Columbia, present State DAV commander of the department of South

Carolina. Others in this high ranking delegation here today include: Stewart "Bill" Jackson of Gaston, S.C., past State commander; Paul H. Greer of Greer, S.C., past State commander and presently the national commander's aide; David McWhorter of Goose Creek, State junior vice commander; and Daryle Lynn of Greer, S.C., State junior vice commander.

Incidentally, our able Senate Chaplain, Dr. Elson, was national chaplain of this splendid organization several years ago.

Mr. President, this group was founded on the principle that the Nation has a duty to those men and women who became disabled as a result of service to their country. In carrying out this duty, the DAV has centered its efforts in advancing the following four goals:

First. The best possible medical care for those veterans suffering disabilities incurred, increased, or aggravated by military service.

Second. Training and education designed to enable disabled veterans to lead as normal and as productive a life as possible.

Third. The provision of necessary compensation according to the degree of disability suffered as a result of military service.

Fourth. Adequate compensation to the widows, minor children, or dependent parents of disabled veterans who die as a result of service-incurred disability.

As the Nation observes the 50th year of service by the DAV, it is most gratifying to see the dramatic gains which have taken place in this program in the past few years. Since 1962, the DAV has been fortunate in having as its national adjutant, Denvel D. Adams. He has worked closely with Charles L. Huber, national director of legislation, here in Washington as they deal with Congress and the Veterans' Administration is fulfilling the needs of their membership. The direct assistance to the disabled veteran is rendered by 146 national service officers located at VA regional offices throughout the country. Leader of this vital effort is John Keller, national service director.

Mr. President, the extent of the services rendered by the DAV is revealed in the latest accounting of the activities of this group's service officers. During 1969, service officers of the DAV reviewed 220,358 cases involving disabled veterans and participated in 108,507 rating board appearances. These efforts resulted in the award of $186,434,275 in payments for our disabled veterans.

As a veteran of World War II and a life member of the DAV—of which membership I am extremely proud—I feel a special kinship to the members and leaders of this organization. This relationship should become even closer as I carry out my duties as the ranking minority member of the newly created Senate Committee on Veterans' Affairs.

It is an honor to join with my colleagues here in the Senate today in recognizing all the men and women who are members of the DAV. The succinct description of these citizens by the late Gen. Douglas MacArthur best summarize my feelings. He said:

> Membership in no group in the world carries greater honor than in the Disabled American Veterans.

Mr. DOLE. I yield to the distinguished Senator from Wyoming.

OUTSTANDING AMERICANS IN WAR AND IN PEACE

Mr. HANSEN. Mr. President, it is with great respect that we observe in the Senate today the 50 years of service of the Disabled American Veterans.

I know of no better example of the ability and the service of a disabled American veteran to his country than in the case of the distinguished junior Senator from Kansas. Our distinguished colleague made great contribution to the country and to his State of Kansas as a Member of the other body for several terms, and now he is giving to the country his great talents and his great ability as a Member of this body.

America's war disabled, in my judgment, have a record as outstanding citizens—both in the uniform of our country on the battlefields, and as useful citizens when the Nation has returned to peace. Disabled American veterans have been instrumental in proving to all people that there is great value in hiring the handicapped.

It is my belief that this Nation owes much to our disabled veterans. I do not believe that public support of disabled veterans is a welfare program. This support is a cost of war, and it must be paid and will be paid just as are expenditures for military equipment and training. I believe that this Nation must support its disabled veterans; it has a continuing responsibility to support them, and to support their families.

It is fitting that our observances here today have been entitled: "A Tribute to Quiet Courage." In my experience, I have found that disabled veterans are among the last to complain.

Attention to the needs of disabled veterans is crucial at this time. Medical evacuation procedures in the current war in Indochina have been improved greatly over the procedures used in past wars. Many of the wounded men who are successfully evacuated by helicopter and given continuation of life through speedy arrival to operating facilities and advanced surgical techniques, would have died with similar wounds in World War II, or even the Korean war. We are most thankful that many more of our valiant men who serve this Nation so well are able to continue to live. But we must not fail to be aware of our increased responsibilities to these men and to their families. Quite a few of those whose wounds would have killed them in previous wars will now survive, but they will have disabilities.

I know that most of these brave men will overcome these disabilities, as have the disabled veterans of the past wars, but they deserve the help of all Americans.

Mr. President, Senator FANNIN had hoped to participate in today's program, but he is necessarily absent. The Senator from Arizona has prepared a brief statement. I ask unanimous consent that his statement be printed in the RECORD at this point.

There being no objection, the statement by Senator FANNIN was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR FANNIN

No men are more precious to our Nation than those men who have sacrificed so much to keep America free. We owe a special debt to those who have suffered serious disabilities while fighting our enemies.

During the past half century the Disabled American Veterans organization has devoted itself to helping these former servicemen.

In Arizona, the DAV provided 15,000 hours of volunteer service in Veterans Administration hospitals and nursing homes in 1970.

The DAV has promoted good citizenship among young people through its Youth of the Month program and through sponsorship of Boy Scout troops for handicapped youngsters.

It has performed a number of services for ex-servicemen, including participating on the "Job for Veterans Campaign."

And the DAV also is one of the strong supporters of the drive to win humane treatment for American prisoners of war held in North Vietnam.

I am most pleased to join today with my colleagues in saluting the good work done by the DAV during these past 50 years.

Mr. HUMPHREY. Mr. President, I yield to the distinguished Senator from Utah.

DAV DAY IN CONGRESS

Mr. MOSS. Mr. President, it is a pleasure to join with my colleagues today in paying tribute to America's disabled exfighting men.

In Utah, the letters "DAV" mean not only Disabled American Veterans but also "dedication and valor." Let me cite an example of why this is so.

Salt Lake City boasts the fifth largest DAV chapter in the world. This is the James R. Thomas, Jr., Chapter with over 1,800 members. Its commander is Donald R. Murray. Under his leadership this chapter has reached an alltime high in membership. Serving as his executive committee are Ralph Albiston, Sr., vice commander; Vito Abbato, Jr., vice commander; Terrel T. Jackson, treasurer; Ben Strohm, chaplain; Bibian Rendon, past commander; and George L. Carey as the chapter adjutant.

This DAV chapter is sponsoring two Scout troops of handicapped boys—a total of 21 growing boys, who, heretofore, have been forced to watch from a distance as the other, more fortunate boys their age romped and worked in the great Scouting program. These are boys to whom the DAV has brought hope—and pride—and self-respect. Perhaps they cannot get around like the other youngsters—but now they are Scouts—and they are fiercely proud of it.

The James R. Thomas, Jr., Chapter also supports wholeheartedly the State program entitled "My Favorite Charity," which is sponsored by the DAV's fundraising project, "The Veterans' Thrift Stores." Every Easter, money raised by this project is presented to needy charities—most of which involve care of handicapped children. Though this program has only been in effect for the past 6 years, over $60,000 has been paid to these recognized charities.

Chapter Adjutant George L. Carey serves only part time; his working days—and many nights—are devoted to his duties as DAV national service officer. In this posiiton he represents Utah's disabled veterans and their widows. Last year alone, he presented more than 1,100 claims to the Veterans' Administration and won almost $2 million in benefits—at no cost to those who were so represented.

This is the story of just one DAV chapter in the State of Utath. I am proud of their accomplishments.

Their story has been duplicated again and again out across the country in the last 50 years, as the Disabled American Veterans have served America's war disabled and the communities in which they are located. It is a privilege to join in hailing this valiant organization today, on its very significant anniversary year.

Mr. DOLE. Mr. President, I yield to the distinguished Senator from Ohio.

Mr. TAFT. Mr. President, it is with a distinct feeling of pride and gratitude that I rise today to commemorate the golden anniversary of the founding of the Disabled American Veterans. It is a distinct privilege for me because it was in my hometown of Cincinnati, Ohio, that the DAV was founded some 50 years ago. Furthermore, the first national president of the DAV was the late Judge Robert S. Marx, one of Cincinnati's more prominent citizens. We are very pleased that the DAV has chosen to keep its national headquarters in the Greater Cincinnati area.

More than local pride, however, which prompts me to rise today to pay tribute to this fine organization and the men it represents. The DAV was founded by a group of disabled veterans to provide services for those fellow veterans who had become disabled as a result of their service. Not only did the group become a source of assistance to the veterans themselves, but it also provided needed aid for the dependents and widows of such veterans.

Throughout the years the DAV has continued in the finest of American traditions. They have been active in volunteer work, they have instituted scholarship programs for the benefit of disabled veterans' children, and they have handled millions of cases which have obtained over $1,600 million in benefits for the disabled veterans, and their dependents.

I have not attempted to cover all of the many services which the DAV provides, but rather to highlight their more prominent activities. Mr. President, I congratulate the Disabled American Veterans for their first 50 years of existence. We are a better country because of their presence. We must never forget those it cares for.

Mr. HUMPHREY. Mr. President, I yield now to the distinguished Senator from Indiana (Mr. HARTKE.)

Mr. HARTKE. Mr. President, today I have the honor of joining my colleagues in paying tribute to an organization which has unfalteringly served America's most cherished veterans. The Disabled American Veterans has for 50 years dedicated its energies to the premise that this Nation's first responsibility to its veteran population is the rehabilitation of its wartime disabled and the assurance of security for their dependents.

The DAV was created and is operated by disabled veterans possessing full understanding of the problems facing their comrades. It provides service to disabled veterans by disabled veterans. It exemplifies the best of man's potential humanity toward his fellow man.

Current DAV programs range from seeking enactment of veteran-oriented legislation to initiation of a letter-writing campaign to convey the views of 20,000,000 average Americans to the Government of North Vietnam regarding the prisoner of war situation.

I am sure every one of my 99 Senate colleagues has at one time or another come into direct contact with the DAV as its seeks support of legislation aimed at alleviating the suffering and the anguish inherent in the life of a war-disabled veteran.

Early this year I had the privilege of being named chairman of the new Senate Committee on Veterans' Affairs. As I more fully enter the work of this committee, I am made increasingly aware of the outstanding contributions of the DAV. I look forward to a continual exchange of ideas with this group as the committee tackles problems we all seek to resolve.

In its 50 years the DAV has adhered to its original concept—that of helping America's wartime service-connected disabled veteran find a functioning place in civilian life—to assure that he and his family have confidence to face the future by knowing that his special medical, rehabilitation and employment needs will be met.

As the DAV enters a sixth decade of service to veterans of all wars, I consider it my privilege to occupy a position which will afford me the opportunity to share in this organization's work.

Mr. DOLE. Mr. President, I yield now to the distinguished Senator from Kentuckey (Mr. COOPER).

Mr. COOPER. Mr. President, it is an appropriate thing we do today in paying tribute to the Disabled American Veterans. Unfortunately, these are days when military service is not honored as it should be. Whatever the views of some people may be about the present war, the men and women of the services are those who accepted their duty to serve their country willingly, with devotion, and with courage. They deserve the appreciation of all American people, and not opprobrium.

Dearest of all to us are those who fall in battle and those who are disabled by wounds, accidents, or illness. They bear the badge, and will bear it always, of their service, their loyalty, and their courage. Among them are the members of the Disabled American Veterans whom we honor today.

One of the most touching marks of the DAV's service is their unselfish concern for their fellow veterans, their widows and dependents, and their insistence that they be provided adequate compensation, rehabilitation, hospital and medical care.

Congress and the country must never forget to do these things.

We must never forget our veterans.

We must never forget, as Lincoln adjured us over a hundred years ago, "to care for him who shall have borne the battle and for his widow and his orphan."

Mr. HUMPHREY. Mr. President, I yield now to the distinguished Senator from West Virginia (Mr. BYRD).

Mr. BYRD of West Virginia. Mr. President, I want to express appreciation to the distinguished Senator from Minnesota (Mr. HUMPHREY) and the distinguished Senator from Kansas (Mr. DOLE) for arranging to set aside this time for such a colloquy and, thus, to allow their colleagues to participate in this discussion with respect to the great service which has been contributed by the Disabled American Veterans to the veterans of many of the wars in which America has participated.

Mr. President, the Disabled American Veterans was founded 50 years ago to fill a very real need in our society—namely, to care for those Americans who fought for their country, and returned from the wars with lifelong scars as reminders of their service.

Today, as we salute DAV on its golden anniversary, we can point with pride to the manner in which the organization has carried out its mission of caring for our Nation's wartime wounded and disabled veterans.

Mr. President, the real origin of the DAV dates back further than 50 years—back to 1919, in fact, when Judge Robert Marx of Cincinnati hosted a Christmas Day gathering for a small group of disabled veterans. Another meeting followed in March of 1920, and, shortly after that second meeting, the organization was officially formed.

The DAV now has 300,000 members, representing all 50 States, the District of Columbia, Puerto Rico, Australia, the Philippines, and a number of foreign countries. Yet, it provides the same personal care and attention to these 300,000 as it did for the small group that formed the DAV more than 50 years ago.

Since 1920, the DAV has been in the forefront of legislation that has provided needed benefits for America's deserving veterans; it has been in the forefront in establishing vocational training programs for those men who returned from war with permanent disabilities; and it has been in the forefront in providing personal services that make readjustment easier for disabled veterans.

Mr. President, the war in Indochina, which has dealt crippling disabilities to so many of our Nation's finest young men, has once again turned the spotlight on the excellent work being done by the DAV. Over 25,000 of its members were disabled either in Korea or Vietnam.

I am proud to join my colleagues in saluting the DAV on its golden anniversary; and to join in the colloquy not only to salute the DAV but also to thank the organization for the job it has done over the past half century in representing and assisting the fighting men disabled in America's wars.

Mr. DOLE. Mr. President, I now yield to the distinguished Senator from Michigan (Mr. GRIFFIN).

Mr. GRIFFIN. Mr. President, I am pleased to join my colleagues today in saluting the Disabled American Veterans.

Those who were disabled in the service of our country deserve a daily expression of thanks from all Americans. But evoking thanks and praise for its members is not the goal of the DAV. Instead of complaining about their hardships and disabilities, the members of the DAV devote their time and energy to the effort to help their comrades and the Nation.

This organization was officially founded in May 1920 in Cincinnati, Ohio. The DAV held its first national convention a year later in Detroit, Mich.

Its first national commander, Judge Robert S. Marx, led 1,000 delegates through the rainy streets of the booming motor city in what may have been the city's most memorable parade.

Detroit and Michigan residents watched while many a lame and shattered body marched proudly down the street. More than 1,000 disabled men of the DAV paraded that day as an organization of strength—formed to help the many others who could not march in that parade.

It was then that America first took notice of the Disabled American Veterans. Since then the DAV has made countless contributions to the Nation.

Mr. President, Michigan members of the DAV have played vital roles in the development and growth of this great organization. Three Michigan men have served the organization as national commander.

The late Vincent E. Schoeck of Detroit served as national commander in 1940. Beniface R. Maile of Grosse Point was national commander in 1950, and Douglas H. McGarrity of Allen Park served in that high post in 1963.

It is most appropriate, Mr. President, as the DAV observes its 50th anniversary that it plans to return to Michigan for its national convention. This year the convention will be in Detroit, as was the first convention in 1921.

I know I speak for the people of my State when I welcome the DAV back to Detroit and to Michigan in this, its 50th year.

Mr. HUMPHREY. Mr. President, I yield now to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I am honored to have this opportunity to join with my colleagues in paying tribute to the DAV in its golden jubilee year. No finer group of men exists and none is more worthy of our deep respect and admiration.

Throughout the life of our Republic there have been citizens who were ready and able to stand in defense of their country and the free world in time of war. Their courage and determination, along with their sacrifice, have provided a strong and lasting thread in the fabric of Ameircan patriotism.

In the front ranks of this formation of dedicated Americans stand the proud men of the DAV. It is sobering indeed to recall that peace has always been attained at a cost; with that in mind, our continuing gratitude to our disabled veterans and our obligation to them and their families inspire us to work harder for a just and durable peace in the light of what they have given and what they have done.

To all DAV members across the country, including our 8,000 in Missouri, I extend my deep thanks for your contributions to the cause of peace; and to your organization I offer sincere congratulations on 50 years of dedicated service.

Mr. DOLE. Mr. President, the Senators from Tennessee (Mr. BAKER and Mr. BROCK) are unavoidably absent. I would like at this time to read the statements of Senator BAKER and Senator BROCK:

> Mr. BAKER. Mr. President, I am proud to join with my colleagues in their tribute to the many brave American men disabled in the defense of our country.
>
> All war is a tragic breakdown of human reason. It has always been the policy of this nation to avoid war wherever possible. But on those occasions where defense of democracy and freedom made armed combat a necessity, no soldier in the history of warfare has exceeded the American in courage and devotion.
>
> Many have paid the highest price in war: they have laid down their lives. But many thousands of others have returned home with parts of their bodies shattered in the defense of their country. The debt that the American people owes these men is limitless.
>
> Several disabled veterans from my state of Tennessee—the Volunteer State—are in the gallery today. I am particularly proud to have them here, and I commend my distinguished colleagues, Senator Dole and Senator Humphrey, for their sponsorship of this fitting tribute.
>
> Mr. BROCK. Mr. President, I join with my colleagues in the Senate in voicing my admiration for the members of the Disabled American Veterans on this their Golden Anniversary.
>
> For it was men like these, and their fallen buddies who did not return, who have made it possible for this great nation to remain free.
>
> These brave men did not sacrifice their lives and limbs to make popular the bombing of public buildings, the threatening of public officials, or the desecration of the Flag of Freedom.
>
> They fought and sacrificed because they knew that freedom, with all its responsibilities, was the single ideal worthy of such sacrifice. They fought and sacrificed because they wanted this nation to remain a strong bastion devoted forever to the enrichment and enlargement of freedom for every man.
>
> Each one of us should thank God for the devotion of these men who have faced the enemy in battle and resolve to do everything in our power to insure that they have not fought and sacrificed in vain.
>
> They had a job to do, they did it and, though scarred by battle, they returned home. Now we have a job to do—to stand by these men—the country they fought to preserve—to insure that each succeeding generation can enjoy the freedom these brave men, and their forefathers fought to win.

Mr. BYRD of Virginia. Mr. President, in 1920, the Disabled American Veterans began their work on behalf of those wounded on the battlefields of World War I.

During the years since that time, this organization has worked hard and effectively to obtain medical care and employment for war veterans disabled in their country's service.

The Disabled American Veterans underwent a major expansion during World War II, and its charter was amended to make disabled veterans of all of America's wars eligible for membership.

It is a common misconception that disabled veterans automatically receive benefits from the Government. The fact is in every case a claim must be filed and legal entitlement established. The Disabled American Veterans has assisted thousands of veterans in obtaining the benefits they have earned.

The membership of the Disabled American Veterans today exceeds 300,000. Service officers of the organization are stationed in the offices of the Veterans' Administration throughout the country. They perform their duties free-of-charge.

The Disabled American Veterans has a long record of accomplishment, to which it can point with great pride.

It is a privilege to join today in the tribute to the Disabled American Veterans, who are carrying on the great work which they began more than 50 years ago.

Mr. McGEE. Mr. President, for half a century, now, a remarkable organization of men which has as the central reason for its existence the fact its members sustained disability in the service of our country has served the Nation well. It has done this by helping to insure that we, as a Nation, live up to our responsibilities toward all disabled veterans and their families.

The Disabled American Veterans, formed in the days following World War I, has assisted countless veterans, their widows and their children, not just in obtaining their rights under the laws of this land, but in finding their way in the world. Surely, the comradeship, understanding, and assistance of other men who shart a common fate has uplifted the spirits of many thousands upon thousands of men who have unfortunately tasted the ravages that war and combat can visit upon the frail body of man.

It is this spirit of helpfulness, to which the DAV has dedicated itself for 50 years, that I particularly wish to salute on this occasion. I note with great satisfaction that the men of the DAV have entered into joint enterprise with the Boy Scouts of America in order to bring their special talents and skills, not to mention their special understanding, to bear on the problems faced by handicapped youth.

This is but an example—but I believe an excellent one—of the quiet courage so exemplified by America's disabled veterans over the years. It is this spirit of sharing that has been the strength of their national organization, the Disabled American Veterans.

Unfortunately, their numbers are still being added to today, as war is a reality in this world we live in. I am sure, however, that there is no group in our Nation which would surpass the men of the DAV and the women of its auxiliary in the sincere hope that it could be otherwise. But so long as there are disabled veterans it is a good thing for them, and for all of us, that there also is an organization so dedicated and so capable to pursue their best interests. I salute the DAV, then, on its half century of service to an extremely worthwhile cause.

Mr. SCOTT. Mr. President, almost 200 years ago, a group of ragtag farmers created a tradition for this land. These simple men dared to stand up to the mightiest army of Europe and proclaim themselves free. Their decision meant hardship and danger. History tells us that they suffered mightily, but no words can truly convey the depth of their suffering. Yet, these simple men stood their ground, and they created a new Nation.

America has been fortunate in her long history that other men have stood tall to be counted when the going was hardest. American boys and men have marched to the call of war drums four times in this century. Many of these young men did not return. Thousands of their comrades returned bearing afflictions that would impair them for the rest of their lives.

The way of life that we have proudly called American for these past two centuries was protected by these young men. Our country can never truly repay the debt that we owe, but it is our duty to recognize their bravery and dedication.

Over the years, Congress has made a concerted effort to assure that the veteran gets a fair share of the affluence of the Nation that he so ably served in time of war. One of the primary concerns has been to insure that the widows and orphans of our dead GI's are adequately provided for financially. Another concern has been that the returning veteran have every opportunity to further his education.

There is another group, however, to which America owes a special debt. America must always guarantee the well-being of her disabled veterans. We must never shirk our obligation to these men.

In 1920, an organization was founded and titled simply "Disabled American Veterans." The DAV as it soon became called, had as its only goal to work for the physical, mental, social, and economic rehabilitation of the more than 300,000 wounded and disabled veterans who had returned from the battlefields of World War I.

The end of World War II swelled the ranks of our Nation's disabled veterans. The DAV was there with a helping hand for these men. For contrary to popular misconception, these injured men do not automatically receive benefits from our Government. In every case a claim must be filed, evidence secured, and legal entitlement established. The DAV has been largely instrumental in making sure that many of the veterans entitled to benefits did, in fact, receive them. Since its inception, the DAV National Service Department has handled over 4 million claims for the war disabled, their widows, and their orphans.

The DAV has also made sure that its membership was kept aware of changing rules and regulations of the Veterans' Administration. Through their national magazine and a series of newsletters, they have kept their more than 300,000 membership abreast of the changes in veterans benefits, both legally and administratively. This service alone would have been invaluable, but, coupled with the DAV's constant readiness to plead the case of the disabled veteran, the organization has presented an excellent example of true leadership in our land.

I think it fitting that we of the Senate salute this outstanding organization. Their contribution to a strong and just America has been enormous. We can only hope that so long as we have veterans, there will be a DAV to help us see to it that no disabled American veteran shall ever lack for care.

Mr. McCLELLAN. Mr. President, the 50th anniversary of the Disabled American Veterans gives us pause not only to commemorate that magnanimous organization, but to reflect upon the price paid by our fighting men to preserve the liberty we enjoy.

Since the days of General Washington's Continental Army, Americans have had to march off to safeguard our freedom. Thousands never returned, and of the millions who have, many were ravaged and broken. The brave still march to war and sacrifice in our defense. In Vietnam, since 1961, those who have given the ultimate now number over 44,500; the living casualties, almost 300,000; their loved ones, a toll of thousands more.

At Valley Forge, Gettysburg, and Chateau-Thierry, Iowa Jima, Inchon, and Chu Lao—wherever U.S. servicemen have fought and died and become lame so that their flag could wave on high—the truest measure of the Nation's greatness has been taken. Our indomitable will to survive as a democracy has been forged in the crucible of battle, tempered with the blood of our forebears, our fathers, and our sons. We owe our freedom to their supreme sacrifices.

Yes, the cost of survival has been incalculably high. That we may exist, others have given up their own existence. We shall not forget those names inscribed on the honor rolls of our military dead, nor those warriors whose quest for peace caused them such enduring pain. The patriotism under fire of all our courageous will forever remain the battle hymn of this mighty Republic and enshrine the principles for which it stands, "one nation, indivisible, under God, with liberty and justice for all."

It is, therefore, altogether fitting that Congress pay special tribute to the DAV on the occasion of its golden anniversary. For the DAV was created to serve those who so valiantly suffered that our constitutional way of life might endure.

The DAV's illustrious history bears witness to the exemplary manner in which it has fulfilled the mandate of its charter "to advance the interest and work for the betterment of all wounded, injured and disabled veterans." Spawned in the aftermath of World War I, to answer the need for veterans' rehabilitation and retraining, the DAV has steadfastly labored to provide service and assistance to the wartime disabled, their widows, orphans, and dependents.

With its corps of professionally trained service officers—each one a disabled veteran—and 2,000 local chapters throughout the 50 States, this group has rendered free assistance to more than 2 million disabled veterans. Such aid has ranged from obtaining medical care and disability compensation to help in job training and employment. The DAV is truly the champion of the wartime disabled veteran, his guardian and protector in every corner of the land.

President Coolidge once said that—

> The nation which forgets its defenders will be itself forgotten.

We have no intention of forgetting our defenders. These men who have stood up against incredible odds, who have lashed out at the enemies that have threatened our democracy and who have returned to us carrying the burden of their courage beneath bandages and broken limbs, will always be a source of pride to us and to our national dignity.

Mr. President, I am proud to join Senators in tribute to these noble veterans by saluting, with deep affection and admiration, their splendid organization—the DAV.

Mr. CHURCH. Mr. President, today, due to the efforts of the distinguished Senator from Minnesota (Mr. HUMPHREY) and the distinguished Senator from Kansas (Mr. DOLE), time has been set aside to pay tribute to the Disabled American Veterans.

Upon its 50th anniversary, I know of no national organization which deserves more praise for its work than the DAV. Organized in 1920 and chartered by the Government in 1932, the DAV has become the official voice for our Nation's disabled war veterans. Today, its members number 300,000, joined together in the common effort of aiding America's disabled veterans.

Since it was first organized in 1920, Mr. President, the DAV has aided over 4 million disabled American veterans and their families in preparing claims and securing benefits to which they are entitled under our laws. Their efforts in this area are deserving of appreciation from all Americans.

In addition, the DAV has been a strong voice on Capitol Hill pressing for equitable treatment of America's disabled servicemen.

General Douglas MacArthur once stated that he felt "membership in no other group in the world carries greater honor than in the Disabled American Veterans."

The work of the DAV is to be commended, and I am pleased to join with other Members of the Senate in extending to the Disabled American Veterans my congratulations upon their 50th anniversary.

Mr. CHILES. Mr. President, throughout history golden anniversaries have been a time for reflection, an opportunity to let our hearts and memories dwell on past honors, glories, and accomplishments. That time has now come for the Disabled American Veterans organization, which has served America's war disabled so well since 1920.

Today I consider it an honor and privilege to participate in DAV Day in Congress—a tribute to quiet courage. While the distinguished Members of the Senate represent widely divergent viewpoints on almost all issues, I am sure we are fully unified in recognizing the value and service of Disabled American Veterans through these years.

We all know that were it not for this organization, many veterans, widows, and orphans would be at loss for a friendly helping hand. We must remember that while war is tragic, many times the deepest tragedy is realized in later years, the lingering effects of war injury or death. It means so much to have people who have a true, deep understanding of someone's problems working to help solve that person's problems.

Disabled American Veterans has proven it will accept such responsibilities, that it will pursue its goals relentlessly. I am pleased to have this opportunity to commend DAV on this special occasion and to express a wish for its continued success in its quest to help those who fought and sacrificed so that this country might remain free.

Mr. TOWER. Mr. President, today we observe the 50th anniversary of service by the organization of Disabled American Veterans to America's war disabled. For half a century Americans have fought overseas. They have defended America and her allies in times of national unity and division. They have been called upon to leave their homes and families, to risk wounds and death, for the sake of others. They have borne this burden nobly.

For the half century that Americans have sacrificed their health and even their lives to fight overseas, the organization of Disabled American Veterans has fought here at home to insure that every disabled veteran, his dependents, widow, or orphans receive all benefits to which they are entitled. This is a complex and vital service, for there is a myriad of benefits open to disabled veterans or their survivors—VA disability compensation and pension, death indemnity compensation, death pension, vocational rehabilitation and education, hospitalization, national service life insurance, assistance in housing and employment, and more.

This is only half the story of service by the Disabled American Veterans. On the local level, the organization participates in numerous meritorious projects. For example, one of our chapters in Amarillo, Tex., holds special Christmas parties at their local VA hospital, and each Christmas they adopt families of needy veterans and provide them with food and gifts for the children. They are active in the local chamber of commerce and have made substantial donations to two hospital building programs in the city. They also sponsored the first Boy Scout troop in America for handicapped boys. The chapter assists in the United Fund drive every year and in the past few months has participated actively in a letterwriting campaign to try to secure the humane treatment and release of American POW's in Indochina. This represents the fine work of just one chapter of the Disabled American Veterans. The other chapters of the DAV across Texas and the Nation have labored just as diligently to enrich their communities.

But the job is becoming more difficult. Modern life-saving techniques, including helicopter evacuation, result in a larger number of young men being returned to civilian life disabled. We are all thankful for the blessings of modern medicine, but without vocational rehabilitation or disability compensation these war-wounded veterans cannot contribute their fullest to society. The Disabled American Veterans work to insure that veterans receive this training and compensation. They help these men return to a productive, satisfying civilian life. And while there can never be a way to adequately console the wives and children of our servicemen killed in Vietnam, the Disabled American Veterans help each of them receive the full compensation due them by law.

Though we may be divided on how best to end this war, we all are united on one thing. Those men who have sacrificed their health and their lives will not be forgotten. We will do all we can to help them return to civilian life with dignity, and to help their widows and children economically when their husbands and fathers do not survive. The organization of Disabled American Veterans is integral to this effort, and I commend them for their persistent, dedicated determination to see that justice is given to those who have suffered loss while serving their country in its times of need.

Mr. TALMADGE. Mr. President, it is a distinct pleasure to salute the Disabled American Veterans on its 50th anniversary. This is indeed an important milestone in DAV's dedicated service to veterans of the United States.

Today we honor this outstanding organization which represents and serves the finest of America's citizens. These veterans of the Armed Forces of the United States are undeniable proof of the devotion and love Americans have for their country. These brave men have placed the preservation of freedom above all else so it is only fitting that today we honor them.

On this 50th anniversary it is interesting to take notice of the organization's efforts to constantly serve its members' needs. The DAV was organized to help disabled veterans, their widows, and dependents receive the benefits to which they are entitled. The organization strives to encourage legislation by Congress that will help to alleviate the problems of these veterans.

The organization has continued to grow both in numbers and in services rendered. There are now over 300,000 DAV members nationwide. In the outstanding Georgia organization there are now 4,965 members and 58 local chapters. The Georgia DAV organization is a fine example of how veterans are served in various ways. The DAV performs its many service for all veterans and their families whether they are members or not. They have been instrumental in obtaining hospitalization, medical care, disability compensation, job training, rehabilitation, education, and employment for veterans. This year the DAV initiated a new program to deal with our service men missing in action and being held prisoner of war by Communists in Southeast Asia. It is my strongest wish that this action started by the DAV will result in increased pressure from the United States and throughout the world to force Hanoi to abandon its inhumane practice. I applaud the efforts of the organization in stirring all of us to action.

The organization's increasing efforts to aid veterans of all wars will, I feel sure, increase national awareness of their plight. We owe these heroic men and their families a debt which can never be fully repaid. As the ranking member of the new standing Committee on Veterans' Affairs, I am constantly aware of both the needs and goals of this organization. They can be assured of my continuing efforts to see that the enormous obligations of our Nation to its veterans are totally fulfilled.

Mr. MILLER. Mr. President, the Disabled American Veterans, both the organization and the men who have sacrificed so much for their Nation, are richly deserving of the tribute that Congress is paying them today.

As President Nixon said last year, "our Nation is stronger and our heritage safer," because of what they have done.

For five decades, the DAV has provided unselfish service to our veterans; it has dedicated itself to working ceaselessly in obtaining the highest level of benefits for our disabled veterans, who have given so much to their country. And the members of this association have always been among the most loyal supporters of the security of our country.

I am pleased to join with Senators in expressing appreciation to the DAV and its members for their meaningful contribution toward a better America for more than 50 years.

Mr. BUCKLEY. Mr. President, it is a pleasure to join with the distinguished Senator from Kansas (Mr. DOLE), and the distinguished Senator from Minnesota (Mr. HUMPHREY) in recognizing DAV Day in Congress. Today we in the Senate and our colleagues in the House of Representatives commemorate 50 years of service to America's war disabled by the Disabled American Veterans.

Members of Congress are all too familiar with the assistance required by many of our citizens in finding their way through the maze of Federal bureaucracy. However, with reference to the problems of our disabled veterans, particularly servicemen disabled during the Vietnam conflict, we recognize the special contribution made by the Disabled American Veterans.

Through its national service program, this organization counsels and assists disabled veterans, as well as their dependents, widows, and orphans in obtaining the benefits to which they are legally entitled. Too often it is difficult for an individual citizen to deal with such huge organizations such as the Veterans' Administration, Social Security Administration, or even smaller governmental units such as military and naval hospitals.

Fortunately for disabled veterans, for 50 years the DAV has been on hand to help them, not merely in dealing with Government, but in adjusting to civilian life.

Concern for the well-being of those wounded and disabled in the Vietnam conflict is only part of the DAV story. The Disabled American Veterans has launched a massive letter-writing campaign to convince Hanoi that an overwhelming majority of Americans view North Vietnam's treatment of our prisoners of war as intolerable. Whether or not North Vietnam honors the provisions of the Geneva Convention will depend considerably on the continued public attention given the prisoners of war in North Vietnam. I fully endorse the DAV campaign, one of many projects undertaken by interested citizens and groups to keep the prisoner-of-war issue alive and to remind Hanoi that Americans remember the 1,500 Americans who are POW's or missing in action.

The Disabled American Veterans is financed through private solicitations. No level of government subsidizes the commendable activities of this group. The DAV exemplifies a great American tradition: Earnest citizens, operating within the private sector and without tax moneys, seeking to help their fellow citizens.

The important work of groups like the DAV continues every day without adequate public attention. The DAV, quietly and relentlessly, labors to assist our disabled servicemen. Perhaps by spotlighting its 50 years of accomplishment, we can inspire other Americans to involve themselves in such noble work.

Rabbi Michael Aaronsohn, of Cincinnati, Ohio, a combat blinded veteran who served as the first national chaplain of the Disabled American Veterans, summarized the past deeds and current mission of the DAV:

> We were then what we are now. In the beginning we were dedicated to helping war veterans who had been disabled find their way in the world. That was our purpose. That is our purpose today.

Let us hope and pray that someday we will experience the elusive goal of international peace, and that the day will come when there will no longer be a need for the Disabled American Veterans. But until that time comes, we shall depend heavily on the good and needed work of the DAV.

Mr. BELLMON. Mr. President, the men who are fighting this country's battles, and those who have done so in the past, must not be forgotten, for they have contributed to the preservation of freedom.

That is why it is fitting for those of us in Congress to take note today of the golden anniversary of an organization dedicated to remembering our soldiers.

The Disabled American Veterans have devoted great time and energy over the last 50 years to see to the special needs of soldiers who have returned home, disabled by wounds they received in the fields of conflict.

I am acquainted best with the work of those chapters of the Disabled American Veterans in my home State of Oklahoma, where nearly 340,000 veterans have returned from active duty in our wars; 52,000 with disabilities.

Theirs is a quiet courage, too easily forgotten in our turbulent world where whispered requests are often lost to noisy shouts from vocal dissidents who have never worn the bloodstained cloak of the fighters for freedom.

The mission of the DAV chapters in Oklahoma and across the country is to make neither martyrs nor heroes of our handicapped veterans. Their mission is service, helping those who have helped our country.

DAV members help veterans reap all the special compensations, pensions, and other benefits to which their service legally entitles them.

They give of themselves in a personal way as volunteer workers in Veterans' Administration hospitals and as fundraisers for needy veteran families.

They are waging an all-out letter-writing campaign to secure information about American prisoners of war being held in North Vietnam.

Most important, they serve as a strong reminder of the sacrifices that have been made for freedom. That is a most worthy contribution in itself, for we must know freedom's price to cherish it.

THE 50TH ANNIVERSARY OF DISABLED AMERICAN VETERANS

Mr. EAGLETON. Mr. President, I am pleased to have the opportunity to pay tribute to the Disabled American Veterans on this observance of their 50th anniversary.

Many of us in the Senate speak from time to time about the barbarities of war and the urgency of finding a better method of settling international disputes—and I believe rightly so.

But sometimes we tend to forget that no one knows more intimately the horrors of war than those of our fellow citizens who bear its physical and emotional scars.

This occasion serves to remind us that our dedication to the ending of war must be matched by our dedication to the care and rehabilitation of those who have already borne personally the burden of war.

The DAV has a proud record of 50 years of service to disabled veterans. It has been invaluable in assisting Congress in discharging the Nation's obligations to these men.

Mr. President, I salute the DAV—in particular its 8,000 members in Missouri—for their outstanding service to our country both in war and in the aftermath of war.

Mr. BEALL. Mr. President, today marks the 50th anniversary of the founding of an organization dedicated to serving America's disabled veterans. I believe that it is absolutely essential for all Americans to hold our disabled veterans in very high esteem. We owe a great debt to these men who have given so much in the service of our country.

The tragedy of this situation is that we often do the greatest possible disservice to our disabled veterans, we forget them. We tend to remember wars in terms of battles won or lost, causes served, or treaties signed. But after the war we fail to remember the men and women who have sacrificed so much.

I believe that this anniversary is an opportune time for us to stop, reflect, and to remember these valiant people. Our national leaders have always paused, from time to time, to recognize the valor and courage and selflessness of their soldiers. I would like to close my remarks by quoting from three former Presidents and a general of the Army:

> Abraham Lincoln, November 19, 1863: 'But in a large sense, we cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it far above, our poor power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did here."
>
> Theodore Roosevelt, 1917: "The man who has not raised himself to be a soldier, and the woman who has not raised her boy to be a soldier for the right, neither one of them is entitled to citizenship in the Republic."
>
> Calvin Coolidge, July 26, 1920: "The nation which forgets its defenders will be itself forgotten."
>
> General Douglas MacArthur, May 12, 1962:
>
> "My estimate of him (the American man at arms) was formed on the battlefield many, many years ago, and has never changed. I regarded him then as I regard him now—as one of the world's noblest figures . . . His name and fame are the birthright of every American citizen."
>
> "The soldier, above all other people, prays for peace, for he must suffer and bear the deepest wounds and scars of war."

Mr. BOGGS. Mr. President, it is a great honor and privilege for me to join Senators today in honoring the Disabled American Veterans on the organization's 50th anniversary.

I have been pleased for a number of years to work closely with the DAV. Its programs and efforts on behalf of those who have suffered for their valor and devotion to this country are most commendable.

It is entirely appropriate that we take time out today to honor the Disabled American Veterans on the organization's 50th anniversary. Without DAV services and help and leadership, our veterans would have had a much more difficult time adjusting to civilian life and recovering from wartime injury.

More than 4 million claims have been handled by the Disabled American Veterans in its 50 years of existence. I know that means 4 million persons and their families who have prospered because of the DAV's effort.

The national service program offers great service to disabled veterans who are confronted with the complexities of our modern bureaucracy. It serves as a semiofficial ombudsmen for these men who have suffered, and it makes certain that each disabled veteran receives every benefit to which he is entitled.

Without the national service program and its 146 national service officers, I am afraid that many a disabled veteran would fail to receive the help and rehabilitation which the Government has made available.

Of late, the Disabled American Veterans have embarked on a new program, and it is one of which we all can be proud. The DAV has set as a goal the writing of 20 million letters to North Vietnam urging the release of our prisoners of war.

This is a most important project and one which I hope the American people will embrace.

The Disabled American Veterans have performed great service for 50 years, and I congratulate them for it. I know the next 50 years will find the DAV even more for the good of all of us.

Mr. RIBICOFF. Mr. President, I am pleased to join Senators today in paying tribute to the Disabled American Veterans on its golden anniversary. All Americans owe a debt of gratitude to this fine organization for the many vital services it provides to veterans of our Armed Forces wounded while serving their country.

Particularly noteworthy is the assistance the National Service program of the DAV provides disabled veterans and their families to insure that they receive all the benefits to which they are entitled. No less important has been the role of the DAV in seeking to improve the quality of medical care at VA hospitals. Recently, on-the-job training and academic education is also being provided by the DAV for Vietnam veterans.

Through support of the efforts of the DAV, the American people can help repay the debt owed by our Nation to our disabled veterans. Their sacrifices must not be treated as cold statistics or a chapter from our history books. The burdens these men still bear should be a constant reminder to us of the obligation we all share to pursue world peace and find an end to war.

Mr. PEARSON. Mr. President, I am certainly pleased to participate in this tribute to the Disabled American Veterans—a tribute to quiet courage. Over the past half century, the DAV has helped millions of our returning heroes recapture a measure of purpose in their shattered lives. The DAV has helped tens of thousands more receive the benefits which Congress provides in humble thanks for service beyond the call of duty.

Today we are in a troubling war—a difficult war. More than 44,000 American boys have been killed in action in Indochina. More than 300,000 have been wounded. This war is one in which we never wanted to become deeply involved, a land war in Asia which General MacArthur warned from his deathbed would be a disaster. We are leaving the Indochina war now, and will completely extricate ourselves, I am confident, within a reasonable time.

As the United States disengages from the theater of combat, and as the last units return to their families and homes, the tendency for many Americans will be to forget the war, forget the people who fought there, forget the sacrifices and the tragedies of the 1960's.

Many honest citizens—citizens who have not suffered casualties among friends and relatives in Vietnam—I fear will forget the special needs of those who have been wounded in the war. But the DAV will not forget them. The DAV has been dedicated to those disabled in our Nation's wars for five decades. And the DAV's proud record should be the envy of every nation, every organization which calls itself compassionate and just.

The DAV cares for the disabled, but that does not constitute the total DAV commitment. Because of the outrages perpetrated by the North Vietnamese, in violation of the Geneva Conventions and other international law, the DAV has undertaken a major effort to press the case of the American MIA's and POW's in Indochina. More than 5 million citizens have been urged by DAV to write directly to the North Vietnamese Embassy in Paris, demanding a list of prisoners. The DAV also has underwritten a significant television campaign to inform the Nation of the tragic plight of the prisoners and missing American servicemen.

The DAV leadership will not rest, and its members will not rest, until justice is accorded to our prisoners behind the bamboo curtain.

The individual members of the DAV are men who have sacrificed, but who have not lost their dignity as men, their patriotism as Americans, or their commitment to full participation in the social and political life of this Nation. Theirs has truly been a "quiet courage," and I am deeply grateful for the opportunity to participate in this congressional tribute to the men of the DAV.

Mr. PERCY. Mr. President, this year one of our most dedicated and patriotic organizations, the Disabled American Veterans, will celebrate its 50th anniversary. All Senators are aware that the DAV has worked tirelessly and effectively over the past 50 years to live up to the goal it established when it was founded; namely, to assist the wartime disabled and their dependents.

The origin of the DAV is rooted in the aftermath of World War I, when 300,000 GI's returned, wounded or ill, from the battlegrounds of Europe. The country hailed their homecoming, but it did not provide the kind of help with medical care, vocational rehabilitation, and job placement that they needed. Congress tried to help by passing legislation which provided certain disability benefits and training programs, but the bureaucracies set up to administer these benefits bogged down in a tangle of red tape which only confused and frustrated the veteran. It fell upon the disabled veterans themselves—who understood how best to help one another—to cut through this red tape and to organize trained professionals who could assist the veteran in obtaining those benefits provided for him by Congress.

In keeping with the American spirit of self-help and independence, the DAV selected and trained men in job counseling, legislation, and adjudication, so that disabled veterans would have someone to go to for guidance in filling out complicated Government forms necessary in applying for disability payments, or for help in obtaining proper medical care or vocational rehabilitation. The DAV established a newspaper to keep its members informed of events in Congress which might affect them, and it worked to consolidate into one agency the various Government efforts to assist veterans.

The need for the services and work of the DAV did not cease once the problems of veterans of World War I had been solved. Disabled soldiers from World War II and the Korean war returned home to face the same problems which had plagued their fathers: How to find a job when one is disabled? How to provide for one's family with the reduced income which often results from physical disability? How to get the right medical care? And, of course, young men are still coming home—this time from Indochina—with serious injuries and all the pain and suffering and financial difficulties which accompany such injuries. To these men, the work of the DAV remains highly relevant.

The DAV has worked persistently and persuasively through the years for the passage of legislation to provide just and adequate compensation for the disabled veterans and their families, and because of its work, these men now have an easier time readjusting to civilian life. The DAV should be highly commended for its excellent work in making the burden of our disabled veterans a lighter one to bear.

DAV DAY IN CONGRESS—A TRIBUTE TO QUIET COURAGE

Mr. JAVITS. Mr. President, today a distinguished record of achievement in serving America's wartime disabled is being celebrated. This is a most fitting exercise to pay tribute to the Disabled American Veterans for its dedicated work on behalf of those who bear the marks of service on behalf of our country.

Since its inception in 1920, the DAV has played a leading role in assisting the disabled veterans of World War I, World War II, Korea, and presently Vietnam in matters of medical care, job training, education, rehabilitation, and other areas of economic and social welfare. The DAV was congressionally chartered in 1932 to work toward these goals and now with over 150 trained and accredited National Service officers, the DAV has the largest free service program for disabled veterans in the country. These National Service officers are fully paid by the DAV and are stationed in regional offices of the Veterans' Administration. During the history of the DAV these Service officers have handled over 8 million cases and have obtained over $1.6 billion in benefits for the disabled veteran and his dependents.

Presently, American servicemen continue to be committed to combat, and although troop withdrawal from Vietnam may result in a lessening of combat fatalities and wounds, unfortunately, casualties continue to occur in sobering numbers. The apparently infinite capacity of man to contrive superior methods in war of injuring, maiming, and killing has been paralleled by advances in techniques of battlefield evacuation and combat medicine, so that the percentages of crippled surviving veterans are now even greater than in previous conflicts. The DAV meets these challenges with warm and understanding service and I am certain that all of our people together with the DAV will continue to assist newly disabled veterans in adjusting to civilian life and to aid the communities and the Nation in fitting these returned men into the normal life which they seek.

It is an honor to join in the tributes being paid to this fine organization, and I commend the Senator from Kansas (Mr. DOLE) and the Senator from Minnesota (Mr. HUMPHREY) for having sponsored this highly appropriate event.

A TRIBUTE TO QUIET SERVICE

Mr. BENNETT. Mr. President, today we commemorate a half century of service to America's war disabled by the Disabled American Veterans. Officially, our united congressional tribute to this fine organization is entitled "A Tribute to Quiet Courage." While fully subscribing to the meaning this portrays, I would also like to submit that "A Tribute to Quiet Service" is an equally fitting description of the DAV's work.

Following World War I, approximately 4 million men returned to civilian life in the United States after serving their country in the most devastating conflict in history. Of this number, about 300,000 were wounded, disabled, handicapped, or ill. Although the United

States attempted to assimilate these men back into civilian life, along with their more fortunate comrades-in-arms, it soon became apparent that our Government simply was not equipped to handle effectively the mammoth task.

It was at this time that a farsighted group of disabled veterans, led by a Judge Robert S. Marx, met in Cincinnati, Ohio, to discuss their common plight and that of their fellow countrymen who had returned from the war with serious disabilities. From this initial meeting in 1919, came a fledgling movement that quickly caught fire and led in 1921 to the first national convention of the Disabled American Veterans.

Throughout its history, the DAV has pursued the same goal, which is enumerated in the DAV's official 50th anniversary report, that of aiding the wartime service-connected disabled veteran return to civilian life in a competitive position with his peers. That he and his family can face the future with confidence knowing that his medical, rehabilitation, and employment requirements will be met.

In addition to working for this worthy objective, in my native Utah and elsewhere, I have seen the DAV step into the breach and volunteer service where it was most needed. For example, one DAV chapter in Salt Lake City sponsors two scout troops of handicapped boys, to give youngsters the same opportunities in this fine program as their more fortunate peers. On a national level, the Disabled American Veterans are in the forefront of efforts to call attention to the plight of our men in Southeast Asia listed as missing in action or as prisoners of war.

There is no American more deserving of the blessings of his country than that American who has served it unselfishly in its hour of maximum need. As we honor the 50 years of DAV service not only to disabled veterans but to all of their countrymen, it is a fitting time to rededicate ourselves to the high ideals and worthy goals of the Disabled American Veterans.

Mr. President, I should like to enumerate further some of the activities of the DAV in Utah, which boasts the fifth largest chapter in the entire Nation. This particular chapter, the James R. Thomas, Jr. Chapter No. 6, located in Salt Lake City, is the group which sponsors the two Scout troops of handicapped boys. In detailing some of this chapter's exemplary work, I pay tribute to each of the 14 DAV chapters located in my State, and the hundreds of others throughout the United States.

The James R. Thomas, Jr. chapter has some 1,800 members. Its commander is Donald R. Murray, of Murray, Utah. Under his leadership the chapter this year has hit a record high in membership. The executive committee of the Thomas chapter also includes Ralph Albiston, Sr., vice commander, Vito Abbato, Jr., vice commander; Terrel T. Jackson, treasurer; Ben Strohm, chaplain; Bibian Rendon, past commander; and George L. Carey as the chapter adjutant.

Mr. Carey is also a national service officer. In this capacity he does an excellent job of representing Utah's disabled veterans and their widows. Last year alone he presented some 1,100 claims to the Veterans' Administration and secured almost $2 million in benefits for them—at no cost to those represented.

The Thomas chapter also supports the State program, "My Favorite Charity," sponsored by the DAV's fund-raising project, "The Veterans' Thrift Stores." Under this program, every Easter eve they themselves present checks and urge others to do likewise, in support of needy charities—most of which involve care of handicapped children. Recognized charities have received more than $60,000 through this program during the 6 years it has been in effect.

Mr. President, these are just a few of the activities of one chapter of the Disabled American Veterans. Similar accounts could be told of the great work of DAV chapters in every part of the Nation, including the other 13 in Utah. The latter are located in Provo, Logan, Ogden, Murray, St. George, Orem, Magna, Tooele, Layton, Kamas, Price, Brigham City, and an additional one in Salt Lake City.

I salute the work of these and other segments of the Disabled American Veterans and extend the sincere hope that their accomplishments will be as extensive and rewarding during the next half century as they have been during the last.

Mr. HART. Mr. President, as a member of the Disabled American Veterans, I am perhaps guilty of a conflict of interest when I make an admiring statement about the organization.

It is distinguished as an organization because its membership is unanimous in an earnest hope that the outfit will become extinct for lack of qualified applicants to its ranks.

We are all aware, I think, of the DAV's decades of service to those who have become maimed in the service of their country. The organization has certainly been a strong force for improved hospital care, sophisticated therapy and job training.

But the DAV is also a living reminder that war is a thoroughly unwholesome pursuit and we must not ask men for a measure of the quiet courage we honor today unless the national interest demands it.

Every day in Indochina sees more men become eligible for DAV membership, something that does nothing to gladden the hearts of us older members.

In many ways, it was easier for us. The national interest was easy to define in World War II.

Everyone knew precisely who the good guys were and who the bad guys were, and there was plenty of documentation to prove it.

But we are compelled to ask what essential national interest is being served now—today—as a new wave of DAV eligibles is being generated. If the quiet courage being expended today in Indochina does serve some totally necessary national purpose, then that purpose is difficult to perceive.

No one has ever adequately explained it. The explanations, it seems, all begin with the ritual words, "Well, after we were once in Indochina and had made our commitments."

Meanwhile, the DAV's membership and constituency—because it serves all disabled servicemen—continues to grow. It grows, to the increasing dismay of those already on the rolls.

Mr. President, I should like to include in this address a letter that my staff and I received from a friend in a military hospital.

This young man, an Army lieutenant, was employed in the Senate under my patronage while simultaneously attending Georgetown University. Then he entered the service, was sent to Vietnam, and was seriously burned about the head and upper body in an accidental fuel explosion.

I invite Senators to read it. More eloquently than anything I have uttered, more distinctly than anything I have heard or read in this city, it describes what this war is doing to the spirit of our young.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEAR SENATOR HART AND STAFF: My burns have healed and the staph infections have all disappeared. In fact, I feel so healthy I'm afraid that friends, after looking at me, are going to think I spent the last five weeks at the beach getting a sunburn.

But the month or so in military hospitals enabled me to see one of the most tragic aspects of the Vietnam war, a result that most people tend to note and then to forget—the soldiers that make up those casualty statistics. I'm not speaking of the person who like me heals in a short time, then goes home to resume a normal life. But rather the one who has to spend months or years in the hospital before he can return home.

That first day, the doctor looked at me and told me how lucky I was. I would suffer no lasting damage, and I would heal without scarring. He neglected to tell me about the mental scarring one sustains when one is in a military hospital, something that begins that first day.

The process starts when you spend a night next to a young soldier who is missing one of his eyes, one of his arms and both of his legs. He is able to smoke a cigarette while talking to you as they change his dressings. Where that man can get the courage to live is beyond my understanding.

The process continues when they bring a young man into the burn ward back in Japan. He has 3rd degree burns on his face, back, groin and legs. Both legs were broken with the bones exposed (they couldn't set the fractures because of the burns), he also has a collapsed lung and kidney trouble. You would have to have been burned yourself to imagine the pain he was in. He spent that night crying out, "Why do I have to die?" and later, "God, please let me die." Nobody on the ward slept very well that night.

Then there is the black Lt. who was in the room across the hall at Great Lakes Hospital. He is missing a quarter of his brain—there actually is a large cavity in his skull where that portion of the brain was. The right side of his body is paralyzed and he can neither hear nor speak. It happened in November and it is still too early to tell whether the rest of the brain can pick up the missing functions. While talking to his wife, I learned that they would have been celebrating their first wedding anniversary this week. I wonder if she feels his sacrifice in Vietnam was worth it—I wonder how she will feel ten, twenty, thirty years from now?

Mr. Nixon and Mr. Laird say there will be no combat operations after 1 May. Unless they mean no American is going to step outside their compound, injuries like the above will continue to take place. I was injured 30 yards outside our wire and the trip flare that set off the fire could just as easily have been a VC booby trap, though the booby trap would not have been a trip flare but rather something like a 25 lb. anti-tank mine. All the people I've talked about in this letter were injured by enemy booby traps.

The irony of Vietnam is that not only would the American people have been better off, but the majority of the Vietnamese people would have been better off if we had never gotten involved. Although my tour in Vietnam was short, it is hard not to see the effects of six years of concentrated American military presence.

People driven by the war from their homes in the countryside live in shacks built from the garbage of the dumps they live on. I saw that scene while driving on Rt. 1 between Long Binh and Saigon, sections of which would rival anything the L.A. freeways have to offer—both in the way of smog and traffic jams. The desperation of these people is shown by the necessity of families seeing their sons become thieves and their daughters prostitutes so that they can have enough money to live on. It is difficult for a family to live in a countryside where their crops are sprayed by herbicide.

Having worked in Washington, I realize that the name of the game is compromise. But Mr. Nixon can't be allowed to wind the war down to a level where we will be taking "acceptable" American casualties. There should be no such thing as a level that Americans will accept. These people all have names and faces. They all have wives and mothers and fathers. These people should not have to forgo life just so someone can say, "America has never lost a war." For of these people it cannot be said, "They did not die in vain"—for in fact they have and will continue to do so.

Sincerely,

JERRY McGOWAN.

Mr. FULBRIGHT. Mr. President, I am pleased to join in paying tribute to the Disabled American Veterans on the occasion of the organization's 50th anniversary.

The DAV has been highly effective in working in behalf of those who have been wounded in the service of this Nation. The organization has provided a valuable service through its efforts to assure rehabilitation of disabled veterans.

According to a DAV publication, its objectives have remained unchanged throughout the 50 years:

To obtain fair and just compensation, adequate and sympathetic medical care, and suitable gainful employment for those war veterans who had been disabled in the service of their country.

I have, through the years, been pleased to support many legislative measures favored by the DAV and designed to insure that our veterans receive the best possible care and benefits.

Mr. President, I take particular pride in saluting the DAV because that organization has chosen as its leader in its 50th anniversary year Mr. Cecil Stevenson, of Jonesboro, Ark. I ask unanimous consent that an article about Mr. Stevenson, published in the Arkansas Gazette on August 13, 1970, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DAV COMMANDER BELIEVES SERVICE IS ORGANIZATION'S MAIN CONTRIBUTION

JONESBORO.—Cecil W. Stevenson of Jonesboro, who has been elected the new national commander of the Disabled American Veterans, has carried his sense of duty beyond his time in military service.

"I don't know if they would want to call me a flag-waver or not, but I want to do a little bit of good." Stevenson said, "I think that this organization [DAV] does a great deal of good."

Stevenson was elected to his new post at its annual convention recently at Los Angeles.

Among the services the DAV offers is legal counseling provided by service officers trained in veteran's claims. Stevenson said the DAV spends $2 million a year on attorney fees for veterans.

SUPPORT SOUGHT FOR PRISONERS

The DAV also is seeking to get more public support for Americans held prisoner by North Vietnam. Stevenson said the DAV planned to mail 50 million letters encouraging persons to write Hanoi and "exert such an influence on the powers in North Vietnam that they will be forced to reveal more about our boys who are in captivity."

He said that besides helping veterans with their problems, the DAV also has service programs with the Boy Scouts and other young people.

VIETNAM VETERANS OBJECT OF PROGRAM

The DAV under Stevenson is starting a special program to recruit Vietnam war veterans into the organization.

"Many of them may be boys in age, but they're men now," Stevenson said. "We want to give them every break that it is possible to give and I think we can be a great service to them."

The DAV membership is presently 300,000. It is the third-largest veterans organization in the world.

He said the organization was nonpolitical and he didn't want to comment on politics, including the Vietnam war, except to repeat the DAV's statement adopted supporting President Nixon.

SAYS FULBRIGHT HELPS VETERANS

Asked about his thoughts on Senator J. William Fulbright (Dem., Ark.), a critic of the war, Stevenson said, "I couldn't say Senator Fulbright doesn't support our president. I'm sure he is very knowledgeable about the situation."

He said Fulbright had been friendly to veterans organizations and had sought more money for them.

About campus strife he said, "I think it's a disgrace, personally. Maybe some of [the protesters] do have a complaint, but I don't think they should tear up and burn down their campuses. I think many students feel the same way about it and I know it's a minority which causes the trouble."

He said the country has many problems and listed campus unrest, Vietnam and the "dope situation."

"The nation is big enough and large enough to overcome its problems. Times change and people change with them. We will correct our biggest problems," he said.

Stevenson said he thought much of the trouble with the young people could be blamed on parents "sparing the rod and spoiling the child."

"I don't attribute all the unrest to the young people. A great deal relates to parents. Instead of taking them to Sunday School, they have tried to send them," he said.

Stevenson said he traveled to the East and West coasts and many states to get acquainted with people in his campaign for the DAV presidency. The commander's job is full-time without pay, but Stevenson said this wouldn't be too unusual to him.

"I've taken off without pay to work for the DAV and I've used my vacation time," he said.

Stevenson has held DAV posts of state senior vice commander, state commander, national first junior vice commander, national executive committeeman, national finance chairman and national senior vice commander.

"I've sort of worked my way through the organization," he said.

Stevenson graduated from Jonesboro High School and joined the Navy in February of 1944. A gunner's mate, he was wounded in combat during the invasion of Saipan while manning a machine gun, housed on a turret. A safety stop malfunction caused the weapon to swing around, narrowly missing his face as it continued firing.

He suffered powder burns on his eyes, face and arms and as a result has defective vision and must wear glasses.

After the war he worked as a civilian employe of the Air Force at Tinker AFB, Okla. He then attended barber school and barbered at Jonesboro. In 1954 he started work with the Bono Post Office as a rural carrier, a job he still holds.

He and his wife, Lillian, have a son and two daughters.

Stevenson will leave August 29 for Vienna, Austria, to attend a worldwide meeting of veterans. He will be there for two weeks.

THE DAV—A HALF CENTURY OF CARING

Mr. McINTYRE. Mr. President, more than a century ago, Abraham Lincoln exhorted his countrymen:

> To bind up the Nation's wounds: to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations.

This moving appeal was made, of course, at the close of the War Between the States.

But a half century and another war later, 300,000 American soldiers returned to civilian life disabled by wounds, illness, or accidents, and a Nation was caught wholly unprepared to respond to their needs.

Compensation was slow, irregular, and inequitable. Medical treatment was deplorable. Rehabilitation efforts sporadic, chaotic, and ineffective.

Into this breach stepped one of the greatest self-help efforts in history—an organization founded by disabled veterans for disabled veterans.

This year the Disabled American Veterans celebrates its golden anniversary, marking the 50th year since its inception in Detroit, Mich., and the first declaration of its continued purpose:

> To advance the interest and work for the betterment of all wounded, injured and disabled veterans, their widows and dependents . . . to cooperate with all federal and private agencies devoted to the cause of improving and advancing the conditions, health and interest of wounded, injured or disabled veterans.

In all those 50 years—in the aftermath of World War I, World War II, the Korean conflict, and now Vietnam—the DAV, led by such men as Judge Robert S. Marx, Gen. Jonathan Wainwright, Gen. Melvin J. Maas, and many other distinguished national commanders, has never wavered from that path, has never lost sight of its goals.

There is no doubt in my mind, Mr.

President, that the Disabled American Veterans, through their national service program and their national legislative program, has been the critical catalyst in converting a Nation's concern and compassion into on-going programs of medical care, counsel, rehabilitation, and vocational training for the thousands and thousands of American servicemen who gave part or all of their physical capabilities in the cause of freedom and democracy * * * and for the survivors of those who made the ultimate sacrifice.

Today, with 30,000 more veterans requiring care than required it 5 years ago, the mission of the Disabled American Veterans is more crucial than ever.

In this, the organization's golden anniversary year, it behooves all American citizens—veteran and nonveteran—to pledge their unstinting—and continued—support to this great movement and to salute its truly magnificent accomplishments.

Mr. ROTH. Mr. President, "Bravery," wrote Thackeray, "never goes out of fashion." These words might well serve as a text for this golden jubilee year of the Disabled American Veterans, whose quiet courage offers to us all an inspiring example of what true love of country means. Fifty years ago, in the aftermath of the First World War, the war-disabled veterans of America, seeking just recompense from the Nation they had served so well, organized the DAV as the first and only veterans' organization exclusively dedicated to the cause of those wounded and disabled in service to their country. In 1932, the DAV was recognized by Congress and chartered to further its lofty goals of care and rehabilitation for disabled veterans and their dependents. During the Second World War that charter was extended to include all the war disabled.

Today, after five decades of existence, the DAV is still in the forefront of service to the wounded and disabled veterans of America with a most impressive and rewarding record of accomplishment. In this anniversary year, the members of the DAV may take special pride in the fact that their organization has been associated with every significant legislative enactment during the past half century designed to bring better care to our disabled veterans and to their loved ones. The DAV has been an invaluable source of counsel and support to Congress in communicating the needs and concerns of the disabled veterans.

It is a privilege for me to add my commendation to the work of the DAV on this occasion, and to associate myself with the goals which the DAV has so splendidly championed in the past and will continue to champion in days to come, goals which all Americans respect and support.

THE DAV: 50 YEARS OF DISTINGUISHED SERVICE

Mrs. SMITH. Mr. President, today the Senate formally recognizes 50 years of Disabled American Veterans to our Nation. In doing so, we pay tribute not only to the DAV but also to those who answered their country's highest call to honor.

There is no greater obligation of citizenship, nor is there any greater proof of patriotism, than a willingness to offer life and limb in the defense of America. The quiet service of the DAV and its public support bear witness to this truth.

Born in the aftermath of World War I, the DAV was created to help some 300,000 men who were wounded, disabled, handicapped or ill as a result of their wartime sacrifices.

Since then, each succeeding conflict, has seen the DAV come to the aid of those maimed, orphaned, or widowed through military service to the Nation.

The ritual of the DAV states in part:

> Remember that our mission as a Disabled American Veterans organization is not fulfilled until our country's war-time disabled, their widows and their dependents have been adequately cared for.

Here on the Senate floor today a grateful America acknowledges the mission is being fulfilled and respectfully says "Thank you."

Mr. CURTIS. Mr. President, it is most fitting that we pay tribute to the Disabled American Veterans organization on this anniversary of its first half century of service.

This organization has rendered great service to our disabled veterans of all wars in this century.

Ponder with me for just a moment what this service has been.

Except for faith, no greater blessing can accrue to a human being on this earth than to be whole of mind and body.

The terrible wars in which our Nation has been involved in for a little more than a half century have taken a high toll not merely in deaths but also in damage to human minds and bodies, and to the human spirit as well.

Think of it—the First World War, followed by the Second World War, followed by Korea and Vietnam in that order.

We grieve for the dead, honor them, pray that they shall not have died in vain. But there we stop, for the act of death is irreparable by human hands. The maiming of mind and body in man's cruelty to man is another thing. Here we can repair, rebuild, in some cases completely restore. We have made great accomplishments in this task, and the DAV is one very large part of the reason.

Because of what we have accomplished in taking care of the disabled veteran and in many cases restoring him to productive citizenship, we have not lost faith. We have kept the human spirit alive. We have kept alive the hope of mankind for a better world in which man can live in peace.

And this brings me, Mr. President, to the plea which I wish to make on this 50th anniversary of the DAV. This is a plea that goes beyond the direct service rendered by the DAV or any other organization. It is a plea that comes from the heart and goes to the hearts of people everywhere.

My plea, Mr. President, is that all of us—every Member of Congress, every American—vow on this day to do something more than he has ever done before to bring peace to mankind. Think about it, pray about it, do something about it. And in this way perhaps we can prevent some of the deaths and the maiming of bodies and minds in the future. Only in this way it is possible to render a higher and greater service to mankind than the DAV has been able to perform in the past.

Mr. GURNEY. Mr. President, I associate myself with the views of my friends, the distinguished Senator from Kansas (Mr. DOLE) and the distinguished Senator from Minnesota (Mr. HUMPHREY). The Disabled American Veterans is an honorable and effective organization dedicated to serving the thousands of Americans—members and nonmembers alike—who have been wounded, injured, or disabled in the service of their country. We are today saluting 50 years of service by the DAV—service to our country and our heroic veterans.

It has been my privilege and honor to know personally many DAV's in Florida, and I salute Florida members for their splendid interest and work not only in veterans causes but for our Nation in general.

I pay special tribute to the work of the DAV on the prisoner-of-war problem. We have had disputes on the conduct of the war in Vietnam, and there are essential differences of opinion on the war in this Chamber. But I know of no difference of opinion here on the POW question: we are all properly outraged at the treatment American prisoners of war have received, and we are all determined that our men shall be repatriated. I applaud the efforts of the DAV to awaken and mobilize public opinion regarding our prisoners of war, and here, again, I think we have an example of the kind of service and patriotic activity that has made the DAV so useful and so needed. The DAV deserves our respect and support.

Mr. MATHIAS. Mr. President, it is an honor for me to add my voice to the expressions of tribute which Congress is directing on this day to the distinguished organization, Disabled American Veterans. "DAV Day in Congress—A Tribute to Quiet Courage" was set aside in order to honor those Americans who have made profound sacrifices in defense of their country and to honor those dedicated veterans who have joined in an organization to help them.

I believe that it is particularly fitting that we express our gratitude at this time when we in Congress and indeed the entire Nation are sorely divided on the wisdom of our military involvement in Southeast Asia. Let us therefore take particular pains to sweep away the confusion that may arise in the minds of some of our citizens between that conflict and the act of military service. For even as we ask our young men to risk their lives, a large number of our citizens have come to scorn military service, claiming that if we were to lay down our arms, other nations would immediately do the same. Sadly, this is not the case. As in the past, the price of liberty is still eternal vigilance. And it is still necessary for us to call upon citizens to defend their country and safeguard its sacred rights.

But at the other extreme, there are a number of citizens who equate honest dissent with betrayal. In the name of patriotism, they declare as disloyal those who exercise the right of dissent—the right that our men are fighting for. This, too, is wrong. Indeed, we betray our fighting men if we do not exercise this right, for we owe them, and the entire country, the fullest measure of our energy and judgment if we are in conscience to ask them to defend their country.

But, even more, we owe them our most profound homage and respect. For as they put their lives at stake for the rights and freedoms we enjoy, the simple eloquence of this act pales our words and transcends all rhetoric.

I am therefore deeply honored personally to express my debt to the Americans who, in risking their lives, returned disabled. I express my profound admiration and gratitude, also, to the DAV which assists these men and helps them to cope with their disabilities and to exercise useful, productive professions. I shall continue to support the DAV as one of the most dedicated, purposeful and worthy organizations in America today.

Mr. GOLDWATER. Mr. President, even a deeply grateful Nation such as ours may occasionally let the passage of time dim its memory of the outstanding sacrifices made by American fighting men on the fields of battle.

One group in our society, however, never forgets, and it is with a great honor that I join today in paying tribute to that group—the Disabled American Veterans—on the occasion of their organization's golden anniversary.

As the Members know, this day is called "DAV Day in Congress—A Tribute to Quiet Courage." And it is set aside for us to pay our respects to one of the Nation's finest veteran groups.

In my State of Arizona, the members of DAV are nearly 4,000 strong. We are proud of these men and of the enormous contribution they make to the development of a better society.

Arizona, of course, is not one of the largest States; consequently, we do not have as many DAV members as some others. However, I should like to salute the Arizona DAV's today on the following activities which they have carried out:

First, the expenditure of 15,000 hours of volunteer service in Veterans' Administration hospitals and in nursing homes which house VA patients. This was all done in the year 1970.

Second, sponsorship of a youth of the month program which recognizes the efforts of young people who show good citizenship through scholastic and community service.

Third, an alliance with the National League of Families of Men Missing in Action or Prisoner of War in Southeast Asia to aid in the solicitation of petitions and letters.

Fourth, promotion of Boy Scout troops which are geared to scouting for the handicapped boys.

Fifth, active participation in the "Jobs for Veterans" campaign on State, county, and local levels.

Mr. President, I have here listed only a few of the more outstanding activities of our DAV chapters in Arizona. This is one of the truly fine and worthwhile organizations striving to make a better life for the less fortunate among us. So, again, I take great pleasure in adding my voice to those of other Senators in saluting the Disabled American Veterans on occasion of their first half century of service to the United States.

Mr. CASE. Mr. President, I am most pleased to join my colleagues in Congress in honoring the Disabled American Veterans on the occasion of this organization's Golden Jubilee Year.

The theme selected for this day in Congress—a tribute to quiet courage—expresses the special debt of gratitude which we all owe to these men who have given so much to the service of this country.

Such a debt cannot be fulfilled by a simple acknowledgment of sacrifices made, but rather represents an obligation on the part of all of us to insure that these veterans can live in the dignity and security which is their due.

In this task, the DAV serves a unique and invaluable function. Although it brings together those who share a special bond, the DAV is far more than a fraternal organization.

The DAV national service program to insure that disabled veterans and their families receive all the benefits to which they are entitled serves as a valuable adjunct to the Federal veterans program That the Veterans' Administration has accredited the DAV to represent individual veteran claimants is testimony to the professionalism and worth of this program.

In this and in other ways beyond number, the Disabled American Veterans organization has truly distinguished itself in its task of representing the cause of all veterans. I am indeed happy to be able to extend my most sincere congratulations.

Mr. ALLOTT. Mr. President, it is a solemn privilege to participate today in this "tribute to quiet courage" honoring the Disabled American Veterans.

Today is "DAV Day in Congress," a fitting tribute to this splendid organization in its 50th year.

Founded half a century and too many wars ago, the DAV has served, in war and in peace, the needs of those whose sacrifices in battle secured the Nation's life and sacred honor, and the needs of the dependents of these heroes.

Of course the dedicated men and women of DAV would like nothing better than to have their organization become unnecessary. They who have seen so much of the sad cost of war know better than most the blessings that would flow from what the President is so diligently working to achieve—a full generation of peace.

But as long as Americans are called upon to make sacrifices in this dangerous century, DAV will serve valiantly. In a sense, as long as such sacrifices are needed, DAV can take a kind of solemn gratification from its burdens. After all, a disabled veteran has been spared the greatest sacrifice—his life—and, with the help of DAV, can lead a comfortable and productive life.

John J. Keller, national service director of DAV, says this:

> History reveals that in World War I the rate of survival of wounded soldiers was extremely low. The rate increased to 70.7 in World War II, 73.7 in Korea, and is currently 81.3 percent in Vietnam.
>
> Who but the Disabled American Veterans can readily appreciate and recognize the many and varied implications of these sobering statistics?

Improved evacuation capabilities and medical technology have enabled DAV to serve a large number of American soldiers. The range of DAV services is impressive, and the gratitude it earns is the finest tribute any organization can earn.

Recently the DAV, acting with customary competence, has taken up another urgent duty. It has given generously of its infinite energies and finite resources to secure the prompt and safe return of all American military men currently held as prisoners of war by the North Vietnamese.

DAV's aim is to stimulate a 20 million letter avalanche that will inundate the North Vietnamese Embassy in Paris. In DAV's judgment—which I think is correct—the North Vietnamese are intransigent on the POW issue because they cannot believe that a great nation really cares deeply about the lives of a mere 1,500 men. DAV understands that the North Vietnamese must be convinced that the safe return of our men is a matter on which we are intransigent.

When our POW's do return—and I am sure they will—DAV will deserve a significant share of the credit. The DAV will be able to attach to its standard a ribbon denoting selfless service in another humane campaign.

Mr. DOMINICK. Mr. President, as we commemorate 50 years of service and dedication of the Disabled American Veterans, it is difficult not to reflect upon the hardships and agonies which have befallen our fighting men during the two World Wars of this century, the Korean conflict, and now the Vietnamese war. Some of these men have come home from the war with bright hopes for the future. Others have come back anticipating long term suffering resulting from physical disabilities gained in combat.

Disabled veterans who fully understood the difficulties of others trying with great obstacles to adjust to civilian life led the way in founding the DAV. The founding of DAV came at a critical time, when many of the men who were entitled to compensation were receiving nothing, and veterans' hospitals were so overcrowded that many patients slept on floors.

The objectives of DAV have never wavered and continue to be the advancement and betterment of all injured veterans, as well as their orphans, widows, and dependents, in obtaining all benefits to which they are legally entitled. Having helped many young servicemen with hardship and disability appeals over the years, I know how difficult this can be.

One need only visit Fitzsimons General Hospital in my own State of Colorado to see the determination and will with which disabled servicemen fight to return to a normal life. For these men, the DAV provides the necessary guidance and legal muscle before physical evaluation boards and helps after discharge in contacting regional offices to line up educational and job opportunities. Through their national service program, the DAV also trains disabled veterans to become service officers themselves in various locations around the country.

More recently, the DAV has become active in pressuring Hanoi to release information and provide better treatment for our prisoners of war in North Vietnam. Through radio, television, and leaflets by the thousands, combined with letter writing campaigns by individual chapters, the DAV has literally deluged North Vietnamese leaders with pleas for adherence to the Geneva agreement on POW's.

The Disabled American Veterans deserve the gratitude and thanks of all Americans, and in taking time out today to honor their efforts and effectiveness, let us commit our own efforts to reaching the day when we will no longer need such an organization.

Mr. BAYH. Mr. President, deserved public recognition and tribute are being paid today for the many contributions of the Disabled American Veterans. While the organization of the DAV began in 1919, its first national convention was held in June, 1921, at Detroit, Mich. Since that time the DAV has actively sought to provide for the welfare of disabled veterans and their dependents who have suffered casualties during military action. In the last half century this group has done much to better the lives of disabled veterans, and it has been very active in making claims for compensation, hospitalization, medical care and vocational rehabilitation.

It is gratifying today to join with Senators in paying tribute to the members of this fine organization on the occasion of its fiftieth anniversary. Although America is not now involved in a declared war, we are nonetheless experiencing all the human tragedies of a long and costly war. The need to assist those who have suffered injuries in this conflict is very great. While this is primarily a responsibility of all Americans, organizations such as the Disabled American Veterans can and will do much to assist in this important task. The Vietnam experience has left a large scar of casualties upon the Nation's young, but fortunately the rate of survival for wounded soldiers in Vietnam—81.3 percent—is higher than either World War I, World War II or the Korean conflict. The activities of the DAV in assisting the needs of these servicemen deserve our deepest gratitude.

This year the Disabled American Veterans Convention will again return to Detroit. This action will symbolize the completion of fifty years of serving the victims of war. It is to this effort that we today focus our attention and convey our deep respect.

Mr. SCHWEIKER. Mr. President, the objective of the Disabled American Veterans since its founding has been to advance the interest and work for the betterment of all wounded, injured and disabled veterans, their widows and dependents . . . to cooperate with all Federal and private agencies devoted to the cause of improving and advancing the conditions, health and interest of wounded, injured or disabled veterans. The founders of the DAV also resolved that the organization shall stimulate a feeling of mutual devotion, happiness and comradeship among all disabled veterans.

A noble tradition has developed from these objectives and for 50 years the Disabled American Veterans has served well its members. In 50 years, this organization has dealt with over 8,000,000 veteran cases and has obtained over $1,600,000,000 for veterans. Its membership has grown to a total of over 290,000. This record has been achieved through the DAV's National Service program. There are presently 146 National Service officers located in Veterans' Administration Regional Offices throughout the United States. The National Service officers are assisted by Department Service officers of the 47 DAV Departments and the chapter service officers of the local chapters, which number more than 1,900. Thus, this network of disabled veterans working in behalf of their fellow disabled veterans, has been the mechanism through which millions of disabled veterans, their dependents, widows, and orphans have received all the benefits to which they are entitled. This service requires the tribute of the Congress.

At the present time, the DAV is undertaking a major effort in behalf of the more than 1,500 men who have been reported as missing in Southeast Asia. The organization, through all its chapters and its entire membership, is active in bringing the plight of the prisoners of war and missing in action to the attention of the American public. Letter writing campaigns have been organized in order to bring public opinion to bear on the North Vietnamese Government. Television and radio spot announcements have been produced and distributed to over 700 TV stations and 6,000 radio stations. These announcements urge Americans to petition the North Vietnamese to abide by the provisions of the Geneva Convention which they signed. The DAV goal is 20,000,000 letters to North Vietnam.

Other current projects in which the DAV is active is a scholarship program to defray expenses of members' children who show ability and need; a disaster fund to help members who are victims of natural disasters; and a joint program with the Boy Scouts of America to start Scout chapters for handicapped youths.

Certainly Vietnam has had a major impact on the DAV. The DAV's attitude is best expressed by the comments of its national commander, Cecil W. Stevenson, who said:

> I don't know anyone who likes the Vietnam war. The DAV doesn't like the war. I don't like the war. And many of the men who fought in the war didn't like it either. But they went. They deserve our respect for that.

He has acknowledged that the nature of this war, with the high rate of wounded and injured, has placed a special responsibility upon the DAV.

The Disabled American Veterans has an honorable record of over 50 years' service to disabled veterans. It is appropriate that we formally observe the organization's golden anniversary. Also, it is appropriate that we take note of the preamble to the DAV constitution:

> For God and Nation, and for our commonweal, we former members of the armed forces of the United States, having aided in maintaining the honor, integrity, and supremacy of our country, holding in remembrance the sacrifices in common made and drawn together by strong bonds of respect and mutual suffering, solemnly and firmly associate ourselves together in creating the Disabled American Veterans, the principles and purposes of which shall be supreme allegiance to the United States of America, fidelity to its constitution and laws; to hold aloft the torch of true patriotism; to strive for a better understanding between nations that peace and goodwill may prevail; to cherish and preserve the memories of our military association; and to aid and assist worthy wartime disabled veterans, their widows, their orphans and their dependents.

The historical review, in the annual report of the DAV, contains the following comment, which best states the history of the past 50 years. It is a suitable tribute:

> The history of the DAV has been complicated and tumultuous. Nothing as important as the objectives of this organization is ever easy. The DAV has had its hours of trial—its moments of hopelessness—its time of glory—its periods of riding the crest of the wave. But the important thing to the organization itself, and to the American public in general, is that through all this it has determinedly stuck to its single purpose—that of aiding the wartime service connected disabled veteran return to civilian life in a competitive position with his peers. That he and his family can face the future with confidence knowing that his medical, rehabilitation and employment requirements will be met.

FIFTY YEARS OF SERVICE OF THE DISABLED AMERICAN VETERANS TO AMERICA'S WAR DISABLED

Mr. CANNON. Mr. President, today we join the Nation in celebrating the 50th anniversary of Disabled American Veterans. Since 1921 this organization has rendered invaluable service to America's disabled, and thus to us all.

Many of us here in the Senate Chamber today have seen times of war, have seen what it can do to men and the toll it may take. Most men are lucky enough to escape physically unscathed. But there are countless others who are not so fortunate. And though our memories of war and the courage it inspires may be short, the disabled and their families must have a special courage, a courage to last past the time of fighting. They must learn to live productively with what can be a constant reminder of the horrors of war.

Fifty years is a long time, a time filled with the heroism and sacrifice of countless Americans. They have served at a moment's notice when danger threatened, to give their blood in the name of freedom. And when they are back in "the world" they are indeed lucky to have the DAV to help them. It is a true and sympathetic friend. Through its long and illustrious history, with a wisdom gained from experience, it has helped all veterans, members and nonmembers alike, to become once again productive members of our society.

The DAV, with no Federal financial assistance, has compiled a tremendous record of achievement. Its more than 300,000 members have joined in the common cause of helping America's disabled, their wives and their children recover the full benefits due to them under our laws. Through its legislative services, it has worked effectively toward achieving new and improved laws for the disabled and their families. Nearly all effective legislation benefiting the disabled has had sponsorship, if not creative initiative by, DAV.

In many other areas, the DAV has shown its interest in the soldier's welfare. Through the efforts of DAV, other organizations and millions of concerned Americans, the North Vietnamese have released more information than ever before about the American prisoners of war being held by the Communists. They also have a scholarship program for children of disabled veterans and a program of starting Boy Scout chapters for handicapped youths using disabled veterans for leadership.

Thus, for all they have done for America and its brave soldiers, I am sure all Americans will join me today in saluting this organization and its members, for whom not just March 3, but every day, is DAV Day.

DAV DAY IN CONGRESS—A TRIBUTE TO QUIET COURAGE

Mr. PASTORE. Mr. President, as our voices are raised on this March 3, 1971, in commemoration of 50 golden years of service rendered by the Disabled American Veterans, it seems fitting to remember that the genesis of the DAV is truly a Christmas gift to America.

It is a Christmas gift to all America—to the conscience of our Nation—awakened to the debt of gratitude to those prepared to make the supreme sacrifice—and, indeed, suffering the enduring scars of service in the wars America has waged for human freedom.

Those whose memories can reach back for half a century will remember an America recoiling from World War I.

It was an America aghast at the cost in human lives—an America appalled as 300,000 of its finest youth returned wounded, disabled, handicapped, ill.

It was an America unprepared to cope with catastrophe—with their care—with their conversion to gainful employment—an America at a loss how to rehabilitate and compensate these men who had given so much and received so little—if, indeed, anything at all.

Out of that Christmas gathering of disabled veterans—out of that Christmas party in Cincinnati in the long ago—was born the idea of the DAV.

It was the idea of an organization of disabled veterans themselves—with a will to concentrate concern for the disabled—a program to eliminate the confusion and profusion of government agencies—seemingly working at cross purposes. For, out of their conflicts, care for veterans had broken down.

I shall not here attempt to record the problems and progress—the difficulties and achievements of the DAV through these 50 years. But it could well be required reading for students of history—political science—foreign relations—America's responsibility to the free world—and America's responsibility to those who bear the personal risks when this Government of ours must decide between war and peace.

We of the Congress are keenly aware of the ceaseless, day-by-day commitment of the DAV to the well-being of the Nation's war disabled—his widow and his orphans.

We are proud to cooperate in the legislation that recognizes a people's responsibility.

We are especially conscious of and grateful for the immediate and personal dedication of service organizations throughout the States that we represent.

We know how human—how helpful they are.

That gratitude, indeed, could be the simplest and sincerest explanation of our presence here today and our participation in this tribute to the DAV on its 50th anniversary.

Today—March 3—seems particularly appropriate for the observance of an anniversary of patriotism.

For this is another patriotic anniversary.

Forty years ago today—by act of Congress—the Star Spangled Banner officially became our national anthem.

So this is an anniversary steeped in love of country.

It is a day on which we do well to speak our appreciation of veterans who have paid the patriotic price—who have preserved by their personal service and suffering what we proudly proclaim in our anthem—"the land of the free and the home of the brave." We salute the DAV.

Mr. FONG. Mr. President, as a citizen of this great Nation, a Member of the U.S. Senate, and a veteran of World War II, I wish to pay tribute to the organization which, for 50 years, has watched out for the needs of those less fortunate than myself who returned home from war injured.

Thousands upon thousands of patriotic men and women who, in serving their country, were wounded or otherwise disabled have turned to the Disabled American Veterans organization for help, and that help has always been forthcoming.

Today, DAV marks its golden anniversary, and it is a privilege and pleasure for me to laud the accomplishments of this great organization.

For 50 years, DAV has worked tirelessly in behalf of returned injured service men and women. In addition to its day-to-day duties in arranging proper medical care and treatment for those who require it, insuring that adequate compensation was available to the disabled, or to widows, minor children, and dependent parents, and encouraging the disabled in rehabilitation programs, DAV has taken the initiative in what I consider another important program.

DAV has been very active, particularly in recent years, in building a scholarship program for children of disabled veterans. It is a lesser known but most important project. In addition, DAV has begun Boy Scout chapters for handicapped youth, utilizing disabled veterans for leadership. These are just two fine additional programs instituted by DAV and which I feel are worthy of recognition on this, the 50th anniversary of DAV.

For these, and all other accomplishments, I wish to congratulate the Disabled American Veterans organization. DAV is to be commended for its devotion to the welfare of our Nation's disabled patriots.

DAV DAY IN CONGRESS—A TRIBUTE TO QUIET COURAGE

Mr. BURDICK. Mr. President, today is DAV Day in Congress; 1971 is also the golden anniversary of the Disabled American Veterans organization.

I am hopeful that all Americans today, and everybody, pause and pay proper tribute to all veterans who have fought for freedom and human dignity.

The late Francis J. Beaton, past national commander of DAV in 1967, was from my hometown of Fargo, N. Dak. Francis used to say that "nothing as important as the work of DAV is ever easy." Since knowing Francis, and several other DAV members, dedicated and devoted to the cause of improving and advancing the conditions of our injured or disabled veterans, I have deepened my admiration for those who have served their country in uniform.

Let us remember, on this day of remembering, that it is only because of the courage and the sacrifices of those who have fought for America and freedom that Americans are free today. May all Americans on this day honor our fighting men and their families who have given so much for the good of their country.

THE DAV—AN OUTSTANDING RECORD OF SERVICE

Mr. PELL. Mr. President, I am pleased today to join with Senators in commemorating the 50th anniversary of the Disabled American Veterans oragnization.

As we commemorate this occasion, we cannot but pause also to think of the members of the DAV, the men who seek though their organization to be of mutual assistance in pursuit of rehabilitation and just compensation for this Nation's wartime disabled.

Every war, sadly produces its disabled men. At this time, our Nation has a large number of returning war veterans who cannot easily return to civilian life. The need for an organization to help these young Americans is great. Fortunately, the DAV stands ready, and for 50 years has stood ready, and able to meet this need.

We are all deeply aware of the responsibility and obligation our country has to provide rehabilitation, training, compensation, and medical care to our disabled veterans. The DAV serves a vital function in helping to see that these obligations are fulfilled and these services are delivered.

In my own State of Rhode Island, the DAV, with 22 chapters, is recognized as an important asset in the effort to give each disabled veteran the assistance he needs and so richly deserves.

I congratulate the Disabled American Veterans, its members and officers, on 50 years of outstanding service.

Mr. INOUYE. Mr. President, today marks the 50th anniversary of the founding of the Disabled American Veterans organization. On this occasion I wish to pay respect to that organization and to its members. I do so at the specific request of Oahu Chapter No. 1, my chapter, and its 610 members, and the Jose F. Jiminez Chapter 1, Guadalajara, Jalisco, Mexico.

This latter chapter is named after the first alien member of the U.S. Marine Corps to have been awarded the Congressional Medal of Honor, awarded posthumously for his gallantry in Vietnam in 1969.

There are those who feel that to pay tribute to the gallant men who fight our Nation's wars is to glorify and perpetuate war as an instrument of policy. I do not agree.

Our opposition to war is not magnified by belittling the sacrifice of those who fight our Nation's battles. It is possible to honor heroes and to pay homage to the brave men who have given of their life and limb in the services of our country without glorifying war. Indeed, I would suggest that we honor these men most by our efforts to bring an end to armed conflict and to the resort to arms.

The Disabled American Veterans are as cognizant as anyone—and far more than most—of the horrors of war and its terrible cost. They more than almost anyone else, come in daily contact with the lifelong problems which may ensue from valiant service; problems affecting not only the individual veteran but his family as well.

I wish to pay my respects then to an organization which carries the burden of continuous concern for the welfare of the men who serve in a time when the public acclaim for the soldier's service may have dimmed and scarcely stir the patriot's breast.

Mr. President, in paying my respect to the Disabled American Veterans, I ask unanimous consent to have printed in the Record the tribute of Samuel Crowningburg-Amalu, Honolulu Advertiser columnist, to the most recent winner of the Medal of Honor from my State, Cpl. Terry Kawamura. I think his words express most eloquently our thoughts on this day.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Honolulu Star-Bulletin & Advertiser, Feb. 21, 1971]

The Life and Death of an Island Boy

(By Samuel Crowningburg-Amalu)

It is not merely years that make the man, not age nor experience. Manhood comes in a moment, sometimes of glory, sometimes of great suffering. Sometimes even in a moment of shame. But when manhood comes there is no denying it. There is no evading it. One moment, you are but a child. And the next, you are a man. Then and then only will the world look upon you and know you for what you are. A man. And O my God, these are few and far between.

He was only a boy. Just a kid when you come to think about it. But he did what had to be done. When it had to be done. And he did it without thinking, without contemplating the inevitable end of it. He did it as a man would do it, merely on impulse. And because there was nothing else that he could do, for his own manhood had come upon him in that last and dread moment. Where he had been but a boy, he had become a man with his last full breath. And so he died.

He was an Island boy. Born right here at Tripler. Bred of our skies and of our seas, Of our high mountains and of our deep valleys. Upon him blew the gentle winds of Hawaii. They caressed his infant days and kissed the hours of his childhood. He was one of our own, born amongest us and reared with us. He was a child of Hawaii, a blossom of these island. He was one of us. And one early morning, he reached up into the highest of heavens and plucked a star. Let stand the rainbows over this land; let fall the tender raindrops; let roll the thunder and echo over the hills for a child of Hawaii is no more. Yet he went as a warrior is wont to go, as a warrior must. Blow not a bugle over his grave. Blow only the soft notes of the conch that once blew for our ancient kings. And let him sleep in our Earth again that we may hold him to our hearts who knew him not when he lived.

High in the uplands of Oahu lies the little town of Wahiawa. Here the race of the Wa took their last stand against the invading Kena, the same who became the Hawaiian people of today. Here the Wa died in their myriads. Here in these cold lands rest their long dead bones. And here it was that he was raised as a child. Here he played the games that all children play. Here he laughed his infant laughter; here he wept his infant tears. Here too, he went to school. To Leilehua. Once he sold papers in his little hometown. Once he worked in the pineapple fields O yes, he did most of the things that most kids do who live in Wahiawa. But one day, he placed upon his own shoulders the uniform of his country. He took an oath. And he went to war. And in some strange land, some alien soil far, far away, he died.

It is lonely to die far away from home, far away from everyone you love and everything you hold most dear. He was not even twenty when he died. But life is lived in many ways, and it is not really so much how long you live as it is how well you live. If this be the criterion by which you measure the worth of a life, then his life had meaning. There was a purpose for his living and for his dying. The years he lived were few, but he lived them well. And when his hour to die was called, he went as a man should go, unsullied and unafraid. He laid down his life for his countrymen and for his friends, for his comrades who were beside him. No heart can bear a greater love than this. Well worth the short hours of his living and well worth the moment of his passing. He died a man, doing what a man must do. And no fairer fate than this can any man ask of destiny.

I listened to the voice of his mother as she spoke of him. I listened to the tape of her voice for I knew full well that I would never be able to stand before her without tears in my eyes and my heart. I wanted only to hear what she said. I dared not watch her as she said it. And her words were simple.

"I'll make you the proudest mom in the whole world." These were the words he spoke to her before he went away. "But if I don't come back, don't feel bitter; don't think that I died for nothing."

What else does a soldier say to his mother; what else can he say? And he died in a way that should make her proud. But what price such pride. He did not come back to her or to his homeland. And I am sure that she must often wonder whether the price he paid was worth it. Or whether that it was indeed in vain that he died. Was it for nothing that he lived, for even less than nothing that ho died.

Without even the furthest hope of bringing comfort to her nor even with a chance to assuage the pain that she bears for the loss of him, I would tell her now how it is with a soldier. This is the way the world is made, and this is the way we men are fashioned. With a brass button, a drum, and a slogan, we men will go to the ends of the world to fight an enemy we do not hate, to kill men we do not know. Men who have done us no harm. We will rise out of the comfort of our hearths and journey over mount and foam to do battle. As it was when we lived in the trees, as it was before we emerged from the caves, so is it still today. We are men. And this is the way we live. And this is the way we die. Some are not as fortunate to die in so brilliant a blaze of glory. But die we must as we have always done. Nor question why. Nor ask the reason for it.

I need not plead the cause of the soldier. He pleads it well enough for himself. By his living and by his dying. Call the soldier blind if you will. And foolish. But on just such blindness and on just such foolishness were thrones upraised and empires erected. On such did we span the mighty American continent from ocean to ocean and raise the power of our country to the mightiest in all the world. By such blindness and such foolishness have we survived to this day.

Mourn not to me the plight of those who will not bear arms for conscience's sake. Those who eat the fruits of a land and take up no cudgels to defend her orchards are parasites. Those who reap the blessings of America and turn from her in her need can expect no laurels from me. I doubt that he ever wanted to kill. I know that I do not want to kill. But if kill we must at our country's behest, how can we gainsay her command? I have sipped the rich wine of this nation, and my life is of little worth if it cannot be spared to protect our vineyards. I say this to his sorrowing mother—no soldier has ever died in vain. No soldier has ever given his life for nothing. Death comes to each man; this sovereign destiny he can never escape. And if it come to all men, how can it be evil? So what matter that a man dies; he must die anyway. It matters only how he dies. How he has lived. Terry Kawamura was a soldier. He died as a soldier. In the warrior tradition of his own fathers and of the chieftains of this land he called his own, Terry Kawamura died as a warrior would want to die. He did not question why. His was but to do and die. This is the tradition of the warrior and the soldier. By this stern code he lived. By it he died. How could it ever have been in vain?

Terry Kawamura was a corporal. And on the 20th of March 1969, he gave up his life in order to save the lives of his comrades in arms. He did this in spite of the fact that he knew he could escape the peril that faced them. Greater love hath no man than this. And for this, a grateful nation has awarded him the highest honor within its province to bestow. In this republican hour, we can do little more than this. But he is an Island boy, and we should not forget this. In a more ancient time, we would have borne his corpse to the high altars with chanting. We would have raised the royal kahili about his bier. We would have sung his name and the glory of him. And we would have called upon the ancient gods to receive him who was their child.

I have heard his mother say that Terry Kawamura was a Japanese. But how can this be? He was born an American. But more than that, he was born an Hawaiian. Born of us and bred of us. Our kings were his kings and our princes his also. These were his hills and his valleys. These were his skies, his emerald seas. He is one with us in death as he was in life. We are not twain, he and I. We were born of the same soil. We drank from the same springs. We wove garlands for our neck out of the same flowers. His heritage is mine, and mine is his. We are one people in these islands of Hawaii. We are all Hawaiian. And to that end, so are we all American. Too long, too long have we stood apart each from the other. There must be no more of this. Our roots were watered in a common soil, and we are one people. Terry Kawamura is not a Japanese. He is Hawaiian. And Hawaiian in the very finest sense of the word.

We live today in difficult times when

change for the mere sake of change and experiment with the exotic are the spells that enthrall us. The tested tools of civilization are being daily tried and discarded by the hordes of barbarians that we have produced in our midst. And there are those abroad who would infest this land with invidious creeds that preach a fond utopia but offer nothing else in reality but restriction and a loss of freedom. We are divided in this land today, divided by race, by generation, by class, by achievement. We welter on a troubled sea.

But this was not always so. Once we were a land of simple people. A nation of builders. And we built an empire out of a wilderness and flung mighty towers against the skies with our bare hands. We were a simple people with a purpose in life. With this simple purpose, we freed our slaves with our very blood and nearly tore our country apart in the process. We opened for man a new nuclear age. We sailed about the Moon and walked upon her surface. Perhaps now, our new sophistication insists we discard our former simplicity and evolve into something else than what we were. This is the trend of the times, and we go with it.

In our new preoccupation with change, we must still be comforted with the knowledge that there are still some simple hearts left to us. Simple men in whom the old virtues are still alive. Terry Kawamura, a corporal in the United States Army and a boy from the little town of Wahiawa, was one of these. He lived his few short hours and then he died. And never once did he swerve from those ideals that made America great. So we have bestowed upon him and upon the memory of him the highest gift that we as a nation can offer, our Congressional Medal of Honor. It is fitting. It is meet.

He was only a boy, an Island boy, one of our own. But he died a man. No fairer epitaph than this can any man want.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may be permitted to have printed in the RECORD a statement by the Senator from Iowa (Mr. HUGHES) on the 50th anniversary of the DAV.

The PRESIDING OFFICER (Mr. TAFT). Without objection, it is so ordered.

There being no objection, the statement of Senator HUGHES was ordered to be printed in the RECORD, as follows:

DAV—A VITAL SOURCE OF COMPASSION AND COMRADESHIP

(Statement of Senator HUGHES)

Mr. President, my colleagues here in the Senate are today engaged in conferring praise and honor on the Disabled American Veterans organization for its 50 years of unstinting service to those veterans who bear the scars of war. I wholeheartedly join with the other Senators in this richly deserved tribute to the DAV.

In this century, more than one and a quarter million American men and women, who answered a call to arms, returned home wounded or disabled.

We owe them a great debt, and to a certain extent, we have acknowledged our indebtedness. The Congress, in trying to express the gratitude of the nation, established a myrid of federal programs to provide returning veterans with medical care, educational opportunities, rehabilitation, job opportunities, and disability and indemnity compensation.

But the birth of such programs does not constitute full payment of the debt. There is also the need for providing unrestricted access to the programs, for delivering the benefits efficiently and effectively. There is the need for counseling and personal assistance in applying for benefits. And there is need for sympathetic public understanding of the disabled veteran, his aspirations, and the requisites of his altered life.

In assisting the government—officially, as a chartered organization—the DAV has helped the nation pay its debt to these men and women. In assisting hundreds of thousands of disabled veterans and their families, the DAV has been a vital source of compassion and comradeship.

From its inception in 1920 in the aftermath of the first great war, the DAV has grown to include a membership of 300,000 veterans of four wars—World War I, World War II, the Korean War, and the War in Indochina. Over the past five decades, DAV has handled more than four million claims for veterans benefits.

From the standpoint of sheer experience, DAV is equipped to discern the needs of the disabled veteran and attune the nation to his sacrifices.

Mr. President, just one year and one week ago, Raymond P. Neal, then National Commander of DAV, in testifying before the House Committee on Veterans Affairs, reminded us:

"We are engaged in a costly war in Vietnam, and we are calling on a small minority of our citizens to bear for us the heavy burden of securing the freedom of another nation.

"We must not forget the sacrifices that are being made for us daily."

We have not forgotten, Mr. President, but it is evident that we, as a nation, have had too many lapses of memory. Over the years, federal programs for meeting the needs of handicapped veterans have been allowed to deteriorate. Last year, the sad state of our veterans hospitals and the poor quality of medical care available in some of them became a national scandal.

Gratefully, I can say now that great strides have been taken toward correcting these deficiencies. Under the inspired leadership of the distinguished Senator from California (Mr. Cranston) and others, the Congress concluded that first-quality medical care was of paramount importance, whatever the inflationary effect.

If we are willing to take great risks to secure military advantage in a distant war, we must also be willing to risk the difficulties inherent in providing for the care and well-being of war's disabled survivors.

If we are willing to make huge expenditures on sophisticated weapons systems and sheer destructive power, we must certainly be willing to make equivalent investments in the human resources we commit to these ends.

UNANIMOUS-CONSENT AGREEMENT

Mr. AIKEN. Mr. President, in spite of the fact that the senior Senator from New York is to be recognized immediately following this colloquy, I ask unanimous consent that I be recognized for 2 or 3 minutes, which will not displace him in any way.

The PRESIDING OFFICER. Without objection, it is so ordered.

FORMULATION OF FOREIGN POLICY

Mr. AIKEN. Mr. President, in view of the discussion which took place on this floor yesterday relative to the position of the Secretary of State and White House staff members in the formulating of foreign policy, I feel that I should make this statement.

Secretary Rogers is highly respected and generally well liked by most, if not all, the members of our Foreign Relations Committee.

We realize, however, that the final decisions in foreign policymaking rest with the President.

I realize too, that much of the work of the State Department consists of carrying out foreign policy as determined by the President and approved by the Congress.

As far as Secretary Rogers is concerned, I feel sure that no decisions are made by the President in the field of international relations without consultation with the Secretary of State.

To substantiate what I am saying, I now ask consent to insert with these remarks a letter addressed to me by President Nixon under date of February 9, 1971.

I have the approval of the White House for making this letter public at this time.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, February 9, 1971.

Hon. GEORGE D. AIKEN,
U.S. Senate,
Washington, D.C.

DEAR GEORGE: Some recent statements have suggested misunderstanding about the role of Secretary Rogers in formulating our policies, and this is just a note to set the record straight.

Bill Rogers takes part in every step of the planning and discussion associated with foreign policy. He and I are in constant touch, and while the responsibility for the final decisions must be mine alone, as Secretary of State and as a long-time friend and close associate whose counsel I value very highly, Bill Rogers knows and understands my thinking and my decisions, and I want to assure you that he has my complete confidence.

With warm regards,
Sincerely,
RICHARD NIXON.

Mr. AIKEN. Mr. President, I know how easy it is to become embittered when one is attacked by a member of another branch of Government, and neither the executive nor legislative branch of our Government can be held fully blameless in this respect.

I am satisfied that Secretary Rogers is one of the more conscientious members of the executive department and that he is working constantly in the interests of his country, your country, and my country.

It is my hope that recriminations will give way to constructive ideas and constructive action which will improve our position in the important arena of world affairs.

The old saying "least said, soonest mended" is fully applicable at this time.

Mr. GRIFFIN. Mr. President, I ask unanimous consent that I may be recognized for 2 minutes pending the arrival of the Senator from New York (Mr. JAVITS).

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRIFFIN. Mr. President, I commend the distinguished Senator from Vermont, the dean of the minority Members of the Senate, for his comment concerning the remarks delivered yesterday by the distinguished Senator from Missouri.

In connection therewith, I believe the

views of the President of the United States, as transmitted yesterday through his press secretary, were most appropriate. In order that information concerning the President's strong feelings and views concerning Secretary of State Rogers and his role may be available to all, I ask unanimous consent that the complete text of a news conference yesterday, at which press secretary Ron Ziegler delivered a statement for the President and answered questions, be printed in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

News Conference at the White House

(With Ron Ziegler, Mar. 2, 1971)

Mr. Ziegler. As many of you may recall, this morning I indicated that I was not going to brief this afternoon. Jerry was going to handle it. But the President has asked me to brief this afternoon because he wanted me to make a couple of points to the members of the press this afternoon, and was quite firm in having me make the following points. They relate to Senator Symington's remarks today before the Senate.

In Senator Symington's remarks before the Senate today some impressions were left. The impressions that were left in Senator Symington's remarks today regarding the Secretary of State, I would like to say that it is the President's view, and it is our view, that they were misleading, totally inaccurate, and unfair.

As many of you know, the Secretary of State—and the President wanted me to emphasize this to you—is a valued member of the President's Cabinet and a man he values as his chief adviser on foreign affairs.

The President went on to tell me that he has known the Secretary of State longer than any other member of the Cabinet and has valued his friendship for 24 years.

He went on to tell me to tell you, gentlemen, and you can quote this directly, that President Nixon has the utmost confidence in the Secretary of State and in the judgment of the Secretary of State.

The President wanted me also to say to you that the Secretary of State is the President's chief adviser on foreign affairs. He will remain that. And he told me that people who think otherwise are misleading both themselves and others; in other words, those who may have the impression that the Secretary of State is not the President's chief adviser on foreign affairs are misleading themselves and others.

The President went on to say that he understood that it is oftentimes traditional here in Washington by those who are politically motivated to attempt to drive a wedge between key advisers and the President.

He went on to say that he knows better than anyone the contribution that the Secretary has made to this Administration in foreign policy, and that he has complete confidence in the Secretary and his judgment and that he will continue to rely heavily in the future, as he has in the past, on the advice and the judgment of the Secretary of State.

I would just like to add to that, that in the course of the discussion with the President about this, I made an observation to the President. I know that the President during the course of the day—this is virtually every day—talks to the Secretary by phone; the President, most of the time, initiating the calls to talk with the Secretary of State about foreign policy and other matters.

Also, because foreign policy is a very important matter of consideration within this Administration, as it is in other Administrations, the President probably sees the Secretary of State more than any other member of his Cabinet.

So, to conclude, I would just like to say that the impression that is left by Senator Symington's remarks today about the Secretary, as I said at the outset, are misleading, unfair, and totally inaccurate.

Q. Is the whole speech?

Mr. Ziegler. I would refer to the wire service stories that have moved and other stories—I don't want to single out the wire services—but the stories that have moved on Senator Symington's speech today and the impressions that were left by that speech regarding Secretary of State Rogers. And it is that impression that the President wanted me to address myself to today.

Q. How did it come to the President's attention?

Mr. Ziegler. From the wire services, from the stories that have moved regarding Senator Symington's speech.

Q. Has he started reading wire service tickers?

Mr. Ziegler. No. It is a normal course that members of the President's staff discuss the happenings in the world with him frequently throughout the day.

Q. Ron, you mentioned that the President, I believe you said, sees Secretary Rogers more than any other member of the Cabinet. That would include the Attorney General. Has a check been made on how much time he has spent with these Cabinet members? Are you certain of that?

Mr. Ziegler. This is one of the points that the President made to me. Of course, he sees the Attorney General often, too. But he indicated that he thought he saw the Secretary of State as much, if not more than any other member.

Q. As a follow-on to this, you don't mean to leave the impression that he sees the Secretary of State as much as he sees Dr. Kissinger?

Mr. Ziegler. Dr. Kissinger is a member of the White House staff here on a daily basis. He sees him on a daily basis. I am not trying to draw a parallel between Dr. Kissinger in his role as the National Security Adviser and the Secretary of State as a member of the Cabinet.

Q. It seems to me very pertinent here for the President to give us a differentiation of the two roles of the two men and to give us also a description of how he sees Dr. Kissinger's duties.

Mr. Ziegler. Let me just say that in the Foreign Policy Message, and previously, I think, this has been addressed, Sarah, and I think going beyond what I have given you, the President would welcome questions, direct questions, from members of the press in future press conferences and we intend to have one very soon on this matter.

Q. We ought to have this today. We ought to clear this up today with a follow-up right now on what does the President consider Dr. Kissinger's duties to be.

Mr. Ziegler. That particular position has been addressed, Sarah, in the Foreign Policy Message. It has been addressed frequently in the past.

Q. I mean insofar as a differentiation between these two.

Mr. Ziegler. I will say it very clearly to you. The Secretary of State is the Secretary of State and the President's chief foreign affairs and foreign policy adviser. Henry Kissinger is the President's National Security Council Adviser and is involved in the management of the NSC system and, of course, advises the President on foreign policy also. The precise role is spelled out in the Foreign Policy Message.

Q. Did the President read the text of Senator Symington's statement?

Mr. Ziegler. No, he has not had an opportunity to read the entire text of the speech.

Q. I am a little puzzled as to why you haven't addressed yourself to what Senator Symington said about Dr. Kissinger. He called it the Kissinger syndrome. What does the President think about that particular expression?

Mr. Ziegler. I will have no comment on the other portion of his speech. I am addressing myself to an impression here that was left regarding the Secretary of State and that is what I am addressing here.

Q. Is your intention not to show equal defense for another key member of the President's staff as you have shown for the Secretary of State?

Mr. Ziegler. Quite obviously that is not my intention. My intention also is not to address the other portions of the Senator's speech.

Q. Ron, you brought up the question of which Cabinet member sees the President most often. Dan asked you about whether Dr. Kissinger talks with the President more often than Secretary of State Rogers.

You said you wouldn't draw the parallel.

Mr. Ziegler. I know what you are going to say. I am just saying it is not relevant. Obviously, Dr. Kissinger is a member of the White House staff and sees the President as he manages the NSC system and deals with the President on a day-to-day basis on matters of foreign affairs very regularly.

He sees him daily. I see the President daily, many times a day, too. That does not say that I am going to draw a parallel between myself and members of the Cabinet. That is the point I am making.

Q. Aside from the relevance of my question, isn't it true—

Mr. Ziegler. I think I have addressed myself to the question of relevance of your question.

Q. —isn't it true that the President does talk with Dr. Kissinger more often than he talks with the Secretary of State about foreign policy affairs?

Mr. Ziegler. He probably sees Dr. Kissinger—that is a normal course of events, being a member of the White House staff—but he sees him on a daily basis. However, I would like to point out to you, and I am not trying to draw a checklist of who sees the President more often, but I think it goes to the point I made earlier about the role of the Secretary of State as the key adviser to the President on foreign affairs.

Q. Why do we need two advisers on foreign affairs?

Mr. Ziegler. I think the system has been spelled out, Sarah. We will give you a copy of the foreign policy message.

Q. I know you have spelled out that we have it. But I say why do we need two?

Mr. Ziegler. The position of the National Security Adviser has been clearly stated. There have been national security advisers on the White House staff in previous Administrations. The President has upgraded the National Security Council system in this Administration.

We have addressed ourselves to that in the President's foreign policy message.

I am addressing myself, Sarah, not to a lecture on how the National Security Council system operates. We have talked about that before. What I am addressing myself to is an impression that was left regarding the Secretary of State by the Senator's remarks today.

Q. I do think we should point out here that this has arisen in other Administrations. This isn't the first Administration to have this problem. Therefore, why do we need two advisers on foreign policy?

Q. This whole question of just who is preeminent in advising the President on foreign policy is nothing new. It goes back to the days very soon after the appointment of Secretary Rogers.

I am wondering if the President has as this controversy has surfaced from time to time—speculative stories—previously expressed himself in disfavor of that kind of public debate?

Has he previously expressed some concern about this question of the Kissinger versus Rogers role?

Mr. Ziegler. The President from time to time has addressed himself to that. I think my remarks today, which I am relaying to you, clearly give you the President's point of view about this matter.

Q. Is the President angry about this?

Mr. Ziegler. I would hesitate to use that term. The President was most insistent that I come out here today at the 4 o'clock briefing and make absolutely sure that I convey to you his feeling about the impression that was left as a result of Senator Symington's speech in the Senate today.

Q. So we can nail this down, and there is no misunderstanding, when you say the Secretary of State is the President's chief adviser on foreign policy, does that mean that the Secretary of State's word carries more meaning with the President than Dr. Kissinger's.

Mr. Ziegler. It means precisely what it says, that the Secretary of State is the President's chief adviser on foreign affairs as Secretary of State.

The President, of course, has other advisers within the Administration. He has more than one adviser. I assume you would expect that. He draws on the advice of other members of the Administration when it comes to foreign affairs.

The Secretary of State is the President's chief adviser on foreign affairs.

Q. Ron, there is an impression about that the President's recent state of the world report other than his own input, that the principal input into that was Dr. Kissinger's. If the Secretary of State is indeed, in fact, what is named, the President's chief foreign policy adviser, why was his input into the State of the World so small, or was it?

Mr. Ziegler. I think Dr. Kissinger talked about that himself on the record to this very group the day we released the foreign policy message. On that occasion, he indicated there was very close consultation on the development of the foreign policy message with all members of the Administration, including the State Department, the Secretary of State, and the Defense Department. He also referred I think to CIA.

Secretary of State Rogers was very much involved in not only the finalization of the President's foreign policy message, but indeed was involved in it from the standpoint that he has contributed substantially both in advice and the President has relied upon him substantially for his judgment in the formulation of the foreign policy that was discussed in the foreign policy message.

Q. Ron, has the Administration decided to change its practice and have Dr. Kissinger testify on Capitol Hill or will it remain the way it has been?

Mr. Ziegler. The Administration intends to follow the procedures regarding members of the White House staff that have been followed for many years regarding that matter.

Q. Did the President demonstrate in any way, aside from the statement today, that the Secretary of State is in fact his chief foreign policy adviser?

Mr. Ziegler. Why don't you ask him at his next press conference?

Q. When is that next press conference?

Mr. Ziegler. Very soon.

Q. How soon is "very soon"?

Mr. Ziegler. Quite soon.

Q. Can we go home tonight? (Laughter)

Mr. Ziegler. You can go home tonight.

Q. Will it be this week, Ron?

Mr. Ziegler. I will let you know tomorrow.

Q. Did the President get in touch with Secretary of State Rogers after this speech?

Mr. Ziegler. I don't know if they have talked on this subject today. I know he has talked to the Secretary of State several times today, yes. But I don't know if it was on this matter.

Q. Ron, why is it that you make this subjective decision to volunteer comment on the Secretary of State's portion of the Symington speech and then refuse to comment on the other portion involving Dr. Kissinger? What is the logic behind that?

Mr. Ziegler. I haven't quite figured out the logic of Senator Symington's statements.

Q. I am talking about your logic about not commenting.

Mr. Ziegler. My logic for coming out here today is the President called me over to his office and told me to come out here and tell you just what I have told you.

The Press. Thank you, Mr. Secretary.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there may be a quorum call without prejudice to the able Senator from New York (Mr. Javits) under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF SENATOR JAVITS

Mr. BYRD of West Virginia. Mr. President, I ask that the able Senator from New York be recognized under the previous order.

The PRESIDING OFFICER. The Chair recognizes the Senator from New York for 15 minutes.

NEW HOPE FOR ENDING THE TRADE DISPUTE WITH JAPAN

Mr. JAVITS. Mr. President, my purpose in addressing the Senate today is to note at a timely moment a situation which has been festering with us, and that is the situation of trade relations with the world. I am convinced particularly that what we do in the Congress in terms of quota bills, such as the bills we considered in the last Congress, is likely to determine the fate of trade for the whole world for a very considerable period of time. The issue is whether trade will continue on a base of accommodation and liberalism toward the end of stimulating and expanding world trade, which is especially critical for the developing countries of the world, or whether the developed countries of the world will engage in trade wars, touched off by American protectionism.

It is important now, in my judgment, that we deal intelligently with the major questions—to wit, textile and shoe import problems—in such a way as to take the steam out of the drive for protectionist legislation and make such legislation unnecessary even in the eyes of those pushing it so hard.

After 2 years of impasse, it seems that a breakthrough is possible on the textile dispute with Japan, and if we make such a breakthrough I think that would be the greatest rebuttal to the need for any protectionist trade legislation. According to press reports from Tokyo, it appears that the Japanese textile industry is on the point of accepting a suggestion put forward by Chairman Wilbur Mills of the Ways and Means Committee voluntarily to restrain their textile exports to the United States.

It is particularly significant that the Japanese textile industry is contemplating this step at this time. Within the next 2 weeks the President of the United States will make a decision on the recommendations of the Tariff Commission regarding the injury that shoe imports are causing our domestic industry. In the United States our textile and shoe industries were in the forefront of last year's protectionist drive. If the problems imports are causing the domestic textile and shoe industries are mitigated by the combination of Presidential action and voluntary Japanese industry restraint, the prospects for the United States to maintain its traditionally liberal trade policies will have been greatly enhanced. And, in turn, a U.S. move toward protectionism and isolationism will have been averted.

Reaffirmation of the U.S. commitment to an open trading world is particularly important at this time since the negotiations toward expanding the European Common Market are reaching a critical stage and the decisions made in these negotiations are extremely important to the United States. A U.S. move toward protectionism at this time could adversely influence these negotiations and push European policymakers toward the adoption of inward-looking trade restrictive policies. This would not be in the interest of our consumers, our farmers, the workers engaged in our export industries, or in the interests of freedom in the world.

Chairman Mills is to be commended for his initiative, and it is my hope that the Japanese textile industry will develop a realistic and acceptable formula of voluntary restraint. Such a formula could then serve as the model for parallel restraint decisions by other textile exporting nations.

That is very important because restraint by the Japanese alone will not be enough unless it is joined in by Taiwan, Korea, Hong Kong, and other textile exporting countries. It is generally believed that whatever Japan might lead in, these countries would follow.

Voluntary restraints must be multilateralized to include all principal supplying nations if they are to be effective. It is further my hope that the U.S. textile industry will likewise find such a compromise formula acceptable.

The concern of our domestic industry is that the establishment of an overall restraint ceiling without specific individual quotas by categories will result in exporters shifting their exports from one category to another without restraint. I have the following suggestion which addresses itself to this legitimate concern. I use the word "legitimate" because we have the past example of the voluntary steel restraint where such shifting did take place.

If a unilateral voluntary restraint formula is agreed to that is responsive to Mr. MILLS suggestion, the respective industries in the United States and Japan should consider the establishment of a Joint Industry Committee nominated by the Governments of both countries to clarify and police the agreement. This Joint Industry Committee would be charged with insuring that disruptive shifting of imports from one category to another would not take place during the life of the agreement. Over the life of the agreement, the committee could be made responsible for the preparation of quarterly reports indicating the growth in exports per category shipped so that the Congress could easily review the working of the agreement and blow the whistle as necessary.

I would also call industries' attention to the recent record of the Tariff Commission and to the fact that the President—in the case of shoes—has referred industrywide problems to the Commission for study and resolution. Thus, through the mechanism of the escape clause findings of the Tariff Commission, a remedy is at hand, which is the counterpart of a temporary restraint remedy.

And looking ahead, I am almost certain that by the time that this proposed voluntary restraint formula expires, the U.S. Congress will have passed legislation liberalizing the application of the escape clause by cutting the link with past tariff concessions as well as liberalizing the amount of adjustment assistance that can be made available to workers and firm adversely affected by imports; and precisely such a provision is in the bill sponsored by Senators HARRIS, MONDALE, and myself.

The decision of the Japanese textile industry voluntarily to restrain their textile exports to the United States will not be an easy one. It is a decision which will have an adverse effect on the profit margins of the Japanese industry and it will have an effect on the future growth of the industry. The difficulty of making such a decision—even if the decision is influenced by the prospect of even more adverse U.S. congressional action—should not be underestimated, and they should be given full credit for it.

However, if the Japanese industry does make this decision, they will have contributed to the defusing of one of the most difficult trade issues existing in the free world—which could be more beneficial for Japan, than temporary textile profits. They will have helped insure that the 1970's has a reasonable prospect of enjoying trade peace rather than trade war. And they will have recognized that the rules of the game for an economic great power such as Japan are different from the rules of the game of an economically weak Japan emerging from the destruction of World War II.

It is my hope that if realistic leadership is forthcoming by the Japanese textile industry, such leadership will be emulated by those European leaders responsible for the administration of the restrictive trade policies of the European Common Market, such as the Common Agricultural Policy and the trade exclusive policies of proliferating preferential trading agreements between the Common Market and other states. If the textile issue is defused, these issues—to wit, preferential arrangements and European Common Market for agriculture respecting Central Africa particularly—will be No. 1 on the agenda of the free trading world.

Western Europe is at the point of emerging as a superpower in its own right, particularly if the expansion of the European Common Market is successful. In my view, the low rate of economic growth of Great Britain—no doubt a contributing factor to the failure of Rolls Royce—makes clear the interest of Great Britain in joining an economic grouping such as the Common Market, which would afford the products of British industry a wider market area.

The great choice facing the European Common Market is whether the Common Market will be a narrow, inward-looking bloc or an open, outward-looking system. Today, the Common Market is well down the road toward a preferential trading system, especially with states bordering on the Mediterranean and with selected African states. This system is in open violation of the principles of most-favored-nation treatment and is in contradiction of the nonreciprocal generalized preferences scheme for the developing countries. If the Common Market persists in this course, it will trigger a response in the United States—by the executive branch or by the Congress—that would be regional at best and protectionist at worse. In my view, the prompt ratification of the generalized preferences scheme with its inherent commitment to do away with reverse preferences on a bilateral basis is the better way and will be an important step toward the maintenance of a relatively open trading world.

It is my hope that the sentiments of European leaders such as Jean Monnet, Willy Brandt, and Edward Heath will prevail when the final decisions shaping the European Common Market are made.

Prime Minister Heath stated before the General Assembly last fall that—

> I have always rejected the idea of Europe as a closed continent, using its wealth and relative stability only to insulate itself from the rest of the world. Regionalism has its dangers as well as its attractions. If regionalism means prejudice and intolerance, exclusiveness and hostility towards other, then it is a poor thing.

West German Chancellor Willy Brandt made a statement expressing similar sentiments on February 28, when he noted that certain Common Market regulations are generating serious difficulties for the world's trade and that "the growing economic strength of the Common Market imposes on the EEC an increasing responsibility toward the third countries and forces the community to pursue liberal trade policies." According to press reports Chancellor Brandt also emphasized the desirability of the future partnership between the United States and Western Europe.

In terms of our own international economic policy, the United States maintains a commitment to the idea of an open trading world not characterized by competing regional blocs. Toward this end, the U.S. Government has joined the other developed nations of the world in seeking the ratification or legislative approval of a scheme designed to bridge the widening and highly explosive gap between the have and have-not nations by extending nonreciprocal, generalized trade preferences to these nations.

However, partly as a response to proliferating preferential trading arrangements being negotiated between the Common Market and neighboring nations, U.S. policymakers are holding in reserve the policy option of entering into preferential trading relationships with only those developing nations which do not have special trading ties with the European Common Market. In turn, if the talks between the United Kingdom and the Common Market do not succeed—and it is my expectation that they will—the United States, Great Britain, Canada, Mexico, and perhaps other Latin American states should carefully explore the possibility of establishing closer regional trading ties. In this eventuality, the world must go that way and the path may then be opened for a Western Hemisphere and an Atlantic Free Trade Area.

It is clear that 1971 will be a year of crucial choices which will have the effect of shaping the world for the rest of this century in terms of trade. The Japanese textile industry is on the point of making a critically important decision. Equally critical decisions are those of President Pompidou on the terms he will insist upon for United Kingdom entrance into the Common Market and the policy former Prime Minister Wilson and the Labor Party will adopt in the United Kingdom on the question of United Kingdom entry. And then the U.S. Congress will have to make its wishes known on upcoming Nixon administration trade proposals which will include extending generalized preferences to the developing world.

The possible breakthrough in the textile dispute between ourselves and Japan offers grounds for optimism that other pending trade issues can also be amicably settled.

Mr. PERCY. Mr. President, will the distinguished Senator yield?

Mr. JAVITS. I yield.

Mr. PERCY. I should like to commend the distinguished Senator from New York for once again, creatively and imaginatively and realistically, facing this situation. I feel that we are in a very critical stage now. We are on the brink of a possibility that we can move forward by this voluntary agreement, which would be policed in the manner suggested very imaginatively by the Senator from New York, which would be necessary and desirable, and I think we could avert a trade war which would be disastrous to the free world.

I cannot think of anything that would be more important to the future economy of Japan than the decision she is about to make. I cannot imagine anything that would be of possibly more importance to our economy, because imports have a great effect on holding down inflation. Exports affect the jobs of the future, in our being able to send goods to the greatest growing markets, and certainly we need to protect that.

What we have today is a condition in which, if we do not reach some agreement, the possibility of a whole floodtide of quota requests is irresistible.

I would only say this, and I would hope to be supported by my colleague: that if this voluntary agreement can be reached, if the Japanese will agree to the point where it would take the President off the hook of the commitment he has made, I would say chances of having restrictive trade legislation in this session of Congress will be greatly minimized.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent with the concurrence of the Senator from West Virginia (Mr. BYRD), that we have 5 more minutes.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD of West Virginia. Mr. President, I am going to object. If the able Senator would be content to wait until we get into the morning hour, we could do it then.

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of routine morning business, with statements therein limited to 3 minutes.

The Chair recognizes the Senator from Illinois.

Mr. PERCY. To continue as long as we are not going to change the rules anyway, and as long as the rules of the Senate are such as to enable one Senator or several Senators to prevent legislation from passing that we think would be disastrous to the country, if this voluntary agreement can be reached, I feel that we could virtually assure that there would be no crippling quota trade legislation that would impede the free flow of goods around the free world.

Therefore, the speech this morning of my distinguished colleague from New York is an exceedingly important one, a message to which I trust the Japanese Government will listen very carefully, and I pledge my full support for restraining in every way possible the imposition of quota and restrictive trade legislation if this voluntary agreement can be reached.

Mr. JAVITS. Mr. President, the Senator from Illinois, who has assumed here the stature, in this field, certainly, of his predecessor, former Senator Douglas, who was a great figure in the trade field, is making a very important commitment himself. I certainly welcome it. I think it is absolutely essential, to effectuate the purpose I have in mind, to have the support of the distinguished Senator, from a great Middle Western State, in the way he has just described. His support is indispensable, I am very grateful to him, and the country should be grateful.

I should like to add these points, Mr. President:

Assuming, first, that the President of the United States will handle wisely the matter now in his hands respecting shoes—and I am sure he will—fortified by the findings of the Tariff Commission, which give him freedom of action to give them some relief, because many of us have thought that the case for shoes was much stronger than the case for manmade textiles, and the Tariff Commission bore that out—I hope, and this is very important, the Japanese having decided that to pick up the Mills suggestion, that they will do what people ought to do when they decide to do a statesmanlike act: be generous about it. They know what will be acceptable to the American textile industry, or should be, better than anyone else, and better than we do. They also know how important it is to have some administrative mechanism such as I have suggested.

So if they make their unilateral proposal for voluntary restraint in the real fullness of their hearts and experience, it will work. But if they are going to be cute about it, it is not going to work. I think this appeal that we are making today is premised upon those two concepts, that both will happen, and I have every reason to believe they will, but I think it is necessary to say it.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON FUNDS OBLIGATED IN CHEMICAL WARFARE AND BIOLOGICAL RESEARCH PROGRAMS

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law a secret report on funds obligated in chemical warfare and biological research programs (with an accompanying report); to the Committee on Armed Services.

REPORT ON THE U.S. ECONOMY IN TRANSITION

A letter from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, a Prelude to the Fifty-Seventh Annual Report of the Board of Governors of the Federal Reserve System on "The U.S. Economy in Transition (with an accompanying report); to the Committee on Banking, Housing, and Urban Affairs.

PROPOSED HEALTH MANPOWER ASSISTANCE ACT OF 1971

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Public Health Service Act so as to provide for new health manpower educational initiatives, increase the level of financial assistance to health professions schools and other institutions training health personnel, improve the distribution and increase the supply of health personnel, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

PROPOSED HEALTH MAINTENANCE ORGANIZATION ASSISTANCE ACT OF 1971

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Public Health Service Act to provide assistance and encouragement for the establishment and expansion of health maintenance organizations, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

REVISED REPORT OF EXPORT-IMPORT BANK OF THE UNITED STATES

A letter from the Secretary, Export-Import Bank of the United States, transmitting, pursuant to law, a revised report of the actions taken by the Bank during the quarter ended December 31, 1970 (with an accompanying report); to the Committee on Banking, Housing and Urban Affairs.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. DOLE:

S. 1089. A bill for the relief of Robert Rexroat. Referred to the Committee on the Judiciary.

By Mr. MANSFIELD (for himself and Mr. CHURCH):

S. 1090. A bill to authorize the Secretary of the Interior to protect, manage, and control free-roaming horses and burros on public lands. Referred to the Committee on Interior and Insular Affairs.

By Mr. THURMOND:

S. 1091. A bill for the relief of Ionnis Theofanis Siokos. Referred to the Committee on the Judiciary.

By Mr. TAFT:

S. 1092. A bill to amend part I of the Interstate Commerce Act in order to revise the procedures for the abandonment, discontinuance, or change of operations or services, and for the establishment or revision of rates, fares, and charges for the transportation of property, by common carriers by railroad. Referred to the Committee on Commerce.

S. 1093. A bill to amend the Railway Labor Act to promote railway efficiency, to provide increased compensation for railway employees, to decrease the possibility of the disruption of railway transportation, and for other purposes. Referred to the Committee on Labor and Public Welfare.

By Mr. MOSS:

S. 1094. A bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans and grants to certain cooperatives serving farmers and rural residents, and for other purposes. Referred to the Committee on Agriculture and Forestry.

S. 1095. A bill to exclude from the mails obscene material sold or offered for sale to minors. Referred to the Committee on Post Office and Civil Service.

By Mr. BENNETT:

S. 1096. A bill for the relief of Margaret B. Thompson and Thomas Weldon Thompson; and

S. 1097. A bill for the relief of John C. Bonner and Marian K. Bonner. Referred to the Committee on the Judiciary.

By Mr. SPONG:

S. 1098. A bill to authorize the States of Virginia and Maryland and the District of Columbia to negotiate and enter into a compact to establish a multistate authority to operate the Washington-Baltimore metropolitan area's airports, and for other purposes. Referred to the Committee on the Judiciary.

By Mr. McINTYRE:

S. 1099. A bill to amend the Public Health Service Act to encourage physicians, dentists, optometrists, and other medical personnel to practice in areas where shortages of such personnel exist, and for other purposes. Referred to the Committee on Labor and Public Welfare.

By Mr. MANSFIELD:

S. 1100. A bill to amend the Gun Control Act of 1968 to provide for certain exceptions for persons who test firearms. Referred to the Committee on the Judiciary.

By Mr. JACKSON:

S. 1101. A bill to authorize the purchase, sale, and exchange of certain lands on the Kalispell Indian Reservation, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

S. 1102. A bill to increase the lease term to 99 years on Indian allotment No. MA–10, commonly known as Wapato Point. Referred to the Committee on Interior and Insular Affairs.

S. 1103. A bill to provide for the disposition of funds appropriated to pay judgments in favor of the Snohomish Tribe in Indian Claims Commission docket numbered 125, the Upper Skagit Tribe in Indian Claims Commission docket numbered 92, and the Snoqualmie and Skykomish Tribes in Indian Claims Commission docket numbered 93, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

S. 1104. A bill to provide for the disposition of funds arising from judgments in Indian Claims Commission dockets numbered 178 and 179, in favor of the Confederated Tribes of the Colville Reservation, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

By Mr. GOLDWATER (for himself and Mr. Dole):

S. 1105. A bill to authorize the Commandant of the U.S. Army Command and General Staff College to award the degree of Master of Military Art and Science. Referred to the Committee on Armed Services.

By Mr. PASTORE:

S. 1106. A bill for the relief of the Welsh Manufacturing Company. Referred to the Committee on the Judiciary.

By Mr. BAYH:

S. 1107. A bill for the relief of Theresa Scissura and Carlo Scissura. Referred to the Committee on the Judiciary.

By Mr. GRIFFIN:

S.J. Res. 62. Joint resolution to authorize display of the flags of each of the 50 States at the base of the Washington Monument. Referred to the Committee on Interior and Insular Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MANSFIELD (for himself and Mr. Church):

S. 1090. A bill to authorize the Secretary of the Interior to protect, manage, and control free-roaming horses and burros on public lands. Referred to the Committee on Interior and Insular Affairs.

Mr. MANSFIELD. Mr. President, on behalf of my able colleague, the senior Senator from Idaho (Mr. Church), and myself, I introduce legislation which would authorize the Secretary of Interior to protect, manage, and control the free roaming horses and burros on public lands.

The status of the rapidly disappearing wild horses has generated a great deal of concern throughout the West. These unfortunate animals have been subjected to all kinds of harassment and inhumane treatment. It is unreasonable to expect any kind of living animal to be hunted down by airplane and thrill seekers.

The number of wild horses roaming the plains of the West is not large in number. This legislation will give the Secretary of Interior the necessary authority to manage these wild horses; protect them and maintain their numbers in manageable quantities. It is not intended that such a program would infringe on existing grazing leases now held by ranchers. It is what I consider to be a necessary step to protect a rapidly disappearing species of animals.

Mr. President, I ask unanimous consent to have the text of this legislation printed at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1090

A bill to authorize the Secretary of the Interior to protect, manage, and control free-roaming horses and burros on public lands

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of the Congress that free-roaming horses and burros are living symbols of the historic and pioneer spirit of the West and it is the policy of the Congress that bands of free-roaming horses and burros shall be protected as a national heritage.

Sec. 2. As used in this Act, (a) "Secretary" means Secretary of the Interior, and (b) "free-roaming horses and burros" refer to all unbranded horses and burros on public lands administered by the Secretary through the Bureau of Land Management except those to which private owners can establish their title to the satisfaction of the Secretary.

Sec. 3. All free-roaming horses and burros are hereby declared to be under the exclusive jurisdiction of the Secretary for the purposes of management and protection under the terms of this Act. The Secretary is hereby authorized and directed to establish and maintain ranges for the protection and preservation of such bands of free-roaming horses and burros which he deems susceptible and worthy of protection as a national heritage. The Secretary shall manage such ranges and such bands to achieve and maintain a thriving ecological balance among all fauna and flora on the range, and an environment within which such horses and burros may freely roam. Free-roaming horses and burros found in excess of available habitat may be disposed of by the Secretary, except that they may not be disposed of knowingly for commercial products.

Sec. 4. The Secretary is authorized to enter into cooperative agreements with other landowners and with the State and local government agencies and may issue such regulations as he deems necessary for the furtherance of the purposes of the Act.

Sec. 5. The Secretary is authorized and directed to appoint an advisory board of not more than seven members to advise on any matter relating to free-roaming horses and burros and their management and protection. He shall select as advisers persons who are not employees of the Federal Government and whom he deems to have special knowledge about protection of horses and burros, management of wildlife, animal husbandry, or natural resource management.

Sec. 6. Any person who violates the regulations issued by the Secretary pursuant to this Act or who processes or permits to be processed, into commercial products, in whole or in part, any free-roaming horse or burro, whether lawfully acquired or not, shall be punished by a fine of not more than $1,000 or imprisoned for not more than one year, or both.

Sec. 7. Any person who allows a horse or burro to run with, or takes possession of, or molests, free-roaming horses or burros on ranges established by the Secretary under section 3 of this Act or who allows a horse or burro to graze upon other public lands without an appropriate authorization shall be punished by a fine of not more than $1,000 or imprisonment of not more than one year, or both.

Sec. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

By Mr. TAFT:

S. 1092. A bill to amend part I of the Interstate Commerce Act in order to revise the procedures for the abandonment, discontinuance, or change of operations, or services, and for the establishment or revision of rates, fares, and charges for the transportation of property, by common carriers by railroad. Referred to the Committee on Commerce.

S. 1093. A bill to amend the Railway Labor Act to promote railway efficiency, to provide increased compensation for railway employees, to decrease the possibility of the disruption of railway transportation, and for other purposes. Referred to the Committee on Labor and Public Welfare.

Mr. TAFT. Mr. President, I today introduce two bills which I hope will revitalize the Nation s struggling railroad industry. I ask that the bills be appropriately referred, and asked unanimous consent that they be printed in the Record immediately following my remarks.

The PRESIDING OFFICER (Mr. Stevenson). The bills will be received and appropriately referred; and, without objection, the bills will be printed in the Record in accordance with the Senator's request.

(See exhibits 1 and 2.)

Mr. TAFT. Mr. President, the American railway industry is in deep trouble. The bankruptcy of the Penn Central simply illuminated some very basic problems within the industry. Railroads are not as efficient as they should be and not all railway employees are receiving a proper level of compensation.

Net railway operating income for Class I railroads declined from $1,542,300,000 in 1955 to $765,500,000 in 1969. Federal income taxes paid by Class I railroads declined from $414,299,000 in 1955 to $106,653,000 in 1969. Even more alarming is the fact that net working capital for these roads fell from $922,800,000 in 1955 to a deficit of $316,600,000 on September 30, 1970, while debt due within 1 year increased from $389,100,000 to $647,000,000.

In 1969 the railroads' rate of return on net investment was only 2.36 percent. In that year gross capital expenditures for additions and betterments exceeded cash flow by $696,500,000. Yet, there is a shortage of railway equipment and credit for the railway industry.

There has been considerable congressional attention given to the short-term problems of the railway industry. These have included emergency strike legislation, passenger service, and proposals to extend loans or Federal credit to the railway industry. Proposals have also been made to relieve railways from local property taxation and to nationalize the rights-of-way.

Rather than attempt a series of stopgap measures, I believe that it is imperative for us to address ourselves to the fundamental long-term problems of the railroad industry.

It is my conclusion that problems of equipment shortages, inadequate capital, inadequate borrowing power, and inadequate earnings are the results rather than the causes of the railway problem. Unfortunately, the railway industry does not appear ever to have established priorities for its return to an efficient, competitive, and self-sustaining posture.

Unquestionably many of the railway industry's problems are of its own making. For years we have been anesthetized into believing that if the railroads could be relieved of their passenger losses, they would become financially sound. It just was not true.

In my judgment the fundamental problems of the railway industry are its required operation of unproductive branch lines, its irrational rate structure and inefficient work practices.

Today I am introducing two pieces of legislation which are designed to meet these problems. The first is the Modern Railway Transportation Act and the second is an amendment to the Railway Labor Act. These bills are predicated upon the following premises: That railroads are inefficient in their operation, that operating railway employees should have their pay increased to reflect increases in railway productivity, and that the American people do not want to nationalize the railroads.

These measures are consistent with the proposed abolition of the Interstate Commerce Commission as set forth in S. 649 introduced by Senator MANSFIELD and of which I am a cosponsor. This legislation is also consistent with proposed amendments to the Railway Labor Act to permit selective and partial work stoppages.

The railroads which are in the greatest financial difficulty are in almost every case those which are saddled with the operation of hundreds or thousands of miles of unproductive branch lines. The financial problems of the granger roads are not unrelated to their vast unproductive or parallel trackage.

The required operation of unproductive branch lines places a drain on equipment and working capital, involves costly maintenance, and results in higher charges to shippers and consumers.

Should we require America's railroads to operate branch lines which hold forth no possibility of ever generating a profit? On one branch line the cost of maintaining the bridges alone exceeded the gross revenue of the line.

The trustees of Penn Central said in February this year that 40 percent of the Penn Central's 20,000 route miles should be eliminated. The trustees contended that because current route-elimination procedures required long tortuous litigation before the ICC, railroads should be granted a subsidy for operating uneconomic lines until the ICC authorizes abandonment.

The difficulty of abandoning all unproductive branch lines under current procedures can be illustrated by the following statements from the ASTRO Report:

> The ill-fated New Haven railroad offers an emphatic example of the rigidity of the Commission's position in this respect. In 1960, a special ICC investigation into the stricken carrier's financial condition revealed, among other deficiencies, that the New Haven was being burdened by the operations of a "maze of small branch lines." With one-third of the mileage operated carrying some 80 percent of freight revenues, the Commission urged the New Haven to cut plant to conform with shrinking traffic.
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> While the bankrupt road was losing over $128 million between 1961 and 1968, its trustees found abandonment applications still governed by a business-as-usual policy. Delays of over three years were encountered in obtaining abandonments of less than ten miles. In one case the bankruptcy court was forced to authorize $40,000 to keep a 19-mile line open pending an abandonment application which was granted shortly thereafter. Faced with a regulatory insistence that each line be treated one-by-one, the trustees finally concluded that a comprehensive program could not be carried out in time to be of help.
>
> By the end of the New Haven's operation as a separate railroad, it had been able to shed only 235 miles of line. In 1961, the ICC itself had suggested that 1,200 miles of light density lines be reviewed as possible candidates for pruning.

The Modern Railway Transportation Act would give railway management the unilateral right to abandon unproductive branch lines. If abandonment is desired the railway must give 90 days' notice to the public and to the Secretary of Transportation. Upon receipt of such notice the Secretary of Transportation may stay the abandonment of that facility, with or without a hearing, if he determines that the continuing operation of that line is essential to the national economy, the regional economy, or the national defense. In the event that he stays the abandonment, the Department of Transportation shall reimburse the carrier for all out-of-pocket losses incurred in the operation of such line during the period of the stay. The act protects the workers by providing that no employee's employment shall be terminated as a result of the abandonment except by attrition.

The protracted nature of regulatory proceedings in the past justifies the elimination of a hearing as a requirement for the Secretary's action. Hearings have become field days for lawyers and should not be required for the elimination of unproductive branch lines. If it is determined that the continuing operation of these lines are essential to the public, the public should pay for their continued operation.

We cannot expect railroads to have their shippers subsidize inefficient operations and at the same time expect them to provide good service to the publice and high wages to their employees.

The second major problem with the railway industry is its rate structure. The ICC was created in large part to prevent arbitrary and discriminatory rates. The record shows that the ICC has sometimes done exactly the opposite. Rates vary not only as to the commodity shipped, but as to the direction in which the freight moves.

A study made for the Toledo-Lucas County Port Authority several years ago illustrated the irrational results of this rate policy. It cost less to ship farm tractors from Springfield, Ill., all the way to New York City than it cost to ship them to Toledo, Ohio. Road graders made in Indianapolis, Ind., could be shipped to New York for less than they could be shipped to Toledo, Ohio. Excavating machines made in Peoria, Ill., could be shipped to Norfolk, Va., for one-third less than they could be shipped to Toledo, Ohio.

An importer of sugar in Columbus, Ohio, could have it shipped from Norfolk, Va., for less money than from next door in Toledo. A buyer of chrome ore in Calvert, Ky., could have it shipped from New Orleans, La., for about one-third as much as from Toledo, Ohio. Iron ore could be shipped to Ashland, Ky., from Baltimore, Md., for only about half as much as from Toledo.

Rate hearings are long, protracted and expensive. The results are irrational and the consumer is the one who suffers.

In the "Big John" case, consumer savings on meat, bread, butter, and milk, were estimated at $30 to $40 million annually under rates proposed by the Southern Railway. It took over 2 years, however, for the Southern to obtain permission to lower its rates and two more before final approval was received.

At a speech before the New York State Bar Association on January 28, 1971, the Honorable Richard McLaren, Assistant Attorney General, Antitrust Division, Department of Justice, made these observations about ICC rate regulations:

> Regulation has led to high value-of-service freight rates with little relationship to the lowest cost available in transporting a given commodity. Under ICC ratemaking proceedings, rates generally are allowed to rise to the level of the highest cost carrier in the market. For the most part, only inefficiency is rewarded in this protective atmosphere and in the long run the nation's resources are seriously misallocated.
>
> Shippers, consumers, and carriers all pay the cost of high rates and inefficiency. ICC rate maintenance is estimated to account for 400 million to 1 billion dollars of the nation's annual freight bill. Artificially high rates discourage interstate commerce and—as the recent experiences of the railroads vividly demonstrate—do not lead to increased profits for the carriers. Instead, operating revenues are devoured by higher costs in overcapacity and inefficiency. Some observers of the regulatory scene point out that the railroads would now be in a much better shape if they had been able to price competitively.

He concluded by stating that—

> Of one thing I am sure, competition as a regulator has a far better track record than the administrative agencies.

The Modern Railway Transportation Act divests the ICC of all ratemaking authority. The act allows each carrier to establish its own rates in the competitive market structure subject to the following limitations:

First. There shall be no rate discrimination as to the identity of the shipper, the direction in which the shipment moves, or the value of the cargo.

Second. There shall be no rebates made to any shippers and,

Third. There shall be no agreements between carriers with respect to rates or charges.

The act would permit rates to be based upon the weight and cubic volume of the shipment, the need for special equipment or special switching, the distance traveled and whether the cargo was general merchandise or a bulk commodity. Rates could also be lowered for unit train shipments and multiple car shipments.

These rate provisions could be enforced in the U.S. district courts upon complaint of the Secretary of Transportation or any party in interest.

This act is designed to eliminate the discriminatory, cumbersome, complex, arbitrary, and irrational rate structures existing in the railroad industry today. The shippers and consumers will be protected by the antidiscrimination provisions of this act. In short, this bill is intended to protect the public rather than the practitioners before the ICC who seem to be the principal beneficiaries of the existing law.

The third fundamental problem in the railway industry is the existence of unproductive work rules.

On February 11, 1971, the trustees of the Penn Central said that 10,000 of the Penn Central's 94,000 employees were retained solely because of arbitrary and archaic work rules. They indicated that these jobs cost the company $120 million last year, which cost will increase to $165 million in 1972 because of higher wages rates.

At the present time railroads have to change crews and, in some cases, cabooses every 100 miles. This rule owes its origin to the days of the steam locomotive and is ill suited to the contemporary equipment of America's railroads.

Switching limits restrict the area where yard crews and road crews can operate. In 1951, it was agreed that, if a new industry located within 4 miles of an established switching limit, a yard crew could cross the boundary and serve that industry. However, these crews could not serve industries located prior to 1951 in the same area. The result is that for 20 years new industries have received better service than old established customers of the railroads in the same areas.

Existing rules restrict the use of radio communication among railroad employees. Radios are used for communication among airplanes, ships, taxicabs, and TV repairmen, but certain railway employees cannot use radio communication without additional pay. It is difficult to see how the Nation's transportation policies can be promoted through rules allowing communication by the use of flags, hand signals, and written messages instead of radio communication.

If the crew of one railroad takes cars on to another railroad for interchange, it cannot pick up the cars returning to its own line. That crew must return light and a crew from the other railroad must be employed to interchange the other cars.

If two tracks are designated for the interchange of cars some rules provide that one must be filled to capacity before the second track is used at all.

These restrictive work practices do not promote efficient railroad transportation, and are not in the long-range interests of either the employees or the general public.

The bill which I introduce today to amend the Railway Labor Act would allow work rules to remain a matter for collective bargaining. If, however, an individual carrier wished to amend or abolish a work rule affecting operating employees, without resort to collective bargaining, it could do so upon the following conditions:

First, any cost savings realized as a result of such change would have to be shared equally by the operating employees of that railroad; and second, any reduction in the number of operating employees contemplated by such change would have to be accomplished by attrition.

Under this bill railroads would have the flexibility to adopt efficient work practices and at the same time no existing railway employee would lose his job as a result of work rule changes. This legislation would permit railroads to become more efficient and give better service to the American public. At the same time an equal division of cost savings with operating employees would assure increased compensation for the operating employees of America's railroads. This legislation passes the ball to the management of the Nation's railroads. They will be confronted with the hard choice as to whether to remove a given work rule from collective bargaining on the condition that they make a perpetual payment to the operating employees equal to one-half of the cost savings.

These added payments to operating employees would be made within 4 months after the close of each fiscal year. In the event of a dispute between any railroad and the unions as to the amount of the cost savings, there is provision for the mutual appointment and compensation of independent accountants to make a final and binding determination.

This legislation for the first time, would give railroad employees a direct financial stake in the efficiency of the carriers. It will prevent management from blaming poor service upon outdated work rules, and protect the jobs of all existing operating employees.

The American economy is dependent upon a sound and efficient rail transportation system. The bills which I am introducing today will give the railway industry the means for its own internal rejuvenation without the necessity for nationalization or major subsidy.

EXHIBIT 1

S. 1092

A bill to amend part I of the Interstate Commerce Act in order to revise the procedures for the abandonment, discontinuance, or change of operations or services, and for the establishment or revision of rates, fares, and charges for the transportation of property, by common carriers by railroad

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Modern Railway Transportation Act".

SEC. 2. Part I of the Interstate Commerce Act is amended by striking out section 13a and inserting in lieu thereof two new sections as follows:

"ABANDONMENT, DISCONTINUANCE, OR CHANGE OF OPERATIONS OR SERVICES

"SEC. 13a. (a) Except as provided in subsection (b) and subject to the requirement of subsection (c) of this section, and after ninety days following public notice and notice to the Secretary of Transportation, any carrier by railroad subject to this part may abandon, discontinue, or change, in whole or in part, the operation or service of any train or ferry operated by such carrier notwithstanding the constitution or laws of any State or the order of any State agency or court.

"(b) (1) If the Secretary of Transportation finds, after receiving any notice pursuant to subsection (a), with or without public hearing at the discretion of the Secretary, that the continued operation of the train or ferry proposed to be abandoned, discontinued or changed is essential to the national or any regional economy or to the national defense, he shall prior to ninety days following such notice (A) order the continued operation of such train or ferry without change, and (B) contract with such carrier to make payments to such carrier in the amount necessary to reimburse the carrier for losses suffered as a result of such continued operation ordered by the Secretary. Any such contract may be made for such period or periods, and may be renewed, as the Secretary determines. At any time the Secretary determines that such continued operation is no longer essential under the provisions of this subsection he shall terminate such payments, and authorize such abandonment, discontinuance or change, effective on a date which is at least ninety days after public notice is given of such abandonment, discontinuance or change.

"(c) No employee's employment with a carrier shall be terminated as a result of an abandonment, discontinuance or change authorized in subsection (a), but a carrier may, after any such abandonment, discontinuance or change, reduce by attrition its total number of employees by an amount equal to the number of employees made unnecessary by such abandonment, discontinuance or change.

"(d) (1) The Secretary of Transportation shall administer the provisions of this section and shall promulgate such regulations as may be necessary for such administration.

"(2) The district courts of the United States shall have jurisdiction upon complaint of the Secretary of Transportation, or any party in interest, alleging a violation of any provision of this section, to issue such writs of injunction or mandamus as may be necessary to restrain violations of, or compel obedience to, the provisions of this section.

"(e) There are authorized to be appropriated such amounts as may be necessary to make payments contracted for by the Secretary of Transportation pursuant to subsection (b).

"RATES, FARES, AND CHARGES FOR THE TRANSPORTATION OF PROPERTY

"SEC. 13b. (a) Any provision of this Act which is inconsistent with the provisions of this section shall not apply after the effective date of this section to carriers by railroad subject to this part or to rates, fares, charges by, or activities of, any such carrier which are established or carried out pursuant to this section. After such effective date rates, fares, and charges established pursuant to this section shall be just and reasonable charges for the purposes of this Act.

"(b) Any carrier by railroad subject to this part may establish or revise rates, fares, or charges, and classifications applicable thereto, for the transportation of property, subject to the following requirements:

"(1) No such proposed rate, fare, charge, or classification, or revision thereof, shall be made effective until after thirty days following public notice thereof and notice to the Secretary of Transportation, and all effective rates, fares, charges, and classifications by each carrier shall be maintained in print and open for public inspection.

"(2) No discrimination shall be practiced in such rates, fares, charges, and classifications with respect to the identity of the shipper, the direction of the shipment, the value of the property shipped or for any other reason other than may be expressly authorized by the provisions of this section or other provisions of this Act.

"(3) No rebates shall be made to shippers.

"(4) No agreements shall be made between carriers with respect to rates, fares, charges, or classifications.

"(5) Rates, fares, or charges may be varied, or classifications may be made, on the basis of—

"(A) bulk shipments and general merchandise shipments;

"(B) weight;

"(C) cubic volume;

"(D) the need for special equipment to transport the property;

"(E) special switching services necessary to transport the property;

"(F) distance; and

"(G) providing a lower weight to mileage rate for longer than for shorter shipments, for unit train shipments, and for multiple car shipments.

"(c) Any carrier by railroad, or any officer or other agent thereof, who knowingly violates the provisions of paragraph (2) or (3) of subsection (b) of this section shall upon conviction thereof be punished by a fine of not more than $10,000 for each violation.

"(d) (1) The Secretary of Transportation shall administer the provisions of this section and shall promulgate such regulations as may be necessary for such administration.

"(2) The district courts of the United States shall have jurisdiction upon complaint of the Secretary of Transportation, or any party in interest, alleging a violation of any provision of this section, to issue such writs of injunction or mandamus as may be necessary to restrain violations of, or compel obedience to, the provisions of this section."

SEC. 3. The amendment made by this Act shall be effective after ninety days following the date of enactment of this Act.

EXHIBIT 2

S. 1093

A bill to amend the Railway Labor Act to promote railway efficiency, to provide increased compensation for railway employees, to decrease the possibility of the disruption of railway transportation, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 10 of the Railway Labor Act (45 U.S.C. 160) is amended by inserting "(a)" immediately after "Sec. 10," and by adding at the end thereof the following new subsection:

"(b) (1) Notwithstanding any other provisions of this Act, whenever any carrier proposes a change in rules affecting operating employees as contained in agreements made in accordance with section 6 of this Act, the carrier may make such change effective as proposed, if (A) any cost savings realized as a result of such change affecting rules will be shared 50 percent each by the operating employees of such carrier and (B) any reduction in the number of operating employees of such carrier contemplated by the proposed change affecting rules will be accomplished by attrition.

"(2) It shall be unlawful for any carrier to lock out any of its employees or any class or craft of its employees or in any manner to terminate its transportation service in consequence of any dispute subject to the provisions of this subsection.

"(3) It shall be unlawful for the employees of any carrier to strike or engage in any other work slowdown in consequences of any dispute subject to the provisions of this subsection.

"(4) Nothing in this subsection shall be construed to prevent carriers and representatives of the employees from entering into an agreement affecting work rules.

"(5) For the purposes of Clause (A) of paragraph (1) of this subsection, the term 'operating employees' shall be defined to include all engineers, firemen, hostelers, outside hosteler helpers, conductors, trainmen and yard service employees.

"(6) For the purposes of Clause (A) of paragraph (1) of this subsection, payments to operating employees shall be on a per capita basis and shall be made not later than 4 months following the end of the fiscal year. In the event that any employee was not employed by a carrier for the entire fiscal year preceding the payment date, the payment to such employee hereunder shall be prorated to cover the period of employment.

"(7) In the event that any representative of affected employees contests the amount of cost savings as determined by the carrier under Clause (A) of paragraph (1) of this subsection, said representative and the carrier shall mutually designate and compensate a certified public accountant, whether an individual, partnership, or corporation, which accountant shall make a determination of the cost savings, which determination shall thereupon be final and binding."

(b) The heading of section 10 of such Act is amended to read as follows:

"UNRESOLVED DISPUTES"

SEC. 2. (a) Section 201 of the Railway Labor Act is amended by inserting "section 10 (b)" after "section 3".

(b) Section 202 of such Act is amended by inserting "section 10 (b)" after "section 3".

SEC. 3. Nothing in this Act shall be construed to prevent the right of any employee to resign from his position of employment.

SEC. 4. This Act shall take effect upon its enactment and shall apply to any proposed change in agreements affecting rules regardless of when any such proposal was initiated.

By Mr. MOSS:

S. 1094. A bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans and grants to certain cooperatives serving farmers and rural residents, and for other purposes. Referred to the Committee on Agriculture and Forestry.

Mr. MOSS. Mr. Speaker, Congress has, during the past 10 years, made a number of improvements in the loan authority of the Farmers Home Administration. In every instance, these improvements represented long overdue steps to close a critical credit gap for family farmers and other rural families.

We have greatly expanded the agency's farm ownership loan program to enable many more young and small farm operators to become efficient farmowners.

We have created a rural housing program that can, if properly funded, enable us to eliminate the some 3 million substandard homes in rural areas and give rural families the same opportunity in housing enjoyed by the rest of the Nation.

We have provided credit for rural communities so they can have basic community facilities such as water and waste disposal systems and outdoor recreation areas. We have made considerable progress in closing many credit gaps in rural America.

But in spite of this progress, there still remains a number of areas in our agricultural and rural economy where serious credit deficiencies still exist and unless steps ar taken to shore up these credit gaps, family farmers can never hope to attain any semblance of effective bargaining power nor can there be full development of our rural resources.

One of the more serious credit gaps that exists is the total lack of adequate credit for many of our farm cooperatives. This lack of credit prevents the creation of many new and urgently needed cooperatives in many areas of our agricultural economy, and it prevents many existing and worthy farm cooperatives from borrowing the necessary money they need to expand and improve.

It cannot be emphasized too strongly the vital importance of more and stronger cooperatives within our farm family type of agriculture. In recent years there has ben much talk and growing support for the idea of providing legislation that will give our farmers real, effective bargaining power as the answer to our farm problem.

Farmers must be given the opportunity and the tools to bargain effectively for price and income just as other segments of our economy do, and not be solely and forever dependent on artificial props and the whims of Congress and, perhaps, an unsympathetic administration.

Every proposed farm bargaining bill submitted to Congress in recent years and every farm bargaining study made by our land-grant colleges are based on the use of a strong, expanding, and effective cooperative system within agriculture. This means cooperatives across the board such as marketing cooperatives, purchasing cooperatives, and processing and distribution co-ops.

It is folly and shear nonsense to talk about giving farm families a program of effective bargaining power unless, first we give them the credit resources to build the one essential tool necessary to attain an effective bargaining position—strong cooperatives.

The bill which I am introducing will amend the Consolidated Farmers Home Administration Act of 1961 and would permit the extension of financial assistance to both existing and new cooperatives which serve or will serve rural families when such cooperatives are unable to obtain needed credit from other sources. In other words, this legislation will fill a serious credit gap in our rural economy. It will encourage the development of new cooperatives, help strengthen existing ones, and generally accelerate the development of all our rural resources. It should be made clear just where this credit gap exists, so there will be no confusion or misunderstanding of the purpose and objective of this bill.

Currently, under title III of the Economic Opportunity Act, the Farmers Home Administration has authority to make loans to organized rural groups to provide processing, marketing, and purchasing services for their members and patrons. But these rural cooperatives are not eligible for this type of economic opportunity loan unless two-thirds of its family members are in the so-called poverty class.

This has been an outstanding program in fighting poverty in our rural areas. The program filled a crying credit need. These economic opportunity co-op loans have resulted in creating many more adequate processing, purchasing, and marketing facilities for poverty-stricken rural families. And this program must be continued.

It has now apparently been determined that the funding of the economic opportunity program will be terminated after this present fiscal year.

This leaves a still unsatisfied need on the part of economic low-income operators for credit to organize into viable marketing, purchasing, processing, and distribution cooperatives. This bill would enable the Farmers Home Administration to step into the breach to continue the assistance begun by the OEO program.

The experience of the Farmers Home Administration with cooperatives funded through the OEO program has disclosed that in some cases a badly needed cooperative faces discouraging obstacles imposed by existing economic, geographic, or cultural circumstances. The people in need of the cooperative have fallen behind in the race for economic equality often through no fault of their own. In such cases, it is heartbreaking to see them try to form an organization which will be required to meet with instant success. Our system of loan repayment demands that such a cooperative must move into the economic mainstream at full speed and thereafter keep up with the procession. This bill would authorize the Farmers Home Administration to take an important step essential to the success of many of these cooperatives by giving them grant assistance when needed at the beginning of their operations.

At the other end of the farm co-op credit spectrum we have the Farm Credit Administration's bank for cooperatives which also provides substantial credit resources for farm co-ops. The bank for cooperatives has, over the years, made an outstanding contribution to the growth of farm cooperatives. It is still doing a good job. Currently, it is carrying on a most effective public education program in informing farmers and the public of the need for stronger and bigger cooperatives as a means of attaining more effective bargaining power.

But, the people in the Farm Credit Administration and the officials in the banks for cooperatives are the first to admit that they are unable to meet the credit needs of many existing cooperatives and unable to finance the establishment of many new ones. Primarily, this is because the banks for cooperatives operate under rigid banking policies and unless a cooperative can meet the requirement of assets, net worth, and management experience, then they are not eligible for credit assistance. This is in no way an indictment of the bank for cooperatives. It is just a fact of life. Neither can the bank of cooperatives provide the vital close supervision that smaller and new cooperatives must have to get ahead and expand.

Thus, between the co-op loan program which is restricted solely to rural patrons of a very low-income level and the credit resources of the banks for cooperatives which are limited primarily to successful and long-established cooperatives whose members are mostly higher level income farmers, you have a large segment of agriculture—the in-between rural groups—which does not have adequate credit resources to develop and expand its own cooperatives. This large in-between group needs a credit program of intensive and constant advice and assistance on the local level if they are to be succecssful and if their co-ops are to provide the kind of economic muscle needed for bargaining purposes.

The Farmers Home Administration is admirably suited to carry on this type of credit program. In Senate hearings on a similar bill of mine officials of the Farmers Home Administration testified the agency could easily absorb such a program without much additional administrative expense. The Farmers Home Administration has the local county offices and the experienced personnel to make such a credit program work. Their people can provide the necessary supervision that can make these cooperatives successful and this program would in no way overlap or duplicate the credit programs of the Farm Credit Administration.

By Mr. MOSS:

S. 1095. A bill to exclude from the mails obscene material sold or offered for sale to minors. Referred to the Committee on Post Office and Civil Service.

Mr. MOSS. Mr. President, as you and my other colleagues well know, on February 1, 1971, a Federal law became effective which is intended to stop the mailing of pornographic advertisements to those persons who do not want to receive them. The new law also provides that all envelopes containing such material must be labeled plainly on the front "Sexually Oriented Ad."

If an individual does not wish to receive such advertisements, he need only to go to his local post office and complete PS form 2210. A person who is unable to go to the post office may request the form from the postmaster.

Under the new law the Postal Service will prepare a list of all of those who fill out such a form, and any mailer who sends a "sexually oriented advertisement" to a person whose name has been on the list for 30 or more days will be subject to 5 years imprisonment, a fine of $5,000 or both.

Mr. President, this law, which Congress passed as a part of the Postal Reorganization Act of last session, should go a long way toward keeping citizens who do not want pornographic literature from finding it in their mailboxes. It will be a difficult and cumbersome law to administer, because the problems of compiling and maintaining such a list are enormous, but scrupulous administration should most certainly put a crimp in the activities of smut peddlers all out across the country.

The new law does not, however, keep a smut peddler from mailing obscene materials to our young people in the first place, or from continuing to send them if no one stops the mailings. This, I think we must certainly do also.

I am, therefore, again introducing a bill which, I believe, would curb the flow of printed or audio objectional and obscene materials, and sexual devices and the advertisements for them, through the mails to America's young people.

This bill will make it illegal to use the mails of the United States to send anyone 19 years of age or younger any printed material, photographs, phonograph records, devices or advertisements of a sexual nature which are clearly obscene as defined by the bill, and are, therefore, inappropriate for the young. The bill would also make it illegal to send through the mails such material unsolicited to an adult with young people under 19 years of age residing in the household.

In 1957, the U.S. Supreme Court said, in Roth against United States, that obscenity was not within the area to be protected by speech or press. But the standards that the Supreme Court established in that case made it practically impossible to curb the increasing flow of pornographic materials. Since that time pornography has become a billion-dollar business. About 2,000 companies in the country produce pornographic books, magazines, and films, and total sales range upward from $500 million a year.

Now, however, the Supreme Court has given clear indication that constitutional restrictions on the smut industry are at hand. In Ginsberg against New York, the Court held that it was constitutional for the State of New York to restrict the access of young people to very clearly defined classes of printed and other pornographic material. In its opinion, the Court made it very clear that the State has the power and responsibility to provide a healthy environment for its youth, and that material which would not be obscene under the standard for adults, could constitutionally be restricted by a State as unfit for its youth.

The Ginsberg decision has logically led Members of both Houses of Congress to the conclusion that, by analogy, the Federal Legislature would have the same constitutional power and responsibility to establish a higher standard for youth in the area of obscenity. As a result of the Ginsberg opinion, Members of Congress of both parties and in both Houses support legislation to preempt completely for the Federal Government the power to restrict distribution of obscene material to youth. I believe this approach would encroach on the power of the States and is, therefore, unwise. For this reason I have introduced this bill which deals with material sent through the mails only.

I hold that it is completely proper for the Congress of the United States to stop the ever-increasing flow of obscene material through the mails, but I prefer to see local government legislate local distribution processes. It is the prerogative of the States, cities, and towns to decide, for example, what standards they want to establish in their areas.

As Salt Lake County attorney, I prosecuted a number of pornography cases, and I assure you from my experience that control of the newsstand sales and other local distribution of objectionable material should be left in the hands of the local authorities. Only the local officials truly know the standards of the community; only they know the vigor with which the people in their cities and towns desire control measures to be enacted and enforced.

In my view, Mr. President, the Supreme Court, in the Ginsberg case, did not intend to indicate that obscenity control should be monopolized by the Federal Government. What they did in fact say was that the State of New York had the constitutional power to act in this area. I, for one, believe that Congress should limit its jurisdiction over pornography control to the interstate use of the mails. My bill does this.

Mr. President, the Supreme Court has given us the constitutional method whereby distribution of pornography can be firmly and effectively controlled for the segment of our society which more than any other must be protected from the smut peddlers; the youth of our Nation.

We in the Congress, have the duty affirmatively to respond to the Court's lead.

I hail the progress we made last session in the control of smut with the enactment of Public Law 90-375, but I feel we have more work to do. I have had hundreds of letters from parents in Utah who have the floodtide of pornographic literature reaching their young people, and I feel we must do more than we have done if we are to be fully successful in curbing the tide of obscene material offered for sale to minors.

By Mr. BENNETT:

S. 1097. A bill for the relief of John C. Bonner and Marian K. Bonner. Referred to the Committee on the Judiciary.

Mr. BENNETT. Mr. President, I am introducing a bill today for the relief of Mr. and Mrs. John C. Bonner of Salt Lake City, Utah, to recover damages for the wrongful death of their son, Steven C. Bonner.

An action was commenced in the U.S. District Court for the District of Utah on behalf of the Bonners. However, it was ruled that even though there was possibly a wrong committed by the Government, there is no available remedy for those aggrieved by that wrong. Since the courts have ruled that the U.S. Government is not subject to suit for even gross misconduct, the only hope for a remedy in this matter is through the legislative branch of Government by way of special legislation.

For the information of my colleagues, I ask that the bill be printed in full at this point and that it be properly referred.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1097

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John C. Bonner and Marian K. Bonner of Salt Lake City, Utah, the sum of $150,000, in full satisfaction of their claims against the United States for compensation for the death of their son Steven C. Bonner who, while serving as a member of the United States Army, took his own life as a consequence of the negligence of the United States Army in removing the said Steven C. Bonner from an environment in which he was receiving competent psychiatric treatment and confining him in a prison at Fort Leonard Wood, Missouri, without providing appropriate medical and psychiatric treatment.

SEC. 2. No part of the amount appropriated in this Act in excess of 20 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Violation of the provisions of this section is a misdemeanor punishable by a fine not to exceed $1,000.

By Mr. SPONG:

S. 1098. A bill to authorize the States of Virginia and Maryland and the District of Columbia to negotiate and enter into a compact to establish a multistate authority to operate the Washington-Baltimore metropolitan area's airports, and for other purposes. Referred to the Committee on the Judiciary.

Mr. SPONG. Mr. President, I introduce today, for appropriate reference, a bill to authorize the transfer of National and Dulles Airports to a regional airport authority or to the State of Virginia. This bill is only a slightly modified version of S. 3128 which I introduced in the 91st Congress and on which hearings were held by the Aviation Subcommittee of the Senate Commerce Committee. Since that time, the administration has indicated its desire to sell these airports and I am hopeful that this bill authorizing such a transfer will be acted upon promptly.

Washington National and Dulles International are the only federally owned and operated airports in the country. They are also the only airports that are not in some way responsible to the community of which they are a part.

Thirty years ago, when the Federal Government first got into the airport business, this was not a major concern. Washington was a smaller community then, less densely developed, and less affected by the limited operations at National Airport.

Since then, however, there have been dramatic changes both in the development of the region and the growth of its air traffic. No longer are airports something off to themselves. In their impact on the environment, their burden upon local ground facilities, their contribution to the area's economy, their performance of vital transportation services, and in a dozen other ways, airports today are an integral part of the urban complex they serve.

It is an anachronism that in the National Capital region, airport planning and development should continue to take place in a vacuum without reference to other community plans or desires.

A case in point was the decision to permit stretch jets to operate at National Airport. In the judgment of the FAA's own experts, that decision would change the entire pattern of growth of aeronautical activity in the Washington region and compound the burden which National Airport places upon access roads and other facilities in the area. Yet, so far as I have been able to determine, the only outside group which was consulted about the decision was the airlines.

The community interest is also directly involved in the FAA's proposed expansion and modernization of National Airport facilities under a plan drawn up by Kling & Associates. The program recommended by the FAA involves among other things, major changes in the access roads and utilities serving the airport. But, again, has anyone asked the city of Alexandria or the county of Arlington what they thought about it or how the Kling report fits in with their own development plans?

One of the major purposes of my bill (S. 3128) is to give a voice to the communities which are affected by the operation of these airports. The interests of the airlines and the flying public have long been represented in the decisions of the FAA. It is time that we concerned ourselves as much with the views of those who must live with the consequences of those decisions.

The second major purpose of the bill is to assure that the region's airports themselves are developed on an orderly, systematic, regional basis.

The Washington Metropolitan area is fortunate in being served by three major airports. It is probably the only urban center in the country today with such a surplus of airport capacity. Yet, at the same time, it suffers from airport congestion as severe as any I know of.

There is a simple explanation for this paradox. The development of the airports in this region has simply been left to the forces of the marketplace. And in that situation, the airlines have continued to expand the use of National to the point where that facility now handles about 65 percent of all passengers in the region.

When Dulles Airport was constructed at a cost of $110 million to the taxpayers, the FAA concluded that a proper distribution of the region's air traffic would be Dulles 45.8 percent, National 33.9 percent, and Friendship 20.3 percent. Today, the FAA's projections for the same year are Dulles 19.6 percent and National 52.1 percent.

For many years, the Civil Aeronautics Board has regarded Washington and Baltimore as a single, hyphenated point for purposes of certifying air carrier service. Unfortunately, that is as far as the regional concept has advanced. Once certified, airlines generally have discretion within the limits of FAA safety requirements to use any of the three airports—National, Dulles, or Friendship. There is no long-range plan or program for the balanced development of these facilities nor is there any mechanism for centralizing or coordinating their management.

It is particularly appropriate that we begin to move in the direction of regional planning now at a time when rapid progress is being made toward improving access to Dulles. The construction of the Three Sisters Bridge and connecting freeways on both sides of the Potomac will reduce travel time to Dulles to less than a half hour. The addition of a rapid rail link to Dulles will further enhance the convenience of using the airport. Studies are also underway for improving access to Friendship.

Five years ago, it may not have been practicable to urge the more balanced use of the area's other airports. Today, it is not only practicable but essential that this be done.

I want to emphasize that National Airport should continue to play an important role in the area's air transportation picture, primarily as a short-haul airport. Regional planning and development, however, should result in a leveling off of traffic at that facility and the more reasonable scheduling of flights at Dulles and Friendship.

Specifically, S. 3128 authorizes the States of Maryland and Virginia and the District of Columbia to negotiate and enter into an interstate compact establishing a Washington Metropolitan Area Airport Authority. The compact must be approved by the Congress and by the State legislatures concerned before it has the force of law. This is only the necessary first step in the journey toward a sound airport policy for the National Capital region.

I might say that this approach is consistent with Public Law 86-154, enacted by the Congress in August 1959, granting consent in advance to States that wish to enter into interstate airport compacts. Unfortunately that law did not apply to the District of Columbia and that is one reason for my proposed legislation.

While I believe that a regional airport authority would be the most efficient way to operate the airports, I do not believe we should foreclose other alternatives such as transfer of the facilities to the State of Virginia or to a Northern Virginia regional agency or to some existing interstate regional body. For that reason I have made specific provisions in this bill for those other alternatives if circumstances so dictate.

The second and more important reason, of course, is that the bill contemplates transfer of National and Dulles Airports from the FAA. It would make little sense to begin negotiations until the Congress has given some expression of approval to the proposed transfer.

Mr. President, my bill does not attempt to spell out the exact form or detail of the proposed airport compact. Those are matters that can only be resolved through negotiations among the parties concerned—Virginia, Maryland, the District of Columbia, and the Federal Aviation Administration.

My hope is that this legislation will result in the appointment of negotiators by the parties involved to begin finding answers to these questions and to make a start in getting the Federal Government out of the airport business. Beyond that, my own position is quite flexible, I am willing to listen and to consider every suggestion for improving the legislation.

Mr. President, regardless of who takes over these airports, I believe two considerations should be foremost. First, the residents of this area or their elected representatives should have an effective voice in airport policy. Second, steps must be taken to improve access to Dulles Airport and to greatly improve the flight schedule at that facility. Unless, these things are done, no mere change of ownership will mean very much and we will not have progressed toward meeting the serious airport problems this community faces.

Mr. President, I ask unanimous consent that the text of my bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1098

A bill to authorize the States of Virginia and Maryland and the District of Columbia to negotiate and enter into a compact to establish a multistate authority to operate the Washington-Baltimore metropolitan area's airports, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds that—

(1) airport traffic in the Washington-Baltimore metropolitan area will increase threefold by 1980;

(2) the Washington and Baltimore regions constitute a single air transportation market which is served by commercial airlines certified by the Civil Aeronautics Board to use any one of the three major airports—National, Dulles, or Friendship;

(3) there now exists no means of coordinating the use of existing airport facilities in such area with the result that about 65 per centum of all traffic is accommodated by one airport;

(4) there will be a need for new and improved airport facilities and areawide planning and development is the most efficient and economical way of meeting the need;

(5) there are serious environmental problems associated with airport operations in such area and there exists no effective mechanism for dealing with them; and

(6) the jurisdictions served by such area's airports should have a voice in their operation and no agency now exists for that purpose, and such area is the only metropolitan area in the Nation without some control over its own airports.

SEC. 2. (a) The consent of Congress is given to the States of Virginia and Maryland and to the District of Columbia to negotiate and enter into a compact for the purpose of establishing a multistate authority to operate all of the Washington-Baltimore metropolitan area's major airports or the civil airports currently owned and operated by the Federal Government in such area.

(b) The Secretary of Transportation shall as soon as practicable invite such States and the District of Columbia to send representatives to meet with representatives of the Secretary for the purpose of initiating such negotiations. Thereafter the Secrtary shall take such action as may be appropriate, including furnishing and requested assistance, to encourage the completion of such negotiations and the drafting of such compact.

(c) Such compact shall not be binding or obligatory upon any of the States involved or upon the District of Columbia unless and until it has been ratified by the legislature of each such State and approved by the Congress of the United States.

SEC. 3. Upon approval by the Congress of any compact entered into pursuant to this Act the Secretary of Transportation is authorized to convey to the multistate authority established pursuant to such compact all right, title, and inerest of the United States, in, and all control over, Washington National Airport and Dulles International Airport, except for such interests or rights as the Secretary may reserve for the purpose of carrying out his functions under the Federal Aviation Act of 1958 or any other laws of general application relating to aviation.

SEC. 4. Nothing in this Act is intended to prevent the Secretary of Transportation from conveying Washington National Airport and Dulles International Airport to the State of Virginia or to an existing interstate agency prior to the approval by Congress of the compact described in section 2.

By Mr. McINTYRE:

S. 1099. A bill to amend the Public Health Service Act to encourage physicians, dentists, optometrists, and other medical personnel to practice in areas where shortages of such personnel exist, and for other purposes. Referred to the Committee on Labor and Public Welfare.

HELP FOR AREAS OF MEDICAL PERSONNEL SHORTAGE

Mr. McINTYRE. Mr. President, I introduce for appropriate reference a bill designed to encourage new physicians, dentists, optometrists, and other medical personnel to begin their practice in areas where there is a critical need for them.

We have a crisis in the supply of health resources and manpower. According to figures, we are short 48,000 doctors in the Nation. The same shortages exist for dentists and other medical personnel.

I believe this Congress is going to pass some form of health insurance. This is going to bring about a betterment of health care, but it is also going to enlarge the need for medical personnel.

This need is going to be greatest in the nonmetropolitan areas of the country. It is in these areas where the need is greatest now. Many of our younger people are leaving the rural areas. Those remaining are older citizens and their medical needs tend to be greater.

At the same time, medical personnel seem to be leaving rural areas at a great rate. The exodus of doctors is, in many cases, faster than the exodus of the general population. In my State of New Hampshire, which is essentially a rural State, each doctor must care for 15 percent more persons than he did 20 years ago and 10 percent more patients than 10 years ago. There is only one doctor for every 826 people in the State today.

The bill I am introducing would provide Government repayment in full for the education debt of any physician, dentist, optometrist, or other critically needed health specialist who will agree to practice for at least 3 years in these areas where the need is great. This would make it possible for these graduating health specialists to begin their practice without the burden of enormous debt in areas where their need is vital.

I believe that passage of this legislation will provide at least 3,500 new medical personnel in needed areas within 3 years at the cost of a couple of daily newspapers for each person in the country. This, Mr. President, I believe, is a small price to pay for a needed number of doctors, dentists, optometrists, and other health specialists.

This same legislation has been introduced in the other body under the leadership of Congressman NICK GALIFIANAKIS, of North Carolina. I am happy to say that more than 120 members have joined him there. I hope an equal proportion will join here in the Senate and this bill can be enacted during this Congress.

By Mr. MANSFIELD:

S. 1100. A bill to amend the Gun Control Act of 1968 to provide for certain exceptions for persons who test firearms. Referred to the Committee on the Judiciary.

Mr. MANSFIELD. Mr. President, at the close of the last Congress I introduced a bill which would, in my judgment, correct a serious inequity that has arisen with respect to the gun crime law of 1968. I introduce the same bill today and ask for its appropriate reference. It is really of a technical nature and would permit bona fide writers for sporting journals and magazines to be exempt from the transportation provisions of the gun law—the provisions that cover the shipment of firearms.

The Secretary of the Treasury would be authorized to issue regulations that would carefully limit this exception. This group of professionals seeks firearms to test them and then to reduce to writing their impressions of the weapon's technical performance for publication in sporting magazines or journals. That is all. The Secretary of the Treasury is empowered to issue regulations requiring that the individual establish that he is a bona fide member of this category, that he is legitimately employed in this occupation or profession, that his interest in obtaining a weapon is based solely upon a twofold professional objective: The testing of the firearm and the writing of the results for publication. The Secretary would make certain as well that the disposition of any such firearm is carefully controlled.

I should point out that just as a particular hardship exists for legitimate collectors, certain Army personnel and others under the gun law for which special consideration was provided, so, too, has an unjust burden been placed upon the special category of professionals known as the outdoor writer for whom consideration should be given. In large part, his livelihood is dependent greatly upon his ready access to weapons and it is for this reason that I seek here to modify the law. I understand that there are not many persons existing in this category across the land.

In this regard, the plight of the outdoor writer was brought to my attention by Mr. Norman Strung, a member of the Outdoor Writers Association. I think his case, and the case of all those who share his particular professional endeavor, was stated clearly and convincingly in a letter to me of September 14, 1970. I quote from that letter:

> I don't want to compete with local gun dealers who have to make a living through sales, and who have a great deal of overhead tied up in their places of business. In other words, I think I have a perfectly legitimate reason to have a firearms permit, yet that permit was denied me. As a result, my job as an outdoor writer is just a little tougher, and will prove a lot more expensive. That sir, seems to be unfair and inequitable "gun control". . . hardly in the interest of public safety, and detrimental to my legitimate business and the gun-owning public.

Mr. President, I agree with that statement. I hope to correct this inequity with this bill.

By Mr. JACKSON:

S. 1101. A bill to authorize the purchase, sale, and exchange of certain lands on the Kalispell Indian Reservation, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

Mr. JACKSON. Mr. President, I introduce for appropriate reference a bill to authorize the purchase, sale, and exchange of certain lands on the Kalispell Indian Reservation, and for other purposes.

The proposed legislation would permit the tribal governing body of the Kalispell Indian Reservation in the State of Washington to proceed further with land consolidation plans related to economic and social development for its members.

At the present time no authority exists which authorizes the purchase, sale, and exchange of certain lands on the reservation. The lack of such authority stands in the way of development plans for prime tourist and recreation sites and potential industrial development areas, both of which would produce employment and income for tribal members. Both Senator Magnuson and I are hopeful that the proposed legislation can be enacted into law during this session of Congress to assist the tribal group in their plans to achieve self-sufficiency.

By Mr. JACKSON:

S. 1102. A bill to increase the lease term to 99 years on Indian allotment No. MA–10, commonly known as Wapato Point. Referred to the Committee on Interior and Insular Affairs.

Mr. JACKSON. Mr. President, I introduce for appropriate reference a bill to increase the lease term to 99 years on Indian allotment No. MA–10, commonly known as Wapato Point.

Mr. President this measure was introduced under my sponsorship in the 91st Congress and received a favorable report from the Interior Department. Action was deferred on the proposed legislation because of questions raised by interested citizens and public officials concerning developmental and use plans for the property involved.

The questions of these individuals, I believe, have been sufficiently answered by assurances from the Bureau of Indian Affairs that pertinent building codes and local standards and requirements relating to land use and development will be followed in the economic development plans for the area under their jurisdiction.

The bill I am introducing today holds promise for the economic advancement of the present-day Indian owners as well as the surrounding area which will benefit from the increased recreation and other activities which will derive from the developmental plans.

By Mr. JACKSON:

S. 1103. A bill to provide for the disposition of funds appropriated to pay judgments in favor of the Snohomish Tribe in Indian Claims Commission docket No. 125, the Upper Skagit Tribe in Indian Claims Commission docket No. 92, and the Snoqualmie and Skykomish Tribes in Indian Claims Commission docket No. 93, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

Mr. JACKSON. Mr. President, I introduce for appropriate reference a bill to provide for the disposition of funds appropriated to pay judgments in favor of the Snohomish Tribe in Indian Claims Commission docket No. 125, the Upper Skagit Tribe in Indian Claims Commission docket No. 92, and the Snoqualmie and Skykomish Tribes in Indian Claims Commission docket No. 93.

Mr. President, this measure was submitted and recommended by the Department of the Interior in the 91st Congress. The Interior and Insular Affairs Committee held hearings on this bill, it was reported favorably with an amendment to the Senate and passed the Senate on September 1, 1970. The bill I am introducing today contains the amendment recommended by the Interior Committee and adopted by the Senate last year.

I regret that this legislation was not acted upon by the House prior to adjournment of the 91st Congress and hope that action can be taken in the 92d Congress to move the bill toward enactment into law as soon as possible.

By Mr. JACKSON:

S. 1104. A bill to provide for the disposition of funds arising from judgments in Indian Claims Commission dockets Nos. 178 and 179, in favor of the Confederated Tribes of the Colville Reservation, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

Mr. JACKSON. Mr. President, I introduce for appropriate reference a bill to provide for the disposition of funds appropriated to pay judgments in favor of the Confederated Tribes of the Colville Reservation in Indian Claims Commission dockets Nos. 178 and 179.

Mr. President, this measure was introduced by Senator MAGNUSON and myself during the latter part of the 91st Congress. Both the Office of Management and Budget and the Interior Department were requested to report on the proposed legislation, but failed to respond before the close of the session.

The litigation involved in the settlement of Indian claims requires a long period of time because of the complex nature of the work. Indian people authorized to share in such settlement have displayed considerable patience in this time-consuming process. I am hopeful that action can be taken early in the 92d Congress to move the bill toward enactment into law so that the Indian people may benefit from their rightful share in this award.

By Mr. GOLDWATER (for himself and Mr. DOLE):

S. 1105. A bill to authorize the Commandant of the U.S. Army Command and General Staff College to award the degree of Master of Military Art and Science. Referred to the Committee on Armed Services.

ADVANCING MILITARY SCHOLARSHIP

Mr. GOLDWATER. Mr. President, today I am reintroducing a proposal, together with the Senator from Kansas (Mr. DOLE), which will provide long overdue recognition for the outstanding graduate level program offered by the Department of the Army at its Command and General Staff College. It will do this by authorizing the College to award a formal master's degree to the select number of officers who successfully complete the graduate program at the institution. The degree will be designated as the discipline of military art and science, and the program leading to its award will meet all the standards of professional discipline required by our civilian graduate system.

Mr. President, the Army's Command and General Staff College, which is located at Fort Leavenworth, Kans., has been offering a graduate degree course of study for the past 8 years. Since 1964 the college has graduated 120 officers in its degree program. These individuals have undergone a rigorous 11-month course of study and an extensive personal research project. And yet their only recognition has been limited to a notation on their personnel records.

This is entirely inequitable when viewed against the great efforts these officers have made and the important qualities they have developed which will benefit the public good. For if the American public wishes its military services to be lead by officers who are influenced and guided by habits of the highest rational, ordered thought processes, then we should encourage and reward in every way possible participation by qualified officers in a disciplined educational program designed to develop a corps of military scholars. And if our society wants its military leaders to be skilled in critical, analytical, thoughtful decisionmaking, then we had better promote the military's efforts to stimulate the growth of military scholarship.

The military profession itself is striving mightily to provide a greater and wider range of intellectual challenges for its higher officers, and a society that rejects the idea of rigid conformity and anti-intellectualism among its officer corps should give every ounce of support and recognition it can to the cause of advanced military education. In this way the American citizens can be confident U.S. military commanders and planners will make sound, ethical decisions based on a large range of considered courses of action.

Let me review the Army's educational program at its Fort Leavenworth college and demonstrate how deep its degree granting mission really is. The Army Command and General Staff College is the senior tactical school of the Army's educational system. It prepares highly qualified officers for duty as commanders and as principal staff officers with the Army in the field. In addition, officers from other U.S. military services may be admitted to the college.

The Army selects only about half of its officer corps to attend the regular course at its command college. These men are handpicked between their 9th and 16th years of service. The regular course extends for 38 weeks over a 10-month period. Officers spend an average of 7½ hours per day in classroom instruction and 3 to 4 hours in homework. There are also special briefings, a speaking and writing program, and other extra duties. In addition, students must submit a written treatise of at least 3,000 words in length. Remember this is only the regular course I am talking about.

When we examine the master's degree program, we will find all the same requirements included in the regular course plus the additional assignment of extensive individual research. Degree candidates must prepare a thesis of at least 15,000 words compared to the much shorter 3,000-word research paper for nondegree officers.

What is more, entry into the degree program is limited to officers in the regular course who hold an accredited baccalaureate degree. Even then, candidates must take and score well on the graduate record examination aptitude test before they can be admitted to the program. And, once they enter the program, they have to maintain a class standing within the upper half of their class.

In addition, the degree candidate, but not the regular course officer, is required to pass a 6-hour comprehensive written examination covering the entire range of the curriculum and successfully defend his research thesis in an oral examination. In order to accomplish this, the officers are retained for an additional month beyond the graduation of the regular college class. To make it doubly tough, outside examiners from the civilian higher education field participate in reviewing each officer's thesis and in conducting the final oral examinations. Furthermore, an advisory committee consisting of distinguished civilian educators monitors the entire degree program.

Mr. President, these high standards have won for the Army College the solid approval of the academic community. Indeed, in 1963, the North Central Association of Colleges and Secondary Schools granted preliminary accreditation to the college and its degree program. This was the first time in U.S. history that the academic community has accredited a military educational institution which offers courses solely in military art and science. Although this accreditation was withdrawn 3 years later, it was only because of the failure of Congress to grant the college legislative authority to actually award a degree.

As further indication of the college's measure of acceptance by the civilian academic community, I am pleased to mention the American Council on Education has expressly informed the House and Senate Armed Services Committees that it has no objection to passage of the college's degree granting legislation.

Not only is the proposal backed by the civilian sector of the educational field, but the U.S. Office of Education has examined this program inside out, upside down, and every other way before reaching its own independent decision endorsing the Army's requested legislation. Incidentally, the Federal agency's approval was founded on a report prepared by a panel of civilian educators.

Within the military establishment itself, the bill is solidly based on support from the Joint Chiefs of Staff and a general Department-wide policy. As recently as April of 1970, the Department of Defense reaffirmed its unequivocal support of the Army's request in a letter presented to the Senate Armed Services Committee.

Frankly, I do not know where the opposition is coming from that has prevented the bill's enactment before this. Maybe it is just plain inertia, because I have not heard a single criticism made of this proposal. A similar bill was once approved by the House of Representatives in 1968, but for some reason the measure never budged in the Senate.

Mr. President, the enactment of this proposal will not cost the American taxpayer one extra cent. The degree program is already being funded under the Army's present budget and the only difference is that degree candidates could receive a formal certificate once my bill passes. In other words, the enactment of this legislation will not lead to the construction of any new buildings or facilities, or the hiring of additional faculty members, or even the expansion of a library. All these needs are presently satisfied by the staff, equipment, and facilities of the existing Army College.

The only conceivable roadblock might be the lack of a precedent. Someone may fear doing things in a different way from the usual course of military education. "My Lord," someone may be thinking, "if we let them start awarding a master's degree, what will be next?"

Well, I can report what will not be next. First of all the Army tells me it has no plans which envision the Army seeking authority for any of its institutions to award a Ph. D. degree. Let me repeat, the Army does not plan on going for Ph. D. legislation next.

Second, I can report both the Department of the Navy and the Department of the Air Force have indicated their satisfaction with their current degree granting programs in cooperation with civilian colleges and do not contemplate requesting authority to grant degrees at their own schools in the foreseeable future.

In this connection, we might remember the degree program at the Army College is open to officers from other services. Nearly 10 Air Force and Marine officers have successfully completed the course to date, and there is no quota limiting officers from other branches. Also, it is interesting to observe the faculty of the Army College includes seven officers of the Air Force, three officers of the Navy, and three officers of the Marine Corps.

Furthermore, we must consider that it would be impossible for any other military service to seek a degree granting authority until it had a program which met the strict criteria laid down by the overriding Federal policy. Under this policy, a service college—its staff, its facilities, its courses of instruction—must be reviewed in depth and approved by a committee of educators appointed by the U.S. Commissioner of Education. The committee must find the need for the degree clearly exists and cannot be met at non-Federal institutions. Further, the committee must conclude the program's standards are at least equal to those of civilian outside institutions and assure itself the program is conducted in an atmosphere of freedom of inquiry comparable to that of civilian colleges.

Since no other military service has any such program in existence, nor plans to establish one, there is no reason for concern about establishing a precedent by passage of the Army's degree-granting authority. If the idea should ever occur in the future, we can examine its actual need and quality on its own merits. Certainly nothing in my bill would authorize the creation, expressly or by implication, of other degree-awarding programs by any other military service or even by the Army itself than the one now ongoing at the Army Command and General Staff College.

Mr. President, everyone who supports the military profession as an honorable and dignified career should support this legislation as a means of affording the military with the full recognition it is due as one of the learned professions. In a like manner, every citizen across the political spectrum who cherishes the principle of having the defense of his liberties and country provided by truly educated soldiers, who are founded in a rational and ethical approach to solving military issues, should endorse, advocate, and strive for the success of this proposal. All Americans, of whatever philosophical persuasion, should be eager to advance the goal of expanded military scholarship. This is a purpose which will serve all of us well.

By Mr. GRIFFIN:

S.J. Res. 62. Joint resolution to authorize display of the flags of each of the 50 States at the base of the Washington Monument. Referred to the Committee on Interior and Insular Affairs.

STATE FLAGS AT THE WASHINGTON MONUMENT

Mr. GRIFFIN. Mr. President, I introduce for appropriate reference a joint resolution to provide for display of the flags of the several States in addition to the flag of the United States, at the base of the Washington Monument.

Mr. President, one of the most striking features of the U.S. Capitol is the magnificent collection of statutes which was presented by the several States and is found in National Statuary Hall and throughout the corridors of the Capitol Building. They were placed there as the result of legislation enacted by Congress in 1864.

It is interesting to observe that the Lincoln Memorial includes within its architecture a tribute to the individual States. Thirty-six columns, representing the 36 States in the Union at the time of Lincoln's death, surround the walls of the memorial building. Above the frieze on the attic walls are the names of the 48 States which made up the Union when the memorial was built.

The Washington Monument is at the focal point of a geographical cross formed by the Capitol, the White House, the Lincoln Memorial, and the Jefferson Memorial. As such, it is a central point of inspiration for all Americans who visit Washington.

Like many Americans, I believe it would be appropriate to display around the base of the Washington Monument, the flag of each State. I am confident that this could be done with a minimum of expense while maintaining appropriate respect and a place of honor for the flag of the United States.

In addition to its symbolic significance, such a display of all 50 State flags at the Washington Monument would be a colorful and inspiring sight for all who visit the Nation's Capital.

ADDITIONAL COSPONSORS OF BILLS

S. 317

At the request of the Senator from Connecticut (Mr. RIBICOFF), the Senator from Massachusetts (Mr. BROOKE), the Senator from Kentucky (Mr. COOPER), the Senator from Maryland (Mr. BEALL), the Senator from Minnesota (Mr. HUMPHREY), and the Senator from Florida (Mr. GURNEY), were added as cosponsors of S. 317, to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce.

S. 576

At the request of the Senator from Texas (Mr. TOWER), the Senator from Florida (Mr. GURNEY) was added as a cosponsor of S. 576, to provide tax incentives to encourage physicians to practice medicine in physician shortage areas.

S. 637

At the request of the Senator from Texas (Mr. TOWER), the Senator from Colorado (Mr. DOMINICK) was added as a cosponsor of S. 637, to deregulate the price of natural gas.

S. 639

At the request of the Senator from Texas (Mr. TOWER), the Senator from Colorado (Mr. DOMINICK) was added as a cosponsor of S. 639, to increase the earnings ceiling under the social security program.

S. 781

At the request of the Senator from South Carolina (Mr. THURMOND), the Senator from Florida (Mr. GURNEY) was added as a cosponsor of S. 781, to amend the Food Stamp Act of 1964 in order to prohibit the distribution of food stamps to any household where the head of the household is engaged in a labor strike.

S. 895

Mr. TOWER. Mr. President, I am pleased to join today with my very distinguished colleague from North Carolina (Mr. ERVIN) in sponsoring S. 895. I have had a chance to review this piece of legislation and have found it to be entirely consistent with one of the primary goals for which I have always worked hard: quick, sure justice. Many criminologists have stated that it is not necessarily the severity of punishment that deters crime, but it is rather its certainty. In many criminal cases in this country today the defendants spend years either in jail or on bail with limited freedom before their trials can be heard on our crowded criminal dockets. This is unfair to the guilty, as it nearly prevents his rehabilitation and leaves him unsupervised for a great period of time; a time in which almost by necessity he must continue his life of crime in order to survive. It is even more unfair to the innocent, for he must disrupt his life for long periods of time and bear enormous physical and mental burdens and costs, when in fact he is innocent of all charges. There are some who say that those who seek a speedy trial may always have one if they just give up a few of their prerogatives. Mr. President, that may well be the case, but no innocent man should be chastized in any way for taking every possible method of clearing himself of criminal charges. It is the duty of those in the Judiciary and those of us in the Congress to devise methods of providing speedy, fair trials, rather than the duty of the accused. Senator ERVIN is to be complimented for devising this method. I certainly want to do everything that I can to help in achieving this most worthwhile goal of providing trial in a criminal matter within 60 days of the bringing of the indictment; this is only fair to all involved in the criminal process.

Another very important part of this measure is to provide a pretrial service agency to evaluate the accused before trial in order to help the trial judge determine under what conditions the accused should be released on bail pending trial. Currently this, in most Federal courts, is done on a hit and miss basis with, unfortunately, more misses than hits. With the establishment of these agencies in the district courts around the Nation, the judges will be better able to decide who shall receive bail and under what circumstances and limitations. This program is sorely needed.

In conclusion, Mr. President, it is my hope that hearings on this matter can begin quickly. As Senator ERVIN has previously pointed out, there has been much discussion both in the Congress and in legal circles about this proposal; we should be able to determine in a short time what changes, if any, are needed in this draft. I will cooperate with Senator ERVIN and the other distinguished sponsors of this measure in order to insure that all necessary information can be quickly assembled. As with a trial itself, the crisis in the criminal system in America today demands that we work as diligently as possible to solve this problem.

SENATE RESOLUTION 65—SUBMISSION OF A RESOLUTION TO REFER SENATE BILL 1106 TO THE COURT OF CLAIMS

Mr. PASTORE submitted the following resolution (S. Res. 65); which was referred to the Committee on the Judiciary:

S. RES. 65

Resolved, That the bill (S. 1106) entitled "A bill for the relief of the Welsh Manufacturing Company", now pending in the Senate, together with all accompanying papers, is referred to the chief commissioner of the United States Court of Claims; and the chief commissioner shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28, United States Code, and report thereon to the Senate at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States, or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

ANNOUNCEMENT OF HEARING INTO MANAGEMENT PRACTICES ON THE PUBLIC LANDS

Mr. CHURCH. Mr. President, as chairman of the Subcommittee on Public Lands, I wish to announce a hearing into management practices on the public lands to be conducted April 5 and 6.

These hearings will be informational in nature and will delve into what has become a highly controversial issue on our national timberlands—the practice of "clear-cutting," and other problems.

The hearings will be open to the public and will be conducted in room 3110, New Senate Office Building, starting at 10 a.m. Organizations or individuals who wish to present testimony should contact the Senate Subcommittee on Public Lands, room 3106, New Senate Office Building.

An excellent series of articles on the "clear-cutting" problem appeared just last month in the Des Moines, Iowa, Register. These were written by James Risser of the Register's Washington Bureau. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

A DILEMMA ON U.S. FORESTS

(By James Risser)

MISSOULA, MONT.—The people of the Bitterroot Valley south of Missoula live in a nature-lover's paradise, surrounded on all sides by the mountain peaks of the Bitterroot National Forest.

In winters past, they gazed up at the snow-covered, government-protected hills to see solid stands of magnificent douglas fir, ponderosa and lodgepole pine.

But this winter, their attention is fixed on the barren, treeless snowfields that break up the wooded vista. Vast areas of the Bitterroot have been "clear-cut" by commercial loggers—victim to the nation's apparently insatiable demand for more and more timber.

Some of the land that has been stripped bare by the loggers is almost impossible to reforest, even if there were money and personnel to do it.

What started out here as a local conservation controversy may turn into a nationwide questioning of what is happening to our national forests.

A month-long study by The Des Moines Register disclosed that what has happened here on the Bitterroot is not an isolated case of abuse of public lands.

Specifically, it was found that:

The key law that governs national forest usage—the multiple use-sustained yield act of 1960—is being violated daily.

Timber-cutting on the national forests has more than doubled since 1950, without a similar increase in the replanting that is necessary to prevent the forests from eventually becoming depleted.

The U.S. Forest Service, pressured by the timber industry and at times by Congress and high officials of the executive branch, has emphasized logging and virtually ignored the other legally mandated "multiple uses" of the forests—recreation, wildlife and fish protection, watershed development, grazing.

There are serious deficiencies in the Forest Service's timber sales programs. Appraisals sometimes are too low; particular sales often are tailored to the needs of an individual lumber mill; there is collusion between lumber buyers in bidding on government timber; there is a variety of other questionable practices which prevent the government from getting full value for the timber it sells. The Register learned of these deficiencies from a number of sources within the Forest Service and the timber industry, and many of their complaints are substantiated in an unreleased Forest Service study.

Timber-cutting methods, particularly "clear-cutting," have resulted in unnecessary ecological and esthetic damage to the forests. Loggers often violate their contracts with the Forest Service by poor road construction and by leaving behind huge piles of waste materials which are unsightly and are serious fire hazards.

The Forest Service today is 5 million acres behind in reforesting previously-cut lands. Yet the Nixon administration has recently announced a plan to increase the annual timber harvest from the national forests by 60 per cent (about 8-billion board-feet) by 1978. And the Public Land Law Review Commission, in a report harshly attacked by conservationists, says logging should become the recognized "dominant use" of the national forests.

It was in this setting that a special committee at the University of Montana issued a report in November on the Bitterroot National Forest—a report hailed by conservation groups and some foresters, condemned by other foresters and by the timber industry, and received with mixed feelings by the Forest Service.

The "Bolle Report"—named after its principal author, Arnold W. Bolle, dean of the university's School of Forestry—concluded that on the 1-million-acre Bitterroot forest, "multiple use management, in fact, does not exist as the governing principle.

"Quality timber management and harvest practices are missing. Consideration of recreation, watershed, wildlife and grazing appear as afterthoughts."

RECREATIONAL VALUES

Much of the Bitterroot forest, which stretches along both sides of U.S. Highway 93 in western Montana, is "fairly steep to rugged terrain," "prized for recreational and esthetic values," and logging activities in the forest are "clearly visible" to residents and visitors, it was noted.

The Forest Service policy of permitting loggers to "clearcut" (chop down all trees in a given area, rather than selecting only mature trees and leaving the others) has produced ugly, barren areas and "cannot be justified," said the Bolle Report.

Clear-cutting occurred on steep slopes, which had to be terraced afterward in order to prevent soil erosion and to aid reforestation, the committee noted. The terracing is unattractive, said the report. In some of these areas erosion has occurred and seedling trees have simply washed away.

On the volume of cutting, the Bolle Report said, "We doubt that the Bitterroot National Forest can continue to produce timber at the present harvest level." Forest Service figures set the current "allowable cut" on the Bitterroot forest at 50.3 million board-feet a year, a figure that was exceeded in actual cutting by 6 million board-feet in 1968 and by almost 13 million board-feet in 1969.

But some of the harshest language in the Bolle Report concerned the general philosophy and operations of the Forest Service, which is an arm of the U.S. Department of Agriculture.

The Forest Service, the report charged, is "a federal agency which measures success primarily by the quantity of timber produced weekly, monthly and annually."

The "heavy timber orientation" of the Forest Service may have made some sense in the immediate post-World War II years when there was a building boom, but today "it is simply out of step with changes in our society," it added.

MAJOR EMPHASIS

"While the national demand for timber has abated considerably, the major emphasis on timber production continues."

In that framework, said the report, the staff of the Bitterroot National Forest developed an "overriding concern for sawtimber production . . . compounded by an apparent insensitivity to the related forest uses and to the local public's interest in environmental values."

The university committee was made up of Bolle, three other forestry professors, a wildlife professor, a sociologist and a political scientist. It was established at the request of Senator Lee Metcalf (Dem., Mont.), a conservation-minded senator who had received numerous complaints from constituents about conditions in the Bitterroot forest.

A STORM OF CONTROVERSY OVER REPORT

Issuance of the report brought a new storm of controversy to the valley. The report has been defended and denounced at numerous public meetings. The multi-million-dollar timber industry is king in Missoula, but the people are fiercely protective, too, of their environment.

"The timber companies think we're trying to put them out of business, but we're not," said Bolle. "But on the Bitterroot, the cutting went far beyond what is considered sound forestry."

The timber industry in many parts of the country has overcut its own, privately held woodlands, said Bolle. Thus, the industry keeps the pressure on the federal government to increase commercial sales of national forest timber, he added.

One Missoulian who has taken violent exception to the Bolle Report is Edward L. Shults, vice-president of Tree Farmers, Inc., who said in an interview here that he views the report as "a political accommodation, designed to castigate and discredit and intimidate the Forest Service, and to support obstructionist groups who want to stop all timber-cutting in the national forests."

Shults denied that the Bitterroot forest is being overcut and blamed the recent criticism on "people like the Sierra Club, who pose as conservationists but really are damned, hard-core preservationists. They always want to tie up commercial timber land in wilderness, and take it out of the economy. We can't waste all these resources. Just for housing alone, we're far behind now on timber production."

Shults' firm is a branch of The Intermountain Company, a Missoula lumber firm that owns little timber land of its own and gets two-thirds of its logs from the Bitterroot forest. The firm's annual logging activities total about 60 million boardfeet.

NO PLACE FOR HIM

Shults has written numerous letters and delivered talks against the Bolle Report, and promises to "bring it to a head" at the annual meeting of the university's forest school alumni later this month. "Bolle has no place in this setup," he said bluntly.

Senator Metcalf, on the other hand, praised the Bolle Report as "an independent and pervasive analysis of national forest management." He believes it reflects "customary and routine operations in a timbered western valley" and thus will have "an effect beyond the actual territory studied."

Brock Evans, of Seattle, Wash., northwest representative of the Sierra Club, sees the findings as the first academic-based confirmation of what his conservation-environment organization has been complaining about for some time. "The Bitterroot National Forest is typical of what is happening on other national forests, at least so far as overcutting goes," he said.

At the Forest Service northern region office here in Missoula, reaction to the report has been more favorable than might be expected, although the top officials disagree with some of the conclusions and have been stung by some of the criticism of the Forest Service.

"The public thinks we're raping the forests, but we really are not," insisted James L. Wenban, deputy regional forester. "We are not in bed with the timber industry."

PREVIOUS REPORT

Wenban pointed out that the Bolle Report was preceded earlier last year by a toughly worded Forest Service task force appraisal of management practices on the Bitterroot forest. The task force was set up by regional forester Neal Rahm, following local criticism of the wholesale clear-cutting practices.

The task force was given free rein to write a report, without any Forest Service editing, and, although not as harsh as the Bolle Report, it does contain some strong indictments of the Bitterroot timber practices. In some respects, it is a searching self-examination of Forest Service practices and attitudes. Lumberman Shults said it is "too apologetic."

The task force acknowledged that clear-cutting had been overdone, that terracing had been done unwisely on steep slopes, that the Forest Service had permitted commercial loggers to exceed the "allowable cut," and that ponderosa pine in particular had been logged in excessive quantities due to a Forest Service "misinterpretation." The task force also found that poorly built roads, constructed by loggers under Forest Service supervision, had visually scarred the forest and contributed to soil erosion and stream damage.

The task force called for a bigger public voice in Forest Service decisions, and more attention to the other intended uses of the forest.

"Any lingering thought that production goals hold priority over quality of environment must be erased," it said. "There is an implicit attitude among many people on the staff of the Bitterroot National Forest that resource production goals come first and that land management considerations take second place."

LOGS COME FIRST

Commenting on that observation, the Bolle Report added: "We believe that this is so, not merely with respect to the Bitterroot National Forest. It is widespread throughout the Forest Service, especially with respect to timber production in a sense that getting the logs out comes first."

THE CONTROVERSY OVER TIMBER NEEDS

The Forest Service task force was headed by William A. Worf, regional chief of recreation and lands, who explained his few, strong points of disagreement with the Bolle Report:

"We disagree on what they said about the need for timber. The need for wood and wood fiber is increasing.

"Also, I believe that with good forest management practices, we can sustain the present level of cutting on the Bitterroot."

In a statement responding to the Bolle Report, regional forester Rahm praised its "forthrightness" and agreed with many of its findings. But on the question of timber needs, he stressed government and industry projections that "a substantial increase in the supply of softwood timber products and substitute material will be needed to meet the nation's goal of providing adequate housing for all our people by the end of this decade."

"SCARE TACTICS"

Bolle argues, in reply, that "the Forest Service always predicts lumber shortages. The projections just do not add up. There is no shortage now, the lumber component in housing is shifting as substitute materials are developed, there is no assurance that the housing construction goals will be met. To some extent, the projected demand for lumber is a scare tactic."

One other major recommendation of the Bolle Report has been disputed by the Forest Service and many other professional foresters because, as the report admits, it is "unorthodox" and "antithetical to professional dogma."

The recommendation is that, in low-producing timber areas of the forest, the Forest Service stop the inherently "uneconomical" practice of clear-cutting the scraggy stands and attempting to replant. Such areas should, instead, be cut selectively, removing older, residual timber, with no attempt to replant. This concept the Bolle Report termed "timber mining."

The Forest Service, which lives by the term "timber management," has rejected the "mining" concept as a violation of the principle of "sustained yield"—replacing all wood that is taken from the forest. The "mining" recommendation of the Bolle Report has been the subject of some heated public and private meetings here of forestry and other groups.

Bolle thinks the argument has become emotional and that the "mining" concept has been misinterpreted. He said the balance of the report makes it clear that the committee favors sustained yield and the multiple uses of the forest, but that in the poorer-producing areas it would be smarter to do some light, selective cutting without any artificial replanting.

INDUSTRY CLAIM

Nevertheless, the "mining" argument continues to be a controversial topic here and, if nothing else, has become important because some foresters and industry officials are using it to claim that the entire report is unprofessional.

The Bitterroot controversy, and its implications for the national forests generally, will not die down soon. A central problem, according to Thomas Payne, the political scientist on the Bolle committee, is that the Forest Service has been "somewhat insensitive to those forces that have been expressing different viewpoints. Those who objected have been seen as obstructionists."

And an editorial in the current issue of "American Forests" magazine calls the Bolle Report "a blockbuster. The ramifications of it are nationwide and will shake forestry to its foundations."

THE LAWS GOVERNING NATIONAL FORESTS

WASHINGTON, D.C.—Our 154 national forests cover 183-million acres, mostly in the Rocky Mountain and West Coast states. They are administered by the U.S. Forest Service, an agency of the U.S. Department of Agriculture.

The 1897 law that set up the forest system said "no national forest shall be established, except to improve and protect the forest within the boundaries, or for the purpose of securing favorable conditions of water flows, and to furnish a continuous supply of timber for the use and necessities of citizens of the United States."

In 1960, Congress redefined the purposes of the national forests in the "Multiple Use-Sustained Yield Act," which declared that the forests "shall be administered for outdoor recreation, range, timber, watershed, and wildlife and fish purposes."

The new law directed the secretary of agriculture to "develop and administer the renewable surface resources of the national forests for multiple use and sustained yield of the several products and services obtained therefrom."

The concept of "multiple use" was designed to insure that the national forests would not become a source of timber alone, but would be dedicated to other uses as well.

The concept of "sustained yield" was intended to provide for development of the various forest resources, including timber, but only at a level that would never result in the resources being used up. The technical language in the law speaks of "the achievement and maintenance in perpetuity of a high-level annual or regular periodic output of the various renewable resources of the national forests without impairment of the productivity of the land."

Under a subsequent 1964 law recognizing the establishment of wilderness areas, about 9 million acres of national forest land have been set aside as wilderness.

The Forest Service sells national forest timber, under contract, to commercial loggers and timber companies. The "allowable cut"—the amount designated by the Forest Service as the maximum amount of timber that may be cut under the multiple use-sustained yield principles—has been raised from 5.6 billion board-feet in 1950 to a current level of about 14 billion board-feet.

Most of the controversy surrounding the National Forest System has been related to charges that the Forest Service is stressing timber-cutting to the detriment of other intended uses. There also has been criticism of timber-cutting methods, particularly "clear-cutting" in which all trees in a given area are cut down.

Although the national forests make up only about 20 per cent of the nation's forestlands, they contain about 55 per cent of the remaining softwood sawtimber—the primary wood used in housing and other construction. Of the current softwood harvest in the United States, about one-third comes from the national forests.

[From the Des Moines Register, Feb. 15, 1971]

CLAIMS HONESTY LOST HIM POST WITH FOREST SERVICE

(By James Risser)

HAMILTON, MONT.—Fred Waylett worked his way up through the ranks to become a U.S. Forest Service "check scaler" in the Bitterroot National Forest.

He headed the scaling crews who measure logs removed from the forest by commercial timber companies. As the loaded logging trucks come down the mountain, the crews use their scaling sticks to determine the amount of board-feet in each log and then charge the logger at the rate agreed to in his contract with the Forest Service.

About four years ago, Waylett reached the conclusion that the loggers were getting a lot of free wood because of antiquated and loosened scaling procedures.

Instead of measuring each load of pine and fir logs, as in the past, the scalers were told to use a sampling method that often meant measuring only about one in 20 loads. In some cases, Waylett claims, the timber companies found out in advance which load was to be measured and purposely loaded it light.

What was more, the sawmills, Waylett knew, had improved their manufacturing methods so that they got many more board-feet out of a log than they use to. Yet the "rule," or scaling stick, used by the Forest Service scalers had never been revised to reflect this change.

Everything about the scaling, from "allowable waste" to "minimum diameter" of measurable logs, was weighted on the side of the timber industry, and "it was like they were stealing logs," he said.

Waylett's solution was to take these changes into account in the loads of logs he scaled. The loggers quickly objected, and a regional Forest Service scaler was dispatched to set Waylett straight. Waylett held firm and a year-and-a-half later, the regional Forest Service office in Missoula revoked his "check scaler" certificate, demoted him to a regular scaler and reduced his pay.

"TOO HONEST"

Rather than accept the decision, Waylett, then 66, resigned. Forest Service records indicate a disability retirement on grounds of arthritis. But Waylett says, "I was forced out because I was too honest."

Now 68, he lives on a small pension, does some occasional log scaling for the timber industry, and goes fishing. He is bitter about the experience.

James L. Wenban, deputy regional forester in Missoula, says flatly that "there was no hanky-panky involved. Mr. Waylett was not scaling properly. We have scaling rules and a scaling manual, and you can't have people scaling all different ways.

"He was pretty well crippled up with arthritis. He was 66 years old and ought to have retired anyway. We tried to work with him but he just wouldn't change."

Wenban said he thinks the scaling procedures are adequate and that the Forest Service gets full value for the logs, but he acknowledged that the scaling stick still in use is out of date for the reasons Waylett claims. He said, however, that the Forest Service takes this into account in appraising the timber and setting a minimum price before putting the timber up for bids. "Waylett never could understand that," he said.

40-PERCENT MORE

Another Forest Service official, who refused to be quoted by name, said however, that the amounts added to the appraisals (called overruns") often do not fully correct the discrepancy between what the scaling sticks say a log measures and the amount of wood the sawmills get out of it.

The official said he knows of one mill that regularly gets 40 percent more wood than the Forest Service says the logs contain.

Studies have been made which show how to revise the scaling instruments to make them accurate, "but the vested interests have a stake in this and the changes are not made," he said.

The Register, after numerous requests to the Forest Service, has obtained a previously unreleased report, dated last July, which shows a number of major deficiencies in other aspects of the timber sales programs.

In addition, other industry and former industry sources have confirmed that serious problems exist.

A SALE

The essential elements of a sale of National Forest timber are these:

Forest Service officials at the particular forest decide which areas within the forest are ready for harvest, and, governed by the current "allowable cut" for that forest, announce that certain timber is to be put up for sale. Before doing so, the Forest Service appraises the timber and sets a minimum selling price. Then competitive bids are taken, either in writing or at an auction, and the highest bidder is awarded a contract.

The contract tells him the area to be cut, the cutting method (clear-cutting or selection cutting, for example), approximately how many trees of each type are contained in the area, and what the price per board-foot will be. He also is required to build roads, clean up the area after cutting, and take other steps designed to leave the land in good shape for either natural or artificial reforestation.

Gordon Robinson, now the forestry consultant for the Sierra Club but for 27 years timber manager for the Southern Pacific Co., charges that because the appraisals are based largely on statistics supplied by the timber industry and because a generous profit margin of 12 per cent or more is figured in, the appraisals "assure industry of low to moderate prices."

This is one reason, he says, "that there is so much pressure from industry to increase the timber cutting on the national forests."

SALES TAILORED

Although bidding is supposed to be competitive and open, sales often are tailored to the needs of a particular local mill so that it is almost certain to get the bid, he said. In addition, "buyers of national forest timber frequently agree among themselves in advance of bidding to keep prices under control."

Homer Hixon, deputy chief in charge of timber management in the Forest Service headquarters in Washington, D.C., agreed that "there may be a few cases of collusion in bidding. We've suspected it a few times and we're sensitive to it, but it's very hard to prove." He could not recall a lumber buyer ever being convicted for engaging in collusive bidding. Hixon also insisted that the appraisals are fair and that Robinson "has no basis for what he's saying."

One timber company official in the Hamilton area, who works for a firm that buys timber in the Bitterroot forest, told The Register privately that "certain types of sales are set up to help certain companies, and sometimes you wonder how that much more of a certain type of tree just happened to grow to maturity all of a sudden."

Asked about collusive bidding, the company official asked, "Do you want me to go to jail?

"Yes, there is some collusion," he added. "You make deals with other companies about who will bid on what. In cases like that, we might as well just sit down with the Forest Service and divvy up the lumber instead of going through any bidding process.

"It's wrong because were dealing with public lands. It should be stopped."

CANDID REPORTS

Last July, the Forest Service regional office in Missoula, which shortly before had issued a rather candid report accepting some blame for overcutting and poor cutting practices in the Bitterroot forest, completed an equally candid study of timber sales practices in the entire region. The Missoula-headquartered region covers Montana, North Dakota, and parts of Idaho, Washington and South Dakota.

Copies were sent to regional officials and to Washington but, because of some of the strong findings, were ordered recalled. Forest Service officials at first declined to produce a copy but finally did so with the caution that it had been intended, as the report says, as an "in-service evaluation" for use "by people intimately familiar with the Forest Service."

The basic conclusion of the report is that there is "a lack of quality" in timber sales management, which "may be a symptom of deeper and more complex problems that face the Forest Service." The report also said that the Forest Service has "not held out for adequate funds and manpower to do a quality job."

Specifically, the report documented instances of poor appraising of timber, poor supervision of road-building and logging operations, and poor clean-up after logging.

Timber appraisals, studied by the five-man team that made the report, "showed an implied lack of understanding of the basic appraisal concepts," says the report. In addition "we have inexplainable differences in cost estimates for similar roads." Perhaps the most serious charge in the report is that there have been "arbitrary changes" in timber appraisals by individual forest supervisors.

COST FIXING

"In the worst case noted, some 'finagling' apparently went on at the supervisor office level to fix the cost of logging and slash (waste) disposal, overriding district ranger appraisal efforts without sufficient explanation," said the report.

In one instance, a timber sale was found to have been "designed for a particular operator," said the report. Even then, the operator apparently did not want to bid at the suggested price, the report indicates, and in order to encourage him the forest ranger district office lowered the appraisal by setting a "biased and low" figure for waste disposal costs.

The intended bidder then got the contract and, under the terms of the sale, did not remove nearly all the waste produced by the timber-cutting operation, it was noted.

"The results are as expected," said the report. "We now have an area with heavy concentrations of flash fuels, with the immediate potential for destruction of a newly thinned stand of timber, and no effective means or money for abatement of the hazard."

One critic of the sales procedures said he thinks the answer is to clamp down on the local forest officials. An individual forest supervisor can, on his own, conduct a sale of up to about 25 million board-feet (the actual figure depends on the area of the country involved), and most sales fall within this category.

Robinson, the Sierra Club consultant, said he thinks the real way to reform the sales program is for the Forest Service to do all logging itself and sell the timber later through public bidding.

[From the Des Moines (Iowa) Register, Feb. 16, 1971]

AN OLD FORESTER SPEAKS OUT

(By James Risser)

"Conservation is the foresighted utilization, preservation and renewal of forests, waters, lands and minerals, for the greatest good of the greatest number for the longest time."—Gifford Pinchot

HAMILTON, MONT.—G. M. Brandborg is an almost legendary figure in western Montana's beautiful Bitterroot Valley.

Raised in the conservation traditions of Gifford Pinchot and Theodore Roosevelt, the 77-year-old Brandborg lives in retirement now in a comfortable house in Hamilton, within view of the hills of the Bitterroot National Forest where he served for 20 years as forest supervisor.

The white-haired forester is far from inactive, though. "Brandy," as everyone calls him, was one of a handful of private citizens who began speaking out three years ago against what they regarded as intolerable timber-cutting activities in the Bitterroot.

TWO REPORTS

Their protests led to a U.S. Forest Service task force study, which admitted some poor logging practices and excessive cutting. That study was followed by an even more critical report from a special committee at the University of Montana in Missoula, which said other intended uses of the forest had been sacrificed to the timber industry.

Brandborg was with the Forest Service for 40 years and supervised the Bitterroot forest for 20 years before his retirement in 1955. In an interview here, he told how he thinks the Forest Service has gone astray since World War II and why the Bitterroot was overcut in the 1960s.

Some of his criticisms are acknowledged as accurate by Forest Service personnel; others are disputed.

Brandborg believes that recent public statements by top Forest Service officials indicate that a healthy re-examination of government timber programs may be beginning, but he is worried about recently announced plans to again step up logging in the national forests—a 60 per cent increase by 1978.

"LAND ETHIC"

"In my day," he said, "the forester was imbued with a 'land ethic' that no generation could be allowed to damage or reduce the future wealth by the way it uses natural resources.

"There was never any fear then in speaking out against the special interests and in making decisions that were for the good of the public.

"But in the middle 1940s, the leadership in the Forest Service and other public land agencies capitulated to the timber barons and other economic forces. The Forest Service now is operating under a system that precludes scientific forestry, but it will not admit it.

"Most of the money is going into timber harvesting, and very little into the other uses of forest land. We are overcutting. We are far exceeding the sustained-yield capacity of the timber lands to produce."

The pressure for increased commercial sales of national forest timber has come, says Brandborg, from the timber and housing industries and from presidential directives to cut down more trees. "The Forest Service has betrayed the public by not telling them that this is what is happening," he said.

Brandborg and other members of the Ravalli County Resource Conservation and Development Committee, in their protest about the Bitterroot, focused on the increased use of "clearcutting," a timber-cutting practice which involves cutting down all trees of all ages and sizes in a particular area. The barren clearcut area then is terraced and steps are taken to generate growth of new trees, either naturally or through replanting.

When Brandborg was Bitterroot supervisor, little clear-cutting was done, because of the scenic damage it causes and the dangers of soil erosion, watershed disruption and wildlife destruction if not done properly, he said. The prevalent timber-cutting method then was "selection cutting" in which only some mature trees are cut from a given area at one time.

TELL OF DISLIKE

The small group's protests were aided by Dale Burk, the aggressive environmental collumnist for The Missoulian, a daily newspaper, who wrote an extensive series of stories on what was happening to the Bitterroot.

Both Brandborg and Burk are disliked by the local and powerful timber industry. "They're stinkers," said Edward L. Shults, vice-president of Tree Farmers, Inc. "They go down the line with the preservationists. They've been brainwashed."

Burk received numerous threatening telephone calls after he wrote his series, and his father, a lifelong logger, has been unable to find work. "When they hear his name, ask him if he's related to that young fellow who's causing the timber industry so much trouble, and when he admits it, there's no job," said Burk.

The University of Montana report on the Bitterroot forest recommended that the clear-cutting, terracing and replanting operations be halted, and concluded that present cutting levels could not be maintained without permanent damage to the forest. Under federal law, timber-cutting in national forests is not to exceed replanting efforts—the so-called "sustained yield" principle.

"The report is right on target," said Brandborg, "and it's a real professional breakthrough. It will have a tremendous influence on the forestry profession."

If Brandborg is right, what are the factors that have led the Forest Service down the path toward overcutting of the forests?

PRODUCTION EMPHASIZED

Statements from the Forest Service's own independent task force report on the Bitterroot, although they do not go as far as some critics, may provide some of the answers:

"The emphasis on resource production goals (timber cutting) is not unique to the Bitterroot National Forest and does not originate at the national forest level," the task force said. "It is the result of rather subtle pressures and attitudes coming from above.

"While the goals of management on the national forests are broad and sound, the most insistent pressure recently has been to increase the timber cut on these national forests in order to make more timber available to ease the shortage of housing materials.

"The insistence of this pressure is indicated by the fact that the Forest Service is required, once a week, to report accomplishments in meeting planned timber sale objectives to its Washington office, in order to keep the secretary of agriculture, Congress and outside groups informed of progress in meeting timber-cut commitments.

"It seems clear that until sound land management receives top priority in fact, as well as in principle, from the leaders of the nation on down, the handling of the public lands will always leave something to be desired . . .

"In recent years, there has been a mandate from both the President and Congress to increase timber production. The need for timber cut and roads has dominated national forest activities.

"The timber-cut objectives have been accomplished without adequate financing, using the shortcuts necessary, without adequate quality control—but the job has been done."

FUNDING LISTED

The task force report also contained some revealing statistics on federal funding of the national forests:

In the eight years ending with 1970, the Forest Service got 95 per cent of the funds it sought for timber sale activities on all the national forests, but only 40 per cent of the money it asked for reforestation and timber stand improvement.

Likewise, the other intended "multiple uses" of the forest system got shortchanged compared with timber-cutting. Recreation got only 45 per cent of the funds sought, wildlife management 63 per cent, soil and water management 52 per cent, and range management 81 per cent.

This situation led to the conclusion in the University of Montana study that, despite the law, multiple use "does not exist as the governing principle on the Bitterroot National Forest." Brandborg and other critics say the situation is the same on many other national forests.

A previously unreleased study by the Forest Service's Northern Region, a copy of which was obtained by The Register from the Forest Service, agrees that other uses of the forest have suffered because of "production pressures" leading to a timber-sale program "favoring quantity over quality."

The report says "the timber industry is, and will be, pressing for a continual and perhaps increasing flow of timber sales. Preservation groups are applying reverse pressure. Forest Service people are somewhat divided."

The pressures "may have climaxed," says the report, "in early 1969 when the President ordered the Forest Service to make a crash acceleration of the sell program. This region (Montana, North Dakota, and parts of Idaho, South Dakota and Washington) was requested to sell 200 million board-feet during the first six months of 1969 in addition to the regular program."

The report concluded that "our challenge is to properly develop and manage these areas for maximum wood production and at the same time, provide for all other suitable uses and needs of the land and the public."

NEED FOR CHANGE

Regional forester Neal Rahm, of Missoula, said recently that "the need is for change and the time is short. We must start crusading for quality land management as we never have before."

The Forest Service chief, Edward P. Cliff, told his employes last October that "our programs are out of balance to meet the public needs for the environmental 1970s. Our direction must be and is being changed. The Forest Service is seeking a balanced program with full concern of quality of the environment."

A timber industry official in Hamilton, who privately is upset about recent national forest trends, told The Register that "the industry does put pressure on the Forest Service and we have overcut the national forests. We also have cut a poorer quality of timber, through clearcutting. Many of our practices are wrong and need to be changed."

Gordon Robinson, Sierra Club forestry consultant and a former timber industry official, says flatly that in the west, where most timber for building purposes is cut, "the Forest Service is now cutting at least 50 per cent in excess of that quantity of timber that can be sustained."

To meet demands for more wood, the Forest Service has shortened "rotation periods"—the time between when a tree is planted and when it is ready to cut—so that trees in the national forest are being harvested before they are mature, he charges.

Clifton Merritt, director of field services for the wilderness society, says Forest Service philosophy has changed to that "allowable cut" figures for each national forest are considered a production goal that must be met rather than, as in the past, "the ceiling above which cut would not be allowed to go."

(Forest Service officials in Washington do not agree with many of these complaints. Their views will be stated in subsequent articles).

Regional forester Rahm says that it is clear that "our management efforts must be oriented toward the 'whole forest' and fully recognize all other resource values."

Rahm and other Forest Service officials in the Montana region believe that part of the answer is increased funding and personnel for the Forest Service so that money is available for recreation and wildlife and for using the forests as a source of water, as the law intends.

TELL ADVANTAGES

They do not agree with those who totally oppose recent clearcutting practices. Clearcutting should be restricted, especially where it will damage the scenery and on steep slopes where it causes erosion threats, they say.

But in some cases, the region's Bitterroot task force report said, clearcutting "offers the best method to produce the highest annual timber yield. The clearcut area can be restocked immediately to vigorous, disease-free trees that have the potential to produce the maximum growth of the site."

[From the Des Moines (Iowa) Register, Feb. 17, 1971]

THREAT TO HARDWOOD FOREST BY "CLEARCUTTING" IS FEARED

(By James Risser)

RICHWOOD, W. VA.—The Monongahela National Forest in the Appalachian Mountains of West Virginia is one of the finest mixed hardwood forests in the country.

Or, at least it was until 1964. That was the year when U.S. Forest Service officials abandoned their traditional and careful "selection cutting" method of harvesting only the mature oak, maple, beech, cherry and other hardwoods, and instead permitted the commercial loggers to begin "clearcutting."

"Shocking," said U.S. Senator Jennings

Randolph (Dem., W. Va.) when irate local citizens showed him the results one day last year—large devastated sections of the forest which had been laid bare in areas ranging up to 550 acres.

Their outcry led to creation by the West Virginia legislature of a special "Forest Management Practices Commission," which last August issued a blistering report charging that Forest Service policies on the Monongahela Forest are "timber oriented" to the exclusion of other forest uses required by law.

The clearcutting practices not only threaten to change the character of the forest itself, but have impaired recreation uses, endangered wildlife, caused soil erosion and generally produced "esthetically undesirable" results, said the commission.

It recommended abandonment of clearcutting, except in certain restricted situations, called for new attention by the Forest Service to other forest uses, and suggested creation of a U.S. Commission on National Forest Management.

The Forest Service responded with a task force report confessing some errors, particularly its failure to develop the other "multiple uses" of the forest. But it refused to rescind its policy of clearcutting as the primary timber management method in the Monongahela—promising, however, to restrict clearcuts to 25 acres in most cases and to use selection cutting in areas especially visible to the public.

The Forest Service also said it sees no need for a national commission to oversee its activities.

"HEADS IN SAND"

Howard Deitz of Richwood, a leader of what he jokingly calls "the small band of malcontents who started all this," accused the Forest Service of a "head-in-the-sand attitude," and said its response to the state commission report is "not satisfactory."

Deitz, a shoe store owner and member of the local Izaak Walton League chapter, makes it clear that he and other citizens who have spoken out "are not preservationists. We support use by the timber industry of the Monongahela National Forest."

"But we are tremendously concerned by the rapid liquidation of the remaining mature timber on the forest," he said. "A policy of 'even-aged management' (the Forest Service's term for clearcutting) is just dead wrong in a mixed eastern hardwoods forest."

The timber industry is important to Richwood, Deitz recognizes, as evidenced by the large Georgia Pacific Corp. mill that dominates the town. The fine furniture, veneer and wood trim that comes from the hardwoods is important to economically depressed West Virginia.

Also, the Forest Service pays 25 per cent of the money it makes on timber sales back to the states and counties where the logging took place for use on roads and schools.

But Deitz and other local leaders also are conservationists, who appreciate the forest for its other values. In addition, the scenic beauty of the area brings in tourist dollars. And, finally, at the present level of cutting (about 50 million board-feet a year compared with a yearly average of 12 million board-feet in the 1950s), the estimated 31,000 acres of mature timber soon will be gone, they say.

One of Deitz's allies is Ralph O. Smoot, a retired professional forester who served with the Forest Service as district ranger on the Monongahela. He says Forest Service philosophy has changed, under pressure from the timber industry, to the point where a ranger "is graded on whether he meets a quota for cutting timber."

WENT BACK IN

Smoot recalls one area in the "Hunters Run" section of the forest where, under his direction, timber was sold and cut under the selection method. Only nature hardwoods were removed, while other younger trees were left to continue their natural growth for harvest later.

"Eight years later, because the pressure was on, they went back in and clearcut," he said.

In a sense, said Smoot, the Forest Service is correct in its contention that clearcutting is the best method of logging. It is easy and quick, and when the cutover land grows back it produces trees of the same age and size which then can be logged easily and handled with speed by modern sawmill equipment.

"In other words, it's efficient, but that doesn't mean that is the way a national forest should be operated," he said.

Lawrence Deitz, a cousin of Howard Deitz and a citizen member of the special state commission, said the diverse nature of the Monongahela Forest—all types of hardwoods, slow-growing and fast-growing, and some softwoods—is the reason it has such scenic charm and supports such a variety of wildlife.

Under the clearcutting method of timber harvesting, in addition to the immediate environmental damage, there is the problem of some slower-growing trees never returning since they are harvested before they reach maturity. Also, when all the trees are of the same age and type, some animals that previously inhabited the Monongahela cannot survive, he said.

The Richwood citizens' protests attracted the attention of Grover (Zip) Little of Kenova, a state leader of the Izaak Walton League. He helped mobilize the fight, and says he found the Forest Service "destroying the forests by growing trees just for timber."

ARRANGED TOUR

When Deitz and other concerned citizens persuaded Senator Randolph to come take a look last spring, the Forest Service arranged a tour that included some small clearcut areas which were generating the growth of new trees. Randolph, who had been alerted to the extent of the clearcutting operations, asked to see "what the other side of the mountain looks like."

According to those who were on the tour, the Forest Service officials tried to dissuade him on the grounds that the roads were bad, but Randolph said he would hike in.

As a result, he found a 160-acre clearcut area and another one of 549 acres on a hillside where, Randolph said, the cutting is certain to cause "significant erosion problems." He said "this cut had been made despite statements that steep slopes are not compatible with clearcutting" and "the entire area was covered with usable pulpwood, slash, and dying timber."

Randolph also said that local citizens had been misled into believing that clearcutting would be practiced on an "experimental basis, carefully supervised and in small plots, widely separated."

Last August, the special West Virginia commission issued its 50-page report, finding that the Forest Service had planned "that every single acre of the 820,000-acre Monongahela National Forest could be clearcut sooner or later, regardless of whether an area was used predominantly for recreational activities of camping, fishing, hunting, hiking or boating . . . as scenic vistas, peaceful brook or meandering stream, or was an area in which the flora and fauna depended on the trees for cover and food."

Under such a system, the Federal Multiple Use-Sustained Yield Act of 1960 was not being obeyed, the commission found.

"NOT DEPLETED"

That act dedicates the national forests to five uses—outdoor recreation, range, timber, watershed, and wildlife and fish. It also says the resources of the forest must be used in such a way that they are not depleted, but are renewed and will last "in perpetuity."

The West Virginia commission said the areas in which the Forest Service had permitted clearcutting were esthetically undesirable and unusable for recreation for 10 to 15 years following the cutting. The 549-acre clearcut area had been an important habitat for wild turkey and bear, it said.

Clearcutting also wastes timber resources, because smaller trees are often left behind, either poisoned, felled, or killed and left to rot, the commission said.

Its recommendation was that clearcutting be practiced on the Monongahela only in rare cases where "even-aged management" is the only way to achieve regrowth. In addition, the commission said, clearcut areas should be small and well dispersed, and clearcutting should be limited to a fraction of a per cent of the total forest land in any one year.

The Forest Service accepted the proposed limitations on size and location of clearcuts in its report last December, but rejected a percentage limitation and declined to say that it would abandon clearcutting as the principal method of cutting.

Frederick A. Dorrell, supervisor of the Monongahela Forest, has said on a number of occasions that "we do not intend to depart from even-aged management as the basic timber management system." Deitz and the other critics do not believe that the latest Forest Service statement makes any important change in Dorrell's stand.

In a statement to Russell E. Train, chairman of the President's Council on Environmental Quality, the Forest Service, a branch of the Agriculture Department, said clearcutting has proved to be a "more desirable system for regenerating a variety of desirable species," particularly those which need sunlight to grow well.

"NOT PERMANENT"

The report by the Forest Service acknowledged some esthetic damage, but said it "is not permanent and is rectified by the regeneration and growth of a new timber cover."

It said "trees, like other crops, when harvested, may be replaced by new trees."

An earlier Forest Service task force report did, however, criticize the way clearcutting had been handled on the Monongahela, and admitted much more needed to be done to assure proper attention to the other multiple uses.

Senator Randolph says, however, that the Forest Service "wholly misses the public temper with regard to clearcutting" by trying to blame the controversy on a "few vocal opponents."

Randolph said, "This appears to be the same lack of awareness or effort to minimize public concern which the Forest Service has demonstrated on a nationwide basis."

Meanwhile, the Forest Service and Agriculture Secretary Clifford Hardin have denied the requests of the critics for a moratorium on clearcutting on the Monongahela.

The Timber Lobby Vs. Forest Conservationists

(By James Risser)

Washington, D.C.—The Forest Service, a branch of the U.S. Department of Agriculture, has a time-honored reputation as a conservation-oriented agency.

To most people, the Forest Service's firefighting symbol, Smokey the Bear, epitomizes its dedication to guarding the nation's woodlands.

But a growing number of critics are saying that the biggest threat to the national forests is not fire. The Forest Service, they charge, has fallen into the clutches of the timber lobby and is permitting commercial loggers to devastate much of the 183-million-acre forest system.

TIMBER BILL

As evidence, they cite the Forest Service's endorsement of a timber-cutting bill killed last year in the House of Representatives, followed by a just-announced policy to step up national forest logging by 60 per cent to provide more lumber for housing.

Conservationists in Montana, West Virginia, Wyoming and other states are up in arms about the methods by which the Forest Service lets the timber buyers chop down the trees—particularly "clearcutting," which leaves the land barren and imperils recreation, wildlife and other intended "multiple uses" of the forests.

Edward P. Cliff, longtime chief of the Forest Service, is disturbed by the accusations.

"We are not overcutting our national forests," he said in an interview here. "We are cutting on a sustained-yield basis, following sound forestry and conservation practices."

The national forests, Cliff added, have reached "only an intermediate stage of development." Provided that Congress makes available the money for intensified forest management, timber-cutting can be increased greatly without any permanent harm to the forests and their other uses, he said.

Homer J. Hixon, Cliff's deputy chief for timber management, said: "The demand for wood products is going right up, with our increasing industrialization and growing population. There is great pressure on us from industry to step up the cut, and we are willing to do so within the constraints of sustained yield and multiple use.

"It is not our purpose to exploit or use up all the timber or the other forest resources," Hixon added. "We think we are successful when we come up with a balanced program that provides for all the uses of the forests."

With the timber industry pressuring it from one side, particularly through receptive congressmen, and with conservation groups on the other side urging less logging, the Forest Service is caught in the middle.

It seems clear that, at least in recent years, the timber lobby has won out. The level of commercial logging on national forests has risen to nearly 14 billion board-feet a year, more than double what it was on the same amount of land in 1950, and little money has been given the Forest Service for development of the other forest uses.

BOOST SHIPMENTS

The timber industry complains of lumber shortages, but continues to increase its shipments of logs to Japan at handsome profits, while inducing Congress to clamp an export restriction on national forest trees so that the industry will be guaranteed a source of lumber for its domestic needs.

The timber lobby operates out of the handsome, eight-story Forest Industries Building in Washington, and consists of a number of organizations. The main organization is the National Forest Products Association. There is an educational arm called the American Forest Institute, and a political campaign organization named the Forest Products Political Education Committee.

They are financed primarily by contributions from timber companies and lumber dealers.

The Forest Products Political Education Committee gave a total of $28,000 to election campaigns of 42 senators and congressmen last year, according to reports it filed with the clerk of the House of Representatives.

Most of those who received the contributions are on key committees dealing with public lands, and many of the recipients were congressmen who had pushed hard early last year for the industry-backed timber-cutting bill.

Representative Rogers C. B. Morton (Rep., Md.) was a sponsor of the bill rejected by the House, and was given a $300 campaign contribution by the timber lobbyists in 1968 and $500 in 1970. This was one of the factors that led the Sierra Club to oppose, unsuccessfully, his confirmation last month as secretary of the interior.

H. P. (Buck) Newson, vice-president for public affairs at the National Forest Products Association, said the industry effort to log more trees in the national forests "is not a question of us increasing our own markets; it's a question of helping to meet the social needs of the country for decent housing."

He said, "We have to build some public backfire against the hysteria of setting all this land aside."

BEST INTEREST

James R. Turnbull, executive vice-president of the association, says recent attacks on national forest policies have come mainly from groups "that would preserve, rather than conserve, our national forests . . . What they believe to be in the best interests of the forests is not necessarily in the best interests of the majority of the people."

Also closely associated with these timber lobby organizations are such trade groups as the American Paper Institute, American Plywood Association, the American Pulpwood Association, the Southern Pine Association, the Western Wood Products Association and the National Lumber Manufacturers Association. They also work with related organizations such as the National Association of Home Builders.

As a result of their efforts, the Forest Service has become, in the view of Brock Evans of the Sierra Club, "a classic case of a regulatory agency being governed by the industry it should be regulating."

The controversy over the use of the national forests heightened in early 1969, when committees of both the Senate and House held hearings to probe the sharply rising price of softwood lumber and plywood. Although acknowledging that increased exports and other factors were important, the committees concluded that there was an actual shortage of lumber that demanded an increased harvest from the national forests.

About the same time, President Nixon ordered that an additional 1.1 billion board-feet of lumber be put up for sale from the national forests. This was done without any corresponding increase in reforestation efforts, and without any additional money for other forest uses, conservationists complain.

HAVE BACKLOG

At the congressional hearings, Forest Service chief Cliff acknowledged under questioning that the Forest Service has a backlog of nearly 5 million acres of national forest lands in need of replanting and seeding, and another 13 million acres that need thinning and other work. The total cost of wiping out this backlog would be about $900 million, he said.

The timber programs have had "an adverse effect on the public lands," Cliff admitted, because the Forest Service has received from Congress most of the money it sought for commercial logging activities in recent years but a much smaller percentage of the funds needed for reforestation and other forest activities.

Tight money and the resulting decline in the housing market caused lumber prices to level off later in 1969, but the industry then turned to Congress with a plea to pass legislation earmarking Forest Service timber-sale receipts for use in stepping up future timber harvesting and sales.

The industry bill, revised to at least recognize the multiple use-sustained yield principles that now govern the forests, came before the House of Representatives in February, 1970.

Agriculture Secretary Clifford Hardin endorsed it as "essential to improving the timber-producing capacity of the national forests within multiple use and sustained-yield principles."

After a long debate, the House, on the motion of Representative John Kyl (Rep., Ia.), refused to consider the bill further.

Kyl questioned "the motivation behind this piece of legislation" and said its passage would compound the underfunding of other forest uses.

"FAILED MISERABLY"

The "multiple use" requirement, enacted by Congress in 1960 to insure that the forests would be used for recreation, wildlife, watershed development and grazing, as well as timber, has "failed miserably," Kyl declared.

Representative John Saylor (Rep., Pa.) said the bill was "special interest" legislation and "a vast, cut-out-and-get-out scheme for the national forests." He called it "not a housing bill" but "simply a legislative windfall for the timber industry." He said it was "disgraceful" that the Forest Service would back the bill.

Representative Richard Ottinger (Dem., N.Y.) said that in view of the rising timber exports, any claimed lumber shortage appeared to be artificial.

The main sponsor of the legislation, Representative John McMillan (Dem., S.C.) stressed the government's commitment to provide 26 million new housing units so that all Americans will have decent homes. He said, "Trees are a crop, which can be planted, cultivated, harvested, and replanted like any other crop."

Also speaking for the unsuccessful bill were Representative Dave Martin (Rep., Neb.), who the congressional directory lists as a retail lumber dealer, and lumber state spokesmen Bernard Sisk (Dem., Calif.), Don H. Clausen (Rep., Calif.), John Dellenback (Rep., Ore.) and Wendall Wyatt (Rep., Ore.). All later received campaign contributions from the timber industry.

The issue of rising timber exports—in the view of many, the real cause of any timber shortage—has somewhat split the industry for several years.

Japan, which needs softwood for timber, is willing to pay high prices for the wood, and the demand for export logs began to drive up the price of national forest timber. Those timber companies which have little timber land of their own or have overcut it in past years were upset because they rely on the national forests as a timber source.

MORSE BILL

The final result was an export restriction authored in 1968 by then Senator Wayne Morse (Dem., Ore.), on behalf of some segments of the timber industry. It limited the amount of unprocessed timber that could be exported from federal lands west of the 100th meridian to 350 million board-feet a year.

Because the restriction applies only to federal lands, however, lumber companies have continued shipping to Japan from lumber cut on their own lands and then have tried to make up their domestic needs from the national forest timber. This in turn created more industry pressure for increased national forest logging.

Softwood timber exports reached a new high last year of 2.6 billion board-feet, Forest Service timber management chief Hixon reported.

The Morse restriction, extended by Congress late last year for another five years, permits the Forest Service to adopt regulations to prevent the export restriction from being evaded through the methods now being used by industry, but Hixon said such regulations have never been issued because they would be "very, very complicated" and "impossible to administer."

Both Cliff and Hixon said that the main solution to the problems that exist is more money from Congress, both to permit better forest management and thus more timber-cutting, and also to assure more attention to the other "multiple uses" of the forests.

Hixon strongly disagreed with accusations, like that contained in a recent University of Montana study on timber-cutting in the

Bitterroot National Forest, that the Forest Service "measures success primarily by the quantity of timber produced."

He also defended the use of clearcutting, which he said produces better forest regrowth despite temporary scenic damage.

He said he thinks the commercial sales of national forest timber are well administered, although a recent study by the Forest Service regional office in Missoula, Mont., questions the integrity of both the timber appraisals and sales.

Hixon was unable to produce a compilation of the major buyers of national forest timber, saying the Forest Service does not have such figures. Many timber sales go to logging contractors, who in turn sell to timber, paper and other companies, he explained.

He listed among the major users, however, Boise Cascade Corp., Weyerhauser Co., American Forest Products Co., Georgia Pacific Corp., Crown Zellerbach Corp., International Paper Co., U.S. Plywood-Champion and Southwest Forest Industries Co.

BATTLE LINES FORM IN DISTRICT OF COLUMBIA OVER TIMBER

(By James Risser)

WASHINGTON, D.C.—The battle lines are being drawn here for a new showdown over the growing use of our national forests as a source of commercial timber.

The U.S. Forest Service, armed with a presidential task force plea for more lumber for housing, wants to step up its annual timber sales by nearly 8-billion board-feet, a 60 per cent increase.

ENRAGED CONSERVATIONISTS

Opposing the Forest Service and the timber industry is a small but growing number of conservationists, who have vowed to fight what they regard as an attempted new raid on the publicly owned woodlands. They are enraged by the intensified use of "clearcutting," which leaves large areas of the forests barren.

More importantly, they contend that present cutting levels are so high that the forests are in danger of being depleted and made useless for the other purposes ordered 10 years ago by Congress—recreation, watershed development, wildlife, and grazing.

Senator Frank Church (Dem., Idaho) has announced that his Interior Subcommittee will take a look at the complaints during hearings on public land use tentatively scheduled for April. Forest Service critics are hoping that the one day now set aside for testimony on the national forests will be expanded into a full-scale inquiry into whether the Agriculture Department agency is squandering one of the country's great national resources.

Requests for large additional appropriations for the timber management programs will be countered by proposals for creation of a national, blue-ribbon commission to study present timber practices.

The Des Moines Register, during a month-long investigation of the national forests, found that the multiple use-sustained yield law which governs the forests is being freely violated. In addition, a variety of sources told of questionable practices in the appraisal and sale of national forest timber, and many of their accusations are borne out by a previously unreleased Forest Service study made available to The Register.

A year ago this month, a conservation coalition persuaded the House of Representatives to reject legislation inspired by the timber industry and endorsed by the Forest Service, which would have increased national forest logging through a specially created fund.

Then in June, a presidential task force on softwood lumber and plywood issued findings, endorsed by President Nixon, that "inadequate supplies of softwood timber and its products may act as a constraint on the achievement of the nation's housing goals (26-million housing units during the decade) and will increase the cost of meeting these goals unless effective programs are developed to expand timber availability . . . the national forests offer the principal possibility for expansion . . . the national forest cut can be expanded through appropriate investment in more intensive management."

In his endorsement of the findings, Mr. Nixon directed the Agriculture Department to provide for increased harvest of national forest timber "consistent with sustained yield, environmental quality and multiple use objectives." He also said the government should find ways to increase timber production from the presently cut-over private timber lands.

At the same time, the Public Land Law Review Commission issued its long-awaited report, which subsequently has been criticized by conservationists as being oriented too much toward use, rather than conservation, of public lands.

In regard to national forests, the commission recommended that on portions of the forest which are highly productive timber areas, and not "uniquely valuable" for other uses, timber production should be designated as the "dominant use."

NEW COMMISSION

To manage these dominant timber lands, a "federal timber corporation or division" should be created within the Forest Service and the Bureau of Land Management of the Interior Department, which also manages some forest lands, said the commission.

The commission complained of "conservative cutting practices" of the past and said, "we find no compelling reason to treat public land timber differently from the way it would be treated by the owners of well-managed private forest lands."

This philosophy has shocked conservationists, who point out that the whole purpose of the laws governing the national forests is to insure that they are not treated like private timber lands. The laws command the Forest Service to cut timber only on a "sustained yield" basis so that there will be a perpetual supply of timber, and to provide the public with other "multiple uses" of the forests.

Official confirmation of the Nixon administration policy on timber-cutting came early last month at an "environmental seminar" sponsored by the Department of Agriculture to explain what it is doing to protect the environment. Under secretary J. Phil Campbell told those attending:

"About one-fourth of all the timber harvested in the United States comes from the national forests. A population increase projected at some 25 million persons by 1980, plus continued economic expansion, is certain to result in growing demand for timber.

60 PERCENT MORE

"To help meet this demand we have targeted an increase of some 7-billion to 8-billion board feet in the annual sustained yield of timber from national forests during this decade. This target is some 60 per cent more than the current national forest timber harvest."

As a result, the Sierra Club charged that, having lost their fight for timber-cutting legislation last year, the advocates of increased logging in the national forests were trying an end run by seeking increased appropriations to the Forest Service.

This program, the Sierra Club said, means that "larger amounts of money will indeed be spent for wildlife, recreation, research, and other uses in the national forest system, but even more enormous amounts will be spent on logging, on advance roading, and more timber-cutting measures. The result will be that the imbalance on our national forests will become even more aggravated."

Next year's budget proposed by President Nixon would give the Forest Service an additional $6.7 million for timber sales, for a new total of $61.1 million. At the same time, reforestation and timber stand improvement would get an increase of $7.1 million, to total $27 million. Recreational uses of the forests would go up to $2.1 million to a total of $38.6 million; wildlife management would increase $1.1 million for a total of $5.9 million, and water management would rise $2.2 million to a figure of $3.7 million.

In 1950, the "allowable cut" for timber from the national forests was 5.6-billion board feet a year. It gradually has risen to more than double that, and the Forest Service forecasts a cut next year of 13.8-billion board feet.

"The timber lobby has enlisted the Nixon administration and the Forest Service—which has generally been on the industry's side anyway—in its efforts to force up the logging rate and finish off the virgin forests within our national forest system," the Sierra Club said.

The club said it will oppose new appropriations for the Forest Service for this purpose, and declared in a bulletin to its members that "the fate of all our national forests is at stake."

Lloyd Tupling, Washington representative of the Sierra Club, has charged that the presidential task force on lumber supply was industry-dominated. Actually, it was a cabinet-level group and was headed by Robert P. Mayo, a presidential economic adviser. But the input of information to the task force came primarily from the Forest Service which, although dedicated in principle to wise use of the forests, has often sided with industry on timber need projections. Timber trade organizations also furnished material to the task force.

The American Forest Institute, an industry organization, has praised the administration's timber goals, noting that federal lands contain nearly two-thirds of the standing sawtimber. The increases in cutting proposed by the administration "can be met with no damage to the environment," it said.

"UNDULY CONCERNED"

Edward P. Cliff, chief of the Forest Service, says the critics are unduly concerned. "The President has not recommended any raid on the national forests," said Cliff. "We are not going to increase the allowable cuts until we take steps to increase the timber growth. We would be replenishing the forests as fast as we would be removing them."

Homer J. Hixon, deputy Forest Service chief for timber management, says the projected increase "is a target that we think is attainable, provided the people are willing to spend the money for the sustained yield and multiple uses of the forests."

Nevertheless, what worries the conservationists is their belief that the Forest Service already permits the commercial timber users to overcut. They point to a 5-million acre backlog in reforestation already. They say the Forest Service has permitted more cutting by arbitrarily reducing the established maturity ages for various trees.

Also, they noted, Congress traditionally has given the Forest Service most of what it wants for timber sales programs, but half or less of the funding it seeks for reforestation and for the other forest uses.

Stepping up national forest timber production 60 per cent, even if done under sustained yield principles, would make logging so dominant that presently unused areas would be put into timber production and there would be little hope for the other uses of the forest, they say.

Cliff admitted in testimony before a Senate committee in 1969 that the Forest Service needs "funding at a substantially higher rate in order to catch up on work that should have been done in the past."

Other factors that could enter the picture in the next few months include these:

Senator Mark Hatfiield (Rep., Ore.) will introduce a bill to step up national forest timber production, although it reportedly will contain some safeguards for the other forest uses.

The Sierra Club is preparing legislation designed to restrict clearcutting, protect de facto wilderness areas, and regulate use of both public and private timber lands.

The Sierra Club has filed suit in Alaska against the Forest Service to try to void a 50-year timber sale contract to U.S. Plywood-Champion, which the organization contends will permit logging on the Tongass National Forest far in excess of the forest's capacity to regenerate itself.

The Forest Service is making a study of clearcutting on the Bridger National Forest in Wyoming, where Senator Gale McGee (Dem., Wyo.) has complained of "devastation" similar to that found on the Bitterroot National Forest in Montana and the Monongahela National Forest in West Virginia.

McGee, backed by the Sierra Club and the Wilderness Society, and with support from Senator Jennings Randolph (Dem., W. Va.), has proposed creation of a blue-ribbon commission on timber management in the national forests. Such a commission, McGee says, would insure better public participation in decisions affecting forest uses.

The Forest Service itself would be transferred to a new Department of Natural Resources, under a government reorganization proposed by President Nixon.

Late last year, a special University of Montana committee, set up at the request of Senator Lee Metcalf (Dem., Mont.) to examine timber practices on the Bitterroot Forest, concluded that the Forest Service has degenerated to the point where it has a "heavy timber orientation" which has been "built in by legislative action and control, by executive direction and by budgetary restriction."

The committee added: "The pressures upon the Forest Service to get the logs out cannot be surmounted without the express assistance of the Congress."

The recent depression in housing was related more to economic conditions such as interest rates, rather than any timber shortage, the committee believed. It found that "the national demand for timber has abated considerably."

Many Forest Service employes are dissatisfied with the present timber orientation and "recognize the agency is in trouble, but they find it impossible to change, or, at least, to change fast enough," the Montana group said. "As long as short-run emphasis on timber production overrides long-run and short-run concern for related uses and local environmental quality, real change is impossible and the outlook is for continued conflict and discontent."

Forest Service chief Cliff recently acknowledged some of the problems in a self-searching statement to his employes, which both stressed the belief that there is a national need for more timber and also recognized that "the public is increasingly unhappy with us."

Cliff said "the Forest Service cannot do the things that the President has directed us to do without more money and people. Our program is out of balance now."

The dilemma that faces him and the Forest Service in the years ahead—reconciling timber demands with the need to also make America's forests a place of recreation, a haven for wildlife and a protector of the water supply—is perhaps best summed up by a plaque on Cliff's wall which bears a quotation from George Washington:

"Do not suffer your good nature, when an application is made, to say yes when you ought to say no; remember, that it is a public, not a private cause, that is to be injured or benefitted by your choice."

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Mississippi (Mr. EASTLAND), I announce that the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Joseph K. Grisso of South Carolina, to be U.S. attorney for the district of South Carolina for the term of 4 years, vice Joseph O. Rogers, Jr., resigning.

Rene Desloge Tegtmeyer of Virginia, to be an Assistant Commissioner of Patents, vice John Henry Schneider.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Wednesday, March 10, 1971, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

COAL RESEARCH THREATENED

Mr. BYRD of West Virginia. Mr. President, the Office of Management and Budget has issued a directive that will, if fully implemented, severely limit the extent of coal research in the United States. At the very least, Mr. President, it could deal a death blow to three coal research projects designed to find solutions for the problem of pollution and the growing fuels shortage in our country.

The unsigned directive apparently applies only to the Office of Coal Research. Briefly, it requires that new coal research projects, along with major modifications of existing coal research projects, must receive about one-third funding from sources other than the Federal Government.

Everyone, Mr. President, supports the principle of contributions to research by the private sector of our economy. That principle is not being questioned here. What is being questioned, however, is the sudden application of this directive, with no advance warning, to projects either already funded, or in the negotiation stage.

There are three Office of Coal Research projects most endangered by the application of this rather arbitrary, in my opinion, directive: Project Gasoline, in Cresap, W. Va.; the Bituminous Coal Research, Inc., gasification project in Homer City, Pa.; and the Pittsburgh and Midway Coal Co.'s solvent refined coal project in Tacoma, Wash.

I have long been interested in expanded coal research and, therefore, am interested in seeing that all three of the vital projects are continued. Naturally, I am most familiar with the project at Cresap, W. Va., and, as a member of the Senate Appropriations Committee, I have been successful over the years in obtaining funds for continuation of the important research work being conducted there.

The original objective of Project Gasoline was to develop a process for producing gasoline and other distillate liquids from coal at a price that would be competitive; and, by 1970, the laboratory phase of the project had been completed, a pilot plant had been built at Cresap, and that pilot plant had been placed in operation.

A study completed last year showed the work at Cresap to be technically feasible, and its full development to be highly desirable. However, in addition to the long-range need for finding an economic method of converting coal to gasoline, it was shown that the existing plant could be used to fill a more immediate need—namely, the production of low sulfur boiler fuels for the Nation's powerplants.

At present, most of the coal in West Virginia, and throughout the East, has a sulfur content too high to be burned in our cities. Unless we move now to find an economic means of producing low sulfur boiler fuels, the need for these fuels will have to be filled from foreign sources.

Obviously, Mr. President, there is a great deal to be gained from converting the present facilities at Cresap to a pilot plant for coal desulfurization; and, since $18.4 million has already been invested at Cresap, there is a great deal to be lost by the application of this directive.

Funds have also been invested at the two other projects—over $3 million in the BCR gasification project, and more than $2.6 million in the solvent refined coal project.

Therefore, if the Office of Management and Budget directive is implemented, research that has thus far cost $24 million might not proceed. These are not projects that can be dropped now, and picked up at some future date, with no additional cost to the taxpayer. They represent huge investments that have not yet been given the opportunity to fully return dividends; and they represent some of our Nation's most successful efforts in both the fight against air pollution and the struggle to avoid a fuels shortage of disastrous proportions.

In its fiscal year 1972 budget request, the Office of Coal Research has requested $2 million for the Cresap project; $2.2 million for the Homer City project; and $2.1 million for the Tacoma project. All three of these requests represent two-thirds of the funds that would actually be needed; and none of these projects can proceed unless the additional non-Federal funding is obtained.

Since the directive was issued so suddenly, and so late in the budgetary process, the Office of Coal Research has been unsuccessful thus far in its efforts to obtain the needed private funding.

In other words, Mr. President, although funds have been budgeted for these important coal research projects, the funds cannot be spent—they are merely window dressing. This policy appears clearly not in the national interest, especially in view of the current energy and environmental crises facing our Nation.

Both pollution abatement and solving the fuels shortage are goals to which the current administration is publicly committed. However, neither of these goals will be reached by implementing arbitrary and unwise directives that will shut down important projects, cast aside years of research costing millions of dollars, and leave the American people with intensified versions of the problems they are now facing.

Mr. President, the directive which I want to see withdrawn—and which should be withdrawn—was issued on January 7, 1971. It seems to have grown out of a more general Office of Management and Budget order, Circular No. A-100, which was issued on December 18, 1970. Circular No. A-100 deals with "Cost Sharing on Research Supported by Federal Agencies."

I ask unanimous consent that Circular No. A-100, and the unsigned directive of January 7, 1971, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE
PRESIDENT, OFFICE OF
MANAGEMENT AND BUDGET,
Washington, D.C., December 18, 1970.

CIRCULAR NO. A-100

To the Heads of Executive Departments and Establishments.

Subject: Cost sharing on research supported by Federal agencies.

1. PURPOSE

This Circular provides guidelines for Federal agencies concerning participation by the performing organizations in the cost of research supported by Federal agencies. This Circular rescinds and replaces Circular No. A-74, dated December 13, 1965. The Circular is not primarily for the purpose of implementing specific statutory requirements for cost sharing, but rather to provide guidance to all agencies regarding cost sharing, whether or not it is required by statute. Guidance is provided for determining:

a. The amount of cost sharing to be obtained when cost sharing is required by statute; and

b. Whether performing organizations should be requested to participate in the cost of the research even though cost sharing is not required by statute, and if so, in what amount.

2. SCOPE

a. These guidelines are applicable to all Federal agencies' research grants, contracts or other research agreements (hereinafter referred to collectively as research agreements) with educational institutions, other not-for-profit or non-profit organizations, commercial or industrial organizations, or any other recipients except other Federal agencies. The term "research" as used in this Circular includes both basic research and applied research.

b. These guidelines need not be applied to development projects, i.e., projects for which the principal purpose is the production of, or design, testing or improvement of, products, materials, devices, systems or methods. However, agencies may apply some or all of these guidelines to development projects as they consider appropriate.

c. This Circular is not intended to provide complete guidance on the implementation of all statutory requirements for cost sharing which may be applicable to particular agencies. The agencies shall be responsible for assuring compliance with such statutory requirements.

3. EFFECTIVE DATE

The guidelines set forth in this Circular shall be applied to all research agreements which are awarded or extended with additional funds after March 31, 1971, and may be observed earlier.

4. AGENCY PROCEDURES

All agencies shall establish administrative procedures to assure that responsible agency personnel give appropriate consideration to the need for or desirability of cost sharing and the amount of such cost sharing by performing organizations, in accordance with the policies and principles of this Circular. A copy of such administrative procedures, including any procedures developed at the operational level as well as those at the Departmental or agency level, shall be furnished to the Office of Management and Budget within 90 days after the effective date of this Circular.

5. COST PARTICIPATION BY PERFORMING ORGANIZATIONS

a. Participation by performing organizations in the cost of conducting research projects is intended to serve the mutual interests of the Federal Government and the performing organizations by helping to assure efficient utilization of the resources available for the conduct of research projects and by promoting sound planning and prudent fiscal policies by the performing organizations. In implementing the guidelines of this Circular, Federal agencies should exercise care to assure that their procedures and practices reflect these mutual interests and the research needs of the Federal Government.

b. Agencies shall require performing organizations to contribute to the cost of performing research under Federal research agreements if the agency is required by statute to obtain such cost sharing. If cost sharing is not required by statute, agencies shall encourage organizations to contribute to the cost of performing research under Federal research agreements unless the agency concludes that a request for cost sharing would not be appropriate because of any of the following circumstances:

(1) The particular research objective or scope of effort for the project is specified by the Government rather than proposed by the performing organization; this would usually include any formal Government request for proposals for a specific project.

(2) The research effort has only minor relevance to the non-Federal activities of the performing organization, and the organization is proposing to undertake the research primarily as a service to the Government.

(3) The organization has little or no non-Federal sources of funds from which to make a cost contribution. Cost sharing should generally not be requested if cost sharing would mean that the Government would have to provide funds through some other means (such as fees) to enable the organization to cost share. It should be recognized that those organizations which are predominantly engaged in research and development and have little or no production or other service activities may not be in a favorable position to make a cost contribution.

c. Except when cost sharing is required by statute, cost sharing need not be a prerequisite to the award of a research agreement if the agency concludes that payment of the full cost of the research effort is necessary in order to obtain the services of the particular organization.

6. AMOUNT OF COST SHARING

When cost sharing is required or determined to be appropriate in accordance with paragraph 5, the amount of cost participation by the performing organizations may vary in accordance with a number of factors relating to the performing organization, and the character of the research effort. In the final analysis, the amount of cost participation should reflect the mutual agreement of the parties, provided that it is consistent with any statutory requirements. Factors which the agencies may consider in any negotiations with performing organizations regarding the amount of cost participation, include the following:

a. Cost participation by educational institutions and other not-for-profit or nonprofit organizations should normally be at least 1% of total project cost. In many cases cost sharing of less than 5% of total project cost would be appropriate in view of the organizations' non-profit status and their normally limited ability to recover the cost of such participation from non-Federal sources. However, in some cases it may be appropriate for educational institutions to provide a higher degree of cost sharing, such as when the cost of the research consists primarily of the academic year salary of faculty members, or when the equipment acquired by the institution for the project will be of significant value to the institution in its educational activities.

b. The amount of cost participation by commercial or industrial organizations should depend to a large extent on whether the research effort or results are likely to enhance the performing organization's capability, expertise or competitive position, and the value of such enhancement to the performing organization. It should be recognized that those organizations which are predominantly engaged in research and development and have little or no production or other service activities may not be in a favorable position to derive a monetary benefit from their research under Federal agreements. Therefore, cost participation by commercial or industrial organizations could reasonably range from as little as 1% or less of the total project cost, to more than 50% of total project cost.

c. If the performing organization will not acquire title to or the right to use inventions, patents or technical information resulting from the research project it would generally be appropriate to obtain less cost sharing than in cases in which the performer acquires such rights.

d. When cost sharing is required by statute, cost participation of less than 1% may be appropriate if any of the circumstances listed under 5.b. of this Circular are present.

e. A relatively low degree of cost sharing may be appropriate if, in the view of the Federal agency, an area of research requires special stimulus in the national interest.

f. A fee or profit will usually not be paid to the performing organization if the organization is to contribute to the cost of the research effort, but the amount of cost sharing may be reduced to reflect the fact that the organization is foregoing its normal fee or profit on the research. However, if the research is expected to be of only minor value to the performing organization and if cost sharing is not required by statute, it may be appropriate for the performer to make a contribution in the form of a reduced fee or profit rather than sharing the costs of the project.

7. ADMINISTRATION

a. Cost participation may be accomplished by a contribution to any of the cost elements of research projects supported by Federal research agreements, either direct or indirect costs, provided that such costs would otherwise be allowable in accordance with any cost principles applicable to the research agreements, and that the costs are not charged to the Federal Government under any other grant or contract.

b. The amount of cost participation by a performer may be determined for each individual research project, or, if the supporting agency desires, for the aggregate of all or some of the research projects supported by an agency at a given organization. When the amount of cost sharing is determined for individual projects, the supporting agency may consider the organization's participation over the total term of the project so that a relatively high contribution in one year may be offset by a relatively low contribution in another year. If the amount of cost sharing is to be determined for the aggregate of all or some of the agency's projects at an organization, the Federal agency and the performer may agree that relatively high contributions on some projects may be offset by relatively low contributions on other projects.

c. Federal agencies shall require recipients of research agreements to maintain records of all research project costs claimed by the performer as being its contribution, as well as records of costs to be paid by the Government. Such records should be subject to audit by the Federal Government.

GEORGE P. SHULTZ,
Director.

DEPARTMENT OF THE INTERIOR 1972 BUDGET

	Budget authority	Outlays
Office of Coal Research:		
From	21,000,000	18,800,000
To	21,000,000	18,800,000
Explanation:		
Pittsburg and Midway project pilot plant will be added to 1972 program	(+3,600,000)	(+2,600,000)
Pittsburg and Midway project pilot plant and other new or revised contracts for pilot plants will be budgeted on assumption of about one-third private cost share	(−3,600,000)	(−2,600,000)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 4713) to amend section 136 of the Legislative Reorganization Act of 1946 to correct an omission in existing law with respect to the entitlement of committees of the House of Representatives to the use of certain currencies, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 4713) to amend section 136 of the Legislative Reorganization Act of 1946 to correct an omission in existing law with respect to the entitlement of committees of the House of Representatives to the use of certain currencies, was read twice by its title and referred to the Committee on Government Operations.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. STEVENSON). Without objection, it is so ordered.

ADDITIONAL STATEMENTS

DR. SPENCER M. SMITH, JR., THE QUIET LOBBYIST

Mr. JACKSON. Mr. President, in January an article entitled "The Quiet Lobbyist," written by former Secretary of the Interior Stewart Udall, and Jeff Stansbury, was published in Newsday.

The subject of the article is the secretary of the Citizens Committee on Natural Resources, a gentleman who is very familiar to most Senators and other Federal officials involved with resource conservation and environmental issues. He is Dr. Spencer M. Smith, Jr., and I know of no conservationist who has a greater feel for the accomplishment of the possible in the political arena in which our system operates. He has been quietly, but forcefully, dedicated to the successful resolution of many of the great environmental problems and issues which have arisen on the national scene over the past 20 years. By his effective and realistic approach to the many complex problems in the field Spence has earned the respect of those who have dealt with him, regardless of whether they agreed with him. I have always been happy to have him on my side in any controversy.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE QUIET LOBBYIST

(By Stewart Udall and Jeff Stansbury)

We don't need archaeologists to tell us when the environmental lobby first laid down tracks on Capitol Hill. It arrived only 17 years ago in the six-foot-plus frame of Spencer M. Smith Jr., a University of Maryland economist who discovered ecology through his work on food and timber price controls. In 1954 he became conservation's first paid lobbyist.

Smith remembers the postwar era as, environmentally speaking, the slaughter of the innocents. "Outside the states, conservationists had about as much political clout as a butterfly net," he says.

"The political, economic and scientific expertise was all in the hands of the developers who marshaled impressive testimony on every major bill. Conservationists didn't know what the engineers were talking about. They thought the sacredness of their cause would be self-evident to any legislator worth a damn. And they got clobbered."

In the early 1950s, however, the old-line conservation groups banded together for the first time on a single issue to oppose the immense power of industry. Their target was Echo Park Dam which the Bureau of Reclamation proposed to build *inside* Dinosaur National Monument in Colorado. In an unprecedented campaign of grass-roots agitation and skillful lobbying, the conservationists finally beat down the dam in 1957.

Smith's base of operations, the Citizens Committee on Natural Resources was staked out in the heat of the Echo Park fight. It not only symbolized the new alliance of conservation groups but partly made up for their strait-jacketing by a 1954 Supreme Court decision.

Legally sound, the decision forbade tax-deductible gifts to any organization that engaged in a "substantial" amount of lobbying. Industry could go on pouring millions of dollars into legislation, of course, but conservationists were nearly routed from Capitol Hill. For the next few years, Smith was their only full-time man in Washington.

He carried the ball gamely, fighting for new parks and later for the 1964 Wilderness Act, the Land and Water Conservation Fund, highway beautification and other blue-sky measures. More recently he has lobbied on behalf of adequate water treatment funds, Job Corps conservation camps and workman's health and safety legislation.

This is an unusually broad range for a conservationist who came up the Capitol steps nearly two decades ago. "If we don't fight for decent work and inner-city environments, we might as well give up," Smith says. "The human environment is indivisible. Besides, unions have backed conservationists on one wilderness bill after another. You can't ask for the worker's help and then be out when he calls."

Despite this conviction, Smith is considered slightly old-hat by some of the new environmental lobbyists. He cultivates legislators with infinite patience, swapping stories, horse-trading on key issues, refusing to let any single vote sour a relationship.

The new environmentalists are more impetuous, quicker to judge, less willing to compromise. One of their ablest told us: "Spence is still handling resource issues on the basis of how and where. That's not deep enough any more. He should be asking why and whether."

But the old pro commands their respect. "We can count on Spence to do a good quiet job on the bills the rest of us seldom get to," says Bob Waldrop of the Sierra Club. "He's an absolutely solid guy who never prostrates himself before the press. And he's dead right when he criticizes us for not fighting hard enough on funding."

Ah yes, *funding*. After environmentalists win their few glamorous fights in Congress (most recently the Clean Air Act), what happens? Are enough funds appropriated to do the job? Does the White House choose to spend what is appropriated? The answer to both questions is—rarely.

"The public is being conned," says Smith, whose lonely watchdog vigil over the Office of Management and Budget (OMB) never wins headlines.

"It hears about all these new parks, all this new pollution machinery, all these White House reorganizations, and it assumes we're galloping forward on all fronts. That's crap. The programs aren't being funded, the parklands aren't being bought up and the whole reorganization game is one big stall.

"Every time you ask Bill Ruckelhaus (administrator of the new Environmental Protection Agency) why a ballyhooed program isn't off the ground, he says, 'What do you expect? We don't even have all our people under one roof yet!' This Administration has caught a new disease—the Under One Roof Syndrome."

Two years ago Smith helped organize an unusual coalition of union and conservation groups to save the 1966 Clean Water Restoration Act from slow emaciation. The act called for a $1 billion outlay in 1970–71, but President Nixon asked Congress for only $214 million. After an intense campaign, the coalition managed to squeeze out an $800-million appropriation.

Now Smith finds the money isn't being spent. "I'm convinced the OMB has given Ruckelshaus a cash-flow limitation of about $400 million," he says, "but nobody is talking about it and the press is sitting on its pants. No wonder cities like Detroit don't have the money they need for water treatment."

Similarly, Smith has uncovered a hidden cash-flow limitation of $106 million (recently raised to $225 million) on current outlays from the Land and Water Conservation Fund.

"We had a firm agreement with the White

House that $327.4 million would be spent to buy parklands and recreation areas," he says. "They've reneged. It's all done behind closed doors, it can all be explained away by budgetary geniuses, but the fact is the public has been cheated."

Environmentalists who think funding is a dull subject are good news to the OMB, which relies on public apathy to conceal its gutting of strong environmental measures.

"If we can't fund our programs," asks Spence, "where are we? In a state of self-deception, that's where. I think the landgrabbers and polluters are doomed to ultimate collapse, but it may not happen soon enough. Right now the environmental lobby has a vastly inflated concept of its own power and success."

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MOUNT SINAI HOSPITAL SCHOOL OF MEDICINE

Mr. JAVITS. Mr. President, the Mount Sinai School of Medicine in New York City, through its department of community medicine, has developed a unique program to improve environmental health and safety in East Harlem, New York, which I commend to the attention of the Senate.

The East Harlem Environmental Extension Service, Inc., is a coalition of neighborhood housing groups, property owners, tenants, and job training groups, who have joined to promote both the program and the idea of urban extension agents whose work would be similar to that done by the Nation's agricultural extension agents, who have done such a remarkably effective job for so many years.

In order that Senators will be able to study this program, in greater detail, I ask unanimous consent to have printed in the RECORD the press release of Mount Sinai, describing the program and the cooperation of public and private agencies in its development; a list of the committee on training and standards, which indicates the remarkable support this program has developed; and letters from the Federation of Lower and Middle Income Property Owners and from union representatives which show their support and indicate the farsighted attitude of the service in providing career opportunity and mobility.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

MOUNT SINAI SCHOOL OF MEDICINE

Residents in East Harlem are being trained as "super" superintendents in a new community program designed to save residential buildings in the area from rapid decay and abandonment resulting from poor and deteriorating tenement maintenance. Called environmental extension agents (the urban equivalent of agricultural extension agents), the men are learning skills needed to reverse the accelerating decay of housing in the area and, simultaneously, to eliminate environmental health and safety hazards linked to this type of breakdown.

The innovative community-based program is being operated by the East Harlem Environmental Extension Service, Inc., a coalition of neighborhood housing groups, property owners, tenants, and job-training groups, in cooperation with Mount Sinai School of Medicine of The City University of New York. Extension service headquarters is at 300 East 109th Street.

The Extension Service is recruiting and training a cadre of community residents, who after a two-month period of classroom work and on-the-job training in shop skills, are ready to work under Extension Service contracts with building owners. The Extension Service has already signed contracts with several owners of East Harlem residential properties to provide vitally needed preventive maintenance services, including minor repairs, and in addition, rodent and pest control, health and safety education and consumer training for tenants.

Funded by the New York State Department of Health which has given approximately $200,000 for the first seven months of its operation, the Extension Service has also received matching funds totaling approximately $50,000 from the New York City Health Resources Administration under a contract to Mount Sinai School of Medicine. The School has sub-contracted with the Extension Service.

With the first class of 15 extension agents completing the first eight weeks of training and fifteen more men having begun training Feb. 1, the Extension Service is currently seeking new support from state and city health, housing job-training and social service agencies.

Recruits for the program to date range in age from 19 to 40; some left better-paying jobs to join the Extension Service. The men receive stipends of $100 a week before taxes, plus medical coverage. Present plans are to continue the stipend through a several-month period of training. The stipend will be tapered off as the men's skill level, productivity and earning power increases. Pay increases would come from the program's income in providing services to building owners.

One of the most enthusiastic boosters of the Extension Service is Ray Galliani, chairman of the Federation of Lower and Middle Income Property Owners. His organization represents owners of some 10,000 buildings in the city. He calls the program "a practical, intelligent, and realistic approach" to correcting the "severe" shortage of personnel trained in general preventive maintenance, which he feels is "a major reason for the decay of tenement housing in areas such as East Harlem." Mr. Galliani, one of the nine board members of the Extension Service, says that 600 members of his organization own residential properties in East Harlem. He states that there are "at least 200 buildings in the area in which the services of men trained by the Environmental Extension Service, could make the difference between saving the buildings and abandoning them."

Several city agencies are cooperating in the training program including the Board of Education, the Department of Health, the Department of Rent and Housing Maintenance, and the Fire Department. The Cornell University Cooperative Extension will help to set up training programs in consumer education.

The Workers Defense League, which through its Joint Apprenticeship Training Program is preparing minority group workers to meet eligibility requirements for membership in building trades unions, has assigned one of its staff, Victor Rivera, to serve as Director of Operations for the Extension Service. Two unions, Local 32B, Service Employees International Union, AFL–CIO, and Plumbers Union Local No. 2, United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the U.S. and Canada, AFL–CIO, are working with the Extension Service. The latter has committed itself to explore future apprenticeship tie-ins for the extension agents.

Formal training and field work are combined in the daily educational program of the environmental extension agents. Four days a week they attend classes from 3:30 to 6:30 p.m. at the Manhattan Vocational and Technical High School on East 96th Street. The specially-designed curriculum in the Evening Trades Division includes courses in carpentry, plumbing, electrical wiring, boiler repair, plastering, painting, and other general maintenance subjects. The Board of Education is utilizing Federal education funds to provide this training.

In addiiton, at the East Harlem District Health Center, East 115th Street, the trainees have lectures and receive field assignments on such subjects as pest and rodent control, environmental health and safety, sanitation, fire prevention, and tenant-owner relations. Faculty for this phase of the program includes Dr. Alfred Miller, District Health Officer; Solomon Peeples, Director of Pest Control, East Harlem Health District; Lieut. Kelton Williams of the Fire Department's Community Relations Bureau; and Drs. William McCann and Elihu Richter of Mount Sinai School of Medicine. Dr. Richter, as a Board member of the Environmental Extension Service, has been serving as liaison between it and the medical school.

Dr. Richter was the District Health Officer in East Harlem before joining the Mount Sinai faculty as an Associate in the Environmental Medicine Division of the Department of Community Medicine. During his year-and-a-half in that post, he became aware of the community's concern with the serious public health implications of the breakdown of tenement maintenance. Testifying last September before the U.S. Senate Select Committee on Nutrition and Human Needs, he said that "the deterioration of tenement house maintenance is periling the health and safety of people living in our inner cities."

"Severe health and safety burdens are imposed on people who live in buildings with poorly functioning boilers, broken plumbing systems, rotting window frames and missing window guards, broken windows, harborages for insects and rodents, stagnant water pools in cellars and yards, inadequate waste management and disposal arrangements, peeling of leaded paint, unlit and cluttered passageways and garbage-filled courtyards."

Dr. Richter told the Senate Committee that "some 130,000 people living in deteriorating tenement buildings in the slums of East Harlem are subject to lead poisoning, home accidents and injuries, winter suffering from cold, severe burns from fires, carbon monoxide poisoning from indoor heaters, rat and insect bites on children and, 'undoubtedly, needless mental suffering.'" He also noted that there is a suspicion as yet unknown that bronchial asthma, one of the frequent problems seen in admissions to the emergency room at Mount Sinai and other hospitals in the city, may be triggered by allergic reactions to rodent dander and mites in home dust.

Trainees do their field work under supervision of field supervisors, working on special projects for which the Extension Service has contracted for with property owners and East Harlem agencies. One of their first on-the-job training sites was the Extension Service's new headquarters, a second-story loft at Second Avenue and 109th Street. The agents-in-training laid new flooring, plastered and painted, and partitioned the open space into individual offices and other work areas. Before moving there in January, it was temporarily housed in the offices of East Harlem Interfaith, Inc.

"You would not believe what these men have accomplished here until you saw this place in its 'before' stage," exclaims Mrs. Beulah Palmer, Administrative Director of the Extension Service. Mrs. Palmer, who is also a board member, formerly was on staff of the East Harlem Triangle Association, and has long been active in community affairs.

In other training projects to date, the men have converted a basement and storeroom in a building at 1677 Lexington Avenue into a boiler repair shop and training area, have redone the wiring and plastering of a children's recreation center for the Upper Park Avenue Community Association at 1693 Park Avenue, and have been fixing apartments in a tenement on East 103rd Street.

Board members of the East Harlem Environmental Extension Service are: Mrs. Ruth Atkins, Chairman, East Harlem Health Council; Mrs. Mary Iemma, Director, Upper Park Avenue Community Association; Mrs. Margaret Jenkins, Manager, Non Profit Housing, Upper Park Avenue Community Association; James Soler, Director, Housing Office, East Harlem Interfaith, Inc.; Edwin Suarez, Coordinator, Metro North Association, Inc.; Mr. Galliani; Mrs. Palmer; Dr. Richter; and Mr. Rivera.

East Harlem Environmental Extension Services, Inc.—Board of Directors

Mrs. Ruth Atkins, Chairman, East Harlem Health Council.

Ray Galliani, Federation of Lower and Middle Income Property Owners.

Mrs. Mary Iemma, Director, Upper Park Avenue Community Association.

Mrs. Margaret Jenkins, Manager, Non-Profit Housing, Upper Park Avenue Community Association.

Mrs. Beulah Palmer, President-Director, East Harlem Environmental Extension Service, Inc.

Dr. Elihu Richter, Department of Community Medicine, Mount Sinai School of Medicine.

Victor Rivera, Director of Operations, East Harlem Environmental Extension Service, Inc.; Staff, Joint Apprenticeship Training Program, Workers Defense League.

James Soler, Director, Housing Office, East Harlem Interfaith, Inc.

Edwin Suarez, Coordinator, Metro North Association, Inc.

Local 32B, Service Employees
International Union,
New York, N.Y., April 6, 1970.

Dr. Elihu D. Richter,
Department of Community Medicine,
Mt. Sinai School of Medicine,
New York City.

Dear Dr. Richter: In reply to your letter, I wish to advise you that Local 32B will be happy to assist in your program for tenant preventative maintenance in the East Harlem residential area. We have explored possibilities of similar programs in other areas of the city, which, unfortunately never materialized. As you know, cheap labor is not the solution to these problems.

I feel that if the proper training program is set up and the employees are paid the standard union wages and receive all the benefits, such a program can be successful.

At the present time, we are in the midst of negotiations, but my Assistant, John Sweeney, will explore this matter with you further at your convenience.

Very truly yours,

Thomas Shortman,
President.

Plumber Union Local No. 2,
New York, N.Y., November 17, 1970.

East Harlem Environmental Services.

Gentlemen: As per the conversation with William Gross and Ben Fishman representing Plumbers Union Local No. 2, and Mr. Victor Rivera, pertaining to the training of the East Harlem Environmental Service Group, in the proper Maintainance and upkeep of all plumbing and heating thereof, this communication will confirm that Mr. Ben Fishman and Mr. William Gross will serve in the Capacity of counselers, at times and places to be determined at a later date.

Upon receipt of a signed agreement, it is the understanding that any and all employees of East Harlem Environmental Services, will be taken into the proper division of Plumbers Local No. 2.

Any further information you may require, we will gladly furnish upon request.

Respectfully yours,

William Gross,
Secretary Treasury.

Federation of Lower and Middle
Income Property Owners,
Brooklyn, N.Y., July 24, 1970.

Mr. James Soler,
East Harlem Interfaith,
New York, N.Y.

Dear Mr. Soler: On behalf of the Federation of Lower and Middle Income Property Owners, I am writing to give the strongest endorsement to the project to train Environmental Service Agents which is being cosponsored by the East Harlem Environmental Extension Service and the Mount Sinai School of Medicine in conjunction with the Department of Health and other City agencies.

In East Harlem and elsewhere, there is a desperate shortage of personnel properly trained in general purpose-type preventive maintenance, notably in areas such as simple boiler maintenance and rodent and pest control. This shortage is the major reason for the decay of tenement housing in areas such as East Harlem.

In our opinion, the project to train environmental service agents is a practical, intelligent and realistic approach to correcting this severe shortage. Beyond the slightest shadow of a a doubt, trainees coming from the Environmental Service Agent Project will be in great demand by the members of the Federation. There is no question that trainees enrolled in this program can quickly be placed in work during their field service training phase. We are positive that a stipend level in the range of $85 to $100 per week for trainees providing services to approximately 30 units per trainee will readily enable property owners to contribute a pay supplement such as to produce a weekly pay grade as high as $140 or more. (At present, most superintendents in East Harlem earn their apartment plus a token wage—roughly $30–$60 per week at best—and, as a result, give token services.)

Property owners at present are unable to find trained, motivated and competent building superintendents. For this reason, they have to rely on expensive outside contractors for services as simple as changing a washer. This drastically worsens the economic problems of providing tenement maintenance. The "housing" problem in places like East Harlem is more one of providing services on an on-going basis rather than one of Capital construction.

Within 25 days, we will have been in direct touch with the approximately 600 members of the Federation with buildings in East Harlem. We will inform them about the benefits of the Extension Service's program which could be made available to their buildings. *We are positive that a minimum of 200 members of the Federation would be interested in contracting for the services of the trainees as soon as possible.* We also expect strong interest from the 3500 Federation members in other areas of the City in which we have affiliations. These members represent 10,000 buildings which are rapidly going downhill towards decay and abandonment.

We note that trainees doing field service for a period of 1¼ to 1½ years, after which the stipend will probably be tapered or terminated, will be in great demand for work as superintendents and general-purpose maintenance men in many parts of the city at pay-levels equal to or better than union rates. The experience, supervision and training a man will gain in tenement maintenance in East Harlem would prepare him well for an array of jobs tied to union pay grades. We note with approval the career ladder tie-ins with union apprenticeships which the extension service has been developing with Plumbers' Local No. 2 and other unions through the Workers' Defense League. Trainees entering this program will have a multitude of openings into the job-market.

This is the first program which we have seen in which community groups and property owners will work together to prevent housing decay and human suffering in areas such as East Harlem. As far as we are concerned, the fact that the project has community co-sponsorship means that positive approaches can be developed for educating those tenants whose destructiveness drastically drives up the cost of maintenance and repairs, erases profits, causes tension between owners and residents, and sends more buildings into abandonment.

Right now, at this very moment in East Harlem, we know of *at least* 200 buildings in which trainees from the East Harlem Environmental Extension Service could make the difference between saving the building and abandonment. The cost of preserving these buildings, nearly all of which are structurally sound, are trivial as compared with the costs of relocating tenants in extravagant hotels—at public expense. New York City now spends 30 million dollars annually in tenant relocation related to building deterioration. As an example of what goes on, on April 16, 1970, the Commissioner of Real Estate requested 52 rooms at the Granada Hotel, 268 Ashland Place, Brooklyn, at $20 per day for a 90 day period, resulting in a cost of $93,600! (Resolution No. 132, R–10771, Calendar of Board of Estimate, No. 15, Thursday, April 16, 1970.) At these rates, owners should be receiving $7,300 per room per year from the City!

We look forward to working with the East Harlem Environmental Extension Service and Mount Sinai Medical School on the project to conserve the housing stock of East Harlem and protect the health and safety of our tenants. We in the Federation want to correct the terrible and inhuman living and health conditions of many of our tenants. Without this program, we cannot begin to accomplish this objective.

Yours truly,

Ray Galliani.

WOOD PRODUCTS AND THE ENVIRONMENT

Mr. FULBRIGHT. Mr. President, the increasing concern in our Nation over the quality of the environment is well justified as we face the burdens of meeting the needs of an expanding population and the goods and services demanded by our citizens. Tied in with these concerns is the imminent fuel and energy crisis, which is being closely watched throughout the country, and I understand will be the subject of a congressional study this year.

Recently, the Arkansas Democrat, published in Little Rock, carried an enlightening article on the role that wood products can play in alleviating the fuel and energy crisis, while creating a minimum impact on the environment. One interesting point in the article describes how trees, which are our only renewable resource, convert carbon dioxide moisture and solar energy into wood fiber at the rate of 4 tons per acre annually. While doing this, the growing trees return to the atmosphere enough oxygen per acre to meet the respiration needs of 18 people annually.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Arkansas Democrat, Jan. 24, 1971]

WOODS MAY HOLD POLLUTION SOLUTION—SOUND FOREST POLICY CAN AID FUEL CRISIS

Take to the woods to solve some ecology problems, woodsmen say.

They also say it doesn't take as much fuel and energy to produce wood products as it does to convert other natural resources into usable form; that, in turn, this doesn't do as much to disturb our ecology, and wood—with proper management—replaces itself.

On all sides there is emphasis out of Washington, New York and here in Arkansas on a national fuel and energy crisis.

The National Forest Products Association is now reiterating its plea for a national policy for sound forest management which it says would guarantee adequate timber supplies and would contribute "positive benefits to the environment and conserve fuel and energy."

Recently this section contained seven ways to reduce fuel consumption in household heating through good household practices as released by Mrs. Virginia Knauer, special assistant to the President on consumer affairs. The seven ways were prepared in cooperation with the ad hoc committee on fuel conservation and the National Bureau of Standards building research division in the Commerce Department.

National Forest Products Association has followed up national releases on the topic this week with what it calls "The Eighth Way."

The association contends the eighth way is an aggressive program of grow more trees and encourage greater use of wood products in construction.

It maintains that wood is the "only renewable industrial raw material" that trees convert carbon dioxide, moisture and solar energy into wood fiber at the rate of four tons per acre annually and, while growing, put back into the air enough oxygen per acre to meet the respiration needs of 18 people.

The report said:

"It is estimated that 35.6 billion board feet of lumber were produced in 1967 at an estimated 0.539 kwh (kilowatt hour) of energy per board foot or the equivalent of 430 kwh of energy per ton. Conversion of one ton of aluminum required 17,000 kwh of electricity which may consume as much as seven tons of coal to generate. An additional ton of coal would be used as anode material in the aluminum production process. Production of one ton of steel uses 2,700 kwh of electrical power."

The report said that while some sources promote use of substitutes for wood to save forests, aluminum—if it replaced wood—would take more than 38 times as much energy in manufacturing as production of wood takes. The report contends that use of wood "for all practical purposes" would "substantially stretch out depletable resources such as bauxite, iron ore, coal, petroleum and natural gas."

As to its use in construction the report said studies "have established that wood frame structures require significantly less fuel consumption to attain either heating or cooling comfort."

The report cited two studies at Beltsville, Md., over two heating and cooling seasons in which a wood frame structure consumed 18.5 percent less power in 1960 and 17.5 per cent less power in 1961 than a masonry structure under identical conditions. In two test structures in Tempe, Ariz.—one of wood frame and one of masonry block—the wood frame structure required an average of 30 percent less for cooling and 23 percent less power for heating under identical conditions.

The association recommended public research to achieve an economical process for converting tree bark into charcoal as a potential source of fuel for power generation; federal decisions requiring use of wood in all federal construction programs where wood products meet engineering and code requirements, federal consumer research programs and fuel conservation action to examine potential use of wood instead of "modern" materials which have tended to replace wood in traditional uses, and consumer studies related to raw material consumption and conversion and their impact on energy requirements to explore sustained economic contributions of raw materials to specific regions of the country.

APPEARANCES OF SECRETARY OF STATE ROGERS BEFORE CONGRESSIONAL COMMITTEES

Mr. SCOTT. Mr. President, it is my purpose to speak to allegations and implications that have been made in the last few days, both within this Chamber and on a national television network, about the willingness of the executive branch to appear before congressional committees to testify on the conduct of the Nation's foreign affairs. In sum, I find that the record does not sustain the charges.

In 1969 and 1970, Secretary Rogers met or exceeded the number of appearances by his predecessor in his last full year in office. For the statisticians among us, the record shows 14 appearances by Mr. Rusk in 1968, an equal number by Secretary Rogers in 1969, and 15 appearances by the Secretary in 1970. Moreover, when he testifies before the Foreign Relations Committee on Friday, Mr. Rogers will have appeared five times before congressional committees in slightly more than 2 months in 1971. Meanwhile, subordinate officials of the Department of State appeared 134 times in 1968, 226 times in 1969, and 173 times in 1970.

So much for the charge that the administration has been unwilling to appear and testify.

I am more mystified by implications that the Secretary has been less than forthcoming when he has appeared among us. Surely the traditions of the Senate provide for committees to pursue a line of questioning until they are persuaded that witnesses cannot or will not answer their questions or until they are satisfied that the purposes of the hearing and testimony have been met.

I find nothing in the record to suggest that Secretary Rogers has been evasive or arrogant in his testimony, nor has he shown undue anxiety to take leave of the good company of our committees. Indeed, I find that he has patiently and—in my view—persuasively presented the administration's case.

That brings me to my last point—public hearings versus executive session. However each of us might feel about the war in Vietnam, I think we can accept the fact that these last months have been marked by extraordinary sensitivity. We may not all agree with what has been done, but operations of great importance have been undertaken with the design and intent of hastening the day when our own troops can come home. In those circumstances, I find it not at all unexpected that the Secretary would choose to appear in executive session. Indeed, it is inconceivable that he could have discussed the same problems in candor and confidence if that were not the case.

Furthermore, I am informed that the Secretary's report—prepared at the request of the chairman of the Foreign Relations Committee—on the conduct of the administration's foreign policy for the last 2 years will be presented to us in the course of the month. I am told that the Secretary at that time hopes and intends to appear in public session before committees of Congress to explain the administration's policies in detail.

WITHDRAWAL OF FBI SPECIAL AGENTS FROM JOHN JAY COLLEGE OF CRIMINAL JUSTICE

Mr. McGOVERN. Mr. President, on January 12, 1971, I wrote to J. Edgar Hoover, requesting an explanation for his action in regard to the employment of FBI agent John F. Shaw and the withdrawal of special agents of the FBI from the John Jay College of Criminal Justice in New York. Mr. Hoover replied:

> The special agents were withdrawn from the college after Mr. Shaw, who took a course last summer at the college, reported that the professor would not give him ample opportunity to reply in class to derogatory statements about the FBI which this professor had made in class. I could only conclude that such an academic environment was not conducive to the objective pursuit of law enforcement studies.

Mr. Hoover repeated this same position on subsequent occasions.

I have now received from the president of the John Jay College of Criminal Justice a letter he wrote to the Attorney General which presents a complete refutation of Mr. Hoover's position. President Riddle has requested that I place his letter in the CONGRESSIONAL RECORD. President Riddle has already made public his position in this case, and I am pleased to introduce it into the RECORD. It underlines the need for a general review of the administration of the FBI.

I ask unanimous consent that President Riddle's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JOHN JAY COLLEGE OF CRIMINAL JUSTICE,
New York, N.Y., February 19, 1971.

Hon. JOHN N. MITCHELL,
Office of the Attorney General,
Washington, D.C.

DEAR ATTORNEY GENERAL MITCHELL: I have seen a copy of your letter of February 4 to Mr. George Leifer, Chairman of the Student Coalition at this College. I feel I must respond to it for, unfortunately, it contains errors. The letter states that I told Mr. Malone that Professor Blumberg was at fault in not providing Mr. Shaw with an opportunity to reply to charges made by the F.B.I. This is simply not true. What I did say was that if a professor did not provide a student with an opportunity to respond to a comment, this was not proper conduct for a teacher. The question then becomes one of whether an opportunity was provided.

Professor Blumberg and Mr. Shaw both state that the opportunity was provided and that Mr. Shaw did take advantage of it and did in fact reply to the comments made by Professor Blumberg. This is confirmed by other students in the class. Furthermore, Mr.

Shaw states that he so informed the New York Office of the F.B.I. and he also has said that he recognized the course was not one dealing with the F.B.I. and he did not wish to preempt an undue amount of time, and that subsequently he decided to amplify his views in the now famous letter. Mr. Shaw has further stated that this version is included in a sworn document he was compelled to sign by the F.B.I., and reference to that document would support this version. I, myself, am satisfied that under the circumstances sufficient opportunity was provided Mr. Shaw to reply to any comments made by Professor Blumberg.

Nor can I agree with Mr. Hoover's conclusion that "such an academic environment as exemplified in this instance was not conducive to an objective pursuit of law enforcement studies. . . ." Mr. Hoover's conclusions are not supported by the best account of the incident that I can obtain. Further, a careful reading of Mr. Shaw's letter (which has now been published) clearly indicates that he was striving for objectivity in appraising the institution by which he was employed. In fact, the whole affair leaves one with the impression that it was Mr. Shaw's objectivity that got him in trouble. His letter indicates that somewhere he has learned that although a worshipful attitude may be an appropriate attitude for a man to take towards his God, it is not an appropriate attitude to take towards other men and towards human institutions. This surely is a component of objectivity.

You also imply in your letter that fifteen special agents of the F.B.I. were attending the College at F.B.I. expense. The records of our registrar's office indicate that four agents were being sent by the F.B.I. at government expense and presumably on "company time." The others were attending of their own volition and on their own time and at least partially at their own expense. At any rate we were billing the government for only four.

I find most troublesome the fact that your letter does not address itself to what I believe was the central question in the letter and petition sent to you by Mr. Leifer. No one can quarrel with the right of the F.B.I. to withdraw students being sent at its expense for virtually any reason (although one could quarrel with the wisdom of doing so). However, the students at this College were concerned about the right or, if you will, policy—of ordering students attending the College of their own volition and on their own time to withdraw. This appears to hurt only the students and perhaps indirectly the F.B.I. Do you concur in this action?

Finally, I should like to ask one further question. In one of his letters to Mr. Shaw, Mr. Hoover stated "Having been put on notice that this person [Blumberg] has been critical of the Bureau, you had a responsibility to make this matter known to your superiors immediately and you failed to do so. Your derelictions are inexcusable." May I ask if this statement represents the policy of the U.S. Department of Justice for I do not see how that principle is compatible with the academic freedom which is essential for both student and teacher, in "an objective pursuit of law enforcement studies" or any other studies.

Sincerely yours,

DONALD H. RIDDLE, *President.*

JOHN JAY COLLEGE OF CRIMINAL JUSTICE, CITY UNIVERSITY OF NEW YORK,

February 25, 1971.

Hon. GEORGE MCGOVERN,
U.S. Senate, Old Senate Office Building, Washington, D.C.

DEAR SENATOR MCGOVERN: Because of your interest in the Shaw affair, I am enclosing a copy of a letter which I sent to Attorney General Mitchell on Friday. It deals with some of the issues which were raised by Mr. Mitchell in a letter to one of our students which apparently was inserted in the Congressional Record on the 10th of February (page 2507). It would certainly be appreciated if my response could receive similar treatment.

Sincerely yours,

DONALD H. RIDDLE,
President.

RICHARD RUSSELL

Mr. BENNETT. Mr. President, Richard Russell of Georgia has been variously described as "a giant of a man" as "a Senator's Senator" as "an outstanding American." I would like to add one more personal word to the many eulogies that he so richly deserves—that word is "friend."

Richard Russell was, of course, in the Senate and one of the greats in this body when I arrived here 20 years ago. His counsel, his patience, and his almost instant grasp of complex problems made him "friend" to every man who crossed his path, not only in the Senate but throughout the country.

I am sure that those from his beloved Georgia will miss him greatly, but those of us from outside his own State also share the sorrow of his passing. This was truly a "giant of a man" who came our way and in his own quiet way perhaps one of the most effective of Senators.

I once heard his predecessor on the Appropriations Committee, Senator Carl Hayden, describe two different kinds of Senators in this body. These were "workhorses" and "showhorses." Richard Russell, in the great tradition of outstanding Americans was truly one of the "workhorses" who believed in a strong America, who believed in the Senate and who believed in the system. All of us will miss him greatly and I am pleased today to join his many colleagues in paying tribute to a truly great Senator, a great American and a "friend."

NATIONAL PANEL OF CONSULTANTS ON THE CONQUEST OF CANCER

Mr. JAVITS. Mr. President, on February 11, the distinguished majority leader and minority leader, Senator MANSFIELD and Senator SCOTT, were hosts at a luncheon in honor of the members of the National Panel of Consultants on the Conquest of Cancer. Remarks of the members of the cancer panel made at that luncheon highlight their extensive and thorough report presented to the Senate Labor and Public Welfare Committee. The unanimous conclusion of the report—that the conquest of cancer is a realistic goal if an effective national program is initiated and pursued—serves as the basis of the bill, S. 34, that I introduced with the Senator from Massachusetts (Mr. KENNEDY) and is cosponsored by more than 40 Members of the Senate. I commend to the attention of Senators the transcript of the remarks made at that luncheon and ask unanimous consent that they be printed in the RECORD at the conclusion of my remarks.

I am also pleased to invite the attention of Senators to hearings on this bill that are scheduled by the Health Subcommittee of the Senate Labor and Public Welfare Committee, of which I am the ranking minority member, on March 9 and 10. In response to questions concerning the feasibility of an independent agency, called for by the report and the legislation, I should like to quote the comments of Mr. Benno Schmidt, the distinguished chairman of the National Panel of Consultants on the Conquest of Cancer. He said:

> You will hear the criticism made that the analogy to the splitting of the atom or the space program (where independent agencies were given the job) is not valid because we do not have the basic scientific knowledge in cancer that we had in those fields, and therefore this program is not a program of engineering implementation of existing knowledge as those programs were. I assure you that the Panel was thoroughly aware of this distinction in making its recommendations, and we took it into full account. The valid analogy is not the scientific analogy but the organizational analogy. The cancer program, in order to succeed, needs the same independence in management, planning, budget presentation, and the assessment of progress that those programs needed, and in those respects the independent authority analogy is a valid one.

I regret that the extemporaneous remarks supporting S. 34 by other distinguished members of the panel, Mrs. Anna Rosenberg Hoffman, Mr. Emerson Foote, and Mr. Laurance Rockefeller, are not available.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

Mr. SCHMIDT. Senator Mansfield, Senator Scott, members of the Senate, ladies and gentlemen of the Panel, and guests.

I would like to thank Senator Mansfield and Senator Scott for their courtesy and generosity in inviting the members of our Panel to have lunch with the members of the Senate. I would also like to thank the members of the Senate Committee on Labor and Public Welfare and particularly the members of the Health Subcommittee for the splendid cooperation and assistance which our Panel received during the weeks and months of our deliberations and work. To review briefly the background of our Report—on April 27, 1970, the Senate passed Senator Resolution 376 authorizing the Senate Committee on Labor and Public Welfare to appoint a panel to develop recommendations for a program for making the conquest of cancer a national goal. In June of 1970, the Senate joined the House of Representatives in passing Concurrent Resolution 675 expressing the unanimous sense of the Congress that "the conquest of cancer should be made a national crusade, and that the Congress should appropriate the necessary funds so that citizens of this land and all other lands may be delivered from the greatest medical scourge in history."

At the first meeting of our Panel on June 29, 1970, we were charged by the Chairman of the Senate Committee on Labor and Public Welfare with reporting as promptly as possible on:

(1) Where we stand today in the field of cancer;

(2) What are the areas of greatest promise for significant advance; and

(3) What steps should be taken to make the conquest of cancer a major national goal?

I believe that the Report which we presented to the Senate Committee on December 4, 1970, answers those questions. Part I of that Report sets forth in twelve brief paragraphs a summary of the cancer problem, the areas of special promise which offer unusual opportunities for intensified effort, and the recommendations of our Committee. Part II of the Report sets forth the scientific and medical background in more detail.

You will be pleased and perhaps surprised to learn that, of the $250,000 appropriated by the Senate for our study, only $75,000 was spent. This was possible because of the generous contribution of time and effort by many persons who would not have been available at all on a reimbursement basis, but who, because of their dedication to the goals of our study, gave most generously of their time and talents. These include not only members of the Committee, but several hundred members of the scientific community whose lives are devoted in a large measure to work related to the conquest of cancer.

The largest burden of the work of our Committee was borne by the scientific and professional members, and I have never known any group to work with greater unselfishness and dedication. Several members of the Committee literally worked full time on this task over a period of five months. The lay members of the Committee also contributed very substantially to our effort, and no chairman was ever blessed with a more dedicated Committee or with better cooperation than that which I received, and for that I am deeply appreciative. In addition to the members of the Committee, we also received enormous help from the entire scientific community, including those at the National Cancer Institute, and many other great institutions in this country which are devoted in whole or in part to cancer research. The Committee met ten full days, Subcommittees met many additional days, and the written or verbal testimony of 289 witnesses and advisors was considered.

Our deliberations were extensive, wide-ranging, and I believe thorough, and at their conclusion the Committee was unanimously of the view that the conquest of cancer is a realistic goal if an effective national program along the lines recommended in the Report is promptly initiated and relentlessly pursued.

All of you have been provided with copies of the Report, so that we will not undertake in the brief time that we have together here today to review the Report. However, together with several of my colleagues on the Panel, I would like to refer briefly to certain of our findings and recommendations which have raised questions and in some cases have invited opposition. Incidentally, I am pleased to be able to say that none of the questions or points of opposition which I have seen is new. These same questions and points of view were thrashed out at great length in the Committee's own deliberations before our final recommendations were arrived at.

First, I have been asked why the sudden accelerated interest in cancer at this time. After all the years that cancer has been with us, what has led the Congress in the two Resolutions referred to, and the President in his State of the Union address, to give a new and higher priority to the cancer program? I believe that the answer to this question is twofold. First, I believe that the action of the Congress and the Administration reflects the desires of the American people, and, secondly, I believe that the time is right for a program of this kind as it has never been in the past.

First, so far as the American people are concerned, there is no question that cancer is the number one health concern of the American people. A poll conducted in 1966 showed that 62% of the public feared cancer more than any other disease. Yet, despite this concern, of the 200 million Americans alive today, 50 million will develop cancer and 34 million will die of cancer if better methods of prevention and treatment are not discovered. About one-half of these deaths will occur before the age of 65, and cancer causes more deaths among children under the age of fifteen than any other disease. Cancer is often an ugly disease, striking as harshly at human dignity as at human life, and more often than not it represents financial catastrophe for the family in which it strikes.

Yet, the amount spent on cancer research is grossly inadequate today. For every man, woman and child in the United States, the Federal Government spent in 1969: $410 on national defense; $125 on the war in Vietnam; $19 on the space program; $19 on foreign aid; and only $0.89 on cancer research. Cancer deaths last year were eight times the number of lives lost in six years in Vietnam, five and one-half times the number killed in automobile accidents, and greater than the number of Americans killed in battle in all four years of World War II. Given the seriousness of the cancer problem to the health and morale of our society, this allocation of national priorities is open to serious question. In addition to the cost of cancer in human terms, the economic costs are staggering. Fifteen billion dollars per year is a conservative estimate of the cost of cancer to this nation. It is no wonder then that the American people are behind the Congress and the Administration in their determination to give a higher priority to finding solutions to the cancer problem.

Now I would like to call on my colleague and Co-chairman, Dr. Sidney Farber, the distinguished life-long researcher in cancer, and Director of Research at Children's Research Foundation (Boston) to tell us briefly why the time is especially right today for an intensified and accelerated effort. Dr. Farber.

Dr. FARBER. Senator Mansfield, Senator Scott, members of the Senate, ladies and gentlemen.

There have been major advances in the fundamental knowledge of cancer in the past decade, and these advances in knowledge have opened up far more promising areas for intensive investigation than have ever heretofore existed. Although the nature of cancer is not yet fully known, we do know that human cancers are caused by certain chemicals, by certain types of radiation and probably by viruses. The precise mechanisms by which these carcinogenic agents cause, or interact to cause cancer is not known, and very little is known about the natural defense mechanisms that prevent cancer in some cases and not in others. A great deal more must be learned about chemical carcinogens, radiation, and viruses, and how they work. We must also learn more about what takes place at the cellular level when cancer occurs. However, we have strong and important leads in all these areas that must be explored with vigor and intensity if we are to exploit the great opportunities that lie before us.

There must be extensive programs in the identification and study of the chemical, physical and other environmental factors that cause cancer; in virology; in cell and tumor biology; in immunology; in chemotherapy; and in the early detection and prevention of cancer. We must also disseminate and utilize more effectively the knowledge that exists.

If all these things are done, we have an opportunity that has never heretofore existed to make effective and substantial inroads on the cancer problem.

I should warn that cancer is not a single disease with a single cause, and it will not be subject to a single form of immunization or a single cure, but the progress that has been made in the past decade provides a strong basis for the belief that an accelerated and intensified assault on cancer at this time will produce extraordinary rewards.

Mr. SCHMIDT. Thank you, Dr. Farber.

In arriving at our recommendations, the Panel concluded that three things that do not exist today are necessary if we are to have an effective national program to conquer cancer. First, effective administration with clearly defined authority and responsibility. Second, the development of a comprehensive national plan for a coherent and systematic attack on the vastly complex problems of cancer. Third, the necessary financial resources.

The Panel concluded that effective administration could best be attained through a National Cancer Authority, and I would like to call on Dr. Lee Clark, the man who is responsible for building one of the world's greatest cancer centers, M. D. Anderson of Houston, Texas, to elaborate briefly on why we recommended an independent authority rather than recommending that the job be done in the National Cancer Institute as one of the National Institutes of Health in the Department of Health, Education and Welfare, Dr. Clark.

Dr. CLARK. Senator Mansfield, Senator Scott, members of the Senate, ladies and gentlemen.

An effective major assault on cancer requires an administrative setup which can efficiently administer the coherent program that is required in this formidable and complex scientific field. The effective implementation of such a program will require a simplification of organizational arrangements and a drastic reduction in the number of people involved in administrative decisions. This type of straight-line organizational efficiency does not exist today in the National Cancer Institute, the National Institutes of Health or the Department of Health, Education and Welfare.

Obviously, from many standpoints it can be argued that any cancer program should be in the Department of Health, Education and Welfare and indeed that it should be in the National Institutes of Health. However, there is real doubt whether the kind of organization that is required for this program can in fact be achieved within the National Institutes of Health or within the Department of Health, Education and Welfare. Apart from the question of whether it can be done there is also the question of whether it would be wise to require the Secretary of Health, Education and Welfare to attempt to give cancer the priority necessary to carry out the Congressional mandate in a department charged with the multiple health and other responsibilities of that Department.

In the past when the Federal government has desired to give top priority to a major scientific project of the magnitude of that involved in the conquest of cancer, it has on occasion, with considerable success, given the responsibility for the project to an independent agency. Such an agency provides a degree of independence in management, planning, budget presentation, and assessment of progress which is difficult if not impossible to achieve in a large government department. Accordingly, if the Congress and the Administration are truly committed to making the conquest of cancer a "national crusade", as expressed in the Concurrent Resolution of the Congress, it is the view of the Committee that a National Cancer Authority should be established whose mission is defined by statute to be the conquest of cancer at the earliest possible time. All the functions, personnel, facilities, appropriations, programs, and authorities of the National Cancer Institute should be transferred to the National Cancer Authority. The Authority should be headed by an Administrator appointed by the President with the advice and consent of the Senate, and he should report directly to the President and present his budgets and programs to the Congress. In considering the feasibility of an independent agency, it should be borne in mind that we are talking about a major scientific program and not the delivery of patient care generally in cancer cases. The only patient care involved in this program will be that associated with clinical research and teaching and the development and demonstration of improved methods in the delivery of patient care undertaken as a part of the comprehensive program plan.

We believe that it is important to get this program out from under the six tiers of bureaucracy that overlay it today, that we must eliminate the delays and duplication in decision making, and have an Administrator responsible for cancer who is not subordinate to those responsible for eleven other health institutes and multiple health programs. Only in this way will cancer be given the kind of emphasis implicit in the Congressional mandate. We believe that results are more important to the Congress and to the American people than preserving the apparent organizational symmetry which would seem to be preserved by leaving the cancer program in the National Institutes of Health.

Mr. Schmidt. Thank you, Dr. Clark. There is one further point in this connection that I would like to make. You will hear the criticism made that the analogy to the splitting of the atom or the space program (where independent agencies were given the job) is not valid because we do not have the basic scientific knowledge in cancer that we had in those fields, and therefore this program is not a program of engineering implementation of existing knowledge as those programs were. I assure you that the Panel was thoroughly aware of this distinction in making its recommendations, and we took it into full account. The valid analogy is not the scientific analogy but the organizational analogy. The cancer program, in order to succeed, needs the same independence in management, planning, budget presentation, and the assessment of progress that those programs needed, and in those respects the independent authority analogy is a valid one.

We understand the questions raised by some in the Department of Health, Education and Welfare and by the director of the National Institutes of Health, because no one likes to admit that overlapping, delays in decision-making, duplication and inefficiency exists, but the fact is that they do exist and we see no potential for removing them other than through a new organizational arrangement. We would have much preferred to reach the other conclusion and to have recommended the present set-up, but after much study and consideration we concluded that if the Congress were genuinely committed to conquering cancer, this could best be done in a National Cancer Authority. If the salvation of this nation depended upon our success in dealing with the cancer problem, I doubt that anyone familiar with the situation would recommend continuation of the present organizational arrangements. So much for the recommended organization.

Our second recommendation is that there be a comprehensive national plan for a coherent and systematic attack on cancer. This recommendation of the Report has given rise in some quarters to the fear that we are taking an engineering or systems approach that calls for only mission-oriented research and loses sight of the basic scientists' potential contribution to the solution of the cancer problem. I would like to call on Dr. Henry Kaplan, one of the world's most distinguished radiation therapists and Director of the Radiology Department at Stanford University, to comment on this aspect of the Report. Dr. Kaplan.

Dr. Kaplan. Senator Mansfield, Senator Scott, members of the Senate, ladies and gentleman.

I think those who have made the criticism of the report to which Mr. Schmidt refers have not read the Report as carefully as they should.

If the recommendations of the Roport were likely to have the effect of reducing the contribution of the basic scientists in cancer, this would be a grave deficiency indeed. However, we have taken pains to point out that the type plan we have in mind would include not only programmatic research where that is appropriate, but also major segments of much more loosely coordinated research where plans cannot be definitively laid out nor long-range objectives clearly specified. Our recommendations are specific that a national plan for the conquest of cancer should provide for the generous use of grants, as well as contracts and other methods of funding. We urge that there be increased emphasis on the grants mechanism in order to stimulate continued independent exploration, particularly in those areas where knowledge is not sufficiently mature for a coordinated program aimed at reaching defined objectives.

We also specifically pointed out that a coordinated national program plan should to the greatest possible extent, be generated by the voluntary productive interaction and joint planning of the scientists who will be responsible for doing the work. The program should not be the result, as it is today, of the happenstance of a multitude of random decisions independently arrived at, but should be an integrated and coherent plan resulting from the joint effort of representative scientists who will be responsible for its execution. This is fundamentally different from the hierarchical imposition or direction of a research program from above. However, the effective use of collective planning does not mean that centralized administration or management of resources should be sacrificed.

I can assure you that if there were anything in the thrust of our Report that deprived this effort of the contribution of the best of our basic scientists in cell biology and the other life sciences relevant to cancer, I would not have subscribed to the Report. However, I and the other basic scientists on the Committee support fully the findings and recommendations which have been made.

Mr. Schmidt. Thank you, Dr. Kaplan. Now I would like to call on Dr. Jonathan Rhoads, Chief of Surgery at the University of Pennsylvania and President of the American Cancer Society, to tell us what appropriations will be required for the recommended program. Dr. Rhoads.

Dr. Rhoads. Senator Mansfield, Senator Scott, members of the Senate, ladies and gentlemen.

The Committee estimates that a coordinated national program aimed at conquering cancer at the earliest possible time as envisaged by the Resolution of the Congress would require an appropriation in fiscal 1972 of approximately $400 million. This is slightly less than a doubling of the fiscal '71 appropriation. Thereafter, the cost of the program would increase at the rate of approximately $100 to $150 million per year, reaching a level of $800 million to $1 billion in 1976. We believe that a program of the type recommended is so important to the American people and to the world that the amounts called for should be provided even if it necessitates the raising of additional revenues. However, we also feel that it is of the utmost importance that the financing of this program not result in cutbacks in other health programs.

Mr. Schmidt. Thank you, Dr. Rhoads. Now, Dr. Holland, if we do all these things can we expect to eliminate cancer in a matter of the next few years? Dr. Holland is Chief of Medicine at Roswell Park, another of our great cancer centers, and President of the American Association for Cancer Research.

Dr. Holland. Senator Mansfield, Senator Scott, members of the Senate, ladies and gentlemen.

I am afraid that "eliminate" in the concept of total riddance is too strong a word. The Panel of Consultants has limited itself to recommending non-miraculous measures which we know can be backed up by scientific evidence or which can be pursued by scientific inquiry, but we need no miracles to anticipate progress. Some cancers are already being prevented, and surgery, radiotherapy and chemotherapy are already effective in curing some cancers. I concur with Dr. Farber that a broad wave of new insights, new understandings and new approaches has put within our reach a much higher plateau of achievement. It is realistic to believe that intensification of the assault on cancer at this time will produce acceleration of progress which can be measured in cancers prevented, cancers cured and lives saved. The long-term eventual reduction of the economic impact of cancer on our society is also a worthy goal.

One by one the diseases which we identify as cancer will yield. It is not pie in the sky to point toward the day when preventive measures attain reduction of cancer attack rates from the one in four of us, who with today's knowledge will develop cancer, to a goal closer to one in ten. It is reasonable to hope that most cancers will be entirely curable using local, regional, and systemic therapies. This reasoned hope implies that eventually mortality would drop for the composite of all cancers from 65% to about 10%. I hold the view that a national program for the conquest of cancer is timely, now. It should be promptly initiated, effectively sustained, and relentlessly pursued.

Mr. Schmidt. And now I would like to introduce the other members of the Panel:

Dr. Joseph Burchenal, vice-president, Sloan Kettering Institute; Dr. Mathilde Krim, Sloan-Kettering Institute; Dr. Harold P. Rusch, professor of cancer research, McArdle Laboratory, University of Wisconsin; and Dr. Wendell G. Scott, clinical professor of radiology, Washington University.

Mr. William McC. Blair, Jr., general director the John F. Kennedy Center for the Performing Arts; Mr. Emerson Foote; Mrs. Anna Rosenberg Hoffman; Mr. Emil Mazey, secretary-treasurer, United Automobile Workers; Mr. Laurance Rockefeller, chairman, Rockefeller Brothers, Inc.

Those not present: Dr. Paul B. Cornely, president, American Public Health Association; Dr. Solomon Garb, scientific director, American Medical Center at Denver; Dr. Joshua Lederberg, Nobel prize-winning professor of genetics, Stanford University School of Medicine; Mr. I. W. Abel, president, United Steelworkers of America; Mr. Elmer Bobst, chairman of board, Warner Lambert Pharmaceutical Co.; Mr. G. Keith Funston, chairman of board, Olin Corp.; Dr. William B. Hutchinson, president, Pacific Northwest Research Foundation; Mrs. Mary Wells Lawrence, Wells, Rich & Greene Advertising Agency; Mr. Mike O'Neill, managing editor, New York Daily News; Mr. Jubal R. Parten, member of board, Fund for the Republic; and Mr. Lew Wasserman, president, Music Corporation of America, Inc.

THE NIXON STUDENT LOAN PROGRAM

Mr. SCOTT. Mr. President, as the London Economist noted this week, this is the second year in a row that President Nixon is trying to get more money for loans to university students. Yet only yesterday, according to this morning's Washington Post:

> House Democrats attacked the Nixon administration's higher education proposals at an opening hearing yesterday, for failing to meet the financial needs of either middle-income students or private colleges.

The proposals just sent from the White House to Congress reflect President Nixon's philosophy—that students themselves must be prepared to pay for part of the cost of their education, that outright grants to institutions, rather than to specific individuals, are not desirable, and that the form of assistance should be designed to favor the needy.

In the same Post article of this morning, we read that Secretary of Health, Education, and Welfare Elliot L. Richardson stressed to the House Education Subcommittee that, in response to critics, the administration has revised its 1970 proposals. Mr. Richardson said students from middle-income families could be eligible for Federal grants or loan subsidies if there were other, heavy demands on their families' incomes.

Mr. President, I frankly find Democratic opposition in the other body to the President's proposal to be most strange, coming as it does from a party which has long held aid to the needy, the poverty-stricken, as a tenet of faith, an article of political philosophy both true and desirable.

Yet President Nixon's proposals, which would channel student aid primarily to those young men and women from low-income families, are now attacked for failing to meet the financial needs of students whose parents are more prosperous.

The only principle at work here, so far as I can see, would appear to be a principle of opposition, rather similar to that which I mentioned in my end-of-the-session report last December.

I said then that there seemed to be a failure within Congress today, a refusal to recognize that by putting aside the goals of necessity and concentrating instead on targets of opportunity—by failing to do what must be done—we add to the Nation's sense of confusion and loss of confidence.

Mr. President, Mr. Nixon's proposal is not all things to all men. It cannot be. It tries only to do what must be done. It is simply a workable plan, designed to meet an agreed-upon need, and taking cognizance of both social and economic realities. Instead of being attacked, it should be considered in the light in which it was presented: an attempt by the President to get more money for loans to needy university students.

RULES OF THE SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS

Mr. McGOVERN. Mr. President, section 133B of the Legislative Reorganization Act of 1946, as amended by the Legislative Reorganization Act of 1970, requires the rules of each committee to be published in the CONGRESSIONAL RECORD not later than March 1 of each year.

In accordance with this section, I ask unanimous consent that the rules of the Select Committee on Nutrition and Human Needs be printed in the RECORD.

There being no objection, the rules were ordered to be printed in the RECORD, as follows:

RULES AND PROCEDURES OF THE SENATE SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS

(Adopted Sept. 6, 1968, amended Nov. 5, 1969)

1. COMMITTEE MEETINGS

(a) The Chairman of the Committee, or if the Chairman is not present, a member designated by the Chairman of the Committee, shall preside at all meetings.

(b) The regular meeting date of the Committee shall be the second Friday of each month at 10 a.m. The Committee shall convene at the call of the Chairman at such times as are necessary to transact Committee business.

2. EXECUTIVE SESSIONS

(a) For the purpose of conducting an Executive session, seven members[1] of the Committee actually present shall constitute a quorum. No measure or recommendation shall be reported from the Committee unless a quorum of the Committee is actually present at the time such action is taken.

(b) Proxies will be permitted in voting upon the business of the Committee by members who are unable to be present; these proxies to be valid must be signed and assign the right to vote to one of the members who will be present.

(c) There shall be kept a complete record of all Committee action. Such records shall contain the vote cast by each member of the Committee on any question on which a "yea and nay" vote is demanded.

The Clerk of the Committee, or his assistant, shall act as recording secretary of all proceedings before the Committee.

(d) No person other than members of the Committee and members of the staff of the Committee, shall be permitted to attend the Executive sessions of the Committee, except by special dispensation of the Committee or the Chairman thereof.

3. HEARINGS

(a) No hearing shall be initiated unless the Committee or the Chairman of the Committee has authorized such hearing.

(b) All hearings shall be open to the public unless an Executive hearing is specifically authorized by the Committee.

(c) Any witness summoned to a public or Executive hearing may be accompanied by counsel of his own choosing who shall be permitting while the witness is testifying to advise him of his legal rights.

(d) No confidential testimony taken or confidential material presented in an executive hearing of the Committee or any report of the proceedings of such an executive hearing shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the members of the Committee.

(e) Any member of the Committee shall be empowered to administer the oath to any witness testifying as to fact.

(f) The Committee shall so far as practicable, require all witnesses heard before it, to file written statements of their proposed testimony at least seventy-two hours before a hearing and to limit their oral presentation to brief summeries of their arguments. The presiding officer at any hearing is authorized to limit the time of each witness appearing before the Committee.

4. SUBCOMMITTEES

The above rules shall apply to all duly constituted Subcommittees of the Committee.

ADDRESS BY SECRETARY OF AGRICULTURE HARDIN BEFORE NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION

Mr. HRUSKA. Mr. President, recently, Secretary of Agriculture Clifford M. Hardin addressed the national convention in Dallas of the National Rural Electric Cooperative Association.

He paid tribute to the program of that organization, acknowledging its progress and achievements. He commended it for its "key role in transforming rural America and the aspirations and very lives of millions of people."

Then he proceeded to discuss "vast new currents of change which are sweeping through the life, the thinking and the institutions of America."

He outlined some of the broad proposals as contained in the administration's program. All of them have direct impact upon the entire Nation.

They are of particular interest to rural America. Some of the subjects were:

Organization of the National Rural Utilities Cooperative Finance Corporation.

Rural development in its newly acquired interest and vigor. Its tremendous increase in funding level—from $1.4 billion in fiscal year 1969 to $2.5 billion in the current year, and an estimated $2.7 billion for fiscal year 1972.

The general farm situation with comment on new developments and also on things in store in the near future.

Mr. President, I ask unanimous consent that the text of the speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SECRETARY OF AGRICULTURE CLIFFORD M. HARDIN

On an occasion such as this annual meeting of the National Rural Electric Cooperative Association, the idea of change—and the reality of it—must inevitably be a part of your thinking.

Indeed, your mission, historically, has been to bring about change. You have illuminated most of the homes of Rural America with electricity. You have made it possible for industry to locate in rural areas. You are providing many rural homes and businesses with telephone service.

Without question, the REA rural electric program and your cooperative systems have had great impact on local economies throughout much of the country. You have played a key role in transforming Rural America and the aspirations and very lives of millions of people.

Today, vast new currents of change are sweeping through the life, the thinking, and the institutions of America. The six great goals that the President has set forth for the Nation are in themselves bench marks of fundamental change. In examining and evaluating them, we can begin to perceive significant processes which, in the President's words, could amount to a new revolution—a peaceful revolution—refreshing and reinvigorating the Nation. As these objectives are implemented, you as individuals and the cooperative organizations you represent are certain to become heavily involved.

The recent State of the Union Message is familiar, I am sure, to an audience such as this. One of the goals—revenue sharing—deals specifically with strengthening and renewing State and local governments. It seeks to reverse a 40-year trend during which the power of decision followed the tax dollar to Washington. One of the efforts will be to create more arenas in which important decisions are made. A more obvious result will be to relieve some of the pressure on local tax levies. Furthermore, it will permit States and local governments to establish their own order of priorities—rather than being locked into a Federal system through the existing categorical grant structure.

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[1] Amendment approved by the Committee on November 5, 1969, provided that seven members actually present shall constitute a quorum. The amendment was approved at the time the Committee requested an increase in its total membership to 14 by the addition of one minority member selected from the Senate at large. The former Rule 2(a) provided that a majority of the Committee actually present constitutes a quorum.

Another proposal is to reorganize the Executive Branch of the Federal Government. This has long been needed to improve efficiencies, reduce the span of control, and make programs more responsive to real needs. Certain groups, accustomed to dealing over the years with particular individuals in the Government, understandably might feel some apprehension about the proposed changes. Let me urge any who have that feeling to withhold final judgment until the details are worked out—they may see new alignments and greater strength result. It is important to remember that the President's proposals do not call for the elimination of any program or the people who operate them. They do call for a change in the way that agencies reach the President and in the way he communicates with them. It is intended that the programs be administered more effectively than ever, and to improve the delivery of Government services to the public.

Welfare reform and the family assistance plan can have special meaning for agriculture and Rural America, particularly insofar as benefits will be provided for the working poor—a group that is numerous in rural parts of the country but is barely touched by existing welfare systems.

Undoubtedly you recognized the important implications in the President's proposal to restore and enhance our national environment, to stress programs for better use of our land, and to expand the Nation's parks, recreation areas and open spaces, especially in areas where people live.

There can be no question that a national consensus is developing for more work on improving the environment. It is being sought on a scale and in a diversity of problem areas far different and vastly more complex than prevailed when the soil conservation movement started, and when REA and rural electric cooperatives commenced their magnificent work.

An environmental crisis during the 1930's stirred the country. As dust darkened the skies across the Nation, a concerned citizenry demanded action—and got it, in what has to be one of the most dramatic environmental "recoveries" yet recorded.

Today, many people are convinced that a far worse crisis looms. Today it is smog instead of dust from the Plains that dims the sun and stunts vegetative growth in cities and suburbs. Waste disposal facilities are running out of space. High school youngsters know what "eutrophication" means whether they live by Lake Erie or the Columbia River—and they can recite the species on the critical list.

How to achieve and maintain ecological balance, and how to improve living qualities—these are real and serious concerns of a generation worried about the future. Some of them know that it took 200 years for this Nation to reach the trillion-dollar mark in Gross National Product, with all its attendant waste and pollution—and they are told it will take only a decade, to 1980, for the GNP to add another half-trillion dollars or more as technology continues to develop and population keeps expanding.

This is some of the background, and these are the prospects—along with the environmental and ecological problems they spawn—that preoccupy many concerned citizens today. There's no question but that they are of particular concern to you, since the whole problem of the environment and what to do about it, and the urgency of bringing about orderly, balanced national growth tie in directly with the work you are doing.

The road ahead won't be easy. In your business, for example, we can probably anticipate rising public attention to such matters as air pollution abatement, greater control over thermal effluents, and demands for putting more lines and equipment underground.

But at the same time, the intensified effort to redistribute a good part of our population growth and increased economic activity is certain to open up new opportunities for rural electric systems. The Nation is fortunate indeed that it has people like you, and organizations such as yours, in place—and in business—in 2,600 of the country's 3,100 counties, where rural development is a part of your "stock in trade" and has been for three decades or more.

Some of you at this meeting are pioneers, both in rural electrification and rural development. The work you have done provides a solid base on which to build.

I am pleased that the National Rural Utilities Cooperative Finance Corporation has now been organized; and I was pleased with the news yesterday of the signing of the first two loans under the new plan. The creation of the CFC should prove to be yet another progressive and constructive step.

Hopefully, the rural telephone bank will become a reality in this session of Congress.

I commend you on recognizing the need for stronger relationships with other electric systems and the progress you are making toward becoming an integral part of the electric utility business.

I am also gratified that you are adding a new dimension by working closely with the Farmers Home Administration's rural housing programs.

This is an appropriate time for me to express my personal appreciation for the distinguished services Dave Hamil is rendering as Administrator of the Rural Electrification Administration. I am sure you will all join me in recognizing the strong and imaginative leadership he is giving to the program.

In facing up to the challenges of the Seventies, many of you are likely to find that the process of rural development and the process of urban development will tend to merge. This is already happening in a number of localities. The President months ago made the "urbanization" of Rural America a part of his new policy of balanced national growth. And he has followed it up by making rural development one of the six priority points of his revenue sharing plan.

Rural development is being given serious attention at the White House and increasingly by the several Federal agencies that are in a position to contribute. Funding levels of principal rural development programs of the Department of Agriculture, for example, have gone up from $1.4 billion in Fiscal 1969 to well above $2.5 billion in the current year and above an estimated $2.7 billion for Fiscal 1972.

Before I close, some comments on the general farm situation may be in order since most of you are involved in agriculture. We still have the problem of inadequate returns for labor and capital. Although the gap has been closed some in the past few years, they are still running at about three-fourths that of the rest of the economy. Even though net income per farm may be at an all-time high, agriculture is not keeping pace. Times such as we have been going through make it particularly difficult to do so, with labor rates leading the inflationary spiral, adversely affecting farm costs and marketing margins.

The new farm program can help some. It gives farmers greater flexibility and more freedom to make their own decisions; it encourages crop specialization, with the efficiencies that go with it; and it can give us greater leverage for increasing exports—an area where I am devoting a good deal of personal effort.

Our ability to produce a super-abundance of top quality food is a major reason why Americans meet their food needs at the lowest average expenditure of disposable income—16½ per cent—in the history of this or any other country.

Farmers have every reason to be proud of that fact, to the extent that it is the result of their efficiency and hard work—and part of it is.

Yet to the extent that it results partly from low returns for farmers, which is obviously the case, strenuous efforts must be made to remedy the situation. The President is well aware of this. He has spoken forcefully of the debt that the Nation owes to agriculture and he has said, "I am not happy about the fact that agricultural income has not been at the rates that it should have been over these past few years."

The consuming public needs to understand the importance of strengthening the agricultural base of America—especially as we tackle the tasks ahead. If they understand, I believe we will have their support.

I should like, also, to comment very briefly on the programs designed to eliminate hunger and malnutrition. In the past year the scope of the total program has been doubled, the number of participants in the Food Stamp Program has tripled, and the bonus value of Food Stamps has increased five-fold.

In the last year, the total of needy school childern receiving free or reduced-price meals has been doubled. We are making good on the pledge to reach every needy youngster. In short, America has done more in the past year than has been done in the history of mankind to assure that people are fed and well nourished.

In summary, then, the decade of the Seventies will be a most significant one for Rural America. We will strive to put farm production on a stronger, more remunerative basis—will wipe out hunger—will seek to reverse the tide of migration from the countryside to cities—will aim for a turnaround of the total trend in the environment—reverse the trend of growing welfare rolls—and make government more efficient and more responsive through reorganization and decentralization.

The decade will see new, broadened and more imaginative programs for those truly interested in conservation and rural development. There certainly will be new opportunities in rural electrification. And the rewards can be great. So let us resolve to go forth from this convention with new zeal and high confidence.

SPECIAL REVENUE SHARING FOR LAW ENFORCEMENT

Mr. **GRIFFIN**. Mr. President, yesterday President Nixon sent to Congress his message on special revenue sharing for crime control and the improvement of our Nation's system of criminal justice.

This message has special significance because it is the first of six messages on the six broad categories of special revenue sharing which were proposed by President Nixon in his state of the Union message.

I believe we can expect that the general parameters of the President's law enforcement proposal provide some indicators regarding the other five special revenue sharing programs—manpower training, urban development, transportation, rural development, and education.

The central thrust of special revenue sharing is to eliminate the so-called "gold-plated octagon" problem.

This phenomenon was described by Robert L. Bartley in this morning's Wall Street Journal as follows:

> If the federal government were giving away gold-plated octagons, and the cities had to pay half the cost, every city in the nation would have one.

The proliferation of the grant-in-aid concept—a specific bill for every ill—has resulted in a confusing jumble of programs which leaves the States with no opportunity to plan ahead and with surprisingly little control over their own budgets.

Furthermore, categorical grants tend to reward the mundane. As the President pointed out:

> Rigidity in adhering to exact requirements is rewarded, and new or imaginative ideas are frequently lost because they fail to fit exact bureaucratic guidelines.

Mr. President, it is significant that the first special revenue-sharing proposal to be revealed deals with law enforcement.

Much progress has already been made in this area by a consolidation of categorical programs into block grants.

It is noteworthy, therefore, that, In the President's language, "the changes provided in the LEAA legislation are not extensive."

But let me mention briefly what the law enforcement assistance revenue-sharing legislation would do.

The President's law enforcement revenue-sharing plan would provide the States with $500 million in "no strings" money in the first year.

Further, it would contribute to local autonomy in these important ways:

It would eliminate the requirement for local matching funds.

It would eliminate the requirement for prior Federal approval of programs.

It would eliminate the requirement for local maintenance of effort.

To put the matter simply, the President's proposal would return funds to the States for the purpose of fighting crime without the handicap of wrapping it in a Federal straitjacket.

It should be noted, however, that under the President's proposal, the States and local governments would be bound by two basic requirements.

Federal money could not be used for any purpose which contravenes national civil rights legislation.

Federal money would have to be adequately accounted for.

So, Mr. President, I have been pleased to join the distinguished Senator from Nebraska (Mr. Hruska) in cosponsoring S. 1087, the Law Enforcement Revenue Sharing Act of 1971. Hopefully, there will be prompt committee consideration and early action by the Senate on this historic proposal.

I ask unanimous consent that the text of an excellent article by Robert L. Bartley, published in today's Wall Street Journal, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Revenue Sharing: The Pragmatic Case

(By Robert L. Bartley)

Washington.—Officials who evolved the administration's revenue-sharing proposals say they are trying to solve "the gold-plated octagon problem." One explains, "If the federal government were giving away gold-plated octagons, and the cities had to pay half the cost, every damn city in the nation would have one."

Powerful incentives come into play every time somebody in Washington has a brainstorm for a new federal aid program, revenue-sharing backers say, and often the result has been to give the cities and states something closer to gold-plated octagons than to what they really want and need. And somehow, the budget and Treasury officials who make this case are far more persuasive than the presidential messages expounding philosophically on "power to the people" and "the new American revolution."

The President can of course argue that decisions made closest to the people are the best ones, but his opponents can counter that the federal bureaucracy is more efficient and less venal than state and local ones. The ancient debate is not only endless and inconclusive, but its ideological generalizations obscure the specific problems and pragmatic responses that actually did give birth to the administration program.

In particular, the "special revenue sharing" proposal is designed to redress problems the federal government has thrust on states and cities by its past efforts to aid them. So far this $11 billion program, which would consolidate into six broad categories funds already going to states and cities under existing grants-in-aid, has received less attention than the $5 billion in "general revenue sharing," which would shore up state and local finances with a direct cut of the federal income tax. General revenue sharing was spelled out in a presidential message back on Feb. 4. This week special revenue sharing takes the spotlight; the first of six special messages was sent to Congress yesterday.

The six bills for special revenue sharing face intricate political problems, though few if any of their opponents argue against the principle of grant consolidation. If the measures should pass, however, they would constitute a sweeping reform of the way federal money is passed to lower levels of government.

To date the standard procedure has been for Congress to set up national programs to plant trees, or educate migrant children, or control outdoor advertising, to take a few real examples. A state or city wanting federal funds for any of these purposes is required to contribute half, or a third, or 10% of the total cost from its own funds.

This procedure made a good deal of sense as a way to focus both federal and local efforts on a few high-priority problems, but it was forced far beyond that use as the New Frontier and Great Society seized on grants-in-aid as the available device for financing local social efforts. A 1962 study found $7.9 billion in federal aid advanced to lower governments for 160 different purposes. Today $30 billion, or nearly a fifth of all state and local revenues, is granted under 1,019 different categories. In these terms, the grant-in-aid procedure makes little sense, if any at all.

As an example of one of the problems it creates, George Romney, Secretary of Housing and Urban Development, showed up at a conference the other day with a 2½-foot stack of papers. It was, he said, the application for one urban renewal grant. The proliferation of grant-in-aid programs, each with its own regulations, has reached the point where catalogs had to be published to guide state and local officials through the bewildering complexity. As one presidential message observed, there is now a catalog of the catalogs.

Despite the proliferation of federal programs, to take a second problem, aid money remains available for some purposes but not for others. And while Washington has not literally sponsored any gold-plated octagons, the present structure of grants-in-aid grew like Topsy, with no systematic effort to weigh one program against another. It is by no means clear that the resulting structure of priorities makes more sense than what the states and cities would do if left to their own devices.

The lack of a firm overview of priorities in federal programs leaves the best-informed administration officials entirely impatient with the argument that present federal strings are necessary to insure against local stupidity. "That's a cute and clever point," one of them says, "but the questions you really get when you go to these towns is 'We've got county libraries coming out our ears, what he really needs is a new fire station, can't you change that federal aid system?' "

A third problem is that the aid system not only limits what localities can do with federal funds, its matching requirements act as what Assistant to the President John Ehrlichman calls a "blotter," with "more and more local financial resources soaked up in federal participation." Aides to Governor William G. Milliken of Michigan say that between federal matching funds and other normal fixed requirements, a state budget of $1.95 billion left the governor with real discretion over only $85 million.

The cumulative result of all this, plus uncertainty about year-to-year appropriation levels in various programs, is to leave state and local governments unable to do much planning. Governor Richard B. Ogilvie of Illinois complains, "We are always waiting for someone in some federal agency to tell us what is our most important problem."

The drawbacks of present grants-in-aid are for all serious purposes indisputable, but how to cure them is a separate question. Under special revenue sharing, the administration proposes to abolish some grant-in-aid programs accounting for a third of federal aid spending, or $10 billion a year. Other present programs would be continued and expanded. While decentralizing many programs through the revenue-sharing device, the administration would further centralize others, notably the welfare system, which accounts for another third of federal aid expenditures.

The $10 billion for abolished programs plus $1 billion in new money would be put into six revenue sharing funds: rural community development, urban community development, education, manpower training, law enforcement and transportation. Lower levels of government would receive shares of each fund as determined by mathematical formulas, and would have wide discretion in spending and no set requirements for matching funds. Present projects started under grant-in-aid could be continued, or localities could transfer the money to anything else within the relevant board category.

ZEAL AND LOGIC

The administration's wheelhorse for special revenue sharing is Richard P. Nathan, assistant director of the Office of Budget and Management, a man who defends the program with evangelistic zeal but pragmatic logic. He sees it as an effort not to get more decisions made by nice little states rather than bad old Washington, but to sort out what types of decisions are best made by each. The program is, he says, "a careful definition of the federal role, but a definition that moves away from the one that developed during the Great Society and New Frontier."

Mr. Nathan believes centralized administration is needed in three circumstances. One concerns economies of scale. With computers and such, the central government is pretty good at checking formal eligibility and dispensing checks, as in the Social Security system. He defends further centralization of the welfare system for the same reasons.

The federal government should play a heavy role in programs, like air and water pollution, where there is a large spill-over across state lines. And, he says, it should be active in an "innovator-disseminator role," sponsoring research and new programs like family planning that are "just being recognized as a government responsibility."

At the same time, Mr. Nathan continues, there are things the federal government cannot do. "Service responsibilities do not lend themselves to orchestration from Washington," he says. "You couldn't run a school system like you run the Social Security system."

The supply of talent and time in Washington is perhaps better than in the states, he adds, but it is not infinite. It's a mistake to assume that any one group of people can make nation-wide the detailed decisions implied by Secretary Romney's 2½-foot stack of paperwork. "What should be the mass transit system in Community X? How should education programs change or expand in City Y? These are decisions for the local level. We can't make them, we couldn't make them if we wanted to."

Mr. Nathan is harsh about the past proliferation of grant-in-aid programs. As a Congressman, he says, "you've got to have a program where you can be identified, where it's your idea." So in a field like manpower training there are a lot of programs, each with different rules about how to "jump through the hoop to get the federal dollar, and then we sit back and say the state and local governments don't know how to run manpower." Also, such programs tend to be under-funded because Congress reacts to mathematical reality: "You can get more programs if you make them small."

THE BIG CATCH

But if that's how the present system arose—to get to the big catch in the President's program—how do you persuade Congress to change it? The political problems here go beyond the President and his opponents competing for credit. Special revenue sharing is certainly not the only way to address the grant-in-aid problem, and valid criticisms may be directed at its details as they are disclosed. Conceivably Democrats could honor the principle by offering grant consolidation programs of their own. But a narrower sort of political interest is the big obstacle. Grant consolidation is like free trade, everyone's for it for everyone but himself.

At the winter Governors' Conference here last week, Gov. Winfield Dunn of Tennessee was explaining to the press that the President's program was not political but idealistic. That this was strictly a matter of the public interest. How, a mean-spirited reporter asked, did he he feel about folding the Appalachian Regional Commission into special revenue sharing? Oh no, that's a "unique situation," and its separate identity should be preserved until it has had a chance to prove itself. Sen. Howard Baker (R., Tenn.), the administration's floor leader for general revenue sharing, feels the same way. And imagine the feelings of a Democratic Senator who fought hard for his own manpower program.

One evaluation of all this, mostly from people who have cried for presidential leadership and vision, is to complain that the President's proposals are too idealistic to pass. A more becoming observation might be that if special revenue sharing is indeed emasculated or defeated in Congress, it will mark the victory of some fairly narrow political interests over one thoughtful approach to some real and serious problems.

ALLEN COUNTY COMMUNITY JUNIOR COLLEGE, IOLA, KANS.

Mr. PEARSON. Mr. President, the Allen County Community Junior College, located in Iola, Kans., was 1 of 10 junior college campuses selected as outstanding by the American Institute of Architects in their annual awards program.

This unique and attractive campus was further selected to be one of five qualifying for an Award of Merit by the A.I.A. from among 68 entries in this year's design competition, for which colleges completed between September 1960 and September 1970 were eligible.

The awards were presented March 2 to the architects, Shaefer, Schirmer, and Elfin, of Wichita, during ceremonies at the 51st convention of the American Association of Junior Colleges here in Washington.

I had the very great privilege of delivering the first commencement address at the new campus in 1970 and can give personal testimony of its beauty and impressive qualities as a place for learning. The physical opportunities for sharing wisdom between students and faculty, and among students and faculty, are very great.

Mr. President, community colleges play an important part not only in educating our young men and women, but also in preserving the precious American tradition of local decisionmaking in the field of education. The Allen County Community Junior College and its award winning campus offer real evidence that standards of the highest quality can be achieved when a spirit of local initiative and imagination moves into operation.

Dr. Bill Spencer, president of the college, was present at the awards ceremony along with a delegation including Dean T. C. Brown and three members of the board of trustees, Charlie Brown, Don Nelson, and Wendell Weatherbee. Each of these men deserves a compliment for work done well to complete the new campus. On their behalf as representatives of their community and the students and faculty of the college, I invite the attention of the Senate to this most useful award program undertaken by the American Institute of Architects and to the fine people honored in the case of Allen County Community Junior College.

HAWAII HERO

Mr. FONG. Mr. President, it is with a good deal of pride that today I pay tribute to a young man of Hawaii who has in recent days become a national hero. Stories of his heroic deeds have appeared in newspapers and magazines throughout the world; he was the subject of extensive national television coverage; he recently was given an official welcome after arriving from a military hospital in Vietnam by the State of Hawaii; and he is now beginning a few days of rest and recuperation at his home in a tiny community on the beautiful Island of Kauai.

This young man's name is Dennis M. Fujii, an Army specialist fifth class, whose deeds have rightly earned him hero status. Indeed, there is no other word to describe Sgt. Fujii's actions while under siege near the Laotian border.

However, while Dennis Fujii is being praised for his gallantry, I would like also to take this opportunity to say a word about all of the brave young Americans serving the United States in Indochina.

For the most part, they are unsung heroes sharing the same stage as Fujii. At this time, I hope my colleagues of the U.S. Senate will join me in commending Sgt. Fujii of Hanapepe, Kauai, but also will recognize those thousands upon thousands of others who have served or who are serving in Indochina with such gallantry and determination.

I ask unanimous consent that a fairly brief but comprehensive story of Sgt. Fujii's actions, published in the Honolulu Sunday Star-Bulletin & Advertiser, of February 28, 1971, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HANAPEPE'S WAR HERO NOW KNOWN ALL OVER

Ten days ago Dennis M. Fujii was a typical American soldier serving in Vietnam. He used to talk about going home to Hawaii to surf and pick pineapples, so his buddies called him "Pineapple."

In Hanapepe, a village of 1,400 on the south coast of Kauai, the lanky 6-foot-2 youth was remembered as a football and basketball player for Waimea High School. But elsewhere he was unknown.

Now his name is a household word throughout the Islands, and people all over the United States have heard of him. As one of Hawaii's biggest heroes in the Vietnam War, he has been decorated by a two-star general and honored by the State House of Representatives and will be welcomed home by Gov. John A. Burns.

On Thursday, Feb. 18, the 21-year-old soldier flew into Laos as the crew chief of an unarmed U.S. Army medical evacuation helicopter. The mission: to rescue wounded members of the 39th South Vietnamese Ranger Battalion from Landing Zone Ranger, an Allied artillery base on a hilltop 6 miles inside the Laotian border.

The South Vietnamese had gone in to try to cut off the Ho Chi Minh Trail. Since President Nixon had forbidden the use of American ground troops in Laos, even the U.S. advisers to the South Vietnamese had stayed behind. On the hilltop, several hundred Rangers were absorbing heavy fire from Communist forces.

After landing at the base, Fujii's helicopter was destroyed by mortar fire. Fujii and the four other crewmen scrambled to nearby bunkers, but three were wounded.

Later that day the four other crewmen were rescued by helicopter, but Fujii gave up his seat to make room for South Vietnamese wounded. Then, because he was the only man at the base who spoke English and could direct American air and artillery strikes by radio, he insisted on staying.

"These people are depending on me," he radioed to one U.S. 'copter pilot. Heavy mortar fire dropped on the Rangers' position. Fujii received shrapnel wounds in the right shoulder and back, but he kept directing the air strikes.

Three times during the next three days the North Vietnamese tried to overrun Landing Zone Ranger. They were repelled by U.S. helicopter gunships and tactical bombers guided by Fujii. "If they get out of there," reported one American pilot, "they'll have to thank that crew chief."

Fujii said later that the situation often seemed hopeless.

"Things were really bad," he recalled. "There were a lot of times when I just gave up hope completely."

Once, two Communist soldiers got within two feet of his bunker. He killed one and a Vietnamese Ranger killed the other.

"I wasn't worried all the time," said Fujii. "The Rangers were pretty well trained and did an outstanding job. But there were several times I felt I wasn't going to make it out alive.

"But a Vietnamese Ranger calmed me down. I felt as safe with them as with an American unit."

On Saturday Fujii got aboard a helicopter gunship and headed for safety in South Vietnam. But soon after takeoff the aircraft was hit by enemy fire, began to burn and limped into another South Vietnamese artillery base about a mile from Landing Zone Ranger. There, too, Fujii radioed directions for American air and artillery strikes.

Several hours later, Landing Zone Ranger was overrun by the North Vietnamese. The toll was 100 dead, 145 wounded and 78 missing.

After two more days and nights at the second artillery base, Fujii was flown to a hospital at Phu Bai, South Vietnam. There he received the Silver Star and Purple Heart decorations. His shrapnel wounds were not serious.

This is Fujii's second tour in the war zone. He enlisted in the Army in 1968 and completed the requirements for his high school diploma while in the service.

After paratrooper training, he went to Vietnam as an infantryman. He volunteered for another tour in order to get out of the Army six months early—in September. The same day he was stranded at Landing Zone Ranger, he was promoted from Spec. 4 to Spec. 5.

WHO NEEDS WOMEN'S LIB?

Mr. HANSEN. Mr. President, on Sunday, February 21, 1971, an article appeared in the Empire supplement of the Denver Post entitled, "Who Needs Women's Lib?" This article, written by Thyra Thomson, Wyoming's secretary of state, is a very thoughtful and objective appraisal of the current status of the women's rights movement in the United States.

Mrs. Thomson and I were both elected to public office in Wyoming in 1962. When I was Governor, we worked closely together because Mrs. Thomson's duties include serving as acting Governor of Wyoming when the Governor is absent from the State. Many of my colleagues have had the opportunity to know her because her husband, Keith Thomson, served 6 years in the Congress.

All Members of Congress can gain a better understanding of the status of women's rights in this Nation by reading the analysis prepared by Thyra Thomson. She points out many of the reasons why women find themselves in lower paying jobs and emphasizes, as she has for years, the need for women to get as much education as possible before marriage and to update their skills whenever possible. In addition, Thyra Thomson does not overlook the very real need for women to be different from men. As she says:

> I wish we could see equality as something we share with men instead of trying to be the same as men.

Wyoming is known as the Equality State. Wyoming was the first territory and the first State to grant women equal rights, including the right to vote. Wyoming elected the first woman Governor in the United States. We are all very proud of the outstanding manner in which Thyra Thomson carries on the long tradition of active participation by women in the government of the State of Wyoming.

Mr. President, I ask unanimous consent that a brief biography of Thyra Thomson and the article entitled "Who Needs Women's Lib?" both of which appeared in the Empire magazine, be printed in the RECORD.

There being no objection, the biography and the article was ordered to be printed in the RECORD, as follows:

WHO NEEDS WOMEN'S LIB?

(By Thyra Thomson)

(NOTE.—Thyra Thomson of Wyoming, is one of eight women secretaries of state in the nation. But Mrs. Thomson ranks highest because she's the only elected secretary of state who also serves as lieutenant governor. She was elected Wyoming's first woman secretary of state in 1962, and reelected in 1966 and 1970. She's a native of Florence, Colo., and an honors graduate of the University of Wyoming. Her late husband, Keith Thomson, was a three-term Republican congressman who was Wyoming's senator-elect when he died in 1960. Mrs. Thomson has three sons: Bill, 27; Bruce, 24, and Casey, 18.)

Every time I read about Women's Lib demonstrators burning their bras or crashing for-men-only saloons, I wonder when the voice of sweet reason will penetrate the current crusade for women's rights.

I think it's time women admitted we've had equal rights a long time. We simply haven't done much with them.

My own state of Wyoming has a very proud record in women's rights. The Wyoming territorial legislature gave women equal rights more than 100 years ago; it was the first government anywhere to allow women the right to vote, the right to hold public office, the right to serve on juries. Wyoming can also boast the first woman judicial officer, the first woman state official and the first woman governor.

Yet in 80 years of statehood, only 21 women have served in the Wyoming legislature. While male political leaders don't exactly encourage many female candidates, it's obvious that very few Wyoming women have taken advantage of their right to run for office.

I am one of the few. I have been secretary of state since 1963. Yet, while my husband was alive, nobody suggested I run for public office. The idea didn't occur to me then, either. I was too busy with my husband and children.

Most women don't worry about equality with men when they are young. They're too wrapped up in the primeval desire to love and be loved, to marry and to nest. I doubt if many young women think beyond the day when they don a wedding veil.

Yet it is a fact of modern life that 8 out of 10 women work outside the home, and 64 per cent of the women who work are married. And those who return to work after having a family can expect to spend 23 years on the job.

How galling it is, when a women does return to work, to realize she is locked into the lower-paid, tedious jobs. She will not only probably make less money than a man, but have far less chance of promotion.

Yet. I must point out that there is no law confining women to inferior jobs. Women themselves must bear a large share of the blame for their plight. Women don't buck for promotion the way men do. Men look forward to a better job, and expect it. Women don't. They can handle responsibility as well as men, but too many women seem to think it's unfeminine to do so.

The underlying problem is that women are not motivated by job prestige. A man may be measured by his work, but a woman measures herself by her success with men. That's something Women's Lib wants to change, and if this means judging women as people rather than sex objects, I'm all for it. But I wouldn't want to change the innate desire of women to be attractive to men.

Instead, I'd like to teach them that for many years of their lives, they have to be attractive to employers, too. Let's teach women how to get a job as well as how to get a man. And let's teach them early.

Most women don't really plan careers until they're "empty nesters" in their 30s. Unless a woman prepares for that work before marriage, while she's still in school, she may not find her career opportunities satisfying, useful or equal.

I often speak to high school and college girls on the need for obtaining all the education possible before marriage and then for updating their skills at every opportunity. For many girls, this means office skills—typing, shorthand, the ability to run a copying machine. Those are the starting skills that get a job. And you need that first job before you can start climbing the executive ladder.

I made that comment to a young feminist recently, and I could see by her face that she was thinking: What does Mrs. Thomson know about it? She was elected out of sentiment for her late husband.

That is largely true. Wyoming voters were very good to me when they elected me their first woman secretary of state, partly out of sentiment and partly because my name was familiar as a result of my husband's work in the U.S. Congress.

But would they have re-elected me twice if I hadn't been able to do the job as well or better than a man? I doubt it.

I didn't learn how to do the job in a blinding flash. I worked as a secretary before I was married. I had studied business administration, sociology and psychology in college. I kept up my skills and got a lot of on-the-job training working with my husband in Washington. I earned equality in a far more practical way than burning my bra.

The mere idea of women's rights generally raised hackles at the time the Wyoming territorial legislature took the bold step of giving women suffrage in 1869.

Women's Lib now likes to point out that the legislators thought it a big joke (they went down to the lusty bars in Cheyenne and raised their glasses "to our lovely ladies, once our superiors and now our equals") and that they were being more practical than chivalrous (women voting made a higher citizen count to apply for statehood) and that they even tried to repeal it (Gov. John Campbell, a bachelor, vetoed the repeal). But the remarkable thing is not that there were skeptics and controversy. The remarkable thing is that when the men of Wyoming wrote, enacted and brought reality to equal rights legislation, they opened a frontier which was to change the lives of half the people on the face of the earth—women.

By the time Wyoming did achieve statehood, in 1890, the legislators had no doubts. The state constitution said:

"Both male and female citizens of this state shall equally enjoy all civil, political and religious rights and privileges."

The legislators were told the woman suffrage amendment would probably cause the statehood application to be rejected by the U.S. House of Representatives. They sent a wire to Washington which I wish every Women's Lib advocate would memorize. It said:

"We may stay out of the Union a hundred years, but we will come in with our women."

I like that "with." I wish we could see equality as something we share "with" men instead of trying to be the "same as" men.

Still, I have a hunch the men won't suffer. In fact, I believe that in the long run the Women's Lib movement will help men more than it does women.

Women will eventually achieve wage parity: equal pay for equal work. When they do, employers will probably hire more men, and more women will stay home.

An indirect result of men's demanding higher and higher pay in the past was that women were hired. It was simple economics. Women worked for less.

When men and women command identical pay, women will forfeit the advantage of being low bidders and probably end up with fewer jobs.

Women have some disadvantages in job hunting. While the empty-nester going back to work becomes a faithful, stable employe, her skills are usually rusty and her education out of date. She starts again at the bottom of the ladder and pay scale.

Young women on the other hand usually don't stay on the job long enough to warrant training them for well paid, responsible positions.

They average less than two years. Marriage, or a baby, or a husband being transferred are the major reasons they quit. And they don't see anything wrong with that.

Recently, one girl in my office resigned because her husband had been transferred out of state. I asked if she would consider giving up her husband instead of her job. She thought I had lost my mind. But if you believe in equality, it's a valid question. Certainly, it never occurred to her husband to give up his new assignment because his wife liked her work.

A bank president told me recently why, he thinks there are few women executives in his field. He said:

"Schools of banking were opened to women in the 1930s. But women don't attend them. If I ask one of the girls in my bank to attend a banking school for three months, she says she can't leave her husband and children for that long. But if I turn to the man occupying the desk next to hers and ask him to attend the school for three months, he's eager. He knows he is being prepared for promotion, he thinks of a raise, he visualizes himself as president of the bank, and so he kisses wife and children goodby, and is off."

Men are far more willing to do the extracurricular chores that lead to the top. They volunteer for Chamber of Commerce work, serve on committees—all the extra things that are part of the climb to management positions. Most women put that extra time and effort into their families.

I don't know whether it's simply custom, or deep-seated instinctive urges that cause women to do this, but the point I want to make is that women ought to do what makes them happy. And they shouldn't blame men if they aren't happy at what they're doing.

For most women, true happiness is in helping the men in their lives to their mutual goals. They are working *with* their mates, and I can't think of a more noble objective in life. But for some of us, this isn't possible.

Women make up one-third of America's labor force and the majority take jobs for exactly the same reason men do: To support themselves and their dependents. I agree with Women's Lib that they should have the same earning power, the same opportunity for advancement as men.

I agree that women should share responsibility for solving our political and social problems, for running our government, ensuring our future.

None of us could imagine or tolerate a return to the thinking that existed before Wyoming's action of 1869, when women could not hold property in their own names, or be paid directly for their work, or even act as guardians for their own children.

But that was 102 years ago, and it's been 51 years since all American women won the right to suffrage by national amendment.

We can't blame men alone for inequalities that still exist. We have to liberate ourselves by changing our attitudes and accepting the reality of a world which requires us to be both wives and workers.

Somehow I find it difficult to view men as the enemy.

JUSTICE FOR ALASKAN NATIVES

Mr. McGOVERN. Mr. President, the 92d Congress has a rare opportunity to begin dealing honorably and justly with America's native population.

The legislation we enact to settle the land claims of 60,000 Indians, Eskimos, and Aleuts of Alaska can stand as a unique and classic example of enlightened Government acting in good faith. Of it can simply continue a long and tragic record of actions to deprive the American Indian of his land and resources, and to foster his desperate economic and cultural impoverishment.

It is important to approach this issue with a keen sense of our past mistakes.

In November of 1969, the Special Subcommittee on Indian Education published a searching examination of congressional action and policy in the field of Indian affairs. Among its central findings was a conclusion that our policy has been dominated by the practice of "coercive assimilation," a program for the destruction of Indian culture and Indian identity.

We have simply told the Indian that his tribal way of life is uncivilized and inappropriate, and that it must, therefore, disappear. We have told him that he must be melted in the melting pot, that he must dive into the mainstream and sink, float, or swim, regardless of whether or not he believes the mainstream to be polluted.

The Indian has displayed a strong, often heroic resistance to assimilation. The policy has not worked.

But rather than question whether it might be in fundamental error, our tendency has been to respond by making it still worse.

We have failed to understand the spiritual nature of the resistance. Instead, we have incorporated two stereotypes. Land reserves, commonly known as reservations, are regarded as one cause of the problem because they are like concentration camps that fence people in and prevent them from integrating into the dominant society. And the provision of Federal services and technical support to Indian communities on land reserves is another cause, because it makes Indians wards of the Government and condemns them to paternalistic dependency.

The logical next step is to "terminate" these facets of our policy; to eliminate the special treatment which allows Indian culture to continue. If Indians will not recognize the superiority of our values and our system on a gradual basis, while their physical survival is being assured, some have concluded that they might be more compliant if we made adoption of those values a prerequisite for staying alive.

The subcommittee report cited earlier suggested some underlying reasons for the policy of coerced assimilation:

A continuing desire to exploit, and expropriate Indian land and physical resources.

A self-righteous intolerance of tribal communities and cultural differences.

But whatever its reasons, its results have been:

The destruction and disorganization of Indian communities and individuals.

A desperately severe and self-perpetuating cycle of poverty for most Indians.

We need not question the good intentions of Congress in order to undertake a new approach. We need only to recognize that good intentions can produce devastatingly bad results.

Indeed, many of our most substantial legislative failures have been blessed with the best intentions and have been clothed in the rhetoric of generosity and justice. The Allotment Act of 1887, for example, was supported on the floor of the House and of Senate as:

An act of emancipation which would bring the benefit of civilization to American Indians.

An act which would do away with "racial enclaves" and bring about integration of the races.

An act that would rescue the Indian from the taint of being an incompetent ward of the Federal Government.

An act that would free the Indian from the ravages of bureaucratic paternalism.

That act had the support of many humanitarian reformers who felt that manifest destiny would prevail, and that it would be impossible to keep white settlers off Indian land. They argued that this act was the best Indians could obtain from Congress, and that it would at least secure a portion of the Indian land base.

Yet the Allotment Act of 1887 was responsible for reducing the Indian land base by more than two-thirds, and for condemning most tribes to a State of abject poverty from which they have never recovered.

How familiar these arguments sound today. The smell of oil is in the air in Alaska, and it has ignited the fires of manifest destiny once again. And after decades of procrastination, it has lubricated the wheels of congressional action.

We have, therefore, good reason for concern about the possibility that the Native Claims legislation under consideration now could be just as disastrous for Alaskan Natives as the 1887 act was for the tribes of the lower 48 States.

We may proceed on the same false premises—that "racial enclaves" should be broken up, that native villages are not viable, that racial and cultural differences cannot work in our technological society and only impede assimilation, that Alaskan Natives are incapable of managing and developing their land and other resources, and that if we provide a little land and some cash we will have provided full compensation for the claim.

And if we do, we will have practiced again—now in an era which we like to think of as more enlightened—the same exploitive philosophy which has made our treatment of American natives one of the most tragic and shameful patterns of abuse in our national experience.

I hope the Alaskan Native claims issue will become a vehicle for putting those times behind us, and also for recognizing that our society is enriched by a variety of cultures and social patterns, and that for all of our wealth and wisdom, it might just be that our own lives could be improved by the incorporation of some of the more compelling native virtues.

Toward that end, I ask unanimous consent that there be placed in the Record at the conclusion of my remarks a number of documents which clarify basic issues and provide a detailed analysis of the major proposals considered in the last session of Congress and under consideration now. These documents deserve the careful study of each Member of Congress.

MINIMUM REQUIREMENTS

The proper legal and moral framework for the consideration of specific legislation on Alaskan Native land claims has been set forth quite lucidly by Mr. Arthur Lazarus, Jr., counsel for the Association on American Indian Affairs. He states:

> The key starting point in consideration of any proposed settlement is recognition of the principle that the Federal Government is not dealing with ordinary "social welfare" legislation under which the United States will provide, and the Native beneficaries receive, a variety of gratuitous funds, goods and services. This legislation involves *property rights*. The primary objectives of a just and equitable bill, therefore, must be (a) to enable the Natives to retain a reasonable share of their aboriginal property, and (b) to pay the Natives just compensation for the lands, interest in lands and other rights which they are being required to give up, and only as a corollary, (c) to foster or establish an economic setting in which serious Native social welfare problems are either prevented or corrected.
>
> A fair settlement thus should afford the Natives land, money and future expectations, within an administrative framework which permits them to manage, as well as derive benefits from, their own assets. According to the Alaska Federation of Natives, such a settlement would include a confirmation of title in Native village and regional corporations to 40–60 million acres of land, a payment of $500 million over an eight-year period and retention of an overriding 2 percent royalty as compensation for lands to which Native title has been or will be extinguished, and long-range protection of subsistence hunting, fishing, trapping and gathering rights.

It is difficult to evaluate such proposals fairly without realizing what they are. As Mr. Lazarus points out, it is not a question of what Congress will give the Alaskan Natives; it is one of determining how much of what is theirs they will be allowed to keep.

The land provisions proposed by the Alaskan Federation of Natives comprise approximately 16 percent of Alaskan territory. The Natives now make up more than 20 percent of the population. They have arguable claims to some 90 percent of the State's land. That is the context in which this legislation should be considered.

The Alaskan Federation of Natives' position is eminently reasonable. Its essential provisions have been encompassed in a bill, S. 835, which I am pleased to cosponsor along with Senators HARRIS, KENNEDY, and others.

The most prominent alternative at this point, while we still await more details on the administration's position, is S. 35. It is virtually identical to S. 1830, which passed the Senate last summer, but was not acted upon by the House. And let me add, at this point, that it is fortunate that the issue was not resolved last year, for it leaves the Congress with an opportunity to correct its position.

S. 35, like its most prominent alternative, is unsound for the Alaska Native people and for the Nation. It would impoverish many Natives by substituting an unlivable annual cash income supplement—$53 per person in the first year, rising to $418 in 20 years—for their present right to make subsistence living, plus some cash income, by hunting, fishing, berrying, and trapping on the lands this bill would deny them. It would do this without offering the Natives the means of transition from a subsistence style of life to a full cash economy. Indeed, the policy guiding S. 35 is to force this transition—to apply coercion of the most compelling kind—by the very terms of the settlement. Last year's committee report on this bill expresses the view that "the historic way of life" of the Natives should not be perpetuated by congressional action, because civilization must come to the Native people.

By the same token, the 10 million acres provided in S. 35 is completely inadequate to maintain a viable Native economy. A survey conducted last summer by the Alaska Native newspaper the Tundra Times showed an overwhelming rejection of the land provisions among 14 regional Native organizations. The prevailing view was summed up by Emil Notti, former president of the Alaska Federation of Natives:

> The feeling in the villages is very strong. They want their land.

The Federal Field Committee report, which is regarded as the most comprehensive survey of the literature on the Native way of life, expresses three major points on this score: First, if grants to meet Native subsistence needs are to be made, then a minimum of 60 million acres will be required; second, Native land use varies widely according to geographic location and biotic carrying capacity and, therefore, land grants to protect the Native subsistence economy should be allocated to villages in varying amounts based in proportion to the number of people the land will support; and third, in order to provide the economic means for the Natives to make reasonable and sustained progress, any claims settlement legislation should not only protect subsistence resources, but also confirm Native title to commercially valuable properties.

At this point, it becomes necessary to emphasize that no reason exists in law or equity for denying Natives full subsurface rights in their own lands. Indeed, the Papago Reservation in Arizona was the only Indian reservation established in the history of our country where the United States withheld mineral rights from the tribe, and Congress remedied that situation in May of 1955. The language of settlement proposals denying Natives anything beyond mere subsistence use of the land, or providing that the Natives may keep resources subject to the mining laws, but not resources subject to the mineral leasing laws, simply cannot be explained in terms other than Federal self-interest prevailing over justice.

As noted in the Field Committee report, projections of Native land use based upon studies of individual villages throughout the States suggest that the acreage required for traditional subsistence needs may actually reach as high as 80 to 120 million acres, or, in other words, about double the area which the Alaska Federation of Natives is requesting and which our bill would provide.

The truth is that Native dependence on the land is the central feature of the present-day economy. A substantial number of Natives now relies upon the subsistence use of large areas of land in Alaska in order to survive. And the cash payments provided under S. 35 and other alternative proposals cannot furnish anything but totally inadequate substitutes for such subsistence activities.

Implicit in the land features of S. 35 is the assumption that the Natives soon will abandon village life and, with the development of Alaska, migrate in increasing numbers to urban centers for permanent wage work. The Field Committee report contradicts this assumption.

Village population in the last 20 years has grown substantially, and includes about 75 percent of all Natives. Furthermore, any projections on rural Native population movement must take into consideration the desires of the Native people themselves. The Field Committee report states that a survey of 1,000 men in northern, interior, and coastal villages indicates that—

> About ¼ told interviewers they would not accept any employment—in replacement of traditional subsistence activities. Of the more than 750 who said they would accept employment, nearly 300 said they would accept only temporary employment—and ⅓ of those said they would accept such employment only near home.

With respect to the last possibility, the report further points out that the Natives can expect little employment from local oil or mineral exploitation—a prediction which is being confirmed by experience on the North Slope. A recent report, prepared by the University of Alaska, points out with dismay that despite all of the massive oil development and related activities in the State, Native unemployment has substantially increased over the past several years.

The committee report on S. 1830 made it clear that the Native subsistence economy was to be legislated out of existence. The report stated that—

> The settlement will with minor exceptions put an end forever to racial or ethnic distinctions in . . . hunting, and fishing rights.

Thus, S. 1830 provided no protection whatsoever to subsistence activities on the 103 million acres to be selected by the State, and only emergency closings of 2 years "maximum duration"—with a possible extension of another 2 years—on public lands not selected by the State. Under S. 35, the central feature of the Native economy would be, with minor exceptions, left unprotected and almost certainly would be doomed.

In sum, the incomes of the village Natives, already at poverty levels, would be further reduced. Under the additional pressure of population increase, many Natives would be forced to migrate to the non-Native urban centers. There, without skills and education, facing discrimination, they would join the present 11,500 urban Natives, most of whom are poor themselves. Such a migration can only have the most destructive effects upon the migrants and upon the cities to which they flee. The transition which would be required by S. 35 is in effect a transition to greater poverty and to greater urban problems.

Dr. Alexander Leighton, nationally respected professor of social psychiatry and chairman of the Department of Behavioral Sciences at Harvard University's School of Public Health, has described the ominous future we can expect under S. 35:

> Legislation proposed by the Administration to settle Alaska Natives land rights in the 91st Congress, as well as the Senate-Passed version of a Settlement Act (S. 1830) are inconsistent with the Alaskan Natives' needs for an adequate land base, and if enacted, would threaten the native people with social catastrophe.

WHITE HOUSE LEADERSHIP REQUIRED

On February 18, Secretary of the Interior Rogers Morton testified on this issue before the Senate Committee on Interior and Insular Affairs. Although he suggested several modifications, the Secretary said that—

> After reviewing the Administration's proposal submitted to the last Congress, I believe that it represents a just settlement of the Native claims issue.

I hope that Secretary Morton is now reviewing that bill again. It is a sorry fact that the administration's bill in the last Congress was even worse than S. 1830.

It failed to provide for even as much land as the Senate bill. It failed to provide for full title, including mineral rights, to what limited land was retained. It failed to provide adequate protection of subsistence economies. It failed to provide for any form of revenue sharing, thus effectively cutting the monetary settlement in half. It failed to take into consideration practically all of the carefully prepared proposals of the Alaskan Natives. And its declaration of policy asserted, in effect, that it is in the interests of this country to pursue termination as a positive virtue.

That act could not fairly be called a settlement bill. It would be described with greater accuracy as an act of expropriation.

Secretary Morton promised that a new administration bill would be sent up promptly. We still await it and their decision.

I choose to believe that the delay has been caused by a real interest in avoiding disaster for the Alaskan Natives, and in coming to support settlement terms which coincide with the President's expressed policy of self-determination for our first Americans. If the administration cannot support S. 835, then I look forward to a new administration proposal with similar content, incorporating the major elements of the AFN position. I look forward to the kind of courageous, enlightened leadership from the White House that issues of this historic and moral magnitude deserve.

Mr. President, the Natives of Alaska deserve the active support of every Member of this body in their quest for justice and opportunity. In view of their legal rights, their social and economic needs, and the value of the land to which they have rightful claim, and the settlement they request is fair, reasonable, and humane.

It will afford a wise and courageous Native people a meaningful opportunity for self-determination and the base for a better life for themselves and their heirs. It can avoid for Alaskan Natives the exploitation, the abuse, and the attempted cultural genocide of Indians which blot our national heritage.

Few of us can retain any pride in the history of relations between whites and Indians in this country. We are beginning to realize what the "winning of the West" has done to the people from whom the West was taken, and it is a sad and tragic tale.

Last year Congress took a small step on a different course, by passage of the Taos-Blue Lake bill. The Indians finally won a battle.

Our approach to Alaskan Native claims this year will determine whether we can muster more than symbolic gestures; whether we can hold to the same principles of justice and tolerance when the contest is over large amounts of territory and major economic resources.

The decision we make on this legislation will profoundly affect the lives of Alaskan Natives for generations.

But it will reflect on our national honor for centuries.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

NATIVE ALASKA: DEADLINE FOR JUSTICE

The United States and its people are offered a priceless opportunity to do justice to its aboriginal people whose treatment in the past has reflected little glory on our Nation.

A hundred years ago on the Western frontier, Indians and whites were killing each other for possession of the land. Today in Alaska, sixty thousand Indians, Eskimos and Aleuts are fighting to preserve their ancient rights and heritage, and to save a fair portion of their lands from expropriation by the State. They are waging a peaceful war for a decent share of America's future. Congress is now deciding their fate. The Alaska Native people urgently appeal to the conscience of every American for help in their search for justice.

Alaska's Indian, Eskimo, and Aleut citizens have conclusive legal and moral rights (original Indian title) to 340 million acres of land—ninety per cent of the Alaska landmass. They are asking Congress to grant them formal legal title to 40 million acres essential to their present livelihood and future well-being, and for just compensation for the remaining 300 million acres they feel are beyond the possibility of saving. Their hopes are expressed in legislation submitted to Congress, and presently pending before the House and Senate Interior Committees.

The decision Congress makes will profoundly affect the lives of Alaska Natives for generations and will reflect on the honor of our Nation for centuries.

THE LAND AND THE PEOPLE

To the Alaska Natives, the land is their life; to the State of Alaska, it is a commodity to be bought and sold. Alaska Native families depend on the land and its waters for the food they eat, hunting and fishing as they have done for thousands of years.

"Nothing is so sorrowful as for a hunter, empty handed, to be greeted by hungry children. They will look at your feet. If there's blood on your feet, they know you got a moose."

Living in some two hundred remote villages scattered across a State three times the size of Texas, the Natives need large areas simply to survive. Often a thousand acres are required to support one person. In some regions, a village of two hundred people may require as much as 600 thousand acres.

Their subsistence economy is as varied as the land. The Eskimos of the Arctic hunt whale, walrus, and seal in the coastal waters and caribou on the frozen tundra. They gather murre eggs from the sea cliffs in July and take ducks and geese through the summer. The Athabascan Indians of Interior Alaska, on the other hand, hunt moose, beaver, muskrat, rabbit, and black bear in forests of white spruce and birch. The lakes offer ducks and geese. At their summer fishcamps, they take salmon by fishwheel, and salt or smoke it for the long winter. When the waters freeze over, pike are caught through the ice. Wild blueberries are gathered in July and cranberries in September.

Cash is hard to come by. In the villages there is virtually no wage work. Too often, where there is employment in the Alaska "bush," the Natives are denied equal job opportunities. A recent Task Force investigation of hiring in the oil fields, for example, found that only 8 out of 800 jobs were held by Natives.

Measured by contemporary standards, Alaska Natives are the most impoverished of America's poor. Village family income for those who have any income averages less than one-quarter of the family income for white Alaskans. Only one of every ten young people graduates from high school. Average age at death is thirty-five.

Harsh though living conditions may be, the Natives have retained their independence and self-respect, and, most important, their hopes and plans for the future. It is sometimes said that the old way of life is passing and with it the need for the land. Mindful of the experience of the Indian tribes of the Old West, the Natives fear that if title to their land passes to the State, they too will be forced onto the welfare rolls.

The land is today's certainty and tomorrow's promise. Industrious and adaptive, the Natives look forward to the day when they can profit, if they choose, from rational commercial development of their resources and can create local employment opportunities through their own initiatives. In short, only if the Natives obtain title to a reasonable amount of their land will they possess the secure economic base upon which to build a better life in a changing world.

THE CONTROVERSY

The present dispute between the State and the Natives has its origins in a century of inaction by Congress. The State claims the right to select 103 million acres from the public domain under a provision of the 1958 Statehood Act. The Natives rely on a pledge by Congress in 1884 to respect their aboriginal claims, buttressed by a provision included by Congress in the Statehood Act that subjects the State's selection to their prior aboriginal claims.

In 1867, when the United States acquired Alaska from Russia, it purchased not the land itself but only the right to tax and to govern. Our Government recognized at that time, in accordance with long-standing Federal policy and Supreme Court precedent, that the land belonged to the original occupants—the Native people of the villages.

Congress, in the Organic Act of 1884 establishing a territorial government in Alaska, acknowledged the Natives' *right* to the land, stating: "The Indians . . . shall not be disturbed in the possession of any lands actually in their use or occupancy or now claimed by them." However, it postponed for future legislation the matter of conveying *title* to the Natives. Congress has yet to act.

Until the Statehood Act there was no

massive threat to Native land rights or their way of life. Indeed, prior to 1939 the Natives were a majority in Alaska and even today non-Natives use only a minute fraction of the land. To protect Native land rights against the new State, Congress provided that the "State and its people do agree and declare that they forever disclaim all right and title . . . to any lands or other property (including fishing rights), the right or title to which may be held by any Indians, Eskimos, or Aleuts."

Nonetheless the State subsequently moved to take over lands clearly used and occupied by Native villages and to claim, under the 1958 Act, royalties from Federal oil and gas leases on Native lands. The Department of Interior's U.S. Bureau of Land Management, without informing the villages affected and ignoring the claims they had on file, began to process the State's selections. The lands of the Indians of Minto Village, where the lakes provide one of the best duck-breeding grounds in the world, were slated to be taken over by the State for the recreation of sports hunters and vacationers. The Indians of Tanacross Village were to discover that their lands on beautiful Lake George were being offered for sale at the New York World's Fair as "Wilderness Estates." The multi-billion dollar North Slope oil strike by Atlantic Richfield at Prudhoe Bay is on land the State has claimed from the Eskimos of Barrow.

As word of the State's actions spread from village to village, the Natives began to organize regional associations for their common defense, and in 1962 the *Tundra Times,* a Native weekly, was founded to provide a voice for Native aspirations. In 1964, Indian and Eskimo leaders from across the State met in Fairbanks to mobilize their joint forces; and two years later the statewide Alaska Federation of Natives was formed to champion Native rights.

In 1966, then Secretary of the Interior Stewart L. Udall, with statutory responsibility to protect the interests of the Natives, finally acted to block the State. After the Bureau of Land Management had granted Alaska title to 6 million acres of Native land and had tentatively approved the transfer of another 12 million acres, Secretary Udall, responding to Native appeals, halted the transfer of additional land and suspended the issuance of new Federal oil and gas leases pending Congressional settlement of Native land rights.

Alaska's Governor Walter J. Hickel condemned this act as illegal, and the State filed suit against Secretary Udall in Federal Court to force him to complete transfer of certain Native lands. The case is now being considered by the United States Court of Appeals for the Ninth Circuit.

In January 1969, as one of his last acts in office, Secretary Udall formalized his "land freeze" with the issuance of Public Land Order 4582. In so doing he stated: "This action will give opportunity for Congress to consider how the legislative commitment that the Natives—shall not be disturbed in their traditional use and occupancy of the lands in Alaska should be implemented. . . . To allow these lands to pass into other ownership in the face of the Natives' claim would, in my opinion, preclude a fair and equitable settlement of the matter by Congress. It would also deny the Natives of Alaska an opportunity to acquire title to lands which they admittedly have used and occupied for centuries."

Governor Hickel was appointed by President Nixon to succeed Secretary Udall. At confirmation hearings on this appointment, Senator Henry M. Jackson, Chairman of the Senate Committee on Interior and Insular Affairs, won a promise from Secretary Hickel that he would continue the freeze during the 91st Congress. Secretary Hickel has made it clear, however, that unless Congress acts he will allow the Udall order to expire at the end of 1970 and begin again transferring Native land to the State. His deadline for justice is fast approaching.

The hopes of the Native people gained new force when, in July 1969, Arthur J. Goldberg, former Supreme Court Justice and U.S. Ambassador to the United Nations, agreed to represent their cause before Congress as a public service. Associated with him in this effort are Ramsey Clark, former Attorney General, and Thomas Kuchel, former U.S. Senator from California.

Ten years ago few Alaskans in positions of power recognized the validity and the urgency of Alaska Native land rights. Today the Natives are united and their newly discovered political strength has gained respect for their cause.

THE VALIDITY OF NATIVE CLAIMS TO ALASKA LAND

The legal validity of Native land rights in Alaska, based on aboriginal use and occupancy, is not subject to serious challenge at this late date in history. A long series of Federal statutes and Supreme Court decisions establishes the rule that aboriginal occupancy creates a property right which the United States alone has the power to extinguish and that Native land rights carry with them the right of the tribe or Native group to enjoy the protection of the United States against interference from all others, including State Governments.

As early as 1783 the Congress of the Confederation issued a proclamation prohibiting all persons from making settlement "on lands inhabited or claimed by Indians" and "from purchasing or receiving any gift or cession of such lands or claim without the express authority and direction of the United States in Congress assembled." The Ordinance for the Northwest Territory provided that the land and property of the Indians "shall never be taken from them without their consent" and that "their property, rights, and liberty . . . shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress."

Judicial recognition of Indian possessory rights was first announced in 1823 in *Johnson* v. *M'Intosh,* when Chief Justice Marshall defined the status of the original inhabitants as "the rightful occupants of the soil, with legal as well as just claim to retain possession of it."

Nine years later, in the famous case of *Worcester* v. *Georgia,* the Supreme Court reiterated the principle that the right of discovery "could not affect the rights of those already in possession," and further stated that, under the Indian Trade and Intercourse Laws, the Indian communities have territorial boundaries and have a right to all the lands within those boundaries, which is not only acknowledged but guaranteed by the United States. In 1835, in *Mitchell* v. *United States,* the Supreme Court again declared that "friendly Indians were protected in the possession of the lands they occupied" and that "their right of occupancy is considered as sacred as the fee-simple of the whites."

This consistent policy of respect for Indian rights of occupancy continues in the 20th Century and is summarized in the 1941 Supreme Court case of *United States* v. *Sante Fe Pacific R.R. Co.:*

"Unquestionably it has been the policy of the Federal Government from the beginning to respect the Indian right of occupancy, which could only be interferred with or determined by the United States."

In *Tee-Hit-Ton Indians* v. *United States,* which involved lands in Alaska, the Supreme Court again acknowledged that it has been "the policy of the Congress, continued throughout our history, to extinguish Indian title through negotiation rather than by force," and that the Indians had a "right of occupancy which the sovereign grants and protects against intrusion by third parties," even though it further held that Congress must act in order for Indian title to be compensable as against the United States.

In addition to the protection afforded by general Federal legislation and Supreme Court decisions, the possessory rights of Alaska Natives have been the subject of specific legislative protection from the time of "Seward's Folly"—most notably in the 1883 Organic Act, the Act of June 6, 1900, and the Alaska Statehood Act.

In 1902, the United States Court of Appeals for the Ninth Circuit held in *Heckman* v. *Sutter,* that the Organic Act established possessory rights which would ground a suit against encroachment by third parties, stating that:

"Congress saw proper to protect by its act of 1884 the possession and use by these Indians and other persons of any and all lands in Alaska against intrusion by third persons, and so far has never deemed it wise to otherwise provide."

Continuing the policy of earlier years, Congress recently excepted lands occupied by Indians from the tideland grants to the territory of Alaska under the Act of September 7, 1957.

Thus, aboriginal title in Alaska has been accorded the safeguard of special legislation in addition to the protection generally applicable to Native rights of occupancy throughout the United States. The legal basis of the claims here asserted is beyond question.

THE TERMS OF SETTLEMENT

Three alternative proposals to settle the Alaska land controversy have been placed before Congress. Secretary Hickel proposes enactment of legislation with these major provisions:

1. Conveyance to the Native villages of restricted title to approximately 12 million acres of land, stripped of oil and gas rights, to be selected from the public domain at the same time as the State has an opportunity to pick its 103 million acres;
2. Cash compensation in the amount of $500 million, payable over a twenty-year period without interest.

The Federal Field Committee for Development Planning in Alaska, an independent agency of the Executive Office, recommends a Congressional settlement with these major provisions:

1. Conveyance to the village of fee-simple title to approximately 5 million acres of land, with full mineral rights, and protection of hunting and fishing rights over larger areas;
2. Cash compensation ranging from a minimum of $100 million to $1 billion, the exact amount being contingent on the size of Federal oil and gas royalties in Alaska, to be paid over a ten-year period without interest.

The Alaska Federation of Natives, on behalf of the sixty thousand people it represents, offers in the proposed legislation a settlement with these major provisions:

1. Conveyance to the villages of fee-simple title to 60 million acres of land, with mineral rights to be held by Native regional development corporations;
2. Cash compensation in the amount of $500 million dollars (roughly $1.50 per acre) payable over a nine-year period with interest at 4%; and a 2% residual royalty on gross revenues from Federal lands to which Native title is extinguished.

Given the vast amount of land in Alaska and the extent of Native land rights and needs, 60 million acres is a reasonable request. It represent 16% of the land for 20% of the people who have valid claims to nearly 100% of the land. The State still would find ample land from which to make its selection of 103 million acres, and a balance of about 210 million acres would be retained by the Federal Government.

Justice further dictates that the Natives enjoy fee-simple title to the lands that are to remain theirs. This is consistent with repeated Supreme Court decisions that aboriginal land rights include all mineral rights. Without such title, a village not only would be denied its rightful benefits, but also it would be at the mercy of the conservation practices of the oil and mining companies for protection of the subsistence value of the surface of the land.

Considering the fact that the lands to which the Natives have legal rights have a value conservatively estimated in the tens of billions of dollars, the cash settlement proposed by the Natives based on $1.50 per acre is a modest one. The State of Alaska received in September, 1969 alone almost $1 billion from bonus bids offered in September by oil companies for exploration rights to 431,000 acres of oil land it has taken from the Eskimos of the Arctic Slope. This amounts to over five times the current budget of the State.

Measured against the needs of the Natives, the cash compensation is not substantial. Far more would be required to raise their family income and standard of living to half that of white Alaskans.

The amount sought is, however, enough to provide a capital base for human and community development and can be financed by the Federal Government from a fraction of the wealth it will derive from the lands to which Native title will be extinguished. Moreover, the monetary settlement will not be paid to individuals, but rather to Native village and regional development corporations empowered to launch self-help programs in health, education, housing, employment, and economic growth.

SUMMARY

In view of the Natives' legal rights, their social and economic needs, and the value of the land to which they have rightful claim, the settlement the Alaska Federation of Natives seeks is just, reasonable, and humane. It will afford a wise and courageous Native people a meaningful opportunity for self-determination and the base for a better life for themselves and their children.

In Alaska, the United States and its people are offered a priceless opportunity—and its last real chance—to do justice to its aboriginal people, whose treatment in the past has reflected little glory on our Nation.

This Is My Land

(By Clarence Pickernell, a Native American)

This is my land
From the time of the first moon
Till the time of the last sun
It was given to my people.
Wha-neh Wha-neh, the great giver of life
Made me out of the earth of this land.
He said, "You are the land, and the land is you."
I take good care of this land,
For I am part of it.
I take good care of the animals,
For they are my brothers and sisters,
I take care of the streams and rivers,
For they clean my land.
I honor Ocean as my father,
For he gives me food and a means to travel
Ocean knows everything, for he is everywhere.
Ocean is wise, for he is old
Listen to Ocean, for he speaks wisdom
He sees much and knows more.
He says, "Take care of my sister Earth,
She is young and has little wisdom, but much kindness."
"When she smiles, it is springtime."
"Scar not her beauty, for she is beautiful beyond all things."
"Her face looks eternally upward to the beauty of sky and stars,
Where once she lived with her father, Sky."
I am forever grateful for this beautiful and bountiful earth.
God gave it to me.
This is my land.

Alaska Federation of Natives' Position With Respect to Alaska Native Land Claims

With the failure of the 91st Congress to enact legislation settling the issue of Alaska Native land claims with the prospect of new legislative proposals in the 92nd Congress to resolve this 103-year old problem, the Alaska Federation of Natives (AFN), composed of its constituent regional associations, wishes to restate its position setting forth the basic elements of a settlement that will be acceptable to all of Alaska's Eskimos, Indians and Aleuts. During several days of intensive deliberation in December and January, the AFN board of directors re-examined its approach to the land claims settlement, and adopted certain changes in its position as set forth below in a conceptual bill outline. A position restatement is necessary at this time in order to make known these modifications and to insure that all concerned parties are fully advised as to AFN's position outlining a recommended settlement.

AFN believes a settlement extinguishing the property rights of the Natives to substantially the entire State of Alaska must recognize that different groups of Alaska Natives have property rights in different lands aboriginally used and occupied by them. The settlement should reflect these differences and, short of a lengthy adjudicatory process in the courts to determine value, should be based primarily on the quantum of land within the exterior boundaries of each Native region. The basic elements of such a settlement should include:

A. Confirmation of title to sixty million acres of land in the Native villages and regions over which the Native people have asserted dominion through use and occupancy from time immemorial. Each of twelve recognized regions would receive a share of the land proportional to that region's total size in acres.

B. Payment of $500 million in federally appropriated funds and a 2 percent share in perpetuity of all revenues derived from the public land in Alaska as compensation for lands previously taken, and as compensation for the extinguishment of any and all property rights or claims against the United States, the State of Alaska and third parties, based upon aboriginal right, title, use an occupancy of lands in Alaska by any Native or Native group. The $500 million federal share would be distributed to twelve regional corporations. Each region would receive an initial share in the amount of $8 million. The balance of $404 million would be distributed to each region on a population basis so that each region's share is proportional to the total Native population in that region. The 2 percent overriding revenue share would be distributed to each region on a population basis.

C. Establishment of twelve regional corporations as the management group for the land and funds received in the settlement.

D. Creation of an Alaska Native Commission to assist in the administration of the Settlement Act.

A fair, just and equitable settlement of Alaska Native land claims is recommended in accordance with the framework for settlement outlined below.

1. ENACTMENT CLAUSE

2. DECLARATION OF POLICY

3. DEFINITIONS

4. REGIONS

(a) For purposes of this Act, the State shall be divided by the Secretary within six months after the effective date of this Act into twelve geographic regions, with each region composed as far as practicable of Natives having a common heritage and sharing common interests. In the absence of good cause shown to the contrary, such regions should approximate the area described as follows in the Federal Field Committee Report and covered by the operations of the following existing Native Associations:

(1) Arctic Slope: Arctic Slope Region (Arctic Slope Native Association);

(2) Northwest: Bering Strait Region (Northwest Alaska Native Association);

(3) Bering Strait: Bering Strait Region, Bering Sea Region (Bering Strait Association);

(4) Southwest: Southwest Coastal Lowland Region (Association of Village Council Presidents);

(5) Bristol Bay: Bristol Bay Region (Bristol Bay Native Association);

(6) Interior: Upper Yukon-Porcupine Region, Koyuk-Lower Yukon Region, Tanana Region, Upper Kuskokwim Region (Tanana Chief's Conference);

(7) Aleutian: Aleutian Region (Aleut League);

(8) Kodiak: Kodiak Region (Kodiak Area Native Association);

(9) Cook Inlet: Cook Inlet Region (Kenai Peninsula Native Association, Kenaitze Indian Association);

(10) Copper River: Copper River Region (Copper River Native Association);

(11) Gulf of Alaska: Gulf of Alaska Region (Chugach Native Association);

(12) Southeast: Southeast Region (Tlingit-Haida Central Council).

(b) Existing Native villages located within each region should be listed by region in the bill.

5. ALASKA NATIVE COMMISSION

(a) An Alaska Native Commission composed of five members to be appointed by the President with the advice and consent of the Senate should be established.

(b) Of the Commission's five-man membership, at least three of the members appointed by the President should be Natives, and not more than three members of the Commission should be members of the same political party.

(c) The Commission's duties should include:

(1) the issuance of rules and regulations for preparing a final membership roll of Natives;

(2) the determination of eligibility for inclusion on such roll, and of protests with respect thereto; and

(3) the preparation of final membership roll of all Natives living on the Act's effective date within five years of such date.

(d) Upon completion of its duties under the Act, the Commission should cease to exist.

6. ENROLLMENT

The Secretary of the Interior shall prepare a temporary census roll of Natives eligible for benefits under the Act. Eligible Natives shall be citizens of the United States who are Alaska Indians, Eskimos, or Aleuts of one-fourth degree or more Alaska Indian, Eskimo, or Aleut blood. The final census shall then be prepared, with provisions for protest and determination of disputed eligibility status.

7. REGIONAL CORPORATIONS

(a) A regional corporate structure should be established to administer the settlement proceeds and to receive title to that land located within the various regions that is not allocated to the villages.

(b) The corporate charters for each regional corporation should provide that the corporation shall be devoted to promoting the health, welfare, education and economic and social well-being of its members and their descendants, and shall be authorized by its articles of incorporation, among other purposes, to construct, operate and maintain public works and community facilities, to engage in medical, educational, housing and charitable programs, to make loans and grants consistent with its corporate purposes, to foster industrial and economic development, to lease and manage real property, to distribute lands, interests in land, and funds to the Native villages located within its region, and to members and their descendants.

8. OTHER NATIVE CORPORATIONS

(a) Native villages would be permitted to organize under the laws of any state or the United States as corporations for the purpose of receiving (1) title to a specified amount of the surface estate of land contiguous to the village (see Section 8) and (2) a proportionate share of the monetary proceeds of the settlement as detailed in Section 9.

(b) However the village is organized, the entity's use of monetary proceeds would be subject to the same oversight as are the regional corporations.

9. LAND ALLOCATION

(a) The twelve Native regions would have confirmed to each of the regional corporations a proportionate share of 60 million acres in fee based on each region's land area as it bears to the twelve region total. This approach not only causes the settlement to relate directly to the land claimed by identifiable Native groups, but also simplifies the land allocation process by not having to rely on the Native enrollment which may require the entire five year period from the Act's effective date to complete.

(b) Each regional corporation should hold title to land allocated to its region. Land selections should be limited to public land within each region with up to four townships (92,160 acres) being made contiguous to the villages within such region. The remaining acreage allocable to each region should be selected in non-contiguous tracts from public lands within the region.

(c) Regional corporations should have authority to convey to villages the surface estate to land upon which a village is situated and a reasonable amount for expansion if requested to do so by the village governing body. Title to the leaseable minerals, locatable minerals and renewable surface resources and to that portion of the surface estate not granted to villages, would remain with the regional corporation.

(d) To permit the greatest flexibility in land selection, the regional corporation should be allowed a period of five years from receipt of the initial $8 million payment (see Section 10) to make their selections. During this period, the State of Alaska should be permitted to go ahead with selections under the Statehood Act, but tentative approval could not be given prior to the expiration of the five year period unless an affirmative showing is made that such approval would not conflict under any circumstances with possible regional corporation selections. No attempted appropriation under the public land laws, such as a homestead entry or mineral lease application, would be permitted during the five year period of Native and State selections. In the event the regional corporations do not select their full entitlement during the five year period, a second five year period should be allowed the regional corporations affected to make the remainder of their land selections. The State of Alaska, however, should be permitted to select its own land during the second five year period without being subject to a prior Native selection right. Additionally, Native selection rights during this latter period should take subject to any valid existing rights that may have arisen after expiration of the first five year period but prior to the Native selection.

(e) The entire yield from the land (i.e. all revenues resulting from the disposition of leaseable and locatable minerals, mineral materials, and renewable surface resources such as timber) should be shared between regions on the following basis: Fifty percent of the yield as defined above should be retained by the region of origin. The remaining fifty percent should be distributed to the other eleven regional corporations on a population proportion basis.

(f) Individual Natives should receive patents to the surface estate of up to five acres per individual and forty acres per group where Native applicants are able to establish a subsistence use, and up to sixty-acre tracts based on proof of historic use and occupancy of such larger tracts, to the surface estate of up to 160 acres for the primary residence of Natives, and to the surface estate of up to 2,560 acres for reindeer management.

10. ALLOCATION OF MONETARY PROCEEDS

(a) The two primary sources of cash compensation to fund the settlement should be:

(1) $500 million in federally appropriated funds, and

(2) a 2% share in perpetuity of all revenues derived from the public lands through the disposition of locatable and leaseable minerals, mineral materials, and renewable surface resources

(b) The cash proceeds from the $500 million federal appropriation should be distributed as follows:

(1) An initial payment of $8 million should be made to each regional corporation to assist such corporations to organize and become operational, and to allow them to exercise land selection rights with complete technical data on the resource potential.

(2) The balance of the $500 million federal appropriation should be payable over a nine year period with interest at 4% per annum, $54 million the second year, and $50 million each year thereafter. The remainder (i.e. $404 million) would be paid directly to the regional corporations on a population basis, i.e. each region's share would be proportional to the total Native population in that region.

(c) The cash proceeds from the 2% share in all revenues derived from the public lands should be distributed to each of the twelve regional corporations on a population proportion basis.

(d) Within each region, distribution of up to 75% of the settlement's monetary proceeds received by such region under Section 10(a) should be set aside for the villages of such region on a population proportion basis. In order to receive funds, villages should be required to submit plans to the regional corporation which would review the plan and approve it if determined to be in accordance with the purposes of the village corporate entity as set forth in its corporate charter. The remaining 25% of the settlement proceeds allocated to a particular regional corporation should be retained by that corporation for investment or other suitable uses consistent with its corporate charter.

(e) The sum of $500,000 should be set aside from the initial federal appropriation for the benefit of the Alaska Federation of Natives and the regional associations in that order of priority for the purpose of reimbursing these organizations for expenses incurred in presenting the land claims issue to Congress.

11. EXISTING NATIVE RESERVES

(a) The land in all reserves in Alaska set aside by legislation or by executive or secretarial order should be retained by the Natives and not be made available for State selection or other disposition, either of the surface or subsurface estate.

(b) The Annette Islands Reserve established by the Act of March 3, 1891 (26 Stat. 1101), and the tribal members thereof should be execluded from the terms of the Act.

12. PROTECTION OF SUBSISTENCE RESOURCES

(a) Native subsistence use of public lands in Alaska should be protected. In determining whether to withdraw, reserve, lease or otherwise permit the use or occupancy of land that is being used by Natives for subsistence purposes, the Secretary of the Interior should be required to consider in consultation with the Natives concerned, alternatives that would eliminate or reduce the requirement for taking lands needed for subsistence uses.

(b) Subsistence uses should not be limited except to the extent that, after notice and opportunity for hearing in the general vicinity of the area involved, it is determined on the record by the head of the agency having jurisdiction that a limitation on the exercise of subsistence uses is necessary and can be accomplished without unreasonably impairing the ability of the Natives involved to satisfy their subsistence needs.

(c) For a period of twenty-five years after the Act's effective date, the Secretary, upon petition by any Alaska Native, should be required to determine whether an emergency exists with respect to the depletion of subsistence biotic resources and if so, to delimit or close the area for hunting, fishing or trapping purposes.

13. TAXATION

(a) No portion of the monetary proceeds of the settlement [Section 10(a)] should be taxable, either to the regional corporations or to the villages or individual Natives.

(b) Lands confirmed in the regional corporations and villages should not be subject to State or local real property taxes for a period of fifty years from the Act's effective date.

14. ATTORNEY FEES AND EXPENSES

Reasonable attorneys' fees and necessary out-of-pocket expenses earned and incurred by persons rendering services to Natives and Native villages, associations, tribes, bands or groups in connection with the settlement of Alaska Native land claims, should be paid out of the settlement proceeds on a quantum merit basis.

15. APPROPRIATIONS

Sufficient funds should be appropriated to the Secretary of the Interior and to the Alaska Native Commission to carry out the duties required of them under the Act.

16. PUBLICATIONS

The Secretary of the Interior should issue and publish in the Federal Register, pursuant to the Administrative Procedures Act (5 U.S.C. 500 *et seq.*), such regulations as may be necessary to carry out the purposes of the Act.

17. SAVINGS CLAUSE

[From Indian Affairs, May–August 1970]

SENATE ACTS TO SETTLE NATIVE LAND RIGHTS

On July 15 the U.S. Senate took an historic step toward solution of the century-old question of Alaska Native land rights— and it stumbled.

The Senate passed legislation (S. 1830) that would grant Alaska's 60,000 Indians, Eskimos, and Aleuts title to 10 million acres of land—less than 3 percent of the lands to which they have valid legal claim. In return for extinguishing their claims to the rest of Alaska's 375 million acres, the Senate offers cash compensation amounting to $1 billion in payments deferred over many years.

Senator Fred Harris (D-Okla.) led a last minute drive to increase the land title provision to the 40 million acres requested by the Natives.

Supporting him in the debate, Senator Edward M. Kennedy (D-Mass.) condemned the 10 million acre provision, stating: "I think we do ourselves a great disservice by beating on our breast here on the floor of the Senate and saying what a good deal the Alaska Natives are getting. This is what is said each time our native Americans are deprived of what is rightfully theirs. 'See, we are letting you use some of the land that belongs to you. How generous we are.' "

A survey by the Native newspaper *Tundra Times* to sample reaction to the Senate bill showed an overwhelming rejection of the land provision among the fourteen regional Native organizations. Emil Notti, President of the statewide Alaska Federation of Natives, summed it up this way: "The feeling in the villages is very strong. They want their land."

The Alaska Natives must now look to the United States House of Representatives to increase the land title provision to the 40 million acres they judge to be necessary for their survival as a people.

ANALYSIS OF S. 1830

The Alaska Native Claims Settlement Act of 1970 presents a package of cash, subsistence rights, and land. It is intended to be "just, generous, and honorable" and to provide the Natives "opportunity for a better life for themselves and their children."

Cash: The sponsors of the Senate bill, in the *Report* of the Committee on Interior and Insular Affairs, state, "The key to Native progress, and thus the most important single facet of the land settlement legislation, is money."

The cash compensation offered in the Senate bill would be distributed in the form of social services and shares in a Native investment corporation.

The Interior Committee estimates that a Native shareholder will receive dividends of $53 in 1971, $152 in 1980 and $418 in 1990. The individual's share of social services is valued at $201 in 1971, $197 in 1980, and $27 in 1990.

Clearly the dividends and the services do not constitute a livelihood for the Natives.

There is reason to be concerned that the Senate proposal, although it is intended to bring Alaska Natives into a modern cash economy, will force them onto the welfare rolls. The services cannot be eaten, and the dividends will not go very far at the village trading post if the Native hunters and fishermen are required to purchase the bulk of their food.

The legislation has even more drastic implications for future generations of Alaska Natives. By 1990 the Native population will have doubled, yet the number of shares will remain fixed on the basis of the Native population in 1970. Thus, in a generation, half the Natives will be without dividend-producing shares.

One possible justification for emphasizing the cash component of the settlement is that it may in the long run save the federal government money. The dividends could help reduce welfare payments. Half of the compensation is to be devoted to Native-financed social services. Many, if not all, of these services the Natives are already entitled to under present law in common with all citizens.

The Senate *Report* states, "The Natives of Alaska are in general a long distance from economic self-sufficiency and will be so for many years, notwithstanding this settlement. The cost of assisting them either under special 'Indian' programs or as citizens of the United States or of Alaska in health, in education, and in income supplements can be expected to grow. The United States will almost certainly adopt some form of family income guarantee in the next decade, and the cost of assisting a group whose median income is about one-fourth of the national figure will be considerable. For this reason any outlay for Native claims compensation, to the extent it reduces future public burdens, is far less costly than it might seem." And one might add, less generous.

Again the *Report* points out, "While this settlement is not intended either as public assistance legislation nor as a substitute for existing public assistance, health, education, or community development programs, its possibilities for reducing future federal and state costs for these programs are obvious."

On the other hand, it is possible that, to the extent the land settlement deprives the Native people of their subsistence resources and land-based commercial opportunities, the cost to the federal and state governments will be increased. And there is the distinct likelihood that these costs will greatly exceed the savings the Committee envisions.

For example, if a Native hunter in 1971 is deprived of game with a food value equivalent to what could be purchased with $3,000 and if he is unable to find work, the government either will have to contribute $2,735 to supplement the family (5 members) dividend income of $265 to maintain their diet, or permit them to starve.

In addition, it is not certain that the Natives ever will receive all of the cash compensation provided for in the Senate bill. Nearly one-half of the cash ($497.3 million) is to be derived from royalties from mineral leasing on the federal public domain which otherwise would go to the State of Alaska under present law. The State questions the authority of Congress to enact this revenue-sharing provision and may take the issue to court. In the event the State wins, the Senate bill provides that the Natives will be granted the right to select the mineral estate to an additional 1 million acres. The *Report*, however, fails to estimate whether the income from this estate will in any way match the nearly $500 million the Natives would lose.

In sum, the cash compensation will not have a major impact on the economic well-being of the Alaska Natives. The amount is uncertain. The mechanics of distributing it will discriminate against children born after the enactment. And in all likelihood provisions of the Act which deal with the land will cause economic hardships that the federal and state governments can only alleviate by additional expenditures for welfare.

Subsistence Rights: It is estimated that the Natives use between 60 million and 120 million acres of land for subsistence purposes. The largest share of the food Native families consume comes from hunting, fishing, and gathering berries. Trapping is the major source of cash for many of them.

The sponsors of the Senate bill assert that they recognize the importance of the present-day subsistence economy and state that it will be protected where it is endangered. The bill provides for the emergency closing of public lands for exclusive Native subsistence use; however, it limits this emergency closing to a "maximum duration" of two years, with a possible two-year extension. No emergency protection whatever is provided for on the 103 million acres to be selected by the State.

From the Senate *Report*, it is clear the subsistence economy is to be legislated out of existence: "The settlement will with minor exceptions put an end forever to racial or ethnic distinctions in . . . hunting and fishing rights."

In short, the central feature of the Native economy today—the utilization of subsistence resources—is, with minor exceptions, left unprotected and almost certainly doomed.

The cash dividend notwithstanding, there is little reason to believe that under the Senate bill the Alaska Natives will escape the fate of Indian tribes on the Old West a century ago—they will be deprived of their traditional livelihood and will not be provided with the means to achieve self-sufficiency in a cash economy.

Land: The Natives oppose the land provision of the Senate bill because it denies them title to a sufficient amount of land to insure their economic well-being, the integrity of their communities and of the cultures, and their right to self-determination. The Natives estimate they need title to a minimum of 40 million acres for their survival as a people.

Of the 10 million acres provided for in the Senate bill, less than 6 milion is set aside for village lands. Divided among the State's 200 villages, the settlement amounts to approximately 23,000 acres per village, with additional acreage for the few villages with populations exceeding 450 persons.

This provision will adversely affect all villages; but it will hit inland villages the hardest since they need far more land per capita than coastal villages that derive a large share of their food from the sea.

Eight Interior villages are entitled to no land under the bill, since the State has already filed for their lands and the Senate bill ratifies these selections. The *Report* expresses the hope that the State will grant these villages some land, but recognizes State law may prevent the State from doing so, even if it were willing.

Of the remaining land, the Native Services Corporation created by the bill would receive title to 2 million acres of timber lands and one million acres for miscellaneous uses. More than 600,000 acres are designated for grants to individual Natives for homesites and campsites, and a special grant of 500,000 acres is made to the North Slope Native Corporation.

At the same time, the Senate bill revokes a number of Native land reserves which aggregate approximately 4 million acres.

The Senate *Report*, recognizing the importance of title to the Natives, states: "The unresolved status of [Native] lands has . . . subverted both the traditional livelihoods and the possibility of social and economic progress on a modern footing. Without title to the lands they use and occupy, Alaska Natives are defenseless against commercial development which changes the character of and sometimes depletes subsistence resources, and against the population influx which disorganizes indigenous ways of life. At the same time, the Native people have no useable property rights in the commercial resources of the lands they have historically used and occupied."

Nevertheless, the Interior Committee rejected the Natives' request for title to 40 million acres. It felt this would create "huge land enclaves" . . . which could result in remote, land locked reservations rather than viable open communities. The Committee's goal, the Report points out, is to "put an end forever to racial or ethnic distinctions in land tenure."

It seems a dubious strategy to seek to promote racial equality in the United States by depriving Indians, Eskimos, and Aleuts of their lands.

The Committee was also guided by the fear that the Natives would "tie up" the economic development of the State and interfere with conservation measures.

It may be asked whether the development of Alaska requires State ownership of virtually all commercially valuable properties and whether pauperizing the Natives—20 percent of Alaska's population—will contribute to its economic growth.

It also seems reasonable to question the justice and the logic of menacing the survival of the Alaska Natives as a people in the name of conservation.

The Natives have lived in delicate balance with their biotic resources for thousands of years. It is the newcomers to America who have polluted the air and the water and brought so many species, as well as whole tribes of Indians to the edge of extinction.

Confirming Native title to 40 million acres would still leave the Federal government well over 200 million acres and the State 103 million acres for the designation of parks and forests.

Native aspirations also run counter to the Committee's views on social change. The *Report* assumes that title to more land will impede the assimilation of the Natives: "This Act is not . . . predicated on the philosophy that the historic way of life of the Native people of Alaska can, or will, or should be perpetuated into the future for all time by the actions taken by this Congress. Like it or not, Western 'civilization' came to Alaska and to virtually all the Native people many years ago."

A coercive policy of assimilation is undemocratic, unworkable, and destructive. The history of aboriginal cultures throughout the world shows that the way to destroy a people is to take their land.

Justice: Long ago, in the Organic Act of 1884, Congress stated that the Alaska Natives "shall not be disturbed in the possession of any lands actually in their use or occupation or now claimed by them but the terms under which such persons may acquire title to such lands is reserved for future legislation by Congress."

Again, in the Statehood Act of 1958, Congress required that "the State and its people . . . forever disclaim all right and title . . . to any lands or other property (including fishing rights), the right or title to which may be held by Indians, Eskimos, or Aleuts."

The Alaska Native Claims Settlement Act passed by the Senate in July profoundly "disturbs" the Natives in the possession of their lands, and it clears the way for the State to expropriate Native lands to which it previously had disclaimed all right and title.

The Senate action runs contrary to the tradition of American law and would lend legislative support to the notion that property rights of native Americans are inferior to those of other Americans.

Summary: The principal feature of S. 1830 is money, but the cash it provides does not constitute a livelihood. The Interior Committee states that the Natives live where there are few jobs and where little or no economic growth is taking place, but its bill denies them the title that would give them a stake in whatever commercial development there may be on tens of millions of acres of their land. It recognizes the importance of the Native subsistence economy, but fails to protect it.

Rather than giving the Natives a chance to adapt their present economies to new opportunities, it forecloses their options.

It asserts the right of the Natives to self-determination, but denies them any meaningful choice in their future.

It denies the Natives and the Nation a last opportunity to do justice.

PROSPECTS

Ten years ago Native land claims were generally considered worthless. Native organizations and the Association on American Indian Affairs have worked long and hard to win a fair settlement of these rights. We have come a long way, and we have a long way to go.

The House Committee on Interior and Insular Affairs has rejected the Senate bill and is presently preparing one of its own. U.S. Representative James A. Haley (D-Fla.) is expected to be its principal sponsor. The fine record of the House Committee on such issues as Blue Lake, Kinzua Dam, and Colville termination, give reason to hope the Natives may yet win title to a fair portion of their lands.

THE SENATE VERSION OF THE ALASKA NATIVE CLAIMS SETTLEMENT ACT; AN ECONOMIC ANALYSIS OF THE LAND-TITLE PROVISIONS

The proposed settlement in S. 1830 is economically unsound, for the Alaska Native people and for the nation. It will impoverish many Alaska Natives by substituting an unlivable annual cash income supplement ($53 per person in the first year, rising to $418 in 20 years) for their present right to make a subsistence living (and some cash income) by hunting, fishing, berrying, trapping on the lands that this bill strips from them. (See Table 1.) It does this without offering these Natives *the means of transition from a subsistence style of life to a full cash/job economy.*

Yet the policy guiding the proposed legislation is to require this transition by the very terms of the settlement: the Senate report on the bill notes that "the historic way of life" of the natives should not be "perpetuated" by Congressional action, because "civilization" has and must come to the Native people. Certainly the processes of change from the historic ways of life cannot be held off, but just as certainly the settlement should provide for a dignified, humane, and economically sound transition.

The proposed settlement attempts to cushion the transition by two major provisions: First, it gives the individual Alaska Native in the initial year about $201 worth of social services, *decreasing* to $27 worth of services in the 20th year. Whatever the worth of these services, they are not a substitute for a subsistence or a cash income.

Second, it provides the Natives with title to a mere fraction of the land they are now using to get food, clothing, and shelter from. Of the 60 million acres now in use by the Natives, the Act allows clear title to only 10 million. Yet, as the Senate report rightly states, "Without title to the lands they use and occupy, Alaska Natives are defenseless against commercial development which changes the character of and sometimes depletes subsistence resources . . ."

Let us take a close look at the current situation: Typically, villages with populations of around 200 Natives (the most usual village size) regularly use an area with a radius of 40–50 miles for hunting, fishing, and so forth—the Federal Field Committee reports. Thus, for their livelihood they rely directly on an area of 5,000–7,500 square miles. This area is scoured intensively, because the wildlife resources—like moose, caribou, and salmon—must often be harvested to their fullest extent simply to meet subsistence requirements. Among the reasons why such large areas are necessary are the limited yield of lands in that part of the world, the migratory habits of the wildlife, and the fact that different forms of essential wildlife often are not to be found on the same kind of land.

Under the Act, instead of a minimum 5,000 square miles they have been using, villages like these would each have title to only 36 square miles at one location—together with scattered 5-acre campsites. (Even that title might become worthless as changes in the environment from competing uses—commercial and sports fishing, hydroelectric plants, pulp industry, etc.—in surrounding areas threaten the wildlife and its migratory patterns.) There is simply no source of livelihood for such villages that would replace the subsistence and cash income from the use of their wide ranges.

The Federal Field Committee states that the annual cash value of the subsistence activities of a family of five village Natives lies between $1,000 and $3,000. The proposed settlement would provide that family with about $265 cash per year for five years, with increasing amounts later that would not rise to $1,000 per year before 1982, or $3,000 before 1996. Clearly, that is no substitute for the land rights lost to these families—who comprise about 30,000 of the 53,000 total Native population (1968 figures). The cash settlement is meaningful only to those who already live in towns and cities and have little or no subsistence activities.

Because proposed benefits are distributed equally without regard to dependence upon the land, some 20,000 villagers who are most dependent on the land will lose heavily in the first 10–15 years of the settlement. Of these, some 7,000 who live in Native villages in the Interior will never recoup their losses (even in dollar mathematics) over the whole time period of the settlement; they will simply suffer confiscation.

In short, the incomes of the village Natives (which are, after all, already at poverty levels) will be severely reduced to an intolerable point and, under the additional pressure of population increase, many Natives will be forced to migrate to the non-Native urban centers. There, without skills and education, facing outright discrimination, they will join the present 11,500 urban Natives, most of whom are poor themselves. Such a migration can only have the most destructive effects upon the migrants and upon the cities to which they flee. The transition required in this legislation is in effect a transition to greater poverty and to greater urban problems.

The economic fallacy of the settlement clearly lies in the swift deprivation of the traditional livelihood lands. A settlement that will not end up making the Natives welfare wards of the Federal government (or of the State of Alaska) must provide them title to a sufficient number of acres so that each Native can continue to feed, clothe, and shelter himself.

The title to the land must be definite, since the privilege of hunting on someone else's land cannot be guaranteed, even though the settlement seems to assume that somehow the Natives will indefinitely be allowed to use other people's land. Moreover, the acreage and rights must suffice to offer a chance for an improvement in the currently low standard of living—through proposed economic development activities—especially in view of projected population increases.

Since any Native economic development program will be a long-term proposition, there must be enough land to offer subsistence in the meantime. Job and income opportunities will not increase fast enough to nullify the need for subsistence lands for a generation in many areas of Alaska. In addition, to the extent that the growth of Alaska will not be in Native hands, they will not be able to insist upon access to the jobs that such growth will create. (The experience of blacks in economic growth throughout U.S. metropolitan areas, including the inner cities, provides ample evidence for this, as does the recent experience of urban Alaska Natives themselves.)

What actually should be the number of acres that will support the livelihood of the Native population while offering the opportunity for development from the subsistence culture? A computation on sheer economic grounds is complex and must vary not merely with population counts but also ecology and present and future land use.

Given the present unchallenged figure of a minimum of 60 million acres now in use by the Natives, the 10 million acre settlement is obviously inadequate. The recommendation of the Alaska Federation of Natives of 40 million acres would appear to be reasonable as a figure that permits an orderly transition in a growing Alaska in which the economic rights of the Natives will be protected.

TABLE I.—PROPOSED CASH SETTLEMENT COMPARED TO INCOME DEPENDENT UPON CURRENT LAND USE BY NATIVES

		For a family of 5		
		Cash value of land use[2]	Annual projected cash settlement[3]	
Location	Number of natives[1]		1971–75	1990
Nonnative cities and towns	15,000	$100	$265	$2,090
Large native towns	8,000	500	265	2,090
Native villages mainly dependent on sea	10,000	1,000	265	2,090
Native villages, some dependence on sea	13,000	2,000	265	2,090
Native villages, totally dependent on land	7,000	3,000	265	2,090

[1] Cited in the Federal Field Committee Report as estimates made by them in 1967 (See, Alaska Natives and The Land. U.S. Government Printing Office, 1968).

[2] Rough estimates developed from materials presented in the Federal Field Committee Report.

[3] Adapted from table 8, report of the Senate Committee on interior and Insular Affairs (S. Rpt. 91–925). Note that by 1990, only about ½ of the native population will be eligible for these cash settlements—due to population increase.

Concerning the Alaska Native Claim Settlement Act of 1970

(By Earl Old Person, president, National Congress of American Indians, and Emil Notti, president, Alaska Federation of Natives)

The United States must not repeat in Alaska today the injustices that overwhelmed the American Indian tribes a century ago.

The Native people of Alaska—60,000 Indians, Eskimos, Aleuts—are fighting in Congress and the courts to save their lands from expropriation by the State of Alaska.

They have not sold their land, lost it in war, nor ceded it by treaty. However, only Congress can grant them security of title.

Time and time again the Native people of Alaska's 200 villages have asked for title to their lands, and they are told that they cannot expect justice from Congress—they must compromise. And so they have. They have reduced their claims for title first to 80 million acres and then to 40 million acres. And now they are asked to compromise even more.

They are warned that they must accept a bad bargain or there will be no bargain at all. They are told that by asking for enough land to protect their livelihood, they risk losing it all. And their fears are reinforced by Interior Secretary Walter J. Hickel's stated intention to transfer their lands to the State of Alaska unless Congress acts by December, 1970, to settle their claims.

The Alaska Claims Setttlement Act of 1970 (S. 1830) passed by the Senate on July 15 would extinguish Native claims to all of their lands in Alaska. In return, it provides the Natives with cash compensation and with title to only 10 million acres of land—less than three percent of the more than 350 million acres to which they have valid legal claims.

The cash compensation offered in the Senate bill will result in a net economic loss to the Native people. The present value of the land for subsistence hunting and fishing and for trapping and gathering, as well as its long-range commercial value, greatly exceeds what the Senate proposes in its cash settlement.

The cash settlement would be distributed in the form of social services and shares in a Native investment corporation. It is estimated that a Native shareholder will receive dividends on his stock of $53 in 1971, $152 in 1980, and $418 in 1990. By 1990, the Native population in Alaska will have doubled. Yet, none of the Natives born after the passage of the Senate bill will be entitled to shares in the investment corporation. Clearly, the proposed services and dividends will in no way constitute a livelihood for those Natives now living nor for those yet to be born.

Although the Senate has provided for conditional hunting and fishing rights on the lands that will be taken from the Natives, the history of our nation's treatment of American Indians shows that these rights, without the security of title, quickly disappear.

We reject the notion that the Alaska Natives cannot receive justice from Congress. We believe that this, the last, opportunity to deal fairly with them is worth fighting for.

A secure and adequate land base is essential to the dignity and survival of Alaska's 60,000 Indians, Eskimos, and Aleuts.

We urge the U.S. House of Representatives to enact legislation that would confirm to the Native villages of Alaska title to a minimum of 40 million acres of their ancestral lands.

The Alaska Natives depend upon the land and its inland and coastal waters for their livelihood, hunting and fishing for subsistence, as they have from time immemorial. Moreover, the land offers them their best opportunity for sharing in the future economic growth and development of the State and nation. Equally important, the land is the foundation of their rich and varied cultures and a cherished source of their spiritual life.

To deny the Alaska Natives an adequate land base of at least 40 million acres will contribute to their dependency, to the disintegration of their communities, and to the erosion of their cultures. To strip the Alaska Natives of their land will destroy their traditional self-sufficiency, and it is certain to create among them bitterness toward other Alaskans and a deep distrust of our institutions and our laws.

The Natives' request for a title to a minimum of 40 million acres of their land is fair, reasonable, and humane. The U.S. House of Representatives has a historic opportunity to secure to the Native people of Alaska a just settlement that will honor the nation and be a source of pride to future generations of Americans.

Concerning the Alaska Native Claims Settlement Act of 1970

(Statement of Monroe E. Price, chairman, American Bar Association Committee on Indian Affairs and Professor of Law, UCLA)

The history of federal-Indian relations is filled with actions by responsible officials "giving," out of charity, more than they thought the recipient was entitled to as a matter of right. In almost each case, the verdict of history has been that the perception that the United States was acting charitably was misplaced.

I think it is important to keep that historical reoccurrence in mind as the House deliberates the Alaska claims settlement. There will be many who view it as the majestic penance of a kind sovereign, not obligated to do anything, but out of moral goodness doing something. That is a wrong basis for judgment.

Underneath all the legal complexities, the Alaska Native Claims is a simple matter of property rights. Our institutions are based on concepts of property rights; our various cultures in the United States are based on the power of property. Texas, Montana, California, New York: in each State strong cultures are maintained because of the land resources to which the cultures are tied. No government official seriously argues for the destruction of patterns of life within those States by altering the land tenure patterns.

Here, however, there is something like that at work. Some feel that if the Natives retain a significant portion of their patrimony, their culture, their way of life will be maintained. If their patrimony is eroded, then before long their culture and style of life will be eroded as well. The Federal Government must not seek to deprive a group of its property as a means of undermining its culture. I can think of few acts more seriously at odds with the American tradition.

Section 4(a) of S. 1830, the proposed Alaska Native Claims Settlement Act of 1970, declares in part:

"The provisions of this Act shall constitute a full and final settlement and extinguishment of any and all claims against the United States, the State and all other persons which are based upon aboriginal right, title, use, or occupancy of land in Alaska . . . by any Native, Native Village, or Native group. . . ."

Thus, in return for $1 billion in deferred payments and recognized ownership of some 10 million acres, the Natives of Alaska (Indians, Eskimos and Aleuts) will be required to give up all their rights and interests based upon use and occupancy to 350 million acres of land.

The proposition that the Natives actually possess a legal claim to vast land areas within the State of Alaska is not subject to serious challenge. Indeed, in a series of decisions reaching back to *Johnson v. McIntosh,* 8 Wheat. 543 (1823), the Supreme Court consistently has upheld "the Indian right of occupancy", which "is considered as sacred as the fe-simple of the whites" (*Mitchel v. United States,* 9 Pet. 711, 746 (1835)), and which may "not be interfered with or determined except by the United States." *Cramer v. United States,* 261 U.S. 219, 227 (1963); *United States v. Santa Fe Pacific Railroad Co.,* 314 U.S. 339, 345 (1941). Indian title "amounts to a right of occupancy which the sovereign grants and protects against intrusion by third parties" (*Tee-Hit-Ton Indians v. United States,* 342 U.S. 272, 279 (1955)), and the United States in fact has accorded such protection to lands used and occupied by Alaskan Natives under a variety of circumstances. *State of Alaska v. Udall, 420 F. 2d 938* (9th Cir., December 19, 1969); *United States v. State of Alaska,* 197 F. Supp. 834 (D. Alaska 1961); *United States v. Cadzow,* 5 Alaska 442, 1914).

In addition to rights derived from original Indian title, the possessory interests of Alaskan Natives have been the subject of specific legislative protection from the time of the 1867 Treaty of Cession with Russia. Section 8 of the Organic Act of May 17, 1884, 23 Stat. 24, the first statute applying Federal land law to Alaska, for example, provided in pertinent part:

"That the Indians . . . shall not be disturbed in the possession of any lands actually in their use or occupation or now claimed by them but the terms under which such persons may acquire title to such lands is reserved for future legislation by Congress."

Similarly, Section 27 of the Act of June 6, 1900, 31 Stat. 321, which established a civil government for Alaska, declared that "The Indians . . . shall not be disturbed in the possession of any lands now actually in their use or occupation," and prohibited entry, under the public land laws, on land occupied by Natives. Finally, Section 4 of the Alaska Statehood Act of July 7, 1958, 72 Stat. 339, required the State to "disclaim all right and title . . . to any lands or other property (including fishing rights), the right or title to which may be held by any Indians, Eskimos or Aleuts. . . ."

Thus, even apart from the Natives' legal rights under judicial predecents, the Federal Government has assumed in Alaska a clear-cut statutory and moral responsibility to respect their use and occupancy of land. Moreover, the extent of that responsibility is nowhere better expressed than in the Northwest Territorial Ordinance of 1787 which specifically provided that the land and property of the Indians "shall never be taken from them without their consent" and that "their property, rights, and liberty . . . shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress."

Translated into a modern context, the principles of the 1787 Ordinance demand that Congress not impose a unilateral land settlement upon the Natives of Alaska, but rather seek their wholehearted acquiescence in the consideration to be paid. The Natives, speaking through the Alaska Federation of Natives, have asked that 40 million acres, or about 10% of the area they rightfully claim, be recognized in Native ownership under the pending legislation.

The Alaska Natives, collectively, are selling their greatest rights. They must be treated as any other seller who puts forward a fair price. To ignore that price because it will continue a way of life which seems inconsistent with some notion of the "American mainstream" is wrong-headed and inconsistent with the mainstream itself.

Concerning the Alaska Native Claims Settlement Act of 1970

(Statement of Dr. Angie Debo, professor of history, emeritus, Oklahoma State University and lecturer in Indian history, University of Oklahoma)

In my study of Indian history I have found an invariable pattern. (1) Take away the Indians' land, sometimes even paying them for it, but destroying their economic base. (2) Place their diminished property under Government control rather than their own collective management—i.e. paternalism. (3) Set a date for dividing their property into individual shares—and subsequent loss and impoverishment. (4) "Termination." This is the last blow. The Indians of the Lower 48 know what this means.

I had hoped history would not repeat itself with the natives of Alaska, but the bill passed by the Senate is an exact recapitulation of these three and a half centuries of exploitation or blundering. (1) These natives support themselves mainly by subsistence bunting, using eighty million acres of land. (It takes a lot of tundra to feed a caribou.) They are asking title to forty million, an absolute minimum, about one-tenth of the state for about one-fifth of the population. The Senate bill cuts this amount to about ten million. This simply will not support them. Why do they not find jobs in industry? Perhaps they will some day, but the jobs are not available now. (2) The Senate bill is said to be generous in its payment for the land taken away from the natives. But who implements it? An appointed Commission with a majority of non-native members. "Father knows best." (3) After fifteen years this corporate property will be divided into individual shares subject to sale. Why would they sell? To keep from starving, stripped of their land base. We have seen this happen, tribe after tribe, in the lower 48. (Incidentally, how long would *our* collective property—national, state, local—remain intact if any citizen could claim his share and dispose of it?) "Termination," after five years. Then comes the relief and welfare burden. After we have impoverished a people, we do not let them starve.

Why repeat this tragic cycle? We have a new chance to do it right. But the only hope lies with the House of Representatives, which may come up with a better bill.

January 22, 1971.

The Land of Alaskan Natives: The Need To Avoid Social Catastrophe

(By Dr. Alexander Leighton, professor of social psychiatry, head of the Department of Behavioral Sciences, Harvard School of Public Health)

Legislation proposed by the Administration to settle Alaska Natives land rights in the 91st Congress, as well as the Senate-passed version of a Settlement Act (S1830) are inconsistent with the Alaskan Natives needs for an adequate land base and, if enacted would threaten the native people with social catastrophe. The best estimate of the amount of land required by the Natives to help insure successful adaptation is a minimum of 40 million acres.

There can be no disagreement that the Alaska Native is on the road to becoming a part of modern civilization. Hopefully, he will be a worthy and integral part.

The question of how the transition is to be accomplished is the point at issue. The record of the United States in this matter with other Indian groups is not a good one, and it is important at this juncture not to repeat old errors.

The adaptation and change so that a hunting people can become part of an industrial and commercial civilization is not an easy matter. History suggests that to be successful, the motivation and the timing must come from the people concerned and not from outsiders, and especially not through government attempts to exert direct or indirect coercion. The latter runs the grave risk of creating chronic demoralization and pauperization. Time and again Indian groups (e.g. the Navaho) have been pressured to assimilate and have had their land taken. Ultimately the Government has been forced to choose between buying it back for them or having them as dependents on relief. Successful adaptations such as those by the Northeastern Indians to steel construction have been generated by the Indians themselves. In recent years, the Navahos have made impressive strides in self-management and self-sufficiency, and this too has come from within the group and by means of adjustments to which they were motivated on their own. Prior to this, some 90 years of coercive effort had failed.

In short, the shift of the Alaskan Natives from a hunting economy and culture must come about through their will and self-determination; and it must follow a period during which resources for preparing themselves have been put at their disposal through education and technical training, and when preparations have been made in the larger society for their economic and social acceptance.

Without a secure and adequate land base for their present subsistence needs and for future commercial development, the Alaskan Natives will come into the society of the United States at the lowest economic level. This is one aspect of repeating the unfortunate history of other Indian groups. It will constitute a major failure in cultural change.

For Indians to come into the larger society of the United States at its lowest economic level means that they come into close association with the most deprived and unsuccessful segment of our population, the most powerless, the most uneducated, the most inclined to prejudice, and the most bitter, hostile and disillusioned with regard to American society. There is, thus, little opportunity to learn from those who have themselves learned how to negotiate their way in this society.

Cultural change is always difficult for those undergoing it, and it often generates influences that are socially and psychologically demoralizing. When these tendencies are reinforced by years of exposure to demoralized whites, it is virtually impossible to resist individual and group deterioration.

Alaska Native Land Rights: Will We Repeat the Mistakes of the Past?

(By Frederick W. Turner III, University of Massachusetts, Amherst, Mass.)

"We came from no land as did the whites. Nature placed us here in this land of ours."

These words were spoken some years ago by Yellow Wolf, a survivor of Chief Joseph's Nez Perce, who fought a remarkable battle against the whites who had forced upon them a cash settlement for the tribe's ancestral hunting grounds. To a very real extent the statement reflects the deep and abiding attachment to land that has historically characterized the American Natives—an attachment at once mystical and practical, spiritual and economic. The Natives' feeling about land has been reflected in every aspect of their cultures, in their tales, myths, and customs; in the way they have taken their living from the land; and perhaps most importantly, in their strong conviction that where they are is where they were intended to remain. Yet, because this general attitude is not common to Western Civilization, whites have persistently ridiculed and ignored it. They have arrogantly assumed that pre-literate, non-technological peoples could not hold any attitudes which were more than base superstition; and so they have taken, by any means expedient, the Native lands which an expanding population required.

The process as far as Americans are concerned might be said to have begun with the $24 purchase of Manhattan, a historical joke which schoolchildren memorize along with how to spell "Mississippi." Such a purchase on such a vast continent so early in our history must have seemed almost incidental; but by the 18th century it was clear that Natives held lands that the whites would need; and so the imported theories of certain Scottish philosophers were trotted out to provide the convenient rationale: any prosperous and populous nation had the natural right to take from its neighbors such lands as it needed if those neighbors were not using the land to best advantage. So went the argument and the whites clinched it to their own satisfaction by observing that the Natives rather roamed over the country than inhabited it.

By the early years of the 19th century the problem of land space was once again acutely felt, and the Natives' title to *any* lands was called into question. Justice John Marshall upheld the Natives' claims then and stated: "It has never been contended that the Indian title amounted to nothing. Their right of possession has never been questioned." But, of course, that was only opinion; and seven years later Andrew Jackson signed the Removal Act (1830), whereby all the wasteful nomads were to be removed west of the Mississippi into a region then assumed to be unfit for human habitation. In 1834, Congress established the Great Plains as permanent Indian country: but less than twenty years later surveyors were in the area preparatory to the laying of railroad track. Matters reached a head in the 1870's when the discovery of traces of gold in the Black Hills region portended the final, inevitable destruction of the last Native preserve south of Canada, a preserve guaranteed them "for as long as the grass shall grow." The Natives had a brief moment at the Little Big Horn in 1876; but the following year it was all over; and the continent's original landholders were consigned to reservation existence.

In that same year President Hayes put the Natives' situation bluntly when he remarked that "they have been driven from place to place. The purchase money paid to them in some cases for what they called their own has still left them poor." Again the whites refused to listen, and ten years later the Dawes Severalty Act—a cruel deception which ensured the rapid decrease in Native-held lands and the virtual destruction of the reservation system—completed the callous chronicle of dispossession.

What the whites gave the Natives in return for what they took is ludicrous to contemplate today. Originally it was beads, bits of glass, and hand axes. Later it was cash. And still later came annuities in the form of goods, these often scandalously shoddy. For the last piece of virgin land on the globe the original titleholders received little more than the cast-off gew-gaws of an alien culture.

It is an old story, one we are all tired of hearing. But if we would once listen to it, there might no longer by any need of repeating it. Once again, in Alaska, the whites are preparing to offer a predominately cash settlement to the Natives whose most important asset is the land they live on. Both sides are aware that this is so; both understand that money has a way of declining in value while land increases. But the whites refuse to understand that the Native population of Alaska has, over the centuries, developed a group of related cultures which are intimately dependent upon the existence of large areas of land from which they derive subsistence living and spiritual/psychological confidence. The whites persist in believing that a "generous" cash settlement is compensation for leaving the Natives with less than a fifth of the land they will need if they are to maintain their traditional ways of life. At the same time, the whites ignore the lesson which our history has to teach us: that assimilation is possible only if it is one of many alternatives that the Natives possess.

It seems altogether likely that many Alaska Natives will not choose the road of assimilation, that they will choose instead to work out their own unique destiny. Without a forty million acre land settlement which the Natives judge to be essential to their survival as a people, this will simply not be possible. The cultures will quickly disintegrate into trauma-packed, poverty-ridden fragments. For the best definition of culture is still the simplest: that it represents a people's response to the environment.

One hundred and eight years ago the Secretary of the Interior spoke as follows: "The rapid progress upon the continent will not permit the lands which are required for civilization to be surrendered to savage tribes for hunting grounds. The government has always demanded the removal of the Indians when their lands were required . . . by advancing settlements. Although the consent of the Indians has been obtained in the form of treaties, it is well known that they have yielded to a necessity which they could not resist." This will be the last time that the United States has an opportunity to reverse this process of making capital of necessity, and it has long been time that we learned the lessons of our common history.

Section-by-Section Analysis of Bill "To Provide for the Settlement of Certain Land Claims of Alaska Natives" as Submitted by the Alaska Federation of Natives to the 91st Congress

(Proposed by Mr. Arthur Lazarus, Jr.)

This memorandum is intended to accompany and explain the proposed bill to "provide for the settlement of certain land claims of Alaska Natives," as submitted to the Senate and House Committees on Interior and Insular Affairs by the Alaska Federation of Natives (AFN). Where appropriate, comparisons will be made to other pending bills on the same subject either derived from the Federal Field Committee report or recommended by the Department of the Interior.

DECLARATION OF POLICY

Section 2(a) summarizes the major elements of the land claims settlement legislation, as suggested in the AFN position paper of June 20, 1969, and as set forth in greater detail in subsequent sections of the bill. These key provisions include: a recognition of the claims of Natives and Native villages in Alaska based upon aboriginal land use and occupancy; a confirmation of title in Native village and regional corporations to 40 million acres of land; a payment of $500 million and retention of an overriding 2% royalty as compensation for lands to which Native title has been or will be extinguished; authority for the organization of Native-owned development corporations, and for individual Natives to acquire ownership of lands actually used for homes, businesses, fishing, hunting and trapping camps, and for reindeer husbandry; and protection of subsistence hunting, fishing, trapping and gathering rights.

Section 2(b), as contained in the Field Committee and Interior Department bills, has been revised to declare a specific Congressional policy of "maximizing the participation by Natives in decisions affecting their rights and property and [of] vesting in them as rapidly as prudent and feasible control over the lands set aside and corporations organized pursuant to this Act." All too often, government paternalism, reflected in the withholding of decision-making powers from Indians, has inhibited their initiative, has prevented economic and social development, and has postponed the day when they can be masters of their own fate. The Natives of Alaska feel confident of their ability fully and freely to manage their own affairs and, if given the proper tools, to make a positive contribution towards growth of the State. To foster this goal, and in order to avoid the mistakes of the past, the AFN amendment is designed to demonstrate a legislative intent to vest in the Alaska Natives control over their lands and other property as quickly as prudent and feasible.

The term "wardship" has been dropped from subsection 2(b)(2), since this legal concept in its true sense never has been applicable to the Indians of the United States, and the word "ultimately" has been inserted in subsection (b)(3) to show that the Act will confer certain temporary tax benefits upon the Natives. A new sentence also has been added to section 2(c) to make clear that the payments and grants authorized under section 5 constitute compensation for the extinguishment of property rights and are not merely to be substituted for governmental programs which otherwise would be available to the Natives of Alaska.

DEFINITIONS

For ease in reference, and unlike the Field Committee and Interior Department bills, the definitions of terms used in the bill are given in alphabetical order.

Definitions have been included in section 3 for the terms "State", "regional corporation", and "village corporation", since these entities are mentioned repeatedly in the legislation. For the reasons given in connection with section 6, the word "Corporation" has been redefined to show that the Alaska Native Development Corporation will be organized under the laws of the United States. The definition of the word "person", on the other hand, has been dropped because it is not necessary.

The term "public lands" has been redefined (1) to clarify that lands selected by, but not yet patented to, the State are included therein, and (2) to limit the exclusion for improved land actually used in connection with the administration of any Federal installation. The purpose of these changes is to include as "public lands" all tracts still in Federal ownership to which Native title has not yet been extinguished and thus really to effect a complete settlement of Native claims.

"Who is a Native?" is basically a question for the Natives themselves to decide (*Patterson* v. *Council of Seneca Nation*, 245 N.Y. 433, 157 N.E. 734 (1927)), and the AFN definition of "Native" differs significantly from the definitions in the Field Committee and Interior Department bills. The Field Committee bill, for example, defines "Native" in part as "any Alaska Indian, Eskimo, or Aleut of at least one-fourth degree Alaska Indian, Eskimo, or Aleut blood, or a combination thereof," but does not establish any forum for deciding whether an individual meets that test. The Interior Department bill, by contrast, creates such a forum, but gives it too much power; in other words, a Native is defined thereunder as meaning any person the Alaska Native Commission determines to be of at least one-fourth degree Alaska Indian, Eskimo, or Aleut blood, or a combination thereof—apparently regardless of whether the Commission's determination is correct. The AFN proposal retains the basic definition of Native contained in the Field Committee bill and gives the Commission authority to determine eligibility, as in the Interior Department bill, but also provides for review of the Commission's findings by appeal to the courts (sections 6(j), (k), and 7(b)(2)).

The AFN bill limits the Natives entitled to benefits under the Act to citizens of the United States, thus eliminating the possibility that Canadian members of Alaska Native groups may be enrolled. For purposes of clarity, the measure specifically recites that the term "Native" includes an individual "whose adoptive parent is not a Native." Since written records in many cases do not exist, the AFN bill further stipulates that, in the absence of proof of a minimum one-quarter blood quantum, the term "Native" also shall include any citizen of the United States who is, and whose parents are or were, considered to be Alaska Native by a local Native community. Although this provision may permit a few persons of little or no Native blood to qualify for benefits, such risk is far outweighed by the desirability of not excluding either persons who properly do qualify but have no proof of entitlement, or persons who have less than one-quarter Native blood but have long since assimilated into Native society.

The Field Committee and Interior Department bills both provide that the Tsimshian Indians (Metlakatla) shall not be considered Natives of Alaska because they originally came from British Columbia and were settled upon the Annette Islands Reserve established by the Act of March 3, 1891 (26 Stat. 110). Consistent with this approach, the AFN bill excludes the Metlakatlans from any share in the $500 million provided under section 5(a) for the loss of lands held by virtue of aboriginal use and occupancy (see section 15(e)). AFN recognizes, however, that the Tsimshian Indians, who have lived in the United States for over seventy years, in many ways face the same problems and suffer from the same disabilities as other indigenous groups, and thus proposes that they be entitled as Natives to future benefits under the Act.

DECLARATION OF SETTLEMENT

Section 4 of the AFN bill provides that this Act shall be regarded as a full and final settlement not only of all Native claims against the United States, as specified in the Field Committee and Interior Department bills, but also of all Native claims against the State of Alaska and all third parties based upon aboriginal right, title, use or occupancy of land. The AFN bill thus takes care of the legitimate concern expressed during the hearings by the State and a number of oil companies that, even after enactment of land claims settlement legislation, the Natives would be free to challenge the rights of any landholder other than the Federal Govrnement.

The AFN bill also takes into account the fact that the Indian Claims Commission and the Court of Claims have jurisdiction to entertain claims of Alaska tribes, bands or groups based on grounds other than loss of aboriginal Indian title lands, and the declaration of settlement has been appropriately amended to preserve such unrelated causes of action.

Finally, the matter of attorneys' fees and expenses, treated under section 4(b) of the Field Committee and Interior Department bills, is covered under section 17 of the AFN bill and will be discussed in connection therewith.

ALASKA NATIVE COMPENSATION FUND

Section 5 of the AFN bill follows the pattern set in section 6 of the Field Committee bill by creating a special Alaska Native Compensation Fund in the Treasury of the United States.

Under the AFN bill, the United States would pay into the Fund direct appropriations of $500 million and all additional revenues derived from a 2% overriding royalty upon the sale, lease or other disposition of public lands in accordance with section 14, as compensation to the Natives of Alaska for lands and interests in lands taken in the past or to which their rights and claims are extinguished by the Act. The justification for these payments already has been given in the written statements and oral testimony of Native representatives, and will not be repeated in this memorandum. Suffice it to say that the receipt last September of over $900 million by the State of Alaska in bonus bidding for oil and gas leases upon only a fraction of the land subject to Native claims shows beyond question the fact that the AFN proposal is reasonable, provides for compensation far below the fair market value of the property, and will not place an undue financial burden upon either the State or the Federal Government.

The Interior Department bill calls for payment of $500 million in installments of $25 million each (without interest) over a twenty-year period, a formula which really accords the Natives a present value of only $322 million. (See Report of Secretary of the Interior Walter J. Hickel on S. 1830, dated July 25, 1969, hereinafter referred to as "Hickel Report", p. 6.) AFN believes that the Natives are entitled to full value for their property at the time of its loss and, if the United States is to make payment in installments, interest should be provided upon the unpaid balance at the traditional rate of 4%. On the ground that the Interior Department proposal would authorize distribution over too long a period and in annual amounts too small to support many needed development projects, the AFN bill also provides for an eight-year, instead of a twenty-year, pay-out.

Section 7(h) of the Interior Department bill calls for a direct payment by the Secretary of each yearly installment of compensation to the Alaska Native Development Corporation, a procedure which would circumvent the normal annual appropriations process in Congress. The AFN bill follows the regular legislative scheme of authorizing appropriations. In order to assure the Natives that their compensation will be paid, and following the precedent of the Boulder Canyon Project Adjustment Act (Act of July 19, 1940, as amended, 43 U.S.C. 618a(c)), however, section 5(c) of the AFN bill further declares that the payments due the Natives shall constitute "contractual obligations of the United States," which, of course, would be enforceable in the Court of Claims.

ALASKA NATIVE COMMISSION

Like the Field Committee and Interior Department bills, the AFN bill would authorize the creation of an Alaska Native Commission, as an independent Federal agency, to administer many provisions of the Act and also to decide a number of questions, such as entitlement to enrollment and boundary disputes, which may arise under the Act. As set forth in section 6(k) of the AFN bill, the duties and responsibilities of the Commission would be far more extensive than its functions under either of the other proposals—a fact which lends even greater weight to the policy decision implicit in all three bills that the Commission could best operate outside the structure of the Interior Department. Since a basic purpose of the proposed legislation is to break away from traditional forms of Federal-Native relationships and to break new ground in Native self-development AFN feels quite strongly that the Alaska Native Commission should be fully independent and not housed in the same department as the Bureau of Indian Affairs.

Under the AFN bill, the Commission would have five members, all of whom would become full-time Federal employees; not more than three members could belong to the same political party, and at least three members would have to be Natives. Members would be appointed by the President but no recommendation is here given as to whether such appointment should be "with the advice and consent of the Senate," AFN's opinion being that this issue properly can be decided only by the Congress. In order to encourage continuity in policies and expertise, Commission members would serve staggered terms.

The AFN bill strengthens the legislative provisions governing operations of the Commission by including the following changes:

(1) section 6(c) removes from the chairman alone and vests in the entire Commission the power to designate a place of hearing outside its normal office;

(2) the word "shall" is substituted for "may" in sections 6(f) and (g) to assure the right of all parties to present evidence on their own behalf and that all official action will be in writing open to public view;

(3) section 6(f) makes clear that a party may appear for himself or through counsel;

(4) section 6(h) provides a specific criminal sanction for failure to comply with a Commission subpoena;

(5) section 6(h) also provides a mechanism for making information in the possession of other government agencies or departments readily available to the Commission and the parties;

(6) in view of the remoteness of many of the parties involved, section 6(j) increases the time for seeking judicial review from thirty to sixty days; and

(7) section 6(j) also drops the unusual feature of the Field Committee and Interior Department bills, which would authorize appeals from the Federal District Court in Alaska to the eleven Courts of Appeals, in favor of directing all appeals to the United States Court of Appeals for the Ninth Circuit.

As set forth in section 6(k) of the AFN bill, the duties and responsibilities of the Commission would cover the preparation of Native membership rolls and a roster of Native villages, and the determination of eligibility for inclusion thereon, the appointment of incorporators for the Alaska Native Development Corporation and the approval of articles of incorporation for Native corporations, the hearing of appeals from decisions of the Corporation refusing to approve a village plan for the management and expenditure of its funds, the settlement of land disputes and the certification of eligibility for patents, and the approval of certain land transactions. The Commission also would be given authority to review and comment upon, but not suspend or veto, the annual budgets of the Native corporations for a period of ten years. As an exception to the general rule, and in order to forestall the possibility that the expenditure of funds may be tied up by litigation for years, rulings of the Commission on appeals from decisions of the Corporation are not made subject to judicial review (see sections 6(j) and 9(f)(6)).

ENROLLMENT

Given the fact, as experience elsewhere has demonstrated, that the preparation and promulgation of a final Native membership roll will require at least five years to complete, a key problem presented in every version of the land claims settlement legislation is whether the Natives shall be entitled in the interim to make decisions and/or receive financial benefits under the Act. The Field Committee and Interior Department bills both proceed on the premise that, unless and until placed upon the membership roll, a Native will not qualify for any rights or benefits under the Act. Moreover, since neither bill establishes a deadline for the preparation even of an "initial roll," the net result is to vest in non-Natives, such as the Secretary or the Commission, the power during early years to make vital decisions affecting the Natives' own funds, property and future welfare.

In order to facilitate the selection and management of lands, the use of funds and the organization of corporations by the Natives themselves, section 7(a) of the AFN bill provides that the Secretary shall prepare within six months after the effective date of the Act a "temporary census roll" of all Natives living on December 31, 1969. The temporary census roll would serve two major purposes: first, inclusion thereon would entitle a Native to vote for directors of the Alaska Native Development Corporation, and in elections involving other Native corporations and village land selection committees; and, secondly, the Native population as shown on the roll would be the basis for determining the number of acres of land to which village and regional corporations would be entitled. In short, the temporary census roll would provide a means for the Natives to select lands and start operations of their development corporations without waiting years for preparation of an official membership roll.

The temporary census roll, of course, will be far less complete and accurate than the final membership roll. Accordingly, section 7(a)(2) of the AFN bill specifies that "the temporary census roll shall not be used as a basis for determining the right of any individual, village or corporation to receive funds and property or otherwise to share in the benefits accorded the Natives of Alaska under this Act." In other words, unlike the Field Committee and Interior Department bills, the AFN bill distinguishes between the right to receive financial benefits, where absolute correctness of the membership roll is essential in order to carry out the purposes of the legislation, and the right to participate in decision-making, where only a substantial majority of all eligible Natives need be identified in order to carry out Congressional intent.

The Secretary's decision regarding the eligibility of any person for inclusion on the temporary census roll shall be final, except that any person listed on an existing membership roll of a Native village shall be conclusively presumed to be eligible. Basically, the Secretary will be conducting a head count, without any real effort being made to investigate claims of eligibility, but the chances that any person will give false information to qualify himself or another for inclusion on the census roll are reduced by making such conduct subject to criminal sanctions (see section 7(e)). In view of the nature of the temporary census roll and the finality of the Secretary's decisions with respect thereto, the six-month deadline for its completion seems entirely reasonable.

Under section 7(b) and (d) of the AFN bill, the Commission is directed to prepare: (1) a final Native membership roll within five years after the effective date of the Act; and (2) a roster of Native villages eligible for benefits under the Act, in addition to the villages listed in section 10(c), within three years after its effective date. To ensure fairness and accuracy, the Commission is further directed to publish the roll and roster, respectively, before final promulgation, and an opportunity is accorded "any person or village denied enrollment or omitted from the roster . . . to protest such denial or omission to the Commission," and to "the Secretary of any Native village listed in section 10(c) . . . to protest to the Commission the inclusion of any individual on the membership roll or any village on the roster of Native villages." Protests are made subject to hearings and judicial review.

Each Native is given the right to designate the village in which he and his children under the age of nineteen are to be listed as members and, in the absence of protest by the named village, such designation shall be final. In the event of a protest, the Commission is vested with authority to determine the village of which a Native is a member in accordance with a scheme of priorities set forth in the statute. A Native need not be a present resident of a village in order to qualify for membership therein.

Finally, under section 7(c) of the AFN bill, the Commission is directed to establish procedures for maintaining a membership roll containing the names of Natives born during the twenty-year period after December 31 of the year in which the Act becomes law, since such afterborn children also have a right to share in all benefits under the Act except membership in the Alaska Native Development Corporation.

Alaska Native Development Corporation

The Field Committee, Interior Department and AFN bills all call for creation of an Alaska Native Development Corporation, but the AFN bill materially differs from the two other proposals in the following significant respects:

(1) The Field Committee and Interior Department bills both provide that the Alaska Native Development Corporation shall be an Alaska corporation, even though the Hickel Report concedes that "we are still concerned that some of the Corporation's activities might be considered incompatible with the laws of Alaska" (p. 5). AFN recognizes that State law now or as hereafter enacted may not comport with efficient operation of the Corporation and that, under such circumstances, Congress would be unable to remedy the difficulty. Accordingly, the AFN bill provides that the Corporation be organized under the provisions of this Act, or, in other words, under the laws of the United States. In order to promote conformity with State practice, on the other hand, the AFN bill further provides in section 8(i) and (j) that the rights and powers of the Corporation, and the rules governing its internal affairs, shall track the laws of the State of Alaska with certain necessary exceptions. The AFN bill also preserves the stipulation that the Corporation shall not be an agency or establishment of the United States Government.

(2) The Field Committee and Interior Department bills both contemplate that the Alaska Native Development Corporation will be a business corporation, with the Natives as stockholders, and that the Corporation will be entitled to receive, expend, distribute, invest, manage or otherwise use all funds due the Natives from the United States under the Act. The AFN bill, on the other hand, establishes the Alaska Native Development Corporation as a non-profit membership corporation, which will retain only 5% of the money distributed out of the Alaska Native Compensation Fund (section 8(f) and (g)), and which will serve primarily as a service organization to advise, help and guide regional and village business and development corporations (section 8(i)). Indeed, section 8(h) of the AFN bill specifically declares that the Corporation "shall be considered a public instrumentality eligible for grants and contracts for planning and development programs which will assist Natives, Native villages and Native corporations under any Federal law."

(3) The Field Committee and Interior Department bills so structure the internal organization of the Alaska Native Development Corporation that it will be dominated and controlled by non-Natives for years after its formation, the end date for control by non-Natives (and thus non-stockholders) under the Interior Department bill being June 30, 1991. The AFN bill, on the other hand, is designed to give the Native owners of the Corporation control over the organization not later than nine months after the effective date of the Act (section 8(b)(1)). In addition, until Native directors are elected, the powers of the initial board of directors are limited to the completion of incorporation and such other acts as are essential to start the operations of the corporation (section 8(b)(3)).

(4) As above noted, the Field Committee and Interior Department bills both provide that the Alaska Native Development Corporation shall be the sole organization for investment, expenditure or distribution of money derived from the Native Compensation Fund. AFN takes the position, and believes that the State of Alaska concurs, that any single private company having the assets thereby vested in the Corporation would wield undue influence and economic power within the State. Furthermore, given the vast distances between points in Alaska and the great differences between Native communities in different parts of the State, AFN feels that a single statewide corporation cannot help but be unfamiliar with and thus potentially unresponsive to local needs and aspirations. Accordingly, the AFN bill establishes the Corporation as merely the top of a pyramid, with the bulk of all funds received to be distributed to regional and village corporations.

OTHER NATIVE CORPORATIONS

Section 9(a) of the AFN bill authorizes the Commission to divide the State of Alaska into twelve geographic regions, with each region composed as far as practicable of Natives having a common heritage and sharing common interests. In the absence of good cause shown to the contrary, such regions will approximate the areas covered by the operations of Native associations already in existence. Under section 9(b), a regional corporation would be created under Federal law for each of the twelve Native regions of Alaska.

Section 9 of the AFN bill in large measure would vest in the twelve regional corporations the business and investment functions which the Field Committee and Interior Department bills would concentrate in a single Alaska Native Development Corporation. Thus, each regional corporation would be a stock corporation, with the stockholders of the corporation being the Natives of the region and with the stock being distributed and subject to the limitations set forth in section 9(e). The most important of these limitations (1) withhold the right to receive dividends until the final membership roll is promulgated, (2) restrict the alienation of stock for twenty years except by will or intestacy, and (3) deprive non-Natives of the right to vote stock for twenty years. Similarly, under section 9(i), each regional corporation may exercise all rights and powers given a business corporation under Alaska law, and the internal affairs of the corporation are to be governed in accordance with the laws of the State of Alaska relating to business corporations, with certain necessary exceptions.

Unlike the statewide Corporation which, under the AFN bill, would be essentially a planning and service organization, the regional corporations would build projects and conduct on-going development programs, so such corporations under section 9(b)(2) are to be considered political subdivisions of the State for the purpose of being eligible for grants, loans and contracts for planning, housing assistance, economic development, public works, construction and other programs which will assist Natives, Native villages and Native corporations under any Federal law. In addition, each regional corporation will be authorized to manage lands, interests in lands and subsurface (mineral) rights to which it will acquire a patent under section 12(b) (3) and (4) of the Act, the proceeds from such resources being divided one-half to the region in which the property is located and one-half to all other regional corporations on the basis of population (section 9(g)(2)).

The AFN bill in treatment of the regional corporations also comes to grips with an unresolved problem presented in the Field Committee and Interior Department bills. Specifically, both other bills vest inconsistent functions in the Alaska Native Development Corporation, to wit: business functions, such as the investment of funds and making of commercial loans, and charitable functions, such as grants for health and welfare or the relief of distress (section 7(f)). Quite obviously the directors would be torn between their responsibilities towards the owners of the Corporation and their duties towards the beneficiaries of the Corporation, who as the years go by will increasingly fall within two different classes.

The foregoing problem is handled under section 9(f) of the AFN bill by dividing inconsistent functions and by requiring each regional business corporation to organize an affiliated non-profit membership corporation to carry out those programs which are not designed to make money. The non-profit corporation will be funded by further requiring the regional corporation to distribute to the affiliate not less than 10% nor more than 50% of its net income. The non-profit affiliates, in turn, would be prohibited from distributing more than 20% of the money received from the regional corporations to eligible Natives, and then only in accordance with "family plans," which for the individual or family involved, as the case may be, will require expenditure of any such payment for constructive purposes.

Section 9(f) of the AFN bill follows the pattern of funneling a substantial portion of the compensation paid the Natives for the loss of their aboriginal lands from the statewide Corporation to the twelve regional corporations, and through the regional corporations to village corporations. In order to preserve flexibility, and subject to the limitations set forth in section 9(k), a Native village may organize pursuant to section 9(j) as a corporation under the laws of the State of Alaska, or of any other State or the District of Columbia, or in accordance with any applicable Federal law. A village corporation shall not be eligible to receive funds from the regional corporation, except for planning purposes, until it has developed an initial five-year program for the management, investment and expenditure of such funds, and this program has been approved by the Alaska Native Development Corporation (section 9(f)(6)).

WITHDRAWAL OF PUBLIC LANDS

The Field Committee, Interior Department and AFN bills all provide for the revocation of Public Land Order No. 4582, the so-called "land freeze," and, as a preliminary to the recognition of Native land titles, for the temporary withdrawal from appropriation of public lands in each township which encloses all or part of a Native village listed in the statute.[1] The Interior Department and AFN bills also call for the withdrawal from appropriation of public lands in each township which is contiguous to or corners upon the township or townships in which the Native village is located, while the AFN bill further provides for the withdrawal of additional townships up to a total of nine if fewer otherwise would be withdrawn because of the location of the village on an island, along the coast or near an international boundary.

The Field Committee and Interior Department bills, with minor differences in text (such as the inclusion in the latter measure of the term "subject to all valid existing rights"), both specify that the lands shall be withdrawn from all forms of appropriation under the public land laws, including the mining laws, but not the mineral leasing laws. Both bills also exclude from the withdrawal lands reserved for national defense purposes, other than petroleum reserve numbered 4. Since no reason exists in law or equity for denying Natives subsurface rights in their own lands or for treating defense reserves differently from other Federally withdrawn lands, the AFN bill provides that all public lands as defined in the Act within the affected townships shall be "withdrawn, subject to valid existing rights, from selection by the State and from all forms of appropriations under the public land laws, including the mining and mineral leasing laws."

Finally, in order to enable the Natives to select up to 40 million acres of land pursuant to section 11, without having to compete with the State or hold up all State selections, section 10(d) of the AFN bill also provides for the withdrawal, subject to valid existing rights, from the selection by the State and from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, of all public lands within sections 5–8, inclusive, of every township in the State of Alaska not otherwise withdrawn in accordance with section 10. Sections 5–8 in every township, of course, have been selected at random—just as sections 16 and 36 were set aside under the School Lands Act—and any other block of four sections in each township would be equally appropriate to accomplish the purposes of the proposed legislation.

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[1] The list of Native villages, as set forth in section 10(c) of the AFN bill, contains more names than the list in either other bill, including, in particular, villages and cities having a substantial Tlingit and Haida population.

SELECTION OF PUBLIC LANDS

Section 11(a) of the AFN bill provides that each Native village listed in section 10(c) [2] shall be entitled to select, with eighteen months after the effective date of the Act, a total of 92,160 acres of 500 acres per member, as shown on the temporary census roll prepared pursuant to section 7(a), whichever amount is greater, from the lands withdrawn in accordance with section 10. Where the Native villages within any region, as defined in section 9(a), are entitled to select in the aggregate less than 5% of the total land area of the region, such villages are granted a right to select additional land up to 5% of the total land area of the region. The purpose of this extra entitlement is to mitigate the impact of the land settlement upon the subsistence Indian villages of interior Alaska and along the North Slope which otherwise would lose a far higher percentage of the lands which they now use and occupy than the more populous Native villages along the western and southeastern coast. In exercising its selection rights, a village would first have to designate contiguous lands within the surrounding withdrawn townsites and could select non-contiguous tracts withdrawn pursuant to section 10(d) only if the public lands in the surrounding townsites were not sufficient to satisfy its entitlement.

The AFN bill thus provides for each native village an amount of land sufficient for community use, expansion and development, and an amount of land reasonably related to the Natives' current needs as well as past patterns of use and occupancy. By contrast, the Field Committee bill would allow each village a maximum of only 23,040 acres, a drop in the bucket compared to the acreage now used. Moreover, if the township in which the village is located does not contain 23,040 acres of public land, the deficiency could be made up only after a complex procedure of certification by the Commission leading up to public hearings by the Secretary (section 8(b)).

Similarly, section 8(a)(1) of the Interior Department bill would authorize each Native village to select only two townships—the one in which the village is located and one from the surrounding townships—and such selection could ripen into a patent to a maximum of 46,080 acres (section 10(b)). As a practical matter, however, the village patent would be reduced in size by patents to individuals and organizations (section 10(a)), and, of course, minerals covered by the mineral leasing laws also would be excluded. More significantly, the Interior Department bill authorizes the issuance of a patent only to an "incorporated native village" (section 10(b)), which is defined in section 3(h) as "any village incorporated as a governmental unit under the laws of the State of Alaska," even though it appears that some Native villages will not qualify so to incorporate (see Title 29, Alaska Statutes, § 29.25.030). Finally, the Tlingit and Haida villages would be limited to a maximum of 23,040 acres (sections 10(c) and 12).

The Interior Department bill specifies that each Native village shall make its land selection within one year (after which the withdrawal is revoked) "in accordance with rules and regulations established by the Secretary," but makes absolutely no provision for safeguarding the village's land selection rights if the Secretary fails or refuses to establish such regulations. This oversight is corrected in section 11(b) of the AFN bill, which specifically designates the village organizations authorized to make land selections and which directs the Secretary to hold a village election to pick a land selection committee where no authorized organization exists. Section 11(c) of the AFN bill also spells out a procedure for resolving overlaps where two or more villages select the same lands—a problem which is briefly touched in the Field Committee bill (section 10(c)(3)) and wholly ignored in the Interior Department bill.

The justification for the provisions in the AFN bill confirming Native title to 40 million acres in the State already has been given in the written statements and oral testimony of Native representatives, and will not be repeated in this memorandum. Given the number of Native villages listed in section 10(c) and an estimated Native population in the temporary census roll of about 60,000, less than 40 million acres will be subject to village selection under sections 11 and 15 of the AFN bill. Accordingly, section 11(d) authorizes the regional corporations "to select, during the period beginning eighteen months and ending ten years after the effective date of this Act, from the public lands withdrawn in accordance with section 10(d), such amount of land as represents the difference, if any, between 40,000,000 acres and the total acreage selected by Native villages."

CONVEYANCE OF LANDS

Section 12(a) of the AFN bill requires the Secretary to survey townships withdrawn and areas selected for conveyance to Native villages and regional corporations, as well as certain defined lands within such tracts, and is comparable to section 9 of the Interior Department bill.

Section 12(b)(1) of the AFN bill provides that, upon completion of the survey of lands selected by a Native village, the Secretary shall issue a patent or patents to such village (if and when it qualifies to own real property) to the land and all interests therein, except minerals covered by the mining and mineral leasing laws, which under section 12(b)(3) are to be patented to the regional corporation for the region in which the village is located. Any village patent shall be subject to valid existing rights and also subject to the terms of section 12(b)(2), which in turn provides that the Native village:

(1) must issue deeds to the occupants, without payment of any consideration, to the surface of tracts occupied by Natives on September 1, 1969, as a primary place of business or residence, or for subsistence campsites or reindeer husbandry;

(2) must issue deeds to the occupants, upon payment of the fair market value for such property, to the surface of tracts occupied by non-Natives on September 1, 1969, as a primary place of residence or business;

(3) may issue deeds to the occupants, in the discretion of the village either without consideration or upon payment of an amount not in excess of fair market value, to the surface of tracts occupied on September 1, 1969, by non-profit organizations for the purposes for which such organizations were established; and

(4) may issue deeds to the occupants, upon payment of the fair market value for such property, to the surface of tracts occupied on September 1, 1969.

The AFN bill thus eliminates the requirement of the Field Committee and Interior Department bills that village lands be granted to non-profit organizations without any payment, and allows the Native owners discretion to charge or not to charge for such property, with a safeguard that all non-profit organizations be treated on the same basis.

Section 12(b)(4) of the AFN bill provides that, upon completion of the land selection by a regional corporation, the Secretary promptly shall issue a patent or patents to such corporation to the land and all interests therein, including minerals covered by the mining and mineral leasing laws. AFN further takes the position that the owner of land should be entitled to the benefits therefrom, so section 12, contrary to section 10(j) of the Interior Department bill, provides that, upon conveyance, the Native village or regional corporation, as the case may be, shall succeed and become entitled to any and all interests of the United States or the State, as lessor or prior landowner, in any leases, permits, contracts or rights-of-way covering such lands.

Unlike section 13 of the Interior Department bill, the AFN bill would not repeal the Native Allotment Act of May 17, 1906 (34 Stat. 197), as amended. Section 12(c) of the AFN bill provides a further mechanism for Natives to obtain patents outside withdrawn areas under limited circumstances for homes, places of business, campsites and reindeer grounds, and is a simplified substitute for more detailed provisions in the Field Committee and Interior Department bills covering substantially the same subject (see section 10(d) *et seq.*).[3] Section 12(d) of the AFN bill corresponds to section 10 (j) and (k) of the Interior Department bill, with an amendment to insure that Native landowners will enjoy the full benefits of their property.

ADMINISTRATION OF LANDS

AFN believes that the provisions of the Field Committee and Interior Department bills (section 8(c)) dealing with the management of lands withdrawn for the benefit of Native villages are inadequate and misconceived. In short, even though the Native villages now are the beneficial users of such property and ultimately will have clear title thereto by virtue of the legislative settlement, the Field Committee bill directs that withdrawn land be administered for the benefit of the Alaska Native Development Corporation, while the Interior Department bill would channel all income therefrom to the Federal Government. Moreover, both bills vest unreviewable control over the use, management and administration of the land in the Secretary, so he would be fully authorized to grant leases, permits or concessions thereon without the consent of the Natives.[4]

Section 13 of the AFN bill, on the other hand, limits the Secretary's power to dispose of land eventually destined for Native ownership and makes the Natives the beneficiaries of their own property. Specifically, section 13(b) provides that, pending selection by a Native village or regional corporation, the Secretary is authorized to take such action as shall be necessary to administer, manage and protect withdrawn public lands, but may not enter into a lease, contract, or permit which extends more than eighteen months after the effective date of the Act, and must pay over the net revenue from use of the land to the village or regional corporation involved. Section 13(c) provides that after selection, but before a patent issues, the Native village or regional corporation may lease or otherwise dispose of the land on the same terms and conditions as an organized Indian tribe, subject to the approval of the Alaska Native Commission. Section 13 also establishes procedures for the issuance of easements and rights-of-way across withdrawn and selected lands, a subject not expressly covered in either the Field Committee bill or the Interior Department bill.

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[2] A Native village, as defined in section 3(e), which is not listed in section 10(c), but is listed on the roster prepared by the Commission pursuant to section 7(b), will not be entitled to select land, although otherwise entitled to benefits under the Act.

[3] Whereas all public lands would be open to patent under the AFN and Field Committee bills, the Interior Department bill generally would exclude "land within the National Park System, National Wildlife Refuge System, and National Forest System, and land withdrawn or reserved for national defense purposes, other than petroleum reserve numbered 4. . . ."

[4] To make matters worse, even after patent to a Native or Native village the Federal Government would continue to receive the revenue from the lease, permit or contract under section 10 of the Interior Department bill.

As a precautionary measure against improvident transactions before business experience is acquired, section 13(d) provides that, although a village or regional corporation may hold, manage, lease or dispose of patented lands and interests therein, including minerals, in accordance with the laws of the State, the Native corporations for a period of ten years may sell or enter into long-term commitments with respect to land only with the approval of the Commission. For the purpose of effecting land consolidations or facilitating the management and development of land, section 13(a) of the AFN bill also permits village and regional corporations to exchange land, interests in land and water rights with each other and with the State or the United States.

ROYALTY ON DISPOSITION OF PUBLIC LANDS

The justification for reserving to the Natives a 2% overriding royalty upon proceeds from governmental leasing and mineral development in Alaska already has been given in the written statements and oral testimony of Native representatives, and will not be repeated in this memorandum. Section 14 of the AFN bill is designed to achieve this objective, and is patterned in part upon section 12 of the Field Committee bill.[5]

In general, section 14 would recognize in the Natives a 2% interest in land of the State outside the tracts to which they acquire title. This interest would not exist with respect to land patented before January 1, 1969, or apply either to the Outer Continental Shelf or to minerals subject to the mining laws, but would cover timber and surface uses (section 14(c)) and minerals subject to the mineral leasing laws. The Natives' interest also would extend to petroleum reserve numbered 4, which, in order to make that interest meaningful, would be opened to competitive leasing by the Secretary, with the concurrence of the Secretary of Defense (section 14(b)).

Section 14(a)(2) of the AFN bill declares that 2% of the rentals and bonuses received from the leasing in Alaska of minerals subject to the mineral leasing laws during the period beginning January 1, 1969, and ending on the effective date of the Act, including leasing by the State on tentatively approved land under section 6(g) of the Statehood Act, shall be paid into the Alaska Native Development Fund. Section 14(a)(2) also provides that, out of any royalty paid under leases entered into during the same period, the Natives shall receive an amount equal to 2% of the gross value of the minerals before calculation of the respective shares of the State and the United States in such royalty. The latter provision, of course, is intended to give effect to the Native interest without placing any additional royalty burden upon the lessee.

Section 14(a)(3) establishes a comparable Native interest in the proceeds of mineral leases entered into after the effective date of the Act. Section 14(d) expressly stipulates that the reserved Native interest in land shall not operate to prevent State selections under the Statehood Act, but further provides that every patent to the State shall be subject to the overriding Native royalty. Finally in order to create an effective means of enforcement, section 14 provides in essence that the Natives' royalty interest will be collectible by the United States on their behalf.

REVOCATION OF RESERVATIONS; EXCEPTIONS

AFN strongly believes that no Native group should end up after passage of land claims settlement legislation in a position worse than it had occupied before enactment of the statute. Accordingly, the AFN bill eliminates any special provisions for the Tlingit and Haida Indians, notwithstanding the fact that in 1968 they, after many years of litigation, were successful in a suit against the United States to obtain compensation for the loss of some, but not all, of their aboriginal land. *Tlingit and Haida Indians* v. *United States*, 389 F. 2d 778 (Ct. Cl., 1968). Similarly, section 15(e) of the AFN bill grants to the Native village of Metlakatla the Annette Islands Reserve created by the Act of March 3, 1891 (26 Stat. 1101), and preserves for 50 years the fishing rights of the Tsimshian Indians given recognition in *Metlakatla Indian Community* v. *Egan*. 369 U.S. 45 (1962).

Section 15(a) of the AFN bill, like section 16 of the Field Committee bill and section 14 of the Interior Department bill,[6] would revoke the various reserves heretofore set aside for Native use. Consistent with the above mentioned AFN position that the legislation should not operate to the detriment of any Native group, section 15(b) gives each village now having a reserve set aside for its use or benefit a right to select such reserve in lieu of the land to which it otherwise would be entitled, and it is expected that villages having some of the larger reserves, such as Venetie, will exercise this option. By the same token, section 15(c) would authorize the Native village of Tyonek to retain subsurface rights in the Moquawkie Reserve (while giving up its proportionate share of minerals elsewhere), and section 15(e) would continue in effect the terms of the Act of November 2, 1966 (80 Stat. 1094), relating to lands in the Pribilof Islands.

PROTECTION OF SUBSISTENCE RESOURCES

The setting aside of 40 million acres of land for Native use, as provided in sections 10–12 of the AFN bill, clearly will be insufficient to sustain the subsistence hunting and fishing activities upon which many Native groups still will depend for years to come. Accordingly, section 16(a) provides that "the Natives of Alaska shall have a right to hunt, fish, trap, gather fuel and pick berries or other natural food products for subsistence purposes" on lands withdrawn for their benefit and on public lands for a period of one hundred years. Subsistence uses on public lands would be subject to restriction by the head of the agency having jurisdiction therein, and the rights of Natives on patented lands would expire on the date of patent or twenty-five years after the effective date of the Act, whichever later occurred.

Section 16(b) of the AFN bill authorizes the Secretary of the Interior to provide special protections for the biotic resources of the State, and is similar to Section 13 of the Field Committee bill.

ATTORNEYS' FEES AND EXPENSES

The Field Committee and Interior Department bills both include provisions (section 4(b)) for the payment of attorneys' fees and expenses which are incomplete and which, in all likelihood, violate existing contracts, approved by the Secretary, between counsel and Native tribes, bands or groups covering the prosecution of claims before the Indian Claims Commission. Section 17 of the AFN bill, on the other hand, calls for the payment of attorneys' fees in accordance with approved contracts where Indian Claims Commission cases are involved, and also takes into account the fact that the most valuable services rendered the Natives by their lawyers deal not with litigation, but rather with the land claims settlement legislation.

Specifically, instead of vesting responsibility for paying or determining legal fees in the Alaska Native Development Corporation or the Alaska Native Commission, section 17(a) of the AFN bill provides that, in the case of attorneys' fees and out-of-pocket expenses incurred in the prosecution of claims litigation under a contract approved by the Secretary, "the amount of such fees and reimbursable expenses shall be determined in accordance with such contract or, if the contract does not provide for compensation in the event of a dismissal [as the Act would require], by the Secretary on a *quantum meruit* basis." In addition, section 17(b) provides that legal fees and expenses of Native groups incurred for representation in connection with the claims legislation are also to be paid, provided that the amount of such fees and reimbursable expenses shall be subject to approval of the Secretary pursuant to the terms of the attorneys' contract. In this regard, the AFN bill follows the pattern of the Interior Department bill in calling for a separate appropriation of an amount sufficient to pay counsel fees and disbursements allowed under the Act.

TAXATION

Section 7(h) of the Field Committee bill and section 7(f) of the Interior Department bill declare that the sums paid by the United States to the Alaska Native Development Corporation for the extinguishment of Native title to land shall not be subject to Federal or State taxation.[7] The rationale for this rule is, quite properly, that the Government should not be in a position of paying for the Natives' property and then taking back a sizeable portion of that payment through taxation. Actually the transaction could be viewed even under the ordinary tax laws as a conversion by the Natives of a capital asset to cash upon which no income is realized.

Section 18(a) of the AFN bill carries the foregoing principle to its logical conclusion by declaring that the lump-sum compensation for land, and any interest earned with respect thereto while the funds are under Federal control, shall be non-taxable not only in the hands of the Corporation, but also upon distribution to any other Native corporation or individual Native. Section 18(b) creates the same tax-exemption covering revenue derived from the 2 percent overriding royalty for a period of twenty years, but thereafter subjects such income to taxation upon distribution "on the same basis as like income is taxed when received by a non-Native individual or corporation." Other paragraphs of the AFN bill stipulate that funds received by a Native corporation for which it acts as a conduit and, therefore, which must be turned over to another Native corporation shall not be income to the conduit corporation, but shall be income to the corporation ultimately receiving the benefit thereof. See sections 8(f)(1), 9(f)(7), and 9(g)(3).

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[5] Since the Secretary has not endorsed a royalty formula, section 11 of the Interior Department bill is inappropriate in Native claims legislation. Section 11 would open up petroleum reserve numbered 4 to mineral leasing by the Secretary of the Interior without approval by the Secretary of Defense, and would change the mineral leasing laws to require competitive bidding, but has no relevance to Native lands.

[6] Interestingly, the Field Committee and Interior Department bills both make revocation subject only "to any valid existing rights of any nonnatives." AFN suggests that, in Native land claims settlement legislation, the revocation of reserves should be made subject to any valid existing rights of Natives too.

[7] Section 7(f) of the Field Committee bill also exempts the income of the Corporation from taxation for ten years.

Experience elsewhere in the United States has demonstrated that the imposition of real estate taxes is a frequent cause of land passing out of Indian ownership. Accordingly, under section 18(c) of the AFN bill, land to which a Native village or regional corporation acquires title shall be exempt from State and local real property taxes for a period of fifty years. Municipal taxes or assessments, however, may be levied upon individually-owned real property, and easements, rights-of-way, leaseholds and similar interests may be taxed in accordance with State or local law. Similarly, all "rents, royalties, profits, and other revenues or proceeds derived from such lands and mineral rights shall be taxable to the same extent as such revenues or proceeds are taxable when received by a non-Native individual or corporation."

REVIEW BY CONGRESS

AFN has revised the provisions relating to Congressional review as set forth in the Field Committee and Interior Department bills to require more thorough reports from the Secretary and the Commission, and to make sure that Native views will be made known.

APPROPRIATIONS

Section 20 of the AFN bill is comparable to section 16 of the Interior Department bill.

PUBLICATION

Section 21 of the AFN bill contains an amendment to section 17 of the Interior Department bill authorizing the Commission as well as the Secretary to publish appropriate rules and regulations in the Federal Register.

SAVING CLAUSE

Section 22 of the AFN bill is comparable to section 18 of the Interior Department bill.

ALASKA NATIVE LAND CLAIMS SETTLEMENT LEGISLATION

(Prepared by Mr. Arthur Lazarus, Jr.)

The key starting point in consideration of any proposed settlement of Alaskan Native land claims is recognition of the principle that the Federal Government is not here dealing with ordinary "social welfare" legislation under which the United States will provide, and the Native beneficiaries receive, a variety of gratuitous funds, goods and services. This legislation involves property rights. The primary objectives of the Administration's bill, therefore, must be (a) to enable the Natives to retain a reasonable share of their aboriginal property, and (b) to pay the Natives just compensation for the lands, interests in lands and other rights which they are being required to give up, and only as a corollary (c) to foster or establish an economic setting in which serious Native social welfare problems are either prevented or corrected.

A fair settlement thus should afford the Natives land, money and future expectations, within an administrative framework which permits them to manage, as well as derive benefits from, their own assets. According to the Alaska Federation of Natives (AFN), and as more fully discussed below, such a settlement would include a confirmation of title in Native village and regional corporations to 40–60 million acres of land, a payment of $500 million over an eight-year period and retention of an overriding 2% royalty as compensation for lands to which Native title has been or will be extinguished, and long-range protection of subsistence hunting, fishing, trapping and gathering rights. The purpose of this Memorandum is to demonstrate the major areas in which the Alaska Native Claims Settlement bill submitted to Congress by the Secretary of the Interior two years ago (hereinafter called the "Hickel bill") fell short of Native desires and, more particularly, lacked essential elements of fairness.

SECTION 2. DECLARATION OF POLICY

Text: Sections 2 (b) and (c) of the Hickel bill would declare the intent of Congress, in settling Native claims, not to establish racially defined institutions, or create a reservation system, or add to the categories of tax-exempt property.

Comments: These sections are basically negative and, at one and the same time, both terminationist and paternalistic in tone, contrary to the President's Message on Indian Policy.

Recommendations: Section 2(b) should be revised to state an additional Congressional policy of maximizing the participation by Natives in decisions affecting their rights and property and of vesting in them as rapidly as prudent and feasible control over the lands set aside and corporations organized under the Act. The term "wardship" should be dropped from subsection 2(b)(2), since this legal concept in its true sense never has been applicable to the Indians of the United States, and the word "ultimately" should be inserted in subsection (b)(3) to show that the Act will confer certain temporary tax benefits upon the Natives. Finally, a new sentence should be added to section 2(c) to make clear that the payments and grants authorized under the legislation constitute compensation for the extinguishment of property rights and are not merely to be substituted for governmental programs which otherwise would be available to the Natives of Alaska.

SECTION 3. DEFINITIONS

Text: Section 3(e) of the Hickel bill defines the term "public land" as meaning "all Federal land and interests therein situated in Alaska, except any improved land used in connection with the administration of any Federal installation."

Comment: This proposed definition of "public land" ducks the hard question of whether the Natives should be allowed to have their title confirmed in lands selected by, but not yet patented to, the State of Alaska. The law seems clear that title to selected lands, whether or not tentative approval has been given to the selection by the Secretary, remains in the United States, and the issuance of patents to the State cannot be forced. See *State of Alaska* v. *Udall,* 420 F. 2d 938 (1969). To effect a complete settlement of Native claims, therefore, the term "public land" should include all tracts still in Federal ownership to which Native title has not yet been extinguished—with the elimination of specific T/A lands, as might possibly be done in the case of the North Slope oil leases, being the exception and not the rule.

Recommendation: The term "public land" should be redefined to mean "all Federal lands and interests therein situated in Alaska as of the effective date of this Act, including lands selected by, but not yet patented to, the State. . . ."

SECTION 4. DECLARATION OF SETTLEMENT

Text: Section 4 of the Hickel bill provides that the proposed legislation would settle and extinguish all Alaskan Native land claims against the United States, and would lead to the dismissal of pending proceedings before the Indian Claims Commission instituted by Native groups.

Comments: The settlement of Native claims should run in favor of the State of Alaska and third parties (such as oil companies) as well as the United States. In addition, the bill should expressly preserve the jurisdiction of the Indian Claims Commission and the Court of Claims to entertain suits on grounds other than loss of aboriginal Indian title lands. Finally, the payment of attorneys' fees and expenses (Section 4(b)) might more appropriately be treated elsewhere in the legislation.

Recommendations: In view of the foregoing comments, the changes which should be made in Section 4 are self-evident.

SECTION 6. ENROLLMENT

Text: Section 6 of the Hickel bill would authorize the Alaska Native Commission to prepare a membership roll of all Natives living on the effective date of the Act.

Comment: Experience in a number of Indian claims cases has demonstrated that the preparation and promulgation of a final Native membership roll will require at least five years, and perhaps twice as long, to complete. Nonetheless, the Hickel bill proceeds on the premise that, unless and until placed upon the membership roll, a Native may not qualify for any rights or benefits under the Act. Moreover, since the bill does not provide a deadline for the preparation even of an "initial roll", the net result is to vest in non-Natives, such as the Secretary or the Commission, the power during early years to make vital decisions affecting the Natives' own funds, property and future welfare.

Recommendations: Section 6 should be amended to provide that the Secretary shall prepare within six months after the effective date of the Act a "temporary census roll" of all Natives living on December 31, 1970. The temporary census roll would serve two major purposes: first, inclusion thereon would entitle a Native to vote for directors of the Alaska Native Development Corporation, and in elections involving other Native corporations and village land selection committees, if such institutions are authorized; and, secondly, the Native population as shown on the roll could be the basis for determining the number of acres of land to which a Native village or corporation would be entitled. In short, the temporary census roll would provide a means for the Natives to select lands and start managing their own affairs, without waiting years for preparation of an official membership roll.

The temporary census roll, of course, would be far less complete and accurate than the final membership roll. Accordingly, the bill also should specify that "the temporary census roll shall not be used as a basis for determining the right of any Native, village or corporation to receive funds and property or otherwise to share in the benefits accorded the Natives of Alaska under this Act." In other words, the legislation should distinguish between the right to receive financial benefits, where absolute correctness of the membership roll is essential in order to carry out the purposes of the settlement, and the right to participate in decisionmaking, where only a substantial majority of eligible Natives need be immediately identified in order to carry out Congressional intent.

SECTION 7. ALASKA NATIVE DEVELOPMENT CORPORATION

Text: Section 7 of the Hickel bill, among other matters, would provide: (1) for the organization of an Alaska Native Development Corporation under State law (subsection (a)); (2) for control of the Corporation by non-Natives until June 30, 1991, even though its assets and income belonged to the Natives (subsections (b) and (c)); and (3) for giving the Corporation exclusive power over the investment, expenditure or distribution of money derived from the Native Compensation Fund (subsection (h)).

Comments: The Interior Department report which accompanied the Hickel bill conceded that "we are still concerned that some of the Corporation's activities might be considered incompatible with the laws of Alaska" (p. 5). As a matter of fact, the likelihood exists that State law now or as hereafter enacted may not comport with efficient operation of the Corporation and that, under such circumstances, Congress would be unable to remedy the difficulty. Indeed, the Hickel bill may be authorizing the creation of a corporation which cannot legally exist under Alaska law, or which, once created, could not legally perform the duties placed upon it.

Secondly, AFN takes the position, and believes that the State of Alaska concurs, that any single private company having the assets which would be vested in the Alaska Native Development Corporation under the Hickel bill could wield undue influence and economic power within the State. Furthermore, given the vast distances between points in Alaska and the great differences between Native communities in different parts of the State, a single statewide corporation cannot help but be unfamiliar with and thus potentially unresponsive to local needs and aspirations. If the Corporation is to be free of Federal domination, yet not itself become a dominating force, Native control and local institutions must be encouraged.

Recommendations: (1) Section 7(a) should be amended to provide that the Corporation be organized under the laws of the United States; in order to promote conformity with State practice, the rights and powers of the Corporation and the rules governing its internal affairs, could track the laws of the State of Alaska where feasible and appropriate. (2) Natives should be granted voting control over, and a majority on the Board of, the Corporation three months after completion of the temporary census roll or, in other words, nine months after the effective date of the Act. (3) The Corporation should be envisioned as merely the top of a pyramid, with the bulk of all funds received to be distributed to regional and/or village corporations.

SECTION —. ALASKA NATIVE COMPENSATION FUND

Text: Sections 2(a) and 7(b) and (h) provide for a payment by the Federal Government to the Alaska Native Development Corporation of $25 million per year for 20 years, or a total of $500 million, as compensation for the lands, interest in lands and other property rights which the Natives are relinquishing.

Comment: For all practical purposes, the present fair market value which a condemnation court might find for the 350 million acres in which Native title would be extinguished under the proposed settlement legislation is impossible to calculate. Since the Hickel bill was submitted to Congress, however, one event sheds some light upon what the property could be worth; specifically, the State of Alaska has received over $900 million in bonuses alone for oil leases on a tiny fraction of the North Slope—land, incidentally, where the Natives still possess aboriginal ownership. The true dollar value of all Native property in Alaska thus is staggering to contemplate.

In view of the magnitude of the areas and values being considered, the amount the United States should pay the Natives in order to reach a level of fair compensation obviously involves a question of judgment. The Administration in the Hickel bill and AFN are in agreement that $500 million is the proper number. Their differences lie in the scheduling of payments and over whether interest should be credited upon the unpaid balance, since, as the Interior Department report points out, if we "take the $500 million authorized by the bill and discount it by 4 and ⅝ percent over the 20-year payment period provided for in the bill, we come up with a present worth of approximately $322 million" (p. 6).

$500 million for 350 million acres in fact less than $1.50 per acre and, while not quite as good a bargain as Manhattan Island, the cost can hardly be characterized as extravagant. As a matter of equity, the Federal Government should pay the agreed (and publicly announced) price for the property it is acquiring in current dollars, not in promises of future cash payments which, after inflation also is taken into account, really will net the Natives less than 50 cents on the dollar. Moreover, when the United States buys from any other landowner and payment of the purchase price is delayed, it pays interest at the rate of 6%.

Secondly, $25 million per year for 20 years, as provided in the Hickel bill, amounts to about $400 annually for each of the estimated 60,000 Natives of Alaska. Such a sum, if distributed per capita, clearly would be spent on consumer goods, rather than long-range development, since $400 will not support a student in school, or build a house, or start a business. In order to have a meaningful impact, therefore, the compensation must be paid out more quickly and in correspondingly larger figures.

In addition to a cash payment, the Natives seek to retain a 2% royalty interest in the lands to which their aboriginal title is being extinguished.[1] Viewing the claims settlement in proper context as the purchase and sale of real estate, the principle of revenue-sharing, rather than being a novel concept, appears to fall within the ambit of normal land transactions and to be well tailored to provide the Natives an adequate payment for their property. In other words, when any private citizen disposes of land having an indeterminate mineral potential, the reservation of a royalty on future production is standard business procedure, and the Natives' desire to follow the same course in relinquishing their Alaskan land thus constitutes no exception to ordinary commercial practice. Furthermore, revenue-sharing in the public domain between States and the Federal Government has been the policy of our country for generations.

Secondly, revenue-sharing, in the form of a 2% royalty, will provide at least three major long-range benefits for the Natives of Alaska and thus go a long way towards insuring that the land claims settlement legislation works out successfully. Specifically, the 2% royalty, which would reflect future values and which also would represent a constantly increasing amount of compensation, effectively will prevent the Natives of Alaska from ever complaining (as has happened in the case of other settlements with Indians) that the price paid by the United States for their land was too low and should be readjusted. In addition, revenue-sharing would give the Natives not only a feeling that they are participating, but also a direct financial stake, in development of the resources of the State of Alaska—thus giving the Native and non-Native sectors of the populace a clearcut community of interest.

Perhaps most significant, revenue-sharing would provide continuing income which could be used by the Natives to rectify their mistakes. In other words, it is probably realistic to assume that, among the many Native corporations which the legislation contemplates will be established, a few will suffer from poor management or just bad luck. In the case of a lump-sum settlement, such a corporation and its Native owners would be doomed to failure because no resource existed to replace lost assets. In the event revenue-sharing is approved, on the other hand, a portion of the 2% royalty could be set aside to rescue corporations which fall upon hard times and thus relieve the Federal Government of the inevitable call for new financial assistance.

Recommendations: A new section should be added to the Administration's bill reinstating the Alaska Native Compensation Fund. As requested by AFN, the $500 million should be turned over to the Natives during an 8-year period, and interest at the rate of 4% should be credited on the unappropriated balance. Finally, the legislation should provide for retention by the Natives, and payment into the Fund, of a 2% overriding royalty in lands to which their titles will be extinguished.

SECTION 8. WITHDRAWAL OF PUBLIC LANDS

Text: Section 8 of the Hickel bill provides for the withdrawal of all public land, "except land withdrawn or reserved for national defense purposes, other than petroleum reserve numbered 4, subject to all valid existing rights, from all forms of appropriation under the public land laws, including selection rights under the Alaska Statehood Act, as amended, and including the mining laws, but not the mineral leasing laws" in up to nine townships around certain named Native villages, and further authorizes such villages to select, and thus obtain title to, a maximum of two townships.

Comments: No reason exists in law or equity for denying Natives full subsurface rights in their own lands. See *United States* v. *Shoshone Tribe*, 304 U.S. 111, 118 (1938); *United States* v. *Northern Paiute Nation*, 183 C. Cls. 321 (1968). Indeed, the Papago Reservation in Arizona was the *only* Indian reservation established in the history of our country where the United States withheld mineral rights from the tribe, and Congress remedied that breach of good faith under the Act of May 27, 1955, Public Law 84–47. The language of the Hickel bill providing that the Alaskan Natives may keep resources subject to the mining laws, but not resources subject to the mineral leasing laws, simply cannot be explained in terms other than Federal self-interest prevailing over justice.

Although Section 8(a) of the Hickel bill would authorize each Native village to select two townships—the one in which the village is located and one from the surrounding townships—and such selection theoretically could ripen into a patent to a maximum of 46,080 acres (section 10(b)), as a practical matter the village patent would be reduced in size by patents to individuals and organizations (section 10(a)).[2] More significantly, the bill authorizes the issuance of a patent only to an "incorporated native village" (section 10(b)), which is defined in section 3(h) as "any village incorporated as a governmental unit under the laws of the State of Alaska," even though it appears that some Native villages will not qualify so to incorporate (see Title 29, Alaska Statutes, §29.25.030). Finally, the Hickel bill specifies that each Native village shall make its land selection within one year (after which the withdrawal is revoked) "in accordance with rules and regulations established by the Secretary," but makes absolutely no provision for resolving overlaps where two or more villages select the same lands, or for safeguarding the villages' and selection rights if the Secretary fails or refuses to establish appropriate regulations within one year.

Recommendations: Section 8(a) should be amended to provide that all public lands as defined in the Act within the affected townships shall be "withdrawn, subject to valid existing rights, from selection by the State and from all forms of appropriation under the public land laws, including the mining and mineral leasing laws," and the conveyancing sections of the bill should similarly be changed to insure that Native villages can acquire title to all subsurface rights in their retained lands. Section 8 should be further amended (a) to extend withdrawals and permit land selections for a period of six months after the Secretary's regulations relating thereto are finally promulgated, (b) to provide procedures for resolving overlapping selections, and (c) to insure that each village in fact will be legally eligible to receive a patent.

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[1] A memorandum showing that revenue-sharing is lawful in the context of the Alaska Native claims settlement can be furnished if desired.

[2] For discussion of the adequacy of land grants under the Hickel bill, see the analysis of section 10, *infra*.

SECTION 10. CONVEYANCE OF LANDS

Text: Sections 10 (b) and (c) of the Hickel bill provide that the Secretary, upon application, may issue a patent of up to 23,040 acres to an incorporated Tlingit or Haida village and up to 46,080 acres to all other incorporated Native villages, excluding subsurface resources subject to the mineral leasing laws.[3] The amount of land which will be confirmed in Native ownership under these sections and other sections of the legislation relating to homesites, campsites, etc., is estimated at 10–12 million acres.

Comment: The provisions of the Hickel bill covering land withdrawals and conveyances deal with one of the most crucial issues involved in the Native land claims settlement: the question of whether the proposed legislation sets aside for the Alaskan Natives an amount of land which is reasonably related to their current needs as well as past patterns of use and occupancy, and more importantly, whether the area of land to which Native villages can obtain title will be sufficient for future community use, expansion and development. For the following reasons, AFN submits that 10–12 million acres is inadequate to establish a viable Native economy, and that the allocation of roughly equal acreages (as against a fixed statutory ceiling) to all Native villages, regardless of their size, location and resources, will cause extreme hardships in many cases.

The Federal Field Committee Report, the most comprehensive survey of the literature on the Native way of life, expresses three major points in its discussion of the Alaskan Natives and their relationship to the land; (1) if grants to meet subsistence needs are to be made, then a minimum of 60 million acres will be required; (2) Native land use varies widely according to geographic location and biotic carrying capacity and, therefore, land grants to protect the Native subsistence economy should be allocated to villages in varying amounts based in proportion to the number of people the land will support; and (3) in order to provide the economic means for the Natives to make reasonable and sustained progress, any claims settlement legislation should not only protect subsistence resources, but also confirm Native title to commercially valuable properties.

As noted in the Field Committee Report, projections of Native land use based upon surveys of the number of individual villages throughout the State suggest that the acreage required for traditional subsistence needs actually totals 80–120 million acres, or, in other words, about double the area AFN is requesting. The studies further suggest a wide variation in environmental living patterns. The villages of Kivalina, Noatak and Point Hope, for example, with a total population of 7,446, have subsistence needs of 6,430,720 acres, exclusive of use of the sea and its marine and annual resources. Five village populations, totalling 215 persons, in the Upper Yukon-Porcupine Region "in all cases range over an average radial distance of 40 to 50 miles from home," thereby using at least 3.2 million acres apiece. Other Native villages, of course, particularly in Southeast Alaska, make far less extensive use of the surrounding country.

Native dependence on the land is not casual, but is the central feature of the present-day Native economy. Again according to the Field Committee, a survey of 35 villages in Northern and Interior Alaska indicates that more than half the population depends on subsistence activities to provide half or more of its food. A dietary study of the residents of 11 villages shows that "local food, chiefly meat and fish, are still the foundation of their diets." In short, a substantial number of Natives now rely, and for the foreseeable future will continue to rely, upon the subsistence use of large areas of land in Alaska in order to survive. Moreover given the cost of food and other essentials in the Alaskan economy, the cash payments provided under the proposed legislation cannot furnish anything but inadequate substitutes for such subsistence activities.

Implicit in the land features of the Hickel bill is the assumption that the Natives soon will abandon village life and, with the development of Alaska, will migrate in increasing numbers to urban centers for permanent wage work. The Field Committee Report contradicts this assumption.

Village population in the last 20 years has grown substantially. Furthermore, any projections on rural Native population movement must take into consideration the desires of the Native people themselves. The Field Committee Report states that a survey of 1000 men in Northern, Interior and Coastal villages indicates that "about ¼ told interviewers they would not accept any employment. Of the more than 750 who said they would accept employment, nearly 300 said they would accept only temporary employment—and ⅓ of those said they would accept such employment only near home." With respect to the last possibility, the Report further points out that the Natives can expect little employment from local oil or mineral exploitation—a prediction which is being confirmed by experience on the North Slope.

Similarly, the Field Committee Report points out that, in large areas of Alaska, opportunity based on natural resource occurrence is extremely limited. Commenting on the economic potential of the southwest coastal lowland region, for example, the Report states, "no glib, uninformed, theoretical pronouncements can change the natural resource endowments of the region, and, in summary, we can note that only the anadromous fishery resources—of the entire natural resource spectrum—offers any significant potential for cash income to augment subsistence food harvest requirements. Even here the impact can only be local around the Bethel area where facilities are capable of development and may be served by adequate transportation arrangements, since the Yukon fisheries run is virtually totally committed to subsistence use and coastal and tundra villages are too far removed from the scene to benefit from Kuskokwin River commercial fishery harvests." The Report adds that "these facts are extremely important to understand if land tenure adjustments and monetary settlements for the natives of the region are to be achieved in harmony with environmental subsistence requirements."

In summary, the findings of the Field Committee lead inevitably to the conclusion that "Alaska Natives as a group now have little if any stake in a continuation of the present of regional economic development. It follows also that they have little stake in a resolution of their protests and claims for the sake of removing obstacles to economic development, unless that resolution involves either the creation of *new kinds* of economic opportunity for individual Natives or Native groups or a substantial transfer of commercial valuable assets to them. Unfortunately, the land provisions of the Hickel bill would deprive the Natives of the basis for their present economy, but would not set up the means for a successful transition to a new cash economy.

Recommendations: If the land claims settlement is not ultimately to become the starting point for a long slide by the Natives of Alaska into the poverty and despair of their American Indian relatives, the proposed legislation should be amended to raise the Native land entitlement from 10–12 million acres to 40–60 million acres. As urged by AFN, the property so confirmed in Native ownership should be allocated on a regional basis, with each regional corporation being granted lands in proportion to its share of the total Native claim area. (On this basis, those regions where the Natives use the most land also will retain the most land—a result not possible if land were divided on a population basis.) Finally, in order that the Natives may be able to select their full land entitlement, section 8 of the bill must be amended to authorize the withdrawal of additional portions of the public domain.

SECTION —. ADMINISTRATION OF LANDS

Text: Section 8(c) of the Hickel bill provides that "the applicable laws and regulations, other than the mining laws, shall govern the use, management, and administration" of withdrawn lands, while section 10(j) provides that where a contract or lease affecting such lands has been made prior to patent, the lessor or contractor shall continue to receive the income from, and administer, the lease or contract even after patent.

Comment: The provisions of the proposed legislation dealing with the management of lands withdrawn for the benefit of Native villages are inadequate and misconceived. In short, although the Native villages now are the beneficial users of such property and ultimately will have clear title thereto by virtue of the legislative settlement, the Hickle bill would vest unreviewable control over the use, management and administration of the land in the Secretary, so that he would be fully authorized to grant leases, permits or concessions thereon without the consent of the Natives, and even after patent the income from such leases, permits and concessions would go to the Federal Government and not the Natives.

Recommendations: The Administration's bill should provide: (a) specific procedures for the issuance of easements and rights-of-way across withdrawn and selected lands; (b) that the Secretary may not enter into a lease, contract or permit covering withdrawn lands which has more than an 18-month term; and (c) that the benefits of any leases, contracts or permits shall run to the Native village after the land involved has been selected.

SECTION 14. REVOCATION OF RESERVATIONS

Text: Section 14 of the Hickel bill provides for the revocation of all reservations in Alaska set aside "for native use or for administration of native affairs . . . subject to any valid existing rights of non-natives."

Comment: In terms of fairness and human expectations, the land claims settlement should not be the basis for depriving Natives of property they now have or, stated another way, no Native group should end up after passage of the proposed legislation in a position worse than it had occupied before enactment of the statute. Section 14 of the Hickel bill, however, would achieve just that result for a few fortunate Native villages, such as Tyonek and Venetie, which already enjoy more land or resources than they would be entitled to receive under the settlement. Moreover, although the Tsimshian Indians are excluded from any benefits under the legislation by the definition of "native" (section 3(b)), section 14 fails to preserve either the Annette Islands Reserve created by the Act of March 3, 1891 (26 Stat. 1101), or the fishing rights of the Tsimshian Indians given recognition in *Metlakatla Indian Community* v. *Egan*, 369 U.S. 45 (1962).

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[3] For a discussion of this exception, see analysis of section 8, *supra*.

Recommendations: Section 14 should be amended: (1) to accord any Native village which now has beneficial use of a reservation the option to obtain title to such reserve in lieu of its selection rights under the Act; (2) to exclude the Annette Islands Reserve, and corollary fishing rights, from the revocation; and (3) to provide that the revocation of reserves shall be subject to any valid existing rights of Natives as well as non-Natives.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

The Senate continued with the consideration of the motion to proceed to the consideration of the resolution (S. Res. 9) amending rule XXII of the Standing Rules of the Senate with respect to limitation of debate.

The PRESIDING OFFICER (Mr. STEVENSON). The question is on agreeing to the motion to postpone for one legislative day the motion to proceed to the consideration of Senate Resolution 9.

Mr. BYRD of West Virginia. Mr. President, I thank the able Presiding Officer. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MONTOYA). Without objection, it is so ordered.

Mr. BYRD of Virginia. Mr. President, I was greatly encouraged by the vote taken in the Senate yesterday. The Senate by a vote of 48 to 36 for the third time in 3 weeks refused to invoke cloture. To me this was very encouraging. It shows, I feel, that the demand to change the rules of the Senate is not as widespread as the communications media would lead people to believe. It is not as widespread as some Members of the Senate would lead the people to believe.

Mr. President, not even a majority of the elected Members of the Senate supported cloture on yesterday. The effort to bring debate to a close fell eight votes short of the number necessary to close debate.

Mr. President, the three votes that the Senate has taken in the last several weeks as to whether debate shall be brought to a close dramatizes that there is a procedure in the rules of the Senate to bring debate to a close whenever a sufficient number of Senators feel that such debate should be brought to a close. This rule basically goes back to 1917. Before that time, Mr. President, the Senate had no way to bring debate to a close. There was unlimited debate and no procedure for shutting off debate. But since 1917 there have been in the rules of the Senate what is essentially the present rule XXII. That rule makes it possible—and the rule has been utilized—to bring debate to a close.

Mr. President, were there not such a rule in the Senate today, I would favor the adoption of such a rule. I think it is necessary and desirable that the Senate have a way to shut off debate. However, I submit that the Senate does have such a way and has had such a way to shut off debate whenever a substantial majority wanted to bring debate to a conclusion. It has had that right since 1917, for 54 years.

Mr. President, the effort to change the rules of the Senate is bogging down. I think the vote on yesterday when only 48 Members of the Senate voted for cloture, emphasizes the fact that this whole question of changing rule XXII is losing much of its appeal.

I am glad that this is so, Mr. President, because I think it would be unwise, very unwise, for the Senate to change this rule, the purpose of which is twofold:

First, it is a means of shutting off debate when a substantial majority of the Senate want to shut off debate; and

Second, it is a protection of the rights of the minority against the will, or what could be, the tyranny of a majority.

Mr. President, I support rule XXII as it exists today. As it exists, Mr. President, whenever two-thirds of the Members of the Senate present and voting care to do so, they can shut off further debate and bring the pending measure to a vote.

Mr. President, when I last spoke to the Senate concerning the importance of retaining rule XXII, I had begun to discuss the significance of the 10th amendment of the Constitution of the United States.

That this important amendment, which I say is too often ignored in this day and age, this amendment which assures the fact that this country is a republic, was omitted from the initial draft of the Constitution, is in itself remarkable, but as we know the error was rectified in short order. The 10th amendment, when read with the other provisions of the Constitution, makes it apparent that the Government of this country was intended to be a government which would respect the interests of the people as one body, and of the States as another body.

The 10th amendment reads as follows:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Let us never forget that it was the States who created the general government, not the reverse.

Therefore, when assembled in the Senate of the United States, each State has a voice which is equal to that of her sisters, irrespective of population.

Mr. President, I invite the attention of Senators who represent small States, and who are supporting the change in the rule, to a few population statistics. All of us know that regardless of size and regardless of population, each State has two votes in the Senate. That applies to States with a very small population—less than 1 million in many cases—and it applies to the States with the largest population—California with 20 million and New York with roughly 20 million. There are those who say that the Senate should do away with rule XXII or liberalize rule XXII whereby majority cloture can be invoked. I submit that if that principle is a desirable one which is needed to bring about democracy in this country, that it could be argued that States like Hawaii, Alaska, Arizona, Montana, and any number of smaller States with limited populations, should not have the same representation in the Senate as California, New York, Michigan, New Jersey, or Virginia.

Incidentally, Virginia is one of the largest States of the Union now. Virginia has a population of 4.7 million. It is the 14th most populous State in the Union. I feel when I speak on behalf of the smaller States in this Union I can do so without being accused of lobbying in a selfish vein inasmuch as the State I represent, the Commonwealth of Virginia, must be considered with her 4.7 million population as one of the largest States of the Union.

If we want to carry the proposal to change the rules of the Senate, if we want to put it on the basis that the rule should be changed because a majority should have the right to shut off debate; or as the pending proposal calls for, that 60 percent of the Senators should have the right to shut off debate, then let us look for a moment at what would happen nationally if that same principle were applied.

There are nine States in the Union that comprise 52 percent of the total population, if the population of those States is added together. If five more States are added, then a total of 14 States have 60 percent of the total population of our Nation.

The nine States which have a combined population of 106 million persons out of the total of 204 million persons, are California, New York, Pennsylvania, Texas, Illinois, Ohio, Michigan, New Jersey, and Florida. Then, if we add the next five States in population, that is, Massachusetts, Indiana, North Carolina, Missouri, and Virginia, it will be found that those 14 States, collectively, have within their borders more than 60 percent of the total population of the 50 States of our Union.

It is basic to the concept of the Senate that the Senate represents States rather than people. If that were not the case, then each State would not be entitled to two, and only two, representatives in the Senate.

By allowing a full and free discussion of issues before the Senate, we further the purposes and intent of the framers of the Constitution, and of the author of the 10th amendment, by injecting a device which would allow protection of minority rights. Thus, before a collection of legislators from the more populous States can work their will, possibly to the detriment of the smaller States, a measure must be debated, at length, if necessary, in order to preserve that which the Constitution foresaw; specifically, the protection of smaller States against actions of the larger States.

In reiteration, I feel that rule XXII historically is in complete agreement with the spirit of the Constitution.

Moreover, it is obvious, that in repeatedly utilizing the two-thirds formula for major decisions, that the Founding Fathers of this Republic considered that this number, and not three-fifths or a simple majority, to be the measuring point of the importance of a given proposal.

It was from this guideline that the Senate, in 1917, enacted the two-thirds proviso on cloture.

I might say at this point that the present provision providing for cloture was presented to the Senate in 1917 by one of my predecessors in this office, the late Thomas S. Martin, U.S. Senator from the State of Virginia from the year 1893 until his death in 1920. Senator Martin was serving as majority leader of the Senate in 1917. In March of that year, just prior to the outbreak of World War I, at the request of President Wilson and because of the very critical situation throughout the world, Senator Martin presented to the Senate the essence of what is now rule XXII, which provides for means by which the Senate could bring debate to a close.

Mr. President, I think it is significant that the following year, 1918, when our Nation was in the midst of war, an effort was made to change rule XXII, which provided for a vote of two-thirds before cloture could be invoked, to make majority cloture possible during the period while the United States might be at war. The Senate debated that matter, and despite the fact that the Nation was then at war, the Senate refused, and I think on just and desirable grounds, to further restrict the right of extended debate. So for 54 years now, this body has had as one of its fundamental rules, rule XXII, which, as I mentioned a while ago, has a twofold purpose. The country should realize it has a twofold purpose. One purpose is to give to the Senate and to Senators means by which debate can be brought to a conclusion. The second purpose is, while doing that, to simultaneously protect the rights of the minority.

The present resolution which is being debated, calls for an abandonment of the two-thirds requirement, and a substitution of three-fifths, or 60 percent. I would submit to the Senate that this is but a thinly disguised step on the road toward the establishment of tyranny by the majority, which would in time trample upon the rights of the minority.

This proposed change would lead, in my view, to future demands for majority cloture. Thus we have before us the possibility that if only a bare quorum of Senators were present, that 26 men could impose a gag rule upon the Senate and push legislation toward hasty and precipitous consideration.

Then, it would not be a question of the majority working its will, but a question of the minority forcing its way.

The requirement of an extraordinary vote for actions considered vital by sizable groups of people is not a denial of the freedom to change. On the contrary, it is a guarantee that change will be accepted by the people who must live with it. It is a guarantee against unwise and inflammatory legislation which can destroy the bonds of citizenship.

I am unconvinced that in this day of instant causes and overnight crises, magnified by an overzealous communications media, if the Senate of the United States were to impose upon itself a gag rule on deliberation of legislation, that this Nation would receive the cautious and well-considered legislation which is so desperately needed at this time.

Too often, we have seen demonstrations by groups from the right, left, and other virulent sources, to create instant panaceas for whatever convulsion is spurring the action of these pressure groups at one particular time.

I need not remind the Senate of the past follies which have resulted from an overreaction to what is termed the latest crisis.

While a minority might be able to obstruct or delay legislation, the alternative is to give to the majority the right to oppress the minority.

I am not persuaded by the sloganeering of those who attempt to equate a free form of government with the principle of majority rule.

Were the principle of the majority rule considered absolutely sacrosanct, then this body, the U.S. Senate, would never have been created in the first place. The Senate of the United States was established with an eye toward protection of the rights of the minority, protection of the small States, protection of the unique geographical divisions in this Republic, and protection of the many voices of our diverse people.

We have a wonderful country. We have a very large country geographically as well as in population, but we are a diverse country. The conditions which exist in one area are unique, in many cases, to that particular area and are quite different from the conditions which exist elsewhere. That is why the Senate was created as it was—to represent the States, while the House of Representatives was created to represent the people. As a result, the House was designed, and has been for the most part through the years, to be closer to the people at any particular time. The House of Representatives must submit its membership to referendum every 2 years. Senators, of course, have 6-year terms, one-third being before the electorate each 2 years, and the Senate is further removed from the people for that reason and further removed from the people also in the sense that each State has two Senators regardless of size, and by the fact that the makeup of the Senate is not predicated upon population.

So I say that if we in the Senate are going to take the view that the free form of government requires adherence to the absolute principle of majority rule, the Senate itself will no longer be the Senate as we know it. A State such as California would have a very large number of Senators, and States sparsely populated would have very few.

The majority rules on most issues. I think that is sound. It should.

But on questions which involve the deepest interests of large segments of our people and whose effects will be visited upon generations to come, some wider consensus must be sought. Meaning no recrimination whatever to this body as a whole, nor any Member thereof, I must say in all honesty, that the fact cannot be escaped that there are times when even a majority of this body finds itself out of step with the people as a whole. The opportunity to pause and reflect upon the issues before the Senate, presented by rule XXII, grants to us the chance to obtain some depth of feeling for the true consensus of the people on a given issue.

I believe we should distinguish between issues affecting the daily affairs of running a community and those which would change its whole way of life.

These latter issues must be referred to a broader majority and must await general acceptance if they are to succeed in their purposes.

Government is only part of a larger web of community, and it is dependent on the support of that community for its effectiveness. Most students of history and government recognize this.

It is no secret, of course, that what is really at issue today is a change in rule XXII. The question of whether or not the Senate is a continuing body is merely a tactic by which advocates of the rule change hope to squeeze out a victory over free and unlimited debate in the U.S. Senate.

But even a change in rule XXII is not the main issue. That remains to come. Given the rules change, there will be nothing to prevent the denial of an effective voice to those with dissenting views or alternative proposals for settling problems.

That is the real issue in all of this—whether the deep social, political, and economic questions affecting this country and the whole world should be settled by recourse to a nose count or by reference through debate to the thoughts and opinions of all involved.

James Madison described how this body, the U.S. Senate, was created to prevent just such a course of action, when he wrote in Federalist No. 10:

> The influence of factious leaders may kindle a flame within their particular States, but will be unable to spread a general conflagration through the other States: a religious sect, may degenerate into a political faction in a part of the Confederacy; but the variety of sects dispersed over the entire face of it, must secure the national Councils against any danger from that source: a rage for paper money, for an abolition of debts, for an equal division of property, or for any other improper or wicked project, will be less apt to pervade the whole body of the Union, than a particular member of it; in the same proportion as such a malady is more likely to taint a particular county or district, than an entire State.

Rule XXII does not stand in the way of a decision. I wish to emphasize that, Mr. President. Rule XXII does not stand in the way of a decision by the Senate. Whenever a sufficient majority of the Members of the Senate feel that debate should be eliminated, then, under rule XXII, debate can be brought to a close. During the debate on whether or not rule XXII should be changed, I have said a number of times that if there were no way under the rules by which cloture could be invoked, debate shut off, and a measure brought to a vote, if there were no way under the rules to accomplish that, then I would favor a change in the rules.

But, Mr. President, that is not the situation. Rule XXII provides that whenever two-thirds of the membership of this body, present and voting, vote to shut off debate, debate shall be halted and a vote shall be had on whatever issue is at that time pending before the Senate.

I emphasize that, Mr. President, because too often those who want to change the Senate rules, too often those members of the communications media feel that the rules should be changed, lead the people to believe that there is no way that the Senate can bring debate to a close.

That simply is not correct. The Senate does have a means to bring debate to a close, and that rule has been a part of Senate procedure for 54 years.

The rule does prevent a bare majority from stifling the remainder of the Senate, even though the remainder of the Senate might represent a very substantial percentage of the total membership.

So I say, Mr. President, that the more that one considers the purposes of the Senate, the more one considers the need to protect minority views and interests, the more one reaches the conclusion that Senate rule XXII is a fair rule and, indeed, a necessary one.

Mr. President (Mr. GRIFFIN), I say that a good measure—one that has widespread public support—will not be killed by rule XXII. The truth of this statement is amply illustrated by the fact that it is indeed a rare occasion when a period of extended debate, initiated by one or two Senators, is successful in forestalling permanently, legislation which is desired by the majority.

Rule XXII gives protection to majority and minority alike. For it can never be known when the two will change places. It seems to me that this is what many of our colleagues tend to overlook. Those who may be in a majority today may find themselves in a minority tomorrow, or next week, or next month, or next year. Those of us who have faced election—I might say in that connection that I have been on the ballot nine times—always must be aware of the fact that even though we had a majority with us in the past, it will not necessarily be there in the future. I submit that it is the same with respect to the great issues facing our Nation. Times and conditions change. A group that may be riding high at one particular time, in one particular year, on one particular occasion, may very well find itself in a minority position at a subsequent date.

That is why I say that it is important that we have rules. It is important that we have rules in the Senate that will protect majority and minority alike. I say again, it can never be known when the two will change places.

Under a continuing rule XXII, that change of place may come about with no injury to the rights and freedoms of those involved. The Senate has demonstrated time and again that where there is sufficient public and senatorial support, debate can be cut off and the issue resolved. I think that thought should be emphasized. We do not see that in the public press. We do not see that on television. We do not hear that on the radio. But the fact is that, under the rules of the Senate, cloture can be invoked and debate can be shut off. The only requirement is that there be a sufficient majority favoring such action.

In the long history of the U.S. Senate, there have been many Senate giants who argued as did Senator William E. Borah of Idaho, who said:

> I have never known a good measure killed by a filibuster or a debate. I have known of a vast number of bad measures, unrighteous measures, which could not have been killed in any way except through long discussions and debate.

Mr. President, I believe keenly in the accuracy of that statement by that great Senator from Idaho who was around these halls some 30 years. I read again what he said:

> I have never known a good measure killed by a filibuster or a debate. I have known of a vast number of bad measures, unrighteous measures, which could not have been killed in any way except through long discussions and debate.

Others who argued in a similar vein—and I might say that all of them were of a liberal philosophy—were Wisconsin's Robert LaFollette, Nebraska's George Norris, Wyoming's Joseph C. O'Mahoney, and New Mexico's Dennis Chavez.

Senator LaFollette, as Senators are aware, was elected as a Progressive. He was one of the foremost liberals of his time. If I recall correctly, he was not listed in the Senate as either a Republican or a Democrat.

He was listed in the Senate as a Progressive. He ran on a third-party ticket for President of the United States as a Progressive. He was one of the foremost liberals of his day. Yet, he was in fact one of the greatest filibusterers in the Senate's history.

In 1908, he spoke for 18 hours and 23 minutes—a record that stood for 39 years—in an attempt to defeat a bill to allow banks to issue currency on security other than Government bonds.

The words of Senator Borah, which I read a few moments ago, are equally as true today, in my judgment, as they were when they were spoken. I think it can be said without fear of contradiction, that the negative effects of extended debate are extremely overrated. While it would be admitted that extended debate as practiced by a few Senators on any given piece of legislation might have the effect of slight delay in the Senate's consideration of that legislation, it simply cannot be said with any authority that a few Senators could permanently impede or defeat the legislative intent of this body as a whole. Sheer mathematics prevents such a course of action.

It is only when a large group of Senators feel very strongly about a particular issue that extended debate can be effective.

With the existence of rule XXII, as it is written today, embodying the Constitutional numerator of two-thirds to cut off debate on an issue before any such debate could reach the point of permanently impeding legislation, a considerable number of Senators would, of necessity, have to be engaged in such debate. This is precisely the reason for the existence of rule XXII. It is to protect the rights of this sizable minority who wish to be heard on a given issue.

Rule XXII was not designed to give a single Senator, or even one or two Senators, the right to defeat legislation. It is quite obvious from the way the rule is written, and has remained since 1917, that such course of action is impossible. Moreover, it is clear that throughout the long history of the Senate, that one or two, or a handful, of Senators, even prior to the adoption of rule XXII in 1917, have never been able, on their own, to stifle the legislative will of the rest of the Senate.

Therefore, I am of the strong view that the propaganda which is continuously launched against the existence of rule XXII, in which it is claimed that the mere presence of the rule allows one or a handful of Senators to defeat legislation at will—this propaganda is simply without factual basis, and should be dismissed from the course of argument on this subject, for that reason.

The filibuster is not the exclusive weapon of any philosophy, a party, or section of the country.

In the second vote on cloture during the debate, it became perfectly apparent that the adherence of the right of extended debate in the Senate represented a great cross-section of this Nation. Thirty-six Senators voted against cloture subsequent to the filing of both the second and third cloture motions. In addition to the 36 who voted against cloture, there were at least four other Members of the Senate who were either paired against the motion to cut off debate, or who had previously announced their opposition to this motion. No one can seriously contend that any ideological factor or any geographical section of this country can command the support of 40 U.S. Senators. Therefore, it is apparent that there is widespread opposition in this body to the limitation of debate.

I was greatly encouraged yesterday that those who would shut off debate in an effort to bring about a change in the rules received only 48 votes—less than a majority of those elected and serving in this body. It is one of the few encouraging signs in government I have seen recently. I have been alarmed and discouraged that the budget proposal of the administration, which goes completely contrary to the pronouncements of the administration a year ago, will start this country farther down the road of deficit spending. Recently there have been few encouraging signs—to me, at least.

But I was greatly encouraged by the vote yesterday which appears to me to show widespread sentiment in the Senate to maintain rule XXII. It is vitally important that rule XXII be retained for two basic purposes; namely, one basic purpose, to give the Senate a means to shut off debate, and the second basic purpose, to protect those who happen to find themselves in a minority on a particular issue.

A review of the voting results of the second vote on cloture this session on the present motion, reveals that the opponents of cloture represented 28 States of the Union—well over a majority of the States. I do not believe that those who support the right of extended debate can in any fashion be characterized as a willful, small band of Senators representing a sectional, minority outlook, when in fact the elected representatives of over half of the States in the Union have expressed on three occasions their opposition to the stifling of free debate in this Chamber.

I reiterate what I said on previous occasions that those who so strongly insist on the change in the rules today would be well advised to consider their own positions in the future.

Mr. President, I have reason to believe that some of our colleagues are changing their minds as to the desirability of liberalizing rule XXII.

Increasingly, the right of extended debate has come to be used by those described as "liberals." In fact, I am most interested to note, that of late, certain segments of the press that can hardly be described as "conservative" in outlook, have indicated that even the liberals are having second thoughts about the value of rule XXII in our present turbulent society.

Only recently, the Senator from Wyoming (Mr. Hansen) and I discussed the recent commentary by Mr. Nicholas von Hoffman of the Washington Post, who wrote in defense of rule XXII. Now I notice that the New Republic magazine has added its editorial voice to those from the liberal side of the fence who are having a possible change of heart concerning the use of extended debate. I would not claim to be in full philosophical accord with the editorial policy of the New Republic. In fact, in the past, I am sure that that publication would have been profoundly shocked to have found itself in agreement with me on any issue. But I wish to call to the attention of the Senate that even the New Republic is beginning to see the light, and with the indulgence of the Senate, I would like to call attention to its editorial in the February 20, 1971, issue of that magazine:

Filibusters

> Liberals, many of whom are poor at arithmetic, like to think that they constitute a majority in the United States. They also tend to be addicted to ideological abstractions. We know whereof we speak, for we speak from introspection. And so on issues of the structure of institutions of government, liberals generally favor simple, straight-out majoritarian solutions. Hence, about every two years, they lead a fight to abolish the filibuster, or as currently in the Senate, to make it relatively easy to stop one by allowing cloture to be imposed on a three-fifths (60 percent) vote.
>
> But of the several filibusters that marked the second session of the 91st Congress, and particularly its last few weeks, most were conducted by liberals—and to very good purpose: to block the supersonic transport or expenditures for U.S. forces in Cambodia. For on most issues, liberals scarcely form a majority in the Senate, certainly not in the Congress as a whole. All too often, the problem the liberals face is not to get something past an obstructive minority, but to give an impatient majority pause.
>
> Is the ideological case against the talk-a-thon, the case against it on principle, so strong then that the liberal position is justified even though, in practical terms, it runs counter to self-interest? Well, to begin with, a simple majoritarianism is not the overriding organizing principle on which the institutions of our government rest. Senate seats are not apportioned on a population basis, the Supreme Court is not a majoritarian institution, the Constitution itself, which is very difficult to amend, is not a majoritarian device, and neither very often is the Presidential veto. "The American idea of a democratic decision," wrote Walter Lippmann on the occasion of another of these anti-filibuster fights 22 years ago, "has always been that important minorities must not be coerced. . . . For if that principle is abandoned, then the great limitations on the absolutism and the tyranny of transient majorities will be gone, and the path will be much more open than it now is to the demagogic dictator who, having aroused a mob, destroys the liberties of the people."
>
> It is of course true both that minorities can and should ultimately be coerced on many occasions—as in the past 16 years we have time and again successfully coerced an important segregationist minority—and that institutions and devices other than the filibuster are available for their protection. But the filibuster has the virtue at its best of giving the majority pause without necessarily stopping it, and of testing its intensity against that of the minority. The ballot is an excellent counting mechanism, but it neither measures nor weighs what it counts. It does not, therefore, register intensity, and we are consequently relegated, for the most part, to the street, or to exaggerated and even violent rhetoric, when we want to give witness of the depth of our convictions, and test the will and conviction of our opponents.
>
> The filibuster could be destructive, if used indiscriminately by incontinent men, or if no majority, however large, were sufficient to overcome it. But all the institutions and devices of our government, not alone the filibuster, have it in them to destroy everything else in the process, once restraint and trust and ultimate civility are gone. And the power of a majority that is large enough and, what is more important, that is confident of the validity of its purposes and correspondingly determined, is ensured by the present Senate rule, under which cloture can be imposed by a two-thirds majority of members present and voting.

(At this point Mr. Taft took the chair as Presiding Officer.)

Mr. President, I compliment the editorial writer, not because I happen to agree with him, but because I am frank to say that he sets forth the case far better than I could. His use of words and phraseology is far better than my own.

I commend the editorial writer of the New Republic for this editorial because, in a few short paragraphs—actually five paragraphs—he sums up the case against changing rule XXII.

This makes clear, Mr. President, that whether one adheres to what he might call a conservative philosophy or a liberal philosophy, or regardless of how one may feel on a particular situation, he would be very well-advised to support rule XXII in its present form.

Mr. President, I wish to pick out a sentence or two from the editorial for additional comment. The last paragraph begins thusly:

> The filibuster could be destructive, if used indiscriminately by incontinent men, or if no majority, however large, were sufficient to overcome it.

But as the editorial then points out, a majority sufficiently large when it becomes aroused, and when it desires to do so can override the filibuster.

I wish to emphasize again that those who oppose the change in rule XXII have to combat not only Senators who wish to change the rule, but also we have to combat practically the entire news media, which gives the public the impression that there is no way in which the Senate can curb filibusters.

It is not true that the Senate has no way to curb filibusters. Rule XXII provides that whenever two-thirds of the Members of the Senate present and voting feel that debate should be cut off the two-thirds, by so voting, can bring debate to a close and have the pending question put to the Senate as a whole. That is one of the basic parts of rule XXII; that is the reason it was placed on the books; and that is the reason for the existence of rule XXII. That is why former Senator Martin of Virginia in 1917 introduced rule XXII whereby there would be a means to shut off debate. Prior to 1917 there was no means to shut off debate. The entire purpose of rule XXII, the reason for its existence, was to give the Senate a means under its rules to bring debate to a close.

Rule XXII, having that as its basic purpose, simultaneously gives a protection to the minority by providing that a bare majority is insufficient to limit debate; but whenever two-thirds of the Senators present and voting desire to do so, then debate can be brought to a close.

Mr. President, the term "filibuster" has frequently been used during the consideration of this rule change. The word initially referred to English buccaneers of the 17th century, and later to American adventurers of the mid-19th century who led armed attacks against small Latin American countries.

In the Senate, it has come to mean the use of dilatory tactics by a minority to defeat, stall or force a compromise in legislation supported by a majority.

The connotation is unfortunate. It tends to lump all extended debate together as an obstruction to action. With less prejudgment, such debate may be found to be an aid to understanding. Those who listen may come to understand both the merits of the speaker's position, and the strength and determination of his conviction. It is the latter element which is not registered in a simple majority vote. But in many ways this intensity of feeling may be more important than sheer numbers.

Rule XXII permits just such a test of conviction on both sides. The opposition can hold out only so long as a two-thirds majority lacks sufficient strength of conviction to muster its forces. This is a test that numbers alone cannot provide.

Too often, the commentators upon the

evils of rule XXII, tend to overlook the fact that the end product of extended debate, is not always either cloture and passage of an issue, or permanent abandonment of the proposal before this body. In many more instances, especially in recent years, the right of free debate has given rise to compromises and amendments, which, while not totally satisfactory to the extremes on either side of an issue, represent in themselves, a philosophy more closely akin to that of the entire Senate.

Unfortunately, this phenomena of compromise, whereby a more perfect bill is achieved, is labeled by those who conduct only a perfunctory study based upon preconceived notions, as "weakening" the bill. This is not so.

In many cases it strengthens or helps the bill, for while a majority might pass legislation, oftentimes it lacks the ability to govern effectively in the face of determined opposition by the public as a whole to the legislation it has enacted. With the addition of compromising and clarifying amendments following a period of extended and free debate, that segment of the public which was unalterably opposed to the legislation, at the outset, is much more readily attuned to accept it.

I do not deny that on occasion both liberals and conservatives have used rule XXII in a dilatory fashion; but more often, I think, the debates under rule XXII are constructive and useful to anyone interested in arriving at an objective conclusion, and at a breathing period, as in the SST legislation.

No one has expressed this point better than our beloved former President pro tempore of the Senate, whose recent passing we have all mourned. When he wrote:

> For the greater part of our history, the right of full and free debate in the United States Senate has stood as a vital safeguard over the right of the minority to protest against legislation it believes to be injurious and oppressive.
>
> According to a popular misconception, a Senate filibuster consists of long and dilatory speech-making, wholly irrelevant to the legislation question at hand, designed solely to wear down the opposition.
>
> Sincere advocates of freedom of debate in the Senate reject this notion. The objective of full and fair debate is to inform, to educate, to expose, and—if possible—to convert. It is not an abuse of freedom of debate in the Senate to speak at length, if what is said is pertinent to the issues and if the discussion is serving to enlighten the Senate and the country on the merits or demerits of a proposal.
>
> A check of the pages of the Congressional Record will show that this is precisely what the opponents of the civil rights proposals did in 1957 and 1960. I do not recall a single reference to "pot likker" or "hush puppies," and no one read from a telephone book or mail-order catalogue.
>
> The present rule of the Senate that allows a high degree of freedom of debate—as will be seen later, it is not absolute—is the natural outgrowth of the peculiar position that the Senate occupies under our constitutional system. Indeed, the right of an individual Senator to insist on full discussion of any question or issue is the essential element which distinguishes the Senate as the greatest deliberative body yet devised.
>
> Under the gag rule, Senators would serve little other purpose than to act, in effect, as additional members of their state's delegation to the House of Representatives. For once the Senate yields the right of its members to express themselves fully, it undoubtedly would be only a matter of time before Senators would find themselves begging for the privilege of speaking for five minutes—as can and does happen under the rules of the House.
>
> It also is probable that the loss of freedom of debate in the Senate would be followed by an attempt to abolish the Senate's time-honored right of amendment, the other principal characteristic that distinguishes the Senate, in Gladstone's description, as "the most remarkable of all inventions of modern politics."
>
> Indeed, these rules have enabled the Senate to function as a legislative body without serious detriment to the welfare of the United States throughout our history. They have enabled the Senate to discourage and prevent excesses by the temporary majority of the moment that may seek drastic change for selfish or partisan gain.
>
> Freedom of debate in the Senate, so long as it is preserved, serves as a protection of the fundamental rights and liberties for which men for thousands of years have fought, sacrificed and died.

That is the end of the quotation from Senator Richard B. Russell, of Georgia, who, incidentally, served in the Senate longer than any other individual in the history of our Nation with one exception. Senator Russell came to the Senate in January 1933, and served here until his death January 21, 1971. Only the beloved Carl Hayden, of Arizona, served longer in the Senate than did Senator Russell. Senator Hayden served for 42 years as a Member of this body. If I remember correctly, he, along with Senator Russell, was a consistent supporter of the right of extended debate, because both of those men, who had served so long in this legislative body, knew the importance—the importance to the Senate, but, more than that, the importance to the liberties of the American people—of having in the Senate, the right of extended debate of the great issues upon which this body must pass.

Important as the right of extended debate has been in the past, I happen to be one who believes that it will be even more important in the future. I say that because Government has become highly centralized. The cost of Government has skyrocketed. The powers of the President have become greater and greater. Once the Congress appropriates, the President, whoever he may be, has vast billions of dollars to be spent under his control and direction.

I submit that the question as to whether rule XXII should be changed so that debate can be shut off by a fewer number of Senators really goes beyond, in its full implications, the rules of the Senate themselves.

It seems to me, as the months and years go by, that the fact that the Senate of the United States has the right of extended debate can have a very far-reaching influence on the course of the executive departments and the Chief Executives of our Nation.

Mr. President, I am not speaking with regard to the present occupant of the White House, or any past occupants, or those who will come in the future. Regardless of who might be elected in subsequent years to the Chief Executiveship of our Nation, the fact is that the power of that office has become so great, the centralization of its resources has become so great, that the power which the President has over the lives of the people is very substantial indeed. If there is to be restraint on Presidential powers, then that restraint, to a very considerable extent, must come from the Senate of the United States.

Whether the Senate will be in a position to exercise restraint on the Chief Executive in the years to come will depend in great measure on whether the rules of the Senate will permit reasonable debate, extended debate; whether the Senate will have the right to full discussion of these great issues, until such time as two-thirds of the membership calls a halt and demands a vote on the pending question.

Yes, Mr. President, I think the right of extended debate in the U.S. Senate ought to be of vital importance to our Nation down through the years. But, as important as it has been in the past, I think we may very well find that it will be even more important in the future.

Mr. President, I have grave concern about the continued centralization of power in Washington. I have great concern about the continued centralization of power in any one place or in any one individual. Just by the very fact that our Nation has become so large, and because the tax take from the individual citizens has become so great, the power of the Chief Executive of our Nation likewise has been multiplied.

Mr. President, I see this battle in the Senate this year in regard to rule XXII as not just a fight over what the Senate rules shall be, but I see it in its broader implications. As I see those broader implications, extended debate could, as the years go by, be the one restraining force on whoever might occupy the White House in the years ahead.

Mr. President, there are some at the present time, who would have us believe that the Constitution of the United States is an outmoded and reactionary document, drafted at a time of reaction and repression in the 18th century. Such a concept could not be further from reality. The truth of the matter is that the Constitution of the United States, and the men who wrote the document, were the products of what I consider true liberalism, the liberalism which sprang from the pen of John Locke, through the French philosophers, and down to Franklin, Jay, and Madison.

As a matter of fact, those men who framed our Constitution in 1787 had lived under what, thank God, none of us have lived under: a dictatorship. They had lived under the tyranny of a British king, and in framing the Constitution, they were seeking to forge for themselves and for those who would come after them an instrument which would guarantee individual liberty.

This country was fortunate indeed in being founded at a unique period in history. The Constitution followed by almost exactly one country, the Glorious Revolution of 1688, which resulted in the permanent enshrinement in Britain's unwritten Constitution of the Petition of Right and the Bill of Rights, as well as the Habeas Corpus Act. The Glorious Revolution, in addition to replacing a somewhat unwise Stuart king, resulted in the permanent ascendency of Parliament in the affairs of Great Britain.

John Locke was a product of such a time, and it was the writings of John Locke that so profoundly influenced thinkers both on the Continent and in this country at a later date. The writings of Locke, on the social compact theory of government, can be traced almost word for word in many passages of the Constitution of our Nation. The framers of the Constitution drew, in addition, from the French philosophers of the time, such as Voltaire and Rousseau, all of whom reiterated Locke's concept that governments are instituted by men to create more perfect harmony, and that the powers of the government are drawn from the consent of the governed.

Mr. President, that is the point that I find is so seldom realized—that the powers of the government are drawn from the consent of the governed. We tend to get away from that, Mr. President. When we get away from it, we get into, in essence, a dictatorship. The powers of the Government are drawn from the consent of the governed; we must always be sure that that remains the case.

This strongly individualistic philosophy became the framework for our Republic, the only adjustment being the fact that the State governments were created by the individual citizens, and the States, in turn, acting for their individual citizens, created the Union, surrendering some, but by no means all, of their sovereignty in return for the blessings to be disposed by a general Federal Government.

I say that this country was fortunate in being formed at this particular period in history, for it was only a few years later that the rational doctrines of Locke and Voltaire were twisted into the excesses which permeated the unfortunate French revolution, and resulted in the anarchy of the terror and the dictatorship of Bonaparte.

Not being subject to the volatility of continental ideas, this country was so situated as to allow for the growth and expansion of the concept of the dignity of the individual and the rights of the minority. Thus it was that what I would consider the true liberalism of the time, was able to continue. This was a liberalism that was based upon the dignity of the individual, and on faith in the value of individual effort in the community as a whole.

The men who comprised that very first Senate of the United States, which adopted the continuing rules for the governing of this institution, were products of what I think one could accurately call a liberal age, and it was in furtherance of their own ideas and liberal thought, that these first Senators clearly established that this body should be a deliberative one in which the expression of every individual Member might be listened to without restraint, and that the position of the minority might be regarded with respect and dignity.

I cannot comprehend the logic of the many who would change the rules under which the Senate has been operating for a long time. I think it is vitally important that the rules of the Senate be such that the majority not be in a position to attempt to bludgeon a determined opposition into obedience merely because the power to do so is temporarily theirs. Is the street after all a better place to find justice? Did the French majority who ruled the streets during the Terror, find justice at the guillotine? Did the German plurality which placed Adolph Hitler in office, find justice in the slave state that he created?

I ask those who support this proposed rules change to think for a moment what a consistent application of the principle involved would mean.

May I suggest to them that it would mean the end of any kind of meaningful dialog between groups in this country. Numbers would be king. Debate, and persuasion would be conducted, it at all, against the hopeless certainty that this mindless king would have his way regardless of what is said.

It will mean the end of the most basic of all liberal values—meaningful opposition to the majority of the day. Opposition may continue, but only at the sufferance of those in power. Meaningful opposition? It is unlikely when the outcome is predetermined by the count of the bodies on either side of the political aisle.

We should not delude ourselves into believing that the rights, whose protection I so earnestly seek, are only of those who oppose them today. Like the majority, the minority is a shifting thing. At one time in the past, and at some time in the future, every group is likely to find itself outnumbered by its opponents. No one should recognize this more clearly than the so-called liberal community.

It is for the protection of their rights to be heard and respected, as well as the rights of all other Americans, that I speak out today in defense of Senate rule XXII.

Mr. President, rule XXII goes back 54 years. I want to emphasize that if it were correct that under the rules of the Senate debate could not be brought to a close, I would favor a change in the Senate rules. But the fact is that, under the rules of the Senate, whenever a substantial majority—namely, two-thirds—of the Senators present and voting desire to shut off debate, debate can be brought to a close and the pending question put to the Senate.

It is very important that it be realized—it is very important that the American people realize—that under the rules of the Senate as they now exist, there is a provision, a clear-cut provision, to shut off debate if and when a substantial majority—namely, two-thirds—of the Senators present and voting so desire. If we get away from that concept, I submit that we are getting away from the basic purpose of the Senate itself.

There are not many legislative bodies anywhere which permit extended and important debate on the great issues facing our Nation. Too frequently, the Senate is compared in this respect to the House of Representatives. The charge is made that in the House of Representatives there is little debate on the basic issues and that, therefore, there is no reason for the Senate to devote much time to debating the issues. Mr. President, it is because there is that great difference between the two Houses that this Nation has become a nation which guarantees to its citizens the maximum individual liberty. We would have a far different country today if the Senate rules were changed to conform to the rules of the House.

I want to make clear that the purposes and functions of the House of Representatives are vitally important to our system of government. The point is that we have different purposes and we represent different constituencies. The concept of one House is different from that of the other. It is by meshing the two together that we have wrought in this country a constitutional kind of government under which the American people have achieved the highest standard of living of any nation in the world with the maximum amount of freedom. I do not believe that this country became the nation it is by accident. I am convinced that those who wrote the Constitution in Philadelphia in 1787 knew precisely what they were doing.

They were men who were merchants, frontiersmen, farmers, lawyers, and doctors. They were men who had lived most of the time under a dictatorship, a tyranny. Their desire was to forge an instrument of government which would guarantee to themselves and to their children, and to their children's children freedom, freedom of speech, freedom of the press, and freedom of religion. They were men who themselves had suffered at the hands of a tyrant. They were seeking to bring forth upon this new continent a form of government in which tyranny could not exist. They felt that the House of Representatives, its membership having to submit itself to a referendum every 2 years, would mean that the people had a House where the people's voice could be heard and reflected; and yet, in the Senate, at the same time, they would have a House, a House of parliament, a House of government, in which the diverse conditions of the many States could be reflected, and that each State, regardless of how large or small, would have precisely two votes.

It was the combination of these two houses, along with the checks and balances of the three coordinate branches of government—legislative, executive, and judicial—that the framers of the Constitution relied upon to bring liberty to this great Nation and to provide the instrument upon which liberty and freedom could be guaranteed.

Mr. BYRD of West Virginia. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I yield to the distinguished Senator from West Virginia without losing my right to the floor.

ORDER FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on tomorrow, upon the conclusion of the colloquy, which is to be under the control of the able Senator from Indiana (Mr. HARTKE), there be a period for the transaction of routine morning business not to exceed 45 minutes, with statements therein limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS FROM TOMORROW TO FRIDAY, MARCH 5, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, it stand in recess until 12 o'clock meridian on Friday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS FROM FRIDAY TO MONDAY, MARCH 8, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business on Friday next, March 5, 1971, it stand in recess until 12 o'clock meridian on Monday next, March 8, 1971.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, does the able minority whip have any remarks or requests for time from Senators on his side of the aisle?

Mr. GRIFFIN. No.

PROGRAM FOR TOMORROW

Mr. BYRD of West Virginia. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 11 o'clock a.m. tomorrow, following a recess, and upon approval of the Journal, if there is no objection, and the recognition of the two leaders under the standing order, the able Senator from Indiana (Mr. HARTKE) will be recognized for not to exceed 1 hour, for the purpose of conducting a colloquy.

Following that, the period for the transaction of routine morning business, set aside under the previous order, will not exceed 45 minutes. Following the period for the transaction of routine morning business, during which speeches will be limited to 3 minutes, the Senate will pursue its further consideration of the pending business.

Mr. President, what is the pending question?

The PRESIDING OFFICER (Mr. TAFT). The pending question is on the motion to postpone for 1 legislative day the motion to proceed to the consideration of Senate Resolution 9.

Mr. BYRD of West Virginia. I thank the distinguished Presiding Officer.

RECESS UNTIL 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 3 o'clock and 7 minutes p.m.) the Senate recessed until tomorrow, Thursday, March 4, 1971, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate March 3 (legislative day of February 17), 1971:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Stephen Kurzman, of the District of Columbia, to be an Assistant Secretary of Health, Education, and Welfare, vice Creed C. Black, resigned.

Robert O. Beatty of Idaho to be an Assistant Secretary of Health, Education, and Welfare.

U.S. DISTRICT COURTS

Richard C. Freeman, of Georgia, to be a U.S. district judge for the northern district of Georgia, vice a new position created by Public Law 91-272 approved June 2, 1970.

DEPARTMENT OF JUSTICE

G. Kent Edwards, of Alaska, to be U.S. attorney for the district of Alaska for the term of 4 years, vice Douglas B. Baily.

Sidney E. Smith, of Idaho, to be U.S. attorney for the district of Idaho for the term of 4 years, vice Sherman A. Furey, Jr., resigned.

HOUSE OF REPRESENTATIVES—*Wednesday, March 3, 1971*

The House met at 12 o'clock noon.

Dr. James E. Rogers, past national chaplain, Disabled American Veterans, Columbia, S.C., offered the following prayer:

O Lord, the Shepherd of all, who giveth our needs, and extends the green pastures of life,

Hallowed be Thy name.

Lead us by still waters in restoring our spirits.

Hallowed be Thy name.

Give direction to our Nation even when we walk among the valleys and peaks of life.

Hallowed be Thy name.

For the heritage of the good life brought forth by the sacrifice of the many.

Hallowed be Thy name.

For Thy goodness and mercy which follows us through life and for the noble soul of America.

Hallowed be Thy name.

Through God the Father, the Son, and the Holy Spirit. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

TRIBUTE TO REV. JAMES E. ROGERS

(Mr. SPENCE asked and was given permission to address the House for 1 minute.)

Mr. SPENCE. Mr. Speaker, these are the very first words I have uttered on this floor since being elected to Congress, and I am doubly honored by the occasion which brings me to speak.

I take pleasure in introducing to my colleagues this morning the Reverend James E. Rogers. Chaplain Rogers is from the capital city of Columbia, S.C., and a resident of my home district.

The Speaker mentioned the fact that Reverend Rogers was a former national chaplain of the DAV, but I would like to add that in my district he has also been known for many years for his very fine work with various veterans organizations, as well as service groups. He is now chaplain of the veterans hospital in Columbia and has been with the Veterans' Administration for 23 years.

Mr. Speaker, Chaplain Rogers has devoted his life to the men and women who have served our country in wartime. His dedicated service has been characterized by notable courage, resourcefulness, and exemplary leadership. His presence is always a great comfort to those individuals with whom he comes in contact, a fact which is unanimously affirmed by many grateful patients.

Mr. Speaker, the House of Representatives is graced by the presence of Chaplain Rogers today, and I am honored to have the opportunity to present him.

EIGHTY-FIVE YEARS AGO

(Mr. LANDRUM asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include an article.)

Mr. LANDRUM. Mr. Speaker, from time to time we find ourselves reminiscing and listening to ourselves or our colleagues yearning for the past. This Member is guilty, as I know other Members are. Oftentimes we can think of something in our history that makes us wish we were back there.

I found an amusing description in the Gainesville Times of last week describing an era in our history of the mountains of North Georgia that I should like to read to the membership, to bring to its attention vividly some of the values of the past:

> Mrs. J. C. Fortenberry, Hancock Avenue, Gainesville, furnishing The Times with a clipping from the Blairsville paper about how times were 85 years ago . . . You could get 16 pounds of sugar for $1 . . . Calico sold in Blairsville at a nickel a yard . . . Eggs went for six to eight cents a dozen . . . Col. Pat Haralson was the teacher at Fairview School and got $25 a month . . . Labor was 50 cents a day, dinner thrown in . . . All merchandise brought from Blairsville either came from Gainesville or Murphy, N.C. . . . "Com-

> mon schools were of three months duration with two weeks vacation for fodder pulling."
>
> Frying-size chickens were 10 cents each, hens going for 14 cents . . . Green coffee had to be roasted at home and brought $1 for four pounds.

COMMUNITY COLLEGES

(Mr. LONG of Maryland asked and was given permission to address the House for 1 minute, and to revise and extend his remarks and include extraneous matter.)

Mr. LONG of Maryland. Mr. Speaker, the American Association of Junior Colleges is holding its annual convention in Washington. Three of the association's members are located in my district—Dundalk and Essex Community Colleges in Baltimore County, and Harford Junior College in Harford County. There are 2,400,000 Americans attending nearly 1,100 of these fine schools across the Nation.

Our Nation got started on the idea of widespread educational opportunity early—before any other nation understood its significance.

Throughout much of our history, the grammar school—then the high school—performed the main educational function. Before World War I only a few prepared for their careers in college. By the mid-1940's it had become conceivable that practically everyone could go to college. Sectarian colleges, founded to give people in the neighborhood a chance to go to college at low cost, were filling up. The State universities and land-grant colleges have long been operating at capacity. Now the community college has come into its own—to do the job that land-grant schools cannot do, and what the small, private colleges have not been able to do.

In my view, the more people who have an opportunity to go to college, the better off we are as a nation. Indeed universal college opportunity is the key to America's future.

I welcome the American Association of Junior Colleges to Washington and urge its members to present their views on Federal programs as forcefully to other congressional delegations as its Maryland members presented their views today to the Maryland congressional delegation.

MILLS CLOSE

(Mr. DORN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DORN. Mr. Speaker, Panola, a textile plant with 16,992 looms, 4 miles from my home in Greenwood, will close this month. This plant, employing hundreds, announced its closing as a result of the inaction of our Government in failing to adopt fair trade textile policies. Following this announcement Monsanto Co. in Greenwood laid off 150 employees because of low-wage imports of manmade fibers. These 150 employees are in addition to the 200 laid off last year at Monsanto. These dedicated American workers join the 400,000 American citizens displaced in the textile industry in the last few years throughout the Nation because of unfair low-wage textile imports.

Mr. Speaker, the Japanese continue to delay any meaningful agreement to provide for fair trade in textiles. Their recurring bogus offers have the effect of delaying consideration of our trade bill and circumventing any effective voluntary agreement.

Their most recent offer, as reported in the news media, is a complete fake, fraud, and humbug. Any such agreement as they suggest would not do the job and might even increase the present flood of low-wage imports.

Mr. Speaker, we can no longer sit idly by while this Nation's basic textile industry, so essential to our Nation's defense, is being destroyed. Our Government must stand by the American textile industry if it is to be preserved, since the Japanese Government in all of these negotiations is only the pawn of the powerful Japanese textile industry.

I understand, Mr. Speaker, that we are awaiting a further Japanese proposal while our mills close and while production curtailments increase.

I urge that my colleagues act now so that we can expeditiously pass the legislation which will be the most effective solution to this national crisis.

UNWARRANTED ATTACK ON THE SECRETARY OF STATE

(Mr. FRELINGHUYSEN asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. FRELINGHUYSEN. Mr. Speaker, it was with disbelief and dismay that I heard of the attack yesterday on the Secretary of State on the floor of the other body. For a member of the Senate Foreign Relations Committee—and I regret the rules of the House do not permit me to identify him further—to make such unjustified assertions is, in my opinion, most unwise and indeed reprehensible.

What was actually said? I quote from the RECORD:

> Wherever one goes in the afternoon or evening around this town one hears our very able Secretary of State laughed at. People say he is Secretary of State in title only.

At another point, appearances before the Senate Foreign Relations Committee of the Secretary of State and the head of the Arms Control and Disarmament Agency were described "as a rather empty gesture."

The clear thrust of yesterday's speech on the Senate floor was that Secretary Rogers was not "the primary spokesman" on foreign policy for the Nixon administration, but almost a figurehead and a laughingstock of those on the cocktail circuit.

To make such groundless assertions is the height of irresponsibility. Perhaps few of us know or even care what may be the latest gossip on the cocktail circuit, but such charges are dangerous. Even though totally without justification, the statements themselves damage, perhaps permanently, the reputation of an able and important figure.

By coincidence, Secretary of State Rogers spent almost 4 hours before the House Committee on Foreign Affairs yesterday. As usual, he proved an articulate and willing witness, demonstrating his intimate knowledge of current international developments and his direct responsibility for American policy in the international arena.

I can vouch personally regarding the Secretary's willingness, ever since he took office, to discuss even sensitive foreign policy matters frankly and exhaustively. Indeed, I congratulated him only yesterday for his consistently cooperative attitude toward Members of Congress, both in the House and in the other body.

Another charge—that there is a serious "lack of communication" between the executive and legislative branches of the Government—is simply untrue. If we examine the record, we find that Secretary Rogers has appeared before congressional committees on a regular basis to testify about the administration's foreign policy programs and actions. He has always been generous of his time in responding to Members' questions. In fact, it is interesting to note that in 1969 and 1970 Mr. Rogers' record of congressional appearances equalled or exceeded that of his immediate predecessor during the latter's last full year in office. This is a particularly notable achievement when we recall the long ordeal of Mr. Rusk at the hands of the Senate Foreign Relations Committee.

The fact of the matter is that Secretary Rogers has consulted us regularly and often. There is, therefore, plenty of communication—if not necessarily agreement—between this administration and certain individual Senators and Representatives.

Still another charge is that the Secretary of State is being bypassed in the formulation and execution of foreign policy, and that the important decisions in this field are made in the White House—by Mr. Kissinger. No one argues that many important foreign policy decisions are, in fact, reached at the White House—by the President of the United States.

The essential fact is that both Mr. Rogers and Mr. Kissinger are Presidential advisers. Both are appointive, not elected, officials—and both advise, while the President decides. There is no reason to believe that the Secretary's views hold less weight with the President than Mr. Kissinger's. Mr. Rogers is a longtime, intimate associate of the President and presumably he was selected for his present position largely because he enjoyed the full personal confidence of the President.

There is, of course, a substantial difference in roles between the two men: Mr. Rogers is the official spokesman for the administration in foreign policy matters. He is also the chief administrator of a large and complex operation—duties which all Secretaries find burdensome, but which are unavoidable. Mr. Kissinger, however, like Messrs. Bundy and Rostow before him, is not in the public domain. These men have all been able to devote themselves exclusively to day-to-day developments and long-range policy planning. I have no doubt that Mr. Kissinger is influential in the policy-making process, but there is no evidence to suggest that Mr. Rogers has been or is being bypassed and ignored, as some have alleged.

Mr. Speaker, attacks such as this on key figures in the executive branch of our Government cannot be dismissed lightly. This was no casual remark of an inexperienced, fledgling legislator, inadvertently making foolish charges. Even if we should grant that the speech was based on the frustration which some Members of Congress may feel over the intractability of some of the problems in the international arena, we cannot condone such destructive and baseless criticism.

GAINESVILLE DESERVES RECOGNITION AS AN ALL AMERICA CITY

(Mr. FUQUA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FUQUA. Mr. Speaker, Gainesville, Fla., has been designated as an All America City.

This great university community in my district richly deserves this accolade for its officials and people have shown the way toward the solution of the problems which confront our urban society.

And the remarkable thing about their story is that most of their accomplishments have been instituted and carried out by local citizens, in cooperation with local bodies of government.

This competition is sponsored by the National Municipal League with the official announcement to be made in the morning.

I feel particularly close to the people of Gainesville, for it is the site of the University of Florida, my alma mater.

It was a small agricultural and university community until after World War II, and since that time it has developed into a modern cosmopolitan city. It seems most significant to me that the advances they have made can serve as a model for other cities across the Nation.

Theirs was a new and innovative approach toward the solution of the massive problems which confronted them. Twelve community organizations and 20 fraternities from the university joined in a program of community action and the results speak for themselves.

Particularly cited was their "Project Samson" in which the University of Florida students worked in liaison with local antipoverty agencies and students. Through this program, thousands of culturally deprived children were helped along with work in adult and day-care centers.

"Corner Drug Store" was the original title for an original concept in drug counseling. Concerned citizens joined to put through "Classroom 68" to revitalize a once-defeated bond issue. "Come Together Day" was a fraternity-sponsored program that bridged the communications gap between diverse groups.

Gainesville is a national center for medical research, as the University of Florida Medical Center has moved to the forefront in research and boasts some of the finest men in American medicine among its faculty. Joining this facility a few years ago was the Veterans' Administration hospital, which is also outstanding in its own right.

You cannot tell the story about Gainesville and its people in numbers, but rather in the effort put forth by individual citizens who were concerned.

In paying tribute to the people of Gainesville, Fla., I want to point out forcefully that other communities can meet many of their pressing problems with hard work and innovative programs. The story of Gainesville and its people is one which this Nation could well follow.

THE POLLOCK-HERREID IRRIGATION PROJECT

(Mr. ABOUREZK asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ABOUREZK. Mr. Speaker, I introduce for myself and Congressman LINK of North Dakota, a bill to authorize construction of the Pollock-Herreid irrigation project in South Dakota.

This project is a small, but important part of the Missouri River Basin project. It is a project which is badly needed and long overdue.

The people of the Pollock-Herreid Irrigation District in South Dakota have seen 20,000 of their best acres flooded by waters from the Oahe Dam. They live in an area where annual rainfall averages 15 inches but often drops to a mere 3½ inches. Dryland farming under these conditions is obviously a high-risk venture.

Fifteen of the 26,000 acres in the district are irrigable. If they were irrigated, the result would be to stabilize and diversify the agricultural situation in the area. Instead of recurring crop failure, the farmers of the Pollock-Herreid area would be able to count on steady yields and would be able to diversify their production to avoid growing crops already in surplus.

The Pollock-Herreid unit also provides for conservation and development of the fish and wildlife resources in the area, including five wildlife areas. Recreation would be enhanced by the stabilization of the water level of Lake Pocasse. Construction of the unit would provide significant area redevelopment benefits to the entire area, including Indian reservations. Unemployment and underemployment, chronic in the area, would be drastically reduced. The Pollock-Herreid unit represents a desirable water resource development that would strengthen the economy of the area, the State, and the Nation.

I am pleased to join with Congressman LINK, of North Dakota, in urging that this project be authorized and funded without further delay.

RECKLESS SPENDING MUST BE STOPPED

(Mr. BURKE of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BURKE of Florida. Mr. Speaker, I regret that as a Member of the Congress that I like my colleagues in the House, are forced into pushing our Nation to the brink of bankruptcy.

Two years ago I reluctantly, for the one and only time since I became a Member of Congress, voted to increase the debt limit because I felt that the President had inherited a bad bag of fiscal irresponsible beans brought about by the reckless excessive spending policies of previous Democratic controlled Congress and/or administrations. I felt that President Nixon, as a new President, deserved a fair chance to pay for what others had forced the administration to spend.

Where are we heading except for bankruptcy if we, as a Nation do not heed the signs of reckless irresponsibility of continual overspending. When will we as a body have the courage to say no to deficit spending. Certainly simple arithmetic tells us that one cannot continue to spend more than it earns. It is time that we apply the same standards to the Government that the courts and our economy demands of our citizens, our businessmen, and our corporations.

The present law limits the Federal debt to $395 billion. The Federal debt, assuming we have a $6 billion cash balance will amount to $396.5, billion which is, therefore, $1 billion more than the Congress authorized last year.

I have heard, Mr. Speaker, the argument that we have no choice but to support the increase, but I cannot with good conscience allow myself to vote my constituents or my Nation into bankruptcy. If I was to allow myself to do these merely to curry favor or for expediency and to ignore the shadow which it is casting, then I would feel I failed in my duty to the people I represent. Perhaps the people of our Nation will also begin to realize that the brakes must be applied to Government spending. They will cooperate by accepting cuts in unnecessary spending if we as a body have courage to represent the people of this country responsibly and with courage.

APPOINTMENT AS MEMBERS OF THE COMMISSION ON REVISION OF THE CRIMINAL LAWS OF THE DISTRICT OF COLUMBIA

The SPEAKER. Pursuant to the provisions of section 1002, Public Law 90–226, the Chair appoints as members of the Commission on Revision of the Criminal Laws of the District of Columbia the following Members on the part of the

House: Mr. ADAMS of Washington, and Mr. HOGAN of Maryland.

APPOINTMENT AS MEMBERS OF THE SELECT COMMITTEE ON SMALL BUSINESS

The SPEAKER. Pursuant to the provisions of House Resolution 19, 92d Congress, the Chair appoints as members of the permanent Select Committee on Small Business the following Members of the House: Mr. EVINS of Tennessee, chairman; Mr. PATMAN of Texas, Mr. STEED of Oklahoma, Mr. KLUCZYNSKI of Illinois, Mr. DINGELL of Michigan, Mr. SMITH of Iowa, Mr. CORMAN of California, Mr. ADDABBO of New York, Mr. HUNGATE of Missouri, Mr. ST GERMAIN of Rhode Island, Mr. CARNEY of Ohio, Mr. MITCHELL of Maryland, Mr. CONTE of Massachusetts, Mr. BROYHILL of North Carolina, Mr. HORTON of New York, Mr. J. WILLIAM STANTON of Ohio, Mr. MCDADE of Pennsylvania, Mr. LUJAN of New Mexico, and Mr. MCKEVITT of Colorado.

ELECTION TO COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. GERALD R. FORD. Mr. Speaker, I offer a privileged resolution (H. Res. 271) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 271

Resolved, That C. W. Bill Young, of Florida, be, and he is hereby, elected a member of the standing committee of the House on Post Office and Civil Service.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON WAYS AND MEANS TO FILE REPORT ON H.R. 5432

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight tonight to file a report to accompany the bill (H.R. 5432) providing for extension of the interest equalization tax.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

NATIONAL WEEK OF CONCERN FOR PRISONERS OF WAR MISSING IN ACTION

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the joint resolution (H.J. Res. 16), to authorize the President to designate the period beginning March 21, 1971, as "National Week of Concern for Prisoners of War/Missing in Action," and ask for immediate consideration of the joint resolution.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Clerk read the joint resolution as follows:

H.J. RES. 16

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That to demonstrate our support and concern for the more than one thousand five hundred Americans listed as prisoners of war or missing in action in Southeast Asia, and to forcefully register our protest over the inhumane treatment these men are receiving at the hands of the North Vietnamese, in violation of the Geneva Convention, the President is hereby authorized and requested to issue a proclamation designating the period beginning March 21, 1971, and ending March 27, 1971 as "National Week of Concern for Prisoners of War/Missing in Action", calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

Mr. ANDERSON of Illinois. Mr. Speaker, as the original sponsor of House Joint Resolution 16, I am extremely gratified that the House has unanimously passed this resolution to designate the week of March 21–27 as a "National Week of Concern for Prisoners of War/Missing in Action." At the urging of several national groups, Congressmen ZION, MYERS and I, along with over 170 House cosponsors, introduced this resolution on the opening day of this Congress. An identical measure was introduced in the other body by Senator BROCK, of Tennessee, and 65 of his colleagues, and I have received word that Senate action is expected within a week's time.

Mr. Speaker, it is our strong feeling that such a week of concern will help to focus American and world attention on the plight of the over 1,600 Americans listed as prisoner of war/missing in action in Southeast Asia. Moreover, it will serve to call attention to Hanoi's flagrant violations of the 1949 Geneva Convention on the treatment of prisoners, which they signed in 1957, and their continued refusal to negotiate the POW issue. All this despite President Nixon's October 7 offer of an immediate and unconditional release of all prisoners being held in Indochina. As the President put it:

> War and imprisonment should be over for all these prisoners. They and their families have already suffered too much.

Mr. Speaker, I fully agree with the President, and am hopeful that a national POW/MIA week of concern will bring further pressure to bear on Hanoi to abide by the Geneva Convention and to move toward the repatriation of all prisoners. Some of our prisoners have been held for over 6 years, longer than for any other prisoners of war in our history. It was actually 7 years ago this month, on March 26, 1964, that the first American, Capt. Floyd J. Thompson, was taken prisoner in South Vietnam.

House passage of a further indication of our support for the President and his recent pledge that:

> This government will continue to take all possible measures to secure the end of imprisonment as well as the end of the war.

An end to the war and imprisonment are the goals behind which we are all united, as Members of Congress, and as Americans. Let us hope that this month's National Week of Concern for Prisoners of War/Missing in Action will come to full fruition and that it will serve to direct the spotlight of world attention on the plight of our POW's, and to serve notice in this country that our POW's are not forgotten Americans and that we shall not rest until they have all been returned to their homeland and their families.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the joint resolution just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

VOLUNTEERS OF AMERICA WEEK

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the joint resolution (H.J. Res. 337), authorizing the President to proclaim the second week of March 1971 as Volunteers of America Week, and ask for immediate consideration of the joint resolution.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Clerk read the joint resolution as follows:

H.J. RES. 337

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the second week of March 1971 as Volunteers of America Week, and urging the people of the United States, upon the occasion of the seventy-fifth anniversary of the Volunteers of America, to express their gratitude for its untiring and selfless work and to continue their support of its humanitarian activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the joint resolution just passed.

The SPEAKER. Without objection, it is so ordered. There was no objection.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 15]

Anderson, Tenn.
Ashley
Bevill
Bingham
Blackburn
Blatnik
Broomfield
Buchanan
Celler
Clark
Clawson, Del
Clay
Colmer
Danielson
Dent
Diggs
Dowdy
Edwards, Calif.
Edwards, La.
Findley
Foley
Fraser
Gettys
Gray
Green, Pa.
Griffin
Gubser
Hanna
Hathaway
Hawkins
Hays
Hébert
Hogan
Johnson, Pa.
Jones, Tenn.
Kuykendall
Long, La.
McCulloch
Macdonald, Mass.
Mathias, Calif.
Metcalfe
Mink
Mollohan
Moorhead
Murphy, Ill.
Myers
Pelly
Powell
Pryor, Ark.
Railsback
Reid, N.Y.
Riegle
Rostenkowski
St Germain
Saylor
Scheuer
Sisk
Slack
Smith, N.Y.
Stanton, J. William
Steiger, Ariz.
Stephens
Stokes
Stuckey
Talcott
Teague, Calif.
Teague, Tex.
Tiernan

The SPEAKER. On this rollcall 364 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PUBLIC DEBT AND INTEREST RATE LIMITATIONS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 259 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 259

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4690) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by the direction of the Committee on Ways and Means or an amendment proposing to strike out section 3 of the bill, and said amendments shall be in order, any rule of the House to the contrary notwithstanding, but shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Missouri (Mr. BOLLING) is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH), pending which I yield myself such time as I may consume.

Mr. Speaker, this is with one very important exception, a normal closed rule on a matter out of the Committee on Ways and Means.

I will discuss the exception briefly in a minute— but this rule, of course, makes in order the consideration of an increase in the debt limit. I do not propose to discuss the issue because the rule provides for 4 hours of general debate on that subject.

The exception to the normal closed rule comes in the section of the bill, section 3, which provides a limited exception to an old law, and provides that the Treasury may issue certain long-term Government bonds at interest rates in excess of the present ceiling of 4¼ percent.

The unusual aspect of the rule is that it provides for one motion to strike—and that motion goes to section 3 of the bill. Now that raises a number of interesting points—and this may be the time to mention some of them.

The procedure is that the presiding officer at the conclusion of the general debate will recognize somebody to make that motion to strike and the person recognized will have, as I understand it, 5 minutes to discuss the motion to strike.

Then an opponent of the motion to strike will be recognized by the chairman of the committee and the opponent will have 5 minutes. That will be all the debate on that motion because it is not amendable.

Of course, in the usual order of business committee amendments are in order and I am informed that there will be a committee amendment offered.

Further, because of the enactment of a specific provision of the reorganization act, it will be possible if the necessary action is taken and the necessary number of Members so desire, to have not just a teller vote but a recorded teller vote on any committee amendments and on the motion to strike.

The distinguished Speaker last week outlined in a statement in the RECORD, I believe on Thursday, the procedure which would be followed for a record teller vote. That was followed, I believe, by a communication to all Members from the Speaker containing the same information. Of course, I do not propose to go over that ground again. I think all Members are aware that there is a specific procedure. The green and red cards on the table there in the well of the House and in other places, have to do with that procedure of having a record teller vote.

Mr. Speaker, I urge the adoption of this rule and I am now delighted to yield to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding.

The gentleman, with the exceptions that he has noted with respect to this rule, says that this is the "normal" procedure.

I wonder if the gentleman would agree with me that it is the "fashionable" procedure to give the Ways and Means Committee a rule which denied Members the opportunity to offer amendments to a bill increasing or decreasing the debt ceiling, and perhaps to offer other amendments within the confines of the rule of germaneness. I still do not understand—and I have been here a few years—why legislation of this type warrants a closed rule.

Mr. BOLLING. I will be glad to respond to the gentleman's implied question at the very end of his statement—the reason for the closed rule. I do not know whether I want to get into the question of whether it is normal, fashionable, or both, or what. But it is the rule that has usually been employed.

Actually, the rule does not give the Committee on Ways and and Means anything. It would give the House an opportunity to decide how they wish to consider the proposed legislation. The House on numerous occasions in the last 30 years, when this has been the usual, normal, and, I will say, the "fashionable" procedure, has consistently supported a closed rule when it chose to do so, and when it did not choose to do so, it voted down a closed rule and provided another rule. So really what the Rules Committee is doing is offering to the House an ordinary procedure which the House has usually decided to adopt. This time the Rules Committee decided that it would make one exception to the usual procedure. This is a modified form of the rule. That would be my answer to the gentleman.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I am glad to yield to the gentleman from Wisconsin.

Mr. REUSS. I thank the gentleman from Missouri for yielding.

The gentleman has mentioned a committee amendment which will be offered. Am I correct in my impression, which I have obtained from the distinguished chairman of the House Committee on Ways and Means, the gentleman from Arkansas (Mr. MILLS), a few minutes ago, that the effect of that amendment will be to plug a potential $3 billion loophole in the estate tax structure which would exist in the absence of the adoption of the committee amendment?

Mr. BOLLING. I yield to the gentleman from Arkansas (Mr. MILLS) to answer the question.

Mr. MILLS. Without agreeing to the gentleman's statement of the dollar value, or extent to which the existing provision may be used, let me point out that after the gentleman had called this matter to our attention, contrary to my recollection of the law, it was necessary in order to prevent the utilization of the provision in the future—not with respect to estate taxes alone, but with respect to any taxes owed by an individual, it was necessary to adopt an amendment. As a result we will offer a committee amendment. But I want it understood that the amendment will apply, not merely to securities that might be issued under the provisions of this bill, but to any securities that follow the description I gave that are issued in the future. What amount of savings there will be I do not know, but such securities will have to be used in the future for estate or any other tax purpose at their market value rather than their face value. I think this is a very wholesome change regardless of any argument about the other portions of the bill.

Mr. REUSS. I thank the gentleman. This plugs a loophole I have been attempting to plug for the past 5 years. I ask the gentleman from Missouri to yield further so that I might ask a further question, which I suppose is in the nature of a parliamentary inquiry.

Mr. BOLLING. I yield to the gentleman from Wisconsin.

Mr. REUSS. At what time in the proceedings, if the gentleman will educate me, would the committee amendment about which he has spoken be offered? Where in the 4 hours would it be offered? At the beginning?

Mr. MILLS. No, the committee amendment will be offered at the point when the Committee of the Whole begins to consider amendments. As the gentleman knows, under the rules, an amendment to perfect a provision is always in order prior to an amendment to strike a provision. So this amendment will be offered to any motion to strike section 3.

Mr. REUSS. I thank the gentleman. That, of course, is very helpful, because I think this should be disposed of, and I hope the Ways and Means Committee amendment will be overwhelmingly adopted, because this new Congress ought to be plugging tax loopholes, not adding to the loopholes that we have. I thank the gentleman.

Mr. BOLLING. Mr. Speaker, I would like to congratulate all concerned in the committee amendment. I happen to have a strong view on that. I think it is a very healthy action. I congratulate the chairman of the Committee on Ways and Means, the Committee on Ways and Means, and the gentleman from Wisconsin (Mr. REUSS) for their very good work in this effort.

The SPEAKER. The gentleman from Missouri has consumed 10 minutes.

The Chair recognizes the gentleman from California (Mr. SMITH).

Mr. SMITH of California. Mr. Speaker, as is customary, the distinguished gentleman from Missouri in his able manner once again has explained the rule in very precise terms and I will not repeat what he has said.

As I understand the procedure. If we have a recorded teller vote, the teller boxes, will be in certain aisles. The red ones for the "no" votes, will be on the Democratic side. The green ones on the Republican side with tellers. We will get a red card and write our name, district and State for a "no" vote or a green card for an "aye" vote. We will see how the Legislative Reform Act will function as to this provision.

The bill is an amendment of the Second Liberty Bond Act. Being an amendment to the act, it would be subject to a point of order. That is the reason for the waiver of points of order.

Mr. Speaker, the purpose of the bill is to increase the public debt ceiling, both permanent and temporary, and to permit long-term Treasury obligations to be issued and sold at interest rates exceeding the present statutory ceiling.

The bill increases the permanent debt ceiling from $380 billion to $400 billion, and the temporary ceiling is increased from an additional $15 billion to a new total of $30 billion for the period ending June 30, 1972, the close of fiscal 1972. These changes make available, upon enactment, an effective public debt ceiling of $430 billion through fiscal 1972, or an increase of $35 billion.

The Treasury had proposed an increase of $40 billion in the temporary ceiling only, increasing it from the current level of $395 billion to a new figure of $435 billion. This projection by the Treasury assumed a $6 billion operating cash balance over and above actual needs. The committee believed that such a large "cushion" was not necessary and, correspondingly, reduced the overall ceiling to $430 billion, a reduction of $5 billion. Additionally, the committee increased the permanent public debt ceiling, something not requested by the Treasury. This was done because, in the opinion of the committee, the present permanent ceiling of $380 billion is no longer a realistic figure. The increase is to $400 billion.

The Treasury Department also requested the complete removal of the current 4¼ percent interest rate ceiling applicable to Treasury obligations with maturities of more than 7 years. The existence of this ceiling in recent years, as more and more Federal borrowing has been necessary, has required the Treasury to turn more and more to short-term obligations, on which there is no ceiling. This has had the effect of driving up interest rates generally, probably damaging the housing industry, and is considered to be bad-debt-management practice.

This proposal of the Treasury has the support of seven former Secretaries of the Treasury. The committee did not remove the ceiling. However, it did provide that the Treasury may issue up to $10 billion of long-term securities without regard to the 4¼-percent interest rate ceiling. This is to give Congress an opportunity to evaluate the matter before taking final action.

I urge adoption of the rule.

I have one request for time, and if the gentleman from Missouri has no requests for time, I yield 5 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I am opposed to this bill, and therefore I am opposed to the rule on two counts. First, because I am opposed to the bill, and second, because it is an unjustifiably closed rule.

Mr. Speaker, let me welcome the new Members of the House to what has become one of many annual sheep shearings that are held here on Capitol Hill.

The sheep to be shorn today are, as usual, the good old U.S. taxpayers, for make no mistake about it, if you vote today to increase the debt ceiling, you are holding open the flood gates to more and more deficit spending by the Federal Government.

I care not at all who may arise here to claim the opposite, nor what spokesman downtown may piously maintain that the Government is—this time—really going to hold down the spending. It makes no difference because it is simply not going to happen.

Some of us have been in this Chamber long enough to have lost count of the number of times we have heard it promised that if we would only raise the debt ceiling one more time, the Government would cut down on the spending. How often have these "promisers" made good?

Mr. Speaker, most of us have heard, over and over again, the proponents of ever-higher debt ceilings come in here and use the specious argument that because we are a wealthy Nation; because our gross national product is such and such, we can afford a horrendous debt.

Nothing could be further from the truth.

The truth is that the so-called gross national product, as a measure of the Nation's economic well-being, is fraudulent in all too many respects. It is as fallacious as the gimmicked budget calculations that were foisted on the public during the Johnson administration and, I am sorry to say, adopted by this one.

This Nation is blessed with natural resources and an energetic people who have turned those resources into great material wealth, but the mistake made by the free spenders is that this wealth is limitless.

They obviously do not remember how tragically wrong Lyndon Johnson was when he loudly proclaimed that we could afford both guns and butter.

If this country is so wealthy, as the proponents of ever-higher debt ceilings would have us believe, why is it that we have the world's biggest poverty program?

How long, I would ask the debt lovers, can this Nation remain rich when we throw away our wealth around the globe with such reckless abandon?

If anyone believes that the present administration is going to advocate less money for this foreign giveaway program, he has a mighty short memory. The President's avowed intention, as set forth in his budget, is to increase our overseas handouts and even multiply the ways in which it is given away.

It apparently matters not to the advocates of piling higher and higher debts upon the taxpayers that the present debt of this Nation exceeds the combined debts of all the other nations of this earth.

Nor does it seem to matter to them that one of the reasons is that we have had to borrow the money we have shoveled out with such abandon.

We have spewed out more than $200

billion for so-called foreign aid since that program began and the interest we had to pay to borrow this comes to almost $70 billion.

During this mindless spending spree the gold holdings of this country have shrunk from nearly $23 billion to just under $11 billion and at the same time short-term dollar claims held by foreigners have risen to more than $42 billion.

We have been warned repeatedly by the other members of the International Monetary Fund that unless we get our fiscal house in order we cannot expect the central banks of other nations to continue to hold these vast sums of dollars and watch idly while they continue to decline in value.

But we have paid no heed to their warnings. Indeed, just the opposite. It should be remembered that the creation of the special drawing rights by the IMF was largely predicated upon the solemn assurances of this Government that it would take positive and effective steps to halt the ruinous tide of inflation that was—and still is—sapping the strength of the dollar.

I regret to say that no such steps have been taken.

And so we have the sad picture of the administration coming up here to seek yet another increase in the debt ceiling when, instead, it should be up here telling the American people what it has done to cut spending.

As I have previously indicated, this is the worst debt-ridden nation in the world. As of January 1, this year, the public and private debt is estimated at more than $1,800,000,000,000. This Nation is living on borrowed time and borrowed money. The time has come for Congress and the exective branch of Government to start acting responsibly—to stop kiting checks.

Mr. Speaker, the backwaters of history are littered with the rotting hulks of profligate governments. This Government is staggering down the road to insolvency and this bill marks yet another milestone toward that tragic end.

The SPEAKER The time of the gentleman from Iowa has expired.

Mr. SMITH of California. Mr. Speaker, I yield the gentleman such additional time as he may require.

Mr. GROSS. I thank the gentleman.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Alabama.

Mr. ANDREWS of Alabama. I want to commend the gentleman for an excellent statement and a frightening statement so far as the fiscal condition of this country is concerned. Our national debt, according to the brief of the budget which was recently submitted up here, is estimated to be $407 billion. This $35 billion will make it $442 billion.

I am sure the gentleman realizes there are certain people in this country who say, "Well, we owe it to ourselves. So what?" The "so what" is we have to pay interest on the national debt.

I am sure the gentleman knows that the second biggest item of expense in the appropriation bill for fiscal year 1971 is for interest on the national debt.

Mr. GROSS. It is $21 billion.

Mr. ANDREWS of Alabama. That is projected for next year. It is $21.15 billion for next year, and it is $20.8 billion this year.

That is a staggering sum of money. The interest on the national debt has gone up from $8 billion in 1961 to that $20.8 billion this fiscal year.

I had the clerk of our committee figure out for me what that staggering sum of $20.8 billion figures out to be.

It figures out, if the gentleman is interested in it, $39,600 for each minute of the year or $400 million for each week of the year. That is the interest on the public debt.

Mr. GROSS. I thank the gentleman, who I know is deeply concerned by the financial situation which confronts this country.

Mr. BOLLING. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. MADDEN).

Mr. MADDEN. Mr. Speaker, at the last meeting of the Rules Committee, the committee held hearings on the rule for the pending bill—H.R. 4690—to increase the debt limitation. The chairman and ranking member of the Ways and Means Committee asked the Rules Committee to grant a rule extending the Treasury Department power to increase the public debt by $30 billion. In section 3 of H.R. 4690, requesting this large increase of the public debt, the committee set out the following request, which I include verbatim from the bill:

> SEC. 3. The first section of the Second Liberty Bond Act (31 U.S.C. 752) is amended by adding at the end of the second paragraph the following new sentence: "Bonds herein authorized may be issued from time to time at a rate or rates of interest exceeding 4¼ per centum per annum, but the aggregate face amount of bonds issued pursuant to this sentence shall not exceed $10,000,000,000.

The Rules Committee very wisely refused the Ways and Means Committee their request for a closed rule on this legislation. The committee granted a modified closed rule which will give the Members of Congress the opportunity to vote and reject giving the Secretary of the Treasury power to sell $10 billion of this $30 billion increase in long-term Government obligation without regard to the limitation of the 4½ percent ceiling. If the Congress allows this increase in the interest rate of $10 billion of Government bonds it will be in direct defiance of the platforms of both political parties that they would curb the inflationary rise in interest rates and seek lower cost for borrowed money, not only from the Government's standpoint, but high interest rates on all business transactions that have to do with the American economy.

High interest rates, tight money and tight money policy were some of the primary reasons why 1 million less homes were built in the first year of the Nixon administration.

If the Congress does not reject this ridiculous financial bonanza which the banks and bonding interests are demanding for higher profits on $10 billion of our Federal indebtedness the repercussions which will come from the taxpayers of America will exceed by far any other criticism the Congress has received in a long time.

If the Congress does not reject section 3 in this bill—H.R. 4690—being considered today it will have a devasting effect throughout the whole Nation's economy and will cost the American taxpayer several billion dollars in added interest over the coming years. If section 3 is not rejected public opinion will interpret our action as an endorsement of the higher interest scourge on our economy.

I do hope that every Member of the House will be on the floor to participate in the record vote to be taken today on section 3 of this legislation.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4690) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Arkansas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4690, with Mr. NATCHER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas (Mr. MILLS) will be recognized for 2 hours, and the gentleman from Wisconsin (Mr. BYRNES) will be recognized for 2 hours.

The Chair at this time recognizes the gentleman from Arkansas (Mr. MILLS).

Mr. MILLS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, I hardly know how to describe my own feelings about this appearance today in support of H.R. 4690. I want everyone here and certainly, if I may be personal, my mother, to know that I do not relish this opportunity to be a proponent of a bill involving an upward adjustment of the debt ceiling. I guess one could describe today as a day when, perhaps, atonement would be in order, because we have come to the point now where we are reaping the crop that we planted and looked after for the last several months.

Mr. Chairman, we are now in fiscal year 1971, a fiscal year that looked in the beginning to be one in which at least on the basis of the unified budget we would avoid a deficit situation. The earlier projections submitted in January last year indicated a surplus when looking at the unified budget.

But there have been two things that have happened in the intervening months. First of all, expenditures have arisen by $12 billion over the level of the projections in January of 1970 with respect to the 1971 budget.

On the other hand, revenues have declined by nearly $8 billion, making a total difference in the estimates of about $20 billion. That wipes out the surplus of a little more than $1 billion and creates a deficit of over $18 billion on the unified budget basis for fiscal year 1971.

This, translated into the Federal funds budget, means a deficit of $25.5 billion for fiscal year 1971. Because of the increase in the deficit in 1971 which I have referred to, it is necessary for us to make an upward adjustment in the debt ceiling, even for the remainder of this year if these expenditure obligations are to be paid promptly by the Secretary of the Treasury when they are presented.

Let me take just a moment to remind you of what we mean when we say unified budget. The unified budget, among other things, reflects the effect of Government on the money markets aside from the trust funds, which are by law required to make their surpluses available for U.S. debt obligations. When the administration says that there will be a deficit in fiscal year 1972, of $11.6 billion in the unified budget, what is meant is that it will be necessary for the Government to borrow $11.6 billion from the public.

When we turn now to the fiscal year 1972 and look to the Federal funds budget, we see that it is necessary for us to increase our debt, because of the Federal funds deficit in that year of $23 billion, according to the administration estimates.

In recognition of these hard facts, the pending bill raises the temporary debt limit to $430 billion from its present level of $395 billion. This increase is effective after the date of enactment of the bill until June 30, 1972. The bill also increases the permanent debt limit to $400 billion from its present level of $380 billion.

I want to emphasize that the new debt ceiling is not generous. We have been most careful to keep the increase in the debt limit as small as possible to avoid encouraging any increase in spending. In fact, the Treasury asked for a limitation increase of $40 billion and we provided an increase $5 billion below this level.

Let me show you how we built up to, and slightly exceeded the $430 billion debt limit, item by item, so you can see exactly how we arrived at this total.

According to Treasury figures, as of June 30, 1971, the close of the current fiscal year, the debt subject to limit, assuming the usual $6 billion cash balance, will amount to $396.5 billion.

To this amount, we must add a $33.6 billion deficit in the Federal funds budget which is expected to accumulate from the close of the current fiscal year to June 15, 1972. This $33.6 billion deficit figure will probably come as a surprise to some because it is substantially above the $11.6 billion deficit in the unified budget for fiscal 1972 which has been given so much attention. However, as you know, the unified budget cannot be used for purposes of the debt ceiling, because it shows only the increase in the debt owed to the public. Instead we must use the Federal funds budget which shows the increase in the debt owed to the trust funds which the Government manages in a fiduciary capacity as well as the increase in the debt owed to the public.

In addition, while the deficit in the Federal funds budget will amount to $23.1 billion for the entire fiscal year 1972, the deficit we must take into account is the peak deficit for the year. The deficit in the Federal funds budget for the fiscal year 1972 will reach a peak of $33.6 billion on June 15, 1972. This peaking of the Federal funds deficit on June 15 occurs because the flow of expenditures is relatively even over the year while receipts, particularly individual and corporate income tax collections, tend to be relatively small in the early part of the fiscal year. Since the debt limitation applies to the highest debt outstanding at any time during the year, we must use the peak $33.6 billion increase in the Federal funds deficit in setting a debt limit.

Other items that are added to arrive at an adequate debt limit include a $3 billion allowance for contingencies and a $500 million allowance for conceptual differences between the expected deficit in the Federal funds budget and the debt subject to limit.

These figures will give you a total of $433.6 billion.

The fact that the pending bill provides for a temporary debt limit of $430 billion rather than the $433.6 billion to which these figures add, indicates how intent we were to keep the increase in the public debt as small as possible. We were able to make this reduction because the $433.6 billion figure assumes a $6 billion cash balance on June 15, 1972. We set the $430 billion debt limit on the assumption that the cash balance could be $2.4 billion on June 15, 1972, which would bring the public debt on this date within the $430 billion limit. While a $6 billion cash balance is desirable for most periods, we think that the asumption of a $2.4 billion cash balance on June 15, 1972, is reasonable since such a balance is within the range of the cash balances usually existing at this date in prior years. The Treasury Department has indicated that a $430-billion-debt limit is satisfactory.

I would not be entirely candid with you, however, if I did not alert you to the fact that I and many of my colleagues on the Ways and Means Committee have doubts as to whether the $430 billion temporary debt limit will be adequate for the entire fiscal year 1972. This debt limit is based on Treasury Department estimates of receipts and expenditures. We used their estimates in setting the debt limit, because we believed it would be inappropriate for us to provide a higher temporary debt limit than the Treasury figures would justify.

However, the new debt limit will be sufficient only if actual receipts and expenditures bear out the Treasury estimates. As you know, year after year—for one reason or another—actual expenditures have a way of outrunning projected expenditures. In addition, I believe that the receipts estimated by the Treasury are based on a much higher economic level than can be justified for the calendar year 1971. In fact, our staff estimates that receipts for fiscal year 1972 will be about $6 billion lower than the administration estimates and these are based on relatively high assumptions as to income levels. These considerations raise a strong likelihood that the actual deficits will be larger than is projected at this time by the administration. If this actually happens, we will have to reconsider the limitation again at some later date.

Now, I do not like the situation we are in and I am sure you do not like the situation. First I do not like a situation where our economy has dropped to the extent that our tax system does not bring in the revenue it otherwise would and unemployment has risen to a level that all of us recognize we cannot endure.

Second, I do not like the fact that our rate of expenditures has kept on rising.

But why can we not do something about it, and cut the debt ceiling? I have always thought of this somewhat like—and again a personal observation—what would happen if I told all the people downtown that sell clothes, and things like that, that my wife might be interested in, that it was perfectly all right for her to buy all the dresses, coats, and everything else she wanted to buy, but then when the bills were presented to me I changed my mind and decided I would not issue the checks or go downtown to the bank and borrow the money to pay for them.

What I am saying is that this is not the time in considering the debt ceiling to be regretful about the authorizations and appropriations that have gone through the Congress in the past. The time for that is when we are considering authorizations and when we are considering appropriations. I cannot say, therefore, that a vote against a bill increasing the debt ceiling is an economy vote. I know there are those who would look upon it as an economy vote but I cannot agree.

Some people seem to feel that the only way to stay in the Congress is to take the advice an elderly friend of mine gave me when I was first elected. He said:

> Now you can stay in Congress forever if you will just vote for everything that everybody wants, but do not ever vote for a tax bill—that will kill you politically.

Well, I know that none of us are so naive as to take that kind of advice. I may have thought it good for the first 6 months that I was in the Congress myself, but if so I soon learned better.

So I say, it is not pleasant at this time—but it is not something we can escape by lavish remarks and big oratory. We have done it. We created it—those of us who have been here. We caused it, because most of us have voted for most of what has been authorized and what has been appropriated—on both sides of the aisle.

Some of us voted against some of it—yes—but the majority has supported each and every one of these authorizations—or the money would not be available for anybody downtown to spend.

My friend, the gentleman from Iowa, for whom I have very high regard, spoke on the rule and deplored the situation that we are in. Certainly, I deplore it, but I am not going to do what he suggested he was going to do. I am not going to vote against the increase in the debt ceiling just because I deplore what has taken place. I have the greatest concern—and I am saying this in all sincerity—I have the greatest concern about what would happen if the U.S. Treasury could not promptly pay bills that are presented to it. First of all, it is easy to say to Mr. Contractor: "We do not have the money today. We may have the money next week and we will just have to put off paying you."

I do not know what the clamor would be if on a payday Federal employees, including postal employees, were told they could not get their paychecks.

I do not know what the clamor would be if the grants in aid to the States which amount to about $27.5 billion, would not be paid to the States and we would have to tell them: "We just cannot pay you these grants which we are committed to pay you this month."

I do not know what the reaction would be here at home. But I can tell you what I think the reaction would be in the money markets of the world. I think I can tell you what the reaction would be in the financial centers here in the United States and abroad if ever word got out of Washington that the Treasury was not able to pay its bills as they came due.

I can envision the central bankers throughout Europe who have claims in dollars for more gold than we have in Fort Knox saying:

> The United States is following a suicidal policy and we can no longer rely on the value of these dollars and, therefore, we will have to convert them to gold.

I can envision that the gold stock we have, might well be gone in 30 days. I can envision what could happen to bonds and to stocks in our security exchanges as a result of the Federal Government being unable to pay its bills.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman from Arkansas for yielding. Is there any doubt in the gentleman's mind that there will be a financial showdown eventually if we continue to pursue the profligate course on which we have been embarked for altogether too many years?

Mr. MILLS. I agree with the gentleman that a showdown has to occur, but not in connection with the debt limit, and I do not want a panic to occur as the result of a forced showdown on this issue. That is the difference. When the Federal Government reaches a point that it is willing to spend money through the Congress and through the executive departments, but the Congress is not willing to allow the Secretary of the Treasury to borrow sufficient moneys to make up for the difference in tax collections, I know we are going to create panic. I do not think my friend, the gentleman from Iowa, wants to bring about a showdown on the basis of such a panic.

Mr. GROSS. But the gentleman admits that in the end we will have a showdown.

Mr. MILLS. I am not convinced we will have a showdown in connection with the debt limit. I think there is time for us to awaken to what our responsibility is. As I envision the situation, action in the 92d Congress calls for a higher degree of responsibility on the part of all of us who are Members of this Congress than was true in any Congress I have been fortunate enough to be a Member of in the last 32 or 33 years. I hope we will wake up in time.

Mr. GROSS. Mr. Speaker, will my friend from Arkansas yield further?

Mr. MILLS. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Does my friend from Arkansas see the slightest evidence of any kind of spending cutback; any attempt to balance the budget, much less pay off anything on the Federal debt?

Mr. MILLS. Let me call the gentleman's attention to this. I do not know what I would do if I had to make the decisions. I am not going to question the President's decision to try to do something about unemployment first. I might well take the same course if I were in his position. The President knows that he is caught on the horns of an economic dilemma right now. He was not in 1969. Then there could have been reductions in spending. But he is now caught on the horns of a dilemma, because had he submitted a budget that was a retrenchment in spending in 1972 under 1971, in my opinion 6-percent-plus unemployment would not have been the final result.

The present budget is geared to create greater economic activity. I do not like this way of doing it, spending money to create activity. I like the old approach we took before we got derailed in 1965, when we were reducing taxes to create economic activity. But this is the way the budget has developed, and I am not going to quarrel with it. But I would quarrel with any conclusion that anybody here or downtown, by the budgets in 1971 and 1972, is going to accomplish the three goals of reducing interest rates, of reducing inflationary pressures, and of reducing unemployment. It will not do all those things at the same time. In my opinion the budget is directed primarily toward a reduction in unemployment.

Let us not go out and mislead the American people into believing that we are going to do all of these things at the same time, by increasing our debt in the amount we are increasing it in 1971 and 1972. I said I am not quarreling with the President. I probably would have said that unemployment is the more dangerous of the three problems. We have got to correct it first. I think there is much to be said for the full employment budget they developed downtown. Some of my colleagues disagree with me. But this budget for 1972 has its spending level geared to what the revenues would be if we were operating at 4-percent unemployment, or at what we call full employment.

If we can follow that throughout the next 10 years and always keep our spending level below what our revenues will be with full employment, there will be times when we will have full employment and have a surplus.

But, Mr. Chairman, let me pass now to what apparently is the issue involved in this bill. Present law places a 4¼-percent interest rate ceiling on Government bonds with maturities of more than 7 years. The Treasury asked us to remove this interest rate ceiling entirely. Instead the pending bill permits the Treasury to issue up to $10 billion of long-term securities without regard to this 4¼-percent ceiling.

I am aware of the very strong feelings that exist in the Congress in regard to the 4¼-percent interest rate ceiling. I know there is considerable concern that the removal of this ceiling would result in increased interest rates. I also know that no one on the Ways and Means Committee wants higher interest rates. We recognize that high Government bond rates not only involve huge expenditures to service the public debt but also exert a persuasive influence on interest rates in general and on the economy. So I want to stress that we would not have adopted this provision if we thought it would raise interest rates.

We adopted this provision because the Treasury made an impressive case to the effect that the introduction of some flexibility in the interest limitation would make an important contribution to more efficient management of the public debt and could well bring down the overall interest rate paid on the Government debt.

The Treasury, for example, tells us that the present interest rate ceiling has not been effective in keeping interest rates down or in reducing the Government's interest costs. They say that this limit merely forces the Treasury to concentrate its financing in the short end of the market where there is no interest rate limitation. The Treasury has to issue short-term securities even when the short-term rate is higher than the long-term rate. So, instead of cutting the Government's interest costs, the inflexible ceiling under these conditions increases these costs.

The Treasury also points out that by compelling investment in short-term securities, the present interest ceiling has had the undesirable effect of reducing the average maturity of the outstanding debt. The average maturity of the public debt declined steadily from 5 years and 9 months in June 1965 to 3 years and 4 months as of January 1971. The result is that the Treasury must enter the market more and more frequently to refinance the maturing debt. Frequently this refinancing must be undertaken when financial markets are congested creating difficulties for all borrowers, particularly in the short-term area. Large and frequent financing required by the short maturity of the debt also complicates open market operations of the Federal Reserve.

In addition, there is strong support among the experts on debt management for more flexibility in the interest rate ceiling. Six former Secretaries of the Treasury told us this in a statement issued on February 16, 1971. These include David Kennedy, Joseph Barr, Henry Fowler, Douglas Dillon, Robert Anderson, and John Snyder—men who have served in both Republican and Democratic administrations. These are men who have had to shoulder the burden of managing the public debt. They should know the problems. They tell us more flexibility is needed.

In view of these strong arguments, we felt compelled to include a provision in the pending bill to provide greater flexibility in the interest rate ceiling. I want to stress that this provision does not eliminate the present 4¼-percent ceiling. The Treasury initially asked us to do this but we have not done so. What we have done is provide a limited exception to the 4¼-percent ceiling by allowing the issuance of up to $10 billion of long-term securities without regard to the ceiling.

The Treasury has assured us that it does not intend to use this authority in a way that would impede the current decline in long-term interest rates. In fact, Secretary Connally told us that had he been in office in the past few months, and had the exception to the interest rate ceiling been effective at that time, he would not have issued long-term securities because the situation was not right—the long-term interest rates were too high.

So what we have here is a provision which will give the Treasury Department an opportunity to prove its case that a more flexible interest ceiling will permit it to manage the public debt more efficiently without raising interest rates.

I also want to emphasize that in approving this provision, we are not committing ourselves to any irrevocable course in regard to the interest ceiling. We purposely limited the exception to a flat $10 billion and once this amount of bonds has been issued under the exception, there is no authority to issue further bonds under the provision. Since the full amount of the authority is likely to be used up in a few years, the Congress will soon have another opportunity to examine the effects of the exception and to consider the desirability of continuing it. In other words, one of the merits of the committee's action is that it provides us with a laboratory test by which we will be able to judge the results and act accordingly in the future.

It has been charged that the exception for interest rates creates a great loophole in the interest rate ceiling. Bear in mind that although we may have about $430 billion of outstanding securities in total, when we talk about the exception we are talking about $10 billion of bonds that may or may not be issued by the Secretary of the Treasury within a period of what? This $10 billion of bonds will be issued not in 1 year or in 2 years, but over a period of several years, without regard to the interest ceiling of 4¼ percent.

Frankly, I do not think there is a person in this room smart enough to tell us actually and factually just what is going to happen as a result of this $10 billion being excluded from the 4¼-percent limit. Why? We have never had any departure from it. This 4¼ percent was fixed in the time of World War I, as I recall it—way back anyway when the interest rate had reached a maximum of 4 percent. Nobody conceived that ever in the history of the United States would there be a time when interest rates would ever be up to or above 4¼ percent.

We have been going along for the last 3 or 4 years with interest rates far above that. Corporations that are blue chip operations have to pay more for the money they borrow through debentures or banks or anything else—and pay far more than 4¼ percent. Even the Government has been unable to issue its gilt-edged full faith and credit obligations and have anybody offer to buy them at a rate of interest of 4¼ or less.

Tell me frankly: What evidence is there that the 4¼ percent interest on Government bonds has helped hold down interest rates? We have had it all this time. Interest rates still have gone up.

Let me tell the Members what has happened. In 1965, the average maturity of Government securities was 5 years and 4 months. Today the maturity averages about 3 years and 4 months. What does that mean? It means that because of this limitation in the flexibility of exercise of judgment and power within the Treasury, we have required the Treasury to confine its activities to the market where most customers go to get their credit; namely, in the area of loans for 7 years or less.

What happens? We go in for scarce dollars of credit. We go in not just one time a year, but every week for the shortest term debt, and every month or so for debt having a little longer maturity.

How can we avoid the conclusion—with Government debts as great they are, that when the Government goes in repeatedly into a credit-short market—that this will force interest rates up? Of course, it does.

What are we proposing to do? None of us knows all the answers. What do we propose to do? We propose to get up a laboratory. It is that simple. If a business is not entirely sure as to what is going to happen as a result of a course of action, what it does is set up a limited experiment. What we in the committee thought was that there is sufficient evidence here to justify a limited experiment, to see what happens if the Treasury were permitted to issue a limited amount of debt for a longer time than 7 years at a rate of interest above 4¼ percent.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. MILLS. Mr. Chairman, I yield myself 3 additional minutes.

I have known the present Secretary of the Treasury since 1939. I have been with him many, many times. If ever I knew a person whose word was his bond it is the Secretary of the Treasury.

Let me tell you this. I did not teach him. Lyndon Johnson taught him everything he knew, and then he learned a lot from other people, too. He is a brilliant fellow. He is a good Democrat in a Republican administration, just like Doug Dillon was a good Republican in a Democratic administration.

I have had the greatest of respect for everyone I have known who served as Secretary of the Treasury, from Morgenthau on down. None of them, however, have I thought had any greater ability or higher code of honor than John Connally.

John Connally has told us in the committee that under no circumstances would he conduct any experiments except when differentials in the rates of interest were such, between long-term and short-term rates, that it was advantageous to the Federal Government to enter the long-term market.

Give us a chance to see the results of the laboratory test.

We think this experiment, to this very limited extent, should be allowed. What is $10 billion as a percent of $430 billion in the first place? Is it a big amount?

This is a flexibility I think that every former Secretary of the Treasury would have loved to have, but none of us ever had the initiative or the ability to develop this kind of a concept for their use.

After this experiment, all of us will know. We will quit guessing. We will quit making statements that we cannot support with any factual data. Give us this opportunity.

The CHAIRMAN. The gentleman from Arkansas has consumed 26 minutes.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this is not a happy task for me, as I know it is not a happy task for many Members who shortly will have to cast a vote on this very crucial legislation. While it is not a happy task, it is salutary that this House today and the Congress at this time should focus on our stewardship in discharging our constitutional responsibilities relating to spending and taxes.

Sometimes I wonder whether this annual exercise does us any good or makes the country wake up to what is happening. I suppose that hope springs eternal in the human breast and we hope that one of these days we will become sufficiently concerned about increasing the debt to establish realistic expenditure priorities.

This is not the first time that we have faced this problem. We have been facing it annually—and sometimes more often—during the past 10 years. If we ignore the first few years after World War II, we have been confronted with this problem for the past 30 years. In both good times and in bad times, we have been consistently spending more than current taxes will pay for. When we are in an economic doldrum or a downturn we have had economists stating that it is essential to stimulate the economy through a Federal deficit. A concomitant of this theory that we hear and see too little of holds that in good times and at full employment we should have a surplus compensating for the deficits incurred in the periods of a downturn. Over a business cycle, we would come close to living within our income, being willing to pay for the services that we demand.

However, any review of recent economic history would show that we have always found in some way or other an appetite for spending that is in excess of our willingness to dig into our pockets as a people and pay for those services which we desire.

Last week we had a number of Governors from the country here in Washington. The main topic of their concern as they met was the fiscal plight of the States.

The chairman and I met with a group of them and listened to their problems. Certainly, financial problems do exist for States and local governments.

They also told us of the fiscal plight that their cities, particularly our big metropolitan areas, are facing. We must recognize their problem in raising funds to meet the services demanded of them and pay for the services that their people are demanding. Those problems do exist.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 10 additional minutes.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 10 additional minutes.

Mr. BYRNES of Wisconsin. But, Mr. Chairman, there also seemed to be a tendency to overlook the fiscal situation as it related to the Federal Government. The solution that was presented by the mayors and by the Governors assume that the Federal Government is in fine fiscal shape and can come to the rescue of the States and the localities in meeting their problems.

I think today the House has evidence of the fact that all governments—State, Federal, and local are in a very dire fiscal situation.

This fiscal year will be over by the end of June 30. The current projections—and I presume since we are as close as we are to the end of the fiscal year that it is a pretty accurate projection—show that the Federal Government must borrow $25.5 billion if it is to pay the bills for this fiscal year. And, on top of that, we have a projection for fiscal 1972 of borrowing needs of $23.6 billion. There are those who suggest that that is an optimistic figure that even if spending is at the rate projected, receipts will be lower due to less optimistic assumptions about the economy, and the deficit will therefore be larger.

Also, if some of the legislation which has been introduced each day by various Members of Congress and expressions from prominent Members of the Congress and its committees are an indication, expenditure level is likely to exceed that projected by the President in his budget.

If that is the case, that deficit will be even larger.

I think it is time that we all—not just we politicians in the Congress of the United States, in statehouses, in the county courthouses, or in the city halls, but all of our people come to a recognition that we are asking our Government to provide services in excess of what we are willing to pay for on a reasonably current basis. This is not the kind of environment that can lead to anything but fiscal trouble.

We cannot as a Nation constantly pursue a policy of asking Government to furnish services for its people in excess of what the people themselves are willing to pay for. Yet, Mr. Chairman, that is exactly what we are doing—it is exactly what we did yesterday and the day before and the day before that; and it is exactly what we propose to do tomorrow and the day after that.

I agree with the chairman that there is merit in what is now called the full employment budget, but only if it is used as a ceiling on expenditures. I worry, very frankly, that too many people today look at it as a level of required expenditure. As a result normal restraints that might guide the Congress are eliminated, because we look only through rose-colored glasses, ignoring or deferring the difficult problems that we must face when we borrow funds to the degree contemplated in the bill before the House.

If I could make any plea to my colleagues here, to the executive branch and to our people, it would be that we must control our appetite for public spending, for Government services, to what we are willing to pay for on a reasonably current basis. Governments cannot go on in perpetuity with a philosophy of simply borrowing to meet today's demands, and letting the future worry about itself. There has got to be a day of reckoning.

We are not confronted today with a question of political philosophy, but with a practical problem of honoring our commitments and maintaining the fiscal integrity of the Federal Government. We are confronted again with the dismal task of increasing the statutory debt limit in order to enable the Federal Government to continue to meet its financial obligations. I am hopeful that this unpleasant task will make us keenly aware as we begin considering appropriations bills in the new Congress of the need to establish priorities in order to minimize the need to resort to increased borrowing or increased taxes on our people in the future.

The need to act and act now is clear. On the 15th of this month, the Treasury will be up against the present debt ceiling with no margin for contingency and only $3 billion—about 5 days expenditures at present spending levels—in cash on hand.

On April 15—a little over a month from now—the Treasury will be up against the present ceiling without any allowance for contingencies, will have exhausted its cash balance, and will be unable to meet debts that accrue and refinance maturing obligations in an orderly manner. The resulting financial disorder would not only undermine the fiscal integrity of the Government, but would impose higher borrowing costs in the future.

When Congress has been confronted with the necessity of increasing the debt limit in the past, I have always recognized that a sufficient increase must be provided to maintain the fiscal integrity of the Federal Government. My quarrel has not been with the need to increase borrowing authority, but with the appropriateness of the additional amount requested in order to provide some restraint—however minimal this may be—on Federal finances consistent with meeting our needs.

I believe the bill before us, which increases the overall debt limit to $430 billion through fiscal year 1972, is one of the tightest ceilings we have established in recent years. The ceiling established in the bill is $5 billion less than the administration requested.

Tables in the committee's report show that, when the normal contingency and cash allowance are taken into account, the estimated debt subject to limit would exceed the $430 billion ceiling by nearly $3 billion in the middle of April 1972. This means that the Treasury will have to draw down its cash on hand in order to stay within the limit that we have established.

Even under these conditions, the Treasury's ability to live within the ceiling established by this bill is predicated under very optimistic assumptions about both the level of GNP and corporate profits. While we have, I think quite properly, established the ceiling on the basis of the administration's estimates, both the staff of the Joint Committee and many private economists feel that economic activity will not be as great as the administration projects. In this case, revenues would be slightly lower and the debt ceiling established by this bill would be even tighter. Aside from the revenue picture, we are always confronted with the possibility that action by the Congress or increases in uncontrollable expenditures may result in expenditures somewhat above the administration's budget. Again, this would make it even more difficult to live within the ceiling established by this bill.

Therefore, the increase in the ceiling that the committee has recommended is consistent with our goal of establishing some fiscal restraint—however minimal it may be—through the debt ceiling. It meets our immediate problem of maintaining the fiscal integrity of the Federal Government consistent with providing whatever fiscal leverage is inherent in this crude fiscal tool of the debt limit.

Let me also point out that even with the increase here proposed, I am quite convinced that we will be back here about a year from today with a request for additional borrowing authority. I would caution you with the greatest emphasis that the amount of the funds that will be asked for a year from now will be dependent upon how you and I, as Members of Congress, and the other body as a coequal branch of this Congress operates in husbanding our resources and trying to maintain fiscal restraint during the next 12 months.

Let me conclude my comments on the portion of the bill raising the debt ceiling by implying that I would be disappointed if the philosophy pervades this Congress or pervades the Executive that the full employment budget means establishes a figure we have to spend because that is what the economy requires. As far as I am concerned, the full employment budget figure indicates the maximum that you should or can spend without having inflationary problems.

Let me just say a word or two about the authority to borrow money for period in excess of 7 years at an interest rate that may be above 4¼ percent.

As the chairman has pointed out, the granting of the authority to borrow up to $10 billion without regard to the 4¼-interest ceiling is in a sense an experiment. The $10 billion limitation makes it an experiment. The fact that we will be calling on the Secretary of the Treasury and those responsible for the debt management for an accounting should give us the confidence that this improvement will not be misused.

Mr. Chairman, if I had my way—and I make no bones about it—the 4¼-percent limit on the interest can be paid on borrowings in excess of 7 years would have been repealed years ago. I am happy that we are at least willing to go this far and provide the necessary foundation for completely repealing the ceiling in the future.

All we have ever done by the 4¼-percent interest ceiling is to hamstring those on whom we have put the responsibility for appropriate debt management in doing their job. They at times have had to manage that debt in a more expensive way than they otherwise would have. They have had to manage it in a way that was more disruptive to the general money markets, more disruptive to our own people in the private sector who also have to go in and borrow money from time to time, than it would otherwise have to be.

It is disruptive enough that the Federal Government is computing—in good times and bad times—with our citizens who also want to borrow money. But when we are doing it in large volumes, when we are doing it repeatedly, day in and day out it cannot help but be disruptive and an impediment to proper management of that debt to have the present ceiling.

Mr. Chairman, there can be no justification in trying to force our Government into a posture in which the money it must borrow is borrowed on a shorter and shorter term basis. As the average maturity of our debt becomes shorter and shorter, we get closer and closer to printing-press money. And if you want real inflation—and we have seen some real inflation—if you want to see it really go up, then get this Federal Government in a situation where it is running a printing-press operation as far as its money policies are concerned. That is what happens as the maturity on the debit is decreased to very short periods; these obligations, because their liquidity, become more analogous to money. As the chairman has pointed out, the average maturity of the debt is becoming uncomfortably short.

In the last 2 years we have reduced the average length of the debt holdings by some 40 percent. We have increased the amounts that we have to go to the market each year and borrow by some 72 percent. This is not a healthy situation and we should avoid it if we can.

The Secretary of the Treasury has assured us that he would not move immediately into borrowing through long-term obligations. But he must have and should have the authority, if the time is propitious to do so, to borrow for 10 years, 15 years, or an appropriate period.

We hear the talk about a 50-year obligation, but this is preposterous. Let us recognize that today we cannot even borrow for 10 years because of the 4¼-percent ceiling. We should give the Treasury at least some flexibility to manage this debt in a businesslike way.

I urge all of my colleagues to join me in this sensible step—a far smaller step than was unanimously recommended by the last six Secretaries of the Treasury. Common sense, historical experience, and the virtually unanimous counsel of those most informed on the issue all tell us that this small step forward is long overdue.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from Wisconsin has consumed 23 minutes.

Mr. WAGGONNER. Mr. Chairman, I yield 10 minutes to the gentleman from Oregon (Mr. ULLMAN).

Mr. ULLMAN. Mr. Chairman, in the committee I voted against reporting out this bill. At that time the interest rate matter was tied to the debt ceiling. Now that the two matters are separated, I am going to definitely vote against the interest rate ceiling increase.

I have very mixed feelings about the debt ceiling. On final balance I will probably vote for it. A new Member asked me a few minutes ago about what is the responsible way of voting on these debt ceiling proposals. It is a complicated matter. All of us have to make our own judgment on our own road to responsibility.

There are two basic elements, however, in it, as I told him: First, the Congress has authorized and has appropriated moneys. Those programs are coming home to roost, and the bill must be paid. Also we are in a major military engagement. We have pressing problems of welfare. We have to pay the interest on the debt. We have to pay our veterans payments, and social security has to be paid. On this basis we would say, yes, the road of responsibility is to vote for the debt ceiling increase. But there is a second very important part of this proposal, and that has to do with the reason for the deficit. One of the major reasons for the deficit is the shortfall in revenue that results directly from economic policy. So on the basis of protesting the unsound economic policies of this administration, I think that we on this side of the aisle have every legitimate right to vote against the increase in the debt ceiling, because those policies are unsound. We are in a period of uncontrolled inflation and rising unemployment at the same time.

Many of us here in the Congress have been urging restraints on the economy and wages and prices and credit. There are many things that could have been done and that should have been done 2 years ago, that should have been done a year ago, that should be done today in the way of restraining the economy. Without these restrictions on wages and prices, without a Federal policy, without a set of Federal guidelines, without Federal rules on wages and prices, something for citizens to live by, we are not going to get a handle on inflation.

This is one of the main reasons why we are here today: Because of the uncontrolled inflation and the fact that we have had this problem of the economy going two ways at once. Coupled with uncontrolled inflation, we have rising unemployment and the great shortfalls in revenues resulting from a decline in individual and corporate incomes in the country.

My decision, because of the fact that we are in a war and have all these expenditures coming along that will have to be paid, will probably be that I will have to vote for the increase in the debt ceiling.

Let us turn to the problem of the increase in the interest rate ceiling. This has been about the only check that the Congress has had on interest rate policy. We cannot afford to ignore the fact that interest rates and inflation cannot be separated. They go together. The interest rates are in part anticipation of inflation. That is why the policies of this administration will lead inevitably to increasing the interest rates. They cannot help but do that, because it is a policy of inflation, a policy of refusing to put the restraints on the economy that will keep inflation under control.

The chairman said in 1965 we had a 5-year average national debt, and now it is down to 3.6 years. I am concerned about that. I believe all of you are, too.

The fact of the matter is that even if there had not been a ceiling the Government would not and could not have gone into the long-term market at that time because of the exorbitant rates in the long-term market, and it would not have made any impact on the reduced average length of the debt.

I asked Secretary Connally at the committee hearings if he had been the Secretary of the Treasury would he have gone into the long-term market during these times, and he said no, he would not have. It would have been, in my judgment, totally irresponsible to go into the long-term market during those times. So that would not have changed this situation at all.

The fact of the matter is that today we have an inflationary policy downtown. We have a budget that is inflationary in every sense of the term.

The Joint Committee on Internal Revenue Taxation, which has hit these things right on the nose regularly, tells us that in place of a $22 billion or $23 billion deficit we are going to have a $28.6 billion Federal funding deficit in this coming year. That I believe is a conservative estimate.

This is an inflationary budget.

At the present time one can go into the short-term market and pay 3½ percent interest. In the long-term market it would have to be 6½ or 7½ percent. How in the world could we possibly go into the long-term market and pay some 3-point difference in the interest rate cost? No Secretary of the Treasury could do it. This is not the time to take off this debt ceiling.

I will tell the Members why. Since Secretary Connally appeared before the committee recommending that we take off this long-term ceiling, the long-term bond market has jumped almost a point. This is only the beginning. If we take this ceiling off today where is it going to go?

Everyone knows we have an inflationary policy downtown. Everyone knows this is the most inflationary budget any of you or I have seen in recent times. Everyone knows there is no policy of restraint that is effective in any way with respect to wages and prices and credit. Everyone knows that the bond market knows these things. The market is a lot smarter than we are about them, so the sky is going to be the limit.

How in the world can we justify going into the long-term market on this basis and tying up the taxpayers of this Nation to long-term bonds paying exorbitant interest rates, probably 7 or 7½ percent? We just cannot finance the Government that way.

Somehow or other we have got to get the message across to the administration that there has got to be a policy of restraint. We are waging the most expensive war that has ever been waged in the history of mankind. We have a tremendous drain on our economy. The pressures are still great, and the pressures under this budget are going to be all the greater. We are not over the hump.

It is not too late to get hold of the economy. Somehow we have got to get the message through, as I have been trying to do and as I know a lot of Members of Congress have been trying to do, that we have got to have a tough policy of inflation control, of getting a handle on those elements of the economy which are creating the inflationary situation. I am talking about wages and I am talking about prices.

That is the only way one could possibly justify an inflationary budget of this kind: if we had a counterpart policy from the administration of putting restraint on the economy to keep it under control.

This is not the time to take off the interest rate ceiling because the 1-percent increase in long-term bonds that we have seen since Secretary Connally appeared before the committee would be only the beginning. I urge Members to defeat that part of the proposal overwhelmingly and to use their own conscience as their guide insofar as the long-term debt ceiling is concerned.

Mr. CONABLE. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I rise in support of the proposed debt ceiling increase and in opposition to the so-called Patman amendment to remove from the proposal the exclusion of $10 billion from the interest ceiling at 4¼ percent.

I share the misgivings of my colleagues who have spoken here before me, at having to go through this annual ritual once again. It has been characterized in many ways—as an intricate dance, as a partisan exercise, and I have even heard some lawyers call it by the old term "brutum fulmen," which means an empty noise.

Certainly it is not a happy exercise, however you describe it. Yet it is one of the few opportunities we have to step back from all of the trees we have been so assiduously planting and take a look at the outline of the forest.

One of the great faults of this Congress is that we tend here as a group of generalists by definition to deal with all the parts of the forest individually. We get very little chance to see the overall impact of our handiwork. When we finally do look at the forest rather than the trees, we tend to inveigh against the results and not the causes. You cannot control anything by dealing with results. You can control things only by dealing with causes.

I say to my conservative friends in this body—and I think I have a great many of them—that you will have ample opportunity during the next year to demonstrate your fiscal responsibility on the individual items that constitute the causes that bring us to this pretty pass at least once a year. I hope that we will deal honestly with causes and understand that deploring results is not a fruitful exercise.

Now, reference has been made to the rise in this national debt, and it has been almost a straight-line rise in absolute terms during historic times. I do not think this is necessarily an apologist's view, but I state that there are other ways of looking at the national debt.

For instance, expressed in relative terms as a percentage of the gross national product, we have had almost a straight-line decline in the national debt over the years since World War II. In 1946 our national debt was $269.4 billion. That was 129.2 percent of our annual gross national product.

After a long period of decline, by 1972, when our national debt is $395, some $126 billion more than it was in 1946, it constitutes 39.5 percent of our gross national product.

The debt has risen, but so has the wealth of the Nation, both measured in comparable dollars.

Reference has been made to the fact and we have heard a lot about the fiscal plight of the cities and the States lately, but the Federal Government is in bad shape, also, and I agree. It is in bad shape. I have misgivings about he full-employment budget, as do many others here, and some of its implications, but I do think that it is possible to oversimplify these issues by looking in absolute terms at them. We have to look at the forest in this area as well rather than looking only at the particular parts of our problem.

The gross national product is now about a trillion dollars. About $200 billion is expended by the Federal Government and something over $150 billion is expended by the States and local governments. In other words, we have total governmental expenditure of somewhere over 35 percent of our gross national product.

The total impact of this expenditure upon the economy is such that if we allow it to get much higher, quite obviously our free economy is not only going to suffer but is going to change to something less free. Unless we keep a close control of expenditures, we can expect sharply increased costs at all levels of government, more so at the State and local levels than at the Federal level.

Mr. Chairman, the issue is not just how to meet this increasing burden. The issue is, of course, what is the total impact upon our free society.

Control is easier on the local level, but local taxes tend to be regressive, and so I personally am in favor of putting the increasing local burden on the progressive taxes of our Federal Government rather than the regressive sources available to the localities; but I realize that this issue must be dealt with at other times and other places.

Now, briefly, with respect to the interest ceiling, we obviously have a lot of concern about this question. The Secretary of the Treasury comes from Texas politics and has expressed himself against high interest rates in the past, and with all living Secretaries of the Treasury supports the removal of this ceiling. The ceiling is at best an impediment to flexibility in debt management and removing it will provide us with the opportunity of reducing the cost to the taxpayers of the carrying charges on this tremendous national debt.

Now, it would be ridiculous to assume

that any Secretary of the Treasury, low interest or high interest, was going to put himself in the position where he would have to come to the American people, to Congress or to the President and say, "I have issued long-term bonds just for the sake of issuing long-term bonds even though it is going to cost us more money."

It is not going to happen. The concern I have is that circumstances may be such during the next year that our Secretary of the Treasury will not be able to open the laboratory our chairman just spoke of, and conduct his experiment and demonstrate it is possible, with sound management and with a degree of flexibility, to reduce the cost of the national debt. Circumstances in the credit market may not permit him to do this even if we give him the authority that is here sought. I hope he has the chance to prove the wisdom of this test.

I hope that circumstances will permit him to save us some money. I think the Congress would be in a strange position if it said, "No, if you can save us some money, we are not going to let you do so," by continuing this artificial obstruction to flexible debt management.

Who knows what the future interest rates of this country are going to be? The gentleman who preceded me in the well spoke about the instability of interest rates at the present time. It is all the more necessary, therefore, for us to provide the Secretary of the Treasury with the tools to take advantage of changes in the interest rate so that he can save us money through long-term financing should the opportunity present itself.

It seems so sensible I wonder why it has not been done before. To raise the ceiling on the interest rate payable on long-term bonds is not to raise interest, it is to provide the Secretary of the Treasury with the tools to reduce interest costs on the national debt for the American people today.

Mr. ULLMAN. Mr. Chairman, I yield 10 minutes to the gentleman from Texas (Mr. PATMAN).

Mr. PATMAN. Mr. Chairman, the issues surrounding the 4¼ percent ceiling on long-term Government bonds are clear to all Members of the House. In the past 2 weeks, I have spoken and corresponded with every Member. No one can dodge the issue by claiming that it is too complex and obscure. The issue is very, very simple.

When all of the doubletalk about debt management is stripped away, the issue comes down to low interest rates versus high interest rates. This is the way the people of the United States will interpret the vote here today.

Removal of the 4¼-percent ceiling will reverse the trend toward lower interest rates and will create a shock wave throughout the money markets.

If the 4¼-percent ceiling is removed—and that is what this proposal would do—we will have higher interest rates in this Nation and the people will point a finger at the 92d Congress If we endorse the action of the Ways and Means Committee, we can be certain that the 92d Congress will be known in the history books as the high interest Congress.

Removal of the 4¼-percent ceiling is not needed for debt management. Short-term issues are selling below 3½ percent and by Secretary Connally's own admissions, long-term bonds would be selling in excess of 6 percent or possibly 6½ percent. These high interest rates would be locked in for years; for future generations to pay.

The 4¼-percent ceiling does not prevent the Treasury Department from entering the long-term market. It simply prevents the Treasury Department from entering the long-term market when interest rates are high. As soon as the Nixon administration adopts policies which will bring down long-term interest rates, the Treasury Department will be able to market all of the long-term bonds it desires.

Mr. Chairman, the Treasury Department failed to make any kind of economic case for removal of the 4¼-percent ceiling. The testimony before the Ways and Means Committee is filled with vague statements, contradictory comments about interest rates, and the most imprecise language possible about the eventual costs of long-term Government borrowings in the present market. This House has often—and properly so—rejected proposals of agencies and departments that failed to provide the Congress with the basic data to back up their requests. The Treasury Department should be required to meet the same test. It should not be treated as some kind of sacred cow that does not have to make a case to the Congress. The Treasury Department is asking this Congress to stick its neck way out on something for which the administration really has no answers. We are being asked to buy a pig in a poke.

My friends, we have a 1-day hearing record before us in which the Secretary wanders all over the lot trying to explain the how's, when's, and where's of the administration's scheme to wipe out the 4¼-percent ceiling.

Many Members in this Chamber well remember another former Texan—and another former Democrat—who occupied the position as Secretary of the Treasury in the Eisenhower administration. Like Secretary Connally, President Eisenhower's Secretary of the Treasury, Robert Anderson, trotted this same backdoor scheme up to Capitol Hill in 1959 and 1960. The Congress refused Secretary Anderson and saved the taxpayers billions of dollars. The Congress, in fact, saved Secretary Anderson's reputation as a monetary and fiscal expert. We should do as much for Secretary Connally today.

Mr. Chairman, the Congress has given up much of its power to the executive branch to the detriment of the public interest. The 4¼-percent ceiling is the last congressional control over debt management and interest rates. The Congress should not give up this power.

Removal of the 4¼-percent ceiling will:

First. Drive up all interest rates in the economy and would signal the end of the trend toward lower interest rates.

Second. Lock in high interest rates on long-term Government bonds of 30, 40, or even 50 years. The Treasury today is able to market short-term issues at about 3½ percent. Long-term Government bonds—according to existing market conditions—would cost the American taxpayer more than 6 percent interest—or 2½ to 3 percent above the cost of short-term borrowings.

Third. Allow the Treasury Department to enter the long-term market in competition with local and State governments which are now entering the bond market after the long drought created by high interest and tight money. The entry of the Federal Government into the long-term market would drive up rates for municipalities all over the Nation and force many communities to forego badly needed projects.

Fourth. Allow the Treasury Department to compete for long-term money with the homebuyer seeking 25- and 30-year mortgages.

Fifth. Discourage businesses from financing long-term projects and will worsen the already critical unemployment situation.

Sixth. Drive up interest rates for consumers, small businessmen, and farmers— for any group in need of long-term credit.

Mr. Chairman, the Treasury Department's only defense for gouging the American taxpayer with higher interest bills on the national debt is that this would make for "good debt management." They argue that short-term borrowings make debt management difficult. The 4¼-percent ceiling is intended to make it difficult for any administration—for any Secretary of the Treasury—to lock in long-term borrowings at high interest rates. The 4¼-percent ceiling does indeed make it difficult for the Treasury Department to gouge the taxpayer.

When the Treasury Department can borrow at 3.5 percent in the short-term market, it makes no sense to require the taxpayer to pay 6 and 6½ percent and more for long-term debt.

The 4¼-percent ceiling has a substantive effect on the cost of the Federal Government and on the level of interest rates generally, but it is also a broad symbol of low interest rates. It is the principal low interest policy of the Federal Government. It is also a mandate from the Congress for the debt managers—whether they be Republicans or Democrats—to hold down interest rates.

Mr. Chairman, this issue is very, very simple. Removal of the 4¼ percent ceiling will start a new trend toward higher interest rates. The retention of the 4¼ percent ceiling will be a firm word from the Congress that interest rates are to be kept at the lowest possible level.

Later, I will offer a motion to strike section 3 of H.R. 4690, which contains the reference to the 4¼-percent ceiling. A vote for the motion to strike will be a vote for low interest rates. This will be on a record teller vote—the first such vote in the House. This precedent-establishing vote will firmly place the 92d Congress on record against high interest rates. It is a fitting issue for the first use of the new rule providing for the teller votes.

Mr. Chairman, this morning's Wall Street Journal clearly indicates the current chaotic nature of the bond market. Everyone in the securities business is waiting to see what action this body takes today. If the administration succeeds in effectively eliminating the 4¼-percent statutory maximum on long-term Government bonds, you can rest assured that the chaotic nature of the bond market will exceed anything we have experienced in many decades.

Mr. Chairman, this story in today's Wall Street Journal states that the price outlook grows darker for the tax exempt and corporate sectors. To quote the story, it states:

> The price outlook for corporate and tax-exempt bonds grew decidedly darker yesterday after investors responded rather slowly for several key offerings.

Issues of some of our blue-chip corporations were sold yesterday at fantastically high rates. General Electric sold a $200 million debenture at an interest rate of 7½ percent.

The new bellwether issue of Phillips Petroleum Co. went at 7⅝ percent.

The market is being flooded with sell orders and, as one senior trader said, "The atmosphere is unusually gloomy."

It is bad enough that our major corporations are having such a hard time selling their issues at such high rates—which, of course, the consumer will end up paying for—but even the municipal bond market has felt the impact. The State of Maryland could not even sell its entire issue of tax-exempt bonds yesterday. As the Wall Street Journal states:

> Nearly all of the other large new tax-free issues included on yesterday's calendar encountered retailing snags.

This means, of course, that the municipalities cannot even find the funds regardless of the rate—and some of the rates of tax-free municipals are moving at today approaching 5 percent or more. How can our State and local government bonds for housing, schools, water and sewer facilities provide all of the other necessary services to our people in these circumstances?

And what will happen in the already chaotic bond market where the amount of corporate and municipal bonds to be issued are at alltime highs if the U.S. Treasury receives this authority to sell $10 billion of long-term Government bonds without regard to the 4¼-percent statutory ceiling. No one from the administration during the perfunctory 1-day hearing on this legislation cared to answer the question of what the rate would be on such long-term Government bonds if issued in the current market. It takes no genius to know what the rate would have to be. Long-term Government bonds are currently traded in the market to yield as high as 6.20 percent. Some FNMA issues are now yielding to 6¾ percent.

There can be no question in anyone's mind about what the effects would be if this legislation were enacted into law. This administration will saddle the American taxpayers with long-term bonds upward of 20, 30, 40, and even possibly 50 years at rates well in excess—possibly even double—the rates that the Federal Government can now secure on short-term issues. It will allow the Federal Government to enter into the long-term market at a time when this market is as chaotic as it has ever been and when the number of issues in this end of the market from corporations and municipalities are at all-time highs.

Mr. Chairman, section 3 of H.R. 4690 makes no sense whatsoever. It will fantastically increase the interest costs on Federal financing. It will force corporate and municipal rates on their securities up more than they are now. No one with any concern for the welfare of our Nation and our people could want this situation and, therefore no one here should vote to remove the statutory 4¼-percent ceiling on long-term Government bonds which section 3 of H.R. 4690 would provide.

I am inserting herewith the Wall Street Journal of today, March 3, 1971, heretofore discussed.

Bond Markets: Price Outlook Grows Darker for Tax-Exempt and Corporate Sectors—Investor Response Slow to Several Key Offerings—G.E.'s $200 Million Debentures To Yield 7.5 Percent Today

(By Phil Hawkins)

New York.—The price outlook for corporate and tax-exempt bonds grew decidedly darker yesterday after investors responded rather slowly for several key offerings, including three that totaled $321.3 million, dealers said.

As a result, it became necessary to set an interest return of 7.5% on $200 million of General Electric Co. 25-year debentures scheduled for public sale today. Rated triple-A, the securities will be offered at a price of 100 through underwriters managed by Morgan Stanley & Co., it was learned last night. The 7.5% is a startling 1.75 percentage points higher than the 5¾% prime rate charged by banks on loans to most credit-worthy borrowers such as GE, analysts noted.

Early this week, some sources has guessed the GE debentures might be pegged to yield only about 7.3%. A lower yield translates into a higher selling price.

"When interest rates were declining only about a month ago, a blue-chip concern such as GE probably could have raised funds in the bond market at a rate as low as 6.75%," one specialist remarked. "The subsequent rebound in rates probably will boost GE's total interest payments on the $200 million financing by an astounding $37.5 million during the 25-year maturity—it might discourage many other companies from borrowing at this time," he added.

Almost $3.6 billion of fresh corporate bonds are slated for sale in March, about $500 million more than ever have been offered to the public in a single month. Last April's calendar contained about $3 billion, but more than 50% of the total represented a giant rights offering by American Telephone & Telgraph Co.

Yesterday, the resale quotations of seasoned utility and industrial issues were marked down as much as ½ point to put their two-day declines at about 1¼ points—$15 for each $1,000 face amount. It means that many corporate bonds initially offered about a month ago had a market value of only 90 cents on the dollar.

"We're flooded with sell orders, primarily from some securities firms that are attempting to reduce heavy inventory positions, and the atmosphere is unusually gloomy," one senior trader commented. "It obviously didn't help, either, that these key new offerings failed to generate much interest among retail buyers," he added.

The session's crucial taxable-debt sale involved $200 million of Phillips Petroleum Co.'s 7⅝% debentures, offered at a price of 99.5, to yield 7.67% in 30 years. Last night, an official of First Boston Corp., the chief underwriter, said investors had purchased all except tag ends from the Double-A issue.

As usually is the case, however, there were dissenting sales estimates from several outside sources, who asserted that as many as $50 million of the Phillips debentures still were available to customers.

Some dealers said they were being offered securities at a discount equal to $2.50 for each $1,000 face amount. It was believed that a Tennessee pension fund cancelled its tentative order for about $1 million of debentures upon learning the price terms, and that an Ohio fund pared its presale order 50% to $2.5 million.

The debentures will provide holders with at least 10 years' protection against early redemption; they become callable at an initial price of $107.125 for each $100 face amount. Annual sinking-fund payments of $8 million, to commence in 1981, are expected to retire 80% of the securities prior to final maturity in 2001, a spokesman said.

Maine Yankee Atomic Power Co.'s two-part $65 million offering was given a poor reception by investors after reaching the market via competitive bidding. Competitively awarded issues normally don't retail as quickly as those marketed through negotiated underwritings, which afford a better opportunity for tailoring the sale date and price terms to fluctuating market conditions.

An estimated 50% was placed with customers by last night from the utility's $50 million of 8½ first mortgage bonds, at a price of 101.098, to return 8.4% in 31 years. Only 25% was retailed by then from its $15 million of 7½% debentures, which were pegged at 100 and carried a five-year maturity. The bonds were rated single-A, while the debentures were classified Baa by Moody's and triple-B by Standard & Poor's.

Several of the more sophisticated big-block investors have said they won't buy securities issued by nuclear-oriented power companies until the industry attains greater acceptance by the general public. "There's still a great deal of emotion aroused by the concept of nuclear energy, so I'm hesitant to have securities of a solely nuclear utility in my portfolio," one investment officer remarked.

Maine Yankee, a venture of 11 New England utilities, is building a nuclear-powered generating plant at Wiscasset, Maine.

The concern accepted an annual net interest cost 8.56% in awarding its 8½% bonds to a team headed by Salomon Brothers; Blyth & Co.; Kidder, Peabody & Co.; Lehman Brothers Inc.; Merrill Lynch, Pierce, Fenner & Smith Inc., and Paine, Webber, Jackson & Curtis Inc. It incurred a net yearly borrowing cost of 7.73% in auctioning its 7½% debentures to Halsey, Stuart & Co., First Boston, Stone & Webster Securities Corp. and associates.

In the principal new tax-exempt sale, Maryland marketed $56.3 million of triple-A bonds that were priced to yield from 2.75% for the 1974 maturities to 4.6% for those due in 1986. The returns about matched those placed last Thursday on a $75 million Ohio offering, even though Maryland is con-

> sidered by many analysts to represent a somewhat stronger market credit than Ohio.
>
> Nevertheless, a sizable $31 million supply of Maryland bonds remained unsold by late evening.
>
> The state awarded its offering to a syndicate led by Harris Trust & Savings Bank, First Boston and Bank of America. The winning bid of 100.198 with a variety of annual coupon rates set a net yearly borrowing cost of 4.1964%.
>
> Nearly all of the other large new tax-free issues included on yesterday's calendar encountered retailing snags. Of $150.5 million of fresh state and city securities contained in offerings exceeding $10 million apiece, only about 59.4 million had been taken by investors late last night. This poor response influenced dealers to reduce prices of many older tax-exempt bonds whereby yields were increased between 0.15 and 0.20 percentage point from previous levels.

Mr. Chairman, high interest causes inflation. As interest rates go up, the price of everything goes up too and along with that inflation comes more inflation.

High interest is one of the principal causes of poverty. High interest causes riots. High interest causes ignorance. High interest causes disease. High interest causes crime.

Think about how much better hospitalization we would have in this country today and how many more great hospitals we would have were it not for the fact that high and excessive interest must be paid for hospital construction the same as anything else.

Think about the small percentage of nursing homes that we have for our aged and disabled citizens compared to the large and possibly sufficient number that we would have had it not been for high and excessive interest rates.

Think about how many more schoolbuildings and adequate buildings and equipment for our educational systems we would have today had it not been for high and excessive interest rates.

Think about how environmental quality—one of our major goals—is being impeded and deterred by high and excessive interest rates.

Think about the 50 to 100 million families we have now and will have in the future that will be handicapped in their living standards by reason of high and excessive interest rates. The interest rates obligated to be paid now on a $20,000 home is much over $30,000. Now $50,000 and more must be paid for a $20,000 home. Carry this ratio throughout our economy and think how much better the people could live, educate their children and all be so much better citizens by reason of just a part of the savings of this high and excessive interest rate.

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio (Mr. VANIK).

Mr. VANIK. Mr. Chairman, the increase in the debt ceiling to $430 billion proposed by this bill raises the debt limit almost $8 billion in excess to national needs and threatens the Nation with a sharp refueling of the inflationary spiral.

In the Ways and Means Committee, I urged a reduction of the debt-ceiling increase to a limit more closely related to the fiscal needs of the Government. The committee reduced the overall request by $5 billion, but a debt ceiling of $430 billion leaves extravagant space for waste and war.

The President's 1972 budget calls for an increase in defense expenditures of $3.1 billion to $77.8 billion, despite defense windfalls such as a saving of almost $4 billion resulting from a reduction in troop strength of 190,000 men since last June.

The President and the Congress have tremendous discretion within this ceiling to incur debt with folly or with wisdom. Debt created by tax give-aways such as the $4 billion in increased depreciation allowances spend taxpayer funds and Treasury resources in a manner which raids the Public Treasury today with no real promise of stimulating the economy at this moment of need.

Debt created by bailing out private corporations raids the Federal treasury without stimulating the economy.

On Monday, March 1, in a speech before the House, I urged the House to strike from the debt ceiling bill an unrelated provision to exempt $10 billion in long-term bonds from the statutory 4¼-percent interest rate.

I pointed out at that time that this provision would create a special advantage to those taxpayers who have an estate tax liability. These taxpayers could acquire these bonds of guaranteed high interest at par or at discount with the objective of using them at par value to pay taxes under the provisions of a 1917 statute. The committee amendment agreed upon today which prevents the use of these new long-term issues at par value for the payment of taxes is a desirable amendment.

But this amendment does not cure the basic objection to an exemption to a $10 billion long-term bond sale from the 4¼-percent interest rate ceiling. This proposed sale of long-term bonds at an undetermined high interest rate could further spiral the cost of public borrowing.

The corporate and Government bond market have just experienced an early spring bull market—but the early blossoming prospects of low interest rates have all but vanished. Today's newspapers report a softening of bond sales in all sectors. The warning signs are flashing everywhere on a rapid return to higher interest rates and sustained inflation. The sale of $10 billion in Federal bonds at a long-term high interest rate could propel higher interest rates.

The $430 billion debt ceiling proposed by this bill reflects no reduction in military spending and provides no incentives to bring them about. This, coupled with the 4¼-percent interest rate waiver on $10 billion in long-term bonds, makes this bill totally unacceptable.

Mr. BYRNES of Wisconsin. Mr. Chairman, we have only one further speaker on our side. I suggest that the other side yield time until they get to the last speaker they have, and then I will yield time.

Mr. WATTS. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin (Mr. REUSS).

Mr. REUSS. Mr. Chairman, that portion of this bill which would permit $10 billion of Government bonds to be marketed without regard to the congressionally imposed ceiling of 4¼ percent should be voted down.

It should be voted down for three reasons—because it will add unnecessarily to the interest burden of the national debt; because it will hurt housing and State and local governments, and because it will complicate our balance of payments, by lowering short term Government interest rates.

Logically, the 4¼ ceiling is deficient. But now is surely the wrong time to repeal it:

First. It will add unnecessarily to the interest burden of the national debt and mortgage Federal taxpayers for a generation to come. We are already paying an interest charge of some $20 billion on the national debt in the upcoming fiscal year. The Treasury is able to sell its short term bills at a 3.3-percent yield—an unprecedentedly large split from the long term rate of more than 6 percent. Why borrow at upwards of 6 percent when it is possible to borrow at 3.3 percent?

Second. Largely because of the scarcity of long term money, and because of high interest rates, the construction industry is still sick, at a time when national unemployment is at the rate of 6 percent of the work force. FHA mortgage yields are still close to 9 percent, compared to 9.3 percent last March. High grade municipals are still around 5.7 percent, slightly down from the 40-year peak of 7.1 percent last June. If the Treasury is now to invade the long term market with the issuance of long term bonds at high interest rates, the squeeze on the housing industry and on State and local governments will grow more acute. Indeed, the mere threat of such an entry is now pushing long term interest rates upward again. Putting the Federal Government into competition with housing and State and local governments will further the current recession.

Third. To the extent that the Treasury attempts to take advantage of a congressional repeal of the 4¼-percent ceiling by issuing bonds, it will have less occasion to issue short term Federal obligations, such as bills. By borrowing less at the short term than it otherwise would, interest rates on Treasury bills, now at a 7-year low, will get even lower.

Yet it is this drop in short term interest rates that is causing the outflow of capital from the United States, and thus adding to our balance-of-payments problems. The annual report of the Federal Reserve Bank of New York, issued last week, says that:

> The decline in U.S. short term interest rates has been accompanied by a substantial movement of funds into countries where loan markets remained tight, and interest rates were maintained at high levels.

The Bank added;

> Clearly the ability and willingness of private and official foreigners to absorb dollars are limited.

The Wall Street Journal for March 1, 1971, said that:

> Analysts expect some action must be taken that would at least keep short-term rates from falling farther.

The spectacle of the U.S. Treasury adding to the strains on the dollar by making short term rates fall further is a chilling one.

Fortunately, the committee amendment to H.R. 4690, just presented to us, plugs a loophole in the estate tax structure that would make the hiking of the 4¼ percent ceiling unconscionable. Let me explain this.

Under the provisions of 31 U.S.C., section 765—act of April 4, 1918:

> Any bonds of the United States bearing interest at a higher rate than 4 per centum per annum . . . shall be receivable by the United States at par and accrued interest in payment of any estate or inheritance taxes imposed by the United States.

Under this loophole, if a U.S. bond is selling at 70—and many of them have been selling at 70 recently—the executor of a wealthy individual holding such a bond may turn it in in payment of the Federal estate tax at 100. Thus the estate is able to pay its taxes in 70-cent dollars. The average taxpayer, now making out his income tax return, would be most delighted to have a similar privilege.

The Treasury concedes that this loophole is unconscionable. In the Treasury's December 1968 tax reform proposal, it recommends that 31 U.S.C., section 765, be amended so as to repeal its tax loophole provisions to all bonds issued after its date of enactment. See Tax Reform Studies and Proposals, U.S. Treasury Department, Joint publication, House Committee on Ways and Means, Senate Committee on Finance, February 5, 1969, pages 408–409.

The Treasury has been effectively prevented from using section 765 because of the prohibition of the 4¼-percent ceiling, contained in 31 U.S.C., section 752—the provision which H.R. 4690 seeks to repeal to the extent of $10 billion in bonds.

But it turns out that the Treasury knew full-well that the $10 billion exemption from the ceiling that it seeks would, under section 765, be entirely composed of these tax-bonanza bonds which may be turned in at par regardless of what their owner paid for them. If past bond performance is any criterion, these bonds are going to be available at 70 for at least some portion of their life. If these bonds are bought in the future at, say, 70, and then turned in for 100, the loss in revenues to the Treasury due to this loophole would be $3 billion over the years.

Any doubt that the Treasury knew what it is doing in attempting to create this new loophole was dispelled by my colloquy with Secretary of the Treasury Connally at the February 26, 1971, hearing of the Joint Economic Committee:

> Representative REUSS. Number 6 of my proposals is to eliminate the payment of estate taxes by redemption of Government bonds at par. That is the avoidance or loophole whereby an elderly gentleman can go out and buy U.S. bonds at 68, and then when he dies a couple of weeks later, his estate can turn them in at a hundred. The average taxpayer would just love to be able to buy 68 cent dollars to pay his Federal tax bill, I really think this loophole is somewhat of a gyp.
>
> Secretary CONNALLY. We do not issue them any more. There are still some outstanding. Perhaps Under Secretary Volcker would care to elaborate on it.
>
> Representative REUSS. Maybe you agree with this one. All I would do would be to prohibit the further issuance of these loophole bonanzas.
>
> Secretary CONNALLY. Under Secretary Volcker says by law if we issued long-term bonds we probably would have to issue some of this type. We have not done so simply because we have issued no bonds at all.
>
> Representative REUSS. That is one reason I am opposing your "Let us issue $10 billion in long-term bonds" proposal because I sense, and now you have confirmed it to me, that you intend to use this as a further opportunity to churn out bonanzas for wealthy taxpayers.
>
> Secretary CONNALLY. No, no. It is part of the law. We would not do it for that purpose. We obviously are going to follow the law with respect to the issuance of the bonds.
>
> Representative REUSS. Yes, but the law, unless you plug the loophole, permits you to issue these bonds which, I think, are an outrage. But, anyway, I have your answer on that.
>
> Secretary CONNALLY. Yes, sir.

So far as I can tell, the Treasury said not a word about this loophole in all its testimony before the House Committee on Ways and Means. It would have been simplicity itself for the Treasury to have recommended that the partial repeal of the 4¼-percent ceiling be accompanied by a prohibition on the use of these bonds as a tax loophole—as the Treasury itself recommended in December 1968, and as the Ways and Means Committee amendment now fortunately advises.

It is this attitude on the part of the Treasury which is causing the taxpayers revolt, round II.

Now let me turn to the Treasury's reason for its proposal—that it will facilitate debt management.

As the December 1970 New York University Graduate School of Business Administration study, "The Economics of Interest Rate Ceilings", sets forth:

> A ceiling that applies only to maturities beyond seven years gives the Treasury ample scope for concentrating maturities. Nothing in such a ceiling necessitates a continuous calendar of maturity dates. From the experience with regular issue and maturity dates for bills and certificates, one might even suspect some advantages in having all Treasury bonds fall due on the second Thursday of the third month, like a regular meeting of the vestry or ladies night at the Elks Club. It would be down on the calendar and everyone could get ready. The Federal Reserve, meanwhile, would be free to carry out monetary policy. (P. 61)
>
> Penetrating the emotional wall built around (the ceiling), however, would not seem to enlarge the freedom of maneuver already available to the Treasury by enough to make it worth the effort. Lances will be better broken in the other causes. (P. 9)

What the administration should be doing is to prepare a study in depth, followed by a report to the Congress, of all governmental interferences with interest rates. Included should be regulation Q, regulating what interest banks and savings and loan associations may pay on their time deposits—incidentally, the administration is currently requesting the extension of the regulation Q authority; the ceiling of zero on bank demand deposits; State ceilings on the amount of interest on loans by life insurance companies to their policyholders—as New York State's 5-percent ceilings; usury rate ceilings; ceilings on FHA and VA mortgages. While the 4¼-percent ceiling on long-term Treasury obligations is defective in logic, its repeal needs to be part of more comprehensive legislation.

We shall shortly be casting the first recorded teller vote in the history of this body. It is a good one to record.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I would be glad to yield to the gentleman from Indiana.

Mr. MADDEN. If section 3 repealing the 4½-percent interest limitation is not eliminated will not the newspapers throughout this country tomorrow carry headlines to the effect that Congress has raised interest rates? In other words, that probably will be the headline in tomorrow's papers.

What effect will that eventually have upon millions of people that are buying homes, automobiles, or other purchases on time calling for monthly or yearly interest? What effect will that have on the mental attitude of the public generally over the Nation?

Mr. REUSS. Quite apart from the effect on their mental attitude, it will have a disastrous effect upon something even more finite, their pocketbooks. The poor souls are now already just about priced out of the housing market and are going to find it will become just that more difficult to buy a home. It will, as the gentleman from Indiana suggested, have an effect on their mental attitude also. One of the best things we could do in this country in order to get the unemployment rate down is to get the home building and construction industry going again. If we did that, we would find that industries that make refrigerators, and stoves, and other large appliances for use in housing would start moving faster, and we could then move against inflation and unemployment.

If we adopt this 4¼ percent ceiling today, we would be going in the wrong direction. So I hope for the three reasons I have listed it will be voted down. However, I do want to thank the Ways and Means Committee for removing the most objectionable loophole to which I referred earlier.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Ohio.

Mr. VANIK. The gentleman's Committee on Banking and Currency passed out a standby wage and price control bill last year——

Mr. REUSS. Yes, we reported it out.

Mr. VANIK. In that proposal were there provisions for the President to fix the price of money and limiting interest rates?

Mr. REUSS. Yes; that is one of the commodities that he can fix a ceiling on, but if we pierce this 4¼-percent ceiling, far from keeping interest rates down, interest rates are going up. So, we would be going in the wrong direction.

Mr. VANIK. I agree with what the gentleman has said but want to check back on the authority given under that standby power.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Texas.

Mr. ECKHARDT. I thank the distinguished gentleman from Wisconsin for yielding to me. Presently a consortium of river authorities in Texas is being formed for the purpose of making it possible to issue bonds to raise the non-Federal portion of funds which will be used under the Clean Water Restoration Act to match $50 million of Federal money available to the State of Texas for the building of waste disposal plants for cities and other local entities. This is a very important program which would involve the issuance of about $41 million worth of bonds which must be sold on the bond market. Their salability at a favorable interest rate is a very important matter for Texas and for the advancement of clean water in that area and in the rivers, estuaries, and bays which flow out of Texas into the sea or into other States. Now, I am very much concerned about this program, and have worked with the Governor of Texas, Lieutenant Governor, attorney general, and others to put this program into effect. Here in Washington, I have worked for about a year with Federal agencies to get approval for this program which would permit State and local entities to move from a disadvantageous 70 percent sharing to an advantageous 45 percent sharing. In this way some $50 million of Federal money will be saved for Texas which would otherwise be lost to the State and its municipalities.

Therefore, I am most interested in the Patman amendment, because I think it would facilitate this program, would permit a more favorable interest rate on bonds, and would make them more salable. Would the passage of this bill without the Patman amendment affect the rate of those bonds?

Mr. REUSS. Yes; I believe it would, from the standpoint of very simple arithmetic. The more you crowd the long-term interest market, the higher go the rates. This is simply the law of supply and demand with respect to money. If Uncle Sam is kept out of the long-term money market, as he has been in recent years, it will not have this effect. However, if he goes back in again into the long term, interest rates will go back up.

Mr. ECKHARDT. I thank the able gentleman from Wisconsin and support his position. And I should like also to recognize the distinguished service of the chairman of the Banking and Currency Committee, the gentleman from Texas (Mr. PATMAN), in presenting this amendment. I shall certainly support it.

Mr. WATTS. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Missouri (Mrs. SULLIVAN).

Mrs. SULLIVAN. Mr. Chairman, the Congress would be foolish to approve this attempt to push the Federal Government into the long-term bond market under present conditions.

Interest rates are rising rapidly in the long-term markets and the entry of the Federal Government would only worsen conditions.

Mr. Chairman, I quote from this morning's Wall Street Journal:

> Corporate bond prices weakened further under the weight of this month's record $3.6 billion of fresh issues. Yesterday's key new issue, $200 million of Phillips Petroleum debentures, reached the market priced to yield 7.67% in 30 years. General Electric's offering today of $200 million debentures will yield 7.5%, well above the probable cost a month ago, analysts said. The unfavorable market conditions caused North American Rockwell to postpone a $100 million offering planned for today.

Mr. Chairman, these conditions would say to any prudent man that this is no time to remove the 4¼-percent ceiling and allow the Secretary of the Treasury to market bonds under such chaotic conditions.

In his testimony before the Ways and Means Committee, Secretary Connally was extremely vague about the interest rates which might be charged the taxpayer if the Government went into the long-term market without the congressional restrictions involved in the 4¼ percent ceiling. Caught by surprise, Secretary Connally has said that the interest rates on long-term obligations would be "somewhere in the ballpark of I would guess 6 percent, 6½ percent, in this general range."

This is imprecise language for a Secretary of the Treasury who is making a proposal which might cost the taxpayers billions and billions of dollars in added interest charges.

But accepting Secretary Connally's figures, it becomes quickly apparent just what would happen to the taxpayer if we go along with this scheme.

This week, the Treasury Department marketed short-time obligations for around 3½ percent—or 2½ to 3 percent below what Secretary Connally is proposing in the long-term market. Mr. Speaker, it takes no great expert to come up with the conclusion that 6½ percent interest is more than 3½ percent interest.

Based on the proposed borrowing of $10 billion, this interest rate differential—between long-term and short-term—would cost the taxpayers about $300 million in added interest charges annually. The additional costs, of course, would eventually be much larger than this since once the ceiling was broken we would have a flood of long-term securities issued at high interest rates.

Mr. Chairman, I hope the Members of this House who were not here in 1959 and 1960 will go back to the CONGRESSIONAL RECORD and review the debates that took place at that time on the 4¼ percent ceiling. The Democrats won that fight and I am convinced that the action of the House of Representatives was a major factor in the great Democratic victory of 1960.

In 1960, the Democratic Party stated in its platform:

> The Republican high interest policy has extracted a costly toll from every American who has financed a home, an automobile, a refrigerator or a television set.
>
> It has foisted added burdens on taxpayers of State and local governments which must borrow for schools and other public services.
>
> It has added to the cost of many goods and services, and hence has been itself a factor in inflation.
>
> It has created windfalls for many financial institutions.
>
> *The $9 billion of added interest charges on the national debt would have been even higher but for the prudent insistence of the Democratic Congress that the ceiling on interest rates for long-term Government bonds be maintained.*

We should live up to the promises of this platform by voting to delete the effort to market $10 billion of long-term bonds without regard to the ceiling.

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. CAREY).

Mr. CAREY of New York. Mr. Chairman, as one of the newer members of the distinguished Committee on Ways and Means, I do not pretend to address myself to all the intricacies of the problems of the debt ceiling, Government financing, and sound debt management, but to bring a practical judgment to question of the limited flexibility we seek to introduce in terms of the release of the 4¼-percent ceiling as to $10 billion.

It seems to me that as the managers of the economy, one of our major areas of management in the economy is the management of debt service. If we have been managing debt service as well as we should have been managing debt service, someone will have to explain how, under our entries into the short-term money market, we had the experience of last year where, going into that short-term money market because we had to pay Government bills, we reached the highest rates of interest that we have had since the Civil War.

We must have been doing something wrong.

Now, what is the alternative? The alternative, as suggested by six former Secretaries of the Treasury, one a former Member of this body, in agreement, is to introduce a note of flexibility so that a responsible Secretary totally in communication with the Committee on Ways and Means can study the short-term and the long-term market, and decide to enter if it is in the advantage of debt financing for this Government.

If we do not have that confidence in the Secretary of the Treasury, and in our own Government, we should not approach debt financing in this way at all; we should not allow them to go into any market without our permission. I happen to come from New York. I have had some experience in business, and I have been a borrower as a businessman, and I know that the best time to borrow money is not when you are short, but when you are long, when your liquidity is attractive and it makes you a prime-rate candidate with a lending institution.

Our trouble is that, while we think we know the status of our money supply, there are a group of Americans who are paid to know it even better, and that group of Americans are financial institutions and some speculators in this country and elsewhere in the world. They know exactly when we are short. They know when we must come out with our Treasury notes. They know when we have to go into the money market. They are willing to wait until the interest rates suit them, and of late memory the interest rates on short-term obligations have broken through all ceilings, all ceilings, so that the 4¼ percent ceiling is a false ceiling indeed.

What would the 4.5-percent experimental ceiling limitation allow us to do? Consider this—the debt is owned by all Americans, long-term or short-term, who want to qualify to purchase part of our debt. As it is now, when the Treasury goes in with its short-term notes largely they are absorbed by major financial institutions. Very few individual borrowers who want to invest in our Government can participate in these type securities. But if we go above the 4¼ percent ceiling, if it is more attractive and more feasible to the Treasury, for the first time we would be allowing Americans who want to build their estates for their families to participate on a more attractive rate than that which they can now gain by investing in their Government.

It seems to me that to try this experiment would give us an opportunity to observe on an overall basis, short term and long term, how we should be financing our whole debt picture. If we do not do this we are tying ourselves into the very same system which last year gave us the highest rates in history at a time when, through this new debt limit, we know we are going to go into the money markets through the years to come for more money than ever before.

I say if you do not do this—if we do not take this route of flexible money management, we are ignoring the lessons of debt management which apply in the private sector of our economy in the private enterprise system.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ULLMAN. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. Leggett).

Mr. LEGGETT. Mr. Chairman, I oppose extending the debt limit without an argument, the President's budget for 1972 proposes an estimated deficit of $11.6 billion. While the man in the street may remember that in recent years performance has always fallen considerably short of prediction, he probably believes an $11.6 billion deficit to be a reasonable approximation of the administration's target for this year.

Such is unwarranted.

To say that an $11.6 billion target deficit is liable to grow into a $25 billion deficit, because of a short fall in the $1,065,000,000,000 gross national product, is only part of the story.

The deficit is already $23 billion; to represent it any other way is dishonest.

The Federal trust funds—social security, highway, and so forth—are expected to show a surplus of $11.5 billion for 1972. It is only by combining this $11.5 billion surplus with the administration budget deficit of $23 billion that the budgeteers arrive at their erroneous and misleading figure of $11.6 billion.

Mr. Chairman, this is not a meaningless technicality. I am talking about a very real and very significant social injustice.

The bulk of the trust fund surplus, $8.1 billion, is in the Social Security program, and medicare program. Compared with general income taxes. Social security taxes are extremely regressive. By keeping the social security taxes high to maintain a surplus, we manage to reduce the apparent deficit without raising income taxes or cutting expenditures. But the result is a heavier load on low-income taxpayers and a lighter load on high-income taxpayers. This is unconscionable.

To compound the felony, we now hear talk of raising social security taxes. The people may be willing to swallow this. They reason, well, social security benefits are going up, medicare expenses are going up, and we have to pay for them. But the fact is the 1972 budget predicts a $3.1 billion surplus for Federal old-age and survivors insurance, a $0.9 billion surplus for Federal disability insurance, and a whopping $4.9 billion surplus for health insurance. The additional money is not needed to pay for social security programs; it is sought to avoid the more politically costly courses of raising income taxes, reducing expenditures, or increasing the apparent deficit.

Over $100 billion has, in fact, been stolen from the trust funds over the years—why? To perpetuate a cancerous war in Southeast Asia. We have spent over $150 billion to support the war in 8 years—all borrowed funds—and this $35 billion effort to increase the national debt is proof of that.

The borrowed diverted trust fund surplus is counted as part of the national debt. One of the principal reasons we are now being asked to raise the debt limit is so that we can have this trust fund surplus and we can have a smaller apparent deficit. In effect, the administration is asking the low and middle income taxpayer to foot the bill for sweeping its economic mismanagement under the rug.

Mr. Chairman, I want no part of it. I am going to vote against extending the debt ceiling, and I urge my colleagues to do likewise.

Our economic problems cannot be resolved by budgetary juggling. If we want to bring our economy under control, we are going to have to face reality. We are going to have to institute wage guidelines or controls, we are going to have to cut out unnecessary expenditures—beginning with the ever-expanding war in Southeast Asia. Otherwise we are going to continue our present brilliant performance of simultaneous inflation, depression, unemployment, and astronomical interest rates.

Now I will briefly turn to the repeal of the 4¼-percent interest rate limitation on long-term Government securities. I state at the outset that I fully support the efforts of Congressman Patman to strike this repeal provision, and I am convinced it will be a national disaster if his amendment does not prevail.

Removal of the interest ceiling is, of course another bit of budgetary hocus-pocus that dazzles the naive but accomplishes nothing constructive. Its immediate objective is to raise money with which to minimize our apparent deficit and to pass our debt on to our grandchildren. Let us consider the consequences of allowing high interest long-term securities to be offered.

First. Home mortgage interest rates, which have just begun to come down from the Mount Everest level, will be pushed up again. Even the administration's mere request to remove the ceiling has served to push corporate bond interest up by nearly a full point. Homebuyers are in direct competition for the same funds as are government bonds.

Second. For the same competitive reasons, local and State governments will find it harder to raise money for education, housing, sanitation, and so forth.

Third. High-interest, long-term bonds will soak up credit we need for economic expansion. This lack of expansion will in turn raise unemployment.

Fourth. The high interest rates will add greatly to the national debt on which we are already paying interest of $20 billion per year. The brunt of this interest will be borne, of course, by the average taxpayer.

Will the average taxpayer, who must pay for this policy in so many ways, be able to reap benefits from it? He will not. The ordinary citizen cannot purchase long-term Government securities. They go to the very wealthy, and to large institutional investors such as insurance companies and major banks.

Mr. Chairman, this proposal is Republican Party economics at its very worst.

It proposes to sacrifice the interests of the poor and the middle class so that Mr. Nixon can look better and the rich can get richer.

The new Secretary of the Treasury assures us he will use this power with discretion. Perhaps it would be overdramatic to say we are now faced with the economic equivalent of the Tonkin Gulf resolution. But if there is anything I have learned in the past 8 years it is that the only way to prevent the executive from abusing power is not to give it the power. There is nothing in the administration's economic track record to suggest it deserves more trust in this area than it does in Southeast Asia.

Mr. Chairman, I say if we want to keep interest rates out of the stratosphere, we must maintain our legislative control. We must not abdicate still another responsibility to the executive branch.

Mr. ULLMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Wyoming (Mr. Roncalio).

Mr. RONCALIO. Mr. Chairman, this will be the second time in my brief tenure in the House of Representatives that I will vote against raising the debt ceiling, and I also oppose the raising of the 4¼ percent interest because I believe it will leave the debt managers free to impose further and higher interest charges, probably the last thing America needs at the present time.

The yield is what counts in the earnings of these bonds. The image to the people of the country is the rate that is charged—not the yield. This is why I am pleased to identify myself with the very distinguished chairman of the House Banking Committee—perhaps the last remaining guardian or populist if you will—of the interest rate structure in the United States today.

In recent years, the Congress has relinquished many of its powers to the executive branch, to the entrenched bureaucrats, to agencies, commissions and corporations downtown.

We would not be in the maelstrom we are in today in Indochina or with the pollution in our cities and other areas if it were not for this fact.

The Congress has relinquished its investigatory powers in many ways. In many cases this abdication has resulted in great detriment to the public interest, and if we were now to abandon our duty to keep interest rates low in this area, then we, as elected Representatives, would be removing our authority in this regard. We would only add to the further deterioration and disregard for this institution, the Congress of the United States of America.

The 4¼-percent ceiling is a congressional statement for low interest rates. Its removal would be a signal that Congress no longer endorses this concept.

Mr. ULLMAN. Mr. Chairman, I yield to the gentleman from Ohio (Mr. JAMES V. STANTON) for a unanimous-consent request.

(Mr. JAMES V. STANTON asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. JAMES V. STANTON. Mr. Chairman, the exemption of $10 billion in Federal bonds is a basic mistake. It will bring about an increase in interest rates in the public market which will retard the development of the building industry and further slow down the economy.

At a time when the efforts of the administration and the Congress should be directed toward policies that reduce the interest rate, we are being forced by the administration into a policy that will only raise interest rates. On behalf of young married couples who are seeking to become homeowners, I urge that this House cast its power with the people by adopting the Patman amendment.

Mr. GROSS. Mr. Chairman, will the gentleman yield for a question?

Mr. ULLMAN. I yield to the gentleman from Iowa.

Mr. GROSS. Can the gentleman give us any idea of the denominations in which these bonds would be issued if their issuance is approved, the $10 billion? Would they be in $5,000, $10,000 amounts?

Mr. ULLMAN. I would say to the gentleman from Iowa that we raised this issue in the committee, and the Secretary of the Treasury said that, to the extent that it was needed, in their judgment, they would issue smaller denomination bonds. But the gentleman and I both know that the vast bulk of long-term bonds would be in the larger denominations.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. ULLMAN. I yield to the chairman of the committee.

Mr. MILLS. I am not going to agree with the analysis of the situation of my friend from Oregon. The Secretary of the Treasury said that they would not be issued in big sizes.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. ULLMAN. I yield to the gentleman from Iowa.

Mr. GROSS. We have had experience with Treasury certificates. I believe the minimum now is $10,000, which effectively precludes the little man in this country from participating in the purchase of Treasury certificates.

Mr. MILLS. Mr. Chairman, will the gentleman yield further?

Mr. ULLMAN. I yield to the chairman of the committee.

Mr. MILLS. It is my recollection that the Secretary of the Treasury said that the bonds would be issued in $1,000 denominations or smaller—not larger—smaller.

Mr. VANIK. Mr. Chairman, will the gentleman yield at that point?

Mr. ULLMAN. I yield to the gentleman from Ohio.

Mr. VANIK. I would like a clarification as to whether, in the opinion of the chairman, the Secretary stated that these bonds would be sold as an independent issue or whether they would be sold to persons who are holders of other issues?

Mr. MILLS. It would be a separate issue.

Mr. VANIK. A separate and independent issue?

Mr. MILLS. That is correct.

Mr. VANIK. I thank the gentleman.

Mr. SANDMAN. Mr. Chairman, I am greatly distressed by the position we in Congress find ourselves in again today—a position of being bludgeoned into sinking this Nation further into debt.

Reluctantly, I voted last year to raise the debt ceiling because I realized then that the administration had inherited the inertia toward Federal bankruptcy from deficit financing and excessive spending in previous years.

It was my desire last year to help our new President get his feet, so to speak, on the ground in the area of fiscal responsibility.

Now, Mr. Chairman, it is all too apparent that our refusal to approve debt ceiling increases is absolutely essential for Congress to retain some measure of control over Government spending, notwithstanding hysteria in the various statehouses and city halls.

This is our final weapon, it seems. The question we face today is simply: Do we have the courage and good sense to wield it?

From listening to today's debate and from hearing and reading the millions of words that have been advanced to force us once again to allow deficit spending to go unchecked for yet another year, I cannot, in good conscience vote for this $35 billion increase in the Federal debt limitation.

To do so would be to disregard the facts of financial life once again. It would be to ignore the single most important lesson of economics and accounting: that you cannot spend or give away something you do not have.

It is time we rejected the double standard. It is time the Federal Government abided by the same fundamental principles of business that we expect of our citizens and private businesses.

In making my decision to oppose this debt ceiling increase today, I am mindful of the forecast by an administration of my own party that a $25.5 billion Federal funds deficit is expected at the end of fiscal year 1971. And I am shocked by the prediction that if everything goes as it is planned—which never happens—the Federal funds deficit at the end of fiscal year 1972 will range from $23.1 billion, if we believe the administration's most optimistic estimates, to the $33.6 billion deficit expected by Treasury experts.

Present law limits Federal debt to a total of $395 billion, effective through June 30, 1971. The Federal debt, assuming a $6 billion cash balance, will amount to $396.5 billion, which is more than a billion dollars more than Congress authorized last year.

How long are we going to tolerate this flagrant abuse of our constitutional authority? When will this body stand up to demand a return of sanity in fiscal management? I for one say the first step in the right direction can be taken today by refusing this increase.

Mr. Chairman, I am aware of the seriousness of this decision. I have heard time and time again all of the arguments advanced on why we as elected representatives of the people have no choice on this grave issue.

But we do have a choice and I say we must not fail to exercise it. Let us serve notice to the Nation, by our refusal to acquiesce today, that we will no longer allow ourselves to be forced into doing anything like this again, that we are committed to bringing debt and inflation under control and that we are aware that fiscal bankruptcy and financial collapse of the Nation will be the consequence of ignoring our responsibility once again.

Once we have taken this position, Mr. Speaker, I know there will be several important brakes to apply. It may be necessary to abandon some "pet" projects or to further restrain the debt-incurring powers of the administration or it may even be necessary to amend the U.S. Constitution.

From June 30, 1959, until June 30, 1967, the permanent debt limitation was $285 billion, with the temporary additional debt being a low of $5 billion in 1959 and a high of $51 billion in 1967.

It is important to recall that this was a period in which the Vietnam war was being escalated.

For the last 2 years, to the credit of the administration, this undeclared war has been deescalated steadily. This factor alone should indicate cuts in defense spending and by this logic, the debt limitation should be kept in check.

Mr. SEIBERLING. Mr. Chairman as a lawyer who for many years has participated in major corporate financial transactions, both foreign and domestic, I am fully conscious of the serious financial repercussions if the Congress fails to approve a raise in the statutory debt limit.

However, I am also aware of the deep

and dangerously growing division among the people of this country over the war in Indochina. I believe that every opportunity must be taken to get the message across to the administration that time has just about run out on its Indochina policy. In the absence of a public commitment by the Government to a definite and early pullout date, I fear a violent civil explosion in this country, which will make such similar explosions in the recent past seem tame by comparison.

In these circumstances, I cannot, in good conscience, vote for any measure that will facilitate the indefinite continuation of military activities in Indochina by the United States. Therefore, I will vote against an increase in the Federal debt limit.

Mr. **MOLLOHAN.** Mr. Chairman, it is regrettable but necessary that the debt ceiling be raised. However, it is not necessary that we give the Treasury Department carte blanche to start another inflationary spiral of interest rates.

Yet, if we lift the 4½-percent interest rate ceiling on long-term Government debt, that is exactly the effect that will occur. For, if the Federal Government, the safest and largest customer in the bond market, is willing to pay more for the money it borrows, the customers who are not as safe and who borrow fewer long-term funds will be forced to pay more.

And who are the other customers for long-term debt? One is the prospective homebuyer who seeks a 20- or 25-year mortgage. Another is the city that uses a bond issue to build a hospital, or a sewage treatment plant, or a school. Another is the State that uses long-term debt to finance its roads and other public facilities.

In short, the very area of the economy where the money has been the hardest to get is the area where this action would have the greatest impact. Just as the interest rates are about to drop to the point where we can start building houses, the Treasury Department is asking us to move in a direction that will surely push interest rates to a point that will close down the home construction market again. The competition for the funds in the long-term debt market will inevitably limit the funds for schools, housing, sewage treatment, and other vital priorities.

Another problem with this approach is the additional money it will cost the American taxpayer. Secretary of the Treasury Connally estimated that suspending the 4½-percent rate would result in an increase to about 6 to 6⅔ percent on the initial $10 billion. This would mean an additional cost of $200 million annually over the life of the bonds that the Treasury would have to pay in interest costs. Yet, the purpose of the interest ceiling is to insure that the Government does not waste the taxpayers' money by paying unnecessarily high interest rates on its securities.

Now the Federal Government has a debt of more than $400 billion, a bit less than one-fourth of the combined public and private debt in the Nation. Consequently, it is not just another customer in the bond market. It is the major customer. And if the Government starts paying more for its money, there can be no doubt that everyone else will do the same. What more classic case of inflation could there be, for as we know inflation is a situation where you pay more for the same product.

For all three of these reasons—the additional cost to the taxpayer, the competitive impact for long-term debt funds on other governments and the housing market, and the inflationary impact—the Congress should not allow the 4½-percent interest ceiling to be lifted.

Mr. **ANDERSON** of Illinois. Mr. Chairman, I rise in support of HR. 4690, a bill to raise both the permanent and temporary debt limits, and to lift the 4½-percent interest ceiling on $10 billion of long-term Government bonds. I believe that these measures are complementary and for this reason I supported a closed rule in Rules Committee. Though we will nevertheless have the opportunity to vote on these provisions separately today, in my view it would be contradictory and irresponsible to approve the debt limit hike and not provide the Treasury the needed flexibility to finance that added debt.

I can see no reason to believe that the present 4½-percent limitation on long-term bonds is sacrosanct. As Secretary Connally pointed out in his testimony last month, this figure was set at the end of World War I on the basis of current interest levels. Though this restriction has not unduly interfered with debt difficulties in the last 5 years. In fact, since 1965 this limitation has prevented the Treasury from issuing any long-term bonds. As a result the average maturity of the debt has declined during this period from 5 years, 9 months to 3 years, 4 months. Also, the amount of Federal debt of more than 7 years maturity has declined precipitously from $43½ to $17½ billion.

This forcing of Federal debt financing into the short-term end of the market has had a number of quite undesirable results. First, during a period of tight money it helped to drive up interest rates even higher than they would have gone without this heavy Government activity in the short-term market. The justification for the 4½-percent ceiling, of course, is that it will save the taxpayers debt service costs by keeping the Government out of the market when long-term rates are high. However, since 1968 the short-term rate has been consistenly higher than the long-term rate; in early 1969 the spread was well over 1 percent between 20-year and 1-year issues. I cannot claim to know whether in the long run the ceiling on long-term rates does indeed save the taxpayers money. But I do know that the evidence is not as unequivocally clear or obvious as the advocates of the present ceiling would have one believe.

Moreover, there are a number of other consequences of the limit that also need to be considered. First, there is a strong reason to believe that Federal activity in the short-term market helped aggravate competitive pressures on thrift institutions and thus played a part in impairing the flow of funds into the housing market. At a time when we are continually seeking to develop new expedients and programs to help mobilize adequate funds for mortgage financing, one may well wonder whether an obvious starting point is not the Government's own debt management policies. We already have far too many instances in which the left hand of the Government does not know what the right hand is doing, and I can see no reason why we should not make every effort to coordinate the two in this instance.

The heavy reliance on short-term financing also tends to increase the liquidity of the economy in a manner which makes changes in monetary policy more difficult. As Secretary Connally argued before the Ways and Means Committee:

> The large financings imposed by the present debt structure also complicate the task of the Federal Reserve in carrying out its open-market operations or making policy changes at critical times because of the need to avoid disturbing the process of market reception or digestion of such new issues by the Treasury.

Finally, Mr. Chairman, we are not repealing the ceiling completely but only setting it aside for long-term issues up to $10 billion. This should provide opportunity to test whether in fact greater flexibility in long-term financing will improve management of the Federal debt and reduce some of the adverse consequences flowing from the present concentration in the short-term market. There will be ample opportunity for the Congress to reevaluate the change in the near future and take any needed further actions in this difficult area.

Mr. **FASCELL.** Mr. Chairman, while an increase in the debt limit is unavoidable, no substantial case has been made for giving the Treasury Department authority to issue long-term bonds without any limit on the interest that these bonds would pay. There is simply no reason to reverse the longstanding policy of Congress to keep a lid on long-term rates of interest paid by the Government. The gentleman from Texas is to be commended for bringing this matter so forcefully to the attention of the House.

Certainly, we all agree that the national debt must be managed prudently and that due regard must be paid to such matters as the maturity structure of the debt. We cannot, however, allow concern for the techniques of debt management to possibly interfere with important national goals such as increased housing, a return to full employment, and the financing of needed capital improvements by State and local governments.

The current limit of 4¼-percent interest on long-term Treasury bonds has been in effect for more than 40 years. Congress enacted the limit to encourage a general policy of low-interest rates and to avoid the creation of a continuing burden of high-interest payments. Issuance of long-term Federal debt instruments at high rates of interest reduces the flexibility of the Government in the future. It increases the problem faced by future Presidents and Congresses who must pay inordinately large amounts of the Federal budget for interest on the national debt.

Worst of all it increases the burden of the small- and middle-income taxpayer who ends up paying the largest share of the extra billions in interest each year. He is asked to underwrite interest payments on bonds which because they cost a minimum of $1,000 are purchased for the most part only by banks, insurance companies, and wealthy individuals who, as the gentleman from Ohio (Mr. VANIK) has pointed out, can use them to obtain tax advantages in payment of Federal estate taxes.

Is there any compelling reason to change our longstanding policy of encouraging low long-term interest rates? Apparently not. Secretary Connally has stated that there are not any plans at present to issue any long-term bonds at an interest rate in excess of 4¼ percent. We should not give up this minimal congressional control just because the Treasury wants us to.

The Treasury Department has not made a case for removal of the limitation but even if it had, now is simply not the time to do so. Long-term interest rates are now high while short-term rates are considerably below the present 4¼-percent limitation. Thus, for the foreseeable future it appears prudent for the Federal Government to continue to fund the national debt from the short-term market. This also appears consistent with present economic policies. A look at the newspaper shows that a note maturing in February 1972, currently provides a maximum effective yield of 3.51 percent. A bill maturing June 17 yields 3.68 percent. If the Treasury currently issued bonds it would have to pay more than 6 percent annually for the same money. This would hardly seem to be prudent debt management.

If it would be unwise for Treasury to issue bonds paying more than 4¼ percent because it can get the same money for less interest in the short-term market. It would be even more unwise to do so because of the effect it might well have on other parts of the economy. We all know of the crisis in housing yet the authority the Treasury seeks would, if bonds were issued, compete with money available for housing.

The Federal Government would also be competing with State and local governments for long-term financing if it issued high interest bonds. Many States and localities have statutory limitations on the interest they can pay. The long-term market rate of interest has now fallen to the point where these governments can now issue bonds for needed improvements especially sewage facilities encouraged by the Federal Government. Long-term Federal bonds would compete for the same money and more than likely drive States and localities out of the market.

Finally, at a time when unemployment is soaring and we need to stimulate private capital investment the last thing we should do is to have the Government compete in the long-term market for scarce funds. A year ago many corporations faced a liquidity crisis because of pressure on the short-term market. Short-term funds are now relatively ample but funds in the long-term market are still limited. It would not make sense for the Government to compete with industries which are attempting to do what the Government wants them to do.

I hope we will retain the 4¼-percent limitation. It makes long-term sense both from the standpoint of the economy and good government. It makes even more sense in view of the present state of the economy and the financial market.

Mr. SKUBITZ. Mr. Chairman, I shall vote against H.R. 4690, the bill to increase the existing limitation on the public debt to $430 billion. For 8 years I have seen this body make a mockery of the term "debt ceiling." No longer does it serve as a warning to halt and to reappraise our position. Our objective seems to be one of crashing through regardless of the ultimate consequences. As much as I regret finding myself in opposition to the administration and its fiscal experts, I simply cannot countenance by my vote the continual increases in debt limits without at the same time witnessing at least the semblance of an effort made to reduce expenditures.

Frankly, I do not expect to see a dimunition in the debt in my lifetime, but if we are ever to have 1 year of balanced budgets, 1 year when outgo is no greater than income, a beginning must be made in reducing the outgo. The income has about reached its theoretical limit; the tax burden is enormous in most cases for the great mass of middle income taxpayers who are the principal support of this Government. There are, of course, tax inequities. The wealthy and those with special types of income continue to enjoy loopholes—perhaps tunnels through which huge tax wagons can be driven—would be a more apt description. And the poor also, in escaping any taxation at all, are not sufficiently conscious of the tax burden to realize that the more they ask from Government the more that Government must eventually demand from them.

Mr. Chairman, what troubles me is the carefree, unself-conscious manner in which the Congress has, year after year, blithely said "yes", "yes" each time a debt increase was requested. It is regarded, apparently, as one of those inevitable things on which we have no choice.

Of course, we ourselves are in large part responsible. We are the money raisers, the appropriation source. We, in the final analysis, should do the cutting back. Unfortunately as long as there are programs, domestic and international, the budget planners fund them. And we go along. My quarter century working around Capitol Hill tells me that there is fat, a lot of fat, in any budget. I think, for example, of the tremendous cost of our NATO support forces scattered all over Europe 25 years after the end of the war. I think of vast sums for space exploration. There must be several billions of dollars of potential savings in these operations alone that could be shifted to more essential domestic programs that are now being funded with more and more borrowed dollars.

I cannot help pointing out, Mr. Chairman, the legerdemain we go through in legislating the debt limit increase. We assure ourselves by emphasizing that the existing permanent debt limit is $380 billion. Of course, that is not the real figure since 2 years ago we passed legislation that temporarily increased the limit by $15 billion, so that the real and actual debt limit now and until June 30 of this year is $395 billion. Now, in this bill before us, we propose to increase the permanent debt limit to $400 billion, a jump of only $20 billion. But at the same time we propose to increase that old temporary limitation from $15 billion to $30 billion, but running only until June 30, 1972. So when it is all added up, we come out with a $430 billion debt limit, good until June 30 of next year.

Does anyone in this House really believe that in June of 1972 when by law the debt limit falls back to $400 billion we are not going to again fall into line and like sheep do what seems to be necessary to be done? I only hope the proposed $430 billion limitation will be high enough then.

Mr. Chairman, in 20 years the public debt has gone up $129 billion—a sum so astronomical even in these days of moon flights and interplanetary explorations, that it boggles the mind. If we reach this now legislated debt limit by the end of June of 1972, the debt increase since June of 1950 will have been $262 billion.

I include as part of my remarks, two editorials on the public debt that appeared in the February 6 and 22 issues of the El Dorado Times of El Dorado, Kans. The editor, Rolla Clymer, is perhaps the most influential and widely quoted newspaper man in all of Kansas. The people of Kansas, by and large, feel as he does about the public debt.

The editorials follow:

[From the El Dorado (Kans.) Times, Feb. 6, 1971]

A RECKLESS DECISION

President Nixon is now going "to spend the United States into prosperity." He has announced this course with a great flaring of trumpets. For the next two years, he proposes deliberately to run the nation's budgets into huge deficits. The borrowed money, in his book, will help to lift the country into a state of well being, even affluence, and will not feed the fires of inflation. So he says.

For almost forty years—ever since Franklin D. Roosevelt learned about the Keynes doctrine—the attempt has been made to spend the country into prosperity. It has abjectly failed—and one need to look for proof no farther than the national debt nor the morass of difficulties in which the federal government finds itself. Mr. Nixon will share generously with the states the revenues that flow into the national treasury, he says. The goose will hang high and Mr. Nixon, as the architect of this new scheme to play tiddledywinks with the nation's money will be re-elected President—and he and everybody else will overflow with happiness.

We think that Mr. Nixon tried, in a halfhearted sort of way, to hold down the budget deficit of the past two years. His chief stumbling block was the Democrat-controlled Congress which would not let him gain the reputation of being a prudent spender. So he has thrown off all the restraints of the Eisenhower conservatism in which he was suckled as Vice President, and has swung to the other extreme. It is a strange and unlovely performance by a man who is in the public eye as completely as is Mr. Nixon.

Mr. Nixon dearly loves to be President. His fondness for the high office is often remarked by discerning reporters. He likes the sense of power so much that he is willing to barter the nation's precarious finances in an effort to keep him there. And now we have the spectacle before us of a Congress, whose majority is thoroughly saturated with the spend-more policy, trying—in the sacred name of politics—to defeat Mr. Nixon's reckless intentions.

If any reader can gain a sense of gratification and repose out of this present gaudy toe dance in Washington, he is welcome to it.

[From the Eldorado (Kans.) Times, Feb. 22, 1971]

Does Anybody Care?

One of the mysteries to this observer is the abysmal calm with which the public takes the steady escalation of the public debt.

One day last week, the Nixon administration through its Treasury secretary John B. Connally asked Congress for a $40 billion increase in the limit on the national debt to $435 billion. It would be the highest single hike in the debt ceiling since World War II.

The news dispatch explained that Congress asked for the big increase on the ground that deficits already are exceeding predictions and also that it would be wise to provide a debt limit that would hold up through fiscal year 1972, which ends June 22, 1972.

While Congress never fails to provide enough borrowing authority to keep the government operating normally, the dispatch said it appears unlikely that the House Ways and Means committee (to which the request was addressed) would grant enough of a rise over the present $395 billion to take care of a 16-month period. Instead Congress would probably grant a part of the request now and then require the administration to come back for another fiscal accounting within six months to a year.

Among other details in this piece of government business was the statement that while original estimates were for a $1.3 billion deficit, the government will be short more than $18 billion by next June 30.

The reader should be well aware that what we are talking about in this article is Billions—accumulations of dollars that no man can visualize or explain adequately. The plea for a $40 billion lift in the national debt limit is for a sum so vast that none can comprehend its magnitude.

Does anybody in government care about the steady rise in this debt? Does the President ever express any concern about it? Do august senators—who are want to agonize freely over the evils of the Vietnam war—ever indicate any qualms over the rapidly increasing size of that debt? Do our top editorial writers ever give it a thought in the masterly articles they turn out? Do politicians, scrambling for a place in the sun, ever refer to it? Do our candidates for high office ever present any plans by which the trend may be halted and the nation start to pay off some little part of the gigantic sum it owes?

Perhaps this newspaper is gripped by provincialism for ever deploring the steady increase of the debt. In recent years, it recalls no particular outcry against what is to us a tragic error in our government's business practices. Is the business of the government so utterly different from the business principles that men employ? Or do we keep going headlong in our present manner until a huge, unwieldy national debt devours us?

Most honestly, we would like to have a rational answer to some of these questions which so painfully beset us.

Mr. ANNUNZIO. Mr. Chairman, I note that the hearing record contains support for removal of the 4¼-percent ceiling from various bankers and other financial types.

There are some other groups in the country and the information that has come to my office indicates that the consumer, labor, and major rural organizations are opposed to the removal of this ceiling. All of them want section 3 deleted from the bill. Mr. Chairman, these groups include: the AFL–CIO, the UAW, the Cooperative League of the U.S.A., the National Rural Electric Cooperative Association, the Consumer Federation of America, the National Rural Housing Coalition, the National Farmers Union, and the National Council of Senior Citizens.

Mr. Chairman, these organizations represent millions of American workers and consumers and I think it would be well for the Congress to pay attention to their opinions about this attempted interest rate increase.

Mr. HARRINGTON. Mr. Chairman, I find it tragically fitting that the first recorded teller vote in House history will be taken today on an issue that relates directly to our overexpenditure of funds in Southeastern Asia and the inflation which has resulted from our involvement in that sad area of the world.

The House has never examined as deeply as it should the polarization of the country caused by this terrible war, the resulting disgust and frustration felt by so many, many citizens and the fear that the power of the Presidency has gotten out of hand. But today is not the time for that very necessary prolonged discussion.

Rather, I would prefer to concentrate on just one aspect of the Vietnam war—the billions of dollars we have spent so fruitlessly and the resulting budget deficit. The President has requested that the temporary public debt ceiling be increased by $35 billion and that the permanent debt ceiling be increased by $20 billion.

The President has also requested that the Treasury Department be allowed to sell up to $10 billion of long-term securities without regard to the 4¼-percent interest rate ceiling.

If this bill is approved, the temporary debt limit will have been increased by $65 billion and the permanent debt limit will have increased $42 billion under the Nixon administration. The administration states that it needs this increase because the Federal funds deficit for fiscal 1972 is projected to be $23.1 billion.

I commend the President for finally acknowledging and using the Keynesian theory of economics in asking for the debt limit increase. Nevertheless, I cannot in good conscience vote for this increase because I believe that the primary reason for the increase lies in our huge "defense" expenditures in Southeast Asia.

When President Nixon came into office, he promised to do three things: stop the war, curb inflation, and unify the country. He has failed on all three counts.

The debt limit is being increased because Mr. Nixon cannot afford to take care of the country here at home while he wages a war that 73 percent of the American people would like to see ended on a specific date. He has spent too much money in Vietnam, Cambodia, and Laos and has allowed inflation to seriously deplete the consumer's buying power.

The President has gone much too far, however, in his request that the 4¼-percent ceiling on long-term securities be lifted for up to $10 billion worth of securities issued. It is the Treasury Department's view that this ceiling interferes with prudent debt management, impedes Treasury financing and has an adverse impact on financial markets.

However much the Treasury Department may not like this kind of interference, it has overlooked the fact that lifting the ceiling would drive up interest rates, lock the entire Government into high interest rates on long-term Government bonds of 30 to 50 years and allow the Treasury to enter the long-term market in competition with local and State governments. It should be noted that these governments are only now entering the bond market after high interest and tight money prevented them from doing so.

Another danger lies in the fact that lifting the ceiling would allow the Treasury Department to compete for long-term money with the home buyer seeking mortgages as well as discourage businesses from financing long-term projects.

It is beyond me how the President of the United States can display such a lack of elementary economic logic in this case. Clearly, the administration has no idea how to control inflation when it can propose such a preposterous method of bailing itself out of its overseas expenditures.

The Defense Department's budget will be increased by $3.1 billion for fiscal 1972. To lift the interest ceiling would be to support more defense expenditures. I will not do this and I therefore join Representative Patman in his effort to strike section 3 of H.R. 4960, thereby prohibiting an increase in the interest ceiling.

Mr. GONZALEZ. Mr. Chairman, it is strange that Secretary Connally—and his battery of Treasury experts—did not discuss with the Ways and Means Committee the serious impact of long-term Government borrowings—at high interest rates—on local and State governments. Local and State governments, including school districts, are entering the bond markets in growing volume after a long drought created by high interest rates and tight money. Now, the administration proposes that the Federal Government enter this same long-term market, pushing out local governments and stopping thousands of badly needed projects.

If this proposal to eliminate the 4¼-

percent ceiling goes through, there will be hundreds of schoolhouses, water and sewer plants, and urban renewal projects canceled. It is ironical that the Nixon administration—which is proposing revenue sharing with the States—would turn around and suggest something which would sop up the available funds for local and State entities.

The homebuyer—who has suffered mightily in this high interest period—is similarly hurt by the 4¼-percent proposal. The homebuyer is seeking long-term money—25- and 30-year mortgages—and the Federal Government is threatening to siphon off this credit. Certainly, the Congress owes the long-suffering homebuyer more.

Mr. Chairman, long-term borrowings by the Federal Government tend to sop up credit and to dampen economic development. We already have well in excess of 6-percent unemployed and this current proposal, if successful, will drive more people into the unemployment ranks.

Members of the House should realize that long-term savings are in short supply and that the long-term market has a very limited liquidity. When the Federal Government enters the long-term market—particularly in periods of high interest rates—it becomes a vicious competitor with long-term investments which create jobs and which provide funding for schools, jobs, urban renewal, water and sewer plants, and similar projects.

Mr. RUNNELS. Mr. Chairman, I support the gentleman from Texas (Mr. PATMAN) in his plea to defeat the $10 billion exemption from the long-term debt interest rate in effect for these many years.

Questions affecting the entire economy of this Nation deserve the most careful scrutiny. There is all too much wastefulness in the expenditure of the people's money, and certain amount of it is unavoidable. I am sure none of us is entirely free from wastefulness in our own personal finances on occasion. But neither personally, nor as custodians of the public treasury, do any of us want intentionally simply to throw money down a rathole.

That, it seems to me, is very probably what we will be doing if we vote to sustain the committee recommendation. Secretary Connally, in his testimony before the Ways and Means Committee, estimated that interest rates on long-term obligations would be "somewhere in the ballpark of I would guess 6 percent, 6½ percent, in this general range." That is realistic. The long-term bond market is up and rising. High grade corporate bonds are now bringing a full point more than they did a month ago, and the long-term market is, to use an expression, where the action is. By contrast, only yesterday the Washington Post reported that rates on short-term financing are at the lowest point in 7½ years, just over 3⅓ percent on 91-day Treasury bills. In the low-interest short-term market the argument of "better debt management" is not valid. When the Treasury can sell nearly $2 billion in 91-day bills in one offering this week, no one can logically claim that going into the long-term market for locked-in rates of the magnitude cited by Secretary Connally is "better" debt management. Easier, perhaps—rolling over the financing time after time as short-term obligations expire is an onerous task for Treasury people. But that is their job, and that is what we pay them for. In the astronomical amounts required for public debt financing, a tenth, a hundredth, even a thousandth of a percentage point multiplies into vast numbers of dollars. In the current 91-day bill placement of $1.9 billion, the rate drop from last week was only five-hundredths of 1 percent. Yet this tiny fraction resulted in a saving to the Treasury of more than $23,000; if carried forward to an entire year, this would be $95,000.

Or suppose you apply that same tiny five-hundredths of 1 percent to the $10 billion exempted in this proposal, and to a 20-year issue of long-term obligations. The saving would then be half a million dollars a year, or $10 million in a 20-year period, all on just five-hundredths of 1 percent. But if we should get locked in for that same length of time to an interest rate on $10 billion a full percentage point above the short-term rate, the Treasury loss would total $200 million. This is not pocket change, even for these United States. It is taxpayer money. We do not need to add more than we can help to the public debt.

Under the Constitution it is this body, the U.S. House of Representatives, which is entrusted with initiating the taxing process. We have an obligation to preserve that trust by doing what we can to maintain those taxes for useful, not for unnecessary, expenditure. Further, we in the Congress ought to maintain so far as possible, the control of the public purse by maintaining proper checks over the action of the executive branch. When authority needs to be delegated to them, it should be done. But where the authority already delegated is sufficient, where any further delegation would have a potential for abuse that would run counter to the public interest, it should be retained.

The 53-year-old 4¼ percent long-term interest ceiling is indeed a symbol of the demand of Congress for a low-interest policy by this Government. But it is more than a symbol. It is a sufficient grant of authority to the Department of the Treasury, on which there are no restrictions for financing of obligations carrying maturity dates as long as 7 years. Let them manage the public debt in the public interest. If long-term rates drop below 4¼ percent, let them use the long-term market. But if they remain above that figure, let them continue as they have done since 1965 to rely on the short-term market. It is worth noting that Secretary Connally admitted to the committee that in this period the Treasury would not have gone to the long-term market even if the ceiling had been lifted. Further, he expressed the judgment that "within the next several months" rates may decline enough so that "we could issue some long-term bonds at a very favorable rate of interest."

In short, I agree—and having been chairman of the New Mexico State Finance Committee for the past few years and very active in fiscal matters, I have a strong concern or I would not speak out—I agree that the exemption asked by Treasury is unnecessary and unwise. I shall vote against it, and I hope that the majority of this body will agree with me.

Mr. BENNETT. Mr. Chairman, it has been many times said that when Congress comes to the question of raising the national debt limit, it is a question of facing up to what Congress has done with regard to spending beyond the country's means in the past; and that any negative vote, if thoughtfully made on such an issue, can be only a protest.

This is a complicated subject indeed, but it is my present intention to cast a negative vote against this particular rise in the debt limit. Not only because, with the conservative voting pattern that I have cast with regard to Federal expenditures, I feel justified in casting a negative vote against this result of the extravagance of our Government as a whole; but also because the administration, in asking at this time for this tremendous increase in the debt limit, is simultaneously asking that Congress appropriate billions of dollars in a Federal revenue sharing plan that makes little fiscal sense in the present form.

This is not to say that I would not endorse some types of Federal revenue sharing, but I understand that the present administration proposal in this field is simply to appropriate money and turn it over to the local government while at the same time borrowing it at high rates of interest to accomplish this objective.

It would seem to be more logical to approach Federal revenue sharing on the basis of the Federal Government removing itself from certain fields of taxation; or, on the basis of cooperation with local governments with income tax joint operation, as suggested by Chairman MILLS in the recent past.

In any event, I feel that I should cast a negative vote on this measure before us today even if it is nothing more than a protest against the extravagant spending which our country has been experiencing in the immediate past. In saying what I have said on revenue sharing. I say this with an open mind. I am willing to be persuaded; but, as it is now before us, it seems a fiscal mistake.

Mr. WRIGHT. Mr. Chairman, this could be as significant a decision as we shall make in this session of the Congress.

For the last 40 years, the health chart of the Nation's economy has moved graphically and unerringly in inverse ratio to the movement in interest rates throughout the country.

When interest rates have gone up, the economy has contracted and declined. When interest rates have lowered, the economy has expanded.

Certainly this is not the time—now that we have seen a salutary, if inadequate, beginning in the reversal of high interest rates in the private market—to start another round of upward leapfrogging by increasing the interest on the public debt.

It assuredly would be a signal to private lenders throughout the land to increase their interest rates on debts and loans of all types. This would fatally foredoom any effort we might make at stimulating economic revival.

We hear a great deal these days about consumer protection legislation. How anyone can pretend to be fighting for the rights of the consumer and at the same time move in the direction of higher interest rates is utterly beyond my ability to comprehend.

Consumers are also taxpayers. This year they are paying approximately $20 billion in interest on the national debt. This is the second largest item in the entire Federal budget, and it buys us absolutely nothing. That $20 billion does not pave a single mile of road or buy a single brick for a single schoolhouse.

The bill before us would authorize an increase in interest on $10 billion worth of long-term obligations of the Government. An increase of 1 percent in this interest rate would automatically add $100 million annually to the cost of operating the Government, and if we were to assume that the average one of these bonds would be a 30-year bond, it would add $3 billion to the cost of debt service.

But the most devastating effect it could have would be to set the pace for another round of interest rate increases throughout the economy.

Consumers today are inundated by the extortionate price of borrowed money. It is a suffocating burden. It is the cruelest tax of all, because it falls heaviest upon the very people who are least able to afford it—those who absolutely have to borrow money and buy goods on time in order to live.

Last year American consumers paid $17.2 billion in consumer interest payments. This does not count approximately $21 billion additional that they paid in interest on home mortgages.

Thirty-seven billion dollars in interest out of the hard-earned paychecks of American consumers. This alone is considerably more than the total annual cost of the war in Vietnam. It siphons off the buying power of the American public in the most nonproductive way imaginable and brutally reduces the amount of money the public otherwise would have to purchase consumer goods produced by American laborers.

American business—and particularly small business—is suffocated by high interest payments today. Last year American businesses paid some $49 billion in interest payments on debts. To start another round of ever higher interest charges would be like blocking the windpipe through which America's business community must breathe.

In all, the American Nation was burdened last year by a total of some $120 billion of today's excessively high interest charges. If the failing economy is to make it way up the hill to economic revival, this is far too heavy a weight to bear on its back.

If there is to be any economic revival in the country, the movement in interest charges must be down and not up.

Congress has a chance today to exert a profound effect for good or for ill. I urge that we defeat this iniquitous provision and give a clear and resounding message to the President and to the Federal Reserve Board that we will play no further part in the skyrocketing of interest rates in this Nation and that we fully expect both leadership and action from them to bring interest rates back down to a livable level.

Mr. COLLIER. Mr. Chairman, voting to increase the debt ceiling is always a painful responsibility.

It is politically painful because the majority of the taxpayers of this country conclude that support of legislation to give any administration additional borrowing authority represents support of a policy of deficit spending.

Those of us who understand the fiscal operations of Government know better.

We know that the Congress itself, by appropriating funds in excess of tax revenues, has created the need to increase Federal borrowing in the past.

In that regard many of us have been far less prone to support excessive spending bills than others so that the responsibility for deficit spending becomes both a singular and collective responsibility of the legislature.

The real issue facing us today, as has been true 18 times in the past 16 years when we have increased the national debt, is whether or not the additional borrowing authority is necessary in the amount requested.

I cannot believe that any knowledgeable Member of this body does not understand the chaos that would result if we arbitrarily refused to increase the debt ceiling.

We must understand that we must meet good-faith obligations of the Federal Government once they are incurred even though many of us may not have supported the policy of deficit spending in our past actions on the floor of this House.

There are many of us who can say that if every Member of Congress had voted as we have voted over the years we would not be saddled with the astronomical national debt which stood at $278 billion in 1957 when I became a Member of this body.

We all know that it took years of indulging in fiscal imprudence to create the major portion of our present national indebtedness.

And it seriously raises the question as to whether or not statutory debt limitations serve any good purpose in light of the present situation.

For example, our total indebtedness was $49 billion in 1941.

By 1952 it had reached $275 billion and by 1962—$300 billion.

It rose to $358 billion by 1968 when the present administration took office.

The fact of the matter is that we must decide today what is necessary to meet those obligations which the Federal Government has incurred and which must be paid.

And if we are going to do anything about reducing or even maintaining the present level of our national debt, it obviously is going to have to be done by cutting future spending.

Therein lies the answer to fiscal responsibility even though there is the misunderstanding in many quarters that a solution to problems created by fiscal imprudence can be found by the oversimplified act of merely voting against increasing the debt ceiling when we know that we must meet the fiscal obligations which have been incurred solely by the action of this Congress in the past.

Mr. BROYHILL of Virginia. Mr. Chairman, no one who is truly concerned about economy in Government can approach another increase in the national debt ceiling with great enthusiasm. But such a step is absolutely necessary at this time, and I am taking it with that understanding, and with the strong belief that fiscal policies of the present administration will diminish the need for moves such as this in the future.

In a positive sense, of course, the debt ceiling can be viewed as an extremely valuable tool for congressional scrutiny of executive branch spending. By providing a limit on indebtedness, the ceiling acts as a restraint on this spending. However, the tool must be a realistic one. Unless this is the case, it becomes destructive and leads to costly makeshift procedures and serious operating difficulties. And this is the primary reason why the Ways and Means Committee set the temporary debt limit for fiscal year 1972 at $430 billion. We did so because we believed that Treasury estimates justified such action, but we also felt it was desirable to maintain an adequate restraint on spending. It is noteworthy that although the Treasury Department originally requested a temporary limit of $435 billion, it subsequently indicated it could live with the lower figure established by the committee.

Without this increase, the present temporary limit of $395 billion would drop on July 1 to $380 billion. Treasury estimates at that time the debt will be $16.5 billion above that figure. Further, by mid-June of this year the debt will reach a temporary peak of approximately $430 billion. Failure to raise this ceiling would result in serious consequences for this Government. Savings bonds could not be issued and payroll savings plans would be disrupted. And the Treasury cash balance would dissipate quickly. Expiring Treasury bills could not be replaced and the cash balance of the Treasury would soon be exhausted. Once this happens the Government would be compelled to delay full payment of contract obligations—salaries, various loan and benefit programs, and grants to State and local governments. The resulting economic hardship would fall most severely upon areas—such as my district—where there are large concentrations of Federal employees or employees engaged in production under large Government contracts.

In regard to the interest-rate ceiling,

it is important to note that for the past 5 years, because of this unrealistic limitation, the Treasury has been unable to sell securities maturing in more than 7 years. The result has been a concentration of debt financing in a limited sector of the market—short-term securities. Thus, Treasury has been faced quarterly with refunding problems.

Furthermore, the savings and loan associations and mutual savings banks—the backbone of the housing industry—have been hurt because as people realized they could get high interest rates for a short-term maximum security Federal obligation, they withdrew their savings from these institutions. And this has been one of the major factors in skyrocketing interest costs in this field.

It is clear, then, that the interest ceiling should be lifted to the extent recommended by the committee. Otherwise, the Treasury will not have the maneuverability it requires for sound debt management.

Mr. SCHWENGEL. Mr. Chairman, today the Congress is again faced with the perennial problem of whether to increase or not to increase the public debt limit. Some people regard the debt limit as meaningless because Congress is always granting increases in the public debt limit when requested by the President. They say that the executive branch has no regard for the present debt limit when requesting new budget authority in its budget. The Congress grants this authority in the form of appropriations and the executive branch then proceeds to obligate the Government. As Government expenditures increase, more and more they are exceeding revenues. The President must then ask Congress to raise the public debt limit so that the Government can borrow the necessary funds to meet its obligations. This has been the pattern in recent years. The time has come to break this pattern. This legislation can only be meaningful if we agree that we shall not authorize more deficit financing at this time.

Since 1961, the Congress has extended or increased the public debt limit 14 times, from a level of $293 billion to the present level of $395 billion, an increase of 35 percent in the past decade. Again, we are being asked to raise the debt limit by an additional $35 billion bringing the proposed debt limit to $430 billion. This amounts to an increase of $127 billion, 47 percent in just 10 years, from 1961 to the present.

The period of the 1960's is characterized by an accelerating and aggravating inflation coupled with deficit spending; having the Federal Government spend more money than it receives in revenues. This extensive period of deficit financing has served only to intensify the inflation that has crawled into our economy. It is time to bring this inflation under control. It is time for the Federal Government to stop spending more money than it takes in. We cannot continue to let the public debt limit rise year after year.

As I mentioned, the decade of the 1960's has shown a series of Federal Government budget deficits. These deficits are reflected in annual increases in the public debt outstanding. At the end of fiscal year 1960, our total public debt subject to limitation amounted to $286 billion. Presently, as of February 22, 1971, the total public debt subject to limitation was $392.5 billion. This is an increase of $106.5 billion in our public debt outstanding since June 30, 1960. Our debt limit during this period of time has increased by $102 billion. Right now our public debt outstanding is only $2.5 billion below the public debt limit. By March 15, 1971, the public debt subject to limitation is expected to hit $398 billion, $3 billion over the public debt limit. Let us compare this with the end of fiscal year 1960 when our public debt was $7 billion below the public debt limit. Over this period of time the cumulative Federal funds budget deficits have totaled over $100 billion. This is clearly the reason that our public debt keeps rising.

Mr. Chairman, we have not realized a Federal funds budget surplus since fiscal year 1960. In fiscal year 1970, we had a Federal funds budget deficit of $13.1 billion. Revised budget estimates show an estimated Federal funds deficit of $25.5 billion for the end of this fiscal year and an estimated Federal funds deficit of $23.1 billion for the upcoming fiscal year. This totals an estimated deficit of $161.7 billion in just 3 years. It is time to put a halt to this excessive spending. Interest charges alone on the public debt are reaching almost $20 billion annually. This is more than we spent in any 1 fiscal year until World War II. Mr. Speaker, inflation continues to plague the economy. We must bring the economy back into balance. We must bring our budget matters back into balance. It is time to examine Federal Government functions far more critically.

Mr. Chairman, it is time to take a look at our programs. We must start asking ourselves—which programs are necessary, which programs should be terminated, which programs should be initiated, which programs should be postponed, and most importantly, how can we pay for the programs that we deem necessary. We cannot continue spending more money than we take in. This is, of course, the cause of huge budget deficits in recent years. These deficits which continue to aggravate the inflationary pressures in the economy must be halted. We cannot afford to delay any longer. We must critically review all Government programs so that we can fit them within the budgetary resources that are available to our Government.

A recent study by the Tax Foundation, entitled, "Growth Trends of New Federal Programs: 1955–1968" shows the need for a complete examination of all Government programs. The study covers a period of 13 years from fiscal year 1956 to fiscal year 1968. During this time, the total administrative budget doubled and we accumulated a deficit of more than $70 billion, with our national debt increasing by a similar amount.

Let me sketch for you very briefly some of the findings of this study:

Over the 13-year span, there were 112 new Federal programs started. Further, as the report states:

> Of all the programs examined in this study, only one—the accelerated public works program initiated in 1963—has been terminated. However, any "savings" which might have been achieved through termination of that program have been more than offset by the institution of new programs providing increased aids for the same types of public facilities as were financed under the accelerated public works program.

An examination of the report shows that new programs have been started at an accelerating rate. For example, over the most recent 4-year period of the study, fiscal years 1965 to 1968, the total of new programs initiated amounted to 62; this is an average of more than 15 new programs per year. For the preceding 4-year period, fiscal years 1961 to 1964, there were 32 new programs initiated, an average of eight new programs per year. And for the earlier 4-year period, fiscal years 1957 to 1960, there were 15 new programs initiated, an average of almost 4 per year. Thus, we have new Federal programs being started on a progressive basis of 4, 8, 15, for the last three 4-year periods. We cannot afford to continue this pattern.

All of these programs may have had very good and justifiable reasons for supporting them, and under certain conditions could individually have been justified. But, we must look at the total picture and not at individual fragments. With our current fiscal situation, it is imperative that we establish an order of priorities so that we gain the most effective utilization for the overall public good from the limited resources available. I think that it is urgent that we examine each one of the present Federal programs now in existence and reevaluate the goals and objectives for which each program was authorized, determine if the original goals are still valid, ascertain how much and to what degree we have solved the problem for which the program was initiated, try to determine if there is a better alternative approach to solving the problem, weight the value and urgency of one program against all others, and thereby improve the basis for allocating Federal resources.

The task before us as a nation is to evaluate critically all of our programs, strengthen those that are producing the most desirable results, reduce or replace those that are less effective, and eliminate those that are ineffective.

Mr. Chairman, we must find another way to finance new Government programs, I am deeply troubled by our rapidly increasing public debt. I feel that we must evaluate the Federal Government functions. We cannot continue to increase our public debt limit until our economy is brought back into balance. Therefore, I feel that I must vote against the public debt limit and urge my colleagues to do likewise.

Mr. Chairman, I want to make it clear that I am not unalterably opposed to deficit spending as a matter of principle. There are times when the interests of the country can best be served by a deficit budget. And, while it will not offer the President much comfort, I think he is right in his judgment that the present state of the economy is such as to require a deficit budget. However, we must make some firm, long-range plans for dealing with the imbalance between expenditures and revenues. If we approved the increase in the debt limit today, I am afraid we will lose much of the incentive to take that long hard look at our revenues and expenditures. If we just more or less automatically continue to raise the debt limit, we are defeating the very purpose of the debt limit. The limit was established to force us to take those long hard looks at the gap between income and outgo. The increases in the limit have become so regular and so routine that we have completely forgotten and subverted the original purpose of the limit. Incidentally, I plan to do some further research on the original purpose of the debt limit, and will insert the results in the RECORD.

In short, I would be willing to vote for the increase requested by the President if I felt confident that the Congress would in fact, review the programs we have authorized to see if they are all in fact necessary, and likewise to look at our revenues to see if there are other sources available. For example, we may have to seriously consider the value-added tax. Another potential source of income is to be found in our numerous tax loopholes.

We have a long way to go in order to get the Congress in a position to realistically take this "long hard look." Under our present organizational setup it is virtually assured that the Congress will not be forced to deal directly with the problem of the imbalance between revenues and expenditures. We may have to assign one committee jurisdiction and authority to handle the overall budget. That committee would be responsible for reporting legislation to the Congress setting the grand total for the budget and the amounts to be allocated to broad areas. Then the Appropriations Committee would fill in the details within the broad guidelines established by the budget committee. The Ways and Means Committee would be charged with coming up with sufficient revenue to "pay the bill," even if it meant raising taxes.

Mr. SCHERLE. Mr. Chairman—

> The people justly view with alarm the reckless extravagance which pervades every department of the Federal Government; . . . a return to rigid economy and accountability is indispensable to arrest the sympathetic plunder of the public treasury. (Republican National Convention, 1860.)

To the drafters of the party platform quoted in part above, then President Abraham Lincoln wrote:

> This declaration of principles and sentiments . . . meets my approval; and it shall be my care not to violate or disregard it in any part.

The birthday of this illustrious President, which we recently celebrated, should serve to remind us of the relevance of the principles he endorsed so wholeheartedly. The soundness of his reasoning still obtains, but apparently it does not convince the economic advisers of Mr. Lincoln's successor in both capacities, the present head of the Republican Party and occupant of the White House.

In an effort to reverse the rising tide of unemployment by giving the economy a boost, they have chosen the risky course of massive deficit spending. The new budget is roughly $30 billion—or 15 percent—higher than the old. A deficit of $11.6 billion is now anticipated by the administration for fiscal year 1972, but the economic assumptions used to arrive at that figure are, to say the least, optimistic. More conservative estimates of Federal revenues in the coming fiscal year would lead to a more pessimistic conclusion.

That the Treasury itself secretly doubts the accuracy of its official predictions of a drastic upswing in the economy could be argued from the recent request to the Congress for the biggest single increase in the national debt ceiling since World War II. The upper limit on the national debt is apparently an ever-expanding ceiling without a roof. The current restriction now stands at the heady height of $395 billion. The administration's latest request would push it over the $400 billion mark for the first time, to an eye-popping $435 billion. This figure almost equals the total gross national product as recently as 1957. The interest charge for this staggering sum will be $21.2 billion next year. The average net income from a U.S. farm in 1970 was $5,563. On this basis, it would take all the income from more than 3.5 million farms just to pay the interest on the public debt. I intend to vote against this bill.

Mr. RIEGLE. Mr. Chairman, because I was unable to participate in the debate on H.R. 4690, I would like to take this time to discuss my views on the legislation to increase the public debt limit and to remove the 4¼-percent interest rate on long-term Government obligations.

While there has been much discussion concerning the effect on the economy that the removal of the 4¼-percent ceiling on interest rates would have, I think it is essential to point out that the elimination of this ceiling would only apply to $10 billion of the Federal debt. It is consistent with good debt management to increase that portion of the debt placed in long-term bonds. By doing this, we obviate the need for the Federal Government constantly going into money markets to finance short-term obligations and thereby constantly disturbing money markets. In addition, the removal of this ceiling is consistent with my belief that the money market interest rates should be decided on a competitive basis. While several individuals and groups have expressed their opposition to removing this ceiling because of the possible adverse effect on the economy, I am not convinced that retaining the 4¼-percent ceiling would keep interest rates down. In the last year, when the 4¼-ceiling was in effect, interest rates rose to their highest point in a hundred years and destroyed the ability for people to obtain home mortgages and consumer loans.

A far greater impact would be felt on the economy by increasing the debt limitation. It appears to me that the Federal budget will experience a $25 to $30 billion deficit in fiscal year 1972 and that a vote for raising the debt limit in fiscal 1971 will, in essence, result in a $65 billion increase in the debt limit. At this time, I oppose increasing the debt limit because of the consequences it will have on the financial money markets which assuredly will result in increases in interest rates.

In addition, I am opposing the increase in the public debt limit to indicate further that I disapprove strongly with the administration's economic policies which are obviously taking their toll in human as well as economic terms. I question the wisdom of a policy that is causing a high unemployment rate and a stagnated GNP.

And finally, I oppose a $77.8 billion defense budget which goes to finance the ravaging of entire countries in Southeast Asia and the deployment of the ABM system. I feel that it is wrong for the American taxpayer to be saddled with an increased debt when the Government elects to spend its dollars for such imprudent policies.

Mr. RANDALL. Mr. Chairman, when the roll is called, I will reluctantly support the increase in the public debt limit as provided in H.R. 4690. At the beginning I should make it clear I am not a proponent of raising the debt ceiling and I certainly do not relish voting for it. At this time, or perhaps I should clarify these words to say at this point in time about the only responsible course is to be in favor of raising the limit enough to pay the bills we have already created.

One applicable parallel to our present situation would be to say to the merchants in downtown Washington or in our home districts to permit our wives to have merchandise that they wish to purchase on credit and then say to those same merchants when the bills come due—in effect, do not rush me right now. I will pay if I have the money right now and if I do not have you will just have to wait. Such a course might work for a while in our own personal affairs but it will not work with the Federal Government.

I shudder to think what would happen if we say to our deserving veterans who expect their checks the first of every month or to the Federal employees or the millions of social security recipients that they will have to wait to another time to receive their checks. Even if we had to tell the veterans or Government employees and our elderly pensioners there is no money for them this would not be nearly as bad as for the word to go out across the world that the U.S. Treasury is broke and cannot meet any of its bills in the ordinary course of events as they accrue. The truth is that central bankers of other countries all over the world would immediately lose confidence in the United States and immediately demand the gold which is theirs but which has not been called for out of Fort Knox, Ky. In less than 30 days all of our gold would be gone. In short, the United States would be following the course closely akin to suicide.

Now, everyone agrees that sometime before long there must be a showdown on this course of continually increasing the limits on the public debt, or put differently, raising the debt ceiling. But the best way to do that is when we consider authorizations and appropriations. There is probably no better way to describe it than to say a vote against a debt ceiling may appear to be an economy vote but it is not necessarily an economy vote.

It is my considerate opinion we cannot escape by lavish remarks and a lot of oratory. The fact is the money has been voted and has been spent and bills are now coming due and must be paid. If one looks at the report on page 5 it will be found that this increase should be enough to take care of any Treasury obligations or contingencies through March 15, 1972. It may never be wise for a Member of Congress to state without reservation or qualification a course which he will pursue at a future date because matters that come before us are so complex and so constantly subject to change that almost anything can happen in the course of a year. Notwithstanding, it is my present conviction that if the President returns to the Congress in March 1972, and asks for a further increase in the debt limit, my support of the increase at that time will be dependent upon whether or not I can show by recorded rollcall votes that I have opposed authorizations and or appropriations in an amount as great or greater than the debt increase then being sought by the administration.

Put simply, if there has been a series of instances which when totaled up equals or exceeds the increase asked for, then it would seem reasonable that as a Member who had voted against spending he would be justified in also voting against increasing the debt limit.

The above observations are made in the firm conviction that we cannot go on in perpetuity borrowing more then we take in. Some day there must be a day of reckoning. As long as we put off the problem, the worse it may become. But when money has been spent it becomes a fact of life that we must pay the bill. There has been some restraint exercised. The administration asked for $40 billion and it was cut by our committee to $35 billion. Mr. Chairman, I have not had members of my staff total up the dollar amount of authorizations and appropriations I have opposed since the last increase but I shall begin now to keep a careful accounting. No one can say my course is partisan for I have voted to increase debt limits under previous administration. The fact is that I supported raising the debt ceiling last year under the present administration. No, this is not a partisan matter but it may well appear to be the next time the administration asks for another increase.

Mr. Chairman, I cannot support section 3 of H.R. 4690 which provides bonds may be issued at a rate of interest exceeding 4½ percent because our control over the interest rate is one of the few means we have to exercise restraint. It is one check that Congress can use. As I read section 3 in H.R. 4690, if it is adopted, there is nothing to prevent the interest rate from going one, two or three points higher than the ceiling now provided for. I suppose it is conceivable it could go up to 7 or 8 percent and if we do not hold the rate down to 4½ percent as now provided by law, how do we expect to get any measure of restraint across to the people downtown.

Perhaps those voting against this interest increase will be called populists. The facts are if we increase this interest rate we increase the cost of our debt by an untold amount.

I suppose there may exist a belief that people do not understand economics and they do not understand the difference between high- and low-interest cost to the Government. But I am sure that they do recognize the second highest item in the Federal budget today is the interest the Government must pay on its accumulated debt second only to the expenditures for defense. For that reason, Mr. Chairman, I shall oppose section 3.

Mr. RARICK. Mr. Chairman, on March 19, 1969, the Congress, at the President's request, increased the permanent debt ceiling to $365 billion and the temporary ceiling to $377 billion.

On June 3, 1970, the Congress, at the President's request, increased the permanent debt ceiling to $380 billion and the temporary ceiling to $395 billion—authorizing the executive branch to sell U.S. bonds and pledge future tax revenues to that extent.

The debt rose last month to within $1 billion of the $395 billion ceiling. Now we are asked that the ceiling be increased to $435 billion before the end of this month and for the elimination of the 4½ percent ceiling on interest which the Government—that is, the American taxpayer—can pay on long-term borrowing.

In a truly progressive nation the cost of living goes down, not up. In a truly progressive nation, there are not millions on welfare who make a living by exploiting the millions of employed. In a truly progressive nation there is a labor shortage, not millions of unemployed.

The ever spiraling cost of living, the millions on welfare rolls and millions of unemployed caused by huge debts, budget deficits and confiscatory taxes are irrefutable evidence that America is going backward. Initiative is being stifled, the free enterprise system which made America the most prosperous nation on earth is being destroyed, and business, seeking lower taxes and lower costs of production, is being driven to foreign countries.

A nation with the natural resources and the productive capacity of America has never gone financially bankrupt without first suffering moral bankruptcy at the top. The lamebrains, weak sisters, and Keynesians already have plunged the U.S. Government into almost hopeless insolvency. Continued deficits will result in total bankruptcy. Can there be any doubt about the end of the road backward? The deficit financing road is the freeway to total state socialism, known by some as communism.

The answer to the financial morass that our Nation is in is to restore fiscal responsibility, which traditionally has meant a balanced budget, and for the Congress to reassume the constitutional power, which it relinquished in 1913 to the Federal Reserve banking system, "to coin money, regulate the value thereof."

In spite of the fact that a solution to our money system and the national debt is the key to the solution to many ills in our society, there remains widespread apathy and general unconcern regarding the public debt as a national issue.

Because of the complexity of the budget, the machinations of the Federal Reserve banking system, and the staggering size of the debt as well as the publicity and overemphasis given to pollution, sex, pornography, and other problems by the mass media, the average man in the street pays little attention to something made to seem as complicated as the national debt.

Why our Government leaders do not consider the national debt to be one of our most pressing problems to be solved by means other than annually increasing the legal debt limit is open to speculation.

An indication of the administration's cut and dried attitude toward the debt problem is revealed by the fact that only 1 day was set aside for public hearings on something as crucial to the American people and their money as this. It has become a routine matter to spend recklessly in excess of income and simply increase the debt ceiling each year. But it is also inflationary, irresponsible, and immoral.

Still another explanation for this indifference toward the ever-rising national debt is the concept that has been drummed into the consciousness of the American people that the size of the debt does not matter since we owe it to ourselves.

I cannot subscribe to such alien and upside thinking, nor would the people back home if they were given an opportunity to understand what is taking place and how it would affect them. This body at this time has a chance to give notice of its independence by expressing the will of the people to curtail further reckless spending of tax money.

Since it is irrational for me to understand how we can have lower interest rates by removing the interest ceiling from U.S. bonds, I plan to cast my people's vote to retain the interest ceiling and against any increase in the debt limit on final passage of this measure.

Mrs. ABZUG. Mr. Speaker, I rise in opposition to H.R. 4690, the administration's ill-conceived request to increase the public debt limit.

These who would argue that the debt ceiling increase is necessary in order to provide as much money as is needed to run the Government are mistaken. The fact is that the Government today and for a long time has been incapable of representing the American people. The reason the debt ceiling has increased each year is because of a callous unconcern on the part of the Government to the needs of the people. The increase in public debt has come about as a result of an increase in the policy of destruction and the weapons of destruction by this administration and administrations before it. The spending of almost $80 billion of our tax money in a military program each year has created a constant requirement that this President and the Presidents before him come to Congress each year to request an increase in the debt ceiling.

I think it is high time that the Congress of the United States act in opposition to these constant requests by exercising its power over appropriations to make the administration recognize that its policies have got to be changed. I think it is time to prevent the President of the United States from utilizing the Federal tax dollar, in addition to the lives of the people, in an illegal and immoral war in Indochina. I think it is time that we stop spending billions of dollars for missiles, for antiballistic missiles, and MIRV's at a time when the people of this country need housing, health, and education.

There is no guarantee in H.R. 4690 that because we increase the debt ceiling that the people in the cities will, in fact, get any benefit from this fiscal policy in terms of what their human needs really are. They need housing; they need schools; they need a fight against drug addiction; they need mass transit systems; they need universal child-care systems. And all we see is that the largest amount of our tax dollars is constantly poured into a bottomless military drain. H.R. 4690 is not the legislation that will insure any reemphasis of administration money on the needs of the people.

The suggestion that we should remove the 4¼-percent interest rate ceiling on U.S. Government bonds further illustrates the realities of existing priorities in this country, for it is only those in the banks and financial institutions of our country who will benefit from the increased interest. The American people and the Government as a whole can only be further impoverished.

I oppose both the power to increase the interest paid on Government bonds, as well as the increase in the public debt ceiling which the administration seeks in H.R. 4690. I think the time has come for Congress, the men and women on both sides of the aisle, to make clear to the executive branch of this Government that we are going to utilize our power, our power over appropriations and our power over legislation, to prevent and to change the unconstitutional and unauthorized acts of the executive, and I urge this body today to recommit H.R. 4690 for further consideration.

Mr. BYRNES of Wisconsin. Mr. Chairman, I understand there is only one more speaker on the other side of the aisle; so I yield 5 minutes to the gentleman from Michigan, the minority leader.

Mr. GERALD R. FORD. Mr. Chairman, I think there are two very simple issues involved in the votes that will be taken this afternoon. The first and most important issue, of course, is whether or not the Government of the United States is going to be in a position where it can pay its bills.

The question is whether the bills that it owes for the procurement of services or of products can be paid. The question is whether the Government can pay its bills for the compensation of those who work for the Government, whether they are in civilian life or in the military, and whether or not the Federal Government can meet its other obligations. The issue is quite simple: Whether the Government will have sufficient funds on hand as of the end of this month to pay the commitments that we have made to those on social security, those who are receiving benefits in one or another form, one Government program or the other.

If we do not pass a debt increase limitation as recommended by the committee, then our Government will not be able to meet its obligations.

Those who are on the committee, the 25 committee members, 15 Democrats and 10 Republicans, heard the testimony of the various witnesses before that committee, and those members are the best judges of whether or not this legislation ought to be approved.

As I understand it, on that committee only three out of the 25 voted against reporting the legislation. Twenty-two out of the 25 voted for the legislation. They listened to the Secretary of the Treasury, and they had the benefit of the advice and counsel of others who testified.

It bothered me a bit, if I may say—and I am glad the gentleman from Wyoming is here—that he said this debt limitation increase was recommended by entrenched bureaucrats. If the members of the committee will turn to page 11 of the committee report, they will find the following statement cited by six former Secretaries of the Treasury. The statement reads as follows:

> As men who have served as Secretary of the Treasury over a period of more than twenty years and in widely varing economic and financial circumstances, we join in supporting the request of Secretary Connally that the 4¼ percent interest rate ceiling on Treasury bonds be removed. This action is essential to continue orderly management of the Government debt. Failure to remove this outmoded ceiling, with the consequence of forcing disproportionate short-term financing, can become a disruptive influence in credit markets.

I urge the Members to look at the men who have signed that statement. The most recent Secretary of the Treasury, David Kennedy, certainly is no entrenched bureaucrat.

Joseph W. Barr is no entrenched bureaucrat. He formerly served as a Member of this body, and he is presently president or chairman of the board of one of the largest financial institutions in the city of Washington, incidentally a Democrat.

Henry H. Fowler is certainly no entrenched bureaucrat.

Douglas Dillon is about as far as one can get from an entrenched bureaucrat.

Robert B. Anderson is certainly no entrenched bureaucrat.

John W. Snyder is no bureaucrat by any standards.

These men who came from private life have requested and recommended that the committee and this body raise for a limited amount the ceiling of 4¼ percent on the sale of Government obligations and also they favored the increase in the debt limitation. They in one way or another during their terms of office as Secretary of the Treasury recommended debt increases for the very same reason that we have today: to pay our bills.

The other question is whether or not the Federal Government will save the taxpayers money. The committee recommended in section 3 a $10 billion sale of Government securities over and above an interest rate of 4¼ percent in the long-term market.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. GERALD R. FORD. Mr. Chairman, the committee did not make it mandatory that the Secretary of the Treasury sell these securities. The committee in effect has given the Secretary the option to do it. If the bill is approved as it was recommended by the committee, the Secretary will have the opportunity of looking at the money market and making a determination as to whether or not it is better to go in the long-term market or whether it is better to finance our financial needs in the short-term market.

The gentleman from Wisconsin made an argument a minute ago, and in effect he said that if the Patman amendment is approved and this provision is stricken from the bill the Government will stay in the short-term market and therefore save taxpayers money, the inference being if Uncle Sam could go in the long-term market he would crowd out the home buyer. And I believe the gentleman also said it would make it difficult for the automobile purchaser.

In my judgment, if the committee's bill is recommended it will give the Secretary of the Treasury the option to go into either market, but if the amendment is approved and the right to go in the long-term market is precluded then Uncle Sam will have to stay in the short-term market. Who is hurt in the short-term market? It is the individuals who have revolving credit with department stores and with other such organizations, those people who in effect are borrowing from a department store in the short-term area, who will be paying higher interest rates.

The individuals who buy automobiles today are in the short-term money market. If the gentleman's point of view prevails it will cost automobile buyers more to finance their acquisition of automobiles today.

Let me say that it makes far more sense to give to the U.S. Government an option to go where it can best distribute its needs, whether that be long term or short term. If we force the Government to go in one or the other in a mandatory way, I believe we disrupt the money markets very substantially.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. GERALD R. FORD. I am glad to yield to the gentleman from Wisconsin.

Mr. REUSS. I have been listening attentively to the words of the gentleman from Michigan.

I said before and I say again that I would favor a lifting of the ceiling tailored with appropriate language so that Congress preserves its authority and prevents the Treasury from going into the long-term, high-interest market just for the sake of fixing up high-interest, long-term bond programs. **If you draft** a provision which requires the Secretary of the Treasury in his debt management policies to have some concern for the poor old taxpayer who pays $20 billion of interest on that debt every year I will be a leading spear bearer for that kind of amendment, but that is not what we have before us. That is why I am against the Ways and Means provision.

Mr. GERALD R. FORD. It seems to me, in response to the comment of the gentleman from Wisconsin, that we must have some faith in the Secretary of the Treasury, a man for whom I personally have tremendous admiration. He is not a member of my political party. He is serving the United States as well as the President of the United States in a most difficult job. I am convinced, as I think the gentleman from Wisconsin and the gentleman from Texas ought to be, that John Connally, if given this authority, will do what is in the best interest of the Government and of the taxpayers generally.

I do not understand why the gentleman from Wisconsin wants to hamstring him, why he wants to tie him down to a single area in the short-term interest market. By his comments and the way he is going to vote, in effect, I guess that is what he is going to do.

Mr. CAREY of New York. Mr. Chairman, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from New York.

Mr. CAREY of New York. I agree with the statement being made by the minority leader in the well.

I want to point out one more fact as to who is hurt by the Treasury's constant reentry at inopportune times in the short-term market. In that market more and more of the localities and the major cities are not allowed to accumulate long-term debt obligations, but they must borrow in order to meet their day-to-day needs in the major cities. When they are in the short-term market trying to borrow and Uncle Sam has to come in order to finance his short-term obligations, that puts an additional burden on the local municipalities and they suffer very heavily in trying to meet their needs in these major centers. There is just no question about that.

Mr. GERALD R. FORD. I thank the gentleman from New York.

Mr. REUSS. Mr. Chairman, will the gentleman yield to me?

Mr. GERALD R. FORD. I yield to the gentleman from Wisconsin.

Mr. REUSS. If the Patman amendment does not prevail, would not the gentleman from Michigan agree that there is nothing in the world to stop the Secretary of the Treasury from tomorrow seeking to issue an issue of Federal 30-year bonds at 6¾ percent?

Mr. GERALD R. FORD. If the Patman amendment does not prevail, the Secretary of the Treasury, when the bill becomes law and if it is in this form, could go into the market, either short term or long term.

He could finance the way the gentleman from Wisconsin indicated. However, I do not think he will do what the gentleman from Wisconsin says he might do, because it does not appear that that is the best deal for the Government of the United States or for the taxpayers of the United States.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. GERALD R. FORD. Mr. Chairman, in reading the committee report I notice on page 2 that since I have been a Member of the House I think the House has voted on a debt limitation increase 28 times. With two or three exceptions I have supported a debt increase whether it was a Democratic or a Republican President, whether it was one administration or another. The reason is very simple. We get ourselves in the position where because we have voted for appropriations forcing expenditures, the Federal Government has to have leeway to borrow money to pay its bills. If we do not do this today, as we ought to do, then we could have and we undoubtedly will have chaos and confusion at a time when I do not believe it would be in the best interest of the country to have a disruption of financial markets or of the economy as a whole.

Mr. Chairman, I strongly urge Members on both sides of the aisle to oppose the Patman amendment and to vote for the committee bill recommended by 22 out of the 25 members on that committee.

Mr. ULLMAN. Mr. Chairman, to close the debate I yield 5 minutes to the gentleman from Louisiana (Mr. WAGGONNER).

Mr. WAGGONNER. Mr. Chairman and members of the committee, I would like to begin by reading a portion of just one sentence of the statement made by my distinguished friend from Texas (Mr. PATMAN) when he appeared before the House Committee on Ways and Means in opposition to the lifting of the 4¼-percent ceiling which is restrictive and which has a devastating effect on financing the national debt.

When he appeared before the committee Mr. PATMAN had this to say:

> As this committee has recognized in the past and as the Congress has stated time and again, the 4¼ percent ceiling is the principal low-interest symbol—

And the key word there is "symbol"—

> of our Federal Government.

Mr. Chairman, I simply want to point out to my colleagues in the House today that the economy having come to this point in time that this 4¼-percent ceiling is in fact nothing but a symbol because it is impossible now and will be impossible for the future, as it has been since 1965, to sell long-term bonds at a rate of 4¼ percent or less.

What we are doing now almost every Member of this House has voted in principle to do on other legislation. I do not think that there are many Members in this House who voted against raising the interest rate ceiling for FHA and for VA-insured homes when they could not get the money under the prescribed interest rate limitation. The interest rate went up and now it is coming back down.

If you believe, as I believe, that in financing the debt of the Federal Government long-term money often is cheaper than short-term money, then you can vote to lift this ceiling to the extent this legislation recommends.

If you have a copy of the hearings and will turn to page 5 when Secretary Connally was talking with the committee, he pointed out—and these are actual facts—that the average maturity has declined since 1965, when we were no longer able to sell long-term bonds because of the 4¼-percent ceiling, from an average maturity of 5 years and 9 months in June 1965, to 3 years and 4 months now. The amount of those long-term bonds outstanding has decreased from $43.5 billion to $17.5 billion.

Mr. Chairman, there is not anything at work here but supply and demand. Most of you people are old enough to have gone through some of the depression and you know that no depression that ever follows another depression ever gets as low as its predecessor. In other words, you never quite drop back as far following a depression in the preceding years.

The same thing is also true with reference to interest rates. How far in the forseeable future will it be before we are able to sell any long-term bonds under the 4¼-percent ceiling?

So, the only thing that the Secretary and the administration have asked for is the authority, when and if a favorable interest rate for the marketing of long-term bonds becomes available, so that they in their discretion will be allowed to experiment, so to speak, and to sell those bonds to the extent of $10 billion.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLS. Mr. Chairman, I yield 5 additional minutes to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Chairman and my colleagues of the House, I know that those of you who are on my side of the aisle, the Democratic side of the aisle, have a vested interest in low interest rates, and I share that with you, but let me point out to you that the man who occupies the White House now has in his wisdom chosen an outstanding Democrat as his Secretary of the Treasury. It is not the President's neck that is out, if the marketing of long-term bonds is not accomplished under this authorization, but it is going to be Secretary Connally who is going to have to account for the failure if, indeed, there is a failure on his part. And the Secretary has assured the committee that only if favorable conditions come into being will he market any portion of this $10 billion of bonds that will be made available to him. He is not going to dump $10 billion worth of bonds on the market at any one time. It is only if favorable rates come into play that he will market any of these bonds, and he is going to have to be accountable for his stewardship.

My friends, managing the national debt is not the business of the U.S. Congress. This requires technical professionals to accomplish. There are people in the Treasury charged with this and I think we ought to let them shoulder this responsibility.

Mr. MILLS. Mr. Chairman, will the gentleman field?

Mr. WAGGONNER. I am happy to yield to my chairman.

Mr. MILLS. Mr. Chairman, I appreciate my friend, the gentleman from Louisiana (Mr. WAGGONNER) yielding.

Mr. Chairman, I think there is one other important fact we should bear in mind about this whole matter, and that is, in addition to what the gentleman from Louisiana has said about assurances given us by the Secretary of the Treasury, there is no doubt in the minds of the members of the committee, insofar as I know, but what the Secretary of the Treasury and other spokesmen of the administration will be back before the Committee on Ways and Means not later than this time next year looking for a further increase in the debt ceiling for the remainder of fiscal year 1972, and perhaps for all of fiscal year 1973.

Therefore not only will our committee have a chance to look at the particular proposition involved in section 3 at that time, but I can assure all of the Members that I am going to stay in constant contact with the people in the Treasury to see to it that they do not make use of the authority granted by section 3 except when it would be completely and totally in the public interest to do it.

Mr. WAGGONNER. Mr. Chairman, what the distinguished chairman of the Committee on Ways and Means has said is exactly right. Let us give the Treasury some discretionary authority, and only a limited amount of discretionary authority, requiring them to account for their stewardship. If they can market long-term bonds at a more favorable interest rate than we are presently marketing short-term bonds, then we will have accomplished our purpose. We will have saved the taxpayers dollars and interest on the public debt, and the taxpayers will be ahead.

So I think there is something to gain by letting the Treasury see whether or not they can prove their point. I believe they deserve this opportunity.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from Ohio.

Mr. VANIK. Will the gentleman agree that past experience indicates that when there is high-interest paper issued by the Government, that it usually finds its way into the commercial banks, and is unavailable to the public? The high-interest-bearing certificates have found their way generally into the commercial banks.

Now, this was done by the predecessor Secretary of the Treasury.

I would disagree with the gentleman that he has the history to back up this type of hope.

When it came to the trust funds, the trust funds seem to have carried an average interest yield of 4⅓ percent. He does not mean that these high interest securities would find their way into the trust fund instead of finding their way into the commercial banks?

Mr. WAGGONNER. I believe the gentleman is mistaken about the interest rate paid on moneys borrowed from the trust funds; that interest is at the rate of short-term borrowing.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MILLS. Mr. Chairman, I yield 3 additional minutes to the gentleman from Louisiana.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman.

Mr. MILLS. Mr. Chairman, the last time I checked, I think it was last week or the week before, I will say to my friend, the gentleman from Ohio, the average rate of interest being paid by the Treasury was around 5¾ percent—and if there were any borrowings from the trust funds at that time—and I do not know whether there were or not—but had there been, the law would have required that the Treasury pay 5¾ percent on those issues from the trust funds.

Mr. WAGGONNER. That is my understanding, also. The law requires that money borrowed from the trust funds be paid an interest rate which is equal to that paid on short-term borrowings. So what the gentleman said is correct.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman.

Mr. VANIK. I agree that a higher rate of interest is being paid on the borrowings today, but the average rate is still around 4⅓ percent because during the time when the 8-percent certificates were issued, they did not get them to the public.

Mr. WAGGONNER. In years gone by, the average rate was considerably lower than at present but not under today's marketing conditions—the rate being paid on new trust fund issues is well over 5 percent.

Mr. VANIK. But the average rate is still about 4⅓ percent.

Mr. MILLS. The average rate of interest on the amount of long-term bonds outstanding now, $17.5 billion, is somewhat more than 3 percent. But the interest rate that must be paid on new issues of Government securities is generally higher than that today because interest rates generally are much higher.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman.

Mr. BYRNES of Wisconsin. Mr. Chairman, while we are on this, I think it might be helpful for the gentleman from Ohio and other Members who are interested in this to look at the summary of the public debt and guaranteed debt outstanding as of January 31, 1971, which is on page 5 of the daily statement of the U.S. Treasury, and you will find there the various issues and the amounts held by the old-age and survivors insurance trust fund. Just as an example, there are $2 billion of 7½'s, $4 billion of 6⅛'s, $5 billion of 7⅝'s, $3 billion of 6½'s, and so on.

So there may be some of the high-interest rate certificates—there is no question about that.

Mr. VANIK. When the 8-percent notes went on the market, they went to the commercial banks and not to the trust funds. That is the very point I am making.

Mr. MILLS. That is not the fault of the Treasury. The rate is not fixed by law—except that the Treasury in borrowing from trust funds has to pay a rate of interest equal to the average rate then being paid by the Treasury.

The CHAIRMAN. Are there any further requests for time?

Mr. MILLS. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Under the rule, the bill is considered as having been read for amendment.

The bill is as follows:

H.R. 4690

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 21 of the Second Liberty Bond Act (31 U.S.C. 757b) is amended by striking out "$380,000,000,000" and inserting in lieu thereof "$400,000,000,000".

SEC. 2. (a) During the period beginning on the date of the enactment of this Act and ending on June 30, 1972, the public debt limit set forth in the first sentence of section 21 of the Second Liberty Bond Act shall be temporarily increased by $30,000,000,000.

(b) Effective on the date of the enactment of this Act, section 2 of Public Law 91–301 is hereby repealed.

SEC. 3. The first section of the Second Liberty Bond Act (31 U.S.C. 752) is amended by adding at the end of the second paragraph the following new sentence: "Bonds herein authorized may be issued from time to time at a rate or rates of interest exceeding 4¼ per centum per annum, but the aggregate face amount of bonds issued pursuant to this sentence shall not exceed $10,000,000,000.".

The CHAIRMAN. No amendments are in order to the bill except amendments offered by direction of the Committee on Ways and Means, or an amendment to strike out section 3 of the bill.

Are there committee amendments?

COMMITTEE AMENDMENT

Mr. MILLS. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, after line 9, insert:

"SEC. 4. (a) Effective with respect to obligations issued after March 3, 1971, the following provisions of law are hereby repealed:

"(1) Section 14 of the Second Liberty Bond Act (31 U.S.C. 765); and

"(2) Section 6312 of the Interior Revenue Code of 1954 (relating to payment by United States notes and certificates of indebtedness), and the item relating to such section 6312 in the table of sections for subchapter B of chapter 64 of such Code.

"(b) The Second Liberty Bond Act is amended by adding at the end thereof the following new section:

"'SEC. 27. In the case of obligations issued after March 3, 1971, under this Act or under any other provision of law, the terms and conditions of issue shall not permit the redemption before maturity of such obligation in payment of any tax imposed by the United States in any amount above the fair market value of such obligation at the time of such redemption. This section shall not apply to any Treasury bill which is issued under the authority of section 5'".

Mr. MILLS (during the reading). Mr. Chairman, I ask unanimous consent to dispense with further reading of the amendment and that it be printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. The gentleman from Arkansas is recognized for 5 minutes.

Mr. MILLS. Mr. Chairman, I shall not take the 5 minutes.

Mr. MILLS. Mr. Chairman, I point out to the Committee that this amendment is considered with provisions of present law which permit the payment of taxes for Federal obligations based upon the par or face value of obligations, even though the obligations have not yet matured. The effect of this is to permit the payment of taxes, not just estate taxes, but taxes generally, with an obligation which has a current market value of less than the par value.

Mr. Chairman, the committee decided, after discussion with others, including the gentleman from Wisconsin (Mr. Reuss), that now is the time to change this situation, not merely with respect to estate taxes, but generally.

Therefore, the committee amendment provides that, in the case of obligations issued after today, the terms and conditions of the issue are not to permit the redemption before maturity of the obligation in payment of any tax imposed by the United States in an amount above the fair market value of the obligation at the time of the redemption.

This applies across the board with one minor exception. It does not apply to Treasury bills which are issued for periods of less than a year. The discount here is very minor and the advantage made available is not for more than 6 days of interest. If we did not allow the payment before maturity in these cases it would present difficult financing problems for the Treasury since they allow Treasury bills to be used as payment of taxes in order to even out the flow of cash in the Treasury. As you know, the Treasury receives large payments after the 15th of March, April and June in the period between the 15th and the 22d of these months. This simply permits the issuance of Treasury bills which mature on the 22d of these months to be used as payment of tax on the 15th. In any event, since these are auctioned off in the market and since about one-quarter of them are used for payment of tax, it would appear that this 6-day shorter maturity period undoubtedly is a factor in arriving at the price at which the bonds sell in any case.

In any event, even though I wanted to spell out this minor exception clearly, it does not go to the problem raised in connection with this bill. In fact, it does not even go to the payment of estate taxes.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. PATMAN

Mr. PATMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Patman: Strike out section 3 of the bill (page 2, lines 3 through 9).

The CHAIRMAN. The gentleman from Texas (Mr. Patman) is recognized for 5 minutes in support of his amendment.

Mr. PATMAN. Mr. Chairman, removal of this ceiling—under the guise of this $10 billion back door scheme—would reverse the trend toward lower interest rates and saddle the American public with another round of tight money and high interest rates. The trend toward lower rates is just beginning to trickle down to the consumers. Now, the administration—through its Secretary of the Treasury, John Connally—proposes that the Congress go along with an ill-timed scheme to wipe out the 4¼-percent ceiling.

The administration's move stems from the belief that the people have a short memory. The administration believes that the American people—now that interest rates have begun to decline—will forget about the hardships of 1969 and 1970 when interest rates rose and hung at the very highest levels ever recorded in the history of this Nation. The administration believes it can sneak this legislation through the Congress while the people are deceived into thinking that we are headed toward a low-interest policy.

Mr. Chairman, the American people are not so easily deluded. The people well remember the disastrous effects of the high-interest charges of 1969, and millions are still suffering from the consequences of these high-interest policies. The American people know that the 4¼-percent ceiling is a congressional mandate for low interest and they will not be fooled with high-sounding phrases about debt management. This House should overwhelmingly reject the effort to remove the 4¼ percent from the statute books and thereby vote against high interest. The people are demanding we vote this way. They are tired of high interest and tight money.

Mr. MILLS. Mr. Chairman, I rise in opposition to the amendment.

In response to the argument made by my long time and dear friend, the gentleman from Texas, for whom I have a very warm feeling of respect and admiration, let me point out what the facts are. Contrary to what the gentleman says, we are not proposing in this bill to repeal the 4¼-percent interest rate. That was the recommendation of the administration. The Ways and Means Committee members declined to go along with that recommendation. But the members of the committee—22 to 3, in fact—felt that there were sufficient grounds to create an experimental laboratory to the extent of $10 billion out of $430 billion of Government obligations, to determine just what would happen in there could be bonds issued now by the Government without regard to the 4¼-percent level. But anyone who says that this is the administration's proposal is just not aware of what has taken place. This is a Ways and Means Committee proposal—not the administration's.

What we want to do is to get some facts. I do not know, and I do not think anybody else knows, what would be the effect upon the total situation if the Government would borrow some money at, say, 5 or 5½ percent for a long period—more than 7 years. If there is anybody who knows, he knows far more about it than I am able to find out—but let us look to see just what the situation is.

Perhaps the best thing that I can do now is to take up the charges which have been made and try and show you that there really is no basis for them.

First, it is said that the removal of the 4¼-percent ceiling will drive up all interest rates in the economy and signify the end of the trend toward lower interest rates. This ignores completely the fact that whatever the interest rate ceiling may be the amount of borrowing by the Federal Government is going to be the same. The only question is whether we borrow on a short-term basis or a longer term basis the same amount of money. As a result, whatever the pressure is of the public borrowing on the money market, it will be the same in either case—it just has to be.

The only question is shall all of that pressure be on the short-term debt which has no interest ceiling or shall we achieve some balance by spreading the pressure of the public debt between long-term and short-term interest rates. I should also say at this time that the Secretary of the Treasury has indicated that he will not use the additional authority given him under this act in any way which will slow up the decline which has occurred in long-term interest rates. The Secretary has specifically promised your committee that he would not do so. In fact, he said that had he had the authority to issue long-term securities in the past several months and had he then been Secretary of the Treasury, he would not have done so because of his concern for interest rate levels. I am sure that we can depend upon him to exercise sound judgment in this regard.

Second, the interest rates that you do obtain in the long-term area relieve pressure on short-term interest rates. As a result, even though the long-term rates that must be paid are somewhat higher than the short-term rates, it is important on occasion to take pressure off the short-term rates and often taking this pressure off and permitting the short-term rate to go down in this manner is very significant to the Federal interest costs. Since we have so much more invested in short-term obligations than in long-term obligations, a slight decline in interest costs here in terms of total interest costs is much more significant than a larger interest cost for the long-term debt. After all, of the approximately $400 billion of debt at the present time all but about $17½ billion of it is invested in short-term obligations. You can see from this that a somewhat lower rate is far more significant to us in term of short-term obligations than in the case of long-term obligations when we are looking at interest costs. These interest costs presently amount to about $20 billion a year so they are no insignificant item for our consideration.

Third, it is suggested that removal of the 4¼-percent interest ceiling on long-term Government bonds will allow the Treasury Department to enter the long-term market in competition with State and local governments. Any charge of this type simply is based upon a misunderstanding of the money market. The market for tax-exempt State and municipals is entirely different from the market for taxable Federal bonds.

Still another charge made is that the interest rate ceiling will allow the Treasury Department to compete for long-term money with the homebuyer seeking 25- and 30-year mortgages. Again, there is a misunderstanding of the money market. Even though the mortgages of the homebuyer may be for 25 or 30 years, in no small part they are financed from deposits of institutions like the savings and loan associations or the mutual savings banks. The deposits in these associations or banks, although technically not withdrawable on demand, in practice are and their main competition, therefore, is in the interest rate paid on short-term Government obligations. If there is any doubt in your minds as to the truth of this I refer you to the fact that these savings institutions have urged the committee to remove the interest rate ceiling on Federal bonds.

Let me again point out to you that the committee bill does not take off the 4¼-percent ceiling on long-term obligations. Instead it provides a very limited amount to test the Treasury statements that more flexibility in debt management by permitting some investment in long-term obligations will actually lower interest costs to the Federal Government. If the Treasury is right, and all six living former Secretaries of the Treasury, of both parties, think the Treasury is correct, then a vote against the experiment that the committee action would allow is actually a vote for higher interest costs.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I am glad to yield to the gentleman from Maryland.

Mr. LONG of Maryland. We all will recall the story of King Canute, who went down to the water's edge and ordered the waves to stand back. Is it any more possible to keep interest rates down by law than it is to order the waves to stand back?

Mr. MILLS. It is utterly impossible to do, and we have been trying to do it for years by preserving the 4¼-percent rate. It has been a total failure, as my friend from Maryland knows.

I would hope the committee would see fit to go along with the Ways and Means Committee and vote down this amendment.

The CHAIRMAN. For what purpose does the gentleman from Indiana (Mr. MADDEN) rise?

Mr. MADDEN. Mr. Chairman, I rise in support of the amendment.

POINT OF ORDER

Mr. MILLS. Mr. Chairman, a point of order. The rules does not provide for longer than 5 minutes of debate for the amendment and 5 minutes of debate against the amendment.

The CHAIRMAN. The gentleman's point of order is sustained.

The question is on the amendment offered by the gentleman from Texas (Mr. PATMAN).

TELLER VOTE WITH CLERKS

Mr. PATMAN. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. PATMAN. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered.

Mr. MILLS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. If the gentleman will withhold his parliamentary inquiry for a moment the Chair believes this matter will be cleared up to his satisfaction.

The Chair desires to make an announcement. The Clerk will proceed to read the announcement which was made last week by the Speaker of the House (Mr. ALBERT).

The Clerk read as follows:

RECORDED TELLER VOTES

As Members are aware, the Legislative Reorganization Act of 1970, and H. Res. 5 of this Congress, agreed to on January 22nd, added an amendment to Clause 5, Rule 1 of the Rules of the House. This amendment provides for a *Recorded Teller Vote.*

The Chair has given careful consideration to the new rule and has discussed the procedure to implement it with other Leadership Members. Until electronic voting becomes a reality the method thought best for taking a recorded teller vote is as follows:

First, tellers must be ordered on a question by at least one-fifth of a quorum, or by the Chair, if he remains in doubt after a division vote.

Second, after tellers have been ordered, *but before they are named by the Chair,* a separate demand for tellers with clerks is in order. When such a demand is made, the Chair will put the question by asking those in favor of taking the vote by tellers with clerks to rise and remain standing until counted. At least one-fifth of a quorum must support this proposition to order a recorded teller vote.

If tellers with clerks are ordered, the Chair will name four member tellers, two from each side of the question. The Chair will designate the aisle adjacent to the center aisle and to the Chair's left as the aisle for "aye" votes, and the corresponding aisle adjacent to the center aisle to the Chair's right as the aisle for the "no" votes.

Two member tellers, one from each side of the question, will take their places in the "aye" aisle toward the rear of the Chamber, and the other two member tellers will take their places in the "no" aisle toward the rear of the Chamber.

Two ballot boxes will be used. One marked "yea", with green trimming: the other marked "no", with red trimming. These boxes will be placed on seats along the "aye" and "no" aisles, respectively, immediately adjacent to the two member tellers who have positioned themselves along those aisles. One Tally Clerk will stand behind each of the boxes.

Green "aye" and red "no" cards will be available in the cloakrooms and in the well of the House. These cards will have spaces for the Member to fill in his name, State and District.

The Chair will state: "Members will pass between the tellers, be counted, and recorded." Members desiring to vote in the affirmative will proceed from the well up the "aye" aisle and, as counted by the Member tellers, will give their green "aye" card, properly filled in, to the "aye" Tally Clerk, who will, after examination, place it in the green ballot box.

Members who wish to be counted against the proposition will at the same time proceed from the well up the "no" aisle between the member tellers and, as they are counted, will hand the filled-in red "no" card to the second Tally Clerk who will, after examination, place it in the red "no" box. The member tellers will report to the Chair when all Members have been counted and have handed in their ballots.

To avoid confusion in the well, the Chair asks that Members obtain and fill in the appropriate green or red card in advance of the recorded teller vote, if possible.

After the "no" vote is reported, Members who arrive within the allotted time—which under the rule must be at least 12 minutes from the naming of tellers with clerks—will be permitted to fill in the card, be counted and recorded. No Member will be counted unless, at the time he passes between the member tellers, he hands a filled-in card to one of the two Tally Clerks.

The Chair will then announce the vote, but not before the expiration of at least twelve minutes from the naming of tellers with clerks, nor until the Chair ascertains that no further Members are present who desire to be recorded.

Immediately after the Chair has announced the vote and before any further business is conducted, Members wishing to be recorded as "present" will announce their presence to the Chair.

The names of Members voting in the affirmative, in the negative, those recorded as "present", and those not voting will be printed in the Journal and in the Congressional Record.

One bell and light will signal that tellers have been ordered.

Two bells and lights will indicate that a recorded teller vote has been ordered and is in progress. This second signal should be distinguishable from a two bell and light roll call vote because it will come very shortly after the one bell and light teller vote call.

The first signal—for tellers—(one bell and light) will be repeated at the end of five minutes. And, after a brief pause, the second signal—for recorded tellers—(two bells and lights) will also be repeated. At this point Members will be on notice that the recorded teller vote could be closed in seven minutes.

PARLIAMENTARY INQUIRY

Mr. WAGGONNER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WAGGONNER. Mr. Chairman, utilizing the procedure just set forth in the Chair's announcement, am I correct in assuming that if a Member wishes to support the amendment of the gentleman from Texas, (Mr. PATMAN), he will utilize the green card marked "aye"?

The CHAIRMAN. The gentleman is correct.

Mr. WAGGONNER. Likewise, if he wishes to support the position of the gentleman from Arkansas, the chairman of the Ways and Means Committee, he will vote "no", utilizing the red card marked "no"?

The CHAIRMAN. The gentleman is correct.

PARLIAMENTARY INQUIRY

Mr. PATMAN. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. PATMAN. It is my understanding that those voting the green card will vote on the other side of the aisle, and those voting the red card on this side of the aisle?

The CHAIRMAN. The Chair would

like to inform the gentleman that that announcement will now be made.

The Chair appoints the gentleman from Texas, (Mr. PATMAN), and the gentleman from Wisconsin, (Mr. BYRNES), as tellers to count the "aye" votes, and the gentleman from Kentucky, (Mr. WATTS), and the gentleman from Wisconsin, (Mr. REUSS), as tellers to count the "no" votes.

Tellers and clerks will take their places.

The Members will use the aisle to the left of the center aisle and the aisle to the right of the center aisle. Those in favor of the amendment will proceed up the aisle to the Chair's left and pass between the tellers to be counted and recorded. Those opposed to the amendment will pass up the aisle to the Chair's right side and pass between the tellers, and be counted and recorded.

The committee divided.

The CHAIRMAN. The 12 minutes provided under the rule has expired.

The Chair votes "no" and sends his ballot to the tellers to be counted.

The tellers reported that there were—ayes 181, noes 212, not voting 39, as follows:

[Recorded Teller Vote No. 1]

AYES—181

Abourezk
Abzug
Adams
Addabbo
Albert
Anderson, Calif.
Anderson, Tenn.
Annunzio
Aspin
Badillo
Baring
Barrett
Begich
Bennett
Bergland
Biaggi
Blanton
Blatnik
Bogg
Brademas
Brasco
Brinkley
Brooks
Burke, Mass.
Burlison, Mo.
Burton
Byrne, Pa.
Caffery
Carney
Casey, Tex.
Chappell
Chisholm
Collins, Ill.
Collins, Tex.
Conyers
Cotter
Crane
Culver
Daniels, N.J.
Danielson
Dellums
Denholm
Dent
Derwinski
Dingell
Donohue
Dow
Drinan
Dulski
Eckhardt
Edmondson
Eilberg
Evins, Tenn.
Fascell
Flood
Ford, William D.
Fountain
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gaydos
Giaimo
Gibbons
Goldwater
Gonzalez
Grasso
Gray
Green, Oreg.
Gross
Haley
Hall
Halpern
Hamilton
Hanley
Hansen, Wash.
Harrington
Hawkins
Hechler, W. Va.
Helstoski
Henderson
Hicks, Mass.
Holifield
Howard
Hungate
Ichord
Jacobs
Johnson, Calif.
Jones, Ala.
Karth
Kastenmeier
Kazen
Kluczynski
Koch
Kyros
Leggett
Link
Lujan
McCormack
McFall
McKay
McMillan
Macdonald, Mass
Madden
Mann
Matsunaga
Mazzoli
Meeds
Melcher
Mikva
Miller, Calif.
Minish
Mink
Mitchell
Morgan
Moss
Nedzi
Nix
Obey
O'Hara
O'Neill
Patman
Perkins
Pickle
Pike
Podell
Price, Ill.
Pucinski
Randall
Rangel
Rarick
Rees
Reuss
Rodino
Roe
Rogers
Roncalio
Rooney, Pa.
Rosenthal
Roush
Roy
Roybal
Runnels
Ryan
Sandman
Sarbanes
Scheuer
Schmitz
Schwengel
Scott
Seiberling
Shipley
Sikes
Sisk
Smith, Iowa
Snyder
Staggers
Stanton, James V.
Steed
Stratton
Stubblefield
Sullivan
Symington
Taylor
Thompson, Ga.
Thompson, N.J.
Tiernan
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
White
Wilson, Charles H.
Wolff
Wright
Yates
Yatron
Zablocki
Zwach

NOES—212

Abbitt
Abernethy
Alexander
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Archer
Arends
Ashbrook
Ashley
Aspinall
Baker
Belcher
Bell
Betts
Biester
Boland
Bolling
Bow
Bray
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Byrnes, Wis.
Byron
Cabell
Camp
Carey, N.Y.
Carter
Cederberg
Celler
Chamberlain
Clancy
Clausen, Don H.
Cleveland
Collier
Conable
Conte
Corbett
Corman
Coughlin
Daniel, Va.
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Dennis
Devine
Dickinson
Dorn
Downing
Duncan
duPont
Dwyer
Edwards, Ala.
Erlenborn
Esch
Eshleman
Evans, Colo.
Findley
Fish
Fisher
Flowers
Flynt
Ford, Gerald R.
Forsythe
Frelinghuysen
Frenzel
Frey
Fulton, Pa.
Garmatz
Goodling
Griffiths
Grover
Gubser
Gude
Hagan
Hammerschmidt
Hansen, Idaho
Harsha
Harvey
Hastings
Hébert
Heckler, Mass.
Hicks, Wash.
Hillis
Hogan
Horton
Hosmer
Hull
Hunt
Hutchinson
Jarman
Jonas
Jones, N.C.
Keating
Kee
Keith
Kemp
King
Kuykendall
Kyl
Landgrebe
Landrum
Latta
Lennon
Lent
Lloyd
Long, La.
Long, Md.
McClory
McCloskey
McClure
McCollister
McDade
McDonald, Mich.
McEwen
McKevitt
McKinney
Mahon
Mailliard
Martin
Mathis, Ga.
Mayne
Michel
Miller, Ohio
Mills
Minshall
Mizell
Monagan
Montgomery
Moorhead
Morse
Mosher
Murphy, N.Y.
Natcher
Nelsen
Nichols
O'Konski
Passman
Patten
Pelly
Pepper
Pettis
Peyser
Pirnie
Poage
Poff
Preyer, N.C.
Price, Tex.
Quie
Quillen
Railsback
Reid, Ill.
Reid, N.Y.
Rhodes
Roberts
Robinson, Va.
Robison, N.Y.
Rooney, N.Y.
Rousselot
Ruppe
Ruth
Satterfield
Scherle
Schneebeli
Sebelius
Shoup
Shriver
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Spence
Springer
Stafford
Steele
Steiger, Ariz.
Steiger, Wis.
Stuckey
Teague, Calif.
Teague, Tex.
Terry
Thomson, Wis.
Thone
Vander Jagt
Veysey
Waggonner
Wampler
Ware
Watts
Whalen
Whalley
Whitehurst
Whitten
Widnall
Wiggins
Williams
Winn
Wyatt
Wydler
Wylie
Wyman
Young, Fla.
Young, Tex.
Zion

NOT VOTING—39

Bevill
Bingham
Blackburn
Clark
Clawson, Del
Clay
Colmer
Delaney
Diggs
Dowdy
Edwards, Calif.
Edwards, La.
Foley
Fraser
Gettys
Green, Pa.
Griffin
Hanna
Hathaway
Hays
Johnson, Pa.
Jones, Tenn.
McCulloch
Mathias, Calif.
Metcalfe
Mollohan
Murphy, Ill.
Myers
Powell
Pryor, Ark.
Purcell
Riegle
Rostenkowski
St Germain
Saylor
Stanton, J. William
Stephens
Stokes
Talcott
Wilson, Bob

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. NATCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 4690) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes; pursuant to House Resolution 259, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. GIBBONS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 228, nays 162, not voting 42, as follows:

[Roll No. 16]

YEAS—228

Adams
Alexander
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspin
Aspinall
Baker
Barrett
Belcher
Bell
Bergland
Betts
Biester
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Bray
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Burke, Mass.
Burleson, Tex.
Byrne, Pa.
Byrnes, Wis.
Byron
Cabell
Camp
Carey, N.Y.
Carter
Casey, Tex.
Cederberg
Celler
Chamberlain
Collier
Collins, Ill.
Conable
Conte
Corbett
Corman
Cotter
Coughlin
Culver
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Dennis
Donohue
Dorn
Downing
Duncan
duPont
Dwyer
Eckhardt
Edwards, Ala.
Eilberg
Erlenborn
Esch
Evans, Colo.
Findley
Fish
Flood
Flynt
Ford, Gerald R.
Ford, William D.
Forsythe
Frelinghuysen
Frenzel
Fulton, Tenn.
Gallagher
Garmatz
Gray
Green, Oreg.
Griffiths
Grover
Gubser
Gude
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Hansen, Wash.
Harvey
Hébert
Helstoski
Hicks, Mass.
Hicks, Wash.
Hillis
Horton
Hosmer
Howard
Hull
Hungate
Jarman
Johnson, Calif.
Jones, Ala.
Karth
Kazen
Keating
Kee
Keith
Kemp
Kluczynski
Kuykendall
Kyl
Kyros
Landrum
Latta
Lent
Lloyd
Long, Md.
McClory
McCloskey
McCollister
McDade
McDonald, Mich.
McEwen
McFall
McKay
McKevitt
McKinney
McMillan
Mahon
Mailliard
Mayne
Mazzoli
Mikva
Miller, Calif.
Mills
Minish
Mink
Minshall
Monagan
Moorhead
Morgan
Morse
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Obey
O'Hara
O'Konski
O'Neill
Patten
Pelly
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Pirnie
Poage
Podell
Poff
Preyer, N.C.
Price, Ill.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes
Roberts
Robison, N.Y.
Rodino
Rooney, N.Y.
Rooney, Pa.
Roush
Roy
Ruppe
Schneebeli
Sebelius
Shoup
Shriver
Sisk
Slack
Smith, N.Y.
Springer
Stafford
Staggers
Stanton, James V.
Steele
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Thone
Tiernan
Udall
Vander Jagt
Veysey
Vigorito
Waggonner
Ware
Watts
Whalen

Widnall
Wiggins
Wilson, Charles H.
Wright
Wyatt
Wydler
Yates
Young, Tex.
Zablocki

NAYS—162

Abbitt
Abernethy
Abourezk
Abzug
Addabbo
Anderson, Calif.
Andrews, Ala.
Archer
Ashbrook
Badillo
Baring
Begich
Bennett
Biaggi
Blanton
Brinkley
Broyhill, N.C.
Buchanan
Burke, Fla.
Burlison, Mo.
Burton
Caffery
Carney
Chappell
Chisholm
Clancy
Clausen, Don H.
Cleveland
Collins, Tex.
Conyers
Crane
Daniel, Va.
Danielson
Dellums
Denholm
Dent
Derwinski
Devine
Dickinson
Dingell
Dow
Drinan
Dulski
Edmondson
Eshleman
Evins, Tenn.
Fascell
Fisher
Flowers
Fountain
Frey
Fulton, Pa.
Galifianakis
Gaydos
Giaimo
Gibbons
Goldwater
Gonzalez
Goodling
Grasso
Gross
Hagan
Haley
Hall
Harrington
Harsha
Hastings
Hawkins
Hechler, W. Va.
Heckler, Mass.
Henderson
Hogan
Holifield
Hunt
Hutchinson
Ichord
Jacobs
Jonas
Jones, N.C.
Kastenmeier
King
Koch
Landgrebe
Leggett
Lennon
Link
Long, La.
Lujan
McClure
McCormack
Macdonald, Mass.
Madden
Mann
Martin
Mathis, Ga.
Matsunaga
Meeds
Michel
Miller, Ohio
Mitchell
Mizell
Montgomery
Mosher
Moss
Nichols
Nix
Passman
Patman
Price, Tex.
Rangel
Rarick
Robinson, Va.
Roe
Rogers
Roncalio
Rosenthal
Rousselot
Roybal
Runnels
Ruth
Ryan
Sandman
Sarbanes
Satterfield
Scherle
Scheuer
Schmitz
Schwengel
Scott
Seiberling
Shipley
Sikes
Skubitz
Smith, Calif.
Smith, Iowa
Snyder
Spence
Steed
Steiger, Ariz.
Sullivan
Symington
Taylor
Terry
Thompson, Ga.
Ullman
Van Deerlin
Vanik
Waldie
Wampler
Whalley
White
Whitehurst
Whitten
Williams
Winn
Wolff
Wylie
Wyman
Yatron
Young, Fla.
Zion
Zwach

NOT VOTING—42

Bevill
Bingham
Blackburn
Clark
Clawson, Del
Clay
Colmer
Delaney
Diggs
Dowdy
Edwards, Calif.
Edwards, La.
Foley
Fraser
Fuqua
Gettys
Green, Pa.
Griffin
Hanna
Hathaway
Hays
Johnson, Pa.
Jones, Tenn.
McCulloch
Mathias, Calif.
Melcher
Metcalfe
Mollohan
Murphy, Ill.
Myers
Powell
Pryor, Ark.
Riegle
Rostenkowski
St Germain
Saylor
Stanton, J. William
Stephens
Stokes
Talcott
Thompson, N.J.
Wilson, Bob

So the bill was passed.

The Clerk announced the following pairs.

On this vote:

Mr. Mollohan for, with Mr. Dowdy against.

Mr. Gettys for, with Mr. Edwards of California against.

Mr. Jones of Tennessee for, with Mr. Green of Pennsylvania against.

Mr. St Germain for, with Mr. Stokes against.

Mr. Murphy of Illinois for, with Mr. Foley against.

Mr. Delaney for, with Mr. Clay against.

Mr. Bob Wilson for, with Mr. Bevill against.

Mr. Hays for, with Mr. Bingham against.

Mr. Rostenkowski for, with Mr. Powell against.

Mr. Thompson of New Jersey for, with Mr. Myers against.

Mr. McCulloch for, with Mr. Saylor against.

Until further notice:

Mr. Clark with Mr. Mathias of California.

Mr. Hathaway with Mr. Johnson of Pennsylvania.

Mr. Fraser with Mr. Talcott.

Mr. Edwards of Louisiana with Mr. Riegle.

Mr. Pryor of Arkansas with Mr. Blackburn.

Mr. Melcher with Mr. Del Clawson.

Mr. Stephens with Mr. William J. Stanton.

Mr. Metcalfe with Mr. Diggs.

Mr. Fuqua with Mr. Hanna.

Mr. DOWNING changed his vote from "nay" to "yea."

Mr. YATRON changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 70. An act to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes.

The message also announced that the Senate had made the following appointments:

The Vice President, pursuant to Public Law 91–213, appointed Mr. CRANSTON as a member, on the part of the Senate, of the Commission on Population Growth and the American Future.

The Vice President, pursuant to Public Law 89–81, appointed Mr. HANSEN as a member, on the part of the Senate, of the Joint Commission on the Coinage.

Mr. SPARKMAN, Chairman of the Committee on Banking, Housing and Urban Affairs, pursuant to section 712(a) (1) of the Defense Production Act, appointed Mr. SPARKMAN, Mr. PROXMIRE, Mr. WILLIAMS, Mr. BENNETT, and Mr. TOWER as members, on the part of the Senate, of the Joint Committee on Defense Production.

PERMISSION FOR MEMBERS TO INCLUDE EXTRANEOUS MATERIAL

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members participating in the debate on the bill just passed may be permitted to include extraneous material with their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

MEDAL OF HONOR WINNER SP4C. GEORGE C. LANG

(Mr. ADDABBO asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ADDABBO. Mr. Speaker, on March 2, 1971, I had the privilege of attending the Medal of Honor ceremonies at the White House and witnessed the awarding of this high honor to Sp4c. George C. Lang, of Rockaway Park, N.Y.

This young man demonstrated courage and dedication to his country and to his men which should make every American proud. In particular his mother, my constituents, his uncle and aunt, Mr. and Mrs. Allen Damsell, of Rockaway Park, N.Y., and his friends, relatives and all have much to be grateful for and reason to take pride in his actions.

The heroic deeds of Specialist Fourth Class Lang are described in the citation presented to him by the President and I ask permission to insert the text of that citation at this point in the RECORD:

CITATION

The President of the United States of America, authorized by Act of Congress, March 3, 1863, has awarded in the name of the Congress the Medal of Honor to Specialist Four George C. Lang, United States Army, for conspicuous gallantry, and intrepidity in action at the risk of his own life above and beyond the call of duty.

Specialist Four George C. Lang, Company A, 4th Battalion, 47th Infantry, 9th Infantry Division, was serving as a squad leader on 22 February 1969, in Kien Hoa Province in the Republic of Vietnam, when his unit, on a reconnaissance-in-force mission, encountered intense fire from a well-fortified enemy bunker complex. Specialist Lang observed an emplacement from which heavy fire was coming. Unhesitatingly, he assaulted the position and destroyed it with hand grenades and rifle fire. Observing another emplacement approximately 15 meters to his front, Specialist Lang jumped across a canal, moved through heavy enemy fire to within a few feet of the position, and eliminated it, again using hand grenades and rifle fire. Nearby, he discovered a large cache of enemy ammunition. As he maneuvered his squad forward to secure the cache, they came under fire from yet a third bunker. Specialist Lang immediately reacted, assaulted this position, and destroyed it with the remainder of his grenades. After returning to the area of the arms cache, his squad again came under heavy enemy rocket and automatic weapons fire from three sides and suffered six casualties. Specialist Lang was one of those seriously wounded. Although immobilized and in great pain, he continued to direct his men until his evacuation was ordered over his protests. The sustained extraordinary courage and selflessness exhibited by this soldier over an extended period of time were an inspiration to his comrades and are in keeping with the highest traditions of the United States Army.

ADMISSION OF STUDENTS TO HIGHER EDUCATION

(Mr. ROUSH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROUSH. Mr. Speaker, former President Kennedy's report to Congress in 1963 said:

> For the individual the doors to the school house, to the library and the college lead to the richest treasures of our open society—

He went on to explain what these "riches" included—

> the power of knowledge . . . the training and skills necessary for productive employment . . . the wisdom, the ideals, and the culture which enrich life . . . the creative, self-disciplined understanding of society needed for good citizenship in today's changing and challenging world.

Well, one of these doors, at least, is about to be shut, the one admitting students to a higher education. For these students there will be no open door to the knowledge and training, wisdom and cultural enrichment which their families have sacrificed to provide and they have grown to expect and need. That door is being shut by the inability of most Americans to bear the rising costs of higher education.

The costs of higher education have become prohibitive at the same time that specialization, advanced education, and training have become essential in a technologically oriented society.

Neither our society nor individual students can afford not to expand the boundaries of knowledge if our Nation and its people are to continue to prosper and progress, economically, materially, culturally, artistically, and spiritually.

The plight of higher education today, financially, is at least twofold. Undoubtedly, continued assistance must be provided for educational institutions themselves. But today, this is not enough. Of what value are these institutions if, increasingly, students cannot afford to attend them?

The Scientific Manpower Commission figures that a bachelor's degree at a first rank university such as Stanford, costs about $22,000. And the public schools are not far behind.

The College Scholarship Service of the College Entrance Examination Board assists over 2,000 colleges and universities in setting guidelines for financial assistance. They have drawn up a chart indicating how much families with no unusual problems—an unusual occurrence itself—should be able to provide per child for each year of college, according to income level and size of family.

For those with three children, making $18,000 a year, they estimated about $2,420 could be spent, yet the average tuition, room and board for a public school higher education is $1,197 for 1971–72. What if more than one child is of college age? Private schools are more expensive. And this figure does not include books or transportation or clothes or other incidentals.

In order to alleviate this situation, I am today introducing a bill which provides a tax credit for money spent on higher education. The bill provides a tax credit of 100 percent for the first $200 spent on higher education; 25 percent of expenses from $200 to $500; and 5 percent of expenses from $500, but not to exceed $1,500. These credits would apply to persons whose adjusted gross income is $15,000 or less. For those with higher incomes, the tax credits are reduced.

This bill is directly addressed to alleviating the financial burden of middle-class families. Today, schools are faced with a financial crisis which in turn will require them to raise the charges borne by students. Increasingly, students and their families are turning to loans as a way out; either federally guaranteed loans or other means of support. Often this means mortgaging their future. Sometimes present needs of the family, as well as future, must be sacrificed to this demand for funds for higher education.

Unless something is done, colleges will end up with two kinds of students; the very wealthy and the very poor, those whose families can afford to pay and those who merit a scholarship on the basis of need. Children of the middle class, by far the largest percentage of our population, will be left out. For all economic classes, this is an undesirable condition, particularly in all educational institution.

The bill I propose would provide a tax credit for higher education, including fees, books, supplies, and equipment that are required. This bill specifically states that the term "higher education" includes business or trade schools, technical institutions, or vocational schools which offer a postsecondary education designed to fit individuals for useful employment. Thus the proposed bill allows an important choice for students in the kind of education they will pursue. In addition, this bill avoids controversy over Government determination as to the institutional beneficiaries of Federal support. On both accounts, a pluralistic society is encouraged.

A tax credit for higher education costs is one way of showing that our society has not forgotten and will not ignore the special financial needs of the vast majority of Americans in the middle class. A similar bill has been proposed before and I have sponsored such legislation in previous Congresses. But at no time were the needs as blatant as now.

THREAT OF COMMUNIST CHINA ENTERING THE WAR IN SOUTHEAST ASIA

(Mr. O'NEILL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. O'NEILL. Mr. Speaker, I have on several occasions drawn attention to the threat of Communist China entering the war in Southeast Asia. I feel that it is necessary to do so once again.

The administration has practically ignored the presence of China and President Nixon has said that the actions in Southern Laos present no threat to Communist China. But it is ridiculous and naive for us to assume that the Chinese do not view our actions in Southeast Asia in a different light. As the statements from China become increasingly more bellicose, I think it incumbent upon us to very carefully examine what they are saying.

On February 8, the Minister of Foreign Affairs of China said:

> The large-scale invasion of Laos by U.S. imperialism is a grave provocation not only against the three peoples of Indochina but against the Chinese people and the peoples of the whole world as well.

Most of us, I am sure, remember 1950 when the Chinese threatened to enter the Korean conflict if American troops crossed the Yalu River. We did not believe her then and it seems this administration, as it has in so many instances, intends to repeat the mistakes of the past. I have read several articles and seen several justifications for "this time being different." One reason given is that the Chinese electrical works were endangered by U.N. forces during the Korean war and that this is not the case now. Another is that China now has the Russian front to worry about and would not commit large numbers of troops to a different border. However, it seems to me very unlikely that China would have to worry about a Russian attack while she was aiding another Communist nation. Russia could not afford to hinder China while she was aiding the beleaguered Communist forces of Southeast Asia.

There are presently in Northern Laos approximately 20,000 Chinese, primarily engineers and construction workers, building a segment of the road from China to North Vietnam. There are, of course, support troops to protect these civilian workers. It seems highly unlikely that China would ignore an attack on her citizens, just as it seems highly unlikely that she would consider an extension of the war into Laos as not increasing the threat to her borders.

The North Vietnamese, for the first time in the history of this war, publicly indicate that China would not ignore an invasion of Laos or a threatened invasion of North Vietnam. She could not afford to do this, just as we have not ignored or would not ignore similar provocations.

In the summer of 1961, the late President Kennedy and former Premier Khrushchev confronted each other over the Berlin crisis. When Khrushchev realized that the President's troop buildup meant that he would not tolerate a Russian invasion of Berlin, the Soviet Premier did nothing to endanger Berlin. He realized that America, if she wished to remain a world power, would not tolerate a Russian invasion of Berlin. In October 1962, a similar situation developed. President John F. Kennedy, having learned that there were missiles in Cuba, demanded their removal. Of course, the Russians at first refused until they realized that the United States was willing to risk war by blockading Cuba in order to have the missiles removed. The lesson that we must learn from these crises, as well as others, is that there are certain limitations to peaceful accommodation. Major powers must correctly gage the demands and interests of other powers and reasonably limit their actions.

That is the present situation in Southeast Asia. We have expanded the war to another front, a front that threatens China more than she has been threatened any time since 1950. It is futile to assume that the President's denial of a threat would convince China. She does not consider us a friend or an ally, and certainly will not base her actions on reassurances from the President of this country. We can push the Chinese and Russians to a certain point, but beyond that they must resist or relinquish any influence they have and resign themselves to being second- and third-rate powers. If we considered missiles in an island country separated from us by 90 miles of sea to be a threat to our security, then why should the Chinese not consider the presence of American troops or American air power in a contiguous country to be equally as threatening?

The President is using a technique of describing something and, therefore, expecting it to be true. By calling the invasion of Cambodia and Laos part and parcel of the Vietnam war, he contends that the war has not expanded but merely developed. The war has expanded. There is now a war in Vietnam, a war in Cambodia, and a war in Laos. The setbacks we are receiving in the Laotian invasion are frightful. We have probably done more damage to the cause of neutralists and Democrats in Cambodia and Laos than the Communists accomplished in the past 20 years.

We cannot act as though we were in a vacuum. There are other nations in the world and there are even other major powers in the world. The United States cannot use unbridled force and expect no reaction in kind. The United States cannot continue to wreak destruction unmindful of the need for war to end. The President seems to still be searching for the illusive victory in Vietnam. He and his advisers still speak about breaking the morale of the North Vietnamese. A people that thinks it is fighting for its survival does not give in regardless of the number of bombs dropped or the number of body counts reported.

We cannot taunt the other major powers of this world and not expect to endanger ourselves as well as our allies. The Nixon administration has adopted a perilous and foolish course. It must end the war by withdrawal and not by expansion—through peace and not by continued war.

CONGRESSIONAL OBSERVER TEAM FOR VIETNAM ELECTIONS

(Mr. WOLFF asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. WOLFF. Mr. Speaker, today I am introducing, with a bipartisan group of my colleagues, a concurrent resolution providing for the appointment of a study team to observe the presidential election to be held in Vietnam in October 1971.

Whether or not one supports our involvement in Southeast Asia, one of the avowed purposes of that involvement has always been to provide the people of Vietnam with basic freedoms, including the freedom to choose their leaders in open elections. The forthcoming election should provide a fair test of that freedom, and I feel that the Members of Congress and the American people are entitled to know whether free elections are an actuality in Vietnam.

Prior to the last presidential election in Vietnam, in September 1967, I proposed that Members of the Congress be appointed to go to Vietnam to observe the election. Ultimately, President Johnson accepted my suggestion and appointed such an observation team, but he did so at the last minute, and because of this there was not time for adequate study by the team members during the pre-election period. I myself went to Vietnam in 1967 as an independent observer. I therefore propose that we begin now to prepare for an American observation team to be present during the Vietnamese election in October 1971.

Under the terms of the resolution being introduced today, the study team to go to Vietnam to observe the October election would consist of 15 Members—4 Members of the House Committee on Foreign Affairs, appointed by the Speaker; 4 Members of the Senate Committee on Foreign Relations, appointed by the President of the Senate; and 7 other public officials and or private citizens, appointed by the President.

The study team would be present in Vietnam for the week preceding the election and as long thereafter as necessary to complete its investigations. To insure adequate briefing and background information for the team members when they arrive in Vietnam, the resolution provides that the team be preceded by a group of staff members who will observe the last 4 weeks of the campaign. Judging from my own experience, this provision of a staff for the observation team is vitally important, for I found my lack of staff a great handicap as far as gathering adequate information was concerned in 1967.

Following their return to the United States, the study team and its staff shall make a report on the conduct of the election to the Congress and the American people as soon as is practicable. For purposes of their observation and report, the team will be authorized to look into all facets of the election, including the degree of citizen participation; procedures for determining candidates' and voters' eligibility; procedures for preventing election irregularities and insuring the secrecy of balloting, the role of the media, procedures for investigating election irregularities, and validation procedures.

Already, there have been indications that questionable political practices—including misuse of U.S.-financed surveys, the linking of peace candidates with Communists, and limitations on the number of candidates—are occurring in the campaign. I believe that the American people have a right to learn of these occurrences directly, and not just through occasional press reports.

It is therefore vital that the Congress and the American people have representatives on hand to observe, as we did in 1967, the election this fall. If our observation team is to achieve its purpose of being more effective than the 1967 official team, and more effective than were my own individual efforts, the team members should be appointed and begin briefings soon. I therefore hope there will be prompt action on this resolution by the House and the other body, and that those responsible for appointing the team members will do so at an early date. Both the Congress and the American people deserve a more thorough job of observation and reporting than was possible in 1967.

Here follows a list of the cosponsors of the resolution and a copy of the text:

CONCURRENT RESOLUTION

Whereas the avowed purpose of current United States involvement in Southeast Asia is to provide the people of Vietnam and other countries in the region with freedom of choice; and

Whereas the election in South Vietnam in October 1971 will provide a test of that freedom of choice; and

Whereas the American people are entitled to know whether our involvement in Southeast Asia has produced the desired effect: Now therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that:

1. There shall be appointed a study team to go to South Vietnam to observe the forthcoming election, such team to consist of fifteen members, including four members of the House Committee on Foreign Affairs, appointed by the Speaker; four members of the Senate Committee on Foreign Relations, appointed by the President of the Senate; and seven other public servants and private citizens, appointed by the President as he may deem fit.

2. The study team, which shall be present in Vietnam for the week preceding the election and as long thereafter as necessary, shall be preceded by a group of staff members, appointed by the team, who shall observe the last four weeks of the campaign.

3. The study team and its staff shall make a report on the conduct of such election to the Congress and the American people as soon as is practicable. Such report shall include, but not be limited to, an analysis of (a) the degree of citizen participation in the election, including freedom to run for office and freedom to vote; (b) procedures for determining candidates' and voters' eligibility; (c) procedures for preventing election irregularities and ensuring the secrecy of balloting in the election; (d) the role of the media; (e) procedures for investigating election irregularities; and (f) validation procedures.

4. The expenses incurred by Members of the House of Representatives appointed under this resolution, in carrying out their duties under this resolution, shall be paid out of the contingent fund of the House of Representatives; the expenses incurred by the Senators so appointed, in carrying out their duties under this resolution, shall be paid out of the contingent fund of the Senate; and the expenses of the public servants, private citizens, and staff members to the study team appointed under the resolution, in carrying out their duties, shall be paid out of the Emergency Fund of the President.

COSPONSORS OF VIETNAM ELECTION RESOLUTION

Brad Morse, John Moss, Edwin B. Forsythe. William D. Ford, Matsunaga, Harrington, Badillo, Gibbons and Hawkins.

Dellenback, Abzug, Addabbo, Biaggi, Louis Stokes, Melvin Price, Riegle, Pike and Schwengel.

Rosenthal, Scheuer, Dellums, John Dent, Buchanan, Hugh Carey, Wm. Alexander, Seymour Halpern and Robert Roe.

James Abourezk, Claude Pepper, Joshua Eilberg, Parren J. Mitchell, Frank J. Brasco, Sam Stratton, Peter Kyros, Robert Giaimo and James Byrne.

Emanuel Celler, Joe Minish, Abner J. Mikva, Martha Griffiths, Frank Annunzio, Larry Winn, Jr., Podell, Roush, Rangel, Hamilton, Murphy (N.Y.) and Burke (Fla.).

OBEY WANTS ADVANCE PAYMENTS FOR FARMERS

(Mr. OBEY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. OBEY. Mr. Speaker, I am introducing in the House of Representatives today, with Congressmen Melcher, Culver and others, legislation which would make mandatory advance payments to farmers under the wheat and feed grain programs.

Under this legislation, payments to farmers who sign up for either of these programs would have to be made within 60 days following sign-up, and such payments would have to be equal to no less than 50 percent of the total payments to be made.

Mr. Speaker, in the past years farmers had used the advance payments they received shortly after signing up for the wheat and feed grains programs to pay for seed and fertilizer and for other expenses which they must meet in the spring. When advance payments were ended, as they were in 1970, and payments were withheld until after the beginning of the fiscal year on July 1, many of us predicted that farmers would be forced into borrowing untold millions of dollars at record high interest rates in order to pay for their seed and fertilizer and general operating expenses.

These predictions, unfortunately, were true.

In 1970 the total interest charges in short- and immediate-term farm loans totaled $2 billion, a total reached from a combination of higher rates on new loans and a substantial increase in the amount of credit used.

Certainly we cannot say that the 18-percent increase in interest charges between 1969 and 1970 was due totally to the end of advance payments. Interest charges in 1969, when advance payments were available, were 15 percent over those for 1968. But the ending of these payments did contribute to a credit squeeze which has been and which will continue to plague rural America.

If farmers have to borrow money this year they are still likely, says the USDA, to find interest rates in the 7 to 8.5 percent range. And there is little doubt that their costs of production will increase, just as they did—$2 billion worth—last year. In fact, the USDA predicts that the cost of producing an acre of corn will increase from $43 in 1970 to $45.55 in 1971. The cost of producing 1 acre of wheat will increase from $15.88 this year to $16.49 next year.

So, what this all means, Mr. Speaker, is that farmers are in a financial bind which we can ease—even if only to a small extent—by putting in their pockets in the spring months money which they will rightfully and legitimately get anyway just a few months later.

This is the reason of our legislation. Its effect would be to once again make advance payments available to our farmers in the spring months, when they need them most.

Mr. Speaker, last year there were over 1.6 million farms participating in the feed grains program, including 55,308 in Wisconsin. Almost 1 million participated in the wheat program, including over 4,200 in Wisconsin.

Signups for this year's program have just begun and we do not know how many farmers will enroll. We do know that problems have already arisen with these programs as they passed the Congress late last year in the Agriculture Act of 1970.

Farmers who had in the past planted acreage to grass and conserving crops are being forced to plow them up in order to protect their bases and qualify for price support payments. Older farmers who are living on the land they farmed for years are being forced to either plow again—and new tractors are rather expensive—or lose part of their already meager incomes.

It is quite clear then that all is not well in rural America. Farm incomes fell last year, while wages, taxes, and interest rates rose. The farm economy is shaky, and this has more than just casual implications for the troubled national economy as well.

We have heard talk about bolstering that economy with payments to railroad and airlines. We already give advance payments—called progress payments—to defense contractors who are paid before their work is completed.

Surely if we can afford progress payments to those who are involved in the construction of our national defense, we can also afford them for those who grow the food which sustains us.

Mr. Speaker, the legislation we are presenting today would do much to help millions of farmers throughout America. I urge all my colleagues to give it careful consideration.

I include a copy of the final 1970 enrollment reports for feed grains and wheat, on a State-by-State basis at the end of my remarks. Also included is a complete list of cosponsors of this legislation:

LIST OF COSPONSORS

Obey, David R., (D-Wis.).
Melcher, John, (D-Mont.).
Culver, John C., (D-Iowa).
O'Konski, Alvin, (R-Wis.).
Thone, Charles, (R-Nebr.).
Abourezk, James, (D-S.D.).
Anderson, William, (D-Tenn.).
Hamilton, Lee, (D-Ind.).
Ichord, Richard, (D-Mo.).
Jones, Walter, (D-N.C.).
Randall, William, (D-Mo.).
Link, Arthur, (D-N.D.).
Aspin, Lee, (D-Wis.).
Fountain, L. H., (D-N.C.).
Riegle, D. W., (R-Mich.).
Esch, Marvin, (R-Mich.).
Andrews, Mark, (R-N.D.).
Roy, William, (D-Kans.).
Collins, George, (D-Ill.).
Vander Jagt, Guy, (R-Mich.).
Pickle, J. J. (D-Tex.).
Berglund, Bob, (D-Minn.).
Hansen, Orval, (R-Idaho).

1970 FEED GRAIN, AND WHEAT ENROLLMENT REPORT; FEED GRAIN, CORN, GRAIN SORGHUMS, AND BARLEY

Item (1)	Unit (acres) (2)	1969 (3)	1970 (4)	1970 as a percent of 1969 (5)
(1) Counties in this report	None	2,998	2,999	100
(2) Enrolled farms	None	1,661,770	1,613,961	97
(3) Corn base on enrolled farms	1,000	61,293	59,888	98
(4) Grain sorghum base on enrolled farms	1,000	19,536	19,439	100
(5) Barley base on enrolled farms	1,000	13,176	13,201	100
(6) Total intended diversion	1,000	[1] 41,342	[2] 39,483	96
WHEAT				
(7) Counties in this report	None	2,731	2,729	100
(8) Enrolled farms	None	981,153	949,151	97
(9) Allotment on enrolled farms	1,000	[3] 40,236	40,227	100
(10) Total intended diversion	1,000	4,961	4,193	85

[1] Excludes 2,202,811 acres on farms reducing base to 25 acres.
[2] Excludes 1,597,171 acres on farms reducing base to 25 acres.
[3] 1969 allotment reduced 12 percent to make it comparable to 1970.

U.S. DEPARTMENT OF AGRICULTURE—AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE, 1970 FEED GRAIN PROGRAM

[Enrollment report cumulative through Apr. 17, 1970, final report]

State	Total feed grain farms (number) 1	Enrolled feed grain farms (number) 2	Percent total farms 3	Total feed grain base (acres) 4	Enrolled feed grain base (acres) 5	Percent feed grain base enrolled 6
Alabama	114,784	53,869	47	2,251,079	1,329,433	59
Arizona	2,905	677	23	373,487	166,218	45
Arkansas	44,971	10,364	23	592,745	190,806	32
California	14,386	3,382	24	2,248,829	990,894	44
Colorado	28,257	16,929	60	2,443,053	1,929,425	79
Connecticut	2,240	372	17	32,723	5,029	15
Delaware	5,105	1,081	21	181,409	48,523	27
Florida	17,666	8,174	46	720,326	434,039	60
Georgia	97,133	45,979	47	3,193,500	1,914,006	60
Idaho	20,053	4,618	23	826,352	365,587	44
Illinois	201,060	92,806	46	11,006,815	6,083,800	55
Indiana	157,580	76,731	49	5,755,725	3,334,701	58
Iowa	180,682	120,880	67	13,604,934	10,271,600	75
Kansas	132,237	92,203	70	9,439,954	7,675,736	81
Kentucky	127,120	64,535	51	2,002,775	1,229,696	61
Louisiana	36,319	8,441	23	501,698	171,485	34
Maine	1,017	583	57	9,726	5,604	58
Maryland	22,115	5,536	25	618,245	190,713	31
Massachusetts	1,412	180	13	21,015	2,482	12
Michigan	104,954	56,971	54	2,346,065	1,467,070	63

U.S. DEPARTMENT OF AGRICULTURE—AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE, 1970 FEED GRAIN PROGRAM—Continued

[Enrollment report cumulative through Apr. 17, 1970, final report]

State	Total feed grain farms (number) 1	Enrolled feed grain farms (number) 2	Percent total farms 3	Total feed grain base (acres) 4	Enrolled feed grain base (acres) 5	Percent feed grain base enrolled 6
Minnesota	137, 848	96, 512	70	8, 676, 513	7, 174, 162	83
Mississippi	91, 371	37, 866	41	1, 400, 753	762, 978	54
Missouri	147, 668	88, 783	60	5, 917, 024	4, 429, 687	75
Montana	20, 406	12, 058	59	2, 221, 376	1, 768, 811	80
Nebraska	101, 161	78, 405	78	9, 934, 401	8, 523, 061	86
Nevada	577	70	12	21, 101	3, 956	19
New Hampshire	708	138	19	9, 732	1, 593	16
New Jersey	7, 041	3, 606	51	199, 632	111, 220	56
New Mexico	7, 035	3, 810	54	878, 704	654, 677	75
New York	46, 503	20, 504	44	755, 088	359, 868	48
North Carolina	174, 836	74, 456	43	2, 278, 604	1, 203, 992	53
North Dakota	61, 542	54, 538	89	6, 187, 266	5, 833, 461	94
Ohio	155, 248	75, 675	49	3, 977, 464	2, 401, 537	60
Oklahoma	72, 338	35, 329	49	3, 128, 788	1, 879, 627	60
Oregon	12, 522	4, 144	33	637, 431	326, 575	51
Pennsylvania	89, 910	28, 053	31	1, 493, 587	512, 714	34
Rhode Island	184	8	4	3, 507	118	3
South Carolina	71, 548	35, 545	50	1, 093, 019	683, 931	63
South Dakota	60, 335	42, 794	71	5, 864, 541	4, 750, 619	81
ennessee	119, 332	58, 269	49	1, 796, 372	1, 126, 095	63
Texas	194, 966	103, 116	53	12, 572, 831	9, 373, 637	75
Utah	11, 120	3, 102	28	250, 067	102, 039	41
Vermont	3, 667	455	12	49, 222	5, 929	12
Virginia	75, 267	24, 330	32	927, 783	376, 021	41
Washington	12, 285	5, 586	45	908, 113	621, 778	68
West Virginia	16, 223	5, 726	35	119, 101	49, 625	42
Wisconsin	122, 450	55, 308	45	3, 204, 287	1, 571, 585	49
Wyoming	4, 664	1, 464	31	228, 773	111, 406	49
Total	3, 130, 751	1, 613, 961	52	132, 905, 535	92, 527, 549	70

U.S. DEPARTMENT OF AGRICULTURE—AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE, 1970 WHEAT PROGRAM—ENROLLMENT REPORT, CUMULATIVE THROUGH APRIL 17, 1970, FINAL REPORT

State	Total wheat farms (1)	Enrolled wheat farms (2)	Percent total farms (3)
Alabama	7, 092	2, 826	40
Arizona	1, 100	349	32
Arkansas	13, 894	3, 040	22
California	6, 541	2, 273	35
Colorado	22, 560	16, 924	75
Connecticut	75	6	8
Delaware	1, 486	500	34
Florida	1, 293	512	40
Georgia	21, 166	11, 604	55
Idaho	25, 299	16, 530	65
Illinois	126, 556	59, 065	47
Indiana	115, 683	49, 352	43
Iowa	12, 792	2, 932	23
Kansas	137, 767	109, 354	79
Kentucky	23, 283	9, 563	41
Louisiana	1, 309	274	21
Maine	28	20	71
Maryland	13, 021	4, 104	32
Massachusetts	23	1	4
Michigan	106, 385	62, 843	59
Minnesota	60, 859	37, 084	61
Mississippi	3, 218	702	22
Missouri	119, 804	65, 092	54
Montana	21, 881	17, 506	80
Nebraska	71, 796	56, 757	79
Nevada	460	145	32
New Jersey	4, 178	1, 929	46
New Mexico	4, 549	2, 477	54
New York	31, 823	17, 497	55
North Carolina	83, 778	39, 343	47
North Dakota	65, 207	60, 795	93
Ohio	129, 722	69, 009	53
Oklahoma	72, 231	54, 553	76
Oregon	14, 440	6, 647	46
Pennsylvania	71, 020	26, 920	38
Rhode Island	12	----------	----------
South Carolina	35, 401	19, 190	54
South Dakota	39, 364	29, 980	76
Tennessee	30, 075	10, 676	35
Texas	67, 416	43, 080	64
Utah	10, 037	4, 757	47
Vermont	82	1	1
Virginia	42, 372	15, 354	36
Washington	15, 903	9, 895	62
West Virginia	4, 597	1, 455	32
Wisconsin	10, 575	4, 264	40
Wyoming	3, 281	1, 971	60
Total	1, 651, 434	949, 151	57

A THOUGHTFUL AND VERY CURRENT MESSAGE

(Mr. MAYNE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MAYNE. Mr. Speaker, this past Christmas our good friend and colleague from the Seventh District of Ohio, Congressman CLARENCE J. BROWN, and his lovely wife, Joyce, sent his holiday column to many constituents and other friends as part of their holiday greeting. I have had the good fortune of reading a copy of this holiday message, and found it to be a very interesting introspective study regarding our society and the direction our colleague hopes it will follow in the future.

This essay is worthy of widest possible circulation and serious study by all seeking true perspective upon the past, present, and future of these United States.

Mr. Speaker, I insert this thoughtful and very current message from our Ohio colleague, Mr. BROWN, in the RECORD:

CLARENCE J. BROWN'S MESSAGE

The holiday season is a time of introspection because of its religious significance and because the calendar change encourages us to look back on past failures and successes and ahead to new opportunities. The impact of the season is essentially personal. But I wish that there were some way to encourage us as a nation to be introspective about our society and the direction it should take in the years ahead.

During the past generation, America has leaned heavily on the collective means of government to cure the ills with which it has become afflicted. In recent years we have reacted to problems by passing laws or appropriating public money. In the case of the persistent problems, where we already have the law but have ignored it by common consent, we have either tried more law, more money, or non-violent or violent pressures. But still the problems persist.

The list of national afflictions (or "priorities" for solution) are different for each American because we are a nation of varied backgrounds and interests. But earlier this year, the poll I took of residents of the Seventh Ohio Congressional District listed inflation, crime, pollution, racism, drugs and social unrest as the major domestic problems.

As one assesses that list, one must come to the inescapable conclusion that more money, more law or another demonstration (violent or non-violent) will not solve the problem alone.

If inflation is the premier national problem, the spending of more federal money may be akin to pouring gasoline on the fire. But passing law against raising prices or demanding more wages seems to make little sense when one considers the prospect of enforcement in an unwilling society. Indeed, strong laws against crime have failed to end crime. These personal sins of public consequence are increasing at a rate faster than the population grows—an indication of spreading willingness to do privately what we are opposed to in public collectively.

Pollution falls into much the same category. The polluting autos carrying the anti-pollution bumper stickers are often the ones from which the trash gets thrown on the freeway. And the most aggressively integrationist are often the limousine liberals who make their money in the ghetto so they can afford to live in the segregated suburb.

The list of these demands for public solution to personal problems is endless—and so are the contradictions. Concern about the youthful drug culture is a very popular conversational topic whenever adults get together for a drink. Does that make any more sense than the violent demonstrations for peace or the head-banging sprees of hardhats who disapprove of student violence?

Young people, in transition between a world of moral teaching of what should be and the harsh reality of what is, have been the most deeply disturbed by the contradictions of modern American society. They see the contradictions between moralistic admonition to "do as I say" and the moral reality of "do as I do."

Could it be that the national problems about which we are all so concerned continue to be unresolved because we are individually unwilling to do anything about them? It is much easier to salve a personal conscience by demanding that in impersonal government solve the problem of poverty than it is to personally feed the poor from our individual affluence. We know that one person cannot change the world—unless he is a national leader, a general or some economic magnate of national or international proportion. We desperately seek the heroic figure who will do the things we will not do ourselves. And yet we are too cynical to have confidence in others.

But the message of this season is that Christ came—not as a palace-born king, a military conqueror or a wielder of vast economic power—but born to a carpenter's wife in a stable. And he came to reaffirm the Old "Testament truth that salvation comes through individual righteousness, that "the Kingdom of God is within you."

In a day when we want to correct all our neighbor's faults by federal law or minister to his ills with federal taxes (preferably not on ourselves), the admonition to "Love thy neighbor, as thyself"' deserves more introspective study. We might find that what is wrong with America (and the many things that are right about it) can be cured within ourselves.

VOICE OF DEMOCRACY CONTEST

(Mr. FULTON of Tennessee asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FULTON of Tennessee. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conducts a "Voice of Democracy Contest" with contestants from each State invited to participate.

The winning contestant from each State is brought to Washington, D.C., for final judging as a guest of the Veterans of Foreign Wars.

This year the winner from the State of Tennessee was Mr. John S. Morgan of 455 Oakley Drive, Nashville, Tenn.

Mr. Morgan is 17 years old and a senior at Overton High School in Nashville.

Upon graduation, he hopes to attend Boston University and study law.

While in high school he has been very active as president of the Forensic Club at Overton High School. He has been a columnist for the school paper and has served as a member of the mayor's Youth Advisory Council and a member of the Council on Drug Abuse.

Mr. Morgan's winning essay on "Freedom—Our Heritage" is a very appropriate work, and I include it in the RECORD at this point, recommending to the consideration of my colleagues:

FREEDOM—OUR HERITAGE

(By John S. Morgan)

"All we have of freedom—all we use or know—This our fathers bought for us, long and long ago."

These words, penned by Rudyard Kipling, were not written specifically about the United States, but, nevertheless, they represent well the American heritage of freedom.

The heritage of the American people has been one of liberty. Over the last 200 years Americans have been the freest people who have ever lived anywhere in the world. There have been periods of less than complete freedom, to be sure, but the freedom of man has never been perfect. In the long run, Americans have managed to achieve and maintain the heights of human liberty.

Man has struggled for freedom since the dawn of civilization. The fruits of that struggle culminated in the American heritage that was born on that sultry July day in 1776. A few years later the experience of thousands of years of trial and error at governing communities of men produced, through the genius of our founding fathers, the Constitution of the United States.

Since those years of birth and childhood, freedom in America has suffered many trying times; many assaults have been mounted against it. But it can truly be said that these difficulties have been met, and almost without exception, conquered. Especially since the elimination of slavery over a hundred years ago has America truly been a land of "liberty and justice for all."

Our freedoms are simple—but invaluable: the right to think and speak as we please; the freedom of the press; the right to the pursuit of happiness; the freedom of worship.

Our heritage is indeed an illustrious one, and it provides an interesting insight into the paradox of liberty.

Freedom is not self-perpetuating. Our forefathers gave us—not freedom—but the means by which to make ourselves free. The Constitution is not an edict that makes you and me free. It is, rather, a tool that, properly used, protects our liberty. Each generation, indeed, each person, must learn anew that he is given only the tools, the effort of their use—the responsibilties and obligations of wielding freedom—must be his alone.

It is not easy to be free. It requires courage and maturity to accept the burdens and responsibilties of liberty. To remain a free people we must recognize and accept this, the price of liberty.

Unfortunately, too many Americans have neither realized nor accepted this fact. Through immaturity or a misguided concept of liberty, some have abdicated their responsibility. On one hand, there are left wing radicals; on the other, right wing reactionaries; in the middle, the confused.

Americans are no less virtuous, goodhearted, or freedom loving than in the past. They are simply more confused. They cannot see just where their responsibility lies. To overcome this confusion and begin a return to those principles of freedom upon which our nation was founded, we must first begin to moderate our voices and our actions. Then we must, if liberty is to continue in America, recognize that freedom is not a gift but a responsibility; a job—and a hard one—that must be accepted if we are to continue as a free nation.

America's heritage of freedom is ours. It was, as Kipling said, bought for us, but only we, you and I and every American, can keep it for ourselves and for our children and for our grandchildren so that America's heritage of freedom that is ours today may tomorrow be theirs.

DISABLED AMERICAN VETERANS CONTINUES INTO ITS SECOND HALF CENTURY OF SERVICE

(Mr. THOMSON of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMSON of Wisconsin. Mr. Speaker, now in its 51st year of service, the Disabled American Veterans has truly earned its place as America's conscience in its provisions for our wartime disabled, their widows, and dependents. Certainly every American citizen would do well to reflect on the sacrifices, loyalty, and devotion of the men who still suffer disabilities from their hazardous service to our Nation.

The people of the United States today are more secure to enjoy their freedom because of the determination of our servicemen. The DAV's exemplary patriotism has inspired millions.

The American people have recently been aware of DAV activity through a national publicity campaign conducted by the DAV in behalf of our captured servicemen in Southeast Asia. Wisconsin can be proud of its participating DAV members and the overwhelming response which their appeal generated. Hundreds of thousands of petitions and letters of concern have been sent from the Badger State to the leaders of North Vietnam.

Timely and responsible, the DAV continues in its second half-century of service, providing support for our needy disabled veterans.

DISABLED AMERICAN VETERANS' DAY IN CONGRESS: A TRIBUTE TO QUIET COURAGE

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. HORTON) is recognized for 60 minutes.

Mr. HORTON. Mr. Speaker, 50 years ago the DAV was founded and held its first national convention. In recognition of this golden anniversary, the service the DAV has provided its members, and the service its members have given our Nation, I think it is appropriate that the House take this occasion to pay tribute to this dedicated and patriotic organization.

The distinguished gentleman from South Carolina (Mr. DORN) and I are today cosponsoring the House "Disabled American Veterans' Day in Congress: A Tribute to Quiet Courage." On the Senate side, our colleagues, Senator ROBERT DOLE of Kansas and Senator HUBERT HUMPHREY of Minnesota are cosponsors.

Mr. Speaker, I should like to speak about the DAV's illustrious history, how it serves the disabled veterans and their dependents, its noble purposes, its exemplary leadership, and its impact on the constituency I have the honor to represent. Thereafter, I look forward to recognizing many of our colleagues who have expressed the wish to join in this tribute and to speak of their fond feelings and respect for the DAV.

The DAV was founded initially on Christmas Day in 1919, at a gathering of wounded World War I veterans at the home of Judge Robert S. Marx in Cincinnati, Ohio. The result of that meeting was a plan to form a veterans' organization with the single purpose of providing creative programs which would give disabled veterans the opportunity to help themselves in solving their various problems, and in acquiring a productive and prosperous place in society.

By 1921, the small group had grown large enough to hold its first national convention. What proved to be a successful convention was culminated by the election of Judge Marx as the first national commander. His guiding efforts in the early years have brought Judge Marx the honor of being remembered as the "Father of the DAV."

The impact of the DAV's efforts and service on veterans' affairs cannot be underestimated. I think it is important to note that since 1921, nearly all legislation beneficial to disabled veterans has been sponsored and activitly promoted by the DAV. Certainly we in Congress fully appreciate the assistance and contribution the DAV has made in our efforts to prepare legislation which meets the needs of disabled veterans.

It would, however, be inaccurate to assume that the DAV's primary efforts are directed toward enacting new legislative proposals; the DAV remains a totally nonpartisan organization with the sole purpose of providing service and assistance to the wartime disabled veteran, his widow, orphans, and dependents.

To lend emphasis to this role, I would like to quote the DAV's purpose as stated in the organization's constitution:

> To advance the interest and work for the betterment of all wounded, injured, and disabled veterans . . . to cooperate with all Federal and private agencies devoted to the cause of improving and advancing the conditions, health, and interest of wounded, injured, or disabled veterans.

As the official voice of all wartime disabled, the Disabled American Veterans acts as a go-between for the veteran and his family in relations with various public agencies. The DAV employs 148 professionally trained national service officers at offices around the country, each one of whom is himself a disabled veteran.

These national service officers assist the disabled and their dependents in obtaining medical care, hospitalization, disability compensation, rehabilitation, job training, and employment. By working through local organizations and agencies and by also utilizing higher authorities, the DAV has been highly effective in providing those in need with the highest quality service available in the shortest amount of time. In an age of massive bureaucracy, the DAV continually proves that its reputation for efficiency and effectiveness is unmatched.

Today, the DAV has a total membership of nearly 300,000 members in its approximately 2,000 local chapters throughout the United States and its possessions. The members are dawn from veterans of both world wars, the Korean war, and the Vietnam war.

In a sense, it is especially appropriate that we honor the disabled Americans today. Each day, more of our young men are wounded in Vietnam and many return to the United States crippled and disabled. The trumpets and cheers for this war ceased long ago, Mr. Speaker, and the ensuing silence is probably most oppressive in the wards of our veterans' hospitals. There is courage, however. A quiet kind of courage. This quiet courage is seen in the countless examples of old-fashioned gumption which enable disabled young men to overcome their handicaps and their despair to lead productive lives. Many such young men are here on Capitol Hill today and I have been highly impressed in my conversations with some of them. I cannot help but think that this enthusiasm has, in large part, been a product of the service the DAV has given them, helping make possible many full and rewarding years after they have recovered and returned to civilian life. I am sure that my colleagues who had the opportunity to meet and talk with these men came away with similar thoughts.

Mr. Speaker, we are honored today to have in Washington, as observers to this tribute, the national commander of the DAV and many of his national officers. This group of patriotic Americans, including the many young men who accompanied them to Washington, is the 1971 witness to the quality of leadership which has been sustained since the inception of the DAV.

Comdr. Cecil W. Stevenson is a disabled veteran of World War II. While serving in the U.S. Navy, he suffered severe powder burns to his face and eyes, but continued to serve with distinction until 1946.

Commander Stevenson is the official spokesman for the nearly 300,000 members of the Disabled American Veterans throughout the United States. He has served the DAV in many regional and national roles and was elected national commander during the organization's 1970 convention in Los Angeles.

Commander Stevenson is married with three children. They reside in Jonesboro, Ark., where Commander Stevenson has served in the U.S. Post Office Department. Despite his many responsibilities, he still finds time for many civic activities and raising of cattle.

Mr. Speaker, I also want to recognize the fine work done in helping achieve "DAV Day in the House" by Mr. George C. Washington, executive director for National Public Relations. George is an old friend and a close personal friend and one of the most dedicated men I know in veterans work. I also want to acknowledge the invaluable assistance of Mr. Charles L. "Chet" Huber, DAV national director of legislation, Mr. John Keller, DAV national service director, and Mr. Denvel D. Adams, national adjutant.

Mr. Speaker, much of my personal appreciation of the DAV is an outgrowth of the important and inspiring programs conducted in my home community by the 572 members of the DAV's Monroe County Powers Chapter No. 15.

This chapter, named in honor of Leo and Robert Powers, who died in World War II, is active in providing for the comfort of disabled veterans in a number of ways.

Our DAV chapter regularly arranges outings for the patients at VA hospitals in Western New York State, those at Bath, Batavia, and Canandaigua. These outings include bringing the patients to Rochester Red Wing baseball games, Rochester Americans hockey games, and different stage presentations that come to our community. Our DAV chapter also holds parties at the VA hospitals to take entertainment directly to the patients.

The present officers of the Powers Chapter No. 15 are:

Commander, Robert L. Freeman.

Senior vice commander, Raymond Vosper.

Junior vice commander, Milton Duffie.

Junior vice commander, Leo Foley.

Junior vice commander, Christopher Amoroso.

Chaplain, William Neff.

Treasurer, Dominic Lanza.

Judge advocate, Sam Russo.

Trustee, George Reiss.

Trustee, Ed Roberts.

Trustee, Paul Bellanca.

Sergeant at arms, Frank Collinge.

Adjutant, Frank J. Fantanza.

Our hospital program for the three VA hospitals in this area is carried on 12 months a year and thanks are in order to people like Bob Turner and Carl Steinfeldt of the Rochester Red Wings, Jim Ball of the Rochester Americans, Joe Rapone of Manson News, John and Tony Bolo of Bolo's Restaurant, Joe Lusardi of the War Memorial and many others.

Of course, as do all DAV chapters, the Monroe County Powers Chapter No. 15 actively and constantly helps protect the rights of veterans and their families. Its members are ready at a moment's notice to take up the cause of a fellow disabled veteran, and their record of assistance is impressive.

Mr. Speaker, I am honored to join with my colleagues in commemorating the 50 years of service the DAV has given its members and this Nation. The record of the DAV has enriched American life in a manner which has made the lives of all disabled Americans much fuller and more rewarding.

Now, Mr. Speaker, it is my pleasant privilege to yield in recognition to those colleagues who wish to add their sentiments in this salute to the Disabled American Veterans.

GENERAL LEAVE TO EXTEND

Mr. HORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order, "Disabled American Veterans' Day in Congress: A Tribute to Quiet Courage," and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, first I should like to yield to the cosponsor of DAV Day on the Hill, the gentleman from South Carolina (Mr. DORN).

Mr. DORN. Mr. Speaker, I thank my distinguished colleague from New York for yielding.

This is a great day on Capitol Hill, commemorating the golden anniversary of one of the greatest, most dedicated and devoted groups of American servicemen in the history of this Nation or of any other nation.

This organization was formed 50 years ago, and it was dedicated with ideas and principles dedicated to the veteran, his widow, and his orphans.

Not only that, but throughout the years they have advocated a strong national defense as the best means for preserving the peace. I want to emphasize that here today. Had Washington listened to the DAV and to our other great veteran organizations in the 1920's and the 1930's, perhaps we could have avoided World War II. However, we lost millions of lives and billions of dollars in property because we did not.

So, Mr. Speaker, I say this organization is not only devoted to preserving veterans' rights, to hospitalization benefits, to compensation for them, pensions, and widows and orphans benefits, but it is also dedicated to the defense of this country and to a strong America.

Mr. Speaker, I am pleased and honored today to join my colleagues in paying my respects to this great organization.

National Commander Stevenson appeared before the Veterans' Affairs Committee this morning in a packed room, the Caucus Room in the Old Cannon Building, where we were delighted to hear his outstanding, concise, and reasonable statement to the committee and to the Congress.

Mr. Speaker, today is a very special day in the 92d Congress, for we are today paying tribute to the Disabled American Veterans organization on the occasion of its 50th anniversary.

Mr. Speaker, war has always been cruel and harsh. No group of men recognize this fact more than those brave men who quietly live with the scars of battle, and who form the membership of the Disabled American Veterans.

We often talk of making sacrifices for our Nation, but few of us are called upon to carry the burden carried by some of the men we salute today.

Fifty years ago, in the aftermath of the First World War, the DAV was formed by a group of concerned veterans. At that time, the Nation simply was not equipped to care for many of the sick and wounded veterans returning from the battlefields of Europe. The quality of medical care and other treatment extended to veterans has since then greatly improved, thanks in part to the dedicated advocacy of the DAV. The main objective of the DAV has over their 50 years remained the same, and that is to work with the Government and all interested parties for the benefit of our wounded veterans. Through their outstanding national service program the DAV today provides free service to all disabled veterans and their dependents—whether or not they are members of the DAV—in contacting governmental bodies with respect to veterans programs. All of us in the Congress work with these cases, and we are all aware of the outstanding service being rendered by the national service program.

As a member of the House Committee on Veterans' Affairs—serving under the great and dynamic leadership of our Chairman "TIGER" TEAGUE of Texas—I can testify to the outstanding cooperation we have always received from the national staff of the DAV. There is hardly a bill benefiting veterans that has come from our committee that has not been promoted by the DAV. We know and respect the DAV, and we enjoy working with them.

Mr. HORTON. I want to thank the gentleman from South Carolina for his leadership in cosponsoring this day. I know that the DAV and Members of the House appreciate his efforts and leadership in this cause.

I am now happy to yield to the gentleman from Indiana (Mr. HILLIS).

Mr. HILLIS. Mr. Speaker, I thank the gentleman very much for yielding to me.

Mr. Speaker, I am proud to have the opportunity to participate in this special order.

It is pleasing to me that Congress can spend part of its day to honor a great organization's 50 years of outstanding work.

The Disabled American Veterans is an organization which we can all be proud.

First of all, we can be proud of the membership.

These men served their country and served it well.

They not only served their country in time of war, but they continue to serve it in time of peace.

These men gave great sacrifices for this Nation.

Now they are actively engaged in programs which will not only help their fellow disabled veterans, but will help our Nation.

And I say to all Members of Congress—let us help these men help our country.

Let us listen to their testimony before our committees.

Let us recognize their desires.

Let our actions tell them—you are doing a good job, and we are proud of you and will help you.

These men know what war means.

These men have seen violence.

But they carry no picket signs.

They do not downgrade our leadership.

They just quietly go about their work trying to make life easier for their fellow veterans who sacrificed so much for our Nation.

I sincerely salute these men and want to congratulate them on their 50th anniversary.

Mr. HORTON. Mr. Speaker, I now yield to the gentleman from New York (Mr. SMITH).

Mr. SMITH of New York. Mr. Speaker, I thank the gentleman for yielding to me.

I, too, rise in salute to the DAV on this 50th anniversary of this splendid service organization. For 50 years this great organization has devoted its energies, manpower, and resources to seeking and achieving justice and productive lives for the war wounded and the widows and orphans of the members of the armed services of the United States who have made the supreme sacrifice in the defense of this country. May the DAV always continue its magnificent service to American veterans as long as there shall be a need for this service, and until that day we all pray for the moment when war shall no longer cast its shadow across this world.

Mr. HORTON. I thank the gentleman from New York.

I now yield to the gentleman from Montana (Mr. MELCHER).

Mr. MELCHER. Mr. Speaker, as a lifetime member of DAV and legislative cochairman of the Montana department, I call attention of the House to a slur on the necessity of one of our veterans' hospitals in the West.

Vultures circle many times, high in the air above the carrion, before they land. They only feed on dead meat, and I assume their circling is a cautious appraisal of the scene to make sure there is no danger present for them on the land. Once on the ground, with an awkward walk, they wobble up to the carrion and expertly strip the flesh from the bones.

Opening attacks on providing hospital beds for our veterans in the Western States are carried on first from great altitudes just as the vultures circle before they get down to the business of feeding themselves.

This month's Reader's Digest contains a six-page article on VA hospitals with a mixture of praise, concern, and both constructive and destructive recommendations. In the latter category is an attack on the Miles City Veterans' Administration Hospital because it only contains a hundred beds, and the inference that its only reason for existence is the political influence of the late Senator Murray, "and powerful Members of Congress," who kept it from being closed in 1965, of course, refers to Senator MANSFIELD, Senator METCALF, and former Representative James Battin, my predecessor, who successfully beat off the vultures that year.

The article refers to Miles City as a cowboy town of 9,000, and since Miles City claims, with some justification to be the cow capital of the West, the Reader's Digest comment, while intended to be derogatory, will still be acceptable to the residents of Miles City. Sure, it is only a hundred beds, but it is a hundred beds that are needed by the veterans in the eastern half of our large State and in the nearby adjoining areas of the Dakotas and Wyoming.

Part of good therapy for any sick patient, recognized by members of the healing arts, is that the hospital bed should not be too far distant from the patient. The Miles City VA, facility provides those beds for veterans within a radius of 250 miles or more. Distance may not be significant to the author of the Reader's Digest article in his mapping of veterans' hospitals. But I can assure him and the editors of his publication that distance is of great importance to the veteran patients and to their families who wish to maintain contact with them and have opportunity to visit them during incapacitation.

I and the rest of the people of Montana, and, indeed, our adjoining sister States, are proud of the fine and excellent service that has become the living legend of the Miles City veterans' hospital. I recently received a petition signed by more than fourscore of veterans calling to my attention the appreciation of these veterans for the excellent care they had recently received as patients in the Miles City veterans' hospital. We hope to continue and broaden this care as part of

Montana's hospital facilities for veterans. Along with the other excellent veterans facility in Montana, Fort Harrison, with 160 beds, we will continue to improve and expand hospital care for the men who served our country in the Armed Forces.

So any of the circling vultures, such as the article in the March Reader's Digest, may know that we are not carrion, vulnerable to their attack, I want to serve notice that our Montana veterans hospitals are living institutions serving large areas and we intend to keep it that way as was done in 1965. They are very much needed.

Mr. FLYNT. Mr. Speaker, will the distinguished gentleman from New York yield?

Mr. HORTON. I am glad to yield to the distinguished gentleman from Georgia.

Mr. FLYNT. Mr. Speaker, I thank the gentleman from New York (Mr. HORTON) for yielding to me.

Mr. Speaker, it is a distinct honor to join with many of my colleagues in paying tribute to the Disabled American Veterans today. This distinguished group, founded on the principle of service, has worked diligently and unselfishly to achieve the highest level of benefits for this Nation's disabled veterans and their dependents.

In the 50-year history of DAV, its members have struggled with many problems, and they have worked ceaselessly to fulfill their purpose. This spirit of determination and commitment throughout the years has produced an ever expanding and more extensive program for helping disabled veterans and their families.

The challenge of DAV to secure the rehabilitation of disabled veterans for a competitive position in civilian life is in the best tradition of our country. The outstanding accomplishments of this group deserve our thanks for the first 50 years and our best wishes during the next 50 years.

I congratulate the DAV on the 50th anniversary of its founding and wish for this great service organization many happy returns and many more years of service.

Mr. HORTON. Mr. Speaker, I thank the gentleman for his very fine remarks.

I now yield to the gentleman from Oklahoma (Mr. EDMONDSON).

Mr. EDMONSON. Mr. Speaker, I want to thank the able gentleman from New York (Mr. HORTON), and the able gentleman from South Carolina (Mr. DORN) for leading this well-deserved tribute to a great organization.

Mr. Speaker, it is a great privilege to join my colleagues here today in extending congratulations to the 300,000 members of the Disabled American Veterans on the 50th anniversary of the founding of this fine organization.

To say that our Government, and the people of this Nation, owe these men a debt of gratitude which can never be repaid, is only to underscore the tremendous courage and dedication with which they have served our country in its hours of greatest peril.

Over the years, members of the DAV have contributed countless numbers of hours to assisting staffs of our veterans' hospitals, and have been tireless workers on varied civic and community projects. The DAV has been a foremost leader in efforts to secure legislative programs from the Congress to rehabilitate fellow disabled veterans, and to provide benefits which these brave and dedicated men so richly deserve. In addition, the DAV has devoted its great energies to the effort to obtain humane treatment of American POW's, now held captive by the North Vietnamese.

Mr. Speaker, I welcome the opportunity to salute this outstanding organization, and want to extend my most sincere congratulations particularly to the eight DAV chapters in my own district, which have worked so hard for the betterment of their own communities and in behalf of their fellow veterans.

The DAV in Oklahoma has been instrumental in securing benefits or care for thousands of our veterans, and many children and widows of veterans have also been helped by DAV service officers.

It is a great service organization, and fully deserving of the Nation's gratitude.

Mr. HORTON. I now yield to the gentleman from North Carolina (Mr. LENNON).

Mr. LENNON. Mr. Speaker, I am very grateful indeed for the initiative shown by the distinguished gentleman from New York (Mr. HORTON), and our colleague and friend, the gentleman from South Carolina (Mr. DORN), for securing this time for their special orders.

Mr. Speaker, I am privileged and honored to have the opportunity to congratulate the organization of Disabled American Veterans upon the 50th year of service to America's veterans.

The DAV is an organization dedicated to improving the life of those Americans who have given of themselves in the protection of this mighty land, its peoples, and its principles of freedom.

The DAV is an organization which has never been satisfied with its membership's individual service to our country on the battlefields in many foreign lands. These men know what a helping hand can mean in situations of dire circumstance. They continue to serve their fellow veterans in processing legitimate claims for disabilities incurred while in service to this country.

I am convinced, too, that there are many other services rendered to our veterans which are never mentioned. Perhaps one of the greatest services of the DAV organization is their outstanding example of refusing to accept their disablement and things as they are. This organization is committed to service to veterans of America, and I believe, too, to all mankind for a better world in which to live.

To the over 300,000 men who make up the membership of the DAV, I salute you for your outstanding acts of service to the veterans of this land.

Mr. HORTON. Mr. Speaker, I now yield to the gentleman from Missouri (Mr. BURLISON).

> Let us strive on to finish the work we are in; to bind up the Nation's wounds; to care for him who shall have borne the battle and for his widow, and his orphan.

With these words Abraham Lincoln eloquently described the duty a nation owes to its veterans. But, as we all know, it is much more difficult to implement an ideal than it is to articulate it. That is why it is appropriate that we take this opportunity to congratulate the Disabled American Veterans on the 50th anniversary of their founding. Probably no organized group of Americans has done more to make President Lincoln's words a reality than the Disabled American Veterans. They organized to be a service group in the truest sense, and they have remained so. To advance the interest and work for the betterment of all wounded, injured and disabled veterans, their widows and dependents—to cooperate with all Federal agencies devoted to the cause of improving and advancing the conditions, health and interest of wounded, injured or disabled veterans. These are the goals they set for themselves and great strides have been made. We need only compare the paucity of benefits available to disabled veterans and their families 50 years ago with the panoply available today.

Mr. Speaker, great numbers of veterans live in the 10th Missouri Congressional District, and I have had the opportunity to observe firsthand the many ways these veterans are aided by the DAV whether in proposing legislation to benefit all veterans or assisting an individual veteran prepare his claim for compensation, the DAV is serving the best interests of the Nation. I am sure we all join in wishing them continued success and prosperity on this 50th anniversary of their birth.

Mr. HORTON. I now yield to the gentleman from West Virginia (Mr. HECHLER).

Mr. HECHLER of West Virginia. Mr. Speaker, I thank my good friend from New York (Mr. HORTON) for yielding to me and add my congratulations to the Disabled American Veterans as this outstanding patriotic organization celebrates its 50th anniversary.

I say that it is time the Congress of the United States stood up to defend these brave men who have served the country so well. I call upon Congress to not only refuse to go along with the administrations scheme, but to forthrightly increase the appropriation for veterans' hospitals and uphold a decent respect for our veterans.

I am certainly pleased that the Disabled American Veterans has played such an important role in bringing this problem forcefully to the attention of the American people.

Recently, a situation has come to my attention which should shock the consciences of all Americans who recognize and honor the heroic sacrifices of our fighting men of five wars. At a time when thousands of our soldiers and sailors are returning to this country from the Indochina war, and at a time when many of our older veterans from other wars are beginning to experience the physical impairments which accompany the passage of time, the President of the United States and the Veterans' Administration are planning to reduce medical services to those same brave men.

On this, the 50th anniversary of the founding of that great organization, the Disabled American Veterans, I call on all Americans to use all possible means to prevent this impending tragedy.

The facts of this situation are that the Veterans' Administration proposes to reduce by 20 percent the amount of food and medicine available to the nonservice-connected patients in VA hospitals. This will in turn result in a 20-percent reduction in the number of patients who can be treated in the hospitals. The administration has tried to defend this outrageous policy by saying that the staff-patient ratio would be improved—this may be true—but the other side of the picture is that long waiting lists would become longer, and many veterans would be turned out of their hospital beds before they have recuperated. I am certain that Americans of every persuasion will join me when I say that this is morally unconscionable, this is administratively inexcusable, and this is definitely not in the best interest of this country.

Mr. C. S. Collier, Jr., Director of the Veterans' Administration in West Virginia, and Mr. C. W. Schamp, of the Disabled American Veterans in Parkersburg, W. Va., have recently impressed upon me the dire consequences in store for our veterans in West Virginia and the entire country. It is clear that no matter what artful dodging devices the administration may employ, and no matter how they may try to justify the cutback in food and medicine available to our veterans in the hospitals, this reduction is nothing but a cruel and heartless slap in the face to America's fighting men.

Mr. HORTON. Mr. Speaker, the national commander of the Disabled American Veterans, Commander Stevenson, is from Arkansas, and is represented in Congress by our distinguished colleague, the gentleman from Arkansas (Mr. ALEXANDER), and I would like to recognize the gentleman at this time.

Mr. ALEXANDER. Mr. Speaker, a half century ago, when the sounds of battle of World War I faded away, the men of this Nation who had engaged in combat began to come home. As their numbers grew, so did the shock at the number—300,000—who were wounded, disabled, handicapped, or ill. The need for help was quickly recognized. But, this Nation—lacking experience in handling this kind of tragedy—floundered as it sought effective ways to attend to the needs of the men who had served their country so well.

The shock and the floundering could well be regarded as the labor pains which brought the Disabled Veterans Association into being. This is a nonprofit organization where the needs of the men and women served, are vividly familiar to the professionals who work with them. Because, the professionals are themselves disabled veterans.

DAV had a single purpose when it came into being. That was to see that the Nation's wartime disabled, and their families, are adequately cared for. Now, 50 years later, the purpose is the same.

Members and officials of DAV are vigilant in overseeing, protecting, and promoting the rights and interests of disabled American veterans. Their organization stretches a helping hand from the smallest towns to the Nation's Capital.

Most recently they have undertaken a program designed to train young, disabled veterans of the Vietnam conflict as DAV service officers. These young men will be able to communicate, in terms of their common experience, with their contemporaries who have come home maimed and ill and are beginning to try to rebuild their lives.

This kind of willingness to meet today's problems with today's solutions has unquestionably earned the DAV and its members the right of respect and honor from we who represent them in these Halls of Congress.

Mr. GERALD R. FORD. Mr. Speaker, it gives me great pleasure to join with my colleagues in saluting a fine veterans organization on the occasion of its 50th anniversary—an organization with the single purpose of helping the wounded and disabled veteran solve his problems.

The 50-year history of the Disabled American Veterans is a proud one. I have great respect and admiration for the DAV. Perhaps at no time in our history has the DAV been more needed than today when are fighting a war in which so many men are maimed or crippled.

From its inception, the DAV has been an organization of men devoted to God and country. They came together in Detroit a half century ago with a great resolve—to champion equitable treatment for the disabled veteran and his family, his widow and his orphans. Members of the DAV are intensely patriotic. They have always dedicated themselves to America's best interests. They have always been united in opposing those forces which threaten our national security.

Members of the DAV can look at the 50-year history of their organization and proudly recite its accomplishments—promotion of legislation necessary for the care and rehabilitation of disabled veterans, a highly successful program of national service to disabled veterans, the furthering of disabled veterans' training under the GI bill, tremendous efforts on behalf of our Vietnam war prisoners and men missing in action, a scholarship program for the children of disabled veterans, the establishment of Boy Scout troops for handicapped youths led by disabled veterans, the invaluable "identotag" license plate program, and always an attitude of vigilance aimed at strengthening our national security.

It is with pride that I pay tribute to the DAV on its golden anniversary. Each DAV member can be proud of the emblem he wears as the DAV marks a half century of progress and of devotion to the finest ideals of man.

Mr. ASPIN. Mr. Speaker, today in Congress, we address ourselves to honoring the Disabled American Veterans. I would like to call attention to this organization as one of our finest examples of the constructive achievements that can be attained through unity in a common purpose. The Disabled American Veterans have united through a shared problem and concern—and have helped one another through their unity of purpose.

In the early days, following the First World War, the Disabled American Veterans provoked the public conscience by calling attention to the plight of the man incapacitated by war. Much of the legislation we now have to aid the veteran is directly attributable to the efforts of the DAV.

Once the groundwork was done—once the legislation was passed and the benefits made available—the DAV focused its attention on the problem of assuring each disabled veteran of receiving the compensation to which he was justly entitled.

And, this is where the DAV stands today—primarily as an agent acting on behalf of the veteran—to guide him through the often confusing quagmire of Government regulations so that he is able to receive those benefits to which he is legally entitled.

During the short time I have served in Congress, I have received a considerable volume of mail from disabled veterans who are having difficulty obtaining benefits. Through this mail I have come to better understand the often impassable gulf which exists between the disabled veteran and the agencies which exist to help him. And it is in bridging this gulf that the DAV performs its most valuable service.

We have made some real progress in establishing agencies to aid the disabled veteran. Decent medical care, counseling, and vocational rehabilitation are now available to him. But we have yet to adequately inform veterans of how they can take full advantage of the available services. Through the unified efforts of the DAV the veteran can make maximum use of all that the various Government agencies have to offer.

I join my colleagues in the Congress today in honoring the Disabled American Veterans. Through their work our permanently wounded are no longer the forgotten byproducts of a faraway conflict but are contributing members of society, with dignity and purpose to their lives. May the DAV continue its efforts to ease the tragedy of those who have been so unfortunately wounded in our wars.

Mr. ROONEY of New York. Mr. Speaker, I am pleased to join with my colleagues in paying tribute to the Disabled American Veterans, an organization that for the past 50 years has had only one objective—to help our wounded and disabled war veterans. When we look at the massive complex in operation today to help our veterans it is hard to imagine what chaos in this regard existed shortly after the end of World War I. Insufficient and undermanned hospitals, nonexistent or woefully inadequate rehabilitation and training programs and a general air of indifference on the part of the public were just a few of the things facing our war veterans of those days. And so to help themselves and their fellow veterans they formed organizations like the DAV. Their road was not easy, nor were all the battles won. But they had a monumental part in making all of us realize just what we owe these men and women and their families. Today the DAV is still battling, for the wounded are still coming. And the DAV and its past and present leaders have well earned our salute today.

Mr. BERGLAND. Mr. Speaker, too often, after a time of crisis has passed, our Nation forgets those who have served their country so unselfishly and who have given so much of themselves.

For 50 years, the Disabled American Veterans have kept Congress and the people of the United States ever mindful of the needs of those whose sacrifice has been so great.

Because of the services given by the Disabled American Veterans—to their members and to their Nation—it is only proper that we honor them on this their 50th anniversary. It is only proper that we continue to honor them.

Mr. PATTEN. Mr. Speaker, it is a real honor for me to participate in commemorating the golden anniversary of great human service by the Disabled American Veterans.

This commemoration is being called, "DAV Day in Congress: A Tribute to Quiet Courage." I do not believe a more appropriate theme could have been selected, for the veterans of America—especially those who are disabled—are great examples of "quiet courage."

They do not shout, they do not boast, and they do not threaten. They live quietly, but effectively. What they did for America—and for freedom—can never be rewarded and can never be forgotten. They are respected, they are admired, and those who cherish freedom and all its blessings, even love these great patriots.

The extremists are only destroyers, but the veterans of this country are not only protectors of our freedoms, but are the builders of America. We are free because of their sacrifices and their courage. And I, for one, will always be grateful to them, and I believe that most Americans feel the same way.

Mr. Speaker, the Disabled American Veterans is a nationwide organization of wartime disabled veterans. Founded in 1920 in Cincinnati, Ohio, it is congressionally chartered to work for the improvement of health, education, rehabilitation, and employment opportunities for disabled veterans, their widows, and dependents.

With over 150 trained and accredited national service officers, the DAV has the largest free service programs for disabled veterans of all veterans organizations. These national service officers are fully paid by the DAV and are stationed in Veterans' Administration regional offices across the country.

During the history of DAV, these service officers have handled over 8 million cases and have obtained over $1,600,000,000 in benefits for the disabled veteran and his dependents. The DAV faces the future determined to render even greater service to our Nation's war disabled.

Mr. Speaker, I have the very great honor of having two really distinguished DAV leaders in the congressional district I represent—John and Ann Benyei, of South Amboy, N.J. These two wonderful people have dedicated—and are dedicating—their lives to serving the Disabled American Veterans. John is a former State department commander of New Jersey and so is his wife, Ann. Today, John is one of the national service officers in the New York-New Jersey region. The Benyeis have helped make the DAV the great organization it is today and I want to pay tribute to them—for their leadership, for their integrity, and for their dediction—to veterans and to the United States of America. I also salute them on their 25th wedding anniversary observed yesterday. How blessed this couple is.

Mr. STAFFORD. Mr. Speaker, on this, the 50th anniversary of the founding of the Disabled American Veterans, I am honored to have the opportunity to express my gratitude and pride for the outstanding services which this organization has provided.

For 50 continuous years the men of the DAV have never failed in their efforts to impart to America's war disabled the courage and hope necessary for these veterans to carry on. With services and programs ranging from employment training and education, to medical care and treatment, to adequate compensation for the disabled veterans and their dependents, the DAV has distinguished itself by its dedication and its pragmatic solutions to the problems of America's war disabled.

At many times when, after the parades and the celebrations were over, we as a society might have forgotten those who suffered injury and disease in order to secure freedom, the DAV pursued a relentless task of insuring that these disabled veterans were remembered. The significance of the adoption early in the life of the organization of the blue flower, the forget-me-not, thus becomes most clear.

The Disabled American Veterans have displayed the characteristics which exemplify the best of American traditions. Basing its programs on the principles of self-reliance and personal motivation, the organization has led the way in reorienting disabled veterans toward productive lives. Most important, the DAV personally understands the plight of an injured veteran and can help that veteran develop the self-discipline to overcome his handicap.

It is often difficult for the wounded and disabled veteran to see the reason for his sacrifice and he might readily become embittered were it not for this great organization's efforts to encourage the veteran to understand that his efforts were not in vain but have benefited all free men everywhere.

Were it not for the diligent work of this patriotic organization, many of our war veterans would be left with little hope for the future. Having given these soldiers the impetus to continue to live normal lives, the DAV has followed up with numerous programs of education, vocational rehabilitation, medical care, and many others. Without the efforts of these gallant men of the DAV, those who have given so much in defense of our country might have remained neglected and forgotten.

I congratulate the Disabled American Veterans and applaud their unceasing and honorable efforts to make life productive and hopeful for America's war disabled. I know I speak for all my fellow Vermonters in wishing the DAV many more decades of success in caring for America's disabled.

Mr. SMITH of California. Mr. Speaker, it is a special honor to join my many colleagues in paying tribute to the Disabled American Veterans as they reach the golden anniversary of service devoted solely to the cause of our Nation's veterans and our country.

The outstanding activities relating to the well-being of the wartime disabled, their widows and orphans, is an inspiration to people everywhere.

I shall continue my efforts in the Congress on behalf of all our veterans and disabled war heroes—those courageous men whose lives have been altered that we may continue to enjoy our freedoms. Their sacrifices and their patriotism have earned the admiration and respect of us all, and will never be forgotten.

I salute the dedication of the Disabled American Veterans.

Mr. SCHERLE. Mr. Speaker, the Congress of the United States is a busy place. On its agenda are the most pressing problems of the Nation and the world. It is significant, therefore, that we pause today to honor the Disabled American Veterans—significant and entirely fitting. This body can consider no issue of greater importance than the welfare of our disabled American veterans. No national priority takes precedence over their interests. Those who have served their country in time of war, and have suffered grave disability to themselves in consequence, deserve our utmost consideration.

We may be thankful, therefore, for the very existence of an organization like the Disabled American Veterans. For 50 years, the DAV has provided aid and comfort to this Nation's wounded heroes, insuring that they receive all the benefits to which they are legally entitled. For this great service, the rest of the country owes them an incalculable debt of gratitude.

It is a debt we can repay in many ways, through public paeans and private prayers, but our most important contribution here in Congress is to remember our disabled veterans' service in positive, practical ways, to reward their valor and compensate for their sacrifices as best we can through constructive legislation on their behalf. Encouraged by such assurances of gratitude on the part of those in whose name they have fought, the Disabled American Veterans will be able to continue their noble work secure in the knowledge of our stanch support.

Mr. WHALLEY. Mr. Speaker, it gives me a great deal of pleasure to pay tribute to our former fighting men, the members of the Disabled American Veterans, on their 50th anniversary.

The bravery of the American fighting man is respected more than any other quality by the great mass of the American people. And when, in the process of acting on the strength of that quality, an American is disabled in action, the fact is of primary concern to our national community.

So it has evolved that an organization—the Disabled American Veterans—has come to the fore, to protect the interests of the disabled, and in so doing has won the interest and approval of the American people at large.

All legislation enacted in this century by the Congress, to serve the interest of our disabled veterans, has been the result of proposals advanced by the Disabled American Veterans, who have come to assume an important place in the molding of veterans' legislation in Washington.

Those of us who have dealt with the officials in the DAV have been impressed by their knowledge of the issues and the strength of their presentation. Clearly, they are leaders of insight and ability, and their record of accomplishment attests to that, in every detail.

I would like at this time to commend the Disabled American Veterans, on the occasion of their 50th year of service to the heroes of our land.

Mr. BROWN of Ohio. Mr. Speaker, it is a pleasure for me to join with my colleagues today to pay tribute to the 50 years of service the Disabled American Veterans organization has given to its members and to the Nation.

As a nation we owe no higher honor and appreciation than to the men who have unhesitatingly answered this country's call to arms to protect and preserve the principles of freedom and self-determination when oppressed peoples have called upon America for help.

More than 1 million American men have paid the highest price—death—in military service to guarantee life and liberty to others. Those dead we can never repay, except through our renewed dedication to a peaceful and free world.

But millions more have suffered wounds and disease during wartime military service. Today more than 2 million of the 27 million living American veterans have some form of disability recognized by the Veterans' Administration. Americans have willingly provided programs of care, rehabilitation, and compensation for these veterans, and we will continue to do so unhesitatingly so long as the need is there.

Just enacting programs, however, is not enough. The efforts we undertake for our veterans must be truly responsive to the changing problems and needs of the recipients within the framework of an increasingly complex modern society whose priorities have multiplied many times in recent years. We must tailor our programs to meet the needs of our veterans with full attention to the problems of society today. New problems take attention and funds that were previously devoted to old problems. The programs can be modified, but we cannot ignore our veterans' need as we alter the approaches to meet today's circumstances.

For 50 years the DAV has devoted its efforts to the betterment of the plight of those wounded and sick American veterans who gave so much without complaint. The DAV asks only that society be fair in helping its members rejoin the mainstream of life. While all of us hope the need for the DAV's efforts will someday no longer be needed—as men learn to live in peace—we enthusiastically support the DAV's goals today as American goals, and pledge that our disabled veterans will be kept at the top of our priority list as the effort is made to improve the quality of life for all Americans now and in the future years.

Mr. HANLEY. Mr. Speaker, we are joining here today to pay tribute to the Disabled American Veterans—an organization which is celebrating 50 years of devoted service to those who have been disabled in our wars.

In 1920, the predecessor to what is now known as the Disabled American Veterans was formed to dramatize the plight of our disabled heroes and to press for humane legislation to help those whose lives were so severely disrupted in service to our country. Through the years, the DAV has grown by leaps and bounds, and, in growth, has become the conscience of America. Much of the Federal, State, and local legislation designed to help disabled veterans can be traced directly to this great organization.

But, in a broader sense, we are today paying tribute to those who are members of or are served by the DAV. All too often, we in America tend to forget that war brings in its wake thousands of men and women who, in varying degrees, have suffered both physically and mentally from the miseries of battle. We do not like to be reminded of unpleasant facts, and disabled veterans are constant reminders of the horrors of war and of the unfortunate fact that some are required by circumstances beyond their control to sacrifice more than others.

Therefore, I think that it is essential that we occasionally pause, as we are doing today, to reflect upon these sacrifices and to dedicate ourselves anew to provide meaningful programs to help our disabled veterans return quickly to the mainstream of American life. For the disabled veteran is not looking for charity—or a handout. To them we owe a debt which can never fully be repaid. But we can and should be sure that the best of rehabilitation programs are provided to help restore the human dignity which comes with being able to provide for one's own needs.

The Disabled American Veterans has long provided the cutting edge for the development of many of these programs. Formed because America seemingly ignored the wounded of World War I, the DAV has continued to expand its programs and activities through the three subsequent conflicts in which we have been engaged. I am sure that the men who originally established the DAV in 1920 assumed that theirs would be a temporary organization—that soon there would be no need for a DAV since hopefully the Great War was to be the last. We all know too painfully that this has not been the case. But fortunately, the foresight of a few in 1920 has been embodied in an organization which has beneficially touched the lives of millions and which has had sufficient courage and tenacity to insist that America not forget its disabled—regardless of politics or ideology.

So, my hat is off to the Disabled American Veterans—and my heart is with those who have been disabled. May we never forget what you have given to us.

In closing, Mr. Speaker, I want to pay a special tribute to a number of DAV members from my congressional district, some of whom are with us in the Chamber today. These are men with whom I have enjoyed a close working relationship for many years. They are dedicated men who give unsparingly of their time and effort that our veteran community may continue to enjoy a measure of human dignity. Time does not permit me to single them all out, Mr. Speaker, But I feel a special note of thanks is due to Mr. Sam Danial, Mr. Angelo Palmisano, Mr. Joe Grecco, Mr. Joe Paone, Mr. Paul DeRossett, Mr. Nick Cacco. They are truly great Americans.

Mr. GUDE. I wish to commend the gentleman from New York (Mr. HORTON) for his admirable leadership in behalf of the Disabled American Veterans. The Disabled American Veterans organization is a part of the best in the American spirit. The members of the organization help themselves, and they help others—and inspire us all.

In Maryland, the State unit of DAV was organized in 1945 and has 5,000 members.

Volunteers from this organization work at five veterans and military hospitals in the State. They have spent more than $10,000 on their hospital work in the past year—and visited with about 23,000 patients.

The members also have a salvage program to provide clothing and furniture to any needy veteran.

And they have been very active in gathering signatures on petitions to be sent to Hanoi and its officials in Paris on behalf of Americans who are missing in action or are prisoners of war.

Nationally, the group was organized 50 years ago, just after World War I, to help wartime disabled veterans and veterans' widows, orphans, and other dependents. The organization was chartered by Congress in 1932.

Probably every owner of an automobile in the country is aware of the DAV's "idento-tag" program. Proceeds from the sale of these miniature license plates pay for the many worthwhile programs for disabled veterans and their dependents.

The DAV helps disabled veterans make their claims to the Veterans' Administration, and sometimes can even obtain service-connected disability compensation for a veteran although years have passed since his active service. As shown by testimony today before the House Veterans' Committee, the DAV's leaders and members are also very active in supporting veterans' legislation in Congress. In its activities in behalf of disabled veterans and their dependents, the DAV is aware of the guiding principle of its founding. This principle is that our Nation's first duty to her veterans is the rehabilitation of the wartime disabled. For that high purpose the DAV has labored for half a century, and today Members of Congress take pride in saluting the DAV for its achievement in the pursuit of its objective.

Mr. ULLMAN. Mr. Speaker, on March 3, Congress salutes the heroism of our fighting men in a special "Disabled Veterans Day in Congress: A Tribute to Quiet Courage." The tribute is for the Disabled American Veterans organization for a half century of service to America's war disabled.

At the end of World War I, the DAV was organized with few funds and little influence. Since that time, the DAV has grown into a strong national organization that provides assistance to the many thousands of American fighting men disabled in World War II, Korea, and Southeast Asia. At present, nearly 300,000 members serve in the DAV.

The accomplishments and services that the organization has rendered to the Nation's disabled veterans certainly deserves our hearty congratulations and continuing full support. My best wishes to the DAV on this anniversary as it continues to provide adequate benefits for our Nation's veterans.

Mr. BARING. Mr. Speaker, I appreciate this opportunity to honor the Disabled American Veterans organization which has given so many years of service to assisting those dutiful American soldiers who have been physically disabled in time of war.

The DAV deserves the thanks of millions of Americans both in and out of the military service for its continued effort to insure just and due compensation for the veterans of American wars who have fought for freedom and who have been disabled in fulfilling their moral and military obligation to the United States.

The obligation now is for the American Government to continue to fulfill its obligation to all veterans to assure proper benefits for the American veteran.

The role of the DAV will gain even greater importance, along with other veterans' organizations, as the seemingly unending number of wounded and disabled American soldiers come home from the Indochina war situation. These growing ranks of Americans will need the assisting hand from the DAV which has proven itself, after 50 years of service, to be a salvation for the wounded and disabled soldiers seeking help upon their return home.

As a member of the House Veterans' Affairs Committee, I am happy to say that the support and assistance the committee and the U.S. Congress receive from such veterans' organizations as the DAV are valued and are important ingredients to see that veterans' needs are best served by a proud and thankful, free nation.

Mr. JONES of Alabama. Mr. Speaker, it is an honor to join in the tribute to the Disabled American Veterans on the golden anniversary of their service to our Nation's wartime disabled.

This is a particularly fitting time to remember the meaning of their service and their sacrifice in behalf of all Americans.

Their heroism and courage in danger and conflict have been reflected repeatedly through the years in the quiet way they have sought to put aside their disabilities and join in the full participation of our Nation's pursuits.

Through the organization of the Disabled American Veterans, they have come together for mutual support and assistance and for important contributions to the general improvement of their individual communities.

The men and women of Alabama have always been especially active in our Nation's military forces during times of crisis, and, consequently, the Alabama Department of Disabled American Veterans has an unusually large and active membership.

I take this opportunity, on the golden anniversary of the Disabled American Veterans, to salute them for their courage through the years.

Mr. SLACK. Mr. Speaker, I am honored to join with those who speak here today in praise of the Disabled American Veterans on the occasion of their 50th anniversary year.

The DAV program deals directly with the needs of those who are the foremost preservers of a grateful nation. In military action of any kind there are casualities and today's casualities are most often tomorrow's disabled veterans.

Of all the fine veterans' service organizations, the DAV has concentrated most on giving recognition to him who has borne the brunt of battle and carry with him the scars for a lifetime.

In this instance, recognition means more than just monetary or medical benefits. For the disabled there is a strong need of identification and a continuing reassurance that the sacrifice was justified by the destruction of an enemy to their country.

As long as the world remains influenced by conflicting sources, there will be differences among nations and challenges leading to human casualties. For this reason there will always be a need for the DAV. My congratulations on this 50th anniversary is joined with my convictions that all Americans take pride in this recognition of quiet courage.

Mr. BELCHER. Mr. Speaker, I want to take this opportunity to join in the program entitled "DAV Day in Congress—Tribute to Quiet Courage."

The Disabled American Veterans organization was established 50 years ago with little or no funds. This organization has grown to more than 300,000 members, who work for the benefits and consideration which disabled American veterans have earned by their service and courage.

There are presently 146 National Service offices located in the Veterans' Administration regional offices throughout the United States. The basic function of the National Service program is to assist disabled veterans, the dependents, widows, and orphans in obtaining all benefits to which they have legal entitlement.

The DAV has also established the POW/MIA program, which is an allout effort to procure the release of American prisoners of war in Vietnam. The program is using television and radio and has mailed over 5 million leaflets directly to persons' homes to encourage the American people to write the North Vietnamese at their Embassy in Paris.

It is a great honor for me to have the opportunity to pay tribute to this great organization which has worked so tirelessly over the years to insure that our brave fighting men who have given so much for their country will never be forgotten.

At this point, Mr. Speaker, I would also like to insert in the RECORD the text of a letter I have received from Mr. Kelley Bitting, the service officer of the Disabled American Veterans Tulsa Chapter, Tulsa, Okla., in my congressional district. I thought it was such a good statement of what this fine post is doing that I think it should be included here.

The letter follows:

DISABLED AMERICAN VETERANS,
Tulsa, Okla., February 21, 1971.

Hon. PAGE BELCHER,
U.S. Representative,
House Office Building,
Washington, D.C.

DEAR MR. BELCHER: Time has been set aside in the House on Wednesday March 3, to commemorate the "Golden Anniversary" of service by the Disabled American Veterans to America's Wartime Disabled.

The day called "D.A.V. day in Congress: A Tribute to Quite Courage, is being co-sponsored in the House by Congressman William J. Bryan Dorn, and Congressman Frank Horton.

Our Chapter here in Tulsa was first organized in December 1929 with only eleven members we were known then as the "Disabled American Veterans of the World War, our Congressional Charter has since been amended to include disabled veterans of all wars and conflicts.

Our present membership is close to 500 and still growing, our community services are increasing everyday. We have spent close to $2000 for emergency assistance to hospitalized veterans.

Our emergency assistance consists of making house payments, or rent, buying groceries, and paying utilities for the families of veterans that are hospitalized for a long period of time and their families have no means of support other than the veteran's earnings.

We are also active as possible in the youth progams of Tulsa as it is our sincere belief that our future and our country's future lies in the hands of our youth. In fact our young people are our yesterday, our today and our tomorrow.

Our Service Program is of course a great concern to us, as the purpose for which we were organized was to work for the improvement of health, education, rehabilitation, and employment opportunities for the disabled veterans, their wives, widows, and orphans.

We also represent many many veterans, widows and orphans that are not eligible for membership in either the D.A.V. or our Auxiliary. In fact many of the disabled veterans we represent are not members of the D.A.V.

Our service work is increasing by leaps and bounds because of the returning Vietnam veterans. I get many calls and several veterans that are being discharged thru the Reynold Army Hospital at Lawton come to me for advice especially the ones that are being considered for Medical Retirement or discharge, some I am able to help. We provide assistance to veterans, widows and orphans in processing their claims with the Veterans

Administration; the veteran is naturally included.

This part of our service program includes Tulsa and all surrounding towns, and I quite often get claims from as far west as Enid, Miami and surrounding towns to the northeast, McAlester to the south and towns along the Arkansas Border to the east. I only wish I were able to handle more but there is a limit to what I can do, as I myself am a 100% Service Connected disabled veteran as a result of my World War 2 service.

However I am presently training our Commander and Senior Vice Commander in Service Work and our long range plans (providing we can find the finances) call for purchasing a self contained travel home unfurnished and making a traveling service office so we can provide itinerary service to all of Northeast Okla.

The main idea of this program is to reach the veteran and his dependents that have no idea what benefits they are entitled to. The year that I served as Department Commander it was un-believable the number of War Orphans alone that I found that did not know they were entitled to educational benefits.

Another program we have is volunteer work at the Muskogee Hospital, we send one group down each week, and just last week we voted to increase our dues so we can send two groups each week.

We also help sponsor one bingo game per month for the patients at Muskogee. We also try to sponsor additional games in their entirety at least three times per year, plus helping to decorate the hospital at Christmas time, and helping to sponsor at least one Christmas party for all patients.

One other program that I personally have been pushing for several years is the showing of the film "Old Glory" (which you obtained for me) to as many school assemblies and civic groups as possible. I also pass out small booklets at these showings which explain proper respect for our Flag.

I will be showing this film to some 8 or 9 hundred school children in the Catoosa school tomorrow.

Mr. Belcher this is some of the activities of our Chapter, we urge you as our Congressman to participate in the activities concerning DAV Day in Congress on Wednesday March 3, 1971.

Very Sincerely,

KELLEY BITTING,
Service Officer.

Mr. BRINKLEY. Mr. Speaker, the DAV is now celebrating its 50th year of service to our Nation's disabled warriors. Since its inception, this splendid organization has devoted its most unselfish energies toward channeling both its members, and nonmembers back into the mainstream of America.

Since it was organized, DAV has represented more than 4 million claimants, obtaining millions each year in monetary benefits due disabled veterans and their dependents. In addition to their scholarship program for the children of members, and their idento-tag program which provides employment for disabled veterans, their wives and widows, the DAV has sponsored most of the beneficial legislation affecting disabled veterans. It is indeed a service organization.

This golden anniversary presents a moment to pause for retrospection, an opportunity for the Nation to recognize and appreciate the meritorious 50 years of service of the DAV. But this is also a time for looking to the future. It is the everpresent hope of America that her sons will not be exposed to the danger of conflict. But if and when such circumstances do arise, we can be proud that so noble an organization as the DAV exists to do all that is in its power to alleviate the hardships borne by those who pay the personal sacrifices.

Mr. PIRNIE. Mr. Speaker, I am proud to share this well-deserved tribute to the Disabled American Veterans on this their golden anniversary. This fine organization has achieved a membership of almost 300,000. Their personal records and organizational accomplishments serve as an inspiration to us all and recalls the words of our great President Abraham Lincoln. In closing his second inaugural address, Mr. Lincoln spoke of the task facing our young Nation at that most difficult time:

> With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.

The objectives of the President at the close of the Civil War are today the objectives of the DAV. These dedicated men have served their Nation well. Also they have carried the banner of service for their less fortunate comrades who have sustained physical disability on the battlefields around the world in defense of freedom.

Their patriotism does not ebb. These men have not forgotten. Today, working closely with the Veterans' Administration, they seek to assist all veterans in need. They are accomplishing this worthy objective as families across our land will attest. Their work continues beyond aiding their fellow disabled veterans and the widows and orphans. Witness their determined program directed toward securing the release of our missing servicemen held captive in North Vietnam.

This tribute is brief but is a grateful expression of the admiration we in the Congress have for the commendable achievements of the Disabled American Veterans. We thank the DAV for what it has accomplished and is doing. We wish for the organization and its members continued vitality in the critical years ahead.

Mr. ANDREWS of Alabama. Mr. Speaker, we in this great Nation know full well what the 50 years of service provided by the Disabled American Veterans have meant.

As a nation which has endured three major wars and is now involved in a fourth, we know well the hardships and suffering of those disabled during these conflicts.

After each of these wars, the picture for our returning injured could have been a bleak one, and no doubt would have, except for the unceasing efforts of the Disabled American Veterans organization.

With every passing year, the DAV has grown in size and stature, and with every passing year, the magnitude of its services has grown, benefiting an evergrowing number of veterans.

It now has a national membership of over 294,560. In my own State of Alabama, the DAV is over 2,900 strong and active in both veteran-related activities and general community service.

Through its National Service program, the DAV provides vital assistance to disabled veterans, their dependents, widows, and orphans in getting all of the benefits legally due them.

This needed assistance may involve death indemnity compensation, hospitalization and out-patient treatment, disability compensation and pensions, life insurance, housing and employment assistance, and social security disability insurance benefits.

Through this program, the DAV represents our disabled servicemen in all military and naval hospitals where physical evaluation boards are held to insure that all wounded, or otherwise disabled, servicemen receive all benefits to which they are entitled.

It also provides legal counsel before all of the boards of correction of military records and discharge review boards.

When an injured veteran returns from the battle zone—and they have by the thousands during the Vietnam War—the DAV contacts each veteran to offer assistance.

This great organization is currently deeply involved in a campaign for the release of our servicemen held captive in North Vietnam. It hopes initially to get Americans to write 20 million letters to Hanoi urging better treatment for prisoners of war.

The DAV also promotes a scholarship program for children of disabled veterans, as well as the establishment of boy scout chapters for handicapped youths under the leadership of disabled veterans.

Mr. Speaker, I salute the Disabled American Veterans on this, its 50th anniversary. It has served well the Nation and humanity—an enviable record for anyone.

Mr. BURKE of Massachusetts. Mr. Speaker, it is a distinct honor to pay my respects to the members of the Disabled American Veterans, in tribute to their magnificent contribution to the democratic cause during their first half century.

The Disabled American Veterans represent in essence the spirit of a people who would risk everything in the name of democratic principle. They also represent the public spirit that enables our society to prevail on the basis of democratic principle.

As members of the Armed Forces, the DAV membership marched and sailed and flew against the enemies of freedom and justice. As veterans, they have seen fit to devote their time to fighting as hard for freedom and justice on the homefront as ever they did on the battlefield. They deserve the profound respect of everyone familiar with their performance.

The power and the glory of American tradition rests upon the combined efforts of American military might and American civilian enterprise. The Disabled American Veterans represent both these elements in American life.

Their service will never be forgotten and will serve to inspire mankind for generations to come.

Mr. ARENDS. Mr. Speaker, upon the occasion of the 50th anniversary of the Disabled American Veterans organization I should like to express my personal commendation of the outstanding service they have rendered to our disabled veterans, their widows and dependents.

As a grateful nation we have an obligation to all who have worn the uniform of our country in the defense of our cherished heritage of freedom. We have a special obligation to the dependents of those who made the supreme sacrifice and to those who bear the scars of battle. We have sought to acknowledge this obligation in the various benefits made available through the Veterans' Administration.

A basic function of the National Service program carried out by the DAV is to extend assistance to our veterans and their dependents in obtaining the benefits to which they are entitled. Many do not even know to what benefits they are entitled, and many more experience difficulty in legally establishing their rights. All of us well know the extent that the DAV has been of assistance in this respect.

I deem it important to point out that the monthly benefits paid to a veteran suffering from a service-connected disability is not a pension. It is not a gratuity. It is compensation. We have made this distinction in the laws we have enacted. We have sought to emphasize that we are merely endeavoring to compensate the veteran and his dependents for injuries sustained in the military service that constitute a handicap in his normal civilian pursuits.

There is another service that the DAV has rendered our country over these 50 years. It has done much for the advancement of our American ideals and for our youth taking pride in the defense of those ideals.

The Disabled Veterans organization is one of the finest, and again I extend to all affiliated with it my heartiest congratulations and best wishes on the occasion of this 50th anniversary in the service of our country.

Mr. ADDABBO. Mr. Speaker, this is a historic occasion for those dedicated men who have worked so hard to make the Disabled American Veterans a successful and dynamic public service organization. Today we in the House of Representatives join in celebrating the 50th anniversary of the DAV.

The theme for this special recognition captures the spirit of the DAV movement in America—a tribute to quiet courage. That theme is more appropriate today than at any previous time in our history for the courage of today's disabled veteran is truly quiet. The challenge to the DAV is also greater today than at any previous time because of the mood of the Nation, the state of the economy, high unemployment and increased demands for quality medical care.

The DAV policy is based on their stated belief that America's first duty to veterans is the rehabilitation of our wartime disabled. That policy includes proper medical care, adequate compensation for disabilities, training and education to restore employability and adequate compensation to widows and dependents. These four areas require continued legislative support and are consistent with basic principles of justice and compassion.

The DAV has a 50-year record of service to disabled veterans which should make every American proud. As hundreds of thousands of servicemen return from Vietnam, many of them disabled, the DAV serves as a ray of hope. I join my colleagues in praising the DAV for their record of achievement, in wishing them continued success in their legislative efforts and their work to assist disabled veterans in the months ahead.

Mr. PRICE of Illinois. Mr. Speaker, it is proper for us to set aside this day to pay tribute to the Disabled American Veterans. By their continuous courage and service, these men represent our Nation's highest ideals.

This anniversary marks 50 years of unselfish dedication by the members of DAV to the principle of rehabilitation of their fellow wartime disabled. Their basic purpose has been to assist all disabled veterans in obtaining the highest level of benefits to which they are legally and morally due. The DAV is devoted exclusively to the cause of wartime veterans. This is a cause that deserves our greatest respect.

The service rendered by DAV during the present war alone deserves the highest commendation. Not only have they done all they could to provide adequate medical care, compensation and employment for the disabled veterans, they have also directed their efforts toward securing better treatment for the prisoners of war and have pledged not to cease until the last prisoner has been released.

It is an honor for me to have this opportunity to salute the Disabled American Veterans on their golden anniversary. Congress and all America has an obligation to its veterans. Now is the time for us to renew our pledge to fulfill this obligation.

Mr. McKAY. Mr. Speaker, I am happy at this time to join with the other gentlemen of the U.S. House of Representatives in paying tribute to the Disabled American Veterans organization.

In my own State of Utah, the letters "DAV" mean not only Disabled American Veterans but also symbolize dedication and valor. And surely no organization of disabled ex-fighting men was ever more appropriately named. Let their deeds speak for themselves.

Salt Lake City boasts the fifth largest DAV chapter in the world, the James R. Thomas, Jr., Chapter No. 6, with over 1,800 livewire members. Its commander is Donald R. Murray and, under his leadership, this chapter hit an all-time high in membership, and his year in office still has 4 months to go. Serving as his executive committee are Ralph Albiston, senior vice commander; Vito Abbato, junior vice commander; Terrell T. Jackson, treasurer; Ben Strohm, chaplain; Bibian Rendon, past commander; and George L. Carey as the chapter adjutant.

This chapter is now sponsoring two Scout troops of handicapped boys—a total of 21 growing boys who, heretofore, have been forced to watch from a distance as other, more fortunate boys participated in the great scouting program. These are boys to whom the DAV has brought hope, pride, and self-respect. Maybe they cannot get around like the other youngsters, but now they are Scouts and fiercely proud of it.

This chapter also wholeheartedly supports the State program: My favorite charity sponsored by the DAV's fund-raising project, the veterans' thrift stores. Every Easter eve they present checks and inspire others to do likewise in support of needy charities, most of which involve care of handicapped children. Though this program has been in effect for only the past 6 years, it has resulted in over $60,000 being paid to those recognized charities.

Chapter adjutant George L. Carey, serves only part time as his working days, and many nights, are in the capacity of national service office. In this position he does an excellent job of representing Utah's disabled veterans and their widows. Last year alone, he presented over 1,100 claims to the Veterans' Administration and won and protected almost $2 million in benefits for them, and at no cost to those who were so represented.

This is the story of just one DAV chapter in my State of Utah. I am proud of their accomplishments. So remember, when you see the letters "D-A-V," they stand not only for "Disabled American Veterans" but also symbolize "Dedication and Valor."

Mrs. HICKS of Massachusetts. Mr. Speaker, it is a great honor for me today to participate in Disabled American Veterans Day in Congress: "A Tribute to Quiet Courage."

This day commemorates the golden anniversary of service by the Disabled American Veterans to America's disabled. It is always a pleasure for me to pay tribute to those who have served their country so well.

The objectives of the Disabled American Veterans have been to advance the interest and work for the betterment of all wounded, injured, and disabled veterans, their widows, and dependents and to fully cooperate with all Federal and private agencies devoted to the cause of improving and advancing the conditions, health, and interest of wounded, injured, or disabled veterans. Disabled American Veterans also wished to stimulate a feeling of mutual devotion, happiness, and comradeship among all disabled veterans.

We live in an era that severely tests human endurance, but when one has the opportunity to publicly acknowledge a group whose total concern is the betterment of mankind, one should not hesitate to offer congratulations. Too often a man is called upon to defend the freedom of his country, and then return to a country that seemingly does not care.

Fortunately, there are those who care and even more importantly, act. Nothing could be more shattering to a wounded man than to return home and face oblivion. The efforts of the DAV has brought about dramatic changes in the fields of hospitalization and rehabilitation. While it does not totally solve the problem—for nothing will except the end of all wars—it has certainly brought great hope to those who have been unfortunate enough to be disabled.

The greatest contribution of the Disabled American Veterans, however, is the high honor of their work in perpetuating the memory and deeds of those who have been called upon to make the supreme sacrifice in the defense of their country.

The comfort and assistance that this worthy organization has given to the grieving families of these heroes is a noteworthy example of dedication and achievement.

It is never an easy task to work with people who have just lost a loved one, but the DAV's ability at lessening the blow of death has been an inspiration in courage to the entire world. Our Nation is far stronger, both physically and morally, as a result of their unselfish dedication.

I sincerely hope that this organization's next 50 years will be just as golden and productive as their first 50 years of service.

A happy day for this country will be when their services are no longer necessary for our servicemen and these people will be able to channel their energy and loyalty in other directions. Let us all continue to work for that time.

Mr. TIERNAN. Mr. Speaker, I rise today to join my colleagues in honoring the 50 years of distinguished service of the Disabled American Veterans.

For 50 years the DAV have held as their objectives the well-being of our Nation's war disabled, his widow and his children. They have pursued these objectives with determination and enthusiasm, achieving a great measure of success.

The need for the DAV has never been more obvious. In World War I the rate of survival was extremely low. This rate increased to 70.7 percent in World War II, 73.7 percent in Korea, and is currently 81.3 percent in Vietnam. Because of the DAV, each one of these men is insured of getting medical care and treatment, compensation, and training and/or education to restore their employability.

Back in 1964, the then national commander, Douglas McGarrity, stated the position held by the DAV:

> If this nation commits itself to war, then it is obligated to pay the cost. It is difficult indeed to evaluate the cost to disabled war veterans, their widows and dependents, in terms of long-term suffering as a result of physical disabilities or death directly attributed to combat service.

I share these views, and I extend my congratulations and my praise to the nearly 300,000 members serving in the DAV.

Mr. MONAGAN. Mr. Speaker, I am pleased to join my colleagues today in celebrating the golden anniversary of the Disabled American Veterans and in honoring the disabled American veteran himself for his service and courage.

The DAV was organized 50 years ago with few funds and a modest membership, but with a strong determination to secure proper public attention and adequate benefits for the American war veteran. Today the organization includes nearly 300,000 members, all working for the consideration which our disabled veterans have earned through their distinguished service to our country.

The Connecticut Disabled American Veterans organization achieved during the last year one of the highest paid memberships in its history. As of February 15, 1971, the Connecticut DAV had 5,661 registered members, with approximately 2,000 in the ladies auxiliary. These members made up the 28 active chapters which worked across the State participating in hospital visitation and other valuable community services.

The Disabled American Veterans know better than most that the heroism and courage of our soldiers continue long after the war in which they fought. This courage is displayed every day in the wards of the veterans' hospitals or in many ways in which disabled veterans overcome handicaps to lead productive lives.

Today's special order pays a well deserved tribute to our disabled veterans and to those who seek to help them. The service which the DAV provides cannot be measured in conventional terms. It must be measured in human terms. Our country owes an unpayable debt to the DAV and to the veterans whom this organization serves. Today the Congress takes the lead in saying thank you to these devoted men and women.

Mr. HALEY. Mr. Speaker, we live in a world of change but some things remain steadfast.

Fifty years have passed since the Disabled American Veterans was brought into existence dedicated to the service of America's disabled war veterans, their dependents, and their survivors.

Five decades have passed since then—50 years which have seen many changes in the DAV—in its membership—in its prestige—and in the growth and effectiveness of its many programs.

But two things have never changed—the altruistic purpose for which the organization was founded—and the continuing need of our disabled veterans and their families for the help, the human sympathy and the unslackened effort of their most ardent champion—the DAV.

Over the years, this concern for the well-being of those who bear the permanent reminders of past conflicts continues to expand as new comrades accept the responsibilities and carry out the tasks borne so well and so long by those who have since passed to their great reward.

Americans pride themselves on being generous—and generosity has been the watchword of the DAV—a genuine willingness to help the needy and the less fortunate—a sincere desire to demonstrate that we have not forgotten those who once bore the brunt and now bear the honored scars and disabilities suffered in defense of our Nation and the freedom-loving peoples of the world.

While the Nation may be proud of the many and the great accomplishments of the DAV, it holds an extra note of affection for the support, the cooperation, and the inspiration of the wonderful women who comprise the DAV Auxiliary.

In their effort in the many DAV programs, in their personal kindly contact with the relatives and friends of disabled veterans but perhaps most of all in their devoted volunteer work with the sick, injured, worried and kinless disabled veterans in hospitals throughout the land they have brought new meaning to the overworked term gratitude that all Americans owe to those who have paid the oft bitter price of freedom.

It is a sincere privilege and a high honor to salute the Disabled American Veterans and its Auxiliary on this, their 50th anniversary.

Mr. ANNUNZIO. Mr. Speaker, I am proud to join my colleagues today in commemorating the 50th anniversary of the Disabled American Veterans—our only veterans service organization dedicated solely to assisting the veteran who has been wounded or disabled in the service of his country.

The DAV is a great organization—a dedicated, patriotic organization whose members have fought and bled for our beloved country—wounded in action defending our freedom.

The great need of our disabled veterans first became evident in the aftermath of World War I, when more than 300,000 disabled veterans returned to the United States, and found our country unprepared to cope with their problems.

They were in desperate need of medical care, vocational training, and compensation. However, medical treatment was inadequate and the redtape of receiving compensation was frustrating. Attempts by the Government at setting up rehabilitation centers were insufficient, and the centers as a result were poorly organized. The problems seemed insoluble, but through the united efforts of veterans led by the late Judge Robert S. Marx, of Cincinnati, the DAV was established.

In 1921, the DAV had its first national convention in Detroit, Mich., with over 1,000 men in attendance. Since that eventful year, the DAV has grown to a membership of more than 300,000 disabled veterans who are dedicated to the best interests of America. Not only does the DAV serve our disabled veterans, but its example, as the late President John F. Kennedy declared:

> Continues to inspire all America's physically handicapped, both veteran and nonveteran.

The DAV has been instrumental in influencing the improvement of Government veterans programs, in sponsoring legislation beneficial to veterans and their dependents, in encouraging employment of the handicapped, and in supporting diverse programs, such as the DAV National Scholarship Fund, aimed at benefiting and improving the social and economic welfare of our disabled veterans and their families.

But beyond protecting the interests of our disabled veterans, the DAV performs an even greater service to America. It has constantly and conscientiously reminded our people of our Nation's responsibility to uphold the principals of democracy on which America was founded and for which the first patriots gave their lives.

The Disabled American Veterans are truly dedicated to serving their fellow Americans, and so, it is with a great deal of pride that I congratulate the DAV on reaching this milestone and wish its members Godspeed to many more years of useful service to our deserving veterans and to a grateful Nation.

Mr. MAYNE. Mr. Speaker, it is a privilege to join my colleagues in a tribute to the disabled American veteran and the great DAV organization. Of the millions of Americans who have served their country in times of crisis, no group is more deserving of our respect and admiration than the disabled veteran. After the battles have been fought and the guns silenced many of those who paid the price of victory retain the scars of war.

It was President Lincoln who called on his fellow countrymen in his second inaugural address to "care for him who shall have borne the battle."

The DAV grew out of wartime comradeships. It is the outgrowth of the organizational efforts of Judge Robert S. Marx of Cincinnati, Ohio, who organized a handful of wounded veterans of the Great War for the purpose of improving programs for the wounded and disabled veteran. It was founded on the principle that the Nation's first duty to veterans is to rehabilitate its wartime wounded. The following quotation from the Disabled American Veterans ritual most adequately explains the true purpose of the organization:

> I charge you to be earnest, faithful, and devoted and to remember that our mission as a Disabled American Veterans Organization is not fulfilled until all our country's war-time disabled, their widows and their dependents, have been adequately cared for.

Almost as if our Nation had charged them with the task of caring for the disabled, the DAV gladly took up the banner. Unheralded and practically unnoticed, they toiled in behalf of all veterans. It was not until June 17, 1932, that Congress approved a public law incorporating the Disabled American Veterans as a Federal, nonprofit organization, thereby giving them the official recognition as the voice of the disabled veteran.

The DAV was not content to rest on its laurels once it achieved official recognition. The DAV has been a sponsor of nearly all veterans' legislation which has come before Congress in the last 50 years. The list of sponsored bills includes the GI education bill. The organization has been a driving force behind the program to employ the handicapped and they themselves have set the example by employing disabled veterans in key positions. It has 1,834 local chapters across the land and maintains a staff of professional service employees in all regional offices of the Veterans' Administration.

As I previously mentioned, the Disabled American Veterans organization is a privately financed nonprofit organization. Their income to a large extent is derived from the sale of idento-tags. Here the DAV renders a distinct service to millions of the Nation's motorists. Those familiar miniature license plates have aided in the return of more than 2 million sets of lost keys. These keys are returned to the owners free of charge.

The Disabled American Veterans organization has received praise from many Presidents. It was President Eisenhower who said:

> Having earned the lasting gratitude of your nation for sacrifices in the line of duty, you now earn its admiration as well for continued service to the nation as citizen-veterans.

It is proper that we honor those today to whom we owe so much.

Mr. WHITTEN. Mr. Speaker, it is a distinct pleasure for me to join with my colleagues in paying tribute to the organization of Disabled American Veterans, which today commemorates 50 years of service to our Nation's war disabled.

We all regret that circumstances have required that men be called from their homes, from their businesses, that young men be taken from school, their education interrupted. There is not any way to adequately pay men to endure the dangers of war, no way to fully compensate them for their injuries. Such things cannot be measured in terms of money, nor can the value of their service to the United States be expressed in monetary terms.

Over the years the Congress has approved legislation, which I have strongly supported, to provide hospitalization, education, training and equipment, loans for purchase of homes and businesses, aid to dependents, and so forth; and the DAV has dedicated itself to assisting our disabled veterans in securing these benefits to which they and their dependents are entitled under law.

Because of the attention, the personal interest, and devotion of the members of DAV to serving disabled veterans and their dependents, and their endeavors to do everything possible to help these veterans return to civilian pursuits and a life of opportunity, our entire Nation has benefited.

We join in expressing our admiration and best wishes for all success in the continuing service of this distinguished organization.

Mr. FULTON of Tennessee. Mr. Speaker, it is a privilege and pleasure to join with our many colleagues at this time to pay tribute to the Disabled American Veterans, a group of dedicated and selfless Americans who are now marking 50 years of service to America's wartime disabled.

This is a nationwide organization and work which has provided care, inspiration, hope, and help to millions of our current and former men in arms who have shed their blood in behalf of their Nation and preservation of our freedom.

The Disabled American Veterans are particularly active in my own State, Tennessee. There are 51 active chapters in the Volunteer State with a total membership of 5,489, a membership which is growing each year.

The Disabled American Veterans Department of Tennessee is engaged in a variety of meaningful programs. There are DAV field representatives in each Veterans' Administration hospital in Tennessee. These individuals render free claims service to veterans within the hospital wards.

Each of the 51 Tennessee DAV chapters also has a chapter service officer who renders the same type service to chapter members and veterans in surrounding communities.

There is a Veterans' Administration voluntary service worker group within the DAV concerned with the well-being of our patients within the VA hospitals in Tennessee.

The DAV is also engaged in civic and patriotic work at the local and State level in our State. Recently it has given support to the urgent need for release of the MIA and POW's in North Vietnam.

In addition, I would like to add a personal note that the DAV and its representatives and officials have always been most helpful to me in my efforts to provide service to our servicemen and veterans and in strengthening and making more effective the role of the Veterans' Administration. In turn, I have always endeavored personally and with the aid of my staff to work with and give as much support as possible to the DAV and its many worthwhile activities.

Congratulations to the DAV for 50 years of outstanding service and best wishes for every continued success over the next half century.

Mr. KARTH. Mr. Speaker, it is proper that we pause today to commemorate the 50 years of service performed by the Disabled American Veterans, for they have provided a valuable and needed service for our servicemen who have been disabled through the tragedy of war.

Indeed, we all are aware of the great assistance this organization gives disabled veterans in helping them obtain medical assistance, educational guidance, and other benefits that are rightfully and lawfully theirs. We in Congress have written and approved legislation providing for these benefits, recognizing our responsibility to servicemen who offer their lives and limbs in our country's defense. Yet at the same time these laws may be confusing, and the bureaucracy our legislation creates to help the disabled veterans sometimes obstructs. And when that bureaucracy obstructs, the Disabled American Veterans step in to provide counsel and guidance to help a man obtain every benefit he has coming to him under the law.

But in addition to this service to their own, this organization is well noted for its unselfish service to society as a whole. Recently we have seen the DAV help mobilize public opinion on behalf of our men missing in action or being held prisoner in North Vietnam.

In another project that benefits all of us, the DAV have applied their unique talents to establish a valuable program with the Boy Scouts of America. Rather than bemoan the state of disability that they must live with, the Disabled American Veterans have taken it upon themselves to provide their support and technical assistance to the Scout's program for handicapped young men. By viewing the example set by grown men in coping with their disabilities, dispirited handicapped youngsters can discover that a physical handicap does not have to keep a man from living a full and rich life.

While the Disabled American Veterans serve a vital and necessary function today, their ultimate aim is the hope of someday becoming only a memory. And that is the hope of us all that someday there will be no need for an organization called the Disabled American Veterans, because there will be no disabled American veterans.

I agree with what DAV National Commander Cecil W. Stevenson said recently in an interview with the Denver Post. National Commander Stevenson commented:

> That he doesn't "know anyone who likes the (Vietnam) war. The D.A.V. doesn't like the war. I don't like the war. And many of the men who fought in the war didn't like it either. But they went. They deserve our respect for that.

Yes, those brave men do deserve our respect, and I would add to Commander Stevenson's remarks by saying that the Disabled American Veterans also deserve our respect and admiration for not only serving disabled veterans, but for dedicating themselves in service to all of society.

Thank you, Mr. Speaker.

Mr. SPENCE. Mr. Speaker, it is with a great deal of pleasure that I join my colleagues in saluting the Disabled American Veterans on their golden anniversary.

As we can see from the many glowing tributes spoken on the floor this day, the DAV is held in the highest esteem by individuals representing every possible type of constituency.

I can think of no organization which deserves such acclaim more, Mr. Speaker. The services rendered by the DAV on behalf of our disabled veterans are many, varied, and highly effective. Listen to this quote from the Disabled American Veterans' ritual:

> I charge you to be earnest, faithful and devoted, and to remember that our mission as a Disabled American Veterans Organization is not fulfilled until all our country's wartime disabled, their widows and their dependents, have been adequately cared for.

Mr. Speaker, this line demonstrates better than an entire volume the dedication and devotion of this fine organization, and it has become obvious over the years that the charge it contains is never taken lightly by the DAV.

Referring to the DAV, President Nixon has said:

> . . . your grateful fellow citizens join in tribute to the loyalty and courage that have marked your service to America. Our nation is stronger and safer because of your determination. And your patriotism is an example to all of us.

I most heartily concur in these sentiments, Mr. Speaker. In my view, this country's disabled veterans deserve the best this country can offer them, just as they should have the finest possible organized representation. As for proper treatment by this country, I intend to do all I can to see that they get it. But as for proper representation, they have already had the best for 50 years in the DAV.

Mr. GARMATZ. Mr. Speaker, I rise to join my colleagues in the House to pay homage to the Disabled American Veterans. This organization was founded 50 years ago by American fighting men who returned from World War I, only to find they faced additional hardships at home. Instead of becoming discouraged and disillusioned at their adversities, these physically disabled veterans demonstrated the same fighting spirit that distinguished their efforts in France—this time they fought for well-deserved benefits, and to help rehabilitate their more unfortunate battlefield buddies who could no longer help themselves.

As the decades passed and other deadly wars exacted their relentless toll, the ranks of the DAV swelled, and the organization grew in strength and prestige and effectiveness. Now it has almost 300,000 members, with departments scattered throughout the 50 States, and each makes its contribution to the cause. In my own State of Maryland, for instance, the local DAV last year spent over $10,000 at the five veterans and military hospitals in the State; it fielded 650 volunteers who visited 23,000 patients; it worked in many other diverse ways to help needy veterans; and, like the national organization, it is continuing the fight to achieve more humane treatment of American prisoners of war in North Vietnam, and to obtain an accurate list of prisoners.

Mr. Speaker, today, more than ever, this Nation needs organizations like the DAV. Today, more than ever—at a time when this Nation is engaged in an unpopular war; when the moral fiber of its people and their will to fight are being sorely tested; when doubt and uncertainty trouble the masses; and when our national leaders are criticized and ridiculed—this is a time when our Nation needs the DAV. The DAV is an organization that knows the value of faith; it stands steadfast, and true to the ideals of patriotism and courage and dignity, for all human beings.

Mr. Speaker, words are things that die, but worthy ideas and ideals are things that can and do live forever.

Fifty years from now, the words uttered today in this Chamber may be forgotten. But I earnestly hope that—50 years from today—other Members of the House of Representatives of the United States of America will again rise in this same Chamber to praise the DAV and to pay homage to the ideals that this organization personifies.

Mr. ST GERMAIN. Mr. Speaker, it is a pleasure to extend my congratulations to the Disabled American Veterans, and to commend them for their service in the interest of the bravest of all Americans, the wounded veteran.

At the end of World War I, 300,000 veterans returned from the conflict with permanent injuries, and without an agency to represent their special problems. In many thousands of cases, wounded veterans seeking Federal assistance became entangled in bureaucratic redtape, and were shunted from agency to agency. There was no Veterans' Administration in that era, and the plight of the wounded was intense.

Against this background, the DAV came upon the scene, to serve as the voice of the disabled—and with magnificent results. During the 1930's the success of the organizaiton was phenomenal, and the DAV was recognized, far and wide, as the official spokesman of the wartime wounded—a position it has filled with energy, dedication and outstanding success ever since.

Chartered by Congress in 1932, the DAV spread to every corner of the land; today there are 2,000 chapters working for the improvement of health, education, rehabilitation, and employment opportunities for disabled veterans.

Since 1920, the DAV has been in the forefront of the struggle to enact new laws alleviating the suffering of the wounded. Inequities in the compensation system are quickly and forcefully brought to the attention of Congress by DAV officials. More than one-half million wartime wounded reap the benefits of their dedicated work.

In addition, the DAV carries out the responsibility of fighting for legislation of benefit to widows, orphans, dependent parents, wives and children of disabled veterans or servicemen killed in wartime.

It is a rarity to find an organization respected by all, but that is certainly the case as far as the DAV is concerned.

On this golden anniversary it is an honor to salute the admirable performance of this highly skilled and deeply compassionate organization—the Disabled American Veterans.

Mr. CORMAN. Mr. Speaker, it is with a deep sense of pride that I join in commemorating the 50 years of service the Disabled American Veterans have given this Nation.

It is indeed appropriate that we set aside this day to pay tribute to the quiet courage and devotion of the DAV. This nationwide organization exists only to assist in the improvement of health, education, rehabilitation, and employment opportunities for disabled veterans, their widows and dependents.

This fine organization has provided inspiration and guidance, compassionate care, and generous assistance in easing the suffering and hardships of our Nation's disabled veterans.

It is for these reasons that today I join with both the people of the country and their leaders in extending our personal appreciation and gratitude to the DAV, which has given so much, so that our disabled veterans are not forgotten.

Mr. RUNNELS. Mr. Speaker, I join enthusiastically in the tribute offered by so many of my colleagues to the Disabled American Veterans. This organization for half a century has represented those of the Nation's ex fighting men who have left part of their normal capacity for life on the battlefield in defense of this Nation. As a veteran more fortunate than those who are eligible for DAV membership, and as a member of the Armed Services Committee, I can appreciate the remarkable helpful service of this organization to those who have sacrificed the most while members of the military forces of the United States.

This year the Disabled American Veterans are going back for their golden anniversary convention to the scene of their first founding convention, Detroit. Back in 1921, and until much later, they were not just the DAV, but the DAVWW—Disabled American Veterans of the World War. Then there was not even the World War Veterans Act, which was passed in 1924. Today veterans' legislation is so important that we now have standing committees in both the House and in the Senate devoted exclusively to veterans' affairs. Much of the good legislation which these committees consider, and much of that which has become law in these 50 years, has been either initiated or helped along by the DAV.

While millions of Americans have heard of the Disabled American Veterans, often their knowledge of the organization scarcely goes beyond the name. They may know that the annual arrival in the mail of a miniature license plate bearing their own tag number is its major source of funds, but they may not know the use of those funds. They may even know that over the years 2,000,000 sets of lost keys have been returned to their owners as a result of the Idento-Tag program begun in 1941. But they probably do not know that the DAV maintains as the core of its program a staff of National Service Officers located in every Veterans Administration Regional Office in all 50 States, or that they render free service to all disabled veterans and their dependents whether they are members of the DAV or not. The cost of that free service in 1969, for example, exceeded $2 million.

Nor do most Americans, unless they have firsthand knowledge through some of its 300,000 members, realize that the DAV is one of the handful of national organizations chartered by the Congress—a recognized tribute to its national usefulness granted in 1932 and maintained for nearly 40 of its 50 years. Further, in 1967 the Congress adopted special legislation under which the Comptroller General of the United States, at the expense of the organization, conducts an official annual audit of its financial affairs. This is a step beyond the requirement of Federal chartering, shared by less than 50 other organizations, that an independent professional audit be submitted annually.

On this point, after a thorough investigation by a Judiciary subcommittee, the Senate report gave a high tribute to the organization when it said:

> Of all the various congressionally chartered organizations engaged in veterans' service activities, only the Disabled American Veterans and the American National Red Cross have nation-wide service programs financed and paid for by the national organizations. Its service program is devoted exclusively to the welfare of disabled veterans.

Today there are about 165 Veterans' Administration hospitals, with scores more of outpatient clinics. The DAV had an important role in their establishment, and is an important link day by day between the services they render and the men—yes, and women, too—to whom they are rendered. But perhaps the greatest area of service is that of representation in the bureaucratic jungle. I use the term not to be critical of the Veterans' Administration, but simply in recognition of the fact that any such vast agency becomes necessarily bound by rules and procedures which eventually become almost impenetrable for the person outside the organization.

As in the courts the layman requires a lawyer to guide him through the legal thickets, so the disabled veteran needs a sympathetic expert who can take him by the hand and guide him through the regulation labyrinth. Left to himself, many a veteran who has been aided to secure his full rights and benefits by the DAV's service officers would have been overwhelmed by the process and would have laid claim to none or only a portion of the rightful heritage their knowledge of the law has helped to provide. Theoretically, any claimant can hire his own lawyer. But in practice the law fixes attorney's fees in pension or compensation cases at a level so low that few feel they can afford to practice before VA rating agencies, including the board of VA appeals. It is here, partly with the funds raised from the public, that the national service officer staff of DAV makes its great contribution. These experts must be nominated by the National Commander, approved by the General Counsel of the Veterans' Administration, and accreditation can be withdrawn by either the VA or the DAV for cause. They are not permitted to receive any fee or gratuity from the claimant or friends or members of his family. Special training courses for them have been in operation at university level since 1967, under the DAV effort always to improve service in this area.

Founder of the original organization of World War I disabled veterans was Judge Robert S. Marx of Cincinnati, himself a wounded veteran. Then the 300,000 gassed, wounded, and other battle victims were no greater in number than those who are today DAV members. Unfortunately, three wars since—World War II, Korea, and now Vietnam, the longest in our history—have contributed more and more to the potential membership. Comparatively, the survival rate for the wounded was low in World War I. In World War II nearly 30 percent of those wounded did not survive—70.7 percent did. In Korea there were a few more, 73.7 percent who lived through their battlefield casualty experience. Today, in Vietnam, more than 4 out of 5 of the wounded — 81.3 percent — are coming back.

This means that we are adding daily to the disabled veterans in our society as one more of the great burdens of this war. The DAV is here, backed by 50 years of experience, to help them as they band together in the common bonds of their organization to help each other. Service of one kind or another is the aim of many worthy groups in this America of ours. The service of the DAV is one we would mightily miss if it were not here. I congratulate them on their 50th year as a national organization.

Mr. BURKE of Florida. Mr. Speaker, it is with great humility—and yet with great pride—that I join in this tribute today to Disabled American Veterans on the occasion of "DAV Day in Congress: A Tribute to Quiet Courage," for I am a member of the Hollywood South Broward County Chapter No. 41 of this great organization.

Mr. Speaker, the Disabled American Veterans is unique among our great veterans organizations in that its members not only have served their country in war, but have suffered considerable personal physical disability by reason of wound or injury as well. They know, to the full extent, of the ravages which war entail—and they also know that their country, on occasion, must engage itself in war—and as patriotic Americans they answered our country's call.

What a contrast, Mr. Speaker, between these men of DAV who have served their country so well and those who would tear it down; those who, in their demonstrations against it resort to bombing court houses, banks, induction centers—and even the Capitol itself; those who deny any personal responsibility to the country which has given them so much.

The disloyal and the unloyal, unfortunately, will always be with us. But, fortunately, their tiresome tirades will always be drowned out by dedicated Americans such as those we honor today. The men of DAV, Mr. Speaker, may not always have agreed with the decisions of those governing our country, but they put aside their personal feelings and assumed the full mantle of their responsibility and fought valiantly to maintain the liberties that are ours under our Constitutional Republic.

The tradition of DAV is the tradition of the United States. Theirs is the tradition of Valley Forge and New Orleans—of Gettysburg and San Juan Hill—of Chateau-Thierry and Omaha Beach and Utah Beach—and of Inchon and Chulai. Theirs is the tradition of thousands upon thousands of young Americans who have gladly heeded the call of their country in perilous times and who have given their lives to keep its honor clean.

DAV has carried out to the fullest extent the mandate in its congressional charter:

> To advance the interest and work for the betterment of all wounded, injured and disabled veterans . . . to cooperate with the U.S. Veterans Administration and all other Federal agencies devoted to the cause of advancing and improving the condition, health and interest of all disabled veterans . . .

My own chapter has always been very active on behalf of wounded veterans. It has recently conducted "Operation Sunshine in Florida" for returning Vietnam veterans who are disabled; it has given assistance to children and veterans in Florida State Hospital; and it has conducted many activities at Miami VA Hospital.

Truly, Mr. Speaker, just as America can be proud of the individuals who comprise this great organization, so can it be proud of the organization itself.

I am very happy to add my voice to those others which are, today, paying just tribute to DAV. I wish DAV all the best in the years ahead.

Mr. STEIGER of Wisconsin. Mr.

Speaker, today we rise to pay tribute to a group of patriotic and heroic Americans who have made exceptional sacrifices in the defense of freedom, the Disabled American Veterans.

The Disabled American Veterans, as an organization, was founded in the aftermath of World War I as a response to the critical needs of over 300,000 disabled veterans. Once peace had been restored, America returned to normalcy. However, for the wounded, gassed, injured, and disabled veterans, the advent of peace did not mark an end to their suffering. It is a reflection on the spirit and comradery that the disabled veterans joined together under the leadership of Judge Robert S. Marx to form the Disabled American Veterans, a self-supporting national service organization devoted "to care for him who has borne the battle, his widow, and his orphans."

The DAV has sought, through its legislative and national service offices, to promote a national program of prompt and qualified service to our disabled veterans. In 1932, the Congress granted the Disabled American Veterans a Federal charter in belated recognition of the DAV as the "official voice of the Nation's wartime disabled." During its 50-year history, the DAV has been an effective force in obtaining just compensation, adequate medical care and vocational training for disabled veterans. Today, 300,000 strong, the Disabled American Veterans can look back on a proud history of service to its buddies.

The Disabled American Veterans has been most successful through its national service officers who are located in local Veterans' Administration centers. These officers, disabled veterans themselves, assist their comrades in obtaining the benefits and services to which they are entitled. We often forget that our disabled veterans do not receive compensation and rehabilitation automatically, but rather must apply to the VA for such benefits. The national service officers are there to assist the disabled veteran establish and process his claim. Since 1920, the DAV National Service Department has helped the war disabled with over 4 million claims. This is a record which the DAV can be extremely proud of.

The DAV legislative office, small and hard working, is concerned with the development and support of national legislation affecting disabled veterans. Working with the House Veterans' Affairs Committee and various Senate committees, the legislative office has successfully backed such programs as the VA hospitals and veterans vocational rehabilitation.

Today, with the numerous disabled casualties of the Vietnam war, the DAV is needed more than ever. The ability of our medical corps to save wounded combatants has increased tremendously, but this has resulted in more seriously disabled veterans. It is encouraging to know that the DAV stands ready to serve. I congratulate the Disabled American Veterans on their 50 years of valuable service to our veterans.

Mrs. GRIFFITHS. Mr. Speaker, it is a distinct pleasure for me to join with my colleagues and all Americans in saluting the Disabled American Veterans on their 50th anniversary. For America's war disabled the DAV has served in assuring medical care and assistance as well as encouragement and direction. At all times, it has stood as a strong, living symbol of America's compassion for those who have given so much of themselves to preserve freedom and liberty.

This year the DAV will culminate its celebration of its 50th national convention in Detroit—the sight of the first annual national convention. As a Detroiter, I extend well wishes for a happy and successful golden anniversary celebration.

Mr. McCORMACK. Mr. Speaker, I am honored to join my colleagues in commemorating the 50th anniversary of this truly great organization. The record established over the years by the DAV on behalf of our servicemen deserves the highest praise. In my own State of Washington I have witnessed their dedication to the task of returning wartime wounded back into the mainstream of society.

Never has their banner fallen. From the time during World War I when the need for such an organization was first recognized by Judge Robert Marx, to this commemoration day, they have remained steadfast to their credo of advancing the interests of our wounded fighting men.

Through its national service organization the DAV has extended the hand of friendship to literally thousands of returning servicemen and their dependents. Offering advice, securing monetary benefits and acting as council, the national service officers across this country have given brave men a place to turn in time of need. No wonder the ranks of this organization have swelled to some 300,000.

The thousands of students who have benefited by the DAV's scholarship programs, those left in need by earthquakes, floods and fires who found aid through the DAV disaster fund, the people in thousands of communities across this land who found the DAV ready to step in and take over community projects, and untold numbers of others; it is for these people I speak in offering this grateful salute to the Disabled American Veterans on this, their 50th anniversary.

Mr. WILLIAMS. Mr. Speaker, no group of Americans has a more valid claim to due and proper consideration of their problems than do our Disabled American Veterans, their dependents, and their survivors.

Other than those who, in America's wars, paid the immediate supreme price on the battlefield, no group of Americans has been asked to pay a greater price for their most courageous service to this Nation than has our Disabled American Veterans.

Americans disabled in loyal service to their country must live out their lives with the perpetual, frequently worsening handicaps which have resulted from wounds or injuries. Some live in considerable inconvenience; many live in great pain. All of them live as they fought: in quiet courage.

It was a half century ago. America believed it had fought and won the "war to end all wars." America's Disabled Veterans formally banded together in their own organization. Their prime purpose: To help themselves, and to help each other in the common goal of living as best they could with their handicaps and of securing proper consideration and adequate benefits for the especially battle scarred who could not help themselves.

Today, another world war, a cold war, a Korean war, and the continuing Vietnam war later, nearly 300,000 members serve in the DAV organization. They continue to work for the benefits and consideration which they and their fellow Disabled American Veterans have, by service and courage, well earned.

They work, too, for the special understanding that must come to those young Americans who continue each day in Vietnam to suffer the wounds and injuries which add them to this very special roll: The honor roll of Americans who have demonstrated willingness to shed their blood and to give their lives, if necessary, for America's incomparable principles of human dignity and freedom.

For me, there could be no greater privilege than to rise within this distinguished body to pay this tribute to those men on this very special day.

Mr. HALL. Mr. Speaker, it is a pleasure for me to lend my voice to the mighty chorus that is today saluting the Disabled American Veterans organization on the occasion of its golden anniversary of service to this Nation's wartime wounded.

There are many fine DAV chapters that are located in the State of Missouri, one of which is chapter 11 of Greene County, my home county. It was chartered back in March of 1927, and has since grown to a present day membership of 330.

One of the outstanding projects of chapter 11 is the weekly visitation to ailing veterans who are confined to our local hospitals. These visits are carried out two or three times each week by the club chaplain, Rev. Ralph Maness, who is frequently accompanied by the chapter commander, Jack Roberston, and other members.

These consoling visits are also made to the families of deceased veterans of the area, with special emphasis to those who have lost sons in the Vietnam fighting.

For many years, Greene County Chapter No. 11 of the DAV, has joined with 26 other area veterans and patriotic organizations in planning and producing programs for Memorial Day, Veterans Day, Loyalty Day, and Army Day celebrations. I have had the privilege of attending and participating in many of these programs and have always been impressed with the competence and dignity with which they have been presented.

The chapter 11 service officer makes from 3 to 6 contacts each day with veterans needing help in filing for benefits, handling claims, and giving advice concerning veterans rights as prescribed by law.

Mr. Speaker, I commend the Disabled American Veterans organization for 50 years of devoted service to their fellow men in uniform. They have long recognized the tremendous sacrifices that these men have made for their country, and are doing what they can to say "Thanks, for a job well done."

DISABLED AMERICAN VETERANS,
Springfield, Mo., February 27, 1971.

Hon. DURWARD G. HALL,
Congressman, Washington, D.C.

MY DEAR CONGRESSMAN HALL: Time has been set aside in the House on March 3, 1971, to commemorate the Golden Anniversary of service by the Disabled American Veterans to America's wartime disabled.

This day called "DAV Day in Congress: A Tribute to Quiet Courage" is being cosponsored in the House by Congressman William Jennings Bryan Dorn (D-South Carolina) and Congressman Frank Horton (R-New York).

Our Chapter, Greene County Chapter No. 11, was chartered March 5, 1927, and at the present time has 330 members. Our Officers, elected for the fiscal year 1970–71 are as follows: Commander, Jack Robertson; Sr. Vice Commander, Joe Zeman; 1st Jr. Vice Commander, Don Alexander; 2nd Jr. Vice Commander, Ernest Blackwell; 3rd Jr. Vice Commander, Dwain McNew; 4th Jr. Vice Commander, James Wilson; Judge Advocate, Cecil Hocklander; Chaplain, Rev. Ralph Maness; Treasurer, Randolph Talmage; 1 Year Trustee, Gene Crum; 2 year Trustee Perry Lane; 3 Year Trustee, Austin Wheeler. Appointive Officers are as follows: Adjutant, George Jones; Service Officer, Orlan Smith; Officer-of-the-Day, Kenneth Waggoner; Sgt.-of-Arms, Howard McCormack.

Rev. Ralph Maness makes the rounds of each of the four local hospitals at least every other day, and tries to visit all of the sick veterans in these hospitals whether they belong to the DAV or not. He always leaves with a prayer for their speedy recovery and for their loved ones. He also visits and consoles the families of deceased veterans in this area and always visits and consoles the relatives of our soldiers, sailors, and marines killed in this Vietnam war. As Commander I, and some of the other officers of this chapter, try to accompany him on many of these visits.

Altho our chapter does not have a scouting program of its own at the present time, many of our members are actively engaged in scouting. For instance, Vernon Ables, past Commander of Chapter No. 11, Helped to organize Troop 89 at Kickapoo School, and altho paralized from the waist down, served as Committee Chairman of Troop 89 for three years. Also Orlan E. Smith, our service officer, while serving as Commander in the DAV Chapter No. 11 and serving as Jr. Vice Commander in V.F.W. Post 963 helped to organize Troop No. 241 of V.F.W. Post 963 and served as Institutional Representative for this Troop for two years, while at the same time Commander in both D.A.V. Chapter No. 11 and Commander of V.F.W. Post 963. He is still a member of the Committee of Troop 241. Another member, Fred Mitchell, has been Scoutmaster of Troop 241 for the past four years and did such an outstanding job as scoutmaster the first year, that he was awarded an all expense paid trip by National Headquarters of the V.F.W. to Philmonte Scout Ranch, Cimarron City, N.M. another member, Edward Sitze, has been Committee Chairman of Troop No. 241 for over two years now.

Chapter No. 11 has a memorial garden at the "LIVING MEMORIAL" here in Springfield that was dedicated to them and which they take care of the gardening and planting of this garden.

For many years now, Chapter No. 11 has always had a standing committee of three, appointed by the Commander, to the Greene County Memorial Association, now changed to the name, Ozark Veterans and Patriotic Association, which plans the Memorial Day and Veterans Day Programs, as well as Loyalty Day and Army Day Programs. This organization as you well know, is comprized of 26 Veterans and Patriotic Organizations from this area which join together to produce a fitting program for these occasions. This chapter also donates money as needed for these programs as well as the time and effort of our members.

This chapter has also supported the D.A.V. 20–20 Program which means it takes 20 minutes to set down and compose a letter to the North Vietnam Embassy, Paris, France, plus a 20¢ stamp to mail the letter, stating the fact that we, as members of the D.A.V. are appalled by the fact that the Vietnam Government refuses to give us the names of those that they are holding prisoners of war in internment camps throughout their nation.

Our Service Officer, Orlan Smith, makes from three to six contacts with veterans every day, helping them to file forms for benefits, handling their claims for compensation, and giving them advice concerning their rights as veterans as described by law.

As our Congressman, the officers and members of this chapter, urge you to participate March 3, 1971 in this program commemorating our 50th anniversary.

If I can furnish you with any additional information about this Chapter, please call on me, but as you have been active in the past, helping the members of this chapter and participating in its programs, I feel sure that you are almost as familiar with what this Chapter of the D.A.V. stands for and what it is doing in community service and service for the veterans of our area as I am.

Sincerely,

JACK ROBERTSON,
Commander, D.A.V. Chapter No. 11.

Mr. CLANCY. Mr. Speaker, it is with great pride that I rise today to join my colleagues in a well-deserved salute to the Disabled American Veterans. On this, the 50th anniversary of the founding of this most distinguished organization, it is only fitting that we pause to commend this outstanding group of Americans who have done so much for this Nation's disabled veterans.

Unfortunately, we are often too eager to forget the sacrifices so many have given to make this Nation great. We, both as individuals and as a nation, owe so much to those men and women who have given their utmost in order to preserve the liberty and freedom this Nation stands for.

It is indeed a special privilege for me to join in this tribute to this fine organization, as the DAV was originally founded on Christmas Day, 1919, by Judge Robert S. Marx, in Cincinnati, Ohio. Since that time, this group of distinguished veterans have developed an organization which has become a most vital and influential force in this Nation. It is clearly evident that this organization has truly become "the official voice of this Nation's wartime disabled."

The organization is comprised of many dedicated Americans who have remained fixed in their purpose of helping this Nation's disabled veterans. Not only does the DAV seek to assist veterans in obtaining compensation benefits and medical care, but also to assist them in the fields of vocational readjustment, job training, and employment.

Following World War I, the handling and treatment of America's disabled war veterans was a maze of redtape and a mass of confusion. Compensation as well as medical care were sorely lacking. It was during this time of frustration and confusion that Judge Marx, of Cincinnati, hosted the meeting where the original idea for an organization such as the DAV was born. The success and the membership of this enterprise have never stopped growing through the years. Since that time, the group has expanded to provide service and assistance to not only the disabled veteran but to his widow, orphans, and dependants.

In a time when liberty is threatened from all sides, it is most important that those of us privileged to share in the practice of liberty not forget those of our fellow Americans who have given so much so that we might enjoy this privilege. These men and women have remained steadfast in their dedication to the principles for which this Nation stands. Therefore, it is only right that we remain steadfast in our goal to see these courageous Americans receive all of the benefits they so well deserve. Through the tireless efforts of the DAV, this goal will be realized. I urge my colleagues to join with me in pledging these outstanding Americans our support, our understanding and most of all our deepest respect.

Mr. RONCALIO. Mr. Speaker, I am pleased and honored to commend the Disabled American Veterans on their golden anniversary of service to America's military forces.

The DAV has a long and glorious history, having served our fighting forces through World War I, World War II, Korea, and now Vietnam. It presently serves a total of nearly 300,000 veterans, as many people as in my entire State of Wyoming.

Not only has the DAV assisted our returning disabled veterans in receiving compensation, pensions, and insurance, it has gone one step further toward helping disabled veterans to reestablish themselves in the mainstream of society and productive life through vocational rehabilitation, education, housing, and employment.

Furthermore, the DAV has taken a leading role in directing the campaign in concern for Vietnam prisoners of war/missing in action.

The DAV has served America well in its 50-year history and has obtained some $1.6 billion in benefits for its members.

In my home State of Wyoming there are 11 DAV chapters serving 578 members at the present time. I have seen the good work that can be done first hand—while traveling through my State and by way of the sincere letters I receive here at my Washington office.

I pay special tribute this afternoon to the DAV organization as a whole and to each of its members. From their hope and faith in the future each of us can find strength.

Mr. JOHNSON of California. Mr. Speaker, the Second Congressional District which I represent in the House of Representatives is proud of its veterans and especially those who demonstrate so well the quiet courage that I believe is the true spirit of America.

It is appropriate that DAV Day in Congress is entitled "Tribute to Quiet

Courage." This Nation was created by dedicated, freedom-loving citizens who laid their lives and their property on the line to insure the integrity and the freedom of the individual. For nearly 200 years now Americans have been following in their footsteps dedicating their lives to the continued cause of freedom and the rights of man.

In this day and age, we hear a lot of noise about what is wrong with this country but this is a small vocal minority which in no way represents the true spirit of our great Nation. Actions speak louder than words and the quiet, determined actions of the Disabled American Veterans are the true voice of the Nation. Not only have the members of the DAV served in their Nation's Armed Forces with distinction, going that extra mile which makes individuals and nations great, but since their release from the service have dedicated their time and energies to helping others who are disabled or their dependents, widows, and orphans. Through volunteer service under the national service program they try to insure that all who are eligible obtain benefits to which they are legally and morally entitled. In accomplishing this they do what they did while in the service—they walk that extra mile to help their fellow man.

On behalf of the people of the Second Congressional District may I join my colleagues in the House of Representatives in saluting the DAV for their quiet courage and urge them to keep up the outstanding work.

Mr. HENDERSON. Mr. Speaker, it is a pleasure and privilege to participate in DAV Day in Congress—March 3, 1971.

Founded shortly after World War I to insure that disabled American veterans were not forgotten by the people of this land whom they had served so well, the DAV has rendered 50 years of outstanding service.

This period spans the three major conflicts in which our Nation has been engaged since World War I: World War II, the Korean conflict, and now the Vietnamese war.

It is easy to generate the enthusiasm for war veterans during and immediately after the war in which they fought, it is easy to get Congress to provide for them the benefits and compensation their sacrifice for the Nation merits and justices.

But when the guns are silenced and the peace is achieved, the public is quick to forget and it is vital that someone is constantly on the job to remind all of us of our obligation to those who gave so much in time of national need.

The very fact that it has survived for 50 years when there were already other existing veterans organizations when it came into being affords proof that the DAV has done its job well.

I join in saluting DAV for outstanding service on this, DAV Day in Congress, March 3, 1971.

Mr. NEDZI. Mr. Speaker, long after the Vietnam war will have been over, the impact of that war will still be among us. There will be political wounds, psychological wounds, and the disabled veterans and their families.

The statistical tables on the rate of survival of wounded soldiers reveals that the rate was 70.7 percent in World War II, 73.7 percent in Korea, and is currently 81.3 percent in Vietnam. We can readily appreciate the many implications of these statistics.

The Disabled American Veterans have for half a century set an example of enduring concern for the disabled American serviceman. The DAV has manifested a love of country and a sensitivity to the deep and personal impact of war.

The DAV has set the example for all of us by its perseverance in times of war and in times of peace, in times of national enthusiasm for the war effort and in times of national disillusionment. Such perseverence is indispensable because the problems of the disabled veteran and his family are ongoing and are relatively unaffected by changes in public mood.

I have been privileged to enjoy a close association with the leadership and membership of the DAV in my home State of Michigan. I have benefited from their advice and guidance on the needs of veterans, and I am pleased to have this opportunity to congratulate them for the service they have rendered to veterans and to all of us.

Mr. LANDGREBE. Mr. Speaker, during my relatively short time in office as a Member of this House, I have had frequent occasion to visit with wounded and disabled veterans in hospitals here in Washington, as well as back in Indiana and in Vietnam. The conditions of many of these valiant young men would bring tears to the eyes of even the most unemotional among us. But despite the lost limbs, the paralysis, and the blindness that afflicts them, the courage and the pride of these young men is even more striking.

Even the most pitiable of these men still have but one desire—to be able to get out and make it on their own. We owe these men so very much, yet they ask for so very little. Unlike many able-bodied people they do not feel that the world owes them a living. All they ask is the chance to earn their own living.

These men gave nearly everything so that our Nation might continue to enjoy freedom. If anyone has a right to live off the rest of us, they do. But they do not ask for this. All they want is to live that way of life—independent, self-sufficient, earning their own way.

The disabled American veterans, with their indomitable spirit, should be an inspiration to every American. They are the finest example of the fighting heart and the courageous soul that made America the greatest country in the world. I applaud them, Mr. Speaker, not only for what they have done but also for what they are doing, working and struggling toward that day when they can again contribute to society, not merely exist on our generosity. The chance to contribute is all they ask. We owe them that much.

Mr. STAGGERS. Mr. Speaker, today we raise our voices again in assurance of our great Nation's appreciation of the members of the Disabled American Veterans and other organizations who have earned our gratitude at immeasurable cost to themselves.

We may hope that our words, however inadequate, may inspire those who come after us to cherish the ancient virtues which have made possible the establishment of strong and enduring societies. We may make it possible for this proud and benevolent Nation, bathed in the service and devotion of heroes, to live forever.

But if today is the day for words, tomorrow may be the day for deeds. The physical needs of the men we honor will come before us for consideration. The sick will need hospitals. Those handicapped by disabilities incurred in serving us will need the wherewithal to live a dignified and happy life. Our generosity on that tomorrow will affirm or deny our dedication to the principle that—

> They hold the rank no king can give, no station can disgrace.
> Nature puts forth her gentlemen, and monarchs must give place.
>
> —George Kennan.

The Revolutionary years which transformed a group of colonies into a mighty empire of free men produced a galaxy of heroes. Their names are engraved deep on the annals of time. And they were generously acclaimed in their own age:

> Hail, ye heroes! heaven-born band!
> Who fought and bled in Freedom's cause,
> Who fought and bled in Freedom's cause,
> And when the storm of war was gone
> Enjoyed the peace your valor won.
>
> —Joseph Hopkinson.

Our own age is sometimes scorned as a decadent one. Valor no longer dwells in the common heart, say our detractors. Patriotism is a misguided virtue. Our country is more often wrong than right. It does not deserve the sacrifice of our blood.

In refutation I would spread the rolls of the millions who have left their employments and their pleasures in the last half century and followed their flag to the far corners of the earth in defense of their Nation's ideals.

> If your descent is from heroic sires,
> Show in your life a remnant of their fires.
>
> Nicholas Boileau-Despreaux.

Can it be doubted that the millions who have manned our armies, our navies, and our air forces in these years of universal conflict have taken that admonition to their hearts? Today is a day set apart to pay overdue homage to their character and their devotion to an honorable and worthy fatherland. It is perhaps our minstrels who have failed to sing their praise. And it becomes our duty and our privilege in this body to mingle with what glowing words of appreciation we can summon the more practical matter of how we can assure to them an enjoyment of the peace which their valor has been called to win.

> And in the average man is curled
> The hero stuff that rules the world.
>
> Sam Walter Foss.

Said Daniel Webster:

God grants liberty only to those who love it, and are always ready to guard and defend it.

Universal peace is as yet but a dream, a vision, an objective. Those who have achieved are always the envy of those who have not. Liberty to think and speak, to walk freely upon the earth, to produce and to save, to enjoy the fruits of our competence, is under constant attack. The need for heroism to resist, to pledge our bodies and our spirits to the resistance, will never cease until the millennium.

Mr. LINK. Mr. Speaker, today is an occasion of significance to our Nation. I am pleased to be able to join with my able colleagues, the gentleman from New York (Mr. HORTON), and the gentleman from South Carolina (Mr. DORN), in commemorating the 50 years of distinguished service of the Disabled American Veterans—DAV.

In observing a tribute to quiet courage, the Congress has an opportunity to recognize the contributions that the DAV has made over the half century. I think it is significant that, since 1920, nearly all legislation beneficial to disabled veterans has been sponsored and promoted by the DAV. And the DAV's work is by no means confined to the legislative arena. It is known best for its service and assistance to the wartime disabled veterans, his widow, orphans, and dependents. As the voice of wartime disabled, the DAV acts as intermediary for the veteran and his family in relations with various public agencies. The DAV employs 150 professionally trained national service officers, each one of whom is himself a disabled veteran. These national service officers are fully paid by the DAV and are stationed in Veterans' Administration regional offices across the country. During the history of DAV, these service officers have handled over 8 million cases. The DAV has been most effective in providing those in need with the highest quality service available in the shortest amount of time.

The DAV has other valuable services. It assists in programs for rehabilitation and employment of disabled veterans through its national employment director and its committee on rehabilitation.

The DAV's scholarship program for the children of its members seeks to help students with the greatest need for financial assistance. And, of course, every Member of the House is familiar with the DAV's Idento-Tags, which provide a way to return lost keys to their owners.

I also commend the North Dakota chapters of the DAV for their valuable work. The 11 North Dakota chapters are headed by State Department DAV Commander Robert Hannah, of Grand Forks; State Department Adjutant Marvin E. Konrad, of Bismarck; State Department Senior Vice Commander Elmer Dewald, of Bismarck; and State Legislative Chairman William J. Disher, of Fargo.

It is my hope that the tragedies of war that led to the establishment of the DAV can be eliminated. But until that time comes, I am confident that the DAV will continue its humanitarian work.

Mr. FASCELL. Mr. Speaker, on this golden anniversary of the founding of the Disabled American Veterans, it is fitting that the Congress pause to pay tribute to these brave Americans and to the organization which they sustain to aid fellow disabled veterans.

Our country owes no greater debt than to the courageous veterans who have sacrificed so much to preserve our freedom. Through the DAV, they have shown that their service is a lifetime commitment to the Nation and to their fellow man.

The service activities of Homestead-Redlands Chapter No. 69 is typical of the activities of other chapters in my district and in the Nation. In addition to visiting and aiding the sick and disabled in the South Dade area hospitals, the Homestead-Redlands Chapter makes available at Christmas toys and clothing as well as Christmas trees and turkeys for those less fortunate.

This kind of selfless concern on the part of those men disabled in wartime makes the DAV one of the very special national veterans organizations.

It is an honor to be able to participate in this tribute to quiet courage. I commend the gentleman from South Carolina (Mr. DORN) and the gentleman from New York (Mr. HORTON) for requesting this special order, and I congratulate the more than 300,000 Disabled American Veterans for the courage and service which we are recognizing on this special day in Congress.

Mr. STRATTON. Mr. Speaker, I am proud to join today in saluting the Disabled American Veterans on their golden anniversary.

Since 1921, when its first national convention was held in Detroit, the DAV has served this Nation well through its efforts to rehabilitate its wartime disabled and to serve those who sacrificed so much in the cause of freedom.

Perhaps the largest undertaking of the DAV has been its national service program which will represent any veteran, at his request, before physical evaluation boards and provides counsel before all boards of correction of military records and discharge review boards. The 146 officers of the national service program, who are located in VA offices throughout the United States, also provide counsel and guidance to disabled veterans, their dependents or their survivors, as to what benefits they are entitled to and how to go about getting them. This function has taken an added importance in recent years with the large number of wounded veterans returning from Vietnam. The nature of this war has created a vast number of disabled veterans, and the DAV contacts each returning injured veteran to offer him their services.

This national organization also has helped to lead the fight for humane treatment of Americans who are being held prisoners of war by the Communists by organizing mass mailings of letters of protest to Hanoi.

Other activities which this ambitious organization has undertaken include a scholarship program for children of disabled veterans and sponsorship of Boy Scout troops for handicapped youngsters using disabled vets as Scout leaders.

Thus, it is fitting that we, in the House, join the rest of the Nation in expressing our appreciation and congratulations to the Disabled American Veterans for 50 years of dedicated and selfless service both to their country and to those who have served their country so well.

Mrs. MINK. Mr. Speaker, I am proud and honored to join my colleagues in extending tribute on this special occasion to the heroism of our American fighting men, and to our disabled veterans whose courage in overcoming handicaps is an inspiration to us all.

The ceremonies we are holding today in the U.S. Congress commemorate the golden anniversary of service by the Disabled American Veterans to America's wartime disabled. It is, indeed, fitting and appropriate that we set aside this time to honor this organization representing many of our finest and most illustrious citizens.

The Department of Hawaii has DAV chapters on Maui, Kauai, and Hawaii Islands, as well as several on Oahu, which have rendered exemplary service to the people of our State. Oahu Chapter No. 1 now has 535 life members and 75 annual members—a total of 610 members, thereby making it the largest DAV chapter in the State.

Worthy activities such as visits to hospitalized veterans are carried on by DAV members throughout the State. Through these sincere and helpful efforts, the disabled veterans who were comrades on the battlefields are now in support of their colleagues during peacetime.

Formed 50 years ago, the Disabled American Veterans have helped veterans of all conflicts in their determination to rehabilitate themselves and secure proper consideration and adequate benefits which were earned by their service and courage. I am proud to lend my strong support for our disabled veterans in achieving these vital objectives.

Mr. MACDONALD of Massachusetts. Mr. Speaker, I am privileged to rise today in order to pay tribute to the Disabled American Veterans, an organization which this year celebrates its 50th anniversary. I feel that the theme "A Tribute to Quiet Courage" is especially appropriate, for it recognizes the unfailing determination not only of the organization itself, but of the men who belong to it and of all disabled veterans in this country.

The disabled veteran returns to society with a double handicap. There is his own disability and, in addition, there are the problems connected with returning and readjusting to society. For today's returning veteran, these problems have become especially severe. Only 15 percent of the returning veterans are enrolled in regular schools—this despite numerous increases in educational benefits enacted by Congress. Unemployment for these same veterans stands currently at a rate which is double that for the country's work force as a whole.

The disabled veteran, who has given so much for his country on the foreign battlefield, returns home to become an unwilling participant in the domestic war against inflation. Congress must continue to look for more and better ways to assist these veterans, and we must utilize the tremendous resources of the DAV in these efforts.

As the DAV celebrates its golden anniversary, its members can be proud of a fine record over the years. The DAV has handled over 8 million cases, obtaining over $1.5 billion in entitlements for disabled veterans and their dependents. The DAV has initiated and cooperated in countless programs in the areas of vocational rehabilitation, higher education, health and medical care, and specifically adapted facilities for amputees. In addition, the DAV must be commended for its current efforts to gain more information about, and more humane treatment for, our prisoners of war in North Vietnam. These efforts reflect a concern which we in Congress have voiced on many occasions.

I would like to take this opportunity to commend the national commander of the DAV, Cecil W. Stevenson; the Massachusetts commander, Robert C. Hagopian; and the Massachusetts junior vice commanders, Edward Orso and William Tabb, for their valuable leadership. I would like to bring to the attention of my colleagues a letter which I received from Joseph R. Harold, the department adjutant of the Massachusetts DAV, and I would also like to recognize the efforts of the numerous local chapters of the DAV in my congressional district, including Malden Chapter No. 59, of which I am a longtime member.

Disabled American Veterans,
Boston, Mass., February 24, 1971.

Hon. Torbert Macdonald,
House Office Building,
Washington, D.C.

My Dear Congressman Macdonald: Time has been set aside in the House on March 3, 1971, to commemorate the golden anniversary of service by the Disabled American Veterans to America's wartime disabled.

This day is called "DAV Day In Congress—A Tribute to Quiet Courage."

The Disabled American Veterans, Department of Massachusetts, has surpassed its membership quota for the 1970–71 year. Increases in our life and annual membership combined gave us a total of more than 20,329 members, which is the largest membership in the history of the Department. This year we organized three new Chapters—Rockland Chapter No. 50, located in Rockland, Massachusetts, General George S. Patton Memorial Chapter No. 58, located in Hamilton, and Falmouth Memorial Chapter No. 81, located in Falmouth, Massachusetts. The DAV has 103 active Chapters throughout the Commonwealth.

We have four National Service Officers who are located in the John F. Kennedy Federal Building, Government Center, Boston, Mass., who maintain our Service Program for veterans, widows and their dependents. They are Arthur Wilson, National Service Officer In Charge, Albert Hubka, Thomas J. Tomao and John Blake.

The five VA Hospitals and two Soldiers Homes in Massachusetts have individual VAVS appointees. The first Sunday in December is proclaimed DAV Hospital Day by the Governor, at which time we visit each of the five VA Hospitals and two Soldiers Homes.

The DAV has many successful activities to continue the patriotic services the veterans have rendered to their country. We also have a very active Legislative Program in the Commonwealth.

We are enclosing for your information and use a copy of the Chapter and Department Officers here in Massachusetts.

As our Congressman, we urge you to participate in this program.

If I can furnish you with any additional information, please call upon me.

Sincerely yours,
Joseph R. Harold,
Department Adjutant.

DAV Chapter List: 7th Congressional District—Massachusetts

Arlington DAV Chapter No. 49—Commander Richard P. Danton.

Chelsea DAV Chapter No. 62—Commander John P. Hanlon.

Everett DAV Chapter No. 51—Commander George Desiderio.

Malden DAV Chapter No. 59—Commander A. B. Hoffman.

Malden Lt. Dexter W. Clifford DAV Chapter—Commander George O'Farrell.

Medford Mystic Valley Gold Star DAV Chapter No. 21—Commander Robert M. Booker.

Revere Beach DAV Chapter No. 112—Commander Guy Festa.

Saugus Irving Campbell DAV Chapter No. 115—Commander Herbert D. Redden.

Mr. RODINO. Mr. Speaker, with the increasing number of casualties resulting from the Vietnam conflict, the rehabilitation, training, and care of our disabled servicemen has become of great concern to the country. Of the groups dedicated to aiding these men, the Disabled American Veterans rise to the apex in this most important field.

"To advance the interest and work for the betterment of all wounded, injured, and disabled veterans, their widows and dependents, to cooperate with Federal and private agencies devoted to the cause of improving and advancing the condition, health and interest of wounded, injured and disabled veterans," is the stated purpose of this organization. And through their times of glory as well as despair, this organization has never deviated from its purpose of aiding the wartime service connected disabled veteran to return to civilian life in a competitive position with his peers. The DAV also aid his family so that he may be better able to face the future with confidence knowing that his medical, rehabilitation, and employment requests will be met.

During this special day in the U.S. House of Representatives, I am happy to join in commemorating the 50 years of service of the Disabled American Veterans to America's war disabled and urge all to lend their support to this group of most dedicated men.

Mr. KYROS. Mr. Speaker, 52 years ago this month, quietly and without fanfare, an organization was born in Cincinnati, Ohio. It was to be dedicated to a single purpose—the betterment of those American veterans wounded and disabled by war. That was just after World War I, when 300,000 men and women returned to their country and to their homes bearing the scars they received in military service abroad. Already the Disabled American Veterans of the World War was faced with a task of monumental proportion.

But even as this organization grew, so—tragicaly—did the work cut out for it. In 1932, Congress saw fit to recognize this group's extraordinary efforts in behalf of disabled veterans, their widows, orphans, and dependents, by granting it a Federal charter as "the official voice of the Nation's wartime disabled." But the services of the DAVWW could not be limited to those many wounded men and women already wounded. Its original name was found too restrictive and had to be changed. For the Second World War followed closely on the heels of the first. Then came Korea. And now we have Indochina.

Today, there are more than 4 million Americans who carry with them the permanent bruises and disabilities they received in service to their country. And this number continues to grow. Each day our fighting men are wounded in Indochina. Many return to the United States crippled and disabled. Fortunately, there is an organization like the DAV to aid these men in their adjustment to civilian life.

I know that to my own State of Maine, veterans are returning at the rate of 600 per month. Too many of these brave young men will be permanently wounded and disabled. But I know that each and every one of them will be contacted by the DAV, either personally or by letter. Each of them will be offered help. And each of them will already be receiving help—help made possible only by the DAV's untiring efforts over the past half-century in their behalf.

As a U.S. Representative, I note with appreciation and admiration the fact that nearly all legislation since 1920 that has been beneficial to disabled veterans has been sponsored and promoted by the DAV. And the work that is constantly being done on a person-to-person basis across the country, through the DAV's national service programs, simply cannot be bettered. For this reason, Mr. Speaker, I am pleased to join many of my colleagues in the Congress in paying tribute to this fine organization on Disabled American Veterans Day in Congress.

Mr. McCOLLISTER. Mr. Speaker, it is an honor indeed for me to join my colleagues in paying tribute today to the Disabled American Veterans. The work of this outstanding organization deserves our highest admiration and our strongest support.

It is not pleasant to be reminded daily that there are more than 4 million men who still bear the scars and disabilities of our struggles to keep America free. The memories of our war dead, their widows and children, are also painful. Unfortunately, many Americans appear to take death-and-injury-bought freedom for granted, forgetting those who bore the brunt of war.

The progress and welfare of the men who fought so valiantly for our country in time of trouble should be of concern to every thinking American man and woman. We must remember them, and we must back up with action our debt of gratitude.

We must remember the terrible cost of war, including the cost in men's lives and disabilities, and make certain that theirs was not a useless sacrifice.

The problems of Americans disabled in wartime, of course, deserve immediate attention and solution. It is widely believed that Federal legislation and administration make compensation and other benefits automatically available to the wartime disabled and their dependents. This is not so, however; a veteran must make a formal and technical presentation of his claim to obtain his lawful benefits from the Veterans' Administration.

The wartime disabled, most with limited knowledge of the law, would be hard pressed to obtain their legal rights on their own. The DAV, however, has entered the picture as the guardian and protector of disabled veterans in every corner of the land. Since its formation, it has extended free counsel to scores of thousands of disabled veterans and their dependents, whether or not they were DAV members, on the complicated task of proving their lawful entitlement to Federal benefits.

To perform this service requires considerable manpower, money, and facilities. The cost, of course, is great. But the DAV does it all without Federal financial assistance. Unfortunately, because of the tragic conflict in Vietnam, the workload of DAV continues to increase, but in no respect has the performance of this fine organization slackened. On the contrary, as the demand on its resources has grown, DAV has kept pace with ever greater effort, efficiency, and dedication.

We are all proud of the Disabled American Veterans and pay a deserved tribute to it on this occasion.

Mr. REID of New York. Mr. Speaker, I am pleased to have this opportunity to join my colleagues in honoring the Disabled American Veterans on its 50th anniversary.

It is especially gratifying to point out the dedication and accomplishments of the DAV in helping the wounded and disabled American soldier return to civilian life. Since its inception, the DAV has handled over 8 million cases and has obtained over $1.6 billion in benefits for the disabled veteran and his dependents.

The national service program of the DAV assists wounded and disabled veterans in processing their claims and insuring that they receive the benefits to which they are entitled. In addition, the DAV has set up a national scholarship fund to help defray expenses of those sons and daughters of members of the DAV who show ability and need. Also, the DAV trains and places disabled veterans in jobs for which they are qualified.

Finally, it is the disabled soldier whom the DAV serves so well who exemplifies most eloquently the importance of the work being done by the DAV. The disabled American soldier deserves the care and benefits which the DAV affords them. The sacrifices which these men have made protecting the freedoms which we all enjoy places a responsibility on all of us to provide them and their families with the opportunity for a full and productive life. The DAV is carrying out this responsibility on behalf of a grateful Nation, and I am honored to salute them on this occasion.

Mr. MOLLOHAN. Mr. Speaker, today we observe a day of tribute to quiet courage, and to the quiet efforts of the Disabled American Veterans and their organization, the DAV. Formed more than 50 years ago, this organization has consistently and effectively fought to assist the disabled veteran, his widow, and his orphans by assuring that they receive the full extent of all benefits due to them.

There are 23 chapters of the DAV in West Virginia serving a State that has contributed the highest proportion of service in the Nation. Proportionately, more West Virginians have given active service to the defense of this country in the wars in which she has fought than any other State in the Union. Because of this service, we are particularly cognizant of the immense contribution that our disabled veterans have received from this association. The core of this contribution comes from the national service program operated by the DAV.

The basic function of the national service program is to assist disabled veterans, their dependents, widows, and orphans in obtaining all benefits to which they have legal entitlement. These include, but are not restricted to, Veterans' Administration disability compensation and pension, death indemnity compensation—DIC—death pension, vocational rehabilitation and education, hosiptalization and outpatient treatment, National Service Life Insurance, assistance in housing and employment, and disability insurance benefits from the Social Security Administration.

With the increased number of Vietnam casualties, emphasis has been placed on representing disabled servicemen in all military and naval hospitals where physical evaluation boards are held to insure that all wounded, or otherwise disabled, servicemen receive all benefits to which they are entitled pursuant to title 10, United States Code. These include disability retirement, or disability severance monetary benefits, plus hospitalization and outpatient medical treatment and commissary and post exchange privileges.

The Vietnam war has also affected the activities of the DAV. Recognizing the need for younger national service officers, the Disabled American Veterans has instituted a combination academic and on-the-job training program for serious disabled veterans of the Vietnam conflict. These young veterans, including eight double amputees recently entered into vocational rehabilitation, are trained by experienced national service officers in various locations.

It is important that we realize the full effort that this organization has made on behalf of the disabled veteran. Many men have given life and limb for their country in foreign wars, and they deserve to receive the full extent of our gratitude for their sacrifices. Yet without the efforts of the DAV, it is obvious that many disabled veterans, and their families would not be aware of the benefits to which they are entitled nor to the methods for receiving those benefits.

The practical services this patriotic organization has given this Nation's disabled veterans make this one of the most effective veterans organizations which have ever been created. Many Americans owe a great deal to their hard work, not the least of which is Congress itself. For this organization has made the system work for the people. Where the Government has been wrong on cases, this organization has fought to make it do the right thing. Where there have been gaps in the benefits that the Government has provided, the DAV has sought to improve those benefits and make them realistic.

In sum, this organization has served the disabled veteran and that service has been of such a high caliber that we in the Congress are in awe of it. We are grateful that this organization has been founded and that it continues to insure that the needs of the disabled American veteran shall not go unfulfilled. The DAV has spent 50 years of hard work to guarantee that the Nation shall not fail in fulfilling the reciprocal duties that arise from that security.

I join the other Members of the House and the Senate in the gratitude for this and in the hope that we shall continue to have the great help of the DAV over the next 50 years.

Mr. BOB WILSON. Mr. Speaker, with pride and admiration, I join my colleagues today in paying tribute to the 50th anniversary of the DAV—a half century of courage, determination and achievement that exemplifies the American spirit of independence and bravery.

We all know that the wounds on the battlefield are but a small part of the suffering of the wounded veteran. Once the battle for life is won, he faces an even bigger battle to rejoin society, to have a meaningful life, to accomplish, to have an opportunity to make use of his talents and abilities.

A half century ago, the DAV was founded so that wounded veterans would have an organization devoted solely to their interests. They have fought legislative battles, but above all they have offered hope and encouragement to those facing the long fight of recovery and readjustment.

The Congress has recognized the need for special programs, and many benefits are now available to help the disabled veteran realize a fuller life. But, many do not know of these benefits, which go to dependents as well as the veterans themselves. The DAV performs a great service in helping these deserving veterans and their families get the benefits to which they are justly entitled.

There are 146 national service officers in the Veterans' Administration who now work out of regional offices on disabled veterans cases. The department service officers of 47 DAV departments and the 1,900 local chapters work with the VA to help find veterans who need help, and to make certain that help is given.

National Commander Raymond P. Neal sums up the simple credo of the DAV in its annual report, which notes that this is the 50th anniversary year, and of which he said:

> During this year, all of our members will once again be rededicating themselves to our chartered purpose which is to provide for the welfare of the service-connected disabled veteran and his dependents.

From the selfless efforts of Judge Robert S. Marx, who began formation of the DAV in Cincinnati in 1920, leading to a full-fledged organization in 1921, to today's 294,566 dedicated members, the DAV story has been one all America can view with deepest pride.

I am very proud of the DAV activities in San Diego which has the largest chapter in the State with 1,907 members. It was organized in 1921, and celebrates its 50th anniversary this year. It was named after Harry S. Nelson, the first San Diego soldier killed in World War I. Chapter 2 has maintained a full time service office continuously since 1925 and presently has two service officers located in the VA Contact Office in San Diego.

One national commander, my close friend, William G. Dwyer, served in 1964 and 1965. Former Congressman Ed Izac served as a commander of Chapter 2 prior to his election to Congress.

Chapter 2 has produced six department commanders:

C. Bert Allen, Irwin J. Landis, Elmer L. Johnson, William G. Dwyer, William E. Berry, a former manager of the VA Regional Office in San Diego, who had served as chapter commander prior to his election as department commander, and Richard J. Cosgriff who is presently serving. These men have done a commendable job.

No one can adequately express the debt we owe the thousands of disabled veterans who have answered the call to our country's colors. But we can all do our part by helping the DAV—by making financial contributions and by becoming involved in veterans training programs—by taking a direct interest in the wounded veterans programs in our own communities.

As the DAV marches into its 50th year, its members can have the quiet pride that they have done a job for mankind. They have followed the advice of former President Woodrow Wilson, who said:

> My urgent advice to you would be, not only to think first of America, but always, also, to think first of humanity.

Mr. BRASCO. Mr. Speaker, at the close of World War I, the number of American wounded totaled over 300,000. Our Nation had not known such a tragedy since the Civil War. Consequently, our Government was hardly prepared to cope with the multitude of problems presented by disabled veterans. On June 27, 1918, Congress passed the Soldiers' Rehabilitation Act. This measure was an attempt to meet the needs of our Nation's fighting men. Unfortunately, the machinery to carry out the proposal was woefully inadequate for the task at hand. Veterans who desperately needed assistance found themselves entangled in mountains of bureaucratic redtape and shunted from agency to agency.

Yet, we in America have been fortunate that, when the need was greatest, our people have risen to the occasion. The year 1919 was no exception. On Christmas Day of that year a small group of men—disabled veterans all—met in Cincinnati, Ohio, to discuss the possibility of establishing an organization for disabled veterans. By March of 1920, the organization was launched. It was called, simply, Disabled American Veterans.

DAV, as the organization soon became known, was a godsend for many thousands of American veterans. The idea caught on rapidly. The membership had increased substantially by 1922, and the ground swell of support quickly began to have a salutary effect on the management of veterans' affairs in this country.

Since that time, DAV has been instrumental in encouraging much needed legislation for veterans. Congress took note of the organization's outstanding contributions by awarding DAV a Federal charter as a nonprofit organization in 1932. Congress, in effect, recognized DAV as the American veterans' group which was solely dedicated to the cause of the war-wounded, the voice of the disabled American veteran.

Over the past 50 years, DAV has, indeed, spoken earnestly for the veterans it so ably represents. It has never slackened in its efforts to insure that the disabled veteran and his family receive adequate care. Each of us owe a debt of gratitude for the diligence of the DAV. But, more importantly, we should be thankful that more than 8,000,000 American veterans have been assisted by the DAV's efforts.

The DAV's national service officers' program has been an invaluable aid to countless numbers of America's war-time-wounded. Without such assistance, it is doubtful that many of our disabled veterans would have been able to plead an adequate case in order to receive what was due them for the service they had so willingly rendered their country.

Today, we of the Congress have an opportunity to express for a grateful America our respect and admiration for the job the DAV has done so well these past 50 years. It is our fervent hope that the DAV will continue to offer its priceless assistance to our disabled veterans and their families—the Americans who have paid the high cost for the freedom that we all have the privilege of sharing.

Mr. COTTER. Mr. Speaker, the Disabled American veterans have for 50 years served our wounded veterans. On this day which has been set aside to honor the 50th anniversary of this organization, I would like to take time from our legislative schedule to commemorate the members of the Disabled American Veterans who have given so much for our country. Their courageous service is an inspiration to us all. America is in their debt; a debt that we cannot ever fully repay.

At this time, I would especially like to remember the honorary members of the Disabled American Veterans, the unknown soldiers who made the supreme sacrifice throughout our history in the wars fought to protect America.

Mr. Speaker, let us never forget these loyal Americans. Their sacrifices are a constant reminder of our own obligation as American citizens. The democratic traditions that sustain this Nation, and for which they fought, must not be allowed to atrophy. The memory of these men and women reminds us today and every day of our responsibilities.

Mr. MORGAN. Mr. Speaker, I would like at this time to pay my respects to the Disabled American Veterans, on the occasion of their 50th anniversary year. Born in the wake of World War I, to represent the interests of American veterans wounded in the service of their country, the DAV has done a job of the finest kind, and is wholly deserving of the national approval.

Congress has taken notice of the importance of the DAV by awarding it a Federal charter as a nonprofit organization, and the disabled veterans, themselves, have hailed it as their own.

As of this moment, the DAV has more than 300,000 members in the 50 States, the District of Columbia, Puerto Rico, and several foreign countries. More than 100,000 are life members. Of the veterans returning from Korea and Vietnam, 25,000 have joined the DAV, and the total number of DAV chapters in the country has climbed to 2,000. Members are active in a wide range of community activities from sponsorship of Boy Scout units to job placement service for disabled veterans.

Every President of the United States, since the year 1919, and every Director of the Veterans' Administration have commended and approved the services of the DAV.

Following World War II, the DAV was largely instrumental in securing passage of Public Law 16, providing special benefits for wounded veterans under the GI bill of rights. And as time has passed, additional benefits have been secured, to the advantage not only to the DAV membership, but veterans in general.

In all projects they have undertaken, the DAV has shown its capabilities to the satisfaction of everyone concerned. I am proud to join in saluting this remarkable organization, which is highly regarded here in Congress, and throughout the land.

Mr. KUYKENDALL. Mr. Speaker, it is an honor to associate myself with the remarks of the gentlemen who have preceded me, paying homage to the wounded veterans whose courage does not stop when the war does.

In its 50-year history, the DAV organization has served its members well, and in so doing, has served the Nation even better. To me, the most significant thing these men have done is in their choice of a flower whose very name sums up their purpose: the forget-me-not.

It is more than fitting that we here in this House honor them: it is obligatory. No matter whether it was at Belleau Wood or Bataan, the iron triangle or the Ho Chi Minh trail, these men all had one common ground of heroism—they were there when we needed them.

When they need us, can we do less and still call ourselves Americans?

Mr. DANIEL of Virginia. Mr. Speaker, it is a real privilege to join with my colleagues today in tribute to the members of the Disabled American Veterans on the occasion of that organization's golden anniversary.

Over the 50-year span of the Disabled American Veterans' existence, we have witnessed many dramatic changes in our Nation and throughout the world. Unchanged, however, is the firm and noble objective adopted a half-century ago by the founders of the DAV: "to advance the interest and work for the betterment of all wounded, injured and disabled veterans, their widows and dependents."

Because of its steadfastness to this commendable objective, the DAV has made immeasurable contributions to the well-being of our veterans who have been disabled in their Nation's service—through rehabilitation and readjustment for those veterans who have suffered because of their service in time of national peril, and by diligently seeking the necessary care for those who could not be rehabilitated.

The chief advocate for the disabled veteran is his veterans' organization. For 50 years the DAV has occupied the position of friend and counsel for this group. During these 50 years, through dedication to the war-wounded, the members of the DAV have been in the forefront in fulfilling the obligation of our Government and of our people, that those who suffered the ravages of war shall not be forgotten or neglected.

Today, we have nearly 300,000 men who have suffered wounds on the battlefield of Vietnam. They, along with those who were disabled in World War I, World War II, and the Korean war, will find in the Disabled American Veterans a concern that the commitment to the disabled veteran will be met.

Five times within this century our country has asked its men to bear arms in defense of freedom. Most have returned unscarred; many have not. From its inception, the DAV has taken as its prime concern this latter group.

I am not young enough to see it, but I am sure the leadership of the DAV share with me the dream that someday its national commander can come before this body and surrender its charter, saying that they were no longer needed, that there were no more wars and no more wounded. Until that day comes, it is my fervent hope that we will all support the fine objectives of this organization.

While we pray for the day when it will no longer be necessary that we send our young men to battle, we give thanks that we have such organizations as the Disabled American Veterans which recognize by their actions the contributions of the veterans to the maintaining of the security of our Nation.

Mr. HUNT. Mr. Speaker, it is indeed an honor and my privilege to participate with those here present to pay tribute to the 50 years of service to the disabled American veterans of all wars undertaken by the organization known as Disabled American Veterans—DAV.

An editorial in the March 1964, issue of the DAV National Magazine started with this observation:

> A sad but true fact must be faced. During the post-World War II era, the flame of American patriotism has ebbed. The cold war, which often turns hot, is viewed by many with apathy, fear and weak resolve . . . Americans are too busy with plush living to worry about our nation's historic position as the champion of individual freedom through democratic government. Or the blood that has been shed over a period of nearly 200 years to create and protect a great nation . . . a nation that can also inspire other nations to uphold justice and human dignity.

The harsh experiences of the 6 short years since those words were written have inscribed that message on the tombstone of history and the additional thousands of disabled American veterans have come to know the sacrifice that millions before them articulated with bodily suffering so that we might remain a free nation—the inspiration to other nations whose people long to achieve that great goal.

Begun as an idea in Cincinnati, Ohio, in 1919, the DAV has with dedication and intimate understanding carried out its programs over half a century "To advance the interest and work for the betterment of all wounded, injured, and disabled veterans, their widows, and dependents—to cooperate with all Federal and private agencies devoted to the cause of improving and advancing the conditions, health, and interest of wounded, injured, or disabled veterans."

Mr. Speaker, while my hat is off to all disabled American veterans for the sacrifices they have suffered, our tribute today is to the organization that so selflessly serves them, DAV. I believe our program today, "DAV Day in Congress—a tribute to quiet courage," exemplifies the feelings of Americans everywhere that the interests of our disabled war veterans are our interests. We shall never let them down.

Mr. ADAMS. Mr. Speaker, it is a pleasure and privilege for me to join with my colleagues today in honoring the Disabled American Veterans on this 50th year of their history.

Founded on Christmas Day in 1919, the Disabled American Veterans had grown enough by 1921 to have its first national convention. Through the years the DAV has abided faithfully by the purposes of its constitution:

> To advance the interests and work for the betterment of all wounded, gassed, injured, and disabled veterans . . . to cooperate with all Federal and private agencies devoted to the cause of improving and advancing the conditions, health, and interest of wounded, gassed, injured, and disabled veterans.

As the official voice of all wartime disadvantaged veterans since 1942 and under the Federal charter of 1932, the DAV has provided care and rehabilitation services to millions of men and to their dependents. In a time of massive bureaucracy, the DAV has represented the human, personal factor in its dedication to our heroic war disabled. This work continues to this very moment as our men return from Vietnam.

The State of Washington is especially proud of our DAV's and their programs and activities in our State. For example, in the Seattle area we have a number of chapters, among them Sunshine Chapter No. 13, organized in 1941. The efforts of this chapter contributed greatly to the location of the present Veterans' Administration Hospital in Seattle. Shortly after its construction, Chapter No. 13 was the main contributor in purchasing the $3,500 Baldwin electric pipe organ which is in the hospital chapel. Since then, the members of Sunshine Chapter have taken an active part in providing necessities to hospitalized veterans, in arranging entertainment programs and in giving assistance in smoking and feeding. They try to live up to their name by spreading sunshine. The members also take part in the promotion and activity of all patriotic programs, such as Memorial Day, Fourth of July, and Veterans' Day.

On behalf of the people of the State of Washington, I salute the DAV, I commend their services and I pledge my support for their aspirations.

Mr. MATHIS of Georgia. Mr. Speaker, I am pleased to join with my colleagues today in tribute to the dedication, courage, and loyalty that is so characteristic of the Disabled American Veterans.

For a half century the DAV has faith fully served America's disabled veterans, their widows, orphans, and dependents. It must be a source of great pride to the membership to know that their organization has not lost sight of the original, high purpose for which it was founded. It is the same today as it was in 1920.

Perhaps it is more appropriate on this golden anniversary to look to the challenge that lies ahead rather than to the accomplishments of the past. I am confident that the DAV is prepared to meet this challenge that arises from the conflict in which we are now engaged in Southeast Asia.

Never before in our Nation's history has the rate of survival of wounded soldiers been so high as in Vietnam. This has resulted from improved medical technology and helicopter evacuation from the battlefield to adequately equipped and staffed field hospitals.

While the rate of survival of wounded World War I soldiers was shockingly low, the rate increased to 70.7 percent in World War II and 73.7 percent in Korea. The current rate of survival in Vietnam is 81.3 percent.

These statistics provide the challenge to DAV in the years ahead. However, the DAV does not view them as just statistics. These disabled servicemen are viewed as individuals, and the DAV stands ready to assist each of them with a claim for compensation, training, medical care, and a host of other services.

Yet another challenge faces the DAV in the years ahead. As a matter of fact the challenge faces us all now. The Disabled American Veterans, who have given so much to protect our free institutions and our great heritage of freedom, will be called upon again and again to defend America—not on another foreign battlefield but here at home.

The DAV will also meet this challenge for the preamble of its constitution begins with the inspiring words:

> For God and Nation . . .

A grateful nation is appreciative for your past contributions above and beyond the call to duty, but we humbly ask that you continue to give of yourselves.

Mr. MIKVA. Mr. Speaker, I would like to take a few moments on this 50th anniversary of the founding of the Disabled American Veterans—DAV—to commend them on the excellent job they are performing for the veterans of America's wars.

The job of the DAV has been especially difficult in the case of men returning from Vietnam. Disabled Vietnam returnees face numerous hurdles upon reentering civilian life. In addition to overcoming their disability, they must wrestle with rising inflation and unemployment. Improvement is urgently needed in the areas of health, education, rehabilitation, and employment opportunities for disabled veterans.

Similar problems have faced returning veterans of past wars, and the DAV has worked hard to help them. But the Vietnam war has raised additional barriers to the reintegration of disabled returnees, which the Congress and the people must remedy, for the DAV cannot. A man can overcome a disability, but only if he is strong and proud. The disabled veterans of World War II had the gratitude and respect of their countrymen, and could be proud of their sacrifice. Vietnam veterans are robbed of such spiritual support by being sent to fight in a war with no moral or even political purpose of which they can be proud. They return to a society which little values their sacrifice, and little respects the uniform they wear.

Herein lies the saddest toll of this unwanted, undeclared war, for it has undermined the self-respect of a whole society. Let us all work to help the DAV by ending the war now, so that their services need not be extended to additional hundreds of American boys.

Mr. Speaker, I am pleased to be able to commemorate the 50th anniversary of the Disabled American Veterans with more than just words. This month I will introduce legislation which would alleviate the hardship suffered by alien, foreign-born children whose fathers die while serving in our Armed Forces. It would do so by granting such children automatic U.S. citizenship—an insufficient but deserved showing of the Nation's appreciation.

I commend the work of the DAV on behalf of disabled American veterans, and can only hope that the day will come when their services are no longer needed.

Mr. HELSTOSKI. Mr. Speaker, I rise to pay honor to the Disabled American Veterans organization on the occasion of its 50 years of service to America's war disabled.

As one who serves on the Veterans' Affairs Committee of the House of Representatives, I have maintained close liaison with national and local officers of the DAV.

All of these officers are outstanding men who gave unstintingly of their services to our Nation in time of war and now are helping those who served with them and those who followed them in military service.

These men possess a dedication that might well be emulated by all areas of our Nation's population and I salute them.

As an example of the humanitarian work done by the DAV throughout the months and years, I insert at this point in the RECORD a graphic presentation of the organization's national service program:

DISABLED AMERICAN VETERANS NATIONAL SERVICE PROGRAM

The Program is administered by the National Service Director, who is directly responsible to the National Commander. The National Service Headquarters' staff, located at 1221 Massachusetts Avenue, N.W., Washington, D.C. 20005, consists of the National Service Director, the Deputy National Service Director, the Associate Deputy National Service Director, and the National Director of Employment.

Located at 811 Vermont Avenue, N.W., Washington, D.C. 20420, is the staff of the National Appeals Office, whose duties include representation of all designated veterans and their dependents in appeals to the Board of Veterans Appeals of the United States Veterans Administration.

There are presently 146 National Service Officers located in Veterans Administration Regional Offices throughout the United States. The National Service Offices are assisted by Department Service Officers of the 47 DAV Departments and the Chapter Service Officers of the local Chapters which now number more than 1,900.

The basic function of the National Service Program is to assist disabled veterans, their dependents, widows, and orphans in obtaining all benefits to which they have legal entitlement. These include, but are not restricted to, Veterans Administration disability compensation and pension, death indemnity compensation (DIC), death pension, vocational rehabilitation and education, hospitalization and out-patient treatment, National Service Life Insurance, assistance in housing and employment, and disability insurance benefits from the Social Security Administration.

With the increased number of Vietnam casualties, emphasis has been placed on representing disabled servicemen in all military and naval hospitals where Physical Evaluation Boards are held to insure that all wounded, or otherwise disabled, servicemen receive all benefits to which they are entitled pursuant to Title 10, United States Code. These include disability retirement, or disability severance monetary benefits, plus hospitalization and outpatient medical treatment and commissary and post exchange privileges.

In addition to representation before Physical Evaluation Boards, this organization also provides counsel before all the Boards for Correction of Military Records and Discharge Review Boards.

A typical example of services rendered is shown by the following:

Veteran A receives multiple gunshot wounds while engaged in combat with the enemy in Vietnam, is hospitalized there and medically evacuated to the United States where his wounds are treated in a service hospital for many months. For one reason or another, perhaps because of the fact that his enlistment is almost completed, he is released to duty and administratively separated, rather than discharged with disability retirement benefits.

Upon return to his hometown, he learns from another disabled veteran that he is entitled to many benefits from both the Veterans Administration and the branch of service from which he was separated. Since there is a DAV Chapter in his community, he attends the next Chapter meeting and discusses his problems with the Chapter Service Officer.

The Chapter Service Officer then obtains a Power of Attorney and assists him in filing a claim (VA Form 21-526) for disability compensation with the Veterans Administration. Additionally, because his wound residuals constitute a serious occupational impairment, VA Form 1900 is completed for vocational rehabilitation.

The Chapter Service Officer forwards the completed forms to the DAV National Service Officer, who is accredited by the Veterans Administration to prepare, present, and prosecute all claims for benefits concerning those claimants who have designated the DAV as Power of Attorney. The National Service Officer, himself a disabled veteran, is well trained in the legal and medical aspects of disability and rehabilitation and acts as an attorney in fact for the claimant. Since in this particular case, the evidence discloses possible entitlement to disability retirement from the service, the National Service Officer advises veteran A to complete and submit DD Form 149, Application for Correction of Military Records, designating the DAV as counsel.

When all the evidence has been obtained, the veteran is represented by the Associate Deputy National Service Director, who takes all necessary action to insure equitable consideration of the request for disability retirement.

There are many instances in which the National Service Officers do not believe that a claim has been properly and fairly adjudicated. If there is an apparent misapplication of the laws, regulations, policies, or disability rating schedule administered by the Veterans Administration, then the National Service Officer prepares a brief and requests an Administrative Review. A staff official at National Service Headquarters will then present the claim to the Veterans Administration, Central Office, with a request for corrective action.

In those cases not involving misapplication of the aforementioned criteria, but which do involve an appeal to the Administrator of Veterans Affairs, each claimant is represented at the Regional Office level by the National Service Officer and at the Washington level by the National Appeals Officer. Both the National Service Officer and National Appeals Officer review the evidence of record and then prepare an appropriate brief in support of all valid claims. This procedure enables all claimants designating the DAV as Power of Attorney to receive more than adequate preparation and presentation of their claims.

Recognizing the need for younger disabled veterans as National Service Officers, the Disabled American Veterans has instituted a combination academic and on-the-job training program for serious disabled veterans of the Vietnam conflict. These young veterans, including 8 double amputees recently entered into vocational rehabilitation, are trained by experienced National Service Officers in various locations.

Mr. YATRON. Mr. Speaker, I am privileged to join my House colleagues today in paying tribute to the members of the Disabled American Veterans on the organization's 50th anniversary.

The DAV's record over the last half century in helping to rehabilitate the disabled reflects well upon its leaders, its members, and our country. The DAV has labored tirelessly to secure for these brave men the Federal compensation to which they are entitled, and to instill in them new hope and self-respect.

The DAV deserves special commendation, I feel, for its magnificent efforts on behalf of our prisoners of war in North Vietnam. I sincerely hope that the DAV's campaign to bring the weight of international opinion to bear upon the North Vietnamese will result in humane treatment of our men and their prompt release.

Mr. Speaker, perhaps the most eloquent salute to the DAV was a simple tribute from Gen. Douglas MacArthur. In the general's words:

> Membership in no group in the world carries greater honor than in the Disabled American Veterans.

Mr. HUNGATE. Mr. Speaker, we look upon the 50th anniversary of the Disabled American Veterans with great admiration and respect for the many great men who gave so much for all of us and for our Nation.

These men left their homes to defend our country regardless of personal risk. Let us not forget those who remembered their duty to their country and met that responsibility.

Many years ago a distinguished American soldier, a distinguished Randolph County Missourian, Gen. Omar Bradley, spoke of the dangers and sacrifices necessary in a republic, warning that—

> If we cringe from the necessity of meeting issues boldly, with principle, resolution and strength, then we shall simply hurtle along from crisis to crisis, improvising with expedients, seeking inoffensive solutions, drugging the Nation with an illusion of security, which under those conditions cannot exist.

We know well that meeting issues involves present calamity. And present calamity is harder to face than predicted calamity that may not mature. So the impulse is to shrink from present hardships. And only long after the fact, if ever, can we discern the point at which the present calamity was averted, at the cost of future peril.

Statesmen themselves cannot often perceive the right side of this nice and awful choice. Much less can soldiers discern the relation of every mission and every battle to the survival of the Nation. Many men go to their deaths not having fully resolved in their minds a full measure of the cause in which they die. Were there none willing to do so, there would be no America, and no one would enjoy the freedoms we inherit.

Let us give thanks to the men of the DAV and make their patriotism an example to us all.

Mr. LONG of Louisiana. Mr. Speaker, I welcome this opportunity to join my colleagues in paying tribute to the Disabled American Veterans. The national organization of the disabled Americans has been responsible for much of the beneficial veterans legislation which the Congress has enacted. They have worked diligently to insure that those who suffered disabilities while in the service of their country will receive their rightful benefits. We are indeed grateful for the work their organization has done for half a century.

I am pleased to have in my district the Disabled American Veterans' post at Alexandria, La., and salute its members who have worked so hard to make their organization an important force in Louisiana. The advice given to me by the different members on legislation has been invaluable to me, and I am sure that the other Congressmen have men in their own districts that are of assistance in discussing the merits and the limitations of legislation affecting veterans. Even more commendable of the DAV's services is the assistance that is given to the disabled ex-serviceman, his widow, dependents, and orphans. The national service officers throughout the country assist disabled veterans with vocational rehabilitation, employment, compensation, hospitalization, home loans, education, and almost every situation affecting their welfare.

Americans are very indebted to this great organization.

Mr. HOWARD. Mr. Speaker, the purposes and policies of the Disabled Veterans of America deserve national respect and admiration, for their basic principle is altogether sound. They hold that those Americans who have paid the most for liberty in battle are most likely to work the hardest to sustain it on the homefront.

The record of the DAV attests to this thesis, for surely no other veterans' organization can be said to exceed the DAV in heroes in ratio to total membership, and no other veterans' organization is more intensely wedded to American ideals.

Founded 50 years ago, and chartered by Congress in 1933, the DAV has proven itself to the American people, again and again, as a driving force is defense of our national heritage.

The will to defend a national policy is based upon the beneficial aspect of the traditions involved. And so beneficial are American traditions that the people always have been quick to defend them with every power at their command. This the American has done with no thought of recompense. This he has done on the strength of patriotic impulse.

Yet, the fact remains that the victims of warfare cannot be permitted to suffer in the aftermath of heroism in battle. So believe the American people, and so believes the DAV. In standing fast for justice in behalf of the disabled veteran, the DAV mirrors the essence of American thought. And in organizing and channeling the efforts and the voices of our disabled war heroes, the DAV has performed a decided public service.

Having earned the right to national respect, on both an individual and an organizational basis, everyone connected with the DAV is entitled to a round of applause from Members of Congress, and this we are honored to accord it today.

Mr. ABOUREZK. Mr. Speaker, I appreciate the efforts of the gentleman from New York (Mr. Horton), and the gentleman from South Carolina (Mr. Dorn), in calling to the attention of the House the very worthwhile contributions of the Disabled American Veterans.

A grateful Nation should, indeed, pause from time to time to consider its debt to those who have served her and the sacrifices they have made. This debt is a debt of honor that must be repaid. The tireless efforts of the Disabled American Veterans remind us of that.

In my State there are three major veterans' hospitals, located in Sioux Falls, Hot Springs, and Fort Meade, near Sturgis. The value of the medical services thus made available to deserving veterans is incalculable, especially when one considers the scarcity of medical facilities otherwise available. And yet we find from time to time that the so-called demands of the economy require that these hospitals be reduced in size or cutback. What kind of economy is that? An economy that would reduce the services available to those who have sacrificed so much for their country is cruel and heartless at worst, foolish and shortsighted at best. I am sure that the DAV would join me in protesting such a decision.

The record of the Disabled American Veterans in protecting and acquiring the rights of disabled veterans is an impressive one. It is that record of achievement on behalf of the deserving that so greatly commends the DAV.

In my own State of South Dakota, there are close to 1,300 members in 10 chapters. This is almost double what it was 6 years ago and 23 percent of these are life members. Chapters are located at Sioux Falls, Sturgis and Watertown, Hot Springs, Rapid City, Aberdeen, Madison, Mitchell, Pierre, and Yankton. The last two are new this year, and five have auxiliary units.

A great deal of voluntary time is devoted by the members and the auxiliaries in providing services at the three veterans' hospitals mentioned as well as the State veterans' home. Better than 6,000 hours annually is given to this program. In addition, an amount better than 65 cents per DAV member in South Dakota is furnished for the entertainment or material needs of the hospitalized veterans. The travel time and expense given to this program cannot be measured.

Whatever we say here today is inadequate to honor the nearly 200,000 members of the DAV for the sacrifices they have made and the example of quiet courage they set for us.

Mr. WHITE. Mr. Speaker, I wish to compliment my distinguished colleagues, Mr. Dorn and Mr. Horton, for their sponsorship of DAV Day in Congress, and to thank them for this opportunity to pay tribute to the Disabled American Veterans on the 50th anniversary of their organization.

My home city, El Paso, has a special affection for the disabled veteran. In 1927, the young DAV organization, then only 7 years old, chose El Paso as the site of its national convention. The DAV 50th anniversary report states that the organization was in such financial straits at that time that the national commander had to borrow $10,000 from a man whose claim he had just processed.

Both El Paso and the DAV have grown much since then. You will hear from others today of the great work being done by the 146 national service officers of the DAV in assisting veterans in their contacts with the Veterans' Administration, and of DAV's leadership in a campaign to secure 20 million letters to North Vietnam, asking for the release of our prisoners of war.

I should like to add a few details from the district I represent to show the personal service rendered by disabled veterans to other veterans, and disabled servicemen. El Paso is the site of a major Army hospital, William Beaumont General Hospital, which—like the DAV came into being shortly after World War I. A report I received from Jose Y. Ramirez, commander of Borderland Chapter No. 10, Disabled American Veterans, tells me that their members spend 1 day each month visiting wounded and sick servicemen and veterans at Beaumont Hospital. The chapter also makes an annual donation to the department fund that is divided among all the Veterans' Administration hospitals in Texas for Christmas presents to the patients. The chapter not only takes leadership in the Memorial Day ceremonies in El Paso, but also decorates the graves of three Mexican nationals, buried in neighboring Ciudad Juarez, who gave their lives in Vietnam.

Another special service deriving from El Paso's border location, is the conducting of free citizenship classes to assist aliens to become naturalized American citizens.

These personalized services, it seems to me, are indications of the patriotism, the love of fellow men, and the quiet courage of men who bear the scars of the battles that have kept our Nation free.

Mr. TEAGUE of California. Mr. Speaker, today is DAV Day in Congress for it was just 50 years ago that this great organization held its first national convention. I am proud to join in this tribute to 50 years of dedicated service by the Disabled American Veterans to the Nation and its war disabled.

The Disabled American Veterans, Mr. Speaker, is an organization made up exclusively of those veterans who were wounded or disabled during military service in time of war.

Accordingly, it is appropriate that during their 50 years existence, the DAV has devoted its principal energies to the welfare of the wounded and disabled defenders of our Nation during time of war and the survivors of their less fortunate comrades in arms.

This singleness of purpose has manifest itself in the legislative program of the DAV. This morning, those of us who serve on the Committee on Veterans' Affairs were privileged to receive testimony from DAV National Comdr. Cecil W. Stevenson in which he outlined the highlights of his organization's legislative program for 1971. Commander Stevenson, on behalf of his organization, seeks legislation in the field of compensation for service-controlled disabilities. He asks for greater health services to more patients with increased effectiveness in Veterans' Administration hospitals and sufficient funds to accomplish this purpose. The commander also requests the formulation of a policy with respect to national cemeteries and burial benefits for veterans.

The DAV legislative program, under the capable direction of Chet Huber and his two assistants, Bill Flaherty and Bill Gardiner, is both reasonable and sound. For this reason, it usually enjoys the support of most Members of Congress.

The DAV rehabilitation program offers another example of the organization's 50 years of dedicated service to the welfare of the disabled veteran.

The nucleus of this program is the work of a corps of 146 national service officers stationed in all of the Veterans' Administration regional offices throughout the Nation. These national service officers are experts in the field of veterans' rehabilitation. They are thoroughly familiar with veterans' law and regulation and are well qualified to represent veterans and their dependents before the disability rating boards of the Veterans' Administration.

The work of these experts is supplemented by the efforts of department service officers in each of the several States and 1,900 chapter service officers at the local level. The statistical report of the national service officers offers living testimony of the effectiveness of their work in the field of veterans' rehabilitation. During the last calendar year, these men reviewed 220,338 veterans' cases. They appeared before the Veterans' Administration rating boards 108,507 times and obtained more than $186 million in benefit payments for the veterans they represented. This is a record of monumental achievement.

For these several reasons, Mr. Speaker, I am proud to salute the Disabled American Veterans and to offer my congratulations and best wishes for its future success as they mark this golden jubilee year.

Mr. SEBELIUS. Mr. Speaker, it is indeed an honor and a privilege to take part in this special tribute to the Disabled American Veterans as we commemorate 50 years of this organization's service and care to our Nation's war disabled.

The "quiet courage" of those who have been disabled while fighting for their country as well as the courage and dedicated perseverance of those in the DAV stands as a patriotic example and inspiration for men and women throughout America.

What I think is most impressive regarding the leadership and members of the Disabled American Veterans is the fact that while they have a splendid record of 50 years of service this dedicated organization looks constantly to the future.

The DAV is active in supporting legislation that will improve the lives and opportunities of wartime disabled veterans and their dependents. The DAV has expanded its activities and now is undertaking an effective program in behalf of our American men who are missing in action or who have been taken prisoner in Southeast Asia. The DAV is constantly changing to meet the modern-day demands of today's disabled veteran.

The Disabled American Veterans was founded to aid veterans of World War I. When DAV officers are officially sworn into their respective offices they swear to remember that the DAV's mission is not fulfilled until all of our Nation's wartime disabled, their widows, and their dependents have been adequately cared for.

The DAV is meeting this charge today as it did 50 years ago and just as important we can look to the future with confidence that this record of service will continue to exemplify the "quiet courage" we are saluting today.

Mr. KEMP. Mr. Speaker, more than a 100 years ago Abraham Lincoln admonished the Nation "to care for him who shall have borne the battle and for his widow and his orphan." Today, I am honored to join many of my distinguished colleagues who have risen in this House to pay tribute to an organization which has worked mightily for the cause of America's war wounded.

This organization called, simply, Disabled American Veterans, has presented an outstanding record of achievement in more than 50 years of service for the American veteran. DAV was formally established in March of 1920 "to aid and assist worthy wartime disabled veterans, their widows, their orphans, and their dependents."

Over the past 50 years, DAV has fulfilled this purpose with unfailing determination. DAV has been responsible for millions having received veterans' benefits. The organization has been able to accomplish this outstanding service primarily through its national service department. This department of the DAV employs full-time, professionally trained national service officers who are accredited by the Veterans' Administration and who represent veterans before Government review boards.

Although disabled veterans received their wounds in the service of their country, these men do not automatically receive Government benefits. In every case a claim must be filed, evidence secured, and legal entitlement established. DAV's national service officers help to guide the bewildered veteran through this maze of redtape. In many cases, it is unlikely that the individual veteran would have been able to obtain his legally guaranteed benefits had he not been aided by a DAV service officer. Since 1920, the DAV has handled more than 4 million claims for the war disabled, their widows, and their orphans. This accomplishment is, indeed, worthy of the respect of all Americans.

The leadership that DAV has given our Nation in the past 50 years deserves the admiration of every American. For it has been our disabled veterans who have paid the actual price for the freedoms that we all enjoy today. Yet, these men have no bitter recriminations to hurl at our Nation's flag. For it was this Government, this way of life, that these men fought and suffered to preserve and protect. I think it fitting that we all strive to achieve their quiet courage in the face of adversity. Because the disabled veteran has given strength to America, it is only right that we honor his gift by extending our respect and admiration for his cause. This day we join in tribute to a most worthy organization—the Disabled American Veterans.

I include a list of participating Members:

LIST OF PARTICIPATING MEMBERS—"DISABLED AMERICAN VETERANS DAY IN CONGRESS: A TRIBUTE TO QUIET COURAGE"

Mr. Abourezk, Mr. Addabbo, Mr. Anderson, Mr. Andrews, Mr. Annunzio, Mr. Ashley, Mr. Badillo, Mr. Baker, Mr. Baring, Mr. Belcher, Mr. Bolling, Mr. Brademas, Mr. Brinkley, Mr. Broomfield, Mr. Brotzman, Mr. Buchanan, Mr. Burke, Mr. Byrne, Mr. Cabell, Mr. Carney, Mr. Carter, Mr. Casey, Mr. Clancy, Mr. Clawson, Mr. Collier, Mr. Conable, Mr. Conte, Mr. Daniels, Mr. G. Davis, Mr. de la Garza, Mr. Denholm.

Mr. Dickinson, Mr. Drinan, Mr. Dow, Mr. Edwards, Mr. Flynt, Mr. W. Ford, Mrs. Griffiths, Mr. Halpern, Mr. Hammerschmidt, Mr. Hanley, Mr. Hansen, Mr. Harvey, Mr. Hathaway, Mr. Heckler, Mr. Henderson, Mr. Hicks, Mr. Hillis, Mr. Howard, Mr. Ichord, Mr. Kuykendall, Mr. Kyros, Mr. Landgrebe, Mr. Link, Mr. Speedy O. Long, Mr. McCollister, Mr. Mahon, Mr. Matsunaga, Mr. Mayne, Mr. Melcher, Mr. Mikva, Mr. C. Miller.

Mrs. Mink, Mr. Moorhead, Mr. Morse, Mr. Myers, Mr. Nichols, Mr. Obey, Mr. Pepper, Mr. Pirnie, Mr. M. Price, Mr. Railsback, Mrs. C. Reid, Mr. Roberts, Mr. Roncalio, Mr. Roy, Mr. Roybal, Mr. Saylor, Mr. Schneebeli, Mr. Scott, Mr. Skubitz, Mr. W. Steiger, Mr. Symington, Mr Terry, Mr. Whalen, Mr. White, Mr. Williams, Mr. Winn, Mr. Wolff, Mr. Yatron, Mr. C. W. (Bill) Young, Mr. Zablocki, Mr. Zion.

Mr. STEIGER of Arizona. Mr. Speaker, we are indeed privileged to have with us today National Commander Cecil Stevenson and distinguished officials of the Disabled American Veterans, men who exemplify the outstanding qualities which have characterized this organization throughout its more than one-half century of service to our wartime disabled military men. Their dedication, loyalty and courage are an inspiration to all of us—members and nonmembers alike. These men are carrying forward a spendid tradition established by the founders of the Disabled American Veterans. I would like to pause for a moment, if I may, to pay tribute to those charter members and to one in particular, Judge Robert S. Marx—a remarkable man and the first DAV National Commander. We shall always be indebted to Judge Marx for the leading role he played in organizing the Disabled American Veterans. He helped bring together under a permanent national organization the heretofore loosely knit veterans clubs scattered throughout the country. Here was a man, himself seriously wounded in action during the closing days of World War I, who generously devoted his time and talent to this effort so that other men could more easily overcome their war injuries. It was a time when many recently released World War I servicemen were trying to make the transition to civilian life, a task complicated for many by their war experiences. The need for an organization such as the DAV was very great. Often disabled veterans were having difficulty obtaining necessary medical care, vocational training, and other assistance. The Disabled American Veterans was organized to help them obtain assistance. It was not long before the DAV became an effective national force, the official spokesman for Americans who are wartime disabled veterans.

Mr. TERRY. Mr. Speaker, it is a distinct pleasure for me to join today in the tribute to the Disabled American Veterans. It is my privilege to be a member of that fine organization.

All our veterans organizations are each performing a fine service, but the Disabled American Veterans is unique. It has become more unique due to the fine advances in battlefield surgery and the characteristics of the Vietnam war.

In World War I, the survival rate of our wounded was very low. In World War II it was increased to 70.7 percent, later in Korea it increased to 73.7 percent, but currently in Vietnam the rate is 81.3 percent. However, due to the nature of the fighting, most of our wounded are the result of mines and booby traps.

All such wounds shatter, or even remove whole limbs. Thus, the number of disabled men returning from the battlefield is shockingly high.

The Disabled American Veterans, with its experienced service officers, is able to assist these men, after they leave the service, in receiving all the benefits to which they are entitled, whether it be disability retirement, medical or educational assistance. The Disabled American Veterans has risen to meet this challenge of the gravely disabled from the Vietnam war in a magnificient manner, in my view.

More important to me, however, is the attitude of the Disabled American Veterans. This group has maintained its patriotic efforts and stood firm in the face of the great criticism of the war, our Government and even our Nation's institutions.

In this regard, the Disabled American Veterans has been second to none in support of the cause of our prisoners of war and missing in action.

Their program includes three distinctive television spot announcements that have been distributed to over 700 television stations. They have also distributed 20 radio spot announcements to over 6,000 radio stations. The Disabled American Veterans has mailed over 5 million leaflets to individuals asking them to write to the North Vietnamese Embassy in Paris demanding a list of prisoners of war with more to be mailed. Their goal is to get 20 million letters sent to the North Vietnamese as evidence of our determination not to let these men be forgotten.

I know that I speak for many others here when I wish the Disabled American Veterans and all its members success in their continued efforts to be of service to our disabled veterans and our country.

Mr. MINSHALL. Mr. Speaker, it is a great privilege to join in this tribute to one of the most noble and dedicated organizations in America, the Disabled American Veterans.

For half a century the DAV have been aiding our Nation's greatest heroes, those former servicemen and women who for their lifetimes will bear the scars of their military service in defense of our Nation. During these 50 years the DAV have given more than their share in fulfilling Abraham Lincoln's pledge that our citizenry will "care for him who shall have borne the battle, and for his widow, and his orphan."

In addition to an astonishing program of aid to disabled veterans, the DAV currently are in the vanguard of the effort to help our prisoners of war. They have pledged to continue their efforts until the last American has been released.

In saluting this tremendous group of devoted and patriotic citizens, I would like to place in the RECORD the DAV's excellent "SOS!" leaflet, as well as a summary of the very comprehensive service program they carry out:

HELP! SOS! MAYDAY!

Over 1,500 American men are missing in Southeast Asia. The families of these men are in distress. Won't you help!!!

The wives, children and parents of these men do not even know if they are alive or dead. North Vietnam has never officially released any names of men they hold prisoner.

The Geneva Convention, which North Vietnam signed, clearly specifies that all prisoners will be completely identified—that all sick and injured prisoners will be immediately released—that POW camps will be impartially inspected and that POW's should be allowed to write not less than 6 cards and letters per month. The North Vietnamese refuse to honor any of these provisions.

WHAT CAN YOU DO???

North Vietnam does not believe that we as Americans are concerned about the fate and inhumane treatment of "only 1,500 men". You can help prove to them that any American's well being is the concern of all of us by spending a few minutes and 20c and writing to:

The North Vietnam Embassy, Paris, France.
(Air Mail Postage is 20c.)
(1st Class Postage is 13c.)

And demanding that they:

1. Identify all POW's they hold.
2. Release all sick and injured POW's to a neutral power.
3. Allow impartial inspections of POW facilities.
4. Allow free exchange of mail by POW's and members of their families.

Prisoners of War are guaranteed basic human rights by International Law. Their families have the right to know if they are alive—and to communicate with them if they are. The Disabled American Veterans urge you to help the families.

Write your letter—and mail it today—now!!!!

DISABLED AMERICAN VETERANS' POW/MIA PROGRAM

The DAV's program concerning the POW/MIA problem is divided into four parts.

Part I. Three distinctive television spot announcements, 30 seconds in length, have been produced and distributed to over 700 TV stations.

Part II. Twenty radio spot announcements have been produced and distributed to over 6,000 radio stations.

Part III. 5,000,000 leaflets have been mailed directly to individual's homes asking them to write a letter to the North Vietnamese Embassy in Paris, France, demanding a list of the Prisoners of War—More To Be Mailed.

Part IV. Individual chapter participation in letter writing and petition campaigns.

Our goal in this initial effort is to get Americans to write 20,000,000 letters to the North Vietnamese.

The DAV's effort will not cease until the last prisoner has been released.

DISABLED AMERICAN VETERANS NATIONAL SERVICE PROGRAM

The Program is administered by the National Service Director, who is directly responsible to the National Commander. The National Service Headquarters' staff, located at 1221 Massachusetts Avenue, N. W., Washington, D. C. 20005, consists of the National Service Director, the Deputy National Service Director, the Associate Deputy National Service Director, and the National Director of Employment.

Located at 811 Vermont Avenue, N.W., Washington, D.C. 20420, is the staff of the National Appeals Office, whose duties include representation of all designated veterans and their dependents in appeals to the Board of Veterans Appeals of the United States Veterans Administration.

There are presently 146 National Service Officer located in Veterans Administration Regional Offices throughout the United States. The National Service Offices are assisted by Department Service Officers of the 47 DAV Departments and the Chapter Servce Officers of the local Chapters which now number more than 1,900.

The basic function of the National Service Program is to assist disabled veterans, their dependents, widows, and orphans in obtaining all benefits to which they have legal entitlement. These include, but are not restricted to, Veterans Administration disability compensation and pension, death indemnity compensation (DIC), death pension, vocational rehabilitation and education, hospitalization and out-patient treatment, National Service Life Insurance, assistance in housing and employment, and disability insurance benefits from the Social Security Administration.

With the increased number of Vietnam casualties, emphasis has been placed on representing disabled servicemen in all military and naval hospitals where Physical Evaluation Boards are held to insure that all wounded, or otherwise disabled, servicemen receive all benefits to which they are entitled pursuant to Title 10, United States Code. These include disability retirement, or disability severance monetary benefits, plus hospitalization and outpatient medical treatment and commissary and post exchange privileges.

In addition to representation before Physical Evaluation Boards, this organization also provides counsel before all the Boards for Correction of Military Records and Discharge Review Boards.

A typical example of services rendered is shown by the following:

Veteran A receives multiple gunshot wounds while engaged in combat with the enemy in Vietnam, is hospitalized there and medically evacuated to the United States where his wounds are treated in a service hospital for many months. For one reason or another, perhaps because of the fact that his enlistment is almost completed, he is released to duty and administratively separated, rather than discharged with disability retirement benefits.

Upon return to his home town, he learns from another disabled veteran that he is entitled to many benefits from both the Veterans Administration and the branch of service from which he was separated. Since there is a DAV Chapter in his community, he attends the next Chapter meeting and discusses his problems with the Chapter Service Officer.

The Chapter Service Officer then obtains a Power of Attorney and assists him in filing a claim (VA Form 21-526) for disability compensation with the Veterans Administration. Additionally, because his wound residuals constitute a serious occupational impairment, VA Form 1900 is completed for vocational rehabilitation.

The Chapter Service Officer forwards the completed forms to the DAV National Service Officer, who is accredited by the Veterans Administration to prepare, present, and prosecute all claims for benefits concerning those claimants who have designated the DAV as Power of Attorney. The National Service Officer, himself a disabled veteran, is well trained in the legal and medical aspects of disability and rehabilitation and acts as an attorney in fact for the claimant. Since in this particular case, the evidence discloses possible entitlement to disability retirement from the service, the National Service Officer advises veteran A to complete and submit DD Form 149, Application for Correction of Military Records, designating the DAV as counsel.

When all the evidence has been obtained, the veteran is represented by the Associate Deputy National Service Director, who takes all necessary action to insure equitable consideration of the request for disability retirement.

There are many instances in which the National Service Officers do not believe that a claim has been properly and fairly adjudicated. If there is an apparent misapplication of the laws, regulations, policies, or disability rating schedule administered by the Veterans Administration, then the National Service Officer prepares a brief and requests an Administrative Review. A staff official at National Service Headquarters will then present the claim to the Veterans Administration, Central Office, with a request for corrective action.

In those cases not involving misapplication of the aforementioned criteria, but which do involve an appeal to the Administrator of Veterans Affairs, each claimant is represented at the Regional Office level by the National Service Officer and at the Washington level by the National Appeals Officer. Both the National Service Officer and National Appeals Officer review the evidence of record and then prepare an appropriate brief in support of all valid claims. This procedure enables all claimants designating the DAV as Power of Attorney to receive more than adequate preparation and presentation of their claims.

Recognizing the need for younger disabled veterans as National Service Officers, the Disabled American Veterans has instituted a combination academic and on-the-job training program for serious disabled veterans of the Vietnam conflict. These young veterans, including 8 double amputees recently entered into vocational rehabilitation, are trained by experienced National Service Officers in various locations.

Mr. PRICE of Texas. Mr. Speaker, I am honored to participate in the special observance of the 50th Anniversary of the Disabled American Veterans Association.

The DAV was organized in 1920 and granted a congressional charter as a federally appointed nonprofit organization in 1932. Its goals and purposes were simply stated in its original constitution:

> To advance the interests and work for the betterment of all wounded, gassed, injured and disabled veterans . . . to cooperate with all federal and private agencies devoted to the cause of improving and advancing the conditions, health, and interest of wounded, gassed, injured and disabled veterans . . . and to encourage in all people that spirit of understanding which will guard against all future wars.

These objectives have remained unchanged down through the years and they have been pursued with vigor, determination, and a great measure of success.

Although the DAV is now a half century old, its inspiration runs much deeper. When he was President, Abe Lincoln talked about the need "to care for him who shall have borne the battle and for his widow and orphan." This need was crystallized in the aftermath of World War I when approximately 4 million servicemen tried to return to a normal civilian life, approximately 300,000 of them were wounded, disabled, handicapped, or ill. They were tragic monuments to the ravages of war. This large number of disabled veterans caught this Nation by surprise and the Government itself was not even prepared to effectively cope with their problems.

For many it came as a shock that disabled veterans and their families were not automatically cared for by a grateful people. And while it was true that Congress tried to pass laws and tried to provide for the wartime disabled, action was often too little or too late. Thus, the DAV filled a great void in our society. Once established it set up a nationwide free service program for disabled veterans of all veterans organizations, a service charged with working for the improvement of health, education, rehabilitation, and employment opportunities for disabled veterans, their widows, and dependents.

The national service program provided an invaluable function because despite the fact that Congress passed laws which provided benefits for disabled veterans, none of these benefits was automatic in nature and quite often the veteran must prove his case before a quasi-judicial rating board which conducts hearings in much the same fashion as a nonjury trial. In these proceedings the unrepresented veteran often stands to lose valuable benefits, for as a famed jurist, Oliver Wendell Holmes said:

> A man who acts as his own attorney has a fool for a client.

And although the judge's comment was exaggerated for dramatic effect, it does have a solid grain of truth in it. For this reason the DAV has placed well trained and certified national service officers in regional offices throughout the country. These service officers act as an attorney-in-fact for veterans appearing before Veterans' Administration rating and appeal boards. No matter what the veteran's problem may be, he can enlist the assistance of a qualified, willing, and dedicated national service advocate. The following chart outlines their outstanding record of achievement in helping to secure justice for needy veterans.

SERVICE OFFICERS RECORD OF ACHIEVEMENT

	Amount recovered for veteran	Cases reviewed	Rating board appearance
Year:			
1969	$186, 434, 275. 94	220, 358	108, 507
1968	149, 380, 500. 35	228, 568	103, 831
1967	134, 605, 478. 52	239, 942	103, 465
1966	122, 991, 897. 33	243, 317	111, 646
1965	118, 368, 358. 19	256, 352	130, 891
1964	110, 862, 928. 04	248, 163	123, 476
1963	92, 166, 848. 38	252, 229	116, 415
1962	78, 735, 076. 57	240, 172	102, 509
1961	39, 071, 093. 26	204, 208	94, 100
1960	18, 067, 619. 88	240, 924	120, 747
1959	21, 073, 381. 05	250, 376	126, 930
1958	18, 597, 601. 22	254, 709	119, 460
1957	16, 046, 432. 06	264, 209	121, 035
1956	15, 952, 330. 35	273, 561	126, 817
1955	17, 382, 915. 69	299, 096	134, 915
1954	19, 430, 716. 88	311, 127	136, 318
1953	20, 049, 817. 48	328, 569	138, 406
1952	8, 551, 408. 66	332, 031	149, 504
1951	22, 069, 175. 99	429, 867	170, 902
1950	21, 442, 245. 89	436, 623	182, 986
1949	19, 684, 883. 98	410, 236	167, 695
1948	18, 473, 842. 68	368, 285	154, 285
1947	18, 177, 241. 55	306, 362	102, 350
1946	35, 404, 627. 58	162, 635	55, 477
1945	14, 276, 787. 62	85, 646	31, 133
1944	3, 696, 025. 42	67, 099	22, 664
1943	3, 086, 506. 14	57, 614	17, 652
1942	3, 466, 115. 81	56, 732	20, 205
1941	2, 383, 883. 59	64, 646	19, 168
1940	3, 050, 406. 96	53, 503	18, 399
1939	2, 972, 951. 62	61, 175	16, 536
1938	1, 509, 528. 80	64, 275	17, 507
1937	2, 692, 880. 96	86, 266	17, 356
1936	3, 243, 132. 20	72, 622	15, 081
1935	3, 740, 947. 59	71, 808	14, 882
1934	4, 398, 836. 65	59, 374	7, 808
1933	8, 006, 610. 37	60, 389	9, 693
1932	9, 456, 022. 42	72, 047	10, 041
1931	6, 749, 005. 29	71, 609	9, 908
1930	3, 371, 047. 34	20, 760	6, 064
1929	2, 142, 406. 68	9, 293	3, 723
1928	1, 674, 354. 32	8, 868	2, 409
1927	1, 801, 852. 06	11, 079	2, 499
1921–26	(1)	(1)	(1)
Total	1, 404, 739, 999. 36	7, 856, 724	3, 265, 395

[1] No formal reports submitted.

But to champion the cause of disabled veterans takes considerable manpower, money, and facilities. And to financially maintain an organization the size of DAV is even in itself a tremendous job. With all these burdens I think it most commendable that DAV accomplishes its purposes without relying on any Federal financial assistance. Although it does make use of the regional offices of the Veterans' Administration, DAV pays all its own employees and officers and it pays all full-time counsels who offer free service to any disabled veteran.

To provide my colleagues with a better idea of the growth and current size of the DAV I bring to their attention the following chart which breaks down DAV membership on an annual basis beginning basis beginning with 1922 and ending in the middle of 1970.

Year	Annual	Life	Total
1922	17, 486	(1)	17, 486
1923	43, 388	(1)	43, 388
1924	44, 255	(1)	44, 255
1925	37, 813	(1)	37, 813
1926	29, 123	(1)	29, 123
1927	22, 676	(1)	22, 676
1928	23, 691	(1)	23, 691
1929	25, 780	(1)	25, 780
1930	32, 827	(1)	32, 827
1931	42, 980	(1)	42, 980
1932	47, 215	(1)	47, 215
1933	41, 426	(1)	41, 426
1934	39, 926	(1)	39, 926
1935	39, 226	(1)	39, 226
1936	42, 737	(1)	42, 737
1937	44, 471	(1)	44, 471
1938	39, 093	(1)	39, 093
1939	31, 745	10, 325	42, 070
1940	25, 433	16, 021	41, 454
1941	22, 584	18, 963	41, 547
1942	21, 648	21, 272	42, 920
1943	22, 828	21, 358	44, 186
1944	29, 329	24, 203	53, 532
1945	48, 031	25, 514	73, 545
1946	76, 712	28, 322	105, 034
1947	96, 041	31, 000	127, 041
1948	100, 868	33, 655	134, 523
1949	105, 321	36, 040	141, 361
1950	116, 979	39, 804	156, 783
1951	114, 908	43, 695	158, 603
1952	119, 300	50, 154	169, 454
1953	126, 430	56, 793	183, 223
1954	126, 338	61, 161	187, 499
1955	128, 546	63, 539	192, 085
1956	127, 187	64, 390	191, 577
1957	131, 375	65, 375	196, 750
1958	132, 650	65, 974	198, 624
1959	139, 720	68, 342	208, 062
1960	134, 817	72, 825	207, 642
1961	132, 506	76, 361	208, 867
1962	129, 628	79, 544	209, 172
1963	131, 398	82, 219	213, 617
1964	131, 263	83, 865	215, 128
1965	136, 900	86, 401	223, 301
1966	143, 221	88, 992	232, 213
1967	145, 194	93, 214	238, 408
1968	144, 648	101, 156	245, 804
1969	175, 555	106, 404	281, 959
1970 (June 15)	181, 746	112, 820	294, 566

[1] No life membership during this period.

Part of the tremendous growth has certainly been due to the effectiveness of the DAV in helping war veterans who have been disabled find their way in the world. But part of its growth is also due to the fact that DAV has become a vital member of thousands of communities across the land. Take for example the DAV chapter in Amarillo, Tex., a growing community located in the heart of the Texas Panhandle. The Amarillo chapter holds special Christmas parties for the patients in the local VA hospital. And during the Christmas season they adopt families of needy veterans and provide them with food and gifts for their children and other essential assistance. The Amarillo chapter has been active in local chamber of commerce affairs. It has made substantial donations to two of the local hospital building programs and has assisted the United Fund in its annual charity drive. Finally, it has sponsored the first Boy Scout troop that this Nation has ever had for handicapped young boys, a fact which reveals the chapter's sensitivity to and awareness of the fact that a disability may be just as crippling whether it was gained on the battlefield or not. I would remind my colleagues that although these varied activities would seem to be the work of many local chapters, I am referring to the activities of but one of the thousands of DAV community based chapters.

DAV is also in the midst of a nationwide campaign trying to secure the humane treatment and early release of the POW's in Indochina. Because although the letters to the government of North Vietnam now number in the millions, the DAV recognizes the fact that millions more must be written if the Communists are to be firmly convinced that this issue is of vital concern to the American people.

In conclusion, Mr. Speaker, the effectiveness of the Disabled American Veterans runs the gamut of veterans' affairs. At the same time I regret that the vigor the DAV has so clearly demonstrated seems to be seeping out of the moral fiber of our society at large. I say this because in the midst of our opulence it seems that many of our fellow countrymen are forgetting that their style of life and personal freedoms were costly purchases made by those who for nearly 200 years have shed their blood and have given their lives to help create and preserve this great land of ours. To these people being an American and standing up for the principles on which our country was founded have lost their savor. To these individuals I would remind them of the words of the great Italian poet Dante who said more than 700 years ago:

> The hottest places in hell are reserved for those who, in a period of moral crisis, maintain their neutrality.

That this Nation is in the midst of a great moral crisis is nowhere but evidenced by the costly and shocking bombing of our Nation's Capitol which occurred earlier this week. In the face of this crisis I call upon all Americans to follow the example set forth by such patriotic organizations as the DAV and stand up for America. Involve themselves more fully in community and other public affairs and fight for the ideals of our Founding Fathers.

Mr. SKUBITZ. Mr. Speaker, I am grateful to the gentleman from New York (Mr. HORTON) and the gentleman from South Carolina (Mr. DORN) for yielding to permit me to join them and other Members of this House in paying tribute to the Disabled American Veterans.

On this occasion of the 50th anniversary of this fine organization, it is a privilege to publicly acknowledge and commend the job they have done for America's disabled veterans.

Compassion is one of the cardinal virtues, and since its founding the DAV has dedicated itself to seeing to it that the men and women who have been disabled in the service to their country shall have the compassionate care to which they are richly entitled. Without fanfare, the DAV has labored in this vineyard and in so doing has earned the thanks of the veterans and their dependents all over this land who have been the beneficiaries of their concern.

So I salute National Commander Cecil Stevenson, through him his colleagues and staff for their devotion to a great cause, and wish for the DAV another half century of success.

Mrs. DWYER. Mr. Speaker, I am very proud to stand today in salute to the Disabled American Veterans. The long list of participants in today's program—including both Republicans and Democrats, liberals, and conservatives, hawks and doves—is a most fitting tribute to this outstanding organization as they celebrate their 50th anniversary.

The DAV deserves the respect and admiration of all Americans, as it has dedicated itself to assisting and serving our disabled veterans and their dependents. This organization helps those who have given the most to our great Nation, and in this way it has earned the gratitude and appreciation of the entire Nation.

To me, the Disabled American Veterans represents a group of the bravest of men—men who exhibit a quiet courage—men who have given life and limb in defense of our land.

I would like to thank the gentleman from New York (Mr. HORTON) and the gentleman from South Carolina (Mr. DORN) for bringing the work of the DAV to the attention of this body and of the Nation. The praise and compliments accorded this organization today are certainly its due.

It is a pleasure to extend my congratulation as the DAV completes a half century of service to America.

Mr. KING. Mr. Speaker, I wish to join with my colleagues in extending my heartiest congratulations and best wishes to the Disabled American Veterans on the occasion of their 50th anniversary.

Always interested in first preserving the security of the United States, the Disabled American Veterans have also sponsored programs to foster patriotism, morality, and justice for our Nation's veterans, especially those who had been disabled. The continuing existence and continuing strength of this organization attests to the fundamental truth that America will never forget the sacrifices of its veterans nor will she ever forsake the principles for which they so gallantly fought.

I am indeed proud to salute the Disabled American Veterans on their golden anniversary and to extend my commendations on their 50 years of achievement.

Mr. MARTIN. Mr. Speaker, it is my pleasure to join with my colleagues in the House of Representatives and with the public and the millions of Americans who have served in our Armed Forces in honoring the Disabled American Veterans—DAV—Organization today.

From a humble beginning the post-World War I years of 1919 to 1921, the DAV has grown to a membership today of nearly 300,000, with programs and activities designed to assist the thousands of American servicemen who have suffered injury, sickness and disability in the service of our country.

Although the DAV maintains records on membership and its various programs, there can be no way to fully assess the vast amount of good the organization has really done, by the thousands of disabled veterans who returned from World Wars I and II, Korea, and now Vietnam, and who have been rehabilitated, trained and assisted in acquiring jobs, receiving medical treatment, and compensation for their losses.

This one organization, more than any other single private organization or Government agency, has provided the guidance, organization, and effort to help our Nation's wounded and disabled veterans. Indeed, the DAV itself has been a major force behind the establishment of the Government programs we now have to assist and aid our veterans through the Veterans' Administration and other agencies. And the programs of the DAV, its national service, and national legislative programs, monthly magazine, "Idento-tag," and many educational, information, and training and rehabilitation programs, have all contributed to the organization's goals of helping our disabled and wounded veterans.

Last year the DAV observed its 50th anniversary since origination in 1920, and this year it holds its 50th annual convention.

Lest the achievements and goals of this outstanding organization be forgotten or overlooked, and lest those courageous men who have sacrificed so much in the service to our country be forgotten or overlooked, we are today observing a DAV day in Congress.

I consider it a privilege to honor the DAV, the nearly 1,000 members in some 20 chapters in my Third Congressional District of Nebraska, and all of our veterans who have unselfishly given of themselves for our country and welfare. I wish the DAV continued success as an organization and in its objectives, goals, and programs.

Mr. CASEY of Texas. Mr. Speaker, I consider it an honor and privilege to join with my many colleagues today to express on behalf of the people of the 22d District of Texas, our congratulations and best wishes to the Disabled American Veterans organization on its 50th anniversary.

The past 50 years of golden service rendered to our veterans by this fine organization stand as a tribute to the founders, the commanders, officers and men of this great organization chartered by Congress. The tributes put forth here today are amply merited by the past history of this great service group for its dedicated interest and deep and abiding concern for the welfare of those who gave so much in our Nation's service.

In the past 12 years I have been privileged to serve in Congress, I have been called upon many times by our veterans, their widows and orphans for help with many problems. And in many instances, I have been privileged to work closely with a DAV national service officer on an individual case, for we share a common goal in trying to assist our veterans and their dependents. I know that these dedicated men—disabled themselves in our country's service—work untiringly and with little commendation from the people of our country to aid our veterans. They do an excellent job, and to them, I express my admiration and appreciation.

To the 300,000 members of our DAV, to National Commander Cecil W. Stevenson, and the chapter officers and men, I extend my congratulations and sincere best wishes on the occasion of your 50th anniversary. You have, through the years, continually justified the full faith of Congress by your great and unselfish service, and the tributes uttered here today are truly "a tribute to quiet courage."

Mr. MAHON. Mr. Speaker, today we salute the Disabled American Veterans, a group of patriotic Americans who have set as their single purpose the discharge of one of our most sacred responsibilities as citizens: caring "for him who shall have borne the battle, and for his widow, and for his orphan."

When the affairs of men fall apart; when war besets us, leaders burn their energies to achieve a zenith of performance. The citizenry assumes burdens of taxation and forgoes frivolity to concentrate on the effort. The spirit of heroism comes to the fore. But it is those who bear the battle who are called upon to make the most enormous personal sacrifice. Many die and many more carry throughout their lives scars and disabilities as a grim reminder to all of us of the dreadful cost of war.

We have a special concern for the well-being and the welfare of our battle-scarred veterans and for the widows and orphans of those who died on the battlefields or from their battlefield injuries. These are the people for whom we reserve the highest honors. No great people wants to forget its defenders.

When war ends, and when our energies and will are bent toward preserving peace, we want to be assured that our commitment to these men is fulfilled. Founded in 1921, the DAV was given a Federal Charter in 1932 as the "official voice of the Nation's wartime disabled." The Nation wants the disabled veteran to have an effective champion, and this exceptional organization has a vital role to play.

Disabled veterans' compensation and other benefits such as education, vocational training, medical care, benefits to widows and orphans, all these have been earned without question, but they are not automatic. Perceptive legislative goals along these lines must be formulated and carefully drawn. The DAV assists the Congress in this effort. But merely passing a law does not guarantee the fulfillment of its purpose. The ideals of our time must be achieved through our major institutions if they are to be achieved at all. We are talking about performing services for millions of people. And that means dealing with large organizations, bureaucracies—redtape, and inefficiencies under the best of circumstances. The DAV acts as guardian for the individual disabled veteran or dependent, gives him legal advice, helps him to fill out forms, puts him in touch with people who can help him. All these mundane services are performed in the high purpose of the DAV to deal with the welfare of the wartime disabled, their widows, orphans, and dependents.

One of the noblest of virtues is to do good. It is the embodiment of the great precept of the Golden Rule. Rich in good works, the Disabled American Veterans organization has not only met its high purpose but has contributed beyond measure to the strength and security of our beloved land and the promotion among our people of a higher sense of patriotism and devotion to national duty.

So, Mr. Speaker, I take pleasure in joining in tribute to the high purposes and good works of the Disabled American Veterans. I heartily applaud those who guide it, those who support it, and especially do we express our heartfelt gratitude to those countless numbers of Americans of the past and the present who have answered the call in defense of freedom.

Mr. WINN. Mr. Speaker, when the time came to serve their country, Americans came to the forefront of the action. They were there when needed.

Today, after 50 years of outstanding service, the Disabled American Veterans are still serving where needed throughout this land.

Today is DAV day in the Congress: A tribute to quiet courage. When the organization was founded, it was done over great obstacles; but, these men were determined to help their fellow disabled veterans.

Already having demonstrated a proud and active courage on the battlefields of France, these men undertook the monumental challenge of rehabilitating themselves and securing proper consideration and adequate benefits for thousands of their buddies. Today more than 300,000 DAV members work unceasingly to help their comrades.

The national DAV organization is to be commended for its nationwide rehabilitation service for veterans. National service officers—146 strong—are to be found in the regional offices and hospitals of the Veterans' Administration across the country.

These men are experts in all aspects of veterans law and regulations and offer a great counseling benefit, in addition to providing a free service in representing veterans before disability rating boards.

On the legislative scene I can say unqualifyingly that the goals of the DAV have been reasonable and sound, with their main interest being the service-connected disabled veteran and his dependents.

I would also like to especially commend the DAV for its program seeking the return of our Nation's prisoners of war and those missing in action. The program consists of a massive campaign enlisting the support of all Americans, and has as its goal a total of 20 million letters addressed to the North Vietnam Embassy in Paris to initially get a full listing of American servicemen being held in North Vietnam.

The DAV assures me that they will not rest until the last prisoner has been released.

During this celebration of the golden anniversary of the DAV, I would also like to call special attention to the Johnson County Chapter No. 34 of the DAV.

They are the first new chapter chartered in the State of Kansas in the past several years, having received their charter in September of 1970.

The aim of this chapter is to be very much a part of the community, to help in nursing homes and patriotic affairs and the many other activities that might help veterans in particular, and their fellow men in general. To this end, these men are working hard.

At present this newest of Kansas chapters is preparing for its annual "forget-me-not" flower drive, which will take place the last of April and the first part of May.

And, as these and other great Americans who have unselfishly served their country do their good works, let us also be dedicated to not forgetting the sacrifices they have made in our behalf.

Mr. HARVEY. Mr. Speaker, it is an honor for me to join in this special tribute to a very special group of Americans who have so unselfishly given so much in the preservation of our God-given liberties and freedoms.

During my 10 years as a Member of Congress, it has been my privilege to work closely with various Disabled American Veterans groups in the Eighth Congressional District. I count it a distinct pleasure to have been able to assist many hundreds of deserving veterans during this period of time.

Back in October 1968, it was my privilege to address the DAV chapter No. 4 in Saginaw, Mich. It was at that time that the chapter presented me with a handsome trophy as an expression of their friendship. I count this as one of the highlights during my years of service in this House, and I display with pride the trophy in my office.

The Disabled American Veterans organization observes its 50th anniversary this year. It has, from its humble beginnings a half century ago, grown to become one of the foremost veterans' and pro-American organizations in the United States.

Since its inception, the DAV can now count more than 1,900 active local chapters across America—chapters which provide valued services not only to the disabled veteran, but to dependents, widows, and orphans of veterans as well.

The DAV has also taken an active part in assisting our Vietnam war casualties return to a more normal role in civilian life. This action is not only good for the veterans, but renders a valuable service to the Nation.

Of particular interest to me has been the DAV's effort in marshaling public opinion and support for our prisoners of war and those men listed as missing in action.

DAV has produced countless radio and television messages designed to focus public attention on the plight of our men held captive or missing in action in Southeast Asia. The organization has been instrumental in bringing this serious matter before millions and millions of Americans.

More than 5 million pieces of direct mail have been sent out by the DAV urging citizens to become more and more active and involved in the campaign to help free our men being held by the Communists.

The Disabled American Veterans are indeed worthy of this special tribute and recognition we pay them today. America, as a nation, can be truly proud of them.

Mr. EILBERG. Mr. Speaker, Americans are quick to recognize the greatness of their statesmen and equally as quick to draw lessons from their teaching. In this regard we have been fortunate enough at various times to enjoy the leadership of truly great men, capable of teaching and emphasizing maxims of eternal value.

One of these was Daniel Webster, remembered for his many sterling qualities but perhaps best remembered for his great respect for contracted agreement. To Webster, a contract was a debt that must be paid in the face of all exigencies, and every effort to belittle or set aside this maxim invariably met with his hostility during his many years of public service.

Few principles advocated by our forefathers have become as deeply embedded in American tradition as Webster's insistence on the sanctity of contract. To Americans, an agreement between men establishes a mutual debt, to be honored by both parties, at all costs; so said Webster, and so we concur.

It is pertinent to recall one of the most colossal debts ever acquired in the history of the world: the debt owed by America to those who have risked their lives with quiet courage, serving in the national behalf as members of the Armed Forces. Many civilizations have existed prior to ours, fraught with wars to which the people sent their sons to die in the name of one cause or another. But in our age—during the brief lifespan of our Nation—youth has been called to risk death mainly for one cause, that being freedom from future strife; freedom for the soldier, himself—if he lives to enjoy it, but if not, then at least freedom for his family and friends and relatives. The extinction of future wars has been tacitly implied as the purpose in every American call to arms.

As we all realize so well, this debt is still on the books, and numerous veterans' organizations have stepped forward to remind us of the fact. Of these, none exceeds in purpose and accomplishment the Disabled American Veterans, who consistently have emphasized our twofold need: To work for world peace, on the one hand, and to guarantee the economic rights of every American disabled in action, fighting for the national cause.

Their purposes have won the backing of the Congress, beyond question. As matters stand today, the officers and membership of the DAV have an influence in this hall far more powerful than the mere numbers they represent. As agents of democratic principle and the spirit of quiet courage in action, they are welcome at any time and their advice is regarded with honest concern.

It is a distinct privilege to salute the DAV on this occasion and declare my respect for their record, symbolizing as it does the courage of the American fighting man.

Mr. JONES of North Carolina. Mr. Speaker, I am indeed honored to participate in this special order and to have a small part in the Disabled American Veterans day in Congress. It has been said before that there is no way the people of this Nation could adequately express their gratitude for the sacrifices made by our disabled veterans. Yet, in this day of sophistication and affluence, it is extremely easy to forget the suffering and sacrifices that many of our disabled veterans experience each day.

I hope that this occasion will remind all the citizens of this Nation and most especially, the Congress of the United States, that we have a moral obligation to continue to provide every benefit possible to make life a little more happy for those who do not enjoy full and complete health as a result of their personal sacrifice for our freedom at an earlier time.

As a Member of the U.S. Congress to each disabled American veteran permit me to say "thank you," and may the sacrifice that you have made be a challenge to the rest of us to retain the values for which you fought and which have made this the great Nation that it is.

Mr. MINISH. Mr. Speaker, I rise to join my colleagues in saluting the Disabled American Veterans on the occasion of their 50th anniversary.

Fifty years ago in Cincinnati, Ohio, a small group of patriotic veterans organized the Disabled American Veterans to work for the good of their fellows and of their country. The new organization's goal was "to advance the interest and work for the betterment of all wounded, injured and disabled veterans, their widows, and dependents, to cooperate with all Federal and private agencies devoted to the cause of improving and advancing the conditions, health and interest of wounded, injured, or disabled veterans."

Over the past 5 decades, the DAV has ceaselessly labored to fulfill this pledge. Uncounted benefits have been achieved for disabled veterans through the efforts of the DAV. Today, the organization continues its proud tradition by assisting disabled Vietnam veterans to readjust to civilian life and to secure all benefits due to them.

I should also like to take this opportunity to commend the DAV program concerning American prisoners of war. In this particular effort, the DAV has thus far mailed 5 million leaflets asking Americans to write to the North Vietnamese demanding a list of POW's. Additionally, they have produced radio and television spot announcements calling attention to the plight of American soldiers held captive in North Vietnam. The DAV has pledged that their effort will not cease until the last American prisoner has been released.

The record of the DAV over the past half-century is one of which they, and all Americans, should be justifiably proud.

Mr. ANDREWS of North Dakota. Mr. Speaker, for the past 50 years, the Disabled American Veterans has provided important service to those brave Americans who have become disabled as the result of fighting for freedom throughout the world. I sincerely feel it is appropriate that time be set aside today in the U.S. Congress to pay tribute to this outstanding organization.

DAV has meant many things to many people. A serviceman is severely wounded in Vietnam, and, following many operations and long months in the hospitals, he is released but unable to go to work because of some form of disability. This is where the DAV steps in, providing aid to the veteran so he can return to civilian life in a competitive position with his peers. This man and his family can then face the future with confidence knowing that his medical, rehabilitation and employment requirements will be met.

Mr. Speaker, I have had very close contact with members of the Disabled American Veterans in North Dakota, and am, in fact, myself a member. All North Dakotans were proud of the accomplishments of one of our members of DAV, the late Francis J. Beaton. Francis Beaton was the national commander of the Disabled American Veterans in 1967. He was a distiguished citizen and longtime friend of mine from Fargo, N. Dak. He had a great record of public service as national commander of those who gave so much of themselves that our Nation might survive, and his passing was a great loss to not only DAV but to all Americans.

Like all who are aware of the accomplishments of the Disabled American Veterans, I want to assure all my fellow members of my continued support for sound veteran's legislation and extend my deep appreciation on this golden anniversary and commend the DAV leaders for a job well done.

Mr. THONE. Mr. Speaker, I just want to take a few minutes today to join with several of my colleagues in paying tribute to the Disabled American Veterans organization, which is marking its 50th year of service to the war disabled of our Nation.

Today, this group of dedicated individuals has grown to over 1,900 chapters, and the national service program has assisted countless numbers of disabled veterans, their dependents, widows, and orphans in obtaining those benefits to which they are legally entitled. In addition, when someone is the victim of human error, he can call on the expertise of the national appeals office of the DAV, which will represent him before a board of the U.S. Veterans' Administration.

This is the sort of work which is not very glamorous and does not receive any headlines, but is so vitally important to the men and women directly assisted. As has been noted by others, the DAV has expanded its responsibilities further in response to the Vietnam conflict, and now is representing casualties recuperating in hospitals before physical evaluation boards, in addition to providing counsel before boards for correction of military records and discharge review boards.

Fortunately, the number of wounded soldiers who survive their injuries has increased with advances in medicine and technology. Today in Vietnam, 81.3 percent live to resume civilian roles. Each one of these people is the responsibility of not only the Disabled American Veterans, but also the Nation. We have a moral obligation to provide them with the very best of financial and medical assistance, and with the help of the DAV, that task will be accomplished with increasing success in the years ahead.

Mr. MILLER of Ohio. Mr. Speaker, it is with a deep sense of pride that I join with my colleagues in Congress on this special day of recognition for America's Disabled Veterans. As the DAV enters its sixth decade, let us not forget that the heroism and service these men exemplified on the battlefield continues long after the end of the wars in which they fought.

Fifty years ago, in Cincinnati, Ohio, with only a small membership and an even smaller financial foundation, the Disabled American Veterans were founded. Today the DAV is chartered to work for the improvement of education, health, employment, and rehabilitation opportunities for this Nation's disabled veterans.

The DAV enters their sixth decade with more than 150 national service officers across the country. During the history of the DAV, these service officers have handled more than 8 million cases for their fellow servicemen and their families.

This special congressional period set aside to thank those who have done so much for us is, in actuality, but a small token of a Nation's gratitude for her disabled war veterans. Our country is stronger because of these brave men. Our country is safer and our future more secure. I know that the citizens of southeastern Ohio join with me today in this tribute to the men of the DAV. Our gratitude is continuous.

Mr. BAKER. Mr. Speaker, the Volunteer State is proud to join in recognizing the 50 years of service of the Disabled American Veterans. It is fitting for Congress to devote a period during the House proceedings this year to call attention to the significance of this golden anniversary and to honor the Disabled American Veterans, living and dead, who have contributed to the growth of this organization from 1920 through the present. Those who have been wounded and disabled in the service of their country deserve the appreciation and the grateful thanks of those of us who are the beneficiaries of their valor and their sacrifices.

I am pleased that DAV officials from the State of Tennessee are present in the gallery today to hear what my colleagues have to say about this organization and especially, the courage of its members in meeting the test and in dedicating themselves to caring for and improving the lot of other veterans who bear the mark of battle.

The DAV has 51 chapters in the State of Tennessee and the total membership is close to 5,500. East Tennessee, a portion of which I have the honor to represent in Congress, has some 1,200 members. Each of these chapters hold monthly meetings to advance DAV's work in the rehabilitation of the returning wounded and disabled veterans. Their objective is to see that they receive just and fair compensation, adequate and sympathetic medical care and the opportunity to have suitable gainful employments.

The DAV Department of Tennessee makes sure there is a DAV field representative in each VA hospital in the State. He is there to render free claims service to veterans in the hospital wards, just as each chapter service officer is available to render the same type of service at the community level.

The DAV chapters throughout our State are active in scouting and the promotion of patriotic events in which DAV members participate. All these chapters have been active in the nationwide effort to secure the release of the names of our men missing in action and the prisoners of war held by North Vietnam.

The Disabled American Veterans organization has 50 years of dedicated service behind it. This year starts the next half century in which the DAV will continue to distinguish itself in carrying out a humanitarian program of the highest order. I salute this organization and the veterans it represents. Their quiet courage is an example to all of us.

Mr. McCULLOCH. Mr. Speaker, regardless of anyone's personal view on the policy of the war in Southeast Asia, we all agree that this Nation is indebted to those young men who have borne the brunt of this battle and other battles throughout the history of our great Nation.

Today we commemorate the 50th anniversary of an organization that has made it its business to advance the interest and work for the betterment of all wounded, injured, and disabled veterans. I congratulate and thank the members of the Disabled American Veterans on this their 50th birthday for the outstanding effort and dedication to a cause that has great significance to our Nation. In my district there are many DAV posts and I want to extend to them a very special thank you and note of congratulations. They have enriched American life in a manner which has made the lives of others much fuller and much more meaningful.

It gives me pleasure to offer tribute to so worthy a group and it is an honor to take part in this observance.

Mr. SAYLOR. Mr. Speaker, no speech can be given on this unique occasion in the House of Representatives which would do justice to the men or women who are disabled American veterans. Neither will a minute examination of the written record of reports, statistics, and lists of achievements of the organization which has honorably served such veterans reveal the magnitude of the debt of gratitude this Nation owes these veterans. Words are inadequate.

To all our disabled veterans everywhere I wish to dedicate this "day" to the sacrifice you made for all of us and ask Americans everywhere to acknowledge this tribute which is rightly yours. This day of commemoration then is to remember that the price of freedom has been paid by over 300,000 Americans. It is also designed in order that the Congress of the United States be ever mindful to the task of respectfully providing disabled veterans with benefits and considerations due them from a grateful public.

Mr. DELLENBACK. Mr. Speaker, the costs of war are high. We usually measure these costs in two terms: deaths and dollars spent. Yet, among the most devastating cost are the number of wounded and disabled soldiers. Their problems are particularly acute upon returning to a society which places much importance upon achievement—achievement made difficult by disability.

Too often our disabled veterans are forgotten and ignored by much of our society, particularly in a period when there is no war. But, there is one group which over the last 50 years has always remembered; this organization is the Disabled American Veterans. The DAV has unceasingly tried, and succeeded to mobilize all of their resources and all available government resources to aid the heroic disabled soldiers, their widows, and their dependents.

In this age of apparent lack of concern for one's fellow human beings, I am particularly honored to have this opportunity to pay my respects to the Disabled American Veterans for the wonderful mission they are performing.

I wish to point out specifically for praise the DAV's efforts to secure information about and the release of our prisoners of war and those soldiers reported missing in action in Southeast Asia. It is especially heartening to have had a DAV sponsored resolution asking North Vietnam to follow the Geneva Accords adopted unanimously by the 46 nations at an international veterans organizations' meeting in Vienna, Austria in August of 1970. We can only hope that such a worldwide expression of concern will have a positive effect.

National organizations which have experienced great success must have a very dedicated and effective local base. And so it is with DAV and its many local chapters. I would like to take particular note of those chapters in Oregon's Fourth Congressional District. They have been especially effective in securing appropriate benefits, hospitalization, outpatient treatment, vocational rehabilitation, and education for disabled veterans.

There are 2,693 full members of the various Disabled American Veterans local chapters in Oregon. Of this number 763 people are members of the local chapters in the six counties of the Fourth Congressional District. Lane County has three local chapters: Eugene No. 3 with 144 members, Fernridge No. 24 with 51 members, and Oakridge No. 40 with 19 members. In Douglas County the Roseburg No. 9 chapter has 130 members. There are 40 members which make up the Coquille No. 38 chapter in the Coos-Curry County area, and Josephine County is represented by the Grants Pass No. 11 chapter with 63 members. Jackson County has two chapters which are Medford No. 8 with 215 members and White City No. 32 with 101 members.

I would like to single out for particular commendation the adjutant officers of each one of these local chapters: Mr. William Manley of Eugene, Mr. Patrick Graham of Medford, Mr. Melvin Stearns of White City, Mr. Erwin Short of Roseburg, Mr. W. G. Pollock of Grants Pass, Mr. William Carey of Fernridge, Mr. Arthur J. Uht of Coquille, and Mr. A. H. Hunteman of Oakridge. My special thanks also to Mrs. Kerstin P. Wind in the office of the department adjutant's office in Portland, Oreg. for all the information she has supplied me and my staff which has aided me in preparing my remarks today.

Time is short and I cannot say all that I want to say or that should be said about the Disabled American Veterans associations in this Nation and in particular those of my district. My comments today should be taken as only a very minute indication of my appreciation and regard for all the fine work this organization has done. The Disabled American Veterans provide essential services for returning wounded soldiers. Furthermore, because of the DAV's involvement in many community projects, along with their direct aid to disabled veterans, the DAV's have become an integral part of each local community in which they are located.

My highest commendations to DAV in this year of their 50th anniversary.

Mr. GONZALEZ. Mr. Speaker, it is a special privilege for me to join my colleagues in the House and Senate in commemorating the 50th anniversary of the Disabled American Veterans, a most courageous and distinguished organization.

It is only on rare occasion that a Congressman has the opportunity to pay tribute to an organization that has embodied the true spirit of brotherhood; an organization that has rejected pity and has instead asked only that disabled American war veterans be given the chance to unite in a common effort to help one another overcome a common obstacle.

Founded in 1921 at a time when our Government was unprepared to cope with and satisfy the needs of 300,000 wounded, disabled, and handicapped World War I veterans, the Disabled American Veterans has, over the last half-century, become a model for and an inspiration to effective rehabilitation programs throughout the United States.

Through determination to create a strong organization responsive to the unique problems of disabled war veterans, and through commitment to the principle of self-help, the DAV took upon itself the task of organizing on both a local and national scale all of the many individual veterans clubs formed after World War I into one unified and energetic force. The DAV was integral to the creation of the 31-year-old Veterans' Administration.

Nine years after the Disabled American Veterans held its first national convention in Detroit, Congress authorized President Hoover on July 3, 1930, to consolidate all existing federally administered veterans programs into one Veterans' Administration. The DAV can proudly take a large part of the credit for that accomplishment.

The DAV has not forgotten the struggle that characterized its early history as it attempted to establish vocational and educational rehabilitation programs for its membership. It has taken an active part in community rehabilitation programs and currently maintains a rehabilitation project that devotes time and money to helping handicapped Boy Scouts recognize and overcome obstacles with which DAV members are only too familiar.

I know from personal experience with the five DAV local chapters and the national service officers in San Antonio that our Nation can boast of few organizations as civic minded, patriotic, and dedicated to purpose as the DAV.

The DAV is currently working overtime to secure vocational and educational rehabilitation opportunities for the disabled veterans of the tragic Indochina war, and has broadened its focus of concern to those servicemen who are not free to return to the United States and to their loved ones—American prisoners of war in North Vietnam.

With its letterwriting campaign to the government in Hanoi, the DAV has been one of the most vocal elements in the country in demanding information about and release of American POW's. The DAV has recognized that a strong show of public opinion is the only means available to Americans for demanding humane treatment and prompt release of prisoners of war.

America's debt to the DAV is a tremendous one. As long as I am a Member of the House of Representatives, the Congress will not forget the sacrifices and contributions of this organization.

Mr. SCHNEEBELI. Mr. Speaker, the accomplishments of the Disabled American Veterans during their first 50 years are too numerous to list in detail, but we all must recognize the outstanding contributions this group has made.

As an organization devoted solely to the cause of our wartime disabled, the DAV has provided valuable guidance to the American public in fulfilling our obligations to those who have sacrificed so much for us. Indeed, we could not create a more appropriate memorial to those who have paid the full price in defending America's heritage.

It is thus with great honor that we join many other grateful citizens in saluting and congratulating the Disabled American Veterans on the occasion of their golden anniversary.

Mr. HOSMER. Mr. Speaker, I am pleased to join so many of my colleagues in this richly deserved tribute to the Disabled American Veterans, now in their 51st year of service to America's fighting men.

The almost 300,000 members of the DAV demonstrate daily that freedom does not come cheap. They have come home from the French countryside, the streets of Berlin, the deserts of Africa, the beaches of the Pacific, and the muddy hills of Korea. Today they are coming back from the jungles and rice paddies of Vietnam.

They have been blinded, scarred, and dismembered by four awful wars. But they were not so blinded or scarred or dismembered to think that their job was over.

Through education, working with America's youth, real patriotism and, above all, service to the disabled veteran, the DAV has struggled to make certain that the sacrifices of its members are not forgotten or their victories lost by a new and seemingly careless generation.

As long as the Disabled American Veterans are in service to America, the defeatists and draft-card burners will not have a chance. All Americans are grateful, not only for the sacrifices they have made in battle, but for the war they have been waging on the homefront ever since.

Mr. EDWARDS of California. Mr. Speaker, I would like to join my colleagues here today in honoring the continuing heroism of disabled American veterans and the Disabled American Veterans organization that represents their interests so well. The tragedy of their sacrifice for America and the continued willingness of brave young American men to give life and limb in the service of their country assure our continuing greatness. It is a humbling experience to consider the extent of their selflessness and loss. We must give our thanks to the Disabled Americans Veterans organization for their efforts in the rehabilitation of these veterans and their efforts toward the care of the wives and children of these brave men.

Because of the sanctity of their sacrifice, I think it proper to consider the magnitude of what it is we are calling upon the youth of America to do for the rest of us in the war in Southeast Asia. More than anything else, my heart goes out to the fine young men who have been disabled in this horrible war. Veterans of World War I and World War II have, at least, the comfort of knowing their sacrifice saved this Nation from foreign oppression. Although their personal suffering is no less, they can securely know that what they have done for their country was necessary for the survival of our freedom and that they have the eternal gratitude of the entire Nation.

But what of the men crippled in the Southeast Asian war? Their sacrifice was no less willingly made. They are to be admired for their efforts to serve this country as they were called to do. But, can they feel secure that their sacrifice was really required for the freedom of our country? I think it is to our everlasting shame that these fine young men, who must endure forever the disappointments and exclusions from the world of the healthy must wonder, in addition to all this, "Was my sacrifice necessary? Did my country really require this for peace and freedom?" I think we have to acknowledge finally, that the war in Southeast Asia is not vital to the security of the United States. These men could have lived happy and healthy lives. Can any of us, and especially those Members who have been obstructing efforts to end this war for years and years, face these men? Because, there are no answers to give them; all of us bear the guilt for the wreckage of their healthy young lives.

Mr. QUIE. Mr. Speaker, I would like to join my colleagues in congratulating the Disabled American Veterans for 50 years of distinguished service to disabled fighting men and their families.

In war, the men who are a part of this organization have represented the highest qualities of American idealism and loyalty. They have left their homes and loved ones to fight in distant lands for great causes as well as subtle and sometimes confusing causes.

Devotion to duty and love of country have led them to make sacrifices which our democracy and the course of international events have seemed to require.

In peace, these men have shown all Americans how to work through the system to obtain justice. Further, they have joined together in a self-help effort which sets a shining example of American genius and drive.

They have not been content to spend their talents and energies on just their own needs, but have extended their help through funding scholarships for children of disabled veterans and their inspiration through working with handicapped Boy Scouts.

These qualities of dedication and spirit are the pride of the American character which was molded into our tradition by our first great soldier, George Washington. Like him, the Disabled American Veterans are first in war, first in peace, and first in the hearts of their countrymen today and in the days to come.

Mr. BEVILL. Mr. Speaker, I am genuinely honored to have the opportunity of joining with my colleagues in paying tribute to the Disabled American Veterans on the occasion of the 50th anniversary of their organization. It is most appropriate that we set aside this special time to pay homage to these men who have contributed so much toward the preservation of our great Nation.

On this special day, I call to mind once again the great debt we owe to all our veterans, but especially to those who have been wounded.

Fifty years ago, the Disabled American Veterans Organization was formed by those wounded in action. Its primary attention as expressed in a statement before the House Committee on Veterans Affairs is focused on legislative objectives which seek to enhance opportunities for employment and proper job placement so that the remaining ability of the disabled veteran is used in the most productive way. In short, their aim is to restore the handicapped veteran to as good a position in civil life as he would have enjoyed had he not been disabled in the service of his country. The DAV, Department of Alabama, has over 2,900 members, and all are participating in programs for the disabled veteran.

I am proud to offer my unqualified support to the programs and objectives of the Disabled American Veterans Organization.

Mr. DEL CLAWSON. Mr. Speaker, it is a privilege to join in the observation of Disabled American Veterans Day in the House of Representatives, and to acknowledge our debt to those veterans who carry the scars of wartime service. The courage to risk the supreme sacrifice of life and limb to carry out the obligations of military service is of a high order and common to millions of U.S. veterans. The rewards of duty fulfilled, victory won and public gratitude are small enough compensation. But for other servicemen remain additional grueling tests of courage without reward. Physical handicaps are their constant companions. Tests of endurance, obstacles to normal living remain to be conquered long after battlefield heroism recedes from memory. A grateful nation can do little to compensate for tragic disability. How much would any of us be willing to pay for the continued use of an arm or leg, the blessings of sight or hearing? These are priceless gifts of the Almighty. Similarly, how can their loss be adequately compensated? National gratitude and appreciation are intangibles. But monetary compensation is at best only a token effort. Adequate medical care and skilled professional help in the long peacetime battle to rehabilitate themselves are absolute musts, serving to partially balance the scales which can never be completely balanced. The unanimous support customarily granted to veterans bills in the Congress is evidence that most Members of Congress are aware of the Nation's obligations to those who serve in our Armed Forces. I join my colleagues in reaffirming that obligation and pledging that the sacrifices of our disabled veterans will never be forgotten.

Mr. ANDERSON of Illinois. Mr. Speaker, I am proud to join with my colleague from New York (Mr. HORTON) and my colleague from South Carolina (Mr. DORN) in this special order to pay tribute to DAV's half-century of service to this country's disabled veterans.

The Disabled American Veterans organization was founded in 1920 in Cincinnati, Ohio, to work for the improvement of health, education, rehabilitation and employment opportunities for disabled veterans, their widows and dependents. The spirit of this dynamic and vigorous organization is perhaps best exemplified in the DAV Ritual:

> I charge you to be earnest, faithful and devoted, and to remember that our mission as a Disabled American Veterans organization is not fulfilled until all our country's war-time disabled, their widows and their dependents, have been adequately cared for.

It was that spirit that first brought this organization together 50 years ago, it was that spirit which carried it successfully through its shoestring years, and it is that spirit which today accounts for the strength, viability and success of this 300,000-member-strong organization.

In his letter of tribute to DAV last May, President Nixon wrote:

> Our nation is stronger and our heritage safer because of your determination. And your patriotism is an example to all of us. By your sacrifices you have indeed made the five decades of your history golden years for our country. Your service can never be forgotten and it will strengthen and inspire men and women for generations to come.

Mr. Speaker, I am proud to join with my President and my colleagues here today in saying we have not forgotten and we shall not forget our indebtedness to our disabled veterans and this remarkable organization which has served them so well over the last 50 years.

Mr. GAYDOS. Mr. Speaker, today has been set aside in the Congress to honor an organization whose members not only shed blood for America on the fields of battle but who now spend much of their lives helping less fortunate comrades return to a normal, productive life.

I am, of course, referring to the Disabled American Veterans, an organization founded 50 years ago by a relatively small handful of wounded veterans from World War I. They were among the nearly 300,000 who came back, wounded, disabled or handicapped, to a nation which cheered them—but did not know what to do with them. The victims of war became the victims of a confused and unprepared government.

The veterans found themselves in a chaotic condition created by a bewildered government. They needed help in so many ways—medical treatment, vocational training and monetary compensation for their service. What they received was something else.

Medical treatment was deplorable. There were not enough doctors, nurses or hospital beds for those who needed them. Vocational training programs, designed to rehabilitate the veteran, were poorly organized and inefficiently operated. Some men entitled to compensation received nothing; others received unequal or inadequate amounts.

The Government did try to help but the results were discouraging. New agencies were established to supplement existing ones and solve the veterans' problems. Too often, however, the new and the old bureaus found themselves at cross-purposes, tangled in redtape and accomplishing little.

The wounded veterans needed a champion. The DAV, founded in May 1920, gave them one. Since then no single organization has been so dedicated toward relieving the plight of American veterans, crippled or maimed in mind or body, and assisting them in a return to a useful civilian life.

Mr. Speaker, this has been and is today the primary function of the DAV. It has not changed over the past half century. It still is dedicated to helping disabled veterans, their dependents, widows and orphans in obtaining all benefits legally due them.

The task has been a mammoth one when you realize more than 1 million Americans have been wounded in battle since 1917. Look at the national casualty lists. America sustained 204,000 wounded or disabled in World War I; 670,846 in World War II; 103,284 in the Korean conflict; and, as of February 13, 1971, 294,946 in Vietnam.

Despite these grim and awesome statistics, the DAV has not shirked from its chosen responsibilities. To the contrary, Mr. Speaker, this organization has expanded their scope of assistance. Three years ago the DAV established a national scholarship fund to help defray expenses of members' children who showed ability and need. The same year the DAV created a special fund to aid members who were victims of natural disasters. In 1969 the organization joined in a venture with the Boy Scouts of America, supplying support and technical knowledge to a Scouting program for handicapped boys.

These are just some of the projects conducted by the national DAV, Mr. Speaker. There are many, many more sponsored by local chapters of the DAV on the community level and in nearby VA hospitals. In my 20th Congressional District of Pennsylvania, there are five DAV posts. One of them, Post 52 in McKeesport, has adopted a resolution commending and commemorating the national organization on its 50th anniversary, and I am inserting the document into the RECORD and invite the attention of my colleagues to its contents.

It is, therefore, Mr. Speaker, with great pride and pleasure that I join in this tribute to the national DAV. It is an organization deserving of respect from all Americans. The DAV has not forgotten America's wounded heroes. Let us not forget the DAV.

MCKEESPORT CHAPTER NO. 52, DISABLED AMERICAN VETERANS

RESOLUTION COMMEMORATING DISABLED AMERICAN VETERANS FIFTIETH ANNIVERSARY

Whereas, the Disabled American Veterans is a federally chartered veterans' organization established for the purpose of providing for the welfare of the service-connected disabled veterans and his or her dependents; and

Whereas, during the year 1971, Disabled American Veterans is celebrating its Fiftieth Anniversary; and

Whereas, this Organization for fifty years has devoted itself to providing service to disabled veterans and their dependents; and

Whereas, Disabled American Veterans has also been a leader in sponsoring Legislation for the benefit and welfare of our nation's wartime disabled and their loved ones; and

Whereas, it is fitting and proper that all federal, state and local Governments give recognition to this outstanding service and take due cognizance of the Fiftieth Year of assisting our Nation's war disabled by this patriotic and humanitarian Organization;

Now, therefore, be it resolved, that this Legislature of the Commonwealth of Pennsylvania does hereby desire to recognize and pay tribute to the Disabled American Veterans Organization upon its Fiftieth Anniversary and does hereby declare the date of March 3rd, 1971 as a special Day to honor the Disabled American Veterans;

And be it further resolved, that this resolution will be distributed to all State and Local Governments Offices so that they too may appropriately give recognition to the Disabled American Veterans on this date, March 3rd, 1971;

And be it further resolved, that this resolution will be forwarded to the Disabled American Veterans Headquarters, Post Office Box 14301, Cincinnati, Ohio—45214 with a request that the resolution be displayed to all delegates attending the Fiftieth National Convention of the Disabled American Veterans which will be held in Detroit, Michigan, August 8–13, 1971.

Respectfully submitted, by, McKeesport Chapter No. 52 Disabled American Veterans, Post Office Box 52, McKeesport, Pa.

WILLIAM C. SCHAMUS,
Commander.

Mr. MAZZOLI. Mr. Speaker, the Disabled American Veterans has a splendid record of service to our disabled veterans and their families, and it is a great privilege for me to join my colleagues in paying tribute to this outstanding organization.

Today we pause to recognize the DAV for its work in the continuing fight to aid those who have made sacrifices so that freedom may be preserved. Too often in our genuine concern with the thousands of war dead, we have neglected the many loyal Americans who have returned from war bearing the scars of battle. Throughout its history, the Disabled American Veterans have attempted to bring the plight of the war wounded to the attention of the public.

Their accomplishments have contributed to the welfare of all Americans. The DAV has assisted hundreds of thousands of our first-line veterans of the battles to which this Nation has been called in the past half century, to overcome the handicaps of blindness, wounds, amputations, and paralysis. Recently, we have seen their high ideals demonstrated in the work for legislation in behalf of the soldiers who have been wounded in Vietnam. Their leadership played an outstanding role in securing legislation specially benefiting paraplegics, who face a particularly difficult period of readjustment and retraining when they return to civilian life.

DAV has carried out to the fullest extent the mandate in its congressional charter:

> To advance the interest and work for the betterment of all wounded, injured, and disabled veterans—to cooperate with the U.S. Veterans' Administration and all other Federal agencies devoted to the cause of advancing and improving the condition, health, and interest of all disabled veterans.

It has gone beyond this mandate in promoting good citizenship and loyal Americanism through programs such as its current campaign for letters to North Vietnam protesting the inhuman treatment of American prisoners of war. The responsible citizens who have banded together in the DAV are to be highly commended for their concern for the "forgotten" men of war. Let us hope, with them, that this just cause continues to be the concern of all our citizens.

Americans can be truly proud of the record of the Disabled American Veterans in their work to repay, in some small measure, the sacrifice and service which these men have rendered to their country.

Mr. SNYDER. Mr. Speaker, I have the pleasure of representing the district which the Disabled American Veterans calls home. I refer to the Disabled American Veterans' national headquarters which was dedicated and occupied November 11, 1966, in Cold Springs, Campbell County, Ky.

I have visited the national headquarters of the DAV on several occasions and I have met with its officials, including National Adjutant Denvel D. Adams, Assistant National Adjutants Frank Wood and Fred Bristol and Comptroller Thomas G. Dehne. I have made a practice of visiting the headquarters and have been conducted on tours on these occasions. I wanted firsthand knowledge of the DAV because it is important to the industrial growth of northern Kentucky, and because I am interested in the welfare of disabled veterans and what is being done for them. I have learned from these visits that the staff at national headquarters is devoted to the principles upon which this organization was founded: that is to provide for the welfare of the service-connected disabled veteran and his dependents.

Mr. Speaker, I know you will be interested to learn that the national service program of the Disabled American Veterans concerns itself not only with legislation enacted by the Congress of the United States for the disabled veteran, but it is also concerned with those benefits conferred upon veterans by State legislation and by local legislation or ordinances. Thus, the Disabled American Veterans offers the most complete service program of any national veterans organization in existence.

The responsibility historically assumed by the Congress of the United States for the welfare of the disabled veteran is most important to local and State governments. The responsibility in providing for severely disabled veterans would have to be assumed by the local and State governments were it not for the programs of the Federal Government in behalf of disabled veterans. The Disabled American Veterans has contributed a significant benefit not only to the individual disabled veteran, but to local and State governments as well; for in providing their service program, they have assisted thousands of disabled veterans and their dependents in obtaining their just and equitable benefits which they might not have obtained were it not for the counsel of the DAV national service officers.

The national service officers of the DAV have been referred to as attorneys-in-fact. In reviewing the reports of this organization as to the results of its service program, it is easy to understand how this terminology was applied to the national service officers of this organization.

The national service officers of the Disabled American Veterans are trained before they can assume full responsibilities of their office. Some of this training consists of college courses approved by the Veterans' Administration and some of the training has been given by experienced national service officers of the DAV. There are a number of young Vietnam veterans who are entering the career as national service officers for the DAV. We salute these young men today for their fine dedication in helping those who served with them in the Southeast Asia theater.

The national service headquarters of the Disabled American Veterans located here in Washington, D.C., administers this program. The national headquarters, in the district I am privileged to represent, provides the funds through its efforts for this service program. These funds are generated by DAV's identotag program, which consists of the miniature license tags sent to American motorists each year throughout the Nation. In addition, Disabled American Veterans also engages in a name sticker program, whereby name stickers showing a complete address and zip code of the recipient are mailed out twice a year.

I am pleased to report that the public response to the Disabled American Veterans' requests for donations has been most gratifying to that organization. The national service program of providing national service officers in each regional office of the Veterans' Administration throughout the United States is becoming better known to the public. Thousands upon thousands of disabled veterans and their dependents have sought this valued assistance and have told their loved ones and friends of the splendid efforts of the DAV in serving each veteran who comes to them for help. It is because of this good public image, which DAV has worked hard to earn, that millions of Americans enthusiastically support the national service program of this organization.

Mr. Speaker, I am pleased to report to you that Disabled American Veterans maintains a policy of giving priority to disabled veterans and to the dependents of disabled veterans in its practice of hiring employees. Thus, it is that in the plant at Cold Spring, Ky., many members of the DAV are employed. In addition, many members of the DAV's auxiliary are employed and also dependents of disabled veterans have found their way to the DAV for their livelihood. We in northern Kentucky are proud of the beautiful plant at Cold Spring. We are proud to have DAV as a part of the northern Kentucky community.

Mr. Speaker, I would also like to pay tribute to the individual disabled American veteran today. These are men to whom we owe so much for their unselfish service to our country and yet, even while overcoming their disabilities, they have continued to give.

They have given all Americans an example. It is an example of individual hardiness, endurance, and, above all, courage to prevail over hardships. In their determined effort we have seen their organization, formed from within the ranks of the disabled, grow from humble origins to a place of high purpose. It has expanded over the years to meet many additional needs.

By meeting these needs and rising above difficulties they have built for themselves a place of greatness in the best tradition of America and taken a place of leadership in our Nation.

In final judgment, I must point to the true measure of an organization. This measure is the number of people it serves and has served. With this in mind I am pleased to join with my many colleagues today who salute the Disabled American Veterans organization for its 50 years of dedication and devoted service to America's defenders and their dependents.

Mr. ESCH. Mr. Speaker, it is my pleasure to join in recognition of the achievements of the Disabled American Veterans. Unquestionably, this organization has earned the respect and admiration of each and every one of us in the Congress, and each and every American citizen.

I believe it was the Britisher Edmund Burke who said:

> The only thing necessary for the triumph of evil is for good men to do nothing.

Fortunately for our Nation, a group of men, meeting in Cincinnati, Ohio, in 1919, for the purpose of founding DAV, decided doing nothing was not their cup of tea. They chose to do something, in a most constructive way, for this country's wartime disabled veterans. That mission has been carried on for over 50 years. Never has it lacked vitality. Based on past accomplishments and future promise, it can be stated unequivocally that the impact of DAV on veterans affairs has been extraordinary.

Whatever the need, be it compassion or counseling, relief or rehabilitation, the Disabled American Veterans has unflinchingly answered the call. Their tradition seems to be, "the tougher the request, the taller the performance."

DAV has never once forgotten those of our fellow Americans, who, in guarding our freedom, paid a personal price. It is fitting and proper that we in the Congress take this opportunity to recognize a great organization for its service and sacrifice to our Nation's defenders.

Mr. HATHAWAY. Mr. Speaker, it is a most fitting and deserved tribute to America's disabled veterans that we set aside this day in the House of Representatives to honor the organization which, for the past 50 years, has been their worthy champion—the organization we know as the Disabled American Veterans.

The DAV was born in 1920, after some 300,000 wounded, disabled, handicapped, or ill servicemen returned from World War I to find their country and its Government were in no way prepared to cope with their problems.

Most of these men were in desperate and immediate need of help in the form of medical care, vocational training, and compensation. But although the Government went about hastily setting up new bureaus and reorganizing existing ones to meet some of these needs, these bureaus worked at cross purposes and the bureaucratic chaos that resulted left disabled veterans bewildered and largely unaffected.

True, some programs were moderately successful, but the need for greater recognition of disabled veterans' problems and for self-help was all too apparent. Some disabled veterans formed clubs—for fraternal reasons and in order to put themselves in a position to better help one another. Several saw the need for a formal organization.

Mr. Speaker, what follows is an excerpt from the Disabled American Veterans' 50th anniversary report, detailing the initial organization and the subsequent growth of the DAV, together with some of the invaluable services the organization and its members have provided this Nation and war-disabled sons:

HISTORICAL REVIEW OF THE DAV

The beginning of the organization was unpretentious. From the ranks of those disabled veterans in the various clubs across the country came the men who conceived and brought into being the Disabled American Veterans.

It is commonly agreed that the first step toward a national organization was taken at a Christmas Day party in 1919. Judge Robert S. Marx of Cincinnati, Ohio, invited 100 fellow disabled veterans from Ohio Mechanics Institute to a Christmas party. The discussion at this party was of the problems facing the disabled veteran. How to obtain a good sound education? How to obtain meaningful vacation training? How to obtain proper and adequate medical care for their wounds and injuries? How to obtain proper compensation for their wounds and injuries? How to obtain benefits that would protect their wives and children if they were unable to work and produce an income? These were just a few of the seemingly unsolvable problems that were confronting the disabled veteran at this time.

From this meeting came the inspiration to form a permanent organization to help the wounded and disabled veteran.

The second step in the formation of an organization devoted exclusively to the war-handicapped came when Judge Marx and others met with 200 disabled veterans who were vocational trainees at the Ohio Mechanical Institute.

The meeting confirmed that many of the questions raised at the Christmas party were valid. Vocational training was mismanaged—medical and hospital care a disgrace—compensation program broken down—and everything was snarled in red tape because of the many different Government Bureaus that were involved.

Confronted by this situation, the disabled veterans who took part in the Christmas and Ohio Mechanical Institute gathing, resolved that an organization with a single purpose—to help the wounded and disabled veteran solve his problems—should be formed immediately.

In a meeting in May of 1920, a committee was appointed to draw up a constitution and formulate by-laws for a national organization of disabled veterans, as well as for a local chapter. A Cincinnati Chapter was formed and it kept in close touch with similar units forming throughout the nation.

After much correspondence with friends and other clubs throughout the country, a national caucus was called in Cincinnati. No record has been kept of the number attending but it is believed that between 200 and 300 disabled veterans, mostly from the mid-west attended this meeting.

At the caucus a provisional Constitution and By-Laws of the Disabled American Veterans of the World War was adopted. This Constitution and By-Laws was to serve until a national convention could be called for the purpose of forming a national organization and electing officers.

Judge Robert S. Marx was elected President of the DAVWW to serve until the first convention.

One of the most important events in the forming of the DAVWW occurred during 1920. Judge Marx was assigned to travel with Franklin Roosevelt during the 1920 political campaign. From all stories and accounts it appears that Judge Marx spent as much or more time making talks, to disabled veterans about the new organization that they were forming, as he did on Roosevelt's campaign.

Each time the train would stop, Marx would quietly slip away and attend a meeting of disabled veterans that he had managed to arrange prior to arriving in the town. He usually worked through contacts that he already had—or through some friend of a present member of the DAVWW.

During the remainder of 1929 and during early 1921 much work was going on across the nation, by many individuals, to organize the DAVWW.

The first National Convention was called for June 27, 28, 29 and 30, 1921 in Detroit, Michigan. The National Headquarters Hotel was the Hotel Tuller.

This Convention was marked with many lively debates, many differences of opinion, but it was a working convention. The 1,000 men in attendance did adopt a National Constitution and By-Laws and elect a slate of National Officers. The first National Commander was Judge Robert S. Marx. They chose Cincinnati, Ohio to be the National Headquarters.

With the purpose of the DAVWW established as rendering service to disabled veterans through a rehabilitation program, the DAV National Service program was begun at the very first convention.

Judge Marx was a consummate showman and he proved it at this first convention by massing all of his troops, some 1,000 of them, and marching them through the streets of Detroit. The parade was truly a DAV parade. It was a parade of people, some of whom coughed violently from TB, some hobbled unsteadily on new limbs, blind men were led by those who could see better and those who could not walk rode in cars or wheelchairs. The parade was escorted by the police and troop of calvary—and it was raining. The DAV carried the flag of their country as they marched proudly in the rain of Detroit. Men and women who watched dabbed back the tears of memory for loved ones who had not returned from the war. They took their hats off when the flag passed—and did not put them back on in tribute to the proud men who marched behind. The crowd lifted their chins and smiled proudly as they saw the determination of the Disabled American Veterans of the World War. Judge Robert S. Marx marched his troops into the heart of the American citizen.

This was the beginning of the DAV—with little funds—little influence—but a determined spirit to help fellow disabled veterans. The men, who had attained their military objectives on the battlefields of France, resolved to win even a greater battle in their determination to rehabilitate themselves and secure proper consideration and adequate benefits for thousands of their buddies more battle-scarred than they themselves.

Through the efforts of a young and energetic member named Harry Wentworth, San Francisco was chosen as the site of the second DAVWW National Convention. By this time, 1922, the DAVWW was already working hard as a national organization in the field of legislation, and were prime pushers for the consolidation of the many different government agencies into one Veterans Bureau. Many steps had been taken in the direction of helping correct abuses in the administration of veterans' affairs.

The most important event to take place at this convention was the forming the DAVWW Women's Auxiliary by the wives, daughters, and mothers of the nation's wartime disabled veterans. The mothers of war dead also were admitted to the Auxiliary.

The second convention also authorized the publishing of the "Disabled American Veterans of the World War Weekly" newspaper. Each member agreed to be assessed an additional fifty cents a year in dues to cover the cost of publication and mailing. It was strongly felt that the membership needed a publication to keep its members informed of the problems of the disabled and what was being done about them.

Money on which to run the National Headquarters, the Service Program and other affairs of the organization was an early problem. Many methods of fund raising were examined. An early decision was made to use a blue flower called the "Forget-Me-Not". The National Organization would derive its funds from a percentage of the money raised by local chapters. In later years, it was decided that National would derive its funds through the sale of the flower to the local chapters rather than from a percentage of their efforts.

The Knights of Columbus were very generous to the DAVWW in the early years. They gave over $100,000 to the organization.

Madame Schumann-Heink, an opera star who had lost sons on both sides of the war, gave a number of benefit performances for the DAVWW. She was loved by the members whom she called her sons and they returned her love by calling her Mother.

The DAVWW was so broke at the 1927 convention at El Paso that the New National Commander, William Tate had to borrow $10,000 from a man whose claim he had just processed.

The 1928–29 year was a better one financially for the DAVWW and the National Service Fund Foundation was formed. This group was to raise money to ensure the ongoing of the service program.

In November of 1929, the DAVWW and the International Historical Society entered into an agreement. The Society would sell a book called "Progress of Nations" and the DAVWW would get a percentage of the sale. The DAVWW was now on the road to success both financially and in its service program.

1932 was a significant year for the DAVWW. Congress recognized that the DAVWW was giving outstanding service to disabled veterans and was the only group devoted exclusively to the cause of the war-disabled. On June 17, the DAVWW was given a Federal Charter as the "official voice of the nation's wartime disabled".

The Life Membership Fund was begun in 1939. The first year, there were 10,325 Life Members. This program, where a member could buy a lifetime membership for a stated amount, has now grown to a fund of over $5,000,000 and 112,820 life members.

The DAVWW issued their first IDENTO-TAGS, miniature license plates, to American motorists in 1941. Since that time nearly a billion tags have been mailed and over 2,000,000 sets of lost keys have been returned to their owners free of charge. Donations from those who receive the IDENTO-TAGS have become the financial base for the DAV program of service.

The DAVWW Charter was amended in 1942 to admit members of World War II and members of any future wars in which this country might become engaged. The name of the DAVWW was shortened to Disabled American Veterans at this time.

Having only a three week term, National Commander, William Dodd gave the shortest report ever to the 1943 National Convention when he said, "I submit it (the National Commander's Report) as follows: I have had an awfully good time working with and for you. That's all." He received a standing ovation.

The National Service Officers formal training program was begun on October 16, 1944. The men who enrolled in these early courses have become today the nucleus of the DAV's professional staff of National Service Officers. They were trained at American University and Catholic University in such courses as: counseling, guidance, legislation, adjudication, law, physiology, psychology and presentation of medical evidence.

In 1945 the DAV bought much of the equipment and all rights to the exclusive manufacture and issuance of the INDENTO-TAG. This purchase made it possible for the DAV to realize much more money from the program. It was decided at the outset that disabled veterans or their dependents, where possible, would be used to manufacture these tags.

An important milestone was reached in 1946 when membership in the Disabled American Veterans reached an all-time high of 105,034.

In 1948 General Jonathan Wainwright was elected National Commander. He served with distinction and helped the Disabled American Veterans greatly.

Jimmy Stewart starred in a short movie entitled "How Much Do You Owe?" in 1949. This ten minute movie told the dramatic story of the Disabled American Veterans.

"On Stage, Everybody" starring eighteen paraplegic veterans and Bob Hope was released by the DAV in 1950. Hope explained that the movie should make it apparent to the public and to industry in general that disabled veterans can and must be given work—not only because of its therapeutic value but because the disabled are well able to serve industry in many types of jobs. The eighteen wheelchair veterans were featured in a lively musical revue.

In 1955, blind Marine Corps General Melvin J. Maas was elected National Commander. His stature and visible disability did much to strengthen the national image of the DAV.

1959 saw the DAV pass another significant membership milestone. The organization reached a total of 208,867 members including 68,342 life members.

Since 1922, the DAV has been publishing a newspaper. In 1960, a magazine replaced the newspaper as the "Official Voice of the Disabled American Veterans".

In 1962–63 the organization devised a program to raise funds called the "DAV Luggage Tag". This program was to do the same thing for luggage as the Idento-Tag did for keys. Unfortunately, this program did not work out and was discontinued.

1966 was a banner year in the DAV's public relations programs. A 25 minute movie entitled "Walk With Me" was released. It showed the public why the DAV is needed, what the DAV does, how it functions and answered many of the questions the public had about the DAV.

In the halls of Congress, another significant event took place on June 17. Congress held a "DAV Day on the Hill" in recognition of the organization's 34th anniversary of the granting of its Federal Charter.

On November 11, 1966, the hopes, expectations and dreams of nearly fifty years came to pass when the Disabled American Veterans dedicated their new modern National Headquarters on Alexandria Pike, in Cold Spring, Kentucky. This new building was functionally designed with the needs and peculiar manufacturing requirements of the Organization in mind. It is a building that all members can be proud of.

In the summer of 1967 a new formal training program of National Service Officers was begun. These men would fill vacancies created by deaths and retirement of many of the original Service Officers.

The DAV sold its old Washington, D.C., building and moved into a new and modern leased space in the fall of 1967. It was found that leasing space could be less expensive than the upkeep of the old building that it had purchased many years before.

In 1968, the DAV set up a National Scholarship fund to help defray expenses of members' children who could show ability and need. The Disaster Fund was also created this year to help members who were victims of natural disasters.

The Boy Scouts of America and the DAV began a joint program in 1969. The DAV is giving support and technical assistance to the BSA program of scouting for handicapped boys. Nothing is more natural than for men who have overcome the disabilities of war to teach boys who have natural handicaps how to overcome them.

Because of new and updated management procedure—new equipment—and the gradual public recognition that the DAV is serving a vital function, 1969 was the best year in the financial history of the organization.

Beginning at the 1970 Los Angeles National Convention, the DAV will celebrate its "Fifty Years of Service to the Disabled Veteran". This celebration will culminate at the 50th Annual Convention in Detroit in 1971—the site of the First Annual National Convention.

This has been a brief review of the history of the organization. The history of the DAV has been complicated and tumultuous. Nothing as important as the objectives of this organization is ever easy. The DAV has had its hours of trial—its moment of hopelessness—its time of glory—its periods of riding the crest of the wave. But the important thing to the organization itself, and to the American public in general, is that through all this it has determinedly stuck to its single purpose—that of aiding the wartime service connected disabled veteran return to civilian life in a competitive position with his peers. That he and his family can face the future with confidence knowing that his medical, rehabilitation and employment requirements will be met.

No greater puropse can be served by any organization—no greater challenge can be accepted by any group—no greater privilege is requested by the Disabled American Veterans.

Mr. Speaker, we are aware that the founders of the Disabled American Veterans initially resolved that their organization should "stimulate a feeling of mutual devotion, happiness and comradeship among all disabled veterans." Service to disabled veterans by disabled veterans, who fully understand the problems of those who have experienced the same sufferings and hardships of war service, prompted the founding of the Disabled American Veterans, has given life to the organization's continued growth and expanding effectiveness, and supplies the beacon for firm and worthy purpose for its continued success. DAV's early objectives remain its present and future goals:

> To advance the interest and work for the betterment of all wounded, injured and disabled veterans, their widows and dependents . . . to cooperate with all Federal and private agencies devoted to the cause of improving and advancing the conditions, health and interest of wounded, injured or disabled veterans.

I should like, at this point, to point to the accomplishments of a DAV chapter in the Second Congressional of Maine as an illustration of the services which this outstanding organization provides both to its disabled brothers and to its community. The chapter is Chapter 6 of Bangor, Maine, named after that great American and disabled veteran John F. Kennedy. Its officers are Frank X. Morris, commander; Donald O. Dore, senior vice commander; Robert J. Fahey, adjutant-treasurer; and Daniel Connor, chaplain. The announced main purpose of this chapter is service to all veterans, regardless of their veterans' organization preference. Each year, its members appropriate $350 for the hospital fund at the Togus, Maine, Veterans' Administration Center. And among many other notable activities, they also sponsor a local Boy Scout's attendance at summer camp and contribute generously to a number of charities and children's homes.

To the disabled veterans and their chapters in Maine and across the Nation and to the national Disabled American Veterans organization, our deep and sincere appreciation for 50 years of heroic service and our hope for continued success in your noble purpose of helping war veterans who have been disabled find their way in the world.

Mr. ROGERS. Mr. Speaker, it is indeed a privilege for me to join with my colleagues in paying tribute to the Disabled American Veterans in this their 50th year of service to our Nation.

It would be very difficult to take note of all the laudable accomplishments of this organization at this time, but we are proud to salute the quiet courage of these Americans. All to often we tend to forget the high cost of defending freedom once the sounds of conflict have ceased, but for many Americans there remains a continual reminder of this cost. When these defenders return to take a productive place in civilian life, they are often faced with very formidable obstacles as a result of their service to their country. The 1,500,000 plus Americans who have benefited from the free assistance given by the DAV since World War II are a living monument to the continuing efforts of this fine organization. Help in obtaining medical care, hospitalization, disability compensation, rehabilitation, job training, and employment are but a few of the services rendered by the DAV.

It is regrettable that we are sometimes still forced to consider war as an alternative in the solution of certain of the world's problems, but as long as war exists we are fortunate to have an organization such as the DAV to help those who paid the price of our freedom. We salute the quite courage of the Disabled American Veterans in their 50th year and wish them many more.

Mr. BROTZMAN. Mr. Speaker, I am pleased to be able to join my distinguished colleagues, the gentleman from New York (Mr. HORTON) and the gentleman from South Carolina (Mr. DORN), in paying tribute to the Disabled American Veterans.

Fifty years ago, the Disabled American Veterans was organized to "advance the interest and work for the betterment of all wounded, injured, and disabled veterans, their widows, and dependents, to cooperate with all Federal and private agencies devoted to the cause of improving and advancing the conditions, health, and interest of wounded, injured, or disabled veterans." To this date, the DAV has remained true to its original purposes.

While it is sad and unfortunate that warfare continues to disable American servicemen, it is gratifying that the DAV exists to assist these men in their efforts to establish themselve in the civilian world. At the individual level the DAV has devised programs to assist disabled veterans in obtaining the full measure of benefits to which they are entitled under the law. At the national level the DAV has argued persuasively for new legislation to assist this Nation's disabled veterans.

Mr. Speaker, I am personally aware of the fine work done by the DAV. One of the organization's past national commanders, Peter L. Dye, is a close friend and former law school classmate of mine. Through him I have learned of countless instances in which the DAV has been able to substantially assist its members.

Since coming to Congress, I have learned even more of what the DAV is able to provide in services to its members, and in many cases, to veterans who do not belong to the organization. In the course of my trying to assist veterans to receive their benefits, I have been impressed with the role played by the DAV. On many occasions a representative of the DAV's national service program has aided in acquiring the materials I have needed to present a disabled veteran's claim to the Veterans' Administration or other concerned Federal agency.

Mr. Speaker, I extend my heartiest congratulations to the Disabled American Veterans for the role they have played during the past 50 years. It is my fervent hope that there will be no need for the DAV in 50 more years, but so long as there are disabled veterans, it is comforting to know that their interests will be protected by so fine an organization.

Mr. ROY. Mr. Speaker, today should be a special day for all Americans. Everyone is touched by the tragedies of war but few are moved to remedy them. The Disabled American Veterans are among these few. Their efforts to help rehabilitate their disabled brothers represent the finest qualities in man. As a physician, I have always admired their concern for proper medical care and treatment for their compatriots. As a citizen, I have always admired their selfless commitment to better the lives of their fellow veterans. Their training, educational, scholarship and legal advisory programs are excellent examples to us all of good will turned into good works.

Mr. Speaker, the courage and dedication of these men should provide inspiration to us all as we work for peace among men of good will. I am proud to participate in this program to commemorate their services—especially the contributions of the DAV chapters in the Second Congressional District and all of Kansas whose concern for their fellow man deserves the attention of the Congress. On their 50th anniversary, I am happy to offer a warm and very admiring salute to each and every one of the Disabled American Veterans.

Mr. SATTERFIELD. Mr. Speaker, it is a privilege for me to have the opportunity to pay tribute to the nearly 300,000 members of the DAV. This 50th anniversary of the Disabled American Veterans and their special day in Congress are testimony to the success and accomplishments of this great organization.

McGuire Veterans Hospital is located in my district. It and the brave men who have spent time rebuilding their lives and bodies there have given me a unique insight into the aspirations of our disabled veterans.

I am also aware of the continuing efforts of these disabled veterans once they leave our hospitals and return to our communities. In my district we have a DAV chapter that participates extensively in assisting disabled veterans with service claims, participates in volunteer work at the VA hospital, and most recently, in such worthwhile endeavors as campaigns to focus attention and concern to the problem of our POW/MIA's in Indochina.

As a member of the Veterans' Affairs Committee of the House I know further of the work of DAV in advancing the interests of all disabled veterans and their dependents. The liaison and cooperation of the DAV with our committee and with various Federal agencies has led to a continuing improvement in our ability to deal effectively and humanely with the affairs of these veterans and their families to whom we are so deeply indebted.

I congratulate the DAV for its past achievements and I know that the founders of this organization would be justifiably proud of the DAV today as it stands as a dynamic and effective organization truly deserving of the respect of all Americans.

It is an honor to join with my colleagues in saluting the DAV on "Disabled American Veterans Day in Congress: A Tribute To Quiet Courage."

Mr. YOUNG of Florida. Mr. Speaker, today, Disabled American Veterans Day, serves to remind us that, no matter how great the threat, there are always Americans willing to serve their country, and continue to serve long after the hostilities have ended.

Our Disabled American Veterans have set a high standard of heroism in battle, of heroism in the wards of our veterans hospitals, of heroism in the painful struggle to overcome a handicap and return to a productive life.

My Eighth Congressional District of Florida is home to nearly 85,000 veterans. Many of them are disabled—in body, but not in spirit. I am proud to know many of these men personally. They are America's finest.

This Nation owes a great debt to the men and women who have donned a uniform and served the cause of freedom throughout the world. We owe an even greater debt to those who have sacrificed their lives or been disabled in war.

The DAV now has nearly 300,000 members working tirelessly to secure adequate benefits for their battle-scarred buddies, and helping each other in the struggle toward rehabilitation.

Those who defile our flag and seek to tear down this country and its institutions would do well to look to our Disabled American Veterans. They might learn something about true courage and self-sacrifice.

Mr. O'HARA. Mr. Speaker, I rise with pride to associate myself with those of my colleagues who have taken this opportunity to commend the men who have suffered disabling injuries in their country's service.

On this, the 50th anniversary of the Disabled American Veterans, it is more than appropriate that we take a moment to pay tribute to the men who have sacrificed their health, their earning ability, their well-being in the defense of their country.

The pledge first voiced by a great President 106 years ago, that we should "bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan" deserves the same high priority as does his further promise to "achieve and cherish a just and lasting peace among ourselves and with all nations."

Mr. POFF. Mr. Speaker, today the Disabled American Veterans commemorates its 50th anniversary. Founded by wounded veterans of the First World War, devoted to the cause of serving their comrades and their country, the DAV has set a record which they can be proud of. Through their work, countless thousands of wounded and disabled veterans have received the benefits and services to which they are entitled.

Through the DAV's national service program, all disabled veterans are given assistance by other veterans knowledgeable in the workings of the Veterans' Administration, so that the just claims of these men are not delayed through administrative shortcomings. An outstanding DAV legislative program has for years kept the Congress informed of the needs of our veterans and how they might best be met. And just as important, is the inspiring example these men have set for us all.

War always exacts a high price, as recent years have made us all too well aware, and these are some of the men who have paid the full price. But they have continued to offer themselves to their country and to their comrades less fortunate than themselves in a most unselfish way. In these troubled times, when some men question the strength of America's character, we may point to these men and say with pride that so long as their kind of courage, patriotism and civic dedication endure, America is as strong and as secure as ever.

Mr. Speaker, just as we long for a time in which there are no disabled veterans, so do we pray that there will never come a time when the spirit exemplified by the Disabled American Veterans is lacking in America. I am most proud to join my colleagues in saluting the DAV.

Mr. SIKES. Mr. Speaker, it was just 50 years ago that a group of dedicated men gathered together to form an organization that, in half a century of outstanding service, has come to stand for many of those things which each of us holds dear.

The Disabled American Veterans represent those to whom duty is everything, love of country is paramount, and patriotism is practiced daily.

It is difficult to put into words the record of this outstanding organization. Perhaps they have best been described in the words of this special observance: A Tribute to Quiet Courage.

That is well put, Mr. Speaker, for within the ranks of the DAV are those to whom the last full measure of devotion meant the surrender of a limb, the loss of blood, pain and the suffering on a foreign land in the name of freedom and in defense of the United States of America.

We honor them today in this manner as individuals and as an organization for service to America and to veterans and veterans' families everywhere. I consider it also is especially significant that DAV has shown a special concern for another group of veterans. There are nearly 1,500 of these Americans who themselves are examples of the quiet courage of which I speak.

These are the American servicemen being held prisoner by the Communists in Southeast Asia who represent to us all, and especially to the DAV members, many of whom have known the terrors of prison in other wars, a symbol of American service and sacrifice which we seldom have seen and, pray God, we may never have to see again.

And so, Mr. Speaker, it is an honor for me to today add my voice to the millions of voices across America in solemn salute to the Disabled American Veterans as they mark 50 years of service to their country and their fellow man.

They have met the test and were not found wanting. May that be said of all of us.

Mr. BENNETT. Mr. Speaker, I am honored to be a member of the Disabled American Veterans and have been so for many years. I enjoy the comradeship of the members of my chapter, DAV Chapter 1, Jacksonville, Fla., and upon occasion I have had an opportunity to visit with groups on a larger geographical basis as well. This organization is dedicated to the highest principles of Americanism and of mankind and it is an inspiration to be a part of its membership and to participate in its work.

As a Member of Congress, the principal area in which I am associated with DAV is when they assist veterans in processing claims for various veterans benefits and I have been greatly impressed with the dedication and effectiveness of their fine work in this field. As all of us in Congress know, Congressmen work in this field on a daily basis; but without the assistance of such organizations of DAV it would not be possible for the veterans to obtain the medical and legal and other type of advice that they need in the processing of their various claims. The DAV has reviewed millions of cases and has helped veterans to secure hundreds of millions of dollars in various benefits to which they are entitled.

The organization has also provided, by its existence, the structure of an organization which brings together veterans of our country who have been disabled in service and who find by this association a comradeship and inspiration which could never be measured in dollars. I am happy to participate today in speaking in strong support of this fine organization.

Mr. BLANTON. Mr. Speaker, the Disabled American Veterans are commemorating their golden anniversary of service to the disabled veterans of American wars.

I salute this organization, and commend them for their unselfish dedication to the millions of American servicemen who have been injured and disabled while serving their country in uniformed services.

I am particularly proud of the Department of Tennessee DAVs, and their excellent National and State record. The leadership of the Tennessee DAVs is supplied by Department Commander Ernest Rains, from my own Seventh Congressional District.

The senior vice commander is Robert Currie of Clarksville; the adjutant-treasurer is Matthew Lynch of Nashville; the judge advocate is Alfred English of Shelbyville and the past commander is my longtime friend, Harold German of Cleveland.

John L. Sullivan of Cleveland is east Tennessee division commander, Albert L. McCarrell of Goodlettsville is middle Tennessee commander, and Estill Archibald of Dyersburg is west Tennessee commander.

The district commanders include: Charles Summers of Kingsport, first; Tom Arms of Maryville, second; James Shuler of Old Fort, third; James Smith of Clarkrange is the fourth district commander; Frank Hayes of Murfreesboro is fifth; James Matlock of Nashville is sixth; Robert Crowson of Columbia is seventh; Leon Allison of Jackson is eighth; R. E. Barber of Dyersburg is ninth; R. Dale Tipton of Memphis is 10th.

The chaplain of the Tennessee DAVs is John W. Gammon of Bristol, Tenn.

Mr. Speaker, I salute the Tennessee DAV's and the national organization, and I commend their efforts throughout this country to inspire patriotism, to rehabilitate disabled veterans, to provide various civic services to their respective communities, and for providing a strong voice for the veterans of our Nation.

Mr. EVINS of Tennessee. Mr. Speaker, I want to associate myself with the remarks of my distinguished colleagues, the gentleman from South Carolina (Mr. DORN), and the gentleman from New York (Mr. HORTON) in commending the great work of the organization of the Disabled American Veterans.

Certainly today's tribute is fitting and appropriate. The disabled veterans of our Nation have demonstrated their patriotism, dedication, and devotion to our country—they are an example of quiet courage to the Nation and deserve our commendation and support.

The DAV is to be commended for its fine work for our disabled veterans throughout the years. This is an outstanding organization of dedicated veterans, devoted to service for their fellowman and our country.

Mr. ANDERSON of Tennessee. Mr. Speaker, I am privileged to join my colleagues on this meaningful occasion. I can think of no individuals in America who are more deserving than the wartime disabled, those who have literally, with their own flesh and blood, paid for the blessings we all share.

Except for those who have paid the supreme sacrifice, the living wounded have carried the heaviest burden in freedom's defense and they richly deserve the praise and the support of this body.

Thanks to the devoted and tireless efforts of our distinguished chairman of the Veterans' Affairs Committee, the Honorable OLIN E. TEAGUE, who himself was grievously wounded in combat, this body has been kept advised on the needs of the disabled and we have certainly done what we can to be receptive and responsive to all veterans and especially the wartime disabled.

I also wish to commend the Disabled American Veterans organization, for its long and distinguished role in self-support of the disabled. Moreover, I commend the American Legion, the Veterans of Foreign Wars, and all the veterans organizations who have given their support to the wartime disabled.

This is our moment to salute the disabled veterans. I do so at this time with humility and thanks.

Mr. BOW. Mr. Speaker, the 16th Congressional District of Ohio takes particular pride on DAV Day in the fact that Edward J. Smith, of Alliance, one of our own good citizens, is Ohio State DAV commander in the 50th anniversary year.

DAV had its origins in Cincinnati in 1919, and it has always been a strong influence in our State and among our veterans. This year, as in many others, Ohio has the largest DAV membership among the 50 States.

The DAV was founded and operates in the highest tradition of American life. It is a fellowship of disabled people organized to help disabled people, and with the tremendous reservoir of talent, brains, and courage in its membership, it has succeeded magnificently.

I am pleased and proud to pay tribute to the DAV today, to its many members who are my good friends, and particularly to their representative and commander, Edward J. Smith, who is present for this occasion.

Mr. DRINAN. Mr. Speaker, I am pleased to join my colleagues today in commemorating the 50 years of service of the Disabled American Veterans to our Nation's war disabled. It is indeed an honor to pay tribute to the over 300,000 members of the DAV on their golden anniversary.

The DAV has labored tirelessly to assure that all individuals disabled in the service of America will receive the proper care and assistance that they so richly deserve. Specifically, the DAV has attempted to provide the proper medical care and treatment of veterans for disabilities incurred, increased, or aggravated by military service, adequate compensation for the degree of disablement caused by such disabilities, training, and/or education to restore employability, and adequate compensation to the widows, minor children, and dependent parents of veterans who die as the result of a service-incurred disability.

The DAV has also played a crucial role in the preparation of sound and progressive legislative measures for the protection and benefit of the disabled veteran.

Several current projects of the DAV deserve special commendation. A scholarship program designed for children of disabled veterans has provided further educational opportunities for many young students. A program of starting Boy Scout chapters for handicapped youth utilizing disabled veterans for leadership has also met with great success.

The Disabled American Veterans have richly earned the admiration and respect of those who pay tribute to you today. I would particularly like to commend the 103 active chapters of DAV throughout the Commonwealth of Massachusetts and the fine work of its over 20,000 members. I join my colleagues in congratulating you on your 50 years of outstanding accomplishments.

Mr. KLUCZYNSKI. Mr. Speaker, all Americans can take pride in honoring the magnificent achievements and contributions of the Disabled American Veterans now entering its sixth decade of outstanding service. This fine organization, more than any other, has helped our soldiers, wounded and maimed in defense of their country, return to full, useful, independent lives at home, and has protected the widows and dependents of those who did not return, who made the supreme sacrifice of life itself.

The essential work carried on by DAV reminds us of our great debt to those who endure the horror and blood of battle to preserve our liberty. They are often unsung heroes, for it is not pleasant to be reminded daily of the real and terrible costs of war. Each day, more of our fighting men are wounded in Vietnam; each day, more of them return home crippled and disabled. It is indeed fortunate that there is an organization like the DAV to aid these men in their readjustment to civilian life.

As the official voice of all wartime disabled, the Disabled American Veterans acts as go-between for the veteran and his family in relations with various public agencies. The DAV employs 146 professionally trained national service officers, each one of whom is himself a disabled veteran. These national service officers; at least one in each of the Veterans' Administration regional offices throughout the United States, assist the disabled and their dependents in obtaining medical care, hospitalization, disability compensation, rehabilitation, job training, and employment.

In addition to helping disabled veterans and their dependents obtain the benefits to which they are legally entitled, the DAV maintains a varied program to help solve the problems of our maimed and wounded soldiers returning to civilian life. Its legislative branch has worked continuously and successfully for the changing of old laws and the passage of new ones to improve the lot of the disabled veteran. It sponsors prosthetic research to develop improved artificial limbs, scout troops for handicapped children, scholarships for able but needy children of disabled veterans, and the famous "Idento-Tags," which not only employ many disabled veterans in their manufacture, but provide the main source of income for DAV.

The national activities of the DAV and many, many, other fine programs, sponsored by local chapters, have enriched our Nation immeasurably. They bring hope to those who have been maimed in the service of their country, and they keep fresh and strong our awareness of the great debt of gratitude we owe them for their loyalty, patriotism, courage, and sacrifices. I urge all Americans to support them in this endeavor, and congratulate them again on their half-century of outstanding service.

Mr. ABERNETHY. Mr. Speaker, this is a proud day for the 92d Congress, for we are today paying tribute to the quiet courage of those Americans who have especially borne the burden of our national defense through personal sacrifice and injury, the members of the Disabled American Veterans. These are the veterans who still bear the physical as well as emotional scars of battle, the men who have been tested in the fiery crucible of battle.

Today we mark 50 years of service by the DAV to the wounded veterans, his widow and dependent. The founders of the DAV stated their objective as follows:

> To advance the interest and work for the betterment of all wounded, injured and disabled veterans, their widows and dependents. . . . to cooperate with all federal and private agencies devoted to the cause of improving and advancing the conditions, health and interest of wounded, injured or disabled veterans.

This remains their objective, Mr. Speaker, and the Disabled American Veterans organization has carried out this mission with great distinction. Medical care for our wounded veterans has improved so greatly over the years that we may tend to forget the difficulties faced by our wounded soldiers as they returned from the battles of World War I. Our Nation was not then equipped to care for the 300,000 disabled veterans, some of whom returned to America only to have to sleep on hospital floors. The Disabled American Veterans organization was formed to move into this vacuum and has performed magnificently ever since.

The DAV remains an active and effective voice for patriotism and Americanism and for legislative programs to benefit all veterans. The DAV also maintains a national service program that provides free service to all disabled veterans and their dependents whether or not they are members of the organization. In connection with their legislative activity, Mr. Speaker, let me say that since 1920 practically all legislation beneficial to disabled veterans has been advocated by the DAV. We in the Congress know and respect this great organization, and we enjoy working with them for our common purpose. With respect to the Americanism of their membership, it is enough to say that you will not see the DAV parading in the streets against America and for a Communist victory.

Mr. Speaker, I join with my colleagues in this "tribute to quiet courage," the quiet courage of the thousands of Americans who still live with the sacrifices they made for their country. And I join in wishing for the Disabled American Veterans organization continued successful service to the veterans and to the Nation.

Mr. NICHOLS. Mr. Speaker, today I join many of my distinguished colleagues in paying tribute to the Disabled American Veterans on their 50th anniversary. I would particularly like to recognize the Honorable FRANK HORTON of New York and the Honorable W. J. BRYAN DORN of South Carolina for sponsoring "DAV Day in Congress—a Tribute to Quiet Courage" in the House of Representatives today.

As a lifetime member of the Disabled American Veterans since 1957, I can take pride in being a part of this organization which has done so much to help tens of thousands of returning veterans who suffered disabling wounds in World Wars I and II, the Korean conflict and now, in Southeast Asia.

The story of the DAV is even more amazing when one realizes the difficult beginning. Plans were first made at a Christmas Day party in 1919 but it was over a year and a half before the first national convention was held in Detroit, Mich. One of the first fund raising projects was the sale of the little blue flower, the "forget-me-not." Today, almost 50 years from the date of the first sale, the "forget-me-nots" are still sold by local DAV chapters 1 day each year.

By 1927, the DAV was completely broke, but $10,000 was borrowed from one veteran whose claim had just been processed by the young organization. Just 2 years later, however, the Disabled American Veterans was on the road to success. Today, they are still traveling on that same road but they have been joined by thousands of disabled veterans who have given much to their country and have received assistance from the DAV and the thanks from a grateful Nation.

Today, just 50 years from inception, the DAV has a 5-year-old national headquarters in Kentucky, a training program for national service officers, a national scholarship fun, a disaster fund, and a joint program with the Boy Scouts of America to provide support and assistance for handicapped youngsters in the Boy Scouts.

Mr. Speaker, this program comes just 2 days after radical factions in our country bombed a portion of this building to show their displeasure with the allied drive into Laos—a drive that has the main purpose of protecting our servicemen still in Vietnam.

But I feel confident in predicting that all the members of SDS and the other radical organizations bent on the overthrow of our country will not equal 1 percent of the people who will turn out in Detroit this June for the national convention and parade of the Disabled American Veterans—an organization that has earned our support, our respect and our thanks.

Mr. PICKLE. Mr. Speaker, I am honored to rise today—as have many of my colleagues—in a salute to our disabled veterans. The sacrifices these men have made for our country, the personal hardships which they have endured make us both humble and proud. Their courage and fortitude is a lasting example to all of us.

I join my colleagues not only in a salute to these stalwart patriots, but also in a renewed commitment to help them and their families. These are men whose normal course of life has been disrupted in service to their country, and we are all reminded of the great debt we owe to each disabled veteran and to his family and dependents.

To the disabled veterans of our land—I honor you, I salute you, and I thank you.

Mr. MANN. Mr. Speaker, it is a welcome honor to join my many esteemed colleagues in both the House and the Senate in commemorating the 50th anniversary of the Disabled American Veterans. As many of you already are aware, the DAV was formed on Christmas Day by an unstoppable group of 200 former fighting men shortly after World War I. This reveals the nature of the free society; many of its strongest and most worthwhile organizations have been inaugurated under the auspices of a few plucky men who, to the Nation at large, have themselves remained anonymous. Their contribution to America, at any rate, is now the largest single veterans' organization of wartime disabled in the world. Chartered by Congress in July of 1932, this group officially organized itself to provide aid and succor to veterans, their widows, orphans, and other dependents. Ironically, the title of this group was first "Disabled Veterans of the World War," as if in our time there was only to be one such conflict. It was not to be so. For on July 15, 1942, Congress, for obvious reasons, found it necessary to delete the words "of the World War" from the charter. Another war was being waged, and the honor roll of DAV was to be extended beyond all imagining of its early founders.

Care and maintenance of men who often have given, as Hemingway once put it, "more than their lives" in the service of God and country is what DAV has set forth as its proper function in this land. Bluntly, this means that DAV has determined upon the objective that these men not be treated as welfare cases by the people whose freedom they have fought to preserve. This praiseworthy determination was memorably enunciated by a national commander of DAV, Mr. Douglas McGarrity, in March of 1964.

> Expenditures for veterans' benefits are not and should not be classified as welfare payments made by Federal, State or local governments. These benefits are undeniably a direct cost of war, even thought payments are often protracted and delayed.

He pointedly added:

> They are, in fact, equally as much a part of war as the cost of manufacturing bullets, tanks, airplanes, and rockets.
>
> If this nation commits itself to war, then it is obligated to pay the cost. It is difficult indeed to evaluate the cost to disabled war veterans, their widows and dependents, in terms of long-term suffering as a result of physical disabilities or death directly attributed to combat services.

Commander McGarrity went on:

> The DAV is a very patriotic organization, and belives in the justness of our nation's cause in past wars, and the need for present defense spending. But we strongly object to terming veterans' benefits as welfare projects.

I could not agree with these sentiments more. And I am glad to see that DAV is not only insisting on the rights of returned wounded, but of the POW's still in Vietnam as well. It is necessary that this Nation support its soldiers, whether wounded, captured, or still in the field. It is they, after all, who have fought and are fighting to see that America remains a free, strong country. How can we, out of good conscience, refuse them such support?

I am pleased to note the programs which DAV has set up to see to it that returning wounded veterans get the best possible treatment as well as the best possible preparation for the lives they must lead. As many of you will remember, there was considerable consternation in the country last summer over an article appearing in Life magazine, which charged that some VA hospitals were administering less than adequate care. Mr. Raymond P. Neal, the national commander, made at the time some pretty cutting remarks on the subject.

He said:

> I have discussed the article with my national staff, "and we concluded that, although the conditions reported in the article may not be typical of all VA hospitals, the very fact that any one of these conditions exist in any VA hospital should be the concern of all citizens of our nation".

Here, however, DAV has once again gone beyond words to seek action in bringing about direct relief. DAV has instituted a training program for returning Viet veterans, so that they not become welfare cases. DAV has recently embarked upon a program of vocational rehabilitation, that these young people will be retrained by experienced national service officers.

Mr. Speaker, I am pleased to note all of these advances with more than passing interest. In its 50 years of service, DAV has insured that returning wounded veterans will receive the special attentions they deserve. A democratic Nation can do no less for the men who have kept it free.

Mr. FLOWERS. Mr. Speaker, it is entirely proper for this body to commemorate the 50th anniversary of the Disabled American Veterans today, and indeed it is a "tribute to quiet courage."

Since its inception in the waning days of 1919, Disabled American Veterans has grown from several hundred dedicated organizers to a national strength of some 300,000. Each year, through its national service program, Disabled American Veterans assists hundreds of thousands of brave veterans to deal with the various governmental agencies entrusted with administering the benefits conferred upon them by a grateful nation.

Mr. Speaker, it is not enough merely to talk in broad, general terms, for this assistance tells the story of individual brave and unselfish American citizens.

They have each devoted the fullest measure of patriotism to their country. They are worthy and deserving of the fullest commendation of all Americans.

Disabled American Veterans received its Federal charter in 1932 as a mark of its singular status as the "official voice of the Nation's wartime disabled." Surely everyone now recognizes the wisdom of granting that charter.

The first national chaplain of the Disabled American Veterans aptly summed it up when he said:

> We were then what we are now.
>
> In the beginning we were dedicated to helping war veterans who had been disabled find their way in the world.
>
> That was our purpose. That is our purpose today.

Mr. Speaker, I know that all Members join with me in congratulating the DAV on its 50th birthday, and that we look forward to working with this fine organization for many more years in the interest of America's disabled veterans.

Mr. CABELL. Mr. Speaker, on this day that we pay tribute to one of America's truly great national veterans organizations, I would be remiss if I did not single out one of the early chapters of the group and the impact that its leadership has had nationwide.

I refer to Buddies Chapter No. 11 of Dallas, Tex., and their contribution to the Disabled American Veterans. This is one of the oldest chapters in the Southwest, if not the oldest. Only a very few of the charter members are still living. Its present membership is approximately 450.

This chapter has had the distinct honors of having two national commanders. Laurence R. Melton of Dallas, Tex., was elected in Louisville, Ky., in 1941. Due to the war years that followed, no national convention was held in 1942. Commander Melton requested an audience with President Franklin D. Roosevelt to discuss with him the feasibility of holding a national convention at a time when most of the major cities were either "blacked out" or "browned out." It was decided at this conference that there would not be a national convention and after conferring with the President of the United States, National Commander Melton filed a friendly suit in Federal Court in Cincinnati to determine whether or not the national executive committee of the Disabled American Veterans had the power to delay the convention 1 year. The Federal judge ruled that the committee did have the power due to the restrictions on transportation and other needed items for the defense of this country.

Commander Laurence R. Melton is the only past national commander to wear a 3-year pin. He also wears the original pin that was worn by the first national commander and founder, Robert S. Marks of Cincinnati. Because World War II was in progress and many of our fighting men were disabled, an appeal was made by Hatton W. Sumners, Congressman from Dallas, Tex., and chairman of the House Judiciary Committee, to change the charter from "Disabled American Veterans of the World War" to "Disabled American Veterans."

In November 1941, just prior to Pearl Harbor, Commander Laurence R. Melton made a request of President Roosevelt to utilize not only the disabled veterans, but all disabled citizens who could replace able-bodied men and women in their jobs, thus allowing them to enter the Armed Forces of the United States. President Roosevelt, himself disabled by polio, reacted favorably to the request and immediately signed an Executive order requesting all defense plants to hire as many handicapped people as possible. As a result of this meeting with President Roosevelt, the national "employ the handicapped" program was born. In 1947 President Harry S. Truman signed it into law creating "national employ the handicapped."

Commander Melton has served continuously on the President's Committee for the Employment of the Handicapped since its inception and has served as chairman of the Governor's committee of Texas for the "employ the handicapped" under five Governors.

Buddies Chapter No. 11 Auxiliary also

has the distinct honor of having had one of its distinguished members, Mrs. Catherine Early, elected as commander of the Women's Auxiliary in 1953 and 1954. She is active in the organization and has served as chairman of the Disabled American Veterans Auxiliary VAVS for the past 7 years. She is also chairman of the monthly party for the patients at the veterans hospital in Lisbon, Tex.

My colleague, the Honorable WRIGHT PATMAN, of Texas, is a life member of Buddies Chapter No. 11. He is eligible by disability incurred by his service in World War I. Congressman PATMAN was discharged as a first lieutenant, U.S. Army. Another distinguished member of Buddies Chapter No. 11 is another colleague, the Honorable OLIN E. TEAGUE, of Texas, who was decorated by the U.S. Government and lacks only one less medal than that held by another Texan Audie Murphy. Oliver E. Meadows, the staff director of the Veterans' Affairs Committee, is also a valued member of this chapter. One of the members of Buddies Chapter No. 11, P. D. Jackson, of Dallas, Tex., is believed to have been nominated and elected as delegate to the national convention more times than any other member throughout the Nation.

Those presently serving as officers of Buddies Chapter No. 11 are: P. D. Jackson, commander; Joe McRee, senior vice commander; Otis McCoy, junior vice commander; W. W. Odom, treasurer; J. G. Palmer, judge advocate; and Otis Johnson, chaplain.

Mr. Speaker, I wish to congratulate Buddies Chapter No. 11 of Dallas, Tex., and all Disabled American Veterans on the occasion of their golden anniversary.

Mr. SCOTT. Mr. Speaker, on behalf of the people of the Eighth District of Virginia, let me convey my heartiest congratulations to the Disabled American Veterans on the occasion of the 50th anniversary of its establishment.

In time, most citizens, even those who have lost loved ones, can relegate past and present wars to the background of yesterday. The battle-disabled veteran and his family, however, usually can look forward to a lifetime of almost continuous adjustment. The quiet courage with which our former servicemen have faced these homefront battles is a tremendous credit to them, to the 300,000 members serving in the DAV, and to our Nation.

It is an honor for us to reaffirm our admiration for these brave men, on the golden anniversary of their dedicated organization, the Disabled American Veterans.

The national commander of the DAV appeared before our Committee on Veterans' Affairs today. His message was well received and our committee, without doubt, will carefully consider his proposals. In this day when some show contempt for this country's flag and its institutions, it is good to pay tribute to an organization whose members have proven their loyalty and dedication to American ideals. I wish them every success.

Mr. DAVIS of Wisconsin. Mr. Speaker, today the House is sponsoring a program commemorating the 50 years of service provided by the Disabled American Veterans to our Nation's war disabled. It is appropriately called, a tribute to quiet courage.

Although this worthy organization has provided services for a half century, its dedication to fulfill its stated objective, "to advance the interest and work for the betterment of all wounded, injured, and disabled veterans, their widows and dependents," is nowhere better illustrated than in the current Vietnam conflict.

The DAV is working for the release of American prisoners of war held captive in North Vietnam and has said its efforts will not cease until the last prisoner has been released. Accordingly, it has produced and distributed to more than 700 stations three spot announcements for TV. It has produced 20 spot messages for radio which have been distributed to more than 6,000 stations. All of them urge citizens to deluge Hanoi with letters demanding the release of information pertaining to those American POW's being held by the Communists. Five million leaflets have already been mailed to homes throughout the country advocating individual action in the campaign to obtain the release of prisoners' names.

The special responsibility placed on the DAV by the situation in Indochina is further reflected by the group's emphasis on insuring that all wounded or otherwise disabled servicemen receive all benefits to which they are entitled under title 10 of the United States Code. Cecil W. Stevenson, National DAV Commander, said his organization's concern is "just a way of saying we appreciate what the men have done."

One of the best examples I can cite showing the DAV's genuine concern for the plight of our war disabled culminated in President Nixon's signing into law legislation to improve and expand the dependency and indemnity compensation program for dependents of servicemen and veterans whose death was service connected. The DAV acted as a catalyst in the fight to push that bill through Congress. By doing so, it accomplished three major legislative objectives of the DAV: First, it established a new system of DIC rates for widows ranging from $167 to $426 per month; second, it authorized an additional DIC payment of $20 a month for each of the veteran's minor children; and third, a supplemental payment of $50 monthly to widows who are either in nursing homes or unable to care for themselves.

Monday, I introduced a bill to the 92d Congress which I hope will aid the cause the DAV has championed so well. If passed, it would expand Veterans' Administration educational assistance payments to widows and orphans of veterans who died due to military service and to dependents of totally disabled American veterans and POW's. It will give all eligible persons assistance allowances to include apprenticeship and on-the-job training programs.

I am certain that the DAV's future record will be as bright as its past accomplishments. It is a group which has determinedly pursued for 50 years the single purpose of helping the wartime disabled return to civilian life in a competitive position with their peers. It deserves the gratitude and continued support of all Americans.

Mr. PATMAN. Mr. Speaker, it is a very special pleasure for me to join today in saluting one of the finest organizations in this Nation—the Disabled American Veterans. Of course, as a longtime and life member of the DAV, I take particular pride in the meaningful record of splendid service which this outstanding group has compiled in the past half century. During my years in the Congress, I have had the opportunity to know the many distinguished officials who have led the DAV to its multitude of successes, and I have personally witnessed the wonderful service given by the DAV to individual veterans. It is, therefore, a genuine privilege to join in this expression of gratitude and appreciation for an organization which speaks with firm and honored voice for all disabled veterans.

Mr. Speaker, for 50 years the DAV has been precisely where the need was greatest and has worked miracles, taking on the toughest jobs in the national interest. Each individual member responded heroically to the call to arms when the Nation was in peril and each has given of himself in full patriotic measure. When danger threatened, the members of the DAV were there.

Throughout our history, the United States has recognized the tremendous debt we owe to those special heroes who have borne the burden of our national defense, and Congress has decreed that all disabled veterans receive complete justice from a grateful nation. To provide equitably for our former servicemen is a never ending effort, and while there is always more that should be done, I sincerely believe that we have the best system of veterans benefits in this history of mankind. This is due in large part to the Disabled American Veterans. When the Congress needed innovative proposals and when we needed expert advice and compelling testimony on veterans legislation, the DAV was always there.

Even with the most comprehensive program of veterans' benefits, there are some who may qualify but whose problems lack proper evaluation. And even with diligent and professional administrators, there can be occasional oversights which adversely affect individual entitlements. But when a disabled veteran needs expert help in establishing his eligibility for benefits or in cutting through a tangle of redtape, the DAV is always there to help him—promptly and effectively.

Finally, over the years we note there is an ebb and flow of patriotic fervor. Apathy and drift can afflict the national will and sometimes internal division confuses our true national purpose with endless self-criticism and corrosive doubt. It is then, when the Nation's spirit is low, that the DAV, that great reservoir of courage, is there to remind us that the America they defended so bravely is worth any sacrifice.

Mr. Speaker, we can all hope that someday no man will suffer the wounds of battle, but the precious freedoms bequeathed us by our forefathers belong to us only because—generation by generation—we pledge ourselves to cherish and defend them. The DAV is a group of great Americans forever marked with a certification of total allegiance to that silent pledge. All men long for peace—none more than those who bear the scars of war. But the truth is that even if there were no disabled veterans in the land, we would need the DAV—ever alert, the forceful forthright champion of America.

Mr. COUGHLIN. Mr. Speaker, the 50th anniversary of service by the Disabled American Veterans to the Nation's wartime disabled will be observed on March 3, 1971.

On this occasion, I salute the DAV and join with respect in their "tribute to quiet courage."

During the past half century, the DAV has been a source of guidance, practical help, and compensation to those from whom war exacted physical sacrifices.

The Disabled American Veterans are proof of the remarkable adaptability of body and spirit. They exhibit faith and courage in overcoming obstacles, good will in turning to help others, and a dedicated love of country.

As a sponsor of the resolution to designate the week of March 21 as National Week of Concern for Prisoners of War and Missing in Action, I share in one of the DAV's major current endeavors, that of calling special attention to the plight of the American servicemen held captive by the enemy.

I hereby extend to the DAV my very best wishes for success as their fine organization continues to fill an important need in our national life. May this golden anniversary be a occasion for all of us to renew our commitment to reestablish handicapped veterans in a full and productive role in our society.

Mr. DENHOLM. Mr. Speaker, it is indeed a privilege for me to join in honoring the 50th anniversary of the Disabled Veterans of this Nation and to join in honoring the members of this organization for their quiet courage, their loyalty, and their sacrifice to preserve our cherished freedom.

My home State of South Dakota, the home of the shrine of national democracy, is one of the most sparsely populated States in this great Nation. The state commander of the DAV of South Dakota, Mr. John Redmond of Watertown, S. Dak., advises me that there are more than 7,000 disabled veterans in my home State. That figure becomes more meaningful to me and to anyone from our State when he realizes that if all of these disabled veterans lived in the same location that they would comprise one of the largest cities of our State.

I commend the members of this organization for their 50 years of exemplary service, for providing hope, rehabilitation, and assistance, and I pledge my support to them in their future endeavors.

Mr. RARICK. Mr. Speaker, as a DAV myself—a Member of the Capital City Post in Baton Rouge, I would like to commend the gentlemen who arranged this special order for Disabled American Veteran's Day.

It is only right, honorable and just that we pause from our legislative deliberations to pay tribute to the nearly 300,000 disabled veteran members as the DAV celebrate the 50th anniversary of the founding of the organization.

Americans are indebted to all of the loyal men who have fought our wars—those paying the supreme sacrifice, those surviving the wars and POW's—to defend our Nation and its Constitution and to preserve those liberties bequeathed to us by the Founding Fathers.

Many veterans were fortunate enough to return from the wars uninjured. Those who are the disabled veterans of the Spanish-American War, World War I, World War II, Korean war, and Vietnam war were not so fortunate.

Citizens of America owe a particular debt of gratitude to the disabled veterans—those who have shed their blood in our service and that of our country merely providing special benefits and financial consideration for those disabled—the living casualties—as a result of their sacrifice, service, and courage is not enough. Americans have it in their heart to do more—to remember them and the reasons why they suffer and are disabled.

I salute the DAV as it celebrates its golden anniversary.

Mr. WOLFF. Mr. Speaker, I am delighted to join today with my distinguished colleagues, Mr. DORN and Mr. HORTON, in paying tribute to the courage of America's disabled veterans.

As my colleagues have pointed out, the heroism of our fighting men often continues long after the wars in which they have fought. Their heroism is especially evident in the wards of our veterans' hospitals and in the manner in which disabled veterans fight to overcome their handicaps in order to lead productive lives.

Last summer, I visited the Kingsbridge Veterans Hospital in Bronx, N.Y., along with several of my distinguished colleagues. Quite frankly, I was distressed over the current situation in that hospital and over the poor treatment which veterans are receiving in many hospitals across the country:

We allot only 11,000 beds in New York VA hospitals to serve more than 2½ million veterans. New York VA hospitals are short staffed by more than 3,300 hospital personnel.

Veterans' hospitals have half the attendants that private hospitals have to care for paraplegics. Are the veteran paraplegics half as much men?

At the time of my visit to Kingsbridge, I learned that the meal allotment per patient was $1.20 per day. This comes out to 20 cents for breakfast, 40 cents for lunch, and 60 cents for dinner—which would not even buy subsistence food at today's prices. This is scandalous, for our sick veterans certainly deserve more than a subsistence diet.

New York's VA hospitals were underfunded by $10 million in fiscal 1970 for the operation of facilities for 2½ million men, and this underfunding was typical of what is happening throughout the country. Some of our VA hospitals have no intensive care units; others have windows that leak during rainy weather, for lack of maintenance funds.

Mr. Speaker, our soldiers in uniform have always received the finest medical care possible, in the field and on our bases. But the heroes of battlefields who take off their uniforms and become veterans all too often return to second-class citizenship, at least as far as medical care is concerned.

This poor care is a national disgrace. I have, therefore, joined with several of my New York colleagues in sponsoring legislation to provide for the construction of a 1,000-bed VA hospital in Queens, which should help relieve the burden on the Kingsbridge Hospital. In addition, I will do everything I can to see that our VA programs receive full funding in fiscal 1972. Our DAV's deserve no less.

Mr. RYAN. Mr. Speaker, I am pleased to join with my colleagues in the Congress today in paying tribute to the outstanding efforts of the Disabled American Veterans.

The record of this fine organization over the past five decades is a commendable one. The DAV has labored tirelessly to provide needed care and assistance to those Americans disabled in the service of their country.

The DAV began in 1919 when Judge Robert S. Marx of Cincinnati brought a number of his disabled World War I compatriots together on Christmas Day to determine what could be done to strengthen and improve programs to aid veterans. From this modest beginning grew the first American organization founded for the purpose of aiding and assisting the wartime disabled and their dependents.

Throughout its 50-year history, the Disabled American Veterans have expanded to answer the increasing need for its services. Today disabled veterans can easily find help through the DAV's nationwide network of professionally trained national service officers.

The Nation owes a debt of gratitude to our wounded and disabled veterans who have sacrified so much for their country and who continue to serve our Nation with courage and dedication. It is a pleasure to pay tribute and honor to the Disabled American Veterans and to congratulate its members on their long and commendable record of service for the wounded veteran and his dependents.

Mr. HAMMERSCHMIDT. Mr. Speaker, today the attention and concern of this House is directed with gratitude and profound respect to the Disabled American Veterans, whose golden jubilee is being celebrated throughout this year 1971. Here is an occasion and a cause which unites all Americans of every race and creed in nonpartisan tribute.

The DAV came into being on Christmas Day of 1919, barely a year after the close of World War I, in response to the felt need among war-disabled veterans for some kind of organization devoted to their special problems. By 1921 this early group had grown large enough to hold its first national convention, electing Judge Robert S. Marx, of Cincinnati, as the first national commander. From the beginning the DAV sought to provide for two broad areas of assistance to the disabled veteran and his dependents: medical care and rehabilitation, and legislative enactments at the State and national levels to secure the kind of care and rehabilitary programs required.

Through five decades, marked by yet a second world war as well as the Korean and Vietnam conflicts, the DAV has continued, and constantly expanded its services to disabled veterans. It is significant that, since 1920, nearly all the national legislation beneficial to disabled veterans has been sponsored and promoted by the DAV. The record is truly impressive.

The philosopher Montaigne spoke of courage as "the strongest, most generous, and proudest of all virtues." Not without reason, the DAV has made its jubilee theme "A Tribute to Quiet Courage."

Surely they are reminding us that the war-disabled America and their families have proven their courage not only on the field of battle, but in the patience and dignity with which they have borne the disabilities—often crippling—which are the terrible price of war. A grateful nation is determined, thanks to the tireless witness of the DAV, that their sacrifices shall never be forgotten. I am proud to salute the DAV and to commend their dedicated service.

I also wish to compliment my good personal friend, Cecil W. Stevenson of Jonesboro, Ark., who was elected last July as the 49th national commander of the 300,000 member DAV.

Cecil served as a gunner's mate in the Navy in World War II. His sight was impaired when he suffered severe powder burns around his face and eyes.

Upon his discharge from the service in 1946, Cecil joined the DAV, and held office as local, State, and national levels before his election as national commander.

I salute Cecil Stevenson who has made an outstanding record in behalf of his fellow disabled veterans and their families.

Mr. GALLAGHER. Mr. Speaker, I rise today to join my colleagues in the House of Representatives in paying tribute to the Disabled American Veterans, both as an organization and to each of their members. The presence amongst us today of so many Disabled American Veterans is a sober sight: For it reminds us of the personal sacrifices which have been made in the past. And yet it is also an inspiring sight: For it makes us cherish just a little more the America for which these brave men gave so much.

Emotions such as patriotism and forebearance are not much in fashion at this point in our history. F. Scott Fitzgerald once said that American lives have no second acts; but the men we see around us today are living out the sacrifices they made in the service of our Nation and each bears a personal scar of that service. If we were not to honor them today in the House of Representatives, it would be a scar on the Nation they defended at such a high price to their own futures.

Mr. Speaker, while we have today been inspired by men who suffered in the line of duty to their country, we must turn our attention toward the future. These Disabled American Veterans have made an investment in the future of each of us and in the futures of our children. Their love of country was not confined to words, for their patriotism has caused them continual pain or impairment. It is up to us to see that the Nation is not only grateful to them personally, but to see that our collective leadership measures up to the dream they protected and fostered with such courage.

Mr. KEATING. Mr. Speaker, it is indeed an honor to join with my many colleagues today to pay tribute to the Disabled American Veterans organization which for 50 years of unrelentless effort has achieved the highest level of service for our disabled veterans. The DAV has a special meaning for me because the organization was founded in my home town of Cincinnati.

It was not until November 1966 that the DAV, feeling its growing pains, moved from Cincinnati into its new national headquarters across the river to Cold Spring, Ky. We in Cincinnati are fortunate the headquarters remains in our neighborhood.

For half a century the DAV has worked to make sure that disabled veterans, their dependents, widows and orphans obtain all benefits which they are legally entitled under the public laws.

With the increased number of Vietnam casualties and the excellent up to date medical services both in the field and the stateside hospitals, the DAV has placed a heavier emphasis on representing servicemen in all military hospitals where physical evaluation boards are held to make sure that the wounded receive all benefits.

I was recently privileged to have the opportunity to visit with Army Pfc. Bernard Egbert who is now recovering from wounds at Walter Reed Hospital. Pfc. Egbert is the son of Mr. and Mrs. Bernard Egbert of 6704 Rose St., Cincinnati, Ohio. Pfc. Egbert went to Vietnam with his unit in the summer of 1970. Last October while riding on a half track, his vehicle hit a land mine and he was blown out of the half track. He suffered a broken back and a broken left leg which was shattered from the ankle to the knee. Medics had to perform a tracheotomy in order to keep him alive. He was under intensive care for some 27 days at which time he received several blood transfusions. As a result he later contracted hepatitis which caused another setback.

He is to be discharged from Walter Reed Hospital and separated from the service within a few weeks. But his road to recovery will require additional treatment for his leg for several months.

I was somewhat amazed at this young man's attitude and his humbleness. While visiting with me we toured the Capitol and he was much more interested in talking about the Capitol Building and its history than he was in discussing his injuries. It is fortunate that Pfc. Egbert will have the services of the DAV when he is separated from the service.

Mr. ZABLOCKI. Mr. Speaker, it is an honor for me to join in tribute to the Disabled American Veterans—an organization dedicated to serving fellow disabled servicemen.

The DAV is more than an outstanding veterans organization. Is a humanitarian association of pre-eminent merit. Its members are men and women who have obtained military objectives on the battlefields. Injured and disabled in service, they rehabilitated themselves and set out to secure proper consideration and adequate benefits earned by their comrades worse off than they.

Their mandate to advance the welfare and interests of the wounded, injured or disabled veteran has been embraced with wholehearted enthusiasm. Through this single-minded purpose, any disabled veteran, his widow, dependents or orphans is always assured of a knowledgeable friend ready to extend a helping hand in obtaining all benefits to which there is a legal entitlement.

The fact that the lives of countless veterans have been made more comfortable, productive and meaningful because of the work of the DAV proves the effectiveness of this organization. In my own community we have three outstanding chapters—the DAV Post No. 1, the DAV Fred Gettleman Chapter No. 44, and the West Allis Chapter No. 19. I have long admired the work of these three chapters.

Now, with the increasing number of Vietnam veterans, a new effort faces the DAV. Emphasis is being placed on representing disabled servicemen in all military and naval hospitals. This will assure the wounded or otherwise disabled serviceman that he will receive all benefits to which he is entitled when the Physical Evaluation Board meets. In addition to this, the DAV also provides counsel before the correction of military records and discharge review boards.

The DAV has provided these free services to more than a million and a half disabled veterans since World War II regardless whether the individual is a member or not. Through its action the DAV represents the sacrifices which Americans have been willing to make in defense of our freedom.

There is no greater purpose than to serve a disabled veteran's return to a fruitful civilian life. For this reason, we in Congress salute the Disabled American Veterans.

Mrs. GREEN of Oregon. Mr. Speaker, in humility and gratitude, I add my voice today to those observing the significant occasion of the 50th anniversary of the Disabled American Veterans and the special debt of gratitude we all owe this distinguished organization.

In an era when love of country and dedication to its ideals are often under attack, the patriotism of this special group shines out like a beacon light from an unassailable citadel, secure in its knowledge that it has given more than lipservice to the sacred cause of liberty and freedom.

Except for the special compassion of the Disabled American Veterans organization, the history of the lot of our veterans over the past 50 years would have been far different than it is. Its energy and dedication will, if anything, be needed more than ever over the next

50 years. In paying this tribute, I wish to thank individually its members for their heroic sacrifice and service to the Congress and the country and utter my heartfelt prayer that it will remain steadfast in its mission throughout the lifetime of this great Nation.

Mr. VANIK. Mr. Speaker, I would like to join with my other colleagues in the Congress in commemorating today the 50th anniversary of the DAV. Today has been set aside as "DAV day in Congress—a tribute to quiet courage."

The Disabled American Veterans has indeed provided long and steady work for those servicemen who have given so much to their country.

The DAV was founded in Cincinnati, Ohio, in 1920 and has been congressionally chartered to work for the improvement of the health, education, rehabilitation and employment opportunities of our disabled veterans, their widows and dependents. As the 50th Anniversary report states:

> "The Disabled American Veterans was founded on the principle thaat this nation's first duty to veterans is the rehabilitation of its wartime disabled.

The DAV's work is carried on through the work of 150 trained and accredited National Service Officers who provide free service for all veterans. These officers are stationed in the various regional offices of the Veterans' Administration so as to provide convenient service to veterans everywhere in the country.

During the half a century of DAV service, the organization has provided service in over 8 million cases. This service has included the assurance of proper medical care, adequate determination of disability and compensation, training and education for disabled veterans and assistance to the family of the veteran.

Let us dedicate ourselves to the goal that there shall be no more people disabled in new wars and conflicts, that there shall be peace on earth and men will no longer wear the scars of war. In the meantime, let us rededicate ourselves to caring for those who have given so much.

To the DAV, congratulations for a job well done.

Mr. PUCINSKI. Mr. Speaker, it is a pleasure to join with my colleagues in saluting the Disabled American Veterans. Since its beginning in 1920, the DAV has performed a great service to hundreds of thousands of American veterans.

The 91st Congress has been cited as the "Best Veterans Congress in years." We substantially improved and increased programs of education and training. Increases were made in dependency compensation, disability pension and in amounts allowed under the hospital and medical program.

The veterans of this Nation owe much to the great leadership of Chairman Olin Teague of the Veterans' Affairs Committee. As a member of that committee, I have seen firsthand the remarkable ability of "Tiger" Teague to get things done for our veterans. It is an honor and pleasure to work with him on the Veterans' Affairs Committee.

The Disabled American Veterans, through its excellent spokesman, National Commander Cecil W. Stevenson, has greatly assisted our committee in determining the needs of our veterans. The close cooperation of Commander Stevenson and the membership of DAV with the Veterans' Affairs Committee greatly contributed to much of the legislation which has made the 91st, the "Best Veterans Congress."

Mr. Speaker, as we commemorate the 50 years of service of the Disabled American Veterans, let us in Congress renew our commitment to meet the needs of those who so ably have served our Nation.

Mr. BLATNIK. Mr. Speaker, it is with great honor and privilege that I join in commemoration of this 50th anniversary of the Disabled American Veterans.

It is a little below the mark that I should offer words for men whose sacrifices in deed are more than I can say, and yet words spoken now will recall and enliven the honor which our disabled veterans deserve.

I do not care to recount the horrors of war, as those familiar with it may point out that I have not given it the fullness of detail which it deserves, while those who have been spared the experience of war may not understand.

Yet, these men who have fought for their country deserve to be mentioned, so I will speak of why they and their fallen comrades have paid so heavily. While there have been disagreements over the precise application of our policy, our fighting men since the time of the Revolutionary War to the present, have always been called on to preserve, protect, defend and extend the benefits of government by law.

Our fighting men from all wars should not be forgotten for they have preserved the wealth and liberty of our Nation from those who would steal it. And, as the measure of love for our country is shown by our surviving wounded veterans, their sacrifice is a constant warning to those who covet what our Nation has.

To recount, at this time, the military achievements which led to our present greatness, is a theme too familiar for this audience, but to mention what makes our country different from all others, and why our soldiers have sacrificed so much and still continue to do so, is always appropriate.

The political right of voting was gradually extended by a steady and difficult march from just those men who were rich, to all men who were not slaves. But this was not enough—for our fighting men were called upon to decide whether the 13th, 14th and 15th amendments would become law and they did.

Nor, in this evolving democracy, was the soldier's wife to be forgotten, for she was to receive the right to vote with the 19th amendment. On all fronts, in recent years, the former barriers of race and sex have been successfully stormed by an aroused citizenry.

The liberty enjoyed in our Government also extends to our private lives, where we enjoy more ability to exercise our private conscience than any other people. It is to this freedom that we must match personal responsibility and a respect for the laws which provide for our common good.

With our technological base, all is not work in America, and so we provide games and sports that may be participated in and observed by all. Even the military academies are part of our national sports pasttime.

In education, we are second to none. In my own State of Minnesota, we have more than four times as many students in State universities than were enrolled in all of Russia in 1914. As a nation, our educational institutions literally school the world because of the great number of foreign students attracted here.

In our country, discussions of issues are both permitted and encouraged. Discussion is not looked on as a bar to action but a prerequisite to prudent action. Our laws guarantee that a citizen may petition his Representative, that the news media is free to criticize the Government, and, recently, members of the news media have shown admirable tolerance, when certain members of the Government chose to use the news media to criticize the news media.

During the years of our greatest economic peril, the great depression of the 1930's, our citizens placed faith in each other and in our constitutional system of government rather than in revolution, as other countries did.

If I dwell upon the virtue of our country, I do not do so from boasting, but, rather, with all our benefits our citizens choose still to fight, be wounded, and even die, rather than lose their heritage.

If I did not mention what is wrong with America, it is only because our soldiers did not fight for that. They fought for what is right with America, so that others might enjoy the good life. We owe it to our courageous men of the DAV to pause on their 50th anniversary occasion, reflect on their unselfish contributions to America, and pay them deserved tribute for all they have meant to our great country.

Mr. BROYHILL of Virginia. Mr. Speaker, the greatness of America is not measured in economic terms alone. The greatness of America must be measured in terms of its people—their hopes and dreams, their honor, their happiness, their courage and devotion. These are the distinguishing features of a people and the soul and the basis of a National way of life.

These also are traditions held dear to the heart of every American patriot today—traditions standing clear before us in the manner of honored signposts, pointing the way to the glories of the future. As Americans, we have every reason to hail the achievements of those who fought for our traditions, since the blessings we thrive upon today are the direct result of their efforts.

The Disabled American Veterans, in themselves to a remarkable degree. Not only did they risk their lives, in a sense they gave a part of their lives in behalf of what they believed. All of us have wondered, at times, what it would be like to be faced with a choice of bravery or caution under extreme circumstances. Only some of us have been put to the test. In the case of the DAV, however, all have been put to the test, and each has proven himself, beyond question.

It is an honor to declare my support

for the DAV on this occasion, for work already done and accomplishments yet to be performed. They truly represent the spirit of the American fighting man.

Mr. KEITH. Mr. Speaker, it is indeed a great honor and pleasure for me to pay tribute to a great organization of men on their 50th anniversary of their founding. They have fully realized that freedom and responsibility go hand in hand—our Disabled American Veterans.

Disabled Americans Veterans was founded in 1921 by a group of farseeing, public-spirited veterans of military and naval service in World War I. From modest beginnings, it has grown to a position of formidable influence in Washington. With over 200,000 members and more than 1,800 chapters, it is recognized today as one of the chief advisory organizations on veterans' affairs.

The problems and needs of our wartime disabled require constant attention and immediate solution. The DAV is anxious to provide that solution. Under the influence of arguments advanced by DAV representatives, the Congress realizing their concern, enacted the disabled veteran section of the GI bill of rights. After a succession of wars, since the close of World War II, the DAV has seen to it that veterans' benefits have not been reduced or cast aside, but maintained, in the interest of the disabled of the Korean conflict and Vietnam. The Veterans' Readjustment Benefits Act of 1966 and the Veterans' Revision and Readjustment Assistance Act of 1967 are two examples of recent legislation urged upon the Congress by the DAV, and I was glad to have the opportunity of voting for both measures.

In these days of rising taxes and mounting Government costs, it is encouraging to hail the efforts of an organization operation free of Federal financial assistance—which has been an outstanding feature of the DAV since its inception.

In every way, the Disabled American Veterans has sought—in keeping with American tradition—to help those in need to help themselves; and in so doing has performed a service worthy of the highest praise.

Mr. GIAIMO. Mr. Speaker, I am delighted to join with our colleagues today to commemorate the 50 years of service of the Disabled American Veterans to this nation. I want to thank the gentleman from South Carolina (Mr. DORN) and the gentleman from New York (Mr. HORTON) for sponsoring this special order and to note that Senators HUMPHREY and DOLE are sponsoring a similar program in the other body this afternoon.

The theme of this golden anniversary celebration—"a tribute to quiet courage"—is particularly appropriate today, Mr. Speaker. The tremendous sacrifices of our Vietnam veterans, especially those who were disabled in that tragic conflict, have been overshadowed by the emotional debate over this Nation's future course in Southeast Asia.

On December 15, 1969, the House passed unanimously House Resolution 661, a measure which I introduced and which was cosponsored by more than 100 of our colleagues. This resolution said, in part:

> *Resolved*, That the House of Representatives pays the highest tribute to the American serviceman who has given his life or has been wounded in the Vietnam conflict; and be it further
>
> *Resolved*, That the House of Representatives commends each serviceman and veteran of Vietnam for his individual sacrifice, bravery, dedication, initiative and devotion to duty; and be it further
>
> *Resolved*, That the House of Representatives will do all in its power to lift from his shoulders the heavy burden he has carried for so long.

Regardless of our differing positions on the war itself, we must continue to recognize and honor the conduct of the individual American veteran—the son, husband, or father who has laid his life on the line in this dangerous and bloody conflict. Is he less brave because he has fought in a war which many Americans do not condone? Is his effort less difficult because the American people have not been 100 percent behind him? Is his sacrifice less meaningful because many people have disagreed with the policy which caused him to make that sacrifice? The answer in every instance is "no," Mr. Speaker.

The DAV is to be commended for its continuing efforts to bring to the attention of the American people the spirit embodied in House Resolution 661. These efforts seek to insure that the sacrifices of America's veterans are not forgotten amid the din of ideological debate. Along with other veterans' organizations, the DAV has reminded us all that the American veteran is not merely an instrument of national policy, but is also a human being whose bravery, dedication, initiative and devotion to duty are worthy of the highest praise.

In addition to these efforts, however, the DAV has served as an eloquent spokesmen for the disabled veterans of all wars and their dependents. Among all veterans' groups, the role of the DAV is unique. It is based upon the principle that this Nation's first duty to veterans is the rehabilitation of its wartime disabled. This principle includes:

First. Proper medical care and treatment of veterans for disabilities incurred, increased or aggravated by military service.

Second. Adequate compensation for the degree of disablement caused by such disabilities.

Third. Training and/or education to restore employability of the wartime disabled into gainful employment.

Fourth. Adequate compensation to the widows, minor children, and dependent parents of veterans who die as the result of a service-incurred disability.

Mr. Speaker, I have had the opportunity on many occasions to visit the West Haven Veterans' Administration Hospital in my congressional district. After each of my visits, I have come away more determined than ever to provide whatever help I can to the brave men and women who have been disabled in service to their country. The record of the DAV over the last half century in working to provide for our disabled veterans is certainly one of which all Americans can be proud. I am honored to have the opportunity to associate myself with the goals of the DAV and to extend my congratulations to its membership on the occasion of its 50th anniversary.

I want to close by quoting what is perhaps the greatest tribute to the DAV, a statement by the late General Douglas MacArthur:

> Membership in no group in the world carries greater honor than in the Disabled American Veterans.

Mr. BRADEMAS. Mr. Speaker, I am pleased to join with thousands of Americans across the Nation in commemorating the 50th anniversary of the funding of the Disabled American Veterans Association.

It is appropriate that we should pause in this Chamber today to honor this organization for its years of service and achievement and its dedicated duty to the Nation's war victims.

The DAV has distinguished itself by its unending commitment to the needs of America's disabled veterans. It has performed a great service over the past 50 years in the rehabilitation of wartime disabled and in seeing that adequate compensation and full benefits are afforded to men who have given so much of themselves in the service of their country.

Mr. Speaker, I congratulate the Disabled American Veterans on this special occasion and extend its officers and members my best wishes for many more years of growth and achievement.

Mr. CARNEY. Mr. Speaker, when the sounds of war begin to recede, a nation rejoices that its fighting men will soon be coming home. And so they do. But there are always some who do not march home quite so tall and straight as they left. And there are some who will never return. Our hearts always will be saddened by these losses. But, all too often, as the memory of the war recedes, we tend to forget about the men who have been scarred or maimed while serving their country.

Fortunately, there is an organization for our war-wounded which has as its sole mission the welfare of disabled veterans and their dependents. This organization is called the Disabled American Veterans, and its more than 300,000 membership is composed entirely of disabled veterans.

Since 1920, when DAV was started, it has benefited millions of American veterans and their families. Its primary objective has been to assist these men obtain the veterans' benefits to which they are entitled by law.

War-wounded veterans do not automatically receive disability compensation. Every disabled veteran must first file a claim. Once this is done, he must gather evidence to support his claim; he must thus establish his legal entitlement to compensation. Since the burden of proof is placed squarely on the shoulders of the disabled veteran, the process of submitting a veteran's claim can be complex and frustrating.

DAV has provided an invaluable aid to the disabled veteran by providing a national service department. This DAV department employs full-time, professionally trained national service officers who are accredited by the Veterans' Administration to plead the cases of veterans before Government review boards. This service is rendered the disabled veteran and his family completely free of charge and without obligation. In the course of the 50 years that DAV has been in existence, its national service officers have handled over 4,000,000 claims for disabled veterans, their widows, and their orphans.

In addition to this outstanding service, the DAV has diligently supported much-needed veterans legislation. The disabled veterans of our country are indeed fortunate to have such a vigorous advocate to spearhead the movement to obtain adequate legislative consideration for their specialized needs.

Not only are disabled veterans fortunate in having the leadership of DAV, but we as a nation have benefited. We are grateful that those men who have paid such a high price for the freedoms that we all enjoy have chosen to continue their wartime example of heroism into a peacetime life of quiet courage. Today, I would like to join my colleagues in paying a special tribute to our wartime disabled and to the organization which has so proudly espoused their cause—the Disabled American Veterans.

Mr. DE LA GARZA. Mr. Speaker. The value of the work of the organization founded 50 years ago as the Disabled American Veterans is at an all-time high.

Through its national service program, the DAV renders valuable aid to disabled veterans, their dependents, widows, and orphans in obtaining the full measure of benefits to which they are legally entitled. These include Veterans' Administration disability compensation and pension, death indemnity compensation, death pension, vocational rehabilitation and education, hospitalization and out-patient treatment, national service life insurance, assistance in housing and employment, and disability insurance benefits from the social security administration.

With the increased number of Vietnam casualties, emphasis is being placed by the DAV on representing disabled servicemen in all military and naval hospitals where physical evaluation boards function to make certain that all wounded or otherwise disabled servicemen receive the benefits to which they are entitled. Theses include disability retirement or disability severance monetary benefits, plus hospitalization and outpatient medical treatment and commissary and post exchange privileges.

The DAV is also currently engaged in a great campaign to get Americans everywhere to write letters to the government of North Vietnam pleading for better treatment of prisoners of war. This campaign has resulted in millions of letters flooding Hanoi.

Last August an international veterans' organization meeting in Vienna, Austria, attended by representatives from 46 nations, unanimously passed a DAV-sponsored resolution calling for North Vietnam to live up to terms of the Geneva Convention for treatment of prisoners of war. Mr. Speaker, I have personal knowledge of the fine work being done by this wonderful organization in my south Texas area. In the 15th Congressional District of Texas, the DAV has chapters in Brownsville, Falfurrias, Hebbronville, Harlingen, McAllen, Rio Grande City, and Weslaco.

Mr. Jose A. Gloria of the south Texas area, an active and prominent DAV member of long standing, has received national publicity for his efforts to help disabled veterans with such complicated matters as proving their U.S. citizenship.

I am pleased to report that two past Commanders of the DAV of Texas are present here from my district for this "DAV Day in Congress." They are Mr. Harry Burgman of Donna, and Mr. Reilly W. Taitte of Harlingen. Mr. Taitte is also a past national chaplain of the DAV.

It is an honor and a privilege to join in honoring the Disabled American Veterans organization as it embarks on its second 50 years of service to those injured in America's wars. The program of the DAV is deserving of the support of all our citizens.

Mr. PETTIS. Mr. Speaker, on this day I wish to salute the Disabled American Veterans for their 50 years of distinguished and compassionate service to our disabled war veterans.

The thousands of brave men whom they have selflessly cared for and aided toward rehabilitation are a living tribute to the success of their work. Members of the organization may be proud of its sensitive efforts on behalf of those loyal Americans who have become disabled in the service of their country.

I have talked first-hand with numerous returning veterans in my district, who have incurred service-connected disabilities, and they are all grateful for DAV efforts on their behalf. They appreciate the commitment that the organization has displayed to their own well-being and to that of their families, and the positive stands the group has taken in favor of augmented benefits for disabled veterans. Many of them have received direct assistance from DAV chapters, and can acknowledge the practical services that this organization renders.

I wish the DAV continued success in the next half century, and encourage the members to maintain their outstanding work.

Mr. STEELE. Mr. Speaker, today marks the golden anniversary of service by the Disabled American Veterans of America's wartime disabled. I am proud to join my colleagues in paying tribute to these men of quiet courage and to call attention to the unstinting efforts of Connecticut's 28 active chapters of the Disabled American Veterans. As of February 15, 1971, the department of Connecticut, Disabled American Veterans, had 5,661 members and approximately 2,000 dedicated women serving in the ladies auxiliary. All are devoted to service to their less fortunate comrades and sisters—from hospital work, to scouting, promotional and patriotic events, general community service, and one of the finest and largest claims and rehabilitation services of any veterans organization in the State of Connecticut. Therefore, Mr. Speaker, under the leave to extend my remarks in the RECORD, I extend my congratulations—and support—to the DAV on this special day and offer the following tribute.

For America has made "DAV Day" an event of deep and special significance among her many observances.

By its very designation, "DAV Day in Congress" is a special tribute to those who served their Nation with quiet courage during wartime. But it also expresses in a unique and meaningful way this Nation's hope for peace for all mankind—peace with freedom and honor.

On this golden anniversary of uniformed service by the Disabled American Veterans, we salute a new generation of veterans who have served during our troubled involvement in Southeast Asia. These battle-scarred, maimed, or crippled Vietnam era veterans seek only a full and meaningful role in our Nation and society now that their wartime service is behind them.

So, one of the deep concerns I speak of today centers on the newest disabled veteran and the efforts to get him adjusted to his new role of a civilian. For surely our Nation will suffer if we fail to help him continue to serve his family, his nation, and society to the fullest extent of his talents and abilities—despite the scars of war.

That is why I offer my continued support to the magnificent efforts of the DAV's national service program in assisiting disabled veterans, their dependents, widows, and orphans.

With daily increases in the number of Southeast Asian casualties, the national service program not only sees to it that disabled veterans and their families obtain all benefits to which they are legally entitled, but is placing new emphasis on representing disabled servicemen in all military and naval hospitals to insure they receive proper treatment and disability ratings.

Immediate follow-ups are conducted upon discharge. And, particularly worthy of note, is the DAV's combined program of academic and on-the-job training for the seriously disabled veterans of the Vietnam conflict.

This important effort gives strength and substance to the DAV's commitment to civic action in helping the disabled veteran make the readjustment to civilian life.

This is a commitment I share with you. For my staff is oriented to helping the returning veteran and his family. If there are some Government benefits to which he or members of his family are entitled, we advise him and assist him in obtaining these benefits. If we can help in other ways, we endeavor to do so. This means in such concrete ways as helping him to find a job or adequate housing.

For one of the strongest assets of our Nation and society has been the stability and responsibility demonstrated by its veteran population. So, our newest veteran is deserving of all the help—help to himself—that our Nation can give him. For in the end, it is society itself which gains most from helping its courageous veterans.

Therefore, on this golden anniversary, I am today introducing two measures to make life easier for the disabled veteran, his dependents, and survivors. One measure will increase the rates of disability compensation payable for injury or disease incurred in or aggravated by peacetime service. The second will increase compensation for dependents of veterans whose disability is less than 50 percent.

These are not extravagant proposals. Traditionally, it has been accepted that payments for service-incurred disablement should be adequate to meet the special circumstances of the veteran and his family. The constant rise in the cost of goods and services offers, I believe, a real and compelling reason for these worthy proposals.

For the welfare of the disabled war veteran and the debt his Nation owes him dictates aggressive action to make certain he receives a high level of care and service and respect.

Mr. CHAMBERLAIN. Mr. Speaker, it is a privilege to join in the tribute to the Disabled American Veterans on the 50th anniversary of this splendid organization. In so many ways, the DAV serves our brave servicemen who have given so much to their Nation. Although the work of the DAV has always been important, an even greater service is now being performed because of the many disabled servicemen returning from Vietnam. Because of fast, medical-efficient evacuation methods, a larger percentage of our servicemen recover from wounds than ever before.

Each of these veterans has a possible need for DAV services. These men give the best years of their lives. Although it is impossible to repay the debt to our disabled veteran, the DAV eases a critical situation. It is absolutely essential that the disabled veteran has proper medical care and that he is properly compensated for any valid claim. But the DAV even does more by helping to provide vocational rehabilitation and other special services.

Thus, I am confident that the American public will continue to open its heart for such a worthy cause as DAV. Although our disabled veterans are the primary benefactors from DAV services, in a sense all of mankind benefits. For more than a half of a century, the DAV has labored tirelessly and unselfishly to assure that those patriots who serve our Nation will receive their just benefits. This country's first obligation to our veterans is to rehabilitate our wartime disabled. Although it is impossible for our Nation to properly repay this debt to these veterans who have given so much, the continued support of the DAV is one excellent way to try. I join in saluting this great patriotic organization.

Mr. DELANEY. Mr. Speaker, I am delighted to join my colleagues today in paying tribute to the Disabled American Veterans on the occasion of their 50th anniversary.

From the time of its first national convention in 1921, the DAV has been one of this Nation's most constructive forces for good. Our country has prospered and been preserved because of the keen sense of honor, and great personal courage of these gallant warriors.

In the words of Pericles, they laid valor at their country's feet as the most glorious contribution they could offer.

In peacetime, they have worked unstintingly on behalf of their wounded comrades of all wars to assure they receive the health, education, and other benefits which are their due. They have also dedicated their great talents to looking after the widows and children of their fallen buddies.

This is truly an inspirational organization, and I am delighted to have this opportunity to extend my congratulations to the officers and members, and wish them continued success in their endeavors through the coming years.

Mr. BROYHILL of North Carolina. Mr. Speaker, I want to join my colleagues in congratulating the members of the Disabled American Veterans on the occasion of the 50th anniversary of their fine organization and to extend my good wishes to them at this time. I hope that the Disabled American Veterans will continue its good work and its programs of assistance to veterans for 50 more years.

During the 8 years I have served in the House of Representatives, I have become well acquainted with the work of this great organization of veterans and with many of its individual members in North Carolina. I know of many instances of individual need on the part of service-connected disabled veterans where the local Disabled American Veterans service officer has been of invaluable assistance in filing claims and supplying the necessary paperwork. Assistance in this often complicated procedure is of great benefit to many families. The DAV also provides help to veterans at every level in the consideration of individual claims, including the work done by the DAV representatives at the Board of Veterans Appeals in Washington.

I have been most impressed over the years with the legislative interests of the Disabled American Veterans and I am very much interested in the legislative program that has been presented to the House today. I am sure that these proposals will receive the careful consideration of the Veterans' Affairs Committee and the full membership of the House. I am especially interested in one of these very practical proposals which would provide a clothing allowance from the Veterans' Administration for certain disabled veterans. It is my intention to introduce this measure and to urge its enactment by the Congress.

There is no citizen who has made a greater sacrifice for his country than a veteran who has been wounded or who has suffered physical disability in the military service. These men deserve the gratitude of a grateful nation, and we appreciate the work of the Disabled American Veterans in advising us how we can best serve those who have sacrificed so much for us all.

Mr. BOLLING. Mr. Speaker, today as Congress observes the golden anniversary of the Disabled American Veterans, I speak from firsthand experience of the dedicated and worthy services the DAV has rendered on behalf of our country's disabled veterans.

The outstanding record of this organization speaks for itself. Members of the DAV have devoted countless hours and energy to provide tangible assistance to our disabled veterans which we recognize on this 50th anniversary. It is this record of achievement to which we pay tribute.

I look forward to continued associations with the Disabled American Veterans as I have known in the past when we have worked closely in my district in a mutual effort to assist deserving veterans who might not otherwise receive the benefits to which they are entitled.

Mr. SISK. Mr. Speaker, I would like to take this opportunity to congratulate the Disabled American Veterans on the celebration of the golden anniversary of service to the veteran.

Throughout its 50 years of existence, the DAV has determinedly stuck to its single purpose—that of aiding the wartime service connected disabled veteran to return to civilian life in a competitive position with his peers.

And now the DAV has undertaken a program on behalf of prisoners of war and those missing in action in Vietnam and their families. The DAV has mounted a letterwriting campaign to the North Vietnamese Government to clarify the fate of some 1,500 men missing in action in Vietnam.

The DAV asks North Vietnam to identify all POW's they hold, release all sick and injured POW's to a neutral power, allow impartial inspection of POW facilities, and allow free exchange of mail by POW's and their families.

Since its founding the DAV has done a magnificent job in serving the disabled veteran through an independently sustained program operating without the use of Federal funds.

Mr. Speaker, the effective and devoted service of DAV national service officers is well known. The work they have done in the past, the work they are doing now and the work they will do in the future deserves the highest respect and admiration.

Mr. DUNCAN. Mr. Speaker, I salute the hundreds of thousands of Americans who have suffered through various wars to defend this country and protect freedom around the world.

Happy golden anniversary to each of the 300,000 or more men and women in the Disabled American Veterans.

These people know the suffering and hardships of war, but they know the rewards of freedom in a strong, prosperous nation. Back from wars and handicapped from injuries incurred in our defense, these DAV's are working for each other and for the rest of society.

DAV aims:

> To advance the interest and work for the betterment of all wounded, injured and disabled veterans, their widows and dependents . . . to cooperate with all federal and private agencies devoted to the cause of improving and advancing the conditions, health, and interest of wounded, injured or disabled veterans.

DAV is concerned with the plight of others, not just with their personal injuries and disabilities. Currently, the organization is sponsoring a letter writing project to bring pressure upon the North Vietnam Government to identify all prisoners of war they hold, release all sick and injured POW's, allow impartial inspections of POW facilities, and allow free exchange of mail by POW's and their families.

And here at home DAV helps other groups. For example, in 1969 DAV and the Boy Scouts of America began a joint program of assistance to handicapped Scouts. This has become a very successful program in which veterans, disabled from the war, show understanding and offer guidance to boys who are victims of natural disasters. In my own district there are good examples of the success of this endeavor, and one is DAV Chapter 59 in Morristown, Tenn., which sponsors an outstanding troop of handicapped boys—No. 691.

Thus, the DAV, starting with few funds and few supporters, is now an ever-growing organization with its hard work setting an example for other service organizations. I am proud of the DAV and especially proud to work with some of its finest members—those in the Second District of Tennessee.

Mr. CHARLES H. WILSON. Mr. Speaker, today we honor an organization which for 50 years has answered a vital need here in the United States. I speak of the Disabled American Veterans, whose efforts serve the thousands of wartime disabled veterans across the Nation.

Certainly the tragic and difficult situation facing young men returning from combat with disabling injuries requires compassion and adequate compensatory programs on the part of our Government, for which they have sacrificed so much. The DAV, however, goes beyond this point to supplement governmental efforts in a number of ways and to call for improvements in State and Federal programs when they are deemed necessary.

The average combat soldier is educated and prepared to lead a normal life in our society. But in many cases, the disabled returning veteran simply cannot pick up the threads he left behind in civilian life. This is where the DAV so often comes in and offers help with the difficult tasks of education and rehabilitation. Through a national network of Veterans' Administration regional offices across the United States, national service officers aid disabled veterans and their families by making certain that they are informed of all benefits and programs which relate to their needs.

Physical evaluation boards are held to be sure that all injuries are properly noted and compensated for under appropriate programs. These are only two of the DAV's many services. They cover all veterans' matters, including disability compensation, housing, education, employment, military hospitals, medical treatment, and insurance coverage.

The DAV is now active in still another field. Through their ambitious and much needed prisoner of war missing in action program, the organizers hope to produce 20 million letters to be delivered to the North Vietnamese delegation in Paris. Television and radio spot ads, supplemented by 5 million leaflets, are being used to spread the word and involve as many Americans as possible. DAV has vowed that this "effort will not cease until the last prisoner has been released."

For all of their fine work, I am happy to salute the Disabled American Veterans on their golden anniversary. Every American can be proud of their valuable contribution to our society and, especially, to the thousands of veterans for whom they do so much.

Mr. MONTGOMERY. Mr. Speaker, I want to commend my colleagues for observing the 50th anniversary of the Disabled American Veterans through this special order.

It was just this past Monday that the House passed H.R. 943, which I was pleased to author. The bill will provide group mortgage insurance for paraplegic and quadriplegic veterans. I believe this is the type of legislation we in the Congress should be mindful of in view of the past sacrifices of our disabled veterans. These men deserve our help in any way within reason.

I am thankful for our veterans and appreciate the outstanding work they have done at the risk of life and limb to keep our Nation free and strong.

Mr. DICKINSON. Mr. Speaker, it is an honor for me to join my colleagues in commemorating the golden anniversary of the Disabled American Vetereans, and to pay tribute to their 50 years of service to America's war disabled.

The qualities of heroism are defined as courage, self-sacrifice, and unselfishness. Certainly, these characteristics have marked DAV's service to our Nation, and the citizens of America are grateful.

In my home State, the DAV, Department of Alabama, has over 2,900 members. All are participating in hospital work, promotion of patriotic events, general community service, service and contact programs for and with the disabled veteran. They are also wholeheartedly supporting the various POW/MIA projects and programs.

Mr. Speaker, actions, especially service-oriented actions, speak louder than words. DAV is an organization devoted solely to the cause of the wartime disabled. We have seen DAV's accomplishments, and the members of DAV can justly be proud of these works.

I am grateful for this organization of patriotic, loyal Americans. I commend them and thank them for their efforts.

I look forward with confidence to the continued devotion of the DAV to the welfare of this Nation's disabled veterans.

Thank you, Mr. Speaker.

Mr. RUTH. Mr. Speaker, because I believe that the Government owes its greatest concern to disabled veterans and their families, I am more than grateful for this opportunity to extend the congratulations of my fellow citizens to the Disabled American Veterans on their 50th anniversary.

From this national organization's beginning, in 1920, the DAV has stayed with its single purpose—to help disabled veterans and their families. To have succeeded in that purpose for 50 years is a great accomplishment, and it has been important to the survival of a disabled veteran and his family.

As it has turned out, regrettably, we have all lived among veterans of wars, some whose sacrifice of limbs and sight can never be repaid. But the DAV has helped, as counselor, guide and as a national conscience for these men.

Even though history decides greatness, it is the destiny of the DAV to be great because it has grown in the strength of its purpose and has fulfilled its mission to the disabled as well as to our country.

Mrs. GRASSO. Mr. Speaker, there is no group to whom we owe a greater debt of gratitude than the men and women disabled in service to our Nation. I am honored to have the opportunity and privilege of participating in this special program today to bring to the attention of the Nation the magnificent contributions over the past 50 years of the Disabled American Veterans and to pay a "Tribute To Quiet Courage."

As a member of the Committee on Veterans' Affairs, I have a special interest in the good works of veterans organizations, and am looking forward to my new association with all of them.

The Connecticut Department of Disabled Veterans, with whom I am most familiar, this year has achieved one of the highest memberships in its history. As of February 15, 1971, the Connecticut DAV included 5,661 members and approximately 2,000 members in its Ladies Auxiliary. There are 28 active Connecticut chapters presently involved in hospital work, scouting, promotional and patriotic events, general community service, and one of the finest and largest claims and rehabilitation programs of any veterans organization in the State.

It is indeed noteworthy that the objectives of the DAV have remained constant throughout their 50 years of existence; that is a commitment to assist the transition of wartime, service-connected disabled veterans to civilian life with full opportunities for competitive positions with their peers. The DAV's services for rehabilitating the Nation's war-time disabled includes proper medical care and treatment of the veterans, training and education to restore employment potential, and adequate compensation for widows, minor children, and dependent parents of veterans who die as the result of a service-incurred disability. That a disabled veteran can face the future with confidence that his requirements will be met is the goal of the DAV.

The Disabled American Veterans is a

nonpolitical organization with a membership which has experienced the brutality of war and has suffered its most tragic effects. This is particularly true of those unfortunate Americans now trapped as prisoners in the torn country of Vietnam. I know we all look with hope to a day when the need for DAV services will be replaced by the reality of peace in the world. On the golden anniversary of service by the Disabled American Veterans, let us saluate this valued enterprise in goodwill and the men and women who contribute so much to programs for our disabled veterans.

Mr. DANIELSON. Mr. Speaker, I would like to join with my colleagues today in honoring the Disabled American Veterans on their golden anniversary. The past 50 years have been a tribute to their spirit and courage.

Had it not been for their determination and resolve, many of the veterans' benefits which we now take for granted would not be in existence today. The DAV is responsible for numerous worthwhile programs providing disabled veterans with medical treatment, legal advice, compensation for disabilities, education, and job training.

This fine organization has also afforded veterans and their families the security of knowing that there is always assistance available to them when they need it. The DAV has made us aware of the inadequacies in veterans hospital care wherever and whenever they might show up—pointing up the urgent need for modern facilities, programs for rehabilitation, and larger, more competent staffs.

I know that the Disabled American Veterans will continue, Mr. Speaker, meeting future challenges with the same strength of purpose as they have in the past. I commend them on their distinguished years of service and invaluable accomplishments of the last five decades.

Mr. McEWEN. Mr. Speaker, I am delighted to join my colleagues in paying tribute today to the golden anniversary of service by the Disabled American Veterans to our Nation's wartime disabled.

For a half century, Disabled American Veterans chapters throughout our Nation have been providing invaluable services to our Nation's veterans and their families.

I think it is fitting that Congress pay tribute to this patriotic group, and I would like to pay special tribute to the chapters in northern New York. I know that these local chapters participate in several activities concerning veterans, pay visits to our veterans in hospitals and assist in the promotion of numerous patriotic events throughout the year. In addition, I know that several local chapters have participated in various projects calling attention to the 1,500 American servicemen, who are either prisoners of war or missing in action, and they have encouraged their members to bring attention to the situation through letter-writing campaigns.

The dedication and public spirit shown by members of the Disabled American Veterans are an integral part of the fabric of democracy throughout our great land.

Mr. FORSYTHE. Mr. Speaker, today we honor some of our most courageous and dedicated Americans. We honor men who have been injured and disabled while fighting under arms for their country.

And, Mr. Speaker, we honor the organization which has for 50 years now come to the aid of these men, an organization which has been dedicated to assuring that deserving and eligible veterans have received the benefits to which they are entitled.

In this time of war and dissension in our land, as our Nation is shocked with one violent act after another, it is fitting that we turn our attention to those who have suffered real sacrifices for their country.

Currently, the Disabled American Veterans organization is undergoing an extensive program aimed at helping American soldiers who are prisoners of war in North Vietnam or who are missing in action.

The attitude of North Vietnam toward the wives and families of these men is shocking and disgraceful. The Communists refuse to abide by moral and humane standards in restricting information and communications concerning these soldiers.

That is why I joined with several of my colleagues in sponsoring a resolution authorizing a national week of concern for POW's and MIA's, and another resolution condemning North Vietnam for her refusal to abide by the Geneva Convention in treatment of these prisoners.

And, that is why I urge my colleagues to join in actively supporting the Disabled American Veterans and the organization's program to help our men fighting in Southeast Asia.

Mr. BIAGGI. Mr. Speaker, it is fitting that we set aside today to honor those American war heroes whose sacrifice for this country left them disabled for life. To their quiet courage, we pay tribute in recognition of the continued sacrifices they make for this Nation.

Moreover, the Disabled American Veterans organization, which celebrated 50 years of service last year, has performed the enormous task of helping these men find a new role for themselves in our society. Oftentimes a disabled vet may have been lost in the administrative machinery on the way out of the service and lost certain benefits for which he could be entitled.

Through the DAV national service program these claims are rectified with the Veterans' Administration and the disabled vet is on his way to adjustment in his new life.

War takes a terrible toll in men and materials. The costs are high, but those who suffer disability for life pay the highest cost. For them war is ever present throughout their lives.

We here in Congress have helped ease this burden through programs that rehabilitate and compensate the veteran for his disability. But no one can ever replace the loss suffered daily by the individual disabled veteran.

For these fightingmen, I hold the highest praise. They are the ones who bear the burden of defense long after the battle is won and the armistice declared. For them, we should all give thanks.

Mr. DOW. Mr. Speaker, it is my privilege to participate today in this special order paying tribute to the efforts of the Disabled American Veterans over the past 50 years.

My colleague, the gentleman from New York (Mr. HORTON), and the gentleman from South Carolina (Mr. DORN) are to be commended for arranging this time so we can commemorate the golden anniversary of this organization whose members are dedicated to assisting our disabled vetreans and their widows and orphans.

I have known the personal dedication of local service officers from the chapters which serve my area. These chapters—D. S. Burrows No. 5, in Middletown; Peekskill No. 137; Beacon No. 144; and Thomas Peterkin Memorial No. 152—provide many volunteers to help with service programs in education, rehabilitation, employment, and claims filing to assist the disabled veteran.

These chapters are also working to organize handicapped Boy Scout troops and have established a DAV scholarship program to assure that the children of severely handicapped veterans have funds available for a college education.

Another important task undertaken by the DAV is a national campaign seeking the release of our American prisoners of war held by the North Vietnamese.

More than 300,000 members of the DAV are now giving of their time and efforts to assist the disabled men and women who have given so much in service of their country.

These dedicated workers have taken on a great challenge and are carrying it out in the spirit of our national heritage. Again, Mr. Speaker, I feel every Member of this House should stand behind these efforts and provide every assistance in making the task of the DAV an easier one.

Mr. BUCHANAN. Mr. Speaker, it is a great privilege for me to join in paying tribute to America's war disabled and in commemorating the 50 years of distinguished service to them by Disabled American Veterans.

Our Nation and all of its citizens owe a debt of gratitude which we can never adequately repay to our disabled American veterans. These are courageous men who have not only given so much for their country in the battlefield, but who continue to demonstrate their patriotism long after. This patriotism and service has been especially evident in the outstanding work of Disabled American Veterans, and it is more than fitting that the Congress pays tribute to DAV on this occasion.

Founded in 1920 in Cincinnati, Ohio, the Disabled American Veterans has grown into a nationwide organization of nearly 300,000 members—all dedicated to helping their fellow disabled veterans. In recognition of the outstanding service rendered during its early years, the DAV was granted a Federal charter in 1932 to continue its work for the improvement of health, education, rehabilitation, and employment opportunities for disabled veterans, their widows, and dependents.

An outstanding example of this continued work has been the DAV's national service program, which is the largest free service program for disabled veterans of all veterans organizations. There are presently 146 national service officers, fully paid by the DAV, located in Veterans' Administration regional offices throughout the United States. These service officers assist disabled veterans and their widows and dependents in obtaining the benefits to which they are legally entitled. During the history of the DAV, they have handled over 8,000,000 cases and have obtained over $1,600,000,000 in benefits for disabled veterans and their dependents.

The DAV has served our disabled veterans, as well, in the vital areas of rehabilitation, helping them to overcome their handicaps in order to lead productive lives. Among many other ways, it has done this through its Idento-Tag program. In 1945 it was decided that, wherever possible, disabled veterans or their dependents would be used to manufacture these miniature license plates.

This same Idento-Tag program has, of course, been of great benefit to millions of other Americans. Since the DAV issued its first tag to American motorists in 1941, nearly a billion tags have been mailed and over 2,000,000 sets of lost keys have been returned to their owners free of charge. Donations from those who receive these Idento-Tags have also served as an important financial base for the DAV's service programs.

Other important services provided by the DAV include its national scholarship fund to help defray expenses of members' children, and the disaster fund to help members who become victims of natural disasters. Since 1969, furthermore, the DAV has been supporting a special Boy Scouts of America program of scouting for handicapped boys.

Most recently, the Disabled American Veterans have engaged in a nationwide effort to mobilize the force of public opinion on behalf of America's prisoners of war and missing in action in Southeast Asia.

Mr. Speaker, this distinguished record of service on the part of Disabled American Veterans is certainly deserving of our most sincere gratitude and highest tribute. On the occasion of its 50th anniversary year, I am proud to join in paying this tribute to the Disabled American Veterans.

Mr. McKINNEY. Mr. Speaker, it is my great pleasure to join today with two of my distinguished colleagues, the gentleman from New York (Mr. HORTON) and the gentleman from South Carolina (Mr. DORN), in saluting the 50 years of service of the Disabled American Veterans.

There is no question that this organization not only deserves the accolades of the Members of this Chamber, but it also deserves the warm appreciation of the American people. If I were to begin to recount the many good deeds that have been performed over the past 50 years by the DAV, I would be here for days and I would fill countless volumes of the CONGRESSIONAL RECORD. Their good work is well known.

However, I would like to pay special tribute to the two post commanders who serve my district—the Fourth in Connecticut—so well: Commander Michael Molise, of the John J. Banville Chapter 3, in Bridgeport, and Nunzio Lupo, Chapter 13, in Stamford. These gentlemen have a demonstrated record of service, which is consistent with the high ideals of the DAV.

Mr. Speaker, the other day I came across a quote, which Pope Leo XIII delivered in 1901. Reflecting on it, I cannot help but think how closely it parallels the work of the DAV. I would like to share it with you today:

> No one is so rich that he does not need another's help; no one so poor as not to be useful in some way to his fellow man; and the disposition to ask assistance from others with confidence, and to grant it with kindness, is part of our very nature.

Mr. Speaker, I look forward to another 50 years of great DAV service.

Mr. FREY. Mr. Speaker, during times of war our men in uniform are in the public eye, but all too often, years after they have struggled on the battlefields, they are forgotten by the majority of our citizens. Throughout the last five decades there has been one group of men who have not forgotten. These are the disabled American veterans who were at Pearl Harbor on December 7, 1941, the men who were there in France during the Battle of the Bulge, and the many thousands of men who have been on the front lines protecting our country's freedom.

In many cases the heroism of our men in uniform continues on long after the fighting has stopped. Untolled thousands are confined to hospital beds, while others must live with a limp, one arm or one leg. Still others have internal injuries which are not readily apparent to the casual observer, and yet all of these men must continue to bear the pain of their disability.

The Disabled American Veterans organization has done much to better the living conditions of these men. Additionally, they have assisted veterans, their dependents, widows, and orphans in obtaining all the benefits to which they are entitled. They have also been extremely active in programs urging the release of prisoners of war by North Vietnam.

I am happy to take this occasion to speak out in favor of this organization. The Disabled American Veterans have done an outstanding job of representing this segment of our population and should be commended for it.

Mr. ROYBAL. Mr. Speaker, on the occasion of the golden anniversary of service by the Disabled American Veterans Association and its chapters throughout the United States and the world, I would like to take this opportunity to praise the DAV and to single out one chapter of the organization for special mention. I am referring to the Jose Francisco Jimenez Chapter of Disabled American Veterans in Guadalajara, Mexico, composed of both American and Mexican citizens who have fought in the armed services of this country. The chapter recently adopted the name of a young Mexican citizen who posthumously received the Congressional Medal of Honor for "conspicuous gallantry and intrepidity" as a fire team leader with the Marines in Vietnam. As the first alien member of the U.S. Marine Corps ever to receive our Nation's highest award for valor, Lance Corporal Jimenez was given a hero's burial and memorial tribute in his native land of Michoacan by the local DAV chapter on November 11 of last year, with both the Mexican press and large numbers of Mexican citizens attending.

As a former member of the House Veterans' Affairs Committee, I have taken special interest in the major contributions to the welfare of our veterans that has been made by the Disabled American Veterans chapters both here at home and abroad. The laudable record of the Mexican chapters of the DAV is representative of the more than 1,900 local chapters throughout the world whose efforts to provide veterans and their dependents, widows, and orphans with all benefits to which they have legal entitlement have been widely acclaimed. Since its founding in 1921, the DAV has handled over 8,000,000 cases and has obtained over $1,600,000 in benefits for the disabled veteran and his dependents. Surely, an organization with this notable a record is deserving of all of our praise and support both now and in the future. May I offer my best wishes to the Jose Francisco Jimenez chapter and to all other chapters of the DAV for an equally successful record during the next 50 years of existence.

Mr. ROE. Mr. Speaker, I am indeed privileged and pleased to join with you and our colleagues in saluting the outstanding public service of Disabled American Veterans organizations in New Jersey and throughout our Nation. National recognition, best wishes, and heartiest congratulations to the DAV are highly in order for their half century of devotion, dedication, spontaneity of action, courage, and noble support of their fellow disabled veterans in helping our Nation's unsung heroes to overcome handicaps and afford them the opportunity to share in the American dream.

The DAV, as the guardian and protector of the wartime disabled in every corner of our land, has become a powerful, moving force in the area of veterans legislation. Their good counsel and judgment are held in high esteem by all of us. With their exceptional expertise and knowledge of the law they have provided a valuable service to the disabled veteran. It is interesting to note that since their founding in 1921, in the wake of the First World War, almost all legislation beneficial to the wartime disabled has been sponsored by the DAV.

The spirit of the members of this remarkable organization, who had helped to achieve our military objectives on many battlefields, has continued in unbounded optimism in spite of the even tougher battles they have since undertaken in their determination to rehabilitate themselves and secure proper consideration and adequate benefits for thousands of their battle-scarred buddies. At present the DAV has more than 200,000 members and local groups in excess of 1,900 throughout the country working for the benefits and consideration which disabled American veterans have earned by their service and quiet courage.

The industry and zeal demonstrated by America's disabled veterans has roused the American public to hail their performance in peacetime as well as in the heat of war; to salute their recovery, their spirit, their productive ability, their courage, and their manhood.

For helping the wartime disabled to maintain their optimism and perform as they have, the DAV is deserving of the highest praise. I wholeheartedly endorse this Disabled American Veterans Day in Congress to celebrate the DAV, memorialize them for public acclaim and let them know of our deep gratitude.

Mr. BADILLO. Mr. Speaker, I am very pleased to join with our colleagues in honoring our disabled veterans and in paying tribute to the 50th anniversary of the Disabled American Veterans.

For the past 50 years this outstanding organization has rendered invaluable service to countless disabled veterans, particularly in helping them secure those benefits to which they are duly entitled. Particularly noteworthy is the DAV's national service program which is aimed at helping disabled veterans, their dependents, widows, and orphans in obtaining all possible benefits. Recently, in light of the increasing number of servicemen wounded in Vietnam, the DAV's national service program has concentrated on placing personnel in all military and naval hospitals to represent disabled servicemen before physical evaluation boards to insure that all wounded or otherwise disabled servicemen receive full benefits and the protection of their veterans rights.

In addition, the DAV has been tirelessly working to insure proper medical care and treatment of veterans for their disabilities and injuries, in providing training and education to return wounded veterans as productive members of society and in rendering assistance to widows and dependents of disabled veterans in their time of personal loss and need.

Mr. Speaker, we are indeed fortunate to have an organization such as the DAV and we should be most thankful for its dedication and service. I extend my warmest congratulations to the DAV's officers and members on its 50 years of selfless dedication and my best wishes for future success and progress.

Mr. HANSEN of Idaho. Mr. Speaker, today as we commemorate here in Congress the 50 years of service of the Disabled American Veterans to America's war disabled, let us express our particular pride in the unselfish work by members of the DAV to guarantee a better life for the great men who have given so much for the cause of freedom.

These great patriots, who have been disabled in the service of our country, have shown their dauntless courage and unending dedication to the principles on which this country stands.

We owe all of our veterans, but especially those who suffer permanently because of injuries, our thanks for what they have done to keep America strong. It should be the responsibility of all of us in Congress to offer any possible means of assistance to these disabled veterans along with their dependents, their widows, and their orphans.

It is vital that these disabled veterans be given the chance to work and use whatever skills they already have or are able to develop. Not only is encouragement of this type of activity of great therapeutic value, but our disabled have great capacities to serve industry and government in countless ways. In this day of great technological advancement, there is a growing need for specialization and a demand for many more individuals in the vocational trades.

It is with pleasure and with a deep sense of pride and gratitude that I join with my colleagues in the House in paying tribute today to our disabled American veterans.

Mr. WILLIAM D. FORD. Mr. Speaker, for the past 50 years it has been the privilege of the Disabled American Veterans, founded in 1921 and chartered by Congress in 1932, to serve as the official voice of the disabled veteran in America.

Born out of deep need made visible in the aftermath of the First World War, the DAV came into being as an organization of, by, and for the disabled veteran. It is permanently and exclusively devoted to the care and rehabilitation of those handicapped by disabilities sustained during war.

Of the approximately 4 million men who returned to civilian life after the terrible conflict of 1914–18, some 300,000 were wounded, disabled, handicapped, or ill.

It is interesting to note that, after half a century and five wars, the present membership of the DAV is approximately equal to the total number of disabled veterans in the Nation in 1919–21. Through these tragic and challenging decades, the work of the DAV has endured and, indeed, has expanded to meet the growing needs of the day.

In the words of the DAV ritual:

> Our mission . . . is not fulfilled until all our country's war-time disabled, their widows and their dependents, have been adequately cared for.

Here is a continuing mission which demands the respect and deserves the support of every American.

The treatment of those who have been injured or handicapped in defense of their country is a sure test of the quality and character of national life. In the 17th century an English poet bitterly described the lot of the wounded soldier "when they are worn, and hewn with constant service" as to "thrown to rust, and rot in hospitals."

These harsh words, too often justified in history, can never apply to our American experience. As early as 1920, Calvin Coolidge declared:

> The Nation which forgets its defenders will be itself forgotten.

The DAV, through five decades of dedicated service, has helped to make certain that this Nation shall not forget its defenders, past and present.

The DAV was founded on the principle that America's first duty to veterans is the rehabilitation of its wartime disabled and the extending of help, where needed, to their dependents. This principle of rehabilitation has included proper medical care and treatment, adequate compensation for disabilities, training and education for gainful employment, and adequate compensation to widows, minor children, and dependent parents or veterans who die as the result of service-incurred disability. These functions fairly define the purpose and mission of DAV.

The implementation of these goals has taken a twofold path since 1921. On the one hand, there is the national service program, which renders free services to all disabled veterans—whether DAV members or not—and their dependents through the largest field staff of accredited national service officers paid by the national organization of any of the veterans' groups in America.

The second area of DAV activity and concern is reflected in its national legislative program whose chief purpose is to serve as a catalyst of support for legislation pertaining to the welfare of the wartime disabled veteran and his dependents.

In both its service and legislative programs the DAV is motivated by the same concern: rendering effective help and rehabilitation to the disabled veteran and his family.

However, in this golden jubilee year, it may be especially significant to note some of the outstanding pieces of legislation sponsored by the DAV, legislation whose benefits have accrued to all disabled veterans—regardless of their DAV status—and their dependents.

In its legislative efforts—as in service programs—the DAV has always sought to help disabled veterans as a group, recognizing their special problems among the other veterans' groups and within the larger community.

It is revealing to examine the legislative proposals presented and commended at the National DAV Convention in Miami in 1969, and to note how many were subsequently enacted into law by the 91st Congress, during its first and second sessions. The responsiveness of Congress to the needs and concerns of disabled American veterans, as articulated and advocated by the DAV, is a mark of the democratic process at work and a tribute to the DAV national legislative program.

Let me quote from the report of Mr. Charles L. Huber, the distinguished DAV director of legislation, citing legislative enactments:

> A legislative bill of particular interest to our members was signed into law on June 23, 1969. This measure prohibits the reductions of a veteran's statutory disability award which has continuously been in effect for 20 years. (Public Law 91–32)
>
> The DAV was foursquare all the way for this legislation. We drafted, we sponsored it, we fought for it, and so today our seriously disabled service-connected veterans are receiving statutory protection against the loss of compensation.

> Another measure, recently signed into law, makes eligible for the VA-specially-adapted-housing grant any veteran who suffers the loss or loss of use of a lower extremity together with additional disability which requires the use of a wheelchair. The law increased the grant from $10,000 to $12,000 and increased the amount of the direct loan program from $17,500 to $21,000. (Public Law 91–22)

Nine other proposals were enacted into law. Public Law 91–219 increased educational and training allowances for disabled veterans and their widows and orphans. Public Law 91–291 liberalized insurance programs, an action of particular benefit to Vietnam veterans. Public Law 91–96 increased dependency and indemnity compensation payments.

Public Laws 91–101 and 91–102 have provided improved nursing home and outpatient care for qualified service-connected disabled veterans. Public Law 91–178 promotes and extends the care and treatment of veterans in State veterans homes. Provisions of Public Law 91–241 permit recoupment of lump-sum disability severance pay.

Of particular concern at this time, when all Americans are troubled over the plight of our captured servicemen in Vietnam, Public Law 91–289 provides for per diem payment—under the War Claims Act of 1948—to our servicemen taken prisoner during the Vietnam conflict.

In this same area, Public Law 91–376, providing compensation increases for service-connected disabled veterans and restoring "remarried" widows to compensation and pension rolls, extends presumption of service-connected disability benefits to qualified American prisoners of war during World War II, the Korean conflict, and the Vietnam era.

In 1970, we passed Public Laws 91–496 and 91–500 relating to medical benefits. The former authorizes expansion of the sharing of specialized medical resources under the Veterans' Administration program; the latter greatly extends the provision of medical benefits for all veterans who are 65 years of age or older, with special provisions for the housebound and other disabled.

Of particular interest to the disabled, Public Law 91–666 increase the grants to seriously disabled veterans for automobiles and adaptive equipment, a valuable part of the rehabilitative process.

All veterans, especially the disabled and their dependents, and, indeed, all Americans may be proud of these legislative accomplishments and the spirit of genuine care which they represent.

The DAV has been of invaluable help to the Congress in bringing before it the just concerns of the disabled veteran to whom our Nation owes so much for its very survival. In the words of Rabbi Michael Aaronsohn, first national chaplain of the DAV, himself a combat-blinded veteran, speaking of those early days in 1920–21:

> We were then what we are now. In the beginning we were dedicated to helping war veterans who have been disabled find their way in the world. That was our purpose. That is our purpose today.

It is also a purpose worthy of the wholehearted endorsement of all who love America.

Mr. RAILSBACK. Mr. Speaker, I am pleased to be able to take part today in this tribute to the Disabled American Veterans. I join my colleagues in honoring those disabled veterans who not only fought together on the battlefields but joined together in service to each other. Indeed, the Disabled American Veterans has a record of over 50 years of dedicated and heartwarming service to disabled veterans by disabled veterans. The DAV embodies so clearly what has made our Nation great—service by strong men to their country and to each other.

On Christmas Day in 1919, Judge Robert S. Marx, of Cincinnati, Ohio, invited 100 fellow disabled veterans to a Christmas Day party which led to a discussion of how to tackle the problems of the nearly 300,000 wounded, disabled, and handicapped veterans of World War I who had returned to this country after the war to find the Government unprepared to cope with their multitude of problems, medical, rehabilitation, job training, and employment needs. From this meeting came the inspiration to form a permanent organization to help the wounded and disabled veteran.

Judge Marx became the first elected president of the organization he and his fellow disabled veterans helped to form through a series of meetings in Ohio culminating in a national caucus in Cincinnati in 1920 at which time the Disabled American Veterans of the World War—DAVWW—was created with a constitution and bylaws. From the first national convention in Detroit in 1921, to the golden anniversary DAV National Convention in Los Angeles in 1970, the organizational child of Judge Marx and his associates has grown and matured into a powerful national force.

With a membership—as of June 1970—of 294,566 the DAV has grown to a point where nearly 300,000 interested citizen-veterans have an organization which provides not only hope, but literally millions of dollars in tangible assistance to the disabled veterans in this country.

Its early objectives have remained its objectives today: To advance the interest and work for the betterment of all wounded, injured, and disabled veterans, their widows and dependents—to cooperate with all Federal and private agencies devoted to the cause of improving and advancing the conditions, health and interest of wounded, injured, or disabled veterans.

When the 50th annual convention is held in Detroit this year, the DAV can proudly proclaim in the same city where the first annual convention had been held half a century earlier, that the disabled veteran today can, with his family, face the future with confidence knowing that his medical, rehabilitation, and employment requirements will be met.

We salute the men and the organization. As President Nixon observed in a message earlier this year to the Disabled American Veterans:

> Our nation is stronger and our heritage safer because of your determination. And your patriotism is an example to all of us. By your sacrifice you have indeed made the five decades of your history golden years for our country. Your service can never be forgotten and it will strengthen and inspire men and women for generations to come.

I am pleased to have this opportunity to express my personal thanks to the DAV for all they have done and are doing for the disabled veterans and their families.

Mr. HALPERN. Mr. Speaker, it is indeed a pleasure and an honor to join my colleagues in saluting the Disabled American Veterans in this their 50th year of outstanding service. No other organization has done so much to help our maimed and wounded returning servicemen, whose sacrifices have so dearly bought our Nation's liberty and safety. Many times over they have earned our admiration, respect, and continued strong support.

The DAV was founded on Christmas Day 1919, at a gathering of wounded World War I veterans at the home of Judge Robert S. Marx, in Cincinnati, Ohio. By 1921, from these small but portentous beginnings, the group had grown large enough to hold its first national convention. There Judge Marx was elected first national commander, and his guiding efforts in the early years brought him the honor of being remembered as the father of the DAV.

Since 1920, DAV has grown to number 2,000 chapters and more than 300,000 members throughout the Nation. Of these, more than 100,000 are life members. With dedication, patriotism, and loyalty it has stayed true to its single purpose—to serve and assist wounded veterans in their return to civilian life.

To this end, DAV's 146 specially trained national service officers and a large corps of part-time and volunteer workers offer free counsel to disabled veterans, whether members or not, to make sure they receive the benefits to which they are legally entitled.

Many people hold the erroneous belief that disabled veterans and their families are automatically cared for by a grateful nation. While it is true that many laws provide benefits for the wartime disabled, none of the benefits are automatic. Rather, the veteran must establish his case before a quasi-judicial rating board which holds hearings akin to a nonjury trial. In these proceedings, the service officer acts as his attorney in fact. No matter what the veteran's question might be—disability compensation, educational or rehabilitation programs, insurance, home purchasing, widow and dependent or war orphans' educational benefits—he finds in the DAV national service officer a qualified, willing, and dedicated advocate.

In addition to the national service officers, DAV sponsors research in prosthetics, scholarships for needy children of disabled veterans and war orphans. Scout troops for handicapped children, and many other praiseworthy service activities. It is in the forefront of those working with Congress to secure new and better legislation benefiting disabled veterans. And despite the expense of maintaining such a broad, nationwide program, DAV is entirely self-supporting. Through its famous idento-tag concern, it provides jobs for hundreds of disabled veterans and at the same time earns the funds which support its fine work.

Our support of this exceptional organization should be as unflagging as its unselfish and unswerving devotion to the wartime disabled of our great Nation during the past half century of its existence. We should resolve here today that as the costs of war continue to mount, we must maintain a constant vigil against any deprivation of the most deserved rights or benefits owed to disabled veterans and their families. It is our duty to pledge ourselves to the highest principles for which the Disabled American Veteran stands, and to which we have been historically dedicated.

Mr. McCLORY. Mr. Speaker, it is a privilege to participate in this special ceremony commemorating the 50th anniversary of the Disabled American Veterans.

This organization, devoted primarily to those veterans of the military services who have experienced disabling injuries in connection with their military service, has made many contributions to the welfare of the entire Nation.

In addition to the problems of veterans, the DAV has recognized the predicament of the widows and children of deceased veterans. This organization has cooperated in augmenting services of the Veterans' Administration and in recognizing the status of those who are in military service today, including the Vietnam veterans who have experienced disabling injuries.

Mr. Speaker, many disabled veterans are among my constituents and, in commending the Disabled American Veterans today, I pay special tribute to them.

Mr. Speaker, I am privileged to take part in this special ceremony on the floor of the House of Representatives and to have this opportunity to extend to the DAV national commander, Cecil W. Stevenson, and to the entire DAV membership my congratulations and best wishes.

Mr. CRANE. Mr. Speaker, when a young soldier returns from Vietnam combat with disabling wounds, no one turns out to cheer him. When he makes a valiant effort to overcome his disablement and return to productive employment and useful citizenship, no one pins a medal on his chest. Oh, a few people notice. Some of them wave picket signs and mock the cause for which he gave dearly. Others snicker and describe him as "a welfare case" when he accepts the benefits to which he is rightly entitled. But all too often, the scars American soldiers receive on battlefields become quickly forgotten sacrifices.

That is why it is appropriate that we take time today to note the courage and constructive outlook of Disabled American Veterans, both as individuals and as an organization.

Throughout its 50-year history, DAV has diligently guarded the rights of disabled servicemen. Today the organization has 146 trained and certified national service officers in centers across the Nation who assist veterans, their widows, and their dependents in obtaining the benefits they have earned.

The organization has sponsored numerous large-scale projects aimed at rehabilitating disabled veterans. Currently, it is encouraging returning Vietnam veterans to continue their educations. It has also established a program whereby seriously disabled veterans, including a number of double amputees, are being trained for paying jobs within the DAV organization itself.

Disabled American Veterans have demonstrated their patriotism and dedication to our Nation's cause on numerous occasions. During the past year, DAV spearheaded one of the largest efforts yet in behalf of prisoners of war and soldiers missing in action in North Vietnam. Radio spots were purchased on 6,000 stations, and over 5 million brochures were mailed to homes asking individuals to write letters to the North Vietnamese Embassy in Paris demanding a list of names of POW's.

Most importantly, the DAV is looking out for the interests of our returning Vietnam servicemen. When a disabled veteran arrives home, he is contacted either by letter, or in person by a DAV counselor. The DAV is often his sole source of help and encouragement. In a time when sacrifices are too quickly forgotten, the DAV plays an indispensable role: it remembers.

On this proud day, I salute the officers and members of the Disabled American Veterans.

Mr. MAILLIARD. Mr. Speaker, I would like to commend to your attention the Disabled American Veterans on the occasion of the organization's golden anniversary.

Since 1921, the DAV has diligently worked so that those who have suffered while serving our country can enjoy the benefits of civilian life in this country. And during the conflict in Southeast Asia, the DAV has not only assumed responsibility for the returning victims' medical and vocational well-being, it has also endeavored to help those who remain as prisoners. The DAV's compassion and loyalty deserve recognition and support.

I salute the DAV and encourage its generous human spirit.

Mr. FOLEY. Mr. Speaker, at the end of the First World War some 300,000 wounded and disabled American soldiers returned to these shores, proud of their service and sacrifices, deserving of concern and care of a grateful nation. From the beginning this concern took concrete shape among the war-disabled themselves. On Christmas Day of 1919, in Cincinnati, Ohio, at a gathering of wounded veterans, a plan was born to create a special organization to help the wounded and disabled veteran to solve his particular problems. By 1921 this organization had grown large enough to hold its first national convention, which met in Detroit. Judge Robert J. Marx, the "father of the DAV," was elected as the first national commander, and led some 1,000 troops on a march through the streets of Detroit.

Today, and throughout this year, we commemorate that founding half a century ago, we honor those early leaders whose vision brought the Disabled American Veterans Organization into existence, and we pay well-deserved tribute to the contribution which the DAV has made, and is continuing to make, to the mainstream of American life. Tragically, during the past 50 years this Nation has been involved in no less than 5 wars with a legacy of some 2 million wartime wounded and disabled, a figure that is increasing daily. Since 1920 the DAV National Service Department has handled over 8 million claims for the war-disabled, their widows, and orphans.

The scope of assistance provided by DAV service includes medical care, rehabilitation, compensation, job training, employment, and insurance. In many cases all of these are secured through the offices of the DAV; and, in many instances, these cases would have been adjudged hopeless had it not been for the efforts of DAV. The objectives of the DAV have remained unchanged throughout the half century of its life: To obtain fair and just compensation, adequate and sympathetic medical care, and suitable gainful employment for those war veterans disabled in the service of their country. These impressive goals, originally directed to the veterans of World War I, were embodied in the congressional charter of 1932 authorizing the DAV to work for the rehabilitation—physical, mental, social, and economic—of the wounded and disabled of 1917–18. In 1942, following America's entry into the Second World War, the charter was amended to enable the disabled of all our wars to receive assistance.

Today the DAV is a major veterans organization, continuing its remarkable record of service and concern, with over 300,000 active members in 50 States, the District of Columbia, Puerto Rico, the Philippine Islands, Australia, and several other foreign countries. Over 100,000 are life members. There are more than 2,000 local chapters, testifying to the grassroots vitality of the DAV. The comradeship forged in battlefields abroad through courageous suffering has been transferred to daily life at home, where the members of the DAV serve one another and the common good. Since 1932 the DAV has been the federally chartered spokesman and champion of the wartime disabled, recognized as a one-purpose, nonprofit, corporate body, nonsectarian, nonpartisan, and noncompetitive.

I want to particularly commend the Altman-Ruoff-Osier Chapter 6 in Spokane for its active, devoted service over the past 50 years. Commanded by Lyle R. Rosenau, this chapter has nearly 900 members, and is notably involved in the Spokane Veterans Hospital programs, where they operate a hobby cart project for the patients and bingo games. They have a full-time service officer to help file claims for benefits for veterans and their dependents. Other activities include sponsoring a DAV bowling team and participating in various POW and MIA projects.

I know of no more impressive account than the history of the DAV, nor of one more likely to inspire all Americans with pride. The record of the DAV in service to the disabled, in legislative efforts, and in special programs of rehabilitation has become a part of the American story. Today the DAV faces the future determined to continue rendering even greater services to the Nation's war veterans. It is a privilege to salute them on this, their golden anniversary, and to commend their shining example of quiet courage in these troubled times.

Mr. DERWINSKI. Mr. Speaker, I consider it a privilege to join in this special order in honoring our disabled veterans and the 50th anniversary of the DAV.

As a veteran of World War II, I am ever mindful of my comrades in arms who still suffer from military-connected disabilities. I have had numerous occasions to note the dedicated activities of the DAV on behalf of our veterans.

May I add Mr. Speaker, that in Illinois the DAV is providing very effective and needed service to its members and all disabled veterans. I am pleased to number among my close friends several who hold office in the State DAV.

We all hope to see the day when war will no longer be an instrument of national policy, although we recognize that as long as totalitarian threats such as communism exists our Nation will find it necessary to maintain effective military defense. Our disabled veterans from World Wars I and II, Korea, and now Vietnam served the cause of freedom and in defense of our great American traditions. They deserve the constant support, commendation, and respect of all Americans.

Mr. MOORHEAD. Mr. Speaker, let me add my voice to those paying tribute to the Disabled American Veterans.

It seems to me that these American war veterans have shown their tremendous fortitude in a number of ways. Initially it was when they defended their country against those who would stifle freedom and democracy. Then, after succumbing to a war wound or an affliction which developed while serving their country, many of these men spent hundreds of long, lonely hours in the veterans hospitals recovering.

Some of them never recovered and either have remained in the VA hospitals or have returned periodically to have the service medical specialists treat their particular suffering.

The veterans hospitals in my district are filled to overflow with men who have served their country with honor in three wars and the current Indochina actions. I wish this were not so. I wish all VA hospitals were forced to close because of lack of business. But I know this is wishful thinking.

With our increase in medical knowledge, we are saving men who in years past would have died from battlefield wounds. This means more candidates for the veterans hospitals and more suffering and hardship for those who have already served their time in hell.

The courage of the men one finds in veterans hospitals who have suffered the ravages of war is remarkable. They are men who go on to make homes for themselves and their families despite personal hardships and physical disabilities that would halt lesser men.

For this reason and many others, I wish to honor the Disabled American Veterans of America today for their contributions to America and their outstanding courage in the face of hardship.

Mr. SCHWENGEL. Mr. Speaker, Today we pay tribute to one of the outstanding organizations in America, the Disabled American Veterans—DAV. I am pleased to say that in my district we have a chapter that has developed and carried out a very fine program that has gained them national recognition.

I speak of the Scott County Chapter No. 2 of the Disabled American Veterans. The chapter started a very effective program of help to the needy in the Quad-Cities area—Davenport and Bettendorf, Iowa, and Rock Island and Moline, Ill.—by obtaining trading stamps and redeeming them for toys. The toys are then wrapped by members of the organization, names of children placed on the package, and the packages delivered to the children of the area. The program actually runs from January through December 25 each year. Thousands of man-hours are required to execute this outstanding program.

In a recent Times-Democrat newspaper editorial the Times wrote:

> Scott County Chapter No. 2, Disabled American Veterans, collected trading stamps to give toys worth about $4,800 to more than 1500 children in the Iowa and Illinois Quad-Cities. For its efforts for 1969 the Scott unit won a national DAV community service program award.
>
> Members . . . have much cause for pride for their achievement in a time when evolving concepts of charity and welfare plus the inflationary spiral make such work increasingly difficult. They merit our deepest gratitude.

I want to add, to the comments of the Times-Democrat newspaper, my own expression of thanks for a job well done by the hard working members of the Scott County chapter of the Disabled American Veterans.

It is impossible to discuss the DAV in my district without mentioning Mr. George T. Nickolas of 4426 El Rancho Drive in Davenport, Iowa. He is currently serving as the national president of the State Commanders and Adjutants Association. The State Commanders and Adjutants Association is a group made up of present and past State commanders and adjutants of the various DAV State departments.

George started with the Disabled American Veterans in 1955, shortly after his retirement from the U.S. Navy for physical disability. He applied and was accepted as a life member in the Scott County Chapter No. 2 in Davenport, Iowa, and was immediately appointed the chapter service officer. He has served for over 15 years in this position and thousands of veterans, widows, and dependents have received their lawful benefits because of his understanding of veteran laws, military regulations, and his ability to prepare a claim.

In 1959, Mr. Ken Draper and George dreamed of helping needy children of the Quad-Cities—Davenport and Bettendorf, Iowa, and Rock Island and Moline, Ill.—at Christmas. The Disabled American Veterans were already conducting a children's program at Christmas, but Ken and George felt that more could be done. Mr. Draper was program manager of KSTT radio and they utilized the radio media to solicit trading stamps which were pasted in books by the Disabled American Veterans, redeemed for toys, the toys wrapped, addressed, and delivered to needy children of the area. The program has continued for 12 years and has grown from serving 86 children in 1959 to the service of 1,503 children in 1970. George Nickolas has been the program chairman for the Disabled American Veterans during this growth period.

Most people engaged in charity and a program like the trading stamps for needy children program and serving as service officer might draw the line as having done their job, but this is not true of George. In 1967, he published a book called Veterans Information Directory which was given free to veterans all over the United States to inform them on disability retirement benefits from the military service. The reaction from the book caused George to seek other avenues of informing the veterans of America. He contacted the Rock Island Arsenal Target newspaper and began writing his column entitled, "Vet's Corner" in January 1968. He also was able to work out a program with KSTT radio to air his "Tips to Veterans" program of spot announcements. This program ran for over a year and one-half, six times a day.

In January 1970, his column titled, "The Sea Lawyer" began appearing in the Jackstaff News, now named the Hai Quan—The U.S. Navyman in the Republic of Vietnam—which reaches every U.S. Navy activity in Vietnam. He was elected State commander of the Disabled American Veterans of Iowa in June 1966. He was appointed to the Iowa Governor's Committee on Employment of the Handicapped in Iowa and has made a very important contribution. He recently arranged for a franchise homebuilder to design his complete line of homes to allow handicapped veterans and citizens to build or purchase one of the Mini-Mansons, Inc. homes.

George Nickolas dearly loves the United States of America and even though he was enrolled in college in 1951, decided to enlist in the U.S. Navy. His love of this country has continued as is evident from his speeches and his writings. In 1967, he wrote a letter to the editor telling the story of a returned Vietnam veteran who had lost his foot and had expressed his love of this country by stating to George that he would give his other foot in defense of the freedoms that this country offered its citizens. The Freedoms Foundation at Valley Forge selected this letter to receive a George Washington Honor Medal. In 1969, Iowa-Illinois Gas & Electric Co. sponsored the publication of George's article, "The Day Our Flag Spoke" and again the Freedoms Foundation awarded George a George Washington Honor Medal. Each quarter a patriotic article written by George Nickolas appears in the Defense Electronic Supply Center's Security Guide. He has had patriotic articles published in the New Age.

In addition to the awards from the Freedoms Foundation, George has been awarded citations from the Veterans' Administration, the Davenport Chamber of Commerce, and the Disabled American Veterans. He was selected as Iowa's Outstanding Disabled American Veteran for 1968.

I am personally acquainted with this fine American and I am indeed proud to claim him as one of my friends.

Mr. NELSEN. Mr. Speaker, I am pleased to join today in commemorating the 50th anniversary of the founding of one of our Nation's very finest organizations, the Disabled American Veterans. Along with the late Gen. Douglas MacArthur, I share the view that "membership in no group in the world carries greater honor than in the Disabled American Veterans." Their bravery and patriotism stands unsurpassed. All Americans owe them a monumental debt that can never be adequately repaid, for their sacrifices have been irreplaceable.

The DAV organization developed after World War I to help injured and sick veterans and their families to make their way in the world. Very nearly the only resource it had in those early years was the determination of its founders to obtain better medical treatment and rehabilitation training for their fellow members. Through all the years since—through World War II, the Korean conflict and now the Vietnam war—the DAV has remained true to its compassionate and humane purposes.

The DAV's idento-tags program is probably the organization's best known effort. Under this program, which provides miniature license plates to millions of American motorists, over 2 million sets of lost keys have been able to be returned to their rightful owners. But the DAV and its women's auxiliary have also given their backing to many other worthwhile efforts. They have given much personal assistance to handicapped children. They have established a scholarship program for deserving youngsters. They have set up a disaster fund to aid members who are victims of natural disasters, such as a flood or earthquake. They have developed and trained a field staff of national service officers who give devoted service and counsel to disabled veterans in need of help. And most recently, they have made impressive gains in their goal of sending 20 million letters from individual citizens to the Government of North Vietnam in a sustained effort to secure the humane treatment and early release of American prisoners of war.

For all such reasons and more, I am deeply honored to participate in this golden jubilee observance for our Disabled American Veterans. As we reflect on their accomplishments, however, it would be well to remind ourselves anew that the provision of proper medical care, adequate compensation for disabilities, sufficient training to restore employability and proper compensation to families remain the continued obligation of the American people to our disabled veterans

Mr. ROBERTS. Mr. Speaker, I want to join my colleagues in saluting the Disabled American Veterans as they commemorate 50 years of service to America's war disabled and their families.

As a member of the Veterans' Affairs Committee, it has been my privilege to witness firsthand the tremendous job the DAV does in behalf of our Nation's disabled veterans and their families to insure that they receive all the benefits to which they are entitled.

In addition, the DAV has consistently presented a solid front in support of those men and women who now serve our country, especially those men missing and imprisoned in Southeast Asia.

I know of no group of Americans who more richly deserve the praise and admiration of this Nation than the Disabled American Veterans. It is with great respect and friendship that I salute their half-century of service and offer best wishes for many, many years of future success.

Mr. DANIELS of New Jersey. Mr. Speaker, March marks the anniversary of 50 years of service by the Disabled American Veterans to wounded American veterans.

For 50 years the DAV, through their national service program, has assisted wounded servicemen and their dependents obtain the benefits provided them by Congress. They have eased the return of hundreds of thousands of men who otherwise might not have been able to live decent lives. They have eased the pain of not knowing how to start again a new life encumbered by a disability, handicapped, and unable to find work or an education upon return from service.

The service of American soldiers to their country can never be forgotten. While we in good faith have provided the resources for returning servicemen to enter again the mainstream of American life, the DAV has insured through action that none of these resources will be wasted through disuse. Their service is an inspiration to all who seek to do good.

Mrs. REID of Illinois. Mr. Speaker, I am honored to join my colleagues in paying tribute to members of the Disabled American Veterans and to the great DAV organization on its golden anniversary.

From its inception, the Disabled American Veterans organization's service to the community, State, and Nation has been a vigorous contribution to the American way of life. It has labored tirelessly and unselfishly to assure that those patriots disabled in the service of our country and the cause of freedom would receive the compassionate care and the generous assistance which they need and have earned.

The accomplishments of the Disabled American Veterans and the services rendered to and on behalf of the Nation's disabled veterans and their dependents are most outstanding. However, perhaps the greatest contribution of the DAV has been its dedication to the proposition that their comrades who paid freedom's supreme sacrifice can be most highly honored by continually working to perpetuate the best in our national heritage.

I congratulate the DAV for its accomplishments of the past 50 years and look forward with confidence to the continued devotion of this fine organization to the welfare of our Nation's veterans and the best interest of America.

Mr. HARSHA. Mr. Speaker, today we honor an organization that holds a significant spot in the annals of American history—the Disabled American Veterans. It is fitting and proper, in this time of continued worldwide military involvement, that we join together in Congress to note the accomplishments, contributions, dedication, loyalty, and spirit of the DAV.

The State of Ohio is particularly proud that it was in Cincinnati that the Christmas Day, 1919, meeting organized by Judge Robert Marx led to the idea of a disabled veterans organization. With equal pride we note that the national headquarters, where the DAV's programs are conceived and promulgated, remains in Cincinnati.

The purpose of DAV was simply stated in the original constitution, and it remains:

> To advance the interests and work for the betterment of all wounded, injured and disabled veterans . . . to cooperate with all federal and private agencies devoted to the cause of improving and advancing the conditions, health, and interest of wounded, injured and disabled veterans . . . and to encourage in all people the spirit of understanding which will guard against all future wars.

The DAV grew out of the wartime comradeship transferred from battlefields abroad to daily life at home. This organization of wartime disabled now numbers more than 2,000 chapters and there are over 300,000 members in the 50 States, the District of Columbia, Puerto Rico, Australia, the Philippine Islands, and several other foreign countries. More than 100,000 are life members.

The impact of the DAV on veterans affairs cannot be underestimated. I think it is important to note that since 1920, nearly all legislation beneficial to disabled veterans has been encouraged by the DAV. Certainly, we here in Congress fully appreciate the assistance given by the DAV in our efforts to create legislation which meets the needs of our disabled veterans.

It would be incorrect, however, to assume that the activities of the DAV are solely directed toward obtaining enactment of new legislation which meets these needs. Above all, DAV remains a totally nonpartisan organization with the purpose of providing service and assistance to the wartime disabled and their dependents.

As the official voice of all wartime disabled, the Disabled American Veterans acts as a liaison with the hundreds of public agencies to seek out and provide the services needed by these men. The organization employs 150 professionally trained national service officers to assist in obtaining the benefits to which our disabled veterans have legal entitlement. All of these men, incidentally, are themselves disabled veterans.

Among the services available to the disabled veteran are medical care, hospitalization, disability compensation, rehabilitation, job training, and employment; all of which are generally obtained with the counsel of one of the service officers who are located in Veterans' Administration regional offices around the United States. Through these service programs and by working through local organizations and agencies, the DAV has been most effective in providing those in need with the highest quality service available in the shortest period of time. In an age of massive bureaucracy, the DAV continually proves that its reputation for efficiency and effectiveness is unmatched.

Nevertheless, Americans are often too busy with their plush lives to remember, or worry, about the contributions made by our veterans. Too often we overlook their dedication to the defense of America and the freedoms for which she so proudly stands. It has become the custom in some circles to belittle patriotism, to deride sincere and patriotic love of country. Nevertheless, our disabled veterans have displayed their love for this Nation in the fullest sense. Many of them left wives and families behind to defend our freedom and protect a great Nation and its ideals. We cannot turn our backs on these men who have given so much for our security.

A man who was President just 4 years after the birth of the DAV, Calvin Coolidge, had this to say to an earlier group of veterans:

> The Nation which forgets its defenders will be itself forgotten.

But we have no intention of forgetting them. These are men who have stood against incredible odds and lashed out at the enemies that have threatened our democracy. These are men who have returned from war carrying the burden of their courage under their bandages. These are men who will always be a source of pride to us and our Nation.

One of the greatest sentences written by any American President is especially fitting today as we honor the DAV:

> The world will little note, nor long remember, what we say here, but it can never forget what they did here.

"Here" was Gettysburg for Abraham Lincoln. "Here" for us is Verdun, Chateau Thierry, Iwo Jima, Korea, and Vietnam.

But we must also take "here" to mean America, because it is here, in these United States, where our injured and maimed veterans return. We must provide them something to return to—hospitals, rehabilitation, and training centers and then jobs. This burden is upon all Americans, but especially upon Congress. I appeal today to my friends and colleagues to not only join with me in saluting our disabled veterans, but in assuring the establishment of better programs and facilities for their return to society. We must do this in order that these men who have given so much can share to the fullest possible extent the peace and security enjoyed by all Americans as a result of their sacrifices.

Mr. RHODES. Mr. Speaker, today the Disabled American Veterans celebrate the 50th anniversary of their organization. The DAV was founded on the basic principle that our Nation's first duty to her veterans is the rehabilitation of her wartime disabled. The DAV has served this principle well.

In my home State of Arizona nearly 4,000 persons serve the needs of others through their active membership in DAV. The Arizona chapters provided over 15,000 hours of volunteer service in Veterans' Administration hospitals and nursing homes housing VA patients in 1970 alone. Other local DAV activities include some outstanding youth programs, participation in the "Jobs for Veterans" campaign, and aid to the National League of Families of Men Missing in Action or Prisoners of War in Southeast Asia.

Our Nation is stronger, because of the determination and dedication of the DAV. Their sacrifices have provided a fine example for all of us.

It is a privilege to commend the Disabled American Veterans on their golden anniversary.

Mr. CONTE. Mr. Speaker, it is a privilege for me to participate in this "Disabled American Veterans Day in Congress: A Tribute to Quiet Courage." This special order is particularly appropriate in these times, when discontent over prolonged hostilities and large Defense budgets tends to overshadow the respect we should all have for those who suffered disabilities in service to their country.

It is the duty of all Americans who have escaped disabilities in our Nation's armed conflicts to remember those who were not so fortunate. In fulfilling this duty and in reminding others to do likewise, no organization has been more successful or more worthy of praise than the organization we are honoring today—the Disabled American Veterans. I am proud to say that I have been a member of this organization for many years.

For the past 50 years, the Disabled American Veterans have remembered and served disabled veterans and their dependents, including those who were not members of the organization. They have worked diligently with the Members and committees of Congress to insure that the disabled veterans receive the benefits they deserve. They have also worked with the appropriate Federal agencies and departments and with the veterans and their dependents to insure that those entitled to benefits receive them.

The disabled American war veterans are to be especially commended for their efforts in helping the disabled veterans to help themselves through their rehabilitation programs. These programs have the very desirable effect of helping the veterans to earn a livelihood for themselves and their families without sacrificing their sense of dignity and accomplishment.

It is indeed fitting that we set this day aside to express our appreciation to this fine organization and to wish them continued success in their future endeavors.

Mr. KOCH. Mr. Speaker, as a longtime friend of the Disabled American Veterans, I am pleased to be joining my colleagues in saluting the DAV on its 50th anniversary of continued service to America's war disabled. Throughout its distinguished history, the DAV has assisted disabled veterans, their dependents, widows, and orphans in obtaining all the benefits to which they are legally entitled.

These include proper care and treatment for disabilities incurred, increased, or aggravated during service to our country and furthermore, adequate compensation for widows, minor children, and other dependents. Two other ways this organization serves the needs of disabled veterans are through the setting up of scholarships for the children of disabled veterans and the starting of Boy Scout chapters for handicapped children with disabled veterans providing the necessary leadership.

By far the largest problem this organization has tackled recently has been the instigation of a vast letter writing campaign to North Vietnam demanding better treatment for those Americans who are now prisoners of war.

It has become evident throughout the history of the DAV that service, care, and understanding have become its trademarks. Let us join with millions of other Americans in extending our gratitude and thanks to this organization which for 50 years has striven to provide for the needs of our brave men who are injured while serving our country. It is important, especially in these troubled times, that we have this organization to continue with its fine record of helping others.

Mr. GREEN of Pennsylvania. Mr. Speaker, today, "DAV Day in Congress," is a commemoration of 50 years of service of the Disabled American Veterans to America's war disabled. I am pleased to join this effort and would like to offer some observations about the DAV.

The Disabled American Veterans was formed in 1920. The organization represents veterans at board of appeal hearings to insure that benefits such as disability compensation, vocational relief, education, hospitalization, outpatients, and pensions are equitably allocated. The DAV has also organized a letterwriting campaign to protect mistreatment of American prisoners of war in North Vietnam. The DAV wants the North Vietnamese to identify all POW's, to return the sick and the injured, to have impartial inspection of facilities, and to permit the free exchange of mail.

I have supported these efforts in the past, and I wholeheartedly endorse them now.

I think the DAV performs a function that is both commendable and important. It stresses the human side of an unpleasant subject, war. It reminds us that brave men who serve their country should be remembered. It pinpoints their problems and tries to solve them. For these reasons, I salute the DAV.

Mr. BEGICH. Mr. Speaker, our Nation has always recognized the courage and efforts of the men who have fought our wars. These men have given more than we can hope to thank them for or more than we can imagine. However, there is one organization that has consistently given help and guidance to those veterans disabled because of service to our country. For more than 50 years, the National Organization of the Disabled American Veterans has provided immeasurable service to those who have given so much to our Nation.

The Disabled American Veterans was founded on the principle that this Nation's first duty to veterans is the rehabilitation of its wartime disabled. This principle includes proper medical care and treatment for veterans, adequate compensation for the degree of disablement caused by such injury, training and educating men to restore them to gainful employment, and adequate compensation to the widows, minor children and dependent parents of veterans who die as a result of service-incurred disabilities.

The work of the Disabled American Veterans has restored faith and hope to many veterans who otherwise might not have had the courage to carry on.

In 1961, President John Kennedy called this Nation to greatness when he said:

> Ask not what your country can do for you, ask what you can do for your country.

The Disabled American Veterans serve those who have done much for our country. I know I join my colleagues in the Congress and the people of Alaska in expressing our sincere thanks to the DAV for the outstanding and important work they do.

Mr. **BOLAND**. Mr. Speaker, I join my colleagues in paying tribute to the Disabled American Veterans, now celebrating a half century of service to veterans and their families throughout the United States. The DAV's golden anniversary—a milestone in America's history of care for its disabled veterans—shows just how pressing and just how enduring the need is for such an organization. It has fulfilled its mission well—indeed, beyond all expectations. Since 1921—when a virtual handful of veterans founded the DAV in Cincinnati, Ohio—it has helped make possible a fruitful and meaningful life for countless veterans disabled in the service of their country. This single-minded goal has not changed over the past 50 years; as Abraham Lincoln put it:

> To care for him who shall have borne the battle and for his widow and orphan.

Chartered by the Congress in 1932, the DAV soon began a wholesale expansion of its activities. Still another expansion—this one came soon after the Pearl Harbor attack—brought the disabled of World War II within the DAV's scope. As always, the organization's principal objective was getting fair compensation, adequate medical care, and gainful employment for disabled veterans. On July 15, 1942, the Congress amended the DAV's charter, making veterans of all American wars eligible for membership.

Many people are surprised to learn that disabled veterans do not routinely and automatically receive VA benefits. In each case the veteran must file a claim, marshal the appropriate evidence in the claim's support, and explicitly demonstrate legal entitlement. It is here that the DAV plays its most significant role. Employing full-time professionals accredited by the VA, the organization represents veterans before VA rating boards in much the same way as a lawyer before the courts. The DAV's national service officers help disabled veterans prepare their claims for hospitalization, compensation, training, insurance and other benefits—and, equally as important, build the case necessary for a valid claim and appear before the rating boards in the veteran's behalf. Such comprehensive services, needless to say, are invaluable to America's disabled servicemen. They are provided free of charge and without obligation. Stationed in all VA offices throughout the country, DAV national service officers have handled more than 4 million claims for veterans and their families.

The DAV, moreover, publishes a monthly magazine dealing exclusively with veterans' affairs, and maintains insurance, employment and legislative departments at its headquarters here in Washington. The legislative department has done incalculable work in promoting and hastening the enactment of veterans' legislation.

The Massachusetts department of the DAV now has more than 20,000 members—part of the organization's 300,000 membership nationwide. Hoping to provide help to more and more veterans, the Massachusetts department has organized three new chapters—in Rockland, Hamilton, and Falmouth.

The State and national organization's current major projects, cooperating with the VA in making Vietnam veterans aware of their benefits and arousing American public opinion against North Vietnam's treatment of U.S. POW's, demonstrate the DAV's abiding dedication to its principles.

Like every other member of this body, I congratulate the DAV on its 50th anniversary of service.

With permission, Mr. Speaker, I place in the RECORD a list of DAV officers in Massachusetts.

1970–71 DEPARTMENT OFFICERS

Commander: Robert C. Hagopian, Room 545, State House, Boston, Mass.

Sr. Vice Commander: John P. McGillowey, 48 Safford St., Braintree, Mass.

Jr. Vice Commanders:

William A. Tabb, 27 Calhoun Avenue, Everett.

Adalor Bernier, 81 E. Main Street, Avon.

Edward Orso, 40 Golden Avenue, Medford.

John McLaughlin, Treble Cove Rd, N. Billerica.

Richard Wells, 38 Nixon Rd., Framingham, Mass.

Robert D. Jones, 106½ Meetinghouse Rd, Chicopee.

Anthony Alves, 67 Boutwell St., Fall River.

Adjutant and Executive Secretary: Joseph R. Harold, 31 Riverside Avenue, Quincy.

Treasurer: George J. Lynch, PO Box 112, Dorchester Center Station, Dorchester.

Jr. P.D.C.: Robert S. Redding, 9 Brownlea Rd, Framingham.

National Executive Committeeman: Horace G. Still, 45 Norfolk Rd, Holbrook.

Finance Committee:

Peter P. Stonis, 1451 Washington St., Walpole.

Leo W. Lalley, 14 Lawson Lane, Braintree Highlands.

Joseph B. Varley, 135 E. Main Street, Marlboro.

Arthur H. Trepanier, 51 Goldsmith St., Littleton.

Joseph Calvanese, 1847 Roosevelt Avenue, Springfield.

Joseph L. Francis, 10 Old Church St., Yarmouth.

Boyd H. Bowers, 14 John Street, Woburn.

Anthony Caradonna, 53 Belmont Street, Haverhill.

Audience Committee:

Thomas F. Hayes, 20 Willow Street, Reading, Chairman.

Horace G. Still, 45 Norfolk Rd., Holbrook.

Robert S. Redding, 9 Brownlea Rd., Framingham.

Frank S. Salek, 801 Worcester Street, Southbridge.

Chairman of the Finance Committee.

Chaplain: Rev. Carl Bergstrom, VA Hospital, 150 S. Huntington Ave., Jamaica Plain.

Chief of Staff: Michael D. Hurley, Police Desk, 100 Nashua St., Boston.

Officer of the Day: Frank Shumski, 289 Dean Street, Norwood.

Sgt. at Arms: George Chaloux, 22 Overlook Avenue, Burlington.

Sgt. of Color Guard: Edward F. Hogan, 69 Atlantic Street, Quincy.

Department Service Officer: Walter P. Mason, 505 E. 7th Street, S. Boston.

Historian: Thomas L. Gallagher, 7 Prescott Street, Charlestown.

Inspector: Arthur Cushing, 34 Crown Street, Milton, Mass.

Director, Public Relations, Caesar L. Donnaruma, 5 Prince Street, Boston.

Life Membership Chairman: Judge David B. Williams, 76 Wood St., Concord.

Auxiliary Liaison Officer: Boyd H. Bowers, 14 John Street, Woburn.

N.O.T.R. Liaison Officer: Albert Kaplan, 130 Mill St., Malden.

Director Community Services: George A. Wells, 59 Clark Street, Worcester.

Employment Officer: James Ferguson, Vet Empl. Rep. U.S. Dept. of Labor, JFK Bldg., Boston.

For Information on Federal Civil Service: Thomas Walsh, Rm. 1012, Post Office Bldg., Boston.

Department Supply Officer: Alfred W. Coyne Jr., Room 545, State House, Boston.

National Service Officer in Charge: Arthur H. Wilson, Room E 318 JFK Bldg., Boston.

Mr. **DINGELL**. Mr. Speaker, today we commemorate the 50 years of service rendered by the Disabled American Veterans to America's war disabled, their widows and orphans.

It is appropriate that the DAV had its origins in a party organized for some 100 disabled veterans in Cincinnati, Ohio, on Christmas Day 1919. The party had been organized to bring cheer and fellowship into the lives of veterans from Ohio Mechanics Institute, and those attending extending their consideration to the 300,000 wounded, disabled, handicapped or ill veterans who had been mustered out of the services following the end of World War I. The needs of these disabled veterans were many—medical care, education, vocational training, compensation and benefits for those unable to support their families.

During 1920, an active organizational campaign was carried forward by Judge Robert S. Marx of Cincinnati which culminated in the DAV's first national convention held in Detroit, Mich., on June 27, 28, 29 and 30, 1921. The members of the DAV, although often beset by substantial financial problems, moved forward through the years with great dedication in an effort to fulfill their organization's mission of assuring that all our country's wartime disabled, their widows and their dependents, have been adequately cared for.

I am aware of the great assistance which is rendered to disabled veterans by the DAV's staff of service officers who are located in the various Veterans' Administration regional offices throughout the country.

The country has a special obligation to those who have been disabled while serving their Nation. As a Member of the House of Representatives since 1955, I have had the pleasure of working with representatives of the DAV on legislation aimed at fulfilling this obligation.

Mr. DONOHUE. Mr. Speaker, it is a great honor and privilege to join with my colleagues here in this well-merited tribute to the Disabled American Veterans organization on the occasion of their rightful celebration of 50 years of dedicated and distinguished service to their country and to the disabled American veterans, and their families, of all our wars.

The story of the DAV is well known to those of us who have been associated in Congress with the eloquent leadership its legislative arm has provided in sponsoring laws to provide ever more effective care and rehabilitation for the disabled veteran. Founded in 1921, at a time when some 300,000 veterans had returned wounded or disabled from the First World War, the DAV received a congressional charter in 1932, establishing its well-deserved status as the only, nonprofit, nonsectarian agency dedicated exclusively to the needs and rights of disabled veterans. In 1942 its scope was extended to include all American war disabled.

Today there are over 300,000 members in some 2,000 local chapters throughout the United States and abroad. To adequately help these members and their families the DAV employs the largest professionally trained national service staff, each member of which is himself a disabled veteran, of any national veterans' organization in America.

These efficient representatives provide prompt and effective assistance to disabled veterans and their dependents in their relations with the Veterans' Administration and other public agencies. The legislative program of the DAV concentrates on the sponsorship of laws designed to secure more adequate care and rehabilitation for the war disabled and his dependents as new needs arise and they have been remarkably successful in this vitally important area of their activities.

Therefore, Mr. Speaker, because of their outstanding and unsurpassed record of gallant service, not only to all disabled American war veterans but to the civic progress of nearly every community in this country, I am very proud to take part in this congressional salute to Disabled American Veterans in recognition of their golden jubilee. Their patriotic leadership and accomplishments constitute a major contribution toward the improvement of the quality of life to all their fellow citizens and all Americans share in the pride and honor which is theirs on this historic occasion.

As we express our common praise for this unique organization let us also unite in our prayers that their concrete example of quiet courage and human concern for others may continue to inspire our Nation and our people to stalwartly meet and peacefully resolve all our internal and external challenges now and forever.

Mr. CLEVELAND. Mr. Speaker, my remarks in tribute to the Disabled American Veterans and their aptly designated "quiet courage" will be brief. This is not because my respect and admiration for their 50 years of dedicated service as a veterans' organization is in any way limited. On the contrary—they have done such a fine job that words of mine are hardly necessary.

Members of the DAV served their country well in war and have continued their service in peace, as well. Since their beginnings in Cincinnati, Ohio, in 1920, their congressionally chartered work for the improvement of the health, education, rehabilitation, and improved opportunities for disabled veterans and their widows and dependents has been hugely successful. Their service officers have handled upwards of 8 million cases. Long before anyone had ever heard of the need for "ombudsmen" to prod government into the performance of its obligations to individual citizens, the DAV was representing disabled veterans before the Veterans' Administration when former servicemen were making their claims for disability compensation.

One of the reasons that disability compensation for service-incurred disabilities is a fact and not a promise for millions of disabled veterans is because of the work of the DAV, with Congress as well as with the Veterans' Administration. The DAV will continue its great career in the service of veterans with the knowledge that, as evidenced today, it has the full and continuing support of Members of Congress. Their recent activities on behalf of the POW's is typical of their deep concern for those who have served our country faithfully and well. Their achievements in New Hampshire have been notable. I am proud to work with DAV chapters in my district. They are truly patriots with a purpose and working with them on problems and for the good of our country is a high honor.

Mr. BELL. Mr. Speaker, I am pleased to join today in commemorating the 50 years of service by the Disabled American Veterans to American men who have been disabled by the cruelty of war.

The DAV has diligently worked to assist disabled veterans, their dependents, widows, and orphans in obtaining all benefits to which they are legally entitled.

So often the wheels of bureaucracy grind slowly and erratically, and it is necessary for a dedicated and persistent organization such as the DAV to insure that the rights and benefits promised by law are finally secured.

With the Vietnam war disabling so many of our young men in military service, the challenge to DAV has continued. It is gratifying to see that the Disabled American Veterans has responded to the problem with academic and on-the-job training programs to help seriously disabled veterans to return to vocational activity. These men deserve no less.

It is a tribute to the DAV that its tireless and unselfish efforts are assuring that disabled veterans receive the compassionate care and the generous assistance which they so clearly deserve.

Mr. VAN DEERLIN. Mr. Speaker, I am pleased to have this opportunity to join my colleagues in honoring the Disabled American Veterans for their half-century of distinguished service to our disabled veterans and their dependents.

I am continually impressed by the selflessness of this organization, which has labored so long and effectively for those who have sacrificed for our Nation. Typically, the services are offered all veterans, regardless of whether they are members of DAV.

It is most fitting that the DAV receives this recognition of a special day in Congress. Few groups in any walk of American life have done as much to earn such tributes.

Although I fully expect the DAV to go onto even greater accomplishments during the next 50 years, today I join wholeheartedly in saluting this proud and venerable organization on the occasion of this milestone in its history.

Mr. HASTINGS. Mr. Speaker, it is a privilege for me to join with my colleagues in paying tribute to the Disabled American Veterans on their 50th anniversary.

Since its organization, shortly after World War I, the DAV has distinguished itself through unstinting service on behalf of our wounded veterans and their families.

It is an organization born of duty and courage. When the guns of Europe fell silent in 1918, of the 4 million Americans returning to civilian life, 300,000 had suffered disabling wounds or were ill.

Government efforts to take care of these men were hastily set up and far from adequate. Programs for returning the disabled to useful and productive lives had bogged down.

Against this disheartening background, the DAV came into being. It has never wavered from its original goal "to advance the interest and the work for the betterment of all wounded, injured, and disabled veterans, their widows and dependents—to cooperate with all Federal and private agencies devoted to the cause of improving and advancing the conditions of health and interest of wounded, injured or disabled veterans."

Besides its national service program, the DAV helps children of disabled veterans obtain an education through scholarships. Last year it established a special fund to aid victims of natural disasters and it also conducts a program, in cooperation with the Boy Scouts of America, to teach disabled youngsters how to overcome their handicaps and lead normal lives.

The DAV's trademark is a blue flower called the "forget-me-not," which it sells each year as a fund raiser. The flower is more than a symbol. It is a genuine reminder that the DAV does not forget.

Currently, the DAV is carrying on a

massive nationwide campaign to focus attention on the plight of American prisoners of war in North Vietnam.

Spot announcements asking listeners to write to the North Vietnamese Embassy in Paris demanding the release of American POW's have been distributed to more than 700 television stations and to over 6,000 radio stations. More than 5 million leaflets have been sent to individuals, asking them to write similar letters.

The DAV's goal is to get 20 million letters into the hands of the North Vietnamese, letting them know that we have not forgotten.

We owe the DAV and its members an abiding debt. Their sacrifices and continued service to their comrades and their families can only serve as an inspiration to all America. It is an honor to join in this congressional "tribute to quiet courage" demonstrated by the DAV during the past 50 years.

Mr. PEYSER. Mr. Speaker, over 50 years ago, a group of American veterans, having returned from service in the First World War wounded and, in many cases, disabled, met together to explore their common concerns. As a result of these early meetings in Cincinnati, the Disabled American Veterans came into existence, and held its first national convention exactly 50 years ago. Today, there are over 300,000 members in some 2,000 local chapters throughout the United States and its territories, and abroad. Since 1942, the DAV has represented the interests of all American war-disabled servicemen.

The record of achievement and service by the DAV during the past 5 decades is truly impressive. Obedient to the classic words of Abraham Lincoln defining the Nation's duty to those who have been wounded in battle and to their families, the DAV has sought to "bind up the Nation's wounds." It has reached out to individuals—veterans and their dependents—with programs of service and rehabilitation at every level. The DAV has advocated meaningful legislation to help the disabled veteran, and has worked diligently for its enactment. In recent years, the Vietnam veteran has benefited from the care and assistance of the DAV as have veterans of earlier conflicts in this century.

All Americans are proud of the DAV and its distinctive mission, and I am happy to join my colleagues in extending sincere congratulations, heartfelt gratitude, and assured support in the days ahead.

Mr. PIKE. Mr. Speaker, yesterday we rightfully paid homage to three heroes whose superb lunar mission was admired and applauded by all the world. Today I would like to pay homage to the unsung and oftentimes forgotten heroes whose equally superb missions during the three wars we have fought in the last three decades cost them more than we can ever repay. We supplied the weapons, but they supplied themselves, and no formula of words could ever balance our tremendous indebtedness to them.

Today is Disabled American Veterans Day in Congress, and only the fact that my luck was a little better than theirs in World War II is responsible for the fact that I am standing here relatively intact, to praise their great gallantry.

They are climbing the steeper cliff without bitterness or reproach, with conscience clear that when their country needed them they came, and I honor them for that devotion, and their calm acceptance of the price they paid, in many cases, beyond belief.

Our country endures because of their bravery and sacrifice, and I only pray that we can take continuing fire from their spirit in any future challenges that lie before us.

Mr. WHALEN. Mr. Speaker, as a Representative from the State of Ohio, the birthplace of the Disabled American Veterans organization, I am particularly pleased that we in Congress are taking the time today to pause to recognize its accomplishments.

When the DAV was founded 50 years ago in Cincinnati, it was rooted in the principle that this Nation's first duty to veterans is the rehabilitation of its wartime disabled. To this end, the DAV policy has had a four-pronged approach: first, proper medical care and treatment of veterans for disabilities incurred, increased or aggravated by military service; second, adequate compensation for the degree of disablement caused by such disabilities; third, training and/or education to restore employability of the wartime disabled into gainful employment; and, fourth, adequate compensation to the widows, minor children and dependent parents of veterans who die as the result of a service-incurred disability. There is no doubt, Mr. Speaker, that the DAV has admirably fulfilled these goals during its first five decades.

In addition, in recent months, the DAV has undertaken a program in behalf of our prisoners of war and missing in action in Southeast Asia. These efforts have generated thousands of letters to the government of North Vietnam. I think it is appropriate that we single out the contribution which they have made in continuing to focus national and worldwide attention on this problem.

Mr. Speaker, certainly it is clear that the over 300,000 members of the DAV have and are continuing to accept the charge contained in the DAV ritual—"to be earnest, faithful, and devoted, and to remember that our mission as a Disabled American Veterans Organization is not fulfilled until all our country's wartime disabled, their widows and their dependents, have been adequately cared for." I am honored to participate in this day of recognition of their fulfillment, and I extend my appreciation and commendations to all DAV members, particularly those in Dayton. I am confident that with their continuing efforts our disabled veterans will be served well during the next half century.

Mr. ASHLEY. Mr. Speaker, I rise today to pay tribute to our gallant Disabled American Veterans. These men, who helped attain our military objectives on the battlefields, have undertaken an even tougher battle in their determination to rehabilitate themselves and secure proper consideration and adequate benefits for the thousands of their fellow soldiers more battle scarred than themselves.

We in Congress must never forget the terrible sacrifices these men have made for their country. We must do everything in our power to make sure that our Disabled American Veterans can lead a productive life with dignity.

Mr. BROOMFIELD. Mr. Speaker, I join my colleagues today in paying tribute to one of the finest organizations in the United States, the Disabled American Veterans. For 50 years the DAV has provided unselfish service to the returning wounded and handicapped. It is only fitting, Mr. Speaker, that we take this moment to honor those whose quiet courage has for so long brought honor to our Nation.

Any Vietnam veteran returning to the United States is faced with enormous obstacles to his adjustment. He comes back not to cheering crowds or blaring headlines, but long unemployment lines and meager unemployment checks. He comes back not as a hero, but as a stranger in a foreign land; a land that simply cannot grasp the depth and breadth of his war experience.

The situation is even more critical for the disabled veteran, handicapped by the war as well as the times. This is where the DAV enters, informing him of his rights under the law, representing him before the government, and leading him back into the cycle of American life. I cannot imagine a more worthwhile enterprise.

The success of the enterprise is well proven. Not long ago the DAV created a program with the Boy Scouts of America for handicapped young men, utilizing disabled veterans for leadership. The national commander of the DAV said recently that:

> It's sort of an inspiration for the (handicapped) kids to see a man who has been disabled overcome his problem.

Yes, Mr. Speaker, and it should be an inspiration for us as well to witness the quiet courage of these men, resolute in their will to continue serving their country.

Mr. TEAGUE of Texas. Mr. Speaker, it is a great pleasure for me to join with my colleagues today in commemorating the 50th anniversary of one of this Nation's outstanding organizations, the Disabled American Veterans. The DAV is a unique organization in many ways. It has no honorary membership. Membership in the DAV is restricted to veterans who are suffering from a disability incurred as a result of their military service. Fifty years ago a small group of disabled veterans formed the Disabled American Veterans for the sole purpose of providing service to their fellow disabled veterans and their dependents. During these past 50 years the DAV has not deviated from its single purpose to serve the disabled and it is to be highly commended for this.

DAV's program of service to the severely disabled and his dependents encompasses many activities. Principal among these and the one for which the DAV is most noted is its rehabilitation program. The DAV maintains a large staff of national service officers stationed at Veterans' Administration regional offices and hospitals throughout this country. In my home State of Texas I have personally found the DAV service officers to be highly trained and extremely dedicated in their endeavors to render service to all veterans and their dependents. I am sure that these service officers with whom I am personally acquainted exemplify the type of dedication that exists among the Disabled American Veterans service officers throughout the United States.

In addition to the DAV's outstanding service program, they are to be highly commended for their work on behalf of legislation to improve the welfare of all disabled veterans and their dependents. As a member of the Committee on Vetearns' Affairs I have had an opportunity to closely observe and work with the legislative staff of the Disabled American Veterans. I have been impressed with their interest in not only the type of legislation which affects all disabled veterans, but they have worked just as diligently in support of relatively minor bills which benefit only an isolated few of the seriously disabled veterans. As an example, in the 90th Congress, in addition to strongly supporting and working for the legislation which provided for increases in the compensation rates for all veterans, the dependency and indemnity compensation rates for widows, and the increases in the education and pension programs, the DAV just as strongly supported and worked on behalf of legislation which preserved the disability compensation evaluations for a few seriously disabled veterans who suffer from loss of limbs. The DAV supported legislation which increased the special housing allowance for the paraplegics. It strongly supported legislation which provided complete outpatient care for the permanently and totally disabled service-connected war veteran, and legislation which provided unlimited nursing home care for the service-connected veterans.

There are many who share in the responsibility for the achievements of the Disabled American Veterans in the past 50 years. Among these, of course, are their outstanding national service officers, but there are also the chapters and department officers who have given so unselfishly of their time and energies.

On this occasion, Mr. Speaker, I wish to especially commend the administration of the national commander, Cecil W. Stevenson; the national adjutant, Denvil D. Adams; as well as the national legislative director, Charles Huber, and his very hard-working staff.

THE EARTHQUAKE INSURANCE ACT

The SPEAKER pro tempore (Mr. CULVER). Under a previous order of the House, the gentleman from California (Mr. ANDERSON) is recognized for 30 minutes.

Mr. ANDERSON of California. Mr. Speaker, in behalf of myself and 38 cosponsors, I am introducing legislation to provide insurance for homeowners and businessmen against damage and losses resulting from earthquakes.

In 1968, the Congress enacted the National Flood Insurance Act which stated that—

> Many factors have made it uneconomic for the private insurance industry alone to make flood insurance available to those in need of such protection on reasonable terms and conditions; but a program of flood insurance with large-scale participation of the Federal Government and carried out to the maximum extent practicable by the private insurance industry is feasible and can be initiated.

This act has been hailed as a success. As of December 1970, the flood insurance program had over 60,000 policies outstanding with a dollar value of $1 billion; yet all claims under the program have been covered by private companies out of the premium revenues without Federal reinsurance.

Mr. Speaker, the legislation we are introducing would extend the flood insurance program to cover losses resulting from earthquakes.

Although a number of companies have offered earthquake insurance for many years, evidence shows that relatively few property owners have purchased such policies. In 1969, California property owners paid $5.8 million in premiums for earthquake insurance, but the Insurance Information Institute estimated that about 90 percent of this was for insurance on commercial buildings.

Yet, it has been reported that as few as one in 10,000 homeowners in the area hit by the February 9 earthquake are covered with earthquake insurance. In a 1969 study entitled "Toward Reduction of Losses From Earthquakes," the National Academy of Sciences reported that—

> Only 5 percent of California property insured against fire is also protected against earthquake hazards.

This same study goes on to say that—

> If such protection were to come suddenly into wide demand, earthquake insurance probably would be largely withdrawn from the market because of limitations of the capacity of insurance companies to stand concentrated losses.

Why is it—when California records about 700 earthquakes a year, and when experts predict that every 5 to 10 years an earthquake similar to the one that rocked Los Angeles on February 9 will occur on the California coast—why is it that so few property owners invest in earthquake insurance?

The experts generally agree that the clause which provides for a deduction of 5 percent of the value of the structure is the most prohibitive feature. The Insurance Information Institute states that:

> Some prospective buyers feel that the price is more than they want to pay or that the deductible on the losses sustained makes it unattractive.

Kenneth Klee, president of the California Insurance Brokers Association, has been quoted as saying that the cost and a substantial deductible provision make earthquake insurance unattractive to purchase. The National Academy of Sciences reports that:

> Earthquake insurance is not purchased in volume because it has a percentage-deductible feature, and because it is relatively costly.

Mr. Speaker, in other areas—such as flood and crime insurance—where rates are extremely high or insurance is difficult to purchase, the Federal Government has attempted to ease the strain on the homeowner and the businessman by assisting the private insurance industry in pooling risks, minimizing costs, and distributing burdens equitably among those who will be protected and the general public. I feel that we should broaden the base of policyholders by extending the flood insurance act to include earthquake coverage.

Some may feel that this legislation will benefit only those property owners of California, but this is not at all the case. Since 1953, earthquakes have wreaked havoc on five States; major disasters were declared after the earthquakes in Nevada in 1954; Hawaii in 1960; Alaska in 1964; Washington in 1965, and, most recently, California in this year. However, high intensity earthquakes have been reported throughout a large portion of the country. According to the paper, "Seismic Risk Studies in the United States," presented at the Fourth World Conference on Earthquake Engineering in 1969, earthquakes are most likely to occur in five principal areas:

One. The Western Coast of the United States;

Two. Central United States—centered in southern Illinois;

Third. New England—primarily New York and Massachusetts;

Fourth. South Carolina, and fifth the Northern Rocky Mountains—centered in Montana.

Mr. Speaker, I am very pleased to be joined by a distinguished list of cosponsors:

LIST OF COSPONSORS

Mr. Begich of Alaska.
Mr. Bell of California.
Mr. Biaggi of New York.
Mr. Burton of California.
Mrs. Chisholm of New York.
Mr. Clark of Pennsylvania.
Mr. Collins of Illinois.
Mr. Corman of California.
Mr. Danielson of California.
Mr. Dellenback of Oregon.
Mr. Dellums of California.
Mr. Dorn of South Carolina.
Mr. Edwards of California.
Mr. Garmatz of Maryland.
Mr. Goldwater of California.
Mr. Halpern of New York.
Mr. Harrington of Massachusetts.
Mr. Hawkins of California.
Mr. Hechler of West Virginia.
Mrs. Hicks of Massachusetts.
Mr. Holifield of California.
Mr. Johnson of California.
Mr. Leggett of California.

Mr. McFall of California.
Mr. Matsunaga of Hawaii.
Mr. Miller of California.
Mr. Moss of California.
Mr. O'Neill of Massachusetts.
Mr. Price of Illinois.
Mr. Rees of California.
Mr. Roe of New Jersey.
Mr. Rooney of Pennsylvania.
Mr. Roybal of California.
Mr. Sisk of California.
Mr. Van Deerlin of California.
Mr. Veysey of California.
Mr. Waldie of California.
Mr. Charles Wilson of California.

Under this act, the program will be administered by the Department of Housing and Urban Development, and like the flood insurance program, a community would apply for eligibility for earthquake insurance through the Department of Housing and Urban Development. After a community is declared eligible and earthquake insurance is made available, earthquake insurance policies would be purchased from any local property and casualty insurance agency or broker licensed to do business within the State.

Claims from policyholders would be paid out of the premiums which would be held in a trust fund. If the total claims exceed the amount of the premiums, then the insurance companies would bear the losses up to 125 percent the amount collected in premiums. If the total claims were 2¼ times greater than the amount of premiums collected, the Federal Government would then enter and share the losses with the private insurance companies.

Mr. GOLDWATER. Mr. Speaker, I would like to rise in support of my distinguished colleague from California, Mr. Glenn Anderson, and his proposal to extend the provisions of the Flood Insurance Act to cover damage caused by earthquakes.

Inasmuch as the epicenter of the recent Los Angeles earthquake fell in my district, the 27th of California, I witnessesd at firsthand the terrible damage done by this natural catastrophe. Thousands of people saw their homes crack and buckle, their possessions smashed, and part of their land slip away. And these unfortunate people knew that no recompense could be obtained for these damages.

Federal assistance in natural disaster has many shortcomings, not the least of which is its failure to deal with the smaller losses which can really injure a family economically. As we all know, earthquake insurance has been out of the range of the vast majority of people in California because of its prohibitive expense. The high cost of this lack of coverage can most clearly be seen in the estimates for property damage in the Los Angeles area, which go as high as a billion dollars.

I therefore urge my colleagues to support this measure, which will bring the weight of the Federal Government to bear as a silent partner in enabling insurance companies to provide earthquake damage coverage at reasonable rates, without fear of undue loss to themselves.

Mr. BEGICH. Mr. Speaker, Alaska shares a special relationship with the State of California in that both States have suffered, and continue to suffer, earthquakes of destructive force. Because of well-known geological factors it is certain that such tragedies will continue to occur and must be regarded as a part of life in these States. We can only hope that the centers of such earthquakes will not be in or near centers of population.

The recent California earthquake and the 1964 Good Friday Earthquake in Alaska were centered in areas of high population and development, and the results were a tragic loss of life and destruction of property. Other States suffer from earthquakes, as well, and along with floods, hurricanes, and other natural disasters, there are constant threats which we cannot at this time control through technology.

Still, there are a number of actions that we can and must take as a nation to deal with such emergencies. With specific regard to earthquakes, but general application to all natural disasters, I believe we should begin to form a comprehensive program to cope with this situation. Such comprehensive legislation might include:

Emergency assistance funding and coordination agencies to include housing, food, transportation and medical assistance through a central Federal office.

Medium-term assistance and subsidies for 12-month programs in the same areas so that a period of reconstruction and readjustment might take place for the victims. Employment, services, and loans for housing and business reestablishment would also be included.

Long-term assistance, including redevelopment loans in all essential areas, and Federal technical assistance in redevelopment activities in the disaster area.

Such legislation has been introduced before, and I shall work toward new programs during this Congress. Today it is my privilege to be included as a sponsor on a bill which addresses itself to a part of this overall solution, and a part which is of immediate concern.

The bill I am referring to is an amendment to the National Flood Insurance Act of 1968 which includes in the provisions of the former act a plan for insurance against earthquake losses. This amendment, prepared by Congressman Glenn M. Anderson of California, is an admirable first step in a comprehensive solution, and I join him as a cosponsor with great pleasure.

The single fact which must be appreciated in order to fully understand the necessity for such a program is that in each area where a major earthquake occurs, only 1 to 5 percent of the property is insured against such destruction. The reasons are equally simple. The premiums for such coverage are prohibitive in high-risk areas, and high deductible provisions make even this high premium coverage inadequate.

It is not the fault of the insurance industry, as the various actuarial factors make such policies legitimately high priced. It is the role of the Federal Government, as it was in the Flood Insurance Act, to bridge this gap and make earthquake insurance available to those who need it.

The legislation introduced today is a valid and modest approach to this situation. It establishes a new insurance program for earthquake damage under the provisions already set out for the flood insurance program. Like that program, it places the private insurance industry in the primary position of responsibility and provides Federal assistance only where necessary to make earthquake insurance possible on a reasonable basis. In addition to assistance in reducing premiums, the Federal Government will assist insurance carriers by offsetting their loss in the case of massive coverage payoffs.

I believe this program for earthquake insurance is well worth your support and encouragement. I will be offering additional and alternative proposals on the same subject within the next week, and would express the hope that, after prompt hearings, we can produce a finished program of earthquake insurance which will enable the victims of these disasters to at least make a reasonable recovery from such tragedies in the future.

GENERAL LEAVE

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THEY CONTINUE TO SERVE WITH QUIET COURAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. Vander Jagt) is recognized for 5 minutes.

Mr. VANDER JAGT. Mr. Speaker, in a time of intense debate over national policies and priorities, many voices have been raised to commend or deny the merits of our strategies and objectives. However, my thoughts today are removed from the area of debate and are quiet and humble in tone, for the men and deeds we endeavor to honor are far above the syntax of embellished or overstated oratory and speak simply and clearly for themselves.

The Congress has set aside today, March 3, 1971, to commemorate the 50 years of service of the Disabled American Veterans to America's war disabled. Founded by men who had become disabled on the battlefields of World War I, the DAV became an effective force in securing rehabilitation and proper care and benefits for thousands of other disabled veterans. With determination this exemplary organization works for the improvement of health, education, rehabilitation, and employment opportunities for disabled veterans, their widows, and dependents.

Such a commemoration must naturally, in turn, praise those brave and unselfish men who in their quiet courage symbolize the sense of purpose, dedication, selflessness, and individual responsibility which characterizes this Nation's heritage. The heroism of our fighting men often continues long after the war they fought. It is especially evident in the wards of our veterans' hospitals and in the manner in which disabled veterans fight to overcome handicaps in order to lead a productive life.

To these men and the wartime disabled veterans who work to assist them we say thank you from the bottom of our hearts, and God bless you.

SOCIAL SECURITY PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 5 minutes.

Mr. FINDLEY. Mr. Speaker, today I have introduced two bills concerning the social security program. The first bill would provide for an automatic cost of living increase in the insurance benefits payable from the social security accounts. Benefits which fall behind the cost of living do little but keep poverty levels current. My bill, which would tie social security benefit increases to the rise in the consumer price index would help meet the problem of loss of purchasing power. To finance the cost of living increase I have proposed that payment be made from general revenues, not by increasing social security taxes.

The second bill would permit social security recipients to earn up to $3,000 annually without suffering the penalty of reductions in their regular cash benefits. I am concerned, not only by the need for action to help our older citizens to meet the burden of rising living costs, but by the fact that the present limitation serves to rob these citizens of the incentive to better their own circumstances. Many citizens, who could otherwise attain a higher standard of living by augmenting their social security incomes, hesitate to do so because of the penalty of reduced benefits.

These two provisions were included in the social security proposal as it passed the House last year, and I am most anxious that the provisions be enacted into law in the near future.

THE 50TH ANNIVERSARY OF DISABLED AMERICAN VETERANS' ORGANIZATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. McDONALD) is recognized for 5 minutes.

Mr. McDONALD of Michigan. Mr. Speaker, today the members of the Disabled American Veterans celebrate their golden anniversary of service to this Nation. I rise today to pay tribute to this organization, its leaders, and the goals which they have established and met.

Wars start with a bang, and too often end with a moan. Our young men and women who enter these battles for freedom and justice suffer many kinds of wounds. Some are cared for with a bandage or a crutch. Others are more serious, both physically and mentally.

The Disabled American Veterans was organized to provide guidance to returning veterans who have been wounded or disabled. Through its more than 1,900 local chapters, each returning veteran is contacted and assistance offered.

When a young man goes to war, Mr. Speaker, he does not ask what his benefits are in the event he is wounded. He goes where he is ordered, and does what he is ordered, and prays that he will not be a victim of an enemy bullet or bomb. The mental attitude that keeps our men fighting is that it will not happen to him.

But often it does. And the DAV is the group that provides the counseling and guidance to help these wounded veterans reenter the mainstream of American productivity.

The basic functions of the DAV national service program is to assist disabled veterans, their dependents, widows, and orphans in obtaining all benefits to which they have legal entitlement. These include Veterans' Administration disability compensation and pension, death indemnity compensation, death pension, vocational rehabilitation and education, hospitalization and outpatient treatment, national service life insurance, assistance in housing and employment, disability insurance benefits from the Social Security Administration, and others.

This service goes beyond the normal physical repairs to the wounded body. Through the DAV, the veteran is counseled and assisted through that difficult period of adjustment. If he is severely handicapped, he is shown that his handicap does not hamper him from making a living, raising a family, and otherwise living a normal life.

It is this service that is so valuable to a returning veteran. He gains hope where there was none. He gains skills to replace those lost through a wound. And he gains respect and confidence where there was only despair and frustration.

The Disabled American Veterans is a private group with public goals. All Americans should pause this day and note this anniversary. Nonveterans owe a deeper debt of gratitude than the veteran, Mr. Speaker, for our very security is assured through the veteran's effort in time of war.

THE NATIONAL FOUNDATION FOR HIGHER EDUCATION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. STEIGER) is recognized for 5 minutes.

Mr. STEIGER of Wisconsin. Mr. Speaker, this week I have introduced a bill which would testify to our firm commitment to continued innovation and growth in quality higher education, H.R. 5192, the National Foundation for Higher Education Act.

A concern to some of us in this body has been the manner in which the resources for our colleges and universities have been employed. For three decades the Federal Government has been employing the universities to do work which it wanted done. While most of these projects were undeniably in the national interest, the fact still remains that this tendency has worked to divert the academic community from pursuing excellence and reform in fields of its own choosing. Furthermore, reliance on the Federal research dollar has proven to have been an unwise economic choice in some cases, as recent DOD and NASA budget cuts have proven.

To aid academic institutions as they are making procedural reforms, the President has proposed the creation within the Department of Health, Education, and Welfare of a National Foundation for Higher Education.

This foundation would provide support by:

Encouraging excellence, innovation, and reform in postsecondary education;

Providing assistance for the design and establishment of innovative structures and teaching methods in higher education;

Expanding the methods and patterns of acquiring higher education and opening opportunities for such education to individuals of all ages and circumstances;

Strengthening the autonomy, individuality, and sense of mission of postsecondary educational institutions, and by supporting programs which are distinctive or of special value to American society; and

Encouraging postsecondary educational institutions to develop policies, programs, and practices which are responsive to social needs, and by providing an organization in the Federal Government which is concerned with the rationalization of public policy toward higher education.

This national foundation will be responsible to the Secretary of Health, Education, and Welfare and the Commissioner of Education. Its daily operations will be run by a Presidentially appointed director.

The foundation will be guided by an 18-man board, appointed by the President, which will be broadly representative of the general public and the education community.

In the legislation for the foundation, there is a long list of the types of activities for which the foundation might award grants or contracts. These activities include proposals for creation of new types of institutions, discovery of new methods of learning, the introduction of new methods of recruiting and retaining graduate faculty members, and the creation of new credentialling methods.

The President has requested $100 million in his 1972 budget for the foundation.

DISABLED AMERICAN VETERANS DAY IN CONGRESS: A TRIBUTE TO QUIET COURAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. ZION) is recognized for 5 minutes.

Mr. ZION. Mr. Speaker, disabled veterans helping their comrades; this is what the Disabled American Veterans is all about—and that is plenty. Today we pause in the House to note the 50th anniversary of this outstanding service organization which has, since 1920, pursued its single purpose of aiding the wartime service connected disabled veteran return to civilian life and have a chance at a decent life.

Disabled American Veterans has come a long way since that Christmas Day party in long-ago 1919 when a man of great vision, Judge Robert S. Marx of Cincinnati, Ohio, first caught the vision of what could be, of what must be done for America's disabled veteran. The great war to save democracy had come to a close and yet the American democracy was falling short in meeting its obligations to its returning heroes. The disabled veteran was lacking the means to obtain a sound education, to gain a meaningful vocational training program, to receive proper medical care for the wounds and injuries they had sustained and to be compensated for those injuries, rendered on behalf of a nation and her people. How could these men obtain the necessary benefits to protect the futures of wives and children when these men could no longer work? The problems seemed insurmountable but Judge Marx had a vision and America's war wounded are profiting every day from his foresight.

Today, nearly 300,000 dedicated members serve in the ranks of the DAV working for the consideration and benefits that are the right of those who have served their country very well. The organization today stands sound and effective and they have come a long way from the rocky beginning days when public and Government apathy, disorganization and a lack of financial means made the future quite cloudy.

The first national convention was called in June 1921 with 1,000 men in attendance. The big job had begun. Now, with the passing of half a century, the DAV's enthusiasm and dedication has not flagged. World War II and Korea have come and gone with their terrible roster of dead and disabled. The Nation now lives with Vietnam, a controversial war, a dividing war—and yet the DAV remains true to its mission. The first quarter of this year saw 1,178 Americans killed in Southeast Asia with 9,809 more wounded. The survival rate for wounded soldiers is now, thankfully, the highest in history due to new medical techniques on and off of the battlefield. Greater survival means more wounded and increased problems for the Nation and the DAV. The challenge has never been greater but it will be met.

Each new DAV officer, at every level, subscribes to the following charge upon assuming office:

> I charge you to be earnest, faithful, and devoted, and to remember that our mission as a Disabled American Veterans organization is not fulfilled until all our country's wartime disabled, their widows and their dependents, have been adequately cared for.

Perhaps someday this mission will be met. Perhaps the guns of war will finally grow ever silent and the world will exist at peace. Until such time it will be the men of the DAV who will teach us what concern is all about.

FREE WORLD FLAG SHIPS TO NORTH VIETNAM DECLINING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. CHAMBERLAIN) is recognized for 5 minutes.

Mr. CHAMBERLAIN. Mr. Speaker, I have just been advised by the Department of Defense that during February, four vessels flying free world flags called at North Vietnamese ports. These include three ships under British registry and one of the Somali Republic. This brings the total for the first 2 months of 1971 to seven such arrivals as compared with 10 arrivals during the same period last year. In connection with other allied efforts to cut the enemy's source of supply, I am encouraged to see the level of this seaborne trade continue to decline.

As I pointed out in my year end report on this problem on January 25, 1971, important progress has been made over the past 2 years in shrinking this source of supply, and I urge the administration to continue its efforts. A tabulation follows:

FREE WORLD FLAG SHIPS TO NORTH VIETNAM, 1971

	U.K.	SOM	Total
January	2	1	3
February	3	1	4
Total	5	2	7

THE 50TH ANNIVERSARY OF DISABLED AMERICAN VETERANS ORGANIZATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. RUPPE) is recognized for 5 minutes.

Mr. RUPPE. Mr. Speaker, it is with a great deal of pride that I take this opportunity today to participate in commemorating the 50th anniversary of the Disabled American Veterans organization. Certainly in a time when all American citizens are keenly aware of the role of the individual in service to his country, at a time when this Nation is divided over a costly war, we are acutely sensitive to those who have individually experienced the suffering and hardships of war service and we can deeply understand the need for helping them become involved again in our society.

This organization was founded by men who had themselves experienced these hardships and who know a compassion that only shared experiences can give. With a determined spirit to help fellow disabled veterans, these men resolved to rehabilitate themselves and secure proper consideration and adequate benefits for thousands of their battle-scarred comrades.

Over the years the services of the DAV organization have expanded and it has served to show many returning veterans new means of involvement in the Nation's professions. It has taken an active role in making the American public aware of our prisoners of war in North Vietnam and has encouraged citizens to call for North Vietnam to carry out the provisions of the Geneva Convention. It has served as an ombudsman, to make known to disabled veterans the benefits that are available to them, and as counselor, to encourage them to retrain or pursue educational paths which increase their professional skills.

It is appropriate and significant that all American citizens join in paying tribute to this organization and its service to DAV.

BOEING STIMULATES PRO-SST MAIL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 10 minutes.

Mr. REUSS. Mr. Speaker, one of my constituents has sent me a copy of a letter he received recently from the Boeing Co. asking that he join with them "in working for the continuation of the U.S. SST prototype airplanes." The letter was sent to all "suppliers and subcontractors to the aerospace industry." The letter said:

> Employees should write their Congressmen, then contact their personal friends and relatives with encouragement for them in turn to join this effort.

Sample letters and telegrams were provided—none of which give any hint that it is a person connected with the aerospace industry who is writing.

With the thought that Boeing's letter may be of interest to my colleagues, I include it in the RECORD:

> SUPPLIERS AND SUBCONTRACTORS TO THE AEROSPACE INDUSTRY
>
> The question of further funding for America's Supersonic Transport Program will be taken up soon by Congress. If funding is denied for this next vital step in technology we may all anticipate a continuing attempt to suppress the very means by which social, environmental and economic progress is fostered. Everyone who earns a living by "making something" should be deeply concerned about this problem.
>
> Being a supplier to the aerospace and allied industries, you are exposed to a great deal more fact than the average individual about America's SST Program. After studying the pros and cons I am sure that you will be convinced that an excellent airplane with little or no effect on the environment will result. Any reasonable man or woman who really cares to find out the facts and to judge America's Supersonic Transport realistically will come to the same conclusion.
>
> The thousands of direct jobs that would be lost if we don't build the SST are certainly important but don't overlook the tens of thousands of people who work for companies such as yours supplying goods to the aerospace industry; machine shops, laboratories, plastics firms, machine tooling companies and of course a myriad of electric and electronic firms. All types of companies across the nation will be affected.
>
> You and your people are encouraged to

join with us in working for continuation of the US/SST Prototype airplanes. This can best be done by exercising your American right to make your representatives in Washington, D.C. aware of your position. Employees should write their congressmen—then contact their personal friends and relatives with encouragement for them in turn to join this effort. Company management assistance is vital to stimulate this action and your personal efforts in this area are requested. Typical sample letters that may be used or modified to fit your particular efforts appear on the reverse side of this letter. Also included are sample public opinion telegrams. Past efforts of mail campaigns proved very effective during late 1970 but the need to repeat this effort is becoming more and more apparent. Your company together with several thousand others is being asked to assist.

Our use of a form letter to describe such a vital issue is certainly not desirable, however, in consideration of the magnitude and timing of the combined efforts required we trust you will react with personal effort.

Feedback regarding your company's activities for support is very important for overall assessment. It will be very much appreciated if activity status is forwarded to the following address.

SST Division Materiel,
Orgn. 9-5804, M/S 43-49.

Hon. (John Doe),
U.S. Senate
Washington, D.C.
or
Hon. (John Doe),
U.S. House of Representatives,
Washington, D.C.

Dear Senator (Doe): or Dear Mr. (Doe): After reading about all of the arguments about America's Supersonic Transport Program, I have concluded it is a worthwhile project. I consider the SST vital to the nation's economic future and fully deserving of Federal support.

I strongly urge that you work and vote for this important national program which will insure a healthy, competitive U.S. aviation industry. Thousands of jobs throughout the nation are at stake. Don't deny American workers the chance to contribute towards making our world a better one to live in.

Respectfully, ____

____ ____.

Dear Senator (Doe): or Dear Mr. (Doe): We have read a lot lately about how something called "technology" has gotten out of hand and ought to be stopped before horrible things happen to us. This is rather childish, but a lot of people seem to take it seriously. Sure, we've got to clean up the environment. We've got to make sure our river water is not fouled and our cities are quieter places to live in. But why blame technology, when it is our only means of solving the problems?

Take the SST for example. We know that aircraft engines are getting cleaner and cleaner all the time. It stands to reason that the less time an airplane is in the air, the less it will pollute. It seems to me, then, that the SST is one good answer to our concern about the environment. As one who has followed the supersonic race with France and England, and Russia, I happen to think the American SST will be a far superior plane. We certainly shouldn't cut off the orderly development now that we are so close to flying the prototype. I hope when the vote comes up, you will back the project.

Respectfully,

____ ____.

Public opinion telegrams can be sent to above addresses; 15 words for $1 flat rate: An American SST is needed and justified. Strongly urge you support this vital national program.

* * * * *

America needs the SST to keep our Nation first in aviation. Please vote for it.

GATEWAY NATIONAL RECREATION AREA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. Addabbo) is recognized for 10 minutes.

Mr. ADDABBO. Mr. Speaker, I am introducing today on behalf of myself and 20 cosponsors H.R. 4185 to establish the Gateway National Recreation Area in the States of New York and New Jersey. The bipartisan support for this important environmental legislation is evidence of the urgent need for action to save the remaining resources located in the area at the entrance to New York Harbor.

I am pleased to list the following Members of the House of Representatives as cosponsors of H.R. 4185: Mr. Celler, Mr. Wydler, Mr. Brasco, Mr. Delaney, Mr. Halpern, Mr. Rosenthal, Mr. Daniels of New Jersey, Mr. Thompson of New Jersey, Mr. Dulski, Mr. Lent, Mr. Wolff, Mr. Murphy of New York, Mr. Rangel, Mrs. Abzug, Mr. Badillo, Mr. Podell, Mr. Scheuer, Mr. Pike, Mr. Dow, and Mr. Biaggi.

The text of the legislation introduced today is identical to H.R. 4185 which I sponsored on February 10, 1971, and H.R. 19445, which I introduced during the 91st Congress. The bill creates a federally protected area of approximately 20,000 acres including Jamaica Bay, Breezy Point, Great Kills, Sandy Hook, and Hoffman-Swinburne Island. The legislation authorizes the Secretary of the Interior to acquire all lands and water within the area by donation, purchase, or exchange with all State or locally owned lands to be acquired only by donation.

This area includes some of the most valuable and unique recreational lands in the Northeast part of our Nation. The horrors of water pollution have already destroyed literally thousands of acres of this natural resource. We have an opportunity to act now in order to prevent further destruction and to assure that future generations will be able to enjoy this legacy.

The Department of the Interior has endorsed the concept of establishing a Gateway National Recreation Area and this legislation is consistent with the President's environmental message to the Congress.

Another important feature of this legislation is the prohibition against airport expansion within the national area. This section of the bill is designed to assure that a national conservation and recreation area will not at some future time be invaded by the increased noise, air, and water pollution which would result from runway expansion at Kennedy Airport into Jamaica Bay. Such proposals have been pending for several years and just 2 weeks ago the National Academy of Science released a study showing the environmental destruction which would result from implementation of such proposals.

Mr. Speaker, I hope that the broad support for this legislation will bring about hearings and favorable action by this Chamber on the proposed establishment of the Gateway National Recreation Area.

RARICK REPORTS TO HIS PEOPLE ON REVENUE SHARING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. Rarick) is recognized for 15 minutes.

Mr. RARICK. Mr. Speaker, I have today made a report to the people of my district on the proposed revenue-sharing program.

I include my report in the Record at this point:

You are hearing these days about revenue sharing. President Nixon, in his state of the Union address, stated that the fifth great goal in his New American Revolution was to strengthen and renew our State and local governments. He called for a reversal in the flow of power and resources back from Washington to the States and communities all across America. To achieve this goal he has proposed the enactment of a new federal program referred to as revenue sharing.

Few people, even those close to the White House, know anything about the fine print of the President's revenue sharing plan and it wasn't until a few days ago that I received from the Department of the Treasury a 325-page document entitled, "General Revenue Sharing."

So, let's take a look at how this proposed general revenue law would divide up the $5 billion. Keep in mind that this bill is still in committee and may never become a law. The President has recommended an effective date of October 1, 1971. Because of the desire of local public officials to know the amount of money to be allotted to their parish, city, or town, I thought you would like to know about the proposed distribution as determined by the think tanks and computers of the federal government.

The nation as a whole would get $5 billion. Louisiana would be due to get $101,465,199 as its share.

Distribution of Louisiana's share to the Parishes, cities, and towns of the Sixth District would be as follows:

Ascension Parish	77,025
Gonzales	4,552
East Baton Rouge Parish:	
Baton Rouge	2,883,927
Baker	29,322
Zachary	20,715
Livingston Parish	116,851
Denham Springs	12,838
St. Tammany Parish	151,862
Covington	22,174
Slidell	20,423
Tangipahoa Parish	103,722
Amite	28,884
Hammond	83,218
Kentwood	3,209
Ponchatoula	28,301
Washington Parish	110,140
Bogalusa	168,347
Franklinton	12,983

There is also to be a 10% incentive bonus given to certain states and local governments. This incentive payment would be like a carrot held before state and local governments to encourage them to constantly increase taxes on the local and state level so they can qualify for more tax dollars to be called federal funds, which as you know, have to be furnished by you the taxpayers at the local level. In other words the people's tax dollars would be used to bribe higher taxes from another source.

I want to discuss with you several objections to the President's so-called "revenue sharing" plan. The first is that the proposal is, in my opinion, unconstitutional. I find no place in the Constitution any mention, direct or implied, of powers of the federal government to tax for state revenue sharing, whether it be with or without strings attached.

Two main reasons our country is in such trouble today are that we have too often departed from the moral teachings as contained in the Holy Bible and have too frequently abandoned the Constitution, thereby deteriorating into a centralized government by a few men rather than a government of the people under laws.

When I think about the President's revenue sharing proposal, I am reminded of a story about a local ladies' aid society. The lady treasurer in making her financial report for the year reported that income or revenues taken in amounted to $200 and the expenses totaled $220. She concluded, therefore, the organization had incurred a deficit of $20. The president of the group asked for suggestions as to what should be done; whereupon, a little lady in the front row arose and said: "If there's anything I dislike, it's seeing deficits lie around idle. I move, therefore, madam president, that we give half of the deficit to the Salvation Army and use the other half to have a party." That is a pretty good description of one aspect of the so-called revenue sharing program proposed by the Republicans.

This story points out the second objection to the so-called revenue sharing plan—there simply isn't any revenue to share. It must first be gotten and the middle man's cut deducted. How can the federal government or anyone for that matter, share a deficit with the state and local governments. In spite of frequent references these days to federal money, there is no such thing, because all of the tax moneys come in the beginning right out of the hard-earned paycheck of you the taxpayers.

There is another way to get money. That is to borrow it, which is what the President proposes we do. Mr. Nixon's New American Revolution is being financed with borrowed money, pledging taxes before they are even due or collected. That means two things—inflation and increased national debt. Your dollar will buy less, groceries and interest will go up as well as taxes.

Another objection to the proposed revenue sharing plan is that it will not return power to the people, and the local and state governments but, to the contrary, will end up giving the federal bureaucrats and judges more power over the people. Or should we suggest that revenue sharing will be used but to consolidate full nationalization?

If Mr. Nixon truly desires to give back power to the people at the local level with no strings attached from Washington, he need only curb the federal establishment's appetite for more tax revenues, more and more committees and programs, and more power. The federal government needs leadership to cease trying to take over areas of public administration traditionally reserved to state and local governments, or to the people.

The Founding Fathers were not politicians—they were statesmen. They didn't intend for the federal government to preempt the powers of taxation, which has been an ever-increasing trend since the adoption of the 16th Amendment in 1913, providing for a graduated or a steadily increased income tax, which is incidentally one of the Marxist planks for communizing a free country. As a result of high federal taxes, the state and local governments have difficulty finding support for tax revenues for their essential needs.

If Mr. Nixon really wants to return power to the people and to share revenues, why not do the easy thing? Simply allow people at the local level to deduct from income taxes due to the federal government the total amount of taxes paid to local and state governments. This would encourage local tax support. Or, why not simply begin with a 20% reduction in federal income tax and pay the revenues derived therefrom to state and local governments? Or at least support an increase in the dependent's deduction to $1800. In these ways, the tax revenues wouldn't have to pass through the hands of the federal bureaucracy before being returned in reduced amounts and with federal guidelines and controls to state and local communities.

The end result of revenue sharing Republican style would make all state and local taxation a sort of adjunct to federal taxation. The authority and utility of states would continue to be seriously lessened. State and local governments would be constantly looking to Washington for a financial handout and would become more and more dependent upon control from the President, federal judges, and bureaucrats.

Moreover, think of the money that would be saved by taxpayers not having to pay for airplane tickets, lodging, entertainment, and expenses for their public officials who in ever increasing numbers come to Washington seeking your tax money for local uses—authorized by unelected bureaucrats.

The central government in Washington is already far too powerful. Power corrupts and absolute power corrupts absolutely.

History proves that concentration of power corrupts and inevitably leads to tyranny. This was what the Revolutionary War was all about. Taxation without representation. The Founding Fathers understood this when they wrote the Constitution to entrust to their children and their beneficiary a Constitutional Republic with a separation of powers to be maintained by a system of checks and balances among three branches of government.

The federal system as envisioned must include powers to the people and state and local governments. A strong people make a strong government. But a strong government creates weak people. Congress and the people must understand that giving the federal government revenue sharing power is not going to return power to the people. It would work in the opposite direction.

There are alternatives for returning power to the people. I have reintroduced in this 92nd Congress several revenue-sharing bills which would limit federal control.

My revenue sharing proposals offer an honest solution to the money problem: not promising to give money back to the people, but by not taking it from them in the first place.

This is the third term that I have introduced House Joint Resolution 23—the Liberty Amendment which has already been enacted by the legislature of Louisiana. This resolution proposes an amendment to the Constitution of the United States relative to abolishing personal income, estate, and gift taxes and prohibiting the U.S. Government from engaging in business in competition with its citizens.

H.R. 351 provides for a revesting in the Government of the United States full, absolute, complete ownership of the 12 Federal Reserve Banks—to place control of our money and its value under Congress as required in the Constitution.

H.R. 428 authorizes the deduction of social security contributions from income taxes to prevent a double tax on income to some.

H.R. 432 provides for increasing to $1,800 the personal income tax exemptions of a taxpayer. Who can rear a child today for $600? And they told of living in the past?

These and other tax relief measures if enacted would honestly share revenues by not taking it from you, the people in the first place.

Americans in increasing numbers must be heard. They must remind Mr. Nixon—and the majority of our Congressmen—that you cannot establish security nor share revenues by increasing one's debt; and you cannot build character and courage by taking away man's initiative.

This is precisely what I feel the revenue sharing plan of the Nixon administration would do.

If the President wants to share revenue with Louisiana, why doesn't he just give our state our tideland oil royalties?

THE FUTURE OF THE INTERSTATE COMMERCE COMMISSION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. Burke) is recognized for 10 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, today I rise to associate myself with the excellent legislation introduced by Congressman Dingell in this House and Senator Metcalf in the other House and wish to sponsor the same bills today because I feel that it is of the utmost importance that as many Members of Congress as possible speak out on the threatened developments in the complicated twilight area of the independent regulatory agencies. In particular, I wish to comment at this time about the recent allegations and rumors regarding the Interstate Commerce Commission. As one who has been involved in transportation matters for a period of over 30 years, admittedly from the sidelines as a legislator both on the State and national level, I am extremely perturbed over the "abolish the commission" attitude being taken by many, both inside and outside the administration.

I feel that many of those taking that position are ultimately uninformed as to the chaos that would result if the ICC were to be abolished. The very basis of the Federal regulatory system and this country's body of transportation law stems from the historical Interstate Commerce Act. The entire concept of Federal regulation was predicated on the need to avoid abuses, discrimination, undue preference and unreasonable practices in the transportation industry, more specifically, the railroads of the Nation. The pressure for regulation did not come from heaven. It was created from the Nation's experiences with an unregulated transportation industry in the 19th century.

As a result of countless abuses and threatened chaos and demonstrated confusion, Congress, in its infinite wisdom, passed part I of the Interstate Commerce Act of 1887. Subsequently, with the advent of the motor truck, it became necessary for part II of the Interstate Commerce Act pertaining to motor carriers to be enacted, since the same abuses were found to exist in the motor transportation industry prior to 1935 as had existed in the railway industry prior to 1887. I feel that history contains many valuable lessons, and one of them is the frequency with which it repeats itself. Human nature being what it is, I doubt that much has changed since the 1880's or the 1930's. Abolishing the ICC, or weakening it to the point it is no longer effective, would indicate that some people believe that the businessman of the 1970's has been transferred into a saint or an angel, in no need of Federal regulation.

I am greatly disturbed over the failure of the administration to earmark sufficient funds for the ICC. It appears that more and more demands are being made upon the ICC, while funds to carry out the intentions of Congress are constantly being reduced by the administration. I cannot fathom the reasoning behind requesting the regulatory agency to continue to fulfill its responsibilities in the future as it has in the past, while authorizing cutbacks in appropriations and personnel in the face of a constantly increased workload.

The only conclusion I can reach is that someone is trying to cripple the regulatory agency concerned so that it will become increasingly incapable of exercising its full responsibilities and will then be more easily subject to charges that it is inefficient and hopelessly behind in its workload in this day and age. In other words, there is a danger that a regulatory arm of Congress is being gradually whittled away by the budget arm of the executive branch. One of the ways in which we as Congressmen can step in and halt this planned decay is by supporting the legislation I am sponsoring today, the effect of which would be to have the regulatory agencies submit their appropriation requests to the President and require him to approve these "without revision" in his budget proposal to Congress. Given the announced attentions of the administration, even if it is unsuccessful in getting its proposed restructuring of the agencies as we know them today through Congress, the objective of vitiating the agencies could be accomplished very easily through emasculation of funding requests by the Office of Budget and Management. We, as Congressmen, cannot abdicate our responsibilities in this field and I feel the legislation I am sponsoring would put the administration on notice that we have not.

INTRODUCTION OF A BILL TO PROVIDE FINANCIAL ASSISTANCE TO STATES AND LOCALITIES FOR THE CONSTRUCTION AND MODERNIZATION OF JUVENILE AND ADULT CORRECTIONAL SYSTEMS

(Mr. MURPHY of New York asked and given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MURPHY of New York. Mr. Speaker, since my first years as a Congressman my colleagues have known of my intense interest in the problems of crime, juvenile delinquency, narcotics addition, the pornography racket, the criminal abuse of firearms, and the havoc that has been wreaked on the Nation and our citizens as a result of these social evils.

Because my city is one that has always suffered a great deal from these evils I have decided to assume a leadership role in the development of Federal legislation to cope with these many problems where it is appropriate.

For the past several weeks I have held lengthy meetings with one of the Nation's outstanding professionals in the area of Federal criminal laws who has had years of experience in writing and guiding through the Congress some of the major crime bills that are now laws of the land. He is now a member of my staff and with his help, I have developed a legislative program which I intend to introduce during the coming weeks.

While these bills will have great benefit for the citizens of my district and the inhabitants of the city and State of New York, they are nationwide in scope and are intended to solve some of the critical problems facing America today.

Criminal acts against persons and property costs the United States $24 billion annually, and will continue to spiral, unless, together with the need for law and order, we also see the need for comprehensive rehabilitation of delinquents and offenders.

For this reason, the first bill which I introduce today for appropriate reference I have called the "Juvenile and Adult Correctional Systems Improvement Act of 1971." It is directed at that small army of habitual criminal offenders who have, year after year, spewed forth from a correctional system that can only be described as a monstrous abortion of the word "correction."

Under my proposed legislation, $1 billion is authorized to be appropriated between the fiscal years 1971 and 1975. This is the minimum amount necessary to begin a broad range of small modern treatment facilities to replace those monuments to society's failure, our hopelessly outdated prisons and reformatories and training schools.

The field of corrections, especially youth corrections, is at a critical stage at this period in time. It faces two serious problems that threaten the complete and total disintegration of State correctional systems.

First, money and facilities are totally inadequate to meet the demands placed on correctional institutions by our communities.

Second, the validity of the treatment techniques of present day corrections is in serious doubt.

As the President's Crime Commission pointed out:

> For the large bulk of offenders, particularly the youthful, the first or minor offender, institutional commitments can cause more problems than they solve. Institutions tend to isolate offenders from society, both physically and psychologically, cutting them off from schools, jobs, families and other supportive influences and increasing the probability that the label of criminal will be indelibly impressed upon them.

In most cities, tender, unsophisticated youthful offenders are incarcerated in the Nation's dungeons because no alternatives exist. Unfortunately, this happens in most cases to poor youngsters in ghetto areas where the lack of any social welfare resources requires the police to send the children to court and the courts, having no other alternative, send them to State training schools and so-called correctional institutions.

Some uninformed self-styled experts have called these institutions tuition-free schools for crime. The statement is of course partially correct.

The bulk of our institutions are schools for crime.

The repeater rates have proved that beyond question.

But to label them "tuition-free" displays an incredible lack of understanding of the true nature of the problem.

The truth is, in 1969, $258.2 million was spent on public institutions serving delinquents at a per capita cost of $5,031.

In one of our Northeastern States the average yearly cost of maintaining a delinquent in the State training school is $12,400. And this State admits a failure rate of 75 percent.

The original cost of a prison cell exceeds the cost of a patient's bed in a big city hospital—up to $25,000 per inmate.

I would call these exhorbitant tuition fees, and they are fees that are being paid by the American taxpayer.

I would remind my colleagues that the tuition for a full year of room, board, and education at Harvard and Yale is in the neighborhood of $4,200.

The important thing for the Congress to remember is that our traditional forms of institutionalization are totally ineffective in rehabilitating the majority of our chronically delinquent youth.

The return rate for young people released from the Nation's "crime schools" ranges as high as 80 percent.

As the 1968 Uniform Crime Report of the FBI pointed out:

> The younger the age group, the higher the repeating rate, has been documented many times, as it is here . . . of the offenders under 20 released in 1963, 71% were rearrested by 1969, 72% of those 20 to 24, and 69% of the offenders 25 to 29 years.

The bill that I introduce today may be considered an overly ambitious one by some people. However, I would point out that administration officials in the business of corrections estimate that it would cost as much as $18 billion to revamp the Nation's prison systems to the point where they would begin to return offenders to the streets of America capable of living a life free from crime.

The extent of such an estimate indicates that my proposed appropriation is a modest one in view of the size of the problem we are facing.

Our total correctional system, including adults, is presently costing $1.5 billion a year. I would have to agree with those who have condemned the system as a brutal, savage, dehumanizing failure.

One of the most disastrous aspects of this situation is the Nation's jail systems. I have visited many such institutions in my own State and I agree with those who say that they are festering sores in the criminal justice system.

Over 90 percent of the Nation's juvenile courts do not have any separate juvenile detention facilities at their disposal; and it is these juveniles whom we now imprison with hardened adult prisoners at their most impressionable age.

As long as I have been interested in corrections I have been appalled by the fact that we annually deposit 100,000 children in these filthy cesspools of crime where they are sodomized, brutalized, and ultimately crystallized into finely honed criminals more disturbed, more deviant, hardened, and more dangerous than ever.

For this reason, I have stipulated in my bill, that in order for a State to receive the funds made available in this legislation that all State plans should provide a detailed accounting of the numbers of juveniles who are confined with adult felons and a specific time schedule for the elimination of this practice. While this would apply to all institutions, it is currently most acute in our jail systems.

It has also become plain through the recent hearings of the Senate and House and the findings of the President's Crime Commission that our jails and institutions contain thousands of people, most of them young people, who should not be there. They should not be isolated geographically and psychologically from their families and friends and from the normal activities of young persons such as schools, jobs, and other positive influences in the community.

This is why my bill emphasizes programs of a community-based nature such as halfway houses, work release programs, and the like. The bill is designed to provide moneys to increase probation and parole staffs to realistic levels so that a single officer is not neutralized and demoralized by the overwhelming burden of having to maintain contact with caseloads that run into the hundreds.

There is no better example of the need for correctional reform than my own city and State of New York. The entire Nation knows of the disastrous conditions in many of the jails, reformatories, and prisons there.

A brief review of the performance of New York's correctional system last year conjures up in most Americans' minds the infamous Tombs, a decrepit dungeon, 200 percent above inmate capacity with three men jammed into tiny cells.

Inmates committed suicide to escape the misery of incarceration there.

Finally, out of desperation, these men declared open revolt over guard brutality, overcrowding and interminable confinement awaiting trial.

Then the Nation's television cameras zoomed in on this ancient "black hole of Calcutta" for all America to see what can rightfully be called the shame of New York.

The investigation that followed drew comments from the inmates that portrayed a "dungeon of fear" that rivaled Dickens' description of Newgate Prison as a story of man's inhumanity to man.

The riots in the Tombs overshadowed similar conditions in other New York institutions. Children's shelters were exposed as institutions with horrible overcrowding and all the evil effects such a condition brings with it.

Officials of the city's office of probation were accused of criminal neglect in the operation of the Spofford Juvenile Center where hundreds of youngsters were held under conditions described as shocking and inhumane, a place where violence, drug abuse, and homosexuality were commonplace.

A Federal judge was forced to order reforms in the State prison system following a finding that inmates were subjected to cruel and inhumane punishment.

Riker's Island was found to be a place where teenagers associate with accused felons and spent hours learning the tricks of the criminal trade ranging from the narcotics traffic to the most lucrative crimes that have been conceived up by the adult criminal mind.

New York's correctional system is one where even the professional personnel rebel at its shortcomings.

The director of psychiatry of the city's correctional department resigned, claiming that the department's mental health program for its 12,000 inmates was disgraceful and inadequate.

Even a correctional officers' union, 22,400 strong, condemned the 19th century conditions in city penal institutions where inmates were sleeping on floors and herded in jail corridors like so many cattle.

We witnessed the spactacle of the city's beleaguered commissioner of corrections helplessly admitting that the city's penal institutions are in a crisis situation.

And as a final admission of defeat, the director of the New York State Division for Youth told the Congress that it would probably be better if young delinquents in New York State were not detected, apprehended, or institutionalized because too many of them get worse in the care of the State.

I want to make it clear at this point that the city and State of New York are not the only jurisdictions with a crisis situation in their correctional systems. The same can be said of hundreds of cities, scores of States, and, in fact, the country as a whole.

During long weeks of hearings last year the Senate and House heard from correctional experts and prison investigators from every part of the Nation. And no matter what part of the country they came from the story was the same.

They outlined a litany of guard corruption and ineptitude, inmate suicide, torture, sexual exploitation, beatings, maddening solitary confinement, and even murder in our institutions.

And these experts concede conditions are the worst in our juvenile institutions.

There is abundant evidence that in every part of the country, inmates young and old, are exploited, beaten, and dehumanized in ways that could have been understood in the Middle Ages, but is hard to believe in the 20th century.

The correctional administrators who run our institutions need help. This is evidenced by increasing numbers of violent jail and prison riots. And this is certainly evidenced by the conditions uncovered during congressional hearings over the past 2 years.

Nothing less than a major overhaul of our institutions can serve to protect the American people from the dangerous criminals that are released from our institutions every day.

Crime is our most serious social problem.

There are over 400,000 offenders in our juvenile and adult institutions with new recruits coming in every day.

There will be more such offenders in the years to come because our latest statistics indicate another drastic rise in juvenile delinquency in 1969—the 21st consecutive year of increases in youth crime.

Operating the criminal justice and correctional systems alone will cost us $9 billion annually by 1975.

My bill calls for $1 billion over the next 5 years to establish reform, to make certain that the billions we already spend in corrections, on the present system of institutions, are not wasted in making worse criminals out of prison inmates.

We know today that over 70 percent of ex-inmates do repeat new crimes.

Over 90 percent of the offenders incarcerated will be released in a few years. If we continue to neglect and abuse these men in our institutions, thousands of them will again prey on the public with vengeance their only motivation.

The $1 billion proposed by this legislation is a small sum to pay to insure the reversal of the present crime situation which at least to a considerable degree can be traced to the fact that our prisons today are factories of crime.

This is not simply "brick and mortar" legislation.

It is not simply paying Federal funds to States and localities to build more prisons.

This bill is designed to improve the entire correctional system in the Nation, including every phase of what is subsumed under the concept of modern day penology.

The bill stipulates that to obtain Federal money, States, and localities have to develop systems where treatment and rehabilitation rather than custody and punishment are the order of the day.

It stipulates that to obtain Federal funds States must eliminate the practice of confining juveniles with adult felons.

It requires that to obtain Federal funds the States and localities must make an effort to train and procure professionally qualified personnel for the institutions.

It requires that to obtain Federal funds the recipients must advance proposals to develop employment and vocational training programs for inmates in cooperation with private industry.

It requires that to obtain Federal funds States and localities must develop a cooperative effort in the handling of offenders between all agencies for the administration of justice, law enforcement, and corrections.

I think the amount of money I ask is a small price to pay for a reduction in our crime rates and for more effective control of our crime problem.

I hope this bill will receive prompt and favorable consideration by both Houses of Congress.

PARITY FOR THE UNMARRIED TAXPAYER

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, I would like to bring to the attention of my colleagues once again my bill to give tax equity to unmarried taxpayers. I am pleased to say that 76 of our colleagues in the House are now cosponsoring this bill; and it has been introduced in the Senate by the distinguished senior Senator from Connecticut (Mr. RIBICOFF).

Technically, the bill would give the unmarried taxpayer the benefits of "income splitting" now allowed married persons; in application, this would mean that everyone would use the same tax schedule.

The present differences in tax rates paid by taxpayers can be criticized on several grounds. Most important is that of equity. Why should someone pay taxes at a rate different from that paid by another person with the same taxable income? Most people think that married persons pay at a lower rate than single people to compensate for the added costs of two people living on one income. But this is not why the special rate for married persons and the joint return were established. In the midforties several States enacted community property laws which treated a couple's income—even if earned only by one person—as being divided equally between husband and wife. This enabled couples in those States with community property laws to divide their incomes and file separate returns at a lower rate. To restore tax equity between the States, the Congress in 1948 extended the "income splitting" benefits to all married persons and established a special tax schedule for taxpayers filing a joint return.

I believe that taxes should reflect the differences in the taxpayer's responsibilities for dependent support, but the way to do this is through exemptions for dependents, not through different tax rate schedules. Requiring, as we do today that single persons pay at a higher rate is simply arbitrary. The joint tax return rate for married taxpayers in no way reflects the different financial responsibilities in supporting six dependents as opposed to say two dependents. Furthermore, under the present rate structure a divorcee or widow with three dependents, using the head of household schedules, pays taxes at a higher rate than a married couple with no children. Family responsibilities can most effectively be reflected through an adequate dependent exemption. And, I have introduced legislation to increase the personal exemption and the exemptions for dependents to $1,200. The Tax Reform Act passed in 1969 will increase these exemptions to $750 by 1973; but this is still not enough.

The Tax Reform Act also amended the Internal Revenue Code so that starting this taxable year, the taxes paid by single people are no more than 20 percent higher than those paid by married persons. This has narrowed the gap, but there is no justification for any difference.

I hope that the Congress will act this years to remove this inequity.

WELFARE REFORM

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the record and include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, today I am reintroducing my legislation to require the establishment of nationally uniform minimum standards and eligibility requirements for welfare recipients. I introduced this legislation in the 91st Congress and I was pleased when it was incorporated in the Family Assistance Act which passed the House with my support. Unfortunately the Senate's failure to act expeditiously on the bill has left the country saddled with the present welfare apparatus which is obsolete and unjust in its operation.

Our present welfare laws are scandalous. Not only does the present system encourage family breakups and deter recipients from seeking gainful employment, but it also operates to penalize States, like my own State of Connecticut, which maintain humanitarian levels of financial assistance to dependent families and individuals. It is to help Connecticut and other States similarly situated that this bill is directed. I intend to continue my support for a total reform of our present welfare laws, but I think that this proposal should be enacted immediately.

Under the present system, recipients are encouraged to shop from State to State in search of the highest levels of welfare payments. States maintaining unrealistically low payment levels are rewarded for their lack of responsibility by having recipients leave and move to other areas of the country where more humanitarian welfare programs are in effect. Consequently, States like Connecticut have ever increasing numbers of persons added to the welfare rolls and the financial burden upon Connecticut citizens has reached the breaking point. This burden has increased to the extent that in recent years our State's gross welfare expenditures have amounted to roughly 30 percent of the State's gross general fund expenditures.

To illustrate the disparity in welfare payment from State to State it is helpful to look at some recent statistics. While the monthly financial aid provided by Connecticut in September 1970 to families with dependent children averaged $250.35 per family and $66.75 per recipient, other States such as Mississippi provided $46.85 per family and $12.10 per recipient; Alabama provided $60.80 per family and $15.20 per recipient and South Carolina provided $77.90 per family or $19.60 per recipient. At least in part as a result of the disparities in payment levels the number of persons receiving financial aid in Connecticut increased by 17.7 percent from September 1969 to September 1970, and the number of families joining the welfare rolls is on the rise.

Congress must act now to adjust the burden of providing aid to families with dependent children equitably between the States, and I urge my colleagues to join me in working for passage of this needed bill.

ACCEPTANCE OF PASSPORT APPLICATIONS AT POST OFFICES

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, in part because of my recommendations, the State Department and the U.S. Postal Service began a test program in July 1970 of using post offices in Connecticut and two other States to accept passport applications and thereby facilitate the whole passport procedure. I should now like to place in the RECORD a report prepared by the Postal Service describing the success of this program.

I have tried for several years, both through legislative action and cooperation with the State Department, to remedy the annual passport logjam experienced by U.S. travelers, and I am pleased that the test program therein described has proved effective. During May 1970 hearings of the Subcommittee on State Department Organization and Financial Operations of the Committee on Foreign Affairs, I made the suggestion to the Department of State that probate courts in Connecticut accept passport applications as a way of easing the process. In August the Department of State enacted this suggestion.

One month earlier, in April of 1970, I wrote to former Senator Leverett Saltonstall, of Massachusetts, chairman of the State Department Committee to Facilitate Travel, and suggested that the Committee consider immediate administrative action to facilitate application procedures for passports. Senator Saltonstall assured me that recommendations from his committee would be quickly forthcoming, and in June 1970, the

State Department announced that all first-class post offices in Connecticut would take passport applications on a 6-month trial basis.

The report I am presenting today provides overwhelming evidence that this program has proved successful, particularly for citizens of Connecticut. For the 6-month test period, eight Connecticut post offices, in Waterbury, New Haven, Hartford, Stamford, Greenwich, New London, Willimantic, and Bridgeport, processed 7,074 passport applications. The two other States participating in the program, Michigan, and Texas, processed 2,408 and 1,485 passports respectively. There is no doubt that this experimental program has provided a more convenient way for U.S. citizens to apply for their passports, and it has done this through already existing facilities, and with a minimum of new bureaucracy.

Last week I introduced legislation which acknowledges the success of this passport program. The bill authorizes the Secretary of State to pay to the U.S. Postal Service the execution fee of $2 for each application executed before postal officials.

In recent years the passport application logjam has reached serious proportions. Increased travel has strained our previously inadequate passport procedures to the breaking point, and it is therefore essential that the House accept this legislation. In recent months, the State Department, the Post Office Department, and the Congress have cooperated successfully to facilitate passport application procedures. Cooperation on this legislation will provide another significant step toward better passport operations for Connecticut and the Nation at large.

The report on the Post Office experimental project follows:

DEPARTMENT OF STATE,
Washington, D.C., February 28, 1971.
Hon. JOHN S. MONAGAN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MONAGAN: Knowing of your interest in providing a more effective passport service for the American public, I am attaching a report prepared by the U.S. Postal Service. It covers the successful test program, launched in July 1970 by the Department of State and the U.S. Postal Service, to provide more convenient ways for U.S. citizens to apply for passports.

The use of first-class post offices in test areas in Connecticut, Detroit, Michigan and Houston, Texas has met with substantial public approval. The test has succeeded in using existing facilities at post offices for acceptance of passport applications without creating additional bureaucracy or cost to the Government. Use of post offices provides greater convenience for citizens applying for passports, is more economical for our Government and reduces the burden on Passport Agencies.

The Department of State—U.S. Postal Service joint program to expand the number of places to apply for a passport was a principal recommendation of the Secretary of State's Committee To Facilitate Travel under the chairmanship of former Senator Leverett Saltonstall. Other recommendations made by the Committee have also been adopted to speed the processing of passports in the 1971 travel season.

Providing an effective passport service is a matter of continuing priority in the Department of State and I assure you that Senator Saltonstall and his Committee appreciate your continuing interest in this program.

Sincerely,

JOHN E. UPSTON,
Executive Director, Secretary of State's Committee To Facilitate Travel.

ACCEPTANCE OF PASSPORT APPLICATIONS AT POST OFFICES, SUMMARY PROJECT REPORT

BACKGROUND

During the 1960's the number of Americans traveling abroad increased dramatically. This increase was reflected in a 140% increase in the number of new passports issued by the Department of State between 1960 and 1969. This growth, projected to continue and accelerate through the 1970's, has made the process of applying for a passport increasingly inconvenient and time-consuming for most citizens.

Traditionally, passport applications have been accepted through the Department of State's eleven passport agencies and by clerks of court in federal district courts and various state courts. These facilities have been overwhelmed by the growing number of applications. A concurrent rise in judicial workload has caused many court systems to refuse or restrict the acceptance of passport applications. Additionally, the geographic distribution of passport applicants has broadened in recent years with the result that more people must travel significant distances in order to apply at the traditional acceptance sites.

In March 1970 the Secretary of State appointed a Committee to Facilitate Travel, chaired by former Senator Leverett B. Saltonstall. One of the committee's primary tasks was to recommend means of easing the crush on the passport agencies and the courts. At the committee's recommendation, the Secretary requested the Postmaster General to consider accepting passport applications at postal facilities. Following a preliminary study of the problem, the Postal Service agreed to a limited test of the concept in selected offices.

TEST RATIONALE AND OBJECTIVES

The passport acceptance test was predicated on the assumption that additional facilities would benefit the traveling public and would reduce workload in existing issuing facilities to a manageable level. In addition, it provided an opportunity for the Postal Service to improve utilization of existing manpower.

The test was designed to determine the ability of postal personnel to handle passport applications, to evaluate public reaction and to measure operating costs.

TEST DESIGN

By terms of a formal agreement with the Department of State, selected postal employees in Houston and Midland, Texas; Detroit, Michigan and eight cities in Connecticut began accepting passport applications on July 1, 1970. These employees checked personal identifications and photos of applicants, administered the required oath and collected the passport and execution fees. Applications, supporting documentation and fees then were forwarded to passport agencies which prepared and mailed the passports to the applicants.

The Department of State is reimbursing the Postal Service at the rate of $2.00 per application accepted. The $2.00 reimbursement was agreed upon for the duration of the test because state and county court officials traditionally have been authorized to retain the $2.00 execution fee for each application they accept.

TEST RESULTS

Officials of the Department of State and the Postal Service observed and analyzed test operations through the close of the sixth postal accounting period (December 11, 1970). During this period test offices accepted 10,967 applications (detailed listing attached). Both organizations agree that the test results, as outlined below, are very promising and indicate the desirability of expanding the program on a permanent basis.

1. Public Reaction, as determined by interviews with applicants, postal employees, editorial comment and correspondence was highly favorable. People appreciated the proximity, hours and general convenience of applying through a nearby post office. The Postal Service has not received a single complaint to date from a passport applicant. Numerous editorials and news items have commented favorably upon this service and postal officials have received a number of compliments from applicants.

2. Employee Reaction has been positive. Clerks generally considered the acceptance function as a welcome and refreshing change from routine. Many commented enthusiastically upon public appreciation of their efforts and considered the test as a positive step toward enhancing the status of postal employees and the Postal Service.

3. Workload, measured on a daily basis for each office, appeared to be quite manageable. Extending the acceptance function to selected stations and branches was shown to be an effective method of controlling workload at any single location.

4. Costs were established by a detailed study after the initial implementation period. The direct cost per application was fixed at $1.60 based on an average acceptance time of 9.9 minutes and an average of 5.9 minutes devoted to answering telephone and window inquiries for each application accepted. Allowance for indirect costs (initial training, accounting, supervision, etc.) increases the cost per application to the range of $2.00. From the viewpoint of the Postal Service, however, the real cost is significantly lower because few *additional* hours were required as most of the labor represented improved utilization of the existing work-force.

5. Quality of work, as determined by the Department of State, was comparable to that of most applications processed through state and federal courts.

6. Problems were relatively few. Better training of Postal clerks, clearer instructions and improved public information could expedite applications and reduce errors. Speeding the review of applications and the actual issuance of passports by passport agencies could reduce the number of inquiries received by post offices. The Department of State currently is working on improvement of these functions.

FUTURE OPERATIONS

The Postal Service and the Department of State have agreed to continue acceptance of applications at the 11 test offices pending any agreement to expand the program. The Postal Service is preparing a proposal to extend the acceptance function to post offices in all larger cities. The program would be phased into operation over a one year period. Initial efforts would be aimed at providing service in those locations where overcrowding has become a major problem in recent years.

The Department of State and the Postal Service are agreed that the acceptance of applications at post offices will supplement—not replace existing operations. Existing passport agencies and participating courts will continue to accept applications.

PASSPORT APPLICATIONS ACCEPTED BY CITY AND ACCOUNTING PERIOD

	1st accounting period June 27–July 24	2d accounting period July 25–Aug. 21	3d accounting period Aug. 22–Sept. 18	4th accounting period Sept. 19–Oct. 6	5th accounting period Oct. 10–Nov. 13	6th accounting period Nov. 14–Dec. 11	Total to Dec. 11, 1970
Total	3,012	2,273	1,581	1,255	1,301	1,545	10,967
Connecticut	2,447	1,628	910	646	619	824	7,074
Hartford	485	253	119	52	61	66	1,036
New Haven	617	440	223	187	175	253	1,895
Bridgeport	238	191	125	80	87	88	809
Waterbury	287	154	76	48	33	45	643
Stamford	331	227	174	145	106	156	1,139
Main Office	(256)	(181)	(117)	(117)	(76)	(113)	(860)
Ridgeway	(73)	(34)	(41)	(26)	(24)	(29)	(227)
Glenbrook	(2)	(9)	(8)	(0)	(2)	(2)	(23)
Springdale	(0)	(3)	(8)	(2)	(4)	(12)	(29)
Greenwich	179	140	77	70	46	64	576
Main Office	(169)	(138)	(70)	(53)	(44)	(63)	(537)
Glenville	(10)	(2)	(7)	(17)	(2)	(1)	(39)
New London	206	170	94	49	89	126	734
Willimantic	104	53	22	15	22	26	242
Michigan	458	537	472	288	388	265	2,408
Detroit:							
Main Office	90	49	32	26	32	21	250
Ferndale	368	439	342	175	225	210	1,759
Grosse Pointe[1]		17	46	40	61	22	186
Redford Hts.[1]		32	52	47	70	12	213
Texas	107	108	199	321	294	456	1,485
Houston	93	77	184	310	286	445	1,395
Main Office	(49)	(42)	(103)	(198)	(192)	(247)	(831)
Sam Houston	(44)	(35)	(81)	(112)	(94)	(198)	(564)
Midland	14	31	15	11	8	11	90

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[1] Began test August 10, 1970.

TAKE PRIDE IN AMERICA

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. Total financial assets owned by individuals in the United States stood at $975 billion in 1960. Today this figure has increased to over $1.6 trillion.

THE NATION AND THE NEEDLE

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, the House Select Committee on Crime has put its principal emphasis in its investigation of crime in the country upon narcotics and dangerous drugs and has summarized the results of its investigation and enumerated its recommendations in its report entitled "Heroin and Heroin Paraphernalia" and "Amphetamines."

I am very pleased that television station WTVJ, channel 4, the CBS outlet in Miami, has expressed its concern over the heroin menace in our country and has commended the work of our committee and called upon the House of Representatives to continue the existence of the House Select Committee on Crime. I insert the editorial of WTVJ, channel 4, Miami, by the Honorable Ralph Renick, distinguished commentator and vice president in charge of news of WTVJ, in the body of the RECORD following my remarks:

THE NATION AND THE NEEDLE

New York is being referred to as a city that is dying.

It is at the mercy of 100,000 heroin addicts who spend over a billion-dollars a year for the drug. Most addicts are forced to steal in order to support their habit. Because of this, New York is a city gripped in fear, neither a safe place to work or a nice place to visit.

Other major cities are suffering similar fates.

Dade County has an estimated three-thousand heroin users.

Stolen property losses here linked to heroin have soared beyond 200-million dollars a year. So, it isn't just the addict that's a matter of concern (over a thousand addicts died in New York last year in heroin related deaths), but more important is the vast breakdown of law and order and the desperate condition produced in overloaded courts and jails.

Clearly, heroin has produced a crisis in America. It is affecting the very roots of our system. If our cities die how does the nation itself survive?

Miami Congressman Claude Pepper is Chairman of the House Select Committee on Crime. He is alarmed by the deadly menace of heroin in our midst. Pepper believes the way to combat the problem is to weed out its source, in the poppy growing countries, principally Turkey. Today we asked Congressman Pepper to elaborate:

Congressman PEPPER. "After considering all that is being done in our country at the national, the state and the local level in respect to heroin addiction and the illicit traffic in heroin, our committee has concluded that the only effective way that we are going to be able to stop heroin from coming into our country is to stop the growing of opium in the places in the world where it is grown. And we have recommended therefore that the United States launch a massive effort in connection with the United Nations and other nations, to stop the growing of the opium poppy in the countries where it is grown. And by doing that we will eliminate much of the profit here at home. We're going to follow through on that effort."

Congressman Pepper's recommendation has not drawn many other politicians to his bandwagon. But we believe he is right on target and he deserves to get widespread public support for his anti-heroin drive. If the public responds, the elected office-holders won't be far behind.

The first thing Congress should do is to continue the existence of Pepper's Select Crime Committee. The Committee's life expired with the end of the last session. A resolution for continuance is now before the House. The Committee's pursuit of heroin control needs to be maintained.

The $600-thousand a year needed to keep the committee in operation is peanuts compared to the billions heroin is costing the nation in material losses, not to mention the thousands of lives horribly ruined through addiction, and the general debilitation that drug use is bringing to our national sense of purpose and our strength of survival.

THE HIRSHHORN MUSEUM

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, in recent months there has been considerable controversy over the construction of a gallery on the Mall to house the magnificent collection of sculpture and American art donated to the Nation by Mr. Joseph Hirshhorn. It seems to me that much of the criticism surrounding this generous gift misses the main point—the value and importance of the collection to the cultural life of the Nation.

Mr. Hirshhorn has been building his collection for more than 30 years; it is considered by many critics to be the single most important collection of modern American art still in private hands.

The visitor to this museum will be able to see the growth of American art from the work of Thomas Eakins to the great artists of the present day. Great as it is, the painting collection is reported to be surpassed by the sculpture collection. This collection includes such famous works as Rodin's "The Burghers of Calais" and sculpture by such artists as Degas, Daumier, Picasso, and Matisse. The collection also contains representative works of major American sculptors. The sculpture, some of which will be displayed in an attractive outdoor sculpture garden, will be a valuable complement to the existing collection at the National Gallery.

I think it is important to stress that this museum is not being built solely to house Mr. Hirshhorn's collection. The collection will actually be the basis for a national museum of contemporary art, from its historic origins to the present day. In contrast to the Freer Gallery, which is restricted as to what gifts it may accept, this national collection will be able to accept appropriate gifts of art and sculpture to build its collection in the future. In fact, it has already received a number of donations from persons other than Mr. Hirshhorn. So it is clear that this museum will continue to grow in the years ahead. Further, the museum will provide a center for research and further education for students of contemporary art.

I think the Congress acted very wisely in accepting this gift and in appropriating funds for a suitable museum in which to house it. The Smithsonian complex of museums, of which this gallery will be a part, is visited by more than 13 million people a year. I know from my own constituents who visit Washington that the various museums of the Smithsonian are among the most memorable and popular parts of their trip. When it is open in 1972, this new museum will add a new dimension to the display of American life and work which now makes the museums on the Mall such exciting places to visit.

Mr. Speaker, it seems to me that in the years ahead the controversy surrounding this collection will be quickly forgotten. But, long after we are gone, these great works of art will continue to give joy and inspiration to the generations of Americans who will visit it. By placing it on the Mall in the Nation's Capital we are making it available to all Americans who wish to see it. The Nation is fortunate to have the benefit of Mr. Hirshhorn's generosity. As the Washington Star has pointed out we could lose this great collection. I insert the recent Washington Star editorial in the Record at this point:

[From the Washington Star, Feb. 2, 1971]

The Hirshhorn Museum

Thanks to well-meaning but ill-advised activities in Congress, there is some real danger that the Hirshhorn Collection of art may yet be established somewhere other than here in Washington, despite earlier congressional approval of the plan to house the collection in a new building on the Mall and despite the efforts of President Lyndon Johnson, Roger L. Stevens, head of the Kennedy Center, and, by no means least, Lady Bird Johnson.

A belated congressional investigation has been opened into the history of Joseph Hirshhorn with a view to answering the question of whether he is an "appropriate" donor. As The Star has pointed out before, the question is not only irrelevant but betrays total ignorance of the history of great art coming into the public domain, almost all of which was accomplished through the generosity of citizens whom other citizens regarded as poorly motivated.

As we understand it, the principal question raised about Hirshhorn's history centers on a charge of crossing the U.S.-Canadian border with some $5,000 in undeclared Canadian currency. To a man of Hirshhorn's wealth, this amounts to small change.

Besides this essentially insulting inquiry, the committee is also recommending that the sculpture garden, an integral part of the museum's plan and, for many informed art lovers, the most dazzling part of the Hirshhorn gift, be located elsewhere. Serious questions can be raised about the design of the building itself, a design that could be improved by almost any change. But the sculpture garden, besides being perhaps the finest collection of sculpture in this city and perhaps country, will greatly enhance the Mall.

The city of London, the state of Israel and the person of Nelson Rockefeller are among the numerous strong bidders for the Hirshhorn Collection. If congressional harassment continues, it is not at all inconceivable that some of those early bids—beaten out by Mrs. Johnson and Stevens—may be reopened by a donor who is generous but whose patience probably has its limits.

IRA KAPENSTEIN, 35, A CANCER VICTIM

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, I am sure all of our Democratic colleagues were shocked to learn of the untimely and tragic death of the extraordinarily able deputy chairman of the Democratic National Committee, Mr. Ira Kapenstein, who was struck down by cancer at the youthful age of 35.

His death is a great loss to the Democratic Party and to the cause of progressive good government in this country. The two-party system which has helped to make this country one of the strongest and most democratically governed countries in history was greatly strengthened by our ability to draw to its service such outstandingly able and dedicated young men.

I extend my deepest sympathy to the bereaved family of this fine young man. I also extend deep sympathy to the distinguished chairman of the Democratic National Committee, the Honorable Lawrence O'Brien, who has lost an invaluable assistant and a devoted personal friend.

I am especially touched, Mr. Speaker, by this young man's death because I, have long held as one of my deepest personal ambitions the enactment of legislation to bring about an early victory over the terrible malignancy which has taken his life. This year with the support of a large number of the Members of the House of Representatives I have renewed the effort I began in 1946 to mount a massive and decisive last attack on the menace of cancer. I believe that the creation of a National Cancer Authority, as the embodiment of a national commitment to conquer cancer in this decade, is the essential next step in the battle against this disease.

I hope we will not delay in the enactment of this legislation in this session of the 92d Congress. It is time for us to make, in the name of Ira Kapenstein and so many others of all ages who have died of this disease, a commitment to mobilize whatever resources may be necessary to conquer this killer now.

SALUTE OF A GRATEFUL NATION

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, I am proud to join as a representative of a grateful Nation in marking the golden anniversary of the Disabled American Veterans.

The courage of the American fighting man has earned the respect of everyone, friend and foe alike. It has been the bulwark of our democratic society in a world rife with revolution and totalitarian challenges. It has been the glory of a nation which is dedicated to freedom and the cause of liberty throughout the world.

The Disabled American Veterans—an organization of the highest caliber in every vital particular—represents this courage of the American fighting man. The DAV was organized in 1920 and congressionally chartered in 1932 to work for the physical, mental, social, and economic rehabilitation of the more than 300,000 wounded and disabled veterans who had returned from World War I. With the advent of later wars, the organization has expanded its facilities, to serve the interest of thousands of additional veterans in need of counsel and advice concerning their rights as servicemen.

DAV national service officers are stationed in all Veterans' Administration offices to serve the wounded. These services are provided free of charge and without obligation. Since its inception, the DAV has handled over 4 million claims for the war disabled, their widows, and their orphans.

The DAV now has more than 300,000 members in 50 States, the District of Columbia, Puerto Rico, Australia, the Philippines, and several other foreign countries. More than 100,000 are life members.

Of the veterans of Korea and Vietnam, more than 25,000 have joined the DAV, along with nurses and members of the Women's Armed Forces and those who served in other cold war conflicts.

It was the DAV which convinced the Congress, following World War II, of the need for special attention to the problems of the disabled. In addition, the DAV has shouldered the task of fighting for legislation of benefit to the widows, orphans, dependent parents, wives, and children of disabled veterans or servicemen killed in wartime.

It is a distinct pleasure to salute the record of the Disabled American Veterans on this occasion, and to wish them well in all future undertakings.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. Foley (at the request of Mr. Byrne of Pennsylvania), for balance of week, on account of illness.

Mr. Saylor (at the request of Mr. Gerald R. Ford), for 1 week, March 1–5, 1971, on account of Committee on Interior and Insular Affairs business in Puerto Rico.

Mr. Del Clawson (at the request of Mr. Gerald R. Ford), on account of family illness.

Mr. Powell (at the request of Mr. Gerald R. Ford), for today, on account of influenza illness.

Mr. Jones of Tennessee (at the request of Mr. Boggs), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Anderson of California, for 30 minutes, today, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Keating), to revise and extend their remarks and to include extraneous matter to:)

Mr. Price of Texas, today, for 10 minutes.

Mr. Vander Jagt, today, for 5 minutes.

Mr. Findley, today, for 5 minutes.

Mr. McDonald of Michigan, today, for 5 minutes.

Mr. Steiger of Wisconsin, today, for 5 minutes.

Mr. Zion, today, for 5 minutes.

Mr. Chamberlain, today, for 5 minutes.

Mr. Ruppe, today, for 5 minutes.

(The following Members (at the request of Mr. Sarbanes) and to revise and extend their remarks and include extraneous matter:)

Mr. Reuss, for 10 minutes, today.

Mr. Addabbo, for 10 minutes, today.

Mr. Rarick, for 15 minutes, today.

Mr. Burke of Massachusetts, for 10 minutes, today.

Mr. Gonzalez, for 10 minutes, today.

Mr. Mazzoli, for 60 minutes, on March 8.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Horton during his special order of today and to include extraneous material.

(The following Members (at the request of Mr. Keating) and to include extraneous matter:)

Mr. Hastings.

Mr. McEwen.

Mr. Buchanan.

Mr. McKinney.

Mr. Pettis.

Mr. Gude in two instances.

Mr. Robison of New York in three instances.

Mr. Price of Texas in two instances.

Mr. Riegle in two instances.

Mr. Duncan.

Mr. Belcher in two instances.

Mr. duPont.

Mr. Myers in two instances.

Mr. Harsha.

Mr. Keating.

Mr. Ruth in five instances.

Mr. Landgrebe in two instances.

Mr. Lujan.

Mr. Wyman in two instances.

Mr. Anderson of Illinois in two instances.

Mr. Latta in two instances.

Mr. Frenzel.

Mr. Derwinski in two instances.

Mr. Schmitz in four instances.

Mr. Keith.

Mr. Erlenborn.

Mr. Hunt.

Mr. Arends.

Mr. Devine.

Mr. Nelsen.

Mr. Frey.

Mr. Conte.

Mr. Rousselot.

Mr. Bell in two instances.

Mr. Dickinson.

Mr. Kemp.

Mr. Ruppe.

Mr. Fulton of Pennsylvania in five instances.

Mr. McCollister.

Mr. Reid of New York in two instances.

Mr. Thompson of Georgia.

Mr. Hosmer in three instances.

Mr. Bray in two instances.

Mr. Baker.

Mrs. Chisholm.

(The following Members (at the request of Mr. Sarbanes) and to include extraneous matter:)

Mr. Slack in two instances.

Mr. Corman in two instances.

Mr. Anderson of California in two instances.

Mr. O'Neill.

Mr. Carney in five instances.

Mrs. Hansen of Washington in three instances.

Mr. Ullman in two instances.

Mr. Baring in two instances.

Mr. Jones of Alabama in two instances.

Mr. Begich.

Mr. Rodino in three instances.

Mr. Cotter in three instances.

Mr. Fulton of Tennessee in two instances.

Mr. Rosenthal in five instances.

Mr. Boland in two instances.

Mr. Edwards of California in two instances.

Mr. Waldie in three instances.

Mr. Rarick in two instances.

Mr. Kyros in two instances.

Mr. Gallagher.

Mr. Johnson of California in two instances.

Mr. Burke of Massachusetts.

Mr. Roe.

Mr. Rostenkowski.

Mr. Hébert in three instances.

Mr. Hungate in two instances.

Mrs. Abzug in three instances.

Mrs. Green of Oregon in eight instances.

Mrs. Griffiths.

Mr. Macdonald of Massachusetts in two instances.

Mr. Harrington in two instances.

Mr. Leggett in two instances.

Mr. Mollohan.

Mr. Eilberg.

Mr. Gonzalez.

Mr. Zablocki in two instances.

Mr. Charles H. Wilson in two instances.

ADJOURNMENT

Mr. SARBANES. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 39 minutes p.m.), the House adjourned until tomorrow, Thursday, March 4, 1971, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

349. A letter from the Secretary of the Treasury, transmitting the 15th annual report on the financial condition and operations of the highway trust fund, pursuant to section 209(e)(1) of the Highway Revenue Act of 1956, as amended (H. Doc. No. 92–58); to the Committee on Ways and Means and ordered to be printed.

350. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a report that the appropriation for the Department of Agriculture for "Forest protection and utilization," Forest Service, for the fiscal year 1971, has been apportioned on a basis indicating the need for a supplemental estimate of appropriation, pursuant to 31 U.S.C. 655; to the Committee on Appropriations.

351. A letter from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation increasing the authorizations for comprehensive planning grants and open-space-land grants; to the Committee on Banking and Currency.

352. A letter from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to authorize insurance in connection with loans for the preservation of residential historic properties; to the Committee on Banking and Currency.

353. A letter from the Secretary, Export-Import Bank of the United States, transmitting a report on the Bank's activities under the export expansion facility program for the quarter ended December 31, 1970, pursuant to Public Law 90–390; to the Committee on Banking and Currency.

354. A letter from the Chairman, National Mediation Board, transmitting the 36th annual report of the Board, including the report of the National Railroad Adjustment Board; to the Committee on Interstate and Foreign Commerce.

355. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, together with a list of the persons involved, pursuant to section 212(d)(6) of the act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 5432. A bill to provide an extension of the interest equalization tax, and for other purposes; (Rept. No. 92-35). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS (for himself and Mr. Byrnes of Wisconsin):

H.R. 5432. A bill to provide an extension of the interest equalization tax, and for other purposes; to the Committee on Ways and Means.

By Mr. ABOUREZK (for himself and Mr. Link):

H.R. 5433. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Pollock-Herreid unit, South Dakota pumping division, Missouri River Basin project, South Dakota; to the Committee on Interior and Insular Affairs.

By Mrs. ABZUG:

H.R. 5434. A bill to amend the Internal Revenue Code of 1954 to increase the credit against tax for retirement income; to the Committe on Ways and Means.

By Mr. ADDABBO (for himself, Mr. Celler, Mr. Wydler, Mr. Brasco, Mr. Delaney, Mr. Halpern, Mr. Rosenthal, Mr. Daniels of New Jersey, Mr. Thompson of New Jersey, Mr. Dulski, Mr. Lent, Mr. Wolff, Mr. Murphy of New York, Mr. Rangel, Mrs. Abzug, Mr. Badillo, Mr. Podell, Mr. Scheuer, Mr. Pike, Mr. Dow, and Mr. Biaggi):

H.R. 5435. A bill to provide for the establishment of the Gateway National Recreation Area in the States of New York and New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON of California:

H.R. 5436. A bill to amend title 39, United States Code, as enacted by the Postal Reorganization Act, to prohibit the mailing of unsolicited samples of cigarettes; to the Committee on Post Office and Civil Service.

By Mr. ANDERSON of California (for himself, Mr. Matsunaga, Mr. Begich, Mr. Biaggi, Mrs. Chisholm, Mr. Clark, Mr. Collins of Illinois, Mr. Dellenback, Mr. Dorn, Mr. Garmatz, Mr. Halpern, Mr. Harrington, Mr. Hechler of West Virginia, Mrs. Hicks of Massachusetts, Mr. O'Neill, Mr. Price of Illinois, Mr. Roe, and Mr. Rooney of Pennsylvania):

H.R. 5437. A bill to amend the National Flood Insurance Act of 1968 to provide protection thereunder against losses resulting from earthquakes and earthslides; to the Committee on Banking and Currency.

By Mr. ANDERSON of California (for himself, Mr. Bell, Mr. Burton, Mr. Corman, Mr. Danielson, Mr. Dellums, Mr. Edwards of California, Mr. Goldwater, Mr. Hawkins, Mr. Holifield, Mr. Johnson of California, Mr. Leggett, Mr. McFall, Mr. Miller of California, Mr. Moss, Mr. Rees, Mr. Roybal, Mr. Sisk, Mr. Van Deerlin, Mr. Veysey, Mr. Waldie, and Mr. Charles H. Wilson):

H.R. 5438. A bill to amend the National Flood Insurance Act of 1968 to provide protection thereunder against losses resulting from earthquakes and earthslides; to the Committee on Banking and Currency.

By Mr. ASPINALL:

H.R. 5439. A bill to increase certain acreage limitations in the Mineral Leasing Act; to the Committee on Interior and Insular Affairs.

By Mr. ASPINALL (by request):

H.R. 5440. A bill to amend the Organic Act of Guam; to the Committee on Interior and Insular Affairs.

By Mr. BETTS:

H.R. 5441. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. BRINKLEY:

H.R. 5442. A bill to amend title 10, United States Code, to establish the authorized strength of the Naval Reserve in officers in the Judge Advocate General's Corps in the grade of rear admiral, and for other purposes; to the Committee on Armed Services.

By Mr. BURKE of Massachusetts:

H.R. 5443. A bill to provide that the appropriation requests of certain regulatory agencies be transmitted directly to Congress; to the Committee on Government Operations.

H.R. 5444. A bill to restore the independence of Federal regulatory agencies; to the Committee on Interstate and Foreign Commerce.

By Mr. COLLINS of Texas (for himself, Mr. Anderson of Tennessee, Mr. Archer, Mr. Ashbrook, Mr. Brinkley, Mr. Buchanan, Mr. Daniel of Virginia, Mr. Dickinson, Mr. Duncan, Mr. Fisher, Mr. Flowers, Mr. Goldwater, Mr. Griffin, Mr. Hall, Mr. Kemp, Mr. King, Mr. Nichols, Mr. Poage, Mr. Rhodes, Mr. Roberts, Mr. Sikes, Mr. Spence, Mr. Thompson of Georgia, Mr. Waggonner, and Mr. Wyman):

H.R. 5445. A bill to amend the United Nations Participation Act of 1945 to prevent the imposition thereunder of any prohibition on the importation into the United States of any strategic and critical material from any free world country for so long as the importation of like material from any Communist country is not prohibited by law; to the Committee on Foreign Affairs.

By Mr. COLMER (for himself, Mr. Poff, Mr. Hammerschmidt, Mr. Abourezk, Mr. Archer, Mr. Buchanan, Mr. Davis of Georgia, Mr. Dickinson, Mr. Duncan, Mr. Flowers, Mr. Frenzel, Mr. Giaimo, Mr. Halpern, Mr. Johnson of Pennsylvania, Mr. Kuykendall, Mr. Mann, Mr. Mills, Mr. Montgomery, Mr. Nichols, Mr. Rhodes, and Mr. Thone):

H.R. 5446. A bill to consent to the interstate environment compact; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 5447. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

By Mr. DINGELL:

H.R. 5448. A bill to prohibit commercial flight by aircraft capable of flying at supersonic speeds within the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. ERLENBORN (for himself, Mr. Brown of Ohio, Mr. Baker, Mr. Coughlin, Mr. Dent, Mr. Duncan, Mr. Eshleman, Mr. Gerald R. Ford, Mr. King, Mr. Railsback, Mrs. Reid, of Illinois, Mr. Teague of California, Mr. Thone, and Mr. Williams):

H.R. 5449. A bill to establish an Office of Consumer Affairs in the Executive Office of the President and a Bureau of Consumer Protection in order to secure within the Federal Government effective protection and representation of the interest of consumers, and for other purposes; to the Committee on Government Operations.

By Mr. FINDLEY:

H.R. 5450. A bill to amend title II of the Social Security Act to provide cost-of-living increases in the insurance benefits payable thereunder; to the Committee on Ways and Means.

By Mr. FRENZEL:

H.R. 5451. A bill to discourage the production of one-way containers for carbonated and/or malt beverages so as to reduce litter, reduce the cost of solid waste management, and to conserve natural resources; to the Committee on Ways and Means.

By Mr. FULTON of Tennessee:

H.R. 5452. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

H.R. 5453. A bill to amend the Railroad Retirement Act of 1937 to provide a 15-percent increase in annuities; to the Committee on Interstate and Foreign Commerce.

H.R. 5454. A bill to amend the Public Health Service Act to provide the public with an adequate quantity of safe water for drinking, recreation, and other human uses, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5455. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private funding thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by the taxpayer for the purpose of funding the higher education of his dependents; to the Committee on Ways and Means.

By Mr. GREEN of Pennsylvania:

H.R. 5456. A bill to amend the Tariff Schedules of the United States to repeal the special tariff treatment accorded to articles assembled abroad with components produced in the United States; to the Committee on Ways and Means.

By Mr. GUDE:

H.R. 5457. A bill to authorize voluntary withholding of Maryland, Virginia, and District income taxes in the case of certain legislative officers and employees; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 5458. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HALPERN (for himself and Mr. Clark):

H.R. 5459. A bill to promote the greater availability of motor vehicle insurance in interstate commerce under more efficient and beneficial marketing conditions; to the Committee on Interstate and Foreign Commerce.

H.R. 5460. A bill to regulate interstate commerce by requiring certain insurance as a condition precedent to using the public streets, roads, and highways, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5461. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 in order to promote competition among motor vehicle manufacturers in the design and production of safe motor vehicles having greater resistance to damage, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5462. A bill to amend the Internal Revenue Code of 1954, and for other purposes; to the Committee on Ways and Means.

By Mr. HARRINGTON (for himself and Mr. Podell):

H.R. 5463. A bill to amend the Foreign Assistance Act of 1961, as amended, to prohibit any involvement or participation of U.S. Armed Forces in an invasion of North Vietnam without prior and explicit congressional authorization; to the Committee on Foreign Affairs.

By Mr. HOSMER (for himself, Mr. Wydler, Mr. Frelinghuysen, Mr. Miller of California, Mr. Harrington, Mr. St Germain, Mr. Halpern, Mr. Johnson of California, and Mr. Rosenthal):

H.R. 5464. A bill to provide that daylight saving time shall be observed on a year-round basis; to the Committee on Interstate and Foreign Commerce.

By Mr. HUNGATE:

H.R. 5465. A bill to authorize the conveyance to the Columbia Hospital for Women of certain parcels of land in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. HUNT (for himself, Mr. Goodling, Mrs. Hansen of Washington, Mr. Myers, Mr. Rarick, Mr. Roybal, Mr. Ware, and Mr. Williams):

H.R. 5466. A bill to alleviate multiple State or local income taxation of an individual and to reduce income taxes imposed by States or subdivisions on nonresidents of such States; to the Committee on the Judiciary.

By Mr. KEMP:

H.R. 5467. A bill to amend the Internal Revenue Code of 1954 and title II of the Social Security Act to provide a full exemption (through credit or refund) from the employees' tax under the Federal Insurance Contributions Act, and an equivalent reduction in the self-employment tax, in the case of individuals who have attained age 65; to the Committee on Ways and Means.

By Mr. KYL (for himself, Mr. Aspinall, Mr. Saylor, Mr. Karth, Mr. Price of Illinois, Mr. Schwengel, Mr. Skubitz, Mr. Taylor, and Mr. Thomson of Wisconsin):

H.R. 5468. A bill to provide for the establishment of the Upper Mississippi River National Recreation Area, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LEGGETT:

H.R. 5469. A bill to give the President of the United States standby authority to impose wage and price controls; to the Committee on Banking and Currency.

H.R. 5470. A bill to amend the act of July 4, 1955, as amended, relating to the construction of irrigation distribution systems; to the Committee on Interior and Insular Affairs.

By Mr. LEGGETT (for himself, Mr. Lennon, Mr. Fisher, Mr. Hicks of Washington, Mr. Brinkley, Mr. Bennett, Mr. Mollohan, Mr. Byrne of Pennsylvania, Mr. Ichord, Mr. Bob Wilson, Mr. O'Konski, Mr. Gubser, Mr. Charles H. Wilson, and Mr. Nichols):

H.R. 5471. A bill to provide for additional benefits for optometry officers in the uniformed services; to the Committee on Armed Services.

By Mr. McDADE:

H.R. 5472. A bill to amend the black lung benefits provisions of the Federal Coal Mine Health and Safety Act of 1969, to facilitate proof of entitlement in certain cases; to the Committee on Education and Labor.

By Mr. MONAGAN:

H.R. 5473. A bill to amend the public assistance provisions of the Social Security Act to require the establishment of nationally uniform minimum standards and eligibility requirements for aid or assistance thereunder; to the Committee on Ways and Means.

By Mr. NEDZI:

H.R. 5474. A bill to provide that, in the case of the death of a petitioner on a petition approved under section 204 of the Immigration and Nationality Act, the alien beneficiary of such petition will be allowed a period of 60 days from the date of such death to obtain another approved petition which shall bear the same approval date as the original petition; to the Committee on the Judiciary.

By Mr. OBEY (for himself, Mr. Melcher, Mr. Culver, Mr. O'Konski, Mr. Thone, Mr. Abourezk, Mr. Anderson of Tennessee, Mr. Hamilton, Mr. Ichord, Mr. Jones of North Carolina, Mr. Randall, Mr. Link, Mr. Aspin, Mr. Fountain, Mr. Riegle, Mr. Esch, Mr. Andrews of North Dakota, Mr. Roy, Mr. Collins of Illinois, Mr. Vander Jagt, Mr. Pickle, Mr. Kastenmeier, Mr. Bergland, and Mr. Hansen of Idaho):

H.R. 5475. A bill to amend the Agricultural Act of 1949, to require the Secretary of Agriculture to make advance payments to producers under the feed grain program with respect to crops of wheat; to the Committee on Agriculture.

By Mr. O'HARA:

H.R. 5476. A bill to authorize the Secretary of the Interior to protect, manage, and control free-roaming horses and burros on public lands; to the Committee on Interior and Insular Affairs.

By Mr. PELLY (for himself, Mr. Mailliard, Mr. Mosher, Mr. Grover, Mr. Keith, Mr. Ruppe, Mr. Goodling, Mr. Bray, Mr. McDonald of Michigan, Mr. Forsythe, Mr. Bob Wilson, Mr. Michel, and Mr. Broyhill of North Carolina):

H.R. 5477. A bill to regulate the dumping of material in the oceans, coastal, and other waters, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PIRNIE:

H.R. 5478. A bill to amend title 10, United States Code, to establish the authorized strength of the Naval Reserve in officers in the Judge Advocate General's Corps in the grade of rear admiral, and for other purposes; to the Committee on Armed Services.

By Mr. ROE:

H.R. 5479. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RONCALIO:

H.R. 5480. A bill to provide for the disposition of the judgment in favor of the Shoshone Tribe or Nation of Indians and the Shoshone-Bannock Tribes in Indian Claims Commission dockets 326–D, 326–E, 326–F, 326–G, 326–H, 366, and 367, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROUSH:

H.R. 5481. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. STEELE:

H.R. 5482. A bill to amend title 38, United States Code, to increase the rates of disability compensation payable for injury or disease incurred in or aggravated by peacetime service; to the Committee on Veterans' Affairs.

H.R. 5483. A bill to amend title 38 of the United States Code to provide that veterans with disability rated less than 50 percent shall receive additional compensation for dependents; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas:

H.R. 5484. A bill to provide penalties for assaulting a member of the National Guard while he is engaged in carrying out official duties; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas (by request):

H.R. 5485. A bill to restore the wartime recognition of Filipino veterans of World War II who fought as members of the Commonwealth Army but whose wartime service records were subsequently stricken from official U.S. Army records and to entitle them to those benefits, rights, and privileges which result from such recognition; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of Georgia:

H.R. 5486. A bill to amend title II of the Social Security Act to provide that an individual's benefits shall not be subject to deductions on account of outside earnings after the beginning of the year in which he (or the primary beneficiary) attains age 65; to the Committee on Ways and Means.

By Mr. TIERNAN:

H.R. 5487. A bill to amend the Social Security Act to provide for medical and hospital care through a system of voluntary health insurance including protection against the catastrophic expenses of illness, financed in whole for low-income groups through issuance of certificates, and in part for all other persons through allowance of tax credits; and to provide effective utilization of available financial resources, health manpower, and facilities; to the Committee on Ways and Means.

By Mr. TIERNAN (for himself, Mrs. Abzug, Mr. Collins of Illinois, Mr. Harrington, Mr. Link, Mr. Abourezk, Mr. Badillo, Mr. Blanton, Mr. Burton, Mr. Eckhardt, Mr. Fraser, Mr. Gibbons, Mrs. Grasso, Mr. Halpern, Mr. Hathaway, Mr. Howard, Mr. Mikva, Mr. Moss, Mr. Rosenthal, Mr. Roybal, Mr. Ryan, and Mr. St Germain):

H.R. 5488. A bill to establish an independent agency to be known as the U.S. Office of Utility Consumers' Counsel to represent the consumers of the Nation before Federal and State regulatory agencies with respect to matters pertaining to certain electric, gas, telephone, and telegraph utilities; to provide grants and other Federal assistance to State and local governments for the establishment and operation of utility consumers' counsels; to improve methods for obtaining and disseminating information with respect to the operations of utility companies of interest to the Federal Government and other consumers; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. VANDER JAGT:

H.R. 5489. A bill to amend the United Nations Participation Act of 1945 to prevent the imposition thereunder of any prohibition on the importation into the United States of any metal-bearing ore from any free world country for so long as the importation of like ore from any Communist country is not prohibited by law; to the Committee on Foreign Affairs.

By Mr. WALDIE:

H.R. 5490. A bill to provide for the establishment of the Eugene O'Neill National Historic Site and the Las Trampas Ridge National Park; to the Committee on Interior and Insular Affairs.

By Mr. YOUNG of Florida:

H.R. 5491. A bill to provide for the issuance of a special postage stamp in recognition of the 150th anniversary of Greek independence; to the Committee on Post Office and Civil Service.

By Mr. ADAMS:

H.R. 5492. A bill to provide for regulation of public exposure to sonic booms, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CHAMBERLAIN (for himself, Mr. William D. Ford, Mr. Halpern, Mr. Horton, Mr. Hungate, Mr. Roe, and Mr. Roush):

H.R. 5493. A bill to amend the Federal Aviation Act of 1958 to require that any air carrier proposing to discontinue any air transportation to or from any point named in its certificate must give notice thereof at least 60 days in advance of the proposed discontinuance, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CHAPPELL:

H.R. 5494. A bill to authorize the Secretary of the Interior to sell certain rights in the State of Florida; to the Committee on Interior and Insular Affairs.

By Mr. DELLENBACK:

H.R. 5495. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to increase the loan limitation on certain loans; to the Committee on Agriculture.

H.R. 5496. A bill to amend the Consolidated Farmers Home Administration Act of 1961 to provide for insured operating loans, and for other purposes; to the Committee on Agriculture.

H.R. 5497. A bill to improve the financial management of Federal assistance programs, to facilitate the consolidation of such programs, to strengthen further congressional review of Federal grants-in-aid, to provide a catalog of Federal assistance programs, and to extend and amend the law relating to intergovernmental cooperation; to the Committee on Government Operations.

By Mr. EVINS of Tennessee:

H.R. 5498. A bill to establish a structure that will provide integrated knowledge and understanding of the ecological, social, and technological problems associated with air pollution, water pollution, solid waste disposal, general pollution, and degradation of the environment, and other related problems to the Committee on Science and Astronautics.

By Mr. FINDLEY:

H.R. 5499. A bill to amend title II of the Social Security Act to increase to $3,000 the annual amount individuals are permitted to earn without suffering deduction from the monthly insurance benefits payable to them under such title; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 5500. A bill to authorize the Secretary of the Interior to revise a repayment contract with the San Angelo Water Supply Corp., San Angelo project, Tex., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FRASER:

H.R. 5501. A bill to amend the District of Columbia Election Act, and for other purposes; to the Committee on the District of Columbia.

By Mr. HAGAN:

H.R. 5502. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technicians service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HOSMER (for himself, Mr. Kyl, Mr. Steiger of Arizona, Mr. McClure, Mr. Don H. Clausen, Mr. Camp, Mr. Dellenback, Mr. Lloyd, Mr. McKevitt, Mr. Terry, and Mr. Bob Wilson):

H.R. 5503. A bill to authorize appropriations for this saline water conversion program for fiscal year 1972, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOSMER (for himself, Mr. Kyl, Mr. Steiger of Arizona, Mr. McClure, Mr. Don H. Clausen, Mr. Ruppe, Mr. Camp, Mr. Lloyd, Mr. McKevitt, Mr. Terry, Mr. Gerald R. Ford, Mr. Bob Wilson, Mr. Widnall, Mr. Vander Jagt, and Mr. Coughlin):

H.R. 5504. A bill to establish a national land use policy; to authorize the Secretary of the Interior to make grants to encourage and assist the States to prepare and implement land use programs for the protection of areas of critical environmental concern and the control and direction of growth and development of more than local significance; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KLUCZYNSKI:

H.R. 5505. A bill to authorize the payment of $25,000 to any individual who provides information leading to the apprehension and conviction of any person responsible for the March 1, 1971, bombing of the U.S. Capitol building; to the Committee on the Judiciary.

By Mr. LONG of Louisiana:

H.R. 5506. A bill to recognize direct benefits to the United States from the construction of the Toledo Bend Dam and Reservoir project and exempt Sabine River Authority, State of Louisiana, and Sabine River Authority of Texas, from further charges for the use, occupancy, and enjoyment of certain lands of the United States within the Sabine National Forest, Tex.; to the Committee on Agriculture.

H.R. 5507. A bill to amend title 10, United States Code, to restore the system of recomputation of retired pay for certain members and former members of the armed forces; to the Committee on Armed Services.

H.R. 5508. A bill to declare a portion of the Bayou Des Glaises, La., as a nonnavigable water of the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 5509. A bill to repeal chapter 44 of title 18, United States Code (relating to firearms), to reenact the Federal Firearms Act, and to restore chapter 53 of the Internal Revenue Code of 1954 as in effect before its amendment by the Gun Control Act of 1968; to the Committee on the Judiciary.

H.R. 5510. A bill to amend title 5, United States Code, to include as creditable service for civil service retirement purposes service as an enrollee of the Civilian Conservation Corps, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5511. A bill to designate the Alexandria National Cemetery, Pineville, La., as the "Pineville National Cemetery"; to the Committee on Veterans' Affairs.

H.R. 5512. A bill to amend the Internal Revenue Code of 1954 to provide an additional personal exemption for a taxpayer or spouse who is disabled and for a dependent who is blind or disabled; to the Committee on Ways and Means.

H.R. 5513. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. McCLURE:

H.R. 5514. A bill to protect the privacy of depositors at insured banks and other institutions; to the Committee on Banking and Currency.

By Mr. MAILLIARD (for himself and Mr. Hosmer):

H.R. 5515. A bill to authorize the Secretary of Housing and Urban Development to establish a National Earthquake Insurance program under the Federal Insurance Administrator to protect citizens residing in earthquake-prone areas and in unidentified areas subject to earthquake perils from the risk of catastrophic personal loss in the event of an earthquake occurrence, and for other purposes; to the Committee on Banking and Currency.

By Mr. MORGAN:

H.R. 5516. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MURPHY of New York:

H.R. 5517. A bill to provide financial assistance to States and localities for the construction and modernization of correctional institutions; to the Committee on the Judiciary.

By Mr. O'HARA:

H.R. 5518. A bill to protect consumers against unreasonable risk of injury from hazardous products, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5519. A bill to authorize the Federal Trade Commission to set standards to guarantee comprehensive warranty protection to the purchasers of merchandise shipped in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. PEPPER (for himself, Mr. Begich, Mr. Collins of Illinois, Mr. Horton, Mr. Sarbanes, Mr. Steele, and Mr. Charles H. Wilson):

H.R. 5520. A bill to amend the Older Americans Act of 1965 to provide grants to States for the establishment, maintenance, operation, and expansion of low-cost meal programs, nutrition training and education programs, opportunity for social contacts, and for other purposes; to the Committee on Education and Labor.

By Mr. PEPPER:

H.R. 5521. A bill to amend the Railroad Retirement Act of 1937 so as to increase the amount of the annuities payable thereunder to widows and widowers; to the Committee on Interstate and Foreign Commerce.

By Mr. PRICE of Illinois (for himself, Mr. Holifield and Mr. Hosmer) (by request):

H.R. 5522. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

H.R. 5523. A bill to amend the Atomic Energy Act of 1954, as amended, to provide for license fees to Government agencies, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. ROGERS:

H.R. 5524. A bill to amend the Economic Stabilization Act of 1970 to extend until the close of February 28, 1972, the authority of the President thereunder to stabilize prices, rents, wages, and salaries; to the Committee on Banking and Currency.

H.R. 5525. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. ROGERS (by request):

H.R. 5526. A bill to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHNEEBELI (for himself and Mr. Corman):

H.R. 5527. A bill to amend the Internal Revenue Code of 1954 to provide refunds in the case of certain uses of tread rubber; to the Committee on Ways and Means.

By Mr. SHIPLEY:

H.R. 5528. A bill to permit public school teachers (and other public school employees) who do not have coverage pursuant to State agreement under the Federal old-age, survivors, and disability insurance system to elect coverage under such system as self-employed individuals; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 5529. A bill to authorize the coinage of 50-cent pieces to commemorate the Apollo 11 lunar landing and to estabish the Apollo Lunar Landing Commemorative Trust Fund, and for other purposes; to the Committee on Banking and Currency.

By Mr. WRIGHT:

H.R. 5530. A bill to provide that certain interests of the United States retained in certain lands heretofore conveyed to the State of Texas shall be conveyed to such State; to the Committee on Government Operations.

By Mr. DINGELL (for himself and Mr. Quie):

H.J. Res. 434. Joint resolution to establish a Joint Committee on the Environment; to the Committee on Rules.

By Mr. ESHLEMAN (for himself, Mr. Blackburn, Mr. Fisher, Mr. Flood, Mr. Goodling, Mr. Griffin, Mr. Hastings, Mr. Schmitz, and Mr. Williams):

H.J. Res. 435. Joint resolution proposing an amendment to the Constitution of the United States to make it clear that eligibility for welfare payments is not a right; to the Committee on the Judiciary.

By Mr. LONG of Louisiana:

H.J. Res. 436. Joint resolution proposing an amendment to the Constitution of the United States relating to the selection, term of office, and qualifications of certain Federal judges; to the Committee on the Judiciary.

H.J. Res. 437. Joint resolution proposing an amendment to the Constitution of the United States to provide for the popular election of the Judges of the Supreme Court; to the Committee on the Judiciary.

By Mr. MATSUNAGA (for himself and Mr. Moss):

H.J. Res. 438. Joint resolution to establish a Commission on Philippine Guerrilla Recognition; to the Committee on Veterans' Affairs.

By Mr. MYERS (for himself, Mr. Anderson of Illinois, Mr. Arends, Mr. Collins of Illinois, Mr. Esch, Mr. Flowers, Mrs. Grasso, Mr. Halpern, Mr. McCollister, Mr. McDonald of Michigan, Mr. McKay, Mr. Mazzoli, Mr. Mizell, Mr. Pirnie, Mr. Scheuer, Mr. Schwengel, Mr. Steiger of Wisconsin, Mr. Thone, Mr. Vander Jagt, and Mr. Williams):

H.J. Res. 439. Joint resolution to authorize the President to issue a proclamation designating the week in November which includes Thanksgiving Day in each year as "National Family Week"; to the Committee on the Judiciary.

By Mr. ROE:

H.J. Res. 440. Joint resolution to authorize the President to designate the period beginning March 21, 1971, as "National Week of Concern for Prisoners of War/Missing in Action"; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H. Con. Res. 191. Concurrent resolution expressing the sense of Congress in opposition to the closing of Public Health Service hospitals and clinics; to the Committee on Interstate and Foreign Commerce.

By Mr. WOLFF (for himself, Mr. Morse, Mr. Moss, Mr. Forsythe, Mr. William D. Ford, Mr. Matsunaga, Mr. Harrington, Mr. Burke of Florida, Mr. Gibbons, Mr. Hawkins, Mr. Dellenback, Mr. Addabbo, Mr. Biaggi, Mr. Price of Illinois, Mr. Pike, Mr. Riegle, Mr. Schwengel, Mr. Dent, Mr. Buchanan, Mr. Alexander, Mr. Pepper, Mr. Giaimo, Mr. Celler, Mrs. Griffiths, and Mr. Winn):

H. Con. Res. 192. Concurrent resolution providing for the appointment of a study team to observe the election in Vietnam in October 1971; to the Committee on Foreign Affairs.

By Mr. WOLFF (for himself, Mr. Stokes, Mr. Rosenthal, Mr. Roush, Mr. Badillo, Mr. Scheuer, Mr. Dellums, Mr. Carey of New York, Mr. Halpern, Mr. Roe, Mr. Rangel, Mrs. Abzug, Mr. Abourezk, Mr. Eilberg, Mr. Mitchell, Mr. Brasco, Mr. Stratton, Mr. Hamilton, Mr. Kyros, Mr. Byrne of Pennsylavnia, Mr. Minish, Mr. Mikva, Mr. Murphy of New York, Mr. Annunzio, and Mr. Podell):

H. Con. Res. 193. Concurrent resolution providing for the appointment of a study team to observe the election in Vietnam in October 1971; to the Committee on Foreign Affairs.

By Mr. YATRON (for himself, Mr. Coughlin, and Mr. Frenzel):

H. Con. Res. 194. Concurrent resolution expressing the sense of Congress that our NATO Allies should contribute more to the cost of their own defense; to the Committee on Foreign Affairs.

By Mr. PERKINS:

H. Res. 272. Resolution providing for the expenses incurred pursuant to House Resolution 213; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 5531. A bill for the relief of Bruno Domenico Mazza; to the Committee on the Judiciary.

By Mr. BELCHER:

H.R. 5532. A bill for the relief of Margaret Ulses; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 5533. A bill for the relief of Giuseppe Aiello; to the Committee on the Judiciary.

H.R. 5534. A bill for the relief of Mrs. Antonina Alabiso, Filippo Alabiso, and Giovanni Alabiso; to the Committee on the Judiciary.

H.R. 5535. A bill for the relief of Emanuel Alaimo; to the Committee on the Judiciary.

H.R. 5536. A bill for the relief of Giovanni Avitabile; to the Committee on the Judiciary.

H.R. 5537. A bill for the relief of Antonio Beninati; to the Committee on the Judiciary.

H.R. 5538. A bill for the relief of Mariano and Dolores Cabigiosu; to the Committee on the Judiciary.

H.R. 5539. A bill for the relief of Pietro Cacciatore; to the Committee on the Judiciary.

H.R. 5540. A bill for the relief of Assunta Cacciuottolo; to the Committee on the Judiciary.

H.R. 5541. A bill for the relief of Gennaro Cacciuottolo; to the Committee on the Judiciary.

H.R. 5542. A bill for the relief of Natale Cangialosi; to the Committee on the Judiciary.

H.R. 5543. A bill for the relief of Giuseppa Costantino; to the Committee on the Judiciary.

H.R. 5544. A bill for the relief of Anna Criscuolo; to the Committee on the Judiciary.

H.R. 5545. A bill for the relief of Luigi Curatolo; to the Committee on the Judiciary.

H.R. 5546. A bill for the relief of Mrs. Taji Eshraghi; to the Committee on the Judiciary.

H.R. 5547. A bill for the relief of Salvatore Favella; to the Committee on the Judiciary.

H.R. 5548. A bill for the relief of Luciano Ferrarello; to the Committee on the Judiciary.

H.R. 5549. A bill for the relief of Antonio Fontana; to the Committee on the Judiciary.

H.R. 5550. A bill for the relief of Vito Gissara and Gaetano Gissara; to the Committee on the Judiciary.

H.R. 5551. A bill for the relief of Andrea Guglielmi; to the Committee on the Judiciary.

H.R. 5552. A bill for the relief of Giuseppe, Giuseppa, and Mario Iacona; to the Committee on the Judiciary.

H.R. 5553. A bill for the relief of Gina Iurato; to the Committee on the Judiciary.

H.R. 5554. A bill for the relief of Vincenzo Laezza; to the Committee on the Judiciary.

H.R. 5555. A bill for the relief of Calogera La Rocca, Antonio La Rocca, and Vincenza La Rocca; to the Committee on the Judiciary.

H.R. 5556. A bill for the relief of Elio Lauria, his wife, Miniello Lauria, and their child, Eduardo Lauria; to the Committee on the Judiciary.

H.R. 5557. A bill for the relief of Pao Kung Lee; to the Committee on the Judiciary.

H.R. 5558. A bill for the relief of Leonardo Lopane; to the Committee on the Judiciary.

H.R. 5559. A bill for the relief of Calogero Mannino; to the Committee on the Judiciary.

H.R. 5560. A bill for the relief of Daniele Marmo and his wife, Anna Marmo; to the Committee on the Judiciary.

H.R. 5561. A bill for the relief of Francesca Mauro; to the Committee on the Judiciary.

H.R. 5562. A bill for the relief of Raffaele Mazzariello and his wife, Teresa Mazzariello; to the Committee on the Judiciary.

H.R. 5563. A bill for the relief of George Niskopoulos and Amalia Niskopoulos; to the Committee on the Judiciary.

H.R. 5564. A bill for the relief of Marie Francesca Perniciaro and her daughter, Patrizia Perniciaro; to the Committee on the Judiciary.

H.R. 5565. A bill for the relief of Domingo Quintans; to the Committee on the Judiciary.

H.R. 5566. A bill for the relief of Antonino Raccuglia; to the Committee on the Judiciary.

H.R. 5567. A bill for the relief of Giuseppe Rizzo, Angela Rizzo, Vincenzo Rizzo, and Antonino Rizzo; to the Committee on the Judiciary.

H.R. 5568. A bill for the relief of Vincenzo Rosamilia; to the Committee on the Judiciary.

H.R. 5569. A bill for the relief of Salvatore Rubino; to the Committee on the Judiciary.

H.R. 5570. A bill for the relief of Maria Antonietta Storino; to the Committee on the Judiciary.

H.R. 5571. A bill for the relief of Miss Lucia Varon; to the Committee on the Judiciary.

My Mr. BRADEMAS:

H.R. 5572. A bill for the relief of Rosalie Banc and Iosif Banc; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.R. 5573. A bill for the relief of Mrs. Lucia Occhipinti Burlo; to the Committee on the Judiciary.

By Mr. COTTER:

H.R. 5574. A bill for the relief of Gee Ping Yee; to the Committee on the Judiciary.

By Mr. FISH:

H.R. 5575. A bill for the relief of Gerald Levine; to the Committee on the Judiciary.

H.R. 5576. A bill for the relief of Nguyen Van Nam; to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 5577. A bill for the relief of Maj. Lowell L. Glenn, U.S. Air Force, retired; to the Committee on the Judiciary.

By Mr. FULTON of Tennessee:

H.R. 5578. A bill for the relief of Dr. Sajjan Gangappa Chikkannaiah; to the Committee on the Judiciary.

H.R. 5579. A bill for the relief of Mrs. Marina Munoz de Wyss (nee Lopez); to the Committee on the Judiciary.

H.R. 5580. A bill for the relief of Dr. Kallaiah Mata Rajashekaraiah; to the Committee on the Judiciary.

H.R. 5581. A bill for the relief of Richard W. Yantis; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 5582. A bill for the relief of Maria Fernandes Dias; to the Committee on the Judiciary.

By Mr. MILLER of California:

H.R. 5583. A bill for the relief of Cho Chung Foo; to the Committee on the Judiciary.

H.R. 5584. A bill for the relief of Cho Fae Man; to the Committee on the Judiciary.

By Mr. NEDZI:

H.R. 5585. A bill for the relief of Jan B. Lutyk; to the Committee on the Judiciary.

H.R. 5586. A bill for the relief of Vito Serra; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 5587. A bill for the relief of Rosa Margarita Pina Gutierrez; to the Committee on the Judiciary.

By Mr. THOMSON of Wisconsin:

H.R. 5588. A bill for the relief of Mrs. Saraswati Dasgupta; to the Committee on the Judiciary.

By Mr. YATRON:

H.R. 5589. A bill for the relief of the estate of Edwin G. Griffith; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

TRIBUTE TO THE LATE REPRESENTATIVE L. MENDEL RIVERS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, March 3, 1971

Mr. THURMOND. Mr. President, the late Representative L. Mendel Rivers had a great many friends in many walks of life. Among these were the 100,000 members of the American Dental Association. He earned the dentists' vigorous and dedicated support by his continuing efforts to obtain better dental health programs for members of the armed services and their dependents, and to improve the status of military dental personnel.

Many tributes have been paid to the Honorable Mendel Rivers. The CONGRESSIONAL RECORD of January 26 contained several of them. However, none expressed the sentiments of dentistry, military dentistry in particular, as does the statement Journal of the American Dental Association for February, 1971.

Mr. President, I ask unanimous consent that this tribute to be printed in the Extension of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRIBUTE TO THE LATE L. MENDEL RIVERS

For five days short of 30 years, L. Mendel Rivers was the member of the House of Representatives from the 1st District of South Carolina. His death at the age of 65, soon after heart surgery, not only robs the Congress of one of the most powerful and colorful members ever to walk its halls but also stills the voice of as vigorous a Congressional champion as dentistry—military dentistry in particular—has ever had.

SOUTHERN DEMOCRAT

Mendel Rivers was a Southern Democrat in the classic tradition. He looked the part with patrician features, a ramrod posture and a long, smooth mane of snowy hair. He sounded the part with a voice of grained velvet that he rarely needed to raise, employing it instead in a way that could drip sarcasm or bestow blessings as the occasion demanded. He acted the part by displaying that mastery of the legislative process that is an essential component of the Southern Democrat heritage.

DENTAL INTERESTS

His deep interest in dental matters was a constant characteristic throughout his Congressional career. It was barely two years after entering the House, when, early in World War II, he helped achieve legislation making it mandatory that dentists be taken into the armed forces at the officer level and assigned duties appropriate to their professional training. Further improvements in the basic laws that have come subsequently have all received his unequivocal backing.

MILITARY DENTAL CORPS

It was, as well, his legislative leadership that led to reorganization of the Navy and Army dental corps, guaranteeing two-star rank for each chief dental officer and giving the Navy corps a statutory autonomy. He never gave up on efforts to achieve totally parallel status for the Army and Air Force dental corps and anyone familiar with the history of the corps knows how often and helpfully he also intervened on their behalf in less formal ways.

HEALTH OF THE PEOPLE

There was in Mendel Rivers as well another aspect of the Southern Democrat heritage, a Populist strain that can also be found in the careers of such other great members of Congress from the South as Lister Hill of Alabama. He had a lively concern for the health and welfare of the people, coupled with a conviction that the federal government had an appropriate role to play in improving it. His general voting record marks him as a staunch supporter of the efforts on behalf of dental care, research, and education led by such men as Lister Hill and the late John E. Fogarty.

DEPENDENT'S DENTAL CARE

Within his specific sphere of interest, he worked doggedly to persuade successive Secretaries of Defense to bring dental care benefits to military dependents. That battle is, as yet, unfinished, but its eventual establishment would be a particularly appropriate memorial to the extraordinary man who so warmly befriended dentistry for so many years.

THE NEW CHAIRMAN

Mr. Rivers' all but certain successor as Chairman of the House Armed Services Committee is, like him, a Southern Democrat. F. Edward Hebert began his House service the same day as Mendel Rivers—Jan. 3, 1941—and has ever since represented the 1st District of Louisiana. Born in New Orleans on Oct. 12, 1901, the veteran House member is a graduate of Tulane University and reflects the history of his native state by preferring the French pronunciation of his name (sounds like "A-Bear"). He came to Congress after nearly a quarter-century career in journalism, during which he gained substantial renown for his investigative reporting. Long an influential member of the Armed Services Committee and chairman of many of its most important subcommittees, Rep. Hebert is expected to bring to his post much the same general philosophy as was held by his late predecessor.

THE WHITE HOUSE CONFERENCE ON FOOD AND NUTRITION

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. FRENZEL. Mr. Speaker, because it is only recently that we have become aware of the extent of malnutrition, both in this country and abroad, I took particular interest in a speech made by James P. McFarland, chairman of the board of General Mills, Inc., on February 5 in Williamsburg, Va., as a followup to the White House Conference on Food and Nutrition held 15 months ago.

Mr. McFarland's report on the steps taken, and to be taken, by the food industry, is encouraging, and, in my judgment, gives some solid hope for improvement in our continuing battle against malnutrition.

General Mills, Inc., is a large, well-known corporate enterprise with headquarters in the Third Congressional District in Minnesota. Because these remarks are typical of its responsible, constructive, and positive attitudes, I am proud to insert them into the RECORD today:

THE WHITE HOUSE CONFERENCE ON FOOD AND NUTRITION

(Remarks by James P. McFarland)

Fourteen months ago those of us in this room participated in the White House Conference on Food and Nutrition. We were joined under the leadership of Dr. Jean Mayer by hundreds of concerned citizens—men and women dedicated to the proposition that we could and must find ways by which every American could be assured of a healthy and nutritious diet.

I recall that on the last day of the Conference one of our panel members turned to his neighbor and asked, "Do you think the Conference has been a success?" And the answer was, "I don't know—come back in a year and I'll tell you."

Today, our task is to evaluate the events of the past year and to measure our progress against the needs and the demands of our society. The American people are entitled to an accounting of how well we have performed against the challenges which the Conference posed for each of us in December of 1969.

I submit that in one very real sense the White House Conference of a year ago was an immediate success. It identified and isolated specific problems; it established a national climate of concern; and it marshalled the combined resources of government, agriculture, the food industry, science, education and the "man in the street" to attack wholeheartedly our weaknesses and our shortcomings. These combined resources have achieved much in the past 14 months and I am pleased and honored to serve today as the spokesman for the American food industry.

I am keenly aware of the dedication, the social consciousness, the practicality, and the determination with which our industry's people are addressing themselves to the vitally important task before us. Such responsiveness is not new, for the underlying motivation of our Free Enterprise System is based on the providing of service and value to the consumer . . . this motivation has characterized our industry for many years and has enabled it time after time to respond successfully to the particular challenge of the day.

It may be useful if at this point we remind ourselves of the basic four—and here I am not talking about food qualities but rather about the basic four responsibilities of government and the food industry as defined by the Conference.

(1) To enhance the nutritional well-being of all Americans.

(2) To provide information to facilitate consumer understanding of food and nutrition.

(3) To assure the safety and quality of all food products.

(4) To assist in the improvement of the American social environment.

Before discussing in some detail and with specific examples of how we have responded to these basic four, I should like to make some general observations about the scope and complexity of the situation facing us.

First of all, it seems clear that we need to find out a great deal more about hunger and malnutrition in the United States than is now available to us. The recent Department of Health, Education and Welfare 10

State Survey provided us all with a wealth of insight and knowledge but more data are needed.

Obviously, malnutrition is often the direct by-product of poverty and yet in the Survey it was noted that well-nourished families were living side by-side with victims of malnutrition even though family income was similar and at the poverty level.

We find malnutrition in families and individuals where lack of purchasing power cannot be blamed—the bad eating habits of teen-age girls and some young pregnant women are not confined to the poor. There are special problems among some of our aged, there are pockets of malnutrition caused apparently by geographic isolation, and there are situations where ethnic-based food preferences make for an inadequate diet.

It's risky to simplify but I'll try nonetheless. Some people are malnourished because they simply can't afford to buy the necessary food. This is an economic problem. Some people are malnourished even though they have the money—they just don't *know* what to buy. This is an educational problem. And some people are malnourished even though they have the money and *know* what to buy—they just don't care about good nutrition. This is a motivational problem.

Let me now return to the basic four responsibilities set before us by the Conference one year ago . . .

The first was: "To enhance the nutritional well-being of all Americans."

One very basic response to this particular challenge continues to be our ability to provide more people with more good food at low cost than any other nation in the world. Despite inflation, food costs as a percent of earning power continue to decline. The credit for this achievement belongs to a great many different segments of our society; and our challenge for the future is to improve upon a system which works extremely well for most people and to extend the benefits of our production and distribution system to groups with special needs.

If we are to make our system work as well for *all* persons as it now does for *most* of us, cooperation between the private sector and government is essential. We have seen one dramatic example this past year of what can be done in the expansion of the Federal Food Stamp Plan. The USDA mounted a vigorous campaign to stimulate participation of local communities in the plan and in five states, local leadership and the food industry assisted in the effort. We are happy to report that we have been of help in reducing the number of non-participating counties and independent cities to but 10 out of a total of 3,129.

In another area calling for government action and industry support we were less successful. Our present food marketing systems cannot provide adequate nutrition where there is not adequate income, and many elements of the food industry, including the Grocery Manufacturers of America, supported therefore the Family Assistance Act of 1970.

We were disappointed but not disheartened by the failure of this measure in Congress, and we shall continue to fight for the passage of appropriate legislation in 1971.

The enhancement of the nutritional well-being of our citizens means better *new* products together with the improvement of our traditional foods—in this respect it has been a banner year. For example:

(1) A broadly distributed breakfast drink has been reformulated to include higher amounts of iron.

(2) A new pasta product has been introduced—an excellent protein value with great promise as a low cost, highly nutritious substance.

(3) A product now in test market consists of two cake-like squares containing vitamins A, B–1, B–2, B–12, C, D, E, in addition to calcium, niacin, phosphorus and iron and with as much protein, vitamins, and minerals as a complete breakfast.

(4) Another new product in the form of a cake will when served with 8 ounces of milk provide one-fourth of the recommended daily allowance of all nutrients for a 12-year-old boy. The product is well accepted and is readily served in inner city schools since no utensils or special personnel are required.

(5) The nutritional improvement of snack products has been notable. One manufacturer now enriches his complete line of 230 wheat-based products with vitamins B–1, B–2, niacin and iron. A potato-chip like product fortified with soy protein is available.

(6) Further examples of nutritional upgrading include the widespread use of enriched flour in such products as cake, brownie and pancake mixes, the addition of vitamins to fruit drinks, margarine enriched with vitamins A & D, fortification of instant dehydrated potatoes with vitamin C, one-dish dinners with meat supplementation by textured protein products, enrichment of children's cereals with vitamins and minerals, iodization of almost ⅔ of all salt consumed in the so-called goiter belt and the enrichment of more than ⅔ of all milled rice and rice products sold in this country. Finally, we are told that the levels of iron in the flour and bread standards under the control of the Food and Drug Administration are to be increased by a factor of three in line with a recommendation of the National Academy of Science and the American Medical Association. The level of the B vitamins will be increased by 50%.

Perhaps more significant for the long term is the genetic modification of grain and legume proteins. Earlier improvement of corn and rice proteins has been followed within the year by a genetic breakthrough which substantially increased the methionine content of beans and thus improved their food value. This work was underwritten by a major food manufacturer.

Let me add one word of caution. Nutrition is not an exact science, and our knowledge and our understanding both grows and changes with each passing day. We believe strongly in the principle of the addition of nutrients to food. We do not endorse, however, the indiscriminate fortification of food products. It can be overdone. Industry, science and government must work together to make certain that in attempting to improve the health of our consumers, we do not endanger their health or so increase the cost of the products that we make them unavailable to those who likely have the most need for them.

The second basic responsibility given us by the White House Conference was: "To provide information to facilitate consumer understanding about food and nutrition." You will recall that I have suggested we are dealing with not only those who need to be educated but with those who must be motivated.

The record will show that in response to this challenge we are today providing more nutritional information to more people and through more different means than at any previous time in our history. These include efforts by individual companies, by trade associations, by different segments of the food industry and by the advertising fraternity. It is an ever growing, ever more effective communications program of gigantic proportions. We strongly believe in its achievements and potential. For example:

(1) The Food Council of America has been reestablished as a vehicle to disseminate nutrition information. Sparked by the retail segment of our industry and supported by the other elements of the food business, the Council launched a campaign based on the familiar theme, "Eat the basic four foods every day." Literally hundreds of thousands of displays, posters, color books, recipes, articles, media advertising, point-of-purchase materials and food labels were utilized.

(2) We will see this spring and summer a major national public service advertising campaign. This is a joint effort of the Grocery Manufacturers of America, the Advertising Council, the U.S. Department of Agriculture, the U.S. Department of Health, Education and Welfare and the National Academy of Science. The planning is done, copy being written and all America will be exposed to the impact of this nutritional information and education campaign.

(3) The Nutrition Foundation, an organization supported by the food industry, is developing a program to get nutrition information to young people through the schools; specifically it is developing 15 thirty-minute television programs for teachers which will constitute a credit course on nutrition and food.

(4) The cereal industry has carried out an extensive program using package backs to tell the story of good nutrition. Over 400,000,000 packages and nutritional messages are involved.

(5) Individual company efforts have been legion and increase every day. Some examples:

A 28-minute film on nutrition and health.

An experimental series of nutrition education television messages aimed at low income families.

Underwriting of the nutrition segments of 4–H Club work—largest youth nutrition education program in United States.

Development of comic books to tell the nutrition story in the idiom of inner city youth.

Massive displays of in-store material devoted to nutrition plus substantial advertising space in newspapers used by retailers for the same purpose. Here are some examples:

(Slides.)

And I stop, not because I've run out of examples but out of time.

The White House panel on Food Packaging and Labeling said regarding nutrition: ". . . We are convinced that communication must be improved with the consumer, whoever he may be, wherever he may live or shop."

One of the key elements in such communication is the matter of nutritional labeling of food products. The food industry endorses and has been cooperating with the Food and Drug Administration's studies to find the best method of communicating nutrition information to the consumer by means of the product label.

Currently, three possible approaches are being studied with actual consumer reactions and consumer understanding being tested. Any of the three approaches will provide the essential basic nutritional information about a particular food to the consumer.

The third basic responsibility given us by the White House Conference was: "To assure safety and quality in all food products."

There has been for many years a full recognition on the part of industry that government must play an essential role in this area. This is not to say that industry should only react to government pressure or mandate but rather that government and industry must cooperate in fulfilling their joint responsibility to the consumer. Some of the more recent developments in this area include:

An educational and promotional effort by the food industry to achieve universal support of GMP—good manufacturing practices established by Food and Drug.

Industry support for Congressional appropriations large enough to fund inspection needs of various regulatory agencies.

Industry support for Food and Drug in its plans to establish and publish nutritional guidelines.

A notable increase in the amount and quality of ingredient and finished product testing both by government and by industry. The extent and impact of this increase can be recognized when we look at the microbiology laboratory work done by just one food manufacturer in the past year. The number of individual analyses rose from 39,700 in 1969 to more than 57,000 during the year just concluded. All of this can be translated into a sharply increased investment in time and money on behalf of improved product quality and product safety.

The fourth and last basic responsibility as defined by the White House Conference was: "To assist in the improvement of the American social environment."

Surely, no one can argue that this is not a responsibility incumbent upon each of us. It is a challenge to the individual, to the family and to all of our institutions throughout the nation. It is a challenge which recognizes that the American dream is still a nightmare to far too many of our citizens. It is a challenge which recognizes the inescapable truth—those of us responsible for the operation and success of a profit-making enterprise must at all times pursue our goals in a manner wholly consistent with the social good.

Each of us will view his responsibilities a bit differently than his neighbor. Commitments will vary and priorities will change with the passage of time and a change in circumstance. I am in no position to speak on behalf of the men and women of our American food industry in this regard except to say that I know them to be fully dedicated to using their talents and resources so as to assist materially in the improvement of the American social environment. For example:

(1) Day care centers, housing rehabilitation, recreational programs, community clean up projects and school operations characterize food industry involvement in the inner city.

(2) The largest single supporter of reruns of Sesame Street is a food manufacturer. In fact, food companies help finance this program in over 20 major cities.

(3) Programs to assist minority entrepreneurs are numerous in the food industry as is close cooperation with NAB and related agencies.

(4) Our social environment is ofttimes most directly improved or changed by legislative action. We have within the food industry this past year given a great deal of thought and study to a wide variety of legislative proposals before Congress and have taken positions which we feel to be in the best interests of our nation. Some no doubt will disagree with our views on specific bills, and we may well disagree at times among ourselves. We do believe, however, that we should let our voice be heard and at the same time listen long and carefully to those who have a different point of view.

As I look back over the past year I am impressed by what has been accomplished. It has been innovative, it has been constructive, and it has been substantial. And as I view where we are today, I am once again impressed—this time by how much more demands to be done. None of us in industry views today's session as anything more than a brief respite, a breathing spell that gives us the chance to make a progress report. Tomorrow, like yesterday, we'll be back on the firing line and working toward the full attainment of those goals we set for ourselves one year ago.

One final word: A noted ecologist is fond of saying that a fundamental law of nature is, "Everything depends upon everything else." I believe that if we are to be successful in our fight for improved health and nutrition, we must adopt the same principle—only we might put it, "*Everyone* depends upon everyone else." There has been this past year perhaps too much criticism and not enough communication. We are (or should be), after all, allies, not enemies. I would hope that in 1971 the government official, the strong consumerist, the educator, the businessman—that somehow all of us would realize that if we can but enlarge our field of common understanding and agreement we increase tenfold our chances for success.

There are two ground rules which I suggest we all adopt:

(1) Let us open wide the doors of communication and talk not merely with those with whom we agree but, more importantly, with those whose views are dramatically different from our own.

(2) Let us at all times be willing to recognize the sincerity and intellectual honesty of those with opposing views. Nothing is to be gained by impugning the motives of those with whom we disagree. The American people and their needs for improved nutrition deserve nothing less than the best efforts of all of us. We are all headed in the same direction and seeking the same objectives. The more we help each other, the sooner we will attain that goal. Toward that end, I pledge the support of our American food industry.

HONESTY IN PUBLIC LIFE

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, March 3, 1971

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an editorial entitled "Reins on Lawmaking," published in the National Observer.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

REINS ON LAWMAKING

The retirement of John J. Williams of Delaware from the United States Senate left a particular kind of vacancy—one that can not be filled easily. With all respect to Mr. Williams' successor and to the entire membership of the Senate, what Mr. Williams took with him was an aggressive attitude about the need for honesty in public life.

The veteran legislator also offered some final observations on the role of Congress. Asked if he thought the system works, Mr. Williams replied:

"Yes, no question of it. Of course, a dictatorship is the most efficient form of government. But who wants it? I wouldn't want to have a President that had the power to move at will, whether I agreed with him or not. Now, the President can suggest things, and we can delay it or we can kill it. But there's always another Congress coming. I've been here 24 years, and I've seen bills delayed that were supposed to hold life or death for the country. But I've never seen a piece of legislation yet that was kept off the books when the people wanted it. It may be a year or two later but it always comes to pass."

That is something for all Americans to ponder, especially the more impatient among us. The statement reminds us that while many members of Congress may now and then favor precipitious action, the mechanism of Congress was deliberately designed to compel judiciousness.

And Mr. Williams' appreciation of this truth suggests that his famous honesty is but one aspect of his wisdom.—From the National Observer.

NATIONAL FORESTS

HON. ROGER H. ZION

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. ZION. Mr. Speaker, our National Forest System should be a matter of great pride to all of us. I know how vital the Hoosier National Forest is to the economy and recreation potential of my own congressional district and I know just what a guiding force the Forest Service has been in the many accomplishments gained in southern Indiana.

Mr. Jay H. Cravens, regional forester for the eastern region of the Forest Service has presented an illuminating chronicle of Forest Service achievements over the years. In his remarks before the Association of Great Lakes Outdoor Writers Meeting in Chicago on January 30 Mr. Cravens has defined the public trust of which we must all be conscious if our natural heritage, America's forest lands, are to be preserved. I commend Mr. Cravens' address to my colleagues.

I include the address as follows:

THE CHANGING AND CHALLENGING ROLE OF NATIONAL FOREST ADMINISTRATION

This is an opportune time, and you are an excellent group to speak to on a subject that is both timely and important.

First, some background.

When the Forest Service was created by Gifford Pinchot the country faced a grave crisis. The crisis was that of saving our remaining forest lands, and salvaging those that had been badly mistreated. The need then was to establish scientific management on the forest lands and gain acceptance for the new profession of forestry in America.

Today we have that scientific technology and we have applied it. There is a different crisis today. It is the correct application of technology to gain a necessary balance of uses to protect and enhance the environment.

Too many of our young ecologists and environmentalists think of themselves as pioneers in a new field of awareness. Actually, they have eminent examples to emulate. Gifford Pinchot was one who preached the same message as they, at least 75 years ago. Hugh Bennett was another who labored in the same vineyard at least 40 years ago.

Forty years ago America faced another crisis, which we call the "Great Depression." Because of this Depression during the 30's, the country embarked on the greatest conservation program in history. That gentleman named Hugh Bennett was a leader in the formation of this program. This fact is too little recognized today.

Hugh Bennett loved the land. He trod over many thousands of acres of it in the Piedmont region of the Southeast, and other parts of the country. He did not like what he saw. Being a soil scientist, he was able to diagnose the spreading sickness. He made the first extensive record of land abuse in this country, statistically enumerating the millions of acres that were badly eroding because of faulty farming practices and other land abuses. Bennett was able to prove that this had a profound bearing on the economic crisis of the 1930's. One thinks, for example, of the migration of the many so-called "Okies" from Oklahoma and other farming states where the land had been badly abused and made a prey of wind and other erosive forces. John Steinbeck's classic novel, "The Grapes of Wrath," told this story very well.

The result of Bennett's work was the formation of the Soil Conservation Service in the U.S. Department of Agriculture. It was one of the programs designed to solve the ills of that era.

SCS became a permanent Government agency. Another well known program of the 1930's did not. I refer to the Civilian Conservation Corps.

The CCC did more to bring about better resource management and use on the National Forests than anything that happened before or has happened since. Before this program came into being, the National Forests had little to offer the public in way of recreational facilities. The CCC built excellent campgrounds, picnic areas, boat launching ramps, hiking trails, and other similar facilities. At the same time, the Corpsmen planted millions of trees to regenerate the forests, even to create new forests, such as the Shelterbelts in the windblown plains states; they built roads to better harvest the timber; and they built fire lookout towers and other such facilities to better protect the forests.

World War II was another period that brought about significant change in National Forest administration. The war-time need for wood was tremendous. The National Forests were the last great bastions of untapped wood resources left in the Nation. It was inevitable that they would be called upon to furnish this basic raw material resources.

It is true that the Forest Service has long been an organization of foresters, that it has been making timber sales since the earliest days of the organization, and that the outfit had learned to cope with crisis. The Chippewa National Forest is a good example of this ability. Many of you are familiar with that Forest and have written about it. Your 1969 fall meeting was up there at Big Lake Winnie. While there, you were briefed on such important programs as the Wetlands, and saving the bald eagle.

In 1940, this Forest suffered two disasters. One was an ice storm in the spring that felled much timber. The Forest Service immediately made salvage sales of this damaged timber. And in August, even while the salvage harvest was going on, a terrific wind storm felled more millions of board feet of timber. Renewed effort was made to salvage that, and the Forest Service was successful in bringing about good utilization of what would otherwise have been a wasted resource. For this and other reasons connected with good timber management, the Chippewa was given a Superior Service Award by the Secretary of Agriculture.

This and other similar experiences made obvious the fact that National Forests had good timber to cut, and that it could be cut expeditiously and well. The World War II crisis made this harvest necessary, even vital. We have to admit that during and after World War II timber management became the dominant activity on the National Forests.

Before you become too critical of that, let me point out that this increased harvest of timber from National Forests was not only vital to the war effort, but was also imperative for meeting the raw material needs of our fast expanding Nation in the years following the "big war." Wood is still an important basic resource, whether as a raw material for construction and other such uses, or as a processed material such as in plastics, keeping in mind that a large percentage of plastic materials is derived from wood cellulose. There are at least 5,000 uses for wood and its byproducts in our civilization today.

That is why we began to harvest timber from the National Forests in a big way. We had to. And we are not ashamed of it. Rather, we are proud of the role the National Forests have played in making this the great Nation it is today.

Still, we do admit that we are faced today with another crisis in America. Again the situation demands change. This change means that greater emphasis will be placed on other uses besides timber in National Forest administration.

When many of us here were young, we were most fortunate in having a good environment and room in which to enjoy it. We could easily pursue the good outdoor life. The country kid had it all around him. Even those who lived in town didn't have far to go to enjoy hunting, fishing, and camping.

Today the situation is much different. Our burgeoning population, our expanding towns, cities, airports, and transmission facilities, our concrete ribbons of four-laned highways with their ground-eating cloverleafs, our wasted land areas and our polluted streams and likes, to say nothing of our overcrowded State and National Parks, have made the National Forests, in many cases, last refuges for those who want to get away from the sights, sounds, and smells of civilization and enjoy some of that which we took for granted when we were young.

This is why we are shifting gears in the Forest Service and are heading in a new direction. In the administration of the National Forests, we are now going to give much greater emphasis to the other uses—we call it a balanced program.

I'd like to point out, however, that many years ago the Forest Service began reserving large tracts of land as wilderness. It is no accident that the National Forests are the backbone of the National Wilderness System today; practically the whole body in fact. The wilderness concept began within the ranks of the Forest Service, led by people like Aldo Leopold, Arthur Carhart, and Bob Marshall.

Here in this Region of the National Forest System where we have approximately 54% of the Nation's population, we have two units of the National Wilderness System—the magnificent Boundary Waters Canoe Area on the Superior National Forest in Minnesota, and the Great Gulf Wilderness on the White Mountain National Forest in New Hampshire. The BWCA came into the picture as early as 1921 when Arthur Carhart, then a Forest Service landscape architect, traveled through the area and made an intensive study of it, recommending it be managed as a primitive type recreation area, the very type of management it is getting today. Art Carhart, as you know, went on to become an outstanding outdoor writer. He is, I think, one of the all time greats in the field of outdoor recreation.

Today, BWCA is the most heavily used wilderness area in the United States because it offers the greatest canoe-camping experience available just about anywhere. Over 100,000 people annually are now going into the area, most of them during the short summer period. This poses a problem, and it is one we are facing up to. Our research people are making careful studies of recreation use in the area, and we are beginning to apply their findings. We are imposing a ban on use of non-burnable containers, requiring all users to pack out what they pack in. That regulation is in effect this year. We are also closing down some overused camp sites. We are determined to protect land values in that area just as we do in all our other recreation areas. You may expect our efforts in this respect to be intensive in the BWCA and elsewhere.

This is where you can help us. Visitors to this and other National Forest areas need education. You are the ones who can best give it to them. In BWCA for example, our studies show that probably twice the number now using the area can visit without overtaxing it too much, provided, and this is very important, that they learn about it. They need to spread themselves out better in this one million acres of marvelous wilderness, instead of bunching up as they now do. They need the expert how-to factual information on canoe-camping, and on the area itself, which you can provide.

BWCA is also, as you know, one of the last havens today for the timber wolf in America. A few months ago, Forest Supervisor Craig Rupp closed portions of the Superior National Forest, including the BWCA, to trapping and taking of timber wolves, using the Endangered Species Act as his authority. The Forest Service recognizes the right of the States to manage and enact laws pertaining to fish and game. This was, however, an emergency situation, and we felt impelled to take this temporary emergency action while continuing to work cooperatively with the State of Minnesota in this as well as other matters pertaining to fish and game. The matter is being resolved amicably, and we are sure the result will be much better protection for the wolf, an animal we would all hate to see become extinct.

Besides the two declared units of the National Wilderness System in the Eastern Region, we are managing many other areas in a special manner. Most of you know of Sylvania, on the Ottawa National Forest in Michigan's Upper Peninsula. Some of you have written about it, and very well too. Tom Opre, for example, has not only written about it, but has supported our management plan for Sylvania. He did so only after visiting the area, becoming acquainted with it, and seeing what we were doing there, and what we were not doing, which is also important. This is something that I respect about outdoor writers. You write about what you know. You get out and see the country you write about, and also talk about, for some of you are broadcasters as well as writers.

Sylvania is a sensitive area and you can expect to hear more about our efforts to intensify our endeavor to manage and protect this magnificent area. We are identifying and studying more scenic areas in the Eastern Region. We will keep you posted on our progress in this effort and you in turn can help us keep the public informed and involved in our management decisions.

Everyone likes praise. When we come up with an idea, put it into effect, and it turns out to be a good idea, we are glad to be told about it. That's what Jack Ehresman has done when he writes about our Oakwood Bottoms, Green Tree Reservoir project on the Shawnee National Forest here in Illinois. Jack knows that area from having hunted ducks down there, and he knows how successful our program has been in creating such excellent duck habitat, while at the same time we are enhancing our timber management program in the area. This is multiple use in action.

That's what we think about when we refer to that much used, and sometimes abused term, multiple use. This concept of forest management which Gifford Pinchot and the Forest Service originated, is as important today as it ever was. George Tilford knows the Hoosier National Forest well. He knows we have outstanding recreational facilities at Hardin Ridge, where you can camp, picnic, swim, or launch your boat for some top fishing in Monroe Reservoir. But George also knows we are raising good hardwood timber on the Hoosier, have an outstanding turkey management area there, and have created excellent small lake fishing, such as in the case of the Middle Fork of the Anderson River project.

The Forest Service doesn't take credit for all of these projects. We work cooperatively with the States and other Federal agencies in bringing many of them to pass. The Middle Fork of the Anderson is a classic example of the local people, the Soil Conservation Service, and the Forest Service working together. That's the way it should be. Going back to the matter of fish and game again, we recognize our role to be that of habitat management. That's why we do have turkey management areas on the National Forests. That's also one of the reasons we practice timber management; it also enhances the wildlife habitat.

You know the heat we have been getting because of our clearcutting method of timber harvest. Some of you may have helped apply some of that heat. You are not above giving us the word on occasions, and we appreciate that. It helps to keep us on our toes, and we do not claim to know all the answers.

Some of our timber management policies, including clearcutting, did need critical review. We are reacting to this criticism in a positive way. Last month, in Charleston, West Virginia, I held a press conference in which I announced changes we were making on the Monongahela National Forest which will help us to arrive at a meeting of minds with our critics. We're going to moderate our clearcutting on that National Forest, and be especially careful to make sure we do not go overboard in allowing timber harvest to be too dominant at the expense of other uses and values on the Monongahela as well as other National Forests.

Let me point out again though, that in our timber management we do try to recognize other uses and values. The Nicolet National Forest in Wisconsin is a good example. There, as well as on other National Forests in the Lake States, it is our policy to maintain small openings for deer and ruffed grouse. Here the policy is not to plant openings under 10 acres in size. In larger openings, favorable areas are also left open for wildlife and are not planted. And in our planted areas, we leave buffer strips for enhancing the wildlife habitat. On the Nicolet, we create, by timber harvest, several thousand acres of openings each year, and you folks know that these provide excellent browse for deer for at least ten years following, while the new young forest takes hold.

There are thousands of these small openings under 2 acres in size on both the Nicolet and Chequamegon National Forests in Wisconsin, and many thousands of them in the National Forests located in Michigan and Minnesota. We include wildlife habitat improvement plans in all of our timber management plans on all the National Forests.

We can't control the weather. The North Country has long and severe winters which limits the numbers of deer the country can support. We can, though, manipulate the cover so that better winter habitat can result, and that's why we do practice clearcutting in these areas.

We think it is no accident either, that such a State as Wisconsin rates excellent as a ruffed grouse hunting country. We are providing good habitat for te grouse, and we are also providing the hunters with good access to this hunting by creating hunter-walking trails on the National Forests, closing these trails to all vehicular traffic during the hunting season. This is a story we think needs to be better told.

My message here is that timber management skillfully designed and applied by a multi-disciplinary team can be used as a valuable tool to achieve multiple benefits. We have heard the public's message. We share their concern about timber cutting. We also want a quality job. You will see us sharpening up and shaping up on timber harvesting practices throughout the National Forest System.

The Eleven Point River on the Mark Twain National Forest in Missouri is another example of how we are trying to meet the needs of the times in creating a better recreational opportunity in that part of the country. The Eleven Point is one of the original eight wild or scenic rivers created by Congress. We have developed a management plan for it that will maintain its pristine quality, while at the same time accommodating those who wish to float and enjoy it. We are putting float camps along the river, but putting them away from the banks and where they will not infringe on the scenic qualities of that outstanding stream. And we are going to do the same for other streams on other National Forests.

The Forest Service now has more landscape architects working for it than any other organization, governmental or private. That is a sign of the times. We are also beginning to employ more soil scientists, hydrologists, wildlife and fishery biologists, and other disciplines that help us to gain the expertise we need to really practice multiple use management of the National Forests.

The Chief of the Forest Service, Ed Cliff, has recently sent out a message to all Forest Service employees, in which he expresses concern about the direction the Forest Service needs to travel in the 1970's. Early in this message, Chief Cliff says: "Our programs are out of balance to meet public needs for the environmental 1970's and we are receiving mounting criticism from all sides. Our direction must be and is being changed." The Chief then refers to "Framework for the Future," a recent policy statement issued by the Forest Service, and a copy of which you now have.

This is a blueprint for us to follow in the years ahead, but is also one we are beginning to apply now. It first sets Forest Service objectives and policy guides. These include promoting and achieving a pattern of natural resource uses that will best meet the needs of people now and in the future.

"Framework for the Future" also emphasizes the protection and improvement of the quality of air, water, soil, and natural beauty. It is becoming common knowledge now that forest land serves a vital function for a healthy environment. The Forest Service is becoming more involved in promoting urban forestry programs, the islands of green or forest belts in and around our large centers of population. On the National Forests we're looking a lot more critically at all our management plans to make sure they add to rather than detract from the natural environment.

The Job Corps program is an example wherein we are helping an underprivileged segment of society, while at the same time we are reaping benefits from the program for all the users of the National Forests. We still have three Civilian Conservation Centers in operation in the Eastern Region: Branchville on the Hoosier National Forest; Golconda on the Shawnee National Forest; and Blackwell on the Nicolet National Forest. Young men from these Centers have done and are doing tremendous work for us, creating recreational facilities as well as planting trees and other types of conservation work.

The Forest Service is also destined to play a very active role in the new Youth Conservation Corps program. We think this has exciting prospects. Unlike Job Corps, it is designed to recruit members from all segments of society. We think there is good merit in providing conservation work experience for the rich man's son as well as the poor man's son.

We are rather proud of the role the Forest Service has played in helping Rural America to achieve a more stable economy. We have kept many small timber operators, pulpwood cutters, farmers and grazers, in operation by making timber sales and allotting grazing permits where feasible. Closer to your interests, we have created employment opportunities for guides and outfitters where National Forest recreation opportunities exist. And this hasn't hurt neighboring motel and resort businesses either.

We have engaged in public works programs. A good current one is the Green Thumb Program that puts rural people to work improving and better protecting the National Forest areas. We think all these programs should be stepped up. We have the work for these people to do. And some of them desperately need to work. All we need is the financing. We think it will be money well spent, with good cost-benefit ratios. We think it's most vital to keep as many people as we can, usefully employed in the National Forest areas, to keep so many of them from migrating to the large population centers where they become added burdens and compound the problems in those areas.

We are also going to involve the public more in forestry policy and program formulation. We have already started doing that. And this leads me directly to you.

Education is the key word in all of this, and you are truly educators, in the best meaning of that term. You have a most important role to play in this matter of public education, of telling the people what the outdoors is all about, and what can and must be done to make the outdoors better and more available for the people. You are the most important partners a public land administrator can have in spreading the word to the public.

You have challenged me to come and lay the cards on the table for you. I have tried to do that in this short space of time. I haven't had to go into great detail, for you know the score. But now I want to challenge you.

You are important communicators to millions of people, some of them expert and quite well informed, but more of them inexperienced and unacquainted with the National Forests, what they are and why they are. These people need to know about these public lands, about our programs for them, and our plans, for these lands belong to the people, and we are their servants.

Some of you, I know, are doing a good job in this already. Virgil Bachelor has done an excellent job of telling the people about our programs in southern Illinois. Ace Extrom, in his outstanding Illinois Wildlife paper, publishes Virgil, and otherwise helps to educate his readers about the conservation problems and programs in this State. I could give other examples, but I have gone on about long enough.

We are grateful to all of you for helping to educate your readers. The people should know what is available for them in terms of good outdoor recreation. But they also need to know of the serious problems that exist, and how these problems might be met and overcome. If we public land administrators tried to tell them, even if we had your skills in communication, we would be propagandizers, and so would be less effectual. That is not the case with you outdoor communicators.

I look upon you as the eyes, ears, and voices of the people when it comes to outdoor resources. You are the main source of information concerning outdoor resources for millions of people. They rely on you to give them the scoop. You know how to give it to them.

You likewise reflect the wishes and interests of these people we call the public. This is why it is important for someone like myself to maintain a liaison with you. You can help me become a better servant of the people.

That's why I was so pleased to receive this invitation to speak to you. As a public administrator of some of the most important public lands in your zone of influence, I have the responsibility of giving good stewardship to these lands that belong to all the people. Your responsibility as outdoor communicators, as the main source of information for so many of these people, is to keep them well informed, to educate them, and to alert them to the problems associated with conservation of natural resources.

I urge you to make yourselves, and this your organization, the best possible safeguard of the public trust that has been placed in you. That is the way I look upon my job too. Working together we can bring the many others along with us, save and improve our environment, and utilize these natural resources wisely and well. Our very survival dictates that we do no less.

PREPAREDNESS: THE PATH TO PEACE

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, March 3, 1971

Mr. THURMOND. Mr. President, an in-depth article exploring the causes and dangers of the present isolationist and "antipreparedness" attitude in the United States was published in New Guard magazine for March 1971.

The article was written by Anthony Harrigan, a South Carolinian who is at present executive vice president of the Southern States Industrial Council, headquartered in Nashville, Tenn. In this well-written magazine feature Mr. Harrigan deals to a great extent with the change in the "American spirit" and the resulting lack of will among our people to remain in the world arena and influence history-shaping events.

Mr. President, the article deserves the attention of Congress and the Nation. It offers an enlightenment of current events seldom presented in the Nation's press. I ask unanimous consent that the report, entitled "Preparedness: The Path to Peace," be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PREPAREDNESS: THE PATH TO PEACE

(By Anthony Harrigan)

In the last decade the American people have been witnesses to a shocking reduction in their national power. Whereas throughout the 1950's the United States was the dominant country in the world, possessed of a military posture second to none, American power in the 1960's ebbed rapidly. News accounts bring word of continuing cutbacks in the Navy, reductions in nuclear armaments, and closing of bases around the world. The antipreparedness chorus grows louder in the Congress, Universities and the media.

One asks "What has happened? Why are the American people allowing their national power to be eroded in a time of tremendous danger? While the United States takes warships out of commission, the Soviet Union presses ahead with construction of the most heavily armed blue-water fleet in history. As the United States departs from bases essential to an orderly, Western-oriented world, the Soviets obtain base rights in India and the Indian Ocean, in North Africa and in the Arabian Sea. Soviet warships cruise in the Caribbean, once virtually an American lake. In the vital area of nuclear armaments, the United States has lost the lead that gave this nation peace and security for almost a quarter century. Last year, the Soviet Union passed the U.S. in terms of missile launchers and in total megatonnage in the Mediterranean, U.S. vessels built to fight Japan provide a rustly line of defense against modern Soviet warships with superb surface-to-surface rockets. Valuable potential allies such as the South Africans are denied weapons and defense information.

The effects of this alarming change in the balance of strategic power will be enormous. Unless the United States moves promptly to rebuild its conventional armed forces *and* its nuclear deterrent, the U.S. will be extremely vulnerable to Soviet nuclear blackmail. The U.S. will have lost much of its capacity to influence events around the world or to intervene on the side of freedom. Smaller nations in the Western orbit will feel the need of making an accommodation with the Soviet superpower. The credibility of American strength will vanish.

The total significance of the erosion of America's might is what thoughtful citizens must seek to understand. Ships, planes, and missiles are *instrumentalities of national purpose*. The history of U.S. might is a history of the dynamics of the American republic—an index to the goals and survival instinct of the American people. If the American people are unwilling to provide adequately for their own defense, it is evident that their survival instinct has been impaired.

To find the root cause of the current neglect of America's defenses, we have to look beyond the political figures who champion selective pacifism. We have to explore what lies behind the "peacenik" slogans and the rhetoric of those who bitterly condemn the "military-industrial complex" while ignoring the Soviet Union's colossal military build-up. Educated men and women have to consider what has been done to the American spirit in recent years.

A CHANGING SPIRIT

Transformation of this spirit has made possible the defeatism—almost the death-wish—that lies behind the desire of influential sectors of the American intelligentsia for the defeat and humiliation of the United States. This desire is manifested in books, articles and speeches.

The fatalistic acceptance of and eagerness for retreat and defeat—for a second class power status for the United States—is unprecedented for a nation that still is—in terms of total economic power—the strongest nation on earth. It suggests spiritual sickness within, a wish fulfillment in the direction of the surrender of our civilization and its value system. Searching for arguments on behalf of Western withdrawal became characteristic of a considerable segment of the American intelligentsia in the mid and late 1960's. Yet no reason exists for the United States to become a second-rate power or to kowtow to the Soviet Union. No reason, that is, except for aberrant ways in which Americans have been led to think about the realities of conflict and national power.

In the past, Americans proceeded on the assumption that seeking to win is a normal human desire. But in recent years many Americans have been persuaded to ignore the structure of human reality and to think of non-conflict resolution have been wildly successful. They have caused many Americans to downplay their country's vital interests, to ignore the lessons of history, to place trust in routine international dialogue rather than defense. In short, many people have rejected reality, as evidenced by the anarchistic furor on the campuses and the demands for instant U.S. surrender in Southeast Asia. Having come to accept that we must not resist communism because conflict—resistance—is morally wrong and futile, the American New Left and its fellow-travelers (among whom the anti-preparedness elements must be counted) there is in existence today a shocking passivity in the face of the Soviet thrust for total power.

The need, of course, is for Americans—and the dominant intellectual elements especially—to rediscover the fundamentals of history and human behavior, to appreciate anew the realities of conflict between nations and systems of government. Instead of viewing conflict as a disease, we need to search history and discover how man's character finds its manifestation and definition in struggle. No one understood this better than the ancient Greeks, the fathers of Western civilization. It would be good for the present generation of Americans to reread that great passage in *The Peloponnesian War* by Thucydides in which a Corinthian describes the character of the Athenians and contrasts it with that of the Lacedaemonians. "They are adventurous beyond their power," said the speaker, "and daring beyond their judgment, and in danger they are sanguine; your wont is to attempt less than is justified by your power, to mistrust even what is sanctioned by your judgment, and to fancy that from danger there is no release . . . Their bodies they spend ungrudgingly in their country's cause; their intellect they jealously husband to be employed in her service. A scheme unexecuted is with them a positive loss, a successful enterprise a comparative failure."

The picture recorded by Thucydides is a picture of a people who found strength, health and greatness through a commitment to vital conflict for a worthy end. Such people, said Thucydides, take no rest themselves and give none to others. It is, tragically a picture of the ideal human condition that is little appreciated in the West in the eighth decade of the 20th century, although heretofore one which has been part of the way Americans did things. Having been led to believe that conflict is morally wrong, we adopt the passivity that stems from this outlook. From passivity our civilization moves to supineness, which is reflected in the unwillingness to seek victory in warfare, merely accommodation, and in the acceptance of loss of lands leading to a second-class and therefore dependent status in the world.

THE NATURE OF BEING

The evidence is that in the order of nature everything dies which does not have a passion for life expressed in challenge and struggle. This truth is often suppressed in our time, but the lessons of history clearly illuminate it. We know, for example, that the chief authors of civilization have been the people who were motivated by the spirit of advance beyond their national borders. We have only to examine the history of the Romans, English, Portuguese and other peoples to bear the witness to this truth.

Nations and people always have been divided into the pacific and the bellicose. In the past some of the pacific peoples have found it possible to remain outside of the sphere of international conflict. Witness the long era of peace in Scandinavia in which several countries in that region have been able to avoid wartime commitments. Or take the case of Switzerland, insulated in its neutrality.

But avoidance of commitment and conflict will be virtually impossible in the future as the clash sharpens between the advanced and the proletarian nations, the haves and the have-nots, the West and the East. Why should the Communist powers, for instance, allow Scandinavia to sit out another general war in Europe, if this should take place? Scandinavia would be a far greater prize for the Soviet Union than the countries of Iberia, which are lacking in resources and national wealth. It appears that would-be neutralists can remain out of the conflicts of the age only by submission that amounts to conquest. To think otherwise is to ignore the nature of the Communist enemy. As to what that nature is, one may refer to the very accurate statement of Cziegler Istvan writing in *Carib*. He said that "the mythical salamander of the ancients was said to live in fire. The very real Communist of today lives and breathes the fire of conflict. Virtually every facet of his doctrine directly or indirectly moulds and prepares for an existence that is unending conflict. It is an existence alien to the non-Communist."

In the last analysis Western defense depends on the degree to which we can bring our public philosophy to the point where it is in accord with the realities of struggle. This philosophy for our times necessarily will not be simple, for Western man is full of contradictions and contrasts; indeed, this is one source of his vitality and ability to deal with complex situations. Henri Brugmans, rector of the College of Europe, has explained this aspect of Western man in this manner:

"Western society, unlike Pharonic society, for example, is not woven to a uniform pattern; it is full of elements of differentiation, even of internal contradictions. And the great periods of Western culture were never those of majestic balance comparable to that found in the ancient Egyptian civilization: on the contrary, they were 'full of noise and clamour,' conflicts and explosions."

In other words, ours is a restless civilization, in deep conflict with itself on a number of points, of which the very idea of conflict in life is one.

AN ESSENTIAL COMBATIVENESS

The question now is, what is the essential mode of life for people in the Western nations when they face grave danger from the aggressive East? This writer believes that the present style of life, which emphasizes noncombativeness, non-resistance and disinterest in national sovereignty and defense, will not make possible the kind of tomorrow that Western man wants. In an excess of generosity and social tolerance the Western countries have allowed anarchist influences to spread in their midst. Witness the anti-war protest marches in the U.S. and the outbreaks of rioting. America has found itself almost helpless to prevent social chaos in vast cities and in Universities. In order to restore order and regain a stronger position around the world, the U.S. needs a transformation in its style of life. In the West since the end of World War II, now 25 years past, we have looked to the infinite progress of man as a peaceable creature—and we have found no peace. We have been enormously tolerant of disorder and lawlessness, and various forms of anarchism have spread steadily. We have sought to emancipate new nations and lead them into a worthy independence, and many of these new states have turned to hatred of the West.

Many Americans have thought that we were through with the combative age; but as Henri Brugmans wisely observed, "In history everything remains to be done again." In this statement is embedded an idea that shocks the sensibilities of many moderns who scorn the possibility that man may have to retrace his steps in history, instead of progressing onward and upward. Contemporary liberalism is of the view that the process of history is a spiral, but this is not necessarily true. Indeed the bulk of evidence supports the contention that the round of life begins anew with each individual and each generation. Each man's fight for freedom has to start at the same point. A nation's security, moreover, is never permanently won because the world is permanently in convulsion. The cycles of birth and death are the parameters of all societies. And at each step along the path of life, for individuals, nations and civilizations, conflict must take place, or death will result.

It is well for Americans to see the world as a battlefield, exploding as it changes. Indeed, we should never forget that struggle is the steady companion of change and growth in life, the inescapable parallel to the innovations of civilized communities and the producer of inequalities that stir envy, hatred and resentment.

A PERMANENT REALITY

In the 1960's we were so busy constructing utopias and planning for what we wish would be the pattern of life that we have closed our eyes to the realities of what is, which must be acknowledged even though they may be grim and brutal. Too many young adults have been persuaded by some of their terrified elders that it is better to accept national destruction than to struggle with the terms of nuclear conflict. Prominent churchmen have adopted a basically Hindu concept of non-violence, though Christ drove the money-changer from the temple in Jerusalem and though the Old Testament is an account of a people in permanent conflict for their faith. The presence of nuclear power did not change the nature of man, which is to say that it will not appreciably affect the conduct of nations.

We must be prepared in mind and spirit to overcome the rigors of a brutalized world in which the softer features of civilized life have been shunted aside. For too long we have cherished myths of peace and community and co-existence when the reality of life is struggle. It is the truth which must be brought to the fore in the U.S., for the truth is our shield in a war to the death with the totalitarianism of the East.

The United States in its comparatively short history has evolved into an immense powerhouse from which flow pulses of invention, idealism, exploration, economic development and international responsibility—all inspired by the tremendous energy of an American population that has its ancestral roots in many ancient nations and peoples.

Americans, while tied to several continents, are special heirs of 25 centuries of Europeanism. The least static of all human societies, the United States represents what Geoffrey Barraclough, writing in *The Observer* (London) has described as "the thrustfullness of Western civilization." The U.S. is the focal point of the Western world. If the traditions of the West survive into the 21st century, it undoubtedly will be because of the U.S. which has had the energy to respond to challenge. If they don't survive, it is in good part because Americans failed.

For these values to survive, however, it is imperative that Americans arrest the decline in U.S. military strength and acquire the arms essential to defense in the mid and late 1970's and 1980's. The American people can't afford to be outgunned by the enemies of Western civilization and freedom. Certainly, our people don't want to go the way of Carthage in the classical world. But if they want to avoid the fate of Carthage they must reject the counsels of the Left intellectuals who are sounding the trumpets of retreat. They must recognize, as Shiam Lal, the Indian writer has said, "Any nation that goes to sleep cannot last long."

If the American people are awake, they will insist that the U.S. armed forces be provided with all the tools of defense—the nuclear navy, missiles and conventional forces—that spell the difference between national life and death.

INDIA, WORLD'S LARGEST DEMOCRACY, GOES TO THE POLLS

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. ZABLOCKI. Mr. Speaker, Monday, the people of India, the world's largest democracy, began going to the polls in a national election which will take 10 days to complete.

On the outcome of this election may hinge the future of India and its political system.

Most of the former colonial possessions began their independence as democratic states, but soon were forced to adopt other governmental forms.

In 1947, India was the first of the colonies to become independent and by far the largest, with a total electorate now of some 275 million.

Through the years it has maintained its democracy despite problems of poverty, communalism, lack of education, and lack of discipline. In doing so India often has surprised Western observers who have predicted her fall to communism or some other form of authoritarian regime.

To date, India has confounded those predictions—but once again has entered troubled political waters. If the elections prove to be inconclusive, a period of renewed instability could ensue and the result might be an end to democracy.

That and other aspects of the Indian elections were explored in an article which appeared in the Milwaukee Journal on Sunday, February 27. It is by Sundar Rajan, an editorial writer for the Times of India.

Because of the light which the article throws on a most important political event, one which could have consequences for the United States, I am inserting it in the Record at this point and commend it to the attention of my colleagues:

World's Biggest Election Tests Mrs. Gandhi's India

(By Sundar Rajan)

New Delhi, India.—The current general election in India ordered by Prime Minister Indira Gandhi a year ahead of schedule is considered most crucial for the country's democratic structure. The 10-day poll which begins Monday, may decide whether India with its 560 million people is to continue as the world's most populous democracy or become a totalitarian state. If no party gets a decisive majority in the 523 member Parliament, there may be a prolonged period of instability, making a leftist takeover or an army coup highly probable.

The main theme of Mrs. Gandhi's election speeches—on a single day she made 25 of them—is that the nation needs a strong and stable federal administration to keep the economy going and to put down the divisive forces which have gathered strength since the death in 1964 of her distinguished father, Prime Minister Jawaharlal Nehru.

India's political structure, once the envy of the Afro-Asian world, has become perilously weak in the last 18 months.

IMPACT OF PARTY SPLIT

The problems posed by language fanatics, tribal separatists, Communist insurgents and campus extremists have been rendered almost unmanageable by the split in the Congress Party which had dominated India as a united group since independence in 1947.

Ironically, the rift in Nehru's party was brought about by his own daughter. Mrs. Gandhi has justified the break with the old conservatives of the party as being in the best interests of the country and "in keeping with the changing mood of our people."

Calling them "reactionaries" and "stumbling blocks to progress along Socialist lines," she dismissed top politicians like Morarji Desai, Kumaraswami Kamaraj and Siddavanahalli Nijalingappa from the party.

This reduced the strength of her party in Parliament to 222 from 285 and turned her government into a minority one. But Communist and other left wing elements rallied to her support.

The 68 year old Kamaraj, a former chairman of the undivided party and a close confidant of Jawaharlal Nehru, repeatedly taunted Mrs. Gandhi for "hobnobbing" with the Communists.

Said Desai, a 75 year old conservative, "Mrs. Gandhi has not only demolished the party built by her own father but has deliberately invited Communist infiltration into the administration for the sake of continuing as prime minister."

One of the prime minister's women opponents, Mrs. Sucheta Kripalani, says that since the split "thousands of Communists and fellow travelers have got into Mrs. Gandhi's faction."

Mrs. Gandhi has denied that she is a Communist sympathizer. Officials close to her say, in fact, that one of her objects in ordering a midterm election is to win an absolute majority for her faction in Parliament so that she can fully dispense with outside support, particularly that of the Communists.

Nearly a dozen major parties are contesting the elections. These include the two Congress factions, the Hindu Jan Sangh (People's League), the conservative Freedom Party, the United Socialist Party and the pro-Moscow and pro-Peking wings of the Communist Party.

Mrs. Gandhi's erstwhile colleagues in the Congress Party have formed what has been called a "grand alliance" with the People's League, the Freedom Party and the Socialists.

"Our aim is to throw Mrs. Gandhi out of the administration and form a truly national government representing the various non-Communist parties," says Kamaraj. He believes that the "grand alliance" will be able to get an absolute majority in Parliament.

On the contrary, Mrs. Gandhi has been telling vast rural audiences that "the reactionaries will be trounced and will never be able to raise their heads again."

The contending parties are using every available means to woo the vast electorate of 275 million adults which is almost equal to the combined population of United States, Canada and Great Britain.

Since more than 60% of the voters are illiterate and there is no TV outside the national capital, novel methods have been adopted to carry the party messages to them.

In Rajasthan State in western India the former maharajas (princes) who are fighting Mr. Gandhi have financed hundreds of music groups. They go from village to village singing the praise of the government's opponents.

Some election posters in Bihar State show Mrs. Gandhi as a Hindu goddess showering gifts on poor peasants.

But not all is fun and games. There has been more violence in India in the last two years than at any time since the country got its freedom from British rule in 1947.

"THOROUGHLY MODERN MRS."

Vinoba Bhave, one of the few surviving colleagues of Mohandas Gandhi, the father of Indian independence, said recently: "We attained freedom from colonialism through nonviolence but things have come to a stage where one wonders whether we are not glorifying violence."

Many Indian leaders draw comfort from the fact that a sister democracy like the United States is also rocked by violence and unrest. Mrs. Gandhi reportedly told a gathering of newspaper editors in Bombay that there is more violence in the US than in her own country and that New York is a more dangerous place than Calcutta.

Violence is a major issue in the current election in which some 3,000 candidates are contesting the 523 Parliament seats. Mrs. Gandhi says that her party alone is in a position to crush extremists of various hues ranging from Bengali Maoists to religious zealots who were responsible for the massacre of hundreds of Moslems in the city of Ahmedabad.

The Indian prime minister's biggest asset is her modern outlook. Educated in the best schools in Europe and India, she is completely free from religious bias. Much against the wishes of orthodox Hindus, she married a Parsi.

Though a northerner speaking Hindi, she has stoutly resisted pressures from her followers to impose the language on the non-Hindi South. This has prevented a Quebec-type secessionist movement from gathering momentum in Madras State where at one stage separatists had designed their own "national" flag.

GREAT WAVE OF STRIKES

United Socialist Party boss Madhu Limaye, an excellent parliamentarian, has charged Mrs. Gandhi with trying to placate Moslem rightwing organizations in an attempt to secure support from the 60 million strong minority community.

The rapid growth of Indian fascism is also attributed to the weakness of the Gandhi administration. The city government in Bombay is now controlled by 43-year-old Bal Thackeray's Shiva Sena (Shiva's Army).

A self-confessed admirer of Adolf Hitler, Thackeray believes in a mixture of militant Hindu revivalism, anti-Communism and what one columnist calls "selective modernism."

To demonstrate the power of his organization, the fascist leader recently ordered his 20,000-strong volunteer force to take over Bombay for three days. Forty citizens were killed in riots and the government was forced to open negotiations with Thackeray.

Mrs. Gandhi's regime has also been marked by an unending series of strikes which have affected every segment of the population from teachers and steel workers to milkmen and hotel boys.

On a single recent day New Delhi newspapers reported 43 strikes in various states. Over 300,000 citizens courted arrest in the State of Assam in a week of protest against the government's delay in sanctioning a new oil refinery.

Observers feel that in course of time the government may be able to contain religious hate groups and militant trade unions. But they are doubtful about the democratic prospects in West Bengal State which has become a major stronghold of Maoism.

So far, more than 600 citizens have been murdered by the Bengali Maoists. In Calcutta, a seething metropolis of over six million people, a hand-made bomb or grenade can be bought for as low as ten cents.

Police have rounded up nearly 7,000 young Maoists in West Bengal but not a day passes without its quota of murders and bombings.

ARMY AT BENGAL POLLS

Polling in West Bengal is being organized with the help of the army. This is the first time since independence that the army has been called in to do such a job.

Since elections are also being held for the state legislature, one big question is whether pro-Peking groups like the Marxist Communist Party will capture the West Bengal administration.

Mrs. Gandhi's chances of remaining prime minister of India after the current elections are rated high by many observers but this will depend on how good her majority is.

If her party scrapes through with only a thin majority, there is every likelihood of a power struggle. In that case, either Finance Minister Yeshwantrao Chavan or Defense Minister Jagjivan Ram is likely to make a bid for the premiership.

An era of coalitions will become inevitable. But the experience of many state governments since the 1967 election has shown how unstable coalitions can be. The state of Bihar alone has had six governments in four years.

If this happens in the federal Parliament the unity of India will be in jeopardy. Some of the restive areas like West Bengal, Madras and Kerala may revolt against the central government. There is also the ever-present danger of Chinese Communist intervention in the northern areas.

Many Indians are increasingly concerned over the possibility of religious hate groups like the Jan Sangh, as well as the Communists, getting a foothold in the federal government.

If the "grand alliance" wins a majority in the elections, the Jan Sangh will have to be accommodated in the federal cabinet. The Sangh's main plank is that all the people of India should be "Indianized"—which in effects means that Moslems, Christians, Sikhs, Parsis and other national minorities should accept the dominance of Hinduism. India will then cease to be a secular state.

Some Sangh leaders even want the 60 million Moslems to be sent away to neighboring Moslem Pakistan.

FOES LACK A PROGRAM

The basic weakness of the opposition parties is that they have no economic program worth the name.

According to one survey, nearly 30 percent of Indian peasants do not even earn 20 cents a day. The number of unemployed has crossed the 17 million mark. The 20 million people who live in urban slums are clamoring for such basic needs as drinking water.

Mrs. Gandhi told her election rallies that the choice before India is "democratic Socialism achieved through peaceful and constitutional means, or else a violent revolution."

This sort of talk has helped to depict her in the eyes of the average Indian as a dynamic politician determined to sweep away the cobwebs of the past.

THE PRISONER OF WAR ISSUE

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. COTTER. Mr. Speaker, it has come to my attention that students at the Martin Kellogg Junior High School have begun a program to help secure the release of our POW's in North Vietnam.

These students are to be complimented for their humanitarian concern and for their efforts to secure an early release of these prisoners.

For the benefit of my colleagues and the readers of this RECORD I will insert a copy of a news story describing their efforts.

I think that all Americans can draw inspiration from these activities.

The article follows:

NEWINGTON TO HANOI—RELEASE OUR POW'S

NEWINGTON.—A letter-writing campaign has been launched by pupils at the Martin Kellogg Junior High School to hopefully speed the release of American prisoners of war and secure better treatment for them while they are held captive in North Vietnam.

Spearheading the drive was an editorial by eighth grader Susan Hildreth, editor of the Kellogg Crier, the school newspaper.

She indicated that "something has to be done about this whole business." Later she added, that "we as kids growing up in America have a responsibility to do something about this whole situation."

She said that although she does not know anyone personally who is being held by the North Vietnamese, that Air Force Maj. Crosley Fitton Jr. of Newington is believed to be a prisoner.

Susan said she did not know if letter-writing would secure early release or better treatment for the men. "Maybe if we all keep writing letters, the North Vietnamese will get tired of reading them and do something.

"Even if they only release two or three men, it would still be better than nothing."

She indicated that Newington seems to be backing the letter writing campaign. "Both my parents have written to North Vietnam and so have all my neighbors," said Susan, a resident of Stuart Street.

She said that the letters written by the students would be assembled by the Kellogg Crier staff later this week.

"Then we will hold a bake sale to raise the money for postage," Susan said.

Each letter to North Vietnam costs 25 cents.

In her editorial, she said that several points should be mentioned in the letter, which should be addressed to the "Office of the President, Democratic Republic of Vietnam, Hanoi, North Vietnam."

The points include the need for:

Prompt identification of the prisoners.

Adequate diet and medical care.

Communication with other prisoners and families at home.

Prompt return to the U.S. of seriously sick or wounded.

Protection from reprisals.

Free access to prisoners and their place of detention by a neutral party such as the International Committee of the Red Cross.

In conclusion Susan added, "It took me 10 minutes to copy this letter form. Can you spare 10 minutes of your time for a man who has wasted two years of his life in a prisoner of war camp? Please help us get our men back where they belong—at home with their families."

R. L. LAWRENCE, JR. RETIRES

HON. RICHARD H. FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. FULTON of Tennessee. Mr. Speaker, last Thursday, February 25, 1971, Mr. Robert L. Lawrence, Jr., director of the Metropolitan Nashville-Davidson County Tennessee waterworks, retired after 46 years of service.

Mr. Lawrence began his service with the old Nashville waterworks commencing back in 1925. Some 6 years later, under former mayor Hilary House, Mr. Lawrence was named director of the utility, a position he maintained until his announced retirement last week.

During his nearly five decades of service Mr. Lawrence held the reigns of leadership over a department that was to evolve from a city facility to a major metropolitan service for a community of nearly a million persons.

Over this span of time Mr. Lawrence served with competence under four mayors, the most recent of whom, Mayor Beverly Briley, said of Mr. Lawrence upon announcement of his retirement:

> Bob Lawrence has made an outstanding contribution to the City of Nashville, Metropolitan Government and to this community since 1925. During his dedicated service we have seen Nashville develop from a small city to a major metropolitan center. The efforts of Bob Lawrence and his dedication to the job have contributedly greatly to the development.

Mr. Lawrence and his family are familiar names throughout the Midsouth region for their contributions to our community. One of their sons, Comdr. William Porter Lawrence, has been held captive of the North Vietnamese since June 1967.

Mr. Speaker, a grateful and appreciative community extends its thanks to Mr. Lawrence for his fine service. An editorial commending Mr. Lawrence appeared in the February 26, 1971 edition of the Nashville Banner and I ask unanimous consent to have it printed in the RECORD at this point.

I include the article as follows:

"MISTER WATERWORKS," R. L. LAWRENCE, RETIRES

(By Dick Battle)

Robert L. Lawrence, Jr., Nashville's nationally recognized "Mister Waterworks," today announced his retirement after 46 years of service, nearly 40 of them as a utility executive.

The mayor said "two or three persons" are now under consideration as successors to Lawrence, but no decision "has been made at this time." Two men directly under the director are K. R. Harrington, assistant director for sewerage services, and W. F. Brock, Jr., assistant director for water services.

Mayor Beverly Briley, presenting Lawrence with an engraved plaque in recognition of his service to the community, said, "Bob Lawrence has made an outstanding contribution to the City of Nashville, Metropolitan Government and to this community since 1925. During his dedicated service . . . we have seen Nashville develop from a small city to a major metropolitan center. The efforts of Bob Lawrence and his dedication to the job have contributed greatly to the development."

Lawrence said he had "concluded that in as much as I have served the people of our fine community for almost 46 years, nearly 40 years of which have been as the responsible administrative head of these vital services, in fairness to myself and my family, I should seek retirement."

He began his service with the former City of Nashville in 1925 as a young engineer not long after graduating from the Vanderbilt University of Engineering. During his college years he was a star lineman for the Vanderbilt football team playing center on the university's winning teams of the early 1920s.

In 1932 he was named by Mayor Hilary Howse as director of waterworks. As director of the utility he gained national recognition for the efficiency and administration of the system and in 1963 with the advent of Metropolitan Government he became the director of water and sewerage services for Metropolitan Government.

Lawrence, thanking Mayor Briley for his cooperation and for the praise and recognition given him, said, "Although you have graciously assured me . . . that I could say on as long as I desired" he had decided to seek retirement.

Recalling his long service under four mayors, he added "any contributions that I have made are well known to our citizenry and have been rewarding to me personally. My association with you (Briley) for the past eight years has been most cordial, been most understanding and cooperative."

PROGRESS MADE

Referring to progress made during the four decades of his administrative tenure, Lawrence said, "We have a fine water system which is, as you know, nationally recognized; and we have made great strides in setting up a gatic sewerage program which has provided sewers to over 21,000 pieces of property which had remained unsewered for many years."

Lawrence told Briley, "You may rightfully claim a large measure of credit in sponsoring this project which has made such a considerable contribution to the economy and health of our community."

He said he was "leaving the department in a sound condition and with sound policies for my successors. I wish, also," he added, "to pay tribute to the many fine employes with whom I have worked throughout these many years. I have also enjoyed my association with many council members and heads of other departments."

Lawrence was honored in 1969 as "Water Utility Man of the Year" in the Kentucky-Tennessee section of the American Waterworks Association, and in 1968 won the coveted Fuller Award for "distinguished service in the water supply field" bestowed by the American Waterworks Association."

Concluding the brief ceremony in his office Mayor Briley commented of Lawrence. "He has done a remarkable job for our community. He should not retire without this city giving him every honor possible because of his achievement and forethought in the development of this community."

MISTER WATERWORKS

Robert L. Lawrence, Jr., retiring after nearly half a century of invaluable service to this Metropolitan community, has exemplified the highest ideals and the highest standards grateful citizens could expect of their public servants.

An engineer of nationally recognized professional ability, he has developed and maintained a water service utility for the people of Nashville and Davidson County that has been a major factor in its development, progress, and the preservation and improvement of public health.

Since 1963 he has headed and directed the combined public utility of water and sewerage services. Under his direction there has been a tremendous expansion of both water and sanitary sewer services.

His untiring devotion to the high ideals and standards of public service he has set for himself, for his department, and for the people who have worked with him and under his direction, has won for him the deep respect, affection and high regard of the people he has served since 1925.

Bob Lawrence, "Mister Waterworks" himself, has earned the right to rest on well deserved laurels and relax a little from the stress and strain of high administrative responsibility.

His professional skill and integrity, his wise direction and vigorous attention to the job of building for his community the best utility service possible mark a goal and a degree of excellence his successors must strive to reach and maintain.

The Nashville Banner joins Mayor Beverly Briley and a grateful citizenry in recognition of the fine and rewarding contribution of one of the real giants of public service.

Thanks, Bob Lawrence, for work well done. We will not forget you or your work for the welfare, progress, and good health of this community.

A WORTHWHILE PROGRAM FOR IMPROVING THE ENVIRONMENT

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. WALDIE. Mr. Speaker, an ambitious and worthwhile program for improving the environment has recently come to my attention. The Adolph Coors Co. of Golden, Colo., has for the last year been engaged in a program aimed at the recycling of aluminum containers, and plans such a program for its glass containers. The program illustrates that an environmentally beneficial plan can achieve positive results in the area of solid waste and litter.

It is undeniable that the public is rewarded by efforts aimed to relieve our environment of the ponderous solid wastes of 200 million avid consumers. In this case, it is important to note that a well-designed program can be mutually beneficial. Industry has everything to gain from good ecology.

The distinction between goods and service industry is an artificial one on a crowded continent. Those whose factories merely spit out goods and wastes from a diminishing stockpile of resources are a disservice to society if they feel they are relieved of all responsibility when the product is sold. Products in "disposable" containers inevitably result in trash. It is pointless to pretend that this trash is totally the responsibility of the consumer.

I commend Coors for their forward-thinking efforts aimed at providing not only the goods, but the vital service of facilitating the reuse of the byproduct of this use, and I offer my colleagues Coors' statement of their program.

ADOLPH COORS CO.,
Golden, Colo., January 12, 1971.

Hon. JEROME R. WALDIE,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN WALDIE: A year ago I wrote all legislators in Adolph Coors Company's 11-state marketing area to advise that our company was embarking upon a cash-for-cans aluminum recovery program. We did that because this company and its distributors are solemnly committed to fight litter and solid waste in order to help keep America the kind of place we all want it to be. In light of that commitment, I believe you will be interested to know these things:

Public response to the cash-for-cans program has vastly exceeded our expectations. During the first 11 months of 1970, our 166 distributors received 5,218,463 pounds of aluminum or more than *120-million cans.* We paid the organizations and individuals who picked up that aluminum $521,846 for doing so. The program is not restricted to Coors cans . . . we pay for all aluminum containers, of whatever brand. Literally hundreds if not thousands of youth, civic and service organizations are cooperating with this program; they use the dime-a-pound proceeds for worthwhile community causes of all kinds.

As you can image, our cash-for-cans program did not always meet with immediate public enthusiasm in our various marketing areas. Getting people concerned and involved has been the major Adolph Coors Company management effort during 1970, and in some cases it has been a long, uphill fight. In areas where the community has gotten behind the effort, we are showing returns of over 60% of our cans. Since our studies indicate that not more than one percent of our cans actually end up as litter and that fully 99% of the users of our product dispose of the empty can properly, a 60% return not only all but eliminates the litter but makes an appreciable dent in the solids waste aspects as well.

Litter has been defined as the visible portion of the solids waste iceberg. Although unsightly and repugnant, litter is but a small fraction of the real, long-range environmental problem of solids waste disposal. We are confident that in the long run recycling of aluminum containers will be a more satisfactory answer than returnable glass bottles in minimizing solids waste. For example, both Pepsi Cola and Coca Cola report that they only average 90% return on returnable soft-drink bottles which are sold for home consumption. In densely populated urban areas, the rate of return drops as low as 75%. One thousand returnable bottles weigh about 750 pounds. At 90% return, each 1,000 bottles sold adds 75 pounds of glass to litter and solids wastes. One thousand aluminum cans weigh only 40 pounds. With no salvage at all the aluminum cans would comprise only about half the weight of solids waste that returnable bottles do. Yet we are confident of reaching a minimum 75% recycle level given the time to do so.

Although we regard litter as the pressing and immediate problem and our initial efforts with the cash-for-cans program have mainly been directed at correcting litter, we view the impending and ominous matter of solids waste and its disposal as the real and serious long-range environmental challenge. Thus, we regard aluminum can salvage and recycle as a permanent part of our overall operation. Of all of our management objectives it has the top priority. Our hope is that we will be allowed sufficient time to make it work. Our success to date exceeds our fondest hopes although we regard it as just a start.

Adolph Coors Company and its distributors will intensify their efforts to make the cash-for-cans program even more successful in 1971. We anticipate that far more aluminum will be recovered for recycling. More and more companies are turning to aluminum packaging because they realize its environmental value. Further, in 1971 our company will discontinue use of the tall tinplate can replacing it with an aluminum can of our own manufacture. When that changeover is complete, *all* canned beer marketed by Coors will be in aluminum cans.

A new and important program at Adolph Coors Company will provide for the salvage and reuse or recycle of our convenience bottles which have heretofore been nonreturnable. All such bottles will soon have a redemption value of one cent each. The majority of these will be suitable for reuse. Those that are not will be returned as cullet to a glass factory located a few miles from our brewery in Golden and melted up to be made into new bottles—that is—recycled. Glass like aluminum can be infinitely recycled.

Thus with the completion of our 1971 changeover on the tall can from tinplate to aluminum and the immediate adoption of a complete system of returnable bottles, every Coors can and bottle will have a cash return value. Both plans will be in effect throughout our entire marketing area . . . Arizona, California, Colorado, Idaho, Kansas, Nevada, New Mexico, Oklahoma, Texas, Utah and Wyoming.

One other thing. A top management committee at our company now is meeting regularly to determine how we can *recycle everything that Adolph Coors Company uses* . . . not only aluminum and glass but also wood, paper and the rest. We have found some answers; we are seeking a total answer. This effort also has top management priority.

Our company is totally dedicated to the business of keeping this nation clean and inviting. We share and appreciate your concern with this vital problem. You have my personal pledge that Adolph Coors Company will be an outstanding leader in the preservation of a quality environment for America.

Sincerely,

WILLIAM K. COORS,
Chairman of the Board.

SPACE EXPENDITURES

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mrs. GRIFFITHS. Mr. Speaker, at this time I would like to insert into the RECORD a letter written by a constituent of mine, Mrs. Esther H. Dawkins, of Detroit. The letter is one of several I received from constituents concerned with huge Government expenditures for the space effort. Questioned is the necessity of this type of Government spending in view of vital domestic needs and challenges facing our population on earth.

I include the letter as follows:

DETROIT, MICH.

Congresswoman MARTHA GRIFFITHS.

DEAR MRS. GRIFFITHS: I just had to write this letter. I know you are bogged down with mail, but this one comes with a sincerity of my convictions.

It really is a revolting sight to see this moon landing in almost all of its entirety on TV on every channel except Ch. 50.

The first lunar landing was of much interest to us & the entire world, the second was a duplication & now the third is in triplicate. The same old phraseology "everything looking good." So this has become the same old thing over & over.

Secondly, to see all of the waste of billions of dollars in this project makes one sick at heart to know that it is so much needed here on earth to help stamp out hunger, to clean up pollution, to clothe needy families, to give children a better education, to revitalize the large cities & clean up crime & stop corruption in high places. Also stop making this country nothing but an asphalt jungle. We keep destroying our rural & pastoral beauty day by day & year by year. Everyone has said we have to progress, progress to what? Oblivion. That's just where we are headed for.

Thirdly; we scream bloody murder about pollution and now we are polluting the moon. No wonder the younger generation is disgusted with us. Can't we go any where without polluting everything we touch? To let the universe see the astronauts empty garbage, throw away golf clubs & ball on the moon beside other trash is disgusting. Then to hear of the waste, leaving cameras and other very expensive tools on the moon that costs the taxpayers millions of dollars is a sin. We have conquered the moon we have found out that is not a livable planet so why not let well enough alone. We beat the Russians on the moon & I think that was & is one of the main reasons that we tried this moon landing first.

It reminds me of the people here on earth "Try to out do the Joneses"

Its about time our elected officials stand up to the Pentagon complex.

This is the place that God gave us to inhabit not the planets.

I think if we can get these supposedly brilliant men & women that work in the field of science to come up with a formula to irrigate the deserts & make it a useful place of habitation, to research cleaning up the waters & purify our air & many other things our earth needs, they will be giving us as human beings something to look forward to.

I may not live to see it but America will have a revolution so violent that it will devastate our great country to the point of no return. This is the only country I know since my mothers people (as slaves) was brought here to Jamestown, Va., in 1672 & my father who was a full blooded Indian was here long before the Mayflower landed. So you can see why I am so concerned.

What prompted me to write this letter to you as my representative in Congress, was listening to the people talking. Since my retirement I started working with our city (Detroit) Police Community Council. Also the Justice League & have did some public speaking so I come in contact with quite a number of people & this was discussed at length. The waste of our monies & the moon probe.

I hope you want throw this letter aside & forget because middle class people are just talking now. But they feel they are being pushed to the brink. You can't stretch a rubber band to the breaking point & expect it not to snap.

With kindest regards,

ESTHER H. DAWKINS.

MAN AND HIS ENVIRONMENT—SPEECH OF DR. SAMUEL R. ALDRICH

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. ARENDS. Mr. Speaker, I have been handed the speech of Dr. Samuel R. Aldrich in his appearance before the Foundation for American Agriculture in Chicago, Ill., on December 2, 1970. The Foundation for American Agriculture meeting was composed of leaders from agriculture and agribusiness throughout the country and addressed their interests at the meeting to problems of the environment. The environment is a matter of grave concern to all of us these days, and Dr. Aldrich's reasoned approach should reassure us that we do not have to add ecology and environment to the areas of our current hysteria. The problems of environment and ecology can be solved, and we are indebted for Dr. Aldrich and others of the Illinois Pollution Control Board for their mature contributions. I am inserting in the RECORD Dr. Aldrich's presentation, so that the Members of the House can read it in its entirety:

MAN AND HIS ENVIRONMENT

(By Samuel R. Aldrich)

Agriculture has a tremendous impact on the environment. The goal of agriculture is, in fact, to manage the environment for the long-term benefit of mankind. This it has done with eminent success.

Decisions to this point in time have been based mainly upon economic considerations. To put it bluntly, if it paid we did it (with minor restrictions for known hazards). Recently a new dimension has been added. Society is insisting that long-term effects on all aspects of the environment be considered in deciding practices to be followed. Society has the right to place certain restrictions on the use and abuse of the environment.

The image of agriculture is poor in the minds of environmentalists. Ecologists generally view farmers, agribusiness, and agricultural scientists as interested only in making a profit and as having little knowledge of or concern for effects on the environment and even human health. Ecologists and social scientists feel that they must, therefore, assume responsibility for saving the environment.

In contrast persons in agriculture perceive themselves as being responsible for producing high quality food at a reasonable price and thus contributing to the welfare of mankind. They view ecologists as idealists without practical knowledge of agriculture, hence capable neither of suggesting acceptable changes nor of foreseeing the disastrous effects of some simple solutions they suggest.

During the past few years when the attitudes of society were being formulated, ecologists and many social scientists were effectively using the news media to mold public opinion. Meanwhile, we in agriculture were mainly going about the business of efficient production. Consequently there is both lack of information and much misinformation about the effects of agriculture.

Every school kid has heard about the pervasive effects of DDT and the claim that nitrogen and phosphorus from fertilizers are destroying streams and lakes. Most everyone has heard of the "concentration of DDT in the food chain". I submit that there is a corollary: "The concentration of unsubstantiated information in the information chain."

We should not blame environmentalists and the media entirely for this state of affairs. We simply have been remiss in analyzing the overall, long-term effects of practices and making them known to scientists in other disciplines and to the public through the news media.

Many persons have been led to believe that science and technology have caused the problems and therefore must be restricted in a wholesale manner. The fact is that, though science and technology in agriculture and elsewhere have created certain environmental problems (along with tremendous benefits), *only more science and technology correctly applied can solve* the problems!

We are experiencing an unusual phenomenon. A substantial number of people, especially young people, believe that we are on the verge of catastrophe unless we *immediately* stop many forms of pollution including fertilizers and pesticides. Since a lot of people hold that view, it should not surprise us that some drastic measures to curb pollution are being suggested. Desperate persons are susceptible to radical ideas.

Agriculture and society would benefit from a thorough understanding of the effects, both favorable and unfavorable, of modern agriculture on the environment. But there is a barrier to effective communication. How do you reach persons whose views are already firmly set and who therefore interpret your sincere attempts at objective presentations as merely defending continued use of fertilizers, pesticides, etc., for personal gain?

There are two ways to react to environmentalists whom you believe to be wrong:

(a) Watch for their mistakes and then "slap them down". The trouble with that course is that charges make the front page headlines whereas rebuttals are put on the back pages near the want ads.

(b) Assume they are sincere and thus try to work with them *before* they have interpreted their data, made up their minds and published their mistakes. This is a more mature and effective course of action.

There are three false impressions about nitrogen that are generally held by environmentalists and widely accepted by the public:

(1) That nitrate in water is increasing at an alarming rate.

(2) That commercial fertilizer is the cause.

(3) That returning to legumes, animal manure, and soil humus for nitrogen would correct the supposed situation.

The nitrate content of the Mississippi River at Chester, Illinois, has not increased over the past ten years. Nitrate in the Illinois and Wabash Rivers appears to have increased slightly since 1956. The Kaskaskia near its confluence with the Mississippi has not increased in nitrate concentration since 1946. This is the river which through an unfortunate error in data summary is the basis for the widely disseminated idea that nitrates tripled between 1946 and 1966. Specific cases of high nitrates and rapid increases in small rivers and streams can be found and undoubtedly nitrogen fertilizer is a contributing cause. There are also instances of decreases in nitrates.

An important problem in charting trends in nitrates in streams is that records are generally of 5-year duration or less. We should continue to be concerned but not generally alarmed about nitrates in water. Research on sources and means for reducing should be supported.

Impressions 2 and 3 are predicated on the belief that nitrogen from fertilizer behaves differently than nitrogen from animal manure, legumes, or soil humus. Regardless of source nearly all of the nitrogen used by crops is in the ammonium (NH_{+4}) form prior to conversion by nitrifying soil organisms to nitrate (NO_{-3}). Nitrate derived from fertilizer is neither more nor less leachable than nitrate from manure, legumes or soil humus.

Equal amounts of nitrate nitrogen are required to produce 100 bushels of corn irrespective of source. The potential then for having excessive nitrate appear at unwanted sites in the environment is determined by the crop yield goal rather than by the supplying source.

The undesirable effects of agricultural technology have been extensively, though not always accurately, nor in proper perspective, analyzed in both popular and scientific literature and through the news media.

The beneficial effects of technology on the environment have not received the attention they deserve! The usual approach in supporting continued use of fertilizers, pesticides and antibiotics is quite logically that they are essential for the production of adequate amounts of high-quality food at a reasonable price. *But I feel that technology properly used is justified because of its positive effects on the environment.*

Data from the Morrow Plots on the campus of the University of Illinois illustrate the effect of different levels of fertility. The plots are nearly a century old hence they are a valid index of long-term effects.

Illinois grows about 10 million acres with intensive use of modern technology. The Morrow Plot data indicate that if only manure, lime and phosphorus were applied in a continuous corn system, 14 million acres would be required. If no fertility treatments were applied the need would increase to 27 million acres.

An alternative cropping system of corn-oats-legume hay with manure, lime, and phosphorus would require 14 million acres to produce usable therms of energy equal to 10 million acres of corn with full treatment (nitrogen, phosphorus, potassium, limestone) and 30 million if no fertility treatments were applied.

These are, of course, extreme and unrealistic alternatives, but they illustrate the point that fertility treatments minimize the cropland acres needed for food production. What then would be the *effect on the environment* of greatly reducing or giving up fertilizers?

It would be a disaster.

Without nitrogen, phosphorus, potassium and limestone applications our soil resource could not be preserved and future generations would reap a tragic harvest of famine. Nitrogen is the key to maintaining soil organic matter in intensive cropping systems. Soil organic matter is a key to maintaining surface structure and water infiltration capacity.

The increased acres needed for food production with lower acre yields woud increase water runoff, floods and erosion hence, accelerating polution due to sediment, phosphorus, pesticides, and organic matter. Two contributing causes would be a) increased acres of cropland and b) more cropland on sloping fields.

Increasing the acres of cropland would further reduce the small areas of woodland, wildlife habitat and recreational land in much of the midwest.

I have used fertilizers to show that technology has a positive effect because it minimizes the acres required for food production. The principle applies to all of agriculture. The fact that one modern dairy cow replaces two of a few generations ago or that a broiler can be grown on little more than one-half as much feed, reduce the undesirable impact of man's demands upon the environment.

There are few if any simple solutions to the control of pollution. In agriculture, as in the ecosystem as a whole or among the facets of a free enterprise economic system, practices are intricately intertwined. Restrictions on the use of science and technology in agriculture must be approached with caution and with broad understanding of the side effects lest the cure be worse than the disease.

Henry Hazlett in his epilogue to "The Art of Thinking", (Nash Publishing Corp. 1969) makes some comments that I feel could well guide anyone who wants to contribute to environmental improvement.

"No man can hope to do original work or even profitable thinking in any science or branch of knowledge until he has gone to the trouble to learn what has already been discovered in that branch of knowledge. He must know the previous state of the question. Then he will see whether he can make any contribution of his own.

When the great Isaac Newton was asked how he had been able to make such tremendous contributions to human knowledge and thought, and to see so much farther than other men, he answered modestly: 'I stood on the shoulders of giants.' In other words, he was able to build on what his predecessors had discovered.

We who live today are in one respect in a more enviable position than any other generation in history. We stand on the shoulders of giants. . . . So an intelligent college student today is in a position to learn more about calculus than Newton, more about economics than Adam Smith, and more about evolution than Darwin", and, may I add, more about the environment than any scientist to this point in time.

I am convinced that concern for the environment will continue to grow but will likely receive less attention from the news media and politicians. Though agriculture is presently a target for criticism, I believe that by choosing the right strategy the interest that has been generated in agricultural practices can be used for the betterment of agriculture and society as a whole.

I have a positive, constructive attitude toward our economic system. It has produced miracles within a framework of limited objectives. I do not feel that it is fair or serves any useful purpose to blame previous generations for blindness, ruthlessness or sheer greed in their use of the environment. They had as many thoughtful, sensitive citizens as we have. But we have the advantage of observing the cumulative effects of our activities over a longer period of time. Consequently we evaluate some practices differently and should act accordingly.

CONSUMER PROTECTION

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. ERLENBORN. Mr. Speaker, Mr. BROWN of Ohio and I are today introducing another bill identical to H.R. 3809 and H.R. 4541, the proposed Consumer Protection Act of 1971. The addition of Mr. BAKER, Mr. COUGHLIN, Mr. DENT, Mr. DUNCAN, Mr. ESHLEMAN, Mr. GERALD R. FORD, Mr. KING, Mr. RAILSBACK, Mrs. REID of Illinois, Mr. TEAGUE of California, Mr. THONE, and Mr. WILLIAMS brings to 30 the number of cosponsors of this proposal. I would like to offer a brief history and explanation of our bill at this time.

Congress over the past several years has become increasingly concerned about effective protection for consumers. Because of this concern, extensive hearings on this subject—and, in particular, about a means by which consumers may have a voice in government—were conducted during the 91st Congress by the Government Operations Committee.

As members of that committee, the gentleman from Ohio and I heard witness after witness testify about the inadequacy of the present organization of activities in the Federal Government to protect consumer interests. We learned that hundreds of consumer-related activities are spread through 33 agencies of the Federal establishment. For example, responsibility for enforcing the Truth-in-Lending Act is vested in nine separate agencies; administration of the Fair Packaging and Labelling Act is divided among three agencies; no less than five Federal agencies are responsible for consumer protection.

Our attention was drawn to conflicts between Federal agencies—the Food and Drug Administration, for instance, may want to license a pesticide the Public Health Service contends is harmful to health—and to the lack of an advocate for the consumer point of view before Federal agencies responsible for setting rates and taking other actions that have a direct effect on consumers.

Our committee determined, and we agreed, that a legislative remedy was necessary. The bill we reported, H.R. 18214, proposed an Office of Consumer Affairs within the Executive Office of the President with statutory authority to coordinate consumer activities and to assure that consumer interests are considered in formulating Federal policy. Additionally, it proposed an independent Consumer Protection Agency, its primary purpose being to represent the interests of consumers in proceedings before Federal agencies and in the courts. A tie vote by the Rules Committee, as you know, prevented that bill from coming to the House floor.

The Consumer Protection Act of 1971, as proposed in H.R. 3809, H.R. 4541, and in the bill we are introducing today in general takes the same path as was proposed by our committee in 1970, and as is proposed in the Rosenthal and Dwyer bills of this Congress. There are several differences, and we call your attention to the major one. That difference, we believe, will accomplish our goal more effectively, more expeditiously, and more expertly—at less cost.

Instead of establishing an independent Consumer Protection Agency, and thus proliferating Federal agencies with duplicate goals, we would provide the Federal Trade Commission with the tools that are needed to serve as a consumer advocate in Federal matters. The FTC already has considerable responsibility in the area of consumer protection; it already has a corps of consumer protection specialists; and it is, at long last, becoming a loyal friend of consumers.

For those of you who are skeptical about the FTC—as we were before our long struggle in committee about how this consumer need could best be met—we commend to you the following article from the Wall Street Journal of February 24:

FEDERAL TRADE AGENCY SETS OUT TO PROVE IT IS THE CONSUMER'S FRIEND

(By Ronald G. Shafer)

WASHINGTON.—The little old lady was languishing with a bad case of tired blood. But a recent transfusion has the old gal kicking up her heels like a liberated woman.

That's the consensus view of the 56-year-old Federal Trade Commission, also known as "the little old lady of Pennsylvania Avenue," since a revitalization began about a year ago under new leadership chosen by Richard Nixon.

The "old" FTC was much mocked as a feeble enforcer of consumer protection and anti-trust laws. Its image was epitomized by a fruitless 11-year effort, begun in 1959, to get J. B. Williams Co. to stop advertising that its Geritol tonic could relieve "tired blood" in older Americans.

But that image is rapidly changing. Among other things, the "new" FTC has finally taken the Geritol people to court, seeking $1 million in penalties. And it's reaching out in other directions, seeking "to give consumers better, broader and quicker protection," says Joseph Martin, the agency's general counsel.

ASPIRIN, NOT CHINCHILLA

The commission will strive increasingly to bring major cases raising issues with broad consumer impact (such as challenges to deceptive advertising of widely sold products) rather than emphasizing narrower questions involving, say, sales of chinchilla furs or instead of responding to individual consumers' gripes. Coming targets are likely to include pain relief claims for aspirin and nutrition claims for bread.

The remodeled FTC will probe the outer limits of its authority by seeking preliminary court injunctions to quickly quash some suspect sales practices and by imposing tougher sanctions, such as requiring advertisers to publicly confess past deception. It will even ban some products or ads.

The commission may also test its power to require restitution. Several complaints now before it seek to require offending companies to pay damages or refunds to consumers.

One complaint proposes to require Coca-Cola Co. to award $100 prizes to many persons said to have been wrongfully deprived of such prizes in a promotional game in 1969. The charge states that Coca-Cola and Glendinning Co., which devised the contest, failed to disclose that some questions required more than one answer. The complaint is being challenged by both Coca-Cola and Glendinning.

The new FTC is steaming ahead on other consumer-protection courses. In recent months, it has taken tough action ranging from a requirement that gasoline octane ratings be posted on gas pumps to a proposal that would require phosphate-detergent packages to carry a warning that such detergents pollute water.

GETTING STRONGER EVERY DAY

"The Federal Trade Commission is alive and well and getting stronger every day," asserts Miles W. Kilpatrick, the 52-year-old Philadelphia antitrust lawyer who took over as FTC chairman in September. He succeeded Caspar Weinberger, a California attorney who got the reform ball rolling after he took office in January 1970 with a Presidential mandate to shape up the commission. (In August, Mr. Weinberger became deputy director of the President's Office of Management and Budget.)

Just how successful the new FTC will be remains to be seen. Several of its potentially powerful enforcement actions are sure to be challenged in court. But the agency's new boldness is winning the applause of consumer advocates—and is making business groups a little nervous.

Indications so far are that "the commission is waking up to its responsibilities, which is attributable to a new and more vigilant staff," says Ralph Nader. "If they keep up the accelerated pace, the FTC may become a prime recruiting group for idealistic young lawyers who want to use the authority of a democratic government to protect consumers and root out anticompetitive practices."

The business community has more mixed views. "The most prevalent feeling is that a strengthened FTC is preferable to an independent (government) consumer agency," says Kenneth Stinger, an official of the U.S. Chamber of Commerce. "But there's also a little feeling that they might be going too far; this really frightens a few people." Some advertising men complain that some FTC proposals, such as requiring corrective ads are "antibusiness."

NOT OUT TO ATTACK BUSINESS

In an effort to calm such fears, Basil Mezines, the FTC executive director, recently assured a grocery-industry group that the FTC wouldn't allow its interest in consumerism "to cloak an attack on business." He and other FTC officials say tough action in selected cases protects businessmen who don't deceive. One antitrust case now before the commission involves a company that may have grabbed a major chunk of a consumer-produce market through deceptive ads, these officials say.

FTC officials agree with businessmen that a strengthened commission is preferable to a new federal consumer-protection agency. Congress this year is expected to consider legislation to create an agency with power to intervene on behalf of consumers in all regulatory proceedings. But FTC men suggest it might be more practical just to give them the added power and funds.

"It seems to me if there's going to be a consumer advocate agency, we might as well be it," say chairman Kirkpatrick. "We have the staff, we're here, we don't have to be created."

Such a move would surely be fought by persons active in consumer affairs, but there appears to be nonpartisan support for legislation, which the President is likely to request in a special message to Congress today, to reinforce and expand the FTC's authority to obtain preliminary injunctions, impose penalties and police certain local frauds.

Reforms at the FTC began in early 1969 after a report by Nader aides blasted the agency and its top staff officials as inept consumer protectors. A committee of the American Bar Assocation, in a study requested by President Nixon, subsequently agreed that the FTC spent too much time on trival matters, such as a charge that a company's "navy shoes weren't made by the Navy, and said that it relied too much on voluntary compliances that critics call toothless.

The ABA committee, which was headed by current FTC chairman Kirkpartick, recommended that the commission be reformed or abolished.

THE MISSION AND THE PEOPLE

The FTC has the mission of enforcing the Federal Trade Commission act barring "unfair and deceptive" trade practices, plus textile labeling rules, flammable fabrics laws and certain antitrust statutes. Its actions, based on staff investigations and proposals, are voted on by the five commission members. The commission currently consists of three Republicans—Chairman Kirkpatrick, Mary Gardiner Jones and David Dennison—and two Democrats—A. Everette MacIntyre and former chairman Paul Rand Dixon, who bore the brunt of the past criticism.

In contrast to past public quarreling, the commission now seems united behind the activist efforts. "I don't see anybody dragging his heels," says Commissioner Jones, a strong supporter of the new direction.

FTC officials say the prospect of litigation won't slow their movement toward tougher and more innovative enforcements. But "we still have to win some cases," admits 41-year-old Robert Pitofsky, a New York University law professor who was appointed head of the FTC's Consumer Protection Bureau last November. Mr. Pitofsky was counsel to the ABA committee that prepared the report urging more aggressive FTC action.

That report, and parts of the Nader critique, are serving as road maps for FTC reform. In reaction to complaints about excessive bureaucracy, Mr. Weinberger slashed the number of operating bureaus to two from four. He also began replacing veteran officials with aggressive newcomers.

"It's startling how changes in the cast of characters (at the staff level) have changed the whole ball game," says Commissioner Jones. "I look forward to the time when they will be wilder than we are and we have to put the brakes on. In the past, the commission was pulling the staff along." Officials say the FTC has become a popular place for bright young lawyers. The agency plans to hire about 50 of them this summer, including at least one of "Nader's raiders."

SWITCH IN PRIORITIES

One big change based on the ABA report is the switch in priorities to big cases with big impact. That means emphasis on deceptive advertising and product claims beamed at millions of consumers, especially those dealing with health and safety.

The FTC can formulate trade regulations setting requirements for entire industries, and in these, too, says an official, "we've gotten away from rules on the sizes of sleeping bags" and have moved to more substantial issues. Thus the commission has proposed rules requiring certain auto-pricing disclosures, and it wants a three-day "cooling-off period" on door-to-door sales, to give the customer a chance to change his mind.

Another change is tougher penalties. In the past, most FTC complaints were settled by orders that merely stopped an alleged deception, often long after it had already ended. "The old sin-no-more remedies just don't work," says Mr. Pitofsky. Future orders will be designed to "take away the fruits" reaped from deceptive tactics, he says.

Still another goal is quicker action. Last month, for the first time in a decade, the FTC obtained a preliminary court injunction—this one against a California hair replacement company. The commission charged the company, Medi-Hair International, failed to disclose medical risks of its process, which involves surgically placing anchors in customers' scalps to hold weavings of hair. Officials plan to seek similar court action in other cases.

For the long range, however, the FTC sees antitrust action to increase competition as its heavy artillery for the defense of the consumer. The antitrust efforts, involving action against price-fixing, mergers and existing industrial concentration, will be intensified in the coming year. Particular efforts will be made "to identify and eliminate illegal business conduct in basic consumer industries and in industries affecting the prices of essential consumer commodities," according to a statement in the administration's new budget. Alan Ward, new director of the FTC's Bureau of Competition, indicates he will look into franchising arrangements.

The FTC already is investigating concentration in seven industries: cereals, drugs, automobiles, steel, electrical machinery, chemicals and energy. The studies are aimed at determining whether companies in an industry with only a few major producers are less responsive to competitive forces than those in less-concentrated industries.

If such studies "establish that firms in such industries tend to compete through advertising gimmicks rather than price," says general counsel Martin, "then I am certain that the FTC will wage increasing and effective warfare against such industrial concentrations."

In seeking support of our proposal by this body, we offer also a summary of the Consumer Protection Act of 1971:

SUMMARY OF THE CONSUMER PROTECTION ACT OF 1971

OFFICE OF CONSUMER AFFAIRS

The Consumer Protection Act of 1971 upgrades the Office of Consumer Affairs in the Executive Office of the President to statutory responsibilities. The Office, headed by a Director appointed by the President with the advice and consent of the Senate, has the primary responsibility for the oversight, coordination, and direction of consumer policy and operations among Federal agencies.

BUREAU OF CONSUMER PROTECTION AND REPRESENTATION OF CONSUMER INTERESTS

In addition, there is established by law within the Federal Trade Commission a Bureau of Consumer Protection, headed by a Consumer Counsel appointed by the President with the advice and consent of the Senate. The primary responsibility of the Bureau is to represent the interests of consumers before other Federal agencies and courts.

PRODUCT TESTING

In support of its representational functions, the Bureau shall have the right to contract with other Federal agencies and non-Federal sources to conduct product testing. Other than for this purpose, however, the Act does not authorize the Bureau or the Office directly or indirectly to engage in or support product testing.

CONSUMER COMPAINTS

Additionally, the Bureau is authorized to receive, evaluate, develop, and act upon complaints from consumers. This authority includes transmission by the Bureau of such complaints to other Federal agencies and non-Federal sources for investigation and action.

As part of its responsibility in this area, the Bureau shall maintain a public document room where complaints may be made available to the public for inspection and copying. To safeguard against abuse, these complaints shall not be available to the public until three conditions have been met:

1. The complainant has given permission for his complaint to be made public.

2. The party complained against has been given at least 60 days in which to comment.

3. The governmental agency to which the complaint has been referred has indicated how it intends to handle the complaint.

CONSUMER INFORMATION

Both the Bureau and the Office are authorized to gather and disseminate to the public information of interest to consumers, including information concerning items purchased by the Federal Government for its own use.

As part of the consumer information authority, the Office is authorized to publish and distribute a Consumer Register designed to make available to consumers information which may be of interest to them, including that relating to government activities.

Under the Act, interested persons are given the right to comment before the release of such information pertaining to brand names, and Federal agencies are prohibited from declaring one product to be superior to another.

OTHER FEDERAL ACTION

The Act provides that every Federal agency, in taking action that substantially affects the interests of consumers, shall provide notice of such action to the Office and the Bureau and shall give due consideration to the valid interests of consumers.

3-YEAR AUTHORIZATION

The authorization for both the Bureau and the Office is limited to three years.

DEFINITION OF CONSUMER

A consumer is defined in the Act as "any person who is offered goods or services for personal, family, or household purposes."

THE MERITS AND DEMERITS OF THE ADMINISTRATION'S REVENUE SHARING PROPOSALS

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. BURKE of Massachusetts. Mr. Speaker, I would like to include in the RECORD for the perusal of the Members of this body two letters which I feel will contribute something to the current discussion now in progress on the relative merits and demerits of the administration's revenue sharing proposals. The first letter is a letter I received from one of my more thoughtful constituents who outlined in a very well thought-out fashion his arguments for favorable consideration of revenue sharing as a solution to the problems confronting our Federal system today. The second letter is my reply which addresses itself to some of the excellent points made by the gentleman in his letter. By including in the RECORD discussions in this manner, I feel that the House will be able to capture some of the flavor of the discussion and also a capsule summary of some of the arguments on both sides:

BUREAU OF PUBLIC AFFAIRS,
Chestnut Hill, Mass., February 9, 1971.

Hon. JAMES A. BURKE,
Cannon House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BURKE: This letter is being written to you, not so much as director, Bureau of Public Affairs, Boston College as a resident of the 11th Congressional District of Massachusetts.

It concerns revenue-sharing, and much of the contents of this letter I have repeated to the Honorable Wilbur D. Mills, chairman, Ways and Means Committee on which committee you also sit.

Philosophically, I have no hang-ups on revenue-sharing, either pro or con. We have read a great many articles and reports on revenue-sharing, and without taking a fixed position, I can say that on the balance, there appears to be more than can be said in its favor than against it. The debate is not terminated, however, meaning that all there is to be said has not entirely been said to date. As more knowledgeable people enter the debate and offer new thinking to the issue, each citizen's own attitude will become clarified for him.

If I can be candid, my own interests are principally identified with those of local government. Local government is where the problems come to rest; this is where the action is, in the language of the "new generation." I have been a city manager for in excess of six years prior to assuming my current position with this urban university, Boston College. There is much to be said of a program which would permit Congressmen and Senators to exchange places for a period of one year with administrators of some of our larger cities. Both the administrator and the legislator could gain much by this temporary transfer of duties. I am afraid that what is happening is that the elected legislator cannot accurately become cognizant of the problems of the big city major, any more than the major can become aware of the demands upon the congressman, no matter how each might try to make the assessment.

One fact stands out as paramount, at least from this office. The distribution of public funds at all levels is not being carried out in a way as to render the citizen—the recipient of the government service—assistance either in the form or in the dimensions the citizen feels he needs. Something is definitely wrong in this very affluent society of ours in the way services are delivered to the citizen. At the base of this problem is a combination of available public monies, (at all levels) and the level of government charged with the delivery of service to the citizen. It does not appear to be a case of "either . . . or", but of "both and".

Few people, for example, know how many federally-funded programs there are in existence today aimed at correcting or abetting an area of need. The estimate varies from a figure of 379 to something well over the 1100 mark. And yet, one could question how well most of these programs are conceived and carried out.

There are those who would say that we have these many programs primarily because Congress as a body is essentially jealous about its prerogatives in paying particular heed to particular groups of constituents—the image of the beneficent monarch of old, but displayed under a banner of generous funding.

Whatever is the cause of the maladjustment between funding and the delivery of service to the ultimate recipient, the citizen is in need of government assistance. The entire Federal system is being questioned today—and, by many thinking citizens, it is found wanting.

There are no easy solutions, and anyone who attempts to put forward the "pat" solutions can be seriously questioned. It does seem that we must keep our options open. It may be, for example, that the best way to administer a public assistance (i.e. public welfare) program is for the federal government to take over and direct (and fund) the entire program, using state agencies only as the vehicles for getting the work done. It may be that the best method for educating our children, kindergarten through twelfth grade, is to take this responsibility away from municipalities and school districts and vest it squarely with state governments. Certainly, a re-assessment of what function belongs to what level of government has to be done, and done soon, if we are to have a domestic program worthy of that designation.

In the same manner, it is likely to be too early in the game for any of us, including your correspondent, to take any fixed position that one method of funding is all good, and another is all bad. Some programs ought to be tested before a general application is undertaken. Recently, working as a citizen member of a regional planning agency, we have embarked on a program of a block grant from HUD, based on an approved work program—a work program that provides both flexibility within it and strict fiscal accountability. It is working out well. It will serve to eliminate much red tape, formerly needed in the approval of individual programs. It is good for the receiving agency, and it is good for the federal government. What more could one ask?

My request in this letter is to ask that you keep an open mind on revenue-sharing. It may not be the last word in public finance, but if given the chance, and with proper safeguards, it might just work out well. It may be that opening this sort of avenue for broader funding might lead to better solutions, such as tax credits. My plea is that local government is in such a critical situation with regard to its own constricted tax base that the very least it can expect of its parent (i.e. the federal government) is that it will not permit the municipal child to die without trying a number of prescriptions. The situation is really that bad.

You are quoted in the press as suggesting that the Federal Government assume the direction and cost of the entire public assistance program as an alternative to revenue sharing. I would hope, Congressman, that Congress would see the wisdom of this takeover, not as an alternative to revenue-sharing, but as a supplement to it. You cite the scarcity of funds to support revenue-sharing. You might be very surprised where the average citizen feels the federal budget ought to be changed to give greater priorities to domestic programs. Might I suggest that you conduct an opinion poll among your constituents on the ordering of national priorities—and on revenue-sharing?

Sincerely,

ROBERT J. M. O'HARE,
Director.

MARCH 1, 1971.

ROBERT J. M. O'HARE,
Director, Bureau of Public Affairs, Boston College, Chestnut Hill, Mass.

DEAR BOB: Many thanks for taking the time to send me your lengthy and reasoned epistle of recent date, regarding the subject of revenue sharing. It is always a pleasure to hear from you, even on such serious matters. Given the controversy surrounding the proposal, it is a pleasure to be able to encounter someone who still advertises an open mind on the subject. As you say, up until this letter, there seemed to be more that could be said in favor of the proposal than against it. Hopefully, this letter will tip the balance against the proposal. Now that more knowledgeable people such as Chairman Mills have begun to speak out in detail on the subject, and, even more important, some of the details of the Administration's proposals are being released, much of the original enthusiasm for the concept seems to be melting away.

As you say, your own interests these days are principally centered around the problems facing local government. Here I couldn't agree with you more. Whichever generation you subscribe to, the massive financial problems confronting local governments at all levels are too well known to need documentation here. I don't think anyone in this debate in a responsible position has challenged the *analysis* of the problem which led to the enthusiasm for a program such as revenue sharing. It was a disarmingly simple solution to what appeared to be a very complicated and hopeless problem. If I were a mayor, I could dream of nothing better than to wake up from the nightmare of financial catastrophe to find a blank check with no strings attached from Uncle Sam waiting in my mailbox. However, is blank check financing the *best* or the *only* solution to the problem facing the cities and towns? I don't think it is. I think that there are a number of other serious alternatives which have been offered, which avoid the serious philosophical problems inherent in the concept of revenue sharing, namely, the separation of the tax-raising from the tax-spending functions. I do not feel that responsible government is really encouraged by turning over vast sums with little to say about national priorities.

As you should have known in writing your letter to me, unlike some of the mythical legislators referred to in your letter, I came to Washington with considerable experience in government at the local level, both in municipal government and in the state legislature. By the time I left Massachusetts, the burdens of welfare for the City of Boston were becoming crystal clear. The problems of expanding schools and quality of education were already upon the State. Agreed, these problems have been multiplied over the intervening years to the point that today there seems to be no end in sight other than fiscal chaos and a real breakdown of government on the local level. I was also around when promises were made in the past about reducing property taxes. If only the sales tax were passed, the property owner would realize a reduction in local taxes. Subsequently, not only did the tax reduction not materialize, it proved impossible to prevent property tax increase. More recently, I followed very closely the debate over state assumption of local welfare costs in Massachusetts. Again, there were those who pointed out the tremendous tax savings for the local property owner if the reform were accomplished. Well, the reform was accomplished and yet the lot of the local property owner hardly improved. In fact, the worsened plight of the property owner is one of the principal moving forces behind the current spirited debate over and pressure for revenue sharing.

Because of my involvement in local government over the years, rather than *in spite of* it, **I have come to my present opposition** to the Administration's revenue sharing concept. Not only do I not feel that the burden of the local property owner will be improved under revenue sharing as preached by the Administration, but I also feel that state and local government have a long way to come before they can be considered eligible for "blankcheck" government. You and I both know the poor reputation government enjoys on the local level, not only in Massachusetts, but across the nation. While in some cases it may not be deserved, I think you will be the first to agree the quality of local government around the country varies tremendously when one moves from section to section. I have been amazed to read in leading newspapers in Massachusetts arguments on the editorial page for trusting local government with vast millions without any Federal directives as to how the money will be spent, while on the opposite page the latest in a series is being run exposing some of the most scandalous accounts of fiscal irregularities on the local government level. In fact, the stories this month coming out of Massachusetts seem to indicate that little has changed from the salad days of what the "new generation" probably feels is a by-gone era.

Don't forget that Federal programs did not just materialize out of thin air. Each and every one of these 379 to 1100 programs were devised to tackle specific problems on a national basis which had been neglected for decades by state and local government, either because they lacked the funds or as often as not because they lacked the political will and determination. Going back to the days of the sweat shops and child labor scandals of the turn of the century, most of the great social reforms and improvements have been achieved because of concerted action on the Federal level. Similarly, with labor legislation and civil rights matters. No Federal program is ever as simple as it appears. There are usually a number of objectives behind every piece of government financial asistance. In fact, it is almost impossible to judge one program by itself, separate from the others. This is particularly true of the great volume of legislation with accompanying grants-in-aid to emerge from the New Frontier-Great Society days. Behind much of the financial assistance is the opportunity to improve the society in which we live. Even something as seemingly unrelated as Federal financial assistance under Title III, the Higher Education Facilities Act, presents the Federal government with an opportunity to encourage colleges to take on more students from the underprivileged, economically deprived sector of the society. Eligibility for financial assistance, in other words, can be made to hinge on a college's social efforts. Now while I would expect criticism from some quarters about this kind of social engineering and excessive government interference, I would hardly have expected them to come from New England, least of all, Massachusetts.

In other words, I am saying that the grand alliance for revenue sharing is made up of some strange bedfellows, indeed. I find it difficult to see how many Northern liberals have allowed themselves to buy an idea which is only thinly disguised states-rightism at best. If every state in the country were as advanced or as enlightened as Massachusetts, then Federal government would probably not have had to work as hard over the past fifty years as it did to make this country a better place to live, work or grow up. But the fact of the matter is, not all states are like Massachusetts. This "new Federalism" that we hear so much about lately, from my vantage point here in Washington, is nothing more than a massive and well-run publicity campaign for concepts which ceased to be fashionable some 150 years ago.

Now, I agree that the great debate in our Constitutional history between those favoring a strong central government and those favoring states rights has never been resolved. To a large extent, the Constitution enshines these diametrically opposed ideas and the resulting tug-of-war over the years has been with us every step of the way. Undoubtedly. Federal government now is enormous and, to some, frightening. Without doubt, there is considerable evidence that the citizen-Democrat, the mythical man-in-the-street, has been excluded from much of the decision-making process of the Federal government, and this is regrettable. A shift in emphasis from the national to the local level would be welcome. There is also a significant amount of evidence to justify reforming some of the existing programs to make them more responsive to local needs and differences from section to section, but I disagree with those who argue for the complete dismantling of the present system of Federal grants-in-aid. What we need is constructive criticism and piece-meal reform, not wholesale destruction lest we throw out the baby with the bath water. To do so would be to play into the hands of those that disagree with the social aims and objectives behind the many programs.

Already my office has been swamped with protests of mayors and local officials around the country as the details of the special revenue sharing package have been leaked out and they see some of their favorite programs being phased out of existence to be replaced by what is at best a promise of state assistance. Again, it is important to remember that not all state governments have reacted over the years with as much concern for urban problems as others have. Even in Massachusetts a good argument could be made out that Boston and its problems have never received the share of attention and effort from the state legislature that they deserve. This is certainly the case with New York City and the forces that control the State from Albany. While you are at it with historical comparisons of Congress with benevolent monarchs of old, I think you would do well to remember another comparison from history, namely nations split up into local feudal domains, jealously presided over by local petty nobility. Travel from one community to another was like going into a foreign country.

I am opposed to the Administration's revenue sharing package because it is a "pat" solution to borrow from your vocabulary. It poses as a panacea. The very amalgamation of left to right views behind the proposal seems evidence of this. Apparently everyone is supposed to be satisfied by a return of government to the local level. As you say, there are many programs that have been well administered by the Federal government. We should not just dismantle the whole apparatus and turn it over to the local governments. You, yourself, argued a reassessment should be made as to which level of government does which job best. Until we determine which level does the job best, it seems to me that you have offered one of the best arguments for going slow on general and special revenue sharing until some much-needed studies can be made. The Administration has not been very selective as to which programs are to be restored to the states and local communities. It has made a sweeping recommendation that all existing programs in education, urban matters and transportation be consolidated.

This all leads me up to my proposal, which is that there is a demonstrated need for welfare reform and takeover. This is an area where the state and local governments have had a chance to do something over the years and now find themselves completely overwhelmed. Because of the differing standards from one state to another, we have witnessed severe population dislocation as people have migrated to take advantage of the differences in financial assistance prevailing in other states. Too many states are not doing enough to tackle the problem, while those that do seem to end up in more serious trouble than before they started. The one valuable product of the revenue sharing debate has been the creation of a climate where, for the first time, something significant can be done in this area. By taking over the welfare costs around the country lock, stock and barrel, the Federal government would not be separating the tax-spending from the tax-raising function and yet would be sharing revenue. In taking the burden of welfare costs off the states, funds would be freed for other worthwhile projects. Through participation at the local level, decisions could be made as to how locally generated funds could best be spent for local projects. Massachusetts would undoubtedly be better off under this proposal than the Administration's revenue sharing proposals. In this proposal, I have received overwhelming support, to judge from the letters received from constituents. In contrast, this office has received fewer than ten letters (including yours) urging my vote for the Administration's revenue sharing program.

Again, it was a pleasure to discuss this very timely topic with you. I hope that you find my views worth reading and that you will accept them in the spirit with which they are offered. I am well aware that men of good will can agree to disagree. I do not expect this letter to convert you, but hopefully it will at least be considered.

Sincerely,

JAMES A. BURKE,
Member of Congress.

REVENUE-SHARING IMPLICATIONS: A REPLY

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. DEVINE. Mr. Speaker, critics of the administration's revenue-sharing proposals have envisioned all sorts of ill if it is enacted. These attacks are unfair, both to the President's programs and to those persons holding local and State offices. Christopher Demuth in the Wall Street Journal of February 25 refutes each of these charges, and I submit his article for inclusion in the Record as an excellent, logical discussion of revenue sharing:

Revenue-Sharing Implications: A Reply

(By Christopher Demuth)

Monroe Karmin's analysis of "The Politics of Nixon's 'Revolution'" (Feb. 11) suggests that the objective of the President's revenue sharing proposal is to shift government attention and largess away from the big central cities, and particularly the poor and black communities within them, and toward the suburban and rural areas where "Nixon people" are found. There is a certain political logic to this, if one is willing to believe that Presidents are strongly motivated by considerations of patronage. But I think it is mostly wrong, and distracts from the more important issues that revenue sharing presents.

Whatever may be the merits of concentrating federal resources on rural areas, revenue sharing is an unlikely vehicle for the task. The existing system of categorical grants-in-aid does redistribute tax money from the wealthier urban states to the less prosperous rural ones. For example, in 1968 New York received from the federal government $313 per capita less than it had paid in income taxes, while North Dakota received $180 per capita more than it had paid. Revenue sharing would distribute funds according to population and local tax effort, and reduce this redistributive effect greatly. The urban industrial states would get back a much larger share of their federal payments. Governors Rockefeller and Ogilvie did not get where they are championing causes that lose them money.

A LESS THAN FAIR MEASURE

Even the most urban states are really more suburban and rural than urban. And, says Mr. Karmin, regardless of how much revenue sharing is earmarked for the hard-pressed big cities in these states, their claim on federal funds "seems likely to be sharply restricted." Compared to what? A domestic "Marshall Plan"! It seems less than fair to measure the President's performance against the campaign slogans of the man he defeated. Had Mr. Humphrey been elected would we have an urban "Marshall Plan" today? Assuming that he took his campaign slogan seriously, he would first have had to figure out what it meant—different from, say, urban renewal (under which even modest programs now take over ten years to complete, and which frequently has difficulty spending all the money appropriated to it) or Model Cities (which was once touted as something of a "Marshall Plan" itself). Then he would have had to steer the program through Congress, which would have meant, if the Model Cities experience is any guide, "Marshall Plans" not only for the big cities but for many very small ones as well (at least as many as there are Senators and Congressmen on the appropriations committees). Then he would have had to find the money to pay for the "Plans," and he almost certainly would have ended up taking more money out of the big cities than he would have eventually turned back to them.

My point is that it is mere speculation to say that a Democratic administration would have spent more on the cities or on the poor.

Federal spending on urban social programs is higher today than it ever has been, both in absolute terms and as a percentage of the federal budget. If the President's revenue sharing and welfare reform proposals are adopted it will be much higher still. No doubt many would like it to be even higher (I am one), especially those who are not inconvenienced with the responsibility of preparing the federal budget. Many will want more under any circumstances. Our desires will always outstrip our means.

The importance of revenue sharing is not in the amount of money it would give out or even in the apportionment among the several layers of government. The important point is that it changes the rules of the game, eliminating massive federal regulation and giving state and local officials far greater say over how federal funds are spent within their domains.

Mr. Karmin states that the President would like to do this "on the theory that they know best how to solve their problems." The theory, I think, is that such officials are elected by voters rather than hired by the Civil Service Commission. They are subject to certain disciplines and obligations that federal employes may freely ignore, for example, the need to reconcile the competing interests of diverse groups of citizens and the need to meet payrolls. Being politicians they must follow not only their private instincts and attitudes but those of the public as well; being executives they must not only promise but perform. But under the present system of narrow categorical grants, with dozens of federal strings tied to every dollar, these officials have been reduced to wards of the federal agencies, scurrying to and from Washington, tailoring their budgets to meet the available programs, drafting scores of applications and reports for the satisfaction of federal civil servants. This is why no one thinks it odd or disingenuous when a big city mayor seeks to blame all of his troubles on Washington. The central purpose of revenue sharing is to free these officials, to give them the capacity and the responsibility to accomplish themselves the difficult tasks for which the voters elected them.

But, Mr. Karmin notes, the effect of removing those federal strings will likely be to "dilute" the funds that are now focused on the central cities. Good management and good political science, perhaps, but a bad deal for the poor. Other writers have made a similar but much harsher point: state and local governments, they say, are dominated by racists, reactionaries and even Republicans, who are bound to turn their backs on the poor once the federal agencies loosen their grip. What're Sam Yorty and George Wallace going to do with all that cash, anyway?

DISREGARDING THE OBVIOUS

The latter argument (not Mr. Karmin's) shows a remarkable ability to disregard the obvious, especially coming as it so often does from mid-town Manhattan. The mayors of our large cities are, on the whole, the most progressive-minded public officials in American politics, certainly far more "liberal" than their respective congressional delegations. In this they are followed closely by the nation's governors, again taken as a group. Surely these men can be trusted to look out for the interests of the poor and the interest of minorities with at least as much energy and commitment as any others in American government. If, as Mr. Karmin anticipates, revenue sharing funds are more "universalized" and less focused on the physical confines of the poorest neighborhoods, that is not necessarily against the interest of the poor or the cities. The notion of "targeting" funds on discrete neighborhoods was central to the original operation of the Model Cities program, and before long it was precisely this feature that governors, mayors, and Model Cities directors alike were imploring Washington to change. And is there a big city mayor who thinks his city's most serious social problems can be solved wholly within the city limits?

Of course each of us can think of state and local politicians whom we would hardly trust to take to heart the interests of the poor or anyone else: they may have obnoxious political views, may be corrupt, or may simply be incompetent. Such men are mercifully few, but what of them?

If they are men of extreme political views, it must be admitted that they represent public resentments that cannot be ignored. It seems likely that we are destined now for a full generation of fairly high and constant social friction. In such times James Madison's famous maxim, that federalism is the best protection against the formation of national factions, holds with especial force. The Max Rafferties of American politics (read in your favorite political villain, right or left) are bound to have their day: far better at the local level than nationally. They will find government far more ambiguous and complicated than they had imagined. They will have to learn to negotiate and compromise just like the rest of us, or be swiftly retired back to private life. (It should be noted here that federal civil rights laws will apply fully to all revenue sharing funds.)

If they are corrupt, it is noteworthy that it is in state and local governments that opportunities for corruption abound. And this is in large part because these governments are heavily dependent on taxing schemes—taxes on real estate values and race tracks, for example—which vest in relatively obscure officials an altogether unhealthy degree of discretion over private economic activities. Revenue sharing (federally audited) will reduce this dependence and increase the use of automatic, corruption-proof taxes.

A SOLUTION FOR INCOMPETENCE

If they are simply incompetent, obviously the only solution is for more competent people to become involved in state and local governments. Today the brightest men and women seek federal office, or at least federal employment, because that is where the opportunities are for leadership and achievement. State and local governments will not attract large numbers of these people until they offer equal challenges.

The wonder is that, under present arrangements, so many able people go into local government at all. When John F. Kennedy was an ambitious young Congressman planning his political career, he avoided running for governor of Massachusetts because he didn't want to be "handing out sewer contracts." Sewer contracts have become much more fashionable since then, as concern over pollution has mounted. And as concern over a host of other, more difficult, urban problems has mounted, so has the importance of other governmental tasks that once were considered mundane and lacking in glamor. Revenue sharing would go a long way toward seeing that they are performed wisely and well.

EXCELLENT SPEECH

HON. PAGE BELCHER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. BELCHER. Mr. Speaker, I include in the Record a speech given by the president of the Mid-Continent Oil & Gas Association, Mr. Estill S. Heyser, Jr., at their annual meeting in Tulsa February 11. I think it is an excellent speech, and I believe it should be given thoughtful consideration:

Address of Estill S. Heyser, Jr.

Members of the Board of Directors of the Mid-Continent Oil & Gas Association and distinguished guests, if occasion had existed for me to deliver a presidential valediction two years ago, I would have talked primarily about petroleum industry problems. I would have been critical of the experience with natural gas regulation. I would have exhorted us to greater efforts in the field of environmental matters. I would have expressed concern over the urgent need for improvement in product prices. I would have been alarmed over the decline in drilling activity and admonished vigilance against further governmental encroachment on industry affairs.

Now—two years later—those same subjects could be timely topics for comment. However, my recent experience as a rather close observer of governmental affairs convinces me there is an even more imperative consideration that warrants our attention. The consideration to which I refer relates to our quality of government and its impact on our free enterprise system that is basic to our American way of life.

In my judgment, assertions and actions of governmental entities too often have been a major contributing factor to a serious deterioration in the purpose, resolution, and direction of the endeavors of our citizenry. Because of this, we have undergone a dissociation from the precepts underlying our Republic. We have acquired a disdain for authority, a disregard for conscience, a distaste for patriotism, and a distrust of self-initiative and enterprise. The course of this unsought, but essentially self-imposed deterioration must be reversed if freedom in the world is to survive the Twentieth Century. Human liberty will not long endure without a preeminently strong America.

The restoration of our Nation to a proper course need not entail adoption of a complex set of new guiding principles. Such adjustment in our course need not entail revolutionary change and may, in fact, avoid it. Indeed, a reaffirmation of allegiance to some traditional and simple ethics would do much to redirect our Nation and its people toward a future considerably more promising and reassuring than our present practices and prospects would seem to warrant.

The ethics which I espouse for reaffirmation are—

First, our citizens need to attain greater factual knowledge about the affairs of our Nation. A factual informed electorate would do more to enhance the quality of our government from the precinct to the White House on an enduring basis than any other single thing we might do. From experience we can conclude that leaving the job of informing the public solely to the New York-Washington based communications media is obviously not the answer. Effective and continuing leadership from the business community in fostering public knowledge should be an essential part of this effort. We must become thought-leaders and problem-solvers with respect to the issues before us.

A second ethic involves an unrelenting aspiration for excellence as individuals and as a society. The commonplace and the mediocre cannot be acceptable norms. The parlous world-wide ambitions of Communist tyranny and the magnitude and urgency of our unmet domestic needs precludes acceptance of anything but every American's best effort to be a good citizen. We need to encourage and heed the acts, thoughts, and leadership of people who bring proven credentials of excellence to the solution of the challenges that confront us in politics, commerce, and business. We must encourage creative initiatives and appropriately recognize their undertaking.

Thirdly, we must return to an awareness that a person's compensation belongs primarily to him rather than to the government; and the share of that compensation ultimately taken by taxation should not make government the majority partner in the deal. The taxpayer's dollar is his unit it is fairly and equitably levied upon to finance the legitimate functions of government. We need to be mindful of the fact that in a free enterprise system, government has neither the function nor the capacity to create economic wealth. That comes only from the productive efforts of our individual citizens and government should use prudence and restraint in seeking to redistribute the proper rewards of those efforts. In this context, it is a concomitant imperative that one generation should not so conduct its governmental affairs as to bequeath public indebtedness to be paid from the productive endeavors of succeeding generations.

A fourth and last ethic to which I will refer has to do with the mutuality of responsibility in the relationship between government and business. Good government and good business are good for one another. The public official and the businessman need to recreate a shared awareness of the mutualism of the purposes they serve. There needs to be a moderation of the prevailing business view that government is an intractable oppressor whose motives are suspect and whose actions are to be resisted. Similarly, moderation needs to occur in the public official's too widely held attitude that the imagined wickedness of business necessitates massive governmental intrusion into the day-to-day functioning of the market place. The powers of government and the prerogatives of private enterprise must be exercised within the reasonable restraints of the public interest.

A greater observance of these ethics of citizen knowledge, aspiration for excellence, encouragement of initiative through prudence in governmental fiscal affairs, and mutuality of respect and understanding between business and government would contribute greatly to the improvement of the quality of our government and to the enhancement of the public benefit.

Abandoning my role as your friendly Trinity River Philosopher and relating my earlier remarks to some pragmatic concerns affecting the oil and gas industry, it cannot be gainsaid that more scrupulous past observance of the principles just enumerated would have alleviated the severity and urgency of many of our present problems and perhaps some of them could have been avoided completely.

For example, our industry's most persistent critic over the years has been the demagogue who has preyed upon a public lack of knowledge and deliberately chosen to disregard the truth. Through innuendo and distortion he has succeeded in creating doubts about the oil man's parentage, citizenship, and patriotism. He has disdained fact and has been interested only in the impression, image, and notoriety that ensue from his misrepresentations. This result has had its impact on our industry in such vital areas as environmental matters, taxation, import policy, conservation, and regulatory practices. If we had been more successful in our efforts to contribute to citizen knowledge, the effectiveness of the demagogue would have been thwarted; and, indeed, greater citizen knowledge may have denied the demagogue a public platform to begin with.

Similarly, a greater public recognition of the importance of maintaining incentives for initiative and allowng an adequate reward for risk-taking would markedly contribute to a better understanding of the need private enterprise has for return on investment that is commensurate with the uncertainty of the undertaking. It is inevitable that fiscal policies affect tax policies. A level of public spending that rises faster than the level of national income will inevitably result in disproportionately greater tax burdens being placed on the productive efforts of our citizens; it will inhibit the available options and flexibility in formulating tax legslation. This is exactly what happened to us in the decade of the 60's. Then we heard oft repeated pronouncements about prudence in spending as we spent profligately; we heard about the excessiveness of taxes while we were being taxed more and more. The result of this fiscal expediency by government is a cost-push inflation that has vitiated the purchasing power of fixed incomes, dangerously depressed business profits, and caused economic dislocations adversely affecting every aspect of American life.

Another very real example of governmental policy causing serious economic dislocation is concerned with natural gas regulation. Today's shortage of natural gas is directly attributable to past governmental policies that ignored economic realities by failing to provide an incentive for initiative and risk-taking. It was a clear case of regulatory overkill. We must now strive to make certain that the currently prevailing indications for improvement in regulatory climate result in conditions that will permit our industry to find adequate reserves to supply the needs of the American consumer.

Part of the fault for our present day problems that grew out of the policies of prior years must rest with the industry because too many of us were unwilling to work as industry advocates at governmental and public relations. But the fault is not ours alone. The public record is replete with instances in which the industry story was factually stated and accurately projected only to have the record disregarded in the development of governmental policy. In this area, it is imperative that the industry do better in the 1970's with more of us individually sharing in the burden of time and resources that are required to make fact, truth, and understanding prevail.

And so, as I conclude these remarks and my term as President of the Mid-Continent Oil & Gas Association, I wish time permitted me the opportunity to give proper recognition to the many people who have aided me in the discharge of my responsibilities. The list of names would come from the distinguished ranks of our Association's Board of Directors and Executive Committee as well as from the Legal Committee, the tax committees, and from the staff. To all of you I extend a very personal expression of grateful appreciation for your time, talent, and cooperation. I look forward to being of whatever service I can to you in the future. I wish my successor well and express a confidence that he will find his new responsibilities challenging and interesting. He will also find them worthwhile because of the wonderful people working with him in behalf of what I regard as the greatest industry in the world. Thank you.

TRIBUTE TO CHARLES MANATT

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. CORMAN. Mr. Speaker, over the past decade it has been my privilege to have been associated with a young man whom I believe deserves rcognition as an example of the constructive force of youth in our society.

His name is Charles Manatt. Raised on a farm in Iowa, he was graduated from Iowa State University and took his law degree from George Washington University in Washington, D.C. His military background includes service as a captain, Judge Advocate Corps, U.S Army Reserve.

Today he is the senior partner of his own California law firm, president of the San Fernando Valley Bar Association, and member of the San Fernando Neighborhood Legal Services Board of Directors.

His governmental activities have led him to the chairmanship of the Democratic State Central Committee. He has been of invaluable assistance to me through the years, and has a political track record that is unsurpassed in the State.

We in Government need the contribution of young men like Chuck Manatt. His is the kind of intelligent, vigorous leadership that will provide a responsible, realistic, thoughtful approach in seeking new ways to resolve our problems. He recognizes that we must work together in order to move forward and build for the future.

We need his ideals, creative thinking, recommendations, enthusiasm, energy, and humanity. We need his interest and involvement, his motivation and committment.

His is the kind of leadership we must develop and maintain, for it demonstrates that the system really works; that it provides a realistic way to contribute; and that it is truly the American tradition.

THE LONG-RANGE IMPACT OF INSTALLMENT BUYING ON EXTENDED FEDERAL PROGRAMS

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. THOMPSON of Georgia. Mr. Speaker, it has consistently been one of the faults of our governmental system—and the private sector of the economy as well—that we can be persuaded to go along with Federal spending programs or credit purchases so long as the monthly payment can be brought within what we feel our national or personal budget can stand. What we fail to do is to look at the long-range impact of installment buying on extended Federal programs.

The Congress made significant progress, as far as the buying public is concerned, on credit purchases when it passed the Consumer Protection Act requiring creditors to spell out to the buyer in figures the total amount involved on long-term credit purchases. Thus, the buyer can see what the total amount of money actually will be and will be fully aware of what he is obligating himself for.

Mr. Speaker, the same sort of requirement ought to be imposed in the Congress on long-term Federal programs. A good example of how the Congress has obligated this Government, almost unknowingly, for hundreds of billions of dollars is found in the Housing Act of 1968. We recall that we set the noble goal of 6 million housing units over a period of 10 years in that bill. Further, that legislation provided for an interest subsidy to encourage construction of apartment units under the section 236 program.

Mind you, on an annual basis the cost does not look too great. The average experience of the FHA on these programs is $1,000 per unit per year for interest payments. However, this overlooks the fact that the life of such mortgages is usually 40 years and thus, the $1,000 must be paid on each such unit every year for 40 years. In other words, if this Congress lives up to the goal of building 6 million units in a 10-year period and provides the interest subsidy payments for each of these units for the full term of the mortgage, then we will have obligated this Government to a total of $240,000,000,000.

Somehow this monumental debt obligation has been kept from the public and the Congress has apparently not faced up to it. Here we are, Mr. Speaker, facing a request for the largest increase in the limit on the national debt in recent memory and we are ignoring having obligated ourselves for expenditures which, on a long-term basis, total more than the entire annual Federal budget. I would not want anyone to interpret my remarks as being against housing programs, because I support reasonable Federal efforts to help provide housing for all our people. However, I do feel that we should closely reexamine the debt obligations to which the Federal Government was committed under this legislation and see if more workable and less costly means of providing housing can be worked out. One of the programs financed under the Housing Act, the section 235 program, already has faced some scandal. I think it would be safe to say that if we let the 236 program stand as it is now written, scandal will be found there also. I urge the appropriate committee to reexamine this matter closely on behalf of our taxpayers who are already staggering under heavy debt and excessive taxes.

TV COVERAGE OF THE VIETNAM AND LAOS FIGHTING IS DEPLORABLE

HON. WILLIAM L. DICKINSON

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. DICKINSON. Mr. Speaker, I cannot help but be both amused and disgusted over some of the national TV coverage of the Vietnam and Laos fighting and our efforts in these countries. We see some reporter in fatigues sticking a microphone in some private's or sergeant's face and the conversation goes something like this:

"Question: You've had a pretty tough battle here, haven't you?

"Answer: Yeh, geeze, real tough.

"Question: How do you think it's going?

"Answer: I dunno—I mean, geeze, it's real tough.

"Question: Do you think we ought to be here fighting a war half way around the world from home?

"Answer: I dunno—wisht I was home.

"Question: Don't you think it is wrong for the U.S. to be bombing and killing civilians and women and children in an illegal and immoral war?

"Answer: Sure.

"This is Joe Blatz, TV News, Laos."

What would have been the case if today's typical TV reporter had been in Gen. George Washington's boat as he crossed the Delaware, Christmas in 1776. I am sure the interview with Pvt. Simeon Slob, Delaware Regulars, would have sounded something like this:

"Question: You've had it pretty tough here in Valley Forge, haven't you?

"Answer: Geeze, it's tough—I mean I'm half froze. I been cold for a month.

"Question: How do you think the war is going?

"Answer: Geeze, I dunno. I'm freezing. This damn boat's leaking. I'm getting wetter 'n wetter.

"Question: Do you think it's right to fight on Christmas Day?

"Answer: I guess not. I wish I had some waterproof boots. Geeze, I wisht I had some boots!

"Question: Wouldn't you rather be warm at home enjoying Christmas dinner with the family than fighting an illegal and immoral war in the ice and snow?

"Answer: Hell, yes! You crazy or sumpin? I'm freezing my—bleep—off.

"This is Joe Blatz, TV News, crossing the Delaware."

THE SST: WHO NEEDS IT?

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. WALDIE. Mr. Speaker, Prof. Paul Ehrlich of Standard University has forwarded to me a discussion of the SST composed by John Holdren. Mr. Holdren is a plasma physicist at the Lawrence Radiation Laboraorty in Livermore and holds a degree in aeronautical engineering.

His pertinent insights into the issues surrounding the supersonic transport program are worthy of note, and his concerns over the social and biophysical byproducts of the SST are based on the most salient information. He is genuinely disturbed by the prospect of the plane's operation.

The judgements of such knowledgeable and informed commentators are worthy of consideration. The criticism leveled by Mr. Holdren is against the continued development of an aircraft capable of providing the Nation with a host of health and comfort headaches and so little substantial benefits.

Surely, there is good reason taking into account the striking hazards predicted by Mr. Holdren for the SST. Therefore, I submit his statements for consideration by my colleagues in the House:

THE SST: WHO NEEDS IT?

"It may soon be possible to fly from Watts to Harlem in two hours and to disrupt the lives of everyone in between." [1]

Discussions of the U.S. Supersonic transport program customarily focus on the aircraft's irremediable sonic boom, its unacceptable takeoff and landing noise, and the other, more speculative, environmental costs of operating a fleet of them. These arguments all mitigate against the expenditure of public funds on such an enterprise, and they will be included for completeness here, but there is no case for the SST even without them. The use of society's limited monies to subsidize the well-off minority of its members who fly at all is itself a dubious proposition; if we really want to do so, there are alternative means to bring greater benefits to the air traveller at less cost; and the contention that the SST program will benefit the U.S. as a whole economically has been discredited by the most distinguished bodies to examine the issue.

As a diversion of society's resources, the SST has in one sense received more attention than it deserves: the 700 million dollars of government money in the project so far is less than a fortieth the sum applied to the destruction of Vietnam last year alone. Were the latter fiasco not available for comparison, however, this figure and the 5 billion dollars the taxpayers stand to lose eventually on the SST would be more appalling. Moreover, as an example of the mad momentum of technology, to the absurd extreme of the public financing an environmental insult of virtually no demonstrated social utility, the SST program is unexcelled.

The specifications of the American SST call for an aircraft carrying 298 passengers at a cruising speed of 1800 mph, and costing an estimated 52 million dollars each. The first flight of a prototype is not expected until 1972. Both the Soviet Union and a British-French combine have prototypes of smaller and slower SST's in the air today. Both are expected to carry about 125 passengers at 1400 mph, and will cost something like 20 million dollars each. The "head start" now held by the Soviets, the British and the French in getting an SST into commercial operation is offered by the U.S. administration as a compelling reason for us to press ahead with our own program. The argument runs as follows: In the absence of a U.S. SST, our airlines will be forced by the competition with foreign carriers and with each other to purchase large numbers of Anglo-French or (much less probably) Soviet aircraft, worsening the balance-of-payments problem. This argument assumes of course, that the SST will be a profit-making item for which there will be large airline demand; as will be discussed below, there is no reason to believe this will be true. To the detached observer, in fact, the U.S. must present an amusing spectacle—hastening to join the French, English and Russians in a headlong rush down the road to an economic and environmental debacle.

Let us accept for a moment the premise that improving the lot of the air traveller is a worthy object for government funds. What will the SST do for him? As a start, passage on an SST will be more cramped, less smooth, more expensive, and in all probability less safe than the same ride on the Boeing 747 or air bus with which the SST must compete. It will be more cramped because supersonic aerodynamics requires a long, *slender* fuselage for efficiency in an aircraft of this type, and economics requires that there be lots of seats crammed into it. The flight will be less smooth because a long, flexible fuselage interacts particularly violently with gusts and turbulence in the air through which it passes, and because small bumps at 600 mph become jackhammer jolts at three times the speed. (Concerned aeronautical engineers assure us that the ride can in principle be smoothed somewhat with the use of sophisticated "feedback" techniques; these are expensive, however, and neither Boeing nor the government seems inclined to up the price of an already scandalously expensive technological experiment.) As it stands, the cost per seat mile will be perhaps 40 per cent higher than on the Boeing 747. The speed of the SST, permitting more total flights, cannot compensate entirely for its higher purchase price and huge fuel consumption. The airlines may, of course, elect to artificially hike subsonic fares while depressing fares on the SST, forcing *all* air travelers to subsidize the industry's economic white elephant.

The matter of safety is more speculative, but there is every reason to suspect that the SST will not be as safe as today's jets. It will carry more fuel (and store a greater fraction of it in the fuselage) than any other commercial aircraft, thus increasing the hazard from fire. Existing problems with metal fatigue are far more ominous for an SST: the structure is subjected to greater stresses at supersonic speeds, there are aggravated by surface temperatures approaching 500°F, and we have relatively little experience with the fatigue behavior of the titanium-alloy components which the SST requires. The SST under cruise conditions will be less maneuverable than a subsonic jet, three times as fast to close the gap in potential collision situations, and far more vulnerable to loss of cabin pressure. Technology of all sorts must be stretched to build an SST—controls, lubricants, engines, sealants, brakes. In these regards, there is no backlog of military experience comparable to that which benefitted subsonic transport development. The U.S. has only one operational military aircraft capable of 1800 mph, the Lockheed SR–71, and it is much smaller than the proposed SST. The trouble-plagued and now retired XB–70, of which only two were built, provided some data on large supersonic aircraft but hardly a reassuring basis for a civilian program. The safety record of the Air Force's B–58 Hustler, capable of 1400 mph sprints but not sustained cruise there, is abysmal.

What then, will the cramped, jolted, and perhaps slightly nervous SST passenger get for his premium fare? The answer is a thirty to forty per cent reduction in travel time, if that is measured (realistically) from home to hotel, rather than runway to runway. (Note that part of the SST's speed advantage on longer flights, such as San Francisco-Tokyo, is lost because the SST must refuel in Hawaii while the Boeing 747 goes nonstop.) Whether reducing travel time further is a worthwhile goal is itself debatable. Even today's subsonic jets cause considerable disruption in the "biological clocks" of travelers crossing many time zones. A number of corporations and even governments forbid their representatives to transact business for 48 hours after transoceanic flights, on the grounds that poor judgment may be part of the disorientation accompanying too rapid change of locale.

The SST does not seem destined for great passenger demand, then, even in a speed-worshipping society such as our own. For the speed, itself a mixed blessing, hardly warrants the host of discomforts and threats likely to accompany it. But if such planes are not popular with passengers, they will certainly not be popular with airlines, and the balance-of-payments argument goes out the window. The airlines are presumably not ecstatic about financing yet another generation of still more expensive aircraft in any case. They had just begun to enjoy some long-awaited profits from the Boeing 707-Douglas DC–8 generation of jets when the smaller jets and jumbos came along to plunge them deep into debt again. The SST, following so close on the jumbos' heels, could easily be the financial death blow for any number of airlines, yet they feel locked into this destructive course by competition and, now, government pressure.[2]

The government's position on the SST is so absurd as to be inexplicable. Its "loan" to Boeing and the engine manufacturers will not be repaid until at least 300 SST's are sold, and it will take 500 sales for the manufacturers to come up with the agreed upon interest. If, against staggering odds, any substantial passenger demand for the SST actually materializes, it is implausible that the airlines could finance this number of 60 million dollar aircraft. It is *impossible* that such a market could exist without flying the SST supersonically over populated areas, and one can only conclude that the government intends to permit this despite its pathetically transparent hedges to the contrary.

So many competent groups have discredited the economic "arguments" in favor of the SST that there is no need to do more than quote a few of them here. The President's own Ad Hoc Review Committee on the SST[3] concluded, on the balance of payments:

"If the U.S. overall balance of payments is considered, there is substantial reason for delay in proceeding to the next stage of the SST project."

The Committee argued that, if the plane did happen to sell, the increase in American tourist expenditures abroad would more than cancel the effect of SST purchases by foreign airlines. On the alleged benefits to the U.S. employment situation, the Committee reported:

"Very few unskilled workers will be required . . . such employment should not be considered as a justification for proceeding with the program but only as a dividend from it."

Others have pointed out that it is easy to "create" jobs—war does so, as do vandals, arsonists, and hijackers. The more difficult matter, in which the SST fails so miserably, is to create jobs in a way which benefits society.

In a report released August 19, 1970, the joint House-Senate Subcommittee on Economy in Government stated that "No further support of the SST development program is justified at this time", continuing that "it is entirely possible that the government will recover none of (its) investment." Still other critical reports by competent authorities exist, but have been suppressed by the administration. And a group of America's foremost economists, including J. K. Galbraith, Paul Samuelson, Milton Friedman, and Walter Heller, recently concluded that the SST program is utterly without economic merit.[4]

If the government feels it must pour money into commercial aviation, there are ample genuine needs to fill. The air traffic control system is overloaded and its radar antiquated. Collision avoidance systems for all commercial, military, and private aircraft should be developed, short-take-off-and-landing (STOL) aircraft to service population concentrations are needed, and desperately needed rapid transit systems would reduce travel time for air passengers as well as everybody else.

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[1] William F. Baxter, —*Stanford Law Review*, Nov. 1968, p. 1.

[2] See, e.g., "For the SST, a Case of Oversell?", Wall Street Journal, Sept. 9, 1970.

[3] Released Oct. 31, 1969 after having been withheld since its completion in March of that year.

[4] New York Times, Sept. 16, 1970.

As the foregoing arguments have indicated, there would be no valid case for proceeding with the SST program even if it were free of environmental liabilities. It is not. The now well-publicized sonic boom is an inevitable consequence of supersonic flight through the atmosphere. It is to be emphasized that the boom is created *continuously* (rather than only when the plane passes through the "sound barrier"), and that a supersonically cruising SST will therefore lay down a carpet or swath of booms—some fifty miles wide—for the entire length of its flight path. There is abundant evidence that the boom at "standard" intensities will be intolerable to a considerable fraction of the exposed population, and that damage to property will also result. I refer to "standard" intensities because it also happens that sonic booms can be magnified by atmospheric conditions, by maneuvers of the SST itself, and by the coincidence of the shock waves from more than one such aircraft. It has been shown that a two-fold magnification can be expected to occur about 0.1 per cent of the time, which corresponds to an area of 125 square miles from the 125,000 square miles "boomed" on *every* coast-to-coast flight. (As noted above, the government's assertion that supersonic flights will not be permitted over land is not to be taken seriously.)

Additionally, the sideline noise of the SST on takeoff and landing will be unbearable—some 40 times more intense at 1500 feet than the proposed FAA standard for subsonic jets (which is itself at a level which most people find intolerable.) Finally, the responsible bodies which have considered the matter have most recently been unwilling to place any bets on whether a fleet of SST's will substantially alter climates. The introduction of vast quantities of water vapor (a combustion product) into the stratosphere might increase cloud cones, and even if it did not would certainly increase stratospheric humidity. Both phenomena could affect the global energy balance and circulation patterns. Nor is the effect of the SST's combustion products on the stratospheric ozone concentration well understood. While it seems unlikely that any significant reduction in the amount of ozone present would result, the potential consequences should dictate caution: ozone is our principal protection against ultraviolet radiation from the sun; ultraviolet radiation can be deadly to exposed animals, including man.

The SST, then, is a technological circus *par excellence*. The air traveller doesn't need it, the airlines don't need it, and society certainly does not. If the government claims to need it, one can only ask, whom does the government purport to represent? Indeed, the only *frank* argument which has been advanced for building the SST is that it would challenge the ingenuity of our engineers—we must build it because it can be done. We could perhaps permit our technologists such amusements if there were not real and crying needs for their talents, and if the circuses were not to be pursued with vast amounts of public funds. That this swindle is being justified with specious economic arguments and sanctified with empty words like "prestige" and "leadership", and that it will subject a helpless populace to insufferable sounds and further environmental gambles turns the merely bizarre into the absolutely incredible.

The ultimate responsibility for this debacle must of course rest with government. Engineers do not control the allocation of funds, and if they often advocate projects of less than optimum social utility, society must trust its elected representatives to choose more wisely. Continued governmental support of the SST program, a monument to misplaced priorities, suggests that our trust has been abused.

DOD DECLASSIFIES TWO DOCUMENTS RELATING TO COLLECTION OF INFORMATION ON CIVILIANS

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. REID of New York. Mr. Speaker, on February 24, the Department of Defense declassified the two basic documents setting forth its plan for the collection of information about civilians who may be involved in civil disturbances.

Officially entitled "Annex B—Intelligence—to the Department of the Army Civil Disturbance Plan" and "Department of the Army Civil Disturbance Information Collection Plan," these documents show the full extent of the Army's pervasive intelligence collection activities during several months in 1968 in which no military or civilian official blew the whistle on these operations. Reading these documents convinced me more than ever that the military has no business in this area in the first place.

I have been urging for some time that DOD remove the "confidential" designation on these documents because I believe that the American people are entitled to know all the facts. I am inserting them in the Congressional Record in their entirety so that all Members will have the opportunity to see for themselves the precise Army directives concerning surveillance of civilians.

I particularly appreciate the thoughtfullness of Secretary Resor in discussing and answering questions on the facts and ramifications of this matter. In addition I am grateful that Secretary Resor and General Councel Buzhardt urged the declassification of some of this material.

The material follows:

Annex B (Intelligence) to Department of the Army Civil Disturbance Plan (U)

Reference: Maps, Civil Disturbance Planning Packets (where available) or special editions of commercial map reproductions provided by Army Map Service.

1. (C) Situation

a. General

(1) Civil disturbances which are beyond the control of municipal or state authorities may occur at any time; however, in the past the majority have been a summer occurrence. The majority will probably continue to occur in hot weather which is particularly unsettling in crowded, urban centers. Dissatisfaction with national policy manifested in the anti-draft and anti-Vietnam demonstrations, and the environmental conditions contributing to racial unrest and civil disturbances in the United States are recognized factors within the political and social structure. As such, they might provide a preconditioned base for a steadily deteriorating situation leading to demonstrations and violent attacks upon the social order. The consistency and intensity of those preconditions could lead in time to a situation of true insurgency should external subversive forces develop successful control of the situation. Federal military intervention may be ordered to save life and property, alleviate suffering, and restore law and order.

(2) Analysis of civil disturbances: see OACSI, DA, Counterintelligence Research Project, CI Special Study, subject: Civil Disturbances CONUS—1967 (U), dated 31 July 1967.

b. Dissident Elements

(1) Civil rights movements

Although widespread, civil disturbances have occurred as individual, localized actions apparently resulting more from a general climate of opinion than from specific convert orders from a single source. There is no indication of directional control by any single organization, nor does any one organization appear to have sufficient authority or power to exercise such control. An effective consolidation of organizations or the formation of a supra-control agency could alter the situation in a short time and provide an improved capability for the development of subversive direction of civil disturbances. Meaningful degrees of subversive influence and organized control are distinct future possibilities in the United States civil disturbance problem.

(2) Anti-Vietnam/Anti-Draft Movements

Anti-Vietnam and anti-draft movements have increased in scope and number in the past two years. Protests against war have been common for many years and have generally followed the pattern of marching, picketing, and distributing literature by individual groups. The first nation-wide attempt to coordinate these peace movements was effectively made in the spring of 1966 by the Spring Mobilization Committee to End the War in Vietnam (SMC). In 1966 the SMC coordinated and staged anti-war rallies in San Francisco, New York City, and a number of minor demonstrations in other cities. Because of the success of the SMC's initial endeavor, the anti-war movement established the National Mobilization Committee to End the War in Vietnam (NMC) to act as a permanent coordinating committee for demonstrations. Originally distinct from, but aligned with the NMC in ideology, were the anti-war/anti-draft groups. At the present time, even though the anti-war/anti-draft groups profess individuality and separation from other groups, their similarity of aims and actions operate to have almost the force and effect of an interlocking directorate similar to the NMC. Very strong support to the anti-war movement is also forthcoming from such "left" groups as the Communist Party, USA (CPUSA), the CPUSA youth front group, the W.E.B. Du Bois Clubs of America (DCA), the Students for a Democratic Society (SDS), Youth Against War and Fascism, the Progressive Labor Party and a veritable host of smaller organizations. Tactics of the various organizations have undergone a change from passive actions to more militant actions, with "direct confrontations" now the main objective. Although the majority of anti-war protesters appear reluctant, for moral, practical, or legal reasons, to engage in public demonstrations of a nature which violate existing laws, there is a significant minority of professional agitators and young students who advocate either violent action or so-called disobedience of such a nature that violence is almost sure to ensue. Although many of the more articulate voices in the peace movement counsel against illegal actions, it appears that they have slight influence on those persons already committed to such action.

(3) Subversive Conspiratorial Aspects

a. Peace Movement

Although it cannot be substantiated that the anti-war and the anti-draft movements are acting in response to foreign direction, it must be pointed out that by their activities they are supporting the stated objectives of foreign elements which are detrimental to the USA. Many leaders of the anti-war and anti-draft movement have traveled to foreign countries, including Cuba, East Europe and North Vietnam to meet with Communist leaders. Therefore, the possibility exists that these individuals may be either heavily influenced or outright dominated by their foreign contacts. They may, in turn, influence their followers, the majority of whom have no sympathy for the Communist cause, but are unaware of their leaders' affiliations. Groups, such as The Resistance and the Students for Democratic Society (SDS), have openly announced their continuing intention to violate the law by aiding and abetting individuals desiring to criminally evade the draft. Both these groups have become increasingly more militant and are co-sponsors of illegal demonstrations against the draft, the military, and civilian and government recruiters on college campuses.

b. Civil Rights Movement

The Progressive Labor Party (PLP), a Marxist-Leninist group, was able to capitalize on an incident in order to spur Negroes to violence in Harlem and Bedford-Stuyvesant, New York City in 1964. Another Communist oriented, Marxist-Leninist group, the Revolutionary Action Movement (RAM) has been shown to be conspiring to commit murder and wanton acts of vandalism. The Student Nonviolent Coordinating Committee (SNCC), and in particular its chairman, H. Rap Brown, has been instrumental in aggravating tense situations in ghetto areas and in prolonging civil disorder. (While most civil rights leaders are moderates and the majority of the Negro population abhors violence, a sufficient number of individuals seem susceptible to the violent rallying cries of the militants to make these individuals dangerous to society.

c. Friendly Forces

USCONARC and CONUS Armies, and the U.S. Army Intelligence Command support the Department of the Army by continuing current reporting of information on civil disturbances.

2. (C) Essential elements of information (EEI). All CONUS-based major Army commands and subordinate commands will report information as obtained to satisfy Department of the Army EEI relative to:

a. Plans, operations, deployment, tactics, techniques, and capabilities of individuals, groups or organizations whose efforts are to reduce U.S. military capabilities through espionage, sabotage, subversion, treason, propaganda and other disruptive operations.

b. Patterns, techniques, and capabilities of subversive elements in cover and deception efforts in civil disturbance situations.

c. Civil disturbance incidents or disorders which involve CONUS military installations or personnel.

d. Thefts of significant quantities of weapons and ammunition from civilian companies or industries. Thefts of significant quantities of government weapons and ammunition from Active Army, Reserve, National Guard, or ROTC installations and facilities.

e. Strikes, civil disturbances, and labor disturbances which affect military installations, or other strikes or labor and civil disturbances of sufficient magnitude to indicate a probable employment of federal troops to preserve or restore order.

f. Information concerning opposition that may be expected by Military Forces if called upon to maintain or restore order. Specifically, possible courses of action, methods and capabilities, weapons and support.

g. Impact or significance of changes in federal, state, or municipal laws, court decisions, referendums, amendments, executive orders, or other directives which affect minority groups.

h. Cause of civil disturbance and names of instigators and group participants.

i. Indicators of potential violence:

(1) High unemployment rate among minority groups.

(2) Noticeably heightened crime rates among minority groups.

(3) Dissatisfaction and complaints arising from disparity of average income between the whites and the non-whites.

(4) Declining rapport between law enforcement officials and minority groups.

(5) Migration of large numbers of a minority group into a city slum area.

(6) Protests of the minority community relative to conditions in slum areas, such as de facto segregation in housing and schools, lack of jobs, lack of recreational facilities, police brutality, and overcharging of goods and services by local merchants.

j. Indicators of imminent violence:

(1) Presence or participation in local activities by militant agitators.

(2) Increase in thefts and sales of weapons and ammunition.

(3) Increase in efforts of extremist, integrationist, and segregationist groups to instigate violence, e.g., increase in numbers of handbills, pamphlets, and posters urging acts of violence.

(4) Increase in number of incidents of window breaking, false fire alarms, thefts, and other harassments of damaging nature to the community.

(5) Reports and rumors of planned violence.

(6) Presence of known instigators of violence.

3. (C) ORDERS AND REQUESTS FOR INFORMATION

a. Supporting plans of USCONARC and CONUS Armies, and the U.S. Army Intelligence Command will include provisions for rapid reporting and dissemination of responses to the above EEI in the following priority consistent with appropriate security regulations:

(1) Task Force Commander

(2) Army Operations Center (AOC), DA

(3) MDW or CONUS Army wherein the disturbance is imminent or in progress.

(4) USCONARC/USARSTRIKE

(5) CINCSTRIKE

b. Commanders will insure that units and personnel are familiar with announced EEI.

c. Local liaison with federal and civilian agencies by the military intelligence operating elements of the USAINTC is encouraged.

4. (C) INTELLIGENCE AND COUNTER-INTELLIGENCE OPERATIONS

a. Information required to accomplish the mission of the Chief of Staff, US Army, will be obtained through all resources available to the commanders, to include intelligence reports, estimates, studies, and special studies prepared by the commands.

b. OACSI, DA, will prepare and disseminate reports, estimates, studies, and special studies, as appropriate, from information obtained or received at the national level.

c. The primary organization for direct support of the Department of the Army in the coverage and reporting of information on civil disturbances is the US Army Intelligence Command. The Command's operational planning will include provisions for providing civil disturbance information to the Task Force Commander upon announcement of his appointment and thereafter.

d. Upon dispatch of Personal Liaison Officer by the Chief of Staff, U.S. Army, to the area of anticipated trouble, ACSI, DA, will, in turn, designate an ACSI point-of-contact (ACSI–POC) who will respond to satisfy the requirement of the Chief of Staff, Army (CofSA) Personal Liaison Officer.

5. (U) Maps—appropriate maps for the objective area will be provided by the Army Map Service.

6. (U) Counterintelligence summary (See Section 4 of the Civil Disturbance Planning Packet pertaining to the objective area and current SPIREP).

Department of the Army Civil Disturbance Information Collection Plan (ACDP) (U)

1. (U) References:

(a) JCS SM 695–63, 25 May 1963.

(b) JCS Publication 2, paragraph 40505, 40506, and 40507.

(c) DA Civil Disturbance Plan (U), 1 February 1968.

2.(C) General:

a. The Department of the Army Civil Disturbance Information Collection Plan (ACDP) provides basic guidance and direction for the planning, coordination, and employment of DA intelligence and counterintelligence resources in the collection and reporting of information pertinent to civil disturbances.

b. It is recognized that Army assistance to local or State authorities in peacetime, as well as in wartime emergency, is a long standing tradition in our country. In most instances in the past, such assistance was rendered with a minimum of advance information concerning the situation. The current civil disturbance situation dictates a change in the degree to which the Army must seek advance information concerning potential and probable trouble areas and trouble makers.

c. The Army is well aware that the overwhelming majority in both the anti-war and the racial movements are sincere Americans. It also realizes that in both groups there is a small but virulent number who are out to tear America apart. During demonstrations and disturbances these are the activists that control the violent action. These are people who deliberately exploit the unrest and seek to generate violence and terror for selfish purposes. If the Army must be used to quell violence it wants to restore law and order as quickly as possible and return to its normal protective role—to do this it must know in advance as much as possible about the well springs of violence and the heart and nerve causes of chaos. To do less means the professional violence purveyors will have a better chance to achieve their end aims—law breaking, social disintegration, chaos, violence, destruction, insurrection, revolution.

d. In obtaining the information called for in this plan the Army seeks only to collect that needed to exercise honest and sound judgment of the measures to be taken in suppressing rampant violence and restoring order—to assure that only the mildest effective measures are exercised—to insure that no overstepping of the degree of force or circumscription needed is applied—to conserve military resources and to avoid infringment on the responsibility and authority of civil government agencies—to insure pervasive vigilance for the fundamental rights of private citizens by the selective and enlightened use of force in restraint against those who are truly violating the rights of their fellow citizens.

3. (C) Mission: To procure, evaluate, interpret, and disseminate as expeditiously as possible information and intelligence relating to any actual, potential or planned demonstrations or other activities related to civil disturbances within the Continental United States (CONUS) which threaten civil order or military security or which may adversely affect the capability of the Department of the Army to perform its mission.

4. (C) Situation:

a. Possible military action required of the Army may include the commitment of federal forces to restore and maintain law and order, to enforce the laws of the United States, or to protect the rights of citizens within a State. Information required to fulfill assigned missions is obtained through liaison conducted with federal, state, and local agencies by US Army Intelligence Command (USAINTC) personnel and by the collection sources designated in Appendix B. USAINTC personnel will not be directly used to obtain civil disturbance information unless specific direction to do so has been received from Headquarters, DA. Pre-disturbance information to satisfy Army requirements will be obtained by drawing on other Federal as well as State and local sources which secure such data in the course of carrying out their primary duties and responsibilities.

b. When need for military intervention in a civil disturbance situation appears imminent, the Personal Liaison Officer of the Chief of Staff, US Army (PLOCofS) will be dispatched in advance of the task force to the objective area to coordinate with municipal and state officials, make an estimate of the situation, and report directly to the Chief of Staff, US Army. To fulfill his responsibilities, it is necessary that the PLOCofS have up-to-date and detailed information on the current situation in the designated area.

(1) The officer directing the USAINTC operations in the objective area will provide maximum assistance to the PLOCofS in matters of liaison, coordination, information, and other needs of the PLOCofS in accomplishing his responsibilities.

(2) Upon commitment of Army forces and/or arrival of the Personal Liaison Officer of the Chief of Staff, US Army (PLOCofS) in the objective area, US Army Intelligence Command (USAINTC) personnel are authorized to operate more actively to fulfill intelligence requirements; specifically, intensify or initiate contact with local police and government officials, civil leaders, members of private organizations, and observe demonstrations, riots, and other activities which have a bearing on the situation.

(3) USAINTC personnel will not engage in covert operations pertinent to civil disturbances without prior approval and direction of this Headquarters.

(4) During the execution of civil disturbance control operations, the USAINTC unit covering the civil disturbance responds to the EEI and other support requirements of the Task Force Commander and PLOCofS until they depart the objective area.

c. Dissemination. Information and intelligence will be disseminated without delay to higher, parallel, and subordinate headquarters in accordance with their requirements by the most expeditious means consistent with its importance and security classification.

5. (C) Execution: This plan is directive to DA elements only and is furnished to other agencies for information and coordination purposes.

a. DA Agencies: Those DA agencies indicated are requested to respond to requirements listed in Appendix B. Designated agencies may publish supplemental guidance and procedural instructions consistent with this plan. In the event such supplemental instructions are prepared, request that two copies be forwarded to the Assistant Chief of Staff for Intelligence (ACSI), DA, ATTN: ACSI-DSCD, Washington, 20310, within 30 days after publication.

b. Mutual Support Arrangements. Agencies, offices, and commands from whom mutual support arrangements will be requested are listed in Appendix B. Details of mutual support arrangements, when required, will be outlined in separate correspondence with each agency concerned and will not be made a part of this collection plan.

c. Comments and Recommendations: Users of this plan are invited and encouraged to submit recommended changes or comments to improve it. Comments should be keyed to the specific page, paragraph, and line of the text in which the change is recommended. Reasons should be provided for each comment to insure understanding and complete evaluation. Comments should be forwarded directly to the Assistant Chief of Staff for Intelligence (ACSI), DA, ATTN: ACSI-DSCD, Washington, D.C. 20310.

6. (U) Priorities: Civil disturbance information collection priorities are contained in Appendix C.

7. (U) Distribution:

a. Distribution list is contained in Appendix D.

b. Addresses are requested to make distribution of this plan within their respective agencies and commands. Reproduction of this document in whole or in part is authorized to meet the requirements of individual addressees.

APPENDIX A: REPORTING ON "THRESHOLDS OF CONTROL" FACTORS

1. (FOUO) Violence which is beyond the control of local authorities does not exist solely as a function of the number of incidents. Rather it exists as a function of the commitment of those reserves available to local civil commanders, the capabilities of their personnel, the rate at which the reserves are being used up, compared to the "staying power" of the disturbance causers, the trends in the character of the disorder, and the interpretations of those specific incidents which reflect on the moods and possible courses of future action by the groups involved in both sides of the disturbance. For example, an outbreak of incidents far in excess of normal levels may not constitute an emergency if local authorities have not committed all of their reserves. In most large cities, with many reserves such as off-duty personnel and personnel from unaffected areas, and a well ordered system of commitment and shifting of resources, this type of situation could perhaps be handled routinely. Conversely, an outbreak of incidents not greatly above normal levels which was sustained for a prolonged period could prove to be an emergency, if the reserves available to civil commanders were committed and exhausted at a rate greater than that at which they could be relieved and rested. A large outbreak of fires may be handled routinely by a fire department that can draw on the reserves of surrounding areas, but a small outbreak may be disastrous if other factors are considered: for example, in the event firemen refused to answer alarms in areas where snipers were active, it could result in the spreading of fires which under normal circumstances could have been easily controlled. The point at which control by civil authorities can no longer be maintained is considered to be the "threshold of control."

2. (FOUO) Thus, the best collectors and analysts are the civil commanders and experts on the scene: the fire and police chiefs, the city managers and like officials. Such individuals will not be expert at predicting the exact course of future events, as has been proved in past riots, but they will be the authorities on the commitment and capabilities of their reserves, the character of the disorder, and the moods of the hostile minority groups. They will differentiate between normal incidents and incident levels, and disturbance incidents and incident levels, without resorting to numerical manipulation. They will make judgments based on consideration of all of these important numeric and non-numeric factors, and their past experience with all elements involved. A police commissioner may not be able to cite the statistics on arrests, fires, false alarms, or lootings in his area on an hour-to-hour basis. But he may be able to report with reliability, that "if these incidents continue at this level for six more hours, my men just will not be able to handle it without help."

3. (C) The Counterintelligence Spot Report System concentrates on incident reporting. Such information is needed in order to chart the course and tempo of an ongoing civil disturbance and keep the responsible military authorities advised of the scale and character of the disorder. However, in addition to the spot reports, information is needed regarding the capabilities of local civil officials to maintain control. Such information will be of great assistance to federal authorities in anticipating the point at which local and state agencies are no longer able to cope with a violent civil disturbance.

4. (C) Liaison with those individuals and agencies who can be expected to have in-depth pictures of the situation, the problems, and the maintenance of order is, in most cases, already established. If these sources are used to provide information regarding advance planning, reserves, commitments, personnel capabilities and limitations, trends in the character of the disorder, and the ability to contain continuing violent disturbances, the picture of future developments and requirements will become clearer than would be the case with incident-by-incident reporting alone.

5. (C) The types of information contained in Appendix B, Section II, Activities During Civil Disturbance, will provide the Federal authorities with the information necessary to weigh the capacity of the civil officials to maintain control of the disturbance.

APPENDIX B TO DA CIVIL DISTURBANCE INFORMATION COLLECTION PLAN (ACDP) COLLECTION REQUIREMENTS

1. (U) Headquarters, Department of the Army civil disturbance information collection requirements are stated in this appendix. [These requirements reflect the information which DA requires for the effective discharge of its mission.]

2. (C) DA collection agencies who are requested to respond to specific requirements are indicated by the symbols listed below and as annotated on pages B-3 thru B-16. DA collectors are also requested to report information pertinent to other requirements that may be obtained as a by-product of their other activities:

A. Continental Army Command (CONARC)
B. US Army Intelligence Command (USAINTC)
C. The Provost Marshal General (TPMG)
D. Commander-in-Chief, US Army Forces, Strike (CINCARSTRIKE)
E. The National Guard Bureau (NGB)
F. US Army Security Agency (USASA)
G. Other DA Agencies in CONUS
H. Major US Army Oversea Commands

3. (C) Other Department of Defense Agencies, as indicated by symbols below, are requested to report to DA, as soon as obtained, any relevant information which they obtain pertinent to these collection requirements:

I. Department of the Navy
J. Department of the Air Force
K. Defense Intelligence Agency (DIA)
L. Other Department of Defense Agencies

4. (C) The Federal Bureau of Investigation (FBI) is requested to provide information and reports which are relevant to those collection requirements annotated with the symbol "M."

5. (C) Requests to cooperating agencies for information: The following US Government agencies are requested to furnish to the Department of the Army, as soon as obtained, any information which is pertinent to the collection requirements stated herein:

Central Intelligence Agency (CIA)
Subversive Activities Control Board
Department of Transportation
US Coast Guard
Department of the Treasury
(a) Office of the Special Assistant (Enforcement)
(b) US Customs
(c) Bureau of Narcotics
(d) US Secret Service
(e) Internal Revenue Service, Alcohol and Tobacco Tax Division.
Department of Justice
(a) Community Relations Service
(b) Civil Rights Division
(c) Internal Security Division
(d) Federal Bureau of Investigation
(e) Inter-division Information Unit
(f) Immigration and Naturalization Service, U.S. Border Patrol
Atomic Energy Commission (AEC)
General Services Administration (GSA)

AREAS OF COVERAGE AND COLLECTION AGENCIES

Requirement	Military District of Washington	1st U.S. Army Area	3d U.S. Army Area	4th U.S. Army Area	5th U.S. Army Area	6th U.S. Army Area	Other areas
1. Predisturbance activities.							
a. Indicators of threatening violence in communities having a discontented populace:							
(1) Presence of militant agitators from within a discontented minority community or presence of "outside" militant agitators.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(2) Increase in thefts, sales of arms and ammunition (including Molotov cocktail ingredients), especially to militant minority groups.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(3) Increase in efforts of extremist minority groups to instigate violence through inflammatory propaganda, either written or verbal.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(4) Increase in number of incidents which reflect minority group rebellion against authority, such as false alarms and vandalism.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(5) Reports and rumors of planned agitation or impending violence related to civil disturbances	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(6) Increase in activity, such as rabble rousing meetings and fiery agitation speeches, of extremist, civil rights groups.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(7) Sharp increase in absentee rate of discontented minority groups	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(8) Increase in incidents of resisting arrest; the gathering of crowds when arrests are made.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(9) Increase in charges of police brutality; increased resentment of law enforcement.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(10) Stepped up activity by gangs, characterized by antisocial activity on the part of minority group members.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(11) Increase in assaults on police/fire personnel	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
b. Activities preceding planned civil disturbance:							
(1) Probable causes, objective locations, and nature of disturbance	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(2) Probable categories and identification of persons and groups who will create or participate in disturbance.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(3) Estimated number of persons who will be involved. As participants. As observers.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,J,I,K,I
(4) Probable assembly areas and routes. Method of travel	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(5) Leaders identity. Overt and behind-the-scenes	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(6) Activities, organization, and other plans prepared by the leaders. (a) How will they exert control? (b) Will weapons be used? What type? Where, when, how?	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(7) Identity of newspapers, radio, or television stations, and prominent persons who are friendly with the leaders of the disturbance and are sympathetic with their plans. Will any be present? Participating? How?	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,K,L,L
(8) Location, kind, and amount of arms, equipment, and supplies available to the disturbers.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(9) Location of other arms, equipment, and supplies which, if insufficiently guarded, may be seized by the disturbers in event rioting occurs. Are safeguards against seizure sound?	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(10) Location and name of important buildings/facilities that may be threatened. What makes the building/facilities important? Who is owner/responsible for building/facilities? How can he be contacted?	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(11) Location and description of communications systems, public utilities, and stores of volatile fuel. Responsible person? How contacted?	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(12) Possible threat to Federal property. What? Where? When? By whom.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(13) Do the facilities in (10), (11) and (12) above have their own physical security? How adequate?	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
(14) Identification of Department of the Army personnel (military or civilian) who are or may become involved on the side of the disturbers.	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	A,B,C,M	G,I,J,K,L
c. Indicators of potential violence:							
(1) High unemployment or menial work rate among discontented minority groups.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(2) High crime rates for discontented minority groups	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(3) Wide disparity of average income between white and discontented nonwhite.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(4) Poor relations between law enforcement officials and discontented minority groups	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(5) Migration of large numbers of persons from discontented minority groups into cities.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(6) Lack of means for minority groups to redress grievances and lack of meaningful communications between law enforcement agencies and the minority community.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(7) Protests of minority community to conditions in slum areas, such as: de facto segregation in unions, housing, and schools; lack of jobs; lack of recreational facilities; local merchants and landlords overcharging for housing, goods, or services; police brutality; substandard education facilities and teaching staff.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(8) Efforts by minority groups to upset the balance of power and the political system.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(9) Failure of law enforcement agencies to properly respond due to indecision, lack of manpower, or fear of public reaction.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(10) Inequitable law enforcement, real or imagined, toward minority groups.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
(11) Public apathy or negative reaction to issues of civil rights and impartial law enforcement.	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	A,B,C,G,L,M	G,I,J,K,L
d. Evidence of Subversion:							
(1) Formation of a covert subversive organization directed against legally constituted government.	All	All	All	All	All	All	H,I,J,K,L
(2) Evidence of or attempts by subversive organizations to penetrate and control civil rights or militant organizations composed primarily of non-whites.	All	All	All	All	All	All	H,I,J,K,L
(3) Collaboration between subversive groups and non-white organizations and groups.	All	All	All	All	All	All	H,I,J,K,L
(4) Assistance to non-white militant groups from outside the USA, especially from Cuba and Communist China.							
(5) Indications of movement into extremist, integrationist, and segregationist groups by the Communist Party of the USA, American Nazi Party, Nation of Islam, Knights of the Ku Klux Klan, and the Progressive Labor Movement.	All	All	All	All	All	All	H,I,J,K,L
(6) Aims and activities of groups attempting to create, prolong, or aggravate racial tensions, such as CORE, NAACP, SNCC, National States Rights Party, Southern Christian Leadership Conference, and Council of Federated Organizations.	All	All	All	All	All	All	H,I,J,K,L
e. Purposes and Objectives of Dissident Groups:							
(1) Overall purpose and objectives, Long-term and short-term objectives and relationship to problems of minority groups and the country. Estimates of plans and objectives; capabilities, resources to be employed.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J,K, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.

Requirement	Military District of Washington	1st U.S. Army Area	3d U.S. Army Area	4th U.S. Army Area	5th U.S. Army Area	6th U.S. Army Area	Other areas
1. Predisturbance activities—Continued							
Purposes and Objectives of Dissident Groups—Continued							
(2) Specific aims and roles. Coordination with other minority groups and dissident organizations. Support obtained from other agencies.	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K.L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M
f. Capabilities and vulnerabilities of dissident groups:							
Evidence of strengths and weaknesses in terms of ability to create civil disturbance situations, to expand activities to meet emergencies, to enlarge potential for disturbance, and to maintain own internal security.	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M
g. Funds: Source and extent of funds, how are they distributed. General purpose for which funds are used.	A,B,C,G,I,J, K L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I'J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M
h. Organization of dissident groups:							
(1) High command. Composition and structure of headquarters. Relationship to other agencies. Exact titles, location of functions and responsibilities, lines of authority, organizational charts, rosters of key personnel.	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M
(2) Subordinate elements. Administration, organization, functions, responsibilities, principal and alternate locations, strengths, facilities, lines of authority, organization and key personnel.	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M	A,B,C,G,I,J, K,L,M
i. Tactics and Strategy of Dissident Organizations: How do these elements plan and execute their civil disturbances and related actions. The nature and scope of their tactics and strategy. Proposed or planned deviations from usual or accepted tactics. Internal factionalism and protagonists. Cause themes and appeals.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.
j. Personnel:							
(1) Number of active members; breakdown of membership by ethnic group, age, economic status, education, criminal record. Biographic data of key members.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.
(2) Potential for increasing membership. Numbers of persons, source of members.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.
(3) Women members. Age, position within group, authority, biographic data.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J. K,L,M.
(4) Pay. What members receive pay? Are expenses reimbursed? Source of funds?	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.
k. Administration. How is organization supervised and controlled? Who is responsible for correspondence and related actions? Does correspondence and related actions? Does organization produce publications? Identify.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J, K,L,M.	A,B,C,G,I,J. K,L,M.
l. Training. Are skills useful in creating disturbances and doing violence taught; e.g., fabrication of Molotov cocktails, homemade bombs, firearms, booby traps, and other devices? Judo, marksmanship, communication training, countersurveillance, infrared photography. Training areas, source of support, instructors.	A,B,C,G,I, J,K,L,M.	A,B,C,G,I, J,K,L,M.	A,B,C,G,I, J,K,L,M.	A,B,C,G,I, J,K,L,M.	A,B,C,G,I, J,K,L,M.	A,B,C,G,I, J,K,L.M.	A,B,C,G,I, J,K,L,M.
m. Logistics. Sources of supplies, weapons, vehicles. Location, stocks, capacity of stockpiles. Methods of resupply.	A,B,C,G,I, J,K,L,M.	A,B,C,G,I, J,K,L,M.	A,B,C,G,I, J,K,L,M.	A,B,C,G,I, J,K,L,M.	A,B,C,G,I, J,K,L,M.	A,B,C,G,I, J,K,L.M.	A,B,C,G,I, J,K,L,M.
2. Activities during civil disturbance.							
a. Activities during a civil disturbance:							
(1) Location, form and extent of violence and damage. Proximate cause for outbreak.	A,B,C,D,E. F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	
(2) Identification of individuals and groups participating in civil disturbances. Leaders? Government personnel? News media representatives? Spokesmen?	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	
(3) Targets or planned targets of violence, burning or looting, e.g., neighborhoods, government buildings, Army installations, department stores, and public utilities.	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	
(4) Patterns of violence which suggest centralized control and organization, e.g., well organized sniping, selective firebombing, and other systematic destruction.	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	
(5) Indications of participation in or instigation of violence by persons or groups known to be subversive.	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	
(6) Expected duration of disturbance. Is it likely to recur? When can it be expected to break out again? In what locations and in what form?	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	
(7) Motive for the disturbance? Antiauthority? Antiwhite? Mixed?	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	
(8) The reserves committed by local agency commanders in the current situation.	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	A,B,C,D,E, F,G,I,J,K, L,M	
(9) The effects on the current situation of reserves that have been committed.	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(10) The projected effects of reserves that have been requested but not yet committed.	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(11) The ability of the forces currently on the scene to contain the area and intensity of the disturbance.	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(12) The direction of the disturbance; whether anti-authority, anti-white, or undirected.	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(13) The trends of riot connected activity; sniping, looting, bombing	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(14) The types of attacks on authorities; rock throwing, sniping	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(15) The reactions of authority to attacks; whether withdrawing or counterattacking.	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(16) The authorization for use of riot control equipment	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,L,K,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(17) The riot control equipment presently in use	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(18) The use of mass media to influence civil disturbance elements	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(19) The refusal of local agency personnel to respond in disturbed areas or while under fire.	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F . G,I,J,K,L,M	A,B,C D E,F, G,I,J,K,L,M	
(20) The presence of news media representatives in the disturbed area	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(21) The effect of news media representatives in the disturbed areas	A,B,C,D,E,F, G,I,J,K L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J K,L,M	
(22) The extent of reporting from the disturbed area, and its sources	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(23) The communications with personnel in the disturbed area	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D E,F, G,I,J,K,L,M	
(24) The emergence of spokesmen for the minority element	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(25) The indication of organization and central direction of rioters	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F G,I,J,K,L,M,	
(26) The presence of militant leaders and their activities	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	
(27) The efforts to instigate or perpetuate violence	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	A,B,C,D,E,F, G,I,J,K,L,M	B,C,D,E,F, G,I,J,K,L,M	

AREAS OF COVERAGE AND COLLECTION AGENCIES—Continued

Requirement	Military District of Washington	1st U.S. Army Area	3d U.S. Army Area	4th U.S. Army Area	5th U.S. Army Area	6th U.S. Army Area	Other areas
3. Postdisturbance activities.							
a. Activities following civil disturbance:							
(1) Is disturbance likely to recur?	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	
(2) When can it be expected to break out again? In what locations? In what form? To what degree?	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C.D,M	A,B,C,D,M	A,B,C,D,M	
(3) Are factors that precipitated the outbreak still present? What factors? To what extent do they still exist?	A,B,C,D,M	A,B,C,D,M	A B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	
(4) What is attitude of minority groups who participated?	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	
(5) Have militant agitators and other leaders left the area of civil disturbance? Where are they currently located?	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	A,B,C,D,M	

Requirement	USAREUR	USARPAC	USARSO	OTHER
4. International activities related to civil disturbances (Civil disturbance group relationship, international):				
a. Manifestations of support by "peace" organizations or other organizations in either Communist or non-Communist countries.	C,H,I,J,K	C,H,I,J,K	C,H,I,J,K	I,J,K,L
(1) Name of organization demonstrating support	C,H,I,J,K	C,H,I,J,K	C,H,I,J,K	I,J,K,L
(2) Leaders	C,H,I,J,K	C,H,I,J,K	C,H,I,J,K	I,J,K,L
(3) Number of participants	C,H,I,J,K	C,H,I,J,K	C,H,I,J,K	I,J,K,L
(4) Nature of protest activities	C,H,I,J,K	C,H,I,J,K	C,H,I,J,K	I,J,K,L
(5) Salient features of protest, if any	C,H,I,J,K	C,H,I,J,K	C,H,I,J,K	I,J,K,L
b. Exploitation of U.S. prisoners-of-war and internees by foreign countries in support of civil disturbance in CONUS. All available details.	C,H,I,J,K	C,H,I,J,K	C,H,I,J,K	I,J,K,L
c. Exploitation of U.S. deserters and defectors by foreign countries in support of civil disturbance in CONUS. All available details.	C,H,I,J,K	C,H,I,J,K	C,H,I,J,K	I,J,K,L

APPENDIX C: CIVIL DISTURBANCE INFORMATION COLLECTION PRIORITIES

1. (C) Priority Assignment Base. The Priority Assignment Base (PAB) consists of numerical priorities from 1 through 3. Within each priority, three subpriorities (A, B, C) are established to indicate further the relative degree of urgency for satisfying a requirement. The criteria on which priorities and subpriorities have been determined are shown below:

a. Priorities:

(1) Priority 1: Information concerning the existing civil disturbance/subversion threat against U.S. national interests, the realization of which could result in large-scale riots involving U.S. forces. This category of information is of such importance as to warrant maximum increased effort.

(2) Priority 2: Information concerning a potential civil disturbance/subversion threat against U.S. national interests, resulting from nationwide local racial incidents, deliberate provocations or regional difficulties which could result in limited involvement of U.S. forces. This category of information is of such importance as to warrant moderate increased effort.

(3) Priority 3: Information concerning natural phenomena and human adaptations, their interrelationships and effects on the civil disturbance situation in the nation. Collection of this information warrants routine effort.

b. Subpriorities:

(1) A—Items requiring action before subpriority B or C items.

(2) B—Items requiring action after subpriority A but before subpriority C items.

(3) C—Items requiring action after subpriority A and B items.

2. (C) Priority Intelligence Objectives. Department of the Army priority civil disturbance intelligence objectives to be supported by this plan are stated below:

a. Priority 1:

(1) Maximum prior warning of an impending major civil disturbance outbreak in the United States.

(2) Major developments in the composition, disposition, and capabilities of dissident/subversive groups in the United States.

b. Priority 2:

(1) Plans, activities and capabilities of dissident/subversive organizations to create disturbances and effect arson, demolition, vandalism and other disruptive activities against property and persons of particular interest to the U.S. Government.

(2) Present and prospective dissident/subversive capabilities to initiate or support civil disturbances, subversive and paramilitary operations in the United States.

(a) Contact with dissident and subversive elements in target areas and support of such elements' activities.

(b) Logistic support to anti-Government elements.

(3) Major developments in the composition, disposition and capabilities of subversive/dissident groups.

(a) Organization

(b) Strength, location

(c) Support

(4) Vulnerabilities of local and state governments to penetration, internal subversion and overthrow, through violence or other illegal means, by subversive/dissident groups and biographic data on current, key leaders of such groups.

(5) Nature and extent of insurgency potential in low income, racially troubled areas.

(6) Extent and nature of Communist aid to dissident/subversive groups.

(7) Intra-group relations and schisms; extent and nature of internal resistance and disagreement within subversive/dissident organizations.

(8) Circumstances, trends and occurrences that substantially affect capabilities of subversive/dissident groups to create civil disturbances, including acquisition of arms and enactment of new legislation.

c. Priority 3:

(1) Routine developments in the composition, disposition and capabilities of subversive/dissident groups.

(2) Circumstances, trends and occurrences that routinely affect capabilities of subversive/dissident groups to create civil disturbances.

(3) Routine data on personnel, funds, resources, organization, and location of dissident/subversive groups.

(4) Other information concerning civil disturbances that requires routine collection effort.

TABLE OF COLLECTION PRIORITIES

Subject	Key cities	Other areas, United States	Other areas, foreign
(1) PREDISTURBANCE ACTIVITIES			
(a) Indicators of threatening violence in community having a discontented populace:			
(1) Presence of militant outside agitators	1B	1C	
(2) Increase in thefts and sales of arms and ammunition	1B	1B	
(3) Increase in efforts of minority extremist groups to instigate violence	1B	1B	
(4) Sharp increase in number of incidents of violence such as thefts, window breaking, false alarms, muggings, arson	1B	1B	
(5) Reports and rumors of planned violence	1B	1B	
(6) Increase in activity of extremist groups	1B	1B	
(7) Sharp increase in absentee rate of discontented minority workers	1B	1B	
(8) Increase in number of incidents of resisting arrest; gathering crowds at scenes of arrest	1B	1B	
(9) Increase in charges of police brutality, resentment of law enforcement	1B	1B	
(10) Increase in gang activity; antisocial activity of minority group members	1B	1B	
(11) Increase in assaults on police/firemen	1B	1B	
(b) Activities preceding planned civil disturbance:			
(1) Probable causes, locations, and objectives of disturbances	1B	1B	
(2) Probable types of persons who will create or participate in disturbances	1B	1B	
(3) Probable numbers of persons who will create or participate in disturbances	1B	1B	
(4) Probable assembly areas or routes	1B	1B	
(5) Known leaders, overt and behind-the-scenes	1B	1B	
(6) Plans, activities, and organization prepared by leaders	1B	1B	
(7) Friends and sympathizers of participants, including newspapers, radio, television stations, and prominent leaders	1C	1C	
(8) Location of arms and supplies available to rioters	1B	1B	
(9) Location of arms and supplies liable to seizure by rioters	1C	1C	
(10) Important buildings that may be threatened	1C	1C	
(11) Location of communications systems, public utilities, and stores of volatile fuel	2C	2C	
(12) Threat to Federal property	1C	1C	
(13) Identity of DA personnel (civilian or military) who may be involved on side of disturbers	1C	1C	

TABLE OF COLLECTION PRIORITIES—Continued

Subject	Key cities	Other areas, United States	Other areas, foreign
(1) PREDISTURBANCE ACTIVITIES—Continued			
(c) Indicators of potential violence:			
(1) High unemployment rate for discontented minority groups	2C	2C	
(2) High crime rates for minority groups	2C	2C	
(3) Disparity of average income between white and non-white	2C	2C	
(4) Poor relations between law and minorities	2C	2C	
(5) Migrations of minorities into cities	2C	2C	
(6) Lack of means to redress grievances	2C	2C	
(7) Protests of minority community to conditions	2B	2B	
(8) Efforts by minority groups to upset balance of power and political system	2B	2B	
(9) Failure of law enforcement agencies to properly respond	2B	2B	
(10) Inequitable law enforcement	2B	2B	
(11) Public apathy or negative reaction to civil rights issues and impartial law enforcement	2B	2B	
(d) Evidence of subversion:[1]			
(1) Formation of covert subversive organizations	1C	1C	1C
(2) Evidence of or attempts by subversive organizations to penetrate and control civil rights or militant organizations	1C	1C	1C
(3) Collaboration between subversive groups and non-white organizations	1C	1C	1C
(4) Assistance to non-white militant groups from outside the United States	1C	1C	1C
(5) Indications of movement into extremist, integrationist and segregationist groups by the Communist Party and other subversive organizations	1C	1C	1C
(6) Aims and activities of groups attempting to create, prolong or aggravate tensions	1C	1C	1C
(e) Purposes and objectives of dissident groups:			
(1) Overall purpose and objectives. Long-term and short-term objectives and relationship to problems of minority groups and the country. Estimates of plans and objectives; capabilities; resources to be employed	2B	2B	2B
(3) Targets or planned targets of violence, burning or looting	1A	1A	
(4) Patterns of violence that suggest organization	1A	1A	
(5) Indications of participation or instigation by subversives	1A	1A	
(6) Expected duration of disturbance	1A	1A	
(7) Motive for the disturbance. Anti-authority? Anti-white? Mixed?	1A	1A	
(8) The reserves committed by local agency commanders in the current situation	1A	1A	
(9) The effects on the current situation of reserves that have been committed	1A	1A	
(10) The projected effects of reserves that have been requested but not yet committed	1A	1A	
(11) The ability of the forces currently on the scene to contain the area and intensity of the disturbance	1A	1A	
(2) Subordinate Elements. Administration, organization, functions, responsibilities, principal and alternate locations, strengths, facilities, lines of authority organization, and key personnel	2A	2A	
(i) Tactics and strategy of dissident organizations: How are civil disturbances and related actions planned and executed? Nature and scope of tactics and strategy. Proposed or planned deviation from usual or accepted tactics	2C	2C	
(j) Personnel:			
(1) Number of active members: breakdown of membership by ethnic group, age, education, economic status, criminal record, and biographic data on key members	2B	2B	
(2) Potential for increasing membership, numbers of persons, source of members	3A	3A	
(3) Women members. Age, position, and authority within group. Biographic data	3A	3A	
(4) Pay. What members receive pay? Are expenses reimbursed? Source of funds	3A	3A	
(k) Administration: How is organization supervised and controlled? Who is responsible for correspondence and related action? Does organization produce publications? Identify	2C	2B	
(l) Training: Are skills useful in civil disturbances taught, e.g., fabrication of Molotov cocktails, firearms? Communication training. Countersurveillance, other countermeasures. Clandestine skills (infrared photog, SW). Training, areas, instructors. Sources of training support	2C	2C	
(m) Logistics: Sources of supplies, weapons, vehicles. Location, stocks, capacities of stockpiles. Method of resupply	2C	2C	2C
(2) ACTIVITIES DURING CIVIL DISTURBANCE			
(a) Activities During a Civil Disturbance:			
(1) Location of violence	1A	1A	
(2) Identification of participants and leaders	1A	1A	
(2) Specific aims and roles. Coordination with other minority groups and dissident organizations. Support obtained from agencies	2B	2B	2B
(f) Capabilities and vulnerabilities of dissident groups: Evidence of strengths and weaknesses in terms of effectiveness to create civil disturbance situations, to expand activities to meet emergencies, to enlarge potential for disturbance, and to maintain own internal security	2C	2C	2C
(g) Funds: Source and extent of funds, how are funds distributed, and general purposes for which funds are used	2C	2C	2C
(h) Organization of dissident groups:			
(1) High Command. Composition and structure of headquarters. Relationship to other agencies. Exact titles, location of functions and responsibilities, lines of authority, organization charts. Rosters of key personnel	2A	2A	2A
(12) The direction of the disturbance; whether anti-authority, anti-white, or undirected.	1A	1A	
(13) The trends of riot connected activity; sniping, looting, bombing.	1A	1A	
(14) The types of attacks on authorities; rock throwing, sniping.	1A	1A	
(15) The reactions of authority to attacks; whether withdrawing or counterattacking.	1A	1A	
(16) The authorization for use of riot control equipment.	1A	1A	
(17) The riot control equipment presently in use.	1A	1A	
(18) The use of mass media to influence civil disturbance elements.	1A	1A	
(19) The refusal of local agency personnel to respond in disturbed areas or while under fire.	1A	1A	
(20) The presence of news media representatives in the disturbed area.	1A	1A	
(21) The effect of news media representatives in the disturbed area.	1A	1A	
(22) The extent of reporting from the disturbed area, and its sources	1A	1A	
(23) The communications with personnel in the disturbed area	1A	1A	
(24) The emergence of spokesmen for the minority element	1A	1A	
(25) The indication of organization of the rioters	1A	1A	
(26) The presence of militant leaders and their activities	1A	1A	
(27) The efforts to instigate or perpetuate violence	1A	1A	
(3) POSTDISTURBANCE ACTIVITIES			
(a) Activities following civil disturbances:			
(1) Is disturbance likely to recur?	1B	1C	
(2) When can it be expected to break out again? Where? In what form? To what degree?	1B	1C	
(3) Are factors that precipitated the outbreak still present? What factors? To what extent do they still exist?	1B	1C	
(4) What is attitude of minority groups who participated?	1B	1C	
(5) Have militant agitators and other leaders left the area of civil disturbance? Where are they currently located?	1B	1C	
(4) INTERNATIONAL ACTIVITIES RELATED TO CIVIL DISTURBANCES			
(a) Manifestations of support by "peace" organizations or other organizations in either Communist or non-Communist countries			1B
(1) Name of organization demonstrating support			1B
(2) Leaders			1B
(3) Number of participants			1B
(4) Nature of protest activities			1B
(5) Salient features of protest, if any			1B
(b) Exploitation of U.S. prisoners of war and internees by foreign countries in support of CONUS civil disturbances. All available details			1C
(c) Exploitation of U.S. deserters and defectors by foreign countries in support of CONUS civil disturbances. All available details			1C

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[1] As relates to civil disturbances only.

APPENDIX D (DISTRIBUTION) TO DEPARTMENT OF THE ARMY CIVIL DISTURBANCE INFORMATION COLLECTING PLAN (ACDP) (U)

1. DOD agencies

Organization:	Number of copies
OJCS	3
DN	3
DAF	3
USMC	2
USSTRICOM	3
DSA	1
DIA	3
DCA	3
USCONARC	3
USARSTRIKE	5
USAREUR	2
USARPAC	2
USARSO	2
USARAL	2
USAEDC	2
USAINTC	20
USAINTS	2
USAMC	5
USARADCOM	7
USASCC	3
USASA	3
USASA School	2
MTMTS	2
FIRST US ARMY	2
THIRD US ARMY	2
FOURTH US ARMY	2
FIFTH US ARMY	2
SIXTH US ARMY	2
SEVENTH US ARMY	2
EIGHTH US ARMY	2
MDW	3
USAJFKCENSPWAR (ABN)	2
III CORPS	3
XVIII AIRBORNE CORPS	3
2D ARMORED DIVISION	2
5TH INFANTRY DIVISION (MECHANIZED)	2
82D AIRBORNE DIVISION	2
DA	103
SA	(2)
CofSA	(2)
VCofSA	(2)
SGS	(2)
DCSPER	(2)
DCSLOG	(2)
DCSOPS	(5)
ACSI	(15)
ACSFOR	(2)
ACSC-E	(2)
CORC	(2)

APPENDIX D.—Continued

CRD	(1)
COA	(1)
CINFO	(2)
TAG	(1)
TIG	(1)
TJAG	(1)
TPMG	(3)
TSG	(1)
CofENGRS	(2)
CofCH	(1)
OPO	(1)
*NGB	(50)
*(One copy for each CONUS State AG)	
Directorate of Civil Disturbance Planning & Operations	8
USAMPS	2
USAWC	2
NWC	1
ICAF	1
DIS	1
AFSC	1
USACGSC	1
ASD(I&L)	1
Dir, Scty Policy, ASD (Admin)	1
2. Non-DOD agencies	
Organization:	
The President's Foreign Intelligence Advisory Board	2
National Security Council	2
United States Intelligence Board	2
Central Intelligence Agency (CIA)	5
Department of Transportation U.S. Coast Guard	2
Department of the Treasury	5
Office of the Special Assistant (Enforcement)	(1)
United States Customs	(1)
Bureau of Narcotics	(1)
U.S. Secret Service	(1)
Internal Revenue Service, Alcohol & Tobacco Tax Division	(1)
Department of Justice	10
Community Relations Service	(1)
Civil Rights Division	(1)
Internal Security Division	(1)
Federal Bureau of Investigation (FBI)	(3)
Interdivision Information Unit	(1)
Immigration and Naturalization Service, U.S. Border Patrol	(2)
Atomic Energy Commission (AEC)	2
Subversive Activities Control Board	2
General Services Administration	1

NEED FOR FEDERAL REVENUE SHARING

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. EILBERG. Mr. Speaker, the critical need for some form of Federal revenue sharing with the States has been graphically illustrated this week by the fiscal crisis in Pennsylvania. On Monday, Gov. Milton Shapp was forced to announce that the State of Pennsylvania could no longer pay its bills or meet its payroll. Some 88,000 State employees were faced with a total loss of income.

While it now appears that the immediate financial impasse will be resolved by the enactment of a State income tax; the problem is still there and it will not go away until the Congress takes action on the President's proposal for revenue sharing.

The Pennsylvania crisis was dramatic; but it was not atypical. Many other large States face similar dilemmas simply because the demand for public services is greater than the money the State can raise to provide them. It is time now to begin using the efficient tax-generating structure of the Federal Government to raise additional funds and then pass these funds on to the States and cities.

I would also add a footnote for those who favor the federalization of welfare as an alternative to revenue sharing. In the case of Pennsylvania, welfare payments, since they are paid out of special funds, would not have been affected by the cutoff in State spending. The crisis was in the area of delivering public services to the citizens of Pennsylvania and this was where revenue sharing would have helped. I hope in the near future we will have such aid.

DISABLED AMERICAN VETERANS—A TRIBUTE TO QUIET COURAGE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. ANDERSON of California. Mr. Speaker, 1970 marks the beginning of the Disabled American Veterans sixth decade of service to veterans of the United States.

From a Christmas Day party in 1919, this national organization has grown to a thriving institution rendering invaluable service to our country, both in war and in the aftermath of war. Their service has come in several forms: service to disabled veterans and their dependents, sponsoring legislation for the benefit and welfare of our Nation's wartime disabled veterans and their loved ones, and support for the growing effort to secure humane treatment for our prisoners of war.

These men know war, and as our own General Sherman stated:

> You want to know what war is? War is hell.

The members of DAV know this and they know that our manifest destiny rests upon peace—peace with honor. It is the noblest aspiration of Americans who love their country. It is for this cause that our sons and comrades have given themselves in battle.

The goal of peace, and the achievements of our country are also the truest monuments and highest tributes we can pay those heroes who have served our Nation so well. Their contribution toward saving our Republic, and their great deeds and duty, so nobly completed, will never cease to be prized by a grateful country.

There comes to mind the words of Abraham Lincoln:

> Let us strive on to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow and orphan.

Lincoln was reminding us that it was not enough that we should merely remember those who served in our behalf. We have an additional obligation. While we have little power to repay our war dead directly, we can and should honor them by making certain that we have adequately provided for their families and for their comrades who survive.

We have taken some steps in paying this debt—but we must realize that much remains to be done. Present medical care is not adequate; present levels of pensions and compensation are not sufficient; educational assistance benefits are not at a level to cover the cost of education.

With the help of the Disabled American Veterans organization, we will achieve the great goals as presented by those who know war and know that our obligation to our comrades who served, is never over.

ASSISTANT SECRETARY HENKIN ON "THE SELLING OF THE PENTAGON"

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. HÉBERT. Mr. Speaker, I want to insert into the RECORD a copy of a letter I have today received from Daniel Z. Henkin, Assistant Secretary of Defense for Public Affairs, concerning the CBS program, "The Selling of the Pentagon."

The letter speaks for itself. Also inserted is a copy of a press release which CBS issued on March 12, 1962.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., March 3, 1971.

Hon. F. EDWARD HÉBERT,
Chairman, Committee on Armed Services, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: You asked me yesterday when we were luncheon guests at the National Press Club to send you a letter giving you my overall assessment of and comments about the CBS program, "Selling of the Pentagon."

First, I want to make four points:

1. The Pentagon is not for sale.
2. The men and women in the Department of Defense, military and civilian, are not for sale.
3. Our national security is not for sale.
4. And not for sale either, is the right of a free press to criticize the Pentagon.

I am aware that you have asked us a number of detailed questions about this show, which was eleven months in the making. I will have answers to these detailed questions for you shortly.

There are some who might question our right to have spent thousands of dollars and hundreds of manhours in assisting CBS to produce this show. But I believe most emphatically that such assistance was appropriate and that we have the responsibility and obligation to provide such help.

We have completed a preliminary analysis so that we could accurately respond to your questions, including those related to truthfulness and professional ethics.

There are a number of factual errors. These errors range from the erroneous statement that there are 30,000 offices in the Pentagon—actually there are about 5,000—to important errors and distortions. As an example, the program asserts that a military officer in a public statement at Peoria, Illinois, made an inappropriate personal comment related to foreign policy. Actually the officer was reading a quotation from the Prime Minister of Laos. I think you will agree that this distortion misinformed the viewers of that program who were led to believe they were hearing one U.S. military officer's personal view rather than a quotation from Souvanna Phouma of Laos.

The CBS Report gives considerable attention to a number of troop information films made and cleared for public release nearly a decade ago, but currently available to the public under provisions of the Congressionally-approved Freedom of Information Act. I know that as a former city editor and longtime member of the Congress, you share with me a strong conviction that the Freedom of Information Act should be supported, and that we at the Pentagon should not rewrite history by destroying or suppressing previously cleared films which are requested by the public.

Interestingly, CBS uses an excerpt from a film called "Road to the Wall."

The CBS narrator did not inform his viewers that on March 12, 1962, the CBS Information Service, 485 Madison Avenue, New York City, put out a two-page press release—a copy is attached—announcing that it was producing a 45-minute documentary film for the Department of Defense on "The History and Objectives of Communism." The CBS press release quotes the Vice President, Programming, CBS Films, as describing "Road to the Wall" as "an historical treatment of the Communist Party in operation throughout the world—its doctrine, its pronouncements." CBS was, of course, paid by the Department of Defense for production of this troop information documentary.

I wish to emphasize, Mr. Chairman, that I do not think CBS is in the business of propaganda. Neither is the Department of Defense.

I have never questioned the integrity of CBS News, and I do not do so now. However, I do question the integrity of this particular show.

Needless to say, as a person who has spent his life in the news profession, I could not be pleased by the fact that the program's producer chose to re-arrange my words as given during an interview of more than one hour with the CBS narrator. In one instance, CBS censored the first sentence of a reply I made, and then put in two sentences which were lifted from my answer to a different question.

Additionally, I cannot help but express to you my satisfaction that the former military information officer, who bragged that he had fooled a CBS news team in Vietnam, is today a *former* member of the Armed Forces. I was surprised that CBS should use an individual who said he had not played squarely with them as its single military information authority on the program.

Among other distortions in the program is the footage which CBS aired depicting a daily Pentagon briefing given by my Principal Deputy, Jerry W. Friedheim.

The CBS narrator states that Mr. Friedheim "does not, of course, tell all he knows. He wouldn't have his job long if he did," the narrator says. The fact is that if Mr. Friedheim did tell all he knows, such as responding to the question asked at this session about the size of the possible multiple nuclear warheads on the Soviet SS–11 ICBM, he would be violating the law by disclosing national security information. Further, the responses made by Mr. Friedheim to numerous questions were rearranged in a manner similar to the treatment of my responses.

Let me emphasize again, Mr. Chairman, that I do not question the integrity of CBS News. My concern is with the particular show you have asked me about. In my view, this program has misled and misinformed the people who watched it.

In a free society, it is vital that a free press keeps a close and continued watch on the Department of Defense and on its information programs. We do make mistakes; these mistakes should be brought to public attention by ourselves, and, if we fail to do this, by a vigilant free press.

Sincerely,

DANIEL Z. HENKIN.

FORTY-FIVE-MINUTE DOCUMENTARY ON HISTORY OF COMMUNISM TO BE PRODUCED BY CBS FILMS FOR DEFENSE DEPARTMENT

(Robert F. Lewine in Charge of Production for CBS Films; Producer: Robert Saudek; Writer: Don Mankiewicz)

March 12, 1962.

CBS Films Inc. will product a 45-minute documentary film for the U.S. Department of Defense on the history and objectives of communism, it was announced today by Robert F. Lewine, Vice President, Programing, CBS Films. Mr. Lewine will serve as executive producer of the film, tentatively titled "The Road to the Wall."

Robert Saudek, whose "Omnibus" series received a total of 72 awards and who won Peabody Awards for the documentaries, "Hiroshima," "Communism—U.S. Brand" and "Clear and Present Danger," has been named by Mr. Lewine as producer of the film. Don Mankiewicz, whose novel, "The Trial," won the Harper's Prize, will write the script. Mr. Mankiewicz' previous writing credits include the screenplay for "I Want To Live" and dramas for such television series as "Playhouse 90," "Studio One," "The Kraft Television Theater" and "Armstrong Circle Theatre." He also wrote the screen version of "The Trial."

Negotiations for the production of the documentary, which is scheduled for completion in mid-April, were made by Tom Judge for CBS Films with Assistant Secretary of Defense Carlisle P. Runge, who is in charge of military manpower policies. Directly responsible for the production in behalf of the Pentagon is Edward L. Katzenbach, Jr., Deputy Assistant Secretary of Defense for Education and Manpower resources.

The film, described by Mr. Lewine as "an historical treatment of the Communist Party in operation throughout the world—its doctrine, its pronouncements," is one of the projects of a long-range, three-year military information program by the Defense Department. It will be distributed for showing at all military bases inside and outside the U.S.A. and will be backed with pamphlets, posters and other informational material on communism.

THANK YOU, MR. PRESIDENT!

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. HUNGATE. Mr. Speaker, in view of all the concern with protecting our citizens from the ravage and waste of flooding, I would call attention to the following editorial in the Salisbury Press Spectator on Thursday, February 25, 1971.

I include the article as follows:

THANK YOU, MR. PRESIDENT!

All indications right now point to some more damaging floods this Spring—heavy snow and ice to the north which will no doubt be swelled by the normal Spring rains. And the people in this area can look forward to the same thing they have been living with for years—crop losses, property damage and the despair that comes with seeing your potential living washed away.

Why? Because President Nixon has discriminated against this area by refusing to release $400,000 appropriated by the Congress for flood control work on the Chariton-Little Chariton Rivers in fiscal 1971. Let me emphasize: The U.S. Senate and The U.S. House of Representatives appropriated this amount for this project months ago. The President then reduced it to $350,000 and then "froze" it so that not a penny can be used.

Meanwhile, one billion, three hundred million tax dollars (including tax dollars you and I are paying) will be spent for flood control and water projects in other parts of the United States. And the President is so concerned about the welfare of the states and cities that he wants to send tax money back to them to solve local problems. Still he refuses to release money *already appropriated* by the Congress to help this area, which has suffered losses of $7,000,000 from floods in the last ten years.

Local people have worked hard and long on these projects, but they are getting discouraged. Can you blame them. This is not government for and by the people. This is dictatorial rule by one man, in direct opposition to the expressed wishes of the Congress.

What can be done? Write to Richard M. Nixon, President of the United States: The White House; Washington, D.C. He probably won't see your letter, but somebody will and maybe, just maybe, it might make a difference. Write today!

RECLAIMING THE PATUXENT

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. GUDE. Mr. Speaker, Donald Hirzel of the Washington Evening Star, has called attention to a serious problem in the despoiling of Maryland's Patuxent River. A major cause of this is soil erosion, soil runoff, and resulting siltation of the tributary streams. Real solutions to such problems can be found through local government action; such as by good planning, zoning, and subdivision regulations to properly control subdivision development, along with adequate regulations on sand and gravel pits and on agricultural operations.

Last week I met with Federal, State, and local officials, including Paul W. McKee, director of the Maryland Department of Water Resources; Edward Webb, administrative assistant to Executive Joseph W. Alton, Anne Arundel County; and John Baumeister, of the Environmental Protection Agency, to consider steps to be taken to deal with a disgraceful soil erosion and water pollution problem at Maryland City in Anne Arundel County. Due to a lack of appropriate regulations, a tremendous mountain of dirt, covering 14 acres, along with poor storm sewers have contributed to the sedimentation and despoiling of the Patuxent River. Fortunately, Anne Arundel County Executive Alton is moving to correct these conditions by recommending an item in the county's capital budget to begin the reclamation of the exposed earth. In addition, State and county officials are working together to remedy the inadequacies of the storm drainage system.

This is an example of the type of persistent teamwork which will be necessary for the cleanup and restoration of the Patuxent.

Mr. Speaker, I commend to my colleagues the article from the Sunday Star of February 28, 1971:

THE POLLUTED PATUXENT: SUBURBS ARE KILLING RIVER

(By Donald Hirzel)

The Patuxent River is dying.

It was beginning to show the signs of death two centuries ago when George Washington rode across a log bridge spanning the river near what is now Laurel on a visit to Montpelier.

There were only traces of pollution then—the clear waters of the 110-mile river, which starts as a trickle in Montgomery and Howard counties, would become slightly muddy in heavy downpours.

The discoloration came from silt finding its way from poorly plowed farms that sprang up throughout the area.

But the Patuxent was still a strong river and took the abuse that came through the years. That is, until about 15 or 20 years ago.

That was when major urban development began in earnest.

Land was stripped of vegetation to make way for concrete. Sewage treatment plants were built to care for the waste of the growing population. Sand and gravel pits sprouted along the banks of the river.

SILT, SEWAGE CLOG STREAM

Today, the once graceful river is dark brown from silt, reeks of sewage in some areas, and is rapidly filling with mud, narrowing the channel and filling in marshes that were once homes for migratory water fowl and animal life.

Only the upper reaches of the river, above the Triadelphia Reservoir, are still relatively clean, thanks to good farm practices, ground cover and a thin population. There trout still can survive.

From Laurel south, man's influence is readily seen from the muddy water in the Bowie area to the green waters below Upper Marlboro which spell pollution.

As the river broadens in Charles, Calvert and St. Marys counties before joining the Chesapeake Bay at Cedar Point, much of the silt has settled and the tidal area is flushed by the tides.

But experts believe the conditions existing on the middle portions of the river eventually will affect the lower river.

CLEAN-UP NEEDED

Thomas E. Dudley of Rosaryville, in southern Prince Georges County, observed that it "may be too late to save it. We may have to go back and clean it up."

He was speaking at a meeting of the Prince Georges County Planning Board, the Patuxent River Watershed Advisory Committee and the Marlboro-Patuxent Advisory Committee. The agencies met last week to share their experiences in a year of studying ways to save the river.

Studies of the river are nothing new. There have been others, including a "Master Plan for the Patuxent River" made public in 1964.

But not much has really been done, although steps are now being taken.

It was these steps that the committees spoke about at the meeting—more stringent pollution controls, enforcement of a new law to prevent silt from filtering into the river, improved farming practices to prevent drain-off from plowed land, catch-basins to trap water runoff from the concrete and asphalt highways, housing developments and shopping centers.

VEGETATION NEEDED

The committees were told of the need for trees and other vegetation along the watershed and the helpful acquisition of land along the river by the Maryland-National Capital Park and Planning Commission.

The meeting presented a vision of what the Patuxent can look like, if the people are willing to pay the cost.

They were told by Wes Johnson, of the park and planning commission, who has been working with the Marlboro committee headed by Edward C. Freeman, that the Patuxent can become a heaven for recreation-starved metropolitan Washington.

He painted a picture of a green southeastern Prince Georges County with lakes, parks, forests, even a marina near Upper Marlboro, swimming, fishing, hunting, wildlife preserves.

Four sets of plans have been drawn up for that section alone and will be discussed at civic association meetings over the next few months.

The conservationists say the technology is available to make them come true.

But there are also the realities of getting the cooperation of land developers, sand and gravel operators, farmers, and the taxpayers.

That is the next step in the long-range plans of the conservationists—to get the word to the people and let them make the final decision.

A farmer at the meeting said the river will never be "like it was when Washington made that trip to Montpelier, but it can be a hell of a sight better than it is now. It's up to us."

CRAFTS TRAINING NEGLECTED

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. PUCINSKI. Mr. Speaker, John Gardner once said that a country which neither respects its poets nor its plumbers will have a philosophy which cannot hold water.

The disrespect which our country has for its workingmen is clearly shown by the fact that the Federal Government is spending $14 for higher education for every dollar which it spends for vocational education.

At this point in the RECORD, I would like to insert an editorial from the Danville, Ill., Commercial-News which succinctly states the enormous need for greater support for occupational training in our schools.

The article follows:

GUEST EDITORIAL—CRAFTS TRAINING NEGLECTED

No matter how much money the government devoted to education, there would be calls for more. Yet for every $14 of federal money invested in universities, only $1 is spent on vocational education.

Vocational education is a forgotten stepchild with no powerful lobby in Washington looking out for its interests.

But conventional education, on which we spend so much money in the belief that it is the answer to poverty, will not eradicate or even reduce poverty, claims one government official.

Poverty would be reduced not by opening new universities but by offering education with a vocational purpose, says Marvin Feldman of the Office of Economic Opportunity, director of the Presidential task force on vocational education and poverty.

He proposes a national system of vo-ed with the federal government supplying funds for the initial cost of buildings and materials. Another method would be performance contracts with private institutions to provide the education for the same amount allowed the school system.

Ideally, he says, vo-ed should begin in the 3d grade and continue thru high education school, culminating in a degree in vocational education.

Businessmen, labor leaders, parents and students must change their attitude that vocational education is something for the misfit, the disciplinary problem or the dull child who does not have the aptitude for college, says Feldman.

Indeed, it might be added that vocational education could be a boon not just for the sons and daughters of poverty but for thousands of middle-class youths who enter college every year not because they want to but because of social pressures and the lack of any alternative.

Strange, for a nation that was built by working people, who made a reality out of the dreams of the political philosophers, a lot of us look down on the person who works with his hands.

Meanwhile, some of them, like energetic plumbers earning $18,000 a year, chuckle all the way to the bank.

NO LONGER UN-AMERICAN ADMITTING CHINA TO UNITED NATIONS

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. LEGGETT. Mr. Speaker, it is not often that I find myself in agreement with conservative Columnists Kevin Phillips and David Lawrence. But within the past week both have advocated admitting mainland China to the United Nations, and in addition Mr. Phillips has come out in favor of U.S. recognition of that country.

These are most sensible and progressive positions. We cannot continue to pretend the world's largest country does not exist. We cannot continue to say China's aggressiveness and repressiveness makes it socially unacceptable, when we ourselves have a far more extensive record of interfering in other countries' affairs, and when a number of our "friends" are equally repressive at home.

President Nixon's policies toward China have been far more intelligent than those of his predecessors, and I commend him for it. I hope his actions will match his words.

At this point in the RECORD, I insert the column by Kevin Phillips entitled "Red China Dialogue," from the Washington Post of February 28, 1970, and the column by David Lawrence entitled "Red China's Chance to Win Worldwide Friendship," from U.S. News & World Report of March 1, 1971:

RED CHINA DIALOGUE

(By Kevin Phillips)

Though conservatives may grumble, President Nixon's policy of seeking a dialogue with Red China—announced in yesterday's State of the World message—is a sound response to international necessity.

Nearest home, Canada and China have just exchanged diplomatic missions. As a result, important markets for prairie province wheat have improved.

Chile's new Marxist government has completed a similar exchange, and South America—Ecuador and Peru—are considering ties with Peking.

Last November, Italy recognized Communist China, Belgium and Austria are expected to act this year. British-Chinese relations are warming up, with trade prospects playin a major role.

In the Middle East, Peking's trade is growing by leaps and bounds. The area receives some $200 million (25 per cent) of Red China's yearly foreign aid. From Albania, China's European satellite, radio stations boom out Peking propaganda across the Arab world. One focal point is South Yemen, already Peking-oriented, which is a staging ground for guerrillas operating against the British-backed Sultan of Oman. Another is the small crossroads nation of Lebanon, where Peking's trade is mounting and Chinese political activity is becoming more overt.

Peking may be on the verge of a diplomatic breakthrough in the Middle East. Lebanon, Libya, Iran, and Turkey have all indicated that they are weighing an exchange of ambassadors with Red China.

Across from Arabia, on the Horn of Africa, Ethiopia has recently recognized Red China, partly, one suspects, because of the growing strength of the Peking backed Eriteran insurgents. In East Africa, China is building vital railroad and naval facilities in Tanzania, and in West Africa, the tiny nation of Equatorial Guinea, formerly Spanish Guinea is on the way to becoming a black Albania only a few months after establishing relations with Peking. This month, Nigeria, Africa's most populous nation, also recognized Red China.

Russian periodicals complain that China's small navy has ventured into the Indian Ocean. Moreover, China has atomic bombs, plus new medium jet bombers capable of delivering them to nearby parts of Asia.

Asia, logically, is the principal focus of Red Chinese activity, and the Chinese dragon is cutting an evermore impressive swath.

Pakistan, once a close U.S. ally, now buys jet aircraft and armored cars from Red China. When Pakistani President Yahya Khan visited Peking in November to sign a trade pact, he hailed Mao Tse-tung as the "great man of Asia and the great man of the world."

India is friendlier to Russia than to China, but Maoist radicals are causing terror in cities like Calcutta. The small Himalayan states of Nepal, Sikkim, and Blutan, which lie between India and China, are tipping further and further towards Peking.

Neutralist Burma lies in China's shadow. And next-door Thailand, anticipating U.S. departure from Indochina, has toned down its anti-communism within the last few months and begun unofficial contacts with Mao's regime.

During the last few years, Peking has consolidated its hold on both North Vietnam and North Korea, which lie on the military firing line with the United States. Russian influence has been substantially displaced, and analysts now generally believe that Red China is the key to Asian peace.

With growing influence over its Asian periphery, China may be heading toward confrontation with Japan. There is already friction, begun last December, over the oil-rich Senkaku Island in the East China Sea. Many Japanese think that relations with Red China will be the chief item on Tokyo's diplomatic agenda for the 1970s.

Under these circumstances, the United States cannot expect to maintain the useless fiction that Chiang Kai-shek's Taiwanese (Formosa) regime is the government of China. Nor does such a posture serve our increasing need to deal with Peking. International opinion will put Red China in the United Nations this year or next, and the United States must also move in the direction of recognition.

Red China's Chance To Win Worldwide Friendship

(By David Lawrence)

Red China has the opportunity of a lifetime. It obviously wants to improve relations with various countries so as to increase trade with the non-Communist world. But to separate commercial arrangements from international politics isn't always practical.

At the moment, for instance, the Red Chinese are engaged in negotiations with two Japanese missions—one official and one private—which are visiting Peking to discuss trade and a possible betterment of relations with Japan. Meanwhile, Communist Chinese news agencies keep up their attacks on the Japanese Government and even on Emperor Hirohito.

As the Reuters correspondent in Hong Kong, Ernesto Mendoza, points out, "in the complex world of Peking politics, harsh words may hide a conciliatory gesture and official thinking does not always appear in black and white—there may also be unexpected twists."

Japan remains Red China's biggest trading partner. Recently Peking entered into reciprocal commercial arrangements with Canada, and there is no doubt that the Red Chinese are seeking to widen their export-import contacts on every continent.

What is not realized in Peking, however, is that the foreign policy of Red China has created an impression of irresponsibility.

The Red Chinese claim they are fearful of a rise of militarism in Japan, but the Peking regime has consistently failed to maintain a friendly attitude with the free nations of the world. There have been many incidents which have caused alarm, especially the threat of the use of nuclear weapons by Red China.

Peking's chief problem is to take care of the needs of the more than 800,000,000 people of mainland China, who someday could revolt. The economic situation is, therefore, most important. The free nations are willing to be friendly with Red China if it will turn to a policy of non-intervention in the affairs of other countries, particularly in Asia.

Red China has a chance to bring peace in Indo-China. It has a powerful influence with the Hanoi Government, having supplied for years a large amount of military assistance. The Vietnamization program in South Vietnam and the training and equipping of a force of a million men there now make futile any continuance of North Vietnam's aggressive acts.

Peking could dramatically demonstrate that it really wants peace by persuading the North Vietnamese to call a halt and end the tragic conflict that has been going on for more than a decade in Indo-China.

If Red China helped to settle the Vietnam war, not only would the effects be felt throughout Asia, but a policy of peace would turn the minds of the people of all countries from fears of aggression to activities for the buildup of economic strength. Asia is a relatively undeveloped continent, and Peking could achieve much for the benefit of its own people by working closely with the free nations of the world.

The admission of Red China to the United Nations has been widely discussed. There is no reason why a peacefully inclined government presiding over such a huge population should not be represented in a world organization. The U.N. Charter provides that membership is open to all "peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations."

So the important question is whether the government in Peking is ready to perform the duties imposed by the Charter, which says:

"All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present Charter."

This is a pledge which is meaningful, particularly in the troubled world of today. If Red China were to sign the U.N. Charter and obligate itself to carry out the provisions, peace not only in Asia but elsewhere would receive a significant stimulus.

The American people realize that Nationalist China, which has made remarkable progress on Formosa and now holds a seat on the Security Council of the United Nations, is a friend of this country and should not be alienated by the admission of Red China. The Nationalist Republic could retain membership in the United Nations concurrently with Communist China. There are a number of very small nations which are U.N. members.

It is essential, however, that the larger countries shall come within the jurisdiction of the United Nations and, mindful of its principles, work for peace.

The whole world would look upon Red China differently if the Peking regime abandoned its bellicose ways and began to travel the road of peace. It's a great opportunity to win worldwide friendship.

FALSE ALLEGATIONS CONCERNING CONGRESSMAN F. EDWARD HÉBERT IN THE TELEVISION PROGRAM, "THE SELLING OF THE PENTAGON"

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. HÉBERT. Mr. Speaker, on February 25 there was placed in the Congressional Record the text of an hour-long television program, called "The Selling of the Pentagon," in which I am presented in opprobrious tones.

As regards the false innuendos concerning me in the program, I answered extensively in a local television interview which appeared on the evening of Friday, February 26, and, in part, on the evening of Saturday, February 27. I also issued a press statement on February 27 in reply to a newspaper story, based on the television show, which made false allegations in regard to me. As yet, the corrections I sought to bring to the attention of the press have not appeared in all the places where the false statements appeared.

It may be that falsehood runs like a hare and truth moves like a tortoise.

It may be that I may never be able to get the truth to catch up with all of the false innuendos in this case, but I am going to try.

At the very least, I am going to try to make clear to all Members of Congress that I never take lightly the charge of being the tool of anyone, the Pentagon included.

Let me first also make clear that I, in no way, assume that the news media is out of bounds by criticizing the Pentagon. As a former newspaper editor, I know that no segment of the Government is, or should be, free from severe criticism by the news media. And it would be hard to find anybody in this town who has issued more public criticism of the Pentagon than I have over the last 30 years.

But presentations which are biased throughout, which are slanted to only use language and items which support that bias, and which clearly make false innuendos about individuals in order to prove the bias—such presentations detract from the media's function of being a true critic of society and make it more difficult for the worthwhile criticism to be presented and accepted.

Now let's look at the record and the facts:

Item No. 1. In the television program, "The Selling of the Pentagon," the script of which was inserted in the CONGRESSIONAL RECORD on February 25, the commentator at one point begins as follows:

> Using sympathetic Congressmen, the Pentagon tries to counter what it regards as the anti-military tilt of network reporting. War heroes are made available for the taped home district TV Reports from Pro-Pentagon politicians. Here Representative F. Edward Hébert of Louisiana asks Major James Rowe, a Green Beret and former POW, what keeps the Viet Cong fighting.

There followed a segment from the taped interview I had with Major Rowe, who escaped after many years' captivity by the Vietcong. The segment of my interview with Major Rowe concerned his dismayed reaction to antiwar demonstrations in the United States where he saw the Vietcong flag flying.

Now anyone seeing that on TV—or reading the script—is given several clear inferences which were obviously intended by the program:

First. That the Pentagon "used" HÉBERT for the program because he was sympathetic.

Second. That, therefore, the program was the Pentagon's idea.

Third. That the program was planned by the Pentagon to counter network TV reporting.

Fourth. That Major Rowe was supplied to me by the Pentagon.

To show you further how these inferences carry over to the people who should know better, one news reporter was so misled as to write in his paper:

> The film footage shows Hébert in an Army produced film interviewing a Green Beret officer who had been a prisoner of war.

This story did not imply anything—it just said flat out that the film was an Army-produced film. There are two things important here:

One is how the false inferences of the original program can lead to further flatly stated falsehoods in a follow-on story—the ripple effect of false innuendos. The reporter in this case was kind enough to call me and subsequently admit the error and printed a correction in his paper the following day.

The other important thing here is that neither the news reporter who wrote the story nor others who make the allegations in the program available to a wider audience, saw fit to check the alleged facts before disseminating them further.

Now let me state very clearly and very categorically that all of these allegations are pure falsehoods.

First. The Pentagon did not "use" HÉBERT to make the taped interview with Major Rowe.

Second. The program was not the Pentagon's idea; it was HÉBERT's idea.

Third. The program was not planned to counter network TV reporting. It was planned by HÉBERT for his local TV show in his home district because he thought his constituents should see Major Rowe.

Fourth. Major Rowe was not supplied by the Pentagon. Major Rowe appeared at my request. I asked him to appear. No one in the Defense Department hierarchy, to my knowledge, even knew that Major Rowe was going to be on the program with me prior to his appearance.

The interview with Major Rowe was not an Army-produced film. None of the military services had anything to do with producing the film. The film was made here in the capital and it was paid for by WWL–TV in New Orleans. It was made as one of the regular bimonthly TV programs for New Orleans station WWL–TV in which I appear.

Anyone who states that this program was produced at the Pentagon's suggestion or produced by any of the military services or produced with military funds or produced as an attack on the networks is telling a clear falsehood and misrepresenting the facts. Anyone who then has the real facts brought to their attention and does not present a clarification leaves their honor open to serious question. Let me say that I think it is particularly ironic that Major Rowe was presented here as a tool of the Pentagon. At the time Major Rowe was making public appearances there were stories in the press to the effect that the Department of Defense was curtailing his public appearances because there had been so many complaints about the fact that he was vigorously criticizing certain Members of the U.S. Senate.

Isn't it strange that a reporter would accept the things presented in the TV program and print them as fact without taking the time for one phone call to this old police reporter to see if he had any objections to the alleged facts about himself appearing in the script?

Item No. 2. I stated in a public TV interview on the evening of February 26 that the section of film showing me in the program, "The Selling of the Pentagon," was obtained under false pretenses.

An unidentified spokesman for CBS was quoted by the newspaper as saying my statement was untrue.

Following is a memorandum to me by my press aide, Lou Gehrig Burnett, concerning the request to us from CBS for the film. This memorandum states clearly that James Branon, of CBS, called and talked to Mr. Burnett to request any film he might have that they could use in connection with a documentary on the POW situation.

It also states that in response to several calls from Mr. Branon, Mr. Burnett obtained the names of every Congressman who had ever done a TV or radio interview with an ex-POW. Obviously, Mr. Burnett would not have done that if he was not led to believe the show was about POW's. During these calls Mr. Branon repeated that the video tape we supplied would be used for a POW special. If Mr. Branon chooses to issue a public statement calling Mr. Burnett a liar, he can do so. Of course, there are laws relating to slander.

The film of Major Rowe and myself was actually provided to CBS in July of 1970. In a letter sent at the time Mr. Burnett said:

> Please feel free to use any portion of the film as the Congressman has given his permission to do so.

The subsequent newspaper statements by the unidentified spokesman of CBS apparently attempt to use that statement in the letter to indicate that we authorized use of our film in any program. But it is quite clear from the letter that Mr. Burnett is writing in the context of the request for films concerning the POW matter. He is indicating that any portion of the film could be used for the POW program. He did not say the use of film for any kind of program you wish unrelated to POW's.

In any case, it is perfectly clear that CBS led my staff member, and therefore myself, to believe that they wanted the film for a program on POW's. And that, as far as I am concerned, is obtaining something under false pretenses.

Mr. Burnett's memorandum to me and his letter to CBS on the film follow:

CBS REQUEST FOR USE OF ROWE-HÉBERT INTERVIEW

FEBRUARY 26, 1971.

Congressman F. EDWARD HÉBERT:

James Branon of CBS in New York called me several weeks ago and said that his network was planning to do a documentary on the POW situation. He was seeking any film we might have in which you interviewed an ex-POW. Branon said the documentary would explore the plight of the POW and his family. Knowing you are very active in aiding POW's and their families, and after checking with you, we obtained a video tape of the interview you had done with Major James Rowe. You had asked Major Rowe to appear on your twice-monthly Congressional Report show which is done exclusively for WWL–TV in New Orleans, and he had agreed. I had the video tape sent to Washington from Louisiana, and I in turn mailed it to CBS.

Branon called me several more times seeking additional information. For example, I obtained for him the names of every Congressman who had ever done a TV or radio interview with an ex-POW. During these calls we discussed the proposed documentary at which time he again said the video tape would be used for a POW Special on CBS. Later, after he had obtained the video tape from us, he called to say that it had been edited and that he didn't think he could use any of it, therefore he was mailing it back to us. I recall telling him at the time that I was sorry to hear he would not have you on this special because you had done so much to publicize the plight of the POW and his family.

In addition, Branon had asked for the names of representatives of the various branches of service with whom he could discuss POW publicity. I gave him the names of the directors of the liaison offices in the Rayburn Building of the Army, Air Force, and Navy.

Later, in another conversation with Branon, I asked him how the documentary was coming along. He said they were having difficulties and he didn't know if they would be able to do it.

LOU G. BURNETT.

JULY 6, 1970.

Mr. BURNEY SEABROOKS,
CBS News Department,
New York, N.Y.

DEAR MR. SEABROOKS: I am sending you under separate cover the film of Congressman Hébert and Major Rowe.

It is most important, however, that we get the film back, and I would appreciate your returning it as soon as possible.

I trust it is not necessary to cut the film to obtain what you need because it goes to the Congressman's library and he would like the film to remain intact.

Please feel free to use any portion of the film as the Congressman has given his permission to do so.

With kindest regards,
Sincerely yours,
LOU GEHRIG BURNETT,
Press Secretary.

In conclusion, the shoddy handling of the fact in relation to myself, which constituted a brief portion of the program, makes one question the reliability and sincerity of the entire "The Selling of the Pentagon" program. I have, therefore, raised questions with the Department of Defense concerning other allegations made in the program and I intend to see that the Members of Congress and the public have an opportunity to judge for themselves where the true facts lie.

GETTING AT ROOT CAUSES—EDUCATION AND THE QUALITY OF LIFE

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. BINGHAM. Mr. Speaker, I would like to place in the RECORD at this point summaries of the final two panel sessions from the fifth annual community leadership conference held last December in the Bronx, N.Y. The subject of the conference was "Safe Streets: A Priority Goal." Certainly any consideration of crime must include a discussion of the root causes and two of the panels at the conference were devoted to this topic, one considering education and one the quality of life. The summaries follow:

PANEL III A

GETTING AT ROOT CAUSES—EDUCATION

Chairman: Mr. Dennis Gardner, Executive Director, Morrisania Community Corporation.

Panelists: Dr. James Allen, Former U.S. Commissioner of Education.

Mr. Andrew Donaldson, Superintendent, School District Line.

Mr. Mario Raimo, Bronx Representative, U.F.T.

Mrs. Sylvia Bloom, Community School Board District Ten.

Reporter: Mrs. Abigail B. Endicott

The following is a summary of Dr. Allen's remarks:

Education has two broad responsibilities regarding crime and drug abuse: 1) inculcate in your people respect for law, 2) make educational system responsive to the needs of *all* the young people who attend them, not just a few.

Stricter laws and enforcement, etc. will help to prevent crime, but will not by themselves fully solve the problem. Ultimate responsibility lies in the attitude of the people, rather than in the force of the law or the fear of penalties. The school has a positive role in establishing this attitude through education and teaching understanding about what is law, & government and what they mean. Teaching should emphasize the reason for law—why we have it and why it is needed. We have not done a good job. There is an appalling general ignorance by the people about government and law.

Law is based on respect of individuals for themselves and for others. Schools must be places where this respect exists. Teachers should respect each other and respect pupils. Pupils should have respect toward other pupils, toward parents and toward the school. There is too much "snob appeal" structured into our educational system. The farther away you get from the classroom, the more you get paid. Teachers should be the most qualified, toughest positions to reach.

Speaking in terms of not just discipline but also in the true meaning of "equality of educational opportunity", respect for law cannot abide where there is no equality of education. Laws, to be respected, must deserve respect, as Mr. Clark said. Better teaching will help, but demonstration of respect by schools will be in providing equal educational opportunity. Students who don't fit the usual pattern of need or of qualification are being neglected. Children of poor, the black, and often the bright students are neglected. If schools are to inculcate respect for law they must break out of rigidity. We must "humanize" the schools. Too many schools are still rigid institutions set up for the convenience of administrators rather than for the needs of the people in the schools. We must not forget these broad goals while we concentrate on special areas of need.

We must see that no child leaves school without having acquired the skill and the *desire* to read: the "right to read." The "right to read" is a basic right as fundamental as other rights. Yet one of four children leaves school without having acquired this skill. This is "inexcusable" when we spend $60 billion on education. This is an objective which we can zero in on. There is a repeatedly noticed correlation between crime rate and inability to read.

Education must go beyond the classroom. It must continue out into the broad society. A child spends only 10% of his life in his school in his first 21 years. Education must use the resources and technology of the community to help youngsters learn on their own. The public must support this change financially and philosophically. Education cannot be cheap or done with less than professionals.

Our school system must carry out these two responsibilities 1) inculcate in young people respect for law and 2) make the schools themselves responsible to all. Then we can get at the grass roots of this business of crime that we're talking about today.

The following is a summary of Mr. Donaldson's remarks:

After 10 years of experience as a classroom teacher in Harlem, he knows that unsafe streets go along with drugs. He has thought about it a great deal and has some insight to the problem.

Education affects drugs as follows:

First, there is no problem in the streets when children have drugs. The problem comes when the addicts don't have the drugs. This is a problem of supply level and it is a problem which has to be handled on the District Attorney level. Schools are affected by 1) the pusher; how to get the children to tell officials who he is—they all seem to know, but usually won't tell; 2) the addict, a youngster hooked on drugs can't be handled by the teachers; he needs outside and specialized experts; 3) the experimenter and the friend, a much larger number of people—sometimes more than half of a school population and getting lower in age all the time. It's at the latter level that schools can help.

Very few youngsters become addicts because of another addict. Most become addicts because of their friends. Schools could do something to prevent this if they would treat the following problems: 1) the childish attitude of adventure; 2) the attitude of parents, and how parents look to their children when they need cocktails and tranquilizers to "loosen up"; 3) the problem of status—a child becomes important if he does something that's dangerous and adventurous; 4) security—many children want to be accepted and as a result of the "generation gap" a child's friends take over in influence; 5) rebellion—many children want to punish or bother their parents.

To get to these problems in the schools we need change. But the school system doesn't want to change, to make our schools answer the needs of the times. We must get to the experimenters and the friends. One way to do this is to take children to see what goes on in drug rehabilitation centers. This can move them like a whole new religious experience. We must also get the pushers. Sometimes we have notified police who pushers were and nothing happened.

Not too concerned with law and order. Children get lessons on law and order every night on T.V. Schools often counter what the child is taught outside. Hitler came to power by law and order, and I remember that when I was in the service, the law required that I sit at the back of the bus. I'm more concerned with what the law is.

Contrary to what Mrs. Bloom implied, we cannot equate safe streets and the irradication of drugs with crowded schools. It's a problem of morale, a need for a sense of community. People have to mean what they say, believe in it and work at it.

Mario Raimo is the Bronx Representative to the United Federation of Teachers. He is currently working on a research dissertation on the politics of education.

The following is a summary of Mr. Raimo's remarks.

We look to our public institutions to solve our immediate problems. One thing confusing many people is the fact that we have the most extensively educated population of our history, and perhaps in the world, yet despite this record, the social fact indicates that as the level of education increases, nevertheless, there is an increasing problem of crime.

The schools themselves are victims of crime.

We look to schools, as we look to policemen, for other than their basic purposes. We have an expanded view of schools. Health, psychological welfare, social attitudes, and other aspects of the individual are now considered part of the province of the school. Have the schools accepted the proper functions, and if so, how can these functions be carried out?

One of the problems in performing these functions is picking up the clues and signals about what the society wants, e.g., question of discipline. Some people feel a need for more freedom for students. This has been the trend. Young people have much greater freedom now than five years ago, and especially thirty years ago. Other people say that we need tougher teachers and supervisors. It's hard to pick up the signals on what to do, and how to unravel the confusion of opinions. The schools reflect these confusions.

We can't assure parents that students enter a safe environment. There has always been petty crime in the school buildings, but now there is increasing violence outside and around the school buildings, e.g., at some schools it is not safe to go to the bathrooms. In one school 5,000 to 7,000 students will avoid the bathrooms, at physical pain, despite supervisors and police to protect them.

The commitment and the support that's given by the society was a topic in the plenary session. The problem of overcrowding in our schools is simply one of lack of support for educational institutions, just as we don't give adequate support to correctional institutions. This is part of the problem of school disturbances. The overriding majority of students are the victims and not the cause of student disruptions, e.g. Clinton High School where 6,900 students have behaved in a reasonable and rational way, is an example. Only a very small number make the schools unsafe and disrupt the schools. Special programs and curriculum reform to retain students in the building must be provided.

Recommends Charles Silberman's "Crisis in the Classroom" in reference to the dehumanization of crowded, massive schools. The narcotics program is an example of a turn in a favorable direction in efforts at new programs.

"Although the schools' functions are undermined by the crime problem which affects the citizen in the street, the schools have a vital role to play in any long term solutions." All of the following will contribute to this role: (a) curriculum reform aimed at developing positive attitudes (Silberman proposals on informal learning), (b) decentralization in practice, parent-community cooperation, (c) stable and safe schools, (d) protection of schools from criminal disruptions, (e) support for remedial and guidance services, (f) prevocational experiences that develop "employable" youth, (g) effective narcotics programs, (h) personnel practices that guarantee "due process" and that reduce staff turnover.

The following is a summary of Mrs. Bloom's remarks:

Mrs. Bloom began her remarks with an expression of overriding concern with what she views as "our overdeveloped technology in which all identity is lost." This loss of identity becomes especially acute for young people. Mrs. Bloom presents herself as a nonprofessional on the topic, "Education." Yet she is a concerned parent acutely aware of the problems of the young.

The problems of the schools are a microcosm of those of the overall society. The school is just one arena in which the learning process for a young person occurs. Beginning with the infant and his education in the home, the individual becomes the object of a variety of stimuli—school, the family, and peer groups. Often the child brings the problems of one environment into another; the unpopular child may have his problems with his peer group affect his performance in the classroom.

The education of the child is also strongly affected by the structure of our technological society. In our consumption-oriented society the parents in the family must make a determined effort to gain as much pecuniary worth as possible. The mother forgoes her traditional role as tender of the children and goes out into the business world. From breakfast to dinner the child's supervision comes essentially from the teacher and even when the parents return from work they are often too tired to assume the traditional parental role. Mrs. Bloom is amazed at the limited amount of turbulence considering the lack of supervision.

Another phase of the problems involving the educational system and its overall relationship with society involves the welfare system. This is becoming an increasingly serious threat to the educational system. In many welfare families the structure of the laws regarding the distribution of funds tend to force the father out of the household. Since the Aid to Dependent Children program gives money only to those families where there is no male parent in the house, many families have been broken up. Here we see a contributing reason for the general lack of respect which welfare children have toward the government.

Usually, the mother is not able to obtain a job because of obligations in the household or lack of marketable skills. The child is denied a home atmosphere conducive to learning, thus further retarding his progress. A vicious circle is started which leads to anti-social activities.

There are also internal conditions which are undermining our educational system. First, and foremost, is lack of facilities. More specialized personnel, particularly in the area of guidance are needed.

"Yes, our educational system is failing. But it behooves us to see the beam despite the mote in our own eye. We are failing our educational system. Unless we do something about our own thinking, the educational system will continue to go down hill until we find ourself with a system devoid of education—and we will have failed our children completely."

QUESTION AND ANSWER PERIOD

Question: (Persons from a Rudolf Steiner School) There are some private schools in our city that are operating with a shortage of staff and equipment and yet the children are receiving a good education and their parents are pleased with their development. Couldn't public schools learn something from private schools?

Answer: No comment.

Question: What can we do to get the U.S. out of the Vietnam war and see that money is committed to the needs of our society?

Answer—Mr. Donaldson: We could learn something from the woman who spoke about the war. Many youngsters learn about drugs and violence in the war. They come home, find frustration and retaliate. This shows up the need for change and a revamping of our educational system. The classroom now is a game—the teacher tries to think of questions that will make students think; some students raise their hands to see if they can make the teacher think they know the answer. We're not really getting any dialogue, not really getting to the needs of the child. Not letting him change courses and not getting to his needs creates a "hitback" attitude. The child wants to rebel.

Question (to Mr. Donaldson): How do we break the "country club" atmosphere and the power structure of our educational system?

Answer—Mr. Donaldson: I don't think we need funds. I don't even think we have a country club atmosphere—we have a military atmosphere. We have an entrenched and proliferating bureaucracy, a morass of checks and balances. What we need is a change in attitudes.

Question: Why doesn't the State control the city educational system, when it controls all the other schools in the State?

Answer—Dr. Allen: There are 900 Boards of Education and superintendents in the State; so, except for size, New York is no different from the rest of the State. The school system in New York City is so large that people lose contact with the school, e.g. New Yorkers don't vote on school tax and they lose touch with what's going on. The decentralization program is now trying to get schools closer to people who are supposed to be interested in them.

Answer—Mr. Gardner: Because we don't have State recognition there has been a problem for minority groups in New York.

Answer—Mr. Raimo: There is a kind of military system in the schools, not only for the students but for the teachers as well, e.g. they are told what books to read, etc. Composition of staff needs more balanced ethnic, religious and racial distribution. There has been a recent grant of $½ million to recruit teachers over the country. We have recruited 1,000 people to work in N.Y.C. schools beginning in September. We hope that colleges and our own schools will produce young minority group people who will be qualified to teach. Often, we can't find such people. There is a small number of black and Puerto Rican teachers often because people from these groups are prevented from going on from lower schools. I think this will change in the next few years. When the supply becomes available from colleges, and with a conscientious effort by the Board of Education, we may be satisfying the need for minority group teachers.

Question (to Dr. Allen): How can schools be changed to overcome the effects of crowding in children from broken homes and poor backgrounds?

Answer: We need pre-school, early childhood care on not just education, but also on health and welfare programs to fit their needs right then and there. This is an important priority.

Question: Why don't the UFT, the CSA and other educational organizations move for the kind of change that will confront the crisis in leadership and curriculum? Parents are not interested in lowering standards.

Answer—Mr. Raimo: The UFT and CSA are unions, just like any other; they do not run the schools. All we can point to are specific programs and attempts to change. The UFT arose not as part of the establishment but to cause the establishment to change. Looking to MES schools and efforts to restructure the curriculums, we *are* concerned.

Donaldson: Questions whether we are a profession. If we are, we're the only profession that takes the problems and tries to get rid of them by acting as if they don't exist. There is nothing wrong with having the youngster from a broken home in our schools. This should be the best opportunity for the schools to take the credit for educating. Children from middle class homes are educated at home, yet schools have been taking credit for the way they turn out. Children from broken homes are not inherently disruptive children; they are disrupted lives. In many cases it's better not to have a father in the house if he's just a drunk. Mr. Donaldson has seen children in the Caribbean and in Puerto Rico with not enough equipment or teachers, yet they are learning. The numbers game—re equipment and teachers—is irrelevant (even in terms of employment for the parents). What we need is attitudinal training and change.

PANEL III B

Getting at Root Causes—Quality of Life

Chairman: Honorable Robert Abrams, Bronx Borough President.

Panelists:

Hon. Herman Badillo, U.S. Representative, N.Y.C. 21st C.D.

Hon. Jerome Kretchmer, Administrator, N.Y.C. Environmental Protection Administration.

Hon. Albert Walsh, Administrator, N.Y.C. Housing and Development Administration.

Mrs. Delores Smith, Deputy Training Director, Martin Luther King Health Center.

Reporter: Mrs. Abigail B. Endicott.

Herman Badillo is the first Puerto Rican American to be elected to Congress. He was formerly President of the Borough of the Bronx, and Commissioner of the Department of Relocation. Mr. Badillo is a Certified Public Accountant and an Attorney at Law. The following is a summary of Mr. Badillo's remarks:

We will not have any livable cities in the future unless the problems of the cities are recognized as national priorities. City problems cannot be solved by the mayors and city commissioners alone because the cities simply do not have the resources required to deal with the problems. On the other hand, we cannot effectively succeed in obtaining help from the federal government unless all of the groups in the city work together.

One of the root causes of the urban crisis is discrimination, particularly against the black man. The experience of the Puerto Rican community in New York City dramatizes this. The white Puerto Rican learns to speak English. He is treated as a white man and generally receives the opportunity to move ahead. If a black Puerto Rican learns to speak English, he is treated as a black man and often does not receive the opportunity to move ahead. A mixed Puerto Rican is sometimes treated as a white man and sometimes treated as a black man, and his opportunities to advance depend upon how he is perceived by the rest of the New York City society.

In New York City we should strive to learn from the experience of the Puerto Rican community. Puerto Rico has fewer resources financially and otherwise than New York. Yet its people in Puerto Rico work better together. This is because Puerto Rico has been successful in eliminating institutional racial discrimination. Individual discrimination exists, but institutional discrimination has been eliminated for the most part and therefore all Puerto Ricans feel that they have a chance to be a part of the society.

This does not exist in New York City. We have institutional discrimination in every aspect of life in New York City—the hospitals, the schools and the police department. We must develop programs to eliminate institutional discrimination. Only when this is done will we be able to unite all people in the City and improve the quality of our lives.

Jerome Kretchmer is currently Administrator for the New York City Environmental Protection Administration. The following is a summary of Mr. Kretchmer's remarks:

In delivering services, I am responsible on a day-to-day basis for the environment of the city. The environment of the city is more than everyone sees. The most basic element of the environment is the subway. Unless it changes we can't do anything to improve the quality of life in this town. I haven't met one person who gets off the subway in a good mood.

Housing, too, is a basic element of the environment. No matter how clean the streets and air are, if housing and subways are bad, there is little I can do for the "environment."

Things that everyone faces everyday are so crucial. Crime and safety in the streets are such superficial issues. These things will disappear if the social order and the environment can be changed.

The quality of life in the city is different for different people. In the slums there are no superintendents, landlords and porters to keep the streets clean. Slums breed more slums. In Queens, where there is one-family housing, the refuse is collected only twice a week because the people themselves keep the streets clean. Problems of the city are not all the same; they are different in different communities. Garbage is collected eight times a week in South Bronx and this still doesn't begin to deal with the problem. It's "like spitting in the streets."

We will control air and water pollution. It's the sanitation problems, the filthy streets, et cetera that we must solve. The disposal of garbage is the most political question in the Bronx. "The quality of life deals with our capacity to deal with our problems." Like the creation of garbage. This society has taken more from the earth in the last 200 years than man did in all the rest of creation. This way of living is going to evaporate. We'll have to give up something. The quality of life will be different because we can't remain the same wasteful society. We will have to share our resources so that everyone has enough. We're like those astronauts who were running out of air, water and food and had to come home without landing on the moon. We are running out of resources, but "what's going to be *our* rescue helicopter?"

Albert Walsh, as Administrator of the Housing and Development Administration of New York City is responsible for directing all city activities in the housing and development fields, including urban renewal, middle-income housing, code enforcement, rent control, rehabilitation, demolition and the municipal loan program, as well as residential and commercial relocation. The following is a summary of Mr. Walsh's remarks:

Housing includes neighborhoods. A neighborhood is a man's basic environment.

In the Bronx there are a large number of dilapidated housing units. Many were cheap, inferior housing when they were built. This housing must be demolished. Some were sound structures, however, and one wonders why this housing has deteriorated. There is no sure answer.

As Mr. Badillo said, some of the problems of the city are not solvable by mayors and commissioners. Right now the city is very close to the maximum in funds for housing and rehabilitation. The State, surprisingly, has no rehabilitation program and the Federal government has only limited funds for this purpose.

We must have rentals that our families can pay. This now means that we need rent subsidy under municipal loans programs. By June 30 $25–30 million will come to aid us for rent subsidy and rehabilitation.

Congress has delayed six months in granting an appropriation to HUD for programs and rehabilitation. We have had no new annual authorizations. A bill that just passed the House reduced the Senate authorization for 1971, even after Congress itself had said in 1968 that a higher amount should be authorized.

Many loan agencies have mapped off particular areas to prevent mortgages and finance loans. Many houses have been abandoned because of the inability of landlords to get renewed financing after mortgaging. The city has called on the Federal government for mortgage aid.

Mr. Walsh gave further information about the numbers of units under construction and rehabilitation in the city.

Mrs. Delores Smith is at present Assistant Director of Training at the Martin Luther King Health Center in the Bronx. The following is a summary of Mrs. Smith's remarks:

I, too, have something to say about improving the quality of life, especially in low income neighborhoods. I know about the training of people from a limited income area. Training which provides them with interesting and meaningful careers, but more importantly, training which provides them with the skills necessary to secure for themselves the services they and their neighbors need.

"My talk today will cover the training capabilities that have been developed at the center and will suggest that these capabilities can be developed in other areas such as housing, sanitation and day care.

"At the Dr. Martin Luther King, Jr. Health Center in the South Bronx we have been providing medical and training services to a geographically defined population of 45,000 people for four years. The center is funded by the Office of Economic Opportunity and is sponsored locally by Montefiore Hospital.

"The training of community residents to take an active part in the provision and securement of health services has been an integral part of the program since its inception. . . . Medical services at the center are provided by a 'Primary Health Care Team' . . . Each 'team' is responsible for the care of all the people living in a certain area. The Family Health Worker is a member of the community that's serviced by the health center. . . . She is trained to give some nursing care and to act as a patient advocate. She is trained to use the various agencies, e.g., housing, welfare and sanitation, that provide services to the community. She is taught how to deal with the agencies to get service for herself and her patients.

"Once she has completed this training, the family health worker . . . is both an employee of the center and a member of the community the center serves." Acting as the patient's advocate, she can make the center more sensitive to "the needs and the life styles of the people in the community.

"There are many more similar efforts being made in other areas. . . . Our goal is to be able to train community residents to fill every job necessary to provide the services the community needs—physicians, nurses, administrators, lawyers, technicians, planners, community organizers, teachers—everything."

"What we have done at the Dr. Martin Luther King, Jr. Health Center that is really important . . . has been to develop a capability to train the residents of a community to provide for themselves. If we are successful, they will no longer be dependent on people outside the community, they will have not only the technical skills, but the 'life view' to build their own community. A creative life view in which they realize their own abilities, in which they see themselves as able to provide for their own needs. . . . They will be able to build their own community the way they and their neighbors want it."

Question: (To Mr. Badillo) Lobbyists can turn representatives away from problems that concern the masses of people. What should constituents do to offset the lobbyists?

Answer: (Mr. Badillo) We must lobby, too. Also, Congressmen must have local offices where they can meet with the local people. Every group within the community is trying to get its own needs, often in opposition to other groups. Congressmen must be aware of the total community needs.

Question: (To Mr. Badillo) How do you select the groups that are truly representative of the community?

Answer: Every group says it represents the community. No person or group can match exactly what the community wants. Public officials have to reach a point where they make a decision. Some representatives take polls of what the people want and act accordingly. I can't do this, and put the majority view through, because too many views conflict. At some point character and judgment must come in. You need a person to make a decision.

Mr. Abrams: Supports this view. It's important for the representative to get the views of all the people so that he can weigh their views.

Question: (To Mr. Badillo) What do you think of Mr. Nixon's welfare reform bill?

Answer: It is not sufficient for the needs of the people. Furthermore, it does not cover 45% of the people in Puerto Rico, despite the fact that they are full U.S. citizens. For this reason I would vote against it.

Question: When there are so many people who need funds, how can you justify putting families up in hotels at $600 a week?

Answer: (Mr. Walsh) The fact that families are put up in hotels at $600 a month reflects the dire need for housing. They are put in hotels because no other place could be found to house them. A new system is being devised to provide hotel service for such families at a greatly reduced price.

Question: Would the panelists be in favor of electing planning boards and health boards to bring the community closer to the people, as we have elected school boards?

Answer: (Mr. Kretchmer) Favors community control. But the question remains as to whether election is the best method. Election of the school board in his community was not satisfactory because only 11% of the people voted. To push for immediate election of boards to run city services would be a mistake. Instead of wasting time on the election process, we should spend time to provide more meaningful neighborhood government. Elections are a lot of wasted effort.

Mr. Abrams: Three specific proposals have been put forth recently for reforming the local government system: (1) Mayor Lindsey's Little Mayor's Office; (2) Abrams' own plan for decentralizing city services on the borough level, with directors appointed by the borough presidents; (3) a proposal for creation of a municipal district in 40 communities, dividing the city into more districts, each with a director.

The dialogue is ensuing. Community board meetings should be listened to. Legislation will be drafted, there may be a referendum put before the people and people should make their views known and be aware of the issues.

Question: What can be done about dogs in the streets?

Answer: (Mr. Kretchmer) One of his favorite issues. People walking dogs in the streets show disrespect for the city. It is not just aesthetically displeasing but it has become a health problem because the water in the streets washes into our rivers. One solution is changing the system of enforcing sanitation laws. Many violators are not punished because their violations are not worth the trouble of enforcement officers. He is proposing an environmental court to handle summons on computers to deal with repetitive offenders. High fines may be effective. In Hong Kong if a person litters the side walk, he can pay a fine of $160. Such a severe system of fines could be effective.

Question: On holidays the Department of Sanitation doesn't pick up garbage. Couldn't building superintendents be notified not to place the garbage on the street on a holiday?

Answer: Notices are sent out but there is no way to enforce compliance. Superintendents just don't want to come in late on holidays to put the garbage out so that it can be picked up the next day. Nobody has ever been successful in anti-litter campaigns in New York City. We are about to start another massive advertising campaign to figure out ways to deal with garbage as a social problem.

Question: Isn't there a problem of getting private money into multiple dwelling housing in New York when rent control is so inhibitive?

Answer: (Mr. Walsh) 70% of the families in New York cannot afford the rents of private housing industries. One possible alternative is a massive rent subsidy program. The Senior Citizen exemption from the current rent increase means that the building doesn't get the amount of revenue that rent control itself says is necessary to maintain the building properly. There is a proposal now in the legislature to subsidize those increases. We will need in this country some kind of system to make sure people have decent shelter, clothing and food.

Question: Has use of refuse compactors ever been considered?

Answer: (Mr. Kretchmer) Local Law 14 now requires compactors or upgraded incinerators. But in some areas of such great importance, our technology hasn't done anything for us. The technology is either not concerned with our problems or has fallen apart. If the American economy, technology and ingenuity were put into our quality of life instead of into how many cars we produce, we really would have the kind of environment we want.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,600 American prisoners of war and their families.

How long?

REPRESSION BY DEFAULT

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. KEMP. Mr. Speaker, Dr. Robert L. Ketter, the new president of the State University of New York at Buffalo, made an outstanding inaugural address on February 15, 1971.

He pointed out that if our institutions of higher learning do not put their own houses in order, the political establishment, in response to public pressure, will do it.

Buffalo State is the largest graduate center in the State University system in New York. I am sure under Dr. Ketter, Buffalo State will meet its responsibilities to develop programs with broad educational value rather than become "a cutting edge for social change."

The address follows:

REPRESSION BY DEFAULT

(By Robert L. Ketter, President, State University of New York at Buffalo)

Chancellor Boyer, Mr. Baird, members of the Council of State University of New York at Buffalo, members of the Board of Trustees of State University of New York, Distinguished Visitors, Delegates, members of the University faculty and student body, Reverend Clergy, Alumni, Ladies and Gentlemen.

This moment revives for me a feeling I experienced when I was first appointed to office and which I am sure all of my predecessors shared, for I am standing now, as they did, at the crossroads between tradition and innovation, between the imperative to preserve an inheritance from the past and the sense of the opportunity to give a shape to the future.

For each of my predecessors the interplay between tradition and innovation has had a unique meaning, since the point at which they meet shifts from generation to generation. In my opinion, the area of crucial concern here and now is the relation between academic freedom and academic responsibility. Therefore, on this occasion, I want to make that relationship the focus of my remarks.

I

In an article which appeared last August in one of the national dailies, it was reported that thirty-two states had enacted legislation designed specifically to control campus disorders. There has not yet been sufficient time to analyze fully the implications of these measures; nevertheless, I would submit that such laws are repressive at worst and at best, they are regressive, for they are certain to erode the institutional autonomy which is a prerequisite for true academic freedom.

Traditionally, universities have opposed any attempts to circumscribe their autonomy, reasoning that an attack against the conditions under which academic freedom exists is in fact an attack against academic freedom itself. In general, their opposition has not been misplaced; for the privilege of autonomy has rarely been granted without a struggle, and even then, society has demonstrated a reluctant acquiescence rather than a positive commitment to the concept.

Unfortunately, our concentration on preventing external interference has deflected our attention away from internal responsibilities. We have looked outward at the expense of looking inward, and now find ourselves faced with an uncomfortable paradox: our very preoccupation with external threat has helped to bring that threat about.

Nor has the internal neglect resulted only from our struggle for autonomy and academic freedom. It also has come out of arrogance and fear, an arrogance which has placed us above responsibility, and a fear which has paralyzed our will to adhere to the demands of responsibility even when we have perceived them.

Lewis Mayhew and numerous other educators have warned us of the gravity of the crisis that these attitudes have created. If the university does not put its own house in order, the political establishment, in response to public pressure, will attempt to do so. We will have squandered our inheritance of both autonomy and freedom.

We cannot continue to invite repression by default. It is imperative that we, ourselves, define our responsibilities and determine to meet them. This is one of the primary opportunities the future holds for each of us.

II

The mission of a university is to contribute to the welfare of society—through education. This contribution has traditionally been made in the areas of teaching, research and public service. To properly serve in these areas the university has required that it be given the autonomy which insures free inquiry into the truth of all phenomena, and the free dispensation of the results of that inquiry.

Samuel Capen, Chancellor of this University from 1922 to 1950, wrote that what we have asked is "to be protected against every form of reprisal" that the truth might provoke. This is to be given a uniquely privileged status, one which almost implies absolute freedom. Judge Learned Hand pointed to the danger in this and other such extreme interpretations: "A society in which men recognize no check upon their freedom," he said, "soon becomes a society where freedom is the possession of only a savage few. . . ."

The academic profession has recognized the validity of this warning and has sought to avoid the abuse of its freedom by self-imposed precepts: a reliance on scholarship rather than power, intellectual exchange rather than dogma, and above all humanity in its relations to others.

But academic freedom is now threatened. It is true that the university is one of many social institutions confronted today by a loss of confidence. It is also true that dissatisfaction with the university has been heightened by changes in other sectors of society. But we are still faced ultimately with the realization that the atmosphere of freedom on campus has been invaded. It has been invaded by those whose impatience and ill-conceived goals demand the destruction of the university as the only solution to the problems of an institution which reflects many of societys' deficiencies and injustices. It has been invaded, too, by those who wish to suppress expression of unpopular views, who do not distinguish between violent revolt and peaceful dissent. The university has been peculiarly vulnerable to these invasions because its commitment to freedom and to the complexities of truth has often paralyzed its ability to act.

In reviewing recent educational history, it must be concluded that while less visible, no doubt because it was less volatile, serious abuses of academic freedom began to afflict universities in their early years of burgeoning affluence following World War II. These abuses were caused by arrogance, an arrogance which has done much to provoke the disorder which many have cited as the justification for the present threats to our autonomy. This haughtiness has been manifested in the imposition of an autocratic lecture system which too frequently has denied students the freedom of inquiry which we have claimed for ourselves. We have expected our own conclusions, expounded at length, to be returned dutifully at the end of the term. We have thus displayed in ourselves the closed minds which we have been so quick to condemn in others.

Our research, and sometimes our pretensions to research, have interfered with our teaching. Light courses loads have been used as opportunities not to devote more time to individual students, but to pursue our own interests, whether or not these interests are of benefit to those whom we teach. Our offices are more often closed than open to students and much of our teaching has been left to the least experienced. Our research interests have too often been dictated by available funds which have led to an eager relinquishing of autonomy and self-direction. The excess of wealth that has mushroomed our research has been matched by our hubristic claims that have created unrealistic expectations among the students and in the community.

Not everyone is guilty, but to whatever extent these charges are applicable to institutions and individuals—to the University of Buffalo, to you and to me—then to that extent the institutions and the individuals have abrogated their responsibility to the purpose of higher education. This denial, this arrogance of self-interest, must be accorded its own proper role as a factor in the erosion of confidence in the academic profession. For it is a pervasive sense of disenchantment, not alone a reaction to campus disorder, which has created the current threat to autonomy and academic freedom.

III

There are many who now recommend that research institutes, separate from the universities, be created; that universities no longer act as certification boards for employers in business and in the professions; and that the public demand for the services of higher education be limited. These recommendations—which come from within the university as well as from without—suggest that there is a widespread belief that the university has over-extended itself, that it has attempted to fill too many roles.

These proposals may have some merit, but I do not believe that we are going to restore the trust we have lost simply by proposing remedies dependent upon elements outside the university. The teaching, research and service functions have been part of the role of universities since their creation in medieval times, and I do not foresee a time when one or another of them will be abandoned; they are too interrelated.

I believe first we must recognize that teaching is primary, and that research and service are valuable to the university in the degree to which they facilitate the former. It is through teaching that the university and the individual in the university will make their broadest contribution to the welfare of society. The teacher must never allow the pursuit of his own interests to lead to neglect of the intellectual growth of his students.

As the largest graduate center in the State University of New York, this institution at Buffalo has a particular obligation to research. But, if we insist that our activities in both the pure and applied fields are to be carefully selected to enhance the teaching process, then we will maintain our integrity as a true institution of learning. Realistically, this selection will have to be made among interests which individuals, businesses, foundations, and governments are willing to finance. It would be foolish to argue that social utility is not a powerful institutional influence. Nevertheless, careful selection among our options can preserve our right to define our own priorities while simultaneously serving societal advancement.

Public service, apart from the service inherent in teaching and research, has occupied during the last several years an increasing amount of time and resources within the university. It is obvious by now, however, that the university cannot be honed into a cutting edge for social change. That role would require attributes that are antithetical to the objectivity demanded by scholarship. Therefore, in exercising this function we must make sure that our programs of service have a broad educational value, and that an advocacy of special interests does not usurp the critical stance that the university at all times must maintain.

IV

Can the responsibilities of the university community be observed without a formal and enforceable code of ethics? It is true that our universities have become more legalistic in nature as a result of campus disorders. Nevertheless, the disciplinary codes and due process measures that have been drawn up to deal with these problems have not stilled the public outcry for yet more stringent regulations.

Reacting to this external pressure and out of a genuine concern for the viability of freedom on the campus, many educators have suggested the need for a well-defined code which includes an enforcement mechanism. The Association of American University Professors recently released a statement on freedom and responsibility; the American Association of State Colleges and Universities has issued its own statement on "academic freedom, responsibility, and tenure"; and at both Berkeley and Stanford the faculties have been considering the strong enforcement of "codes."

I feel very strongly that this concern for professional ethics is healthy, for all too often in the past we have emphasized freedom without sufficient regard for responsibility. It is my personal hope, however, that California is not, as it has been labeled, "the nation's weather vane." I do not share the view of those persons who feel that the consensual and uncodified guidelines for academic freedom and academic responsibility are too ill-defined to be useful; and I do not want the University placed in the position of having to create a formal code and enforcement procedures as a means of avoiding that creation by others.

If this possibility can be averted, it will be done so only through institutional and individual commitment to self-discipline. It is this quality which enables us to sublimate our self-interests to the advancement of the human good and to thereby fulfill the purpose of higher education and of this University. The quality is intrinsic to scholarship; it is both our defense and our freedom.

The time has now come to reclaim it.

LEST WE FORGET

HON. JULIA BUTLER HANSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mrs. HANSEN of Washington. Mr. Speaker, I want to join my distinguished colleagues who have taken this day to salute an organization of Americans who have courageously born the marks of our past wars.

I refer to the Disabled American Veterans, which now includes nearly 300,000 members in its 51st year of existence.

We have erected countless monuments of tribute to those who lost their lives carrying out our country's battles. But because of their assimilation into civilian life, veterans disabled by those battles may not be so prominent in our minds. The work of the Disabled American Veterans of returning its members to productive civilian life deserves prominence, however, today and always.

Like one of our greatest Commanders in Chief, Abraham Lincoln, I believe what we say today will soon be forgotten. But the scars of battle borne by those maimed veterans cannot be obliterated. Disabled American Veterans, as an organization, will thus continue to have a great historic role to carry out in America.

The DAV's program is training and assistance to disabled veterans. I believe this to be one of the highest levels of citizenship in our Nation—which fought its first battles to establish itself as a Nation of freedom and opportunity.

FREE CHINA ON LAOS

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. SCHMITZ. Mr. Speaker, oftentimes it is helpful to see ourselves and what we do through the eyes of other peoples, to get their opinion of certain facets of U.S. foreign policy. This is not to say that we should tailor our policies to the desires of other nations, far from it, but rather that we should reflect on the other fellow's point of view in order to see if perhaps we might not have overlooked something in our own assessment.

Toward this end, I insert some comments from the press of Free China on the recent allied thrust into enemy held areas of Laos. These comments appeared in the February 21, 1971, edition of the Free China Weekly:

CHINESE PRESS OPINION: VIETNAMIZATION AND ASIANIZATION

United Daily News: Expansion of Vietnamization into Asianization is imperative to safeguard Indochina's peace and security.

Asian Communism is international. Its threat must be combatted by international efforts. All Asian democracies should render support and assistance to South Vietnam for strikes against Communist bases in Laos.

To protect American lives in the course of further troop withdrawals, the United States must assist the South Vietnamese offensive in Laos by any and all means.

The Chinese Communists have not forgotten the bitter lessons learned in the Korean War. They are adopting "indirect aggression" as their ultimate strategy and avoiding open warfare throughout Southeast Asia. The Chinese Reds are instigating Communists in all the Asian countries to launch "people's warfare" and bring about a "united front" of armed revolt.

The primary goal of Peiping's strategy is to compel U.S. forces to withdraw from Vietnam. Peiping can ignore the cutting of the Ho Chi Minh trail by South Vietnamese forces. The Chinese Reds know the Viet Cong and Pathet Lao can renew aggression when U.S. forces are gone from Vietnam.

New Life Daily News: Indochina's peace and security depend on the success of the

U.S. and South Vietnamese offensive against the Communists in Laos.

U.S. and South Vietnamese operations against the Communists in Laos is the first large-scale offensive of the Vietnam war. This move is important strategically because it seeks to combine Indochina's three battlefields into one. The morale and anti-Communist solidarity of South Vietnam, Cambodia and Laos will be greatly strengthened.

Peiping has repeatedly protested against the Allied offensive in Laos and pledged to continue supporting Communists in the three Indochina nations. Peiping is trying to stimulate the emotions of U.S. anti-war elements and appeasers and arouse resistance to the Nixon administration.

The Chinese Communists are expanding the Indochina war. Chou En-lai's statement that "war has no boundaries" is a threat intended to test the reaction of the United States. Mainland China is still in a state of turmoil and Mao Tse-tung dares not become openly involved.

Washington must not forget the lesson learned in Cambodia last year. Full support should be given the South Vietnamese offensive in Laos, including the bombing of North Vietnam if necessary.

Central Daily News: The new military drive into Laos is much more important than last year's military operations in Cambodia by U.S. and South Vietnamese forces.

The campaign in Laos will help prevent Communist aggression and provide more time for Vietnamization. Communist supply lines to Cambodia and South Vietnam will be cut.

Cutting of the Ho Chi Minh trail is a big blow to Hanoi. The South Vietnamese can do it again if the situation requires. Hanoi knows this route is no longer dependable.

China News: The cutting of the Ho Chi Minh trail and the successful defense of Cambodia would shorten the Indochina war.

American doves have so far made less noise than expected about the South Vietnamese advance into Laos.

This could be because the opposition is off to a slow start. More protests can be expected in time.

It also may be that some peace advocates recognize the necessity for doing something about the Communist build-up in Laos if the Vietnam war is ever to be ended.

Almost all North Vietnamese reinforcements and supplies now move into Cambodia and South Vietnam via the Ho Chi Minh trail running down the spine of Laos.

Kompong Som, the Cambodian port on the Gulf of Siam, is no longer open to Communist use.

That leaves only the Ho Chi Minh trail. Infiltration across the Demilitarized Zone and along South Vietnam's eastern and southern coasts is of minor consequence.

If the North Vietnamese cannot get at South Vietnam, the final phase of the war becomes an exercise of cleaning up the Viet Cong and remnant Hanoi forces.

South Vietnamese are already strong enough for that. This is manifest in the U.S. decision to back up the South Vietnamese army in Laos.

Should Saigon's forces fail, the future of Vietnamization would be placed in jeopardy. Free Vietnamese morale would be seriously and perhaps fatally undermined.

President Nixon and the Pentagon obviously believe the danger is slight. They are confident that with American air support but without American ground combat forces, the South Vietnamese are more than a match for the North Vietnamese regulars they will meet in Laos.

"This is, then, the supreme test of Vietnamization. The Vietnam war is coming down to its final denouncement."

FORTY AMPHETAMINE DOSES A YEAR FOR EVERY MAN, WOMAN, AND CHILD IN THE UNITED STATES

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. CHARLES H. WILSON. Mr. Speaker, last year I was one of those who sponsored the amendment which would have brought about restrictions on the number of amphetamines produced annually in this country. I continue to believe that there is absolutely no justification for four major drug manufacturers to spew forth no less than 8 billion bennies, dexies, goof balls, and pep pills—as they are commonly called—each year, while the actual medical need is for a small fraction of that number. As one who has consistently supported broad and far-reaching legislation to curtail the rampant spread of drug abuse in this country, I consider the continuing lack of restriction in this area to be a potential source for still more Americans—particularly the young—to be damaged by misuse of drugs.

Believing that the amphetamine issue can and should be again raised in the 92d Congress, I would like to offer for my colleagues' consideration a recent editorial broadcast on WCBS–TV New York. The station's spokesman outlines the issue very clearly and urges the adoption of legislation to plug this hole in the antidrug dam. I certainly concur with this editorial, the text of which follows:

WCBS–TV EDITORIAL

TOO MANY AMPHETAMINES

This may come as an unpleasant surprise to many people—especially parents of teenagers frightened by our ever-growing drug epidemic—but there are dangerous drugs legally manufactured in this country that are never used for medical purposes at all. They go, instead, to illicitly produce the ups and downs, the thrills and kicks of drug-abusers.

Take amphetamines for example. Amphetamines—or speed, bennies, pep pills, as they are known in the streets—are produced in such incredible numbers in this country that, in more ways than one, the figure is mind-boggling. Testimony before the House Select Committee on Crime showed that though the legitimate medical requirement for amphetamines is under a billion pills a year, there are some 8 billion pills produced. That's enough for every man, woman and child in the country to have 40 amphetamine doses a year.

It doesn't take much guesswork to know where all the extra billions of pills are going. Most wind up in the hands of youngsters, too often with the disastrous psychological reactions and brain damage that can result.

Crime Committee hearings described one manufacturer, now out of business, that shipped over a million amphetamines to a consignee in Mexico. Federal agents investigating the sale found the consignee's address was actually the 11th hole of a Tijuana golf course.

Despite abuses such as this, when the Comprehensive Drug Abuse Bill was passed by Congress last year, drug manufacturers were able to successfully lobby against efforts to limit the manufacture of amphetamines.

In our opinion, limitations on these and other such widely abused drugs should be written into law. Perhaps now, they will be. The United States, and 63 other nations, have just signed a treaty, whereby each agrees to establish drug quotas as well as licensing and reporting devices. The Congress should move quickly to ratify the treaty and work out details of the necessary legislation.

The profits of drug companies—even those who have been helpful in backing drug abuse legislation—cannot be measured against the damage done our young people by the appalling number of unnecessary drugs that this country manufactures.

REPEAL OF THE SELECTIVE SERVICE ACT

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mrs. ABZUG. Mr. Speaker, yesterday I appeared before the House Armed Services Committee to present my views on the grave and critical question of the draft. I indicated there my profound conviction that all forms of military conscription must be dismantled, and that any proposal which calls for less than that—to reform the draft rather than to abolish it—is a snare and a fraud upon the public.

Our country can no longer ignore the injustices and immorality of a system that takes men against their will and then compounds the injustice by favoring the privileged and the affluent. Nor can we continue to supply unlimited manpower to Indochina and thus enable the prolongation of a generals' war in Southeast Asia. In my testimony I expressed support for Senate Joint Resolution 20, a resolution sponsored by Senators HATFIELD, McGOVERN, CHURCH, and CRANSTON, which calls for repeal of the Military Selective Service Act by December 31, 1971. I have introduced a similar resolution, House Joint Resolution 345, in the House.

The text of House Joint Resolution 345 and of my testimony before the Armed Services Committee follow:

H.J. RES. 345

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Military Selective Service Act of 1967, as amended, is repealed effective December 31, 1971.

TESTIMONY OF THE HONORABLE BELLA S. ABZUG BEFORE HOUSE ARMED SERVICES COMMITTEE

Mr. Chairman, I am grateful for the opportunity to present my views on the draft to the House Armed Services Committee as you receive testimony on House bills 2476, 3496, 3497 and 3498.

Let me quickly summarize views that I will expand upon in a moment. I am unalterably opposed to military conscription and believe it should be dismantled. I regard draft reform as a snare and delusion. Changes in a system of involuntary servitude can never correct the basic injustice perpetrated by a form of slavery. Moreover, the draft has made possible the escalation and continuation of the war in Indochina. As an important step toward ending that wretched war, the President's power to induct men into the armed forces must not be extended beyond June 30.

The draft has brought untold misery to many of my constituents, the less privileged members of society, including a high percentage of Puerto Ricans, who suffer most from the injustices of conscription. I should like to speak of their condition, and also emphasize the deep and passionate concern that most women feel about the draft.

In the first place, I view any form of compulsory "service" as wrong and, in fact, a misuse of the word service. Conscription, no matter how worthy the avowed purpose, no matter in what sophisticated packaging it is wrapped, is involuntary servitude. To keep using the word "service" to describe actual slavery is a mockery.

Therefore, I do not advocate any type of draft reform. I view attempts to make the draft allegedly more equitable as both romantic and pernicious—romantic because the achievement of equity within a conscription system is impossible, and pernicious since by instituting minor changes and holding out false hopes these attempts tend to make the draft more palatable to the public.

Even such widely heralded "reform" as the lottery has not for one minute altered the fact that some men *are* taken, and that among them some are killed, wounded and mutilated, while others remain free to go about their business because they drew a lucky number.

I share with millions of my fellow Americans deep distress at the strife and discord that the draft is producing so widely throughout our country. Until very recently the draft was conscripting thousands of young men, too young to vote. The draft is still exploiting the labor of all young men, especially those who are politically and economically least powerful. Many of my constituents are in this group. Large numbers of the young people in my district are poor, and many are Puerto Rican or black and jobless. Students are deferred. Those in essential occupations are deferred. My constituents, not deferred, are drafted in their stead.

I have witnessed at first hand the increasing alienation of many young people as conscription forces them to choose among evils—either going to Vietnam to fight in a war they loathe, fleeing the country, or going to jail.

In my district the revulsion against military conscription is considerable, and in the course of my election campaign it was made clear to me that the people there want an end to the draft, an end to the war and attention to their very pressing needs for better housing, jobs, etc.

Such measures as the abolition of student deferments and the setting of a national call are not sufficient to deal with the injustice of conscription. If student deferments are ended, some of my constituents will be drafted, sent to foreign battlefields to kill and to be killed, while other young men will remain scot free. As long as one American boy is forced against his will both to face death and to mete it out to others, then basic injustice and the cruelest form of slavery continue to operate in our society.

Secondly, I object to any and all draft laws because of the practical impact that peace time conscription has had upon U.S. foreign policy. The draft has greatly weakened democratic control over foreign policy. It has provided the manpower for large-scale military interventions overseas without approval by Congress and the people. The existence of an unlimited supply of conscripts encourages the government to resort to military solutions and thwarts the development of a constructive foreign policy. The Vietnam war might have been avoided had Congress been required to approve a reinstatement of the draft for specific purpose of furnishing fighting men for Vietnam instead of being called on to approve an ambiguous and relatievly harmless looking Gulf of Tonkin resolution.

Conscription thus becomes the key element in enabling administrations, whether Democrat or Republican, unilaterally to commit the nation to war, even when that involvement proves to be dangerous to the national interest and the health of the economy.

Conscription guarantees to the military and to the White House the "flexibility" which by their own admission they covet. Ready access to a limitless reservoir of manpower enables them rapidly to expand the size of the army by administrative fiat and thus to wage undeclared war. There is no need to consult Congress, no need to go to the people.

The key role which the draft plays in making possible the continuation of the immoral and unpopular war in Indochina is underlined by the very introduction of H.R. 2476. The drafting of men, we are told, must continue for at least two more years. Testimony has been given to this Committee to prove that without a conscription system to furnish men to the armed forces, even the gradual withdrawal of American forces from Indochina cannot be implemented as presently planned. Selective Service Director, Curtis Tarr, recently visited Saigon for a firsthand view of the situation, and expressed the judgment that we must have the draft to continue fighting in Vietnam. Defense Department spokesmen testified recently that the draft must be continued for two years to meet the manpower needs of the armed forces, including the necessary deployment in Indochina.

According to figures given to me by the Defense Department, as of February 11, 1971 the Army alone was sending 19,000 replacements a month to Vietnam. The percentage of draftees who go to Vietnam is not recorded as they depart from the United States but approximately 37 percent of American troops in Vietnam are draftees and that percentage has remained steady for a number of months. Overall, 11 percent of Army personnel are draftees, so that apparently a disproportionate number of draftees is being sent to Vietnam.

The casualty figures are also illuminating. For the first quarter of 1970, for example, of those killed in action, 65 percent were drafted men. Of those wounded in action for the first seven months of 1970, 58% were draftees. For the total period from January, 1961 to March 31, 1970, 49.3% of those killed in action were draftees. The full meaning of this last figure becomes clear when it is noted that for a number of years as the war was winding up, no draftees were in Vietnam.

Clearly, without the forced involvement of conscripts, Administration and Defense Department plans for waging war in Southeast Asia would have to undergo considerable revision.

I believe that this abominable war must end. The majority of the American people have made it clear through public opinion polls that they want the war to end. Thus far, every effort to do so has failed. The Cooper-Church Amendment is being openly flouted. The war is not winding down; with the invasion of Laos, it is expanding. In the final analysis, manpower is warpower. Cutting off the manpower will necessitate a radical change in so-called withdrawal time-tables. Cutting off the manpower will ultimately result in ending the war.

I therefore strongly advocate ending the draft in order to end the war. I express my support for Senate Joint Resolution 20, sponsored by Senators Hatfield, McGovern, Church and Cranston, a resolution that would totally abolish the Selective Service System by December 31st of this year. I have introduced a similar Resolution, H.R. 345, in the House.

As a minimum step, should Senate Joint Resolution 20 not be enacted by the U.S. Senate, I strongly advocate that the President's induction power not be extended beyond June 30, this year. Deep concern has been increasingly expressed in Congress because the control that it once exercised over foreign policy has virtually disappeared. If Congress wishes to reassert its influence over foreign policy, one practical step would be to close the door on the conscription of manpower at the behest of the President.

Moreover, I firmly believe that the time to put an end to the President's induction power is this year. To wait for such action until 1973—after the national elections—means in all probability *never* to take action. Today with the draft still conscripting young men to fight in Vietnam, feeling runs deep throughout the land. If, however, draft calls are gradually reduced to zero by 1973, that feeling will abate, and today's demands for an end to conscription will fade. In 1973, it will be easy quietly to extend the presidential induction power—perhaps indefinitely. That, I believe, is what the Pentagon and the Administration have been counting on all along. For the welfare of our country, for the preservation of genuine freedom in America, and for the peace of the world, we must not allow that to happen.

Coupled, of course, with the need for draftees to fill the ranks in Indochina is the manpower problem posed by the fact that approximately one million American men are posted in garrisons overseas. To man these far flung military outposts, we must conscript young men, at least so we are told. Clearly, to many of the world's peoples our overseas military bases—thousands of miles from our shores—often much closer to the borders of potential enemy nations than to our own, are highly provocative. Far from promoting peace, they create suspicion and hostility. Far from providing security, these bases make for fear and animosity. I urge that we bring the men home from these military outposts. As we do, our alleged need of conscription to provide manpower for these bases disappears.

Although not an advocate of a volunteer army, I recognize the fact that if the draft is repealed within the next few months, we will then have an army without draftees—obviously, an army of volunteers. I would make three comments about the existence of such armed forces:

First, a volunteer army is obviously a lesser evil than conscription, Secondly, such an army should not be a permanent feature of American life, but a transitional part of our society. I view the end of conscription and the resulting volunteer army, not as an end in itself, but as a step taken toward a world of law and order. To me the end of conscription, the resulting disappearance of a limitless source of manpower for military adventurism, and increased Congressional control over foreign policy would minimize the drives in some quarters for the U.S. to be a world policeman. The end of the draft would make far more likely the constructive participation of this great nation in building a world of genuine community. The causes of tension and mistrust would be greatly reduced if we adopted a far less threatening posture than that which we present to so much of mankind today.

In the third place, I support such pay raises as those included in H.R. 3496, 3497, and 3498, especially as they apply to first-term recruits. Draftees are presently grossly underpaid as compared to the wages they would receive in civilian life. One economist has estimated that, in effect, each draftee is "taxed" $3600 per year in addition to having his body conscripted. To provide for pay raises as set forth in these bills is simply to approach equity in place of the gross unfairness of the present situation.

In conclusion, I would like to point out that women feel deeply and strongly about the necessity to end the draft, which is taking their sons, husbands, and brothers for an illegal and immoral war.

As Josephine Lee Davis, Associate Director of the National Council to Repeal the Draft has said: "Women, committed to life support and increasingly conscious of the insidious subtlety of compulsion, are natural enemies of conscription—a system which disregards the value of human life and uses people indifferently and capriciously to destroy other human beings."

HOW AMERICANS FEEL ABOUT POLITICAL ADVERTISING

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. MIKVA. Mr. Speaker, political advertising has become an issue in itself of late. While limits are being contemplated, campaign expenditures nevertheless increase. As the prime producers of such advertising, we in the House would do well to familiarize ourselves with the views of those who must consume the product. The following is an excerpt from an extended report prepared by a distinguished expert in the field. He is Mr. Albert P. Weisman, of Foote, Cone & Belding Advertising, Inc. The report, entitled "A Report on the Public's Reaction to Political Advertising," is based on interviews conducted after last November's elections.

The report follows:

A REPORT ON THE PUBLIC'S REACTION TO POLITICAL ADVERTISING—NOVEMBER 11TH WAVE RESULTS

INTRODUCTION

There has been much discussion in the media about the influence of political advertising on television. Legislation which would limit campaign spending on TV was recently vetoed by President Nixon. In order to get an idea of public opinion on this controversial subject, several questions were included on the November Wave of the FC&B's Monthly Information Service. Specially, we wished to get some idea of the extent to which people felt political advertising on TV was influential in the last election, and if they felt such advertising should be restricted or controlled. The exact wordings of the question have been appended to this report.

The original intent of this research was to provide these limited measures only, but analysis of the data has revealed that there are many more questions that need answers before we can begin to understand public opinion on the issue of political advertising. The findings from this study must be supplemented by knowledge of why people felt advertising influenced voting behavior, what kinds of people they thought were swayed by the TV efforts, whether they think these sources and kinds of influence are good or bad, and why. Furthermore, it is apparent that people's responses were very much affected by the specific local campaigns to which they were exposed in 1970—the influence of which cannot be sensitively evaluated in a nationally oriented study.

Methodology

The Monthly Information Service is conducted by FC&B for the purpose of efficiently obtaining information from and about people. Each month personal in-home interviews are conducted throughout the United States with adults 21 and over. A minimum of 1,500 interviews are completed, about equally divided between men and women. Because of the way in which the sample has been designed and the large number of interviews conducted, results obtained from the FC&B Monthly Information Service can be used as a fairly accurate estimate of the attitudes/behavior of the entire U.S. population 21 and older. (A detailed description of the sample design has been appended.)

Interviewing for this wave was conducted in over 300 areas across the country, from November 11 through November 17, 1970. A total of 1,609 people were interviewed, 777 men and 832 women. The actual fieldwork was supervised by The Gallup Organization, Inc. All computer runs and analysis of the data have been performed by FC&B's research department.

HIGHLIGHTS OF FINDINGS

1. The overwhelming majority of adults believe that political advertising on television had some influence in affecting people's voting behavior in the last election; seven out of every ten feel that advertising was at least "somewhat influential," with half feeling that it was highly influential.

2. Generally speaking, people more likely to be aware of and interested in the political process are the most likely to believe that TV advertising had an influential effect. Specifically, people between 21 and 45, better educated, with higher occupational status, and in middle income groups are most convinced that political advertising had an influence. Men, residents in larger cities, and those from upper income families were somewhat polarized in their responses—that is, they feel that TV advertising was either highly influential or that it had little or no influence.

3. For the country as a whole, belief in the influence of political advertising varies only slightly by party affiliation, with Republicans and Independents somewhat more likely than Democrats to feel that political advertising was highly influential. This pattern is not surprising, since it has been observed that party affiliation has become less useful in predicting political opinions in general, and voting.

4. Almost three-quarters of adults go along with the desire for some kind of restriction or control of political advertising on TV, with 65% in favor of controlling the advertising itself and 9% who feel that *only* the length of the campaign should be restricted. Four out of ten of those who favor some political restriction articulate no specific complaint, but merely believe that restriction of this advertising is a good idea.

5. The most frequently specified concern is that all candidates should have equal time and money (24% of all adults); this was a more prevalent feeling among men, people 25–34, college educated, in professional occupations, middle income, and from large cities—a profile essentially similar to those believing that advertising had the greatest effect. This suggests that if people feel that a disproportionate amount of advertising for one candidate was influential in affecting the electoral outcome, then there is a direct correlation between belief in the influence of advertising and belief that it should be restricted.

People from the East expressed somewhat greater concern about control over political advertising expenditures, but this seemed to be a more specific feeling about the type of restrictions, rather than more desire for restriction.

6. The Western region appears to represent a different situation. People here are much more likely to feel that advertising was extremely influential and to believe that the content of the advertising should be restricted—suggesting that they feel that advertising style rather than, or in addition to, amount is related to perceived influence.

7. Because there are several kinds of objections to political advertising, there is no direct correlation between perceived influence and desire to have it restricted. The pattern that seems to emerge suggests that people who think it is extremely influential want restrictions on those areas yielding unfair influence—extra money, or untrue or dishonorable content— and those who think that it is not influential want it restricted because it is a nuisance.

"Z" HERO A VICTIM OF GREEK JUNTA

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. EDWARDS of California. Mr. Speaker, lest there be any lingering doubt in the minds of any of my colleagues about the antidemocratic and totalitarian nature of the Greek military junta—which remains in existence mainly by virtue of tourism and U.S. aid—I would bring to their attention the following article from the Christian Science Monitor on the unlawful arrest and imprisonment of Judge Christos Sartzetakis, the young judge whose courageous investigation of the murder of Deputy Gregoire Lambrakis was presented to an American audience in the movie "Z." Following the Sartzetakis story is a tough-minded and accurate portrayal by Washington Post columnists Rowland Evans and Robert Novak of the manner in which the junta has maneuvered the United States into its corner. The Sartzetakis article, in juxtaposition with the Washington Post column, is enough to set any sane man's teeth on edge.

The articles follow:

[From the Christian Science Monitor, Mar. 1, 1971]

GREEKS ARREST THE REAL "Z"

(By Saville R. Davis)

WASHINGTON.—Fact can be stranger than film. The real-life hero of the moving picture "Z," which has been very popular in the United States, has been arrested in the middle of the night by the Greek military junta.

He is now in Athens held in a police building close to the Embassy of the United States, which is having second thoughts about its support for the military rulers of that country.

The "investigating judge," who was appointed under Greek law to look into the murder of a liberal Greek political leader at a peace rally, was in real life a young judge, Christos Sartzetakis. His role in the closely documentary film was played by the French actor Jean-Louis Trintignant. The role of the murdered left-wing Deputy Gregoire Lambrakis was played by Yves Montand.

Word has now reached Washington that Judge Sartzetakis was taken into custody without any legal preliminaries, when on a visit to his family in Salonika, on the night before Christmas.

SYMBOL OF RESISTANCE

He had become an international as well as a national symbol of resistance to arbitrary police power. After his dramatic breaking open of the Lambrakis case, with his finding that the police themselves instigated the crime and that "higher-ups" were trying to cover it up, leaders of the police were arrested and tried.

Administrative penalties were imposed on the then Greek solicitor general who later became "civil president" of the first Cabinet, established by the present military junta when it seized power. The solicitor general's penalties were then revoked.

The youthful judge responsible for the exposure and trial of the police then personally led a militant defense, before the Greek Council of State, against a take-over of the independent judicial system by the junta.

Sartzetakis, whose fate is now unknown, rigorously held to his independence as a judge from political pressures during this period when he challenged the military leaders. He refused to join any resistance movement against the government. When ordered to return from legal studies in Paris, at a time when he could have remained in exile, he voluntarily returned to Athens to face whatever would be done with him.

He was dismissed from his post for a period, and then on Christmas eve the government imprisoned him, without public charges so far as is known here.

JUNTA MOVED ON COURTS

It was a year after the junta seized power in a coup d'etat, and five years after the Lambrakis affair, that the new military government moved against the court system of Greece, which was blocking its progress toward a police state. The junta suspended for three days the article of the Greek Constitution which protects judges from dismissal. It then fired some 30 judges, including Judge Sartzetakis.

The order of dismissal in his case accused him of acting with "partiality, moved by his political convictions" in his work as a judge.

Along with other judges, and in the face of growing evidence of government by terror in Greece, Mr. Sartzetakis appealed his dismissal directly to the Greek Council of State. He argued at length before the council that the government was required to respect the Constitution, and particularly the inviolability of judges. In his argument he said, "I am particularly proud," referring specifically to his work as judge-investigator in the Lambrakis case.

The Council of State rejected the plea of another of the dismissed judges and Judge Sartzetakis sent a second appeal, asking the council to have the courage to reconsider its position and enforce the law. In it, he told of being repeatedly threatened during his judicial career both by "instructions" and by "criminal menaces against my physical existence."

LEGAL PRINCIPLES DEFENDED

He said the authors of these agreed on legal principles but said it was "absolutely forbidden . . . to apply them when it would compromise the authorities" or compromise ideas that the authorities considered socially desirable.

Judge Sartzetakis said he was not dismissed because of a fault. "On the contrary," it was for "having been a judge in the full sense of the word. If I may be pardoned for saying so, I acted with pride but without presumption. I have known no other truth but that which, on each occasion, was dictated by the imperative of the law, that deity without face, and the voice of my conscience.

"My conscience has remained, as far as humanly possible, free of all exterior influence and of all human passion. Of passion I had only one: to lift myself to the level where justice has been placed by the universal conscience . . . when surrounded by the turbulence of rivalries and the exasperation caused by social tensions."

The Council of State reversed its position, ordered the reinstatement of the judges, and the junta refused to execute the orders of the council. It later issued a new law to suit its own purposes and Judge Sartzetakis was without work and funds, barred from any professional activity. He refused all offers of aid in order to "remain independent" and lived modestly until his arrest.

[From the Washington Post, Feb. 26, 1971]

THE GREEK SNOW JOB

(By Rowland Evans and Robert Novak)

In subduing congressional protests over resumption of military aid to Greece, the State Department painted a totally misleading picture of approval by Greek opposition leaders who are now making clear just how deeply they regret this momentous step by Washington.

The State Department, justifying renewed military aid to the Greek military dictatorship, quietly told Congress that even militant anti-junta politicians favored the step, partly for national security and partly because the junta was moving toward restoration of democratic procedures including free elections.

The fact that these contentions are now being repudiated by Greek democrats fits the secret record of collusion between Athens and Washington since the coup d'etat by the Greek colonels in April, 1967, relieved only now by high-level misgivings in Foggy Bottom.

The clearest repudiation of the State Department's selling job on Greek aid is a confidential letter to Greek exile circles in the U.S. from Constantine Mitsotakis, a leader in the moderate wing of the late George Papandreou's Center Union Party. Now exiled in Paris, Mitsotakis is probably the Center Union leader closest to King Constantine, in self-exile in Rome.

His letter calls on Greece's ousted political leaders "to clearly demonstrate our opposition to this decision of the American government" to resume arms aid, suspended after the 1967 coup. Moreover, Mitsotakis is backed by the nine most prominent exile leaders covering a wide political spectrum.

Their anger dramatically underlines testimony before a Senate Armed Services subcommittee on the resumption of aid. Christian Chapman, a middle-level State Department official, stated last August that "within the last month the leadership of the former democratic parties (in Greece) have told us directly that they were concerned about the security of their country" and therefore favored lifting the arm's embargo.

His testimony was based on private conversations held by Roger Davies, deputy assistant secretary of state, with self-designated leaders of the anti-junta opposition in Athens. One of those bogus leaders was Spiros Markezinis, an extreme rightist, who actually has close ties to the junta.

What infuriated legitimate anti-junta politicians was that in announcing the aid resumption Sept. 22, the State Department sold it to a skeptical U.S. Congress on the basis that the junta was vigorously moving toward parliamentary government.

Even before the arms embargo was lifted, Sen. J. W. Fulbright of Arkansas, chairman of the Senate Foreign Relations Committee, gave Davies rough treatment in a committee hearing. After Davies testified the junta was really reforming, Fulbright snapped that this was "so utterly contrary to the facts as they exist (that it) cannot help but raise a question in our minds as to whether you are playing with us."

But when the State Department in later testimony claimed backing from anti-junta leaders for the aid resumption, Fulbright and other U.S. senators had to hold their fire. In short, they were sandbagged.

Since then, the folly of the Nixon administration's decision has been coming home to roost. In a little-noticed remark on "Face the Nation" Feb. 14, Davies' boss, Assistant Secretary of State Joseph Sisco, employing typical diplomatic understatement, said: "Candidly, we have been disappointed in the fact that there hasn't been more progress towards the establishment of parliamentary government" in Greece.

That was the first public signal that some Nixon administration officials are having second thoughts about the aid resumption, which dissipated the major U.S. lever for democratic reforms in Greece.

Simultaneously, the Senate Foreign Relations Committee will soon take up a report on Greece expected to be highly critical of the junta's refusal to schedule elections, free all political prisoners and end dictatorial rule. That report, drafted by two committee investigators who went to Athens, will presumably tell the truth about the anger of anti-junta political leaders over being used as a foil to justify arms aid.

Convinced that the resumption of aid not only solidified the junta and undercut their own efforts to restore parliamentary government, these legitimate apposition politicians are mortified at being used by the State Department to achieve this triumph for the colonels.

OPERATION HELPING HAND

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. HOSMER. Mr. Speaker, in August of 1969, while serving as commander U.S. naval forces, Vietnam, Adm. E. R. Zumwalt, Jr., instituted Operation Helping Hand, a program designed to upgrade the standard of living of the Vietnamese Navymen, their dependents, widows, and orphans, and to make rehabilitation a reality for disabled navy veterans.

The program provides for basic housing and a minimum protein dietary supplement to Vietnamese Navy families and a prototype dependent community for wounded navy veterans, widows, and orphans in the vicinity of the GVN Rehabilitation and Vocational Training Center at Cat Lai, near Saigon. Since then, material from Project Handclasp, USAID, CARE and numerous other sources, together with an enormous amount of work by individual American and Vietnamese Navymen have made the program flourish.

However, financial support is desperately needed to purchase additional building materials, livestock, feed, vaccine, and fishing equipment, and to pay for salaries of school teachers where classrooms are being built at newly established Navy bases.

In some cities, Navy League councils and Fleet Reserve Association branches have organized local fund drives. Naval Reservists are encouraged to assist these organizations in promoting this program.

Operation Helping Hand is a good cause. It is a cause which helps here at home by strengthening stanch U.S. allies in Vietnam. Operation Helping Hand deserves the goodwill and support of all Americans and particularly those with close naval ties.

TRIBUTE TO POLICE

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. BROYHILL of Virginia. Mr. Speaker, Mrs. Charlotte E. Michael, 2933 Fairlee Drive, Fairfax, Va., has composed two poems that I would like to call to the attention of my colleagues. During these times, I do not believe we can do too much in supporting our policemen and giving them all the recognition possible. Most certainly reaffirming our allegiance to our country is always in order.

I include the poems as follows:

TO BE A POLICEMAN

(By Charlotte E. Michael)

To be a Policeman many things are required: You must be a lawyer, a doctor, an advisor and a quick thinker. If you come up with the wrong answer, to the public you're quite a stinker.

We hear much complaining about the taxes for the policeman's salary, but when these people go on vacation they want their home watched as though it were an art gallery! This is part of your job and you take it all in stride, so whatever you do . . . do it with pride.

Times have changed and so has the policeman's work, with better pay and education, you're no longer considered just another jerk. Things are quite different now—but you have come out on top—and we don't hear this phrase as frequently—"just another dumb cop."

Personality, poise, respect, and cool head you must maintain. You must be able to communicate and every day you try; that's why it's so sad to think of all the young widows who sit home and cry—but they know that their man in the course of his duty had to die. Is there an answer to this question, Why?

This is being written to honor all of our fine Policemen and the work that they have done; and for every single complainer, there are ten that you have won. This profession you have chosen—you are dedicated and true—and I pray that God will bless each and every one of you.

GOD AND COUNTRY

(By Charlotte E. Michael)

God, we thank you for our Country—the most blessed nation in the world; where we have our freedom to worship as we desire—where we see fewer people go hungry—as in the past; and has been so, thus far.

We know America has many faults, but too our Country we must be true . . . for this great land of ours was wrought by God's hand—we thank you God—and may every Christian take a firmer stand!

As we read the papers and hear the news . . . we see the Scriptures unfold, and we know that our future has been foretold! I am thankful for the red, white and blue . . . may we work diligently until the end, dear Lord, for you.

On our seals we read "IN GOD WE TRUST" . . . this is a faithful saying . . . and indeed we MUST! *Four* little words stamped on many documents—and then forgot—I can't help but think of Sodom and Gomorrah and the mission of Lot!

So "Old Glory" as you float in the breeze . . . We respect you . . . and God has brought us through many a tight squeeze! We know, God, that you make no mistakes . . . but we make many . . . then we can rejoice, because Jesus who walked this earth didn't make any!

ALLEGHENY COUNTY COMMISSIONERS SALUTE CLEAN ENVIRONMENT CAMPAIGN

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. MOORHEAD. Mr. Speaker, in a bipartisan show of concern for our environment, the Allegheny County Commissioners issued a resolution commending the actions of Senator EDMUND MUSKIE in this regard.

I would like to add my support to this crusade for a cleaner environment to that of the Allegheny County Commissioners, Leonard Staisey, Thomas Foerster, and Dr. William Hunt.

The following is the commissioners' resolution:

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, ALLEGHENY COUNTY, PA.

Whereas, the land on which we live, the air we breathe and the sky which gives us sun and rain are Divine gifts; and

Whereas, man has been endowed by his Creator to be steward of the world in which he lives; and

Whereas, mankind has accepted these gifts without proper gratitude, and thoughtlessly poisoned the very elements which sustain life; and

Whereas, United States Senator Edmund S. Muskie of our Sister State of Maine has awakened the nation to the ravages inflicted on man's environment; and

Whereas, this great Senator, in his capacity as chairman of the Senate Subcommittee on Air and Water Pollution, strives to stem the desolation that covers much of the face of the land; and

Whereas, Senator Muskie has played a key role in the passage of pioneering legislation to cleanse the nation's air, land and water; and

Whereas, he has summoned executive and administrative leadership that is prepared to commit the necessary resources and willing to enforce the necessary laws; and

Whereas, Senator Muskie reminds us that the right to use the goods of the earth must be tempered with responsibility, and has called for inhabitants of this blessed land to combine understanding, vision, determination and positive action in applying modern technology to save mankind.

Now, therefore, be it resolved that this Allegheny County Board of County Commissioners and all the citizens of Allegheny County pledge to aid Senator Muskie in his efforts to save God's good earth—and ours.

Resolved and enacted this 18th day of February 1971.

COUNTY OF ALLEGHENY
BOARD OF COUNTY COMMISSIONERS.

Attest:

T. B. CARPENTER,
Chief Clerk.

CERTIFICATE

I, Thomas B. Carpenter, Chief Clerk for the Board of County Commissioners of the County of Allegheny, Pennsylvania, do hereby certify the foregoing to be a true and correct copy of a certain Resolution duly adopted by said Board at a regular meeting thereof duly held on the 18th day of February 1971, as the same appears in the minutes of said meeting duly recorded in said Board's Minute Book Vol. 52.

Witness my hand and the seal of said County of Allegheny hereto affixed this 18th day of February 1971.

T. B. CARPENTER,
Chief Clerk.

PROJECT DARE HAS MADE GREAT STRIDES

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. BELL. Mr. Speaker, I would like to call attention to the remarkable leadership demonstrated by project DARE, a group of volunteers which is working to make young people and their parents aware of the dangers of drugs.

Project DARE has made great strides in attracting youth to many exciting recreational pursuits which do not involve recourse to drugs.

Under the leadership of Dr. J. Thomas Ungerleider the project has provided a valuable service to the people of the Los Angeles area and has set a high standard for volunteer efforts in the field of drug abuse.

I would like to share with my colleagues an article written in the Los Angeles Herald Examiner on November 29, 1970:

ANTI-DRUG PROJECT OVERCOMES ALL ODDS

Following Dr. Ungerleider in speeches across the country, DARE students have frequently uprooted the misconceptions of parents by proving there is not necessarily a parallel between drug use and hair or dress. From this point the students can explain to parents that serious drug use is the product of emotional stress rooted mostly in the family unit. Surprisingly, DARE students have often persuaded unlikely looking local drug users to admit their indulgence before the audience; a shock which leaves parents conducive to frank discussions to discover where such problems really lie and how best to deal with them.

Healthy response to his speeches and the work of project students led Ungerleider in 1968 to the idea of an educational film which could be shown in schools around the country. The final product. "Beyond LSD," took the same characteristic straight-forward approach toward parents and children. The film won the Columbus (Ohio) National Educational Film Festival in 1968 and is still in demand.

DARE students also originated the idea of an exhibit called "The Happening" which could be (and has been) presented in several cities across the country. The Happening, aimed mostly at parents, included excerpts from hard rock music with references to drugs. Parents were surprised that as often as not the references, in fact, cast scorn on drug users. Other far out lyrics, they discovered, had a meaning entirely different from their predilections.

The Happening exhibit received the Rush Gold Medal Award—first place—for all scientific exhibits at the 125th Anniversary Meeting of the American Psychiatric Assoc. in 1969, Miami, Fla.

Highlighting DARE honors was selection of their film and exhibit by Canada to represent preventive drug education in the United States at Expo 70, last summer.

DARE's and Ungerleider's work continues. Disciplined thought is the cornerstone of approach. DARE doesn't exonerate the drug user nor does it blame the parents. It only asks that young people dare to study the facts available and parents dare to study themselves and the facts about today's youth. Their theory is simple: People can make it without a crutch whether the crutch is tobacco or marijuana; aspirin or acid.

For a number of practical reasons, Project

DARE at UCLA should have failed. At best, it should be only a mediocre program . . . not notably efficient, not notably prolific, not notably influential.

When Dr. J. Thomas Ungerleider, drug research director at the university's Neuropsychiatric Institute, formulated Project DARE in 1965, he had the richest of intentions—a program aimed diversely at the community level, complementing his own research—but he took a calculated professional gamble.

There was no money, people or space for the project in the beginning. Ungerleider, himself, was just developing a nationwide reputation through psychiatry, writings and speeches as one of the most knowledgeable experts in the field of drug abuse research and education. The risk: If the project failed, it might discredit his professional approach or, worse, if the project was shaky, he might come under heavy fire for breeding a community program that was unstable and failed morally those who relied upon it.

Though the university does not provide money or people for DARE, it did allow Ungerleider to hire an assistant who could also oversee the project. Fran Burnford, an educational therapist, found her office was in the hall on the institute's second floor.

Then came the recruitment of a couple dozen youths. They would have to be volunteers; there was no money to pay them though they would be asked to give up their off time in the same vein as a parttime job with work on Saturdays. Moreover, the youths had to be the certain type consistent with Ungerleider's plan: long hair, mod, intelligent, good grades, but no drug use. The youths were found and accepted the challenge.

Meanwhile the first stages of the project were underway, there was no turning back. Token contributions got the project rolling. It all had to come through. And it did.

But today, the obstacles still seem overwhelming. A grant of $18,000 from the California Council on Criminal Justice does give the project some solvency. And incredibly, the original 30 youths are still with the project, and now—after 3 years—earn $2 an hour for their work.

But new obstacles have replaced old ones. For example, DARE is now confronted with some 40,000 requests monthly for recommendations and material. All requests must be answered. An average of five films a week must be previewed and rated for consulters.

The list of consulters has lengthened proportionately with DARE's success yet there is no money to increase manpower.

DARE members, themselves, are being pressured to produce more programs and test their good record with more extensive experiments in the community. One response to this demand is DARE's new therapy sessions with troubled, drug-using youths. DARE participants must attend these sessions to provide the strength of the healthy, drug-free ego.

Miss Burnford was given a small covey at the institute, but there is only room enough for a mini-desk, an interviewer and the mail. There is no secretary so she has a dual specialty. File cabinets are still in the hall and DARE personnel still work at home.

PRESS COVERAGE OF THE VIETNAM WAR

HON. JOHN ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. ROUSSELOT. Mr. Speaker, the news media is becoming increasingly more aware of its effect on the Vietnam war. Kenneth Crawford in the Washington Post emphasizes the importance of the press and its inherent ability to sway a country. He cites a former editor who describes George Washington's crossing of the Delaware in terms of today's TV coverage. He then makes the point that, if the American troops believe they are not appreciated, it is not solely the fault of the public; if the public is discouraged, it is not solely the fault of the military. Behind each move in the Vietnam war has been the press—analytical, often brave, and even more often naive. I suggest Mr. Crawford's column to my colleagues and to his, as well, for it is an in-depth appraisal of the impact of the American press:

HO CHI MINH AS HERO: ON PRESS COVERAGE OF THE VIETNAM WAR

(By Kenneth Crawford)

How would the modern media have reported George Washington's crossing of the Delaware at McKonkey's Ferry on Christmas, 1776? J. Russell Wiggins, former editor of The Washington Post, asked this important question—and answered it—in a speech to the Washington Association of New Jersey on Washington's arbitrary new birthday, February 15.

Television camera men would have focused their zoom lenses on the rag-wrapped feet of Washington's troopers. When it was over, microphones would have been thrust under the noses of stripling recruits to catch their answers to the question: "How do you feel about some of your buddies being lost in this sneaky operation?" The writing war correspondents would have salted their dispatches with suggestions that the whole bloody venture was ill-conceived by an incompetent commander, ill-excused by a badly trained and equipped army and predestined to fail.

New York editorial writers would have followed up with lamentations about the plight of Trenton's civilian population, driven from its snug houses into the cold on a sacred holiday, caught in the crossfire between Hessian defenders and attacking colonials, and forced into a fight against its will over a questionable cause: something about taxation without representation. Washington, instead of attacking, should have been negotiating. His occupation of Trenton and quick withdrawal showed that he was still engaged in search-and-destroy operations—"following the will-o-the-wisp of military victory," as Wiggins thought the editorial writers would have put it.

Wiggins fantasy was, of course, a wry comment on the way the media of the 60s and the start of the 70s have dealt with the war in Vietnam. This war is the first in which American media, measured by weight of viewership, readership and influence, have been kinder to the nation's enemies than to its friendlies. This has been partly inadvertent, partly not. In any case, Ho Chi Minh has come off as this war's greatest hero, the Vietcong as its most admired fighters, American and South Vietnamese leaders as its most mistrusted participants, American GIs as its least appreciated warriors, especially since My Lai, which has been made the basis for unjust generalization, and South Vietnamese soldiers as invariably unreliable, also unjust.

All this is something new for Americans. They have always before tended to be home-team rooters. In British pubs Rommel may have been the favorite hero of the second world war but Americans stood by their own even when correspondents on the scene in North Africa intimated, insofar as intimation could be slipped through the censorship, that the "Darlan deal" and mistreatment of De Gaulle were compromising the morality of the allied war effort.

Wars have never been pretty but their ugliness has never before been conveyed to American households in living color, as it has this time, and always from our side because the other side is out of reach of cameras and correspondents. But it is more than that. War correspondents have often been instant experts and critics and they seem even more so this time. They have to be youthful to stand the physical rigors and brave to take the chances they must run in Vietnam. More than 30 of them have been killed. They are admirable in action but sometimes wrong in their strategic and tactical judgments and simplistic in their politics.

Prize committees, Pulitzer included, have rewarded the most captious. The self-styled "cowboys" who constituted themselves a sort of get-rid-of-Diem committee in the early days of the war made a point of being on hand for every bonze immolation and of representing the Saigon disorders as a sort of holy way between the ruling Catholics and the subject Buddhists. Reputations were forged in the bonze fires.

Here in Washington, too, there has been a lively journalistic contest to be first with the worst. One of its high points was The New York Times revelation in the aftermath of the Tet attacks that the military was asking for 206,000 more troops to take advantage of the enemy's overextension. Coming, as it did, two days before the New Hampshire primary, the Times report had enormous political impact. It almost certainly contributed to the big McCarthy vote and, in turn, to President Johnson's subsequent decision not to run again.

The genesis of the expose, if that is what it was, has just been publicly revealed for the first time by Philip Potter, Washington Bureau Chief of the Baltimore Sun. It was leaked to the Times by Townsend Hoopes, then a Pentagon official of dovish persuasion. Actually, the plan Hoopes made available to the Times was one of the alternatives under consideration and one which had little chance for Presidential approval in the Washington atmosphere of post-Tet distress. Hoopes had to violate a specific presidential order of secrecy pending decision to spring the leak.

Things haven't changed much, as the suspicious reporting of the South Vietnamese effort to cut the Ho Chi Minh trails in Laos demonstrates. By part of the press it is treated as a cunning scheme to inject Americans into an expanded war rather than what it is, a bold attempt to prepare for continued evacuation of American forces. Reporters and editors keep telling themselves and others that they have been more perceptive about this war than have military and political leaders. They may be right. But they have enjoyed the advantage of ultimate irresponsibility. In President Nixon's place, they would probably be doing about what he is doing. And history may be more approving of him than of them.

WELFARE STATISM GOES POORLY IN SWEDEN

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. LATTA. Mr. Speaker, before we let the welfare-staters take us too far down the statism road here in the United States, maybe we had better look outside our borders to see how poorly some of these welfare states have been doing. Let me mention just one—Sweden—she has not been doing too well and she is suppose to be the "shining example." Her troubles have been reported from time to time. The latest article to appear just yesterday in the Wall Street Journal. The article follows:

WELFARE GONE MAD

"The organized welfare state has gone mad." So observed Gunnar Myrdal, the noted economist, in commenting on the rash of white-collar strikes that has been disrupting Sweden for the past several weeks.

The strikes and/or lockouts involves civil servants, army officers, teachers and judges. They are demanding huge pay increases to compensate for inflation and taxes—Sweden's are among the highest in the world. The inflation and the taxes are part of the price for the country's comprehensive welfare state.

At the same time these mostly well-educated, relatively well-heeled strikers are angry at the pay raises that have gone to industrial workers in recent years. In the words of a New York Times dispatch, they "are worried that the government's promise to narrow the wage gap between workers will keep the white-collar college graduates locked in financially and, perhaps more important, without the class status, the privileges and the relative salary positions that once separated a professor from an industrial worker."

Now this spectacle is not without its ironic overtones. For a long time our liberal friends here at home have disparaged the United States by reference to Sweden, with its rather high standard of living coupled with an almost total absence of poverty and racial conflict. (Of course the nation is ethnically homogeneous by comparison with the U.S., and there have been problems, like an acute housing shortage, even before the present troubles.)

So those who advocate a full-blown welfare state for America should mark well the choas such a state, with all its government "planning," is capable of creating.

True, the U.S. is still quite a way from Swedish-style welfarism. Yet we do have persistent inflation, our taxes are oppressive and only a naive person would suppose that the total tax burden will do anything but grow in the years ahead. And in the sense of our monstrously swelling rolls of people on public relief, we are rapidly becoming something of a welfare state.

For all its neatness, for all its seeming logic, the welfare-state concept has always been a delusion. The human animal is not so simply motivated and manipulated. The imperfections of our individual-oriented society are manifest; they are far preferable to the deadening—and finally divisive—sway of statism.

PURDUE TOPS IN ENGINEER GRADUATES AGAIN

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. LANDGREBE. Mr. Speaker, one of the most important contributors to the quality of life in America is the engineer. Without engineers, we would be without automobiles, without airplanes, without highways, without bridges, without power, without labor-saving appliances. Just about every modern convenience that we take so much for granted and which makes us the envy of every nation on earth is, to some extent, the product of engineering.

If the engineer has made his contribution, then it is reasonable to also show our deep gratitude to the school that trained him. There are, of course, many fine schools of engineering in the United States, but none, however, outranks Purdue University in quality and quantity.

This year, as the year before, Purdue has granted more engineering degrees than any other school. We in Indiana are proud of this illustrious record.

A recent story in Purdue's hometown newspaper, the Lafayette (Ind.) Journal & Courier, has brought this fact to light. I would like to bring this proud fact to the attention of my colleagues and to the Nation and ask to insert that story at this point in the Record.

The story follows:

PURDUE TOPS IN ENGINEER GRADS AGAIN

Purdue University continued its national leadership in granting the highest number of engineering degrees during the 1969–70 academic year, according to official figures released this week.

Purdue once again produced the largest number of bachelor's degrees (910) as it did in 1969, the American Society for Engineering Education (ASEE) reported.

The Schools of Engineering ranked eighth in master's degrees and fifth in doctoral degrees for a total of 1,385 diplomas given in eight disciplines.

This figure, also tops in the nation, represents more than two per cent of the total number of degrees granted—62,134.

Purdue's School of Technology also ranked first with 403 bachelor of technology degrees granted, placing the University of Dayton's 149 at a distant second. The Purdue school ranked third with 610 two-year degrees granted.

Across the country there were more doctor's degrees granted than ever before, continuing the trend started in 1957. At the B.S. level, the total was about 3,000 more than during 1968–69 but still below the number reached in 1949–50. There was a slight increase over the 1968–69 master's level.

Engineering Education, the journal of ASEE, indicated that graduating classes through 1973 will probably be smaller than the 1970 class.

RESOLUTION OF COUNCIL OF POLISH SOCIETIES

HON. PIERRE S. (PETE) duPONT

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. duPONT. Mr. Speaker, today I would like to insert into the Record a resolution that was recently adopted by the Council of Polish Societies in the State of Delaware. This resolution was sent to me by Mrs. Angela C. Turochy, president of the council and Mrs. Rosalie S. Obara, secretary.

I think that the spirit of this resolution and the observations made about communism in Poland are worth noting in an era when many people are questioning why this country is still maintaining its vigil against the Communists.

The text of the resolution follows:

RESOLUTION OF COUNCIL OF POLISH SOCIETIES AND CLUBS IN THE STATE OF DELAWARE

We, delegates of Polish organizations representing about 10,000 Americans of Polish descent, assembled at the annual meeting of the Council of Polish Societies and Clubs in the State of Delaware and the Delaware Division of Polish American Congress, held on January 29, 1971, at the Pulaski Legion Hall, Linden and Jackson Streets, Wilmington, Delaware, do hereby resolve:

That because the Communist regime in Poland perpetrated acts of oppression and murder against Polish workers during recent strikes and mass protests against announced price increases of basic commodities which make it impossible for an average wage earner to provide minimum sustenance for his family.

That because of the economic system imposed on Poland by Soviet Russia, Poland's standard of living is among the lowest in Europe,

That because the Communist regime in Poland is but an agent and an instrument of Russian imperialism, forcing Poland to supply considerable aid to North Vietnam, Cuba and Egypt;

Therefore, we condemn the Communist regime in Poland for staging mass arrests and answering with tanks and bullets against the Polish protesters,

We pledge ourselves to continue to support the Polish efforts to free the people of Poland from Communist oppression and extend our sympathy to these oppressed people,

We appeal to the President of the United States and to the Delaware representatives in the Government of the United States to use their influence to secure the release of thousand of Poles imprisoned during recent disturbances and to condemn murder and reign of terror,

We further resolve that copies of this resolution be submitted to the President of the United States and to the three Delaware Representatives in the United States Congress.

SPACE PROGRAM

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. MILLER of California. Mr. Speaker, on February 10, Radio Station KCBS in San Francisco broadcast many times a very forceful plea for continued substantial support for our national space program. As we all know, Apollo 14 was a brilliant success. That success was only made possible by the unmatchable competence of the space team, including not only the astronauts, but all of the scientists, engineers, technicians, and administrative managers whose dedication to the manned space flight program never faltered. This Nation has also compiled an outstanding record in unmanned space flight with a percentage of success that far outstrips our major competitor in space. All these things were possible because Congress and the American people decided over the past 12 years to make the necessary investments in funding in human resources. Those were investments into a future capability in space that extends far beyond our present vision. We must not throw away the space science and technologies we have already acquired which are today finding their effects and applications throughout our society. I urge every Member to read and reflect upon the broadcast which I now include for the RECORD:

APOLLO 14

Will Apollo 14 be one of the closing chapters in mankind's effort to cross the frontiers of space? It would seem that's a distinct possibility. There are voices being heard which call for eliminating the space budget in the interest of earthbound priorities. Let's look at some figures.

The space budget for 1972 is placed at 3.1 billion dollars. That's a sizeable sum. The allocation for Health, Education, Manpower and Income Protection amounts to 85.6 billion. A much larger amount is considered inadequate to meet the needs for which it's designed. The space program represents only 4% of the sum allocated to Health, Education, Manpower and Income Protection. Thus, even if the space projects were wiped out, there would be little significant increase in the funds available for earthbound priorities.

We feel there's more than just money involved. America has devoted a decade to developing one of the greatest pools of manpower, talent and knowledge ever created. This is an enormous asset and it must not be wasted. Eliminating the space program would be an easy, highly visible means of soothing the critics. But as far as we're concerned, it would mean the loss of a decade's work and countless centuries of future potential. We hope you'll think about it.

THE RIGHTS OF THE PLAINTIFFS

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. RIEGLE. Mr. Speaker, because I was away on official leave of absence during yesterday's vote on House Resolution 264, I would like, at this time, to make my views known on this issue. This resolution would limit the plaintiffs, Messrs. Stamler, Hall, and Cohen, in a pending court case, from receiving in entirety the documents held by the former House Un-American Activities Committee regarding their case. For essentially two basic reasons I oppose this resolution. First, it contradicts a prior judgment of a Federal tribunal that these plaintiffs have a basic right to the evidence in full and that this evidence is indispensable to them for carrying on the civil action. For a body that concerns itself so diligently with law and order, it is inconsistent and counter to its tradition for the House to interfere with a Federal court decision.

Secondly, the Chairman of the Committee on Internal Security, my colleague, Mr. ICHORD, has indicated that the only real reason for denying these plaintiffs their request, is because of the extra burden placed on the Committee's staff members. This is not a compelling reason to deny the plaintiffs' evidence that is so vital to an equitable hearing.

Therefore, Mr. Speaker, I go on record at this time opposing any attempts by this body to circumscribe the judicial rights of any of our citizens.

SCIENCE AWARD WINNERS—SCIENCE FOR ALL

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. DELLUMS. Mr. Speaker, I would like to commend three fine students from Oakland, Calif., for their outstanding achievements in the field of science and technology. Miss Elaine Marie Parker, 17; Raymond Kay Chan, 18; and Kenneth Thomas Luey, 17, all of Oakland were recently named to the honors groups consisting of 300 students around the Nation in the Thirtieth Annual Science Talent Search.

Miss Parker was cited for her work in practical light stimuli for soilless botanical culture, Mr. Chan for work in airplane wing design, and Mr. Luey for analysis of superconducting components in electric motors.

Supported by financial assistance from the Westinghouse Educational Foundation and administered by the Science Clubs of America, the annual science talent search is the pioneering endeavor to discover at the high school senior year level those who have the potentialities to become the research scientists of the future. Many millions of dollars in scholarships in colleges and universities throughout the Nation, supplementing the Westinghouse Science Scholarships, have been given to those who have thus been discovered to have high science talent.

The achieving of honors in the science talent search is evidence of scientific ability and interest which can be taken into consideration by colleges and universities in admissions and granting of scholarships. For this reason, the honors list is distributed to all universities and colleges of the United States utilizing a list furnished by the American Council on Education.

In attempting to make this vast reservoir of scientific talent available for important humanitarian tasks in the world, and for its citizens, we must take steps to insure that those efforts will be used for peaceful purposes and not for the purposes of furthering the war, death, and destruction sweeping the world today.

The schools, institutions, and instructors who have made equally commendable efforts to encourage and develop students of high scientific ability and caliber should be encouraged to promote this same fervor among the poor, the minorities of this country, women, the young, and all those who have generally and historically been considered outside the franchise and denied the fundamental right of every citizen to develop and achieve as far as his interests and innate capabilities allow him.

Janitors, construction workers, teachers, recreation leaders, and, particularly legislators at every level of government, as well as every citizen in this country should endeavor to make these and similar kinds of achievements open to all Americans—the rule rather than the exception. Institutions must be opened up for those who have traditionally and historically been shut out and as a result have lost hope in themselves, their families and their communities.

We must not, finally, channel them into fields and endeavors which breed war and death, destruction and exploitation. They must not be used to develop projects such as SST, the MIRV system, ABM and other complicated gadgetry of destruction and waste which feed corporate monopolies and economic profiteers, and have no general humanitarian goal.

BREAKING DOWN OUR NATIONAL DEFENSE CAPABILITY

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. SCHMITZ. Mr. Speaker, last September 16, in this newsletter, I pointed out that only 4 percent of total Federal expenditures are now going to our strategic defense forces—consisting of intercontinental ballistic missiles and bombers, missile-carrying nuclear submarines, and the air defense systems. In constant dollar figures, we are spending only a little more than half as much on our strategic defense systems in 1971 as we spent just 9 years ago in 1962, despite a greatly increased Soviet nuclear threat.

The proposed budget for the next fiscal year would leave this situation substantially unchanged, despite increased funding for some new strategic weapon systems such as the B-1 bomber. The total proposed new defense budget is $76 billion, $1.5 billion above last year's total. But in terms of the projected value of the dollar in 1972, this represents a decrease from $79.6 billion to $76.0 billion. In other words, the small proposed increase does not keep up with the rate of inflation.

Furthermore, there is no increase at all for our strategic forces in terms of any kind of dollars, but a reduction from $7.73 billion last year to $7.63 billion this year, a net drop of $100 million. The entire $1.5 billion increase for the entire defense budget will be absorbed by pay increases and other new incentives for servicemen.

The impact of this level of defense budgeting is made clear by the excellent and comprehensive business forecast for the Nation and California in 1971 prepared by the Graduate School of Business Administration of the University of California at Los Angeles. This projects a decline in aerospace procurement and research and development—the categories of supreme importance for the future of our strategic defense capability—from $16 billion to $13 billion over the 3-year period ending in fiscal year 1972.

So far, that decline has already, according to the Defense Department's own budget briefing, removed 1,230,000 people from employment in defense and defense-related industries since fiscal year 1968. In southern California the cutback, according to the UCLA study, has been from 425,000 aerospace employees in 1969 to 325,000 in 1970, with a projected further decline to 260,000. This means that nearly half of all the persons employed in aerospace and defense industries in southern California in 1969 will be out of their jobs by 1972.

If there were no need for their work, I would be the last to defend featherbedding, just as I think the operations of the Department of Defense would actually benefit from a substantial reduction in the number of their clerical employees. But in this case we are talking about what is probably the greatest concentration of trained engineering manpower anywhere in the world, assembled in southern California during the past two decades. It is incredible folly to break it up, for it is an indispensable element in our national defense capability. As Stefan T. Possony and J. E. Pournelle state in the Strategy of Technology:

> The Technological War is the decisive struggle in the Protracted Conflict. Victory in the Technological War gives supremacy in all other phases of the conflict, to be exploited either by thermonuclear annihilation of the opponent or simply demanding and obtaining his surrender.

This is the ultimate threat we are inviting by breaking up the defense-producing resources, both in plants and personnel, that now exist in southern California in particular. The increase in funding for the B–1 bomber, though an encouraging sign, does not reflect a true reversal of this potentially suicidal policy, which I will be taking up personally with President Nixon in the near future.

A TRIBUTE TO THE DISABLED AMERICAN VETERANS

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. MYERS. Mr. Speaker, today is a day when we should bow our heads in grateful thanks for the sacrifices of the disabled American veterans and for the work and courage of the Disabled American Veterans organization. Founded in 1920, this group is, this year, completing 50 years of service to America's servicemen. The DAV assists disabled veterans, their dependents, widows, and orphans in obtaining benefits and in returning to full and productive lives. Our Nation is free and strong due largely to the sacrifices of these men who have given unselfishly of themselves so that others might benefit. The DAV should be commended for its valuable contribution to the country and to the well-being of the disabled veterans and their dependents.

Today, the 50th anniversary of the DAV, is a day when we should solemnly remember and salute this Nation's heroes, whatever war they may have fought in. Their sacrifices and the work and quiet courage of the DAV should serve as an example for all of us.

MUCH NEEDED HEALTH CARE SERVICES PROVIDED IN NEWARK AREA

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. RODINO. Mr. Speaker, because of the growing crisis in the medical field, I was delighted to note in American Academy of Pediatrics Newsletters articles describing two major programs designed to provide much needed health care services in the Newark area.

I am confident that the Lyons Maternal and Child Health Center, established by the New Jersey chapter of AAP for low income and welfare families, will certainly be helpful in alleviating the problems caused by the lack of prenatal and childcare services. I congratulate the many people connected with the center for their dedication to the needs of the medically indigent.

It was also heartening to learn of the efforts of Dr. Seymour Charles whose weekly broadcasts on WNJR-Newark provide medical information and guidance to the citizens of the Newark metropolitan area.

I commend to my colleagues the following two articles which explain in detail these vitally needed programs. They appeared in the issues of June 1, 1970, and January 15, 1971:

New Jersey Chapter Establishes Maternal and Child Health Center for Low-Income Families

The New Jersey Chapter has established a maternal and child health center for lower income and welfare families in Newark.

Designated the Lyons Maternal and Child Health Center, the project is staffed by seven Academy Fellows as well as other pediatricians, two pediatric surgeons, six dentists and one obstetrician, each working voluntarily three to four hours a week serving some four hundred families. Also working for the Center are one full-time registered nurse, two part-time nurses and one bookkeeper.

The Center provides such total comprehensive care services as examination and care of newborns, infant immunizations, dental care and treatment, allergy care, emergency care for injuries and accidents, and specialist consultations.

Instituted in March through the New Jersey Chapter's Committee on Pediatric Practice, the Center was established to meet the needs of the medically indigent who are eligible to receive care under the Medicaid program, but who cannot receive such care because of the physician shortage in the Newark area and the resulting patient overload confronting local physicians.

NIGHT TELEPHONE SERVICE

The Center is open from 10:00 a.m. to 8:00 p.m. Monday through Saturday. Patients are seen through a regular appointment schedule. For those patients who call after the Center is closed at night, a telephone service has been established to provide information concerning the availability of health services at other local facilities.

GROUP PRACTICE SETTING

Physicians working in the Center, strategically located in the core of the Newark ghetto area, are administering their health care program in a group practice setting to insure private, individualized personal medical care.

In addition to those physicians already working at the Center, it is anticipated that ultimately psychologists and behavioral specialists will join the Center to broaden the aspects of total health care.

PROJECT INITIATED IN OCTOBER

The health center concept, as originally proposed by Arthur Maron, M.D., F.A.A.P., chairman of the New Jersey Chapter's Committee on Pediatric Practice, was approved by the Chapter last October. The Center began operating in March when current office space became available.

The Center's physician staff was recruited by Dr. Maron from the New Jersey Chapter, the Beth Israel Medical Center, and by utilizing personal contacts. Physicians readily joined the project because of their commitment to the poor, according to Dr. Maron. "All we needed was the space to operate," Dr. Maron said.

According to Seymour Charles, M.D., F.A.A.P., who works at the Center, the New Jersey Chapter of the American Academy of Pediatrics regards this as a pilot project in the sense that the Chapter hopes that other Newark areas as well as other cities throughout the state will develop their own centers. "We pediatricians in New Jersey feel strongly about our obligations to our state and to its children," Dr. Charles concluded. "Our development of the Lyons Maternal and Child Health Center represents in concrete form just how strongly we feel," he said.

Radio Program on Child Health Launched By AAP Fellow & County Medical Society

Whatever Marshall McLuhan has to say about the temperature of electronic media, a North Jersey pediatrician and AAP Fellow weekly proves it's one of the most effective means to communicate with the most people at the same time with medical messages about prevention and the sources where treatment or further information can be obtained.

Seymour Charles, M.D., with a practice in the Newark, N.J., metropolitan area, is the moderator each Wednesday on Focus on Community Health over WNJR under the sponsorship of the Essex County Medical Society. Starting 1971 with its 35th consecutive broadcast, the weekly prime time radio series has climbed from an estimated 110,000 to 150,000 in the past six-months on the air.

WNJR, a Rollins station, provides the free public service time, and the challenge of reaching out to a vast listenership draws top names in medical, government, health, nursing, and other related fields.

Probably more important, however, is that Dr. Charles expects his panelists to do more than just talk. An informal format must be reinforced, he insists, by his panelists coming complete with working telephone numbers where information or help is available for listeners with specific problems.

SUBJECTS

For instance, such things as new community health centers are discussed, who qualifies to use them, the areas they serve, and why and how to seek and obtain treatment. It's a matter, Dr. Charles believes, of not only giving information, but knowing how it can be utilized for the family's health care.

One of the major reasons for the success of the program is its basic approach. Use of the vernacular is essential, and medical and technical terminology is kept minimal where it can't be eliminated. The reason for this is more than just communicating in the everyday sense in order to get an understandable message across.

Even more important, listener phone response and ratings show the method works. The Society, as producer of the show, views the series, according to Dr. George L. Benz, president, as "one of the most effective ways of reaching people who rely on radio for information and entertainment. In a dense population area, this is considered another of the special approaches the organization takes to reach people in as many ways possible to foster prevention as an essential to the individual's health."

From two-weeks to the "second season," this is how the broadcasts sum it up as programs and "specials" are booked now for up to three-months in advance. For Dr. Charles, the pediatrician who helped start the long-run series, his Wednesdays off which he devotes to the program make a full-week schedule, but even more, gives the person-to-person type of postgraduate continued education that few other specialists now realize.

Academy Fellows and Chapter officers interested in learning about the development of this excellent communications approach, can receive a free step-by-step outline of how to organize and produce a program by writing on official letterhead to: "RADIO," Essex County Medical Society, 144 S. Harrison St., East Orange, N.J. 07018.

Utilization of radio programming is one of the more effective methods for reaching the public with information on child health care. When combined with a question and answer format, public service radio programming provides the mechanism for an effective exchange of ideas on any particular problem which may confront parents concerning the health of their children.

SOCIAL SECURITY BENEFIT INCREASE NEEDED NOW

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. SCHWENGEL. Mr. Speaker, today I insert in the RECORD, part XI of the article entitled: "Private and Public Retirement Pensions: Findings From the 1968 Survey of the Aged" by Walter W. Kolodrubetz:

XI. CONCLUSION

This article has presented data from the DECA Survey about pension programs supplementing OASDHI that should be taken into account in assessing their present and future role in income maintenance for the aged. It has been pointed out that, although 9 out of 10 aged units received OASDHI benefits, only a minority of the aged population enjoyed the luxury of two pension incomes. Thirteen percent of the aged units receiving regular OASDHI benefits had private-plan benefits in addition, and 7 percent had another public pension. Furthermore, the Survey data underscore the contrasting economic positions of aged units with and without these supplementary pensions.

Detailed comparisons of the findings of this Survey and the 1962 Survey results cannot be made until additional analysis of demographic and economic changes are completed and measures of statistical reliability are developed. A few general trends, however, stand out clearly.

The data indicate a substantial improvement in the private plan pensions during a short period. The median private pension income for beneficiary couples went from $790 in 1962 to $970 in 1967, and the median for the nonmarried rose from $665 to $780—increases of 23 and 17 percent, respectively. These changes chiefly reflect the higher benefit levels for younger aged persons who qualified for pensions in the 5-year period between the two surveys.

During the same period the median regular OASDHI benefit for married couples rose by 11 percent ($1,405 in 1962 and $1,555 in 1967) and for nonmarried persons by 16 percent ($780 in 1962 and $905 in 1967). Of course, these changes in median OASDHI benefits would be greater if the benefit increases provided in the 1967 amendments to the Social Security Act could have been included in the Survey data.

Median total income for private pensioners rose between 1962 and 1967 as the result of improved OASDHI benefits for those retiring and those already in retirement, as well as increased private pension levels, among other factors. For beneficiary couples with private pensions, median total income rose by almost $700 from the 1962 median to reach $4,085 in 1967, and the median for nonmarried persons from $2,220 in 1962 to $2,410 in 1967. The percentage increases in median income, however, were not much different from those for beneficiaries without private pension benefits, as shown below.

Year	Median total income of aged units	
	With private pension	Without private pension
Married couples:		
1962	$3,410	$2,480
1967	4,085	2,880
Percentage increase from 1962	20	16
Nonmarried persons:		
1962	2,220	1,220
1967	2,410	1,330
Percentage increase from 1962	9	9

When measured in real terms, however, the increases in median total income for these groups were not as impressive. Living costs, for example, rose by about 9 percent in the 5-year period 1963–67, just about the same gain as median income for nonmarried persons and roughly half the gain in median total income for married couples.

The private pension system is still a relatively new and maturing institution and the future impact on retirement income needs continuing study and appraisal. Private pension coverage for active workers has not been distributed evenly throughout the work force. Coverage in private plans still tends to be concentrated in higher paying industries and occupations, although there are some encouraging signs for broadened coverage. Today receipt of private pension is likely to be found among persons with high preretirement earnings and career service in a firm or industry. In addition, persons with such income have higher levels of OASDHI benefits and tend to have more asset income.

Favorable factors for the years ahead include the continuing expansion of private-plan coverage, the increasing number of more broadly based plans, and the rising levels of private-plan benefits. Unfavorable factors—such as inadequate vesting, lack of survivor protection, and erosion of benefit values because few private pensions are tied to the cost of living—tend to dampen optimism about the future role of private plans in income maintenance of the aged. The Survey of New Beneficiaries now being undertaken by the Social Security Administration, will fill certain information gaps on the prevalence and levels of private and public retirement benefits for persons now retiring. It will therefore be helpful in assessing the future role of supplementary pensions.

A YOUNG MAN'S DREAM

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. CARNEY. Mr. Speaker, I recently received a letter from a young man in my congressional district who has a dream. Although it is but a dream at this time, it may well prove to be a reality in about 4 years. I am pleased to insert Michael's letter into the RECORD for the interest of my colleagues:

CAMPBELL, OHIO.

DEAR SIR: I am an 8th grader, and I would like to know if it would be possible for you to try to get me in an Air Force Academy. If it is not possible to get me in an academy with high school grades, I would appreciate it if you could get me in one with college grades. I always dreamed of going to the Air Force Academy in Colorado, so if it is possible, please try to, next time you run for anything you can be sure you will have my mother's and my father's vote. Good luck in the future.

Sincerely yours,

MICHAEL MAILLIS.

VIETNAM: WHAT IS LEFT OF CONSCIENCE?

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mrs. GRASSO. Mr. Speaker, it sometimes seems that we are becoming so accustomed to violence that we have forgotten the pain. In our weariness and despair we have indeed dulled our conscience and lowered our voice. Our heritage has drawn strength and vitality from the rich moral fiber of our Nation. The disintegration of conscience adds sad new dimensions to our dilemma.

Mr. Bill Moyers, former White House press secretary under President Johnson and publisher of Long Island's Newsday, has written of our Nation's crisis of conscience and I would like to bring his article in the Saturday Review of February 13 to the attention of my colleagues:

VIETNAM: WHAT IS LEFT OF CONSCIENCE?

(EDITOR'S NOTE.—The following guest editorial is by Bill Moyers, who served as White House press secretary under President Johnson until January 1967, when he left that post to become publisher of Long Island's Newsday. Since last April, Mr. Moyers has been traveling around the country gathering material for his new book Listening to America, which will be published next month in Harper Magazine Press.)

We do not yet know the full extent to which the war in Vietnam has affected our moral sensibilities, but we do know enough to be troubled. News of continuing death and destruction appears fleetingly in the press and is quickly forgotten. In a recent national poll, people said they are more concerned with the economy than with the war. When during a television interview reporters finally asked President Nixon a question about the war, he wondered aloud, with a smile, why they had taken so long to bring it up. A consensus has been reached that the war is winding down, at least our active combat role in it; last month when 300 bombers roared over the countryside of Indochina dropping tons of bombs, barely a peep was heard in the land. There was relatively little outrage over the Cambodian invasion until four students were killed by the National Guard at Kent State. Campuses are quiet, I suspect, because the threat of the draft is disappearing. Americans do not seem able to sustain indignation over a situation that does not cost them personally. We do not mind war as long as we do not have to look at its victims.

A committee of the American Association for the Advancement of Science recently reported that chemical herbicides used by the United States have poisoned some five million acres of South Vietnam—one-eighth of that country; that we have used six pounds of herbicides per Vietnamese, including children; and that the defoliation program, intended to deny food to the Vietcong, often destroyed the crops of the Montagnards, who are supposed to be on our side. Pictures of once fertile mangrove forests look like pictures of the moon. The report was like a rock dropped into a bottomless well. After the first burst of news coverage, hardly anyone paid any attention to it.

When Col. Robert A. Koob was selected foreman of the court-martial panel for the trial of Sgt. Charles E. Hutto, one of the soldiers at Mylai, he was asked by the chief government prosecutor if an enlisted man should be prosecuted if he shot an unresisting prisoner of war at the order of an officer. Colonel Koob was quoted by *The New York Times* as replying: "Since the time I entered the service, I was taught that a soldier was trained to shoot and kill. Haven't we trained soldiers to be responsive to orders?" Koob was also quoted as saying that "this is not a conventional war. We have to forget propriety."

The problem with the colonel's statement is that nations always "forget propriety" in the waging of war, whether they are sending V–2 rockets into London or dropping an atomic bomb on Hiroshima. In all wars, men have observed Seneca's proposition: "Deeds that would be punished by loss of life if committed in secret are praised by us when uniformed generals carried them out."

However, there are exceptions: Lieutenant Calley and others *are* on trial for what allegedly happened at Mylai. But even here something seems amiss. What do we learn about ourselves when we realize that for all the outcry over events at Mylai and Kent State the public remains quiet over the bombs that continue to fall indiscriminately—they might as well be labeled "Occupant"—on Indochina? Are we indifferent to the destruction our newspapers are unable to describe? Why is it that men like Calley should bear the brunt of punishment for what has been an official policy of mass and impersonal devastation waged in our name in Vietnam? Are they more guilty than the men who fly the bombers? Than the men who give the orders from Saigon or CINCPAC in Hawaii? Than the men who make the policy in Washington? Than all of us?

I do not know how to deal with the dilemma of such questions. Collective guilt, like a trillion-dollar economy, is of such scope as to stagger my mind. I grew up believing in personal responsibility and individual guilt. Much of the country did, too, which perhaps explains why so many seem so little troubled by the anonymous and abstract manner in which we have destroyed so much of Vietnam in order to save it; in the diffusion of responsibility there is comfort. Perhaps it also explains our willingness to permit the Calleys to be scapegoats through whose sacrifice the rest of us arrive at some atonement. Seeing Calley on television as he is entering or leaving the place of trial, I sometimes find myself wishing the worst for him; the acts of which he stands accused seem so heinous a departure from propriety. But in the next moment, realizing that I have never been in war, have never been asked to kill for society, I am engulfed by sympathy for him, not willing that he alone of all of us should be judged. Perhaps it is these moral doubts to which Colonel Koob unwittingly referred when he said Vietnam is "not a conventional war." Americans have fought brutally in other wars. This is just the first time we have been forced to concede the brutality so frankly and publicly, the first time we have fought with a nagging conscience openly displayed on television, the first time we have acknowledged in such a wholesale way the discrepancy in justice for the individual soldier who kills in our behalf and the anonymous men who from 30,000 feet carry out official policies of mass destruction, also in our name. We have abandoned propriety before; we have never before doubted the reason for doing so, as we doubt it now.

No wonder our armed forces are being shaken. "The Troubled Army in Vietnam" was the title of a recent cover story in *Newsweek*. But we should not be surprised. War is so total a departure from the traditions of civility men have labored for centuries to achieve, so consuming in its requirement that ordinary men inflict upon one another such extraordinary terror that an army can never again be the same once its troops are denied general confidence that their cause is just. A totalitarian government can march men to war under threat of death; better to take one's chance with an uncertain fate on the battlefield than to die certainly at home by the hand of your own master. But if tyranny can force men to become killers, a democratic government must persuade its citizens that killing in behalf of their government is, in the nature of things, justifiable. Conscription in our kind of society can only work well when sufficient numbers of men believe they would not be asked to kill unless their leaders knew what they were doing. When enlisted men lose confidence in the rationale of the policy and begin to wonder if the killing is worth it, discipline and morale inevitably suffer.

Vietnam has demonstrated that Nietzsche was wrong; a good war does not "hallow every cause." War can defile a cause as it can degrade the men who fight it. Old war movies to the contrary, men who look down the barrel of a gun at another human being, intending his death, want to believe that the irrevocable act they are about to commit has grounds more defensible than the exhortation of politicians. When by intuition, observation, or experience they begin to suspect that the brutality being exacted of them is not only not heroic but futile as well—it will not accomplish what their leaders said it would accomplish, it cannot stay the forces of history—no Congressional resolution or Presidential order can make right to such men what their consciences suggest is wrong. War is the means by which a government can sanction our worse nature, enabling us to do collectively what singly we would abhor. But men have conscience if governments do not, and when the sanction of the state runs out, men remember what they did and what they became under its protection. This is why governments should not expect men lightly to go to war; governments never feel the need for forgiveness, but men do. If Samuel Johnson was correct when he observed that "every man thinks meanly of himself for not having been a soldier," governments ought not to require a man to act in such a way that he will think meanly of himself for having been a soldier. "In becoming soldiers," Cromwell's troops petitioned Parliament, "we have not ceased to be citizens."

When men are asked to forget propriety on a scale that challenges the fragile moral values by which they maintain some sanity and some dignity, many things can happen. Some will become more soldier than citizen—as may have happened at Mylai. Some will resist the right of the government to ask of them such an offense to what the Levelers called their "self-propriety" and will seek refuge in Canada or elsewhere. Some are never bothered because in handling the impersonal instruments of war—bombs and herbicides—they are never confronted with the particular consequences of their acts, the charred bodies of the victims or the Montagnard family without food. "I could take it," a young veteran told me last summer, "only because I was in the artillery. I never had to worry about who we hit. It might have been Charlie, it might have been somebody else. We never knew who we hit, so pretty soon we just stopped wondering. That was the best way for everybody."

Still others respond by becoming less soldier, less citizen. A Department of Defense task force reported last week that drug abuse among American military personnel in Vietnam has become a "military problem" for which no effective solution has been found, partly because many enlisted men want so much to get out of the service that they are prepared to risk less than honorable discharge to do so. According to *Newsweek*, since last June "the United States Army . . . has seen the time-honored medal-award system badly tarnished, witnessed large numbers of its troops take to drugs that are prohibited back home, and experienced a measurable decline in discipline and morale."

For a conscripted army, the only thing worse than defeat is the doubt that it should be fighting at all. There is a limit to how much savagery ordinary men in uniform can either absorb or inflict. Sooner or later they will stop wondering, stop caring, or go mad.

At home, we have also experienced "a measurable decline in discipline and morale." We have turned upon each other in spiteful and accusing fashion, which has resulted in violence, division, charges of intimidation and conspiracy, increased surveillance by the state of its citizens, and increased suspicion of the state by the citizen. Most disturbing of all is the ease with which so many tend to suppress their indignation when they are not personally affected by injustice and suffering. Such is what happens when in the name of its ideals a nation has to "forget propriety." Nations cannot abandon civility abroad and remain civilized at home.

COMMITTEE OF LIAISON

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. SCHMITZ. Mr. Speaker, there is a burgeoning effort underway in our Nation both to prove that our men being held captive by the North Vietnamese Communists are in fact "war criminals," and also to use families of these men to advance enemy objectives in the Southeast Asian theater. These efforts are beneath contempt.

One group which is attempting to advance the enemy war effort by playing on the emotions of the anxious families of the American servicemen being held by the Communists is the Committee of Liaison headed by one Cora Weiss. This organization has rightly been assessed as a "propaganda tool of the North Vietnamese Government" by the House Committee on Internal Security.

Recently I sent a letter to the Attorney General of the United States asking him what action he plans to take to curtail the activities of these people. It is my hope that the Attorney General will move swiftly on this matter.

For the information of my colleagues who have families of captured Americans residing in their districts, I include at this point in the RECORD the findings of the House Committee on Internal Security on the Committee on Liaison With Families of Servicemen Detained in North Vietnam—COL.

The use of the word "Detained" in the name of this organization to characterize the brutal and inhumane incarceration and murder of our servicemen by the North Vietnamese Communists gives one some indication of their general outlook.

The report follows:

NEW MOBE'S "FRONT" TO HANOI

In the course of the June hearings, special interest was directed by the subcommittee to a New Mobe "front" group dealing with an enemy of the United States. The committee clearly established that the Committee of Liaison with Families of Servicemen Detailed in North Vietnam (COL) is, in fact, a front for the New Mobilization Committee and that the COL operates at the specific bidding of the communists in Hanoi.[1]

Cochairmen of the Committee of Liaison are David Dellinger and Cora Weiss, both of whom have been national cochairmen of the New Mobe and active members of the New Mobe steering committee. The treasurer for the Committee of Liaison is Mrs. Anne Bennett, who was an official endorser of New Mobe's November 1969 demonstrations and who has spoken under New Mobe's auspices. Of the 15 people listed on a COL letterhead as members, the following have been connected with New Mobe: Rennie Davis, Rev. Richard Fernandez, Kalish, Meacham, Prof. Franz Schurmann, Ethel Taylor, and Trudi Young.

On October 28, 1969, William M. Kunstler, attorney for the defendants in the Chicago "Conspiracy" trial, issued a press release in Chicago following his return from a visit with a North Vietnamese "peace" delegation in Paris. Kunstler announced that the New Mobilization Committee was setting up an office and staff to receive names of prisoners of war in North Vietnam and that as soon as possible this office would pass on information about POWs to their families. Kunstler further announced that an office was not yet established, but that one of its leaders would soon be going to paris to initiate the flow of information.

On December 16, 1969, press accounts indicated that Mrs. Cora Weiss was then in Hanoi at the invitation of the North Vietnamese and that she would be negotiating for disclosure of the names of American prisoners of war.

On January 15, 1970, Dellinger, Weiss, Meacham, and Fernandez held a press conference in Chicago announcing the formation of the Committee of Liaison. As previously noted, all four have been active members of the New Mobe steering committee.

An official Committee of Liaison information sheet dated January 1970 specifically stated that the "Committee of Liaison has now been established * * * at the request of the North Vietnamese." (Kunstler had also said in his October 28, 1969, Chicago press announcement that the new committee was to be established *at the request of the North Vietnamese.*)

The motivations of the North Vietnamese in encouraging the establishment of such a group as the Committee of Liaison were made clear in an item carried in the March 14, 1970, issue of *Liberation News Service,* quoted in the committee staff study. According to the LNS article, the North Vietnamese Government "chose to work with the antiwar Liaison Committee because it believes that the families of the pilots [held in North Vietnamese prisons] should join the antiwar movement. The success of the movement is the first step toward the release of the pilots, say the Vietnamese."

CONFIRMING TESTIMONY

This was dramatically confirmed by the testimony of Mrs. Sue Allen Shuman, wife of U.S. Navy Commander Edwin Arthur Shuman III, an American pilot captured by the North Vietnamese on March 17, 1968. Mrs. Shuman testified that she and Mrs. Martha Shaw Doss, wife of Navy Lieutenant Commander Dale Walter Doss, also captured with Shuman on March 17, 1968, had journeyed to Paris in October 1969 to meet with members of the North Vietnamese delegation there. After a 6-day wait, the two women finally saw two North Vietnamese.

Questions by HCIS counsel Stephen Romines as to the conditions laid down by the North Vietnamese representatives for the release of American prisoners of war elicited the following colloquy:

Mr. ROMINES. What did they tell you about the release of the prisoners of war?

Mrs. SHUMAN. They told us that the prisoners would never be released until the last American was off their soil, out of Vietnam.

Mr. ROMINES. Did they indicate to you at all what you could do to help your husband?

Mrs. SHUMAN. They certainly did, throughout the whole interview.

Mr. ROMINES. What did they tell you?

Mrs. SHUMAN. They suggested if we wanted to get our husbands out that we should come home and join all of those who are in sympathy with them and are against our administration and against the policies of our country. In other words, to join those who were demonstrating that day. It was Moratorium Day in the United States.

Mr. ROMINES. Did they actually tell you to go out and demonstrate?

Mrs. SHUMAN. Absolutely, and they told us to get as many other people to join us as we possibly could.

On January 27, 1970, Cora Weiss held a news conference concerning the Committee of Liaison in Room 345 of the Cannon House Office Building. Mrs. Weiss began her conference by criticizing the American Government for alleged atrocities committed in Vietnam, giving as her source for these allegations a communist document headed "The following was received from the Provisional Revolutionary Government of South Vietnam."

Mrs. Weiss described her inspection of North Vietnamese prison camps in Hanoi and quoted a North Vietnamese official to the effect that negotiations by North Vietnam concerning the treatment of POWs would be contingent upon a complete withdrawal of all American forces from Vietnam[2] and the recognition by the United States of a coalition government in South Vietnam. Mrs. Weiss said that the peace movement would handle communication between POWs and their families. More specifically, she indicated that the Committee of Liaison would be the exclusive agent for transmitting letters to and from American prisoners of war held in North Vietnam.

DOWNGRADING OF POW'S PLIGHT

During this news conference, Weiss also made light of the testimony of Navy Lieutenant Robert Frishman and Seaman Douglas Hegdahl, both of whom had testified before this committee in December 1969 regarding the inhumane treatment they had received at the hands of their North Vietnamese captors.[3] Weiss flippantly dismissed Frishman's arm injury with the comment that since he was captured as a "war criminal," he was lucky to have an arm at all.

Mrs. Weiss discussed the allegedly excellent living conditions she had observed in the North Vietnamese prisoner-of-war camp known as the "Hanoi Hilton", but she pointedly refused to be drawn into any discussion as to whether or not this camp was representative of treatment accorded to *all* Americans held by the North Vietnamese communists.

Mrs. Shuman and Mrs. Doss had also personally attended Mrs. Weiss' news conference and described its blatantly pro-Hanoi and anti-American tenor. Both women had previously been contacted by the Committee of Liaison and had subsequently decided—with great personal anguish—to refuse to accept any mail forwarded from their husbands by the COL. Both women indicated that the Weiss news conference had been a powerful factor in reaching their decisions.

Mrs. Shuman testified that she had received seven letters and one postcard from her husband since his capture. The first came through normal postal channels in April 1969, 13 months after Shuman had been taken prisoner, and was postmarked in Hanoi. The second and third letters were received in May and June of 1969, also through the regular mails, as were the fifth and sixth, both of which were received by Mrs. Shuman in December 1969.

The fourth letter was received by Mrs. Shuman from Rennie Davis, who had previously sent her a telegram containing a note from him and the contents of a letter from her husband. Davis had sent the telegram upon his return to New York in August after a propaganda trip to Hanoi, a trip which resulted in the release of Lieutenant Frishman and Seaman Hegdahl from their imprisonment in North Vietnam.

The sixth letter arrived on December 24, 1969, in a plain white envelope bearing the initials "L.S." and the simple return address "Philadelphia" in the left-hand corner. Mrs. Shuman could only speculate as to who had sent the letter; but she surmised that it must have come from Louis Schneider of Philadelphia, who had just returned from Hanoi and announced to the press a list of people to whom he was sending letters. Mrs. Shuman's husband was on Schneider's list as announced to the press, and the plain white envelope in which her husband's letter arrived had been postmarked in Philadelphia.

In January 1970 Mrs. Shuman received a letter from the Committee of Liaison informing her that they would be forwarding a letter from her husband. On February 6, 1970, the letter and a postcard, both from her husband, arrived with a covering letter from the Committee of Liaison's office in New York City. Mrs. Shuman accepted this letter and postcard, but later refused all further mail forwarded to her by the COL. Her decision not to cooperate with the Committee of Liaison was reached in March 1970:

But as time went on, after I heard Mrs. Cora Weiss speak in January, the things that she said about Lieutenant Frishman, for whom I have the highest regard, and I read the things that she said at their press conference against this country, of which they are also members—they are citizens of this country—something inside me just simply could not compromise any longer.

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[1] Another New Mobe affiliate engaged in the prisoner of war issue has been Chicago Veterans for Peace in Vietnam, founded and dominated by identified CPUSA member LeRoy Wolins, who has also served as a member of New Mobe's Washington Action Committee. A press report in November 1969 stated that VFP was releasing a list of 74 prisoners of war, together with photographs, which information had been received *from Hanoi* through Toronto, Canada, some 3 months earlier. The reason it was being released after so long a time, said Wolins, was simply that it had been "lost" in the VFP's files.

[2] This position is reflected frequently in Committee of Liaison literature: see especially Committee Exhibits Nos. 4, 6, 9, 10, and 11, printed in the appendix to the June hearings at pp. 4246–4258.

[3] See hearings, *Investigation of Students for a Democratic Society, Part 7–A (Return of Prisoners of War, and Data Concerning Camera News, Inc., "Newsreel")*, Committee on Internal Security, U.S. House of Representatives, 91st Cong., 1st sess., Dec. 9–11 and 16, 1969, pp. 2187–2289.

I do feel that it is a compromise to accept mail from these people. It is not something that you can put into a gray area and say, "Oh, well, I need this letter, it doesn't matter, because as far as I am concerned, if it was important enough, if this issue, this war, this conflict was important enough for my Government to send my husband into combat, to lay his life on the line, and with the knowledge that he might be captured, and if it is important enough for him to sit there and resist, which he must be doing, then it is important enough for me to stand up for what I believe in." Therefore, I made my decision.

A FURTHER TESTIMONIAL

The situation of Mrs. Doss was in many respects very similar to that of Mrs. Shuman. Mrs. Doss also received seven letters from her husband, the first of which, written and postmarked in North Vietnam, arrived through the regular mails in April 1969, 13 months after her husband's capture. The next two came on the same day in June 1969, also in the regular mail.

Like Mrs. Shuman, Mrs. Doss received the fourth letter from her husband in August 1969 as a result of Rennie Davis's trip to Hanoi. Mrs. Doss, however, was further subjected to callous publicity-mongering by Davis, who tried "to use my husband's letter for his own glory."

Davis sent Mrs. Doss a telegram in which he notified her of her husband's letter—and also stated that he had contacted some friends at *Time* magazine about the possibility of publishing the letter because, in the words of Mrs. Doss, it allegedly "showed the gerat courage of the men who remained in the camps, and therefore he felt that I would like to share it with the world." Davis had taken this action entirely on his own without even perfunctory consultation with Mrs. Doss, who was most upset and sent a wire to *Time* asking them not to publish the letter. *Time*, however, before they had received Mrs. Doss's wire, called her to ask permission to publish the letter. Her response was "please, please not to, that it was something very personal, written to me and not to Rennie Davis and not to the American public." About 6 days later, the letter arrived in the mail from New York.

The fifth and sixth letters also arrived through the normal mails, in December 1969 and January 1970, respectively. As with Mrs. Shuman's sixth letter, Mrs. Doss's sixth arrived in a plain white envelope "with no return address and initials scrawled across the back." Unlike Mrs. Shuman's, however, Mrs. Doss's came from the West Coast, not from Philadelphia.

Since the receipt of the sixth letter, Mrs. Doss had received by the time she testified three letters from the Committee of Liaison, "the first one being [as she described it] two pages giving their background, and it is full of procommunist propaganda." The second, though in an envelope correctly addressed to her, was actually intended for another woman whose husband, Mrs. Doss ascertained, is also a prisoner of the North Vietnamese communists.

On March 9, 1970, Mrs. Doss received her third communication from the Committee of Liaison, signed by Cora Weiss and David Dellinger, telling her that a letter from her husband would be arriving in from 1 to 2 weeks. In fact, the letter arrived *8 weeks later*. Mrs. Doss testified that she became quite anxious after the second week: "* * * you know, the old story of waiting for the mailman, running, scratching the mail box." But after 3 weeks of this anxiety, she "stopped and thought, if they could see me now they would be in hysterics because I am doing exactly what they want me to do, plus all the other wives."

REFUSAL TO COOPERATE

By the time the 8 weeks had passed, Mrs. Doss and Mrs. Shuman had both publicly declared that they would in no way cooperate with the Committee of Liaison, even to the point of refusing mail from their husbands if it was forwarded by the COL. Their joint announcement was made at a press conference in Washington, D.C., on April 14, 1970.

Mrs. Doss therefore returned the unopened envelope to the Committee of Liaison in New York. Two weeks later, she received a plain white business envelope with no return address. Upon opening it, she found her husband's letter concealed inside a sheet of paper: "She [presumably Weiss] had camouflaged it, or the committee had camouflaged it so I could not see what it was, so I would have to hold the letter in my hand."

Mrs. Doss subsequently reached the same decision regarding the disposition of these letters as had Mrs. Shuman; she turned the unopened letters over to this committee with explicit permission to open them. (To this day, however, as a matter of principle, neither wife knows the contents of these letters.) Mrs. Doss explained her decision thusly: "Because if my husband's letters have to be used as the Committee of Liaison is using them, I will not let them be used for vile reasons to hurt other people * * * and if I can't have them, then I want them to be used for good, for the cause of good."

Asked what she believed to be the objectives of the Committee of Liaison, Mrs. Doss replied: "* * * they are trying to paint a pretty face on a very ugly situation. They are using our husbands * * *." She then summed up her feelings:

"Now, I would rather give up Dale's letters for something that would be worthwhile. Those letters don't help him. They may help me, but they are not helping him. They are not getting aid in to him and the thousands of others. It is a way that the communists have devised to pacify us.

"If this Committee of Liaison were truly humanitarian and were truly what they paint themselves to be, then, No. 1, when they bring mail out they would not do it with maximum publicity. No. 2, when they go in, they would be truly concerned about the POWs and they would do their best to check into it, not gloss over it. No. 3, they would not hold press conferences, as Fernandez did.

Mr. Romines. Would that be Reverend Richard Fernandez?

Mrs. Doss. Yes, and talk about the POWs that are in there, the few chosen ones that they saw, and pour out this pro-Communist propaganda.

"I have had it with them. They will not use Dale's letters anymore. Now they insist on sending them to me, even though I have said no, no more. It is a way to continually harass me because, quite frankly, it hurts not to be able to open those letters. So from here on I will send those letters to a proper official in the U.S. Government."

Mrs. Shuman summed up her own feelings in a similar vein [the "she" referred to in Mrs. Shuman's statement is Cora Weiss]:

"As Mr. Horner said—he said it very well—she spoke against the policies of our country and she spoke against the men who had gone to fight for the country. My husband is one of those men. She seemed totally unsympathetic and non-caring about the fate of the prisoners, and yet she was up there supposedly as the head of this committee that is supposed to be serving these prisoners and serving the families, and it seemed so obvious to me that she cared not in the least for the prisoners or for their fate. All she seemed to care about was the cause of the North Vietnamese, and yet she is an American, and I can't understand that.

"I can understand the North Vietnamese. I met them face to face and I can tell you frankly I would rather go and meet with the enemy in the middle of the street—at least I would feel decent and clean and honest—than to talk to another American who is sitting here enjoying the freedoms of this country and yet fighting for the other side and giving aid and comfort to the enemy."

The testimony of these two wives vividly corroborates other evidence that the Committee of Liaison with Families of Servicemen Detained in North Vietnam, is a propaganda tool of the North Vietnamese Government, playing upon the hopes and anxieties of the wives of American prisoners of war for Communist propaganda purposes. The activities of the Committee of Liaison aid and abet a nation with which the United States is engaged in armed conflict.

The Committee of Liaison appears to be acting as an agent for a foreign power—the Government of North Vietnam.

THE DANGER OF BEING A POLICEMAN

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. MANN. Mr. Speaker, I would like to insert into the pages of the Congressional Record the following insightful commentary, by David Lawrence, on how many of our law enforcement officials are treated nowadays. In this article, taken from the Washington Evening Star of March 1, 1971, we see further evidence of the fragmentation which is splitting this country into futilitarian divisions of warring factions. James Madison long ago warned against this phenomenon in his justly famous Federalist Paper No. 10. It is a pity that extremists of left as well as right have chosen to ignore his words. That those who are charged to protect our lives, property, and liberty should be treated as a hostile force not only by a few but by many is itself an astounding fact. That tolerance of such an attitude has indeed become part of the general permissiveness of our day is a sign of the sure imminence of national catastrophe if something is not done by good and moderate citizens to correct the blight.

We must, if we are to remain as one nation under a fair system of laws, lend support of the fullest kind to those who uphold it. The alternative is the chaos of anarchy, and those who will not turn away from it lead our country every day closer to ruin.

[From the Washington Star, Mar. 1, 1971]

The Danger of Being a Policeman

(By David Lawrence)

Policemen are expected to maintain order, but their tasks are becoming more and more dangerous. The figures show that 88 policemen were killed in 1970, a new record.

Unquestionably, there is an insidious campaign behind the terrorism which has swept many a country in the world today, including the United States. One of the targets of persistent attacks—physical and verbal—is the police. J. Edgar Hoover, director of the Federal Bureau of Investigation, has written in the March issue of the "FBI Law Enforcement Bulletin" a significant statement on the subject, released today. He says in part:

"Frequently, some belligerent, anti-law enforcement elements of our society refer to police officers as 'pigs.' Obnoxious four-letter words are shouted at policemen, and the familiar chant, 'Off the pigs,' meaning 'Kill the police,' is a prominent cry wherever these groups assemble. Further, cartoons and publications depicting police officers as pigs are common fare, even for children. The ridiculous statement, 'The only good pig is a dead pig,' is a slogan of violent protesters. Such deplorable epithets can be gratifying only to little minds. . . .

"In a free society, which owes its very existence and prominence to the rule of law, abuse and ridicule of the law and those charged with enforcing it should not be taken lightly. I urge all members of law enforcement—in spite of personal indignities suffered—to serve with dignity and honor. As a rule, a repulsive slur is more descriptive of its origin than its target."

Hoover declares also that "community leaders, professional spokesmen, educators, clergymen, and others in positions of influence should take a firm stand to preserve our sense of values." He adds:

"Too many are swayed or intimidated by loud, unruly, and aimless ramblers—people with a lot of dialogue but no message."

There are plenty of persons who feel that community leaders could do more to educate youth on the basic functions of our governmental system. The youngsters should be taught how petition for reform or change ought to be handled and that violent or coercive methods are not productive.

Looking back over the campus disorders of the last few years, it is apparent that many universities and colleges allowed themselves to be drawn into the debates instead of keeping out of the controversies. Educational institutions are given tax exemption provided they refrain from participating in political activities. Students who want to organize anti-war campaigns, for example, ought to be free to do so, but they should not have the use of campus buildings or facilities for such purposes.

College faculty members as individuals have a right to express opinions on any subject, political or otherwise. They can, however, hardly be justified in speaking as members of the faculty to the students on university or college property as political partisans without impairing the position of the institution itself.

In the 1969–70 college year, nearly 1,800 student "demonstrations," sit-ins, arsons and building seizures occurred. Outbursts on campuses this school year have been insignificant. This may be due to the fact that American troops are being gradually withdrawn from Vietnam and youths are being drafted in smaller numbers. While campus disturbances which require local police or state troopers or, in some cases, the National Guard to restore order have diminished, what is important now is to learn how the riots were incited and what outside influences, if any, were involved in the episodes.

So far as the police are concerned, press reports have unfortunately given emphasis to alleged brutality by law enforcement officials, and many an unverified story stressing police initiation of violence has been published. Some of the militant organizations feel it aids their cause to blame the police for starting the shooting or otherwise stirring up trouble. Little is said about snipers who fire upon police or about the participants in disorders who shout taunts and insults at the police.

The fact remains that many criminals and "activists" today kill or assault policemen with greater frequency than at any time in the past. Police are confronted with more dangerous situations than they have ever faced.

The states, the cities and the federal government are increasing their law-enforcement personnel and will continue to do so until the era of terrorism has been changed to one of internal peace.

REVENUE SHARING: THE PRAGMATIC CASE

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. ROBISON of New York. Mr. Speaker, although the $5 billion "general revenue-sharing" proposal of the President has attracted by far the most public attention, the $11 billion "special revenue-sharing" plan is also an exciting—and in some ways more dramatic—innovation. For those of us who have long sought a proper vehicle for implementing our feeling that decisionmaking should be more often shared by State and local governments, "special revenue sharing" is a bold and promising measure; and I hope that it will be given the consideration it truly deserves by this Congress. In today's Wall Street Journal, Robert L. Bartley puts the issue in what I consider the proper perspective. It is a wise and easily read article; and I hope that all of my colleagues will have a moment to consider it. For their convenience, I now present the full text of that article:

[From the Wall Street Journal, Mar. 3, 1971]

REVENUE SHARING: THE PRAGMATIC CASE

(By Robert L. Bartley)

WASHINGTON.—Officials who evolved the administration's revenue-sharing proposals say they are trying to solve "the gold-plated octagon problem." One explains, "if the federal government were giving away gold-plated octagons, and the cities had to pay half the cost, every damn city in the nation would have one."

Powerful incentives come into play every time somebody in Washington has a brainstorm for a new federal aid program, revenue-sharing backers say, and often the result has been to give the cities and states something closer to gold-plated octagons than to what they really want and need. And somehow, the budget and Treasury officials who make this case are far more persuasive than the presidential messages expounding philosophically on "power to the people" and "the new American revolution."

The President can of course argue that decisions made closest to the people are the best ones, but his opponents can counter that the federal bureaucracy is more efficient and less venal than state and local ones. The ancient debate is not only endless and inconclusive, but its ideological generalizations obscure the specific problems and pragmatic responses that actually did give birth to the administration program.

In particular, the "special revenue-sharing" proposal is designed to redress problems the federal government has thrust on states and cities by its past efforts to aid them. So far this $11 billion program, which would consolidate into six broad categories funds already going to states and cities under existing grants-in-aid, has received less attention than the $5 billion in "general revenue sharing," which would shore up state and local finances with a direct cut of the federal income tax. General revenue sharing was spelled out in a presidential message back on Feb. 4. This week special revenue sharing takes the spotlight; the first of six special messages was sent to Congress yesterday.

The six bills for special revenue sharing face intricate political problems, though few if any of their opponents argue against the principle of grant consolidation. If the measures should pass, however, they would constitute a sweeping reform of the way federal money is passed to lower levels of government.

To date the standard procedure has been for Congress to set up national programs to plant trees, or educate migrant children, or control outdoor advertising, to take a few real examples. A state or city wanting federal funds for any of these purposes is required to contribute half, or a third, or 10 percent of the total cost from its own funds.

This procedure made a good deal of sense as a way to focus both federal and local efforts on a few high-priority problems, but it was forced far beyond that use as the New Frontier and Great Society seized on grants-in-aid as the available device for financing local social efforts. A 1962 study found $7.9 billion in federal aid advanced to lower governments for 160 different purposes. Today $30 billion, or nearly a fifth of all state and local revenues, is granted under 1,019 different categories. In these terms, the grant-in-aid procedure makes little sense, if any at all.

As an example of one of the problems it creates, George Romney, Secretary of Housing and Urban Development, showed up at a conference the other day with a 2½-foot stack of papers. It was, he said, the application for one urban renewal grant. The proliferation of grant-in-aid programs, each with its own regulations, has reached the point where catalogs had to be published to guide state and local officials through the bewildering complexity. As one presidential message observed, there is now a catalog of the catalogs.

Despite the proliferation of federal programs, to take a second problem, aid money remains available for some purposes but not for others. And while Washington has not literally sponsored any gold-plated octagons, the present structure of grants-in-aid grew like Topsy, with no systematic effort to weigh one program against another. It is by no means clear that the resulting structure of priorities makes more sense than what the states and cities would do if left to their own devices.

The lack of a firm overview of priorities in federal programs leaves the best-informed administration officials entirely impatient with the argument that present federal strings are necessary to insure against local stupidity. "That's a cute and clever point," one of them says, "but the questions you really get when you go to these towns is 'We've got county libraries coming out our ears, what we really need is a new fire station. Can't you change that federal aid system?' "

A third problem is that the aid system not only limits what localities can do with federal funds, its matching requirements act as what Assistant to the President John Erhlichman calls a "blotter," with "more and more local financial resources soaked up in federal participation." Aides to Governor William G. Milliken of Michigan say that between federal matching funds and other normal fixed requirements, a state budget of $1.95 billion left the governor with real discretion over only $85 million.

The cumulative result of all this, plus uncertainty about year-to-year appropriation levels in various programs, is to leave state and local governments unable to do much planning. Governor Richard B. Ogilvie of Illinois complains, "We are always waiting for someone in some federal agency to tell us what is our most important problem."

The drawbacks of present grants-in-aid are for all serious purposes indisputable, but how to cure them is a separate question. Under special revenue sharing, the administration proposes to abolish some grant-in-aid programs accounting for a third of federal aid spending, or $10 billion a year. Other present programs would be continued and expanded. While decentralizing many programs through the revenue-sharing device, the administration would further centralize others, notably the welfare system, which accounts for another third of federal aid expenditures.

The $10 billion for abolished programs plus $1 billion in new money would be put into six revenue sharing funds: rural community development, urban community development, education, manpower training, law enforcement and transportation. Lower levels of government would receive shares of each fund as determined by mathematical formulas, and would have wide discretion in spending and no set requirements for matching funds. Present projects started under grant-in-aid could be continued, or localities could transfer the money to anything else within the relevant broad category.

ZEAL AND LOGIC

The administration's wheelhorse for special revenue sharing is Richard P. Nathan, assistant director of the Office of Budget and Management, a man who defends the program with evangelistic zeal but pragmatic logic. He sees it as an effort not to get more decisions made by nice little states rather than bad old Washington, but to sort out what types of decisions are best made by each. The program is, he says, "a careful definition of the federal role, but a definition that moves away from the one that developed during the Great Society and New Frontier."

Mr. Nathan believes centralized administration is needed in three circumstances. One concerns economies of scale. With computers and such, the central government is pretty good at checking formal eligibility and dispensing checks, as in the Social Security system. He defends further centralization of the welfare system for the same reasons.

The federal government should play a heavy role in programs, like air and water pollution, where there is a large spill-over across state lines. And, he says, it should be active in an "innovator-disseminator role," sponsoring research and new programs like family planning that are "just being recognized as a government responsibility."

At the same time, Mr. Nathan continues, there are things the Federal government cannot do. "Service responsibilities do not lend themselves to orchestration from Washington," he says, "You couldn't run a school system like you run the Social Security system."

The supply of talent and time in Washington is perhaps better than in the states, he adds, but it is not infinite. It's a mistake to assume that any one group of people can make nation-wide the detailed decisions implied by Secretary Romney's 2½-foot stack of paperwork. "What should be the mass transit system in Community X? How should education programs change or expand in City Y? These are decisions for the local level. We can't make them, we couldn't make them if we wanted to."

Mr. Nathan is harsh about the past proliferation of grant-in-aid programs. As a Congressman, he says, "you've got to have a program where you can be identified, where it's your idea." So in a field like manpower training there are a lot of programs, each with different rules about how to "jump through the hoop to get the federal dollar, and then we sit back and say the state and local governments don't know how to run manpower." Also, such programs tend to be under-funded because Congress reacts to mathematical reality: "You can get more programs if you make them small."

THE BIG CATCH

But if that's how the present system arose—to get to the big catch in the President's program—how do you persuade Congress to change it? The political problems here go beyond the President and his opponents competing for credit. Special revenue sharing is certainly not the only way to address the grant-in-aid problem, and valid criticisms may be directed at its details as they are disclosed. Conceivably Democrats could honor the principle by offering grant consolidation programs of their own. But a narrower sort of political interest is the big obstacle. Grant consolidation is like free trade, everyone's for it for everyone but himself.

At the winter Governors' Conference here last week, Gov. Winfield Dunn of Tennessee was explaining to the press that the President's program was not political but idealistic. That this was strictly a matter of the public interest. How, a mean-spirited reporter asked, did he feel about folding the Appalachian Regional Commission into special revenue sharing? Oh no, that's a "unique situation," and its separate identity should be preserved until it has had a chance to prove itself. Sen. Howard Baker (R., Tenn.), the administration's floor leader for general revenue sharing, feels the same way. And imagine the feelings of a Democratic Senator who fought hard for his own manpower program.

One evaluation of all this, mostly from people who have cried for presidential leadership and vision, is to complain that the President's proposals are too idealistic to pass. A more becoming observation might be that if special revenue sharing is indeed emasculated or defeated in Congress, it will mark the victory of some fairly narrow political interests over one thoughtful approach to some real and serious problems.

VOLUNTEER FIRE DEPARTMENTS SUFFER GROWING PAINS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. DERWINSKI. Mr. Speaker, I direct the attention of the Members to an article in the Chicago Tribune's south metro section on Thursday, February 25, describing the activities of volunteer fire departments in suburban Chicago. The article is, I believe, not only interesting, but it very properly emphasizes the tremendous motivation and civic pride that is typical of men serving in volunteer fire departments not only in suburban Chicago but throughout the country.

Unfortunately, Mr. Speaker, we too often read of the radicals and malcontents of our society and seldom of the civic and community accomplishments that is exemplified by our volunteer firemen, which is far more representative of American spirit than the demagogs and radicals who receive abnormal press attention.

I am very pleased to note that the article which follows mentions a number of fire departments and individuals in my district:

TRAGEDY EMPHASIZES PROBLEMS: VOLUNTEER FIRE DEPARTMENTS SUFFER GROWING PAINS

(By Frank Zahour)

Edward Nowakowski, 46, 1916 Ivy Lane, Mount Prospect, the father of seven children, made his living as a proficiency expert. He was also a volunteer fireman for the Forest River Fire Protection District.

At 4:20 a.m. Sunday, Nowakowski and scores of other firemen from Forest River, Buffalo Grove, Prospect Heights and Vernon were summoned to help the Wheeling Fire Department fight a fire at the Wheel Inn dance hall and restaurant, 39 S. Milwaukee Ave., Wheeling.

GETS OXYGEN AND RETURNS

During the fire, Nowakowski suffered smoke inhalation. "He went back to the truck to get some oxygen," said Forest River Fire Chief Charles Nick, 54. "I asked him how he felt. He said fine, then he went back to the fire."

"We wrapped up the whole thing at about 7:45 a.m. Ed was on the truck, rolling up his last hose. Then he collapsed. He died later, apparently of a heart attack.

"He was a good man . . . one of our best. He joined in August, 1969. Made every drill. Why did he do it? I don't know. Why do any of these guys do it? We've asked them if they want some compensation. But they refused."

If fire strikes your home (and you live in a small town, village or city) chances are that a volunteer fireman, someone like Edward Nowakowski, will rush to answer your call for help.

COMMUNITY SERVICE TRADITION

Volunteer fire departments comprise the majority of fire companies in the nation. Long a tradition of community service that worked to cut the costs of government and provide fire protection, many volunteer departments face increasing problems of funds, recruitment and training.

While closely knit communities usually have few recruiting problems, suburbs and towns that are rapidly expanding are finding it harder and harder to recruit physically qualified and interested men to man the fire hoses.

"Some of these recruits are eager, perhaps too eager," said Chief Charles Prentiss of Hazel Crest Volunteer Fire Department. Prentiss likes to tell the story of the new recruit who was anxious when he answered his first fire call.

After the department dashed to a burning garage and set up its equipment, he grabbed a fire hose and shot a thick jet of water thru the smoke surrounding the structure.

He aimed at the closed garage door. In his haste he failed to realize that the fire was inside, and the smoke was merely seeping thru the door.

GOOD WASHING JOB

"I walked over to the man and told him he was doing one heck of a job washing the building," said Chief Prentiss. "Then I told him to open the door so we could put out the fire."

While the story is by no means typical of the usual firefighting efficiency of the Hazel Crest department, it does point to two of the problems, recruiting and training, that many volunteer fire departments in the Chicago area face.

"Running a volunteer fire department is a tough business," Prentiss said recently. "Sometimes you don't get the kind of volunteers you want and you have to take your chances."

BEGAN WITH BEN FRANKLIN

Property owners have been "taking their chances" on volunteer firefighters since 1736, when Benjamin Franklin organized the nation's first volunteer department in Philadelphia.

Volunteer departments today account for about 85 per cent of the nation's fire companies. Illinois has about 1,200 volunteer departments, mostly in small cities and villages.

When the fire siren sounds, volunteers form all walks of life rush to answer the call. James Newhouse, a flying instructor, finds time to work on the Batavia Fire Department. Marketing specialist Ken Kucera has been a member of the Lyons Volunteer Department for the past five years. Stephen

Mistakevich, a machine operator for United States Steel Co. in Joliet, is a volunteer for the East Joliet Fire Protection District.

The backbone of the department is the man who works a full day at his job and then drills at the local firehouse and stands ready to answer the call. Why are men willing to work these hours, often for no pay or, at the most, only a few token dollars?

EACH HAS OWN REASON

"Every man has a different reason," said Chief Lee Reynolds, of the Willow Springs Volunteer Department. "Some say they like the idea of serving the public, others will admit it's the thrill of the siren."

The Willow Springs department receives about $12,000 a year from the village. The firemen themselves, as most volunteers, stage a dance and fund raising events that provide about $4,000 each year.

Reynolds said recruiting is always a problem. "It's getting harder and harder to get men," he said. "We may have to put on a few paid men.

"We're getting like all the big cities. Its getting so that people don't care. The suburbs are attracting many apartment dwellers, people who usually don't care who their neighbors are."

"Fire fighting is a highly complex and professional business," said John Tebbens, president of Chicago Firefighters Union Local 2. "With new construction developing in the suburbs, new techniques, new building codes, how can we expect volunteers to keep up to date?"

"In the past, there has always been a technological lag between the paid departments and the volunteer departments," said M. J. Hyde, a grading engineer for the Illinois Inspection and Rating Bureau. The bureau works to assist and rate fire departments in the state to help insurance companies set fire insurance rates.

IMPROVES EFFECTIVENESS

"In the last few years, however, more and more volunteer groups are taking advantage of government-sponsored seminars and conferences to help them improve their effectiveness," said Hyde.

Chief Joseph A. Steinhoff of the Stickney Fire Department believes not enough volunteer groups take such extra training seriously.

"I'd say that half the volunteer groups in this area [the western suburbs] are undertrained. I've seen some guys go to conferences just to get drunk on the taxpayer's money," said Steinhoff.

URGES MORE PARTICIPATION

Steinhoff demands a written report from any of his men who train at places such as the University of Illinois Conference for Firefighting. Then he insists on using new information in the department's drills.

Fred Marcon, manager of the rating bureau, said "We would like to see volunteer departments ask us to participate even more in their programs."

The bureau's primary function is to classify and rate fire protection in communities, on a scale that runs from one to 10. No city in the nation has a one [top] rating. Chicago rates 2. In general, volunteer departments rate lower on the scale than most paid departments.

"The volunteers are a group of dedicated men, certainly they should be commended, but in most cases, the time they can give to the fire department is secondary to their paid jobs," said Marcon.

Response time is probably the single most important factor that separates the volunteers from the professionals, according to Marcon.

NO TIME WASTE

Tebbens agrees. "When fire strikes," he said, "you don't have time for the mechanic to drop his tools, for the businessman to put on his fire coat."

Most firefighters, paid and vlounteer, agree that the next few years will determine the pattern of fire protection in the nation. Faced with industrial development into rural areas and with the rapid growth of suburbs, many cities and villages already have begun to expand departments and hire paid firemen.

"We couldn't get volunteers in the daytime, so we hired a few people last year," said Chief George W. Hamby of the Northlake Fire Department. "We're very happy with them. Since they are paid, we have control over their time, and it gives us better maintenance and record keeping."

"I'm not questioning the dedication or sincerity of these men, but I want a professional responding to a fire in my house," said Tebbens, "I believe a man should be paid for what he does.

"Most of these volunteers are 'firemen at heart,' they like the helmets, they like the clothes, they like the sound of the siren. They fail to realize that firefighting is no place for amateurs."

SPECIAL REVENUE SHARING PLAN ON LAW ENFORCEMENT ASSISTANCE

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. ANDERSON of Illinois. Mr. Speaker, I want to express my full support for the President's first special revenue sharing plan on law enforcement assistance. Because aid for local and State law enforcement is a relatively new area of Federal activity, we have largely avoided the grant proliferation that afflicts areas like manpower training and education. Nevertheless the President was not satisfied to rest content with the status quo, and has proposed even further streamlining and elimination of funding restrictions.

The most important of these is the elimination of the State matching and maintenance of effort requirements currently contained in the LEAA program. I believe this establishes a vitally important precedent. One of the most unfortunate consequences of the categorical grant system has been the locking in of more and more local funds to meet Federal matching maintenance of effort, set-aside, and other requirements. This not only distorts local budget priorities, but also has the unfortunate tendency of transforming local and State governments into little more than administrative appendages of the Federal bureaucracies. Clearly, this is something that must be reversed if we are serious about returning decisionmaking power to the local level. I believe, let me stress, that we are making an important step in that direction with this first special revenue sharing program.

There are those, of course, who will say that we at the Federal level know best what measures are needed to achieve more effective State and local criminal justice systems, and that rather than removing restrictions we should be adding them. They will point to the first year of the LEAA program in which probably an inordinate amount of funds was spent for the procurement of police department hardware and not enough for professional upgrading, court modernization, or reform of our corrections institutions.

I do not wish to deny these charges nor make apologies for questionable priorities established at the local level during the first year of LEAA's operation. But I would point out that it was the police departments who were probably in a better position to make immediate use of the initial funding than any other institution in the criminal justice system and naturally walked away with the lion's share of outlays in the first year. After all, it is a relatively simple matter to order riot gear, new communications systems, or police vehicles. It is a considerably more complicated task to devise a new prison rehabilitation program, a plan for speeding up the court procedures, or to develop roles for new specialists in police departments. These take time, planning, and deliberation. In most instances, there simply was not opportunity for this during the first year.

A more accurate view of what we can expect if decisionmaking power is spunoff to the local level is to be found in the returns from fiscal year 1970. Though the total amount of LEAA funds available for 1970 was four times that spent the year before, spending for correction related programs increased 30 fold—from around $2 million to over $38 million. Similarly, spending for court reform activities increased by a factor of 10. These returns indicate to me that local and State officials are fully aware of the need for reform across the entire range of criminal justice functions and that courts, corrections, and juvenile programs can count on a fair shake from local officials.

I believe it is about time that we begin to give local officials and agencies a little credit. If they have been unduly cautious and unimaginative in the past it may be in no small part related to the fact that they have been hemmed in between prying Federal officials on the one side, and hard-pressed taxpayers on the other. As a result, the margin for innovation and experimentation has been slight. What we are attempting to do in these special revenue sharing programs is provide a little room for local officials to maneuver as they attempt to meet the unique needs and problems of their areas and constituencies. I am confident that they will make the most of this opportunity and prove once and for all that successful problem solving and sensitivity to new needs is not a monopoly of the Federal Government.

Let me say in conclusion that this special revenue sharing program does contain a number of important safeguards. First, it provides that States shall pass through funds to local governments in proportion to expenditures at the local level. Second, it requires that high crime areas get an equitable portion of the funds. And third, it provides for the strict guarantee of civil rights in all programs in which the Federal funds are involved. These are necessary but minimal conditions. They establish a framework in which, I believe, local and State officials can attempt to deal creatively, flexibly, and constructively with the task of fashioning a criminal justice system that is attuned to the needs of our society in the 1970's.

SENATE—*Thursday, March 4, 1971*

(Legislative day of Wednesday, February 17, 1971)

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. ELLENDER).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, as we pause in the midst of daily toil and the deliberations of this place, help us to make our personal devotion part of the promise of a better world. Remove all that obstructs Thy spirit in our lives that we may perceive Thy guidance in the affairs of state. When we understand what is Thy will, give us the courage to do it. As servants of the people in the land of the free and the home of the brave, make us worthy of the past and equal to the present. Grant that each one of us may contribute to the world's good our own life, strong, clean, honest, and trustworthy. Teach us the eternal mystery that it is in losing ourselves to something higher than ourselves, that we truly find ourselves.

We pray in the name of Him who came not to be ministered unto but to minister, and to be servant to all. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Wednesday, March 3, 1971, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

INTEREST RATES AND COST OF LIVING STABILIZATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 31, Senate Joint Resolution 55.

The PRESIDENT pro tempore. The resolution will be stated by title.

The legislative clerk read the joint resolution as follows:

S.J. Res. 55, to provide for temporary extension of certain provisions of law relating to interest rates and cost of living stabilization.

The PRESIDENT pro tempore. Is there objection to consideration of the resolution?

There being no objection, the resolution was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. RES. 55

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

REGULATION OF INTEREST RATES ON DEPOSITS AND SHARE ACCOUNTS IN FINANCIAL INSTITUTIONS

SECTION 1. Section 7 of the Act of September 21, 1966, as amended (Public Law 91–151; 83 Stat. 371), is amended by striking out "March 22, 1971" and inserting in lieu thereof "June 1, 1971".

AUTHORITY TO APPLY PRICE AND WAGE CONTROLS

SEC. 2. Section 206 of the Economic Stabilization Act of 1970 (title II of Public Law 91–379), as amended (Public Law 91–558), is amended by striking out "March 31, 1971" and "April 1, 1971" and inserting in lieu thereof "May 31, 1971" and "June 1, 1971", respectively.

NOTICE TO SENATORS ON CLOTURE MOTION VOTE ON TUESDAY NEXT

Mr. MANSFIELD. Mr. President, I am sending the following telegram to all Democratic Members. I state this for the information of the Senate, and also for the benefit of the acting minority leader so that he will be aware of what is being done:

Urgently request that you be in attendance on Tuesday, March 9, for final vote on cloture on rule XXII. Imperative that all Senators be on hand for vote at approximately 1:05 pm. on Tuesday next.

MIKE MANSFIELD,
Majority Leader U.S. Senate.

Mr. GRIFFIN. Mr. President, recognizing that the distinguished majority leader once again is making a special effort to try to get good attendance on Tuesday next when the vote on cloture will take place, I want to say, on behalf of the minority leadership, that we likewise will get in touch with every Republican Senator and make sure that he is aware of the vote. We will do our best to get as good attendance as we possibly can.

Last week, the minority leader sent out a telegram and we expect to do the same this time—either a telegram or a direct call from the minority leader.

ORDER FOR RECESS UNTIL 11:45 A.M., ON MONDAY, MARCH 8, 1971

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business on tomorrow, March 5, 1971, it stand in recess until 11:45 a.m. on Monday next.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR PROXMIRE ON MONDAY, MARCH 8, 1971

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on Monday, March 8, 1971, after the approval of the Journal, and under the usual procedure, that the distinguished Senator from Wisconsin (Mr. PROXMIRE) be recognized for not to exceed 15 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDENT pro tempore. Under the order previously entered, morning business will begin now with statements therein limited to 3 minutes to each Senator.

Under the previous order, the distinguished Senator from Indiana (Mr. HARTKE) is now recognized for 1 hour.

(The remarks of Mr. HARTKE when he submitted Senate Resolution 66 and additional remarks on the same subject are printed later in the RECORD under submission of resolutions.)

MESSAGE FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

A message in writing from the President of the United States was communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on March 1, 1971, the President had approved and signed the joint resolution (S.J. Res. 44) to extend the time for the proclamation of marketing quotas for burley tobacco for the 3 marketing years beginning October 1, 1971.

SPECIAL REVENUE SHARING, RELATING TO MANPOWER—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 92–59)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

Like the 1770s, which produced an American Revolution, the 1970s can be a decade of revolutionary change. We have an opportunity to build on the strengths of the federal system, and by so doing to forge a strong new partnership in which each level of government is lodged at that level at which it can best be performed.

One of the keys to this reform is Revenue Sharing—General and Special, $16 billion in all.

Four weeks ago I asked the Congress to enact a $5 billion General Revenue Sharing program. It was essentially a proposal to take some of the tax dollars the Federal Government raises and use them as a transfusion for our hard-pressed States, counties and cities—to be spent as the people in each jurisdiction agree with their own elected officials makes the best sense.

Two days ago in my message on Law Enforcement Assistance, I presented to the Congress the first of six proposals that will account for a total of $11 billion in Special Revenue Sharing programs. Unlike General Revenue Sharing, which is new money without project restrictions, Special Revenue Sharing consists of $10 billion now going into present Federal grant programs, plus $1 billion in new funds, rescued from a thicket of narrow categories and earmarked for spending in six broad areas of national concern.

Today I am proposing legislation in the second major area of Special Revenue Sharing—Manpower. The Manpower Revenue Sharing Act of 1971 would:

—Provide $2 billion during the first full year of its operation—$4 for every $3 now being spent—to help move men and women into productive employment.

—Unify into one the many programs under which Federal manpower money is now channeled to State and local governments.

—Free city, county, and State budgets from matching and maintenance-of-effort encumbrances, and officials of those governments from intricate administrative procedures.

—Vest the power to shape local manpower assistance efforts in governments close to the people they assist.

MANPOWER ASSISTANCE: IN WHOSE HANDS?

Labor, like other economic resources, is allocated by the market under our system. But as the American economy has grown increasingly complex and technological, we have seen that the job market has imperfections—frictions, lags, slack in the gears—whose costs in unemployment, under-employment and inadequate incomes must be reduced. A degree of cautious intervention in the market process over the long term is clearly a human imperative and a matter of national interest—as the Congress recognized nine years ago this month with a substantial commitment of Federal money and attention under the Manpower Development and Training Act of 1962. That Act, and the Economic Opportunity Act of 1964, currently include more than a dozen categorical grant programs in the manpower field, funded in Fiscal 1971 at $1.5 billion.

While these efforts proceed from the best of intentions, they are overcentralized, bureaucratic, remote from the people they mean to serve, overguidelined, and far less effective than they might be in helping the unskilled and the disadvantaged. The reason: by and large, their direction does not belong in Federal hands.

Designing a manpower program that can best deliver its intended services starts with the recognition, one, that the "job market" is really thousands of interacting but separate markets spread all over the economic and geographic map of the United States, and two, that the "labor force" is actually 87 million individual men and women with a wide diversity of training needs. Under the circumstances it makes little sense for Washington to dominate decisions on manpower assistance—not when 50 States and thousands of local government units, each in touch with its own territory and close to its own people, stand ready to apply their know-how if Washington will only help pay the bills.

PENALIZING DIVERSITY AND SUBSIDIZING BUREAUCRACY

I recognize that there are many Federal purposes for which categorical grants are still the best available approach. My Special Revenue Sharing proposals are targeted specifically at those program areas in which I believe the case for local decision is overriding.

Manpower is an area in which the need to adapt to diverse and changing local conditions is especially compelling, and in which the advantages of local control are correspondingly great.

When nationwide categorical programs are applied to diverse job markets, some cities and States may find their needs met nicely—but many others, inevitably, will come off second best. They will, in effect, be penalized for differing from the models according to which Federal programs are designed. They find themselves forced into funding projects of low *local* priority ahead of those of higher priorities simply because Federal program inflexibilities mean funding the available ones or none at all. Those who suffer as a result are not governmental units in the abstract but real people with bills to pay and families to feed. The injury is compounded when local funds, scarce at best, must be set aside to match—in effect, to buy into—the Federal money, if the money is not to be lost.

In one respect only do all States and cities fare equally under a system of narrow categorical grants: officials of all must, as a matter of survival, learn their way through a bureaucratic jungle.

For example:

—Merely to describe one State's Federal manpower programs in 1970 required a jargon-heavy tome 1185 pages long.

—Last fall a businessmen's group attempting to list all the public manpower programs in New York City gave up after 44 entries, commenting that "attempting to unravel the intricate mass of detailed data on the individual programs has been an exhausting undertaking."

—Harried vocational school administrators must cope with a 930-page Labor Department manual and hundreds of pages more of Federal standards and conditions, to meet the requirements of a single program—MDTA institutional training.

In light of all this, Americans' discontent with government is no mystery. The Federal money put to low-priority uses, the captive local matching money, the waste of time by local officials in threading their way through Byzantine administrative tangles—all are unfair: to a Nation that deserves a healthy employment market, to people out of work who deserve effective job assistance, and to taxpayers who deserve a hundred cents worth of public benefits on every dollar government takes from them.

TO MAKE GOOD ON A GOOD IDEA

The active Federal commitment to manpower training and development was a good idea in 1962, when Congress in enacting MDTA expressed concern that "the problem of assuring sufficient employment opportunities will be compounded by the extraordinarily rapid growth of the labor force in the next decade." It is an even better idea today, with the labor force already enlarged by 19 percent in the 9 years since, and with technological change still rapid. But one of the great lessons of the dramatic Federal Government growth in the 1960s is that even a good idea like this can fall short of its promise if the way in which it is carried out runs against the grain of the Federal system. By converting the Nation's manpower programs from categorical grants to Special Revenue Sharing, we can play to the strengths of the Federal partnership, teaming Federal dollars with State and local decision-making. This is the purpose of the Manpower Revenue Sharing Act of 1971 which I am proposing today.

WHERE THE MONEY GOES

I have proposed that $2 billion be provided for the first full year of the Manpower Revenue Sharing Act, which would replace the Manpower Development and Training Act and manpower provisions of the Economic Opportunity Act on January 1, 1972. This represents an increase of almost one-third over current levels of funding for the affected categorical grants. Since the need for job training and other manpower assistance expands as the Nation grows, the act would set no ceiling on future appropriations.

Of this amount provided, 85 percent would be distributed to the States and to cities and counties with a population of 100,000 or more. Since jobs and workers cross city and county lines, bonus funds within the formula distribution would be awarded to consortia of local governments which embrace entire major labor market areas. Governments which can agree to act in concert in smaller urban areas would also qualify for funds. The remaining 15 percent would be made available to the Secretary of Labor to fund special activities.

The shared revenues would be allocated by statutory formula. Each State or local area's share would be determined by its proportionate number of workers, unemployed persons, and low income adults.

WHAT ARE MANPOWER PROGRAMS?

Manpower programs develop job skills. They help the unemployed and underemployed, particularly welfare recipients and other disadvantaged persons, make the transition to better jobs, better pay, and higher skill levels.

An effective program focuses on individual needs and available jobs. It embraces a wide range of manpower activities, providing combinations of services to move people toward their employment goals. Authorized manpower activities include:

—recruitment, counseling, testing, placement, and follow-up services;

—classroom instruction in both remedial education and occupation skills;

—training on the job with both public and private employers, aided by manpower subsidies;

—job opportunities, including work experience and short-term employment for special age groups and the temporary unemployed, and transitional public service employment at all levels of government;

—ancillary services like child care assistance, relocation assistance, and minor health services.

Decisions on the mix and specifics of State and local activities under this broad umbrella would be up to each government. However, payments and allowances for individuals would be limited to two consecutive years, in recognition of the fact that these manpower programs are designed not to provide long-term public support but rather to assist job seekers in making the transition to permanent or better jobs.

NEW FLEXIBILITY AND ACCOUNTABILITY

In keeping with the principles of Special Revenue Sharing, State and local governments would be given wide discretion in determining how the funds provided should be used.

This manpower program, unlike its predecessors, would have no exhaustive volumes of Federal standards to be met. There would be no towering piles of Federal program applications to complete and no frustrating delays at the Federal level. State and local money now tied down by matching requirements and maintenance of effort would be freed for spending elsewhere as community priorities might dictate.

Giving State and local officials full power to spend Federal manpower funds would sharply increase the citizen's ability to influence how the funds are spent. It would make government more responsive to legitimate demands for quality services.

To enhance public *accountability* for manpower programs, State and local governments would be required to publish a statement of program objectives and projected uses of funds each year, prior to receiving their shared revenues. These statements would include information on the area's economic and labor market conditions; targeted client groups; proposed activities; wages, allowances and other benefits; manpower agencies involved; and the positions and salaries of the program's administrators. In addition, the statements would review the previous year's programs.

Both State and local governments would be required to publish comments about each other's program statements. In particular, they would be responsible for coordinating and making full use of all other State and local manpower activities available. After full public disclosure and discussion they would be required to publish their final program statements for the coming year.

To increase the information available to the public, the Labor Department would publish evaluations of program effectiveness.

The people would have the hard facts needed to hold their public officials directly and readily accountable for the manner in which manpower programs are administered.

PROGRAMS AND PURPOSES

Manpower Revenue Sharing is a partnership. Washington puts up the purse and sets out the broad purposes of authorized spending, while program decisions are turned over to the statehouses, county governments and city halls. My proposal neither mandates nor terminates any programs. It provides that the continuation, expansion, or modification of each program would be determined, as it ought to be, by the test of performance alone—and determined by the State or community which the program serves. Programs that have proved themselves in practice could be continued with the use of the Federal funds provided. Indeed many current categorical programs probably would continue and expand in response to local needs once arbitrary Federal restrictions were removed. On the other hand, programs whose past claims of effectiveness are not justified by the record deserve to be replaced by others more responsive to community needs. Vesting the program authority in governments close to the people will make it harder for programs to coast along on their momentum from year to year, and easier to tailor manpower assistance to on-the-scene realities.

THE FEDERAL ROLE

The special activities financed by the 15 percent of manpower funds retained for use by the Secretary of Labor would include support and assistance for State and local programs through staff training and technical aid, through research, and through experimental and demonstration programs to develop new manpower techniques.

The Department of Labor would also maintain a comprehensive system of labor market information and computerized job banks to facilitate exchange of information among different areas. It would monitor State and local programs for fiscal accountability and compile comparative data on all programs to help the Congress and the public assess their effectiveness.

In addition, the Labor Department would have funds to help support certain programs which operate most effectively across State and local boundaries.

This Act, like my other revenue sharing proposals, would include rigorous safeguards against all discrimination. The legislation I am recommending today stipulates that revenue shared and other funds expended by the Secretary of Labor under this Act would be considered Federal financial assistance within the meaning of Title VI of the Civil Rights Act of 1964.

MANPOWER POLICY AND PUBLIC SERVICE EMPLOYMENT

One of the most innovative features of my proposed Manpower Training Act of 1969 was an automatic "trigger" which provided more manpower funds when the national unemployment rate rose to 4.5 percent or more for three consecutive months

The Manpower Revenue Sharing Act contains a similar feature. Triggered funds would be distributed by the Secretary of Labor to areas of high unemployment to provide additional training and employment opportunities.

Under such conditions many State and local governments might choose to use these funds to create temporary public service jobs to offset the rise in unemployment.

This is an acceptable and appropriate use of triggered funds—*and* of regular shared revenues for manpower programs.

Transitional and short-term public employment can be a useful component of the Nation's manpower policies. But public employment not linked to real jobs or not devoted to equipping the individual to compete in the labor market is only a palliative, not a solution for manpower problems.

Thus, this Act would also provide *permanent* authority for public service job creation as part of an overall manpower program—but with the proviso that such jobs must constitute transitional opportunities. Within a two-year period participants must be enabled to move into the public employer's regular payroll, or helped to obtain other public or private employment.

Public jobs created through manpower funds would thus be used to develop skills and abilities, with participants moving through such positions into permanent opportunities.

Federal funds already support almost 2 million jobs in State and local government. When enacted, General Revenue Sharing may support tens of thousands more.

Furthermore, last week the administration requested Congressional approval for the creation of at least 200,000 new public jobs for welfare recipients. A part of my welfare reform proposals, these new jobs would lead to non-subsidized employment for welfare recipients for whom other jobs are not available.

FITTING PROGRAMS TO PEOPLE

This new reliance on local flexibility and local initiative should benefit citizens and communities across the country. For example:

—This Act would allow city governments to bring jobless ghetto residents onto city payrolls in education, health safety and anti-pollution work while preparing them to move into permanent jobs.

—This Act would allow State governments to reach out to isolated rural poor people with training and job programs shaped to their special needs.

—This Act would allow county governments to provide skill training and transitional employment to welfare recipients to move them toward self-support and new dignity.

It would, in short, allow each State or community to fit its programs to its people.

LOOKING AHEAD

In August 1969 I submitted the Manpower Training Act of 1969. It was one of three key proposals to begin reversing the tide of power which for a generation has flowed from the States and communities to Washington.

For over a year the Ninety-first Congress considered the proposed new manpower legislation, adding many new and creative ideas to our original proposals. Legislation was approved by both houses of Congress which entrusted important new manpower responsibilities to State and local governments. Unfortunately, the final bill also contained serious flaws, and I was forced to withhold my approval from it last December. With this message I am fulfilling my pledge then to submit new manpower legislation in 1971.

This bill builds upon the foundation that was laid during the last Congress.

It responds to Governors' and Mayors' appeals for increased responsibility and increased flexibility.

It makes manpower programs more readily accountable to the clients they serve and the taxpayers who support them.

It recognizes that transitional public service employment is an integral part of manpower policy—and places no ceiling on its extent within the manpower program.

It triggers extra Federal funds to counteract periods of rising unemployment.

In summary, this proposal is designed to give more effective help to those who need it, and to give Americans full return for their tax dollars spent on manpower assistance in the years ahead—full return in the form of unemployment brought down and kept down, and in the form of new income and achievement opportunities for millions of deserving men and women.

And its effects could reach far beyond the field of manpower: As it gives State and local governments the resources and authority to deal with their problems in a single area, it can build the confidence and competence of those governments in all areas. As it cuts away the layers of bureaucracy that have separated the people from one specific exercise of their governing power, it can help restore the people's faith in the democratic process generally. Teamed with my other Special and General Revenue Sharing proposals, it can help to launch the United States on a new era of revolutionary change for the better.

RICHARD NIXON.

THE WHITE HOUSE, *March 4, 1971.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 1002, Public Law 90-226, the Speaker had appointed Mr. ADAMS and Mr. HOGAN as members of the Commission on Revision of the Criminal Laws of the District of Columbia, on the part of the House.

The message announced that the House had passed the following bill and joint resolutions, in which it requested the concurrence of the Senate:

H.R. 4690. An act to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes;

H.J. Res. 16. Joint resolution to authorize the President to designate the period beginning March 21, 1971, as "National Week of Concern for Prisoners of War/Missing in Action"; and

H.J. Res. 337. Joint resolution authorizing the President to proclaim the second week of March 1971 as Volunteers of America Week.

HOUSE BILL REFERRED

The bill (H.R. 4690) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes, was read twice by its title and referred to the Committee on Finance.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The PRESIDENT pro tempore laid befor the Senate the following letters, which were referred as indicated:

REPORT ON REAPPORTIONMENT OF AN APPROPRIATION

A letter from the Director, Office of Management and Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation for the Department of Agriculture for "Forest protection and utilization," Forest Service, for the fiscal year 1971, had been reapportioned on a basis indicating a need for a supplemental estimate of appropriation; to the Committee on Appropriations.

REPORT ON PROPOSED CLOSURE OF CLINTON COUNTY AIR FORCE BASE, OHIO, AND PERRIN AIR FORCE BASE, TEX.

A letter from the Department of the Air Force, transmitting, pursuant to law, a report of the facts, and the justification for the proposed closure of Clinton County Air Force Base, Ohio, and Perrin Air Force Base, Tex., dated January 1971 (with an accompanying report); to the Committee on Armed Services.

REPORT OF THE SECRETARY OF THE NAVY ON FLIGHT INCENTIVE PAY

A letter from the Secretary of the Navy, reporting, pursuant to law, on flight incentive pay for the period ended November 30, 1970; to the Committee on Armed Services.

REPORT ON DEATHS, INJURIES AND ECONOMIC LOSSES RESULTING FROM ACCIDENTAL BURNING OF PRODUCTS, FABRICS OR RELATED MATERIALS

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on the results of study and investigation by the Food and Drug Administration of deaths, injuries, and economic losses resulting from accidental burning of products, fabrics, and related materials (with an accompanying report); to the Committee on Commerce.

GAS SUPPLIES OF INTERSTATE NATURAL GAS PIPELINE COMPANIES, 1969

A letter from the Chairman, Federal Power Commission, transmitting, for the information of the Senate, a publication entitled "The Gas Supplies of Interstate Natural Gas Pipeline Companies, 1969 (with an accompanying document); to the Committee on Commerce.

REPORT OF THE SECRETARY OF COMMERCE ON THE FAIR PACKAGING AND LABELING ACT

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the activities of the Department under the Fair Packaging and Labeling Act, for the fiscal year ended June 30, 1971 (with an accompanying report); to the Committee on Commerce.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on substantial improvements needed in the financial management of the Virgin Islands Government, Department of the Interior, dated March 2, 1971 (with an accompanying report); to the Committee on Government Operations.

PROPOSED AMENDMENT OF THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED

A letter from the Acting Administrator, General Services Administration, transmitting a draft of proposed legislation to amend section 204(b) of the Federal Property and Administrative Services Act of 1949, as amended (with an accompanying paper); to the Committee on Government Operations.

APPLICATION REPORT BY THE ROY WATER CONSERVANCY SUBDISTRICT PRESSURE IRRIGATION SYSTEM

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, an application report by the Roy Water Conservancy Subdistrict Pressure Irrigation System (with accompanying papers and report); to the Committee on Interior and Insular Affairs.

REPORT ENTITLED "FEDERAL AND STATE INDIAN RESERVATIONS—AN EDA HANDBOOK"

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report entitled "Federal and State Indian Reservations—An EDA Handbook," dated January 1971 (with an accompanying report); to the Committee on Interior and Insular Affairs.

THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATIONS FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

PROPOSED LAW ENFORCEMENT REVENUE SHARING ACT OF 1971

A letter from the Attorney General of the United States, transmitting a draft of proposed legislation to amend the Omnibus Crime Control and Safe Streets Act of 1968 (with accompanying papers); to the Committee on the Judiciary.

REPORTS OF THE ATOMIC ENERGY COMMISSION

A letter from the Chairman, U.S. Atomic Energy Commission, transmitting, pursuant to law, the annual report of the Commission for 1970 and the supplemental report entitled "Fundamental Nuclear Energy Research—1970" (with accompanying reports); to the Joint Committee on Atomic Energy.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

Resolutions of the General Court of the Commonwealth of Massachusetts; to the Committee on Finance:

"Resolutions Memorializing the Congress of the United States To Enact Legislation Increasing Certain Social Security Benefits and Other Related Matters

"*Resolved,* That the General Court of Massachusetts respectfully urges the Congress of the United States to enact legislation providing for a cost of increases in the benefits under the Social Security Act; for a general increase in social security benefits of twenty per cent in the year nineteen hundred and seventy-two and ten per cent in the year nineteen hundred and seventy-three; with a minimum monthly payment of one hundred and fifty dollars per person and two hundred and fifty dollars per married couple; for a method whereby social security benefits shall be computed on the basis of the ten highest years of the worker's earnings; for an increase in the amount of benefits payable to widows of retired workers to an amount equal to one hundred per cent of the benefits payable to the worker at the time of his death; for the removal of the restrictions on the amount of income a person may earn while receiving social security benefits and that further increases in social security benefits shall not be used by public housing authorities as the basis for increased rentals; and be it further

"*Resolved,* That copies of these resolutions be transmitted forthwith by the State Secretary to the President of the United States, the presiding officer of each branch of Congress and to the members thereof from the Commonwealth."

Resolutions of the General Court of the Commonwealth of Massachusetts; to the Committee on the Judiciary:

"Resolutions Requesting Congress To Call a Convention for the Purpose of Amending the United States Constitution To Provide for Intergovernmental Sharing of Federal Income Tax Revenue

"*Whereas,* A resolution of our nation's myriad and diverse problems is contingent upon a viable partnership between the federal government and strengthened state governments; and

"*Whereas,* The federal government, by its extensive reliance on the graduated income tax as a revenue source, has virtually preempted the use of this source from state and local governments, thereby creating a disabling fiscal imbalance between the federal government and the state and local governments; and

"*Whereas,* Increasing demands upon state and local governments for essential public services have compelled the states to rely heavily on highly regressive and inelastic consumer taxes and property taxes; and

"*Whereas,* Federal revenues based predominantly on income taxes increase significantly faster than economic growth, while state and local revenues based heavily on sales and property taxes do not keep pace with economic growth; and

"*Whereas,* The fiscal crisis at state and local levels has become the overriding problem of intergovernmental relations and of continuing a viable federal system; and

"*Whereas,* The evident solution to this problem is a meaningful sharing of federal income tax resources; and

"*Whereas,* The United States Congress, despite the immediate and imperative need therefor, has failed to enact acceptable revenue sharing legislation; and

"*Whereas,* In the event of such Congressional inaction, Article V of the Constitution of the United States grants to the states the rights to initiate constitutional change by applications from the legislatures of two-thirds of the several states to the Congress, calling for a constitutional convention; and

"*Whereas,* The Congress of the United States is required by the Constitution to call such a convention upon the receipt of applications from the legislatures of two-thirds of the several states; now, therefore, be it

"*Resolved,* By the General Court of the Commonwealth of Massachusetts that, pursuant to Article V of the United States Constitution, the General Court of the Commonwealth of Massachusetts does hereby make application to the Congress of the United States to call a convention for the sole and exclusive purpose of proposing to the several states a constitutional amendment which shall provide that a portion of the taxes on income levied by Congress pursuant to the sixteenth amendment of the United States Constitution shall be made available each year to state governments and political subdivisions thereof, by means of direct allocation, tax credits, or both, without limiting directly or indirectly the use of such monies for any purpose not inconsistent with any other provision of the Constitution of the United States; and be it further

"*Resolved,* That this application shall constitute a continuing application for such convention pursuant to Article V until the Legislatures of two-thirds of the states shall have made like applications and such convention shall have been called by the Congress of the United States unless previously rescinded by this General Court; and be it further

"*Resolved,* That certified copies of this resolution be transmitted forthwith by the Secretary of the Commonwealth to the President of the Senate and the Speaker of the House of Representatives of the United States and to the Legislatures of each of the several states attesting the adoption of this resolution by the General Court of the Commonwealth of Massachusetts."

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. HRUSKA, from the Committee on the Judiciary, without amendment:

S.J. Res. 10. Joint resolution to authorize the President to designate the period beginning March 21, 1971, as "National Week of Concern for Prisoners of War/Missing in Action" (Rept. No. 92–25).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session, the following favorable reports of nominations were submitted:

By Mr. HRUSKA, from the Committee on the Judiciary:

Robert V. Denney, of Nebraska, to be a U.S. district judge for the district of Nebraska; and

H. Brooks Phillips of Mississippi, to be U.S. marshal for the Northern District of Mississippi.

BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. TALMADGE (by request):

S. 1108. A bill to amend the Act of August 28, 1950, enabling the Secretary of Agriculture to furnish, upon a reimbursable basis, certain inspection services involving overtime work. Referred to the Committee on Agriculture and Forestry.

By Mr. HARTKE:

S. 1109. A bill for the relief of Harold Albert, Lona Sarah, Karen Therese, and Bruce Alex Arnold; and

S. 1110. A bill for the relief of Kendrick Hamilton Vernon, Sylvia Louise Vernon, Francis McLaudie Vernon, Carrie Hellouise Vernon, Richard Seymour Bickham Vernon, Marion Rosalee Vernon, Marie Elizabeth Vernon, and Elvet Anthony Vernon. Referred to the Committee on the Judiciary.

By Mr. RIBICOFF (for himself and Mr. Dominick):

S. 1111. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education. Referred to the Committee on Finance.

By Mr. BELLMON:

S. 1112. A bill to amend the Federal Corrupt Practices Act, 1925, in order to make more effective the reporting of campaign expenditures, and for other purposes. Referred to the Committee on Rules and Administration.

By Mr. BAKER (for himself, Mr. Muskie, Mr. Beall, Mr. Bayh, Mr. Bible, Mr. Boggs, Mr. Brock, Mr. Cannon, Mr. Case, Mr. Church, Mr. Cooper, Mr. Cranston, Mr. Dole, Mr. Eagleton, Mr. Gravel, Mr. Harris, Mr. Hatfield, Mr. Humphrey, Mr. Javits, Mr. McGee, Mr. McGovern, Mr. McIntyre, Mr. Mondale, Mr. Nelson, Mr. Percy, Mr. Randolph, Mr. Spong, Mr. Stevens, and Mr. Williams):

S. 1113. A bill to establish a structure that will provide integrated knowledge and understanding of the ecological, social, and technological problems associated with air pollution, water pollution, solid waste disposal, general pollution, and degradation of the environment, and other related problems. Referred to the Committee on Public Works.

By Mr. BIBLE (for himself and Mr. Cannon):

S. 1114. A bill to declare that the United States holds in trust for the Reno-Sparks Indian Colony certain lands in Washoe County, Nev. Referred to the Committee on Interior and Insular Affairs.

S. 1115. A bill to declare that certain federally owned lands are held by the United States in trust for the Paiute-Shoshone Tribe of the Fallon Reservation and Fallon Colony, Nevada. Referred to the Committee on Interior and Insular Affairs.

By Mr. JACKSON (for himself and Mr. Hatfield):

S. 1116. A bill to require the protection, management, and control of wild free-roaming horses and burros on public lands. Referred to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON (for himself and Mr. Jackson):

S. 1117. A bill to provide for regulation of public exposure to sonic booms, and for other purposes. Referred to the Committee on Commerce.

By Mr. TUNNEY:

S. 1118. A bill for the relief of Gloria Talinao. Referred to the Committee on the Judiciary.

By Mr. MOSS:

S. 1119. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to protect, manage, and control free-roaming horses and burros on public lands. Referred to the Committee on Interior and Insular Affairs.

By Mr. HANSEN (for himself and Mr. McGee):

S. 1120. A bill to provide for the disposition of the judgment in favor of the Shoshone Tribe or Nation of Indians and the Shoshone-Bannock Tribes in Indian Claims Commission dockets 326–D, 326–E, 326–F, 326–G, 326–H, 366, and 367, and for other purposes.

Referred to the Committee on Interior and Insular Affairs.

By Mr. KENNEDY (for himself, Mr. Moss, and Mr. Pell):

S. 1121. A bill to reform the Federal elective process, and for other purposes. Referred to the Committees on Finance, Commerce, Rules and Administration, and Government Operations, jointly, by unanimous consent.

By Mr. TAFT:

S. 1122. A bill to authorize the Secretary of the Interior to establish and operate a National Museum and Repository of Negro History and Culture at or near Wilberforce, Ohio. Referred to the Committee on Labor and Public Welfare.

By Mr. PROUTY (for himself, Mr. Javits, Mr. Jordan of Idaho, Mr. Griffin, and Mr. Scott):

S. 1123. A bill to extend and amend the Higher Education Act of 1965, and for other purposes. Referred to the Committee on Labor and Public Welfare.

By Mr. WILLIAMS (for himself, Mr. Church, and Mr. Randolph):

S. 1124. A bill to amend the Older Americans Act of 1965 to authorize a special emphasis transportation research and demonstration project program. Referred to the Committee on Labor and Public Welfare:

By Mr. STEVENS:

S.J. Res. 63. Joint resolution proposing an amendment to the Constitution of the United States with respect to the minimum age qualifications of Representatives and Senators. Referred to the Committee on the Judiciary.

By Mr. WILLIAMS (for himself and Mr. Case):

S.J. Res. 64. Joint resolution to authorize and request the President to proclaim the week of April 25, 1971, through May 1, 1971, as "National ROTC Band Week." Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. RIBICOFF (for himself and Mr. Dominick):

S. 1111. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education. Referred to the Committee on Finance.

TUITION TAX CREDIT BILL

Mr. RIBICOFF. Mr. President, over 7 years ago, I introduced legislation to provide tax relief for those families burdened with the rising costs of higher education. The Senate has passed this legislation two times, most recently as the Ribicoff-Dominick tuition tax credit amendment to the 1969 Tax Reform Act. A majority of Republicans as well as Democrats joined in passing the measure, only to see it deleted by the House in conference.

Today, the need for this legislation is greater than ever before. Increasing tuition costs and Federal, State and local taxation make it impossible for many low- and middle-income families to send a child to college without financial assistance.

In the last 5 years, tuition costs of public institutions have risen by 50 percent. At private colleges and universities tuition has increased by 70 percent. The result is that today, it costs between $10,000 and $20,000 to obtain a bachelor's degree. Moreover, estimates by the Office of Education show that tuition alone will increase by 25 percent at public institutions of higher learning and by 38 percent at private institutions in the next 10 years.

The college scholarship service of the College Entrance Examination Board assists over 2,000 colleges and universities in setting guidelines for financial assistance. The service has made an authoritative study of what colleges must expect from students and their families toward covering the cost of education.

A family with one child in college and a pretax income of $10,000 is expected to pay $1,570 toward a year's college expenses.

Under the Federal tax laws, this family in 1972 would be expected to pay about $1,400 in income taxes. An additional $300 would generally be paid for State and local taxes. This leaves only $6,730 for all other living expenses for the entire family.

A constituent of mine recently wrote of the plight in which the soaring costs of education has placed his family.

One child has completed a year of college at the cost of several thousand dollars. Next year, twin sons will be of college age. One wants to be a veterinarian.

Both parents work full time. The children work during the summers. Family income cannot be expanded. Available scholarships and loans are exhausted. Educational expenses in tens of thousands of dollars must be paid in the next few years.

My constituent asks only one question, "How can I send my sons to college?"

As we face the necessity of finding solutions to the complex social problems facing this Nation, we must recognize the essential role that education plays in our society. Our children's education is an investment in the future. A better educated population is the strongest tool for the continued growth and development of our Nation.

The bill I introduce today proposes a maximum tax credit of $325 per student. The credit would be computed on the basis of 100 percent of the first $200 of qualifying expenditures for tuition, fees, and books; 25 percent of the next $300; and 5 percent of the subsequent $1,000. No credit would be allowed for student costs above $1,500.

The resulting credit would be allowed against the Federal tax of any person who paid the expenses of education for himself or another person at a qualified educational institution. A qualified institution includes recognized colleges, universities, graduate schools, vocational and business schools.

The bill is drafted to relieve the heavy burden of educational costs now borne by the average American citizen. It would not benefit wealthy individuals who can easily afford these costs.

The available credit would begin to be phased out when the taxpayer's adjusted gross income reached $15,000. Two percent of the amount by which a taxpayer's adjusted gross income exceeded $15,000 would be deducted from the credit available to that taxpayer. Thus, no taxpayer with an income above $31,250 would be eligible for a credit.

I ask unanimous consent that a table outlining the available benefits to various income groups be printed at this point in the Record:

There being no objection, the table was ordered to be printed in the Record, as follows:

AVAILABILITY OF TUITION CREDIT BY AMOUNT OF QUALIFIED EXPENSES AND INCOME LEVEL (PER STUDENT)

	Adjusted gross income					
Qualified expense	$10,000	$15,000	$20,000	$25,000	$30,000	$35,000
$100	$100.00	$100.00	0	0	0	0
$200	200.00	200.00	$100.00	0	0	0
$300	225.00	225.00	125.00	$25.00	0	0
$400	250.00	250.00	150.00	50.00	0	0
$500	275.00	275.00	175.00	75.00	0	0
$750	287.50	287.50	187.50	87.50	0	0
$1,000	300.00	300.00	200.00	100.00	0	0
$1,250	312.50	312.50	212.90	112.50	$12.50	0
$1,500	325.00	325.00	225.00	125.00	25.00	0

Mr. RIBICOFF. Mr. President, while tax credit legislation is not the final answer to the rising cost of education, it will strengthen the ability of a family to finance the college education of a son or daughter.

Other creative proposals to finance higher education must continue to be explored. In my own state of Connecticut, at Yale University, an innovative proposal to allow students to defer of their tuition for up to 35 years has been adopted.

Yale, recognizing that its $4,400 a year cost could deprive all but the wealthy of an education, will allow a student to defer a portion of his tuition and repay Yale at the rate of 0.4 percent of his annual income for every $1,000 in tuition that is deferred. Elliot Richardson, Secretary of the Department of Health, Education, and Welfare, has commended this experiment for its "boldness and imagination" and the Ford Foundation has appropriated $500,000 to study the type of program that Yale is starting.

However, while creative concepts of financing higher education must be developed the average American family needs relief now.

My bill will significantly strengthen the ability of millions of Americans to provide a quality education for their children.

I am pleased to announce that Senator Dominick is joining with me again to work for passage of this legislation.

Mr. GRIFFIN. Mr. President, on behalf of the distinguished Senator from Colorado (Mr. Dominick), I ask unanimous consent to have printed in the Record a statement by him on the tuition tax credit bill, introduced by the distinguished Senator from Connecticut

(Mr. RIBICOFF), which was referred to the Committee on Finance.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DOMINICK

Mr. President, I am pleased once again to join the distinguished Senator from Connecticut (Mr. RIBICOFF) in co-sponsoring proposed legislation designed to provide some much needed tax relief to the lower-middle and lower income taxpayer who is shouldering the ever increasing burden of providing higher education for himself or his children. My interest in providing tax relief for higher educational expenses dates back to my first days in public office. In the Colorado Legislature, I introduced similar legislation every year of my four years there. During the 87th Congress, I introduced a tuition tax credit bill in the U.S. House of Representatives, and during the 88th, 89th, 90th, and 91st Congresses I joined with Senator RIBICOFF in sponsoring similar legislation in the Senate.

The urgent need for enactment of this legislation is reflected in the growing number of American families who are hard pressed to meet the rising costs of higher education for their children, whether at public or private colleges or universities.

I ask unanimous consent that there be printed in the Record at this point a table composed of figures compiled by the U.S. Office of Education, Department of Health, Education, and Welfare, demonstrating the rapidly increasing cost of higher education.

(There being no objection, the table was ordered to be printed in the RECORD, as follows:)

ESTIMATED AVERAGE CHARGES PER FULL-TIME STUDENT

[Tuition and required fees]

	All	University	Other 4 years	2 years
1958–59:				
Public	$191	$220	$143	$75
Nonpublic	738	862	667	386
1968–69:				
Public	307	411	301	137
Nonpublic	1,417	1,673	1,346	1,003
Projected: 1977–78:				
Public	367	525	407	169
Nonpublic	1,855	2,186	1,805	1,443

Source: U.S. Office of Education, Department of Health, Education, and Welfare.

Mr. DOMINICK. To further realize the impact of higher educational costs, one must realize that the number of students working toward undergraduate or graduate degrees has tripled in the last fifteen years. One of every two citizens between the ages of 18 and 21 is now a student. Seven million students are now in colleges or universities; by 1975, there will be nine million students, and by 1985, there will be eleven million.

The rationale of the bill is better put in perspective when one considers that at a total cost of between $10,000 and $20,000 for 4 years of undergraduate education for each child, the cost of higher education for their children may well cost the family more than the family home. It certainly is a greater burden than mortgage interest, State and local taxes, medical expenses or casualty losses, and yet we give tax relief in the form of deductions for these expenses. It seems to me only right that we recognize for tax purposes the cost of higher education for young Americans.

Our bill would do just that. Under the formula set forth in the bill, the full credit is allowed on the first $200 of expenses for tuition fees and books; 25-percent credit will be allowed for the next $300 of expenses, and a credit of 5 percent would apply to the next $1,000 of such expenses. The total credit allowable on $1,500 of expenses would be $325.

The formula also provides that the allowable tax credit shall be reduced by 2 percent of the adjusted gross income of the taxpayer in excess of $15,000. The effect of this limitation is to place the major emphasis of the bill on assisting the lower and lower middle-income taxpayers who are bearing the burden of higher education. Under this formula, for example, a person with an adjusted gross income of $15,000 putting one person through college would be entitled to the total credit of $325, while a person with an adjusted gross income of $30,000 putting one person through college would be entitled to a tax credit of $25.

The bill provides for an investment in people rather than in machines. It is the very best investment we can make for the future of our country. Latest Office of Education figures indicate that a person with four years of higher education will, over the course of his life, earn about $213,000 more than a person with a high school diploma. Notwithstanding how substantial this figure appears to the Treasury in terms of returned tax dollars, it fails to truly reflect the value to the person receiving the education or to those other persons who are the direct or indirect recipients of such education.

There is widespread support for the tax credit approach in helping to meet the growing costs of higher education. For example: A questionnaire was sent to the president and trustees of all public and private institutions of higher education by the Citizens National Committee on Higher Education which produced a favorable reply from 90 percent of those responding.

A national survey conducted by Opinion Research Corp., of Princeton, New Jersey, for CBS–TV in 1966, disclosed that 70 percent of the viewing public supported tax credits for education, while only 13 percent opposed this approach. It is interesting to note that in that survey the highest level of support was found among persons in the $5,000 to $6,999 income bracket; 88 percent of this group favored educational tax credits. Among young people in the 18- to 29-year age group, 80 percent were in favor of this proposal.

In June of 1968, a nationwide survey by Better Homes and Gardens magazine reported that almost three-fourths of the 300,000 consumers who responded think a family's college expenses are so basic that they should be deductible on individual Federal income tax returns. A more recent Better Homes and Gardens survey reported in the March 1971, issue indicates that of the 70,000 persons polled, 66 percent agreed that college costs should be fully deductible while 30 percent disagreed, three percent were neutral, and one percent failed to respond.

Other polls have shown the same kind of results: 70 to 80 percent of the public supports the concept of tax credits for education expenses.

College and university administrators, faculty, and trustees have expressed enthusiastic support for the tax credit approach to extend the benefits of higher education to the many who cannot now meet the rapidly increasing costs. The tax credit concept has received the endorsement of a variety of educational organizations, including the National Education Association, the Colorado Education Association, the National Association of University Administrators, the Association of American Colleges, the United Business Schools Association, and the Citizens National Committee for Higher Education.

I believe we should again act favorably on this legislation to help our hard-pressed lower and middle income wage earners meet the rising costs of educating their children to meet the challenges of the future.

By Mr. BELLMON:

S. 1112. A bill to amend the Federal Corrupt Practices Act, 1925, in order to make more effective the reporting of campaign expenditures, and for other purposes. Referred to the Committee on Rules and Administration.

Mr. BELLMON. Mr. President, much has been said in recent months concerning campaign expenditures. The cost of advertising in various communications media to bring a candidate's message to the voters has risen sharply with the increased use of television.

The public is aware that more than $60 million was spent in the last presidential campaign, and that untold millions more went into advertising budgets for State and local candidates across the country. I want to emphasize that word, "untold," because it accurately describes the existing system for reporting campaign spending.

Nobody knows for sure just how much money is spent in this country's elections. Because of our unrealistic, unworkable, and unenforceable reporting laws, there is no way to obtain a reliably accurate figure. It is too easy—in fact almost necessary from the standpoint of survival—for a candidate to hide behind a committee or some other such loophole to avoid making a true disclosure.

In many instances, candidates are faced with campaign spending limits which are ridiculously low. This contributes to the farcical game that is played each election, in which candidates bombard the voters with every image-building device that money can buy; then at the end of the campaign, they piously file their reports showing they stayed under an impossible ceiling imposed by law.

Under such circumstances, it is not any wonder that elected officials often have a difficult time maintaining the respect and confidence of their constituents.

Mr. President, there seems to be general agreement that something needs to be done to erase the facade that exists today in reporting of campaign expenditures. We need to look at this problem seriously and objectively and take corrective action before the next election.

Several proposals have been advanced and these have features of considerable merit. The minority floor leader, Mr. SCOTT, has studied this problem with an admirable degree of thoroughness, and I commend him for the research he has done and the efforts he has put forth to modernize our laws.

His campaign reform bill, requiring detailed reports to be filed by candidates and political committees with an independent Federal Elections Commission, has many features with which I agree. For one thing, it does away with ceilings on candidate expenditures, but places some realistic limitations on the amounts the candidate and individuals may contribute to a campaign. It also offers tax incentives for small political contributors and encourages lower advertising rates, both of which steps would promote greater participation by our citizens in the elective process.

Mr. President, a meaningful campaign expenditure law will include several features which present law or proposed legislation does not contain.

First, we need a law that cannot be evaded by either winners or losers, regardless of their ethical standards. This is imperative because a losing candidate may feel no compunction about filing false information which could make a winning candidate's accurate reports have a damaging result.

Second, we need a law that will give voters complete and accurate facts on campaign expenditures by candidates before, not after, the votes are cast and counted. Even accurate information is of little value to a voter after the election is over and the results have been announced. Voters need to know which candidate is trying to buy his way into office before they make their decisions.

Mr. President, I have full confidence in the good judgment of American voters and I feel that if they have the facts they will make wise decisions generally. The amount of campaign expenditures is an important part of the information voters must have in order to choose between real ability and a job of professional packaging to make a candidate appear to be able.

What is needed is a three-pronged approach, involving not only the candidate and his committees, but the communications media as well. Therefore, I am introducing today a bill which will require the media to participate in the reporting system. In this way we can obtain a true picture of how much money is spent by each candidate for advertising. By comparing reports from advertising media with reports of candidates and committees, we can provide a check-and-balance system that should deter any tendencies toward manipulation.

The Nation's communications media have properly expressed great interest in the matter of campaign spending and, therefore, I am confident they will want to cooperate in this joint effort.

Mr. President, my bill amends the Federal Corrupt Practices Act of 1925. Here is a summary of the provisions of the bill:

SUMMARY

SECTION 2

(1) Amends Sec. 302 by including primary elections. The present law only covers general and special elections.

(2) Amends the term candidate to include nomination or election of President and Vice President.

(3) Amends the term political committee so that it applies to all political campaigns.

(4) Technical amendment.

(5) Amends the section by adding a new subsection which defines "political advertising."

SECTION 3

Sec. 305 is rewritten. This section deals with reporting by the treasurer of a political committee. He would have to report all contributions over $50 by name and address and the total amount given under $50. Also he would have to report the amounts spent by the committee on or in behalf of a candidate.

SECTION 4

Amends Sec. 306 to include the Secretary of the Senate as a reporting point.

SECTION 5

Section 307 is rewritten. This section deals with reporting by the candidate himself. Its provisions are the same as for the political committee.

SECTION 6

Section 309 is rewritten to require communications media (newspapers, radio, television, printers, etc.) to report on political advertising.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record following my remarks.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1112

A bill to amend the Federal Corrupt Practices Act, 1925, in order to make more effective the reporting of campaign expenditures, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Corrupt Practices Amendments of 1971."

Sec. 2. Section 302 of the Federal Corrupt Practices Act, 1925 (2 U.S.C. 241), is amended by—

(1) amending paragraph (a) of such section to read as follows: "(a) the term 'election' means a primary, general, or special election;";

(2) striking out, in paragraph (b) of such section, the words "election as" and inserting in lieu thereof "nomination for election, or election, as President or Vice President;";

(3) striking out all the matter in paragraph (c) of such section after the word "electors" and inserting in lieu thereof a semicolon;

(4) striking the period at the end of such section and inserting in lieu thereof a semicolon; and

(5) adding at the end thereof the following new paragraph: "(j) the term 'political advertising' means any advertisement which presents the name of a particular candidate for nomination or election.".

Sec. 3. Section 305 of such Act is amended to read as follows: "Sec. 305. (a) The treasurer of a political committee shall file with the appropriate official statements which are complete as of the day before the date of filing containing—

"(1) the name and address of each person who has made a contribution to or for such committee in the amount of $50 or more, together with the date and amount of such contribution (or its fair market value if the contribution was other than money);

"(2) The total sum of all contributions made to or for such committee in amounts of less than $50;

"(3) The total sum of all contributions made to or for such committee during the calendar year; and

"(4) Amounts spent by such committee for political advertising.

"(b) Any amount spent for political advertising shall be described in sufficient detail to identify it accurately, including—

"(1) The amount spent, the date of the expenditure, and the person to whom payment was made;

"(2) In the case of printed cards, pamphlets, circulars, posters, dodgers, booklets, or other such advertisements, writings, or statements (such as reprints from periodicals, books, newspapers, or other publications), the title and number of each;

"(3) In the case of radio and television advertising, the name and address of the station; and

"(4) In the case of the purchase of the services of campaign consultant firms, advertising agencies, media consultant firms, and other such commercial organizations, the name and address of the firm, together with the particular services rendered.

"(c) Statements filed under this section shall be filed on the first day, which is not a Sunday or legal public holiday of each month, except that beginning with the first day of the month immediately preceding the election, reports shall be filed weekly. Statements filed under this section shall be cumulative during the calendar year to which they relate. If there has been no change in an item reported in a previous statement, only the amount need be carried forward. The statement filed on the first day of January shall cover the preceding calendar year.

"(d) For purposes of this section, the appropriate official shall be—

"(1) The Clerk, in the case of a political committee receiving contributions or making expenditures for or on behalf of a candidate for the office of Representative, or Delegate or Resident Commissioner to the Congress; and

"(2) The Secretary, in the case of a political committee receiving contributions or making expenditures for or on behalf of a candidate for the office of President, Vice President or Senator."

Sec. 4. Section 306 of such Act is amended by inserting immediately after the word "Clerk" in the text of such section the following: ", or Secretary, as the case may be,".

Sec. 5. Section 307 of such Act is amended to read as follows:

"Sec. 307. (a) Each candidate shall file with the appropriate official statements giving a correct and accurate account of—

"(1) Any amount spent by such candidate, or on his behalf, for political advertising designed to advance his candidacy; and

"(2) The source of amounts so spent, whether from the personal funds of the candidate and his immediate family or from contributions.

"(b) Any amount spent for political advertising shall be described in sufficient detail to identify it accurately, including—

"(1) The amount spent, the date of the expenditure, and the person to whom payment was made;

"(2) In the case of printed cards, pamphlets, circulars, posters, dodgers, booklets, or other such advertisements, writings, or statements, such as reprints from periodicals, books, newspapers, or other publications) the title and number of each;

"(3) In the case of radio and television advertising, the name and address of the station; and

"(4) In the case of the purchase of the services of campaign consultant firms, advertising agencies, media consultant firms, and other such commercial organizations, the name and address of the firm, together with the particular services rendered.

"(c) In reporting the sources of money spent for political advertising, the candidate shall indicate the full name and address of the person from whom the contribution was received, and the date and amount of such contribution (or its fair market value if the contribution was other than money). If the source of the money spent was the personal funds of the candidate or his family, it shall be so identified.

"(d) Statements filed under this section by candidates for nomination for election, or election, to the office of President, Vice President, or Senator shall be filed with the Secretary. Statements filed under this section by candidates for nomination for election, or election, to the office of Representative, or Resident Commissioner or Delegate to the Congress, shall be filed with the Clerk.

"(e) Statements filed under this section shall be filed on the first day, which is not a Sunday or legal public holiday of each month, except that beginning with the first day of the month immediately preceding the election, reports shall be filed weekly. Statements filed under this section shall be cumulative during the calendar year to which they relate. If there has been no change in an item reported in a previous statement, only the amount need be carried forward. The statement filed on the first day of January shall cover the preceding calendar year."

Sec. 6. Section 309 of such Act is amended to read as follows:

"Sec. 309. (a) The provisions of this section shall apply to both broadcast and nonbroadcast communications media, handling political advertising, which shall include but not be limited to newspapers, radio, television, billboards, direct mail, printing, and specialties.

"(b) Any broadcast or nonbroadcast communications medium which accepts for broadcast or publication any political advertising shall file with the appropriate official a detailed statement of any political advertising accepted for broadcast or publication, the amount received for such broadcasting or publishing such advertising, the name and address of the person from whom payment was received, the candidate whose name appeared in such advertising, and a facsimile or other copy of such advertising.

"(c) Statements filed under this section shall be filed on the first day, which is not a Sunday or a legal public holiday, of each month, except that beginning with the first day of the month immediately preceding the election, reports shall be filed weekly. Statements filed under this section shall be cumulative during the calendar year to which they relate. If there has been no change in an item reported in a previous statement, only the amount need be carried forward. The statement filed on the first day of January shall cover the preceding calendar year.

"(d) For purposes of this section, the appropriate official shall be—

"(1) The Clerk, in the case of a political advertisement for a candidate for the office of Representative or Delegate or Resident Commissioner to the Congress; and

"(2) The Secretary, in the case of a political advertisement for a candiate for the office of President, Vice President, or Senator."

Sec. 7. (a) Section 319 of such Act is amended to read as follows:

"Sec. 319. (a) Except as provided in subsection (b), this title shall take effect thirty days after its enactment.

"'(b) The amendments to this title made by the Federal Corrupt Practices Amendments of 1971 shall take effect thirty days after their enactment."

(b) Section 609 of title 18, United States Code, is repealed, effective thirty days after the day of enactment of this Act.

By Mr. BAKER (for himself, Mr. Muskie, Mr. Beall, Mr. Bayh, Mr. Bible, Mr. Boggs, Mr. Brock, Mr. Cannon, Mr. Case, Mr. Church, Mr. Cooper, Mr. Cranston, Mr. Dole, Mr. Eagleton, Mr. Gravel, Mr. Harris, Mr. Hatfield, Mr. Humphrey, Mr. Javits, Mr. McGee, Mr. McGovern, Mr. McIntyre, Mr. Mondale, Mr. Nelson, Mr. Percy, Mr. Randolph, Mr. Spong, Mr. Stevens, and Mr. Williams):

S. 1113. A bill to establish a structure that will provide integrated knowledge and understanding of the ecological, social, and technological problems associated with air pollution, water pollution, solid waste disposal, general pollution, and degradation of the environment, and other related problems. Referred to the Committee on Public Works.

Mr. BAKER. Mr. President, on behalf of myself and Senator Muskie, and on behalf of Senators Beall, Bayh, Bible, Boggs, Brock, Cannon, Case, Church, Cooper, Cranston, Dole, Eagleton, Gravel, Harris, Hatfield, Javits, Humphrey, McGee, McGovern, McIntyre, Mondale, Nelson, Percy, Randolph, Spong, Stevens, and Williams, I introduce, and ask that it be appropriately referred, a bill to establish a structure that will provide integrated knowledge and understanding of the ecological, social, and technological problems associated with solid waste disposal, general pollution, and degradation of the environment, and other related purposes. I ask unanimous consent that, at the conclusion of my remarks, the text of the bill be printed in full in the Record.

This bill, Mr. President, is identical in most respects to a bill that Senator Muskie and I introduced in the 91st Congress—S. 3410. That bill grew out of a study that was conducted at our request by an ad hoc task force at the Oak Ridge National Laboratory. The task force concluded that there did not exist a single, multidisciplinary structure capable of undertaking the kind of broad, continuing examination of environmental matters that is so clearly needed in a time of rapidly expanding technology and environmental degradation. The task force found that while many public and private agencies and individuals—such as the Atomic Energy Commission, the Environmental Protection Agency, the National Science Foundation, and so on—were making highly significant contributions to the area of environmental research, this very fragmentation of effort tended to reduce the possibilities for meaningful interaction between the various groups doing such work.

Therefore, Senator Muskie and I devised this proposal for the establishment of a new structure to be called the National Environmental Laboratory. The laboratory would be empowered to set up as many as four large physical facilities, where the best minds in the country could be brought together to undertake research and development, technology assessment, and other multidisciplinary work relating to the environment and the impact on the environment of applied technologies.

There is, I regret to say, an added incentive for the establishment of such a structure that exists in the society today that was not so pronounced last year when the original bill was introduced, and that is the alarming number of highly trained specialists who find themselves unemployed or underemployed as a result of the transition of the country from a wartime-space economy to an economy more oriented toward domestic needs. I am not suggesting that the Congress should create these national environmental laboratories so as to provide public employment for such persons. But I do believe that such laboratories would provide centers where the training and experience of many of these people could be put to good use and toward an end that will be given an increasingly high domestic priority—the enhancement and protection of our natural environment.

It is my hope and expectation that the Subcommittee on Air and Water Pollution, of which Senator Muskie is the chairman and of which I am privileged to be a member, and to which this legislation was referred last year, will hold public hearings on the proposal some time in midspring. Judging from the response to several hundred inquiries that Senator Muskie and I made last year of prominent members of the scientific, academic, and industrial communities, I anticipate that the bill will receive rather strong support from witnesses at such hearings.

I want to make one last point about this legislation, and that has to do with a concern that has been expressed by some exposed to it. And that is that the work carried out by such a structure would be duplicative of much of the work already being carried out by public and private agencies and groups. It is a legitimate concern and one that I hope will be directly addressed and dealt with constructively during the hearings on the bill.

The bill has been drafted as carefully as possible with this concern in mind. I would like particularly to call attention to subsections 5(d), 5(e), and 5(f) of the bill. Each of these provisions is specifically designed to deal with the questions of close cooperation and interaction with others engaged in related work.

I am sincerely gratified by the support of other Senators for this proposal, as I know Senator Muskie is. I hope that others will see fit to join with us at a later time. It is my sincere belief that the enactment of something like this legislation can contribute in large measure to the effort so necessary now and in the future to restore and protect our finite natural environment.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1113

A bill to establish a structure that will provide integrated knowledge and understanding of the ecological, social, and technological problems associated with air pollution, water pollution, solid waste disposal, general pollution, and degradation of the environment, and other related problems

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Environmental Laboratory Act of 1971."

"Sec. 2. (a) The Congress finds—

"(1) that the Nation is presently experiencing a rapid deterioration of environmental quality;

"(2) that the environmental resources of the Nation are finite;

"(3) that the demands of a growing population and an increasing material standard of living will place an additional burden upon the capacity of the environment;

"(4) that the optimum allocation and use of our limited environmental resources will require the maximum use of scientific principles if the Nation is to restore and enhance the health, diversity, beauty, and capacity of the environment for perpetuity;

"(5) that the development of technologies has often created unintended ecological, economic, and social effects which have a profound impact on the environment;

"(6) that technologies must be assessed on a timely basis in order to detect and predict the detrimental effects these may have on the ecosystem, which includes man, and that existing technologies must continually be reappraised to detect latent detrimental effects;

"(7) that the amelioration and prevention of environmental problems depend on a thorough understanding of the complex interactions among the human, natural, and technological components of the ecosystem, thereby requiring multidisciplinary research and analysis of the total environment;

"(8) that while the established departments and mission-oriented agencies make and will continue to make valuable contributions in specialized research and development, they lack authority and organization to deal comprehensively with the interconnected problems of the environment; and

"(9) that a complete and thorough understanding of the ecosystem cannot be accomplished through fragmented application of specialized research and development efforts, but rather requires a unity of effort and emphasis which is focused on the restoration and enhancement of the total environment.

"(b) The Congress declares—

"(1) that to assist in the effort to restore and enhance the environment and to minimize future damage to the environment it is necessary to establish a new organization with sufficient professional breadth and scope to provide a unified and systematic approach to the problems of technology assessment and environmental quality; that such an organization will complement those public and private agencies presently dealing with various aspects of the environment; and

"(2) that the organization will conduct basic research, development, analyses of human and natural activities affecting the environment, and other necessary work, which shall include but not be limited to (A) data collection, storage, and dissemination, data analysis and synthesis, the development of methods and devices, training and education, and objective analysis of various environmental policy alternatives; (B) the formulation of, and where appropriate, the development, testing, and demonstration of, alternative solutions to existing and probable environmental insults; and (C) the performance of other functions to assist public and private agencies and persons in the restoration, enhancement, and protection of the environment; and

"(3) that it shall not be an appropriate function for the organization or of any of its constituent parts or representatives to make specific recommendations as to policy or choices between alternative courses of action, whether at its own initiative or upon request, but that the organization may present to policy makers various alternative courses of action and describe the probable results of each such course of action;

"SEC. 3. There is established at the seat of government a National Environmental Laboratory and a Board of Trustees of the Laboratory (hereinafter referred to as the 'Laboratory' and the 'Board') whose duty it shall be to maintain and administer the Laboratory and site or sites thereof, and to execute other functions as are vested in the Board by section 4.

"SEC. 4. (a) The Board shall be composed of nine members as follows: (1) the Administrator of the Environmental Protection Agency; (2) the Chairman of the Council on Environmental Quality established by Public Law 91-190; (3) the Director of the Office of Science and Technology; (4) the Director of the National Science Foundation; and (5) five members appointed by the President from the public, by and with the advice and consent of the Senate. Not more than three of the public members of the Board may be members of the same political party.

"(b) Each member of the Board appointed under clause 5 of subsection (a) of this section shall serve for a term of six years from the expiration of his predecessor's term except that (1) any such member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of office of such members first taking office shall begin on April 24, 1971, shall expire, as designated by the President at the time of appointment, one at the end of two years, two at the end of four years, and two at the end of six years. No member of the Board chosen from private life shall be eligible to serve in excess of two terms, except that the member whose term has expired may serve until his successor has qualified.

"(c) The President shall designate a Chairman and a Vice Chairman from among the members of the Board chosen from the public.

"SEC. 5. In administering the Laboratory, the Board shall have all necessary and proper powers which shall include, but not be limited to, the power to—

"(a) establish regional national environmental laboratories not to exceed four in number with the geographical distribution of any such regional laboratories determined by environmental criteria;

"(b) establish broad policy directions for the Laboratory as determined from an analysis of the social and environmental priorities established by the Congress, the executive branch, and the private sector;

"(c) solicit, accept, and dispose of gifts, bequests, and devices of money, securities, and other property of whatsoever character for the benefit of the Laboratory, and any such money, securities, or other property shall, upon receipt, be deposited into a special fund administered by the Board for the purposes of the Laboratory, and the source, amount, and restrictions of any gift, bequest, or device of money, securities, or other property in excess of $5,000 fair market value shall be included in the annual report required under section 10;

"(d) obtain grants from, and make contracts with State, local, and private agencies, organizations, institutions, and individuals;

"(e) obtain grants from, and make contracts with, any Federal agency, including the Atomic Energy Commission, as provided for in Section 33 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2053);

"(f) take such steps as may be necessary to coordinate with all public and private agencies so as to avoid unnecessary duplication of environmental research and development activities;

"(g) acquire such site or sites as a location for the Laboratory or regional laboratories;

"(h) acquire, hold, maintain, use, operate, and dispose of any physical facilities, including equipment, necessary for the operation of the Laboratory.

"(i) appoint and fix the compensation and duties of a General Manager and such other officers of the Laboratory as may be required. The compensation of the General Manager and other such officers shall be fixed without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service and chapter 51 and subchapter III of chapter 53 of such title 5; and

"(j) appoint and fix the compensation and duties of a Director, or Directors and such other officers of the Laboratory to administer any regional laboratory, or laboratories, established pursuant to subsection (a) of this section; and such Director or Directors may be appointed and compensated without regard to such provisions of title 5.

"SEC. 6. Any Director appointed under clause (h) of section 4 shall be responsible for the management and development of the regional laboratory for which he is appointed and for the research program that such laboratory conducts, subject only to the broad policy directions provided by the Board pursuant to subsection (b) of section 5.

"SEC. 7. The Board shall, in connection with acquisition of any site or sites, as provided for in clause (e) of section 4, provide to businesses and residents displaced from any such site or sites, relocation assistance, including payments and other benefits, equivalent to that authorized to displaced businesses and residents under the Housing Act of 1949, as amended. In providing such relocation assistance and developing such relocation program the Board shall utilize to the maximum extent the services and facilities of the appropriate Federal and local agencies.

"SEC. 8. The Board is authorized to adopt an official seal which shall be judicially noticed and to make such bylaws, rules, and regulations as it deems necessary for the administration of its functions under this Act, including, among other matters, bylaws, rules, and regulations relating to the administration of its trust funds and the organization and procedures of the Board. A majority of the members of the Board shall constitute a quorum for the transaction of business.

"SEC. 9. (a) There is hereby authorized to be appropriated to the Board $50,000,000 for each of four consecutive fiscal years beginning with the fiscal year ending June 30, 1972, to be deposited in a fund (hereinafter referred to as the "Special Trust Fund") for the perpetual maintenance and support of the long-term research activities of the Laboratory. It shall be the duty of the Board to invest such fund only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired (1) on original issue at the issue price, or (2) by purchase of the outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are extended to authorize the issuance at par of public debt obligation for purchase by the Special Trust Fund. Such obligations issued for purchase by the Special Trust Fund shall have maturities fixed with due regard for the needs of the Special Trust Fund and shall bear interest at a rate equal to the average market yield (computed by the Secretary of the Treasury on the basis of market quotations as of the end of the calendar month next preceding the date of such issue) on all marketable interest-bearing obligations of the United States then forming a part of the public debt which are not due or callable until after the expiration of four years from the end of such calendar month; except that where such average market yield is not a multiple of one-eighth of 1 per centum, the rate of interest of such obligations shall be the multiple of one-eighth of 1 per centum nearest such market yield. The Board may purchase other interest-bearing obligations of the United States or obligations guaranteed as to both principal and interest by the United States, on original issue or at the market price only where it determines that the purchase of such other obligations is in the public interest. Any obligations acquired by the Special Trust Fund (except public-debt obligations issued exclusively to the Special Trust Fund) may be sold by the Board at the market price, and such public debt obligations may be redeemed at par plus accrued interest.

"(b) In addition to amounts appropriated pursuant to subsection (a) there are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act: *Provided*, That not to exceed $200,000,-

000 may be appropriated for the use of any one regional laboratory established pursuant to subsection (a) of section 5. Such sums appropriated under authority of this subsection shall remain available until expended.

"SEC. 10. The General Manager of the Laboratory shall transmit annually to the President and to Congress a report which shall set forth, but not be limited to, (1) the audit reports required under subsection (a) of section 10 of this Act, (2) bibliographies, with annotations, of research performed, and (3) a description of ongoing research programs."

By Mr. BIBLE (for himself and Mr. CANNON):

S. 1114. A bill to declare that the United States holds in trust for the Reno-Sparks Indian Colony certain lands in Washoe County, Nev. Referred to the Committee on Interior and Insular Affairs.

Mr. BIBLE. Mr. President, for myself and my colleague from Nevada (Mr. CANNON), I introduce, for appropriate reference, a bill to declare that the United States shall hold in trust for the Reno-Sparks Indian Colony certain lands in Washoe County, Nev.

This bill, Mr. President, is introduced in an effort to provide improved living conditions and a better commnuity life for the Reno-Sparks Colony. It would add to the colony a 480-acre tract of land currently in the public domain situated near the former Stead Air Force Base. The selected lands are vacant and unappropriated public lands. The only improvement is a drift fence installed by the Bureau of Land Management.

Mr. President, the Reno-Sparks Colony badly needs all the assistance it can get in solving mounting problems of crowding and worsening living conditions. The area surrounding the colony was once a rural farming section, but has now become urbanized and was lately zoned for intense industrial development. These changes, coupled with a growing Indian residential population, have resulted in serious housing, health, and economic problems. Last April the colony was designated as a redevelopment area eligible for assistance under the Public Works and Economic Development Act of 1965. But legislative action is needed to provide additional land to relieve the present overcrowding and to permit the establishment of recreation areas. A portion of the 480-acre tract covered by this bill would also be suitable for light industrial use, and would enable the Colony Indians to expand their economic base.

Plans for the future include the formation of a tribal development corporation owned by the colony members. With income derived from expanded properties, such a corporation could provide services now paid for with public funds. The ultimate goal is a land and economic base that will not only afford decent living and working conditions for the colony but enable its residents to form an active community that is largely self-supporting.

This legislation was introduced in the 91st Congress, but was not acted on. It is overdue and I hope affirmative action will be taken expeditiously in this Congress.

I ask unanimous consent that a January 26, 1970, resolution of the Reno-Sparks Tribal Council in support of the legislation be printed in the RECORD following this statement.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION—RENO-SPARKS TRIBAL COUNCIL

Whereas, the Reno-Sparks Tribal Council has undertaken a study of the present and future prospects concerning the welfare of the residents of the Reno-Sparks Indian Colony and the economic development of the said colony, we take note of the following:

The Reno-Sparks Indian Colony had its genesis in certain acts of Congress which original intent was to provide homes and farm sites for Washoe and homeless Nevada Indians, with adequate water rights. In providing for the purchase of lands which make up the Reno-Sparks Colony, Congress originally contemplated a resident population of 150 people. This legislation was enacted in 1917. At the time this legislation was passed the area which makes up the Reno-Sparks Colony was on the outskirts of Reno. Under the circumstances which then existed, it was reasonable for Congress to envision a farming community of perhaps 150–200 people occupying the land. However, as most urban and semi-urban areas of the nation have grown and expanded outward to encompass what may have originally been the outskirts of a town or city, the city of Reno has expanded outward, and what was originally a farming area is now the center of industrial growth of Reno and Sparks. Presently the colony is used as residential property by some 600 residents. Even though the property is used as a residential area, it is not located in the residential areas of either Reno or Sparks.

The area surrounding the colony has been zoned by the Washoe County Regional Planning Commission as industrial and is rapidly becoming the industrial area of Reno and Sparks. Located directly east of the colony is a large sand and gravel operation, to the west a number of service industries border on Kietzke Lane, which is becoming the primary area for automobile sale outlets. Further to the west a number of industries are developing, including warehousing and electronics. The overall present growth pattern of the Reno-Sparks area when considered in conjunction with the zoning regulations applicable to the area surrounding the colony and its present population lead inevitably to the conclusion that there is no prospect in the present area for expansion and development of the colony as a residential area.

Among the problems which face the present residents of the colony are as follows: Population density, health, housing, community development and economic development.

As indicated above there are presently 600 residents occupying an area originally intended to serve the needs of some 150 to 200 people. According to statistics in the Overall Economic Development plan of March 1969, the comparison of population density prepared in 1967 indicates a population per square mile of 11,921 for the colony as compared with 6,410 per square mile for the rest of Reno.

Many of the health problems confronting the colony are indirectly caused by the population density and its effects on living conditions. As an illustration, in June of 1969, the colony was faced with an outbreak of hepatitis, which reached epidemic proportions. The disease spread and many more people were infected than would have been because there are 600 people occupying an area originally intended for 150 people.

Housing conditions in the colony are substandard. Although there is presently a mutual self-help housing program which will provide 20 additional units, the program originally contemplated 50 units, but the balance of 30 units cannot be built because of lack of available space. This lack of land area forces many families to double and triple up in houses which were originally intended for one family. Further, the statistics gathered in 1967 for the Overall Economic Development Plan indicates that there are 36 houses which are either unfit for occupancy or are considered to be in poor condition as housing facilities.

The prospects for community and economic development are affected by the nature of the surroundings area. As indicated above the growth pattern of the neighboring properties effectively precludes orderly community development of the colony as a residential area. Because of the limited land area, and the fact the colony is presently used as a residential area, there is virtually no prospect for orderly economic and industrial development.

After a consideration of the foregoing the Reno-Sparks Tribal Council took under advisement the possibility of acquiring additional unused federal land in close proximity to Reno. Following a review of 18 possible locations, the members of the tribal council and other residents, chose an area in the vicinity of Stead, approximately 6 miles north of Reno. The area comprises 480 acres and is located at township 21 north range 18 east of the Mount Diablo Meridian, the south half of section 10 and the northeast quarter of section 28. The land would be held in trust by the United States of America for the benefit of the Reno-Sparks Indian Colony.

The advantages of such action to the peoples of the Reno-Sparks Colony would be numerous and would have effects as to the following areas; population density, health, housing, the return to the colony of those Indians who have been unable to secure homesites at the present location and Indian self-determination with regard to economic and community development.

As mentioned previously, the present site of the colony is wholly inadequate to meet present population demands. In the Overall Economic Development Plan of 1969, the figures for population by age as of 1967 indicates that 51% of the present population is comprised of people under age 21. Based on these figures, the projected population for 1975 by conservative estimate will be 1100. This will mean a population density per square mile at the colony equal to that of New York City at present. With the addition of the land at Stead, 320 acres is proposed for use for both residential and recreational purposes. Of this, 200 acres would be utilized for residential homesites, which would mean in effect, a population density based on present growth rates of 3300 persons per square mile. The balance of 120 acres, while rough and mountainous, with proper planning could be used for community recreational purposes. The above figures do not take into account those Indians who at present are living off the colony due to unavailable land for assignment purposes. There are many people who have made application for assignment of land in the present colony, but have been refused by the tribal council because there simply is not enough land to fulfill all the requests.

The land at Stead would provide homesites for those people who are presently forced to live off the colony because of lack of available land, as well as alleviating the situation which now exists where two and three and sometimes as many as four or five families are living on one assignment. The return of those Indians now forced to live off the colony would help strengthen the bonds of the overall community as well as providing a geographic center for the preservation of family ties and cultural values.

With the acquisition of land at Stead, much would be accomplished in the areas of health and safety. As indicated above, the overcrowded living conditions at the present colony site pose a definite threat to the health of the inhabitants. The proposed site would eliminate the overcrowding, thus removing the main factor which contributes to the spread of communicable diseases at the colony. The zoning of the present area supports industrial development, and it is obvious that the area is becoming increasingly congested with heavy trucking and commercial traffic. With over 20% of the present population age 10 or under, there is a real safety hazard involved with children crossing streets and playing on industrial sites during both working and nonworking hours. The land at Stead would provide an environment which would be far more conducive to the health and safety of the members of the Reno-Sparks Colony.

Of the proposed 480 acres it is envisioned that a parcel of 160 acres, which is located two (2) miles south of the 320 acre residential area, would be used for industrial development. As mentioned previously the present colony site provides no opportunity for industrial development. When the land at Stead is acquired, the present colony site would be used for industrial development. Thus, the people of the Reno-Sparks Colony would have a substantial base with which they would establish a source of tribal income. What is imagined in the near future is a Tribal Development Corporation owned by the members of the colony which, with income derived from the use of these properties, would provide services and facilities now paid for with public funds.

At the present time 17.6% of the labor force at the colony is unemployed, this is three times unemployment rate of Washoe County. One of the basic objectives of economic development would be to eliminate much of this unemployment, thereby reducing the dependence on welfare as means of support. The industrial development would be keyed toward providing jobs for Indian people. This could be arranged through leases to corporations who would draw in the labor market of the nearby Indian community at Stead. Financing for these industries is available through the Economic Planning Unit of the Inter-Tribal Council. Therefore, the people of the Reno-Sparks Colony consider the opportunity presented by acquisition of the land at Stead a monumental step toward long range goals of Indian economic self-determination.

After a careful consideration of all the foregoing points the Tribal Council feels that it is imperative that the land at Stead be acquired to secure the present welfare and future potential for all the residents of Reno-Sparks Colony.

Therefore, be it hereby resolved, that all right, title, and interest in the following vacant and unappropriated public domain land located in Washoe County, Nevada, to wit; south one-half section 10 and northeast one-quarter section 28 in township 21 north, range 19 east, of the Mount Diablo Meridian, be declared by the Congress of the United States of America, to be held in trust for the benefit of the members of the Reno-Sparks Indian Colony.

By Mr. BIBLE (for himself and Mr. CANNON):

S. 1115. A bill to declare that certain federally owned lands are held by the United States in trust for the Paiute-Shoshone Tribe of the Fallon Reservation and Fallon Colony, Nev. Referred to the Committee on Interior and Insular Affairs.

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a bill to declare that certain public lands are held in trust by the United States for the Paiute-Shoshone Tribe of the Fallon Reservation and Fallon Colony, Nev.

This proposed legislation was submitted by the Department of the Interior late in the 91st Congress and was not acted on. Its purposes are described in the Department's letter to the Vice President of October 30, 1970, and I ask unanimous consent that that letter be printed in the RECORD following my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., October 30, 1970.

HON. SPIRO T. AGNEW,
President, U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is enclosed a draft of a proposed bill, "To declare that certain federally owned lands are held by the United States in trust for the Paiute-Shoshone Tribe of the Fallon Reservation and Fallon Colony, Nevada."

We recommend that the proposed bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

This bill provides that two tracts of public domain land will be held in trust for the Paiute-Shoshone Tribe of the Fallon Reservation and Fallon Colony, Nevada. It further provides that the Indian Claims Commission will determine the extent to which the value of the trust title conveyed should or should not be set off against any claim against the United States Government determined by the Commission.

One tract contains 40 acres and the other 20 acres. The Fallon Colony is involved in certain improvement projects, and this legislation will provide a land base that will enable the Indians to participate in a much-needed Mutual-Help Housing program.

This land has been the home of these Indians for more than 50 years. The 40-acre tract was eliminated from a Reclamation withdrawal and reserved on August 23, 1917, for the benefit of the Indians who at the time were occupying part of the tract and were earning their livelihood in and around the town of Fallon, Nevada. Subsequently, some of the Indians by mistake constructed their homes on the 20-acre tract described in the bill which is contiguous to the north boundary of the 40-acre parcel. This 20-acre tract was withdrawn on March 14, 1958, in aid of legislation. These two parcels comprise the Fallon Colony. The colony is located one mile northeast of Fallon, and one-fourth mile from the northeast city limit. To the north of the colony is the city dump and on the southeast is the Fallon city cemetery.

The Indians are mostly Paiute and a few Shoshone. Some 12 miles to the east another group of Indians live on their allotments on the Fallon Reservation. They, together with the colony Indians, have organized and have a common constitution and bylaws. They are known as the Paiute-Shoshone Tribe of the Fallon Reservation and Colony.

The Fallon Colony is an established community of 45 Indians. They brought electricity and water to their settlement at their own expense. However, the water came from the old city water system which was condemned, and not used by the city except to provide water for the cemetery. The city, itself, had a new water supply reservoir for its municipal water system. The Indians of the Fallon Colony then applied to the United States Public Health Service for an improved water and sanitation system which was completed during the past fiscal year.

There are 16 homes located on approximately 25 acres of the 40-acre tract. Eleven acres are under subjugation with water deliveries from the Truckee-Carson Irrigation Project. This parcel is under lease to a member of the Fallon Reservation. Approximately four acres are in the Truckee-Carson Irrigation District's irrigation canal that bisects the property. There are 11 homes on the 20-acre parcel.

A circular gravelled surfaced road through the residential area is maintained by the Bureau of Indian Affairs. Individual houses and other buildings are located around this drive. Only two homes and a church are reported to be in good condition. Although they are of low cost frame construction, they are modern with septic tanks and disposal facilities and have had above average maintenance with some lawns and landscaping. Eight of the buildings are in fair condition. Eleven structures are classified as poor. There are also some 10 or 12 shed or shack type buildings, all vacant, or at least only used occasionally, that have no value other than salvage.

The 22 buildings classified from good to poor have a value of $23,000. All of these buildings have been constructed and are maintained by the Indians at their own expense. The only other improvements are minimal fencing along the crop side of the canal and boundary fences between the cropland and adjoining fee land. The land described in the bill is valued at $285 per acre or approximately $17,000. The low quality and questionable nature of the water system contributes nothing to the value of the property.

These tracts are considered to be of some value for sodium and potassium. The thickness and extent of the deposits are not known and drilling would be necessary to establish their value, but it is believed to be quite low. These lands are without value for other minerals, either metalliferous or nonmetalliferous.

About 90 percent of the Indians of the Fallon Colony earn their livelihood working in and around the town of Fallon. If they were required to move, in order to take advantage of the Mutual-Help Housing program, it would mean a considerable hardship to them. In fact, there appears to be no use for this property that would surpass the Indians' need for it, nor is there any other property available for their housing program. Although there is some tribal land remaining on the Fallon Reservation, all of the good land has been allotted and that remaining would not be desirable for a housing project. Neither would the reservation location be suitable because of the distance to the town of Fallon and the lack of transportation for these Indians who work in Fallon.

The Indians of the Fallon Colony have an application before the Housing Assistance Administration for 40 units of Mutual-Help Housing with construction to begin as soon as possible. A necessary requisite to this housing program is that the Indians have vested property rights in the land, which will be accomplished by this legislation. We strongly urge its enactment.

The Office of Management and Budget has advised there is no objection to the presentation of this proposed legislation from the standpoint of the Administration's program.

Sincerely yours,

HARRISON LOESCH,
Assistant Secretary of the Interior.

By Mr. JACKSON (for himself and Mr. HATFIELD):

S. 1116. A bill to require the protection, management, and control of wild, free-roaming horses and burros on public lands. Referred to the Committee on Interior and Insular Affairs.

WILD HORSES LEGISLATION

Mr. JACKSON. Mr. President, on behalf of the senior Senator from Oregon

(Mr. HATFIELD) and myself, I introduce today a bill designed to protect the last of the wild horses and burros of the United States—the living symbols of our historic pioneer spirit and the nobility of freedom. Thousands of Americans of all ages and all sections of this country have come to value these courageous animals as an important part of our national heritage and are deeply concerned for their welfare and preservation. This bill provides protection for these bands of horses and burros which once roamed the West in lavish numbers but are now in peril of total extinction. In calling for their protection as a national heritage, these animals are thus removed from the designation of "feral," a categorical limbo that is neither wild nor domestic, and relieves us of the semantical debates which have plagued protection efforts in the past.

During this century the wild horse and burro population, now scattered throughout 11 Western States, has been reduced from over 2 million to less than 17,000 in number. They have been cruelly captured and slain and their carcasses used in the production of pet food and fertilizer. They have been used for target practice and harassed for "sport" and profit. It is the purpose of my bill to end this senseless slaughter and to provide these descendants of the animals which played such a major role in the exploration and settlement of the Great Plains and the Far West with the refuges and sanctuaries they need and to place these animals under the protection of the Secretary of the Interior.

Hundreds of schoolchildren throughout this country, as well as scientists, conservationists, and humanitarians, plead for and demand Federal protection for all existing bands of wild horses and burros doomed to vanish from our land in less than 10 years without immediate and adequate congressional action to provide for their welfare and safekeeping in a balanced ecological habitat.

My bill requires the Secretary of the Interior to establish and maintain a minimum of 12 refuges with the advice of a board of qualified scientists. Precedent has already been set with the appointment of the Special Wild Horse Advisory Committee for the Pryor Mountain Range, and the committee has functioned most successfully in developing a program that is acceptable to all interests involved. Should these animals overpopulate, their existing habitat, the bill allows the Secretary of the Interior, in agreement with his advisory board, to remove excess animals for sale to private individuals. However, no animals shall be disposed of inhumanely.

Continuing development of the West has forced the wild horses and burros further and further into the most desolate parts of that vast area to escape the increasing pressure of man. They have come into conflict with the livestock industry which quite naturally wishes to protect the forage on Federal land. The bill provides a means of legal protection for private or Government-leased landholders from intrusion on their property by unwanted wild horses and burros. These landholders may call the nearest Federal marshal or appropriate official of the Department of the Interior to have the animals removed. Only these officials are vested with the authority to dispose of them. My bill also permits the Secretary of the Interior to enter into cooperative agreement with landowners and with State and local government agencies to protect, manage, and control these specific animals on public lands. The bill also specifically forbids establishment of wild-horse ranges on land where these animals do not currently live. We are not attempting to diminish forage for ranchers but simply to protect the few wild horses and burros which remain of the 2 million that roamed the West at the turn of the century.

The bill stipulates a fine of not more than $2,000 or imprisonment for not more than a year, or both, for violations of this act.

Time is running out for the vanishing free-roaming horses which inhabit our public land—land which belongs to all the American people—a large segment of whom have responded to the continuing plight of these majestic animals. The voices of many in this country have become loud and increasingly impatient in their demand for strong Federal legislation to protect these wild creatures from certain extinction. I earnestly hope that Congress will act without delay.

I ask unanimous consent to have printed in the RECORD a section-by-section analysis of the bill.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

ANALYSIS OF BILL

SECTION 1

Section 1 states the various purposes of the Act. Specifically, it states that it is the sense of the Congress that the few remaining free-roaming wild horses and burros be given protection as part of our national heritage. It states that this end shall be accomplished by the designation or establishment by the Secretary of Interior of specific sanctuaries on federal land for these animals.

SECTION 2

Section 2 defines "Secretary", "wild free-roaming horses and burros", "ranges", "band", and "herd".

SECTION 3

Section 3 places all wild free-roaming horses and burros under the jurisdiction of the Secretary of Interior, and directs him to designate, establish, and maintain a minimum of twelve sanctuaries for the protection and preservation of existing bands of wild horses and burros. It also provides means for humane thinning of the herds where necessary, and it specifically prohibits the killing of these animals on the ranges by private individuals.

SECTION 4

Section 4 authorizes the keeping of wild horses and burros on private land or land leased from the Government, if the animals are being protected from the harassment which this bill is designed to alleviate.

SECTION 5

Section 5 authorizes the Secretary of Interior to enter into cooperative agreements with state and local governments and with private land owners, and to issue certain regulations as he deems necessary.

SECTION 6

Section 6 calls for the establishment of an advisory board of non-governmental experts to advise the Secretary of Interior as to carrying out the provisions of this Act.

SECTIONS 7 AND 8

Sections 7 and 8 provide penalties for those who might violate the provisions of this Act or the regulations issued thereunder.

SECTION 9

Section 9 authorizes the appropriation of sums necessary to carry out the provisions of this Act.

SECTION 10

Section 10, which has been included to prevent undue alarm by the livestock industry, specifically limits the Secretary of Interior in the designation and establishment of ranges. He is limited to those areas of the public lands where wild horses and burros presently exist.

SECTION 11

Section 11 provides the periodic reports by the Secretary of the Interior to Congress with respect to the administration of the Act.

By Mr. MAGNUSON (for himself and Mr. JACKSON):

S. 1117. A bill to provide for regulation of public exposure to sonic booms, and for other purposes. Referred to the Committee on Commerce.

Mr. MAGNUSON. Mr. President, I introduce for appropriate reference a bill to provide for regulation of public exposure to sonic booms and to provide that any future production models of American SST's will comply with existing noise standards applicable to new subsonic jets.

This bill is almost identical to S. 4547 which was passed by the Senate on December 2, 1970.

On April 15, 1970, the Department of Transportation filed a notice of proposed rulemaking to ban civil supersonic flight over land. This proposed regulation was published in the Federal Register on April 16, 1970—35 F.R. 6189. In addition to the filing of this proposed amendment to the Federal Aviation Regulations the President of the United States, the Secretary of Transportation, and other representatives of the administration have stated that commercial supersonic flight over land will not be allowed. In spite of these assurances, some critics have contended that the regulation might be changed or revoked when commercial supersonic flight becomes a reality.

To dispel these unjustified fears and to assure the American people that there will be no overland flights in this country by supersonic aircraft at speeds causing a sonic boom which could reach the earth, my bill would adopt the language of the Department of Transportation's proposed regulation as legislation.

The prohibition, by law, of sonic booms caused by civil supersonic aircraft over land will not have any effect on the economic viability of the U.S. civil supersonic transport. The prototype program has proceeded upon the assumption that commercial supersonic flight over land would not be allowed and all marketing and economic projections have been based on this assumption.

Once the two prototypes of the civil supersonic aircraft have been developed and tested, a decision must be made by the manufacturers of the aircraft and the airlines as to whether commercial production of the aircraft is in the national interest. I am confident that the United States "fly before you buy" prototype program will lead to the development of a supersonic transport which will be a technical, economic, and environmental success. The U.S. supersonic aircraft program has had the benefit of years of careful research and analysis which will result in a product which is far superior on all scores to those now under production in England, France, and Russia.

While I have the greatest confidence in the program and in the capability of the manufacturers to produce a superior aircraft, I feel that the decision of the manufacturers and the airlines to enter into commercial production after the testing of the two prototypes is a decision in which the public has an interest. Because of the public's interest in this decision, the bill would require the Secretary of Transportation to submit to the Congress and to the public a report covering all aspects of the prototype program upon the completion of the prototype development and testing program.

The report shall include a detailed analysis of potential environmental, economic, and international consequences that may result from production or nonproduction of a U.S. civil supersonic aircraft.

The report shall also make available data on all other civilian supersonic aircraft programs—including the Concorde and the TU-144—which are in development or in commercial operation at that time.

The report shall also set forth any recommendations for legislation or international agreements which the Secretary feels are necessary to insure a balanced national transportation policy which is efficient, productive, economically and environmentally sound. The Secretary's recommendations are not to be limited to the U.S. civil supersonic program but shall include recommendations, where appropriate, for any necessary regulation of all civil supersonic aircraft that may have any effect on the United States. I believe that such a report, with legislative recommendations will go far to assure the American people that supersonic aircraft operations will be conducted under conditions which will insure that such operations are compatible with this Nation's environmental standards, that they are economic, and that they will result in important benefits to the Nation's economy, to a balanced national transportation policy, and to the American people.

Mr. President, last year when S. 4547 was being debated on the floor of the Senate, I offered an amendment to it which was adopted which provides even further environmental safeguards to the public from noise problems which could result from commercial operations of U.S. supersonic transports.

I believe the most important feature of this legislation is the incorporation of this amendment. Basically, the amendment of last year, which is incorporated in this bill in nearly identical fashion, requires the Department of Transportation to modify its contracts with the contractors producing the SST prototypes to provide that those contracts will not be satisfactorily completed until the contractors can demonstrate that all production models of the U.S. SST developed from the prototype can comply with the noise level standards which must be met by the new generation of subsonic aircraft soon to go into service such as the McDonnell-Douglas DC-10 and the Lockheed L-1011.

This means that the contractors must prove that the production models of the U.S. SST will be able to meet the same noise standards, measured on takeoff, descent, and at the sidelines, which are being imposed upon new subsonic aircraft. In more readily understandable terms, it will mean that the contractors must demonstrate that production models of the U.S. SST will be quieter than current jets now in service including the Boeing 747 which is at present the quietest of the large turbo jet transports.

Mr. President, in the past several months significant noise reduction breakthroughs have been made in the SST developmental program. While in November the Department and the contractors expressed skepticism about developing SST production models which would meet the new noise standards, recent new technological achievements now make it apparent that the U.S. SST can and will be as quiet an airplane as any being developed today. While in November the Department and the contractors were opposed to the features of this legislation because at that time they did not believe the technology was available to satisfy these noise standards, today the Department and the industry will support this bill because they are confident that the production models of the American SST will be able to meet the requirements imposed by the legislation.

Mr. President on February 8, the Secretary of Transportation, in a statement prepared for a technical symposuim, stated flatly that noise problems associated with the SST could be solved before any commitment would be made for commercial production. I ask at this point in the RECORD a summary of the Secretary's remarks, as released by the Department of Transportation, be printed.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

STATEMENT FROM SECRETARY OF TRANSPORTATION

Secretary of Transportation John A. Volpe today said he believes the noise problems associated with the U.S. supersonic transport can be resolved before the plane goes into commercial production.

He pledged that the noise problems would be solved before any commitments are made for commercial production.

The Secretary's pledge came as he keynoted the Conference on Aircraft and the Environment, sponsored jointly by the Society of Automotive Engineers and the Department of Transportation.

"I would also like to emphasize that before we make a production commitment we will demonstrate that the capability exists for the commercial SST to achieve noise levels consistent with those required for certification of new four-engine, inter-continental, subsonic transport aircraft. I am sure it can be done. I, for one, have faith in American technology and ingenuity," Secretary Volpe said.

"Let me make it absolutely clear that I will see to it that the production program will not proceed—period—if tests of the prototypes indicate serious damage to the fabric of the natural world, or social problems that we can't treat and assimilate."

The Secretary based his statement on recent testing which has revealed three significant breakthroughs in noise improvement, resulting in a "dramatically improved outlook" on the SST noise posture.

The three developments, as described by the Department's Office of SST Development, are as follows:

Actual ground tests on the prototype engine and detailed flight performance analysis have revealed significantly less effective perceived noise than was estimated initially.

Wing flap tests in the NASA wind tunnel have shown an improvement in lift and a marked reduction in takeoff distance, thereby improving the altitude of the airplane over the community during climbout.

Recent tests of advanced suppressors are encouraging in their acoustic and performance characteristics.

The combination of these features, characteristics and suppressor developments will result in achieving a marked reduction in SST engine noise. Through the aggressive noise research and technology program being conducted by The Boeing Company and General Electric, the capability to achieve sideline noise levels well below those predicted a year ago already has been demonstrated. Airport (sideline) noise levels consistent with those required for new subsonic jets are now a reasonable objective, according to Secretary Volpe.

The noise forecasts as outlined by the Transportation Secretary have been verified as achievable by the SST Noise Advisory Committee, chaired by Dr. Leo Beranek, Chief Scientist of Bolt, Beranek and Newman, Inc., nationally recognized acoustic consulting firm.

By Mr. MOSS:

S. 1119. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to protect, manage, and control free-roaming horses and burros on public lands. Referred to the Committee on Interior and Insular Affairs.

CONTROL OF FREE-ROAMING HORSES AND BURROS ON PUBLIC LANDS

Mr. MOSS. Mr. President, many individuals in this country are enormously concerned about the protection and management of the many wild horses and burros which roam our Western States. I am one of them. They are part of our natural heritage—a colorful, exhilarating part which I do not wish to lose.

A few of these horses carry traces of the blood strains of the mustangs who escaped from early Spanish explorers. Many more of them are domestic stock who have strayed from ranches and farms, and now run wild with the herds they joined. Not all of them are ownerless, but cannot be identified by their owners, and are claimed and branded from time to time.

Whatever their origin, however, there are probably some 25,000 of them in our 10 Western States, and they are variously considered as marauders who threaten our domestic herds, as swift and colorful accessories of our western scene, or as nuisances who eat forage intended for other livestock.

Last session I introduced a bill which

would have protected—as an endangered species—any of the horses which had a strain of mustang blood in them. More study into the subject since the introduction of that bill has convinced me that my approach was too limited, and that a broader-based bill is needed.

I am, therefore, introducing today, for appropriate reference, a bill to authorize the Secretary of the Interior and the Secretary of Agriculture to protect, manage, and control all free-roaming horses and burros on public lands.

It is a very short bill, and I ask that it be carried in full at the close of this statement. It would simply put under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture all free-roaming horses and burros on public lands they administer, and direct them to establish and maintain ranges for the protection of those considered worthy of preserving as a national heritage.

In so doing, each Secretary would be required to manage the ranges in such a way that an ecological balance is achieved among all fauna and flora and a free-roaming environment for the horses and burros. Management may include measures necessary to provide water and food for the animals.

Furthermore, each Secretary may enter into cooperative agreements with each other, and with other local and State agencies, as well as private landowners to carry out the provisions of the act, and would have the advice of an advisory board in so doing.

Mr. President, I am under no illusion that this bill is the final answer to the problem of our free-roaming horses and burros. I am sure it will not contain all of the provisions some groups want, and will contain provisions other groups cannot approve.

I am anxious and willing to listen to those who share my concern about the welfare of these animals, and also the welfare of the ranchers whose forage they eat and the farmers whose crops they molest, and who are genuinely seeking a satisfactory solution to the problem.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1119

A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to protect, manage, and control free-roaming horses and burros on public lands

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of the Congress that free-roaming horses and burros are living symbols of the historic and pioneer spirit of the West and it is the policy of the Congress that bands of free-roaming horses and burros shall be protected as a national heritage.

SEC. 2. As used in this Act—

(a) "Secretary" means the Secretary of the Interior in connection with Federal lands under his administration and the Secretary of Agriculture in connection with Federal lands under his administration.

(b) "Federal lands" means any lands administered by the Secretary of the Interior through the Bureau of Land Management or by the Secretary of Agriculture through the Forest Service.

(c) "free-roaming horses and burros" refers to all unbranded horses and burros on Federal lands except those to which private owners can establish their titles to the satisfaction of the Secretary.

SEC. 3. All free-roaming horses and burros are hereby declared to be under the exclusive jurisdiction of the Secretary for the purposes of management and protection under the terms of this Act. Each Secretary is hereby authorized and directed to establish and maintain ranges for the protection and preservation of such bands of free-roaming horses and burros as he deems susceptible and worthy of protection as a national heritage. Each Secretary shall manage such ranges and such bands to achieve and maintain a thriving ecological balance among all fauna and flora on the ranges and a free-roaming environment for the horses and burros. Such management shall be subject to the provisions of the Act of September 8, 1959 (18 U.S.C. 47). Such management may include the measures necessary to provide food and water for the horses and burros.

SEC. 4. Each Secretary is authorized to enter into cooperative agreements with each other, State and local government agencies, and other landowners in furtherance of the purposes of the Act.

SEC. 5. Each Secretary is authorized to appoint an advisory board of not more than seven members to advise on any matter relating to free-roaming horses and burros and their management and protection. He shall select as advisors persons who are not employees of the Federal Government and whom he considers to have special knowledge about the protection of horses and burros, management of wildlife, animal husbandry, or natural resource management.

SEC. 6. Each Secretary is authorized to issue regulations necessary to carry out the purposes of this Act.

SEC. 7. Chapter 3 of title 18, United States Code, is amended by adding the following section:

"§ 48. Molestation of free-roaming horses and burros.

Any person who (a) allows a domestic horse to run on ranges with or who takes possession of or molests bands of free-roaming horses or burros identified in accordance with section 3 hereof, or

(b) violates the regulations issued by the Secretary pursuant to this Act, or

(c) processes or permits to be processed, into commercial products, in whole or in part, any free-roaming horse or burro, whether lawfully acquired or not, shall be punished by a fine of not more than $1,000 or imprisonment for not more than one year, or both."

By Mr. HANSEN (for himself and Mr. MCGEE):

S. 1120. A bill to provide for the disposition of the judgment in favor of the Shoshone Tribe or Nation of Indians and the Shoshone-Bannock Tribes in Indian Claims Commission dockets 326–D, 326–E, 326–F, 326–G, 326–H, 366, and 367, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

Mr. HANSEN. Mr. President, I introduce on behalf of myself and my Wyoming colleague (Mr. MCGEE), a bill to provide for the disposition of a judgment in favor of the Shoshone Tribe or Nation of Indians and the Shoshone-Bannock Tribes from the Indian Claims Commission.

The judgment is in the name of the original Shoshone Tribe which includes the Shoshone Tribe of the Wind River, the Shoshone-Bannock Tribes and the northwestern band of Shoshone. This legislation would provide for a division among the tribes of the judgment award entered by the Indian Claims Commission from the funds on deposit in the Treasury of the United States to the credit of the Shoshone Tribes, which were appropriated by the act of June 19, 1968.

An intolerable situation exists. It is now March 1971. The Indian Claims Commission entered a final judgment in favor of the Shoshone Tribes on February 3, 1968—over 3 years ago. Congress appropriated money to settle that judgment in June of 1968, and the fund has been on deposit in the U.S. Treasury for almost 3 years.

The difficulty arises in the attempt to divide the judgment among the Wind River, Shoshone-Bannock, and the northwest bands of Shoshone. Every attempt to reach agreement has failed. Negotiations have been underway for about 3 years. In the meantime, the Indians who are the beneficiaries of this judgment are not able to receive one penny of the $15.7 million judgment plus interest which is on deposit in the Treasury.

Mr. President, the Congress of the United States cannot close its eyes to this unfortunate situation. It has a responsibility to these Indian people, and I ask that it recognize this responsibility and do its duty by enacting legislation to distribute the Shoshone judgment fund at the earliest possible date.

Mr. MCGEE. Mr. President, my colleague from Wyoming (Mr. HANSEN) and I introduce today a bill to provide for the method of distribution of an award to the Shoshone Indian Tribe by the Indian Claims Commission.

The award was rendered by the Claims Commission on February 13, 1968, in favor of the Shoshone Indian Tribe, which at the present time consists of three separate bands—the Wind River Tribe of Wyoming, the Fort Hall Shoshone-Bannocks of Idaho, and the Northwestern Band of Utah and Nevada.

The money to satisfy this award has been appropriated by Congress and the sum of approximately $15 million is presently being held in special interest-bearing accounts pending final distribution to the Shoshone Indians. The award of the Indian Claims Commission did not specify the manner in which the money should be divided among the three bands of Shoshones. Although diligent efforts have been made to reach an agreement between the three bands, the negotiations are now at an impasse, and this legislation becomes necessary to provide an equitable means for dividing the appropriated moneys.

The time has long passed when this judgment should have been distributed to the Shoshones who are entitled to the benefits and some of whom are in desperate need of their share of the judgment. The bill which we introduce today provides for a partial distribution of the major portion of the award immediately. Ten percent of the award will be withheld pending a final determination by the Indian Claims Commission as to how the amounts in dispute should be distributed. This approach will allow all of the Shoshones to receive a major portion of their share of the judgment immediately.

The Wyoming Shoshone Business Council has endorsed this proposal, and the entire congressional delegation from Wyoming supports it. It is my hope that we can obtain early and favorable action on this bill so that a fair and equitable distribution of the moneys can be made to its rightful owners.

By Mr. KENNEDY (for himself, Mr. Moss, and Mr. PELL):

S. 1121. A bill to reform the Federal elective process, and for other purposes. Referred to the Committees on Finance, Commerce, Rules and Administration, and Government Operations, jointly, by unanimous consent.

Mr. KENNEDY. Mr. President, on behalf of Senator Moss, Senator PELL, and myself, I introduce the "Campaign Financing and Lobbying Reform Act of 1971," and I ask unanimous consent that it may be referred jointly to the Committees on Finance, Commerce, Rules and Administration, and Government Operations. I understand that other campaign financing bills previously introduced in this Congress have been similarly assigned. That is why I make the request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. The purpose of this legislation is to achieve substantial reform in our Federal election and lobbying laws.

The most serious problem in the American political process today is the problem of campaign financing. The skyrocketing cost of election campaigns has produced a situation in which all but the wealthy—or their friends—are prohibited from running for public office.

The potential political candidate of modest means is being driven from the field. Without a source of outside wealth, he faces the Hobson's choice of either a shoestring election campaign or reliance on a few large contributors. If he takes the shoestring route, he faces the prospect of almost certain defeat. If he goes the route of the large contributors, he inevitably creates the sort of ambiguous relationship in which he is obligated—or appears to be obligated—to his wealthy supporters.

Today, at a time when hundreds of millions of dollars are being poured into election campaigns, the issue is especially serious. At a time when all our institutions are under question, the problem of campaign spending has given politics the air of dirty business. It has bred cynicism in our citizens and dropouts from our democracy.

In an era where calls for reform are heard on many fronts, the call for reform of our election laws has gone strangely unheard. To me, however, this is where reform ought to begin, because if we cannot keep our democracy running and responsive, no amount of reform in any other area can succeed.

The most obvious case in point is the Federal law governing campaign contributions and expenditures. As many experts have observed, our current Federal election laws are more loophole than law. Their limits do not limit, and their penalties are empty threats.

The Federal Corrupt Practices Act purports to require disclosure of campaign contributions and expenditures, but the requirement has a double flaw. It does not apply to primaries, and it does not apply to committees operating solely within one State.

The same sort of gaping holes exist in the act's apparent ceiling of $5,000 on individual campaign contributions. The ceiling itself is far too high. Worse, its provisions are loose enough to permit $5,000 gifts to each of several political committees supporting the same candidate. Far from limiting contributions, the act simply encourages the endless artificial proliferation of political committees to receive the contributions. It simply encourages the excessive reliance on large contributors, and the development of ingenious new ways to exploit the loopholes.

There are similar grave defects in other areas of our election laws. For too long, we have ignored the need to develop tax incentives to broaden the political base by encouraging campaign contributions from small donors. We have failed to control mushrooming campaign expenditures for television. And, in the related area of disclosures of lobbying activities, we have tolerated the existence of loopholes in present laws that shield a major part of the lobbying activities that now exist.

The time is ripe for comprehensive reform in each of these areas, and I hope that the legislation I am proposing, described in the following paragraphs, will receive the prompt attention of the Congress.

TAX CREDIT FOR POLITICAL CONTRIBUTIONS

Title I of the bill would establish a tax credit for political contributions. Under this title, a total of up to $50 for a single individual, or $100 for a married couple, would be allowed as a credit against Federal incomes taxes for contributions to political parties or candidates. The credit would be available for contributions to all elections—primaries or general elections—and to candidates at all levels—Federal, State, or local. Equally important, the credit would be for 100 percent of the amount of the contribution up to the stated limit.

The concept of tax credits for political contributions has had a distinguished history over the past decade. In 1962, President Kennedy's Commission on Campaign Costs issued its report, entitled "Financing Presidential Campaigns." One of the major recommendations in the commission's report was the enactment of a tax credit for political contributions. As the report stated:

> The recommended credit is intended to encourage large numbers of small gifts. The bulk of . . . campaign funds available to both parties is now supplied by a relatively small group of contributors, giving sums ranging from a few hundred to several thousands of dollars. . . . We hope that this . . . incentive to small gifts will stimulate the massive giving needed by the parties. If it does not, other forms of governmental subsidy may be inevitable.

Virtually every major study of the political process in recent years has endorsed the concept of the tax credit, and the idea has also been pursued extensively in Congress.

In his message to Congress on "The Political Process in America," in May 1967, President Johnson recommended that Congress undertake an extensive review of the methods of financing election campaigns, by methods such as direct appropriations, tax credits or deductions, treasury vouchers, and various matching grant plans.

Then, in November 1967, after comprehensive hearings and executive sessions by the Senate Finance Committee on numerous proposals, the committee favorably reported H.R. 4890, the "Honest Elections Act of 1967." As recommended by the committee, the bill contained a number of major provisions, including an income tax credit of up to $25 for one-half of the political contributions made by a taxpayer. All but one of the 17 members of the committee supported this provision.

Subsequently, in the 91st Congress, together with Senator JAMES PEARSON of Kansas, I offered a tax credit amendment on the Senate floor during the debate on the Tax Reform Act of 1969. The amendment was narrowly defeated by the margin of 50 to 45, but the vote was complicated by the fact that the amendment had itself been amended on the Senate floor to add provisions for the reporting and disclosure of campaign contributions, so that no full debate on the merits of the tax credit was possible.

In light of this prior history, I am confident that a majority of the full Senate favors a tax credit for political contributions, and I hope that such a provision may become part of our Internal Revenue Code in time for the 1972 election campaign.

The tax credit approach to financing political campaigns has several major advantages over all other methods that have been proposed for financing such campaigns.

First, the tax credit approach will provide a significant incentive for participation in the political process by a large proportion of the electorate. One of the most important goals in recent proposals to reform the political process has been to stimulate greater public participation in election campaigns. I believe that the modest tax credit I have proposed will significantly encourage political parties to solicit contributions from small donors. In recent election years, for example, there have been millions of individual campaign contributors, the overwhelming majority of whom were $1 or $2 contributors. By offering a tax credit for the full amount of contributions by small donors, we will encourage many more individuals to contribute, and will encourage existing small contributors to raise their contributions to a more substantial level.

Second, by encouraging contributions from small donors, the tax credit will help to break down the excessive reliance by candidates on large contributors. As a result, the credit will help to restore public faith in the integrity of the election process. It will help to eliminate the ambiguous relationships created for the successful candidate, in which he is obligated—or at least appears to be obligated—to his large contributors.

Third, the tax credit leaves the decision on the allocation of public funds, through the tax subsidy mechanism, to the choice of the individual taxpayer himself. This point is the central distinction between the tax credit approach and the various proposals made in recent years for the direct financing of political campaigns. Under the tax credit approach, unlike these other proposals, the Federal Government plays no part in determining which candidates or committees are to receive public funds or the amount of such funds that are to be made available to particular candidates. It is the citizen, and the citizen alone, who makes this determination.

Fourth, the tax credit offers financial assistance to candidates not only at the general election stage, but at the primary stage as well, where such assistance can often be of crucial importance.

Fifth, the tax credit offers assistance to candidates not only at the presidential level, but at the congressional, State, and local level as well. This point is especially important. As Senator Robert Kennedy stated in 1967:

> Presidential candidates do not spring, like Minerva, from the brow of Jove. Men earn consideration for the Presidency by their performance in other public office—most often governor or senator. The expense of nomination to a governorship or a Senate seat—especially in the large states from which most Presidential candidates are drawn—is by itself a substantial barrier to all but men of wealth or their favored candidates. Thus, fair consideration for the Presidency itself requires public support for campaigns for lesser offices at all levels. This support can only come from tax incentives to individual contributions.

Before proposing this amendment, I gave serious consideration to including a tax deduction as an alternative to the tax credit. A tax deduction approach would have many of the advantages of a tax credit, especially with respect to the encouragement of individual choice and participation in the political process. However, a tax deduction would cause substantial inequities and disparities in the benefits afforded to contributors.

Those in the highest tax brackets, at whom the incentive should be least directed, would receive the greatest benefits, whereas taxpayers in the lowest brackets would receive the smallest benefits. Therefore, the proposed legislation contains no provision for a tax deduction.

AMENDMENTS TO THE FEDERAL CRIMINAL CODE

Title II of the bill is designed to revise the Federal elections laws by eliminating the major loopholes of the Corrupt Practices Act. In large part, as is the case with title III, which deals with the reporting and disclosure of campaign contributions, many of the essential features of these provisions were contained in Senator HOWARD CANNON's S. 1880, the Election Reform Act of 1967, which passed the Senate by the unanimous vote of 87 to 0 in September 1967, only to die in the House of Representatives. Thus, these provisions have already gained wide acceptance in the Senate, thanks to Senator CANNON's leadership. Our task in the 92d Congress is to build on our past momentum to gain the reforms we need.

The principal provisions of title II are the following:

First, the bill broadens the definition of "election" to include primaries as well as general elections.

Second, the bill broadens the definition of "political committee" to include any committee which supports a candidate for Federal office and which accepts contributions or makes expenditures in excess of $1,000 during a calendar year. In this manner, the bill includes political committees operating solely within one State. One of the most notorious loopholes of present law—conferring exemptions on such single State committees—is closed.

Third, the bill establishes a stringent $1,000 limitation on the total amount that a contributor may give to any single candidate or committee, as well as to multiple committees substantially supporting the same candidate. Thus, this provision closes another notorious loophole in present law, by reducing the ceiling on contributions from $5,000 to $1,000, and by ending the current practice that permits separate $5,000 contributions to each of several committees formed to support the same candidate. The $1,000 limit would also apply to amounts spent by the candidate or his family from his own funds for his campaign.

Taken together, I believe that the tax credit in title I of the bill and the $1,000 contribution ceiling in title II will bring substantial new incentives to our political parties to broaden their base of popular support. Excessive reliance on large contributions will be greatly reduced, and millions of citizens will be encouraged to acquire a new stake in the system. It is not too much to say that these provisions in themselves, if enacted, could lead to a rejuvenation of our political democracy.

REPORTING AND DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES

Title III establishes another fundamental principle of election reform—a requirement of full reporting and disclosure of campaign contributions and expenditures. Its primary rationale is the rationale of full public disclosure.

As in so many other areas of political life, I believe that sunlight is the best disinfectant, that complete public knowledge of the means by which candidates finance their campaigns will go far to end many of the abuses which occur, or which seem to occur, in the way we elect our public officials.

Title III requires each candidate for Federal office, and each committee which supports a candidate for Federal office and which receives contributions or makes expenditures in excess of $1,000 during a calendar year, to file a detailed report of its receipts and expenditures. In addition, persons other than candidates or political committees who accept contributions or make expenditures in excess of $100 during a calendar year are required to file such reports. Also, complete financial reports are required from committees and organizations which participate in financing presidential nominating conventions.

The administration of the reporting and disclosure requirements is entrusted to the Comptroller General and the General Accounting Office. Other measures already before the Senate have proposed that enforcement of the disclosure requirements should be the responsibility of either the Secretary of the Senate and the Clerk of the House under some proposals, or a bipartisan Federal Elections Commission created solely for this purpose under other proposals.

I believe, however, that the Comptroller General is the most satisfactory officer to whom this responsibility should be entrusted. The Comptroller General has an established reputation for efficiency and high competence of the sort we need in administering the disclosure requirements imposed by title III. As the agent of Congress, the Comptroller General is in an especially suitable position to carry out this function in an evenhanded, impartial, and nonpartisan way, free of the charges of abuse and partisan advantage that will inevitably attend the operations of a bipartisan Federal Commission, the Secretary of the Senate, or the Clerk of the House. The Comptroller General has earned the confidence of all of us in Congress, and it is appropriate to entrust him with this important and sensitive responsibility.

POLITICAL BROADCASTING

Title IV of the bill contains a number of provisions to accomplish urgently needed reforms in the area of campaign financing with respect to political broadcasting. The provisions of title IV draw heavily on S. 3637, sponsored by Senator JOHN PASTORE and passed overwhelmingly by the 91st Congress, only to be vetoed by the President.

Title IV is described in detail in the testimony I presented earlier this week before Senator PASTORE's Subcommittee on Communications, a copy of which I ask unanimous consent to have printed at the conclusion of my remarks, together with a copy of the text of the bill.

The PRESIDING OFFICER (Mr. BEALL). Without objection, it is so ordered.

(See exhibit 1.)

Mr. KENNEDY. In brief, title IV contains three principal provisions:

First, it repeals the equal time provision—section 315 of the Federal Communications Act—for presidential elections, and suspends the provision for the 1972 congressional and statewide elections.

Second, it provides that political candidates may be charged no more than the lowest unit rate for broadcast time.

Third, it places a limit of 7 cents per vote in general elections, and 3½ cents per vote in primary elections, on the amount a candidate may spend for broadcast time.

Taken together, these provisions will eliminate much of the mushrooming abuses we have experienced in recent years because of the escalating cost of radio and television in political campaigns. No election reform legislation worth its name can fail to come to grips with this problem, a problem that lies close to the heart of the ills that plague our political system.

REGULATION OF LOBBYING

Title V of the bill would strengthen the Federal Regulation of Lobbying Act in three principal respects, each of which closes a major loophole in existing law.

First, coverage of the act is expanded to include individuals or organizations having as a substantial purpose the influencing of legislation.

Second, coverage of the act is expanded to include individuals or organizations expending their own funds to influence legislation.

Third, coverage of the act is expanded to include certain individuals or organizations who seek to influence legislation indirectly—the so-called grassroots lobbyists.

Under present law, as interpreted by the Supreme Court, the Lobbying Act is applicable only to individuals or organizations, one of whose principal purposes is to influence legislation. In the past, many organizations have successfully avoided compliance with the act on the ground that their lobbying activities, while substantial, are not a principal purpose of the organization. In recent years, there have been notable abuses in this area, involving organizations which have mounted enormous lobbying activities in opposition to major legislation, but which have not been required to comply with the provisions of the Lobbying Act, because, they say, lobbying is not one of their principal activities.

In addition, under present law, the act is applicable only to a person who solicits, collects, or receives money or any other thing of value for lobbying activities. In interpreting this language the Supreme Court has held that persons who merely expend their own funds are not covered by the act. *United States* v. *Harriss*, 347 U.S. 612 (1954). In an opinion by Chief Justice Warren, containing an invitation to action by Congress, the Court stated in the Harriss case that if a broader construction of the act is to become law, it "is for Congress to accomplish by further legislation."

Also, in the Harriss case, the Supreme Court interpreted the act as applicable only to lobbying that involves direct communication with Members of Congress on pending or proposed legislation. As a result, many individuals and organizations—the grassroots lobbyists—who seek to influence legislation indirectly, through mass letter campaigns or other methods, are not subject to the act.

It is an anomaly that present law does not cover lobbyists who expend substantial sums in their activities, or who expend their own funds, or who artificially stimulate lobbying activities by others. The existing provisions of the Lobbying Act have been criticized as gaping loopholes through which wealthy individuals and organizations can pour large amounts of influence money.

As Mr. Justice Jackson stated in dissent in the Harriss case:

> More serious evils affecting the public interest are to be found in the way lobbyists spend their money than in the ways they obtain it.

It is time that these major loopholes were closed.

In addition to the three principal provisions outlined above, title V contains several other significant provisions to improve the lobbying laws, all of which were contained in Senator Mike Monroney's legislative reorganization proposals in 1966 and passed by the Senate in 1967, but never enacted into law. This part of title V is as follows:

> It will transfer the responsibility for policing the Lobbying Act from the Secretary of the Senate and the Clerk of the House to the Comptroller General.
>
> It will require full disclosure of contingent fee arrangements.
>
> It will equalize the status of broadcasters and the writing press with respect to exemptions and reporting requirements under the Act.
>
> It will repeal section 310(b) of the Act, which prohibits an individual from engaging in lobbying activities within three years of his conviction under the Act; the Supreme Court's decision in the *Harriss* case cast strong doubts on the constitutionality of this provision.
>
> And, where a registrant under the Act is unable to differentiate his lobbying expenses from his other expenses, the proposed legislation will require that he list his total receipts and expenditures and estimate the portion representing lobbying activities.

Each of these provisions is essential to more effective operation of the Lobbying Act. Overall, the various aspects of title V will produce major improvements in the operation of the existing law. The proposals to expand the coverage of the act will eliminate some of the most serious current defects. They will bring within the terms of the act a significant number of individuals and organizations currently engaged in extensive lobbying activities, and will provide important presently unknown information as to the scope and intensity of efforts to influence legislation.

The purpose of the provisions is to eliminate the arbitrary exemptions for lobbyists under present law. The Federal Regulation of Lobbying Act is based on the straightforward rationale that disclosure is the most suitable control over lobbying, that lobbying laws identify pressures, not regulate them. That rationale applies equally to all persons engaged directly or indirectly in substantial lobbying activities, whatever the source of their funds.

Congress and the American people are entitled to know the ways our laws are made. These issues are closely related to the issues involved in election reform, and I hope that any comprehensive reform of our election laws will also include provisions to reform our lobbying laws.

The PRESIDING OFFICER (Mr. BEALL). The bill will be received and appropriately referred.

EXHIBIT 1

S. 1121

A bill to reform the Federal elective process, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Campaign Financing and Lobbying Reform Act of 1971".

TITLE I—INCOME TAX CREDIT FOR POLITICAL CONTRIBUTIONS

ALLOWANCE OF CREDIT

SEC. 101. Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by renumbering section 40 as 41, and by inserting after section 39 the following new section:

"SEC. 40. POLITICAL CONTRIBUTIONS.

"(a) GENERAL RULE.—In the case of an individual, there shall be allowed, as a credit against the tax imposed by this chapter for the taxable year, an amount equal to so much of the political contributions as does exceed $50, payment of which is made by the taxpayer within the taxable year.

"(b) LIMITATIONS.—

"(1) MARRIED INDIVIDUALS.—In the case of a joint return of a husband and wife under section 6013, the credit allowed by subsection (a) shall not exceed $100. In the case of a separate return of a married individual, the credit allowed by subsection (a) shall not exceed $50.

"(2) APPLICATION WITH OTHER CREDITS.—The credit allowed by subsection (a) shall not exceed the amount of the tax imposed by this chapter for the taxable year reduced by the sum of the credits allowable under section 33 (relating to foreign tax credit), section 35 (relating to partially tax-exempt interest, section 37 (relating to retirement income)), and secion 38 (relating to investment in certain depreciable property).

"(3) VERIFICATION.—The credit allowed by subsection (a) shall be allowed, with respect to any political contribution, only if such political contribution is verified in such manner as the Secretary or his delegate shall prescribe by regulations.

"(c) DEFINITIONS.—For purposes of this section—

"(1) POLITICAL CONTRIBUTION.—The term 'political contribution' means a contribution or gift of money to—

"(A) an individual who is a candidate for nomination or election to any Federal, State, or local elective public office in any primary, general, or special election, or in any National, State, or local convention or caucus of a political party, for use by such individual to further his candidacy for nomination or election to such office;

"(B) any committee, association, or organization (whether or not incorporated) organized and operated exclusively for the purpose of influencing, or attempting to influence, the nomination or election of one or more individuals who are candidates for nomination or election to any Federal, State, or local elective public office, for use by such committee, association, or organization to further the candidacy of such individual or individuals for nomination or election to such office;

"(C) the national committee of a national political party;

"(D) the State committee of a national political party as designated by the national committee of such party; or

"(E) a local committee of a national political party as designated by the State committee of such party designated under subparagraph (D).

"(2) CANDIDATE.—The term 'candidate' means, with respect to any Federal, State, or local elective public office, an individual who—

"(A) has publicly announced that he is a candidate for nomination or election to such office; and

"(B) meets the qualifications prescribed by law to hold such office.

"(3) NATIONAL POLITICAL PARTY.—The term 'national political party' means—

"(A) in the case of contributions made during a taxable year of the taxpayer in which the electors of President and Vice President are chosen, a political party presenting candidates or electors for such offices on the official election ballot of ten or more States, or

"(B) in the case of contributions made during any other taxable year of the taxpayer a political party which met the qualifications described in subparagraph (A) in the last preceding election of a President and Vice President.

"(4) STATE AND LOCAL.—The term 'State' means the various States and the District of Columbia; and the term 'local' means a political subdivision or part thereof, or two or more political subdivisions or parts thereof, of a State.

"(d) CROSS REFERENCES.—

"For disallowance of credits to estates and trusts, see section 642(a)(3)."

CLERICAL AND TECHNICAL AMENDMENTS

SEC. 102. (a) The table of sections for such subpart A is amended by striking out the last item and inserting in lieu thereof:

"SEC. 41. Political contributions.

"SEC. 42. Overpayments of tax.".

(b) Section 642(a) (relating to credits against tax for estates and trusts) is amended by adding at the end thereof the following new paragraph:

"(c) POLITICAL CONTRIBUTIONS.—An estate or trust shall not be allowed the credit against tax for political contributions provided by section 41."

EFFECTIVE DATE

SEC. 103. The amendments made by this section shall apply to taxable years ending after December 31, 1971, but only with respect to political contributions payment of which is made after such date.

TITLE II—AMENDMENTS TO THE FEDERAL CRIMINAL CODE

DEFINITIONS

SEC. 201. Section 591 of title 18 of the United States Code is amended to read as follows:

"§ 591. DEFINITIONS

"When used in section 597, 599, 602, 608, and 610 of this title—

"(a) 'election' means (1) a general, special, or primary election, (2) a convention or caucus of a political party held to nominate a candidate, (3) a primary election held for the selection of delegates to a national nominating convention of a political party, or (4) a primary election held for the expression of a preference for the nomination of persons for election, to the office of President;

"(b) 'candidate' means an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected, and for purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he (1) has taken the action necessary under the law of a State to qualify himself for nomination for election, or election, to Federal office, or (2) has received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office;

"(c) 'Federal office' means the office of President or Vice President of the United States, or of Senator or Representative in, or Resident Commissioner or Delegate to, the Congress of the United States;

"(d) 'political committee' means any individual, committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding $1,000;

"(e) 'contribution' means a gift, subscription, loan, advance, or deposit of money or any thing of value, made for the purpose of influencing the election of any person to Federal office, and includes a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make such a contribution, and also includes a transfer of funds between political committees;

"(f) 'expenditure' includes a purchase, payment, distribution, loan, advance, deposit, or gift of money or any thing of value, made for the purpose of influencing the election of any person to Federal office, and includes a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make an expenditure, and also includes a transfer of funds between political committees;

"(g) 'person' or the term 'whoever' means an individual, partnership, committee, association, corporation, or any other organization or group of persons; and

"(h) 'State' means each of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States."

PROMISE OF BENEFIT FOR POLITICAL ACTIVITY

SEC. 202. Section 600 of title 18 of the United States Code is amended to read as follows:

"§ 600. Promise of employment or other benefit for political activity

"Whoever, directly or indirectly, promises any employment, position, compensation, contract, appointment, or other benefit, provided for or made possible in whole or in part by any Act of Congress, or any special consideration in obtaining any such benefit, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in connection with any general or special election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or in connection with any primary election held for the selection of delegates to a national nominating convention of a political party, shall be fined not more than $1,000 or imprisoned not more than one year, or both."

LIMITATION OF POLITICAL CONTRIBUTIONS

SEC. 203. Section 608 of title 18 of the United States Code is amended to read as follows:

"§ 608. LIMITATIONS ON POLITICAL CONTRIBUTIONS

"(a) It shall be unlawful for any person, directly or indirectly, to make a contribution or contributions in an aggregate amount exceeding $1,000 during any calendar year, or in connection with any campaign for nomination for election, or election, to any political committee or to two or more political committees substantially supporting the same candidate. This subsection shall not prohibit the transfer of contributions received by a political committee.

"(b) Whoever violates subsection (a) of this section shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"(c) For the purposes of this section, an expenditure by a person from his own funds for his compaign shall be deemed a contribution, and a contribution made by the spouse, a parent, or a minor child of a person shall be deemed a contribution made by such person.

"(d) In all cases of violations of this section by a partnership, committee, association, corporation, or other organization or group of persons, the officers, directors, or managing heads thereof who knowingly and willfully participate in such violation shall be punished as herein provided."

REPEAL OF LIMITATION ON MAXIMUM CONTRIBUTIONS AND EXPENDITURES BY POLITICAL COMMITTEES

SEC. 204. Section 609 of title 18 of the United States Code is repealed.

CONTRIBUTIONS BY GOVERNMENT CONTRACTORS

SEC. 205. Section 611 of title 18 of the United States Code is amended to read as follows:

"§ 611. CONTRIBUTIONS BY GOVERNMENT CONTRACTORS

"Whoever, including a corporation, (1) enters into any contract with the United States or any department or agency thereof either for the rendition of personnel services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof or for selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, and (2) during the period of negotiation for, or performance under, such contract or furnishing of material, supplies, equipment, land or buildings, directly or indirectly makes any contribution of money or other thing of value, or promises expressly or impliedly to make any such contribution, to any political party, committee, or candidate for public office or to any person for any political purpose or use; or

"Whoever knowingly solicits any such contribution from any such person for any such purpose during any such period—

"Shall be fined not more than $5,000 or imprisoned not more than five years, or both."

TECHNICAL AMENDMENT

SEC. 206. So much of the sectional analysis at the beginning of chapter 29 of title 18 of the United States Code as relates to sections 609 and 611 is amended to read:

"609. Repealed.

"611. Contributions by Government contractors."

TITLE III—REPORTING AND DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES

DEFINITIONS

SEC. 301. When used in this title—

(a) "election" means (1) a general, special, or primary election, (2) a convention or caucus of a political party held to nominate a candidate, (3) a primary election held for the selection of delegates to a national nominating convention of a political party, or (4) a primary election held for the expression of a preference for the nomination of persons for election to the office of President;

(b) "candidate" means an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected, and for purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he (1) has taken the action necessary under the law of a State to qualify himself for nomination for election, or election, to Federal office, or (2) has received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office;

(c) "Federal office" means the office of President or Vice President of the United States; or of Senator or Representative in, or Resident Commissioner or Delegate to, the Congress of the United States;

(d) "political committee" means any committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding $1,000;

(e) "contribution" means a gift, subscription, loan, advance, or deposit of money or any thing of value, made for the purpose of influencing the election of any person to Federal office, and includes a contract, promise, or agreement, whether or not legally enforceable, to make such a contribution, and also includes a transfer of funds between political committees;

(f) "expenditure" includes a purchase, payment, distribution, loan, advance, deposit, or gift of money or any thing of value, made for the purpose of influencing the election of any person to Federal office, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure, and also includes a transfer of funds between political committees;

(g) "person" means an individual, partnership, committee, association, corporation, or any other organization or group of persons;

(h) "State" means each of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States; and

(i) "Comptroller General" means the Comptroller General of the United States.

ORGANIZATION OF POLITICAL COMMITTEES

SEC. 302. (a) Every political committee shall have a chairman and a treasurer. No contribution and no expenditure shall be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of chairman or treasurer thereof. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their designated agents.

(b) Every person who receives a contribution for a political committee shall, on demand of the treasurer, and in any event within five days after the receipt of such contribution, render to the treasurer a detailed account thereof, including the amount, the name and address of the person making such contribution, and the date on which received. All funds of a political committee shall be kept separate from other funds.

(c) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

(1) all contributions made to or for such committee;

(2) the full name and mailing address of every person making any contribution, and the date and amount thereof;

(3) all expenditures made by or on behalf of such committee; and

(4) the full name and mailing address of every person to whom any expenditure is made, and the date and amount thereof.

(d) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee exceeding $100, and for any such expenditure in a lesser amount, if the aggregate amount of such expenditures to the same person during a calendar year exceeds $100. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for periods of time to be determined by the Commission in accordance with published regulations.

REGISTRATION OF POLITICAL COMMITTEES; STATEMENTS

SEC. 303. (a) Each committee, organization, or association which anticipates receiving contributions or making expenditures in an aggregate amount exceeding $1,000 in any calendar year (hereafter referred to in this section as "committee") shall, within ten days after its organization, or, if later, ten days after the date on which it has information which causes it to anticipate it will receive or make contributions or expenditures in such amount, file with the Comptroller General a statement of organization. Each such committee in existence at the date of enactment of this Act shall file a statement of organization with the Comptroller General at such time as he prescribes.

(b) The statement of organization shall include—

(1) the name and address of the committee;

(2) the name, address, and relationship of any organization which constitutes an affiliated or connected organization;

(3) the area, scope, or jurisdiction of the committee;

(4) the name, address, and position of the custodian of books and accounts;

(5) the name, address, and position of other principal officers, including officers and members of the finance committee, if any;

(6) the name, office sought, and party affiliation of (A) each candidate whom the committee is supporting, or, if the committee is supporting the entire ticket of any party, the name of the party; and (B) any other individual whom the committee is supporting for nomination, or election, to any public office whatever;

(7) a statement whether the committee is a continuing one;

(8) a statement of the disposition of residual funds that will be made in the event of dissolution;

(9) a listing of all banks, safety deposit boxes, or other repositories used;

(10) a statement whether the committee is required by law to file reports with State or local officers, and if so, the names, addresses, and positions of such State or local officers; and

(11) such other information as the Comptroller General may require.

(c) Any change in information previously submitted in a statement of organization shall be reported to the Comptroller General within a ten-day period following the change.

(d) Any committee which, after having filed one or more statements of organization, disbands or determines it will no longer receive contributions or make expenditures exceeding $1,000 in the aggregate in any calendar year shall so notify the Comptroller General and file with the Comptroller General a complete report with respect to its funds, including any disposition thereof to date.

REPORTS BY POLITICAL COMMITTEES AND CANDIDATES

SEC. 304. (a) If an individual is a candidate during a reporting period, or if a political committee is in existence during a reporting period, then such individual or the treasurer of such committee (as the case may be) shall file a financial report under subsection (c) with respect to such reporting period. Such report shall be filed on the first reporting date following the close of such reporting period.

(b) For purposes of this section:

(1) Reporting periods shall be established by the Comptroller General by regulation. A reporting period shall begin at least five days before each reporting date and shall end at least five days before the next succeeding reporting date.

(2) Each of the following days shall be a reporting date:

(A) The 31st day of January.

(B) The 10th day of March.

(C) The 10th day of June.

(D) The 10th day of September.

In addition to the foregoing reporting dates, (i) in the case of a candidate, or a political committee supporting only such candidate, the 15th day and the fifth day preceding any election in which he is a candidate shall be reporting dates, and (ii) in the case of a political committee supporting more than one candidate, or a person required to make a report under section 305, the Comptroller General shall by regulation prescribe reporting dates with respect to any election in which such committee or person supports a candidate.

(3) A political committee shall be deemed to be in existence during a reporting period if it has filed a statement of organization under section 303(a) before the close of such reporting period (and has not filed a final report under section 303(d) before the beginning of such period). (c) Each report under this section shall disclose:

(1) the amount of cash on hand at the beginning of the reporting period;

(2) the full name and mailing address of each person who has made one or more contributions to or for such committee or candidate (including the purchase of tickets for events such as dinners, luncheons, rallies, and similar fund-raising events), in the aggregate amount or value, within the calendar year, in excess of $100, together with the amount and date of such contributions;

(3) the total sum of individual contributions made to or for such committee or candidate during the reporting period and not reported under paragraph (2);

(4) the name and address of each political committee or candidate from which the reporting committee or the candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts and dates of all such transfers;

(5) each loan to or from any person in the amount of $100 or more, together with the full names and mailing addresses of the lender and endorsers, if any, and the date and amount of such loan;

(6) the total amount of proceeds from (A) the sale of tickets to each dinner, luncheon, rally, and other fund-raising events; (B) mass collections made at such events; and (C) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials;

(7) each contribution or other receipt of $100 or more not otherwise listed under paragraph (2) through (6);

(8) the total sum of all receipts by or for such committee or candidate during the reporting period;

(9) the full name and mailing address of each person to whom an expenditure or expenditures have been made by such committee or candidate within the calendar year in the aggregate amount or value in excess of $100 and the amount, date, and purpose of such expenditure;

(10) the full name and mailing address of each person to whom an expenditure for personal services, salaries, and reimbursed expenses in excess of $100 has been made, and which is not otherwise reported, including the amount, date, and purpose of such expenditure;

(11) the total sum of expenditures made by such committee or candidate during the reporting period and the calendar year;

(12) the amount and nature of debts and obligations owed by or to the committee, in such form as the Comptroller General may prescribe; and

(13) such other information as the Comptroller General may require.

(d) The reports required to be filed by subsection (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report only the amount need be carried forward. If no contributions or expenditures have been received or expended during the reporting period, the candidate or the treasurer of the political committee shall file a statement to that effect.

REPORTS BY OTHERS THAN POLITICAL COMMITTEES OR CANDIDATES

SEC. 305. Any person (other than a political committee or candidate) who makes contributions or expenditures, other than by contribution to a political committee or candidate, aggregating $100 or more within a calendar year shall file with the Comptroller General a statement containing the information required by section 304. Statements required by this section shall be filed on the dates on which reports by political committees are filed, but need not be cumulative.

FORMAL REQUIREMENTS RESPECTING REPORTS AND STATEMENTS

SEC. 306. (a) A report or statement required by this title to be filed by a treasurer of a political committee, a candidate, or by any other person, shall be verified by the oath or affirmation of the person filing such report or statement, taken before any officer authorized to administer oaths.

(b) A copy of a report or statement shall be preserved by the person filing it for a period of time to be designated by the Comptroller General in a published regulation.

(c) The Comptroller General may, by published regulation of general applicability, relieve any category of political committees of the obligation to comply with section 304 if such committee (1) primarily supports persons seeking State or local office, (2) does not substantially support candidates, and (3) does not operate in more than one State or on a statewide basis.

(d) The Comptroller General shall, by published regulations of general applicability, prescribe the manner in which contributions and expenditures in the nature of debts and other contracts, agreements, and promises to make contributions or expenditures shall be reported. Such regulations shall provide that they be reported in separate schedules. In determining aggregate amounts of contributions and expenditures, amounts reported as provided in such regulations shall not be considered until actual payment is made.

REPORTS ON CONVENTION FINANCING

SEC. 307. Each committee or other organization which—

(a) represents a State, or a political subdivision thereof, or any group of persons, in dealing with officials of a national political party or of an organization described in subsection (b) with respect to matters involving a convention held in such State or political subdivision to nominate a candidate for the office of President or Vice President, or

(b) represents a national political party in making arrangements for the convention of such party held to nominate a candidate for the office of President or Vice President, shall, within sixty days following the end of the convention (but not later than twenty days prior to the date on which presidential and vice-presidential electors are chosen), file with the Comptroller General a full complete financial statement, in such form and detail as he may prescribe, of the sources from which it derived its funds, and the purposes for which such funds were expended.

DUTIES OF THE COMPTROLLER GENERAL

SEC. 308. (a) It shall be the duty of the Comptroller General—

(1) to develop prescribed forms for the making of reports and statements required by this title;

(2) to prepare and publish a manual setting forth recommended uniform methods of bookkeeping and reporting for use by persons required to make reports and statements required by this title;

(3) to develop a filing, coding, and cross-indexing system consonant with the purposes of this title;

(4) to make the reports and statements filed with him under this title available for public inspection and copying during regular office hours, commencing as soon as practicable but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person;

(5) to preserve such reports and statements for a period of at least 10 years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for at least five years from the date of receipt;

(6) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate;

(7) to prepare and publish an annual report including compilations of (A) total reported contributions and expenditures for all candidates, political committees, and other persons during the year; (B) total amounts expended according to such categories as he shall determine and broken down into candidate, party, and nonparty expenditures on the National, State, and local levels; (C) total amounts expended for influencing nominations and elections stated separately; (D) total amounts contributed according to such categories of amounts as he shall determine and broken down into contributions on the National, State, and local levels for candidates and political committees; and (E) aggregate amounts contributed by any contributor shown to have contributed a sum in excess of $100;

(8) to prepare and publish from time to time special reports comparing the various totals and categories of contributions and expenditures made with respects to preceding elections;

(9) to prepare and publish such other reports as he may deem appropriate;

(10) to assure wide dissemination of summaries and reports;

(11) to make, from time to time, audits and field investigations with respect to reports and statements filed under the provisions of this title, and with respect to alleged failures to file any report or statement required under the provisions of this title;

(12) to report apparent violations of law to the appropriate law enforcement authorities;

(13) to prescribe suitable procedural regulations to carry out the provisions of the title; and

(14) for the purpose of any audit or investigation provided for in paragraph (11) of subsection (a) or in subsection (b) of this section, the provisions of sections 9 and 10 of the Federal Trade Commission Act (15 U.S.C. 49, 50) are hereby made applicable to his jurisdiction, powers, and duties, or any officer designated by him, except that the attendance of a witness may not be required outside of the State where he is found, resides, or transacts business, and the production of evidence may not be required outside the State where such evidence is kept.

(b) Any candidate who believes a violation of this title has occurred may file a complaint with the Comptroller General. If the Comptroller General determines there is substantial reason to believe such a violation has occurred, he shall expeditiously make an investigation, which shall include an investigation of reports and statements filed by the complainant, as well as of the matter complained of. If, on the basis of such investigation and after affording due notice and opportunity for a hearing on the record, he determines such a violation has occurred, he shall issue an order directing the violator to take such action as he determines may be necessary in the public interest to correct the injury occasioned by the violation. Such action may include requiring the violator to make public the fact that a violation has occurred, and the nature thereof, and may also include requiring the violator to make public complete statements, in corrected form, containing information required by this title. The Comptroller General may also take action to correct such an injury by making public the fact that a violation has occurred, and the nature thereof, and may also make public complete statements (prepared by himself and his officers and employees) containing the information required by this title. Any party in interest who is aggrieved by a determination of the Comptroller General under this subsection may, within sixty days after such order is issued, file with the United States Court of Appeals for the circuit in which he resides or in the United States Court of Appeals for the District of Columbia circuit a petition for review of the action of the Comptroller General in issuing the order. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Comptroller General. The Comptroller General thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. The findings of fact by the Comptroller General if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Comptroller General to take further evidence, and the Comptroller General may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The court shall have jurisdiction to affirm the action of the Comptroller General or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. Any action brought under this section shall be advanced on the docket of the court in which filed, and put ahead of all other actions (other than other actions brought under this section).

(c) Section 5(1) of the Federal Trade Commission Act (15 U.S.C. 45(1)) shall apply to violations of orders of the Comptroller General in the same manner as it applies to violations of orders of the Federal Trade Commission.

STATEMENTS FILED WITH CLERK OF UNITED STATES COURTS

SEC. 309. (a) Each person who is required by this title to file a report or statement with the Comptroller General, shall file a copy of such report or statement with the Comptroller General, shall file a copy of such report or statement with the clerk of the United States district court for the judicial district in which is located the principal office of the political committee or, in the case of a statement filed by a candidate or other person, in which is located such person's residence. The Comptroller General may require the filing of copies of reports and statements required by this title with the clerks of United States district courts other than courts where copies are filed under the preceding sentence where he determines the public interest will be served thereby.

(b) It shall be the duty of the clerks under subsection (a)—

(1) to receive and maintain in an orderly manner all reports and statements required by this title to be filed with such clerks;

(2) to preserve such reports and statements for a period of at least ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for at least five years from the date of receipt;

(3) to make the reports and statements filed with them available for public inspection and copying during regular office hours, commencing as soon as practicable after filing but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the exense of such person; and

(4) to compile and maintain a current list

of all statements, or parts of statements, pertaining to each candidate.

PROHIBITION ON CONTRIBUTIONS IN NAME OF ANOTHER

SEC. 310. No person shall make a contribution in the name of another person, and no person shall knowingly accept a contribution made by one person in the name of another person.

PENALTY FOR VIOLATIONS

SEC. 311. Any person who violates any of the provisions of this title shall be fined not more than $1,000 or imprisoned not more than one year, or both.

REPEALING CLAUSE

SEC. 312. The Federal Corrupt Practices Act, 1925, and all other Acts or parts of Acts inconsistent herewith are repealed.

STATE LAWS NOT AFFECTED

SEC. 313. (a) Nothing in this title shall be deemed to invalidate or make inapplicable any provision of any State law, except where compliance with such provision of law would result in a violation of a provision of such title.

(b) The Comptroller General shall encourage, and cooperate with, the election officials in the several States to develop procedures which will eliminate the necessity of multiple filings by permitting the filing of copies of Federal reports to satisfy the State requirements.

TITLE IV—POLITICAL BROADCASTING

EQUAL TIME AMENDMENTS

SEC. 401. (a) (1) The first sentence of section 315(a) of the Communications Act of 1934 (47 U.S.C. 315) (a)) is amended by inserting before the colon the following: ", except that the foregoing requirement shall not apply to the use of a broadcasting station by a legally qualified candidate for the office of President or Vice President of the United States in a general election".

(2) That part of such section 315(a) which requires any licensee of a broadcast station who permits any person who is a legally qualified candidate for public office to use such station to afford equal opportunities to all other such candidates for the same office to use such station shall not apply with respect to legally-qualified candidates for election during 1972 as—

(A) Senator or Representative in, or Resident Commissioner or Delegate to, the Congress; or

(B) Governor, or any other officer of a State who is elected by all persons qualified to vote in such State. This paragraph shall not be construed as relieving broadcasters from the obligation imposed upon them under such Act to operate in the public interest.

(3) The Federal Communications Commission shall make a report to the Congress, not later than March 1, 1973, with respect to the effect of the provisions of paragraph (2) of this subsection, and any recommendations the Commission may have for legislation as a result of experience under the provisions of such paragraph.

(b) Section 315(b) of such Act (47 U.S.C. 315(b)) is amended to read as follows:

"(b) The charges made for the use of any broadcasting station by any person who is a legally qualified candidate for any public office shall not exceed the lowest unit charge of the station for the same amount of time in the same time period."

LIMITATIONS ON BROADCAST SPENDING

SEC. 402. Section 315 of the Communications Act of 1934 is further amended by redesignating subsection (c) as subsection (f) and by inserting immediately before such subsection the following new subsections:

"(c) (1) For purposes of this subsection, the term 'major selective office' means the office of President, United States Senator or Representative, Delegate or Resident Commissioner to the Congress, or Governor or Lieutenant Governor of a State.

"(2) (A) No legally qualified candidate in an election (other than a primary election) for a major elective office may spend for the use of broadcasting stations on behalf of his candidacy in such election a total amount in excess of—

"(i) 7 cents multiplied by the number of votes cast for all legally qualified candidates for such office in the last preceding general election for such office; or

"(ii) $20,000, if greater than the amount determined under clause (i) (or if clause (i) is inapplicable).

"(B) In the case of a candidate for United States Senator in a State in which the total number of votes cast for all legally qualified candidates for Senator in the last preceding election for Senator was less than the greatest total number of votes cast for all legally qualified candidates in any election (held after such preceding senatorial election) for a statewide office in such State, the amount determined under subparagraph (A) (i) shall be 7 cents multiplied by such greatest total number of votes for statewide office.

"(3) No legally qualified candidate in a primary election for nomination to a major elective office, other than President, may spend for the use of broadcasting stations on behalf of his candidacy in such election a total amount in excess of 50 per centum of the amount determined under paragraph (2) with respect to the general election for such office.

"(4) Amounts spent for the use of broadcasting stations on behalf of any legally qualified candidate for major elective office (or for nomination to such office) shall, for the purposes of this subsection, be deemed to have been spent by such candidate. Amounts spent for the use of broadcasting stations by or on behalf of any legally qualified candidate for the office of Vice President of the United States shall, for the purposes of this subsection, be deemed to have been spent by the candidate for the office of President of the United States with whom he is running.

"(5) No station licensee may make any charge for the use of such station by or on behalf of any candidate for major elective office (or for nomination to such office) unless such candidate, or a person specifically authorized by such candidate in writing to do so, certifies to such licensee in writing that the payment of such charge will not violate paragraph (2) or (3), whichever is applicable.

"(d) If the Commission determines that—

"(1) a State by law—

"(A) has provided that a primary or other election for any office of such State (other than Governor or Lieutenant Governor) or of a political subdivision thereof is subject to this subsection, and

"(B) has specified a limitation upon total expenditures for the use of broadcasting stations on behalf of the candidacy of each legally qualified candidate in such election, and

"(2) the amount of such limitation does not exceed the amount which would be determined for such election under subsection (c) had such election been an election for a major elective office, or nomination thereof,

then no station licensee may make any charge for the use of such station by or on behalf of any legally qualified candidate in such election unless such candidate, or a person specifically authorized by such candidate in writing to do so, certifies to such licensee in writing that the payment of such charge will not violate such limitation upon total expenditures.

"(e) For the purposes of this section, the term 'broadcasting station' includes a community antenna television system, and the terms 'licensee' and 'station licensee' when used with respect to a community antenna television system, mean the operator of such system."

EFFECTIVE DATE

SEC. 403. (a) The amendment made by subsection (b) of the first section of this title shall take effect on the thirtieth day after the date of its enactment.

(b) (1) The amendments made by section 402 of this title, insofar as they relate to primary elections, shall take effect on January 1, 1972. Except as provided in paragraph (2), the amendments made by section 402, insofar as they relate to general elections, shall apply with respect to amounts paid for broadcast time used after the thirtieth day after the date of enactment of this title.

(2) If the Federal Communications Commission determines that—

(A) on March 5, 1971, a person is a legally qualified candidate for major elective office (or nomination thereto),

(B) there are in effect on such date one or more written agreements with station licensees for the purchase of broadcast time to be used after such thirtieth day on behalf of his candidacy for such office (or nomination thereto), and

(C) such agreements specify amounts to be paid for the purchase of such time to be used after such thirtieth day which, in the aggregate, exceed the limitation imposed by section 315(c)(2) of the Communications Act of 1934 with respect to the general election for such office,

then such amendments shall not apply to any of the candidates for election to such office in an election held before January 1, 1973.

TITLE V—AMENDMENTS TO THE FEDERAL REGULATION OF LOBBYING ACT

DEFINITION OF COMPTROLLER GENERAL

SEC. 501. Section 302(d) of the Federal Regulation of Lobbying Act (2 U.S.C. 261 (d)) is amended to read as follows:

"(d) The term 'Comptroller General' means the Comptroller General of the United States."

MULTIPURPOSE CONTRIBUTIONS AND EXPENDITURES

SEC. 502. (a) The caption of section 305 of the Federal Regulation of Lobbying Act (2 U.S.C. 264) is amended by striking out "CLERK OF HOUSE" and inserting in lieu thereof "COMPTROLLER GENERAL".

(b) Subsection (a) of such section is amended—

(1) by striking out "Clerk" and inserting in lieu thereof "Comptroller General";

(2) by striking out "subparagraph (a) or (b) of"; and

(3) by adding at the end thereof the following new sentence:

"Where contributions are received or expenditures made in part for the purposes designated in section 307 of this title and in part for any other purpose, the statements required to be filed by this subsection shall include only that part of the amount of any such contribution or expenditure which was for the purposes described in such section, except that if the relative proportions cannot be ascertained with reasonable certainty, such statements shall show total receipts and expenditures together with an estimate by the registrant of the part thereof which was for the purposes described in such section, and an estimate of the part thereof which was for other purposes.".

(c) Title III of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 305. Statements to be filed with Clerk of House."

and inserting in lieu thereof—

"Sec. 305. Statements to be filed with Comptroller General."

FIVE-YEAR PRESERVATION OF RECORDS

SEC. 503. (a) Section 306 of the Federal Regulation of Lobbying Act (2 U.S.C. 265) is amended—

(1) by striking out of the caption of such

section "TWO" and inserting in lieu thereof "FIVE";

(2) by striking out "Clerk" each time it appears and inserting in lieu thereof "Comptroller General";

(3) by striking out "of the House of Representatives"; and

(4) by striking out "two" and inserting in lieu thereof "five".

(b) Item 306 of title III of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out "two" and inserting in lieu thereof "five."

APPLICABILITY; SUBSTANTIAL PURPOSE CONTROLLING

Sec. 504. Section 307 of the Federal Regulation of Lobbying Act (2 U.S.C. 266) is amended to read as follows:

PERSONS TO WHOM APPLICABLE

"Sec. 307. (a) The provisions of this title shall apply to any person (except a political committee as defined in title III of the Campaign Financing and Lobbying Reform Act of 1971, and duly organized State or local committees of a political party), who by himself, or through any agent or employee or other persons in any manner whatsoever, directly or indirectly, solicits, collects, or receive money or any other thing of value or expends money or any other thing of value exceeding $250 during any calendar year, a substantial part of which is used to aid, or a substantial purpose of which person is to aid, in the accomplishment of any of the following purposes:

"(1) The passage or defeat of any legislation by the Congress of the United States.

"(2) To influence, directly or indirectly, the passage or defeat of any legislation by the Congress of the United States.

"(b) The provisions of this title shall also apply to any person (except a political committee as defined in title III of the Campaign Financing and Lobbying Reform Act of 1971, and duly organized State or local committees of a political party), who by himself, or through any agent or employee or other persons in any manner whatsoever, directly or indirectly, expends money or any other thing of value exceeding $1,000 for each endeavor which has as its purpose the passage or defeat, or influencing the passage or defeat, by the use of any means involving direct communication with the Congress of the United States, any legislation by the Congress of the United States."

CONTINGENT FEES; BROADCASTING

Sec. 505. (a) The caption of section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267) is amended by striking out "SECRETARY OF THE SENATE AND CLERK OF THE HOUSE" and inserting in lieu thereof "COMPTROLLER GENERAL".

(b) Subsection (a) of section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267(a)) is amended—

(1) by striking out "Clerk of the House of Representatives and the Secretary of the Senate and shall give to those officers" and inserting in lieu thereof "Comptroller General and shall give to that officer,"; and

(2) by striking out "Clerk and Secretary" and inserting in lieu thereof "Comptroller General".

(c) Such subsection is further amended by inserting immediately after the first sentence thereof the following new sentence: "Any person required to register pursuant to this subsection in connection with any activities for which he is to receive a contingent fee shall, before doing anything for which such fee is to be paid, file with the Comptroller General, in such detail as he may require, a description of the event upon the occurrence of which the fee is contingent, and, depending on the arrangement, a statement of the amount of the fee either in terms of a dollar amount or in terms of percentage of recovery. A copy of any such contingent fee contract may be filed with the Comptroller General by any registrant, and shall be so filed at the request of the Comptroller General."

(d) The next-to-last sentence of such subsection is amended by striking out "publications in which he has caused to be published" and inserting in lieu thereof "publications, or any broadcasting stations, in or from which he has caused to be published or broadcast".

(e) Such subsection is further amended—

(1) by inserting "any licensed radio or television broadcasting station or" before "any newspaper or other";

(2) by striking out "newspaper or periodical" and inserting in lieu thereof "broadcasting station, newspaper, or periodical";

(3) by inserting "or broadcasts" before "news items, editorials,"; and

(4) by inserting "broadcasting station," before "newspaper, periodical, or individual,".

(f) Subsection (b) of such section (2 U.S.C. 267(b)) is amended by striking out "Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly," and inserting in lieu thereof "Comptroller General of the United States shall be compiled by him and transmitted to the Speaker of the House of Representatives and the President of the Senate".

(g) Title III of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 308. Registration with Secretary of the Senate and Clerk of the House."

and inserting in lieu thereof—

"Sec. 308. Registration with Comptroller General.".

ADMINISTRATION BY COMPTROLLER GENERAL

Sec. 506. (a) Sections 310 and 311 of the Federal Regulation of Lobbying Act are redesignated as sections 311 and 312, respectively.

(b) That Act is amended by inserting immediately after section 309 thereof the following new section:

"POWERS AND DUTIES OF THE COMPTROLLER GENERAL

"Sec. 310. The Comptroller General as the agent of the Congress shall—

"(1) develop and prescribe methods and forms for the filing of reports and statements required by this title, and promulgate regulations for the administration of this title;

"(2) make available for public inspection all reports and statements filed pursuant to this title;

"(3) ascertain whether any person has failed to file any report or statement as required by this title, or has filed any incomplete or inaccurate report or statement under this title, and notify such person that he is obligated to file such report or statement in compliance with the requirements of this title;

"(4) refer to the Department of Justice for appropriate action any information coming to his attention, through complaints or otherwise, of any failure to register, or the filing of any false, improper, or incomplete registration or information under this title;

"(5) make such studies and transmit to the Congress such recommendations as the Comptroller General may deem to be necessary or appropriate to further the objectives of this title;

"(6) retain for a period of not less than five years each report and statement filed under this title, and during such period, make such reports and statements, or true and correct copies thereof, available as public records open to public inspection; and

"(7) transmit to the Congress annually a full and complete report on the administration of this title."

(c) Title III of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 310. Penalties.
"Sec. 311. Exemption."

and inserting in lieu thereof—

"Sec. 310. Powers and duties of the Comptroller General.
"Sec. 311. Penalties.
"Sec. 312. Exemption.".

VIOLATION OF REGULATIONS

Sec. 507. Section 311 of such Act (2 U.S.C. 269), as redesignated by section 506(a) of this Act, is amended—

(1) by striking out "(a)" in subsection (a) thereof;

(2) by inserting "or any regulation of the Comptroller General issued pursuant to this title," immediately before "shall, upon conviction," in the first sentence thereof; and

(3) by striking out subsection (b) thereof.

TECHNICAL AMENDMENT

Sec. 508. Section 312 of such Act (2 U.S.C. 270), as redesignated by section 506(a) of this Act, is amended by striking out "Federal Corrupt Practices Act" wherever it appears therein and inserting in lieu thereof "title III of the Campaign Financing and Lobbying Reform Act of 1971".

TITLE VI—MISCELLANEOUS

PARTIAL INVALIDITY

Sec. 601. If any provision of this Act, or the application thereof, to any person or circumstances is held invalid, the validity of the remainder of such Act and the application of such provision to other persons and circumstances shall not be affected thereby.

AUTHORIZATION OF APPROPRIATIONS

Sec. 602. There are hereby authorized to be appropriated such sums as may be necessary to carry out this Act.

EFFECTIVE DATE

Sec. 603. Except as otherwise provided herein, this Act shall take effect on January 1, 1972.

Testimony of Senator Edward M. Kennedy, "Political Broadcasting," Senate Subcommittee on Communications, March 2, 1971

Mr. Chairman, I am pleased to have the opportunity to testify today before this distinguished subcommittee on the questions of campaign financing and election reform as they relate to the broadcasting media.

I cannot praise too highly Senator Pastore's skillful leadership in bringing these vital issues before the Congress—issues that go to the heart of the political process in America.

No one denies that the decade of the Sixties, launched by the groundbreaking television debates of the 1960 Presidential election campaign, has seen a revolution in the role of broadcasting in American politics, especially the role of television. Yet, until this Subcommittee began to come firmly to grips with this phenomenon, Congress had been largely a bystander, abdicating its constitutional and statutory responsibility.

For too long, we have abandoned our most cherished national asset—our system of political democracy—to the law of the marketplace, the voice of the huckster, and the overwhelming power of the dollar. A Roman circus atmosphere has come to pervade our election system. No one who participated in the 1970 election campaign, no one who saw the slanderous TV spots or newspaper smears that polluted our political landscape, no one who saw the millions of dollars poured into particular races in particular states can be content with what has happended to us. Clearly, our goal must be the most comprehensive possible reform. The timetable must be 1972.

Thanks to the work of Senator Pastore and this Subcommittee, that goal is a realistic one, and the timetable can be met. The tide of Congressional neglect has begun to turn. The campaign broadcasting reform bill approved so overwhelmingly by the Senate last year, and then so cynically vetoed by the President, is a new highwater mark of our effort to achieve real election reform. If we see further today, it is because we stand on the shoulders of the 91st Congress and the work of this Subcommittee. I commend the Chairman for moving so promptly now to build on the momentum he did so much to develop during the past Congress.

Later this week, I intend to introduce my own version of comprehensive election reform legislation. In many respects, the direction in which we should travel seems relatively clear and straightforward. There is broad agreement, for example, that we must close the gaping loopholes in the Corrupt Practices Act, create new tax incentives for small donors, and accomplish other major reforms that have been widely discussed in the past. Our differences here, although important, are differences in degree, not in kind.

But in the sensitive area of campaign broadcasting, the differences in the various approaches are much more substantial, the passions run deeper, and the special interest groups are much more powerful.

There are at least five crucial questions that must be answered if we are to enact adequate campaign broadcasting reform legislation:

What aspects of the Equal Time Provision should be eased?

What controls should be placed on the rates that political candidates may be charged for broadcast time?

What limits should be placed on the amount candidates may spend for broadcast time?

What limits should be placed on the amount candidates may spend for other media and for all campaign activities?

What types of direct Federal financial assistance, such as free broadcast time, free space in other media, or free mailings, should be given to political candidates?

The reforms I favor give positive answers to some of these questions, and negative answers to others.

First, with respect to the Equal Time Provision—Section 315 of the Federal Communications Act—I believe that the provision should be repealed for Presidential elections, and should be suspended for the 1972 Congressional elections and state-wide elections.

The repeal of the Equal Time Provision for Presidential elections would be a major legislative accomplishment in its own right. It is a reform that is long overdue. For too long, we have allowed the promise of the provision in theory to obscure the reality of its operation in practice.

In its actual operation, the Equal Time Provision should be called the No Time Provision. When originally enacted, it was intended as a measure to *improve* the access of political candidates to radio and television. Instead, its effect has been precisely opposite. Often, it has significantly curtailed the access of candidates to the broadcasting media. Legitimate discussion and debate have been frustrated. The system as a whole has suffered. Indeed, rarely has a Federal law so well intentioned in theory fared so badly in practice.

The repressive effect of the Equal Time Provision is most notorious in the case of Presidential elections, but its operation has been equally insidious in every other election in the nation—Federal, state, and local. The favorable experience with suspension of the provision in the 1960 Presidential election justifies its outright repeal for Presidential elections in the future. However, a more modest approach should be taken toward other elections, where suspension has not yet been tried, and where unknown dangers may exist. For example, particular broadcasting stations are likely to have a more powerful impact on local elections than on national elections. Yet it is in the smallest election districts that the abuses feared by repeal of the Equal Time Provision are most to be feared.

Therefore, I urge the Subcommittee to suspend the provision in the 1972 elections for the Senate, the House of Representatives, and all statewide elections, with a requirement that after the election, the Federal Communications Commission shall submit a report to Congress analyzing the impact of the suspension and making recommendations for the future.

Notwithstanding the repeal or suspension of the Equal Time Provision, it is clear that the viewpoint of all candidates, and especially minority candidates, can receive adequate protection under the FCC's Fairness Doctrine, which requires each broadcasting station to afford a reasonable opportunity for the discussion of conflicting views on public issues. As the Supreme Court held in *Red Lion Broadcasting Co.* v. *FCC*, 395, U.S. 367, decided in 1969, the FCC has broad power to issue regulations to implement the Fairness Doctrine. In the *Red Lion Case* itself, for example, the Court sustained FCC regulations giving an individual a right to reply to a personal attack against him free time to reply to a personal attack against him carried by a broadcasting station. Similarly, it would be reasonable to assume that the Court would sustain FCC regulations giving a specific interpretation to the nebulous Fairness Doctrine in the context of election campaigns.

Indeed, Mr. Chairman, if the *Red Lion Case* is not already a part of the record of these hearings, I ask that it may be included at the end of my testimony, since its interpretation is a central question in the discussion of virtually every issue related to the regulation of political broadcasts.

Second, with respect to the rates that political candidates may be charged for broadcast time, I believe that the approach taken in the bill passed by the 91st Congress and vetoed by the President is the correct one. Political candidates should be charged no more than the lowest going rate for broadcast time. This reform will eliminate all of the cost discrimination to which candidates have been so unfairly subjected in the past. It will give every candidate access to the most favorable terms a broadcaster offers to other purchasers.

In his Veto Message last fall, President Nixon dismissed this reform as "rate-setting"—but it is nothing of the kind. The provision sets no rate for any broadcaster. All it does is insist that political candidates share the same low rates available to anyone else. Surely, it is long past time for the predatory profits that broadcasters have traditionally exacted from political candidates to yield to the public interest.

Third, I believe that a reasonable dollar ceiling should be placed on the amount candidates may spend for broadcast time. The obvious purpose of such a ceiling is to eliminate the possibility that a candidate of modest means will be drowned in a flood of television advertising by his opponent. We know from the 1970 campaign that this danger is real. The demand for reform is therefore urgent.

Fortunately, I believe that we have broad leeway in setting a limit high enough to prevent undue interference with a candidate's presentation of the issues in his campaign, but low enough to prevent television from usurping the campaign. The Senate bill vetoed last fall by the President contained limits of 7¢ per vote for general elections, and 3½¢ per vote for primary elections. In the course of my own election campaign in Massachusetts last year, I lived within these limits and found them to be entirely reasonable, and I commend them to the Subcommittee.

It may well be, however, that a limit workable in Massachusetts might be unworkable in Mississippi, where different conditions prevail in primary and general elections, or in New Jersey, where different conditions prevail with respect to the economics of particular television marketing areas. Nevertheless, by selecting a ceiling high enough to avoid most of these problems, and perhaps by giving the FCC discretion to increase the ceiling in accord with Congressional guidelines in cases of unique economic circumstances, we can accomplish our overall goal of laying to rest the spectre of unlimited television spending.

Fourth, because the case has not been made, I believe that no such ceiling should be imposed on campaign spending for other media, and that no such ceiling should be imposed on overall campaign spending. We deal here with extremely difficult questions of law and policy. At bottom, the legal issue is one of First Amendment freedom, and the policy issue is one of wisdom and practicality. At least at this time, knowing as little as we do, we cannot justify such a crude control.

Indeed, in our present circumstances, I believe that an overall spending ceiling on political campaigns would be unwise, unconstitutional, and unenforceable.

It would be unwise, because the heart of the problem is television spending, and the heart of the remedy should be television spending. No one denies that it is the growth of television which has transformed politics in America. Like a colossus of the ancient world, television stands astride our political system, demanding tribute from every candidate for major public office, incumbent or challenger. Its appetite is insatiable, and its impact is unique.

For this reason, I reject the view of the President in his Veto Message last fall. The President claimed that the bill we passed was unfair, because it applied only to spending for radio and television, not to other forms of campaign spending. According to the President's view, the soaring cost of campaigns would continue under the bill, because money that would have gone for broadcasting time would simply be diverted to other aspects of political campaigns. That view is false, because it assumes an interchangeability of media spending that simply does not exist in American politics.

The recent political landscape of America is strewn with the graves of incumbents and challengers, blitzed into defeat by an unlimited assault of television spending. But I know of no candidate blitzed into defeat by a similar assault of newspaper advertisements, or billboards, or mass mailings or bumper stickers, or hats, or handbills, or lapel buttons. They simply do not have the impact of television, and every politician knows it. No amount of spending on these other media can possibly offset the role of television and the impression it makes on voters.

A limit on spending for other media would also raise extremely serious constitutional qeustions under the First Amendment. There is a vast difference between a limit on broadcast spending, which leaves candidates and citizens free to communicate their views on the merits of the election through other means, and a limit on all media spending, which completely shuts off candidates and citizens from the expression of their views, once the cutoff level of spending is reached.

To be effective, as in the case of broadcast spending, such a blanket limitation would have to apply to all spending, whether approved by the candidate or not. I believe that every citizen has a right under the First Amendment to be a Thomas Paine, to publish a "Common Sense," to express his views in any way he chooses by printing his own handbill or posters, purchasing his own newspaper advertisement, or by any of the countless other methods of communication open to him. To shut off this flow in our marketplace of ideas would be an extremely serious step. It is a step that cannot be justified except under the most stringent circumstances, in accord with the standard of "Clear and Present Danger," established long ago by the Supreme Court as the test by which denials of free speech under the First Amendment must be measured. To me, no ceiling on total campaign spending in present circumstances can meet this test.

By contrast, a specific limit on broadcast spending is much more easily justified under the First Amendment and the onstitutional doctrines established by the Supreme Court in a long line of decisions in broadcasting cases, including the *Red Lion Case* to which I earlier referred. The essence of these decisions is that unlike other media, the public owns the airwave. Because the airwaves are limited, the activities of broadcasters may be licensed and regulated in the public interest. No case has held, and no one seriously contends, for example, that the Fairness Doctrine applicable to broadcasters should also apply to newspapers. We have no Equal Space provision for the writing press.

At the same time, however, we must also recognize that the constitutionality of a ceiling on broadcast spending itself is not clear-cut. The common thread running through the leading decisions of the Supreme Court in this area is that restraints on the broadcast media are constitutional so long as they are the sort of "wise restraints that make men free"—that is, so long as the restraints serve the greater purpose of encouraging free speech.

On balance, I believe that the past history and the present circumstances of the broadcasting media allow adequate scope for regulation in the public interest. It is likely, therefore, that a reasonable ceiling on broadcast spending will fall safely on the side of constitutionality under the First Amendment.

Finally, even if an overall ceiling on campaign spending was both sound policy and sound constitutional law, I believe that the limit would be unworkable. There are too many newspapers, too many printing presses, too many button and bumper sticker manufacturers, for any enforcement program to succeed. In addition there will be countless situations involving serious ambiguity as to whether a given campaign message was actually made in support of a given candidate.

To be sure, there are enforcement difficulties in this area involving a ceiling on broadcast spending. But, the difficulties are compounded many times over when the ceiling is expanded to include all media. If we try to impose such a ceiling, the whole regulatory scheme would be likely to fall of its own weight.

Fifth, with respect to Federal subsidies for political candidates, I am opposed to all such methods of direct Federal financial assistance, whether in the form of free broadcast time, specific campaign appropriations, or any of the other so-called "direct" types of assistance that have been proposed for political candidates. As in the case of an overall limitation on campaign spending, direct public financing of political campaigns raises extremely serious practical, political, and constitutional questions.

Unless the access of minor parties to the public funds is restricted in some way, the proposal will artificially encourage or stabilize minor parties, or lead to the proliferation of minor parties formed solely to receive the federal subsidy. Yet, any limitation on participation of minor parties is open to constitutional objections that we would be "locking in" our existing two-party system.

Unless limits are imposed on *private* contributions to candidates receiving the public subsidy, there is a serious danger that the subsidy will become merely an additional layer on top of private funds already being spent. If 7¢ per vote is the right limit on broadcast spending, then it makes no sense to me to give a candidate the equivalent of another 1¢ per vote or so in free broadcast time or public funds.

A direct Federal subsidy will have a potentially disruptive impact on the existing structure of political parties. Traditionally, political parties have been loose combinations of local, state, and national organizations without strong central authority, and the flow of power has generally been from the national to the local organizations. Direct subsidies would tend to reverse the flow. They would concentrate political power in the national party or candidate, and might easily lead to national domination of state and local politics.

The direct subsidy fails to stimulate individual participation in the political process. To the extent that public funds are used to finance campaigns, the stake of individual voters in the process is diminished, and there is less incentive for the political parties to broaden their base of popular and financial support.

Finally, most of the proposals for a direct subsidy offer no assistance to candidates in primary elections, to candidates at the state and local level, or even to Federal candidates other than Presidential candidates. Yet, the need for financial assistance is especially great in primary elections and at the Congressional, state and local levels, where fund raising is extremely difficult, and where the potential influence of large contributors may be far more significant than at the presidential level or in general elections.

The route I prefer in this area is the use of tax credits to encourage political contributions to candidates at all levels—Federal, state, and local—and in all elections—primaries and general elections. A tax credit leaves the allocation of public funds, through the tax subsidy mechanism, to the choice of the individual taxpayer, free of the government's heavy hand. The government plays no role in determining which candidate or political committee is to receive public funds. The government plays no role in determining the amount of public funds to be made available to particular candidates. In this manner, the tax credit avoids each of the major defects of direct subsidies I have cited above. It offers us our best opportunity to broaden the base of our democratic system, and to alleviate the concern over the high cost of campaigning for political office.

The debate over the use of direct subsidies and tax incentives demonstrates one of the central causes of our inability to achieve comprehensive election reform in recent years, in spite of the obvious need. The fact of the matter is that, as in so many other areas, the committee system in Congress works against reform. At the present time, there are simply too many committees in Congress with jurisdiction over one or another aspect of the problem. This committee can confer free broadcasting time, but it is the Finance Committee that deals with tax incentives, the Rules Committee that deals with campaign contributions and disclosure, and the Postal Committee that deals with mail subsidies.

In light of this divided jurisdiction, I hope that we will take special precautions to insure that the momentum for comprehensive reform generated last year by the Chairman's broadcast spending bill is not dissipated. Possibly, for the duration of this Congress, it might be appropriate to establish a special Senate Committee on Election Reform, with appropriate subcommittees representing each of the major areas, to develop comprehensive election reform legislation and submit it to the full Senate.

At the very least, however, I am hopeful that the Chairman of this Subcommittee will give us the same fertile opportunity for reform that he gave us last year. Although the Administration's promised cooperation last fall seems now to have clay feet, I am confident that we can have a public law by the end of the present Congress.

By Mr. PROUTY (for himself, Mr. JAVITS, Mr. JORDAN of Idaho, Mr. GRIFFIN, and Mr. SCOTT):

S. 1123. A bill to extend and amend the Higher Education Act of 1965, and for other purposes. Referred to the Committee on Labor and Public Welfare.

Mr. PROUTY. Mr. President, I am introducing today for the President and my colleagues, Senators JAVITS, GRIFFIN, SCOTT, and JORDAN of Idaho, a bill to extend and amend the Higher Education Act of 1965. This Higher Education Opportunity Act of 1971 contains the administration's recommendations for reform of student financial assistance, as well as a number of other amendments which are necessary to improve Federal support of postsecondary education.

I ask unanimous consent that a copy of the bill, a section-by-section analysis and explanatory materials be printed in the RECORD.

For many years we have supported a whole range of financial aid programs—loans, grants, loan guarantees, and work-study programs, that were designed to assist students with the financing of their education. There was little, if any, overall planning in this area; and as a result, both students and colleges found themselves in a maze of programs with no direction whatsoever on how to find their way through the maze. For the most part, these programs have assisted students from families of all income levels alike. In the Higher Education Opportunity Act of 1971, however, the President has sought to insure that there are sufficient funds available to the children of the Nation's poorest families for higher education through grants and subsidized loans. For the students whose families are better able to assist with their educational financing, he has proposed the creation of the National Student Loan Association to make more money available to these students for loans using a secondary market mechanism.

This NSLA will serve to widen the availability of guaranteed student loans by creating a market for existing loan paper. Banks, schools, and other eligible lenders will then be able to trade in their outstanding loans, receive new money, and make additional loans to students. This provision for liquidity of student loans should help solve the major problem which has kept a large number of the Nation's banks from participating in existing loan programs.

I know that some of my colleagues had some doubts about the amount of aid available to students under the President's proposed reforms when a similar bill was sent up last year. Two changes have been made in this bill which should help to alleviate those concerns. First, for those students from the lowest income families who may be attending very high cost schools the President is proposing a $1,500 cost of education loan. This would be a subsidized loan, similar to the current loans made under the National Defense Education Act, and would be on top of all other grants and subsidized loan aid to which the student was entitled. Second, the maximum amount which a student could receive in the form of an unsubsidized guaranteed loan has been increased to $2,500 per academic year and the maximum loan repayment period has been extended from 10 to 20 years. These loans would be available to students from families of all income levels.

As a final point concerning student aid, I would like to note that every student would know before he entered school exactly what minimum level of assistance he is eligible to receive.

It is this concept of establishing a minimum floor of assistance that appeals to me most. For too long a discussion of higher education as a matter of right has been avoided. The question is whether we believe that all students must be given the right to a higher education and, if so, at what level will we support it federally. I welcome the opportunity presented to us with the introduction of this proposal to discuss this matter more fully.

I would also like to point out that the substantial improvement of this bill over the one presented last year is the result of hard work and much consultation with experts in the field and the Congress. The administration has demonstrated an overriding concern for cooperation and compromise of conflicting views. I intend to continue working on this vital matter in the same spirit of cooperation and compromise so that we can have a solution as soon as possible. I say this because even though I am in philosophical agreement with the concepts proposed, I recognize that some of my colleagues are not. While others have alternative ideas about ways the goal of equal educational opportunity can be achieved, I recognize that the legislation finally enacted may not adopt the administration's approach in full.

Much as I will support it initially for the sake of discussion, I am more concerned with the outcome. Schools are already accepting students for next year, but unable to attract those in financial need because they are not sure about the assistance they can offer. It is our responsibility to define a solution as soon as possible so that planning and preparation for the fall semester can proceed. The job will not be an easy one for us. The proposals under discussion are highly technical in nature and have to do with financial operations beyond the committee's usual area of expertise. It is for this reason that I believe we must focus our initial discussions on the goal to be achieved and then concentrate on devising adequate mechanisms.

In addition to the student financial aid reform proposals, this comprehensive bill contains a number of other amendments which I should like to briefly outline.

Title I of the bill extends title I of the Higher Education Act for 2 years.

Title II extends the library assistance programs under title II of the Higher Education Act for 2 years.

Title III extends aid to developing institutions under title III of the HEA for 5 years; in addition, it contains amendments which would make it easier for eligible junior and community colleges to participate in this program.

Title IV contains the student assistance amendments.

Title V extends the Education Professions Development Act for 5 years. It also allows support for preparation of teachers of children on Indian reservations, consolidates title IV NDEA fellowships with part E of the EPDA, and makes various other technical amendments.

Title VI repeals the existing titles VIII, IX, X, and XI of the HEA. None of these programs, added by the HEA Amendments of 1968, has ever been funded, it should be noted.

Title VII standardizes assurances which applicants must make to receive funds under titles II, III, and V.

Title VIII extends the Higher Education Facilities Act for 2 years. It also adds new authority to allow Federal insurance of loans for construction of facilities at nonprofit private institutions of higher education.

Title IX extends title VI of the NDEA for 2 years.

Title X is a new title which would prohibit discrimination on the grounds of sex in any education program or activity which received Federal funds, except where sex is a bona fide ground for differential treatment. It contains adequate provisions for hearings and appeals before termination of funds.

There is one provision in the bill having to do with cancellation of loan forgiveness. As the original sponsor of this measure, I feel it should be continued. Nevertheless, I know that many of my colleagues disagree and feel the circumstance of teacher shortages no longer pertains. For the sake of submitting this matter for discussion, I have consented to retain this provision in the bill at the administration's request.

This is just a brief outline of the major points in this very comprehensive and technical bill. I urge all of my colleagues to read the bill carefully.

I would like to make one final point. The present authority for most of the higher education legislation will expire on June 30 of this year. This is particularly significant with respect to the authorizations for student aid. Appropriations hearings have already begun in the other body on the fiscal year 1972 budget and both colleges and prospective students are making plans for this September. It is absolutely imperative that the Congress act speedily on this measure in order to give all concerned adequate time to intelligently plan for the fall semester. Hopefully, this would mean that hearings will be held and a bill reported and passed by late spring. I urge every Member to give his full support to meet this timetable.

There being no objection, the bill and material was ordered to be printed in the RECORD, as follows:

S. 1123

A bill to extend and amend the Higher Education Act of 1965, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Higher Education Opportunity Act of 1971".

TITLE I—AMENDMENTS TO TITLE I OF THE HIGHER EDUCATION ACT (COMMUNITY SERVICE AND CONTINUING EDUCATION)

EXTENSION OF PROGRAM

SEC. 101. Section 101 of Title I of the Higher Education Act of 1965 is amended by striking out "and" before "$60,000,000" and by adding ", and such sums as may be necessary for each of the next two fiscal years" immediately following "June 30, 1971".

EFFECTIVE DATE

SEC. 102. The amendments made by section 101 shall be effective July 1, 1971.

TITLE II—AMENDMENTS TO TITLE II OF HIGHER EDUCATION ACT (COLLEGE LIBRARY ASSISTANCE)

EXTENSION OF PROGRAM

SEC. 201. (a) Section 201 of the Higher Education Act of 1965 is amended by striking out "and" before "$90,000,000" and inserting the following after "June 30, 1971,"; "and such sums as may be necessary for each of the next two fiscal years,".

(b) Such section is further amended by inserting the following after "institutions of higher education": "(particularly developing institutions as defined in title III and community colleges)".

INCREASE IN PERCENTAGE OF FUNDS TO BE USED FOR SPECIAL PURPOSE AND SUPPLEMENTAL GRANTS

SEC. 202. (a) Section 202 of such Act is amended—

(1) by striking out "75 per centum" and inserting in lieu thereof "60 per centum"; and

(2) by adding "and" after the semicolon at the end of paragraph (b); by striking out paragraphs (c) and (d); and by inserting in lieu thereof the following:

"(c) meets the requirements of section 811.".

(b) Section 203 of such Act is amended by striking out "75 per centum" and inserting in lieu thereof "50 per centum".

(c) Section 204(a) of such Act is amended—

(1) by striking out "Twenty-five per centum" in paragraph (1) and inserting in lieu thereof "Fifty per centum"; and

(2) by striking out "sixty per centum" in paragraph (2) and inserting in lieu thereof "eighty per centum".

REPEAL OF RESEARCH PROVISION

SEC. 203. Title II of the Higher Education Act of 1965 is amended by striking out section 224.

EXTENSION OF TRAINING PROVISION AND TRANSFER TO EDUCATION PROFESSIONS DEVELOPMENT ACT

SEC. 204. (a) Such title II is further amended by—

(1) by striking out the heading "PART B—LIBRARY TRAINING AND RESEARCH" and inserting in lieu thereof "PART G—LIBRARY TRAINING";

(2) striking out section 225;

(3) transferring sections 221 through 223, with the headings therefor as so amended, to title V of such Act and inserting such sections with such headings immediately after part F of such title; and

(4) redesignating sections 221 through 223, as so transferred, as sections 561 through 563, respectively.

(b) Section 561, as so redesignated, is amended by striking out "and" before "$38,000,000" and inserting "and such sums as may be necessary for each of the next five fiscal years" immediately after "June 30, 1971,".

REPEAL OF LIBRARY OF CONGRESS PROVISION

SEC. 205. Title II of such Act is further amended by striking out part C thereof.

CHANGE OF HEADINGS

SEC. 206. The heading of title II of such Act is amended to read "ACADEMIC LIBRARY ASSISTANCE" and the heading "PART A—COLLEGE LIBRARY RESOURCES" is repealed.

EFFECTIVE DATE

SEC. 207. The amendments made by this title shall be effective with respect to fiscal years beginning after June 30, 1971.

TITLE III—AMENDMENTS TO TITLE III OF HIGHER EDUCATION ACT (STRENGTHENING DEVELOPING INSTITUTIONS)

EXTENSION OF PROGRAM

SEC. 301. Section 301(b) of the Higher Education Act of 1965 is amended by striking out "and" before "the sum of $91,000,000" and inserting the following immediately after "June 30, 1971,": "and such sums as may be necessary for each of the next five fiscal years,".

MISCELLANEOUS AMENDMENTS

SEC. 302. (a) Title III of such Act is further amended (A) by inserting "and" at the end of paragraph (1) of section 304(b); (B) by striking out paragraphs (3) and (4) of such section; and (C) by amending paragraph (2) thereof to read as follows:

"(2) meets the requirements of section 011.".

(b) Such title is further amended (A) by inserting "if it is an institution which provides an educational program for which it awards a bachelor's degree" immediately before the semicolon in section 302(d) and (B) by striking out "(other than developing institutions)" in section 306.

EFFECTIVE DATE

SEC. 303. The amendments made by this title shall be effective with respect to fiscal years beginning after June 30, 1971.

TITLE IV—AMENDMENTS TO TITLE IV OF HIGHER EDUCATION ACT (STUDENT ASSISTANCE)

PART A—NEW PROGRAMS FOR PROVISION OF FINANCIAL ASSISTANCE TO STUDENTS

SEC. 401. Title IV of the Higher Eucation Act of 1965 is amended in the following respects—

(a) part C (dealing with work-study programs) is repealed;

(b) part B (dealing with student loan insurance) is redesignated as part C;

(c) parts E (containing general provisions) and F (containing amendments to the National Defense Education Act) are redesignated as parts F and G, respectively;

(d) section 463 (dealing with payments for administrative expenses) is repealed and sections 461, 462, 464, and 469 are redesignated as sections 471, 472, 473, and 474, respectively;

(e) section 473, as so redesignated (dealing with maintenance of effort), is amended (A) by striking out "part A or part C" and inserting in lieu thereof "part B", and (B) by striking out "under such parts" and inserting in lieu thereof "under such part"; and

(f) part A (dealing with educational opportunity grants) is amended to read as follows:

"PART A—GENERAL PROVISIONS FOR STUDENT ASSISTANCE

"FINDING AND STATEMENT OF PURPOSE

"SEC. 400. The Congress hereby finds that it is in the national interest to assist in making available the benefits of postsecondary education to all qualified students who for lack of financial means of their own or of their families would be unable to obtain those benefits without such assistance. It is therefore the purpose of this title to provide assistance to students, in the form of grants, loans, and compensations, to the end that no person capable of benefitting from such education will be denied it because of financial inability to meet basic postsecondary education costs.

"GRANTS, WORK-STUDY PAYMENTS, AND SUBSIDIZED LOANS

"SEC. 401. (a) It is the purpose of this part to provide for the establishment of general criteria to be used by eligible institutions in providing the following categories of assistance:

"(1) educational opportunity grants;

"(2) work-study payments; and

"(3) subsidized loans under part C of this title.

"(b) The objective of such criteria shall be to assure that the forms of assistance specified in subsection (a) will be made available to all qualified students in financial need attending eligible institutions and shall be designed to provide a reliable basis for enabling students and potential students of such institutions to ascertain their eligibility for financial assistance.

"BASIC ELIGIBILITY FOR, AND AMOUNT OF, GRANTS, WORK-STUDY PAYMENTS, AND RESOURCE EQUALIZING LOANS

"SEC. 402. (a) (1) The Secretary shall, after consultation with the Advisory Council on Financial Aid to Students established under section 474, promulgate a schedule for each academic year establishing (A) the maximum expected family contribution below which students will be eligible for educational opportunity grants or work-study payments (hereinafter in this part referred to as the 'grant eligibility limit'), and (B) the maximum expected family contribution below which students will be eligible for subsidized loans under part C (hereinafter in this part referred to as the 'loan eligibility limit').

"(2) A student with an expected family contribution, as determined under subsection (d), for an academic year which is less than the grant eligibility limit for such year shall be eligible for a grant (or work-study payments) in accordance with part B and for a loan upon which an interest subsidy is payable in accordance with section 428(a) (2) (hereinafter referred to as a 'subsidized loan'), and a student with an expected family contribution which is less than the loan eligibility limit for an academic year but equal to or more than the grant eligibility limit shall be eligible for a subsidized loan.

"(b) (1) A student meeting the requirements of section 405 and of part B shall be eligible for a grant (or the Federal share of work-study payments) for an academic year in an amount equal to (A) the grant eligibility limit, as determined by the Secretary for that year, less (B) his expected family contribution for such year, as determined by the eligible institution proposing to make such a grant (or such work-study payments).

"(2) A student meeting such requirements shall be eligible for a subsidized loan for such year in an amount equal to (A) the loan eligibility limit as determined by the Secretary for such year, less (B) the sum of (i) the student's expected family contribution for such year, and (ii) the amount of any grant or other payment under part B which he receives for such year.

"(c) A student shall be eligible for an insured student loan under part C in addition to any grant, work-study payment, or subsidized loan described in this part.

"(d) (1) For the purposes of this part, a student's expected family contribution means an amount which a family is reasonably able to contribute toward the cost of a student's postsecondary education for an academic year, as determined pursuant to criteria prescribed by the Secretary after consultation with the Advisory Council on Financial Aid to Students. Such criteria shall provide for the determination of family contributions in a manner which takes into account varying family incomes, numbers of dependents, number of dependents receiving postsecondary education during the academic year for which the determination is made, family assets, and other pertinent factors. Such criteria shall also provide for determining the eligibility for assistance under this part of students who are self-supporting and in doing so shall, insofar as appropriate, take into account the factors described in the preceding sentence.

"(2) The determination of an individual student's family income and other factors described in paragraph (1) shall be made, pursuant to regulations prescribed by the Secretary, by the eligible institution to which he has made an application for assistance under this title and in which he is enrolled or to which he has been admitted.

"(e) Notwithstanding any other provision of this section, the Secretary may by regulation establish criteria for the provision of financial assistance by eligible institutions in amounts greater than would otherwise be the case under subsection (b), where institutions determine that special circumstances pertaining to a student of exceptional financial need would render inequitable the limits imposed by such subsection.

"ALLOCATION OF FUNDS TO ELIGIBLE INSTITUTIONS

"SEC. 403. (a) The Commissioner shall, from time to time, set dates by which eligible institutions must file applications for allocations to such institutions of funds appropriated for carrying out section 402. In the case of any such institution, such allocation shall reflect an estimate of the aggregate amount which would be payable to such institution for the academic year for which such allocation is to be made with respect to educational opportunity grants, work-study payments, and subsidies on loans to be made by such institution and for which students enrolled or accepted for enrollment in such institution are estimated to be eligible for such year.

"(b) If, as determined by the Commissioner on the basis of estimates, the total amount of such allocations for any academic year to be made pursuant to this section would exceed the amount available for such allocations for such year, the Commissioner shall reduce such allocations in a manner most likely to achieve an equitable geographical distribution of such allocations and to preserve to the fullest possible extent payments to students with the lowest expected family contributions.

"ELIGIBILITY OF STUDENTS FOR COST OF EDUCATION LOANS AND ALLOCATION OF LOAN VOLUME TO INSTITUTIONS

"SEC. 404. (a) Any student who—

"(1) meets the requirements of section 405;

"(2) has an expected family contribution of less than the loan eligibility limit, as determined under section 402; and

"(3) needs financial assistance, in addition to such assistance as he may be eligible for under section 402, in order to meet the reasonable and necessary expenses (as determined pursuant to section 407) of attendance for an academic year at an eligible institution;

is eligible for a subsidized loan from such institution in an amount for such year (A) not exceeding the reasonable and necessary expenses for such year (not covered by any assistance for which he is eligible under section 402) which are to be incurred by him in consequence of his attendance at the ligible institution, as determined by such nstitution in accordance with regulations of he Commissioner, and (B) not exceeding 1500 in addition to such assistance as he ay be eligible for under section 402.

"(b) The Commissioner shall, from time o time, set dates by which eligible institutions must file applications for allocations o such institutions of an aggregate dollar mount of loans to be made by such institutions to students eligible for subsidized oans under this section. In the case of any uch institution, such allocation shall be ade on the basis of the Commissioner's stimate of the aggregate dollar amount of ubsidized loans for which students enrolled r accepted for enrollment in such institution are eligible under this section, reduced atably to reflect the amounts available for aying subsidies on such loans.

"RECIPIENTS OF STUDENT FINANCIAL ASSISTANCE

"SEC. 405. (a) An individual may receive ssistance in the form of grants, work-study ayments, or subsidized loans under this itle only if he has been accepted for enrollment as a full-time undergraduate or ocational student at an eligible institution or, in the case of a student already attending such institution, is in good standing and in full-time attendance there as an undergraduate or vocational student.

"(b) Such a student shall receive such assistance only if such institution determines that—

"(1) he shows capability of maintaining good standing in his course of study;

"(2) he meets the criteria for eligibility under which such assistance is to be made available; and

"(3) he would not, but for such assistance, be financially able to pursue a course of study at such institution.

"SUBSTITUTION OF NATIONAL DEFENSE EDUCATION ACT LOANS

"SEC. 406. A loan under title II of the National Defense Education Act of 1958 may be provided by an eligible institution in lieu of a subsidized loan to which a student is eligible under this part.

"LIMITATION

"SEC. 407. The total of any grant, work-study payment, or subsidized loan which a student shall receive for an academic year shall not exceed the reasonable and necessary expenses for such year incurred or to be incurred by him in consequence of his attendance at an eligible institution, as determined by such institution in accordance with regulations of the Secretary.

"ELIGIBLE INSTITUTION

"SEC. 408. As used in this part and part B, the term 'eligible institution' means—

"(a) an institution of higher education as defined in section 435(b);

"(b) a proprietary institution of higher education as defined in section 471(b), or

"(c) a vocational school as defined in section 435(c) which is (A) a public school or institution in any State (other than a school or institution of any agency of the United States), or (B) a nonprofit school or institution in any State.

"ELIGIBILITY FOR ASSISTANCE OF STUDENTS ENROLLED IN INSTITUTIONS ON DATE NEW PROGRAMS BECOME EFFECTIVE

"SEC. 409. Notwithstanding any other provision of this title, a student who, on the date of enactment of the Higher Education Opportunity Act of 1971, is receiving, or (if such date of enactment is not during any academic year with respect to such student) who, during the academic year ending prior to such date, received assistance under part A or C of title IV of this Act or title II of the National Defense Education Act of 1958 (as in effect prior to such date of enactment) shall be eligible for grant, work-study, or subsidized loan assistance pursuant to this title on a basis at least equivalent to the basis upon which he would have received assistance under such parts and such title II had such Higher Education Opportunity Act not been enacted, as determined under regulations prescribed by the Commissioner for carrying out the purpose of this section.

"SEC. 410. There are authorized to be appropriated such sums as may be necessary for the fiscal year ending June 30, 1972, and for each of the next four fiscal years to enable the Commissioner to make payments on account of the eligibility of students for assistance (A) under section 402 and (B) under section 404. Thereafter, there are authorized to be appropriated such sums as may be necessary to enable the Commissioner to make payments with respect to subsidized loans made to students prior to July 1, 1976, on account of their eligibility therefor under such sections. Sums appropriated under this section shall remain available until expended."

CONFORMING AMENDMENT

SEC. 402. Clause (2) of section 421(b) is amended by inserting "(except with respect to loans made to students eligible therefor under sections 402 and 404)" immediately after "student loans".

SEC. 403. The following is inserted as part B of such title IV:

"PART B—EDUCATIONAL OPPORTUNITY GRANTS AND WORK-STUDY PAYMENTS

"EDUCATIONAL OPPORTUNITY GRANTS

"SEC. 411. (a) An eligible institution, in accordance with its agreement under this part, may award educational opportunity grants to undergradute or vocational students under which the institution will pay to any such student the amount which such student is eligible to receive for the academic year for which such grant is made. The Commissioner may by regulation prescribe that a portion of the assistance which an eligible institution would otherwise make available in the form of work-study payments under section 412 be made available in the form of educational opportunity grants under this section. Subject to such regulations, eligible institutions may, at their election, make available educational opportunity grants under this section in whole or in part in lieu of work-study payments under section 412.

"(b) Educational opportunity grants may be awarded under this part only for the period required for the completion by the recipient of his undergraduate or vocational course of study. Except as otherwise provided in this subsection, such period shall not exceed four academic years. With respect to a student at an institution of higher education (1) who is pursuing a course of study leading to a first degree and designed by the institution offering it to extend over five academic years, or (2) who is or will be unable to complete a course of study within the maximum period of years specified in the preceding sentence because of a requirement that the student enroll in a noncredit remedial course of study, such period may be extended for not more than one additional academic year. For purposes of the preceding sentence, a 'noncredit remedial course of study' is a course of study for which no credit is given toward an academic degree, and which is designed to increase the ability of the student to engage in an undergraduate course of study leading to such a degree.

"(c) Payments pursuant to an educational opportunity grant awarded under this part may be made only so long as the recipient (1) is maintaining satisfactory progress in the course of study which he is pursuing, according to the regularly prescribed standards and practices of the institution from which he receives such grant, and (2) is devoting essentially full time to that course of study, during the academic year, in attendance at that institution. Failure to be in attendance at the institution during vacation periods or periods of military service, or during other periods during which the Commissioner determines in accordance with regulations that there is good cause for his nonattendance (during which periods he shall receive no payments), shall not be deemed contrary to clause (2) of the preceding sentence.

"WORK-STUDY PROGRAMS

"SEC. 412. (a) An eligible institution, in accordance with its agreement under this part, may pay for the part-time employment of its undergraduate or vocational students, through programs of work-study, in work for the institution itself (except in the case of a proprietary institution of higher education) or work in the public interest for a public or nonprofit private organization under an arrangement between such institution and such organization, but only if such work—

"(1) will not result in the displacement of employed workers or impair existing contracts for services,

"(2) will be governed by such conditions of employment as will be appropriate and reasonable in light of such factors as type of work performed, geographical region, and proficiency of the employee, and

"(3) does not involve the construction, operation, or maintenance of so much of any facility as is used or is to be used for sectarian instruction or as a place for religious worship.

"(b)(1) No student shall be employed under such programs of work-study for an average of more than fifteen hours per week during a semester, or other term used by the institution in awarding credits, during which classes in which the student is enrolled are in session.

"(2) For purposes of computing the average prescribed by the preceding paragraph, there shall be excluded any period during which the student is on vacation or any period of additional or nonregular enrollment. Employment under a work-study program during any such period of additional or nonregular enrollment in which classes in which the student is enrolled are in session shall be only to the extent and in accordance with criteria established by or pursuant to regulations of the Commissioner.

"WORK-STUDY BENEFITS IN LIEU OF GRANT ASSISTANCE

"SEC. 413. (a) The Commissioner may by regulation prescribe that a portion of the assistance which an eligible institution would otherwise make available in the form of educational opportunity grants under section 411 be made available in the form of work-study payments pursuant to section 412. Subject to such regulations, eligible institutions may, at their election, make available work-study payments under section 412 in whole or in part in lieu of educational opportunity grants.

"(b) Work-study payments shall not be made in lieu of educational opportunity grants by an institution under this section unless—

"(1) such work-study payments are made on a basis which provides net earnings to the student from the Federal share of such payments for the academic year involved equal to the amount of the grant which he would have received for such year had such election not been made;

"(2) the criteria for making such elections are applied uniformly by such institution and are determined by the Commissioner to be consistent with such standards as he may prescribe under subsection (a).

"(c) A student to whom work-study payments are made available under this section in lieu of grant assistance may elect instead to receive a subsidized loan under part C, or a loan under title II of the National Defense Education Act of 1958, in the amount of the Federal share of such work-study payments. In the event of such election, the amount allocated to such institution under section 403 shall be adjusted in accordance with regulations of the Commissioner.

"AGREEMENTS WITH INSTITUTIONS

"SEC. 414. (a) As a condition for receiving funds for educational opportunity grants and work-study payments under this part, an eligible institution shall enter into an agreement with the Commissioner, which agreement shall—

"(1) provide that the funds received by the institution under this part shall be used by it in accordance with the provisions of this part and part A;

"(2) provide that the institution shall conduct a program of educational opportunity grants in accordance with section 411;

"(3) provide for the operation by the institution of a program of work-study in accordance with the provisions of sections 412 and 413, and provide that the Federal share of the compensation of students employed in the work-study program in accordance with the agreement will not, except as provided in subsection (b), exceed 80 per centum of such compensation;

"(4) include procedures satisfactory to the Commissioner designed to assure that each student of the institution eligible for a subsidized loan (or loan under title II of the National Defense Education Act of 1958) in accordance with section 402 will be enabled to obtain such loan in the amount for which he is eligible, including provision for loans by the institution to students who, because they or their families do not maintain business relationships with eligible lenders or because of their status as initial year undergraduates or for any other reason, are unable to obtain such loans readily from other eligible lenders;

"(5) include, in the case of a proprietary institution of higher education, such terms and conditions as the Commissioner determines to be necessary to insure that the availability of assistance under this part to students at such institution has not increased, and will not increase, the tuition, fees, or other charges to such students; and

"(6) include such other provisions as the Commissioner deems necessary or appropriate to carry out the purpose of this part.

"(b) The Federal share of work-study payments may exceed 80 per centum of the compensation of students employed in the work-study program if the Commissioner determines, pursuant to regulations establishing objective criteria for such determinations, that a Federal share in excess of 80 per centum is required in furtherance of the purposes of this part. In addition to other circumstances under which the Commissioner may determine that a Federal share in excess of 80 per centum is required in furtherance of the purposes of this part, he may do so where (1) payment of the non-Federal share would result in a student receiving funds in excess of the limitation imposed by section 407, or (2) students are employed in (A) the work-study program of an eligible institution not less than 50 per centum of whose students are from low-income families, (B) the counseling or tutoring of the educationally disadvantaged, or (C) any project of community service with respect to which a limitation of the Federal share to 80 per centum would impose unusual hardship on the eligible institution or the public or nonprofit private organization for which such project is performed.

"EXPENSES OF ADMINISTRATION

"SEC. 415. (a) An institution which has entered into an agreement with the Commissioner under this part shall be entitled, for each academic year for which it receives an allocation under section 403, to a payment in lieu of reimbursement for its expenses during such academic year in administering programs assisted under this part. The payment for an academic year (1) shall be payable from such allocation in accordance with regulations of the Commissioner and (2) shall be an amount equal to 3 per centum of the aggregate amount of work-study payments and payments under educational opportunity grants made by such institution during such year under this part, but not to exceed $125,000.

"(b) An agreement under this part may also include provisions authorizing the institution, to the extent and under terms and conditions prescribed by the Commissioner by or pursuant to regulation, to use, out of the sums allocated to it for the purposes of this part, a portion for its administrative expenses (which for this purpose may, among other expenses, include expenses of counseling and guidance, placement, and consulting services) in developing or carrying out a program, described in such agreement, to demonstrate or explore the feasibility or value of methods of cooperative education involving alternative periods of full-time academic study at the institution and periods of full-time public or private employment (whether or not afforded by an organization described in section 411(a)) approved or arranged for by the institution under such program."

EFFECTIVE DATE

SEC. 404. The amendments made by sections 401, 402, and 403 shall be effective with respect to fiscal years beginning after June 30, 1971.

PART B—AMENDMENTS TO STUDENT LOAN INSURACE PROGRAM—INTEREST TERMS TO BORROWERS ELIGIBLE FOR SUBSIDIZED LOANS; SECRETARY TO ESTABLISH MAXIMUM INTEREST RATES; POSITION OF ELIGIBLE INSTITUTION AS ELIGIBLE LENDER STRENGTHENED; NEGOTIABILITY OF STUDENT OBLIGATIONS

SEC. 405. (a)(1) Subsection (a) of section 428 of the Higher Education Act of 1965 is amended to read as follows:

"SEC. 428. (a)(1) Each student who has received a loan, after June 30, 1971, which—

"(A) is insured by the Commissioner under this part,

"(B) is made under a State student loan program meeting criteria prescribed by the Commissioner under this part, or

"(C) is insured under a program of a State or of a nonprofit private institution or organization that has entered into an agreement with the Commissioner under subsection (b) or (c) of this section,

and with respect to which loan an interest subsidy is payable pursuant to part A shall be entitled to have paid on his behalf and for his account to the holder of the loan (except where such holder is the Secretary), at such times and according to such terms and conditions as the Commissioner may prescribe, a portion of the interest on his loan determined under paragraph (2).

"(2) The portion of the interest on a loan which a student borrower is entitled to have paid on his behalf and for his account to the holder of the loan pursuant to paragraph (1) shall be an amount equal to—

"(A) the total amount of the interest on the unpaid principal amount of the loan which accrues prior to the beginning of the repayment period of the loan, or which accrues during a period in which no part of such principal need be paid (whether or not such principal is in fact paid) by reason of a provision described in section 428(b)(1)(L) or in section 427(a)(2)(C); and

"(B) the difference between the per annum rate of interest on the unpaid balance of such loan and three per centum per annum of such unpaid balance during the period (other than any portion of such period in which the total amount of the interest on the unpaid principal amount is payable by the Commissioner pursuant to clause (A)) beginning with the date upon which the repayment period commences and ending ten years afte such date, or at the conclusion of the repayment period, whichever is earlier.

"(3) Each holder of a loan insured or insurable by the Commissioner under sectio 427, or with respect to which payments o interest are required to be made by the Commissioner, shall submit to the Commissioner, at such times and in such manner as he may prescribe, statements containing such information as may be required by or pursuant to regulation for the purpose of enabling the Commissioner to determine the amount of the payment which he must make with respect to that loan. The holder of a loan with respect to which payments are required to be made under this subsection shall be deemed to have a contractual right, as against the United States, to receive from the Commissioner the portion of interest determined under paragraph (2).

"(4) No payment may be made under this section with respect to the interest on a loan made from a student loan fund established under title II of the National Defense Education Act of 1958."

(2) Paragraph (1) of subsection (c) of such section is amended to read as follows:

"(1) The Commissioner may enter into a guaranty agreement with any State or any nonprofit private institution or organization having a loan insurance program meeting the requirements of subsection (b), whereby the Commissioner shall undertake to reimburse it, under such terms and conditions as he may establish, in an amount equal to 80 per centum of the amount expended by it in discharge of its insurance obligation, incurred under such loan insurance program, with respect to losses (resulting from default of the student borrower) on the unpaid balance of the principal (other than interest added to principal) of any insured loan."

(b) Section 437 is amended to read as follows:

"Sec. 437. If a student borrower who has received a loan described in clause (A), (B), or (C) of section 428(a)(1) (whether or not an interest subsidy is payable pursuant to part A of this title) dies or becomes permanently and totally disabled (as determined in accordance with regulations of the Commissioner), then the Commissioner shall discharge the borrower's liability on the loan by repaying the amount owed on the loan (except where such amount is owed to the Secretary)."

(c)(1) Subsection (b) of section 427 is amended to read:

"(b) For the purposes of clause (2)(D) of subsection (a), and clause (1)(E) of section 428(b), the Secretary, after consultation with the Secretary of the Treasury and the National Student Loan Association, shall prescribe maximum rates of interest to facilitate the operation of this part which shall be not less than a per annum rate equal to the average annual interest rate on all interest-bearing obligations of the United States forming a part of the public debt a computed at the end of the fiscal year preceding the fiscal year for which such rates are prescribed."

(2) Clause (2)(D) of section 427(a) is amended by striking out "and defined by the Secretary (within the limits set forth in subsection (b)) on a national, regional, or other appropriate basis" and inserting in lieu thereof "by the Secretary pursuant to subsection (b)".

(3) Clause (1)(E) of section 428(b) is amended to read:

"(E) authorizes interest on the unpaid balance of the loan at a yearly rate not in excess of the maximum rate of interest prescribed for such loan pursuant to section 427(b) (exclusive of any premium for insurance which may be passed on to the borrower);".

(4) Clause (1) of section 428(d) is amend-

ed by striking out "not in excess of 7 per centum per annum" and inserting in lieu thereof "not in excess of the rate prescribed by the Secretary pursuant to section 427(b)".

(d) (1) Section 423(a) is amended by inserting ", other than with respect to loans by eligible institutions," after "429".

(2) Subsection (d) of section 429 is amended to read as follows:

"(d) Subject to any terms, conditions, or limitations established by regulations of the Commissioner, the rights of an eligible lender arising under insurance evidenced by a certificate of insurance issued to it under this section, or the rights of any assignee thereof, may be assigned."

INCREASE AND OTHER ADJUSTMENTS IN LOAN CEILINGS

SEC. 406. (a) Section 425 is amended to read as follows:

"SEC. 425. (a) The total of the loans made to a student in any academic year or its equivalent (as determined under regulations of the Commissioner) which may be insured by the Commissioner under this part may not exceed an amount equal to $2,500 reduced by the total amount of loans to the student in such academic year which (1) are made to the student under a State student loan program meeting criteria prescribed by the Commissioner under this part, or (2) are insured under a program of a State or of a nonprofit private institution or organization which has entered into an agreement with the Commissioner under subsection (b) or (c) of section 428. A student may receive loans insured by the Commissioner for not in excess of a period equal to seven academic years reduced by the number of academic years in which the student has received a loan described in the preceding sentence. If a student has a line of credit, only actual payments by the lender to the borrower during any year will be taken into account in determining the total insurable amount for such year.

"(b) Subject to the limitations of subsection (a) —

"(1) the maximum loan to any student insured by the Commissioner in any academic year with respect to which an interest subsidy is payable pursuant to part A shall be determined by the Secretary in accordance with such part; and

"(2) the maximum loan to any student insured by the Commissioner in any academic year, other than a loan described by clause (1), shall not exceed the reasonable and necessary expenses incurred by the student, in such academic year, in consequence of his attendance at an eligible institution; and the amount of such expenses shall be estimated by such eligible institution in accordance with regulations of the Commissioner.

A statement of the maximum loan determined by the Secretary under part A and the estimate of reasonable and necessary expenses, with respect to a student for any academic year, shall be furnished by the eligible institution to the student upon his request. No loan or portion thereof shall be insured by the Commissioner in excess of such maximum or estimate.

"(c) The insurance liability on any loan insured by the Commissioner under this part shall be 100 per centum of the unpaid balance of the principal amount of the loan. Such insurance liability shall not include liability for interest whether or not that interest has been added to the principal amount of the loan except as otherwise expressly provided herein."

(b) Section 428(b)(1) is amended (1) in clause (A) by striking out "$1,500" and inserting "$2,500" in lieu thereof, and by striking out all of that clause that follows "in excess of such annual limit;", (2) in clause (B) by striking out all of that clause that follows "students for" and inserting in lieu thereof "seven academic years of study or their equivalent (as determined under regulations of the Commissioner) reduced by the number of academic years in which the student has received a loan insured by the Commissioner under this part;", and (3) in clause (H) by striking out all of that clause that follows "any student" and inserting in lieu thereof "because of lack of need if an interest subsidy is payable pursuant to part A with regard to any loan to such student;".

DEFERRAL OF INTEREST AND PRINCIPAL PAYMENTS

SEC. 407. (a) (1) Clauses (E), (F), and (G) of section 427(a)(2) are redesignated clauses (F), (G), and (H), respectively, and there is inserted after clause (D) the following new clause:

"(E) authorizes the student borrower, if agreed to by the lender, to defer the payment of periodic installments of principal and interest during any period or periods (not in excess of an aggregate of five years) as the student may, during the repayment period, from time to time specify in advance by written notice to the lender, which deferred interest shall accrue and be added to principal on the date that payment of principal and interest is to resume, and shall thereby increase the insurance liability under this part in the amount of such accrued interest,".

(2) Clause (D) of section 427(a)(2) is amended by striking out so much of that clause as follows "payable in installments" and inserting in lieu thereof "over a period beginning on the date upon which payment of the first installment of principal falls due and ending on the date upon which payment of the last installment of principal falls due, and interest accruing but not payable prior to the date upon which repayment of the first installment of principal falls due shall be added to principal and shall thereby increase the insurance liability under this part in the amount of such accrued interest,".

(3) Clause (C) of section 427(a)(2) is amended by striking out "need not be paid, but interest shall accrue and be paid" and inserting in lieu thereof "and interest need not be paid, but interest shall accrue and be added to principal, and shall thereby increase the insurance liability under this part in the amount of such accrued interest."

(b) (1) Paragraph (1) of section 428(b) is amended (A) by striking out "and" at the end of clause (J) thereof, (B) by striking out the period at the end of clause (K) and inserting "; and" in lieu thereof, and (C) by adding at the end of such paragraph the following new clauses:

"(L) provides that periodic installments of principal and interest need not be paid, but interest shall accrue and be added to principal, and is thereby insured under such program, during any period (i) during which the borrower is pursuing a full-time course of study at an eligible institution, (ii) not in excess of three years during which the borrower is a member of the Armed Forces of the United States, (iii) not in excess of three years during which the borrower is in service as a volunteer under the Peace Corps Act, or (iv) not in excess of three years during which the borrower is in service as a full-time volunteer under title VIII of the Economic Opportunity Act of 1964."

(2) Subsection (e) of section 428 is amended to read as follows:

"(e) The Commissioner shall encourage the inclusion, in any State or nonprofit private student loan insurance program meeting the requirements of subsection (b), of provisions authorizing the student borrower, if agreed to by the lender, to defer the payment of periodic installments of principal and interest during any period or periods (not in excess of an aggregate of five years) as the student may, during the repayment period, from time to time specify in advance by written notice to the lender, which deferred interest shall accrue and be added to principal on the date that payment of principal and interest is to resume, and shall thereby increase the insurance liability of such programs, and the Federal guaranty applicable to such program."

EXTENSION OF PERMISSIBLE REPAYMENT PERIOD

SEC. 408. (a) (1) Clause (B) of section 427 (a)(2) is amended to read as follows:

"(B) provides for repayment (except as provided in subsection (c) of the principal amount of the loan in installments over a period of not less than five years (unless sooner repaid) nor more than twenty years beginning nine months after the date on which the student ceases to carry at an eligible institution at least one-half the normal full-time academic workload as determined by the institution except that in the computation of such periods there shall be excluded periods in which interest or principal is not paid pursuant to clause (C) or clause (E), and except, also, that the note or other written agreement evidencing it may contain such provisions relating to repayment in the event of default in the payment of interest or in the payment of the cost of insurance premiums, or other default of the borrower, as may be authorized by regulations of the Commissioner in effect at the time the loan is made,".

(2) Clause (C) of such section is amended by striking out all that follows "1964" and inserting a comma in lieu thereof.

(b) (1) Clause (D) of section 428(b)(1) is amended to read as follows:

"(D) provides for repayment (except as provided by subsection (e) of the principal amounts of loans in installments over a period of not less than five years (unless sooner repaid) nor more than twenty years beginning nine months after the date on which the student ceases to carry at an eligible institution at least one-half the normal full-time academic workload as determined by the institution, except that in the computation of such periods there shall be excluded periods in which interest or principal is not paid pursuant to clause (L) of this paragraph or subsection (e), and except, also, that the note or other written agreement evidencing it may contain such provisions relating to repayment in the event of default in the payment of interest or in the payment of the cost of insurance premiums, or other default of the borrower, as may be authorized by regulations of the Commissioner in effect at the time the loan is made;".

(2) Section 428(b)(1)(C) is amended by striking out clause (ii) thereof, and redesignating clause (iii) as clause (ii).

EXTENSION OF PROGRAM AND REPEAL OF PREVIOUS FEDERAL LOAN INSURANCE CEILING

SEC. 409. Section 424 is amended to read as follows:

"SEC. 424. Except as provided in the next sentence, Federal loan insurance pursuant to this part may be granted only for loans made (or for loan installments paid pursuant to lines of credit) to students prior to July 1, 1976. Thereafter, such insurance may be granted for the purpose of enabling students who have obtained prior loans insured under this part to continue or complete their educational programs; but no insurance may be granted for any loan made or installment paid after June 30, 1980."

REPEAL OF CANCELLATION OF NATIONAL DEFENSE STUDENT LOANS

SEC. 410. Subparagraph (3) of section 205 (b) of the National Defense Education Act of 1958 is repealed.

ELIGIBILITY FOR NATIONAL DEFENSE STUDENT LOANS

SEC. 411. Subsection (b) of section 205 of the National Defense Education Act of 1958 is amended by inserting after "course of study" the following: ", and to such priorities in the lending of such funds as the Secretary may from time to time establish pursuant to title IV of the Higher Education Act of 1965".

AUTHORITY TO MAINTAIN STUDENT LOAN FUNDS

SEC. 412. (a) Section 206 of the National Defense Education Act of 1958 is amended by striking out "1975" wherever it appears and inserting in lieu thereof "1980".

EFFECTIVE DATE APPLICABLE TO SECTIONS 405 THROUGH 411

SEC. 413. Sections 405 through 411 of this Act shall be effective with respect to loans made or disbursed to students after June 30, 1971.

PART B—ESTABLISHMENT OF NATIONAL STUDENT LOAN ASSOCIATION

SEC. 420. Part D of title IV of the Higher Education Act of 1965 is amended to read as follows:

"PART D—NATIONAL STUDENT LOAN ASSOCIATION

"DECLARATION OF PURPOSE

"SEC. 441. It is the purpose of this part to establish a private corporation financed by private capital to serve as a secondary market for student loans insured under part C and to provide liquidity for those who make such loans.

"CREATION OF AGENCY

"SEC. 442. (a) There is hereby created a body corporate to be known as the National Student Loan Association (hereinafter in this part referred to as the 'Association'). The Association shall have succession until dissolved by Act of Congress. It shall maintain its principal office in the District of Columbia and shall be deemed, for purposes of venue and civil actions, to be a resident thereof. Offices may be established by the Association in such other place or places as it deems necessary or appropriate for the conduct of its business.

"(b) The Association, including its franchise, capital, reserves, surplus, mortgages, or other security holdings, and income shall be exempt from all taxation now or hereafter imposed by any State, territory, possession, Commonwealth, or dependency of the United States, or by the District of Columbia, or by any county, municipality, or local taxing authority, except that any real property of the Association shall be subject to State, territorial, county, municipal, or local taxation to the same extent according to its value as other real property is taxed.

"BOARD OF DIRECTORS

"SEC. 443. (a) The Association shall have a Board of Directors consisting of twenty-one persons.

"(b) An interim Board of Directors shall be appointed by the President, one of whom he shall designate as interim Chairman. The interim Board shall consist of twenty-one members, seven of whom shall be representative of eligible lenders under part C other than eligible institutions, seven of eligible institutions (as defined in section 435(a)), and seven of the general public. The interim Board shall arrange for an initial offering of common stock and take whatever other actions are necessary to proceed with the operations of the Association.

"(c) When, in the judgment of the President, sufficient common stock of the Association has been purchased by eligible institutions and banks or other financial institutions, the holders of such stock which are eligible institutions shall elect seven members of the Board of Directors and the holders of such stock which are banks or other financial institutions shall elect seven members of the Board of Directors. The President shall appoint the remaining seven members. The members so elected and appointed shall elect a chairman. The elections referred to in this subsection shall be carried out in such manner as the interim Board may prescribe.

"(d) The interim Board shall thereafter turn over the affairs of the Association to the regular Board so chosen or appointed.

"(e) The directors appointed by the President shall serve at the pleasure of the President and until their successors have been appointed and have qualified. The remaining directors shall each be elected for a term ending on the date of the next annual meeting of the common stockholders of the Association, and until their successors have been elected. Any appointive seat on the Board which becomes vacant shall be filled by appointment of the President. Any elective seat on the Board which becomes vacant after the annual election of the directors shall be filled by the Board, but only for the unexpired portion of the term.

"(f) The Board of Directors shall meet at the call of its chairman. The Board shall determine the general policies which will govern the operations of the Association. The Chairman of the Board shall, with the approval of the Board, select, appoint, and compensate qualified persons to fill the offices provided for in the bylaws, with such executive functions, powers, and duties as may be prescribed by the bylaws or by the Board of Directors, and such persons shall be the executive officers of the Association and shall discharge all such executive functions, powers, and duties.

"FUNCTIONS

"SEC. 444. (a) Subject to the provisions of this part and the approval of the Secretary, the Association is authorized to make advances on the security of, or to purchase, service, sell, or otherwise deal in, student loans which are insured under part C.

"(b) Any advance made under subsection (a) of this section shall not exceed 80 per centum of the face amount of the insured loans upon the security of which such advance is made. The proceeds from any advance shall be invested in additional insured student loans.

"COMMON STOCK

"SEC. 445. (a) The Association shall have common stock having a par value of $100 per share.

"(b) Each share of common stock shall be entitled to one vote with rights of cumulative voting at all elections of directors. Voting shall be by classes as described in section 443(c).

"(c) The common stock of the Association shall be transferable, as to the Association, only on the books of the Association. The Secretary shall prescribe the maximum number of shares of common stock the Association may issue and have outstanding at any one time. Shares of such stock which are outstanding may be called for retirement at par at the option of the Association at any time.

"(d) To the extent that net income is earned and realized, dividends may be declared on common stock by the Board of Directors. Such dividends shall be paid to the holders of outstanding shares of common stock, except that no such dividend shall be payable with respect to any share which has been called for redemption past the effective date of such call.

"OBLIGATIONS

"SEC. 446. (a) The Association is authorized with the approval of the Secretary of the Treasury to issue and have outstanding obligations having maturities and bearing such rate or rates of interest as may be determined by the Association with the approval of the Secretary of the Treasury. Such obligations may be redeemable at the option of the Association before maturity in such manner as may be stipulated therein.

"(b) The Secretary is authorized to guarantee payment when due of principal and interest on obligations issued by the Association in an aggregate amount determined b the Secretary in consultation with the Secretary of the Treasury.

"(c) To enable the Secretary to discharg his responsibilities under guarantees issue by him, he is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities, and subject to suc terms and conditions, as may be prescribe by the Secretary with the approval of th Secretary of the Treasury. Such notes o other obligations shall bear interest at rate determined by the Secretary of th Treasury, taking into consideration the current average market yield on outstandin marketable obligations of the United State of comparable maturities during the mont preceding the issuance of the notes or othe obligations. The Secretary of the Treasury i authorized and directed to purchase an notes and other obligations issued hereunde and for that purpose he is authorized to us as a public debt transaction the proceed from the sale of any securities issued unde the Second Liberty Bond Act, as amended and the purposes for which securities may b issued under that Act, as amended, are extended to include any purchase of such note and obligations. The Secretary of the Treasury may at any time sell any of the notes o other obligations acquired by him under thi subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated a public debt transactions of the United States There are authorized to be appropriated t the Secretary such sums as may be necessary to pay the principal and interest on the notes or obligations issued by him to the Secretary of the Treasury.

"GENERAL AUTHORITY

"SEC. 447. The Association shall have authority—

"(a) to sue and be sued, complain and defend, in its corporate name and through its own counsel;

"(b) to adopt, alter, and use a corporate seal, which shall be judicially noticed;

"(c) to adopt, amend, and repeal by its board of directors such bylaws, rules, and regulations as may be necessary for the conduct of its business;

"(d) to conduct its business, carry on its operations, and have offices and exercise the authority granted by this part in any State without regard to any qualification or similar statute in any State;

"(e) to lease, purchase, or otherwise acquire, own, hold, improve, use, or otherwise deal in and with any property, real, personal, or mixed, or any interest therein, wherever situated:

"(f) to accept gifts or donations of services, or of property, real, personal, or mixed, tangible or intangible, in aid of any of the purposes of the Association;

"(g) to sell, convey, mortgage, pledge, lease, exchange, and otherwise dispose of its property and assets;

"(h) to appoint such officers, attorneys, employees, and agents as may be required, to determine their qualifications, to define their duties, to fix their salaries, to require bonds for them and fix the penalty thereof; and

"(i) to enter into contracts, to execute instruments, to incur liabilities, and to do all things necessary or incidental to the proper management of its affairs and the proper conduct of its business.

"AUDIT

"SEC. 448. The accounts of the Association shall be audited at least annually. Such audits shall be conducted in accordance with generally accepted auditing standards by independent certified public accountants or by independent licensed public accountants, licensed on or before December 31, 1970, who are certified or licensed by a regulatory authority of a State or other political subdivision of the United States, except that independent public accountants licensed to practice by such regulatory authority after December 31, 1970, and persons who, although not so certified or licensed, meet, in the opinion of the Secretary, standards of education and experience representative of the highest standards prescribed by the licensing authorities of the several States which provide for the continuing licensing of public accountants and which are prescribed by the Secretary in appropriate regulations may perform such audits until December 31, 1975. A report of each such audit shall be furnished to the Secretary and to the Secretary of the Treasury.

"OBLIGATIONS AS LAWFUL INVESTMENTS, ACCEPTANCE AS SECURITY

"Sec. 449. All obligations issued by the Association shall be lawful investments, and may be accepted as security for all fiduciary, trust, and public funds, the investment or deposit of which shall be under authority or control of the United States or of any officer or officers thereof. All stock and obligations issued by the Association pursuant to this part shall be deemed to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission, to the same extent as securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States. The Association shall, for the purposes of section 14(b) (2) of the Federal Reserve Act, be deemed to be an agency of the United States.

"PREPARATION OF OBLIGATIONS

"Sec. 450. In order to furnish obligations for delivery by the Association, the Secretary of the Treasury is authorized to prepare such obligations in such form as the Board of Directors may approve, such obligations when prepared to be held in the Treasury subject to delivery upon order by the Association. The engraved plates, dies, bed pieces, and other material executed in connection therewith shall remain in the custody of the Secretary of the Treasury. The Association shall reimburse the Secretary of the Treasury for any expenditures made in the preparation, custody, and delivery of such obligations.

"ANNUAL REPORT

"Sec. 451. The Association shall, as soon as practicable after the end of each fiscal year, transmit to the President and the Congress a report of its operations and activities during each year, including a report of the audit conducted under section 448.

"SEPARABILITY

"Sec. 452. If any provisions of this part or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the part, and the application of such provisions to other persons or circumstances, shall not be affected.

"INTERIM FINANCING ARRANGEMENT FOR STUDENT LOANS

"Sec. 453. (a) Any eligible institution (as defined in section 408) which, subsequent to enactment of this part, makes a loan on which a subsidy is payable under section 428(a), may offer that loan for sale to the Secretary, and, until such time as the Association, in the Secretary's judgment, is able to purchase student loans insured under part C, the Secretary is authorized and directed to purchase any such loan at a price equal to 100 per centum of the unpaid principal thereof and interest thereon at the time of purchase.

"(b) Upon application to him by an eligible institution indicating that such institution is, in the Secretary's judgment, in need of funds with which to make loans on which subsidies are payable under section 428(a), the Secretary shall make an advance of funds to such institution against the future purchase by him of such loans.

"(c) The Secretary may enter into an agreement with any eligible institution from which he has purchased one or more loans pursuant to subsection (a) under which agreement such institution (A) will undertake to perform administrative functions with respect to any loan purchased from it by the Secretary and (B) be reimbursed the cost thereof.

"AUTHORIZATION OF APPROPRIATIONS

"Sec. 454. There are authorized to be appropriated such sums as may be necessary to carry out the preceding section.

"TERMINATION OF INTERIM FINANCING ARRANGEMENT

"Sec. 455. At such time as the Association is able to purchase student loans insured under part C, such Association shall purchase from the Secretary student loans which he has acquired under section 453(a). Such loans shall be purchased by such Association upon such terms and conditions as the Board of Directors shall determine. Such Association shall not deal in any other student loans until it has first purchased from the Secretary all loans which he has so acquired.

"PURCHASE OF OBLIGATIONS BY TREASURY

"Sec. 456. The Secretary of the Treasury is authorized to purchase, in his discretion and upon such terms and conditions as he determines, any obligations issued by the Association under section 446(a), and for such purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, and the purposes for which securities may be issued under such Act are extended to include such purchases. The aggregate principal amount of the Secretary of the Treasury's outstanding holdings of such obligations may not exceed at any time an amount greater than $250,000,000. The Secretary of the Treasury may sell, upon such terms and conditions as he determines, any of the obligations acquired by him under this section. All redemptions, purchases, and sales by the Secretary of the Treasury of such obligations under this section shall be treated as public debt transactions of the United States."

AMENDMENTS RELATING TO FINANCIAL INSTITUTIONS

Sec. 421. (a) The sixth sentence of the seventh paragraph of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), is amended by inserting "or obligations of the National Student Loan Association," immediately after "or obligations, participation, or other instruments of or issued by the Federal National Mortgage Association or the Government National Mortgage Association,".

(b) Section 5200 of the Revised Statutes, as amended (12 U.S.C. 84), is amended by adding at the end thereof the following new paragraph:

"(14) Obligations of the National Student Loan Association shall not be subject to any limitation based upon such capital and surplus."

(c) The first paragraph of section 5(c) of the Home Owners' Loan Act of 1933, as amended (12 U.S.C. 1464(c)), is amended by inserting "or in obligations of the National Student Loan Association;" in the second proviso immediately after "any political subdivision thereof."

(d) Clause (E) of paragraph (8) of section 8 of the Federal Credit Union Act (12 U.S.C. 1757) (8) (E) is amended by inserting "or the National Student Loan Association" immediately following "Government National Mortgage Association".

INAPPLICABILITY OF TRUTH IN LENDING ACT

Sec. 422. Section 104 of the Truth in Lending Act (15 U.S.C. 1603) is amended by adding the following new paragraph at the end thereof:

"(5) Loans under title II of the National Defense Education Act of 1958 or loans to which title IV of the Higher Education Act of 1965 is applicable".

EFFECTIVE DATE

Sec. 423. The amendments made by sections 420, 421, and 422 shall be effective with respect to fiscal years beginning after June 30, 1971.

PART C—CONSOLIDATION OF SPECIAL SERVICES PROGRAMS

Sec. 430. Title IV of the Higher Education Act is further amended by inserting after part D the following new part:

"PART E—IDENTIFYING QUALIFIED LOW-INCOME STUDENTS; PREPARED THEM FOR POSTSECONDARY EDUCATION; SPECIAL SERVICES FOR SUCH STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

"Sec. 461. (a) To assist in achieving the objectives of this part the Commissioner is authorized, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5), to make grants to, or contracts with, institutions of higher education, including institutions with vocational and career education programs, combinations of such institutions, public and private agencies and organizations (including professional and scholarly associations), and in exceptional cases secondary schools and secondary vocational schools, for planning, developing, or carrying out within the States one or more of the services described in subsection (c), except that no grant may be made to an agency, organization, institution, or school other than a public or nonprofit private one.

"(b) Such services shall be designed to enable youths from low-income backgrounds who have academic potential (but may lack adequate secondary school preparation or be physically handicapped) to enter, continue, or resume a program of postsecondary education.

"(c) Such services are—

"(1) publicizing existing forms of student financial aid;

"(2) identifying youths described in subsection (b) and encouraging them to complete secondary school and to undertake postsecondary education;

"(3) encouraging youths described in subsection (b) who have dropped out of secondary school or college to reenter educational programs, including programs of postsecondary education;

"(4) generating skills and motivation necessary for success in education beyond high school;

"(5) providing counseling, tutorial, or other educational services, including special summer programs, to remedy academic deficiencies;

"(6) providing career guidance, placement, or other student personnel services (including health services);

"(7) identifying, encouraging, and counseling students with a view to their undertaking a program of graduate or professional education; and

"(8) providing other special or supplemental services necessary to achieve the purposes set forth in subsection (b).

"(d) Enrollees who are participating on an essentially full-time basis in one or more services being provided under subsection (c) may be paid stipends, but not in excess of $30 per month except in exceptional cases as determined by the Commissioner.

"(e) There are authorized to be appropriated to carry out this part such sums as may be necessary for the fiscal year ending June 30, 1972, and each of the next four fiscal years."

EFFECTIVE DATE

Sec. 431. The amendments made by section 430 shall be effective with respect to fiscal years beginning after June 30, 1971.

TITLE V—AMENDMENTS TO TITLE V OF HIGHER EDUCATION ACT (EDUCATION PROFESSIONS DEVELOPMENT ACT)

PART A—AMENDMENTS TO PART A OF TITLE V

EXTENSION OF NATIONAL ADVISORY COUNCIL ON EDUCATION PROFESSIONS DEVELOPMENT AND PROGRAM FOR ATTRACTING QUALIFIED PERSONNEL TO THE FIELD OF EDUCATION

SEC. 501. (a) Section 502(f) of title V of the Higher Education Act of 1965 (the Education Professions Development Act) is amended by striking out "three" and inserting in lieu thereof "eight".

(b) Section 504(b) of such title is amended by striking out "and" before "the sum of $5,000,000" and inserting the following after "July 1, 1971": ", and such sums as may be necessary for each of the next five fiscal years".

PART B—AMENDMENTS TO SUBPART 1 OF PART B (TEACHER CORPS)

EXTENSON OF PROGRAM

SEC. 510. Section 511(b) of the Higher Education Act of 1965 is amended (1) by striking out "and" before "$100,000,000", and inserting the following after "July 1, 1971"; ", and such sums as may be necessary for each of the next five fiscal years".

PART C—AMENDMENTS TO SUBPART 2 OF PART B

EXTENSION OF PROGRAM

SEC. 520. Section 518(b) of the Higher Education Act of 1965 is amended by striking out "and" before "$65,000,000" and by inserting ", and such sums as may be necessary for each of the next five fiscal years" immediately after "July 1, 1971".

RETRAINING OF TEACHERS AND EMPLOYMENT OF TUTORS AND INSTRUCTIONAL ASSISTANTS

SEC. 521. Section 518(a) of such Act is amended by striking out "and" before "(2)" and by adding the following before the period: ", (3) to employ high school and college students as tutors or instructional assistants for educationally disadvantaged children, (4) to compensate such tutors and instructional assistants at such rates as the Commissioner may determine to be consistent with prevailing practices under comparable federally-supported work-study programs, and (5) to provide necessary training to teachers to enable them to teach other grades or other subjects in which such agencies have a teacher shortage".

REDUCING MINIMUM ALLOTMENT

SEC. 522. Section 519(a) of such Act is amended by striking out "$100,000" and inserting in lieu thereof "$50,000".

CONFORMING AMENDMENTS AND INCREASE IN AMOUNT AVAILABLE FOR ADMINISTRATION

SEC. 523. (a) Section 520(a)(2) is amended (A) by striking out "and (C)" and inserting in lieu thereof "(C) programs to such agencies to employ high school and college students as tutors or instructional assistance for educationally disadvantaged children, (D) programs of such agencies to compensate such tutors and instructional assistants at such rates as the Commissioner may determine to be consistent with prevailing practices under comparable federally-supported work-study programs, (E) programs of such agencies to provide necessary training to teachers to enable them to teach other grades or other subjects in which such agencies have a teacher shortage, and (F)", (B) by striking out "3" and inserting in lieu thereof "5", and (C) by inserting before the semicolon: "or, $20,000, whichever is greater."

(b) Section 520(a)(3) is amended by inserting "or for the retraining of teachers" immediately before the semicolon at the end thereof.

ELIMINATING CEILING ON AMOUNT FOR AIDES

SEC. 524. Section 520(a) of such Act is further amended by striking out paragraph (5) and designating paragraphs (6), (7), (8), and (9) as paragraphs (5), (6), (7), and (8), respectively, and by inserting in paragraph (5), as so redesignated, "is teaching, or" immediately after "because he".

PART D—AMENDMENTS TO PART D—IMPROVING TRAINING OPPORTUNITIES FOR NON-HIGHER EDUCATION PERSONNEL

EXTENSION OF PROGRAM

SEC. 530. Section 532 of the Higher Education Act of 1965 is amended by striking out and" before "the sum of $90,000,000" and inserting the following after "July 1, 1971": ", and such sums as may be necessary for each of the next five fiscal years".

SUPPORT OF TUTORS AND INSTRUCTIONAL ASSISTANTS

SEC. 531. Section 531(b) of such Act is amended by changing the period at the end thereof to a semicolon and by adding the following new paragraph:

"(11) program or projects to employ tutors or instructional assistants in preschool, elementary, and secondary school classes, especially for educationally disadvantaged children".

SEC. 532. Section 531(c) of such Act is amended by striking out "or" at the end of paragraph (1), by striking out the period at the end of paragraph (2) and inserting "; or" in lieu thereof, and by adding the following new paragraph:

"(3) compensating tutors and instructional assistants at such rates as the Commissioner may determine to be consistent with the prevailing practices under comparable federally supported work-study programs."

DEVELOPING AND STRENGTHENING PROGRAMS FOR THE EDUCATION OF TEACHERS AND RELATED EDUCATIONAL PERSONNEL

SEC. 533. Section 531(b) of such Act is further amended by changing the period at the end thereof to a semicolon, by adding "and" at the end of paragraph 11, and by adding the following new paragraph:

"(12) programs or projects (including cooperative arrangements or consortia between institutions of higher education, junior and community colleges, or between such institutions and State or local educational agencies and nonprofit education associations) for the development, expansion, or improvement of undergraduate programs for preparing educational personnel, including design, development, and evaluation of exemplary undergraduate training programs, introduction of high quality and more effective curricula and curricular materials, and the provision of increased opportunities for practicum teaching experience for prospective teachers in elementary and secondary schools."

SEC. 534. Section 531(c) of such Act, as amended by section 532 of this Act, is further amended by striking out the "or" at the end of paragraph (2) and the period at the end of paragraph (3), by inserting a semicolon and "or" at the end of paragraph (3), and by adding the following new paragraph:

"(4) projects or programs to develop, expand, or improve undergraduate and other programs for training educational personnel."

APPLICATION OF PART D TO INDIAN SCHOOLS

SEC. 535. Section 532 of the Higher Education Act of 1965 is amended by inserting "(a)" after "SEC. 532." and by inserting at the end thereof the following new subsection:

"(b) From the sums appropriated pursuant to subsection (a), the Commissioner may also make payments to the Secretary of the Interior to carry out the policy of this part with respect to persons preparing to serve as teachers of individuals on reservations serviced by elementary and secondary schools for Indian children operated or supported by the Department of the Interior. The terms upon which payments for that purpose may be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the policy of this part."

PART B—CONSOLIDATION OF TITLE IV OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958 WITH PART E OF TITLE V OF THE HIGHER EDUCATION ACT OF 1965 (EDUCATION PROFESSIONS DEVELOPMENT ACT)

EXTENSION OF PROGRAM

SEC. 540. Section 543 of the Higher Education Act of 1965 is amended by striking out "and" before "the sum of $36,000,000" and inserting the following after "July 1, 1971": ", and such sums as may be necessary for each of the next five fiscal years".

BROADENING CLASS OF INSTITUTIONS FOR WHICH PERSONNEL MAY BE TRAINED

SEC. 541. (a) Section 541(a) of such Act is amended by striking out "institutions of higher education" as it appears immediately before the period and inserting in lieu thereof "postsecondary institutions".

(b) Section 541(b) of such Act is amended by striking out "fellowships which are eligible for support under title IV of the National Defense Education Act of 1958, or for".

(c) Section 541(c) is amended by striking out "institutions of higher education" and inserting in lieu thereof "post secondary institutions".

PROVISION FOR INSTITUTIONAL ALLOWANCE

SEC. 542. Section 542 is amended by striking out "Sec. 542." and inserting in lieu thereof "Sec. 542. (a)" and by adding at the end thereof the following new subsection:

"(b) Any arrangement with an institution of higher education under this part that authorizes the payment of stipends pursuant to subsection (a) of this section shall also provide that the Commissioner shall pay to such institution such amount as he may determine to be consistent with prevailing practices under comparable federally supported programs, except that such amount shall not exceed $3,500 per academic year for each person receiving a stipend pursuant to the arrangement."

SAVINGS PROVISIONS

SEC. 543. Effective July 1, 1971, title IV of the National Defense Education Act of 1958 is repealed, except that in the case of any individual who was awarded a fellowship pursuant to such title for which payments for the first academic year of such fellowship were made or to be made from appropriations for any fiscal year ending before July 1, 1971, payments with respect to such fellowships shall continue to be made for periods after June 30, 1971, from appropriations under Part E of title V of the Higher Education Act of 1965, but under the same terms and conditions and for the same period of time as though such title IV had not been repealed.

PART F—AMENDMENT TO PART F—TRAINING AND DEVELOPMENT OF VOCATIONAL PERSONNEL

EXTENSION OF PROGRAMS

SEC. 550. Section 555 of the Higher Education Act of 1965 is amended by striking out "and" before "the sum of $35,000,000" and inserting the following after "June 30, 1970": ", and such sums as may be necessary for each of the next six fiscal years."

EFFECTIVE DATE

SEC. 551. Except as otherwise expressly provided, the amendments made by this title shall be effective with respect to fiscal years beginning after June 30, 1971.

TITLE VI—REPEAL OF TITLES VI, VIII, IX, X, AND XI OF THE HIGHER EDUCATIONAL ACT

SEC. 601. Title VI of the Higher Education Act of 1965, pertaining to improvement of undergraduate instruction, title VIII of such Act, pertaining to networks for knowledge, title X of such Act, pertaining to improvement of graduate programs, and title XI of such Act, pertaining to law school clinical experience programs, are, effective July 1, 1971, repealed.

TITLE VII—AMENDMENTS TO GENERAL PROVISIONS

Sec. 701. (a) Title XII and sections 1201 through 1210 of the Higher Education Act of 1965, and all references thereto, are redesignated as title VIII and sections 801 through 810 of such Act, respectively.

(b) Title VIII of such Act, as redesignated by this Act, is amended by inserting at the end thereof the following new section:

"UNIFORM APPLICATION REQUIREMENTS

"Sec. 811. Any application for assistance under titles II, III, or V submitted to the Commissioner by an institution of higher education or other eligible applicant shall not be approved unless it contains assurances satisfactory to the Commissioner that—

"(1) Federal funds made available under such title for any fiscal year will be so used as to supplement, and to the extent practical, increase the fiscal effort that would, in the absence of such Federal funds, be made by the applicant for purposes which meet the requirements of such title, and in no case supplant such effort;

"(2) such fiscal control and fund accounting procedures have been adopted as may be necessary to assure proper disbursement of and accounting for Federal funds paid under such title;

"(3) procedures have been adopted (A) for the periodic evaluation of the effectiveness of the programs to be supported under such title, and (B) for appropriate dissemination of the results of such evaluation; and

"(4) the applicant (A) will make such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under such title and to determine the extent to which funds provided under that title have been effective in carrying out its purposes (including reports of evaluations), and (B) will keep such records and afford such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports."

EFFECTIVE DATE

Sec. 702. The amendments made by section 701 shall be effective July 1, 1971.

TITLE VIII—AMENDMENTS TO HIGHER EDUCATION FACILITIES ACT

EXTENSION OF PROGRAM

Sec. 801. (a) The first sentence of section 101(b) of the Higher Education Facilities Act of 1963 is amended by striking out "and" before "$936,000,000" and by inserting ", and such sums as may be necessary for each of the next two fiscal years" immediately before the period.

(b) Section 105(b) of such Act is amended by striking out "four" and inserting in lieu thereof "six".

(c) The second sentence of section 201 of such Act is amended by striking out "and" before "the sum of $120,000,000" and by inserting ", and such sums as may be necessary for each of the next two fiscal years" immediately before the period.

(d) The second sentence of section 303(c) of such Act is amended by striking out "and" before "the sum of $400,000,000" and by inserting ", and such sums as may be necessary for each of the next two fiscal years" immediately before the period.

(e) Section 306(c) of such Act is amended by inserting "and on July 1 of each of the next two years" immediately after "July 1, 1970".

(f) Section 408(a) of such Act is amended by striking out "July 1, 1971" and inserting in lieu thereof "July 1, 1973".

NEW PROGRAM OF INSURED LOANS FOR CONSTRUCTION OF NONPROFIT PRIVATE ACADEMIC FACILITIES

Sec. 802. Title III of the Higher Education Facilities Act of 1963 is amended by inserting immediately after section 306 the following:

"ACADEMIC FACILITIES LOAN INSURANCE

"Sec. 307. (a) In order to assist nonprofit private institutions of higher education and nonprofit private higher education building agencies to procure loans for the construction of academic facilities, the Commissioner may insure the payment of interest and principal on such loans if such institutions and agencies meet, with respect to such loans, criteria prescribed by or under section 306 for the making of annual interest grants under such section.

"(b) No loan insurance under subsection (a) may apply to so much of the principal amount of any loan as exceeds 90 per centum of the development cost of the academic facility with respect to which such loan was made.

"RIGHT OF RECOVERY AND INCONTESTABLE NATURE OF INSURANCE

"Sec. 308. (a) The United States shall be entitled to recover from any institution or agency to which loan insurance has been issued under section 307 the amount of any payment made pursuant to that insurance, unless the Commissioner for good cause waives its rights of recovery. Upon making any such payment, the United States shall be subrogated to all of the rights of the recipient of the payment with respect to which the payment was made.

"(b) Any insurance issued by the Commissioner pursuant to section 307 shall be incontestable in the hands of the institution or agency on whose behalf such insurance is issued, and as to any agency, organization, or individual who makes or contracts to make a loan to such institution or agency in reliance thereon, except for fraud or misrepresentation on the part of such institution or agency or on the part of the agency, organization, or individual who makes or contracts to make such loan.

"CONDITIONS

"Sec. 309. Insurance may be issued by the Commissioner under section 307 only if he determines that the terms, conditions, maturity, security (if any), and schedule and amounts of repayments with respect to the loan are sufficient to protect the financial interests of the United States and are otherwise reasonable and in accord with regulations, including a determination that the rate of interest does not exceed such per centum per annum on the principal obligation outstanding as the Commissioner determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the United States. The Commissioner may charge a premium for such insurance in an amount reasonably determined by him to be necessary to cover administrative expenses and probable losses under sections 307 and 308. Such insurance shall be subject to such further terms and conditions as the Commissioner determines to be necessary."

MAKING REVOLVING LOAN FUND AVAILABLE FOR LOAN INSURANCE

Sec. 803. (a) Section 305 of such Act is amended—

(1) by striking out the heading therefor and inserting "Revolving Loan and Insurance Fund" in lieu thereof;

(2) by inserting "and loan insurance" immediately after "academic facilities loans" in the first sentence thereof; and

(3) by inserting "or loan insurance" immediately following "any loans" in the second sentence thereof.

(b) Section 303(c) of such Act is amended—

(1) by inserting "and may insure loans" immediately after "academic facilities" in the first sentence thereof;

(2) by inserting "and for issuing such insurance" immediately after "such loans" in the third sentence thereof; and

(3) by inserting "and for insurance" immediately after "for loans" in the last sentence thereof.

EFFECTIVE DATE

Sec. 804. The amendments made by sections 801 and 802 shall be effective July 1, 1971, and the amendments made by section 803 shall be effective as if enacted on the date of enactment of section 805 of such Higher Education Facilities Act.

TITLE IX—EXTENSION OF PROGRAM UNDER TITLE VI OF NATIONAL DEFENSE EDUCATION ACT

Sec. 901. Title VI of the National Defense Education Act of 1958 is amended—

(a) in section 601 by striking out "1971" both places it appears and by inserting in lieu thereof "1973"; and

(b) in section 603 by striking out "and" before "$38,500,000" and by inserting "and such sums as may be necessary for each of the next two fiscal years" immediately after "June 30, 1971,".

EFFECTIVE DATE

Sec. 902. The amendments made by section 901 shall be effective July 1, 1971.

TITLE X—NONDISCRIMINATION ON THE GROUND OF SEX IN FEDERALLY ASSISTED EDUCATION PROGRAMS

DISCRIMINATION PROHIBITED

Sec. 1001. (a) No person in the United States shall, on the ground of sex, be discriminated against by a recipient of Federal financial assistance for any education program or activity. The preceding sentence shall not, however, preclude differential treatment based upon sex where sex is a bona fide ground for such differential treatment.

(b) No recipient of Federal financial assistance for an education program or activity shall, because of an individual's sex,

(1) discharge that individual, fail or refuse to hire (except in instances where sex is a bona fide occupational qualification) that individual or otherwise discriminate against him or her with respect to compensation, terms, conditions, or privileges of employment; or

(2) limit, segregate, or classify employees in any way which would deprive or tend to deprive that individual of employment opportunities or otherwise adversely affect his or her status as an employee.

ENFORCEMENT

Sec. 1002. (a) Each Federal department and agency which is empowered to extend Federal financial assistance to any education program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 1001 with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. No such rule, regulation, or order shall become effective unless and until approved by the President.

(b) Compliance with any requirement adopted pursuant to subsection (a) may be effected (1) by the termination of or refusal to grant or to continue assistance to any recipient as to whom there has been an express finding on the report, after opportunity for hearing, of a failure to comply with such requirement, but such termination or refusal shall be limited to the particular political entity, or part thereof, or other recipient as to whom such a finding has been made and such noncompliance has been so found, or (2) by any other means authorized by law: *Provided, however,* That no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirement and has determined that compliance cannot be secured by voluntary means.

(c) In the case of any action terminating, or refusing to grant or continue, assistance because of failure to comply with a requirement imposed pursuant to subsection (a), the head of the Federal department or agency shall file with the committees of the House and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action. No such action shall become effective until thirty days have elapsed after the filing of such report.

JUDICIAL REVIEW

SEC. 1003. Any department or agency action taken pursuant to section 1002 shall be subject to such judicial review as may otherwise be provided by law for similar action taken by such department or agency on other grounds. In the case of action, not otherwise subject to judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to comply with any requirement imposed pursuant to section 1002, any person aggrieved (including any State or political subdivision thereof and any agency of either) may obtain judicial review of such action in accordance with chapter 7 of title 5, United States Code, and such action shall not be deemed committed to unreviewable agency discretion with the meaning of the chapter.

PRESERVATION OF EXISTING AUTHORITY

SEC. 1004. Nothing in this title shall add to or detract from any existing authority with respect to any education program or activity under which Federal financial assistance is extended by way of a contract of insurance or guaranty.

DEFINITION

SEC. 1003. For the purposes of this title, the term "education" includes pre-school, elementary, secondary, and postsecondary education.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
February 26, 1971.

Hon. CARL ALBERT,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: We are transmitting herewith for appropriate consideration a draft bill "To extend and amend the Higher Education Act of 1965, and for other purposes."

In his message on higher education of February 22, the President stated:

"I repeat the commitment which I made in my message of last year: that no qualified student who wants to go to college should be barred by lack of money. The program which I am again submitting this year would benefit approximately one million *more* students than are currently receiving aid. It would assure that Federal funds go first, and in the largest amounts, to the neediest students, in order to place them on an equal footing with students from higher-income families. The budget I submitted in January provides funds for these reforms and stands behind the commitments of this administration. Failure to pass this program would not only deny these benefits to many students, but also would limit their opportunity to make major choices about their lives."

The draft legislation we are submitting today is designed to meet these objectives.

Most of the higher education statutes administered by this Department will expire on June 30 of this year. In order for both students and institutions to be able to plan for the coming academic year, it is imperative that the legislation proposed in this bill be enacted as soon as possible. Thus, we urge that this proposal be given early favorable consideration.

Details of the proposal are described in the enclosed sectional analysis of the draft bill.

We are advised by the Office of Management and Budget that enactment of this proposal would be in accord with the program of the President.

Sincerely,

ELLIOT L. RICHARDSON,
Secretary.

Growth in funding of the grant/work-study programs

[Dollars in millions]

Academic years:	
1970–71	$343
1971–72	575
1972–73	635

Expanding (NDEA) subsidized loans: Dollars available to students

[In millions]

Present program, academic year 1970–71:	
Institutional matching	$27
Revolving fund	105
Federal capital contribution	237
Total available	369
Federal cost	237
Proposed program, academic year 1971–72:	
Cost of education loans	250
Revolving fund	140
Private capital	800
Total available	1,190
Federal cost	85

Number of students benefited

[In millions]

Subsidized programs:	
Academic year 1970–71	1.6
Academic year 1971–72	2.5
Unsubsidized guaranteed Loans:	
Academic year 1970–71	.025
Academic year 1971–72	1.0

About 300,000 additional students from upper income families were aided under the guaranteed loan program.

FAMILY CONTRIBUTION BY INCOME LEVELS AND NUMBER OF CHILDREN IN THE FAMILY

Income levels	Family contribution by number of children				
	(1)	(2)	(3)	(4)	(5)
$3,000	0	0	0	0	0
$4,000	$300	$110	0	0	0
$5,000	530	320	$160	0	0
$6,000	750	540	350	$220	$140
$7,000	990	750	530	390	310
$8,000	1,220	950	710	560	480
$9,000	1,460	1,150	890	720	640
$10,000	1,690	1,350	1,060	890	800
$11,000	1,920	1,540	1,230	1,040	890
$12,000	2,150	1,730	1,400	1,190	1,090

Note: Family contribution, as well as the amount of available resources, would vary as family income is weighted to reflect the number of children in the family, the number of children in college, extraordinary family expenses, and capital assets.

BENEFITS AVAILABLE TO STUDENTS BY THEIR EXPECTED FAMILY CONTRIBUTION

Family contribution	Grant/work-study support	Subsidized loans	Cost of education loans	Total
$0	$1,000	$400	$1,500	$2,900
$200	800	400	1,500	2,900
$400	600	400	1,500	2,90
$600	400	400	1,500	2,90
$800	200	400	1,500	2,90
$1,000	0	400	1,500	2,90
$1,200	0	200	1,500	2,90

Note: These Federal support levels can be supplemented by: 1. Institutional student assistance; 2. Students summer earnings; 3. State and private student assistance; 4. Federally guaranteed loans.

MAJOR OBJECTIVES OF THE PROPOSED PROGRAM

Provide sufficient grant, work, and loan support to allow every low-income student to attend postsecondary education.

Provide additional subsidized aid to help student attending higher cost institutions.

Help institutions of higher education equalize the distribution of federal student aid.

Reduce, refine, and redirect interest subsidies in the guaranteed student loan program.

Tap private capital market for support of student loan program.

Create secondary market mechanism to buy and sell blocks of student loan notes and increase the availability of loan capital.

SECTION-BY-SECTION ANALYSIS: HIGHER EDUCATION OPPORTUNITY ACT OF 1971

TITLE I—AMENDMENTS TO TITLE I OF THE HIGHER EDUCATION ACT (COMMUNITY SERVICE AND CONTINUING EDUCATION)

Section 101. Extension of Program:

Section 101 of the bill amends section 101 of the HEA by extending the authorization for appropriations for two years, through Fiscal Year 1973, at such sums as may be necessary.

Section 102 makes the amendments made by section 101 effective July 1, 1971.

TITLE II—AMENDMENTS TO TITLE II OF THE HIGHER EDUCATION ACT (COLLEGE LIBRARY ASSISTANCE)

Section 201. Extension of Program and Reduction of Percentage to be Used for Basic Grants:

Section 201 amends Title II by—

(1) extending the authorization for appropriations for Part A for two years (through June 30, 1973) at such sums as may be necessary;

(2) inserting "particularly developing institutions as defined in title III and community colleges" after "institutions of higher education" in section 201. This language deals with eligible recipients of grants under Part A and emphasizes the eligibility of these institutions to receive grants under Title II.

Section 202. Increase in Percentage of Funds to be Used for Special Purpose and Supplemental Grants:

Section 202 amends Title II by—

(1) reducing the percentage of funds available for basic grants from 75 percent to 50 percent of funds appropriated under section 201. The 25 percent differential is made available for special purpose grants under section 204;

(2) repealing sections 201(c) and 201(d) pertaining to assurances required in grant applications, and adding a new 201(c) which requires that applications meet the requirements of section 811. (Section 811 is added by the bill and standardizes assurances required for grants under titles II, III, and V); and

(3) increasing the percentage of funds available for grants under 201(a)(2) from 60

percent of funds available under 204(a)(1) to 80 percent of such funds. (The effect of this amendment, together with (1) above, is to increase the amount of funds available from a maximum of 15 percent of the funds appropriated under section 201 to 40 percent of the funds.)

Section 203. Repeal of Research Provision:

Section 203 of the bill repeals section 224 of the HEA relating to research. This section duplicates authority contained in the Cooperative Research Act which can be used to fund similar activities.

Section 204. Extension of Training Provision and Transfer to Education Professions Development Act:

Section 204 in subsection (a) amends Title II by—

(1) redesignating Part B (Library and Training Research) as "Part G—Library Training";

(2) repealing section 225 of the HEA;

(3) and by transferring the remaining sections of the redesignated Part G to Title V of the HEA (the Education Professions Development Act).

Subsection (b) of section 204 extends the authorization for activities under the new Part G for five years, through FY 1976, at such sums as may be necessary.

Section 205. Repeal of Library of Congress Provision:

Section 205 amends Title II of the HEA by repealing Part C which currently authorizes transfer of funds to the Library of Congress. These activities will be funded from Library of Congress appropriations.

Section 206. Change of Headings:

Section 206 amends Title II of the HEA by repealing the current heading of Part A (College Library Resources) and by amending the heading of the entire title to read "Academic Library Assistance."

Section 207. Effective Date:

Section 207 provides that the amendments made in Title II of the bill shall be effective with respect to fiscal years beginning after June 30, 1971.

TITLE III—AMENDMENTS TO TITLE III OF THE HIGHER EDUCATION ACT (STRENGTHENING DEVELOPING INSTITUTIONS)

Section 301. Extension of Program:

Section 301 of the bill amends Title III of the HEA by extending the authorization for funds for five years through FY 1976, at such sums as may be necessary.

Section 302. Miscellaneous Amendments:

Subsection (a) of section 301 amends section 304(b) by striking out 304(b) (3) and (4) and by amending 304(b)(2) to read "meets the requirements of section 811." These sections pertain to assurances required in grant applications. Section 811 standardizes these assurances for titles II, III, and V.

Subsection (b) of section 301 amends section 302(d) to provide that only institutions which provide a bachelor's degree must meet the requirements of sections 302(a) and 302 (b) for five years before such institutions may meet the definition of "developing institutions"; and by striking out "(other than developing institutions)" from section 306 to allow professors emeritus from developing institutions to receive grants under this section.

Section 303. Effective Date:

Section 303 provides that the amendments made by Title III of the bill shall be effective with respect to fiscal years beginning after June 30, 1971.

TITLE IV—AMENDMENTS TO TITLE IV OF HIGHER EDUCATION ACT (STUDENT ASSISTANCE)

Part A—New programs for provision of financial assistance to students

Section 401 of the bill amends Title IV of the HEA in the following manner:

(1) by repealing Part C (Work-Study Programs);

(2) by redesignating Part B as Part C;

(3) by redesignating Parts E and F as F and G respectively;

(4) by repealing section 463 and redesignating sections 461, 462, 464, and 469 as sections 471, 472, 473, and 474 respectively;

(5) by making conforming amendments in the redesignated section 473, and

(6) by adding a new Part A, General Provisions for Student Assistance.

Section 400 of the new Part A (findings and statement of purpose) states that Congress has found it in the National interest to assist in making available the benefits of postsecondary education to all qualified students who, for lack of financial means of their own or of their families, would be unable to obtain those benefits without such assistance. The section further states that it is the purpose of title IV to provide assistance to students, in the form of grants, loans, and compensation, so that no person capable of benefiting from postsecondary education will be denied it because of financial inability to meet basic postsecondary educational costs.

Section 401 (grants work-study payments, and subsidized loans) states that it is the purpose of Part A to establish general criteria to be used by eligible institutions in providing assistance in the forms of EOG's work-study payments, and subsidized loans under Part C. The objective of these criteria is to insure that these forms of assistance will be made available to qualified students in need attending eligible institutions. Such criteria are to be designed to provide a basis for students and potential students to ascertain their eligibility for financial assistance.

Section 402 (basic eligibility for, and amounts of, grants, work-study payments, and resource equalizing loans) in subsection (a) provides that the Secretary shall determine each year the (A) maximum expected family contribution below which students will be eligible for EOG's and work-study payments ("grant eligibility limit") and (B) the maximum expected family contribution below which students will be eligible for subsidized loans under Part C ("loan eligibility limit"). These determinations are to be made after consultation with the Advisory Council on Financial Aid to Students established by section 474.

A student with an expected family contribution which is less than the grant eligibility limit would be eligible for a grant or work-study payments) in accordance with Part B and for a loan on which an interest subsidy is payable in accordance with section 428(a)(2). A student with an expected family contribution between the loan and grant eligibility limits would be eligible for a subsidized loan only.

Subsection (b) of section 402 provides that a student who meets the requirements of section 405 and of Part B would be eligible for a grant (or the Federal share of work-study payments) equal to the grant eligibility limit less his expected family contribution (as determined by the institution providing the assistance).

Loan amounts would be equal to the loan eligibility limit less the sum of (a) the student's expected family contribution plus (b) the amount of any grant of other payment under Part B which the student receives for the year.

Subsection (c) of section 402 provides that a student shall be eligible for an insured loan under Part C in addition to any assistance described in Part A.

Subsection (d) of section 402 provides that the determination of a student's family income is to be made, pursuant to regulations, by the institution to which he has made an application for assistance and in which he is enrolled or to which he has been admitted.

A student's expected family contribution is defined as an amount which a family is reasonably able to contribute toward the cost of a student's postsecondary education, as determined under criteria of the Secretary. Such criteria are to prescribe schedules for the determination of family contributions which take into account varying family incomes, number of dependents, number of dependents in school, family assets, and other pertinent factors. Such criteria are also to provide for determining eligibility for assistance of students who are self-supporting.

Subsection (e) of section 402 authorizes the Secretary to establish by regulation criteria which would allow institutions to provide financial assistance to a student under Part A in an amount greater than that determined under subsection (b) where the institution finds that special circumstances pertaining to a student of exceptional financial need would render the application of the regular criteria inequitable.

Section 403 (allocation of funds to eligible institutions) would authorize the Commissioner to establish application procedures for allocation of funds appropriated for section 402. The allocation of funds to each eligible institution would reflect an estimate of the total amount of EOG's, work-study payments, and subsidies on loans for which the applying institution would be eligible.

The Commissioner would be authorized to reduce allocations to institutions if institutional estimates exceeded funds available for allocation; however, any such reduction would be made in a manner most likely to achieve an equitable geographical distribution of allocations and to preserve, to the fullest possible extent, payments to students with the lowest expected family contribution.

Section 404 (eligiblity of students for cost of education loans and allocation of loan volume to institutions) would authorize the payment of subsidized loan to any student who:

(a) meets the eligibility requirement of section 405;

(b) has an expected family contribution of less than the loan eligibility limit; and

(c) needs financial assistance, in addition to any aid available to him under section 402, in order to meet the reasonable and necessary expenses at the institution which he is attending.

Such subsidized loans would be for an amount not to exceed the reasonable and necessary expenses of the institution, less any amount received under section 402, but in no case could such a loan be made for an amount greater than $1,500.

Subsection (b) of section 404 establishes the manner in which the aggregate dollar amount of loans is to be set for eligible institutions. The allocation to an institution would be based on the institution's estimate of the dollar amount of loans for which students enrolled or accepted would be eligible, reduced ratably to reflect the amount of funds available for paying subsidies on loans.

Section 405 (recipients of financial assistance) would provide that a student may receive a grant, work-study payments, or a subsidized loan under title IV only if he had been accepted for enrollment as a full-time undergraduate or vocational student at an eligible institution or, in the case of a student already attending such an institution, is in good standing and in full-time attendance there as an undergraduate or vocational student.

In addition, the institution must determine that the student—

(a) shows capability of maintaining good standing in his course of study;

(b) meets the criteria for eligibility under which such assistance is to be made; and

(c) would not, but for such assistance, be financially able to pursue a course of study at such institution.

Section 406 (substitution of NDEA loans) would authorize making a loan under title

II of the NDEA instead of a subsidized loan under Part A.

Section 407 (limitation) would limit the total amount of all funds received by a student under title IV in an academic year to the reasonable and necessary expenses incurred at the eligible institution.

Section 408 (eligible institutions) would define "eligible institutions" as follows for the purposes of Parts A and B:

(a) an institution of higher education as defined in section 435(b);

(b) a proprietary institution of higher education as defined in section 471(b); or

(c) a vocational school as defined in section 435(c) which is (1) a public school or institution in any State (other than a school or institution of any agency of the United States), or (2) a nonprofit school or institution in any State.

Section 409 (eligibility for assistance of students enrolled in institutions on date new programs became effective) would provide that students who are enrolled on the date of enactment of the Higher Education Facilities Act and are receiving assistance under Parts A or C (of Title IV HEA) or Title II NDEA (as in effect prior to the date of enactment) will be eligible for EOG's, work-study payments, or subsidized loans on a basis at least equivalent to that upon which they would have received assistance under such authorities.

If the enactment date falls on a date which is not part of an academic year with respect to a student (e.g. summer vacation) and the student received such assistance during the academic year ending prior to such date, similar protection would apply.

Section 410 (appropriations authorized) would authorize such sums as necessary for Fiscal Year 1972 and the next four fiscal years for payments under sections 402 and 404. Thereafter, such sums as necessary are authorized to enable the Commissioner to make payments with respect to subsidized loans made prior to July 1, 1976. Sums would remain available until expended.

Section 402. Conforming Amendment:

Section 402 of the bill makes a conforming amendment to section 421(b)(2) of the HEA.

Section 403. New Part B:

Section 403 of the bill would insert as Part B of title IV the following:

Part B—Educational opportunity grants and work-study payments

Section 411 (educational opportunity grants) would authorize eligible institutions to award Educational Opportunity Grants to undergraduate or vocational students and would authorize eligible institutions to substitute an EOG in whole or in part in lieu of work-study payments.

Subsection (b) of section 411 would limit the award of Educational Opportunity Grants to a maximum of four academic years, except where:

(1) the course of study is leading to a first degree and is designed to extend for five years, or

(2) the student would be unable to complete the course of study in four years because of a requirement that he enroll in a noncredit remedial course of study.

In either case, an Educational Opportunity Grant may be awarded for one additional year.

"Noncredit remedial course of study" would be defined as a course of study for which no credit is given toward an academic degree, and which is designed to increase the ability of the student to engage in an undergraduate course of study leading to such a degree.

Subsection (c) of section 411 would limit payments of EOG's under Part B to periods during which the recipient:

(1) is maintaining satisfactory progress in his course of study, according to the regularly prescribed standards and practices of the institution from which he receives such grant; and

(2) is devoting essentially full-time to the course of study. Failure to be in attendance during vacation periods or periods of military service shall not be deemed contrary to this provision.

Section 412 (work-study programs) would authorize eligible institutions to pay for the part-time employment of their students through programs of work-study, in work for the institution itself (except for proprietary schools) or work in the public interest in a public or nonprofit private organization if such work:

(1) will not result in displacement of employed workers or impair existing contracts for services;

(2) will be governed by such conditions of employment as will be appropriate and reasonable in light of such factors as type of work performed, geographical region, and proficiency of the employee; and

(3) does not involve the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship.

Subsection (b) of section 412 would limit work-study employment to a maximum of an average of 15 hours per week during a semester during which classes in which the student is enrolled are in session. Periods during which the student is on vacation or any period of additional nonregular enrollment are to be excluded in computing the average. Employment under a work-study program during such periods shall be allowed only to the extent authorized by regulations issued by the Commissioner.

Section 413 (work-study benefits in lieu *of grant assistance*) would provide that the Commissioner may prescribe that a portion of the assistance that an eligible institution would otherwise make available in the form of EOG's may be made available as work-study payments. Subject to regulations, institutions may, at their election, make work-study payments available in whole or in part in lieu of EOG's.

Subsection (b) of section 413 would provide that such substitution may not be made unless—

(1) work-study payments are made on a basis which provides the student with net earnings from the Federal share of such payments equal to the amount of the Educational Opportunity Grants he would have received if such an election had not been made; and

(2) the criteria for making such elections are applied uniformly and are determined by the Commissioner to be consistent with such standards as he may prescribe by regulation.

Subsection (c) of section 413 would authorize a student who has been offered work-study instead of an EOG to elect to receive a subsidized loan under Part C, or a National Defense Student Loan, in the amount of the Federal share of the proffered work-study payments. If the student accepts such a loan, the amount allocated to the institution under section 403 would be adjusted in accordance with regulations of the Commissioner.

Section 414 (agreements with institutions) would prescribe the elements of an agreement which an eligible institution would have to make with the Commissioner in order to receive funds for EOG's or work-study payments. Such agreement would:

(1) provide that the funds received under Part B would be used in accordance with the provisions of Parts A and B;

(2) provide that institutions would conduct a program of Educational Opportunity Grants in accordance with section 411;

(3) provide that the institution will operate a program of work-study in accordance with sections 412 and 413, and that the Federal share of such payments will not exceed 80 percent (except as provided in (b) below).

(4) include procedures satisfactory to the Commissioner to assure that each student eligible for a subsidized loan (or NDSL) in accordance with section 402 will be able to obtain such a loan in the amount for which he is eligible, including provision for loans by the institution to students unable to obtain such loans readily from other eligible lenders;

(5) include, in the case of proprietary schools, assurances that the availability of assistance has not increased, and will not increase, the tuition, fees, and other charges to such students; and

(6) include such other provisions as the Commissioner deems necessary or appropriate.

Subsection (b) of section 414 would authorize a Federal share of work-study payments greater than 80 percent when the Commissioner determines by regulation that such a larger share is required in furtherance of Part B. The following are to be deemed in such furtherance:

(1) the work-study program of an eligible institution in which not less than 50 percent of the students are from low-income families;

(2) programs involving the counseling or tutoring of the educationally disadvantaged; or

(3) any project of community service with respect to which a limitation of 80 percent would impose unusual hardship on the eligible institution or the organization for which such project is performed; or

(4) payment of the non-Federal share would result in a student receiving funds in excess of the limitation imposed by section 407.

Section 415 (expenses of administration) in subsection (a) would authorize an institution which is receiving funds under section 403 to use three percent, or $125,000, whichever is lower, of the aggregate amount of EOG's and work-study payments for payment in lieu of reimbursement for administrative expenses.

Subsection (b) of section 415 would authorize the use of a portion of the sums received for administrative costs of demonstrating, or exploring the feasibility of, a program of cooperative education involving alternate periods of full-time study and full-time work.

Section 404. Effective Date:

Section 404 of the bill would provide that amendments made by sections 401, 402, and 403 of the bill would become effective with respect to fiscal years which begin after June 30, 1971.

Part B—Amendment to student loan insurance program

Section 405. Interest Terms to Borrowers Eligible for Subsidized Loans; Secretary to Establish Maximum Interest Rates; Position of Eligible Institution As Eligible Lender Strengthened; Negotiability of Student Obligations:

Section 405(a)(1) replaces section 428(a) of the HEA (pertaining to Federal payment of interest costs) with a new subsection (a).

In brief, this new subsection provides that any student who receives a loan after June 30, 1971 which is (1) insured by the Commissioner; (2) made under a State loan program meeting criteria prescribed by the Commissioner; or (3) is insured under a State or nonprofit private agency program, shall be entitled to have paid on his behalf, if he is eligible under Part A, an interest subsidy.

The subsidy shall be equal to:

(1) the total amount of interest which accrues prior to the beginning of the loan repayment period or which accrues when no principal payment need be made (military service, Peace Corps, etc); and

(2) the difference between the per annum interest rate on the unpaid balance of the loan and three percent of such unpaid balance for a period of ten years, beginning with the date the loan repayment commences.

Loan holders would be required to file information with the Commissioner to enable him to determine the amount of subsidy payable. Loan holders would be deemed to have a contractual right to receive interest payments authorized under this section.

No payment could be made under section 428 towards a loan made under title II NDEA.

Subsection (b) of section 405 makes a conforming amendment to section 437.

Subsection (c)(1) of section 405 would amend section 427(b) to allow the Secretary to set the maximum rate of interest on guaranteed student loans at a rate not less than the average annual rate on all inerest-bearing obligations of the United States forming a part of the public debt, as computed at the end of the fiscal year preceding the year for which such rates are prescribed. The Secretary is to consult with the Secretary of the Treasury and the National Student Loan Association.

Subsection (c)(2) makes a conforming amendment to 427(a)(2)(D).

Subsection (c)(3) makes a conforming amendment to 428(b)(1)(E).

Subsection (c)(4) makes a conforming amendment to 428(d)(1).

Subsection (d)(1) would amend section 423(a) to provide that the Commissioner shall not issue certificates of insurance under section 429, except with respect to loans by eligible institutions, when he determines that reasonable access to a State or private nonprofit loan insurance program exists. This provision would strengthen the position of eligible institutions as eligible lenders by allowing these institutions to have loans insured by the Commissioner even if they are in an area otherwise covered by a State or nonprofit private loan insurance program.

Subsection (d)(2) would amend section 429(d) to allow assignment of rights arising under insurance evidenced by a certificate of insurance, subject to regulations of the Commissioner.

Section 406. Increase and Other Adjustments in Loan Ceilings:

Section 406(a) of the bill would replace section 425 (pertaining to limitations on individual Federally insured loans and on Federal loan insurance) with a new section 425.

Subsection (a) of the new section 425 would limit the total amount of loans made to any student and eligible for insurance by the Commissioner to $2,500 per academic year less (1) any loan made to the student under a State loan program during such academic year or (2) any insured loan made by a State or nonprofit private agency or organization which has entered into an agreement with the Commissioner under 428(b) or (c). A student would be eligible to receive loans insured by the Commissioner for seven academic years less the number of academic years in which he has received loans described in the previous sentence.

Subsection (b) of the new section 425 would provide that, subject to the limitations in (a), the maximum amount of a loan on which an interest subsidy is payable under Part A shall be determined by the Secretary; and that the maximum amount of a loan to any student insured by the Commissioner is limited to the reasonable and necessary expenses incurred by the student (reasonable and necessary to be determined by institution). A student would be entitled to a statement from the eligible institution which shows the maximum loan and the estimate of reasonable and necessary expenses.

Subsection (c) of the new section 425 would provide that the insurance liability on any loan insured by the Commissioner is to be 100 percent of the unpaid balance of the principal, excluding any interest, except as specified elsewhere.

Subsection (b) of section 406 makes conforming amendments to sections 428(b)(1)(A), (B), and (H) to reflect changes made by the new section 425.

Section 407. Deferral of Interest and Principal Payments:

Section 407(a)(1) would redesignate 427(a)(2)(E), (F) and (G) as (F), (G) and (H) and add a new clause (E) which would authorize a student borrower, with the agreement of the lender, to defer interest and principal payments for a period not to exceed five years. Deferred interest would accrue and be added to the principal on the date that repayment was to begin. Any insurance liability would be increased by the amount of the deferred accrued interest.

Subsections 407(a)(2) and (3) would make conforming amendments to 427(a)(2)(D) and (C) respectively.

Subsection 407(b)(1) would add a new clause(L) to 428(b)(1) which would provide that periodic repayment of interest and principal on loans need not be made, but interest would accrue, while the borrower:

(1) was pursuing a full-time course of study at an eligible institution;

(2) was in the Armed Forces of the United States (for a period not to exceed three years);

(3) was a Peace Corps volunteer (for a period not to exceed three years); or

(4) was a VISTA volunteer (for a period not to exceed three years).

Subsection (2) of section 407(b) would amend section 428(e) of the HEA by replacing it with a new (e) which would authorize the Commissioner to encourage the inclusion, in State or nonprofit private loan insurance programs, of provisions which would allow the borrower, if agreed to by the lender, to defer periodic repayment of interest and principal for a period not to exceed five years. Deferred interest would accrue and be added to the principal on the date that payments were to resume. Insurance liability and Federal guarantees would be increased accordingly.

Section 408. Extension of Permissible Repayment Period:

Section 408(a)(1) would amend section 427(a)(2)(B) of the HEA to change the repayment period of loans. A student would be allowed to take twenty years to repay his loan, rather than the ten currently authorized. Payments would begin nine months after the borrower ceased to carry at least a halftime work load at an eligible institution. Periods of deferment authorized by law would not be counted in determining the twenty year period.

Subsections 408(b)(1) and (2) making conforming amendments to 428(b)(1)(D) and 428(b)(1)(C) respectively.

Section 409. Extension of Program and Repeal of Previous Federal Loan Insurance Ceiling:

Section 409 would replace the current section 424 of the HEA with a new section which would limit Federal insurance of loans to loans made to students prior to July 1, 1976. After this date, such insurance could be granted only on loans made to students who had obtained prior loans. No insurance would be authorized for any loans made or installment paid after June 30, 1980.

Section 410. Repeal of Cancellation of National Defense Students Loans:

Section 410 would amend section 205(b)(3) of the NDEA by repealing such section (providing for cancellation for teaching services and service in the Armed Forces).

Section 411. Eligibility for National Defense Student Loans:

Section 411 would amend section 205(b) of the NDEA by providing that loans made from the NDSL fund shall be subject to such priorities as the Secretary may establish pursuant to title IV of the HEA.

Section 412. Authority to Maintain Student Loan Funds:

Section 412 would amend section 206 of the NDEA to maintain the NDSL fund for an additional five years, through fiscal year 1980.

Section 413. Effective Date Applicable to Sections 405 Through 411:

Section 413 would provide that sections 405–411 would be effective with respect to loans made or disbursed to students after June 30, 1971.

Part B—Establishment of National Student Loan Association

Section 420. New Part D:

Section 420 of the bill would amend Part D of title IV of the HEA (Cooperative education program) replacing it with a new Part D—National Student Loan Association.

Section 441 (Declaration of purpose) of the new Part D would provide that it is the purpose of Part D to establish a private corporation financed by private capital to serve as a secondary market for student loans insured under Part C and to provide liquidity for those who make such loans.

Section 442 (creation of agency) would create a corporation known as the National Student Loan Association to remain in existence until dissolved by Act of Congress. The corporation would be deemed a resident of the District of Columbia for purposes of venue and civil actions.

Subsection (b) of section 442 would provide that the Association is to be exempt from State and local taxes, except that any real property may be taxed as other real property is taxed.

Section 443 (board of directors) in subsection (a) would provide for a 21-member Board of Directors.

Subsection (b) of section 443 would authorize the President to appoint an interim board of 21 members. Seven members would be representative of eligible lenders (other than eligible institutions) under Part C, seven of eligible institutions, and the remaining seven of the general public. The interim Board would arrange for the initial offering of common stock.

Subsection (c) of section 443 would authorize election of a permanent Board whenever, in the judgment of the President, sufficient common stock of the Association had been purchased. Holders of common stock which were eligible institutions would elect seven members, holders which were banks or other financial institutions would elect seven, and the President would appoint the remaining seven. Members elected and appointed would elect a chairman. Thereafter the interim Board would turn over the affairs of the Association to the regular Board.

Subsection (e) of section 443 would provide for terms of office for Board members. Presidential appointees would serve at the pleasure of the President. Other members would be elected for a term ending on the date of the next annual meeting of the common stockholders. Appointive seat vacancies would be filled by the President; elective seat vacancies would be filled by the Board for the remainder of the term.

Subsection (f) of section 443 would provide that the Board shall meet at the call of the Chairman. The Board would determine general policies, while the Chairman, with the approval of the Board, would select, appoint, and compensate staff members authorized in bylaws. Such persons would discharge all executive functions, powers, and duties of the Association.

Section 444 (functions) would authorize the Association to make advances on the security of, or to purchase, service, sell, or otherwise deal in student loans made under Part C. Advances could not exceed 80 percent of the face amount of the loan; proceeds from any such advance would be invested in additional insured student loans.

Section 445 (common stock) would authorize common stock, with a par value of

$100 per share. Each share of stock would have one vote, with rights of cumulative voting at all elections of directors.

Common stock would be transferrable only on the books of the Association. The Secretary would be authorized to prescribe the maximum number of shares to be issued and outstanding at any one time. Shares could be called for retirement at par at the option of the Association at any time.

The Directors would be authorized to declare dividends to the extent of net income earned and realized. Dividends would be paid to the holders of outstanding shares of common stock.

Section 446 (obligations) would authorize the Association, with the approval of the Secretary of the Treasury, to issue obligations having maturities and bearing such rates of interest as may be determined by the Secretary of the Treasury. Obligations would be redeemable before maturity at the option of the Association.

Subsection (b) of section 446 would authorize the Secretary of HEW to guarantee payment when due of principal and interest on such obligations.

Subsection (c) of section 446 would authorize the Secretary of HEW to issue notes or obligations to the Secretary of the Treasury in order to discharge his responsibilities under such guarantees. The Secretary of the Treasury would be authorized and directed to purchase such notes and could further sell any notes or obligations thus purchased. Such sums as necessary would be authorized to be appropriated to the Secretary of HEW to pay the principal and interest payments on such notes.

Section 4477 (general authority) would give the Association authority—

(a) to sue and be sued, complain and defend, in its corporate name and through its own counsel;

(b) to adopt, alter, and use a corporate seal, which shall be judicially noticed;

(c) to adopt, amend, and repeal by its board of directors such bylaws, rules, and regulations as may be necessary for the conduct of its business;

(d) to conduct its business, carry on its operations, and have offices and exercise the authority granted by this part in any State without regard to any qualification or similar statute in any State;

(e) to lease, purchase, or otherwise acquire, own, hold, improve, use, or otherwise deal in and with any property, real, personal, or mixed, or any interest therein, wherever situated;

(f) to accept gifts or donations of services, or of property, real, personal, or mixed, tangible or intangible, in aid of any of the purposes of the Association;

(g) to sell, convey, mortgage, pledge, lease, exchange, and otherwise dispose of its property and assets;

(h) to appoint such officers, attorneys, employees, and agents as may be required, to determine their qualifications, to define their duties, to fix their salaries, to require bonds for them and fix the penalty thereof; and

(i) to enter into contracts, to execute instruments, to incur liabilities, and to do all things necessary or incidental to the proper management of its affairs and the proper conduct of its business.

Section 448 (audit) would require an audit of the Association's activities at least annually. Such audits would be conducted in accordance with generally accepted auditing standards by independent certified public accountants or by independent licensed public accountants, licensed on or before December 31, 1970, who were licensed or certified by a regulatory authority of a State or other political subdivision of the United States. Other persons who, in the opinion of the Secretary of HEW, met the standards of education and experience representative of the highest standards prescribed by the licensing authorities of the States which license CPA's could perform such audits until December 31, 1975. The Secretaries of HEW and the Treasury would receive copies of such audits.

Section 449 (obligations as lawful investments, acceptance as security) would classify all obligations issued by the Association as lawful investments. All stock and obligations issued by the Association would be deemed to be exempt securities within the meaning of the laws administered by the S.E.C. to the same extent as securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States. The Association would be deemed to be an agency of the United States for the purposes of section 14(b)(2) of the Federal Reserve Act.

Section 450 (preparation of obligations) would authorize the Secretary of the Treasury to prepare obligations for the Association. The Association would reimburse Treasury for such expenses.

Section 451 (annual report) would require the Association to transmit an annual report to the President and Congress as soon as practicable after the end of each fiscal year.

Section 452 (separability) provides for the separability of the remainder of Part D if any section is held invalid.

Section 453 (interim financing arrangements for student loans) would authorize the Secretary of HEW to purchase subsidized loans from eligible institutions at 100 percent of unpaid principal and accrued interest until such time as the Association is able to purchase these loans. The Secretary would also be directed to advance funds to eligible institutions against future purchasers of such loans where, in his judgment, such funds are needed for the making of loans.

Finally, the Secretary could enter into agreements with such institutions from which he has purchased such loans under which agreement the institution would continue to perform administrative functions with respect to the loans purchased by the Secretary and be reimbursed for the cost of such services.

Section 454 (authorization of appropriations) would authorize such sums as are necessary to carry out section 453.

Section 455 (termination of interim financing arrangement) would provide that, at such time as the Association is able to purchase student loans insured under Part C, the Association shall purchase from the Secretary those loans which he acquired under section 453(a). These loans would be purchased by the Association on such terms as the Board of Directors determined; and the Association could not deal in any other student loans until all of these loans had been purchased.

Section 456 (purchase of obligations by the Treasury) would authorize the Secretary of the Treasury to purchase obligations issued by the Association under section 466(a). For such purpose he would be authorized to use as a public debt transaction the proceeds from the sale of securities issued under the Second Liberty Bond Act. The aggregate total amount of such purchases would be limited to $250,000,000. The Secretary of the Treasury would be authorized to sell any such obligations purchased; such sales would be treated as public debt transactions of the United States.

Section 421. Amendments Relating to Financial Institutions:

Section 421 makes conforming amendments to 12 U.S.C. 24, 12 U.S.C. 84, 12 U.S.C. 1464(c) and 12 U.S.C. 1757(8)(E) to provide for obligations of the Association.

Section 422. Inapplicability of Truth In Lending Act:

Section 422 would amend section 104 of the Truth In Lending Act (15 U.S.C. 1603) to make such act inapplicable to loans made under title II NDEA and title IV HEA. Insured loans are made on Federally prescribed teams; consequently, the paperwork burden involved for lenders in complying with the Truth In Lending Act is not justified, sinse it does not serve to further protect the student borrower.

Section 423. Effective Date:

Section 423 would make the effective date of sections 420, 421, and 422 of the bill effective with respect to fiscal years beginning after June 30, 1971.

Part C—Consolidation of special services programs

Section 430. New Part E:

Section 430 of the bill amends Title IV of the HEA by adding a new Part E entitled "Identifying Qualified Low-Income Students; Preparing Them for Postsecondary Education; Special Services for Such Students in Institutions of Higher Education".

Section 461 of the new Part E provides for a consolidation of Upward Bound, Talent Search, and Special Services for Disadvantaged Students. These programs are currently authorized under section 408 of the Higher Education Act.

Subsection (a) of section 461 authorizes the Commissioner to make grants to, or contracts with, institutions of higher education, including institutions with vocational and career education programs, combinations of such institutions, public and private agencies and organizations (including professional and scholarly associations), and in exceptional cases secondary schools and secondary vocational schools. Such funds are to be used for planning, developing, or carrying out within States one or more of the activities described in (c) below. No grant may be made to a profit-making organization.

Subsection (b) of section 461 states that services shall be designed to enable youths from low-income backgrounds who have academic potentials (but may lack adequate secondary school preparation or be physically handicapped) to enter, continue or resume a program of postsecondary education.

Subsection (c) of section 461 describes the services referred to, including such activities as:

(1) publicizing existing forms of student financial aid;

(2) identifying youths described in subsection (b) and encouraging them to complete secondary school and to undertake postsecondary education;

(3) encouraging youths who have dropped out of secondary school or college to reenter educational programs, including programs of postsecondary education;

(4) generating skills and motivation necessary for success in education beyond high school;

(5) providing counseling, tutorial, or other educational services, including special summer programs, to remedy academic deficiencies;

(6) providing career guidance, placement, or other student personnel services (including health services);

(7) identifying, encouraging, and counseling students with a view to their undertaking a program of graduate or professional education; and

(8) providing other special or supplemental services necessary to achieve the purposes set forth in subsection (b).

Subsection (d) of section 461 provides that enrollees who are participating on an essentially full-time basis in one or more of the services described in (c) above may be paid stipends, but not in excess of $30 per month, except in exceptional cases as determined by the Commissioner.

Subsection (e) of section 461 authorizes such sums as may be necessary for fiscal year 1972 and each of the four succeeding years to carry out the purposes of Part E.

Section 431. Effective Date:

Section 431 of the bill provides that amendments made by section 430 of the bill shall be effective with respect to fiscal years beginning after June 30, 1971.

TITLE V—AMENDMENTS TO TITLE V OF HIGHER EDUCATION ACT (EDUCATION PROFESSIONS DEVELOPMENT ACT)

Part A—Amendments to part A of title V

Section 501. Extension of National Advisory Council on Education Professions Development and Program for Attracting Qualified Personnel to the Field of Education:

Subsection (a) of section 501 extends the authorization for the National Advisory Council on Education Professions Development for five more years, through fiscal year 1976, at the level of $200 per year.

Subsection (b) of section 501 extends the authorization for programs under Part A (Attracting Qualified Persons to the Field of Education) for five additional years, through fiscal year 1976, at such sums as may be necessary.

Part B—Amendments to subpart 1 of part B (Teachers Corps)

Section 510. Extension of Program:

Section 510 amends section 511(b) of the Higher Education Act to extend the authorization for the Teacher Corps for five years, through fiscal year 1976, at such sums as may be necessary.

Part C—Amendments to subpart 2 of part B (attracting and qualifying teachers to meet critical teacher shortages)

Section 520. Extension of Programs:

Section 520 amends section 518(b) of the Higher Education Act to extend the program for attracting and qualifying teachers to meet critical teacher shortages for five years, through fiscal year 1976 at such sums as may be necessary.

Section 521. Retraining of Teachers and Employment of Tutors and Instructional Assistants:

Section 521 amends section 518(a) of the Higher Education Act by adding two new programs under the authority for attracting and qualifying teachers to meet critical teacher shortages: (1) programs to employ high school and college students as tutors or instructional assistants for educationally disadvantaged children. (The Commissioner of Education is authorized to determine compensation rates for such persons, consistent with comparable federally-supported work-study programs); and (2) to provide necessary training to teachers to enable them to teach other grades or other subjects in which shortages exist.

Section 522. Reducing Minimum Allotment:

Section 522 would amend section 519(a) of the HEA to reduce the minimum State allotment under subpart 2 from $100,000 to $50,000.

Section 523. Conforming Amendments and Increase in Amount Available for Administration:

Section 523 amends section 520(a)(2) and 520(a)(3) to make conforming amendments (adding the items described in 521 above as eligible items of expenditure in the State plan). It also raises the maximum amount which a State may spend for administration of the State plan from 3 percent of the State's allocation to 5 percent or $20,000, whichever is greater.

Section 524. Eliminating Ceiling on Amount for Aides:

Section 524 amends section 520(a) of the HEA by eliminating paragraph (5) which limits the amount of funds available for hiring and training teacher aides to one-third of funds appropriated for Part B(2) of the Education Professions Development Act. This section also amends paragraph (6) to provide that no person will be denied admission to training programs under subpart 2 because he is teaching or serving as a teacher aide in a private school.

Part D—Amendments to part D—Improving training opportunities for non-higher education personnel

Section 530. Extension of Program:

Section 530 amends section 532 of the Higher Education Act by extending authorization for Part D for five years, through fiscal year 1976, at such sums as may be necessary.

Section 531 and 532. Support of Tutors and Instructional Assistants:

Section 531 amends section 531(b) of the Higher Education Act by adding a new paragraph (11) to the list of eligible programs. Paragraph (11) authorizes programs or projects designed to employ tutors or instructional assistants in preschool, elementary, and secondary school classes, especially for educationally disadvantaged children.

Section 532 amends section 531(c) of the Higher Education Act to allow use of funds to pay tutors and instructional assistants at such rates as the Commissioner may determine to be comparable to compensation rates in Federally-supported work-study programs.

Sections 533 and 534. Developing and Strengthening Programs for the Education of Teachers and Related Educational Personnel:

Section 533 amends section 531(b) by adding a new paragraph (12) to the list of eligible programs. Paragraph (12) describes programs designed to aid undergraduate programs designed to prepare educational personnel. Such programs would include exemplary undergraduate training programs, the introduction of high quality curricula, and provision of increased opportunities for practice teaching experience for prospective elementary and secondary school teachers.

Section 534 amends section 531(c) of the Higher Education Act to allow the use of funds to pay for programs to develop, expand, or improve undergraduate and other programs for training educational personnel.

Section 535. Application of Part D to Indian Schools:

Section 535 amends section 532 of the Higher Education Act to add a new subsection (b) to provide that Part D funds may be used to support the preparation of teachers of children on Indian Reservations serviced by the Bureau of Indian Affairs schools and schools supported by the BIA. Payments are to be made to the Secretary of the Interior to carry out such programs.

Part E—Consolidation of title IV of the National Defense Education Act of 1958 with part E of title V of the Higher Education Act of 1965 (Education Professions Development Act)

Section 540. Extension of Program:

Section 540 amends section 543 of the Higher Education Act by extending the authorization for Part E for five years, through Fiscal Year 1976, at such sums as may be necessary.

Section 541. Broadening Class of Institutions for Which Personnel May be Trained:

Section 541 amends section 541(a) by changing the eligible class of grantees and contractors under Part E from "institutions of higher education" to "postsecondary institutions".

Subsection (b) of section 541 amends section 541(b) of the Higher Education Act by repealing the prohibition against using Part E funds for fellowships which are eligible for support under title IV of the National Defense Education Act of 1958.

Section 542. Provision for Institutional Allowance:

Section 542 amends section 542 of the Higher Education Act by adding a new subsection (b) which provides that the Commissioner of Education may pay eligible institutions which award stipends under section 542(a) an institutional allowance consistent with prevailing practices under comparable federally supported programs, but in no case more than $3,500 per academic year for each person receiving such a stipend.

Section 543. Savings Provision:

Section 543 provides that effective July 1, 1971, title IV of the National Defense Education Act is repealed. In the case of a fellowship awarded under title IV, NDEA, for which initial payment was made or was to be made from appropriations for any fiscal year ending before July 1, 1971, payments are to be made for periods after June 30, 1971, from appropriations for Part E, title V of the HEA, but under the terms and conditions of title IV, NDEA.

Part F—Amendment to part F—training and development of vocational education personnel

Section 550. Extension of Program:

Section 550 amends section 555 of the Higher Education Act by extending authorizations for Part F through fiscal year 1976 at such sums as may be necessary.

Section 551. Effective Date:

Section 551 provides that, except where otherwise expressly provided, amendments made by title V of the bill are to be effective with respect to fiscal years beginning after June 30, 1971.

TITLE VI—REPEAL OF TITLES VI, VIII, IX, X, AND XI OF THE HIGHER EDUCATION ACT

Section 601 repeals Title VI (Improving Undergraduate Instruction), Title VIII (Networks for Knowledge), Title IX (Education for the Public Service), Title X (Improvement of Graduate Programs) and Title XI (Law School Clinical Programs) effective July 1, 1971.

TITLE VII—AMENDMENTS TO GENERAL PROVISIONS

Section 701. Redesignation of Title XII (General Provisions):

Section 701 of the bill redesignates title XII of the Higher Education Act as title VIII and renumbers sections accordingly.

Subsection (b) of section 701 amends title VIII, as redesignated, by inserting a new section 811 providing for uniform application requirements applicable to applications under titles II, III, and V submitted to the Commissioner by an institution of higher education or other eligible applicant. Such an application would be required to contain assurances satisfactory to the Commissioner with respect to maintenance of effort, fiscal control and fund account procedures, evaluation and dissemination procedures, and reporting requirements.

Section 702. Effective Date:

Section 702 makes the amendments made by section 701 effective July 1, 1971.

TITLE VIII—AMENDMENTS TO HIGHER EDUCATION FACILITIES ACT

Section 801. Extension of Program:

Section 801 amends the following sections:

(a) Section 101(b) of the Higher Education Facilities Act is amended to extend the authorization for grants for construction of academic facilities under title I through fiscal year 1973 at such sums as may be necessary;

(b) Section 105(b) of the Higher Education Facilities Act is amended to extend the authorization for expenditures under section 105(b) (State plan administration and comprehensive planning) through 1973 at such sums as may be necessary;

(c) Section 201 of the Higher Education Facilities Act is amended to extend the authorizations for grants under title II (Construction of Graduate Academic Facilities) through fiscal year 1973 at such sums as are necessary;

(d) Section 303(c) of the Higher Education Facilities Act is amended to extend authorization for payments into the loan fund under title III (Loans for Construction of Academic Facilities) through fiscal year 1973 at such sums as are necessary;

(e) Section 306(c) of the Higher Education Facilities Act is amended to extend the ceiling for contracts for interest grants at $18,500,000 through fiscal year 1973.

(f) Section 408(a) of the Higher Education Facilities Act is amended to extend the authority of the Commissioner to provide assistance under section 408 (Higher Education Facilities Construction Assistance in Major Disaster Areas) through fiscal year 1973.

Section 802. New Program of Insured Loans for Construction of Nonprofit Private Academic Facilities:

Section 802 amends title III of the Higher Education Facilities Act by inserting after section 306 the following new sections 307–309.

Section 307 (*academic facilities loan insurance*) of the revised Title III authorizes the Commissioner to insure (up to 90 percent of the principal) the payment of interest and principal on loans made by nonprofit private institutions of higher education and nonprofit private higher education building agencies for the purpose of constructing academic facilities. Such institutions or agencies would have to meet the criteria prescribed by, and under section 306 of the HEFA.

Section 308 (*right of recovery and incontestable nature of insurance*) in subsection (a) provides that the United States shall be entitled to recover from any institution of higher education or agency to which loan insurance has been issued under section 307 the amount of any payment made pursuant to such insurance, unless the Commissioner waives this right.

Subsection (*b*) *of section 308* states that any insurance issued under section 307 shall be incontestable in the hands of the institution or agency on whose behalf such insurance is issued, and as to any agency, organization, or person who makes or contracts to make a loan to such institution or agency in reliance thereon, except in the case of fraud or misrepresentation.

Section 309 (*conditions*) provides that the Commissioner may issue insurance under section 307 only if he determines that all aspects of the loan are sufficient to protect the financial interests of the United States and are in accordance with regulations. Such determination shall include a finding that the interest rate on any such loan is reasonable. The Commissioner would be authorized to charge reasonable premiums for such insurance to cover administrative expenses and probable losses under sections 307 and 308. The insurance would be subject to such further terms and conditions as the Commissioner determines to be necessary.

Section 803. Making Revolving Loan Fund Available for Loan Insurance:

Section 803 of the bill makes amendments to section 305 of the HEFA which would allow the use of funds in the HEFA revolving fund to insure loans as well as to make direct loans.

Section 804. Effective Date:

Section 804 makes amendments made by sections 801 and 802 effective July 1, 1971. Amendments made by section 803 are to be effective as if enacted on the date of enactment of section 305 of the HEFA.

TITLE IX—EXTENSION OF PROGRAM UNDER TITLE VI OF THE NATIONAL DEFENSE EDUCATION ACT

Section 901. Extension of Program:

Section 901 amends section 601 by extending the authorization for activities under title VI for two fiscal years, through fiscal year 1973. Section 603 is amended to extend the authorization for appropriations for two fiscal years, through fiscal year 1973, at such sums as may be necessary.

Section 902. Effective Date:

Section 902 makes the amendments made by section 901 effective July 1, 1971.

TITLE X—NONDISCRIMINATION ON THE GROUND OF SEX IN FEDERALLY ASSISTED EDUCATION PROGRAMS

Section 1001. Discrimination Prohibited:

Section 1001 of the bill in subsection (a) provides that no person in the United States shall, on the ground of sex, be discriminated against by a recipient of Federal financial assistance for any educational program or activity. This language does not, however, preclude differential treatment based upon sex where sex is a bona fide ground for such differential treatment.

Subsection (b) of Section 1001 provides that no recipient of Federal financial assistance for an education program or activity shall, because of an individual's sex,

(1) fail or refuse to hire (except in instances where sex is a bona fide occupational qualification) or discharge that individual, or otherwise discriminate against him or her with respect to compensation, terms, conditions, or privileges of employment; or

(2) limit, segregate, or classify employees in any way which would deprive or tend to deprive that individual of employment opportunities or otherwise adversely affect his or her status as an employee.

Section 1002. Enforcement:

Section 1002 in subsection (a) authorizes and directs each Federal department and agency which is empowered to extent Federal financial assistance in any form (other than a contract of insurance or guaranty) to any education program or activity to issue rules, regulations, or orders to effectuate section 1001. No rule, regulation or order is to take effect until approved by the President.

Subsection (b) of section 1002 provides that compliance with any requirement adopted pursuant to subsection (a) may be effected by (1) termination of or refusal to grant to or to continue assistance to any recipient who fails to comply with such requirement (after a hearing and an express finding on the record), such termination or refusal to be limited to the particular political entity or part thereof, or other recipient as to who such finding has been made, or (2) by any other means authorized by law. No action is to be taken until the appropriate person or persons has been notified of the violation and it has been determined that voluntary compliance cannot be secured.

Subsection (c) of section 1002 provides that, in the case of any action to terminate, the head of the Federal department or agency shall file with the committees of the House and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action. No action is to become effective until thirty days from the filing of such report.

Section 1003. Judicial Review:

Section 1003 provides that any department or agency action taken pursuant to section 1002 shall be subject to such judicial review as may otherwise be provided by law for similar action taken by such department or agency on other grounds. In the case of action, not otherwise subject to judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to comply with any requirement imposed pursuant to section 1002, any person aggrieved (including any State or political subdivision thereof and any agency of either) may obtain judicial review of such action in accordance with chapter 7 of title 5, U.S.C., and such action shall not be deemed committed to unreviewable agency discretion within the meaning of the chapter.

Section 1004. Preservation of Existing Authority:

Section 1004 provides that nothing in title X shall add to or detract from any existing authority with respect to any education program or activity under which Federal financial assistance is extended by way of a contract of insurance or guaranty.

Section 1005. Definition:

Section 1005 defines "education" for the purposes of title X as including preshcool, elementary, secondary and postsecondary education.

STUDENT FINANCIAL ASSISTANCE PROGRAMS

FOREWORD

No qualified student who wants to go to college should be barred by lack of money.

This is the opening sentence in President Nixon's 1970 message on higher education. It expresses both the purpose and the theme of the Administration's proposal to improve and expand existing student aid programs.

The President's proposed changes in student financial aid programs would, for the first time in history, guarantee that every qualified student from a low-income family would have sufficient resources to attend college. Under the proposal, grants, work-study payments and subsidized loans will supplement what the families of low income students can afford to contribute to the postsecondary education of their sons and daughters.

The President's proposals will also increase the amount of unsubsidized loan funds available to students at all income levels. This improved access to federally-guaranteed loans will assist millions of undergraduate and graduate students to finance their educations.

PRESENT PROGRAMS: DESCRIPTION AND PROBLEMS

The Office of Education presently administers four major programs for aiding students: Educational Opportunity Grants, the College Work-Study program, National Defense Student Loans and Guaranteed Loans.

The first three programs are mainly funded by the Federal Government and administered by colleges and universities. The amount of funds available to the institution for these programs depends on the total funds appropriated by Congress, State distribution formulas and the approval of regional review panels. Once the college has its various allocations, the student aid office determines what mix of grants, work-study payments and loans is appropriate for each individual eligible student.

Commercial lending institutions, primarily banks, operate the Guaranteed Loan programs. Loans are made to students at a maximum interest rate of 7 percent. The Federal Government guarantees the loans against default, pays the student's interest while he is in college and makes a special payment to banks during tight money conditions.

There are several problems with this system of student aid:

Availablility of funds—Students do not receive all the aid for which they are eligible under the present system. Allocation formulas, matching requirements and insufficient funds limit the aid which institutions can award to individual students. Colleges enrolling large numbers of disadvantaged students are in an especially difficult position because of the matching requirements.

Limited loan funds—Existing loan programs provide an inadequate volume of lendable funds because (a) the National Defense Student Loan program requires capital outlays from the Federal budget which has been under severe fiscal pressures and restraints for the last several years; and (b) students must compete with other borrowers (who often offer more profitable investment opportunities) for the lendable funds of banks under the Guaranteed Loan program. (Low-income students with poor bank connections sometimes find themselves at a particular disadvantage.)

Open-ended expenditures—The Federal Government is obligated to meet its commitment to pay the interest on Guaranteed

Loans while students are in college. As interest rates rise, and as more and more middle and upper income families find it in their interest to take advantage of these subsidies, a larger and larger share of Federal funds for student aid is being diverted away from the most needy students. The system as a whole has a built-in tendency to become less progressive as these subsidies absorb a disproportionate part of any budget increase for student aid.

Uncertainty—A student who wants to go to college cannot tell where he can get aid or how much he can count on in advance of his admission and the particular student aid office determination. Nor can a bank assure the student in advance that it will have funds to lend to him.

Inequitable distribution—Federal funds do not necessarily go to those students who need them most. Moreover, different colleges assess need in different ways. Substantial subsidies go to middle and upper income students, especially under the Guaranteed Loan program.

PROPOSED PROGRAMS: PURPOSES

The Administration's improvements in the existing student aid programs have four major purposes:

To assure the availability of funds to every qualified student.

To assure that Federal funds go first, and in the largest amounts, to the students who need them most.

To provide potential students with as accurate information as possible concerning the aid they can expect.

To assure that all students of equal need are treated alike.

To provide additional financial aid to students attending high cost institutions.

PROPOSED PROGRAM: CONCEPT AND STRUCTURE

The Administration is recommending a coordinated student aid system with two parts: (a) a combination of grants, work-study payments and subsidized loans for full-time undergraduate students with low to middle incomes attending public and non-profit postsecondary educational institutions as well as proprietary institutions of higher education; and (b) creation of a National Student Loan Association to raise money privately and make it available for all post-secondary students at all income levels.

A. GRANTS, WORK-STUDY PAYMENTS, SUBSIDIZED LOANS

The basic concept is that all students whose families can be expected to make the same contribution should have the same help available for their education from Federal sources. The combination of family contributions plus Federal grants, work-study payments and subsidized loans would be enough to enable any student to meet minimum education expenses. The key determinant is family income (and, thus, family contribution). Students from lower income families would receive more Federal aid than students from higher income families. (Lower income students would also receive a larger proportion of their aid in the form of grants and work-study payments rather than in the form of subsidized loans.) But the total resources available (i.e., family contribution plus Federal aid) to students at different income levels would be made equivalent.

The system would work as follows. Each year the Secretary of HEW, after conferring with the Advisory Council on Financial Aid to Students, would publish a schedule indicating the amount of Federal funds available to students at different income levels. Each student's eligibility for aid would be calculated by determining the expected family contribution toward his educational costs. This determination would take into account such factors as the size of the family, the number of children in college, extraordinary family expenses and capital assets. The deficiency between expected family contribution and the amount of resources the student should have available to him would be met by a combination of grants, work-study payments and subsidized loans.

For example, under the Administration's fiscal 1972 budget proposals, students from families with adjusted family income of $10,000 or less, and with two children, one of whom is in college, would be eligible for Federal funds. The maximum total amount of subsidized aid (grant and work-study plus subsidized loan) available to any one student would be $1,400. The maximum grant available to any one student would be $1,000. In addition to these base amounts, students who (1) meet the eligibility criteria for subsidized aid, and (2) attend schools with annual average cost in excess of $1,400 would be eligible to apply for an additional subsidized "cost of education" loan of up to $1,500. This program would be controlled by schools in a manner similar to the present NDEA loan programs and terms to students would be approximately the same as those governing present NDEA loans. The amounts of aid to be available at different income levels for the two-child family described previously as well as one with five children, two of whom are in school, under the funding levels contemplated by the Administration's proposals are illustrated in Attachment I.

Several other features of the proposal deserve mention:

All aid from State and private student aid programs would be *in addition* to Federal aid, and would permit students eligible for it a wide choice of the type of institution they attend.

A "grandfather" clause would assure that students receiving aid under the present program would receive no less under the new system than they were entitled to under the old one.

Institutions of higher education would preserve the option, within national limits set by the Commissioner of Education, of determining *the mix of grants and work-study payments* appropriate to the individual student.

The National Defense Student Loan Revolving Fund (currently about $140 million) would continue in its present form, except that no new Federal appropriations would be made to the fund. Loans would continue to be made in a manner similar to current NDSL's; however, cancellations for teaching, military service, Peace Corps service, etc. would be eliminated for new loans.

Loans from this fund would go first to students eligible under the "grandfather clause" in the bill; remaining funds would be used to provide subsidized loans under the Higher Education Opportunity Act.

Students attending proprietary institutions of higher education would be made eligible for all benefits.

Finally, these proposals would not alter the valuable features of existing programs.

Educational Opportunity Grants would continue as the basic grant program but without matching requirements.

The College Work-Study program would continue. Colleges would continue to match work-study funds provided by the Federal Government (one dollar for four) but this requirement would be waived for institutions or work programs which it would hamper.

National Defense Student Loan benefits would continue under the same terms and conditions as at present for both of the subsidized loan programs discussed above. However, lendable capital would come from the private money markets rather than the Federal Budget.

B. NATIONAL STUDENT LOAN ASSOCIATION

The purpose of the proposed National Student Loan Association (NSLA) is to increase the amount of resources available for loans (both subsidized and unsubsidized) to all students at all income levels.

NSLA would be a private corporation, chartered and established by the Federal Government. It would raise funds by issuing its own obligations for sale in private capital markets. These obligations would be guaranteed against default by the Government, allowing the NSLA to pay a lower rate of interest.

With the proceeds from its sales, NSLA would buy, sell, or warehouse (buy under the condition that the seller will repurchase, i.e., NSLA "stores" the loans) student loan paper from colleges, banks or other eligible lenders. Typically, a college without funds of its own to invest in student loans would make a loan to a student and then turn immediately to NSLA to sell the student's note. NSLA would pay enough for the note to restore the college's cash position.

NSLA would significantly increase the flow of funds into student loan markets. Both banks and colleges would be encouraged to do more student lending. It is estimated that NSLA may buy up to $2 billion worth of loans in its first year of operation.

The Guaranteed Loan Program would continue to be open to all college students, however high their family incomes. However, some changes would be made in the program. First, the 7 percent interest ceiling would be eliminated. Second, the interest subsidy paid by the Federal Government on student loans to above average income students while they are in college and the special allowance paid to banks would be eliminated. Thus, it would now be an unsubsidized loan program except for students meeting a test of need.

Several other features applicable to both subsidized and unsubsidized loans are of significance:

Banks and other financial institutions would make both kinds of loans.

Loan ceilings would be raised and would apply to the aggregate of both subsidized and unsubsidized loans. A student could borrow up to $2,500 a year for up to seven years.

The length of the maximum permissible loan repayment period would be increased to twenty years from the present ten.

Student borrowers would not have to pay interest while they were still in college. Federal payments would cover interest charges on subsidized loans. On unsubsidized loans, lender would be required to allow the student to defer payments of both interest and principle while the student was in college. The Government would guarantee deferred interest payments along with principle.

The student could prepay his loan at any time without penalty.

Lenders would also be permitted to agree, at the time the loan was made, to allow the student to defer payments and interest up to an aggregate of five additional years. In such cases, the student would be allowed to choose those times during the repayment period when regularly scheduled payments would be especially burdensome. The Federal Government would guarantee interest charges during such periods.

PROPOSED PROGRAM: CONSEQUENCES

It is estimated that in Fiscal Year 1972, the first year of operation of the program:

2½ million students would receive benefits (including unsubsidized loans), an increase of one million over the number of students receiving assistance under present programs.

Approximately $575 million in grants and work-study payments would be available, an increase of $242 million above FY 1971.

About $1.2 billion would be available to make loans under the subsidized loan programs, an increase of $830 million.

PROBLEMS SOLVED AND PURPOSES ACHIEVED

The Administration's student aid proposals overcome the problems and achieve the purposes noted earlier in this paper.

Availability—Every student who qualifies for direct Federal assistance under the schedule established by the Secretary of HEW will receive his Federal funds. NSLA will provide an adequate supply of lendable funds for students who do not qualify for subsidies.

Need—Grants, work-study payments and subsidized loans will be concentrated on those in most need: students from low-income families.

Certainty—The aid schedule published annually by the Secretary of HEW would inform every eligible student of the amount of aid he could expect.

Equity—Students whose families could be expected to make similar contributions would receive equivalent amounts of aid.

CONCLUSION

The Administration's proposals would assure that one of the President's deep convictions is fulfilled:

"Equal educational opportunity, which has long been a goal, must now become a reality for every young person in the United States, whatever his economic circumstances."

AID ELIGIBILITY—BASIC PROGRAM

[Cost of education loans and all other State and private aid would be in addition to these benefits]

TYPICAL RESOURCES FOR A STUDENT FROM A 2-CHILD FAMILY, 1 OF WHOM IS IN COLLEGE

Adjusted family income[1]	Family contribution	Equal opportunity grant/work-study	NDEA-type subsidized loan	Family contribution plus aid	Average summer savings	Total student resources	Cost of education loan[2]
$0–$3,500	0	$1,000	$400	$1,400	$300	$1,700	$1,500
$4,500	$220	780	400	1,400	300	1,700	1,500
$5,500	430	570	400	1,400	300	1,700	1,500
$6,500	640	360	400	1,400	300	1,700	1,500
$7,500	850	150	400	1,400	300	1,700	1,500
$8,500	1,050	0	350	1,400	300	1,700	1,500
$9,500	1,250	0	150	1,400	300	1,700	1,500
$10,000 and above	1,400	0	0	1,400	300	1,700	0

TYPICAL RESOURCES FOR A STUDENT FROM A 5-CHILD FAMILY, 2 OF WHOM ARE IN COLLEGE

Adjusted family income[1]	Family contribution	Equal opportunity grant/work-study	NDEA-type subsidized loan	Family contribution plus aid	Average summer savings	Total student resources	Cost of education loan[2]
$0–$5,500	0	$1,000	$400	$1,400	$300	$1,700	$1,500
$6,500	$110	890	400	1,400	300	1,700	1,500
$7,500	195	805	400	1,400	300	1,700	1,500
$8,500	280	720	400	1,400	300	1,700	1,500
$9,500	360	640	400	1,400	300	1,700	1,500
$10,500	440	560	400	1,400	300	1,700	1,500
$11,500	510	490	400	1,400	300	1,700	1,500
$12,500	580	420	400	1,400	300	1,700	1,500
$13,500	650	350	400	1,400	300	1,700	1,500
$14,500	700	300	400	1,400	300	1,700	1,500

[1] Adjusted family income represents gross family income adjusted to reflect the number of children in the family, the number of children in school, extraordinary family expenses, and capital assets.

[2] Cost of education loans would be available to eligible students who attend schools with average annual costs in excess of $1,400. The availability of these loans to students at various income levels is subject to appropriations for interest subsidy payments.

Note: Expected family contributions at higher income levels will depend importantly on the amount of capital assets available for meeting educational costs, and on other special family circumstances, as well as on family income. Hence, any aid to students from large families at higher income levels will depend on the overall financial situation of the family, and not simply on income.

THE NATIONAL STUDENT LOAN ASSOCIATION

The National Student Loan Association would increase the loan capital available from private sources for students wishing to finance their education.

THE BANKING PROBLEM

The Guaranteed Student Loan Program is in its fifth school year. Thus far, 3¼ million loans totaling nearly $3 billion have been made to students attending 2,000 educational institutions:

Fiscal year	Volume of loans	Number of loans
1966	$77,000,000	48,495
1967	248,000,000	330,088
1968	436,000,000	515,408
1969	687,000,000	787,344
1970	840,000,000	921,896
1971 (1st 5 months)	656,000,000	656,042
Total	2,940,000,000	3,259,273

This rapid growth poses liquidity problems for lenders, despite the general easing in the supply of lendable funds in recent months.

For most borrowing students, repayments begin after graduation. For those who go to graduate school, the military, Peace Corps, or VISTA, more years elapse before repayment starts. As the number of student loans increases, and more of their funds are tied up for long periods, lenders will reduce the amount of new lending to students or require a higher yield on loans.

The National Student Loan Association would relieve this shortage of funds by creating a secondary market for student loans, providing opportunities for the purchase by another party of the originating lender's interest in a loan. The Association would offer to buy federally-guaranteed student loans from the original lenders, thus permitting them to replenish their supply of lendable funds. Perhaps more important, the *possibility* of such sales will induce them to commit a greater share of their loan portfolios to student loans, to accept lower interest rates, or both.

NSLA AND THE PROPOSED STUDENT AID REFORMS

To achieve the President's goal of eliminating financial barriers to minimum cost higher education, two changes have been proposed in the federal student aid programs which depend on the existence of a secondary market.

First, it is proposed to supply the capital needed for NDEA-type loans from the same private sources as for guaranteed loans. The needed expansion of NDEA-type programs would otherwise be difficult, given the inevitable competition for federal budget resources—not least the competition for funds between the NDEA program and the EOG and Work-Study programs, which also need to be expanded to meet the President's objective.

Second, it is proposed to remove interest subsidies on guaranteed loans to students who do not meet a reasonable means test, thus releasing additional budget funds for NDEA subsidies, EOG's and Work-Study payments. Students who no longer qualify for subsidies will nonetheless wish to defer interest payments until after graduation. Such deferrals will reduce the cash-flow of lenders, and create an additional need for the liquidity a secondary market institution can provide.

HOW WOULD THE SECONDARY MARKET WORK?

Two basic secondary market mechanisms have been proposed for the National Student Loan Association to seek the goals of adequate liquidity, low interest charges and efficient loan servicing. The two basic mechanisms are: (1) purchasing; and (2) warehousing.

In a purchasing operation, the Association would offer to buy student loans from schools and banks at a yield consistent with that prevailing in the money markets and experienced servicing costs.

Under the warehousing operation, the Association would offer to advance funds to lending schools and banks up to 80 percent of the face value of the insured loans pledged. The borrower could reinvest these funds only in student loans, and of course, the lending institution would pay interest on its loan from the Association.

WHAT WOULD STUDENTS PAY?

The interest rates payable by students would be related to the rates prevailing in the market.

Students taking out NDEA-type subsidized loans would pay no interest for the period in school and in national service, and 3% for 10 years thereafter. The difference between the students interest payments (0% or 3%) and the market-determined yield on student loans would be paid by the Federal Government.

Students eligible only for unsubsidized loans would have the option of deferring interest while in school, but would pay the full market-determined interest rate beginning after graduation. Interest payments deferred up to that time would be added to principal.

Principal repayments under both subsidized and unsubsidized loans would be deferred until after graduation.

SERVICING

Student loans would be serviced by the original lender under the warehousing arrangement. Under the purchasing alternative, the lending school or bank would usually continue to service its student loans for a fee set by NSLA—probably in the range of 1¼% of the consolidated indebtedness of the student.

FINANCING THE ASSOCIATION

NSLA would raise its initial capital by selling common stock to eligible lenders—commercial banks, savings and loan associations, mutual savings banks, credit unions, and educational institutions. It also could sell preferred stock to parties wishing to support higher education. The Association then would issue its own debt obligations which would be federally guaranteed both as to principal and interest, thus attracting new sources of funds into the student loan program.

PROVISION FOR INTERIM FINANCING

Until the National Student Loan Association is ready for business, interim financing arrangements for NDEA-type student loans would be provided by authorizing the Secretary of HEW to purchase any federally-guaranteed student loan made by an institution of higher education. This purchase would be made at 100% of the value of the loan.

After such time as the Association is able to capitalize itself and purchase insured student loans, the Association would repurchase from the Secretary all student loans which he has acquired during the interim period. In this way, the Association purchase would "wash out" the initial financing done by HEW.

These special interim financing arrangements would enable colleges to participate immediately in the expanded NDEA-type loan program. The colleges, unlike banks and other lenders, do not generally have the cash resources to wait the six months that would probably be required for NSLA to open for business.

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HIGHER EDUCATION OPPORTUNITY ACT OF 1971—EXCLUDING STUDENT FINANCIAL AID PROGRAMS

The following is a brief synopsis of the major provisions of the Higher Education Opportunity Act of 1971, excluding the provisions of Title IV relating to student financial assistance.

TITLE I

Title I of the HEOA extends existing community service and continuing education programs under Title I of the Higher Education Act for two years, through June 30, 1973.

TITLE II

Title II extends and amends the library programs contained in Title II of the HEA. At present there are three types of grants made under Title II—basic, supplemental, and special purpose grants. The bill would change the percentage of funds appropriated for Part A which would be available for each of these types of grants. Basic and supplemental grants would be reduced from 75 to 50 percent of the sums appropriated for Part A. The remaining 50 percent would be available for making special purpose grants. Grants under Part A are extended for two years, through June 30, 1973.

The research and demonstration provisions of Part B are repealed since they duplicate authority which already exists under the Cooperative Research Act. The librarian training authority in Part B is moved to a new Part G in Title V of the HEA (the Education Professions Development Act).

Part C, authorizing transfer of funds to the Library of Congress for the Library's use in acquiring valuable materials and in preparing cataloging information, is repealed. These activities will be funded from Library of Congress appropriations.

TITLE III

Title III extends programs for Strengthening Developing Institutions under Title III of the HEA for five years, through June 30, 1976. Technical amendments clarify the requirements for participation of institutions which offer less than the bachelor's degree and provide that Professors Emeritus may come from the developing institutions themselves, as well as from stronger and more recognized colleges and universities.

TITLE IV

Title IV contains amendments to student financial aid programs.

TITLE V

Title V amends and extends programs dealing with the training of educators authorized by the Education Professions Development Act (Title V HEA). The provisions of Title V are:

Part A extends the authorization for the National Advisory Council on Education Professions Development for five years, through June 30, 1976, and also extends for five years the authorization for the program for attracting qualified persons to the field of education.

Part B extends the authorization for the Teacher Corps for five years, through June 30, 1976.

Part C amends the program for attracting and qualifying teachers to alleviate teacher shortages by encouraging high school and college students to serve as tutors or instructional assistants for educationally disadvantaged children. The amendments provide for compensation of these persons.

Authority is also added to provide necessary training to teachers to enable them to teach other grades or other subjects in which teacher shortages exist.

The basic program itself is extended for five years, through June 30, 1976. This part also increased the amount available for administration of the State Plan from three percent to five percent or $20,000, whichever is greater, and eliminates the provision requiring that no more than one-third of the funds under this section shall be used for teacher aides.

Finally, the minimum State allotment under B(2) is reduced from $100,000 to $50,000.

Part D extends the authorization for the program of improving training opportunities for personnel serving in programs of education other than higher education for five years, through June 30, 1976, and amends it to provide for projects to encourage persons to serve as tutors in preschool, elementary, and secondary school classes, especially for disadvantaged children. In addition, Part D provides for compensation for these persons.

This part would also provide for programs for the development, expansion, or improvement of undergraduate programs for preparing educational personnel and for practice teaching experiences for prospective teachers in elementary and secondary schools.

Finally, Part D amends the training program by permitting the Commissioner to make payments to the Secretary of the Interior to carry out the program with respect to persons who are preparing to serve as teachers in schools operated on Indian reservations by the Department of Interior.

Part E consolidates the Title IV NDEA fellowship programs with Part E of the Education Professions Development Act and extends Part E for five years, through June 30, 1976. Provisions are included to insure that no student will receive less under the consolidated authority than he is currently receiving.

Part F extends the training program for vocational education personnel through June 30, 1976.

TITLE VI

Title VI repeals the following titles of the HEA: Title VI (Improvement of Undergraduate Instruction); Title VIII (Networks for Knowledge); Title IX (Education for the Public Service); Title X (Improvement of Graduate Programs); and Title XI (Law School Clinical Programs). The proposed National Foundation for Higher Education would have authority to fund similar activities in several of these areas.

TITLE VII

Title VII amends Title XII (general provisions) of the HEA by redesignating it as Title VIII and by adding a new section which would standardize assurances which applicants for aid under Titles II, III, and V must make to the Commissioner. These standardized assurances include maintenance of effort, fiscal control and fund accounting procedures, evaluation and dissemination procedures, and reporting requirements.

TITLE VIII

Title VIII extends the Higher Education Facilities Act through June 30, 1973. In addition, it adds a new program for Federal insurance of loans for the construction of academic facilities at private nonprofit institutions of higher education. Loans may be made either to the institutions or to nonprofit private higher education building agencies.

TITLE IX

Title IX extends Title VI of the National Defense Education Act (language development) for two years, through June 30, 1973.

TITLE X

Title X adds a new title which would prohibit discrimination on the basis of sex in any federally assisted education program, except where sex is a bona fide ground for differential treatment. The title provides that compliance may be effected by termination of grants to any recipient who fails to comply with this requirement. Provisions for adequate hearings, findings and judicial review are also included.

By Mr. WILLIAMS (for himself, Mr. CHURCH, and Mr. RANDOLPH):

S. 1124. A bill to amend the Older Americans Act of 1965 to authorize a special emphasis transportation research and demonstration project program. Referred to the Committee on Labor and Public Welfare.

OLDER AMERICANS TRANSPORTATION SERVICES DEVELOPMENT ACT

Mr. WILLIAMS. Mr. President, I introduce for appropriate reference, a bill to amend the Older Americans Act for authorization of a special emphasis transportation research and demonstration program.

Today transportation inadequacies are intensifying many other pressing problems encountered by the elderly.

Routine tasks for most younger persons—such as going to the doctor, visiting friends or shopping—become formidable obstacles for the aged.

In some cases, transportation difficulties can make these chores insurmountable barriers. Too often they are limited to these choices:

They can pay a neighbor with their limited incomes to take them to badly needed services;

They can walk; or

They can do without.

Many now live under a form of "house arrest," isolated from their family, friends, and community.

As a consequence, large numbers are denied an equal opportunity to work or participate in their localities.

Left behind in congested urban neighborhoods or sparsely populated rural areas, the elderly clearly suffer from a syndrome of deprivation.

Their situation has now reached crisis proportions. And their difficulties are likely to worsen as changing life patterns aggravate their transportation problems.

The era of the neighborhood grocery store, drug store, doctor's office, and movie theater is now a thing of the past in many communities. Instead, there is likely to be a large shopping center at one end of a locality, a medical center at the other end, and recreational facilities at another point.

Most elderly persons do not drive automobiles because of financial, safety, or health reasons. Only about 42 percent are licensed to drive.

Moreover, public transportation is frequently unavailable, inaccessible, or inconvenient.

Transportation by bus or taxi is oftentimes nonexistent, especially in smaller communities.

Where these services are available, prohibitive fares may preclude the elderly.

For most aged persons, transportation is a major expense—accounting for about 9 cents out of every dollar in the average retired couple's budget. It is their third ranking expenditure, after housing and food.

But, the elderly need not live in solitary confinement in their homes. As one authority—Mr. Herman Brotman, Chief of Research and Statistics for the Administration on Aging—has said:

> The picture of the decrepit, doddering oldster is a gross exaggeration. The overwhelming majority of older people can manage in the community if society permits. They would manage even better if society would encourage such activity through the provision of essential services.

During the past Congress, significant legislation was enacted to improve public transit systems. My Public Mass Transportation Assistance Act, signed into law last October, will provide for the first time a long-term Federal commitment essential for new and improved mass transportation facilities.

One provision in the new law authorizes funding for loans and grants so that mass transit systems can be modified to meet the special needs of the elderly and handicapped.

With this approach, the long-term Federal commitment which is vital to the development of new and improved mass transportation facilities can become a reality.

But equally important is the need to examine pricing structure as they affect the elderly and the tying-in of transportation to urgently needed services.

It is for these reasons that I introduced the Older Americans Transportation Services Development Act.

This measure is patterned after S. 4246, which I introduced with bipartisan support near the end of the 91st Congress.

It is my hope that early action can be taken on this proposal.

For the current fiscal year, approximately $2.8 million is allocated for title IV research and demonstration programs under the Older Americans Act. However, this must cover the entire field of aging, including employment opportunities, nutrition, retirement planning, and many other areas.

Only five transportation research and demonstration programs are now funded under title IV, representing about 3 percent of the total amount expended.

But in view of the critical transportation problems encountered by the elderly, much more remains to be done.

My bill would help provide this direction by authorizing a special emphasis transportation research and demonstration program concentrating on:

Economic and service aspects of transportation in urban and rural areas;

Special services in target areas where there are high concentrations of aged persons;

Portal-to-portal transportation services;

Reduced price fares and their impact on the elderly's ridership, well-being and morale; and

Providing better coordinated services rendered by social service agencies.

The recently issued report by the Senate Committee on Aging—entitled "Older Americans and Transportation: A Crisis in Mobility"—has strongly urged enactment of this measure. In addition, the report states:

> As a "wedge" or a force for the "webbing" of services, improved transportation for the elderly can also provide impetus for improved services to other age groups.

For the young as well as the old, this undertaking can have important benefits.

For many older Americans, it could provide a means to counteract isolation which can lead to despair, frustration, and even death.

Their children may be benefitted because the elderly would be less dependent upon them for transportation.

And the business community may profit because increased mobility will allow more aged persons to purchase goods and services.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1124

A bill to amend the Older Americans Act of 1965 to authorize a special emphasis transportation research and demonstration project program

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Older Americans Transportation Services Development Act".

SEC. 2. Title IV of the Older Americans Act of 1965 (42 U.S.C. 3031) is hereby amended by adding at the end thereof the following new section:

"SPECIAL EMPHASIS TRANSPORTATION RESEARCH AND DEMONSTRATION PROJECTS

"SEC. 403. (a) The Secretary is authorized to make grants to any public or nonprofit private agency, organization, or institution and to enter into contracts with any agency, organization, or institution, or with any individual—

"(1) to study the economic and service aspects of transportation for older persons living in urban or rural areas;

"(2) to conduct research and demonstration projects regarding the feasibility of special transportation subsystems for use by older persons or similar groups with similar mobility restrictions;

"(3) to conduct research and demonstration projects on portal to portal service and demand actuated services;

"(4) to conduct research and demonstration projects concerning the impact of pricing structures on the comfort, well-being, and morale of older persons;

"(5) to study transportation and social service delivery interface;

"(6) to conduct research and demonstration projects to coordinate and develop better transportation services rendered by social service agencies; or

"(7) to conduct research and demonstration projects concerning other revelant problems affecting the mobility of older persons.

"(b) There are authorized to be appropriated to carry out this section $1,000,000 for the fiscal year ending June 30, 1972; and $2,000,000 for the fiscal year ending June 30, 1973."

By Mr. WILLIAMS (for himself and Mr. CASE):

S.J. Res. 64. Joint resolution to authorize and request the President to proclaim the week of April 25, 1971, through May 1, 1971, as "National ROTC Bank Week." Referred to the Committee on the Judiciary.

NATIONAL ROTC BAND WEEK

Mr. WILLIAMS. Mr. President, on behalf of my colleague from New Jersey (Mr. CASE) and myself, I would like to introduce legislation today calling for the designation of the week of April 25 through May 1, 1971, as "National ROTC Band Week." Since its founding in 1959, the association has held nine national competitions, and grown to include ROTC bands at 60 colleges in the United States.

The organization is scheduled to hold future competitions at the U.S. Military Academy at West Point and the U.S. Air Force Academy in Colorado Springs, Colo. It has an exciting history and a proud record of furthering the ideals of military musicianship and instilling a fraternal feeling among its member bandsmen. I ask for your support for this resolution declaring the week beginning April 25 and ending with the 10th Annual ROTC Band and Drum and Bugle Corps Competition on May 1, National ROTC Band Week. I ask unanimous consent that this joint resolution and other material be printed in the RECORD at this point.

There being no objection, the joint resolution and material were ordered to be printed in the RECORD, as follows:

S.J. RES. 64

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the week of April 25, 1971, through May 1, 1971, as "National ROTC Band Week", and calling upon the people of the United States and interested groups and organizations to observe such week with appropriate ceremonies and activities.

NATIONAL HEADQUARTERS,
NATIONAL ROTC BAND ASSOCIATION,
Jersey City, N.J., February 18, 1971.

Hon. HARRISON WILLIAMS, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: The National ROTC Band Association is holding its Tenth Annual National ROTC Band and Drum & Bugle Corps Competition on April 30 and May 1, 1971 in the New York Metropolitan Area. The Association is a nationwide organization of ROTC Bands and Drum & Bugle Corps formed in 1959 to further the ideals of military musicianship and to instill a fraternal feeling among Bandsmen.

Last year, we at National Headquarters requested that the State Governors declare the week prior to last year's Competition as ROTC Band Week in their states. We received thirty favorable replies. We also sent a request to the President asking him to declare National ROTC Band Week. We were informed, however, by Special Assistant to the President, James Keogh, that a Presidential Proclamation designating periods for special observance requires a prior Congressional resolution. We were referred to pursue a proclamation for National ROTC Band Week through our Congressional Representatives. Therefore, we are requesting that you aid us by sponsoring a resolution declaring the week of April 25 to May 1, 1971 to be National ROTC Band Week. Similar letters have been sent to your colleagues from New Jersey. We have also included an outlined history of our Association. If you desire more information, please forward your request to this headquarters.

Sincerely yours,
BERNARD J. KRAUSS,
Cadet Major General, NORTCBA,
Commanding.

MAJOR EVENTS IN THE PAST, PRESENT, AND FUTURE

Official establishment of the NROTCBA, August 1959.

First Army ROTC band to join NROTCBA, St. Peter's College ROTC Band, Jersey City, 1 October 1960.

First Drum and Bugle Corps to join NROTCBA, New York University, Bronx, New York, 15 February 1961.

First Air Force ROTC Band to join NROTCBA, Rutgers University, New Brunswick, N.J., 12 January 1962.

First national competition, Camp Kilmer, New Jersey, 19 May 1962.

Second national competition, Camp Kilmer, N.J., and Jersey City, N.J., 19–20 April 1963.

First State proclamation of ROTC Band Week, Governor Richard Hughes, State of New Jersey, this practice continues to this date, 15–21 April 1963.

Third national competition, Jersey City, N.J., and Singer Bowl, World's Fair, New York, 30 April–2 May 1964.

Fourth national competition, Jersey City, N.J., and Singer Bowl, World's Fair, New York, 7–8 May 1965.

Fifth national competition, Philharmonic Hall, Lincoln Center for the Performing Arts, NYC, N.Y. and Fort Wadsworth, Staten Island, New York, 6–7 May 1966.

Sixth national competition, Jersey City, N.J. and Union City, N.J., 5–6 May 1967.

National SOP adopted at sixth convention, May 1967.

Constitution revised, October 1967.

Honorary membership to Senator Edward "Ted" Kennedy, 7 October 1967.

Area reorganization, Junior Division of NROTCBA established, May 1968.

Seventh national competition, Philharmonic Hall, Lincoln Center for the Performing Arts, NYC, N.Y., and Fort Wadsworth, Staten Island, New York, 10–11 May 1968.

Honorary membership to Leonard Berstein, February 1969.

Table of organization and equipment published February 1970, revised SOP published.

Eighth national competition proposed for Jersey City, N.J. and Fort Wadsworth, Staten Island, New York, 24–25 April 1970.

Future competition sites proposed for the United States Military Academy, West Point, New York and the United States Air Force Academy, Colorado.

Proposed honorary membership to the Adjutant General, MG Kenneth G. Wickham, U.S. Army, and "Doc" Severinson of NBC Studios.

ADDITIONAL COSPONSORS OF BILLS

S. 34

At the request of the Senator from Massachusetts (Mr. KENNEDY), the Senator from Texas (Mr. BENTSEN), the Senator from Mississippi (Mr. EASTLAND), and the Senator from Georgia (Mr. GAMBRELL) were added as cosponsors of S. 34, the Conquest of Cancer Act.

S. 662

At the request of the Senator from Oklahoma (Mr. Bellmon), the Senator from Kansas (Mr. Dole), the Senator from Florida (Mr. Gurney), the Senator from Oregon (Mr. Hatfield), the Senator from New York (Mr. Javits), and the Senator from Montana (Mr. Mansfield) were added as cosponsors to S. 662, authorizing grants to be made to certain States and Federal institutions to assist such States and institutions in improving their penal and post-adjudicatory programs.

S. 681

At the request of the Senator from Oklahoma (Mr. Bellmon), the Senator from Kansas (Mr. Dole), the Senator from Florida (Mr. Gurney), the Senator from Montana (Mr. Mansfield), the Senator from Arkansas (Mr. McClellan), the Senator from Montana (Mr. Metcalf), and the Senator from Alaska (Mr. Stevens) were added as cosponsors of S. 681, the State Environmental Centers Act of 1971.

S. 869

At the request of the Senator from Connecticut (Mr. Ribicoff) the Senator from Connecticut (Mr. Weicker) was added as a cosponsor of S. 869 to equalize tax treatment of single persons.

S. 922

At the request of the Senator from Connecticut (Mr. Ribicoff) the Senator from Connecticut (Mr. Weicker) was added as a cosponsor of S. 922 to provide standards for youth camp safety.

S. 987

Mr. HANSEN. Mr. President, on February 25 I introduced S. 987, generally known as the medi-credit bill. I ask unanimous consent that at the next printing, the name of the Senator from Utah (Mr. Bennett) be added as a cosponsor.

The PRESIDING OFFICER (Mr. Gambrell). Without objection, it is so ordered.

S. 1085

Mr. HANSEN. Mr. President, on March 2 I introduced S. 1085 relating to the labeling of imported meat. Inadvertently, the distinguished Senator from Nebraska (Mr. Hruska) was not included in the original list of cosponsors. The distinguished Senator from Alaska (Mr. Stevens) has asked to be added as a cosponsor of the bill.

Mr. President, I ask unanimous consent that at the next printing of S. 1085, Senators Hruska and Stevens be added as consponsors of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF JOINT RESOLUTIONS

SENATE JOINT RESOLUTION 8

At the request of the Senator from Montana (Mr. Mansfield), the Senator from Nebraska (Mr. Curtis) was added as a cosponsor of Senate Joint Resolution 8, proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

SENATE JOINT RESOLUTION 9

At the request of the Senator from Kentucky (Mr. Cook), the Senator from Maine (Mrs. Smith), the Senator from Maryland (Mr. Mathias), the Senator from Wisconsin (Mr. Nelson), the Senator from Minnesota (Mr. Mondale), the Senator from Delaware (Mr. Boggs), the Senator from Illinois (Mr. Percy), the Senator from Wyoming (Mr. Hansen), the Senator from Tennessee (Mr. Baker), the Senator from Oklahoma (Mr. Bellmon), the Senator from Washington (Mr. Magnuson), the Senator from Maine (Mr. Muskie), the Senator from Nebraska (Mr. Curtis), and the Senator from Alaska (Mr. Stevens) were added as cosponsors of Senate Joint Resolution 9 proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

ADDITIONAL COSPONSORS OF A CONCURRENT RESOLUTION

SENATE CONCURRENT RESOLUTION 4

At the request of the Senator from Florida (Mr. Chiles), the Senator from South Dakota (Mr. McGovern), the Senator from Washington (Mr. Magnuson), the Senator from Minnesota (Mr. Mondale), and the Senator from Oklahoma (Mr. Harris) were added as cosponsors of Senate Concurrent Resolution 4, expressing the sense of Congress on the expanded use of the model cities program.

SENATE RESOLUTION 66—SUBMISSION OF A RESOLUTION TERMINATING U.S. MILITARY INVOLVEMENT IN INDOCHINA

Mr. HARTKE. Mr. President, I submit a resolution calling for the immediate withdrawal of all American forces from Indochina, conditional only upon their safety and the conclusion of a satisfactory arrangement with North Vietnam for the release of our prisoners of war.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred.

Mr. HARTKE. Mr. President, 2 weeks ago, the Senate Democratic caucus resolved overwhelmingly that American participation in the Indochina war should end "by a date certain." This date certain has been widely interpreted as being not later than December 31, 1972. I supported that motion, verbally and with my vote, just as last year and again this year I supported and continue to support the McGovern-Hatfield motions to terminate American military involvement in the war by dates earlier and more certain.

Yet, I have never been entirely easy in my mind and conscience about that approach. The dominant, unresolvable question in my mind has been this: If we determine, by law, that all American military participation must end by a certain date, irrespective of the military or political situation then prevailing, if that is the case, what useful and moral national purpose can possibly be served by maintaining American forces in Indochina beyond that date? Would we not simply be condemning to death and mutilation a number of American men trapped in a war which we had already declared to have been drained of every last drop of military, political, and moral purpose?

These questions are not alone mine, but of necessity must be questions for every American.

If, as has been authoritatively estimated, we could safely withdraw all American personnel from Indochina in a month's time, then the difference between immediate withdrawal and withdrawal by the end of the year could mean, at present casualty rates, as many as 2,000 dead and 10,000 severely wounded American servicemen.

If we take the figures which were released this morning, if that would become the weekly toll, the 2,000 dead would more likely approximate 4,000 dead and the 10,000 severely wounded would be more nearly 20,000.

The economic costs—even accepting administration estimates at face value—would be in excess of $9 billion. Nine billion dollars; 2,000 dead; 10,000 severely wounded—that is the price we pay for postponing American withdrawal from Indochina for 9 months beyond the time it could be safely accomplished. And again I must ask, what would we have gained by that delay? What good would we have purchased for that price?

I find those questions, Mr. President, very nearly unanswerable. How much more difficult, how much less susceptible to a decent answer, is the central question concerning President Nixon's Indochina policy—the question, of for example, what good are we purchasing, for ourselves or even for the people of Indochina, by dragging out our withdrawal far beyond the end of this year, when the President himself has said we can and must—he says we must—withdraw eventually?

Yes, I know the answers the President has given; I suppose I can say with many Americans that I know them by heart. But strip away the "can't" phrases, eliminate the shopworn rhetoric of a discredited policy, and we are left only with the proposition that by lingering on we give our client governments in the region "the time and the means to defend themselves."

But the President himself has proudly told us, in his state of the world message, that the South Vietnamese Government now has 1.1 million men under arms with which to confront North Vietnamese invaders numbering approximately 100,000 men. The ratio is 11 South Vietnamese to 1 of the enemy. We are further told that "roughly 80 percent of the total population of South Vietnam is controlled by the Government." Are we, then, to believe that this overwhelming preponderance of population and force is still not enough to insure South Vietnam's ability to resist aggression?

How much will be enough?

Or perhaps it is a matter of training. We have been training South Vietnam's young men for more than a dozen years. Is that not long enough?

How long is long enough?

Or perhaps the equipment is lacking. Perhaps total domination of the air is not domination enough. Perhaps tens of billions of dollars worth of America's latest and best military hardware is not yet enough.

How much more, then, will be enough? The President told us last week that Vietnamization is going spendidly. Vietnamization—this interminable prolog to withdrawal—satisfies every statistical measure of progress, and yet it is not splendid enough to allow us to say, "We have done what we came for—to give the Government of South Vietnam time to stand by itself." And we shall not be able to say it next December, nor the December after that, according to the administration, because now we must also "Vietnamize" Laos and Cambodia. For, in Mr. Nixon's words:

> If Hanoi were to gain control of Laos and Cambodia, a large portion of the more than 140,000 Communist troops now engaged in these countries would be freed to fight in South Vietnam.

The arithmetic of the dilemma is obvious: 1.1 million South Vietnamese troops cannot successfully defend their country against 100,000 North Vietnamese invaders. If, however, Hanoi could more than double the number of its troops in the South, even 2¼ million ARVN troops would be insufficient for national defense. But South Vietnam, even with our help, could not raise, train, and equip an army of 2¼ million men. Therefore, unless Laos and Cambodia are "Vietnamized," Vietnamization can never succeed. And as President Nixon has said time and time again, we will never abandon our friends. What does this all mean?

In short, we can only assume that the President's "plan to end the war," called Vietnamization, is a subterfuge, a coverup for one or another of two distasteful alternatives. One is unilateral American withdrawal, regardless of the consequences to the existing regimes in Laos, Cambodia, and South Vietnam. The other is an attempt to win the war through military means, behind a smokescreen of deescalatory language designed to conceal preparations for some dramatic new escalation.

If the President's plan is the former—that is, unilateral withdrawal, as I have said and as those who are in disagreement with the administration have said, and with some reason, that the war should be brought to an end—then, as I have said, all the arguments against delaying our withdrawal until the end of this year or next take on added force. For delay of withdrawal would only multiply the numbers of American and Indochinese dead and maimed and the billions of American dollars—all to no purpose other than preserving what Mr. Nixon mistakenly regards as our national credibility, or "honor."

But if, instead, it is a military victory which the President intends to seek—contrary to all experience and all his own promises, and in the face of incalculable danger to the very existence of the United States—if that is what he intends, then, I say, the Congress can have no choice but to use every vestige of its constitutional power to end this war at the earliest possible hour.

For military victory is the same illusory goal that has eluded us for 10 blood-soaked years. We have dropped 10 million tons of bombs on Vietnam—more than on Germany in World War II—and we have not had victory. We have scattered 100,000 tons of defoliants and unimaginable quantities of toxic chemicals to destroy forests and crops, and we have not had victory. We have helped kill 300,000 civilians, made millions into refugees, and have left in the trail of our havoc the maimed bodies of tens of thousands of little children, and we have not had victory. Our own toll of dead from combat and other causes now numbers well over 50,000 Americans—18,000 of whom have died since President Nixon came into office. Our military hospitals are crowded with young men who will never again walk, or see, or regain their sanity. We have poured more than $200 billion into that river of blood, and we still do not have victory.

What will history have to say of our dead and maimed, and of the dead and maimed Vietnamese children and soldiers, and of the dead and maimed Cambodians and Laotians? Will history say that the suffering and the blood, the bitter emotional hurt of soldiers and civilians, the savage disruption of three ancient societies were ennobled by the loftiness of the cause? I do not think so. Whatever our reasons for entering this war, few of us any longer find any nobility in our reasons for continuing it, and it seems doubtful that history will be kinder to us on this score than we are to ourselves.

What will our children say of our neglect of our own festering national problems—of our neglect of our cities and rural areas, of our hospitals and schools, of the poor, the sick, the aged, the minorities—all of them sacrificed to a delusive goal in a despicable war?

Unfortunately, the answer is easy to come by. We need only ask our children. We need only look at their faces. We need only count the numbers of them who are resigning from us into foreign or domestic exile.

Let us ask our children. Let us ask those who may yet have to fight in this war. Let us ask them whether they consider the cause noble. Then let us ask ourselves whether we can dismiss their answers on the grounds that they are merely children. Yes, they are children. They are the children who will do the dying—as the children now, American and Asian, are doing the dying.

It is a wound also—I know this—for a nation like ours to say, after so much blood, that we have been mistaken. Whatever its outcome, whether we end our part in this war now, as soon as logistics permit, or whether we let it drag on, year after year, carrying us and the world closer to doomsday by inches or miles—whatever its outcome, Indochina will be our wound for many years to come. But nations, like men, can learn from wounds. Suffering is a teacher of timeless renown, and America is still a young and resilient land—a land that can heal itself and be stronger than before through the wisdom it gave itself in healing.

The war must end and it must end now. It is for this reason, therefore, that I offer a resolution calling upon the President to withdraw all our forces at the earliest practicable date consistent with their safety, and conditional only upon a satisfactory arrangement with the Government of North Vietnam for release of American prisoners of war.

I am aware, Mr. President, of the arguments that will be leveled against this resolution and the policy it is intended to bring about, and the timidity with which some will approach it. I am aware, too, of the kind of abuse that will likely be heaped upon its sponsors and supporters. Those who might be tempted to substitute invective for argument should bear in mind, however, that we who have opposed American intervention in Indochina over the years have long since grown accustomed to hearing ourselves described as "nervous Nellies," "Reds," "liars," "traitors," and other such mindless obscenities; and I very much doubt that the ultimate judges of this debate—the American people—will be moved except to disgust by such repetitions.

Let me try briefly to anticipate some of the reasoned arguments by honest men that will be advanced against this proposal for immediate American withdrawal from Indochina.

It will be said, first, that to withdraw now instead of waiting for Vietnamization to proceed to the President's still undefined idea of completion would gravely jeopardize the chances for survival of non-Communist governments in the area.

The response to that, as I indicated earlier, is that if 1.1 million South Vietnamese troops, armed with the very best and latest American equipment and enjoying total domination of the skies, cannot provide for their own national defense against an enemy which they outnumber 11 to 1, then Vietnamization is a concept so empty of hope that we had best abandon it before another drop of American blood or another dollar of American treasure is wasted on it.

But what about Cambodia and Laos? we will be asked. Their armies face hostile outside forces but without the advantages of overwhelming numbers and equipment. Would we not then be delivering them into North Vietnamese hands?

The first answer to that is that North Vietnamese troops are in Cambodia and Laos today only in response to the massive American escalation that began in 1965. The Pentagon itself concedes that even in South Vietnam there were only some 400 northern troops at the time we began the bombing in February 1965. There were none in Cambodia and only a few hundred—if that—in Laos. The extension of Hanoi's armed force beyond its own borders came in direct response to our own occupation of the south, and it may be expected to end when our occupation ends—provided, of course, that South Vietnam's armies return to the defense of their own land and stop invading their neighbors.

In any case, we should bear in mind President Nixon's own estimate of only 140,000 North Vietnamese troops in Laos and Cambodia combined, as against a Cambodian Army which now numbers over 200,000 and a Laotian Army of indeterminate size. Let those nations defend themselves, for better or for worse. All that our and Saigon's help has brought them is unimaginable suffering for their own people. Nearly one-fourth of Cambodia's total population are now refugees, as are one out of every nine Laotians. Civilian casualties in each country number in the tens of thousands. If there is a worse fate for those tormented people than American military help, I do not know what it is.

A third argument against the resolution I offer today is that our withdrawal at this point in the conflict would gravely impair America's "credibility" throughout the world. They say that our allies would no longer have confidence in our willingness to defend them against Communist aggression.

In response, it is worth asking which ally we propose to defend against which Communist aggressor. Surely, no one doubts our determination to maintain an impenetrable nuclear umbrella over Western Europe, and no rational person supposes for a moment that the Soviet Union would invite thermonuclear destruction for the dubious advantage of sending its armies crashing into Western Europe or any other NATO land.

And if, for the sake of an argument which I do not for a moment concede, even if our withdrawal from Indochina would damage our credibility in the eyes of our NATO allies—almost all of whom view our Asian conflict with horror and dismay—and none of whom even think of becoming involved with us—but even if that impairment of credibility should occur, which I do not concede, what policy changes should we anticipate as a result? Does the President really mean to suggest that the great, proud, free nations of the West would eventually transform themselves into Soviet satellites? As regards Western Europe, that is the only inference to be drawn from the credibility argument, and it must be rejected with contempt.

But it is not really any prospective victims of Soviet aggression to whom the credibility thesis is meant to apply. Instead, to make any sense of it, we have to confront the looming shadow of mainland China, whom two decades of cold war demonology have attempted to portray as an insatiably aggressive conqueror, deterred till now only the knowledge of America's determination to block its expansion. And if our credibility should wane—so the argument goes—because of a withdrawal from Indochina, Red China neighbors would have no choice but to throw in their lot with the oriental behemoth.

It is worth asking, again, to whom that line of reasoning is meant to apply. Japan? Indonesia? Taiwan? Those who think so should spend the next few years figuring out the logistics which would permit China to dispatch a vast invading army across the ocean. India? Burma? Thailand? No doubt China has the military capability to carry out an invasion of those bordering nations. But the "domino-theorists" have yet to explain what advantage China could possibly derive from adding hostile populations, poorer and less developed than its own, to the enormous weight of domestic problems it currently faces.

In any case, if any nation, East or West, chooses to so misinterpret an American withdrawal from Indochina as to lead it to turn itself over to Russia or China, I think most of us would agree we were well rid of its "friendship."

In fact, of course, far from hurting us in the eyes of the nations whose friendship we most value, withdrawal now from Indochina would serve us better than any other course we could pursue. We would be seen to have recovered at last from a long and terrible illness; we would be seen to have regained at last the courage of our historic convictions. And in this connection, it would be worth recalling that France never stood higher in the sight of the entire world than when it finally found the moral strength to end the killing in Algeria and brought into being "a peace of the brave."

In a roundtable discussion last spring following the Cambodian invasion, a wise and experienced student of international affairs, Prof. Hans Morgenthau, made the point with great clarity. The issue, he said, as between ending the war or continuing it indefinitely, "is not a question of preventing humiliation. We are being humiliated every day as long as this war continues. We are humiliated in the eyes of the world. What is worse and graver is that we humiliate ourselves in our own eyes because we betray the moral principles, the ideals on which this country was founded and which in the past we have at least tried to put into practice."

The issue, then, is neither credibility nor humiliation, but ending, in the safest and most expeditious manner, this slaughter of innocent people and this defilement of America's ideals. And that, precisely, is what my resolution calls upon the President to do—to end the war, and end it now.

The true alternative, as we all well know, is not a gradual winding down of the conflict through some such illusory tactic as Vietnamization. The true alternative is an attempt to terrorize North Vietnam into accepting a Korean-type settlement, with some indeterminate number—perhaps a hundred thousand—of American troops staying on indefinitely as guarantors of the Saigon regime. But this alternative, attractive as it may seem on its face, is terribly and fatally flawed, for it is based upon the assumption that North Vietnam can in fact be terrorized, by the threat of illimitable airpower, into accepting that kind of settlement.

That assumption is contradicted by a thousand years of Vietnam history, through which generation after generation they would not bend their knee to invading foreigners. To subdue them now, in the face of that history, would require on our part an assault of such savagery as to cause us to be exiled from the brotherhood of nations and destroy the last fragile bond that still keeps us together in this country as a people. The risk is much too great, the price we should have to pay for success far too terrible.

"The sins of the fathers shall be visited upon the children even unto the fourth and fifth generations." If we here today remain passive as evils of such magnitude are carried out in the name of America, we shall have condemned ourselves and our posterity to a frightful judgment.

It is no good pretending that we are unaware of the suffering we have permitted our arms to inflict on the innocent, or that we are privy to some moral calculus according to which all the death and mutilation can be counterbalanced by our own political advantage. We know better; every single one of us knows better. For, as a brilliant contemporary writer has said in another context, "no willful blindness can obscure a sight once seen by the reflective eye, and no maneuver of perversity heal the damaged integrity of the will."

The horrors we have already perpetrated in Indochina can never be effaced. But we can yet draw back, we can yet commute the sentence of death and mutilation and exile that has been passed on thousands of our own sons and tens of thousands of Asian men and women and children.

I pray God with all my heart that we will do so, and it is in that spirit that I offer this resolution to end the war.

The resolution (S. Res. 66), which reads as follows, was referred to the Committee on Foreign Relations:

S. RES. 66

Whereas the President's authority to commit United States armed forces to the Indochina conflict, which authority was granted by the Congress in the Tonkin Resolution (Public Law 88–408, 88th Congress), has been withdrawn by the repeal of said resolution;

Whereas the Indochina conflict has cost the United States a heavy toll in blood and treasure and has produced incalculable suffering for the civilian populations of the entire region; and

Whereas a continuation of United States participation in the Indochina conflict will only add to that toll without producing a compensating benefit to the national interest: Now, therefore, be it

Resolved, That the Senate urges the President

(1) to withdraw immediately all United States armed forces from Vietnam, Cambodia, and Laos, considering only the safety of those armed forces;

(2) to terminate immediately all other United States military operations in Indochina from whatever place of origin, except those military operations of a purely defensive character related specifically to the protection of such armed forces during the withdrawal period; and

(3) to make the withdrawal of such armed forces and termination of those military operations contingent upon conclusion of a satisfactory arrangement with the Government of the People's Republic of Vietnam for the speedy release and repatriation of all United States civilian and military personnel now being held by that Government.

Mr. THURMOND. Mr. President, my distinguished colleague from Indiana has submitted a resolution which has emotional appeal in behalf of our brave men who are held prisoners of war, but it will not work. Since when can you make a deal with the Communists? Our country has already taken many unilateral actions including announced withdrawal plans, but Hanoi has maintained an intransigent and barbaric attitude on the POW problem. Any proposal that seeks to relate the release of prisoners to troop withdrawal has little chance of achieving desired results. It might well prolong the return of our men and accounting for the missing.

Mr. President, we have long maintained that the prisoner issue is humanitarian and should not be related to other aspects of the conflict. This factor was emphasized in the President's October peace proposal wherein he urged the immediate release of prisoners by both sides. The enemy, on the other hand, has taken the opposite position and has sought at every opportunity to link the prisoner issue to the military situation and to the political negotiations for a settlement of the conflict.

Any agreement to link the prisoner and the political issues might well establish a precedent that would make it more difficult to ever satisfactorily resolve the prisoner problem. An offer to connect prisoner release to U.S. troop withdrawals would formally establish their hostage value—a situation the enemy has sought to achieve.

The President has repeatedly offered to negotiate a timetable for the withdrawal of all non-South Vietnamese troops. Faced with the enemy's refusal to enter into such discussions, especially that of withdrawing its own troops, the President has undertaken unilateral withdrawal under the Vietnamization plan. The actual rate of this unilateral U.S. withdrawal has been the fastest possible consistent with maintaining our fundamental national interests. A proposal to link prisoner release to withdrawal reduces flexibility and results in a more rapid withdrawal to the benefit of the enemy. It offers absolutely no assurances of reciprocal action to release prisoners.

Mr. President, the resolution would also tend to foreclose on other options. It is my firm belief that, in the absence of a negotiated settlement, Vietnamization offers the best course toward the achievement of our aims. As Vietnamization progresses, we believe it becomes advantageous for the enemy to agree to a negotiated settlement. The release of prisoners and accounting for the missing is one of the issues that must be resolved before any final settlement. Consequently, the resolution offers nothing new except a unilateral announcement by the Senate to undermine the President. Hanoi would hail the show of weakness.

An offer on our part to withdraw in return for releasing the prisoners offers no assurance of performance by the other side. I can recall more than 3 years ago the enemy's indicated willingness to discuss the release of prisoners if the United States stopped its bombing of North Vietnam. The bombing was stopped, but Hanoi never changed its inhumane attitude toward the prisoner problem.

Mr. President, there is still another aspect to be considered. We should not discount the value of the help given by various intermediary countries which have interceded with the enemy in behalf of our men missing or captured. The efforts of third parties have in my view had some effect and might still provide the catalyst for obtaining some agreement on the release of our men. In all cases, intermediaries have been willing to assist us solely on the basis of humanitarian considerations. Linking the prisoner issue to the political aspects of the conflict would in all probability remove this possible means of achieving the return of our men.

In my judgment, some accusations and misleading remarks made by the distinguished Senator from Indiana will give comfort and aid to the enemy, and they should not go unchallenged. He has charged that the President's Vietnamization plan is a subterfuge. In my view, the withdrawal of 260,000 Americans under the Vietnamization plan is not subterfuge.

He has charged the President of seeking a military victory behind "a smokescreen of deescalatory language." I suggest the distinguished Senator study military strategy. Since when can a nation seek a military victory by withdrawal and failure to use the available military power that should have been used 4 years ago to end the war once and for all?

My distinguished colleague has stated that the United States has "been training South Vietnam's young men for more than a dozen years." If this were true on the scale started 2 years ago, then why did the previous administration ever commit ground troops in Southeast Asia? Again, I suggest the Senator from Indiana acquaint himself with the magnitude of military training of a nation's manpower. This program prior to the current administration was a "drop in the bucket" compared to the success achieved in the last 2 years.

He has charged that the North Vietnamese forces in Laos and Cambodia are "in response to the massive American escalation." I would like to remind the Senator the reverse is true. Hanoi used the Laos and Cambodia routes to infiltrate massive forces into South Vietnam long before the United States started a buildup of combat forces.

Mr. President, my colleague accentuated the negative. He failed to mention that 2 years ago our casualties each month were five times as high as they are now.

He states that 18,000 have died since the President took office. He failed to state that the other 32,000 of the 50,000 figure he uses were casualties before 1968 when the administration failed to use military power as it should have been to end the war and save lives.

My colleague stated that "we have poured more than $200 billion into that river of blood," but he failed to state that 2 years ago, the demands of the Vietnam war cost us approximately $22 billion per year but that cost has now been cut in half.

Mr. President, in my judgment President Nixon has chosen the best available and workable solution to end the war. The withdrawal and Vietnamization plans which are obviously succeeding provide the President with flexible courses of action to pursue in securing the release of American prisoners. This flexibility will be seriously jeopardized if the Senate attempts to restrict the President by congressional pressure, especially without a demonstrated act of prior good faith by Hanoi.

Mr. President, I can see no useful purpose for the resolution. In my view, it is but another instrument of political expediency to divide the country on a very emotional and vital issue. Our country is united in behalf of the safety of our men held prisoners. Now, my colleagues would seek to divide this unity. The President of the United States will continue to do everything in his great power to free the POW's without advance notice of capitulation implied by the resolution. President Nixon wants our men home safe as much or more than any other American, including my distinguished colleague.

Mr. President, I recommend that the resolution be defeated.

SENATE RESOLUTION 67—SUBMISSION OF A RESOLUTION AUTHORIZING PRINTING OF REPORT "THE ECONOMICS OF CLEAN AIR" AS A SENATE DOCUMENT

Mr. BYRD of West Virginia (for Mr. RANDOLPH) submitted the following resolution (S. Res. 67); which was referred to the Committee on Rules and Administration:

S. RES 67

Resolved, That the annual report of the Administrator of the Environmental Protection Agency to the Congress of the United States (in compliance with Public Law 90–148, The Clean Air Act as amended) entitled "The Economics of Clean Air", be printed with illustrations as a Senate document.

SEC. 2. There shall be printed two thousand five hundred additional copies of such document for the use of the Committee on Public Works.

SENATE RESOLUTION 68—SUBMISSION OF A RESOLUTION TO ESTABLISH A SPECIAL COMMITTEE ON NATIONAL HEALTH CARE PLANS

Mr. PELL. Mr. President, I rise to submit, for myself and Mr. JAVITS, a resolution to establish a Special Committee on National Health Care Plans.

There has been much discussion in recent years for the need for national changes in the structures of our domestic society. How the Congress considers these changes in many ways determines what these changes will be.

I believe one of the major reasons for the some time incremental and piecemeal approach taken by the Congress in attempting to solve many of our national problems is the jurisdictional structure of the Senate committee system. We attempt to solve the problems of the 1970's through committee jurisdictions which were established for the problems of 25 years ago.

It is for this reason I am most concerned about the methods through which the Senate will consider the national health care issue in this coming Congress. The health care issue is most complex—it involves esoteric issues of finance, organization, and medical technology. It is an issue which cuts across the jurisdiction of at least six committees of the Senate.

If we were only to examine the question of the Senate's consideration of hospital costs in the last session of Congress, we would find that the Labor and Public Welfare Committee has held hearings on hospitals to authorize money for their construction, the Finance Committee has held hearings on hospitals regarding their reimbursement formulas under medicare, the Judiciary Committee has held hearings on hospital costs to examine antitrust implications, the Joint Economic Committee has held hearings on hospital costs to analyze their impact on the economy, the Post Office and Civil Service Committee has considered hospital costs in terms of their impact on Federal employee health plans, and the Government Operations Committee has considered hospitals in the context of the 23 Federal agencies concerned with health.

The problem of our health care crisis, I believe, demands a systems approach. I believe the problem of health financing, health delivery, and health manpower can be best considered together in a comprehensive manner. Changes in health financing must be balanced by changes in health delivery and health manpower.

I do not believe that the trade-offs in the interrelationships that have to be legislated within the health care system can be realistically accomplished if the Senate considers each aspect of the health care crisis on an incremental basis in different committees.

I am, therefore, proposing the creation, for the duration of this Congress, of a Special Committee on National Health Care Plans.

The special committee I propose will have one sole responsibility—the consideration of health care legislation proposing to completely restructure the Nation's health care system. At present, the key elements of such legislation is handled by the Committee on Finance and the Committee on Labor and Public Welfare.

I would propose that the special committee be given legislative jurisdiction over the President's national health care proposal, the proposals of other Senators like Senator KENNEDY and Senator JAVITS, and my own national health care proposal.

The special committee would undertake a systems analysis of the delivery, financing, planning, and regulation aspects of the overall health care system.

Its legislative analysis would run parallel to the systems study now being conducted by the Department of Health, Education, and Welfare under the requirements of an amendment I introduced in the last session of Congress.

The special committee would consist of 13 members made up of members appointed from the Senate Labor and Public Welfare Committee and the Senate Committee on Finance and other Members of the Senate at large. It would be given until February 1972 to either report legislation or report its recommendations as to the most effective way of reforming our Nation's health care system.

Legislation reported from the special committee could be referred to either the Committee on Labor and Public Welfare or the Committee on Finance for technical changes in conformance with existing laws prepared within the jurisdiction of those committees.

The special committee would be a working committee with only one specific purpose—that is, the legislative consideration of national health finance and delivery bills.

Its role would not limit the existing committees in reporting legislation needed to make incremental changes in different aspects of existing health laws in this session of Congress.

The special committee would be given adequate resources to obtain the services of outside experts needed to assist in the reform of our $70 billion national health care system.

Mr. President, what I am proposing is a comprehensive approach, on a problem-oriented basis, to a most complex problem, the solution of which, I believe, is beyond the individual jurisdiction of any one committee.

I believe that in some cases, such as our national health care crisis, our Nation's problems are so complex that they first demand a restructuring of our own approach toward consideration of the problem before a resolution to the problem is actually drawn.

Therefore, I am suggesting a systems approach on the congressional level to national problem solving.

I ask unanimous consent that the text of my resolution to establish a Special Committee on National Health Care Plans be printed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD and was referred to the Committee on Labor and Public Welfare, as follows:

S. Res. 68

Resolution to establish a Special Committee on National Health Care Plans

Whereas the inadequacies of providing and financing health care services in the United States are a serious matter of national concern;

Whereas all citizens of the United States are not receiving the level of health care which the country is capable of providing to them;

Whereas the provision of needed health care services to all citizens would involve many interrelated changes in the methods of delivering, financing, planning and regulating the United States' estimated $67 billion health care system;

Whereas many Members of Congress have suggested different ways of reforming the Nation's health care system involving the jurisdiction of more than one committee of the Senate;

Whereas the President has pledged a comprehensive national health care program in which the public and private sectors would join in a new partnership to insure that no American family will be prevented from obtaining basic medical care by inability to pay;

Whereas at least six committees of the Senate have held hearings on different aspects of the health care crisis facing the Nation;

Whereas the comprehensive changes which may be required to improve the Nation's system of health care would involve the jurisdiction of more than one committee of the Senate;

Whereas an orderly reform of our Nation's system of health care requires an integrated legislative and systems approach: Now, therefore, be it

Resolved, That (a) there is established a special committee of the Senate for the duration of the 92nd Congress to be known as the Special Committee on National Health Care Plans (hereafter referred to as the "Committee"). The Committee shall be composed of 13 members appointed by the President of the Senate as follows:

(1) two majority members and one minority member of the Committee on Labor and Public Welfare:

(2) two majority members and one minority member of the Committee on Finance; and

(3) four majority members and three minority members of the Senate (including any Senator who is a member of a committee referred to in clause (1) or (2) of this subsection).

The Committee shall select a chairman from among its members. Any appointment of a Senator to be a member of the Committee shall be in addition to the number of appointments to committees to which that Senator may be entitled under paragraph 6 of Rule XXV of the Standing Rules of the Senate.

(2) The Committee shall only receive, consider, and report bills, resolutions, and germane amendments relating to comprehensive and overall changes in the Nation's health care system or to the development of a national health insurance plan or health services plan to meet the needs of all or the overwhelming majority of the Nation's citizens. Members of the Committee may serve on any committee of conference to the Senate considering any such bill, resolution, or amendment.

Health, Education, and Welfare (required by section 304 (b) of the Public Health Service Act, as added by section 201 of Public Law 91–515) relating to the national health care plans developed by the systems analysis method and to the study of legislative proposals introduced in the Ninety-First Congress concerning national health insurance and health service plans.

(d) The Committee shall report its recommendations to the Senate not later than February 29, 1972. Bills incorporating the recommendations of the Committee which are reported to the Senate may be referred for a period of not longer than three weeks to the Committee on Labor and Public Welfare or to the Committee on Finance for technical changes in conformance to laws prepared within the jurisdiction of those Committees.

SEC. 2. (a) In considering matters pertaining to comprehensive health care in the United States and overall changes in the Nation's system of health care, the Committee is authorized from March 1, 1971, through February 29, 1972, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to hold hearings, (3) to sit and act at any time or place during the sessions, recesses and adjournment periods of the Senate, (4) to employ personnel, (5) to subpena witnesses and documents, (6) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel, information, and facilities of any such department or agency, (7) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, in the same manner and under the same conditions as a standing committee of the Senate may procure such services under section 202(i) of the Legislative Reorganization Act of 1946, (8) to interview employees of the Federal, State, and local governments and other individuals, and (9) to take depositions and other testimony.

(b) The minority shall receive fair consideration in the appointment of staff personnel under this resolution. Such personnel assigned to the minority shall be accorded equitable treatment with respect to the fixing of salary rates, the assignment of facilities, and the accessibility of committee records.

Sec. 3. The expenses of the Committee under this resolution for the period from March 1, 1971, through February 29, 1972, shall not exceed $500,000, of which amount not to exceed $200,000 shall be available for the procurement of the services of individual consultants or organizations thereof.

Sec. 4. Expenses of the Committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Committee.

AMENDMENT OF FEDERAL FOOD, DRUG, AND COSMETIC ACT—AMENDMENTS

AMENDMENT NO. 7

Mr. PROXMIRE submitted amendments intended to be proposed by him to the bill (S. 988) to amend the Federal Food, Drug, and Cosmetic Act to require appropriate identification of imitation dairy products, to modify the identification requirements for oleomargarine or margarine served in public eating places, and for other purposes, which were referred to the Committee on Labor and Public Welfare and ordered to be printed.

AMENDMENT TO THE WATER QUALITY STANDARDS ACT OF 1971—AMENDMENT

AMENDMENT NO. 8

Mr. PROXMIRE. Mr. President, I am today submitting an amendment to the Water Quality Standards Act of 1971 (S. 523). The amendment would permit commercial banks to underwrite water and sewer revenue bonds issued by State and local governments. Under existing law, commercial banks are permitted to underwrite general obligation bonds and revenue bonds issued for housing purposes.

The Water Quality Standards Act of 1971 would authorize a total of $12.5 billion in Federal grants as the Federal share of a $25 billion State and local water and sewer construction program. The issuance of these bonds will severely strain our capital markets, and it is imperative that they be issued at the lowest possible cost in order to reduce interest charges to our State and local governments.

Studies have shown that commercial banks would provide additional competition if they were permitted to underwrite and deal in revenue bonds. For example, the Comptroller of the Currency reports that more than 99 percent of general obligation bonds were awarded through competitive bidding. On the other hand, only 81 percent of revenue bonds were awarded through competitive bidding. Moreover, because commercial banks cannot underwrite revenue bonds, the average number of bids submitted on revenue bonds is substantially lower than those submitted on general obligation bonds. The same study shows that the greater number of bids the lower the finance cost to the issuing municipality.

I have requested Senator Muskie, the chairman of the Committee on Air and Water Pollution to consider this amendment during his forthcoming hearings on S. 523. I ask unanimous consent to have printed in the Record at this point a copy of my letter to Senator Muskie together with the attachments thereto.

There being no objection the material was ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., March 3, 1971.

Hon. Edmund S. Muskie,
Chairman, Subcommittee on Air and Water Pollution, Senate Committee on Public Works, Washington, D.C.

Dear Mr. Chairman: S. 523 which you introduced on February 2, 1971, would authorize a total of $12.5 billion in Federal grants as the Federal share of a $25 billion state and local water and sewer construction program. I understand that your Subcommittee will hold hearings on this bill as well as the various proposals introduced by Senator Cooper on February 26, 1971, on behalf of the Administration.

You will recall that during the last Congress, an amendment I offered to the Water Quality Improvement Act of 1970 which would assist state and local governments in the financing of water and sewer revenue bonds was accepted by the Senate but was subsequently dropped in Conference. I am still of the opinion that my amendment is needed in order to permit state and local governments to borrow money for water and sewer construction programs at the lowest possible cost. Therefore, I am enclosing a proposed amendment to S. 523 and would appreciate your Subcommittee considering this amendment during the forthcoming hearings. I am simultaneously introducing this amendment on the floor as a printed amendment to S. 523.

I am also enclosing for your information a copy of a letter dated February 3, 1970, from the Under Secretary of the Treasury to Senator Baker endorsing the amendment considered by the previous Congress, as well as a letter from the National League of Cities dated October 17, 1969, endorsing the same amendment. I particularly call to your attention the application by the National League of Cities of a 1967 study showing the cost saving to states and localities if they were to have access to the same capital market that they have for general obligation issues and for housing, university and dormitory revenue bonds.

Under the provision of S. 523, state and local government units would be expected to contribute $12.5 billion over the next five years as their share of the overall construction program. Since a majority of water and sewer municipal bonds are of the revenue type, it could be expected that over $7 billion in water and sewer revenue bonds will be issued during the five year period. The studies by the National League of Cities as well as those of the Comptroller of the Currency would indicate that many, many millions of dollars could be saved if water and sewer revenue bonds were sold in a competitive market.

I note with interest that S. 1015 introduced on February 26, 1971, by Senator Cooper and co-sponsored by 32 other Senators including yourself, would establish an Environmental Financing Authority whose stated purpose is to assist in the financing of state and local water and sewer bonds. The Environmental Financing Authority would be available for those communities which were unable to sell bonds in the marketplace. S. 1015 at Sec. 14 would amend the Banking Act by providing that commercial banks may underwrite and deal in obligations issued by the Environmental Financing Authority. It seems to me that if the capital resources of our commercial banks are requested to be available to finance the Environmental Financing Authority, they should be directly available in the first instance to the state and local government units when they attempt to sell their bond issues.

In view of your Subcommittee's consideration of S. 1015, I would think it would also be appropriate to consider my proposed amendment.

With best wishes, I am
Sincerely,

William Proxmire,
U.S. Senate.

October 17, 1969.

Hon. Edmund S. Muskie,
Committee on Public Works,
U.S. Senate,
Washington, D.C.

Dear Senator Muskie: The National League of Cities wishes to express its appreciation of your support of the amendment offered by Senator Proxmire October 7 to H.R. 4148. This amendment, Section 110 of Title I of the bill, would afford state and local governments issuing water and sewer revenue bonds greater access to the capital market in the same manner now enjoyed in the issuance of housing, university and dormitory revenue bonds as well as all general obligation bonds. The National League of Cities has supported the concept of permitting banks underwriting of revenue bonds since 1955. We strongly support this amendment and urge you to work for its retention in the final version of H.R. 4148 to be worked out in joint Conference Committee.

The amendment is quite timely, coming as it does in the face of unprecedented high bond interest rates. The effect of the amendment is to permit additional competition for revenue bond underwriting purposes and to broaden the secondary market for these bonds. The net result to states and cities would be to reduce the interest rate paid by bond issuers.

The relationship of the amendment to H.R. 4148 is especially important. In 1968 alone, states and localities issued close to $3 billion in water, sewer and conservation bonds. Comparing this figure to the total volume of $14.4 billion of new issues for that year, it is clear that the purposes for which water and sewer bonds have been issued rank high in terms of both local need and local priority.

Municipalities are the heaviest issuers of these bonds. More and more cities are turning to the issuance of water and sewer revenue bonds as opposed to general obligation securities because of various debt limitations and the already overburdened property tax system. In addition, the projects which these bonds finance are generally financially self-sustaining in that charges levied against users of water and sewer services and so forth may be directly applied to debt service.

A March 1967 study co-sponsored by the underwriting costs of all revenue bonds to National League of Cities, compared the all revenue bonds to all general obligations over the preceding eight-year period. The assumption was made that because these two classes of bonds are close substitutes for one another, a comparison would reveal any economic effect, and the magnitude of that effect, that the absence of participation by commercial banks in underwriting revenue bonds would have. The study revealed that there were an average 3.5 bids submitted for each revenue issue compared to 5 for each general obligation and that there was a difference of $2.92 per $1000 in underwriters spread between the average issues of each class. This difference cannot be attributed to differences in bond quality since revenue bonds have been found to be generally equal to if not superior to general obligations in quality. Our study also revealed the startling fact that close to 48 percent of all revenue bond sales were negotiated or one bid situations.

To bond issuers, the injection of just one more bidder into the market for bond issues would force the ultimate underwriter to buy at a lower yield and reoffer the bonds at a lower yield and reduce the underwriters spread. We believe this additional bid would lower overall interest rates as much as 11 basis points. Assuming a three billion annual volume of water and sewer bonds and noting that the average life of such bonds is about 14 years, the savings to states and localities would amount to $33 million annually or $528 over the life of one year's bonds.

With costs of all capital projects increasing rapidly, we feel it is vital to take any prudent steps which will help reduce these costs. Particularly cities must continue to face up to the monumental task of cleaning up pollution in our streams, rivers and lakes, a task to cost between $2 and $3 billion alone next year. We feel that it is essential to enact the Senate's amendment to help ease the tremendous financial burden ahead.

Your personal attention and vigorous support of section 110 of H.R. 4148 will be greatly appreciated. I stand ready to provide whatever additional assistance you may require on this matter.

Sincerely,

Peter B. Harkins,
Legislative Counsel.

The Under Secretary
of the Treasury,
Washington, D.C., February 3, 1970.

Hon. Howard H. Baker, Jr.,
U.S. Senate,
Washington, D.C.

Dear Senator Baker: In response to your request, we are happy to give the views of the Treasury Department on the desirability of including in the Federal Water Pollution Control Act the provision permitting commercial banks to underwrite and deal in certain revenue bonds issued by state and municipal governments for the purpose of financing water and sewer projects. Under present law, commercial banks, while a most important factor in the underwriting and marketing of general municipal obligations are prevented by Federal law from underwriting and dealing in municipal bonds payable only from specific revenues.

In 1968 the Congress adopted an amendment to the Housing and Urban Development Act of 1968, which removed the restriction on bank underwriting for revenue bonds issued for housing, university or dormitory purposes provided that such bonds had sufficient credit quality to be eligible for portfolio investment by national banks. Section 1705(h) of P.L. 90–448. The Comptroller of the Currency advises me that in the comparatively short period of time since the enactment of the 1968 Housing Act in late 1968, national and state-member banks of the Federal Reserve have participated in the underwriting of a number of dormitory issues to the benefit of the colleges and states involved.

The amendment to H.R. 4148 under consideration merely extends exactly the same treatment to water and sewer bonds as was given to the college dormitory bonds in 1968. This Department feels that the public policy arguments made in favor of the 1968 dormitory amendment exist perhaps in even greater magnitude with reference to the water and sewer pollution control projects.

The Treasury Department therefore strongly supports the amendment of the Senate (Section 110 of H.R. 4148, as amended by the Senate) which would permit both national and state-member banks of the Federal Reserve to purchase, underwrite and deal in obligations issued by any state or political subdivision or any agency of a state or political subdivision for water or sewer purposes, provided that such bonds are considered by the Comptroller of the Currency to be of sufficiently high quality so as to be eligible for inclusion in the investment portfolio of a national bank.

The Treasury Department supported in 1967 S. 1306, a much broader bill which would have permitted commercial banks to underwrite all investment-grade revenue bonds of states and political subdivisions regardless of the projected use of proceeds of the bonds. This bill also received the support of the Board of Governors of the Federal Reserve System. S. 1306 was passed by the Senate in November of 1967, but was not acted upon by the House of Representatives.

Perhaps the most extensive discussion of the merits of permitting commercial banks to expand their underwriting of municipal bonds is contained in the Senate hearing and committee reports on S. 1306. The Report of the Senate Committee on Banking and Currency (Rep. No. 713, 90th Congress, First Sess.) reviewed the importance to our hard-pressed municipalities of having as broad a potential market as possible for their obligations. The report at page 5 contains the following as to the effect of increasing the number of possible initial bidders for revenue bonds:

"All studies agree that State and local governments pay a higher rate of interest on revenue bonds than they do on general obligation bonds. Some of this difference can be accounted for by the fact that revenue bonds are of a slightly lower investment quality and slightly longer average maturity. However, when adjustments are made for these factors, a difference of approximately 10 basis points still remains. One basis point is equal to 0.01 percent, thus, 10 basis points would amount to a difference of approximately one-tenth of 1 percent in interest. Although this may appear small, the annual savings to cities and States would amount to more than $50 million a year in 1968 and as much as $100 million a year by 1975 if the entire 10-basis-point difference were eliminated.

"In addition to a higher rate of interest, there is additional evidence of a lack of competition in the revenue bond market. Most general obligation bond issues on which there is bank competition, are subject to competitive bidding. A study by the Comptroller of the Currency shows that over the last 3 years more than 99 percent of general obligation bonds were awarded through competitive bidding. Less than 1 percent were subject to negotiated sales. On the other hand, only 81 percent of revenue bonds were awarded through competitive bidding and 19 percent were awarded through negotiated sales.

"In addition to a higher incidence of negotiated sales, revenue bonds also enjoy fewer bids, even when they are issued through competitive bidding. The study by the Comptroller of the Currency shows that on the average, revenue bonds awarded through competitive bidding received 1.64 fewer bids than those received by general obligation bonds. The study by the Federal Reserve Board found the same discrepancy, even after adjusting for any possible effect of differences in investment quality and maturity."

The Treasury Department favors steps which will aid our states and cities in the fight against pollution of the environment. The position of the Administration was stated by President Nixon in his State of the Union message last Friday when he said "restoring nature to its natural state is a cause beyond party and beyond factions. It has become a common cause of all the people of this country."

In the view of this Department, permitting commercial bank underwriting of water and sewer project bonds would provide important and material assistance in the fight against environmental pollution without raising any problems of banking prudence or safety. The amendment in question like the dormitory amendment in the Housing Act of 1968 limits bank involvement only to those bonds with marketable and other safety features sufficient to make them eligible for portfolio investment by national banks under the regulations of the Comptroller of the Currency. Although the statutory language of Section 110 only mentions national banks, by virtue of Section 9 of the Federal Reserve Act, state member banks will receive the same treatment as national banks. The result will be to provide our hard-pressed cities with much needed assistance in the marketing of their obligations, a matter which has never been more important and pressing than it is today.

Sincerely yours,

Charles E. Walker.

EXPANSION OF THE EXPORT TRADE—AMENDMENT

AMENDMENT NO. 9

Mr. PROXMIRE submitted an amendment, intended to be proposed by him, to the bill (S. 19) to amend the Export-Import Bank Act of 1945 to allow for greater expansion of the export trade of the United States, to exclude Bank receipts and disbursements from the budget of the U.S. Government, and for other purposes, which was referred to the Committee on Banking, Housing and Urban Affairs, and ordered to be printed.

AMENDMENT OF EXPORT-IMPORT BANK ACT OF 1945, AS AMENDED

AMENDMENT NO. 10

Mr. PROXMIRE submitted an amendment, intended to be proposed by him, to the bill (S. 581) to amend the Export-Import Bank Act of 1945, as amended, to allow for greater expansion of the export trade of the United States, to exclude Bank receipts and disbursements from the budget of the U.S. Government, to extend for 3 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves and against full reserves, insurance and guarantees, to authorize the Bank to issue for purchase by any purchaser its obligations maturing subsequent to June 30, 1976, and for other purposes, which was referred to the Committee on Banking, Housing and Urban Affairs, and ordered to be printed.

NOTICE OF HEARINGS ON CERTAIN PROBLEMS OF FARMERS

Mr. ALLEN. Mr. President, I wish to announce that the Subcommittee on Agricultural Research and General Legislation of the Committee on Agriculture and Forestry will hold hearings on the problems presented to farmers and others by the change from a gross weight to net weight basis for loans for cotton under the price-support program operated by the Commodity Credit Corporation, as well as other problems facing farmers caused by new regulations promulgated for cotton by the Department of Agriculture in implementing the Agricultural Act of 1970.

These hearings will be held on March 15 and 16, 1971, beginning at 10 a.m. in room 324, Old Senate Office Building. Anyone wishing to testify should notify the committee clerk as soon as possible.

NOTICE OF HEARINGS ON THE CONQUEST OF CANCER ACT

Mr. KENNEDY. Mr. President, I am pleased to note that S. 34, the Conquest of Cancer Act, now has a total of 50 Senate sponsors. The Senate Health Subcommittee will begin hearings on this legislation on Tuesday, March 9, and Wednesday, March 10, 1971, and I look forward to early action by Congress on this measure.

EXTENSION OF NAVIGATION SEASON ON THE GREAT LAKES

Mr. GRIFFIN. Mr. President, for many years there has been much talk about the importance and the need of extending the navigation season in the Great Lakes-St. Lawrence Seaway complex. Until this past winter, there had been little in the way of actual achievement that could be pointed to. However, in addition to authorizing, in the last session of Congress, a study to determine how a 12-month navigation season could be achieved, there were actual and important steps taken during this winter season by private shipping firms to try to keep the seaway and the Great Lakes open for a longer period of time.

During the 1970–1971 shipping season, just concluded, shipping on the Great Lakes was extended in some ports through the month of January. This means that in this year, 9½ months have been available for shipping on the Great Lakes, which is a significant increase from the 1940's, when the Great Lakes were open only 7½ months.

This afternoon, a task force representing the Michigan Chamber of Commerce will be in Washington to brief Great Lakes Senators and their staffs concerning this effort, and make a presentation about the prospects for further extending the navigation season.

I ask unanimous consent that a press release concerning the meeting this afternoon be printed in the Record.

There being no objection, the press release was ordered to be printed in the Record, as follows:

Washington, D.C., March 3.—Great Lakes Senators and Congressmen will be briefed by a Michigan delegation Thursday on the first year's results of a study to determine feasibility of year-round shipping on the Great Lakes-St. Lawrence Seaway System, it was announced today.

The Federally-funded study, involving numerous Federal agencies and private shipping firms, is designed to ultimately stimulate economic development in the North American mid-continent and Canada, according to Harry R. Hall, President of the Michigan State Chamber of Commerce.

Shipping on the Great Lakes now is open for 9½ months each year. "Removal of the seasonality of shipping would benefit the region, which accounts for 34% of the gross national product of the United States and Canada, by hundreds of millions of dollars annually," Hall said.

Rep. John Blatnik of Minnesota will preside at a luncheon-meeting for Great Lakes Congressmen in the Rayburn Building at which the report will be given. Sen. Robert Griffin of Michigan will preside at a similar meeting of Great Lakes Senators at 3:00 p.m. in the New Senate Office Building.

Accompanying Hall, whose organization is coordinating the study through its Navigation Extension Winter Season (NEWS) task force, will be John McGoff, task force chairman, who is President of Panax Corporation, East Lansing, Michigan.

In Lansing, Mich., Tuesday, Hall announced results of a State Chamber survey of 1,000 Michigan export manufacturers. He said survey results indicate that year-round shipping would "boost Michigan's economy by $345 million annually and could mean an additional 30,700 jobs."

RECESS

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in recess awaiting the call of the Chair, with the understanding that the recess not extend beyond 12 o'clock meridian today.

The motion was agreed to; and (at 11 o'clock and 41 minutes a.m.) the Senate took a recess, subject, to the call of the Chair.

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess, when called to order by the Presiding Officer (Mr. Gambrell).

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Talmadge). Without objection, it is so ordered.

LEAVE OF ABSENCE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I be excused from attendance in the Senate tomorrow for the purpose of attending a funeral.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUORUM CALL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on tomorrow, following the approval of the Journal, if there is no objection, and the recognition of the two leaders or their designees under the standing order, there be a period for the transaction of routine morning business not to exceed 45 minutes, with statements therein limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, is there further morning business? Does the Senator from Florida have any business?

SELECTION OF LAKELAND AND GAINESVILLE, FLA., AS ALL-AMERICA CITIES

Mr. CHILES. Mr. President, each year, out of the thousands of towns and cities in the United States, several all-America cities are selected. This all-America cities program is conducted under the auspices of the National Municipal League in cooperation with Look magazine and the selections are made by a highly qualified panel of judges from various walks of life after exhaustive study of a number of entries.

This morning 11 All-America Cities for 1971 were announced and I am extremely pleased and proud to find that of that number, two are in Florida. What gives me even more pleasure is that one of them, Lakeland, is my hometown while the other, Gainesville, is the home of my alma mater, the University of Florida. I know that in selecting the All-America Cities great emphasis was placed on their identification and solutions to the pressing, complex problems faced by all cities today and it is an outstanding tribute to both Gainesville and Lakeland that their efforts have been recognized and lauded in this way. They are only two of many Florida communities which are doing tremendous work in coping with modern-day, urban problems, but they deserve this special recognition.

I certainly know Lakeland well because I was born there, I was reared and educated there, I have reared my own family there, I developed my law practice there, I have run for public office a number of times there and I have been deeply involved in the community. I know that recent years has brought a quality of community leadership and a communitywide spirit of cooperation that has resulted in far-reaching progress in overall city planning and development, housing, race relations and business development. Lakeland has sought successfully to avoid many of the crises which have been hitting our urban areas by pursuing solutions before the crisis develops. Without getting into specific activities and programs, I believe it is apparent Lakeland has well earned the designation of All-America City.

I believe Gainesville's problems are somewhat more complex than Lakeland's.

The community merges a sizable, longtime agricultural element, a conservative business and residential populace, a large university student body and the accompanying academic segment. The community has experienced severe problems related to the integration of its schools, to the community's growth in concert with the university and to the activities which are regularly associated with university students these days. Again, Gainesville has taken a progressive attitude and done an outstanding job of dealing with these complex difficulties.

I am pleased to be able to commend both Lakeland and Gainesville and to call attention to their accomplishments and distinction here this morning.

ADDITIONAL STATEMENTS

PASSAGE OF S. 70, THE RURAL TELEPHONE BANK BILL

Mr. ALLEN. Mr. President, I should like to comment briefly on S. 70, the rural telephone bank bill, which was passed by the Senate on this past Monday. I am delighted that the Senate temporarily set aside the debate concerning changes in rules of the Senate to pass this legislation, which is designed to create a part Federal, part private lending institution to provide for the capital needs of our Nation's rural telephone systems.

These telephone systems—independent and cooperative—are presently borrowers from the Rural Electrification Administration. REA loans have been their sole source of growth capital. Until recently, the period between loan application and loan approval has not been long, but with the tremendous growth faced by these telephone systems and a need on the part of the Federal Government to tighten its belt, the wait has gotten longer and longer. Today there is a backlog of more than $450 million and in terms of waiting time, this is 4 years.

This bank, therefore, will not only provide our rural telephone companies with a much needed financial shot in the arm, but it will also be a step away from total dependence upon Government financing.

Though the bank will originally be organized as a wholly owned Government corporation, it will revert to private ownership as soon as the Government's initial investment has been repaid.

We in Alabama are very proud of the REA telephone program. In fact, the very first REA telephone loan was made to an Alabama telephone exchange—the Florala Telephone Co., Inc., of Florala, Ala.

This precedent-making loan, made in February 1950, has since proven to be just the first in a successful and viable partnership between our Federal Government and private enterprise. In fact, to date, over $70 million has been lent to Alabama telephone borrowers alone by REA. And not one borrower has defaulted on repayment to the slightest degree.

Mr. President, when that first loan to Florala Telephone Co. was made, only 8.2 percent of Alabama's farms had telephones—and much of that service was on obsolete magneto phones with as many as 16 or 20 persons on a line.

Today, 68 percent of my State's 85,000 farms, rural homes, and rural businesses have telephones and nearly all of it is modern dial service.

This says a great deal for the energy and initiative of our rural telephone companies. But it also points out how much farther we have got to go. For there are still too many services which are on only eight-party lines.

This telephone bank bill will, in the years to come, go a long way toward bringing modern, one-party, low-cost dial service to any rural resident who might wish it.

I cannot speak too highly of our Alabama telephone companies, both cooperative and independent, or of the people who man them.

Mr. President, with the possible exception of electrical power, it is hard to conceive of anything that means more to the happiness, convenience, and economic well-being of rural America than good telephone service. I hope that S. 70 will receive prompt consideration in the other body so that this vitally needed telephone bank can begin its work.

NEED FOR BIPARTISAN SUPPORT FOR AGRICULTURE

Mr. MILLER. Mr. President, on Monday of this week, the distinguished Senator from Kansas (Mr. DOLE) discussed the realities of the farm situation at a meeting of the Midwest Feed Manufacturers Association in St. Louis.

In his talk, he emphasized that all of us—whether from rural-oriented States or urban-dominated States—must be more mindful of than ever before: The need for bipartisan support for agriculture.

If agriculture, in the face of all its growing problems, is to maintain and improve its position in our economy, it needs all the support it can muster from both sides of the aisle. Whether our party affiliation is Republican or Democrat, this is no time to be playing politics with the future of our farmers.

We who represent agricultural constituencies as well as those who have predominantly urban constitutencies, must pursue a bipartisan course in meeting the requirements of the Nation's farmers.

I ask unanimous consent that the text of Senator DOLE's speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR BOB DOLE

I am pleased to be with you today at this meeting of the Midwest Feed Manufacturers Association. I have met many of you on other occasions. We all have something in common: our service to the farmers of this Nation—you in developing and manufacturing their livestock feed—myself in helping to develop and refine farm legislation to assist them in their operations.

As feed manufacturers, you are constantly improving your formulas, trying to give the farmer a better feed at lower cost.

As a member of the Senate Committee on Agriculture and Forestry and former member of the House Agriculture Committee, my job has similar objectives. Members of both agriculture committees are diligently working to improve farm legislation; trying to implement legislative formulas which will improve the farmer's operations and income, while trying to stay within a budget.

Last Thursday, I spoke to the annual convention of the National Farmers Union in Washington, D.C. My remarks immediately followed those of Democratic National Chairman Lawrence O'Brien. I knew Mr. O'Brien would be partisan in his speech. I was dismayed, however, that he attempted to interject party politics in the universal problems of the American farmer. I do not feel we can afford to allow party lines to divide agricultural issues. There are not enough of us Members of Congress who are really concerned about the future of agriculture. There are fewer than 50 Members of the 435 Members of the House of Representatives who represent districts which have a dominant farm constituency. Most House Members are working to help the urban dweller. This is bipartisan. Democrats and Republicans alike have lost rural representation in Congress.

The declining farm population over the last 20 years has also been bipartisan. The farmers who quit, those who moved to the city, were both Democrats and Republicans.

Let me repeat: bipartisan treatment of our farm population and agri-business is unjust treatment. Efforts to improve the farmer's position must be bipartisan. We need to increase domestic consumption and production, so that he can get better prices. This is the way we can really help the farmer.

Certainly the loss of over 10 million of our farm population during the past 30 years and agricultural supply and production complications cannot be blamed on Richard Nixon and Clifford Hardin.

During the past two years, however, I think we can see a basic recognition of the bipartisan character of agriculture.

In developing the Agricultural Act of 1970, the Secretary of Agriculture and his staff spent untold evening hours working with people on both sides of the aisle to develop a constructive farm program.

This certainly is not the final answer—the point is that once again agriculture's interest is being protected—not by one party—but the bipartisan efforts of the agriculture committees.

I welcome this opportunity to be with you, for we share a common concern. It is concern for American agriculture and for all segments of American life.

With that concern, we also share a common determination. It is a determination to face squarely the problems of the present, and together develop constructive answers for a brighter future.

Let me make one point clear—just as Secretary of Agriculture Clifford Hardin was given the charge by President Nixon to represent the farmers of this country in the councils of government—so will the present chairman of the Republican National Committee fight not only in the Senate but also in the political arena for those interests, along with a comparable effort by dedicated Congressmen like Bob Poage and Herman Talmadge.

Let me say at this point that those interests—the interests of farm people—are the interests of America—just as the strength of a dynamic and progressive agriculture is a source of strength and progress for our nation and the world.

You know and I know that there is a great deal of misunderstanding among our citizens both over the importance and the complexity of farm and rural programs.

If you will permit me one small partisan remark—and I know you suspect that I have one little one tucked away—I can't help but be dismayed by the attitudes that some city democrats have toward agriculture.

REFUSED TO SERVE

That attitude was manifest this year when Congressman Herman Badillo of New York City refused to serve on the House Agriculture Committee. Congressman Badillo's fellow democrats were unhappy that he did not remain on the agriculture committee, since the committee oversees the major anti-poverty legislation concerning food stamps, commodity distribution and school nutrition. Two years ago, Representative Shirley Chisolm said, "all I'm asking for is something more relevant than agriculture," when it was suggested by democrat colleagues that she serve on the House Agriculture Committee. Food is relevant to every citizen of this nation—and that's what agriculture is all about.

All around us is evidence that the farmers of this nation are doing an outstandingly efficient job of providing the foods and fibers essential to our national well being, plus meeting the important needs of friendly foreign governments. The production efficiencies of our farms and ranchers undergirds the American standard of living—the highest in the world.

The breakthrough in our agricultural technology, while creating some grave and difficult temporary problems, also provides us with an opportunity to help developing nations to help themselves. Our productive capacity is helping us to build a political, economic and social structure oriented toward freedom. It is strengthening the free world—and you are helping make it so.

I am deeply impressed with the basic fact that yours is a growth industry—farmers spent about $7 billion for feed in 1970—some 40 percent higher than in 1960. Our growing population and rising standard of living poses a substantial challenge to the agriculture of tomorrow.

The economists estimate that American farmers will have to increase livestock production by 1.7 percent annually over the next 15 years to meet expected domestic and export needs. Judging by the past, our agriculture can meet these needs in the years ahead, but we cannot assume that the progress of the recent past will necessarily recur. Our agricultural advances hinge on our ability to be more productive per unit of labor.

This depends on research—both public and private. With your help and support, this production need can be met through research. President Nixon understands the importance of research. The President established as one of the fundamental goals of his agricultural policies "more and better research."

The day is long gone when home-grown grain and a little salt and mineral can provide a profitable livestock ration. Research has proven that food for livestock can make more efficient use of grain and forages when properly supplemented and balanced with the necessary proteins, vitamins, and other additives.

Market rations today require considerable nutritional knowledge and some elements are required in micro amounts and must be mixed with precision. But formula feeds have opened a door to new feeding efficiency. They are backed by the reputation of the company producing them. There is no danger of a farmer making a costly ingredients mistake—and these ingredients are thoroughly tested for quality. Many feed companies have experienced nutritionists and vast research facilities, both to develop new rations and to serve as consultants to farm customers.

Those farmers that cannot make a profit cannot stay in business, and only those who stay in business remain customers. A prosperous farmer is the best customer. I do not think you would be satisfied just to sell feed to farmers. You should be wholly dedicated to those programs which help farmers realistically, and there is a mutuality of interest in the problems associated with marketing at profitable levels between the feed ingredient supplier and the producer.

Again, I say a prosperous farmer is the best customer.

There was a great politician who once said, "let's look at the record." Let's take a quick look at some items of accomplishment that farmers and rural residents from across the nation can examine.

FARM INCOME

First of all, the 1961–1968 average realized net farm income was $13.8 billion. The 1969–1970 average—the Nixon years—was $16.0 billion up 16%. You and I know this is still inadequate. It's still not fair, but it's a start. We intend to do even better with new programs.

GRAIN MARKET IMPROVEMENT

I can recall the mid-sixties farmers would dread the day Commodity Credit Corporation was to announce the dumping of some surplus grain. It was a pretty sure bet grain markets would drop 3 cents to 10 cents. I am pleased to say that the minimum legal resale for grains is now 115 percent of loan. CCC is getting that much and more.

Foreign nations know they can depend on the U.S. to deliver the quality grain they want. Local cash prices once again reflect export sales. This is a healthy trend. On top of this, the wheat farmer still receives his marketing certificate for 100% of parity on his domestic production and for feed grains will receive a production payment. Farmers sell their wheat and average the marketing certificate income, a blend price is the result.

Let's look at the blend price on wheat the past three years. In 1968 it was $1.79 per bushel. In 1969, it was $1.89 and in 1970 it was $2.11 per bushel. If the administration is successful in maintaining and expanding world markets for U.S. grains, we can forsee a further increase in this blend price in 1971.

HUNGER AND FOOD

Let us discuss another factor of our American scene. The question of hunger and malnutrition in the United States.

In May, 1969, President Nixon delivered a memorable "Hunger Message," in which he said, "That hunger and malnutrition should persist in a land such as ours is embarrassing and intolerable." Since that date, the United States has moved forward in overcoming these problems.

While there are some whose hunger for headlines exceeds their thirst for facts, I feel you should have an exposure to facts of record since 1969:

A tripling in the number of people benefitted by the food stamp program, from 3.2 million to 9.5 million.

More than a five-fold increase per month in the value of food stamp bonus coupons, from $22 million to the current monthly value of $128.5 million.

An increase from 3.8 million to 6 million in the total of needy children receiving free or reduced-price meals at school. Some 800,000 additional youngsters benefit from special food service and school breakfast programs. Total participation in the school lunch program approaches 24 million.

A widening geographic search to expand food assistance. In May of 1969, 436 of the country's more than 3,000 counties and independent cities lacked a family food program for poor people; the total has now been reduced to 10.

A near doubling of the total coverage of family food assistance programs, from 6.8 million persons to 13.2 million today.

This is a proud record for all America, for we are well on the way to attaining the President's goal—to banish hunger from this land for all time.

Never before had the leader of a great nation set such a goal as a matter of national policy. Never before in the history of mankind had a nation committed itself to cope with hunger and malnutrition on such a vast and unprecedented scale. Never before have farm families benefitted from so many new and better customers. This program is of major benefit indirectly to feed manufacturers.

But, one more comment. The food stamp program now includes nearly 10 million people throughout the nation. It now incorporates a key element of the President's family assistance program, that is, the "workfare" provision. It includes a specific requirement that those who are able to work should be willing to work if they want to receive the helping hand of their fellow citizens and taxpayers who finance the food stamp program.

FARM EXPORTS

Just a week ago, the USDA issued a press release with the heading "1970 farm product exports hit record $7.2 billion." This was 22 percent above 1969. All of us should rejoice that American farmers cracked the $7 billion barrier for the first time in history—and like the man said, "You ain't seen nothin' yet," because we are on our way to a $10 billion annual export goal.

You and I know it is most important that we expand our agricultural exports. In considering farm policy, one must be sensitive to the fact that export outlets for feed grains, wheat, cotton, and soybeans, including the products, provide an important share of the market. And we have to be most concerned with the need to maintain and expand these outlets.

Our programs must look to overseas markets, and we must be prepared to compete for maximum utilization of our products throughout the world.

If U.S. farm exports are to reach our $10 billion goals by the next decade—a necessary objective—they must move competitively in the markets of the world. It will be our policy to do everything feasible in our discussions with foreign governments to stimulate export markets for U.S. farm families. We are not satisfied with the results of the Kennedy round of trade negotiations. We know now that in that round agriculture was treated as a poor relative.

FUTURE OUTLOOK

Now, let's take a quick look into the crystal ball and see what agricultural legislation is pending in coming months.

First, the sugar bill expires this year. The present program regulates sugar imports and assures domestic producers about 60% of the total market. A decreasing schedule of payments is made to the producer, based on the amount of his production. The act is in effect self-financing. Hearings are expected to be conducted in the near future and congressional consideration of this legislation is expected early in 1971.

Second, pesticide legislation is to be considered. I needn't remind you of the importance of this legislation. There are two factors that must be considered in this legislation:

(1) They are dangerous. They will kill or injure if not handled and applied properly.

(2) They are vital to agriculture. These chemicals have in some cases, replaced the "hired" man . . . in fact, several hired hands if you were to attempt to farm without the valuable "tools" of pesticides and herbicides.

Proposed legislation by this administration would classify these chemicals and restrict the use of the chemicals. Hearings will be held on this legislation in the near future in the Senate. They are already underway in the House. Closely related to this environmental problem is agricultural pollution which is being considered in the public works committee of the Senate of which I am a member. Through the use of sedimentation and other techniques, the abatement of water pollution from animal feedlots can be effectively controlled. The real problem in controlling the amount of runoff rain water that mother nature chooses to drop in the feedlot area. Hearings will be held on this problem soon.

RURAL DEVELOPMENT

Third, rural development is a term used throughout the nation today. Some people would have you believe it is the answer to all the ills of the city. Some proponents visualize literally moving thousands of our urban dwellers back to the rural communities. I've seen the mess some of the urban renewal projects have created—and we don't need to copy that mess in rural America.

As you know, President Nixon and Secretary of Agriculture Clifford Hardin are meeting in Des Moines, Iowa today to discuss plans for rural development. And I feel sure we can look forward to pertinent statements from the White House on agriculture in the near future. After all, the fact the President named a man from a small town of 6,500 in western Kansas as national Republican chairman is a good indication he is concerned with helping agriculture and rural development.

There have been many thoughts, comments and plans for rural development. The President's comments today will provide some guidance in bringing together these diverse efforts. Many of his comments will be based on reports from federal agencies as required in title IX of the Agricultural Act of 1970.

Title IX of the Agricultural Act of 1970 requires federal agencies to appraise existing rural programs and assure residents of rural areas the same federal service and privileges the urban dweller enjoys.

The rural telephone bank bill was favorably reported by the Senate Agriculture Committee last week. This legislation has been pending in the past four Congresses, but the Nixon administration is the first to advocate and support it. I both hope for and anticipate prompt passage of this constructive measure. It will assure rural America the means to establish comparable telephone service as is available in urban areas.

A rural development bank to make financial and technical assistance available for the establishment or expansion of rural private or public enterprises has also been introduced. Considerable research is underway on other rural development legislation, including a comprehensive revision and expansion of the farm credit system.

To conclude, I would like to draw attention to some areas where I see agreement between—agriculture and the Republican Party.

(1) Realized net farm income which averaged $16 billion during the 1969–1970 period was 16% higher than the 1961–1968 average.

(2) The past CCC stocks have been reduced and that grain sold at levels which stabilized prices.

(3) Agricultural chemicals are essential "tools" for farmers, and this administration is working to preserve their continued safe and appropriate use.

(4) Farmers like a chance to be independent and to make as many decisions on their farms as possible. This administration helped Congress pass legislation which, for the first time in a decade, permits farmers to plan more of whatever crop makes him the most money.

(5) Export sales help stabilize domestic prices for grain and this administration has actively pursued expansion of farm exports.

(6) We all feel an obligation and a desire to feed the poor and hungry through commodity distribution, school feeding programs, and the food stamp program. These programs are being expanded as rapidly as possible without losing control of their administration.

(7) I think we all agree with the way Louis Armstrong put it on a recent television interview as he recalled an admonition of his father, "We ought to help the poor, needy people . . . but not the poor, lazy". If a man is not handicapped and can work, he should be willing to work to earn food stamps or welfare payments.

(8) Dairy farmers have derived satisfaction from administration actions, and this administration has not recommended that housewives use the "low priced spread."

(9) Certainly we all agree the low 16.7 percent of disposable income the American consumer pays for food is the biggest bargain in the world.

So let's keep tabs—deeds speak louder than words. From this list and those items we see as possible legislation in the future, we are sure that a bright future is ahead for the American farmer under Republican administrations.

ADMINISTRATION POLICY IN SOUTHEAST ASIA

Mr. FULBRIGHT. Mr. President, Mr. Peregrine Worsthorne has written for the Washington Post of February 28, 1971, a perceptive article about the policy of the present administration in Southeast Asia. The article is apparently based upon interviews with the President and Dr. Kissinger, and reveals a policy more consistent with present actions of our Government than many people realized.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 28, 1971]

MR. NIXON IS PLAYING TO WIN IN ASIA

(By Peregrine Worsthorne)

President Eisenhower, it will be recalled, put an end to the Korean war on terms that seemed to justify all the blood and treasure that America had spent on its prosecution. A similar achievement is beginning to look possible for President Nixon in Vietnam.

Just as America succeeded in guaranteeing a non-Communist, independent South korea, divided at the 38th parallel, free of northern infiltration and subversion, so now America seems poised on the brink of succeeding in its long struggle to do the same for South Vietnam.

No wonder a mood of infectious optimism pervades the White House today. Putting an end to the Korean war was the great achievement of the Eisenhower presidency.

Nixon hitherto has enjoyed no such reputation. For him to pull off such a triumph, in even more difficult circumstances, would be doubly incredible, establishing him in the eyes of the American people, and more important, perhaps, in his own eyes, as the veritable "son of Ike."

To don the mantle of his great mentor has always been Mr. Nixon's wildest ambition. Hitherto it has been a Walter Mitty dream, as inconceivable as that Anthony Eden should succeed in rising to the stature of Winston Churchill. (When Eden did try such an experiment, at Suez, it ended in fiasco.)

But the chances of Mr. Nixon now realizing his great dream are by no means negligible. It really is beginning to look as if, thanks to him, America may be about to achieve its purpose in South Vietnam. If the Laos operation succeeds, the scene could be set for an eventual settlement on a Korean pattern—a divided Vietnam with the South able to survive for the foreseeable future.

The skeptics, of course, still refuse to take this prospect seriously. They point to earlier so-called turning points in the war which past administration spokesmen heralded as likely to the decisive only to have their hopes cruelly shattered by unpredicted North Vietnamese initiatives. One such critic showed me a whole host of optimistic background briefing transcripts during the Johnson period which turned out in the event to be tragically misleading.

Perhaps, then, Mr. Nixon's present hopes will soon prove to be as insubstantial as Johnson's and Henry Kissinger, the present White House grey eminence, a no more reliable guide to the future than his predecessor, Walt Rostow, who was always heralding victory as just around the corner.

CAUSE FOR OPTIMISM

All one can say is that after long talks with both the President and Kissinger, this reporter is persuaded that it is more reasonable today to be optimistic than pessimistic. The administration can mount formidable arguments for concluding that the Laos operation this year, following and running parallel with the operation begun last year in Cambodia, is in process of disarming the North Vietnamese potentiality for offensive action to the point where the South can safely be regarded as invulnerable.

The critics in Congress, and in the newspaper offices, with whom I also talked at length, are not able to challenge these conclusions with rational counter-arguments. All they can say is that the North Vietnamese have so often done "the impossible" in the past that nobody can be certain that they will not do so again.

In other words, the critics do not any longer seek to argue with the administration on the level of rational debate. They fall back on blind defeatism, on mindless gloom. They simply refuse to believe in victory almost on principle, not rationally but instinctively, not because the facts do not suggest a satisfactory outcome, but because they do not wish to study the facts.

In the early stages of the Second World War the inclination in Britain was to believe in victory in spite of all the overwhelming rational calculations which pointed inexorably toward defeat. Victory was not a reasonable assumption; it was a matter of faith. Among the Nixon administration's critics today the reverse is true. Defeat has become a matter of faith, to be believed in despite all the accumulating evidence to the contrary.

Queen Victoria, during the Boer War, had a notice put up in Buckingham Palace saying, "There will be no defeatist talk permitted in this house." One almost got the impression, visiting administration critics in Washington, that their attitude to any talk of victory in Vietnam is exactly the reverse, that they regard optimism as somehow unpatriotic, not to say subversive, even sinful, as well, of course, as illiberal and reactionary.

All this is perfectly understandable. America went into the Vietnam war utterly convinced that an advanced industrial Great Power was bound to be able to impose its will on a small, ramshackle, tin-pot society like North Vietnam. There was initially no true understanding of the realities involved in fighting a guerrilla war. American omnipotence was simply assumed as an article of faith.

As a result of a decade of cruel disillusion, this absurd, unjustified underestimation of North Vietnamese potentialities gave way to an equally far-fetched counter-conclusion. Having begun by scorning the North Vietnamese, the Americans came to defy them. Irrational assumptions of American omnipotence gave way to equally irrational assumptions of American impotence.

The manifestly crushable tin-pot, ramshackle state of North Vietnam became transformed into an indestructible race of supermen against whom advanced technology was totally powerless. All the contempt which initially had governed the American approach to North Vietnam was transferred to South Vietnam. Having grotesquely patronized and despised their Asian enemy, American opinion began grotesquely to patronize and despise their Asian ally. Just as at the outset of the American involvement it seemed inconceivable that American aid could not guarantee Saigon victory, so as the years passed it became accepted as equally axiomatic that American aid could not possibly avoid Saigon's defeat.

KISSINGER'S CONVERSION

Henry Kissinger is engagingly frank on this point. He admits that on first coming into the White House his assumption was that the Nixon policy of combining American withdrawal with rapid Vietnamization was in effect little more than a face-saving formula. The Vietnamization program was seen as a bluff designed to build up a slightly more favorable negotiating position from which to reach a settlement that would in effect be a North Vietnamese victory, only delayed long enough to save America's face. The last two years, however, have drastically altered his judgment. Vietnamization has succeeded beyond his wildest expectations.

It will be as difficult and painful for the Americans to rediscover their faith in South Vietnam in the 1970s as it was difficult and painful for them to lose it in the 1960s, and as difficult and painful for them to lose their awe for North Vietnam as it was for them to develop it.

Kissinger believes it to be the task of the realist today to prick the defeatist bubble. He is no longer worried by the possibility of the North Vietnamese pulling off some catastrophic surprise. Much more dangerous and possible in the long run, in his view, is the possibility of the South Vietnamese doing something untoward. One almost got the impression from Kissinger that he is more worried today that the South Vietnamese will invade the North than vice versa.

He would be the first to admit, of course, that the present Laos operation would make this kind of talk look very foolish. If the South Vietnamese, who are for the first time on their own, were to suffer a major defeat, the whole program of Vietnamization would have been shot to tatters. In this sense it is a major gamble. But it is a gamble which would only have been taken if the administration was overwhelmingly confident in its successful outcome.

The point that needs to be grasped is that so long as Vietnamization was regarded simply as a bluff, it would have been inconceivable to risk having it called until after the American withdrawals were virtually complete. The Americans, in the mood of even a year ago, were anxious to avoid giving the North Vietnamese any opportunity to disprove the fiction of Vietnamization, since to preserve it intact was absolutely necessary to justify the policy of withdrawal. They were determined to guard the South Vietnamese from any danger of humiliation until withdrawal was virtually completed.

As it is, however, the Americans have consciously and purposefully courted having the bluff called, confident that the North Vietnamese dare not and cannot do so. They really do believe that, given American air support and supplies, the South Vietnamese can win the war by their own efforts.

BUYING IKE'S IDEA

Whether this faith is justified only time will tell. But that it exists at all in the higher reaches of the administration is a fantastic phenomenon. For make no mistake, we are back, in effect, to the very mood in which America first became involved in Vietnam, back to 1960 if not 1954, when Eisenhower assumed that American interests in Asia could be pursued by encouraging "good Asians" to fight "bad Asians," with the aid only of American air and sea power.

A year ago such an idea would have been mocked, even by this administration, as utterly anachronistic, and wholly exploded by the Vietnam experience of the last 10 years. Now, however, the thinking is very different. The Eisenhower idea is no longer thought of as being out of date today but as having been premature then. When Eisenhower first propounded it in the 1950s it was an idea whose time had not yet come. But today it is an idea whose time has come.

Twenty years ago Southeast Asia was a vacuum, with no indigenous political and military forces capable of filling it, apart from the Communists. Now, however, Southeast Asia is ready for the Eisenhower doctrine, with non-Communist Japan about to overtake China as the dynamic giant of the area, and China itself no longer regarded as the inevitable wave of the future. The new spirit of South Vietnam, in short, is seen as part of a far wider resurgence of non-Communist Asian political and military strength in the context of which American influence can be constructively exerted without the need for large-scale ground troop involvements.

The obvious danger is that the Communists may refuse to be deterred or to give up, and that forces supplied and supported by the United States could be fighting throughout Indochina for many years to come. One can only assume that the administration is confident that nothing of this kind is going to happen, and that even if it does, it will not interfere with the announced withdrawals of American ground troops. In other words, air escalation is assumed to be politically safe, so long as ground force de-escalation continues as planned. This again is a formidable gamble, based on an equally optimistic assessment of what is happening in America.

Nobody in the administration seems to doubt the overwhelming opposition of the American people to any continuing large-scale ground force involvement in the war. The agony of the past 10 years has induced an absolute insistence on the troops being brought home.

But this, they say, is not the only consequence of the past few years. Just as important, although much less appreciated, is the determination by the majority of the American public never again to tolerate the kind of anarchic protest that brought about President Johnson's abdication. In other words, Vietnam has not only induced an antiwar feeling; it has also induced an equally strong anti-antiwar feeling.

As one White House aide put it: "It may well be true that Nixon could not get away with escalating the war. But it would be just as much political suicide for the Democrats to try to re-escalate the protest movement against the war. For if there is one thing the Americans are more sick of today than fighting in the jungles abroad, it is fighting in the street and campuses at home."

This I believe to be profoundly true, and of the greatest political significance. For if President Nixon is circumscribed in terms of the violence he can unleash in Vietnam without catastrophically losing support, so are the Democrats circumscribed in terms of the violence they can unleash at home without also catastrophically losing support. The President is compelled by political necessity to operate "pacifically" in Vietnam. But so are his critics at home compelled to operate "pacifically" in their opposition.

NO HAWKS, NO DOVES

The experience of the past few years, in short, has clipped the wings of hawks and doves, limited the manner in which the Vietnam war can be prosecuted, but also the manner in which it can be opposed. Wild actions abroad are now politically taboo. But so are wild words at home.

Both the administration and its critics are forced by political necessity to play it cool—a role for which Mr. Nixon sees himself ideally cast, much more so than any Democratic contender yet in sight. In this respect the President seems to see himself as protected by the fate of his predecessor. By toppling Johnson, the antiwar movement overreached itself, guaranteeing that nothing of this kind could be repeated for many years to come. Johnson's experience, in short, was not so much a warning for Nixon to heed as a vaccine enabling his successor to be immune from such attacks in the future.

NIXON'S STRENGTH

Again Mr. Nixon may be unduly optimistic. But no visitor to America can avoid noticing the absence of passion, compared with two years ago. Crusades are out, not only abroad but also at home. It is not only the military authorities who are finding the young difficult to draft. The student protest leaders are finding them equally unresponsive. If the young are reluctant to be shot at by the Vietcong in the jungle, they seem equally skeptical about the point of allowing themselves to be shot at by the National Guard on the campuses.

In other words, it is not only governing America that has become a highly delicate operation. So also has opposing those who govern. Public sympathy and patience are as quickly lost by those who rock the boat excessively as by those who set it on an excessively ambitious course.

This may be Mr. Nixon's greatest source of political strength. If he can persuade a majority of the American people that what he is trying to do in Vietnam is cautious and responsible, the dangers of trying to oppose him may well appear as more damaging than the dangers of allowing him a free hand—continuing but decelerating bloodshed in Vietnam less horrendous a prospect than a resumption of bloodshed on the streets of America itself.

Mr. Nixon himself is not a popular leader. But he is fortunate in occupying the White House at a period when there is a deep yearning for the authority of the presidency to be re-established, a real concern that there should be no repetition of the anarchic disintegration that marked the last two years of his predecessor's reign. In one sense, therefore, his weakness is his strength, since he is too insecure to be subjected to rough handling, too inflammable for anybody to dare approach him with fire. His very lack of armor is his best protection, since all but the most extreme are reluctant to do him mortal damage.

This is not the ideal basis for presidential power. But it is the best available, and one on which Mr. Nixon rests with a wry kind of dignity and courage that is at once touching and impressive. Unable to command love, he has done the next best thing: rendered himself immune to hate. It is no mean achievement.

THE 50TH ANNIVERSARY OF DISABLED AMERICAN VETERANS

Mr. SAXBE. Mr. President, there is no greater horror than war. Yet throughout history, it has remained a tragic reality which must be acknowledged and whose victims must be embraced and restored to civilian life with the capability necessary for meeting the challenges of society.

Today, I would like to pay tribute to the Disabled American Veterans, which is celebrating its 50th anniversary of providing inestimable services to those men who paid great sacrifices in defense of their country.

Dedicated to the pursuit of improving the conditions, health, and interests of men wounded, disabled or injured while serving in the armed services, the Disabled American Veterans was established in my own State of Ohio, in Cincinnati, in 1920. It was born out of the chaos that ensued from the return of 300,000 disabled veterans from World War I. Since then, over 7 million veterans and their families have benefited from the DAV.

The merits of this organization extend far beyond simple compensation for their suffering. Unceasingly striving to better the welfare of the disabled, the DAV has established comprehensive rehabilitation, educational, and training programs.

The infinite rewards and successes of DAV are evident not only in the number of recipients, but in the strengthening effect it has had on the American society as a whole.

It is with a deep sense of respect and appreciation that I salute the Disabled American Veterans.

CRISIS IN HEALTH CARE

Mr. HUMPHREY. Mr. President, I am pleased that the President of the United States recognizes the crisis in health care facing our Nation today and that he wants to do something about it.

His statements and statistics of rising costs and increasing inequities are not new to those of us who have been deeply concerned with this problem for years.

It is good to hear him say the Federal Government "does bear a special responsibility to help all citizens achieve equal access to our health care system—we must now work to expand the opportunity for all citizens to obtain a decent standard of medical care. We must do all we can to remove any racial, economic, social, or geographic barriers which now prevent any of our citizens from obtaining adequate health protection. For without good health, no man can fully utilize his other opportunities."

Mr. President, I was saying much the same thing back when Mr. Nixon would have denounced his own message on health as "socialist."

In 1949, as a freshman Senator, I proposed a system of national health care for our elderly citizens. Sixteen years later, President Johnson signed it into law as medicare, the most extensive program of its kind in our history.

I have long been an advocate of reform in the financing and delivery of health care in the United States. We Americans are blessed with excellent medical technology, the world's best trained doctors and nurses, the finest scientific research and treatment facilities.

The problem, to put it simply, is to get proper delivery of all this to all of our people at prices everyone can afford to pay.

There is much in what the President proposes that I agree with and do support.

I have long advocated group practice as an efficient, effective, economical method of providing comprehensive health services.

I welcome the President's support for efforts to break down the barriers erected by 22 States to prohibit or limit group practices.

The shortage of medical personnel and care is widespread, but nowhere is it so acute as in the rural areas and urban ghettos.

The President speaks of financial incentives and Federal requirements to combat the problem. This is fine, but we must do more.

One of the best ways I know to provide medical professionals for rural communities and inner cities is to train people from these areas and give them reason to want to go back and work there. This involves not only finding such persons but providing them the incentives to return and the promise of as good a future back in the old hometown or the old neighborhood as they could expect elsewhere.

But as far reaching as the President feels his program may be—and in some aspects it is—it falls far short of being what he terms "equal to the complexity of our challenges."

It is a piecemeal, half-way proposal that does not provide the much-needed reorganization of delivery and financing of health care—it just rearranges the present parts a little better. It is a step forward—but too short a step to meet the Nation's health needs.

I want to talk today about some of the shortcomings of this plan, and in the days and months ahead I will be offering specific proposals to implement my ideas on how we can make our health care system more responsive to the needs of the American people.

The essential key to any health care reform is a fundamental shift in emphasis from the present system of "crisis" medicine to preventive medicine.

The more we do today to prevent illness and keep the population healthy, the less we will have to spend tomorrow on cures and treatment.

Forty million Americans have no health insurance of any kind. Actually, no one really has health insurance—it is sickness insurance. You have got to be sick, really sick, before you get any benefits.

It is rather ironic to note that a preponderant number of States in this wealthy Nation of ours require automobile insurance, but not one requires the most minimal health coverage for all its citizens.

What we have here is a serious deficiency in basic planning, design and operation of our health care system—a failure of our society to establish national priorities. The time has come, I am convinced, to get both our priorities and our systems straightened out and functioning properly.

The President says "we cannot simply buy our way to better medicine." That may be true, but he should also keep in mind that nothing is free and you get what you pay for. Mr. Nixon is very generous in rhetoric and promises but rather parsimonious when it comes to matching words with money.

The patient—in this case, the system of health care in America—is in critical condition and needs major surgery, perhaps an organ transplant. But Dr. Nixon says, "That's too expensive. Just take two aspirin and call me in the morning."

Government cannot permit itself to be stingy when it comes to the health of its citizens. Good health is good economics and good government.

The rising costs that we are experiencing in medical care are a matter of national concern.

Medical costs must be brought into line. The elimination of waste and duplication is essential.

The administration's proposal is parsimonious when it comes to government assistance, but very generous in allowing the consumer to pick up a big chunk of the bill. Moreover, it rewards a private industry that is largely responsible for skyrocketing medical costs—the insurance companies.

The insurance industry has shown itself either unwilling or unable to do much, if anything, about keeping prices down. While not alone, they must bear a large share of the blame for the escalating medical expenses. Their emphasis on treatment in hospitals rather than in less expensive outpatient facilities has helped send costs soaring.

The administration plan is industry oriented when it should be consumer oriented. The insurance companies can take care of themselves—it is time to help the American people for a change.

The plan also perpetuates the existing double standard of medical purchasing power by failing to provide an equal level of care for all the American people.

The poor, the near poor, and the elderly would get far less protection than the rest of the population.

Even middle-income earners would not be very well cared for. A family hit by $5,000 in medical bills in 1 year—an occurrence that is becoming less and less uncommon—would be required to pay $1,250 of that sum out of its own pocket. The administration's proposed national health insurance partnership, thanks to large deductibles and copayment requirements, would not cover the expense.

That is a terribly large amount for a family earning less than $10,500 a year—as are the majority of American families.

The new plan would provide no coverage for the unemployed poor under age 65 who are single or married but have no children. Also left out of the system would be the unemployed single youngster who has left home—the teenage "dropout."

For the elderly medicare patient, the new plan would eliminate the monthly $5.30 payment for out-of-hospital doctor's services but they would have to start paying a share of hospital costs on the 13th day instead of the 61st, as at present.

Many of these people are on fixed incomes, and it will be an added burden on them when the deductible that comes out of their own pockets when they must see a doctor rises as the cost-of-living index goes up. All this more than outweighs the monthly savings of $5.30 that the administration boasts about under its plan.

For low-income families, medicaid would largely be replaced by a family health insurance program—FHIP. The present program is based on need and puts no limit on the number of days. The

FHIP would limit coverage for the poor to only 30 days of hospital care per year.

Those who exhaust their benefits could turn to medicaid, which relies on State operation and State matching funds, but coverage is inconsistent from State to State—two States do not have this program at all—and some may not be willing or able to fill the gap.

This also would mean shifting the burden of meeting the additional expenses to the cities and they are now suffering a financial crisis.

This treatment of the poor is one of the most regressive aspects of the administration's plan.

How committed is this administration to health care reform? Is it genuinely committed or is it playing politics with the health and well-being of 206 million Americans? Is it willing to invest what is necessary in building the health care system we need in this country, or is it just out to buy an election with hollow gestures?

Nineteen months ago, the President acknowledged the Nation faced a "massive crisis" in health care and warned of a possible "breakdown in our medical care system."

But we heard nothing more except for an occasional no, no, no, no, as he vetoed much needed health legislation.

He vetoed the 1970 appropriation for the Department of Health, Education, and Welfare, a decision that forced the closing of 19 National Institutes of Health centers as well as a cutback of $21 million in funds for cancer, heart, and other research.

Then he vetoed the Hill-Burton hospital construction bill and legislation to increase the Nation's supply of family doctors.

The administration now boasts about a $100 million "moonshot" effort to conquer cancer but close examination of their budget reveals they plan to spend only about $30 million—and I suppose, talk about the other $70 million. That $30 million, incidentally, is only about 1 percent of the amount spent on the real moonshot program.

I must admit that a record like this makes me just a bit skeptical when I hear these people talk about "building a national health strategy." I cannot help but wonder if this just is not more strategy, more rhetoric, more form without substance.

For all its talk about a "moon shot"-type effort, the administration opposes setting up a separate agency to lead the fight against cancer in the way the Manhattan project and NASA were established to do their special jobs.

That is why I am a cosponsor of the Conquest of Cancer Act, which would set up a separate National Cancer Authority to lead a vigorous, independent, comprehensive research program.

More than 44,000 Americans have died in the Indochina war in the past 6 years. During that same period here at home, cancer killed 2 million persons, including 35,000 children. That is about 312 youngsters a week, compared to a Vietnam combat death toll of 25 to 50 GI's a week.

Cancer will strike one out of every four Americans until new preventions and cures are found. One in six deaths will be from cancer this year. I have seen it firsthand. My own brother and my son were afflicted with this disease—my son was cured and is well today, but my brother was not so fortunate.

There are going to be tremendous changes over the next few years in the delivery of health care and the methods of financing it. This change is inevitable. And it is desirable.

I have joined 22 of my fellow Senators from both parties as a cosponsor of S. 3, the Health Security Act of 1971, because I believe this comes the closest to accomplishing what I feel must be done to make the American health care system truly the best in the world.

This is truly a health program for all Americans. It does not discriminate against a person because he is poor or ill or old or unemployed.

It treats everyone equally—providing far superior and more comprehensive service to people than any other plan yet offered, and at a lower cost to the individual.

The administration plan yould have the consumer pick up 25 to 35 percent of the costs set by private carriers, and employers would have to pay the rest.

Under the Health Security Act of 1971, the consumer would have to pay only 14 percent of the costs, the employer's share would be cut in half to 36 percent and the Federal Government, through general tax revenues, would pick up 50 percent.

Another advantage of our program is that it does away with costly deductibles, sets no upper limits on coverage and requires no coinsurance.

This is a consumer program, not a health industry-insurance company program, and the consumer will have a major voice in setting policy and running the system. Of course, the medical profession also will play an important role, but this will be a health care partnership, not a dictatorship.

Adequate health care is not a privilege. It is a fundamental right as basic as those itemized in the Bill of Rights, and it demands prompt action to relieve the most immediate injustices—those affecting the poor and those on fixed incomes.

The problem facing us is one of an imbalance between supply and demand. But not only are we lacking in the way of personnel and facilities, that which we do have is poorly distributed geographically.

The President shows that he recognizes this, but he does not go far enough in trying to solve it.

In the Nation as a whole, and in the Congress in particular, there is a great clamor to improve the delivery and financing of health care.

I welcome the President's message and eagerly await his specific, detailed proposals.

I trust his critics are mistaken when they say his motivation is not so much reform as it is to head off congressional adoption of a national health insurance system.

This is no time for publicity gestures and political ploys—it is time for genuine reform.

I sincerely hope the President and his administration will work with the Congress to develop a bipartisan national health program that will meet the needs of all Americans.

I strongly recommend vigorous debate—in the Congress and across the Nation—in the weeks and months ahead, as we work to turn our goals into reality—as we strive to make the United States not only the wealthiest, most technically advanced nation in the history of the world, but also the healthiest. For without health, all else is worthless.

I have dedicated myself to making improved health services for all 206 million Americans a matter of top priority. I want to see this 92d Congress go down in history as the "Health Congress."

Let us dedicate ourselves here to the task before us. Let us resolve that by 1976, when our great Nation celebrates its 200th birthday, that no American lacks instant and total access to the very best medical care in the world. Let America be known as the healthiest nation in the world.

Any effective restructuring of our health care system will require the concerted efforts of all citizens—of members of the health professions and their associations, of public health officials, of the insurance industry, of labor and management, of the Senate, of Congress, and—perhaps most important—of the health consumer.

Such a health coalition—such a working force of dedicated, creative individuals and organizations—can do for the health of the Nation what the Urban Coalition hopes to do for the cities.

Such a coalition—manning medical think-tanks and staffing medical task forces—can design a health care system in keeping with our unique American traditions yet fully responsive to the needs of all citizens; a health-care system appropriate to our advanced and affluent Nation's needs and desires.

Such a health care system is possible only in a society which has its priorities straight—a society that puts the health and well-being of its citizens at the top of its agenda.

That is the kind of health care system I want this Congress and our Nation to provide.

I am not talking about a national health service in which the Government owns and operates the facilities, and everybody works for the Government. No. What I have in mind is a true partnership between the private and public sectors. There will be Government financing and administrative management, accompanied by private provision of personal health services through private practitioners, institutions, and other providers of medical care.

The recipients themselves will play an important role in policy setting and administration. This is the only way it can be truly responsive.

Former Secretary of Health, Education, and Welfare Wilbur J. Cohen, now dean of the school of education at the University of Michigan, has set forth the necessary elements of a national health care system.

Mr. President, I ask unanimous consent that Secretary Cohen's statement be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ESSENTIAL PROVISIONS OF A NATIONAL HEALTH INSURANCE PROGRAM

(By Wilbur J. Cohen)

The adoption of a universal national health insurance plan is a necessary and inevitable development for the decade of the Seventies. Such a plan would cover a major portion of medical costs for everyone in the nation from birth to death—the rich and the poor; the employed and the unemployed; those in middle-incomes and those in middle age; those who live in urban areas and those who live in rural areas; those working for large corporations or small businesses or who are self-employed.

The following are the essential elements of a feasible national health insurance plan covering a wide range of medical services:

1. *Breaking the barrier between the paying for health care and eligibility for service.* We must create a system where the individual is not forced to meet the total cost of health care at one particular time. The use of an insurance system allows the individual to pay for medical services while working so that financial considerations are not a major problem during illness.

2. *Requiring the government to contribute part of the cost.* This would enable individuals without incomes or with low incomes to receive equal access to health services on the same basis as those with more adequate incomes. Thus, the stigma of poverty and welfare would be removed from the medical care system.

3. *Requiring the employer to pay part of the costs of health care so the immediate financial burden is not so great on the individual.* Good health is a valuable asset for the employer as well as the employee. This fact has been recognized by many employers who today are contributing to the private health insurance protection of their employees and their families. It is something which should be extended to the general working population.

4. *Assuring that eligibility for service would be determined by Federal rules.* The operation of a medical insurance program by the Federal government would insure that all persons would receive the same benefits, be eligible under the same standards, and be required to contribute on the same basis no matter where they live in the United States. A Federally administered program would also assure an individual of a fair hearing on matters in dispute before a Federal agency and an appeal for judicial review by Federal courts. Thus, due process and equal treatment would be assured every individual irrespective of his color, age, sex, education or background.

5. *Providing for new, innovative, economical and efficient methods of organizing and delivering medical care.* Financial incentives should be provided for expanding ambulatory and outpatinet care, improving emergency services and group practice plans and salary and capitation plans. Funds should also be provided to allow for experimentation with different models of medical care so that new procedures for allocating scarce medical resources may be discovered.

6. *Providing for expansion of preventive medical techniques.* The scope of coverage of medical services must be broad. At the same time it must be recognized that not every element of medical service can be provided in unlimited quantity. Multi-phasic screening, periodic examinations, and community sponsored coordinated plans for health, education, family planning, nutrition and environmental concerns should be supported and encouraged. The most economical and humane method of dealing with illness is to prevent its occurrence. Medical research must continue to be encouraged and supported and undoubtedly will have a tremendous impact on changes in services, costs, and arrangements.

7. *Encouraging and accelerating plans for effectively increasing health personnel.* Financial incentives should be provided for expanding the training of more physicians, nurses, dentists, and other health personnel including physicians' assistants, aides, technicians and allied health personnel. Methods must be developed which will provide for the most effective use of para-medical personnel so that doctors, dentists and nurses can devote their full attention to their respective professional tasks. Particular attention should be paid to encouraging more black persons and individuals from other minority groups to be trained, and for more women to have opportunities to participate in the delivery of services.

8. *Providing opportunities for the various groups in society to play a significant role in policy formulation and administration of the health system.* Health care is too important to be the sole province of any one professional group no matter how trained or well intentioned. Therefore, mechanisms must be developed where concerned parties—employers, labor unions, and the consumer himself can make a contribution in determining the amount of money to be spent, the efficiency of care, the priorities to be met first, and a host of administrative, psychological and procedural factors essential to good health. This involvement must be present at all levels of the health care system—at the local, regional and national levels.

9. *Assuring health personnel reasonable compensation, opportunity for professional practice, advancement, and the exercise of humanitarian and social responsibility.* The various components in a national health insurance program should be designed so as to foster the highest quality of medical care with individual and group responsibility for initiative, advancement, and a sense of creative and social responsibility.

10. *Encouraging effective professional participation in the formulation of guidelines, standards, rules, regulations, forms, procedures and organization.* There should be widespread participation by all health personnel in the formulation of policy at every level of administration. A cooperative sense of participation should be fostered which would overcome hierarchical considerations and individual distinctions based on income, education and prestige. The importance of professional and administrative competence must be fostered and encouraged.

11. *Fostering a pluralistic system of administration.* There are widely different ideas in the different parts of the United States and among different groups as to how medical care should be administered. As science and technology continue to develop new methods of diagnosis and treatment, as new drugs are developed, and as new systems of delivery of care are established, we should be willing to adapt our arrangements to new needs and new opportunities. We must be open to the development of different methods of treatment and new forms of medical care organization. It is essential that various procedures be tried so that we can evaluate which methods prove to be the most effective for different types of situations and changing conditions. There must be opportunities for institutional self-renewal.

12. *Recognizing administrative reality and administrative competence.* National health insurance is not a panacea for all the problems of medical care. The continued increase in demand for medical services while the increase in supply remains inelastic will certainly create increasing price and cost pressures for the forseeable future. Changes in organization, delivery, and access to services will not occur overnight. Changes in medical school curricula, admissions, and orientation will take time. The administrative implementation of all these components will be difficult and errors of judgment will occur inevitably.

Meanwhile, we must make a more effective effort to distribute medical services in a more rational socially conscious manner than at present. National health insurance is a mechanism to focus our planning and our priorities for a more intelligent distribution of the miracles of medical science to the millions of our people. Medical needs are almost infinitely expansible. Medical services are a scarce resource. The allocation of scarce resources to priority needs involves planning, judgment, administrative capacity, and self-restraints.

EMERGENCY COMMITTEE FOR AMERICAN TRADE—ECAT—A POSITIVE TRADE POLICY

Mr. JAVITS. Mr. President, on February 24 and 25 the 34th Mid-America World Trade Conference was held in Chicago, Ill. The president and chief executive officer of Pepsico Inc., who also serves as the Chairman of the Emergency Committee for American Trade—ECAT—made a very timely address entitled "Toward a Positive Trade Policy: Negotiate Now."

In this address Mr. Kendall quantified the importance of exports to the Midwestern States noting that exports from each Michigan, Illinois, and Ohio were in excess of $2 billion and that exports of the 12 Midwestern States totaled some $12 billion in manufactured goods and $3.2 billion in farm products.

I welcome Mr. Kendall's announcement that the ECAT whose membership includes 54 of the largest corporations in America will support the interim trade legislation introduced by Senators HARRIS, MONDALE, and myself. Also Mr. Kendall's suggestion that the United States should call for international negotiations to prevent American trade interests from being damaged by the prospective entry of the United Kingdom into the European Common Market is highly constructive and worthy of the serious attention of the policymakers in the U.S. Government.

I ask unanimous consent that Mr. Kendall's remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TOWARD A POSITIVE TRADE POLICY: NEGOTIATE NOW

It is a privilege to be here as chairman of the Emergency Committee for American Trade and sound a keynote to this 34th Mid-America World Trade Conference.

The Emergency Committee, or ECAT, is made up of 54 of the largest companies in America. ECAT has been called the "spearhead of the pro-trade forces." This may be true. If so, it is certainly true that the shaft of the spear is made up of organizations like the International Trade Club of Chicago. I compliment you on your many actions to defend traditional American policies of freer trade.

While the members of ECAT may be leaders in world trade, I would like to note that they are also leaders in the expansion of investment and employment here in the

United States. The headquarters of 18 of ECAT's members are located in the Midwest. When it comes to plants and other facilities, the members of ECAT are well represented in almost every locality in mid-America.

It might be fair to say that the main purpose of this conference is to keep mid-America's export lead, to keep moving all the exported automobiles and transportation equipment, machinery, farm equipment and farm products, metals and metal products, and lots more.

This is a good time and place to consider how that can be done. We are meeting today at a crucial moment in trade policy. This is the year our nation is going to do one of three things:

(1) stumble into what the press of the world has labeled a "trade war,"

(2) begin fashioning a new trade policy for the 1970's, or

(3) sit idly by while other nations make new trading arrangements that can severely damage American interests.

Let us look first at the line-up in world trade. On this side of the Atlantic, we have the United States, only just emerging from an economic recession but basically sound, doing a record export business, boasting a favorable balance of merchandise trade, increasing the profitability of its overseas investments but with important members of its business and labor communities convinced that unless we build a new wall of protective quotas they will go under.

To the east, there is Europe, prospering over lowered tariff walls, exchanging increasing amounts of goods and services with its nation states making historic plans for closer association. To the north, Canada, although increasingly concerned over American investments, is our most valuable trading partner.

And in the Far East is Japan, a major buyer of U.S. goods and a source of contention because of its laggard trade and investment policies and its export here of so many competitive goods. These round out the roster of our best customers.

Largely through export sales to these developed countries, the United States in 1970 netted a respectable $2.7 billion surplus in merchandise trade—double the 1969 figure.

There are those who now counsel that our government impose mandatory quotas on products these customers exchange with us for America's manufactured and agricultural goods.

In a few minutes, a panel here will debate the issue of "Free Trade or Protectionism." Although as a realist, I am inclined to change the word "free" to the more qualified "freest possible," I submit that if protectionism prevails in the Congress this year, any discussion of "competitive global strategies" will only prove to be a fruitless and abstract exercise.

Yes, the trade battle will continue, dividing us on the home front as well as posing problems of the most serious nature with our trading partners.

A significant number of nations has already put this country on notice that if we turn back the international trading clock, they will do likewise.

I cannot believe we will repeat the mistakes of the 1930's with a worldwide trade war and depression. Our Atlantic trading partners share with us and the rest of the world the perplexing problems of inflation, but their economies are sound and burgeoning. Built-in economic and monetary stabilizers exist today that never existed before.

But, one sure result of protectionism is that trade expansion would be halted and set back. This would be calamitous to mid-America.

When it comes to exports of manufactured goods, new data from the Bureau of the Census reveal that Michigan shared with California the top spot among exporting states. Illinois ranked third among the 50 states shipping goods abroad, shading Ohio, which was number four, by the barest whisker.

Here is how the three top Midwest performers compared: Michigan, $2.6 billion; Illinois, $2.3 billion; and Ohio, $2.3 billion.

Manufactured goods exported from the five East Central states in 1969 were worth $9.8 billion; from the seven West Central States, $1.9 billion.

There you have a grand total of nearly $12 billion. A laudable performance for the Midwest indeed.

Other good news—both national and regional—is forthcoming from the Department of Agriculture.

In the Department's report for the fiscal year ended June 1970, the nation's agricultural exports were valued at $6.65 billion, almost an all-time record and 17 percent better than in the prior 12 months.

U.S. farm exports continue to lead the world, accounting for a sixth of global shipments, the report continues.

Here, once again, the 12 North Central states distinguished themselves by accounting for $3.2 billion in agricultural sales abroad—nearly half the national total. Of this total, commercial sales in dollars amounted to $2.7 billion. The balance was purchased under government-financed programs.

Way out in front position, accounting for nearly a tenth of the U.S. total, was Illinois, with $650 million in farm product sales.

It is especially important here to comment that oilseed and oilseed products—the nation's and the region's principal agricultural export—is the commodity most directly threatened if this nation turns to protectionism.

No one really wants this.

A president of the American Farm Bureau Federation has said:

"U.S. farmers would be condenmed to a permanent low income status if they are forced to shrink production to the needs of the domestic market, as farm export sales normally account for 25 percent of total domestic production."

Business and industry, by and large, are on record against a move that could lead to a trade war.

Consumers, plagued by rising costs, certainly are on the side of freer trade.

Nearly 5,000 American economists from every state in the Union have labeled protectionism a "massive mistake" and contrary to the total national interest.

Chicago's own Milton Friedman, the nation's most ubiquitous economic commentator, has termed freer trade the *sine qua non* of the nation's economic advancement.

The vast majority of American newspapers—from big city daily to small town weekly—has called for the continuance of a freer trade policy in their editorial columns.

Yet, despite this overwhelming support for a positive approach to world trade, it almost seemed last year that we were going in just the opposite direction.

The freer trade forces, through the most strenuous and unremitting effort, were successful, only at the very last minute, in holding off Congressional passage of what earlier had been thought to be an unstoppable trade bill, a bill tied cynically in the Senate to pressing social security legislation.

But, it was a very narrow squeak. The protectionists have once more regrouped. The battle is joined.

Chairman Mills of the House Ways and Means Committee has already reintroduced his bill in the new Congress in exactly the same form in which it passed the House last year.

Indications are that quota lobbyists are starting to work for introduction of last year's Mills Bill in the Senate this spring.

Lobbyists are singleminded people, and sometimes it seems a lot easier to be *for* something than *against* something.. Take as a case in point the quota provision in last year's bill for glycine. Probably not many of you have ever heard of glycine. I certainly hadn't until I learned that the bill proposed a quota for glycine, which I found out is a chemical used in pharmaceuticals. One company in Tennessee is the sole American producer of glycine. The company has a total of 200 employees, only 54 of whom work directly with glycine.

It is a little frightening. If every industry had been as successful as the glycine industry—if you can call one company with 54 employees working on a product an industry—we might have a quota bill as tall as the projected Sears Roebuck building here in Chicago.

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The theme of our conference is "Competitive Global Strategies for the '70s." The theme recognizes that we are going into the '70s without such strategies and must think now about the trade policy we really want. If we don't, we may avoid a trade war, but we may find ourselves slowly losing out in world trade. By the end of the decade, our losses could be irretrievable.

Fortunately, a new trade policy is in the making. What we expect to happen in the 1970s, what we ought to make happen—all of these are being rigorously examined.

You will remember that President Nixon in his message to the Congress transmitting the Trade Act of 1969 also had the long-term future of United States trade policy well in mind. He said:

"Intense international competition, new and growing markets, changes in cost levels, technological developments in both agriculture and industry, and large-scale exports of capital are having profound and continuing effects on international production and trade patterns. We can no longer afford to think of our trade policies in the old, simple terms of liberalism vs. protectionism. Rather, we must learn to treat investment, production, employment, and trade as interrelated and interdependent."

You will recall that he appointed a Commission on International Trade and Investment Policy to examine the entire range of our trade and related policies, to analyze the problems we are likely to face in the 1970s, and to prepare recommendations on what we should do about them.

The Commission is expected to make its report mid-year.

Meanwhile, on other fronts, other governmental groups are also taking a look at the future of United States trade policy.

At the request of the President, the Tariff Commission recently held hearings on the competitive position of U.S. industries.

Last year, the Joint Economic Committee of the Congress held extensive hearings on the subject of the multinational corporation and international investment.

And last month, the President set up, within the White House, a Council on International Economic Policy, headed by Peter Peterson of Bell & Howell. He did so, in his words, to "provide a clear top level focus for the full range of international economic policy issues; deal with international economic policies—including trade, investment, balance of payments, finance—as a coherent whole."

So all of this activity, plus many other activities on the private scene, is evidence of concern at all levels with the future of United States trade policy.

But let's get down to specifics—the nitty-gritty, as the Pepsi generation calls them. What are some of the immediate problems facing us and what can and should we do about them?

Ideally, we should have new trade legislation on the books. President Johnson tried to do this in 1968 with a simple "housekeeping" trade bill. President Nixon tried again in 1969 and the following year. The modest bill he proposed turned into a protectionist Christmas tree. The lesson from this experience is that it will not be easy to enact prudent legislation extending and improving present-day policies.

Nevertheless, it is welcome news that members of both houses of the Congress are now coming forward with a constructive interim trade bill, a trade bill to meet needs on which there is almost unanimous agreement. The President must clearly have some tariff negotiating authority to deal with inescapable adjustments that will arise from escape clause actions and other sources. The escape clause and adjustment assistance provisions of existing legislation clearly need improvement. There are other needs familiar to you that should be dealt with now.

In addition, time is running out on the Kennedy Round agreement to exchange valuable trade concessions from Europe for the elimination of the American Selling Price system of customs valuation.

ECAT will support legislation designed to deal with these immediate problems. We will do so in the realization that no immedate action may be preferable to a repeat of the dangerous confrontation of last year. At this point, all friends of freer trade should associate themselves with constructive legislation in order to preempt the protectionists from obtaining support for their own versions of a trade bill.

The chief lesson I believe we have learned from the past three years of defensive action against protectionism is that interim measures are not enough. *It is time to begin putting all the counters on the table, to begin framing a trade policy for the decade. This is what the President appears to be planning to do and is certainly the direction in which our thinking should go.*

The difficult problems of individual commodities are more likely to be dealt with successfully in the context of such a trade policy rather than in *ad hoc* efforts to provide a degree of protectionism by one means or another. The problems presented by the trade and investment policies of Japan also seem too interwoven with other issues to be settled on a piecemeal basis.

It may well be that the problem of textiles can be resolved for a time at least in the *ad hoc* efforts that are now underway to negotiate voluntary agreements. In the long run, however, they, too, will have to find a place in a more complete trade policy. So much has been said and written about the textile problem, that I do not intend to belabor it here.

This is a giant industry. As such, it obviously cannot be described in generalizations. The industry has had a good growth rate in the past decade. At the same time, it has seen imports surge in certain categories and its fears that unchecked growth of such imports would be injurious must be taken seriously. The industry's efforts to obtain quota protection from the Congress have demonstrated it has strong political influence. But these efforts have always attracted protectionist provisions applicable to other industries that threaten to touch off the trade war that no one wants.

I am convinced that there has been far too much acrimony at all levels on this problem. I count myself among those who are sympathetic to the needs of the domestic industry but dismayed at the unreasoning attitude of some segments of this industry. I strongly hope that reason and realism will help us find a way out of this problem.

Another sensitive single problem is footwear. Here some defusing seems to be taking place. The recent report of the Tariff Commission offers an opportunity to deal with the problem well within the bounds of national policy and international agreements.

There will be other perplexing commodity problems, but for these, I hope, the formulation of a new trade policy will take place in time to deal with them in a broader context.

I will not seek to propose the form that a new trade policy will take. I will call to your attention some of the factors that will have to be reckoned with in fashioning it.

For one thing, while U.S. exports have risen at a good pace, they have not risen as rapidly as in other industrialized countries.

Secondly, the U.S. share of total free world exports has been declining steadily since 1960 in contrast to a steady increase for the countries of industrial Europe and Japan.

And thirdly, the ratio of exports to gross national product continues to be smaller in the U.S. than in most other industrial countries. In the U.S., the ratio of exports to GNP is only about 4¼ percent. But in other countries—especially those of our major competitors—the percentages range from 9 percent in Japan, 11 percent in France, 13 percent in the UK, to 18 percent in West Germany.

You may recall that the Department of Commerce issued a study a couple of years ago—a five year outlook. The study projected an export goal of $50 billion in 1973.

It sounded impossible at the time. But look at 1970's exports of $42.6 billion. It looks now as if we will not only reach the $50 billion goal, but we will also surpass it. Thus, even for the United States, trade is growing faster than other economic indicators. This means some growing pains. It is worth noting that trade as a percentage of GNP overlooks the fact that many factors in the GNP are not susceptible to international exchange. For those things that are moveable, the percentage traded is now running above 20 percent.

Rather than reversing this trend, we need policies to accommodate it.

We are all well aware of the competitive advantages that foreign producers enjoy in world trade as a result of the assistance and encouragement they receive from their governments. ECAT has strongly recommended vigorous and even costly action to improve the export side of the trade equation. We believe that as American producers become more export-minded the initial investment will be repaid many times, that the appetite will grow on what it feeds.

These and many other factors will have to be considered and reflected in long-range legislation and administration policy. But, while this process is moving—and moving with our support—we must also look with apprehension on developments in Europe. As I said earlier, we have three choices: trade war, a new trade policy, or drift.

The danger of drift is compounded by the natural inclination to put off facing problems that do not appear as immediate ones. The most dangerous example of this is the view that we should not interfere with the negotiations going on in Europe but simply be prepared to deal with whatever situation develops.

In my opinion, we should already be conducting concurrent negotiations as an essential element of a trade policy for the Seventies.

By the end of the Seventies, there is a strong possibility that Europe will become a fully integrated economic unit with national frontiers taking on the characteristics of state lines in the United States.

It is observed that Europe is already an economic giant that can stand on its own competitive feet.

The question before us is whether we can afford to have it stand on *our* feet. With the EEC, EFTA, and all their relations, we are talking about the weight of 50 nations!

There is no question that so far the growing economic strength of the Community has benefited the economy of the United States and its overall international trade relations.

We also have the solemn words of the leaders of both the Common Market and the United Kingdom that the current negotiations are in no way designed to be detrimental to American interests. There is convincing evidence to support these words. For example, if the United Kingdom adopted the Common Agricultural Program of the Common Market, she would also have a strong interest in liberalizing that protectionist program. Once inside the Market, she should have considerable leverage to do so and could be expected to use it.

I contend, however, that it would be foolhardy to await such a period. If U.S. exports of agricultural products are cut back even for a short time, the support in this country for freer trade could be disastrously weakened and we might then lead the world into that trade war.

Instead of watchful waiting, the situation seems to call for concurrent action. The United States should act now to begin a parallel negotiation under international auspices on world trade in agriculture. Parallel negotiations could be conducted on the other perplexing problems including those that relate to the trade and investment policies of Japan and on the desperate needs of developing countries.

My recommendations are not particularly novel. The new team of international economic policy-makers in Washington will probably be considering them in more detailed and developed form. Yet I believe they are a fit subject for your consideration. For it is from groups like this that support for national policies must be derived.

Crowded as your agenda is, I commend to you the consideration of negotiations now, negotiations to safeguard the interests of this region and this nation in the world economy.

It has been my pleasure to help you begin your promising conference, and I wish you well in all your deliberations.

SST PROTOTYPES NOT NEEDED TO ANSWER ENVIRONMENTAL QUESTIONS

Mr. PROXMIRE. Mr. President, on Monday of this week the House Appropriations Committee opened hearings on the administration's request for further funding of the SST program. The request is the same as it was last December—$290 million for fiscal year 1971.

One of the leadoff witnesses for the administration was Mr. William Ruckelshaus, the new head of the Environmental Protection Agency. The principal reason for Mr. Ruckelshaus' appearance was to demonstrate that his agency has no objection, on environmental grounds, to construction of the two prototypes. And that is indeed a point that few would disagree with, since flying just these two planes will hardly create very much environmental intrusion. What worries environmentalists and conservationists throughout the country is what kind of effect a fleet of 500 planes would have—with respect to upper atmospheric pollution, with respect to airport and community noise, and with respect to the sonic boom.

However, this is not the reason why I am citing Mr. Ruckelshaus' testimony The significance of Mr. Ruckelshaus' testimony is that it sets to rest one of the arguments most frequently advanced in behalf of the SST appropriations request—namely, that we should proceed with development of the prototypes in order to answer the environmental questions that have been raised. In his prepared statement to the subcommittee, he stated that:

Most of the environmental questions can be answered without the two prototypes.

In the course of his dialog with the subcommittee, Mr. Ruckelshaus reiterated this:

Representative Boland. I take it from your statement, Mr. Administrator, that all the problems with respect to the environment can be solved without the production of two prototypes—not the problems but at least you can get the answers from the problems that the SST conjures up. Is this true?

Mr. Ruckelshaus. I think that's true.

Mr. Ruckelshaus further stressed that independent research is fully capable of determining what the impact of a fleet of 500 SST's would be on the upper atmosphere. The prototypes, Mr. Ruckelshaus indicated, would be redundant insofar as environmental questions are concerned.

Mr. President, I ask unanimous consent that the prepared testimony by Mr. Ruckelshaus be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by William D. Ruckelshaus

Mr. Chairman, as one charged by the President and the Congress with the protection of the environment, I appreciate the opportunity to appear before your Committee and address myself to the environmental questions which have arisen concerning the appropriation to continue the development of the Supersonic Transport.

One of my duties as environmental protector is to examine critically every proposed Federal project to determine its impact on the environment, and to oppose that project if it is not consistent with my Presidential and Congressional charge.

To be more specific, if the Congress were being asked today to appropriate monies to construct, or assist in the construction of a commercial fleet of, say 300 or even 500 SST's before many of the critical environmental questions were answered, I would oppose this request for an appropriation.

This, of course, is not what the Administration is requesting of the Congress. The request is for the money to continue in the development of two experimental airplanes to determine their commercial feasibility.

Before these two experimental planes should ever be translated into a commercial fleet, all of the environmental questions regarding noise, sonic boom, radiation effects from the possible reduction of ozone, cosmic radiation effects on passengers and crew, climatic effects from ozone reduction, increased water vapor or increased dust particles in the stratosphere, the effect of increased oxides of nitrogen in the stratosphere and any others that may arise, must be answered.

This Administration is committed to getting those answers *before* commercial production proceeds.

This commitment is not new. Then why, one might ask, the environmental furor?

The argument is that once the two experimental planes are built, the momentum of the program will be such that there will be no stopping it. Too much money will have been invested and too many jobs will be at stake to halt the commercial development of the SST. It must be admitted that there is historical validity to this argument. In the past the momentum of large-scale programs has had a way of insuring the perpetuation of those programs regardless of their merit.

If we subscribe to the inevitability of history being repetitive then the momentum argument is unassailable. I do not so subscribe.

Technological projects can be stopped if their continuation is found to be environmentally unsound. The recent Presidential decision regarding the Cross-Florida Barge Canal is a case in point. Indeed, they must be stopped if man is to control his own destiny. We have reached a point in the history of man and his habitat where man's activities must constantly be measured against their environmental impact.

It is our intention to insure that such measurements are made in connection with this project.

It is also argued that the environmental measurement can be made without developing the two experimental airplanes. While this statement is not without controversy, it appears that most of the environmental questions can be answered without the two prototypes. The question of whether to continue with the development of the two experimental airplanes is not an environmental one (no one contends the two planes will have any significant impact on the environment), but rather is one of economics. It is the position of the Administration that if all the environmental concerns are satisfied and our country is to remain competitive with the British-French Concorde and the Russian TU-144, we must not now cease completion of the testing of the two experimental airplanes.

I am not an economist and cannot answer all of the economic questions many of you gentlemen have. Other witnesses here today have tried to convince you of the economic wisdom of proceeding with the program. I am charged with protecting the environment.

I do not see technological experimentation as inconsistent with that charge. Nor do I believe that when there are economic reasons for proceeding we as a society must cease technological experimentation because the ultimate use of that experimentation might be environmentally damaging. If the environmental impact proves to be adverse, then the technology must not be used. Such a conclusion does not detract from the economic arguments to proceed with the experiment nor does the present environmental concern by itself warrant it.

I believe we can control our technology so as to maximize its benefits and at the same time preserve and protect our environment.

The mindless onrush of technology must be stopped. The rational application of our scientific and technological ability, giving full attention to the environmental impact of that application, must proceed.

It's the difference between saying "Stop the world, I want to get off," and "Look before you leap."

The latter approach must make more sense to a society that wants to survive.

INDIAN LAND ISSUE IN ALASKA

Mr. TUNNEY. Mr. President, the Senate is once again confronted with the challenge to provide justice for 60,000 Eskimos, Indians, and Aleuts of Alaska. I was proud to join in sponsoring S. 835, the Alaska Native Claims Settlement Act of 1971.

Congress has historically protected the rights of Alaskan Natives. The Organic Act of 1884 stated:

> The Indians . . . shall not be disturbed in the possession of any lands actually in their use or occupancy, or now claimed by them.

However, the issue of granting formal title to the land has been postponed for 87 years. The time has come for the Congress to end this tragic delay and to enact fair and just legislation for the benefit of all Alaskans.

The Natives of Alaska continue to use and occupy at least 60 to 80 million acres of the 375 million acres in the Alaskan land mass. These lands are Native lands, neither taken by war, nor relinquished by them through sale, treaty, or cession. Congress is not faced with the question of whether or not to give these people anything, but rather how to equitably settle just claims.

We must keep in mind that the land we speak of is more than icy acreage thousands of miles away. It is land which is absolutely crucial to the survival of the Native Alaskan cultures. Without secure title to an adequate land base, these Native cultures are doomed to extinction.

The center of debate in this Congress will not be on the issue of whether or not to grant land title, but rather on the amount of land to be formally transferred to the Alaskan Natives. I support S. 835 because I feel its land compensation is more in line with the real needs of the Alaskan people than any other legislation submitted to date.

Mr. Monroe E. Price, chairman of the American Bar Association Committee on Indian Affairs, has written an extremely informative statement on the issue of Native Alaskan property rights. I ask unanimous consent that the report be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Concerning the Alaska Native Claims Settlement Act of 1970

(Statement of Monroe E. Price, chairman, American Bar Association Committee on Indian Affairs and Professor of Law, UCLA)

The history of federal-Indian relations is filled with actions by responsible officials "giving," out of charity, more than they thought the recipient was entitled to as a matter of right. In almost each case, the verdict of history has been that the perception that the United States was acting charitably was misplaced.

I think it is important to keep that historical reoccurrence in mind as the House deliberates the Alaska claims settlement. There will be many who view it as the majestic penance of a kind sovereign, not obligated to do anything, but out of moral goodness doing something. That is a wrong basis for judgment.

Underneath all the legal complexities, the Alaska Native Claims is a simple matter of property rights. Our institutions are based on concepts of property rights; our various cultures in the United States are based on the power of property. Texas, Montana, California, New York: in each State strong cultures are maintained because of the land resources to which the cultures are tied. No government official seriously argues for the destruction of patterns of life within those States by altering the land tenure patterns.

Here, however, there is something like that at work. Some feel that if the Natives retain a significant portion of their patrimony, their culture, their way of life will be maintained. If their patrimony is eroded, then before long their culture and style of life will be eroded as well. The Federal Government must not seek to deprive a group of its property as a means of undermining its culture. I can think of few acts more seriously at odds with the American tradition.

Section 4(a) of S. 1830, the proposed Alaska Native Claims Settlement Act of 1970. declares in part

"The provisions of this Act shall constitute a full and final settlement and extinguishment of any and all claims against the United States, the State and all other persons which are based upon aboriginal right, title, use, or occupancy of land in Alaska . . . by any Native, Native Village, or Native group. . . ."

Thus, in return for $1 billion in deferred payments and recognized ownership of some 10 million acres, the Natives of Alaska (Indians, Eskimos and Aleuts) will be required to give up all their rights and interests based upon use and occupancy to 350 million acres of land.

The proposition that the Natives actually possess a legal claim to vast land areas within the State of Alaska is not subject to serious challenge. Indeed, in a series of decisions reaching back to *Johnson v. McIntosh*, 8 Wheat. 543 (1823), the Supreme Court consistently has upheld "the Indian right of occupancy", which "is considered as sacred as the fe-simple of the whites" (*Mitchel v. United States*, 9 Pet. 711, 746 (1835), and which may "not be interfered with or determined except by the United States." *Cramer v. United States*, 261 U.S. 219, 227 (1963); *United States v. Santa Fe Pacific Railroad Co.*, 314 U.S. 339, 345 (1941). Indian title "amounts to a right of occupancy which the sovereign grants and protects against intrusion by third parties" (*Tee-Hit-Ton Indians v. United States*, 342 U.S. 272, 279 (1955)), and the United States in fact has accorded such protection to lands used and occupied by Alaskan Natives under a variety of circumstances. *State of Alaska v. Udall, 420 F. 2d 938* (9th Cir., December 19, 1969); *United States v. State of Alaska*, 197 F. Supp. 834 (D. Alaska 1961); *United States v. Cadzow*, 5 Alaska 442, 1914).

In addition to rights derived from original Indian title, the possessory interests of Alaskan Natives have been the subject of specific legislative protection from the time of the 1867 Treaty of Cession with Russia. Section 8 of the Organic Act of May 17, 1884, 23 Stat. 24, the first statute applying Federal land law to Alaska, for example, provided in pertinent part:

"That the Indians . . . shall not be disturbed in the possession of any lands actually in their use or occupation or now claimed by them but the terms under which such persons may acquire title to such lands is reserved for future legislation by Congress."

Similarly, Section 27 of the Act of June 6, 1900, 31 Stat. 321, which established a civil government for Alaska, declared that "The Indians . . . shall not be disturbed in the possession of any lands now actually in their use or occupation," and prohibited entry, under the public land laws, on land occupied by Natives. Finally, Section 4 of the Alaska Statehood Act of July 7, 1958, 72 Stat. 339, required the State to "disclaim all right and title . . . to any lands or other property (including fishing rights), the right or title to which may be held by any Indians, Eskimos or Aleuts. . . ."

Thus, even apart from the Natives' legal rights under judicial precedents, the Federal Government has assumed in Alaska a clear-cut statutory and moral responsibility to respect their use and occupancy of land. Moreover, the extent of that responsibility is nowhere better expressed than in the Northwest Territorial Ordinance of 1787 which specifically provided that the land and property of the Indians "shall never be taken from them without their consent" and that "their property, rights, and liberty . . . shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress."

Translated into a modern context, the principles of the 1787 Ordinance demanded that Congress not impose a unilateral land settlement upon the Natives of Alaska, but rather seek their wholehearted acquiescence in the consideration to be paid. The Natives, speaking through the Alaska Federation of Natives, have asked that 40 million acres, or about 10% of the area they rightfully claim, be recognized in Native ownership under the pending legislation.

The Alaska Natives, collectively, are selling their greatest rights. They must be treated as any other seller who puts forward a fair price. To ignore that price because it will continue a way of life which seems inconsistent with some notion of the "American mainstream" is wrong-headed and inconsistent with the mainstream itself.

ADDRESS BY H. E. EMILIO COLOMBO, PRESIDENT, COUNCIL OF MINISTERS OF ITALY

Mr. JAVITS. Mr. President, I ask unanimous consent that the very interesting address made by H. E. Emilio Colombo, President of the Council of Ministers of Italy, at an informal dinner hosted by Mr. David Rockefeller, chairman of the Chase Manhattan Bank of New York, at the Links Club, on February 22, 1971, be printed in the RECORD.

Mr. Colombo's address provides some highly useful information on the Italian economy and some sage advice concerning the interrelated nature of the trade policies of the United States and Europe.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY H. E. EMILIO COLOMBO, PRESIDENT OF THE COUNCIL OF MINISTERS OF ITALY, AT AN INFORMAL DINNER, HOSTED BY MR. DAVID ROCKEFELLER, CHAIRMAN OF THE BOARD OF DIRECTORS OF THE CHASE MANHATTAN BANK

The presence here today of representatives from the major financial institutions in New York City could not have given me a better opportunity to express the appreciation of the Italian Government for their effective collaboration during 1970. Let me briefly outline what Italy has accomplished in the economic and financial fields in the past year. I am sure most of you are aware of the many complex problems we had to face in carrying out policies aimed at restraining inflation without affecting the level of employment, policies which, in the case of Italy, have been conditioned by the need to reestablish a balance of payments equilibrium and build up an adequate level of official reserves.

In 1970 our foreign trade grew at different rates: imports increased by 22%, exports by 11%. These growth rates were not inconsistent with our forecast since one of the targets of our economic policy was that of gradually reabsorbing our current account surplus and of increasing economic activity within the country.

Since other items in the current balance of payments did not make up for the increase in the trade deficit, the current account surplus was reduced from 2.4 billion dollars in 1969 to 800 million dollars in 1970. In 1969 Italy's net capital outflow reached 3.4 billion dollars, which reflected in a substantial deficit in the overall balance of payments.

In 1970 we undertook the task of eliminating the causes of this deficit. This endeavour, as I mentioned earlier, was made easier for us thanks to the collaboration of our American friends. In 1970, the deficit in capital account decreased to 450 million dollars so that there was a small surplus in the overall balance for the entire year.

The complex manoeuvres to re-establish the balance of payments equilibrium can be summarized as follows:

Fiscal policy was aimed at restraining the deficit of the public sector within limits compatible with the financial markets' capacity to finance such a deficit without creating further inflationary pressures.

Liquidity of the banking system was adjusted in order to maintain the desired growth in real investment and income, while at the same time opposing inflationary forces.

The differential between domestic and foreign interest rates was narrowed in order to eliminate this cause of capital outflow; meanwhile, borrowing on the international market was resumed, first by loans at medium term and then at long term aiming partly at financing the maturing loans and partly at increasing our reserve position.

Borrowing on the international market at the end of 1969 and throughout 1970 reached 1.7 billion dollars of which an important part was taken over by American banks. The service of such loans, principal and interest, with maturity in the period 1971–1974 amounts to 400 million dollars. It could be said that Italy's reserves are excessive when compared to her needs. Yet, a country which carries out a development policy which cannot and must not be interrupted because of restrictions imposed for balance of payment reasons, must have sufficient reserves to absorb the disequilibria deriving from temporary divergent trends in domestic supply and demand, as well as disparities between domestic and international prices.

The adjustment of the level of interest rates in line with international rates took place, nor could it have been otherwise, through a fall in the prices of public and private bonds. Although it was our policy to maintain an orderly market, the decline in bond prices created conditions for a period, in which it was impossible to place new issues. This adjustment process undoubtedly hampered our investment program. However, at the end of 1970 and at the beginning of 1971 the situation distinctly improved as in other financial markets, and the possibilities of large placements of securities on the Italian capital market were again open. During the first six weeks of this year, bond issues by institutions financing industry and public works reached the amount of approximately one billion dollars, a substantial figure even for the American market.

As I mentioned at the beginning, the trend of our foreign trade in 1970 showed that domestic demand was greater than that of internal production. The gap was partly absorbed by a reduction in the balance of payments surplus and partly by rising prices. The problem of inflation arose at the beginning of 1970 and was considered as dangerous as that of the deterioration in the overall balance of payments. The tidal wave of large wage demands, involving practically all the Western industrial countries, saw Italian trade unions obtain some of the highest increases, largely beyond any possible increases in productivity. The task of economic policy, initially carried out with monetary measures, was to avoid adding a demand inflation to the already existing cost inflation.

Wholesale prices increased during the first five months of 1970 at a rate of 8.2 percent on an annual basis; subsequently the rate fell to 2.6 percent.

The situation has been complicated because after the wage disputes with the trade unions have been settled on a national scale, controversies arose at the plant level, not so much for economic reasons, but rather with the intent of gaining substantial changes in working conditions. In addition to this, the various trade unions have been pressing for quick solutions of social problems, problems which have become more urgent because of the rapid development of our economy and the associated movement of large groups of population from region to region and from rural to urban areas.

In the short run, this situation resulted in a lower increase in production and productivity than expected. The gap between demand and domestic supply, which I mentioned earlier, therefore materialized at levels below the capacity of the economy. Total labor income has grown at a slower rate than was foreseeable at the beginning of the year on the basis of the earlier settlements. As to enterprises, the increase of unit costs was only slightly recovered by the increase of productivity. Prices increased less than costs. Unit profits contracted. Due to the moderate increase in production, the final effect was, at least in many sectors, a reduction also of corporate profits.

Convinced that cost inflation cannot be corrected through monetary policy alone, except by reducing the employment level beyond acceptable limits, we looked for an appropriate combination of fiscal and monetary measures which could maintain among the various demand components such proportions as were required by the need of a balanced and realistic economic growth. In other words, we are directing our efforts to expanding all kinds of investment demands, thus supporting the employment level. In fact, between the end of 1969 and 1970 the unemployment rate has not changed.

Investment requirements of our country are determined by the need to compensate, through a higher level of efficiency, not only the increase of labor costs, but also the lower rate of utilization of industrial capacity due to the closer alignment of industrial relations with standards in other European countries. Moreover, as it becomes more and more necessary to build social infrastructures, higher capital applications are needed to obtain the same increases.

The present conditions in both our countries suggest the opportunity to pursue policies which contribute to adjust the level of domestic demand to the availability of productive factors. The attainment of this objective, in both cases, is hampered by the fact that policies which tend to sustain the level of demand operate in an economic environment still suffering from previous cost and price pressures.

The appropriate policy mix seems to require knowledge about the quantitative effects and the time lags of the measures taken; and this becomes more difficult the longer the elapsed time from the moment in which actions are decided upon and the effects thereof occur. It is not surprising, therefore, that public authorities welcome constructive comments from all critics, and eagerly seek to benefit from the experiences of other countries.

It may well be that, in order to achieve an appropriate policy mix in the present conditions, it is necessary, as all international institutions encourage us to do, to introduce a national income policy, that is a set of procedures through which governments and social partners define growth objectives of national income, in real and monetary terms, as well as its components.

If a parallel can be drawn between the economic conditions within the United States and Italy, the same is not true with regard to external effects of their policies.

The improvement of the liquidity situation in the United States, due also to the slack loan demand from the private sector, has resulted in a less aggressive search for funds and in a lowering of the rates of interest. Such a situation contributes to the transfer of dollars previously deposited by European commercial banks, enterprises and private individuals at the London branches of American banks to central banks of other countries. These transfers of foreign dollar holdings may hinder the policies of monetary authorities of the countries towards which those liquid funds are directed. These phenomena seem to have a greater impact, as in most European countries one is still operating under inflationary tensions.

The dollar's role as a reserve, intervention and vehicle currency facilitates the movement of funds from one market to another in the same market. Although in recent years we have learned a great deal from these phenomena, our knowledge is still not sufficient to determine the degree of the existing interrelation between them. However, I do feel that I am now approaching the field of those who are working on the reform of the international monetary system. Perhaps this is a kind of nostalgia since I was myself once part of that group. Today, my new responsibilities have taken me away from these endeavors, but I still believe that solutions must be found along the path of an active cooperation between the countries on either side of the Atlantic.

This same collaboration is being urged not only by the dynamism of economic and social conditions, but also by the emergence in Europe of an integrated economic and monetary area similar to that of the United States. It is surprising, though, that the prospect of the creation of a European unity and the first signs of its achievement along the path of a rather long and difficult process seems to be looked upon as a potential threat and as antagonistic to the United States.

No doubt the rebuilding of Europe and the alignment of the two areas creates a series of problems in many fields. In trade, problems of adjustment and reconversion arise because of the pressures which all countries undergo, of greater foreign competition in certain areas and economic activities. In monetary matters, problems of adjustment derive from the coexistence, in the final stage, of a single European currency and the dollar, which, presently is the only existing intervention and reserve currency.

In both fields, the converging movement of the two continental economies can only be synchronized and pressed forward by a more active and responsible international cooperation.

As to trade relationships, it is interesting to know that imports and exports in recent years have increased more between the United States and EEC countries than between the United States and other areas. Furthermore, US exports to the EEC have increased at a higher rate than imports. The trade surplus of the USA with the EEC has therefore increased accordingly. A great part of this increase is due to the growth of US exports in agricultural products (in 1970 the surplus in agricultural products was 1.1 billion dollars of a trade surplus of 1.7 billion). These figures show the inconsistency of certain protectionist attitudes which exist also in this country. The same can be said for those protectionist therapies which aim at protecting and isolating declining industries rather than new initiatives for which, at least temporarily, such measures could be justified economically rather than for political and social reasons. Our present and past experiences have clearly shown how protectionist measures end up by having the opposite effect and causing more general economic damage than the damage one is trying to avoid in particular sectors and groups of activities. This is true for the countries who adopt the measures as well as for the ones who must face them. It is for the very reason of their inconsistency and ineffectiveness that we must get rid of all kinds of protectionism. To this end, the democratic forces of our countries are equally committed and are ideal partners for the establishment of a more constructive and promising future in the relationship between the United States and Europe, based on liberal trade and freedom of capital movement.

Economic adjustment must first take place within the individual countries before protectionism overflows national boundaries and contaminates the system of relationships of the two large economic areas.

In considering the pros and cons, we must not confine ourselves to those of merely economic nature, but also take into account the advantages on the general political level which derive from the creation of a single economic and financial area in Europe. I believe that the integration process in Europe is capable of absorbing those centrifugal forces which are present in most European countries and harmful to the stability of their democratic systems.

As far as the financial relationships between the United States and Europe are concerned, that is the formation of a European monetary area, history has shown that such an outcome unavoidably follows political and economic unification. Past experience has also shown the possibility of coexistence of two reserve and intervention currencies. Several existing conditions reassure that the two areas can each complement the other and that their relationship will thrive on the basis of mutual cooperation. Such conditions are the faith in international cooperation of the men working for the unification of Europe and the fact that the Community is and remains open to the entry of other countries, particularly to the United Kingdom. Indeed, I am convinced that through a monetary union, Europe will be able to cooperate more effectively with the United States and share with it the burden of collective responsibility, such as the defense of the Western world, the financing of international trade, aid to the emerging countries and the maintenance or an international monetary equilibrium.

THE CONSTITUTION, TREATIES, AND INTERNATIONAL HUMAN RIGHTS

Mr. PROXMIRE. Mr. President, one of the most prominent of international jurists, Louis Henkin, Hamilton Fish Professor of International Law at Columbia University, has addressed himself brilliantly to the relation between the United Nations Human Rights Conventions and the U.S. Constitution.

I ask unanimous consent that his article, published in the University of Philadelphia Law Review of August 1968, be printed in the RECORD.

Professor Henkin has rendered a great service on behalf of those wishing to promote international law and peace by adherence to the United Nations Human Rights Conventions. In this regard, I strongly urge this body to ratify the Genocide Convention.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CONSTITUTION, TREATIES, AND INTERNATIONAL HUMAN RIGHTS

(By Prof. Louis Henkin †)

By a coincidence of which, no doubt, few were aware, the year 1968, the centenary of the fourteenth amendment to the American Constitution, was designated by the United Nations General Assembly as "International Human Rights Year."[1] On such ceremonial occasions, coincidence alone might warrant the exploration of a possible relationship between the occasions celebrated. It is in fact not difficult to find significant links between human rights as enjoyed under the fourteenth amendment and other provisions of the American Constitution, and human rights as they exist in other countries. The actions of the United States have affected human rights in other nations, as well as international efforts to improve the observance of such rights.

While influence can never be measured and often cannot be proved, one can assert

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Footnotes at end of article.

with confidence that the United States has inspired ideas, movements, laws, and events which have promoted human rights in other countries. The American Constitution, particularly the Bill of Rights and the fourteenth amendment, have left their traces in a hundred constitutions and in thousands of laws, charters and manifestos.[2] American concern about human rights has been exported by American foreign policy and diplomacy, in protests on the mistreatment of minorities by Czars and Hitlers; in peace treaties requiring the vanquished to respect the rights of minorities (after World War I), or of all persons (after World War II); in the growing protections of customary international law assuring justice to aliens; in burgeoning doctrines assuring basic rights to all; in the human rights provisions of the UN Charter;[3] in the UN Declaration of Human Rights;[4] in covenants drafted under the auspices of the UN; and in conventions and institutions of European and other regional bodies.

Influence, of course, has not been a one-way street. Many of the rights protected by the Constitution owe much to French and British antecedents. More recently, the ideas and experiences of others have helped bring our eighteenth-century Constitution up to the needs of a new age. Our constitutional fathers were concerned with the protection of "natural" individual freedoms from too much governmental interference; only after a world depression did Congress begin to provide "rights of welfare," and it was not easy to persuade the Supreme Court of the constitutionality of such legislation.[5] New rights of equality and new conceptions of freedom required constitutional reinterpretation[6] and bold legislation.[7] The UN Charter and the UN Declaration of Human Rights have been invoked in American courts to supplement rights protected by the Constitution.[8] Political forces—the existence of United Nations, the competition of Communist ideology, the influence of new nations—surely have had an impact on the actual state of human rights in the United States, and particularly on the rights of the Negro.

In one respect, however, the United States has resisted the influence of others within our borders and has refused to cooperate in promoting rights elsewhere. Although the American government has insisted that observance of human rights is indispensable to international peace and security; although our own observance of human rights is, in most respects, as high as any in the world; although the United States has obligated itself to cooperate with other nations and international organizations to promote human rights;[9] although American representatives have played principal roles in drafting declarations and covenants advancing freedom and justice—the United States has generally refused to adhere to international efforts to establish common minimum standards for individual human rights. The Genocide Convention has vainly sought the consent of the United States Senate since 1949.[10] The United States did not sign the convention, which it helped draft and promote, on the status of refugees.[11] Secretary of State Dulles officially renounced any intention to adhere to conventions on human rights which the UN was drafting.[12] When President Kennedy abandoned the Dulles policy and sent three minor conventions to the Senate,[13] the Foreign Relations Committee failed to recommend consent to two of them.[14]

The last decade even saw a determined effort, led by Senator Bricker, to amend the United States Constitution in ways principally designed to make American adherence to human rights covenants impossible.[15] That effort failed, but lawyers now are endeavoring to use the Constitution as it is to reach the same end.[16] Amendment, they maintain, is not necessary to prohibit American participation in human rights covenants: the Constitution, they say, already forbids the use of the treaty power for such purposes since the human rights of American inhabitants are essentially a matter of domestic, not international, concern.[17]

I shall not consider here whether it is in the interest of the United States to adhere to any particular human rights agreement, or even whether, in principle, the United States should join in cooperative efforts to promote human rights through conventions setting uniform minimum standards of respect for the rights of a nation's own inhabitants. My concern is exclusively with the constitutional objections that are raised against American participation in international treaties on human rights.[18] I am convinced that the argument that the United States is without power under the Constitution to adhere to such treaties has no basis whatever—in the language of the Constitution, in its *travaux préparatoires*, in the institutions it established, in its principles of federalism or of separation of powers, in almost two centuries of constitutional history, or in any other consideration relevant to constitutional interpretation.

I

Article II, section 2 of the Constitution provides that the President "shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur." The Constitution does not define treaties; the framers knew what treaties were and, no doubt, did not see any need to define what was well known in international law and practice. Nor does the Constitution state that there are matters which cannot properly be the subject of a treaty, or that there are other limitations on treaties and the treaty power.[19]

Still, while no treaty or treaty provision has ever been declared unconstitutional, it is settled that treaties are subject to constitutional limitations. There was once a myth that this was not so. The view that treaties are not subject to constitutional limitations found support in the language of the supremacy clause and in an ambiguous suggestion by Mr. Justice Holmes.[20] But the question was thoroughly explored during the Bricker controversy, and everyone, on both sides, firmly rejected that view. In 1957, in *Reid v. Covert*,[21] Mr. Justice Black seized the occasion to lay that ghost to rest. Although there was no majority opinion of the Court, and Justice Black's statement was perhaps not necessary to his result, he stated that treaties, like laws, must be made "in pursuance of" the Constitution, and that "no agreement with a foreign nation can confer power on the Congress, or on any other branch of Government, which is free from the restraints of the Constitution."

"The prohibitions of the Constitution were designed to apply to all branches of the National Government and they cannot be nullified by the Executive or by the Executive and the Senate combined."[22]

From our constitutional beginnings there have also been suggestions that the treaty power is limited—by implication—by other provisions of the Constitution, by the Constitution as a whole, or by the philosophy that permeates it and the institutions it established. Such limitations have principally been implied from the provisions for the separation of powers among the branches of the federal government and the division of authority between the government and the states.[23] An early statement of such limitations is found in Jefferson's ***Manual of Parliamentary Practice:***

"By the Constitution of the United States, this department of legislation is confined to two branches only, of the ordinary legislature; the President originating, and the Senate having a negative. To what subject this power extends, has not been defined in detail by the Constitution, nor are we entirely agreed among ourselves. (1) It is admitted that it must concern the foreign nation, party to the contract, or it would be a mere nullity, *res inter alios acta*. (2) By the general power to make treaties, the Constitution must have intended to comprehend only those objects which are usually regulated by treaty, and cannot be otherwise regulated. (3) It must have meant to except out of these *the rights reserved to the States;* for surely the President and Senate cannot do by treaty what the whole government is interdicted from doing in any way. (4) And also to except those subjects of legislation in which it gave a participation to the House of Representatives. This last exception is denied by some, on the ground that it would leave very little matter for the treaty power to work on. The less the better, say others."[24]

As the final sentence may imply, Jefferson was no friend of the treaty power.[25] Indeed the limitations he enumerates leave little room for treaties. Under his final clause, a treaty cannot deal with matters which are within the enumerated powers of Congress. By the third limitation, the treaty power cannot deal with matters reserved to the states—presumably, those not expressly conferred upon the national government or some branch of it, principally upon Congress by the eighth section of article I.[26] If a treaty can deal neither with matters delegated to Congress, nor with matters not delegated to Congress, it can deal with very little.[27]

These clauses in Jefferson's manual have long been famous examples of his bad guesses, and notable evidence that ours has not become a Jeffersonian Constitution. Everyone today agrees that a treaty can deal with matters on which Congress may legislate.[28] Under contemporary views of the powers of Congress, this excludes very little. Indeed, I have suggested that there is practically nothing that is dealt with by treaty that could not also be the subject of legislation by Congress.[29] In practice, the treaty-makers have frequently concluded agreements dealing with matters concerning which Congress could also legislate, such as tariffs and other regulations of commerce with foreign nations. Also, treaties have frequently dealt with matters which, apart from treaty, seemed reserved to the states: for example, the rights of aliens to inherit property[30] or to engage in local occupations. Almost half a century ago, Mr. Justice Holmes, in ***Missouri v. Holland***,[31] settled that, since the treaty power was delegated to the federal government, what is within that power is not reserved to the states.[32] Treaties, then, are not limited by any "invisible radiation"[33] from the truism that is the tenth amendment.[34] Because ***Missouri v. Holland*** finally disposed of Jefferson's third limitation, Senator Bricker sought to have the Constitution amended to "repeal" that case. The decision has never been questioned in the Supreme Court, and Senator Bricker's abortive attempts only reaffirmed its continuing validity.

Opponents of American adherence to human rights conventions cannot, and do not, invoke the long-rejected Jeffersonian limitations just discussed.[35] While not unrelated to those propositions, their arguments are essentially closer to Jefferson's first two limitations—that a treaty "must concern the foreign nation," and that it must deal with "objects which are usually regulated by treaty, and cannot be otherwise regulated." These limitations, perhaps, are also implied in the assertions that treaties cannot deal with matters that are "of domestic concern" or matters "essentially within the domestic jurisdiction of the United States."

The fact that two of Jefferson's four contentions have been clearly rejected by later interpretations of the Constitution might be enough to dismiss him as an authority on

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the scope of the treaty power today. Still, all his suggestions require consideration on their merits, and Jefferson's first two limitations have support in other authority, including some in the *United States Reports*.

In the Supreme Court, the best known statement of implied limitations on the treaty power is probably that made by Mr. Justice Field in *Geofroy v. Riggs:*

"The treaty power, as expressed in the Constitution, is in terms unlimited except by those restraints which are found in that instrument against the action of the government or of its departments, and those arising from the nature of the government itself and of that of the States. It would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the character of the government or in that of one of the States, or a cession of any portion of the territory of the latter, without its consent. . . . But with these exceptions, it is not perceived that there is any limit to the questions which can be adjusted touching any matter which is properly the subject of negotiation with a foreign country." [36]

Mr. Justice Field does not expound what restraints arise "from the nature of the government itself and of that of the States." It may be that these restraints consist only of those he specifies, for example, that a treaty cannot cede territory of a state without its consent.[37] But some additional limitation may be implied in his suggestion that treaties can deal with "any matter which is *properly* the subject of negotiations with a foreign country." [38]

In other cases, too, there are dicta that treaties may deal with:

"all those objects which in the intercourse of nations, had usually been regarded as the proper subject of negotiation and treaty;" [39]

"all proper subjects of negotiation between our government and other nations;" [40]

"all subjects that properly pertain to our foreign relations." [41]

Noteworthy for its echoes of Jefferson is Chief Justice Taney's statement in *Holmes v. Jennison:* [42]

"The power to make treaties is given by the Constitution in general terms, without any description of the objects intended to be embraced by it; and, consequently, it was designed to include all those subjects, which in the ordinary intercourse of nations had usually been made subjects of negotiation and treaty; and which are consistent with the nature of our institutions, and the distribution of powers between the general and state governments." [43]

Each of these judicial dicta, it should be noted, was made by the Court while upholding an exercise of the treaty power. Each statement was intended to assert the fullness of the treaty power, rather than any limitation upon it. Only the cautious use of "proper," "properly," "usually," and "usually regarded as proper"—each phrase probably echoing those which preceded it—suggests some possible limitation. There is no indication that any of the Justices had one particular qualification in mind, or that they sought to exclude any particular use of the treaty power. No treaty of the United States has been held invalid on the ground that it dealth with an "improper" subject.[44] No treaty has been avoided by the President or rejected by the Senate because its subject matter was not constitutionally "proper" for regulation by treaty.[45] But if we are to give these judicial statements any content, it is not unreasonable to suggest that they might support propositions akin to Jefferson's first two clauses.

How have these alleged limitations fared in the history of the Constitution? The second half of clause (2)—that treaties can deal only with matters that cannot be regulated except by treaty—is ambiguous. If it means that a treaty may deal only with matters on which Congress could not legislate,[46] we are back to Jefferson's fourth principle, which has long been repudiated. Today, surely, it is difficult to conceive of any matter that could not be regulated other than by treaty; any undertaking having effect within the United States could presumably be carried out unilaterally by internal legislation. In practice, the United States has always regulated by treaty those matters which it might have regulated, and did regulate, by legislation as well—the rights of aliens, tariffs, trade, extradition, consular affairs.[47] On the other hand, if Jefferson's limitation would bar only treaties whose entire scheme could be achieved by internal legislation, it would outlaw no treaty entailing mutual obligations. Legislation conditioned on reciprocity might effectively approximate such a treaty,[48] but it would bind neither the United States nor the other nation. Binding common standards of international behavior, whether on human rights or any other subject, cannot be achieved other than by international agreement (or international customary law).

There remains the first half of clause (2)—that the treaty power can regulate only "matters that are usually regulated by treaty." This suggestion is also found in Chief Justice Taney's statement that the treaty power reaches "all those subjects, which in the ordinary intercourse of nations had usually been made subjects of negotiation and treaty." [49] Again, the meaning of Taney's dictum, as well as that of Jefferson, is not entirely clear. We do not know whether Jefferson's "matters," or Taney's "subjects," [50] refers to the particular thing dealt with in the treaty (wheat, nuclear weapons), the rights or duties it establishes (quotas and prices, non-use of weapons), or its objectives (trade, peace). If the limitation were taken seriously, would human rights be a new subject of international negotiation? Are human rights a subject different from the traditional rights of aliens? Or, are the asserted objects of human rights covenants, friendly relations and international peace, as old as treaties?

But such a limitation cannot be taken seriously. Why in law, logic, or good sense, should the United States be barred from negotiating about new subjects, or for objectives not "usually" regulated by treaty? Justice Taney's ambiguous tense is particularly troubling. If the implication is that the United States can deal by treaty only with matters that "had usually been" dealt with by treaty before 1787, it is patently unacceptable. There is as little, or less, reason for limiting the treaty power to those matters about which nations negotiated in the eighteenth century as there is for limiting the commerce power or the war powers to the needs of that era. In fact, the United States has negotiated treaties about subjects, and for objects, that were not dreamed of by the constitutional fathers (or by Taney), including the Charter of the United Nations and the Nuclear Test Ban Treaty.

Jefferson's assertion might mean that the United States cannot negotiate a new kind of treaty. It would not prevent the United States from entering into a treaty of a kind it has never negotiated, after other nations "had" begun "usually" to negotiate about it. Such a constitutional doctrine makes little sense for the country we have become,[51] but it would not, in fact, bar the United States from negotiating with other nations on human rights; nations have been "usually" regulating human rights by treaty at least since the "minorities treaties" of a half-century ago, in the UN Charter, in the various regional human rights arrangements now in effect, and in the human rights covenants that have been under negotiation for almost twenty years under the auspices of the United Nations.[52]

We are left, then, with Jefferson's first limitation—that a treaty "must concern the foreign nation, party to the contract." Jefferson apparently saw this as an inherent characteristic of a treaty, a characteristic which the Constitution incorporated when it spoke of "Treaties." It is not clear what this limitation meant for him, what would be its practical consequences, what kinds of acts or arrangements it would preclude. Perhaps this limitation approximates the one expressed more recently in the now famous remarks made in 1929 by Charles Evans Hughes, erstwhile Secretary of State and already designated Chief Justice of the United States:

"What is the power to make a treaty? What is the object of the power? The normal scope of the power can be found in the appropriate object of the power. The power is to deal with foreign nations with regard to matters of international concern. It is not a power intended to be exercised, it may be assumed, with respect to matters that have no relation to international concerns.

"So I come back to the suggestion I made at the start, that this is a sovereign nation; from my point of view the nation has the power to make any agreement whatever in a constitutional manner that relates to the conduct of our international relations, unless there can be found some express prohibition in the Constitution, and I am not aware of any which would in any way detract from the power as I have defined it in connection with our relations with other governments. But if we attempted to use the treaty-making power to deal with matters which did not pertain to our external relations but to control matters which normally and appropriately were within the local jurisdictions of the States, then I again say there might be ground for implying a limitation upon the treaty-making power that it is intended for the purpose of having treaties made relating to foreign affairs and not to make laws for the people of the United States in their internal concerns through the exercise of the asserted treaty-making power." [53]

Hughes' remarks were extemporaneous, perhaps even impromptu, not a carefully prepared statement of constitutional doctrine.[54] He was setting forth the views which lay behind the position of the American Delegation (led by Hughes) to the Sixth International Conference of American States—that the United States "could not join" in a treaty to establish uniform principles of private international law,[55] a position challenged by some leading international lawyers.[56] A year earlier, in the same forum, Hughes had attempted to justify this position on grounds that smacked of "reserved rights of states," and seemed not to take full account of *Missouri* v. *Holland*.[57] The 1929 remarks quoted above still retained tenth amendment undertones which the Court that decided *Missouri* v. *Holland* might have rejected.[58] The new emphasis on "international concern" and "relation to foreign affairs" might also be suspect if these phrases were interpreted to preclude American adherence to a code of private international law.[59]

Still, whatever the origins or context of Hughes' statement, its principal elements have been commonly accepted as sound constitutional doctrine. The *Restatement on the Law of American Foreign Relations* has made Hughes' doctrine (if not Jefferson's) "black letter law." [60] Students are now taught that a treaty would be invalid not only if it were inconsistent with the Bill of Rights or other provisions of the Constitution, but also if it dealt with a matter which was not of "international concern." There has been less agreement on what this limitation means.

II

Whatever Hughes had in mind, the scope of the constitutional limitation he proposed must derive from its constitutional underpinnings and rationale. The doctrine is com-

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monly described as requiring that treaties deal with matters of "international concern." There might have been less confusion if the doctrine had been put forth as a requirement that treaties bear a "relation to American foreign affairs," another phrase which Hughes employed.[61] Whatever phrase is used, the implied constitutional limitation derives from the view that the treaty power is a foreign relations power, and means that treaties must have a foreign relations purpose.

One may conclude, then, that the Constitution would bar some mala fide use of the form of a treaty, in conspiracy with a foreign power, for the sole purpose of making domestic law in the United States—whether to exclude the House of Representatives or to invade the reserved jurisdiction of the states. Assume the President (and Senate) wishes to establish a uniform divorce law in the United States; a friendly foreign government agrees to help by entering into a "treaty" with the United States establishing a divorce law for this country. It would be simple in that case to declare the label of treaty a sham, to disregard the formalities of treaty-making, and to declare that "treaty" inoperative as law in the United States. Such a hypothetical conspiracy apart it is difficult to imagine the circumstances in which the United States and one or more nations would negotiate and conclude a treaty that does not concern them both, that does not involve the foreign relations of the United States, and that does not serve its foreign policy.[62] Hughes' concern, and Jefferson's, then, may be largely academic. Surely, there is no warrant for extending and distorting the constitutional doctrine they suggest merely to render it less academic and make it a serious limitation.

In any event, Hughes' doubts about a treaty on private international law in 1928 or 1929 have little relevance for human rights conventions today. What is of international concern, what affects American foreign relations and is relevant to American foreign policy, what matters the United States wishes to negotiate about, differ from generation to generation, perhaps from year to year, with the everchanging character of relations between nations.[63] If there is a constitutional requirement that a treaty deal with a matter of "international concern," that it be an act of American foreign policy in the conduct of American foreign relations, surely human rights conventions today amply satisfy that requirement. Minimum standards of international behavior with regard to human rights were a matter of international concern and involved American foreign relations long before the UN Charter expressly so provided. Questions of human rights, and the desirability of international legislation of minimum standards, are issues of foreign policy facing all nations today. None of them is asserting that it is not an appropriate subject for international agreement. For the United States such agreements are not "sham" treaties contrived by the President to distort our constitutional system of separation of powers, or to take additional matters from the jurisdiction of the states into the federal domain.[64] As in all bona fide treaties, their purpose, from the point of view of the United States, is a foreign relations purpose—to influence behavior of other countries which affects the welfare of this country. The concern of the United States is not wholly moral or humanitarian. This country would like to see minimum standards observed in other countries in order to safeguard our own standards and to promote conditions that are conducive to American prosperity and American interests in international peace and security. To achieve those aims, and to give the United States the right to request compliance with those standards, the United States is prepared to pay the price of undertaking to apply similar standards at home and to recognize the right of other nations to demand American compliance.

It should be clear, moreover, that nothing in the requirement that a treaty deal with a matter of "international concern," or that it "affect American foreign relations," bars an agreement in which the United States undertakes obligations to other states as to how it will treat its own inhabitants:

"[I]t has always been clear that international agreements, like private contracts, may be parallel as well as reciprocal. Parties may bind themselves to do, or not to do, for each other; or, a nation may undertake to do or not to do, in its own land and to its own people, in consideration of a similar undertaking by the other party. . . .

"Such agreements are not entirely recent phenomena. . . . In fact, the United States, like other nations, has itself negotiated treaties and other international agreements which regulate acts of the Government in regard to its own citizens. The United States adhered to ILO Conventions establishing labor standards which this country would apply to Americans. It agreed to control raw and manufactured opium and other drugs within the United States. It agreed to apply to its own vessels accepted load lines and common standards for safety at sea. It agreed not to bring to trial an American soldier if he had been tried for the same offense by the courts of an allied NATO country. It agreed with other nations to limit its taxes on American citizens. And the United States has agreed to limit its own armaments; it continues to strive for far-reaching controls on arms and armies which would impose strict limitations on activities by Americans within the United States; it sought, for years, agreement for the control of atomic energy which would have governed strictly many domestic activities by Americans in the United States." [65]

The foreign relations aspects of these "parallel" agreements are obvious, and the international character of human rights conventions should be equally apparent. An international convention fixing high labor standards for a nation's own inhabitants, adopted by the nations with whom the United States competes in the sale of manufactured goods in world markets, would have a greater impact on American foreign trade, and be of far greater "international concern" to this country, than any "parallel" treaty formulating common shipping standards and restrictions. To recognize that even human rights may be matters of authentic international concern, one need only think of apartheid in South Africa, of recent events in communist countries, in Nigeria, in India and Pakistan, in Cyprus, and of other actual or potential situations where the treatment of individuals or minority groups is intimately related to war and peace among nations.[66] Basically, the question is not whether the United States should legislate for its own citizens by treaty, or should submit actions in the United States to the scrutiny of other nations. Rather, the question is whether the United States, concerned with the treatment of individuals in other countries and its effect on international peace and security, may seek to regulate such treatment, and thinks it worth the necessary price—agreement to subject actions in this country to similar international or foreign scrutiny.

To suggest that human rights conventions are not of "international concern" or do not "affect American foreign relations" requires some special and narrow restriction of the natural meaning of those phrases. It necessitates a new doctrine holding that a treaty must affect American foreign relations in a particular way, that it further only certain kinds of foreign relations interests, and further them only in specific ways. I know of no basis for any such limitation on the treaty power: Jefferson did not suggest it; Hughes' remarks have no suspicion of it; none of the dicta of the Court states or implies it. No one during the Bricker controversy, on either side, ever intimated it; indeed, such a constitutional doctrine would have made Senator Bricker's struggles to amend the Constitution largely unnecessary, legally as well as politically. Most important, there is no basis for any such limitation on the treaty power in the only possible foundation for any such limitation—the requirement that a treaty be a bona fide agreement in pursuit of foreign policy objectives.

Perhaps some of the misunderstanding of "international concern" and "relation to American foreign policy" has resulted because some have confused that doctrine with the very different concept of "domestic jurisdiction." In part, responsibility for this confusion may be traced to the original Circular 175,[67] promulgated by Secretary of State Dulles apparently in an effort to console the Bricker forces after the defeat of their efforts to amend the Constitution.[68] The Circular—an instruction to the State Department—provided:

"Treaties should be designed to promote United States interests by securing action by foreign governments in a way deemed advantageous to the United States. Treaties are not to be used as a device for the purpose of effecting internal social changes or to try to circumvent the constitutional procedures established in relation to what are essentially matters of domestic concern." [69]

The Circular, it should be noted, announced policy, not constitutional doctrine. Indeed, it was probably designed to impose as policy what the Bricker Amendment would have imposed as constitutional law, but which, it was realized, was not the law of the Constitution unamended.[70] Still, the final clause of the Circular has apparently led some to argue that the Constitution precludes American adherence to any treaty that deals with matters "that are essentially within the domestic jurisdiction of the United States." [71]

Whatever its intellectual origins, the argument reflects fundamental misconceptions. The concept of "domestic jurisdiction" is unknown to American constitutional doctrine; it is well known to international law.[72] Under international law, a matter is deemed to be within a country's domestic jurisdiction if it is not governed by international law or by any treaty obligation.[73] What is within the domestic jurisdiction of a country in the absence of treaty ceases to be so when the nation enters an international agreement on the subject.[74] To suggest that the Constitution forbids treaties as to matters that are "essentially within the domestic jurisdiction of the United States," is to bar any treaty on any matter not already governed by customary international law or previous agreement. Such a theory would prevent the United States from participating in the development of new law by multilateral convention—the principal form of international legislation today. It would preclude many provisions in treaties of commerce, friendship and navigation, in treaties on disarmament, extradition, nationality, the prevention of double taxation and a host of other subjects. It seems patently absurd.[75] In any event, it is a limitation which no one has suggested before and which is without foundation. It cannot be implied in Hughes' "international concern" limitation, nor can it be derived from the character and purpose of the treaty power as an instrument of foreign relations; it has no support even in early writings on the Constitution; and it is contradicted by the history of American treaty practice. In the absence of treaty, this country's armaments, its nationality laws, its im-

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migration policies, all lie within its "domestic jurisdiction;" yet the United States has negotiated agreements on these subjects of international concern from the beginning of its history to this day.

III

Today, human rights are of deep "international concern"; they have an important place in the foreign relation of the United States. Human rights in other countries have become, ineluctably, this country's business. It has repeatedly joined with other nations to condemn invasions of human rights in communist countries as well as in South Africa. For the United States to insist that a nation's treatment of its own inhabitants is not of international concern would itself have grievous impact on American foreign relations with Asian and African countries. The state of human rights in the United States, in turn, is sharply scrutinized by others, and our domestic human rights policies are developed with at least one eye and one ear to the world outside. For decades now, "in the ordinary intercourse of nations," human rights have "been made subjects of negotiation and treaty." Surely, the Constitution does not prohibit the United States from negotiating and adhering to such treaties.

Beneath the "neo-Bricker" doctrine that would deny the United States the power to adhere to such treaties lies, perhaps, the view that the United States should not be negotiating with other nations on "internal matters," whether those of South Africa, Russia, Hitler's Germany, Castro's Cuba, or the United States. That is a view of foreign relations which this country rejected almost 100 years ago. Today such a foreign policy is impossible, even were it desirable. The United States cannot avoid involvement in such "internal affairs" of other countries and it cannot keep other nations out of ours. The price of international influence and concern is reciprocity. Indeed, the price of United States leadership in world affairs may involve our own "internal affairs" in our foreign relations even more than the "internal affairs" of others.

Constitutional interpretation has, for more than thirty years, favored the broadest construction of the power to govern. The Supreme Court long ago recognized that where power is granted it may be exercised to the fullest. No court today would say that the commerce power is limited to matters which affect commerce in one particular way or to a limited degree; indeed, it has been extended farther than ever to support new departures in human rights legislation in the United States.[76] The spending power has emerged as a principal instrument for promoting general welfare, including much that comes within contemporary conceptions of human rights.[77] A hundred years after its adoption, the fourteenth amendment is being read to warrant novel and far-reaching legislation to promote human rights in the United States.[78] It is difficult to believe that any court would insist on a more grudging and niggardly view of the treaty power in order to prohibit American participation in human rights conventions. It is difficult to believe that any court would find that the Constitution renders the United States impotent to do what all other nations can do—participate in one of the major developments of international life in the last half-century. It is difficult to believe that any court would find in the Constitution a requirement that treaties deal with matters of "international concern," or "affect the foreign relations" of the United States, in some special narrow sense unrelated to the realities of international intercourse today.

There is room for difference about the desirability or effectiveness of international human rights covenants, or of American participation in such covenants. There is, however, no excuse for lawyers to fabricate constitutional doctrine to confuse the issue. Almost ten years ago, in the pages of this *Review*, I wrote:

"Many will have deep sympathy for those who dream of old days thought good, or better; who yearn for decentralization even in foreign affairs and matters of international concern, for limitations on federal power, for increase in the importance of the States; who thrill to a wild, poignant, romantic wish to turn back all the clocks, to unlearn the learnings, until the atom is unsplit, weapons unforged, oceans unnarrowed, the Civil War unfought. The wish remains idle, and the effort to diminish power in this area for fear that it may not be used wisely is quixotic, if not suicidal. It is not the moment to attempt it when all ability, flexibility, wisdom are needed for cooperation for survival by a frightened race, on a diminishing earth, reaching for the moon."[79]

The lesson is more urgent than ever; it is yet to be learned.

FOOTNOTES

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[1] G.A. Res. 1961, 18 U.N. GAOR Supp. 15, at 43, U.N. Dock. A/5515 (1963).

[2] Some constitutions were drafted under direct American authority or influence; for example, those of [Liberia, the Philippines, the Federal Republic of Germany and post-war Japan]. For similarities between the American Constitution and others, see synoptic tables in 3 A. Peaslee, Constitutions of Nations, 556–63 (1950).

[3] U.N. Charter art. 1, para. 3, art. 13, para. 1b, arts. 55–72.

[4] G.A. Res. 217, U.N. Doc. A/810 at 71–77 (1948).

[5] *Compare* United States v. Butler, 297 U.S. 1 (1936), *with* Steward Mach. Co. v. Davis, 301 U.S. 548 (1937).

[6] *See, e.g.*, Brown v. Board of Educ., 347 U.S. 483 (1954); Griffin v. Illinois, 351 U.S. 12 (1956).

[7] Civil Rights Act of 1964, 78 Stat. 241–68 (1964), 28 U.S.C. § 1447(d) (1964), 42 U.S.C. §§ 1971, 1975a–1975d, 2000a–2000h–6 (1964).

[8] *Compare* Oyama v. California, 332 U.S. 663, 649–50 (concurring opinion), 673 (concurring opinion) (1948), *with* Hurd v. Hodge, 162 F.2d 233, 245–46 (D.C. Cir. 1947), *aff'd*, 334 U.S. 24, 34–35 (1948), *and* Sei Fujii v. State, 217 P.2d 481, 486–88 (Cal. Dist. Ct. App. 1950), *aff'd on other grounds*, 38 Cal. 2d 718, 242 P.2d 617 (1952).

[9] U.N. Charter arts. 55–56.

[10] Convention on the Prevention and Punishment of the Crime of Genocide, 78 U.N.T.S. 278, *entered into force* Jan. 12, 1951. President Truman transmitted the Convention to the Senate for its consent on June 16, 1949, *see* 95 Cong. Rec. 7825 (1949).

[11] Convention Relating to the Status of Refugees, 189 U.N.T.S. 150 (1954).

[12] 32 Dep't of State Bull. 820, 822 (1955); *see* note 69 *infra* and accompanying text.

[13] *See* note 66 *infra*.

[14] Congressional Record, vol. 113, pt. 23, pages 30908–30909.

[15] The principal version of the Bricker Amendment, prepared by the American Bar Association, is contained in *Hearings on S.J. Res. 1 and S.J. Res. 43 Before a Subcomm. of the Senate Comm. on the Judiciary*, 83d Cong., 1st Sess. at 35–36 (1953).

[16] American Bar Association, *Report of the Standing Committee on Peace and Law Through United Nations: Human Rights Conventions and Recommendations*, 1 Int'l Law, 600, 607 (1967); *see Hearings on Human Rights Conventions Before a Subcomm. of the Senate Comm. on Foreign Relations*, 90th Cong., 1st Sess., *passim* (1967).

[17] American Bar Association, *Report of the Standing Committee on Peace and Law Through United Nations: Human Rights Conventions and Recommendations*, 1 Int'l Law, 600, 601 (1967).

[18] I have dealt at length with basic constitutional doctrine about treaties in L. Henkin, Arms Control and Inspection in American Law (1958) [hereinafter cited as Arms Control], particularly in chapter III, at 25–46. *See also* Henkin, *The Treaty Makers and the Law Makers: The Law of the Land and Foreign Relations*, 107 U. Pa. L. Rev. 903 (1959) [hereinafter cited as *Law of the* Land]; Henkin, *The Treaty Makers and the Law Makers: The Niagara Reservation*, 56 Colum. L. Rev. 1151 (1956) [hereinafter cited as *Niagara Reservation*].

[19] International law and practice know no limitation here relevant. *See* L. Oppenheim, International Law § 501 (8th ed. H. Lauterpacht 1955). *But cf.* U.N. Charter art. 103

[20] Mr. Justice Holmes said: "Acts of Congress are the supreme law of the land only when made in pursuance of the Constitution while treaties are declared to be so when made under the authority of the United States. It is open to question whether the authority of the United States means more than the formal acts prescribed to make the convention." Missouri v. Holland, 252 U.S. 416, 433 (1920).

U.S. Const. art. VI, cl. 2 provides in part: "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, of which shall be made, under the Authority of the United States, shall be the supreme Law of the Land. . . ."

See also Arms Control 29, 169–70 n.14. The myth was repeated by John Foster Dulles shortly before he became Secretary of State, but he later repudiated the statement. *Id.* at 171 n.14.

[21] 354 U.S. 1 (1957).

[22] *Id.* at 16–17. *See also* Arms Control 173 n.17. Justice Black expounded the reasons for the language of the supremacy clause that struck Holmes, *see* note 20 *supra*. *See Generally* Arms Control 169–72 n.14.

Even the first amendment, which begins "Congress shall make no law . . ." applies to treaties as well. *See* Arms Control 37, 179 n.44.

[23] Various statements to this effect going back to our early history are collected in H. Tucker, Limitations on the Treaty-Making Power §§ 2–51 (1915), and Mikell, *The Extent of the Treaty-Making Power of the President and Senate of the United States*, 57 U. Pa. L. Rev. 435, 436–38 n.1 (1909).

[24] T. Jefferson, Manual of Parliamentary Practice 110 (1876), quoted in 5 J. Moore, Digest of Interntional Law 162 (1906). *See also* the remarks of John Calhoun made in 1816, recorded in 29 Debates and Proceedings in the Congress of the United States 532 (1854).

[25] In 2 J. Story, Commentaries on the Constitution of the United States 339 n. 3 (5th ed. 1891), Joseph Story said: "Mr. Jefferson seems at one time to have thought that the Constitution only meant to authorize the President and Senate to carry into effect, by way of treaty, *any power they might constitutionally exercise*. At the same time, he admits that he was sensible of the weak points of this position. 4 Jefferson's Corres. 498. What are such powers given to the President and Senate? Could they make appointments by treaty?"

[26] This is the common interpretation of Jefferson's dictum. Of course, if one recognizes that the treaty power is one of the powers delegated to the federal government, and that what comes within it is therefore not reserved to the states, one could accept Jefferson's statement to mean that there may be some special areas reserved to the states even as regards the treaty power, for example, that a treaty cannot cede territory of a state without its consent. *See* text accompanying note 37 *infra*.

[27] Presumably it could deal with matters

which are in the President's domain under the Constitution.

[28] *See* Q. Wright, The Control of American Foreign Relations § 59 (1922). The Supreme Court itself never gave any encouragement to the view that treaties cannot deal with matters that are within the powers delegated to Congress. On the contrary, it has always insisted that a treaty and statute might deal with the same matter, and that, for example, if the two were inconsistent the later in time would prevail. *E.g.,* Whitney v. Robertson, 124 U.S. 190 (1888); *See* Arms Control 29–31, 173–176 nn.20–23.

[29] *See Law of the Land* 913–30. Since that was written the Supreme Court has found additional powers of Congress in the enforcement clause of the fourteenth amendment. *See* Katzenbach v. Morgan, 384 U.S. 641 (1966). *See also* United States v. Guest, 383 U.S. 745 (1966).

[30] Arms Control, 33–34, 176 n.25, 177 n.28. *Compare* Clark v. Allen, 331, U.S. 503 (1947), *with* Asakura v. Seattle, 265 U.S. 332 (1924), *and* Hauenstein v. Lynham, 100 U.S. 483 (1879). For the authority of states to deal with inheritance by aliens in the absence of treaty, *see* Zschernig v. Miller, 389 U.S. 429 (1968).

[31] 252 U.S. 416, 433 (1920). Contrary to some impressions, Holmes was not making new law. Arms Control, 33–34, 176 n.25.

[32] *See Law of the Land* 909–13. Even before Missouri v. Holland, 262 U.S. 416 (1920), the view expounded by Justice Holmes was that of the majority. Arms Control, 33–34, 176 n.25. On the other hand, even after *Missouri* v. *Holland* was decided, its implications were not clearly understood, sometimes even by American negotiators. For example, American representatives for some time continued to claim that the United States could not undertake to regulate the manufacture of armaments because manufacturing was local and reserved to the states. The Department of State recognized its error several years later and officially abandoned the position in 1932. Arms Control 176–177 n.25.

[33] Missouri v. Holland, 252 U.S. 416, 434 (1920), (Holmes, J.).

[34] "Our conclusion is unaffected by the Tenth Amendment . . . The amendment states but a truism that all is retained which has not been surrendered." United States v. Darby, 312 U.S. 100, 123–24 (1941).

[35] Some of them, at least, would be particularly reluctant to claim that human rights are reserved to the Congress. Like Senator Bricker, they might insist that Congress could not deal with them either. *But see* Civil Rights Act of 1964, 78 Stat. 241–68 (1964), 28 U.S.C. § 1447(d) (1964), 42 U.S.C. §§ 1971, 1975a–1975d, 2000a–2000h-6 (1964); cases cited note 29 *supra*.

[36] 133 U.S. 258, 267 (1890).

[37] Some even question this limitation. *See* Arms Control 177 n.30. Other limitations suggested would bar the use of a treaty to abolish a state's militia or destroy its republican form of government. *Id.* at 34–36, 60–61.

[38] Geofroy v. Riggs, 133 U.S. 258, 267 (1890) (emphasis added). The same implication might lie in an earlier sentence in the opinion, where the Court stated: "That the treaty power of the United States extends to all proper subjects of negotiation between our government and the governments of other nations, is clear." *Id.* at 266.

[39] Holden v. Joy, 84 U.S. (17 Wall.) 211, 243 (1872).

[40] Asakura v. Seattle, 265 U.S. 332, 341 (1924).

[41] Santovincenzo v. Egan, 284 U.S. 30, 40 (1931).

[42] 39 U.S.C. (14 Pet.) 540 (1840).

[43] *Id.* at 569. The same statement, in slight paraphrase, appears in Holden v. Joy, 84 U.S. (17 Wall.) 211, 243 (1872). In that case Mr. Justice Clifford speaks of "those objects which in the intercourse of nations had usually been regarded as the proper subjects of negotiation and treaty, if not inconsistent with the nature of our government and the relation between the States and the United States." *Id.* (footnote omitted). If Clifford intended to modify Taney, his statement might be read more broadly—a treaty may deal not merely with matters about which nations had negotiated, but also with those they considered proper for negotiation.

[44] *But cf.* Power Authority v. FPC, 247 F. 2d 538 (D.C. Cir.), *vacated as moot, sub nom.* American Pub. Power Ass'n v. Power Authority, 355 U.S. 64 (1957). However, this case was, I believe, wrongly decided. *See* note 65 *infra.*

[45] Early in our history some treaties were rejected because the subject matter was within the domain of Congress and therefore, it was thought, not within the treaty power. *See* Arms Control 172 n.14.

[46] Calhoun, too, said: "A treaty never can legitimately do that which can be done by law; and the converse is also true." 29 Debates and Proceedings in the Congress of the United States 532 (1854).

[47] *See* Q. Wright, The Control of American Foreigns Relations § 59 (1922).

[48] *See Law of the Land* 921 n.41 and text accompanying.

[49] Holmes v. Jennison, 39 U.S. (14 Pet.) 540, 569, (1840).

[50] Or Clifford's "objects," Holden v. Joy, 84 U.S. (17 Wall.) 211, 243 (1872).

[51] "We must consider what this country has become in deciding what that [Tenth] Amendment has reserved." Missouri v. Holland, 252 U.S. 416, 433 (1920).

[52] *See* text accompanying notes 10–11 *supra.*

[53] 23 Proc. Am. Soc'y Int'l L. 194, 195–96 (1929).

[54] He spoke in response to urging from the floor that he express his views. *Id.* at 193.

[55] "In view of our system of government in the United States, with our forty-eight states and our federal government of limited powers, the United States could not join in this action, but it viewed with sympathetic interest the efforts of the other American states to obtain legislative uniformity."—Hughes, *The Outlook for Pan Americanism—Some Observations on the Sixth International Conference of American States,* 22 Proc. Am. Soc'y Int'l L. 1, 12 (1928). His comments in subsequent discussion suggest that in his view the United States could not adhere to the Bustamante Code because of a combination of constitutional and political obstacles. *Id.* at 61–62.

The official declaration of the American delegation stated in part:

"The Delegation of the United States of America regrets very much that it is unable at the present time to approve the Code of Dr. Bustamante, as in view of the Constitution of the United States of America, the relations among the states members of the Union and the powers and functions of the Federal Government, it finds it very difficult to do so."—Pan American Union, Treaties and Conventions Signed at the Sixth International Conference of American States 36, 69 (1950).

[56] For example, Professor Manley O. Hudson, 22 Proc. Am. Soc'y Int'l L. 60 (1928), and Charles H. Butler, 23 Proc. Am. Soc'y Int'l L. 177 (1929).

[57] 22 Proc. Am. Soc'y Int'l L. 61–62 (1928); *see* Hudson's remarks, *id.* at 60. It is clear that there was, at that time, a lag in the State Department's appreciation of the implications of *Missouri v. Holland. See* note 32 *supra* and note 63 *infra.*

[58] *E.g.,* Hughes' statement: "But if we attempted to use the treaty making power . . . to control matters which normally and appropriately were within the local jurisdiction of the States. . . ." 23 Proc. Am. Soc'y Int'l L. 196 (1929).

[59] In further discussion of the Bustamante Code on private international law during the 1929 Proceedings of the American Society of International Law, Hughes admitted that "doubtless there were many matters considered which were not entirely of local concern," and he recognized, in general, that there may be concerns "which perhaps under former conditions had been entirely local, [but which] had become so related to international matters that an international regulation could not appropriately succeed without embracing the local affairs as well." 23 Proc. Am. Soc'y Int'l L. 195 (1929). But he implied that some aspects of the conflicts enterprise might be of strictly local interest, and that merely to achieve uniformity of practice within different nations might not be a proper subject of a treaty. *Id. But see* note 63 *infra.*

[60] Restatement (Second) of Foreign Relations Law § 117 (1965). I have assumed that Jefferson's statement and Hughes' are generally equivalent. If there is any difference between the requirement that a treaty "concern the other party" and that it be of "international concern," the difference does not seem relevant for our purpose. Suggestions that there are relevant differences between "international concern" and "multi-national concern" are not persuasive. If, as I believe, the justification for any "international concern" limitation derives from the purpose of the treaty power, the real test should be whether a treaty is entered into as an act of foreign policy in pursuance of American foreign relations. *See* note 61 *infra.*

[61] When Hughes spoke of this question after he became Chief Justice he spoke of "all subjects that properly pertain to our foreign relations." Santovincenzo v. Egan, 284 U.S. 30, 40 (1931).

[62] Even the case that inspired Hughes' concern hardly affords a realistic example. Theoretically, his principle might bar treaties which develop "uniform laws" where neither the United States nor the other party has any substantial interest in whether or not their countries have such uniform laws. But even if nations should bother to have their experts join to develop those uniform laws, they would hardly incorporate such laws in a trearty unless they had some foreign-policy interest in common standards, in binding other nations to these standards, and were willing to bind themselves in exchange. *But see* note 63 *infra.* For a discussion of some different kinds of concerns that may lead nations to negotiate a treaty or include a particular provision, see *Niagara Reservation* 1164–69.

[63] The agreement that troubled Hughes affords an interesting instance. Whatever might have been the case in 1928, I am confident that today a treaty providing for uniform principles of private international law in regard to cases of conflicts of law between nations would be a valid treaty dealing with a matter of international concern. In recent years the United States has adhered to the Hague Conference on Private International Law. Today, principles of conflicts of law between nations are probably subject to federal, not state, law, precisely because they affect the foreign relations of the United States. *See* Banco Nacional de Cuba v. Sabbatino, 376 U.S. 398, 425–26 (1964); Henkin, *The Foreign Affairs Power of the Federal Courts:* Sabbatino, 64 Colum. L. Rev. 805, 820–21 n.51 (1964).

[64] In most respects, at least, the subjects with which such treaties generally deal are already in the federal domain, and do not make new law, but only confirm what is already federal law. *See* note 66 *infra.*

[65] *Law of the Land* 911–12 (footnotes omitted):

"Opponents of human rights conventions have also invoked Power Authority v. FPC, 247 F.2d 538 (D.C. Cir.), *vacated as moot, sub nom.* American Pub. Power Ass'n v. Power Authority, 355 U.S. 64 (1957). That case, I believe, was wrongly decided. *See Niagara Reservation, passim.* In any event, it has no relevance to our question. That case held that a Senate reservation to a treaty with Canada, providing that the treaty would not go into effect in the United States until Congress adopted legislation, did not have the effect of law in the United States since it was not part of the contract with Canada. That case suggests that only provisions that are "contractual," *i.e.*, part of the agreement with the foreign nation, can be law of the land. Nothing in that case suggests any limitations on the kinds of provisions that can be made subject of a contract with other nations. In a human rights convention, the provisions are "contractual," imposing obligations upon the parties.

"The majority opinion in the case adopted the views of Professor Jessup, counsel for the Power Authority in the case, and author of a legal memorandum published earlier on the same issues. Professor Jessup has been one of the leading exponents of the position which would have the individual a subject of international law, and has expressly favored multilateral conventions to promote human rights." P. JESSUP, A MODERN LAW OF NATIONS 87–93 (1948).

[66] Even minor agreements have a foreign relations purpose. In 1963 President Kennedy asked the advice and consent of the Senate to three United Nations conventions dealing with the abolition of slavery, the abolition of forced labor, and the enforcement of political rights of women. He said:

"United States law is, of course, already in conformity with these conventions, and ratification would not require any change in our domestic legislation. However, the fact that our Constitution already assures us of these rights does not entitle us to stand aloof from documents which project our own heritage on an international scale. The day-to-day unfolding of events makes it ever clearer that our own welfare is interrelated with the rights and freedoms assured the peoples of other nations.

"These conventions deal with human rights which may not yet be secure in other countries; they have provided models for the drafters of constitutions and laws in newly independent nations; and they have influenced the policies of governments preparing to accede to them. Thus, they involve current problems in many countries.

"They will stand as a sharp reminder of world opinion to all who may seek to violate the human rights they define. They also serve as a continuous commitment to respect these rights. There is no society so advanced that it no longer needs periodic recommitment to human rights.

"The United States cannot afford to renounce responsibility for support of the very fundamentals which distinguish our concept of government from all forms of tyranny."—*Hearings on Human Rights Conventions Before a Subcomm. of the Senate Comm. on Foreign Relations,* 90th Cong., 1st Sess. 40 (1967).

[67] U.S. Dep't of State, Dep't Cir. No. 175 (1955), reprinted in 50 AM. J. INT'L L. 784 (1956).

[68] For other reassurances to the Brickerites, see *Law of the Land* 934–35 n.66.

[69] U.S. Dep't of State, Dep't Cir. No. 175, at 2 (1955). The Circular, in turn, echoes remarks made by Dulles two years earlier during the hearings on the Bricker Amendment. See *Hearings on S.J. Res. 1 and S.J. Res. 43 Before a Subcomm. of the Senate Comm. on the Judiciary,* 83d Cong., 1st Sess. 824–25 (1953). The circular has since been revised and the quoted language eliminated.

[70] In fact, when President Kennedy in 1963 sent three minor human rights conventions to the Senate, *see* note 66 *supra,* it did eventually consent to one of them. CONG. REC., vol. 113, pt. 23, pp. 30905–06 (consent to convention on abolition of slavery).

[71] American Bar Association, *Report of the Standing Committee on Peace and Law Through United Nations: Human Rights Conventions and Recommendations,* 1 INT'L. LAW. 600, 601 (1967). Note that the Circular, *supra* note 69, speaks of "domestic concern," not of "domestic jurisdiction." The latter has became a term of art in international law; the former has not. *See* notes 72–74 *infra* and accompanying text. The Circular may have intended to use "domestic concern" in contradistinction to Hughes' "international concern." In fact, this is a leading play on words. "Domestic concern" and "international concern" are not closed, exclusive categories. To say that something is essentially a matter of domestic concern may be merely a way of expressing a determination not to negotiate about it. But what is essentially a matter of "domestic concern" becomes a matter of "international concern" if nations do, in fact, decide to bargain about it. *See* note 75 *infra.*

[72] *Compare* U.N. CHARTER art. 2, para. 7, *with* Declaration on the Part of the United States, 61 Stat. 1218 (1946), T.I.A.S. No. 1598 (promulgated Aug. 14, 1946), in which the United States accepted, with reservations, compulsory jurisdiction of the International Court of Justice under I.C.J. STAT. art. 36, para. 2. One of the stipulated exceptions related to ". . . disputes with regard to matters which are essentially within the domestic jurisdiction of the United States of America as determined by the United States of America. . . ." Declaration on the Part of the United States, *supra.*

[73] *See e.g.,* Declaration on the Part of the United States, 61 Stat. 1218 (1946), T.I.A.S. No. 1598 (promulgated Aug. 14, 1946).

[74] *See* Advisory Opinion on Nationality Decrees Issued in Tunis and Morocco, [1923] P.C.I.J. ser. B, No. 4.

[75] The authors of this argument might insist that they are using "domestic jurisdiction" in some special sense. I do not know what it is. It would seem that they are trying by this phrase to read back into the Constitution the notion that a treaty may not deal with a "local matter"—a notion long rejected and finally demolished in *Missouri v. Holland.* The point is that the concept of "domestic jurisdiction" is irrelevant to the constitutional question whether an agreement relates to our foreign relations and has some foreign policy purpose.

[76] *E.g.,* Heart of Atlanta Motel v. United States, 379 U.S. 241 (1964); Katzenbach v. McClung, 379 U.S. 294 (1964).

[77] *See, e.g., Steward Mach. Co. v. Davis,* 301 U.S. 548 (1937).

[78] *E.g. Katzenbach* v. *Morgan,* 384 U.S. 641 (1966). *See also* United States v. Guest, 383 U.S. 745 (1966).

[79] *Law of the Land,* 936.

MARTIN LUTHER KING DAY—SENATE JOINT RESOLUTION 5

Mr. TUNNEY. Mr. President, I am pleased to join the Senator from Massachusetts (Mr. BROOKE), in sponsoring a resolution to designate January 15 of every year as Martin Luther King Day.

On April 4, 1968, the Nation and the world was shocked and saddened at the brutal loss of a truly great leader. His long years of commitment and devotion to the cause of racial equality and the leadership he gave will be his true monument in history. It is most fitting, however, that we pay honor and give continued attention to the goals which he set before us by setting aside this day each year.

This resolution designates January 15 of each year as Martin Luther King Day and authorizes the President to issue the appropriate proclamation. On this day citizens across the entire Nation pay tribute to the goals which Dr. King so nobly served. Let us also renew each year on that day our national commitment to the cause of racial equality and justice for every person in every part of this Nation.

U.S. WITHDRAWAL FROM VIETNAM

Mr. TAFT. Mr. President, I support an irreversible policy of withdrawal from Vietnam. In that context I support the action in Laos and Cambodia solely on the basis that it may be directly related to the acceleration of our troop withdrawals.

For years, Cambodia and Laos have been used as supply routes for the continuation of the war in Southeast Asia. Bombing was not a successful means of halting the flow of troops and material. If, however, the South Vietnamese are able to block the Ho Chi Minh Trail, this may be the best means of slowing down their war effort and enabling the United States to accelerate its withdrawal.

On February 13, 1971, the Economist magazine published an article entitled "Just What Giap Ordered." I commend the article to the Senate as we consider means of facilitating the withdrawal of American forces from Vietnam and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JUST WHAT GIAP ORDERED

THE ATTACK INTO LAOS IS IN ACCORDANCE WITH THE BEST ADVICE AVAILABLE ON THE INDO-CHINA WAR

The South Vietnamese have finally gone ahead with the operation in southern Laos that they have been dreaming about for years. The Americans mounted a huge logistical exercise up around Khe Sanh to support them, and American planes and helicopters nosed ahead as the South Vietnamese drove westward down Route 9 into Laos soon after daybreak on Monday. But on the ground they will have to face the enemy alone. They have already shown some efficiency in offensive operations in Cambodia. This will be a harsher test of their staying power. So far there have been only a few early skirmishes between the South Vietnamese and the communist forces posted along the Ho Chi Minh trails; * * *. But there could be some major battles ahead.

There are good reasons why the North Vietnamese may be more interested in taking on the South Vietnamese than they were in Cambodia in April and May last year, when they simply faded away into the bush. The terrain favours them as practised guerrillas; they know the lie of the land, and they may try to cut off South Vietnamese units and encircle them. They may be encouraged by the fact that they are not facing American ground troops—although no one should underrate the battalions from South Vietnam's 1st Division that have moved into Laos. But the big factor is that the stakes in Laos are even higher than they were in Cambodia. If they lost control of their Laotian supply lines, the North Vietnamese would eventually be forced to pull out of the war in Cambodia and South Vietnam. Those supply lines are what this operation is all about. The surprising thing is not that President Nixon consented to the entry into Laos now, but that it did not take place three or four years earlier.

It is not clear how much the South Vietnamese will try to do. They may already have occupied Tchepone, the gutted town 25 miles from the frontier that has been used by the communists as a staging-post along the Ho Chi Minh trails. They may try to scoop up some of the North Vietnamese supply dumps hidden farther north along the trails. That may be the limit of their ambitions. They could then hope to go home and display a collection of captured arms and supplies comparable to what the Americans brought back from Cambodia. But the scale of the manoeuvres that have been taking place in the north-west corner of South Vietnam suggests that they are aiming for something bigger. They may fling a task-force farther west, in a bid to recapture the towns of Attopeu and Saravane on the Bolovens plateau. The way Vice-President Ky was talking on Wednesday suggests that their maximum target would be to establish a blocking position across the Ho Chi Minh trails, hold on to it until the monsoon in May, and go back again when the rain stops.

It is hard to exaggerate the importance of those trails. Winding through the jungle of eastern Laos like knotted strings of hippy beads, dotted with relay stations and supply dumps, they are the lifeline that binds all the communist forces fighting in Indochina to North Vietnam. Can the South Vietnamese and the Americans cut that lifeline? Past experience has bred considerable scepticism. Laos has been described as the most-bombed country on earth, and yet all the bombing of six years has failed to halt the movement of men and supplies down the trails. Expensive new gadgetry for tuning in on enemy movements (microphones, seismic sensors, laser beams) has improved the accuracy of the bombing, but the carriers keep on coming.

The problem has to be tackled on the ground if it is to be tackled at all. But it is hard to forecast the cost of a successful land attack on the trails. Some doubters in the American State Department are said to maintain that it would take 100,000 men to hold a line across the trails. And the border region is about as flat as a screwed-up piece of paper. The South Vietnamese and the Americans who tried for several years to break into the A Shau valley (one place where the trails debouch into South Vietnam) found it hard to get their bearings and easy to fall into an ambush. It has yet to be proved that the South Vietnamese can do better in Laos. Yet the reasons for trying are quite plain. There is evidence to suggest that the communists have built up very large stockpiles of arms and supplies along the trails over the past few months, and the Saigon generals may be hoping to bag enough of these to throw the enemy off balance and delay any major communist offensive in South Vietnam for up to 18 months. Like the Cambodia operation, the Laos offensive may be designed to buy time. It holds many risks, but they are worth taking.

The South Vietnamese are trying to turn one of the basic principles of North Vietnam's strategist, General Giap, to their own advantage. Giap insists that one of the prime goals for a general must be to deprive his opponents of a "safe rear base" while looking after his own. Probably the South Vietnamese will not carry the war into North Vietnam (although there are some Saigon generals who talk that way and some alarmists in Hanoi who listen to them) but they are aiming to sever the "great rear" of North Vietnam from the communists' front-line troops. The Indochina war has changed character since the Americans began to apply Napoleon's dictum that an army marches on its stomach. For the moment, it is a war for supply-lines, in which the American side enjoys the continuing advantage of the inviolable sea and air links between Vietnam and the United States, and improved communications inside South Vietnam. The new emphasis partly stems from the personal influence of General Abrams, the present American commander in South Vietnam, who is one of those who understand that the difference between victory and defeat can be measured out in rice-sacks and cartridges as well as in men's lives. It means that, temporarily at least, the American side has carried the war into territory the enemy had made his own.

The mystery is how the North Vietnamese will choose to respond. They may try to create a diversion. In northern Laos they have already been inching westward, mopping up isolated military posts on the Plain of Jars and getting uncomfortably close to the Mekong valley, where the government still clings to the major towns. They are already within easy reach of the royal capital, Luang Prabang, and the headquarters of General Vang Pao's irregular army. They could strike at the capital itself. The Laotians have been busily setting up fortifications around the Vietnamese airport in the fear that communist saboteurs may try to imitate the attack they made at Pnom Penh last month. By inflicting a new reverse on the Laotians, the communists would deepen the political rifts in Vientiane and might provoke the fall of the prime minister, Prince Souvanna Phouma, who is bitterly criticised by those in the army and the cabinet who think he has been too docile in the face of North Vietnamese incursions. It would be a pity if he went.

But what the South Vietnamese are doing in Laos will not do much more damage to that vulnerable little buffer-state than has been done already by other people. The South Vietnamese are certainly not the ones who exploded the sad illusion of Laotian "neutrality." Very few people believed the claims of the Pathet Lao, the North Vietnamese and the Russians that the Geneva agreement on Laotian neutrality was violated when General Lam's column went over the border. The North Vietnamese have been tramping up and down on that agreement for years. And though Prince Souvanna has dissociated himself from the South Vietnamese operation he was quick to point out that the communists were the first to violate his country's territory, and that the border areas were completely beyond his control.

Even in the United States there has so far been surprisingly little opposition; see page 41. The American senator who insisted that Mr. Nixon has opened a "third front" did not find many public supporters to echo his conviction of fresh catastrophe. It may be that Mr. Nixon has pulled off a minor public relations coup—that the gag imposed on the press last week persuaded so many people that a Laos operation was already under way that when it did happen they were left with nothing much to say. It may also be that the operation was timed to coincide with the Apollo moon flight in order to have the kind of effect the official Chinese news agency forecast when it declared that "the American President is making people look up into the heavens so they will forget what is happening on earth." But there is no need to forget. After all, there is nothing new in the idea that the Vietnam war involves all of Indochina. The future security of South Vietnam, and of Cambodia, depends above all on the security of their frontiers against the steady flow of armed men and organisers and propagandists and guns and ammunition which North Vietnam has been exporting into its neighbours ever since the end of the 1950s. Even Laos may one day be secure if that flow can be stopped. The war comes from Hanoi. The frontiers will always be vulnerable. But anything that helps to slow down the rate of North Vietnamese infiltration is a gain; and if South Vietnam's troops fight well, that is what this operation will do.

PROPOSED SALE OF NATIONAL AND DULLES AIRPORTS

Mr. SPONG. Mr. President, the announcement in the new budget that the administration will sell National and Dulles Airports has stirred considerable interest on the part of the State and local officials in this area. The announcement provides little detailed information about the proposed sale and, until now, there has been no elaboration by the administration. In order to answer some of the questions which have been raised, I wrote last month to the Secretary of Transportation and the Office of Management and Budget requesting some clarification of the issue. I ask unanimous consent that those replies be printed in the RECORD.

There being no objection, the replies were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., February 26, 1971.
Hon. WILLIAM B. SPONG, JR.
U.S. Senate,
Washington, D.C.

DEAR SENATOR SPONG: I have received your letter of February 8 concerning the proposal contained in the President's Budget for the sale of the National Capital Airports. As you suggest, this is not a new proposal, as it was previously included in the fiscal year 1971 budget submission.

With regard to your questions, I would note that even though the proposal appeared initially in last year's economy package, the Administration's decision to propose the sale of the airports was not chiefly motivated because of economy. The proposal is chiefly motivated by the belief that the operation of airports is not an appropriate function for the Department of Transportation. We feel that it would be more suitable for these airports to be placed under local or regional ownership and have the same relationship to the Department of Transportation as do all other such airports throughout the country. It was this concept that has basically motivated the Administration to again propose the sale of the airports, although the disposition of the airports may result in some immediate economy to the Federal Government.

You further question the nature of the $105 million estimate included in the budget as a "one-time savings." This number does not reflect a "cost avoidance" factor, but does in fact reflect the approximate current depreciated value of the two airports. While it is hoped that the sale of the airports can be consummated in fiscal year 1972, it is realized that the time involved in obtaining suitable legislation and consummating such a sale may, in fact, result in the actual sale not being accomplished during the fiscal year. Accordingly, in order to prevent the inflation of estimated budgetary receipts in the President's Budget, this amount was not included in total estimated governmental receipts. The Administration is currently preparing legislation on this matter which will be presented to the Congress in the near future.

We appreciate the interest you have shown in this matter. If we can be of further assistance to you, please contact us.

Sincerely,

JOHN VOLPE.

THE WHITE HOUSE,
Washington, D.C., March 3, 1971.
Hon. WILLIAM B. SPONG,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SPONG: I am attaching an information sheet on the proposed sale of

Dulles and National Airports. It is hoped that this will be helpful to you.

If I can provide additional information, do not hesitate to call upon me.

Very truly yours,

William L. Gifford,
Special Assistant to the President.

Information Sheet on Sale of National Capital Airports

Q. Why would the Government want to sell National and Dulles Airports?

A. The idea of the sale of the National Capital Airports has been under study for a long time. The first proposal to separate the airports from direct Federal control was made in 1952. There are several reasons why it would be advantageous to have the Federal Government get out of the airport business:

Dulles and National Airports are the only commercial airports owned and operated by the Federal Government, yet they serve the general public like all other public airports. There is little reason why they have to be run by the Federal Government rather than by a private, local, state, or regional entity.

There are elements of a "conflict of interest" in FAA handling of Dulles and National Airports because of other FAA responsibilities in the area of airport certification, allocation of airport grants, and concern with airline industry finances.

The Federal Government has pushed for a long time for better regional airport planning. The proposal of the sale of the National Capital Airports will give the Government an opportunity to investigate various options for combining the airports with other nearby airports and/or regional organizations in order to better utilize and balance existing airport resources.

Q. What is the exact nature of the Administration's proposal?

A. The issue is still being studied and a definite legislative proposal will be made to Congress later in the year. The options which are now being considered include the following:

Creation by Congress of a COMSAT-type corporate enterprise to operate the two airports with authority to operate other regional airports (e.g., Friendship);

Creation by Congress of a regional airport authority comprised of D.C., Virginia, and Maryland with authority to operate other regional airports (e.g., Friendship); and

Authorization by Congress of a transfer of existing facilities to some private or public utility (e.g., Washington Metropolitan Area Transit Authority) as proposed by Senator Spong, to be controlled in the public interest by being subject to the scrutiny of some form of public utilities regulatory body.

Congressional authorization is required before the airports are transferred out of Federal jurisdiction.

Q. How much will the airports sell for?

A. The 1972 budget indicates a possible sale price of $105M. This is the depreciated book value of the land and facilities. The airports cost more than this amount to build originally, and if the appreciated value of the land were added to the price, the figure would be much higher. The details are yet to be worked out in the proposed legislation, and we anticipate that a sale price will have to be negotiated between the Government and any prospective party to which the airports might be transferred.

Q. Are National and Dulles Airports self-sustaining operations?

A. In 1972 for the first time, Dulles Airport is expected to return an operating profit of $210K. This makes both airports self-sustaining in terms of recovery of direct operating costs through revenues. However, when interest and depreciation are added, the airports are jointly expected to be in a net deficit situation of $1.8M for FY 1972 (−$5.4M for Dulles and +$3.5M for National).

The Airports financial picture has improved with each year, and we anticipate that their finances will further improve as nation-wide air traffic picks up and as contracts for concessions, parking, and landing fees are renegotiated.

Q. There has been much criticism from all sides on the type of jet aircraft being handled at National Airport. If the Airport is handed over to some non-Federal authority, what assurance is there that the new management will not drastically alter the regulations to the detriment of the public?

A. The problems which National Airport faces are not unique. Airports throughout the country are facing the same problems. We believe that a non-Federal authority will be responsive to local concerns. Yet, certainly there will have to be certain boundaries on the use of the Airports' land and properties by any new or existing authority to which the airports might be transferred. This issue will be fully investigated before legislation is sent to Congress.

THE DAV'S BATTLES CONTINUE

Mr. PROXMIRE. Mr. President, I feel deeply privileged to participate in the congressional program honoring the 50th anniversary of the Disabled American Veterans. No matter how one feels about past or present wars, the potentially productive lives of our disabled veterans still remain. Their battle with the competitive rigors of civilian life rages on. The despair and frustration that plague many of their families only deepen the plight of those to whom we owe so much.

The DAV fights the noble but little-publicized battle of caring for the disabled veterans' immediate needs, be they tangible or intangible. The organization's courage is quiet but it fosters mutual devotion, happiness, and comradeship among all disabled veterans. They can always look to the DAV for legal advice on their veterans claims, for rehabilitation and employment programs, and for many other services which require compassion and patience.

Since its inception, the DAV has handled over 8 million cases involving disabled veterans, their widows, or dependents. Cooperative programs both with Federal and private agencies help provide assistance to those who badly need it. The DAV realizes that financial benefits sometimes fail to plug the gap between a genuine intention and a genuine need, so qualified advice and conscientious service are the marks of this fine organization.

Herbert Hoover once said:

> Older men declare war. But it is youth that must fight and die. And it is youth who must inherit the tribulation, the sorrow, and the triumphs that are the aftermath of war.

The DAV strives to lighten the burden of those veterans who have inherited the tribulation and sorrow of permanent injury.

We will be eternally grateful to men like Judge Robert S. Marx who attempt to repay our veterans for their sometimes forgotten sacrifices. I trust that the Disabled American Veterans organization he founded in 1921 will continue its mission until all our wartime disabled and their families have been adequately served.

I will certainly continue to work with this fine organization toward the fulfillment of that goal.

ANNIVERSARY OF THE DISABLED AMERICAN VETERANS

Mr. JACKSON. Mr. President, the Disabled American Veterans has marked the 50th anniversary of its founding. It is appropriate that this tribute in the Senate take place. It is an organization which has been extremely active and effective in behalf of Americans who have made great sacrifices for their country while serving in the Armed Forces. In participating in this tribute I am pleased to call attention to the important service provided by the DAV's national service program. Through this program assistance has been provided for disabled veterans, their dependents, widows, and orphans in obtaining all the benefits to which they have legal entitlement. This program helps to insure that those men who have given in service of their country will not be forgotten.

National Commander Douglas McGarrity recently expressed concern to the House Veterans' Affairs Committee that veterans' benefits not be classified as welfare payments since "these benefits are undeniably a direct cost of war, even though payments are often protracted and delayed." I share that concern and take this opportunity to join with every American in expressing thanks for the 50 years of contributions provided by this great voluntary organization.

The tribute to the quiet courage of these patriotic Americans is both appropriate and deserved for the great service rendered on this 50th anniversary.

In concluding, I would add a personal salute to a former national commander of the DAV, Wayne Sheirbon, of Seattle. This is one of the many patriotic Americans who have served their country in many ways. Wayne Sheirbon fought with the Air Force in Europe during World War II, first became associated with DAV during 1947 and subsequently helped to make the Seattle chapter the second largest in the country. Wayne Sheirbon served as national DAV commander during 1968–69 and his service reflected great credit on both the State of Washington and his organization.

GOLDEN ANNIVERSARY OF DISABLED AMERICAN VETERANS

Mr. SPARKMAN. Mr. President, I want tc add my voice to the many who are speaking here this week in a salute to the Disabled American Veterans on the occasion of the organization's golden anniversary of service. The Department of Alabama, Disabled American Veterans, under the leadership of Mr. Coy W. Mattox, commander, ably assisted by DeWitt Garrett, adjutant, has posted a distinguished record of service to veterans disabled in time of war.

DAV Chapter No. 1, of Tuscaloosa, maintains a program of entertainment and service to the veterans at the Tuscaloosa VA hospital. The auxiliary has adopted those veterans who have no family and an effort is being made to spread this adoption program throughout the Nation.

In Birmingham, Chapter No. 4, working with other veterans organizations, takes part in organizing and promoting the annual Veterans Day program, which has become known as one of the best in the Nation. Chapter 4 has established an outstanding record in hospital work at Birmingham's veterans' hospital. The chapter has provided countless hours of volunteer work, color television sets, and pool tables to assist in the therapy and recuperation of veterans at the hospital.

Chapter No. 12 in Montgomery served as the host chapter for the commemoration of a 6-cent postage stamp and the prisoner of war and missing in action program of the DAV. This chapter is also most active in work at the VA hospital in Montgomery.

Chapters in Mobile and Prichard do a great deal of work in the veterans' hospital in Biloxi, Miss.

The work done in hospitals is under the able leadership of the Department of Alabama, DAV, hospital director, Mr. Hassell Thigpen, of Tuscaloosa.

I am proud of the work being done by the Alabama Department of the DAV. I am glad to have this opportunity to salute its good work.

WAREHOUSES FOR THE DYING

Mr. PERCY. Mr. President, a team of four investigative reporters from the Chicago Tribune and representatives of the Better Government Association has just completed an in-depth study of nursing homes in the Chicago area. By actually going into the homes and working as janitors, orderlies, and nurses aides, the investigators witnessed firsthand the living conditions endured by the nursing home residents. What the investigators found is that the residents in many of these homes are being seriously mistreated.

Nursing home residents are expected to put up with overcrowded, cheerless, and squalid surroundings, while they frequently wait for help with eating or bathing from incompetent, untrained, and rude staffs. Protests against this mistreatment are met with verbal abuse and threats of physical violence, and attempts to maintain a sense of dignity are ruthlessly quashed by humiliating, degrading treatment.

Old age and infirmities are being exploited to an extent that is almost unbelievable. The proprietors of some of these homes are making profits by cutting down on the size and quality of their staffs, and by serving cheap, tasteless meals. They regularly ignore the health and housing standards which exist for nursing homes, knowing that these standards are rarely enforced.

During the past decade we have devoted an inordinate amount of time and attention on youth, at the expense of the problems of the elderly. There are over 20 million citizens over age 65 who are being largely ignored. The ongoing nursing home scandal in the Chicago area and many other parts of the country simply underscores the importance of shifting some of our national attention to the problems of the aged.

The Chicago Tribune has performed a unique public service through its investigation of the nursing homes in the Chicago area. The reporters involved should be highly commended for bringing a scandalous situation to our attention. Since the articles speak for themselves, I ask unanimous consent that they be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

SOME ELDERLY PREFER DEATH, REPORTERS FIND

(The first assignment of the newly formed Tribune Task Force was a comprehensive investigation of patient care in Chicago area nursing homes. This is the first report on the six-week probe by Reporters William Jones, Philip Caputo, William Currie and Pamela Zekman.)

They are hidden in warehouses for the dying.

Millions of tax dollars are misspent every year to keep them in squalor so depressing that they enjoy talking about their own deaths.

They are Chicago's elderly poor and they are being dumped by the thousands into Chicago nursing homes so poorly administered that a bum off the street can become a nurse's aide in less than 24 hours and administer narcotics and other medications to the ill.

THE ABANDONED

They have been abandoned. And with every day that passes thousands of our senior citizens are spending their last days wondering why it all must end in the indignity of filthy, rat-infested rooms, physical abuse, wretched food and a series of caretakers who can't see beyond the next welfare or Social Security check.

There is only one way to tell their story and that is to live with them, bathe them, feed them, watch and listen to their "keepers" and then report their story of rage, confusion and frustration as they live out their days in a warehouse for the dying. We worked and lived in these warehouses and this is what is happening:

1. Two old women, their bodies crippled with age and trembling in the cold of a winter night without heat, screech and claw at each other as they struggle for a single, ragged blanket. A nurse's aide appears in the doorway, watches the struggle for a moment and then shouts: "Shut your goddam mouths, both of you, or I'll take your blankets away and you can both freeze."

KICKS AND ABUSE

2. An elderly man, his right foot and leg wasted from a skin disease, accidentally brushes the foot against the white uniform of a woman aide. In an instant the woman kicks him in the leg and punches him in the chest, repeatedly cursing the man and describing him as an "old bastard."

3. The 37 patients living on the filthy second floor of a large North Side nursing home wait silently to be served their evening meal. On this night, however, there is not enough food and the nurse's aide in charge scrapes uneaten portions of steamed cabbage and noodles onto other trays and serves it a second and third time until all are fed.

4. A nurse complains that many elderly patients are kept in the home even tho they are seriously ill and belong in a hospital. They are kept there because their presence guarantees a continued flow of welfare payments. "They're on their death beds before they send them to the hospital," she notes.

"They leave them lying here when they have fevers up to 103 or 105, aren't eating and have diarrhea."

NO ROOM FOR DIGNITY

5. Two aides herd a man and woman into the same bathroom in an effort to complete the bathing of patients as quickly as possible. Both patients are confused and obviously embarrassed but they obey the order to undress in front of each other. Then, in a final desperate effort to salvage a shred of dignity, the woman insists: "He's not my boyfriend." Once bathed, they again stand staring at each other while the aides dry them with dirty pillow cases. There are no towels.

6. A 91-year-old man stands tottering in a bathtub of a South Side nursing home as two aides attempt to give him a bath. He pleads with them to "slow down, I can't bend my legs this fast." One of the aides responds with a sharp slap across the face and the man cries out.

This is not an effort to condemn the entire nursing home industry. Indeed, in some of the homes where we worked the atmosphere and patient care matched that of a hospital.

But to the outside observers—especially the families of the elderly, mentally ill and other helpless persons—the search for a good home can be tragically deceptive.

Just as they have learned to outwit and avoid any major crackdown from city and county health officials, so have these warehouse operators learned to dupe the public.

"TAKE SPECIAL CARE"

Many homes have freshly waxed and sparkling front hallways while the living quarters of the patients are little better than dimly lit, filthy dungeons. As one operator told his maintenance man:

"Take special care of these front two rooms—my office and this hall. You know what I mean, anything that people will see when they first come in. We must keep it very clean."

Another operator insisted that his janitor ignore the filth in rooms occupied by patients and concentrate on the lobby area because "the lobby and [front] hall are the first thing the Health Department will see if they show up."

These are the places where many of our elderly have been sentenced to die and they know it.

"We are the living dead," one old man observed: "Look around at these people. We're all worn out and we just keep on living. We'd be better off dead."

THEY ARE OBSTACLES

They sit in rooms where the paint is peeling from the walls and the windows covered with grime and they stare. If they are helpless, senile or bedridden they also may have to endure the taunts and abuse of aides who consider them as obstacles to their coffee breaks and to the end of another eight-hour shift.

Our very presence on the staffs of nearly 20 nursing homes in the past six weeks underscored the lack of controls and the gross neglect in an indsutry responsible for the health and safety of thousands of helpless citizens.

Posing as drifters, college students and nurse's aides with out-of-state experience, we were able to find employment virtually at will in many of the hundreds of nursing homes in Chicago and its suburbs. The investigation was conducted in cooperation with the Better Government Association, which also sent its investigators into the homes.

BECOMES ADMINISTRATOR

Our phony references were never checked and in one case a reporter was hired as a nursing home administrator less than 72 hours after he applied for work as a handyman.

The owner admitted he was under pressure from the Chicago Board of Health to hire an administrator and apparently was willing to fill the post with the first candidate who walked in the door and was willing to work for $80 a week.

In another home, an applicant seeking work as a janitor became a nurse over the objections of the director of nursing. The administrator ignored the protest, claiming the applicant was a "personable young man" who could easily master the techniques of administering drugs to the elderly.

HIRE FROM SKID ROW

In a more bizarre case of employee recruiting, a northwest suburban nursing home pays a finder's fee for skid row alcoholics to work as orderlies, nurse's aides and cooks between binges. The clearing house for this cheap labor is a West Madison Street flophouse from where derelicts are sent to the suburb by train. Once they arrive at the nursing home, they must stay for 30 days and are not paid until they depart.

Perhaps the most frightening practice uncovered during the investigation was the handling of narcotics and medication and the possible tragic consequences for patients.

One reporter wandered into a north suburban nursing home and claimed she had experience as a nurse's aide. No effort was made to check her credentials before she was hired.

In less than 24 hours she was left in charge of the home and its 32 patients. She also was told to administer a variety of medications to the patients. She narrowly avoided giving what could have been a fatal dosage to an elderly man. Tragedy was averted only by chance when another aide returned to pick up a forgotten purse.

"OH, BY THE WAY"

"Oh, by the way," the aide told the reporter as she hurried out the door. "If his pulse is over 60 don't give him his pill. He might have a heart attack. Sometimes you screw up giving these pills, but it happens."

In another home the aides have discovered a simple way to deal with patients who balk at taking their medication. They throw it in the sink.

The patients in a large North Side home are frequently subjected to a bizarre form of Russian roulette with medication because of the rapid turnover in employes. At one time, they were at the mercy of a janitor, hired as a nurse, and an aide who had just replaced a fired employe.

"JUST BORROW SOME . . ."

"I'm really not too sure who gets what medication, but I'll do my best," the aide told the janitor as they prepared to distribute the medication. "Oh, this lady is out of her medicine, but I'll just borrow some from this lady."

The investigation also disclosed that several volumes of new state codes regulating the operation of all nursing and shelter care homes largely have been ignored since they went into effect last June. Public and private employees familiar with the new codes ridicule the publications because they have never been enforced.

Nurses employed by the County Health Department have refused since 1967 to inspect the nearly 100 nursing homes in suburban Cook County.

LICENSES STILL ISSUED

Sources close to the agency said the refusal came after years of watching substandard homes repeatedly obtain new licenses from the state Department of Health despite critical reports submitted by county nurses.

This bitterness extends to employees of many of the worst nursing homes where they are repeatedly frustrated in efforts to provide proper care. They describe the food as slop and one floor supervisor declared, "I wouldn't put my dog in this place."

For most residents of the warehouses for the dying, the misery will continue until they die. A group of them listened attentively one bleak February day to a minister who visited a filthy North Side nursing home. His message was one they were waiting to hear:

'Are you ready to change your cross for a crown? For when you die and go to heaven you will have a crown. In heaven there are no nursing homes . . . no suffering, no pain . . ."

PROFIT MOTIVE IS BLAMED FOR NEGLECT, FILTH

(The first assignment of the newly formed TRIBUNE Task Force was a comprehensive investigation of nursing homes in the Chicago area. To carry it out, reporters William Jones, Philip Caputo, William Currie and Pamela Zekman worked in nearly 20 homes. This second report identifies some of the homes where patient neglect is rampant.)

They hire strangers off the street without bothering to find out who they are and pay them a pittance to care for thousands of helpless, elderly and mentally disturbed patients.

They profess to operate according to strict guidelines set down by public health officials, yet thumb their noses at state inspectors who seek to close them down for hundreds of health, fire and sanitary violations.

They are licensed to operate in new buildings, old buildings, transient hotels and former farmhouses.

They are the operators of dozens of state-licensed nursing homes in the Chicago area. and they have been given the responsibility of caring for our most helpless citizens. They are the owners and operators of warehouses for the dying and they may be reaping their profits at the expense of one of your loved ones.

We worked in these warehouses for six weeks as maintenance men, nurse's aides and janitors to document the abuses and loss of dignity endured by the patients. What we found is a list of wretched conditions which exceed even the worst charges contained in the reports of state inspectors.

One of the largest North Side warehouses is the Melbourne Nursing Center, 4621 N. Racine Av., owned and operated by Daniel S. Slader. Slader, who is treasurer of the Metropolitan Chicago Nursing Home Association, repeatedly has been cited by state health inspectors but continues to receive nearly $400,000 a year from the state to care for elderly and mentally disturbed patients.

A reporter who worked in the home as a nurses' aide uncovered so much patient neglect and filth that many of the nearly 200 persons living there sleep in their own excrement without blankets or heat. The few who dare to complain are cursed and threatened with physical violence.

"The Chicago Board of Health has tried desperately to put Melbourne out of business," said Russel Bryant, administrator of the long-term care department of the Illinois Department of Public Health. "The state has too. We've been trying to get a number of the bad ones out of business."

Slader was fined $110 last July in Municipal Court for "violations and the failure to correct violations." State records show his attorney was State Sen. Bernard Niestein [D., Chicago].

One month later, a surprise inspection by the county and state health departments found conditions described as "deplorable" and noted urine-saturated beds, broken plumbing, peeling plaster and inadequate food. The home has been the target of complaints from patients and their relatives since January 1965, but each year its license has been renewed.

KEEPS GETTING LICENSE

The Park House, 2320 S. Lawndale Av., has had its license renewed each year since it first opened in 1961, despite the fatal stabbing of a doctor by a drunken nurses' aide, alleged patient mistreatment and a drug scandal in which public aid funds paid for phony bills for medication. Last year public aid paid the home $237,927 to care for old poor people.

The owners of Park Home have a printed brochure describing it as one of Chicago's most modern retirement and convalescent homes, but an investigator for the Better Government Association, working as a mop boy, discovered differently.

Some of the rooms, where up to four patients are bed-ridden and require special care, have developed a stench over years of neglect which forces employes to hold their breath when they enter. The floors are flooded with urine which also has stained the walls, floors, furniture and beds.

A typical breakfast is a bowl of soupy oatmeal, half a glass of orange juice and coffee. Patients frequently beg for more food and many pick up their trays and lick them clean. One woman complained that she had found soap powder in the bottom of her coffee cup and another received this response from a nurses' aide after accidentally spilling a food tray:

"If that's the way you're gonna be, you just won't eat."

PROFIT MOTIVE BLAMED

"There are problems in the quality of long-term care," said Dr. Franklin Yoder, chief of the State Department of Public Health. "This is mainly due to the fact they [nursing homes] are proprietary interests. The owners are out to make a profit. You don't have the boards of dedicated public servants who operate hospitals.

"We try to follow up every complaint. Of course, many of the patients in nursing homes are not able to make their complaints known. They're held in the homes as virtual captives."

"I agree with Dr. Yoder that the profit motive has a lot to do with the quality of care," said Dr. R. F. Sondag chief of the state health agency's chronic illness division. "Because the operators are interested in making a profit—in running a business—the first thing they'll cut down on is the quality and number of the staff and on food."

One of the largest nursing home chains in Chicago is operated by the N-H Management Corporation with offices at 1200 W. Beldin Av. The corporation is headed by Joseph Bonnan, a former aide to Mayor Daley and the man who in 1959 authored the city's nursing home enforcement code. In addition to serving as president of the corporation, Bonnan heads the labor relations committee of the Metropolitan Chicago Nursing Home Association.

SERVED AS VICE PRESIDENT

At the height of a 1962 nursing home scandal involving Dr. Leonard Tilkin and Tilkin's chain of 17 nursing homes, Bonnan was vice president of the Tilkin organization. One of the homes involved in the Tilkin scandal was Monterey-Drexel, 4616 S. Drexel Blvd., where inspectors found widespread filth and patient neglect.

A task force reporter employed in the same home this month as a maintenance man discovered that little has changed in the last eight years. The institution is so filthy that employes have learned to joke about the different colored cockroaches which swarm through the kitchen and dining areas.

"We're not prejudiced here, we have them in all colors," said a cook. "You just have to get used to them. We got rats too."

On one of the days the reporter was working at Monterey-Drexel, an employee of the Nursing Home Association appeared in the home to show old movies at 35 cents a head. The movie had been scheduled to be shown the day before and the patients had been herded into a room where they sat staring at the wall for three hours waiting in vain.

HOME IS CALLED WORST

When the projectionist from the association appeared the next day he struck up a conversation with the reporter and described himself as somewhat of an expert on nursing homes because his family had been in the business for years.

"This [Monterey-Drexel] is the worst one," the projectionist said. "The only way to run a nursing home is to bribe the inspectors. The only people not on the take are the firemen."

Later the same day, the administrator of the home also talked about city enforcement and mentioned the name of a city inspector who cooperates with the home.

"The building department is no problem," the administrator said. "They come in and say 'put two windows here' and you don't have to do it for a year. You know what I mean?"

CHAPEL IS GLISTENING

At the west suburban La Grange Convalescent Home, the three-story building is a maze of filthy rooms covered with cobwebs and reeking with the stench of urine. There is one exception in this depressing home for about 50 sick and elderly patients. On the third floor is a sparkling wood-paneled chapel equipped with an altar, organ and new folding chairs. This is where the owner, Bert L. Jacobs, practices his work as a faith healer. The chapel is dedicated to a former patient who Jacobs claims arrived at the home as a cripple and left in good health.

One nurse's aide had some pointed comments on the food served at La Grange:

"It's slop" she said. "It's enough to make you sick."

A reporter hired as an orderly at the Austin-Congress Nursing Home, 901 S. Austin Blvd., immediately was placed in charge of caring for 34 male patients.

One of his patients, who said he was a retired Municipal Court judge suffering from heart blockage and arthritis, complained of the difficulty in seeing a doctor. On this day he had just spent the night with no heat in his room and was having trouble lifting his arms.

"The longer I stay here the worse I get," he said. "A few weeks ago Dr. ——— came to my room. He had just started looking at me when a nurse told him his Cadillac was blocking the driveway. He went downstairs to move his car and that was the last I saw of him."

NEW GIRL TAKES OVER

At White Haven Acres, 1505 Greenwood Rd., Glenview, an estimated 32 patients live in a converted gymnasium building where a reporter was hired as a nurse's aide and left in charge of the home her second day on the job.

She also was told to administer medication to all the patients, a procedure which is announced to the residents by an aide standing at one end of the building and shouting "medicine."

During one of these medication sessions, the reporter narrowly averted a disaster as she prepared to give several pills to an elderly man. At that moment, another aide who had forgotten her purse returned to the home and noticed the reporter was preparing to give the man his pills. Almost as an afterthought, the aide said:

"If his (the old man's) pulse is over 60 don't give him the pill. He has heart trouble or something and he might have a heart attack. Sometimes you screw up giving these pills, but it happens."

Cries for Help From Aged Answered With Brutality

(By Pamela Zekman)

The man and woman had been herded into the bathroom of the North Side nursing home and now they stood naked, facing each other in helpless humiliation.

Shivering and self-conscious, the two patients had responded almost mechanically to the orders to undress, barked by a nurse's aide.

"Goddamn it, hurry up. I have no time for you," the aide snapped when they hesitated a moment.

The woman stood silent, staring at the floor. Then in a final desperate effort to salvage some dignity from the incident, she clutched a thin sweater to her breasts and protested: "But he's not my boyfriend."

ALL DIGNITY IS DESTROYED

This is how they bathe the mentally disturbed at the Melbourne Nursing Center, 4621 N. Racine Av., where I worked for three days as a nurses aide. Even the tiniest shred of human dignity is destroyed in this rat-infested fortress where 195 elderly and mentally disturbed patients are living.

During my stay at the home I witnessed many incidents of degrading and callous treatment.

I saw a woman patient grabbed like an animal and fed by an aide who slapped a cold meat patty into her mouth. The woman choked on her food and spat out the pills tossed into her mouth as she was dragged to bed.

I heard cries for help met with a stream of ridicule and verbal abuse. Aides jokingly dubbed one man "Simple Simon." A woman begging for a blanket because she was sick and cold was told, "You smell like four Mississippi mules."

NEW CLOTHES LOCKED UP

One aide confided to me that tho the patients wear rags, the owners keep a storehouse of clothing, donated by charity or purchased with allowances, locked up for use only during Health Department inspections. Then, in a grisly version of Cinderella, the patients are returned to their rags when the the inspectors leave.

The home is owned and operated by Daniel A. Slader, treasurer of the Metropolitan Chicago Nursing Home Association.

Patient records are a shambles. On some of the eight-hour shifts, no entries are made in their medical records. I was told to fill in the nurse's observations at the beginning of my shift, a perilous game of predicting patient conditions hours ahead of time. Medication is handled in the same slipshod manner. I was instructed to throw one man's pills "down the drain," because he had a reputation for balking at his medicine.

My presence on the staff was testimony to the poor administration of a nursing home which receives thousands of dollars every month in welfare payments. After I answered a newspaper ad for nurse's aides, my phony references and job history were accepted without question, apparently because I eagerly accepted a starting salary of $1.70 an hour. I soon learned why they needed new employes.

The home is so overrun with vermin that at night employes have conceded large sections of the building to the rats. On the third floor, I was told, they barricade themselves in a small area while rats roam around the patients' living area.

But on this night the rats, cockroaches and stench of excrement were momentarily ignored as we frantically tried to bathe the patients in as short a time as possible.

As soon as the man and woman stepped from the bath and shower to face each other in a second embarrassing encounter, my supervisor handed me a dirty pillowcase.

"WE DON'T HAVE TOWELS"

"Dry them off with this," she said. "We don't have any towels."

Still wet, the couple were ordered to get dressed. The man looked in disbelief at the pile of filthy garments and asked, "Put those back on?"

"I haven't got anything else to put you in," the aide retorted.

We bathed one other couple that night before the water turned cold, and used the same pillowcases in a futile effort to dry them.

"I'll have to tear up some sheets to finish the job," the aide finally conceded. She returned with two paper towels, designed for dusting and drying dishes, and we used them on the second couple.

The baths seemed an exercise in futility. The patients survive in squalor; packed together in overcrowded dingy, cheerless rooms in the dilapidated six-story building.

STENCH IS OVERWHELMING

The stench from urine, dirt, and decay is overwhelming. It permeates the building, becoming stronger as you move from the downstairs lobby to the second thru fifth floors, where patients are housed. In some cases they sleep six to a room. I frequently would find myself rushing from a room gagging with nausea from the intolerable smell.

The floors are caked with grime. Peeling paint is picked from the walls and eaten by hungry patients. During a leisure moment a rat scampered across my path.

"The rats play tag with each other here," an aide said. "The roaches run races."

One man is cursed and scolded for habitually dirtying his bed at night, while another is left lying in his own excrement.

"Oh, that ain't nothing to Harry," an aide said when I suggested that we change him. "He's used to it. I ain't going to change him."

A bedridden woman cries out in the night, "Help me. Help me. Oh my God, help me." She had knocked over a bed pan, drenching the sheets and her clothing.

The aide curses her clumsiness, "Goddamn you. You know better than that. You did it on purpose, dammit."

The sobbing woman moans, "I can't help it. You know I can't help it."

Patients get their exercise trudging up and down the stairs. Those who can't eat in the main dining room are herded into the floor's day room hours before the meals are served and are cursed if they dare leave.

"Go back and sit down," an aide yelled at an elderly emaciated woman who wandered into the hall.

"I've been sitting," she responded.

"Well go back and sit down again, damn you," the aide snapped.

VIOLENCE IS THREATENED

Another woman tiptoed out, only to be told, "If you get up once more I'm going to break your head in," and later, "Get your damn —— back in the day room."

The outside temperatures hovered near zero on the three nights I worked.

"Bring all the clothes you have for this shift," an aide warned me. "Sometimes it gets so cold in this place your teeth chatter."

Two rooms on the second floor, each housing four men, have no radiator. The patients have no blankets and are forced to huddle under a sheet or bedspread in an effort to keep warm. In one room sheets are stuffed in a window crack to keep out the cold.

A few lucky patients have nightgowns. The rest go to bed in their underwear or sleep in their clothing.

GARMENTS ARE MAKESHIFT

During the day their garments are even more pathetic. Pants are fastened with safety pins. Threadbare shirts have no buttons. Slips are two pieces of cloth knotted together at the shoulder. Dresses are frayed, and they tore apart in my hands when I attempted to take them off.

"All the new clothing is stored up on the sixth floor," an aide told me. It is brought down when the Board of Health comes and then all the patients look great. When the inspectors go, so do the clothes, right back up to the sixth floor."

On my last day at work I arrived and found the lobby flooded with water. The sewage pipes from all five floors had clogged and a water pipe had burst, I was told. A warning went out on all the floors not to drink or turn on the water because it was unsanitary. The ban lasted three hours.

"This is always going to happen in a place like this," a workman confided. "What they ought to do is tear down the building and start all over again."

His statement came only a day after a nurse's aid made this grim observation:

"I don't know how this place gets past the health department. They don't put any money in here. They just take it out. All I know is I wouldn't put my dog in this dump."

A SHAVE BECOMES TORTURE

The young man had just begun to mop the filthy floor of the South Side nursing home when he was summoned by a nurse's aide.

"Hold this guy's head or I'll never get him shaved," the aide ordered.

The old man, his body crippled by a nervous disorder that caused his arms and head to jerk uncontrollably, hadn't been shaved in a week. It was a difficult task at best and today it would quickly become an ordeal.

Using only a pan of cold water and a sliver of soap, the aide began hacking away at the whisker growth. She had gathered several old safety razors for the job and as the blood trickled down the patient's face she would discard one and try another.

SEEKS NEW BLADE

Finally, unable to watch it any longer, the mopboy told the aide to wait while he ran through the home searching for a razor blade that hadn't been used before. When the ordeal was finally over, the aide added a final touch to the patient's discomfort. She splashed rubbing alcohol over his face in an effort to stop the bleeding.

This is the Monterey-Drexel Home, 4616 S. Drexel Blvd., one of a chain of nursing homes owned by the N-H Management Corp., 105 W. Adams St.

The shaving incident is one of many examples of the kind of care received by thousands of elderly citizens living in warehouses for the dying in the Chicago area.

TRIBUNE Task Force reporters worked as orderlies, janitors, nurses' aides, and mopboys to document the abuses.

EXPOSED 8 YEARS AGO

This is the second time in the last eight years that the Monterey-Drexel Home has been exposed for filthy conditions and wretched patient care. The N-H Corp. is headed by Joseph Bonnan, a former aide to Mayor Daley and the man who wrote the city's nursing home code while serving as the mayor's assistant.

The same day that the old man submitted to the shaving ordeal, another aide was discussing the plight of an emaciated man too weak to move from his bed.

"He's supposed to be on a special high protein diet," the aide explained to a reporter employed as a mopboy. "But he gets the same thing everyone else gets."

PATIENT GIVES VIEWS

Another patient, one of hundreds dumped into private homes in an effort to reduce the patient load at state mental hospitals, discussed his problem his way:

"I wish I was back there [Kankakee State Hospital]. They don't care here. You come here all messed up, you're gonna stay messed up. They don't pay no attention to you."

His conclusion tragically parallel the attitude of the administrator of Monterey-Drexel.

"We're not going to help them [the patients]," she said. "I don't worry about them. I just want to keep myself out of here."

HOME IN PALATINE

At the Bee Dozier Home in Palatine, an old farmhouse that houses up to 40 patients, a reporter working as a nurses' aide made the mistake of attempting to change the bath water after every patient.

"Don't do that," a male orderly cautioned. "I just let a little bit out and add a little clean hot water to warm it up a bit. This ain't the Savoy dear. It's the Workingman's Palace and we won't do that." The Workingman's Palace is one of Skid Row's largest flophouses.

The orderly then poured a single pitcher of clean water into the tub and used the dirty water to give two more patients their weekly bath.

MANY ALCOHOLICS USED

The male orderly was one of dozens of Skid Row alcoholics who make up the major labor force at the Dozier home.

Recruited from a West Madison Street flophouse by a maid who receives a kickback for every derelict, the men are sent to the Northwest suburb by train and then ride a cab to the nursing home. They must stay at least 30 days and work as orderlies, nurses' aides and cooks. During two of the three shifts in the home they are the only employes in charge of patients.

The only nurse at the home explained that before she was hired a year ago one of the derelicts was performing all the nursing duties. She said the same employe who gave the baths had been banished to the laundry shack recently after he was caught stealing drugs prescribed for the patients.

SCRIMPING ON FOOD

The home also features one of the most unusual diet items uncovered during the investigation. In order to scrimp on the food budget, the head nurse explained, the management purchases such items as canned pineapple cores instead of the more expensive pineapple slices. The cost cutting scheme apparently backfired, however, when the employes couldn't eat the so-called fruit and a blender, failed to pulverize it.

At the Park House, 2320 S. Lawndale Av., which describes itself in a brochure as "Chicago's newest, most modern convalescent, retirement and nursing home," the weekly bath became a horrifying experience for a 91-year-old patient.

Two nurses' aides were attempting to make the patient sit down in the bath tub despite his pleas to "slow down, I can't bend my legs this fast."

One of the aides responded with a sharp slap across the face and the old man cried out.

Another aide slapped a patient who objected to the way he was being shaved.

The home is infested with cockroaches and urine is allowed to dry in puddles on the floors. No effort is made to provide special care for patients unable to control their body functions.

One aide, who has worked in a number of other nursing homes, said it was the first home she had seen where such patients did not receive extra care. Instead, she noted, "they have the patients' bare buttocks against the chairs. These people are usually kept in some kind of diapers, but they don't do that here."

Park House, a senile woman managed to make her way into an outer hallway where the temperature hovered around freezing. She was shaking uncontrollably from the cold. When the maintenance man called her plight to the attention of an aide he was told:

"She'll come in when she gets cold enough."

CLEAN FRONT HALLWAY

The home's claim to being the city's most modern is apparently based on the care given to the front hallway and several selected rooms. George Smith, the administrator, insisted that particular attention be paid to areas of the home that might be seen by visitors.

"Take special care of these front two rooms, my office and this hall," Smith told a mopboy. "You know what I mean, anything that people will see when they first come in, we must keep it very clean."

The Beacon Hill Nursing Home, 4530 N. Beacon St., also restricts its sanitation demands to the front hallways. While the first floor glistens from repeated mopping and waxing, the second floor is constantly filthy and includes chipped and cracked toilets and toilet seats, plumbing pulled loose from the walls, and in one bathroom a toilet jarred loose from the floor that floods the entire room every time it is flushed.

OWNER EXPLAINS PROCEDURE

The most helpless of the patients are kept on the second floor, the owner pointed out, "so they don't smell up the first floor."

In a day room a very old woman is ignored completely and spends hours each day slumped forward in a chair with her head against her food tray. She had been in this position so long that a large circular sore has opened on the tip of her nose.

NOBODY WORKS TOO HARD AT DREARY HOME FOR ELDERLY

(By William Jones)

It is called the Kenmore House Nursing Home and it is a reminder that for many of our elderly poor the golden years are a cruel trick filled with dreary, smelly rooms, incompetent staff and meals consisting of table scraps.

I worked at Kenmore House and the filth is everywhere.

The stench first hits an outsider at the basement level entrance and gets worse as you ride a rickety elevator to the upper floors of the converted transient hotel. One of the most foul-smelling rooms on the fourth floor, occupied by three elderly men, is directly across the hall from the dining area. The stench from the room is so strong that it carries into the dining area.

BEGINS WORK AS MOP BOY

The floors in some of the rooms are so filthy that the day I began work as a mopboy my efforts to mop the floors created muddy swaths across the cracked tile floors. In another room, where the bathroom window was broken and replaced with clear glass, the patients have taped an old bath towel across the window to afford a degree of privacy.

The home has been the target of numerous city health department complaints in the last year, yet continues to receive more than $250,000 a year from public aid for patient care.

I obtained the job after an interview with the administrator, Rabbi Benjamin Cohen, who made no secret of the fact that he was not happy with my out-of-town work experience.

QUESTIONS CREDENTIALS

"You have no roots, you just wander around," Cohen said. "How can I check you out? I can't hire you without any references. I'm in trouble now with the Board of Health now because I hired a guy without checking him out and he started roughing up the patients."

I insisted I was willing to work for less than $2 an hour, however, and a week later Cohen decided to take a chance.

"This guy says he wants to work as a maintenance man," Cohen told his head houseman. "You talk to him. He seems a little eager to me."

William Tecktenwald, a Better Government Association investigator, also applied for work as a janitor and apparently made a better impression, despite similar phony references.

"This is a nice young fellow," Cohen told his director of nursing. "Let's make him a nurse."

"We can't make him a nurse," the nursing director responded. "He has no training. He couldn't dispense medication without training."

"He's a nice personable young man," Cohen said. "Make him a nurse and he can dispense medication. I'm sure he can catch on quickly."

The next day Tecktenwald was given a set of keys to the narcotics and medicine cabinets and worked the next two days as a nurse.

My own introduction to work as a mopboy was handled in a slightly different manner. On the day I reported for work, another houseman who was washing his underwear in the basement was told to show me the ropes. It was his day off and he was still drunk from the previous night.

As we moved from floor to floor I found my fellow worker walking into walls and cursing his bad fortune at having to spend even a minute of his day off showing a new man around.

"If you see something laying around sweep it up." I was told. "You know, just look busy. Nobody breaks their ——— around here." "Do you drink?" When I responded that I did on occasion he said: "Well, I've got a bottle down in my locker and I better get to it."

With that he disappeared and I was left to clean the fourth floor. No disinfectants are used in cleaning the floors or toilets and the head houseman related that such chemicals only streak the floors.

My pail of mop water had turned black by the time I had completed the first room. Linen and blankets are grimy and the wastebaskets in each room are so dirty they resemble garbage cans.

PILLS FALL ON FLOOR

During my chores on the fourth floor I also observed a nurses' aide preparing the mid-morning medication. She stood in front of a medicine closet with a variety of pills scattered at her feet where they had been dropped and never retrieved.

As she prepared each dosage I noticed a unique cost-cutting device. She was reusing several crumpled wax paper pill cups stashed in the bottom of the medicine cart with no apparent knowledge of who had previously used the cups.

It was not the first cost-cutting scheme uncovered at Kenmore. While Tecktenwald worked as a nurse, he also helped feed the patients. One night, when the evening meal had been sent to the 37 patients living on the second floor, it quickly became apparent that there would not be enough to go around.

Rules Fail To Aid "Living Dead" in Nursing Homes

They describe themselves as the living dead, people who spend the final days of their lives eating, sleeping, staring and, finally, dying.

They are the victims of a multimillion-dollar nursing home and shelter care boom in the Chicago area that has mushroomed beyond the control of city and state health officials.

Volumes of regulations have been written about controlling this industry in Illinois, but they are not enforced because the elderly poor who exist in these warehouses for the dying have no voice. Their lives are controlled by those who profit from these warehouses and they are tragically aware of it.

JUST EATS AND SLEEPS

"I don't do nothing all day because there's nothing to do," said an elderly patient at the Winston Manor Nursing Home, 2155 W. Pierce Av. "I don't think about nothing because there's nothing to think about. I just eat and sleep, just like an animal."

The patients beg at Winston Manor. They beg for food, for coffee, for help with their wheelchairs and in some cases they beg to maintain their dignity. They stripped one old man of his dignity one morning at Winston Manor as he begged for help to get to the bathroom.

His bed was directly across the hall from the nurses' aid desk, but they ignored him and continued their gossiping. Finally, unable to control himself, the man gasped and relieved himself on the floor.

Then he stood staring as the group of aides laughed hilariously while one aide giggled and sprayed the air with a cheap aerosol deodorant.

"See, he wanted someone to help him, but no one came," a nurse told the aides.

"WE'RE LIVING DEAD"

"We are the living dead," said an elderly tenant of the Golden Age Home, 4542 N. Malden Av., where residents apparently are shifted about from home to home to comply with city codes. "Look around at these people. We're all worn out and we just keep on living. We would be better off dead."

The home has a history of operating without a license and was fined $100 in 1968 for refusing to permit a Chicago Board of Health inspector inside. They were fined $100 the same year for operating without a license.

A city Health inspection yesterday showed only 12 residents in the home, and only 2 who required shelter care. Under health department rules, 3 persons must require care before the board has jurisdiction.

NURSES DENIED ENTRY

The inspection was completed only after a public health nurse was refused entry and her supervisor went to the address two hours later. No charges were filed against the home, however, for refusing permission to enter.

A reporter who worked in the home and bathed patients counted nearly 20 occupied beds during his employment at Golden Age.

The reporter was hired at another home operated by the same owner at 856 W. Buena St. During the interview, the owner, Mrs. Peggy Johnson, said she also operated nursing homes in Alabama and Florida and the Chicago homes had been neglected while she was in the South.

TOILETS FROZEN

She said vandals had broken into the Buena home and before the windows could be replaced the toilets upstairs had frozen. She also warned that portions of the front of the Malden Avenue home had been closed for the winter because of electrical problems and "we have people stacked on top of people."

She said she closed off the front after smoke started coming from electrical outlets and that the area would remain closed until her son has a chance to repair it in the spring.

The walls and floors are filthy in the Golden Age Home and portions of the ceiling in a room occupied by three residents appears ready to collapse.

STAFF COMPLAINS

A reporter employed as a maintenance man at the Approved Home, Inc., 909 W. Wilson Av., learned that the former maintenance man had been fired for a variety of offenses, including alleged sexual attacks on former mental patients.

The staff at Approved Home complained of conditions in the former transient hotel and one nurse's aide said she was "sick and tired of finding rats and cockroaches in the linen room every night."

"Well I wrote two checks to take care of that, but they (the management) voided both of them," said the assistant administrator.

The cook had this comment about some of the food delivered one morning: "This lousy food they send over here. It's the stuff they can't get rid of anywhere else. I don't know why they even bother to order it."

Living quarters for the 79 residents, most of whom are former mental patients, are on the second and third floors. Recent efforts to replaster the ceilings on the second floor left the place in a mess, with plaster splattered over furniture, floors, mirrors, shades and the luggage of residents.

At the Maple Nursing Home, 4743 W. Washington Blvd., one of the owners told a reporter applying for work that the home was operated for two years without a license because of health department charges. She said the case is in court and the home will remain open at least until the case is settled.

PHYSICAL TAKES MINUTE

Nor is any attention paid by many homes to requirements under the city ordinance that all employes be free of communicable diseases. A reporter hired at the Austin-Congress Nursing Home, 901 S. Austin Blvd., was given a physical examination that took less than a minute. It consisted of another employe looking into his eyes and reporting to the head nurse, "There's his physical; he passed."

The reporter was hired as an orderly, performed nursing duties, and at one point was asked by a doctor his diagnosis of a patient's illness and what medication should be prescribed. The reporter said he didn't know.

The Austin-Congress charges a flat fee for providing shelter and food, but everything else is extra, according to staff members. This includes additional charges for wheelchairs, diapers for those who can't control their body functions and physical therapy.

WOULD RATHER BE DEAD

Patients spend their day roaming the halls muttering, "I'm hungry, I'm starving." Another man had tears in his eyes as he shuffled across a room pushing a chair ahead of him for support.

"I would rather be dead than suffer like this every day," he said.

Another woman explained that only her strong religious belief enabled her to endure.

"You haven't seen real misery and real suffering until you've been in one of these homes," she said. "Some of the people just lose their minds. A while back I thought I would go crazy in here. I would shut my eyes and see faces snarling at me. But I have something, I have religion, faith in God—that pulled me thru."

Crippled and Elderly Patients Abused in North Side Home

(By Philip Caputo)

The toothless old woman, her shoulders bent by age and disease, stood in the kitchen doorway staring at two nurse's aides drinking coffee.

Her request was a simple one: she wanted a cup.

"Well, you can't have any," one of the aides responded.

"Why not?" asked the woman, her arthritic hands clutching a metal walker.

"Shut up, frog mouth; we're runnin' this kitchen," the aide snapped. The woman stood expressionless for a moment, then shuffled away to her room.

90-YEAR-OLD KITCHEN

It was 7 a.m. in the Beacon Hill Nursing Home, 4530 N. Beacon St., where I worked as a maintenance man. The verbal abuse inflicted upon this helpless woman was mild compared with the other mistreatment the 33 patients in the home suffered at the hands of the staff.

Before my brief stay was over, I would see a 90-year-old cripple punched and kicked for brushing a diseased foot against the uniform of an employee. I would also observe two aged women reduced to the depths of degradation as they screeched and clawed for possession of a tattered blanket after a winter night without heat.

I would see roaches scurrying across floors that were crusted with accumulated filth, smell the persistent stench of human waste, hear the hysterical cries of former mental patients who had lived in the home amid the elderly, and I would feel the touch of an old woman's trembling hand as she begged me to sweep her out of the place.

"SWEEP ME AWAY"

Her poignant plea was made on my first day as I was cleaning the floor. "Go ahead, sweep me out of here," she said. "Sweep me away, I don't care. It's more than I can stand."

Most Americans will recall Feb. 5 as the day Apollo 14 landed on the moon. The patients in Beacon Hill will remember it as the day the boiler ruptured and near-zero cold, driven by gale-like winds, pierced the walls of the decaying building.

Thruout the day, the words, "I'm cold, I'm cold," echoed down the gloomy halls of Beacon Hill.

WRAPPED IN SWEATERS

Wrapped in threadbare sweaters, in worn blankets and shabby coats, many of the patients huddled silently in dim corners.

A 60-year-old man named Monroe sat in the second floor TV room watching the moon landing.

"Well, there they are," he said. "What the hell are they doing up there? What good does it do for us? We need money for schools, for the poor, for places like this."

Monroe asked me to find Morris Weintraub, the administrator, and tell him to turn up the heat. Neither the patients nor I knew at the time that the boiler had ruptured during the night.

HELPLESS ON FLOOR

"Tell him we're freezing. The heat was off all last night. It could kill some of these people," Monroe said.

As I anxiously searched for the administrator, I heard an elderly woman recount her own night of agony as she lay helpless on a cold floor. She complained to a companion:

"The window in my room slipped last night and all that cold air was coming in. I got up to shut it, but I slipped and fell and couldn't get up again. I called for a nurse, but one didn't come for the longest time. I don't know how long I was on that floor."

Then she broke into sobs: "Oh, God, oh God, oh God, I'm so sick of it."

STRUGGLE FOR BLANKET

In another room, a woman accused another of stealing her blanket. "It's my blanket, you stole it," she screeched. "No, it isn't. I found it on the floor," shouted the other. They started struggling for the blanket.

A nurse's aide entered and mediated the dispute with curses and threats. "Shut your damned mouths, both of you," she shouted. "If you don't shut up this minute, I'll take all your blankets away and you both can freeze!"

The women kept yelling and the aide reached into her pocket and brandished a drug-filled syringe. "Now you gonna shut up, or do I have to jab you with this!" she yelled. The women cowed, sobbing, "Yes, all right, yes."

When I finally found Weintraub, he dismissed the lack of heat as a problem that would be solved later in the day and insisted that I turn my attention to waxing the front hallway. His virtual obsession with the appearance of the front hallway stemmed from his fear of the City Health Department.

"Forget the rooms," he told me on more than one occasion. "The lobby and [front] hall are the first thing the health department will see if they show up."

Later the same day, I saw a 90-year-old man suffer the indignity and pain of physical punishment, administered by a young nurse's aide. The man was senile and confined to a wheelchair.

As the aide was placing a slipper on his infected foot, he accidentally brushed her uniform with his foot.

KICKS HIM ON LEG

Calling him a "no good bastard" she kicked him on the leg and punched him in the shoulder. The man cried out, and the aide barked, ". . . . . you, you do that again and I'm gonna beat you."

The aide did not stop there. A short time later, after the man had involuntarily urinated in his pants, she called him a series of vile names, then left him to sit in his own waste. Another nurse's aide threatened to hold his pant leg out the window until it froze.

Perhaps the one statement that best expresses the attitude of the staff at Beacon Hill toward the elderly and mentally ill came during my final hours of employment. As I was about to leave one afternoon, the director of nursing made this observation:

"I wish they'd just get these patients out of here. They're the most disgusting people I've ever seen."

DAIRY FARMERS FACE ROUGH TIMES

Mr. HUMPHREY. Mr. President, these have been rough times for America's dairy farmers.

They are going out of business at a rapid rate.

And the Nixon administration seems content to sit idly by while the situation continues to get worse.

First, the Department of Agriculture refused to buy any cheese for the school lunch program during the first semester of the school year, which began last fall. And it has purchased little or none this semester. Yet this same Department estimates that some 80 million pounds of cheese could be used for school lunches during this fiscal year.

Second, the Nixon administration wanted to kill the special milk program last year. It took a Democratic Congress to restore it. And the President's budget does not include any recommendation for this year.

Third, the administration has failed this year to increase farm values of milk through adjustments in the price-support program.

Fourth, the administration stood by for a long period of time while dairy farmers were harmed by imports brought into this country under evasions of the import control program.

This is the picture the Nixon administration has presented to the dairy farmer. It is not a pretty one.

It is time that the dairy farmer be given help—and hope.

I have contacted the Secretary of Agriculture and asked that the following steps be taken:

First, begin immediate purchases of cheese for the school lunch program at a level sufficient to provide the real needs of the program.

Second, raise the price support on milk to 90 percent of parity, as authorized by the Congress.

Third, hold down imports of dairy products to a level that will enable U.S. producers to market their products in an orderly manner.

Finally, I intend to submit a resolution in the Senate to restore the special milk program, and to see that sufficient funds are provided to meet the needs of that program.

As for our dairy farmers, one way to make their voices heard is to unite so they can set their goals and policies together. People in every section of the economy have done this. And they have done it with success.

There are milk marketing organizations that care about the farm price of milk, and which work on the national scene to protect the dairy farmer's interest.

These organizations deserve the support of every dairy farmer. Their work, in milk markets and in Washington, offers the greatest single hope for a self-sufficient agriculture.

LEAD-BASED PAINT POISONING PREVENTION

Mr. KENNEDY. Mr. President, on January 14, 1971, the Lead-Based Paint Poisoning Prevention Act was signed into law. That was the first piece of legislation specifically designed to provide Federal assistance for those who suffer from childhood lead poisoning.

Last year, in hearings on that bill, health officials testified that lead poisoning is a sickness that can be completely avoided. But it has become one more hazard confronting the poor that has received too little attention. Since lead poisoning in children usually results when youngsters who live in dilapidated housing swallow small bits of peeling paint and plaster from the walls most people are unaware of the hazards involved.

Even a mother who sees her child chewing paint chips may not know that her little one can be sickened and perhaps be killed by this poison from the walls. Shamefully, because most of those living in our big-city slums are black or Puerto Rican, and most of the victims are black and Puerto Rican.

If this were a disease of the suburbs, its toll would not be nearly so dreadful.

Mr. President, I worked for approval of the Lead-Based Paint Poisoning Prevention Act because I want to end the needless suffering caused by this insidious disease. As the new chairman of the Senate Health Subcommittee, I am firmly and clearly behind all efforts to provide adequate health care for all Americans—and I am particularly interested in the need to guarantee assistance for those who have been traditionally deprived of decent health care.

Since the enactment of the lead poisoning bill has established the will of the Congress and the administration to meet the demands for attacking this problem, I am now seeking to obtain the necessary funding to implement the provisions of that law.

Finally, Mr. President, I feel that one of the most skillful accounts of lead-based paint poisoning was that prepared by Andrew Barnes, of the Washington Post. Mr. Barnes prepared an intensive examination of the problems affecting the victims as well as a review of the attempts made by the Washington, D.C., Department of Health to provide assistance. One thing made painfully clear from his account is the additional need for assistance to municipal health authorities for resources to fight this disease. I feel that from Mr. Barnes' account we can see the importance of increased public awareness and added public support to stop the silent epidemic of childhood lead poisoning.

For that reason, I ask unanimous consent to have printed in the RECORD Mr. Barnes' article of February 28, entitled "Lead Poisoning: Threat to Poor."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LEAD POISON: THREAT TO POOR

(By Andrew Barnes)

A 4-year-old child was brought to Children's Hospital unconscious, in the middle of the night, in a seizure. He had been vomiting and complaining of stomach pains.

His mother mentioned he had a habit of eating paint and plaster in their apartment. The diagnosis was acute lead poisoning.

Like thousands of Washington children, he was sick from lead paint. Some are dying; many will be retarded, sitting out their lives in institutions.

In 1970, 270 lead poisoning cases were officially recorded here, but health officials estimate that 5,000 children, 10 per cent of all those who live in old housing, have too much lead in their bodies. Of these, 500 are so sick they should be hospitalized, the officials said.

Only last April, the city made it illegal to use lead paint indoors. Old paint, the main source of trouble, becomes illegal in practice only after a child is found sick. Although inspectors on their normal rounds, can order its removal, it is infrequently done.

The families of most poisoned children don't know they are ill, so the city plans its first major effort to seek out victims this spring.

The major source cause of the illness is old houses in the heart of the city. Once the homes of the rich, now they are the only places available to the poor.

The rich, of course, wanted the best, so they painted with lead, decades ago. Lead was the finest paint—more opaque, more durable. But after decades of rain on windowsills and slipshod care, the shiny paint is chipping and falling.

A few flakes of paint, not more than the size of a thumbnail, are a potentially lethal dose if eaten regularly for a few weeks or months (it varies from child to child). They may be on a baby's bottle, dropped on a littered floor and popped back in the mouth.

Some children, like the 4-year-old at Children's have a hunger for lead paint, which has a sweetish taste. Their craving for nonfood items is a disease in itself, called pica. It is not uncommon, especially among slum children.

That child at Children's spent six weeks in the hospital, being "deleaded" and having other problems treated. Now, two years later, he is active and looks well, but is still on medication.

In a sense, he is lucky.

His case was diagnosed, treated, and he appears not to have suffered crippling retardation. Also, once his family understood the problem, they were able to prevent him from eating any more lead paint.

In many cases, like that of 3-year-old Ricky Parker, the result is tragic. He died last year without regaining consciousness.

For no one symptom or test can indicate whether or not lead poisoning is present.

ILLNESS CONTINUES

Cause and cure are known, but the illness continues to strike in Washington and every other city where people live in old houses. Baltimore has been dealing with the problem since the 1930s, and New York and Chicago began a few years before Washington.

Pica (craving for unnatural food), and the lead poisoning that often goes with it, are usually diseases of the poor, according to Dr. George Cohen, head of the pica clinic at Children's Hospital.

A map in the health department confirms this. Cases are clustered in Shaw, Cardozo, Near Northeast and Anacostia. Families remodeling old houses are vulnerable as well.

One problem, Dr. Cohen said, is people are unaware of the danger. A mother who eats laundry starch and dirt, because she herself has pica, sees little wrong when her child eats paint and plaster.

Pica, Dr. Cohen said, typically hits people whose "whole life is doing things the easiest way possible," and are not able to find the time or effort to control their children.

At the pica clinic, Dr. Paul Reilly describes children who hunger for nonfood items as "extra love children." The clinic's emphasis is on explaining the hows and whys of pica in an effort to help prevent further poisoning.

MUST REMOVE PAINT

Treating and preventing lead poisoning takes not only medical work and education but elimination of the poisonous old paint from the child's surroundings.

Dr. J. Julian Chisolm Jr. of Baltimore, a leading expert in the field, reports, "If a child who has been treated for acute (lead poisoning) is returned to the same hazardous environment, the risk of permanent brain damage rises to virtually 100 per cent."

Of children who have only one serious attack, Dr. Chisolm reports, 25 per cent have permanent retardation.

A lead-poisoned child sets in motion of chain of city agencies. A notice goes from the doctor to the health department to the building inspectors. They go to the home, and the babysitter's home if there is one, and test it for lead paint.

If lead is found, the inspectors order the landlord to remove or cover it within 10 days.

All this should happen before the child goes home. In Baltimore, children convalesce at a special facility until their homes have been deleaded.

In Washington, a child is likely to be at home a month and more before anything is done.

Mrs. S. Charest, a nurse at Children's, shakes her head. Like everyone who works with lead poisoned children, she has seen so many come back poisoned again and again.

The steps involved in treatment and prevention are time-consuming:

The time lag on the first blood test, according to Dr. Thomas Reichelderfer, head of pediatrics at D.C. General Hospital, is as much as a week. The time test actually takes in the lab is 48 hours.

Between the time a doctor sends an order to inspect a house and its arrival at the inspectors is a week, often two. Sometimes, in a particularly urgent case, this is speeded by a telephone call, but not usually.

Inspectors go out within 48 hours, they say, to talk to the family and take the paint samples. A dozen or more envelopes, each with a half-teaspoonful of scraped paint, are dispatched to the lab.

Lab testing, because of backlog, takes three to six weeks.

Results in hand, the landlord is given 10 days to take off or cover up all lead paint. This is sometimes stretched somewhat, but compliance has been good, officials say.

"We kind of put the fear of God in these people," said inspector Kenneth Goodale.

But even though everyone may have been doing his best, between six and 11 weeks may have gone by. Most of that time, the child has been back in the home that poisoned him.

The laboratory delays, now a large part of the total, are likely to improve, according to its chief, Dr. Alston Shields. Blood tests, always a priority, will be speeded by new equipment and new procedures. More than 1,400 tests have been performed since last October.

Paint tests—4,300 since October—involve crushing, weighing, and dissolving, a two-hour process. It may soon be taken over by a machine the inspector can carry to the apartment and hold against the wall. The machine has been on order for some time.

"NOT SATISFACTORY"

Delays of more than a month will still remain. "It is not satisfactory," said Dudley Anderson, the city's chief of accident prevention. The main problem seems to be getting the papers from office to office, he said, which often takes three days for each of many steps. "We will do our best to cut it down," Anderson said.

The city also, under a model cities grant of $200,000, hopes to set up a place for children to stay while their homes are deleaded.

Under the same grant, the city in April will begin to go out and find cases, knocking on doors in the middle of the city, asking permission to make tests.

The middle of the city is called a "lead belt," for it is here that houses were first painted before World War II, when lead began to be supplanted by other paints. Repainting may offer no cure, for when the paint chips, the old lead surface is exposed.

It is necessary to go out and find cases, because the symptoms short of the convulsions of acute poisoning are vague. They include indigestion, crankiness, loss of appetite, and other complaints that sound like a dozen other childhood problems.

One to 6-year-olds are affected mostly, with two and three the most common ages. Sickness, for reasons not yet understood, happens mostly in the summer months.

POISON INDICATOR

The amount of lead in the blood is the best indicator of poisoning. A reading of 16 (micrograms per 100 milliliters of blood) is normal for country children. Urban children average 21, Washington children average 25, city officials said.

A reading of 40 means potential trouble, 80 means hospitalization, generally.

Whether children who have more lead in their blood than normal, but not enough to be called sick, will have their mental development curtailed is unclear. Such research has not yet been done.

But according to an article in Public Health Reports a year ago, "there is reason to suspect that undiagnosed and therefore untreated, lead poisoning is a cause for concern.

FREQUENCY GREAT

"The frequency of lead poisoning in neighborhoods with older buildings may be greater than generally realized."

The city, since last fall, has been testing all 2-year-olds who come to clinics for any reason. Of this group, 23 per cent have had levels above 40, 14 per cent above 50.

Laboratory results themselves are not precise. A nationwide study found variation in results "too great to be considered satisfactory," but it remains the best method available.

SHOTS PAINFUL

A doctor, taking into account tests and symptoms, can order "deleading." This involves a week of painful injections of a chemical that combines with the body's lend and allows it to pass out.

Removing the lead from a house is expensive. Walls can be covered with paneling, which is cheap, but windows, doors and bannisters must be stripped or replaced.

Sanding or burning the paint puts poisonous fumes in the air, and the chemicals that will dissolve it are highly corrosive. The paint industry hopes to develop a coating tough enough to withstand the chewing of a child with pica, but has not done so yet.

Even with all this, nobody really thinks all the lead paint will be removed from the city. "You're talking about tearing down an old city and building a new one," commented Anderson.

And loopholes remain. Lead paint is illegal only for indoor use. It can still be bought for exterior use in any paint store in Washington.

PARENTS FORGET

It is now more expensive than its alternatives, but the bargain can of battleship paint, heavy with lead, may still seem just the thing to paint a playroom. It is illegal to do so, but few home owners know it.

The label on the can says keep out of reach of children, but might be read to mean don't let them drink it. Once dry, nothing looks cleaner than a coat of paint. It is hard to remembers that a child with pica is likely to chew woodwork.

When inspectors go into a house, they sometimes find the child was eating dirt under a porch, from which chips of paint are falling. Or the sources may be a fence peeling in great scabs.

The inspectors in fact do act in these cases, but the law does not specifically direct them to do so, since they are outside the house.

A federal law was passed at the end of the last Congress to help localities fight lead poisoning. No funds have been appropriated for this purpose, however.

The most that can currently be done is that screening programs will continue and increase so more children can be spotted before they are acutely sick.

FIFTIETH ANNIVERSARY OF THE DISABLED AMERICAN VETERANS

Mr. PROUTY. Mr. President, I regret that I was unable yesterday to participate in the colloquy in tribute to the silent courage of the Disabled American Veterans, who have kept faith with those who have given so much in the defense of our country and our liberty. Today I should like to reflect on the important role of the Disabled American Veterans over half a century.

For 50 years, the common bonds of courage and sacrifice have brought forth the dedicated energies of disabled veterans in aiding one another and thus their Nation.

Death is the greatest, but not the sole, tragedy of war. Battles batter flesh and trouble minds of many, who survive. For these survivors, the battle often never ends. As they struggle on a different front, the wounded need comradeship, a helping hand, and a strong voice in their fight for a new life.

We are all in these men's debt and our gratitude extends to each of them and the organization that provides these brave men the comradeship, the helping hand, and the strong voice—the Disabled American Veterans.

We owe our wounded veterans more than we can repay, but we as a nation have tried to meet our obligations. In so doing, we have set up a vast bureaucracy which often defies even the most persistent veteran.

The Disabled American Veterans serves as each wounded veteran's champion in the battle of the bureaucracy. The DAV's national service program insures that the obligations of our Nation to our veterans are fulfilled.

These men, who have endured so much, seek more than our obligations. They seek the opportunity to continue to contribute to our country. Here, too, the Disabled American Veterans is ready to help veterans find their way to new opportunities.

In my State of Vermont and across the Nation, State departments of local chapters of the Disabled American Veterans serve our Nation and its communities. DAV representatives are on hand at our regional Veterans' Administration centers.

The work of the Disabled American Veterans and each of its members is an inspiration to all Americans. Each member stands ready to assist those who have also suffered in battle.

Sadly, brave young Americans continue to make sacrifices for our Nation. Though we are withdrawing from Vietnam, the war continues to take its toll. There is little consolation to be found when we consider the suffering of these men. But we do know that they will not be without a friend and champion. The Disabled American Veterans stands by each of these men. The DAV understands, cares, and succeeds, and we are grateful.

Someday man may find a way to resolve disputes without war. This is our goal and our dream. But as we pursue our goal and dream our dream, we must stand by those fought before the goal was reached and endured the nightmare of suffering before our dreams came true.

Someday the guns will be forever stilled and men will rejoice, but there will be those for whom the quiet brings little joy and only a painful struggle for a new life. They will need the Disabled American Veterans as men have for five decades.

They will continue to keep faith with one another and so must we. We are grateful for their example over one-half a century.

TRIBUTE TO SENATOR RUSSELL

Mr. WILLIAMS. Mr. President, I wish to join Senators in mourning the passing of a great American, the President pro tem of the Senate, Richard Brevard Russell. During his 38 years of service in the Senate, the distinguished gentleman from Georgia established a reputation as a parliamentarian and a debater excelled by few others in the history of the Senate.

He was the consummate politician, painstaking and thorough in his preparation, and highly skilled in the use of power.

If a man's efforts are the measure of his dedication and a man's accomplishments the hallmark of his success, then Richard Russell could be extremely proud of his record in the Senate. No man in recent memory has made a more complete dedication of his life to this body, and few men have been able to so effectively serve the principles and ideals to which they subscribed. Those causes, which he so ably defended for so many years, have lost a gallant champion.

LEFRAK SUIT ON HOUSING BIAS CONSTRUCTIVELY SETTLED

Mr. JAVITS. Mr. President, in August 1970 the United States sued the Samuel J. Lefrak Organization, one of the Nation's largest builders, charging racial discrimination in the rental of apartments in New York. Recently the Department of Justice and Samuel J. Lefrak reached an agreement whereby the Lefrak Organization promised to prohibit discrimination in apartment rentals and give the equivalent of a month's free rent to 50 black families to assist them to move into predominantly white buildings. This is a very important development and affects 20,000 units in the New York area.

Mr. Lefrak and the Lefrak Organization have built 300,000 apartments in this century. Recently, Mr. Lefrak urged President Nixon to call a conference of builders, construction union leaders, New York City officials, and mortgage officials to plan a strategy of large-scale slum renewal. I believe that this idea of a conference is a very good one. I have also been working along with others to try and bring the resources of the private sector into play for massive rehabilitation of housing in New York.

I ask unanimous consent that articles published in the New York Times, the Washington Post, and the Real Estate Builders Record and Guide discussing the Lefrak situation be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, Jan. 29, 1971]

Lefrak Settles U.S. Suit on Bias—Action Dropped After Pact on Renting Procedures

(By Richard Reeves)

The Department of Justice and Samuel J. Lefrak, one of the nation's largest builders, reached an agreement yesterday in which the Lefrak Organization promised to prohibit discrimination in apartment rentals.

It also promised to give the equivalent of a month's free rent to 50 black families to assist them in moving into predominantly white buildings.

In return, the Justice Department agreed to drop its suit against the builder. It had charged racial discrimination in the renting of apartments.

The Lefak affiliates agreed to the order and contract without admitting any violation of the 1968 law, which was the basis of the Federal charges.

The agreement between the Government and Lefrak associates—formalized in a consent decree signed by Judge B. Weinstein of the United States District Court in Brooklyn—concluded legal action that began last August. The Justice Department at that time charged discrimination in the renting of 21,000 Lefrak-controlled apartments in 150 buildings in Brooklyn and Queens.

The resolution of the case, described by the Justice Department as the largest housing case in its history, was based on two separate agreements, the consent order and the contract.

The consent order, covering 9,000 apartments in Brooklyn, required the builder and his renting agents to post weekly lists of vacancies and to rent units on a first-come, first-served basis to financially qualified applicants whose applications and $25 deposits must be processed through a time clock.

In addition, the tenants of seven Lefrak buildings in East Flatbush—almost all of whom are black—will have first call on the next 50 apartments that become vacant in 45 predominantly white Lefrak buildings in Brooklyn. Those 50 families would also receive a "moving" payment equivalent to their current monthly rentals, which range from $110 to $225.

The contract, covering 12,000 Lefrak units in Queens, was between the Government and the Apartment Leasing Corporation of America, a company controlled by Lefrak. It calls for a government-inspected "equal maintenance" program to insure that buildings with black tenants receive the same services as those with predominantly white populations.

All Lefrak offices and buildings in Queens and Brooklyn will also be required to display a sign saying: "Under the Federal Fair Housing Act of 1968, all apartments rented through this office shall be available without regard to race, color, religion or national origin."

Mr. Lefrak, in a joint news conference with Edward R. Neaher, United States Attorney for the Eastern District of New York, called the agreement "an historic document, a landmark."

"It will make open housing in our cities a reality," he continued, "It establishes guidelines for every apartment-house owner to comply with laws outlawing racial discrimination in housing."

However, the directors of the New York Urban League—whose Operation Open City had filed complaints against Lefrak—issued a statement calling the agreement "a great disappointment to the millions of blacks and Puerto Ricans who for years have been denied an equal chance at Lefrak's housing units all over the city."

"The offer to 50 black families," the league continued "is straight tokenism."

Only two of a dozen residents of the seven East Flatbush buildings interviewed at random yesterday said they would consider moving to other Lefrak buildings.

"I would like to find a decent place—this one's no good," said Leroy Patterson, who pays $114 a month at 1115 Willmohr Avenue. "The white people move out and then the rent jumps up. It's not so much moving into a white building, it's moving into a better building."

"I'm satisfied here," said Mrs. Lloyd Austion of 950 Rutland Road. "The building is kept clean. The superintendent is nice—it's peaceful."

[From The New York Times, Jan. 28, 1971]

Lefrak Signs Pact on Public Housing

(By Steven R. Weisman)

Samuel J. Lefrak, president of one of the country's largest building concerns, signed a contract yesterday to construct his organization's first low income public housing in the city.

The construction of 638 apartments in slum areas of Brooklyn and the Bronx is part of the City Housing Authority's "turnkey" program. in which private developers build the projects and then sell them to the city.

Simeon Golar, chairman of the authority, has stepped up the use of such projects in the last year as an economical, fast way of producing building projects within the cost limitations imposed by the Federal Government.

Of 14,000 public housing apartments Mr. Golar said could be built this year, about one-third are envisioned as "turnkey." The rest, Mr. Golar said, would be built by the authority itself. He called on the Federal Department of Housing and Urban Development to assist in the building of the 14,000 apartments which would constitute the largest number of units built in the city in one year in the authority's history.

S. William Green, regional administrator for the Federal housing agency, added at yesterday's news conference that there were Federal resources to back the 14,000 apartments, but declined to predict that the city would get the money.

Mr. Green said that contracts had already been signed for about 4,500 apartments in the city and that there were Federal commitments for another 6,630.

Yesterday's contract signing at the Housing Authority, 250 Broadway, completed an important first phase of negotiations that began early last year, when it was announced that the Lefrak Organization would build for the city.

Mr. Lefrak said that another 1,200 "turnkey" public housing apartments were now being processed in Washington for Federal approval, and that the Housing Authority was negotiating on the construction of 2,000 beyond this.

Mr. Lefrak's organization, which has built 200,000 apartments here in the last 66 years, was accused by the Federal Justice Department last year of practicing racial discrimination in 21,000 apartments in 150 buildings in Brooklyn and Queens.

A Federal suit enjoining the organization from such practices is still pending in United States District Court in Brooklyn, and Mr. Lefrak declined to comment on it yesterday. He has denounced the suit as politically motivated.

Mr. Green, the regional administrator for the Federal housing agency, said he had consulted the Justice Department on the Lefrak projects. He said that since the Lefrak Organization is turning the projects over to the city for tenant assignment, the charges were not applicable to this particular effort.

At the news conference, Mr. Lefrak vowed to build a total of 150,000 apartments in the nineteen-seventies; with as many as 50,000 low and middle-income apartments in the city during the next five years. However, he said that housing could not be built for poor people without government assistance.

Mr. Golar hailed Mr. Lefrak as a man "who builds good housing quickly."

The 638 apartments, which are expected to be completed within 18 months, include about 150 apartments to be extensively renovated. They are in the Mott Haven Section of the South Bronx and the Bedford-Stuyvesant section of Brooklyn. None of the buildings will be more than six stories in height.

[From the Washington Post, Jan. 23, 1971]

"Manhattan Project" Asked for Slums

A New York apartment builder wants the United States to launch a project to rebuild the slums that would equal the intensity of the World War II "Manhattan Project" which produced the atomic bomb.

Samuel J. Lefrak, president of the Lefrak Organization, which has built 300,000 apartment units in the past 65 years, urged President Nixon to call a conference of builders, construction union leaders, city officials, and mortgage lenders to plan a strategy of slum renewal.

"When we set out to harness atomic energy for military purposes, we called the effort Manhattan Project," Lefrak said recently. "Let's attack the housing crisis with the same energy. Let's call our new effort Manhattan Project Two. Let that name symbolize our dedication."

Lefrak urged Nixon to:

Appeal to building trades unions to remove any roadblocks to factory production of complete houses and of housing components.

Urge banks and insurance companies to make low-interest loans for slum rebuilding.

Call on city officials to create a standard national urban building code to permit nationwide use of standardized materials.

Suggest tax incentives for slum construction.

Lefrak did not mention existing urban renewal projects in his appeal for a new program. Some critics of urban renewal claim that the program often replaced slum housing with high-rent luxury units which left the poor with no home at all.

"Our slums are growing larger every day," Lefrak said. "If, as Chief Justice (Warren E.) Burger said, our prisons are breeding criminals, then the slums are breeding candidates for prisons. Talk of 'law and order' is impotent if no effort is made to eradicate the breeding grounds of criminality."

Lefrak also complained the nation has not solved its housing problems because rural and suburban senators and House members lack interest in urban legislation.

"The slum is a cancer," he said. "It not only affects city life. It affects our national life.

"Today, in New York City, families are living in abandoned buildings without heat, light and sanitary facilities. And this condition is growing."

[From the Real Estate Record and Builders Guide, vol. 207, No. 2 (5362) Jan. 9, 1971]

Presidential Conference Urged To Solve Urban Housing Crisis

The country's largest builder of apartment houses recently called for a Presidential conference "to invoke wartime emergency measures to demolish and rebuild the urban slums of America."

Samuel J. Lefrak, president of New York's Lefrak Organization, a real estate firm which has built more than 300,000 apartment units in its 65-year history made the statement in Washington last month.

The real estate leader was in the nation's capital to meet with Congressional leaders on what he termed "our housing deterioration crisis." While in Washington, Lefrak was honored with the Distinguished Service Award of the University of Maryland "M" Club at a dinner at the Statler-Hilton Hotel.

Mr. Lefrak asked the President to call a "summit meeting" of construction union leaders, city officials, and top executives of banks and insurance companies.

"We must wage war against the slums. These men have to be shown by the President that it is necessary to put aside parochial considerations and live up to their social commitment to America. Our slums are growing larger every day. If, as Chief Justice Burger said, our prisons are breeding criminals, then the slums are breeding the candidates for prisons. Narcotics addiction and criminal violence are slum products. Talk of 'law and order' is impotent if no effort is made to eradicate the breeding grounds of criminality," Mr. Lefrak said.

He stressed that the rate of deterioration and abandonment of slum property is escalating in every American city.

"I hope the President would make these suggestions at the conference:

"Ask the construction unions to allow building via modular manufactured systems so that the time of construction could be cut to the bone.

"Have the banks and insurance companies make available low interest loans for slum clearance and construction. And, urge the insurance companies to insure slum construction.

"Ask city officials to create a standard national urban building code and urge major tax incentives for slum construction. Certainly, if our slums continue to proliferate the entire urban tax base is in jeopardy.

"Activate, on the Federal level, the Title 608 program which did so much to end our housing shortage after World War Two."

"Housing must be taken out of politics. This has to be a bi-partisan effort. And, our Congressional and Senatorial leaders who represent rural and suburban areas can't be aloof from the effort. The slum is a cancer. It not only affects city life. It affects our national life," he said.

Mr. Lefrak said that the country "has been dawdling" in solving the housing crisis.

"After World War Two we attacked the housing shortage with the unity born of our wartime effort. Returning veterans lived in Quonset huts. Temporary housing was erected with lightning speed. Today, in New York City, families are living in abandoned buildings without heat, light and sanitary facilities. And, this condition is growing. We must recover that wartime urgency if we are going to solve our urban housing crisis," he said.

"When we set out to harness atomic energy for military purposes we called the effort Manhattan Project. Let's attack the housing crisis with the same energy. Let's call our new effort Manhattan Project Two. Let that name symbolize our dedication," he said.

FIFTIETH ANNIVERSARY, DISABLED AMERICAN VETERANS

Mr. TUNNEY. Mr. President, each year over 1 million men and women leave the military service. Thousands of these brave Americans will return home, wounded, from the battlefields of Southeast Asia. Many will recover to lead normal and vigorous lives. Tragically, thousands will return wearing the permanent scars of war.

Yet, when the day comes that no more young men are maimed or wounded in the jungles of Indochina, most Americans will forget the terrors of war and the struggles of those who fought it.

Fortunately, for all men who have gone to battle for our Nation since 1917, there is an organization which remembers their valor, courage, and patriotism—the Disabled American Veterans.

Founded to aid the wounded of the First World War, the DAV has worked to secure the care and dignity of our servicemen, regardless of their military branch, regardless of their rank, regardless of the war in which they fought.

Their objectives of 50 years ago remain the same today:

> To advance the interests and work for the betterment of all wounded, injured, and disabled veterans, their widows and dependents.

During their half of century of service the Disabled American Veterans have reviewed over 4 million cases, recovering almost $1½ billion in compensations.

While Congress pauses to salute the anniversary of the Disabled American Veterans, I feel this is an appropriate occasion to focus our thoughts on the over 1,500 Americans held captive by the North Vietnamese. The inhuman attitude of the leaders in Hanoi concerning the care and treatment of prisoners violates personal morality and legal codes.

This Congress must strive to find the means to remove the United States from the quagmire in Southeast Asia, while at the same time discovering the path to freedom for our soldiers imprisoned in North Vietnam. I know all Americans thank the Disabled American Veterans for their efforts to channel public pressure to Hanoi for the humane treatment and early release of captive Americans. No thoughtful citizen can rest comfortably while our young soldiers rot in prisoner of war camps. And while this Congress pauses to salute those who have championed the cause of our disabled veterans, we must watch our own actions with care.

Congress has stated that it is the duty of the Federal Government to provide health care for those who have taken up arms for this Nation. Yet, we are asked to close the eight remaining Public Health Service hospitals and 30 clinics and send their patients to Veterans' Administration hospitals.

This action would jeopardize the health care of all concerned. It is most discouraging to me that we would contemplate closing the Public Health Service hospitals in a city such as San Francisco and expect the VA hospital to assume the responsibility for the care of these patients while it is already acutely short of beds for California veterans. Such an action would be hypocritical, and I am sure Congress will prevent it from occurring.

The Disabled American Veterans are to be commended on their golden anniversary, not only by Congress, but by concerned people everywhere. Their unselfish efforts on behalf of those who have defended freedom are appreciated by all who care about upholding personal dignity.

LITHUANIAN INDEPENDENCE

Mr. PELL. Mr. President, this year marks the 53d anniversary of the Declaration of Independence of Lithuania as a sovereign state.

We in the United States take note of that anniversary with mixed emotions. It is an occasion for tribute to the persistence and spirit of the Lithuanian people, a spirit that made it possible for them to assert their independence after the First World War.

But it is an anniversary that must also be observed with sadness, for Lithuania is not today a free state, having been forcibly incorporated into the Soviet Union after World War II. That incorporation, because it violated our national devotion to principles of freedom and self-determination, has never been formally recognized by the U.S. Government.

It is a great tribute to the Lithuanian people, including those living in the United States, that their spirit remains undimmed, and that they continue to preserve their proud national and cultural heritage. I admire greatly that spirit and congratulate the Lithuanian people for their courage and persistence.

DISABLED AMERICAN VETERANS

Mr. HRUSKA. Mr. President, it is regrettable that official business yesterday prevented me from joining Senators in their notable and well-deserved tribute to the Disabled American Veterans on the occasion of that organization's golden anniversary.

I can think of no American who deserves the blessings and gratitude of his country more than one who has served it unselfishly and nobly in its hour of need, and who has suffered personal affliction in the process.

We not only owe a deep and lasting debt of gratitude to these veterans; we owe a similar debt to the DAV for the many vital services it has provided for these veterans for so many years.

The DAV has helped countless disabled servicemen reorient themselves to civilian life and, more important, to find a useful purpose in life.

Through its national service program, it has assured such veterans of all the benefits to which they are legally entitled. It has processed more than 4 million claims since it was founded. It has consistently sought to improve the quality of medical care at VA hospitals. Now it has added on-the-job training and academic education to the programs with which it serves disabled veterans. These are only a few of its laudable activities.

Not the least of the organization's current activities is its vital leadership to the campaign for humane treatment and eventual freedom for our prisoners of war in North Vietnam.

To the officers and 300,000 members of the DAV, I wish to join my colleagues in heartfelt gratitude for the five decades of invaluable service the organization has provided to the Nation and its war heroes.

Let us pray that our continuing search for peace will be successful. In the meantime, let us be very thankful for such organizations as the DAV.

FIFTIETH ANNIVERSARY OF THE DISABLED AMERICAN VETERANS

Mr. KENNEDY. Mr. President, I am pleased to join Senators in observing the golden anniversary of the Disabled American Veterans. For 50 years this organization has been dedicated to serving the very special needs of our disabled servicemen.

The DAV was founded after America's first experience in modern and devastating warfare, World War I—a conflict that left disabled servicemen in numbers unknown in the history of war.

The situation today is even more critical.

We find ourselves creating a whole population of disabled Americans in the hills and jungles of Southeast Asia, at a rate hardly conceivable to those who founded the DAV just 50 years ago.

My experience 3 years ago as chairman of the Veterans' Affairs Subcommittee has left me aware of our great obligation to our disabled veterans. I know the impact of the DAV in fulfilling this obligation, both as a service organization and as an articulate spokesman in the councils of government.

My purpose is not to recount the many achievements of the DAV in this Chamber again; they are apparent and are a testament to the unique commitment of this organization.

Rather, we must now look ahead to the need for a greater commitment from us all to provide our disabled servicemen with the opportunity to make their own meaningful contribution to our society.

This is our obligation at this commemoration today, both to the men and women themselves and to society as a whole.

PRISONERS OF WAR

Mr. HUMPHREY. Mr. President, I invite the attention of the Senate to the fact that there is now a meeting of Red Cross societies from all over the world taking place in The Hague to consider additional protocols to the 1949 Geneva Convention, which defines the rights and status of prisoners of war. The North Vietnamese Government, while a signatory to that Convention, has refused to accord the status of prisoners of war to our soldiers who have been captured. I propose that the Government of North Vietnam adhere to its treaty obligations in recognizing these American soldiers as prisoners of war.

I, therefore, firmly support The Hague meetings, as well as the second assembly of government experts, scheduled for May 24–June 12 in Geneva.

It is my hope that these meetings will result in substantial revisions of the Geneva Convention in order to resolve some of the more serious questions relating to treatment of prisoners of protracted conflict. Otherwise, a new convention could hopefully be drawn up to limit the time prisoners can ge held before being repatriated, and to define within certain limits the treatment which must be maintained during the prisoner's captivity.

APPOINTMENT OF GIRL PAGES

Mr. JAVITS. Mr. President, I ask unainmous consent to have printed in the RECORD my statement before the Committee on Rules and Administration today, March 4, 1971, relative to the appointment of girl pages in the Senate.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

APPOINTMENT OF GIRL PAGES—STATEMENT BY SENATOR JAVITS BEFORE THE SENATE COMMITTEE ON RULES AND ADMINISTRATION THURSDAY, MARCH 4, 1971

Mr. Chairman, I urge the appointment of girl pages not only because I believe in the principles of equal opportunity and non-discrimination due to sex, but also because for the Senate—and for me in particular—to take any other position would be to put the Congress "above the law" and immune to those principles of fairness which apply to the rest of the nation.

It is *not* a question of strength, for obviously not every 14-year-old boy who has served as a Senate page can be stronger than the 16-year-old girl I have appointed.

It is *not* a question of parental supervision, because in point of fact the girl I have appointed will be under the supervision of her parents—although boys who presently serve in these positions lack that.

It is *not* a question of hours, for there are teen-age girls already working on Senator's staffs, including my own, and often working late into the evening on Senate business.

And it is *not* even a question of admitting girls to the inner sanctum of the Senate chamber or the cloakrooms, for women staff members have long been permitted access to all these places on exactly the same basis as men.

What is the question, then? It is simply a question of fundamental human fairness, a question of whether half the population shall be deprived of an opportunity without a substantial reason and on a basis which would be a federal offense if committed by anyone else.

Seven years ago we passed the Civil Rights Act, and the President signed it, outlawing discrimination on the account of sex in private employment. The Executive Branch has outlawed it in federal employment. Only in this aspect of the legislative branch of Government does the principle not apply, and it is high time we practiced what we preach.

With that in mind, it was just over a year ago that I first raised the question with the leadership of the Senate by writing to the Sergeant at Arms on February 4, 1970 (and to the Minority Leader and other officials of the Republican leadership), asking for the review of the current policy and an exploitation of the basis for excluding girl pages.

Mr. Dunphy replied to me by letter dated February 10, 1970, raising a number of practical questions, but conceding that "I know of no statutory prohibition barring girls from serving as pages."

I then asked Mark Trice, Secretary of the Minority, to make a complete review of the question, and he prepared a Memorandum for me on April 20, 1970, in which he also raised all the practical questions, as well as the legal ones, but conceded that there is nothing in the law which would restrict the appointment of girl pages. He also noted that:

> In the Senate Manual, Page 39, you will find that the Committee on Rules and Administration has jurisdiction, among other things, of Matters relating to parliamentary rules; floor and gallery rules; Senate Restaurant; administration of the Senate Office Buildings and of the Senate wing of the Capitol; assignment of office space; and *services to the Senate.*

From this language it would appear that the Committee on Rules and Administration, in the absence of Senate action, would have the authority to interpret all aspects of the term "Pages."

To bring the issue to a head, last spring, when my previous page resigned, I informed the Republican leadership that I intended to fill that vacancy with a girl, and in the meantime would make no appointment to fill that vacancy. The vacancy still exists today. I raised the issue last summer in the Republican Conference, and it was discussed in detail, but no final decision was reached. Then, on November 23, 1970, I decided to meet the issue directly by submitting a request for a ruling to the Rules Committee, by letter to the Chairman of this Committee. Since I think this letter puts the case forward about as well as I can state it, I shall read it in full:

TEXT OF LETTER TO CHAIRMAN JORDAN

Dear Mr. Chairman: As I am informed that the Rules Committee plans to take up the question of appointing a girl page at the meeting this Wednesday, November 25, and as I have already let it be known that it is my intention to appoint such a page, I thought it would be useful for you to have a statement from me as to my position on this question, for the information of the members of the Committee.

A. The rules

Neither the Reorganization Act nor the Rules discriminate on account of sex.

As best I can, I have investigated whether any law or rule of the Senate would prohibit the appointment of a girl page. I find none, although no girl has, as far as I can tell, ever been appointed to such a position (the requirements for appointment to the position simply relate to age, schooling, dress, etc.) The specific requirements appear to be set forth in a form letter from the Sergeant at Arms . . .

I find that the question seems to have been previously presented to you for opinion, and that, by letter dated March 2, 1970, to another Senator, you indicated that, although it has been "the continuous policy of the Senate" to employ young boys, you found "no statutory prohibition barring girls from serving as pages . . ."

B. Official U.S. Government policy against sex discrimination

As you no doubt are aware, the Congress, by enacting Title VII of the Civil Rights Act and related legislation, has now made it national policy not to discriminate in employment against women. While the Act does not apply to Government employees, it would certainly be embarrassing and unjustified for the Senate to violate the very principle we have required of the public generally.

The Act, I am well aware, provides an exception for a "bona fide occupational qualification reasonably necessary to the normal operation of the particular . . . enterprise." (Sec. 703, Civil Rights Act of 1964). The Senate has, I understand, taken the position in the past that the work of the page—including long hours and carrying bulky papers—as well as the "physical facilities" of the cloakroom and Senate Chamber all do not lend themselves to adjustment to female pages.

I am concerned, however, whether such factors would be deemed bona fide occupational qualifications in a private employment subject to the Act. Indeed, even in the Senate there are many women, particularly secretaries and mail room employees, who work even longer hours than the pages, and whose work is equally strenuous. And I seriously doubt that the facts substantiate a claim that every boy who has served as a Senate page is physically stronger than every girl who has applied and been rejected.

The internal policy of the Executive Branch of the Government moreover, is completely in accord with the Civil Rights Act. Section 1 of Executive Order 11478, dated 8/8/69 by President Richard Nixon, relating to Equal Employment Opportunity in the Federal Government, reads as follows:

"Section 1. It is the policy of the Government of the United States to provide equal opportunity in Federal employment for all persons, to prohibit discrimination in employment because of race, color, religion, sex, or national origin, and to promote the full realization of equal employment opportunity through a continuing affirmative program in each executive department and agency. This policy of equal opportunity applies to and must be an integral part of every aspect of personnel policy and practice in the employment, development, advancement, and treatment of civilian employees of the Federal Government."

While the order applies to "civilian employees of the Federal Government" and says nothing concerning employees of the Legislative or Judicial branches, it would certainly ill behoove the Senate to practice a policy which we have outlawed for the public at large and which the President has outlawed for employees serving under him.

Finally, a word about the safety problems of working on Capitol Hill. I am well aware that there have been incidents of robbery and worse involving employees of the Congress. I am also aware that these incidents have affected both male and female employees. If Capitol Hill is not as safe a place to work as we would wish it to be, it is no safer for a teenage boy than a teenage girl, and in my judgment, the solution to the problem must be in better safeguards, not perpetuation of discrimination.

Nevertheless, it is my intention, if permitted by the Senate, to appoint a girl page who has relatives or family friends living in the area, who can act *in loco parentis* and be fully responsible for her. It is also my intention to appoint a girl at the upper end of the statutory age bracket, so that no question of physical stamina or ability to do the work should arise.

I hope very much that you will give this matter your most earnest consideration, and that the Rules Committee will sustain that aspect of the view which you expressed in your own letter earlier—that there is no prohibition on the appointment of a girl Senate page.

With best wishes.

Sincerely,

JACOB K. JAVITS.

Mr. Chairman, I think you will note from my letter that, although I am not conceding that there ought to be any discrimination between girls and boys in this matter, I am prepared, in order to ease the transition, to make some special accommodations and set some special criteria for my first girl-page appointment: I pick a girl in the upper end of the permissible age spectrum, to avoid any question about physical ability to perform the work; and I pick a girl whose parents live nearby, to make sure there will be proper supervision.

On December 11, 1970, I announced my first appointment—a New York girl, Paulette Desell—who lives with her family in the Washington area.

After that announcement, I submitted Paulette's name to the Republican Conference, and was informed by Mr. Trice that the Republican Conference will certify her to the Sergeant at Arms—the appointive authority. In Mr. Trice's letter of December 11, 1970, he wrote:

"If and when Miss Desell presents herself to this office, the necessary forms will be executed and she will be certified to the Sergeant at Arms of the Senate, who is the appointive power."

I then informed the Sergeant at Arms of what was impending, but he replied, by letter dated December 30, 1970, that he would not accept such an appointment without prior approval of this Committee. In this letter, he wrote:

"As you are aware, the matter of authorizing girl pages is now pending in the Senate Committee on Rules and Administration. Chairman B. Everett Jordan has informed me that this subject is on the Committee's agenda for its next meeting.

"I presume your nomination of Miss Desell will be held in abeyance awaiting the Committee's action. I know that you appreciate my position in that this office is subject to the direction and control of the Rules Committee and I am unable to change the longstanding policies and precedents of the Senate without specific direction from the Committee."

And so it is up to you, Mr. Chairman, and the Committee, to resolve this question—and I hope very much that you will resolve it affirmatively and quickly, for it involves an issue fundamental to our law and our sense of fairness as a people.

IRA KAPENSTEIN IN MEMORIAM

Mr. PROXMIRE. Mr. President, Ira Kapenstein, a talented young leader of men, has died at 35. His fine service as Deputy Chairman of the Democratic National Committee and in the Post Office Department has been brought to the attention of the Senate. I would like to call attention to Mr. Kapenstein as a newspaperman and as a human being.

Mr. Kapenstein joined the Milwaukee Journal at the age of 20 in 1956 after being graduated from the University of Iowa. Within a short time his ability was recognized and he was assigned to cover politics. It was that assignment that displayed his keen mind and writing skills. He was always a thorough and fair reporter.

It was during that period when he discovered he was striken by cancer. His struggle was to continue more than 10 years. But he stood strong as a man to an adversity that might have licked other men. He was uncomplaining. He faced squarely a stern reality. He carried on. Indeed, he succeeded in three other careers despite his affliction.

All the time, he was considerate of his fellow men; truly concerned, for example, when a friend had a cold; going out of his way to be kind.

Ira Kapenstein was a real man and a compassionate human being. He will be missed.

My sympathy goes to his family and to his many friends.

THE DISABLED AMERICAN VETERANS—A HALF CENTURY OF DISTINGUISHED SERVICE

Mr. WILLIAMS. Mr. President, I wish to join Senators in honoring one of our Nation's most distinguished service organizations as it celebrates its 50th year of assistance to the wounded and disabled American combat veterans.

From the date of its founding in 1920, the DAV has assisted veterans, their dependents, widows, and orphans in obtaining benefits to which they have been entitled. In many cases, the good offices or power of attorney exercised on behalf of a disabled veteran by a DAV chapter have resulted in obtaining assistance for deserving individuals who were either uninformed of their rights or uncertain of how to apply for them.

Even more commendable at this time of overseas conflict, are the many programs of assistance to the disabled Indochina veterans now in military hospitals. In a war where vastly improved medical and rescue facilities have reduced the death rate, but thereby contributed to a higher proportion of injured and disabled survivors, the vocational rehabilitation and educational services of the DAV take on a renewed importance.

I congratulate the DAV on its constantly active program, and applaud its programs of assistance. Although it is an organization for which we wish there was no need, the fact of the matter is that there is a tremendous need for the DAV today, perhaps one of the greatest in its distinguished history. We must remember that the disabled veteran, who is responsible for neither the escalation nor the continuation of the present conflict, has nonetheless been required to undergo the greatest suffering, and endure the most lasting hardships. We have a responsibility to such men, and the most important of all of the DAV's functions, is to not allow us to forget this sacred trust.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. GAMBRELL). Is there further morning business? If not, morning business is concluded.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

Mr. BYRD of West Virginia. Mr. President, I ask that the Senate proceed to the further consideration of the pending business.

The PRESIDING OFFICER. The Senate will proceed to the consideration of the pending business, which the clerk will state.

The assistant legislative clerk read as follows:

The motion to postpone for one legislative day the motion to proceed to the consideration of S. Res. 9, amending rule XXII of the Standing Rules of the Senate with respect to limitation of debate.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS TO 11:45 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 11:45 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR FULBRIGHT TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that immediately following the recognition of the two leaders, under the standing order, on tomorrow, the able Senator from Arkansas (Mr. FULBRIGHT) be recognized for not to exceed 15 minutes just prior to the transaction of routine morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

The Senate continued with the consideration of the motion to proceed to the consideration of the resolution (S. Res. 9) amending rule XXII of the Standing Rules of the Senate with respect to the limitation of debate.

Mr. THURMOND. Mr. President, filibuster, in its lexicographic sense as a noun, designates an armed adventurer, on land or sea, who wages unauthorized and irregular warfare. Historically, the Senate of the United States operates under a form of filibuster in the sense that unless a two-thirds vote is present to envoke cloture, the minority continues to be heard in accordance with the principles of free speech.

This is no "guerrilla warfare" of the Senate—it is a form of deliberation, debate, and discussion representing a very important aspect of our constitutionally ordained system of government. The U.S. Senate is not a homogeneous body. We would not wish it to be so. The body of American citizens are points of diversity, and the Senate should reflect that diversity.

Mr. President, filibustering itself goes back to the time of the Roman senate. The filibuster was employed in the English Parliament by Charles Stewart Parnell. Under the Constitution of the United States, we found the filibuster in the very first Congress. Senator John Randolph of Roanoke occupied the floor day after day with dreary monolog, but the filibuster is not without its masters of ingenuity.

Huey P. Long of Louisiana had a political career spanning less than 20 years and a lifetime of only 42, yet this man had been well noted for his feat of continuous and almost uninterrupted talking.

He was born in 1893 in Winnfield, La. He never was graduated from high school and was never granted a college diploma. Yet, in 1 year, Huey Long emerged a certified lawyer from Tulane University at the age of 21. In 1918, he was elected railroad commissioner for the northern district of Louisiana and began his political career. This lowly beginning led him to the gubernatorial race in 1924 and a seat in the U.S. Senate in 1930. During his drive for the Presidency in September of 1935, he was gunned down by an assassin in Baton Rouge.

Mr. President, filibuster has had its lighter moments in history, and Senator Long added his charm and humor in their enactment. He highlighted presentations with biographical sketches of Frederick the Great, quotations from Victor Hugo, and details on how to fry oysters. His various menus and comments on cooking could have resulted in a book. Once the Senator remarked:

> Years from today there will be great jealousy over the fact that Senators will be claiming that they were among those who heard my memorable speech.

The practice of limiting debate known as the "previous question" was introduced in 1604 by Sir Henry Vane. "Previous question" was also cited in the Journals of the Continental Congress.

Mr. President, the first Senate in 1789 adopted 19 rules. Those relating to debate and the use of time in the Senate were:

> 2. No member shall speak to another, or otherwise interrupt the business of the Senate, or read any printed paper while the Journals or public papers are reading, or when any Member is speaking in any debate.
>
> 3. Every Member, when he speaks, shall address the Chair, standing in his place, and when he has finished shall sit down.
>
> 4. No Member shall speak more than twice in any one debate on the same day, without leave of the Senate.
>
> 6. No motion shall be debated until the same shall be seconded.
>
> 8. When a question is before the Senate, no motion shall be received unless for an amendment, for the previous question, or for postponing the main question, or to commit, or to adjourn.
>
> 9. The previous question being moved and seconded, the question from the Chair shall be: "Shall the main question be now put?" And if the nays prevail, the main question shall not then be put.
>
> 11. When the yeas and nays shall be called for by one-fifth of the members present, each Member called upon shall, unless for special reasons be excused by the Senate, declare, openly and without debate, his assent or dissent to the question.

Mr. President, in 1806, when the rules were modified, reference to the previous question was omitted. It was used only three times between 1789 and that modification, a period of 17 years. Until 1846, there were no further limitations on debate in the Senate.

On July 12, 1941, Henry Clay introduced a proposal of the "previous question." This proposal met with such opposition that it was abandoned as was Clay's proposed adoption of the "hour rule."

Mr. President, on July 27, 1850, Senator Douglas submitted a bill permitting the use of "previous question," as had Senator Clay. This again drew substantial opposition and the resolution was laid on the table. Not until 1862 was a proposal limiting debate adopted by the Senate, and this was at the time of the Civil War. The introduction by Senator Wade was directly related to the war.

In 1870, the U.S. Senate, on appeal, sustained a decision of the Chair that a Senator had the right to read whatever matter he wished under consideration during the course of the debate. Since 1872, a precedent has been set that a Senator cannot be taken from the floor for irrelevancy in debate.

Mr. President, in protest of the Anthony rule first adopted on December 7, 1870, Senator Edmunds said:

> I would rather that not a single bill shall pass between now and the 4th day of March than to introduce into this body (which is the only one where there is free debate and the only one which can under its rules discuss freely measures of importance or otherwise) a provision which does in effect operate to carry a bill either to defeat or success with only a five or fifteen minutes debate and one or two Senators on a side speaking. I think it is of greatest importance to the public interest, in the long run and in the short run, that every bill on your Calendar should fail than that any Senator should be cut off from the right of expressing his opinion and the grounds of it upon every measure that is to be voted upon here. . . .

For close to 200 years here in the United States of America, and for a time longer than that of which we have account, man has sought his right to self-expression. That sentiment remains with us today and will continue as long as man remains man.

What at first glance might seem to some to be a matter of little importance, must be studied and reflected upon. Extended debate in the Senate focuses national attention on matters of importance. Curtailment of this debate would threaten the survival of our great and free Government.

Mr. President, the Committee on Rules and Administration condenses for us the 1969–70 proposal to alter rule XXII as follows: At the beginning of the 91st Congress yet another strategy was devised by those who favored alteration of rule XXII, but felt themselves blocked by that very cloture rule from effecting a change. Proponents of change marshalled their support behind a single resolution, Senate Resolution 11, introduced by Senators Church and Pearson and cosponsored by 35 other Senators. It provided for invoking of cloture by three-fifths, rather than two-thirds, of those present and voting.

Their strategy required a favorable ruling by the Vice President, still Mr. Humphrey, that a simple majority could invoke cloture on any motion to take up, or on the resolution itself, when a change in the rules was being attempted at the start of a new Congress. On January 14, 1969, 5 days after debate had begun on Senate Resolution 11, Mr. Church and 24 other Senators filed a cloture motion to limit debate on the motion to consider the resolution. This cloture motion was filed under the procedures set forth in rule XXII.

Mr. Church then inquired of the Chair whether, if a majority of the Senators present and voting, but less than the two-thirds required by rule XXII, voted in favor of cloture, the cloture motion would have been agreed to. Mr. Church justified his request for a favorable ruling with the argument that it was unconstitutional to require a two-thirds vote to invoke cloture on such questions in that it restricted the right of a majority of the Senate to determine its rules at the opening of a new Congress. This was a right, by Mr. Church's reasoning, implied in the Constitution.

Mr. President, the Vice President agreed with Mr. Church, saying:

> On a par with the right of the Senate to determine its rules, though perhaps not set forth so specifically in the Constitution, is the right of the Senate, a simple majority of the Senate, to decide constitutional questions.
>
> If a majority—this is the view of the Chair—but less than two-thirds, of those present and voting, vote in favor of this cloture motion, the question whether the motion has been agreed to is a constitutional question. The constitutional question is the validity of the Rule XXII requirement for an affirmative vote by two-thirds of the Senate before a majority of the Senate may exercise its right to consider a proposed change in the rules. If the Chair were to announce that the motion for cloture had not been agreed to because the affirmative vote had fallen short of the two-thirds required, the Chair would not only be violating one established principle by deciding the constitutional question himself, it would be violating the other established principle by inhibiting, if not effectively preventing, the Senate from exercising its right to decide the constitutional question.
>
> The Chair informs the Senate that in order to give substance to the right of the Senate to determine or change its rules to determine whether the two-thirds requirement of Rule XXII is an unconstitutional inhibition on that right at the opening of a new Congress, if a majority of the Senators present and voting but fewer than two-thirds vote in favor of the pending motion for cloture, the Chair will announce that a majority have agreed to limit debate on S. Res. 11, to amend Rule XXII, at the opening of a new Congress, debate will proceed under the cloture provisions of that rule.

This landmark ruling, subject, as the Chair said, to appeal without debate, caused considerable agony for those who opposed it and the altering of rule XXII. Senator Holland averred that it would "deprive the Senate of any change to discuss the constitutional aspects of this very serious matter."

On January 16, the Senate voted 51 to 47 to invoke cloture and the Vice President, in line with his earlier statement, ruled that cloture had been invoked. This decision was appealed and reversed on a 45-to-53 rollcall vote. Subsequently, on January 28, a second attempt to invoke cloture, this time within the two-thirds structure of rule XXII, was attempted and failed, 50 to 42; thus ended another ploy for changing rule XXII.

Once again we have the problem of cloture before us, rule XXII has been debated again and again. It should be noted that again and again, the Senate has responded by voting an indication of support to the two-thirds ruling and a desire to allow the Senate its constitutional differences from the U.S. House of Representatives and its unique changelessness over the time encompassed by our 92 Congresses. House rules may be changed at the beginning of every Congress; the Senate continues its operation subject to the previous rules.

Two-thirds is noted to be the prevailing fraction in our U.S. Constitution. It requires a two-thirds vote of the Senate to ratify treaties, a two-thirds vote of both Houses overrides a veto, a two-thirds vote of both Houses is required to pass constitutional amendments, two-thirds of the Senate is needed to convict on impeachment, and two-thirds vote of each House is required to expel a Member.

Mr. President, the U.S. Senate has been praised by scholars and legislators alike for its deliberation and careful consideration. Hon. Robert Luce stated:

> Many of the wise men who have served in the Senate have come to believe that it is important that there should be one place in the legislative journey where the opportunity for discussion is unfettered. They have found that this has not in the end prevented any decisions persistently wanted by the people, but on the other hand has stood in the way of much action that the country has come to conclude would have been unwise.

Prof. Lewis Froman, Jr., is quoted:

> The ability of any Senator to speak for as long as he chooses is one of the most sacred of the institutions of the Senate and distinguishes it quite sharply from the House of Representatives, or, indeed, any other legislative body in the world.

U.S. Senator and former Vice President HUBERT HUMPHREY said of the Senate:

> If I were to teach again a course in government, I would say if you really want to know the kind of manners and rules of conduct that you ought to have to assure the meaning of the First Amendment, particularly, as it comes to free speech, and the rights of redress for your grievances, the freedom of the press, the freedom to assemble . . . the Senate of the United States represents that in its fullest measure. And in that alone, it's worthwhile. If nothing else, that would make it a very worthwhile American institution.

Walter Lippmann has said:

> The filibuster under the present rules of the Senate conforms with the essential spirit of the American Constitution, and it is one of the very strongest practical guarantees we have for preserving the rights which are in the Constitution.

In his speech upon leaving office, Vice President of the United States Adlai Stevenson said:

> Of those who clamor against the Senate, and its methods of procedure, it may truly be said: "They know not what they do." In this chamber alone are preserved, without restraint, two essentials of wise legislation and of good government—the right of amendment and of debate. Great evils often result from hasty legislation; rarely from the delay which follows full discussion and deliberation. In my humble judgement, the historic Senate—preserving the unrestricted right of amendment and of debate, maintaining intact the time-honored parliamentary methods and amenities which unfailingly secure action after deliberation—possesses in our scheme of government a value which cannot be measured by words.

Mr. President, Prof. Raymond Wolfinger has said:

> Unlimited debate is a rarity among national legislatures, and the glory of the United States Senate.

Prof. Lindsay Rodgers assessed the situation thus:

> As the much vaunted separation of powers now exists, unrestricted debate in the Senate is the only check upon presidential and party autocracy. The devices that the framers of the Constitution so meticulously set up would be ineffective without the safeguard of senatorial minority action . . . Abolish cloture and the Senate will gradually sink to the level of the House of Representatives where there is less deliberation and debate than in any other legislative assembly.

In his doctoral thesis, former President Woodrow Wilson said:

> The Senate's opportunity for open and unrestricted discussion and its simple, comparatively unencumbered forms of procedure, unquestionably enable it to fulfill with very considerable success its high functions as a chamber of revisions.

Mr. President, some would have us remove the glory of unrestricted debate from the Senate.

I might say, when I speak of unrestricted debate, that I mean one can speak of cloture being applied which requires two-thirds of the Members of this body present and voting. It is not unlimited debate. Two-thirds of this body can stop debate at any time. Others are proud of the unique role this debate provision has made possible. The U.S. Government has operated under a well designed constitution for almost 200 years at present, and has drawn the attention and the study of free nations all over the world. In America, citizens are able to find a voice in their government. Changes necessitate reaction, but we, like our forefathers, must be suspicious if immediate reaction is based on emotion and the facts are not adequately considered.

In the United States, there are places allowing quick reaction. The press amplifies public reaction "on the spot." Citizens contact their representatives. Concerned individuals form into groups to further their cause. The U.S. House of Representatives operates with few encumbrances in format. The President is acutely aware of how the public feels. Scholars, professors, and educators study the matter. With all these avenues of reaction noted, it becomes obvious that our Government has maintained itself so well and prospered due to these factors and factors other than these paths of immediacy. It has relied on the steady hand of the U.S. Senate. It has looked to the Senate for guidance that is based on its principle of unlimited debate—principles which allow all sides of the issue to be heard and all points brought forth and deliberated. It is this aspect of of our Senate that makes the Senate a body to be looked upon with respect. We would be removing this respect from the Senate if we were to remove ourselves from the foresight of the authors of our Constitution in respect to rule XXII.

Mr. President, William S. White, author of "The Taft Story," has furnished some "images" of the U.S. Senate in his story of the Senate, "Citadel."

> It is a body like no other. The Institution lives in an unending yesterday where the past is never gone, the present never quite decisive and the future rarely quite visible. It has its good moments and its bad moments, but to the United States it symbolizes, if nothing else at all, the integrity of continuity and wholeness.
>
> This Institution protects and expresses what is at the heart of democracy—distinction of the individual, integrity of the little state; and treasures the infinite variety present in our national life.
>
> The Senate, therefore, may be seen as a uniquely constitutional place in that it is here, and here alone, outside the courts—to which access is not always easy—that the minority will again and again be defended against the majority's most passionate will.

Deliberately, the framers of our Constitution put Rhode Island on equal footing with New York. Deliberately, debate was considered as a vehicle by which all ideas would be expressed. Deliberately, even the wrong can be expressed again and again.

> He who silences the cruel and irresponsible man today must first call that the brave and lonely man may be silenced tomorrow.
>
> And those who mock the institution, and demand of it more efficiency, might remember that there is altogether a good deal of both at present in American life—today's pleading minority could become tomorrow's arrogant majority. They might recall, too, that the technique of communication, and with them the drenching power of propaganda, have vastly risen in our time when the gaunt aerials thrust upward all across the land. They might recall that the public is not always right all at once and that it is perhaps not too bad to have one place in which matters can be examined at leisure, even if a leisure uncomfortably prolonged.
>
> They might be interested, for example, in the estimate of responsible politicians that at one time in our history—specifically in the 1920's—the Klu Klux Klan held political control, overt or in shadow, in as many as twenty-six American States. The point arises that this conceivably could have meant fifty-two pro-Klan Senators out of a total of ninety-six. The question follows thus "Would it really be wise to alter the Senate rules so that a simple majority could halt a filibuster by voting cloture, instead of a two-thirds majority of all Senators, or sixty-four, as at present:
>
> The body pre-eminently is an amalgam of the States, a national institution only in the sense that it is not possible to avoid having the parts sum up to the whole, and thus to a considerable degree it is an amalgam of the sections.

Literally, the word Senate means an assembly of elders. The term originated in ancient Rome where the Senate was the supreme council of state made up of a hundred nobles.

> It is in this light, the light of an organism having beginnings but never an end and holding a kind of limitless writ over the American life, that the Senate has one of its unique qualities.
>
> And since, unlike the House, the Senate

> is a continuing body, never ending and never wholly overturning from one Congress to the next, the Senate rules go on immutable from one Congress to another. It is not necessary to renew or continue them; they stand as unshakable in fact, almost, as the Constitution itself.
>
> The Senate set out with no real limitation on how long a man might speak other than the limitation that his own conscience or sense of fitness might suggest.

Mr. President, in this biennial question of rule XXII one of the central issues of the debate is the question of whether the Senate was established as a continuing body, or did the Founding Fathers have in mind that the rules of the Senate should be continuing.

On this question, David Kammerman in his study prepared for the Senate Republican policy committee states on page 4 under the heading of constitutional provisions:

> Article I, Section 3, (of the Constitution), provides for rotation of 1/3 of the Senate every two years. This provision has been compared with the requirement in the Constitution for biennial election of all House members: Unlike the case of the House of Representatives, the plan of rotation every two years has resulted, ever since the Senate organized for the first time in 1789, in there always being more than a majority of sitting Senators. The Senate has always thus been able to do business; since it always has had a quorum as required by the Constitution.

But what of other evidence pointing toward the precedent of the Senate as a continuing body. Mr. Kammerman goes on to point out that there are other provisions of the Constitution cited to establish this precedent. As he states:

> Other provisions . . . cited . . . include (a) those dealing with the office of the Vice President and the President pro tempore; (b) those establishing the Senate's executive functions, as distinguished from its legislative functions; (c) the power of the President on extraordinary occasions, (to) convene both Houses, or either of them . . . ; (d) the limiting proviso in Article V (which deals with amending the Constitution), as follows: . . . no state, without its consent, shall be deprived of its equal suffrage in the Senate.

Mr. President, these then are some aspects of the Constitution cited for the precedent of the Senate as a continuing body.

But what of the views of the Founding Fathers on the character of the Senate? How did they think of the nature of the Senate. In the Federalist, No. 63, some insight into this thinking of the early Constitutionalists may be found. For in it James Madison—or Alexander Hamilton—wrote as follows: Yet however requisite a sense of national character may be, it is evident that it can never be sufficiently possessed by a numerous and changeable body. It can only be found in a number so small that a sensible degree of the praise and blame of public measures may be the portion of each individual; or in an assembly so durably invested with public trust, that the pride and consequence of its members may be sensibly incorporated with the reputation and prosperity of the community. The half-yearly representatives of Rhode Island, would probably have been little affected in their deliberations on the iniquitous measures of that State, by arguments drawn from the light in which such measures would be viewed by foreign nations, or even by the sister States.

Mr. President, I add, as a sixth defect, the want in some important cases, of a due responsibility in the Government to the people arising from that frequency of elections, which in other cases produces this responsibility. This remark will, perhaps, appear not only new, but paradoxical. It must nevertheless be acknowledged, when explained, to be as undeniable as it is important.

Responsibility, in order to be reasonable, must be limited to objects within the power of the responsible party; and in order to be effectual, must relate to operations of that power, of which a ready and proper judgment can be formed by the constituents. The objects of government may be divided into two general classes: the one depending on measures, which have singly an immediate and sensible operation, the other depending on a succession of well-chosen and well-connected measures, which has a gradual, and perhaps unobserved, operation. The importance of the latter description to the collective and permanent welfare of every country, needs no explanation.

And yet it is evident, that an assembly elected for so short a term as to be unable to provide more than one or two links in a chain of measures, on which the general welfare may essentially depend, ought not to be answerable for the final result any more than a steward or tenant, engaged for 1 year, could be justly made to answer for plans or improvements which could not be accomplished in less than a half dozen years. Now it is possible for the people to estimate the share of influence which the annual assemblies may respectfully have on events resulting from the mixed transactions of several years. It is sufficiently difficult, to preserve a personal responsibility in the members of a numerous body, for such acts of the body as have an immediate, detached, and palpable operation on its constituents.

Mr. President, the proper remedy for this defect must be an additional body in the legislative department, which having sufficient permanency to provide for such objects as require a continued attention, and a train of measures, may be justly and effectually answerable for the attainment of these objects.

This then is how some of the Founding Fathers conceived the Senate to be. A relatively small, continuing body which could continue to do business, thereby remaining responsible to its constituents and to the continuation of the operation of the Governmnet. And it is to this concept of a small stable body that the three-fifths proposition has its greatest threat.

For if the Senate is to continue as it has then there must be provisions given to the protections of the minority being ridden over roughshod by a ruthless majority. Also a Senate majority may not necessarily reflect the majority opinion of the people or even of the States. There may not have been time for public opinion to have formed on an issue and a prolonged debate can result in producing actions which will be in accord with public sentiment. A hasty majority vote could totally negate this.

Mr. President, the nature of the matters of legislation dictate that very often careful consideration must be given to them. A powerful majority must not be allowed to bypass this very important aspect of the Senate deliberative process simply by the sheer weight of its numbers. This is not the nature of the Senate as it was conceived in 1789 and it should not be allowed to be the nature of the Senate in 1971.

If anything continuity and responsibility should be the hallmarks of this Chamber. Continuity in the ongoing process of the American deliberative system of government and responsibility not only in its proceedings but to its constituents, the American people.

Mr. President, to gain a small insight into this awesome sense of responsibility of the Senate and its members we have only to look across to the House of Representatives. As it has been pointed out, under our governmental system, legislation can be sped through the House at a breakneck pace, with only scant debate under special rules set up by a partisan committee, it is imperative that a bulwark remain against such hasty passage of legislation and it is here in the Senate that this bulwark can be found. And the cornerstone of this bulwark is the responsibility found in prolonged and thoroughgoing debate.

As James Madison—or Alexander Hamilton—wrote: The necessity of a Senate is not less indicated by the propensity of all single and numerous assemblies, to yield to the impulse of sudden and violent passions, and to be seduced by faction leaders into intemperate and pernicious resolutions. Examples on this subject might be cited without number; and from proceedings within the United States, as well as from the history of other nations. But a position that will not be contradicted, need not be proved. All that need be remarked is, that a body which is to correct this infirmity, ought itself to be free from it, and consequently ought to be less numerous. It ought, moreover, to possess great firmness, and consequently ought to hold its authority by a tenure of considerable duration.

To this might well be added the freedom of prolonged debate. What authority could the Senate hope to possess without this safeguard other than that false authority of numerical superiority. I urge the Members of this body to consider these words of our great political ancestors and to envision what our legislative process would be under the three-fifths rule and to compare that picture with the vision of our forefathers.

Responsibility and continuation would have little meaning in that process for the Senate.

So let us give careful thought to these matters as we have this legislation under consideration; and let us preserve and protect this singular distinction and heritage of the Senate—freedom of debate and the protection of the minority.

Mr. President, many of those who would vote in favor of the resolution before us would rather have a rule which would allow for cloture to be invoked by a mere majority. In fact, many of our colleagues have advocated this preference publicly and here on the floor of this body. Therefore, those who have previously voted in favor of the resolution which would change the number of votes required to invoke cloture from two-thirds to three-fifths comprise various viewpoints as to what the rule should do.

It is obvious to me when I listen to the various arguments favoring a change in rule XXII that there are those in this body who are disregarding an important principle upon which this country was formed.

Our Nation was established in a form which relies quite heavily on the principle of federalism. One of the principal facets of federalism incorporated into the Constitution is the equal representation of the several States in the U.S. Senate.

While not incorporated into the Constitution, the practice of permitting unlimited debate in the Senate until 1917 strengthened immeasurably the concept of federalism in the practical application of our Government. In many ways, including the various cloture rules which have prevailed in the Senate since 1917, the concept of federalism has been weakened and our country hampered thereby.

Mr. President, at this time I shall continue a discussion I began last month on the important concept of federalism. I believe that a review of some of the facets of this concept would be helpful to a decision on the pending question.

Federalism in America was a byproduct of the English colonial order, rather than the brainchild of political theorists. Had the pattern of settlement developed all along the seaboard in one expansive colony and, therefore, been administered as one political entity, it is problematical whether federalism would have been incorporated into our political structure. Even in the settlement of English America, it was diversity of interests and purposes that dictated the plurality of colonies, rather than the other way around. In Virginia profit was the prime motive for the settlement efforts. In New England religious freedom was the prime motive, while in Georgia humanitarianism in the form of providing a new life for unfortunates in debtors' prison, mixed with a desire for protection of the other colonies from the Spaniards, were the motivating forces. These diversities were magnified, rather than diminished, under the influence of differences in geography and climate, after the colonies achieved a foothold. The political structure of each colony developed in accordance with the needs of the particular colony, and the differences were carried over into the State governments when the colonies became free. This political accommodation of diverse interests and purposes was the key to the success of the English colonial system, and the benefits of it were not lost on the politically sophisticated Americans of the Revolutionary period.

The emergence of federalism as a byproduct of historical occurrences, rather than as a designed institution to achieve a political end, does not detract from its potential as a worthy political device, but, indeed, accentuates its usefulness. In the absence of federalism, successful republican government is limited to areas in which there is substantial identity of geographical, climatical, and historical influences, for republicanism places the ultimate rule in the hands of some majority to the modified and limited dictates of which the minorities must conform. By the use of federalism, the need to require minorities to conform is minimized, thereby promoting individualism, and in individualism lies the seed of diversity.

One but need look to Europe for examples of the limited possibilities of republicanism without federalism. Republics in small geographic confines exhibit the greatest stability, as exemplified by Switzerland, the Netherlands, Belgium, and the Scandinavian countries. The French Republic, applied to a larger area and more diverse peoples, fluctuates between instability and absolutism, each occurring in turn as a reaction to the other. The British Empire, employing federalism in the form of dominionship and commonwealth devices, presents a graphic illustration of the possibilities of federalism grafted on colonialism.

If republicanism is the process for implementing self-government, federalism is the process for implementing local self-government. Local self-government is beneficial not only because it permits individualism, but also because of its contributions to the continuation of self-government at all levels. It is human nature for a person to be most apathetic about situations over which his individual conduct has the least influence. A citizen is therefore less motivated to exert himself in matters of government in which his activity plays a smaller relative part. The same citizen is much more inclined to direct his influence to the solution of a local matter where his activity shows the most direct result. In the local political arena, where there is a local political arena, the citizen acquired the experience and sophistication with which to exercise his obligations of citizenship in relation to the furthest removed level of government.

It is in local self-government, a product of federalism, that the real secret of domestic tranquillity lies. In no other way can the variances of human conduct be reasonably bounded, for requiring conformity over broad areas will inevitably lead to civil strife. For instance, a prohibition of gambling over the entire United States might conform to the will of the majority, but there is a strong likelihood that it would promote civil strife in some areas, such as Nevada. Strict nationwide regulation of fishing might be only an inconvenience to recreation in some areas of the country, but would possibly impair the earning of a livelihood in others. A change in the legal relationship of an inn or hotelkeeper and the guests would have a limited impact in the rural Midwest, but might change the pattern of economic existence in some resort States. Through the medium of local self-government, the laws can be adapted to whatever conditions exist, thus keeping civil strife at a minimum.

Although circumstances dictated that the Government of the United States be federal, it remained for the delegates to the Philadelphia Convention to shape the form of the federation. So ineffectual was the central government under the Articles of Confederation, that for all practical purposes the several States, at the time of the convention, each exercised the total powers of sovereignty. Sovereignty was vested in the people of each State, and the people of the individual States had vested the power of sovereignty in their particular State. Through the Constitution the several States delegated certain specific ones of the powers of sovereignty to the National Government. This creation of a common agent of the States in no way affected the retention of sovereignty by the people of each State, for sovereignty is indivisible, and the creation of the General Government could not make the people of all the States collectively sovereign in some matters, and leave the people of one State sovereign in others. It was the power of sovereignty, and not sovereignty itself, that was delegated to the National Government; and the delegation of powers was made by each State—a sort of subleasing—and was not a delegation by the people of the several States collectively. The ratification of the Constitution did not accomplish a withdrawal of powers from each State by its own people and a revesting of those powers in a new government. Two facts are therefore explicit in our constitutional government. First, the National Government was and is a creation of the States, and as such is an agent of the States. Second, sovereignty in our country rests totally in the people of any individual State, rather than in the people of the United States collectively.

The National Government holds the right to exercise the specific powers delegated to it, not by virtue of any power of sovereignty vested directly from a people; but by virtue of a contract between the States. The specific powers delegated cannot be withdrawn by an individual State because of the agreement with the other States embodied in the Constitution. The contract can be changed only by the contracting parties—the States; and by agreement, most features of the contract can be changed with the consent of less than all the States. Nothing illustrates better and more emphatically that the National Government is a creation of the States, rather than of the people, than the fact that the Constitution can be amended by the States through their legislatures, and not by the people themselves. The equal representation of the States in the Senate is not, of course, subject to the amendment process; and any change in this feature would require unanimous consent of the States and, indeed, any change without unanimous consent would have the effect of dissolving the Union.

As complicated as these relations may seem to the contemporary citizen of the United States, they were elementary to the citizens at the time of the Constitution's adoption. Indeed, they were so fundamental in the minds of the delegates to the Constitutional Convention that they saw no need to specifically spell out all of them. By the mere delegation of certain specific powers to the National Government, the delegates considered it implicit in the whole document that those powers not delegated remained where they had been theretofore. To the people of their era, it was abundantly clear that the National Government was intended to exercise only those powers delegated, but it is most fortunate for those in later generations that many insisted that the matter not be left to conjecture. Perhaps these wise persons anticipated the tremendous upsurge of apathy that was to occur in later generations. The inclusion of the 10th amendment removed any dobut as to the nature of the powers of the National Government, and the relationship of the National Government to the States and to the people. The 10th amendment provides:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

The 10th amendment did more than spell out that the National Government was to be one of limited powers, although it accomplishes that purpose. It also provides an insight into the relation of the States to the National Government and of the National Government to the people of each State. The powers not delegated were not reserved to the States collectively, but to each individually. The retained powers of sovereignty of each State were not in any way comprised by the Constitution. There was no pledge to achieve uniformity, nor even to strive for it, in the administration of the reserved powers. There was not even a pledge of the States to exercise all of the reserved powers in any way at all. The States, individually, had received their grant of sovereign powers from the people—I repeat, the people—of the States through the State constitution, some States receiving more, and some less, powers. In each instance, the people reserved the right to themselves to modify or change the powers granted to the State, and the 10th amendment recognized this fact by the verbiage "or to the people." The reservation of power was not to the people of the entire country, but to those in each State. The people in the territories were people of the country, but not being within a particular State, were not among the group who had granted power to a State in the original instance, and were not, therefore, among those to whom powers were reserved.

The Constitution did not create the General Government as a supreme one, but as one parallel to the State governments. It is a fallacy to assume that with regard to the delegated powers, the right of the National Government to regulate is exclusive, for it was not so intended. As a practical necessity, a direct conflict between the exercise of delegated powers by the National Government, and an exercise of powers by a State in the same field, must be resolved in favor of the exercise by the National Government; or else the original delegation could be nullified by the action of a State. In the absence of such a direct conflict, however, the only consistent interpretation of the Constitution is to acknowledge in the States a power to act in the same fields as those in which powers were delegated to the National Government. In those matters where exclusive power was intended for the National Government, the Constitution specifically prohibits State action. It is not the general exercise of powers by the States that is prohibited, however, but only specific actions. Not only the substantive provisions of the Constitution attest to this intention, but also the form and order of the Constitution. The principal delegations of powers to the General Government appear in section 8 of article I. In section 9 of the same article, the powers delegated are limited by certain specific prohibitions against the National Government in the exercise of those powers delegated. In section 10 of the same article, there is an enumeration of prohibitions of those State actions which would obtain such exclusiveness in the exercise of delegated powers by the General Government as was deemed necessary. The exercise of powers by a State were restricted by the Constitution, then, in only two instances: First, when the State action is in direct conflict with an action of the National Government taken pursuant to a delegated power; and second, when such action by the State is specifically prohibited by the Constitution. From this it is clear that the States did not necessarily surrender their power to act in fields in which power was delegated to the National Government.

The prohibitions against State action are not nearly so broad as even those limited powers delegated to the National Government, as readily appears from the provisions of section 10, article I, which is as follows:

> Section 10. No State shall enter into any treaty, alliance, or confederation; grant letters of mark and reprisal; coin money; emit bills of credit; make anything but gold and silver coined a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.
>
> No State shall without consent of (the) Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of (the) Congress.
>
> No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of the late.

In addition to the deprivation of sovereign powers of the States that accrues through these prohibitions of State action and the requirement of consistency with actions of the National Government taken under the delegated powers, the States incurred additional obligations under the Constitution through provisions regulating certain mutual relations among the States themselves. These provisions are contained in article IV, sections 1 and 2. Section 1 provides that each State shall give full faith and credit to the public acts, records, and judicial proceedings of every other State. Congress is appointed as the arbitrator of this agreement, and is authorized to prescribe the manner in which such acts, records, and proceedings must be presented in order to qualify for the agreed status. In section 2, each State agreed to extend the privileges and immunities enjoyed by its own citizens to the citizens of the other States. Each State also agreed to extradite escaped criminals to the State from which they escaped upon demand by such State.

On that point, Mr. President, I want to say it is remarkable that today some States have refused in some instances to conform to this requirement of returning escaped criminals. It is abhorrent. yet it is practiced, on occasion, in some States.

The third agreement in this section, which bound each State to refrain from freeing slaves escaping into it from another, became irrelevant when slavery was abolished. The National Government is in no way concerned with the provisions of section 2, compliance being left to the good faith of each State, and to the advantage of reciprocal treatment which inure from strict observance of the agreement. The provisions of section 2 also serve as irrebuttable evidence as to the nature of the Constitution as a compact or treaty between sovereign States.

The sovereign powers of the several States were thus impaired by the Constitution in three ways: By the delegation of certain powers to the general government, by mutual agreement to the prohibitions of specific State actions, and by agreement to four items of reciprocal conduct. Although these three areas contain the total impairment to State action embodied in the original Constitution, there is one remaining provision which restricts not the power of a State, but the sovereignty of the people of each State. This provision is contained in section 4 of article IV, and provides that the United States shall guarantee to each State a republican form of government. Despite the fact that prior to the adoption of the Constitution, each State did in fact have a republican form of government, the people of each State, being completely sovereign—and they remain so today except in this one instance—had the power to establish any form of government they desired, including a monarchy, a dictatorship, or, if they saw fit, a pure democracy. This power of sovereignty was surrendered by the people of each State upon the adoption of the Constitution. From a practical standpoint this surrender of sovereignty was and is inconsequential, for in no State have the people shown a disposition to deviate from a republican form. Realization of the full implications of this provision should serve as a refreshing reminder, however, that the pure democracy, on the tenets of which so many of the radical proposals of the current age are based, is as foreign to our Government in the United States as are any of the hated isms.

In any attempt to define the expanse of powers of each State which remain unimpaired by the compact of the States in 1788, it is necessary to reckon, not only with the provisions of the Constitution, but also with the fact that the people of each State are the source of sovereignty, both of those powers delegated by the States to the National Government, and of those reserved to themselves by the States. Of those delegated, any substantive power is subject to the sovereignty of the people of the several States, and through the prescribed method of amendment may be expanded, altered, returned to the several States, or revoked altogether. Except for those powers delegated to the National Government and those actions prohibited to the States, the several States retain all other powers exclusively, with one limitation—the total powers of sovereignty, at the will of the people, may be withheld from the State. Although subject to the same external limitations, the powers of one State may substantially exceed those of another State, whose people have seen fit not to vest certain of the powers of sovereignty in any government. Such a limitation by the people on their State government would be embodied in a State constitution. The term "reserved powers of the States," therefore, refers to those powers of sovereignty which may be granted to a State by the people, and exercised by the State without conflict with the U.S. Constitution.

While enumeration of the powers of the National Government requires only a quick reference to the Constitution, where they are fully listed, the reserved powers of the several States are so broad as to defy enumeration. Any definitive approach to the State powers must necessarily be from the standpoint of what they are not, although we can list almost without end powers that are included among State powers.

By almost any definition, the police power encompasses a broader range of State actions than any other of those reserved. Under some definitions, it is almost synonymous with the entire scope of reserve powers, being in no way restricted to the realm of criminal law. For instance, in *Sweet* v. *Rechel*, 159 U.S. 380, P. 398, the U.S. Supreme Court—by no means a defender of State powers—referred with approval to a reference to the police power as:

> The power vested in the legislature by the Constitution to make, ordain, and establish all manner of wholesome and reasonable laws, statutes, and ordinances, either with penalties or without, not repugnant to the Constitution as they shall judge to be for the good and welfare of the commonwealth and of the subjects of the same.

And from the same source, as expounded in *The License Cases*, 5 Howard 504, page 599, comes this comment on police powers:

> The assumption is that the police power was not touched by the Constitution but left to the States as the Constitution found it. This is admitted; and whenever a thing, from character or condition, is of a description to be regulated by that power in the State, then the regulation may be made by the State, and Congress cannot interfere.

These definitions of police power are broad enough to encompass the majority of reserved powers, and attest to the intention of the Constitution to implement federalism in substance, as well as in form.

At a minimum, the police power includes the right to take such actions as seem necessary to protect life and liberty. Since life and liberty—and the latter necessarily includes property—are of the primary importance to society, laws made to protect them must take precedence over those of secondary importance.

Under the broader definitions, police power would include the right to take action in the field of social conduct and welfare; but whether within the police power or without, there can be no question that such actions are within the scope of reserved powers of the State. No authority whatsoever is delegated to the National Government in this area. Through this reservation, one of the most beneficial applications of federalism is obtained. In no other field is there more variance from State to State than in the field of welfare needs and desires for governmental action by the people. Indeed, there is even nothing static about the variance from State to State, for even within a single State, the needs and desires of the people in this area fluctuate substantially with time. Laws designed at the national level to meet the maximum need in one locality would be highly wasteful in most areas, as well as distasteful; and one designed to meet the average need—if such there be—would be too little in one area, and too much in another. The exercise of this power by the States, rather than by the National Government, makes it possible to fit the remedy of governmental action to the specific need, without either squandering the resources of the citizenry or encouraging slough in areas where governmental action is unneeded.

Among the powers reserved to the States none is more important than the regulation of the public educational system. It is in the educational process that lies the control of the minds of men, and no easier path to despotic power exists than the one available in a power to shape and mold the thinking patterns of immature minds. So inherently dangerous is this awesome power, that it would be unthinkable to trust any one human or group of humans with its totality. The individual liberty of all posterity depends on the diversification of the power to control education. Under the federated republican constitutional government, prescribed for the United States, the control of education is dispersed at least to the level of the several States; even slight prudence dictates that it be dispersed even further to the hands of purely local authority. Americans should never forget examples of the establishment and perpetuation of totalitarian regimes in Germany and Italy, with the brainwashed consent of those subjected to the influence of an educational system in the control of a centralized power.

Although these are but a few of the many powers reserved to the States, they serve to illustrate that the total powers reserved are formidable, and constitute a broader jurisdiction by far than that comprised of the powers delegated to the National Government. It was the intention of the Constitution that neither the National Government nor the State governments be supreme: Each was to be supreme in its own realm, the two to operate on a parallel, with each accomplishing those tasks of government for which it was best suited. Strict limitations on jurisdiction were imposed on the General Government, whose influence extended over the breadth of the country; while residual jurisdiction was reserved to the several States, whose influence was bounded by the geographic limitations of State boundaries. The total power of sovereignty was thereby dispersed among the 14 governments—13 State governments and one central one—at the time the Constitution was adopted. The plan of decentralization permitted growth of the Nation without any weighing of the scales toward centralization. As a result, the total powers of sovereignty are now dispersed among 51 governments. No new power accrued to the National Government with the admission of new States, although its powers were extended thereby geographically.

Despite the absence of any delegation of additional powers to the General Government, or of any consequential new prohibitions against State actions, the balance between the powers of the National Government on the one hand, and those of the States on the other, has tipped heavily in favor of the former. Almost from the beginning, events and practices have worked for a dimunition of State authority, and what began as a slow, almost imperceptible process has now snowballed into such proportions that the whole concept of federalism is threatened with extinction. Once wholly autonomous States now appear doomed to conversion into mere subdivisions of an all-powerful centralized government, with the host of individual liberties, which flourished under the umbrella of the parallel governments of federalism, being squeezed to death in the formation of the triangle of pyramidal government with the top at Washington. So strong is the wave of centralization that only a completely awakened and alarmed public can turn the tide.

Unfortunately, some of the most adaptable tools for the maintenance of federalism and States' rights, designed for our use and protection by the authors of the Constitution, have been lost in the intervening years.

In this era, liberty is challenged worldwide on a scale unprecedented. We find ourselves in a position of leadership of the free world, not because of our material wealth, primarily, but because our political structure has permitted and encouraged the individual freedom of thought and action which promotes diversity in the form of independent initiative, which in turn has permitted our great material rewards.

The real path to liberty, stability, and tranquillity lies in a recultivation and renewed reverence for those sound and timeless fundamental concepts which are interwoven in such careful balance into our Constitution and the political structure therein established.

Mr. President, the existing rule XXII is the most suppressive of debate which has ever existed in the Senate. If any change in the rule is to be made which prevents cloture by the vote of any number of the Senators the wisest course would be to return to a requirement for a two-thirds vote of the membership of the Senate. Under no circumstances should cloture be made easy.

So, Mr. President, it is clear concerning the powers of the Central Government as contrasted with the powers of the State. It is hoped as time goes by that the people of this country will not permit the powers retained to the States under the Constitution to be eroded and the right of the people to be degraded and that we can retain the original intent of the framers of the Constitution to have the separation of powers of the three branches and the division of powers between the States and the National Government.

These are bulwarks of protection to our democracy.

Retaining rule XXII is right in line with many provisions of the Constitution where a two-thirds vote is required in so many instances to accomplish action, as I have pointed out here today.

Mr. President, I yield the floor.

SANCTIONS AGAINST RHODESIA

Mr. BYRD of Virginia. Mr. President, the United States is permitting the Soviet Union to maintain a stranglehold on its supply of chrome ore—a material vital to the national defense.

This situation results from America's participation in United Nations economic sanctions against Rhodesia, the small African country which is the source of two-thirds of the world's supply of chrome ore.

Now the Congress is being asked by the administration to release chrome ore from the national stockpile to ease the shortage of this commodity resulting from the Rhodesian embargo.

Release of chrome ore from the stockpile is not the appropriate remedy for the present situation of the United States.

The current step for this Nation to take would be to end its foolish policy against Rhodesia and resume trade with that nation.

The story leading up to our present shortage of chrome, and our dependence on the Soviet Union, goes back more than 5 years.

On November 11, 1965, Rhodesia declared her independence of Great Britain.

The United Nations Security Council, at the urging of Great Britain, adopted a resolution condemning Rhodesia as "a threat to international peace and security." The resolution called on the Security Council to take steps to end Rhodesian independence.

Despite the fact that Rhodesia, in declaring independence, was only taking the same step that the United States took in 1776, the U.S. Ambassador to the United Nations actively supported the resolution against Rhodesia.

In arguing the case in favor of sanctions against Rhodesia, Arthur Goldberg, then U.S. Ambassador to the United States, said this:

> What is happening now in Rhodesia is an effort to perpetuate the control of 6 percent of the population over the other 94 percent . . .

Is it not a fact that in the Soviet Union the members of the Communist Party, comprising about 1 percent of the population and acting through a few leaders, control the other 99 percent of the people of that nation of nearly 200 million?

Is it not a fact that a handful of men control the destinies of all the people of Albania?

Is it not a fact that a handful of men control all the people in Bulgaria and in Rumania and in Yugoslavia?

Is it not a fact that Fidel Castro almost singlehanded, operating through a small Communist cadre, controls the lives and fortunes of nearly 7 million Cubans?

Is it not a fact that in the world's largest nation, China, the lives of nearly 700 million persons are controlled by a small Communist dictatorship?

Yet the United Nations has not imposed sanctions on any of these Communist countries—nor has the United States asked the U.N. to impose any such sanctions.

However, the United Nations did see fit to impose sanctions on Rhodesia.

And pursuant to the U.N. resolution, our Government severed diplomatic ties with the Ian Smith government and called for a voluntary boycott of Rhodesian products.

These voluntary sanctions caused great hardships on the Rhodesian people, but they did not succeed in forcing the downfall of the Smith government.

The next step was the U.N. Security Council's resolution of April 9, 1966, calling on Great Britain to use force to prevent the movement of oil to Rhodesia.

These first two steps were not successful in bringing down the Smith regime, so in December 1966, the Security Council considered mandatory sanctions against Rhodesia under article 41 of the U.N. Charter.

The U.S. Ambassador again actively supported this measure, assuring the Council that the United States would, to use his words, "apply the full force of our law to implementing this decision."

The Council voted to invoke article 41—the first such vote, and the only such vote, for mandatory sanctions in the history of the United Nations.

The United States promptly complied. President Johnson issued an Executive order on January 5, 1967, declaring it to be a criminal offense for any American to engage in the import of a wide range of Rhodesian products, and severely restricting U.S. exports to that country.

Still, it did not bring about the downfall of the Smith government.

So, on July 31, 1968, the President of the United States issued Executive Order No. 11419, barring all United States imports from and exports to that country.

The Smith government still survived. As a matter of fact, the economic sanctions are a failure.

Last summer, the special committee of the United Nations charged with enforcing the Rhodesian sanctions issued a 337-page report which in effect admitted that the embargo policy has not worked.

It cited 60 reports of evasions of the sanctions during 1969 and confessed that 31 nations, of which 27 are U.N. members, do not even answer inquiries from the committee.

The fact is that in spite of the sanctions, Rhodesia's export trade rose from $237 million in 1968 to $336 million in 1969.

But if the sanctions are a failure, they nevertheless have had serious consequences.

For one thing, imposition of a mandatory embargo brings the United Nations just one step short of armed intervention.

Article 42 of the United Nations Charter makes this point quite clear, in this language:

> Should the Security Council consider that the measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take action by air, sea or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by land forces of the Members of the United Nations.

That is what the charter says.

Is the United States prepared to take part in a war to bring the Rhodesian Government to its knees?

The United States is in a vulnerable position—its action is unprincipled and wrong. It is unjust.

Besides that, we are in the absurd position of demanding economic sanctions against a nation at peace with us and yet do nothing about seeking economic sanctions against North Vietnam, against whom we are fighting in Southeast Asia.

While the United States has gone along with the British-sponsored embargo of Rhodesia, ships flying the flag of Great Britain have continued to carry cargo to North Vietnam.

Last year 40 British ships called at Haiphong. In 1969, the total was 74; and in 1968, it was 114.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I am glad to yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. Is the Soviet Union supplying any weaponry to the Vietcong and the North Vietnamese?

Mr. BYRD of Virginia. The Soviet Union through recent years has been the major supplier of sophisticated weapons going to the North Vietnamese.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield for another question?

Mr. BYRD of Virginia. I yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. Are those weapons being used to maim and kill American boys in Indochina?

Mr. BYRD of Virginia. Yes. The weapons supplied by the Soviet Union to the North Vietnamese have been used and are being used to kill and wound Americans who are being drafted from their homes and sent to Southeast Asia.

Mr. BYRD of West Virginia. I thank the Senator for yielding.

Mr. BYRD of Virginia. I thank the Senator from West Virginia for his contribution.

Mr. President (Mr. WEICKER), in line with the economic sanctions policy against Rhodesia, the United States last year closed its consulate in Salisbury; but Britain maintains its consulate in Hanoi.

It would seem that so far as the British are concerned, cooperation in policies of embargo is a one-way street.

The whole logic of the policy of economic sanction against Rhodesia is outrageous.

Everything the United Nations has done has been based on the finding that Rhodesia is "a threat to international peace and security."

Now in what way, may I ask, does Rhodesia threaten anyone?

The answer, of course, is that it does not.

On the other hand, North Vietnam is a definite threat to peace. Yet the United Nations does nothing to apply economic sanctions against this proven aggressor.

Former Secretary of State Dean Acheson has accurately summed up the United Nations' action against Rhodesia. He called it "barefaced aggression, unprovoked and unjustified by a single legal or moral principle."

The United States is a participant in that "barefaced aggression." If we were to follow the course of morality and good sense, we would abruptly and firmly change our policy and abandon sanctions against Rhodesia.

It is not moral and legal principles alone that are involved here. Considerations of economics and national security also dictate that the United States should end its Rhodesian embargo.

Prior to the imposition of the sanctions, Rhodesia furnished approximately 85 percent of the imports of metallurgical chrome ore coming into the United States.

With the sanctions in effect, the United States has had to turn to the Soviet Union for chrome ore.

The Russians are well aware of the importance of this commodity to the United States. They are charging us more than twice the price which we formerly paid to Rhodesia for chrome.

But more important, the Soviets could easily shut off our supply in the event of an emergency.

In October 1969, Fred Russell, Deputy Director of the Office of Emergency Preparedness, told a House Foreign Affairs subcommittee that—

> There is no way to see the chromium ore needs of the United States being met without chromium ore from Rhodesia.

Today, as a short-term measure, the Office of Emergency Preparedness is seeking to withdraw chrome ore from the national strategic stockpile.

The national strategic stockpile now has 4.5 million tons of chrome ore. The administration is seeking release of 1.3 million tons, which would leave 3.2 million tons on hand.

This 3.2 million tons would be about 100,000 tons more than the amount required to fulfill the so-called "strategic objective," or emergency reserve, for the United States.

But interestingly, this strategic objective was set just 1 year ago—on March 4, 1970.

Before that time, the objective was 3.6 million tons, a figure which had been set less than a year earlier—on May 13, 1969.

If the amount requested by the administration is withdrawn from the stockpile, the remaining total will exceed the new strategic objective, but it will be about 400,000 tons short of the earlier objective.

Now why is metallurgical chrome ore vital to the defense of the United States?

This chrome ore is essential for the manufacture of stainless steel, and large quantities of it are needed to make jet aircraft and other military necessities.

So chrome is vital to our national defense.

The strategy of the administration appears to be based on the hope for possible settlement of the Rhodesian crisis in the near future, so that Rhodesian ore might once more flow to the United States.

But there is nothing on the diplomatic horizon suggesting that the impasse over Rhodesia will be resolved in the near future.

And if it is not resolved, what are we to do? Throw the whole stockpile into meeting current industrial needs?

Furthermore, there is no assurance that Rhodesian ore would come to the United States eventually if we persist in our sanctions policy much longer.

It is only logical to assume that Rhodesian ore is finding other outlets, and that it would be difficult for the United States to get back into the market after a long period of embargo.

Before long, in other words, Rhodesia will not need America's business.

One would think that if anyone would rejoice over the proposed release of chrome ore from the stockpile, it would be the American metal industry.

This industry has suffered from shortages and high prices for chrome.

Yet officials of the Foote Mineral Co., a leading producer of ferroalloys, said recently that they oppose the release from the stockpile as being only a short-term answer.

Dr. Wayne T. Barrett, President of the firm, had this to say:

> What we need is not a release, because that is only a short-term answer to the over-all problem of making high-grade chrome ore available to the United States . . . The release of this stockpile material will take the pressure off of those who could bring about the end to the sanctions against Rhodesia. This will relieve the pressure for a period of one or two years, and we think it very important that this pressure be maintained and that we solve the long-range problem of availability of Rhodesian chrome ore.

I agree with Dr. Barrett. I believe the pressure should be maintained—and not just from the metal industry, but from the Congress and the American people.

We have followed a foolish policy toward Rhodesia.

Morally, it is wrong.

Legally, it is dubious.

Economically, it is costly.

And it could jeopardize the security of the United States.

I urge the President to reverse our present policy and resume trade with the peaceful African country of Rhodesia.

Mr. President, many of the important points concerning the present chrome crisis were developed by Fulton Lewis III in a recent series of broadcasts.

It was Mr. Lewis who cited the plan for withdrawal from the strategic stockpile and who interviewed the officials of the Foote Mineral Co.

Mr. President, I ask unanimous consent that the text of three broadcasts by Fulton Lewis III be included at this point in the RECORD, together with the text of a column by James J. Kilpatrick, concerning the folly and ineffectiveness of the embargo policy against Rhodesia.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BROADCASTS BY FULTON LEWIS III

THE CHROME ORE CRISIS: PART 1

Of all of the news reporters and commentators in the nation, I confess that I stand out as the one who has devoted the most time and attention to the issue of U.S. economic sanctions against the African nation of Rhodesia. There are two reasons for this: The first is that this is a critically important issue which affects our own national security and industrial prosperity; the second is that I feel you are entitled to the facts of this situation—and if my colleagues in the news media have elected to play down the Rhodesian story, I must compensate for this information vacuum by giving the issue a little more coverage than it might normally deserve.

Today, a new and very important chapter in this story was written, but before we get to that, let's recap very briefly some of the background. In January, 1967, then President *Lyndon Johnson* issued an executive order making it a criminal offense for Americans to engage in any trade with Rhodesia. That order was issued in compliance with a decree of the United Nations Security Council, a world-wide embargo against Rhodesian goods, which in turn was based on a charge that Rhodesia had illegally declared its independence from Great Britain and further that Rhodesia was guilty of racial discrimination against its predominantly black population. I have discussed both of those charges in the past at some length over this microphone, and I think I have documented fairly conclusively just how ridiculous those charges are. We need not go into that further now.

As a result of the U.S. participation in the sanctions against Rhodesia, we have cut ourselves off completely from a country which in years past had been a major supplier of many important goods. The most important of these is metallurgical grade chrome ore which is essential to the production of stainless steel, a metal which in turn is critically important to vast areas of our national industrial production and, of course, to our national defense effort.

The top Cold War planners in the Soviet Union are very much aware of the importance of metallurgical grade chrome ore to the United States. Back in 1957, for example, a major general in the Soviet army wrote a book entitled "Strategy and Economics." Published therein was a chart which listed "Critical Materials in a U.S. Military Jet Airplane." The very first item listed was "Chrome." The amount of chrome in a U.S.

military jet was estimated at 3,659 pounds. In the third column it was noted that the United States must import no less than 92 percent of this mineral.

Continuing to look at this situation from the Kremlin's point of view, statistics released recently by the U.S. Bureau of Mines show that 96.2 percent of the world's chrome ore reserves lie in the southern portions of the African continent, mostly in Rhodesia, some small deposits being in South Africa. The remainder is accounted for as follows: the U.S.S.R.—1.8%; Turkey—.4%; the United States—.3%; Finland—.3%; Canada—.2%; communist Albania—.1%; and the others—.4%. Clearly, then, Rhodesia, as possessor of the greatest and richest grade deposits of metallurgical grade chrome ore, has a very prominent position of importance in the strategic aspects of the Cold War.

Prior to the economic sanctions, roughly 85 percent of all U.S. chrome ore imports came from Rhodesia. Actually, the ore was purchased from subsidiaries of U.S. companies in that country, and the price was a bargain: $25 per ton. Now, of course, nothing is being imported from Rhodesia and American firms have been placed in the awkward position of having to turn to the world's second largest source of chrome ore which just happens to be the Soviet Union. As this dependency has grown, the Kremlin has slowly but steadily hiked up the price for its ore. The latest increase, assessed officially just last month, boosted the price for Soviet ore by another 25 percent—up to $75 per ton or three times what we were paying for a much superior grade of Rhodesian ore just four years ago.

In October, 1969, Fred Russell, the Deputy Director of the Office of Emergency Preparedness, gave the following alarming testimony to a House Foreign Affairs subcommittee regarding what American industrialists are beginning to call the "chrome ore crisis": "Assuming that the U.S.S.R. would continue to ship chromium ore to the United States at the present level indefinitely, realizing that the other known amounts of chrome ore elsewhere in the world gradually are becoming exhausted, and knowing that U.S. needs are increasing each year, there is no way to see the chromium ore needs of the United States being met without chromium ore from Rhodesia."

Coming from a spokesman for the agency which is charged with ensuring the defense capabilities of the United States, the importance of Russell's testimony cannot be overstated.

The warnings, though, have been repeatedly ignored by both the Johnson and Nixon Administrations and increasing the "chrome ore crisis" has become more critical. The attitude of Administration officials has been to take various stop-gap measures to temporarily relieve the problems of chrome ore shortages—simultaneously federal officials have been praying that somehow, soon, the Rhodesian problem might resolve itself.

As one of the stop-gap measures, the government authorized American companies to tap the so-called "commercial" chrome ore stockpile until finally last year it was completely exhausted. That left only the "strategic stockpile" and earlier this month the Nixon Administration moved to authorize the sale of approximately 30 percent of that reserve which had been set aside for our national defense in the event of an emergency.

Ironically, the sales request was sent to the Congress by the same Office of Emergency Preparedness which only a year and a half ago confessed, in Fred Russell's testimony, that "there is no way to see the chromium ore needs of the United States being met without chromium ore from Rhodesia."

You would think that the domestic ferroalloy companies would be pleased that the Administration had acted to help satisfy their chrome ore needs for this calendar year but to the contrary leaders of this industry met here today in the first of a series of concerted efforts aimed at first protesting the Administration's action and secondly finding some long-term solution to the current chrome crisis.

At today's session, held behind closed doors at the General Services Administration, Dr. Wayne T. Barrett, the president of Foote Mineral Company—one of the nation's leading ferroalloy producers, charged that the Office of Emergency Preparedness may have been under "political pressure" to take the proposed steps. First and foremost, Dr. Barrett said, the State Department is insisting that the "strategic" stockpile be released for sale to relieve pressures from industry to drop the economic sanctions against Rhodesia. And secondly, the new Nixon red-ink budget has forced the government to seek additional revenues which would be gained from the sale of chrome ore holdings even at the expense of our national security.

The domestic ferroalloy companies are understandably concerned over the fact that U.S. ore holdings will be depleted to the point where, in an emergency, they could meet the nation's industrial and military needs for only two years. Unless there is a change in the government's policy toward importation of Rhodesian ore, the O.E.P. will undoubtedly ask for further releases from the stockpile next year and perhaps again in 1973, at which point the domestic "strategic" supply would be totally exhausted and the United States would become totally dependent upon the U.S.S.R. for a mineral which is vital to our national defense.

Administration officials argue that, should a serious chrome ore emergency develop, the United States could always drop the economic boycott against Rhodesia and resume the currently illegal chrome ore imports. The American steel companies, though, feel this is faulty—even dangerous—thinking. They emphasize that it would take at least six months and possibly even a year to fully reactivate the now semidormant Rhodesian chrome ore mining operations to the point where a resumption of normal imports could be resumed. And then there is a serious fear that, should such an emergency develop, Rhodesia might decide not to resume trade with the United States. Although a staunch ally of the U.S. philosophically in the Cold War against communism, the Ian Smith government has hinted that it intends to weather the current storm of sanctions on its own. It has quietly found some new customers for Rhodesian chrome (most notably Japan) and gradually the "illegal" sale of ore is being increased to the point where Rhodesia will not be needing the United States as a customer. As Dr. Barrett stated it this morning to the General Service Administration officials, "There is no reason now—in view of our shabby treatment of this nation—to expect anything but icy neutrality in the event of a war."

The domestic ferroalloy industry regards 1971 as the "year of decision" on the issue of Rhodesian chrome. Next year there will be the political campaigns and few national politicians, it is believed, would risk the possible loss of black votes by taking a stand which could be even remotely regarded as "pro-Rhodesian." By 1973, of course, the chrome ore crisis will have already reached emergency levels.

There is one move afoot, though, which might alleviate the current problem. A group of concerned Congressmen, headed by Texas Republican Jim Collins, will soon propose a bill which would prevent the U.S. government from banning the import of any strategically important commodity from NON-communist countries if that commodity IS being purchased and imported from any communist countries. It's a common sense suggestion which few in either the House or Senate could logically oppose even though the net effect of the Collins bill would be to quickly end the ban against the importation of chrome ore (which has been officially declared a "strategic" commodity) from Rhodesia (a non-communist nation) since we are currently buying chrome ore from a communist country (the Soviet Union).

I think you can see now why this is such a critically important issue—this matter of Rhodesia and our chrome ore situation. For the next two broadcasts, I will have here at this microphone with me two men who will further enlighten us on this issue—Dr. Wayne T. Barrett and John Donahey, the president and public relations director of the Foote Mineral Company, which is one of the nation's principal importers of metallurgical grade chrome ore. We'll hear in their words just how serious this situation is, and just how this chrome ore crisis affects each and every one of us.

(Wednesday, February 17, 1971, Washington, D.C.)

THE RHODESIAN SANCTIONS—PART 2

I discussed some new developments in the overall story of the U.S. economic sanctions against Rhodesia—how the Nixon Administration, as a stop-gap measure to try to alleviate current domestic chrome ore demands, has asked the Congress to free some 30 percent of the ore in the nation's "strategic" stockpile, the reserve which is set aside to be used in the event of a national emergency. That ore, some 1,300,000 tons of it, is to be sold to the domestic ferroalloy industries.

Before the sanctions against Rhodesia, U.S. companies imported the vast bulk of their metallurgical grade chrome ore from that African nation, at a price of only about $25 per ton. Since the sanctions, they have been forced to turn to the world's second largest supplier, the Soviet Union which, recognizing our dilemma and dependency and the awkward situation, has hiked up the price for its ore to $75 per ton, the latest price increase of 25 percent coming just last month.

Here at this microphone with me now to discuss this matter further are two men who know this chrome ore issue very well. Dr. Wayne T. Barrett is president of the Foote Mineral Company, one of the nation's leading ferroalloy producers. Mr. John Donahey is the company's public relations director. Dr. Barrett just yesterday attended a meeting of ferroalloy producers at the General Services Administration here in Washington, and issued a press release saying what the nation really needs is not a stockpile release but what it really needs is a resumption of Rhodesian chrome ore imports. Dr. Barrett, let's start first by asking what is metallurgical grade chrome ore? What's the difference between that and regular chrome?

Dr. BARRETT. The difference in the grade of the ore. Metallurgical chrome ore contains about 50 percent chromium oxide and has a high ratio of chromium to iron, the other major impurity. The other grades are lower in chromium, and higher in iron. The lower grades cannot be used to make the ferroalloys, the ferrochromium that is needed to make stainless steel.

LEWIS. All right, then, stainless steel is one of the principal products in which metallurgical grade chrome ore is used. Is that the reason that metallurgical grade chrome ore is classified as a strategic item? Is it really strategically important to the United States?

Dr. BARRETT. It most certainly is. Chrome is needed to make stainless steel. It cannot be—the chromium cannot be replaced with any other element. So, in order to have stainless steel, one must have ferrochromium. One needs stainless steel in the production of aircraft, in the production of automobiles, in the production of many specialty steels, which the defense of this country depends upon.

LEWIS. When I think of chrome as a layman, I think of automobile bumpers and hub caps.

BARRETT. That's a very small part of it.

LEWIS. But it's a lot more important than that.

BARRETT. Yes, it is.

LEWIS. According to the Bureau of Mines statistics, about 96.2 percent to be exact of this metallurgical grade chrome ore is concentrated in the southern region of Africa, specifically in Rhodesia and South Africa. Mr. Donahey, can you give us a further breakdown as to where this chrome is located?

DONAHEY. Well, it doesn't have much to be broken down but of the remaining 4 percent, 2 percent of that would be in Russia and the Iron Curtain countries, whereas all the rest of the free world would account for the other 2 percent. Now Turkey is generally regarded as the third largest producer but it's interesting that they only have in reserve about four tenths of a percent of the world's total chromium, as far as we know. And more to the point, the country of Rhodesia has two thirds of the high grade metallurgical chrome which Wayne was talking about earlier. The type of chrome which is critical and under discussion here today.

LEWIS. So of the metallurgical grade chrome ore deposits or reserves in the world, about two thirds of this is located in Rhodesia and because of the sanctions we can't touch it.

DONAHEY. That's right.

LEWIS. Now, prior to the economic sanctions against Rhodesia, back in January of 1967, your company was importing most of your ore from that African nation. Do you remember roughly how much?

DONAHEY. Well, we were importing at least 40 percent of our requirement.

LEWIS. Forty percent of your requirement from Rhodesia?

DONAHEY. That's correct.

LEWIS. Now, what have the sanctions done to the Foote Mineral Company?

DONAHEY. Well, of course, there has been no chromium from Rhodesia since the imposition of sanctions. And since the mines in Rhodesia had only one customer, that being the Foote Mineral Company, this has denied us, of course, chrome ore at very low cost. So we have to go out to world markets and buy it and, as you appreciate, with the increase in prices of Russian ore, world prices have substantially increased so that it has meant a great cost to our general operations.

LEWIS. Dr. Barrett, I think I know the answer to this, but how would you speculate, or why would you speculate that the Russians are increasing the price so steadily?

Dr. BARRETT. Well, it's very simple: They have a monopoly. And therefore they can get almost any price they want.

LEWIS. So communists, on occasions, can be pretty good capitalists?

LEWIS. Dr. Barrett, in my own mind I've been trying to re-cap just briefly why all of this is important to the average American citizen. Obviously, the No. 1 area of importance is national security. The fact that metallurgical grade chrome ore, which we used to import from Rhodesia, but which we can no longer import from Rhodesia, is a vital part of our national security program, and we now find ourselves in the awkward, really dangerous situation where we're now very much dependent upon the Soviet Union for this ore. What about, though, just commercially? You are now paying three times more for chrome ore . . .

BARRETT. Almost—that's correct.

LEWIS. Just about three times more than you used to be paying. Doesn't this affect your prices to the consumer?

Dr. BARRETT. It certainly has. It takes about three tons of chrome ore to make a ton of ferrochromium so that as the price has gone up almost three times our costs have gone up very substantially. It has been necessary during the past 12 months, 18 months, to pass on these extra costs to our customers in the form of price increases. This has made the cost of producing stainless steel and other specialty steels higher, and so the American public in the long run must pay for higher priced materials—higher priced stainless steels. This has caused a real inflation in these products.

LEWIS. A fantastic inflation when you think it's tripled in only four years. Mr. Donahey, what has happened to the chrome ore mines in Rhodesia?

DONAHEY. Well, as far as we know, and we do not have complete knowledge of what goes on, these mines are operating and are operating at a very substantial rate, under, of course, the guidance of the Rhodesian government. Now, it is believed that the entire output of the Rhodesian mines is being sold at this point. That it is not being stockpiled—it is being mined for sale all over the world.

LEWIS. So we're being the nice guys. We're obeying the sanctions. Apparently, there are some cheaters somewhere because someone is buying this ore which is being mined in Rhodesia.

DONAHEY. That is correct.

LEWIS. Who's the villain?

DONAHEY. We cannot state. However, you'll appreciate that the buyers of chromite would have to be industrially developed nations having obviously ferroalloy furnaces. And I think you can see which nations would be interested in chromite, and the indirect indications in the press releases would seem to show that perhaps half a dozen nations are buying on a regular basis.

LEWIS. I saw one report that indicated Japan might be one of the principal buyers.

DONAHEY. Well, this is a report that has recurred and there are reports of other nations that back the U.N. sanctions as being buyers of this same chrome.

LEWIS. I also saw one report relating to a country that is not a member of the U.N.—Red China—indicating that some of this chrome might be finding its way into Red China which Red China used to buy its chrome ore from the Soviet Union but because of the Sino-Soviet split it has decided to turn elsewhere. Is it conceivable, is it possible that Red China could be getting its chrome ore from Rhodesia?

DONAHEY. It is certainly conceivable. They have no restriction as far as the U.N. is concerned. What it would impose as far as logistics is concerned is something else again.

LEWIS. You both were in Washington on Tuesday to discuss the Administration's decision to release 30 percent of our ore from the strategic stockpile. What is your view toward that decision, Dr. Barrett?

BARRETT. I think it's a bad decision for the long-term security of this country. I think it is a bad decision for the ferroalloy producers long term in this country. It will help short term because it will make available some chrome ore to the producers. But the overall result of this whole Rhodesian sanctions is truly absurd. What has happened is this: That Rhodesian chrome ore is going out to every country, or many countries, except the United States . . .

LEWIS. Our competitors.

BARRETT. . . . our competitors. It is being converted into stainless steel, which is being imported into the United States at low prices, competing with our U.S. producers, who must depend upon the ferroalloys, the ferrochromes, which we are buying from Russia at the high prices. So our overall policy has been to hurt our own domestic industry, to in effect export jobs—jobs in producing stainless steel and ferroalloys. This has been the net result of this whole thing. This is why we have opposed this release of the chrome ore from the stockpiles. This is very shortsighted.

LEWIS. Dr. Wayne Barrett, president of the Foote Mineral Company, and Mr. John Donahey, public relations director. I thank you for being here. I would like to resume this discussion tomorrow.

(Thursday, Feb. 18, 1971, Washington, D.C.)

THE RHODESIAN SANCTIONS—PART 3

Let's continue our discussion regarding some new developments in the overall story of the U.S. economic sanctions against Rhodesia. The developments, of course, being the fact that the Nixon Administration, as a stopgap measure to try to alleviate domestic chrome ore demands has asked the Congress to free some 30 percent of the ore that has been held in this nation's strategic stockpile. That's the reserve that is set aside to be used normally in the event of a national emergency. The Administration has insisted that that ore, about 1,300,000 tons of it, is to be sold to the domestic ferroalloy industries. Of course, before the sanctions against Rhodesia, American companies were importing the vast bulk of their metallurgical chrome ore from the African nation of Rhodesia, the price back then, was only $25 per ton. But since the sanctions these companies have been forced to turn to the world's second biggest supplier, the U.S.S.R., which, recognizing our dilemma, has hiked up the price for its ore to about $75 per ton.

Here at this microphone again with me now to discuss this matter further are two men who are experts on this issue. Dr. Wayne T. Barrett is president of the Foote Mineral Company in Pennsylvania, which is one of the nation's major ferroalloy producers, and Mr. John Donahey is the company's public relations director. Dr. Barrett, on Tuesday, attended a meeting of ferroalloy producers at the General Services Administration. He then issued a press release saying that what the nation really needs is not a release from the strategic stockpile but a resumption of Rhodesian chrome ore imports. Dr. Barrett, let's start our resumption of our conversation by getting you to expand a little bit on that. What do you mean what we need is not a release from the strategic stockpile?

Dr. BARRETT. What we need is not a release, because that is only a short-term answer to the overall problem of making high grade chrome ore available to the U.S. We need this to make stainless steel in the United States. The release of this stockpile material will take the pressure off of those who could bring about the end to the sanctions against Rhodesia. This will relieve the pressure for a period of one or two years, and we think it very important that this pressure be maintained and that we solve the long-range problem of availability of Rhodesian chrome ore.

LEWIS. I know this is speculative, but why do you think the Administration is taking this step? The President, of course, or rather the White House, has explained that one of the reasons for this sale from the strategic stockpile is to get some badly needed dollars into the U.S. Treasury. Do you think that's the only reason?

BARRETT. I think that's one of the most important reasons. The Administration does want to dispose not only of its chrome ore stockpiles but stockpiles of many other materials in order to generate hard cash now. It will, as I say, take the pressure off the Administration to solve the problem of Rhodesia.

LEWIS. I just have the feeling that maybe the Administration is trying to buy a little bit of time, and there are a lot of prayers going on over at the White House that maybe this Rhodesian mess will resolve itself sometime between now and the time that we're going to reach critical emergency chrome ore shortages. What is going to be the net result to the industry of the decision to release 30 percent of chrome ore from the strategic stockpile? Does this, in any away, relieve the pressure on you to buy the ore from the Soviet Union?

BARRETT. It will relieve the pressure a little bit on us, and the other ferrochrome producers to buy ore from the Soviet Union, but only for a short period of time.

LEWIS. Mr. Donahey, let's speculate along these lines. Let's say I'm right and that the Administration is just trying to buy time, and let's also say, and I think this is a fairly safe prediction, that nothing is going to happen to have the Rhodesian issue resolve itself in the next 12 months, or let's even say the next 24 months. So next year we're faced with the same crisis, and the Office of Emergency Preparedness decides that we'll release another 30 percent from the strategic stockpile. And let's say that their reasoning is that in the event of a national emergency there wouldn't really be any problem because then and there we could drop the sanctions against Rhodesia and just quickly bring in Rhodesian ore.

DONAHEY. Well, of course, this we feel is one of the biggest fallacies in some of the reasoning that is applied to this problem, because, as I had mentioned yesterday, to the best of our knowledge, all the Rhodesian chromium mines are sold out. That means that the product is going to other customers than the U.S. And probably, as good common sense would tell you, there are long-term commitments involved in these contracts which might cover two, three, five years. There is, of course, in the world a great deal of competition for critically needed raw materials, and many countries, and you know them as well as I, are trying to tie up critical materials for long periods of time. And so, I think we're being very naive in thinking that if we should drop the sanctions tomorrow we could go in and get Rhodesian chromium. Furthermore, there is no real incentive for the Rhodesians to have to trade with us at this point. They have demonstrated that they can support the chromium business without selling a pound to the United States.

LEWIS. So in a sense maybe we have overlooked the fact that Rhodesia doesn't need us as a customer.

DONAHEY. This is exactly correct, and I think one of the problems is that we do not have a long-range national materials policy. We haven't had for many years, and we are in a competitive world. We are standing the very great risk of finding, after delaying any action on Rhodesia, that we have lost what are the most superb reserves of critical chromium, high grade metallurgical chromite in the world.

Dr. BARRETT. And, if I might add, the irony of the while thing is that our own sanctions have proven to Rhodesia that she does not need the U.S. We did it to ourselves.

LEWIS. Mr. Donahey, let's look at the worst. We use up 30 percent of our strategic stockpile this year. Let's say that the Rhodesian issue hasn't been resolved. 1972 comes along. The Office of Emergency Preparedness decides to dip into the strategic stockpile once again. 1973 comes along and the same thing happens again. Let us speculate that we use up the strategic stockpile just as we used up the commercial stockpile, and let us go ahead and speculate that you are right that Rhodesia does not need the United States as a customer. In the event of an emergency, then, what happens?

DONAHEY. Well, we lay ourselves open and make ourselves so vulnerable that I shudder to think what would occur. It's almost as though you're asking what happens if we disarm unilaterally, is it not? Because there is no question of the fact that you cannot sustain any kind of a war effort without chromium.

LEWIS. So this product, this chromium ore, this mineral is THAT important to our national defense?

DONAHEY. Yes. Absolutely.

LEWIS. 1971 has been termed the year of decision regarding the chrome ore crisis. Why?

DONAHEY. I think we're talking about whether there will be Congressional action in 1971. I should say that the 91st Congress, if you had made a study of those who had come out openly and made public statements, let's say, against the Rhodesian sanctions, you would find that fully one third of all the Congressmen and Senators were represented in that group, leaving two thirds unaccounted for, but it seemed at least, superficially, that a majority in each House would have welcomed an end to the sanctions.

Now what the 92nd Congress will do we have no idea. Most of those Congressmen who would have welcomed an end to the Rhodesian sanctions are back in, and the general, somewhat more conservative nature of the 92nd Congress might create a situation that would find this possibility of introducing legislation to override the sanctions. Now, of course, one of the big problems is that there are some racial overtones of this political issue which we have not brought up here, and should not properly be brought up in discussing the defense aspect and the economic aspect. But nevertheless, Congressmen are a little bit more sensitive toward the race issue in election year than they would be in a normal year.

LEWIS. Which would be in 1972—and I agree with you there would be a whole lot of Congressmen who would not take a stand in an election year which might even be remotely considered pro-Rhodesian because of the fact that it might run the risk for them, of losing some black votes. So there wouldn't be any Congressional action on this issue in 1972, and, of course, by 1973, that is the critical point. That is the emergency year.

DONAHEY. Well, in any event, what we feel is that we must avoid the very thing you have described. That is procrastination from year to year until your stockpile is so depleted that you do create a true national emergency. We hope that we, among others, will take a strong stand on this and make views known to the people in Congress, and elsewhere in the government, and that out of all this perhaps there will be some groundswell of opinion, or some strong leadership arise to take the bull by the horns and try to get something done or at least underway before that fateful year of 1973 arrives.

LEWIS. Dr. Barrett, are you optimistic that this Rhodesian issue is going to be resolved in the next few months?

Dr. BARRETT. I'm not sure that it will be resolved in the next few months. I think it will be resolved, and I think it will be resolved in the next one or two years. It is a complicated issue, with political overtones, but the need is so great that I think people will see what needs to be done.

LEWIS. Dr. Wayne T. Barrett, president of the Foote Mineral Company, and Mr. John Donahey, public relations directors, I thank both of you for being here.

[From the Washington (D.C.) Evening Star, July 28, 1970]

U.N. HUFFS AND PUFFS, EMBARGOED NATIONS THRIVE

(By James J. Kilpatrick)

UNITED NATIONS, N.Y.—The Security Council went through one of its recurring exercises in huffing and puffing a few days ago, the better to build up its wind, and wound up, as usual, by sweating hypocrisy from every pore.

The object of these dumbbell exertions was South Africa, or more accurately, South Africa, France, and Great Britain. The nominal purpose of the resolution finally adopted, 12–0, was to condemn violations of the embargo on shipment of arms to South Africa. But South Africa pays no more attention to the Security Council than a Great Dane pays to a yapping Pekingese. France is and largest supplier of arms to South Africa, and finds it profitable to stay that way. Britain's new Conservative government last week decided to consider resumption of limited arms shipments.

The Council's impotence as to South Africa is matched by its impotence as to Rhodesia. The only difference is that the U.N.'s hypocrisy toward Rhodesia, a small country, is meaner and more contemptible than its hypocrisy toward South Africa, which is large.

Last month the U.N.'s special committee on enforcement of Rhodesian sanctions brought in its third report. This bulky paper, running to 337 pages, is quite unintentionally, one of the funnier documents of the summer. The U.N., it will be recalled, has formally ostracized Rhodesia from the family of nations as a punishment for her multiple sins. These sins are first, that Rhodesia had the indecency to secede from the British Commonwealth; second, that her franchise falls short of one-man, one-vote; and third that Rhodesia constitutes a threat to the peace.

The first and second sins are none of the U.N.'s business. The third is a transparent falsehood. Yet Rhodesia remains, in theory, utterly isolated from the commerce of the civilized world, a pauper, a leper, an "illegal regime" that must be starved and whipped to its knees.

Somehow the sanctions have not worked out that way. As the committee unhappily acknowledged, the sanctions "have not been fully effective and have not led to the desired results." And why is this? It is because much of the world is paying less and less attention to them. Reports of evasions, far from declining in number, are soaring: There were 60 such reports last year. But 31 countries, including 27 members of the U.N., will not even answer the committee's mail.

"The committee notes," said the miserable authors of this report, "that many of the replies received from certain governments to its requests for information about their investigations of suspected evasions have been incomplete, and that lengthy periods have elapsed in some cases before replies have been received."

It is all very sad. Plainly, the illegal regime is thriving. By Britain's own estimate, Rhodesia's export trade—in the very teeth of the sanctions—jumped from $237 million in 1968 to $336 million in 1969. Immigration to Rhodesia is increasing. Last year saw a record 254,000 tourists strolling the peaceful streets of Salisbury.

The Rhodesian government will not have the kindness to die. It has announced plans for more airfields, public parks and game preserves to attract even more visitors. And in the private sector, sighed the committee, "the illegal regime is reported to have completed five new hotels in 1969, with more than 20 major hotel projects in various stages of implementation."

"The picture of ineffectiveness painted by the committee in June has since been confirmed in Salisbury. On July 16, Rhodesia's minister of finance made his annual report. Last year saw a profitable trade balance, a nice surplus in the treasury, a 19 percent gain in mining operations. As one consequence, Rhodesia is reducing its income taxes in order to attract still more executives, professionals, and technicians.

When does the dumb show stop? An honest United Nations, applying moral suasion to the world as it is, could perform a useful purpose. But nothing of value is gained so long as the U.N. proclaims empty embargoes and imbecile sanctions upon a world as the world is not.

ORDER FOR A STAR PRINT OF S. 317

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from

Connecticut (Mr. Ribicoff), I ask unanimous consent that a star print be made of S. 317, the "Interstate Taxation Act," deleting references on pages 3 and 32 to "Title VI—Taxation of Individuals".

By an inadvertent error, those words were included in the bill. No substantive change will appear as a result of this deletion.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR HOUSE JOINT RESOLUTION 337 TO BE HELD AT THE DESK

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that House Joint Resolution 337 authorizing the President to proclaim the second week of March 1971, as Volunteers of America Week, be held at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

OBSCENITY AND THE BUREAUCRACY

Mr. COOK. Mr. President, last year the Congress approved, and very wisely I think, an amendment to the Postal Reorganization Act, Public Law 90–375, which provided that an individual may ask the Postal Service that he not be sent any sexually oriented advertisements through the mail. I ask unanimous consent to insert at this point in the Record 39 U.S.C. 3010(b).

There being no objection, the extract was ordered to be printed in the Record, as follows:

§ 3010. Mailing of Sexually Oriented Advertisements

(b) Any person, on his own behalf or on the behalf of any of his children who has not attained the age of 19 years and who resides with him or is under his care, custody, or supervision, may file with the Postal Service a statement, in such form and manner as the Postal Service may prescribe, that he desires to receive no sexually oriented advertisements through the mails. The Postal Service shall maintain and keep current, insofar as practicable, a list of the names and addresses of such persons and shall make the list (including portions thereof or changes therein) available to any person, upon such reasonable terms and conditions as it may prescribe, including the payment of such service charge as it determines to be necessary to defray the cost of compiling and maintaining the list and making it available as provided in this sentence. No person shall mail or cause to be mailed any sexually oriented advertisement to any individual whose name and address has been on the list for more than 30 days.

Mr. COOK. Mr. President, as you will note, the law is quite simple. Next I would like to insert a paragraph explaining this new law from a Post Office Department general release No. 141(S), dated November 15, 1970.

Participating citizens will need only give their names and addresses to the postal service to guard against being sent sexually oriented ads, even if they have never received such materials.

The explanation is also quite simple.

Mr. President, I would also like to share with my colleagues a letter from Judge Henry V. Pennington, a circuit court judge in Danville, Ky. His comments on the application form for coming under the protection of this law can be applied, I believe, to almost every law the Congress passes.

We pass a simple law; the bureaucrats complicate it.

Let me read his letter to me:

February 24, 1971.

Dear Senator Cook: Just thought you might be as amazed as I to see what has been concocted for the taxpayer himself to do to prevent receipt of obscene mail. The instructions remind me of the Bar Examination.

Sincerely yours,

Henry V. Pennington.

Mr. President, I ask unanimous consent to insert in the Record the form that a citizen of the United States is required to fill out in order to have his name removed from any mailing list.

There being no objection, the form was ordered to be printed in the Record, as follows:

U.S. Postal Service Application for Listing Pursuant to 39 USC 3010

INSTRUCTIONS FOR FILING

Starting February 1, 1971, you can take advantage of a new law to protect you and your family from receiving sexually oriented advertisements in the mails. Here's how the new law (39 U.S. Code 3010) works. You list your name with the Postal Service, stating that you wish not to receive any sexually oriented advertisements through the mails. You may also list the names of any of your children under 19 years old who live with you or who are under your care, custody, or supervision. The Postal Service compiles a Reference List of such names and makes the list available, at a fee, to mailers. The law prohibits any commercial solicitation of names on the Reference List. After 30 days from the date your name is added to the Reference List, any mailer who sends you a sexually oriented advertisement subjects himself to both civil and criminal legal action by the U.S. Government.

The new law defines a "sexually oriented advertisement" as any advertisement that depicts, in actual or simulated form, or explicitly describes, in a predominantly sexual context, human genitalia, any act of natural or unnatural sexual intercourse, any act of sadism or masochism, or any other erotic subject directly related to the foregoing. Material otherwise within the definition of this subsection shall be deemed not to constitute a sexually oriented advertisement if it constitutes only a small and insignificant part of the whole of a single catalog, book, periodical, or other work the remainder of which is not primarily devoted to sexual matters.

To add your name (and any children's names) to the list, simply fill out Application for Listing, attached hereto, in accordance with the instructions:

(1) If you wish NOT to receive any sexually oriented advertisement through the mail, simply fill out Part II of this form and give it to any Postal Service representative. Your name and those of any minor under 19 you include will be added to the Reference List maintained by the Postal Service. Each adult must file a separate application. Please retain this portion of the Application (Part I) as it contains your application number which should be included in any further communication on this matter.

(2) The name that you insert in the space provided should be the name by which you customarily receive mail. You may, if you wish, file separate applications for varying forms of your name.

(3) If you change addresses, it will be necessary to execute a new application.

(4) Birth dates of minor children must be shown. When a minor reaches his 19th birthday, he will automatically be deleted from the list. If he then desires to be placed on the list, he must file a new application on his own behalf.

(5) Your name and address will be placed on the Postal Service's list as soon as practicable but some time will be required to process your application. The 30-day period starts only after your name goes on the Postal Service's list.

(6) It is imperative that the form be complete, legible and signed. If not, the application will not be processed and your name and address (including any minor children) will not be included on the list.

(7) If there are insufficient places on the form to list all minor children, you must complete and sign additional forms.

(8) If any children receive mail at an address other than yours, it will be necessary to file a separate application for each such child.

(9) If the application is made on behalf of a corporation, association, firm, partnership, or other business entity, it should show the name of that entity and must be executed on its behalf by the owner or other authorized officer of the entity. A separate application for such an entity must be filed for each address at which it maintains an office for the receipt of mail.

(10) You may have your application canceled by so notifying your local post office. Otherwise, the listing will terminate 5 years from the date your name is placed on the list. If you wish to be continued on the list, a new application must be filed at that time.

(11) If you receive a sexually oriented advertisement in the mail after you have been on the list for 30 days, you should print on the envelope (or other cover) of the sexually oriented advertisement the date on which you received it and affix your signature immediately below that statement. For example, the notation should read, I received this item on April 2, 1971. Signed: John Q. Public." Since the law generally prohibits opening of first-class mail by someone other than an addressee, make certain you open the mail piece that you believe has been mailed to you in violation of this law prior to turning it over to the Postal Service. Otherwise, further action to enforce the law may not be possible.

(12) Take the violative mail piece to any post office for further official action.

(13) If application form is not available, furnish the necessary information as instructed by your Postal Service representative.

INSTRUCTIONS FOR COMPLETING PART II, FORM 2201

1. Read ALL instructions before completing Part II.
2. Print (DO NOT WRITE) information.
3. Make sure your numbers and letters are printed like this: 1 2 3 4 5 6 7 8 9 0 A B C D E F G H I J K L M N O P Q R S T U V W X Y Z.
4. Use a No. 2 lead pencil.
5. Print large. Do not print in blue area.
6. Do not fold, staple, tear or smudge.
7. Enter all dates as year, month and day. Example: *February 18, 1971* should be written as year, 71; month, 02; day, 18.
8. If space allotted is insufficient, print without regard to blue area.
9. IMPORTANT: Be sure to sign the form in the space provided.
10. If you have a question regarding the preparation of the form see any Postal Service representative.
11. When the form is completed, give it to any Postal Service representative.

Date signed: Year, Mo., Day.

Print last name below.
Print first name below, mi.
Print street No. below.
Print street name, route, or P.O. box No. below.
Print apt. No. below.
Print city or town below.
Print State abbreviation, ZIP code.
Print last name below.
Print first name below, mi.
Year, Mo., Day.
Also list children.
Signature.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

The Senate continued with the consideration of the motion to proceed to the consideration of the resolution (S. Res. 9) amending rule XXII of the Standing Rules of the Senate with respect to the limitation of debate.

Mr. JAVITS. Mr. President, in the course of the debate on rule XXII, the floor has essentially been controlled by Senators who oppose the amendment of Senators CHURCH and PEARSON. In my judgment, the country really has not been alerted as to what is at stake and just what power there is in the filibuster, and how it can throttle and thwart legislation; and it has done so.

The reason for this seems to be the constant theory that the filibuster was the invention of some of our southern colleagues to block action on civil rights legislation. It is interesting to note that by no means is there any unanimity now even among our southern colleagues on that subject, as there used to be, as great waves of enlightenment have swept through the South, as they have through other parts of the country.

However, I think the matter I have in mind is best illustrated by two points. First, I think the days when the filibuster was a powerful weapon to suffocate civil rights legislation are gone. I myself see no more really significant civil rights legislation as likely in the future which can be blocked by a filibuster. Either it will have such overwhelming support as not to be blocked by a filibuster, or, most likely, no such major measures will be proposed.

And second, Mr. President, there are now rather interesting uses of this very weapon by those who are considered to be liberals. This is a very new change. This is critically important for the attention of the country, because at one and the same time that this filibuster weapon has been employed by liberals, they are the advocates of change, and it is that question, I think, which is highly deserving of consideration, because the complexion which the opponents of an amendment to rule XXII would put upon those who wish to amend it is that they desire to suffocate debate. Mr. President, nothing could be farther from the truth. We are ourselves interested in debate, and will ourselves utilize rule XXII if it remains as it is; and yet we deeply feel that this is not the way to govern, that it endangers the country, and that there comes a time when every demand for full and free debate has been satisfied, and it is time to act. It is the paralysis of action, not the suffocation of debate, Mr. President, which is involved in our desire to amend this rule to make it three-fifths instead of two-thirds, as it is at present.

This is a critically important point to make to the country. To give examples as to how the filibuster could be and has been used to suffocate action, rather than any question about giving the Senate time for deliberation and debate, I was very much interested, Mr. President, to read the letter which my very distinguished colleague the Senator from North Carolina (Mr. ERVIN) sent to all of us in connection with this debate.

The theory is that if only the majority will show, as Senator ERVIN says, its true depth and strength, then the implication is that their measure will carry. Again I say, Mr. President, nothing could be farther from the truth. They can show all the depth and strength they like. We have now had three cloture votes in which, in each case, we got a decisive majority. But does the minority, which can block cloture, show any signs of saying, "We are devotees of the principle that where the majority has shown the true depth and strength of its position, we will allow them to vote"?

Not at all. The filibuster goes on as ever, unabated, and will, Mr. President, until any hope of amending rule XXII, or, for that matter, any other rule the amendment of which a determined minority would oppose is abandoned.

There has always been a kind of assumption around here that if a majority wants anything and sticks to it, it will get it—the same sort of idea as Senator ERVIN'S about the true depth and strength of the majority position, using his words. Again, nothing could be farther from the truth. The fact is that it is the depth and strength of the minority which is demonstrated, and their depth and strength brings about the paralysis of the majority, and there is no way out of it.

So far, Mr. President, we have been relatively lucky in that in critical matters, in the final analysis, we have either invoked cloture as we did on civil rights bills, or, after a long period of time, we were permitted to vote, and I use that word advisedly.

But tomorrow, Mr. President, the subject of a filibuster could be something absolutely essential to America's defense or tranquility or freedom, and it could be just as easily blocked as we now see an effort to amend the rules is being blocked.

So, Mr. President, I point out to those who have adopted what has heretofore been considered the conservative position that liberals themselves are increasingly in the position of trying to stop what we consider to be wasteful, dangerous, or unwise legislation, and that this measure or various measures of filibuster can be very well employed in that effort. For example, in respect to the SST, where affirmative action is required, there certainly is a determined enough minority in this body to block action on that. We have problems in respect to the ABM and the MIRV program, in trying to deal with problems of expense in the Defense budget, and perhaps ultimately to limit that type of armament even if in respect to international agreement. There again, the votes have been exceedingly close, and a determined minority can very definitely, whatever may be the interests of the country in the judgment of the great majority, frustrate the will of that majority.

Does anyone seriously believe, for example, that there are not 34 Senators who have almost come to the point where they will challenge appropriations for the continuation and expansion of the Indochina war by invoking a filibuster? So, Mr. President, speaking very frankly, the days when the filibuster was considered to be a weapon to kill off civil rights legislation are gone forever. Indeed, liberals are now in a defensive position with regard to civil rights legislation. In recent years a number of us have tried to stop restrictive riders on appropriations bills. We have fought the adoption of antibusing legislation and we have opposed legislation specifically designed to restrict the right to demonstrate and protest without violence. If anyone should now favor the filibuster rule it is the liberals, for we have succeeded in achieving our major civil rights goals—in terms of legislation— and from now on, as far as the liberals are concerned, we can use the filibuster to prevent inroads on the civil rights legislation we already have.

But, Mr. President, it is we who are arguing and have argued, through the fifties and the sixties and on into the seventies, for reform of rule XXII. The reason is that it is a bad rule, that it is really an extraconstitutional restraint on the action of Congress, that it is unjust, and that it subjects the Senate to ridicule in the eyes of the American people.

Can we continue to wonder at the fact that many young people have given up on the establishment—that they see no hope in operating through the authorized channels—when the Senate of the United States can be tied in knots by a handful of Members? Are we willing to admit to the American people that we acquiesce in this system which allows 34 Members to determine what matters we shall vote on? Are we willing to sidestep the great issues of the day—war and peace, the economy, welfare reform, revenue sharing—because one-third of our Members do not want to even consider them, let alone vote on them?

Mr. President, that is, as I see it, the position the liberal mind takes in this country. We do not want to see this great legislative body paralyzed—particularly at this time in our history when the balance of power between the Executive and the Legislature seems so heavily weighted in favor of the Executive. If we agree to assume these shackles voluntarily, if we willingly impose upon ourselves this crippling rule how can we legitimately lament assumption of power by the Executive? If we are to retain our status as an equal branch, and if we are to exercise the responsibilities that go with that status, we must be free to act on all crucial matters.

If I cannot convince my colleagues on the merits of this change, let me once again state the practical effects of keeping the rule: increasingly, it will be used to block legislation which the liberals oppose. Remember this prediction when we take up the SST, the trade bill, and the ABM. If you do not agree that no question should be denied an up-or-down vote because 34 Senators oppose, then I assure you that these questions will also be considered in that light.

Mr. President, another aspect of the issue with which I would like to deal, because it concerns the amendment which the Senator from Michigan (Mr. HART) and I have proposed, which used to be known as the Douglas amendment, is an amendment which would make cloture obtainable upon a vote of a constitutional majority of the Senate, to wit, 51 Members.

It has always been pictured as the likely end of the road should there be a further reduction in the two-thirds rule. Mr. President, I should like to point out that there was a reduction in that rule in 1959 in terms of the two-thirds present and voting, rather than the constitutional two-thirds of the Senate, and that this was not pursued with any majority cloture idea.

In addition, neither Senator HART nor I, nor any other Member of the Senate, has sought majority cloture as that word is used—in other words, where debate can be closed off by a majority of a quorum of the Senate. What we have sought is the limitation of a constitutional majority, thereby engaging in the assumption, in so important a matter as this, that 51 Senators were actually present and wanted to close off debate, in that way assuring against any improvident decision or affirmative decision by a small group.

But what has been little noted in addition to the fact that it does call for 51 Members to vote affirmatively on that question—and it seems to me that that is very adequate protection for what we are trying to protect, which is the right of free and open debate—is that the resolution which Senator HART and I have introduced has one other advantage: It guarantees a period of debate; and, interestingly enough, the two-thirds rule does not.

It is very significant that a determined majority of two-thirds—and it is possible that either party could amass that in this Chamber, if we are looking at it at a party level, and certainly an issue could amass that in this Chamber within a day could throttle debate by the remaining minority allowing each Senator only 1 hour of further debate.

The amendment Senator HART and I have introduced gives 20 calendar days—that is, 20 working days—after the cloture motion is filed, before it is voted on, in order to afford in that interim, should the motion carry, a very full and fair debate by the Senate.

In addition, it changes—and this, I think, is a most desirable change—the existing rule as to how we operate after cloture has been voted.

Under our amendment, the 100 hours which are available to the 100 Members, instead of being allocated 1 hour apiece to each Member, without the right of transfer are allocated between the contending sides, so that each has 50 hours, and any Member who wishes it is guaranteed his 1 hour.

It seems to me that that is a much fairer arrangement; and if we act favorably on changing the rule at all, I think we ought to consider very seriously including that arrangement in any change of the rule.

Mr. President, I should like to recapitulate the situation we face. The fact is that now the situation has shifted. For example, in the last Congress it was the liberals who engaged in extended debate respecting, for example, the trade bill, which we considered to be highly protectionist. This demonstrated a use for the rule which, it seems to me, should interest the more conservative Members of the Senate in changing the rule, as the whole situation now really involves the capability of the Senate to act and is no longer confined to the narrowed question respecting the ability to prevent action from taking place on civil rights bills which were opposed in this way for many years.

Under these circumstances, it seems to me that the extra constitutional aspect of the filibuster is emphasized and made very clear, in that we are perfectly willing—now that this could be a weapon in our hands, as it has been a weapon in the hands of the opponents of civil rights legislation for decades—we are willing, nonetheless, to cause the rule to be amended, because we are deeply committed to the constitutional principle that the legislative arm should have the right, after full and fair debate, to vote, rather than to utilize for ourselves—and it is now turned in that direction—this weapon which was so useful to those of ideological views other than our own for so many decades.

Mr. President, those who are prophets of doom that the Senate will thereby lose its deliberative aspect are not accurate at all in their prediction, because I think that we would be the last people in the world to want the Senate to lose its deliberative aspect, considering the matters which liberals will be compelled to debate in this Chamber, and we have no such idea at all. Indeed, the Senate has had a very checkered history on this subject. In its early history, it was possible to close off debate by the mere vote of a majority. Then, for a long number of years—approximately 75 years—there was no rule by which debate could be ended in any way. A debate could go on as long as any Member wished to speak. That was found onerous as we approached modern times, and in 1917 a cloture rule, a rule by which the debate could be ended, was put upon the books. That rule, since slightly modified, called for a two-thirds vote of the Members of the Senate in order to close off debate.

Subsequent efforts to change this rule have been unsuccessful, especially in the years since 1959, when the question was first raised as a constitutional question—the right of the Senate, just as there is a right in the House of Representatives, to change its own rules without regard to the existing rules because of the constitutional provision that each House shall make its own rules.

In that connection, I should like to deal with what is about to ensue in the Senate within the next few days. First, Mr. President, a motion will be presented tomorrow, the fourth in the series, seeking cloture of debate upon this issue. That motion will come up for consideration on Tuesday next.

I am today writing Vice President AGNEW, informing him of my intention on Tuesday next to ask for a ruling—and I confidently expect that this will be so—that if a majority votes to impose cloture, cloture will thereby have been imposed, and that the Senate should then, by ruling of the Chair, proceed to vote, without further debate upon the matter before it, on the ground that we are operating now, in respect of this particular rule change, under the Constitution and not under the rules of the Senate, by virtue of the fact that the rules of the Senate are inhibitory of that constitutional right and that, hence, the Senate rules must to that extent yield to general rules of parliamentary practice which allow of debate being closed after a reasonable time for debate by the determination of a majority of the Senators.

In that respect, I am asking the Vice President to follow the precedent set by Vice President HUMPHREY in 1969 in ruling that cloture had been so invoked and then submitting an appeal which was made at that time and which will undoubtedly be made again from that ruling directly to the Senate, to be decided without debate.

At that time, the practice proceeded as follows: The Senator from Idaho, who was then, as now, the proponent of the three-fifths amendment, propounded the following question to the Vice President:

> If a majority of the Senators present and voting, but less than two-thirds, vote in favor of this motion for cloture, will the motion have been agreed to?

In reply, then-Vice President HUMPHREY made the following ruling:

> On a par with the right of the Senate to determine its Rules, though perhaps not set forth so specifically in the Constitution, is the right of the Senate, a simple majority of the Senate, to decide constitutional questions.
>
> If a majority, but less than two-thirds, of those present and voting, vote in favor of this cloture motion, the question whether the motion has been agreed to is a constitutional question. The constitutional question is the validity of the Rule XXII requirement for an affirmative vote by two-thirds of the Senate before a majority of the Senate may exercise its right to consider a proposed change in the Rules. If the Chair were to announce that the Motion for Cloture had not been agreed to because the affirmative vote had fallen short of the two-thirds required, the Chair would not only be violating one established principle by deciding the constitutional question himself, he would be violating the other established principle by inhibiting, if not effectively preventing, the Senate from exercising its right to decide the constitutional question. The Chair does not not intend to violate both these principles.
>
> It is the view of the Chair, just as it was the view of an earlier President of the Senate, that, at least at the opening of a new Congress, "the majority has the power to cut off debate in order to exercise the right of changing or determining the rules."

In that regard, Mr. President, Vice President HUMPHREY in 1969 was referring to a ruling made by the now President but then Vice President Nixon at the opening of the 85th Congress in January 1957.

I now continue with the ruling of the Chair by Vice President Humphrey:

> In response to the parliamentary inquiry of the Senator from Idaho, therefore, the Chair informs the Senate that in order to give substance to the right of the Senate to determine or change its rules and to determine whether the two-thirds requirement of Rule XXII is an unconstitutional inhibition on that right at the opening of a new Congress, if a majority of the Senators present and voting but fewer than two-thirds, vote in favor of the pending motion for cloture, the Chair will announce that a majority having agreed to limit debate on Senate Resolution 11, to amend Rule XXII at the opening of a new Congress, debate will proceed under the cloture provisions of that Rule.
>
> The Chair notes that its decision that debate will proceed under the cloture provisions of Rule XXII is subject to an appeal if it is taken before any other business intervenes. The Chair would place the appeal before the Senate for an immediate vote since Rule XXII provides that appeals from the decision of the Chair, under cloture procedure, shall be decided without debate.

Now, Mr. President, that is what the Vice President then proceeded to do, and he was reversed on an appeal from his ruling by the Senate. In other words, a majority voted for cloture, and the Chair announced that a majority having voted that that represented cloture and that he would then apply rule XXII, and an appeal was promptly taken from his ruling, and on the vote, that appeal was sustained and the Chair was reversed.

Mr. President, we are told many would like to say we are a continuing body. The fact is that one-third of the Senate is replaced every 2 years, as has been done this time. Therefore, there is no assurance whatever that if the Vice President of the United States should rule in the way I have described that Vice President Humphrey ruled, an appeal would be sustained. The fact is that the precedent established by the chairman could properly be followed by another occupant of that chair and the Senate would then have its choice as to whether it would or would not sustain or overrule that appeal. That is not a precedent, because it is entirely susceptible to change with a newly constituted Senate, which this is.

So, Mr. President, I feel that it is essential to raise that issue and I hope very much that the Vice President will make the ruling that now Senator Humphrey but then Vice President Humphrey did.

I say that for this reason: It has been pointed out time and again—this is only laboring the obvious—that if there is another ruling—to wit, that the point of order which may be made by me is submitted by the Vice President to the Senate and that that question is itself debatable, then we are exactly back where we started. It is that kind of ring-around-the-rosy which gets us nowhere except at a dead end, of which I speak.

The young people in this country and many, many other Americans just cannot understand why we cannot catch up with ourselves in a situation of this kind, why we cannot change our own rules of procedure except by complying with them, notwithstanding that an absolute majority of the Senate—and that is very clear—wants to act and wishes to change the rules. It only emphasizes the fact that this situation builds in, really, an extraconstitutional provision; namely, that one-third of the Senate can deny action on any measure notwithstanding that the Constitution contemplates that legislation shall be made by a majority of each House. But we have our feet so entangled in this web of circumstance that we cannot find our way out.

I believe, Mr. President, that it is essential, before one can say that this effort will again come to naught, that the Vice President of the United States, constitutionally the Presiding Officer of the Senate, be given the opportunity to make a ruling upon which the Senate can then act.

But I wish to point out that if he does not make that ruling, then we are finished, because there is no way to close debate from the floor except by a motion which the Chair will accept as a way of closing debate.

The whole Senate will accept it, as well as the Chair, if it comes in accordance with rule XXII; but, otherwise, it is the Senate power, the one-third plus one, which remains absolutely final and there is just no way of undoing it, if it doubles back on itself, unless the Presiding Officer makes the constitutional ruling, which in my judgment must be made. If he leaves it to the Senate, then there is no way out of the situation.

So, Mr. President, I believe that it is only just and fair that this matter be put to the present Vice President, and I shall do so on Tuesday next.

Mr. President, I have made these observations today because I think it critically important to our country that those who desire a rule change—and I am for the three-fifths and hope that the three-fifths is voted. But I think it is also essential that the country understand what is the situation and the power which is being vested in the hands of one-third of the Senate merely by virtue of the fact that we cannot find our way out of this tangle and, further, that the only way we can find our way out of it is the way the Constitution points to, as ruled by Vice President Humphrey, and as I hope very much that Vice President Agnew will similarly rule.

I point out that if he does not, then it is absolutely impossible to break the bonds in which we have tied ourselves. I hope very much that for those reasons, and the highest interests of our country, that he does.

Finally, I consider the argument that some effort is being made by those of us who propose the change to stifle, curtail, or abort debate as being absolutely irrelevant because I have demonstrated if anything that it is we, on our side, who will have the greatest use for the filibuster in the days ahead.

The constitutional capacity of the Congress to act, even if it acts in a way which liberals do not like, is much more important to us than the use of the filibuster as a weapon.

I hope very much that the country will see it that way and that we may have the necessary support which enables us at long last to regain and recapture the power of the Senate to act. This is very much of a piece with other problems between the executive and the legislative as to how their respective powers may be exercised. I have my view respecting the war powers of the President and the Congress.

The important thing is that we have lost a great deal of our power as elected representatives of the people because of our inability to cope with involvements like this in rule XXII.

We have lost the power of the people that our form of government intends us to have and that the best interests of the people and the Nation intends us to have.

I feel it my duty to do everything I can to break these bonds in which we as a Senate seemingly have tied ourselves.

Mr. President, I yield the floor.

DETROIT NEWS OFFERS $10,000 FOR CLUES ON CAPITOL BOMBERS

Mr. GRIFFIN. Mr. President, the Detroit News deserves the commendation of the Senate and the Nation for its offer published today of a $10,000 reward for information leading to the identification and conviction of those who planted a bomb in the U.S. Capitol.

I believe the Congress should consider offering a similar reward and I am considering the introduction of a resolution to that end.

Somebody, somewhere may have valuable information which can help to bring to justice the person or persons who have desecrated the Capitol of the United States.

This is the largest reward the Detroit News has offered, I understand, since it launched its "Secret Witness" program 4 years ago. Many crimes, including 15 murders, have been solved under the "Secret Witness" program, which accepts anonymous information.

Mr. President, I ask unanimous consent that the Detroit News article announcing the reward offer be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

$10,000 Reward Offered by News in Capitol Bombing

(By Boyd Simmons)

The Detroit News today offered a $10,000 reward for information leading to the identification and conviction of the person or persons responsible for Monday's bombing of the U.S. Capitol.

The reward is offered through the newspaper's "Secret Witness" program, which has solved many crimes, including 15 murders, in its four years.

The information can be submitted anonymously.

At first glance, the chances of anyone in Michigan knowing who planned and carried out the bombing in Washington would appear remote.

However, The News is aware that the Weatherman plot to conduct a wave of terrorist bombings throughout the nation was born secretly in Flint in December, 1969, and it was a Detroit News reporter, John E. Peterson, who broke the story.

It is also aware that the Students for a Democratic Society, from which the violent Weatherman sprang, was organized in Port Huron and that many other radical, militant and anti-war organizations have strong roots in the state.

So there may be someone in Michigan who knows.

Since the paper possesses a crime-solving weapon of proven effectiveness in the "Secret Witness" program, which has been able to protect the identity of its information sources, it decided to make the attempt to identify the bombers.

Anyone with information can call the special reward phone, 222-2122, or mail in his tip to Post Office Box 1333, Detroit, Mich., 48231, following instructions in the accompanying coupon.

The bomb that exploded shortly after 1:30 a.m. Monday in the 170-year-old Capitol had been placed near the Great Rotunda, a landmark known to virtually every tourist who has visited Washington.

The explosion cracked interior walls on the first floor of the Senate (north) wing, shattered windows, blew doors off hinges and damaged nearby offices and a barbershop.

Investigators believe the blast was caused by 15 or 20 sticks of dynamite attached to a timing device.

A half-hour before the explosion, a male voice called the Capitol police and told them to evacuate the building, saying a bomb would go off in 30 minutes and stressing:

"This is the real thing."

The Associated Press and a New York newspaper later received a five-page, single-spaced letter, dated Feb. 28, the day before the bombing, but postmarked March 1, in Elizabeth, N.J., "Weather Underground."

It stated, in part:

"We have attacked the Capitol because it is . . . a monument to U.S. domination over the planet. The invaders of Laos will not have peace in this country.

"Young people here will do everything we can to harass, disrupt and destroy this murderous government."

Despite some skepticism as to the letter's veracity, it remains the main clue.

The letter was turned over to the FBI, which is investigating bombing.

Any tips received by The News will be turned over to the FBI, once anything that might identify the sender is removed.

Neil Welch, the agent in charge of the FBI office in Detroit, enthusiastically welcomed The News' reward offer.

QUORUM CALL

Mr. GRIFFIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOLUNTEERS OF AMERICA WEEK

Mr. BYRD of West Virginia. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on House Joint Resolution 337.

The PRESIDING OFFICER (Mr. BEALL) laid before the Senate the joint resolution (H.J. Res. 337) authorizing the President to proclaim the second week of March 1971 as Volunteers of America Week, which was read twice by its title.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the joint resolution.

The PRESIDING OFFICER. Is there objection?

There being no objection, the joint resolution was considered, ordered to a third reading, was read the third time and passed.

RECESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER (Mr. BEALL). Without objection, it is so ordered.

Thereupon, at 3.23 p.m. the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 3:38 p.m. when called to order by the Presiding Officer (Mr. BEALL).

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider two nominations that were reported earlier today by the Judiciary Committee, the nominations being at the desk; and I ask unanimous consent that, notwithstanding rule XXVI, the Senate proceed to the immediate consideration of the nominations.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider executive business.

U.S. MARSHAL

The PRESIDING OFFICER. The first nomination will be stated.

The legislative clerk read the nomination of H. Brooks Phillips of Mississippi, to be U.S. marshal for the northern district of Mississippi.

The PRESIDING OFFICER. Without objection, the nomination will be considered; and, without objection, it is confirmed.

U.S. DISTRICT JUDGE

The legislative clerk read the nomination of Robert V. Denney of Nebraska, to be a U.S. district judge for the district of Nebraska.

Mr. HRUSKA. Mr. President, I move that the nomination be approved.

The PRESIDING OFFICER. Without objection, the nomination will be considered; and, without objection, it is confirmed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, the President will be so notified.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

PROGRAM FOR TOMORROW

Mr. BYRD of West Virginia. Mr. President, the program for tomorrow is as follows: The Senate will convene at 11:45 a.m., following a recess. Immediately following the approval of the Journal, if there is no objection, and the recognition of the two leaders or their designees under the standing order, the very distinguished junior Senator from Arkansas (Mr. FULBRIGHT) will be recognized for not to exceed 15 minutes.

Following that, under the previous order, there will be a period for the transaction of routine morning business, not to exceed 45 minutes, with statements limited therein to 3 minutes.

Following the transaction of routine morning business on tomorrow, the Senate will pursue its further consideration of the pending business.

The Senate, under the previous order, when it completes its business tomorrow, will recess until 11:45 a.m. on Monday next. For the information of the Senate there will be no votes tomorrow.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

The Senate continued with the consideration of the motion to proceed to the consideration of the resolution (S. Res. 9) amending rule XXII of the Standing Rules of the Senate with respect to the limitation of debate.

Mr. BYRD of West Virginia. Mr. President, what is the pending question before the Senate?

The PRESIDING OFFICER (Mr. BEALL). The question is on agreeing to the motion of the Senator from Alabama (Mr. ALLEN) to postpone until the next legislative day the consideration of the motion of the Senator from Kansas (Mr. PEARSON) that the Senate proceed to the consideration of Senate Resolution 9, a resolution to amend rule XXII of the Standing Rules of the Senate with respect to the limitation of debate.

Mr. BYRD of West Virginia. I thank the Presiding Officer.

RECESS TO 11:45 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 11:45 a.m. tomorrow.

The motion was agreed to; and (at 3 o'clock and 40 minutes p.m.) the Senate took a recess until tomorrow, Friday, March 5, 1971, at 11:45 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 4 (legislative day of February 17), 1971:

U.S. DISTRICT COURTS

Robert V. Denney, of Nebraska, to be a U.S. district judge for the district of Nebraska.

DEPARTMENT OF JUSTICE

H. Brooks Phillips of Mississippi to be U.S. marshal for the Northern District of Mississippi for the term of 4 years.

HOUSE OF REPRESENTATIVES—*Thursday, March 4, 1971*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

And you shall do what is right and good in the sight of the Lord, that it may go well with thee. Deuteronomy 6: 18.

Eternal God, who art the author of life and the companion of our pilgrim ways, awaken within us the realization that Thou art ever with us, that Thou hast a purpose for each one, and that life consists in finding Thee and in walking with Thee in Thy way. Before Thee we stand seeking guidance for this day, wisdom to make wise decisions, and strength with which to serve our people as best we can.

We commend our Nation to Thee. Bless all who govern that they may lead our people in the paths of peace, freedom, and good will. Bless all who are governed that, following wise leadership, they may not shrink from the disciplines that accompany liberty. Remove from us all narrowness and all pettiness that in a passion for what is right and good for all we may keep ourselves dedicated to Thee and to our beloved country. Bless our returning Congressmen and may our fellowship be an experience of abounding joy.

In the Master's name we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

THE LOW AND HIGH INTEREST FORCES ARE NOW ON PUBLIC RECORD

(Mr. PATMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PATMAN. Mr. Speaker, last November, the Republican Party spent lots of campaign funds trying to convince the American people that they were not the high-interest-rate party.

Yesterday, we had a vote—the first recorded teller vote—and the high interest forces were plainly separated from the low interest group in the House. The vote was on a motion to strike section 3 of H.R. 4690—a bill which allows the Treasury Department to market $10 billion of long-term Government obligations without regard to the 4¼-percent interest rate ceiling. For all intents and purposes, this was a backdoor scheme to destroy congressional control over interest rates and to reimpose a high interest policy on the American people.

On the vote to strike this provision—and thus retain the 4¼-percent ceiling—the low-interest forces lost on a 212-to-180 vote.

Of the Republicans voting, 91 percent voted on the high interest side of this issue. On the other side, 73 percent of the Democrats voted to retain the 4¼-percent ceiling. They voted for low interest rates.

Of the 212 Members on the high interest side of this issue, there were 151 Republicans and only 61 Democrats. Voting for low interest were 166 Democrats and 14 Republicans. Only 9 percent of the Republicans cast a vote for low interest rates.

Mr. Speaker, I want to commend the Democratic leadership and the solid group of Democrats that stood with their party on this issue yesterday. We have not heard the end of this issue and we now have 180 Members who are willing to resist the pressures that are always present when this House tries to defend the public interest on monetary policy.

Mr. Speaker, I hope that the news media will carry out the full purpose of the recorded teller vote and publish the results so that the public may make their own judgments.

SOVIET JEWS RELIEF ACT OF 1971

(Mr. KOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOCH. Mr. Speaker, today I am introducing the Soviet Jews Relief Act of 1971.

This is a simple bill, but behind it stands a noble American principle—that this Nation has always been and should always remain a haven for the oppressed of other lands. The bill authorizes 30,000 special visas outside the regular immigration quota system for Soviet Jews who are permitted to leave the Soviet Union and wish to come to this country.

Up through the earlier part of this century, the United States had no restrictions on immigration, and every schoolchild can recite the successive waves of persecuted minorities who sought our shores and enriched our national life—Pilgrims, Huguenots, Catholics, Quakers, Germans, Italians, Irish, Slavs, and so many other national groups. Even with our immigration laws we have, to our credit, preserved this tradition. Special legislation permitted more than 30,000 Hungarian refugees to settle here after the suppression of their 1956 revolution. Similarly since 1968 over 10,000 Czechoslovakian refugees were assisted in coming to the United States. It should be remembered that more than 565,000 Cubans have made the United States their new home through exemptions from the immigration laws.

I think it is important to enact a bill for the relief of Soviet Jews at this time, even though I recognize that they may be prevented from availing themselves of it. Soviet leaders, and the Jews behind their guarded borders, must be told that Americans of all faiths, acting through their elected Congress, deplore Soviet treatment of a proud minority and will make them welcome here. Enactment of this bill, then, is both a real invitation and an expression of conscience. And in a real sense it is a challenge to the Soviet Union to open wide her doors and permit the Jews who are vilified there to leave. It will contrast sharply with the neglect of the Jews by mankind 30 years ago when so many countries, ours included, refused sanctuary to many of those Jews who escaped or would have been permitted to leave Nazi Germany through negotiations had visas been available.

The adoption of this bill will be more than just an American gesture. I hope it will spark men in other nations—Great Britain, France, Italy, Australia, and for reasons of history, West Germany—to enact similar legislation. Such a worldwide movement will have practical value in encouraging the Soviet Union to permit Jewish emigration from the Soviet Union of those Jews who wish to leave and the symbolic value of this offer of sanctuary will hopefully not go unheeded in Moscow.

The special refugee quota of 10,200 available under present law for refugees from the Eastern Hemisphere has been oversubscribed for the past 2 years and would not meet the need if the Soviet Union were to open her doors and permit the emigration of Soviet Jews on any modest scale.

Of course many Soviet Jews who are permitted to leave will choose to go to Israel. This will be their choice but the enactment of this bill at this crucial time will remain always an act of American generosity in a time of need.

JAPANESE LOBBY

(Mr. DORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DORN. Mr. Speaker, the powerful Japanese textile industry and its Washington lobby obviously are calling the tune in textile import negotiations. Mr. Speaker, the American textile industry and its 2½ million employees deserve from our Government the same consideration as the Japanese lobby receives. We are only seeking equal treatment and "equal time."

During consideration of the textile quota bill in the last Congress we were subjected to a barrage of propaganda and misleading statements from the Japanese Washington lobby. They opposed legislation at every turn. Finally, the House passed the legislation over their powerful opposition. But when legislation was again introduced on January 22, they quickly followed with phony proposals to again undermine negotiations and forestall the legislation. The Japanese textile industry controls the Japanese Government on this issue. The Japanese negotiators and the Japanese Government act merely as spokesmen for the industry. Furthermore, the Japanese Government is actually in partnership with their textile industry. Their Government will cover losses sustained in penetrating foreign markets and will guarantee the availability of venture capital. The American textile community and its employees justifiably demand an ironclad agreement which contains ceilings on imports of specific categories instead of the absurd voluntary limitation offered by the Japanese lobby. The best possible solution, however, remains the fair and mutually advantageous Mills trade bill which is now before the Ways and Means Committee.

SANITATION STANDARDS NEEDED FOR FOREIGN DAIRY PRODUCTS

(Mr. OBEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. OBEY. Mr. Speaker, I am introducing a bill in this House today which will provide for the inspection of imported dairy products and require such products to meet certain minimum standards for quality and wholesomeness.

I am doing so both to protect the consumer from foreign food products which have not been manufactured with the same care as that taken by American producers of similar products, and to make foreign producers share the burden of American dairy producers who must comply with tough domestic sanitation standards.

Figures from the Food and Drug Administration have indicated that almost 10 percent of the dairy products imported into this country are rejected because they are contaminated or otherwise unfit for consumption. Even more frightening is the fact that often less than 10 percent of all incoming foreign dairy products are inspected at all, leaving a great quantity of potentially inferior or dangerous products available to the American consumer.

Two examples of contaminated shipments, which have been blocked by the Food and Drug Administration, help us to appreciate the full impact of these figures. A shipment of cheese from West Germany, for example, was detained for containing such unappetizing contaminents as insect larva. Another shipment, this one from France, was detained because it contained benzene hexachloride, an unsafe chemical substance.

American manufacturers of dairy products are compelled by law to meet certain standards set by the Department of Agriculture concerning levels of pesticide residue, and other health hazards. It seems quite unfair, therefore, that foreign producers are allowed to send inferior and possibly dangerous products to this country, while our own manufacturers are subject to penalties for even the slightest overstep of the required standards.

The fact remains, therefore, that unless this country imposes standards on foreign dairy products entering our ports which are at least as stringent as those imposed on American products, there will continue to exist a potential danger to the health of the American people. And the importance of standards for imported products is certainly increased with the realization that dairy imports on a milk equivalent basis have increased from 923 million pounds to 1.9 billion pounds in the last 6 years.

Mr. Speaker, it is important that we enact legislation which will alleviate the financial burden now on our farmers and processors because they are required to spend and invest many thousands of dollars for equipment and buildings in order to meet the rigid requirements of Federal, State, and local health standards.

Dairy farmers, for example, make investments worth thousands of dollars in pipeline milkers, bulk tanks, coolers, and milkhouses. In addition to this large investment in their milking systems, farmers and processors pay thousands of dollars annually for inspections of these systems to make sure they meet State, local, and Federal sanitation standards. We have no assurance at all that producers of dairy products in other countries operate their facilities under comparable sanitary conditions.

The bill I am proposing today will give the Secretary of Agriculture the power to set standards for imported products for which no Federal standards have been established. Also in my bill is a provision which gives the Secretary the authority to require the destruction of dairy products refused admission to this country unless the dairy products in question are sent back or brought into compliance with the Secretary's regulations within a specified period of time.

I think it is time for this country to strengthen its protection of the American consumer and the American dairy producer by strengthening its regulations on foreign dairy products, certainly as long as we require our own manufacturers to meet stringent regulations.

In addition to regulations for domestic trade, our country has kept stringent quality control programs for all American dairy products, designated for export under governmental supported export programs. This Nation then, in its various food aid programs, has been protecting the health of the Nation to which these products have been sent. Unfortunately, other countries have not been applying the same safeguards to the products which they send to this country. And this has to change.

I submit a copy of the bill to be placed in the RECORD, and a partial list of seizures of foreign dairy products by the Food and Drug Administration last year:

H.R. 5642

A bill to protect the public health and welfare by providing for the inspection of imported dairy products and by requiring that such products comply with certain minimum standards for quality and wholesomeness

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Dairy Quality Act".

SEC. 2. For the purposes of this Act—

(1) The term "Secretary" means the Secretary of Agriculture.

(2) The term "person" means any individual, partnership, corporation, association, or any other business unit.

(3) The terms "dairy products" and "milk products" mean those food products derived from milk, including milk, such as butter; cheese (whether natural or processed); dry, evaporated, stabilized, condensed, or otherwise processed milk, cream, whey, and buttermilk; edible casein; frozen desserts; and any other food product which is prepared in whole or in part from any of the aforesaid products as the Secretary may hereafter designate.

(4) The term "wholesome" means sound, healthful, clean, and otherwise fit for human food.

(5) The term "labeling" means labels and other written, printed, or graphic matter on or attached to the container of any dairy product.

(6) The term "purity" means free from poisonous or deleterious substances which may render the product injurious to health.

(7) The term "quality" means the minimum quality standards defined by the Secretary in accordance with this Act.

(8) The term "administration and supervision" means the administrative review of foreign country laws, regulations, and enforcement procedures offered as being comparable to United States laws, regulations, and enforcement procedures, under the provisions of this Act, and the supervision of inspection personnel both here and abroad.

(9) The term "inspection" means the official service rendered by the Department of Agriculture, under the administration and supervision of the Secretary, for the purposes of carrying out the provisions of this Act.

SEC. 3. (a) No dairy product shall be imported into the United States unless it has been inspected and found to be wholesome and unless the foreign farms and plants in which such products were produced, manufactured, or processed comply with all the inspection, grading, and other standards prescribed by the Secretary pursuant to the provisions of this Act.

(b) The standards established by the Secretary for any imported dairy product and for the establishments in which such imported dairy product is produced, manufactured, or processed shall be comparable to those standards prescribed by the Secretary for the same kind of dairy product produced, manufactured, or processed in the United States and for establishments in the United States in which the same kind of product is produced, manufactured, or processed whenever the Secretary, in connection with any dairy product program carried out by the Department of Agriculture has established standards for such product and for the establishments in which such product is produced, manufactured, or processed. The Secretary shall establish standards with respect to those kinds of imported dairy products (and the establishments in which they are produced, manufactured, or processed) for which no Federal standards have been established, and such standards shall be equivalent to those standards heretofore established for other kinds of dairy products and the establishments in which such other kinds of dairy products are produced, manufactured, or processed.

(c) The labeling of imported dairy products shall comply with the requirements of the Fair Packaging and Labeling Act and shall be otherwise marked as the Secretary may require.

Sec. 4. (a) For the purpose of establishing comparable inspection requirements and preventing the importation of dairy products produced, manufactured, or processed in foreign dairy farms or plants not approved for inspection by the Department of Agriculture, the Secretary shall, where and to the extent necessary, require such products to be accompanied by a certificate of compliance issued by the exporting country in accordance with rules and regulations prescribed by the Secretary establishing minimum standards as to the quality of the milk, farms and plant facilities, equipment, and procedures used in the production, manufacture, and processing of such products.

(b) The Secretary shall cause to be inspected, in accordance with such rules and regulations as he may prescribe, all dairy products imported into the United States.

Sec. 5. (a) All imported dairy products shall, after entry into the United States, be subject to the Federal Food, Drug, and Cosmetic Act, and other Acts providing for the inspection, testing, or grading of dairy products to insure their purity and to insure that they are wholesome in the same manner and to the same extent as if such products were produced in the United States.

(b) The Secretary is authorized to prescribe rules and regulations to carry out the purposes of this Act, and such rules and regulations shall provide for the destruction of dairy products offered for entry and refused admission into the United States, unless such dairy products are reexported or brought into compliance within the time fixed therefor in such rules and regulations.

(c) All charges for storage, cartage, and labor with respect to any article which is imported contrary to this Act shall be paid by the owner or consignee, and in default of such payment shall constitute a lien against such article and any other article thereafter imported under this Act by or for such owner or consignee.

Sec. 6. In carrying out the provisions of this Act, the Secretary may cooperate with foreign governments, other departments and agencies of the Federal Government, and with appropriate State agencies, and may conduct such examinations, investigations, and inspections as he determines necessary or appropriate through any officer or employee of the United States, of any State, or of any foreign government, who is licensed by the Secretary for such purpose.

Sec. 7. (a) The Secretary may prescribe such assessments and collect such fees as he determines necessary to cover the cost of the inspection services rendered under the provisions of this Act.

(b) Except as provided in subsection (a) of this section, the cost of administering and supervising the provisions of this Act shall be borne by the United States.

Sec. 8. There is hereby authorized to be appropriated such sums as are necessary to carry out the administration and supervision of the provisions of this Act.

Sec. 9. Any person who knowingly violates the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000 and imprisoned not more than one year, or both.

Sec. 10. If any provisions of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

Sec. 11. This Act shall take effect one hundred and eighty days after enactment.

FDA SEIZURES IN 1970

Sample No.	Product and amount	Country of origin	Manufacturer or shipper	Reason for detention	Port of entry	Date, 1970
B7270	Cheese, 250 loaves	Italy	Ditta Brunelli Remo, Roma	Contains an unsafe food additive, benzene hexachloride.	Boston, Mass	Jan. 22
B7235	Cheese, 75 ctns	do	F. Noordhock & Zoon Bodegraven, Netherlands	do	do	Jan. 6
BU6673	Cheese, Asiago, 5,775 lbs	United States	National Cheese, Ltd., Maple, Ontario, Canada	Insect infested	Buffalo, N.Y	Jan. 28
SE8840	Cheese, Blue, 1,246 lbs	Norway	Norwegian Dairies Sales Association, Kristiansand	Mandatory labeling omitted	Seattle, Wash	Jan. 14
B7222	Cheese, Camembert, 900 ctns	France	Fromageries Gerard, Le Tholy, Vosges	Contains an unsafe food additive, benzene hexachloride.	Boston, Mass	Jan. 7
B7238	Cheese, Camembert, 160 ctns	do	do	do	do	Jan. 16
LA17034	Cheese, Camembert, and Brie, 25 cs	do	Society Auxillaire de L'Agriculture, Paris	do	Los Angeles, Calif	Jan. 15
BA3923	Cheese, Gouda Spiced, 3,612 lbs	Netherlands	De Louvers, N. V., Rotterdam	Inaccurate contents statement	Baltimore, Md	Jan. 8
NY90357	Cheese, Kasseri Kashkaval, 6,349 lbs	Yugoslavia	Agroexport, Export-Import, M. Tita, Beograd	Contains an unsafe food additive, benzene hexachloride.	New York, N.Y	Jan. 16
NY90114	Cheese, Parmesano, 1,856 lbs	Italy	Unione Casearia Italiana, Milano	do	do	Jan. 8
B7247	Cheese, Parmigiano Reggiano, 50 ctns	do	Ditta Filli Perciu, Genoa	do	Boston, Mass	Jan. 12
SF7877	Cheese, Parmigiano Reggiano, 5,780 lbs.	do	Fanticini, Reggih nell'Emilia	do	San Francisco, Calif	Jan. 7
B7241	Cheese, Parmigiano Reggiano, 2,980 lbs.	do	Ditta Filli Perciu, Genoa	do	Boston, Mass.	Jan. 8
B7234	Cheese, Pecorino, 100 loaves	do	F. Noordhoek & Zoon, Bodergraven, Netherlands	do	do	Jan. 6
NY90112	Cheese, Pecorino, 21,091 lbs	do	Locatelli, S.P.A., Milano	do	New York, N.Y	Jan. 8
NY90492	Cheese, Pecorino 6,411 lbs	do	P. Tanda Bureos, Sassari, Porto Torres	do	do	Jan. 22
LA16827	Cheese, Pecorino, 50 ctns	Yugoslavia	Agroexport, Export-Import, M. Tita, Beograd	do	Los Angeles, Calif	(1)
NY90502	Cheese, Pecorino, Romano, 15,995 lbs.	Italy	B.D.R., S.P.A., Roma	do	New York, N.Y	Jan. 22
NY90293	Cheese, Pecorino, Romano, 11,218 lbs.	do	Ditta Fratelli Perico Fu Sebastiano, Ozieri	do	do	Jan. 13
NY90493	Cheese, Pecorino, Romano, 11,692 lbs.	do	F. Noordhoek & Bodegraven, Netherlands	do	do	Jan. 21
NY90494	Cheese, Pecorino, Romano, 17,133 lbs.	do	do	do	do	Do.
B7279	Cheese, Pecorino, Romano, 100 loaves.	do	do	do	Boston, Mass	Jan. 29
P6466	Cheese, Pecorino, Romano, 15,576 lbs.	do	Locatelli, S. P. A., Milano	do	Philadelphia, Pa	Jan. 8
NY90483	Cheese, Pecorino, Romano, 7,278 ibs.	do	M. Di Trani, Macomer	do	New York, N.Y	Jan. 22
B7265	Cheese, Pecorino, Romano, 23,100 lbs.	do	Prodotti Caesari Filli Pina, Thiesi	do	Boston, Mass	Do.
P6467	Cheese, Pecorina, Romano, 2,482 lbs.	do	Unione Caseari Esportatori, Milano	do	Philadelphia, Pa	Jan. 8
P6468	Cheese, Pecorino, Romano, 2,551	do	do	do	do	Do.
P6470	Cheese, Pecorino, Romano, 2,260 lbs	do	do	do	do	Do.
P6471	Cheese, Pecorino, Romano, 2,590 lbs	do	do	do	do	Do.
NY90219	Cheese, Pecorino, Romano Sardo, 5,543 lbs.	do	Rodolfo Ronconi, S. P. I. Nepi	do	New York, N.Y	Jan. 20
AT7115	Cheese, Provolone, 70 ctns	do	Giovanni G. C. Carobonelli, Cremona	do	Miami, Fla	Jan. 14
LA16763	Cheese, Provolone, 15 cs	do	Societe Cooperative R. L. Latteria Soresinese, Soresina.	do	Los Angeles, Calif	(1)
B7280	Cheese, Sardo, 2,100 lbs	Argentina	S. A. Victoria Y Esteban de Lorenzi, Ltd., Buenos Aires.	do	Boston, Mass	Jan. 29
	Cheese, 8,100 lbs	Italy	B. D. R. Industrie Casearie E Agricole, S.A., Rome	do	San Francisco, Calif	Feb. 13
	Cheese, 246 ctns	Netherlands	J .N. Bakker Kaasexport, Koogaan de Zaan	do	Los Angeles, Calif	Jan. 28
	Cheese, Grana, 3,074 lbs	Italy	Ziliotti DeMetrio & Figli, Parma	Contains unsafe food additives, Benzene Hexachloride, Dieldrin and DDT.	New York, N.Y	Feb. 10
	Cheese, Hallouni, 2,190 lbs	Greece	George L. Theodrulan Aradippon, Cyprus	Contains an unsafe food additive, Benzene Hexachloride.	do	Jan. 29
	Cheese, Parmesan, 11,754 lbs	Italy	Ditta Adeudato Farrari, Porto Torres	Contains an unsafe food additive, benzene hexachloride and dieldrin.	do	Feb. 10

Footnote at end of table.

Sample No.	Product and amount	Country of origin	Manufacturer or shipper	Reason for detention	Port of entry	Date, 1970
B7280	Cheese, Pecorino, 31,595 lbs	Italy	Noordhoek & Zoon, Bodegraven, Netherlands	Contains an unsafe food additive, benzene hexachloride.	Philadelphia, Pa	Feb. 18
	Cheese, Pecorino, Pepato, Manca, 8,385 lbs.	do	Manca Musinu Thiesi, Porto Torres	do	New York, N.Y	Feb. 10
	Cheese, Pecorino, Romano, 5,915 lbs	do	Ditta Fratelli Pericu Fu Sebastiano, Ozieri Porto Torres.	do	do	Feb. 6
	Cheese, Pecorino Romano, 42,279 lbs.	do	Hochland-Kasewerk, Allgau, West Germany	do	do	Feb. 18
	Cheese, Pecorino Romano, 41,364 lbs.	do	Remo Brunelli, Rome	do	Utica, N.Y	Feb. 4
	Cheese, Pecorino Romano, 4,824 lbs	do	R. Ronconi, Nepi	do	New York ,N.Y	Do.
	Cheese, Pecorino Romano Sardo, 200 cs.	do	Hochland-Summer & Co., Allgau	do	do	Feb. 19
	Cheese, Provolone, 4,738 lbs	do	Latteria Soresinese Lombardia, Genoa	Contains an unsafe food additives, benzene hexachloride and hexachlorobenzene	do	Jan. 29
	Cheese, Provolone, 3,413 lbs	do	do	Contains an unsafe food additive, benzene hexachloride.	do	Do.
	Cheese, Romano, 13,461 lbs	Netherlands	Noordhoek & Zoon, Bodegraven, Rotterdam	do	do	Feb. 10
	Cheese spread, 30 cs	France	Etablissement Avinel, Chalons-sur-Marne	do	do	Feb, 11
	Cream Cheese, Bavarian and Delicado, 15 ctns.	West Germany	Milch-Fett-und Eier-Kontor, G. M. B. H., Hamburg	Contains an unsafe food additive. inaccurate contents statement.	Seattle, Wash	Do.
	Cheese, 92 ctns	France	Entremont, S.A., Balmettes	Contains an unsafe food additive, Benzene Hexachloride.	Los Angeles, Calif	Mar. 17
	Cheese, Belletoile, 204 lbs	do	Leon Loeuenbruck, Meuse	do	New York, N.Y	Feb. 20
	Cheese, Brie, 2,585 lbs	do	U.P.P.L.A., Paris	do	do	Feb. 19
	Cheese: Caerphilly, Leicester, Cheshire, Wensleydale, 49 ctns.	England	Crowson & Son, Ltd., London	Decomposed	Los Angeles, Calif	Mar. 4
	Cheese, Camembert, 3,646 lbs	France	Etablissements Avenel, Le Havre	Contains an unsafe food additive, benzene hexachloride.	New York, N.Y	Mar. 2
	Cheese: Camembert Bonbray, Valdieue and Belletoile, 696 pkgs.	do	Paul Renard Le Havre	do	Los Angeles, Calif	Mar. 26
	Cheese, Feta, 200 cs	Hungary	Terimpex Exporters and Importers, Budapest	do	New York, N.Y	Feb. 19
	Cheese, Feta and Kashkaval, 29,982 lbs.	do	H. C. Hertwig, Coyna	do	do	do
	Cheese, Feta and Kashkaval, 31,419 lbs.	do	Terimpex Exporters and Importers, Budapest	do	do	Mar. 4
	Cheese, Fromage A. Tartiner, 15 ctns	France	Anco France, S.A., Le Havre	do	do	Mar. 13
	Cheese, Grana, 60 loaves	Italy	Ditta Michael Tavella, Cremona	do	Boston, Mass	Mar. 27
	Cheese, Kashkaval, 22,348 lbs	Yugoslavia	Stokapromet, Skopje	Contains an unsafe food additive, lindane.	New York, N.Y	Mar. 24
	Cheese: La Petite and Supreme, 45 ctns.	France	Paul Renard, Le Havre	Contains an unsafe food additive, benzene hexachloride.	Los Angeles Calif	Mar. 30
	Cheese, Monrovian and Emmenthaler, 8,816 lbs	Czechoslovakia	Origena Pizza Crust Co. of Canada, Ltd., Cooksville, Ontario, Canada.	Mandatory labeling omitted	New York N.Y	Mar. 19
	Cheese, Montasio, 13,410 lbs	Italy and Belgium	Fa. D. M. Vonk & Zoon, Rotterdam, Netherlands	Contains an unsafe food additive, benzene hexachloride.	do	Feb. 20
	Cheese, Nec Plus Ultra, 775 lbs	France	Union De Producteus En Produits Laitiero & Avicoles, Paris.	do	do	Do.
	Cheese, Pecorino Pepato, 4,268 lbs	Italy	Filli Manca Musinu, Thiesi	do	do	Mar. 4
	Cheese, Pecorino Pepato, 11,072 lbs	do	Musco & Co., Santo Stefano Camastra	do	do	Mar. 23
	Cheese, Pecorino Ricotta, 8,288 lbs	Rumania	Prodexport, Bucharest	do	do	Feb. 19
	Cheese, Pecorino Romano, 7,275 lbs	Italy	Ditta Fratelli Goriddi, Olbia	do	do	Mar. 19
	Cheese, Pecorino Romano, 13,715 lbs	do	Ditta M. Di Trani, Macomer	do	do	Feb. 27
	Cheese, Pecorino Romano, 8,340 lbs	do	do	do	do	Mar. 4
	Cheese, Pecorino Romano, 7,065 lbs	do	do	do	do	Do.
	Cheese, Pecorino Romano, 200 loaves	do	do	do	Boston, Mass	Mar. 12
	Cheese, Pecorino Romano, 4,042 lbs	do	Fa. D. M. Vonk & Zoon, Rotterdam, Netherlands	do	New York, N.Y	Mar. 4
	Cheese, Pecorino Romano 75 ctns	do	Flli Manca Musinu, Thiesi	do	do	Mar. 19
	Cheese, Pecorino Romano, 17,471 lbs	do	Noordhoek & Zoon, Bodegraven, Netherlands	do	do	Mar. 13
	Cheese, Pecorino Romano, 22,254 lbs	do	do	do	Philadelphia, Pa	Mar. 16
	Cheese, Pecorino Romano, 12,654 lbs	do	do	do	do	Mar. 27
	Cheese, Pecorino Romano, 5,011 lbs	do	Unione Caseari Esportator., Milano	do	New York, N.Y	Mar. 5
	Cheese, Pecorino Sardo, 18,925 lbs	do	Noordhoek & Zoon, Bodegraven, Netherlands	do	do	Mar. 23
	Cheese, Picollo Asiago, 1,104 lbs	do	Fa. D. M. Vonk & Sons, Stolwijk, Netherlands	do	do	Mar. 17
	Cheese, Provolone, 962 lbs	do	Liap Zazzera, S.P.A., Rottofreno	do	do	Feb. 19
	Cheese, Provolone, 20,050 lbs	do	Locatelli, S.P.A., Milano	do	do	Mar. 17
	Cheese, Romano, 22,613 lbs	do	Fa. D. M. Vonk & Zoon, Stolwijk, Netherlands	do	do	Mar. 27
	Cheese, Romano, 16,996 lbs	do	do	do	do	Mar. 31
	Cheese spread, 1,800 lbs	France	U.P.P.L.A., Paris	do	San Francisco, Calif	Mar. 26
	Cheese spread, 360 lbs	do	do	do	do	Do.
	Cheese spread, 1,139 lbs	do	do	do	do	Do.
	Cheese spread, pasteurized process, 30 cs.	do	Entremont Annecy, Hantke, Savoie	do	New York, N.Y	Mar. 23
	Cheese, St. Paulin, 1,118 lbs	Belgium	Fa. D. M. Vonk & Zoon, Stolwijk, Netherlands	Contains an unsafe food additive, dieldrin.	do	Mar. 19
LA17482	Cheese: Bonbray, Camembert, and Normandie Belletoile, 68 cs.	France	Ellas Establissements, Le Havre	Contains an unsafe food additive, benzene hexachloride.	Los Angeles, Calif	Apr. 10
NY91690	Cheese, Brie, 1,700 pkgs	do	Fromageries Henri Hutin, Lacroix Sur-Meuse	do	New York, N.Y	Apr. 16
LA17484	Cheese, Brie (extra), 287 lbs	do	Establissement Robert Labie, Paris	do	Los Angeles, Calif	Apr. 10
NY91692	Cheese, Camembert, 40 cs	do	Anco France, S. A., Fromegerie de Corneville and Laiterie Durand, Thiaucourt.	Contains unsafe food additives, benzene hexachloride and heptachlor epoxide.	New York, N.Y	Apr. 23
NY91693	Cheese, Camembert, 40 cs	do	Societe Roquefortoise, Roquefort; Anco France, S. A., Fromegerie de Corneville and Laiterie Durand, Thiaucourt.	do	do	Do.
C530	Cheese, Feta, 12,500 kilos	Italy	S. Albano & Co., Macomer	Filthy, unfit for food	Chicago, Ill	Apr. 29
LA17690	Cheese: Grape, Fontenoy cheese spread, and Big Marc, 75 cs.	France	Entremont, S. A., Faubourg des Balmettes	Contains an unsafe food additive, benzene hexachloride.	Los Angeles, Calif	Do.
NY91691	Cheese, La Nouvelli Vache, 200 cs	do	Fromageries Henri Hutin, S. A., Fromageries Picon, Entremont Etablissements, Laiterie Saint-Hubert, Union Laiterie Vittelloise, and Etablissement Leon Loevenbruck, Le Havre.	Deceptive packaging	New York, N.Y	Apr. 13
NY91737	Cheese, Magnum, 20 bxs	do	Establissements Avenel, Le Havre	Contains an unsafe food additive, benzene hexachloride.	do	Apr. 22
NY91433	Cheese, Parmesan, 7,241 lbs	Italy	Fratelli Pericu Fu Sebastrano, Genoa	Contains unsafe food additives, benzene hexachloride, hexachlorobenzene and dieldrin.	do	Apr. 1
NY91441	Cheese, Parmigiano Reggiano, 4,863 lbs.	do	Tavella, S.A., Genoa	Contains an unsafe additive, dieldrin.	do	Apr. 13

FDA SEIZURES IN 1970—Continued

Sample No.	Product and amount	Country of origin	Manufacturer or shipper	Reason for detention	Port of entry	Date, 1970
NY91576	Cheese, Pecorino, 13,603 lbs	do	Noordhoek & Zoon, Bodengraven, Netherlands	Contains an unsafe food additive, benzene hexachloride.	do	Apr. 6
NY91575	Cheese, Pecorino Romano, 5,823 lbs	do	Ditta Fratelli Pecigo Fu Sebastiano, Ozieri	do	do	Apr. 3
NY89974	Cheese, Pecorino Romano, 14,122 lbs.	do	Noordhoek & Zoon, Bodengraven, Netherlands	do	do	Do.
NY89975	Cheese, Pecorino Romano, 13,702 lbs.	do	do	do	do	Do.
NY91487	Cheese, Pecorino Romano, 14,558 lbs.	do	do	do	do	Apr. 6
NY91485	Cheese, Pecorino Romano, 14,111 lbs.	do	do	do	do	May 15
NY91584	Cheese, Pecorino Romano, 17,324 lbs.	do	F. Noordhoeck & Zoon, Bodengraven, Netherlands	do	do	Apr. 15
NY91622	Cheese Pecorino Romano, 200 ctns	do	Vanderama, N.V., Herengracht, Amsterdam, Netherlands.	do	do	Apr. 16
NY91475	Cheese, Pecorino Romano, 24,069 lbs.	Netherlands	Vanderama, N.V., Heregracht, Amsterdam	do	do	Apr. 3
NY91491	Cheese, Pecorino Sardo, 250 ctns	do	Noordhoek & Zoon, Bodengraven	do	do	Apr. 13
C531	Cheese, Pecorino Zeta, and Pecorino Ricotta, 16,536 lbs.	Italy	S. Albano & Co., Macomer	Filthy, unfit for food	Chicago, Ill.	Apr. 29
NY91483	Cheese, Petit Brie Babette, 50 cs	France	Etablissements Avenel, Le Havre	Contains an unsafe food additive, Benzene Hexachloride.	New York, N.Y	Apr. 15
NY91743	Cheese, Petit Villedron, 30 ctrs	do	do	Contains an unsafe food additive, Benzene Hexachlorophene.	do	Apr. 24
NY91717	Cheese, Provolone Salami, 5,833 lbs.	Italy	Ditta Michele Tavella via Bordigallo, Cremona	Contains an unsafe food additive. Benzene Hexachloride.	do	Apr. 21
NY91136	Cheese, Reggiano 10,631 lbs	do	Fratelli Peirger Fu Sebastiano, Genoa	do	do	Apr. 3
LA17489	Cheese Spread, 20 pkgs	France	Desailly-Choviere Roy & Cie., Le Havre	do	Los Angeles, Calif	Apr. 27
LA17509	Cheese Spread, 600 lbs	do	do	do	do	Apr. 10
NY89976	Cheese Spread, pasteurized process, 548 cs.	do	Societe Roquefortoise, Roquefort	do	New York, N.Y	Apr. 17
NY91624	Cheese Spread, Ultra Kirsch, 160 cs	do	U.P.P.L.A., M.I.N., Paris, Rungis	do	do	Apr. 16
LA17705	Cheese, 129 pkgs	do	De Sailly Chauviere Roy Cieg, Le Havre	do	Los Angeles, Calif	May 12
NY92009	Cheese, 2,523 lbs	do	Etablissements Avenel, Le Havre	do	New York, N.Y	May 14
SF8454	Cheese, 400 pkgs	do	Fromageries F. Paul-Renard, Paris	do	San Francisco, Calif	May 12
LA17769	Cheese, Abbey Port Sault, 260 cs	do	Societe Auxilliare de l'Agriculture et de L'Industrie, Le Havre.	Contains unsafe food additives, benzene hexachloride and heptachlor epoxide.	Los Angeles, Calif	May 15
NY92016	Cheese, Boursalt, 7,899 lbs	do	Anco France, S.A., Pont-Audemer	do	New York, N.Y	May 13
	Cheese, Feta, 15,271 lbs	Greece	G. Katsicogiannis, Agia, Ethimia	Contains an unsafe food additive, benzene hexachloride.	do	June 2
	Cheese, Feta, 55,155 lbs	Italy	Manca Musinu, Thiesi, Sardinia	Contains unsafe food additives, benzene hexachloride and hexachlorobenzene.	do	June 29
	Cheese, Fondue, 17 cs	France	Union Laitiere Vittellaise, Bulgneville Vosges	Contains an unsafe food additive, benzene hexachloride.	do	June 24
	Cheese, Grana, 2,000 lbs	Italy	Dott, Garancini Lorenzo, Milano	do	San Francisco, Calif	June 4
	Cheese, Grana, 2,135 lbs	do	do	do	do	Do.
	Cheese, Grana, 4,766 lbs	do	Lattiva Teresense, Milano	do	New York, N.Y	June 3
	Cheese, Haloumi, 3,600 lbs	Cyprus	P. Theoderou & Sons, Famagusta	do	do	June 2
	Cheese, Kefalotyri and Graviera, 30,210 lbs.	Greece	G. Katsicogiannis, Agia, Ethimia	do	do	Do.
	Cheese, Manchego, 581 lbs	Spain	Cooperative Odeneka Mancheoa La Sarua Cruz, Valencia.	Contains unsafe food additives, benzene hexachloride, hexachlorobenzene, and DDT.	do	June 29
	Cheese, Nec Plus Ultra Kirsch, 100 cs.	France	U.P.P.L.A., Paris	Contains an unsafe food additive, benzene hexachloride.	do	June 3
	Cheese, Parmegiano, 50 ctns	Italy	Ditta Michele Tavella, Via Bordigallo	do	Los Angeles, Calif	Do.
	Cheese, Parmesan, 605 lbs	do	F. W. Hartman Co., Genoa	Contains an unsafe food additive, DDT.	New York, N.Y	June 29
	Cheese, Parmesan, 30 ctns	do	Locatelli, Inc., Milano	Contains unsafe food additives, dieldrin, DDT, DDE, and TDE.	do	June 25
	do	do	Locatelli, S.P.A., Milano	do	do	Do.
	Cheese, Parmesan, 2,651 lbs	do	Unione Casearia Italiana, Via Dogana, Milan	Contains an unsafe food additive, dieldrin.	do	June 22
	Cheese, Pecorino 85 ctns	do	Ditta R. Ronconi, Milano	Contains an unsafe food additive, benzene hexachloride.	Los Angeles, Calif	June 18
	Cheese, Pecorino Romano, 6,843 lbs	do	Ditaa M. Di Trani, Macomer	do	New York, N.Y	June 2
	Cheese, Pecorino Romano, 12,260 lbs	do	do	do	Philadelphia, Pa	June 10
	Cheese, Pecorino Romano, 12,501 lbs	do	Vanderama, N.V., Amsterdam, Netherlands	do	New York, N.Y	June 2
	Cheese, Pecorino Romano, 3,122 lbs	do	do	do	do	June 3
	Cheese, Poivre, 10 cs	France	Boyannais, Le Harve	do	do	Do.
	Cheese, Port Salut, 50 cs	do	Societe Auxilliare de l'Agriculture et del Industries, Paris.	Contains unsafe food additives, dieldrin, heptachlor epoxide and benzene hexachloride.	Los Angeles, Calif	May 15
	Cheese, Provolone, 13,696 lbs	Italy	Locatelli, S. P. A., Milano	Contains unsafe food additives, DDT, DDE, TDE, and benzene hexachloride.	New York, N.Y	June 25
	Cheese, Ricotta and Feta, 25 ctns. and 73 bbls.	do	Kapatsoui Cheese, Olbia	Contains an unsafe food additive, benzene hexachloride.	do	June 24
	Cheese, soft ripened, 40 cs	France	Derview & Delahais, Le Havre	do	Los Angeles, Calif	June 5
	Cheese, Brie, 3,500 lbs	do	Laiterie, Saint-Hubert, Nancy	do	New York, N.Y	July 1
	Cheese, Coulommiers, 340 lbs	do	Anco France, S.A., Pont-Audemer	Contains an unsafe food additive, heptachlor epoxide.	do	July 15
	Cheese, Coulommiers, 560 lbs	do	do	do	do	July 17
	Cheese, Emmenthaler, 600 lbs	do	Chateau De Flamboin, Gouaux-de-Luchon	Contains an unsafe food additive, benzene hexachloride.	San Francisco, Calif	July 8
	Cheese, Emmenthaler, 480 lbs	do	Fernand-Reignier, Annecy	do	do	Do.
	Cheese, Feta, 11,519 lbs	Greece	Gerasimos D. Kapatosoris, Piraeus	do	New York, N.Y	July 14
	Cheese, Feta, 2,500 lbs	do	Geras D. Dapatsoria, Piraeus	Contains an unsafe food additive, benzene hexachlorobenzene.	Boston, Mass	July 21
	Cheese, Gouda, 4 ctns	Netherlands	Koster's Kaas Idustrie en Handel, Herengracht, Amsterdam.	Inconspicuous labeling	Detroit, Mich	July 29
	Cheese, Grana, 7,267 lbs	Italy	Latteria Soresinese, Lombardia	Contains an unsafe food additive, benzene hexachloride.	New York, N.Y	July 14
	Cheese, Grana, Parmesan, 40 cs	do	Locatelli, S.P.A., Milan	Contains unsafe food additives, DDT, DDE. TDE and dieldrin.	do	July 15
	Cheese, Kirsch, 100 ctns	France	Renault Framagerie, Victor Renault & Fils, Le Havre	Contains an unsafe food additive, benzene hexachloride.	do	July 17
	Cheese, Manchego, 581 lbs	Spain	La Laberca de Zancara, Cuena	do	do	July 16
	Cheese, Monterey, 9,960 lbs	New Zealand	New Zealand Dairy Board, Wellington	False labeling: identity of product misrepresented.	do	July 31

Sample No.	Product and amount	Country of origin	Manufacturer or shipper	Reason for detention	Port of entry	Date, 1970
NY92016 (Cont.)	do	do	do	do	do	Do.
	Cheese, Monterey, 77,000 lbs	do	do	do	do	Do.
	Cheese, Monterey, 9,960 lbs	do	do	do	do	Do.
	do	do	do	do	do	Do.
	Cheese, Parmesan, 100 ctns	Italy	Unione Casearia Italiana, Guido Zanetti & Figli, S.P.A., Milano.	Contains an unsafe food additive, dieldrin.	do	July 20
	Cheese, Pecorino Romano, 100 ctns	do	F. Noordhoek & Zoon, Bodegraven, Netherlands	Contains an unsafe food additive, benzene hexachloride.	do	July 7
	do	do	do	do	do	July 8
	do	do	S. Albano & Co., Macomer	do	do	July 24
	Cheese, Provolone, 3,520 lbs	do	Aldo Parodi, Lodi	do	Boston, Mass	July 1
	Cheese, Provolone, 12,272 lbs	do	S.P.A. Locatelli, Milan	Contains unsafe food additives, DDT, DDE, DDD and benzene hexachloride.	New York, N.Y	July 14
	Cheese, Ste. Maure, 15 ctns	France	R. L. P. Establissements Robert Labie, Le Havre	Contains an unsafe food additive, benzene hexachloride.	do	July 16
	Cheese Spread, 306 lbs	do	Anco France, S.A., Fromagerie de Corneville, Thiaucourt.	do	do	July 22
	Cheese Spread, pasteurized process, 3 ctns.	Netherlands	C.V. VE-Bo', Leeuwarden	Inconspicuous labeling	Detroit, Mich	July 29
	Cheese: Tilsit, Gammelost, et al., 260 lbs.	Norway	Norwegian Dairies Sales Association, Oslo	Decomposed, held under insanitary conditions.	Chicago, Ill	Do.
	Cheese, 160 ctns	Italy	Locatelli, S.P.A., Milano	Contains an unsafe food additive, benzene hexachloride.	Los Angeles, Calif	June 3
	Cheese (dock accumulation), 62 ctns			Unfit for food	New York, N.Y	June 18
	Cheese, Boursin, 15 cs	France	Fromageries Henri Hutin, S.A., La-Crois	Contains an unsafe food additive, benzene hexachloride.	do	June 10
	Cheese, Boursin Herbes, 25 cans	do	Fromageries Henri Hutin, S.A., La Croix-sur-Meuse	do	do	June 12
	Cheese: Brie, Camembert, and Le 'Tartare, et al., 54 cs.	do	Etablissement Robert Labie, Paris	Contains unsafe food additives, benzene hexachloride and DDT.	Los Angeles, Calif	June 17
	Cheese, Camembert, 34 cs	do	Anco, S.A., Le Havre	Contains unsafe food additives, benzene hexachloride and heptachlor epoxide.	New York, N.Y	June 29
	Cheese, Camembert, 40 cs	do	Anco France, S.A., Society Roguefortoise, Le Havre	Contains an unsafe food additive, benzene hexachloride.	do	June 11
	Cheese, Coulommiers, 30 cs	do	Anco France, S.A., Le Havre	Contains an unsafe food additive, heptachlor epoxide.	do	June 19
	do	do	do	do	do	June 29
NY92141	Cheese, Boursin Herbes, 4,072 lbs	do	Henri Hutin, S.A., Le Havre	Contains an unsafe food additive, benzene hexachloride.	Los Angeles, Calif	May 13
LA17746	Cheese, Camembert, 11 cs	do	Etablissement Robert Labie, Paris	do	do	Do.
LA17456	Cheese, Camembert, 15 cs	do	do	do	do	Do.
LA17815	Cheese: Camembert, Brie, and Boursin, 44 cs.	do	do	do	do	May 27
NY92172	Cheese, Famagusta, 4,828 lbs	Greece	Nicos Elides, Pano Lefkara, Cyprus	do	New York, N.Y	May 25
NY92170	Cheese, Feta, 50 kegs	do	Lekas & Drivas, Inc., Piraeus	do	do	May 22
B7505	Cheese, Feta, 2,778 lbs	Italy	Filli Mannoni Fu Paolo, Thiesi	do	Boston, Mass	May 13
NY91735	Cheese, Feta, 13,000 lbs	Greece	Pouliatus Co., Ltd., Athens	Contains unsafe food additives, benzene hexachloride and hexachlorobenzene.	New York, N.Y	May 14
NY92162	Cheese, Feta, 14,306 lbs	do	Union of Agriculture Cooperatives, Patras	do	do	May 12
LA17424	Cheese, Gorgonzola and Romano, 45 ctns.	Italy	Locatelli, S.P.A., Milano	Contains an unsafe food additive, benzene hexachloride.	Los Angeles, Calif	Apr. 30
B7513	Cheese, Grana Padano, 100 loaves	do	Michella Tavella Casearia Industria, Cremona	do	Boston, Mass	May 21
NY92155	Cheese, Grana Reggiano, 6,687 lbs	do	Ditta Michele Tavella, Cremona	Contains unsafe food additives, benzene hexachloride, hexachlorobenzene, and heptachlor epoxide.	New York, N.Y	May 14
NY91695	Cheese, Haloumi, 3,638 lbs	Greece	P. Theodorou & Sons, Larnaca, Cyprus	Contains unsafe food additives, benzene hexachloride and DDT.	do	May 12
NY91877	Cheese: Haloumi and Famagusta, 22 btls. and 7 cs.	do	Mr. Nicos Elisdes Pano Lefkara, Cyprus	Contains unsafe food additives, benzene hexachloride, hexachlorobenzene, DDT, DDE, and TDE.	do	Do.
SF8509	Cheese, Hansen, 900 lbs	El Salvador	Cremeria Standard, San Salvador	Contains unsafe food additives, DDT and DDE.	San Francisco, Calif	May 1
NY92009	Cheese Le Pet t Villedieu, 30 cs	France	Establissements Avenel, Le Havre	Contains an unsafe food additive, benzene hexachloride.	New York, N.Y	May 14
NY92136	Cheese, Nec Plus Ultra Kirsch, 29 cs	do	do	do	do	May 21
LA17779	Cheese, Pecorino and Sardo, 100 ctns.	Italy	Ditta R. Ronconi, S.A. R. L., Nepi	do	Los Angeles, Calif	May 13
NY92153	Cheese, Pecorino Pepato 4,268 lbs	do	F lli Manca Musinu, Thiesi	do	New York, N.Y	May 14
NY91317	Cheese, Pecorino Ricotta, 2,872 lbs	do	Filli Fadda Manca & Fadda Pinna, S.N.C., Thiesi	do	do	May 12
B7506	Cheese, Pecorino Ricotta, 2,412 lbs	do	Filli Mannoni Fu Paolo, Thiesi	do	Boston, Mass	May 13
CN1023	Cheese, Pecorino Romano, 9,081 lbs	do	Ditta Michele Di Trani, Macomer	do	Cleveland, Ohio	Do.
CN1025	Cheese, Pecorino Romano, 9,150 lbs	do	do	do	do	May 21
CN1026	Cheese, Pecorino Romano, 25 cs	do	do	do	do	Do.
NY92167	Cheese, Pecorino Romano, 27,425 lbs	do	Filli Mannoni Fu Paolo, Thiesi	do	New York, N.Y	May 15
NY92079	Cheese, Pecorino Romano, 9,390 lbs	do	F. Noorhoek & Zoon, Bodengraven, Netherlands	do	do	May 14
NY92322	Cheese, Provolone, 10,302 lbs	do	Lattreia Loresinese, Genoa	Contains unsafe food additives, DDD, DDT, and DDE.	do	May 2
NY92000	Cheese, Provolone, 100 cs	do	Locatelli, S.P.A., Milano	Contains unsafe food additives, DDT and benzene hexachloride.	do	May 1
SF8448	Cheese, Provolone, 60 lbs	do	Ditta Michele Tavella, Genoa	Contains unsafe food additives, hexachloride and heptachlor epoxide.	San Francisco, Calif	Do.
BU6387	Cheese, Provolone, 3,355½ lbs	United States	Venetian Meat & Salami Co., Ltd., Hamilton, Ontario, Canada.	Mite infested, musty and moldy.	Buffalo, N.Y	May 2
SE9023	Cheese, Sardo, 408 loaves	Argentina	Ratto-delfino y cia., S.A.R.L., Buenos Aires	Inaccurate contents statement.	Seattle, Wash	May 5
NY92010	Cheese spread, Big Marc, 35 pkgs	France	Ellsa Dieve Meuse, Le Havre	Contains an unsafe food additive, Benzene Hexachloride.	New York, N.Y	May 14
SF8523	Cheese spread, 180 lbs	do	U.P.P.L.A., Paris	do	San Francisco, Calif	May 12
SE9036	Cheese, Swiss (pasteurized process slices), 2,400 lbs.	West Germany	Hochland Kasewerk Reich, Summer & Co., Frankfurt am Main.	Contains mold, inconspicuous labeling.	Seattle, Wash	May 28

FDA SEIZURES IN 1970—Continued

Sample No.	Product and amount	Country of origin	Manufacturer or shipper	Reason for detention	Port of entry	Date, 1970
	Cheese, Boursault, 21 cs.	France	Anco France, S.A., Le Havre	Contains an unsafe food additive, heptachlor epoxide.	New York, N.Y.	Aug. 11
	Cheese Boursault, 60 cs	do	U.P.P.L.A., Paris	do	do	Aug. 10
	Cheese, Coulommiers, 25 cs	do	Anco France, S.A., Le Havre	Contains unsafe food additives, heptachlor expoxide and dieldrin.	do	Aug. 11
	Cheese, Feta, 2,420 lbs	Greece	Union of Agriculture of Republic of Greece, Piraeus	Decomposed	do	Aug. 27
	Cheese, Feta, 2,754 lbs	United States	Diana Wholesale, Toronto, Ontario	Contains ants and cat hair	Buffalo, N.Y	Aug. 13
	Cheese, Fontal, 714 lbs	France	Etablissements Rippoz, S.A., Le Havre	Contains an unsafe food additive, benzene hexachloride.	New York, N.Y.	Aug. 10
	Cheese, Kefalotyri, 49,652 lbs	Greece	G. Katsicogiannis, Agia	do	do	Aug. 4
	Cheese, Monterey, 19,980 lbs	New Zealand	New Zealand Dairy Board, Wellington	False labeling: identity of product misrepresented.	do	Aug. 11
	do	do	do	do	do	Do.
	do	do	do	do	do	Do.
	do	do	do	do	do	Do.
	Cheese, Monterey, 40,080 lbs	do	do	do	do	Do.
	Cheese, Nec Plus Ultra, Kirsch 8 cs	France	Anco France, S.A., Le Havre	Contains an unsafe food additive, benzene hexachloride.	do	Do.
	Cheese, Parmesan, 100 cs	Italy	Unione Casearia Italiana, Midland	Contains an unsafe food additive, dieldrin.	do	Aug. 19
	Cheese, Pecorino, 1,315 lbs	do	Pepino Importers, Fort Erie, Ontario, Canada	Contains unsafe food additives, pesticides.	Buffalo, N.Y	Aug. 7
	Cheese, Pecorino Kafalotiri, 84 ctns	do	Kapatsoris Cheeses, Olbia	Contains an unsafe food additive, benzene hexachloride.	New York, N.Y.	Aug. 20
	Cheese, Pecorino Romano, 6,823 lbs	do	Ditta Paolo Tanda, Burgos	do	Philadelphia, Pa	Aug. 24
	Cheese Pecorino Romano, 200 ctns.	do	F. Noordhoek & Zoon, Bodegraven, Netherlands	do	New York, N.Y	Aug. 11
	Cheese, Pecorino Romano, 13,685 lbs.	do	Locatelli, S.P.A., Milano	do	Philadelphia, Pa	Aug. 4
	Cheese, Pecorino Romano, 23,985 lbs.	do	do	do	do	Aug. 17
	Cheese, Pecorino Romano, 100 ctns.	do	Societe S. Albano & Co., Macomer	do	New York, N.Y.	Aug. 5
	Cheese, Pecorino Sardo, 1,673 lbs	do	F. Noordnoek & Zoon, Bodegraven, Netherlands	do	do	Aug. 27
	Cheese, process, 85 pkgs	West Germany	Milch-Fett-und Eier-Kontor, G.m.b.H., Hamburg	do	Los Angeles, Calif	Aug. 14
	Cheese, Provolone, 60 loaves	Italy	Aldo Parodi, Genoa	Contains unsafe food additives, Benzene hexachloride, DDT, DDE, and TDE.	Boston, Mass	Aug. 19
	Cheese, Provolone, 5,694 lbs	do	Travella Ditta Michele Tavella, Genoa	Contains an unsafe food additive, benzene hexachloride.	New York, N.Y	Aug. 27
	Cheese, semi-soft, 2,472 pkgs	Scotland	Caithness Cheese Co., Ltd., Lybster	do	Boston, Mass	Aug. 19
	Milk, canned (chocolate flavored) 9,600 tins.	Netherlands	N.V. Fabriek Van Nelk producten Der Vereenigde Zuiv, Rotterdam.	False labeling: identity of product misrepresented, inaccurate contents statement, mandatory labeling omitted.	San Juan, Puerto Rico	Aug. 4
	Milk, canned (chocolate flavored) 4,800 tins.	do	do	Short volume, mandatory labeling omitted, inconspicuous labeling.	do	Aug. 24
	Cheese, Pecorino Romano, 17,900 lbs.	Italy	F. Noordhoek & Zoon, Bodegraven, Netherlands	Contains an unsafe food additive, benzene hexachloride.	New York, N.Y	Sept. 3.
	Cheese, Pecorino Romano, 25,348 lbs	do	do	do	do	Aug. 27
	Cheese, Pecorino Romano, 100 loaves	do	Manco Musinu, Thiesi	do	Boston, Mass	Sept. 15
	Cheese, Pecorino Romano, 4,884 lbs.	do	Rodifo Ronconi, Napoli	do	Philadelphia, Pa	Sept. 23
	Cheese, Process Gruyere (smoked), 1,025 lbs.	West Germany	Froche, Ltd., Montreal, Quebec, Canada	Deviates from standard of identity.	New York, N.Y	Sept. 1
	Cheese, Ricotta, 50 ctns	Italy	Fumera Armando & Figli, Chiaramonti	Contains an unsafe food additive, benzene hexachloride.	Tampa, Fla	Sept. 29
	Cheese, Romano, 5,245 lbs	do	Industrie Casearie El Agricole, S.P.A., Rome	do	San Francisco, Calif	Sept. 11
	Cheese, St. Paulin, 450 cs	Denmark	Rasmus Hamson, Copenhagen	Decomposed	Boston, Mass	Sept. 15
	Cheese, St. Paulin, 600 pkgs	do	do	do	do	Do.
	Cheese, Swiss, 348 lbs	Austria	Alpenkase Hendelsges, M.B.H., Bregnez	Inconspicuous labeling	Houston, Tex	Sept. 25
	Cheese Spread, Nec plus Ultra Kirsch, 376 lbs.	France	U.P.P.L.A., Paris	Contains an unsafe food additive, benzene hexachloride.	New York, N.Y	Sept. 23
	Cheese Spread, Nec plus Ultra Kirsch, 228 lbs.	do	do	do	do	Sept. 25
	Cheese, 360 lbs	do	do	do	San Francisco, Calif	Sept. 21
	Cheese, Beau Pasteur Herbes, 760 lbs.	do	Union De Producteurs En Produits Laitiers & Avicoles, Paris.	do	New York, N.Y	Sep. 8
	Cheese, Boursault Affine, 1,058 lbs	do	Unione De Producteurs Laitiers & Avicoles, La Havre	Contains a pesticide chemical, heptachlor epoxide.	do	Do.
	Cheese, Coulommier, 25 cs	do	Anco France S.A., B. P., Pont-Audemer	Contains an unsafe food additive, heptachlor epoxide.	do	Sept. 3
	Cheese, Delicado Cream, 2,751 lbs	West Germany	Milch-Fett-und Eier-Kontor, Frankfurt am Main	Contains an unsafe food additive, hexachlorobenzene.	Seattle, Wash	Sept. 8
	Cheese, Feta, 28,490 lbs	Greece	Gerasimos Kapatsoris, Piraeus	Contains an unsafe food additive, benzene hexachloride.	New York, N.Y	Sept. 16
	Cheese, Grana, 9,259 lbs	Italy	Vonk's Kaamaatschappij, Rotterdam, Netherlands	do	do	Sept. 25
	Cheese, Granular, 6,360 lbs	New Zealand	New Zealand Dairy Board, Wellington	False labeling: identity of product misrepresented.	do	Sept. 24
	Cheese, Kashraval, 28,076 lbs	Yugoslavia	Agro Export-Import, Beograd	Contains an unsafe food additive, benzene hexachloride.	do	Sept. 28
	Cheese, Mozzarella, 41,405 lbs	West Germany	Alltrade Co., Ltd., Montreal, Quebec, Canada	Inaccurate contents statement.	do	Sept. 14
	Cheese, Parmigiano Reggiano, 7,232 lbs.	Italy	Polenghi Lombardo Lodi, S.P.A., C.C.I.A., Milano	Contains an unsafe food additive, dieldrin.	do	Sept. 3
	Cheese, Parmigiano Reggiano, 721 lbs.	do	Societa 'di Esportazione Polenghi Lombardo, Milan	do	do	Sept. 10
	Cheese, Pecorino Romano, 3,904 lbs	do	Armando Fumera & Figli, Chiaramonti	Contains an unsafe food additive, benzene hexachloride.	Boston, Mass	Sept. 10
	Cheese, Pecorino Romona, 3,849 lbs	do	do	do	do	Sept. 10
	Cheese, 180 lbs	France	U.P.P.L.A., Paris	do	San Francisco, Calif	Oct. 16
	Cheese, 40 wheels	do	do	do	do	Oct. 16
	Cheese, 120 lbs	do	do	do	do	Do.
	Cheese, 140 wheels	France	do	Contains unsafe food additives, heptachlor epox- and benzene hexachloride.	do	Oct. 26
	Cheese, Hand, 1,350 lbs	West Germany	Harder & De Voss, Hamburg	Contains mold	do	Oct. 8
	Cheese, Letartare, 600 pkgs	France	J. Bongrain & Cie., Le Havre	Contains an unsafe food additive, benzene hexachloride.	Los Angeles, Calif	Oct. 9

Sample No.	Product and amount	Country of origin	Manufacturer or shipper	Reason for detention	Port of entry	Date, 1970
SE9036	Cheese, Pecorino Romano, 200 loaves.	Italy	Remo Brunelli Industria Casaeria, Roma	do	Boston, Mass.	Do.
	Cheese, Pecorino Romano, 200 ctns.	do	Unione Caseari Esportatori, Milano	do	New York, N.Y.	Oct. 29
	Cheese, Pecorino Ricotta (salted), 2,754 lbs.	do	Fumera Armando & Figli, Firenze	do	do	Oct. 7
	Cheese, Ricotta, 5,919 lbs.	Rumania	Prodexport, Bucharest	Mandatory labeling omitted	do	Oct. 20
	Cheese, Ricotta (hard white), 4,134 lbs.	Greece	Ger S. Vryonis & Brothers, Piraeus	Contains an unsafe food additive, benzene hexachloride.	do	Oct. 7

[1] Dec. 19, 1969.

EMERGENCY TELEPHONE NUMBER NATIONWIDE

(Mr. ROUSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROUSH. Mr. Speaker, on February 10, 1971, I introduced a bill to amend the Safe Streets Act of 1968 to provide funds for the equipping, establishing, and operating of emergency communications facilities to help implement the "911" nationwide, emergency telephone number.

Today I am introducing a similar bill, with 40 cosponsors. The intent of this bill is exactly the same and it also is an amendment to the Safe Streets Act of 1968 to provide funds to communities to help them implement "911" by renovating or coordinating, improving their communications facilities. The language in the bill has been changed to more completely and precisely convey the legislative intent.

I believe that this legislation and the assistance provided is extremely important and I am hopeful that the committee to which this bill is assigned will take action as soon as possible.

HOUSE MAKES TRAGIC MISTAKE IN SUPPORTING HIGH INTEREST RATES

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANNUNZIO. Mr. Speaker, yesterday this body made a tragic mistake when it voted 180 to 212 to defeat Chairman PATMAN's amendment that would have prohibited the Treasury Department from selling $10 billion in long-term Government obligations without regard to the 4¼-percent legislative ceiling.

The vote means that this country will be faced with an extended period of high interest rates and it comes at a time when, for the first time in many years, interest rates were on a downward swing.

Mr. Speaker, for years the Nation's news media has pushed for congressional reorganization, and a reorganization plan was adopted at the end of the last Congress. One of the reorganizational features was the recording of teller votes. Yesterday marked the first time that the record teller vote was used, and it is up to the news media to publish the teller lists so that those Members of this body who are for low interest rates can be distinguished from the Members who favor high interest rates.

The plan to sell a long-term, high-interest-rate bonds is merely another gimmick and in the long run will prove unsuccessful in combating inflation. Members of this body will recall that in 1968 the interest rate ceiling on Government-insured home mortgages was removed. The reason behind this move, it was argued, was to make more homes available because current market conditions were not favorable for home mortgages at low interest rates. I submit that that plan, like the $10 billion high interest sale, was a failure. We did not get more housing; but what we did get was an artificial method of keeping interest rates at high levels.

We have now compounded that mistake with another, and I am afraid that we have not heard the last of this issue.

CUT IN COLLABORATIVE PERINATAL STUDY WILL HAMPER RESEARCH

(Mrs. GRASSO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. GRASSO. Mr. Speaker, the administration recently ordered a 25-percent cut in the collaborative perinatal study, a program directed by the National Institutes of Health. Simply stated, this is a long-term study aimed at finding the causes of mental retardation, nervous system disorders, and behavioral problems in children. It is considered the best and most comprehensive study of early childhood diseases ever undertaken, and has involved 12 years of intensive research which is just now reaching fruition. This study has already produced substantial data on childhood disease.

The budget cut, according to the doctors involved, will hamper the research at the stage at which the most important gains are to be made.

In his state of the Union address the President declared that this would be health year. A welcome phrase, but a hollow phrase made even less meaningful by this cut in a program of proven need and value.

In a magnanimous gesture in this same address the President announced a $100 million increase in cancer research funding. It is now clear where this additional money will be found. It will be taken from other important health research programs. This is robbing Peter to pay Paul and serves no useful purpose other than to redirect existing funds where the political pressure is greatest at the moment.

It is welcome news that the President plans to increase cancer funds. I am disturbed, however, that his methods are so counterproductive.

I had hoped that there would have been recognition for the need to reorder our national priorities. Surely this transparent fiscal sleight of hand which transfers funds within the health field in order to give the illusion of progress hardly makes the ideal a reality.

Mr. Speaker, this country cannot afford these illusions. This study is but one of the many programs that have been cut by the fiscal restraints placed on the National Institutes of Health. Post doctoral programs have been cut, the leukemia program is short staffed, with highly qualified young doctors forced to spend much time on clerical chores to the detriment of their patients.

These are but a few of the problems. The perinatal study deserves special mention, however, as it is believed to be the largest of its kind ever attempted. It has become the model for other, smaller studies, in other countries.

Because of its size and complexity, experts consider it unlikely that anything comparable will be attempted again in the foreseeable future. This puts extra demands on the research in terms of accuracy and quality.

Some of the project directors feel that the fund limitation will make it extremely difficult to both maintain the quality of the on-going programs and insure the completion of the study in a form that will be of sufficient value in terms of the time and money already spent and the importance of the subject.

As I have stated, this program is in its 12th year. Over $100 million has already been expended. Aside from the obvious medical benefits to be gained from full funding of the completion, it is senseless to jeopardize the results due to a saving of less than $2 million.

I ask that the Office of Management and Budget and the officials of the National Institutes of Health reconsider their position and rescind this cutback in funds.

BROKERED FUNDS: NO PLACE IN WELL-RUN BANK

(Mr. CEDERBERG asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CEDERBERG. Mr. Speaker, an article appeared in the August 1970 issue of the Independent Banker, which I believe points out the need for legislation prohibiting the use of brokered funds as an acceptable banking instrument. On February 2, 1971, I introduced such legislation, H.R. 3242, and I believe that the article which I mentioned supports my call to my distinguished colleague, the chairman of the Committee on Banking and Currency, for prompt hearings.

The article explains in detail the circumstances surrounding the closing of the Peoples State Savings Bank of Auburn, Mich., which prompted my interest in this serious problem. You will note from the biography on the author of this article that he is not unfamiliar with the problems of small banks. His cautions certainly should be heeded and I hope that the Congress will see fit to act promptly on my legislation.

Mr. Brooks comes to the conclusion that:

> We can start by recognizing that brokered funds and irrevocable letters of credit, . . . have no place in our banks.

I agree, Mr. Speaker, and I insert the article at this point in the Record.

Brokered Funds: No Place in a Well-Run Bank

(By Fred T. Brooks)

(Note.—Fred T. Brooks, 43, is president of the Merchants State Bank of Dallas, Texas, a $38 million deposit bank. He is also chairman of the IBAA's Competing Financial Institutions Committee. Mr. Brooks joined Merchants State 19 years ago and became its executive vice president when he was only 31 years old. He was named president five years later. Now entering his 25th year in banking, Mr. Brooks started his career at age 17 as a clerk at the Farmers & Merchants National Bank of Kaufman, Texas. He has been a leader in the fight for independent banking and the dual banking system in Texas. He has also worked for legislation to revise the state banking code, and heads a committee that is writing a history of state banking in Texas in conjunction with the University of Texas. Mr. Brooks attended the IBAA's Senior Bank Officers Seminar on the Harvard campus and also is a graduate of the AIB and the Southwest Banking School at Southern Methodist.)

When deposits in unprecedented amounts began pouring into the little State Bank of Prairie City, Iowa, not long ago, it appeared to be a happy situation for everyone concerned. Thanks to deposits generated by a money broker, the $2.5 million bank was able to swing a set of loans totaling $850,000. The broker received a nice fee. Investors earned interest on the deposits. The bank set up an interest schedule on the loans. And the borrowers, a group of about 30 companies and individuals who had secured the deposits through the broker, were able to get their loans.

In short, it seemed to be a tidy, imaginative transaction, except for one thing: Iowa banking officials had to close the bank.

Collin Fritz, the state banking superintendent, said loans which were classified as unsound exceeded the little bank's capital by many times. Without the brokered funds, the bank could not have considered making one set of loans for $850,000.

The closing of the Prairie City bank was one of eight bank failures in 18 months linked to loans and deposits generated by money brokers. This record provides ample evidence that the brokered funds have no place in a well-run bank.

Also, since bank problems or failures tarnish the public image of banking generally, bankers should take action to eliminate unsound practices in the industry as they arise rather than to wait for Congress or the supervisory authorities to do the job.

WARY OF QUICK MONEY

As president of a small bank, I know how tempting it might be to have my accounts quickly and substantially beefed up through deposits obtained by a broker who would control where the money is lent. But I also have a basic wariness about quick, hot money from any source.

As banks in Michigan, Utah, Kentucky, Georgia, Texas and Iowa have recently discovered, such transactions do not always go according to plan. The failures of these eight banks resulted from similar causes related to brokered certificates of deposit or irrevocable letters of credit.

In each of the cases large borrowers defaulted on loans or were on the verge of doing so. The loans were of a size that would be considered imprudent for a small bank to make. Most of the borrowers in each of the banks were from outside the bank's normal business area. And in each case money brokers had generated deposits that backed some of the loans.

A typical situation might involve a prospective borrower who wants to borrow a substantial sum—say $150,000—but the bank either does not have that much to loan or has it committed elsewhere. The borrower is told that the bank will make the loan if he can generate deposits of $150,000. Since the prospective borrower can't find that kind of money elsewhere, he talks to a money broker who finds the depositors and the bank makes the loan.

The broker's fee for arranging the deal may be 3 to 5 per cent of the loan. The broker, in turn, may pay the depositors 2 per cent of his fee to encourage them, which is in addition to what they will get from the bank on their certificates of deposit, say 5½ per cent.

SERIOUS TROUBLE POSSIBLE

Not all transactions of this type end in disaster, of course. *The Wall Street Journal* estimates that about $750 million is channeled through brokers in the course of a year. The largest money broker is Seaboard Corporation of Los Angeles, which says it will place deposits of $130 million to $150 million this year, compared to $50 million in 1968.

But if the broker is unethical or the third party defaults on the loan, the bank may find itself in serious trouble. This is particularly true for smaller banks that are left with insufficient capital to carry on if the borrower defaults. In some cases the borrower has been an incompetent business manager, or has poured the money into some ill-conceived venture that failed. Some borrowers have also been involved in a conspiracy to defraud the bank.

I have discussed the problem with a number of state banking commissioners and top officials of the FDIC, the Comptroller of the Currency and the Federal Reserve. They have advised their member banks "to be alert to schemes which would expose depositors' and shareholders' funds to the risks involved in loans based on broker 'deposits.' "

BEWARE OF OUT-OF-TERRITORY LOANS

The federal regulatory agencies have all advised banks to be especially wary of related out-of-territory loans which may appear attractive because of the amount of brokered money that will be placed with the bank if the loan is made. The policy statement of the agencies continues:

"The advertisement of excessive yields on deposits solicited for federally supervised banks (whether the premium is provided by the bank or by others), moreover, is prohibited by substantially identical regulations issued by the Federal Deposit Insurance Corporation and the Board of Governors of the Federal Reserve System. To the extent that a bank takes any part in these transactions it is considered to be evading the purposes of the interest rate regulations. Where the bank pays a fee to a broker and knows or has reason to know that the fee is being shared with the depositor, the bank is also in violation of the interest rate regulations to the extent the yield to the depositor exceeds the maximum permissible rate."

PLACED IN CHECKING ACCOUNT

The FDIC is a litigant in one of the most tangled and complex arrangements to date involving a closed bank having brokered funds.

It all started when three prospective borrowers—a schoolteacher from Detroit, an auto dealer from New Jersey, and the head of a leasing firm in Birmingham, Alabama—worked out a deal with a money broker to get $3 million from Peoples State Savings Bank of Auburn, Michigan. The Detroit borrower, who wanted to develop a lake resort near Auburn, was to get $1.5 million before fees. The other two were to receive $750,000 each.

The broker agreed to get deposits of $3 million to match the loans.

Two other brokers were brought into the deal to help round up the deposits.

The little bank received deposits of $2.7 million from 545 investors around the country during an eight-week period last spring. However, the money was not put into certificates of deposit in the names of individual depositors, but instead was placed into a checking account of the money broker. He had withdrawn about $2.3 million by the time the bank was closed by state officials. Those who had placed their deposit money with the brokers were given irrevocable letters of credit instead of CDs. The credit letters were signed by the bank's president and its cashier for the amounts they put up. The broker who had withdrawn the money from the Auburn bank said he had disbursed a total of $1,537,800 among the three borrowers and had given $116,500 as fees to "others who helped arrange the loan." The remaining $675,000 he kept for his own fee or put into an escrow account to pay the interest to depositors. He said his role as disbursing agent for the funds was taken to protect his fees, adding that this was part of the loan agreement.

However, it appears that no loan arrangements were spelled out and no collateral put up.

The FDIC is suing two of the borrowers and the broker for the money they received. Several stockholders and directors of the bank have brought suit against the president and the cashier of the bank, contending that the letters of credit were issued without proper authority and thus are not obligations of the bank. The FDIC may not have to pay off the depositors secured by the brokers if the letters of credit do not represent valid deposit obligations of the bank.

ADDITIONAL BANKS IN TROUBLE

In addition to the most recent series of bank failures linked to brokered funds, the practice has been involved to some degree in at least 15 of about 30 bank closings that have occurred since 1963. One government regulator says many other banks may be in trouble. He said 10 banks having considerable amounts of brokered deposits are being closely watched.

A Texas bank failed when its purchases of federal funds, brokered loans and commercial paper sold, totaled more than its deposits.

What is the answer to the problem?

One suggestion is to withhold deposit insurance from banks that do not receive deposits in the ordinary course of their business. This would exempt brokered funds from FDIC insurance, since they are not obtained from the ordinary course of a bank's business.

The exemption no doubt also would apply to national advertising schemes, such as the offer by a Louisiana bank to pay all the interest in cash on the day a depositor invests in a five-year certificate. The bank, which has a total capital of only $200,000, made the offer in ads which ran in *The Wall Street Journal* and in newspapers throughout the Southwest.

All the depositor had to do was clip a coupon, enter the amount of his deposit, and indicate whether he wanted the interest money in cash or used to purchase a car, boat or television set.

The Comptroller's office says the offer does not violate any regulations. However, the ads fail to mention that the customer incurs a tax liability in receiving the interest in a lump sum.

Comptroller of the Currency William B. Camp favors making it a criminal violation for a banker to accept brokered funds where tie-in loans must be made as a condition for the deposit of such funds.

The Iowa banking superintendent, Collin Fritz, has asked all banks in the state to notify him if they are approached to accept brokered deposits.

In the absence of legislation, however, these agencies are limited in the amount of supervision they can give to brokered money deals.

UNFAIR COMPETITION

This lack of regulation and supervision of money brokers also implies an unfair competitive advantage over banks. Money brokers act as bankers without being subject to banking regulations. They are successful partly because the general public is not aware of the problems and dangers of brokered transactions.

The conscientious banker who is dedicated to sound banking principles is thus at a disadvantage in competing for deposits and loans.

But the use of brokered funds by a bank would seem to me to be more than an unsound banking practice. Using depositors' money to shore up a marginal loan borders on being a criminal action.

The money brokers argue that they are not to blame for the problem, and that they are just performing a service. However, the fact remains that without money brokers there would be no brokered funds. The problem simply did not exist before money brokers came on the scene.

The independent banks of our nation have an outstanding record for customer and community service. They are run by dedicated, honest individuals who value their reputations as careful custodians of the public's money.

If we are to retain this reputation, it is up to us to do what we can to correct the problems in our industry ourselves. We can wait for Congress or the supervisory agencies to do it for us, but in the meantime, great damage may be done.

We can start by recognizing that brokered funds and irrevocable letters of credit, as mentioned above, have no place in our banks.

WHITE MOTOR TERMINATES DEAL

(Mr. MINSHALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MINSHALL. Mr. Speaker, termination of the merger agreement between White Motor Corp. and White Consolidated Industries announced last week once again points up the prohibitive effect of the Department of Justice's current antitrust policy. It appears to be aimed solely at curtailing mergers on the basis of bigness alone.

The two firms ended their merger plans after a District Court granted the Department of Justice a preliminary injunction which would have kept the two firms tied up for years in legal procedures. They felt neither company could afford to wait a full trial on the merits of the case, even though they considered their merger action fully within the law.

Richard McLaren, Assistant Attorney General of the Antitrust Division, has made the statement several times that these suits being brought against large corporations are designed to halt the merger movement. In this case, he has done so without the merits of the case being fully explored. I believe this is the wrong way for the Justice Department to handle these matters.

A number of serious questions have been raised regarding this basic law under which such cases are being brought. Many legal and business experts have questioned whether current law even applies to mergers of this type. In fact, Mr. McLaren himself has indicated they may not. Yet he has pursued this unwise course rather than coming to Congress to seek enactment of proper law. I suspect one reason for taking this course is that he suspects his own theories and attacks on bigness would not be sustained by Congress. They have, in fact, been consistently rejected not only by Congress but by the courts as well.

I am, therefore, today introducing legislation calling for establishment of a blue ribbon panel to thoroughly study our antitrust laws and policies. I urge Congress to give this legislation its immediate consideration before other companies find themselves in the same situation as White Motors-White Industries.

I would like to insert at this point in the RECORD an article from the February 26, 1971, New York Times, announcing the termination of the merger between these two companies.

WHITE MOTOR TERMINATES WHITE CONSOLIDATED DEAL

(By Alexander R. Hammer)

The White Motor Corporation yesterday terminated its merger with White Consolidated Industries, Inc., because of the preliminary injunction granted against the merger on Wednesday in Federal District Court in Cleveland.

If the two companies had merged, the new company would have been the 57th largest in sales in the nation. Under the merger plan, White Consolidated would have acquired White Motor.

In granting the injunction, Judge Frank J. Battiati ruled that the proposed merger might act to lessen competition. The injunction was granted at the request of the Justice Department which contended that the merger would give the new company, White Inc., a steel-purchasing power equal to that of its three closest competitors combined.

GOVERNMENT POSITION

The Justice Department said that the merger would encourage reciprocal trading in violation of the Clayton anti-trust act.

In terminating the merger yesterday, Henry J. Nave, president and chief executive officer of White Motor, said that the granting of the injunction "prevents the merger from being consummated because neither company can afford to await a full trial on the merits."

Mr. Nave said that White Motor will immediately move ahead on its own to achieve growth in sales and profit. Earlier this month officials of both companies had said that the merger would be dropped if an injunction was granted.

BIRMINGHAM, ALA.—AN ALL-AMERICA CITY

(Mr. BUCHANAN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BUCHANAN. Mr. Speaker, the great city of Birmingham, Ala., which it is my privilege to represent in the Congress, has today been selected as an All-America City for 1970 by Look magazine and the National Municipal League.

The city of Birmingham has made tremendous strides in virtually every area. A mayor and city council form of government replaced the old commission system in 1963 and, in recent years, Birmingham's dynamic Mayor George Seibels and the city council have given progressive leadership toward broadening the services of the city government to all of its people.

Through the leadership of such organizations as Operation New Birmingham, a biracial organization of community leaders, the chamber of commerce and the downtown action committee, the city is continuing to develop for all her citizens.

New skyscrapers, a multimillion dollar postal facility, and a vast civic center complex now under construction bear witness to the city's growing prosperity.

The University of Alabama Medical Center is expanding physically and educationally and promises to become one of the Nation's most outstanding medical complexes. The advances in medical technology achieved there have already received worldwide acclaim.

Birmingham is a city of tomorrow. It is a symbol of the strength and hope of this Republic.

The All-America City award, Mr. Speaker, is a recognition of what Birmingham has accomplished in recent years and of her plans for the future. I am delighted that the efforts of so many concerned individuals and groups in Birmingham, Ala. are being recognized on a national level and I am proud to represent Birmingham in the Congress.

REPUBLICAN PARTY HAS HIGH RATE OF INTEREST IN LOGICAL ECONOMIC POLICY

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BUCHANAN. Mr. Speaker, the distinguished chairman of the Banking and Currency Committee has just referred to the Republican Party as the high interest rate party. It is true, Mr. Speaker, that we are the party with a high rate of interest in policies of fiscal responsibility and with a high rate of concern about the irresponsible policies which brought this Nation to a point of economic disaster from the New Deal, to the Fair Deal, to the New Frontier, and finally to "the great insanity"—I believe it was called the Great Society.

I would say we are concerned about doing what is logical and sensible in economic policy.

The action taken to take the interest ceiling off long-term Government obligations was simply logical and sensible, not a high interest rate policy. Under the former policy the Treasury was forced to borrow heavily in the short-term securities market, where there was no limit. This change will simplify the management of the debt, and should reduce its disruptive and inflationary impact.

Mr. Speaker, we Republicans have a high rate of interest in and concern for the people of this country, including the old, the poor, the infirm, who have been hurt worst of all by the ravages of inflation; and we have a high rate of interest in the future generations who will pay the bill for our profligate spending in this generation.

THE INTEREST RATE POLICY OF THE NIXON ADMINISTRATION

(Mr. HOLIFIELD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLIFIELD. Mr. Speaker, my friend—and he is my friend—has expressed the great interest of the Republican Party in the fiscal policies of this Nation. Let me just make a comment.

In the first 2 years of the Nixon administration, all the brakes were taken off of interest rates and the average rates in the banks for commercial loans were around 9½ to 10 percent. I know this from a personal experience in California, when one of the great banking chains charged 9½ percent for a 30-day commercial loan that was well secured.

The record will show that the banks in the past 2 years have made the greatest net profits in the history of the United States. Now, after this high interest rate crunch came upon the economy and we saw inflation go rampant and we saw unemployment go up and up and up, we suddenly find the President advocating what he calls the full employment budget. I will explain that. If one is working for $100 a week and suddenly goes on half time and makes $50 a week, the full employment budget would say he could spend at the rate of $100 a week because if he were working he would be earning $100 a week. That is the full employment budget.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I am glad to yield to the majority leader.

Mr. BOGGS. The gentleman knows, I am sure, that in Los Angeles County, Calif., 235,000 people are unemployed.

Mr. HOLIFIELD. It is the highest rate of unemployment in Los Angeles County, running a little better than 7 percent, that we have had in the past 12 years. It is growing. It is not going down; it is growing. And the cost of living is still going up. So if that is the interest the Republican Party has in the people, as evidenced by the results of their fiscal policies, I do not think it is very good interest for the people.

UNEMPLOYMENT

(Mr. SCHEUER asked and was given permission to address the House for 1 minute.)

Mr. SCHEUER. Mr. Speaker, I congratulate the gentleman from California (Mr. HOLIFIELD) on his remarks, and I wish to make an additional point in which I am sure he will join me.

It is not just that we have 7 percent unemployment as a national average. Part of that 7 percent is composed of white married males over 21 years of age. We have an unemployment rate of perhaps 2½ or 3 percent for those.

Another element in this unemployment rate is the unemployment rate not for married white males over 21 but for single black males under 21, the teenagers who in the ghettos of America have an unemployment rate upward of 35 percent, and in some cases—for example, my congressional district in the South Bronx—over 40 percent unemployment.

This is not just a painful situation. It is not a question of where the shoe is simply pinching. This is a situation of economic disaster and catastrophe.

Mr. HOLIFIELD. I thank the gentleman for his contribution to the colloquy and I would point out that the great interest the Republican Party has had in the welfare of America is evidenced by the figures which he has quoted.

CAUSE OF UNEMPLOYMENT

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I hope and trust that the gentleman from California (Mr. HOLIFIELD) will listen for a moment.

As I understand it, the State of California traditionally has had and still does have a high percentage of our defense business. Now, if my recollection is accurate, a sizable percentage of the unemployment in California and in Los Angeles results from a cutback in defense appropriations and a reduction in funds for weapons procurement.

The facts are that in the last 2 years most of the effort to reduce the defense budget and to cause the unemployment in California has come from the gentleman's side of the aisle. So the finger is on them for a substantial part of unemployment that currently exists in Los Angeles and in the State of California.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield to me?

Mr. GERALD R. FORD. Let me add one more observation.

I do want to exclude the gentleman from California (Mr. HOLIFIELD) from that effort, if my recollection is correct, but he knows as well as I do that most of the effort to cut back on defense expenditures has come from his side of the aisle, which has contributed substantially to the unemployment in the State of California.

Now I will be glad to yield to the gentleman from California.

Mr. HOLIFIELD. I thank the gentleman for giving me a special dispensation on that particular matter. However, the percentage that I quoted is a national percentage. It actually runs in Orange County about 7.7 percent unemployed, because there is an aerospace industry there which is a very heavy contributor to it. Also it laps over into Los Angeles County. However, the figure that I gave of 7 percent applies to the whole Nation.

Mr. GERALD R. FORD. But the fact is that the gentleman was complaining about the specifics of unemployment in the Los Angeles area, as I understand it, and because of Los Angeles and California having a high percentage of defense production the cutbacks made by the Democrats primarily in the defense budget are responsible for a substantial part of that unemployment.

HIGH INTEREST RATES AND UNEMPLOYMENT

(Mr. BOGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOGGS. Mr. Speaker, I have listened to this colloquy with great interest. I have heard the gentleman from Michigan (Mr. FORD) make the statement so many times that unemployment is a result of defense cutbacks that I think the time has come to correct the record.

Here are the facts. For the first time in 12 years in 1970 our Gross National Product did not grow.

At the same time the GNP's of Japan, the Common Market of Mexico and many other countries were showing substantial growth.

The economic policies of this administration have thrown 3 million people out of work, and most of them are not in defense plants. At the same time unused industrial capacity rose to 27 percent.

Think of that; 27 percent of the industrial capacity of this country today is not being utilized.

With all of the things that need doing throughout our country.

The economic policies of the Nixon administration have been so disastrous that we are now employing only 73 percent of our capacity and we have 5 million unemployed Americans.

The other day, led by the distinguished gentleman from Montana (Mr. BELCHER), a group of our colleagues pointed out the equally distressing situation existing in rural America.

For as long as I have been in public life, reference has been made to the "farm problem." I have long felt that this is an unfortunate misnomer. Our concern is not for the problems of farms; our concern is for the day-to-day, human problems of the men and women who till them. The American farmer built this country: he settled it, he made it productive, and he sustains it. Today, however, he is caught up in a fast-changing society which, instead of making his life easier, is making it more difficult. Since 1950, the rate of change in our society has been accelerating, and there has been a corresponding increase in the farmer's adversities.

One of the most significant of these changes has been in the distribution of our population. Since 1950, we have witnessed a flight from the land, a movement of Americans away from the farm to urban centers. Between 1950 and 1960, approximately one-half of the counties of the United States lost population. The returns of the latest census indicate that this trend has been continuing and that the final results will mark another substantial move off the farm to urban life. One can see this by simply driving across our land. One can see it in the consolidation of small farms into large agricultural corporations. The land remains cultivated, but by fewer and fewer farmers. Farmers were once the largest single segment of our population. Today, about one in 20 Americans is a member of our farm population.

The shift of our population from the farm to the city reflects the growing problems of the small farmer in America. He is caught between rapid socioeconomic change and governmental neglect. By personal income, by standard of living, or by almost any other yardstick, it is apparent that the American farmer is not an equal partner in our national life.

The economic report of the President reflects the changes and inequities confronting the American farmer. Between 1950 and 1970, the number of American farms declined 32 percent and the size of our farm population decreased 58 percent. During the same period, however, investment in farms rose 240 percent and farmers debts increased 500 percent. In 1970, according to the President's economic report, farmers produced 30 percent more food and were paid $800 million less than in 1950. It is not difficult to see why people are leaving the farms.

To reverse this flight from the land to our overcrowded urban areas—to restore a balance between rural and urban America—we must realize the importance of developing our rural areas. We must redirect many government programs—in education, housing, and manpower—to solve the problems of rural America.

In summary, we must see to it that a fair share of our attention and energies go to these areas in the interests of rural and urban America alike.

COMMITTEE ON BANKING AND CURRENCY—PERMISSION TO FILE REPORT

Mr. PATMAN. Mr. Speaker, I would like to have the attention of the minority leader, please.

Mr. Speaker, I ask unanimous consent that the House Committee on Banking and Currency have until midnight Friday, March 5, 1971, to file a report on H.R. 4246, to extend until March 31, 1973, certain provisions of the law relating to interest rates, mortgage credit controls, and cost-of-living stabilization.

This morning we reported the bill out. I think it was a unanimous vote. Anyway, it was nearly unanimous, and we agreed to ask for this for Saturday night on the theory that we could take it up on Wednesday.

We find it has to be Friday night in order to take it up Wednesday.

So, Mr. Speaker, I would ask unanimous consent with the understanding that if anyone feels strongly about it they will have an opportunity to ask for a reconsideration of it and, certainly, if anyone objects to it, I would ask that my unanimous-consent request be rescinded.

But, in view of the fact that the committee understood it would be filed Saturday night and taken up Wednesday, but since we have found it could not be done, I ask unanimous consent for it to be filed on Friday night.

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, and I shall not object, I would like to simply add one further comment to the comments made by the distinguished majority leader.

Within the next 10 days or 2 weeks we are going to have to vote on the floor of the House as to whether or not we will extend a program initiated by the late President Kennedy, the SST program, and we will find out how much support we get on that side of the aisle to extend that program which will save approximately 150,000 jobs in the aerospace industry.

Mr. BOGGS. Mr. Speaker, will the distinguished minority leader yield?

Mr. GERALD R. FORD. I yield to the distinguished majority leader.

Mr. BOGGS. I support the SST program. Is the gentleman indicating that the SST program is a defense program?

Mr. GERALD R. FORD. No; I would simply say that the continuation of the SST program would save these jobs.

Mr. BOGGS. The gentleman is talking about defense expenditures.

Mr. GERALD R. FORD. I am delighted that the gentleman from Louisiana is going to support the SST program.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

TOWNSEND HOOPES REPLIES TO THE CHARGE HE LEAKED TOP SECRET INFORMATION TO THE NEW YORK TIMES; BUT IS THIS REALLY A DENIAL?

(Mr. STRATTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. STRATTON. Mr. Speaker, on February 23 I brought to the attention of this House a report in the Baltimore Sun that Townsend Hoopes, former Under Secretary of the Air Force, was responsible for the leak of very classified information in February 1968, that Gen. William C. Westmoreland had requested 206,000 more troops for Vietnam, to Edwin F. Dale, Jr., of the New York Times. At that time I announced that I had written Mr. Hoopes to confirm or deny this report, had written the Department of Defense to determine the classification of this information, and the Department of Justice to determine what, if any action they were taking to follow up on these allegations.

Since then, I have received a reply from Mr. Hoopes, which purports to be a denial of these allegations, and one from the Department of Defense indicating that the information in question bore a classification of "top secret" and that the penalty for unauthorized disclosure of such information was a fine of $10,000, or 10 years in jail, or both.

I am, however, deeply disappointed that I have not yet received any reply from Attorney General John Mitchell inquiring what, if anything, the Department of Justice was doing to track down this published allegation regarding top secret leaks within the Pentagon.

I am glad to have Mr. Hoopes' letter acknowledging his conversations on Vietnam policy with Mr. Dale at the dinner party in question. I frankly query whether the Hoopes statement really does represent a denial of the charges. After all, the record is clear that he had just come from top level Pentagon discussions, in which he participated as Acting Secretary of the Air Force, of several proposed alternatives for dealing with the Tet offensive, discussions which, according to a directive quoted in the Baltimore Sun, were to be treated with the highest possible degree of security up to the moment when the President's decision on these matters is announced.

Yet Mr. Hoopes admits his discussions with Mr. Dale involved the fact:

> That the Viet Nam war was about to move to still higher and more costly levels. We touched—

He continues:

> On the widely recognized fact that a serious debate over further escalation was developing in both the Congress and the administration, and that it appeared to involve a more vigorous opposition than had been manifested at any earlier stage of the war.

Even though Mr. Hoopes says:

> There was no discussion by me or anyone else of the dimensions or details of any troop request.

The fact is that if top civilian officials in the Pentagon feel free to discuss top secret strategy discussions with members of the press and other witnesses present, even if they do not mention certain particular figures, security is already gravely compromised. After all, this is an old newspaper trick. All you need is one tip from somebody really in the know, and a good reporter can always zero in on specific figures from some knowledgeable subordinate by telling him he has already gotten some other figure from his superior.

In my judgment the leak of top secret material from the Pentagon in recent years has been nothing short of disgraceful, and I believe that Congress has a heavy responsibility to find out to what extent high ranking civilians have been responsible for these improper, illegal, and damaging actions.

I intend to get to the bottom of this matter, Mr. Speaker, as one member of the House Armed Services Committee.

I now insert in the RECORD, for the information of my colleagues, the reply from the Department of Defense, and the reply from Mr. Hoopes:

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., February 26, 1971.

Hon. SAMUEL S. STRATTON,
House of Representatives,
Washington, D.C.

DEAR MR. STRATTON: In your letter of February 23 to Secretary Laird concerning the problem of further deployments to Vietnam in February 1968, you request answers to the following two questions:

1. What was the actual degree of classification assigned to the information that General Westmoreland had proposed 206,000 more American troops for Vietnam?

A. The report in question was classified Top Secret.

2. What is the penalty established by law for the improper and unauthorized disclosure of security information bearing the particular degree of classification referred to in paargraph 1 above?

A. Section 793 of the Federal Criminal Code (18 USC 793) provides as penalty for conviction thereof a fine of not more than $10,000 or imprisonment of not more than 10 years, or both.

Sincerely,
ROBERT F. FROEHLKE.

WASHINGTON, D.C., *March 1, 1971.*

Hon. SAMUEL S. STRATTON,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN STRATTON: I have your letter of February 23, and of course recognize the legitimacy of your concern. It seemed to me that the best way to set the record straight on this matter was to write identical letters to the *Washington Post* and the *Baltimore Sun*. This I have done. The *Post* printed my reply on February 28, and I assume the *Sun* will follow suit.

I enclose a copy of the letter, which constitutes also a reply to your inquiry.

Sincerely,
TOWNSEND HOOPES.

WASHINGTON, D.C.,
February 26, 1971.

The EDITOR,
The Washington Post.
The EDITOR,
The Baltimore Sun.

An article of February 10, 1971 in the *Baltimore Sun* under the byline of Philip Potter alleges that I disclosed to the press the fact of a Wheeler-Westmoreland request for 206,000 additional troops for Vietnam in early March of 1968. The article asserts that the disclosure was made to Edwin F. Dale of *The New York Times* during dinner at the home of Congressman William Moorhead. The substance of the allegation, drawing on the Potter dispatch, was repeated in an article of February 23, 1971 in the *Washington Post* under the byline of Kenneth Crawford.

The allegation is false and without foundation. I did attend a dinner at Congressman Moorhead's on March 4, 1968. Mr. Dale was present. We had a brief discussion of the threatening gold crisis which was being fed by European anticipation that the Vietnam war was about to move to still higher and more costly levels. We touched on the widely recognized fact that a serious debate over further escalation was developing in both the Congress and the Administration, and that it appeared to involve a more vigorous opposition than had been manifest at any earlier stage of the war. There was no disclosure by me or anyone else of the dimensions or details of any troop request. I have dealt officially with military and foreign affairs for ten years; I do not handle classified information with indiscretion. The quotation in the Potter article, purporting to describe what I said to Mr. Dale, is thus a fabrication. A routine check with Mr. Dale would have made that fact quite clear.

What the Potter article treats passingly as an alleged indiscretion the Crawford article raises to the level of an alleged violation of "a specific presidential order of secrecy." His reference is to a directive addressed to some members of the Vietnam Task Force on February 28, 1968, asking for a reappraisal of Vietnam policy. Many facts surrounding the issuance and status of that directive remain enshrouded in fog. It was, for example, unknown to most members of the task force, was never placed on the task force agenda, and was not reflected in the recommendations submitted by that group. However, the central point to be made here is that I never saw the directive in 1968, and have never seen it to this date. The first time I (and many others) heard of its existence was when President Johnson attempted to describe it to Walter Cronkite during his postmortem television interview of February 6, 1970.

TOWNSEND HOOPES.

CHARLES W. ENGELHARD, JR.

(Mr. DANIELS of New Jersey asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DANIELS of New Jersey. Mr. Speaker, the State of New Jersey and the Nation lost a good friend in the untimely death on March 2 of Charles W. Engelhard, Jr.

As a businessman, Charles Engelhard was the hard-driving head of one of the largest family owned enterprises in the world. On a personal level, he was the gregarious good friend of all who knew him and the benefactor of thousands of orphans in "Boystown" of Kearny, N.J. He was a man who conducted his business and enjoyed his life on a grand scale yet found the time to visit the boys in Boystown several times a year.

In addition to his international enterprises, which might have afforded him the opportunity to ignore the problems of his home State, he remained active in New Jersey as well as in national politics. He contributed $1¼ million to Rutgers University. Using the strength of Engelhard Minerals & Chemicals Corp., he prevailed upon the Government of South Africa during his dealings with officials of that Government, to end the oppressive apartheid racism. He said:

> For world acceptance [South Africa] must begin to realize the dignity of man as a basic concept.

We shall all miss Charles Engelhard very much. To his wife, his daughters, to his mother, and family, Mrs. Daniels and I extend our deepest sympathy and join them in their sorrow.

WHAT IS WRONG WITH WRITING?

(Mr. PICKLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PICKLE. Mr. Speaker, I wonder if the Members of the House realize that the postal law passed last year mark's you as a possible violator of the law? Did you realize that if you wrote to the Post Office Department in recommendation of any person for any position, whether they were a Democrat or Republican; whether they were to be an interim or permanent employee; regardless of whether they were the only person left to be promoted, no matter what, if you recommended an individual to the Post Office Department, your letter would be stamped in boldface letters across the front of it "In violation of Public Law 91–375." In other words, a Congressman of a half million people, recommending any person, even a career employee of the opposing party, your file would be stamped "In violation of the United States Law".

Now, you can write to the Postmaster General and be so bold as to say that you understand an individual has good character, has integrity, and so far as you know, has violated no law, but if you are not careful in how you say it, you could be the "criminal" recommending a career employee. Mr. Speaker, that is a ridiculous provision of the postal law, if that is indeed the language and intent of our new law.

Of course, you all know that the Postmaster General has put out a mailing to all post offices that they are, in effect, to have no contact with U.S. Congressmen. They further say that if a U.S. Congressman writes asking about any policy of the Post Office Department that your letter is immediately forwarded to a regional office and probably to the national office for reply. This means that only one person in the United States can interpret policy of the Post Office Department and that is the congressional liaison office. The net of all this asinine tomfoolery is that the postmasters throughout the United States are literally scared to death for their own position and are distressed to know how to answer inquiries from either the public or their Congressmen. This new law has literally cut off nearly all contact of the post office employees with their U.S. Congressmen. Surely that was not the intent of the law, which this House passed. I say that this law or interpretation of the law is overkill and ridiculous. If it is not Gestapo tactics, it is a scare tactic. Worst of all, the impression is that an employee of the U.S. Government should be careful not to write his Congressman about any postal regulation. The very idea of this position is repugnant and this must be corrected. Postal employees must not be afraid to write their Congressman, just as no individual on any subject should be afraid to write their Congressman. I am asking my postal employees to continue to write me. I am putting out a letter encouraging them to let me know how the mail service is going, and so forth.

Not to do this is unthinkable. To cut off all contact with Congress—and that is the end result—is I think unconstitutional. Suppose every Government agency advised its employees likewise not to contact any Member of Congress? How ridiculous can we be?

Mr. Speaker, I am today or Monday introducing a bill that will allow Members of Congress to exercise their responsibility to their constituents. Last year Congress attempted to do something that is impossible—wash their hands of the postal system. Postal service provided as a service to the citizens by the Government has been and still is a fundamental responsibility of the U.S. Government. However, the Postal Reorganization Act has completely isolated the postal service from the control of the people's elected representatives. Congress no longer has any control over such a basic item as the rates charged for the public service of delivering mail.

The rates under the new law are controlled by a five-man Commission appointed for terms of 6 years by the President. Even the power of approving these appointments was not given to the Senate. Under the present law the Postal Service recommends to the Postal Rate Commission rate increases. The Rate Commission has the authority to recommend changes different from those proposed by the Postal Service. The Rate Commission has 90 days after they have received proposed rate increases to make a decision. If they do not make a decision, temporary increases can be put into effect. By using this temporary increase the Postal Service can in effect force the Commission to agree to a rate increase.

This system may or may not lead to an efficient postal service. Regardless of the result, I am concerned that there is no opportunity for the users of the postal service to disapprove an increase. The Postal Service is not like a private opertion where if the customer does not like the price he can go somewhere else. There is only one postal system. There is no competitor across the street.

I firmly believe that the first duty of the Postal Service is to serve the people. Because of this belief I am introducing today a bill that will provide that by a vote of three-fifths of either the House or Senate a rate increase may be vetoed. My proposal would not interfere with the Postal Service originating rate increases. That has been a problem in the past because Congress is generally hesitant to initiate the increase.

All my bill would do is to give the elected representative of the people, the users of this postal system, an opportunity to say that this increase is not equitable, or that the increase is being placed on the wrong class of user. My bill would only be a check on the Postal Service's power. If an increase was needed and this could be shown, then it would not be likely that Congress veto such an increase. My bill will give the people a chance to voice their disapproval. My bill would also repeal the provisions allowing temporary rate increases, as this would be inconsistent with the right of Congress to veto. My bill is essentially the same approach that was contained in the Postal Reform Act as it passed the House. It was changed in conference.

PROBLEMS WITH THE NEW POST OFFICE DEPARTMENT

(Mr. GROSS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, if I may have the attention of the gentleman from Texas (Mr. PICKLE), I suggest to the gentleman that he take up the complaint he has made about the new postal service with the gentleman from Arizona (Mr. UDALL), the father of the wonderful postal reform bill.

Members were told what they could expect when the bill was on the House floor last year. I was one of those who opposed it, and tried to tell the Members with what they would be faced.

I appreciate the fact that the gentleman from Texas has called this to the attention of the House. But I would, as I said before, suggest that he go to the point of origin, and that is to the gentleman from Arizona (Mr. UDALL).

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes, I am glad to yield to the gentleman from Texas.

Mr. PICKLE. I know that the gentleman from Iowa did holler "wolf," and that we sometimes ought to listen, perhaps, more carefully to the gentleman than we do, but the gentleman hollers "wolf" quite often, although I must say that I share in the gentleman's apprehensions.

However, I have brought this to the attention of the Post Office Department down the street, and I have also brought it to the attention of the gentleman from Arizona (Mr. UDALL) yesterday, and I believe that we will see some recommended changes that will give us some commensense approach to this Department, and I am also hopeful that we might have a special order on this subject a little later.

The SPEAKER. The time of the gentleman has expired.

TAKE PRIDE IN AMERICA

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. Although we still have much to do, we are making substantial progress in this country in terms of the way people are living. Today over one-half of the American families have incomes of at least $9,750. The number of Americans living in poverty, as defined by the Government, has declined from nearly 40 million in 1960 to approximately 25 million today.

NEEDED CHANGE IN GUN LAW

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILLER of Ohio. Mr. Speaker, today I am joining many of my colleagues in reintroducing legislation which places .22-caliber rimfire ammunition on the list of other sporting ammunition presently exempt from the reporting requirements of the Gun Control Act of 1968. This measure passed the House last December 21, but the Senate failed to act upon it before the adjournment of the 91st Congress.

The bill provides that the sale of .22-caliber rimfire ammunition will not require the seller to report and make a record of any information about the purchaser.

Mr. Speaker, not only has the Gun Control Act of 1968 not lived up to the billing of its proponents as a crime deterrent, but it has created great inconveniences and problems for the rural resident and for the American sportsmen who abide by its regulations while the criminals simply ignore it.

Although in 1969 the Congress repealed restrictions on the sale of shotgun ammunition and other rifle ammunitions, the exemption does not cover .22-caliber rimfire ammunition, the most popular ammunition for use in rifles today. I feel it unjustified to continue these restrictions which serve only to paralyze law-abiding sportsmen and rural residents.

Furthermore, registration requirements for sporting ammunition have created an excessive and unnecessary administrative burden on the Treasury Department, firearm dealers, and purchasers of this kind of ammunition. The use of these recordkeeping requirements including .22-caliber has not led to a single successful investigation and prosecution of a crime. In fact, the redtape involved has deterred law enforcement officials from more proper and appropriate activities, such as tracking down the criminal.

This bill will relieve sporting ammunition dealers, farmers, and sportsmen from the unreasonable harassment imposed by the requirements of the present antigun law.

AN ARTIFICIAL GAS AND OIL SHORTAGE?

(Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. VANIK. Mr. Speaker, there has been a great deal of talk about a gas and oil shortage. There may be a shortage, but it is a shocking and shameful fact that the public and Government have no real way of knowing for certain what constitute our fuel reserves. Those who say that we have a shortage may well have profit-motive reasons for saying so and for artificially maintaining that shortage.

It is a fact that the only source of reserve reporting is the oil and gas industry.

There may be many different reasons for concealing reserve estimates. For example:

First, for scheduling depletion and depreciation rates for corporate accounting and tax accounting purposes;

Second, for delaying State and local taxes;

Third, for depressing the value of discoveries for acquisition or royalty purposes; and

Fourth, for fixing prices and production rates for interstate sales.

The U.S. Geological Survey says that under the ground and coasts of America there are 3,600 trillion cubic feet of gas. Not all of this can be reached, of course.

The industry said in 1968 that only 287 trillion cubic feet of gas was proven or "sure." What is the true figure of gas that can be reached? The public has no way of knowing. Tremendous gas reserves have been reported in the Maritime provinces of Canada. Action should be instituted to bring these supplies to American consumers.

It is estimated that there are some 500 shut-in wells off the Louisiana coast that could be pumping oil and gas. Governor McKeithen of Louisiana is reported as saying that there are 1,100 of these wells closed down waiting for the Federal Power Commission to raise wellhead prices.

The Nation should not be held hostage to the winter cold and energy shortages artificially motivated by greed and unreasonable profit.

I am therefore introducing today legislation which would require that all mineral deposits eligible for a depletion allowance be reported to the Department of the Interior and the Federal Power Commission as soon as they are discovered. Failure to provide information on the quality, volume, and location of the mineral deposit would result in penalties.

MANPOWER REVENUE SHARING—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92-59)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on Education and Labor and ordered to be printed:

To the Congress of the United States:

Like the 1770s, which produced an American Revolution, the 1970s can be a decade of revolutionary change. We have an opportunity to build on the strengths of the federal system, and by so doing to forge a strong new partnership in which each level of government does what it does best, and in which each function of government is lodged at that level at which it can best be performed.

One of the keys to this reform is Revenue Sharing—General and Special, $16 billion in all.

Four weeks ago I asked the Congress to enact a $5 billion General Revenue Sharing program. It was essentially a proposal to take some of the tax dollars the Federal Government raises and use them as a transfusion for our hard-pressed States, counties and cities—to be spent as the people in each jurisdiction agree with their own elected officials makes the best sense.

Two days ago in my message on Law Enforcement Assistance, I presented to the Congress the first of six proposals that will account for a total of $11 billion in Special Revenue Sharing programs. Unlike General Revenue Sharing, which is new money without project restrictions, Special Revenue Sharing consists of $10 billion now going into present Federal grant programs, plus $1 billion in new funds, rescued from a thicket of narrow categories and earmarked for spending in six broad areas of national concern.

Today I am proposing legislation in the second major area of Special Revenue Sharing—Manpower. The Manpower Revenue Sharing Act of 1971 would:

—Provide $2 billion during the first full year of its operation—$4 for every $3 now being spent—to help move men and women into productive employment.

—Unify into one the many programs under which Federal manpower money is now channeled to State and local governments.

—Free city, county, and State budgets from matching and maintenance-of-effort encumbrances, and officials of those governments from intricate administrative procedures.

—Vest the power to shape local manpower assistance efforts in governments close to the people they assist.

MANPOWER ASSISTANCE: IN WHOSE HANDS?

Labor, like other economic resources, is allocated by the market under our system. But as the American economy has grown increasingly complex and technological, we have seen that the job market has imperfections—frictions, lags, slack in the gears—whose costs in unemployment, underemployment and inadequate incomes must be reduced. A degree of cautious intervention in the market process over the long term is clearly a human imperative and a matter of national interest—as the Congress recognized nine years ago this month with a substantial commitment of Federal money and attention under the Manpower Development and Training Act of 1962. That Act and the Economic Opportunity Act of 1964, currently include more than a dozen categorical grant programs in the manpower field, funded in Fiscal 1971 at $1.5 billion.

While these efforts proceed from the best of intentions, they are overcentralized, bureaucratic, remote from the people they mean to serve, overguidelined, and far less effective than they might be in helping the unskilled and the disadvantaged. The reason: by and large, their direction does not belong in Federal hands.

Designing a manpower program that can best deliver its intended services starts with the recognition, one, that the "job market" is really thousands of interacting but separate markets spread all over the economic and geographic map of the United States, and two, that the "labor force" is actually 87 million individual men and women with a wide diversity of training needs. Under the circumstances it makes little sense for Washington to dominate decisions on manpower assistance—not when 50 States and thousands of local government units, each in touch with its own territory and close to its own people, stand ready to apply their know-how if Washington will only help pay the bills.

PENALIZING DIVERSITY AND SUBSIDIZING BUREAUCRACY

I recognize that there are many Federal purposes for which categorical grants are still the best available approach. My Special Revenue Sharing proposals are targeted specifically at those program areas in which I believe the case for local decision is overriding.

Manpower is an area in which the need to adapt to diverse and changing local conditions is especially compelling, and in which the advantages of local control are correspondingly great.

When nationwide categorical programs are applied to diverse job markets, some cities and States may find their needs met nicely—but many others, inevitably, will come off second best. They will, in effect, be penalized for differing from the models according to which Federal programs are designed. They find themselves forced into funding projects of low *local* priority ahead of those of higher priorities simply because Federal program inflexibilities mean funding the available ones or none at all. Those who suffer as a result are not governmental units in the abstract but real people with bills to pay and families to feed. The injury is compounded when local funds, scarce at best, must be set aside to match—in effect, to buy into—the Federal money, if the money is not to be lost.

In one respect only do all States and cities fare equally under a system of narrow categorical grants: officials of all must, as a matter of survival, learn their way through a bureaucratic jungle.

For example:

—Merely to describe one State's Federal manpower programs in 1970 required a jargon-heavy tome 1185 pages long.

—Last fall a businessmen's group attempting to list all the public manpower programs in New York City gave up after 44 entries, commenting that "attempting to unravel the intricate mass of detailed data on the individual programs has been an exhausting undertaking."

—Harried vocational school administrators must cope with a 930-page Labor Department manual and hundreds of pages more of Federal standards and conditions, to meet the requirements of a single program—MDTA institutional training.

In light of all this, Americans' discontent with government is no mystery. The Federal money put to low-priority uses, the captive local matching money, the waste of time by local officials in threading their way through Byzantine administrative tangles—all are unfair: to a Nation that deserves a healthy employment market, to people out of work who deserve effective job assistance, and to taxpayers who deserve a hundred cents worth of public benefits on every dollar government takes from them.

TO MAKE GOOD ON A GOOD IDEA

The active Federal commitment to manpower training and development was a good idea in 1962, when Congress in enacting MDTA expressed concern that "the problem of assuring sufficient employment opportunities will be compounded by the extraordinarily rapid growth of the labor force in the next decade." It is an even better idea today, with the labor force already enlarged by 19 percent in the 9 years since, and with technological change still rapid. But one of the great lessons of the dramatic Federal Government growth in the 1960s is that even a good idea like this can fall short of its promise if the way in which it is carried out runs against the grain of the Federal system. By converting the Nation's manpower programs from categorical grants to Special Revenue Sharing, we can play to the strengths of the Federal partnership, teaming Federal dollars with State and local decision-making. This is the purpose of the Manpower Revenue Sharing Act of 1971 which I am proposing today.

WHERE THE MONEY GOES

I have proposed that $2 billion be provided for the first full year of the Manpower Revenue Sharing Act, which would replace the Manpower Development and Training Act and manpower provisions of the Economic Opportunity Act on January 1, 1972. This represents an increase of almost one-third over current levels of funding for the affected categorical grants. Since the need for job training and other manpower assistance expands as the Nation grows, the Act would set no ceiling on future appropriations.

Of this amount provided, 85 percent would be distributed to the States and to cities and counties with a population of 100,000 or more. Since jobs and workers cross city and county lines, bonus funds within the formula distribution would be awarded to consortia of local governments which embrace entire major labor market areas. Governments which can agree to act in concert in smaller urban areas would also qualify for funds. The remaining 15 percent would be made available to the Secretary of Labor to fund special activities.

The shared revenues would be allocated by statutory formula. Each State or local area's share would be determined by its proportionate number of workers, unemployed persons and low income adults.

WHAT ARE MANPOWER PROGRAMS?

Manpower programs develop job skills. They help the unemployed and underemployed, particularly welfare recipients and other disadvantaged persons, make the transition to better jobs, better pay and higher skill levels.

An effective program focuses on individual needs and available jobs. It embraces a wide range of manpower activities, providing combinations of services to move people toward their employment goals. Authorized manpower activities include:

—recruitment, counseling, testing, placement, and follow-up services;

—classroom instruction in both remedial education and occupational skills;

—training on the job with both public and private employers, aided by manpower subsidies;

—job opportunities, including work experience and short-term employment for special age groups and the temporary unemployed, and transitional public service employment at all levels of government;

—ancillary services like child care assistance, relocation assistance, and minor health services.

Decisions on the mix and specifics of State and local activities under this broad umbrella would be up to each government. However, payments and allowances for individuals would be limited to two consecutive years, in recognition of the fact that these manpower programs are designed not to provide long-term public support but rather to assist job seekers in making the transition to permanent or better jobs.

NEW FLEXIBILITY AND ACCOUNTABILITY

In keeping with the principles of Special Revenue Sharing, State and local governments would be given wide discretion in determining how the funds provided should be used.

This manpower program, unlike its predecessors, would have no exhaustive volumes of Federal standards to be met. There would be no towering piles of Federal program applications to complete and no frustrating delays at the Federal level. State and local money now tied down by matching requirements and maintenance of effort would be freed for spending elsewhere as community priorities might dictate.

Giving State and local officials full power to spend Federal manpower funds would sharply increase the citizen's ability to influence how the funds are spent. It would make government more responsive to legitimate demands for quality services.

To enhance public *accountability* for manpower programs, State and local governments would be required to publish a statement of program objectives and projected uses of funds each year, prior to receiving their shared revenues. These statements would include information on the area's economic and labor market conditions; targeted client groups; proposed activities; wages, allowances and other benefits; manpower agencies involved; and the positions and salaries of the program's administrators. In addition, the statements would review the previous year's programs.

Both State and local governments would be required to publish comments about each other's program statements. In particular, they would be responsible for coordinating and making full use of all other State and local manpower activities available. After full public disclosure and discussion they would be required to publish their final program statements for the coming year.

To increase the information available to the public, the Labor Department would publish evaluations of program effectiveness.

The people would have the hard facts needed to hold their public officials directly and readily accountable for the manner in which manpower programs are administered.

PROGRAMS AND PURPOSES

Manpower Revenue Sharing is a partnership. Washington puts up the purse and sets out the broad purposes of authorized spending, while program decisions are turned over to the statehouses, county governments and city halls. My proposal neither mandates nor terminates any programs. It provides that the continuation, expansion, or modification of each program would be determined, as it ought to be, by the test of performance alone—and determined by the State or community which the program serves. Programs that have proved themselves in practice could be continued with the use of the Federal funds provided. Indeed many current categorical programs probably would continue and expand in response to local needs once arbitrary Federal restrictions were removed. On the other hand, programs whose past claims of effectiveness are not justified by the record deserve to be replaced by others more responsive to community needs. Vesting the program authority in governments close to the people will make it harder for programs to coast along on their momentum from year to year, and easier to tailor manpower assistance to on-the-scene realities.

THE FEDERAL ROLE

The special activities financed by the 15 percent of manpower funds retained for use by the Secretary of Labor would include support and assistance for State and local programs through staff training and technical aid, through research, and through experimental and demonstration programs to develop new manpower techniques.

The Department of Labor would also maintain a comprehensive system of labor market information and computerized job banks to facilitate exchange of information among different areas. It would monitor State and local programs for fiscal accountability and compile comparative data on all programs to help the Congress and the public assess their effectiveness.

In addition, the Labor Department would have funds to help support certain programs which operate most effectively across State and local boundaries.

This Act, like my other revenue sharing proposals, would include rigorous safeguards against all discrimination. The legislation I am recommending today stipulates that revenue shared and other funds expended by the Secretary of Labor under this Act would be considered Federal financial assistance within the meaning of Title VI of the Civil Rights Act of 1964.

MANPOWER POLICY AND PUBLIC SERVICE EMPLOYMENT

One of the most innovative features of my proposed Manpower Training Act of 1969 was an automatic "trigger" which provided more manpower funds when the national unemployment rate rose to 4.5 percent or more for three consecutive months.

The Manpower Revenue Sharing Act contains a similar feature. Triggered funds would be distributed by the Secretary of Labor to areas of high unemployment to provide additional training and employment opportunities.

Under such conditions many State and local governments might choose to use these funds to create temporary public service jobs to offset the rise in unemployment.

This is an acceptable and appropriate use of triggered funds—*and* of regular shared revenues for manpower programs.

Transitional and short-term public employment can be a useful component of the Nation's manpower policies. But public employment not linked to real jobs or not devoted to equipping the individual to compete in the labor market is only a palliative, not a solution for manpower problems.

Thus, this Act would also provide *permanent* authority for public service job creation as part of an overall manpower program—but with the proviso that such jobs must constitute transitional opportunities. Within a two-year period participants must be enabled to move into the public employer's regular payroll, or helped to obtain other public or private employment.

Public jobs created through manpower funds would thus be used to develop skills and abilities, with participants moving through such positions into permanent opportunities.

Federal funds already support almost 2 million jobs in State and local government. When enacted, General Revenue Sharing may support tens of thousands more.

Furthermore, last week the administration requested Congressional approval for the creation of at least 200,000 new public jobs for welfare recipients. A part of my welfare reform proposals, these new jobs would lead to non-subsidized employment for welfare recipients for whom other jobs are not available.

FITTING PROGRAMS TO PEOPLE

This new reliance on local flexibility and local initiative should benefit citizens and communities across the country. For example:

—This Act would allow city governments to bring jobless ghetto residents onto city payrolls in education, health safety and anti-pollution work while preparing them to move into permanent jobs.

—This Act would allow State governments to reach out to isolated rural poor people with training and job programs shaped to their special needs.

—This Act would allow county governments to provide skill training and transitional employment to welfare recipients to move them toward self-support and new dignity.

It would, in short, allow each State or community to fit its programs to its people.

LOOKING AHEAD

In August 1969 I submitted the Manpower Training Act of 1969. It was one of three key proposals to begin reversing the tide of power which for a generation has flowed from the States and communities to Washington.

For over a year the Ninety-First Congress considered the proposed new manpower legislation, adding many new and creative ideas to our original proposals. Legislation was approved by both houses of Congress which entrusted important new manpower responsibilities to State and local governments. Unfortunately, the final bill also contained serious flaws, and I was forced to withhold my approval from it last December. With this message I am fulfilling my pledge then to submit new manpower legislation in 1971.

This bill builds upon the foundation that was laid during the last Congress.

It responds to Governors' and Mayors' appeals for increased responsibility and increased flexibility.

It makes manpower programs more readily accountable to the clients they serve and the taxpayers who support them.

It recognizes that transitional public service employment is an integral part of manpower policy—and places no ceiling on its extent within the manpower program.

It triggers extra Federal funds to counteract periods of rising unemployment.

In summary, this proposal is designed to give more effective help to those who need it, and to give Americans full return for their tax dollars spent on manpower assistance in the years ahead—full return in the form of unemployment brought down and kept down, and in the form of new income and achievement opportunities for millions of deserving men and women.

And its effects could reach far beyond the field of manpower: As it gives State and local governments the resources and authority to deal with their problems in a single area, it can build the confidence and competence of those governments in all areas. As it cuts away the layers of bureaucracy that have separated the people from one specific exercise of their governing power, it can help restore the people's faith in the democratic process generally. Teamed with my other Special and General Revenue Sharing proposals, it can help to launch the United States on a new era of revolutionary change for the better.

RICHARD NIXON.

THE WHITE HOUSE, *March 4, 1971.*

MANPOWER REVENUE SHARING

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, the Presidential message on manpower revenue sharing received by the Congress today gives real cause for encouragement.

It offers aid in bringing down unemployment during this period of transition from a wartime to a peacetime economy. It is also a building block in the constructing of a "New Federalism" which puts far more decisionmaking power in the hands of State and local governments.

I am heartened by the fact that the Manpower Revenue Sharing Act of 1971 would provide permanent authority for public service job creation as part of our overall manpower program. Wisely, the President has stipulated that such jobs be a transition to the public employer's regular payroll or to other public or private employment.

I would point up, too, the fact that the administration has proposed the creation of at least 200,000 transitional public jobs for welfare recipients as part of the Welfare Reform Act of 1971.

However, the focus on public service jobs should not eclipse the far-reaching changes in the Manpower Revenue Sharing Act in terms of freeing State and local governments for more effective manpower training action.

The Manpower Revenue Sharing Act would consolidate the multitude of existing federally assisted manpower programs and give local officials the power to shape their own programs. Significantly, it would provide nearly one-third more Federal dollars while erasing the obligation for local fund matching.

As the President has so aptly put it, the Manpower Revenue Sharing Act would team Federal dollars with local decisionmaking. This should be a winning combination—a far better system than bureaucratic dictation from Washington and the redtape of categorical manpower grants.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute for the purpose of asking the distinguished majority leader the program for next week.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, in response to the question of the distinguished minority leader, the program for the week of March 8, 1971, is as follows:

On Monday, which is District Day, there are no bills for consideration.

On Tuesday—House Resolution 115—to reconstitute the Select Committee on Crime, known as the Pepper committee.

On Wednesday and the balance of the week—

H.R. 4246—the wage and price controls extension, subject to a rule being granted.

H.R. 5432—interest equalization tax extension, also subject to a rule being granted.

Mr. Speaker, any further program will be announced later.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the business under Calendar Wednesday be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. GROSS. Mr. Speaker, reserving the right to object, do I understand that next week we have one bill?

Mr. BOGGS. No, we have three bills.

Mr. GROSS. Oh, you have three bills listed but you have only one bill which is in order. Rules must be granted for the other two bills, and if the committee does not grant the rules, we only have one bill.

Mr. BOGGS. I can assure the gentleman that the rules will be granted.

Mr. GROSS. I wonder if the gentleman could tell us when this House is going to get down to business rather than going into all-night sessions and late night sessions all this year and all that sort of thing. This is getting to be a little wearisome to see no business coming on.

Mr. BOGGS. I would suggest to the gentleman that the wage and price control legislation and the interest equalization bill are considerable business. I would also suggest to the gentleman that as soon as the committees expedite the legislation, it will be considered on the floor of the House.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

ADJOURNMENT OVER TO MONDAY MARCH 8, 1971

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

"FOR WHOM THE BELL TOLLS"

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, a little while ago a great, lovely, and gracious lady at 87 years of age passed away in Atlanta. She, for 52 years, was the wife of a distinguished attorney at the Florida bar and thereafter for many years at the Georgia bar, and a general counsel for the Coca-Cola Co. in Atlanta. Both Mr. Roy D. Stubbs and Mrs. Stubbs, since the 1930's, were my devoted friends. On Christmas Day the bereaved husband penned a tribute to his departed wife entitled, "For Whom the Bell Tolls." It is so beautiful and touching in the love and tribute it expresses that I wanted to incorporate it in the RECORD and give my colleagues a chance to know and to feel its moving beauty. I ask, therefore, Mr. Speaker, that the tribute by Mr. Roy D. Stubbs, of Atlanta, be inserted in the RECORD immediately following my remarks:

"FOR WHOM THE BELL TOLLS"

The garden of roses in the churchyard down the street marks your absence; their bursting buds saturate the air with a delicate fragrance, and their slender stems bend with the scented breeze. They don't understand why you have deserted them.

After you left your African Violets, sensitive to the tender touch of the hand that fed them and watered them, wilted. Your other potted plants, lacking the constant caress of the one who loved them, shed their drooping leaves and faded blooms. We sought other homes for them among your flower-loving friends.

Now the window sills of our apartment are naked and bare; the place we called home is stark and bleak, but crowded with the memories of the lovely lady who but lately dwelt within these walls.

Sometimes the echo of footsteps in the hall startle me, sometimes half asleep in the groggy hours of the night, I dream I hear you calling. When I awake, I miss you so, tears trickle down my wrinkled face and I weep unashamedly, for I never knew I loved you so deeply until you were gone.

If forsooth you live again in the Great Beyond, as so many people of so many faiths so zealously believe; in those Elysian fields you may find another home where none but the pure in heart reside and peace reigns supreme.

Those who knew you best loved you most; those near and dear to you will hug your memory close to their hearts with a devotion immeasurable and a love everlasting for the great woman that you were.

ROY D. STUBBS,
Christmas Day, 1970.

THE MERIT SELECTION OF JUDGES

Mr. PEPPER. Mr. Speaker, the need for change in the administration of justice in America is an issue which my colleagues recognize as one of the most critical issues of our time. We are constantly reminded of the urgency of this need on the national level and on the State and local levels of Government. In order to achieve any success in improving our legal system, the legal profession must recognize that professional qualifications rather than political considerations must be established as the sole criteria for the selection of judges.

I was heartened, during a recent visit in my district, when I heard the Honorable Burton Young, president of the Florida Bar Association, speak before the regular meeting of the Dade County Bar Association on Monday January 25. Mr. Young is a distinguished member of the law firm, Snyder, Young & Stern of North Miami Beach and was graduated from the University of Miami Law School in 1950. In 1965 he served as Judge of the Moot Court of Appeals, Yale University.

Mr. Young, a most persuasive advocate of change in the legal profession, recalled for his colleagues the wisdom of Thomas Jefferson who believed:

> The dignity and stability of government in all its branches, the morals of the people, and every blessing of society, depend so much upon an upright and skillful administration of justice, that the judicial power ought to be distinct from both the legislature and the executive . . . The judges therefore should always be men of learning and experience in the laws, of exemplary morals, great patience, calmness and attention: their minds should not be distracted with jarring interests: they should not be dependent upon any man or body of men. . . .

It is with great pride as a member of the Florida Bar Association and the American Bar Association, and with great expectations for the State of Florida, that I present the text of the remarks of my distinguished colleague, Mr. Burton Young:

SPEECH BEFORE DADE COUNTY BAR ASSOCIATION

The last seven months this new administration has been pounding away at this work of heading up the Florida Bar and giving it a new direction . . . one we would like to have remembered as a great experiment. It has very candidly engulfed our very being . . . personally, it goes with me everywhere and I feel the weight of its responsibility every conscious moment.

What greatly concerned most lawyers and judges of Florida about the operation of their Florida bar was something that can best be described as "detachment". Many of you looked upon the board of governors as a select group of lawyers who did their thing in their own mysterious way.

The great majority of the lawyers and judges of Florida thought of the board of governors as "them" and the lawyers with whom we practice and the judges with whom we judge daily as "us".

Many of you thought the organized bar didn't really give a damn about anything other than running an esotheric disciplinary program, a C.L.E. program publishing a magazine—which you sometimes read—sometimes not—and extracting $37.50 as dues from you every year.

All of us recognized that the internal and public relations of the bar was terrible.

There was a dramatic communications gap.

There was a poor legislative policy. The board was precluded by rule from becoming involved in the legislative sense from participating in the proposal of any law which affected the great public interest. Thus, we as a bar, isolated ourselves from the hurricane of modern society.

The lawyers and judges of the bar we thought, resented all of this. We thought the lawyers of Florida wanted to become involved with critical issues of the day. We thought the lawyers and judges wanted to be communicated with and about the operation of the Florida bar.

We thought that there should be a new day for the Florida bar.

The overall make-up of the board of governors changed somewhat. A great majority of those deciding to remain on in this administration—with this new approach—agreed, and they agreed, as the events over these past months indicated by actions not just in words.

The Florida bar—as even a little newspaper in Clearwater recently commented editorially—has acquired a new vitality.

What will become of it? . . . I hope it will be remembered. . . . Indeed I pray it will be remembered, for adding a new dimension to the organized bar in Florida, one that addresses itself to the obligation of the lawyer and judge as well as to his welfare.

And it is our obligation to delve headlong into critical issues that have been so long overlooked. And then it is our obligation to speak out and spotlight—indeed expose wrongs when we see wrongs committed upon the public—with the corresponding obligation to be constructive and become pathfinders to justice and to light that path for the public we serve.

So we changed the rule that the Florida bar can not endorse or sponsor legislation that affects the great public interest. The board of governors now considers all types of legislation proposed by all types of Florida bar committees upon whom so many of you now serve.

The theme is "involvement"—and the lawyers and judges throughout Florida have responded magnificently to the call.

We as a bar have become involved not simply concerned about an antiquated penal system, and we have resolved to do something about it. We as a bar recognize our obligations regarding a judiciary that had its genesis in a revered constitution but was dragged into the political arena. We have resolved to do something about it.

We as a bar have recognized our obligation to the poor who are being denied competent legal services because they are poor. We have resolved to do something about it.

We as a bar recognize an obligation to be concerned about the radical left who by violence are seeking to destroy a government created for liberty and to throw us into the jaws of that type of government which the radical right is preparing for us, one which will suspend this liberty. We have resolved to do something about it.

We as a bar recognize an obligation to be concerned about the pollution plague that threatens mankind's survival. We have resolved, through law, to do something about it. There is so much more.

Florida bar committees are struggling with such problems that affect mankind and its survival. They are working on legislative proposals running the gamut from protecting the consumer against continued abuses, humanizing our penal system to laws that will help to insure the purity of the air we breathe.

Let's talk about our judges. In order for me to prove my point, indulge me while we use a personal identification approach—or better stated, "There but for the grace of God go I." Say you have been indicted for something you know you haven't done. . . . Say forgery of a client's name on a satisfaction of mortgage. You are arraigned and you are to go to court for trial in two weeks.

You are obviously upset, you found out as much about the charges as you can . . . who the lawyer that opposes you will be, who the judge is, and all the rest. You are innocent and you wanted to make sure they realize that fact. The question is . . . who is the judge?

You find out and you are not pleased.

It just happens that it turns out to be the local campaign treasurer for the governor in his last campaign for office. He hasn't been there long and you, along with many others, have doubted his ability. None of you are sure, but you have doubted. The thing that bothers you the most is that you refused to give him a contribution for the governor's campaign.

You can't be judged for that, can you . . .? Well, can you? Chances are it just might worry you. . . . And worry you a lot. Wouldn't it be absurd to wind up a felon—and an automatically suspended lawyer with its attendant disgrace for something you didn't do. . . . All because you didn't give to finance the gubernatorial efforts of someone you didn't believe in?

Granted this is a far fetched fairy tale type thing that probably hasn't ever happened, yet. But it can be a catalyst to your imagination, because it is a possibility. We then must ask ourselves: Are politically appointed judges really the best kind?

It has been said that over 75% of the judges in the state of Florida have gotten to the bench by appointment. Most do a good job . . . but some do just a mediocre job and some do a poor job. Let's face it, it is downright frightening in some cases.

Doubtless you are familiar with the recent governor's disregard for making use of the Florida bar's judicial screening process—to which he was committed. He wanted to name who he wanted . . . and he did. No holds barred. He just did it.

There is nothing written anywhere that says that he can't do otherwise. His only guide is his conscience. If he has none . . . or the pressure brought to bear from all of his backers becomes too strong, then out goes any dedication to principle and commitments and in comes dedication to political longevity or political practicality. This just points up that political selection and merit selection are as far apart as heaven is from hell.

We need to change this system because it is wrong; and the administration has dedicated itself to bring forth that change. It is my hope that the board of governors at their next meeting in March will adopt a separate constitutional amendment dealing only with the merit selection of judges. We can't afford to run the risk of tying this all-important subject to an all-encompassing judicial article that, because of political expediency, will be picked at, kicked at, and spat at, by those who would resist change regardless of the need for a change.

A builder of this country's foundation, Thomas Jefferson put it this way:

The dignity and stability of government in all its branches, the morals of the people, and every blessing of society, depend so much upon an upright and skillful administration of justice, that the judicial power ought to be distinct from both the legislature and the executive . . . the judges therefore should always be men of learning and experience in the laws, of exemplary morals, great patience, calmness and attention: Their minds should not be distracted with jarring interests: They should not be dependent upon any man or body of men. . . ."

Nowhere did he make mention of selection of judges or in fact of appointment of judges. His comments would seem to obviate the need to stay exclusively away from those alternatives.

Yes, merit selection of some type is the best method. The election and appointment of judges is too political to give any credence to the man's qualifications as a judge as opposed to his capability as a politician.

What is the merit selection process? It is a non-partisan group or commission of lawyers and non-lawyers who go out and seek the best talent available for judicial appointment. They then recommend three names to the appointing authority—all of whom have been certified competent—and the appointing authority appoints one.

Some worry about what is to be done with those men that a commission has approved. Wouldn't they be in office till they die or get tired of the job? That isn't the solution.

With merit selection, we must build in a method of checks and balances that will authorize us to go back and re-evaluate the judges who are on the bench. They must be kept within the people's reach. If they aren't living up to the higher standards that I hope we can establish . . . then we will replace them with someone who can. In this way we are taking a political label from their candidacy. They are being judged on how they are doing their job. That is all they are being judged on.

Merit selection is the only way that we can assure the people of Florida that they have competent judges and this will go a long way towards improving the sanctity of the law.

The other half of the coin is overall judicial reform.

At the board of governor's meeting in Tampa ten days ago, we heard a proposal by a Florida bar committee regarding another article V. As expected, it did receive some batting around. We heard from the Speaker of the House, Richard Pettigrew, on his beliefs regarding judicial reform. He is in favor and said so. He wants us, the Florida bar, to get off our indecisions and do something . . . become leaders in the battle.

Bring it to the people. This we fully intend to do and we are going to continue fighting this article V battle until we achieve some results.

I am confident that we will produce a judicial article that will improve our present system. I am just as confident that the Legislature will modify it, and if their surgery is not too dramatic to defeat its true purpose, we will bring to Floridians an opportunity to update our judicial system.

But even with the most up to date administrative procedures our population explosion will put us in trouble soon again with crowded dockets, and a resultant slow down of justice.

We must address ourselves to the whole problem. Simply, we are judging in areas that we have no business in.

Trained sociologists should be handling juvenile, marital, child custody, and adoption problems—not judges of the circuit court—the highest trial court in our state. If we just retained enforcement powers over these matters, just imagine the extent of the judicial manpower that would become available for pure judging.

In the criminal field, a judge should not be tinkering with a man's life past the conviction stage. It is an affront to society that we permit a person with perhaps not one course in psychology or sociology to merely look at a person's past record after conviction and then deciding how long a person should be jailed, if at all, for proper punishment and rehabilitation. This is not only archaic—it is darn silly. It is astonishing that society puts up with it.

Then, these are the things we must face up to. As judges and lawyers we cannot be content to rely upon precedent when the sands of time exposed the fallacies that gave rise to that precedent. We must accept reality and accommodate our thinking to cope with its problems.

We remember our noble past. Wasn't it so many of our professional forebearers who banded together one hot summer day in Philadelphia in 1776 and mutually pledged to each "our lives, our fortune, and our sacred honor." Because they believed that people had a right to co-exist with each other as free men. They believed that all men were created equal and had a right to life, liberty and to the pursuit of happiness which were described and indelibly inscribed by these lawyers as inalienable rights, rights that his government was bound to respect. Rights borne of oppression, but nourished by courage.

What of the Websters, the Henrys, the Marshalls, the Bryans, the Darrows, the Holmes, the Warrens who made the law, defended the law, or interpreted the law for peoples' rights as they saw it?

But the problem, my colleagues, is that some say times have changed. What they preached . . . we fail to follow. And the disparity is between those words, inalienable rights of life, liberty and the pursuit of happiness, and fact. We have been challenged in this day as never before by our young, because they see that disparity, in what has become known as the establishment. They resent the establishment for a disease they don't care to inherit. The disease as they see it is hypocrisy.

We would do ourselves and our profession a great disservice if we were to dismiss this challenge as the irresponsible and immature activities of youth or of the radicals to the right or to the left. This is the time for our profession, we who are the disciples of a free and orderly society, law for and with justice to live up to our faith by giving of ourselves. We must give our full talents to the cause of improving but still preserving our cherished profession and this nation's democratic processes by deeds and not by words. This is our quest.

It is for our "sacred honor."

BURTON YOUNG, *President,*
The Florida Bar.

RECESS

The SPEAKER. Pursuant to the authority granted the Speaker on Thursday, February 25, 1971, the Chair declares a recess, subject to the call of the Chair, to receive the former Members of the House of Representatives.

Accordingly (at 12 o'clock and 42 minutes p.m.), the House stood in recess subject to the call of the Chair.

RECEPTION OF FORMER MEMBERS OF THE CONGRESS

The SPEAKER of the House presided.

The SPEAKER. On behalf of the Chair and of the Chamber, I consider it a high honor and a distinct personal privilege to have the opportunity of welcoming so many of our former Members and colleagues as may be present here for this occasion. We all pause to welcome them. This is a bipartisan affair, and in that spirit the Chair is going to recognize the floor leaders of both parties.

The Chair now recognizes the distinguished gentleman from Louisiana (Mr. BOGGS).

Mr. BOGGS. Mr. Speaker, this is a happy duty for me. Today, we inaugurate a custom which I trust will become an annual event of recessing the proceedings of the House in order to extend a warm and a friendly welcome back to Members who have served in this great body.

I am very happy that two very distinguished former Members, the gentleman from Arkansas, Mr. Hays, and the gentleman from Minnesota, Mr. Judd, have been instrumental in bringing together in a formal organization those Members who are still alive who at one time or another were our colleagues in this Chamber.

Mr. Rayburn, who served as Speaker longer than any man in the history of this Republic, said on many occasions that to be selected by one's constituents to serve one term in the House of Representatives was an honor that words were inadequate to describe. To be elected and reelected and reelected was an even greater honor.

And why? Because it comes to few men and few women to have the opportunity to participate in the affairs of this great country, to have some voice in the determination of the direction of and the preservation of the United States of America.

And, Mr. Speaker, since the First Congress convened in Philadelphia in 1789 to this very date, the number of men and women who have served in this Chamber is still very, very small. It is an honor and a distinction that has come to few men and few women.

I think I express the feeling of both my Republican colleagues and my Democratic colleagues when I welcome back to be with us again the Members who have served here.

Finally, Mr. Speaker, I remember when the late great General MacArthur addressed a joint session here he used the old saying that "Old Soldiers never die, they just fade away." Well, old Congressmen never die, they just fade away—and fortunately some of them take a long time to fade away, because among those whom we welcome here today is the Honorable Earl H. Beshlin, of Pennsylvania, who served in this body in the First World War from the great State of Pennsylvania, and who on the 28th day of April of this year will celebrate his 101st birthday.

I hope all of our former Members and all of our present Members will equal that record.

The SPEAKER. The Chair is now pleased to recognize the distinguished minority leader of the House of Representatives, the distinguished gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Speaker, I am indeed happy to welcome so many friends and former colleagues back to the Chamber. We hope and trust, as the gentleman from Louisiana, the distinguished majority leader, has said, that this will be an annual affair, and on each and every occasion you will be as welcome in the future as you are here today.

Mr. Speaker, this has been a somewhat eventful week in the Capitol Building. It started off with a big bang on the other side of the Capitol, but yesterday, Mr. Speaker, we tried out one of our new House rules—recorded teller voting. Instead of being Republicans and Democrats, we were reds and greens. The result was something like a professional ice hockey match with the players being blindfolded. The score was: Reds, 212; Greens, 179; injured, 44.

Now we have our first alumni day, Mr. Speaker, and I have been wondering who would show up. We have a great many distinguished alumni: The President of the United States, former President Lyndon Johnson, and a great many Members of the U.S. Senate, that group we affectionately call "the other body." We do welcome each and every one of you under the 5-minute rule.

Despite the Legislative Reorganization Act of 1970, you will find that things really have not changed a great deal. In most cases we disagree without being disagreeable. Democrats vote with Republicans, and Republicans vote with Democrats. You will find, as you sit here now, that Members sitting in the back of the Chamber seldom listen to the speaker who is making his remarks—I doubt if that will ever change. But, fundamentally, you will find this body is still the people's House.

In my opinion, this is a tradition that we must hold dear in the years ahead.

All of you who are alumni here today contributed your share to maintaining the integrity of this body as the people's House. Those of us here today and those who will be here tomorrow have a special obligation to make certain that tradition, that principle, is carried on forever.

I conclude by congratulating our most distinguished alumnus, the former Representative Mr. Beshlin, on being here on this auspicious occasion. The gentleman from Louisiana mentioned when he served. He did not, however, mention that he was a Democrat and a prohibitionist. I do not know what significance that is, but nevertheless despite his party label or party labels we do consider him the most distinguished guest of all of the alumni here with us today.

[Applause.]

The SPEAKER. The Chair now directs the Clerk to call the roll of former Members of the House of Representatives.

The Clerk called the roll of former Members of the Congress, and the following former Members answered to their names:

John G. Alexander, Minnesota.
Miles Algood, Alabama.
Robert T. Ashmore, South Carolina.
William H. Avery, Kansas.
William H. Ayres, Ohio.
Carl G. Bachmann, West Virginia.
Joseph W. Barr, Indiana.
Robert R. Barry, New York.
Laurie Battle, Alabama.
Marion T. Bennett, Missouri.
Earl H. Beshlin, Pennsylvania.
Frances P. Bolton, Ohio.
James E. Bromwell, Iowa.
Charles H. Brown, Missouri.
Charles B. Brownson, Indiana.
Maurice G. Burnside, West Virginia.
Frank L. Chelf, Kentucky.
Victor Christgau, Minnesota.
Jeffrey Cohelan, California.
W. Sterling Cole, New York.
Frank Carlson, Kansas.
Glenn Cunningham, Nebraska.
Thomas D'Alesandro, Maryland.
Lawrence Curtis, Massachusetts.
Colgate W. Darden, Virginia.
Vincent J. Dellay, New Jersey.
Ken W. Dyal, California.
Clyde T. Ellis, Arkansas.
Phil Ferguson, Oklahoma.
Homer Ferguson, Michigan.
John Foley, Maryland.
Ed Foreman, New Mexico.
Ellsworth Foote, Connecticut.
George M. Grant, Alabama.
Robert Hale, Maine.
George V. Hansen, Idaho.
Porter Hardey, Jr., Virginia.
William Henry Harrison, Wyoming.
Brooks Hays, Arkansas.
Don Hayworth, Michigan.
William E. Hess, Ohio.
Pat Hillings, California.
Evan Howell, Illinois.
Edouard V. Izac, California.
Harry P. Jeffrey, Ohio.
Edward H. Jenison, Illinois.
W. Pat Jennings, Virginia.
Calvin D. Johnson, Illinois.
Glen D. Johnson, Oklahoma.
Jed Johnson, Oklahoma.
George Meader, Michigan.
Walter H. Judd, Minnesota.
Frank M. Karsten, Mississippi.
Edna F. Kelly, New York.
Eugene J. Keogh, New York.
David S. King, Utah.
Thomas S. Kleppe, North Dakota.
Horace R. Kornegay, North Carolina.
Melvin Laird, Wisconsin.
Harold O. Lovre, South Dakota.
Clifford G. McIntire, Maine.
Hervey G. Machen, Maryland.
John C. Mackie, Michigan.
Chester E. Merrow, New Hampshire.
Walter H. Moeller, Ohio.
Abraham J. Multer, New York.
F. Jay Nimtz, Indiana.
Frank C. Osmers, Jr., New Jersey.
Howard W. Pollock, Alaska.
James Quigley, Pennsylvania.
Robert Ramspeck, Georgia.
Benjamin Reifel, South Dakota.
John M. Robsion, Jr., Kentucky.
Byron G. Rogers, Colorado.
J. T. Rutherford, Texas.
Henry C. Schadeberg, Wisconsin.
Gordon H. Scherer, Ohio.

Carlton R. Sickles, Maryland.
Alfred D. Sieminski, New Jersey.
James V. Smith, Oklahoma.
Lynn Stalbaum, Wisconsin.
Frank L. Sundstrom, New Jersey.
Anthony Tauriello, New York.
Clark Thompson, Texas.
James E. Van Zandt, Pennsylvania.
Harold H. Velde, Illinois.
Philip H. Weaver, Nebraska.
Basil L. Whitener, North Carolina.
John Bell Williams, Mississippi.

The SPEAKER. The Chair would like to announce that any Member whose name was not called may step to the well, and his name will be called.

Mr. BATTLE. Mr. Speaker, on rollcall No. 1, I was recorded as being absent. I am present and would like to be so recorded.

Mr. COHELAN. Mr. Speaker, I would like to announce that I am present.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. Speaker, I withdraw my point of order.

The SPEAKER. With the gentleman from Mississippi present a quorum is always present.

Mr. CLYDE ELLIS. Mr. Speaker, I would like to announce my presence.

Mr. BEN REIFEL. I am present, Mr. Speaker.

Mr. EDWARD H. JENISON. I am present, Mr. Speaker.

Mr. PAT HILLINGS. Mr. Speaker, I announce my presence.

Mr. AVERY. Mr. Speaker, I would like to announce my presence.

Mr. CHELF. Present, Mr. Speaker.

Mr. SMITH of Oklahoma. Present, Mr. Speaker.

The SPEAKER. The Chair announces that 83 former Members of the House of Representatives have answered to their names.

The Chair desires to announce now that it will be his purpose to recognize for 1 hour for the purpose of controlling time the gentleman from Arkansas, Mr. Hays, on behalf of the majority and the gentleman from Minnesota, Mr. Judd, on behalf of the minority.

Before recognizing the gentleman from Arkansas, the Chair desires to state that the Chair would like to recognize several Members whose names have been called but, unfortunately, they are not all present. However, I think it is significant that this is the anniversary of the first meeting of the Congress of the United States, March 4, 1789.

In that first Congress, the first person ever to be elected Speaker was the Honorable Frederick A. Muhlenberg, of Pennsylvania. In 1947, when the present occupant of the chair came to the Congress, Frederick A. Muhlenberg IV, a direct descendant of the original Speaker, was present.

The Chair would also, before recognizing the gentleman from Arkansas, Mr. Hays, to call to the chair to represent from the chair former Members, a very distinguished former Member, the Honorable Colgate Darden, not only a former Member of the House but a former Governor of the great State of Virginia and a former president of the University of Virginia.

The Chair now recognizes for 1 hour the gentleman from Arkansas, Mr. Hays.

Mr. BROOKS HAYS. Mr. Speaker, I am very happy to yield one-half of the time to my dear, longtime friend and former colleague, the gentleman from Minnesota, Mr. Judd.

What one hears in conversations sometimes is very interesting, and is not always complimentary. Today in a conversation between two of my colleagues who served with me in the House, when it was announced that I had laryngitis and was unable to speak, one of them said, "It is too bad that ailment could not have been with him more often when he was a sitting Member of the House."

And then what I heard two farmers say when they walked away from my speech at Solgohachia, Conway County, one said, "Old Brooks could have done worse." And the other one said, "Yes, if he had had more time."

It would be impossible, Mr. Speaker, for me to thank everyone who has added to the enjoyment of this occasion, and to the conditions that make it auspicious. Just as the convening of the Congress nine score and two years ago today was historic, we believe, as was so well said by the gentleman from Louisiana (Mr. BOGGS), that the meeting of this group today is historic. We come in a rather humble mood, I think, to greet those of you who still share responsibilities for legislative policy, not only to thank the majority and the minority leaders and the Speaker for the work they have done to make this possible, but to such leaders as the gentleman from Iowa (Mr. SCHWENGEL), who is with the U.S. Capitol Historical Society, who has taken an avid interest in what we are doing, believing that this has real significance from the standpoint of history. We want to help to inform the people of the United States about our Congress. We will not be a propaganda agency. Our bylaws provide that we are to be completely nonpartisan and nonpolitical. We will not lobby. We are a tax-exempt organization. We will engage in research if the Congress asks us to, and make available to the Congress any information that we have, but our work will always be consistent with the policies of the Congress and with its purposes.

We believe it will be possible, Mr. Speaker, for us working in conjunction with George Washington University—and conversations have already been begun with some of the faculty to inaugurate an educational program to acquaint young people with the legislative process. These are some of the things that we have in mind.

I regard it as a special privilege to be able to speak to you today. I am not sure that I will have the privilege on this occasion, although I assume I will, of revising and extending my remarks. One of the things that I have cherished most is the recollection of how that improves one's addresses, to be able to rewrite speeches after you have delivered them.

I was recently invited to speak before a reunion of my college group and, warmed by the presence of loved friends of other days, I became poetic. I should not have. I should have learned my lesson. I should have remembered the words of Walter Hines Page, who said:

> Next to fried food, the South had suffered most from oratory.

But I became poetic.

I quoted the beautiful lines of Margaret Sangster:

The romance land of Yesterday—
  It sometimes, almost, seems
As if our outstretched fingers may
  Half touch its vanished dreams!
A broken song, a scrap of lace,
  A faded rose, a sigh,
May bring us, swiftly, face to face
  With all that has passed by!

Ain't that pretty!

I like it, and I thought it was appropriate. But you can imagine how I felt, not knowing that my speech was being reported for posterity, to pick up a magazine a few days later, and to see my speech reproduced, except that beautiful part: "The romance land of yesterday," did not read like that—it said, "The Romans landed yesterday."

So you can see why I have become nostalgic about the custom of and use of the Congress in giving us an opportunity to revise and extend remarks.

While I am in a nostalgic mood, I might recall the first speech I ever made in this Chamber. I had been here 6 months and I had not heard my voice. My people knowing my garrulousness thought I was ill. But after 6 months, I summoned up the courage to address the Speaker and I spoke for 5 minutes. I could hardly wait to get the RECORD the next morning to see how my maiden speech looked in print. There it was, exactly as I had delivered it—except that it was attributed not to Mr. Hays of Arkansas but to Mr. Harris of Arkansas.

I rushed in to the RECORD Clerk's office and gave him a scolding—a little out of character, I believe—but finally I apologized and I said, "Oh, my, we all make mistakes. I am terribly sorry I spoke like that to you in a moment of heat and indignation. Please forgive me." He said, "That is all right, Mr. Hays—you should have heard Mr. Harris!"

I want at this time to claim the privilege of reintroducing our oldest Member. He has been identified, but I want to supplement what the distinguished minority leader had to say. Longevity, much as we would like to claim that it is due to Democratic affiliations is not attributable to that. It might interest you to know that it is attributable to being a Member of the Congress. The mortality statistics do indicate that Members of Congress live longer than non-Members of Congress. But it can hardly be said, unless one wants to be technical, that Democrats live longer, because we also have as a Member of the Former Members of Congress a centenarian named Maurice Thatcher who is only 4 months younger than the distinguished gentleman who was introduced, and he is a Republican from Kentucky.

So I hope my Republican friends will rest at ease—that we are claiming no greater longevity.

I think at this point we should present him, because I fear in the confusion of the rollcall that he was not identified.

Yes, we do want to hear from the distinguished gentleman, Mr. Earl H. Beshlin of Pennsylvania, who is 101 years old.

Mr. BESHLIN. Mr. Speaker, to say that I am happy to be here is not a lie, but a very joyful and forceful truth.

It is more than 50 years since I have had the privilege of being a Member of this, the greatest legislative body in the world. I am reminded somewhat of what Carl Sandburg related, what Lincoln said to a friend of his, a neighbor, who called on him shortly after he entered the White House. He said, "Mr. President, how do you like being President?" "Well," he said, "You have heard the story about the man who was tarred and feathered and ridden out of town on a rail." "Well" he said, "I can assure you I would rather walk." That was the end of the incident.

I remember the days, and particularly the 8th day of January 1918, when the late lamented Woodrow Wilson then President of the United States spoke before this body and declared the efforts to make the world safe for democracy. I am one of those who is an optimist in these days of trouble at home and abroad.

Nevertheless, I have faith in the great body of American people, and that they eventually through their Representatives will handle and dispose of the troublesome questions that now confront us.

I am delighted to come back here. I will not say I will be here in the next 100 years, but I hope if I am not, most of you will be. I thank you again.

Mr. BROOKS HAYS. Mr. Speaker, now I feel like a mere stripling. But we all know that our ages are a matter of public record, and you only have to look at the record to see that I was born in 1898. I think sometimes the newspapers overdo it. Recently, the Raleigh, N.C., newspaper announced a Baptist meeting. The article stated, "The meeting will be addressed by Charles Warren, Ph. D., John Shoemaker, D.D., and Brooks Hays, 72." [Laughter.]

We are all heartened by this demonstration. I would like to claim the privilege of presenting to you Miles Allgood, who is 93 years of age, the gentleman from Alabama.

Mr. ALLGOOD. If there is anybody here who is happier than I am today, it is somebody who is older than I am. I never once dreamed that I would be back here again when I left 36 years ago. So you can see why I am happy. I am in good health, I have a sweet wife, and I have plenty of friends.

I should like to tell you an incident that happened at a meeting of Methodists. The Methodists, of which I am a member, have a love feast at their annual conferences. This is a love feast today. In the love feast on the occasion of which I speak there was one old man, a very old man, who had not given his experience. The man who was in charge said, "Brother Slaughter, don't you love the Lord and have some experience to give"

Old Dr. Slaughter raised up and said, "I love everybody. I love everybody. I haven't an enemy in the world, I haven't an enemy in the world."

The moderator said, "How do you know, Brother Slaughter, that you haven't an enemy in the world?"

He said, "I have outlived all the darn rascals." [Laughter.]

Mr. BROOKS HAYS. I now yield to the gentleman from Minnesota, Mr. Judd.

Mr. JUDD. Mr. Speaker, I come from a big family, and my father used to say, after we had gone away and were coming back for a family reunion, "I am always glad to have you come home for a short visit." And we are glad, believe me, that we have been invited back here for a short visit.

At the outset, I may say that several people have said, "What is this Former Members of Congress about? What are they trying to do?" I can see how somebody might think this organization was trying to set itself up as a fifth or a sixth wheel of the Congress to look over the shoulders of sitting Members and tell them what they should do or not do. Of course, that is not true. There may be some of our Members who plan to run again for office, but our bylaws require that, if a man runs for a national office, his membership will be suspended, and if he is elected and sworn in, the membership is terminated.

All former Members have learned that when you are moved from the center of things to the periphery, whether the shift is voluntary or involuntary, there is both a relief and a wrench. You do not have any direct responsibility for the legislative actions of the Congress, but your interest in your country and your love for it and concern for its well-being are no less. So we former Members have—if you wish to call it that—a certain nostalgia. It is good for us, I am sure, to have a chance once in a while to come back and renew friendships and associations with those with whom we worked formerly on enormously important issues—sometimes winning, sometimes losing. It was too bad not to have some means by which these fellowships and friendships could be continued and even enriched.

I heard—I cannot tell stories like Brooks Hays, nobody can—of a lady taking her first plane ride, and she was a little apprehensive, as almost everybody is on that first ride. After a while they came into a violent storm and the plane was tossed around. She turned to a clergyman sitting next to her and said: "You are a man of God. Can't you do something about this?" He replied, "Madam, I am in sales, not management."

We former Members of Congress are not in management, nor are we trying to be, but we are in sales of the Congress. We believe in this institution and we want to support it. We all know that throughout our country there are attacks upon our Government, and especially upon the Congress. If it does not do right away what somebody wants, they say the Congress is not listening. Yes, it is listening but it does not necessarily agree, and it must make its decisions on the basis of its judgment. Somehow some people have not understood the great achievement of our forefathers, which was that the people could elect their Government through the ballot box, that decisions would be made by their own representatives chosen by them, responsible to them, and replaceable by them every 2 years—or 6 years, in the case of the other body.

If they were denied the right to be heard, as our forefathers were denied the rights of other British citizens—sometimes revolution is necessary. But I do not know of anybody in this country who is being denied the right to be heard. If my ideas do not win a majority in the free market place of ideas, should they be accepted? We will fight for the right of dissident minorities to exercise their proper minority right to be heard and to try to become the majority. But some seem to think minority rights include minority rule. No. It is because we want to preserve the right to dissent that violence has to be repressed.

Frequently one runs into such misunderstandings. Sometimes I think we who have had experience in the Congress and have some knowledge of our legislative processes can do the explaining of our form of Government better than sitting Members. Perhaps we can help people to understand why what may look like cumbersome or clumsy ways of doing things in the Congress is one of the basic assurances that too great power is not concentrated in Government at the expense of the people.

When I, as a sitting Member, attempted to explain the Congress, many figured I had some personal ax to grind. There must be some ulterior objective that I was angling for like my own reelection.

That is not so much the case with us former Members. We have a hope that we can be helpful to this country by explaining the legislative process as it is, and by making ourselves available to students of Government, for example, to graduate students, who are writing a thesis on some particular piece of legislation. What scholars have to do generally is read each other's books or just read debates and votes in the CONGRESSIONAL RECORD. But the things that really went on, who said what to whom, the actual way in which a democratic legislative body operates—that is not in the books. Only the Members who made the history know that.

Perhaps the most important function of Former Members of Congress which we hope to carry out if we can get funds, now that we have a tax exemption, is in the field of oral history. Consider, for example, the recorded memories of the late great Speaker Sam Rayburn. He played a vital role in some of the most important steps taken by our country in the last 50 years. We who knew him know he would not sit down to write out his knowledge of what happened, and how. How tragic it is that somebody who knew how to ask the right questions did not have the opportunity to sit down with him for 10 or 15 hours and get a tape recording of his memories, to be made available, at such times as he prescribed, for the historians, for the professors, for the students.

This sort of record could be especially valuable for the representatives of almost 70 newly independent countries which have come into existence since 1946. Most of them call themselves and want to be Republics. They come to the United States to learn, and what they read is "canned" stuff. Somewhere there ought to be available to them the personal recollections of how this or that really was accomplished—not by shenanigans or improper measures, but by person to person discussion, and persuasion. Sometimes pressures, too, are a part of it. We all know that is the way a free government operates.

The Library of Congress is greatly interested in this. It says it does not have the funds to finance taking of these oral histories, but of course it would like to be the repository of the oral histories, especially of key people like the late Speaker Sam Rayburn.

The beloved former Speaker, John McCormack, is not going to write his recollections in detail, but almost certainly he would record them on tape. It will be too bad for history and for our country if all that is in his mind is not recorded and made available for those who study government in the decades ahead.

There are men like Carl Vinson and Carl Durham who played decisive roles in the development of our armed forces and of atomic energy. There is Howard Smith, who for many years was chairman of the Rules Committee. There was not much which took place here in some 30 years that he did not have a hand in.

Former Members of Congress are not trying to influence present-day legislation. Our bylaws forbid it from taking any position on any public issue or lobbying for or against any particular piece of legislation or any particular individual running for office. We just want to be helpful to some extent to the Congress and our country, in addition, of course to the personal benefits that come from keeping alive the associations and friendships with each other developed when we worked together in the Congress.

I want to express particular appreciation to Brooks Hays. He and I were sworn in here the same day, in January 1943. This organization is his brainchild. He knew it had to be bipartisan to be of any usefulness, so he came to me as a Republican friend to enlist my support. I want the record to show that it was he who saw the potential importance of this organization and made the original proposal for it.

It has been astonishing, too, that out of a little over 700 living former Members of Congress with whom we have been able to get in touch, 362 as of this morning have contributed $25 initiation fee and $25 annual dues, to enable former Members of Congress to establish a little office here, organize a board of directors and get out mailings.

I think you might be interested in some statistics. Of the 362 Members we had this morning, 42 were former Senators. They do not have as many former Members because they have less turnover than in the House.

Senator Carl Hayden of Arizona served longer in the U.S. Congress, both bodies, than any other person. We nominated him and John McCormack as honorary chairmen.

President Nixon and President Johnson have joined, and have been designated by the directors as honorary presidents.

Of the 37 Presidents of the United States, 22 served in one body or the other and nine of them served in both bodies, for example, Andrew Jackson and Andrew Johnson. Of course, John Quincy Adams served first in the Senate and then in the House after he had been President.

It is interesting that our last three Presidents—President Kennedy, President Johnson, and President Nixon—all served in both Houses, with a great attachment to both bodies.

I want to read, if I may, a list of the former Members who sent regrets that they could not be here in person today.

At the head of that list, of course, are President Johnson and President Nixon. In addition to those who responded to the rollcall, are the following who sent their regrets that they could not be present today and sent their greetings:

Lew Douglas of Arizona.
Henry Cabot Lodge of Massachusetts.
Frank J. Becker of New York.
Leon Sacks who writes that he is disabled. I do not know for sure what State he is from.
Senator Joseph Tydings of Maryland.
John W. Boehne, Jr., of Indiana.
Senator William Benton of Connecticut.
Neil Staebler of Michigan.
Helen Gahagan Douglas of California.
Senator Leverett Saltonstall of Massachusetts. He wrote a cordial letter saying that he could not be here because of the illness of his wife.
B. W. Kearney of New York.
Ed Reinecke of California, now Lieutenant Governor of that State.
E. Ross Adair of Indiana.
Judge Louis B. Heller of New York.
James Roosevelt of California.
Mayor Sam Yorty of Los Angeles, Calif.
David Dennison of Ohio.
D. Emmert Brumbaugh of Pennsylvania.
Judge Louis J. Capozzoli of New York.
Katharine Edgar Byron of Maryland.
Dr. William T. Pheiffer of New York.
Mrs. Albert Thomas of Texas.
C. W. "Runt" Bishop of Illinois.
Albert M. Cole of Kansas.
Rodney M. Love of Ohio.
Catherine D. Morrell of Arkansas.
Charles B. Hoeven of Iowa.
Carroll D. Kearns of Pennsylvania.
Paul A. Fino of New York.
J. Edgar Chenoweth of Colorado.
Joseph L. Carrigg of Pennsylvania.
Donald F. McGinley of Nebraska.
Paul C. Jones of Missouri.
Lindsay Warren of North Carolina.
Senator Spessard Holland of Florida.
Rogers Morton of Maryland.
Lindley Beckworth of Texas.
Senator John W. Bricker of Ohio.
Augustus W. Bennet of New York.
Albert L. Vreeland of New Jersey.
Ranulf Compton of Connecticut.

These are all members of the organization or are interested in it and sent regrets that they could not be here today along with the 83 who responded to their names plus a few who have come into the Chamber since.

Sometimes we look at this as an alumni association. Every college in the world has an association of its alumni. They are loyal to it and want it to be successful and want to do all they can to help their "alma mater."

When I first came here, I heard Sam Rayburn say, "I love the House of Representatives." I thought then that was a little sentimental. I know now what he meant.

Sometimes when you are away from your family or your work or your country, when you are abroad, you see it in better perspective than when you are here at home. You see its shortcomings but you also appreciate its greatnesses. I think all of us would say with Sam Rayburn that we love the House of Representatives and want to be helpful if we can.

We want to introduce today someone to speak for each of the various Congresses. The oldest, our distinguished guest, Mr. Beshlin, is from the 65th Congress and has already spoken. The next oldest is from the 68th Congress, the Honorable Maurice Thatcher, who was Governor of Kentucky and Governor of the Panama Canal Zone. He is 100 years old, will be 101 in August—and planned to be here today but sent word this morning that he could not.

The following Members spoke as representatives of their respective Congress:

The 65th Congress: Earl H. Beshlin, of Pennsylvania.
The 69th Congress: Carl G. Bachmann, of West Virginia.
The 71st Congress: Robert Ramspeck of Georgia.
The 73rd Congress: Colgate W. Darden of Virginia.
The 74th Congress: Frank Carlson of Kansas.
The 75th Congress: Edward V. Izac of California.
The 76th Congress: Frances P. Bolton of Ohio.
The 77th Congress: Evan Howell of Illinois.
The 78th Congress: Robert Hale of Maine.
The 79th Congress: Frank Chelf of Kentucky.
The 80th Congress: John Bell Williams of Mississippi.
The 81st Congress: Edna F. Kelly of New York.
The 82nd Congress: Byron C. Rogers of Colorado.
The 83d Congress: Gordon H. Scherer of Ohio and Hon. Melvin Laird, Secretary of Defense.
The 84th Congress: William H. Avery of Kansas.
The 85th Congress: Basil L. Whitener of North Carolina.
The 86th Congress: Joseph W. Barr of Indiana.
The 87th Congress: Benjamin Reifel of South Dakota.
The 88th Congress: Carlton R. Sickles of Maryland.
The 89th Congress: George V. Hansen of Idaho.
The 90th Congress: Thomas S. Kleppe of North Dakota.

Mr. JUDD. Mr. Speaker, there is another person who ought to be mentioned, Congressman GEORGE ANDREWS of Alabama. It was he who first proposed that the House annually designate a day to receive the former Members of Congress. He could not be here today, but I think we ought to express officially our appreciation for his having done that.

Then we ought to express our appreciation to a former Member, Pat Jennings, of Virginia, who is presently the able Clerk of the House and also a member of our organization. He has been of extraordinary help in making it possible for us to do what we have been able to accomplish.

Finally, I want to report action taken by former Members of Congress at their business meeting earlier today—before this Brooks Hays and I have been sort of ad hoc cochairmen. I am pleased to announce that the members by acclamation elected Brooks Hays to be the president of Former Members of Congress Inc., for the coming year. They also elected 12 to serve as the board of directors, as follows: E. Ross Adair, Homer Ferguson, Brooks Hays, Jed Johnson, Jr., Walter H. Judd, Edna F. Kelly, A. S. Mike Monroney, Howard W. Pollock, Robert Ramspeck, Benjamin Reifel, James E. Van Zandt, and Ralph W. Yarborough.

This organization is unique in that it has a guaranteed clientele of eligible new members every 2 years. Fifty-five retired from the Congress, voluntarily or involuntarily this last year, and are now eligible for membership in Former Members of Congress.

We hope, of course, that none of you sitting Members ever will be eligible to join, but if perchance you should be, we shall be happy indeed to welcome you.

Mr. ASHBROOK. Mr. Speaker, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Ohio.

Mr. ASHBROOK. I thank him for that.

I just wish to point out something rather humorous. I come from a small town, and I guarantee that when I get a mailing from you which says, "John Ashbrook, Former Member of Congress," it causes comment. I do not know whether all your mailings are like that, but mine happens to read, "Former Member of Congress." I am alive and still here. I hope in the future I will not be referred to as a former Member of Congress.

Mr. JUDD. I will see that the card index is corrected today. A lot of our work has been somewhat informal, as you can gather from the proceedings today.

Mr. BROOKS HAYS. Mr. Speaker, our time has elapsed, and I want to express again my thanks.

The distinguished former Member Pat Jennings should have a moment, if the Speaker will allow him that, to provide some information for the record.

I also wish to point out that our executive secretary is Warren I. Cikins, and we are grateful, on his behalf, for all the courtesies given to him.

The SPEAKER. The Chair recognizes the gentleman.

Mr. BURTON. Mr. Speaker, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from California.

Mr. BURTON. As one of the new Members, relatively speaking, of the House, I believe it is fair to state that if we have any criticism to make of the former Members it would be twofold.

One of them is that we would all be very grateful if somehow you could get into our hands your home addresses, so that if we are passing through a town or constructing a Christmas list we will know how to contact you.

The only other point I believe it might be useful to make is that we think another valid criticism is that we simply do not see enough of you except on more formalized occasions like this. You helped to build this body. You have got more friends here than you would ever believe. Why in God's name do you not come back more often so we can say "Hello" to you and learn from your experiences?

Thank you very much.

Mr. JENNINGS. Mr. Speaker, I know I speak for the whole group when I tell the gentleman from California we appreciate those remarks. Certainly we shall attempt to get together a list of the addresses of all former Members.

I simply want to take this time to point out that there were a group of individuals—consisting of Brooks Hays, Dr. Walter Judd, Robert Hale, H. Carl Andersen, Frank Chelf, J. T. Rutherford and myself—who met about a year ago and discussed this possibility. Out of that discussion we now see the fruits.

We want especially to thank those present Members for the opportunity, and certainly all the former Members for being here.

Thank you.

The SPEAKER. The time of the gentleman has expired.

The Chair wishes to reiterate his own gratitude at the response our invitation has had from those of you who have come here and participated and lent your presence to this occasion. It has been a memorable one. We will expect to repeat it next year.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 o'clock and 33 minutes p.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS AND PERMISSION TO REVISE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD and that all speakers have the privilege of revising their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

OUR URBAN CRISIS

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. BADILLO) is recognized for 1 hour.

Mr. BADILLO. Thank you, Mr. Speaker.

I believe it is fitting that, after listening to the former Members of Congress, I should have the opportunity, as a freshman Member, to speak on what I consider to be the most urgent domestic problem of this decade; that is, our urban crisis.

Mr. Speaker, over the past several weeks I have listened to our colleagues discuss a wide range of proposals for alleviating the fiscal crisis of our cities and States. I have listened to those who support the administration's revenue-sharing plan, and to those who oppose it. I have listened to the proponents of a Federal takeover of welfare—which I support—and to advocates of tax credits and other means of enabling the States and cities to provide the essential services their citizens need and deserve.

All of these proposals, aimed as they are at providing long-term assistance to our beleaguered local governments, deserve full and fair consideration. I can understand the feelings of those who are reluctant to rush into a new, multi-million-dollar program without some assurances that it will not be abused. Indeed, one of my own major concerns is that however we ultimately choose to attack this fiscal crisis, we do so in a manner which emphasizes the cities and their problems rather than through a method which serves merely to strengthen the grip of State governments which have held the cities in bondage over the years.

My main concern today, Mr. Speaker, is not so much with the development of a long-range solution to the fiscal crisis of our States and cities. I am confident that a sound approach will be worked out and enacted by this 92d Congress. But it seems clear from the discussion and debate which has already taken place that this is not likely to take place this year, and it may well come too late to be effective before 1973. My concern is that our cities cannot wait 2 years and what disturbs me most today is the apparent lack of urgency with which we in Congress are approaching the problem. I know that New York City cannot wait 2 years. If we can believe the reports from Pennsylvania, Connecticut, New Jersey, Michigan, and Florida, the plight of their cities is equally serious.

In New York, for example, it is clear to all of us who have been involved in the city and its problems that immediate, massive financial help is a matter of its very survival. Private enterprise long ago abandoned the city's slums, and it is now abandoning the city altogether. As business and industry and the white middle class flee the city for suburban sanctuaries, New York becomes more and more a ghetto of the poor and the disadvantaged—a city almost lacking all ability to govern itself—to provide the basic services of urban life.

As a matter of fact, it is clear that not a single department of the city's government is able to provide a satisfactory level of services. They do not have the manpower or the machinery to serve 8 million people, and I see no likelihood that the city's budget will find any new resources this year or the next.

In the light of this, we cannot afford to deal with our urban fiscal crisis on a business-as-usual basis. The lengthy, reasoned debate over revenue sharing and its alternatives will have all the appearance of Nero fiddling while Rome burned. I say to my colleagues in the House and the Senate—and I say to the American people—that if we are going to save our cities from destruction we must do it now and we must do it with a massive infusion of money if this Nation's cities are not to sink irretrievably into filth, decay, and crime.

I think we can provide that help—quickly and effectively. I propose that Congress authorize a $20 billion Federal bond issue at current market interest rates to finance $10 billion in 50-year interest-free loans to our States and cities this year and an additional $10 billion next year. I propose that these loans be apportioned according to the formula in the administration's general revenue-sharing plan and with the same pass-through provision.

Under this self-help, emergency loan program New York State would receive $1,068 million in the fiscal year beginning July 1 of this year and the same amount the following July 1. Because of the pass-through provision, New York City would receive a desperately needed $378,614,000 in fiscal year 1972 and a like amount for fiscal 1973. Hopefully, by the end of that fiscal year, a more permanent method of relieving our cities and States would be in effect.

Because this money is in the form of a loan rather than a grant, I believe we can avoid a long drawn out debate over restrictions, the earmarking of funds, and so forth. It seems to me that the only necessary proviso would be a nondiscrimination clause. Perhaps the strongest safeguard against abuse of these funds is the cities and States awareness that Congress will be watching how the money is spent and weighing this experience in development of a long-range approach. Also, the repayment will tend to assure that the voters of the States and cities will hold their elected officials accountable. The repayment requirement also meets an objection presented by the distinguished chairman of the Committee on Ways and Means; namely, that localities should not be responsible for spending money they are not responsible for raising.

Finally, by taking the immediate and severe financial pressures off our State and city governments, Congress would be dealing with the problem of a long-term solution in a reasoned, deliberate manner—not in an atmosphere of crisis nor in the partisan context of presidential politics.

At the same time, this massive infusion of funds would be a major stimulant to our sagging economy. It would help stem the tide of unemployment and speed the long-overdue recovery from the current recession.

The net costs involved in my proposal are relatively insignificant, both to the Federal Government and to the cities and the States. The interest charges which would be assumed by the Federal Government represent but a tiny fraction of the administration's proposed $229 billion budget, and I am convinced that any State or city participating in the $20 billion fund would have no difficulty in repaying its share over 50 years.

New York City, to again use the example that is most meaningful to me, would be paying back its $760 million over 50 years for an average of about $15,300,000 a year out of an $8 billion budget. It would also be my intent that these loans be considered outside whatever existing debt limits may apply to State and local governments.

I have waited until today to formally present this proposal, Mr. Speaker, because I wanted time to discuss it with a wide range of Government officials, financial experts, and community leaders. I recommend it to my colleagues now because I am convinced that it is both feasible and necessary.

The most urgent challenge we face today is whether our political institutions can cope with the demands society is placing upon them. The facts are clear for all to see:

Our cities are strangling in traffic congestion, noise, and poisonous air. The slums are spreading like a cancer, feeding the insidious growth of racial strife, violence, and crime. We hear demands for law and order, but our cities can barely meet police payrolls. The welfare rolls continue to grow but the cities are unable to find sources of revenue to keep pace. Our slumping economy and the flight of the white middle class to the suburbs exacerbate the crisis still further.

Many observers, including President Nixon, have pointed out correctly that we have helped create the crisis by our tendency to overcommit and underperform.

Time and again, we have made grand rhetorical flourishes, making national commitments to end poverty and hunger, assure equal opportunity in jobs and schools, provide decent housing for all Americans, and on and on.

Time and again, Congress has written these goals into the Nation's laws—the Employment Act of 1946, the historic housing bills of 1949 and 1968, the Civil Rights Act of 1964, and the Economic Opportunity Act of 1964.

We have heard Presidents publicly commit their administrations to achieving these goals—and then either fail to back up the commitment or be thwarted by insufficient appropriations from Congress.

Take housing, for example. The Housing Act of 1949 committed us to assure every American a decent home. The 1968 housing bill set a national housing goal of 26 million units in the following decade, an average of 2.6 million units a year.

Yet, the very year after that commitment was made, only 1.46 million units were built in the United States. We lag in housing production behind the Japanese, the Dutch, the Swedes, the Soviets, and the French. Just a year ago, President Nixon admitted that we face what he called a crisis situation in housing our people.

And how is the Federal Government meeting that crisis this year? The Department of Housing and Urban Development has asked in the new budget for funds to start 525,000 low- and moderate-income housing units in fiscal 1972, and this would be a record. But HUD is asking for $50 million below the amounts authorized by Congress for the 235 and 236 programs and for $93 million less than was authorized for rent supplements. HUD actually projects 5,000 fewer low-rent public housing unit starts in the new fiscal year.

This kind of performance is not likely to close the gap about which the President spoke in his state of the Union message. It is not likely to ease the frustration and despair of those Americans who suffered through that riot-torn summer of 1967—a summer which helped to spawn the Housing Act of 1968, the civil rights legislation of the same year, and the mobilization of private citizens and private resources through vehicles such as the Urban Coalition.

What is happening to us? Are we really that impotent? Is our commitment that empty? Or are we simply unwilling to assess our own shortfalls?

Scarcely have we settled down to the complex and difficult task of rebuilding our cities and breaking the cycle of poverty than we find ourselves embarking on a series of new crusades, involving a new round of priority goals, and escalating the rhetoric of crisis still further.

It should be clear to all of us that the American people will no longer stand for talk about new policies, or new legislation if all that represents is escapism from our responsibilities and obligations.

I speak now not in partisan terms, for it is an undeniable fact that Democratic administrations have had an excess of rhetoric and a dearth of results, and that some of our more urgent problems today stem from my own party's failures in the past.

The point now is for us to learn from those mistakes, and to take the action we have so long delayed.

Mr. CAREY of New York. Mr. Speaker, will the gentleman yield to me?

Mr. BADILLO. I am glad to yield to my colleague from New York.

Mr. CAREY of New York. I thank my colleague for yielding to me.

Mr. Speaker, I ask unanimous consent that following the remarks of the gentleman from New York I may be allowed to enter in the RECORD a topical article on this subject which appeared in the New York Times recently.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CAREY of New York. Mr. Speaker, I want to commend my colleague from the State of New York who is now in the well for taking the time at this juncture of the 92d Congress to address this topic.

He did me the great service of discussing with me his approach to this critical matter on the issue of sharing in the revenues of the Federal Government. I read through it as thoroughly as possible in the intervening time since we discussed it, and I find it to be a most commendable and constructive alternative and one which addresses, as he has said, the immediacy of the problem of urban blight which deteriorates almost by the hour. It is something like a burning building. Unless we get in there quickly there will be nothing left to save. There is no better way to dramatize it more successfully than he has done. He has pointed out the fact that time is at issue here. He is addressing this in terms of its urgency. We all know by reason of our system of deliberative debate that it takes a great deal of time for us to agree on a proper solution. Yet this problem, unless we agree upon a solution, may become unmanageable in terms of what can be done for the people living in the cities right now.

So, his approach of doing it domestically for our Nation is in a sense like doing it in conjunction with other nations of the world for developing nations, and is both constructive and timely and practical.

Mr. Speaker, I hope that this kind of discussion will bring to the floor ideas like this which will allow us to reach an alternative and a solution without delay so that our cities will not think we are just discussing things but are acting together in their best interest.

Mr. Speaker, I know the background of my colleague from New York. He is an ardent and very diligent student of city problems. He is one who has prepared himself for this both in the field of law and accounting and is one who has spent time as a city official and president of a borough in our city. He has applied himself not only to the problems, but to the solutions.

So, let us examine his suggestion today which I hope will be the basis for future legislation. His proposal is timely and is the kind of thing which we should not only be hoping for, but should act upon in the 92d Congress.

So, Mr. Speaker, I am pleased that my colleague is applying himself to the solution of this problem and those of us who have served with him certainly will lend our best efforts in his behalf.

Mr. BADILLO. I thank my colleague from New York. I know he shares my sense of urgency. I know he understands the problems of New York and the Nation's urban areas. I know that the gentleman recognizes that in the city of New York today there is not a single department that is able to provide a satisfactory level of services, not because they do not want to, but because they do not have the manpower or the machinery with which to serve 8 million people of the city of New York.

Mr. BURTON. Mr. Speaker, will the gentleman yield?

Mr. BADILLO. I yield to the gentleman from California.

Mr. BURTON. Mr. Speaker, initially I would like to commend our distinguished colleague for his very resourceful and thought-provoking proposal. However, there are a few questions, if I may, that I would like to present to the gentleman.

Mr. BADILLO. Certainly.

Mr. BURTON. What does the gentleman estimate the dollar costs to the Federal Government will be under your plan, assuming a $20 billion figure is adopted?

Mr. BADILLO. The actual costs would be relatively slight, representing only the interest on the principal outstanding. The amount would be insignificant as part of a $229 billion Federal budget.

Mr. BURTON. Many cities, perhaps most of them, have statutory debt ceilings established by the State legislature. Would it be the intention of the gentleman in the well that no State would be eligible to participate in the program that the gentleman has presented unless they are prepared to waive the cities' debt ceiling to the extent of the funds which are proposed in the gentleman's suggestion?

Mr. BADILLO. I hope to introduce specific legislation in the next couple of weeks, and it would be my intention to provide as a matter of legislative intent that these funds be made available to the cities outside their debt limits, and that the States participating in the loan program waive their cities' debt limits to the extent that those cities would be eligible for these new funds.

This is, after all, an emergency infusion of funds to help resolve our very serious urban crisis while we are working toward a more permanent method of providing for aid to cities and States. I would expect not only that we would treat it as a matter of urgency here in Washington, but that all the State capitals would treat it in the same fashion.

Mr. BURTON. In that connection, this proposal is essentially an interim measure, as I understand it. Does the gentleman feel it could become a permanent mode of financing should the operating experience be successful?

Mr. BADILLO. Many of the people who are in doubt about the feasibility of revenue sharing want to have very special assurances that if the money is made available to the cities and States it would be spent properly. You cannot have such specific assurance until a bill is passed and we can evaluate their performance. I fear that, if this attitude of opposition hardens on the part of the Members of Congress, no bill will be passed at all. The advantage of having a loan program rather than a grant program is that we could use the experience of this year and next year as a basis for determining how, in fact, the cities and the States plan to spend the money.

Also, I think the cities and States would recognize that they are being closely supervised by the Congress and that their use of the money would be a measure of whether they would get additional funds for the future.

Mr. BURTON. Is it the intention of our distinguished colleague, the gentleman from New York, that his proposal operate basically the same way that the administration's revenue-sharing plan would function, except for the amount of funds involved and the fact that the money is in the form of loans rather than grants?

Mr. BADILLO. That is correct. The proposal is simple and direct. It should not require extensive hearings and debate. It operates on the same formula as the revenue-sharing legislation. The only change is that instead of $5 billion, the amount would be $10 billion each year for 2 years, and instead of a grant, the money would be made available as a loan.

Mr. BURTON. Mr. Speaker, once again I would like to commend our distinguished colleague, the gentleman from New York (Mr. BADILLO) for this most resourceful and imaginative proposal. The pressing revenue needs of the States and of the local governments in this country are obvious to all of us. We have been fortunate to hear and others will be fortunate as well to read the proposal made by the gentleman from New York. I think all of us would share in the view that this is another avenue to be explored and perhaps highly useful and feasible route for this Congress to pursue before it attempts to meet this very important economic dilemma confronting all Americans—the entire Nation.

Mr. BADILLO. Mr. Speaker, I thank our distinguished colleague, the gentleman from California.

Mr. Speaker, I have waited until today to formally present this proposal because I wanted the time to discuss it with a wide range of governmental officials and financial experts and community leaders.

Mr. Speaker, I recommend it to my colleagues now because I am convinced it is both feasible and necessary.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. BADILLO. I yield to the gentleman from New York.

Mr. RYAN. It is a particular pleasure for me to join in this special order with my distinguished colleague and friend from New York. I can attest to his ability and dedication, for the gentleman in the well and I have worked together for many years in an effort to stem the tide of urban decay and to make our cities viable places for all of our citizens. Now that he is a Member of this body, we can continue our efforts to meet the desperate needs of our city, State, and Nation.

The urban crisis which we are today addressing is of course no new-found disease. Its symptoms have been afflicting millions of the poor for years. They have been the downtrodden, laboring under conditions of slum housing, inadequate food, deficient educational facilities, inadequate medical care. Now the urban crisis is extending its blight, making life for the middle-income people increasingly bleak in our major cities. The result has been that those who can flee do so, leaving the cities to become centers for the affluent few—who can afford the minimum necessities, and much more—and the poor, who can afford neither.

Meanwhile, financial resources to meet the needs of the cities and the people who populate them are becoming increasingly strained. The causes for this are manifold. Many city governments are ineffective in marshaling their resources, and in using the resources which the Federal Government makes available. Only last year, for example, I uncovered the fact that New York City failed to obtain Federal funds for the school breakfast program—funds which were available, but simply not requested.

But another reason for the urban crisis stems from the fact that, even if the cities utilize all the resources available, the need for services is outstripping the funds to supply them. This is part a result of the fight of the middle class. With them depart the businesses which they own, or which they patronize. Property values decline. Buildings are abandoned. The tax yield becomes increasingly inadequate.

A third element in this equation is the failure of the Federal Government to establish reordered priorities. The maw of the Pentagon swallows billions upon billions—for a tragic, mistaken war; for unneeded armaments—while the cities languish and decline. Even when the rhetoric of reordered priorities is stated, the actual actions of the administration and the Congress fail to meet words with dollars. The Congress passes my legislation creating a $30 million program to combat lead-based paint poisoning—a disease of the slums—and the administration requests no money to fund the program. The Congress authorizes $80 million for the bilingual education program. The administration only requests—and the Congress only appropriates—$25 million.

The housing appropriations are far behind the amounts that could be provided. In this fiscal year alone, appropriations trail authorizations for the urban renewal program by over $1 billion, for the model cities program by over $800 million, for the rent supplement program by $113 million; for the section 236 rental assistance program by $25 million.

For all of these examples, I have introduced legislation to correct the failure. Hopefully, we will succeed in getting action by the Congress.

But, looking at the larger picture, when we speak of an urban crisis, we are not really talking about some crisis bred, raised, and nurtured just in the cities. We are talking about a disease of many causes, and the Congress and the administration bear a tremendous amount of the blame.

Nor are the symptoms which result from these causes just brooding presences which have been around for years. New symptoms are springing up almost daily. Right now, in New York City, the New York City Board of Education faces a deficit in this school year of some $40 million to $45 million. In order to close this gap, the Board of Education has proposed the elimination of essential services.

Some 6,500 teachers are to be laid off; some 10,000 substitute teachers are to receive the same treatment. The headquarters staff is to be cut by 20 percent. In addition, among the proposed cutbacks are a complete termination of all after-school activities; the immediate curtailment of all repairs and maintenance work, except for emergencies; and the curtailment of school transportation, eliminating transportation for some 75,000 pupils. Also included in the proposed cutbacks a 10-percent reduction in the adult education programs.

Immediate steps are essential, as my distinguished colleague, Mr. Badillo, has pointed out, to abate the urban crisis. One step involves emergency measures regarding the current school crisis. Seventeen members of the New York City delegation have written to the Secretary of Health, Education, and Welfare to this end, and my office has arranged an emergency meeting with Secretary Richardson, and Commissioner of Education Sidney Marland later today. Hopefully, some help can be arranged.

I know the gentleman from New York is very concerned about the critical situation with respect to education in New York City, and I wonder if he would like to comment upon the action this week of the New York City Board of Education.

Mr. BADILLO. Mr. Speaker, I thank the gentleman from New York.

I think the action of the New York City Board of Education this week precisely dramatizes the need for urgency. The city of New York is in a situation where it cannot even meet its payroll for this fiscal year, so even when we talk of providing help for the next fiscal year or the year following, we might be too late.

I know the gentleman from New York has been in the forefront in getting funds for New York City this year. He has arranged a meeting with the Secretary of Health, Education, and Welfare this afternoon in order to see what immediate help the Federal Government can provide New York City this year, but it is precisely this kind of problem we are going to have day after day in the Congress in the next 2 years unless we begin to take action now.

Mr. RYAN. Mr. Speaker, if the gentleman will yield further, I would like to commend the gentleman for his analysis of the financial crisis facing our cities, not only New York City, but every major city in this Nation.

(Mr. RYAN asked and was given permission to revise and extend his remarks.)

Mr. BADILLO. I thank my colleague and good friend from New York (Mr. Ryan).

The people of our city and the Nation owe him a debt of gratitude for his efforts over the years. He is truly a champion of our cities and a leader in every sense of the word.

Mr. DOW. Mr. Speaker, will the gentleman yield?

Mr. BADILLO. I yield to the gentleman from New York (Mr. Dow).

Mr. DOW. Mr. Speaker, I would like to commend the gentleman from New York on his maiden speech and the fact that he selected such an important topic to discuss.

I come from upstate New York, as the gentleman knows, and historically that part of the State has been a kind of rival of the cities, especially New York City, in the political thinking of our electorate.

But actually, instead of being in an opposite position, I think we are all in the same boat. A great deal of what the gentleman says applies equally well to us up the river. I know we can harmonize with a great deal of his thinking, so I would like to commend him again for his thinking and for his fine statement.

Mr. BADILLO. I thank my friend and colleague from New York. I certainly agree that we in New York State and throughout all the States long have ceased to look to the State capitals for aid. We now recognize that the problems of the cities and States cannot be solved only at the local city hall, cannot be solved only at the State capital, but must be solved here in Washington. That is why those of us who come from upstate, who come from downstate, who come from different parts of the country are looking to Congress to get that help.

Mr. CAREY. Mr. Speaker, as the discussion of revenue sharing continues a number of interesting alternatives are being advanced. I submit the following article for printing in the Record.

[From the New York Times, Feb. 28, 1971]

An Alternative to Revenue Sharing

(By Charles M. Haar)

The recent treks to Washington by Mayor Lindsay, Governor Rockefeller, and other harassed leaders of states and cities underline the severe financial crises of local governments. With 11.6 per cent being the annual rate of increase in expenditures of state and local government for recent years, little room remains for maneuver.

The need for some way to balance the resource supply with urban demand (for local problems are essentially urban ones) is increasingly accepted by both political parties—although differ they must, inevitably, on the conditions to be attached to such schemes as block grants and on the formulas of distribution within particular metropolitan areas.

President Nixon's proposal, "historic in scope and bold in concept," that $5 billion in Federal revenues be turned over to states and localities, with an additional $10 or $11 billion channeled from existing programs for use in six broad areas, has made revenue sharing the rallying point for those converging on Mecca. The implications of the plan are now under the national spotlight.

Whatever its merits or final outcome, the plain fact is that it relies on the existence of substantial Federal funds. Taking into account, however, the taxpayer revolt and the fact that the Federal treasury is increasingly bare (with the "peace-and-growth dividend" stirring up far more claimants than resources) one realizes the urgency of supplementary or alternate resources. In the frenzied and inescapable scramble for funds, one possible source of rescue should not be overlooked—that of municipal borrowing. Since borrowing finances fully half of our cities' capital outlays, it becomes a natural focus for reappraisal. And those who have made such a reassessment have come up with a proposal for an Urban Development Bank.

The idea goes back to 1968. At that time President Johnson's Task Force on Suburban Problems, after toting up the enormous bill for urban development in this country (induced by population growth and its needs for housing, schools, streets, and other public facilities) concluded that the potential for major reform in the area of intergovernmental finance would be offered by a new lending institution.

The starting point for the new look at the borrowing mechanism is the present inefficiency of the municipal bond market. The amount of public subsidy represented by the current Federal (and state) tax forbearance on the bond interest is just not being passed on to the cities and states. By objective standards, the rates on municipals are high in light of their exemption from taxes; the cost is also not justified by their excellent debt service record. Yields on municipal securities are currently approximately 75 percent of those of top-grade corporate bonds—a lot more than the 50 percent one would expect. And translated into those dollars-and-cents carrying charges that are the lifeblood of municipal budgets, this means that cities and municipalities receive only one-half to two-thirds of the benefits that should flow from the exemption.

The Urban Development Bank offers a viable alternative. As formulated, it would be a partnership among the states, local governments, and private enterprise. The bank would raise capital by issuing and selling its own bonds, which, while indirectly guaranteed by the United States Government, would not be tax exempt. It would then lend money to communities for a wide range of capital improvements at an interest rate lower than that at which they can presently borrow—even with tax exemption. The interest differential between the cost of money to the bank and the interest received from the borrowers would be made up by an annual appropriation. To take an example, the bank would borrow a billion dollars at $7\frac{1}{2}$ percent, and lend it to urban communities at $5\frac{1}{2}$ percent; Congress would then be called on to pay $20 million annually to finance this interest differential, which would make possible as much as a billion dollars of local and state capital expenditure. The Treasury calculates that the cost to the nation of the interest differential would be more than offset by the increased receipts on the interest paid on the bank's bonds.

Of course, the use of the bank would be on a voluntary basis; local governments wishing to finance projects by selling their securities directly to the public, as in the past, would still have that option. But for municipalities in general it would mean a chance to borrow at a lower rate of interest and on longer terms, without the danger of flooding the existing bond market, and free from the present uncertainties of the rating system, the penalties for smallness, and the short maturities which follow from their current weak bargaining position.

Proponents of the bank point out that its prospects extend beyond the immediate and necessary tasks of providing money for urban needs. They argue that it can also be used as a mechanism to improve our inter-governmental system. Unlike revenue sharing, the specifics of which raise so many difficult legal, technical and drafting issues for the passthrough of funds to local governments, this system could encourage local governments to increase efficiencies and to improve the delivery of public services. It could be especially useful in dealing with those urban problems that are increasingly multijurisdictional; for example, important coordination of state and metropolitan plans could be implemented through financial planning and capital budgeting. This type of lending could thus be used to give high priority to regional projects, thereby turning metropolitan planning into an exercise in reality, and to help assure suburb-central city cooperation. Experience with the World Bank confirms that financial assistance and technical assistance can be merged effectively. The Urban Development Bank thus offers the possibility of a more viable money structure through which sound urban development can be financed—and perhaps even guided.

GENERAL LEAVE

Mr. BADILLO. Mr. Speaker, I ask unanimous consent that all Members of the House have 5 legislative days in which to revise and extend their remarks on the subject of this special order.

The SPEAKER pro tempore (Mr. GONZALEZ). Is there objection to the request of the gentleman from New York?

There was no objection.

ADMINISTRATION PROPOSAL TO EXEMPT COLLEGE TUITION LOANS FROM THE TRUTH-IN-LENDING ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Missouri (Mrs. SULLIVAN) is recognized for 30 minutes.

Mrs. SULLIVAN. Mr. Speaker, in his consumer message to Congress, read to the House of Representatives last Thursday, President Nixon said he was calling upon the Secretary of Health, Education, and Welfare "to promote the establishment of consumer education as a national educational concern" and to help "develop and design programs for the most effective dissemination of consumer information."

The following day, however, Secretary Richardson addressed a letter to the Speaker of the House transmitting a draft of an administration higher education bill, and in that bill, I have just discovered, is a provision which would exempt NDEA and insured college tuition loans from the Truth-in-Lending Act. How this action would promote the dissemination of consumer education is a complete mystery to me. For it would remove the biggest single credit transaction any young man or woman in college has ever entered into, and the largest he or she will probably make until taking out a mortgage to buy a home, from the coverage of a law intended to teach the true cost of using credit.

I am truly amazed that the only proposal made during the past 2 years by the Nixon administration to amend the Truth-in-Lending Act in any respect whatsoever is one which would deprive college students of any benefits of this law as it applies to the biggest loan they have ever made in their lives. I am further amazed by the fact that the first Nixon administration proposal for a change in truth in lending has been proposed not to the Committee on Banking and Currency, which has jurisdiction over truth in lending and the other titles of the Consumer Credit Protection Act, but to the Committee on Education and Labor, which has great experience and knowledge in many fields of legislation but has no special expertise, I am sure, on truth in lending.

TRUTH-IN-LENDING EXEMPTION BURIED IN H.R. 5191

The draft of the administration bill on college loans apparently arrived on the Hill over the weekend, and was introduced Monday as H.R. 5191. Printed copies have not yet become available. The section amending truth in lending to exempt NDEA loans and insured tuition loans is buried as section 422. There was no inkling of the existence of this section in the two solid pages of fine print inserted in the CONGRESSIONAL RECORD Monday giving the administration's explanation of, or justification for, the higher education bill, so we can only presume the administration did not consider the truth in lending exemption worth mentioning as a significant item in the bill.

Nevertheless, I had reason to look for it for I had a premonition it would be there. That is because I had discovered in some fine print on page 1697 of part 2 of the hearings of the Subcommittee on Education of the Committee on Education and Labor last year on student aid legislation that an official of the Office of Education had made such a suggestion in a three-paragraph statement for the printed record expressing the view that the disclosures required under truth in lending has caused "problems" for the lending institutions making insured loans and for the colleges lending out Federal NDEA funds. Let me say that I do not doubt that there have been "problems" under truth in lending on these loans—as there have been, also, on many, many other types of transactions covered by truth-in-lending disclosure requirements.

But to use the argument of the "burden of the paperwork" to exempt college loans from the disclosure law is to ignore the purpose of Truth in Lending. What is all of the "burdensome paperwork" supposed to show? It is supposed to show the true cost of the loan, in terms of an annual percentage rate, including any required charges for credit life insurance or other fees; it is supposed to give the method for computing any penalty for prepayment of the loan; it is supposed to show the amount or method of computing the amount of any penalty for late payments; and provide, to the extent this information is applicable or available, the terms and conditions of the repayments, the total of all such payments, and the total of the finance charge.

INFORMATION THE CONSUMER SHOULD HAVE

In short, Mr. Speaker, the Truth-in-Lending Act is intended to give to the consumer in any transaction covered by the law the full information on the scope of the obligation he is assuming by using some one else's money, in order, primarily, to enable him to shop for credit on the basis of the best terms, just as he is able to shop for quality or quantity of other items by price. There are some important protections for the consumer in the act, including both civil and criminal penalties for deception, omissions, or other violations, and protection against misleading advertising of credit terms. But basically, the act is intended to translate credit charges into comparative terms, through the annual percentage rate, so that the consumer can decide intelligently on the kind of credit terms he wants to accept.

I mention these facts because the position of the administration on this issue seems to be that since the terms of NDEA and insured tuition loans are "prescribed" by the Federal Government, the student borrower really does not need any further "protection." This same argument could be used, just as validly, to exempt all FHA-insured or VA-guaranteed housing loans, all Federal credit union loans, all Farmers Home Administration mortgages, all Production Credit Association agricultural loans, and so forth—and the lenders in those instances, I might say, are every bit as anxious to be free of Truth-in-Lending requirements as the banks extending tuition loans or the colleges extending NDEA loans.

Furthermore, there is hardly any consumer credit or residential mortgage credit transaction of any kind which is not regulated as to its maximum terms or other conditions by the various State laws. The fact that such regulation did not provide consumers with the true facts about the cost of credit, and that credit terms were deceptively expressed and advertised, was among the reasons that led us to decide 3 years ago that we had to enact a Federal Truth-in-Lending Act.

I am, as I said, amazed that an administration which on a Thursday says it wants to encourage the dissemination of consumer information as broadly as possible, the very next day sends up a bill containing a provision which would quietly eliminate truth-in-lending information on loans subsidized by the Government for college students. Are used cars to be next on the administration's truth-in-lending repeal list, perhaps as a proposed amendment to the National Traffic and Motor Vehicle Safety Act of 1966, to be referred to the Committee on Interstate and Foreign Commerce?

FEDERAL RESERVE BOARD MADE SPECIAL PROVISIONS FOR COLLEGE LOANS IN TRUTH IN LENDING REGULATION Z

Mr. Speaker, it is admittedly impossible for the banks or colleges issuing subsidized loans to college students to comply with all of the requirements of the Federal Reserve Board's regulation Z as it applies to most other types of loans because of certain imponderables in the college loan contractual arrangement—for instance, uncertainties as to when the repayments will start, how many payments will be necessary, how long a period it will take to repay the loan, and thus what the total of the payments will be and the total amount of the finance charge. The Federal Reserve Board recognized these imponderables on the college loans in drafting regulation Z, and expressly waived the necessity for disclosing such information "on interim student loans made pursuant to federally insured student loan programs under Public Law 89–329, title IV, part B of the Higher Education Act of 1965 as amended."

On June 10, 1969, 21 days before the Truth-in-Lending Act went into effect, the Board issued a special interpretation stating that the above waiver also applied to "other student loans of the same type, including those made to students under federally supported loan programs or programs of loan guarantee, administered by or under agreement with the U.S. Department of Health, Education, and Welfare." The Board added:

> In all of such cases, however, all disclosures must be made prior to the time the final note is executed or repayment schedule is agreed upon.

This assurance of eventual full disclosure to the student would be repealed by section 422 of the administration's new higher education bill. So would be repealed, also, the requirement that in advertising the availability of student loans, the lenders may not use the deceptively small "discount" rate as the "interest rate"—an abuse which was common throughout the consumer credit industry before Truth in Lending, and is still too common in oral statements made by bankers and other lenders when one first inquires about the cost of a loan.

No, Mr. Speaker, I certainly do not think that the cause of dissemination of consumer information would be advanced by repealing the coverage of Truth in Lending over college loans. Apparently, the Federal Reserve does not think so either, for despite criticisms made to the Fed by the Office of Education of the disclosure requirements, the Fed has not recommended to Congress any such change in the Truth-in-Lending Act. If a college student is to learn about the true costs of credit—and the Federal Reserve has recommended that courses in the use of credit and in understanding credit costs be included in the schools if these concepts are ever to be well understood by the mass of the people—what better time to learn at first hand what credit really costs him than when taking out the biggest loan a student has ever assumed?

MANY COLLEGE LOANS MADE AT 18 PERCENT

I first became alerted to the Office of Education position on truth-in-lending disclosures on college loans when a constituent recently complained to me about his difficulties in straightening out his account with a commercial college loan firm operating as the Tuition Plan, Inc. These are not Government insured or subsidized loans; they are entered into privately, under arrangements made by or participated in or encouraged by some of the colleges. The annual percentage rate on such loans issued in 1968, according to the forms my constituent received in taking out a loan at that time, was 18 percent, compared to the 3- or 6-percent rate on NDEA loans and the 7 percent—plus subsidy to the banks—on federally insured tuition loans. I find it amazing that parents can be sold on college tuition loans of $4,000 or $6,000 at an annual percentage rate of 18 percent. In researching this issue, I went through the hearings of the Education Subcommittee in 1969 and 1970 to see if there was any reference to this type of very expensive student loan, and it was there that I found the brief comment from the Office of Education on the "problems" of compliance with truth in lending on the insured and NDEA loans.

SUBCOMMITTEE ON CONSUMER AFFAIRS WILL STUDY ISSUE

If there are, in fact, such problems and they are serious, I am sure they can be worked out, either through amendment to the act, if that is necessary, or by administrative action by the Federal Reserve. It is my intention in the present session to arrange for hearings by the Subcommittee on Consumer Affairs on the whole range of issues presented by the operation of the Consumer Credit Protection Act of 1968, now that the truth-in-lending title has been in operation for 1½ years, the restriction of garnishment title for more than half a year, and the extortionate extension of credit title for nearly 3 years. During such hearings, I am sure the members of the subcommittee which originated the Consumer Credit Protection Act will be more than willing to consider any problems called to our attention under the law. As with any law, this one, of course, requires periodic review and should be changed when the facts warrant.

Hence, I hope, Mr. Speaker, that the Committee on Education and Labor will agree to strike section 422 from the administration's higher education bill so that the committee with proper jurisdiction can look at the facts in connection with the Office of Education views on the applicability of truth in lending to college loans. I am sure all members of the Committee on Banking and Currency will join me in support of our jurisdictional rights on this issue.

In the meantime, I hope college students and their parents are looking at and profiting from the information now being made available to them on all types of college loans under the Truth-in-Lending Act and I would like to hear from some of them whether they feel the information they receive on these loans under the law is of no importance or protection, as the administration has claimed.

DRUG-DEPENDENT PERSONS REHABILITATION ACT OF 1971

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. MURPHY), is recognized for 15 minutes.

Mr. MURPHY of New York. Mr. Speaker, I introduce for appropriate reference a bill to provide new procedures for the civil commitment of drug-dependent persons and to expand the scope of the provisions of titles 18 and 28 of the United States Code relating to the treatment of drug-dependent persons in criminal proceedings, and for other purposes; the Drug-Dependent Persons Rehabilitation Act of 1971.

This is the second in a series of crime bills I announced I would be introducing during the coming weeks.

In January of last year the Congress passed a strong law enforcement oriented drug bill which became the law of the land in October of 1970. I supported that bill because it was necessary to cope with the growing army of young drug users who are being arrested at the rate of one every 5 minutes in the United States.

However, I feel it is now time that the focus of Congress should be on legislation that is directed at the rehabilitation and treatment of the drug addict and the drug abuser.

That is the goal of the legislation I introduce today.

The Narcotic Addict Rehabilitation Act was enacted in 1966 in response to the serious narcotic problem in America during the mid 1960's and represented the first major change in the attitude of the Federal Government toward the treatment and rehabilitation of narcotic addicts.

I was in agreement with the goals of that act and worked for its passage.

The act provided an alternative to imprisonment for heroin addicts either charged with or convicted of certain Federal offenses. It provided for their commitment to treatment and rehabilitation for extended periods of time. The addict was under custody while in a hospital or other institution and supervised aftercare was provided in the community after their release from custody.

In addition, the act established procedures for the voluntary civil commitment of narcotic addicts, who had neither been charged with nor convicted of offenses, but who were in need of treatment for their addiction and could be successfully treated and returned to their communities.

As the legislation was passed, however, it denied some or all of the treatment established under this law to large classes of addicts.

It excluded addicts charged with housebreaking or burglary.

It excluded addicts who had previously

failed under three or more civil commitments.

And it excluded addicts with two or more felony convictions.

The present bill broadens the coverage to include these categories of addicts who are, in the main, most in need of help.

Drugs, by their very nature, make an addict ineffectual and indifferent, unable to hold an honest job. Without legitimate resources he must seek money for his drugs through crime. Traditionally, his loss of drive led him to the easy way out—committing crimes of a nonviolent nature. And crime has always been the principal source of money for the addict and so most genuine addicts have a record of two or three felony convictions.

The trapped, the cornered, the panicked sick addict is one who may resort to violence. That is not to say heroin causes the addict to panic—it is rather the lack of the drug and the threat of withdrawal that causes him to sometimes strike out blindly, hysterically or in a deadly manner. And because there are more addicts today, there are more of them involved in serious crimes.

So it is not unusual for a 19- or 20-year-old addict to have two felony convictions.

Further, there is ample testimony that three prior civil commitments should not prevent an addict from benefiting from treatment the fourth or fifth time around.

Indeed, research shows that the more relapses an addict experiences, the closer he is to ultimate abstinence and rehabilitation.

Addiction is a chronic disease where relapse is the expected rather than the exceptional behavior. We know that every relapse may bring the addict closer to ultimate rehabilitation. And we know that with proper help, addicts tend to grow out of their dependence on drugs as they get older.

Even more important, however, since treatment programs for addicts differ throughout the country, both in nature and quality, and since all such programs can be expected to improve as we gain more experience, failure under any program in the past should not deny an addict the improved treatment methods of the future.

Now that the NARA has been in operation for a period of time, we have received increasingly more evidence that the original restrictions often exclude those very addicts who could obtain the greatest benefit from the treatment offered under the act.

Because of those early restrictions, the act has been called self-defeating and the criteria for eligibility has been termed "absurd" by recent witnesses before Congress.

Let me emphasize this by pointing out that during the first 21 months the act was in operation, only 74 addicts were civilly committed under title I in lieu of prosecution.

This is the record of a law that was hailed as a "breakthrough" in our efforts to treat addicts.

I think it is a sorry record when we consider the fact that there may be as many as 100,000 heroin addicts in the United States.

This revision of the Narcotic Addict Rehabilitation Act is of great significance. When the original act was passed, I was concerned over the features I have just described which I consider inimical to its success. After having reviewed the performance of this program and after discussing it with those who know its operation intimately, I think this is the appropriate time to replace it with a new progressive program.

I believe the changes contained in the bill I propose today will improve the treatment of narcotic addicts not only at the Federal level, but in the entire Nation.

It will do so because it will set an example for the States to follow.

As my colleagues will recall, the Narcotic Addict Rehabilitation Act of 1966 contained four titles:

First. The first title provided for the civil commitment and rehabilitation of narcotic addicts in lieu of prosecution of the charges against the addict;

Second. The second title provided for sentencing to commitment for the treatment of addicts in lieu of sentencing to a penal institution;

Third. The third title provided for the voluntary civil commitment of addicts who were not charged with nor convicted of offenses; and

Fourth. The fourth title provided for rehabilitation and posthospitalization, aftercare programs, and for assistance to States and localities.

The legislation that I now offer would expand the scope of coverage of drug abusers by not only including narcotic addicts, that is, those addicted to the opiate drugs including heroin, but also persons dependent upon the depressant and stimulant drugs, including the pep pills—amphetamines—the goofballs—barbiturates—and the hallucinogens such as marihuana and LSD.

If this bill is adopted, persons either charged with or convicted of Federal offenses, or even persons not charged, would be eligible for Federal treatment and rehabilitation programs for their dependence upon the barbiturates—doctors at the Federal narcotic hospitals indicate that they have more problems with physical withdrawal of many barbiturate addicts than with those addicted to the opiates—or any one or a combination of the other drugs including the depressants, stimulants, and hallucinogens.

There is a myriad of drug abuse existin the United States and persons not only become addicted to narcotics, but become physically and psychologically dependent upon a wide range of drugs.

It is only logical then to change the Federal law and to open up our programs of hospitalization, treatment and rehabilitation to those who have fallen victim to any of the various types of drug abuse, not just heroin or opiate addiction.

This is true because basically these individuals share the same deficiencies and problems.

Estimates of the abuse of these drugs vary, but if only 10 percent of the 12 million Americans who have tried marihuana become habituated to its use, then we have a serious problem. The same is true with regard to the millions of individuals who are abusers of the depressant and stimulant drugs.

In any case, physical withdrawal can be achieved in a relatively short time. The far more serious problem is psychological or emotional dependence which is shared by all types of drug dependent persons.

It may be true that more property crimes are committed by hard narcotics abusers because of their intense craving for the drug, but such crimes are not unknown among other drug users. This means treating all drug users will reduce more crime than just treating one category of narcotic offenders.

I propose further to broaden the law's coverage to provide that persons with two prior felony convictions and three previous civil commitments could be eligible for treatment and rehabilitation under titles I and II of the act for the reasons I have outlined.

This means that hundreds of drug dependent persons presently excluded from coverage under this act would have medical treatment made possible.

I would delete from the definition of crime of violence, as in the current law, the offenses of housebreaking and burglary.

These are fundamentally property crimes which comprise the bulk of offenses committed by addicts.

Many Members of both Houses fought these exclusionary provisions when the statute was under consideration.

Subsequent events have proven that these provisions were mistakes. The amendments I introduce today are consistent with the medical view that many addicts who are treatable are eliminated from treatment.

A further desirable feature of my bill allows a person to be eligible for civil commitment in lieu of prosecution if he is charged with the sale of dependent drugs for his own personal use. This is completely in line with the provisions of the recently enacted Comprehensive Drug Prevention and Control Act of 1970.

There are compelling reasons for expanding the facilities for the treatment of drug dependent persons.

Recent testimony before Congress indicates that in the neighborhood of only 50 percent of the people committed under the Narcotic Addict Rehabilitation Act can be retained for treatment because of a shortage of staff and facilities.

Dr. Stanley F. Yolles, the former Director of the National Institute of Mental Health claims that the capabilities of the two main treatment centers at Lexington, Ky., and Fort Worth, Tex., are chronically overtaxed.

Yet, the estimates of the Institute show that increasingly more addicts will be committed to treatment in the years to come.

The total number of committed narcotic addicts alone is expected to surpass the 10,000 mark by 1975. This compares to only 2,438 patients committed under this law in 1970, the bulk of whom were nonoffenders. The offender addicts were denied treatment because of the reasons I have just set forth.

That is why I have provided that not only facilities and programs of the Public Health Service be utilized but that other facilities, either approved or established by the Secretary of Health, Education, and Welfare, be used for the treatment of all drug dependent persons.

This law should reach the largest possible number of drug dependent persons in the Nation who can benefit from treatment.

That is why I want to make more people eligible.

And the facilities to treat them should be made available.

That is why I have provided for an expansion of the service available for such treatment.

Since supplying such a program for drug dependent offenders is the most effective approach to the drug problem, I hope this bill will receive strong support from my colleagues in both Houses.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mrs. Sullivan, for 30 minutes, today, and to revise and extend her remarks and include extraneous matter.

(The following Members (at the request of Mr. Badillo), to revise and extend their remarks and to include extraneous matter:)

Mr. Murphy of New York, today, for 15 minutes.

Mr. Gonzalez, today, for 10 minutes.

Mr. Reuss, today, for 15 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Edmondson and to include extraneous matter in three instances.

(The following Members (at the request of Mr. Keating), and to include extraneous matter:)

Mr. Broomfield.
Mr. Broyhill of Virginia in five instances.
Mr. Hastings.
Mr. Steiger of Wisconsin in two instances.
Mr. Hosmer in five instances.
Mr. Derwinski.
Mr. Steiger of Arizona in two instances.
Mr. Keating.
Mr. Miller of Ohio in two instances.
Mr. Bob Wilson.
Mr. Sandman in two instances.
Mr. McCollister in three instances.
Mr. Collier in five instances.
Mr. Springer.
Mr. Schmitz.
Mr. Schwengel in two instances.
Mr. Clancy.
Mr. Zwach.
Mr. Horton.
Mr. Quillen in four instances.

(The following Members (at the request of Mr. Badillo), and to include extraneous matter:)

Mr. St Germain.
Mr. Culver in five instances.
Mr. Scheuer.
Mr. Mahon in two instances.
Mr. Foley in two instances.
Mr. Gaydos in four instances.
Mr. Abourezk in three instances.
Mr. Drinan.
Mr. Bingham in two instances.
Mr. Gonzalez in two instances.
Mr. Sarbanes in three instances.
Mr. Anderson of California in two instances.
Mr. Dingell in four instances.
Mr. Udall in 10 instances.
Mr. Rarick in three instances.
Mr. William D. Ford.
Mr. Evins of Tennessee.
Mr. O'Neill in four instances.
Mr. Griffin in two instances.

ADJOURNMENT

Mr. BADILLO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 7 minutes p.m.), under its previous order, the House adjourned until Monday, March 8, 1971, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

356. A communication from the President of the United States, transmitting a request for supplemental appropriations for the fiscal year 1971 for the Occupational Safety and Health Review Commission, Department of Health, Education, and Welfare (H. Doc. No. 92–60); to the Committee on Appropriations and ordered to be printed.

357. A letter from the Secretary of the Air Force, transmitting a report of the facts and justification for the proposed closure of Clinton County Air Force Base, Ohio, and Perrin Air Force Base, Tex., pursuant to section 613, Public Law 89–568; to the Committee on Armed Services.

358. A letter from the Assistant Secretary of the Interior, transmitting a copy of an application for a loan by the Roy Water Conservancy Subdistrict of Roy, Utah, pursuant to section 4(c) of the Small Reclamation Projects Act; to the Committee on Interior and Insular Affairs.

359. A letter from the Secretary of Health Education, and Welfare, transmitting a draft of proposed legislation to amend the Public Health Service Act so as to provide for new health manpower educational initiatives, increase the level of financial assistance to health professions schools and other institutions training health personnel, and for other purposes; to the Commitee on Interstate and Foreign Commerce.

360. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Public Health Service Act to provide assistance and encouragement for the establishment and expansion of health maintenance organizations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

361. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States, pursuant to section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

362. A letter from the Chairman, the Renegotiation Board, transmitting a draft of proposed legislation to extend and amend the Renegotiation Act of 1951, and for other purposes; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of Alabama:

H.R. 5590. A bill to incorporate the Gold Star Wives of America; to the Committee on the Judiciary.

By Mr. BETTS (for himself, Mr. Collier, Mr. Conable, and Mr. Steele):

H.R. 5591. A bill to restore balance in the federal system of government in the United States; to provide both the flexibility and resources for State and local government officials to exercise leadership in solving their own problems; to achieve a better allocation of total public resources; and to provide for the sharing with State and local governments of a portion of the tax revenue received by the United States; to the Committee on Ways and Means.

By Mr. BROWN of Ohio (for himself, Mr. Hays, Mr. Keating, Mr. Miller of Ohio, Mr. Mosher, Mr. Powell, Mr. J. William Stanton, Mr. Vanik, Mr. Whalen, and Mr. Wylie):

H.R. 5592. A bill to authorize the Secretary of the Interior to establish and operate a National Museum and Repository of Negro History and Culture at or near Wilberforce, Ohio; to the Committee on Education and Labor.

By Mr. BROYHILL of Virginia:

H.R. 5593. A bill to amend the act of July 1, 1902, to exempt certain common carriers of passengers from the District of Columbia mileage tax imposed by that act and from certain other District of Columbia taxes; to the Committee on the District of Columbia.

By Mr. CARNEY:

H.R. 5594. A bill to terminate the airlines mutual aid agreement; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTER:

H.R. 5595. A bill to authorize the U.S. District Court for the Eastern District of Kentucky to hold court at Pineville, Ky; to the Committee on the Judiciary

By Mr. FASCELL:

H.R. 5596. A bill to assist school districts to meet special problems incident to desegregation, and to the elimination, reduction, or prevention of racial isolation, in elementary and secondary schools, and for other purposes; to the Committee on Education and Labor.

By Mr. HALPERN:

H.R. 5597. A bill to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. HARSHA:

H.R. 5598. A bill to amend the Internal Revenue Code of 1954 to provide a basic $5,000 exemption from income tax for amounts received as annuities, pensions, or other retirement benefits to the Committee on Ways and Means.

By Mr. HOSMER (for himself, Mr. Kyl, Mr. Steiger of Arizona, Mr. Don H. Clausen, Mr. Ruppe, Mr. Camp, Mr. McKevitt, Mr. Terry, Mr. Gerald R. Ford, Mr. Bob Wilson, Mr. Widnall, Mr. Blackburn, Mr. Vander Jagt, and Mr. Coughlin):

H.R. 5599. A bill to amend the Land and Water Conservation Fund Act of 1965, as amended; to the Committee on Interior and Insular Affairs.

By Mr. HUNT:

H.R. 5600. A bill to require the suspension of Federal financial assistance to colleges and universities which are experiencing campus disorders and fail to take appropriate corrective measures forthwith and to require the suspension of Federal financial assistance to teachers participating in such disorders; to the Committee on Education and Labor.

H.R. 5601. A bill to clarify the application of section 1073 of title 18, United States Code; to the Committee on the Judiciary.

H.R. 5602. A bill to amend chapter 207 of title 18 of the United States Code to authorize conditional pretrial release or pretrial detention of certain persons who have been charged with noncapital offenses, and for other purposes; to the Committee on the Judiciary.

H.R. 5603. A bill to amend title 18 of the United States Code to make it unlawful to assault or kill any member of the armed services engaged in the performance of his official duties while on duty under orders of the President under chapter 15 of title 10 of the United States Code or paragraphs (2) and (3) of section 3500 of title 10 of the United States Code; to the Committee on the Judiciary.

H.R. 5604. A bill to provide that the Secretary of the Treasury shall not disclose to the public the names and addresses of certain persons licensed as collectors of firearms and ammunition, and for other purposes; to the Committee on the Judiciary.

H.R. 5605. A bill to amend section 4182 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. KOCH:

H.R. 5606. A bill for the relief of Soviet Jews; to the Committee on the Judiciary.

By Mr. KOCH (for himself and Mr. Halpern):

H.R. 5607. A bill to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. McFALL (for himself, Mr. Blatnik, and Mr. Skubitz):

H.R. 5608. A bill to amend the Public Works Acceleration Act to make its benefits available to certain areas of extra high unemployment, to authorize additional funds for such act, and for other purposes; to the Committee on Public Works.

By Mr. MILLER of Ohio:

H.R. 5609. A bill to modify ammunition recordkeeping requirements; to the Committee on Ways and Means.

By Mr. MILLS:

H.R. 5610. A bill to amend the Vocational Rehabilitation Act to provide for the establishment of a national comprehensive regional rehabilitation center for low (under) achieving deaf; to the Committee on Education and Labor.

By Mr. MINSHALL:

H.R. 5611. A bill to establish a commission to review U.S. antitrust laws; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 5612. A bill to provide new procedures for the civil commitment of drug-dependent persons and to expand the scope of the provisions of titles 18 and 28 of the United States Code relating to the treatment of drug-dependent persons in criminal proceedings, and for other purposes; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 5613. A bill to amend the Truth in Lending Act to protect consumers against careless and unfair billing practices, and for other purposes; to the Committee on Banking and Currency.

By Mr. STAGGERS (for himself and Mr. Springer):

H.R. 5614. A bill to amend the Public Health Service Act so as to provide for new health manpower educational initiatives, increase the level of financial assistance to health professions schools and other institutions training health personnel, improve the distribution and increase the supply of health personnel, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5615. A bill to amend the Public Health Service Act to provide assistance and encouragement for the establishment and expansion of health maintenance organizations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of California:

H.R. 5616. A bill to amend the National Flood Insurance Act of 1968 to provide protection thereunder against losses resulting from earthquakes and earthslides; to the Committee on Banking and Currency.

By Mr. TEAGUE of California (for himself, Mr. Gettys, and Mr. Roe):

H.R. 5617. A bill to provide for a Federal ecological preserve in a portion of the Outer Continental Shelf in the Santa Barbara Channel and to provide for a moratorium on drilling operations pending the ability to control and prevent pollution by oil discharges and to improve the state of the art with respect to oil production from the submerged lands, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BOB WILSON:

H.R. 5618. A bill to permit immediate retirement of certain Federal employees; to the Committee on Post Office and Civil Service.

By Mr. BARRETT:

H.R. 5619. A bill to amend the Internal Revenue Code of 1954 to provide that the first $5,000 of the income of an individual who is over 65 years of age shall be exempt from income tax; to the Committee on Ways and Means.

By Mr. BEGICH:

H.R. 5620. A bill to authorize the conveyance of certain property to the city of Nome, Alaska; to the Committee on Armed Services.

H.R. 5621. A bill to amend section 2634 of title 10, United States Code, relating to the shipment at Government expense of motor vehicles owned by members of the Armed Forces; to the Committee on Armed Services.

H.R. 5622. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus personal property to State fish and wildlife agencies; to the Committee on Government Operations.

H.R. 5623. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes; to the Committee on Government Operations.

H.R. 5624. A bill to authorize the Secretary of the Interior to convey to the city of Anchorage, Alaska, interests of the United States in certain lands; to the Committee on Interior and Insular Affairs.

H.R. 5625. A bill to authorize the Secretary of the Interior to convey certain land to the city of Anchorage, Alaska; to the Committee on Interior and Insular Affairs.

H.R. 5626. A bill to authorize the establishment of the Old Kodiak National Historic site in the State of Alaska, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5627. A bill to provide for the establishment of the post cemetery at Fort Richardson, Alaska, as a national cemetery; to the Committee on Veterans' Affairs.

By Mr. BROYHILL of Virginia (for himself and Mr. Gude):

H.R. 5628. A bill to provide for public ownership of the mass transit bus system operated by D.C. Transit System, Inc.; and other private but transit companies engaged in scheduled regular route operations in the Washington metropolitan area, and for other purposes; to the Committee on the District of Columbia.

By Mr. CARTER:

H.R. 5629. A bill to establish a diversion program for burley tobacco, and for other purposes; to the Committee on Ways and Means.

By Mr. ECKHARDT (for himself, Mr. Moss, Mr. Symington, Mr. Dingell, Mr. Van Deerlin, Mr. Murphy of New York, Mr. Adams, Mr. Rooney of Pennsylvania, Mr. Tiernan, Mr. Podell, Mr. Helstoski, Mr. Carney, Mr. Metcalfe, Mr. Roy, Mr. Rosenthal, Mrs. Sullivan, Mr. Kastenmeier, Mr. Edwards of California, Mr. Mikva, Mr. Scheuer, Mr. Conyers, Mr. Corman, Mr. Burton, Mrs. Griffiths, and Mr. Udall):

H.R. 5630. A bill to provide implementation of the Federal Trade Commission Act to give increased protection to consumers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ECKHARDT (for himself, Mr. Mitchell, Mr. Minish, Mr. Abourezk, Mr. Clay, Mr. Badillo, Mr. Miller of California, Mr. Roybal, Mr. Hathaway, Mr. Dellums, Mrs. Abzug, Mr. William D. Ford, Mr. Ryan, Mr. Sarbanes, Mr. Karth, Mr. Bingham, Mr. Brademas, Mr. Fraser, Mr. Hawkins, Mr. Leggett, Mrs. Mink, Mr. Rees, Mr. Harrington, Mr. Jacobs, and Mr. Waldie):

H.R. 5631. A bill to provide implementation of the Federal Trade Commission Act to give increased protection to consumers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ECKHARDT (for himself, Mr. Nedzi, Mr. Thompson of New Jersey, Mr. Riegle, Mr. Reid of New York, Mr. Gray, Mr. Drinan, Mr. Diggs, Mr. Davis of Georgia, Mr. Koch, Mr. Brasco, Mr. Eilberg, Mr. Charles H. Wilson, and Mrs. Chisholm):

H.R. 5632. A bill to provide implementation of the Federal Trade Commission Act to give increased protection to consumers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GONZALEZ:

H.R. 5633. A bill to establish a national program of monthly children's allowances; to the Committee on Ways and Means.

By Mr. GRAY:

H.R. 5634. A bill to amend the Public Buildings Act of 1959 as it applies to public buildings for use by the U.S. Postal Service, and for other purposes; to the Committee on Public Works.

By Mr. GRAY (for himself and Mr. Broyhill of Virginia):

H.R. 5635. A bill to amend section 8 of the Public Buildings Act of 1959 to require the preparation of a proposal for a convention center-sports arena to be located within the District of Columbia; to the Committee on Public Works.

By Mr. KOCH:

H.R. 5636. A bill to amend title II of the Social Security Act to provide a 50-percent across-the-board increase in benefits thereunder, and to raise the amount of outside earnings which a beneficiary may have without suffering deductions from his benefits; to the Committee on Ways and Means.

By Mr. LENT:

H.R. 5637. A bill to amend title 39, United States Code, as enacted by the Postal Reorganization Act, to prohibit the mailing of unsolicited samples of cigarettes; to the Committee on Post Office and Civil Service.

By Mr. McMILLAN:

H.R. 5638. A bill to extend the penalty for assault on a police officer in the District of Columbia to assaults on firemen, to provide criminal penalties for interfering with firemen in the performance of their duties, and for other purposes; to the Committee on the District of Columbia.

By Mr. MATSUNAGA:

H.R. 5639. A bill to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MIKVA (for himself, Mr. Aspin, Mr. Badillo, Mr. Clay, Mr. Corman, Mr. Dellums, Mr. Dent, Mr. Drinan, Mr. Eckhardt, Mr. Edwards of California, Mr. Fraser, Mr. Frenzel, Mr. Forsythe, Mrs. Grasso, Mr. Green of Pennsylvania, Mr. Halpern, Mr. Harrington, Mr. Helstoski, and Mr. Leggett):

H.R. 5640. A bill to protect the political rights and privacy of individuals and organizations and to define the authority of the Armed Forces to collect, distribute, and store information about civilian political activity; to the Committee on Armed Services.

By Mr. MIKVA (for himself, Mr. Mitchell, Mr. Moorhead, Mr. Morse, Mr. Moss, Mr. Pepper, Mr. Podell, Mr. Rangel, Mr. Rees, Mr. Roncalio, Mr. Rosenthal, Mr. Roybal, Mr. Scheuer, Mr. Schwengel, Mr. Stokes, Mr. Tiernan, Mr. Udall, Mr. Yates, and Mrs. Abzug):

H.R. 5641. A bill to protect the political rights and privacy of individuals and organizations and to define the authority of the Armed Forces to collect, distribute, and store information about civilian political activity; to the Committee on Armed Services.

By Mr. OBEY:

H.R. 5642. A bill to protect the public health and welfare by providing for the inspection of imported dairy products and by requiring that such products comply with certain minimum standards for quality and wholesomeness; to the Committee on Agriculture.

By Mr. ROBERTS:

H.R. 5643. A bill to provide for the conveyance of certain real property of the Federal Government to the county of Grayson, Tex.; to the Committee on Armed Services.

By Mr. ROUSH (for himself, Mr. Alexander, Mr. Aspin, Mr. Badillo, Mr. Begich, Mr. Bingham, Mr. Brademas, Mr. Brooks, Mr. Brown of Michigan, Mr. Buchanan, Mr. Byrne of Pennsylvania, Mr. Cleveland, Mr. Dellenback, Mr. Fraser, Mr. Fulton of Tennessee, Mr. Giaimo, Mrs. Grasso, Mr. Hamilton, Mr. Hechler of West Virginia, and Mrs. Hicks of Massachusetts):

H.R. 5644. A bill to provide Federal assistance to State and local governments for the purpose of developing and improving communication procedures and facilities with respect to the prompt and efficient dispatch of police, fire, rescue, and other emergency services; to the Committee on the Judiciary.

By Mr. ROUSH (for himself, Mr. Hillis, Mr. Holifield, Mr. Hosmer, Mr. Jacobs, Mr. Link, Mr. Mazzoli, Mr. Matsunaga, Mr. McCormack, Mr. Mann, Mr. Meeds, Mr. Mikva, Mr. Mosher, Mr. Obey, Mr. Roe, Mr. St Germain, Mr. Steele, Mr. Vanik, Mr. Whitehurst, Mr. Charles H. Wilson, Mr. Wolff, and Mr. Zwach):

H.R. 5645. A bill to provide Federal assistance to State and local governments for the purpose of developing and improving communication procedures and facilities with respect to the prompt and efficient dispatch of police, fire, rescue, and other emergency services; to the Committee on the Judiciary.

By Mr. VANDER JAGT (for himself, Mr. Abourezk, Mr. Anderson of Illinois, Mr. Anderson of Tennessee, Mr. Barrett, Mr. Brademas, Mr. Brown of Michigan, Mr. Carter, Mr. Cederberg, Mr. Clark, Mr. Cleveland, Mr. Collins of Illinois, Mr. Coughlin, Mr. Dingell, Mr. Duncan, Mr. Eckhardt, Mr. Esch, Mr. Fisher, Mrs. Grasso, Mr. Halpern, Mr. Harrington, Mr. Lent, Mr. Mikva, Mr. Miller of Ohio, and Mr. Morse):

H.R. 5646. A bill to encourage States to establish abandoned automobile removal programs and to provide for tax incentives for automobile scrap processing; to the Committee on Ways and Means.

By Mr. VANDER JAGT (for himself, Mr. Moss, Mr. Rees, Mr. Sandman, Mr. Saylor, Mr. Slack, Mr. Steele, Mr. Teague of California, Mr. Thompson of Georgia, Mr. Thone, Mr. Widnall, Mr. Williams, Mr. Myers, Mr. Nedzi, and Mr. Railsback):

H.R. 5647. A bill to encourage States to establish abandoned automobile removal programs and to provide for tax incentives for automobile scrap processing; to the Committee on Ways and Means.

By Mr. VEYSEY:

H.R. 5648. A bill to authorize the Secretary of the Interior to engage in a feasibility study of the Salton Sea project, California; to the Committee on Interior and Insular Affairs.

By Mr. WHITEHURST:

H.R. 5649. A bill to provide an equitable system for fixing and adjusting the rates of pay for prevailing-rate employees of the Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5650. A bill to amend the Internal Revenue Code of 1954 to provide that the first $5,000 received as civil service retirement annuity from the United States or any agency thereof shall be excluded from gross income; to the Committee on Ways and Means.

H.R. 5651. A bill to amend the Internal Revenue Code of 1954 and title II of the Social Security Act to provide a full exemption (through credit or refund) from the employees' tax under the Federal Insurance Contributions Act, and an equivalent reduction in the self-employment tax, in the case of individuals who have attained age 65; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON:

H.R. 5652. A bill to amend title 5 of the United States Code to provide that for purposes of unemployment compensation the States shall treat accrued leave of ex-servicemen as wages for past services; to the Committee on Post Office and Civil Service.

By Mr. ZWACH:

H.R. 5653. A bill Newsmen's Privilege Act of 1971; to the Committee on the Judiciary.

By Mr. ARCHER (for himself, Mr. Blackburn, Mr. Camp, Mr. Collins of Texas, Mr. Lujan, Mr. Mann, Mr. Pike, Mr. Sebelius, and Mr. Williams):

H.J. Res. 441. Joint resolution proposing an amendment to the Constitution of the United States requiring the submission of balanced Federal funds budgets by the President and action by the Congress to provide revenues to offset Federal funds deficits; to the Committee on the Judiciary.

By Mr. DOW:

H. Con. Res. 195. Concurrent resolution regarding persecution of Jews in Russia; to the Committee on Foreign Affairs.

By Mr. KLUCZYNSKI:

H. Res. 273. Resolution to provide funds for expenses incurred under activities authorized by House Resolution 242; to the Committee on House Administration.

By Mr. ICHORD:

H. Res. 274. Resolution authorizing the expenditure of certain funds for the expenses of the Committee on Internal Security; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 5654. A bill for the relief of Francesca and Lycia Palminteri; to the Committee on the Judiciary.

By Mr. BEGICH:

H.R. 5655. A bill to convey the interest of the United States in certain property in Fairbanks, Alaska, to Hillcrest, Inc.; to the Committee on Interior and Insular Affairs.

H.R. 5656. A bill for the relief of Albert G. Feller and Flora Feller; to the Committee on the Judiciary.

H.R. 5657. A bill for the relief of William D. Pender; to the Committee on the Judiciary.

H.R. 5658. A bill for the relief of the widow and children of Thomas Pillifant; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 5659. A bill for the relief of Silvia del Socorro Arroyo de Lugo; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 5660. A bill for the relief of Jean-Yves Dejax; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 5661. A bill for the relief of Anthony and Carolina Monaco, and their daughters, Lucia Monaco and Patricia Monaco; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 5662. A bill for the relief of Honesto M. Magdirila; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 5663. A bill for the relief of Mr. and Mrs. Giovanni Bagnato; to the Committee on the Judiciary.

H.R. 5664. A bill for the relief of Francesco Parinisi; to the Committee on the Judiciary.

By Mr. HOGAN:

H.R. 5665. A bill for the relief of Benjamin Nery Bueno; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 5666. A bill for the relief of Walter L. and Thelma M. Bossard; to the Committee on Interior and Insular Affairs.

By Mr. ROSTENKOWSKI:

H.R. 5667. A bill for the relief of Lidia Teresa Zrobion; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.R. 5668. A bill for the relief of Capt. Ronald W. Grout, U.S. Air Force; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

41. The SPEAKER presented a memorial of the Legislature of the State of Vermont, relative to family assistance programs, which was referred to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

DO TAX INCENTIVES STOP POLLUTION?

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. ROBISON of New York. Mr. Speaker, I include in the RECORD an article which recently appeared in the American Bar Association Journal which is highly critical of using tax incentives to encourage pollution control by industry. The article, "Tax Incentives Don't Stop Pollution," was written by Arnold W. Reitze and Glenn Reitze and offers an interesting and not overly complex analysis of the merits of such tax incentives.

I bring this article to the attention of my colleagues because it questions the "conventional wisdom" that we can secure pollution abatement if we make it attractive enough to industry to install such equipment as is necessary. If this article is accurate—and I lack the expertise to so evaluate it—then we must take another look at those methods which we are relying on to halt the spread of pollution.

The article follows, and I commend it to the attention of my colleagues for their consideration and analysis:

[From the American Bar Association Journal, February 1971]

TAX INCENTIVES DON'T STOP POLLUTION

(By Arnold W. Reitze and Glenn Reitze)

The stick is more effective than the carrot: No man will spend $10 to bring himself a benefit simply because the government promises to return $5. Tax incentives are fiscal carrots. They are extremely expensive, but soft on pollution.

Until now the state and federal pollution control programs have been a disappointment to those who seek some improvement in our air and water.[1] Nevertheless, several thousand bills pertaining to pollution control have been introduced in Congress and state legislatures during the past several years.[2] Many of them offer little to control pollution; rather they extend tax incentives as rewards to polluters.[3]

In theory, these rewards eliminate pollution. In practice, they are ineffective and in many cases even discourage pollution control by promoting expenditures for the wrong things at a substantial cost to the public. In addition, government agencies that should be enforcing current pollution control regulations must devote their energies to processing increasing quantities of tax incentive applications.[4]

The federal law containing the major specific tax incentive for pollution control was passed in 1969, when the Tax Reform Act added Section 169 to the Internal Revenue Code. That section permits rapid (sixty-month) depreciation allowances for pollution-control hardware.

The bill's predecessor, no longer in effect for new investments, was Section 38 of the Internal Revenue Code, added in 1962. This section permitted a deduction directly from a firm's taxes of 7 per cent of the expenditure for pollution-control equipment, subject to certain varying restrictions.[5]

According to one authority, by March, 1970, at least thirty-one states had placed antipollution incentive provisions in one or more of their principal revenue-producing laws.[6]

All these incentive provisions, state and federal, provide rapid depreciation or forgiveness from property, income, sales and use, or franchise taxes. Their one key effect is to shift the cost of compliance with government pollution limitations from individual polluters to the taxpayer.

In addition, there apparently is widespread misuse (permitted by lax or overworked government officials) of tax incentive laws to purchase equipment that does not serve to improve the environment. A substantial part of the pollution control equipment being sold today and receiving tax credit reportedly is used to clean water coming into a plant for use in manufacturing rather than for controlling waste discharges.[7]

Tax incentives of this sort—which reward rather than punish those receiving the incentive (the latter may be referred to as negative tax incentives or tax penalties)—obviously cut government revenue. The key to determining the value of positive tax incentives, therefore, lies in evaluating the benefits to be gained by the government (public) in return for revenue lost.

Benefits that would be gained regardless of the tax incentive clearly must be excluded from the list of benefits gained in exchange for the loss. Thus, pollution expenditures made to comply with federal, state and local health or pollution laws cannot be considered public benefits gained by granting tax incentives, although businesses received that aid. This clarification will permit many a tax incentive to be seen for what it is—a subsidy rather than an exchange of tax forgiveness for desired behavior.[8]

The potential cost of even the present federal tax incentive programs for pollution control, if maintained, is immense, but it is virtually impossible to estimate with precision. Government officials predict expenditures by industry in the next five years of $3.3 billion for water pollution control, another $2 billion for thermal pollution prevention and $2.6 billion for control of four major air pollutants in one hundred metropolitan areas.[9] Additional solid waste disposal expenditures can bring the total to $10 billion.

These estimates are comparatively conservative. Yet, even without additional federal tax incentive legislation of this sort, the Federal Government's revenue loss with those expenditures could be a billion dollars per year.[10] The loss to state governments, with their many similar laws, is not included. For example, the loss of revenue to Ohio from air pollution exemptions alone in 1970 is estimated to be $6.3 million, according to the Research and Statistics Section of the Ohio Department of Taxation.

Other estimates of industry expenditures for pollution control equipment during the next five years center around $32 billion.[11] Bank of America Senior Vice President Alan K. Brown recently put the figure at $80 billion to $95 billion.[12]

The public sector loss, even under the low ($1 billion annual) federal tax loss estimate, is about eleven times what the Department of Health, Education, and Welfare spends on all its air pollution control programs ($94.2 million).[13]

Even if we accept the projected federal revenue loss of $115 million in 1974, as estimated by the Senate Finance Committee in its report to accompany the Tax Reform Act of 1969, we still have a considerable loss when compared with federal antipollution expenditures.[14] But this estimate is based on a level of expenditure that would never control pollution.

Despite their cost, tax incentives fail to control pollution. The most basic reasons are five:

1. Unprofitability. They fail to give an incentive to invest in nonproductive facilities regardless of the lessened cost of those facilities.

2. Badly Aimed. As used today, they give credit for physical devices that often are only a small part of pollution control (switching fuel can often be far more significant) and give credit for facilities regardless of their effectiveness in controlling pollution.

3. No Public Gain. They pay for pollution control facilities required by other laws, bringing no gain to the public in exchange for the tax loss and lessening funds for governmental pollution control, among other things.

4. Reverse Robin Hood. They increase general taxes through tax burden distribution and provide substantial tax write-offs to wealthy corporations having the least need of public assistance to eliminate their pollution. Yet they fail to aid small and medium-sized companies unable to purchase required pollution control equipment.

5. Pricing Quackery. Because pollutions costs are shifted to the general public, sales prices do not reflect a product's true cost to society. The sales price does not reflect the propensity for environmental harm during a product's manufacture, use or disposal. The true costs to society are masked.

The categories, of course, overlap considerably.

The existence of the philosophy of pollution control through rewards to polluters, moreover, gives rise to a convenient analogy, which may or may not be a key factor, for making additional rewards. An example is the charge in John Esposito's study on air pollution that, when Los Angeles sought more low-sulphur fuel oil, the political price was a change in federal oil import regulations to allow refiners who produce low-sulphur residual fuel oil to import an additional barrel of foreign crude oil for each barrel of low-sulphur residual oil produced. To the oil firms, this reportedly is worth about 90¢ a barrel, and the companies involved thereby gain between $20,000 and $50,000 a day in return for producing the low-sulphur residual fuel for the West Coast states. Slightly less than half this sum, the report added, goes to Union Oil of California and to Atlantic-Richfield for doing precisely what they had been doing all along.[15]

UNPROFITABILITY OF POLLUTION CONTROL AFFECTS INCENTIVES

It is the inherent unprofitability of most pollution control that makes tax incentives meaningless as a method of stimulating investments in it. Labor relations, government regulatory actions, marketing considerations, antitrust problems and a host of other variables play their parts in investment decisions. But these variables should not obscure the fact that tax incentives give no incentive to invest in nonproductive facilities or operations.

For an investment with a productive potential, a tax incentive could reduce the cost so that the potential profit is realized. But very few pollution control investments have any profit potential, and therefore that possibility is remote.

The few profitable pollution control investments have received much publicity. Yet

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Footnotes at end of article.

even this category of pollution-control investment often fails to be made. Company managers by and large seek the highest return on investment, and profitable pollution control investments are rarely the most profitable investment a firm can make.

While few pollution abatement controls will produce any profitable commodity, most tax incentive plans are drafted so that profitable abatement techniques will not qualify. For example, Section 169 (e) states that the federal certifying authority shall not certify any property under Section 169(d) (1)(B) to the extent it appears that by reason of profits derived through recovery of wastes or otherwise in the operation of the property, its costs will be recovered over its actual useful life. In most states the statutory guideline for a tax benefit requires that the facility meet the test that its primary purpose be for pollution control or that it is used exclusively for pollution control purposes.

These tests have virtually nothing to do with developing a good pollution abatement program, for a good program is normally so closely related to the production process that very few expenditures will meet either the primary purpose or the exclusive use test.

It has been pointed out, moreover, that some of the largest companies—especially those in automobiles and oil—behave at times like independent political states rather than simple profit makers. Hence, there is all the more reason to attempt control through regulating behavior rather than by appeals to a profit-making sense through tax burden redistribution.[16]

Devices to protect the health and safety of workers also are usually unprofitable, but government, union and insurance company regulations force their purchase and use, to the general benefit. Devices for the health and safety of the public may be considered in the same category and be imposed by regulations.

The furor over mine safety demonstrates again that some businessmen will not protect their workers' safety and health voluntarily and adequately. Yet few governmental rewards are given for corporate health and safety expenditures. We recognize that inherently unprofitable investments will not be made merely because the government absorbs part of the cost.

If the desire is to encourage industry to use a specific abatement technique or produce some other beneficial response in pollution control, we should utilize a more forthright approach—direct subsidies. We could, at least, more easily review whether the social benefit achieved is worth the public cost.

Businessmen in general respond to this approach less enthusiastically, for the grants must appear in budgets and the cost to the public is made obvious. And happily for some businessmen, tax incentives tend to continue long after the reason for the program has disappeared.[17]

TAX INCENTIVES OFF TARGET; THEIR VALUE IS NIL

The imprecision of tax incentives makes their use for any purpose of doubtful value; in the environmental area, their value appears to be nil. While they do not bring about pollution abatement, they do act to limit and hinder proper control programs for they encourage improper technical responses to pollution problems.

Pollution problems are usually an integral part of the production process. Their control requires a plan carefully integrated into the entire operation of the business. Nearly all industrial pollution can be controlled, and effective control is best managed if the production process is designed to minimize waste.

Some methods of control are to substitute fuels or power sources; substitute raw materials; use different production processes; change the design of the product; capture pollutants before they leave the plant; change disposal practices so as to encourage reclamatoin of waste products; and recycle either waste products or resources used in the productive process.[18]

The most drastic remedy for pollution would be to end production—a remedy that if applied to all pollution sources would have disastrous social and economic repercussions. However, a few products, when balanced against their capacity for environmental destruction, are so marginally useful to society that if they were priced to reflect these necessary pollution abatement costs, they would be priced out of the market. The use of products causing the release of heavy metals such as mercury might be limited by this approach.

TAX INCENTIVES HAVE A FAULTY FOCUS

The tax incentive program is harmful in its focus on capital costs of pollution control rather than the total cost, which includes, in many cases, substantial operating costs.

For example, an electric utility could substitute a cleaner-burning fuel at considerable expense and get no tax benefit except perhaps some small consideration for the costs of converting furnaces to burn a different fuel. However, a company that purchases a precipitator that has marginal total pollution control effectiveness can receive substantial tax benefits. To obtain a tax benefit, there is no legal requirement that an investment reduce pollution; the only requirement is that an investment be made.

Some common control equipment, such as electrostatic precipitators, are extraordinarily expensive. They can cost a million dollars, yet their operating costs are so high that many businesses would resist using them or turning them off in order to save on operating costs even if the Government paid the entire purchase price. This results in a situation in which companies that have spent the money for equipment required by law bypass the equipment at night, on holidays or between inspections in order to save on operating costs. In addition, a failure to make rapid repairs after a breakdown may result in an investment being inoperative much of the time.

The operating costs are such an important component of pollution control that any system of tax incentives must consider the total cost of abatement. By 1975, it is estimated, air pollution costs for operation, maintenance, depreciation and interest will run $1.9 billion.[19] These operating costs have always been tax deductible, yet this does not seem to have aided pollution control efforts.

A tax program that favors "hardware" expenditures encourages poor abatement responses from industry. By holding most of their expenditures not to be qualified for tax benefits, the program unfairly treats those industries that make a serious attempt at pollution control. In addition, there is the problem previously mentioned of possible widespread misuse of equipment purchased under tax exemptions to aid manufacturing, not to abate pollution.

The intimate relation of pollution control to the entire production process means that true pollution control cannot be separated from the total business operation. Here again the analogy to safety programs applies. Employee training, work layout, lighting, etc., is as important to safety as adding protective equipment to a machine.

ROBIN HOOD REVERSED; ROB THE POOR TO HELP THE RICH

The real financial problem in private sector pollution control is the inability of small or inefficient operations to obtain capital to pay for control. Tax incentives do not solve this problem; they benefit only those with capital to invest and income to be sheltered. The companies that can afford pollution controls will benefit.

For example, a $1 million expenditure for an electrostatic precipitator, even if subject to depreciation in sixty months, benefits fully only those businesses with $200,000 of spare income to shelter from taxes. Marginal enterprises get little benefit.

Thus, tax benefits aid the owners of large, successful businesses disproportionately, and their result will be to promote the elimination of small businesses as the costs of required pollution controls rise. A further obvious effect is the promotion of yet more control of our system by those who control the largest industries.

It is questionable whether large polluters need public financial assistance to meet their legal obligations to refrain from imposing pollution on others. But it is clear that the large polluters alone do account for a very large share of total pollution.

The Council on Environmental Quality reported this year:

"The more than 300,000 water-using factories in the United States discharge three to four times as much oxygen-demanding wastes as the sewered population of the United States. Moreover, many of the wastes discharged by industry are toxic.

"The output of industrial waste is growing several times faster than the volume of sanitary sewage. Although there is as yet no detailed inventory of industrial wastes, indications are that over half the volume discharged to water comes from four major industry groups—paper, organic chemicals, petroleum, and steel." [20]

In spite of the flood of publicity, little is spent by industry for pollution control when considered as a function of gross sales or profit.

Esposito, in *Vanishing Air*, explains:

"A February 1970 report by the National Industrial Conference Board indicates that the industry's 1969 capital appropriations for air and water pollution control dropped 56.9 percent below the 1968 appropriation. This reduction from 38 million in 1969, represents a drop in pollution control investments from less than four-tenths of 1 percent of 1968 gross revenues to something less than two-tenths of 1 percent for 1969." [21]

Republic Steel Corporation, the second largest industrial polluter of Lake Erie, according to the Federal Water Quality Administration,[22] in 1969 invested $28 million in pollution control from sales income of more than $1.5 billion created by property, plant and equipment valued at more than $2.25 billion.[23]

General Motors Corporation omitted its research budget for pollution control from its 1969 annual report, but the Esposito book on air pollution relates that G.M.'s official figure is $40 million annually since 1967, or about .17 of 1 per cent of gross sales. This figure is one sixth of G.M.'s annual advertising budget. It is just $13 million more than the $27 million G.M. is spending each year in a ten-year program to change signs at company dealerships.[24]

The justice of rewarding these large firms through tax incentives is at least questionable; nevertheless, it is of only peripheral interest. Rather than argue which tax benefit is "just" or proper, which is an approach that encourages the outpourings of public relations releases from corporations and trade associations, we should focus on the question of whether tax incentives create behavior that results in a reduction in pollution at a cost to the public that has a favorable cost to benefit ratio, judging as William James taught, not by "first things, principles" but by the "last things fruits, consequences, facts".[25]

Footnotes at end of article.

PRICING QUACKERY SHIFTS FINANCIAL BURDEN TO THE PUBLIC

A basic reason for continued pollution is that the polluter shifts to the public, in terms of environmental destruction, the basic production costs that he avoids by not preventing pollution. Tax incentives augment that shift by placing the pollution control burden of business on the general public through tax burden redistribution.

To allow the general public (rather than the individual purchaser of a high pollution propensity product) to absorb pollution control costs is to thwart the function of the marketplace as a place of value exchange. To the extent a polluter can shift costs of control equipment to the general public, his products continue to avoid having their price reflect their pollution effect. Environmentally destructive products are enabled to compete with less harmful products without the market price reflecting their social costs. Because no incentive is provided in the marketplace to minimize pollution at the lowest cost per unit sold, the natural market competitiveness is not utilized to reward the producer who shifts the fewest negative social costs to the public.

Tax incentives such as those discussed also have the capacity to destroy state and local abatement programs. Most states require that the state pollution control board or its tax commission or revenue department, acting on the recommendation of the pollution control board, approve or certify the pollution control facility so as to qualify for the tax benefit,[26] as does the Federal Government.[27]

State agencies have been burdened with the obligation to process not only thousands of applications for exemptions to a variety of state taxes, but also by law they must provide businessmen with certification to meet exemption allowance requirements of Section 169 of the Internal Revenue Code. This results in either a reduction of the agency's other enforcement, monitoring and planning efforts or in cursory examinations of the exemption applications. Abuses of the exemption allowances, therefore, are no surprise. And the failure of state inspection programs allows federal as well as state benefits to flow to the businessman because of the Section 169 requirements.

Only a few cities in the United States have meaningful air pollution programs with adequate staff. Most state programs are smaller than that of their larger cities.[28] Fifty per cent of the state agencies have fewer than ten positions budgeted.[29] With an estimated 8,000 additional personnel needed to implement the Clean Air Act properly, one wonders whether industry is unaware that enforcement can be effectively prevented by imposing onerous time-consuming responsibilities for processing tax exemptions on the pollution planning and enforcement agencies. While the cost of tax incentive legislation can be calculated in terms of revenue losses to the public treasury, it is much more difficult to evaluate the financial and social costs of having state pollution control agencies bogged down in the relentless pushing of paper to get industry their tax benefits.

The point about all of these laws, and the many similar bills proposed, is that they reward a limited number of taxpayers for "pollution control" expenditures. Not, we must note, pollution control effectiveness or the simple elimination of pollution.

FOOTNOTES

[1] The federal air pollution program has been criticized in Reitze, *The Role of the Region in Air Pollution Control,* 20 Case W. Res. L. Rev. 809 (1969), and the federal water pollution program in *Wastes, Water, and Wishful Thinking: The Battle of Lake Erie,* 20 Case W. Res. L. Rev. 5 (1968) See also, Reitze, *Environmental Pollution Control. Why Has It Failed?* 55 A.B.A.J. 923 (1969).

[2] Thirty-nine bills directly related to the environment were introduced in the House during the period January 23–30, 1969. Fifteen months later, during "Earth Week", forty-two bills were introduced between April 23 and 30, 1970.

[3] Bills have been proposed and many have become law to give relief from sales and use taxes, property taxes (real and tangible personal), fuel taxes, franchise taxes and income taxes. Benefits include fast write-offs, tax credits, and exemption from taxation.

[4] In Ohio, a typical industrial state, the number and monetary value of pollution control exemptions granted have been increasing substantially each year. In the three years between January, 1966, and the end of 1969, Ohio received 148 exemption applications for purchases listed at $64.7 million. In the first half of 1970, there were thirty-eight applications for purchases totaling $31.98 million.

[5] This section was temporarily suspended from October 10, 1966, to March 9, 1967. Certain water and air pollution facilities were exempted. Int. Rev. Code of 1954, § 48(h) (12).

[6] McNulty, *State Tax Incentives To Fight Pollution,* 56 A.B.A.J. 747, 748 (1970).

[7] Business Week, October 4, 1969, at 118.

[8] For a criticism of tax exemptions in general, see Reitze, *Real Property Tax Exemptions in Ohio—Fiscal Absurdity,* 18 W. Res. L. Rev. 64 (1966).

[9] Environmental Quality, First Annual Report of the Council on Environmental Quality 43, 72 (1970).

[10] By contrast, the estimated federal funding for pollution control and abatement was $1,290,900,000 in fiscal year 1970 obligations. *Id.* at 320.

[11] The Wall Street Journal, August 10, 1970, page 1.

[12] B.N.A. Env. Rptr., August 28, 1970, at 467.

[13] *Supra* note 9, at 320.

[14] S. Rep. No. 91–552, to accompany H.R. 13270, 91st Cong., 1st Sess. 646 (1969). Naturally those in favor of tax incentive legislation give lower estimates of tax losses. Section 169 has been estimated to have a maximum annual cost of only $120 million, an amount which could be reached by expenditures of one tenth of the amount needed for pollution control. See remarks of Senator Russell B. Long, 115 Cong. Rec. S16206 (December 9, 1970).

[15] Esposito, Vanishing Air 248 (1970).

[16] For a study of the oil industry as a political state, see Tugendhat, Oil: The Biggest Business (1969). Professor Kenneth Galbraith in *The New Industrial State* points to evidence that for the mature corporation, the profit motive is subordinate to the desire for reasonable growth and stability. Hence, it may be difficult to get even profit-making pollution abatement equipment installed.

[17] Sometimes budgets become sacrosanct without a reason relating to public benefit. The federal gasoline tax enacted in 1932 was allocated to the highway trust fund in 1956 for highway construction. Now, with public mass transportation woefuly underfinanced and highways proliferating everywhere, the highway lobby has convinced most legislators and much of the public that the gasoline tax is a sacred fund.

[18] See National Research Council Committee, National Academy of Sciences, Waste Management and Control, No. 1400 (1966). Techniques and costs of air pollution equipment are discussed in 3 Stern, Air Pollution (2d ed. 1969). Water pollution costs can be found in The Cost of Clean Water, a Federal Water Quality Administration publication which comes in multiple volumes, each devoted to a different industry.

[19] *Supra* note 9, at 72.

[20] *Supra* note 9, at 32.

[21] *Supra* note 5, at 84.

[22] Lake Erie Report, August, 1968, at 7.

[23] 1969 Annual Report, at 3, 10, 12 and 28.

[24] *Supra* note 17, at 29.

[25] *What Pragmation Means,* in Essays in Pragmatism 148 (1948).

[26] The tax practitioner must not only be familiar with tax law but also must search pollution law for applicable tax authority. For an illustration see, Ohio Rev. Code §§ 6111.31 and 6111.03(M).

[27] Int. Rev. Code of 1954, § 169 (D).

[28] O'Fallon, *Deficiencies in the Air Quality Act of 1967,* 33 Law & Contemp. Prob. 275, 293, (1963).

[29] *Supra* note 9, at 85.

WHO'S WIDENING THE WAR?

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. HÉBERT. Mr. Speaker, Bill Voelker, an editorial writer for the New Orleans Times-Picayune, has done a fine job in an editorial of answering the question, "Who's Widening the War?"

I want to make his observations available to everyone, and for that reason I am inserting them at this point in the Record:

WHO'S WIDENING THE WAR?

The frenetic reactions of programmed doves to South Vietnam's efforts, backed by American air power and backyard guard, to interdict the infiltration of war materiel into Cambodia and Laos is indeed incredible—if only for the blindness about who is the aggressor and who is seeking to prevent Communist takeovers.

Perhaps equally self-deluding are the knee-jerk liberal pretensions that it is President Nixon who is seeking a military solution to the war and that the United States is unwilling, as one columnist put it, to "accept the necessity for a political settlement in Vietnam."

The truth is—from the mouth of North Vietnam's own prime minister as heard by America Tuesday night on NBC's "First Tuesday"—that the Communists have no intention of settling for anything less than "unification" of Vietnam and that they are simply biding their time, by industrialization of the homefront, for a protracted onslaught against the south after American troops are withdrawn.

Motion pictures taken by British correspondent Michael Maclear of maneuvering Russian tanks, sent by the Soviets into North Vietnam together with advisers, also made it clear that the Hanoi regime is preparing for more conventional military power plays against the South Vietnamese, Cambodians or Laotians, at the strategically propitious time.

Why no liberal agonizing over the Russians' militaristic intervention—which is not unlike their supplying the ballistics and other hardware to the Egyptians in the Middle East? What, too, is so provocative about the United States' furnishing the non-Communist Southeast Asians with the physical means to defend themselves?

And the objective is unequivocally defense. What are the South Vietnamese, Cambodians and Laotians supposed to do? Roll over and play dead?

As for compromise coalition governments, it seems obvious that the only such setup the Reds would accept would be one they felt they could subvert toward their single-minded goal of "unification"—Communist domination.

Despite all the premonitions of Cassandras over last May's "invasion" of Cambodia (funny how the Red presence out of North Vietnam doesn't constitute invasion), the Nixon military stroke proved so successful that it forced the supply-less Communists to conduct a floating war in Cambodia and Laos while South Vietnam gained time to muster a million-man army, shape it into a reasonably effective fighting force and even go out to engage the enemy in defense of Cambodia.

Except for absence of American ground troops, who, complying with the Cooper-Church amendment, are camping in South Vietnam at the Laotian border to fend off a possible Red counterattack, the thrust of South Vietnamese into Laos is apparently another spoiling operation to disrupt infiltration routes and scour enemy sanctuaries and supply dumps toward the north.

If this incursion proves as militarily fruitful as last year's into Cambodia, the aftertaste may be equally unsavory to dyspeptic doves whose mouths are still puckered up from sour grapes.

NATIONAL FAMILY WEEK

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. MYERS. Mr. Speaker, I am today introducing a resolution designating the fourth week of November as "National Family Week." I am proud that a number of my colleagues have joined as cosponsors of this legislation. Hopefully, many more will in the days ahead.

The basic strength of our or any free and orderly society is the family. There could be no more appropriate week than that including Thanksgiving Day for us to honor our family loyalties and ties.

The legislation would authorize the President to designate the week beginning with the fourth Thursday in November of each year as "National Family Week." It also encourages the States and local communities to observe the week wtih appropriate ceremonies and activities.

The Family Week observance was inspired by a constituent, Mr. Sam Wiley, who formerly taught in the Shakamak school system and is now assistant principal at Whiteland High School. My research shows this is the first such resolution of its kind.

The current unrest and dissatisfaction among the younger generation and the so-called generation gap can be traced in most cases to a complete breakdown in communications between parents and children. While observance of Family Week does not promise to resolve all the unrest, I view it as a giant step toward the goal of restoring the traditonal principles of respect and self-discipline which have made this a great nation.

National Family Week is designed to coincide with Thanksgiving Day, that traditional time in America when families are rejoined for the purpose of giving thanks to God for the blessings which have come to them.

National Family Week would serve as the focal point for the enlistment of millions of American parents in an effort to better understand the wants and needs of their children and to encourage the children to better understand the duties and obligations of their parents.

I am hopeful of speedy approval of this resolution and that various organizations in the local communities, such as service clubs, patriotic organizations, church groups, Scouts, and 4-H, will join together to make this observance as meaningful as possible.

Primarily, the emphasis must come from within the family structure itself. It is this vital institution which has proven its capacity to provide adult and child alike with the needed affection, discipline, and security which so many today complain are lacking in their lives.

TRIBUTE TO THE DISABLED AMERICAN VETERANS

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. CARNEY. Mr. Speaker, I am very grateful to my distinguished colleagues in the House who have given us this opportunity to pay tribute to the noble work of the Disabled American Veterans.

From its birth in 1919, the Disabled American Veterans has unfailingly concerned itself with those courageous Americans who have suffered injury or disability from their participation in wartime activities in an effort to preserve American democracy and the way of life that is America's most precious heritage. Always in the forefront in support of fair and equitable treatment for our gallant veterans who served their country in foreign lands, the DAV commands the respect and admiration of the Congress and of the American people. Its service has been invaluable in securing the benefits to which our disabled veterans are legally entitled.

Realizing that the disabled veteran should be rewarded rather than penalized for the handicap he suffers as a result of his service, the DAV has without charge assisted these veterans and their dependents, whether members of the DAV or not, in filing claims for the various Federal benefits. Through its professionally trained staff of national service officers, who are disabled veterans themselves, the DAV has assisted millions of veterans in matters pertaining to their social and economic welfare.

In addition to helping disabled veterans participate in the many Government programs, the DAV acts as their official voice. This organization has played a significant role in the enactment of almost all veterans legislation since World War I.

But the efforts of the DAV affect more than just those who are the direct beneficiaries of the extensive services of this outstanding organization. The DAV serves the entire Nation. It translates the gratitude of this country into actual deeds, and it enables many disabled veterans to become productive citizens once again.

The DAV has achieved success because it is an organization with a heart. Its officers and members have mastered their own disabilities and devote their energies to helping others pass through the long tunnel of rehabilitation. The disabled veteran's family and loved ones are also helped, not only through the services given the veteran himself, but by financial assistance and support available in time of need.

Let us hope that the next half century will be more peaceful than the last—but that the DAV will continue its great work with increasing effectiveness.

THE KITTERY-PORTSMOUTH NAVAL SHIPYARD LEADS INDUSTRIAL FACILITIES IN BLOOD DONATION PROGRAM

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. KYROS. Mr. Speaker, inasmuch as January 1971, has been designated National Blood Donor Month I would like to bring to the attention of my colleagues another significant accomplishment turned in by the work force at the Portsmouth-Kittery Naval Shipyard. This is, of course, the same work force which was responsible for Portsmouth-Kittery's No. 1 ranking in the fiscal year 1970 cost reduction program among naval shipyards.

In inserting the enclosed article from the Portsmouth Periscope of December 24, 1970, I would like to express my appreciation to the men and women of the Portsmouth-Kittery Naval Shipyard for another outstanding performance. The dedication and ability of the shipyard work force is surely a significant factor in the decisions being made with regard to the future role of Portsmouth-Kittery in our national defense system; many thousands of Maine residents are looking forward to early and favorable official statements in this regard.

PORTSMOUTH'S BLOOD DONATIONS IN 1970 AT ALLTIME HIGH; SHIPYARD LEADS ALL INDUSTRIES IN VERMONT-NEW HAMPSHIRE

Blood donations by employees and military personel on the monthly visits of the Red Cross Bloodmobile during the calendar year 1970 surpassed donations in all industrial facilities in New Hampshire and Vermont. A total of 2,115 pints of blood were donated at PNS during 1970, an average of 176 pints of blood each month. This is an all time high for blood donors at Portsmouth. Previous record high was in 1966, with 2,072 pints of blood donated.

Shipyarders consistent support of the Blood Program was recognized Tuesday morning, December 15, at a ceremony held in the Administration Bldg., when Charles T. Mazza, Assistant Administrator, Vermont-New Hampshire Red Cross Regional Blood Center, presented a letter of commendation to Captain Donald H. Kern, Shipyard Commander, who accepted the citation for all PNS blood donors. Mazza added his personal commendation, pointing out that accolades were also in order to volunteers who turn out to donate and are unable to do so because they cannot meet medical standards for giving blood.

Representing all blood donors at the ceremony were Earl F. Frost, Shop 72 and Robert P. Hopley, Planning. They are among the leading donors, each employee having donated 10 gallons of blood. Maurice Bedard, also a 10 gallon donor, was unable to attend. He is the Shipyard's top donor, with 86 pints of blood credited to his official Blood Donor Record card.

Among Shipyard officials in attendance were Donald K. Holster, Director of Industrial Relations and Administrator of the Shipyard's Blood Program; and Kenneth C. Clement, Employee Services, who is Coordinator.

The letter of commendation, signed by Edward R. Stearn, Administrator, Vt.-N.H. Red Cross Blood Program, with headquarters in Burlington, Vt., is quoted:

"Officials of the Vermont-New Hampshire Red Cross Blood Program throughout the region join me in extending heartiest congratulations on the outstanding blood drawing held at the Portsmouth Naval Shipyard December 2. As you may know, the 206 pints donated that day brought the total for the calendar year 1970 to 2,115 pints, an all time high for this installation. As a matter of fact, this is also a new 12-month record for any group, plant or other facility in our entire region.

"The total donated on December 2 could not have arrived at a better time, since our blood drawing for the preceding week had been curtailed by the Thanksgiving holiday and with no drawing being held on the day following. Thanks to the response of Shipyard employees, however, we were able to meet all demands, including exactly 100 pints sent to just one of our hospitals over a three day period from Saturday through Monday.

"All of us involved in the day to day operation of this program are aware of the time and effort required to achieve the results enumerated above. Please convey our sincere thanks to Donald K. Holster, Director, Industrial Relations Office and Kenneth C. Clement, Blood Program Coordinator, for the planning and direction they have given this program over the years.

"We trust that all others who have helped in any way in achieving this outstanding record of accomplishment are aware of how much their support is appreciated by our hospital patients and their families. Needless to say, we are aware that this increase in donations in recent years could not have been achieved without your personal interest and support."

(NOTE.—A quick check of our records indicates that in the 208 blood drawings held at the Portsmouth Naval Shipyard from September 1953 through December 1970, there have been 27,774 pints of blood donated. In itself this total is outstanding, but we believe there are two factors that make this figure even more significant. The first is that donations are on the rise rather than declining. The second is that every request we have made for rare types of blood to meet special situations such as open heart surgery, aneurysms, etc., have, without exception, been exceeded by a substantial margin.)

APPOINTMENT OF COL. CASIMIR I. LENARD

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. ROSTENKOWSKI. Mr. Speaker, recently a news release came to my attention which I am sure will be of considerable interest to my colleagues. It concerns the appointment by the Secretary of Labor of Col. Casimir. I. Lenard, Army of the United States, retired, executive director of the Polish-American Congress, to the National Advisory Committee of the Jobs for Veterans. This Committee, composed of seven Cabinet members and 100 leaders from Government, business, and labor, and three other top administration officials, will spearhead a program which will seek to improve employment prospects for veterans, especially the more than 1 million servicemen who will complete their military obligations in the next 12 months. About one-fourth of these veterans will resume their education, but most will enter the civilian labor market, many of them seeking their first full-time jobs. The new program will seek to stimulate the formation of action groups at State and local levels and to encourage public and private employers to actively seek out and hire or train veterans.

Mr. Speaker I feel that this is a very worthwhile program and very much in need at this time. I would like to congratulate Colonel Lenard, a 30-year Army veteran and a Chicago native, upon his selection to this committee and wish him and the other members of the Committee the best of luck on the achievement of their goal.

THE FAMILY FARM

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. LATTA. Mr. Speaker, it is so often repeated that it has become almost a cliche to call the youth of America "our most precious asset." Yet I think it bears repeating—especially in these days when the achievements of the vast majority of our young people are overshadowed by the antics of a small minority. Indeed, if one were to garner all his impressions of young people from news headlines and stories, he would be left with the idea that they are all rebellious, lazy, irresponsible, immoral, and lacking in respect for their elders and tradition.

This is why it gives me such pleasure to call to the attention of this body a young lady from my district who eloquently refutes the notion. She is 16-year old Lois Vorst, the daughter of Mr. and Mrs. Arnold Vorst of Cloverdale, Ohio. Lois is the 1971 winner of the Ohio State Farmers Union essay contest. She is a credit to her parents, her schools, and her community.

In her essay entitled, "The Family Farm," Lois eloquently states what growing up on a farm can mean. Grateful for her heritage, she stands as a link between the present and the future.

She vividly states her love of this traditional way of life, and, likewise expresses her strong concern about the future of the family farm. Her perspective about the role of the family farm and its relationship to the rest of the Nation would do credit to a statesman.

What she has said is food for thought in this time when the whole agricultural picture of this country is dark and the fate of the family farm seems almost dismal. Therefore, I request unanimous consent that her essay, "The Family Farm," be inserted at this point in the RECORD:

THE FAMILY FARM

Why do I want to save the family farm? That's a good question. The reasons for wanting to save the family farm differ from age to age and person to person. Being a girl, there is probably a bigger question in your mind as to why I want to save our farm.

Challenge is perhaps the principal reason. The way I see it—Life, itself, is a challenge. You only get out of life what you put into it. Living on a farm gives you the opportunity to put a lot into life and, thus, in return receive the same or possibly more. Oh, sure, sometimes you don't get what you expected, but that's a chance one must take. There is a certain amount of chance in every career and with farming there is definitely no greater chance. Why? Because if the farm fails, so do many other industries. Don't think it's all one-sided, though, without people to buy and use our produce where would we be? You might say that that's a pretty big chance to take but who hasn't ever gambled . . . just a little?

Living on the farm also gives one the sense of responsibility. There is a lot to be responsible for. Getting the crops in on time, putting enough fertilizers on, milking, feeding, and harvesting are just a few. Take me, for example. I'm a real responsible person . . . if anything goes wrong, I'm usually responsible.

Tradition is another reason why I want to save our farm. Man has deliberately planted food crops since sometime between 7000–5000 B.C. Our farm hasn't been in existence for quite that long, but it has been for approximately 100 years. It makes me feel rather proud to look around and actually be able to see how the farm has improved and expanded, and to see the beauty of green fields spreading for endless miles. There isn't much time to stop and really think on the hectic farm; but when I do stop to think, I think how God and all those who preceded me made all this possible. And I vow that every day, somehow, in some way I will contribute something for the betterment and welfare of the Good Green Earth, so that I and those behind me can also enjoy the beautiful tranquillity of the family farm.

I thank you,

LOIS VORST.

TRIBUTE TO PRIVATE FIRST CLASS EGBERT

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. KEATING. Mr. Speaker, Private First Class Egbert is the son of Mr. and Mrs. Bernard Egbert of 6704 Rose Street, Cincinnati, Ohio. Private First Class Egbert went to Vietnam with his unit in the summer of 1970. Last October while riding on a halftrack, his vehicle hit a land mine and he was blown out of the halftrack. He suffered a broken back and a broken left leg which was shattered from the ankle to the knee. Medics had to perform a tracheotomy in order to keep him alive. He was under intensive care for some 27 days at which time he received several blood transfusions. As a result he later contacted hepatitis which caused another setback.

He is to be discharged from Walter Reed Hospital and separated from the service within a few weeks. But his road to recovery will require additional treatment for his leg for several months.

I was somewhat amazed at this young man's attitude and his humbleness. While visiting with me we toured the Capitol and he was much more interested in talking about the Capitol Building and its history than he was in discussing his injuries. It is fortunate that Private First Class Egbert will have the service of the DAV when he is separated from the service.

"ENTERPRISE" ACTION—STUPID AFFRONT TO DEMOCRATIC GOVERNMENT OF CHILE

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. LEGGETT. Mr. Speaker, an act of highest stupidity was the decision to decline the invitation of the Chilean Government for a visit by the American aircraft carrier *Enterprise* to the port of Valparaiso. According to news reports, our Ambassador strongly opposed the visit, the State Department opposed it, and the White House followed their advice.

It appears that the Nixon administration is deliberately setting out to create another Cuba.

We know how sensitive the Latin Americans are about use. We know that anti-Americanism is prevalent throughout Latin America. We saw the reception Governor Rockefeller received there 2 years ago. We saw a Marxist government come to power in Chile: a government which is determined to remain independent, but which may have some difficulty in doing so.

As an act of friendship, this Government invited a visit by one of the greatest symbols of American nuclear power, the nuclear carrier *Enterprise*. It is not difficult to imagine that this offer let President Allende in for a strong attack from his party's hard-line left wing, but I surmise he made the offer out of a strong desire to cultivate good relations with the United States.

But the White House turned him down. Do Mr. Kissinger and Mr. Nixon know how sensitive the Latin Americans are to slights and insults? What can they hope to gain by such an abrasive move?

The reason given by the Defense Department is that the *Enterprise*'s schedule does not permit the visit. Mr. Speaker, we can safely say that all the Americans and Chileans combined who believe this excuse could easily fit into a Washington telephone booth.

It is particularly ironic that the *Enterprise* only a few days ago paid a visit to Rio de Janeiro, Brazil. The Brazilian Government is a vicious military dictatorship which is becoming world famous for its liberal use of torture. Even the conservative writer William Buckley, who is normally quick to defend rightist dictatorships of any sort, recently admitted that torture of political dissidents is widespread in Brazil, and went on to say he could not justify it.

In contrast, Chile is a country of long democratic tradition and great political freedom, and the present government was elected by impeccable democratic process.

I do not think Chile will become a Russian satellite or even an independent American state, even considering the remarkable incompetence of our State Department. But if one day we should wake up and find another Cuba in Latin America, it will be Richard Nixon who gave Chile its push in that direction.

I insert articles describing this incident from the New York Times, the Washington Post, and the Washington Star of February 28, 1971, in the RECORD at this point:

[From the New York Times, Feb. 28, 1971]

U.S. DECLINES CHILE'S INVITATION FOR VISIT BY WARSHIP

(By Benjamin Melles)

WASHINGTON, February 27.—After 36 hours marked by intense bureaucratic in-fighting, the Administration decided today not to accept Chile's invitation for the aircraft carrier Enterprise to pay a courtesy call.

Qualified informants said that the presence of 3,600 United States officers and men on four-day shore leave at the Chilean port of Valparaiso might have had a favorable impact on public opinion in Chile and elsewhere in Latin America.

However, it was reliably learned that the decision to decline the invitation, publicly announced Thursday by President Salvador Allende Gossens had been recommended by the State Department and quickly approved by the White House.

Edward M. Korry, the United States Ambassador to Chile, was said to have been strongly opposed to the visit.

Jerry W. Friedheim, Defense Department spokesman, reached by telephone, was reluctant to discuss the behind-the-scenes struggle between the Pentagon and the State Department before the White House sided with the latter.

He cited "operational" reasons as likely to prove "difficult for us" as the determining factor. Other sources familiar with naval operations said that they could think of no reason why the nuclear-powered vessel, which recently paid a courtesy visit to Rio de Janeiro could not put into Valparaiso also.

ROUNDING CAPE HORN

She was last reported rounding Cape Horn and starting north along the West Coast of Latin America past Chile on her way to California.

Diplomats experienced in hemisphere affairs suggested that the White House decision would have unfavorable repercussions throughout the area.

"When a Latin American President publicly invites a U.S. warship to pay a friendly call and urges his people to treat it well," said one source, "it seems a little boorish to refuse."

The decision was interpreted as part of the Nixon Administration's arms-length approach to the Allende regime. It was noted that no senior United States official had made contact with a Chilean economic delegation that spent three days here last week explaining Chile's economic program to the Inter-American Committee for the Alliance for Progress. . . .

It was also noted that President Nixon had rebuked Chile's recent decision to resume diplomatic relations with Cuba as a "challenge to the Inter-American system" in his State of the World Message Thursday.

CONTRARY TO TRADITION

The decision to snub President Allende, diplomats said, does not conform with traditional diplomatic relations, especially in protocol-conscious Latin America, where actions and inactions by the United States are under critical scrutiny at present.

Secretary of State William P. Rogers is scheduled to make his first visit to Latin America in April, when he joins with hemisphere foreign ministers in the first meeting of the Organization of American States' new General Assembly. Trade is officially the main point on the agenda but observers believe that Mr. Rogers will find the United States hemisphere policy under mounting criticism.

[From the Washington Star, Feb. 28, 1971]

UNITED STATES CANCELS CARRIER VISIT TO CHILE, "SCHEDULE" CITED

SANTIAGO, CHILE.—The United States, claiming "scheduled commitments," yesterday canceled the visit of the U.S. nuclear carrier Enterprise, which had been invited by President Salvador Allende for a two-day visit to Valparaiso.

First word of the cancellation came from the Chilean navy. Chilean radio and television stations carried the news as a bulletin.

"The operating schedule does not permit the ship to make this port of call and still make her scheduled commitments," a statement by the U.S. Defense Department in Washington said.

Allende, a Marxist elected president of Chile four months ago, had personally invited the giant aircraft carrier to Chile because, he said, he wanted the U.S. crewmen to see that "authentic democracy" still prevails in Chile.

Allende, speaking from Punta Arenas, said "I have been informed that, for operational reasons, the ship Enterprise will not dock off our coast. I regret this, but our attitude remains unchanged—the attitude of a people without borders."

Relations between the United States and Chile have been cool since Allende took office. A Chilean navy training ship is now visiting Cuba and one of Allende's first acts after taking office was to establish diplomatic relations with the Castro regime.

The Nixon administration reportedly had been undecided on whether to allow the Enterprise visit.

Allende announced Thursday that Adm. Elmo Zumwalt, chief of U.S. Naval Operations, had accepted his invitation last week while on a visit to Chile.

The Pentagon said yesterday, "the Enterprise is enroute to the Pacific after overhaul at Newport News, Va.," but said it could not divulge the vessel's schedule.

Edward M. Korry, U.S. ambassador to Chile, had no comment on the sudden change of plans which was communicated to the U.S. Embassy in Santiago by the Defense Department.

The Enterprise was to have dropped anchor off Valparaiso at 10 a.m. today.

Top Chilean naval officials were to have visited the ship and the Enterprise skipper, Capt. Forrest Petersen, was scheduled to hold a news conference aboard for Chilean newsmen this afternoon. The ship also was to have been opened to the public.

Allende made the scheduled visit of the ship a center of national attention when, in a nationwide television speech from Valparaiso on Thursday, he warned against any provocations against the Enterprise or its crew.

[From the Washington Post, Feb. 28, 1971]

CARRIER'S VISIT TO CHILE IS OFF—COMMITMENTS CITED

The Pentagon said yesterday the nuclear-powered aircraft carrier *Enterprise* will be unable to visit Chile, whose Marxist president invited it to call there.

The Defense Department said "the operating schedule does not permit the ship to make this port call and still meet her scheduled commitments."

Chilean President Salvador Allende earlier in the week invited the giant U.S. carrier to stop at Valparaiso so its sailors could see for themselves the Chilean brand of democracy.

The *Enterprise* is now en route to her home port of Alameda, Calif., after undergoing overhaul at Newport News, Va.

Pentagon sources hinted that the decision to keep the carrier *Enterprise* from visiting Chile was more political than operational. Sources indicated the State Department viewpoint prevailed.

The *Enterprise* did call in Rio de Janeiro on its way around South America and sources noted that it would be very easy, and cause little delay, to have the *Enterprise* stop briefly in Chile.

KENTUCKIAN KILLED IN ACTION

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. SNYDER. Mr. Speaker, Mrs. Ola M. Miley has just recently received notice that her son, Sp4c. Joseph W. Miley, had been killed in action.

Joseph Miley thus becomes another of the valiant men—and the 117th northern Kentuckian—who has given his life in defense of his country and in protecting the free world.

The sympathy of thousands of other families who have paid this sacrifice goes out to Mrs. Miley and the Miley family. To them also goes the sincere gratitude of those of us whom Joseph died protecting.

The Kentucky Post article of February 23, 1971, which reports the loss of Sp4c. Joseph W. Miley follows:

BROTHER DIDN'T HAVE TO GO . . . DIES IN ACTION

(By John Harris)

Joseph Wayne Miley didn't have to go to Vietnam.

His brother was already there. And normally no two members of a family can be required to serve there at the same time.

"But Joe signed a waiver," said his brother Robert. "He wanted to go over."

Joe was assigned to the same helicopter headquarters company as was Robert, 21. They served together for two months.

"But Mom didn't like both of us being there at the same time," Robert said. "So one of us was going to come back.

"Joe said it was my turn to come back, since I'd been over there before.

"So I left on Feb. 2 and was in Japan two weeks on my way back."

But now Joe, too, is coming back.

The 19-year-old Florence soldier was killed when his helicopter was shot down, crashed and burned on Feb. 8.

"The Army listed him as missing until last Wednesday, and then told us he had been killed," Robert said.

"Joe had volunteered to go with B Company on a secret mission," Robert said. "He left Feb. 1 and I left on the second.

"Nobody told them where they were going.

"But it was on the first day of the Laos operation and it's quite probable that's where they were.

"The Army didn't tell us exactly where it happened."

Joe was a door gunner in the helicopter that was downed by ground fire.

"He was an exceptional soldier—proud of the uniform," said his brother.

He volunteered for service in October 1969, after dropping out of Oakdale (Tenn.) High School in his junior year.

He had gone there to live with relatives.

Miley, who was a specialist fourth-class, is survived by his mother, Mrs. Ola Mae Miley of Florence East Apartments, Florence. She is assistant dining room manager at the Terrace Hilton Hotel, Cincinnati.

And his father, Robert Miley of 15 Audrey street, Ludlow, a truck driver.

Also four other brothers: Terry, 15; Stephen, 13; David, 16, and Todd, 9, and three sisters, Linda, 12, and Janet and Jayne, four-month-old twins.

And his grandmothers, Mrs. Laura Miley, Ludlow, and Mrs. Ivy Baughman, Florence.

Ronald B. Jones Funeral Home, Ludlow, is in charge of services, which are pending arrival of Specialist Miley's body.

Miley is northern Kentucky's 117th victim of fighting in Southeast Asia, and the 11th for Boone County.

THE REINTRODUCTION OF LAS TRAMPAS-O'NEILL HOME BILL

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. WALDIE. Mr. Speaker, I am pleased to reintroduce legislation calling for the preservation of a unique wilderness area in California and an American historical site.

This combination, Las Trampas Ridge and the home of prize-winning American Playwright Eugene O'Neill, faces the threat to open space in our urban and suburban communities which if not stemmed will reduce the livability of our residential areas to sterile, unhappy depths.

Mr. Speaker, Las Trampas Ridge is the key to the preservation of vital open space in Alameda and Contra Costa Counties. The area presently is unspoiled by housing development or highways.

The woods teem with wildlife and wild flowers. The area is within easy access of millions of residents of the bay area.

Hopefully, Mr. Speaker, we in the Congress can assist in the preservation of this area by passage of this legislation which would create the Las Trampas National Park and would include within its boundaries of the famed Taos House where Eugene O'Neill wrote such classics as "Long Day's Journey Into Night."

This combination wilderness park-historical monument present a unique opportunity for the Congress to preserve needed open space and at the same time honor a great American writer.

I would hope that this legislation is acted on favorably by this Congress.

Mr. Speaker, we have received more than 8,000 signed petitions for creation of this joint-historical site and park area.

I believe that support such as that demonstrated for the Las Trampas Park-O'Neill Home bill should be rewarded by consideration of their bill.

CAN DO

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. GUDE. Mr. Speaker, companies making cans in Maryland have devised a plan for recycling used cans so that the metals in them can be used again. The companies have set up six locations where citizens or communities can bring cans and receive the prevailing scrap metal price in return.

The companies are to be commended for taking this step—a useful step toward reducing the amounts of solid waste now thrown away.

This project may prove to be a step toward economical and efficient solutions to our solid waste problems. The future may well see giant reclamation centers that could separate and prepare several types of solid waste—papers, glass, and metals—for reclamation.

If we are going to clean up our environment, we must stop throwing away so much material that we foul our own ecological nest. We must learn a new environmental three R's—reuse, recycling and reclamation.

Here is the announcement of the new program for recycling cans in Maryland:

ANNOUNCEMENT OF PROGRAM TO RECYCLE CANS

BALTIMORE.—A program to turn cans used by Marylanders into auto parts, building materials, appliances and other products—instead of litter and solid waste—was announced today.

Six recycling centers are being opened in Maryland by three of the world's largest can manufacturers. Three of the centers are in the City of Baltimore. All plants of American Can Company, Continental Can Company and National Can Corporation in Maryland will, in effect, serve as recycling stations for all types of cans.

Executives of the companies revealed details of the recycling program at a news conference in Baltimore's downtown Holiday Inn.

Baltimore City Council President F. Donald Schaefer opened the conference, saying he supports industry efforts to solve the solid waste disposal problem. He is head of the Mayor's Committee on Solid Waste Disposal.

Participating in the news conference were: Norman Dobyns, Director of Governmental Affairs for American Can; Vincent Naimoli, manager of Continental's Baltimore plant; Bart O'Shea, district marketing executive for National: and several city and state officials.

U.S. Senator J. Glenn Beall, Jr. (R–Md.), a member of the Senate Public Works Committee which handles waste disposal and other environmental legislation, sent a message. It reads in part: "I am particularly pleased to see the institution of the recycling centers, opening in four areas of our state today. These efforts . . . are vital to our success in disposing of solid wastes efficiently, and at the same time using the wastes in a useful manner . . . I congratulate National Can, Continental Can and American Can for their efforts to better our nation."

Others who attended the news conference announcing the opening of the centers included: Charles Farley, Baltimore County Sanitation Department head and president of the National Institute for Solid Waste Disposal; Charles B. Kenahan, chief of the Division of Solid Waste Disposal, U.S. Bureau of Mines, Department of the Interior, and leaders of volunteer organizations dedicated to better environment.

The recycling centers for the state are:

Baltimore—American Can, Boston and Hudson Streets; Continental Can, 3500 East Biddle Street; and National Can, 727 South Wolf Street.

Cambridge—National Can, 100 Goodwill Street.

Hurlock—Continental Can, Railroad Avenue.

Sparrows Point—National Can, Reservoir Road.

Each of these sites is prepared to accept every type of can—steel, aluminum, tinplate and combination. Food, beverage, oil and all other kinds of metal cans will be accepted.

Communities can arrange to have all used cans brought to a recycling center or interested organizations can organize efforts to have used cans delivered to a recycling center. Communities and organizations can arrange with plant managers for payment to be made for the used cans. The companies will pay a community or civic or charitable organization at the existing prices for scrap.

Labels should be removed from food cans, a spokesman said. Wherever possible, cans should be rinsed out and flattened.

Similar recycling programs have been started by the can manufacturers in Oregon, Washington, Northern California and New York City. The three can companies also started recycling centers in New Jersey today. Plans are to open some 200 such plant-site centers throughout the country this year.

Cans received at these centers are shipped directly to processing plants, where they are remelted and turned into usable steel and aluminum.

Some processing will be done at the M and T Chemical plant in Baltimore.

SP4C. ROLLINS KILLED IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. LONG of Maryland. Mr. Speaker, a fine young man from Maryland, Sp4c. Wade H. Rollins, was recently killed in action in Vietnam. I would like to commend his courage and to honor his memory by including the following article in the RECORD:

SP4C. ROLLINS KILLED IN VIETNAM

Army Spec. 4 Wade H. Rollins, 24, of Waldorf, Md., was killed in action Feb. 19 in Quang Tri Province, Vietnam. An Army spokesman said that he was killed during an enemy attack on a landing zone.

Specialist Rollins was born in Washington. He was a 1964 graduate of La Plata High School. While a millwright apprentice, he won an area competition and was a finalist in Kansas City, Mo.

Before entering the Army in 1969, he worked as a shop steward at Potomac Electric Power Co.'s Morgantown, Md., power plant. He was a former member of the Charles County Rescue Squad.

A member of Company E, 3rd Battalion, 187th Infantry, 101st Airborne Division, Specialist Rollins had been in Vietnam since March.

He leaves his parents, Mr. and Mrs. Donald W. Rollins; a grandmother, Mrs. Ruth DeButts, of Waldorf, and a sister, Mrs. Judith Moore of White Plains, Md.

Services will be held at 2 p.m. Saturday at the Hunt Funeral Home in Waldorf, with burial there in Trinity Memorial Gardens Cemetery.

FATHER HESBURGH OF NOTRE DAME

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. BRADEMAS. Mr. Speaker, I count it a particular honor to be able to claim as one of my constituents the Reverend Theodore M. Hesburgh, president of the University of Notre Dame.

Not only is Father Hesburgh a distinguished university president, he has served Presidents Eisenhower, Kennedy, Johnson, and Nixon as a member of the U.S. Civil Rights Commission, of which he is now Chairman.

There are many other ways in which Father Hesburgh has served this country and mankind, and I am pleased to insert at this point in the RECORD an article in the February 15, 1971, issue of Time magazine concerning Father Hesburgh:

THE MELLOWING OF A PRESIDENT

Notre Dame's President Theodore M. Hesburgh has come a long way since 1969, when he blasted campus disruptions in a famous letter to his students at the nation's best-known Roman Catholic university. Anyone substituting "force for rational persuasion," wrote Father Hesburgh, would be entitled to 15 minutes of "meditation," followed by suspension. Most Americans cheered those words, but their tone caused Hesburgh much trouble. Hard-liners miscast him as their hero; many of the young reviled him. Yet now his image is quite different; he has emerged as a kind of Catholic Kingman Brewster who is so popular among his students that Notre Dame may well be among the nation's most disruption-proof major campuses.

Hesburgh has not abandoned his distaste for violence. Amid the new campus calm, however, he has shifted his target from student radicalism to the Administration's war policy. The shift has transformed him.

NO HANDSHAKES

Soon after his 1969 ultimatum, Hesburgh hit his Notre Dame nadir. The worst of it was the anger of liberal students and teachers who had flocked to Notre Dame because of Hesburgh's insistence that the university combine intellectual freedom with its prayers and football. Many viewed his ultimatum as an attack on academic freedom, not a defense of it.

They were quite wrong. But in another sense, so was he. Hesburgh had, in fact, lost touch with his campus, mainly because of his own voracious involvement with "relevant" social problems as a member of 23 off-campus boards and committees and as outspoken head of the U.S. Civil Rights Commission. A biting student joke asked: "What's the difference between God and Father Hesburgh? God is everywhere and Hesburgh is everywhere but Notre Dame."

In 1969 the student government condemned Hesburgh; the American Association of University Professors, which had been considering him for its annual academic freedom award, dropped him from the competition. Though his board stoutly backed him, he recalls, "I had the feeling the students were slipping away. I'm not sure they understood me or I understood them." When Hesburgh walked across the campus, some students sullenly refused to shake his outstretched hand.

CAMBODIAN INCURSION

Hesburgh was clearly a victim of both academic and youthful intolerance. But he showed greater understanding than his detractors. After brooding about the draft, for example, he concluded that "the only kind of patriotism the Government was talking about was going overseas and killing people. The thing keeps gnawing at you." Last spring's Cambodian incursion and student deaths at Kent State and Jackson State brought fresh indignation. When the Notre Dame campus boiled up, the main speaker at a massive protest rally was not the local S.D.S. head but Hesburgh. In a sermon a week later, he told his campus congregation that an Administration that continued the war was composed of "mental midgets." Notre Dame students hung back from violence, circulated Hesburgh's speech to more than 80,000 townspeople and got 26,000 citizens to sign petitions endorsing it.

UNDERGRADUATE INFLUENCE

Hesburgh has changed his mind on other things as well. In 1967 he vowed that "Notre Dame will not have its undergraduates making policy decisions"; today undergraduates sit on virtually every university committee, usually with voting power. In 1968, Hesburgh proclaimed that he would expel 1,000 students before permitting girls to visit in the dorms; a year later, he accepted a student-faculty committee recommendation to allow limited visits. Paradoxically, he pleased old grads by letting the football team play in postseason bowl games—but chiefly because the $200,000 income could be used to finance scholarships for blacks and Spanish-speaking students. In the past six months, he has shed five of his off-campus jobs. Last year the A.A.U.P. reconsidered and gave him that academic freedom award.

NECROLOGY LIST

Time Correspondent Robert Anson (Notre Dame, '67) often interviewed Hesburgh as an undergraduate journalist; recently he revisited Hesburgh's study and found "an almost existential change in the man. The conversation is easier, more reflective, more open to other points of view. He seems genuinely at peace with himself. The students no longer talk about getting rid of Hesburgh but about whether anyone will be good enough to replace him."

One measure of Hesburgh's success is that he retains his 15-minute rule for violent protesters—and is respected for it. At a time when the average tenure of college presidents has slipped to 4½ years, Hesburgh keeps a "necrology list" of the leading casualties as a reminder of how they fell, for lack of either strength or understanding. Now 53 and in his 19th year in charge of Notre Dame, he may well have discovered how to avoid their errors.

GIVE VOTE TO 18-YEAR-OLDS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. DERWINSKI. Mr. Speaker, as we carefully review the complications and problems caused by the Supreme Court decision on the 18-year-old vote, it is obvious that unless legislation at Federal or State levels is processed to concur with the Court decision a great deal of confusion and expense will be added to the conduct of elections.

A very effective commentary appeared in the Thursday, February 25, Suburban Life in a special column by Dean Linton, associate editor of that publication. I believe the article to be a pragmatic analysis of the 18-year-old voting situation.

GIVE VOTE TO 18-YEAR-OLDS

(By Dean Linton)

Illinois can not afford to withhold voting rights any longer from its younger citizens. State legislators should move quickly to lower the voting age limit from 21 to 18.

Without this legislation, elections in this state can only become more confusing and costly to the taxpayer. Election officials hesitate to estimate the added cost in time and particularly money that will result in maintaining two voting systems.

Illinois voters defeated a proposition to lower the voting age in the constitutional referendum last December. Although the proposal carried in Cook County, it lost substantially downstate.

Undoubtedly the so-called Generation Gap and campus unrest the year prior did much to turn older voters against the proposal.

Backers of the proposition were hopeful that the U.S. Supreme Court would uphold Congressional action extending the voting franchise to young people no matter how Illinois voters acted on the issue. A weak campaign resulted.

One week following the Illinois rejection of the 18 year old vote the Supreme Court did uphold the 1970 Voting Rights Act's extension of the vote to 18 year olds in federal elections, but not in state and local elections.

The court's decision immediately posed administrative problems for states, such as Illinois. Two separate voting lists and perhaps separate polls, judges etc. would be necessitated to allow 18, 19 and 20 year olds to vote for the President, vice president, U.S. senator and congressman, but not for state, county and local officials.

Reports from Washington indicate that some senators and congressmen are pushing for a constitutional amendment that would give 18 year olds the vote in all elections. This certainly would result in a court test, if indeed it were ever adopted.

Again, I say, Illinois can not afford to wait for such lengthy proceedings. Our state lawmakers must take the initiative. None have done so as yet. As usual, a wait-and-see attitude exists, perhaps because the real confusion will not arise until the 1972 elections.

Voter registrations and voting lists must be maintained. Illinois Atty. Gen. William Scott has advised county clerks throughout the state to maintain separate registration lists for under 21 voters.

I admit favoring the 18 year old vote proposal even before the Supreme Court ruling. Studies have indicated that in Georgia and Kentucky, where 18 year olds are allowed to vote, there has been no evidence they voted less intelligently or responsibly than their elders.

One of the strongest arguments for the 18 year old vote remains: if you are old enough to die for your country you must be old enough to vote for your nation's leaders.

Putting all this aside, I'm sure that some voters who cast negative votes last December would reconsider their position on the issue when failure to conform to federal laws will hit them where it hurts the most: in the pocketbook.

ARE THE KIDS REALLY TO BLAME?

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. CARNEY. Mr. Speaker, Father Edward Flanagan, the founder of Boys Town, always believed—and never hesitated to say, "There is no such thing as a bad boy." In defense of his statement, I am pleased to commend the following for the information of my colleagues and readers of the RECORD:

ARE THE KIDS REALLY TO BLAME?

We read in the Paper, we hear on the air of killing and stealing and crime everywhere; we sigh and we say, as we notice the trend, This young generation . . . where will it end? But can we be sure it's their fault alone?

Too much money to spend; too much idle time; Too many movies of passion and crime; Too many books not fit to be read; Too much evil in what they hear said; Too many kids encouraged to roam; Too many parents who don't stay at home.

Youth doesn't make the movies; they don't write the books; That paint the gay pictures of gangsters and crooks. They don't make the liquor; they don't run the bars; They don't make the laws and they don't make the cars.

They don't make the drugs that idle the brain, It's all done by older folks, greedy for gain. And how many cases, we find that it's true . . . The label, "Delinquency" . . . fits older folks, too!

GETTING ADVICE ON TAXES CAN BE RISKY BUSINESS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. PUCINSKI. Mr. Speaker, recently, the Chicago Tribune carried an interesting article by consumer columnist Anne Taylor advising consumers who utilize the services of tax experts to make sure they have the qualifications.

Commenting on Miss Taylor's article, Mr. Seymour A. Rish of the National Association of Enrolled Federal Tax Accountants offers some observations about the way taxpayers can make sure their tax adviser has the necessary qualifications to offer tax aid.

Since this subject matter is a very timely one, I should like to place in the RECORD today both articles which appeared in the Chicago Tribune on February 3 and 22, respectively.

I include the articles as follows:

GETTING ADVICE ON TAXES CAN BE RISKY BUSINESS

(By Anne Taylor)

At this time of year there is a proliferation of income tax advice, and for a good reason: There is hardly an American alive who can make out his return without hesitation or questioning or without some assistance.

More of us than ever before will utilize the services of so-called tax experts, and so a cautionary word is in order. That is, make sure your expert has the qualifications.

In some instances those who set themselves up as authorities have limited training and even limited aptitude. If they don't ask questions they can't know enough about you to make all the proper deductions.

PROFESSIONAL TAX AID

CHICAGO—In her "consumerism" column (Feb. 3) headed "Getting Advice on Taxes Can Be Risky Business," Miss Anne Taylor stated: More of us that ever before will utilize the services of so-called tax experts, and so a cautionary word is in order. That is: Make sure your expert has the qualifications.

It is an ironic fact that a professional "tax expert" is prohibited by Treasury Department rules of conduct from claiming to be a tax expert, while the nonregulated tax return preparer can make almost any advertising claim he or she may so desire. Professional tax practitioners are prohibited from advertising the fact that they have demonstrated, by written examinations, their technical competency in tax accounting and tax laws.

The Internal Revenue Service recognizes only three classes of tax advisers who may represent all taxpayers in the three appeal levels with the IRS. These are: Federally licensed enrolled agents, state-licensed certified public accountants, and state-licensed lawyers. These licenses are a mark of real qualification by their holders.

CHILE—THE CONSOLIDATION PHASE—II

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. SCHMITZ. Mr. Speaker, Alexander Hamilton, Federalist Papers, No. 78, said:

> In the general course of human nature a power over a man's subsistence amounts to a power over his will.

The Marxist doctrinal commitment to the confiscation of private property has been reinforced by the experiences of ruling Communist parties. When the individual has the means to do as he chooses, the Communists have found that he chooses not to obey.

The truth stated by one of our Founding Fathers as an argument for economic freedom is used by the totalitarians as an argument for economic domination of the people by the state, or the party. Truth can be utilized to the advantage of those who understand it, no matter what the objectives may be. In the one-party Communist state, everything must come through the party and be for the party, with nothing against the party or outside the control of the party. This includes the means needed to live independently. Private property represents a stumbling block to tyrants, which is why it is one of the cornerstones of individual freedom.

Understanding this, Salvador Allende, Chile's recently elected Marxist President, is moving to destroy the economic base of freedom in his country. The old Communist program of land reform which was utilized so effectively to eliminate private land holdings and holders in Russia, Red China, North Vietnam, Cuba, and elsewhere, is being pushed full speed by the Communist-dominated Popular Unity Coalition Government of Chile. Land reform, Communist style, serves the dual purpose of destroying the actual or potential opposition of landholders to total state control, either through physical liquidation or by making them paupers, while at the same time gaining the temporary support of the peasants who think they will benefit from the redistribution of land. Those without land are manipulated to seize the land of those who have it and then, soon afterward, the new owners are forced onto collective farms.

Although Allende has made statements to the effect that all "medium and small farmers—farms under 176 acres—have nothing to fear," the head of the land reform program, David Baytelman, recently let the cat out of the bag by declaring that—

> The intention of the government is that there be no individual ownership of the land.

Baytelman's boss, Minister of Agriculture Jacques Conchol Chait, spent 3 years in Cuba in the early 60s' on contract to the United Nations as Latin American Agrarian Reform Adviser. From what is now going on in Chile, it is obvious that he picked up many pointers from the Castro regime and that, as with freedom of the press—Newsletter 71-7—Allende's words are simply window dressing.

To date over 300 private farms have been seized and the program is just starting to grow. In some provinces the seizures are being carried out by Mapuche Indians under the direction of Revolutionary Left Movement leaders who Allende released from prison where they were serving time for "revolutionary" bank robbery. As the Indians seize the land and the owners turn to the rural police for help, they find that the police are under orders from the Minister of the Interior not to interfere. This is not surprising since the Minister of the Interior, Jose Toha, is a great Castro admirer, formerly vice president of the Chilean-Cuban Cultural Institute, and has selected a Communist by the name of Daniel Bustos to be his deputy. In a case where a farmer attempted to protect his property from the Indians with a .22 rifle, he was charged with assault and is now awaiting trial. So far, the Indians alone have seized over 50,000 acres.

Much of the land confiscation is taking place in areas which gave the conservative candidate a majority of the votes in the last election, such as Lautaro Province. In the whole country, Allende received just 36.3 percent of the vote—only 1.4 percent more than the conservative candidate Alessandri in a three-way contest. Allende has appointed a Communist named Fernando Teilier to govern this particular "reactionary" province and Teilier is refusing to obey directives from district judges to provide protection for landowners. Confiscation is thus being used to destroy bases of political opposition. The government controlled Institute for Agricultural Development makes this very clear, declaring in the program set up to deal with Lautaro Province that—

> Agrarian reform is the principal tool for the destruction of the bourgeoisie (middle class).

Land reform is not the only tool the totalitarians in Chile are using. On January 7 of this year the Ministry of Justice announced the establishment of a system of "people's courts." These drumhead tribunals which have the power to enter, search, seize, and sentence for "antisocial activity" and popular unity committees were set up during the political campaign last fall. There are approximately 14,800 of these bodies, uniformly under the control of the Communist Party of Chile. These vicious instruments of control and liquidation are the ultimate sign of Communist totalitarianism. In Cuba they were known as block committees.

There is another Iron Curtain descending in the Americas.

MEMORIAL SERVICES FOR EARTHQUAKE VICTIMS

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. BROYHILL of Virginia. Mr. Speaker, a memorial service was conducted in front of the Veterans' Administration Hospital, Sepulveda, Calif., at 2 p.m., in behalf of the deceased patients and employees of that hospital who were victims of the tragic earthquake in the area.

My very good friend, the Honorable Fred B. Rhodes, Deputy Administrator for Veterans Affairs, delivered the Administrator's message on the occasion.

As I feel our colleagues and all who read this RECORD would share the thoughts and sentiments expressed in the message, I insert it in full at this point in the RECORD:

IN MEMORIAM—SAN FERNANDO VETERANS HOSPITAL—FEBRUARY 9, 1971

DECEASED PATIENTS—VA HOSPITAL, SAN FERNANDO, CALIF.

Benjamin Albanese, Ralph B. Adler, Jacob Magnus Andersen, John A. Anderson, Clarence Wallace Boggs, Arthur M. Cahill, Harvey Israel Cullen, Robert Andrew Curry, Juan S. Evangelista, John Fred Magnuson.

Norman J. Gans, Charles Preston George, Salvador B. Gonzales, Winfield Greer, Jenness Davic Harper, Charlie Ray Harrison, Eugene Parker Henry, Roy Jackson, J. D. Johnson.

Fay L. Jones, John Patrick Kane, Stanley Kwiatkoski, Willard James Lanyon, Goodwin Autin La Point, Daniel Lawson, Homer G. Lewis, James D. Macklin, Sr., Leo Sylvester Maddy, William F. Matthews.

William H. Miranda, Robert Earl Montgomery, Paul T. Priebe, Will Fred Stafford, John Eugene Sweetser, Donald E. Thorson, John Joseph Tierney, Jr., Robert T. Wright, Lonnie Veal.

DECEASED EMPLOYEES—VA HOSPITAL, SAN FERNANDO, CALIF.

Mrs. Barbara P. Benjamin, Mr. Miguel M. Chavez, Mrs. Nellie I. George, Mrs. Mae A. Laurence, Mrs. Clarissa W. Lee.

Mr. Stanley D. Lee, Mrs. Mary G. Leon, Mrs. Janet K. Mickelson, Miss Lucille M. Nicassio, Mr. Norman J. Stewart.

MEMORIAL SERVICES

2:00 P.M., February 19, 1971

Opening: 15th Air Force Band, March Air Force Base.

Introduction: Mr. Hugh O'Brian, master of ceremonies.

Taps: 15th Air Force Band.

Presentation of colors: Color guard, USSS Gudgeon Post 8310, Veterans of Foreign Wars.

Invocation: Rabbi Benjamin Elsant.

Administrator's message: Mr. Fred B. Rhodes, Deputy Administrator for Veterans Affairs.

Honor guard: 2nd Battalion, 23rd Marines, 4th Marine Division, USMC Reserves, Santa Monica.

Scripture: Rev. Wilbur J. Solie.

Necrology memorial wreath.

Benediction: Father Lawrence Eskay.

National Anthem: 15th Air Force Band.

Raising of Colors.

Services held in front of Building 3, Veterans Administration Hospital, Sepulveda, California.

REMARKS BY HON. FRED B. RHODES

A few short days ago, yes . . . even a few score hours ago . . . this flag which flies above swayed proudly in the morning breeze as the new day dawned at the San Fernando VA Hospital.

Those terrible moments of the morning of February 9 are now history that will henceforth be recorded and immortalized in the lives and deeds of those whom we mourn today.

Let this Memorial Service be our pledge that the 36 comrades and 10 Veterans Administration colleagues who died in the tragic San Fernando earthquake shall not be in vain.

We can find no greater reason to make this pledge . . . and no greater strength to carry it out . . . than the cause for which they lived.

We need not try to remember what they said and did in order to know these causes.

Rather, we need only ask ourselves:

What are *we* living for?

What are their *loved ones* living for?

And their 28-million comrades?

Or 170,000 associates in the Veterans Administration?

For Peace with Honor. Yes.

For freedom and security. Certainly.

For an end to poverty, hunger, discrimination, unemployment, pollution, disease, and other ills of mankind. Of course.

But those whom we now especially remember and revere lived . . . as we should . . . for other causes as well.

For human concern, the call to duty, a service, a well-spring of daily giving.

To help deliver the miracles of modern VA medicine not only with professional skill . . . but with personal compassion and care.

To seek a life of satisfaction . . . in a lifetime of service to those who served.

To each day have the privilege of being a servant and a messenger of hope and faith, of compassion, of brotherhood and love.

How they bore their hour of suffering and death we do not know . . . yet the tragedy that is San Fernando must surely be for our 46 beloved comrades and colleagues the final victory of service which we all must finally seek.

I tell you today that the 36 veterans who served our nation, and the 10 members of the San Fernando VA Hospital staff who dovoted their lives to guarding the door between life and death are truly doorkeepers in the house of God.

I say to their families, to their friends . . . indeed to all who were privileged to know our departed comrades and colleagues . . . that their love is mourned by all of us in the VA . . . and by all of America's veterans.

I must tell you that their loved ones have been especially remembered today. Administrator of Veterans Affairs Donald Johnson, directed that the flags at our 165 VA Hospitals throughout the country be lowered to half staff in honor of the memory of those who died in the tragic San Fernando earthquake.

Will the raising of Old Glory to the top of its staff here today and again at the end of this period of mourning signal the end of our honor to their memory?

I pray not.

Certainly it should not. And must not.

For we can pay our mourned comrades no greater or more lasting honor than to carry on their dedicated work of bringing VA medical care to ill and disabled and aging veterans.

Why is this a mandate for us here?

Because they would ask no more.

Because they deserve no less.

So we will return with heavy hearts to finish the work they could not finish.

But we return also with gratitude to our departed colleagues and comrades and one day, in God's own good itme, each of us must join them.

If we can finish our tasks as justly and as well, we can meet them, confident of their "well done."

And this, I submit, is a Supreme honor we could achieve.

Ladies and Gentlemen, this Volley, fired across this Flag carries our love, our devotion and our lasting memory to the honored dead of San Fernando.

VICTORY IN THE RIGERMAN CASE

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mrs. ABZUG. Mr. Speaker, as one who fully believes in the power and pressure of public opinion, I was highly pleased to see its effectiveness in securing the right of Leonid Rigerman and his mother, Mrs. Esther Rigerman, to leave the Soviet Union.

Due to the persistent efforts last fall of Congressmen William Ryan and James Scheuer and New York City Deputy Commissioner Daniel Greer, the American citizenship of both mother and son was confirmed by the U.S. State Department, and after representations from many groups and individuals the Soviet Union granted the Rigermans exit visas on February 15.

They arrived in New York late on February 20, and the following morning I had the pleasure of personally chatting with Mr. Rigerman. We met in my district at the Lincoln Square Synagogue, whose rabbi, Steven Riskin, was extremely active in behalf of obtaining justice for the Rigermans.

In talking with Mr. Rigerman, a 30-year-old physicist, I was impressed by the sincerity of his religious convictions and his quiet insistence on the right of a Jew to maintain his identity, his culture, traditions, and language. Having myself graduated from the Florence Marshall Hebrew High School, studied at the Jewish Theological Seminary, and been a teacher of Hebrew, I can fully appreciate his sense of frustration at his inability—in his words—to be a Jew in the Soviet Union.

Involved in the Rigerman case was not only the right to practice Judaism without government interference or reprisals, but the right to emigrate, a point which I stressed in a letter to Soviet Ambassador Anatoly Dobrynin on December 24.

I would like to include in the Record a New York Times news story, dated February 22, an interview with Mr. Rigerman on the NBC "Today" morning television show on the same day, and the texts of my cablegram to President Nikolai Podgorny protesting the death sentences imposed in the Leningrad hijacking trial and a letter to Ambassador Dobrynin.

[From the New York Times, Feb. 22, 1971]

Rigerman Lists the Fears of Jews in Soviet

(By Irving Spiegel)

Leonid G. Rigerman, 30-year-old Soviet-born Jewish physicist, said yesterday that a large number of Soviet Jews would emigrate to this country and to Israel if they felt more secure when applying for exit visas.

He said that they feared repression, loss of employment and not being given character references.

Mr. Rigerman and his 61-year-old mother, Mrs. Esther Michael-Rigerman, arrived at Kennedy International Airport early yesterday morning after an eight-month wait to leave the Soviet Union that had been marked by tense incidents.

Before they left the Moscow airport on a Pan American World Airways flight, they were searched and interrogated.

The Rigermans were given permission Feb. 12 to leave and were given United States passports by the embassy in Moscow. The Rigermans' case has been a sore spot in United States-Soviet relations since the Soviet police prevented Mr. Rigerman from entering the United States embassy last November in an effort to establish their American citizenship. He was jailed for six days on a conviction of disobeying police orders.

The Rigermans earlier had filed an application, through the embassy's consular section, to be recognized as American citizens. Mr. Rigerman, born in Moscow in 1940, based his claim on his parents. His mother was born in Brooklyn and had married his Russian-born father in the United States.

Mr. Rigerman said his father, now dead, was an American citizen because his paternal grandfather had been a naturalized citizen. The Rigermans moved to the Soviet Union in 1931. The United States State Department ruled in December that Mr. Rigerman and his mother were "native born" American citizens. The Soviet Union insists that they are Soviet citizens.

Speaking in English yesterday at a news conference at the Lincoln Square Synagogue, 200 Amsterdam Avenue, the bearded and diminutive Mr. Rigerman, wearing a skullcap, spoke about his arrival.

"I still feel I am looking at a picture in Moscow and that it's going to vanish soon," he said.

Speaking softly, Mr. Rigerman said his fellow Jews in the Soviet Union wanted to leave because "they can't be Jews; they are deprived of all forms of Jewish meaning, culture."

In a reference to the militant Jewish Defense League, which has demanded freedom for Soviet Jews, Mr. Rigerman said its activities "do not help or hinder Jews in the Soviet Union." He said, "I do not believe in violence except as a last resort."

He himself had been active in Jewish efforts in Moscow to ease Soviet emigration regulations.

Mr. Rigerman said he did not expect any reprisals to be taken against other relatives left behind in the Soviet Union.

Interview With Leonid Rigerman

Program: Today.

Date: February 22, 1971 at 7:00 A.M.

Station: WNBC-TV and the NBC Television Network at New York.

Hugh Downs. A world Jewish conference will convene in Brussels this week to discuss whether the three million Jews in the Soviet Union are discriminated against. There are reports that indicate that the Russian authorities have been carrying on a campaign of repression against the Jews who have asked to emigrate to Israel or other countries. How bad the anti-Jewish repression is we want to examine now with a Jew who's just arrived from the Soviet Union, Leonid Rigerman, who last November was arrested while attempting to enter the United States Embassy in Moscow. Mr. Rigerman is 32 years old. He's a Jewish physicist from Russia. He had gone to the embassy to try to confirm his citizenship in the United States based on the fact that his mother, Mrs. Ether Rigerman, was born in the United States, and even though Mr. Rigerman was born and lived in the Soviet Union all his life, the United States State Department ruled that they were Americans. The Soviet Union did not.

The Rigermans arrived in New York Saturday night. Mrs. Rigerman, Leonid's mother, was going to be with us, but she is understandably weary after that journey, so we're going to talk to Mr. Rigerman alone. First question. If they were willing to let you go, what was the reason for arresting you at the Embassy? Is there a rule in the Soviet about entering foreign embassies?

Leonid Rigerman. There is no published rule of that kind, but in the Soviet Union there are many unpublished rules, and one of them is that citizens shouldn't go to foreign embassies. And they didn't let me go because they didn't know at that time that they were going to leave me out, to let me go out of the country.

Downs. Yes. Did they finally acquiesce in the United States attitude that you were properly a citizen of the United States?

Rigerman. Yes, of course; they didn't realize that such a thing could have happened.

Downs. Now, the Brussels conference will take up the issue of discrimination against Jews in the Soviet Union. Did you experience discrimination and harrassment in the pursuit of your career as a physicist in the Soviet Union or in your private life?

Rigerman. In a subtle way. There are difficulties in getting jobs, and even some of the personnel managers—the most sincere used to tell that they can't take another Jew because there are already enough of them at the place. Also, at the institute, there are certain quarters. Well, and of course, a Jew, if he wants to be a Jew and insists on that, his career is very—he can't achieve much. I mean, he can work, but he can't be anything.

Downs. Does the Soviet Union construe activity on the part of a Soviet Jew to help other Jews to emigrate to Israel as Zionist activity, and is there a persecution of Zionist activity separate from persecution of the religious Jew?

Rigerman. Yes, there is such a thing as persecution of Zionists. We prefer in the Soviet Union don't call Zionists because the very word is considered criminal.

Downs. This is because of their alliance with the Arab cause.

Rigerman. Yes. Not only for that. Because the Soviet Union is very sensitive and considers it a painful issue that Jews, Soviet Jews want to leave the country.

Downs. Do they discriminate against other nationalities who might want to leave the country? In other words, is the attitude of the Soviet Union officially that the Soviet Union should be such a desirable place to live that it's an insult to them if anyone wants to leave?

Rigerman. Exactly. Their prestige suffers. That's the way they understand their prestige. In Stalinist days they used to say that nobody at all wants to leave the country. And after Khrushchev, it became possible to express this desire and not to get into a concentration camp for that.

Joe Garagiola. Have there been any repercussions against the Jews, Mr. Rigerman, stemming from the anti-social incidents here in the United States that have been stirred up by the Jewish Defense League?

Rigerman. I don't think that any protests can do harm to the Soviet Jewry, from that point of view. But of course there is another approach, that I personally am not an advocate of violent methods, and it seems to me that this should be the last resort, and we didn't come to that stage yet.

Downs. We're here this morning with Mr. Leonid Rigerman who just arrived from the Soviet Union, and we're talking about discrimination against Jews in the Soviet Union. There's going to be a conference in Brussels about this, and at that conference there's a Russian delegation not invited to the conference but nevertheless coming from Russia as Jewish spokesmen for the Soviet Union to blunt the effect of the conference, no doubt. This group is headed by a lieutenant-general in the Red Army. And I want to ask you, Mr. Rigerman, if there is widespread discrimination against Jews in the Soviet Union, how would a man rise to the position of a lieutenant-general in the Red Army?

Rigerman. A Jew may rise to such a position if he forgets all about his Jewishness and doesn't want actually to practice Jewishness.

Downs. In other words, he has to abandon his religion, in effect.

Rigerman. Yes. Not only religion. His Jewish identification. What kind of a Jew is he if he doesn't know his language, his culture, his history? Of course, such Jews may reach high ranks.

Downs. So you say it's impossible for a Jew to rise in the Soviet hierarchy and still pursue his religion and his identity.

Rigerman. Absolutely.

Garagiola. Whose idea was it to leave Russia, yours or your mother's?

Rigerman. Well, my mother at first wouldn't want to listen about it, and I had to work gradually on her for two years, that she should agree finally. And when it went through and the plane took off, she told me, "Well, I believe there is a God." She was an atheist all her life.

Garagiola. She was an atheist till the plane took off?

Rigerman. Yes.

Downs. Well, had she pursued—had she abandoned her religion at one time, or did she preserve it? I mean, did your mother always continue in the Jewish religion, or had she suspended it?

Rigerman. No. She was brought up in an atheist family.

Downs. I see.

Rigerman. And she didn't care for religion.

Downs. Now, in 1937 she was naturalized as a Soviet citizen. Was that a voluntary act or . . .

Rigerman. No, no.

Downs. It was not.

Rigerman. No. Nineteen thirty-seven was a terrible year in the history of the Soviet Union, when about six million people were in jail just for nothing. And in the house where we lived, that was a house for foreign specialists. Every day, at night, one or two persons were arrested.

Downs. Do you think, Mr. Rigerman, that the world spotlight on the Brussels conference will have an effect on the life of Soviet Jews?

Rigerman. It can only help those who want to leave, because any discussion on an international level of this problem should be helpful for them.

Bella S. Abzug Protests Leningrad Trial Verdict

New York.—In a cablegram sent December 26th to President Nikolai Podgorny of the Soviet Union, Congresswoman-elect Bella S. Abzug strongly protested the death sentences and other heavy penalties imposed upon the eleven (11) defendants in the Leningrad hijacking trial.

Declaring that the "severity of the sentences has shocked humanity," Mrs. Abzug said: "I urge your Government to free these prisoners and to grant Soviet Jews the full right to emigrate." A similar message was sent to Ambassador Anatoly Dobrynin in Washington.

In an earlier letter sent to Ambassador Dobrynin on the eve of the trials, Mrs. Abzug said the reports of arrests and harassment of Soviet Jews were "all the more distressing" in view of his Government's prohibition of anti-Semitism and its repeated endorsement of the UN Declaration of Human Rights, which assures everyone of "the right to leave any country, including his own."

"As one who has fought against violations of human and civil rights in my own country," she said, "I call on your Government to release Jewish prisoners who have been jailed for their beliefs and to state unequivocally that it will honor the pledge of Premier Kosygin to allow those who wish to leave the Soviet Union to do so freely and without impediment."

Bella S. Abzug Calls on Soviets To End the Arrests and Harassment of Jews

New York, December 24.—Congresswoman-elect Bella S. Abzug (19th C.D., Manhattan) has called on the Soviet Union to "release Jewish Prisoners who have been jailed for their beliefs," and to "honor the pledge of Premier Kosygin" to allow free emigration.

In a letter sent last week to Anatoly Dobrynin, Soviet Ambassador to the United States, and made public today, Mrs. Abzug referred to evidence of "arrests and harassment of Jews in Russia," including the case of physicist, Leonid Rigerman, who has "legitimate evidence" to claim American citizenship, and the reported current trials of men and women who attempted to leave the country. Writing as a "life-long advocate" of cooperation between America and the Soviet Union in the cause of world peace and as "one who has fought against violations of human and civil rights in my own country," Mrs. Abzug reminded the Ambassador of strong public positions against anti-Semitism which his government has taken publicly in the past. These include the Soviet government's "constitutional prohibition of anti-semitism and its repeated endorsement of the United Nations Declaration of Human Rights which assures everyone of the 'right to leave any country, including his own.'"

"Furthermore," Mrs. Abzug wrote, "I refer you to Premier Kosygin's statement in Paris on December 3, 1966, in which he said, 'Should anyone want to be reunited with their families or want to leave the Soviet Union the road is open and no problem exists here.'"

The full text of Mrs. Abzug's letter follows:

Dear Mr. Ambassador: As a life-long advocate of a policy of cooperation between your country and mine in the cause of achieving world peace, I call your attention to a matter that has long disturbed me: The fate of Jews in the Soviet Union who wish to observe their religious beliefs with freedom and dignity and who in some cases seek the right to emigrate to Israel.

The evil of anti-Semitism has haunted civilized people through the ages, has been recognized as an evil in your country, and has been resisted by all who believe in humanism and equality, among whom I number myself.

It troubles me, therefore, to read reports from so many different sources of evidence of discrimination against Jews in the Soviet Union, including their arrests on a wide variety of charges, including planning or attempting to leave the country.

In the face of reported rumors that trials of some of these men and women are taking place, I urge you to convey to your government the deep sense of outrage that such trials—whether open or secret—will arouse.

I also deplore the detention of Leonid Rigerman, a Jewish physicist who has been repeatedly prevented from entering the American embassy in Moscow to establish his claim to U.S. citizenship. Mr. Rigerman has sufficiently legitimate evidence to warrant such a claim and he should be allowed to pursue this through legal channels, as is his right, without being threatened with imprisonment.

The reports of arrests and harassment of Jews are all the more distressing in view of your government's prohibition of anti-Semitism and its repeated endorsement of the United Nations Declaration of Human Rights, which assures everyone of the "right to leave any country, including his own." Furthermore, I refer you to Premier Kosygin's statement in Paris on December 3, 1966, in which he said: "Should anyone want to be reunited with their families, or want to leave the Soviet Union, the road is open and no problem exists here."

As one who has fought against violations of human and civil rights in my own country, I call on your government to release Jewish prisoners who have been jailed for their beliefs and to state unequivocally that it will honor the pledge of Premier Kosygin to allow those who wish to leave the Soviet Union to do so freely and without impediment.

IRA KAPENSTEIN

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. DULSKI. Mr. Speaker, the sudden passing of Ira Kapenstein, 35, brings sorrow to many of us here on Capitol Hill, as well as throughout the Nation.

Although still a relatively young man, Ira had climbed the leadership ladder rapidly. For the past year he had been deputy chairman of the Democratic National Committee.

His basic training was that of a newspaperman, but he turned to public life when an old friend from Wisconsin, the Honorable John A. Gronouski, asked him to join his top staff in 1963 when Mr. Gronouski became Postmaster General.

Ira adapted quickly to the new role and became a top adviser to the Postmaster General. When President Johnson named Mr. Gronouski his Ambassador to Poland, Mr. Gronouski asked Ira to go along with him but Mr. Gronouski's successor, Lawrence F. O'Brien, wanted Ira to stay at the Post Office Department and Ira remained.

DEDICATION WAS EXEMPLARY

As a member of the Post Office and Civil Service Committee, and for the past 4 years as chairman, I had many occasions to consult with Ira and I know of no person who was more helpful and conscientious in his work, and in his devotion to duty. His cooperation and his dedication left nothing to be desired.

Our paths have not crossed as often since he left the Post Office Department, but I am well aware that besides leaving his mark at the Department he also has left his lasting impression in his other roles, particularly in his work with the national committee.

His passing came as a great shock to me because I was aware of the active part he played in the national committee meeting just a few days ago. I extend my deepest sympathy to his widow, his children, his mother, and his brother in their great loss.

Mr. Speaker, as a part of my remarks I include the text of the obituary published March 1 in the Milwaukee Journal, the newspaper where he started his journalistic career and which he left to enter public life:

KAPENSTEIN, DEMOCRATIC AIDE, DIES

Washington, D.C.—Ira Kapenstein, a former newspaperman who rose to the highest councils of the national Democratic Party, died of cancer early Monday after battling the disease for a decade. He was 35.

Kapenstein died in George Washington University Hospital here, where he was taken during the weekend. He had been a political reporter and later a Washington correspondent for The Milwaukee Journal from 1956 to 1963.

As deputy chairman of the Democratic National Committee, Kapenstein was at Chairman Lawrence F. O'Brien's side throughout the stormy meeting of the committee just 10 days ago at which historic reforms were approved for fairer selection of delegates to the 1972 national convention.

"To know Ira Kapenstein was a rare privilege in life," O'Brien said Monday. "I have lost my intimate friend and wise counselor, a warm and understanding man of great courage. The country and the Democratic National Committee have lost a dedicated leader."

O'BRIEN PAYS TRIBUTE

O'Brien said the national committee offices would be closed Tuesday to honor the memory of Kapenstein.

Kapenstein had been associated with O'Brien since 1965, when President Johnson named O'Brien postmaster general. Kapenstein had joined the Post Office Department in 1963, when Wisconsin's John A. Gronouski became postmaster general.

He served both Gronouski and O'Brien as special assistant for public information, but actually was the top adviser for both men.

Kapenstein stayed with O'Brien when O'Brien left the cabinet to assist Robert F. Kennedy's campaign for the Democratic presidential nomination in 1968, working in primaries in Indiana, Nebraska, Oregon and California.

After Kennedy's assassination, Kapenstein joined O'Brien in working for Vice President Hubert Humphrey's successful drive for the nomination.

AIDED HUMPHREY CAMPAIGN

O'Brien then became chairman of the Democratic National Committee and he named Kapenstein his executive assistant.

O'Brien resigned as Democratic chairman in January, 1969, to become president of McDonnell & Co., a New York Investment banking and stock brokerage firm, and Kapenstein went along as his executive assistant. The firm is now defunct.

Kapenstein was named vice president for administration of the firm in September, 1969, after O'Brien left to establish his own public relations business.

Last March, a few days after O'Brien was renamed Democratic national chairman, Kapenstein rejoined him as deputy chairman.

Born in The Bronx, in New York City, Kapenstein graduated in 1956 from the University of Iowa, where he was editor of the Daily Iowan, university daily newspaper, and immediately joined The Journal. He covered politics for several years and joined The Journal's Washington bureau early in 1963.

RECEIVED HIGH HONORS

While with the Post Office, he received the Benjamin Franklin Award, the department's highest honor, and the William A. Jump Memorial Foundation Award for excellence in public administration.

Only two weeks ago, he and his wife, Betty, had participated in a bar mitzvah for their oldest son, Joel, who became 13 in January. The Kapenstein home is at Potomac, Md.

Kapenstein was a member of Omicron Delta Kappa, an honorary leadership society; sigma Delta Chi, a professional journalistic society, and the National and Milwaukee Press Clubs.

Also surviving are two other sons, David 9, and James, 5; his mother, Mrs. Alice Kapenstein, Brooklyn, and a brother, Henry, Philadelphia.

A daughter, Marcia 4, died in 1964.

Services will be at 1 p.m. Tuesday in the Goldberg Funeral Home in Washington. Burial will be in the King David Memorial Garden, Falls Church, Va.

The family suggested contributions to the Memorial Sloan-Kettering Cancer Center in New York City. Kapenstein had received treatment and surgery there several times during the last 10 years.

NATIONAL LAND-USE POLICY

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. HOSMER. Mr. Speaker, I am introducing for myself and for Messrs. Kyl, Steiger of Arizona, McClure, Don H. Clausen, Ruppe, Camp, Lloyd, McKevitt, Terry, Gerald R. Ford, Bob Wilson, Widnall, Vander Jagt, and Coughlin, landmark legislation, the purpose of which is to establish a national land-use policy.

The bill, in establishing a national land-use policy, authorizes the Secretary of the Interior to make grants, encourages assistance to States in preparing and implementing land-use programs for protecting areas of critical environmental concern, and provides direction and control of growth and development in areas of more than local significance.

On February 8, 1971, President Nixon in his message to the Congress on the environment set forth the underlying philosophy and need for this type of legislation. In his message the President stated:

> The use of our land not only affects the natural environment but shapes the pattern of our daily lives. Unfortunately, the sensible use of our land is often thwarted by the inability of the many competing and overlapping local units of government to control land use decisions which have regional significance.
>
> While most land use decisions will continue to be made at the local level, we must draw upon the basic authority of State government to deal with land use issues which spill over local jurisdictional boundaries. The States are uniquely qualified to effect the institutional reform that is so badly needed, for they are closer to the local problems than is the Federal Government and yet removed enough from local tax and other pressures to represent the broader regional interests of the public. Federal programs which influence major land use decisions can thereby fit into a coherent pattern. In addition, we must begin to restructure economic incentives bearing upon land use to encourage wise and orderly decisions for preservation and development of the land.
>
> I am calling upon the Congress to adopt a national land use policy. In addition, I am proposing other major initiatives on land use to bring "parks to the people", to expand our wilderness system, to restore and preserve historic and older buildings, to provide an orderly system for power plant siting, and to prevent environmental degradation from mining.
>
> We must reform the institutional framework in which land use decisions are made.
>
> I propose legislation to establish a National Land Use Policy which will encourage the States, in cooperation with local governments, to plan for and regulate major developments affecting growth and the use of critical land areas. This should be done by establishing methods for protecting lands of critical environmental concern, methods for controlling large-scale development, and improving use of lands around key facilities and new communities.
>
> One hundred million dollars in new funds would be authorized to assist the States in this effort—$20 million in each of the next five years—with priority given to the States of the coastal zone. Accordingly, this proposal will replace and expand my proposal submitted to the last Congress for coastal zone management, while still giving priority attention to this area of the country which is especially sensitive to development pressures. Steps will be taken to assure that Federally-assisted programs are consistent with the approved State land use programs.

Specifically, under this legislation Federal grants would be made to assist States in developing and managing land-use programs. Grants for up to 50 percent of cost would be made to develop State land-use programs, including plans covering selected areas, and laws or regulations necessary to implement the programs.

Grants would also be made for up to 50 percent of the cost of managing State land-use programs which meet certain requirements set forth in the draft bill. For example, the programs should include methods for inventorying, designating, and exercising control over the use of land within areas of critical environmental concern or areas impacted by key facilities, as well as methods for controlling large-scale development and methods for assuring that local laws and regulations do not restrict development of regional benefit, and for controlling land use around new communities.

The proposed bill authorizes the President to designate an agency to issue guidelines to assist Federal agencies in carrying out the requirements of this act. I understand that the President intends to give this responsibility to the Council on Environmental Quality.

Mr. Speaker, I urge my colleagues to join us in support of this legislation by encouraging you to introduce this legislation and assist in bringing about its passage and enactment.

GOVERNMENT MUST LIVE WITHIN ITS INCOME

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. LUJAN. Mr. Speaker, those of us who believe that Government, like taxpayers, must live within its income are admittedly in the minority in this Chamber. The number of votes cast against today's increase in the national debt will indicate the exact size of that minority.

We are under no illusions as to the course this legislation will take. It will pass. It will become law. And the Federal Government will thus impose still heavier debt and more crushing interest payments upon our people.

I shall vote "no," and in so doing shall respectfully call to the attention of my colleagues not only what I consider to be the underlying causes of this debt but also what I feel our proper course of action to be.

The increased debt results from the actions of the House of Representatives in passing ever-larger spending programs without passing the necessary revenue measures to pay for them.

According to the old saying, he who pays the fiddler calls the tune. But the majority of this body has turned that saying around. It now goes: He who calls the tune charges the fiddler's payment to later generations.

The Congress has been calling the tunes it believes the people want to hear: Billions more for education, billions more for housing and hospitals, billions more for welfare, roads, subsidies, and foreign aid. These tunes make highly salable albums in the election marketplace, and those of us who demanded to know where the money was coming from were shouted down as being "against education, against the poor, against the sick, and against helping our fellow man."

But, Mr. Speaker, we are now at the point where the fiddler must be paid—and once again we are asked to hand the cashier our credit card and pass the bill down to our children and grandchildren for payment.

It need not be so. A government, like its people, can live within its income. As we approach a trillion dollar gross national product, we have available to us many tools to help us accomplish that goal. Among his first messages to the Congress on economy measures, the President suggested more than 50 specific methods by which we can cut the runaway costs of Government. As with most programs aimed at saving money rather than spending it, these suggestions have gone unheeded.

A case in point is the package of administration bills calling for Government reorganization. These bills are still locked in committee, along with the $5 billion they would save the taxpayers.

Another is the excess war profits tax bill which I and a number of my colleagues introduced last year and plan to reintroduce this year. This bill, along with the estimated $11 billion it would produce in new revenues, has never reached the floor of the House.

Still another is a bill aimed at having foreign countries pay their fair share of American troops and supplies sent to their shores, at their request, for their own defense.

These and many more measures aimed at reducing costs and increasing Government income without additional taxes on the workingman are awaiting consideration in committee. But in the meantime, all manner of spending bills take precedence.

Mr. Speaker, I am among those who voted "no" to increased foreign aid and were overruled.

We voted "no" to giving money to other countries and borrowing it back at high rates of interest, and we were overruled.

We voted "no" to sending money to ungrateful nations that demand our assistance and seize our fishing boats in return, and we were overruled.

We voted "no" to inflationary increases in domestic spending, and we were overruled.

We voted "no" to continued deficit spending, and we were overruled.

On measure after measure, we have consistently asked, "Where is the money coming from?" but until today we have received no answer.

Now, as always it must, the day of reckoning has arrived. Those who overruled us on the spending bills have finally brought forth their answer to that question. And their answer is:

"Borrow the money and let our children inherit our debts."

Is this trillion-dollar generation so pleasure bent, so spendthrift as to endorse such a course for the Republic?

In once again voting "no" to this increase in our national debt, I implore my colleagues on both sides of the aisle to consider the inevitable inflationary results of this action. I ask that the House of Representatives stop playing the role of a bankrupt Santa Claus and be instead like the virtuous wife in Proverbs 31:10 who "looketh well to the ways of her household."

Our national household has for too long operated on a "spend now, pay later" concept. It is time now to put away the credit card and begin paying our bills.

CSC GIVEN GOOD MARKS DURING HAMPTON'S TENURE

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. BROYHILL of Virginia. Mr. Speaker, my very good friend Joe Young, who writes the column, "Federal Spotlight," in the Washington Evening Star, has paid high tribute to our fine Civil Service Commission Chairman for his service during his 2 years in the chairmanship of the agency having jurisdiction over all Federal employees.

As I believe all our colleagues would want the American people to know of the excellent job Chairman Robert Hampton is doing, I insert the February 15 edition of the "Federal Spotlight" in full at this point in the RECORD:

THE FEDERAL SPOTLIGHT: CSC GIVEN GOOD MARKS DURING HAMPTON'S TENURE

(By Joseph Young)

At the 2-year mark, it seems a good time to assess the performance thus far of the Civil Service Commission under the Nixon Administration.

All things considered, the CSC's performance under the fine leadership of Chairman Robert Hampton, ably assisted by Commissioners Lud Andolsek and James Johnson, has been surprisingly good.

Surprisingly because the CSC previously had been headed by another excellent chairman, John Macy, under whose shadow Hampton had served as the Republican member in the Democratic administrations of Presidents Kennedy and Johnson.

QUESTION OF TOUGHNESS

When Hampton was named by Nixon to take over the chairmanship, there were people around town, including government union leaders, federal personnel officials and members of Congress, who privately wondered whether Hampton had the toughness and the leadership abilities to adequately take the place of Macy.

Hampton didn't take long to convince most people that he did.

The CSC under his leadership and that of the associate commissioners, plus the fine professional staff headed by executive director Nicholas Oganovic, has accomplished much these last two years in the way of modernizing the government's personnel system and practices as well as strengthening employees' rights and benefits.

The CSC has its faults, of course. What agency hasn't? But it generally has the respect and trust of government employe unions, members of Congress and federal personnel officials. The CSC sometimes may move too slowly for some and may appear to be overcautious on occasion, but its over-all record is a good one.

Under Hampton's leadership, the CSC has played a major role in strengthening the government's labor-management relations program and further improvements soon will be announced.

The government's grievance and appeals system has been streamlined, with greater safeguards given employes to assure more impartial and expeditious hearings.

PAY COMPARABILITY

The CSC worked closely with Rep. Morris Udall, D-Ariz. and other members of the House and Senate Post Office and Civil Service Committees and congressional leaders to secure enactment of the new semi-automatic federal white-collar pay system in which salaries will be adjusted annually without having to be approved by Congress. It assures federal pay comparability with industry.

Liberalized retirement benefits were enacted into law, with the support of the CSC.

The government increased its contributions to federal health insurance premiums—to 40 percent from the previous 25 percent—as a result of a law approved by Congress with CSC support.

These laws could not have been enacted without the CSC's active support.

There have been rumblings of political clearances required for choice federal career jobs and this has happened in some instances. But these have been the exception to the rule and the CSC has succeded in preventing any broad or centralized political assault on federal career positions.

Progress has been made in equal employment opportunity programs, although not as fast as minority group employees or the CSC itself would like. But if the progress is slow, the gains are steady.

With the commission's strong support, the financial stability of the civil service retirement system was assured when Congress approved the law providing for annual appropriations to prevent the fund from going bankrupt

OFFICE FOR COMPLAINTS

The CSC also has set up a complaints office to which federal employes may take their complaints on agency personnel actions.

Another CSC accomplishment is a program to open up better career opportunities for lower-salaried employes by abolishing the use of federal service entrance exams (usually given college graduates) in making promotions.

Also, the CSC has expanded the government's occupational health program to provide on-the-job preventive and emergency health treatment to employes through clinics in various federal buildings.

While government employe union leaders have their share of differences with the commission, they nevertheless have the feeling that the CSC under Hampton usually is fair and sympathetic with their problems and has a generally progressive outlook on federal personnel policies and benefits.

STUDENTS BUILD FOR THE FUTURE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. PUCINSKI. Mr. Speaker, as a long-time advocate of greater attention to the world of work for school-age Americans, I was pleased to note the highly innovative efforts of the Santana High School in Santana, Calif., to prepare students for careers outside the classroom.

Specifically, this modern school combines the faculties of its vocational education departments and teaches its students to construct a complete 3-bedroom house every school year.

This is a project that not only makes good sense in that it trains countless youngsters for useful jobs and gives them the pride of actual achievement, but it also produces a useful product, for the house is sold upon completion to the highest bidder.

Mr. Speaker, this is creative education and it deserves national recognition. I call this article in the Christian Science Monitor to the attention of my colleagues who may wish to discuss its merits with parents and educators in their own districts.

Mr. Speaker, the article follows:

[From the Christian Science Monitor, Feb. 20, 1971]

THE MORE, THE MERRIER—STUDENTS BUILD FOR THE FUTURE

SANTANA, CALIF.—Too many cooks may spoil the broth. But the more, the merrier, seems to be the applicable adage when it comes to building houses.

That's the experience of students here at Santana High School, where the ninth house is currently taking shape.

Primary responsibility rests with the building-construction-trades class. But the electronics class is installing the wiring, homemaking students will handle interior decoration, and business classes set up the bookkeeping and accounting system. Also, the architectural design was selected in a competition that involved all drafting classes in the district.

Local students started building houses in 1958. Allowing for a few gaps along the way, they've started and completed one dwelling each academic year since then. Most of these have been built on the schoolgrounds, then moved to a permanent site when sold.

"This is one project that doesn't cost the taxpayers much," comments Bruce Webb, who teaches the construction course. "Last year we had $700 left over after covering all costs. That went for department purchases of different kinds."

For two years now, San Diego County Savings and Loan Clearing Association has advanced $12,000 on each house, interest free. When sold, the organization grants a mortgage to the purchaser. If the high school can erect and finish the dwelling for less than $12,000, it may keep the difference. This is the sum Mr. Webb refers to as "left over."

This year's structure contains 1,546 square feet of floor space. This shows up as three bedrooms, a dressing room, two baths, a dining area, and kitchen. A carport will also be added.

Mr. Webb refers to the house project as "a vehicle for learning." He says that "everything is as similar to an actual construction job as possible."

The reason is that students are here to learn a trade they will probably follow as a career. To expose these youths "as much as possible to all trades," experts are brought in to show them how to do skilled jobs.

For example, rather than let regular plumbers do the pipe and duct work in the house, Mr. Webb arranges for a retired plumber to come and demonstrate proper methods to the class. He then supervises the boys as they do the job.

The construction class consists of 27 youths, nearly all of them seniors, who come from all eight high schools in the Grossmont district. The area's vocational-technical-education program is conducted here at Santana High.

The class meets for three hours each day. Students work on other projects at the same time, though the house is the principal activity. It claims 10 to 12 hours of physical effort every week.

In addition, students take time to learn each process in the classroom before applying this knowledge to the building. Also, Mr. Webb insists that students stop and learn from their mistakes along the way. "This," he says, "is the best learning that we can do."

After a week of orientation, the class started erecting the present structure Nov. 5. Southern California's weather permits construction to continue through the winter to anticipated completion in spring. The house is then sold to the highest bidder.

The school board invites bidding but reserves the right to reject all offers if none is high enough. A second round was called for last spring, to find a satisfactory offer. The board insists on recovering its investment in materials.

The purchaser removes the house to his own site at his own expense.

The designer of this year's house, Alan Breese, is now a junior-college student, who draws plans for builders on the side.

The local architects' association provides drafting equipment and awards several cash prizes for the best designs submitted each year.

Don W. Lobb, supervisor of vocational-technical education, looks forward to a shift in emphasis in the design competition for next year. "The house will be more in the style that people now want," he declares. "There will be greater individuality, more innovation. This will help the educational process of construction."

Another hoped-for change next year is the admission of more students to the construction class. A total of 40 would permit the division of the class into two sections.

The overall vocational program is both broad and practical, Mr. Lobb points out. For example, all cabinets in the high school were built by students. Dugouts on the baseball diamond are being prepared by them, too. Baseball helmets were fashioned by the plastics class. Discarded highway-patrol cars have been bought and reconditioned by students for use as school-district cars. Even a work-lift truck, bought for $50, has been put into shape for use on the school grounds.

In this vocational-technical education, both students and the school district seem to be getting their money's worth.

FEDERAL CIVILIAN EMPLOYMENT, JANUARY 1971

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. MAHON. Mr. Speaker, I include a release highlighting the January 1971 civilian personnel report of the Joint Committee on Reduction of Federal Expenditures:

FEDERAL CIVILIAN EMPLOYMENT, JANUARY 1971

Total civilian employment in the Executive, Legislative and Judicial Branches of the Federal Government in the month of January was 2,867,250 as compared with 2,875,231 in the preceding month of December. This was a net decrease of 7,981.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Federal Expenditures.

EXECUTIVE BRANCH

Civilian employment in the Executive Branch in the month of January totaled 2,829,637. This was a net decrease of 8,683 as compared with employment reported in the preceding month of December. Employment by months in fiscal 1971, which began July 1, 1970, follows:

Month	Executive branch	Increase	Decrease
July 1970	2,942,517		−1,595
August	2,901,856		−40,661
September	2,851,875		−49,981
October	2,838,664		−13,211
November	2,843,411	+4,747	
December	2,838,320		−5,091
January 1971	2,829,637		−8,683

Total employment in civilian agencies of the Executive Branch for the month of January was 1,679,814, a decrease of 2,552 as compared with the December total of 1,682,366. Total civilian employment in the military agencies in January was 1,149,823, a decrease of 6,131 as compared with 1,155,954 in December.

The civilian agencies of the Executive Branch reporting the largest decreases during January were Post Office with 8,255 and Agriculture Department with 1,991, partially off-set by an increase in Treasury Department with 6,943. These changes were largely seasonal.

In the Department of Defense the largest decreases in civilian employment were reported by the Army with 2,878, Navy with 1,711 and Air Force with 1,222.

Total Executive Branch employment inside the United States in January was 2,622,248, a decrease of 6,365 as compared with December. Total employment outside the United States in January was 207,381, a decrease of 2,326 as compared with December.

The total of 2,829,637 civilian employees of the Executive Branch reported for the month of January 1971 includes 2,521,040 full time employees in permanent positions. This represents a decrease of 2,505 in such employment from the preceding month of December.

The Executive Branch employment total of 2,829,637 includes some foreign nationals employed abroad, but in addition there were 100,059 foreign nationals working for U.S. agencies overseas during January who were not counted in the usual personnel reports. The number in December was 101,395.

LEGISLATIVE AND JUDICIAL BRANCHES

Employment in the Legislative Branch in the month of January totaled 30,364, an increase of 551 as compared with the preceding month of December. Employment in the

Judicial Branch in the month of January totaled 7,249, an increase of 151 as compared with December.

DISADVANTAGED PERSONS

The total of 2,867,250 reported by the Committee for January includes 19,857 disadvantaged persons employed under federal opportunity programs, a decrease of 142 from the preceding month of December.

In addition, Mr. Speaker, I would like to include a tabulation, excerpted from the joint committee report, on personnel employed full time in permanent positions by executive branch agencies during January 1971, showing comparisons with June 1969, June 1970, and the budget estimates for June 1971:

FULL-TIME PERMANENT EMPLOYMENT

Major agencies	June 1969	June 1970	January 1971	Estimated June 30, 1971[1]
Agriculture	83,425	82,912	82,541	85,600
Commerce	25,364	25,427	27,681	28,400
Defense:				
Civil functions	31,214	30,297	29,563	30,900
Military functions	1,225,877	1,129,642	1,086,037	1,079,500
Health, Education, and Welfare	102,941	102,297	103,958	105,300
Housing and Urban Development	14,307	14,661	14,821	16,000
Interior	58,156	59,349	55,770	58,000
Justice	35,106	38,013	39,422	43,600
Labor	9,723	10,217	10,565	11,600
Post Office	562,381	565,618	567,885	585,200
State	24,658	23,618	23,173	23,600
Agency for International Development	15,753	14,486	13,807	14,000
Transportation	60,386	63,879	66,466	69,600
Treasury	79,982	86,020	88,129	93,500
Atomic Energy Commission	7,047	7,033	6,949	7,000
Civil Service Commission	4,970	5,214	5,246	5,500
Environmental Protection Agency[2]			4,643	6,700
General Services Administration	36,176	36,400	36,514	39,900
National Aeronautics and Space Administration	31,733	31,223	29,641	29,900
Office of Economic Opportunity	2,856	2,387	2,384	2,500
Panama Canal	14,731	14,635	14,403	14,800
Selective Service System	6,584	6,665	6,712	6,500
Small Business Administration	4,099	4,015	3,949	4,100
Tennessee Valley Authority	11,987	12,657	13,260	13,300
U.S. Information Agency	10,500	9,989	9,812	9,900
Veterans' Administration	147,606	148,497	149,720	154,400
All other agencies	26,200	27,420	27,626	29,700
Contingencies				5,000
Subtotal	2,633,762	2,552,571	2,520,677	2,574,000
Public Service Careers			363	[3]4,900
Total	2,633,762	2,552,571	2,521,040	2,578,900

[1] Source: As projected in 1972 budget document; figures rounded to nearest hundred.

[2] Established as of Dec. 2, 1970, by transfer of functions and personnel from Interior, HEW, Agriculture, Federal Radiation Council and Atomic Energy Commission.

[3] Source: Civil Service Commission estimate of persons in "entry" component for whom ceiling relief has been granted.

GEN. MARK W. CLARK COMMENTS ON THE VIETNAM WAR

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, March 4, 1971

Mr. THURMOND. Mr. President, Gen. Mark W. Clark, one of our country's most distinguished and eminently qualified generals, has made a number of factfinding visits and objective appraisals of the Vietnam war. He recently returned from a trip to Southeast Asia. His report is entitled "No Retreat in Southeast Asia."

On the several options available to the United States in January 1968, General Clark reports that the President chose the best alternative. He states that the President is on the right track. General Clark summarized his most recent analysis in a newspaper column which was published in the Charleston, S.C., News and Courier of February 26, 1971.

General Clark, as a retired general, has no ax to grind or political motives. He is one of our Nation's most outstanding military experts with vast knowledge and experience of war and peace strategy. General Clark was commander of U.S. Forces in the Mediterranean during World War II and in Korea. His appraisal in support of the present strategy in Vietnam is significant for those who undermine the efforts of the President and proclaim an immediate capitulation by a preannounced date to complete withdrawal.

Mr. President, I wish to quote a key military point made by General Clark in his report. He said:

> If we will have patience and continue to support logistically, and with air and naval power, the Vietnamization program, as long as needed, there is a chance, and one worth taking, that there will be developed in Southeast Asia an effective anti-communist bloc of Asiatic nations which can defend themselves.

I ask unanimous consent that General Clark's column be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NO RETREAT IN SOUTHEAST ASIA

(By Mark W. Clark)

I just returned from another trip to the Far East which included visits to Korea, Taipei and Vietnam.

On Feb. 21, 1970, The New York Times published an article by me on "Vietnam Options." As I then saw the situation, there were several options open to President Nixon when he came into office:

Intensify the war to win a military victory. This is politically unsound, having fought too long with a "no win, no bombing" attitude.

Pull out immediately. By so doing over 40,000 Americans would have died in vain, and a vacuum would be created in Southeast Asia into which the Communists would move immediately.

Carry on the "no win, no bombing" war. This gave a great advantage to the enemy, with a continuation of the heavy blood-letting so unacceptable to all Americans.

Continue Vietnamization. We so successfully Koreanized the situation in that country that we now have a very staunch ally. I realize the situations in Korea and Vietnam differ, but the basic goal of preparing Asiatics to defend themselves is the same.

I reemphasize the feeling I had when I signed the Korean Armistice in 1953. I felt then and still do that in our first test of arms with the Communists we should have defeated them. Had we done so, I believe we would not be involved as we are in Vietnam.

However, for a long time there had been a lack of determination to win the war in Vietnam. As a result, the President adopted Vietnamization. My visit to Vietnam convinced me that he is on the right track, with the splendid leadership of Gen. Abrams, and assisted at all levels of command by qualified and cooperative officials of the State Department.

In Vietnam I was briefed by Gen. Abrams and echelons of command down to small units. The Vietnamization program is working well, and the training of South Vietnam armed forces is progressing. Recent operations of these forces in Cambodia and Laos provide the most dramatic evidence of their growing strength and capabilities to provide the starch that South Vietnam needs to stand on its own feet and contribute to stability in Southeast Asia.

Long-time observers say South Vietnam forces came out of the first Cambodian operations "at least ten feet tall," with new-found confidence. The Vietnamese fighting man is becoming tough and ready, and is operating in a capable manner. He's cooperating with his neighbors, which is of great importance.

The situation in Laos and Cambodia is confused, with no way to predict accurately the results of intensified Communist actions in those areas. The problem is further complicated by the action of our Congress in restricting the President in the amount of support needed by the South Vietnamese to meet these new threats and assist their neighbors.

However, I believe time is playing to our advantage for the first time. We must not become impatient because of political pressure to bring our forces home too rapidly and before the South Vietnamese forces are prepared to take over additional responsibilities as our men come home.

Remember that in Korea, 18 years after the signing of the armistice, we still have over 50,000 of our men on duty, and what a morale boost they have given the Koreans. If we will have patience and continue to support logistically, and with air and naval power, the Vietnamization program, as long as needed, there is a chance, and one worth taking, that there will be developed in Southeast Asia an effective anti-Communist bloc of Asiatic nations which can defend themselves. If we can bring this about, we will have accomplished the mission we set for ourselves several years ago, and we will have done it honorably and with no retreat.

My earlier New York Times article concluded with these words:

"The sure way to maintain the peace is to be strong militarily and unafraid politically, and to let the enemy know that we will use that strength as necessary to maintain the security of the United States."

I know from long experience with Communists that they despise and exploit weakness, but they sit up and take notice when they are confronted with strength and courage. Let's show that strength and courage. Let's rebuild our declining military establishment. The expenditures involved will be the finest investment we could make, and in so doing we will achieve peace and keep the freedoms we hold so dear in America.

SHARING WHAT REVENUE?

HON. CHARLES W. SANDMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. SANDMAN. Mr. Speaker, a highly perceptive editorial appeared in the Monday, March 1 edition of the Atlantic City Press, a major daily newspaper circulating in southern New Jersey.

In the most concise and understandable language possible, this editorial, entitled "Sharing What Revenue?" managed to pinpoint the only real issue on the various revenue sharing proposals: That, though, it is a nice gimmick, you have to have revenue before you can share it.

Knowing my colleagues in Congress will also appreciate the clarity and candor of this editorial, I include it in the RECORD:

SHARING WHAT REVENUE?

Rep. Charles W. Sandman, R-N.J., showed a great deal of courage in warning the National Governor's Conference a few days ago that an increase in U.S. income taxes would be necessary to put into effect President Nixon's proposed revenue-sharing program.

It is a program dear to the hearts of the governors, and Sandman put himself in the position of opposing a major project of a President from his own party.

But what the congressman had to say not only showed he has grit, but a knowledge of bookkeeping uncommon among politicians.

Men with money sense are in a minority on Capitol Hill.

Another one is Rep. Wilbur Mills, chairman of the House Ways and Means Committee, who when the revenue-sharing plan was first broached (with considerable less money being talked about then) said there just wasn't any revenue to share.

He was right, for the government has long been financed by deficit spending, which means we are spending more all the time than we have.

Revenue-sharing would simply increase the spending of money we haven't got.

Rep. Sandman brought this point home to the governors (at least he tried to) in a way that anyone should be able to understand.

He challenged them to go on record as favoring an 8 per cent income tax surcharge for the $10 billion general revenue-sharing plan the governors want.

And added that the surcharge would have to be 4 per cent to cover the $5 billion plan proposed by the Nixon administration.

So far the revenue-sharing idea has been a nice gimmick for the governors, capable of winning the favor, and where needed, the votes, of the people. Endorsing an income tax surcharge would knock the gimmick into a cocked hat.

Sandman also pointed out that at the $10 billion level suggested by the governors, New Jersey taxpayers would have to cough up $560 million in increased taxes to get back only $308 million.

That's not much of a deal.

A few days before talking to the governors, Sandman proposed an alternative plan which is worthy of study.

He suggested that Congress end the federal government's right to tax alcoholic beverages and that the states be allowed to collect and keep all receipts from this excise tax.

Rep. Sandman said he selected the alcoholic beverage tax because it is estimated in 1971 to take in exactly $5 billion, the same amount that would be deficit under the President's revenue-sharing plan.

It is estimated the federal government will collect $290 million from New Jersey, and it would cost the state practically nothing more to collect it, if allowed to, since it already collects alcoholic beverage taxes.

We like the congressman's arithmetic better than Mr. Nixon's or the governors'.

A BILL TO PERMIT THE EARLY RETIREMENT OF FEDERAL EMPLOYEES DURING A MAJOR RIF

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. BOB WILSON. Mr. Speaker, last year more than 120,000 civilian employees of the Department of Defense were involuntarily released from service as the result of reductions authorized by Congress and personnel reductions ordered by the administration. The Civil Service Commission estimates that reductions will continue to occur in Federal agencies through at least fiscal year 1972, with the major impact being felt in defense and space programs.

The continuing nature of these reductions makes the need for congressional action urgent. Legislation should be passed before the next round of layoffs in order to ease the impact of job loss upon individuals who are separated, and on the operations of the agency undergoing the reduction. Therefore, I am introducing a bill to permit the early retirement of Federal employees during major reductions in force by a Federal department or agency.

In view of the need to ease as much as possible the personnel dislocation caused by changing Federal priorities, this bill would permit Federal employees who are at least age 50 and have 20 years service, or who have 25 years service regardless of age, to retire early during major reductions in force, even though their specific jobs are not abolished by the cutback.

The bill requires the Civil Service Commission to determine when a reduction in force is major and to fix the time within which employees could exercise the option to retire.

While the Civil Service Commission permitted early retirements at some defense installations last year, this was done administratively on a limited basis. My bill would write the authority into the Civil Service Retirement Act and would make it applicable Government-wide.

The bill in no way diminishes the responsibility of the Civil Service Commission or the agency to insure that an early optional retirement is the result of the employee's voluntary action. In other words, it is not to be used by an agency to get rid of certain employees. Also, the bill does not change the agency's responsibility to help employees involuntarily separated to try to find other Federal employment if they wish to continue to work.

The bill has been endorsed by the Civil Service Commission, the Department of Defense, and the White House. In light of the gravity of the current unemployment situation, I hope the House and Senate will give prompt attention to the measure.

A BALANCED BUDGET IS NEEDED

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. ARCHER. Mr. Speaker, I deeply believe that the time has come to end the debasing of our currency through continual deficit spending by the Federal Government. It is time the Congress of the United States reverse the process of "spend now and pay later"—thus passing on an ever-increasing tax burden to generations yet unborn. In the period from 1966 to 1969 alone, actual Federal funds expended exceeded actual funds received by $44 billion.

Today I am introducing a Constitutional amendment designed to require that Congress approve budgets which, over a period of 2 years, would be in balance. Eight other Members of the House are joining me in introducing this measure.

It is time to reverse the trend which places Congress in the position of continually increasing the public debt. It seems that, after decades of increasing debt, only the restraint of a Constitutional amendment will prevent Congress from trying to solve our national problems through a means that will result in even greater problems in the future. If we believe in the need for stability in our our economy, and if we believe in the soundness of the programs we initiate, then we should be willing to vote the funds to pay for those programs.

According to the provisions of my proposed amendment, Congress could vote to spend more than the Government would collect in revenues in 1 year, but it would have to make up the difference in the next year. The Government could use its credit for 1 year and operate at a temporary deficit if needed. The next year Congress would either have to adjust spending programs or raise taxes to pay off the previous year's debt. There would not be any spending ceiling. Also, under this amendment, deficit budgets would be allowed during time of true emergencies such as a war or catastrophic economic crisis.

It should also be noted that this amendment will not interfere with President Nixon's current budget proposals, as it could not effectively become a part of the Constitution for several years.

A BILL TO PROVIDE FOR PUBLIC OWNERSHIP OF ALL MASS TRANSIT BUS SYSTEMS IN THE WASHINGTON METROPOLITAN AREA

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. BROYHILL of Virginia. Mr. Speaker, we are facing a bus transportation crisis in the National Capital area.

We are faced on the one hand by rising cost of fares to the public and on the other hand with the necessity to raise fares to meet payroll increases and equipment costs to the bus companies.

The bus rider has exceeded his ability to pay in most cases and the bus companies are on the brink of bankruptcy. Moreover, this situation has forced most of the suburban bus companies to cut services to the public to economize when the public has demanded increased services. The economic law of diminishing returns has set in. It is obvious that this situation can neither be tolerated by the public nor can the Government force business to operate at a loss.

Mr. Speaker, I was reared in the free enterprise system. I believe it is still the best economic system ever devised by man. Unfortunately, the public is today demanding more from the transportation industry than the system can afford to meet under the profit system without drastic reductions in taxes and other special considerations which other segments of our people are unwilling to pay.

At this point I see no alternative to the problem that mounts every day other than to either subsidize the bus companies or to provide for the public takeover of all the local area buslines.

The people of the metropolitan area want increased transportation services: A rapid-rail subway system, an interconnecting bus system, and an adequate highway system. No one system is going to meet all these requirements. No two systems will meet our total requirement to move 2½ million people to work and to shop, and so forth. The Metro rapid-rail subway system, even with its speeded up construction schedule, is way down the pike. The number of automobiles in the total systems adds to other problems. We need a healthy bus system which we do not now have.

Mr. Speaker, I am today introducing legislation which will permit all local bus companies in the Greater Washington area to be brought under public ownership and operation. I am joined in this bill by Mr. Gude of Maryland.

This bill meets all the requirements of the management of the suburban bus companies, the Washington City government, and the Nixon administration. It would authorize the Washington Metropolitan Area Transit Authority to initiate negotiations for acquisitions of the four privately owned bus companies; repeals the franchise of D.C. Transit upon public acquisition; and enact for the District of Columbia and provide congressional consent to the WMATA compact amendments authorizing the authority to acquire and operate buses.

The second major provision in the bill sets up an interim District of Columbia corporation known as the "Metropolitan Area Transit Agency" which would be authorized and empowered to acquire and operate the facilities of the four local bus companies in the event an emergency situation should require it to do so prior to the time WMATA is legally in a position to do so.

The board of directors of the agency would be composed of the same members and alternates as the WMATA Board and its actions would require the same quorum and voting restrictions as apply to the WMATA Board.

The agency would be empowered to acquire and operate mass transit bus facilities either by negotiation or condemnation and to contract with WMATA for use of the authority's facilities and services on a reimbursable basis in connection with such acquisition and operation. The bill would require the Agency to transfer any acquired mass transit bus facilities to WMATA within 60 days after WMATA determines it has power to acquire and operate such facilities and requests the transfer.

The bill establishes labor standards governing the operation of transit facilities by either the agency or the authority. These were patterned after those in the Baltimore Metropolitan Transit Agency law, and are agreeable to organized labor.

The bill provides certain District of Columbia authorizations. The Commissioner of the District of Columbia would be authorized, subject to availability of appropriations, to contract with the agency or the authority to pay the District of Columbia share of the cost of acquisition of the local bus companies and/or for reduced transit fares. The Commissioner would also be authorized to receive grants from the Federal Government in aid of the acquisition, construction, operation, and maintenance of bus systems and to receive money, property, labor, or other things of value from any source to be used for the purpose for which given. Also, the Commissioner would be authorized to subsidize transit service by making payments, subject to availability of funds and in accord with rules and regulations established by the City Council, either directly or indirectly to individuals, families, public bodies, or mass transit operators or owners.

The bill provides for financing public acquisition of the local bus transit systems.

Pursuant to this title, the Secretary of the Treasury would be authorized, upon the request of the Secretary of Transportation, to advance such Federal funds as the Secretary determines necessary to provide temporary financing for the acquisition of the bus systems contemplated by the bill either by WMATA or the interim agency.

Unless waived or deferred by the Secretary of Transportation pursuant to an emergency clause, the request for temporary financing from the Treasury would require prior approval by the Secretary of a "National Capital Bus Mass Transit Public Enterprise Plan" submitted by either the authority or the agency. The plan would include the estimated purchase price, terms, conditions, and financing arrangements for public acquisition; estimates of economic feasibility of bus operations with an estimated cost of acquisition; proposals for coordination of service and fares with the Metro; proposal for financing the local one-third share of the cost of acquisition, including the allocation among local jurisdictions and means of their financing such share; and such other information as the Secretary may require.

Approval of the plan requires the Secretary to determine that the plan would increase benefits to the public and the transit user; permit public ownership at the least cost to the United States; not impair service, cost of operation, or revenues of Metro; that the agency or authority has the ability to arrange for the repayment of the local share of any advance from the Treasury; and that the local jurisdictions have taken, to the extent practicable, measures to assure such repayment.

Finally, the bill provides a GAO audit of the agency and any company receiving funds authorized by the bill and authorizes GAO inspection of facilities.

Mr. Speaker, I believe this bill is a solid step toward the solution of the bus crisis. Certainly WMATA will be in a better position under this arrangement to dovetail the construction of Metro into our total transportation requirements for the future. Moreover, this move should encourage increased bus service and reduce the need for as many private automobiles as are now on the road and thus assist in our drive on air pollution. While it will not of itself solve all of our problems, it will save a major portion of the total transportation system which is now in a chaotic state. I urge speedy action on this measure.

DAV DAY IN THE HOUSE

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. SHRIVER. Mr. Speaker, it is indeed a pleasure and an honor to join my colleagues in saluting the Disabled American Veterans in this their 50th year of outstanding service.

The DAV was founded on Christmas Day in 1919 at a gathering of wounded World War I veterans at the Cincinnati home of Judge Robert S. Marx. By 1921, the group had grown large enough to hold its first national convention. Judge Marx was elected first national commander, and he has the honor of being remembered as the father of the DAV. DAV has now grown to number 2,000 chapters and more than 300,000 members throughout the Nation.

During these years of growth, DAV has stayed true to its single purpose—to serve and assist wounded veterans in their return to civilian life. To this end, its 146 specially trained national service officers and a large corps of part-time and volunteer workers offer free counsel to disabled veterans, whether members or not, to make sure they receive the benefits to which they are legally entitled.

In addition to the national service officers, DAV sponsors research in prosthetics, scholarships for needy children of disabled veterans and war orphans, Scout troops for handicapped children, and many other praiseworthy service activities.

Disabled American Veterans have demonstrated their patriotism and dedication to our Nation's cause on numerous occasions. During the past year, DAV spearheaded one of the largest efforts yet in behalf of prisoners of war and soldiers missing in action in North Vietnam. Radio spots were purchased on 6,000 stations, and over 5 million brochures were mailed to homes asking individuals to write letters to the North Vietnamese Embassy in Paris demanding a list of names of POW's.

It is a privilege to salute the Disabled American Veterans on their golden anniversary. They deserve the constant support, commendation and respect of all Americans.

SENATOR THOMAS EAGLETON ADDRESSED HARVARD LAW SCHOOL FORUM

HON. MICHAEL J. HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. HARRINGTON. Mr. Speaker, citizens of the United States are still waiting for the new beginnings President Nixon promised first in his inaugural speech and repeated in each of his state of the Union messages.

Most fervently this Nation and the world await our extrication from the bloody engagement in Southeast Asia—an extrication which Mr. Nixon pledged as a candidate, but has yet to fulfill as this Nation's Chief Executive.

Senator THOMAS EAGLETON of Missouri addressed himself to the unfulfilled promises of the Nixon administration in a speech on Friday, February 19, 1971, at the Harvard Law School forum.

The remarks are a good accounting of the serious shortcomings of the Nixon administration and their effects on the Nation.

The text of the speech follows:

ADDRESS BY SENATOR THOMAS EAGLETON

The Nixon Administration faced three great challenges when it came into office:

To extricate the United States from Vietnam;

To bring an overheated, inflationary economy under control; and

To "bring us together."

These were admittedly enormous challenges. All were the legacy of previous Democratic Administrations. No Administration could have been expected to produce final results in two years. Where the Nixon Administration has tried, it deserves credit. It has made progress in some areas—as, for instance, with the new postal corporation . . . the draft lottery system . . . the welfare reform proposal.

That having been said, I am compelled to conclude that, on balance, the Nixon Administration has suffered a gross failure of leadership, of candor, and of vision in meeting its three major challenges.

On January 20, 1969, Richard Nixon became President of the United States. Finally, he possessed the power to implement his "plan" to end the war in Vietnam.

Since that day—

Over 18,000 Americans have died in South Vietnam—50 last week alone;

Over 2,600 aircraft have been shot down; and

Over 40 billion U.S. dollars have been spent, with at least another 10 billion budgeted for Fiscal Year 1972.

Since Richard Nixon took office:

American soldiers invaded Cambodia;

South Vietnamese troops have invaded Laos;

American crews are flying American planes and helicopters in support of—

Cambodian forces in Cambodia.

Laotian forces in Laos; and

South Vietnamese troops throughout Indochina.

This week the President suggested that North Vietnam may be invaded.

Thank God on January 20, 1969, Richard Nixon didn't have a plan to escalate the war.

It is true that the number of American troops in Vietnam has been cut nearly in half. But the underlying policy and goals remain the same. Americans are still dying in an attempt to assure the survival of a non-Communist South Vietnam—and now Cambodia.

In 1954, in the name of anti-Communism, then Vice-President Nixon wanted to use American air power to supplement the French and those who would fight with them in their struggle to re-establish French control over Indochina. Today, almost two decades later, that same man is betting that United States air power, supplemented by Asian manpower, can prevail to accomplish the same objective.

Good politics here at home? Yes, perhaps.

Good policy? No.

And all the while, the United States has been downgrading the Paris peace talks. So the shooting continues.

The Nixon strategy represents a failure of leadership—a failure by yet another administration to slip the leash held by Thieu and Ky, to comprehend the limits of American power in Asia, and to face up to the difficult task of extricating the United States from Vietnam.

Even worse, perhaps, the Administration, with its news blackout and semantic evasions, has failed to confide in the American people. The great lesson from the days of the Credibility Gap is that you can't unite a nation to fight a war . . . or to undertake a painful withdrawal . . . unless there is trust between the people and the government. That trust has now once again been ruptured.

The Nixon Administration's economic policy must be chalked up as the second gross failure of leadership. They inherited an overheated economy, unemployment at 3.4%, and a consumer price index that was rising at an annual rate of 4.8%. Today we have a recessionary economy, unemployment at 6%, the inflation rate was 6.6% in December and the wholesale price index was up again two days ago.

Along the way, the Administration vetoed a manpower training bill which would have trained over one million people and employed 300,000 in valuable public service jobs by 1974. The cost would have been $900 million in 1972. At the same time, the President instituted an accelerated depreciation allowance for business which will cost the treasury $2.6 billion in 1971, and which, according to most economists, will do little to revive investment—in other words, an outright giveaway to those who need and deserve it least.

After last year's struggle for a balanced budget—during which the President vetoed, among other things, $1.25 billion worth of education expenditures and $25 million for cancer research—we have a deficit budget this year. And having given labor and business an open invitation to increase wages and prices at the beginning of his Administration, the President has started to do some jawboning.

So the President has now been converted to Keynesian economics. Better late than never, but it certainly is late. The President's new game plan is premised on a $23.4 billion increase in revenues . . . which would in turn require an $88 billion increase in the GNP . . . and a growth rate of 12% from fourth quarter '71 to fourth quarter '72 . . . which most economists tell us is not going to happen.

By making these over-optimistic predictions the Administration has placed itself in a real dilemma. Either it follows a sensible expansion policy and falls short of its predictions, or it makes a major effort to live up to its predictions, with the result that most of the growth in 1971 will be in the price level. In either event the likelihood is that another Administration will have to untangle the consequences.

Finally . . . the matter of pulling America together.

This was Richard Nixon's greatest opportunity, where the grim legacy of the previous Administration and the 1968 campaign encumbered him least. He saw his opportunity, and in his inaugural address spoke of lowered voices, and pulling us together.

But instead of conciliation, there were the early rampages of Spiro Agnew . . . the slogans about campus bums and "radiclibs." Instead of seeking racial harmony at a time when the Voting Rights Act had taken effect and Southern political leaders were embracing the reality of an integrated constituency, there was the Southern strategy. Finally, in the last campaign, Mr. Nixon threw off the mantle of Presidential leadership and dignity altogether and went to the country with a brass-knuckles campaign.

Walter Hickel was fired because he had the temerity to advocate conciliation among the generations. Charles Goodell was purged because he differed with the President on Vietnam.

Happily, the country seems to have weathered the Administration's divisive tactics. The Vice President is more or less muzzled. The President's Southern strategy is a shambles because it was addressed to the dark feelings of the past rather than to the more hopeful reality of the present. The President's grand strategy for the 1970 elections was repudiated by the voters.

If the nation has not been brought together, it is nevertheless true that things are calmer in America today than they were in 1968. But as TIME put it this week, "the calm carries little serenity with it . . . Instead, it suggests a complex of rather sober fears; of joblessness, of radical violence, of counterviolence from the government. There is a chastened air." TIME is not sure whether this feeling is good or bad, nor am I.

But it is certainly not fuel for "the lift of a driving dream," which the President tried to give us in his State of the Union message.

I repeat, the challenges were immense. They were not of Mr. Nixon's making. They had their roots deep in the inadequacies of our present ways of managing our public affairs.

But, as Mr. Nixon said in his Inaugural Address and in each of his two State of the Union Messages, these two years were a time for new beginnings—new beginnings for which we are still waiting.

INDOCHINA TODAY

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. SCHMITZ. Mr. Speaker, the following articles dealing with the situation in Indochina are of exceptional interest. The analysis written by Mr. Edwin F. Black, brigadier general U.S. Army, retired, which appeared in the Washington Report of February 22, 1971, develops the thesis that the enemy auxiliary forces in our Nation are attempting "to help the embattled North Vietnamese Army by forcing the President to withdraw U.S. air support from our Vietnamese allies." The General then goes on to illustrate some of the propaganda themes which he feels are being orchestrated to accomplish this end.

The spector of Red Chinese hordes flooding into the Southeast Asian theater in a situation analogous to Korea is being bandied about. The General feels that this type of thing is unlikely to happen for a number of reasons.

Actually anyone who allows possible Red Chinese reaction to allied defensive thrusts, even into North Vietnam, to serve as the mental stumbling block against following a course of action which would decisively lower the enemy's capability to continue the war is admitting that the Red Chinese have the ability to deter the United States in areas outside the borders of Mainland China. This overlooks two of the essential factors of an extended deterrence capability. A credible extended deterrence depends not only on verbal utterances of displeasure but also on presence in the theater area and/or the ability to ultimately prevail. The Red Chinese have neither the presence necessary in that region of the world to make possible intervention credible nor do they have the strength necessary to ultimately prevail should they decide to attack in the Indochinese theater.

The area of Red China adjacent to Laos and North Vietnam is exceptionally weak in long range transport and logistic capability. It can in no way be compared to the area of Red China contiguous to North Korea which made entrance into that conflict relatively easy. For all practical intents and purposes Chinese Communist aid to Hanoi must follow the water route from Canton to North Vietnam. Although our Naval forces are rapidly deteriorating there is no reason to doubt our ability to successfully interdict this type of activity. The only railroad line running into North Vietnam from that region of Red China to the North of North Vietnam and Laos runs from Yunnan to Hanoi and passes through over 100 tunnels en route. These tunnels could easily be sealed should the necessity arise.

Although the Red Chinese have made their hostility toward the United States well known and have threatened our in-theater forces should the allies continue to inflict heavy losses on the North Vietnamese Communists they lack the other two necessary prerequisites of a credible extended deterrent, presence in the area and/or the capability to ultimately prevail, and we should not be deterred on their account.

As is well known at this point last summer in a background briefing Dr. Henry Kissinger, the President's Assistant on National Security Affairs, stated that:

> If there is the danger of a general war in this Administration, I do not believe, and we do not believe, that it will come from Southeast Asia. It is very hard to see what we could do in Southeast Asia that would produce a direct confrontation wtih the Soviet Union.

In other words chances of Soviet intervention should we take the war to the enemy is not the dominant possibility. North Vietnam is not the Soviet homeland, no Soviet combat units are in North Vietnam, and the Soviet Union has never said it would initiate a general nuclear war within the United States over the question of North Vietnam.

Speaking generally it is a good practical assumption that if the United States still has a general nuclear war capability which would inflict unacceptable damage on the Soviet heartland it is unlikely that the Soviets would bring this damage upon themselves for the sake of the North Vietnamese Politboro.

The second article is by columnist William F. Buckley, Jr., and asks the perfectly sensible question "Why Not Invade North Vietnam." The undoubted success of the Cambodian operation last spring, and the growing success of the Laotian operation currently underway, shows that fighting the Communists in those areas which they would prefer to reserve for supporting as bases for aggression quite effectively lowers their ability to continue waging the protracted war to which they are committed. All those who are interested in ending the war in the shortest posssible time period consonant with long range U.S. security objectives, the well being of the people of Southeast Asia, and the guaranteed return of the Americans currently being held by the North Vietnamese Communists, will support all efforts aimed at successfully disorganizing the enemy's ability to continue fighting.

The articles follow:

THE LAOS OPERATION: ATTACKING THE ENEMY'S JUGULAR

THE MILITARY SITUATION

The North Vietnamese Army's expeditionary forces in South Vietnam and Cambodia are in grave trouble.

They had the hell beat out of them in South Vietnam. Their best troops were fought to a standstill by the U.S. Army in 1966 and 1967. Their all-out Tet offensive in February 1968 turned out to be both a military and a political disaster. Contrary to Hanoi's expectations the South Vietnamese army neither broke and ran under this attack nor did it defect to the Communist side; the population in the south did not join in a general uprising against their government as Radio Hanoi urged them to do; and instead of the easy surprise victory their leaders had promised, they suffered terrible casualties, including many of their best supporting Viet Cong cadre and underground leaders key personnel who were impossible to replace. Thereafter, throughout 1968, 1969 and 1970 they were relentlessly pursued by both U.S. and South Vietnamese forces, with the latter becoming more effective and more aggressive every day.

Their main supply lines have been cut. When the Cambodian people finally decided last March that they had had enough of the neutralist policies of Prince Sihanouk—policies which even the humble farmers in the rice paddies could see were turning their country over to the control of the North Vietnamese—they threw him out and the successor government of General Lon Nol closed the only deep water port, Sihanoukville, to Communist shipping. This cut off 85% of the supplies to their troops in Cambodia and in the southern half of South Vietnam. Then on February 8th, President Nguyen Van Thieu ordered a task force made up of crack Airborne, Marine and 1st Division troops to move into Laos and cut the Ho Chi Minh trail generally along the line of Route 9 running west to the Thai border. President Nixon backed up this bold operation by authorizing General Abrams to commit whatever U.S. airpower was required to make it a success.

They no longer enjoy the privilege of sanctuaries where they can recouperate from their defeats. This luxury was taken away from them last May and June when President Nixon took the long overdue, but nonetheless courageous decision to allow U.S. troops to join with their South Vietnamese allies in combined operations against the North Vietnamese bases and supply dumps in Cambodia. The current offensive into Laos further underlines the strategic truth that sanctuaries are a thing of the past. This applies to North Vietnam too if they attack in force across the DMZ, or seriously threaten the security of our remaining forces in the South.

Time is working against them. They are learning from bitter experience that every day that goes by the South Vietnamese armed forces are becoming more effective, more self-confident and more hard-hitting. This also applies to the South Vietnamese regional units and even to the village Self-Defense Forces. With close to two million men under arms in the south, all becoming better trained and equipped all the time, there is little chance that the North Vietnamese Army will ever be able to achieve a military victory, even after U.S. combat forces are withdrawn.

HANOI'S DILEMMA

Faced with this grim military assessment, the members of the Politburo in Hanoi must again be addressing the same basic issue which threatened to split the Communist Lao Dong (Worker's) Party after the death of Ho Chi Minh. That is: Which should have the priority claim on North Vietnam's national resources—the continuation of the war in the south or the rebuilding of the battered economy in the north? It must be clear today that they can't have it both ways.

The arguments of those who favor a continuation of the war must be pretty threadbare by now. Continually harkening back to their experience with the French, they have dreamed of the day when the combination of a Dien Bien Phu victory on the battlefield with a general public weariness in the United States of the long drawn out conflict would turn the tables in their favor. However, even General Giap, their own Defense Minister, has not been able to claim a victory since Binh Gia, the first week in January 1965. And the hoped for break in home front morale has faded as the bulk of the American people recognize the wisdom of President Nixon's Vietnamization program which has permitted him to announce and stick to a schedule for the orderly reduction of U.S. combat forces in South Vietnam.

As the South Vietnamese task force takes up positions astride the Ho Chin Minh trail, positions which they plan to hold until the rainy season begins again in May, they will again have seized the intiative from the enemy. No longer is General Giap able to plan his attacks at the time and place of his own choosing. He must try to reopen his vital supply lines to his troops in Cambodia and South Vietnam. If he is unable to do this, it will be October 1971 before the monsoon ends and his soldiers can hope to be resupplied. By then the South Vietnamese presidential election will be over and he will have missed his chance to try and disrupt that democratic process. If he is able to master sufficient forces to attack, he must go up against some of the best South Vietnamese units in well-prepared defensive positions supported by artillery and the full might of U.S. airpower. He knows only too well that in any large scale engagement it is this last factor—U.S. airpower—which will turn the tide of battle against him. If he is to have any hope at all for a successful counterattack, sufficient international and domestic pressures must promptly be brought to bear on President Nixon to force him to withdraw this air support.

THE ENEMY'S STRATEGY FOR THE HOME FRONT IN THE U.S.

The short time available between now and May makes this an exceptionally difficult task even for the experienced operators who man the political and psychological warfare divisions of the KGB in Moscow. Clearly a coordinated effort by Peking, Hanoi and Moscow will be required if there is to be any chance of mobilizing a large enough segment of public opinion to achieve this goal.

Fortunately, from the Communist point of view, they will not have to start from scratch. For some time, they have been trying to organize the radical youth on the college campuses around the country as a political action arm. Toward this end they have sought to penetrate the liberal, activist student organizations and to mobilize them in support of revolutionary violence through a flood of propaganda material which is constantly being disseminated by more than 700 so-called "underground newspapers" now being published in every major city and college campus throughout the fifty states.

An analysis of this underground press reveals a basic Communist propaganda strategy, initiated some time before the incursion into Laos, which called for a peaking of mass "anti-Vietnam war" demonstrations and violence during the first week of May 1971. The purpose of this campaign was to accelerate and if possible to disrupt the Administration's plan for the orderly phase-out of direct U.S. military involvement in South Vietnam. Ambitious plans have been prepared to bring government to a standstill in Washington through a week of sit-ins at the White House, the State Department, the Pentagon and the Capitol. The latter is to be maintained as long as may be necessary to force the Congress to exercise its "constitutional prerogative to end the war."

THE "TREATY"

The key propaganda weapon which was developed to help these radical student groups mobilize campus support is the "Joint Treaty of Peace Between the People of the United States and the People of South Vietnam and North Vietnam." This document, drafted in Hanoi and Paris, was signed by individuals claiming to represent the U.S. National Students Association, the South Vietnam National Union of Students, the North Vietnam National Union of Students, and the South Vietnam Liberation Student Union. It proposes that the war be ended at once by "an agreement between the American and Vietnamese people." In accordance with the standard Communist line it calls for an immediate and total withdrawal of American troops from Vietnam; an end to the "imposition of Thieu-Ky-Khiem on the people of South Vietnam"; and the formation of a provisional coalition government which will organize "democratic elections."

By ratifying this so-called treaty, the signers pledge to take whatever actions are appropriate "to insure its acceptance by the government of the United States."

ORDERS FROM MADAME BINH

The timetable for this well thought out propaganda strategy was seriously disrupted by the February 8th operation against the Ho Chi Minh trail. Hanoi became so alarmed that it took the unprecedented step of revealing one of its main links with the U.S. campus activists. It directed Madame Nguyen Thi Binh, the Viet Cong's chief negotiator in Paris, to send a telegram to the leaders of the Student and Youth Conference on a Peoples' Peace which was then meeting in Ann Arbor, Michigan. This conference was being held to prepare the detailed implementing plans to use the "peace treaty" as the psychological rallying point for increased student participation in the disruptive demonstrations which are scheduled to coincide with the traditional Communist May Day, the anniversary of the Kent State tragedy and of Dien Bien Phu.

Seeking clarification of Madame Binh's telegram which called upon them to "mobilize the peace forces of their country and to check U.S. dangerous ventures in Indochina", the students put in a phone call to Paris. They got through to an aide of Madame Binh who ordered them to take "firm and immediate actions, including massive street demonstrations, to condemn U.S. aggression in Laos."

This was pretty short notice, but nonetheless the revolutionary cadre on the campuses were able within 48 hours to organize demonstration in Washington, Baltimore, New York, Boston, Los Angeles, San Francisco, Chicago, and other cities around the country. While their impact was negligible, their ability to respond to commands issued by the Communist Viet Cong leader in Paris must have greatly encouraged the Politbureau planners in Hanoi, Peking and Moscow.

THEMES FOR THE PROPAGANDA CAMPAIGN

One of the best ways to defuze future disturbances and to isolate the radical student leaders who are taking their orders from Madame Binh and her ilk is to expose the true purpose of the propaganda campaign in the U.S. and to identify the themes which probably will be used to arouse support and sympathy for the enemy cause.

The purpose is clear: to help the embattled North Vietnamese Army by forcing the President to withdraw U.S. air support from our Vietnamese allies.

The main propaganda themes which have already surfaced are:

The President is widening the war. Obviously false. Hanoi has been using the Ho Chi Minh trail since the days of the French and the North Vietnamese Army has occupied eastern Laos for at least seven years to protect and develop their main supply routes into South Vietnam. The U.S. Air Force has been conducting interdiction operations against the Ho Chi Minh trail for the past five years.

The Red China will intervene. Very unlikely. They have enough problems of their own—the massive Soviet military threat against their long northern border; their priority efforts to develop a nuclear retaliatory capability to help neutralize this danger before it is too late; and the internal economic and administrative repair job that still remains in the aftermath of the Cultural Revolution and the Red Guards' excesses, to mention just a few.

The operation itself is costly, immoral and doomed to failure. Wrong. Cost effectiveness criteria, be they measured in terms of casualties or war materials involved on both sides, clearly argue for hitting the enemy where it hurts most, in his supply juglar. Thus will Hanoi realize the impracticability—not to mention the immorality—of invading Laos, Cambodia and South Vietnam with regular units of the North Vietnamese Army. The more troops the enemy commits to a counterattack the fewer he has for offensive operations against Cambodia and South Vietnam. Inevitably his casualties will be larger as he is forced to assault prepared positions in the face of the superior firepower of the South Vietnamese infantry and artillery units and the close air support provided by U.S. Air Force fighter bombers and U.S. Army helicopter gunships.

The President is welshing on his promise to pull American combat forces out of Vietnam. Untrue. This operation combined with the closing of the port of Sihanoukville, will effectively shut off enemy supplies for the battlefields in South Vietnam. When this happens, Hanoi will have no choice but to reduce the war to a level of guerrilla-bandit attacks which can be handled with relative ease by the South Vietnamese Army. This in turn will permit the orderly withdrawal of the U.S. forces to proceed on schedule.

A HARD FIGHT AHEAD

By finally breaking the political sound barrier which permitted the enemy to enjoy the entirely unwarranted luxury of inviolate sanctuaries, President Nixon is now dealing with the Vietnam conflict in its true perspective: that of an Indochina war. The North Vietnamese have fought the war on this basis from the beginning and as a consequence came very near to winning. Now they face a military disaster. It is simply not possible to expect an army to operate up to three hundred miles away from its own country without assured logistic support. Once its supplies stop, the North Vietnamese Army is finished as an effective fighting force.

Hard fighting must be expected in the months ahead as the North Vietnamese expeditionary force fights for its life. It will be interesting to see who on the U.S. home front responds to the orders of Madame Binh and her Communist cohorts. They will identify themselves by seeking to change the enemy's almost certain defeat into victory by trying to force our President to withdraw U.S. air support from our Vietnamese allies.

EDWIN F. BLACK,
Brigadier General, U.S. Army (Ret.)

WHY NOT INVADE NORTH VIETNAM?

(By William F. Buckley Jr.)

It is hard to understand the implied psychology of the headlines. "Thieu Hints at Invasion of Northern Vietnam" is a scare headline. The words, and indeed the ensuing text, are arranged in such fashion as to suggest to the reader that a clearly undesirable development may well take place. An examination of the psychology behind that assumption tells us what is wrong with the Vietnam operation.

Contrast such headlines as appeared in other historical circumstances. Churchill Vows to Pursue Nazi Aggressor Into Germany. Or, Allies Establish Beachhead in Anzio. There was universal cheering, not only because the headlines suggested that the initiative had moved to our own side, but because the prospects of peace were accordingly advanced.

The ambivalence in the existing situation is for two reasons. The first though not the foremost, is the professional pride that has been invested in the dogma of South Vietnamese military incompetence. If the government of President Thieu were to succeed in taking the war into North Vietnam and requiring the enemy to negotiate a peace, many political and journalistic reputations would be severly wounded. And if vanity can cause wars, as everybody agrees is the case, why shouldn't we agree that vanity can be the cause of prolonging wars?

But for the majority, the ambivalence has to do with fear. Fear of the giant, Red China. Concerning this fear, two observations.

1. It has been a widely used argument by American doves that North Vietnam's independence of Red China is a real independence. Obviously it is at the sufferance of Red China, even as the independence of Albania is at the sufferance of Russia: But it is independent just the same. By the one means that the war policies of the North Vietnamese are determined by the North Vietnamese, not by Peking.

Now this independence is partly the result of Ho Chi Minh's historical afflatus, and partly the result of the heavy participation of the Soviet Union in the aggressive efforts of the North Vietnamese. To the extent that the latter is the cause of it, there is bound to be, and indeed we know that there is, tension of a certain sort between China and Hanoi, which flows naturally out of the tension between the Soviet Union and Red China.

Provided that the United States troops were not themselves engaged in a military action against North Vietnam, what is it that could cause China to enter the war? Mrs. Nguyen Thi Binh, the chief Viet Cong delegate to the Paris peace talks, says that China is after all a "paternal and a Socialist neighbor," and implies that that itself would be sufficient to bring China into the fray. To which the objection is: Why hasn't it been sufficient to bring China in before now?

After all, Hanoi's position is that there is only one Vietnam, that the southern part of it has been imperialized by American troops. So why did not China come in during 1965? And why have not Chinese troops moved south directly against what is left of the free government of Laos?

Since nothing would be more preposterous than to suppose that the South Vietnamese were entering North Vietnam in preparation for an assault on China, what is the reason for supposing that China would react now, if she did not react to the landing of American troops in South Vietnam in 1965?

2. Suppose that the analysis is incorrect. Suppose that China does then move. How is South Vietnam any the worse off? If South Vietnam's struggle for independence is foredoomed by great power considerations, the sooner South Vietnam finds that out the better.

If Chinese soldiers are needed to protect North Vietnam against retaliation from those upon whom she is aggressing, let that fact stand out. The South Vietnamese are supposed to endure endless aggression . . . because they are forbidden to move against the source of that aggression . . . because China might enter the war: Why not find out? How will they be worse off?

President Nixon, it seems to me, perfectly captured the realities of the situation when he said in answer to a question on Feb. 17, "I would not speculate on what South Vietnam may do in defense of its national security. South Vietnam will have to make decisions with regard to its ability to defend itself."

DAV DAY IN CONGRESS

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. GOODLING. Mr. Speaker, it is highly fitting and proper that there be a Disabled American Veterans Day in Congress, and I would like to add my voice to those of my colleagues on this day when we pause in our legislative pursuits to pay "A Tribute to Quiet Courage."

The Disabled American Veterans organization is to be commended for the superlative work it has done in helping to rehabilitate those who have been disabled in the process of protecting the interests of their country.

The work that the DAV carries on is particularly laudable, because it shuns the concept of charity and appeals to the self-reliance of the disabled veteran. It operates on the theme of "helping the disabled veteran to help himself."

Those of us who have been spared disability have much to learn from an organization like the DAV, for too easily and for too little reason we become despondent and discouraged. The DAV offers us an object lesson, for this organization was founded in the dark climate of low funds and little influence. Still, the founders of the DAV, themselves disabled, persisted and ultimately prevailed, carried forward by a "strong will to win" and driven on by a dynamic urge to help their disabled brethren.

The vitality of the Disabled American Veterans is reflected in the fact that the organization boasts a membership of 300,000. This striving to obtain impressive organizational strength reminds us of what the writer Arnold Bennett said on the subject of effort. He said:

> It is easier, to go down a hill than up, but the view is from the top.

And that, in a nutshell, is the story of the DAV.

DISABLED AMERICAN VETERANS DAY IN THE HOUSE

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. QUILLEN. Mr. Speaker, it is with a deep sense of pride and personal satisfaction that I participate in this special ceremony to commemorate the 50 years of service of the Disabled American Veterans to this country's war disabled.

When I am given the opportunity to take part in such a momentous occasion as this, I always feel humble, for I am reminded of those patriotic, heroic Americans whose selfless service and supreme sacrifice have made it possible for all of us to live in freedom.

It would be difficult, indeed, to measure all of the contributions of the Disabled American Veterans organization in the five decades of its history.

But a fact we are all well aware of is that this outstanding group has given so generously of its time to assure that all disabled veterans receive the compassionate care and unselfish service they deserve and have earned.

Our veterans are our most deserving citizens—we owe them a great debt of gratitude. These individuals have demonstrated the courage and determination which has made our Nation stronger and the leader of the free world.

While the accomplishments of the Disabled American Veterans are outstanding in every respect, we must continue to see that this country's obligations to all servicemen—especially those disabled in the line of duty—are fulfilled. I am aware of the work of this organization and I pledge to continue working in behalf of their interest.

Disabled American Veterans was organized 50 years ago with little funds or influence, but this certainly did not stand in the way of those founders who resolved to be the champion of all disabled veterans. This goal they have accomplished.

My sincere congratulations also are extended to Disabled American Veterans for its national effort to have our prisoners of war treated better. We must do everything within our means to see that these gallant men get every benefit they have coming.

Mr. Speaker, I am highly honored to have the opportunity to speak in behalf of Disabled American Veterans and to pay tribute to these men who have reached this milestone.

ONE FEDERAL SUBSIDY THAT HAS PRODUCED—WELFARE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. RARICK. Mr. Speaker, as the Welfare Department frantically announces unprecedented increases in the number of welfare recipients, now being added at a rate of approximately 3.4 million persons per year, figures on the population growth and identification of the additions to the rolls provide an interesting analysis.

The greatest increase of welfare recipients is in the category of ADC or aid to families with dependent children. For the most part this is tax money going to unwed mothers to support illegitimate children—federally subsidized immorality and illegitimacy.

The 1970 census figures indicate that the Negro population has increased 20 percent over the last 10 years while the white population increased by 12 percent.

If this is the equal status desired by the social scientists, that is, to have racially balanced population of black to white, all taxpayers must agree this is one Federal subsidy which is on target.

Contrary to the fatalistic philosophy advocated by the population explosion crowd, the welfare growth figures would seem but to reemphasize a crying need for the teaching of morality to our young and more rigid enforcement of the illegitimacy laws by our States.

These figures could well be interpreted to show with dramatic import the human cost to our society by the removal of prayer from schools and replacement with such promiscuity inducing innovations as sex education, birth control, sensitivity training and abortion.

I insert several news clippings in the RECORD:

[From The Evening Star, Mar. 3, 1971]

U.S. WELFARE ENROLLMENTS SOAR—RECORD JUMP POSES THREAT TO '72 BUDGET

(By James Welsh)

The increase in public welfare rolls accelerated through the fall months of 1970 at an unprecedented rate, threatening to drive costs at least $1.5 billion above President Nixon's 1972 budget estimates.

November figures, now beginning to circulate among officials of the Department of Health, Education and Welfare, show a one-month increase, from October, of 282,000 recipients in the category of Aid to Families with Dependent Children.

It was a record jump, 40,000 higher than the September-to-October increase.

November was the fourth straight month the AFDC rolls climbed by more than 200,000, bringing the nationwide total to 9.4 million men, women and children.

NOW FANTASTIC

"A year ago we thought the caseload figures were impressive," said one HEW official. "Now they're fastastic. They're almost exponential."

What he meant was this:

Two years ago the AFDC rolls were rising at the rate of 1 million annually. Last year, it was two million annually. Now, if the increase were to remain steady at the October-November rate, it would mean an annual rise of 3.4 million presons.

Welfare specialists are split in their view of whether the AFDC caseload increase will continue to accelerate.

Those among the it-can't-go-on-like-this school cite the fact that the nation's pool of poor people is limited. The poverty population is now estimated at about 24 million persons.

TOTAL ON WELFARE

All those on welfare—AFDC recipients along with the more static groups of aged, blind, disabled and those on general relief—totaled 13.5 million as of November. Sooner or later, the argument goes, the increase in this number is bound to flatten and perhaps reach a peak.

HEW officials also point to the November total as inflated because of an extraordinary situation in Michigan. There, because of the auto strike, the AFDC relief rolls jumped by 70,000 over the October total. Michigan's normal monthly increase is closer to 10,000.

The gloomier analysis is based in part on the sharp caseload increases that usually occur in the coldest winter months. Some HEW officials wouldn't be surprised to see the December-through-March figures show monthly increases of 300,000 and more.

On top of that, those who analyze the welfare scene are aware that caseload levels have consistently outraced all predictions and may well continue to do so for an indefinite period.

Already, HEW staffers concede, the figures on which the Nixon 1972 budget was based are out of date. This means the Federal Government, states and localities must spend far more money for welfare than the budget indicates.

Published five weeks ago, the budget gave a figure of 9.1 million AFDC recipients for the 1971 fiscal year. This should have been the total reached about December 1970, midway through the current fiscal year.

But the November total, just determined, was 9.4 million, and the total for Deecember 1970 will probably run to 9.6 or 9.7 million.

The Nixon budget further included an estimate of 10.7 million AFDC recipients for next December, midway through the '72 budget year.

At the rate the caseloads were rising in November, they will reach that 10.7 million at the end of this month and could be close to 13 million by the end of the year.

If this is the case, the budget's estimate of $5.3 billion spending on AFDC by all levels of government would have to be raised by $1.5 billion.

The Federal Government is obligated to pay 55 percent of welfare spending.

In the November caseload increase, Michigan led the way. It was followed by California, with an increase of 44,000 recipients.

From the month before, five states showed slight caseload decreases—Idaho, New Mexico, North Dakota, Oklahoma and West Virginia. All others were on the increase.

In November, the District's AFDC caseload totaled 58,500, up 2,000 from October. Maryland's total was 157,000, up 2,900. Virginia's was 114,000, up 2,200.

[From The Evening Star, March 3, 1971]

BLACK POPULATION GROWS 8% FASTER THAN WHITE

(By Philip Shandler)

The rate of population growth for Negroes in this country was almost double that for whites during the 1960s, according to figures obtained in the 1970 census.

The Negro population increased 20 percent from 1960 to 1970, while the white population increased 12 percent, according to the figures released today.

The Census Bureau said Negroes now comprise 11.2 percent of the total population—22.6 million of the total 206 million—compared with 10.5 percent in 1960—when the figure was 18.8 million of 180 million total.

The data also reveal faster gains for blacks over the decade in a critical area of life: Housing with basic plumbing.

Ten years ago, 40 percent of the Negro families were without a flush toilet and a hot-water bathtub or shower for their exclusive use. Now the figure has dropped to about 17 percent.

FAMILIES LESS CROWDED

As a whole, the nation's housing without such basic plumbing has dropped from 35.4 to 16.8 percent.

Americans as a whole are less crowded, too, the bureau said: The percentage of households with more than one person per room has dropped from 11.5 to 8.2 percent.

The bureau said the greatest increase in black population has been in the West and slowest in the South—up 56.1 and 6.7 percent, respectively. In the Northeast, Negro population has grown by 43.4 percent and in the Northcentral states by 32.7 percent.

At the same time, the census confirmed what has been apparent for some time: The South, through an influx largely of whites, has experienced its first population growth in decades—up about a half million in 10 years.

PERCENTAGE DECLINE

The proportion of the nation's Negro population in the South has dropped from 75 percent in 1940 to 60 percent in 1960 to 53 percent today. About 20 percent now live in the Northeast; 20 percent in the North Central states, and about 8 percent in the West—all of these up a percentage point or two over 1960.

Nonetheless, the ratio of blacks to whites in the South is still about what it was a decade ago; one out of five.

In the Northeast, 9.6 percent, almost one out of 10 residents, are black, compared with 7 percent 10 years ago. In the North Central area and the West, the black population is about 8 and 5 percent of the total population, up slightly in proportion from 1960.

The Census Bureau credits a higher birth rate principally for the increase in the black population.

FEDERAL AID TO STATES—FISCAL YEAR 1970

HON. CHARLES W. SANDMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. SANDMAN. Mr. Speaker, it never ceases to amaze me how Government economists can forecast future tax rates, deficits, interest rates, and other factors with precision but seem to find difficulty in simply giving an accounting of how Federal funds have been spent.

Just now, the Treasury Department is publishing its annual summary of "Federal Aid to States," covering fiscal year 1970, which ended last June.

After more than 8 months, I have finally secured a handwritten copy of this valuable report. And though the Treasury warns that the statistics are subject to final review prior to release in printed form, I have found this information most interesting.

I note with interest, for example, that the total of Federal grant-in-aid payments to State and local governments in fiscal year 1970 increased by nearly $4 billion to a figure of $24,194,090,576.

As background information for my colleagues in Congress, particularly in light of our consideration of the various programs to share Federal revenues with State and local governments, I have prepared a comparison table of the 1969 and 1970 fiscal year distribution of grants-in-aid.

A detailed breakdown of the 1969 fiscal year grants-in-aid payments is available in the Treasury Department's 23-page booklet entitled "Federal Aid to States." I am advised that a similar booklet to cover 1970 fiscal year grants is forthcoming soon.

Mr. Speaker, I include this comparison table in the CONGRESSIONAL RECORD at this point:

FEDERAL PAYMENTS TO STATE AND LOCAL GOVERNMENTS—"GRANTS IN AID" PROGRAMS, FISCAL YEAR 1970[1] COMPARED WITH FISCAL YEAR 1969

States, territories, etc.	1969 totals	1970 totals
Alabama	$419,206,670	$523,507,981
Alaska	106,428,606	115,929,874
Arizona	203,645,069	237,166,021
Arkansas	244,448,118	274,849,307
California	2,223,311,884	2,998,345,571
Colorado	246,765,457	282,261,439
Connecticut	263,274,304	295,488,191
Delaware	42,065,122	51,110,807
District of Columbia	251,359,316	405,240,860
Florida	427,426,984	509,409,287
Georgia	490,010,635	553,798,865
Hawaii	92,434,865	123,581,986
Idaho	85,783,697	95,290,069
Illinois	897,118,517	950,808,806
Indiana	319,621,377	352,223,807
Iowa	223,364,041	244,345,307
Kansas	184,629,500	231,656,571
Kentucky	457,832,067	456,588,491
Louisiana	472,280,579	526,971,861
Maine	94,492,145	112,485,425
Maryland	280,362,434	395,030,686
Massachusetts	575,201,469	715,829,951
Michigan	673,613,373	768,758,072
Minnesota	367,216,687	407,361,699
Mississippi	321,150,479	413,042,046
Missouri	443,275,188	502,013,222
Montana	114,674,734	135,491,316
Nebraska	124,863,633	129,782,934
Nevada	61,200,161	76,827,951
New Hampshire	60,477,224	72,187,892
New Jersey	502,286,446	619,739,332

FEDERAL PAYMENTS TO STATE AND LOCAL GOVERNMENTS—"GRANTS IN AID" PROGRAMS, FISCAL YEAR 1970 [1] COMPARED WITH FISCAL YEAR 1969—Continued

States, territories, etc.	1969 totals	1970 totals
New Mexico	189, 182, 489	218, 814, 942
New York	2, 047, 620, 188	2, 365, 629, 042
North Carolina	440, 912, 542	507, 067, 589
North Dakota	75, 675, 486	87, 724, 591
Ohio	785, 044, 538	888, 453, 481
Oklahoma	376, 399, 547	403, 759, 349
Oregon	236, 302, 710	297, 955, 602
Pennsylvania	989, 561, 853	1, 343, 171, 041
Rhode Island	104, 671, 182	132, 689, 617
South Carolina	228, 532, 200	278, 078, 087
South Dakota	92, 793, 667	103, 685, 545
Tennessee	393, 452, 421	487, 031, 456
Texas	944, 867, 294	1, 153, 404, 525
Utah	134, 471, 925	173, 846, 992
Vermont	75, 450, 846	77, 105, 186
Virginia	370, 223, 461	465, 682, 360
Washington	324, 093, 022	400, 451, 472
West Virginia	264, 848, 608	303, 698, 149
Wisconsin	314, 186, 721	368, 704, 092
Wyoming	84, 085, 583	83, 493, 080
Puerto Rico	309, 454, 580	305, 526, 747
Virgin Islands	27, 991, 650	50, 069, 958
Other territories, etc	59, 804, 319	66, 572, 985
Adjustments or undistributed to States	147, 951, 705	54, 349, 061
Total (1969)	20, 287, 399, 318	
Total (1970)		24, 194, 090, 579

[1] Subject to review as of Mar. 3, 1971.

Note: Compiled from U.S. Treasury Department statistics by: U.S. Representative Charles W. Sandman, Jr. (2d, New Jersey), 115 Cannon House Office Building, Washington, D.C. 20515.

Source: U.S. Treasury Department.

TRIBUTE TO DISABLED AMERICAN VETERANS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. ZWACH. Mr. Speaker, for 50 years the Disabled American Veterans organization has been the voice and the guardian of those unfortunate patriots who carry with them the scars and disabilities of their service to their country.

The DAV has been the conscience of us all, urging us on, showing us the way to ease the burden of those who have given such a full measure of their devotion.

Nothing we can ever do or say can compensate the members of this organization for the price they have paid for their patriotism.

I am a member of the Committee on Veterans' Affairs. I am proud of the record of progress the 91st Congress has achieved in behalf of all our veterans.

I have visited our veterans hospitals. I have heard complaints from some of the hospitalized veterans about the food, about the service, about the physical plant or some other aspect of their care. I have never heard one complaint of the cruel turn of fate which left him disabled.

Mr. Speaker, I am proud to join with my colleagues today in paying just tribute to this grand organization as it observes its 50th anniversary. What would we, what would our disabled veterans have done without it?

My fervent wish is that the DAV never reaches its 100th anniversary, that we will be able to eliminate the reasons for its being, that we will have no more disabled veterans, cut down in the prime of their manhood, that war, and all its ravages will be eliminated from this earth.

OLEAN STUDENT COMMENDED FOR "COP-IN" PROGRAM

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. HASTINGS. Mr. Speaker, early in 1969 when student unrest was sweeping the Nation, I and 21 of my colleagues here in the House decided that the only way we were going to understand the growing upheaval in the world of education was to get out of our ivory tower here and talk face to face with the students.

Splitting up into four- and five-man teams, we spent a week touring more than 55 colleges and universities. It was a most rewarding trip. We came away with a far deeper understanding of student dissatisfaction and I think the students had a better comprehension of the so-called establishment point of view.

The key to the whole mission was communications. The students expressed surprise and shock that someone would take the time and trouble to talk with them. They said that when they talked, no one listened and when they did listen, no one heard. I think, since that time a lot more talking has taken place and much has been done to bridge the gap of misunderstanding.

In connection with this, I take great pride in calling to the attention of my colleagues a unique program launched at Ohio University in Athens, Ohio, by a young man who resides in Olean, N.Y., in my 38th District.

The young man is Bruce Tabashneck, the son of Mr. and Mrs. Samuel Tabashneck, of Hillcrest Avenue, Olean. A graduate student at Ohio University, he has been conducting what he aptly calls a college "cop-in" program to establish better relations between students and the police.

Bruce is to be highly commended for this effort. I should like to offer my personal acknowledgement of his fine work and include in the RECORD a recent news clipping from the Buffalo Courier-Express which spells out in detail just how successfully the program has worked in creating better understanding:

OLEAN STUDENT AT OHIO U HELPS BRIGHTEN COPS' IMAGE

ATHENS, OHIO.—An Olean, N.Y., graduate student at Ohio University here is one of the originators of a campus "Cop-in" program designed to reduce potential pressure points and conflict between students and police.

He is Bruce Tabashneck, 22, son of Mr. and Mrs. Samuel Tabashneck of Hillcrest Ave., Olean. He is a 1966 graduate of Olean High School, received his bachelor's degree here last June and now is studying history on a graduate fellowship.

Tabashneck said his brainchild was born last year "when I had an opportunity to go on patrol with the Athens police. I had a rather negative image of police at that time. I was a stereotype; they really turned me off."

Tabashneck said he became so interested that he wanted to find out more about police and their problems.

"I talked with some policemen and got more interested," he said. "It was a moving thing. Because as a person I saw that they had similar problems.

"They go home at night and face real problems like anyone else. They don't go home and eat nails."

"The 'cop-in' involves both the Athens' Police Dept. and the 40-man campus security force. It was designed to bridge the 'hostility gap' that existed between students and police."

Students who participated all say they have benefitted. The police officers who participated—some of whom were reluctant at first—are now enthusiastic.

An example is Mark Toomey, 19, a freshman. He was ordered into court to pay a parking ticket.

"It was the first time I was ever in a police station and I guess I felt pretty much against police," he said. Since his court appearance Toomey has changed his attitude toward police and credits the cop-in program in which about 200 Ohio U. students have participated.

The program is only of two weeks duration and students participate voluntarily. It has the support of the university which provided a faculty adviser.

Students are permitted to accompany police in their patrol cars as they make their rounds. Informal discussions are held on campus where students and police "rap" about family life, drugs and society.

A highlight of the program was a panel discussion involving police from other cities. The idea was to give students a better understanding of how police function across the country.

Participants included New York City Police Sgt. David Durk, who recruits prospects on college campuses throughout the country, and Donald Riddle, president of the John Jay College of Criminal Law in New York City.

Athens Police Chief Fred James favors a continuation of the program. Tabashneck said the program may be conducted next year "since a lot of students are interested."

"I'm surprised by the attitude of some of our officers," James said. "I was certain before the program began that some officers would be very reluctant to go along with it.

"But now the officers' attitudes have changed right along with the thinking of the students. I don't think there is the hostility present there was before the program."

William Kane, assistant campus security director, said he felt the program provided some "real good communication between students and police.

"The kids have had a chance for the first time to ask even personal questions such as how police feel about students and what makes officers angry," Kane said. "And the officers have had a chance to communicate on an informal basis with the students."

TIME TO CUT OUR LOSSES

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. ROSENTHAL. Mr. Speaker, the folly of President Nixon's continued reliance on Vietnamization as the cornerstone of his Indochina policy is becoming increasingly obvious. A recent editorial in the Long Island Press contains a balanced, thoughtful commentary on the implications of Mr. Nixon's continued reliance on this policy to extricate us from Southeast Asia

The editorial follows:

TIME TO CUT OUR LOSSES

President Nixon discussed the state of the world in a 180-page, 65,000-word accounting of his foreign policy Thursday, but there wasn't a single mention about what he would do if the cornerstone of his Indochina policy—Vietnamization—were to fail.

Yet the ominous reports out of Laos raise the specter of just such an eventuality. Although even a rout in Laos would not mean the destruction of Saigon's military capability, it would seriously compromise the President's policy which is based so heavily on the performance of Saigon's troops. And that, of course, is the trouble. We are basing our policy not only on how the South Vietnamese perform, but also on what Hanoi does—when the determining factor should be our own national interest.

It is easy for those who, echoing the Russian line, ignore the President's very real dilemma and explain his policy as "criminal." This is nonsense. As the President spelled out in his message, we do have very real interests and responsibilities around the world. We do face serious threats to our national security from the Communist competition for control of the world's strategic spots. The question is whether our commitment in Indochina is worth the results, strategic or otherwise. This is the question with which the President must come to grips. In so doing, Vietnamization becomes irrelevant.

Mr. Nixon has shown good grace and good sense in reversing himself on some crucial domestic questions, such as going over to an expansionary budget and leaving the door open to wage and price controls. It is time for him now to re-examine his commitment to Vietnamization and accept the dreary fact that he has no good choices left in Indochina.

Let there be no doubt that unequivocal withdrawal would be painful and dangerous, to our pride and our world political and strategic interests. But seeking a military solution, either through Vietnamization or any other means, entails even greater pain and danger.

Responsible leaders in both parties are saying with increasing concern and insistency that it is time for the President to accept our mistakes, cut our losses and take the less damaging course.

FLUNKING THE COURSE

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. SCHERLE. Mr. Speaker, irresponsible, rambling rhetoric has thus far characterized the premature presidential campaign of the senior Senator from South Dakota. Perhaps the most scurrilous statement made by the former history professor to date came in his recent charge that the U.S. bombing of Indochina is "the most barbaric act committed by any modern state since the death of Adolf Hitler." Is it possible that the ex-don has forgotten about the senseless slaughter of civilians in Hungary and Czechoslovakia by Soviet troops? Or the needless starvation of Biafran children? Or the mass murder of hundreds of thousands in Asia by the Red Chinese? Or the cruel and inhumane treatment of the 1,600 American prisoners of war in Southeast Asia? If GEORGE MCGOVERN really wants to be a serious contender for the Presidency in 1972, he should take a refresher course in his former academic field.

ALASKA RAILROAD FARE INCREASE

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. BEGICH. Mr. Speaker, a serious problem faces the people of Alaska. The Alaska Railroad has requested a rate increase of 15 percent and if the increase were to be granted, it would total almost 25 percent in 2½ years.

Presently the state of the economy in Alaska is periously unstable and highly inflationary. The rate of unemployment is higher in Alaska than in many other parts of the country. The President has called for all citizens to do their share in curbing rising prices, and I strongly believe that since Alaska Railroad is federally owned and federally operated, they too, must do their share of curbing inflation.

The economy of my State depends very heavily upon the accessibility of the railroad to industry and business. If an increase were to be granted, it would create an unnecessary and burdensome hardship upon the economy of the State.

The State Legislature of Alaska has perceived the problems of a rate increase, and they have taken swift and decisive action by passing a joint resolution requesting a permanent suspension of the requested rate increase. I believe this resolution is important in that it expresses the will of the Alaska Legislature, and I, therefore, wish to include it in the RECORD:

JOINT RESOLUTION, ALASKA STATE LEGISLATURE

Relating to the proposed freight rate increase proposed by the Alaska Railroad and Sea-Land Incorporated

Be it resolved by the Legislature of the State of Alaska:

Whereas the Alaska Railroad and Sea-Land Incorporated recently announced a 15 per cent freight rate hike; and

Whereas justification for such a rate increase has not been forthcoming from the Alaska Railroad or Sea-Land Incorporated; and

Whereas any increase in freight rates would only add to the spiraling inflation in Alaska and have a devastating effect on the Alaskan economy; and

Whereas it is of the utmost importance that private business, labor and government all act prudently in an effort to curb inflation; and

Whereas the Interstate Commerce Commission appellate "suspension board" has suspended the price increase by the Alaska Railroad for a period of seven months, thus effectively suspending Sea-Land's proposed increase in rates also;

Be it resolved that the Alaska Legislature respectfully requests the "suspenion board" of the Interstate Commerce Commission to investigate the proposed freight rate increase in the most thorough manner possible and if the railroad's request is unjustifiable or unreasonable in any respect, the Commission is respectfully requested to make the temporary suspension permanent.

Copies of this Resolution shall be sent to the Honorable Richard M. Nixon, President of the United States; the Honorable John H. Volpe, Secretary, Department of Transportation; the Honorable Virginia Mae Brown, Chairman, Interstate Commerce Commission; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U.S. Senators, and the Honorable Nick Begich, U.S. Representative, members of the Alaska delegation in Congress.

TRIBUTE TO ARMANDO M. RODRIGUEZ

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. ANDERSON of California. Mr. Speaker, our society places great emphasis on education. From the time a child is born, until he or she reaches age 6, the parents teach it to walk, to talk, and some basic rudiments of life. At age 6, the parental guidance and teaching continue, but it is supplemented by professional teachers. This professional tutelage will continue until the person becomes a young adult, and in some cases, even further.

A major portion of our success as a nation is due to those individuals who have dedicated their lives to helping their fellow man learn the skills and procedures necessary in a productive society.

Armando Rodriguez is such a man. There are many reasons to pay tribute to Armando Rodriguez. We could commend him for excelling in his chosen profession—teaching. We could say, here is a man who knows the inside of a classroom, who knows the endless nights of preparing for class, who knows the stress involved in grading papers, who knows the inner joy of helping a child discover knowledge.

We could applaud Armando Rodriguez for being an outstanding teacher, but there are more reasons. We could say, here is a man who knows the administrative side of education, who knows teachers and their problems, who knows the needs of educating our children—all of our children.

We could commend Armando Rodriquez for being an exemplary teacher and administrator, but there are still more reasons. Here is a leader in the community and in the Nation. He is the chairman of the National Mexican-American Anti-Defamation Committee. He was on the board of directors of the Urban League in his native San Diego. Mr. Rodriquez served as the president of the San Diego Committee for Human Relations Commission, and president of the Council of Exceptional Children. He was on the board of directors of the San Diego Big Brothers, TB Association, National Conference on Christians and Jews, YMCA, and Neighborhood House.

Today, we commend Armando Rodriquez for being a teacher, an administrator, a leader, and, finally, for bringing these talents to the Office of Education. On December 14, 1970, Mr. Rodriquez was named Assistant Commissioner for Regional Offices Coordination in the U.S. Office of Education. He now holds the responsibility for the operation of 10 regional offices throughout the country.

I feel that his elevation to this position is well deserved. In addition, I feel that Mr. Rodriquez, being the highest ranking Mexican American in the Office of Education, will be an effective and articulate voice in meeting the educational needs of all segments of a multilingual, multicultural society. As California Superintendent of Public Instruction Wilson Riles has stated about Mr. Rodriquez in behalf of all Californians:

> We know at first hand of his dedication to children and his commitment to equality of educational opportunities.

Mr. Speaker, it gives me great pleasure to join with the National Task Force De La Raza, the National Advisory Committee on Mexican American Education, the National Lulac, the National GI Forum, and the National Mexican-American Anti-Defamation Committee in paying tribute to this outstanding servant of the public.

A RESOLUTION OF THE RHODE ISLAND GENERAL ASSEMBLY TO THE CONGRESS OF THE UNITED STATES

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. ST GERMAIN. Mr. Speaker, at the request of the Rhode Island General Assembly, I bring the following resolution to the attention of the Members of the House of Representatives:

S. 55

Resolution memorializing Congress to amend the guidelines under which welfare reimbursements are made available to the States

Whereas, The national economic trends have affected the labor market to such an extent that unemployment figures are near crises proportions; and

Whereas, A rise in unemployment figures almost proportionately is reflected in rises in the numbers who have to turn to welfare for their sustenance; and

Whereas, The system under which welfare is disbursed is antiquated and does not help recipients back to fruitful independence; and

Whereas, The states who disburse welfare payments are shackled from making innovative changes by the guidelines for federal reimbursement; and

Whereas, Congress, realizing the dilemma of the entire welfare program and the dim horizons to which the entire system is headed, should rewrite the federal provisions to permit the states individually to direct the welfare programs to make welfare a temporary means of assistance rather than a way of life for a segment of our society; now, therefore, be it

Resolved, That the senators and representatives from Rhode Island serving in said congress are hereby respectfully requested by the general assembly of Rhode Island to use their joint efforts to propose and enact such legislation as is necessary to permit the states individually to institute dynamic welfare reform measures; and be it further

Resolved, That the secretary of state be and he hereby is authorized and directed to transmit, duly certified copies of this resolution to the senators and representatives from Rhode Island serving in congress.

PROTECTING OUR FORESTS

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. STEIGER of Arizona. Mr. Speaker, natural environment is a proper and popular concern today, and a good deal of that concern is directed to our forests. Arizona can boast not only of some of the most magnificient forests in the world but also of the conception of the science of ecology. In the January 1971 issue of Arizona Highways magazine is a story by David W. Toll, entitled "Bristlecone to Saguaro" which is outstanding in its full treatment of what must be done to understand and protect our forests.

I include the article as follows:

BRISTLECONE TO SAGUARO

(By David W. Toll)

THE STORY OF ARIZONA'S TREES AND FORESTS FROM TIMBERLINE TO DESERT FLOOR

The Arizona desert takes hold of a man's mind and shakes it. And because the forest only strikes gently at his memory the mind's eye often overlooks it. Yet the forests of Arizona are more extensive than those of Maine and Wisconsin and nearly as large as Paul Bunyan's Michigan woods. More than twenty-five per cent of Arizona landscapes are forested; some twenty million acres of wooded land representing priceless resources of recreation, timber, grazing lands, jobs and, most precious of all in this arid land, water.

Arizona's forests center on a broad, bold brushstroke of green beginning at the New Mexico border in the White Mountains and curving about two hundred fifty miles northwestward along the course of the Mogollon Rim as far as the San Francisco volcanic field near Flagstaff and Williams. There the brush was raised from the canvas to splash green across the Kaibab Plateau on the north rim of the Grand Canyon, drip it on the Defiance uplift near Arizona's northeast corner and on the mountains around Prescott, and then to spatter the summits of the Cerbat and Hualapai ranges in northwestern Arizona and the Santa Ritas, the Santa Catalinas, the Chiricahuas, the Dragoons and other mountain ranges in the southeast.

Most of this inland sea of green is pine forest, giving away at its high elevations to fir and spruce, and at its lower edges to broad foothill fringes tufted with pinyon and juniper. There is marvelous variety to Arizona's forests, but it is the green-grizzled ponderosa pine flowing along the length of the Mogollon Rim in the longest unbroken stand of any state in the union that give the wild pagan cathedral of Arizona's upland forests their character.

Mountains rise up to pierce the blanketing forest in only two places in Arizona: at the summits of the San Francisco Peaks and at Baldy Peak in the White Mountains. There, in the top-most pinnacles high above timberline, only a few hardy grasses and ground-hugging shrubs survive the freezing temperatures of winter, the nine month burden of the snow-pack and the ceaseless whipping of the winds. Such plants as do survive are bunched in sheltered places, and sometimes develop in unexpected ways away from their cousins on other high summits and in the Arctic lowlands.

Lichen stains the slabbed expanses of stone with red and green, brown and gold and black, but the soils resulting from their microscopic nibblings are mostly swept away by the winds or washed downslope by the melting snows. Only pinches of it lodge in crevices, and only there, where there is a mite of soil, can seeds sprout and root themselves in a delicate balance between too little exposure to the sun and too much exposure to the wind. The animal life is as limited. Ermine weasels dart about among the rocks, and mountain sheep spent summers here before they were hunted out. Golden eagles thumped their heavy wings against the thin air of these summits to heave themselves into soaring flight.

Downslope some two thousand feet from the summit of San Francisco Mountain the nearly naked stone is wrapped around by the collar of the flowing forest cape that trails out east to New Mexico: a frayed and threadbare collar of gnarled and stunted trees. They are Engelmann spruce and bristlecone pine, tormented victims of the winds and frosts, some so blasted by the elements they are beaten flat against the earth.

Farther down the mountain the spruce grow full and strong, but the bristlecone pine grow only here at timberline and in a few scattered groves downslope where conditions approximate those at the heights. Ice-grained winter winds have scoured them of bark and twisted their burly trunks like hawsers. Their frayed and brambled limbs, upstretched in frozen homage to the sky, have been foreshortened by centuries of brief summers. Their roots press with sullen desperation into the shivered stone, and by the looks of them they have only the most tenuous grip on life. Yet the bristlecone pine is the oldest living thing on earth.

Not the trees growing at timberline on the San Francisco Peaks; these are relative babies, seeds that took root during the reign of Sven Forked-Beard in Denmark and Ethelred the Unready in England a thousand years ago. It is in the White Mountains straddling the Nevada-California border that the bristlecone achieves its greatest age. There the patriarch trees sprouted in the time of Abraham, five times and more the age of the trees in Arizona. The Laboratory of Tree Ring Research of the University of Arizona has verified that bristlecone pines attain ages of more than 4,500 years, or more than 1,000 years older than the better known giant Sequoias (*Sequoia gigantea*).

Rarely do bristlecones grow to heights of more than forty feet, and their average is scarcely half that. Their small size, small numbers, slow growth, inaccessibility and contorted shape has exempted them from commercial use. Forest scientists have quite enough on their plates already with the immense and immediate problems posed by more common forest trees to devote much more than a passing glance of curiosity to the bristlecone as yet. The bristlecone is extremely useful in extending back the limits of tree-ring dating, but so far there are only theories to explain the tree's longevity. One of them suggests that the relatively high resin content is the key to survival. Another proposes that the small stands of bristlecone pines on western mountain summits are only remnants of whole forests that flourished during the colder climates accompanying the Ice Ages. But other trees and plant life found at or near timberline in the San Francisco Mountain summits are also found in profusion at more northerly latitudes, and the bristlecone pine is not.

Timberline does not collar the mountain evenly around; it is higher at the back of the neck on the south and the west where the sun's rays strike the mountainside during the heat of the day, and lower in the east, where the sunlight strikes early and briefly, and the north where it touches the mountain only a little before sunset if it touches there at all. Thus, on San Francisco Mountain timberline occurs at about 10,700 feet on the northeast slope and at about 11,500 on the southwest. Below timberline the forest sweeps away in every direction, a province of dims and deeps and vast expanses like a sea. And like a sea, the forest is never still, always in the midst of imperceptible motion.

The bristlecone pines thin out and vanish immediately below timberline. The Engelmann spruce straighten up and become full-bodied, robust trees, growing in dense stands as low as 8,500 feet on the northeast slope of the mountain and to about 9,200 feet on the southwest. They are large trees, reaching up eighty feet and more, with trunks three feet in diameter, and spreading branches that droop slightly toward the ground as they taper toward the conical crown of the tree. Corkbark fir, a close cousin distinguished by a thin layer of smooth, spongy bark, is a near neighbor in the high forests. In the White Mountains the mature corkbark firs are among the largest in the world.

Douglas fir rise up to mingle in the lowest reaches of the Engelmann spruce belt. The Douglas fir is the largest tree native to Arizona, growing at maturity to heights of from 100 to 150 feet and occasionally approaching 200 feet. The crown of the tree is open and broadly conical, the trunk from three to six feet in diameter near the base, and the branches, dripping with blue-green needles, sag gently below the horizontal. It is the most important timber tree in the United States, though in Arizona it accounts for only a small percentage of the cut because it grows only in the heights above the far more extensive and more easily accessible ponderosa pine forests. Lumber pine and white fir are commonly found in the forest belt dominated by the Douglas fir. As recently as twenty years ago the white fir was considered a weed tree by loggers who are now glad to harvest them as timber. On the San Francisco peaks the Douglas fir forest descends to about 7,200 feet on the north and east and to about 8,200 feet on the south and west exposures.

These forest belts can be far more clearly marked out here, on paper, than on the mountainside. There they blend almost imperceptibly into one another, influenced by a variety of elements including quite local climate conditions—microclimates, they are called—which often lead to pronounced contradictions of the general rules. Because they intermix, and because of the economics of forest management and timber harvest, the forest from timberline to the lower limits of the Douglas fir is considered as a unit. Eight trees occur in this forest, seven of them conifers. A ninth tree, the Gambel oak, is also found in the high forests, but since it seldom occurs as a part of the forest's crown canopy it is considered a shrub by foresters. The enveloping cloak of the mixed conifer forest is patched here and there by thick stands of aspen, their white trunks like the slender legs of schoolgirls, their bright, trembling broad leaves a vivacious contrast to the grave and moody expanses of the conifers.

The presence of the aspens provides more than a bright note of color in the forest depths. It is visible evidence of the imperceptibly slow, straining struggle for survival waged everywhere in the forest. For aspens grow only where disaster has overtaken the spruce and the fir and the pine.

Usually that disaster is fire, for there are few places in the world where lightning strikes the forest more often than in the mountains along the Mogollon Rim. And when it strikes, an incandescent wand flashing down from the storm-boiled sky to tap a forest patriarch shouldering up above the wind-thrummed thunderharp of the forest and make a torch of it, the fire spreads and burns holes in the tight weave of the forest cloak. For the tallest trees are old and stale and dry, senile giants held unsteadily upright by the feeble, rotting remnants of once powerful roots.

Into the clearing burned bare in the forest, seeds fall as they fall everywhere. And because there is no crown canopy to filter sunlight as there is elsewhere, the seeds in the clearing receive the full force of the sun. Spruce and fir cannot tolerate sunlight in such intensity; they prosper in shadowed soil. So grasses take root instead, and aspen.

Not from seeds, these aspens, but from suckers reaching up for sunlight from the far-spread, hungry roots of mature trees established nearby. These sprouts, taking the full benefit of the direct sunlight and the root system of the parent tree, grow more rapidly and surely than the competing plants taking root in the clearing. During the first decade following the fire the aspen saplings grow in dense sibling stands at the rate of about a foot a year.

But as they grow their canopy of leafy branches spreads shade over the clearing. The conifers revive under the umbrella spread by the youthful aspens. Seedlings, protected now against the direct heat of the sun, accelerate their growth, and it is only a matter of time—perhaps 150 years—until they overtake the aspens and pierce the canopy of leaves and branches from below. When this happens the aspens are deprived of the direct sunlight they require. And as more and more conifers overtop them higher and higher, the aspens die. Thus the fire-wound in the forest is once again healed over with an uninterrupted growth of conifers.

This silent battle for dominance occurs everywhere within the forest, but few catalysts are so dramatic and immediate in their effect as fire, and few competitions so clearly recognizable as the aspen's doomed race toward the sun.

Fire is only one of the ways in which nature affects the complexion of the forests. Winds, insects and disease also take a harvest. Engelmann spruce, for example, are normally able to withstand the attack of bark beetles. The tree's resin is plentiful enough and gummy enough to encase the voracious larvae and kill them; only ailing or aged trees are normally their victims. But in the aftermath of storms when large numbers of trees have been uprooted and flung to the ground, the larvae thrive in the wind-tossed and unresisting trees. Many more larvae than usual become mature beetles. As the new adult population emerges, it infests the nearby healthy trees with larvae in such numbers that natural resistance is overcome. Healthy trees can be girdled and killed within a few months. Inexorably the plague of beetles spreads through the forest, devastating the spruce over thousands of acres and transforming them to grey, lifeless poles which may stand erect like ghosts—or like lightning rods—for decades.

Deprived of nourishment at last by their own success, the spruce bark beetles recede in number. Seedlings, released from the sovereignty of the overtopping forest, yet still shielded by their dead spires, and by immune species nearby, from too much direct sunlight, take root in the close-grained velvet of the forest floor and grow rapidly. Fir and spruce grow together, with the firs at first dominating the regenerating forest. But as the seedlings mature another insect pest, the western balsam bark beetle, increases in number and impact, preying on the young firs and leaving the spruce to emerge again as the dominant tree in the forest, as they had been before the winds. This cycle of recession and increase is re-enacted over and over again in the mixed conifer forests of Arizona, varying in detail according to the myriad other elements that affect the forest.

One of these forest-affecting elements is now actively interfering with the beetle plague: man.

State and Federal agencies working with private lumber industries believe that the beetle plague will soon be reduced to minimal statistics.

Much of the Engelmann spruce within the Fort Apache Indian Reservation forests has recently come under heavy attack from the spruce bark beetles; in 1969 three times as many trees were killed by their attentions as in 1968. And because their attack can be so destructive—4.5 billion board feet of timber trees six feet and greater in trunk diameter were killed by a similar infestation in Colorado recently—a strong effort to counter-act the threat they pose to tribal timber reserves is being made.

Entomologists have discovered that the bark beetle has a characteristic two-year life cycle. Each July hordes of the bugs fly from the raddled trees they have infested during the previous two years, and attach themselves to the nearest weakest tree they can locate. They then drill their way beneath the bark of these trees to lay their eggs, and the larvae destroy the tree by girdling. Adult beetles can fly as far as half a mile through the forest in search of easy prey.

Tribal foresters are now locating the infested trees by means of ground surveys and infra-red aerial photography. The latter technique is a recently devised method of taking photographs, not of the trees themselves but of their heat emissions: beetle-infested spruces are a few degrees warmer than their neighbors—precisely as if they are running a temperature. This is because the transpiration rate of an infested tree is slowed, and less heat-bearing moisture is dissipated at the needles.

Once the ailing trees have been located, two methods of treatment are available. One is to log trees in the infested areas before the heavy beetle migrations of July, and to leave the felled logs on the ground. These trees are the nearest, weakest trees the beetles prefer, and the emerging beetles infest them heavily just as they do wind-felled trees under natural conditions. Once the logs are bored and the larva deposited beneath the bark, they are dragged out of the forest. The heavy beetle flight observed in 1969 will be treated with trap logs when they emerge again in July of 1971.

The alternative method of treatment is to introduce arsenic beneath the bark of an infested tree during the seasons of heavy transpiration. The natural metabolism of the tree in pulling moisture from roots to crown brings the arsenic with it. The larvae are killed as the poison reaches them. The tree dies as well, but it is doomed anyway, and the use of poison allows its neighbors to survive.

Until the sudden increase in lumber requirements during World War II there was relatively little logging done in the mixed conifer forests of Arizona, and consequently relatively little empirical data has been collected about the specific management requirements of the region. What active forest management was attempted was directed largely toward timber production. And while increasing demand has made these high country forests an ever more desirable source of timber, other considerations are also emerging. Water yield, recreation, livestock grazing—all these uses of the forest prompt the use of logging techniques that may be less productive when measured in terms of board feet of timber alone, but which are compatible with the concept of multiple use.

In Arizona many of these techniques were pioneered in the great ponderosa pine forests that occupy the next stratum of elevation below the mixed conifier belt. On San Francisco Mountain the upper limits of the ponderosa pine are at about 7,200 feet on the north and east exposures and at about 8,200 feet on the south and west.

The ponderosa pine is second only to the Douglas fir in total stand among all tree species in the United States and is a characteristic forest tree in every western state. In Arizona it is found in the higher elevations of every section of the state except to central and southwestern, and in the mountains of the southeastern corner of the state it shares the summits with Apache pine and Chihuahua pine.

The ponderosa pine commonly grows to heights of from 80 to 125 feet in Arizona, only occasionally reaching 150 feet. It matures at about 250 years and survives at maturity for another 250, though the Arizona trees are somewhat shorter-lived, on the average, than those of the Pacific northwest. Rare specimens have been found which can be dated back a thousand years by tree ring count, but none so old have yet been found in Arizona.

The ponderosa pine is a little like the old-time Arizona frontiersman in appearance: tall and straight, but a little raggedy at the elbows and faring best when separated somewhat from its nearest neighbor. Like the Arizona pioneer—and unlike most commercially valuable conifers—the ponderosa pine can tolerate relatively high temperatures and relatively low amounts of precipitation. As a result it is the lowest-growing of all Arizona timber trees, extending down to about six thousand feet on the north and east slopes of the San Francisco peaks and to about seven thousand feet in more sun-exposed locations.

The ponderosa pine has both a vertical tap root and a well-developed and uniform horizontal branch root system. This is one of the critical factors in fostering its growth in hot, dry locations, for it permits the efficient absorption of ground moisture when it is plentiful in the soil, yet prevents sucking the soil rapidly dry when it is scarce. In seasons of drought the ponderosa pine can drastically curtail its transpiration rate so that moisture gathered in at the roots is not given off so rapidly at the needles but held longer in the tree.

Yet the ponderosa pine is classified as an intolerant species; that is, it requires certain quite specific conditions in which to prosper. For example, seedlings must have at least fifty per cent shade but less than sixty-seven per cent. If they receive more than fifty per cent sunlight they cannot withstand the crushing weight of the winter snowpack to which they are also exposed. It presses their limber, fingerling trunks flat against the earth winter after winter, maiming them until they succumb. More than sixty-seven per cent shade and they grow runty, if they grow at all, and usually die within a decade after taking root. Other elements, too, affect the seedling's prospects for healthy development: precipitation within certain limits and at the proper season, temperatures, soil conditions and the depredations of wildlife and grazing stock.

Soil conditions play a more important part in forest life than is generally recognized, especially at lower elevations where temperatures are higher and ground moisture evaporation becomes an increasingly critical factor. Where soils are heavy, as those with a high clay content, trees are usually spaced wider apart because moisture is not readily absorbed for retention by these soils, and because root penetration by seedlings is more difficult. Where heavy soils occur in combination with other unfavorable circumstances the forest trees may be unable to establish themselves at all. Thus a mountain meadow, enclosed within a dense forest, lush with grasses but bare of trees, or a grove of a "foreign" species like an island in the sea of dominant trees. Where there are sandy or graveled soils ponderosa pine will flourish as low as 5,500 feet, for the seedling roots can penetrate as easily as the moisture that percolates through them. Even a relatively infertile soil can be beneficial to the young trees by preventing establishment of competing plant life.

Explorers who left behind them the earliest written accounts of the ponderosa pine forests of Arizona consistently mention their open character. The honey brown carpet of needles pierced by grasses and the absence of underbrush prompted many of them to compare the virgin ponderosa forests to carefully tended parks. In the 1880's cattle were brought into the ponderosa forests to graze the open stands.

But in 1919 two elements in the forest's life combined to reduce its value to livestock. One was a prime crop of conifer seedlings spurred by a record number of cones and seeds produced, and by a warm, wet spring. Temperatures in the ponderosa forest averaged six degrees warmer than usual that year, and three and a half inches of rain fell in May alone. These favorable circumstances, coupled with the inevitable overgrazing that reduced competition to the seedlings on the forest floor, resulted in the largest ponderosa pine crop in history.

The other element was the increasingly successful suppression of forest fires.

The consequence has been the establishment of underbrush within the forest, and thick stands of doghair pine. These last are slender trees growing so close together that they never achieve anything like mature growth. A fifty year old tree is frequently no bigger around than a baby's arm in these stands. They create effective barricades to browsing cattle, and not only are they useless as timber, they prevent the establishment of trees that will be. And they represent a severe fire hazard.

That particular irony—that the suppression of forest fires has created an increased fire danger—appears to be losing some of its sting with the introduction of prescribed burning as a forest management technique.

It is at least a little mind-boggling, after all we have heard from Smokey the Bear, to consider the sight of dedicated foresters setting fire to the forest. But the contradiction is only an apparent one; it is not real.

The theory behind prescribed burning is that fire is a natural part of the forest environment and has performed a part in creating it. The suppression of fire in the forest has resulted in obvious benefits to man's use of the forest, but it has also led to unfortunate changes in the forest complexion of which the doghair pine thickets are a good example. They are a detriment to timber production and an enormous fire hazard which would not have come into existence had the natural grass fires not been extinguished. Those grass fires were of relatively little consequence compared to the holocausts that result when half a century's accumulation of brush blazes up.

Because of thick bark and high branching, the ponderosa pine is highly fire-resistant, especially when the fire is confined to the forest floor. But when doghair thickets go up in flames, the ponderosa pine is threatened in its higher branches and in its crown. Thus removal of the underbrush constitutes removal of the greatest fire danger in the forest. And the best way to remove the fuel accumulated beneath the trees is to burn it.

Not by tossing a cigaret out the car window, not by building a campfire in a clump of chaparral, but by waiting until autumn nights are still and frosty and then assembling a ready crew of firefighters and equipment and creating a small, controllable fire beneath the trees. The crews guide the fire, pressing it back where it shows signs of ambition, holding it to the job of clearing the brush. It is a technique pioneered on the Fort Apache Reservation by tribal foresters, and its results are easily visible at Indian Pine along the reservation boundary: in the reservation forests to the south there is relatively little brush. Off the reservation the accumulated fuels are piled up like jackstraws. Since 1965 more than 200,000 acres of forest within the reservation have been treated with prescribed burning; there has never been a major fire anywhere prescribed burning has been administered.

But there are difficulties with this technique. One—though this is not an overwhelming difficulty—is that fire in the forest conflicts with the forester's traditional stance and orientation. Another that looms larger with every passing day is the question of air pollution: forest fires, even ground-hugging brush fires, produce immense quantities of smoke. Perhaps the greatest difficulty of all at the present time is that of funds. "No one ever complains about spending huge quantities of money to put out a forest fire," one forest ranger told me recently, "but ask for a budget to prevent forest fires in the first place and you get yawns from some and screams from others."

There is another large-scale effect of successful fire-prevention within the forest. You can see it along Arizona Highway 73 between Indian Pine and Springerville, where most of the White Mountain hillsides along the road are within the ponderosa pine forest belt. Beneath the pines the forest floor is now being pierced by Douglas fir and spruce seedlings. These young trees would have been killed by fire under natural conditions, leaving the region to the domination of the more resistant ponderosa. Without fire they proliferate, and within seventy or eighty years they will overtop the ponderosa and replace it as the dominant trees in these areas. Because they are as commercially valuable as the ponderosa pine it is doubtful the change will carry economic consequences with it. But it is another example of how man's presence in the forest, even in so benign a role as forest fire suppression, produces consequences both profound and unpredictable.

Logging, of course, has been the way in which man has affected the forests most profoundly in the 19th and 20th centuries. The loggers came late to Arizona's forests: there was a small saw pit in operation in the Santa Rita range near Tucson in the mid-1850's and a steam-powered sawmill on Granite Creek, near Prescott, ten years later. These early operations were small because the demand for lumber was small in the frontier villages of Arizona and bad roads and lack of transportation isolated the Arizona forests from the major lumber markets. Thus it was only where underground mining required prodigious quantities of timber that the forests were stripped bare, and then only in the years before the creation of the Forest Reserves in the last decade of the 19th century. A survey undertaken in 1925 revealed that nine-tenths of Arizona's original forested lands were still tree-covered in that year, and that fully a fourth of the original forests remained untouched in virgin timber.

Logging techniques have changed enormously, even since 1925. Technological changes has played a part, as it has in all man's endeavors, but changes in philosophy have been even more important. In the bad old days the single motive in a logger's heart was to cut timber, and the more the better. The faster and easier the better, too, which meant clear cutting the big trees and dragging them out in a hurry. Smaller trees were crushed and mangled and the landscape deeply scarred by ensuing erosion. In those days the timber cut could be so concentrated that permanent logging camps could be established. Maverick and Happy Jack are two of the best-known and longest-lived of Arizona logging camps.

But Maverick is closed now, and Happy Jack's days may be numbered. "In the old days," a veteran Arizona logger told me recently, "we just cut timber. But now forest management policies have become more complex and intensified, and we can't concentrate our crews at a place like Maverick any more. We're making lighter cuts over greater areas and have to spread out, doing things altogether differently from what we did. We're thinning stands of trees the way a farmer thins carrots, and growing timber bigger and faster as a result. We're confining our cuts to the old trees and the sick ones, and even leaving good timber trees standing along the roadsides for the pleasant effect they give there. But sometimes we get caught in the middle, too. In late 1968 and early 1969 the Forest Service established a new schedule of saw timber prices, based on market date from 1966 and '67. The market had been strong in those years, but as the new price structure went into effect it had begun a long, deep swan dive, and the sawmill operators took it on the chin."

But if there is a suggestion of resentment in the relationship between the Forest Service and the sawmill companies that harvest in the National Forests, there is also a great deal of co-operation. As the lumber-hungry markets in other parts of the country have become more accessible, and as the cities of the Southwest have entered into a period of accelerating growth, the demand for Arizona forest products has intensified. New considerations of forest managenment based on the inescapable realization that its resources are not inexhaustible, however, have prompted tighter controls than ever on the timber harvest. To compensation for the increased restrictions on cutting, the Forest Service has co-operated in the development of new products, especially those utilizing low grade lumber and sawmill wastes.

These products range from items long familiar, such as particle board, through innovations like walnut "forged" by overlaying printed vinyl on pine boards, to exotic possibilities like sugar, molasses and protein food supplements made from sawdust, bark and mill wastes.

There is nothing revolutionary about particle board. Even pine scrap disguised as more elegant stuff is not surprising on the list of forest products. But groceries derived from the conifer forest merit a little explanation.

During World War II German scientists perfected processes by which wood products were used for a variety of purposes, even as automobile fuel. Among their discoveries was an acid hydrolysis process through which saw dust and other mill wastes could be converted to wood sugar and wood molasses.

After the war a large plant was built at Springfield, Oregon, to manufacture sugar and molasses on a large scale. About half the wood introduced at one end of the factory emerged as excellent quality sugar at the other—at a cost, alas, about half again as high as the kind you can buy at the grocery store. Molasses the same. The plant failed, but the process is still on the shelf awaiting perfection or a drastic change in the sugar market. The process for deriving food proteins from bark and sawdust is a new one that has not yet been tested on a commercial scale. If it proves competitive in cost, it will join soy beans and fish meal as a cheap diet supplement for both human and animal consumption.

Subsidiary products such as these assume ever greater importance to the mill operator's profit and loss picture as time goes by. Already a number of Arizona sawmills have closed as forest practices have changed. Antiquated and inadaptable they were unable to change along with the times. The times show no great tendency to stop changing in the foreseeable future and the surviving mill operators know it.

Already the old-time logger is only a memory. He was the fellow wearing a shirt "half an inch thick and so scratchy the ordinary human being began to itch the minute he got into the same room with it" and "corks" in his boots, spikes that allowed him to "set his heel down in the pine floor, twist his foot dexterously, and rip out an entire board without batting an eye" in the course of a spree after months of isolation deep in the woods. Now many of the loggers working at Happy Jack commute from pleasant homes and families in the Verde Valley.

With few exceptions the four million acres of commercial forest in Arizona exist above 5,500 feet in elevation. Below 5,500 feet the precipitation is too light and soil moisture evaporation takes place too rapidly to support even the hardy ponderosa pine. The foothills at this altitude, and as high as seven thousand feet in places, are the domain of the pinyons and junipers.

Only a statistician can look at these trees and call them a forest. The more descriptive term is woodland. Even that seems excessively enthusiastic, especially in the lowest limits of their range where the trees are little more than scraggly shrubs.

The juniper is a stiff-limbed, shaggy, lopsided tree and the pinyon is a sap-drooling potbellied runt. Compared with the trees in the forests above them they are good-for-nothings. They grow scattered across the landscape like tufts in a rumpled bedspread, and they cover some fifteen million acres in Arizona.

"Compared with commercially valuable tree species," I was told by a Forest Service Scientist at Flagstaff, "the juniper is scrubby, short and limby, all the characteristics that timber people despise in a tree." And later, talking to a rancher near Prescott: "They suck up water that could be growing grass and can't be used for anything but fence posts and fire wood. They're worse than useless; they're a menace."

But as if to demonstrate that there are no easy answers where these trees are concerned, there are also places, notably near Springerville, where there is so much natural soil churning that without junipers to stabilize the earth, grass cannot grow.

Even at their densest, as in the pygmy forest of the San Francisco Plateau on the south rim of the Grand Canyon, the pinyon-juniper woodlands only achieve about a seventy per cent ground cover. But even at thirty-five or forty per cent the grass is squeezed out and soil erosion can be a significant problem, whether caused by water or wind. The trees commonly grow to forty and fifty feet in height in favorable locations, but may be stunted to six feet or even less as mature trees where conditions are poor.

They are aggressive trees, noted for their ability to invade new territory to the fury of ranchers and the despair of watershed managers. All but a very few of the junipers growing thickly along U.S. 89 between Ash Fork and Prescott are young trees less than forty years old and from twelve to fifteen feet in height. South of Williams, in contrast, the junipers are mostly mature trees about two hundred years in age. It is suspected that where dramatic increases in the juniper population takes place it may be prompted by overgrazing of the grasses by livestock or a change in the precipitation pattern. But despite their prevalence on the rangelands of the American West—pinyon-juniper woodlands cover some seventy-five million acres west of the Rockies—remarkably little is known about these trees.

It is known that they are remarkably drought-resistant after the first vulnerable three or four years of life, and that while grass fires will ignite young trees less than three feet in height, larger ones are seldom seriously damaged. And it is known, too, that the juniper is an incredibly tenacious survivor, taking drought, fire and competition in stride. Seeds collected sixty years ago still test as viable today. "Theoretically," a botanist told me, "the juniper should no more be able to survive under the conditions that it does than a bumblebee should be able to fly. All that really means, of course, is that we still have a lot to learn about them."

One thing a lot of people would like to learn about them is what to use them for. Junipers, as noted, make fence posts and firewood. Pinyon pines provide edible nuts, curiously attractive Christmas trees, and occasionally grow large enough to warrant sawing into railroad ties or mine timbers. That is the entire list of commercial uses.

The brevity of the list is not because of a lack of effort. Numerous experiments have been made to find uses for the trees, including stuffing them whole into a machine that minces them for use in particle board. The aromatic quality of the wood led the Lane Cedar Chest Company to experiment with the manufacture of a juniper veneer for use in their products. But in every case the juniper's relatively small size, slow and sparse growth and limby profile have meant too much time and effort in harvesting and handling to make the finished product economically feasible.

Though the pinyon pine offers the same drawbacks as the juniper, it has been put to a slightly wider range of uses. Experiments at Snowflake, where 100 carloads of pinyons were run through the pulp mill showed it to be a good pulp tree, though still expensive to harvest. Where other timber is unavailable it has been used for railroad ties in New Mexico and as mine timber in Arizona and Nevada. But its most promising use at present appears to be as Christmas trees. One 640-acre section of state-owned land near Flagstaff contains seven thousand standing pinyons—and six thousand stumps. The stumps represent Christmas tree use, and even at a dollar a permit the revenue from this use of the land is greater than most others would provide. If silviculture practices were implemented on the land the tree yield could certainly be improved.

Recreation use of the pinyon-juniper woodlands has been low in years past except during hunting seasons, principally because it is dry country and hot. But recreation demands can be expected to increase as the leisured population in the southwest outgrows the capacity of the highland forests to contain it. The greatest future potential for these lands may be as highly productive watershed lands, if a practical method of controlling the trees can be discovered that is also ecologically sound. At present the use of pinyon-juniper woodlands in Arizona is confined almost exclusively to livestock grazing and wildlife habitat.

Arizona's grazing lands descend deeper into the lowlands than the pinyons and junipers can venture into the chaparral. This, too, is considered a forest type, though it is even farther removed from the conventional picture of a forest than the woodlands on the hills above it. This is brush country, a forest that only occasionally grows to the height of a man's belt.

Chaparral is a dry, sinewy, unpalatable salad of some fifty different plant species. They are all low-growing broad-leaved evergreens, usually dominated by one or more varieties of scrub oak. And for all its lack of grandeur, the chaparral can be as impenetrable as a tropical rain forest to a man on foot. In Arizona it occurs from about four thousand feet in elevation to about six thousand feet and spreads across some five million acres in the lower foothills of the Mogollon Rim mountain system, in the Prescott National Forest and in parts of the Coronado and Apache National Forests.

Chaparral represents an extreme fire hazard. Its tight tangle of brittle branches and ribby stems are dried by the summer sun and wind to create a fuel supply representing about thirty tons of highly inflammable material per acre. Forty acres of it burning can generate as much heat energy as the atom bomb exploded at Hiroshima, and once a chaparral fire has spread across five hundred acres it is virtually impossible to extinguish. The disastrous fires in Southern California last autumn were chaparral fires.

But the chaparral regenerates rapidly after a burn. Most of the shrubs sprout from the surviving roots. Manzanita, which does not sprout, reseeds itself so generously that from

2,000 to 5,000 seedlings per acre can be counted in the charred soil after a chaparral fire.

Where chaparral has been held back after a burn and prevented from re-establishing itself, the increased water yield has been substantial. One acre kept clear after a fire in 1959 was compared to an adjacent acre allowed to revert naturally to brush. The brush-free acre has never stopped running water since; the brushy acre adjoining has rivulets in winter but no water at all in summer.

Experiments have shown, too, that where chaparral has been cleared the land can support abundant grass. One such experimental plot produced from 1,500 to 1,800 pounds of African Weeping Lovegrass per acre, growing to heights of three and four feet. Grasses like this could support five times the number of cattle as the same acreage with its natural chaparral cover, and there is more prospect for increasing forage production in the chaparral than in any of the other forest types. But there are many costs to be weighed in the large-scale attempt at site conversion. The money cost would certainly be substantial: chaparral is tenacious. But the cost to wildlife is still beyond computing if the natural habitats provided by the chaparral were disrupted.

The desert lies below the chaparral horizon. Where soils are basalt, the ground cover tends to be grass; where they are sedimentary it is most often the narrowleafed shrubwoods of the desert—palo verde, mesquite, ironwood and the like. Saguaro kings march splendidly up the hillsides to meet the chaparral, and cactus mingles in it at its lower edges.

No one, not even the earnest folk who argue for chapparal as a forest type, can conscientiously call the desert forested. And yet . . . there are places in this outlandish garden where the plant life thrives so spectacularly that a man must thread his way gingerly through it. It is an eerie experience, for the sun beats down undeflected through the canopy of thorns and bristles overhead; for all its stubborn growth and density this menagerie of predatory vegetables casts no shadow, for it has no leaves. And who will say this is not one of Arizona's forests?

Today's concern for the natural environment has focused attention on the forests as never before. It is not generally known that the science of ecology was, if not born in the forests of Arizona, at least suckled there for a season when a young man with a soup-strainer mustache and an unruly shock of hair over topping his high forehead stepped down to the platform of the station at Flagstaff from the westbound Atlantic & Pacific passenger train. He returned to the station the following day to meet his assistant arriving from Washington, and together they prowled the outfitters' stores at Flagstaff buying tents, camp gear and provisions, renting horses and pack mules and hiring a camptender. When they had done they tucked away what was left of the $600 provided by the U.S. Department of Agriculture to finance the expedition, and set out to make a biological survey of the San Francisco Mountain-Painted Desert region of Northern Arizona.

It had long been recognized that different climatic zones exist and overtake one another from the base of a high mountain to its summit. What C. Hart Merriam and Vernon Bailey proposed to do in the late summer and early autumn of 1889 was to scrutinize some five thousand acres ranging down from the naked summits of the San Francisco Peaks into the arid reaches of the Painted Desert and to make as detailed an analysis as they could of the interrelationships of the plant and animal life they found there. The results, Merriam thought, would be of scientific interest and economic importance.

He established a base camp in a grove of aspens and pine above Little Spring at the north base of the mountain and a secondary camp high above, just below timberline. He had chosen San Francisco Mountain as the natural laboratory for his researches because of its great height, its southern location, its isolation from other high summits and its position adjacent to an arid desert. Merriam's small party was augmented in August by a visit from F. H. Knowlton, assistant paleontologist with the U.S. Geological Survey who collected plant specimens, and in September by Dr. Leonhard Stejneger, curator of reptiles with the U.S. National Museum who sketched the animal specimens collected and who wrote the expedition's report on reptile and batrachian life encountered in the region.

For little more than two months Merriam ranged up and down the mountainside, made two journeys by horseback across the Painted Desert and one two-day descent into the Grand Canyon. He discovered twenty new species and subspecies of mammals and a variety of plants and reptiles not before encountered. But of vastly greater importance, Merriam's half summer in the Arizona forests led to the formulation of new theory of life zones on the North American continent.

Since its publication in 1890, Merriams theory has undergone substantial amendment, chiefly because he overgeneralized his findings in northern Arizona beyond their limits. But the impact of his theory, which he polished and perfected in the years following, has been immense. The avenues of exploration he opened have yet to be exhausted. On the occasion of the seventy-fifth anniversary of his researches, Professor Lionel Kidoff of Ohio State University wrote: "Merriam's greatest contribution is the impetus he imparted to ecology. His work generated thought; it provoked discussion; it led to vigorous criticism. Since his early work, broad biotic types and the factors limiting those types have been the subject of innumerable studies. His map of the biotic types of the United States stimulated others, leading to a considerable, yet continuing effort to prepare an adequate map of the vegetation of the United States. . . ." Another scientist, W. B. McDougall of the Museum of Northern Arizona, wrote, "I think the work he did here in 1880 was exceedingly important. It was good ecological work and it was done before there was any real science of ecology in America; before even the word ecology was familiar to more than a very few biologists. Furthermore, his work laid the foundation for modern bioecology, and I am sure that many of us will be spending the remainder of our lives building, item by item, onto the foundation that Dr. Merriam started seventy-five years ago."

Not until four years after Merriam's visit was the Grand Canyon Forest Reserve created, and it was five years after that, in 1898, that the San Francisco Forest Reserve was set aside. Both were increased in size in 1905 as they passed into the jurisdiction of the Department of Agriculture to become National Forests, and by 1908 more than thirteen million acres had been apportioned among the seventeen National Forests established within Arizona's borders.

It didn't simply happen. Of all the important economic interests in the Arizona Territory, only the farmers favored preempting the forest lands from exploitation. They could see clearly the direct relationship between upland forests and lowland water supplies, and they knew that in Arizona's low lying agricultural lands there is no alternative to irrigation.

The mining interests fought the establishment of Forest Reserves because they feared exclusion from the public domain and because they were voracious consumers of timber for shoring tunnels and shafts. One large operation alone used some 40,000 pine trees averaging from twelve to twenty inches in diameter in a two year period.

Stockmen, too, opposed setting the forest lands aside. Much of the grazing lands they had been accustomed to using freely and without control were included within the preserves, and they resented the imposition of fees and restrictions on land they absolutely required for their herds. The same objections were raised strenuously in most other western states. Chief spokesman for the alliance against the Forest Reserves was Senator Henry Moore Teller of Colorado who once said in debate: "I do not believe there there is either a moral or any other claim upon me to postpone the use of what nature has given me so that the next generation or generations yet unborn may have an opportunity to get what I ought to get." Despite the opposition, the forests were set aside. Fees were charged for grazing rights and the number of animals restricted to what the forage could bear and still regenerate itself.

The Forest Service initiated a plan in Arizona whereby local advisory boards of sheepmen and cattlemen participated with Forest Service people in establishing grazing regulations and fees. As a result the Arizona Cattlemen's Association in 1907 became the first western Cattlemen's Association to endorse the supervision of public lands. The number of National Forests in Arizona has been reduced to seven from the original seventeen, but the total acreage remains approximately the same. In addition, there are approximately 800,000 acres of commercial forest lands on Arizona's Indian reservations.

One of the earliest Forest Service projects in Arizona was the establishment of the Fort Valley Experimental Forest in 1908 in the Coconino National Forest near the outskirts of Flagstaff. Now a part of the Rocky Mountain Forest and Range Experiment Station headquartered at Fort Collins, Colorado, the research work performed here has expanded many fold since the early days of timber management.

One of the most immediately significant projects in which the Station is currently engaged is the Beaver Creek Pilot Watershed. In the late 1950's the post-war boom in the desert cities of Arizona had begun to increase the rate of water consumption significantly. Wells "mined" the ground water so efficiently that the water table began to drop alarmingly, and watershed management became a prime preoccupation in the forests. In 1960 the Beaver Creek Watershed, 275,000 acres of pine forest, juniper woodlands and desert shrub bisected by the Black Canyon Highway, was devoted to the evaluation of forest management techniques to enhance water yield and to make ecological examinations and economic analyses of the available alternatives. The idea was to take a theory developed from research, test it on a small area at the Beaver Creek Watershed, and extrapolate the test results to judge its effect on larger areas. Twenty subdivisions were established within the watershed according to tree cover: three Utah juniper sites, three alligator juniper sites and fourteen ponderosa pine sites. Eighteen of these sites are small, ranging from 100 acres to 2,000 acres in size. The two remaining sites are quite large: 11,000 and 16,000 acres. These are to be used after preliminary results have been gained on the smaller sites. Their function is not only to double check the small site results, but to gauge the capacity of scientists to predict treatment results on the larger areas, particularly when several treatments used on the small sites are combined to treat the large ones. The ultimate result of the project, if it is successful, will be the development of empirical data by which the effect of manipulating the ground cover of any given watershed area can be predicted.

An early experiment was in the juniper belt. A 2" steel cable was stretched between two bulldozers which dragged it along the ground between them and dragged the junipers to the ground. This technique for improving grass yields had been devised in the 1930's, and it was supposed that water yields would be improved as well as forage, though no precise measurements were available. Once cabled down, the trees were burned and the soil reseeded in grass. Forage production improved immediately, but surprisingly there was no significant change in water yield from the site. Measurements are still being taken.

Two years later an alligator juniper site was cleared by felling the trees and leaving the stumps in place. Reseeding was performed as before with results that showed a temporary increase in forage growth but no significant improvement in water yield.

In 1968 a juniper site was treated by killing the trees with a herbicide spray and leaving the entire tree standing in place before reseeding in forage grass. For the first time a significant increase in water yield resulted.

On another small site, already cut over and into grass, grazing limitation experiments are being conducted to see what effect soil compaction and browsing at various levels has on the water yield.

One small pine site was clear cut of all standing trees and the slash heaped in windrows at hundred foot intervals to trap the winter's snow. Water yield of the site increased more than four inches per acre the first year, but it carried with it twenty-seven tons of eroded soils.

On another pine site, one-third of the trees were logged by cutting strips sixty feet wide and a hundred twenty feet apart. Water yield increased more than 40% from this treatment. Water using vegetation was removed, yet snow was captured on the ground where the runoff to streams is direct. It was found that more snow was trapped by cutting the strips east and west, but that by following the contour of the site and cutting uphill the snowmelt reached the creeks with less opportunity for loss to the earth.

The researchers are now at work modifying the military severity of the straight-line strips to slender, irregular shapes. Future cuts will leave the occasional oaks standing within the resulting meadows, as well as leaving the pines growing on ridgeline. The resulting man-made meadows would be allowed to regenerate naturally. From thirty to forty years after the first cut, another cut would be made alongside the first, once again creating a grassy meadow. By continuing the rotation it is hoped that an entire area could be logged within three cuts every hundred years.

And so we have progressed to the point where we are landscaping the forest. Not from choice, but necessity.

Demands on the forest are already intense, and they are certain to increase, for there are more and more forest users all the time, but the same amount of forest. Terrible pressures have prompted the research to relieve them. "We've had a succession of fairly wet years lately," a Forest Service scientist told me, "and it's helped reduce the pressures temporarily. We're all working to find the right ways to treat the forests before we lose our options altogether. The idea behind the establishment of the Forest Reserves was to set them aside for the future. And now it's here."

ORGANIZED LABOR AND COMMUNISM

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. ASHBROOK. Mr. Speaker, at the 36th convention of the Upholsterers International Union—AFL–CIO—at the Ambassador Hotel in Los Angeles last summer, Marx Lewis, who is presently the chairman of the Council Against Communist Aggression, addressed the convention on the subject of "Organized Labor and Communism."

The Upholsterers International Union—AFL–CIO—is one of the oldest international unions in the American labor movement. It is highly regarded throughout organized labor as one of the outstanding affiliates of the AFL–CIO. Sal B. Hoffman, its president, has pioneered in a variety of ways and along new paths toward the creation of harmonious labor relations between the employers in the industry and its members, and its constructive approach to labor-management relations has won for it the acclaim of the industry, its membership, and the general public.

Marx Lewis is a veteran trade unionist who, for 26 years, was the Secretary General-Treasurer of the United Hatters, Cap and Millinery Workers Union. He has served his organization and the labor movement in a wide variety of capacities—as a labor lawyer, as a lecturer, as a negotiator, and as a writer. In 1951, when the Council Against Communist Aggression was formed, he became its national chairman and has served it in that capacity ever since.

The Council Against Communist Aggression is a coalition of trade union officials, liberals who do not defend Communist tyranny and atrocities, and conservatives who do not equate social reform with communism. The members of this coalition disagree on domestic, political, economic, and social issues, but they agree that, if Communist aggression should succeed in undermining our will to insure our national security and extend the frontiers of freedom, they will all suffer the same fate.

The address referred to follows:

REMARKS OF MARX LEWIS

President Hoffmann and Delegates at this, the 36th, Convention of the U.I.U.:

First of all, I want to thank President Hoffman for his very gracious introduction. I want to thank him, also, for the many kindnesses he has shown me throughout the years, during which we worked in close cooperation in matters affecting the welfare of the labor movement. To a very remarkable degree, he and I have seen eye to eye on the problems with which the movement and our country have been confronted.

When he said in the course of his introduction a few minutes ago that I am the last speaker, I am sure it brought a sigh of relief from all of you. There was also a sigh of relief at the conclusion of yesterday's session when he said that I would not speak then. But what you got yesterday was only a reprieve, not a commutation of sentence. I will nevertheless try to be brief, even though the subject I have in mind, which is "Organized Labor and Communism," does not readily lend itself to brevity. It is a rather vast and somewhat complex subject.

It should not be necessary to dwell at length on the subject of communism at a convention of an international union, least of all at a convention of the U.I.U. While organized labor generally has realized to an extent no other group in our nation has the mortal danger to which our country, and its freedoms and institutions, are exposed by communist aggression, I don't know of any international union which has done more to implement the decisions of the AFL-CIO in the field of foreign policy, or has worked harder and longer to mobilize public opinion in support of labor's position. It has stood in the forefront of that struggle, and its work in that area is unmatched, as far as I know, by any other affiliate of the AFL-CIO.

Organized labor's opposition to communism dates from the time the communists seized power in Russia, established a dictatorship, and announced their intention to war on all existing governments, including our own. This opposition began with Samuel Gompers, then president of the American Federation of Labor, and has continued under his successors, William Green and George Meany. They fought and are fighting the communists not because it seeks to establish a socialist, or a communist regime, in Russia, but for the same reason which organized labor fought the Nazis and the Fascists. It is because it is a totalitarian regime, and organized labor fought totalitarian regimes even when businessmen tried to do business with them. It did not accept the view of liberals when Hitler came to power that he would be a stabilizing influence in Europe, or that the Italian fascist regime of Mussolini was sound, because Mussolini got the trains in Italy running on time.

In its opposition to the communists, the American trade union movement was not only in advance of other sectors of our population, but it was also in the vanguard of the free trade unions of the rest of the world. Towards the end of World War II the communists invited the free trade unions of the world to join with their socalled unions to form a world federation of labor. The communists spoke of working class solidarity and the importance of having all of labor in the world united. It sounded good to many trade union leaders, including leaders of the British, French and Italian trade unions, and they rushed into and formed the World Federation of Trade Unions.

The American Federation of Labor refused to join. It took the position that the so-called communist trade unions are not trade unions at all, and that their purposes are not our purposes. They work to extend the totalitarian system to other countries, and break up unions wherever and whenever they cannot control them. They work to destroy freedom and we work to expand it. Moreover, any world organization of which the communists are a part must become, sooner or later, an instrument for the achievement of the communist objective of world conquest.

It did not take long before the free trade union leaders of the other countries discovered that the AFL was right. The World Federation of Trade Unions was used as an instrument of Soviet foreign policy. They withdrew from the World Federation of Trade Unions. The American Federation of Labor then joined with them to form the International Confederation of Free Trade Unions.

Recently, some of the affiliates of the ICFTU, mainly the German unions, have started a flirtation with the communist unions, which are headed by Alexander Shelepen, who was long in charge of Russia's dreaded secret police, and who was appointed to bring about greater discipline and insure greater production by Russian workers. The flirtation begins with an innocent invitation from the communist leaders to the German unions to send a labor delegation to Moscow and, in return, a communist delegation will visit Germany. Such exchange could be the beginning of the end of the free unions. Dissension and division would follow as day follows night.

The AFL–CIO has announced that it will not fraternize with communist unions, and has called upon the ICFTU to warn its affiliates against such fraternization. The AFL–CIO recently pulled out of the ICFTU and this was one of the reasons.

I think it should be made clear that we mean when we say organized labor is against communism, or that it refuses to associate with their so-called trade unions. The American Federation of Labor is not concerned particularly with communist ideology or philosophy.

Ever since the American Federation of Labor was formed it helped form and participated in the activities of an international labor movement, many, or most, of the affiliates of which were committed to ideologies with which it disagreed. At the beginning of this century the AFL became a member of the International Federation of Trade Unions, most of the members of which, in European countries, were socialist-led and socialist-oriented. There was always an ideological conflict between them and the American trade union movement. American trade unionists believe in the free enterprise system, the Europeans in an economic system which in all important particulars closely resembles the economic system advocated by the communists.

But these differences did not prevent the American trade unions and the European trade unions from working together in the International Federation of Trade Unions. There were large areas in which they could cooperate to help improve the standards and extend democracy to workers in their own countries and in the economically backward countries of the world. The European unions, though socialist, were free, democratic trade unions, and their objective was to expand the democratic rights of the workers in their respective countries. That is not the case of the so-called communist unions, which are not free but state controlled and operated, and which do not seek to bring about democracy but to destroy it. That is why American labor has consistently refused to participate in any movement of which the communist trade unions were a part.

Let me make it clear what we mean when we say organized labor fights communism.

Communism, it should be pointed out, means different things to different people. It is an ideology, an economic system, and an international movement.

As an ideology, it is a hodge-podge of theories developed by Karl Marx. It is a theory of history, called the materialistic conception of history, and certain economic theories, he propounded. Most of these theories have long since been discredited as false. Communists themselves interpret these theories differently. Different groups calling themselves Marxist-Leninist denounce each other as heretics. If it were just a philosophy it would be of only an academic interest.

If the communists were willing to submit their theories to the market place of ideas to win acceptance for them we would have no objection. We could then expose their myths and fallacies, and let the people choose. But Lenin said that the communists cannot afford that. It would take, he said 500 years to educate the people to what he considered the advantages of communism. The fact is that in not any country which has a communist regime did the communists come to power by a voluntary choice of the people. In Russia a handful of ragged intellectuals engineered the coup d'etat which brought them to power.

As an economic system, communism means the nationalization of industries under central management, a planned economy. As such they are opposed to the free-enterprise system under which we here live. The communist system has been a ghastly failure in every country which has adopted it. While our free enterprise system has given the people the highest standard of living ever known, the communist system has been in shambles everywhere. Their living standards remain low, and the people are driven to periodic revolts because the paradise the communists have promised them has been found to be an illusion and a nightmare. In Russia they have been tinkering with the system for over fifty years to no avail. They have even adopted some "capitalist" ideas, such as incentives and speed-up systems, in an effort to make it work. But it doesn't, it cannot, work. There are many thousands of people who risk life and limb to escape from the communist paradise.

As part of their system, they must, like the Nazis and the dictatorships, prevent the existence of a free trade union movement. What they call trade unions are organs of the state, and the workers are slaves of the state. They are, in effect, what we call "company unions."

There is a third aspect of communism which is what concerns labor and the free world. It is the international communist movement, which is the apparatus created by the communists to carry out their conspiracy for world conquest.

The international communist movement consists of 81 communist parties. They are pledged to work for the overthrow of all existing governments they do not control. They meet periodically, generally in Moscow, to make their plans.

It is true that there are some differences between them, the most conspicuous of which are those between the Soviet Union and Red China. But these differences have nothing to do with basic communist objectives. Their objectives are the same, to bury the free world. The questions which divide them is as to how the burial is to be achieved best. The Soviets believe that it can be done best by soft words and such slogans as "peaceful co-existence," which lull the free world into a sense of false security. The Chinese Reds say they would prefer to dispense with this subterfuge, and go all out on military ventures to bring about communism.

President Nixon, and his advisers, draw comfort from these divisions between the two communist giants. They argue that communism is no longer a menace to the free world because communism is no longer monolithic. This argument is fallacious. Whenever and wherever the free world faces the communist challenge, the Soviets and the Chinese Reds work in close cooperation. That is the case in Vietnam. It is also the case in certain parts of Africa where the agents of these two powers work closely together.

The communist parties comprising the international communist movement is engaged in a two-pronged attack on the free world. One prong is to weaken the countries of the free world by internal division and dissension. The other is to foment what the Russians call "wars of national liberation" and the Chinese Reds call "people's wars."

As to the first, the communists have met with a large measure of success in our country, which is their main target, because ours is the only country powerful enough, militarily and economically, to thwart and defeat their imperalist ambitions. They have divided our country as it has never been divided before. Our cities have been ravaged, our university campuses bombed, draft induction centers destroyed, our flag burned in public, and the flag of our enemy carried in demonstrations. In other days this would be considered treason, and punished as such. Today, destruction is called dissent.

I do not maintain that the violence and demonstrations which have occurred are exclusively the work of communist party members, although there is conclusive evidence that they played an important part in arranging it all. The communist party membership in this country is estimated at between 10,000 and 15,000. Alone they would not constitute a formidable force, although we of the labor movement know that even a small, highly disciplined, and tightly-knit group can accomplish things which it would ordinarily take many more to achieve. Small groups, centrally directed, knowing exactly what they wanted, once captured trade unions having a membership many times the size of these groups. Other groups, such as clergymen, have not had our experience and are therefore more susceptible to the deceptions and machinations of the communists.

In addition to the Fifth Columns which the communists have set up in countries they intend to divide and subjugate, the communists have established what they call "transmission belts" consisting of innocents who might not knowingly serve communist strategy and objectives. The creation of "transmission belts" was one of Lenin's unique contributions to communist strategy. Mass-membership organizations frequently are led by either communist party members or communists who choose not to have formal membership in the communist party.

While there are many groups which have been infiltrated by communists or fellow-travelers, the communists have made their greatest headway among pacifist groups. Lenin's other major contribution to Soviet strategy was to harness pacifism to his communist chariot. He knew that while many people yearned for different things—the impoverished for bread, and the peasants for land, and businessmen for profits—the one thing above everything else the people, all people, yearned for was an end to war and an era of universal peace. He, his associates, and his successors decided that communist professions of peace would attract to their cause millions of people all over the world who would never accept communism as such, but who long for peace.

That does not mean that the communists have any love for pacifists. In fact, they express their contempt for them—just as they have shown their contempt for liberals. But they consider both pacifists and liberals useful tools. No pacifist would dare utter a word favoring pacifism in the Soviet Union, just as no liberal would utter a word favoring liberalism in the Soviet Union. But both can be, have been, and are very useful tools in weakening the resolve of free countries to defend themselves against communist aggression.

The pacifists are also useful to the communists in another way. The pacifists favor disarmament. They cannot advocate that in the Soviet Union, or in any other communist country. But they encourage that idea in the countries of the free world. The pacifists advocated it in England, when Hitler was rearming, but they could not advocate it in Germany. They succeeded so well in England that Hitler was confident that he could successfully challenge England. The pacifists could march in England in those days carrying slogans that they will not fight for King or country, but no one could march in Germany, just as no one can march for pacifism and disarmament in Russia today. What the pacifists succeeded in doing to England then, they are now trying to do in the United States. It encourages the dictators to believe that the democracies are decadent and rotten, and ripe for the kill. The pacifists bring on the very wars which they profess to abhor.

Organized labor abhors wars. After all, when wars come, the workers, and the sons of workers, furnish the bulk of the cannon fodder. And it is out of the labor of workers that wars and the preparations for wars are financed. But organized labor rejects the idea that you can prevent war by denouncing it. It rejects the slogan of the pacifists that better "Red than dead." It refuses to have workers live on their knees in tyrannical regimes. Instead, it believes that if the free world will show, as it often has failed to show, its determination to preserve the freedoms won as a result of generations of sacrifice and struggle, the people need be neither Red or dead.

The communist rulers say that they want to avoid a large-scale conventional war, which they fear could turn into a nuclear war. That is probably true. They do not want to risk all they have created in a nuclear war. They know that if they have the military capacity to destroy us, we have the capacity to destroy them. They want, as Churchill once said, the fruits of war without war.

Vietnam is a good example of these so-called "wars of national liberation." The war in South Vietnam was planned, organized and directed in Hanoi. That has been documented. The blueprint of that is available to all who will read the documents. It began with a campaign of terror and assassination which is standard communist procedure. Then they told the world it was a civil war. Many so-called liberals fell for it.

There are some other misconceptions concerning the Vietnam war which have, thanks to the liberal media, the pacifists, the fellow-travelers, and some politicians gained great currency.

There is the claim that we are fighting to bolster a corrupt and dictatorial regime in South Vietnam. As to the charge of corruption, I assume that there is some corruption in South Vietnam, but there is also a great deal of corruption in the states from which some of the Senators making the charge come. But whether it is more or less in South Vietnam than in Massachusetts, for example, or even in Washington, is irrelevant. We did not get into Vietnam to fight corruption, but to fight communist aggression, an attempt to impose on the South Vietnamese a police state such as exists in North Vietnam and in all other communist countries.

As to the South Vietnamese having a dictatorial regime, I believe that compared to the communist regime that would be imposed on it if the communists win South Vietnam is a democracy. It has an opposition press, opposition parties, and elections. Where, in communist countries, are there an opposition press, opposition political parties, and any elections at all? But, again, we did not get into the war to bring about greater democracy in South Vietnam. Democracy cannot be imposed on a people. It can come only from the people themselves. Only dictatorships can be imposed.

More recently another misconception which has been carefully propagandized here is that the South Vietnamese government is preventing a political settlement at the Paris peace talks, and that President Thieu is vetoing plans for a settlement. The truth is that under our prodding the South Vietnamese have made numerous concessions, not one of which the communists have accepted. The communists demand that we withdraw and leave the South Vietnamese to their mercies. The South Vietnamese, and we, have agreed, that if the South Vietnamese people, in a free and internationally-supervised election, decide to have a coalition government, the communists will have representation in it. The communists have rejected this. They insist on having a coalition government imposed on the South Vietnamese people. To agree to that would be to enable the communists to achieve by political means what they have been unable to achieve by war.

As a result of the war, an isolationist movement has been revived here. It would have the United States withdraw from the world into what in the days of the old isolationist movement a generation ago was called "Fortress America." Nothing would suit the communists more or better. That is what they want us to do. The AFL–CIO has spoken out against all attempts to revive American isolationism. It has said that if our country were to turn its back on its world responsibilities there could be no lasting peace. It wants these responsibilities honored in line with our overall strength in the service of world peace, human well-being and freedom.

War critics who have not embraced isolationism have, in many cases, adopted the idea that peace can be obtained by appeasing and placating the dictators. That policy is as discredited as the policy of isolationism. It didn't work with Hitler, Mussolini, or the Japanese war lords a generation ago, and it is not working with the communist dictators now. Concessions only whet their appetites. They interpret them as signs of weakness. It is the way to war, not peace, as time and experience have demonstrated.

Other war critics demand that we retreat from Vietnam, and reduce our military strength, so that the funds we spend on them can be diverted to abolishing slums, feeding the hungry, expanding our educational facilities, and other social needs. Nothing would please organized labor more than having these needs met. Organized labor has been in the forefront of the struggles to bring about those improvements, and it is organized labor which has been largely responsible for much that has already been achieved to make this country, with all of its shortcomings, the most prosperous country in the world.

Most of the politicians who now plead for domestic improvements, and claim that our country is sick, have never shown great interest in helping organized labor achieve the goals these critics claim to seek, but have, in fact, opposed its efforts. The best illustration of that is Senator Fulbright, of Arkansas. One of our major problems which contributes to what he calls a sick society is racial discrimination. He has been a racist all his life. And he is a reactionary. In Arkansas, his State, he serves the special interests. Arkansas, his state, is the second lowest in per capita income of any State in the Union. In Washington he has become the darling of so-called liberals. I could cite some others who have suddenly been converted to an advocacy of a better life for the Americans they ignored in the past.

The truth is, as President Meany has pointed out, that we have the capacity to take care of our domestic needs and at the same time maintain a military establishment capable of defending our country and its freedoms. Great social progress in many fields was made during the Johnson administration, while the Vietnam war was going on. What we lack is not the capacity but the will and the vision to do what was needed to satisfy all basic human needs.

Finally, organized labor resents the attacks which Senator Fulbright and some of his associates make on the United States, and which serve as grist for communist mills. They denounce the United States as an arrogant and imperialist power, seeking world domination. This is a malicious libel. Ours is a good country. Three times in this generation it went to war to stop militarist aggression and communist aggression, and it poured out blood and treasure to defend other countries without seeking or receiving a dollar in indemnity, or a foot of other people's territory. It is a generous country which, since the end of World War II, has distributed more than $150 billion to help other countries raise their living standards and protect their independence and sovereignty. It has opened its gates far and wide for the products of other countries, in some cases to the disadvantage of our own industries. It is a country worth defending and fighting for. It remains the beacon light which gives hope to the oppressed, the exploited, the enslaved and subjugated peoples all over the world.

I do want to say a few words about the Council Against Communist Aggression. President Hoffmann's introduction has indicated the lines along which we work. Our National Committee includes trade union leaders, genuine, as distinguished from, phoney liberals, and conservatives who do not equate social reform with communism. They disagree on domestic, political, social and economic issues, but they agree that the paramount issue of our time is to prevent communist aggression. If communism prevails we will all suffer the same fate. Our committees and members subordinate their differences on domestic issues so as to unite on the main issue. As President Hoffmann has said the real issue is the preservation of our country.

We are careful to exclude from our ranks extremists and hate groups which we feel are a disservice to the anti-communist cause. When I read the literature I get from these groups, I feel like the Duke of Wellington who, after reviewing his new recruits the night before the battle of Waterloo, said: "I don't know whether they will frighten the enemy, but they certainly frighten me."

Our Council maintains a group of foreign correspondents who, without compensation, send us reports as to communist developments in their countries. We get out leaflets, a monthly Bulletin which goes to about 2,000 people, mainly in the mass-media fields—educators, legislators, journalists, businessmen, trade union leaders—and publish an American edition of the *East West Digest*, a British magazine. This material goes to public and university libraries. We are respected among all responsible organizations, here and abroad. In policy matters we hew closely to the position the AFL–CIO takes on international policy.

I want to thank you for the opportunity given me when President Hoffman invited me here. I am deeply grateful to him and to you.

I will say, in conclusion, the very best you will be able to do for the workers in your industry, will be of little avail if we do not preserve our country and defend our freedoms. We are keenly aware of our social and economic shortcomings, but with it all our country is still the best and most generous country in the world.

Thank you very much.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

LAND AND WATER CONSERVATION FUND

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. HOSMER. Mr. Speaker, I am today introducing for myself and for Messrs. KYL, STEIGER of Arizona, DON H. CLAUSEN, RUPPE, CAMP, McKEVITT, TERRY, GERALD R. FORD, BOB WILSON, WIDNALL, BLACKBURN, VANDER JAGT, and COUGHLIN, legislation to amend the Land and Water Conservation Fund Act of 1965, as amended. This legislation is a basic part of the President's message on the environment which was sent to the Congress on February 8, 1971.

This legislation is in keeping with the President's new "Legacy of Parks" program which is dedicated to the concept of providing parks for people.

Land, water, and people—these are the foundations upon which a national character and a national economy are built.

The Land and Water Conservation Fund Act of 1965 gave recognition to the need for preserving our land and water resources for the recreational use of this Nation's population.

Now the President is calling for amendments to that legislation which will give it more substance—which will relate our land and water conservation efforts more directly to human needs where those needs appear most urgent.

It would reach out to more people in the large cities of America—people whose opportunities for enjoyment of nature's resources are too often bounded by the concrete and towers of urban life.

It would remove the requirement that aid to the States for land acquisition and recreation planning and development be limited to outdoor facilities only. People need places that offer a change of pace from everyday pressure—and if the outdoors does not lend itself to total recreation use, then indoor areas must be provided.

It would permit more of the Federal money granted to States to be directed to improving recreation opportunities in and near heavy population centers. Parks and playgrounds in and around the cities would be a feature for the future.

It would give the Secretary of the Interior greater authority to review State plans in order to assure compliance with the goals of urban recreation development, and with the goals of overall recreation development.

Last year at the President's request, Congress increased the authorization for the Land and Water Conservation Fund to $300 million. This year, in this budget message, he asked for $380 million, plus a reserve of $20 million for Redwood National Park payments. This represents full funding from the time the new authorization figure went into effect. The importance of the fund is universally recognized.

The new proposed amendments to the Land and Water Conservation Fund are a basic part of the President's environmental quality "package."

It puts the emphasis upon people—and upon the too often neglected aspect of contemporary human life—the need for refugees where man's relationship with nature can be harmonized.

It is the backbone of environmental quality control, in that it calls for planning ahead in the use of our remaining open spaces to assure that the well-being of people is protected.

For those in towns and cities, it opens up new horizons of recreational pleasure.

For those in rural areas, it continues to provide for protection and development of land and water resources for recreational purposes.

For the children of land, it makes possible new playgrounds in city neighborhoods and offers the chance for adventures in the great outdoors as nature herself shaped the outdoors.

For students, it will provide sanctuaries where the study of the environment can be conducted in natural settings.

And for adults, it is designed to assure that there will be havens of respite from the congestion that marks too many parts of the present-day American scene.

In effect, this measure would further protect the legacy of the American people and assure that it can be equitably shared by all the people.

TRIBUTE TO THE DISABLED AMERICAN VETERANS ORGANIZATION

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. KEATING. Mr. Speaker, it is indeed an honor to join with my many colleagues to pay tribute to the Disabled American Veterans organization which for 50 years of unrelentless effort has achieved the highest level of service for our disabled veterans. The DAV has a special meaning for me because the organization was founded in my hometown of Cincinnati.

It was not until November 1966 that the DAV, feeling its growing pains, moved from Cincinnati into its new national headquarters across the river to Cold Spring, Ky. We in Cincinnati are fortunate the headquarters remains in our neighborhood.

For half a century the DAV has worked to make sure that disabled veterans, their dependents, widows, and orphans obtain all benefits which they are legally entitled under the public laws.

With the increased number of Vietnam casualties and the excellent up-to-date medical services both in the field and the stateside hospitals, the DAV has placed a heavier emphasis on representing servicemen in all military hospitals where physical evaluation boards are held to make sure that the wounded receive all benefits.

I was recently privileged to have the opportunity to visit with Army Pfc. Bernard Egbert who is now recovering from wounds at Walter Reed Hospital. Private First Class Egbert is the son of Mr. and Mrs. Bernard Egbert of 6704 Rose Street, Cincinnati, Ohio. Private First Class Egbert went to Vietnam with his unit in the summer of 1970. Last October while riding on a halftrack, his vehicle hit a land mine and he was blown out of the halftrack. He suffered a broken back and a broken left leg which was shattered from the ankle to the knee. Medics had to perform a tracheotomy in order to keep him alive. He was under intensive care for some 27 days at which time he received several blood transfusions. As a result he later contacted hepatitis which caused another setback.

He is to be discharged from Walter Reed Hospital and separated from the service within a few weeks. But his road to recovery will require additional treatment for his leg for several months.

I was somewhat amazed at this young man's attitude and his humbleness. While visiting with me we toured the Capitol and he was much more interested in talking about the Capitol Building and its history than he was in discussing his injuries. It is fortunate that Private First Class Egbert will have the services of the DAV when he is separated from the service.

DISABLED AMERICAN VETERANS

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. POAGE. Mr. Speaker, this year marks the 50th anniversary of an outstanding and patriotic organization—the Disabled American Veterans. This organization has dedicated its activities to aid our soldiers who have been wounded in the defense of our Nation, and to care for the families of soldiers who have been killed in action or listed as missing in action. There is no way possible to calculate the tremendous amount of good work done by this great organization. No one can measure in dollars and cents the benefits the Disabled American Veterans have bestowed upon the families and orphans of servicemen killed in action. How can we measure the comfort this organization has brought to those thousands of families who do not know the fate of their fathers, sons, husbands, or brothers who are officially listed as missing in action or as prisoners of war.

I would like to mention to the service of the Disabled American Veterans' Killeen Chapter 147 as an example of the benefit the DAV is to thousands of communities in our country. Chapter 147 has 125 members who work diligently with the USO and who work at the Darnell Army Hospital at Fort Hood. I am proud of this chapter's contributions to not only Killeen, Tex., but to all of America. I offer my best wishes on this occasion of the Disabled Amercian Veterans' golden anniversary.

TURNING A DEAF EAR

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. CLAY. Mr. Speaker, I want to commend to the attention of my colleagues a most interesting editorial which appeared in a recent edition of the New Republic. It reviews a White House briefing for reporters at which time the subject of the request made by the 12 black Congressmen to meet with the President was brought up. Over and over again the question was asked—and it was phrased and rephrased. The reply by White House Press Secretary, Ron Ziegler, was invariably the same, "I will not comment on this matter." The questions soon became a nuisance to Zeigler and he refused to answer anymore and quickly turned to another topic.

This incident appears to go along with the President's reasoning that he can turn a deaf ear to the problems of the blacks. As the editorial points up:

> Mr. Nixon's alienation from the blacks is bad for everybody—for him, for them, for the nation.

If we have made a nuisance of ourselves in attempting to see the President, then a nuisance we must be and will continue to be until the President recognizes us and will listen to what we have to say as the legitimate spokesmen for the 25 million blacks in this country.

I include at this time the New Republic editorial:

TURNING A DEAF EAR

"Ron," asked a reported of press secretary Ronald Ziegler the other day at a White House briefing, "is there any explanation why the President has been unable to see them [12 black congressmen boycotting the State of the Union message] in the one-year period?"

"I have no comment on that at this time," said Ziegler.

One man in 10 in America is black and there are over 11 million eligible to vote. There are 12 Negroes in the House—all Democrats. A year ago they requested an audience with Mr. Nixon—no reply till April 20, and then from an underling. They tried again in August with no better luck.

"Are requests like that frequently turned down?" asked the reporter. "Is this an isolated case? All congressmen apparently don't get to see the President when they ask?"

Ziegler: "The President sees many congressmen and he also sees—has seen—many leaders of the black community. But I have no comment on your specific question as it was put."

"Has he turned down any other groups of congressmen?"

Ziegler: "I have no comment to your question as put."

Second reporter: "Ron, does he have any plans to see those 12? I am asking because the way you answer suggests if the question were put in another way maybe you would have a comment?"

Ziegler: "The President has seen many congressmen in the past and will continue to do so as we move along. But I have no further comment."

Third reporter: "Has he responded to them in any way, as to why he can't accept their petition?"

Ziegler: "I am sorry, I am just not prepared to comment on this matter at this time."

Question: "Is the President going to hold a news conference at which we could ask this question?"

Ziegler listened to the question, said nothing, and turned in another direction to recognize another questioner.

The episode tells a lot about the Administration. For gaucherie it goes back to Herbert Hoover. There is no reason that it should have happened. Mr. Nixon could see the 12 congressmen as easily as not. Even though they are politicians, they won't bite.

Reporters can't ask the President directly. Mr. Nixon has had fewer press conferences than any President in 40 years. Former Interior Secetary Hickel complained that even he couldn't see him (and is now out of office). More and more it is the White House staff that runs things, not the Cabinet.

"Who's in Charge?" asked a *Wall Street Journal* headline, Nov. 20: "Coming Cabinet Moves Point Up Big Decline of Secretaries' Role." It meant that the staff around Mr. Nixon is cut off, much as Mr. Nixon is cut off from questions by his all but discontinuance of press conferences. Take an example: William Rogers, Secretary of State, goes up on the Hill to answer senatorial questions on Vietnam; but the real policy maker, Kissinger, doesn't get questioned. He's invulnerable as a member of the staff.

Mr. Nixon's alienation from the blacks is bad for everybody—for him, for them, for the nation. In September 1969 the U.S. Commission on Civil Rights under Father Hesburgh said flatly that the Administration had chosen the wrong policy for school desegregation, had pursued even that policy in a way to produce a "major retreat."

Last June chairman Bishop Spottswood of the racially moderate NAACP told the annual convention, "This is the first time since 1920 that the national Administration has made it a matter of calculated policy to work against the needs and aspirations of the largest minority of its citizens."

In fairness it should be said that the Administration at once vehemently denied this. Also that able Senator Brooke (R) of Massachusetts, did not join fellow blacks in the House in asking for an audience, and is a loyal party supporter. The Administration is not malevolent; look at its radical income-maintenance-welfare program. Rep. Wilbur Mills should get this hopeful plan through the House in March; if it clears the Senate it could ultimately aid the poor enormously, including black ghettos.

But Mr. Nixon is ambivalent. He worries about George Wallace and the white South. He is surrounded by staff yes-men. He is isolated. And like Herbert Hoover, he lacks the politician's convincing smile and easy charm that could prevent preposterous episodes like this: the charge, like a festering splinter, that he won't see a delegation of elected congressmen who are black.

DAV BEGINS ITS SECOND HALF CENTURY OF SERVICE

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. ALBERT. Mr. Speaker, it is a privilege to join in this tribute to a great veteran's organization which is now beginning its second half-century of service to America's war disabled.

During the past 51 years the DAV has expanded its membership, its services, and contemporized its objectives. From a modest self-help organization, struggling through the trials of birth and growth, it has become a powerful voice as well as a supporting arm for America's patriots. What has not changed is the DAV's total dedication to the disabled veteran and his dependents and its timeless effort to obtain needed programs of medical care, disability compensation, rehabilitation, and compensation to the widows and orphans of our honored war dead.

These principles of the DAV have also served as guidelines for landmark veterans legislation now on the statute books of this country.

I am proud to have had a part in enacting laws which certify America's commitment to honoring the claims of her citizens who have defended her at great personal sacrifice.

The DAV is very active in my district. I know literally thousands of their members. They have given me insight into the needs of veterans and their families; they have inspired me by their dedication to our country. The consideration they seek from their Government can never equal the service they have given.

I am proud to say that I have worked with the DAV members individually and through their organization in carrying out their vital mission. They are great patriots, great Americans. I join in commending them and wish them continued success in meeting the needs of America's disabled veterans.

THE LATE IRA KAPENSTEIN

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. UDALL. Mr. Speaker, I was shocked and saddened to learn of the death of Ira Kapenstein. Only 35 years old, he was but 7 years into a career of public service, which by virtue of his special talents and commitment, held unusual promise for his fellow citizens.

A precocious journalist in his mid-20's, Ira was lured into Government during the Kennedy years. He stayed on to become Larry O'Brien's right-hand man at the Post Office Department, and in that role headed the Department task force which recommended that the administration support the creation of an independent Postal Service. He deserves much of the credit for the historic postal reform legislation which the Congress approved last year.

When Larry O'Brien took on the tough and sometimes thankless job of Democratic national chairman, he brought Ira with him. As Deputy Director Ira won the praise of Democrats all over the country for his organizational work, ability to solve problems under pressure, and always his charm.

Mr. Speaker, I join Larry O'Brien in stating that the Democratic Party has lost a leader. The country has as well. We will miss him.

To Mrs. Kapenstein and to Ira's three sons, I extend my deepest sympathies.

AN ALL-AMERICAN CITY

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. DRINAN. Mr. Speaker, I am proud and honored to announce that today the city of Fitchburg, within the Third Congressional District of Massachusetts, has been chosen as an All-American City. I extend my congratulations to the fine citizens of Fitchburg, who have labored tirelessly and unselfishly to improve their community.

Five years ago, Fitchburg was a typical New England mill city. Many houses were deteriorating; the river turned to sludge, and people did not seem to care. But, in the last few years of the 1960's, Fitchburg has seen many real and hopeful changes. The business community, particularly, felt these changes. Family owned industries became subsidiaries of national corporations. Diversified opportunities appeared and new business people came to the city. These new people took a fresh look at the community and they involved themselves in its problems. They joined with older residents to tackle the growing number of complex tasks.

Today, Fitchburg is emerging from its past. Its citizens are facing the realities and responsibilities of the future. The people of Fitchburg are setting goals and high hopes for their future.

In 1966, the Fitchburg League of Women Voters and the Nashua River Cleanup Committee adopted, as a special project, the cleanup of the polluted river. Fitchburg, the industrial center of the region, responsible for 78 percent of the solid wastes in the river, was the prime target of citizen demands for corrective actions. The committees conducted an areawide drive and obtained 6,000 signatures to petition the Commonwealth for a strong antiwar pollution program. These committees became highly effective lobby and information groups.

The cost of the river cleanup presented problems. Local industries and all levels of government were reluctant to support the project. Community attitudes obviously needed changing. So, determined citizens broadened their public education campaigns, went to more hearings, and in 1968, a new city administration and local industry became full partners in the cleanup project. The people showed their determination to clean the river, and Government and industry responded. Everyone worked together, to gather more support and prepare the necessary applications for the total cleanup effort. July 16, 1969, was a historic day in Fitchburg. The City Council approved a $17.5 million loan order. The city made its official commitment to clean up the Nashua River.

I cannot overestimate the role of these two citizen groups. They possessed perseverance; they believed they could sell a river cleanup project; they did it.

The story of Fitchburg continues with the plans for the future use of the river and its banks. A third citizen group, the Nashua River Watershed Association will insure the future development of recreational areas along the river, and will coordinate efforts of all communities involved in the cleanup project.

Fitchburg residents are busy improving the community environment in other areas. The women of the Laurelwood Garden Club are diligently working to refurbish downtown parks. Several other civic groups have beautification projects. I stand proud of their efforts to make Fitchburg a finer city.

The Fitchburg MICAH Corp. has a big stake in community improvement. MICAH, a private housing corporation, was formed by 60 residents genuinely concerned about the city's housing shortage. MICAH purchases and rehabilitates old houses for rental or sale to low- and moderate-income families on a low rent or low mortgage plan. A special feature of the MICAH plan called "sweat equity" allows a tenant to receive credit toward a downpayment for repairs he makes himself. The person living in a MICAH house thus has a real incentive to move from rentpayer to homeowner.

MICAH is financed entirely by the public sale of stock, sold at $20 per share. MICAH's unique approach in the field of housing rehabilitation is a highly successful adventure. The corporation acquired its first property in 1969. To date 27 people have been housed by MICAH.

Another private group has made available more housing for the elderly in Fitchburg. The members of the First Parish Church boast of their new 168-unit high rise building constructed with a loan from the Federal 221-D3 housing program. This handsome structure, called the "Sundial," provides moderately priced housing for 250 residents, 62 years of age or over. The first floor of this new building houses an activity center for all senior citizens of Fitchburg. This welcome gathering place is supported by local government and private funds.

Another outstanding program is the Fitchburg Youth Resources Council, a youth-centered activity group which offers young people a chance to take part in city affairs.

This youth council has three basic goals: First, to assess, analyze, and articulate the problems and opportunities of young people; second, to contribute to community improvement; and third, to encourage total involvement of young people in their community.

The Youth Resources Council has sponsored folk festivals and block dances. Members have painted hopscotch boards on neighborhood sidewalks to provide wholesome fun for neighborhood children. They have set up tutoring programs, and they "did their thing" on Earth Day.

One Sunday last May, 500 citizens raised $9,000 to buy food for starving people walking 23 miles in the Youth Council's Walk Against Hunger. Young people took the initiative and organized controversial drug programs for themselves and their parents. Actual drug users participated in this program.

The Youth Employment Services program of the Fitchburg Youth Council finds jobs for young people from 12 to 15 years of age. While this program has not had great success yet, it has made a good start, and the young organizers are determined to make a breakthrough in this critical area.

The city of Fitchburg has come a long way in these past few years. The citizens of this All-American City richly deserve the outstanding award bestowed upon them today.

DISABLED AMERICAN VETERANS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. ROSENTHAL. Mr. Speaker, we honor today the veterans of military service who have suffered permanent and disabling injuries in the military service of their country and the Disabled American Veterans, the organization which serves them. While it is certainly appropriate to honor this organization and the veterans of all wars who are so disabled, I would like to speak today about the veterans of the Vietnam war who, for reasons I will cite, bear an unusually heavy burden in their war-inflicted injuries.

The lack of popular understanding and support for the Vietnam war imposes an intolerable burden on all of our veterans. During the Second World War, for example, and even during the Korean war, there was a near unanimity among our citizens about the goals of the war and the valued service performed by our veterans in those conflicts. In Vietnam, however, the strong disagreement in our country about the wisdom of our involvement in that conflict has inevitably and unfortunately affected, I believe, the sense of responsibility which we all share toward returning veterans, and especially toward those who are permanently disabled by their military service.

This phenomenon is not limited to nor adequately described by the existing distinction between doves and hawks. Even those who consider themselves to favor a military solution of the war, often admit that the United States should never have become involved in Southeast Asia. This, in comparison with the earlier conflicts cited, is without parallel in our history, or at least without parallel except for the war with Mexico, which divided our country in ways strikingly similar to the present divisions on Vietnam. But for our generation, this disenchantment with a war—no matter what our views on its solution—has inevitably affected attitudes and judgments about the effects of that war.

This disenchantment, for example, seems to suppress the normal concern which Americans have for veterans. It is almost as if we wanted to forget the consequences of the war, as well as its origins.

We must, therefore, consciously remind ourselves of those consequences, and particularly the human consequences of Vietnam. We have a much higher percentage of returning veterans disabled in this war than in previous conflicts. Nearly twice as many Vietnam veterans, for example, are amputees, compared with World War II veterans. Over 10 percent of the Vietnam veterans drawing disability compensation are totally disabled, compared with less than 5 percent of the disabled veterans of the Second World War.

Paradoxically, the reason for this high percentage of disabled veterans is the generally excellent medical care which our servicemen in Vietnam have received. Badly wounded soldiers who, in previous conflicts would have died, are saved by modern medical techniques and services. Tragically, they return home often as multiple amputees, with severe neurological and psychiatric disabilities, and, generally, with a variety of injuries which permanently affect their ability to resume their roles in society.

As a veteran of World War II myself, I must frankly say that I have often been out of sympathy with some of the lobbying of veterans' organizations. I believe, for example, that it is in the best interests of the country and of individual veterans to insure that they be given every encouragement and assistance possible to help them resume, as quickly as possible, their roles in our society and in our economy. I do not believe, however, that we, as veterans, are entitled to special privileges simply because we served our country. Our service was part of our responsibilities as citizens of the United States and as beneficiaries of the political, social, economic, and cultural systems which constitute our society.

But there is a specific, permanent and deep responsibility which we bear for those servicemen who because of their service are unable to resume their places in society. These are the disabled veterans.

I intend to do everything possible in this Congress to alert my colleagues and my constituents to these responsibilities. I recognize, as a vocal opponent of our military involvement in Vietnam since 1965, that some may not understand this commitment or mistrust it. I do not intend to let that consideration affect my own responsibility as a Member of Congress, as a fellow veteran, and as a citizen. I hope that all of us who honor disabled veterans today will keep these specific responsibilities toward our disabled Vietnam veterans foremost in their minds.

There is a sense in which we can never repay those who have suffered permanent injury for their services. Yet, we owe a special kind of consideration to the veterans of this tragic war who are jeopardized in making their legitimate claims in an atmosphere marked by disillusionment and disaffection with our discharge of our international responsibilities in this conflict.

THE STATES HAVE A DUTY TO PRESERVE THE CONSTITUTION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. RARICK. Mr. Speaker, the recent enactment of Congress to enfranchise 18-year-olds and upheld as constitutional by a 5 to 4 decision—one vote—of the Supreme Court is patently anti-constitutional. To hold that this law was made pursuant to the authority given by the U.S. Constitution flouts all rules of law, logic, and reason.

Lack of confidence in and respect for the Federal Government is generated when the three branches of government collaborate to bypass the obvious dictums of the Constitution.

The Congress has passed legislation violating the very Constitution that each Congressman has sworn to uphold; the President, who publicly expressed "doubts" as to the constitutionality of the proposed law and then proceeded to sign the bill instead of vetoing it, stating his objections as specified in article I, section 7, of the Constitution. Passing the buck to the Supreme Court the law was held constitutional by one vote. These good men of all three branches of our Government surrendered to the emotion and political hysteria of the hour.

Article I, section 2, clause 1 of the Constitution leaves it up to the individual States to set voting age requirements in elections for choosing U.S. Representatives:

> The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

The 17th amendment, which I deem is proving to be an imprudent change to the Constitution as originally written, provides for the States to set the voting age for electors of U.S. Senators:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

The architects of our superb Constitution provided a legal way to change the Constitution. The procedure set forth in article V should be followed if the people want to change the voting age nationwide to 18 years. The truth of the matter is that in most instances the issue when submitted to a referendum vote, has been rejected by the people.

The Founding Fathers, in drafting the Constitution, provided for a separation of powers among the three branches of Government. Being distrustful of men with power, the authors of the Constitution sought to bind men down by the chains of the Constitution. They provided a system of checks and balances, with which every high school student is or should be familiar, whereby each branch of Government could check the actions of the other two branches should they exceed their powers.

For example, the Congress can curb the Supreme Court in its blatant usurpation of powers of Congress simply by curtailing or removing entirely the appellate jurisdiction of the judicial branch including the High Court. H.R. 390, which I have introduced in the 92d Congress, is designed to do this very thing.

However, when the three branches of the Federal Government cooperate in passing and upholding legislation which is quite obviously unconstitutional, what recourse is left to the States and to the people? They must demand their rights as reserved to them in the Constitution under the tenth amendment.

Lawmakers and other public officials must not forget that both the Federal Government and local governments are creatures of the sovereign States which in turn were created by the people. At the Constitutional Convention in 1787, the delegates made a contract, the U.S. Constitution, with the newly created Federal Government. In this contract, they specified certain powers which they delegated to the Federal Government.

Survival of the Republic depends on whether we are going to continue bypassing the Constitution making our Government more and more one of men instead of laws or whether we live up to our oath of office and perpetuate the Constitution.

Prior to the passage of the 17th amendment providing for popular election of U.S. Senators, many would have been called to task by their respective State legislatures for any act deemed unconstitutional by the legislatures.

Tragically, I must say with disappointment and regret, a majority of the Members of Congress, for reasons best known to themselves individually, apparently hold a different view of the Constitution than I do and do not intend to rectify the violations.

If the Federal Government can violate the contract as done in enfranchising 18-year-olds by statute and such political expediency can be upheld by the Supreme Court, then it becomes the solemn duty of the Governors and State legislatures of the 50 States, as successors to the men who signed the original contract, to lead their States and people to rectify this infraction of contract by the Federal Government and thereby restore the sanctity of the U.S. Constitution.

This is a tremendous responsibility, and should be accepted as a solemn duty and charge by the Governors and State legislators, who have all taken the solemn oath to uphold, defend, and preserve the U.S. Constitution. This must include more than submisison. This must include taking positive action to repair any infringement or repudiation of the constitutional contract by the Federal Establishment. Other breaches of the contract have occurred in the past few decades. Failure by the States and the people to resist these violations has brougth us again a Constitutional crisis in the maintaining of our Republic.

If the sovereign States do not perform their duty by restoring the Constitution, then our people must fear for the future of our children and of the Republic.

The die for totalitarianism is cast. Next to the Holy Bible, the Constitution is the greatest wellspring of liberty and of people power. It was so drafted and so intended.

The Defenders of the American Constitution have prepared an information sheet of facts and a plan of action for restoring the constitutional imbalance. It is encouraging to learn that Virginia, the craddle of our Republic, has already taken action and the State of Maryland is considering action. Other States should follow.

The president of Defenders of the American Constitution, Lt. Gen. P. A. Del Valle, USMC (retired) of Annapolis, Md., is a true patriot.

I insert a statement—Alert No. 72—entitled "Calling All Patriots" at this point:

CALLING ALL PATRIOTS!

(By P. A. Del Valle)

The following crisis in American history is receiving little, if any, publicity in our mass news media:

FACTS

1. To ignore and by-pass the provisions of the Constitution of the United States is to consign the Constitution, and its society, to the trash heap of history.

2. Section 2, Amendment XIV of the Constitution prescribes that the voting age shall be twenty-one.

3. Article V of the Constitution provides the procedure for amending the Constitution, such as changing the voting age from twenty-one to eighteen.

4. Despite the clear and obvious need for a Constitutional Amendment, the United States Supreme Court, by a 5-4 vote, deliberately ignored the Constitution and ruled the un-constitutional eighteen year old vote "rider", attached to the Voting Rights Act Amendments of 1970, to be constitutional.

5. Today we are witnessing an errant act of usurpation designed to destroy our Constitution through a conspiracy of usurpers who are bound by oath to support the very Constitution they seek to destroy.

6. Usurpation, the life line of Communism, was the means by which the manipulators of the "Supreme Soviet of the U.S.S.R." emasculated the now meaningless Constitution of the U.S.S.R.

7. Over the past weeks a representative of the Defenders of the American Constitution, Inc., spoke on TV and radio about this nefarious and unlawful American act of usurpation, and then journeyed to Richmond and Annapolis to urge the legislative bodies of Virginia and Maryland to take legislative action calling for the repeal of the works of the usurpers.

8. The vote of the Maryland Legislature is expected within a few weeks. Meanwhile, however, the Virginia Legislature overwhelmingly passed "House Joint Resolution No. 66" on the 26th of February which, among other things, calls for the repeal of the unconstitutional "Rider" and its resubmission as a constitutional amendment in accordance with Article V of the Constitution, and the sending of copies of the resolution to the presiding officers of the legislative bodies of each of the other forty-nine states with a request for supporting action.

SIGNIFICANCE

1. A sorry image of the Federal government is created when our Congress passes legislation in a way that violates the Constitutional procedure that each congressman is bound by oath to support. And further, when the President, while publicly expressing "doubts" as to the constitutionality of the bill, non-the-less signed the bill instead of vetoing it and stating his objections to the Congress, as called for in Section 7, Article I, of the Constitution; and still further, when the Supreme Court also ignores the Constitution and rules the whole mess "Constitutional", what is one to think?

2. When we agree that a man who is old enough to fight is also old enough to vote, we must further agree that he is also old enough to be legally responsible for his actions. He is no longer a juvenile. He is subject to adult discipline by the courts. He can enter into contracts and his (or her) parents are relieved of responsibility. Under these conditions we should also consider removing the age requirements for the holding of public office. A popular eighteen year old, with the 'teen age vote behind him, might just make a good congressman, or President, for that matter.

ACTION INDICATED

If you do not already know your State Senator and State Representative, make it a point to go to your County Court House and find out. Persuade them to introduce legislative action similar to that already taken by Virginia and put your state in a position to assert its independence of the usurpers and their golden purse.

A TRIBUTE TO THE LATE CHARLES W. ENGELHARD, JR., OF NEW JERSEY

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mrs. DWYER. Mr. Speaker, Charles W. Engelhard, Jr., was well known as a great industrialist, sportsman, and philanthropist. As one who knew him well, I can say he was also a great humanitarian. His death, simply put, was a great loss.

As a fellow resident of New Jersey, I was well acquainted with Charles Engelhard. His recent citation by the Newark Evening News, the State's largest newspaper, as "One of the 10 most influential people in New Jersey," was a great honor, but in actuality it merely repeated the obvious. For Charles Engelhard was involved, not just on the surface but in depth, in so many endeavors in our State.

His family business, Engelhard Minerals and Chemical Corp., which I am honored to say was recently relocated in my Congressional District, is an economic boon to my area and to New Jersey. His death, unexpected and untimely, will cause grief and sorrow throughout the Garden State where Charles Engelhard was born and where he lived.

I will not dwell on Charles Engelhard's civic contributions. His work as the personal representative of Presidents Johnson and Kennedy—at the coronation of Pope Paul VI, on special committees to study trade patterns, and in so much more—and his work as a Commissioner of the New York Port Authority are but small examples of his contributions to both State and Nation.

I will not dwell on Charles Engelhard's many philanthropic contributions, or his work as a trustee of the American Heritage Foundation and of several libraries and foundations. They stand as important symbols of his interest in people and progress.

I will not dwell on Charles Engelhard's contributions to the world of sports. He had been acclaimed as horseracing's "Owner of the Year" in 1970, an honor that speaks for itself.

Instead, I would like to say that I have lost a friend, and America has lost a leading citizen. I feel that there was too much publicity about Charles Engelhard being a "leading Democrat." For I knew Charles Engelhard well, and I knew him simply as an outstanding leader.

I extend my deepest sympathies to his wife Jane and to his five daughters. New Jersey and the United States will miss Charles Engelhard. And so will I.

A TRIBUTE TO THE DAV

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. CAREY of New York. Mr. Speaker, on this occasion, honoring the 50th year of service to their country by members of the Disabled American Veterans, I would like to express my profound respect for the performance of that remarkable organization, and extend my warmest congratulations for a job well done.

Looking to the special interests of the wounded heroes of American military action, the DAV established, in 1921, a national legislative program, to serve as a catalyst for legislation concerning the welfare of wartime disabled veterans and their dependents. In time, under the influence of that program, the Congress enacted Public Law 16—the disabled veterans section of the GI Bill—to the great advantage of the wounded fighting men of World War II. And as time has passed and other wars have come upon us, the DAV has sought to insure that the wounded veterans of these conflicts are equally protected. Title 10 of the United States Code is largely the offspring of DAV proposals. Title 10 provides for disability retirement, or disability severance money, plus hospitalization and outpatient medical treatment and commissary, post exchange privileges for those retired on military disability.

The DAV national service program, presided over by the National Service Director in charge of 146 national services officers, is responsible for assisting disabled veterans, their dependents, widows, and orphans, in obtaining all benefits to which they are legally entitled. These include VA disability compensation and pension, death indemnity compensation, survivors' pension, vocational rehabilitation and education, hospitalization and out-patient treatment, National Service Life Insurance, assistance in housing and employment.

With the increased number of Vietnam casualties, emphasis has been placed on representing disabled servicemen in all military and naval hospitals where Physical Evaluation Boards are held, to insure that all wounded, or otherwise disabled, servicemen receive all benefits to which they are entitled.

In addition to representation before Physical Evaluation Boards, this organization also provides counsel before all the Boards for Correction of Military Records and Discharge Review Boards.

It is a pleasure to commend the remarkable performance of the DAV, in behalf of our finest Americans. So far as I am personally concerned, the DAV is one of the outstanding veterans' service organizations in the country.

JOINS COLLEAGUES IN CELEBRATING ANNIVERSARY OF DISABLED AMERICAN VETERANS ORGANIZATION

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. O'NEILL. Mr. Speaker, I take this time to join with my colleagues in this House and in the Senate in celebrating the 50 years of service that the Disabled American Veterans organization has given to this Nation. This group has worked unceasingly over these years to one purpose, to advance the interest and work for the betterment of all wounded, injured, and disabled veterans, their widows and their dependents. I am pleased with the success they have had and grateful that this day has been set aside to honor these men and women.

From its inception some 50 years ago the DAV has evolved to a membership of some 300,000 men and women who with a philosophy of self-help assist our disabled veterans in their recovery. With its National Service program the DAV has aided disabled veterans in obtaining all the benefits to which they are legally entitled. Realizing the increased number of Vietnam casualties, the DAV has placed stronger emphasis on representing disabled servicemen in all military and naval hospitals where physical evaluation boards are held. This is to insure that all wounded, or otherwise disabled, servicemen receive every benefit to which they are entitled pursuant to title 10, United States Code. In addition to representation before the physical evaluation boards, this organization provides counsel before all boards of correction of military records and discharge review board.

The DAV has also instituted a combined academic and on-the-job training program for the more seriously disabled veterans of the Vietnam conflict. These young men are trained by experienced National Service officers in various locations throughout the country.

Today, the DAV is the largest free assistance program for disabled veterans. Its support comes from the people in the best tradition this country has to offer. The DAV has distinguished itself by successfully handling some 8 million cases during its history and obtaining over $1.6 billion in benefits for the disabled veterans and their families.

There is little doubt that the Disabled American Veterans has served this Nation and its veterans with distinction. It has had its hour of trial and its moments of glory, but most important to the organization itself and to the American public, is that throughout its history it has worked toward a single purpose—that of aiding the disabled veteran to return to civilian life in a competitive position with his peers. It has given the veteran and his family the assurance that his needs in the areas of medicine, rehabilitation, and employment will be met.

I am confident that the DAV will continue to serve our disabled veterans in the same outstanding manner in which it has done so over these many years. Today I honor these men who serve with such great distinction.

FARM PROBLEMS

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 1, 1971

Mr. MIKVA. Mr. Speaker, I am pleased to join my colleagues, Mr. SMITH, Mr. MELCHER, and Mr. SEBELIUS in addressing the problems of rural America. Representing a metropolitan area, I have been particularly concerned with the urban crisis, sometimes, perhaps, to the neglect of rural problems. It is clear, however, that rural and urban problems are reverse sides of a single coin; neither can properly be dealt with alone. The growth of our cities and their problems inevitably raises the question, Why have people migrated from rural America to the poverty and overcrowding of the cities? The answer is simple. In the last two decades 4 million farmers have left the land because they could not earn a decent living by farming. And these 4 million have settled in the cities.

Six out of ten Americans would prefer to live in a rural environment according to a 1970 Gallup poll. Why then do we not see a dramatic return to the country side? Simply because farming is neither a feasible nor a profitable alternative. Congressman FOUNTAIN has indicated that an initial investment of $250,000 is necessary to establish a farm that will provide a decent family income. Initial loans from the Farmers Home Administration are averaging just over $30,000. In return for a sizable financial investment and a lot of hard work, a farmer enjoys clean air and water, the satisfaction of seeing the fruits of his labor. He can also expect to recoup 67 cents for every dollar invested. At a negative rate of return on investment, no wonder people remain in the cities.

Every time a dollar is spent on some urban program, life in metropolitan areas become a bit more tolerable. And every time a dollar is cut from a rural program, life on the farm becomes a bit more untenable. All this reinforces urban migration, compounding urban problems. If the deterioration of rural life can be stemmed, perhaps then the decay of urban centers can be reversed by reversing the population shift. It is self-defeating to concentrate on the cities and ignore the countryside. Americans deserve a choice between living in a town or in the country. I congratulate my colleagues from Iowa, Montana, and Kansas for keeping the problems of rural America before us. It is sometimes too easy for city slickers to forget their roots in the country soil.

CROSS-FLORIDA BARGE CANAL ENDANGERS STATE'S WATER SUPPLY

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. YOUNG of Florida. Mr. Speaker, evidence continues to mount in support of President Nixon's decision to halt permanently further construction of the controversial Cross-Florida Barge Canal.

Since the President's action on January 19, to stop work on the canal which is about a third complete, advocates of the project have thrown up a series of smokescreens to hide the fact that a 107-mile ditch would do irreparable damage to Florida's environment.

For this reason, I am releasing a statement from W. T. Pecora, Director of the U.S. Geological Survey, Department of Interior, showing the canal poses a real pollution threat to the aquifer which supplies much of my home State with its drinking water.

The abstract of impact statements contained in the U.S. Geological Survey's study of the canal last year was sent to Russell E. Train, chairman of the Council on Environmental Quality, on February 24, 1971.

The statement also charges that the unavoidable pollution of canal waters from the barges using the facility could effect estuarine waters as well.

Here is the full text of the USGS statement:

POTENTIAL IMPACT OF CROSS-FLORIDA BARGE CANAL ON LOCAL WATER RESOURCES

(Statement by U.S. Geological Survey, February 24, 1971)

The U.S. Geological Survey report, "Geohydrology of the Cross-Florida Barge Canal Area, with Special Reference to the Ocala Vicinity," January 1970, provides evidence that there is significant potential for ground water contamination in the Summit Pool, Eureka Pool, and Inglis Lock areas of the canal system.

SUMMIT POOL

With the pool level stabilized at natural ground water level, the optimum condition, a state of dynamic equilibrium will exist with ground water continually flowing from the aquifer into the pool and pool water flowing continually into the aquifer. It is estimated that a volume of water equivalent to 8 percent of the daily flow of Silver Springs (on the average about 42,000,000 gallons per day) will enter the aquifer from Summit Pool each day, move toward Silver Springs at an estimated rate of 200 feet per day, and arrive there in approximately 140 days. Any dissolved contaminants present in the pool will travel with the water.

EUREKA POOL

Seepage is expected to occur from the northern end of this pool into both the shallow aquifer and the deeper Floridian aquifer. Any contaminants dissolved in the pool will enter the aquifer system.

INGLIS LOCK

At the west end of the canal, salt water from the Gulf of Mexico is present in the canal as far as Inglis Lock at times. The possibility thus exists for some long-term migration of salt water into Inglis pool and thence by way of the lock operation into Summit Pool and the aquifer system.

GENERAL

In addition to potential aquifer contamination, pollution of canal waters could affect estuarine waters and their ecologies. The Survey's report points out that rapid drawdown of the pools in the interest of aquifer protection during serious spills would tend to transfer the impact to the surface water system.

HON. IRA KAPENSTEIN

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 1971

Mr. CULVER. Mr. Speaker, the death of Ira Kapenstein has taken from our public life one of its most gifted and dedicated young leaders. In his short 35 years, Ira Kapenstein showed an extraordinary capacity for varied yet quiet accomplishment and an ability to meet and fulfill the most exacting demands of public service. Whether as a journalist, as the closest assistant to and confidant of two Postmasters General, or as a party leader and publicist, Ira Kapenstein always held to the highest standards of performance and without regard to personal gain and advantage. Even in his last weeks with knowledge of mortal illness he carried on with a complete devotion and without conveying the slightest sense of self-pity or self-regard. He was a man without vanities and conceits and always submerged his private interests to the larger needs he saw about him. It is not often that men at so young an age can record so broad and lasting a record of achievement together with so splendid a capacity for friendship and loyalty. I know the many citizens of Iowa, where he studied journalism, share the deep sorrow of his many friends here in Washington and across the country.

PUBLIC INTEREST PROTECTION ACT OF 1971

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. BROOMFIELD. Mr. Speaker, it seems as though a year cannot pass without the threat of a nationwide work stoppage in the transportation industry. This year is no exception. The railroad dispute of the past 3 months merely follows the industry pattern of slowdowns, lockouts, and strikes that have threatened the national health and safety in every year since 1947.

Of course, there are means at hand to stop the recurrence of these dangerous disputes, but no one seems willing to act upon them. When the present disagreement is settled, the Congress will simply heave a sigh of relief and sit back to wait for next year's rail crisis or the following year's airline strike, preferring, I suppose, not to tamper with our most recent national tradition.

Indeed, Mr. Speaker, these strikes have become as inevitable as taxes and as American as apple pie; but those surely are poor reasons to allow them to continue jeopardizing our citizens. I have introduced today the Emergency Public Interest Protection Act of 1971, an administration bill that would provide a workable and effective means to solve contract disputes in the transportation industry. The national health and safety can no longer be sacrified to the blind cycle of management-labor disagreements.

The blame for this continuing situation cannot justly be laid to either management or labor, but to the machinery we have erected to deal with their disputes. The emergency strike provisions of the two applicable laws are simply and plainly inadequate.

The Railway Labor Act, for example, authorizes the creation of an Emergency Board to study the positions of both parties and to recommend a settlement. All evidence suggests that this practice is counterproductive, actually discouraging genuine collective bragaining. Knowing that the Emergency Board will almost always move in with its own suggestion whenever a strike is threatened, the disputants have come to look upon that suggestion as a basis for their further bargaining. Whatever negotiations have gone on before the suggestion have merely set the stage for the appearance of Federal representatives. For all intents and purposes, therefore, these preliminary talks are meaningless, and the Federal "emergency" procedures entirely routine.

Moreover, since both labor and management are aware that the Federal recommendation will try to strike a middle course between their positions, each feels a strong incentive to take the most extreme position available, so that the final judgment will be in his direction. Thus, the parties split themselves, when they should be seeking common ground. This is the root cause of our railroad and airline labor problems.

The other applicable law—the Taft-Hartley Act—covers the maritime, longshore and trucking industries. While it cannot be termed counterproductive, Taft-Hartley does little to actually encourage collective bargaining. Most often, the labor disputes of these industries end up in the lap of the President, and he is forced to ask Congress for special, emergency legislation. Taft-Hartley, though essentially a useful tool, does not offer the President enough options for dealing with strikes that endanger the national health and safety.

My bill would add three more options, building upon the basically sound structure of Taft-Hartley. The first would give the President the authority to extend the 80-day cooling-off period by 30 days, when and if he felt a settlement was near.

The second would permit the President to order a 6 month partial operation of the affected industry. Under this option, the major part of the strike or lockout could continue, so that both parties felt continued economic pressures for an early settlement. At the same time, the danger to national health or safety would be minimized by keeping the essential segments of the industry in operation.

The third option is "final offer selection," under which each of the parties would be given 3 days to submit one or two final offers. Five additional days would be provided for bargaining. If no agreement were reached, a panel appointed by the President would choose one of the final offers as the binding settlement.

The panel would hold formal hearings to determine which of the final offers was the more reasonable—taking into account both the public welfare and the interests of the disputants. In no case could the panel modify any of the terms of the final offers nor in any way attempt to mediate the conflict.

"Final offer selection" would guarantee a conclusive settlement without a work stoppage. But—unlike arbitration—it would also provide a strong incentive for labor and management to reach their own accommodation at an earlier stage in the bargaining. When arbitration is the ultimate recourse, the disputants will compete to stake out the strongest bargaining position, one which will put them at the greatest advantage when a third party tries to split the difference. But when "final offer selection" is the ultimate recourse, the disputants will compete to make the most reasonable and realistic final offer—one which will have the best chance to win the panel's endorsement.

The present prospect of Government arbitration tends to widen the gap between bargaining positions and, thus, invites intervention. The possibility of "final offer selection," on the other hand, would work to narrow that gap and make the need for intervention less likely.

This must be the ultimate criterion for my bill: whether it strikes a balance between the need to protect the public interest and the extent of Government interference in doing so. Ideally, of course, we would seek maximum protection with minimum Federal control. At present, we find excessive interference with inadequate protection.

I believe, Mr. Speaker, that the bill I have introduced today will reduce the need for Federal intervention and increase its protection of the public interest. Until some better method is proposed, it will stand as the fairest and most effective means of solving labor disputes in the transportation industry. Accordingly, I urge its immediate consideration.

PROGRESS IN LEAA

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. MANN. Mr. Speaker, I would like to insert into the pages of the CONGRESSIONAL RECORD an article from the February issue of Government Executive. It refers to the commendable progress made by the Law Enforcement Assistance Administration in meeting the needs of crimefighters over the past few years. I am particularly pleased that more and more attention now accrues to what local law enforcement agencies say they need, instead of what Washington dictates they must have. Since so much anticrime work is being done on the local level, this is where heavy emphasis should be put. We must exert every effort, at all governmental levels, to provide our local law enforcement people with the wherewithal to do the job, but then we must allow them to fulfill their responsibilities without undue interference from Washington.

Three weeks ago, I had occasion to speak about these matters at the annual banquet of the Spartanburg police force. I assure you, Mr. Speaker, that I have encountered no group more vitally concerned about the actual needs of crimefighting in this country. I applaud LEAA for putting the emphasis where it belongs—on problemsolving at the local level.

The article follows:

LEAA MAKES HEADWAY IN ENFORCEMENT, COURT REFORMS

(By Samuel Stafford)

In a way, the birth pangs and severe early growing pains of the Justice Department's Law Enforcement Assistance Administration (LEAA) were hardly avoidable.

The climate of the times—1968 and 1969—had much to do with it. It was the traumatic era during which memories of riots and assassinations still were searingly fresh and politicians, police and the public were putting heavy pressure on the Federal Government to do something to insure law and order—and the sooner the better.

This, as observers of the LEAA's beginnings see it, was one of the factors responsible for some of the agency's later problems. The climate was hardly hospitable to laying plans for enduring reforms in America's criminal justice system, although it was favorable for quick, easy solutions to pressing immediate problems.

In another way, trouble might have been predicted for LEAA merely because of its nature. It functions mainly by issuing block grants—broad program grants as opposed to project-by-project funds—to states having a required passthrough pipeline to localities. As with all Federal grant programs, this one was marked by partisan political bickering, jurisdictional jealousies and frequent charges that the money wasn't going where it was supposed to go.

PROBLEMS PERSIST

Today, many of the problems remain. But LEAA officials believe the agency is on its way to making solid long-range achievements in revitalizing the U.S. criminal justice system.

The LEAA was created by the Omnibus Crime Control and Safe Streets Act of 1968, and its first operating year was Fiscal Year 1969, with an appropriation of $63 million. The Fiscal Year 1970 appropriation was $268 million.

Grants issued by LEAA are administered within states by state criminal justice planning agencies. Most of the 1970 appropriation went for block action grants to implement plans drawn up by state agencies. Planning grants are used to finance operations of state agencies.

Among persistent criticisms of LEAA by Rep. Emanuel Celler (D-N.Y.), who wrote the law creating the agency, the National League of cities, the Urban Coalition and others have been charged that the LEAA in the past has been too tied to police programs, that it has been too preoccupied with antiriot and other police hardware and that its grant funds—through states—have gone to too many small communities rather than to urban high crime areas.

Former police chief Clarence M. Coster and Richard W. Velde are the LEAA's associate administrators. The post of administrator is vacant at this writing following the resignation of Charles H. Rogovin last summer.

Both Coster and Velde these days emphasize that many earlier problems of LEAA were due to bureaucratic snags in getting the new agency off the ground.

The LEAA's programs were funded late in the last two fiscal years, Coster said, with the impact of the money "just now getting down to street level"

"We have never denied that this late start caused problems," Velde noted. "We have never denied that because the police were equipped to make immediate requests they often received a larger share of their state grant money from state planning councils than would have been the case if the councils had been operating longer, had had more experience or more time.

PLANNING NEEDED

"We have never denied that other areas such as courts and corrections . . . were slower in seeking funds . . . (or) that a number of large cities were very slow to request funds from state councils and therefore received inadequate funds even though they got all they asked for."

(Velde pointed out that in a much publicized case of an Indiana city that had received only a Polaroid camera and a fingerprint kit, this was all the city had asked for.)

Coster told *Government Executive*: "There's something of the carrot and stick approach in this. We have a barrel of funding out there and you're telling the states they can't participate in the funding until they have comprehensive plans for assessing problems of criminal justice systems in their states.

"Now that first year go-around wasn't like that. When the LEAA drew fire for overemphasis on police hardware and antiriot equipment, it was justifiable fire.

"There was all the talk about the Government being soft on law enforcement and the program was sold on that basis. Out in the boondocks, police were being urged to apply for riot hardware—'reach into Uncle Sam's bag of goodies and grab a handful'—and police officials were thinking, 'Here comes my new carpet or air conditioning for my patrol car.' So this was a distortion of the basic idea of the program—comprehensive planning."

He recalled an early request for an armored car as an event "I hope I'll never see again," and added that police demands for exotic hardware have steadily declined.

Beginning in Fiscal Year 1970 when funding was four times the level of the first year, both administrators said, there was a significant shift in the Federal thrust away from hardware and toward increased funding for corrections and court improvements.

Including corrections-related juvenile delinquency programs, discretitionary funding, and technical aid projects, total spending in Fiscal Year 1970 for corrections programs was over $68 million—more than 30 times the amount in 1969.

COURT COSTS

The scorecard on court improvement programs is less impressive. But even here spending rose from $1.4 million to $13 million over the past two fiscal years.

If the LEAA is providing less gadgetry than formerly, it is doing more research on police hardware needs through its research branch, the National Institute of Law Enforcement and Criminal Justice.

Much is expected of the Institute, which is still building its staff of experts and now is considered underfunded at $7.5 million.

Irving Slott, acting director of the Institute, kept returning to the problem of developing standards for police equipment during a recent interview.

"One of our major programs is the establishment of a law enforcement standards center," he said. "We've made an arrangement with the National Bureau of Standards under which they will provide the engineering, technical, and test specification development and we will provide them with the operational requirements and handle the field testing."

Determining priority development needs, he said, is difficult since it requires an accurate information feedback from enforcement agencies which ultimately will buy and use the equipment. He said the Institute maintains a close working relationship with the International Association of Chiefs of Police, as well as police and public service communications experts, and many other organizations and individuals.

Slott said much of value emerged from a 1969 conference sponsored by the National Institute and the Franklin Institute on police response time and computer applications to law enforcement.

"These were top law enforcement technical experts," Slott said. "They laid out what they felt were project priorities, first priority, second, third, and so on.

"For example, in resource allocation and command, they lay it out . . . what is necessary now? What is the value of visible patrol? How can measures of effectiveness be developed?

"Investigation is another area in which we want to improve our work in computer applications—intelligence improvement, command and control—the value of the teleprinter in law enforcement and whether it should be provided with transmit capability.

"These are serious questions they've raised and there are many more—the state-of-the-art of miniaturization of closed circuit TV equipment, the use of surveillance equipment in stakeouts, roll call training . . . these are the things police are thinking about."

He added: "Up until now, there's been nothing of this sort. And when we initiate a project, we have to study the market and the total cost closely. If we tell the police we're setting forth certain standards and they don't have enough money to pay for the new equipment, we're wasting everybody's time and effort."

What role did he see for industry?

"They have a part to play in two ways," Slott said, "first by being concerned and by bidding on the development contracts, and secondly, by playing an active role in our standards development. However, we don't think they should be brought in to the extent that until every one of them has decided a certain standard is necessary we can't issue it.

STANDARD APPROACH ESSENTIAL

"In other words, the police are waiting for guidance . . . for standards. We won't issue a standard for which there are no items available on the market. That's absurd.

"We also know from the experience of the military that if you develop test specifications ignoring what industry is capable of or willing to provide, you're whistling in the wind. So you have to reach a happy medium. Our main concern though is to get something to the police that will assist them in purchasing because today they are often being sold a bill of goods by some companies—some companies—because these firms honestly don't know what police requirements are or because they are opportunistic and see a good chance to make a buck.

"There's also the interface problem—one kind of equipment doesn't dovetail with another—and you've got two male plugs."

Slott said: "We're in the same logic of weapon systems and equipment evaluation that the military is in. This is the type of sophistication we're trying to bring to law enforcement. We're using the military very heavily in trying to transfer technology from the military to civilian use. But there are serious problems here. There's a lot of pressure on us just to take military weapons or equipment and alter it for use back home. Well you can't do that.

"Take night vision equipment. You can't just hand night vision equipment used in Viet Nam to policemen. Light conditions and other factors are quite different and the equipment must be, too. There's also the matter of cost. Most police departments couldn't pay the military prices in the quantities they'd need."

He said: "When it comes to weapons—lethal or nonlethal—we have to get out the best standards we can as soon as possible, then improve on them later. And the kinds of weapons carried by a beat patrolman will be vastly different from those of a tactical squad member facing dangerous criminals regularly. Then there's weight. How much weight should each type of officer carry?"

CAN'T GIVE ORDERS

Slott added: "Understand, in all this we don't face the same situation as the military does. When the Army develops a standard, it is by order. The division heads are told to turn in all their M-1's and pick up M-14's.

"But our police chiefs have their prejudices and value systems. Each sees things differently. We're working in a completely voluntary area."

The feedback from local departments has pointed up some critical needs. Among these:

Better communications in big cities. A big need here is for better vehicle locator systems and improved response times. Envisioned is a workable automatic caller identification system "so that we can automatically identify the address through a signal, push a button and have a computer select the nearest car not on assignment to head for the scene." And digital communications experiments now are being conducted in several cities.

The need for improved personnel and vehicle armor.

Vastly improved law enforcement training programs.

But Coster, Velde and Slott all emphasized that LEAA's movement toward development of a balanced criminal justice system. And the fact that, while general equipment standards can be set forth as useful to cities with similar problems, individual needs will remain. For example, while a transceiver now being developed through the agency might be useful to most police departments, small departments might require only the most inexpensive kind of radio.

In developing a balanced approach, LEAA has set up "pilot city" projects in Dayton, Ohio, San Jose, Calif., and other cities supported by teams of systems analysts with criminal justice backgrounds with the aim of coming up with "models for a comprehensive approach—police, courts and corrections—to criminal justice". Eventually, a pilot program will be located in each of LEAA's seven regions. It is hoped that the knowledge so gained can be applied to problems of other cities.

OUTLOOK

With the same goal of broad eventual applicability, the Institute is aiding in development of a model building code for public safety in Alexandria, Va., under which a specially trained police squad will inspect new commercial and residential buildings for protection against criminal intrusion in the same way fire departments now inspect buildings for potential fire hazards.

The bases now being touched by LEAA are too numerous to enumerate. They range from upgrading of police, court and corrections personnel to academic assistance programs, the development of information systems, electronic search and retrieval, narcotics enforcement, defenses against bombs, studies of psychological stress on policemen and a multitude of other subject areas.

The LEAA administrators believe that, after a somewhat stormy and problem-ridden beginning the agency is well on its way toward promoting significant long-lasting reforms in America's criminal justice systems.

DISABLED AMERICAN VETERANS

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mrs. HECKLER of Massachusetts. Mr. Speaker, I am delighted that we are taking time today to give official congressional recognition to the Disabled American Veterans for their long history of service to their fellow veterans and to their country.

It is truly fortunate that we have the Disabled American Veterans, an organization that is dedicated to assisting the disabled of our wars to obtain necessary medical help, job training and jobs, rehabilitation, and compensation.

The disabled veteran benefits from the programs of the DAV through the very specific assistance he receives as well as through the camraderie of a group of men and women of like needs and interests.

Our society benefits from the programs of the DAV by gaining the products of the skills and talents of the disabled veteran that might not otherwise be put to use.

The work of the DAV is noble and unselfish and should be apparent to every American. The DAV has one of the most extensive rehabilitation programs in the United States and its services are available to all disabled veterans regardless of whether or not they are members of the organization.

In honoring the work of the DAV here today, we should recognize that we are doing more than noting the achievements of a great organization. We are, in fact, saluting men and women who have made enormous personal sacrifices for our country and have demonstrated great personal courage in the face of extreme personal adversity.

I, for one, am extremely grateful for having the privilege to serve on the Veterans' Affairs Committee and to have the opportunity to work closely with the DAV to insure the development of programs that will, as Abraham Lincoln said, "care for him who shall have borne the battle and for his widow and for his orphan."

OUR DISABLED VETERANS

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. COLLIER. Mr. Speaker, during my short lifetime the United States has participated in four wars, World Wars I and II, the Korean war, and the Vietnam war. Millions of our young men answered the call to the service and fought for the Nation all over the globe.

Many did not return to their homes and families, having made the supreme sacrifice in battles against the common enemy. Most of the millions who did come back soon made the transition to peaceful civilian life and their wartime experiences gradually faded into the remote recesses of their memories.

For many others, however, the war has never really ended. The soldier, sailor, or airman who came back blinded, minus one or more limbs, or otherwise incapacitated, has been severely handicapped in his attempts to begin life anew as a civilian.

True, the Congress has done a great deal through the years to provide assistance in the form of hospitalization, rehabilitation, and otherwise, but these helps did not come about all at once. When they did become available, many former servicemen were not aware of their eligibility to receive particular benefits.

Someone had to take the lead in the fight to secure the needed and deserved assistance for those who still suffered from the horrors of warfare long after their discharge from service. In the forefront of the campaign has been the Disabled American Veterans organization, which has labored diligently for half a century on behalf of disabled former servicemen.

Mr. Speaker, I welcome this opportunity to extend my appreciation for the great work that has been done by this fine organization and to wish it success as it continues its work in the days that lie ahead.

DRUG ABUSE

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. HOGAN. Mr. Speaker, we are all well aware that drug abuse is one of the overriding concerns facing this country. There are numerous examples of over-the-counter drug violations, which make dangerous hallucinogencis easily available to anyone wishing to obtain them.

As a case in point, an editorial by Colman McCarthy appeared in the Washington Post on January 1, 1971. Mr. McCarthy explores the abuse of a specific, nonprescription drug, asthmador, which is used in the treatment of asthmatics.

I believe this article provides an excellent illustration of the crying need for legislation to regulate the nondiscriminatory sale of dangerous drugs. For that reason, I request that it be printed in the CONGRESSIONAL RECORD at this point.

The article follows:

A MINOR DRUG AND A MAJOR PROBLEM

(By Colman McCarthy)

Early last year, two high school students in Cumberland, Md., walked into a store of the Potomac Valley Pharmacy and ordered a non-prescription drug called asthmador. They said it was for an asthmatic member of the family of one of them, asthmador being the brand name of an asthma remedy. Actually, the drug was not for a sick relative at all, but for the youths themselves. The pair left the pharmacy and in a short time consumed the drug orally; they were apparently seeking the hallucinogenic effect that asthmador provides when taken by non-asthmatics. They ended up in the hospital, one in critical condition. A few months later—July 1970—in Tampa, Fla., two youths, 15 and 16 took the easily available drug but were not so lucky as to land in a hospital. Under its influences, they decided to walk on water, the Jesus experience that strangely appeals to so many freakouts; the pair drowned at the bottom of a 200 foot sinkhole.

These cases of violence are only two of some 200 reported in the last few years. Involved in the grim story of asthmador abuse and misuse are not only the muddled youths who take it but also a manufacturer in Los Angeles and the Food and Drug Administration. Currently, a legal battle is pending, one that shows clearly the complexity of reaching accord between the citizen, the law and the manufacturer.

Asthmador has been on the market for a reported 102 years. Its main substance is stramonium—also known as jimson-weed—plus parts of belladonna. As sold over drugstore counters, asthmador is in the form of cigarettes, pipe mixture and powder; sixty cents buys a pack of 12 cigarettes. The user, presumably in poor health, is instructed to burn and inhale the substance "to relieve the distress of bronchial asthmatic paroxysms." It has been questioned—by the government—how much "relief" is actually provided for the asthmatic, but there is no uncertainty that for many of the drug-seeking young, asthmador has been known for years as a cheap and available hallucinogenic, a fine trip and a good high.

In 1967 and 1968, the Food and Drug Administration's Bureau of Medicine received detailed reports from the Bureau of Drug Abuse Control that in some 200 cases asthmador had been abused; two deaths were included. Alarmed, and aware that the muscle of the Food, Drug and Cosmetics act was available to be flexed, the FDA moved in—or at least gave the appearance of moving in. In August 1968, it decreed that stramonium—the main ingredient of asthmador—could no longer be sold without a doctor's prescription. To build a further wall between non-asthmatic users and the drug, the FDA made a seizure in Cleveland of asthmador as marketed by the R. Schiffman Company, Los Angeles. The latter was charged with selling its product without a label saying a prescription was needed.

At this point, the actions of the FDA suggest more of a slap on corporate wrists than a handcuff. The Schiffman firm, which is said to gross $150,000 annually on asthmador, not only continued to market its product without the required label, but also took the government to court to appeal the seizure. Ordinarily, the government does not make further seizures while a mislabeling case is on appeal. Instead, spokesmen for the FDA now say they are trying to persuade Schiffman to agree to labeling asthmador as a prescription-only drug. "We don't see asthmador as an imminent danger to health, so we prefer to go the voluntary compliance route."

The route appears blocked, however. According to the Schiffman lawyers, the Washington firm of Kleinfeld and Kaplan, the government not only has no business asking for voluntary compliance at this point but its original ruling was unreasonable. "Forcing prescriptions for asthmador," said a Kleinfeld and Kaplan lawyer, "makes it suddenly difficult for asthma sufferers who have been using it all along. It can also push up the cost. Why should the government. prevent the free sale of a product merely because it may be abused by a small number of people who deliberately mean to abuse it?"

On September 28, the FDA, seeing that stramonium was still popular among young acid heads "on a fairly large scale," issued what it called a "reminder" to the nation's druggists that over-the-counter sales of the substance are illegal. This went out in the form of letters to all state boards of pharmacy and to professional pharmacy organizations. It is not known how many drugstores have gotten the message. In the Washington area, a sampling of drugstores revealed confusion. None of the druggists had asthmador on hand, some saying it had been surpassed in effectiveness by other remedies and thus was not stocked. When asked if it could be ordered, many said yes. Of these, some said a prescription was definitely not needed, others said a prescription was needed. Earlier this week, an official of the Consumers Union, Westchester, N.Y., publisher of the alert Consumer Reports magazine, said that asthmador was easily available over-the-counter in that area. Ironically, Westchester police display asthmador boxes in their lectures to parents on drug abuse.

Confusion exists about enforcing the FDA charge that over-the-counter asthmador is illegal. If a conscientious citizen can buy it freely or order it—as he can in Washington—what does he do? Call the local cop to arrest the druggist for breaking the law? Call the FDA? J. Edgar Hoover?

One puzzle that persists in this case is why the Schiffman Company resists so strenuously the requirement to label its product prescription-only. One explanation is the lawyers argument about increased bother and cost to long-time customers. Another answer is that sales would likely be reduced if a doctor had to prescribe asthmador. Anyone who has asthma and is serious about relief, is most likely seeing a doctor. Although all too many of the latter are far too lax about pushing onto their patients questionable drugs (see the recent Senate disclosures about darvon), asthma may not be the kind of illness that can be effectively treated by puffing on a jimson-weed cigarette that retails for a nickel.

U.S. MERCHANT MARINE ACADEMY

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. WOLFF. Mr. Speaker, last month, I was honored to be appointed by you to serve on the Board of Visitors to the U.S. Merchant Marine Academy at Kings Point, N.Y., which is in my congressional district.

As many of my colleagues know, Rear Adm. Gordon McLintock retired in June 1970, after 22 years as Superintendent of the Academy. His service to the Academy and to the U.S. Merchant Marine was outstanding. His efforts are reflected in the report of the 21st Congressional Board of Visitors, which found Kings Point "a shining example of what can be accomplished through cooperation and perseverence." I include the report at this point in the RECORD for the information of my colleagues:

REPORT OF THE 21ST CONGRESSIONAL BOARD OF VISITORS TO THE U.S. MERCHANT MARINE ACADEMY, KINGS POINT, N.Y., MAY 1, 1970

PUBLIC LAW 301, 78TH CONGRESS

Joint resolution to establish a Board of Visitors for the United States Merchant Marine Academy

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be appointed in the month immediately following May 11, 1944, and in January of each year thereafter, a Board of Visitors to visit the United States Merchant Marine Academy, which shall consist of two Senators and three Members of the House of Representatives, appointed by the chairman of the committees of the Senate and House of Representatives, respectively, having cognizance of legislation pertaining to the United States Merchant Marine Academy, the chairman of said committees being ex officio members of the Board, and of one Senator and two Members of the House of Representatives appointed by the President of the Senate and the Speaker of the House of Representatives, respectively: Provided, That whenever a member or an ex officio member is unable to attend the annual meeting as provided in paragraph (b) of this section another Member may be appointed in his stead in the manner as herein provided but without restriction as to month of appointment.

(b) Such Board shall visit the United States Merchant Marine Academy annually on a date to be fixed by the Secretary of Commerce. Each member of the Board shall be reimbursed under the Government travel regulations for the actual expense incurred by him while engaged upon duties as a member of such Board.

Approved May 11, 1944.

MEMBERS OF THE CONGRESSIONAL BOARD OF VISITORS TO THE U.S. MERCHANT MARINE ACADEMY

By the President of the Senate: Senator Alan Cranston, California (D).

By the Chairman, Senate Commerce Committee: Senator Ernest F. Hollings, South Carolina (D), and Senator Charles E. Goodell, New York (R).

By the Speaker of the House of Representatives: Congressman Hugh L. Carey, New York (D), and Congressman Lowell P. Weicker, Jr., Connecticut (R).

By the Chairman, House Committee on Merchant Marine and Fisheries: Congressman Thomas N. Downing, Virginia (D), Congressman John M. Murphy, New York (D), and Congressman Charles A. Mosher, Ohio (R).

Ex-Officio Members: Senator Warren G. Magnuson, Washington (D), Chairman, Senate Commerce Committee, and Congressman Edward A. Garmatz, Maryland (D), Chairman, Committee on Merchant Marine and Fisheries.

THE MISSION OF THE U.S. MERCHANT MARINE ACADEMY

To attract a high type of young American with a definite ambition to become an officer in the United States Merchant Marine;

To impart to him the necessary academic background and the fundamentals of a practical nautical education essential to a successful career at sea;

To develop in him a high sense of honor, uprightness, and loyalty;

To instill in him a pride in his profession and determination to uphold the traditions of the Merchant Marine; and

By effective teaching, training, and guidance, to send him forth to his calling with a deep respect and affection for the United States Merchant Marine Academy and its Midshipman Corps.

OBJECTIVE

The United States Merchant Marine Academy was established to prepare carefully selected American citizens for careers in the American Merchant Marine, and to this end the education of the Midshipmen is directed toward the attainment of professional excellence as deck or engineering officers. Beyond the attainment of technical excellence, Midshipmen are provided with a sound general education and with an understanding of the theoretical and practical problems of maritime operations in order that they may be prepared, should the opportunity arise during the course of their sea-going careers, to accept responsible positions in their companies requiring executive and administrative ability.

The Academy program is designed to graduate officers who are effective, responsible citizens and who possess both technical competence and a sound general education; officers who are well equipped to cope with the technical, physical, moral, social and spiritual challenges which will confront them during their life at sea. It is the Academy's aim to inspire graduates with eagerness for continuous development throughout their lives, conviction of the dignity of their profession, and awareness of the highest traditions and importance of the United States Merchant Marine.

The entire resources of the United States Merchant Marine Academy are marshalled for the purpose of conducting a program of theoretical and practical courses, including service at sea, which provides the finest possible education for a Midshipman, with the expectation that a graduate's services as a loyal officer of high caliber will reward the nation with distinguished leadership for the Merchant Marine.

REPORT OF THE BOARD OF VISITORS TO THE U.S. MERCHANT MARINE ACADEMY—1970 KINGS POINT, N.Y., MAY 1, 1970

The PRESIDENT OF THE SENATE:
The SPEAKER OF THE HOUSE OF REPRESENTATIVES:

GENTLEMEN: The Twenty-First Meeting of the Board of Visitors of the United States Merchant Marine Academy was held at the Administration building at the Academy in Kings Point, New York, on May 1, 1970. Present were Representatives Hugh L. Carey of New York, Thomas N. Downing of Virginia, Charles A. Mosher of Ohio and John M. Murphy of New York. Representative Lester L. Wolff, host Congressman from the Third Congressional District and Mr. Ernest Corrado, Counsel for the House Merchant Marine and Fisheries Committee also attended. The Deputy Maritime Administrator, Mr. Robert J. Blackwell, by invitation of the Board, was present during the meeting. The minutes of the meeting follow.

MINUTES: 21ST CONGRESSIONAL BOARD OF VISITORS TO THE U.S. MERCHANT MARINE ACADEMY, MAY 1, 1970

The Board convened at 1000 hours in the Board Room, Wiley Hall. After the invocation by Chaplain Kingsley, the Superintendent, Rear Admiral Gordon McLintock, welcomed the members to the Academy and Congressman Wolff welcomed them to the Third Congressional District. The Deputy Maritime Administrator, Mr. Robert J. Blackwell, extended a welcome on behalf of the Maritime Administrator and said that the Academy, under the guidance of Admiral McLintock, has been gearing for training officers for the fleet of the 1970's. The 300 ships to be built in that decade will be staffed largely by graduates of Kings Point and the State academies. He congratulated Admiral McLintock for administering with a sensible combination of discipline and freedom which has enabled the Academy to largely avoid the effect of disturbing outside influences.

Congressman Downing, serving as Chairman, congratulated Admiral McLintock and the Academy, stating that it is a shining example of what can be done.

Admiral McLintock accepted the congratulations on behalf of the staff of the Academy.

The Superintendent presented his report to the Board as contained in Part II. A summary of discussions concerning the topics contained therein follows:

Master plan

Captain L. S. McCready briefed the Board members on a long-range program for modernization of existing facilities and construction of new facilities. This plan had previously been presented to the Advisory Board and the Maritime Administrator and is outlined in Appendix I of this report.

Congressman Carey recommended that Kings Point should have a role in environmental and ecology studies and Mr. Blackwell said that this is being looked into since the Maritime Administrator and the Superintendent had made a tentative proposal to the Environmental Sciences Administration.

New curriculum

Course Load: Requirements for graduation have been reduced as follows:

Old Curriculum	New Curriculum
Deck, 238	209
Engine, 239	211

Rotation of faculty members

Legislation that would permit faculty members to return to sea to upgrade their experience and licenses has been introduced by the Administration.

A program to permit faculty members to undertake graduate studies under the Government Employees' Training Act is in operation.

Sea year program

Dual Licenses: This program is continuing and two companies, United Fruit Company and American Export Company, employ dual licensed officers who rotate between the deck and engine departments.

Job opportunities for graduates

Congressman Mosher proposed that the mission of the Academy be broadened to provide additional job opportunities for graduates. Mr. Blackwell agreed in principle but cautioned that care must be exercised to insure that any contemplated change in the Academy's mission is politically realistic, since too great a departure from its historic role might jeopardize its existence. New Legislation is not necessary to accomplish an appropriate expansion of the mission, in Mr. Blackwell's opinion. Such a proposal had been made by the Kings Point Alumni Association and the President of the Alumni Association, Mr. Robert Whitam, explained that the proposal contemplates a role for Academy graduates in the total transportation system rather than in shipping alone.

The matter of enforcing the sailing obligation when jobs on ships are not available was discussed and the Board was informed that the policy is in process of revision to take care of contingencies such as this. The Alumni Officer, Commander Renick, informed the Board that the current shipping situation is tight but appears to be easing. The Navy will give favorable consideration to applications for active duty and the Coast Guard has taken several members of the Class of 1970. A problem exists in several individual locals where priority is being given to graduates of the union schools over graduates of the Federal Academy and the State Academies.

The sea service obligation of recent classes was discussed and Commander Renick reported that the most recent survey conducted by his office shows that 90% of the Class of 1968 were at sea as of the end of December, 1969

Minority group recruiting

Congressman Carey asked about the recruitment of candidates for admission who are of Puerto Rican extraction. He was informed that this initial phase of the minority group recruiting program was most successful in locating black applicants because the black community is the best organized. However future drives will have increased emphasis on the recruiting of Puerto Ricans. Congressman Downing stated that the Commonwealth of Puerto Rico has passed legislation to establish its own merchant marine academy and Congressman Murphy suggested that appointment authority be obtained to increase the size of Puerto Rico's admission quota to make it proportionate to the population of that island. However it was pointed out that Puerto Rico has not been filling its present quota.

Adjournment for lunch—1200

Nuclear Programs: The Maritime Administrator informed the Board that a proposal has been issued for a commercial operator to take over the N.S. *Savannah* but responses have not yet been received.

Many Kings Point graduates who have been given nuclear training at the Academy are now serving as operators in nuclear power plants ashore.

Drug education program

The Regimental Officer reported that on a comparative basis the Academy has no real problem with drug usage by Midshipmen. There have been a few cases involving marijuana usage and one case involving LSD. The cases of two Midshipmen who admitted to using marijuana are pending in the courts.

Physical education and athletics

The need for a new swimming pool and a gymnasium was stressed by the Head, Department of Physical Education and Athletics, in order to provide facilities for concurrent use by intramural and varsity sports.

Admissions

Congressman Murphy suggested that the quota for discretionary appointments by the Maritime Administrator be increased to provide for additional appointments of qualified candidates from minority groups. It was pointed out that this quota has been raised by 10 this year in order to insure that spaces are available for minority group candidates who were recruited.

Congressman Murphy also pointed out that the legislation for the Service Academies had been changed to provide for the admission of Korean candidates and as a result, a number of Koreans had gained admission. The Maritime Administrator agreed to look into a similar arrangement for Kings Point.

Resolution

Before concluding the meeting, a motion was made and carried unanimously to express the Board's appreciation to Admiral McLintock for his contributions to the Academy and the industry, and further that the members of the Congressional Board of Visitors considered it tc be a privilege and a pleasure to have been associated with Admiral McLintock. The Maritime Administrator said that he considered this resolution to be most appropriate and he invited the Board members to attend the Change of Command ceremony at the Academy on 15 June 1970.

The meeting was adjourned at 1430 hours.

APPENDIX I: PRELIMINARY FORECAST OF COSTS

To finish present projects and plans

1.1	Nautical Science—Labs and extend Samuels Hall	$900,000
1.2	Engineering Projects: Ref. LaPierre Litchfield Study	1,800,000
1.3	Math & Science Labs	50,000
1.4	Classrooms (48)—general upgrading, relighting, etc	36,000
1.5	Midshipmen's Quarters, full rehabilitation	800,000
1.6	Galley, Mess Hall—upgrade and modernization	100,000
1.7	Waterfront facilities—finish plan beyond '71	2,000,000
1.8	Electrical Power System & Emergency Plant Con	100,000
1.9	Air Conditioning: All academic bldgs: others	750,000
	Total	6,536,000

To carry out new plans

2.1	New Science & Engineering Bldg., including:	
	Ocean studies, R & D Building	3,000,000
	Equipment	2,000,000
2.2	Graduate Center & Center for Continuing Professional Education:	
	(a) If Lundy property is purchased	1,000,000
	(b) If we build new Academic Bldg. on present land (see 3.0 below $850,000).	
2.3	Athletic Facilities: Gym. Pool (Similar to new U.S. Coast Guard Academy Gym) (See plans for options).	3,500,000
2.4	Research facilities: on campus/off campus not yet determined fully: allow	500,000
2.5	Student Center ("Student Union" Bldg) for Mid'n	1,800,000
2.6	Faculty Housing (4 homes)	160,000
2.7	Shipboard Training Center (moved from Grenoble, France) not yet determined.	
2.8	Finance & Supply, Public Works Departments: Shops, receiving, storage & supply activity	250,000
2.9	Instructional Training Aids Center	85,000
3.0	Academic Bldg. for Economics, Management Sciences $850,000. Please see 2.2B above	850,000
3.1	Acquisition of new small training & oceanography vessel would depend on interagency transfer (purchase cost could be $750,000) see note please	
	Total	13,145,000
	Total Modernization	19,681,000

CONCLUSION

The Board expresses its appreciation for the many courtesies extended to it during its visit and congratulates Admiral McLintock, the Academy staff and the Maritime Administration for making Kings Point a shining example of what can be accomplished through cooperation and perseverence.

Approved:

THOMAS H. DOWNING,
Chairman.
HUGH L. CAREY,
JOHN M. MURPHY,
CHARLES A. MOSHER.

RECOMMENDATION

The Maritime Administration should investigate the feasibility of obtaining legislation to provide for the admission of South Korean candidates to the Academy.

MOTION

The Board expressed its appreciation to Admiral McLintock for his contributions to the Academy and to the industry, and further that the members of the Congressional Board of Visitors considered it to be a privilege and a pleasure to have been associated with Admiral McLintock.

PART II: U.S. DEPARTMENT OF COMMERCE, MARITIME ADMINISTRATION, U.S. MERCHANT MARINE ACADEMY, KINGS POINT, N.Y., SUPERINTENDENT'S REPORT TO THE CONGRESSIONAL BOARD OF VISITORS, MAY 1, 1970

(The Honorable Maurice H. Stans, Secretary of Commerce; the Honorable Andrew E. Gibson, Maritime Administrator; and the Honorable Robert J. Blackwell, Deputy Maritime Administrator)

PUBLIC LAW 301, 78TH CONGRESS

Joint resolution to establish a Board of Visitors for the U.S. Merchant Marine Academy

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be appointed in the month immediately following May 11, 1944, and in January of each year thereafter, a Board of Visitors to visit the United States Merchant Marine Academy, which shall consist of two Senators and three Members of the House of Representatives, appointed by the chairman of the committees of the Senate and House of Representatives, respectively, having cognizance of legislation pertaining to the United States Merchant Marine Academy, the chairman of said committees being ex officio members of the Board, and of one Senator and two Members of the House of Representatives appointed by the President of the Senate and the Speaker of the House of Representatives respectively: *Provided,* That whenever a member or an ex officio member is unable to attend the annual meeting as provided in paragraph (b) of this section another Member may be appointed in his stead in the manner as herein provided but without restriction as to month of appointment.

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Approved May 11, 1944.

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By the President of the Senate: Senator Alan Cranston, California (D).

By the Chairman, Senate Commerce Committee: Senator Ernest F. Hollings, South Carolina (D), and Senator Charles E. Goodell, New York (R).

By the Speaker of the House of Representatives: Congressman Hugh L. Carey, New York (D), and Congressman Lowell P. Weicker, Jr., Connecticut (R).

By the Chairman, House Committee on Merchant Marine and Fisheries: Congressman Thomas N. Downing, Virginia (D), Congressman John M. Murphy, New York (D), and Congressman Charles A. Mosher, Ohio (R).

Ex-Officio Members: Senator Warren G. Magnuson, Washington (D), Chairman, Senate Commerce Committee, and Congressman Edward A. Garmatz, Maryland (D), Chairman, Committee on Merchant Marine and Fisheries.

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To attract a high type of young American with a definite ambition to become an officer in the United States Merchant Marine;

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To develop in him a high sense of honor, uprightness, and loyalty;

To instill in him a pride in his profession and determination to uphold the traditions of the Merchant Marine; and

By effective teaching, training, and guidance, to send him forth to his calling with a deep respect and affection for the United States Merchant Marine Academy and its midshipman Corps.

The United States Merchant Marine Academy has been established to prepare carefully selected American citizens for careers in the American Merchant Marine. The education of Midshipmen is directed toward the attainment of professional excellence as Merchant Marine deck or engineering officers and as United States Naval Reserve Officers. Beyond the attainment of technical excellence, Midshipmen are provided with a sound general education and with an understanding of the theoretical and practical problems of maritime operations so that they might be prepared, should the opportunity present itself, to accept responsible positions in their companies requiring executive and administrative ability.

The Academy program is designed to develop officers who are effective, responsible citizens and who possess both technical competence and a sound general education to cope with the technical, physical, moral, social and spiritual challenges which will confront them at sea. It is the Academy's aim to inspire graduates with eagerness for continuous development throughout their lives, conviction of the dignity of their profession, and awareness of the highest traditions and importance of the United States Merchant Marine.

The entire resources of the United States Merchant Marine Academy are marshalled for the purpose of conducting a program of theoretical and practical courses, including service at sea, which provides the finest possible education for a Midshipman, with the expectation that a graduate's services as a loyal officer of high caliber will reward the nation with distinguished leadership for the Merchant Marine, afloat and ashore.

GENTLEMEN: It is always an honor, as well as a very great pleasure, for me as Superintendent to welcome the Congressional Board of Visitors and to transmit this report to you. The past year has been one of progress and we benefited tremendously by the personal interest and assistance of the Maritime Administrator, the Honorable Andrew E. Gibson. As you will note, this report represents our accomplishments since your last visit, our plans for the future and some areas in which your assistance would be helpful.

It is a pleasure indeed to have you with us and we hope that your visit will be most enjoyable.

GORDON MCLINTOCK,
Rear Admiral, USMS, Superintendent.

FISCAL AFFAIRS

The inventory valuation of the Academy as of March 31, 1970 was as follows:

Land	$660,637
Buildings	8,241,947
Other structures and facilities	1,465,814
Equipment	6,361,316
Total	16,729,714

For Fiscal Year 1970, Congress approved $6,164,000. An additional $204,000 was also obtained as a supplemental appropriation to finance the pay increase caused by the enactment of the President's Executive Order in compliance with the Federal Salary Act of 1967.

The appropriation for Fiscal Year 1970 covers the cost of maintaining and operating the U.S. Merchant Marine Academy at Kings Point, New York; the costs of a training liaison office in Washington, D.C.; and provides for training representatives in the Eastern, Central and Western Regions.

The budget for Fiscal 1970 provided $755,000 more than the adjusted budget for Fiscal 1969. This increase was for rebuilding a badly deteriorated pier and for upgrading presently substandard cadet housing. In addition, the increase covers expenses related to compliance with air and water pollution regulations and provide additional staff to meet present workload. A detailed listing of the additional funds programmed follows:

Modernization program	$307,000
Boiler plant conversion	100,000
Sewage plant	57,000
Waterfront repairs	250,000
Increase in academic staff	29,000
Increase in library staff	12,000
Total	755,000

This budget again does not provide for the rising personnel costs of previous years or the continued increase in personnel costs for Fiscal 1970 due to periodic step increases for Faculty, GS, or Wage Board employees.

In the budget for Fiscal Year 1971, Maritime Training is programmed at $6,800,000. This represents a comparative increase of $479,000 greater than the adjusted budget for Fiscal 1970, after one has deleted the nonrecurring items.

The $479,000 increase is for the following:

Faculty and staff training	$14,000
Midshipman food service	125,000
Library books	10,000
Maintenance, repairs and operating supplies	25,000
Modernization program	284,000
Special personal services payments	15,000
Travel and transportation of persons	6,000
Total	479,000

MODERNIZATION PROGRAMS

Since the last meeting of the Board, we have received additional funding support for three key areas for modernization.

A start has been made in the refurbishing program for the dormitory rooms of the Midshipmen which is funded for approximately $1.2 million over the next four years. New furnishings are being procured, bright colors will relieve the present drab monotony, the rooms will be carpeted and a new lighting system will be installed.

The waterfront modernization is proceeding smoothly with the completion of the first stage consisting of a sheet-steel bulkhead and a landfill of nearly two acres. This year, we will begin the two year program for the replacement of Mallory Pier. Thereafter, the southern area will be completed with the installation of steel bulkheads, filled with dredged material, and the subsequent construction of sail-training facilities. The total cost of this program is in the vicinity of 2.2 million dollars.

This year, we were particularly gratified to receive increased funds on a recurring annual basis for the modernization of the instructional facilities and equipment. Laboratories are being upgraded, new modern equipment is being installed and even though scientific developments frequently outpace available funds, we do feel that progress is being made.

MASTER PLAN

Although we are now making significant progress in our modernization programs, we have produced an in-house Master Plan which we hope will provide the necessary guidance for long range developmental planning. Captain Lauren S. McCready, USMS, Head of our Department of Engineering, will give you a briefing on the plan which can also be made available to you in booklet form.

PRINCIPAL NEEDS

When considering the principal needs of the Academy at this time, our order of priority would be as follows:

(a) *Increase in Midshipman allowances:* Each Midshipman now receives an annual allowance of $475 per year for uniforms and textbooks. This sum was authorized in 1968 and the rapidly rising costs of clothing and especially textbooks now requires that this figure be increased to $550 annually if we are to fulfill the requirements of Public Law 415, 84th Congress (46, U.S.C. 1126), which states:

"Cadets at the United States Merchant Marine Academy shall receive allowances for all required uniforms and textbooks as prescribed by rules and regulations under this chapter . . ."

The anticipated cost would be in the vicinity of $75,000.

(b) New Science Building: This proposed new building is becoming more necessary each day as the frontiers of science expand so rapidly. Laboratories are needed for studies in Oceanography automation, hydraulics, computer science, electronics, etc. A model test basin would also be included. The anticipated cost of such a building with its equipment is approximately $5.5 million.

(c) Audio-Visual Center: The need for such a Center as this has become increasingly important with each passing year as the demands for good classroom teaching techniques continue. Our present facilities are woefully limited and it is not possible to provide instantaneous responses to teachers' requests. Approximately $85,000 would be required for this addition.

THE NEW LIBRARY

The Academy's new library building opened for service on March 17, 1969. Responding to many recommendations of its Board of Visitors, in 1964 and 1966 the Congress appropriated library construction and equipment funds in the amount of one million dollars. Ground was broken on March 15, 1967. The building was dedicated on December 12, 1968, scheduled as a feature of a combined meeting of the Advisory Board and the Congressional Board of Visitors. Delays in delivering and assembling the steel shelving postponed the actual opening.

In its three stories the modern air-conditioned structure provides stacks for 100,000 volumes and accommodates 300 occupants. The main stairway is located near the entrance, leaving the larger portion of the interior space on each floor free for spacious stack areas surrounded by generous reading areas. Rooms for special services and collections are located along one or more of the perimeter walls on each floor. These include on the main floor a general periodicals reading room, a room devoted to microtexts, another to atlases, charts, sailing directions, etc., and a room for government publications. On the upper floor is the Kings Point Room containing rare books and memorabilia, the Archives Room, a maritime periodicals room, a typing room, and two seminar rooms. On the lower floor are two listening rooms, one designed for group listening, the other for individual listening stations. Also on this floor are a large group study, four small group studies, and eight individual faculty studies.

Attendance and use of the library have increased with the improved availability of the collections and the increase in the number of services. Anticipating the need for additional people in the new building, the staff was increased from five to nine in 1968. With overtime, this has permitted the library to make its collections and services available seven days of the week for a total of 83½ hours. An upper class watch keeps the building open for study purposes an additional hour and a half each night from Sunday through Friday. A group of qualified Midshipmen maintains a two-hour volunteer watch in the Listening Room each evening Monday through Friday.

RESEARCH AND DEVELOPMENT PROGRAM

The Maritime Administrator, Mr. Gibson, shortly after taking office last year, initiated a very strong increase in the Maritime Administration's research and development programs following the three-week Woods Hole Research Conference last July at which the Academy was well represented.

As an extension of that conference, we were formally authorized and directed to initiate suitable research of our own at Kings Point. We were in fact organized so as to make a team of two colleges in this work by linking formally with our famous neighbors, Webb Institute of Naval Architecture.

Today, we have a going research activity and over 21 researchers are at work on five carefully chosen tasks, with more to come. The long range objectives we are working on with Webb, all point toward increasing the productivity of the maritime industry and decreasing subsidies and costs. We also anticipate strengthening our faculty and improving the opportunities for Midshipmen to learn as results of this program.

The total budget for this year is $95,000 of which $40,000 is sub-contracted to Webb Institute of Naval Architecture.

THE NEW CURRICULUM

A revised Deck and Engineering Curriculum, developed and adopted by the faculty, approved by the Board of Visitors and authorized for implementation by the Maritime Administrator will go into effect in part for those classes already in attendance, namely the classes of 1971, 1972, and 1973. The whole new program will be used for the class of 1974 which will enter the Academy in July of 1970.

The new curriculum provides for a common first year program. This common first year program presents a six month residence at the Academy followed by a six month tour of sea duty wherein the Midshipman spends a 50% period of this time in each of the deck and engineering departments. Insofar as some Midshipmen may have an unclear idea of the relative duties and career opportunities, this program allows him to make his career choice as late as one year after reporting to the U.S. Merchant Marine Academy. It is, of course, anticipated that the program of dual licensing, established in 1965, will eventually be common for all Midshipmen, and result in a general purpose officer, with the curriculum attuned to same. This will be dealt with in more detail further on in the course.

After the first six months sea experience, the Midshipman who elects engineering returns to a year at the Academy in which the core curriculum contains Engineering Science subjects such as the Applied Mechanics and Thermodynamics programs. These are augmented by further Mathematics and Science support study programs in Mathematics, Physics and Chemistry. The Midshipman then returns to sea for a six month program in his chosen major in Marine Engineering as applied on shipboard. Parenthetically, written Sea Projects are required for each of the sea year periods. These are carefully graded and academic credit will be allowed for these extended shipboard programs. A similar program, but Nautical Science oriented has been developed for the Midshipman desiring to become a Deck Officer.

The new program with its reduction in required credit hours is believed to provide a greater incentive for introspective study and self development for the student. The Midshipman is no longer required to expend his time in attendance at a wide diversity of courses spread over a range of disciplines. Above the core program he may choose either a range of courses for general broadening or he can take a further concentration of scientific and engineering courses to prepare him for advanced technical studies or he can pursue further a concentration in humanities or in business oriented areas. In this fashion the core is augmented by at least 18 hours of required electives which may be selected from either technical or non-technical offerings. Taken as a whole the core curriculum and the elective program as offered and planned by the Academy can provide the Midshipman with a sound professional background for service aboard ship and elsewhere in the Marine Industry.

THE SEA YEAR PROGRAM UNDER THE REVISED CURRICULUM

Under the recently approved curriculum changes the principle of commonality of deck and engineering studies is being extended to include all students, for many years deck students at the Academy have been required to study certain basic engineering material, while engineering students have acquired fundamental knowledge of the deck department. The original intent of this was that deck officers and engineering officers would become more familiar, each with the others duties and responsibilities, at least insofar as basics were concerned, and also build greater rapport between the two branches of officers on the same ship.

In 1964 it was realized that with the increasing sophistication and automation of modern ships being built, or contemplated, the Academy would have to go much further in this direction, and that the probability was, that in the future the deck and engineering officer would merge into a single general purpose officer.

By the summer of 1965, in time for the new entering class, the Academy had devised a common curriculum covering both the deck and engineering fields, and a pilot plan which contemplated the voluntary enrollment and special selection of one full section of students.

In 1969 this section graduated 19 of the original midshipmen, 5 of same with honors. This was an exceptionally high percentage of honors, while the attrition was considerably below the general average for the Academy. Although it must be remembered that they were specially selected students. The purpose of the program, as originally contemplated, was to select one section for this dual curriculum each year from the incoming class and then when the first 1965 group graduated successfully in 1969 it was anticipated that each succeeding year the number of selectees from incoming classes would be increased. Accordingly, in 1969 *two* dual sections were appointed and are progressing satisfactorily. This year we are still further extending this plan, and, in addition, the first six months of the plebe program will be entirely common to all.

After successful conclusion of the first six months of sea duty midshipmen will return to Kings Point and confirm their career choice; deck, engine, or dual.

As previously mentioned it is expected that in due course and not too long at that all ship's officers will be general purpose officers. It is agreed that most probably the master will be the "general manager" and serving under him there will be two departments, one for operation with "general purpose" officers and one for maintenance.

In the interim those of our graduates who are dual licensees, who elect to follow one specialty, either deck or engine, will have increased their versatility and value to the ship and to the industry by having licenses, and education and training which cover both fields.

The Advisory Board at its meeting of March 2, 1970 passed a resolution endorsing the continuance of the Dual License Program with the understanding that it would be extended and expanded.

Commencing with the academic year 1970–1971, the Academy will initiate research into the design of merchant vessels especially developed from inception for operation by dual license officers. The services of faculty, Midshipmen, industry representatives and naval architects will be enlisted for this study. The commitment from all is to preserve and enhance a work-study program that has provided every graduate with the perceptive advantage which distinguishes the Kings Pointer from those emanating from all other maritime training programs.

DEPARTMENT OF SHIPBOARD TRAINING

One of the original features of our program is the year of practical training at sea on board varied vessels of the U.S. Merchant Marine. In the past, this training has been provided Midshipmen during their Second Year in the program. The objectives are the development of technical skills and knowledge required of an officer. This work-study program is one of the pioneer efforts in the field of nautical education, and has been a principal factor in achieving the goals of Kings Point.

Recognizing the need to formalize responsibility for the Sea Year program and to ensure its proper development, formal proposals to establish an organization to supervise and administer the Sea Year were made in July 1965. Further studies of the proposal were subsequently instigated, but it was not until February 1967, that an Office of Shipboard Training was created. This unit is presently confirmed as an integral part of the academic structure, and has been designated as the Department of Shipboard Training as of July 1, 1968. This Department is charged with the mission to make our work-study program, as conducted on board our merchant ships, an outstanding feature of the Kings Point training. It supervises all aspects of the training provided Midshipmen at sea and may, in context, be regarded as an academic department providing continuing education for students while not in residence.

DEPARTMENT OF COMPUTER SCIENCE

The NROTC Instructional Program (NAVPERS 93941) of May 1968, directs that Computer Science be a required course for all Midshipmen (USNR).

Pursuant to this requirement, the U.S. Merchant Marine Academy has introduced courses in Computer Science. These courses will be offered for the first time during the academic year 1970–1971.

The Department of Computer Science was authorized and has been established. The Department will provide for the teaching of basic theory and application of digital and analog computers.

NUCLEAR PROGRAMS

The Academy continues to offer programs in Nuclear Engineering. Conducted by the Nuclear Committee of the Department of Engineering with the assistance of the Department of Mathematics and Science, these programs are both for the Midshipmen on an elective basis and for the marine industry in general. Under the latter, we have prepared virtually all of the Marine Engineers who have become A.E.C. licensed Reactor Operators aboard the nuclear merchant ship. Members of the faculty of the two departments are well qualified to conduct these programs bringing together, as they do, experience in the construction, operation and refueling of the nuclear ship and also bringing experience and training from Oak Ridge and Brookhaven National Laboratories.

On an elective basis and following a prerequisite course in Differential Equations, the Midshipman's program consists of a course each in Atomic and Nuclear Physics followed by two courses in Nuclear Engineering. Following this is a course in Nuclear Ship Propulsion. The full program constitutes a concentration of electives in theoretical and practical nucleonics lasting for six academic quarters. Many graduates of this program, both Deck and Engineer, have served and are serving with distinction in nuclear ship programs both in the merchant marine and the United States Navy.

For the past ten years the Academy has served the industry with an intensive program for nuclear ship operators. This program offers the graduate licensed marine engineer and deck officer a practical program of preparation for licensure by the Atomic Energy Commission, as operators of the nuclear merchant vessels. Included in the instruction are courses in Atomic and Nuclear Physics; Reactor Engineering; Nuclear Ship Systems, Electronics; Nuclear Instrumentation and Control Rod Theory; Health Physics and Radiation Protection; Nuclear Water Chemistry and Legal and Regulatory Aspects of Reactor Operations. The Academy stands ready to offer this six months of intensive graduate study at any time it is called upon to do so by the Maritime Administration.

A well equipped Nuclear Ship Training Center has been established and is operating at Kings Point. In operation among other things at the center are Nuclear Engineering; Atomic Physics and Water Chemistry Laboratories; a complete simulation of the nuclear ship power plant control system; a water moderated sub-critical reactor assembly and a multi-channel analyzer.

ARTS AND WORLD AFFAIRS PROGRAM

The Arts and World Affairs program, instituted in 1963 in order to bring more cultural activities on an organized basis to the Academy, has progressed each year to become one of the outstanding activities at the Academy. It has been well received by both the Midshipmen and the community at large and has brought considerable recognition to the Academy.

The concerts and lectures, are geared primarily to the Midshipmen audience for their entertainment and education but are also open to the general public. Attendance on the part of the Midshipmen during the first season was compulsory but was later changed to voluntary attendance.

The program, under the general direction of the Registrar, has moved from a very modest start to one of a well balanced concert and lecture series involving a budget of over $15,000. The Midshipmen Personnel Officer and a Midshipmen Committee assist in the arrangement and implementation of the program. The Midshipmen Committee with representatives from each class meet regularly to discuss which artists and lecturers to engage. To assist Midshipmen in making selections they are given the opportunity to attend lectures and concerts in the city and at other colleges. Last year forty such events were attended by committee members.

At present, the program is supported financially by a moderate fee from the Midshipmen, by donations from the Kings Point Fund and the Welfare Fund, and from admissions paid by a limited number of townspeople.

Peter Nero and his Trio have performed to capacity audiences twice in 1967 and 1969. The Juilliard String Quartet gave an excellent concert. The Clancy Brothers, an Irish folk group, drew the largest crowd ever to hear an event in Bowditch Auditorium on November 22, 1968 when 1183 persons attended.

Other distinguished lecturers to appear were Sir Bernard Lovell, famous astronomer from the Jodrell Bank Observatory, the Honorable Charles W. Yost, United States Ambassador to the United Nations, William F. Buckley, Author and publisher and Captain Alan Villiers the famous autor-seafarer.

PLEBE CULTURAL ORIENTATION

The Plebe Cultural Orientation was instituted by the Academic Dean two years ago for the purpose of introducing new Plebes to places of cultural interest within the New York City area. The large majority of Midshipmen come from homes outside the Metropolitan Area and, in many cases, have never had the opportunity to visit New York City. The rigors of the Fourth Class year, including the curtailed liberty hours, often cause Plebes either to overlook or by-pass places of interest in the City. It is hoped that the organized program of visits will encourage the new Midshipmen to participate in the cultural life of New York, on their own, during and after Plebe Year.

The program consists of four trips. Every Midshipman visits the United Nations, the Hayden Planetarium, and either two art museums or one museum and the National Historical Site at Sagamore Hill, Theodore Roosevelt's home in Oyster Bay. The program has been generously supported by the Kings Point Maritime Association which provides the funds to cover transportation costs. Midshipmen reaction to the program has been favorable.

DRUG EDUCATION PROGRAM

Because of the reports of a startling increase in the use of narcotics, drugs, stimulants, etc. by the youth in the United States, the Academy instituted an educational program under the aegis of the Regimental Officer for the Regiment of Midshipmen on "Narcotics Use and Abuse."

The program was developed by the Academy's Chaplains and consisted of a series of Regimental assemblies, the distribution of pertinent literature, audio-visual displays and a visit by the Drugmobile of the Nassau County Police Department. Talks, followed by free discussion periods, were given and lead by former addicts, an outstanding cleric, a leading psychiatrist and a representative from the Nassau County Drug Abuse Commission.

Except for the Chaplains, no staff members were present. This was done so that the Midshipmen could freely and uninhibitively discuss the drug problem. The Midshipmen expressed great interest in the program.

MIDSHIPMEN PARTICIPATION IN THE AFFAIRS OF THE ACADEMY

Midshipmen participate actively and in a meaningful way in the affairs of the Academy. Student representatives attend meetings of the Curriculum Committee and the Sea Year Committee. In this way, the students exercise influence on the development of the educational program at the Academy. The faculty has formally voted for student representation at faculty meetings and Midshipmen now regularly attend such meetings.

There is also midshipmen representation on the Commissary Committee, Library Committee, Ships Service Committee and the Executive Committee of the Athletic Association.

In the conduct of Regimental Affairs, the Regimental Officer is guided by the voice of the Regimental Policy Board that is strongly represented by the midshipmen leaders such as the top Midshipmen officers, the President of the Midshipmen Council and the President of the First Class.

Most recently, the President of the Kings Point Alumni Association, with the approval of the Superintendent, appointed the Regimental Commander to one of the trusteeships of the Kings Point Fund. Each week on an alternating basis the Superintendent meets with either the Regimental Commander and Executive Officer or the Representatives of the Midshipmen Council.

The voices of the Midshipmen are heard in all areas and we are very pleased with their mature deliberations and the interest that they have expressed in the improvement of their Academy.

COMMANDANTS' CONFERENCES

In order to keep in stride with the changes that are taking place in the Federal Academies, State Maritime Academies, and the private military schools, the Academy has sponsored two Commandants' Conferences which will be continued on an annual basis.

The most recent one was last week, when for the first time, representatives from the U.S. Naval Academy, Military Academy, Air Force Academy and Coast Guard Academy met at Kings Point to confer with the Commandants from The Citadel, Virginia Military Institute, Norwich University and the New York State Maritime College. Common institutional problems were explored, the Regimental Systems were reviewed, and the various Cadet or Midshipmen regulations were compared. This conference was extremely rewarding and all participants have recommended that it be continued.

It was interesting to find that Kings Point was generally in step with all but one of the other institutions and that where changes are being made in the disciplinary systems, regulations, or the conduct of student life, such changes are in common with those being introduced at our sister institutions.

PHYSICAL EDUCATION AND ATHLETICS

Despite our antiquated facilities our Physical Education and Athletic Programs continue to prosper.

The Intercollegiate Athletic Program continues to be one of the best in the small college division of the N.C.A.A. Fifty-six percent of our Midshipmen participate in our varsity program. This is the best percentage involvement in the nation.

The Academy's football team (1969) won the Lambert Bowl, signifying small college football supremacy in the East. Our soccer team were the Metropolitan College Champions. All other teams had winning seasons.

We are pleased to report that many innovations in our physical education program were introduced in the last two years.

Our departmental testing program, which was revised last year with additional improvements this year, indicates that we must emphasize activities which will develop greater strength, agility, endurance and the ability to make immediate adequate adjustment to body direction and balance.

An extensive remedial program with individual attention given to those Midshipmen who do not attain our required standards was established.

The Academy continues to administer a swimming test to incoming students. All non-swimmers must attend special remedial swimming classes. The success of this program has been measured by the fact that all Midshipmen met the physical education and swimming requirement by the designated shipping date.

INTRAMURAL ATHLETICS

The major objective of this all-year continuous program is to involve as many of those students who are not in varsity athletics, to participate in at least one competitive physical activity each day. A Midshipman may choose any of the eighteen tournaments offered.

The Academy is proud of the fact that all Midshipmen participate in some form of physical exercise, which accounts for the good physical condition and neat trim of all our Midshipmen.

We are also proud of the fact that one of our staff members, Lieutenant Commander A. C. Zuaro, Assistant Head of the Department of Physical Education and Athletics, has just been named as the Outstanding Intramural Director for 1970 by the National Intramural Association.

ADMISSIONS—CLASS OF 1973

The Class of 1973, which reported to the Academy in July 1969, numbered 340 Midshipmen selected from a field of 1,912 candidates. Following is a summary of significant profile data related to the characteristics of the entering class.

VOLUME OF APPLICANTS

Nominated	1,912
Qualified scholastically	812
Offers of admission	554
Admitted	340

COLLEGE BOARD SCORES

The U.S. Merchant Marine Academy requires that all candidates take the Scholastic Aptitude Test and the Achievement Tests in English and either Level I or Level II Mathematics. The following table covering the Class of 1973 shows the percent within score ranges of those qualifying for entrance:

[In percent]

Range	SAT Verb	SAT Math	ACH Eng.	ACH Math
750-800	0.0	1.0	0.3	1.0
700-749	1.0	3.0	0.5	2.9
650-699	5.0	16.5	3.0	9.0
600-649	10.0	27.0	6.2	17.8
550-599	20.0	22.0	13.6	27.7
500-549	22.0	22.0	23.9	23.9
450-499	22.0	7.0	23.3	14.8
400-499	16.0	1.0	17.7	2.4
350-399	4.0	0.5	11.5	0.5
Mean scores	522	590	496	566

RANK IN HIGH SCHOOL CLASS

Tenths	*Percent*
1	18
2	28
3	12
4	16
5	11
5 (Below)	15

GEOGRAPHICAL DISTRIBUTION

Midshipmen are admitted from every state in the Union and the District of Columbia. The Class of 1973 included 2 Midshipmen from the Canal Zone, 1 from Colombia, 1 from Panama and 1 from Venezuela, to fill quotas authorized by law for the American Republics (other than the United States).

SONS OF ALUMNI

The Class of 1973 included 15 sons of U.S. Merchant Marine Academy graduates (4.4% of the Class).

MODIFICATION OF ADMISSIONS SELECTION CRITERIA

During the latter part of fiscal 1968, the Admissions Office developed a modified set of admissions selection criteria based upon the results of validity studies conducted during the two previous years with the assistance of the College Entrance Examination Board. The Maritime Administrator approved the modified criteria for use in the selection of the Class of 1973.

The major changes involved the use of *"weighted College Board Scores," "converted class rank,"* and a refined method of evaluating a candidate's *overall potential.*

The use of *weighted scores* allows for differences in the relative importance of verbal and mathematical skills vis-a-vis the Academy curriculum. Use of *converted class rank* permits consideration of class size when evaluating a candidate's high school class rank, and the refined method of evaluating a combination of high school profile data in arriving at an estimate of the candidate's academic and leadership potential.

In addition to the above changes, the Maritime Administrator approved a change in the minimum College Board Examination score requirement, permitting consideration of candidates scoring a total score as low as 1800 on the four required examinations, provided that other data indicated a potential to satisfactorily meet the academic standards of the Academy curriculum.

Another validity study will be conducted at the end of the year to measure the performance of the Class of 1973 against the predictors used in their selection. Based upon the results of that study, additional modifications of admission selection criteria may be recommended for adoption.

MINORITY GROUP RECRUITING

During Fiscal 1969, the Academy intensified its efforts to recruit candidates from minority groups, with special emphasis on the recruitment of black students. A total of 19 black students were nominated for the Class of 1973, and four of the students were ultimately admitted with the class.

Recruiting of black students for the Class of 1974 was commenced in 1970, with the major effort being undertaken by the Maritime Recruitment Specialist who was added to the staff of the Atlantic Coast District for the purpose. The recruiting program was divided into three phases.

Phase I Visits by the Recruitment Specialist to designated key cities and schools to acquaint students, counselors, teachers, and community leaders with the U.S. Merchant Marine Academy and its program.

Phase II Return visits to follow up on previous contracts and identify potential candidates; follow up with personal letters and Academy literature; subsequent assistance to qualified minority candidates in securing nominations.

Phase III Intensive follow up of nominees by the Maritime Recruitment Specialist and the Admissions Office, working jointly to assure proper and timely processing of candidates and to assure effective communication between the candidates and the Academy.

The recruiting efforts results in the receipt of 525 applications or indications of interest from black students. After initial screening and follow up, there were 95 black students nominated to compete for admission, a five-fold increase over last year.

Presently, the program is in the final stages of Phase III. It appears that there is a strong possibility of 20 to 30 qualified black students entering the Academy with the Class of 1974.

GRADUATE WORK STUDY

A work study of the entire Academy graduate body, completed in December 1969, again indicated rather conclusively that Kings Pointers are following the careers for which they were trained.

It was found that 94.9% of the men graduating from the Academy over the past five years (1964 through 1968) are actively employed in the maritime field; 89.4% at sea and 5.5% in maritime positions ashore.

Of the men graduating during the twenty year period from 1949 through 1968, a total of 3,399 (80.9%) responded to the survey. Their questionnaires revealed that 61.2% were employed in the maritime industry; 38.3% at sea and 22.9% in maritime positions ashore.

The same survey showed that over 10% of the Academy's deck graduates have obtained their licenses as Master Mariners. A total of 780 Kings Pointers out of 6742 deck graduates having attained this goal.

For more recent classes, the percentage is even higher. For example, over 20% of the deck graduates in the Class of 1957 have their Master's License. In the same class, which totaled 231 graduates, thirty-one men have obtained Master's Degrees; seven have Law Degrees; and one has his PhD. A number of others, in the 1957 Class, are currently attending Graduate School.

ALUMNI SEARCH PROJECT

A continual effort is made to keep current addresses on all 13,000 Kings Point graduates. Despite our efforts, we have been missing the addresses of almost three thousand men (mostly of early wartime graduates) since an Alumni Office was established at the Academy. Each year we find a few long lost men, but these gains are always cancelled out by other graduates who move and fail to notify the Academy of their new addresses.

With a grant from the Kings Point Fund, a national tracer firm has been retained to locate all missing alumni. As this firm has a normal 80% success record, it is hoped that by the end of 1970, we will be in contact with practically all living graduates of the Academy.

TRAINING VESSEL

Recently, it was discovered that the Academy auxiliary training vessel, KINGS POINTER, constructed of wood, was deteriorating badly and required extensive hull reconstruction if it was to continue to fulfill its role as an afloat seamanship and navigation laboratory. Through the splendid cooperation of the Coast Guard, we were able to acquire a larger and more suitable steel hulled vessel which was being decommissioned. We are in the process of transferring equipment and converting the vessel to our needs.

This is the white-hulled vessel that may be seen on the waterfront and it is the former USCG AGA SSIZ.

CONCLUSION

I hope that I have carried out my Stewardship well. I am retiring on June 15 of this year, after 40 years of continuous service with the United States Government. My letter to the Maritime Administrator follows:

"FEBRUARY 10, 1970.

"The Maritime Administrator,
"The Honorable ANDREW E. GIBSON,
"Maritime Administration, U.S. Department of Commerce, Washington, D.C.

"DEAR ANDY: I have the honor, and pleasure, to tell you that having today achieved the ripe young age of 67, after 50 years of continuous service in the United States Merchant Marine, 39 years of this in the service of the United States Government, and 22 of these as Superintendent of the United States Merchant Marine Academy, I will retire on June 15, 1970.

"I have had an exciting, fulfilled, and happy voyage, and my ship the S.S. *Kings Point* is in very good shape. As I ring "Finished With Engines" and step ashore, I am a proud and happy man.

"I intend to keep a continuous association with Merchant Marine innovations and affairs and will live in Washington so our paths will continue to run parallel.

"With my high regard,

"I have the honor to be the Obedient Servant of the U.S. Government.

"GORDON MCLINTOCK,
"Rear Admiral, USMS,
"Superintendent."

I meant every word of it. It has been a privilege to serve. I have done my best. I meant also that I "remain," and will always "remain," "the obedient servant" of the United States Government. Thank you gentlemen for your many courtesies and inestimable assistance in keeping the Academy afloat, and on a "full-ahead bell" throughout its many vicissitudes in the past.

Respectfully submitted,
GORDON MCLINTOCK,
Rear Admiral, USMS,
Superintendent.

UNITED STATES MERCHANT MARINE ACADEMY

Rear Admiral Gordon McLintock, USMS, Superintendent.

Captain V. E. Tyson Jr., USMS, Assistant Superintendent.

Captain Janus Poppe, USMS, Dean.

Captain Edward W. Knutsen, USMS, Regimental Officer.

Commander Paul L. Krinsky, USMS, Assistant Dean.

Commander M. J. Koppelson, USMS, Admininistrative Officer.

Commander Charles M. Renick, USMS, Alumni Officer.

Commander Harry P. Hart, USMS, Public Information Officer.

Lt. Commander Kenneth A. Geary, USMS, Registrar.

Lt. Commander Thomas W. Harrelson, USMS, Special Asst. to Supt.

Captain Michael M. Chicurel, USMS, Academy Training Representative, New York.

Captain R. H. O'Connell, USMS, Academy Training Representative, San Francisco.

Captain Donald J. Thompson, USMS, Academy Training Representative, New Orleans.

Commander Ronald J. Walsh, CHC, USN, Catholic Chaplain.

Commander Donald F. Kingsley, Jr., CHC, USN, Protestant Chaplain.

BLOOMFIELD, CONN.

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. COTTER. Mr. Speaker, I have been informed that a town in my district—Bloomfield—has been named an "All America City" in a nationwide contest conducted by Look magazine and the National Municipal League.

This is a great honor for the citizens of Bloomfield and one they justly deserve. I wish to take this opportunity to salute them for this achievement.

This contest over which 100 communities were entered, only 11 were chosen. Among these distinguised towns was the city of Bloomfield.

Bloomfield was chosen because it acted in a positive manner to eliminate any vestiges of racial discrimination in its school system. Bloomfield accomplished this task by a voluntary busing program set up by a citizen group to eliminate de facto segregation. Second, a bond issue initiated by the citizens of Bloomfield was passed to build a new middle school to eliminate racially unbalanced elementary schools.

Bloomfield has always had a reputation for being a forward looking and innovative community with a progressive town government. With its informed and involved citizenry, I feel that Bloomfield is an outstanding example to the rest of the Nation and justifiably deserves its title of "All America City."

CLEAN WATER ACT NEEDS CHANGES

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. DINGELL. Mr. Speaker, the Honorable Roman S. Gribbs, mayor of the city of Detroit, presented an incisive statement on the need for changes in the Clean Water Restoration Act of 1966 to the Senate Subcommittee on Air and Water Pollution on February 8, 1971. The mayor described the effects of the current municipal financial crisis and Federal grant-in-aid programs, the city of Detroit's significant record in cleaning up water pollution and his estimate of what is needed to carry on an effective national water cleanup campaign.

So that my colleagues will have an opportunity to be aware of Mayor Gribbs' comments, I include the text of his statement at this point in the CONGRESSIONAL RECORD:

STATEMENT OF ROMAN S. GRIBBS, MAYOR OF DETROIT, MICH.

Mr. Chairman and Members of the Committee:

I am Roman S. Gribbs, Mayor of Detroit, Michigan. I appear here today for my City and on behalf of the National League of Cities and the U.S. Conference of Mayors.

These organizations represent over 14,800 cities in all 50 states. For them, and for our cities, Mayor Massell (of Atlanta, Georgia) and I appear this morning to urge a major expansion of the Federal effort to help cities and states fight the menace of water pollution.

The grant-in-aid program under the Federal Water Pollution Control Act has been of significant importance to Detroit, the National League of Cities and the U.S. Conference of Mayors because of the valuable assistance which it can provide in controlling water pollution.

This program, like few others, reaches all cities because virtually all cities have sewer problems and must develop methods for responsible purifying and disposing of sewage waste.

Since enactment of the Clean Water Restoration Act in 1966, many cities, including my own, have received Federal assistance in constructing waste treatment works. This has been of some aid toward progress.

As we look to the future, however, we must recognize that the current structure of the Act has created many problems. Cities have had serious difficulties in implementing programs with Federal assistance. Significant revisions must be made to build an effective partnership between the Federal government, the states and the cities if our goal is to develop and finance a water pollution control effort which will make noticeable progress in cleaning up the nation's waterways.

Specifically, we identify three serious obstacles in the present program:

1. Federal money is grossly inadequate to meet the water clean-up needs of local governments which are facing the worst financial crisis of their history.

2. Available money has come in uncertain fits and starts making long-term planning impossible.

3. There has been little relation between the allocation of Federal funds and the magnitude of a city's water problem. This is especially true for large cities such as Detroit which after decades of misuse have the greatest need for clean water projects. The Federal government still operates on the "something for everybody" plan. Unfortunately, the pie being divided is too small to have an effect everywhere.

The inadequacies in the present statute have created a particularly critical situation for Detroit. We want to move forward as fast as humanly possible. We want to clean up our pollution problems. But, at the same time Detroit, like many other cities, faces a severe financial crisis. We must ration our scarce funds carefully among the many municipal services we are required to maintain.

Detroit faces the coming fiscal year with a cash deficit of $15 million and a revenue gap of over $51 million in the next fiscal year! I do not exaggerate when I say that we do not know where we are going to find the money to continue our efforts toward eradicating pollution, unemployment and crime—Detroit's latest version of the big three. Merely reiterating our inability to pay does not convey the proper sense of urgency of the desperation that exists. The big cities are fighting to survive.

Yet, two months ago, the Environmental Protection Agency put my city on 180-day notice demanding we move faster in cleaning up water pollution or face the possibility of court action. Frankly, I was shocked and incensed.

The piousness of the Federal government's action is astonishingly hypocritical when one considers the record. From April of 1966 to December of 1970 the Federal government pledged $9,562,935 to the Detroit Metropolitan Water Department for five (5) major water pollution control construction projects. In addition, $1,299,800 was appropriated for two research projects bringing the total Federal pledge to $10,862,735.

Many would have agreed that this was a conservative beginning if it were not for the shocking fact that the Federal government has come up with exactly $2,160,213.62 of their over $10 million pledge—only 20% of its dollar commitment—and then, the dollars have dribbled in over a period of four years.

The citizens of Detroit were shocked as well you might be. They had contributed a substantial share of their limited tax dollars to cleaning up the waterways. They did not appreciate the attack on their efforts, particularly in light of the Federal government's own dismal performance.

In order to keep on schedule, the citizens of Detroit have had to prefinance, under their own initiative, $40 million in project costs. This money rightfully should have been provided by the Federal government.

Mr. Chairman, we do not have the revenue base to continuously carry on this type of financing. We, therefore, need help in prodding the Federal Government into action.

Local participation is extremely difficult when such a high local share is required. And, Detroit is in the unusual position of having to ask the Federal government not only to increase their share but also to pay us what it already owes Detroit.

We floated bonds to provide this Federal share. And it is we who must pay the interest on the Federal share. This increases the penalty Detroiters must pay for the lack of Federal commitment and Federal dollars.

In effect, the City of Detroit, and many other American cities, have been doing the Federal job. And the Federal schedule of financial aid to fight pollution has fallen further and further behind.

This was the financial situation that the City of Detroit faced when it was given this notice to speed up its sewage treatment campaign.

As I indicated earlier, our figures show that we will need an additional $51 million in the coming fiscal year just to continue the inadequate City services we provide. Last year to avoid chaos, we had to:

Lay off 539 City employees

Not fill some 2,000 positions which have become vacant

Sell off valuable City assets that we would prefer to have kept

Postpone absolutely essential programs to reduce crime, diminish narcotic use and improve services in our municipal hospital.

In spite of this disastrous situation, the City of Detroit and other American cities have been paying the Federal share to clean up our waters.

At the time we were handed the Ruckelshaus' 180-day abatement order, a State arbitration board told us that we would have to give both our firemen and policemen an 11% pay raise instead of the 6% pay raise agreed to by all other city employees.

Our Budget Bureau has computed that the City's revenue loss from the recent General Motors strike would be something in the order of $4 million.

Thus, in Detroit we have reached a point where we can no longer legally raise any taxes—and I want to emphasize that point. It is not just politically difficult for me to raise taxes, it is legally impossible to do so. Many other American cities are in the same situation.

If cities like Detroit, Cleveland, Atlanta and most other major American cities are to take costly steps necessary to make real progress in cleaning up our waterways, we are going to need outside help. We do not have the resources to do it on our own. Some states are providing valuable but limited assistance in controlling pollution. Michigan is. Most are not. Therefore, if assistance is to be available to financially hard-pressed cities on a national basis for a national clean water program, it must be provided from the Federal level. Nothing short of a massive increase in Federal aid for local clean water programs will do the job.

Detroit will need $273,840,000 for treatment plants and interceptor work between now and 1974. At a bare minimum the Federal government will have to carry 55% of the cost. But, more importantly, we are like any other outraged creditor in these dismal economic times. We demand the money that the Federal government already owes us.

Detroit is entitled to the reimbursement provided for in Section 8c of Public Act 660 because we proceeded with construction work in advance of actual grant offers for the full legal amount. We are also entitled to receive additional grants as provided by the law. This equals a Federal reimbursement of $39,859,036 to Detroit. We want it and we need it.

We in Detroit respectfully ask the Nixon Administration to stop pointing the accusing finger at us, at Cleveland and at Atlanta. Instead, we ask that the President and Congress review their priorities and help us in this most important problem.

Senator Muskie, I am proud to submit to you on behalf of the *National League of Cities* and the *U.S. Conference of Mayors* the final version of our study of sewage treatment facility needs which you requested our witnesses to prepare. A preliminary copy was submitted to you last summer.

Since then, we have received data from nearly 150 additional cities to raise the total cities covered by our survey to 1,150—certainly one of the most comprehensive local needs survey ever undertaken.

On the basis of this survey, we support our estimate that if the people of this nation really want to clean up our waterways, then between $33 and $37 billion in public expenditures are going to be necessary over the next few years. These are not estimates based on some preliminary sampling and blown up out of scale to make an impression at a Congressional hearing. These are the hard facts. These are what the American cities themselves estimate their real needs to be.

This is the cost if we really mean business when we say: "Let's clean up the nation's waterways."

We can do it if we really want to.

The cities do—the question is: Does the President and the Congress?

THE BIRTHDAY OF TOMAS G. MASARYK

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. DERWINSKI. Mr. Speaker, Sunday will be the 171st anniversary of the birth of Czechoslovakia's greatest statesman, Tomas Garrigue Masaryk, who was born on an imperial estate in Moravia on March 7, 1850. His father was a coachman to Franz Josef, who had occupied the Austrian throne for slightly more than a year. Little did the emperor dream that his coachman's son would assume the leadership of an important part of the empire that would disintegrate 2 years after Franz Josef's death.

Masaryk, who had been educated at universities in Vienna and Leipzig, became a professor of philosophy and sociology in a university in Prague in 1882. He was a prolific writer on philosophical, sociological, and political subjects.

He was a member of the Austrian parliament from 1891 to 1893, when he resigned his seat, but was elected again in 1907, this time as the candidate of the small Realist Party. When World War I broke out, Masaryk was still in the Reichsrat, but he escaped from Austria in December 1914.

For 4 years he and his pupil, Eduard Benes, along with other Czechs and Slovaks, conducted an unrelenting campaign for liberation from the Habsburg yoke, their work being carried on from Switzerland, England, France, Italy, Russia, and the United States. Their efforts on behalf of Czecho-Slovak independence coincided with the war aims of the Allied Powers and the United States, who were fighting against Austria-Hungary, as well as the German Empire. The campaign of Masaryk and Benes was not limited to mere agitation and propaganda; they inspired thousands of Czechs and Slovaks to fight on the side of the Allies and secured considerable financial support for the cause of independence from Americans of Czech and Slovak origin.

Masaryk's visits to the United States in 1917 and 1918 bore fruit on May 29 of the latter year when the Lansing declaration of sympathy with the cause of Czecho-Slovak and Yugoslav independence was issued, Robert Lansing being Secretary of State in Woodrow Wilson's Cabinet. The Allies associated themselves with the declaration 5 days later.

The Czechoslovak National Council, of which Masaryk was president and Benes secretary, was recognized by the United States and the Allies as the de facto government of the future republic, which became a reality shortly after the collapse of the Austrian Empire. Austria's participation in World War I ended on October 28, 1918, and the independence of Czecho-Slovakia was proclaimed the same day.

Masaryk, of whom it can be truly said that he founded the new nation, became its first president as the result of a unanimous election by the new National Assembly on November 14, 1918, only 3 days after the Armistice had stilled the guns on the Western Front. He was reelected in May 1920, May 1927, and May 1934, to 7-year terms. Advanced age and ill health led to his resignation in 1935, when he was succeeded by Benes.

Adolf Hitler's National Socialists had assumed power in neighboring Germany in 1933 and Masaryk felt the repercussions of this diabolic force, but his death on September 14, 1937, spared him from the far worse evils that resulted from the Munich agreement and its aftermath. Naziism ran its evil course and came to an end in 12 years, but the Nazis' ideological brethren, the Communists, have ruled Czecho-Slovakia with an iron hand since 1948.

Mr. Speaker, I am convinced that the spirit of Tomas Masaryk lives on among the Czechs and Slovaks, who will some day reassume their rightful place among the free and independent nations of the world. May God speed the day.

NEW HAVEN MAYOR AND BOARD OF ALDERMEN SUPPORT CONCEPT OF FEDERAL REVENUE SHARING

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. GIAIMO. Mr. Speaker, as we prepare to consider the various Federal revenue-sharing proposals now pending in Congress, it is particularly important that we study carefully the testimony of those who must live with the financial problems of the States and cities—namely mayors, Governors, and other State and local officials. These are the experts, and without their expertise it will be impossible for us to fully understand the dimensions of the serious financial plight in which our States and cities now find themselves.

For this reason, I wish to insert at this point in the RECORD a resolution concerning Federal revenue sharing which was passed on February 11, 1971, by the Board of Aldermen of the City of New Haven, Conn., along with a statement by New Haven Mayor Bartholomew F. Guida in support of the resolution:

RESOLUTION OF BOARD OF ALDERMAN OF THE CITY OF NEW HAVEN

Whereas, the City of New Haven, Connecticut has consistently sought to meet the needs of its citizens, maintain a responsible and responsive city government and, to a greater degree than many other municipalities, contribute its share to the implementation of national and state priorities; and

Whereas, the funding to fully meet these needs can no longer be expected to result from ever increasing levies upon the property of taxpayers within this city;

Now, therefore, be it resolved that this Board in session convened on February 11, 1971, does hereby express its most fervent desire that an equitable and sufficient arrangement for the sharing of federal tax revenues with cities and states of this nation be enacted by the U.S. Congress at its present session and, further, this Board does hereby publicly call upon the U.S. Senators and Congressmen of this State, and upon the Governor and the Connecticut General Assembly, to lend their immediate and wholehearted support to this effort.

SUPPORT OF FEDERAL REVENUE SHARING

(Statement of Mayor Bartholomew F. Guida, New Haven, Conn.)

Our city has a long and honorable 333-year history. It was one of the first urban settlements in these United States, and its government was formed then—as it exists today—to serve the people who live within its boundaries or those who come to do business, to work, to study, to visit. It provided protection against fire and crimes, took care of those in need or who were ill, fostered industry and business, assured its people of water and sewage disposal and streets. To secure the wherewithal to make these things possible, it taxed its citizens on the basis of the property they owned—a reasonable measure in the earlier days of our city of a definite degree of affluence.

Today all of these historical functions and responsibilities of this city continue and have increased while a whole host of new responsibilities have accrued. The urban centers of our nation have become the primary gathering ground for large numbers of our more disadvantaged citizens—disadvantaged by reason of limited training and inappropriate skills, race or age. These are people who are seeking to better their lot and to provide greater opportunities for their children, and who all too often find only the ghetto available as a home. These citizens have needs which call upon the resources of government to a greater extent than many other who now live in suburban and exurban areas—areas which have grown up in the last 25 years through a variety of federally subsidized attractions. Many of these more dependent citizens have come to our cities from areas of the country where lack of adequate education and economic opportunity has fostered their migration and ultimately their dependence on government. As a result, urban centers have acquired the responsibility to confront problems of national magnitude.

Physically, our older cities are plagued with a deteriorating housing stock and increasingly obsolete operating plant. Replacement of these facilities in an economy where the inflationary spiral automatically means higher costs is an inordinate drain on its residents at the same time as the demand on these facilities is higher than ever. American cities have not stood still in the face of these challenges. New Haven is perhaps the outstanding example in the United States of an urban center which has inexhaustible sought after every possible means, including Federally and State funded programs, to alleviate demeaning conditions, improve urban life for its citizens, and provide a sound and continually expanding economic base. This city has sought and received substantial renewal aid and has originated programs to service the needs of people well in advance of similar national efforts. But the problems are growing faster than the solutions. Poverty remains with us, and its tragic costs become ever more evident, the incidence of crime rises and our streets become unsafe, our minority population, deprived of full choice in jobs or housing, has grown 500% since 1940, and even while our population declines, our school enrollment grows, slowly but continually.

It is important to underscore the fact that the nation can no longer consider such human problems as localized. The riot in Indiana or North Carolina is on the doorstep of the citizen of Los Angeles or New Haven. The cry of the hungry child in Appalachia or Connecticut rings through the very halls of this Congress. We are a national community and must recognize ourselves as such.

National problems can be addressed only through the use of national resources and require a national tax base. This principle has been long recognized and is the very foundation of our federal tax structure. It is only in recent years, however, that we have all realized that not all national problems can be met by federally administered programs—that many problems of national attention and proper national concern can only be dealt with on a much more localized level.

There is little question, for instance, that the quality of police and other emergency services is a major national concern and must be addressed by a national program, but certainly not by the creation of a national police force or a federal fire department. There have been many attempts in this area alone to provide federal solutions through special funding programs for training, for special equipment, or other exotic means. But these approaches miss the roots of the problem, which is the basic support of such programs—their daily bread—the ability to provide reliable, day-after-day, high quality dependable service. The same is true in our school systems, our parks and recreation programs, sanitation, transit, health—all the areas where a City directly meets the needs of its citizens.

We are all familiar with the vastly changing and challenging conditions in modern urban society and the terrible cost in money and time required to meet the new needs and correct historical deficiencies. However, all of today's compounded problems rest on the same tax resource base as it did centuries ago. To meet the total scope of need in modern America terms without new resources means confiscatory rates upon a very limited number of taxpayers . . . taxpayers who today cannot be presumed affluent simply because they own property.

Large blocks of property within the central city have been, by tradition and state mandate, exempted from property taxes. In the case of New Haven, almost one-third of our land area is so exempt. The eventual bankruptcy of this city and other cities is not far off, and it is incumbent upon rational men to take those steps now which can prevent such a catastrophe.

In view of clear national interests, readily apparent needs, and the current orientation of the federal administration, it is difficult to understand how there can be serious objection to the concept of distributing some Federal tax revenues to cities and states.

It is well recognized that there are proper Federal priorities and State priorities which must be observed and that these should become realities through Federal and State grants for these specific purposes. It is imperative to the well-being of our cities that the continuing efforts in urban renewal, open space, and many aspects of human resources development be not diminished, but increased. For such programs to be accomplished, according to well accepted national standards, it is necessary that Federal and State supervision and procedures to meet these standards be continued. However, as more flexible monies are made available to our cities, it also becomes possible to look to a principle of national standards of performance in local functions and services—possible to put a floor under the quality of urban life in our national community.

SOCIAL SECURITY BENEFIT INCREASE NEEDED NOW

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 27, 1971

Mr. SCHWENGEL. Mr. Speaker, I am inserting in the RECORD today an article from the Senior Citizen, a publication of the American Federation of Senior Citizens. The article makes reference to an editorial in the Chicago Daily News of January 6. The editorial, among other things, points to the tragic irony of the thousands of social security beneficiaries who will die while we are debating the proposed increase. To be more specific, the Social Security Administration estimates that 1,265,744 social security beneficiaries will die each year. That means approximately 3,468 beneficiaries will die each day we delay action on the increase. These people will be denied the use of benefits which are rightfully theirs, assuming the increase will be retroactive to January 1, 1971.

The article follows:

SOCIAL SECURITY INCREASE DELAYED, ELDERLY WANT TO KNOW WHY?

(By William Castleman, president, Illinois Federation of Senior Citizens)

Why have the Senators who are sympathetic to the plight of our aged been unable to end Filibustering, endless debate, which had taken up a great deal of their valuable time? Because the Rules of the Senate requires a two-thirds vote to end debate. The Filibustering ended when it was too late for the Conference Committees of the Senate and the House to meet and iron out their differences on the proposed bills before adjournment of the 91st Congress.

President Nixon, before adjournment, notified the public through the press that if the Congress did not pass the Social Security bill of 1970, that when they did pass it in the next session, it would be retroactive to January 1971.

The Chicago Daily News of January 6, in its editorial stated: "Though there is general agreement that the pension hike will be retroactive to January 1, such a delay would inflict hardship on most pensioners, and thousands who died in the meantime would gain nothing. But the Senate opposition to the Administration welfare reforms runs strong among the conservative Republicans and Democrats." The Daily News editorial failed to mention that had there not been the Senate rule which required a two-thirds vote to stop Filibustering, the Senate would have been able to pass the 1970 Social Security bill and give the House time to iron out the differences between the two Houses of Congress.

The leaders and the members of senior citizens organizations will seek to change the rules covering Filibustering, which will enable the Congress to end debate by a majority vote. It was the unlimited debate in the Reichstag of the German Republic that paved the way for Hitler and dictatorship.

In these critical times, when our low income elderly face increases in rents, food, taxes, which keep going higher, the 91st Congress had failed them, procrastinating at a time when our nation is facing a most critical period, domestically and internationally.

Where have the senior citizens failed? Did they fail to keep the Members of Congress informed in the year 1970 of their plight that inflation had created? The Members of Congress are not mind-readers. We hear many elderly complain to their friends how bad things are for them. They fail to understand, that the men in public office are their servants. The Members of Congress do want to hear from their constituents who help to keep them in Congress. To protest to them, the 29 million social security beneficiaries can make clear their predicament. It is in their numerical strength that they become a power—senior citizens power. United together there would be no real problem to obtain a cost-of-living social security increase.

What will it take to have our senior citizens working together to obtain a more secure life in their retirement years? This kind of life is enjoyed in the Norwegian nations. Why cannot the aged enjoy the same in the richest nation in the world? How happy the leaders of the senior citizens organizations would be to find that the aged have now realized that they must unite to live a more secure and happier life.

WE CARE ABOUT OUR PRISONERS OF WAR

HON. JOHN Y. McCOLLISTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. McCOLLISTER. Mr. Speaker, not long ago I cosponsored two resolutions dealing with prisoners of war. One resolution designates the week of March 21–27 as "National Week of Concern for Prisoners of War/Missing in Action," and the other calls upon Hanoi to abide by the Geneva Convention with regard to humane treatment of prisoners of war.

I hope these are the only resolutions I or any other Member of Congress feel are necessary. I hope that by this time next year—at the very latest—our prisoners of war will be released, or at the very least accorded the treatment they are entitled to—as human beings.

Legislation has been passed countless times by both Houses of Congress but Hanoi is not impressed. Our laws and resolutions are not binding on Hanoi—nor any other power on earth that is aiding Hanoi. But they do, however, serve a valuable point by putting the Congress and the American people on record.

In spite of the many times American sentiment has been ignored by Hanoi, we are not going to give up or shut up. Public opinion has been aroused and will stay that way until our men held captive by North Vietnam are treated in accordance with the Geneva Convention.

I would like to share with my colleagues the text of a resolution I have just received from the First Presbyterian Church of Omaha, Nebr. I share their sentiments entirely.

The resolution follows:

RESOLUTION OF THE FIRST PRESBYTERIAN CHURCH

Be it resolved by the session of the First Presbyterian Church of Omaha, Nebraska: The Session of the First Presbyterian Church wishes to express to the Government of the United States of America, the Government of North Vietnam, all representatives to the United Nations, and the Secretary General of the United Nations its concern about the inhumane treatment of our country's servicemen who are held captive by the Government of North Vietnam.

The Session of the First Presbyterian Church petitions the Government of North Vietnam to adhere to the clearly stipulated terms of the Geneva Conventions relative to:

1. The identification of prisoners held captive
2. The release of prisoners who are seriously wounded or ill
3. The allowance of a proper flow of mail
4. The protection of prisoners from public abuse
5. The use of prisoners for propaganda purposes
6. The release of false information about prisoners which has been harmful to their mental health and well being along with that of their families.

DISABLED AMERICAN VETERANS DAY IN CONGRESS: A TRIBUTE TO QUIET COURAGE

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. MORSE. Mr. Speaker, it is for me a moment of tremendous import and honor to mark, today, the 50th anniversary of a truly great organization devoted in service to the disabled veterans of this country and their families—the Disabled American Veterans.

Originally organized to work for the physical, mental, social, and economic rehabilitation of the disabled veterans of World War I, the DAV, through five decades of consistent and tireless work on behalf of these men and women, has grown to its present position as one of the Nation's major veterans organizations, the official spokesman for our Nation's disabled veterans, with more than 300,000 active members.

The objectives which motivated the DAV then—obtaining fair and just compensation, adequate and sympathetic medical care and suitable gainful employment for those war veterans who have been disabled in the service of their country—are just as relevant, if not more so, today.

The progress that has been made toward the realization of these goals is due in great part to the leadership of men such as my good friend, Judge David B. Williams, former national commander of the DAV, the dedication of every single member, and broad public support. It has been due to the effectiveness of DAV programs, such as the national service officers, present in every Veterans' Administration regional office, to provide proper counselling and advice to disabled veterans; the idento-tag program which not only helps to provide employment for disabled veterans but defrays the cost of the national service program and other projects; a scholarship program for children of DAV members and participation in other civic and public service activities.

As a Deputy Administrator of Veterans' Affairs, I know firsthand the joys and the difficulties involved in securing the welfare of those disabled fighting men of our Nation, and I am happy to be able to attest to the devotion, constructive energy, and far-reaching accomplishments of the DAV.

It is indeed an honor to be able to continue the task in behalf of these men here in the House of Representatives, and to be able to continue to benefit from the DAV's advice and counsel in considering legislation which affects the well-being of those who have been disabled in defense of our country.

CONGRESSMAN HERMAN BADILLO URGES IMPLEMENTATION OF VOLUNTARY MILITARY SERVICE

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. STEIGER of Wisconsin. Mr. Speaker, many of our colleagues and I are firmly convinced that an all-volunteer military force is highly feasible and that it must be implemented at the earliest practicable time. It is most obvious that if we improve the economic and educational benefits to those in the Armed Forces and create new programs to attract more men and women into military careers, a voluntary system is viable. Accordingly, last month over 80 of us introduced the Voluntary Military Manpower Procurement Act of 1971—H.R. 4450—to end the draft and establish a volunteer military service.

One of the leading congressional proponents for ending conscription and implementing a volunteer military service is Congressman HERMAN BADILLO, of New York. Earlier this week Congressman BADILLO submitted a well-reasoned, perceptive, and thought-provoking statement to the House Armed Services Committee in support of H.R. 4450. Particularly noteworthy are Mr. BADILLO's remarks pertaining to the role of blacks and Puerto Ricans in a volunteer army. He effectively counters the myths and fears of those who would oppose its establishment on this basis.

Mr. Speaker, Congressman BADILLO's statement is one of the finest arguments for a volunteer military service that I have seen in a long time and I believe it should be shared with our colleagues. Accordingly, I am pleased to insert it herewith for inclusion in the RECORD:

TOWARD A VOLUNTEER ARMY

(Statement of Hon. HERMAN BADILLO, of New York, before Committee on Armed Services, Mar. 2, 1971)

Mr. Chairman, I am gratified that the Armed Services Committee is conducting these hearings on the draft and the volunteer army proposal. I appreciate having the opportunity to submit this statement in support of legislation which a number of our colleagues and I cosponsored earlier this month, aimed at ending the draft and establishing a volunteer military service.

In the early years of the Republic the concept of involuntary conscription was wisely rejected by our founding fathers as being inconsistent with our basic ideals and the constitutional form of government. Our early leaders chose to depend, instead, on volunteers to meet the country's military manpower requirements. Thus, a fine tradition was created and forced military service to raise armies became foreign to the American character and spirit of volunteerism. Unfortunately, however, this precedent has been destroyed and, during the 20th century, there has been a generally increasing dependence on conscription. The old concept of a man fulfilling his "military obligation" has become totally corrupted and involuntary military service has become nothing more than servitude.

The draft is a symbol of the gap between the generations, is a major source of friction in our society and is a primary cause of a great deal of unrest among our young people. It is a basically unfair and inequitable system which imposes an undue burden of service on some while others are left totally free of any obligation. Much of the burden of this repressive and unjust structure has all too often been sustained by minority groups, the economically disadvantaged and the poorly educated. Injustices have been compounded, inequities are uncorrected, uniform standards and the application of them are virtually non-existent and young men still face uncertainty. The present draft system is designed only to provide large numbers of men with absolutely no thought given to quality. Many of us are convinced that the draft system is quickly becoming unworkable. While the Congress has failed to properly cope with the situation and exercise its prerogatives in reforming this archaic and unfair system, this time is now past and we are now at the point where a volunteer military force can be established.

The Gates Commission not only reported that a volunteer armed force is feasible but that it is also more desirable from many points of view. Such a proposal will result in a more efficient, better motivated, more economical structure. A volunteer army can be established without impairing our country's ability to meet existing and anticipated troop level requirements and, as the distinguished presidential advisory body properly noted, it will neither result in a more militarized society nor will it vary significantly in ethnic, racial or economic composition from the present system.

In terms of simple numbers, Mr. Chairman, a volunteer army is feasible—now! Annually the number of potential volunteers increases steadily and this figure has almost doubled in the last 15 years.

One of the basic premises of the legislation we introduced on February 17 and a major recommendation of the Gates Commission is that a decent, living wage should be established for the men and women serving in the Armed Forces. I am appalled at the conditions in which many of our servicemen and their families presently live and the large number of servicemen receiving public assistance. The poverty-level conditions in which all too many enlisted men are living are intolerable and, in my opinion, are quickly leading to a total breakdown of our military services through poor morale. Such situations must not be permitted to continue. If a man is asked to risk his life or the use of a limb he should at least be paid the minimum wage, if not more. A basic recruit in the U.S. Army earns less than a Job Corps graduate or an unskilled blue collar worker. Thus, volunteer military service is viable and can be sustained if our military men and women are given an increased and livable wage, plus increased educational opportunities, better housing and other benefits. The present military pay structure is unacceptable and recognized experts will agree that the present pay levels are so poor that they keep people who would otherwise volunteer from enlisting in the Armed Forces.

Some object to a volunteer army because of the budgetary increases caused by the rise in costs of the pay and benefits needed to attract volunteers. Nevertheless, this increase would be offset by the decreased need and costs of training facilities and the elimination of the huge costs and inefficiencies of higher turnover offered by career service. The Army's present annual turnover rate is 17 per cent. Naturally, the men who leave must be replaced with other men whose training for the various positions they fill often lasts well beyond one year. By effectively utilizing personnel who enjoy their jobs and are well suited to them, the efficiency of the Armed Forces will be greatly increased and the number of men needed for each position would be significantly reduced. This high turnover rate also causes many of the services' most experienced personnel to be tied down in training new recruits.

Morale is another vital element, Mr. Chairman. Aside from the poor economic and living conditions I have already discussed, there is a basic negative psychological influence over the military as a whole because of the compulsion attendant to the draft. The draft is a tremendous infringement upon the lives of all those who fall under its power and there is often a natural resistance to its methods and policies. I believe that a volunteer system would not only return our country to its basic traditions and ideals but it would improve military morale and the popular attitude toward the military career enormously. In this age of confrontation, the elimination of compulsory service would free the military from disciplinary problems which have occupied so much of its attention in the past several years.

Some express a fear that a volunteer army would become a band of mercenaries, that we would have a professional military that might become a threat to our basic democratic institutions and our governmental system. This argument is without foundation. Officers, not enlisted men, who cause military coups are already professional career men. Also, the Commander-in-Chief, the secretaries of Defense and the military services are all civilians and all money given to the military must be appropriated by the Congress.

Finally, Mr. Chairman, I contest the contention that a volunteer army would be composed mainly of disadvantaged minority groups. The idea that the economic incentives built into a volunteer army structure would make the risk of injury or death so overwhelmingly attractive to young Blacks and Puerto Ricans is both repugnant and fallacious.

Too little attention has been given the findings of the Gates Commission on this point. This notable group pointed out that Blacks today represent 9.5 per cent of all American military forces and some 13 per cent of all enlistees. Most revealing of all are the re-enlistment figures for Blacks during the years the war in Southeast Asia underwent major escalation. From 1965 to 1969, re-enlistment of Black soldiers declined by nearly half—from 22.3 per cent in 1965 to 11.4 per cent in 1969.

Today, although Blacks represent some 12.5 per cent of the population, their representation in the Armed Forces is 3 per cent less.

There are a number of reasons for this situation and the reasons help explain the underlying error in the reasoning of those who oppose voluntary military service on this issue. In the first instance, even current military standards—certainly below those that would be established for an all-volunteer army—reject the majority of young Blacks and Puerto Ricans otherwise eligible for military service. This is clearly the result of their under-education, inadequate health and nutrition and the general pattern of neglect characterizing the urban ghettos and rural poverty areas from which they come.

Secondly, among the young Blacks and Puerto Ricans there is no strong motivation toward the military in the first place, and especially during times of war. "Why should we be the white man's killer?" more than one potential soldier has asked me. They want to enlist in a volunteer army no more than they want to be inducted and serve involuntarily. I can foresee no significant change in the present rate of enlistment.

There is no evidence that such critics have taken the time to speak with Black and/or Puerto Rican community leaders before arriving at their erroneous conclusions. It is a matter of record that the great majority of Black and Puerto Rican leaders have spoken out in support of a volunteer army and I know their stand accurately reflects community sentiment on this issue.

The Gates Commission's report supports my contention by noting that an all-volunteer force will not differ significantly in composition from the present mixed force of volunteers and conscripts. Poor, uneducated Blacks and Puerto Ricans are far outnumbered by poor, uneducated whites. As I mentioned when I joined in sponsoring the Voluntary Military Manpower Procurement Act fo 1971, ". . . powerful factors would work in a volunteer army toward keeping the present proportion where it is in the draft army and pay raises will attract whites as much as non-whites, just as both are drawn into police forces for similar compensation."

Mr. Chairman, the Congress has just four months in which to take meaningful and effective action. We must now end the rhetoric and reassert our authority. Long hours and much labor has been invested in making all sides of the issue clearly understandable to the American public and I strongly believe that there is overwhelming public support for a volunteer system. The concept of a voluntary military service is not impossible, Mr. Chairman. It is not only technically feasible to implement but it would most certainly be in keeping with the American tradition of encouraging individual freedom of choice. I urge that this committee take positive and favorable action on H.R. 4450 and report it out at the earliest possible date.

Thank you.

AN INCREASE IN THE DEBT LIMIT

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. SCHEUER. Mr. Speaker, yesterday I voted against increasing the debt limit because I am not convinced that such an increase is necessary. Perhaps if we reduced the budget in those areas where reductions can and should be made, we would find that the existing debt limit would be sufficient, or a lesser increase needed.

We have not materially reduced military spending. We continue to pour billions into agricultural subsidies. We waste funds on public works "boondoggles" and such dubious projects as the SST. The failure to reduce spending in these areas makes the argument for an increase in the debt unpersuasive to me.

If the administration does its homework and reduces spending on these budget areas and then finds that an increase is necessary, I shall vote accordingly if the arguments are persuasive. Until such time, I shall continue to oppose an increase in the debt limit.

OUTSTANDING RECORD OF MEMBERS OF 80TH CONGRESS REFUTES THE EPITHET OF THE "DO NOTHING" CONGRESS—"INFAMOUS" CLASS PRODUCED MANY FAMOUS AMERICANS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. EVINS of Tennessee. Mr. Speaker, with your election as Speaker of the House, the "Class of the 80th Congress" assumed new luster and distinction.

The list of Members who served in the 80th Congress following World War II was heralded in the press as a "Do-Nothing Congress." And yet this Congress provided the Nation with two Presidents—John F. Kennedy and Richard M. Nixon. The present Speaker of the House, Carl Albert of Oklahoma, and many other Members have attained positions of prominence in Congress—in the executive branch of the Government—in the judiciary—in private business and in other diverse fields.

Following your election, Mr. Speaker, I requested the Library of Congress to research the lives of this famed class of 92 Members of the 80th Congress.

As the former Members of the Congress gather in the House Chamber today, I wanted to provide for the Record a list of some of the Members with positions of influence attained by the alumni of the famed 80th Congress.

In addition to two Presidents, the Speaker of the House, this Congress has also provided a former Vice President, Richard M. Nixon; five Governors; nine U.S. Senators; five chairmen of House committees and subcommittees; five judges; five high officials in the executive branch; two ambassadors; two commissioners of Federal regulatory agencies; and two members of professional staff of current Members of the Congress.

Eleven members of the "Class of the 80th Congress" remain in the Congress. They are:

First. Carl Albert of Oklahoma—Speaker of the House.

Second. John A. Blatnik of Minnesota—chairman, House Public Works Committee.

Third. J. Caleb Boggs of Delaware—U.S. Senator.

Fourth. Omar T. Burleson of Texas—served as chairman, House Administration Committee; member, House Ways and Means Committee.

Fifth. Norris Cotton of New Hampshire—U.S. Senator.

Sixth. Harold D. Donohue of Massachusetts—member, House Judiciary Committee.

Seventh. William Jennings Bryan

DORN of South Carolina—member, House Public Works Committee and House Veterans' Affairs Committee.

Eighth. JOE L. EVINS of Tennessee—chairman, Select Committee on Small Business; Chairman, Subcommittee on Public Works Appropriations.

Ninth. JACOB K. JAVITS of New York—U.S. Senator.

Tenth. ROBERT E. JONES of Alabama—member, House Government Operations Committee and House Public Works Committee.

Eleventh. OTTO E. PASSMAN of Louisiana—chairman, Subcommittee on Foreign Operations Appropriations.

The Members of this famous class who came to Congress following World War II and charged in the political wars of 1946 with "doing nothing" have done something—indeed, they have done very much indeed in the service of our country.

The "do-nothing" epithet was a campaign slogan of a greatly beloved and revered President, Harry S. Truman, who survives in retirement at his home, Independence, Mo.

President Truman in the Presidential election of 1948 ran against the record of this 80th Congress, as some Presidents are prone to do. He succeeded in his own race and in electing a majority of his party to the 81st Congress.

But rather than fading away and diminishing in fame and tradition, the Members of the "Class of the 80th Congress" continue to build a historic tradition of usefulness and greatness.

A list of the Members of that Congress and their achievements, compiled from information provided by the Library of Congress, follows: Two Presidents of the United States—

First. Richard M. Nixon, who became a U.S. Senator in 1951, later was elected Vice President of the United States and served from 1952 to 1960. In 1969, he became President.

Second. John F. Kennedy, who subsequently served in the U.S. Senate from 1952 to 1960, and in 1961 became President of the United States.

One Speaker of the House of Representatives—

The Honorable CARL ALBERT of Oklahoma, who was Democratic whip of the House from the 84th through the first session of the 87th Congresses. He then was made the majority leader and served from the second session of the 87th Congress through the 91st Congress. He was elected Speaker in the present 92d Congress.

One Vice President—

Richard M. Nixon, who was previously mentioned.

Five Governors—

First. J. CALEB BOGGS of Delaware;

Second. Willis Winter Bradley—Guam;

Third. John Davis Lodge of Connecticut;

Fourth. Charles Hinton Russell of Nevada; and

Fifth. John Bell Williams of Mississippi.

Nine U.S. Senators—

First. J. CALEB BOGGS of Delaware and a former Governor;

Second. John Albert Carroll of Colorado;

Third. NORRIS COTTON of New Hampshire;

Fourth. JACOB K. JAVITS of New York;

Fifth. Kenneth B. Keating of New York;

Sixth. John F. Kennedy of Massachusetts—previously mentioned;

Seventh. Thruston B. Morton of Kentucky;

Eighth. Richard M. Nixon of California—previously mentioned; and

Ninth. George A. Smathers of Florida.

Four chairmen of House committees and subcommittees—

First. JOHN A. BLATNIK of Minnesota—chairman, House Public Works Committee;

Second. OMAR T. BURLESON of Texas—who served as chairman, House Administration Committee;

Fourth. OTTO E. PASSMAN of Louisiana—chairman, Subcommittee on Foreign Operations Appropriations; and

Fifth. JOE L. EVINS—chairman, Subcommittee on Public Works Appropriations and chairman, House Small Business Committee.

Five members of the executive branch of the Government—

First. John J. Allen, Jr., of California—Under Secretary of Commerce for Transportation, 1959–61;

Second. John Albert Carroll of Colorado—special assistant to President Truman;

Third. Abe McGregor Goff of Idaho—General Counsel of Post Office Department, 1954–58 and former ICC Commissioner;

Fourth: Thruston B. Morton of Kentucky—Assistant Secretary of State for Congressional Relations, 1953–56; and

Fifth. Robert Tripp Ross of New York—Assistant Secretary of Defense, 1956–57.

Two Ambassadors—

First. Kenneth B. Keating of New York—U.S. Ambassador to India; and

Second. John Davis Lodge—Ambassador to Argentina and former U.S. Ambassador to Spain.

Two Commissioners of major Federal regulatory agencies—

First. Abe McGregor Goff of Idaho—Commissioner of Interstate Commerce Commission; and

Second. Donald Lester Jackson of California—Commissioner of Interstate Commerce Commission.

Five judges—

First. Edward James Devitt of Minnesota—U.S. district judge;

Second. Dayton E. Phillips of Tennessee—chancellor, First Chancery Court of Tennessee;

Third. Melvin Claude Snyder of West Virginia—judge, 18th Judicial Circuit of West Virginia;

Fourth. Joseph Franklin Wilson of Texas—judge, Criminal District Court of Texas; and

Fifth. Abraham Multer—justice, New York Supreme Court.

Two congressional professional staff—

First. Laurie Calvin Battle of Alabama—counsel, Committee on Rules of the House; and

Second. E. Wallace Chadwick of Pennsylvania—chief counsel, Special Senate Committee To Study Ethics.

Other former Members include the following:

John Joseph Allen, Jr.—law practice, Oakland, Calif.

Claude Ignatius Bakewell—law practice, St. Louis, Mo.

Ernest King Bramblett—consultant in Southern California.

John Charles Brophy—salesman, resides in Milwaukee, Wis.

Frederic René Coudert, Jr.—law practice, New York City.

James Curran Davis—director, DeKalb County Federal Savings and Loan Association; Stone Mountain, Ga.

William Adams Dawson—law practice, Salt Lake City, Utah.

Charles Kimball Fletcher—business executive, real estate and insurance, California.

Ellsworth Bishop Foote—law practice, New Haven, Conn.

Porter Hardy, Jr.—retired; former; Portsmouth, Va.

Edward Halsey Jenison—newspaper publisher, Paris, Ill.

Mitchell Jenkins—law practice, Wilkes-Barre, Pa.

Homer Raymond Jones—real-estate salesman, Bremerton, Wash.

Carroll Dudley Kearns—president, Shenengo Metalcraft Co., Florida.

Charles J. Kersten—law practice, Milwaukee, Wis.

Francis Johnson Love—law practice, Wheeling, W. Va.

Wingate H. Lucas—Government relations consultant to the General Electric Co., New York City.

Gregory McMahon—accountant and tax consultant, Ozone Park, N.Y.

George Edward MacKinnon—general counsel and vice president, Investors Mutual Funds, Inc., Minneapolis, Minn.

Wendell Howes Meade—employed with a building contractor, Phoenix, Ariz.

Edward Archibald Mitchell—resumed business pursuits in food marketing; Evansville, Ind.

Toby Morris—judge, Lawton, Okla.

Frederick Augustus Muhlenberg—architect; County Planning Commission chairman; Wernersville, Pa.

Robert Joseph Nodar—position clerk, Soloman Brothers, New York City.

James Thomas Patterson—retired, Naugatuck, Conn.

Preston Elmer Peden—director of governmental affairs of the Chicago Association of Commerce and Industry.

Dayton Edward Phillips—judge, First Chancery Court of Tennessee; Elizabethton, Tenn.

David Matthew Potts—law practice, New York City.

Monroe Minor Redden—law practice, Hendersonville, N. C.

Albert Lee Reeves, Jr. — senior vice president, Utah Construction and Mining Co., San Francisco, Calif.

Robert Tripp Ross—Jackson Heights, N.Y.

Charles Hinton Russell—director of International Cooperation Administration mission to Paraguay.

Katharine Collier St. George—retired.

John Carfield Sanborn—president, Hagerman Farms, Inc.

Hardie Scott—law practice, Philadelphia, Pa.

Wint Smith—law practice, Mankato, Kans.

Robert Joseph Twyman — retired; Stuart, Fla.

William McDonald Wheeler—sales and publications; Alma, Ga.

Harold Francis Youngblood—construction contracting; Tucson, Ariz.

Frank Melvin Karsten—attorney, Washington, D.C.

Roy Walter Riehlman—Fort Lauderdale, Fla.

The Library of Congress advises that the addresses of the following Members of the 80th Congress are unknown:

William Josiah Crow; Paul Bartram Dague; Horace Seely-Brown, Jr.

MAXON SHIRT CO. CLOSES

HON. JAMES R. MANN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. MANN. Mr. Speaker, I have addressed myself to the problems faced by our domestic textile industry on many occasions in an effort to familiarize my colleagues with a worsening situation. During the 91st Congress, the House of Representatives passed a bill to provide relief for the American textile industry by regulating the rapidly growing flow of foreign-made goods. Unfortunately, that bill died in the face of a Senate filibuster.

In the past several years representatives of the United States have attempted to win voluntary agreements from the Japanese in the matter of limiting textile imports to this country. These negotiations have seemed somewhat desultory to me, and I have observed that the Japanese have seemed serious about substantive talks only when legislative action appeared imminent. While I do not wish to impugn the sincerity of our negotiators, I have maintained for months that the Japanese are not serious about meaningful negotiations. In my judgment, the offer which the Japanese made last week to curb the flow of textile imports is simply an attempt to stall import quota legislation.

I believe I have a responsibility to call the attention of the House to a press release announcing the closing of the Maxon Shirt Co. in Greenville, S.C. Maxon is owned by Oxford Industries, Inc., of Atlanta, Ga., and 500 people have been employed in the Greenville facility. I know many of Maxon's employees, and I think that the sacrifice of their jobs on the altar of inaction is a national disgrace.

Mr. Speaker, the President promised relief for America's textile industry in 1968, yet the administration has not acted forcefully to achieve this goal. I know that many of my colleagues in both Houses share my concern and my hope that the 92d Congress will act swiftly to alleviate a situation which grows more serious each day.

The announcement by Oxford Industries follows:

MAXON SHIRT CO. CLOSES

The closing of the Maxon Shirt Company, Greenville, South Carolina, was announced today by John Owens, Executive Vice President.

The shutdown will take place in phases, with production operations ceasing completely by the end of April. The warehouse and merchandising offices will remain open through May to provide customer service. In commenting on the reasons for the closing, Owens said,

"The massive influx of foreign made boys' wear manufactured in countries with wage levels far below those of the United States have generated price pressures that we cannot meet. In spite of mounting losses during the past few years, we held the line, hoping that Congress would enact import quota legislation allowing an orderly sharing of our market with our foreign competition. As you know, we did not get this legislation. Our inescapable conclusion is that we must abandon our Maxon Shirt Company—Carnegie Boys' Wear business".

An employment service office is being established immediately to assist the 500 employees of Maxon in obtaining jobs with other companies in the area.

Maxon Shirt Company was founded in 1948 by Max Heller. In 1962, it was acquired by Oxford Industries, Incorporated. Oxford Industries is a diversified manufacturer and distributor of apparel and dictating and copying equipment. The Atlanta based firm has annual sales of approximately $138 million, primarily in apparel.

A SOCIETY OF DISTINGUISHED ALUMNI

HON. DONALD D. CLANCY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. CLANCY. Mr. Speaker, today I would like to insert into the CONGRESSIONAL RECORD an editorial which recently appeared in the Cincinnati Enquirer, Cincinnati, Ohio, entitled "A Society of Distinguished Alumni." It is indeed a pleasure for me to insert this editorial regarding our distinguished alumni:

A SOCIETY OF DISTINGUISHED ALUMNI

One of the most distinguished societies in America has been created by former Reps. Walter H. Judd (R-Minn.) and Brooks Hays (D-Ark.).

The membership consists of those who, like the founders, formerly served in Congress, and the organization's goal is the wider utilization of former senators and representatives as a public resource.

At the moment there are no fewer than 345 dues-paying members, and they range in in age from 30 (former Rep. Jed Johnson Jr. of Oklahoma) to 100 (former Rep. Earl H. Beshlin of Pennsylvania).

On Thursday, the plan is for Congress to recess to afford incumbent members an opportunity to hold informal receptions for their predecessors. Efforts sponsored in the 91st Congress by Rep. George W. Andrews (D-Ala.) and Rep. Albert H. Quie (R-Minn.) to issue a congressional charter for the organization came to naught, but both lawmakers propose to seek action during the 92nd.

The membership of the organization, known simply as Former Members of Congress, includes some singularly familiar names and some all but unknown outside their own constituencies. Among the former:

Gerald P. Nye (R-N.D.), who entered the Senate at the age of 32 in the mid-1920s and became one of the most doggedly isolationist members. Senator Nye is best remembered for his investigation of the munitions industry in the early 1930s. He now lives in Washington and has worked as a management consultant.

Glen H. Taylor (D-Idaho), who entered the Senate in 1945 and left following his defeat in 1950. He is widely remembered as Henry A. Wallace's vice-presidential running mate on the Progressive Party ticket in 1948 (Senator Taylor sang his acceptance speech). At 66, he now lives in Millbrae, Calif., and is president of Taylor Topper, Inc., manufacturers of hairpieces.

Jeannette Rankin (R-Mont.), the first woman elected to the House. She voted against the United States' entering both World Wars I and II and was the only member of Congress to oppose the latter. Now 90, she lives in Carmel, Calif., and Helena, Mont.

Helen Gahagan Douglas (D-Calif.), wife of actor Melvyn Douglas, who served three terms in the House and was defeated in a race for the Senate by Richard M. Nixon. She is now 70, writes and lectures, and lives in New York.

Ernest W. McFarland (D-Ariz.), who was serving as the Senate's majority leader when he was defeated for re-election to the Senate in 1952 by Barry M. Goldwater. At 76, Senator McFarland is now a justice of the Arizona Supreme Court.

William F. Knowland (R-Calif.), who was first appointed to the Senate to succeed Sen. Hiram W. Johnson in 1945. He served briefly as Republican leader in the Senate and left politics in 1958 when he was defeated in a race for governor of California. He is now editor and publisher of the Oakland (Calif.) Tribune.

Altogether, the organization embraces roughly 40% of the former members of Congress still alive.

To survey the roster of Former Members of Congress is to see a variety of talents and degrees of competence and to recognize that some are capable of further service to the nation and some are not.

VETERANS DAY IN THE HOUSE

HON. EDWARD HUTCHINSON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. HUTCHINSON. Mr. Speaker, I am happy to join my colleagues in paying tribute to those thousands of our fellow citizens who have been wounded and disabled in the military service of our country.

We who fought the wars without hurt, and we are many, remember today those of our comrades who were less fortunate. Some of them lie in veterans' hospitals. Others, fully recovered in health, carry the scars and disfigurements of battle. They indeed exhibit a quiet courage, loyal and patriotic.

The Disabled American Veterans has been of service to them and to their widows and orphans for more than half a century.

FIRE ANTS POLLUTE THE ENVIRONMENT

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. GRIFFIN. Mr. Speaker, I have conveyed to the Members of the House, on several occasions, the sentiments, feelings, and needs of the many thousands of persons who daily face the problems caused by the imported fire ant.

As you all know, there is already established and on the verge of implementation, a fire ant control and eradication program involving the several affected States and the Federal Government.

In this regard, I would like to read the resolution passed by the Mississippi Cattlemen's Association in its 25th annual convention on February 16, 1971. This message was delivered to me by their president, J. D. Rankin, and it follows:

RESOLUTION: IMPORTED FIRE ANTS

Whereas, the Imported Fire Ant is one of the worst plagues the southern Cattleman has ever experienced—causing millions of dollars of loss each year, laying waste to our land, crops, livestock and wildlife, and adding much to the unnatural pollution of our environment; and

Whereas, this vicious pest entered this country from South America, its natural habitat, and through adaptation to climate and absence of natural predators has spread across more than 124 million acres in nine southern states and is continuing to spread toward other states in the East, Mid-West and West; and

Whereas, if its spread is not checked virtually every cattleman, farmer, and urban resident in the United States will suffer from this destructive pest; and

Whereas, the Imported Fire Ant is responsible for the deaths of many young domestic animals, especially new born calves, impairs the use of pastures and other lands, thereby causing serious economic loss and reducing land values; and

Whereas, the fire ants also are responsible for the deaths and reduction of natural populations of quail, fish, and other wildlife, their unsightly mounds cause considerable expense through damage to farm machinery during haying operations; and

Whereas, the fiery sting of the fire ant results in much pain to field workers, loss of time and abandonment of crops: and

Whereas, this pest has become a serious threat to the health and well being of millions of southern citizens. Their sting causing considerable pain and often resulting in limb amputation, heart attacks, and even death; and

Whereas, Mirex bait has proven highly successful in eradication of the fire ant having been used by most cattlemen in the infested areas during the past 8 years with absolutely no adverse effects to cattle or anything but the fire ants; and

Whereas, Mirex bait is the only available material or method that can render relief to cattlemen from this vicious pest; and

Whereas, a suit filed in U.S. District Court in Washington, D.C., by two environmental groups who allege the ants are not a pest but are beneficial in nature would stop our efforts to get rid of this pest: Therefore be it

Resolved, that a Fire Ant Control and Eradication Program is deemed necessary and highly desirable as a means to end the economic loss and human suffering caused by these vicious pests; and be it further

Resolved, that the Mississippi Cattlemen's Association (membership 4,500) meeting in its 25th annual convention at Jackson, Mississippi, February 16, 1971, urges the President of the United States, the United States Department of Agriculture, The Governor of the State of Mississippi, Mississippi Department of Agriculture and Commerce, the Mississippi Congressional Delegation, The American National Cattlemen's Association and the Mississippi Legislature to do everything in their power to insure that the fire ant program is continued and properly financed at both the Federal and State levels; and be it further

Resolved, that a copy of this resolution along with a cover letter be sent to The President of the United States, The Secretary of the U.S. Department of Agriculture, The Governor of the State of Mississippi, The Commissioner of Agriculture and Commerce of the State of Mississippi, The President of the National Cattlemen's Association, each member of the Mississippi Congressional Delegation, The President of the Mississippi Senate, and the Speaker of the House of Representatives of the Mississippi Legislature.

THE FIRE OF A POSITIVE ATTITUDE

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. SPRINGER. Mr. Speaker, the Illinois Agricultural Association recently elected Harold B. Steele as its president succeeding William Kuhfuss who in turn succeeded another former IAA president, Charles B. Schuman, as president of the American Farm Bureau Federation.

In the following editorial, published in the February issue of the IAA Record, Mr. Steele presents his creed. It could well be the creed of all Americans. I hope my colleagues will read it carefully:

THE FIRE OF A POSITIVE ATTITUDE

I grew up during the closing chapters of the threshing-run era. I recall vividly the neighborhood working relationship at oat harvest. But the aftermath of this harvest procedure is more impressive upon my mind.

We lived a quarter of a mile from the village of Dover where there stood a two-room school. Among the 40-odd students, there was a strong feeling of fellowship to the extent that we often gathered on Saturday for fun and games. One game that bore special excitement and challenge was "King of the Hill."

The objective was to reach the top of the straw stack placed there by the threshing machine some weeks earlier. The challenge was to retain this position while others attempted to reach this enviable and sought-after height and push you to the bottom. I daresay this required an understanding father to allow such goings-on with his supply of winter bedding, but for us it was truly a challenging and memorable experience.

This story is similar to today's challenge. You and I are the benefactors of the greatest nation ever conceived by man. We are in the enviable position as holders of the title, "King of the Hill." Our challenge is to retain this position.

We, the members of the Farm Bureau, are also the recipients of a rich heritage. Many great and dedicated people made us "Number One." Our responsibility lies not only in maintaining this bounteous "gift", but also in keeping it in tune with the times and adding to its strength.

The difference between today's challenge and that of the game many of us played years ago is that *this* game is for keeps.

Our opponents are serious, deliberate, and determined to overtake us. In many ways, this is clean competition. In other ways, our opposition is determined to achieve by means which are based on a set of standards and philosophies which may be in conflict with our national Constitution, our beliefs, and the rights of individuals to make decisions.

It is never easy to maintain strength. Nevertheless, a very simple way to achieve many desirable ends, both for America and Farm Bureau, rests within our hands, individually. No matter where we live—on a four-lane freeway, a gravel road, or at the end of a dirt lane—each of us is equally important and needed in this endeavor. We, as individuals, are *not* merely a number without identity, position, or purpose.

Our daily routine of action is the all-important place to begin. We can, should, and must act in harmony with our beliefs. And our beliefs must be as we feel them, not as others may want us to feel. It is more important today, in 1971, than ever before in the history of our country that we express these beliefs by deeds:

Deeds of willingness to stand up in self-expression.

Deeds conducted with honor in our daily business affairs.

Deeds that cause our children to look at us with pride.

Deeds that cause Mom to look at Dad and say, "Gee I have enjoyed these years of togetherness!"

Deeds that strengthen our local school board.

Deeds that bring a resounding toll to the church bell on Sunday morning.

Deeds that cause a Farm Bureau executive secretary to look upon the board with admiration.

Deeds that cause our city cousins to feel thankful for the bounteous supply of food.

Deeds that bring our county board of supervisors to good and just decisions.

Deeds that prompt our state legislators to look upon the "whole of society" with a passion for reasoned action.

Deeds that ring in the ears of our members of Congress as they seek just and proper answers in this busy world.

I am honored to be your new president. I look to the future with extreme optimism and faith. This confidence has been gained by association with people within our organization. It is with genuine pride that I say I have enjoyed my associations through the years in Farm Bureau, and it is with this same pride that I say the future of the American farmer and the American citizen is bright. There is absolutely nothing to cause us to dampen our spirits when we approach our daily obstacles, one at a time, with determination and optimism. I have many good feelings within, and I refuse to allow the few evil elements that abound within the confines of our country to extinguish the fire of a positive attitude.

DISABLED AMERICAN VETERANS—A TRIBUTE TO QUIET COURAGE

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. MICHEL. Mr. Speaker, as the Disabled American Veterans mark their 50th anniversary—a half century of service to America's war disabled—it is appropriate that we should pause to reflect on the awful price of freedom.

Over the years, hundreds of thousands of American men have paid that price, with their lives and with their bodies and minds.

Many have returned home shattered in flesh and spirit, to find their countrymen not really prepared to receive them in that condition.

They have needed help, comfort, companionship, and assistance—assistance especially in readapting to the society for which they had paid so much to protect.

It was in response to these needs that the Disabled American Veterans was organized, founded on the principle that this Nation's first duty to veterans is the rehabilitation of its wartime disabled.

Specifically, DAV's objectives include—

Obtaining proper medical care and treatment of veterans for disabilities incurred, increased, or aggravated by military service;

Adequate compensation for the degree of disablement caused by such disabilities;

Training and/or education to restore employability of the wartime disabled into gainful employment; and

Adequate compensation to the widows, minor children, and dependent parents of veterans who die as the result of a service-incurred disability.

Since their beginning shortly after World War I, the DAV has made significant contributions toward the development of an effective and beneficial national approach to the problems of disabled American veterans.

Through a network of professionally trained national service officers around the country, DAV acts as an intermediary between the veteran and the various public agencies through which he can receive the kind of help he needs to reestablish himself.

Mr. Speaker, we owe a great deal to the men of this fine organization and to those they serve. It is indeed fitting that we set aside this time to pay tribute to their quiet courage—courage that is serving their country so well in so many ways.

Through a membership of nearly 300,000 in some 2,000 local chapters throughout the United States, DAV is working every day to provide programs of medical care and treatment, adequate compensation, employment training, and education to disabled American veterans, their families and dependents.

Too often, Mr. Speaker, the kind of quiet courage displayed by the DAV goes unrecognized and unappreciated. We must not allow that to happen. The price of freedom is being paid every day, and our expressions of gratitude for the efforts and services of the Disabled American Veterans must not be confined only to anniversaries.

WHERE IT WENT

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. GAYDOS. Mr. Speaker, it is no secret that local governments in the Nation today are bordering on the brink of bankruptcy, caught between the demand for continuing public services at the increasing cost while the sources of revenue are drying up. The financial crisis, however, extends beyond city governments. The present fiscal problems of the State of Pennsylvania might well be an omen of what faces other States if sound fiscal policies are not instituted and practiced.

A recent editorial in the Daily News of McKeesport, Pa., which I am inserting in the RECORD for the consideration of my colleagues, comments on the present financial mess in which many cities find themselves caught. They are turning to Washington and the Federal Government for help.

Unfortunately, Mr. Speaker, as the editorial notes, Washington cannot serve as a shining example of fiscal responsibility. The billions of dollars this Government has spread willy-nilly abroad could have done so much for Americans at home.

The editorial follows:

WHERE IT WENT

The mayors of several of our larger cities got together at a conference in California the other day and reached an expected agreement. Their cities all need money. And they need it desperately.

Not only this, the mayors agreed, but sources of revenue for the money-strapped cities have about dried up. The property owners can't pay more. Neither can the worker stand for more to be taken from his wages. Industries, too, have stood for about all the traffic will bear.

So what to do? The Mayors felt their only hope was in Washington. Somehow, Congress had to be made to understand, they said, that federal revenues must be shared with the municipalities and that some of the great cost burdens on cities and states, such as welfare, have to be assumed by Uncle Sam.

Many may have wondered, as they read this, how much of our local fiscal problems, and indeed those of Washington too, could be accredited to those foolish years when the earnings and substance of the American people were taken from them and given away.

Foreign aid since its inception as the Marshall Plan back in Harry Truman's time now totals over $200 billion dispensed. Much of this has gone for projects of dubious value abroad. A lot of it has ended in the pockets of foreign despots. Many billions have financed civil wars in which we have become involved. More billions have piled up in overseas banks as the "Eurodollars" which our own financiers currently are being forced to borrow at high interest rates to keep our economy going.

The $200 billion is a stock figure reached after adding up the straight Congressional appropriations for the Giveaway since it began. But, in addition, we have given billions to United Nations assistance programs and to capitalize international banks, to say nothing of those countless billions we have spent to fight other people's wars.

When we think of all this, then we can understand, perhaps, why every major city in our country is broke and crying for help. We, too, can see reason for the financial plight of our states, including, of course, Pennsylvania. The truth is that our country from the grass roots to Washington has been bled white and thrown into staggering debt because, for some strange reason, our leadership got the notion that we should play the role of patsy to the world.

Just think what the $200 billion alone could have done to prevent the present fiscal crises, or, if in America today, could do to correct them. Pennsylvanians are threatened with a five per cent income tax because Governor Milton Shapp says the state needs $1.5 billion more over the next 18 months. With Pennsylvania as yardstick, it could be said that the $200 billion we gave away could have lifted every state and city in our country out of the red, reduced their punishing taxes, and paid for many of the things we need so badly and have deferred for lack of money—cleaner air, purer water, slum clearance, etc.

FOOTWEAR IMPORTS CONTINUE TO RISE

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. WYMAN. Mr. Speaker, foreign shoe imports have been flooding the United States for the past decade. Produced abroad under conditions illegal in this country, they have been capturing an increasing segment of the domestic market. The following letter from Irving R. Glass, president of the Tanners' Council of America, details the alarming proportions this yet unresolved problem has reached. Imported shoes now equal 66 percent of domestic production—as opposed to 40.1 percent in 1970. The value of these unrestricted imports has now reached $800 million at a time when our trade deficit overall is estimated to be $2 billion.

It is ridiculous that this situation should be allowed to continue to exist. The day is approaching when the United States may no longer have a meaningful shoe industry. I urge prompt action be taken on legislation to correct this unconscionable killing of an American industry by starvation wages paid abroad.

The letter follows:

TANNERS' COUNCIL OF AMERICA, INC.,
New York, N.Y., February 26, 1971.

DEAR CONGRESSMAN: Did you see the foreign trade figures for January, 1971, released this morning by the Department of Commerce? They deserve your attention for two specific reasons. First, even our vaunted official export surplus virtually disappeared before the rising tide of imports. Second, shoe imports in January reached the astonishing total of 28,777,000 pairs, an increase of 28.9% from a year ago. The climb in January brought shoe imports to 66% of U.S. domestic production compared with 40.1% in 1970.

May I point out the significance of the above facts. You know, of course, that the official surplus in foreign trade is grossly misleading. With foreign aid deducted from the U.S. export side, we have been deeply in the red on foreign trade account for several years. It is not surprising that the dollar is threatened and has lately been dragging on the foreign exchange floor. We estimate that on a factual and accurate basis the U.S. trade ledger in January recorded a deficit of more than $200 million. In 1970 our trade deficit could not have been less than $2 billion.

Are you aware that imports of shoes and other leather products are the major factor contributing to the red ink on our foreign trade score? The chart [not printed in the RECORD] reveals the dramatic fact of a foreign trade hemorrhage with the most painful and far-reaching consequences. In less than ten years imports in the leather products area, mainly shoes, have risen from negligible levels to almost $800 million.

The dollar comparison on the foreign trade ledger is vital but only one measure of the drastic results of the vast gap shown by the chart. Scores of plants closed and tens of thousands of jobs have been lost. In big cities and small communities alike, the chill of economic rigor mortis spreads out from silent plants. Retailing and service industries have learned the truth of—For whom the bell tolls! And, what has happened in the hardest hit geographic region can and will occur elsewhere. No one is exempt unless the flood is stopped.

The huge increase in January imports of shoes is a signal that the disaster is growing. Only action, prompt action, to stop the shoe import flood, can prevent irreparable economic damage to the entire country.

Sincerely yours,

IRVING R. GLASS,
President.

VIETNAM WAR HAS DULLED, CONFUSED AMERICAN SENSIBILITIES

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. DELLUMS. Mr. Speaker, I would like to enter into the RECORD for the consideration of my colleagues an article by Arthur Hoppe, a syndicated columnist for the San Francisco Chronicle, which appeared Monday, March 1, 1971. I would also like to offer Richard A. Falk's essay, "Songmy, War Crimes and Individual Responsibility: A Legal Memorandum," for consideration. The theme that the war has dulled and confused the sensibilities of the American people has been developed elsewhere by the Pulitzer prize-winning author David Halberstam and Mr. Hoppe has found himself in accord with Halberstam's analysis: America and her citizens have been Vietnamized.

The material follows:

TO ROOT AGAINST YOUR COUNTRY

The radio this morning said the Allied invasion of Laos had bogged down. Without thinking, I nodded and said, "Good."

And having said it, I realized the bitter truth: Now I root against my own country.

This is how far we have come in this hated and endless war. This is the nadir I have reached in this winter of my discontent. This is how close I border on treason:

Now I root against my own country.

How frighteningly sad this is. My generation was raised to love our country and we loved it unthinkingly. We licked Hitler and Tojo and Mussolini. Those were our shining hours. Those were our days of faith.

They were evil; we were good. They told lies; we spoke the truth. Our cause was just, our purposes noble, and in victory we were magnanimous. What a wonderful country we were! I loved it so.

But now, having descended down the torturous, lying, brutalizing years of this bloody war, I have come to the dank and lightless bottom of the well: I have come to root against the country that once I blindly loved.

I can rationalize it. I can say that if the invasion of Laos succeeds, the chimera of victory will dance once again before our eyes—leading us once again into more years of mindless slaughter. Thus, I can say, I hope the invasion fails.

But it is more than that. It is that I have come to hate my country's role in Vietnam.

I hate the massacres, the body counts, the free fire zones, the napalming of civilians, the poisoning of rice crops. I hate being part of My Lai. I hate the fact that we have now dropped more explosives on these scrawny Asian peasants than we did on all our enemies in World War II.

And I hate my leaders who, over the years, have conscripted our young men and sent them there to kill or be killed in a senseless cause simply because they can find no honorable way out—no honorable way out for them.

I don't root for the enemy. I doubt they are any better than we. I don't give a damn any more who wins the war. But because I hate what my country is doing in Vietnam. I emotionally and often irrationally hope that it fails.

It is a terrible thing to root against your own country. If I were alone, it wouldn't matter. But I don't think I am alone. I think many Americans must feel these same sickening emotions I feel. I think they share my guilt. I think they share my rage.

If this is true, we must end this war now—in defeat, if necessary. We must end it because all of Southeast Asia is not worth the hatred, shame, guilt and rage that is tearing Americans apart. We must end it not for those among our young who have come to hate America, but for those who somehow manage to love it still.

I doubt that I can ever again love my country in that unthinking way I did when I was young. Perhaps this is a good thing.

But I would hope the day will come when I can once again believe what my country says and once again approve of what it does. I want to have faith once again in the justness of my country's causes and the nobleness of its ideals.

What I want so very much is to be able once again to root for my own, my native land.

Justice Robert Jackson, Chief U.S. prosecutor at Nuremberg stated:

> If certain acts in violation of treaties are crimes, they are crimes whether the United States does them or whether Germany does them, and we are not prepared to lay down a rule of criminal conduct against others which we would be unwilling to have invoked against us.

Our recent history of war atrocities in Indochina is behind us. Yet we have not really held ourselves accountable for them. Professor Falk, a renowned international scholar, authored the following article which appeared in Transaction magazine in January 1970. The article deals with the question of war crimes raised by Justice Jackson. The text follows:

SONGMY: WAR CRIMES AND INDIVIDUAL RESPONSIBILITY—A LEGAL MEMORANDUM

(By Richard A. Falk)

The dramatic disclosure of the Songmy massacre has led to a public concern over the commission of war crimes in Vietnam by American military personnel. Such a concern is certainly appropriate, but insufficient if limited to inquiry and prosecution of the individual servicemen involved in the monstrous events that apparently took the lives of over 500 civilians in the Mylai #4 hamlet of Songmy village on March 16, 1968. The Songmy massacre itself raises a serious basis for inquiry into the military and civilian command structure that was in charge of battlefield behavior at the time.

The evidence now available suggests that the armed forces have made efforts throughout the Vietnam War to suppress, rather than investigate and punish, the commission of war crimes by American personnel. The evidence also suggests a failure to protest or prevent the manifest and systematic commission of war crimes by the armed forces of the Saigon regime in South Vietnam.

The scope of proper inquiry is even broader than the prior paragraph suggests. The official policies developed for the pursuit of belligerent objectives in Vietnam appear to violate the same basic and minimum constraints on the conduct of war as were violated at Songmy. B-52 pattern raids against undefended villages and populated areas, "free bomb zones," forcible removal of civilian populations, defoliation and crop destruction and "search and destroy" missions have been sanctioned as official tactical policies of the United States government. Each of these tactical policies appears to violate the international laws of war binding upon the United States by international treaties ratified by the U.S. government with the advice and consent of the Senate. The overall conduct of the war in Vietnam by the U.S. armed forces involves a refusal to differentiate between combatants and noncombatants and between military and nonmilitary targets. Detailed presentation of the acts of war in relation to the laws of war is available in a volume bearing the title *In the Name of America* published under the auspices of the Clergy and Laymen Concerned about Vietnam, in January 1968, or several months before the Songmy massacre took place. Ample evidence of war crimes has been presented to the public and to its officials for some time without producing an official reaction or rectifying action. A comparable description of the acts of war that were involved in the bombardment of North Vietnam by American planes and naval vessels between February 1965 and October 1968 is available in a book by John Gerassi entitled *North Vietnam: A Documentary*.

The broad point, then, is that the United States government has officially endorsed a series of battlefield activities that appear to constitute war crimes. It would, therefore, be misleading to isolate the awful happening at Songmy from the overall conduct of the war. It is certainly true that the perpetrators of the massacre at Songmy are, if the allegations prove correct, guilty of the commission of war crimes, but it is also true that their responsibility is mitigated to the extent that they were executing superior orders or were even carrying out the general line of official policy that established a moral climate in which the welfare of Vietnamese civilians is totally disregarded.

I. PERSONAL RESPONSIBILITY: SOME BASIC PROPORTIONS

The U.S. prosecutor at Nuremberg, Robert Jackson, emphasized that war crimes are war crimes no matter which country is guilty of them. The United States more than any other sovereign state took the lead in the movement to generalize the principles underlying the Nurmberg Judgment that was delivered against German war criminals after the end of World War II.

At the initiative of the United States, in 1945 the General Assembly of the United Nations unanimously affirmed "the principles of international law recognized by the Charter of the Nuremberg Tribunal" in Resolution 95(I). This Resolution was an official action of governments. At the direction of the membership of the United Nations, the International Law Commission, an expert body containing international law experts from all of the principal legal systems in the world, formulated the Principles of Nuremberg in 1950.

These seven Principles of International Law are printed below in full to indicate the basic standards of international responsibility governing the commission of war crimes. These Principles offer the most complete set of guidelines currently available on the relationship between personal responsibility and war crimes.

Principles of international law recognized in the Charter of the Nuremberg Tribunal and in the judgment of the Tribunal as formulated by the International Law Commission, June-July, 1950.

Principle I

Any person who commits an act which constitutes a crime under international law is responsible therefor and liable to punishment.

Principle II

The fact that internal law does not impose a penalty for an act which constitutes a crime under international law does not relieve the person who committed the act from responsibility under international law.

Principle III

The fact that a person who committed an act which constitutes a crime under international law acted as Head of State or responsible government official does not relieve him from responsibility under international law.

Principle IV

The fact that a person acted pursuant to order of his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible for him.

Principle V

Any person charged with a crime under international law has the right to a fair trial on the facts and law.

Principle VI

The crimes hereinafter set out are punishable as crimes under international law:

a. Crimes against peace:

(i) Planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties, agreements or assurances;

(ii) Participation in a common plan or conspiracy for the accomplishment of any of the acts mentioned under (i).

b. War crimes:

Violations of the laws or customs of war which include, but are not limited to, murder, ill-treatment or deportation to slave-labour or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns, or villages, or devastation not justified by military necessity.

c. Crimes against humanity:

Murder, extermination, enslavement, deportation and other inhuman acts done against any civilian population, or persecutions on political, racial or religious grounds, when such acts are done or such persecutions are carried on in execution of or in connexion with any crime against peace or any war crime.

Principle VII

Complicity in the commission of a crime against humanity as set forth in Principle VI is a crime under international law.

Neither the Nuremberg Judgment nor the Nuremberg Principles fixes definite boundaries on personal responsibility. These boundaries will have to be drawn in the future as the circumstances of alleged violations of international law are tested by competent domestic and international tribunals. However, Principle IV makes it clear that superior orders are no defense in a prosecution for war crimes, provided the individual accused of criminal behavior had a moral choice available to him.

The Supreme Court upheld in *The Matter of Yamashita* 327 U.S. 1 (1945) a sentence of death against General Yamashita imposed at the end of World War II for acts committed by troops under his command. The determination of responsibility rested upon the obligation of General Yamashita for the maintenance of discipline by troops under his command, which discipline included the enforcement of the prohibition against the commission of war crimes. Thus General Yamashita was convicted even though he had no specific knowledge of the alleged war crimes, which mainly involved forbidden acts against the civilian population of the Philippines in the closing days of World War II. Commentators have criticized the conviction of General Yamashita because it was difficult to maintain discipline under the conditions of defeat during which the war crimes were committed, but the imposition of responsibility sets a precedent for holding principle military and political officials responsible for acts committed under their command, especially when no diligent effort was made to inquire, punish and prevent repetition. *The Matter of Yamashita* has an extraordinary relevance to the failure of the U.S. military command to secure adherence to minimum rules of international law by troops serving under their command. The following sentences from the majority opinion of Chief Justice Stone in *The Matter of Yamashita* have a particular bearing:

It is evident that the conduct of military operations by troops whose excesses are unrestrained by the orders or efforts of their commands would almost certainly result in violations which it is the purpose of the law of war to prevent. Its purpose to protect civilian populations and prisoners of war from brutality would largely be defeated if the commands of an invading army could with impunity neglect to take reasonable measures for their protection. Hence the law of war presupposes that its violation is to be avoided through the control of the operations of war by commanders who are to some extent responsible for their subordinates. [327 U.S. 1, 15]

The Field Manual of the Department of the Army, FM 27-10, adequately develops the principles of responsibility governing members of the armed forces. § 3 (b) makes it clear that "the law of war is binding not only upon States as such but also upon individuals and, in particular, the members of their armed forces." The entire manual is based upon the acceptance by the United States of the obligation to conduct warfare in accordance with the international law of war. The substantive content of international law is contained in a series of international treaties that have been properly ratified by the United States. These include 12 Hague and Geneva Conventions.

These international treaties are listed in the Field Manual and are, in any event, part of "the supreme law of the land" by virtue of Article VI of the U.S. Constitution. Customary rules of international law governing warfare are also made explicitly applicable to the obligation of American servicemen in the Manuals issued to the armed forces.

It has sometimes been maintained that the laws of war do not apply to a civil war, which is a war within a state and thus outside the scope of international law. Some observers have argued that the Vietnam War represents a civil war between factions contending for political control of South Vietnam. Such an argument may accurately portray the principal basis of the conflict, but surely the extension of the combat theater to include North Vietnam, Laos, Thailand, Cambodia and Okinawa removes any doubt about the international character of the war from a military and legal point of view. Nevertheless, even assuming for the sake of analysis that the war should be treated as a civil war, the laws of war are applicable to a limited extent, an extent great enough to cover the events at Songmy and the commission of many other alleged war crimes in Vietnam. § 11 of the Field Manual recites Article 3 common to all four Geneva Conventions on the Law of War (1947) and establishes a minimum set of obligations for civil war situations:

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

(a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

(b) taking of hostages;

(c) outrages upon personal dignity, in particular, humiliating and degrading treatment;

(d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

(2) The wounded and sick shall be collected and cared for. An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

The Parties to the conflict would further endeavor to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

Such a limited applicability of the laws of war to the Vietnam War flies in the face of the official American contention that South Vietnam is a sovereign state that has been attacked by a foreign state, North Vietnam. This standard American contention, repeated in President Nixon's speech of November 3, 1969, would suggest that the United States government is obliged to treat the Vietnam conflict as a war of international character to which the entire law of war applies.

Several provisions of the Field Manual clearly establish the obligation of the United States to apprehend and punish the commission of war crimes:

§ 506. Suppression of War Crimes.

a. *Geneva Conventions of 1949.* The Geneva Conventions of 1949 contain the following common undertakings:

The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention defined in the following Article.

Each High Contracting Party shall be under the obligation to search for persons alleged to have committed or ordering to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts. It may also, if it prefers, and in accordance with the provisions of its own legislation, hand such persons over for trial to another High Contracting Party concerned, provided such High Contracting Party has made out a *prima facie* case.

Each High Contracting Party shall take measures necessary for the suppression of all acts contrary to the provisions of the present Convention other than the grave breaches defined in the following Article.

In all circumstances, the accused persons shall benefit by safeguards of proper trial and defense, which shall not be less favourable than those provided by Article 105 and those following of the Geneva Convention relative to the treatment of Prisoners of War of August 12, 1949. (GWS art. 49; GWS Sea, art. 50; GPW, art. 129; GC, art. 146)

b. *Declaratory Character of Above Principles.* The principles quoted in *a*, above, are declaratory of the obligations of belligerents under customary international law to take measures for the punishment of war crimes committed by all persons, including members of a belligerent's own armed forces.

c. *Grave Breaches.* "Grave breaches" of the Geneva Conventions of 1949 and other war crimes which are committed by enemy personnel or persons associated with the enemy are tried and punished by United States tribunals as violations of international law.

If committed by persons subject to United States military law, these "grave breaches" constitute acts punishable under the Uniform Code of Military Justice. Moreover, most of the acts designated as "grave breaches" are, if committed within the United States, violations of domestic law over which the civil courts can exercise jurisdiction.

§ 507. Universality of Jurisdiction.

a. *Victims of War Crimes.* The jurisdiction of United States military tribunals in connection with war crimes is not limited to offenses committed against nationals of the United States but extends also to all offenses of this nature committed against nationals of allies and of cobelligerents and stateless persons.

b. *Persons Charged with War Crimes.* The United States normally punishes war crimes as such only if they are committed by enemy nationals or by persons serving the interests of the enemy State. Violations of the law of war committed by persons subject to the military law of the United States will usually constitute violations of the Uniform Code of Military Justice and, if so, will be prosecuted under that Code. Violations of the law of war committed within the United States by other persons will usually constitute violations of federal or state criminal law and preferably will be prosecuted under such law (see pars. 505 and 506). Commanding officers of United States troops must insure that war crimes committed by members of their forces against enemy personnel are promptly and adequately punished.

§ 508. Penal Sanctions.

The punishment imposed for a violation of the law of war must be proportionate to the gravity of the offense. The death penalty may be imposed for grave breaches of the law. Corporal punishment is excluded. Punishments should be deterrent, and in imposing a sentence of imprisonment it is not necessary to take into consideration the end of the war, which does not of itself limit the imprisonment to be imposed.

§ 509. Defense of Superior Orders.

a. The fact that the law of war has been violated pursuant to an order of a superior authority, whether military or civil, does not deprive the act in question of its character of a war crime, nor does it constitute a defense in the trial of the accused individual, unless he did not know and could not reasonably have been expected to know that the act ordered was unlawful. In all cases where the order is held not to constitute a defense to an allegation of a war crime, the fact that the individual was acting pursuant to orders may be considered in mitigation of punishment.

b. In considering the question whether a superior order constitutes a valid defense, the court shall take into consideration the fact that obedience to lawful military orders is the duty of every member of the armed forces; that the latter cannot be expected, in conditions of war discipline, to weigh scrupulously the legal merits of the orders received; that certain rules of warfare may be controversial; or that an act otherwise amounting to a war crime may be done in obedience to orders conceived as a measure of reprisal. At the same time it must be borne in mind that members of the armed forces are bound to obey only lawful orders (e.g. UCMJ, Art. 92).

§ 510. Government Officials.

The fact that a person who committed an act which constitutes a war crime acted as the head of a State or as a responsible government official does not relieve him from responsibility for his act.

§ 511. Acts Not Punished in Domestic Law.

The fact that domestic law does not impose a penalty for an act which constitutes a crime under international law does not relieve the person who committed the act from responsibility under international law.

These provisions make it amply clear that war crimes are to be prosecuted and punished and that responsibility is acknowledged to extend far beyond the level of the individuals who performed the physical acts that inflicted harm. In fact, the effectiveness of the law of war depends, above all else, on holding those in command and in policymaking positions responsible for the behavior of the rank-and-file soldiers on the field of battle. The reports of neuropsychiatrists, trained in combat therapy, have suggested that unrestrained behavior by troops is an expression almost always of tacit authorization, at least, on the part of commanding officers; a form of authorization that conveys to the rank-and-file soldier the absence of any prospect of punishment for the outrageous behavior. It would thus be a deception to punish the triggermen at Songmy without also looking further up the chain of command to identify the truer locus of responsibility.

II. SOME COMMENTS ON THE SONGMY MASSACRE

The events took place on March 16, 1968. The Secretary of Defense admitted knowledge of these events eight months before their public disclosure. The disclosure resulted from the publication in the *Cleveland Plain Dealer* in November 1969 of a photograph of the massacre taken by Ronald Haeberle. The lapse of time, the existence of photographs, the report of the helicopter pilot, the large number of American personnel (approximately 80 men of Company C, First Battalion, 20th Infantry Division) involved in the incident, creates a deep suspicion that news of the massacre was suppressed at various levels of command and that its disclosure was delayed at the highest levels of military and civilian government. The numerous other reports of atrocities connected with the war have also not been generally investigated or punished with seriousness. In fact, other evidence of atrocities has been ignored or deliberately suppressed by military authorities at all levels of the U.S. command structure.

The massacre at Songmy exhibits a bestiality toward the sanctity of civilian lives that exceeds earlier atrocities that took place at Lidice or Guernica. At Lidice, Czechoslovakia, on June 10, 1942, the male population of the town was shot, women were taken off to concentration camps, and the children sent off to schools and families. At Songmy women and children were not spared. At Guernica bombs were dropped on an undefended Spanish village, terrorizing and killing the inhabitants, a scene made universal by Picasso's mural commemorating the horrifying events. Such military tactics are daily employed by American forces in Vietnam. At Songmy civilians were systematically chosen; they were the intended victims of the act, not the uncertain, random victims of an air attack.

The Songmy massacre is the culmination of the policies of counterinsurgency warfare in South Vietnam. It is not, however, an isolated atrocity, as many other occurrences in South Vietnam have revealed a brutal disregard of Vietnamese civilians and have disclosed little or no effort by military commanders to punish and prevent this behavior. In addition, the Songmy massacre is consistent with the overall effort of "denying" the National Liberation Front its base of support among the civilian population of Vietnam, whether by the assassination of civilians alleged to be NLF cadres (from December 1967 to December 1968, 18,393 such civilians were killed in the Phoenix Operation), by fire-bomb zone attacks against villages in NLF-held territory, defoliation and crop destruction, and by search-and-destroy missions that involved the destruction of the homes and villages of many thousands of Vietnamese civilians. It is estimated by the U.S. Senate Subcommittee on Refugees, chaired by Senator Edward Kennedy, that over 300,000 South Vietnamese civilians have been killed since the beginning of the war, mainly by U.S. air strikes and artillery. Such a figure represents a number six times as great as American war dead, and suggests the indiscriminate use of weapons against the very people that the U.S. government contends it is fighting the war to protect.

The massacre at Songmy stands out as a landmark atrocity in the history of warfare, and its occurrence represents a moral challenge to the entire American society. This challenge was summarized by Mrs. Anthony Meadlow, the mother of David Paul Meadlow, one of the soldiers at Songmy, in a simple sentence: "I sent them a good boy, and they made him a murderer" (*New York Times,* November 30, 1969). Another characteristic statement about the general character of the war was attributed to an army staff sergeant: "We are at war with the ten-year-old children. It may not be humanitarian, but that's what it's like" (*New York Times,* December 1, 1969).

III. PERSONAL RESPONSIBILITY IN LIGHT OF SONGMY

The massacre at Songmy raises two broad sets of issues about personal responsibility for the commission of war crimes:

The legal scope of personal responsibility for a specific act or pattern of belligerent conduct;

The extralegal scope of personal responsibility of citizens in relation to war crimes and to varying degrees of participation in an illegal war.

(*1*) *The War Criminal: Scope of Responsibility.* We have already suggested that evidence exists that many official battlefield policies relied upon by the United States in Vietnam amount to war crimes. These official policies should be investigated in light of the legal obligations to the United States and if found to be "illegal," then these policies should be ceased forthwith and those responsible for the policy and its execution should be prosecuted as war criminals by appropriate tribunals. These remarks definitely apply to the following war policies, and very likely to others: (1) the Phoenix Program, (2) aerial and naval bombardment of undefended villages, (3) destruction of crops and forests, (4) "search-and-destroy" missions, (5) "harassment and interdiction" fire, (6) forcible removal of civilian population, (7) reliance on a variety of weapons prohibited by treaty. In addition, allegations of all war atrocities should be investigated and reported upon. These atrocities—committed in defiance of declared official policy—should be punished. Responsibility should be imposed upon those who inflicted the harm, upon those who gave direct orders, and upon those who were in a position of command entrusted with overall battlefield decorum and with the prompt detection and punishment of war crimes committed within the scope of their authority.

Finally, political leaders who authorized illegal battlefield practices and policies, or who had knowledge of these practices and policies and failed to act are similarly responsible for the commission of war crimes. The following paragraph from the Majority Judgment of the Tokyo War Crimes Tribunal is relevant:

> A member of a Cabinet which collectively, as one of the principal organs of the Government, is responsible for the care of prisoners is not absolved from responsibility if, having knowledge of the commission of the crimes in the sense already discussed, and omitting or failing to secure the taking of measures to prevent the commission of such crimes in the future, he elects to continue as a member of the Cabinet. This is the position even though the Department of which he has the charge is not directly concerned with the care of prisoners. A cabinet member may resign. If he has knowledge of ill-treatment of prisoners, is powerless to prevent future ill-treatment, but elects to remain in the Cabinet thereby continuing to participate in its collective responsibility for protection of prisoners he willingly assumes responsibility for any ill-treatment in the future.
>
> Army or Navy commanders can, by order, secure proper treatment and prevent ill-treatment of prisoners. So can Ministers of War and of the Navy. If crimes are committed against prisoners under their control, of the likely occurrence of which they had, or should have had knowledge in advance, they are responsible for those crimes. If, for example, it be shown that within the units under his command conventional war crimes have been committed of which he knew or should have known, a commander who takes no adequate steps to prevent the occurrence of such crimes in the future will be responsible for such future crimes.

The United States government was directly associated with the development of a broad conception of criminal responsibility for the leadership of a state during war. A leader must take affirmative acts to prevent war crimes or dissociate himself from the government. If he fails to do one or the other, then by the very act of remaining in a government of a state guilty of war crimes, he becomes a war criminal.

Finally, as both the Nuremberg and the Tokyo Judgments emphasize, a government official is a war criminal if he has participated in the initiation or execution of an illegal war of aggression. There are considerable grounds for regarding the United States involvement in the Vietnam War—wholly apart from the conduct of the war—as involving the violation of the United Nations Charter and other treaty obligations of the United States. If U.S. participation in the war is found illegal, then the policymakers responsible for the war during its various stages, would be subject to prosecution as alleged war criminals.

(2) *Responsibility as a Citizen.* The idea of prosecuting war criminals involves using international law as a sword against violators in the military and civilian hierarchy of government. But the Nuremberg Principles imply a broader human responsibility to oppose an illegal war and illegal methods of warfare. There is nothing to suggest that the ordinary citizen, whether within or outside the armed forces, is potentially guilty of a war crime merely as a consequence of such a status. But there are grounds to maintain that any one who believes or has reason to believe that a war is being waged in violation of minimal canons of law and morality has an obligation of conscience to resist participation in and support of that war effort by every means at his disposal. In this respect, the Nuremberg Principles provide guidelines for citizens' conscience and a shield that can and should be used in the domestic legal system to interpose obligations under international law between the government and the society. Such a doctrine of interposition has been asserted in a large number of selective service cases by individuals refusing to enter the armed forces. This assertion has already enjoyed a limited success in the Federal District Court's decision of Judge Wyzanski in the case of *U.S.* v. *Sission* (D. Mass. 1969), the appeal from which is now before the U.S. Supreme Court.

The issue of personal conscience is raised for everyone in the United States. It is raised more directly for anyone called upon to serve in the armed forces. It is raised in a special way for parents of minor children who are conscripted into the armed forces. It is raised for all taxpayers whose payments are used to support the cost of the war effort. It is raised for all citizens who in various ways endorse the war policies of the government. The circle of responsibility is drawn around all who have or should have knowledge of the illegal and immoral character of the war. The Songmy massacre puts every American on notice as to the character of the war. The imperatives of personal responsibility call upon each of us to search for effective means to bring the war to an immediate end.

And the circle of responsibility does not end at the border. Foreign governments and their populations are pledged by the Charter of the United Nations to oppose aggression and to take steps to punish the commission of war crimes. The cause of peace is indivisible, and all those governments and people concerned with Charter obligations have a legal and moral duty to oppose the continuation of the American involment in Vietnam and to support the effort to identify, prohibit and punish the commission of war crimes. The conscience of the entire world community is implicated by inaction, as well as by more explicit forms of support for U.S. policy.

IV. FINAL QUESTIONS

Some may say that war crimes have been committed by both sides in Vietnam and, therefore, prosecution should be even-handed, and that North Vietnam and the Provisional Revolutionary Government of South Vietnam should be called upon to prosecute their officials guilty of war crimes. Such a contention needs to be understood, however, in the overall context of the war, especially in relation to the identification of which side is the victim of aggression and which side is the aggressor. More narrowly, the allegation of war crimes by the other side does not operate as a legal defense against a war crimes indictment. This question was clearly litigated and decided at Nuremberg.

Others have argued that there can be no war crimes in Vietnam because war has never been "declared" by the U.S. government.

The failure to declare war under these circumstances raises a substantial constitutional question, but it has no bearing upon the rights and duties of the United States under international law. A declaration of war is a matter of internal law, but the existence of combat circumstances is a condition of war that brings into play the full range of obligations under international law governing the conduct of war.

V. CONCLUSION

This memorandum is a very tentative statement of some implications of the Songmy disclosures. These disclosures suggest wider responsibilities in relation to Songmy, in relation to other war practices in Vietnam, and in relation to the war itself. These responsibilities include the clarification and identification of what sorts of behavior make one subject to prosecution as a potential war criminal. These responsibilities also range beyond the idea of criminal liability to encompass all Americans and, indeed, all peoples and governments in the world. We call upon people everywhere to investigate the actions of the United States in Vietnam and to relate their conscience to these actions. Such is the full call to responsible action in the wake of the Songmy disclosures.

VA SHOWS CONCERN FOR YOUTH

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. SCHWENGEL. Mr. Speaker, it has recently come to my attention that the Veterans' Administration, under the very capable leadership of Don Johnson, is again pioneering in Federal efforts to serve the Government more effectively. This time he has seen a need to more actively involve young people in the operation of our Government. Mr. Johnson has established a Committee on Youth Recruitment and Career Development to oversee the program in the Veterans' Administration. The following newsletter further describes their activities:

ADMINISTRATOR ESTABLISHES YOUTH COMMITTEE

On November 24, 1970, the Administrator established a committee on Youth Recruitment and Career Development. Mr. Johnson stated "My deep concern regarding the problem of recruiting, employing and retaining young people for service with the VA has prompted me to create an advisory committee on youth employment. This committee will serve in an advisory capacity to aid the VA in the recruitment of top quality young personnel."

Mr. Johnson then established an operational group to begin full-time deliberations into the affairs of youth in the VA. The members of this operational group are **Bruce Orr, Gene Sober, Roger Bauer and Marvin Poindexter.** Also appointed to the Committee in an advisory role are **Nelda Brown, Connie English, Julia Hysom and Scott Mason.** The Advisory group will devote their efforts to this work as time allows. Field station representation has been secured through the selection of youth advisors nationwide.

In this paper and in those which follow, the direction and areas of committee interest will be listed. Present activities concern the elements of attracting, recruiting, retaining and developing young people to assume positions of responsibility in the VA.

FIELD STATIONS CHALLENGE VACO

Responding to an all station telegram on youth recruitment and career development, field stations challenged VACO to present a meaningful display of sincerity relative to the current youth programs. One station felt the effort expended by the field stations would be "fruitless rhetoric" and voiced a challenge to CO to display more meaningful signs of sincerity thru the implementation of the recommendations of this committee. They said, "We want to believe".

Over 225 field station reports were received by the Administrator's Committee on Youth and many voiced common concerns. Because of the volume of reports, individual responses have not yet been prepared. All have been reviewed, however, and initially collated. Many stressed the idea that more modern management and supervisory techniques should be used, and that our image of ourselves and the image that others have of us should be improved. Numerous solutions were offered in the area of internal reorganization and public relations programs. Greater emphasis on advertising the more socially relevant work of the VA was suggested.

Involvement, or rather the lack of it, was one of the strongest concerns. Young people want to know what is going on. They want to participate in the planning of their own jobs and careers. Inability to move "the system" was discussed and certain working conditions were questioned. Reforms in recruiting and career development programs were offered as well as suggestions on improving supervisory selection techniques, providing greater flexibility in work schedules, and maintaining closer relations with area colleges.

The youth groups formed at the field stations in response to Central Office telegram displayed an eagerness to continue meeting in an effort to make a contribution to the total program. Because of the diversity of concerns—such as image, recruitment, training, job assignments, career development, etc.—it appears advantageous to divide the work into many small areas. Then each field station can be assigned a segment to investigate in detail and offer a complete report thereon. Each station need not explore all areas, just their own assignment. Yet they know that all of the segments are being studied and each station will benefit from the entire program, of which they played a part.

Coordination of this project will be provided by the Administrator's Youth Committee in Central Office. Assignments will be delegated in part on the basis of the concerns displayed in the initial report submitted by each field station.

PROFILE OF TODAY'S YOUNG EMPLOYEE AND WHAT THIS MEANS TO THE SUPERVISOR

This article is intended to provide insight into the character of the young employee, and provide a key to supervisors by which they may guide their management styles to deal more effectively with this employee. Much of the authority of this paper is based upon a study conducted by Charles A. Stenger, Ph.D, Chairman of the Vietnam Era Veterans Committee. Dr. Stenger's paper, "Profile of Today's Veteran" is paraphrased and quoted extensively herein. Also included are findings of an agency-wide survey conducted by the Administrator's Committee on Youth.

Today's young employee does not respond to authority in the manner common to earlier generations. He is less willing to accept authority complacently and will generally question it and often challenge it. Many of the young currently employed by the VA resent the manner by which they are supervised. Young employees feel strongly they have a right to know about that which affects them individually and to have a voice in such affairs. This is the result of a basic sense of identity as an individual as opposed to simple opposition to authority. Dr. Stenger's paper has pointed out that "It is important that the distinction be clearly understood between the deep urge to be treated as an individual, which typifies most young (people), and the destructive disregard by a small segment of society for all but their own wishes and aspirations. The former is perceived as a right of all and appears to be a healthy response . . . The latter is a gross rejection of social values essential for the survival of a society."

The implication is clear to supervisory personnel that established routines should be reexamined. Trivia and nonessential administrative tasks should be eliminated and necessary but antagonizing procedures should be minimized and deemphasized. The young employee will cooperate willingly and responsibly where he understands the purpose of what he is doing.

Young employees share the concern of other contemporary youths that authority of any form will not be responsive to their intense need to be treated as individuals, as stated, and they anticipate that they will be pressed to conform regardless of personal desires or feelings. "There is a built-in readiness to react by direct confrontation, by physical withdrawal or by reduced psychological involvement. The latter response is often referred to as being "turned off." It exists in varying degrees in young veterans and young people. In its most extreme form it means alienation from the values of one's society, functional isolation, and a sense of meaninglessness in life and one's role in it. More simply, it is manifested in degrees of bitterness, distrust, and suspicion of those in positions of authority and responsibility."

A study conducted by Roper Research Associates, Inc. for the Standard Oil Co. (N.J.) dated May 1969, indicated that college freshmen and seniors will choose careers other than government by wide preference margin. The survey showed that the students opinion of what constitutes an attractive career is the one in which they may make their own decisions. The opportunity to make decisions was considered more important than those career situations which would lead to advancement, increased financial rewards and even contributions to society. Students were least attracted to positions where they would be a "cog in a machine". Mentally stimulating work was desired by both college students and college alumni. Government work was not considered as attractive as other private sectors of employment such as business, education and the professions. In fact, the alumni, as compared to students, were generally the most skeptical of opportunities in government. "Playing the angles" and "not sticking your neck out" were considered by alumni to be the two most prominent qualities felt to be necessary for success in a government career.

The attitudes of the young employees present a challenge to the supervisor for he must utilize techniques whereby he may effectively communicate and work with the young employee. In bridging the generation gap it is not, as Dr. Stenger has pointed out, necessary to adopt the values of the young, but it is necessary to respect the right of the young to have them. Success in bridging the gap results in positive productive functioning of the young employee; failure means unsatisfactory work and resentment.

At the present time, I am trying to visit all of the college campuses and high schools in my district. I have been very impressed with the intelligence, dedication, and sincerity of the young men and women whom I have met during my visits. It has certainly renewed my longstanding faith in the youth of our Nation. Don Johnson's commitment to the youth employed within the Veterans' Administration indicates that he, too, shares this faith in our young people. I am especially pleased to see the Veterans' Administration take the initiative in following President Nixon's directive in this respect. As the President stated it:

> I have called for an alliance between the generations. I have asked the Nation's youth to respond affirmatively to the challenge, and pledge that we will do our best to keep faith with their hopes.

WELFARE: AMERICA'S NO. 1 PROBLEM

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. CRANE. Mr. Speaker, newsstories indicate that the distinguished Governor of California, Ronald Reagan, has proposed a number of major reforms in that State's welfare budget.

I am concerned about the rising welfare cost problem, as are all of my colleagues. So that all of the readers of the Congressional Record might have an opportunity to share some of Governor Reagan's ideas on this most important subject, I include in the Record the text of an interview with the Governor which appeared in U.S. News & World Report on March 1, 1971:

Welfare: America's No. 1 Problem

Q. Governor, what do you regard now as the most important domestic problem in the country?

A. I suppose I should say inflation, yet I believe we are embarked on a program to do something about that.

So, let me switch to another one—one that I really feel we are not realistically dealing with and one that can literally bankrupt every level of government in this country. I'm talking about welfare.

The welfare program in this country is adrift without rudder or compass. It basically has no goal. To simply say we're going to keep on feeding and providing a livelihood for an ever-increasing number of people is not a goal.

My own idea of a goal for welfare—and I know this is contrary to the whole philosophy and ideology of the so-called professional welfare worker—would be to eliminate the need for it.

Q. What do you mean by that?

A. Well, first of all, you separate the real pensioners—the permanently dependent, the aged, the disabled, the blind—separate them from the bureaucracy of the social services, make them pensioners, automate their payments. Certainly make their payments enough to provide a living with a certain amount of dignity—a living that affords some of the luxuries that make life worthwhile.

This could be done just with the savings in the administrative overhead right now.

You know, we have caseworkers who drop in regularly on old people just to see if they're still growing old. This is an evident fact of life that doesn't require checking. Through Social Security, which has a very low overhead, for example, these people could receive fair incomes as Social Security recipients do, and that would be that. There is no need to look in on them.

Now, you turn to the rest of welfare—those ablebodied people who, for one reason or another, are not now subsisting without aid.

The entire approach to that body of people should be: Our job is to remove them from welfare, and to make them independent and self-sufficient as quickly as possible. That's our goal, and, therefore, we should measure our success each year in how much we've reduced the number of those remaining on public welfare.

Q. How do you account for the big increase in the numbers on welfare rolls?

A. We're still thinking of welfare and those who are dependent as we thought of them in the '30s. But the fact is we have a totally different problem today.

In the '30s, in the depression era, you had men and women with job skills who were desperate for work, and you didn't have the jobs for them. So welfare, in everyone's mind, was a temporary situation, simply bridging an economic problem until these people could be employed.

And this is why, up until the beginning of World War II, WPA [Works Progress Administration] grew more in size than direct relief grew. It was the big thing, because it was directed at people with skills who wanted to work.

I know all the jokes about leaf raking and boondoggling in WPA. There was some of this. One weakness of that program was that it depended on local entities' finding projects in order to get the federal money. And sometimes those projects weren't really up to standard.

But over all, if you look back, we're now enjoying a lot of benefits that came out of the WPA program.

In other words, for the money spent, society got quite a return.

Look at the beautiful waterfront in Chicago. Look at the bridges that were built, the farm-to-market roads that were constructed by a branch of the CCC [Civilian Conservation Corps]. Look at the men today who were salvaged—men who will tell you that they were on the way to becoming bums until the CCC straightened them out.

Q. Do you feel that today's situation is different?

A. World War II was the only thing that ended unemployment in this country and ended WPA. When World War II ended, there began to be a new kind of welfare. These weren't the skilled workers with no job. These were the rural poor who had been drawn to the cities by wartime work and who didn't have a skill to take into the marketplace.

Most of these are people who either through lack of basic education or lack of any kind of motivation, lack of any job skill, or maybe just because they don't want to work—these are the welfare recipients. Every one of them is an individual problem. And someplace along the line, instead of welfare caseworkers' simply seeing how much more money they can get for them from government to make them that much more comfortable in their dependence on the rest of us, the welfare worker's task really should be: What is this individual's reason for not being able to work? What can I do and what can we do to put him out there, able now to get out and have a job? It's an entirely different kind of welfare person.

And the worst part of it is, some of these people are the second and third generations of their families who have been raised on public subsistence in an unbroken cycle. They don't even have an idea that there is any other way of life.

THE PROGRAM THAT COSTS THE MOST

Q. Isn't the program that is causing the great increase in the case load and welfare costs the one called Aid to Families With Dependent Children?

A. That's right. And this is one no other country in the world has.

Q. What is happening in your State in this category?

A. Well, let me give you just two or three of the things that are making this the worst program in the world:

1. In California alone, we estimate that there are 250,000 fathers of families of this kind who simply run out on them. We're trying to find a way with the counties to make these fathers accept their responsibility as you would anyone else who deserted a family and neglected his children. These men—who knows where they are?

We have some regulations in the MARS program—man assuming role of spouse. Is a male wage earner responsible for the family with which he's living? Under current federal regulations, the answer is: "No, he isn't. He can live there, and the woman still gets the grant." He doesn't have to contribute anything, even though he may be either the husband or the common-law husband of this woman.

2. Back in WPA days, there were women who could work and had job skills, and many had small children. What do you do about their children while they're working?

You found with these women who were given jobs in WPA there were other women who didn't have job skills—so they were given jobs taking care of the children of other women.

There's no reason in the world why this couldn't be done again. You could set up child-care centers, but, again, what has happened? The regulations call for people with master's degrees and professionals as the only ones who can take care of these welfare children. This is ridiculous.

You can have a supervisor, someone in charge of a child-care center. Then you can use some of these welfare women in schools, as teacher's aides. They don't need a formal education to serve as wardens on the playground. There are any number of things that these women could be doing that would be helpful.

Q. Do the present programs provide any incentive to work?

A. We're caught up with a legal kind of cheating on this. It isn't cheating in the technical sense, because it's all legal and aboveboard under the existing federal regulations.

In an effort to stimulate women to get jobs, provisions were made on the theory that if a woman has to trade dollar for dollar—if she gets a dollar for doing nothing—what incentive is there for her to work for the same dollar and lose the welfare dollar? So the whole idea was: Well, let her work and be able to keep some of the welfare grant. But Washington never put on a ceiling. There is no ceiling on the earnings that a person can get from working and still technically remain eligible for at least a part of the welfare grant.

Here is a specific example: A woman in California is earning $582 a month. Her welfare grant for herself and her four children was $339. Now, in computing how much of the $582 is income—legitimate income that determines how much of her $339 welfare she gets to keep—the welfare agency takes off the first $30. That's incentive. Then they take off a third of the balance. This is what keeps it open-ended. It is a third of the gross.

Then they take off all withholding for taxes; all union dues, if any; any retirement programs for which money is subtracted from her paycheck. None of this has to be counted.

They make a child-care allowance, they make a clothing allowance, they make a transportation allowance—which is interpreted to include payments on a new automobile.

Finally, when they get down to the end, just to make sure they haven't missed anything, there is another $25 that is taken off—kind of a miscellaneous incentive.

Now this $582-a-month welfare woman—they reduce her income to $42 so that they consider she's really only earning $42—and, on a sliding scale, they pay her $310 in public assistance.

Q. How many children does she have?

A. Four. Now, here is a woman who has a gross income of $892, counting both her earnings and her welfare grant. But there is another woman across the street with four children, and she's only getting $339—all from welfare. This second woman doesn't have a job skill and can't get a job.

Here is where we think a correction should be made, but we've got a court order preventing it right now, brought by an Office of Economic Opportunity neighborhood legal assistance program against us in behalf of the Welfare Rights Organization.

We wanted to reduce the amount of the grant to the woman with earnings, and take that money and increase the grant to the poor woman who is trying to raise her kids and doesn't really have enough to send them to school properly clothed and fed.

Q. Is this by law or regulation?

A. Well, the Health, Education, and Welfare Department will tell you that it's all law—that their regulations reflect the intent of Congress. We don't believe it.

I talked to a Senator the other day who told me that the men in Congress had no idea that this is the way things are being applied at the local level.

For example, the regulations are interpreted to mean that no caseworker can challenge or question a welfare applicant's statements. You have to take his word for it that he's telling you the truth.

The other day a woman died in Sacramento—she had been on welfare for 15 years—and we discovered after she died that she had $88,000, owned a couple of pieces of property and had a military pension from her deceased husband.

We have thousands of aliens in California who have entered this country illegally, and we're not even allowed to ask about their legal status for welfare.

Q. You mean the State cannot even investigate their claims?

A. Not under the interpretation of the regulations. It is considered that to question the people on welfare "demeans and humiliates" them. How many times have you been demeaned and humiliated along about income tax time?

Now, there are some other things about this. There are regulations that, to spare recipients embarrassment, all their records must be kept confidential.

Just to show you how ridiculous this can become, there was a county welfare director in California whose own employes in the county welfare department refused to give him the information he asked for. He went to court and got a court order to make his employes tell him.

What turned up was that some of the employes—welfare employes—were also on welfare. They had put themselves on welfare.

WHEN A FATHER RUNS OUT

Q. Governor, do you know what percentage of your aid-to-dependent-children case load represents children in fatherless homes?

A. We've had a task force working for a long time on this whole subject—on finding out all the information so that we could get at some realistic reforms. I know there are 250,000 homes where the father has run out. Around 80 per cent of all the AFDC children are in homes where one parent is missing.

Q. Do you know how many might be fathers who are just absenting themselves for the purpose of helping their families get more welfare?

A. No, because some time ago, in one of our counties, officials started doing some spot checks after dark on houses to see if the absent father was coming in the back door at sundown. But this was stopped as being a horrifying invasion of privacy—the check wasn't allowed.

Now, the other day, Nevada suddenly conducted a door-to-door canvass of welfare recipients and found that 22 per cent of the people in this program were receiving the benefits illegally.

Maybe the fathers wanted to run out anyway; they just didn't like the burden.

Once upon a time, if there was no welfare program, there would be a mother and children and a lot of interested people tracking this guy down for abandoning his family. But now, automatically, the next morning when she knows he's gone, the mother can come in and get on this welfare program, and many times get as much as he was earning, so no effort is made to find him.

This is what's happening to break up families. The father says: "I can leave and someone else can take care of the family."

Q. Do you try to track down missing fathers?

A. Well, this is supposed to be at the county district attorney level. We are working now with the county supervisors' association to see what the State can do to be helpful in this, and to assist the counties in tracking these men down and make them responsible.

But you've got a right in your own mind to say, "Well, what have you been doing for the last four years?" And I want to tell you that sometimes I feel ashamed.

And yet, whether it's rationalization or not, I can only tell you that for these past four years our major effort has been devoted to welfare, and we have finally come to the conclusion that we just aren't getting the information we need from our own professional welfare types. Many times we have had the promise of reforms and programs that were going to work. I went out making speeches saying, "Oh boy, here we are on the right track." But the promises just frittered out.

So we set up a task force that did not involve the professional welfare types—an outside task force, independent lawyers that aren't even employed by government, to go in and look at the regulations and conditions. We're finding some amazing things. Finally, we're trying to plug the loopholes.

UNIONS "FED UP WITH WELFARE ABUSES"

Q. What is the attitude of the labor unions toward the welfare program?

A. At the moment, I could tell you that the rank and file of organized labor is probably the strongest force in this country against it. Maybe the union hierarchy still wants these social-reform programs. The rank and file are the ones who see the abuses next door and across the street. They're fed up to the teeth with what's going on. You go out to a blue-collar audience and talk about this problem and you get standing ovations.

Q. How about the academic community?

A. One element of the academic community, particularly the professional social worker—they've lobbied through all sorts of programs about the kind of education that you've got to have to be a welfare caseworker. We found in California—and if you think this didn't cause some screams of rage—we found that we were paying caseworkers to return to the university and get master's degrees in social welfare. We canceled that.

But these people in the whole social-reform, social-welfare area—they're the ones who keep thinking of these things that sound great, like an incentive to get a job. And it even sounds good to protect the dignity of the individual. No one in this country, if you've got any charity at all in your heart, wants to make the person feel embarrassed who's receiving it. And so we listen with a pretty sympathetic ear to any proposal that protects an individual's dignity.

But now we've got to recognize the kind of thing that happens when they begin with these regulations, and how they lead to abuses. Say here's a woman with a couple of children who is widowed or divorced. She meets a nice man and she gets married to this man—second husband. And he's got a good job, nice home. He becomes the head of the household. They have no financial problems. But the very fact that he is not the legal father of her children keeps her and her children on medicaid. She is eligible for all of the benefits of medicaid. And when she has a child by her new husband, the taxpayers pay the hospital costs and the doctor's cost.

Q. Well, under divorce law, if she got remarried, her previous spouse would be relieved of alimony and the new husband would assume all responsibilities, wouldn't he?

A. Yes. The only way that she can lose her technical eligibility is if her new husband legally adopts the children. And in the instance of divorce, with a living father, most new husbands don't do that. They respect the right of the previous husband.

Q. Do you think that welfare mothers with children should work, the same as nonwelfare mothers?

A. Well, let's take a canvass of all these women you see working now and find out how many of them don't have a husband and do have children and are not on welfare.

There was a significant story in a California paper recently. Here was a young mother who's a fire watcher—up there alone on that lonely mountaintop for a number of days and nights, watching for the fire. And the reason her story got in the paper was because she happened to be on one of the towers where they finally had to swoop in with a helicopter and get her out of there just in the nick of time ahead of the fire.

And in telling her story, it develops that this young lady is a widow and she has three or four small children, but she has this job. Her mother is also a fire watcher, and they are both widowed. And their schedules have meshed so that the one baby-sits for the other's children—they mesh their schedules, their time off and time on as fire watchers, and they're working, and they're raising their kids. I doubt if their salary will pay for sending those kids to college, but, like a lot of other families, the kids will scramble for scholarships and work their way.

When you look at that—well, by what right does a welfare worker say that just because a woman has children no one should expect her ever again to be self-supporting?

There are millions of women who are out working and supporting their kids.

MOTHERS WHO WOULD LIKE TO WORK

Q. Do many of the welfare mothers work, too?

A. The terrible thing is that millions of these women on welfare would like to work.

The other night in California there was a TV interview with a Negro woman with 11 children. She had a job from late afternoon until about 11 o'clock at night. And she liked it. She liked working. She'd go to work and leave the oldest child in charge of the others.

Then she came home one night, and there was her welfare worker sitting in her living room with her oldest child waiting for her. And the welfare worker said: "Welfare is going to take these children away from you." The woman said: "Why?"

And the caseworker said: "Because we don't think that this child that you're leaving in charge is capable and old enough to supervise the other children. Therefore, we're going to take them away from you."

Well, the mother said, "What can I do?" And the welfare worker said: "Well, you can quit your job and go on welfare, and then you can stay home and take care of the children, and that'll take care of everything and we won't take the children away from you."

So, the woman said: "Here I am on welfare. I've never been on welfare before. I don't want to be on welfare. But I have been ordered on welfare if I want to keep my family."

Q. Should the Government provide child-care centers for welfare mothers?

A. We thought in California that, if they would waive the regulations on an experimental basis, we would try this. In the average community, there are so many people who want to do something for others. There are 65 million people, by a recent survey, in this country who give anywhere up to 8 hours, 10 hours a week or more in work of some kind, whether it's teaching Sunday school or taking care of Cub Scouts or Boy Scouts or whatever.

There are churches scattered all over every neighborhood. There are physical facilities. Suppose that government—instead of declaring that everything has got to be so grandiose, and has got to be so official, and has got to have a person with a teacher's certificate in charge of these kids—suppose instead that you were able to enlist the churches. All churches are in need of money. Pay some token rent for this facility. Then see how many volunteers you get.

We've got State mental hospitals that have some of the most fantastic volunteer programs going on with people who every day of their lives give up hours to come out there. If we had to replace what they're doing with paid employes, I don't know how we'd do it. Well, the things that they're doing just wouldn't be done. But the things they're doing are a tremendous aid in the helping of these mentally ill people.

Q. Could a majority of these people who are on welfare be trained for gainful employment—are jobs available for them?

A. Well, remember we're talking in the midst of a temporary situation now of unemployment at certain skilled levels. Yet, you go out and check in any community on the jobs that are going begging, and you'll find that for some time past they have been not the jobs for highly skilled people. They are such jobs as waitresses, domestic help, department-store clerks and those in service trades.

I remember a statement in one hearing where one of these women from the Welfare Rights Organization got fired up and screamed out: "And don't talk to us about any of those menial jobs."

Now, I don't think jobs are menial. You know, here's a woman who is demanding her right to be supported by the working people, and she's saying to millions of other people who are chambermaids in a hotel or maids in homes—she is insulting them and saying that somehow they're beneath her and that she will only work if you can guarantee that the job will be at an executive level.

Q. What kind of jobs are suitable to these people?

A. I happen to believe the answer might be a kind of public work force. I'm not talking boondoggles and I'm not talking that you put them to work on the regular public payroll. But if you had a public work force doing useful work that is not now being done for government, you'd have an incentive.

We need some incentives that are also the carrot-and-the-stick philosophy. You'd have persons drawing the same money they're drawing now, but performing some service for it for the public good.

Compared with the pay and the type of work for which she might be available, even without training, this might be an incentive. Now she wouldn't have the comparison of *x* number of dollars for doing nothing or *x* number of dollars for becoming a chambermaid or something else. Now she'd look at a job and pretty soon she'd say: "Gee, I can get a raise, and maybe the hours are even better, and I'm more independent if I leave this public work force and take that job."

Q. Governor, has thought been given to bringing in people from the business community to operate these government programs?

A. Well, this is what you've done in California. I'm proud of the people that we have in our government, our administration in California. We have taken young men with promising careers in corporations. We twisted the boss's arm. We got them to give up a couple of years of their lives. They're not the people who ordinarily come into government.

We took 250 of the top professional, business and industrial people in California—the really top—and they formed themselves at our request into task forces. And they gave up as much as six months full time from their businesses and their careers. They went into every agency and department of our State government and came back to us with the recommendations as to how modern business practices could make government more efficient and more economical.

We have saved hundreds of millions of dollars in the cost of government from their recommendations.

Now, this was the thing we finally did

with welfare—this task force I mentioned. And right now, we're in the process of putting together their ideas and their recommendations for a complete reform of the welfare program.

Q. How much of your problem is a racial or a minority-group problem in welfare?

A. Well, the funny thing is, not as much, particularly in the aid-to-dependent-children program, as everyone says. And I'm happy to answer that, because many of the minority communities are self-conscious about this, and the minute you talk as I've been talking about this, they think "Uh-huh. He's aiming at us, at the minorities." This is not true. This is not confined to any racial or minority group. And, as a matter of fact, we have found that the majority of the people who are working and also drawing welfare are white.

Q. You came to office four years ago, Governor, pledged to try to cut taxes, economize in government, bring in efficient business-management methods. How has it worked out?

A. We know that government can be made businesslike and efficient. Where we're frustrated is mainly in this area of welfare.

Now, education—we've also had a task force working on that in the public-school system for the use of the State monies. But the biggest thing is welfare.

TAX SHARING: A WAY TO CUT OVERHEAD

Q. Governor, what do you think of the President's revenue-sharing proposal?

A. Well, I'm all in favor. I told him once on the phone when he talked to me about it that I hope that in his proposal he envisioned not only turning the money back to the States but in returning with it some of the responsibilities that are now being carried by the Federal Government—in other words, a free hand in the using of this.

Because I believe that, without the mandating on us of all the red tape and restrictions and federal regulations, we can in return for that money take dollar for dollar that much of a burden off the Federal Government's back and probably do it much more economically because we won't have this great administrative overhead.

You know, the tax dollars, they go to Washington and then they came back to us minus a certain amount for overhead. There's a great duplication of the Health, Education and Welfare bureaucracy, then the State bureaucracy, then the county bureaucracy, for example.

Q. Will this result in lower taxes for the middle-income man and the homeowner and the wage earner, or is this just going to be another add-on where the Governors and the mayors can continue to increase government spending?

A. In California, I am confident that we can do things that will eliminate part of the bureaucracy of Washington, and that we can do it in such a way that, yes, we will be able to reduce the tax burden on our people.

MESSAGE WITH FAMILIAR RING

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. MANN. Mr. Speaker, last week Japan offered to voluntarily limit the flow of textile imports to this country. From what I have read about the proposal, I consider it to be a meager, paltry offer at best, and I seriously doubt that it will provide relief for domestic textile manufacturers who see their losses mount or for domestic workers who see their jobs endangered. I believe that restrictive quota legislation is long overdue, and this nation is threatening to wreck one of our most vital industries because of the mistaken notion that negotiations will provide lasting relief. In 1968, Mr. Nixon and his spokesmen promised to obtain relief for the textile industry, but the administration has failed to obtain viable agreements, through diplomatic channels, which would make quota legislation unnecessary. Now it is high time for Mr. Nixon to get behind legislation and support it, as promised, with all the power and prestige of his Office.

For further commentary, I would like to put into the Record the following editorial from the Greenville, S.C., News of March 2, 1971.

The editorial follows:

Message With Familiar Ring

The finalized version of a proposal by the Japanese textile industry for voluntary limits on textile imports to the United States will need to be studied before an informed judgment can be rendered on its validity. Initial reports, however, indicate that the proposal is shaping up as just another attempt to stall off any meaningful import quota legislation.

Information made available through the Chemical Fiber Association of Japan does not offer much encouragement that the proposal will be anything more than a variation on the unacceptable negotiatior demands of the Japanese government. Congressional leaders should carefully read all the fine print in the "voluntary" offer before dropping legislative efforts to obtain fair treatment for the American textile industry.

Objections to the Japanese textile industry's proposal are basically the same as the objections that have held up a successful negotiated settlement of the import problem during talks between the governments of Japan and the United States. The proposal, as announced, would be short-lived and would offer this country's hard-pressed textile industry little real relief.

The Japanese textile leaders are willing to impose restrictions on an over-all basis limited to a 5 per cent annual increase for a two-year period, based on 1970 foreign import figures. This would leave them free from any bothersome category limitations, which simply means that Japan could zero in on a specific classification of textiles and concentrate its quota to literally wipe out the American market in that classification through saturation.

Another glaring inequity in the proposal is suggested establishment of 1970 as the base year. The Japanese had their biggest year in 1970, exporting to the United States more than four billion square yards of material. Any meaningful agreement must be based on a more average year for foreign imports.

A first glance at the proposal of Japan's textile industry points toward a request for more concessions from the United States, rather than a genuine attempt to come to grips with the problem. It appears obvious that the Japanese government and its textile industry are determined to avoid, if at all possible, any encroachment on the fertile import field they have found in the United States.

The American textile industry, in the process, is being rather quickly plowed right under. The suggestions of the Japanese for voluntary restrictions will only increase the pitfalls of an import system that has led to the closing of some 50 textile plants in the two Carolinas, Georgia and Alabama since 1969.

President Nixon and Congress need only scan the hard facts of the textile industry's increasing dilemma to realize that no amount of Japanese rhetoric can improve the situation. This latest proposal from Tokyo indicates again that the only real solution in sight is a hard-line approach by the federal government to insure that free trade is equated with fair trade.

PROPOSED SURVEYS OF CRITICAL ELECTRICAL SYSTEMS IN VETERANS' ADMINISTRATION HOSPITALS

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. BROYHILL of Virginia. Mr. Speaker, Mr. Theodore W. Naslund, of Alexandria, Va., an employee of the Veterans' Administration, advises me he has been unable to get a full hearing on a suggestion for increased efficiency and safety he first submitted to the Veterans' Administration in 1965, and has resubmitted on numerous occasions.

As he still believes, in spite of the lack of interest exhibited by his superiors, that his suggestion warrants more consideration than it has received, he has requested that I include the pertinent information concerning it in the Record.

Mr. Naslund's suggestion is as follows:

Proposed Surveys of Critical Electrical Systems in the Veterans Administration's Hospitals

Nationwide interest in the Veterans Administration's hospitals makes the following proposed surveys of the VA's hospitals and the VA's replies to the proposed surveys of interest to readers of the Congressional Record. Their interest includes all of the calculated risks associated with the VA's older hospitals which might affect the safety of people in the hospitals (For example, the people who were in the VA's old hospital at San Fernando, California when it was destroyed during the recent earthquake).

I. PROPOSED SURVEY OF THE ELECTRICAL SAFETY SYSTEMS IN ALL OF THE VA'S HOSPITALS

A. This survey was proposed to the VA by Theodore W. Naslund, P. E., a VA employee, on April 20, 1965 as follows:

1. The intent of the proposed survey is to obtain information which could enable the VA's management to determine where funds should be spent for improvement in electrical safety system installations in the VA's existing hospitals to provide equal protection for people in the hospitals, whether the hospitals are new or old:

a. The new improved electrical systems in the VA's recently constructed hospitals provide much better protection for people in such hospitals compared to the protection provided by the older or non-existent systems in the VA's older hospitals.

b. Deterioration in the older hospitals increases the possibilities for explosions, fires and electrical power system failures; therefore, the safety systems in the older hospitals should be at least as good or better than the systems in the newer hospitals.

c. Considering the importance of the systems, expenditures for providing adequate systems in the older hospitals are at least as well justified as such expenditures for the newer hospitals.

d. With information from the proposed survey, comparisons could be made between the systems in all of the VA's hospitals. Then, hospitals which contain deficient safety systems could be detected and the deficient systems could be improved or replaced with adequate systems.

2. The survey should be made at each of the VA's hospitals and should include thorough inspection of all of the significant components in each of the electrical safety systems. Upon completion of the survey, detailed information for at least each of the following systems at each of the hospitals should be delivered to the VA's Central Office in Washington:

a. Isolated type electrical power supply systems for use in critical areas such as operating rooms.

b. Fire alarm systems.

c. Emergency electrical power supply systems (diesel engine-generator systems) for use during failures of the electrical power company systems which normally supply power to the VA's hospitals.

B. Following is the VA's officially signed reply on November 18, 1965 to Mr. Naslund's proposed survey:

"Your suggestion for a proposed survey of existing electrical safety systems on all Veterans Administration's Buildings has been given individual attention by those concerned with its possible use and reviewed by the Staff Office Employee Recognition Committee.

We regret to inform you that your suggestion was not recommended for adoption. Information is available at each station concerning electrical safety systems for use by management in determining if expenditure of funds is necessary for correction or improvement. This information is in the form of record cards and "as built" drawings. Other file records include periodic preventive maintenance inspections and fire and safety inspections as indicated in Chapter 5, MP-3, Part III."

C. On February 16, 1966 Mr. Naslund requested the VA to reconsider the proposed survey and his following additional comments:

1. Information on the VA's record cards and "as built" drawings might not be correct, as many VA employees know.

2. The VA's records and inspection reports for the older deteriorated hospitals might not indicate many potential hazards:

a. Large explosions or fires in the hospitals are not necessarily preceded by the VA's recording of smaller explosions or fires in the hospitals. Sometimes the large explosions or fires are the first ones.

b. Complete loss of electrical power in the hospitals is not necessarily preceded by the VA's recording of smaller losses of electrical power in the hospitals. Sometimes the complete loss of electrical power is the first one.

3. Management at each of the VA's hospitals does not have adequate information with which to compare the adequacy of the safety systems in the older deteriorated hospitals with the systems in the newer VA hosptials throughout the country. Lack of such information seriously handicaps their efforts to obtain sufficient funds with which to improve the safety systems in the older hospitals so they will provide protection equal to the protection being provided in the newer hospitals.

4. Comparisons at the VA's Central Office of the existing systems in all of the VA's hospitals throughout the country. Lack of systems so that such inadequate systems could be improved or replaced on a consistent basis throughout the country.

5. Considering the importance of providing equal protection for people in the VA's older as well as newer hospitals and the need for the information which could be obtained by the survey, there should not be any concern about the relatively small cost for making the survey.

D. Following is the VA's undated, officially signed reply to Mr. Naslund's request for reconsideration of the proposed survey:

"Your suggestion concerning the proposed survey of existing electrical systems in all Veterans Administration Buildings has been reevaluated by responsible officials concerned with its possible use and reviewed by the Staff Office Employee Recognition Committee.

It was felt that the reply contained in our letter of November 18 is still valid. Your request for reevaluation dealt in generalities that are not substantiated by facts. The VA is equally concerned with the safety of the occupants of all of its buildings—both old and new. There is presently on record adequate information concerning electrical safety systems and each station has a safety program in operation at all times. The safety records of VA stations do not reflect a need for this type of survey.

In view of the above comments, your suggestion was not recommended for adoption.

E. Mr. Naslund states that the recent destruction of the VA's old hospital at San Fernando, California should cause the VA to review its confidence in its records and inspection reports pertaining to the safety provisions in the older VA hospitals. Earthquake possibilities in the San Fernando area have been well known for a long time. Also, the destroyed hospital's construction features have been well known for a long time.

II. PROPOSED SURVEY OF THE ELECTRICAL POWER DISTRIBUTION SYSTEMS IN ALL OF THE VA'S HOSPITALS

A. On April 5, 1965 Mr. Naslund also proposed to the VA that a similar survey be made for the electrical power distribution systems in the VA's existing hospitals. He submittted long comments about the high probability that many protective devices in the older systems could not safely interrupt short circuit currents. Such failures of the devices could cause fatalities, injuries and property damage in addition to long disruptions of electrical service in the buildings served by the systems.

B. The VA's officially signed replies to this proposed survey and Mr. Naslund's request for reconsideration of it were very similar to the VA's replies to the above proposed survey of the electrical safety systems. The VA did not adopt the proposed survey.

The above statements of Mr. Naslund's proposed surveys are his condensations of the very long proposed surveys which he submitted to the VA; however, the above replies by the VA are verbatim quotations. Anyone interested in obtaining copies of the complete proposed surveys and the VA's officially signed replies to them could request such copies from Mr. Naslund at the VA's Office of Construction, Washington, D.C. 20420.

Mr. Naslund states that during the last six years the VA has been trying to suppress his efforts to make numerous improvements pertaining to the VA's hospitals, in addition to the above proposed surveys, and the VA has repeatedly refused to allow him to have a formal hearing pertaining to such suppression and related matters although he *has* submitted more than adequate information to the VA to justify the hearing.

CHANGE IN FED CLIMATE SEEN

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. DINGELL. Mr. Speaker, a news report in the Oil Daily of March 3, 1971, carried a clear warning to all extractive industries that the environment must and will be protected. The warning came from no less an authority than Thomas D. Barrow, president and director of the Humble Oil and Refining Co., in a speech to the members of the American Institute of Mining, Metallurgical, and Petroleum Engineers.

So that my colleagues and others may have an opportunity to be aware of Mr. Barrow's remarks, I include the text cf the Oil Daily news report at this point in the Congressional Record:

Change in Fed Climate Seen

OIL DAILY BUREAU

NEW YORK—Thomas D. Barrow, president and director of Humble Oil & Refining Co. told members of the American Institute of Mining, Metallurgical and Petroleum Engineers that oil, gas and other extractive industries can expect substantive changes in the governmental climate within a few years. These include a strong push for a national energy policy, pressures for a national land use policy and improved governmental structures for managing the nation's coastal zones, development of natural resources in offshore and deep ocean areas, and expansion of the government's role in pollution abatement and environmental protection.

The Humble president made these predictions at the annual meeting and centennial celebration of the AIME being held at the New York Hilton.

Pointing out that the U.S. faces an energy crisis with short-term and long-term implications, Barrow said, "The more serious short-term problems involve shortages of some of the prime sources of energy which power the U.S. economy, such as heavy fuel oil, natural gas, coal and nuclear power. On a longer term basis the adequacy and security of our domestic supplies of energy, especially oil, is at stake." He said that a growing public awareness of these problems has led to a wide variety of proposals for development of a national energy policy, and he predicted that such a policy will be announced and put into operation within the next several years.

He said that pressures are building up for some kind of national policy for land use with coastal zone management.

"The coastal zones are those areas contiguous to the coastlines or the Great Lakes shores and they are twice as thickly populated as the inlands," Barrow explained. "There is great pressure for passage of federal legislation to provide at least a rudimentary system of federal support and federal goals for coastal zone planning activities. State involvement will also continue to intensify."

One of the central factors spurring interest in land use and the coastal zones, he said, is need for environmental protection.

"The question of the compatibility of natural resource development with other uses of the same land or ocean space is at issue." Barrow said. "For the foreseeable future the extractive industries can expect to be called upon to demonstrate the validity of the compatible use concept. We will be required to defend the compatibility of our operations with other users in economic, esthetic and ecological terms.

"Although passed two years ago, practical interpretation of the Environmental Policy Act of 1969 has only just begun and will have a profound effect on the extraction industries. The burden of proof will be upon us to show that the benefits offered by our lands—food, recreation, transportation or energy—can be utilized through a system of orderly and cooperative development. We in the oil industry believe that existing operations—for example, off the coast of Louisiana where drilling and production activity has coexisted for many years with a flourishing commercial and recreational fishing industry—will assist in proving this point."

VOICE OF AMERICA CONTEST WINNER

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. HOGAN. Mr. Speaker, we often hear complaints about the deterioration of youth today. However, I maintain that it is only a small minority who detract from the large body of decent, law-abiding youngsters, who are making daily contributions to the betterment of our world.

The Voice of America, a national contest sponsored by the Veterans of Foreign Wars, brings forth youth of just such a high caliber.

A constituent of mine, 16-year-old Miss Helen Curameng of Oxon Hill, Md., has been selected as one of five winners in the Voice of America contest and will represent the District of Columbia in the finals. She wrote and presented her speech, working only from a title, "Freedom Our Heritage", given to all contestants.

Helen's speech should be an inspiration to us all, and I submit this meaningful statement for my colleagues' perusal.

The article follows:

Freedom Our Heritage

(By Helen G. B. Curameng)

Ever since the beginning of man's awakening to the inner recesses of his intellect, he has sought a universal law which could be exercised by all men of any foreign realm of this universe; a law which could be justified without that familiar oppressing fear of tyranny. But if we were to search the universe for this law, we would not need to go very far because on a planet earth, in a country called the United States of America such a law has already found its place among history's memoirs; a law whose inception began since a certain struggle for independence some 200 years ago. And the law is this, and I quote: ". . . all men . . . are endowed by their creator with certain unalienable rights of . . . life, liberty, and the pursuit of happiness." These words have been echoed in every corner of the globe as the immortal words of Americans, who, in their Herculean efforts to unite 13 colonies against the tyrannical forces of England's reign, did not aspire to be free for themselves but for the freedom of their posterity. And our forefathers did not limit their struggles for ten years and only on American soil; they fought in almost every social evolution on the soils of over ten countries, and why? Because Americans have inherited a trait which enables them to consecrate themselves, as a result of their desire to be free to the service of the world.

In our battle for justice we are not fighting men alone. We are fighting nations who deprive their people of their inalienable birthrights of freedom. Nations who have turned their people into subservient machines. But we Americans are human beings and we must make every effort to attain every circumstance of progress for humanity and for the world.

These nations may boast of their economic power but we may boast of our spiritual advances for the humanism of man.

These nations may tell their people that freedom in America breeds an uncontrollable people but we may say in a greater light of truth that freedom in America has bred the affirmed maturity of its people as a nation; a freedom which enables us to act responsibly.

These nations ever since, have challenged us by attacking the spiritual foundations that our previous generations had built their dreams upon. But all this we consider to be a test of patience which becomes more of an abrasive ordeal as time passes. But we have learned that in tests like these, one wins only by accepting challenges on their merits. The point is, there is a curious trait in the American character which does not allow us to denounce these attackers of American moral philosophy. It is a trait that has become the American inherent best.

We are optimistic people who dream the improbable dreams of peace and mutual understanding between all nations. But much more than this optimism is our hungry desire to be free. This is the reason we will not stand by as thousands are swept under the wings of false freedom propagated by the Communist powers of the world. Even time could not permit us, because we have learned from our ancestors that the insurance of freedom originates only when men become inspired by strong determination and self sacrifice. We have been proud heirs of freedom's flame too long that we will not extinguish it now or ever.

It is true that we are bold insofar as that we have assumed the heaviest burden of the world's welfare the history of man has ever witnessed. But we are even bolder in the fact that we will die to stay free and to live as free men. Because as Edward Everett wrote of Americans, ". . . the faithful marble may preserve their image and their worth, . . . but the humblest sod of Independent America is a prouder mausoleum than kings can ever boast . . . because the country's independence is their monument."

And as these words have magnified, freedom for we Americans lives as our challenge; it lives as our sacred epitaph and it forever lives to be our sacred heritage.

CARRYING THE WAR TO NORTH VIETNAM FOR PEACE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. RARICK. Mr. Speaker, after the sacrifice of American men, materiel, and money for years in some ill-conceived policy of police action for containment of communism in Vietnam; loss of face around the world due to the image of U.S. military forces being held at bay by a small fifth-rate state that cannot even produce a good grade of firecracker, and years of "peace talks" without even being able to get the Communist aggressor to the peace table, it appears that President Thieu of South Vietnam may have come up with a real prod to get the Communist regime of North Vietnam to do more than use "peace" as propaganda.

President Thieu's new strategy, years overdue, is merely to tell Hanoi that if it does not stop its aggressive invasion in South Vietnam and negotiate for peace, the South Vietnamese will retaliate by taking the war to the North and forcing the Communist regime to the peace table.

Of course, President Thieu can expect little political support for South Vietnam from her allies in Washington, since such a show of support would prove that we had truly Vietnamized South Vietnam, that is, given her leaders the freedom to run their own country without U.S. interference—additionally, it might be embarrassing to our Chiefs of Staff, State Department diplomats, and other "softies" in the executive branch—who have been carrying the party line that we cannot win in Vietnam and that victory would be immoral—if the South Vietnamese occupied North Vietnam and ended the war in victory.

Mr. Nixon as a candidate for President called for victory in Vietnam.[1] And apparently Henry Kissinger now believes victory is possible, but for some strange reason he is concerned that the South Vietnamese might carry the war to the North, thereby achieving that goal. Why does Kissinger fear victory for the free world?

Peregrine Worsthorne, a political columnist for the London Sunday Telegraph, who interviewed both Nixon and Kissinger gave the following report on this subject:

Kissinger's Conversion

Henry Kissinger is engagingly frank on this point. He admits that on first coming into the White House his assumption was that the Nixon policy of combining American withdrawal with rapid Vietnamization was in effect little more than a face-saving formula. The Vietnamization program was seen as a bluff designed to build up a slightly more favorable negotiating position from which to reach a settlement that would in effect be a North Vietnamese victory, only delayed long enough to save America's face. The last two years, however, have drastically altered his judgment. Vietnamization has succeeded beyond his wildest expectations.

It will be as difficult and painful for the Americans to rediscover their faith in South Vietnam in the 1970s as it was difficult and painful for them to lose it in the 1960s, and as difficult and painful for them to lose their awe for North Vietnam as it was for them to develop it.

Kissinger believes it to be the task of the realist today to prick the defeatist bubble. He is no longer worried by the possibility of the North Vietnamese pulling off some catastrophic surprise. Much more dangerous and possible in the long run, in his view, is the possibility of the South Vietnamese doing something untoward. One almost got the impression from Kissinger that he is more worried today that the South Vietnamese will invade the North than vice versa.[2]

I continue to support the South Vietnamese who, after years of punishment from an outside aggressor, have now served notice that they are ready to carry the ball into the enemy's own territory. I likewise feel that such a movement would have the overwhelming confidence and imaginative support of the great majority of the American people.

I insert a related newsclipping in the Record:

Thieu Threatens Attack on North if War Goes On

Saigon.—President Nguyen Van Thieu tonight threatened to attack North Vietnam "in their own territory" unless the North Vietnamese immediately stop their aggression in the South and withdraw their troops.

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[1] See Congressional Record, volume 116, Part 1, pages 917–919.

[2] "Mr. Nixon Is Playing to Win," Washington Post, Feb. 28, 1971.

His statement was released to the press at Independence Palace and then broadcast on Vietnamese radio and television, a move which emphasized its importance.

An unofficial translation of the broadcast said Hanoi should stop its aggression "if the North Vietnamese want to avert an invasion." The official press statement did not use the word "invasion," however, but used the expression "that course of action" after referring to attacks on the North.

IN SELF-DEFENSE

"I wish the Communist North Vietnamese would soon awaken to reality and not put us in a situation which forces us to attack them right in their own territory," he said. He added that such an incursion would be based on "legitimate self-defense."

The statement caught observers by surprise, although both Thieu and Vice President Nguyen Cao Ky have repeatedly given hints and unofficial statements in recent days that they might be considering an invasion of the North.

Thieu conferred with both U.S. Ambassador Ellsworth Bunker and Gen. Creighton W. Abrams, commander of U.S. forces in Vietnam, before making the statement and it was believed he had told them of it in advance.

(In Washington, White House Press Secretary Ronald L. Ziegler said there has been no discussion within the U.S. government about providing American air support for a possible South Vietnamese invasion of North Vietnam.

(Senate Majority leader Mike Mansfield said today he was "opposed unequivocally" to an invasion by South Vietnamese troops. He said he did not know what was behind Thieu's references to a possible invasion, "but if you threaten it enough, and there have been such indications for the past few weeks, there is the possibly it might happen." He added: "I don't think we have any obligations to carry on an adventure of that type.")

Thieu mentioned a possible attack on North Vietnam last Thursday when the official Vietnam press agency quoted him as saying a drive into the North "is only a matter of time."

KISSINGER'S DOUBTS

Dr. Henry Kissinger, President Nixon's national security adviser, was asked then about the statements. He said on Friday that an invasion of the North was not "the dominant probability at the moment."

"It's a novel problem because now it is North Vietnam that has invaded neighboring countries," Kissinger said on a CBS-TV news program. "The idea of anyone invading North Vietnam would have been unthinkable a year ago. This certainly indicates an evolution in the balance of strength (in Indochina)."

Then he added that an invasion "is not the dominant probability at this moment" and said South Vietnam "could not involve us in any military move" of that type without the expresed approval of the President."

President Nixon, at a news conference in his White House office on Feb. 17, said in response to questions about a possible invasion:

"I won't speculate on what South Vietnam may decide to do with regards to a possible incursion into North Vietnam in order to defend their National security."

Asked later in the news conference about the subject, Nixon said:

SAIGON'S DECISION

"I will not speculate on what South Vietnam will do in defense of its national security. South Vietnam now, as we withdraw, has an ever-increasing responsibility to defend itself. South Vietnam will have to make decisions with regards to its ability to defend itself."

The North Vietnamese and Viet Cong delegates to the Paris peace talks charged that President Nixon and his "Saigon puppets" were plotting to invade North Vietnam and warned that this might bring Communist China into the war.

Kissinger, asked about this, said Hanoi probably is correct in believing that Red China would enter the war if North Vietnam's existence were threatened. But he added he felt "we are correct in pointing out it is highly unlikely that Communist China will come in under conditions that currently exist."

Thieu emphasized that any attack would be in self defense.

"If the Communist North Vietnamese want to avoid that course of action, then they had better stop being stubborn, they had better stop immediately their aggression in the South and withdraw their troops back to the North," Thieu said in his press statement.

A MATTER OF TIME

The official South Vietnam press agency quoted Thieu last week as saying a drive against North Vietnam was "only a matter of time." But spokesmen later refused to confirm or deny that he had actually made the statement in a speech at Pleiku.

Tonight his official statement was more to the point.

"I wish the Communist North Vietnamese would soon awaken to the reality, and not put us in a situation which forces us to attack them right in their own territory," he said.

"In other words, we let the authorities in Hanoi decide by themselves whether or not they want to be attacked by us right in their own territory, which is North Vietnam."

Thieu said the attacks on Communist sanctuaries in Cambodia and Laos had inflicted heavy casualties on the North Vietnamese.

CONTRADICTORY ROLES PLAYED BY AEC

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. WOLFF. Mr. Speaker, in recent years, I have frequently brought to the attention of my colleagues in this body the contradictory roles played by the Atomic Energy Commission, insofar as it serves as both promoter and regulator of the use of atomic energy. At the beginning of this Congress, I introduced H.R. 1197, which would transfer the licensing functions of the Commission to the Secretary of Health, Education, and Welfare. Hopefully, the Secretary would show more concern for the public health and safety, and for the environment, than has been demonstrated by the AEC in the past.

The Long Island Catholic, a highly respected weekly, recently included a thoughtful article by Dr. James B. Kelley, who suggests that the licensing procedures now under the aegis of the AEC should be transferred to the Environmental Protection Agency. In my judgment, such a change of jurisdiction—to either EPA or HEW—would do much to increase public confidence in the licensing procedures. I, therefore, include Dr. Kelley's article at this point in the RECORD for the consideration of my colleagues:

AEC CAN'T BE BOTH PROMOTER, REGULATOR OF INDUSTRY

(By Dr. James B. Kelley)

That the industrial world of the West would be faced with a shortage of electrical power was something no one could ever believe, and certainly something no one would have cared to predict seriously ten years ago.

But magazines and newspapers, television and radio have been telling us about what is happening in England, and what can happen, and to some extent, did happen last summer, in the United States, especially in the metropolitan New York area.

England is having real deep "brown-outs"—the term the public relations people at the power companies thought up to describe a lack of adequate electric power to run a modern industrial country. In the summer of 1970, there were "brown-outs" or power reductions in New York.

DIM PROSPECTS

The simple fact is that American economy is built on the existence of massive electrical power. Right now the prospects for meeting the needs of American homes and factories in the next ten years are not good.

It is, at the same time, safe to say that the conservationists and the environmentalists will receive a large share of the blame for this reduction in power output; it will be translated as their insistence for clean air and clean water which make it impossible for the power companies, whether privately or publicly or cooperatively owned to produce electrical power.

It is worth nothing at this point that switching from private to public ownership seldom does much to reduce violations against the environment. The worst offenders against air pollution rules and regulations in New York City were, for many years, the City-owned incinerators.

Even Consolidated Edison, a perennial whipping boy of both the press and public officials, could scarcely outdistance the good old incinerators.

Long Island, as one of the fastest growing population areas of the United States—a role it has assumed since the end of World War II—must face the power question along with the rest of the nation. The Long Island Lighting Company nuclear plant at Shoreham has been the source of constant dispute ever since it was proposed.

Recently the Federal Water Quality Administration became the first federal agency to jump into the fight against the plant. Previously the arguments opposing the plant had been largely devoted to its nuclear character. Now added to this is the question of thermal pollution—a question which was always lurking in the background.

There are at least two points to be made about this intervention of the FWQA. One is that the Atomic Energy Commission has chosen over the years not to be concerned with environmental problems.

The second point is that no other Federal agency than the Atomic Energy Commission has permit-granting powers for the construction of nuclear installations of whatever kind: research, medical, or power.

There has been long, and sometimes bitter debate among experts in the field of environmental protection that the AEC should be forced to assume overall responsibility for the safety of nuclear electric power plants.

In other words, the AEC should not restrict itself to checking the radiation levels which might emanate from the plant and stop at that point. This is not really any kind of environmental protection.

POLLUTED WATER?

What the Federal Water Quality Administration is concerned about is what will happen to the waters of the Long Island Sound into which the heated effluent from the cooling system of the plant will flow. The AEC is not concerned, because it is not in the water quality business. The Long Island Lighting Company is not too concerned about the Federal Water Quality Administration because the only Federal agency which has the power to issue a construction permit for a nuclear power plant is the Atomic Energy Commission.

As a first step in building public confidence, and at the same time protecting the orderly and necessary development of our power resources, the entire licensing procedure should be removed from the jurisdiction of the AEC.

The same agency cannot be both promoter and regulator of an industry; it does not make sense, and causes suspicion. There is a second reason why the AEC should be out of the picture, and that is the environmental problem.

It has already been noted that the AEC has never been concerned about danger to the environment except insofar as an accident might happen releasing radioactive materials into the atmosphere or into water supplies. It has never considered itself an environmentally oriented organization.

There is such an agency in existence now; the Environmental Protection Agency, which should be given full responsibility for the environmental licensing of all power plants, whether nuclear or otherwise. For further protection, a separate group consisting of both private and public experts should set the standards for the location, construction, and environmental (including radiation) safety of the plants and the surrounding communities and resources.

This puts the responsibility in one place; there can be no buck passing. The EPA is strictly a regulatory agency with a set of standards which were put together outside of its own organization, and these standards would be under constant review.

The electrical problem is too serious in this country for it to become a political or legal football, chasing in and out of the courts, with decisions being made on who has the authority to issue the license or permit, instead of whether there should be reservations about issuing the permit in the first place.

The United States cannot afford in any sense a power shortage; it would be economically and socially a disaster. But the United States cannot afford to have its environment further degraded, because this is also an economic and social disaster.

At the moment it appears that the power people, whether public or private and the conservationists are locked in a struggle to the death. It is to be hoped this is not the case.

The nuclear power plant which LILCO wants to build cannot be a disaster in any sense of the word; the power is needed but both the atmosphere and the waters off Long Island—already to terribly abused—cannot be further destroyed.

Nuclear power is one type of power source available to us; it is still experimental in many respects. It must be examined and reexamined, but this must be done in a reasonable atmosphere of trust; the public deserves this, and part of the public will be the people who are employed in the power plant.

So far the news reports, the discussions, the documents submitted in the Shoreham case all sound like more of the same old thing, with the same charges and claims being only vaguely answered in too many instances, and with the AEC still occupying its strange contradictory role.

BANK AGENCY RUINS LIFE OF FORMER BANKER

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. STEIGER of Arizona. Mr. Speaker, one of the responsibilities of any government in a free society is to serve its people. When government ceases to perform this function, then it has violated one of its most important trusts.

An agency of our Government has indeed violated the trust of Mr. Irving Molever, now a resident of Phoenix. Until 1966, Mr. Molever was a successful businessman and certified public accountant, but now he has lost his business, cannot practice his profession, and is nearly broke, all because the Federal Deposit Insurance Corporation did not act in a responsible capacity in connection with a bank that ran into financial difficulty.

Mr. Speaker, I will not take the time to recount Mr. Molever's story since I am including in my remarks a front page article from the February 26 edition of the Los Angeles Times that spells out in detail the ordeal that Mr. Molever has gone through because of the ineptness of the Federal Deposit Insurance Corporation.

On Monday, the House Banking and Currency Committee will hold hearings on the problems of bank regulation and bank failures. The witness will be Mr. Frank Wille, Chairman of the Federal Deposit Insurance Corporation. Chairman PATMAN of the Banking Committee, like myself, has been interested in the problems of Mr. Molever and on several occasions has attempted to get answers to the thousands of questions arising out of the Molever case. I commend Chairman PATMAN for his actions in this area and hope that he will continue to press for the facts when Mr. Wille appears before this committee on Monday. Somewhere along the line something must be done to rectify the injustices that have befallen Mr. Molever. Perhaps on Monday we can begin to restore Mr. Molever's confidence in his Government.

The article follows:

BANKER'S ORDEALS RUN OVER BY GOVERNMENT, HE FIGHTS ON

(By Al Delugach)

Until five years ago, life was a piece of seven-layer cake for Irving Molever. He had a thriving practice as a certified public accountant in Pittsburgh. He owned a string of retail stores. He had capital and a line of credit worth $260,000.

He even became (to his lasting sorrow) the founder and president of a bank in Wheeling, W. Va., within commuting distance of his handsome home in suburban Pittsburgh.

Now they are gone—those tangible proofs of success.

Today Molever, 46, lives in Phoenix. He is almost broke. He cannot practice his profession. He is a man with an obsession.

The Bank of Wheeling nearly went under in 1966 and a powerful government agency, the Federal Deposit Insurance Corp., stepped in.

REFUSES TO BE DEAD

Molever was run over by the government machine. But he has refused to be dead.

He accuses the FDIC of covering up evidence not only of his innocence of apparent irregularities in the bank, but of possible crimes, as an expediency in keeping the bank open.

After moving his family (his pretty wife, Joy, a daughter, 9, and three teen-age sons ranging up to 19) from their lifelong home "in disgrace," Molever has spent more than four years and all his resources in a frustrating campaign to clear his name.

Only now is he beginning to see some light at the end of the tunnel.

With the aid of documents uncovered in recent months in a pending lawsuit, Molever has aroused the interest of congressional investigators.

The record shows a curious course was taken by the FDIC in avoiding payment of deposit insurance.

First, the FDIC had ordered Molever ousted under the stigma of blame for the bank's near failure.

Later the agency came up with long-existing evidence that cleared Molever.

But it was kept secret until Molever forced it into the open last summer in legal proceedings. All the while his pleas for a hearing were ignored by the FDIC.

TWO DIRECTORS APPOINTED

Meanwhile, to get the bank going again, the FDIC chose a couple of the bank's directors, wealthy brothers, of Wheeling.

The FDIC did this despite the fact, disclosed in the lawsuit, that one of its own bank examiners had reported that the brothers had used the bank in an apparently illegal scheme to benefit their furniture business.

Although FDIC examiners have reported apparent criminal law violations at the Bank of Wheeling, no charges have been brought by federal prosecutors.

Molever has resembled a character in a Kafka tale in his baffling, frustrating journey through the mazes of federal bureaucracy and the civil courts.

But he is stubborn. He has amassed a great array of documentation in devoting himself to a lopsided struggle.

As he explained in a recent letter to Chairman Wright Patman (D-Tex.) of the House Banking Committee, Molever had "no choice but to spend three years of his life, at the sacrifice of his family, investigating the affairs of this bank in order to undo the corrupt investigation of the FDIC and the unjust condemnation of an honest and innocent man."

Molever estimates he has spent $70,000 to wage a long legal battle to vindicate himself and collect damages on behalf of the bank's minority stockholders—including relatives and friends he had gotten to invest with him.

HAD ASSETS

In his more bitter moments, Molever reflects that a citizen without the assets he started with could never have persisted so long in a quest for justice.

The costs have been high.

"I had built up a line of credit, unsecured, of $260,000," Molever told the House committee. "Today I have no credit; my net worth was totally destroyed. I cannot practice my (CPA) profession. I had no income for the years 1966 through 1969 while I carried on this investigation."

He is working on salary for a Phoenix swimming pool construction company that trusted him in spite of the cloud on his reputation reflected in credit reports.

MAJOR TOPIC

His wife and children have become steeped in the bank case. It has been the major topic in their household for years. In Pittsburgh they had borne the brunt of rumors, questions, bad feelings that arose from the bank blowup.

Friends have often advised Molever to forget the bank and make a new life. His wife, for one, says she would have preferred this route to the anguish of Molever's chosen path. But her pride in him is obvious.

Molever puts it this way:

"A crook doesn't mind being called a crook but an honest man suffers. I've got three boys growing up and I can't do anything but go on until I clear my name."

In recent months he has finally had some encouragement.

The House Banking Committee staff is impressed with his case, though so far Chairman Patman has not held a hearing because of the pending civil litigation.

Earlier this month an Arizona congressman, Sam Steiger, wrote to Patman offering to rally Republican support in any effort "to not only rectify the past wrongs of the FDIC but to minimize any future transgressions on their part."

The FDIC itself has not responded to a request by The Times for information on the Bank of Wheeling matter.

But much of it already has been spread on the public record through Molever's civil court fight.

The main legal action is a stockholder derivative suit against Donald and Robert Levenson of Wheeling, who are directors of the Bank of Wheeling, their furniture company and the bank itself.

The lawsuit is expected to get to trial soon, after many delaying actions.

It has been a long road.

Just this month Molever saw a small but encouraging victory. A federal appeals court overruled a district judge who had dismissed the suit for lack of jurisdiction in the amount of monetary interest involved. Before too much longer the bank case may finally be heard on its merits.

The suit seeks $500,000 in actual and $50,000 in punitive damages.

AUTO LOANS

The bulk of the damages claimed involve the bank's loss on a single line of auto loans made by the bank in late 1965 and early 1966. The suit accuses the Levenson brothers of mismanagement and breach of fiduciary obligations.

The lawsuit also covers, in a separate cause of action, the area that the FDIC ignored in letting the Levensons take over the bank.

It is alleged in the suit, and supported by bank records and documents on file in the case, as follows:

The Levensons used the bank to fraudulently obtain 1½% to 2½% discounts from their furniture company's wholesale suppliers under a nonexistent financing arrangement with the bank.

More than $15,000 in discounts on more than $500,000 in purchases was falsely obtained from the bank in 80 instances in less than a year preceding April, 1966, it is alleged.

The bank was deprived of the interest that it would have earned if the financing arrangement had been bona fide and existing, the plaintiffs' action states.

The Levensons allegedly used the bank's own stationary in misrepresenting to suppliers that the arrangement existed. After preparing the letters at the furniture company, the Levensons had them signed by the bank's cashier and executive officer in charge of operations, Jay Noel.

Noel, in a deposition taken in the lawsuit, said he concealed these matters from Molever.

Donald Levenson said during his deposition that he had discussed financing arrangements with Molever.

"The bank is not out one single dime," Levenson contended.

He also maintained that the suppliers were aware that the furniture company, not the bank, was receiving the discount.

The lawsuit is the culmination of an ordeal that followed from Molever's venture into what was for him unfamiliar territory—the banking business.

With some associates and local business people in Wheeling, he had opened the Bank of Wheeling in April, 1965. Within a year it was tottering from about $500,000 in losses on a $1 million line of used car financing.

FDIC documents, which remained in the agency's confidential files until they came to light as exhibits in the stockholder suit, disclosed the following about the FDIC's ensuing conduct:

In a June, 1966, report one FDIC examiner detailed the Levenson's nonexistent financing plan as among "apparent irregularities."

FBI NOTIFIED

His immediate superior transmitted the report to the chief of the FDIC's examination division, noting that the FBI had been notified of "apparent violations" of federal criminal statutes.

A month later, in July, 1966, another examiner was sent into the bank to follow up on the bank examination with a criminal investigation.

The documents also reveal that second examiner, Thomas Lindsey, did not make a written report to federal prosecuting authorities until June, 1967. It made no mention whatsoever of the Levensons, who had by then gone ahead with the bank recapitalization under FDIC guidance. It made no mention, either, of the furniture store discount through the bank.

What the report did have was a discussion of "apparent irregularities" centering on the disastrous auto line of loans.

And it listed Molever and cashier Noel as among those "believed responsible" in a "conspiracy" with the auto dealer.

Not mentioned in the report was the fact that Noel in a letter of resignation to the bank board of directors in April, 1966, had assumed all blame and responsibility for the auto loans.

But on June 25, 1968, a year after his first report, Lindesy filed an addendum, which also is on file in the lawsuit. He explained in a separate letter to the FDIC examination division chief that he had reviewed his 1967 report in preparing his defense to a defamation suit filed against him by Molever, which has since been dismissed.

GREAT DETAIL

His addendum to federal prosecuting authorities reported Noel's resignation statement in great detail. It included statements that Noel had deceived Molever about the auto loan losses. Noel told the same story in his deposition in the stockholder lawsuit.

Lindsey, questioned for the lawsuit last July 22, said he could not recall the basis for naming Molever in his original report as among those believed responsible for irregularities. He said, however, he would stand by his two reports.

The FDIC board of directors on Aug. 25, 1966, had ordered the bank to take certain steps under pain of losing its FDIC-insured status.

Among them was removal of Molever from any connection with active management (he had resigned a week earlier).

SOUGHT HEARING

For months afterward Molever sought a hearing from the FDIC. He was notified Dec. 27, 1966, that a hearing would be scheduled if the FDIC board decided to "proceed further" than its August, 1966 order.

In February, 1967, Molever was notified that the FDIC had decided to terminate the proceedings against the bank. Therefore, he was told, an administrative hearing would not be held.

As recently as December, 1969, Molever wrote a long and impassioned letter to the FDIC's then chairman, concluding:

"The writer, his wife and four children, all honest and decent citizens, beg and plead with you. Won't you please look at our evidence?"

Molever said he did not get a reply.

DISPOSAL OF METALLIC SOLID WASTE

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. HOGAN. Mr. Speaker, in our search for ways to protect and improve the environment, one major difficulty facing us is the disposal of metallic solid waste—items such as old cars, refrigerators, stoves, and so forth. Perhaps the answer to this problem is extensive usage of iron and steel scrap processors.

Using a process developed by this industry, not only reclamation of the waste is possible, but also the preservation of our national resources follows as a direct result.

In the December 1970, edition of Association Management, a publication of the Institute of Scrap Iron and Steel, Inc., there appears an article written by a former student of mine, James E. Fowler, director of public relations. This statement presents clearly the objectives and accomplishments of the iron and steel scrap processors, and because of the hope it offers, I present the article here for the attention of my colleagues.

The article follows:

CASTOFF INDUSTRY TURNS UGLIFICATION INTO BEAUTIFICATION

INSTITUTE OF SCRAP IRON AND STEEL SOLVES PROBLEMS OF LAND POLLUTION BY RECYCLING OBSOLETE METALLICS BACK INTO ECONOMY AS NEW USABLE PRODUCTS

(By James E. Fowler)

Reclamation, conservation, beautification—these three words probably best describe the achievements of the iron and steel scrap processing industry in dealing with the mounting problems of metallic solid waste which plague our environment.

This $3 billion industry was built on the concept that our discarded metallics do not have to be left to waste, but should be recycled back into the economy. It is, in essence, an environmental control industry—one which takes the obsolete and allows it to be made new again—a profit making solution to one of the most visible forms of land pollution.

Our lawmakers, government officials, and the public at large have only recently grown concerned with what has been happening to our land, air, and water. Although the realization that something would have to be done has been emerging steadily, it has only been in the past few years that the stop-pollution cry has reached priority levels. The public outcry has led to the political outcry—something must be done, something must be stopped, something must happen if we are not to be destroyed by the very technological advances that made our modern civilization possible.

INDUSTRY IN AGE OF ECOLOGY

It is within this framework that the Institute of Scrap Iron and Steel, international association for more than 1,300 processors and brokers of iron and steel scrap, has found it necessary to define more accurately its role in representing its industry effectively in this age of ecology. The basic function of the industry has not changed, but the climate in which this industry functions has changed drastically. Our ecological balance has been left unchecked for far too many years. Everyone must share the blame, and everyone must cooperate in finding solutions to the problems that confront us.

This, then, is the role which the Institute of Scrap Iron and Steel has defined for itself in answer to one aspect of environmental control—a role of industry interpretation through research and education to those seeking solutions.

It is being accomplished through a master plan of programs and projects directed to various publics with one paramount objective—an understanding of the iron and steel scrap industry as a force in dealing with the problems leading to the pollution of our land.

To explain this role of the Institute, one must know something of the industry which it serves.

FACTORIES WITHOUT ROOFS

The scrap processor takes the cast-offs of our society, such as obsolete automobiles, washing machines, and refrigerators, as well as industrial scrap which results from the manufacturing of new products, and converts them into essential raw materials which can be recycled into the economy through remelting by steel mills and foundries. This is reclamation, achieved by heavy investment in equipment and machinery in what often is referred to as factories without roofs.

By recycling discarded metallics, a conservation need is filled because the product saves irreplaceable natural resources. Specifically, one ton of scrap iron and steel conserves up to 1½ tons of iron ore, one ton of coke, and a half ton of limestone needed in the steelmaking process.

OLD CARS ARE RECYCLED

It is through reclamation and conservation that strides are made in beautification. Old automobiles need not contribute to uglification if they are moved to the scrap processor for recycling as scrap to steel mills and foundries. And as an alternate metallic input for these consumers, many areas of otherwise attractive land need not be mined.

Yet in performing his function which serves environmental quality, the scrap processor is often confused with the junk dealer or automobile wrecker. He is included in statutes, erroneously, which have as their intent control of the latter two business operations

The iron and steel scrap processor has been subjected to many legal abuses through the years because he was thought to be a part of the problem. Although the frequency has subsided somewhat, the attempts to legislate him out of business continue. However, the rebuttal not longer takes on a defensive tone, but rather a positive one, because environmental quality is a major concern of the day. And, scrap processors are the only entity serving to help solve the problem.

PRIVATE SECTOR SOLUTION

Public officials are more cognizant of solid waste problems. Disposal in most areas of the country is costly and inadequate. By the very presence of an industry which recycles metallic solid waste, totally within the private sector, they have one less category of solid waste to deal with, one less cost factor to budget. What could be a potential problem for them is instead a contribution to their own economy. In short, public officials are more quickly convinced that scrap processors are not a part of the problem but helping to solve the problem.

Probably the most visible form of metallic solid waste is the abandoned and obsolete automobile. Of equal concern, but less obvious, are the other forms of obsolescent scrap referred to as consumer goods—refrigerators, stoves, washing machines, appliances and the like.

SOCIAL-AESTHETIC LIABILITY

These forms of scrap are not reaching the processor to be reclaimed at the rate they are being discarded. Instead, they are accumulating throughout the nation in increasing numbers, creating a social and aesthetic liability.

It is in the category of discarded consumer goods, and particularly the abandoned and obsolete automobile, that the Institute has selected to place the thrust of its public relations program in order to achieve its objective of public understanding. The junk car is an obvious problem which blights our landscape from city streets to the rural countryside. It represents all that is offensive to the public and to the government officials who are desperately seeking some type of relief.

Ironically, while the old car is a social and aesthetic liability, it also represents an economic asset if recycled back into the economy by iron and steel scrap processors.

Singled out, the old car tells most vividly the story of the industry's theme—reclamation, conservation, beautification.

One additional reference point should be made. Since the iron and steel scrap industry is one of environmental control through metallic solid waste management, almost anything which would affect the industry would in turn affect its ability in some form to deal with this problem. For this reason, the environmental theme is woven throughout the total efforts of the Institute—from hearings before the Interstate Commerce Commission concerned with freight rate increases to hearings before county zoning commissioners on the site of a scrap processing plant.

INDUSTRY AS A GOOD CITIZEN

Within this framework, I would like to highlight some of the programs and techniques employed by the Institute to interpret its industry's environmental role in order to achieve public understanding.

To establish the industry as a good citizen within the nation, an industry concerned with issues of state, the Institute introduced its first external periodical, Phoenix Quarterly. With a mailing list of nearly 25,000, the recipients are opinion and thought leaders, including elected and career government officials at all levels, educators, civic leaders, those involved in ecology, conservation and beautification, and editorial writers and columnists. Each issue provides a forum for ideas on a subject of interest to the country and the industry. Three of the five issues to date have dealt with environmental concerns. Articles for Phoenix Quarterly are solicited from experts within the field and are selected so as to encompass various points of view on the theme subject.

As an example, the first issue was devoted exclusively to the abandoned car crisis. Authors included Sen. Jennings Randolph, chairman of the Senate Public Works Committee; Secretary of Transportation John Volpe; New York Mayor John V. Lindsay; Maryland Governor Marvin Mandel; and the Institute's president, Leonard I. Abrams, presenting the industry's view.

Now in its second year, Phoenix Quarterly has generated favorable editorial comment and, on several occasions, articles have been reprinted by newspapers and other periodicals.

FORUM FOR IDEAS

To create an in-person forum for ideas, the Institute last March sponsored Landscape: 1970—The National Conference on the Abandoned Automobile. More than 250 city, county, state and federal representatives came to Washington to review progress being made in solving the old car problem and to hear presentation and ask questions about case studies of successful auto recycling programs. The Institute had sponsored a similar conference in 1964 which dealt primarily with defining the scope of the problem.

Planned and arranged by the Institute's Task Force on Disposal of Obsolete Automobiles, the conference had a four-fold objective: to talk alternative solutions with local government officials; to produce an up-to-date document, the conference proceedings, dealing with the problem and solution; to provide news for mass media coverage of the abandoned car crisis; and to reinforce the Institute's leadership role in solving the problem.

In post-conference evaluation sessions, it was the consensus that all four objectives had been met.

The conference proceedings are receiving wide distribution. Copies were sent to each member of Congress, the governors of each state, state legislative services, and government agencies and departments who have an interest in the abandoned automobile.

The highlights of the conference were also featured in the summer issue of *Phoenix Quarterly*, which resulted in increased awareness of the problem and additional editorial and news coverage.

MINI-CONFERENCE APPROACH

In a pilot project, one of the Institute's 25 chapters, encompassing Tennessee, Georgia, Alabama and Florida, has undertaken a state-by-state approach to focusing attention on the abandoned car problem with a series of mini-conferences. Taking the problem where it exists, to the local level, each meeting has resulted in excellent attendance, news coverage, and local recognition of the industry as a leader in seeking environmental quality by working with local officials in formulating workable programs.

It is with the objective of generating more local action that the Institute undertook sponsorship of the Jaycees Environmental Improvement Program. It is also hoped that sponsorship will provide these 325,000 action oriented young leaders with a better understanding of the iron and steel scrap processing industry.

Jaycees President Thomas B. Gordan says, "We are grateful to the Institute of Scrap Iron and Steel for making our nationally distributed Environmental Improvement manual possible, and also for their participation in our recent environmental control seminar. The manual will be sent to approximately 8,000 local chapter presidents and other Jaycee officials to provide the expertise necessary to help stem the critical problems in this priority area."

LOCAL SOLID WASTE PROJECTS

Although the manual will cover air, water, and land pollution, it is anticipated that many Jaycee chapters will undertake metallic solid waste projects such as old automobile removal. In such instances, efforts are being made for local Institute members or chapters to work with the Jaycees in planning and implementing such programs.

Probably no group in the country today is more concerned with the decay of our environment than the nation's youth. This became acutely obvious to the Institute just prior to Earth Day, April 22. One hundred thousand four-page tabloid newspapers were quickly prepared and offered free through the Earth Day sponsor's "Environmental Action" newsletter and to Institute members for their local distribution. The supply was almost im-

mediately depleted, and hundreds of requests for the tabloid had to be refused although other materials were substituted when possible.

The nature of the requests was most enlightening since many came from elementary students and teachers. This added impetus to the Institute's plans to produce a sound filmstrip for the middle grades—5, 6, 7 and 8. But, due to budgetary considerations, funds were not available. A membership survey indicated that a sizable number of prints would be purchased if the film-strip were produced. A New York film company is now completing production of that filmstrip in cooperation with the Institute on the basis of a minimum guarantee of orders. It appears that the result will be a successful program for the Institute and its members, with no cash investment by the association.

FILM VIEWED BY 8 MILLION

The Institute's 16mm color film, "The Endless Search," has conveyed the industry's story to nearly 8 million television viewers through public service time. A 28 minute production, it is made available in high schools, colleges, and universities through the institute, and to specially defined audiences through a professional film distributor.

While these and other facets of the Institute's programming are felt to be improving public understanding, the board of directors also anticipated that the industry itself would have to better understand the ramifications of attempting to cope with metallic solid waste.

RESEARCH IN FERROUS WASTE

Realizing this great need for research in the reclamation of ferrous metallics, the Institute in 1967 formed the Scrap Metal Research and Education Foundation. The objective was to focus more attention on the research function within the industry. In May 1970, the Foundation received a grant from the U.S. Department of Health, Education, and Welfare, Bureau of Solid Waste Management, and the Institute for "A Study to Identify Opportunities for Increased Recycling of Ferrous Solid Wastes." It is hoped that this study will also identify those areas which tend to break down the scrap cycle, with the thought that future Foundation research will determine methods to eliminate inhibiting factors.

The Foundation is also supporting research work by the Association of American Railroad Car Dismantlers, an adjunct of the Institute. Of concern is a method to dismantle obsolete railroad cars other than by open-burning which creates air pollution.

BRIDGING THE ECOLOGY GAP

This, then, is the basic role which the Institute of Scrap Iron and Steel plays in bridging the ecology gap between its industry and public—a clearing house and information source on the state of metallic solid waste reclamation for government, concerned and interested citizens, the news media and industry.

It is through the determination of the Institute's public relations committee, with advice of public relations council and the Institute staff, that this program has taken meaning.

In the future, as in the past, the Institute will be a flexible organization ready to meet the needs of its members and the society which they serve in the quest for environmental quality through reclamation, conservation, beautification.

SENATE—*Friday, March 5, 1971*

(Legislative day of Wednesday, February 17, 1971)

The Senate met at 11:45 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. ELLENDER).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, on this World Day of Prayer we lift our prayer to Thee that by drawing close to Thee the people of the whole world may be drawn closer one to another in the brotherhood of man. Put away from us all that breaks kinship with the race which Thou hast made of one blood. United in prayer may the nations join in striving to make all mankind one family, living in a more perfect society where peace and justice shall reign according to Thy will. Forgive our warring world, and hasten the day when swords are turned into plowshares and men cultivate the sinews of the spirit.

Hear the prayers which we speak and the deeper prayers of our hearts which our lips cannot frame.

In the Redeemer's name. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Journal of the proceedings of Thursday, March 4, 1971, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the order entered yesterday, the Senator from Arkansas (Mr. FULBRIGHT) is recognized for 15 minutes.

(The remarks of Mr. FULBRIGHT when he introduced S. 1125, dealing with Executive privilege, are printed later in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Leonard, one of his secretaries.

SPECIAL REVENUE SHARING FOR URBAN COMMUNITY DEVELOPMENT AND PLANNING AND MANAGEMENT ASSISTANCE FOR STATE AND LOCAL GOVERNMENTS—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was referred to the Committee on Banking, Housing and Urban Affairs:

To the Congress of the United States:

As the size of Federal programs for renewing our cities has grown in recent years, so has the evidence of their basic defects. Plagued by delay and duplication, by waste and rigidity, by inconsistency and irrationality, Federal grant-in-aid programs for urban development have simply not achieved the purposes for which they were established. Sometimes, they have even worked to complicate and extend the very problems they were designed to remedy.

The time has come for us to stop merely giving more money to these programs and to begin giving more thought to them. That is why I am proposing today two new instruments for renewing and rebuilding our cities. One is a new plan of Special Revenue Sharing for Urban Community Development. The other is a new program of Planning and Management Assistance for State and local governments which will benefit both urban and rural areas.

GROWING NEEDS AND GROWING EXPENDITURES

The Federal Government's first significant involvement in community development came with the passage of the Housing Act of 1949, which established as a national goal the realization of "a decent home and a suitable living environment for every American family. . . ." We were already a nation of cities when that legislation was passed. In the two decades since that time we have become even more highly urbanized.

In 1950, some 56 percent of our population lived in metropolitan areas; today the comparable figure is almost 69 percent. The recent Census shows that three-fourths of our population growth in the last ten years came in metropolitan areas, especially in the suburbs which grew by more than 25 percent.

This concentration of population growth in already crowded areas is not a trend that we wish to perpetuate. This administration would prefer a more balanced growth pattern—and we are taking a number of steps to encourage more development and settlement in the less densely populated areas of our country. But this does not mean that we will avoid or slight the challenge of the cities and the suburbs. This is a highly metropolitan nation. It must have an effective strategy for meeting metropolitan problems.

As those problems have mounted in recent years we have often responded by creating more programs and by spending more money. Since 1949, we have committed more than $10 billion to those urban development programs which I would consolidate into this Special Revenue Sharing Program. We will commit almost three times as much money to these programs this year as we did six years ago. While a number of good things have been accomplished with this money, the returns have still fallen far short of even the most reasonable expectations.

On every hand we see the results of this failure: a sorely inadequate supply of housing and community facilities, vast wastelands of vacant and decaying buildings, acre upon acre of valuable urban renewal land lying empty and fallow, and an estimated 24 million Americans still living in substandard housing. Many of our central cities—once symbols of vitality and opportunity—have now become places of disillusion and decay. As many suburban neighborhoods have grown older, they, too, have begun to deteriorate and to take on the problems of the central cities. Even some of the newest suburban "subdivisions," planned and developed in a shortsighted, haphazard manner, are not prepared to provide essential public services to their growing populations. They are already on their way to becoming the slums of tomorrow.

It is a sad and ironic fact that even as America has become a more highly urbanized nation, its cities have become less attractive and their governments less able to deal with their problems. Federal assistance has failed to reverse these trends and frequently it has compounded them.

PROBLEMS WITH THE PRESENT SYSTEM

Just what is it that is wrong with our present system of Federal aid? There are two basic problems. First, Federal assistance is excessively fragmented—it is channeled through many separate and independent grant programs. Second, spending under each of these programs is excessively controlled at the Federal level.

1. *Fragmentation.* The present system of categorical grants-in-aid has grown up over the years by bits and by pieces. As each new goal or concern was articulated, new categorical programs were set up. Conventional urban renewal was begun in 1949 to help acquire and clear land in deteriorating areas and plan for its development. Other specialized urban renewal programs followed which focused on the demolition of unsafe structures, on making interim repairs in neighborhoods which were scheduled for renewal, and on helping localities enforce their own housing codes. In 1968 a new neighborhood development program was established for funding urban renewal projects on a year-by-year basis rather than through commitments extending many years into the future.

Other programs were also created over the years for a variety of other purposes, including the rehabilitation of private buildings and the construction of water and sewer facilities and other public works. The tangle of separate Federal programs became so frustrating that when a new model cities program was added in 1966, it was expressly designed to provide general, flexible support for coordinated development programs, though only in a limited number of targeted areas.

The proliferation of separate grant programs has created a difficult situation for local governments that wish to utilize Federal development money. For each community must now make a series of separate applications to a series of Federal officials for a series of separate grants, each of which must be spent for a stipulated purpose—and for nothing else. Ideally, all of these grants should fit into a single comprehensive development program, tailored to each community's particular needs. But it is extremely difficult for any community to create an overall strategy for development when each element in that strategy must be negotiated separately by officials who cannot be sure about the outcome of all the other negotiations.

To make things even worse, some of these Federal programs require local communities to work through semi-autonomous local officials—often bypassing the elected local leaders. Thus, even if one leader, a mayor, for example, *does* manage to create a comprehensive development plan for the money he controls, he is often unable to include in his plan that Federal assistance which goes directly to an urban renewal agency or a local sanitary district. Often mayors are unable even to calculate the overall level of Federal development aid that is coming into their communities.

These categorical programs, in other words, are separated not only on the giving end in Washington, but also on the receiving end in the local community. And there is no one, anywhere, who can plan so that all the various parts will fit into a comprehensive whole.

The fragmentation which afflicts the planning process continues after the grants are made. Each program is surrounded by its own wall of regulations and restrictions and coordination between programs is often very difficult. Sometimes programs work at cross-purposes and sometimes they needlessly duplicate one another. For example, the Federal Government, working through two different agencies, has been known to fund two different local authorities to build two sewer systems to serve the *same* neighborhood.

The inflexibility of the present system often means that money cannot be used where the need for money is greatest. If a city suddenly finds that it must put in new street lights, it cannot use funds that are earmarked for demolition or rehabilitation. Geographic restrictions are also a problem. Money for an urban renewal project which has been approved for one carefully defined neighborhood, for example, cannot be used at a closely related site just across the street, if that street happens to be the boundary of the renewal area.

The result of these fragmented and inflexible grant programs has been a highly irrational pattern of development in many urban communities. Rather than focusing and concentrating resources in a coordinated assault on a common problem, the categorical grant system works to divide and scatter those resources and severely to diminish their impact.

2. *Federal Control.* The first major problem, fragmentation, concerns what happens *among* various grant programs. The second major problem concerns what happens *within* each program as a result of excessive Federal control.

Almost all of our present development grant programs require a local community to file an extensive application with Federal authorities who, if they approve the plan, will then pay out available money on a project-by-project basis. Because competition between localities for limited Federal dollars is most intense, local officials are highly motivated to meet both the formal requirements and the informal preferences of Federal officials as they file their applications. And since Federal monitoring often continues after the funds are approved, local decisions inevitably continue to reflect Federal viewpoints.

But what is gained by these requirements? There is simply no good reason why a Federal official should have to approve in advance a local community's decision about the shape a new building will have or where a new street will run or on what corner it will put a new gas station. Yet that is precisely the kind of matter that now must be reviewed at the Federal level. In one case, in fact, the Federal reviewer actually turned down a grant application because the architect had included an eight-sided building in his design and the Federal regulations did not specifically allow for funding octagonal buildings.

Decisions about the development of a local community should reflect local preferences and meet local needs. No group of remote Federal officials—however talented and sincere—can effectively tailor each local program to the wide variety of local conditions which exists in this highly diversified land. The only way that can be done is by bringing more tailors into the act, tailors who are elected to make sure that the suit fits the customer.

While little is gained by inordinate Federal involvement; a great deal can be lost. Excessive Federal influence can work to limit the variety and diversity of development programs—which means that the opportunity to experiment with new techniques and to learn from a wide range of experiences is also limited. Because little decisions tend to drive out bigger ones, the present arrangements give the Federal Government less opportunity to focus on the questions it can answer best. And even under the best of circumstances, excessive Federal control results in massive inefficiency and intolerable delays.

I looked recently at some of the applications that communities have submitted for certain urban development funds. One of them was two and a half feet high. I am told that Federal participation in any given urban renewal project now involves almost 300 separate procedural steps. No wonder it now takes an average of three years for an urban renewal plan to be developed and accepted and an average of ten years before a project is completed.

One result of such delays is a particularly troubling urban problem which is known as "planner's blight." It often sets in between the time a Federal renewal project is announced and the time it is actually started. During this interval, a neighborhood frequently stagnates. Since they have been marked for eventual destruction, streets and parks and buildings are allowed to fall into disrepair. Residents and businesses move away and no one moves in to replace them. As the quality of life declines in one area, surrounding neighborhoods—which have not been marked for renewal—can also be adversely affected. Thus a program which was set up to cure a problem, can actually work to make that problem worse, particularly for the poorer residents of the neighborhood who are often unable to receive relocation assistance until the project actually begins.

"Planner's blight" is one dramatic result of Federal redtape. But there are many other costs as well. Instead of focusing their time and their resources and their talents on meeting local needs, city officials must concentrate on pleasing Washington. They must learn to play a terrible game called "grantsmanship," in which the winners are those who understand the rules and intricacies of the Federal bureaucracy rather than those who understand the problem that needs to be solved. Many local governments now feel they must hire experts who have specialized in grantsmanship to carry on their dealings with Washington. Additional distortions in local efforts occur when local resources are diverted from higher priority programs in order to provide the matching funds which are needed to qualify for many Federal grants.

Deprived of the freedom and the tools to undertake broad programs of renewal and development in their jurisdictions, local officials grow more and more frustrated. And so do local voters who too often find that the official who is most accessible to them can escape from their complaints by saying, "We had to do it this way to qualify for Federal money."

TWO TRAPS TO AVOID

Clearly we can do better than this—indeed, we must do better if our cities are to be revived. But our search for a better answer will never be successful unless we avoid two temptations which have trapped us in the past.

The first is the temptation to try to force progress with money. If only we appropriate more funds, we are often told, then everything will be all right. How long will it take us to learn the danger of such thinking? More money will never compensate for ineffective programs. The question we must ask is not "how much?" but "how?"—and the answer to that question lies not in the quantity of our resources, but in the quality of our thinking.

The second trap we must avoid is that of confusing national interest with Federal control. We have too easily assumed that because the Federal Government has a stake in meeting a certain problem and because it wants to play a role in attacking that problem, it therefore must direct all the details of the attack. The genius of the Federal system is that it offers a way of combining local energy and local adaptability with national resources and national goals. We should take full advantage of that capacity as we address the urban challenge.

HOW THE NEW PROGRAM WOULD OPERATE

The $5 billion program for General Revenue Sharing which I proposed to the Congress on February 4th was designed to give greater resources to hard-pressed States and localities. But a lack of resources is only one of the deficiencies from which State and local governments now suffer. They also lack the opportunity to exercise sufficient responsibility in meeting social needs. As a further step in revitalizing State and local governments, I am therefore recommending a series of six Special Revenue Sharing programs under which the National Government would set certain general goals while programmatic decisions would be made at the State and local level. I have already sent two such proposals to the Congress—in the fields of law enforcement and manpower training.

My third Special Revenue Sharing proposal is for urban community development. I recommend that four categorical grant programs now administered by the Department of Housing and Urban Development be consolidated into a single fund. The size of this fund in the first full year of operation would be $2 billion. Cities would be able to spend their money as they see fit, provided only that they used it for community development purposes.

The four elements which would be combined to form this new fund would be the current programs for urban renewal, Model Cities, water and sewer grants and loans for the rehabilitation of existing structures. The urban renewal program, in turn, now contains several subcategories which money will become part of the new fund, including so-called "conventional" urban renewal, the Neighborhood Development Program, assistance for concentrated local code enforcement, interim assistance for blighted neighborhoods, demolition grants and rehabilitation grants. I am proposing that this new program begin on January 1, 1972. In its second year of operation, I would add to this fund by including the money which the Office of Economic Opportunity now spends on some of the elements of its Community Action Programs.

DISTRIBUTING THE FUNDS

How would the money be distributed? Because these funds are designed to achieve the specific purpose of urban development, most of the money would be sent to the metropolitan areas of our nation where the vast majority of Americans live and work. Eighty percent of this Special Revenue Sharing fund would be assigned for use in Standard Metropolitan Statistical Areas. The Office of Management and Budget defines a Standard Metropolitan Statistical Area as an area which contains a central city or cities with an aggregate population of 50,000 or more and those surrounding counties which have a metropolitan character and are socially and economically integrated with the central city. There are 247 such areas in the United States at the present time.

The money assigned to Standard Metropolitan Statistical Areas—eighty percent of the total fund—would be allocated among the SMSA's according to a strict formula which would be written into the law so that each SMSA would be assured in advance of its fair share. The central cities and other cities in each SMSA with a population of more than 50,000 would, in turn, automatically receive a stable annual share of the SMSA's funds—again, according to the same objective formula.

In each Standard Metropolitan Statistical Area, some balance would remain after the major communities had received their formula share. In the initial years, this balance would be used by the Department of Housing and Urban Development to compensate any major city in that metropolitan area which received less from the formula allocation than it received annually from the old categorical grant programs over the past few years. Thus, all of these cities would be "held harmless" against reductions in the total urban development support they receive from Washington. None would be hurt—and many would receive more assistance than they do at present.

This administration also recognizes the needs of the growing and changing suburban and smaller communities—with populations under 50,000—within metropolitan areas. After the formula allocation and "hold harmless" commitments have been honored within each Standard Metropolitan Statistical Area, the remaining balance would be available to assist such smaller units, as well as counties, and to encourage areawide developmental cooperation.

The formula according to which the funds would be distributed among the Standard Metropolitan Statistical Areas and among the cities within them would be "problem oriented"—so that the money would be channeled into the cities which need it most. The formula would take into account the number of people who live in an area or a city, the degree of overcrowding there, the condition of its housing units, and the proportion of its families whose income is below the poverty level.

The remaining twenty percent of the Special Revenue Sharing fund for Urban Community Development—the part that did not go by formula to the Standard Metropolitan Statistical Areas—would be available to the Secretary of Housing and Urban Development to distribute. Much of this money would be used during the transitional period to help hold communities harmless against reductions in the overall level of their urban development support. These funds would also be used to encourage state involvement in urban community development, to perform research, to demonstrate new techniques and to aid localities with special needs and with special opportunities to implement national growth policy.

SPENDING THE FUNDS

How would cities use this money? For community development purposes—which could include investments in both physical and human resources. All of the activities which are eligible for support under the present urban development categorical grants would be eligible for support from the new Special Revenue Sharing fund which would take their place. Cities could thus use their allocations to acquire, clear and renew blighted areas, to construct public works such as water and sewer facilities, to build streets and malls, to enforce housing codes in deteriorating areas, to rehabilitate residential properties, to fund demolition projects, and to help relocate those who have been displaced from their homes or businesses by any activities which drew on these urban community development special revenue sharing funds. They could also fund a range of human resource activities including those now funded by Model Cities and Community Action programs.

Just which of these activities would be supported and what proportion of available funds would be channeled into each activity are decisions that would be made locally. No Federal approval would be required. Cities would simply be asked to indicate how they plan to use their funds and to report periodically on how the money was expended. This requirement is included merely to insure that funds would be used for eligible activities.

As is the case with all other revenue sharing programs, there could be no discrimination in the use of these funds. The rights of all persons to equitable treatment would be protected. Any monies expended under this program would be considered as Federal financial assistance within the meaning of Title VI of the Civil Rights Act of 1964.

THE TRANSITION PROCESS

The Department of Housing and Urban Development has already taken a number of steps designed to achieve more coordination among grant programs and greater decentralization on decisonmaking within the present structure of categorical grants. For example, the Department has been encouraging cities to create total community development strategies and has been working to fit categorical aids into such strategies wherever possible. It has also delegated substantial authority to its own regional and area offices. Such efforts are helping to lay a foundation for Special Revenue Sharing and all of them will continue.

One of the most important existing stepping stones to revenue sharing is the Model Cities program which was designed to provide a local community with flexible funding and sufficient freedom so that it can coordinate a wide variety of development programs in a given target area. The Model Cities idea grew out of a mounting frustration with traditional categorical grants. Ideally, it embodies—on a limited basis—the principles we are trying to extend to all development aid through Special Revenue Sharing.

Even in the Model Cities program, however, the ideal has not yet been fully realized. The program is still limited in scope and it still suffers from certain restrictions—the need to negotiate projects with Washington, for example, and the fact that some programs are still limited to certain neighborhoods. The Department of Housing and Urban Development has worked to minimize these limitations and it will continue to do so. At the same time, I hope that the Congress will enact this Special Revenue Sharing program and thus complete the work which began when the Model Cities program was set up five years ago.

I would emphasize that there will be no lessening of Federal support for urban development activities between now and January 1, 1972, the proposed starting date for the new program. Our problems will not take "time out" and neither can our efforts to deal with them. Where long-range commitments have been made to fund urban renewal projects, those commitments will be honored. Amendatories—supplementary pledges which cover cost increases in urban renewal projects—will also continue to be funded. We will, however, discourage applications for new conventional urban renewal projects—since they would tie up future funds today which would mean cash through Special Revenue Sharing in future years. Instead, we will prepare for Special Revenue Sharing by placing greater emphasis in all programs on annual incremental funding—of the sort that is now used in Neighborhood Development Programs.

Similarly, all other affected programs will continue to be funded until the new program comes into effect. This includes our Model Cities and Community Action commitments. As soon as the starting date for Special Revenue Sharing is established by the Congress, this administration will work out transition arrangements, so that there will be neither a funding gap nor a period of double funding.

WHAT THIS PROGRAM WILL—AND WILL NOT—DO

Special Revenue Sharing for Urban Community Development offers a precise and direct solution to the problems which now afflict our system of urban aid. Unlike fragmented and rigid categorical grants, this new plan would allow local leaders to marshal Federal and local dollars according to a simple, comprehensive plan which could be rationally formulated and then intelligently adjusted as conditions change. And—unlike the present system of Federal approval for local project grants—Special Revenue Sharing would give the responsibility for making local decisions back to local officials who can make them best. It is this feature which distinguishes Special Revenue Sharing from the so-called "block grant" which also consolidates categorical grants into a single fund but which retains the Federal approval process and the concomitant disadvantages of excessive Federal control.

Instead of spending their time trying to please Federal officials in Washington—so that money will continue to flow—local leaders would be able to concentrate on pleasing the people who live in their city—so that the money would do more good. A great deal of redtape would be eliminated at both the local and the Federal level—and with it a great deal of waste and delay.

The merger of several categorical programs into a single development fund would enhance the authority and capacity of local officials. It would also serve as a means to dramatize the overall share of national resources which are allocated to this process. The concern of Federal officials and the Congress would no longer be with the details of local projects but with the general place of urban development among our national priorities.

For a variety of reasons, local governments would find that they are better off financially under Special Revenue Sharing than they were before. In the first place, the new plan would provide cities with a level of urban development funding which is at least comparable to that which they have now. In addition, it would contain some extra money which would allow many communities to improve their position. In future years, the overall program could reasonably be expected to grow.

General Revenue Sharing, of course, would provide still more new dollars for these local governments. In addition, cities would get back their discretionary power over the money they were previously spending on matching funds. Because they would not have to prepare and follow up on immense applications and detailed reports for Washington, local governments would save a considerable administrative expense. And, to the degree that they used their new freedom to make wiser spending decisions, they would find that their new Special Revenue Sharing dollars would go further than did their old grants-in-aid.

One point that should be very clearly understood is that no program currently funded by categorical grants need be discontinued under the new arrangement. Every community would have the capacity to maintain—and many would have the capacity to expand—any of these current programs. The suggestion that Model Cities programs, for example, would be terminated is extremely misleading. That would happen only if a locality made a deliberate decision that it wanted to terminate the program, something it is free to do right now. Since existing Model Cities programs require local governments to take the initiative in applying for participation, there is little reason to think that many cities would be motivated to dismantle their Model Cities projects under Special Revenue Sharing—unless they were fairly certain they could use the development money more effectively somewhere else.

Similarly, there is little reason to fear that the problems of impoverished areas would somehow be neglected under this plan. The political leverage of those who live in poverty areas has increasingly been focused on local governments in recent years—and it often has greater impact in such places than when it is diluted at the national level.

STRENGTHENING THE FEDERAL SYSTEM

This Special Revenue Sharing program is built upon a fundamental faith in the inherent capacity of local governments to govern well—if they are given sufficient resources and sufficient responsibility.

Some will argue against such a program by contending that a number of State and local officials will prove to be unresponsive or irresponsible. But this is no reason to reject revenue sharing. Whenever one is dealing with thousands of local officials, there is always a danger that some will prove to be less worthy of one's confidence than others. That is always the risk of moving toward greater freedom—it necessarily becomes more difficult for any one authority to guarantee how the many will behave.

The question is *not* whether revenue sharing is a foolproof way to avoid bad decisions. No system can do that. The question is whether—on balance—revenue sharing is more likely or less likely to produce *good* decisions than our present system of grants-in-aid.

The question is not whether there are risks in this program. Of course there are. The question is whether the rewards outweigh those risks.

I have already presented a number of reasons why I believe the potential rewards of revenue sharing are considerable. It should also be emphasized, however, that the risks are really very small. The Model Cities program has both demonstrated and enhanced the growing capacity of local leaders to deal skillfully with developmental questions. Moreover, those who talk about the risks of revenue sharing often forget that revenue sharing will *itself* do a great deal to strengthen and improve State and local government. *That is why I so strongly believe that those who are most concerned about the shortcomings of State and local governments ought to be most enthusiastic about a strong Federal revenue sharing program.*

In many fields today, State and local officials are often forced to function as wards of the Federal Government. Often, they are treated as children who are given a meager allowance, told precisely how to spend it, and then scolded for not being self-reliant enough to handle more responsibility. If we want State and local government to survive, then we must break into this vicious cycle.

The best way to develop greater responsibility at the State and local level is to give greater responsibility to State and local leaders. Only then can we reward and strengthen the many leaders who are effective and help the public to identify and to replace the few who are not. If we want to get more good people into government, then we must give them more opportunity to do good things. To do otherwise, to continue with programs that assign to appointed Federal bureaucrats decisions that should be made by elected local leaders, will only serve to compound the danger of governmental atrophy at the State and local level.

A NEW PLANNING AND MANAGEMENT PROGRAM

To strengthen State and local capacities even further, I am presenting a second proposal today, one that would do a great deal to help *all* of our revenue sharing proposals work even better. I am asking the Congress to authorize a new program of Planning and Management Assistance to States, to areawide agencies and to localities. Under this program, $100 million would be available for these purposes.

The new program would involve more money, and would provide recipient governments with broader and more flexible support for building up their capacity to govern effectively. It would be focused primarily on the chief executives of State and local general purpose governments—on Governors, mayors, and county executives—to enhance their ability to make well informed policy decisions, to lay intelligent long range plans, to allocate their budgetary resources wisely, and to coordinate complex development activities in many fields. It will place new emphasis on the creation of a comprehensive management process, one that ties together planning and action, not just in the community development field, but in fields such as transportation, education, law enforcement and all other fields of local and areawide governmental endeavor. Local officials would have a great deal of discretion in determining just how this planning and management assistance would be utilized.

Special Revenue Sharing itself can do a great deal to liberate local governments so that their planning and their programs can become more imaginative and more effective. A new program of planning and management assistance would help States and local officials take full advantage of this opportunity. It is a significant companion proposal to *all* of our revenue sharing initiatives.

CONCLUSION

For a variety of reasons, then, we can be confident that the States and localities will prove equal to their revenue sharing responsibilities. But as we consider these programs, we should also remember one more thing. To choose the revenue sharing mechanism is not to choose any *one* level of government over *another* level of government. In supporting revenue sharing we are not deciding *against* the Federal Government, but *for* the Federal system.

That system is one which has served our country well for nearly two centuries, allowing us to combine national unity and regional diversity, to balance our common ideals with our highly varied ways of pursuing them, to solve the ancient philosophical challenge of reconciling the many and the one.

But the Federal system does not work automatically. Like democracy itself, it lives only because those who work within it are committed to its success. It is now for us to decide whether the Federal system will decay or flourish in our time.

RICHARD NIXON.

THE WHITE HOUSE, *March 5, 1971.*

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the transaction of routine morning business not to exceed 45 minutes, with statements therein limited to 3 minutes.

The Senator from Kansas is recognized.

ANNOUNCEMENT ON VOTES

Mr. PEARSON. Mr. President, when two rollcall votes were taken on March 1, I was necessarily absent. Had I been present and voting, I would have voted "yea" on legislative No. 9 and "nay" on legislative No. 11.

I ask unanimous consent that the permanent RECORD be changed to reflect these two positions.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE—CLOTURE MOTION

Mr. PEARSON. Mr. President, I send to the desk, under the provisions of paragraph 2 of rule XXII of the Standing Rules of the Senate, a motion signed by myself and 40 other Senators to bring to a close debate on the motion to proceed to the consideration of Senate Resolution 9. I hereby reserve all constitutional and procedural rights heretofore mentioned in the filing of a cloture motion on the prior requests in the Senate.

Mr. President, I ask that the clerk report the cloture motion.

The PRESIDENT pro tempore. The clerk will state the cloture motion.

The assistant legislative clerk read the cloture motion, as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the motion to proceed to the consideration of the Resolution (S. Res. 9) amending Rule XXII of the Standing Rules of the Senate with respect to the limitation of debate.

HIRAM L. FONG, JOSEPH M. MONTOYA, HUGH SCOTT, RICHARD S. SCHWEIKER, JACOB K. JAVITS, FRANK E. MOSS, MIKE MANSFIELD, WILLIAM PROXMIRE, BIRCH BAYH, ROBERT TAFT, Jr., EDMUND S. MUSKIE, CHARLES H. PERCY, MARLOW W. COOK, CLIFFORD P. CASE, QUENTIN N. BURDICK, HUBERT H. HUMPHREY, JOHN O. PASTORE, JENNINGS RANDOLPH, WARREN G. MAGNUSON, CHARLES McC. MATHIAS, JR., STUART SYMINGTON, THOMAS J. McINTYRE, J. GLENN BEALL, JR., JOHN V. TUNNEY, ROBERT P. GRIFFIN, JAMES B. PEARSON, HARRISON A. WILLIAMS, JR., VANCE HARTKE, CLINTON P. ANDERSON, ALAN CRANSTON, ABRAHAM RIBICOFF, PHILIP A. HART, FRANK CHURCH, PETER H. DOMINICK, MARK O. HATFIELD, GORDON ALLOTT, CLAIBORNE PELL, EDWARD M. KENNEDY, WALTER F. MONDALE, LEE METCALF, GAYLORD NELSON.

A NATIONAL PLAN FOR HEALTH INSURANCE

Mr. COOK. Mr. President, throughout the past few weeks, there has been a great deal of heated and vociferous debate concerning the issue of a national plan for providing health insurance for all Americans. To date, three bills have been introduced in the Senate, and the President's proposal, the substance of which is already known, is expected soon.

I have been vitally concerned, Mr. President, over the nature of the debate that this issue has prompted, and over the supposed "fact-finding" hearings of the Health Subcommittee. This discussion has been tainted with political maneuvering and irrational and unfounded accusations. It seems to me that even though this Congress is functioning in the shadows of the approaching presidential campaign, It would be sheer folly to cloud such a crucial issue with this misleading rhetoric.

As an example of the course this discussion has taken, I offer the following. It has been charged that President Nixon's national health insurance plan would mean a "windfall of billions" to the insurance companies, since it relies on a system in which the insurance is carried by private companies. Statistics from the Social Security Bulletin of February 1971, show that private health insurance carriers in 1969 had a net underwriting loss of $414.4 million on group policies, which represented a 7.3 percent loss on total premium income. Blue Cross-Blue Shield experienced a $363.7 million loss, representing a 3.4 percent loss on premium income. These statistics do not represent an isolated year, but rather the continuance of a trend which began in 1968. Thus, it is certainly illogical to assume that the President's plan would substantially improve the profit picture of these organizations. Actually, it could be argued that such a system would only worsen the current loss ratio. Another example of the illogical nature of these discussions concerns Senator KENNEDY's proposal that the Federal Government provide health insurance for all Americans through the Social Security Administration, which currently administers the medicare program.

The Social Security Administration has been extremely inefficient in processing claims. Figures from the Bureau of Health Insurance for the period of April–June 1970, concerning the average number of days between the date a claim is received and the date it is approved for payment show that the Social Security Administration required 20.3 days for this process, compared to the national average of 9.9 days for processing a health benefit claim. In many instances medicare claims have not been processed for 6 months and longer under the social security system.

Figures from the same source also show that the Social Security Administration's work on hand, a measure of administrative backlog, and thus an indicator of efficiency, averaged 4.3 weeks compared to the national average of 1.3 weeks. This cannot be attributed to an abundance of claims since the Social Security Administration handled only 1.5 percent of national health claims during this period. Comparable figures for Blue Cross in Los Angeles, which processed 4.8 percent of national claims, show that this organization had only 1.3 weeks' work on hand and required only 7.1 days for processing a bill. These figures accurately display the inefficiencies of a governmental organization's attempt to handle a health program.

Mr. President, I do not rise in support of any bill related to this subject. Rather, I am urging this body to exercise the greatest diligence in the discussion of this issue. I believe it may be premature to discuss the many complex proposals that have been offered. We have yet to isolate the causes of our national health crisis. We have not decided what segments of our population are suffering most due to insufficient medical care and the increased costs of such care. We have not found any means of slowing the rise in medical costs. This is a situation that may mean inevitable failure for any plan that we would implement.

The systems which have been proposed before this body suffer, I believe, from the same shortcoming that often characterizes reform measures; that is, a perpetuation of the problems which they are designed to solve. None of these plans seem to deal with the needed stabilization of costs. Rather, the benefits provided by some of these plans could so increase demands for medical services, that no insurance company, including any Government institution, would be financially able to undertake the project. When we are dealing with figures that would amount to 30 percent of the annual budget of the United States, we cannot afford the luxuries of rhetoric, politics, or moralizing.

In situations such as this, where Americans cannot meet the rising costs of necessary goods and services, Congress seems to have fallen into the rut of prescribing the temporary remedy, rather than looking for the cure. If the Government were to provide extensive insurance benefits to all Americans, demand for these services would increase so drastically that the costs would most certainly skyrocket and the carriers of the insurance would probably be forced into bankruptcy.

It seems to me that the intent of any national health program should be to provide for those who cannot afford it and who need it most. At the same time, improving the national health will require major attention to poverty and environmental factors as major factors in health. An effective approach must deal only with adequacy of income, but with housing, education to spend resources with regard for nutrition and sanitation, and proper use of health-care facilities. In this way, we could make our people healthier. This in turn could solve the crisis in medical care.

Mr. President, I urge my colleagues to bear these thoughts in mind. I urge the Members of the Senate and the Members of the House to exercise the greatest diligence and intelligence in the discussion of this issue; to lift it above the political battleground; and to treat it with all the talents that the Congress has at its disposal.

I ask unanimous consent that the aforementioned report of the Bureau of Health Insurance be printed in the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

HEALTH INSURANCE INTERMEDIARY WORKLOADS NATIONALLY, BY QUARTER, JULY 1967–JUNE 1970

[In thousands]

Quarter	Bills received	Bills cleared				Selected performance indicators			
		Total	Paid	Not paid	Returned for additional information	Pending end of quarter	Ratio of clearances to receipts	Weeks work on hand	Percent of bills pending over 30 days
Fiscal year 1968 total	14,874	14,776	10,761	2,935	1,080				
July-September 1967	3,397	3,436	2,498	688	250	314	101.1	1.1	14.5
October-December 1967	3,562	3,569	2,698	625	245	307	100.2	1.1	14.7
January-March 1968	3,806	3,712	2,725	725	262	400	97.5	1.3	12.3
April-June 1968	4,082	4,059	2,840	897	322	424	99.4	1.3	23.1
Fiscal year 1969 total	16,720	16,762	12,382	3,273	1,107				
July-September 1968	4,040	4,105	3,048	767	289	359	101.6	1.2	21.2
October-December 1968	4,069	4,071	3,170	638	264	356	100.1	1.1	15.2
January-March 1969	4,275	4,234	3,075	883	276	398	99.0	1.2	13.5
April-June 1969	4,336	4,352	3,089	986	277	382	100.4	1.1	15.0
Fiscal year 1970 total	17,165	17,064	12,032	3,581	1,181				
July-September 1969	4,213	4,225	3,147	819	289	340	101.0	1.1	14.3
October-December 1969	4,242	4,150	3,183	682	285	431	97.8	1.2	15.1
January-March 1970	4,301	4,307	3,022	978	307	426	100.1	1.2	16.0
April-June 1970	4,409	4,353	2,950	1,103	300	482	98.7	1.3	14.1

Note: Certain data adjusted to reflect reporting changes in prior periods.

PROGRAM EXPENDITURES

Health insurance benefit payments as reported by the Part A intermediaries (excluding SSA) amounted to $1.34 billion during the April-June 1970 quarter, an increase of $57 million over the previous quarter. Administrative expenses rose $1.1 million over the January-March 1970 quarter, amounting to $17.3 million in the current quarter. Administrative costs of the Blue Cross Association ($0.8 million during the April-June 1970 quarter) are included in the table below but excluded from the attached detail tables.

Administrative costs expressed as a percentage of benefit payments showed a slight increase from 1.26 percent for the January-March 1970 quarter to 1.29 percent for the April-June 1970 quarter. The unit cost, i.e., average administrative cost per bill processed, increased about 6 percent from $4.10 in January-March 1970 to $4.33 in April-June 1970.

HEALTH INSURANCE INTERMEDIARY [1] COST DATA, BY QUARTER, JULY 1969–JUNE 1970

Cost data	July–September 1969	October–December 1969	January–March 1970	April–June 1970
Bills processed	3,914,000	3,813,000	3,947,000	3,995,000
Benefit payments (in thousands)	$1,179,701	$1,208,716	$1,285,634	$1,342,813
Administrative expenses (in thousands)	$14,736	$15,530	$16,188	$17,314
Administrative expense as percent of benefit payments	1.25	1.28	1.26	1.29
Unit cost	3.76	4.07	4.10	4.33

[1] Excludes SSA.

HEALTH INSURANCE INTERMEDIARY OPERATIONS: SELECTED WORKLOAD AND COST DATA, APRIL–JUNE 1970

	Workload distributions					Workload performance indicators				Administrative cost data					Intermediary processing time—Average number of days between date rec'd and date appr'd for pmt.		Bills returned because of error		
		Percent of receipts by type of bill															Percent by type of bill		
Intermediary	Percent of Natl. rcpts.	Inp. hosp.	Outp. hosp.	ECF	HHA	Ratio of clear. to rcpts.	Weeks work on hand	Percent of bills pend. over 30 days	Percent req. add'l dev.	Total bene. pmts. (thousands)	Administrative expenditures (thousands)	Ratio of adm. expen. to bene. pmts.	Average adm. expen. per bill processed	Provider audit costs (thousands)	Inp. bills	Outp. bills	Inp. hosp.	Outp. hosp.	ECF
U.S. total [1]	100.0	40.8	44.6	6.0	7.7	98.7	1.3	16.1	9.5	$5,016,864	$60,368	1.20	$3.85	$35,594	9.9	14.8	5.3	1.4	7.
Chicago, Ill. (B/C)	5.1	44.0	50.6	1.3	4.2	105.5	1.2	17.7	16.1	291,267	3,577	1.23	4.41	2,210	31.8	25.2	3.8	.8	8.3
Los Angeles, Calif. (B/C)	4.8	40.1	40.6	9.5	6.7	100.7	1.3	13.0	9.5	305,475	3,605	1.18	4.61	2,131	7.1	13.5	4.0	2.9	11.3
New York, N.Y. (B/C)	4.3	38.2	56.3	1.2	4.2	98.6	1.4	8.7	6.9	346,896	4,087	1.18	5.81	994	3.2	10.2	2.8	.8	11.7
Texas (B/C)	4.2	61.8	26.5	2.4	8.7	96.5	1.7	12.2	6.3	235,123	1,876	.80	2.82	1,528	7.5	22.9	1.7	4.0	4.8
Michigan (B/C)	3.8	35.3	58.6	1.2	4.3	96.4	1.8	9.3	8.9	207,565	2,256	1.09	3.82	1,208	80.6	23.1	4.3	1.7	17.6
Massachusetts (B/C)	3.5	25.2	57.5	2.8	14.3	94.7	.9	8.1	5.9	167,856	2,388	1.42	4.16	925	6.5	15.9	84.6	.8	16.3
Florida (B/C)	3.5	48.5	43.6	1.6	5.8	102.9	1.0	6.3	6.0	203,945	1,930	.95	3.35	1,294	3.8	11.6	4.2	1.2	11.4
Oakland, Calif. (B/C)	3.4	30.5	52.6	4.7	11.6	95.9	3.2	34.6	12.3	183,598	2,273	1.24	4.11	1,560	20.8	22.8	3.0	1.4	10.6
Pittsburgh, Pa. (B/C)	2.7	33.6	54.0	3.6	8.3	100.4	.8	9.3	9.0	103,714	1,264	1.22	3.01	508	4.0	12.0	2.7	1.0	5.5
St. Louis, Mo. (B/C)	2.4	41.2	47.2	1.2	10.2	89.6	2.0	30.8	12.5	101,210	1,240	1.22	3.58	978	4.9	14.8	3.9	1.8	13.0
Minnesota (B/C)	2.4	47.2	38.2	4.2	9.4	91.3	1.9	11.5	16.1	105,001	1,407	1.34	4.22	613	12.2	29.4	1.7	.6	3.3
Wisconsin (B/C)	2.3	40.2	48.8	3.5	7.1	100.4	1.3	16.4	10.8	112,419	1,037	.92	2.77	674	4.1	16.0	2.1	1.3	5.8
Indiana (B/C)	2.3	39.0	51.7	4.9	4.0	98.4	.8	10.8	7.8	112,026	1,425	1.28	3.80	569	2.2	8.9	4.2	.4	4.3
North Carolina (B/C)	1.9	49.1	44.1	3.2	2.5	97.3	.8	13.1	10.1	76,097	1,003	1.32	3.69	1,072	9.4	23.1	3.1	.5	7.5
Pa.—Intercounty	1.8	24.3	73.0	.6	2.0	96.0	1.1	9.0	7.3	72,612	646	.89	2.39	306	1.1	12.0	4.1	1.1	2.8
Kentucky (B/C)	1.7	46.2	40.5	2.7	10.1	101.8	.9	10.3	11.1	60,355	910	1.51	3.40	551	3.0	9.3	1.5	.7	4.3
New Jersey (B/C)	1.5	43.7	49.4	3.7	2.5	98.1	.8	1.2	9.5	108,177	1,164	1.08	4.37	349	1.0	4.8	5.1	1.7	8.8
SSA–DRB	1.5	51.4	18.5	2.1	22.1	92.4	4.3	25.9	6.7	NA	NA	NA	NA	NA	20.3	20.1	8.9	1.9	15.1
Chattanooga, Tenn. (B/C)	1.4	47.6	42.2	5.6	4.1	95.1	.9	13.1	11.0	59,914	676	1.13	3.02	623	2.7	10.4	2.0	1.4	5.2
Baltimore, Md. (B/C)	1.3	29.4	62.7	2.0	5.2	99.3	2.0	7.8	8.7	58,574	917	1.57	4.69	302	4.5	23.2	2.2	.6	2.9
Alabama (B/C)	1.3	55.1	40.7	1.8	2.1	98.8	.5	6.8	6.0	59,845	513	.86	2.74	349	4.0	7.5	3.3	1.3	11.3
Des Moines, Iowa (B/C)	1.2	52.5	40.0	3.2	3.2	97.4	1.4	8.2	14.6	61,847	562	.91	2.85	239	6.9	12.0	3.0	1.7	3.2
Seattle, Wash. (B/C)	1.2	44.2	35.6	6.5	13.2	97.0	1.5	40.0	10.8	60.228	546	.91	2.71	505	5.0	1.4	4.6	0.7	7.9
New Jersey (Prudential)	1.2	26.1	33.7	16.8	21.9	99.8	.7	6.4	7.5	55,826	912	1.63	4.47	196	5.6	4.6	2.2	0.9	2.5
Cleveland, Ohio (B/C)	1.2	33.3	53.8	7.7	4.0	100.2	.8	6.1	5.9	71,746	771	1.07	3.86	235	1.4	17.5	2.1	3.0	5.6
Oklahoma (B/C)	1.1	62.7	26.4	.9	10.0	99.1	.7	22.0	3.9	59,868	679	1.13	3.64	456	2.1	13.0	2.1	3.8	15.6
Colorado (B/C)	1.1	43.5	42.2	4.0	9.0	103.8	1.0	4.1	9.5	54.980	835	1.52	4.53	391	7.7	15.3	4.2	1.3	8.4
Columbus, Ga. (B/C)	1.1	48.7	43.8	2.8	3.8	98.1	.7	3.8	11.3	34,600	475	1.37	2.97	402	2.3	.3	3.2	.8	8.5
Baton Rouge, La. (B/C)	1.1	55.9	33.0	2.2	8.2	102.8	.8	13.1	8.6	39,068	592	1.52	3.62	64	9.5	12.0	3.3	1.0	17.3
Topeka, Kans. (B/C)	1.1	53.4	37.6	3.3	4.1	99.3	.7	14.0	9.6	51,131	571	1.12	3.33	404	9.3	6.3	4.5	.9	9.6
Cincinnati, Ohio (B/C)	1.0	38.8	43.5	5.9	10.9	95.3	.8	7.9	6.1	53,106	650	1.22	3.86	205	26.0	20.4	3.6	1.1	4.9
Richmond, Va. (B/C)	1.0	45.7	43.9	8.3	1.7	101.9	.4	8.2	9.2	50,741	875	1.72	5.78	284	7.5	15.3	6.6	1.8	11.6
Oregon (B/C)	.9	43.8	36.0	8.0	11.3	101.0	1.3	.9	8.4	50,327	520	1.03	3.21	564	3.4	.1	1.6	.3	2.0
Philadelphia, Pa. (B/C)	.9	29.8	52.2	5.3	11.0	95.1	1.7	16.0	10.6	47,061	606	1.29	4.40	416	3.2	14.1	3.0	.8	9.2
Buffalo, N.Y. (B/C)	.9	29.7	54.8	4.4	11.1	102.1	1.9	29.5	6.4	42,061	642	1.53	4.88	186	2.9	22.5	3.2	1.4	3.5
South Carolina (B/C)	.9	45.3	37.1	6.1	10.6	104.8	.9	18.2	7.7	31,406	602	1.92	4.42	280	10.5	16.4	7.5	4.6	9.9
Harrisburg, Pa. (B/C)	.9	34.9	51.4	3.5	9.8	99.9	1.0	2.6	6.8	32,991	386	1.17	2.80	142	3.4	14.3	3.9	1.0	8.6
Connecticut (B/C)	.9	38.6	45.9	1.1	12.5	95.4	.9	.7	5.1	55,473	307	.55	2.09	234	.8	6.5	2.7	1.5	7.8
Mississippi (B/C)	.8	64.6	26.8	2.3	5.6	102.6	1.0	12.3	10.0	38,771	446	1.15	3.52	298	4.1	14.4	3.4	1.8	6.1
Arkansas (B/C)	.8	63.9	30.7	1.8	2.1	98.3	.6	4.6	6.1	39,459	330	.84	2.60	253	1.2	9.7	4.8	2.4	11.5
New Orleans, La. (B/C)	.8	22.9	60.3	2.4	14.1	95.6	1.4	11.5	12.3	25,100	346	1.38	2.61	332	2.2	12.8	11.4	1.5	12.5
Arizona (B/C)	.8	43.2	37.4	5.5	12.9	99.7	1.1	20.2	7.4	37,888	367	.97	3.03	222	5.7	16.9	8.9	.6	3.7
Columbus, Ohio (B/C)	.7	41.3	49.8	1.9	6.8	96.3	1.3	8.0	9.9	35,146	374	1.06	3.11	146	5.2	10.8	2.7	.8	5.0
Atlanta, Ga. (B/C)	.7	30.7	60.5	3.2	4.8	101.2	1.8	12.8	11.7	23,927	385	1.61	3.31	245	1.7	.3	4.1	1.4	17.0
Maine (B/C)	.7	33.5	52.1	1.7	12.5	98.8	.4	10.9	8.3	24,996	276	1.11	2.50	176	.9	.5	2.7	.9	11.0
Wilkes-Barre, Pa. (B/C)	.7	35.6	49.4	2.3	12.7	96.9	.6	8.2	6.8	23,736	247	1.04	2.29	66	8.1	7.3	2.3	2.1	6.0
Kansas City, Mo. (B/C)	.7	49.9	41.1	2.6	6.0	98.7	1.6	18.9	13.0	49.135	402	.82	2.97	369	3.7	21.9	3.5	.7	6.0
Rhode Island (B/C)	.7	24.0	61.4	2.0	12.6	97.7	1.1	15.6	11.0	28,819	430	1.49	4.10	80	4.2	21.5	5.2	2.2	9.0
Albany, N.Y. (B/C)	.6	35.1	53.0	1.3	10.4	98.8	1.8	28.7	6.6	34,740	302	.87	2.96	161	8.8	21.2	5.0	1.7	11.0
Nebraska (B/C)	.6	61.7	34.9	1.8	1.4	99.2	.5	33.4	14.2	32,628	245	.75	2.52	186	3.4	5.9	2.3	.6	3.0
Syracuse, N.Y. (B/C)	.6	35.2	54.3	1.8	8.6	100.2	1.6	22.5	8.0	28,595	227	.79	2.43	118	3.5	9.8	3.2	1.1	10.0
Massachusetts (Aetna)	.6	42.1	55.2	2.1	.2	102.6	.6	0	12.7	31,452	210	.67	2.71	122	.4	11.3	2.2	.9	14.0
Charleston, W.Va. (B/C)	.6	42.2	51.9	1.9	3.7	98.7	2.1	0	13.6	20,470	176	.86	1.86	149	5.8	32.2	1.6	.9	7.0
New York (Travelers)	.6	46.6	15.8	36.8	0	102.0	1.3	55.8	5.7	56,760	682	1.20	6.33	581	5.1	22.3	4.0	4.7	9.0
New Hampshire (B/C)	.5	30.8	48.5	2.7	17.3	98.7	.6	6.6	11.6	28.503	486	1.71	3.79	115	19.5	9.1	2.8	2.0	3.0
Ohio (Nationwide)	.5	17.5	32.2	26.3	22.6	100.6	.7	18.4	4.1	17,998	329	1.83	4.32	190	3.8	9.5	2.5	.9	6.0
Toledo, Ohio (B/C)	.5	42.8	48.9	5.2	2.3	100.7	.9	8.0	7.2	23,106	189	.82	2.39	98	2.0	6.6	6.3	1.6	5.0
Utica, New York (B/C)	.5	31.6	51.2	3.9	12.9	98.4	.6	11.7	4.3	17,759	159	.90	2.19	81	2.0	5.7	1.5	.8	5.0
Rochester, N.Y. (B/C)	.5	30.6	53.0	4.1	9.3	105.2	3.0	37.3	6.9	26,130	344	1.32	4.23	112	4.1	22.5	5.3	2.6	19.0

Footnotes at end of table.

HEALTH INSURANCE INTERMEDIARY OPERATIONS: SELECTED WORKLOAD AND COST DATA APRIL–JUNE 1970—Continued

	Workload distributions					Workload performance indicators				Administrative cost data					Intermediary processing time—Average Number of days between date rec'd and date appr'd for pmt.		Bills returned because of error		
Intermediary	Percent of Natl. rcpts.	Percent of receipts by type of bill				Ratio of clear. to rcpts.	Weeks work on hand	Percent of bills pend. over 30 days	Percent req. add'l dev.	Total bene. pmts. (thousands)	Administrative expenditures (thousands)	Ratio of adm. expen. to bene. pmts.	Average adm. expen. per bill processed	Provider audit costs (thousands)			Percent by type of bill		
		Inp. hosp.	Outp. hosp.	ECF	HHA										Inp. bills	Outp. bills	Inp. hosp.	Outp. hosp.	ECF
California (Mutual)	0.4	1.4	3.9	89.2	2.4	101.3	2.5	25.4	15.0	$16,370	$451	2.75	$6.50	$833	(2)	(1)	12.2	0	4.0
Memphis, Tenn. (B/C)	.4	34.1	59.4	2.0	3.4	101.2	1.1	29.6	7.0	20,094	241	1.20	3.96	128	10.7	11.4	4.3	1.1	5.0
Youngstown, Ohio (B/C)	.4	42.3	40.0	4.8	12.1	97.7	.5	9.0	10.2	19,811	158	0.80	2.40	67	9.2	9.0	2.0	1.4	6.0
Wheeling, W.Va. (B/C)	.4	41.1	50.4	1.9	6.6	99.1	.7	3.9	10.0	13,569	231	1.70	3.70	66	.4	6.4	1.3	.6	3.0
Idaho (B/C)	.4	36.1	51.5	3.3	8.7	98.3	1.1	10.4	4.4	13,325	224	1.68	3.40	194	2.5	8.1	2.6	.5	5.0
Utah (B/C)	.4	40.5	47.4	4.9	6.8	100.8	2.0	1.6	6.9	14,283	234	1.64	3.78	133	4.1	22.3	1.8	.8	4.0
Sioux City, Iowa (B/C)	.3	51.1	41.8	1.3	5.4	98.8	.6	12.2	7.0	35,407	274	.77	2.47	281	2.2	7.4	2.2	1.0	10.0
Vermont (B/C)	.3	37.2	45.1	2.1	15.0	96.8	.6	9.7	14.4	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Montana (B/C)	.3	60.7	33.0	1.8	2.2	98.5	.5	6.0	6.9	15,459	148	.96	2.61	117	.9	4.6	2.5	1.3	8.0
Connecticut (Travelers)	.3	20.0	18.1	41.1	17.6	99.7	.4	.2	16.5	15,402	289	1.88	5.16	447	6.9	11.0	6.7	3.5	9.0
North Dakota (B/C)	.3	73.2	22.6	1.0	2.9	100.1	.7	7.7	19.6	18,364	178	.97	3.80	176	3.2	14.0	2.5	1.2	2.0
New Mexico (B/C)	.3	51.0	32.9	1.9	12.8	109.6	1.2	6.8	9.7	13,360	198	1.48	4.01	138	12.4	13.5	6.3	4.5	21.0
South Dakota (B/C)	.3	63.8	25.4	1.1	8.8	100.9	.4	15.9	8.3	(1)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Texas (Mutual)	.3	.3	8.5	46.3	35.1	92.0	2.6	33.1	19.1	6,647	311	4.68	6.86	422	(2)	(2)	100.0	.4	6.0
Roanoke, Va. (B/C)	.3	56.2	33.9	7.2	0	96.7	.7	9.8	9.2	13,396	128	.95	2.66	111	4.4	6.8	3.0	3.9	5.0
District of Columbia (B/C)	.3	37.4	50.6	.4	9.9	99.9	1.7	21.1	11.4	32,061	388	1.21	5.08	131	4.2	1.3	6.8	.9	16.8
Illinois (Aetna)	.3	0	12.6	84.8	0	102.9	.4	38.3	9.8	15,774	510	3.23	9.71	328	(3)	30.5	(3)	1.8	3.3
Clearwater, Fla. (Aetna)	.3	0	6.3	85.5	0	102.6	.7	6.6	43.3	13,478	445	3.30	10.18	315	(3)	53.9	(3)	1.9	5.7
California (Aetna)	.3	47.3	31.6	15.6	3.6	106.4	.9	1.1	10.2	22,346	254	1.13	5.75	187	16.7	11.4	3.6	1.5	9.6
Delaware (B/C)	.3	26.9	54.6	3.7	8.6	99.5	1.1	12.8	9.1	11,790	187	1.59	3.95	68	3.9	10.7	5.5	2.1	13.6
Allentown, Pa. (B/C)	.3	32.7	47.9	5.4	12.2	99.2	.2	6.0	3.2	10,977	111	1.01	2.60	52	1.7	3.9	1.8	.4	2.5
Puerto Rico (B/C)	.3	37.0	26.9	1.1	35.0	87.4	3.9	29.7	12.8	8,994	228	2.53	5.87	63	7.9	95.6	9.2	16.4	27.4
California (Travelers)	.2	38.0	23.5	28.0	7.7	101.0	.5	31.2	5.3	19,265	160	.83	3.75	183	5.2	10.3	7.9	6.7	7.5
Hawaiian Medical	.2	38.0	40.8	8.0	9.1	101.5	.7	13.9	5.2	11,734	145	1.23	3.86	25	3.6	7.7	5.2	.4	5.8
Michigan (Travelers)	.2	21.4	13.5	55.0	0	99.6	.9	39.3	4.7	14,216	295	2.08	6.49	500	3.7	16.4	5.9	3.2	10.5
Canton, Ohio (B/C)	.2	38.3	52.5	1.1	6.8	100.8	1.0	22.5	4.1	8,763	134	1.53	4.03	42	7.3	6.4	1.0	.5	.9
Nevada (Aetna)	.2	42.5	38.0	7.8	6.4	96.5	.9	5.8	11.3	9,866	124	1.26	4.72	74	2.5	7.8	2.4	.7	4.8
Connecticut (Aetna)	.2	41.8	47.8	1.1	9.3	97.7	.5	0	3.6	12,147	142	1.17	4.02	79	7.2	7.6	5.8	1.2	2.0
Lima, Ohio (B/C)	.2	49.0	43.3	2.8	5.0	100.9	.4	3.8	4.0	7,671	59	.77	2.25	36	.9	3.9	1.0	.9	2.0
Virginia–Washington, D.C. (B/C)	.2	42.3	33.5	4.8	17.5	96.6	1.7	16.5	10.0	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Wyoming (B/C)	.2	53.4	38.7	2.0	5.3	90.6	2.9	32.3	20.2	6,289	71	1.12	$3.02	47	15.6	8.6	2.6	1.1	22.8
Kansas City, Kan (B/C)	.1	44.2	45.9	4.5	4.4	102.9	2.3	20.8	11.7	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Washington (Aetna)	.1	68.3	31.6	0	.1	91.5	.9	.5	10.7	10,149	78	0.76	3.31	44	15.0	7.7	3.6	2.6	(4)
Maryland (Mutual)	.1	27.4	30.6	37.5	.9	100.8	2.3	12.0	6.9	7,617	166	2.18	6.78	126	(2)	(2)	3.7	0	5.1
California (Kaiser)	.1	67.6	3.4	5.5	23.6	102.2	2.8	17.0	3.3	13,577	65	0.48	3.34	43	24.6	9.1	1.3	2.3	7.0
Tennessee (Aetna)	.1	33.5	34.9	28.6	3.0	98.8	.2	6.5	6.6	8,188	149	1.82	6.80	87	1.2	5.1	5.1	2.5	7.3
Nebraska (Mutual)	.1	52.0	14.1	20.6	13.0	101.3	2.1	10.8	6.3	9,270	115	1.24	6.07	36	11.9	23.6	4.9	0	4.8
Massachusetts (Travelers).	.1	16.5	26.5	48.5	0	100.5	.1	0	4.5	7,659	179	2.34	7.63	254	1.8	8.9	3.6	4.4	11.5
Pennsylvania (Travelers)	.1	3.7	4.6	74.7	3.0	101.2	.5	19.1	11.0	4,382	175	4.00	8.46	234	4.5	17.3	5.5	2.8	4.1
Rockford, Ill. (B/C)	.1	44.7	38.7	4.4	12.1	93.9	1.0	26.8	4.0	5,130	50	0.98	2.79	19	4.1	5.9	3.3	1.5	10.7
Minnesota (Travelers)	.1	61.9	7.1	23.2	1.2	98.5	1.0	.1	11.4	8,079	108	1.34	5.74	210	1.5	17.8	4.1	0.3	13.2
Parkersburg, W.Va. (B/C)	.1	52.4	34.1	0	13.2	99.2	1.3	10.3	4.1	4,827	69	1.43	3.83	26	2.6	10.6	3.5	1.4	50.0
Georgia (Travelers)	.1	50.5	39.5	8.5	0	98.8	1.6	9.9	7.2	4,798	138	2.87	9.25	210	8.9	16.6	8.7	10.1	14.2
Jamestown, N.Y. (B/C)	.1	33.9	51.0	5.7	9.4	95.8	.6	1.2	6.4	4,148	66	1.60	4.67	23	3.0	5.0	3.0	0.8	3.1
Puerto Rico (Co-op)	.1	54.9	44.6	0.5	0	105.5	1.0	55.0	6.1	1,797	36	2.00	4.63	4	3.1	21.4	NR	NR	NR
Washington (Mutual)	.1	.3	7.9	90.7	0	100.5	1.9	20.8	17.6	2,908	110	3.78	7.26	136	(2)	(2)	NR	.4	5.0
Maryland-D.C. (B/C)	.1	21.7	66.6	3.2	7.6	95.5	2.2	21.2	12.5	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Watertown, N.Y. (B/C)	.1	38.1	51.7	1.9	6.8	100.1	.6	17.3	6.6	2,852	35	1.23	2.96	0	1.2	5.6	6.4	1.1	3.0
District of Columbia (Mutual)	.1	24.2	59.2	15.2	0	110.2	1.9	33.4	15.0	5,250	105	2.00	7.04	39	(2)	(2)	4.1	1.1	3.0
Kentucky (Mutual)	.1	.9	1.0	97.2	0	108.2	1.6	18.3	9.3	2,350	70	3.00	6.52	84	(2)	(2)	NR	.5	3.0
Charleston, Va. (B/C)	.1	36.8	63.1	0	0	103.4	1.6	0	7.5	(5)	(5)	(5)	(5)	(5)	8.6	0	(5)	(5)	(5)
Newport News, Va. (Aetna)	(6)	52.4	45.9	1.7	0	97.7	.5	0	15.4	2,906	30	1.04	3.81	18	2.0	6.1	3.0	0.6	9.0
Oklahoma (Mutual)	(6)	0	1.6	98.4	0	99.6	2.6	15.1	16.0	2,044	49	2.40	7.16	35	(7)	(2)	(7)	0	6.0
Alabama (Mutual)	(6)	11.4	5.3	48.4	34.3	99.7	2.1	13.3	17.9	1,610	52	3.28	6.87	73	(3)	(2)	2.9	0	6.0
Portland, Wash. (B/C)	(6)	50.7	32.5	3.4	13.0	104.0	.9	2.1	8.1	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
New Hampshire (Travelers).	(6)	14.2	41.1	43.3	0	100.3	.6	0	4.3	1,340	41	3.03	4.59	32	1.2	8.7	1.9	6.3	8.0
Florida (Travelers)	(6)	56.0	30.0	.9	13.0	103.5	.9	19.5	7.0	1,731	21	1.21	3.66	44	4.4	16.2	10.5	6.9	66.0
Oregon (Mutual)	(6)	0	2.1	97.7	0	92.9	2.2	10.2	12.1	977	42	4.25	7.34	40	(7)	(2)	(7)	52.2	3.0
Iowa (Mutual)	(6)	.4	4.0	94.2	0	102.7	1.6	20.0	8.5	1,176	36	3.02	5.84	24	(2)	(7)	NR	44.0	6.0
Maine (Travelers)	(6)	16.6	32.7	49.2	0	94.6	.6	0	3.7	1,445	35	2.46	4.93	86	7.0	15.6	10.8	6.3	12.1
Missouri (Mutual)	(6)	0	6.3	93.0	0	96.1	1.9	10.6	12.3	1,313	31	2.37	6.42	46	(7)	(2)	(7)	0	4.7
Mississippi (Mutual)	(6)	0	1.3	98.7	0	103.3	1.4	10.3	15.6	1,337	34	2.55	6.96	20	(7)	(2)	(7)	87.5	5.1
Colorado (Mutual)	(6)	0	9.7	89.1	0	99.1	1.5	16.4	19.6	688	27	3.91	5.34	59	(7)	(2)	(7)	0	8.6
Wisconsin (Mutual)	(6)	.3	5.8	83.1	0	98.9	1.8	12.7	9.8	543	23	4.21	6.09	29	(2)	(2)	NR	3.2	3.8
Alaska (B/C)	(6)	58.5	35.7	2.7	2.8	96.9	1.5	44.6	14.4	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Chattanooga, Ga. (B/C)	(6)	44.1	37.4	17.9	0	95.2	1.1	12.6	16.2	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Rhode Island (Travelers)	(6)	0	0	100.0	0	99.8	0	0	7.0	958	55	5.71	11.84	99	(7)	(7)	(7)	(7)	3.4
Oregon (Kaiser)	(6)	61.6	3.6	0	34.8	92.9	1.4	18.1	1.0	1,097	10	0.93	3.35	5	(2)	(2)	(2)	(2)	(2)
Indiana (Aetna)	(6)	0	1.9	98.1	0	103.0	.8	8.9	14.3	(8)	(8)	(8)	(8)	(8)	(7)	(8)	(7)	(8)	(8)
Ch. Sci. (Aetna)	(6)	91.4	0	8.6	0	99.2	.1	0	10.1	(2)	(2)	(2)	(2)	(2)	(2)	(7)	(2)	(7)	(2)
Memphis, Fla. (Aetna)	(6)	0	0	100.0	0	99.5	.1	0	5.5	(9)	(9)	(9)	(9)	(9)	(7)	(7)	(7)	(7)	(9)
Idaho (Mutual)	(6)	0	0	100.0	0	99.3	2.5	15.8	16.1	394	18	4.52	6.53	18	(7)	(2)	(7)	0.0	5.8
Ohio (Aetna)	(6)	0	0	100.0	0	99.4	.2	6.3	9.0	(9)	(9)	(9)	(9)	(9)	(7)	(7)	(7)	(7)	(9)
New York (Aetna)	(6)	66.0	.5	32.8	0	89.3	.2	0	9.7	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Arizona (Aetna)	(6)	0	0	100.0	0	100.0	.1	0	9.8	(9)	(9)	(9)	(9)	(9)	(7)	(7)	(7)	(7)	(9)
Texas (Aetna)	(6)	0	0	100.0	0	99.3	.3	0	8.6	(9)	(9)	(9)	(9)	(9)	(7)	(7)	(7)	(7)	(9)
Peoria, Iowa (Aetna)	(6)	0	3.8	96.2	0	103.1	.2	9.0	9.1	(8)	(8)	(8)	(8)	(8)	(7)	(8)	(7)	(8)	(8)
North Carolina (Aetna)	(6)	0	0	100.0	0	99.2	.7	0	9.7	(9)	(9)	(9)	(9)	(9)	(7)	(7)	(7)	(7)	(9)
Alabama (Aetna)	(6)	0	0	100.0	0	99.7	.2	0	7.0	(9)	(9)	(9)	(9)	(9)	(7)	(7)	(7)	(7)	(9)
Vermont (Travelers)	(6)	0	0	100.0	0	99.7	.1	0	3.9	(2)	(2)	(2)	(2)	(2)	(7)	(7)	(7)	(7)	(2)
South Dakota (Mutual)	(6)	0	3	98.6	0	101.1	1.6	8.5	8.7	279	7	2.40	5.04	3	(7)	(2)	(7)	16.7	4.9
West Virginia (Mutual)	(6)	0	0	100.0	0	93.3	3.0	11.9	7.5	198	8	3.99	6.27	9	(7)	(2)	(7)	50.0	3.4
Montana (Mutual)	(6)	0	5.0	90.1	4.3	98.3	2.5	22.0	13.4	164	12	7.17	7.06	22	(7)	(2)	(7)	0	5.3
Virginia (Mutual)	(6)	18.9	14.0	66.8	0	98.0	3.0	19.2	37.5	1,003	16	1.58	7.28	16	(2)	(2)	2.9	74.4	3.9
Virgin Island (Mutual)	(6)	45.5	53.1	2.2	0	119.5	3.3	50.8	8.2	200	8	3.85	5.00	1	(2)	(2)	10.7	0	NR
Kentucky (Aetna)	(6)	0	0	100.0	0	93.7	6.0	0	13.4	(9)	(9)	(9)	(9)	(9)	(7)	(7)	(7)	(7)	(9)
Virginia (Memphis-Aetna)	(6)	0	0	100.0	0	99.6	.2	0	4.4	(9)	(9)	(9)	(9)	(9)	(7)	(7)	(7)	(7)	(9)
New Mexico (Travelers)	(6)	0	0	95.0	0	96.4	.7	8.0	8.6	375	13	3.41	11.08	33	(7)	(7)	(7)	(7)	16.4

Footnotes at end of table.

	Workload performance indicators									Administrative cost data					Intermediary processing time—Average Number of days between date rec'd and date appr'd for pmt.		Bills returned because of error		
	Workload distributions																Percent by type of bill		
	Percent of Natl. rcpts.	Percent of receipts by type of bill																	
Intermediary		Inp. hosp.	Outp. hosp.	ECF	HHA	Ratio of clear. to rcpts.	Weeks work on hand	Percent of bills pend. over 30 days	Percent req. add'l dev.	Total bene. pmts. (thousands)	Administrative expenditures (thousands)	Ratio of adm. expen. to bene. pmts.	Average adm. expen. per bill processed	Provider audit costs (thousands)	Inp. bills	Outp. bills	Inp. hosp.	Outp. hosp.	ECF
Minnesota (Mutual)	(6)	0	0	100.0	0	110.4	2.8	17.4	16.7	$230	$ 5	2.33	$5.89	$ 4	(7)	(7)	(7)	(7)	5.3
Arizona (Mutual)	(6)	0	0	100.0	0	76.9	2.9	8.9	37.4	34	(10)	1.15	4.26	(10)	(7)	(7)	(7)	(7)	NR
Michigan (Mutual)	(6)	0	29.9	70.1	0	83.9	5.5	5.3	11.0	80	2	1.96	5.38	(10)	(7)	(2)	(7)	NR	NR
Iowa (Memphis-Aetna)	(6)	0	0	100.0	0	100.0	.2	11.1	11.3	(9)	(9)	(9)	(9)	(9)	(7)	(7)	(7)	(7)	(9)
Wisconsin (Aetna)	(6)	0	3.8	96.2	0	99.4	.5	0	10.6	(8)	(8)	(8)	(8)	(8)	(7)	(8)	(7)	(8)	(8)
Tennessee (Mutual)	(6)	0	0	100.0	0	121.4	2.1	7.1	2.3	19	1	2.75	2.76	(10)	(7)	(7)	(7)	(7)	NR
Florida (Mutual)	(6)	0	.7	99.3	0	76.2	6.1	9.5	23.5	22	1	2.37	5.27	(10)	(7)	(2)	(7)	NR	NR
Illinois (Mutual)	(6)	0	19.4	80.6	0	69.1	6.3	12.4	25.5	48	1	1.36	5.68	(10)	(7)	(2)	(7)	NR	NR
Hawaii (Kaiser)	(6)	96.2	1.5	0	0	91.6	3.0	12.1	4.2	302	2	.54	3.33	0	(2)	(2)	(2)	(2)	(2)
North Dakota (Aetna)	(6)	0	3.1	96.9	0	74.8	3.1	32.0	37.1	(8)	(8)	(8)	(8)	(8)	(7)	(8)	(7)	(8)	(8)
Colorado (Aetna)	(6)	0	0	100.0	0	98.4	.2	0	23.4	(9)	(9)	(9)	(9)	(9)	(7)	(7)	(7)	(7)	(9)
Utah (Mutual)	(6)	0	0	100.0	0	91.8	.3	12.7	62.5	14	(10)	0.94	3.05	(10)	(7)	(7)	(7)	(7)	NR
Nebraska (Aetna)	(6)	0	10.3	89.7	0	106.2	.4	0	10.6	(8)	(8)	(8)	(8)	(8)	(7)	(8)	(7)	(8)	(8)
South Dakota (Aetna)	(6)	0	0	100.0	0	100.0	.4	0	9.3	(8)	(8)	(8)	(8)	(8)	(7)	(7)	(7)	(7)	(8)
Chattanooga, Va. (B/C)	(6)	0	0	100.0	0	109.4	.2	0	30.1	(2)	(2)	(2)	(2)	(2)	(7)	(7)	(7)	(7)	(2)
Minnesota (Aetna)	(6)	0	0	100.0	0	93.1	1.5	0	27.3	(8)	(8)	(8)	(8)	(8)	(7)	(8)	(7)	(8)	(8)
Ohio (Mutual)	(6)	0	0	100.0	0	16.3	1.7	49.6	63.2	(2)	(2)	(2)	(2)	(2)	(7)	(7)	(7)	(7)	NR
New Mexico (Mutual)	(6)	0	0	100.0	0	93.8	2.5	0	22.2	24	(10)	1.09	4.75	(10)	(7)	(2)	(7)	(7)	NR
Kansas (Mutual)	(6)	0	0	100.0	0	100.0	(11)	0	0	4	(10)	7.03	3.85	(10)	(7)	(2)	(7)	100.0	0
Nevada (Mutual)	(6)	0	0	100.0	0	100.0	0	0	0	(2)	(2)	(2)	(2)	(2)	(7)	(7)	(7)	(7)	NR

[1] Includes cost data for New York Department of Health, terminated in October 1969, P.R. Coop de Salud, terminated in December 1969, and Michigan Community Health terminated in August 1969.

[2] Individual State data are not available. Data included in State where home office is located.

[3] This intermediary does not process inpatient hospital bills.

[4] This intermediary does not process extended care facility bills.

[5] Individual State data are not available. Data included in Blue Cross at Charleston, W. Va.

[6] Less than 0.05 percent.

[7] This intermediary does not process inpatient and/or outpatient hospital bills.

[8] Individual State data are not available. Data included in Aetna at Peoria, Ill.

[9] Individual State data are not available. Data included in Aetna at Memphis, Tenn.

[10] Less than $500.

[11] Less than 0.05 weeks work on hand.

Note: NR—Not reported.

APPENDIX: HI INTERMEDIARY OPERATIONS: SELECTED WORKLOAD AND COST DATA, APRIL–JUNE 1970

WORKLOAD DISTRIBUTIONS

Percent of National Receipts—Total number of bills received by the intermediary during the quarter as a proportion of total national receipts during the quarter.

Percent Distribution of Receipts by Type of Bill—Percent distribution of total bill receipts during the quarter for each intermediary by type of bill—inpatient hospital, outpatient hospital, extended care facility, and home health agency. Total includes bills for ancillary services paid under Part B as well as other miscellaneous bills. As a result, detail shown may not add to totals.

WORKLOAD PERFORMANCE INDICATORS

Ratio of Clearances to Receipts—Total number of bills cleared during the quarter expressed as a percentage of total number received during the quarter. *Bills cleared* include bills paid, bills processed without payment, bills rejected or denied, and bills returned to providers for additional information.

Average Weeks Work on Hand—The average (mean) number of weeks work on hand during the quarter based on the number of weeks work at the end of each month. The number of weeks work on hand at the end of an individual month is computed using the following formula:

$$\text{Weeks work} = \frac{\text{Bills pending end of month}}{\left(\dfrac{\text{Bills cleared during the month}}{\text{Work weeks in month}}\right)}$$

Average Percent of Bills Pending Over 30 Days—The average (mean) percent of bills pending over 30 days during the quarter based on the percent of bills pending over 30 days at the end of each month. Individual monthly percentages are developed by taking the number of bills over 30 days old expressed as a percentage of the total pending workload.

Percent Requiring Additional Development—The total number of bills requiring investigation plus the number returned to providers for additional information during the quarter expressed as a percentage of the number of *bills reviewed* by the intermediary in the quarter. *Bills reviewed* include bills cleared plus bills investigated but not returned to providers.

ADMINISTRATIVE COST DATA

Total Benefit Payments—The total amount of health insurance benefit payments represented by checks or drafts drawn on the intermediaries' special bank accounts and reported on Interim Expenditure Reports (Form SSA–1527) covering the period July 1969 through June 1970, cumulative, and received in SSA prior to August 30, 1970.

Administrative Expenditures—Administrative costs incurred as reported by intermediaries on Interim Expenditure Reports (Form SSA–1527). Excluded are administrative costs incurred by the Blue Cross Association and provider auditing costs.

Ratio of Administrative Expenditures to Benefit Payments—Administrative expenditures during the July 1969–June 1970 period expressed as a percentage of benefit payments during the same period.

Average Administrative Cost Per Bill Processed—This unit cost is derived by dividing total administrative expenditures by the number of bills processed during the same period.

Provider Audit Costs—Includes costs related to annual audits of the books of accounts and records maintained by the providers of services and which pertain to the health insurance program. These costs are reported on the Interim Expenditure Reports and cover the period July 1969–June 1970.

Bill Processing Time in Calendar Days—Processing times are shown separately for inpatient and outpatient hospital bills. Average (mean) processing times are shown for intermediary processing, i.e., the average number of elapsed days between the date that the bills were received by the intermediary and the date that the intermediary approved the bills for payment. Data presented are based on bills processed by SSA during April, May, and June.

Bill Errors—Error Rate By Type of Bill—The number of bills which failed at least one of the clerical and/or utilization edits performed by SSA and returned to the intermediary expressed as a percentage of all bills reviewed for clerical and utilization errors by SSA during the quarter.

BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as indicated:

By Mr. FULBRIGHT (for himself and Mr. CRANSTON):

S. 1125. A bill to amend title 5, United States Code, with regard to the exercise of executive privilege. Referred to the Committee on the Judiciary.

By Mr. MOSS:

S. 1126. A bill for the relief of Petko Mushikoff, Erika Mushikoff, Bettie Mushikoff, and Caren Mushikoff. Referred to the Committee on the Judiciary.

By Mr. COOK (for himself, Mr. METCALF, Mr. PACKWOOD, Mr. RANDOLPH, Mr. SCHWEIKER, Mr. STEVENS, and Mr. WILLIAMS):

S.J. Res. 65. Joint resolution establishing the Federal Committee on Nuclear Development. Referred to the Joint Committee on Atomic Energy.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FULBRIGHT (for himself and Mr. CRANSTON):

S. 1125. A bill to amend title 5, United States Code, with regard to the exercise of executive privilege. Referred to the Committee on the Judiciary.

Mr. FULBRIGHT. Mr. President, I introduce a bill, and ask for its appropriate reference. Six years after the initial massive intervention of American forces in Vietnam, the American people and Congress still do not have clear answers to the basic questions: What are we fighting for? What are America's aims and interests in Indochina? At a recent meeting of the Foreign Relations Committee one member put this simple question to a high administration official: Is it your intention to withdraw all American forces from Indochina regardless of what follows, or is it your intention to withdraw when, and only when, you can leave behind firmly established anti-Communist governments? That question—which the administration official declined to answer—is the seminal question at issue, and we are entitled to an answer. The persistent refusal of the administration to answer it—ostensibly on the ground that we cannot reveal our intentions to the enemy—means that the American people are being committed to an open-ended, undeclared, unconstitutional war for unknown, "classified" objectives.

We are entitled to more than an answer. As citizens of a constitutional democracy we are entitled, through the electoral process and through the legislative process in Congress, to ratify or reject any President's proposed course of action. He is not, in law, at liberty to make war as he alone sees fit. After several decades of quiescence in this matter, Congress has recently shown a healthy and responsible renewed interest in the war powers question, in its own responsibilities, and in practical means of restoring constitutional balance. Members of both Houses of Congress have proposed legislation which would specify those limited conditions, such as a sudden attack on the United States, under which the President can properly be authorized to use the Armed Forces without the prior consent of Congress. The Foreign Relations Committee is going to begin hearings on these proposals next week.

I submit today a proposal for breaching the wall of secrecy behind which the administration has barricaded itself in matters relating to foreign policy in general and to our war aims in Indochina in particular. It has to do with the practice known as "executive privilege," through which officials of the executive branch claim the right to withhold information from Congress when, in their own judgment, disclosure "would be incompatible with the public interest." [1] In the case of officials who are considered personal assistants to the President—such as Mr. Kissinger and his staff—as distinguished from Department heads—such as the Secretary of State—the claim of "executive privilege" is extended beyond the withholding of information to the withholding of the person himself, to his refusal even to appear before a congressional committee, either in public or in closed session. The Secretary of State—the present one like his predecessor—has repeatedly refused invitations from the Senate Foreign Relations Committee to testify in public, but he has usually acceded to invitations to testify in closed, or executive session. On these occasions the Secretary of State has all too often withheld information from the committee, but at least he has withheld it in person, giving Senators the opportunity to make their own views known and also to see if they can gage the intentions of the administration by listening to the Secretary's tone, so to speak, as well as to his words.

This procedure is by no means satisfactory. Neither the Cambodian nor the Laotian intervention, for example, were made known to the Foreign Relations Committee in advance, although on both occasions Secretary Rogers had met with the committee shortly before the military operations began, ostensibly to discuss those very subjects.

I should like to say that neither I nor the committee is interested in the military aspects so much as we are in the policy aspects—that is, the objectives of any move of this sort. We have by no means at anytime pressed this Secretary or any other for precise details regarding military dispositions.

To cite another example: Only through the diligent investigative activities of Senator SYMINGTON's Subcommittee on U.S. Military Agreements and Commitments Abroad did it become known to Congress and the American people that the United States has been conducting a secret war in northern Laos, far away from the Vietnamese infiltration routes along the Ho Chi Minh Trail, at the cost of many American lives and billions of dollars. When former Ambassador William Sullivan was asked in his appearance before the Symington subcommittee why at an earlier hearing he had withheld information about the critical role the U.S. Air Force was playing in northern Laos, he replied, disingenuously, that he had not been asked any direct questions about U.S. air operations in northern Laos. My own comment at the time was that "There is no way for us to ask you questions about things we don't know you are doing."

It is, needless to say, even more difficult to ask questions of people who refuse to talk to you, as is the case, for example, with the President's principal foreign policy adviser, Mr. Kissinger. It was reasonable enough, in the old days, to permit the President to consult with an intimate adviser—such as Colonel House, under President Wilson—who would not be held to public or congressional account. Over the years, however, the President's "intimate" advisers have grown steadily in numbers and power until, at present Mr. Kissinger's office contains about 120 professional foreign policy experts, many of them career Foreign Service officers. Power and influence in the making of foreign policy have passed largely out of the hands of the State Department—which is accountable to Congress—into the hands of Mr. Kissinger's National Security Council staff—which is not, under the present practice, accountable to Congress. In the view of a reporter who has made a study of foreign policy making in the Nixon administration:

> Mr. Kissinger has become the instrument by which President Nixon has centralized the management of foreign policy in the White House as never before. . . .[2]

Although Mr. Kissinger appears on television, provides background briefings for the press and occasionally provides special briefings for selected Congressmen and Senators, he has steadfastly refused to appear before any congressional committee, either in public or in private. The result is that the people's representatives in Congress are denied direct access not only to the President, himself, but to the individual who is the President's chief foreign policy adviser, the author of his recent message on the state of the world, and the principal architect of our war policy in Indochina.

Executive privilege is a custom, not a law, and, even as a custom, it has been understood until recently to apply to information rather than to persons. Neither law nor custom authorizes individual advisers to the President to refuse to appear before a congressional committee. The refusal to give due account of the President's foreign policy is an extension of the arrogant contention, expressed in a Justice Department study in 1958, that—

> Congress cannot, under the Constitution, compels heads of departments by law to give up papers and information; regardless of the public interest involved; and the President is the judge of that interest.

The memorandum goes on to say that neither Congress nor the courts may compel the President to provide information when, in his own judgment, it would be inexpedient to do so.[3]

This, of course, is a repudiation of the very concept of a government of checks and balances. If the President has sole discretion to keep information from Congress and the country, he is in practice at liberty to do anything he wishes, at home or abroad, as long as he manages to keep it secret. That, indeed, is exactly what the last two Presidents have done in Indochina. President Johnson conducted an air war in Northern Laos which, as I mentioned before, was totally unknown to Congress and the country until Senator SYMINGTON's subcommittee made it known. Similarly, President Nixon kept the present Laotian invasion under the cloud of a news embargo until it was well underway. Under our Constitution—in case anyone still cares—he should have come to Congress to request authority for American participation in the expansion of the war into Laos.

If Congress can be denied information regarding a war in which the country is engaged solely at the discretion of the President, then there is no possibility whatever of Congress discharging its constitutional responsibilities to declare war, raise and support armies, provide and maintain a navy, and make rules for the Government and regulation of the land and naval forces. In this area, as in others, executive secrecy can alter our form of government as decisively as would a constitutional amendment.

History, logic, and law show that the President is indeed obligated to provide pertinent information to Congress; nor can he claim to be the final judge of what in fact is pertinent. No one questions the propriety of "Executive privilege" under certain circumstances; what is and must be contested is the contention that the President alone may determine the range of its application. In his authoritative book, "The President, Office and Powers," Prof. Edward Corwin comments:

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[1] President Nixon's "Memo for the Heads of Executive Departments and Agencies," Apr. 17, 1969.

[2] Hedrick Smith, "Foreign Policy: Kissinger at Hub," *New York Times*, Jan. 19, 1971, p. 1.

[3] *The Power of the President To Withhold Information From the Congress—Memorandum of the Attorney General*, compiled by the Subcommittee on Constitutional Rights of the Committee on the Judiciary, U.S. Senate, 85th Cong., 2d sess., pp. 3–4.

> Should a congressional investigating committee issue a subpoena *duces tecum* to a Cabinet officer ordering him to appear with certain adequately specified documents and should he fail to do so, I see no reason why he might not be proceeded against for contempt of the House which sponsored the inquiry.[4]

The courts have not yet considered the Executive's claim that its invocation of executive privilege is unreviewable when invoked against Congress. The courts have left no doubt, however, that they will review such claims when they are invoked against private parties seeking governmental information. In United States against Reynolds, the Supreme Court stated that "judicial control over the evidence in a case cannot be abdicated to the caprice of executive officers." Can Congress' rights be less than those of a private individual? Can Congress be expected to abdicate to "executive caprice" in determining whether or not the Congress will be permitted to know what it needs to know in order to discharge its constitutional responsibilities? As James Madison said in "The Federalist," neither the Executive nor the legislature can pretend to an exclusive or superior right of settling the boundaries between their respective powers. The Supreme Court has ruled not only that the judiciary may review an executive decision to withhold information sought by an individual but has also held that under certain circumstances the courts might require the disclosure to court personnel of classified information.[5] It would be grotesque indeed if security grounds could be invoked to deny Congress information which was available both to executive and judicial officials. In some instances—such as the establishment of overseas bases and special briefings for newsmen from other countries—even foreigners are entrusted with information which is withheld from Congress.

If the matter of accountability were to come to a final test—and it is much preferable that it does not—there is no question of the legal authority of Congress, or of a congressional committee, to subpena a Government official, just as it can subpena a private individual to appear and give testimony, and to hold that individual in contempt should he fail to comply. Under section 134a of the Legislative Reorganization Act of 1946, every standing committee and subcommittee of the Senate is authorized:

> To require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to take such testimony and to make such expenditures . . . as it deems advisable.

In foreign as in domestic affairs there can be no question of the authority—indeed of the responsibility—of the Congress to exercise legislative oversight. This power is spelled out in section 136 of the Legislative Reorganization Act, which states that each standing committee—

> Shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

The power and duty of legislative oversight is in fact rooted deeply in our constitutional history. In the words of a study of the congressional power of investigation prepared for the Senate Judiciary Committee in February of 1954:

> A legislative committee of inquiry vested with power to summon witnesses and compel the production of records and papers is an institution rivaling most legislative institutions in the antiquity of its origin. Its roots lie deep in the British Parliament, and only in the light of a knowledge of these origins and subsequent developments does it become possible to comprehend its limits.[6]

Nor can there be any doubt of the right and duty of the Senate—and particularly its Committee on Foreign Relations—to oversee the conduct of a war. In 1861 a joint committee of the two Houses was formed for this purpose of investigating the conduct of the Civil War. This "Wade Committee," as it came to be known, diligently examined the conduct of Union military activities throughout the war; its reports filled four large volumes. In the case of the present war in Indochina, congressional oversight is not only desirable but essential, specifically for purposes of ascertaining the Executive's compliance with the Church-Cooper amendment and any future restrictions which Congress may impose, but also for the broader purpose of introducing some small measure of constitutional procedure in the conduct of this unconstitutional war.

Legislative oversight is of course impossible without pertinent information. Insofar as the Executive is at liberty to withhold information, he is also at liberty to nullify the ability of Congress to exercise legislative oversight. Contrary to the prevailing Executive view that the President alone may determine what he will reveal or withhold from the Congress, according to his judgment of the "expediency" of revelation, the Congress is not without resources to require the disclosure of pertinent information and the appearance of appropriate witnesses. A study of "Congressional Inquiry Into Military Affairs" prepared for the Foreign Relations Committee in 1968 points out that contempt of Congress by reason of the failure of a witness to testify or produce papers is punishable by law as a misdemeanor. Furthermore, there is no necessity for Congress or a congressional committee to rely on the Department of Justice to act in a contempt case. As an agent of the Executive, the Attorney General might be less than wholehearted in the prosecution of a recalcitrant witness. But, as the military affairs study points out:

> There can be no doubt that either House of Congress has the power to seize a recalcitrant witness, try him before the bar of the House, and punish him for contempt by imprisoning him in the Capitol.[7]

There have in fact been instances in which witnesses in contempt have been brought to trial before the House of Representatives, and there has been at least one instance in which the Senate has ordered the confinement of a contumacious witness in the common jail of the District of Columbia.

Mr. President, not for a moment would I wish to impose so drastic a procedure on Mr. Kissinger, for example, or any other official of our Government. It does seem to me of the greatest importance, nonetheless, that appropriate action be taken to provide the Congress with a reliable and continuing flow of information on foreign policy in general and, most urgently, on the aims and interests of the United States in Indochina as these are perceived by the present administration.

Stopping well short of attempting to deal with the principle of executive privilege in its fullest dimensions—a problem which requires detailed and careful study—I am proposing a bill which would require employees of the executive branch to appear in person before Congress or appropriate congressional committees when they are duly summoned, even if, upon their arrival, they do nothing more than invoke executive privilege. The purpose of this bill is to eliminate the unwarranted extension of the claim of executive privilege from information to persons. It would require an official such as the President's Assistant on National Security Affairs to appear before an appropriate congressional committee if only for the purpose of stating, in effect:

> I have been instructed in writing by the President to invoke executive privilege and here is why . . .

The purpose of this bill is to make a small breach in the wall of secrecy which now separates Congress from the Executive in matters of foreign policy, and particularly in matters pertaining to the war in Indochina. The specific change of procedure that would be required by this bill is a limited one, perhaps even a minor one, but its intent goes to the core of the democratic process by reaffirming the principle of accountability to Congress in the conduct of foreign policy.

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[4] Edward S. Corwin, *The President Office and Powers* (New York University Press: 1957), pp. 281–282.

[5] *Halpern* v. *United States* (258 F. 2d 36, 44 (2 Cir., 1958)).

[6] *Congressional Power of Investigation*, Study Prepared at the Request of Senator William Langer, Chairman of the Committee on the Judiciary, by the Legislative Reference Service of the Library of Congress, U.S. Senate, 83d. Cong., 2d sess. (Washington: U.S. Government Printing Office, 1954), p. 23.

[7] *Congressional Inquiry Into Military Affairs*, A Study Prepared at the Request of the Committee on Foreign Relations, U.S. Senate, 90th Cong., 2d sess. (Washington: U.S. Government Printing Office, 1968), p. 7. Pertinent rulings were made by the Supreme Court in *Jurney* v. *McCracken*, 294 U.S. 125 (1935) and *McGrain* v. *Daugherty*, 273 U.S. 135 (1927).

Mr. CRANSTON. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. CRANSTON. The distinguished chairman of the Committee on Foreign Relations has performed an invaluable service in bringing this matter before the Senate. If the role of Congress is to fulfill its constitutional obligations in matters of war, peace, and other matters, which I believe is threatened by the growth of the executive not only in this administration but in others by the problem of Executive privilege, which the Senator from Arkansas has so ably outlined here, I would like very much to work with the Senator in his endeavors to find a way to remedy this problem.

With the hope that the bill as proposed by the Senator will provide that remedy, or vehicle, for dealing with the great problems we face in our country today, I should like to be listed as a cosponsor.

Mr. FULBRIGHT. Mr. President, I would be very pleased to have the Senator as a cosponsor; and, Mr. President, I ask unanimous consent that the Senator from California (Mr. CRANSTON) be listed as a cosponsor.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. McGEE subsequently said: Mr. President, I rise almost inadvertently because I did not think I would be present when the Senator from Arkansas was delivering his address this morning.

I was captured by one reference on page 5 of his statement which alluded to the precedent in wartime of an oversight committee in this body. The reference was to the Wade committee. That was organized in 1861, at the time of the Civil War. For many years I have fancied myself as something of a history buff. I spent a good deal of time in that particular interval with one of the great architects of history during that period, Prof. James Randall, of Illinois.

The point is that the Wade committee still stands on the books as one of the most notoriously abusive committees in the history of our Nation. This flagrant group is always cited as how not to do it.

Inasmuch as I am a member of the Foreign Relations Committee, headed by the Senator from Arkansas, I feel a bit nervous about drawing attention today to Bluff Ben Wade, of Ohio, as they called him in those days and using that committee as one of the reasons for the action.

I think we are on much higher ground. I would hope that we would keep it there rather than emulate Ben Wade.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. McGEE. I yield.

Mr. FULBRIGHT. Mr. President, it was not for the purpose of emulating the committee, but only for the purpose of showing that Congress does have the authority to exercise oversight. It is a precedent for that purpose. Perhaps that is an extreme case, but that is the only reason it is cited.

I do not think for a moment that the Foreign Relations Committee would seek to emulate that example at all. On the contrary, the Foreign Relations Committee is for all practical purposes excluded from any oversight at all because of the failure to have access to information relevant to policymaking. It is only cited for that purpose alone.

I do not think the State Department would question the principle that Congress does have a responsibility and authority and ought to examine witnesses from the executive department.

Mr. McGEE. Mr. President, I do not question that at all. I just question that reference because I happen to be somewhat familiar with that history.

Mr. FULBRIGHT. That was a joint committee.

Mr. McGEE. The Senator is correct. I believe there were three from the Senate and four from the House. I have not had a chance to do my homework on that.

Mr. FULBRIGHT. The Senator is correct.

By Mr. COOK (for himself, and Mr. METCALF, Mr. PACKWOOD, Mr. RANDOLPH, Mr. SCHWEIKER, Mr. STEVENS, and Mr. WILLIAMS):

S.J. Res. 65. Joint resolution establishing the Federal Committee on Nuclear Development. Referred to the Joint Committee on Atomic Energy.

Mr. COOK. Mr. President, today I am reintroducing a joint resolution providing for the establishment of a Federal Committee on Nuclear Development. Except for the addition of language emphasizing the need to assess the potential impact of atomic energy on the environment, it is identical to Senate Joint Resolution 91 which I introduced in the 91st Congress.

The committee would, when established, study, review, and evaluate the Atomic Energy Act and the atomic energy program generally in terms of—

First, the impact of the atomic energy industry upon competitive industries;

Second, methods for effectively integrating atomic energy into the general energy complex of the United States so that reasonable priorities may be determined; and

Third, the potential environmental impact of atomic development upon the health and safety of the American public.

The peaceful uses of atomic energy and its implications for generations of Americans is obviously a matter of concern to all of us. I urge my colleagues to carefully study this matter and support this resolution.

It is my pleasure to add as cosponsors of this joint resolution Senators METCALF, PACKWOOD, RANDOLPH, SCHWEIKER, STEVENS, and WILLIAMS.

I ask unanimous consent that the joint resolution be appropriately referred and that my remarks of April 15, 1969, be printed in the RECORD at this point.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

SENATE JOINT RESOLUTION 91—INTRODUCTION OF A JOINT RESOLUTION ESTABLISHING THE FEDERAL COMMITTEE ON NUCLEAR DEVELOPMENT

Mr. COOK. Mr. President, I introduce, for appropriate reference, a joint resolution on behalf of myself and Senators Cooper, Mansfield, Mathias, Metcalf, Williams of New Jersey, Packwood, Stevens, Schweiker, and Randolph. The joint resolution, if passed, would establish the Federal Committee on Nuclear Development whose purpose it would be to assess and evaluate the current atomic energy program of the United States.

I claim no pride of authorship in this matter, as it was introduced in substantially the same form in the last Congress by my predecessor, Hon. Thruston Morton. At that time, February 28, 1968, he pointed out in great detail the history of peaceful development of atomic energy subsequent to World War II and described the current feeling among many in the scientific community that a review of the direction of our atomic energy program was greatly needed. My remarks today will be confirmed to a summation of Senator Morton's very comprehensive treatment of the subject.

Congress instructed the Atomic Energy Commission when it was established by the Atomic Energy Act in 1954 to promote and encourage the development of atomic energy. At least $2½ billion have been spent in the interim period to make nuclear plants efficient and able to compete with other power sources such as coal and oil. We appropriated these large sums for developing a new power source knowing full well that it would not be needed until 50 to 100 years hence when our supply of fossil fuels might begin to run short.

Congress adopted this atomic energy program, which resulted in a new technical development becoming, for the first time in our history, a Government monopoly. There is no question that the ability to create electrical energy through atomic fission is an amazing accomplishment but we also understand now what we did not realize in 1945—that atomic energy is no panacea.

Some might consider this resolution in some way a repudiation of the outstanding work of the Joint Committee on Atomic Energy. I assure Senators that I have nothing but the highest regard for the Members of the Congress who serve on this committee and I think they have ably carried out the original mandate of Congress which was to promote the peaceful uses of atomic energy. Unfortunately, the act made no provision for consideration of the need for nuclear energy, the fate of competing fuels, and the effect on the economy.

There are many indications now that we have moved too quickly, without the proper safeguards, into the atomic energy field. Early enthusiasts who appear to have become somewhat disillusioned about the program and are now calling for a reappraisal include David Lilienthal, who was the first Chairman of the Atomic Energy Commission. These experts tell us that the potential hazards of nuclear power are threefold:

First. The emanation of radioactive substances into the air and into the water of streams used for cooling the plants themselves.

Second. The expensive and difficult problem of safely handling waste material which remains after the useful life of the nuclear fuel has terminated.

Third. And the possibly even though remote, that an accident would result in the sudden release of radioactive material into the atmosphere.

Undoubtedly, the possibilities of unprecedented damage to human and animal life were not realized by Congress when it decided to develop the civilian nuclear power complex, but this does not absolve us of the responsibility today, in the light of new evidence, to reevaluate the direction of this program both in terms of costs and safety to the public.

Mr. President, it is my strong belief that the Members of the Joint Committee on Atomic Energy have diligently carried out the original mandate of Congress which was to promote the use of civilian nuclear energy. It is the original mandate I question today, and certainly not the efforts of my colleagues on this committee. The resolution which I am introducing calls for a comprehensive review of the whole Government participation in the atomic energy program including the original mandate. It is for this reason that I have suggested we call upon cabinet officers, scientists, laymen, and Members of Congress who are not on the Joint Committee on Atomic Energy, to conduct this study. Since the problem is urgent and time is of the essence, the committee on nuclear development is required to make a report of its findings to the Congress within 2 years of its authorization. We owe it to ourselves and our descendents to objectively evaluate the future direction of this phenomenon of atomic energy which could mean much to the development of the Nation or to the contrary, become the vehicle for rendering our environment unfit for habitation. I urge Senators to support this effort to find the proper balance between progress and safety.

ADDITIONAL COSPONSORS OF BILLS

S. 377

At the request of the Senator from Florida (Mr. Gurney) on behalf of the Senator from Texas (Mr. Tower), the Senator from Alabama (Mr. Allen), the Senator from Alabama (Mr. Sparkman), the Senator from Alaska (Mr. Stevens), the Senator from Arizona (Mr. Fannin), the Senator from Arizona (Mr. Goldwater), the Senator from California (Mr. Cranston), the Senator from California (Mr. Tunney), the Senator from Colorado (Mr. Allott), the Senator from Colorado (Mr. Dominick), the Senator from Florida (Mr. Chiles), the Senator from Florida (Mr. Gurney), the Senator from Hawaii (Mr. Inouye), the Senator from Kansas (Mr. Dole), the Senator from Kansas (Mr. Pearson), the Senator from Kentucky (Mr. Cook), the Senator from Kentucky (Mr. Cooper), the Senator from Maryland (Mr. Beall), the Senator from Maryland (Mr. Mathias), the Senator from Massachusetts (Mr. Kennedy), the Senator from Mississippi (Mr. Eastland), the Senator from Nebraska (Mr. Curtis), the Senator from Nebraska (Mr. Hruska), the Senator from Nevada (Mr. Cannon), the Senator from New Hampshire (Mr. Cotton), the Senator from Oklahoma (Mr. Harris), the Senator from Pennsylvania (Mr. Scott), the Senator from Rhode Island (Mr. Pastore), the Senator from Rhode Island (Mr. Pell), the Senator from South Carolina (Mr. Hollings), the Senator from South Carolina (Mr. Thurmond), the Senator from South Dakota (Mr. McGovern), the Senator from Tennessee (Mr. Baker), the Senator from Tennessee (Mr. Brock), the Senator from Utah (Mr. Bennett), the Senator from Utah (Mr. Moss), the Senator from Vermont (Mr. Prouty), the Senator from Washington (Mr. Jackson), and the Senator from West Virginia (Mr. Randolph) were added as cosponsors of S. 377, a bill to equalize the retirement pay of members of the uniformed services of equal rank and years of service.

S. 571

At the request of the Senator from Kansas (Mr. Pearson), the Senator from Nebraska (Mr. Hruska) was added as a cosponsor of S. 571, to amend the Federal Meat Inspection Act relating to the importation of meat and meat products into the United States.

S. 742

At the request of the Senator from Kansas (Mr. Pearson), the Senator from Texas (Mr. Tower) was added as a cosponsor of S. 742, the Rural Community Development Bank Act.

PRESIDENT NIXON'S PRESS CONFERENCE

Mr. DOLE. Mr. President, all Americans can take heart at the latest news from Southeast Asia. At his press conference last night, the President proved once again that he is keeping faith with the American people, despite the escalation of criticism, I might say, on the Senate floor and despite the doubts cast by some of those who report the news.

When he came into office 2 years ago, Richard Nixon inherited a major land war in Asia from his predecessor. Over half-a-million American fighting men were tied down in Vietnam and there was no end in sight. Years of escalation under Democratic leadership had brought us no closer to victory, but had cost the country devastating losses in men, wealth and prestige.

President Nixon reversed the whole momentum of the war—despite the attacks of the critics and the harassment of leading Democrat politicians. He put a plan into operation that is Vietnamizing the war and bringing thousands of American boys home.

In Cambodia and Laos, the President has made courageous decisions that are now being vindicated by the hard, cold facts.

Every promise that President Nixon has made about the war has been kept. American casualties are one-half of what they were before the Cambodian operation, which the President's critics claimed would widen the war. Our troop withdrawals have continued as planned, with every deadline being met, or even moved up.

In Laos, the South Vietnamese are fighting the enemy on the ground single-handed—something that most people claimed to be impossible a few years ago.

Arms, ammunition, and supplies that would have been used to kill American boys have been captured or destroyed, and the flood of Communist war materiel and reinforcements from the North has been slowed to a trickle. The number of arms and men trucked from North Vietnam has now been cut in half.

And last night, the President confirmed that by May of this year 265,000 Americans will have been withdrawn from Vietnam—with a chance that this figure may even be increased.

These facts speak for themselves. The President's policy is working, and it is paying off in American lives saved.

Richard Nixon did not make the decision to send American combat troops into Vietnam. But his strong, courageous leadership is bringing them home.

President Nixon has made his decision, and he has kept his word with respect to this decision to disengage in Southeast Asia.

Mr. President, I ask unanimous consent to have printed at this point in the Record an excellent editorial published in today's Evening Star entitled "Northwards?"

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Northwards?

In his televised foreign policy press conference last night, President Nixon, in our view, maintained a correct posture on the question which has troubled his critics since Saigon's troops moved into southern Laos three weeks ago: Will the next step in what these critics incorrectly regard as an American widening of the war be an invasion of North Vietnam by South Vietnamese troops, supported by U.S. air power?

Mr. Nixon told the assembled correspondents (and the nation) that no such plan is "under consideration in this government" and that President Thieu had not presented one. He reiterated his earlier pledges that American ground units will not be employed outside of South Vietnam. But he restated President Thieu's right to take whatever steps he feels necessary for the preservation of his country and left open the possibility that American air power might be used against the north if Hanoi's activities "endanger the American forces as we continue to withdraw."

While a South Vietnamese invasion of North Vietnam cannot be ruled out, we think such a venture improbable. Saigon already has its hands full in Laos (where its troops have cut truck traffic on the Ho Chi Minh trail by 55 percent, according to the President), Cambodia and on its own territory. But it makes no sense to give the enemy assurances as to what we will or will not do under any given set of circumstances. That is why the Mondale-Saxbe resolution before the Senate, which would forbid any sort of American participation in an operation against North Vietnam, is so wrong-headed.

The President concede that there is "some hard fighting ahead" for South Vietnam's troops in Laos, but he pointed out that the destruction of 67 enemy tanks and the capture of 200,000 rounds of ammunition and 2,000 guns would "reduce American casualties."

As welcome as the statement that the U.S. withdrawal from Indochina will proceed on schedule was Mr. Nixon's pledge that a residual American force will remain in South Vietnam until Hanoi releases those which it holds of the 1,600 American servicemen listed as captured or missing in action. The captives, their families and North Vietnam should know that this is a debt of honor which will be redeemed.

From the beginning, it has been our feeling that President Nixon has been on the right track in Southeast Asia, just as he has been in the Middle East. While, as he puts it, "the jury is still out," we continue to hold to that view. The joint U.S.-South Vietnamese incursion into Cambodia last year and the current South Vietnam opera-

> tions in Laos are no more a widening and lengthening of the war than was the Allied invasion of Nazi-occupied Italy in World War II.

Mr. DOLE. Mr. President, let me reemphasize, as I have done many times on this floor, that President Nixon has made a great record in Vietnam. I consider this to be the greatest single achievement in the first 2 years of the Nixon administration—disengaging from the war that was on the President's doorstep on January 20, 1969.

I find it difficult, frankly, to understand this criticism of the President's every move. Had he been escalating the war, had he been sending more combat troops off to war, had he been increasing the bombing and increasing the casualties. In the war, perhaps criticism would have been justified. However, just the opposite has been true.

I commend the President, not because he is a Republican President, but because he is ending our involvement in the tragic conflict that he inherited.

Mr. GURNEY. Mr. President, I certainly want to associate myself with the remarks of the distinguished Senator from Kansas and back up 100 percent what he has just said.

POLITICS, ANYONE?

Mr. GURNEY. Mr. President, I think it worthwhile to compare some of the commentary on President Nixon's 1971 report on "U.S. Foreign Policy for the 1970's."

Let us first consider the so-called "constructive criticism" offered by Mr. W. Averell Harriman and Mr. Paul C. Warnke on behalf of the Democratic policy council's committee on international affairs and the committee on arms control and defense policy. Their introduction states:

> The report's 180 pages of uninformative rhetoric are filled with unstinting self-praise, an absence of candor, and a distortion of results.

Well, that would seem to finish the matter. Not much more remains to be said after this constructive comment or we might better characterize it as destructive comment. Thus it is indeed puzzling they find it necessary to fill so many pages thereafter with the same caliber of shotgun blasts, and—even more surprising—with occasional compliments concerning the specifics of the Nixon report. We are, however, promised a more extensive analysis by these same gentlemen on March 24.

If they believe their own rhetoric, this would seem to be a waste of time.

Compare that introduction with the analysis of Mr. William P. Bundy, former Assistant Secretary of State under Presidents Kennedy and Johnson. In the March 8 Newsweek, Mr. Bundy makes a few disparaging remarks, but goes on to say:

> Nevertheless, it is my overall impression that this is a creditable document. . . . a great many both here and abroad will learn and be given food for thought. . . . In particular, the tone seems to me to deserve high praise. While Mr. Nixon does not spare to take credit, he is not boastful. . . . for the most part difficulties are faced honestly and there is a merciful minimum of hectoring and slogan.

Mr. Bundy believes the report was "designed to circumvent the quick generalizations of columnists and commentators. In this it may succeed at the cost of sinking out of sight."

That, according to Mr. Bundy, would be unfortunate:

> As a generally honest picture of an Administration feeling its way into a new era in American foreign policy, it deserves considerably better.

If I may make a suggestion, it would be productive if a quiet conference—in a neutral country—could be arranged between Mr. Bundy and Messrs. Harriman and Warnke prior to the "extensive report" the latter gentlemen have promised us.

They might also consult Time magazine, not especially noted for praising Mr. Nixon in any of his efforts. On March 8, Time characterized the Nixon report as—

> A refeshingly cool and realistic appraisal of the current state of world affairs. . . . It combines a tough-minded analysis with a flexibility in approach that should aid the quest for peace. . . . The Nixon approach thus combines a conciliatory acceptance of new conditions with a firm stance in dealing with them.

And so it goes. Politics, anyone?

Mr. BROCK. Mr. President, I wish to associate myself with the statements of the Senator from Kansas (Mr. DOLE) and the Senator from Florida (Mr. GURNEY). I appreciate their support of the President in this matter. I think they are absolutely right.

THE MIDDLE EAST

Mr. BROCK. Mr. President, not in recent years has the chance for peace seemed as bright in the Middle East as it does today. Even so, the scale is delicately balanced, and unwise pressures could easily tip that balance the wrong way.

Both Egypt and Israel have moved toward a point where actual peace settlements can possibly be negotiated. There is, I fear, a tendency on the part of some in this country to urge overhasty action on the part of the Government of Israel, hoping thus to bring about a settlement.

Thus I rise today to express my gratitude to President Nixon and Ambassador George Bush for making it clear that this administration will not exert unwarranted pressure on Israel in the peace talks.

Immediately after being presented his United Nation credentials on March 1, Ambassador Bush said in a news conference:

> We want a lasting peace. We want a peace that's going to be there for young people who are growing up over there. And we don't think that that can be arrived at if we indeed impose a settlement on somebody.
>
> In his news conference last night, President Nixon reiterated this position when he stated loud and clear, "We will not impose a settlement!"

I congratulate the President on the wisdom and foresight of this decision and want to restate my confidence that this administration will continue to afford Israel its complete moral and material support. We can do no less.

Still, there are those who find it tempting to suggest that perhaps Israel could insure peace if her Government would only accept the Egyptian proposal for a total withdrawal of Israeli forces from all territory occupied since 1967.

Egypt has coupled this proposal with a tempting offer—a negotiated peace settlement. This kind of settlement has been sought by Israel for over two decades. There are many pressures upon that tiny nation to accept such an offer. Israel, after all, has suffered most grieviously over the years from the constant harassment and murder of its people and violation of its territory by Arab extremists.

We must not add to those pressures by actions of our own, designed to push Israel further than prudent policy should permit them to move.

They simply cannot afford total withdrawal from all areas captured from the Arabs, regardless of any so-called guarantees Egypt might give. While I accept the premise that the present leadership of Egypt is making these offers in good faith, we have seen over the years that governments in some Arab Nations are susceptible to a change of heart—particularly when subject to the constant interventions and pressures of a Soviet leadership obviously bent upon ultimate domination of the entire Middle East.

Even Nasser, with his near-mystical control over the Egyptian people, was subject to the roaring whims of the crowd.

Russian ambitions in the Middle East predate the present situation by more than a hundred years. Throughout the last half of the 19th century British and French diplomacy was aimed at preventing Russian encroachment and eventual domination. In those days, the Russians sought warm-water access to world trade. Today the stakes are much, much higher.

The Soviet Union has its eye on the vast oil reserves in the Middle East. Russia wants bases from which to dominate the Indian Ocean, and eventually all of southern Asia. The Soviets are moving to broaden their base of naval power and for the first time have a large and potent fleet available in the Mediterranean.

To accomplish these goals the Russians have tried to prevent a solution in the Middle East by providing arms, advisers, and other support for the Arab countries, and by actively fomenting chaos at every opportunity. There is solid evidence that Soviet pilots have been flying in the Egyptian Air Force. There was evidence during the brief 1967 conflict that Soviet officers were directing the Syrian army's artillery attacks on Israel. The Soviet Union has provided, installed, and is operating hundreds of SAM missile installations along the Suez.

In the diplomatic area the Soviet Union is applying pressure on both Israel and the United States to force Israel to accept unwise and potentially disastrous peace terms with the Arab States.

The evergrowing Russian presence in the Middle East is a continuing threat at the stability and peace in that area. This Nation must understand that these Russian maneuvers are designed to blackmail Israel and its allies—with a view to ultimate control of the Middle East and the Indian Ocean.

What the Russians are obviously trying to do is to force an alliance upon India, so that they can join forces to dominate the Indian Ocean area as well as most of Africa. This would be an extremely serious threat to the security of the United States.

It is thus in the best self-interest of the United States to maintain Israel as a strong and viable force in the Middle East. Only through such an arrangement can the Soviet efforts at total domination of the area, and the dangerous consequences of such a situation, be prevented.

The fervor of those Arabs, who believe they are involved in holy war, has rolled before like a tide through Egypt. And Egypt is not alone against Israel. Even if the leaders in Cairo are able to control their own and actually enforce a peace settlement with Israel, there is no guarantee such a settlement would be honored in Syria or Iraq, for example.

Thus Israel must remain in a position to protect its people; no assurance by Egypt can be considered as binding either on that country or her Arab partners in the wars against Israel. A buffer zone between Israel and her neighbors must somehow he maintained.

Without such an acceptance by the Arabs of minimum territorial safeguards for Israel, there can never be peace in the Middle East.

Mr. President, this Nation must meet its obligation and stand by Israel, continuing to exert no undue pressures for unwarranted compromise, while that courageous nation negotiates a lasting peace with her neighbors.

AMERICAN PRISONERS OF WAR

Mr. BYRD of West Virginia. Mr. President, as I think the Members of this body are aware, I have been gravely concerned about the plight of our prisoners of war and men who are missing in action in Vietnam, over a long period of time. I have on more than one occasion voiced my concern on the floor of the Senate, as well as to the news media, and have cosponsored legislation recommending actions to intensify the efforts of the United States to marshal world protest against Hanoi's inhumane treatment of American prisoners and cruelty to their wives and families who are grieving here at home.

The Senate of West Virginia, which is now in session, is likewise distressed, and has adopted Senate Concurrent Resolution 24, authored by Senator Leonard and Senator Sharpe, expressing concern and sympathy to the families of West Virginians, and to the families of all Americans, held as prisoners of war in Southeast Asia. I ask unanimous consent that the text of that resolution be printed in the RECORD. I am joined in this request by my able senior colleague from West Virginia (Mr. RANDOLPH).

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

S. CON. RES. 24

Resolution expressing concern and sympathy to the families of West Virginians, and to the families of all Americans, held as prisoners of war in Southeast Asia

Whereas, All captured American personnel held in Southeast Asia suffer privation and hardship; and

Whereas, Prisoners held in North Vietnam are existing under particularly harsh circumstances; and

Whereas, Many of these prisoners are confined in a primitive jungle environment in Vietnam, Laos or Cambodia; and

Whereas, These prisoners are primarily members of the United States Army, Navy, Air Force and Marine Corps; and

Whereas, These prisoners include American civilians; and

Whereas, The enemy's refusal to acknowledge publicly the presence of all prisoners in these areas, and the enemy's refusal to permit certain prisoners to correspond with their families have increased the burden of anxiety and concern on the families of prisoners of war; and

Whereas, The government of West Virginia and the government of the United States are concerned with continuing efforts to bring national and world public opinion to bear in securing humane treatment for, and the release of, our beloved sons of West Virginia, and all captured American personnel; and

Whereas, The National League of Families of American Prisoners Missing in Southeast Asia, recognizes that the Prisoner of War issue is not a political issue, but is a humanitarian issue; and

Whereas, The West Virginia State Coordinator of the National League of Families of American Prisoners Missing in Southeast Asia has received permission from a few families to furnish names of certain West Virginians who are prisoners of war; and

Whereas, Lieutenant Commander William Hardman, U.S. Navy, son of Mrs. Sadie M. Tompkins, St. Albans, West Virginia; Major Glenn H. Wilson, U.S. Air Force, son of Mr. and Mrs. Stanley Wilson, St. Albans, West Virginia; and Major Hubert Kelley Flesher, U.S. Air Force, nephew of Mrs. Charles Carson, Jane Lew, West Virginia, are prisoners in Hanoi; and

Whereas, Sergeant Albert H. Altizer, son of Mr. and Mrs. Kenneth W. Altizer, Squire, West Virginia, and Chief Warrant Officer Joseph A. Rose, U.S. Army, son of Mr. and Mrs. Joseph Rose, Morgantown, West Virginia, are believed to be prisoners of war in Southeast Asia; and

Whereas, There are more than fifteen hundred Americans known to be missing or prisoners; therefore, be it

Resolved by the Legislature of West Virginia:

That the members of the Senate express their deep concern and sympathy for the families of all West Virginians held by hostile forces in Southeast Asia; and, be it

Resolved further, That the members of the Senate express their deep concern and sympathy for the families of all Americans held by hostile forces in Southeast Asia; and, be it

Resolved further, That the members of the Senate are mindful of the sacrifice of West Virginians and many Americans who have given their lives in the Vietnam War, and that the Senate of West Virginia expresses sympathy to the families of those who will not return, and, be it

Resolved further, That the Senate of West Virginia urges humane treatment for, communication with, and the release of, all prisoners of war; and, be it

Resolved further, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the families of the West Virginians named herein who are prisoners of war or who are known to be missing and to the Honorable Richard M. Nixon, President of the United States, Washington, D.C.; the Honorable Ton Duc Thang, President, Democratic Republic of North Vietnam, Hanoi, North Vietnam; the Honorable David K. E. Bruce, U.S. Delegation to the Paris Meeting, U.S. Embassy, 2 Avenue Gabriel, Paris, France; Minister Xuan Thuy, 8 Avenue General Le Clerc, 94 Choisy-Le-Roi, Paris, France; Mme. Nguyen Thi Binh, 39 Avenue Georges Mandell, Paris 16, France; and Mrs. Bobby G. Vinson, National Coordinator, National League of Families of American Prisoners Missing in Southeast Asia, 1 Constitution Avenue NE., Washington, D.C.

QUORUM CALL

Mr. GURNEY. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE PRIVILEGE AS IT RELATES TO PRESIDENTIAL ADVISERS

Mr. DOLE. Mr. President, I listened carefully to the extensive and exhaustive statement of the junior Senator from Arkansas and I only comment that the doctrine of executive privilege, like the congressional power to investigate, arises by necessary implication from the separation of powers as established by the Constitution. Each is necessary to enable the branch possessing it to effectively discharge its constitutional responsibilities.

In those cases in which the executive privilege is invoked, no officer of the executive branch may be compelled to respond to questions which deal with advice he has given to the President or the performance of his official duties for the President.

The President and his immediate advisers are absolutely immune from testimonial compulsion by a congressional committee. They not only may not be examined with respect to their official duties, but they may not even be compelled to appear before a congressional committee. They are presumptively available to the President 24 hours a day.

Without executive privilege, the investigative authority inherent in the legislative branch of government could ultimately frustrate the President's executive ability to fully perform his constitutional duty to "take care that the laws be faithfully executed."

EXAMPLES OF THE INVOCATION OF EXECUTIVE PRIVILEGE DURING THE TRUMAN, EISENHOWER, KENNEDY, AND JOHNSON ADMINISTRATIONS

A review of this subject has revealed the following examples. While these examples do not represent exhaustive research of the matter during these administrations, the list is reasonably complete.

On two occasions during the Truman administration a subcommittee of the House Committee on Education and Labor issued subpenas to John R. Steelman, who held the title "Assistant to the President." In both instances Steelman returned the subpena with a letter stating that "In each instance the President directed me, in view of my duties as his Assistant, not to appear before your subcommittee."

In 1951, Donald Dawson, an administrative assistant to President Truman, was requested to testify before a Senate subcommittee investigating the Reconstruction Finance Corporation, one aspect of which concerned Dawson's alleged wrongdoing. While President Truman felt that this request constituted a violation of the principle of separation of powers, he nevertheless "reluctantly" permitted Mr. Dawson to testify in order to give him an opportunity to clear his name. It should be noted that this situation dealt with Dawson personally, and not in his capacity as a Presidential adviser.

Sherman Adams, during the Eisenhower administration, declined to testify before a committee investigating the Dixon-Yates power contract on the ground of his confidential relationship with the President, but at a later point in the administration volunteered to testify with respect to his dealings with Bernard Goldfine. This later appearance is certainly consistent with the precedent of an adviser appearance when it involved personal allegations.

During the hearings on the nomination of Abe Fortas to be Chief Justice of the United States, the Senate Judiciary Committee requested W. DeVier Pierson, Associate Special Counsel to the President, to appear and testify regarding the drafting of legislation authorizing Secret Service protection for presidential candidates. It had been reported to the committee that Justice Fortas had participated in the drafting of this legislation, at a time when he was sitting as Associate Justice of the Supreme Court. Pierson declined the invitation, writing Senator EASTLAND as follows:

> As Associate Special Counsel to the President since March, 1967, I have been one of the "immediate staff assistants" provided to the President by law. (3 U.S.C. 105, 106) it has been firmly established, as a matter of principle and precedent, that members of the President's immediate staff shall not appear before a congressional committee to testify with respect to the performance of their duties on behalf of the President. This limitation, which has been recognized by the Congress as well as the Executive, is fundamental to our system of government. I must, therefore, respectfully decline the invitation to testify in the hearings.

The PRESIDING OFFICER (Mr. CHILES). The Senator's 3 minutes have expired.

Mr. BYRD of West Virginia. Mr. President, if the Chair will recognize me, I shall be glad to yield to the Senator from Kansas.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia, who yields to the Senator from Kansas.

Mr. BYRD of West Virginia. Mr. President, I yield to the Senator from Kansas.

Mr. DOLE. I thank the Senator for yielding to me.

Mr. President, two points should be made relative to the aforementioned. First, the Presidential assistants who have appeared before congressional committees have testified regarding matters of a personal rather than Presidential nature. Second, there is the language used by DeVier Pierson during the Johnson administration, in which he makes it very clear that as a matter of principle and precedent, the President's immediate staff cannot be compelled to appear before congressional committees to testify with respect to the performance of their duties on behalf of the President. Thus, to attempt to force a member of the President's staff so to appear would be an assault on the critical protection of the executive branch which is inherently preserved by the Constitution.

The Senator from Kansas understands the concern of the distinguished junior Senator from Arkansas and believes all of us have from time to time been concerned about executive privilege. I take no issue with the need to make certain that the rights of Congress are protected; but I suggest this dispute over the privileges of his principal advisers may be part of the assault on the President himself, part of the escalating criticism of the President and the President's policies in Indochina.

I would only say, as I did earlier today, that the record does speak for itself. The record of President Nixon's Indochina policy shows a sharp change in direction from the course followed prior to 1969. The record shows we are bringing an end to our involvement in South Vietnam—perhaps not as rapidly as I would like or as the Senator from Arkansas would like, but there is a distinct change and real progress toward ending our involvement. Last night the President clearly explained the role of Secretary Rogers and the role of his assistant in the White House, Dr. Kissinger. And in the light of his statement and the context of the criticism I believe this to be only another attempt to undermine the efforts of the President to disengage us from the war he inherited when he became President on January 20, 1969.

I thank the Senator from West Virginia for yielding.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL WEEK OF CONCERN FOR PRISONERS OF WAR/MISSING IN ACTION

Mr. BYRD of West Virginia. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives, House Joint Resolution 16, and I ask unanimous consent that the Senate proceed to the immediate consideration of the joint resolution.

The PRESIDING OFFICER (Mr. CHILES) laid before the Senate House Joint Resolution 16, to authorize the President to designate the period beginning March 21, 1971, as "National Week of Concern for Prisoners of War/Missing in Action," which was read twice by its title.

The PRESIDING OFFICER. Does the Senator ask that the Senate proceed to its consideration?

Mr. BYRD of West Virginia. Yes, Mr. President. I have already asked that the Senate proceed to the immediate consideration of the joint resolution.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. BROCK. Mr. President, the news that our colleagues in the House unanimously passed a resolution authorizing the President to designate March 21–27 as "National Week of Concern for Prisoners of War/Missing in Action" was extremely gratifying.

I rise today to express my deep appreciation to Congressman JOHN ANDERSON and the more than 170 Congressmen who cosponsored this legislation in the other body, and to the other body.

I have no doubt that this body will also vote unanimously today for this same resolution, which will afford this Nation the opportunity to focus world attention on the plight of nearly 1,600 American fightingmen held captive or are missing in action in North Vietnam.

Sixty-five of my distinguished colleagues joined me as cosponsors of this action. I want to express my gratitude to them and to the Judiciary Committee and its chairman, the Senator from Mississippi (Mr. EASTLAND), for moving this resolution through the committee at record speed.

I know I speak for the families and loved ones of our POW's in offering my most sincere thanks.

Many, many thousands of Americans are looking forward to this especially significant week to speak out in one voice to try to persuade the North Vietnamese to abide by the Geneva Convention in their treatment of our men.

The dates of March 21 through 27 are significant as they mark the anniversary of the time the first U.S. serviceman was captured in North Vietnam 6 years ago. Now, nearly 1,600 young Americans fill the filthy jails in that foreign land. Their brave families wait in vain for their return or for even a scrap of information as to their welfare.

I would point out that if there are those who question the strength of character of this Nation, they have only to look at these wives and families for an example of hope and integrity and love of Nation that would befit us all.

We must not let these families wait alone, without hope. Efforts, such as the one we are engaged in today, may have an appreciable effect on the treatment of these men. The enemy has countered with propaganda films glossing over their deplorable treatment of prisoners, indicating that if we continue to bring pressure of world opinion on this situation, we may expect further response from the enemy.

Let us pass this resolution now and hope and pray that our "ayes" will be heard in Hanoi and will have positive results.

Mr. ALLEN. Mr. President, I join the distinguished Senator from Tennessee (Mr. BROCK) in support of this resolution, which has come to us from the House and which is identical to the resolution proposed by the distinguished Senator from Tennessee (Mr. BROCK) and other Senators, Senate Joint Resolution No. 10, which is on the Calendar of the Senate today.

I think it is proper that we set aside and designate a national week of concern for prisoners of war and those missing in action because we do have a deep and abiding concern for the prisoners of war and the missing in action.

I want to commend the President for stating that as long as the prisoner of war issue is unresolved, as long as the North Vietnamese have as prisoners any American soldiers, we will continue to have a residual force in South Vietnam.

I think that the enemy should realize that this prisoner of war issue must be resolved, that these prisoners of war must be returned to this country and to their loved ones, that we will never be satisfied and that there will never be a complete withdrawal of American troops from South Vietnam until the prisoners of war are released and returned to their loved ones.

I think, in a larger sense, Mr. President, that each month, each week, each day of the year should be a time for national concern for our prisoners of war; and as we set apart a particular week for national concern for the prisoners of war and those missing in action, we do it to place special emphasis on the plight of the prisoners of war, never for a moment forgetting, at any time of the year, our concern for these unfortunate American citizens.

So, as we set apart a special week in their memory and to highlight our concern for them, we serve notice also that their cause and our interest in them is a deep and abiding, ever-present concern, not only to Members of the Senate and the House of Representatives, but to all citizens of the United States.

Mr. DOLE. Mr. President, I join the distinguished Senator from Alabama and the distinguished Senator from Tennessee in urging quick and favorable action on the resolution.

I share the view just expressed by the Senator from Alabama that every day should be a day of concern for American prisoners of war and Americans missing in action. I also applaud, as did the Senator from Alabama, the President's remarks just last evening, wherein the President made it very clear that despite the criticism, despite the escalation of rhetoric, and despite the critical attitude of the media, he would not abandon 1,600 Americans in North Vietnam, South Vietnam, or wherever in Indochina they may be.

I recall some debate last year when the Song Tay raid was carried out in an effort to rescue some prisoners; much of the debate seemed to be more or less a foreign policy discussion over the wisdom of the flight, whether prisoners may or may not have been there.

But I would say, should that opportunity occur again, should there be an opportunity to rescue prisoners in North Vietnam, South Vietnam, Cambodia, Laos, or wherever they may be held, we should seize upon any such opportunity and make an effort to rescue men who have suffered month after month after month, some as long as 6 years. I think their families have a right to demand as much.

I strongly support the resolution. I strongly support the efforts made by nearly every Senator to alert the American people to the plight of the American prisoners and Americans missing in action. This is an obligation we have and a responsibility we have, a responsibility we cannot shirk.

I would conclude by saying that the President has made it very clear that as long as he is the Commander in Chief, and as long as he is in charge of our policy in Indochina, that will be paramount in his mind and paramount in the consideration of the action he takes.

So I commend the Senator from Tennessee for his initiative, and all those who support the resolution.

Mr. FULBRIGHT. Mr. President, I support the resolution also. I think there is every justification for the Senate and the American people to take cognizance of the plight of our American prisoners of war. I can only remind the Senate, of course, that the Committee on Foreign Relations has approved and favorably reported a resolution seeking to use our influence, such as it is, to induce the North Vietnamese to release these prisoners.

There is no difference whatever among Members of the Senate or the people with regard to our concern and sympathy for the prisoners. There is a difference suggested by the Senator from Kansas as to the best means to do something about it. There is no doubt at all that we would like to do something, but how do we do it? What can we do about it?

I would only like to say that I have, with other Members of the Senate, written letters to officials of North Vietnam. We had the Prime Minister of Sweden before our committee one afternoon; one of the principal reasons was to solicit his assistance, because his country maintains relations with North Vietnam, and he undertook to use his good offices in any way he could. At that time, it was a matter of trying to get the names and information about the prisoners, and also to try to determine if there was any possibility of inducing a more humanitarian attitude on the part of the North Vietnamese toward the prisoners.

But I am bound to say, in reply to the Senator from Kansas, that while the President is undertaking to stay in Vietnam as long as there are prisoners there, I am not at all sure that this has any relevance to getting the release of the prisoners. It involves a matter of judgment as to what can be done to obtain the release of the prisoners. I have said before, and I still believe, that until the war is settled—and I think it ought to be settled—by a negotiated settlement, and on a basis which serves the interests of the United States primarily, and other people secondarily, we are not going to obtain the release of the prisoners.

One of the main reasons why I am so interested in promoting and trying to persuade the administration to seek a political settlement of this issue in much the same fashion as the French did is because of my concern for the prisoners of war, who are in such dire straits in North Vietnam.

But certainly, as far as the present resolution is concerned, I support it, and I am sure it will pass this body unanimously.

Mr. DOLE. Mr. President, will the Senator yield?

Mr. FULBRGHT. I yield.

Mr. DOLE. The Senator has raised a point I do not think I quite understand. I think I share the view that one way to bring home American soldiers, of course, is to end American involvement. But the Senator has suggested that this might happen when the war was ended. I assume he means the total involvement, whether it be in Cambodia or South Vietnam, of any action with the enemy.

This is the area that is of great concern to the wives and mothers and families of prisoners and missing men: Is there any assurance that if the Americans withdraw from Southeast Asia totally and completely, American prisoners of war or Americans missing in action would be released, or would there then be a demand that we make South Vietnam do something?

Mr. FULBRIGHT. The only precedent I know of settling a war which I could characterize as a stalemate instead of a victory indicates that this is the best way calculated to obtain the release of the prisoners. If my memory serves me right, in the case of Korea, I think in the settlement of that conflict—it was not really settled completely, but we at least have an armistice—the prisoners were given the opportunity to return to our country, and it was one of the principal achievements of President Eisenhower that he did bring that war to a close. Although we have never gotten what I would call a satisfactory peace settlement, it is better than it was, and I approve of what he did. I think that in this case some kind of settlement, in what appears to me to approach a stalemate, in the sense that neither side can quite overcome the other——

Mr. DOLE. Does the Senator from Arkansas believe if the American troops were withdrawn at a certain date, as urged by some Members of this body, that this would mean the American prisoners would be released?

Mr. FULBRIGHT. I do not think that the Vietnamization concept—I have said this before—is designed either to end the war or to get the prisoners released. I think that a negotiated settlement of this, along with other matters, similar to the way people in the past have settled this kind of conflict, is the best way to get the prisoners of war released.

Mr. DOLE. Then there is the approach by some Senators, called the Hatfield-McGovern end-the-war amendment. The argument there is that if we set a specific date and we withdraw all American troops by a certain date—whatever that date may be—this provides some assurance for the release of American prisoners. Does the Senator from Arkansas subscribe to that view?

Mr. FULBRIGHT. May I say to the Senator that I have lent support in the arguments on these various resolutions largely to focus attention upon the problem, to alert the Senate and the country to the seriousness of our involvement in Vietnam. I think that the passage of any of those legislative actions is a very remote possibility—the passage and enactment into law. None of them could be passed over the opposition of the President, I believe. The Cooper-Church amendment was adopted. The Senator was one of the principal ones who objected to it——

Mr. DOLE. I voted for it.

Mr. FULBRIGHT. For 7 weeks. He is thoroughly familiar with it. In the final analysis, it was passed, but only with the assistance of the administration.

I have a very grave doubt that any of the resolutions to which the Senator from Kansas has referred can be passed over a veto of the President. For that matter, I have grave doubt that it could be passed by the House of Representatives. I have sometimes thought that it probably could pass the Senate.

Mr. DOLE. If it were passed and signed into law, does the Senator from Arkansas really believe that that would bring about the release of our prisoners?

Mr. FULBRIGHT. I think that one of the two principal reasons standing in the way of a negotiated settlement is the failure of an obligation for us to disengage ourselves totally. This is one of the terms which is essential to having a negotiation with the enemy. They have made this quite plain. There are two principal features that stand out. One is to withdraw. The other is some government other than Thieu-Ky, who have become a symbol that they cannot accept. What the alternative is to Thieu-Ky is not quite clear. It is just that Thieu-Ky is unacceptable.

These are the terms which many of us have been led to believe by the official exchanges, by news reports—all sorts of sources—are necessary at least to be considered in a negotiated settlement.

All I am saying here—and the Senator precipitated this in his remarks—is that, in addition to this, I am thoroughly behind the resolution; but the question of how to move toward their relief as well as the relief of our own country and all its other problems is another matter.

This is a question of judgment. I have never believed that a gradual withdrawal under the so-called Vietnamization is well calculated to achieve the announced purpose of the President. I do not question his purpose. I think he would like to get out of it as much as I would. I am simply questioning whether or not this procedure is well designed to achieve the purpose. I do not think it is. I think the purpose could be achieved by negotiation—either a victory or negotiation. Those are the two choices I think we have.

Mr. DOLE. I think that perhaps the President would very much like to negotiate. In fact, he has made several offers, as the Senator knows, to the North Vietnamese, which have not been acted upon. In each of those offers we has raised the question of mutual release of prisoners, so there is no question about the willingness and the desire to negotiate now. But in the event that negotiations are not fruitful, the options are Vietnamization or to pull out on some timetable, perhaps on a certain date, as suggested by some Members of the Senate.

In either event, I find the prisoners pretty much caught up in the middle. I do not think the fixing of some date is going to mean release of the prisoners. If a date should be set the North Vietnamese would then say, "Get rid of the South Vietnamese," or do something else. I cannot see the enemy suggesting that by merely fixing a date for the last American to be out of Indochina, it will give us any assurance that our prisoners will be released. That is the only point I make.

Mr. FULBRIGHT. I was not making that narrow point, the sole action of fixing a date; and, of course, much would depend upon the date. I reiterate what I understand to be two of the principal terms that have to be involved in a negotiated settlement. One is the total withdrawal, not any specific date that I know of—within a reasonable time. The French, in their agreement of 1954, really allowed themselves 2 years before the election was to take place and the total withdrawal. At that time, they thought it was a reasonable one.

I again say that I do not question the desire or the intention of the President to liquidate the war and to get the prisoners out. The question is one of practicality and the reasonableness of the means that are being used to achieve the purpose. This is a matter of judgment. It has nothing to do with motives or intentions. It is purely a matter of judgment, based upon the circumstances and human nature. The background, the history of the conflict, and everything about it leads me to that conclusion—and I certainly am not the only one.

Mr. BROCK. Mr. President, I want to express my appreciation to the Senator for his support of the resolution.

I am somewhat concerned—and I think the Senator from Kansas is concerned—about the fact that perhaps there was an unintended implication that this administration is not pursuing an aggressive course in the negotiating process. I think it is as interested in negotiation as is any Member of the Senate. I think the administration would very much like to have a negotiated settlement, as we all would. I do not believe that was intended.

Mr. FULBRIGHT. I say to the Senator that, not at the last press conference but a short time ago, the President stated that, insofar as Paris is concerned he was prepared to make no further concessions—I think that was the language—which would indicate that he had lost any confidence in or expectation of a negotiated settlement.

I read an article in last Sunday's newspaper, by Peregrine Worsthorne, which was alleged to be based upon an interview with the President and Mr. Kissinger. The article stated that the President—I am paraphrasing it—does not expect to pursue negotiations. He has given up any hope of that and expects to get a military victory. We would all like him to get one. Again, we think the probability of getting a military victory is rather remote.

To put it another way, we do not doubt our capacity to completely destroy all of Indochina, but the President is not prepared, nor was his predecessor, to destroy it completely—in other words, to pay the price for military victory. We have the power, but other considerations outweigh following that course or make that course inadvisable.

I do not question the President's desire for negotiation. I question, again, his judgment as to what it takes to get the negotiation, the terms.

One cannot get a negotiation if his terms are not anywhere within the ballpark so far as his opposition is concerned, and I do not think the President is willing to accept the terms.

All this involves weighing what is in the interest of the United States. Are we paying too great a price in the domestic inflation, the disruption of our own economy, the disaffection of our own people, and so forth? This is the price one weighs against it. The war in Vietnam or the prisoner issue cannot be considered off in a compartment by itself.

It all is related to what the war is doing to the United States at home. That is the overriding consideration that compels me to be as interested as I am in it, and what it is doing to my constituents in Arkansas and the rest of the people in this country for whom I also feel a responsibility.

Mr. BROCK. If the Senator from Arkansas will yield further——

Mr. FULBRIGHT. I yield.

Mr. BROCK. If I understand the President's stand correctly in the negotiations, he has made two basic proposals; one is for a commitment to the mutual withdrawal of troops and to allow all Americans to be returned from the Indochina Peninsula to this country; and second—and without the second there can be no first—is the return of all prisoners of war. I wonder which, if either, of these objectives the Senator from Arkansas disagrees with.

Mr. FULBRIGHT I do not disagree

with either one, but the President is not likely to achieve either one unless he gets them in negotiation.

In the case of the French, they had been there nearly 100 years. They got the return of their prisoners. They also got the withdrawal of troops. They withdrew theirs and the Vietminh, under that agreement, agreed to withdraw theirs above the parallel. They called it a regrouping which allowed not only the troops to withdraw but also civilians, if they chose to sort themselves out, either to go up north of the 17th parallel, or below. So all that was part of the Geneva accords. They did not agree to it in advance. They had a cease-fire, and then in the course of the Geneva accords, these matters were settled.

On the prisoners of war, it is my understanding that the French prisoners of war were returned. The whole thing was cleaned up, so far as the French were concerned, within the 2 years—in fact, I believe considerably within the 2 years. I do not want to take time now to recount the whole history but they did clear up the problems the Senator is talking about, which were dealt with in the negotiations at Geneva.

This is the pattern or the format which I very much hoped the President would follow. I may say to the Senator from Tennessee that I said exactly all this to the President within 2 months after he became President. We had a very friendly talk. I gave him the best advice I knew how.

In good faith I gave him the best advice I had, which was to proceed to a Geneva-like accord. Obviously there would be some differences, in detail but he chose another program called Vietnamization which, to my regret, as a matter of pure, political judgment, I think is the wrong course. I think we would have been much further along with a complete settlement, including the prisoner-of-war issue, if we had followed the precedent set by the French. Maybe it is because I have been in the Senate a long time and I do have a great respect for precedent. As it has succeeded in the past, it is likely to succeed now. I may say, that is one reason I am defending rule XXII because it has succeeded in the past and is a good example of a precedent in this body, and I feel the same way.

The French went through great agony in the war in Indochina from 1946 to 1954, for almost 9 years, and they lost many men. They suffered in practically every way we are now, especially as to disillusionment at home. Their people were disillusioned, very much like ours. So they settled it, and that was the way they settled it.

I tried my best to persuade the President to follow that precedent, because I believe it saved the French from bankruptcy and proved very much, in the long run, to be in the interests of the French people.

The unfortunate part is that our Government, not the present government, but a previous government, immediately undertook to destroy the effect of the Geneva accords and succeeded in it.

Mr. BROCK. But the Senator is aware that the French were, in effect, suing for peace and we, fortunately, have not been placed in that position. The President announced early in October of last year that he proposed a ceasefire throughout Indochina, a negotiated timetable for the withdrawal of all troops, the immediate release of prisoners, and an international peace conference to achieve a political settlement.

What would the Senator add to the President's proposals to make them more acceptable to the North Vietnamese? We have made sincere efforts at obtaining a negotiated peace, an honest and an honorable effort to end this war in a negotiated manner. Is there any alternative—I know of none—to what we have done, other than total withdrawal? I fail to see the leverage we have to bring to bear on the Communists to release our prisoners of war. What would the Senator suggest we do with the prisoners remaining behind if we did withdraw? What would be his suggestion to the President on that point?

Mr. FULBRIGHT. I can only reiterate, first, that I do not think the Senator quite accurately can say that the French sued for peace. They were not completely defeated. They had only about 16,000 troops at Dien Bien Phu. They had 400,000 in the indigenous army, plus many from the Foreign Legion. If they had been so disposed, they could have carried on the war for 5 or 10 more years.

What the French did was to calculate their interest versus the cost, and they decided that it was not in their interest to continue the war. They were not demolished as Hitler was so completely. Dien Bien Phu is a small place in the mountains in North Vietnam. The French controlled the big cities such as Saigon and most of the metropolitan areas of the country so that they could have carried on. But, they were too smart to want to destroy France over a small colony.

There is nothing dishonorable about it. The Senator keeps injecting these words that have the implication or the motive of not being honorable. There is nothing dishonorable about what the President is doing. I have never suggested that. It is purely practical, political judgment. I can only say that the President has not made the North Vietnamese enemy believe that he really is willing to disengage totally from the area. I cannot believe that the French are any smarter than the American people. It was a difference in attitude that enabled the French to be willing to disengage, and they did believe it to be in their interest. I think that one of the elements missing is that in all these offers which the President allegedly has made, or his representatives have, is that his predecessors in office, not only this President but President Johnson, made, was that they did not carry enough credibility to convince North Vietnam that we meant to disengage. I believe that this is one of the things that is lacking.

As I said a moment ago, and I do not want to reiterate it, the two elements which have finally been generally accepted by writers on this matter, especially by foreigners, by many of our allies, including the French and their observations on this matter, the two elements are that we make a commitment that is credible, that they believe us, that we are willing to disengage completely, and that a change will be made in the Thieu-Ky government. Those are the two conditions precedent to a negotiation or at least to some negotiation on that basis. That is lacking. This is a matter of judgment, whether we are interested enough to do that. Are we willing, or is it so important to us that we must maintain the Thieu-Ky government and pay the price that this country is paying domestically? My judgment is that it is not. The damage to my constituents in Arkansas and, of course, to the other States in the Union is too great. But Arkansas, of course, is my primary concern. It is such that I am not willing, in order to preserve the Thieu-Ky government, to sacrifice the welfare of my own people. That is about what it comes down to. This is an oversimplification, but what we have to weigh is most important; namely, is it the welfare of our own people or the survival of Thieu and Ky that has first priority?

This is all part of the negotiations. The French decided that their interest to preserve France overweighed their interest in Vietnam. They negotiated, and they went home. I think that is all there is to it.

Mr. BROCK. If the Senator would allow me to put this back in the context of the resolution, I have not yet heard any response to the question that I asked, as to what remaining leverage we have on North Vietnam to release our prisoners of war, should North Vietnam decide not to do so, after the withdrawal of our forces.

That is the thrust of this debate. We are talking about a resolution on our prisoners and our concern for these men and their families. We have got into debate over the entire issue, but if we are going to do that, I would like to understand what method we would have to exert pressure on North Vietnam to release these men if we do withdraw.

Mr. FULBRIGHT. Mr. President, there could be no possible reason that I could think of why they would wish to retain the prisoners after the war was over. They did not do it before. They did not keep a lot of Frenchmen incarcerated there. They were all free to go home. There were a lot of Catholics, I understand 400,000 or 500,000, who were allowed to go south.

Mr. BROCK. Mr. President, I was there at the time.

Mr. FULBRIGHT. I do not know what the Senator has in mind as a motive why they would want to keep prisoners after they had settled the war. I cannot give any reason that they would want to keep prisoners there. It would be unprecedented that they should decide, "Everything is settled, but we like your prisoners. We want to keep them."

Mr. BROCK. Does the Senator mean even if the North and South Vietnamese continued fighting each other without our presence?

Mr. FULBRIGHT. If they were not

fighting us, I do not see why they would want to keep our prisoners.

Mr. BROCK. I am afraid I do not understand the logic of their fighting in South Vietnam, in the first place, or Cambodia or Laos. Yet they have done it.

Mr. FULBRIGHT. Mr. President, I cannot understand the logic of our becoming involved there, but we did it. I think it was a terrible mistake. There is no logic in it except, unfortunately, the frailty of human nature. People are sometimes irrational. At times everyone is.

Mr. BYRD of West Virginia. Mr. President, may we have the Chair propound the question before the Senate?

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution (H.J. Res. 16) was ordered to be read a third time, was read the third time, and passed.

INDEFINITE POSTPONEMENT OF SENATE JOINT RESOLUTION 10

Mr. BYRD of West Virginia. Mr. President, there is an identical resolution on the Calendar, Calendar No. 32, Senate Joint Resolution 10, introduced by the Senator from Tennessee (Mr. BROCK) and others.

I ask unanimous consent that Senate Joint Resolution 10 be indefinitely postponed, now that the identical House measure has just been passed.

The PRESIDING OFFICER. Without objection, Senate Joint Resolution 10 will be indefinitely postponed.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I thank the Chair. How much time remains under the previous order for morning business?

The PRESIDING OFFICER. Fourteen minutes remain.

Mr. GURNEY. Mr. President, could the distinguished assistant majority leader tell us what the schedule will be for next Monday?

Mr. BYRD of West Virginia. Mr. President, I usually do that at the end of every day. However, I will be glad to do so at this point, at the request of the distinguished Senator from Florida (Mr. GURNEY).

ORDER FOR RECESS TO 11:30 A.M. MONDAY, MARCH 8, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 11:30 a.m. Monday morning next.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF SENATOR BAYH ON MONDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday morning next, immediately following the approval of the Journal, if there is no objection, and the recognition of the two leaders or their designees under the standing order, the able Senator from Indiana (Mr. BAYH) be recognized for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR THE TRANSACTION OF MORNING BUSINESS ON MONDAY MORNING

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at the conclusion of the remarks on Monday morning next by the able Senator from Wisconsin (Mr. PROXMIRE), under the previous order, there be a period for the transaction of routine morning business not to exceed 45 minutes with statements therein limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS FROM MONDAY, TO TUESDAY, MARCH 9, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business on Monday next, it stand in recess until 12 o'clock meridian Tuesday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR CONTROL OF TIME ON TUESDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the 1 hour under rule XXII on Tuesday next be equally divided between the able Senator from North Carolina (Mr. ERVIN) and the equally able Senator from Idaho (Mr. CHURCH).

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BYRD of West Virginia. Mr. President, in response to the query of the distinguished Senator from Florida, I should like to state that on Monday next, there will be, immediately following the recognition of the two leaders or their designees and the recognition of the Senator from Indiana and the Senator from Wisconsin, a period for the transaction of routine morning business and the disposition of any unobjected-to items on the calendar. The Senate will then resume its consideration of the pending business.

Mr. GURNEY. I thank the assistant majority leader.

Mr. BYRD of West Virginia. On Tuesday there will be a yea-and-nay vote which is mandatory under rule XXII on the motion to invoke cloture on the motion to proceed to the consideration of Senate Resolution 9.

Mr. President, the approximate time of the vote on the motion to invoke cloture will be at about 1:10 or 1:15 in the afternoon on Tuesday next.

ADDITIONAL STATEMENTS

PENALTY DUTIES ON JAPENESE TELEVISION IMPORTS

Mr. FANNIN. Mr. President, I am very much encouraged to see that the Tariff Commission is taking action against the illegal sales tactics of Japanese television manufacturers.

I would hope that this serves notice that the United States will no longer tolerate dumping and other unfair trading practices by the Japanese or any other foreign manufacturers of any products.

It is unfortunate that it took 3 years to arrive at the verdict. During this time, irreparable harm has been done: jobs have been lost and factories have been closed down or moved overseas. This demonstrates the need to speed up the procedures and increase the manpower involved in handling such cases.

The Japanese have been using illegal tactics such as dumping, and this has been a major factor in building their sales to the point that they claimed 28 percent of the American television market last year.

As a result of the increasing imports, 47,700 persons lost their jobs in the American television manufacturing industry during a 4-year period. No exact figures are available, but thousands of other workers in industries supplying American firms also lost employment.

Our television industry is efficient and could compete on even terms with the Japanese or any other nations just as long as everyone follows the rules set down in the international trade agreements.

Not only have the Japanese used illegal sales tactics in the United States; they also have closed their home market to any competition from American-made television sets.

American manufacturers have found that it is impossible to break through the tariff and nontariff barriers which protect the Japanese manufacturers in that country.

If the Japanese truly want free trade, they should open their doors to competition from America.

Mr. President, I ask unanimous consent to have printed in the RECORD an article reporting on the action of the Tariff Commission, published in today's Wall Street Journal.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JAPAN'S TV SETS RULED HARMFUL TO U.S. INDUSTRY—TARIFF COMMISSION'S FINDING CLEARS WAY FOR TREASURY PENALTY ON SOME IMPORTS—BIGGEST ANTIDUMPING INQUIRY

WASHINGTON.—The Tariff Commission ruled that imports of Japanese-made television sets were injuring the domestic industry.

The panel's unanimous decision, completing the government's single biggest Antidumping Act investigation in the law's 50-year history, clears the way for the Treasury to impose penalty duties on some of the Japanese imports.

Imports last year of black-and-white and color TV sets from Japan were valued at about $255 million and accounted for about 28% of U.S. television set sales.

The Treasury decided Dec. 4 that the entire Japanese TV set manufacturing industry was violating the U.S. Antidumping Act, generally by exporting receivers to this country at prices below Japan's home market prices for similar articles.

In reviewing hundreds of separate import transactions since Sept. 4, customs officials later may decide that some of the Japanese manufacturers haven't been violating the U.S. law. Treasury officials said, however, that until this complex review process was completed, the agency won't be able to exclude any specific Japanese manufacturer from its Antidumping Act finding.

The Tariff Commission based its "injury" findings on three factors. It said Japanese manufacturers had gained a substantial share of the U.S. market, they did so by underselling their U.S. competitors, and the "less-than-fair-value" imports "contributed substantially to declining prices for domestically produced television receivers."

The U.S. Electronic Industries Association, which had filed the dumping complaints in 1968, said the action will permit the government to correct the situation.

Although the Japanese manufacturers said the decision would close this market to the smaller-screen TV sets made in Japan, "to the detriment of American consumers," Treasury officials said imports won't be prevented. To avoid dumping duties on future shipments, the Japanese companies could raise export prices, lower their home market prices or do both, Treasury sources said.

The Japanese industry group asserted that, since only about 4.3% of their exports had been found by the Treasury Department to be at dumping prices, the Washington decisions had been made "under political duress." This wasn't documented further, and Treasury officials denied it. Officials also said there wasn't any connection between the TV investigation and U.S. efforts to persuade the Japanese government to limit exports of textiles and other products.

Earlier, J. C. Penney Co., a major retail chain that sells Japanese-made TV sets, challenged the Treasury's Antidumping Act procedures in the federal courts. But the Treasury wasn't prevented from issuing its Dec. 4 ruling, and Treasury officials said a federal appeals court in New York a few days ago dismissed an appeal in this case.

H. William Tanaka, a Washington lawyer for the Japanese manufacturers, said the Tariff Commission and Treasury rulings might be challenged further, either in the U.S. Customs Court in New York or in federal district court here.

CAMPAIGN REFORM

Mr. SCOTT. Mr. President, during the hearings before the Senate Commerce Subcommittee on Communications, the Senator from Maryland (Mr. MATHIAS) and I presented a statement in support of our bill, S. 956, the Federal Election Reform Act of 1971. At the hearing, I referred to a WMAL radio editorial endorsing our bill. I ask unanimous consent that the Scott-Mathias statement and the WMAL editorial be printed in the RECORD.

There being no objection, the editorial and statement were ordered to be printed in the RECORD, as follows:

[A WMAL AM–FM–TV editorial, Mar. 3, 1971]

CAMPAIGN REFORM

Senate Commerce Committee hearings this week have pointed up the need for campaign reform. There appears to be much more support in this Congress for the principle that campaign limitations should be fair to all media. We favor the bill cosponsored by Senate minority leader Hugh Scott and Maryland Senator Charles Mathias.

Instead of limits on spending, it would limit contributions. Instead of a few fat-cat contributors, it would encourage many small contributors with tax breaks. Instead of government controls, it would let the voter be the judge through full disclosure of who-gave-it, who-got-it.

Senate majority leader Mike Mansfield and Kansas Senator James Pearson are sponsoring similar bills, with the addition of spending limits. If they are adopted, the spending limits must be non-discriminatory. We believe the best approach would be the Scott-Mathias bill—the Federal Election Reform Act of 1971—and we insist President Nixon give it full Administration backing.

JOINT STATEMENT OF SENATOR HUGH SCOTT AND SENATOR CHARLES McC. MATHIAS

Mr. Chairman, we very much appreciate this opportunity to express our views on the critical problem of political broadcasting. As you know, we have recently introduced a comprehensive campaign reform bill, S. 956, which does have provisions relating to political broadcasting, and advertising as well.

About one year ago, this Subcommittee took an important step in favorably reporting legislation to repeal the "equal time" requirements for Presidential and Vice Presidential candidates and to require that broadcast time be sold to candidates at so-called "lowest unit rates". That bill (S. 3637) took the right approach. It wasn't until it reached the Senate floor that the bill became entangled in a vast political web. The rest is history. We seek now to begin again, using that which has been proven sound and adding some new dimensions.

Our bill, as did last year's, repeals the Section 315(a) requirements for "equal time" only as they relate to the office of President or Vice President. S. 956 also requires that the sale of political broadcast time be made available to all legally qualified candidates, at lowest unit rates. We have amended this particular provision to offer the preferred rates only during specified pre-election periods—four weeks before primaries and six weeks before general elections. Of course, political advertising time may still be obtained, at the regular rates, prior to these pre-election periods. Our intent here is to shorten election campaigns by encouraging candidates to use time during periods immediately prior to elections, rather than three or four months ahead.

We believe the inclusion of these two provisions is a *must* for any political broadcasting bill. Repealing the "equal time" requirement for Presidential elections would provide for greater contribution of free time by broadcasters. Selling political broadcast time at preferred rates assures candidates the fairest break they can expect in their purchases.

Our bill also requires that broadcasters may not refuse to sell "reasonable" amounts of political broadcast time to all legally qualified candidates for public office. While we recognize the pitfalls in employing the word "reasonable", we wish to make clear our intent. We want to assure that those few broadcasters who happen to favor incumbent candidates cannot continue to do so by forbidding the sale of time to the opposition as well.

Additionally, S. 956 directs the Federal Communications Commission to report back to Congress, within one year from the date of enactment, on the implementation of the broadcast provisions, with recommendations for supplementary or corrective legislation.

The second part of our political advertising section deals with nonbroadcast communications media—specifically, newspapers, magazines and other periodical publications, and billboard facilities. In this regard, we assure that political advertising space purchased by candidates for Federal office is offered at lowest unit rates during the previously discussed pre-election periods.

In our attempt to treat equitably *all* media, broadcast and nonbroadcast alike, we further recognize the legitimate extent to which the Federal government may go in this regard. The language of the bill is specific enough to include only newspapers, magazines and other periodicals, and billboard facilities. Our constitutional basis rests on Congress' right to regulate the conduct of Federal elections and on Congress' right to regulate commerce, including postal rates for news distribution. Our bill, however, would not abridge the Constitutional guarantees of free press as protected by the First Amendment. Simply stated, the bill does not require such media to make available any of its space, but if it chooses to make its space available for one candidate for Federal office, then it must make an equivalent amount of space available, at the same rates, for all other candidates for such office. We believe these requirements to be reasonable and equitable.

Some discussion is now in order in regard to the imposition of ceilings on the amounts candidates may spend in election campaigns. S. 956 was presented to the Senate with a heavy reliance on disclosure, as opposed to limits, to curb abuses and excesses. In regard to political broadcasting, we feel that the imposition of ceilings would do considerable damage to the political system.

First, limits on spending, if such limits are low, tend to favor incumbent candidates. Fully recognizing that the Congress might prefer legislation giving incumbents an edge, we honestly believe that a good reform bill should attempt to equalize the campaign vis-a-vis the challenger. As such, we don't want to give the incumbent excessive advantages. But, we do want to give the challenger proper access to those same advantages. Limit on political broadcast spending might perpetually exclude from office those challengers who will need to spend more money than incumbents to get the same kind of public recognition.

Second, every campaign is different. Some utilize more television than others. Some utilize no television at all. We must not attempt to dictate a candidate's approach to his campaign. We must allow him all the flexibility he needs to reach the electorate.

Third, as the cost of media time goes up, and a ceiling is in effect, candidates will be buying less and less time as the years progress. We all know that our dollars do not buy as much now as they used to buy. Whatever efforts the Administration is making to curtail inflation, there is simply no way to control absolutely the costs in one business or another without actually moving in to administer fully its operation.

We feel that this Subcommittee ought to place a greater emphasis on floors, or guarantees, rather than on ceilings. It is absolutely essential that candidates be allowed as much access to television and radio as they wish. To impose ceilings without offsetting them with guarantees, by subsidizing or otherwise, is to ignore the real problem—access to the media, and thus the electorate.

One more point ought to be made. Constitutionally, a good case can be presented against imposing any limits on political broadcast time. As *New York Times* columnist Tom Wicker recently pointed out, "some authorities believe that an expenditure for speech is essentially the same thing under the first amendment as speech itself. If a candidate already had spent whatever amount the law permitted, would it be constitutional to prevent some individual or group from spending their own money to express support for him, or opposition for his opponent? Again, it would be difficult to enforce over-all spending ceilings if a candidate himself was not responsible for controlling all expenditures in his behalf. Yet it seems a dubious proposition indeed that a citizen may not, if he wishes, take out an ad to express his personal political convictions. Effective enforcement would appear to limit constitutional rights; but protecting constitutional rights would make enforcement of over-all spending ceilings next to impossible."

Several days ago, we announced that the major broadcast networks approved of our approach to political broadcast reform. Unfortunately, a wire service story did not document more fully that announcement, and the consequent misunderstanding now requires a bit of clarification.

Specifically, we discussed, with the networks, the political broadcasting and advertising provisions in our bill prior to the bill's introduction. All the major networks indicated to us, at that time, that there were certain items that should be considered in any bill: 1) repeal of the "equal time" requirements for Presidential campaigns and 2) lowest unit rates, if enacted, should be enacted across-the-board for broadcast and nonbroadcast media alike. Our bill offers both of these items.

At no time did we indicate that the networks had given a blanket endorsement to our entire bill. We simply indicated their approval of the approach taken in the two major provisions of our political broadcasting and advertising section. While each of the networks may have other differences, there does appear to be some unanimity here on these two items. And, of course, the networks can speak for themselves.

Mr. Chairman, there is no ideal solution to this problem of broadcast reform. Our bill, surely, is not offered as the panacea. However, we do believe our bill offers a solid foundation upon which to build. Congress must act this year. We commend the distinguished Chairman and members of this Subcommittee for having the courage and foresight to take the first swing at this elusive ball.

THE HUMAN RIGHTS CONVENTIONS AS A CODE OF CONDUCT

Mr. PROXMIRE. Mr. President, in the 24 years since it was adopted, the Universal Declaration of Human Rights has exercised an extremely powerful national and international influence in the world. On many occasions the General Assembly has used the declaration as a code or standard of conduct and as a basis for appeals in urging governments to take measures to promote respect for and observance of human rights and fundamental freedoms. In its resolution entitled "Essentials of Peace," the Assembly called upon every nation:

> To promote, in recognition of the paramount importance of preserving the dignity and worth of the human person, full freedom for the peaceful expression of political opposition, full opportunity for the exercise of religious freedom and full respect for all the other fundamental rights expressed in the Universal Declaration of Human Rights.

In 1965, the Assembly, in a resolution entitled "Measures To Accelerate the Promotion of Respect for Human Rights and Fundamental Freedoms," urged all governments to make special efforts during the United Nations Development Decade to promote respect for and observance of human rights and fundamental freedoms and invited them to include in their plans for economic and social development measures directed toward the achievement of further progress in the implementation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights.

At its 21st session, in 1966, the General Assembly, convinced that "gross violations of the rights and fundamental freedoms set forth in the Universal Declaration of Human Rights continue to occur in certain countries," called inter alia, upon all states "to strengthen their efforts to promote the full observance of human rights and the rights to self-determination in accordance with the Charter of the United Nations, and to attain the standards established by the Universal Declaration of Human Rights.

As responsible individuals, I urge that we take action on an international scale. We must strengthen our efforts. We must promote full observance of human rights and the right of self-determination. We must stand firm morally with the other nations in these covenants. The Genocide Convention is one such covenant. I urge that accelerated action be taken now on the Genocide Convention, to affirm the code of conduct that our country has stood by for nearly 200 years.

FREE ENTERPRISE AND AVIATION

Mr. DOLE. Mr. President, I ask unanimous consent to have printed in the RECORD a statement and insertion by the Senator from Arizona (Mr. GOLDWATER).

There being no objection, the statement and insertion were ordered to be printed in the RECORD, as follows:

FREE ENTERPRISE AND AVIATION

(BY SENATOR GOLDWATER)

Mr. President, much has been published and heard these days about the future of American Aviation. It has been suggested that the air transport industry is in deep financial trouble and will not be able to get out without massive help from the government. The plight of the airlines is very often raised as an argument why the SST should not be developed. It has also been suggested that government ownership of the airlines might be the only final solution to financial problems in the air transport industry.

Because of this, Mr. President, it is refreshing to read a speech by F. B. Hall, chairman and chief executive officer of Eastern Airlines, Northeast region entitled "Freedom and Enterprises in Air Transport." It was delivered February 24, 1971, before the Aviation-Space Writers Association and contains a plea that the airlines be given "the right" to save themselves.

Mr. Hall argued that it is time to put the "free" back in free enterprise as it applied to the airlines. He declared:

"We want the freedom to innovate, the freedom to operate in the best interest of the country as a whole. We need the freedom to compete in a marketplace in terms of price as well as service, the freedom to renew and revitalize the energies and initiatives which have produced the greatest, most productive, most public-conscious transportation system in the world.

"I am confident we will achieve this freedom. The problems and their urgency are in sharper focus than ever before. I believe in the wisdom and far-sightedness of the leadership of this industry and of those who are charged with regulating it.

Mr. President, because of the timeliness and importance of Mr. Hall's remarks I ask unanimous consent that they be printed in the Record.

FREEDOM AND ENTERPRISE IN AIR TRANSPORT

(Remarks of F. D. Hall, chairman and chief executive officer, Eastern Airlines)

Thank you, Mr. Kenn. Good afternoon, ladies and gentlemen. I'm more than honored to be with you today, and more than pleased that there are so many of you here. I have always believed the press covering aviation on a regular basis is an integral part of the airline industry. Our toughest—and, because of your knowledge—most valuable critics, you are also companions in our commitment to public service. It is therefore fitting that you should be the audience for my remarks today. The industry we are fighting to save is yours, as watchdogs for the public just as much as it is ours, as salaried employees of its owners. I would consider it inappropriate to discuss the future of the airline industry out of your earshot. So thank you for inviting me, and thank you for being here.

I want to talk about the future viability of the airline industry—or, if you will, the survival of the airline industry as an aggressive, growing, intensely competitive, service-oriented, people-committed industry. For I believe that this essential industry, and the characteristics that have made it the public servant it is, are in the gravest jeopardy.

All of you know the numbers now quoted so frequently to prove the peril. Of the eleven domestic trunklines plus Pan American, only five operated profitably in 1970. As a whole, losses totaled an estimated $130 million. Candor compels me to add that, absent certain changes in accounting methods, one of the five profitable trunk carriers also would have slid into the red. And without some substantial one-time tax credits, elsewhere the overall loss would have been many, many millions of dollars greater. Nor is anyone who has grown up in this industry likely to forget that these losses invariably have major impact on the lives of *people*. Twelve thousand competent, loyal airline employees of the sort who built our service were abruptly laid off as a result of this crisis. And people who travel now have literally hundreds fewer flights to choose among, whether their trip is made for business or personal reasons.

You know, too, of the other sounds that denote the deep dip of yet another cycle in the roller-coaster ride that is the history of airline industry earnings. They emanate from the banks, insurance companies, and investment banking houses, where our financial officers seek new capital; and from a Senate hearing room in Washington, where one Senator listed nationalization on his list of possible remedies and a leading consumerist critic called for an end to "government protectionism . . . of the airline industry," proclaiming it "wholly unacceptable . . . from the standpoint of consumers as well . . . as the airlines to extend the same kind of regulation into the future."

These are strong words. Equally strong words about our industry's future course have been spoken within the industry. I am thinking particularly of a colleague who is feared throughout the West as a lean and leathery, rootin'-totin, two-gun free enterpriser. I marvel at *any* airline executive, especially if he is the fastest gun in the West, who can accurately prescribe fleet size and utilization policy for each of his colleagues. But I cannot agree with him that our industry is simply in a little slump, that it will pull out with grace and ease as soon as the economy picks up a bit, that no fundamental remedies are required for our illness. I cannot agree because the facts are clearly and demonstrably otherwise.

I must also say that his assurances are not just wrong, they are dangerous. For if a modest economic upturn, or even a brisk advance in airline stock prices, seem to be harbingers of spring, they are not. And we must use the cold of our continuing economic winter to goad us into the basic reforms we must have to survive.

Eastern Airlines managed to avoid any of the major layoffs and service cutbacks other carriers were forced to resort to in 1970. We have read in your publications that our cost control was among the most stringent in the industry, our marketing efforts among the most aggressive, and our management among the most imaginative and effective. (We thank you for those words, incidentally, and admire your perspicacity.) As a result of all these and a little bit of luck—but with *no* accounting changes or new routes to Hawaii—our company made a profit of $5.5 million last year. This is about half of one percent of our revenues, of course, and grossly inadequate for our future capital needs. It will buy about one-third of an L–1011 Whisperliner with spares and ground equipment. But it *is* a profit in profitless times. As such, I hope it will spare me from the accusation that my purpose today is to offer excuses to our stockholders or to find scapegoats for the evil that has befallen us.

The crisis confronting the airline industry today is unlike any it had faced before in its history—and we can't simply rely on a revived economy for our long-term salvation. There are at least six critically important differences between the crisis that is opening the seventies and the crisis we overcame when we entered the sixties.

The first is technological. The sixties brought with them a radically improved seat-mile factory, the jet aircraft. This new kind of aircraft offered great unit-cost savings. The first jets were some 25 percent more economical to operate than piston aircraft per available seat mile, and the so-called stretch versions of these jets proved even more efficient. A DC–8–61 costs some 20 percent less to operate than the first DC–8s. But now, as we plunge into the seventies, there are *no* appreciable unit-cost savings predictable from the wide-bodied equipment flying now or coming onto the horizon. In sharp contrast with a decade ago, technology promises little help.

The second difference turns on economic and social factors. Few economists are predicting any general economic boom of mid-sixties proportions, at least not for the next five years. We have already attracted all the passengers from our rail competitors we are going to, and we foresee no quantum improvement in passenger service and comfort, such as the jet offered when compared with piston aircraft. The second difference, then, is that there is *no* traffic surge in sight so great as to mask or counterbalance our other problems.

The third difference is that the labor outlook today is disquietingly different from that in 1961. There is a new and ominous militancy in the air. It has already sent costs soaring in our labor-intensive industry, and at a rate greater than normal even in our inflation-ridden economy. Yet the dismaying array of work stoppages has amply demonstrated our industry's relative impotence in the face of job actions which either slow down or shut down our operations, making it exceptionally difficult for us to resist such pressures. In an industry roughly half of whose costs are in wages, salaries, and benefits, this is indeed a cause for concern.

The fourth difference is the size of the equipment commitment the airline industry faces now, which contrasts sharply with that of a decade ago. In 1959, the domestic trunkline industry was committed to $1.7 billion in new aircraft to serve the traveling public. Ten years later, in 1969, we were committed to $4.7 billion—$6 billion when the cost of spares and associated ground equipment is added—or more than *three times* as much. The value of flight equipment on order at the end of 1969, in fact, equals nearly 87 percent of the net book value of existing flight equipment. The total commitment amounts to more than the debt and equity capital of all eleven trunklines combined, as of year-end 1969. Never forget that these new airplanes to which we are committed will be sought by the traveling public, and the management that doesn't meet the demand will be driven from the competitive scene, along with what's left of its airline. This commitment constitutes a critical difference indeed.

The fifth difference is financial. In the 1960s, when airlines sought capital to finance their new jet fleets, the capital was more readily available and airlines were able to compete for it against other industries on fairly favorable terms.

Today we, a high-risk industry, are competing for it against lower-risk industries, and at a time when the availability of capital is limited. This seriously affects our ability to obtain the funds we need, despite the fact that we are paying the highest interest rates in our industry's history. Last year, for example, the free world's largest—and traditionally most profitable—international carrier paid 11¼ percent on guaranteed secured loan certificates and for 1970 paid interest expenses in excess of $56 million. For an industry such as ours, with a cyclical and inadequate earnings record, a market in which capital is both scarce and terribly costly *has* to be a cause of major concern.

The sixth major difference is also financial in nature. The debt-to-equity positions of the carriers have drastically deteriorated in the decade since the last crisis. During the decade of the sixties, the carriers' rate of return was less than 5 percent in six years, and reached the 10.5 percent authorized by the CAB in only one year—1965. In the same period, the investment of the domestic trunks was increasing from roughly one-and-a-half billion to some six-and-a-half billion dollars. Since airline managements cannot print their own money when it isn't produced by profits, the price we paid for that growth was to mortgage the future. Our debt has already soared to record highs, and the possibility of acquiring needed new capital in the future has thereby been seriously inhibited.

Airline managements were forced to resort to straight debt to the maximum amount possible. Now some debt ratios are so high that in at least one major state, they no longer meet the legal investment requirements for unsecured investments by the large insurance companies, the historic financers of a large portion of the carriers' senior debt. In addition, the debt portion of the capital structure of the trunklines is characterized by a relatively high amount of short-term debt. A large portion of the $1 billion in debt of this type falls due in the four-year period ending in 1973 and will have to be refinanced.

As airline stock prices deteriorated in the wake of poor earnings, so did debt-equity ratios. One thing leads to another. The deterioration in the stock market has progressively undermined carrier capability to undertake equity financing on acceptable terms. Thus the entire financing capability of the airline industry is radically different from that of a decade ago.

This, then, is the *true* state of the airline industry. The six major differences prove conclusively that it is simply not true that the current problem will disappear with a pinch of capacity cutbacks, a dash of better stock prices, and a dollop of general economic recovery. On the contrary, we have a past of proven inadequate earnings, a future heavily mortgaged, and a horizon on which there are no technological or traffic saviors in sight.

How did we come to this sad state of affairs?

As I suggested, one school of thought has it that the whole problem is "overcapacity." I can't help noting this is a little like saying a bankrupt man's biggest problem is a shortage of funds. But no matter. The contention is that inadequate earnings are a result of airline managements' ordering too many airplanes and running too many schedules, all resulting in a decline in load factors. To be fair, it should be recalled, however, that airplanes delivered in the 1968-to-1970 period were ordered in the 1965–1968 period.

Because there is a lag of at least three years between the time an aircraft is ordered and the time it can be delivered, aircraft orders have to be based on historical precedent and as much foresight as mortals can muster. The facts on which the carriers based their orders and predictions were these: Traffic growth in the 1960s has thus far averaged 14 percent annually. Annual growth rates in revenue ton miles of the domestic trunk carriers in the three-year period in which the aircraft were ordered ranged as high as 27 percent and averaged at least 18 percent. No wonder some of the guesses were not entirely on the mark.

I might add that the forecasts of the Bureau of Operating Rights of the CAB have been at least as optimistic as those of airline forecasters, and both the examiners and the full Board have utilized similar optimistic forecasts in awarding routes in recent years. The criticism of airline managements on this score thus assumes a strange clairvoyance on their part in the mid-1960s, a clairvoyance denied everyone else in the U.S.

Another school excoriates the Civil Aeronautics Board for inordinate delays in increasing fares to offset spiraling inflation. Indeed, general price levels in this country have increased 23 percent since 1964, while airline fare yields are still below those of 1964, even after giving effect to modest fare increases authorized by the CAB since then. Meanwhile, costs—particularly labor costs—continue to rise. Eastern's negotiation with contract personnel in 1970 alone, coupled with the effect on non-contract personnel, resulted in an increase in salaries, wages, and benefits to employees of $54 million a year, with an additional 1971 effect of $36 million.

In all fairness to the regulators, it must be said that they see before them a statute which they are continually obligated to administer. That statute contains provisions for establishing fair and reasonable rates and establishes rate-making machinery that is standard in terms of regulating public utilities.

Finding solutions, rather than scapegoats, must be our goal. In my view the fault lies not with *people*, but with the *system*.

Essentially, the economic regulation of the industry has on the one hand rested on the premise that we are a public utility—with all the safeguards against risk such an economic condition involves. On the other hand it has sought to foster, for assumed public benefit, a very high level of competition—with all the risk-taking that economic condition involves. In fact, of course, we *are* a highly competitive industry. Yet in several critical areas we cannot act with the flexibility or speed that reflects that competitive state. Rather we must move at the somewhat ponderous pace of an electric or gas utility.

The fact is, the concept of a fiercely competitive industry is totally incompatible with the slow-moving rate-making machinery of the Federal Aviation Act involving complex, costly, and lengthy hearings.

Let's look at some basic principles.

The fundamental basis of American business is, of course, the free-enterprise system, which necessitates competition in service and in price. This principle underlies our antitrust laws, which date back over 80 years to the Sherman Act of 1890. Since then, the government has moved from time to time to assure fair competition. The Federal Trade Commission was created to protect the consumer, the Securities and Exchange Commission to protect the investing public, and so forth. Other federal agencies have been established to regulate enterprise in other areas when that was necessary. The Federal Communications Commission licenses radio and television stations, for example, so they do not conflict over the airwaves, and the FCC regulates certain other aspects of the broadcasting business as well.

But the FCC does not regulate the price a station can charge an advertiser, nor regulate prices in any other way. Neither does the FTC or the SEC. In fact, price regulation, in and of itself, is a fundamental departure from the tenets of the free-enterprise system. Historically—except for isolated wartime anti-inflation efforts—price regulation has occurred only when the forces of the free market will not assure the lowest reasonable price. And that danger prevails only when there is a monopoly or near-monopoly situation.

Public policy has determined that there are some industries so synonymous with the public interest that they cannot be allowed to deteriorate or fail. They have thus been withdrawn from the risk of the competitive process and given monopoly or quasi-monopoly positions. Gas and electric utilities are good examples. We do not find the Justice Department encouraging more telephone companies or gas companies to compete within a given area. In return for the protection against risk inherent in their monopoly positions, these companies pay a price. That price is rate control. This is necessary to prevent underservice and overcharges, conditions which would not last very long if exposed to the give-and-take of a fully competitive atmosphere. Yet the existence, and often even the profitability, of such utilities is insured by government commitment.

However, when we come to the Civil Aeronautics Act of 1938, the predecessor of the Federal Aviation Act whose principles still govern our industry, we find a startling anomaly. It is absolutely unique among regulatory statutes in coupling a specific directive to the regulatory agency to foster competition, with another directive to regulate rates. How did this come about?

The state of the airline industry in 1938 was disastrous—and the nature of the disaster was so unusual as to require a particular kind of legislative solution. Fledgling carriers were competing with each other for routes with reckless, ruthless abandon, and competition in rate-cutting was so intense Congress was concerned for the safety of maintenance-starved aircraft. The lack of route security, plus cut-rate competition, threatened the life of the whole aviation industry. Rate regulation, therefore, was introduced primarily to avoid cut-rates, not to assure low fares to the public, and route security was established through a system of certification. But something more was needed. Back in 1938, airline service was regional and consisted primarily of short hops. Long-distance nonstops were unheard of, and many cities were served by only one airline. Under these conditions, it made sense to include the rather unusual directive to foster competition "to the extent necessary." This mandate was continued in the Federal Aviation Act of 1958.

All of us know technology has totally overtaken the tangle of individual routes that passed for a system in 1938. The nonstop that was a rarity has become commonplace, and multiple-airline competition has been authorized all over the United States. If you want to take a nonstop trip between Washington and New York today, you have a choice of only two bus companies, but of ten airlines! Three years ago, there were three airlines to Hawaii, now there are eight. In just the last decade, the number of revenue passenger miles in *monopoly* markets for the domestic trunks was halved, to 10 percent. And if, in addition to the increase in competition between scheduled carriers, you overlay the competition now offered on long-haul routes by supplementals, and on short-haul routes by air taxis, you have one of the most competitive industries in the American business spectrum.

In no area of industry activity does competition assert itself any more clearly than in equipment orders. A carrier's essential market position—and profitability—can stand or fall on the wisdom and timeliness with which equipment is ordered. It is a plain and painful fact that certain traditional Eastern Airlines markets were cut into deeply in the early sixties by an alert and vigorous competitor operating jet equipment against the propjet Electra Eastern had decided temporarily viable on its routes. Today Eastern flies leased B–747 aircraft on prime routes—even though we believe another wide-bodied jet is better suited to our system in the long run—because we concluded that we simply could not afford to be at a potential competitive disadvantage in terms of equipment for even one season.

As former CAB member Louis Hector once said, and I quote:

"I know of no industry . . . where the exact character of the major capital investment is of such critical interest to the ultimate consumer. By and large, people want to ride on the latest and best plane, and it's pretty clear that they will flock to the airline which offers it . . . Even the railroad passenger is not too choosey what kind of locomotive pulls the train, provided his particular coach is comfortable. But the airline passenger walks out on the loading ramp, looks over the piece of capital equipment that is to perform his service, then climbs right up inside of it—and he wants the latest and the best . . . A carrier with a plane which does not have public appeal has no alternative but to get rid of it and buy the type of equipment that the public demands."

No wonder airline managements bristle when they are criticized for purchasing new equipment acquired by their competitors when they know, as a matter of economic fact, that if they do not do so they would sit by and watch their traffic drain away.

It is also easy to understand why these same airline managements bristle when fare adjustments, which they know are required to permit earnings essential to meeting their financial commitments, are not allowed. Unlike other competitive industries, airlines, faced with wage increases, which are *not* controlled by the government, are free neither to increase prices to reflect cost increases, nor to introduce promotional pricing which can fill empty seats at little added cost.

The problem is obvious. Competition to the extent now provided over trunkline air routes, and tight, monopoly-type rate regulation, are completely incompatible. Rules and practices acceptable or even highly perceptive in the thirties simply do not apply with equal merit to the decade of the seventies. Like some couples we all know, they have been going together for quite a long time, but that doesn't mean that they were made for each other for eternity and cannot be torn asunder.

In our case, unless some changes are effected, airline service and rates can never be adjusted to achieve the earnings which the airlines require if they are going to continue the service-oriented growth of the air transportation system.

What, then, should be done? I propose five steps, each of them to be initiated and implemented as quickly as possible. Together they add up to a self-help program that is consistent with both the economic system of this nation and with the spirit that built this industry.

First, all of us involved in the industry—operators, regulators, and legislators alike—must move with a new sense of urgency, a change in attitude to *encourage* innovations and improvements. We cannot rest any longer on the status quo of outmoded theories and regulations. The framework of procedures and attitudes under which the airlines must operate must reflect the economic realities of the seventies.

Second and more specifically, in areas where it is excessive, competition must be reduced. When a combination of carriers can result in more efficient operations and better service to the public, mergers should not only be expeditiously permitted but actively encouraged. Similarly, carriers should be allowed to exchange routes and to buy and sell routes, again when such agreements lead to improved public service through the development of rational route *systems* instead of mere assemblies of individual routes and destinations.

Third and closely related, the avenues should be opened to more frequent and informal inter-carrier discussions. Such talks can minimize the wasteful by-products of excessive competition, such as the introduction by one carrier of expensive service frills whose brief competitive advantage gives way to greater expense for all when the competition matches the move. They can cut away at congestion costs generated by overly competitive scheduling, particularly the bunching of flights at prime times at congested airports. But these conversations can be held only if the Justice Department relaxes the rigidity with which it applies anti-trust statutes properly applicable only to industries which are completely unregulated and uncontrolled.

Fourth, I propose a new kind of labor legislation which would set up means to finalize negotiations without strikes and under which labor costs in the airline industry could be related to productive efficiency. In the last five years, costs of salaries and wages in the airline industry rose by some 45 percent, while costs of wages in manufacturing increased by only 28 percent. We cannot continue to absorb this kind of increase and, at the same time, maintain and improve our necessary service. We can all be encouraged that the chairman of the CAB, Secor Browne, underscored the need for such legislation in his recent Senate testimony.

Fifth, the airlines must realize—and soon—more control over the prices we are allowed to charge. I am not espousing complete elimination of federal control over airline fares. I do maintain, however, that a formula can be evolved which will allow the airlines to charge a reasonable price for their essential product, taking into consideration both the costs of producing it and the changing conditions of the marketplace. There should be considerably more reliance on practical experience and sound business judgment and considerably less on theory and second-guessing. Thus, assuming a reasonable rate of return on investment is established by the Civil Aeronautics Board, there should be no suspension of any proposed increase in fares by a carrier as long as the allowable return is not exceeded over a reasonable period of time. I want to stress the words "over a reasonable period of time" because the airline industry will always be to some degree a cyclical industry, with "good" times and "bad" times. The Board should not necessarily turn down a proposed fare increase in "good" times any more than the airlines should base a fare increase solely on the fact that the return fails to meet the indicated level by some small amount in any one year.

Let me repeat my conviction that these five proposals constitute a self-help program which must be encouraged and implemented by both the airline industry and government regulators. This program is aimed at conserving a vital national asset. The scheduled airlines are the most important means of inter-city transportation in the United States. We carry more people on trips of 200 miles and more than buses and trains put together. On trips of all lengths, the airlines account for three times as many passenger miles as buses and trains combined. We employ some 300,000 people directly. We support manufacturers, suppliers and other service organizations employing another million-and-a-half people. We are the economic support for many areas of industrial production on which our national defense is dependent. We are also an immediately essential element in our country's readiness for a national emergency. Our services have multiplied that scarcest of all resources, human talent, vastly extending the time and geographic limits of individual human beings. We have widened the world not only of man but of millions of individual men.

Now our industry and all it offers are in jeopardy. And the sources of the jeopardy are too deep-seated to disappear with a modest upturn in the economy.

Unlike some, however, we ask for no guaranteed loan certificates. The thought of a return to government subsidy is appalling to us. And however well-meant, we reject the suggestion of nationalization, which would turn the dynamic, multi-hued airline industry into one in which the people and the parts alike fade into shades of gray mediocrity. On the contrary, we must continue and improve in the dynamic course begun by the innovative, enterprising pioneers of this industry.

We want the right to save ourselves. We must put the "free" back in free enterprise. We want the freedom to innovate, the freedom to operate in the best interest of the country as a whole. We need the freedom to compete in the marketplace in terms of price as well as service, the freedom to renew and revitalize the energies and initiatives which have produced this, the greatest, most productive, most public-conscious transportation system in the world.

I am confident we will achieve this freedom. The problems and their urgency are in sharper focus than ever before. I believe in the wisdom and farsightedness of the leadership of this industry and of those who are charged with regulating it. Working together, we will convert our understanding to actions.

Thank you.

A BRIEF ON S. 731, TO MAKE RULES RESPECTING MILITARY HOSTILITIES IN THE ABSENCE OF A DECLARATION OF WAR

Mr. JAVITS. Mr. President, I ask unanimous consent that a brief prepared by my staff on S. 731, the war powers bill, and the text of the bill, be printed in the Record.

There being no objection, the brief and bill were ordered to be printed in the Record, as follows:

Congressional Authority Over the Decision To Wage War

I. INTRODUCTION

Whether viewed from contemporary or historical perspective, one of the most important and far-reaching questions facing any generation or society concerns the initiation and conduct of war. The physical, moral and political consequences of any given decision to go to war almost inevitably are enormous; in any particular case many of these consequences, or their magnitude, may be wholly unforeseen and unanticipated. It is unnecessary here to catalog the most obvious hardships of war, the terrible losses of life and expenditures of social capital and energy, except to note that war can and often does entail less tangible but equally profound consequences for a society at large:

A society's idealism and self-respect may be gained or lost, and its legal and political institutions strengthened or distorted, disrupted or abused;

The political and moral values of an entire generation may be marked for life.

Thus, it is not only a nation's political leaders and young men who suffer the penalties or reap the glories of war; an entire people is deeply and permanently affected. It can be said with little exaggeration that the truest measure of the democracy of a society is the extent to which its political institutions permit participation by the people in the determination of whether to wage war. Similarly, the wisdom of any society may be measured by the extent to which that determination is made thoughtfully, with the best informed and the most democratic representation of the people.

S. 731, the War Powers Bill, was drafted with these considerations in mind. It is intended to insure that in the future any fateful decision by the government of the United States to wage war, or to engage in military hostilities, will be made by the American people through their duly chosen representatives—both the President and the Congress. The purpose of this memorandum is to demonstrate that the role of the Congress in the decision-making process set forth in the War Powers Bill is fully consistent with the constitutional allocation of powers between Congress and the President.

II. DESCRIPTION OF THE WAR POWERS BILL

By enacting the War Powers Bill, Congress would place three related restrictions on the President's ability to involve the Nation in war.

(1) In the absence of a declaration of war by the Congress, the President would be prohibited from committing armed forces to hostilities, except pursuant to one of the following permissible objectives: to repel a sudden attack against the United States, its territories, and possessions; to repel an attack against the armed forces of the United States on the high seas or lawfully stationed on foreign territory; to protect the lives and property, as may be required, of United States nationals abroad; and to comply with a national commitment resulting exclusively from affirmative action taken by the executive and legislative branches of the United States government through means of a treaty, convention, or other legislative instrumentality specifically intended to give effect to such a commitment, where immediate military hostilities by the armed forces of the United States are required. The words "repel" and "protect" suggest that defensive action only is contemplated in connection with the first three objectives; as to the fourth objective, compliance with a "national commitment," it should be noted that the language defining such a commitment is taken from the National Commitments Resolution, S. Res. 85, which passed the Senate on June 25, 1969, and provides that a national commitment would exist only when evidenced by prior affirmative Congressional action.

(2) The President would be required to report promptly to Congress the initiation of any military hostilities pursuant to one of the permissible objectives listed above, together with a full account of the circumstances under which military hostilities were initiated.

(3) The President would be prohibited from continuing military hostilities pursuant to a permissible objective in any undeclared war for more than thirty days—which could be shortened by the Congress—except as provided in legislation specifically enacted by Congress to sustain such hostilities.

In effect, therefore, the bill would lay down a blanket prohibition of undeclared wars of more than thirty days' duration, subject to the condition subsequent of specific enabling legislation. The bill contemplates that such enabling legislation could be an unrestricted grant of authority to the President or could impose definite restrictions on the continuation of hostilities, such as those of time and place and objective.

The bill would establish a legislative procedure for expediting the consideration of enabling legislation in the event of military hostilities, in order to avoid the obstruction of a filibuster or other delaying tactics. It would also make explicit the right of Congress to terminate authorization of any such military hostilities prior to the expiration of the statutory thirty day period. By its terms, the bill would not apply to any current military hostilities, including the undeclared war in Vietnam.

Presumably no constitutional difficulties arise from the requirement that the President report to the Congress on the initiation of military hostilities. Both history and commonsense indicate that such a demand is well within the legislative prerogative. The phrase "initiation of military hostilities" is not strictly defined in the bill, but its meaning should be reasonably determinable in practice. Although any concept such as "military hostilities" necessarily involves some gray areas of uncertainty, any disagreement could be resolved by interpreting the bill as allowing the President to determine and report to the Congress when he decides military hostilities to have been initiated subject, of course, to any prior Congressional determination.

The constitutional questions which merit investigation are those implicit in the prohibitions against certain military hostilities in the absence of a declaration of war. Roughly speaking, the bill contains two different types of prohibitions: against nondefensive warfare, in the absence of prior Congressional authorization; against the continuation of any warfare beyond thirty days, in the absence of specific Congressional authorization. It also contemplates the possible enactment of subsequent legislation which would impose further prohibitions on the continuation of a given undeclared war. either by reducing the thiry day period or by qualifying the extent or manner in which the war could be continued. The constitutional questions may therefore be stated in general terms as follows: (1) Does the Constitution grant the President authority to disregard a Congressional prohibition against the initiation of nondefensive military hostilities? (2) Does the Constitution grant the President authority to disregard a Congressional prohibition against the continuation of military hostilities? For the reasons discussed below, this memorandum concludes that both questions must be answered in the negative and that, therefore, enactment and enforcement of the War Powers Bill would be fully consistent with the constitutional allocation of war powers between Congress and the President.

III. THE CONSTITUTIONAL TEXT

An examination of the text of the Constitution will show that the great powers commonly associated with the federal government, including those over war and military hostilities, are expressly granted to Congress. Article I, Section 8 confers on Congress the major war powers—the powers to provide for the common defense; to declare war; to raise and support an army and navy;

to make rules for the government and regulation of the land and naval forces; to provide for calling forth the militia to execute federal laws, suppress insurrections and repel invasions; and to provide for organizing, arming, disciplining and governing the militia—and the authority to make all laws necessary and proper to the execution of such powers.

By contrast, only ministerial functions are assigned to the President. Article II simply provides that the executive power shall be vested in the President and that he shall be Commander in Chief of the army and navy and, when called into service, the militia. Thus it seems clear from the very language of the Constitution that the role of war policy formulation was intended for Congress and that the role of the President was to be the faithful execution of Congressional policy. A review of the history behind the constitutional text strongly supports this conclusion.

The origin of the clause granting Congress the power to declare war illustrates the intent of the Constitutional Convention with respect to the allocation of war powers. This history is lucidly set forth in Note, "Congress, the President and the Power to Commit Forces to Combat," 81 Harv. L. Rev. 1771 (1968), at pp. 1773–1774:

"An earlier draft by the Committee of Detail gave Congress power to 'make' rather than 'declare' war. In direct contrast to the power of the British sovereign to initiate war on his own prerogative, the clause was the result of a deliberate decision by the framers to invest the power to embark on war in the body most broadly representative of the people. The clause remained in its original form in the committee drafts several weeks after other foreign relations powers had been transferred from the whole Congress to the Senate and then to the President. When the proposal to substitute 'declare' for 'make' was introduced, the debates over the issue indicate that the new wording was not intended to shift from the legislative to the executive this general power to engage the country in war. At most, the sole reason for the substitution was to confirm the executive power 'to repel sudden attacks.' In all other cases the commitment of the country to a trial of force with another nation was to remain the prerogative of Congress. Both the purpose and intent of Article I, Section 8 are thus more accurately conveyed by construing that clause to give Congress not simply the power formally to 'declare,' but also the power generally to 'initiate' war." (footnotes omitted)

There would seem to be little doubt that the Constitutional Convention intended Congress alone to have the right to initiate war (with the proviso that the President should have power to repel sudden attacks which, it should be noted, is one of the permissible objectives described in the War Powers Bill). It is this right to initiate war which is most strongly asserted by the first general prohibition of the War Powers Bill; as a practical matter, the prohibition against continuation of military hostilities beyond thirty days is also an assertion of this right, tempered by a recognition of the desirability of swift executive response in certain necessitous circumstances.

Some observers have concluded that the right of Congress to initiate war is still exclusive, that the President cannot constitutionally act alone to begin a war; see *e.g.*, "Indochina: the Constitutional Crisis," Documents Relating to the War Power of Congress, The President's Authority as Commander-in-Chief and the War in Indochina, Senate Committee on Foreign Relations 73, 74 (91st Cong., 2d Sess. 1970). There is certainly sound historical basis for this view. For example, it was reported that one member of the Constitutional Convention remarked that he "never expected to hear in a republic a motion to empower the executive alone to declare war;" Madison, Notes of Debates in the Federal Convention 476 (Ohio University ed. 1966). However, it is important to note that the constitutionality of the War Powers Bill does not depend upon the broad argument that the President has no power to initiate war in the absence of Congressional action; instead, the bill rests upon the easier and narrower proposition that Congress has the right to legislate concerning the initiation of war and the President has no right to contravene such legislation. This proposition would seem to be clearly and authoritatively established by the constitutional text and its origin.

The history behind the constitutional text also illustrates the intent of the framers as to the separate powers of the President as Commander in Chief and the relationship to be maintained between Congress and the President with respect to the conduct, as well as the initiation, of military hostilities. The constitutional concept of a "Commander in Chief" derives from the experience of the framers with the conduct of the Revolutionary War. In June, 1775, the Continental Congress had appointed George Washington to be Commander in Chief of the colonial forces; he held this post throughout the Revolutionary War. Thus it was the successful relationship of the Continental Congress with General Washington which the framers used as a model when formulating the military powers of the President. The nature of that relationship was firmly expressed in the Commission as Commander in Chief which was granted to Washington on June 19, 1775, the final clause of which insisted upon Congressional control of the war which the Commander in Chief was to prosecute:

"And you are to regulate your conduct in every respect by the rules and discipline of war (as herewith given you) and punctually to observe and follow such orders and directions from time to time as you shall receive from this or a future Congress of the said United Colonies or a committee of Congress for that purpose appointed." 2 The Writings of George Washington 482 (Worthington Chauncy Ford ed. 1889).

The essentially "command" nature of the office of Commander-in-Chief were stressed by Alexander Hamilton, who said that it "would amount to nothing more than the supreme command and direction of the military and naval forces, as first general and admiral of the confederacy;" The Federalist No. 69, at 515–16 (J. Hamilton ed. 1864). It is clear, therefore, that the position of the Commander in Chief was not viewed as one of independence; rather, it was intended that the conduct and expansion of military hostilities by the President be subject at all times to the directives of Congress. It was certainly not contemplated that the President as Commander in Chief would ever act contrary to the express will of Congress.

It is possible to summarize the intent of the constitutional framers with respect to the war powers, as follows: (1) Congress was intended to have final authority over the initiation of military hostilities; to this end it was granted power to declare war and to provide for the common defense. (2) Congress was intended to have final authority to the conduct of military hostilities; to this end it was granted a wide variety of powers relating to the organization, support, regulation and government of the armed forces. (3) The President as Commander in Chief was intended to be the executive arm of Congress, carrying out its policy directives in the prosecution of military hostilities. (4) The President was expected to act on his own initiative to repel sudden military attacks against the United States; however, he was not empowered to act inconsistently with the directives of Congress.

IV. THE DECIDED CASES

A. Nineteenth century

There are few Supreme Court decisions bearing upon the range of Congressional war powers and the authority of the President as Commander in Chief. Most of these were handed down in the nineteenth century and involved the legality of certain Presidential actions undertaken during the course of an undeclared war. In its decisions the Supreme Court articulated more clearly and fully the constitutional allocation of war powers between Congress and the President. As will be seen, these decisions are consistent with the statement of constitutional intent set forth above and strongly support the constitutionality of the War Powers Bill.

The first Supreme Court pronouncements on the allocation of war powers were made in the course of deciding two cases arising out of an undeclared war with France which occurred during the administration of President John Adams. The first of these, *The Eliza,* 4 Dall. 37 (1800), involved a dispute between two private parties over the salvage to be recovered for the recapture of a ship. The Eliza, an American trading ship, had been captured and held by a French privateer before recapture by a public armed American vessel, the Ganges. The commander of the Ganges filed a libel against the Eliza claiming salvage equal to one-half the whole value of ship and cargo. The owner of the Eliza contended that salvage was limited to one-eighth value. Each party based his case on a different federal statute. The general statute relating to salvage had been enacted in 1798 and provided for one-eighth value. A special statute, enacted one year later, permitted salvage of one-half for recapture "from the enemy." The issue facing the Court was whether France was "the enemy" in the absence of any formal declaration of war.

The Court had no difficulty in holding that a state of war with an enemy could exist in the absence of a formal declaration and that France was in this case "the enemy." However, three justices (the Court then being composed of five justices) commented further on the distinctions between declared and undeclared wars and the power of Congress to regulate and control the latter. In doing so, they left no doubt as to the predominance of Congress in the initiation and prosecution of war.

Justice Washington: "It may, I believe, be safely laid down, that every contention by force, between two nations, in external matters, under the authority of their respective governments, is not only war, but public war. If it be declared in form, it is called solemn, . . . and all the members of the nation declaring war are authorized to commit hostilities against all the members of the other, in every place and under every circumstance. . . . But hostilities may subsist between two nations, more confined in its nature and extent; being limited as to places, persons and things; and this is more properly termed imperfect war; because not solemn, and because *those who are authorized to commit hostilities act under special authority, and can go no further than to the extent of their commission.*" at p. 40 (emphasis applied)

Justice Chase: "*Congress is empowered to declare a general war, or Congress may wage a limited war; limited in place, in objects, and in time.* If a general war is declared, its extent and operations are only restricted and regulated by the *jus belli,* forming a part of the law of nations; but *if a partial war is waged, its extent and operation depend on our municipal laws.*" at p. 43 (emphasis supplied)

Justice Paterson: "The United States and the French republic are in a qualified state of hostility. . . . *As far as Congress tolerated and authorized the war on our part, so far may we proceed in hostile operations,*" at p. 45 (emphasis supplied)

In *The Eliza,* therefore, the Court gave clear expression to the rule that Congress may legislate restrictions on the conduct of an undeclared war. This rule was adopted as the holding in *The Flying Fish,* 2 Cr. 170 (1804), a case which firmly stated that the President as Commander in Chief was subject to the restrictions imposed by Congress.

Like *The Eliza*, this case arose out of a naval engagement during the undeclared war with France. Congress had enacted legislation suspending intercourse with France and empowering the President to authorize naval commanders to seize any American ship *bound or sailing to* any French port. President Adams apparently regarded this power inadequate to meet the needs of the moment, for he more broadly directed the seizure of "vessels or cargoes, really American, but covered by Danish or other foreign papers, and *bound to or from* French ports" (emphasis supplied). The Flying Fish, a vessel subsequently determined to be Danish with neutral cargo, was seized while sailing from a French to a neutral port. Lower court proceedings had ordered restoration of vessel and cargo to the Danish owner. The issue remaining for the Supreme Court was whether the owner also had a right to damages for wrongful seizure.

The Court assumed for purposes of discussion that the Flying Fish could reasonably have been mistaken for an American vessel, but nevertheless held that the seizure was unlawful and that damages should be awarded. The seizure was unlawful because, although made in accordance with the terms of the Presidential directive, it was not within the legislative grant of authority. In other words, the President's conduct of hostilities was held subject to Congressional restraint: even as Commander in Chief the President was neither authorized nor permitted to go further than the limits expressly set by Congress. Thus the holding in *The Flying Fish* is directly supportive of the constitutionality of the restrictions imposed or contemplated by the War Powers Bill.

It is important to observe that the true meaning of this decision is not that the President has no war powers in the absence of a specific legislative grant authority, but that he is limited in the exercise of his war powers by the restrictions imposed by Congress. The Court noted that in the absence of any act of Congress, the President as Commander in Chief might have had sufficient authority, at such a time of military hostilities, to order the seizure of all American ships trading with France; by the same reasoning he presumably would have had the authority to impose and enforce an embargo against neutral trading vessels as well; however, the existence of what the Court viewed as an intentionally prescribed legislative restriction precluded any broader executive action. *This is the constitutional principle upon which the War Powers Bill is based: intentionally prescribed legislative restrictions on the exercise of war powers or the conduct of military hostilities preclude broader executive action.*

Two other nineteenth century decisions of the Supreme Court concerned the constitutional allocation of war powers. Both dealt with controversies arising from the Civil War. In the *Prize Cases*, 67 U.S. 635 (1863), four merchant ships, two Southern and two foreign, were seized as prizes off the coast of the Confederacy under authority of a Presidential proclamation of embargo. In libels filed by the United States, the primary issue was whether President Lincoln was empowered to institute a blockade without prior specific authorization of Congress. Earlier acts of Congress had authorized the President to call out the militia and use the armed forces in the event of foreign invasion or civil insurrection. Viewed narrowly, therefore, the question faced by the Court concerned the extent of Presidential authority to act against the property of noncombatants and neutrals while conducting hostilities under a broad general legislative authorization containing no explicit limitations. Four justices, a minority, argued that the earlier acts of Congress contemplated only militia actions against the insurgents themselves, that war powers over the business and property of noncombatant citizens could not be evoked without prior, specific authorization of Congress. However, the majority upheld the action of the President and offered two alternative grounds for so holding: (1) the blockade was well within the authority granted by the acts of Congress; (2) Congress subsequently expressly ratified the blockade. The Court acknowledged the President's responsibility under the general legislation to "repel sudden attacks" by noting, at p. 668, that whereas the President "has no power to initiate or declare war either against a foreign nation or a domestic state," when confronted with foreign invasion or domestic rebellion he "is not only authorized but bound to resist force by force."

The most significant aspect of the *Prize Cases* is, for present purposes, the Court's insistence upon Congressional authorization as the basis of Presidential war powers. Such a view necessarily implies that the President has no power to contravene restrictions which Congress may impose. The President as Commander in Chief has wide discretion to act within a broad legislative grant of authority, but he may not act inconsistently with any limitations it may contain.

Although it has more important constitutional implications *Ex parte Milligan*, 71 U.S. 2 (1866), may also suggest that there were some war powers which the Court was unwilling to extend to the President in the absence of specific legislation. This case arose as a *habeas corpus* proceeding, contesting the legality of a conviction by a military tribunal of a Northern civilian in Indiana during the Civil War. The Court held that such a military trial violated several constitutional guarantees pertaining to trials for felony. However, a strong concurring opinion by Chief Justice Chase argued that Congress, in the exercise of its war powers, could have established martial law under military tribunals in Indiana, upon a legislative determination of a state of insurrection, but that, in the absence of such legislation, the subjection of civilians to military justice was beyond the power of the executive. If nothing more, this view, which was joined in by three other justices, illustrates the preeminence of Congressional over Presidential war powers.

B. The "Steel Seizure" case

The only modern Supreme Court decision bearing upon the allocation of war powers between Congress and the President was that in *Youngstown Sheet and Tube Co. v. Sawyer*, 343 U.S. 579 (1952), the famous "Steel Seizure" case. This case, which resulted in practically as many separate written opinions as there were justices, nevertheless is fully consistent in reasoning and result with the principles developed in the nineteenth century decisions.

As is commonly known, the case arose from the national seizure of the nation's major steel mills. President Truman had directed Secretary of Commerce Sawyer to take possession of the mills in order to avert a steel strike which might have hindered prosecution of the Korean War. The steel companies brought suit, requesting preliminary and permanent injunctions restraining enforcement of the executive orders. The issue, of course, was whether the President had constitutional authority to take the contested action. The Court held, six to three, that he did not have such authority.

In delivering the opinion of the Court, Justice Black took the position that, in the absence of express or fairly implied Congressional authorization, lacking in this case, the seizure of private property was simply not within the power of the President, either in his executive capacity or as Commander in Chief. Justice Douglas was in general agreement with this position. Although consistent with the concept of Presidential war powers as being derivative from Congress, these opinions are perhaps surprising in that they seem to take a narrower view of the President's powers than did the Court in the *Prize Cases*, where seizure was permitted as being within a broad and imprecise legislative grant of authority. At a minimum the opinions of Black and Douglas do not suggest any expansion of the President's basic constitutional powers since the nineteenth century.

The four other members of the majority took a somewhat different approach to the case. Justices Frankfurter, Jackson, Burton and Clark, in four separate concurring opinions, reviewed the legislative history of the Labor-Management Relations Act of 1947 and other relevant legislation and concluded that Congress had intentionally withheld seizure power from the President. In the words of Justice Burton, at p. 657: "Congress reserved to itself the opportunity to authorize seizure to meet particular emergencies." In light of this conclusion, the concurring justices found that the President had no authority to act outside the procedures established by Congress for dealing with labor crises.

They would not necessarily have held that the President would have lacked executive authority to order seizure in the absence of any legislation, but they were agreed that the negative implications of the existing legislation prohibited such executive action.

These opinions are interesting for their strong affirmation of the principle established by *The Flying Fish:* intentionally prescribed legislative restrictions preclude broader executive action. In fact, Justice Clark cited *The Flying Fish* as the basic judicial pronouncement on the allocation of powers between Congress and the President. The following quotation from Justice Clark, at p. 662, derives directly from *The Flying Fish* and well summarizes the views of the concurring justices:

"(I)n the absence of . . . action by Congress, the President's independent power to act depends upon the gravity of the situation confronting the nation . . . [but] where Congress has laid down specific procedures to deal with the type of crisis confronting the President, he must follow those procedures in meeting the crisis."

The quotation also well expresses the constitutional foundation of the War Powers Bill. The bill does not assert that the President lacks independent power to initiate military hostilities, plausible as such a proposition may be in light of the intent of the constitutional framers. However, the bill would lay down specific procedures for dealing with the grave crisis of war. Under the Constitution, the President then would be required to follow those procedures.

V. HISTORICAL EXERCISE OF THE WAR POWERS

In his concurring opinion in *Youngstown Sheet and Tube*, at p. 610, Justice Frankfurter stressed the role of nonjudicial history in constitutional interpretation in the following words:

"Deeply imbedded traditional ways of conducting government cannot supplant the Constitution or legislation, but they give meaning to the words of a text or supply them. It is an inadmissably narrow conception of American constitutional law to confine it to the words of the Constitution and to disregard the gloss which life has written upon them."

Perhaps the case most clearly illustrating this proposition is that of *United States v. Midwest Oil Co.*, 236 U.S. 459 (1915). That case raised the question of whether the President had authority to withdraw public land from private acquisition. Congress had opened public land for occupation, exploration and purchase, but over a period of eighty years and in more than 250 instances Presidents had temporarily withdrawn land from entry. The Court in essence decided that Congressional acquiescence in the executive practice of withdrawal constituted a gloss on the original statute such that, whatever the status of the initial withdrawals, the President had by 1909 acquired authority to continue the practice as against private party plaintiffs. Of course, the Court did not hold that Congress had lost the power to prohibit withdrawal.

As was quoted above from Justice Frankfurter, "Deeply embedded traditional ways of conducting government cannot supplant . . . legislation." Strictly speaking, therefore, the doctrine of *Midwest Oil* is not relevant to the constitutionality of the War Powers Bill, which would place new Congressional restrictions on the exercise of war powers by the President. However, the case does illustrate the appropriateness of an inquiry into the historical exercise of war powers by the President and Congress.

A review of the historical development of the war powers establishes two general propositions: (1) over time there has been an expansion of the extent to which presidents take military action independently of any specific Congressional authorization; (2) no president has asserted the right to initiate or expand military action in a manner contrary to an express Congressional prohibition. This history is conveniently summarized in "Indochina: the Constitutional Crisis," Documents Relating to the War Powers of Congress. The President's Authority as Commander in Chief and the War in Indochina, Senate Comm. on Foreign Relations 73, at pp. 75–77 (91st Cong., 2d Sess. 1970):

"The executive branch very early recognized the exclusive power of Congress to declare war. In the course of a dispute with Spain in 1805, President Jefferson told Congress:

"Considering that Congress alone is constitutionally invested with the power of changing our position from peace to war, I have thought it my duty to await their authority before using force in any degree which could be avoided."

Similar deference to the sole power of Congress to make any decision to commit the United States to war was voiced by President James Monroe, Secretary of State John Quincy Adams, and Secretary of State Daniel Webster.

The Congress itself was jealously aware of its war powers, and on one occasion nearly censured the President for invading it. In 1846 it had declared, after the fact, that a state of war existed with Mexico. But the debate was bitter and the war unpopular. At the end of the war, the House of Representatives voted its thanks to General Taylor, but amended its resolution to note that he had won "A war unnecessarily and unconstitutionally begun by the President of the United States." [This clause was deleted on final passage.] . . .

During the nineteenth century, the executive branch frequently recognized the need for congressional authorization even for limited military actions. In 1857 the Secretary of State refused to send ships to help a British expedition in China, because he lacked congressional authority to do so. The next year President Buchanan pleaded with Congress for authority to protect transit across the isthmus of Panama, but refused to act without it. Nor in 1876 would the State Department use force to help Americans in Mexico, because it felt it lacked the power to do so. . . .

In the early part of the twentieth century, the executive began to exercise greater discretion in the use of American armed forces abroad. For instance, without specific congressional approval, President Theodore Roosevelt sent American troops into Panama in 1903 and President Wilson sent troops into Mexico in 1916 in pursuit of the Pancho Villa bandits.

Since 1945, the executive has regularly used military force abroad as a tool of diplomacy. Aside from Indochina, the greatest use of American force was in Korea, where several hundred thousand troops were committed to combat and major casualties were incurred. There was neither a formal declaration of war, nor any other specific congressional sanction for the Korean conflict." (footnotes omitted)

It is one of the terrible ironies of American history that as war has become more destructive, more costly, less controllable and less humane, the power of decision over war has become increasingly concentrated in the hands of fewer and fewer individuals. This trend of history is not just dangerous: it carries with it the awful portent of finality for millions of human beings. The War Powers Bill would reverse this trend by reinstating the constitutional safeguard of representative deliberation over the fearsome issues of war. Nothing in our history suggests that Congress lacks the constitutional authority to assert once again its full war powers. Much in our recent history suggests the wisdom and urgency of its doing so.

Furthermore, recent history also offers precedents for the placing of Congressional restrictions on the President's authority to deploy forces abroad and involve the Nation in war. For example, the Selective Training and Service Act of 1940, 54 Stat. 885, provided at section 3(e) that:

"Persons inducted into the land forces of the United States under this Act shall not be employed beyond the limits of the Western Hemisphere except in the territories and possessions of the United States, including the Philippine Islands."

In the course of the current military hostilities in Southeast Asia, Congress has imposed definite geographical limitations on the conduct of the war. The Defense Appropriations Act of 1970, 83 Stat. 469, and also the Defense Appropriations Act of 1971, P.L. 91–668, both contain, at sections 643 and 843, respectively, the restriction that "none of the funds appropriated by this Act shall be used to finance the introducion of American ground combat troops into Laos or Thailand." The constitutionality of these assertions of Congressional authority over the use of American armed forces and the conduct of an undeclared war has not been seriously questioned. The restrictions contemplated by the War Powers Bill would be of a similar nature, only they would be more systematic: they are directed toward institutional reform of national war decision-making and not just at a contemporary military crisis. As such, the War Powers Bill aims at a reinstitution of the historical constitutional war-making processes.

Since 1945, the United States has entered into many collective security agreements and mutual defense pacts, undertaking thereby a variety of obligations. However, it is clear that none of these obligations is inconsistent with the allocation of decision-making responsibility set forth in the War Powers Bill. For example, the United Nations Charter, art. 43, para. 3, provides that agreements to make armed forces available "shall be subject to ratification by the signatory states *in accordance with their respective constitutional processes*" (emphasis added). This provision is expressly designed not to interfere with internal constitutional allocations of war-making authority. Similarly, the SEATO treaty requires only that each signatory will "act to meet the common danger in accordance with its constitutional processes;" Southeast Asia Collective Defense Treaty, Sept. 8, 1954, art. IV, para. 1. Analogous language has been used in each of the mutual defense pacts to which the United States is a party; see Hearings on S. Res. 151 Before the Senate Comm. on Foreign Relations (90th Cong. 1st Sess. 1967). A different form of words was employed in the NATO treaty, which requires each party to take "such action as it deems necessary," North Atlantic Treaty, Apr. 4, 1949, art. 5., but this language has been widely regarded as permitting each signatory to follow its own constitutional processes in determining what, if any, action might be necessary at any given time; see Cheever and Haviland, American Foreign Policy and the Separation of Powers 128 (1952), and, generally, Note, "Congress, the President, and the Power to Commit Forces to Combat," 81 Harv. L. Rev. 1771, 1798–1801 (1968). In short, therefore, history offers no prohibition, some encouragement, and a great deal of incentive for insistence by the Congress upon its constitutional role in the decision to undertake war.

VI. CONCLUSION

The purpose of S. 731, the War Powers Bill, is to insure that in the future any final decision by the government of the United States to engage in war will be made by the American people through their duly chosen representatives in Congress—acting in concert with the President. It would do so by prohibiting the initiation of nondefensive war in the absence of prior specific congressional authorization, and by prohibiting the continuation of other military hostilities beyond thirty days in the absence of specific congressional approval. The bill also contemplates the subsequent enactment of legislation determining the extent to which or manner in which particular military hostilities could be continued. The War Powers Bill places constitutionally valid restrictions upon the exercise of executive war powers; the President has no independent authority to contravene such express prohibitions.

The enumeration of Congressional war powers in the Constitution and the historical origins of the "declare" and "Commander in Chief" clauses testify that the constitutional framers intended to grant Congress the primary authority over the initiation of war and responsibility for the formulation of basic guidelines for the conduct of war. The President as executive was to be responsible for the faithful carrying out of the laws passed by Congress; it was intended that the President be bound by the policy decisions of Congress. And the Supreme Court has upheld this intent. In *The Eliza* and *The Flying Fish* the Court gave clear and firm expression to the right of Congress to impose restrictions upon the conduct of undeclared war by the President as Commander in Chief. This right was upheld and enforced in *Youngstown Steel and Tube* even though the restriction were implied rather than express. Although history has witnessed the development of wars initiated by the President, without specific Congressional authorization, the constitutional right of Congress to make the final decision concerning the initiation of war or the continuation of undeclared wars has not been seriously questioned.

Congress has the constitutional right to initiate or to prohibit the initiation of war; it has the right to place limits or restrictions on the conduct of undeclared war. Many persons believe that Congress has not been sufficiently vigilant in the exercise of these rights, particularly in the years after World War II. It is appropriate once again to quote from the decision in *Youngstown Sheet and Tube*, this time from the concurring opinion of Justice Jackson, at p. 654:

". . . I have no illusion that any decision by this Court can keep power in the hands of Congress if it is not wise and timely in meeting its problems. A crisis that challenges the President equally, or perhaps primarily, challenges Congress. If not good law, there was worldly wisdom in the maxim attributed to Napoleon that "the tools belong to the man who can use them." We may say that power to legislate for emergencies belongs in the hands of Congress, but only Congress itself can prevent power from slipping through its fingers."

Congress can, by enacting the War Powers Bill, restore this nation's constitutional balance with respect to the awesome and consequential decisions of war.

S. 731

A bill to make rules respecting military hostilities in the absence of a declaration of war

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That use of the Armed Forces of the United States in military hostilities in the absence of a declaration of war be governed by the following rules, to be executed by the President as Commander in Chief:

A. The Armed Forces of the United States, under the President as Commander in Chief, may act—

1. to repel a sudden attack against the United States, its territories, and possessions;

2. to repel an attack against the Armed Forces of the United States on the high seas or lawfully stationed on foreign territory;

3. to protect the lives and property, as may be required, of United States nationals abroad; and

4. to comply with a national commitment resulting exclusively from affirmative action taken by the executive and legislative branches of the United States Government through means of a treaty, convention, or other legislative instrumentality specifically intended to give effect to such a commitment, where immediate military hostilities by the Armed Forces of the United States are required.

B. The initiation of military hostilities under circumstances described in paragraph A, in the absence of a declaration of war, shall be reported promptly to the Congress by the President as Commander in Chief, together with a full account of the circumstances under which such military hostilities were initiated.

C. Such military hostilities, in the absence of a declaration of war, shall not be sustained beyond thirty days from the date of their initiation except as provided in legislation enacted by the Congress to sustain such hostilities beyond thirty days.

D. Authorization to sustain military hostilities in the absence of a declaration of war, as specified in paragraph (A) of this section may be terminated prior to the thirty-day period specified in paragraph (C) of this section by joint resolution of Congress.

SEC. 2. (A) Any bill or resolution, authorizing continuance of military hostilities under paragraph C (section 1) of this Act, or of termination under paragraph D (section 1) shall, if sponsored or cosponsored by one-third of the Members of the House of Congress in which it originates, be considered reported to the floor of such House no later than one day following its introduction, unless the Members of such House otherwise determine by yeas and nays; and any such bill or resolution referred to a committee after having passed one House of Congress shall be considered reported from such committee within one day after it is referred to such committee, unless the Members of the House referring it to committee shall otherwise determine by yeas and nays.

(B) Any bill or resolution reported pursuant to subsection (A) of section 2 shall immediately become the pending business of the House to which it is reported, and shall be voted upon within three days after such report, unless such House shall otherwise determine by yeas and nays.

SEC. 3. This Act shall not apply to military hostilities already undertaken before the effective date of this Act.

THE WRONG WAY TO GO

Mr. SCOTT. Mr. President, the Democratic National Committee 2 days ago took a stand which, if adopted, would destroy American political freedom. The Democrats have recommended that all private contributions to Federal political campaigns be prohibited by law and that the public coffers be tapped for political funds for presidential and congressional races.

This would spell the end to individual participation, and therefore most individual interest, in political campaigns.

This irrational and irresponsible effort to block out the public's participation would result in an even wider gap between people and their government.

By far the better course, it would seem to me, would be an effort to widen and deepen public interest in political campaigns by encouraging the small contributor to make his political presence felt through his political gifts. What political parties have lacked in the past is this kind of broadly based financial support—the small contributions from men and women who want to help but who cannot afford the big money upon which politics has come to depend.

This was the thinking behind the campaign reform proposal Senator MATHIAS and I have been advocating.

Perhaps the Democratic National Committee has adopted its new approach because it no longer has broadly based support. It may be cruel to point this out, but now that its past policies have been so resoundingly repudiated by the country at large, it appears to be seeking not only to evade responsibility for them in the political sense but also to find new sources for funds. Having been responsible for the biggest sustained deficit in our national history, it is casting hungry eyes for a further incursion upon the public treasury.

It undoubtedly would be ever so much easier to campaign if all you had to do was to put your hands into the public till and come up with enough to finance a campaign.

Easier, yes. But would such actions truly reflect the desires of your constituency?

What the Democrats propose is a disastrous thing. True, the American taxpayer would finance the campaign. But it would divorce the people from politics. The taxpayer would have no voice in politics. It would divorce the politicians from responsibility to their people.

What little influence the American taxpayer has over the policies of the political parties should be enlarged rather than reduced. This proposal by the Democratic National Committee is exactly the wrong way to go.

THE SUPERSONIC TRANSPORT

Mr. DOLE. Mr. President, I ask unanimous consent to have printed in the RECORD a statement and insertion by Senator GOLDWATER.

There being no objection, the statement and insertion were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GOLDWATER

During the extended debate on the SST last year, we heard nothing from those who have been there, in other words, from pilots who have flown at high altitudes and at high speeds exceeding Mach I, and I really believe it's time we paid some attention to this relative handful of men who have been up there and who can say just what goes on. One of these men, A. W. Blackburn, a test pilot and member of the Society of Experimental Test Pilots, has written in that organization's monthly magazine, "Cockpit" of February, 1971, a very strong argument in favor of the SST. I ask unanimous consent that this article, written by a man with a Master's Degree in Aeronautical Engineering from MIT and an active test pilot be placed in the Record at this point in my remarks.

THE SST

(By A. W. Blackburn)

The U.S. has undisputed worldwide leadership in providing air transport. Of all the jet-powered airliners flying the world's airways (exclusive only of Aeroflot, the Soviet airline), 83% are of U.S. manufacture. Of current firm orders for new jet airliners, over 90% are U.S. models. More than half of the free World's air traffic is carried by U.S. flag airlines.

The sale of jet airliners and of seats on U.S. flag carriers are major factors in the strength of the U.S. dollar abroad and the health of the U.S. economy at home. Yet there is a serious threat to U.S. dominance in the air transport field—the supersonic transport. The threat stems from the rapid progress of SST development in other lands as well as from the lively balderdash offered in opposition to its development by this country. The flames of opposition are fanned by a small but highly vocal group which apparently would like to see the U.S. renounce world leadership for retirement to some huge vague communal Walden.

Both the Anglo-French Concorde and the Soviet Tu-144 prototype SSTs have been flying for more than a year. Under the most favorable of circumstances, the U.S. SST prototype will not fly before late in 1972. Thus we are more than three years behind the competition; and yet no matter what the environmentalists and the chicken farmers and all the other naysayers proclaim, there will be supersonic transports flying the world's airways in this decade. The only question in this regard is whether or not any will be of U.S. manufacture, and consequently, whether or not the U.S. will continue to hold its leadership in the construction and operation of the international air transport system. Because of its more advanced design and greater productivity, U.S. experts are satisfied that the U.S. SST will enable us to retain such leadership if we proceed with that program as currently scheduled.

A major note in the anti-SST chorus is sounded by our environmentalists who have expressed concern for the effects of the SST's noise and the pollutants it may emit. With more than seventy percent of the earth's surface covered by international waters, there is plenty of room for profitable SST routes without any measurable impact on our environment while we learn more about its effects thereon. Surprisingly, the flora and fauna of this earth have somehow survived the sounds, overpressures and air pollution nature itself produces with its thunderclaps, its cyclones and its volcanic eruptions, all infinitely greater and more extensive than the currently predicted product of hundreds of SSTs operating world wide. Nevertheless, thunderclaps out of the blue and the shrill whistle of a hurricane on a clear day are disturbing events. These problems must be addressed. Happily, very substantial reductions in current predictions for noise and contaminants emanating from the US SST can and will be effected through on-going research. Already the smoke from jet engine exhausts has been virtually eliminated and we are learning much about the suppression of sound—both that associated with jet engines and that which is known as the sonic boom. The US does listen and does respond to those concerned for our environment. Indeed it must. That is what the American way of life is all about.

There are some odd twists to some of the environmentalists' complaints about the SST. Throughout historical times, and undoubtedly long before, men have complained about the weather. To date, efforts to do anything about it have at best been feeble and ineffective. But now the environmentalists inform us that the SST has a great potential for changing weather patterns, that indeed it may have a global influence on our weather. This conjecture is based on the fact that, for each hour of its supersonic flight, an SST will convert between 500,000 and one million pounds of upper atmospheric oxygen into a slightly greater combined amount of carbon dioxide and water vapor in roughly equal proportions. This conversion will take place primarily at altitudes of between 45,000 and 75,000 feet. If indeed flights of the SST will influence the weather, then we will be able to measure these effects. Global weather watchers in time may be able to program flights in such a way that, with relatively small diversions in course and altitude from otherwise scheduled and optimum flight paths, desired modifications to the world's weather may be achieved. The small additional costs of such diversions would be paid by the beneficiaries of such weather improvements on a pro rata basis. One can even envision specially equipped versions of the SST for dispensing additional water vapor or other substances as may prove appropriate for critically important weather modification missions. Thanks to the SST, at long last perhaps we may be able to do something about the weather. Will we be altogether comfortable if only the Soviets have such capability?

The growing competition in the air transport field from Western Europe and from the Soviet Union is almost wholly financed with government resources. At very substantial risk, the US aircraft and airline industries are now meeting this competition out of private funds; and they are meeting it successfully in the latest generation of jet airliners—the wide-body turbofans such as the Boeing 747, the Douglas DC-10 and the Lockheed 1011. But the resources of US industry are inadequate to meet the next challenge, that offered by the supersonic transport. To insure that the necessary SST technology is in hand when and as we need it to maintain US leadership in the world air transport market, funds must be advanced by the Federal government. As has been demonstrated over the past ten years in the Department of Defense with its myriad, voluminous and wholly worthless paper studies, we can be sure that this technology is clearly in hand only if the needed funds are used to build and flight test a prototype of this advanced new airliner.

Where will these Federal funds go? Primarily to pay the salaries of highly skilled scientists, engineers and technicians who as a team represent a unique and valuable national resource. Because of recent cutbacks in space and defense budgets, we are losing a number of these incredibly talented teams—the team that put men on the moon, the team that produced the first supersonic airplanes, and the one that followed with the first triplesonic machines to name a few. It is easy to say, "Let these people turn their talents to other national problems." The transfer is simply not feasible. So the SST funds to be advanced by the Federal government will, among other things, keep intact a small portion of the talent that made possible many of the technological advances of the past two decades, a period of scientific growth unequaled in the history of man. Because the funds will go to highly skilled and consequently well-compensated individuals, much of the outlay will return to the Federal government in taxes. In the absence of the SST program, unfortunately, a number of the people involved will require some form of government assistance because of the generally depressed state of affairs in the aerospace industry.

From the financial point of view, two other important facts should also be recognized. First, the builders and the airlines are putting up a substantial portion of the costs—now; and second, all government funds are to be paid back from royalties on the sales price of the aircraft and on operating revenues.

One final consideration. In October of 1957, when the Soviets put the first satellite into orbit, the US suffered a blow to its international prestige from which it may never fully recover. By this one spectacular accomplishment, the Soviet Union caused uncommitted people throughout the world to question, perhaps for the first time seriously, whether democracy as espoused by the US is in fact the best path for the emerging nations to follow. Fortunately, there were a number of dedicated and talented people in the US who had been pushing for an expanded US space program, and within about ten years, we were able to overtake the Soviets as leaders in space technology. Yet, even with a clear mandate for a space program from Eisenhower and with Kennedy's commitment of his prestige and $20 billion from the public purse to the moon landing, the sprint to refurbish our international leadership image was initially clumsy and proved throughout highly wasteful of funds, as compared to what it might have been if our national leadership had been more clearly focused on national goals and had it possessed a better mechanism for competent and coherent long range planning. (We still have virtually no such function at the top levels of our government today.)

Some brief scenarios looking to the future might be illustrative of the foregoing consideration of international prestige as it relates to the SST:

In the late seventies, a summit conference is held in Hawaii. The Soviet, British and French leaders arrive from their capitols via their SSTs in the same time that it takes the US President to travel less than half as far, assuming that only subsonic US aircraft are available. The method of arrival and departure of these leaders is observed throughout the world.

There is a major catastrophe in Rio (such as occurred recently in Peru). Though the distance is nearly twice as far from the Soviet Union as it is from the US, in the absence of a US SST, the Soviets are there with emergency supplies and assistance hours ahead of a subsonic effort by the US.

As with many of our commercial airliners, US SSTs would be a part of the Civil Reserve Air Fleet (CRAF). With SSTs operational in our commercial airlines, by activating a part of the CRAF, the US can react in a matter of hours anywhere in the world to potentially dangerous situations, such as have occurred in Jordan, the Dominican Republic and Taiwan, with a sonic boom announcement that US strength is overhead with a clearly broadcast and widely heard commitment not subject to the censor's ban.

To sum up, the reasons for pressing forward with an American SST in a deliberate and orderly manner are compelling. They are economically compelling—we must protect our option to retain leadership in the very important air transport industry. They are technologically compelling—we must maintain an ongoing capability to build efficient and effective transportation systems for the future. Most of all there is at stake a challenge to our international leadership. Surely it is better to have the majority of the SSTs of the future produced by a country which quite clearly is concerned about what effect their operation will have on our total environment, rather than have world-wide airline requirements filled with SSTs produced, on one hand, by an authoritarian government which has expressed little or no interest in these problems, and on the other, by a consortium which may not be able to afford the proper concern for such matters.

Moreover, it is in our best interests to proceed in a planned and orderly manner, rather than to equivocate and then be forced, as in the space race, to enter another highly wasteful crash program to restore lost prestige, and in the case of the SST, to regain a critically important economic position. The present SST program protects our nation's option to retain and control an important position in international commerce. It is not a commitment to fill the skies with SSTs. To stop the development now could prove ultimately very much more expensive when it becomes unquestionably clear to all that we must compete. And, tragically, in an on-again off-again type of program, adequate consideration of environmental factors may not be feasible.

Be assured that supersonic airliners will soon be operating on the airways of the world. It is in the best interests of the US, and of mankind, that the preponderance of these craft be the product of a nation which has chosen to listen to its environmentalists.

NO CONSTITUTIONAL RIGHT OF SENATE MAJORITY TO INVOKE CLOTURE

Mr. MILLER. Mr. President, at page 5115 of yesterday's CONGRESSIONAL RECORD appears the statement by a Senator that we are operating now, in the debate regarding a proposed change in the rules of the Senate, under the Constitution and not under the rules of the Senate, by virtue of the fact that the rules of the Senate are inhibitory of a constitutional right for a majority to impose cloture.

However, no authority is cited in support of such a statement.

On pages 10 and 11 of the document at our desks, Document No. 4, "Senate Rules and the Senate as a Continuing Body," will be found several authorities holding precisely the opposite. I ask unanimous consent to have printed in the RECORD the portions of these pages which I have designated.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

On the question of limitation of debate under general parliamentary rules, authorities seem to agree that a two-thirds, rather than a majority vote is required. Thus, Sturgis, in Standard Code of Parliamentary Procedure (1950), pages 47–48, says:

"It is unwise to make a practice of cutting off or preventing debate and deliberation on debatable questions. This is true whether debate is cut off by recognized motions or by abritrarily bringing questions to vote without adequate opportunity for discussion. * * * Since full discussion of all proposals is a fundamental right of members, a motion which restricts or sets aside this right by closing or limiting debate requires a two-thirds vote."

Additional parliamentary authorities stating that a two-thirds vote is needed in order to limit debate are the following:

(1) Palmer, A New Parliamentary Manual (1901), section 241:

"The general principles of parliamentary law require that the assembly should reach its decisions on matters that come before it (1) in the order prescribed for their introduction, (2) after full debate, (3) in accordance with its established rules. And these requirements are of such importance that a bare majority should not be permitted to disregard or alter them. They should be observed unless the reasons for proceeding contrary to them are so obvious that a two-thirds majority desire to so proceed."

The author then cites six instances, including limitation or closing debate, as requiring "a two-thirds vote because they are in opposition to one or another of these three requirements."

(2) Rice's Rules of Order (1921), section 41, footnote 17, page 146:

"The two-thirds vote * * * is the rule for ordinary societies, while in the U.S. House of Representatives it requires only a majority vote, and in the Senate the motion is not allowed at all. But there is a growing sentiment throughout the country that the Senate should adopt a cloture rule."

(3) Plummer, Practical Lessons in Parliamentary Procedure (1921), page 50.

(4) Robert's Rules of Order, Revised (1951), section 29, page 112.

With respect to the "previous question" rule, there are some who refer to rule VIII of the original Senate rules, adopted in 1789. That rule was invoked some four times between 1789 and 1806, when the Senate rules were revised and mention of "the previous question" was dropped from rule VIII. It has never since been in the Senate rules. There is some question whether this rule provided for cloture, however, in the way the previous question rule now operates in the House of Representatives. Indeed, the House rule "was not turned into an instrument for closing debate until 1811, although it, also, adopted a rule for the previous question in 1789."

Senator Henry Cabot Lodge, in an article appearing in the North American Review of November 1893, entitled, "Obstruction in the Senate," wrote:

"The rules of the Senate are practically unchanged from what they were at the beginning. They are the same now to all intents and purposes as when they were first adopted more than a hundred years ago. There never has been in the Senate any rule which enabled the majority to close debate or compel a vote. The previous question, which existed in the earliest years, and was abandoned in 1806, was the previous question of England and not that with which everyone is familiar today in our House of Representatives. It was not in practice a form of cloture and it is therefore correct to say that the power of closing debate in the modern sense has never existed in the Senate."

SICKLE CELL ANEMIA

Mr. JAVITS. In the President's message outlining a comprehensive health policy for the 1970's, the President highlighted this administration's commitment to mount a special initiative to deal with sickle cell anemia—an inherited blood disease found almost exclusively in Negroes or individuals with Negroid heritage.

Recently WCBS–TV in New York featured an editorial on this dreadful neglected disease and the need for black and white Americans together to work together to eliminate sickle cell anemia.

I ask unanimous consent to have printed in the Record the WCBS–TV editorial of February 14, 1971, entitled "The Neglected Disease."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

THE NEGLECTED DISEASE

As you have just seen, sickle cell anemia is a major health problem receiving a minor amount of attention. Both the public and the medical profession know little—and have done less—about this painful crippling blood disease that kills one out of every 500 black people in this country. Two million other black Americans carry the sickle cell trait today—though most don't even know they have it. And yet there is no federal, state, or city program to stop it from being passed to the next generation; no large foundations financing research; no vocal public outcry. Sickle cell anemia is, indeed, the "neglected disease."

Two steps must be taken before neglect becomes concern, inaction becomes action. First, there must be concentrated research into the causes and treatment of the disease. President Nixon recently asked Congress for $5 million for such research. By passing that appropriation, Congress will provide the first solid chance to break the secrets of the disease.

Second, the carriers of the disease must be located and identified. We know now that if a mother and father are both sickle cell carriers, they will probably pass the disease along to their children. A simple blood test provides positive identification of a carrier. Since blood tests are already required for marriage licenses, as checks for syphilis, rubella, and RH, it seems logical that the addition of a sickle cell test for black applicants would be easy and effective.

Far more effective, we think, would be a general blood testing of the entire black population—something health authorities should begin to plan for and black people should begin to demand.

But until that is a reality, blood tests are available now—free—at any municipal hospital. Whole families should take advantage of them if possible. That will at least begin the battle against this strange disease that discriminates against black people. Then blacks and whites together must work to stamp it out.

THE SOUTHWEST SUN COUNTRY

Mr. DOLE. Mr. President, I ask unanimous consent to have printed in the Record a statement and insertion by the Senator from Arizona (Mr. Goldwater).

There being no objection, the statement and insertion were ordered to be printed in the Record, as follows:

STATEMENT OF SENATOR GOLDWATER

Mr. President, it is perfectly obvious from the mail received by those of us who represent States in the great Southwest Sun Country that an ever increasing demand is mounting for specific information about population increases and related data.

The desert Sun Country is today the Nation's fastest growing region. In my State alone, the resident population increase between 1960 and 1970 was 36%. For the Sun Country as a whole—and this includes the States of Arizona, Colorado, Nevada, New Mexico, Texas, Utah, California, and Oklahoma—the increase was 23%. The number of persons residing in the Sun Country increased from a total of 32,808,000 in the 1960 census to 40,251,000 in the 1970 census. The 23% population increase in the Sun Country compared with only 13% increase in the resident population of the United States as a whole.

Mr. President, because of the great and growing interest in this section of the country, I include in the Record an article called "Arizona Progress," published in a report by the Valley National Bank.

THE SOUTHWEST SUN COUNTRY

The desert Southwest Sun Country today is the fastest growing region in the U.S. Until recent decades, the Southwest's economy was heavily dependent on the production of raw materials; the region, however, was "rediscovered" during World War II, and the generally mild climate, recreation and scenic attractions, and strong retirement appeal of the land have effected a tremendous surge in population expansion and commerce and industry development.

Defined to include all or portions of eight contiguous states, the Southwest Sun Country consists of Arizona, Colorado, New Mexico, Nevada, Texas, Utah, and California and Oklahoma. While there are great contrasts between these states, there are great similarities also, in topography, climate and economy. The "Sun Country" label is a recognition that the region as a whole possesses and benefits from a higher percentage of possible sunshine than does any other region in the nation!

Second to sunshine, the desert Southwest's greatest asset is land—a total of 1,031,229 square miles of wide open spaces. The region's present population density is 39.0 persons per square mile, compared with a U.S. average density of 56.2 persons. The population projections for 1980 show a narrowing of the difference in densities between the region and the nation, but the Sun Country still will continue largely as a land of open plains and far horizons. An unusually high proportion of the region's population is concentrated in large metropolitan centers such as Albuquerque, Denver, Phoenix, San Diego, Salt Lake City, etc.

POPULATION PER SQUARE MILE

[In persons]

	Sun country average	United States
Year:		
1960	31.8	49.6
1970	39.0	56.2
1980 [1]	46.5	62.5

[1] Projected.

The April 1970 population count in the Sun Country exceeded 40 million. This represents a healthy gain of seven and one-half million residents in the past decade—a 23% growth, which was almost double the whole nation's growth rate. (Three of the leading states in population expansion in the U.S. are located in the Southwest!)

The Sun Country states currently account for 19.8% of the U.S. population, up from a 16.0% proportion in 1950. Moreover, the Southwest again is expected to be the fastest growing region in the nation from 1970 to 1980. Over the next decade, the Sun Country population is projected to top 48 million, which will account for about 21% of the U.S.

RESIDENT POPULATION OF SUN COUNTRY STATES

States	1960 census	1970 census	Percent change
Arizona	1,302,000	1,772,000	+36
Colorado	1,754,000	2,207,000	+26
Nevada	285,000	489,000	+72
New Mexico	951,000	1,016,000	+7
Texas	9,580,000	11,196,000	+17
Utah	891,000	1,059,000	+19
California	15,717,000	19,953,000	+27
Oklahoma	2,328,000	2,559,000	+10
Total	32,808,000	40,251,000	+23
United States	179,323,000	203,185,000	+13

The Sun Country's exceptional population expansion in recent decades was made possible by expansion in local employment opportunities. New manufacturing operations and tourism and travel servicing broadened the region's economic base. Mineral production also was greatly expanded, and federal government functions including military, space and reclamation projects, provided the region's economy with added strength, and diversification.

The most striking feature of the post World War II employment trend in the desert Southwest has been its rapid rate of growth. For example, the number of nonagricultural wage and salaried jobs increased from an annual average of 9.2 million in 1959 to 13.3 million in 1969. This calculates to an expansion rate of better than 3½% per annum, which is 40% higher than the 2½% rate that was registered by U.S. nonfarm employment.

The table following shows the year-to-year rate of gain in employment in the Sun Country region compared with the U.S. In every year except one—1965—the non-farm employment increase in the Sun Country was higher than the employment increase in the nation.

ANNUAL RATE OF GROWTH FOR NONFARM WAGE AND SALARIED EMPLOYMENT

[In percent]

	Sun country	United States
Year:		
1960	2.4	1.7
1961	1.8	−0.4
1962	4.0	2.9
1963	4.0	2.0
1964	3.3	2.9
1965	3.7	4.2
1966	5.9	5.2
1967	3.8	3.0
1968	4.5	3.1
1969	4.6	3.5

A key indicator to economic progress is personal income, and in this area, as in population and employment, the Southwest Sun Country has performed very well. Reflecting the region's expanding economy, personal income has more than doubled in the last decade, and now aggregates over $150 billion; the rate of increase in the region has been substantially higher than the increase in U.S. personal income. It is also significant that when measured by a per capita average yardstick, income for the region runs higher than income for the whole nation: $3,774 in the region in 1969 versus $3,687 in the U.S. Of course, the per capita income of individual states in the Sun Country varies from the region's average: some higher, some lower.

On both a short term and long term basis, the general business outlook for the Sun Country region appears bright. No change is indicated in the favorable conditions which influenced the region's dynamic economic growth in recent decades. The heavy flow of new residents into the desert Southwest is expected to continue, and industry and commerce development will keep pace.

1970 RETAIL SALES IN ARIZONA

Most Arizona merchants enjoyed another excellent volume of retail business in 1970, with aggregate sales reaching the $3.9 billion level, a 10.4% increase over the previous year. Sales were higher in every county in the state, and also, sales were higher in every month of the year compared with sales in the corresponding months of 1969.

The influence of higher prices is reflected in these Arizona retail figures for 1970. The Consumer Price Index averaged 6.0% higher last year, and thus, the state's real growth in retail business was 4.4%, still an excellent performance.

ARIZONA RETAIL SALES BY COUNTY

County	1969	1970	Percent change	County	1969	1970	Percent change
Apache	$16,445,000	$17,606,000	+7.1	Navajo	$53,372,000	$62,765,000	+17.6
Cochise	94,973,000	100,810,000	+6.1	Pima	659,414,000	735,443,000	+11.5
Coconino	105,611,000	116,364,000	+10.2	Pinal	85,958,000	90,789,000	+5.6
Gila	46,119,000	49,463,000	+7.3	Santa Cruz	39,980,000	44,696,000	+11.8
Graham	25,792,000	31,419,000	+21.8	Yavapai	57,482,000	67,354,000	+17.2
Greenlee	15,112,000	18,120,000	+19.9	Yuma	126,656,000	140,597,000	+11.0
Maricopa	2,126,026,000	2,335,251,000	+9.8				
Mohave	55,759,000	61,179,000	+9.7	Total	3,508,699,000	3,871,856,000	+10.4

ARIZONA STATISTICS

Monthly comparisons	December 1966	December 1967	December 1968	December 1969	December 1970
Retail sales—State total	$249,957,000	$252,522,000	$302,718,000	$355,766,000	$369,194,000
Maricopa County	153,167,000	161,838,000	185,574,000	222,853,000	230,697,000
Pima County	44,953,000	49,724,000	56,752,000	65,740,000	68,259,000
Restaurant sales	17,966,000	20,847,000	22,582,000	27,101,000	26,730,000
Nonagricultural employment	448,500	457,100	498,300	545,500	556,900
Manufacturing	79,500	81,300	89,400	97,300	84,500

PHOENIX STATISTICS

Monthly comparisons	January 1967	January 1968	January 1969	January 1970	January 1971
Bank debits (in dollars)	1,510,861,000	1,800,093,000	2,016,654,000	2,673,170,000	NA
Building permits (in dollars)	4,418,000	7,756,000	11,477,000	18,544,000	11,263,000
Postal receipts (in dollars)	1,153,053	1,566,511	1,664,554	1,721,057	1,809,078
Telephones in service (number)	396,857	425,131	461,180	507,906	545,100
Electric connections (number)	264,150	259,189	269,645	289,057	298,300
Gas connections (number)	200,107	204,434	211,129	220,166	229,700

TUCSON STATISTICS

Monthly comparisons	January 1967	January 1968	January 1969	January 1970	January 1971
Bank debits (in dollars)	373,191,000	401,490,000	449,936,000	525,763,000	N.A.
Building permits (in dollars)	1,583,000	1,698,000	1,175,000	4,707,000	3,780,000
Postal receipts (in dollars)	446,407	605,882	575,863	620,740	611,301
Telephones in service (number)	146,831	154,969	165,283	179,356	193,200
Electric connections (number)	97,623	100,175	103,408	108,069	113,800
Gas connections (number)	87,705	89,971	93,016	97,333	102,100

CAMPAIGN PRACTICES REFORM

Mr. COOK. Mr. President, the Commerce Committee's Subcommittee on Communications is at present holding hearings on a number of bills relating to campaign practices reform. Yesterday, the distinguished junior Senator from Kansas (Mr. DOLE) expressed some very well-reasoned views on this subject. For the benefit of the entire Senate, I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. BOB DOLE

Mr. Chairman, it is a pleasure to appear before your committee today to join in the discussion of campaign practices reform. This subject is of vital concern to every candidate and officeholder, and to every citizen who prizes the American system of government.

GOOD CAMPAIGNS AND BETTER GOVERNMENT—THE REPUBLICAN CAUSE

Let me say at the outset that better, more responsive and more responsible government has long been the primary aim of Republicans, and its achievement is a major goal of the Nixon administration. There are many approaches to this goal, and Republicans have, for many years, pursued it in many ways and at many levels.

Over the last two years, President Nixon has exerted firm leadership for better government in the Executive branch of the Federal system. He has sought to recruit and involve the best-qualified and most highly motivated individuals he can find in the operations of the Executive branch, both in appointive positions and in the career services. He has urged far-reaching reforms in his proposals for restructuring and consolidating executive departments into units which will be substantially better equipped to deal with the economic, social and natural environments of the late 20th century and which will result in more effective government.

Richard Nixon has approved a great example and great inspiration for achieving good government, but Republicans everywhere have always sought to place men with vision into elective offices. They have been vigorous in their efforts to support the best possible candidates for public office—in all areas of the country, from every walk of life and from every race, ethnic group and religion. And over the years, I believe the Republican Party has had great success and has provided leadership and direction at all levels of government—in city hall, the State capitol, in Congress and in the White House.

NEED FOR REFORM AND IMPROVEMENT

While there are many routes to improving government, I believe one of the most important influences is clean, open and rational campaigning for public offices. Clean campaigns, free from mudslinging and character assassination, are much more the rule than in the past. The good sense and basic instincts of candidates and voters alike have helped to make American campaigns more dignified and free from raw personalities.

MAJOR FACTORS—FINANCE LOOPHOLES AND RISING COSTS

Unfortunately, however, in the volatile arena of American politics today, there are tremendous pressures working against open and rational campaigning. Much of this pressure results from two interrelated and mutually reinforcing factors. They are (1) the obscurity of campaign financing, and (2) the skyrocketing costs of conducting campaigns.

It is a regrettable but pressing fact that statutes presently in force provide no effective and comprehensive control or oversight or campaign financing or campaign conduct. No coherent, tightly-drawn, enforceable body of laws governs or guides either contribution or expenditure of campaign funds. The forces of politics in effect run wild, with little or no protection of the public interest. There is, as we all know, a scattering of piecemeal, ineffectual and poorly understood statutes. But they are so subject to abuse and avoidance that the public rightly lacks confidence in them. They are an annoyance to honest candidates and political organizations. They are a joke to the dishonest and devious. And they fail to achieve even token protection of the public's right to information and candor. There should be no mistake: The present state of campaign practice laws is inappropriate to the demands of politics in the 1970's.

Combined with the ineffectiveness of existing laws governing political campaigns is the astronomical increase in the costs of those campaigns. Transportation, staff and organizational expenses have risen along with the cost of everything else in our economy. But the discovery and implementation of broadcasting, particularly television, as the most effective, most productive campaign tool, have introduced a new magnitude of expense into the whole process.

The great growth of campaigning expense increases the pressure for political contributions and the present laws governing financing are further undermined. This expense also generates almost irresistible pressures on campaigns away from lengthy, rational and thoughtful presentation of issues and alternatives. It instead fosters shallow, briefly-presented and emotional exploitation of personalities, images and catch-words.

Simply stated, it is too hard to raise the necessarily huge sums required for campaigning to have them spent without primary regard for impact and effectiveness. Candidates simply cannot afford to present the issues in depth or to engage in detailed and scholarly discussion. The people must be reached with the candidate's message. And the day is past when significant numbers can be reached without resort to the mass media, and particularly the television screen. Changing times and changing technology have made the two-hour debate at the county fair, ineffective, uneconomical and obsolete. The radio station and the television studio have become the new forums. They must be utilized if a candidate is to be successful. But their use is expensive and demands more attention to style than to substance. Because of restrictions in broadcasting laws, the radio and television networks and the individual stations cannot permit candidates to present the issues on public service time. So the public loses on both counts. The candidates cannot afford to explore the issues fully, and the stations cannot permit them to do so.

This is clearly an unacceptable situation. These deficiencies feed on each other, and as their distortion of the political process becomes more grotesque each year, the public interest continues to suffer.

CHANGE MUST BRING IMPROVEMENT

The need for reform is clear, but our desire to bring about change and new direction must be tempered by a determination that, whatever changes are made, they must be ones to improve the situation, not exacerbate it.

No clearer example of good intentions gone amiss could be found than in the legislation to impose limitations on campaign broadcast spending which passed the Congress last year. The major feature of that bill, S. 3637, was to limit expenditures for all radio and television campaign broadcasting to 7¢ per vote or $20,000 in presidential, senatorial, congressional and gubernatorial races. President Nixon was forced to veto that measure, not, as some suggested, on the basis of partisan considerations—but because it promised no improvement on the current deficiencies and posed a real threat of worsening the already bad situation.

In his veto message to the Congress, the President set forth a cogent catalog of the bill's infirmities:

It did nothing to reduce the overall cost of campaigning;

It discriminated against the broadcast media and jeopardized freedom of discussion;

It favored incumbent officeholders over challengers;

It gave unfair advantage to the famous over the unknown;

And, it promised to be difficult or impossible to enforce.

In short, the 1970 bill was aimed at only a few symptoms—not the causes—of campaign inequities and the shortcomings in campaign regulation.

THE GOAL IS BETTER GOVERNMENT

This brings me to my position on reform of campaign practices regulation.

Holding a great belief in and reliance upon the individual, my understanding of the situation leads me to the view that the foundation of any reform, any improvement and any progress in the American political system must be an informed and active electorate. The more often, more vigorously and more regularly the right to vote is exercised by the American voter, and the more informed the exercise of that right is, the better our government will be. In our deliberations in the Congress, we should remember that the ultimate goal is not more laws or tighter laws, not stricter regulation and more exacting controls. Laws, controls, restrictions, regulations—these can only be means, not ends in and of themselves. No, the goal we must seek is better government. The best type of campaign reform will be that which improves the ability, the integrity and the responsiveness of the officeholders produced by the campaign process.

THREE PRIMARY REFORMS

In pursuit of this overriding goal, I believe any meaningful campaign reform must develop along three major lines.

First, there be new efforts to provide better procedures for disclosure of campaign financing. Second, real progress must be made toward breaking the vicious circle of ever-more-expensive and ever-less-meaningful campaign practices. And third, there must be increased stimulation of citizen participation in the political process.

DISCLOSURE

As for the first area, disclosure, I believe this heretofore neglected avenue holds unrealized potential for improving our political system. At the same time, it avoids and eliminates substantial difficulties and questions raised by the alternatives.

Two paramount points of political philosophy come into play in this area. The first is a belief that American voters are entitled to know where candidates for public office and the organizations supporting them get their money and what they spend that money for. Second, is a belief that Americans have a right—indeed an obligation—to contribute to the candidates and parties of their choice, and concurrently, that individuals have a right to support their candidates and parties to whatever extent their means allow.

Relying on these two threads of belief, I feel disclosure of financing practices is a powerful stimulus for campaign reform, and that open reporting of the sources and amounts of contributions would benefit both candidates and the public. It would make candidates less subject to apparent or real pressures from large contributors, and the public would be able to make a better assessment of the candidates sources of support and their sectors of appeal. Of course, there is no hazard to the public interest in a large contribution per se. There is hazard only if the implications of that contribution are that the contributor will gain favored treatment thereby. Reporting and disclosure guard against both the fact and the suspicion of favoritism. The public would have solid factual information with which to evaluate the campaigns offered by different candidates. They could see for themselves whether a candidate was offering an attractively presented and accurate picture of himself and his programs or whether he was engaged in an atempt to "buy" the election through huge expenditures to promote an empty or misleading image. With clear and coherently administered disclosures of receipts and expenditure, voters would make informed and intelligent judgments on candidates' spending practices. And they could take those judgments into the voting booth and include them in their evaluations of the contenders for office.

Disclosures of campaign financing have substantial advantages over any imposed limitation, restriction or direction of either contributions or expenditures. Disclosure is much more practical than restriction. It focuses enforcement on the candidates and their committees, not on the individual contributor. Disclosure raises no doubts of infringement on fundamental first amendment freedom; whereas, any attempt to circumscribe the rights of contributors to support—and candidates to conduct—political campaigns certainly calls to mind an entire range of constitutional issues which, even if resolved in their favor, might require years of litigation and controversy to be finally settled. Disclosure is much more in keeping with the American philosophy of providing incentives to political action than is limitation. Disclosure would provide strong impetus to better campaigning, while limitations would only intensify present deficiencies. And in this day of widespread apathy and disillusionment with public affairs, instead of throwing up more barriers in the political system, we should be opening new channels to its best and most advantageous functioning.

The report of the 20th Century Fund's commission on campaign costs in the electronic era spoke to this point quite convincingly. It said:

> Some have proposed an absolute ceiling on broadcast expenditures. The (20th Century Fund) Commission has studied this possibility carefully and has concluded that a ceiling would be as unenforceable as most limitations on campaign expenditures are today. We are also concerned that setting a ceiling on political communications in this manner might violate traditional American concepts of unhindered political competition. It might well increase the advantage already enjoyed by the incumbent.

I would say at this point, Mr. Chairman, that while I feel disclosure is the preferred method of treating campaign financing, there is the possibility that Congress will ultimately choose to impose limitations of one sort or another. If this eventuality should come to pass, especially if contributions are limited, I firmly believe the statutes should be drawn to treat all donors equally. Whether considering individuals, associations, interest groups—whatever the structure or identity of any contributor or transfer agent of political funds—the same restrictions and limits should be applied to all. This would be extremely important to whatever effect such laws would have in protecting the public interest. But let me emphasize again that disclosure seems by far the most practical, effective and best means of achieving reform in this area.

INCENTIVES FOR LOWER-COST AND MORE MEANINGFUL CAMPAIGNS

In the second area of direction for reform, providing incentives for more meaningful and lower-cost campaign practices, there is great need for substantial efforts and at the same time the prospect of great rewards for those efforts.

As long as no attempt is made to break the basic cycle of spiraling costs and sinking substance in campaigning, the efforts to bring change are going to be met with little success. As long as the cost of reaching the public—whether by television, radio, or personal appearance—becomes higher each election, candidates will be forced to resort to those techniques and tactics which have the greatest raw impact. The long and increasingly nerve-grating campaign, the spot advertisement, the appeal to emotions and prejudices, the absence of indepth discussion, these and all other elements which make campaigning unenlightening, uninspiring and insipid will continue to intensify.

The present counterproductive pressures must be replaced or displaced. They cannot be left where they are to continue their detrimental course. They must be eliminated, and in their place must be inserted incentives and influences in the opposite direction.

Instead of pressures for ever-increasing sums of campaign money, there must be forces toward lowering campaign expenses. Rather than pressures for briefer, more simplistic, more numerous impacts on the voters' consciousness, there must be influence for longer, more thoughtful, more reasoned discussions of the critical issues before the electorate—and a lower cost.

We must take a broad, systematic, view of the campaign process if we are to arrive at worthwhile solutions to these problems. Narrow approaches will yield narrow and necessarily disappointing results.

There are several specific changes which could be implemented to effect these broad reforms and establish incentives for better government within the campaign process:

The equal time provisions of the Federal Communications Act could be repealed to make possible in-depth discussions and debates by candidates for all public offices. Such action would add considerably to the fund of information available to the voting public. And it would provide candidates with an exceptionally valuable platform from which to articulate their views.

Provision could be made for making advertising time and space available to candidates at the lowest commercial rates for equivalent time. Broadcasters and publishers should not be required to subsidize political campaigning, but they should assure accessibility at the going rate.

Serious consideration should be given to changing present restrictions on borrowing by political organizations through regular commercial channels. It is now virtually impossible to secure loans for campaign purposes and when enacted, these restrictions were to combat real abuses, but today political organizations can be made legally responsible for their obligations, thus providing lending agencies the security their obligations require and relieving the pressure on candidates for donated funds in periods of peak expenses.

In connection with provisions for assuring the going commercial rate in the communications media, it has been suggested that a contribution to reduced costs and improved content in broadcast campaigning would be to establish a minimum length for commercial messages. This in essence would be to eliminate the so-called "spot" advertisement that contributes so heavily to the expense and shallowness of campaigns. The purpose would be to require candidates to make more detailed and thoughtful presentations of their views and improve the quality of their messages to the public. I personally find it difficult to reconcile the contradictions inherent in setting minimum lengths for campaign productions and the requirements which demand for numerous blocks or irregular time slots would have on broadcasters programming schedules. However, this avenue should receive thorough consideration in hopes of finding a real solution to the spot ad problem.

A responsible and respected central authority for oversight of campaign operations and organizations could be established. This authority, responsible for receipt, tabulation and publication of the disclosures and reports ordered by Congress, would provide the long-needed focal point for public interest and concern in campaign practices.

The specifics of campaign reform should also take into account the need of reducing the length of campaigns. In today's world of nearly instantaneous communications, a prolonged audio-visual assault on the voting public is unnecessary and increasingly annoying. It has reached the point today where the public begins to feel it is being bombarded by an endless round of political publicity and propaganda. And to a large extent, they are correct. Campaigns are too long. Their length exceeds the necessities of communications and debate and should be shortened.

Another influence of long campaigns is their contribution to the rising costs of campaigning; and it is substantial. Each extra day or week a campaign drags on adds tremendously to the overall costs. The real or imagined need to get to the public with a message fuels this pressure for long campaigns. Here we clearly see the interrelation of the pressures for money, time and the media.

Many steps could be taken to introduce incentives for shorter campaigns. National conventions could be held later in the year. Presidential primaries might be moved back a few weeks. Legislation might be enacted to set an official "campaign season." But I believe this area of shortening the campaign period offers real promise for reducing costs and improving the quality of campaigns. And I would hope this committee will explore this avenue fully in the coming months.

INCREASED CITIZEN PARTICIPATION

Now we come to the third point of the directions for campaign reform, and this is involvement of more individuals in the political process.

It is not sufficient that people go to the polls. It is of course vital, but there is more—an additional responsibility of citizenship. And this responsibility is support.

As I said at the beginning of my remarks, I believe that every American has the right to support the candidates and organizations of his choice to the fullest extent of his means, but I believe also that each citizen should support candidates and parties in proportion to those means.

There are many individuals throughout this great nation who feel a sincere and deep gratitude for what America has meant to their lives and who choose to express their feelings by contributing to political organizations. There are individuals whose loyalty and dedication to their political beliefs have found selfless and generous expression in financial support to the parties and candidates who embody their hopes and expectations for America. I believe these are admirable and laudable actions and should be encouraged and fostered by national policy.

It is recognized that the political process is expensive, and it will continue to be so. But that is not to say that the expenses of campaigning cannot be held to manageable limits nor that the burden of financing campaigns is to be the primary responsibility or preempted privilege of the wealthy.

Unfortunately, there are many individuals who do not feel the desire or the responsibility to aid political parties and candidates. It has been estimated that in 1968, only 6 percent of the population gave any money to a political organization, and in some years this number has fallen as low as 4 percent.

This statistic is at the same time distressing and hopeful. Although few Americans are motivated to contribute, a real bonanza of support lies waiting to be tapped. If only the candidates and parties in this nation can reach them, we will have made a tremendous stride forward in improving the political process in this country.

As the 20th century fund report stated:

> It would be far healthier if a larger number of individual contributors gave small sums. Small contributors in greater number would not only reduce a candidate's reliance on a few big givers, but also help improve the political climate by increasing direct citizen participation in politics.

For every man or woman of wealth who contributes to politics in this country, there are tens and hundreds of thousands of average citizens with modest or even limited means whose dimes and quarters, ones, fives and tens are immeasurably more important to democracy and the American political system than all the tycoons, magnates and millionaires put together.

I speak with special feeling of these Americans, because they have meant a great deal to the Republican party and through it to the entire nation.

In 1961, under national chairman William

E. E. Miller, the Republican party instituted its sustaining membership program. This program sought then, as it does today, small contributions for membership in the Republican sustaining membership committee. When the sustaining membership drive was first undertaken on a national basis in 1961, a membership cost $10. And by 1962, 45% of the national committee's funds were received through its sustaining members.

As an indication of the bedrock strength of this concept, consider the 1964 presidential campaign. The party and its ticket, faced with overwhelming odds and widespread popular assumption of doom at the polls, conducted a full-scale and nationwide campaign costing more than $8 million and emerged from the ruins of defeat with all its bills paid and money in the bank. Normally, one would expect a campaign that was so widely proclaimed to be futile to wind up heavily in the red. But an interesting thing was disclosed by that 1964 race—the financial stability of the Republican party was due to the basic strength of its organization—the loyal small contributor who did not bail out when the going got rough.

Since 1964, the sustaining membership program has been the largest source of income for the Republican party, accounting for more than 80% of all receipts in several years.

Mr. Chairman, just as an up-to-date example of the strength and importance of the small contributor and the sustaining membership program to the Republican party, I would like to cite some figures for the first two months of this year. In January and February, 1971, the Republican National Committee received 82,381 contributions of less than $100. The total of these contributions, chiefly from the sustaining membership program, totaled $1,169,822.21. In the same period, the party received fewer than 200 contributions in excess of $100, and these totaled $74,790.00.

Now, I submit that this is the way our political financial systems are meant to work. This is participatory democracy, and this is a broadly-based party with a vigorous and involved membership.

The Republican party's record is exceptional in this respect. And I find it somewhat discomforting to hear our party attacked for the sole reason of its financial stability by those whose party has not developed a broad base of extremely dedicated and dependable small contributors.

The Republican Party does have a sound financial structure because it relies on the people for its support, and because it is responsible with its own and others' money.

I am not here today to prescribe for the Democratic National Committee. I am here to offer suggestions for improving our whole political system. I believe that no greater contribution to the viability of the political process in America can be made than to bring more Americans into the financial affairs of our political institutions. Financial participation is real, basic and responsible participation in the campaigns and parties which that individual supports. It is also a source of basic good government and insurance of the effective power and authority of the people over public affairs.

New steps need to be taken by the Federal Government to stimulate citizen involvement in the financial affairs of politics. As in the other areas I have mentioned, there are many ways in which this might be done. Hopefully this committee in its consideration of the several bills before it and in its private deliberations will select one or more new devices for stimulation of this reform. Numerous suggestions have been made, such as establishing tax credits and tax reductions for political contributions, or providing a standard contribution by check-off type arrangement on the Federal income tax return. These and other proposals deserve very thorough and studied consideration. They may offer substantial help for politics in America, but they may also raise numerous side issues and questions of policy and administration which should be thoroughly examined before making any final decisions.

CONCLUSION

I stand ready to join in further efforts to achieve meaningful results and to promote the vitality of our system and to assure thereby the continuing ability of government to meet the challenges and difficulties of the future.

CONCLUSION OF MORNING HOUR

Mr. BYRD of West Virginia. Mr. President, if there is no further morning business, I ask that the morning business be concluded.

The PRESIDING OFFICER. If there is no further morning business, morning business is concluded.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

The Senate continued with the consideration of the motion to proceed to the consideration of the resolution (S. Res. 9) amending rules XXII of the Standing Rules of the Senate with respect to the limitation of debate.

The PRESIDING OFFICER. The pending question is on the motion to postpone for 1 legislative day the motion to proceed to the consideration of Senate Resolution 9.

Mr. FULBRIGHT. Mr. President, a great deal has already been said about the pending business. It is difficult to say something new concerning this matter. However, there are two or three aspects of it that I think worthy of attention.

One thing that occurs to me is that in looking at the way the new Members of the Senate have voted, it seems that they have split exactly 50–50. Six have voted for cloture, and six have voted against cloture.

All except one have never served in this body before. The Senator from Minnesota (Mr. HUMPHREY), while he is classified as a new Senator, has been here before and has long been committed to the principle of reforming rule XXII.

What this means to me is that a number of the new Senators, at least five, who have had no experience actually with operating under rule XXII, have made up their minds and voted to change the rules in an area that I think is extremely important for the significance of the Senate itself.

I have suggested in my previous remarks that this is due to many developments, including one of which I discussed earlier this morning, the expansion of the concept of executive privilege. But that is only one. The persistence of a state of crisis in warfare is another. I have stated that before. Experience shows that in every country where warfare continues for a long period, democracy and democratic practices are sacrified. I say this only in a most respectful way.

I would like to suggest that all of the new Senators, and certainly those who have, for good reasons, I am quite sure, voted to change the rule before they had any experience under the rule should have more time to consider the significance of such a change. It seems to me an excellent suggestion to have a meeting where this matter could be discussed in a more serious way. Unfortunately, the debates on the floor of the Senate have not been real debates. The proponents of this resolution to change the rules of the Senate have been conspicuous by their absence. I think there is not a single one of them in the Chamber now, and usually they have not been here while I have been here.

There has been no serious discussion. These votes seem to be influenced by commitments made before they came to the Senate. I do not criticize anyone for that. Anyone who runs for office has to make commitments in our system.

I only suggest in a most respectful way that this is a matter of such great importance that there should be ways and means to consider it at great length and really go into the significance of it before we seriously take up changing the rules of the Senate. There are various ways this could be done.

I predict that next Tuesday this vote will not be in favor of a change. I hope the leadership will not allow a further vote. I must say I think the way the press describes the situation is quite erroneous. The persistence of the proponents in continuing to have another and another and another vote is what is responsible for the delay. It was perfectly obvious after the first vote, and certainly obvious after the second vote, that they do not have the votes to change the rule.

Who, then, bears the responsibility for continuing this matter before the Senate and who bears the responsibility for the delay, as they call it?

Another thing I am bound to comment upon is that the press, by habit, a kind of knee-jerk reaction, refers to it as a southern filibuster on rule XXII. It is true that a number of southern Senators are involved, but not exclusively. One need only look at the votes. One reason southerners are prominent in this matter is that traditionally southerners have been here longer than Senators from other areas. That is because of historic and other reasons. Many of us have had longer experience in the Senate and we have learned, sometimes through bitter experience, that the rules of this body are very important and should not be tampered with for superficial reasons.

Again, I am impelled in that connection to read a paragraph which seems to me to be the essence of the Democratic process. I have read this paragraph once before but I think it makes the point I wish to convey. This is a paragraph written by Mr. Anthony Lewis:

> For democracy is a process not a result. It is no particular set of policies but the means of reaching them. It is a commitment to rational discourse, to persuasion, to restraint in the use of political advantage, to the renunciation of force or threats.

That sums up in the most succinct manner what this is all about. This is the process by which the Senate operates, and it is far more important than any substantive bill ever affected by this procedure.

This is what I mean when I say that some new Members of the Senate and some members of the press fail to understand the very essence of democracy, and that is the process by which decisions are reached or delayed and put off, or decisions made not to proceed with action. I am perfectly glad to have discussion or, as it is called, filibuster, characterized as a "southern-led filibuster." But in my mind I know that those newspapers that use that phrase in a pejorative sense. They think by so characterizing it, it will prejudice the minds of some new Senators and other citizens. It raises again the specter of civil rights legislation. This is an effort, in my view, a rather questionable way of questioning the good faith of those of us who are seeking to protect the integrity of the Senate as a functioning institution in our Government.

It is a curious matter. Heretofore in the debate I asked one of the leading proponents of the change what he thought was the function of the Senate. He said, "To get action." I responded very briefly, but I have thought of it in the meantime. It seems to me that is directly contrary to what I just read about the essence of democracy.

The essence of democracy is not to get action. A dictatorship can get action quicker than any other form of government. Often it is unwise or disastrous action. It is not subjected to the examination to which legislation is subjected under our system of debates; but at any rate, it is action.

I can think of no better way to describe the function of the Senate than to say it is not to get immediate action without consideration or deliberation. The function is to deliberate. It is antidemocratic to say the function of the Senate is simply to get action quickly.

I think there has arisen in the minds of some newspaper writers a kind of prejudice. I am sure it is not conscious. They do not deliberately and consciously wish to undermine the democratic system. I think it is subconscious. There is a subconscious impulse that causes them to attack the reputation and prestige of the Senate.

This morning a column in one newspaper began, "The shame of the Senate." We are shameful because we are trying to protect the rules which allow the Senate to deliberate and consider at length the most profoundly important decisions to be made by this country, such as going to war or what to do about a war, or for that matter, matters of inflation, and so on. Take the question of the SST, which is a very important issue. Is it the shame of the Senate that we do not give up and agree to abide by the rule of the majority and have passage, with no debate at all, if at any time a majority wishes to close debate; or to make a decision when a decision should not be made at any given time if it involves deep division on matters of social or cultural differences, some of which are much more difficult to reconcile than pure economic problems?

One thing we can say about the Senate that seems to be overlooked. No legislative body I know of since the days of Oliver Cromwell has ever imposed on a country a dictatorial power. No legislative body has usurped the sole power to dominate any country, whereas we have many countless examples where the executive power has dominated and taken control of the power of government in country after country. Today the great majority of the people are ruled by dictatorships. They are under the control of authoritarian governments. They sometimes have a legislature as a kind of facade to make it look good, but the legislatures have no power.

That is what would happen to the Senate if we changed the rule to majority control of debate.

I realize the proponents are saying they only want a three-fifths vote. I think everybody knows that is only a way station. We are not kidding ourselves that if we go that way, we will change the three-fifths to a majority, just as has happened in the past in most similar instances.

Many of the great corporate enterprises in this country are directed by executives who are given great power. This applies not only to industrial enterprises but to newspaper enterprises; many of them have become great corporate enterprises. I cannot help feeling that they have a subconscious instinct to sympathize with executive power. They feel that anybody who interferes with the executive is in some way inhibiting progress. I think they have a feeling of sympathy for any executive who is thwarted at any time by a group of various individuals, in our case 100, or, in the case of the House, 435.

I think that is a natural tendency. Debate, arguments, questions and answers, take time, and executives who run corporations do not like that. In great corporate enterprises they delegate power to the chief executive to run the corporation. If the profits are good during the year, they continue. If they are bad, they are fired. This happens time and again, we all know. They are not given much to debate and argue, on the whole. They have a tendency to concentrate power into the hands of either one or very small executive committees about the size of Politburo in Russia.

I was interested, in reading Khrushchev's book on Stalin, to read that he was so impatient even with the Politburo. Often he would not consult anybody. In certain areas he consulted five and not the other six. He did not like to be questioned. They may have raised questions, and he did not bother with them.

In any case, this is the nature of executive power. They do not like to have to argue about their decisions, and they do not want to be delayed.

I certainly do not wish to reflect on any specific individual, but I have noticed in my own experience that Members who come to this body from the governorships of their States, for a year or two, at least exhibit impatience with the Senate. One of our colleagues who is no longer with us, but who was on the Foreign Relations Committee, had been a Governor for five terms. He had been a very successful Governor of his State. The procedures of asking questions, going around the committee, in order, were extremely irritating to him. He was extremely impatient with the whole process. He had been accustomed to making decisions as an executive, and it was difficult to adjust to the role of being a Senator. I agree it can be very difficult.

I sympathize with the impatience of people who are accustomed to exercising executive power either in the public's behalf or in private. I can sympathize with great executives of industrial concerns or managing editors who think it is intolerable to have long debate on a subject which they think is very simple and should be able to be settled quickly, without any great debate. So I have great understanding of and sympathy for their impatience with the Senate.

Nevertheless, I do not think they understand the difficulties, the seriousness, of making decisions that involve 200 million people. Even General Motors or American Telephone & Telegraph Co. employ only 500,000 people or so, as large as they are. They do not compare with the complexity and difficulty of a country of 50 different States, with the great and differing and deep cultural, economic, and racial background of our people. Enabling such a tremendous community to live in peace is no small accomplishment. It is much more difficult than making A.T. & T. function. I understand they have difficulty in many instances. Nevertheless, it is a much more difficult undertaking as compared with them.

That is why the United States needs a body in which decisions may be considered at length, not in order to get action immediately, but in order to assure against disastrous mistakes. That, I think, is the great value of the Senate—not getting action. Action certainly is secondary to wisdom in priority in this body, and I think it ought to be. If we reverse that and give action priority and make wisdom second in importance, we may as well dispense with the Senate. It seems to me it would not be worth continuing if that is the attitude we are to adopt in changing the rules.

Nonaction or delay is far preferable, it seems to me, in the case of executive proposals that involve the security of our country. I have used the example before; I will use it again—the Gulf of Tonkin resolution. The great mistake of Senators, including myself, of course, was the acceptance of an Executive proposal sent here under a plea for immediate action because of the alleged psychological effect upon the enemy if we adopted it and passed it with a minimal of consideration. Altogether I think we considered it something like 5 or 7 hours.

But the shame of the Senate is not in debate. The shame of the Senate is not in refusal to change rule XXII. The shame of the Senate arises from precipitate action in cases like the Gulf of Tonkin resolution. That is the real source of shame. It is the only type of action that I have been embarrassed about. I cannot say I have not voted in some ways on substantive matters in the past that were not in error, and I certainly do not claim infallibility, but the real shame of the Senate is in those cases where it has taken action without deliberation, without understanding the full significance of what was involved, and not in delay or in refusing to act. There are few cases, if any—I cannot think of any offhand—in which the Senate has been shamed by either delaying action or refusing to act on some improvident proposal. The shame is in not deliberating long enough to understand and to avoid adopting an ill-considered proposal.

Many of these proposals, of course, are written in the executive branch. I want to make clear that I am not talking about the President. I want to make that clear to the Senator from Kansas (Mr. DOLE). I did not hear his remarks. I have sent for them, but have not received them yet. The bill I introduced earlier is not aimed at the President. I have made this clear in every speech I have made, I believe. We are at the end of the 25-year period of warfare or crises which has done many things that are bad to our democratic system. I do not wish to blame the present administration either for Vietnam or for many other matters, and certainly not with regard to the erosion of our standing with regard to executive privilege.

I do not intend that, and I have no idea of saying or implying in any way that President Nixon is in any way more guilty because of his actions than any previous administration of an abuse of executive power. Of course, some of the people I have in mind were not connected with the President in any confidential manner whatsoever. But in the case of these proposals which come to us, many of them are generated in the executive bureaucracy, which has little if any real experience with the people; few of them, or hardly any of them, have ever had the experience of being elected or of answering to constituents, or of the interplay that takes place between elected officials. I do not mean by that that they are not very able and honest people, but they lack the experience which I think is essential in dealing with a country of our kind—the kind of experience which is necessary to weigh the impact upon our own country of our policies abroad, especially, and even our policies within our own country.

I think a moment ago, in the exchange I had about the war, I detected what I think I detect in many lines of observers and commentators: That there is a tendency to disassociate the effects of the war in Vietnam from what it is doing here at home. There is a tendency to regard the contest in Vietnam as a kind of ball game taking place 10,000 miles away, and naturally you want to win all contests you get into; this is a natural thing. We tend to compartmentalize this contest; it is too bad it is killing a lot of Asians, but it is not killing as many Americans, and for that reason it makes it easier. What they have overlooked is what an elected official cannot overlook, and that is the effect of the war upon our own constituents.

I think that the decisions that have led to the war, if they had been debated and understood, and the implications for our own constituents had been made clear, that Congress would not have gone along with any kind of approval of the engagement. I think those decisions were made improvidently and erroneously, largely because there was not a reasonable amount of discussion and deliberation on the part of the Senate of the United States.

Mr. President, since this issue has been debated at such length, while there is much more that could be said, inasmuch as those who might be influenced by my comments are not present, I think perhaps I should reserve the remainder of my remarks for a more propitious time, perhaps on Monday or Tuesday, when this matter is being debated, when I would hope very much to have an opportunity to discuss the matter wtih some of those who have voted for cloture and have been supporting the move to change the rules of the Senate.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GURNEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GURNEY. Mr. President, in the Federalist papers, Alexander Hamilton, in his flowing and beautiful prose, stated with precision and eloquence, the purposes which the Founding Fathers intended by the creation of the U.S. Senate. Under the form of answers to specific objections in five letters—61 through 65—Hamilton listed these five aims:

> To conciliate the spirit of independence in the several States, by giving each, however small, equal representation with every other, however large, in one branch of the National Government.
>
> To create a council qualified, by its moderate size and the experience of its Members, to advise and check the President in the exercise of his powers of appointing to office and concluding treaties.
>
> To restrain the impetuosity and fickleness of the popular House, and so guard against the effects of gusts of passion or sudden changes of opinion in the people.
>
> To provide a body of men whose greater experience, longer term of membership, and comparative independence of popular election, would make them an element of stability in the Government of the Nation, enabling it to maintain its character in the eyes of foreign states, and to preserve a continuity of policy at home and abroad.
>
> To establish a court proper for the trial of impeachments, a remedy deemed necessary to prevent abuse of power by the executive.

Lord Bryce, in his masterpiece "The American Commonwealth," commented on Hamilton's grand scheme in the following passage:

> The Federalist did not think it necessary to state, nor have Americans generally realized, that this masterpiece of the constitution-makers was in fact a happy accident. No one in the convention of 1787 set out with the idea of such a Senate as ultimately emerged from their deliberations. It grew up under the hands of the convention, as the result of the necessity for reconciling the conflicting demands of the large and the small States. The concession of equal representation in the Senate induced the small States to accept the principle of representation according to population in the House of Representatives; and a series of compromises between the advocates of popular power, as embodied in the House, and those of monarchical power, as embodied in the President, led to the allotment of attributes and functions which have made the Senate what it is.
>
> When the work which they had almost unconsciously perfected was finished, the leaders of the convention perceived its excellence, and defended it by arguments in which we feel the note of sincere conviction. Yet the conception they formed of it differed from the reality which has been evolved. Although they had created it as a branch of the legislature, they thought of it as being first and foremost a body with executive functions. And this, at first, it was. The traditions of the old Congress of the confederation, in which the delegates of the States voted by States, the still earlier traditions of the executive councils, which advised the governors of the colonies while still subject to the British crown, clung about the Senate and affected the minds of the Senators.
>
> It was a small body, originally of twenty-six, even in 1810 of thirty-four members only, a body not ill fitted for executive work. Its members, regarding themselves as a sort of Congress of Ambassadors from their respective States, were accustomed to refer for advice and instructions each to his State legislature. So late as 1828, a Senator after arguing strongly against a measure declared that he would nevertheless vote for it, because he believed his State to be in its favour. For the first five years of its existence, the Senate sat with closed doors, occupying itself chiefly with the confidential business of appointments and treaties, and conferring in private with the ministers of the President.
>
> Not till 1816 did it create, in imitation of the House, those standing committees which the experience of the House had shown to be, in bodies where the executive ministers do not sit, the necessary organs for dealing with legislative business. Its present character as a legislative body, not less active and powerful than the other branch of Congress, is the result of a long process of evolution, a process possible (as will be more fully explained hereafter) even under the rigid Constitution of the United States, because the language of the sections which define the competence of the Senate is very wide and general. But in gaining legislative authority, it has not lost its executive functions, although those which relate to treaties are largely exercised on the advice of the standing committee on foreign relations. And as respects these executive functions it stands alone in the world.
>
> No European state, no British colony, entrusts to an executive assembly that direct participation in executive business which the Senate enjoys.

I suggest, Mr. President, the fact that the U.S. Senate has performed so admirably over the years is in no small measure attributable to our history and tradition of unlimited debate.

Mr. Walter Lippmann, whose views I do not always share, but whose scholarship and devotion to our country I think we all can properly admire—expressed this same view:

> The filibuster under the present rules of the Senate, conforms with the essential spirit of the American Constitution.
>
> It is one of the very strongest practical guarantees that we have for preserving the rights which are in the Constitution.

Mr. President, I do not view rule XXII and our tradition of unlimited debate as in any way a partisan or sectional prerogative. The filibuster, over the years, has, in my judgment, been used to advance good causes, and to advance wrong causes, and causes which, from the point of view of history, are insignificant. The occasion for the use of the filibuster is sometimes immaterial or inconsequential—who, for instance, recalls that the Senate debated the ship subsidy bills for 2½ months in 1922? Those bills are remembered today, if at all, because they occasioned that extended debate.

Members of all persuasions have availed themselves of the right of unlimited senatorial debate over the years—Republicans, Democrats, progressives, liberals, and conservatives alike. And our predecessors have debated and killed or caused to be amended countless appropriation bills in the decades passed. And regardless of the merits of the individual bill, the general proposition is still valid that unlimited debate is desirable. Minorities within the Senate—whether they are liberal, conservative, or otherwise—minorities should have at their disposal the tools to protect their interests, their point of view. Prolonged debate has helped to precipitate action by the transient majority—the need to "restrain the impetuosity and fickleness of the popular House, and so guard against the effects of gusts of passion or sudden changes of opinion in the people," that Hamilton spoke of.

As a veteran of the House of Representatives, I think I can speak with some authority on the way a House functions under a cloture rule. Legislation, as we all know, can be ramroded through the other body without meaningful debate, under a rule framed by a partisan committee or perhaps even a single, powerful, committee chairman. I, of course, do not intend to disparage or in any way diminish the achievements of the other body. Having served there, I respect and admire the House and I always will. But, it operates under constraints, traditions, and historical and constitutional limitations very different from our own. While we respect that institution and that great body, we should not emulate it in this regard. It is essential that the Senate remain true to its own history and traditions—it is thus essential that there continue to be a forum for unlimited debate.

Mr. William S. White, in his excellent work on modern Senate, "The Citadel," made this probing comment on unlimited debate:

> And those who mock the institution . . . might recall that the public is not always right all at once and that it is perhaps not too bad to have one place in which matters can be examined at leisure, even if a leisure uncomfortably prolonged. Those who denounce the filibuster . . . might recall that the weapon has more than one blade and that today's pleading minority could become tomorrow's arrogant majority.

There is another aspect of rule XXII which has not really been touched upon sufficiently in this debate, which for want of a better name, I shall call the "intangible side" of rule XXII. I suggest that the mere existence of rule XXII is a valuable asset to the Senate, even if Members do not avail themselves of their right to unlimited debate—the fact that the Members can avail themselves of this tool on any issue should the need arise, is a positive virtue. We cannot calculate this intangible asset with any precision; we cannot say where it ranks in the hierarchy of values. But, it should be comforting to Members to know that it is there and can be used to provoke debate and thought and thorough consideration on a measure or a policy which the Member considers ill advised or untimely, or personally obnoxious. It is there, and everyone knows it is there. And the presence of this tool and its availability to any Member is, I suggest, a salutary thing in and of itself. The fact that we cannot measure this aspect of our rules with any degree of precision does not in any way, diminish its utility or its influence.

There is another canard that should be demolished concerning unlimited debate—and that is the notion that the filibuster has prevented the passage of necessary legislation. The facts do not support that notion: almost universally, the measures against which filibusters have been directed have ultimately been enacted—modified perhaps, reshaped, or reformed sometimes. The fact of the matter is that taken, as a whole, the filibuster has killed more bad proposals than good proposals.

We have heard in the last few years in this Chamber serious challenges to the notion of executive supremacy. On some occasions, I have disputed these claims—as in the case of Cambodia last May. But, whatever the views of the specific issue, I support the idea that Congress has a constitutional role to play in the conduct of foreign affairs. The Senate, beyond dispute, has the duty to advise and consent to treaties and the appointment of ambassadors. Congress holds the power of the purse and the exclusive power to declare war. In the decades since World War II, Congress and the Senate allowed the Chief Executives completely free reign in the conduct of foreign affairs. The Presidents did not usurp power as has been suggested in some quarters: Congress merely retreated from its responsibility and its duty. I support the idea that Congress should properly reassert its prerogatives. I suggest most emphatically that unlimited debate in the Senate is a necessary tool in that process. And, I think that the Members who feel as I do that the Senate should reassert its historic mission in foreign relations should think twice before scrapping, or at least, impairing the usefulness of this unique tool which we, as Senators, have at our disposal.

As Hamilton said in "The Federalist," the U.S. Senate must properly act as a check upon the Executive, and unrestricted debate in the Senate is a proper and historic means to accomplish this desirable goal—to restrain Presidential ambition, to circumscribe Presidential power.

Mr. President, we have lived with rule XXII and we know its implications and its effects. It is no small matter to suggest its abolition, or even its diminution. One proposal before us is far reaching; if adopted, it would alter for all time the role and position of the Senate in our constitutional framework. It is, as I say, no small matter.

The late Senator Richard B. Russell, whose loss we have not yet begun to calculate, knew the Senate as no other man in our history has known it. He spent more than half of his life as a Member of the Senate, and he loved it with a deep and abiding affection. I think it is appropriate to recall his words of January 1968 in a debate not unlike the one in which we are now engaged. The late Senator Russell said at that time:

> I know about the frustrations of long debate here. I suppose I have been involved in my share of it on both sides of the fence.
>
> It is human nature that if you have a bill up and have a majority of one in the Senate, you are ready to vote then, and any debate against that bill is something that is irritating and frustrating, because you cannot bring the bill to a vote immediately with that majority of one.
>
> Mr. President, the majority is not always right. Down through the years there are great monuments, tragic monuments to the failure of the majority to be right, the errors of a temporary majority such as it is proposed to subject the Senate to, a proposal to turn loose all the fires of partisanship to a mere majority, to close off debate and silence the opponents before they have had a full and fair chance to make their case before the American people.
>
> It is sometimes hard to let it seep through. Sometimes when you are defending what you believe in, but which may be unpopular for the moment, you do not have the great media of communications to support you. They have a way of getting together, sometimes, and they will exhalt statements in favor of the issues they support and will minimize statements in opposition to those issues.
>
> It is more difficult today than ever before to get both sides of the case before the American people. But I can assure you, senators, on the basis of almost 35 years of service in this body, that there were two sides to every question. Maybe most of us think, "there is my side and there is the wrong side," but often the side you are for and the side I am for is the wrong side—it happens time and again.
>
> Mr. President, the Senate was created to give a full chance to expose here the errors of the other branches of the government. One of its main purposes was to permit a complete revision or canvass of the acts of the other body, to have full sway to offer amendments, and to make speeches to point out those mistakes.
>
> Over the years, when you balance it up, the right of free speech in this body has been vastly more beneficial in the preservation of our system of government, in maintaining our system of checks and balances, in trying to maintain the division of powers between the three separate branches of the government, than the action of any army. The Senate is the last bulkward of the minority in this land.

Characteristically, Senator Russell ended his remarks on that occasion with a biblical allusion:

> If the Senate in a moment of weakness adopts this gag rule, I do not doubt that a time will come when the authors will have the unfortunate end of Haman, who built the gallows for Morecai and was hanged on it himself.

Our beloved comrade and colleague, Senator Russell, is no longer with us to give us the benefit of his wisdom. But, his counsel of several years ago is still valid and still deserving of our attention. A gag rule in the Senate, as he correctly stated, would diminish and, in the long run possibly destroy the Senate's deliberative function.

I am candid to admit that the filibuster has been abused on occasion. It has been invoked frivolously at times. But, I am prepared to live with this abuse rather than opt for an unknown quantity.

Let us, as Shakespeare said:

> Rather bear those ills we have, than fly to others we know not of.

For, even if this tool has been used for transient and insubstantial causes on a few occasions, its retention is desirable for the bigger causes—for great, fundamental constitutional questions; to check executive excesses, to prevent the mindless tampering with the organic law of the United States.

There have been abuses of free speech in our country at all levels in recent times. Those abuses, however outrageous or intemperate and however dangerous, we can all agree would not justify tampering with first amendment guarantees. The principle of free speech is so important and so valuable—so ingrained in our system and our heritage—that it cannot be sacrificed even in the face of the most unconscionable abuse.

In the same way, the principle of unlimited debate in the Senate should not be sacrificed even if there are abuses. As I say, I think the abuses have been overestimated. But even if we were to concede that they are great, even then, it would not be sufficient justification, in my opinion, for a retreat from our historic principle of unlimited debate.

Mr. President, I would hope that the Senate, on Tuesday, next, would have the good sense to reject this cloture attempt a fourth time.

RECESS

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in recess, subject to the call of the Chair.

The PRESIDING OFFICER (Mr. Chiles). Without objection, it is so ordered.

Thereupon, at 1:57 p.m., the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 2 p.m. when called to order by the Presiding Officer (Mr. Weicker).

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, seeing no Senator who wishes recognition with respect to the pending business, I ask unanimous consent that there again be a brief period for the transaction of routine morning business, with statements therein limited to 3 minutes.

The PRESIDING OFFICER (Mr. Weicker). Without objection, it is so ordered.

PRESIDENT NIXON'S FOREIGN POLICY NEWS CONFERENCE

Mr. DOLE. Mr. President, last evening, President Nixon held a very important press conference. A transcript of that press conference is published in this morning's Washington Post and I ask unanimous consent to have it printed in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

Withdrawal Can Continue on Schedule: Transcript of President Nixon's News Conference on Foreign Policy Issues

Q. We understand there are some difficulties that the South Vietnamese Army has encountered in Laos in recent weeks. Is this going to cause you to slow down the rate of American troop withdrawals?

A. No. As a matter of fact what has already been accomplished in Laos at this time has insured even more the plan for withdrawal of American troops. I will make another announcement in April as I have previously indicated. The disruption of the supply lines of the enemy through Laos, which has now occurred for three weeks, has very seriously damaged the enemy's ability to wage effective action against our remaining forces in Vietnam which assures even more the success of our troop withdrawal program.

There is one other point that has been assured. I have just had a report from General Abrams today with regard to the performance of the South Vietnamese. You ladies and gentlemen will recall that at the time of Cambodia I pointed out that the South Vietnamese Army had come of age. But then they were fighting side by side with American ground forces. Now in Southern Laos and also in Cambodia, the South Vietnamese on the ground by themselves are taking on the very best units that the North Vietnamese can put in the field.

General Abrams tells me that in both Laos and in Cambodia his evaluation after three weeks of fighting is that—to use his terms—the South Vietnamese by themselves can hack it, and they can give an even better account of themselves than the North Vietnamese units. This means that our withdrawal program, our Vietnamization program is a success, and can continue on schedule, and we trust even ahead of schedule, assuming there is more progress in Laos.

Q. This is a question that you addressed yourself to at your last news conference, but I would like to ask it again in view of the fact that President Thieu has publicly said several times that there is a possibility of South Vietnamese forces invading North Vietnam. Would the United States support such an invasion of North Vietnam by the South Vietnamese?

A. Mr. Risher, I think it is important to restate the answer that I gave at the last news conference, because you will recall that was in the office where only you ladies and gentlemen who regularly cover the White House were present, and the television audience did not hear the answer.

To restate it completely, let me break it down into its component parts. First, the question is, what will President Thieu in South Vietnam do. The second question is, what will the United States do. And, third, what might we do together? Now, on the first question, President Thieu has stated that he would consider the necessity of invading North Vietnam. Let us look at his position. There are no South Vietnamese in North Vietnam. There are 100,000 North Vietnamese in South Vietnam and they have already killed over 200,000 South Vietnamese. Therefore, President Thieu has to take the position that unless the North Vietnamese leave South Vietnam alone, he has to consider the possibility of going against the North. That is his position, and I am not going to speculate on what position he might take in the future. In order to defend himself, the right of self-defense, in view of the fact that he is being attacked, he is not attacking North Vietnam.

The second part of the question deals with what we will do. There, as you recall, I stated that American policy is that we will have no ground forces in North Vietnam, in Cambodia or in Laos, except, of course, for rescue teams which go in for American fliers or for prisoners of war where we think there is an opportunity in that case.

On the other hand, I have stated on ten different occasions, usually before press conferences in which you ladies and gentlemen have participated that in two respects we would use air power against the North. One is that we would attack those missile sites that fired at our planes and we have been doing that. We will continue to do that.

Second, if I determine that increased infiltration from North Vietnam endanger our remaining forces in South Vietnam at a time we were withdrawing, I would order attacks on the supply routes, to infiltration routes, on the military complexes, and I have done that in the past. I shall do so again if I determine that such activities by North Vietnam may endanger our remaining forces in South Vietnam, particularly as we are withdrawing.

Now, the third question is this one—whether or not the United States, through its airpower, might support a South Vietnamese operation against North Vietnam. The answer to that is that no such plan is under consideration in this government.

Q: On the subject of enemy missiles, the North Vietnamese seem to be using more and perhaps a different type of missile shooting American planes supporting the Laos operation.

I wonder if this is of unusual alarm to you and if you have any special retaliation other than bombing that you intend to take?

A: We are following that very closely, and it is not unusually alarming. We expect the enemy to improve its capabilities just as we improve ours. We are prepared to take the protective reaction measures which will deal very effectively with them. But I can say it will not be tit for tat.

Q: In view of recent remarks by Senator Symington and Senator Fulbright, can you define for us the roles and the relative influence in the formulation of foreign policy of Secretary of State Rogers and of Dr. Kissinger?

A: Well, Mr. Horner, you have been around Washington even a little longer than I have and, as I am sure you will agree, this game of trying to divide the President from his Secretary of State or to create a conflict between the Secretary of State and whoever happens to be the President's Adviser for National Security Affairs has been going on for as long as I can remember, and I understand it has been going on long before I got here.

I think Senator Symington's attack upon the Secretary frankly was a cheap shot. I say that not in condemnation of him for making the statement, but I say it only because he knows the relationship between Secretary Rogers and me. He knows that Secretary Rogers is my oldest and closest friend in the Cabinet. I have known him for 24 years.

I not only respect his ability and take his advice in the field of foreign policy; I also ask his advice and often take it in many domestic concerns as well. He is the foreign policy adviser for the President. He is the chief foreign policy spokesman for the President. He participates in every decision that is made by the President of the United States. He will continue to participate in those decisions.

Now, the role of Dr. Kissinger is a different one. He is the White House adviser to the President. He covers not only foreign policy but national security policy; the coordination of those policies. He also gives me advice, just as Secretary Laird gives me advice in matters of defense. I would say that I respect his advice as well.

As to whether either Secretary Rogers of Dr. Kissinger is the top adviser, as to who is on first, the answer to that, of course, is very simply that the Secretary of State is always the chief foreign policy adviser and the chief foreign policy spokesman of the administration.

At the same time, the assistant to the President for national security affairs does advise the President, and I value his advice very much.

Q: Mr. President, there is some feeling in this city and perhaps around the country that you are trying to prepare the American people for the possibility that between 50,000 and 100,000 American troops will still have to be in South Vietnam by election time next year.

Is that true?

A. I really can't tell you what the feeling is in this city. I can tell you what my own plans are.

We are for a total withdrawal of all American forces on a mutual basis. As far as those forces are concerned, I have stated in this press conference that Gene Risher referred to a moment ago, I have stated, however, that as long as there are American POWs—and there are 1,600 Americans in North Vietnam jails under very difficult circumstances at the present time—as long as there are American POWs in North Vietnam we will have to maintain a residual force in South Vietnam. That is the least that we can negotiate for.

As far as our goal is concerned, our goal is to get all Americans out of Vietnam as soon as we can by negotiation if possible and through our withdrawal program and Vietnamization program if necessary.

Now, as to when we will have them out, I will make the announcements in due time. I have another one coming in April, and I will be making other announcements. And I think the record will be a pretty good one when we have concluded.

Q: Speaking of the potentialities of action against North Vietnam, you were talking on the third point about the possibility of American air support for a South Vietnamese attack. You said that no such plan was under consideration in this government. Can you go any further than that, or is that all you wish to say about it?

A: Mr. Bailey, I can say further than no such plan has ever been suggested by President Thieu to us. None has been considered, and none is under consideration.

I am not going to go further than that, except to state what I did state in that press conference where you also were present again, that the test as to what the United States will do in North Vietnam, in any event, will always be not what happens to forces of South Vietnam, but it will be whether or not the President as Commander in Chief considers that North Vietnamese activities are endangering or may endanger the American forces as we continue to withdraw.

It is then and only then that I will use air power against military complexes on the borders of North Vietnam.

Q: Mr. President, sir, if all of the North Vietnamese troops were to be withdrawn from South Vietnam, would we still insist that American troops would not be withdrawn until North Vietnamese troops also left Cambodia and Laos?

A: The proposal we have made Mrs. Ter Horst, is, of course, for a Southeast Asia settlement, one in which the North Vietnamese troops—there are 40,000, approximately, as you know, in Cambodia, there are now approximately, by latest estimate, 90,000 to 100,000 in Laos and, of course, there are 100,000 or so in South Vietnam. It is a one-package situation.

As far as we are concerned, that is the proposal and that is the one that will stick by in Paris.

Q: In your foreign policy report, you invited better relations with Communist China, which is being interpreted in Taiwan, I believe, with a little bit of apprehension. Are you actually moving toward a two-China policy?

A: I understand the apprehension in Taiwan, but I believe that that apprehension insofar as Taiwan's continued existence and as its continued membership in the United Nations is not justified. You also have noted that in my foreign policy report I said that we stood by our defense commitments to Taiwan; that Taiwan, which has a larger population than two-thirds of all the United Nations, as long as we had anything to say about it, and that as far as our attitude toward the Communist China was concerned that that would be governed by Communist China's attitude toward us.

In other words, we would like to normalize relations with all nations in the world. There has, however, been no receptivity on the part of Communist China. But under no circumstances will we proceed with a policy of normalizing relations with Communist China if the cost of that policy is to expel Taiwan from the family of nations.

Q: On the Foreign Policy Report, even if the North Vietnamese negotiate seriously in Paris, there will be serious problems left in Laos and Cambodia, and on the battlefield there would be some hard options to be made about deploying allied troops. Will you clarify those statements, because it suggests that we are going to be there a much longer time than your earlier answer did.

A: Mr. Lisagor, our goal is a complete American withdrawal from Cambodia, Laos and South Vietnam. As you know, that is the proposal I made on Oct. 7. I made it, however, on a mutual basis, that we would withdraw, but that the North Vietnamese would withdraw at the same time.

Now, as to what happens after we withdraw, we cannot guarantee that North and South Vietnam will not continue to be enemies. We cannot guarantee that there will not continue to be some kind of guerrilla activities in Laos or even in Cambodia. As far as our own goal is concerned, our proposal is clear and we ask the enemy to consider it: A mutual withdrawal of forces, our forces and theirs. If that happens, we will be glad to withdraw, and then these other nations will have to see whether or not they can handle their own affairs.

Q: Do you see any limit on the exercise of executive privilege?

A: The matter of executive privilege is one that always depends on which side you are on. I well recall—and, Mr. Theis, you were covering me at the time when I was a member of the House—that I raised serious questions as a member of an investigating committee about the executive privilege that was at that time looking back in retrospect, properly insisted upon by President Truman. And, as President, I believe that executive privilege is essential for the orderly processes of government.

Now, let me just point out, however, what it does not cover. I was very surprised to note the suggestion that the Secretary of State was not available enough for testimony. I checked it out. Over the past two years, State Department officials have testified 499 times before the House and the Senate. The Secretary of State himself has testified personally 14 times in 1969 and 15 times in 1970. He has had 167 private meetings in addition to all that with individual senators or in groups of senators at the State Department or at his home. As a matter of fact, I don't know how he has had time to talk to me with all the time he is talking to the Congress.

Q: Mr. President, you said earlier that there will have to be a residual force staying in South Vietnam as long as the North Vietnamese continue to hold prisoners.

You have also said on previous occasions that you will not hesitate to take any strong action in order to protect whatever troops remain in South Vietnam, whatever of our troops remain in South Vietnam.

Does this, in effect, mean that despite your Vietnamization plan that you will have to have, in a sense, an indefinite commitment to South Vietnam with troops there indefinitely determined only by Hanoi and their actions?

A: I would suggest that you ladies and gentlemen always pretty much underestimate what I am capable of doing in terms of withdrawing forces and so forth.

Let me just put it all in perspective, as I can. We have had a great deal of discussion about Laos at the last press conference and I can see that it is still of interest here, and the question of Cambodia still troubles many of you.

I recall at the time that we went into Cambodia, and all of you out there looking on television will remember what I said, I said the purpose of our going into Cambodia was to cut American casualties and to ensure the success of our withdrawal program.

Many of the members of the press disagreed with me. They thought that was not an accurate description of what would happen. They were entitled to that view. Night after night, after I announced the decision to go into Cambodia, on television it was indicated that that decision would have the opposite effect; that it would increase American casualties and that it would mean that it would prolong the war.

Now we can look at it in retrospect. Casualties are one-half of what they were before Cambodia and our withdrawal program has continued and actually we were able to step it up some during the last of 1970.

In Laos, the purpose of the Laotian operation was the same as that of the Cambodian operation. This time no American ground forces, only American air power.

I said then, and I repeat now, that the purpose is not to expand the war into Laos; the purpose is to save American lives, to guarantee the continued withdrawal of our own forces, and to increase the ability of the South Vietnamese to defend themselves without our help, which means, of course, their ability to help our Vietnamization program and our own withdrawal program.

I realize that night after night for the past three weeks on television there is a drum beat of suggestion, not from all but from some commentators. And I can understand why they disagree, from the same ones that said Cambodia wouldn't work, that this isn't going to work.

Well, I had analyzed the thing very carefully when I made the decision. I have had reports all day today from General Abrams and, speaking today, I can say there is some hard fighting ahead, but the decision to go into Laos, I think, was the right decision. It will reduce American casualties. The 200,000 rounds of ammunition, the 2,000 heavy and light guns that have already been captured and destroyed, the 67 tanks that have been destroyed are not going to be killing Americans.

And, most significantly, I checked the flow of supplies down the trails from the area in which the North Vietnamese and the South Vietnamese, are engaged. And General Abrams reports that there has been a 55 percent decrease in truck traffic south into South Vietnam, which means that those trucks that do not go South will not carry the arms and the men that will be killing Americans.

We can all, of course, here in a press conference—we can debate as to whether or not my view of it is right or the rest. I hope for the good of the country mine is, and if it is right, what you say now doesn't make any difference.

I am only suggesting that while the jury is still out, remember the purpose of this, like the purpose of Cambodia, is to reduce American forces, to reduce our casualties. And I should point out that that is exactly what this administration has done. We have kept every promise that we made. We have reduced our forces. We have reduced our casualties. We are going to continue to reduce our forces, and we are getting out of Vietnam in a way that Vietnam will be able to defend itself.

Q: Mr. President, partisans in Turkey have kidnaped four of our flyers and are holding them for $400,000 ransom. Do you think the Turkish government should negotiate with the terrorists and is there anything that you think that we can or should do in a situation like this?

A: Mr. Healy, we have had that situation with several other governments. I would not suggest that the Turkish government negotiate on this matter because I believe that is a decision that that government must make, having in mind its own internal situation.

Q: The Arabs have reportedly agreed to sign a peace treaty with Israel in exchange for certain withdrawals by Israel from the territory occupied in 1967. Is it not now time for the Israelis to make some concessions of their own and will you be asking them publicly or privately to do so?

A: Mr. Semple, as you well know, because you are sophisticated in this area, the question there is whether or not the United States will impose a settlement in the Mideast, and the answer is no. We will do everything that we can to urge the parties to talk. And, incidentally, when we talk about the problems in the Mideast, let it not go unnoted that we have made some progress. There was four years of fighting up until August of last year, and for seven months no guns have fired in the Mideast. That is progress of a kind.

We hope that the ceasefire either by agreement or de facto will be extended. We hope the Israelis and the Egyptians and, for that matter the Jordanians will continue some kind of discussion. As far as imposing a settlement, however, we can only say that we can make suggestions, but we are going to have to depend upon the parties concerned to reach an agreement.

We, of course, will be there to see that the balance of power is maintained in the Mideast. We will continue to do so, because if that balance changes that could bring on war, and also we are prepared, as I have indicated, to join other major powers including the Soviet Union guaranteeing any settlement that is made, which would give Israel the security of its borders that it might not get through any geographical acquisition.

Q: You said earlier about Communist China, at least you were perfectly clear about your position on Communist China seeking entrance in the United Nations. Someone asked you if you would favor a two-China policy, but you were not completely clear about that. Could you say, sir, if Taiwan maintained its position on the Security Council, if it maintained its position in the United Nations, if you would favor seating Communist China?

A: That is a moot question at this time, because Communist China or the People's Republic of China, which I understand stirred up people in Taiwan because that is the official name of the country, but Communist China refuses even to discuss the matter. Therefore, it would not be appropriate for me to suggest what we might agree to when Communist China takes the position that they will have no discussion whatever until Taiwan gets out. We will not start with that kind of a proposition.

Q: A few months back, you were quite optimistic about the successful conclusion of the SALT talks. Are you less optimistic now?

A: I am just as optimistic now as I was then about eventual success. As you will note from our World Policy Report, the two great superpowers now have nuclear parity. Neither can gain an advantage over the other if the other desires to see to it that that does not occur. Now, under these circumstances, therefore, it is in the interest of both powers to negotiate some kind of limitation, a limitation on offensive and defensive weapons. We will be stating a position on that on March 15 when the new talks begin in Vienna. As far as when an agreement is reached, I will not indicate optimism or pessimism. As far as the eventuality of an agreement, my belief is that the seriousness of the talks, the fact that there are great forces, the danger of war, the escalating costs, and the fact that neither power can gain an advantage over the others, I think that this means that there will be an agreement eventually between the United States and the Soviet Union.

Q: And defensive weapons?

A: I should add that I know that the suggestion has been made that we might negotiate a separate agreement on defensive weapons alone. We respect that proposal. We will negotiate an agreement that is not comprehensive but it must include offensive as well as defensive weapons, some mix.

Q: Mr. President, I would like to go back for a moment to your first answer in which you said that what has happened in Laos has already assured more troop withdrawals.

Were you saying that on the basis of what you obviously consider a success in the Laotian operation will allow you to withdraw American troops at least at the present rate of twelve and a half thousand men a month for 12 months?

A: What I am saying, Mr. Kaplow, is that our troop withdrawal schedule will go forward at least at the present rate. It will go forward for at least the present rate.

And when I make the announcement in April, that, of course, will cover several months in advance. More important, however, is the troop withdrawal schedule for next year because, as you will note in my foreign policy report, at least, the oral report I made, I pointed out that the Laotian operation this year would save American lives, save American lives by destroying or capturing equipment that otherwise might move into I Corps where a number of Americans are located. And that next year it would serve to guarantee the continued success of our withdrawal program.

The more that the disruption of the complex of trails leading from North Vietnam to South Vietnam occurs in the operation now being conducted on the ground by the South Vietnamese in southern Laos—the more that that occurs, the more successful that it is, the greater possibility that the United States may be able to increase the rate of its troop withdrawal.

I am not prepared to make that decision yet, but we can say at this time the troop withdrawal will continue at its present level. I can say, incidentally, that even since the Laotian operation began, with all the news, 10,000 Americans have come home in this period.

The PRESS. Thank you, Mr. President.

Mr. DOLE. Mr. President, let me emphasize, as has been emphasized already today, that President Nixon made it perfectly clear last evening, as he has many times in the past: The program of Vietnamization is succeeding in South Vietnam; American troops are being withdrawn; the program is on or ahead of schedule; in every instance the President has kept his word to the American people; there will be a further announcement in the month of April with reference to future troop withdrawals; and the South Vietnamese incursion into Laos and the American incursion into Cambodia last year have made it possible to keep the Vietnamization program on schedule and it will continue on schedule.

Mr. President, I believe this is highly important. I can think of no greater hope for all Americans than to wind down this war in Southeast Asia, and as has been indicated earlier today, to obtain the release of American prisoners of war in South Vietnam, Laos, Cambodia, and North Vietnam, wherever they may be. Thus, I consider the President's statement last evening to be of historic significance and feel it should be included in full in the RECORD for the detailed study of all those who are concerned with our foreign policy.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, if there is no further morning business, I ask that morning business be closed.

The PRESIDING OFFICER (Mr. WEICKER). Is there further morning business? If not, morning business is concluded.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, what is the pending question before the Senate?

The PRESIDING OFFICER. The pending question is on the motion to postpone to the next legislative day the motion to proceed to the consideration of Senate Resolution 9.

Mr. BYRD of West Virginia. I thank the distinguished Presiding Officer.

BUSINESS ON THE LEGISLATIVE CALENDAR

Mr. BYRD of West Virginia. Mr. President, as the Senate completes its business today, there is nothing on the legislative calendar with the exception of Senate Resolution 9, which is the pending business—to amend rule XXII; Senate Joint Resolution 17, to establish a Joint Committee on the Environment; and Senate Resolution 17, to amend rule XXIV of the Standing Rules of the Senate with respect to the nomination and appointment of committee members.

PROGRAM FOR MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, the program for Monday next, March 8, 1971, is as follows:

The Senate will convene on Monday at 11:30 a.m., following the expiration of the recess. Following the approval of the Journal, if there is no objection, and the recognition of the two leaders, under the standing order, the able Senator from Indiana (Mr. BAYH) will be recognized for not to exceed 15 minutes, to be followed by the able Senator from Wisconsin (Mr. PROXMIRE) for not to exceed 15 minutes.

Following the recognition of those two Senators, under the previous order, there will be a period for the transaction of routine morning business for not to exceed 45 minutes, with statements therein limited to 3 minutes.

Upon conclusion of the morning business on Monday next, the Senate will resume its consideration of the pending business. I anticipate no rollcall votes on Monday next.

At the close of business on Monday, under the previous order—which order is subject to change—the Senate will stand in recess until 12 o'clock meridian on Tuesday next.

PROGRAM FOR TUESDAY NEXT

Mr. BYRD of West Virginia. Mr. President, under rule XXII, there will be 1 hour of debate on Tuesday next, the hour to begin immediately following the approval of the Journal, if there is no objection. Under the previous order, the 1 hour will be equally divided and controlled by the distinguished Senator from North Carolina (Mr. Ervin) and the distinguished Senator from Idaho (Mr. Church). At the close of the hour, a quorum call is mandatory under the rule. Upon the establishment of a quorum, a rollcall vote is automatic on the motion to invoke cloture on the motion to proceed to the consideration of Senate Resolution 9.

Therefore, there will be at least one rollcall vote on Tuesday next. That rollcall will occur at about 1:10 p.m. or 1:15 p.m. on Tuesday next.

If the motion to invoke cloture fails to get the required number of votes on Tuesday next, it is anticipated that further consideration of Senate Resolution 9 will be put aside. I say this in view of the fact that the distinguished majority leader has already indicated that next Tuesday's vote on cloture will be final, inasmuch as it will constitute a fourth vote on the motion to invoke cloture.

Among the next items of business to be considered thereafter will be the proposed amendment permitting 18-year-olds to vote in Federal, State, and local elections, and a bill to extend the Appalachian Regional Development Act—probably, but not necessarily, in that order.

RECESS TO 11:30 A.M. ON MONDAY, MARCH 8, 1971

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 11:30 a.m. on Monday next.

The motion was agreed to; and (at 2 o'clock and 3 minutes p.m.) the Senate recessed until Monday, March 8, 1971, at 11:30 a.m.

EXTENSIONS OF REMARKS

ENVIRONMENT—NUCLEAR POWER

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. HOSMER. Mr. Speaker, earlier this week, WRC television in Washington aired an editorial comment regarding nuclear power and the environment. The station's conclusion was that from an overall standpoint of an improved environment, nuclear powerplants represent the best available course.

Reasonable men truly concerned with protecting man from the ravages of pollution—particularly air pollution—usually reach the same conclusion.

I am pleased to include the station's editorial in the Record for the enlightenment of those who feel otherwise:

ENVIRONMENT—NUCLEAR POWER

> Consumers are hungry for cheap electricity, more free from blackouts and smog. The atomic power plant may be the answer. It means buildings full of sophisticated equipment, often in remote locations humming quietly, without noxious sulfur dioxide and nitrous oxide and the belching smoke of the typical power plant.
>
> But to the critic, that same nuclear power plant means possible release of radiation, heating of waterways and perhaps accidents—all a threat to the environment and human life.
>
> These differing points of view clashed recently over the precedent setting Calvert Cliffs nuclear power plant on the Chesapeake Bay, about 45 miles from Washington.
>
> The controversy brought out the fact that present conventional power resources in the area cannot keep up with the ever increasing demand nor meet the three to eight fold expansion needed in the Chesapeake Bay area by the year 2000.
>
> The threat of atomic radiation leakage and the impact of a nuclear power plant on the ecology over a long period of time must be balanced against the present and future threat of oxide and particulate pollutants in the air.
>
> At the heart of the issue is the desire of the people in the Washington-Baltimore area and the nation for goods and services that use electrical power.
>
> This demand is not likely to decrease, indeed it will increase and the bill must be paid.
>
> In terms of an improved environment without reference to Calvert Cliffs, WRC–TV feels that the better course lies in the production of power with atomic energy.

TRIBUTE TO DISABLED AMERICAN VETERANS

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. ICHORD. Mr. Speaker, I rise on this happy occasion to join in paying tribute to the federally chartered Disabled American Veterans who have done so much to benefit the American victims of war in this 20th century and to assist the families of those dead and injured service personnel who gave their blood in defense of our flag.

On August 8, 1971—and extending through August 13—the DAV annual national convention will be held for the 50th time, bringing to a climax this 50th golden jubilee year in the organization's life.

A half century is a long time in the life of any organization and it always seems to me to be remarkable that the DAV is able to follow every year of accomplishment with new successes.

Time dims recollection and, for that reason, I think it appropriate to recall, Mr. Speaker, an event which occurred in the course of DAV's first national convention in June of 1921. That convention was held in Detroit and, for that reason, this year's session will be held in that same "motor city."

Those who are familiar with the history of DAV will remember that the single individual most responsible for the creation of the organization was a disabled veteran in Cincinnati, Ohio, Judge Robert S. Marx. Judge Marx had entertained 100 of his fellow World War I wounded veterans at a Christmas party in 1919 and was so moved by their almost unanimous accounts of hardship in coping with the redtape of Government bureaucracy that he set out to persuade veterans and the Government that an organization of the disabled would be the best answer in dealing with the problems of the disabled.

At Detroit in that spring of 1921, Judge Marx—chosen in 1920 to serve as president of the DAV until its initial convention—massed the 1,000 disabled veterans in attendance and led them in a parade through the streets of that city.

The best description I have ever read of that event has been provided by the DAV national office in its jubilee anniversary report. Permit me to quote from this report:

> It was a parade of people, some of whom coughed violently from TB, some hobbled unsteadily on new limbs, blind men were led by those who could see better and those who could not walk rode in cars or wheelchairs. The parade was escorted by the police and troop of cavalry—and it was raining. The DAV carried the flag of their country as they marched proudly in the rain of Detroit.
>
> Men and women who watched dabbed back the tears of memory for loved ones who had not returned from the war. They took their hats off when the flags passed—and did not put them back on in tribute to the proud men who marched behind. The crowd lifted their chins and smiled proudly as they saw the determination of the Disabled American Veterans of the World War. Judge Robert S. Marx marched his troops into the heart of the American citizen.

That is the end of the quote, but I know of no better way to describe the DAV in the 50 years since its founding. It has steadily marched into the heart of the American people and, thanks to DAV's farsighted national service officers' training program for providing talented manpower seeking a career in service to disabled veterans, the DAV, I am sure, will continue to do so for many more golden jubilees to come.

THE KISSINGER-ROGERS CREDIBILITY TEST

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. RARICK. Mr. Speaker, it has proven most interesting that the President was reportedly very anncyed upon learning that his Secretary of State Rogers, has become the laughing stock of the Washington cocktail circuit by many people who label him as a figurehead Secretary subservient to Henry Kissinger.

Perhaps the President is unaware that many American people around the country, not of the cocktail circuit, consider the President himself to be a figurehead and Henry Kissinger to be the man who is making the gut decisions in running the country.

In any event, a recent article by James Reston probably best describes the Kissinger-Nixon relationship through the manipulations of such a high-sounding committee as the National Security Council where Mr. Kissinger is the man who not only presents the problem and solution but too many times also recommends the alternative. But then in past history, every vacillating leader has always relied on an intellectual in the background to tell him what, how, and when. So, if the country fails, it will be Henry's error in decision, and Mr. Nixon will need only get himself another alter ego before the 1972 election.

I include several newsclippings:

[From the Washington Evening Star, Mar. 3, 1971]

THE KISSINGER CONTROVERSY

Henry Kissinger is in the center of a bitter controversy here for three reasons: 1. Despite White House denials he is undoubtedly the principal adviser to President Nixon on foreign policy; 2. That policy, particularly in Indochina, is opposed by influential members of the House and particularly the Senate, who feel they have a constitutional duty to examine the logic of the President's decisions; but, 3. They cannot question Kissinger about Laos, the Middle East, or anything else.

They can, of course, summon Secretary of State Rogers to Capitol Hill and question him, but it is widely believed here, as Sen. Stuart Symington, D-Mo., asserted on the floor of the Senate yesterday, that Kissinger has been given many of the advisory powers normally reserved for the secretary of state, and that he exercises them in the "privileged sanctuary" of the White House, without congressional review.

It should be made clear what is not at issue here. Even Chairman Fulbright of the Foreign Relations Committee, Symington, and the other critics of the Indochina policy are not saying that Kissinger is responsible for that policy or that he is playing some devious Rasputin role.

The issue is simply that he defines the questions to be answered by the departments, formulates the options and the arguments for and against, consults privately with the President at the last stage before decision—and that he is not accountable, as the secretary of state is, to the Congress, though his influence is undoubtedly greater than Rogers'.

Several events have envenomed this conflict between the right of the Senate to "advise and consent" on critical foreign policy questions, and the right of the President to take executive action, protected by "executive privilege."

Kissinger, recognizing the dilemma, agreed to meet privately with Fulbright and members of his committee at Fulbright's house on Belmont Road. He did so twice, with the approval of the President, but the last time fell just before the U.S. invasion of Cambodia, and Kissinger said nothing about it.

He felt he was not privileged to do so, but Fulbright felt that the committee was misled by his silence, and that this sort of informal meeting merely gave the impression of consultation but not the substance.

Several weeks ago, a member of Kissinger's National Security Council staff, John Lehman Jr., was reported in the press to have attacked Fulbright in a private meeting as "mischievous" and not to be trusted with secret information placed before his committee.

Kissinger has since criticized Lehman for "poor judgment," but when Fulbright invited Lehman to explain his charges, the White House again invoked executive privilege and instructed both Lehman and Kissinger not to appear.

Last week, Kissinger added to the controversy over his role by going on a CBS television program with Marvin and Bernie Kalb to discuss the President's state of the world message, which was largely written by Kissinger and his staff.

Always before, he had refused to talk publicly about the substance of foreign policy, but this time he thought he could merely talk about how the report was written.

Was he trapped into answering questions by reporters after refusing to answer questions by senators? "No," he says, "I merely misjudged the situation, and I'll certainly never do it again."

There is, of course, nothing in the Constitution that says the secretary of state has to be the principal adviser to the President on foreign policy.

Roosevelt often used Harry Hopkins rather than Secretary Hull in this role. Kennedy drafted the Harvard faculty. Johnson often called in Justice Fortas, Clark Clifford, and Dean Acheson at the last minute before making his decisions.

What is new now is that Nixon has insitutionalized the advisory function under Kissinger in the White House, given it a much larger staff (now 42 professional and 68 clerical and other aides) and larger responsibilities, and put these larger powers beyond congressional review.

This does not mean that the departments are cut out of the decision-making process. In fact, the more formal Nixon system is designed to involve them closer to the point of decision. Kissinger chairs first a senior staff committee composed of the undersecretary of state, the deputy secretary of state, the deputy secretary of defense, the head of the CIA, the chairman of the Joint Chiefs of Staff, and one staff member.

The job of this committee is not to make recommendations, but to define the choices open to the President. In fact, there is even one member of Kissinger's staff whose job it is to read all relevant public comments on the subject and suggest from these any additional course of action that may have been proposed.

This objective case study of the problem is then placed before the top National Security Council composed of the President, the vice president, and the principal security cabinet members. (Normally, Kissinger, as secretary of the council, defines the options in these meetings and the President asks each cabinet member for his recommendations, but seldom Kissinger at this point. It is only later, after the President has studied the recommendations, that he usually calls in Kissinger before the final decision—but this, of course, is the critical moment and a major source of Kissinger's power.

In many ways it is the most orderly system of decisionmaking in Washington since the last world war, but this does not remove the central issue of congressional review with Kissinger or with John D. Ehrlichman, who exercises the same kind of unreviewed power on domestic policy.

The President, who is normally an advocate of decentralizing power, has actually centralized more power under the White House umbrella of executive privilege than any other chief executive in this century.

And the diplomats are almost as puzzled by it as the senators, for they want to get close to the power center and to Kissinger too, and actually they manage to do so more often than the Congress of the United States.

NIXON ASSERTS ROGERS IS TOP POLICY AIDE

(By Garnett D. Horner)

President Nixon has asserted vigorously that Secretary of State William P. Rogers is his chief adviser on foreign affairs.

Nixon was obviously very much annoyed yesterday at a Senate speech by Sen. Stuart Symington, D-Mo., describing Rogers as the laughing stock of the Washington cocktail circuit whom many people label as just a figurehead secretary.

Symington, in a speech yesterday entitled "The Kissinger Syndrome," said the President's personal adviser for national security affairs, Henry A. Kissinger, has acquired a "unique and unprecedentedly authoritative role in foreign policy." The result has been "obvious decline in the prestige and position of the secretary of state and his department," he said. Meanwhile, Kissinger has become second only to Nixon in power, he added.

Unlike Rogers, however, Kissinger refuses to testify before congressional committees on the shape and development of American foreign policy, claiming "executive privilege as a member of Nixon's staff."

Symington's speech followed an announcement by Sen. J. William Fulbright, chairman of the Senate Foreign Relations Committee, that he is urging legislation to compel administration foreign policy officials—including Kissinger—to testify before congressional committees.

Symington yesterday backed Fulbright saying isolation of key advisers from Congress "distorts the fundamental premise on which our country was founded—representative democracy."

Nixon replied by sending his press secretary, Ronald L. Ziegler, to tell newsmen that the impressions left by Symington's speech are "misleading, totally inaccurate and unfair."

Ziegler said Nixon emphasized that Rogers is a valued member of his Cabinet and a man he values highly as his "chief adviser on foreign affairs."

The President told him to say, Ziegler added, that he "has the utmost confidence" in Rogers and his judgment.

Nixon also emphasized, Ziegler said, that Rogers will remain his top adviser on foreign affairs.

"People who think otherwise are misleading themselves and others," he declared.

Ziegler said the President remarked that it is often traditional in Washington for "those who are politically motivated to attempt to drive a wedge between key advisers and the President."

Nixon went on to say, Ziegler reported, "that he knows better than anyone the contribution the Secretary of State has made to this administration in foreign policy."

Symington's remarks heightened discussion of the relative influence in formulation of foreign policy of Rogers and Kissinger.

As head of a White House foreign affairs staff of 110, Kissinger is in daily contact with Nixon. But Ziegler said the President talks with Rogers by phone several times nearly every day, and sees him as often or more often than any other member of his Cabinet.

[From the Washington (D.C.) Post, Mar. 5, 1971]

Gibe at Rogers: "A Cheap Shot"

(By Chalmers Roberts)

President Nixon last night charged Sen. Stuart Symington (D-Mo.) with taking "a cheap shot" by belittling the foreign policy role of Secretary of State William P. Rogers.

The President described Rogers as "my oldest and closet friend in the Cabinet," a man he has known for 24 years, and he said that his remark about Symington was based on the fact that the senator knows that relationship.

Rogers, said the President, is "the foreign policy adviser to the President," and the chief spokesman for the administration on foreign policy. The President said Rogers "participates in every decision and will continue" to do so and that he proffers advice on domestic matters as well.

As to Henry A. Kissinger, the White House assistant for national security affairs and the man Symington said on Tuesday is widely regarded as Secretary of State "in everything but name," Mr. Nixon declared, "I value his advice very much." Kissinger's role is different from that of Rogers, he said.

Kissinger covers not only foreign policy but also national security and coordinates these matters.

Thus, said Mr. Nixon, the answer to the question of which of the two men "is on first" is that the Secretary of State is "always the chief foreign policy adviser and spokesman of the administration."

The President was asked later in his press conference if he saw any limit to the doctrine of executive privilege which has shielded Kissinger from formal interrogation by congressional committees.

He smiled and said that issue "always depends on which side you're on."

He recalled that as a young member of the House he had raised "serious questions" about President Truman's use of executive privilege to shield officials and that, in retrospect, that privilege had been "properly insisted upon" by Mr. Truman.

"As President," he said of the doctrine, a bone of congressional-executive tensions during the whole history of the nation, "I believe executive privilege is essential for the orderly processes of government."

He went on to comment on a related issue, charges by Senate Foreign Relations Committee Chairman J. W. Fulbright (D-Ark.) and others that Rogers has ducked questioning by his committee especially in public sessions.

Mr. Nixon said he was surprised at the idea that the Secretary of State had been "unavailable for questioning." He added he had checked the record to find that Rogers had appeared before Senate and House committees 14 times in 1969 and 15 times in 1970 and that, further, he had had 167 private meetings with individual senators or in groups either at the State Department or at his home.

Furthermore, Mr. Nixon said that over the past two years State Department officials had testified 499 times at the Capitol. As to Rogers' own appearances, the President commented that he did not know how "he has time to talk to me with all the times he's talking to the Congress."

The expected defense of Rogers, the second time this week, however, is not likely to still those who contend he does not appear enough on the record and when he does appear even in private he is not sufficiently forthcoming.

Fulbright yesterday released, in advance of the press conference, a speech he intends to make today. He declared that "power and influence in the making of foreign policy have passed largely out of the hands of the State Department—which is accountable to Congress—into the hands of Dr. Kissinger's National Security Council Staff—which is not, under the present practice, accountable to Congress."

Fulbright termed executive privilege "a custom, not a law and, even as a custom, it has been understood until recently to apply to information rather than persons." He said Kissinger, whom he termed "the principal architect of our war policy in Indochina," had "steadfastly refused" to appear before any committee though he "appears on television, provides background briefings for the press" and occasionally for "selected" members of Congress.

This procedure, Fulbright went on, is "a repudiation of the very concept of a government of checks and balances," leaving a President at liberty "to do anything he wishes, at home or abroad, as long as he manages to keep it secret." That, he said, is what Presidents Johnson and Nixon have done in Indochina.

Since the courts have not adjudicated the executive privilege issue, said Fulbright, the remedy is a bill be proposed requiring Executive Branch employees to appear in person before Congress when summoned even if they do no more than invoke executive privilege.

The Senator also declared that either the Senate or House has the power to try and punish a "recalcitrant witness" including "imprisoning him in the Capitol." But, he added, he did not for a moment suggest "so drastic a procedure" for Kissinger or any other official. Yet, Fulbright added, something must be done by means such as his proposal, "to make a small breach in the wall of secrecy" separating Congress from the executive branch especially on matters related to the Indochina war.

DAV DAY IN CONGRESS

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. HOGAN. Mr. Speaker, today has been set aside in the House and Senate to commemorate the 50 years of service of the Disabled American Veterans to America's war disabled.

I think that it is appropriate that we should entitle this day, "A Tribute to Quiet Courage." Our disabled American veterans have sacrificed as much as any human beings could be expected to sacrifice—a part of their own person.

This quiet courage has really been brought home to me through my involvement in the case of one of my constituents, a Marine Corps veteran, Charles E. "Butch" Joeckel, Jr. Butch's tour of duty in Vietnam resulted in the sacrifice of both legs, yet his quiet courage prevails. He has been honored with not only the Silver Star Medal, but also the Navy Commendation Medal for consistent high performance.

Not only should we pay tribute on this day to the courage of our disabled American veterans, but also to their dedicated service. I am continuously impressed by the quality and scope of their involvement in efforts to aid America's wartime disabled.

The Disabled American Veterans, Department of Maryland, was organized April 16, 1945, and has 5,000 members to date. They have participated in hospital work at five veterans and military hospitals in the State of Maryland. They have spent more than $10,000 in the past year on this project and with the help of 650 volunteers have visited and worked with about 23,000 patients, resulting in a total of 7,000 man-hours.

This organization, whose main aim is to give direct aid and service to veterans in the hospital, has also been active in a salvage program which provides needy veterans with clothing and furniture.

On this occasion let us pay tribute to the DAV and to all disabled veterans for their quiet courage and dedicated service.

PERRY HALL MAN WHO VOLUNTEERED DIES IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. LONG of Maryland. Mr. Speaker, a fine young man from Maryland, Sgt. Robert J. Potts, was recently killed in action in Vietnam. I would like to commend his courage and to honor his memory by including the following article in the Record:

Perry Hall Man Who Volunteered Dies in Vietnam

Sgt. Robert J. Potts, who grew up in Perry Hall and had volunteered for a second tour of duty in Vietnam, was killed there when a rocket hit the jeep in which he was riding, the Defense Department has announced. He was 22.

Sergeant Potts was hit February 21 while riding outside of Da Nang, South Vietnam, the military command announced. He had been a radioman in the 173d Airborne Brigade.

Funeral services were held yesterday at the Kenwood Presbyterian Church, 4601 Fullerton Avenue.

Sergeant Potts had graduated from Golden Ring Junior High School, and from Perry Hall Senior High School in 1966. He worked about a year as a clerk with the State Roads Commission before enlisting in the Army.

He first went to Vietnam in April, 1968. He was later stationed in California and Hawaii before Volunteering last August to go back to the fighting zone.

"He felt that by going back to Vietnam he would be fulfilling something he had to do," said his sister, Mrs. Beverly A. Williams, of Crownsville, Md. During the last six months he decided that he wanted to go to college when he got out of the Army, she said. He also had become engaged to Mary A. Hyman, of Belmar, and they were to be married next August.

Besides his sister, he is survived by his mother, Mrs. Marie C. Potts, of Crownsville, and brother, Charles E. Potts, of Glen Burnie. Mrs. Potts had moved in with her daughter last April and the sergeant's official address was 716 Claire Road, although he had not lived there.

THE ATOM VERSUS THE ENVIRONMENT

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. HOSMER. Mr. Speaker, last Friday night in Oak Ridge, Tenn., I addressed the annual Engineers Week dinner, sponsored by the Tennessee Society of Professional Engineers.

In my prepared remarks, I attempted to make what I feel are some important and often misunderstood points regarding the development of nuclear power and protection of the environment. Those remarks follow:

THE ATOM VERSUS THE ENVIRONMENT

It was just two years ago—almost to the week—that I was last here in Oak Ridge for a talk on nuclear power. The audience that evening was the nuclear safety program information meeting. The *issues* then were pretty much as they are now—getting reactors licensed in a timely manner, winning public acceptance and coordinating our national energy resources in some sort of rational manner. But as I began to prepare my remarks for this evening, I was struck by just how much the socio/political climate has changed during those 24 months.

Development of the peaceful atom has regularly been beset by difficulties above and beyond the technical questions involved. But the problems of 1969 seem pale in comparison to the shadows lurking in and around and over nuclear power today.

Let me repeat a few of the sentences I uttered here in February 1969, not because the words are particularly memorable, but to illustrate how rapidly the winds of public opinion can change. I said:

"Because of a before-the-fact emphasis on reactor safety, the nuclear power industry has largely solved the public acceptance dilemma it faced just a few short years ago."

Furthermore, I was brash enough to add that:

"Most people today are confident that the peaceful uses of atomic energy are being developed with their best interests in mind, and that their personal health and safety are being skillfully protected by highly trained and competent individuals."

But that was two years ago. Today it is painfully clear that our efforts toward legitimizing the peaceful atom, making it an accepted and respected part of society, have largely been wiped off the books.

The fact is that a substantial and growing segment of the public somehow has become convinced that a reasonable doubt exists about the wisdom of developing nuclear energy at all. Perhaps this doubt has been engendered largely by the guilt-by-association syndrome fostered against all industry and all technology by an intrepid corps of anti-power, anti-industrial society critics who just don't want to stop at cleaning up our environment, but are hell-bent on sending the world back to whence it came to be refurbished into its original pristine condition.

Because of all this, the prevailing public mood seems to be that the smoke generated around nuclear power surely must mean that there is a fire somewhere. My personal impression is that if anyone actually penetrated all the smoke, he would only find Misters Tamplin, Goffman and Sternglass running around in circles with stinkbombs.

THE GOOD GUYS VS. THE BAD GUYS

It is ironic but true, nonetheless, that lately even the peaceful atom has been cast in the role of bad guy, little better to have around than his weaponized elder brother. The reason is simple enough to understand. Time and time again, those of us who believe in nuclear development have been forced into unwilling and unnecessary confrontations with such unquestionable latter day good, guys, the highly touted new folk heroes, the new breed of super environmentalists, looming sterile clean 10 feet tall above us.

And because radiation per se seems bad, and regardless of our carefully reasoned, scientifically sound arguments, we come off with the image of some sleazy no-good trying to rationalize pollution, sickness and death.

It's a bump rap. You know and I know and most reasonable people will agree—if they stop to think about it—that electricity in general and nuclear generated electricity in particular is among the least of our environmental worries. In fact, it is man's brightest hope for reducing and eliminating the whole spectrum of pollutants.

Let's set the record straight:

First, it is nonsense to talk about cleaning up the environment by cutting back on electricity. Pollution control requires more electricity—not less, and here I'm talking about such areas as recycling waste products, sewage treatment, water pollution control, stack emission controls and any potential alternative to the internal combustion engine. In addition, since almost two-thirds of all power generated goes to business and industry, power reductions would mean loss of jobs, loss of productivity and general economic chaos.

Second, given the alternative ways of generating power, nuclear plants are the cleanest. This is not to say they are perfect and have no environmental impact, but they are less objectionable than burning fossil fuels and there are hardly any rivers left to dam.

Third, after 13 years' experience in the design, construction, operation and regulation of central station commercial power reactors, the record shows that they are safe, reliable and that (relatively) their power is getting cheaper and cheaper.

The fact of the matter is that despite the current debate over radiation release standards, no one is really contending that nuclear plants as they actually operate today constitute a health hazard. The point in contention is whether or not they would pose a hazard if they actually operated at the maximum release levels, for human lifetimes—which they don't and which they never will.

And as far as thermal effects go, there is as much evidence of potential ecological benefits as there is of potential harm to fish, the places where they live, the food they eat, or even the enjoyment of humans who catch them.

OVER-REGULATING THE ATOM

But despite all this, let's take a look at some of the dismal happenings to nuclear power over the past couple of years as a result of some people's ill-founded zeal for protecting the environment from evils which don't exist. Consider the following recent news items:

A group of pacifist scientists circulate a petition among their colleagues asking for a world-wide moratorium on the construction of nuclear power plants. They hope to present it to the United Nations.

The Sierra Club and the National Wildlife Federation file suit against the Atomic Energy Commission for not being sufficiently militant in enforcing the Environmental Policy Act.

An attorney, trying to hamstring the AEC Reactor Licensing Process, prolongs a marathon hearing with a meaningless discussion of a 1919 industrial accident involving the rupture of a vessel full of molasses.

A stockholder files suit against a power company charging mismanagement on environmental issues.

Then there's the people's lobby drive to ban nuclear power plants from California, which has 200,000 signatures and is sure to get the 325,000 needed to get on the statewide referendum ballot next year.

The list could go on and on, but the point is clear. Nuclear power, despite the fact that it is already the most carefully regulated industry in history, is being subjected to unprecedented harassment and legal obstructionism. The effect has been to inject mass confusion, considerable hysteria and partial paralysis into what heretofore has been considered a superior example of enlightened federal development and regulation and industry care and cooperation.

We have seen the Congress, the Executive Branch, many States and some cities take an increasingly hardnosed stance against the development of nuclear power. Part of this can be written off as merely political courting of a popular issue. Some of it, undoubtedly, is aimed at sincerely trying to correct what appears to be a problem. But I doubt that the brakes which have been placed on meeting the Nation's energy needs have been worth the roman candles by which they were achieved.

Take this, for example: The Congress added to the AEC's regulatory program requirements that it control so-called thermal pollution under the Federal Water Quality Improvement Act and any other loosely defined environmental effects under the Environmental Policy Act. Both of these laws have been justly characterized as universally confusing with respect to how they should be enforced and by whom, unconsciously vague, and probably unconstitutional.

The Commission itself responded to the environmental cause with a new requirement that radiation releases from reactors be kept "as low as practicable."—A crystal unclear phrase if ever there was one. The AEC has specifically avoided putting any numerical values of this level. As a result, while the industry may have an understanding of what is going on, the public still does not. And if the public doesn't understand, I fail to see what has been achieved other than the whetting of already founded suspicions, fears and alarms.

Many of the States are casting jealous eyes at the AEC's authority to control those radiation releases. Most of you are familiar with Minnesota's celebrated attempt to sneak off with the jurisdictional rule book, and apparently even a rebuff from the trial courts has not dampened its hopes of pulling off a switcheroo on appeal. Other States as well are trying to muscle in on this clearly defined area of exclusive Federal jurisdiction.

Possibly the most serious challenge to the nuclear regulatory picture, however, is coming from the new breed of militant intervenors armed with the widest variety of delaying legal weapons. Their strategy is to block the construction of nuclear plants by tying up the entire licensing process in knots. Their tactics border on capricious nonsense, but so far they have worked. The episode with the molasses vessel is a perfect example.

What is disturbing to me is that of the next 14 reactor license hearings scheduled, 11 of them are expected to be contested. And it is logical to assume that the prospective intervenors in these cases have been carefully following the dilatory antics of those in the Shoreham case in New York and the Palisades hearing in Michigan.

It is apparent to me and to many members of the joint committee that the public hearing process as it is now constituted is not serving the function for which it was established. It is being thwarted and distorted. As a result, some major revisions are due. I think—at least I hope—you will see the Congress act this year to provide legislative relief in this area and afford the public protection from those who seek to turn this process into an administrative circus.

ECONOMICS AND THE ENVIRONMENT

The added environmental attention demanded in recent years also has turned out to be expensive. Delays in getting new power plants on the line are a part of it. The utilities estimate delays cost them from $30,000 to $60,000 per day—$1 to $2 million per month. Those are just direct costs to buy replacement power. Indirect costs such as carrying charges on unused capital, extra manpower charges and the like can run the total way up from there.

If a utility decides to build cooling towers to reduce heat discharges into a natural body of water—add $8 to $13 million to the cost of a 100 megawatt plant. Alternatively, cooling ponds have $6 to $9 million price tags.

Other environment-related costs could go this way: $1 million for hardware to eliminate radioactive emissions; about $250,00) per year per site for a spectrum of hydrological, atmospheric and radiation research: and heaven-knows-how-much for retrofitting, appealing and popular new environmental protection systems or safety devices to an existing plant. And all this, of course, is in addition to the $415,000 which the AEC now charges a utility just to process the paperwork for a construction permit and the operating license.

ENVIRONMENTAL EXTREMISM

There is a third major area of environmental impact on nuclear power I would like to touch on. Perhaps from the long-range viewpoint, it is the most serious. It involves the loss of public trust. The scientific and political headline-seekers, the public name-callings, the anti-nuclear horror books, the sensationalized media coverage—all of these have eroded the well-earned public confidence which the outstanding safety record of nuclear power had built over the past 20 years. Until that trust is re-kindled, we can expect more legal and economic penalties which will make the job of building reactors and providing kilowatts very difficult, discouraging and costly.

Simply educating the public won't be sufficient. Nor can nuclear power ignore the layman or take refuge in some smug allegation that John Q. Public is intellectually incapable of comprehending the esoteric difference between absolute, unquestioned safety and the high but finite level of safety in a reactor involved in establishing socially acceptable risks. What is most important, I believe, is that the entire nuclear community must achieve a new and sincere willingness to adapt to the changing priorities of the public.

In the past, the objectives of the electric power industry were to provide reliable, adequate and cheap supplies of power. Now new requirements have been added. They are to do all that with minimum environmental and esthetic impacts. It is now the responsibility of industry and government to meet these challenging goals. That is what government by the people, of the people and for the people is all about.

For its part, the public has a concurrent responsibility. And that is to avoid demanding the impossible or the unfeasible, such as zero environmental impact. That demand is irrational. Extremism in defense of the environment is no more a virtue than extremism in other emotional causes.

A perfect example of environmental extremism is the petitions floating around out in California for a moratorium on nuclear plant construction. If it ever gets on the ballot and the people are faced with the clear, stark possibility of dim-outs, rationed power, and all the personal and economic maladjustments involved, I can only hope that the people will see where their true interests lie and decisively reject this and any similarly ill-conceived plans to un-invent the wheel. However, in the particular climate that exists today there is some chance that voters will buy any measure proporting to protect the environment, no matter how disastrous its potential consequences actually may be.

To protect ourselves from such a risk we should, perhaps, reiterate publicly some of the incontrovertible truths of this nuclear age. In the first place, I fail to see how you could learn anything about the environmental consequences of nuclear power without an aggressive research, development and demonstration program, which is precisely what the AEC has been doing since 1954. In the second place, there is more knowledge, more knowledgeable people and more money spent on the environmental effects of nuclear power than in any other field. Third, from a practical standpoint, the power supply situation is such that we can't afford to shut off any source of electricity. And fourth, consider the alternatives. If we were to shut down all reactors, the result would be more fossil-fueled plants, more air pollution, a new drain on our already scarce reserves of coal, oil and natural gas or a substantial shut-down of the entire country.

On the other side of the fence, the nuclear community admittedly sometimes has been guilty of oracular excesses which do nothing except lead to further unnecessary confrontations. For example, we often have a tendency to regard nuclear development as something akin to a religious crusade, complete with infidels and non-believers who should at least be drawn and quartered or, better yet, hung on sight.

We can remind ourselves that it is not the responsibility of the AEC, the Joint Committee, the AIF, the ANS, Al Weinberg or anyone else to tell the citizens of Minnesota or Maryland or California that they must have a nuclear power plant whether they want one or not. Their proper functions are simply to develop a valuable technology, to make certain it is safe, to let American industry go ahead with it at its own pace and under proper regulation, and, finally, perhaps provide the public with a little soft sell about its benefits. We have to learn to accept the fact that if the residents of a certain community decide they don't want the priceless benefits we are bestowing upon them—as they did in Eugene, Oregon—then that is their God given right. It should be discouraged, but it should not be taken as either heresy, lunacy or a dire threat to the American way of life.

On their part, of course, the States and the communities should acknowledge that once a decision is made to build a reactor—and that decision is made by the power company and ratified locally through the Zoning Commission or PUC—then the Federal Government has the responsibility under the Atomic Energy Act to make certain that it is done properly. That's the law! The States have no more right to regulate these plants than they do to print their own currency. It is clear and simple that the Federal Government pre-empted this field. But if they don't want nuclear power, so be it. Let them build fossil-plants or unscrew their light bulbs.

GETTING ALONG WITH THE ENVIRONMENTALISTS

The real answer for the nuclear community lies not in further confrontations with the ecophiles but in reasonable compromise. As a member of Congress, I often have to accept amendments to my legislation in order to get it passed. The result may not be as good a bill, but it is better than no bill at all. I think the same principle applies here. I can think of reactor siting and radiation releases as two needful areas for agreement.

Take siting for example. TVA's former power manager, George Wessenauer, recently said that the perfect reactor site is one in which there has been no evidence of any seismic activity over the past millennia and is not subject to hurricanes, tornadoes, or floods. It should be in an endless expanse of unpopulated desert with an abundant supply of very cold cooling water flowing nowhere and containing no aquatic life. Most important, it should be adjacent to a major load center. The only addition I would make is that the site also should be invulnerable to nuclear war or sabotage and serve the dual purpose of an indescribably inspiring natural park and wildlife refuge.

But since such a site does not exist—if it did, I'm sure either TVA or Con Edison would have found it by now—we have to take whatever is second best. Environmentalists should gracefully and tastefully accept the fact that power plants have to be built somewhere—and that they can't always be on somebody else's river in somebody else's State.

The power companies have to recognize that the public puts a high premium on recreation, esthetics and general ecological protection, and that kilowatts are not the exclusive exquisite feature of modern life. The compromise comes in balancing two very desirable goals—ample power and environmental protection. The question is who should have—or accept—the responsibility for this balancing act.

Several different answers have come forth in recent months. In his environmental message to Congress earlier this month, President Nixon offered a national power plant siting plan. Chairman Nassikas of the Federal Power Commission had a slightly different approach last year. Two years ago, Congressman Chet Holifield and I made our own similar "power park" proposal to California's Governor Ronald Reagan. And I understand the AEC is drafting a proposal for an early site hearing on reactors.

Irrespective of whose plan you look at, several common objectives become apparent. One is forcing the power companies into developing sensible and comprehensive long-range plans—in most cases 10 years ahead—and publicizing them. The utilities don't like to do this. It limits their flexibility. But they are going to have to. Another common feature is giving one agency the dual responsibility for considering both the power needs of an area and protection of its environment. Also in the common current is an idea that power companies should have reasonable assurance that once all the siting issues have been thrashed out in public hearings, they will be free to go ahead without the ground-rules being changed or new requirements added.

Unfortunately, I see no developing moves to consolidate and simplify the siting process but rather steps to further complicate it. The President's measure and the AEC bill, as I understand them, would require four separate hearings even before construction begins—two by the proposed regional siting agencies, plus an early site hearing by AEC, plus the regular construction permit hearing. That's just too many. It adds new levels of bureaucratic meddling to an already ponderous system.

A more simple and logical scheme would involve a single hearing proceeding during which all properly interested parties could state their positions on their respective items of interest. Then a final decision would be rendered by the hearing authorities—each as to its own area of jurisdiction—but as part of one, single, coordinated over-all judgement. This would avoid the enormous time and expense of multiple hearings and avoid the possibility of conflicting rulings by different authorities.

As a parting shot on the subject of radiation release criteria-standards it is clear that reactors can operate satisfactorily at a fraction of the present limits. Technology also is making it possible to reduce these emissions even further. It also is clear that a lot of people would be more comfortable if the standards were reduced to something approaching the actual releases. Consequently, why not so reduce them officially—not because there is anything technically wrong with the standards as they are written, but as a public relations gesture designed to increase the probability of getting reactors licensed and on the line on schedule.

To sum all of this up, it remains to be seen whether the multifold problems of the nuclear community are just a temporary setback or the harbinger of more drastic things to come. That depends in good measure on how we, as engineers, scientists and politicians, measure up in terms adapting to significant changes in public interests and priorities which have occurred since last I was privileged to speak here in Oak Ridge.

There is a great challenge ahead to the nuclear industry and to each of us. In no small way the welfare of the Nation depends on how skillfully we meet it.

Thank you.

DISABLED AMERICAN VETERANS' DAY IN CONGRESS: A TRIBUTE TO QUIET COURAGE

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. FINDLEY. Mr. Speaker, I am honored to join President Nixon and other distinguished Americans in saluting the Disabled American Veterans and the DAV organization on its golden anniversary.

Not only have they served as an effective liaison between Government agencies who have the responsibility of awarding disability benefits, and disabled veterans, attempting to secure these benefits to which they are rightfully entitled, but the DAV has now extended its efforts to seeking the return of prisoners of war presently being held in Southeast Asia. These efforts include television and radio spot announcements, the distribution of over 5 million leaflets which have been mailed to individual homes asking that they write to the North Vietnamese Embassy in Paris, and individual chapter participation in letter writing and petition campaigns. Their goal in this effort is to get Americans to write 20,000,000 such letters to the North Vietnamese.

Since visiting recently in Paris and transmitting my own letters of protest over the treatment of POW's to the North Vietnamese, I am convinced that a mail barrage of this magnitude could be one of the most effective methods of showing American solidarity on the POW issue to the North Vietnamese. I congratulate the DAV on this initiative on their part, and wish them well in their important work. I plan to support their efforts in every way possible.

GOLDEN JUBILEE YEAR OF THE DISABLED AMERICAN VETERANS

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. OBEY. Mr. Speaker, it is a privilege to join in this special observance of the golden jubilee year of the Disabled American Veterans, whose chartered purpose is to help the wartime disabled and their dependents.

The record speaks for itself. Since formal reports were first submitted in 1927, DAV service officers have reviewed more than 7.8 million cases and assisted disabled veterans and their dependents in obtaining more than $1.4 billion in benefits to which they were entitled.

For the most recent year listed, 1969, the amount recovered for veterans was a record $186.4 million.

In line with its founding principle that this Nation's first duty to veterans is the rehabilitation of its wartime disabled, DAV policies seek:

First. Proper medical care and treatment of veterans for disabilities incurred, increased, or aggravated by military service;

Second. Adequate compensation for the degree of disablement caused by such disabilities;

Third. Training and/or education to restore the gainful employability of the wartime disabled;

Fourth. Adequate compensation to the widows, minor children and dependent parents of veterans who die as the result of service-incurred disability.

Mr. Speaker, as of last September 30 the number of living veterans had risen to 27.8 million, of whom 3.1 million were on compensation and pension rolls. These rolls also counted more than 1 million widows, more than 971,000 children, and more than 226,000 parents.

As the war in Southeast Asia lingers on, so do these rolls grow. It is ironic that early evacuation of wounded soldiers by helicopter and improved medical technology serve to reduce battlefield deaths and thereby emphasize the personal toll paid by survivors.

Phrased statistically, the battlefield survival rate that was extremely low in World War I, 70.7 in World War II, and 73.7 in Korea, has risen to 81.3 in Vietnam. I believe the Disabled American Veterans can appreciate the shattering implications of these statistics better than anyone.

Perhaps the most appropriate tribute to the DAV comes from its own anniversary report, in these words describing its past and foreseeing its future:

> The history of the DAV has been complicated and tumultuous. Nothing as important as the objectives of this organization is ever easy. The DAV has had its hours of trial—its moments of hopelessness—its time of glory—its periods of riding the crest of the wave. But the important thing to the organization itself, and to the American public in general, is that through all this it has determinedly stuck to its single purpose—that of aiding the wartime service connected disabled veteran return to civilian life in a competitive position with his peers. That he and his family can face the future with confidence knowing that his medical, rehabilitation and employment requirements will be met.
>
> No greater purpose can be served by any organization—no greater challenge can be accepted by any group—no greater privilege is requested by the Disabled American Veterans.

DISABLED AMERICAN VETERANS MARK GOLDEN YEAR

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. DULSKI. Mr. Speaker, the Disabled American Veterans marks the golden anniversary of its organization this year with very appropriate observations on the House floor.

Preceding the House session today, the national commander, Cecil W. Stevenson, appeared before the Committee on Veterans' Affairs, of which I am a member.

In his appearance, a traditional presentation by the organization to our committee each year, Commander Stevenson spelled out the status of laws and various programs affecting disabled veterans and made recommendations for additional legislation in the new Congress.

The Disabled American Veterans national organization has a very active Buffalo unit. Indeed, the second national commander of the organization elected at the convention in 1922 was a Buffaloan, the late Capt. C. Hamilton Cook.

Twenty-two years later, at the 23d national convention in 1944, another Buffaloan, the late Milton D. Cohn, was elected national commander.

VITAL ROLE OF DAV

The important role which the DAV plays in assisting veterans is to help in insuring that they receive all of the benefits to which they are entitled. Over the past half century, this has involved many, many individual cases, amounting to recovery of extensive benefits for disabled veterans.

The growth of the DAV over the years can be shown in no better way than to cite the fact that in 1922, a half century ago when it was organized, the membership was 17,486. The rolls increased by two and one-half times in the first year, and now—as of last June 15—the total enrollment has grown to 294,566, including 112,820 life members.

The other evidence of growth is in the area of achievement by the national service officers. There were no formal reports submitted for the initial years through 1926. In 1927, there were 11,079 cases reviewed by the service officers, of which 2,499 involving rating board appearances, with a total amount recovered for the veterans of $1,801,852.06.

THOUSANDS OF CASES REVIEWED

In the last year for which I have a total, 1969, there were 220,358 cases reviewed, of which 108,507 involved rating board appearances, and the total amount recovered for the veterans was $186,434,275.94.

This makes a total over the period from 1927 through 1969, the years for which there are formal reports, of 7,856,724 cases reviewed, of which 3,265,395 involved rating board appearances, for a total amount recovered for the veterans of $1,404,739,999.36.

In his appearance before the Veterans' Affairs Committee today, Commander Stevenson reminded us of the prime purpose for which the DAV was created. His citation was as follows:

> That purpose in part urges all of us "to uphold and maintain the Constitution and laws of the United States; to realize the true American ideals and aims for which those eligible to membership fought; to advance the interests and work for the betterment of all wounded, injured and disabled veterans; to cooperate with the United States Veterans Administration and all other public and private agencies devoted to the cause of improving and advancing the condition, health, and interest of all service-disabled veterans."

Commander Stevenson continued his remarks by commenting on its present operation in carrying out these principles. He said:

> The DAV, as part of its National Service Program, is making a special effort to seek out returning war veterans to advise them that our Organization stands ready to offer assistance in securing for them all benefits to which they may be entitled.
>
> For this purpose, the DAV maintains 150 National Service Officers—46 are Vietnam veterans—located in Veterans Administration Regional Offices and Centers across the country.
>
> These dedicated, specially trained national employees—all of them disabled as the result of wartime service—assist the veteran in the preparation and presentation of claims for compensation, pension, hospitalization, medical treatment, education and vocational training, and sundry other benefits available under law.

To bring the activity of the DAV closer to my home area, I would like to cite for the Members a résumé of the activities of two national service officers of the DAV, John P. Battle and George Gregor, who have their office in Buffalo, N.Y., at the VA Regional Office:

> We, as National Service Officers of the Disabled American Veterans, have dedicated our lives in assisting Disabled Veterans, their widows and orphans, with a service program of assistance in the field of Education, Rehabilitation, presenting of claims before the Veterans' Administration, in the field of employment of handicapped veterans and even in assisting them with many of their personal problems.
>
> We have many volunteers, Chapter Service Officers, who work with us in helping us assist them in securing their veterans' benefits.
>
> We are presently trying to organize handicapped Boy Scout Troops and we also have a disaster fund program similar to the American Red Cross.
>
> We also have a DAV Scholarship program and this helps us help our severely handicapped veterans' children have a chance to receive a college education whereas because of a lack of funds, they would be unable to have gone on to a higher education.
>
> These are only some of our programs that we service in the 31 counties that come under the jurisdiction of the Buffalo DAV Office.
>
> We also initiated a program to get the release of all P.O.W.'s and we continue to do everything possible until the North Vietnam government does so under the rules of the Geneva Convention.

Mr. Speaker, it is a pleasure for me to join my colleagues in giving this fitting recognition today to this dedicated organization of our veterans.

I have had frequent and close contact with the DAV over the years and particularly have come to know of its great work since I become a member of the Veterans' Affairs Committee.

The work which this organization is doing in the area of disability compensation, medical benefits in cooperation with the Veterans' Administration, and the general counseling of veterans of all wars is a service which is vitally needed and is being very ably provided by the DAV.

IMPROVED TRANSPORTATION SYSTEMS RECOMMENDED

HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. FORSYTHE. Mr. Speaker, a highly respected professional consultant from New Jersey has suggested a comprehensive plan for improvement of America's intercity and interairport transportation systems.

Mr. Louis C. Ripa, president of Porter and Ripa Associates, Inc., Morristown, believes the time for action on making these improvements is now. And, I believe he is right.

For the benefit of my colleagues, I am inserting in the RECORD a letter from Mr. Ripa to Transportation Secretary John A. Volpe outlining his proposal.

The letter follows:

> DEAR MR. SECRETARY: The goals of the Urban Mass Transportation Act will not be achieved unless planning and development can be accelerated to keep pace with demand. Today's needs must be met today to prevent programs from becoming obsolete before they are operational.
>
> Federal funding for mass transportation started in early 1960. A decade has passed with little or no progress in the creation of a unified and integrated mass transit system. Consequently, we suddenly find ourselves dealing with yesterday's problems. By 1980, we will have to double or perhaps triple our our national transportation system (rail, highway and air) just to keep abreast of the normal growth demands.
>
> It is important that the Federal government initiate drastic changes in their approach to the problems of today. For this reason, I am taking the liberty of pointing out what I believe have been the problems in the past of developing an adequate system, and offering my opinion on a possible solution to our current problem—inadequate transportation facilities. If this situation is not acted upon with immediate material results rather than studies and reports, it will seriously hamper the economic growth of our metropolitan areas.
>
> For many years both government and industry have been attempting to solve the problem of inter-city and inter-airport transportation facilities through various systems analyses, simulation techniques, economic demand analyses, mathematical models and other complex systems, including statistical data gathering and research into the ultra high-speed approach of rail and tube facilities.
>
> In 1971, a 500 mile-an-hour jetliner takes only 40 to 50 minutes to travel from any one of the three New York-Newark Airports to Washington National Airport.
>
> However, the total travel time for the suburban or city traveler averages four hours or more from the time of leaving either home or office to arrival in downtown Washington, D.C. The long delays in ground travel time are pretty much the same on coast-to-coast inter-city flights, and, as a matter of fact, on 70 to 90 percent of all national flights. The percentage is much higher on ground travel time to international airports for overseas flights. Crosstown traffic in New York moves at a speed of 8–12 miles per hour, a speed achieved by the automobile seventy years ago. In cities such as Boston, Newark and Philadelphia the delays are much the same.
>
> During the nineteenth and twentieth centuries, private enterprise, through its ingenuity and resourcefulness and with the consideration and cooperation of the Federal government, built a system of railroads throughout these United States—second to none. These railroads proved effective moneymakers in moving goods and people at a time when population densities and numbers of passengers were far less than the records show in the last two to three decades. Yet during these last few years we have seen a reckless abandonment of a remarkable service to commuters and long distance haulers. This abandonment has been progressing at an ever increasing rate. The 1960's showed little progress in attempting to slow down or reverse the trend of reduction in rail service. Consequently, the 1970's will, by necessity, (if we are to survive) be the turning point in utilizing and adapting an existing system of rail, and developing and implementing additional modes of "people carriers".
>
> It is my belief that as changes in life-style values occur, this nation and its people will address themselves to the important "human elements" of travel and not to the highly sophisticated elements of optimized performance, computerization, minimum costs and maximum utilization, as they relate to travel. History has recorded that we reached our level of achievement in these United States by "doing" and not by continually analyzing and creating equilibrium between supply and demand. I am a firm believer that all available technology should be used to replace human drudgery and wasted labor. This technology, however, should be harnessed to create for us the viable *world of today* not the utopian world of tomorrow.
>
> The answer to this ground transportation problem may well be a utilization of existing railway systems, freeways and turnpikes—including a combined new freeway/railway system—plus a new third level air carrier concept which will include aircraft of the STOL concept.
>
> Today, two basic systems of *mass* transportation exist—one a failing system of railways and the other large commercial airline operations as we know them. Any other form of travel is not recognized. We need today an organized plan of air travel, rail travel, and highways and freeways to meet the demand of the various sectors of the community. The creative aggressiveness of our our nation has been due to the drive for mobility demonstrated by its people. To stifle this mobility is to create chaos. Unless the importance of ground and air travel to the economy of our congested metropolitan areas is realized and concentrated efforts made to catch up on lost time, the future growth of the Megalopolis will seriously be hampered and further

blight and decay of the city will occur at an increasing rate.

What is required to cope with this chaotic tardiness is a system of regional airports connected by rail and freeway systems. To be complete, however, this regional system must integrate with the city. It must integrate with other transportation systems and hub airports to create a network of interrelated airports and center city connections. These must finally be tied to semi-urban, suburban, and rural centers with an expanded freeway/railway system.

A planner's dream? . . . I say no. We have within our grasp the basic tools, ingredients and material right in the Northeast Corridor from Boston to Washington, D.C., if we do not lose sight of the problems—if we do not cloud issues with computer statistics—and if we do not mix realism and truism with political confusion.

The attached map demonstrates that every airport and city in the Northeast Corridor has good rail access. The right-of-way and the rail beds are there. What is needed is a modernization of equipment and systems with an integration and interconnection of the suburbs, center city and the airports.

For example, say a traveler wanted to go to San Francisco, California, and he lived in the Plainfield or New Brunswick area of New Jersey. If there were regular interconnecting rail service between all airports, it wouldn't much matter whether he went out of Newark or Philadelphia. Using 90 m.p.h. rail service, either airport would be not more than 30 minutes away. Under good conditions many passengers or daily commuters spend more than one to two hours on these trips.

If there were an interconnecting airport-to-city rail system and you landed in Philadelphia because of bad weather, it wouldn't be any inconvenience. You would simply take a train from Philadelphia International to Plainfield, New Brunswick, Trenton or Princeton or wherever you lived. Had your car been left in Newark on your initial flight, you would just continue to Newark Airport by rail.

Airports like Philadelphia, Friendship Airport in Baltimore, or Dulles Airport in Washington would carry many times the load they now carry if a reasonable twenty-four hour rail service were set up to interconnect the airports and the cities.

Such a plan would have the following beneficial results:

1. It would help the railroads now in financial trouble.

2. It would relieve highway congestion, which is near or beyond saturation in many places.

3. It would make use of valuable right-of-way which is currently idle.

4. It would reduce the cost of highways if railways could be integrated into new combined freeway/railway design; and also reduce the cost of rail systems if double decking of freeways and railway systems could be made compatible in congested metropolitan areas.

5. New air traffic problems would not be created since better distribution of flights would develop.

6. Fewer noise problems would result.

7. Pollution problems would lessen.

8. Lastly, it would conserve valuable acres of land by either combining systems or taking advantage of existing rights-of-way.

In reviewing the enclosed map of the Northeast Corridor, you will note that there is almost no airport, large or small, that does not have a rail line adjacent to it or within two or three miles. Most of the large airports also have freeways or interstate highways within close proximity or provide direct access to the facility.

Another phase of the solution to mass transportation in the congested metropolitan areas is a system of STOL ports constructed on buildings, over rail yards, floating docks, or ports over parking areas. This third medium is needed to complete the balanced system of moving people rapidly within a fully integrated system.

As can be seen on the map of the Northeast Corridor, this suggested system then puts people in the Westchester-Bridgeport area equally close to Boston in travel time as they are from the Philadelphia area, and less than 30 minutes from the Newark-New York metropolitan airports.

The daily local commuter can be served by a support system of mass transit that ties into the primary system. This local system would be developed along the fingers of heavy population density. With proper freeways and highways reaching the end point of each of these fingers of development, the commuter will have the individual mobility needed to get home from the mass transit lines. The resultant reduction in the number of vehicles on the metropolitan freeways and highways will provide additional capacity for thru business traffic.

The only way we can serve the public properly and reduce the serious problem of congestion on the ground and in the air is by fully utilizing existing facilities and opening up new and untried methods of moving people. The prime consideration, however, is to begin today and finish tomorrow—and then improve upon the system as we go. If this philosophy is not followed, ideas and projects which today might prove financially unsound, tomorrow may no longer be within the grasp of the Federal or State governments for the development of an integrated system.

Your full consideration of this proposal will be appreciated, as its implementation will be necessary if we are to develop a reasonable system between airports, center city and the semi-urban and rural areas.

Sincerely,

LOUIS C. RIPA,
President,
Aviation Planning Associates.

BLOOMFIELD, CONN.

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, March 5, 1971

Mr. COTTER. Mr. Speaker, I have been informed that a town in my district—Bloomfield—has been named an "All American City" in a nationwide contest conducted by Look magazine and the National Municipal League.

This is a great honor for the citizens of Bloomfield and one they justly deserve. I wish to take this opportunity to salute them for this achievement.

Eleven winners were chosen in this contest in which over 100 communities entered. Among these distinguished towns was the city of Bloomfield.

Bloomfield was chosen because it acted in a positive manner to eliminate any vestiges of racial discrimination in its school system. Bloomfield accomplished this task by a voluntary busing program set up by a citizen group to eradicate de facto segregation. Second, a bond issue initiated by the citizens of Bloomfield was passed to build a new middle school to replace racially unbalanced elementary schools.

Bloomfield has always had a reputation for being a forward looking and innovative community with a progressive town government. With its informed and involved citizenry, I feel that Bloomfield is an outstanding example to the rest of the Nation and justifiably deserves its title of "All American City."

At this point in the RECORD I would like to include the text of the Look magazine article commending Bloomfield:

"YOU CAN'T COMPLETELY OVERCOME COLOR IDENTITY, BUT IT'S FADING"

(By Gerald Astor)

In the late 1950's, a number of citizens of Bloomfield thought they detected the cancer of de facto segregation—a concentration of blacks—in the Blue Hills elementary school. At the same time, the idea of a middle school for grades five to seven, that would separate upper-elementary pupils from primary-grade kids, was being discussed. Dr. Howard Wetstone, a board of education member for 14 years, recalls: "A lot of us felt the middle school was a good idea, and when we saw one pocket becoming black, we figured we could plan to integrate the middle school and improve our educational program."

An effort to inform the community followed. A school census confirmed the fears of de facto segregation. Blue Hills numbered close to 50 percent nonwhite; other schools, as low as 1.5. The issues were discussed at town and neighborhood meetings. A report on the situation went to residents. Compulsory two-way busing was rejected in favor of a voluntary tack. A committee hired four workers to canvass Blue Hills families in search of children to ride buses to other schools. About 150 black kids have transferred annually since the program began. Mrs. Ruth Mantak was one of the few whites whose daughter chose Blue Hills. "I think more white children's parents would have volunteered but nobody attempted to get them. My daughter is happy; she says Blue Hills is the best school in the whole world."

Busing, strictly a board of ed decision, moved Bloomfield down integration road. But the new middle school required taxpayers to accept a $5.5 million bond issue plus involuntary integration. The Chamber of Commerce approved the idea of the middle school but wouldn't buy the cost. A Citizens for Community Coordination opposed the project because some members didn't like integration, others felt themselves deceived or manipulated. Tempers heated, but the bond issue squeaked by at the polls.

Roy Craddock, from the black community, sees benefits already in busing. "The feedback from parents and from observations shows that you can't completely overcome color identity, but it's fading. We're seeing mixed participation and representation in things like the PTA."

A few whites talk of a climate of fear caused by the controversy. But Alvin Wood, a black Hartford principal who grew up in Bloomfield, says, "If opened on the basis projected, I think the middle school can have a great and good effect."

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 5, 1971

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,600 American prisoners of war and their families.

How long?

THE TWO GREECES

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 4, 1971

Mr. EDWARDS of California. Mr. Speaker, as further documentation of the case against the Greek military junta and continued U.S. support to the junta I would like to enter in the RECORD the following article from Commonwealth by Maurice Goldbloom, a close observer of the Greek situation who conferred with numerous Greek exiles during a recent trip to Europe. The article follows:

[From the Commercial magazine, Feb. 5, 1971]

THE TWO GREECES

(By Maurice Goldbloom)

There appear to be two countries, with very little in common, which go by the name of "Greece." The first is the one described by the Pentagon and the State Department in their testimony before Congress and their press releases. The second is the one whose history can be followed in the reports of international organizations, in the daily press of Western Europe and the United States—and even to some extent Greece itself—and in the public statements of the Greek junta's members and spokesmen.

Thus in June, during the debate on the Hartke Amendment to the Military Sales Act, designed to cut off U.S. military aid to Greece, a Defense Department memo introduced by Senator Strom Thurmond asserted: "Most importantly the Greek Government announced that in accordance with a specific timetable, to which it has thus far carefully adhered, the institutional structure of a democracy prerequisite to elections will be in place by the end of this year. This timetable is a public commitment on the part of the Greek Government. It seems to be a reasonable time element, i.e., the end of this year. . . . Some patience and restraint should be exercised by all, as the Greek regime seems to be moving ahead in the direction to establish democratic norms. . . . Greece can be helped by sympathetic understanding rather than by censure."

At the same time as the Pentagon was claiming that the "institutional structure of a democracy" would be in place by the end of the year, Deputy Assistant Secretary of State Rodger Davies was admitting in secret testimony before the Senate Foreign Relations Committee: "It (the constitution) will not be fully implemented until they hold their elections. . . . We have no commitment on date." (Neither the Pentagon memo nor Mr. Davies noted that even *if* the junta put its own 1968 constitution into effect, the result would be an authoritarian state dominated by the armed forces, not a democracy.)

But Mr. Davies cited as proof of "liberalization" the implementation on April 10 of "that part of the Constitution, which requires warrants for arrest, and provides certain safeguards against judicial processes." And in its statement of September 22, accompanying the announcement that full shipments of heavy arms to Greece would be resumed, the State Department again declared that "the trend toward a constitutional order is established. Major sections of the constitution have been implemented, and a partial restoration of civil rights has been accomplished. The Government of Greece has stated that it intends to establish parliamentary democracy." In the off-the-record briefing which followed, the State Department spokesman appears to have told reporters that there were only five or six hundred political prisoners left in Greece.

CERTAIN CONDITIONS

But "the trend toward a constitutional order" was not noticeable to anyone without the State Department's special spectacles. A few days after the resumption of full American aid, Vice-Premier Stylianos Pattakos reiterated, in an interview with the German weekly *Der Spiegel,* that "certain conditions must be created before we can think of elections." Pattakos refused to specify what they were, but on October 9 the Premier's spokesman and key assistant, the former Communist exile George Georgalas, went on television to tell the Greek people that before they could have elections for Parliament five prerequisites would have to be fulfilled. Greek per capita income would have to rise from $800 a year to $1100; the reorganization of the state machinery would have to be completed; there would have to be an increase in social equilibrium, leading to a fairer distribution of wealth; the rehabilitation of Greece's national educational system would have to be completed; and finally, there would have to be a better press, a better informed public, and the Greeks would have to be suffused with a sense of national unity. Economists estimated that the fulfillment of the first condition would take a minimum of seven years, if the present rate of growth in gross national product was maintained. But the impending financial crisis made it very questionable whether that would be possible; the junta had been able to finance economic expansion only by dissipating Greece's foreign currency reserves, now approaching the vanishing point, and by pyramiding short-term debt at high interest rates. These debts were rapidly coming due, and there were no reserves with which to pay them.

This however, was the easiest of the five conditions to meet. For the "reorganization" of the state machinery in any positive sense was impossible for a government which, not incorrectly, regarded almost every literate Greek as its enemy. The numerous decrees issued by the junta which provided tax-exemptions and other special privileges for big business certainly contributed to a redistribution of wealth—but not in the direction of greater fairness. The need of the Greek educational system for rehabilitation had increased substantially under the junta, which had lowered the school-leaving age, reduced the numbers of teachers and schools, created a shortage of textbooks by banning those previously in use, and seriously obstructed learning by making the artificial *Katherevousa* the language of instruction in the elementary grades instead of the *Demotiki* spoken by the children and their parents. (Under the Papandreou government, steps had been taken to make *Demotiki* the language of instruction on the university level, as it already was in lower grades. But perhaps one should not be too critical of the failure of the junta to provide textbooks for large numbers of schools, and for its insistence that instruction be given in a language difficult for the children to understand. For the new textbooks, when they arrive, denounce democracy and glorify the military regime in a way that makes them rather worse than the absence of any books. And the children are certainly better off not understanding the lessons which the junta has ordered that they be taught.)

The better press which the junta sought was hardly one which would be so defined in any democratic country; its nature was indicated by the prison sentences imposed on the editors and publishers of the newspaper *Ethnos* for publishing an appeal by former Minister of Industry John Zigdis for the formation of a government of national unity. (For the crime of making this appeal, Zigdis himself received a 5-year sentence.) Other indications were the prohibitions imposed on the printing of information about such things as mass arrests, the investigation of Stavros Niarchos' role in the death of his wife, and anything which might adversely affect the stability of the currency—in other words, accurate financial news. (There was, however, a possibility that the Greek public was actually becoming better informed than it had previously been; most Greeks were again, as during the Nazi occupation, listening faithfully to the BBC and other foreign radio stations—not including the Voice of America, which too often tempered its winds to the shorn junta.) Only on the last point was real progress being made; the Greek people *were* becoming suffused with a sense of unity—against the junta.

Meanwhile, as a substitute for the absent Parliament, the junta announced the creation of an advisory body, the so-called "mini-parliament," to be appointed by the Prime Minister; ten of its members are named by him at his discretion while the other 46 are chosen by him from 92 victors in an "election" in which the voters were local government officials and officers of professional and other organizations—almost all of whom had themselves been appointed by the junta to replace elected predecessors. The character of the electorate and of the body which may be expected to emerge is suggested by the fact that two of the five victors in the Athens area were the publishers of the monthly *Fourth of August,* named after the date on which the Metaxas dictatorship was established; the pages of this overtly anti-Semitic publication are studded with quotations from Adolph Hitler and similar experts on parliamentary democracy.

Two not necessarily incompatible theories have been advanced as to the purpose of this body, for which no provision exists even in the junta's own constitution. One is that it is intended as the nucleus of a junta political party, to be formed while all other parties are still banned, which will be in a position to win parliamentary "elections" when and if these are eventually permitted to occur in some denatured form. The other is that Papadopoulos hopes to use this body, with no powers, as an excuse for dissolving the "Revolutionary Council" of the officers who made the Coup, a body whose very real power—based on the fact that its members still are in command of troops—has frequently caused problems for him.

SAFEGUARDS

So much for "parliamentary democracy." What about the implementation of "that part of the Constitution, which requires warrents for arrest, and provides certain safeguards against arbitrary judicial processes?" One example: in the trial of certain leaders of the pro-Moscow faction of the Greek Communist movement, one of the defense lawyers told the judges of the court-martial—political offenses are still tried by military courts—"It is the fundamental quality of a judge to be independent of the parties to the case and to show himself impartial. It is thus that he can judge in an objective manner. But examine your position, gentlemen. It is certain that you are in the service of the present military government. It is also certain that my clients fight against that government. Under these conditions, you are not independent of the parties to the case." The lawyer, Constantine Kiziridis, went on to urge the judges "to fulfill your duty in all objectivity, in accordance with your oath." For this "outrage to the tribunal" he was immediately sentenced to a year in prison. In protest the other defense lawyers, headed by former Justice Minister and President of Parliament Dimitrios Papaspyrou, walked out of court in agreement with their clients, who declared that they did not want other lawyers to run the risk of being treated as Mr. Kiziridis had been.

A second example: a few weeks ago a bomb was exploded at the statue of President Truman. A communique-issued by the "October 20 Movement," a small group on the far left, claimed responsibility for it. In the next few days at least 48 persons were arrested, mostly in pre-dawn raids and without warrants, and held incommunicado. (The actual number is believed to be over a hundred, but many arrests have not been announced.) Almost all of those arrested belonged to the Center. Three were Center Union deputies; the wife of one of them, Talbot Kefalinos, has gone to court to challenge her husband's arrest and continued imprisonment on the ground that they violate the constitutional protections of whose "implementation" the State Department has made much. (Mrs. Kefalinos is acting in a manner which carries risks of its own; the wife of Professor George Mangakis spent a year in prison for charging that her husband had been tortured, as he had been.)

And one of the others arrested in the same sweep as Kefalinos was Lila Filias, the wife of Athanasios Filias, whose sole offense appears to have consisted in her efforts to find out what was happening to her imprisoned husband. Another of those recently arrested, Mrs. Papamargaris, was also the wife of a prisoner, convicted like Athanasios Filias in the trial of Democratic Defense in April. Others arrested at the same time included several officers with Center Union sympathies, all of whom had previously been imprisoned and then released, and a large number of leading lawyers, some of whom had served as defense counsel for political prisoners. It seems likely that the real purpose of the arrest of lawyers was to make it more difficult for political defendants to obtain counsel in the future. A second purpose may have been to seek information as to how the prisoners have been able to smuggle out political statements and information as to the conditions of their detention.

The fact that the prisoners have been held incommunicado inevitably leads to the suspicion that the junta is using its customary methods of extracting information from its victims. When a bomb was exploded near the building where Defense Secretary Melvin Laird was conferring with Premier Papadopoulos, the man who planted it, a prominent 54-year-old lawyer named Ioannis Koronaios, was seen doing so and immediately arrested. Two other persons were subsequently arrested in connection with the incident, another lawyer named Gregory Kassimatis who was the cousin and namesake of a former minister in center and rightist governments, and an engineer named Andreas Frangias. According to Alfred Friendly Jr., writing in the *New York Times:* "The Government has promulgated laws establishing the sanctity of the domicile and requiring that arrests be accompanied by judicial warrants, but security policemen entered the home of Andreas Frangias, an Athens engineer, last week at midnight and took him away. His relatives next saw him under police guard in a neurological hospital here. According to reliable reports, Mr. Frangias suffered head and abdominal injuries during interrogation and is now being fed intravenously. He is said to believe that he signed one or more papers while in detention, and legal experts presume he signed a declaration saying that his arrest had been made according to a warrant that neither his family nor his lawyer had yet seen."

CONVALESCENT QUARTERS

Koronaios was also hospitalized with serious injuries. Both men had been in good health when arrested. It seems likely, however, that fewer prisoners will be hospitalized after questioning in the future. The junta is reportedly adding convalescent quarters to its interrogation centers, so that prisoners will be shielded from the eyes of outsiders while their wounds are healing.

In 1969, as a part of its unsuccessful effort to convince the Council of Europe that its rule was compatible with European civilization, the junta signed an agreement authorizing the International Red Cross to visit all Greek places of detention. While this agreement was not always fully implemented, and while its value was considerably decreased both by the fact that only the Greek government could authorize publication of Red Cross reports and by the impossibility of frequent visits by the inadequate Red Cross personnel to the numerous places of detention, it nevertheless imposed some restraint on the junta in its use of torture and other forms of mistreatment. At least the Red Cross was able to report to the Greek government cases of prisoners who were dangerously ill and sometimes secure their release. And even occasional visits probably reduced the incidence of torture, although it still remained substantial. Now, however, the junta has refused to renew its agreement with the Red Cross. According to government spokesman George Georgalas, the agreement has served its purpose. And indeed it has; the United States *has* resumed the shipment of heavy weapons.

Only in Washington's eyes is "the trend toward a constitutional order . . . established." But in the eyes of the world—and of the Greek people—what *is* established is the complicity of the United States government in the crimes of the colonels. In the words of the last President of the Greek Parliament, Dimitrios Papaspyrou, speaking before the Political Committee of the NATO Assembly at the invitation of its chairman, Senator Jacob Javits, "The State Department knows all this perfectly well. Hence its assertions about the evolution of the Athens regime toward democracy constitute proof of its complicity in the fraud."

The Greek people have not accepted the colonels, and they will not. No Greek political figure of importance, with the single exception of the late Foreign Minister Panagotis Pipinelis, has consented to cooperate with them. The ordinary people of Greece have found many ways of expressing their opposition to the junta, ranging from the turnout of hundreds of thousands at George Papandreou's funeral to the applause at every showing of the movie *Strawberry Statement* when it depicted students fighting police. (These demonstrations accompanied by shouts of "Down with the military regime!" led the junta to close down the movie after a week!)

If organized resistence has so far been largely limited to relatively small groups, this has at least in part been due to the fact that most Greeks expected the junta to fall in short order under the pressure of international disapproval. Today, because of the open support the junta has received from Washington, this hope has evaporated. There is an increasing realization that the fall of the junta will not be automatic, and may not be swift, despite its incompetence in all fields and its increasingly sharp internal conflicts. One may expect this to be reflected in the establishment of a mass Greek resistance movement prepared to wage a long-time struggle, and to seize whatever opportunities the junta's weaknesses present. Such a resistence movement will take on anti-American character, unless there is a drastic change in American policy. It will have no other choice, for it will face American guns.

FLUNKING THE COURSE

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 5, 1971

Mr. SCHERLE. Mr. Speaker, irresponsible, rambling rhetoric has thus far characterized the premature presidential campaign of the senior Senator from South Dakota. Perhaps the most scurrilous statement made by the former history professor to date came in his recent charge that the U.S. bombing of Indochina is "the most barbaric act committed by any modern state since the death of Adolf Hitler." Is it possible that the ex-don has forgotten about the senseless slaughter of civilians in Hungary and Czechoslovakia by Soviet troops? Or the needless starvation of Biafran children? Or the mass murder of hundreds of thousands in Asia by the Red Chinese? Or the cruel and inhumane treatment of the 1,600 American prisoners of war in Southeast Asia? If GEORGE McGOVERN really wants to be a serious contender for the Presidency in 1972, he should take a refresher course in his former academic field.

NATIONAL GALLERY OF ART CALENDAR OF EVENTS, MARCH 1971

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 5, 1971

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to place in the CONGRESSIONAL RECORD the Calendar of Events for the National Gallery of Art for the month of March 1971. As always, the National Gallery has scheduled outstanding and interesting events and exhibits, and I urge all who can to visit the National Gallery during this month.

The Calendar of Events follows:

CALENDAR OF EVENTS, MARCH 1971

REUNITED BRONZE GROUP

Saint Christopher Carrying the Christ Child with the Globe of the World, a sculpture group of two small Renaissance bronzes from the National Gallery and the Louvre, reunited when analysis by atomic reactor confirmed that the two once belonged together, will be on view at the Gallery, in Lobby B, through March 21.

The saint, attributed to Bartolomeo Bellano (1434–1496/97), a Paduan follower of Donatello, fitted together with a bronze of a seated child known as "A Boy with a Ball," from the Gallery's Samuel H. Kress Collection, one of the world's greatest collections of Renaissance bronzes. A tenon (or projection) permits the Christ Child to sit on Saint Christopher's upraised palm, a rare motif in art history, as most other representations show the saint carrying the child on one shoulder or on his back.

The idea that the two bronzes constituted a single group was suggested by a Louvre curator while in Washington last spring to study the Kress Collection. With the cooperation of the Louvre, the Gallery was able to have the pieces tested by a non-dispersive X-ray fluorescence analyzer in one of the first dramatic uses of this mini-reactor designed to measure the composition of an object with a precision that could revolutionize the classification of works of art. The exact similarity of material in the two pieces confirmed that they came not only from the same workshop, but had probably been poured from the same crucible.

THIRTIETH ANNIVERSARY CONCERT PROGRAM

The National Gallery Orchestra, under the direction of Richard Bales, Conductor, will present a program of American music on Sunday, March 14, at 7:00 p.m. in the East Garden Court to commemorate the thirtieth anniversary of the National Gallery. The program will consist of three works, the first two composed for this anniversary concert: "A Buoyant Music" (Overture No. 2) by David Diamond; "Cello Concerto No. 2" by Washington composer Robert Evett; and "Symphony No. 2" by Charles Ives, which received its Washington premiere at the Gallery on May 2nd, 1954.

The National Gallery opened on March 17, 1941. The first concert was performed on Memorial Day, 1942. A year later, Mr. Bales came to the Gallery to take charge of its musical program by organizing the weekly concerts and assembling the National Gallery Orchestra. The free Sunday evening programs have continued except for the summer recess, without interruption.

HOGARTH PRINTS

An exhibition of prints by William Hogarth (1697–1764), on view from March 6 through May 30 in Gallery G–19 on the ground floor, will complement the exhibition of Hogarth paintings from the collection of Mr. and Mrs. Paul Mellon. A selection of about 35 prints, owned by the National Gallery (primarily from the Rosenwald Collection), including examples of the artist's major series (*The Rake's Progress, The Four Times of the Day,* and *Industry and Idleness,* among others), effectively represent the range of the artist's graphic work. The exhibition will be accompanied by explanations of the eighteenth century social and political allusions in the works.

HOGARTH: PAINTINGS FROM THE COLLECTION OF MR. AND MRS. PAUL MELLON

Twenty-nine paintings and six drawings by William Hogarth from the collection of Mr. and Mrs. Paul Mellon will continue on view through May 30. This is the fourth in a series of exhibitions of British artists in the Mellon collection. Outstanding is *The Beggar's Opera,* a scene from the third act of the most popular parody of contemporary theatricals of the early 18th century. A fully-illustrated catalog of the exhibition ($2.50) has been prepared by Ross Watson.

MAZARIN TAPESTRY

The magnificent Mazarin Tapestry, acquired by the Gallery in 1942 with the Joseph E. Widener collection, is on view again in Gallery G–1 after restoration. Measuring eleven by thirteen feet, the tapestry was woven around 1500 in Brussels of gold, silver, silk, and wool. It once belonged to Cardinal Mazarin, 17th-century French statesman, and later to American banker J. P. Morgan. The recent restoration work was started by the late Louisa Bellinger, who was succeeded by Joseph Columbus.

GALLERY AND CAFETERIA HOURS

The Gallery is open weekdays and Saturdays, 10:00 a.m. to 5:00 p.m., and Sundays, 12 noon to 9:00 p.m. The Cafeteria is open weekdays, 10:00 a.m. to 4:00 p.m.; luncheon service 11:00 a.m. to 2:30 p.m.; and Sundays, dinner service 1:00 to 7:00 p.m.

MONDAY, MARCH 1, THROUGH SUNDAY, MARCH 7

Painting of the week [1]

Filippino Lippi. *Tobias and the Angel* (Samuel H. Kress Collection) Gallery 9, Tuesday through Saturday 12:00 and 2:00; Sunday 3:30 and 6:00.

Tour of the week

The Hogarth Exhibition. Rotunda, Tuesday through Saturday 1:00; Sunday 2:30.

Tour

Introduction to the Collection. Rotunda Monday through Saturday 11:00 and 3:00; Sunday 5:00.

Sunday lecture

Vasari, the Man and the Book: The Greek and German Manners; Guest Speaker: T. S. R. Boase, A. W. Mellon Lecturer in the Fine Arts; Auditorium 4:00.

"Civilisation," X—*The Smile of Reason,* Saturday and Sunday, 12:30 and 1:30.

Sunday concert

Marc Johnson, *Cellist;* Carolyn Pope, *Pianist;* East Garden Court, 7:00.

MONDAY, MARCH 8, THROUGH SUNDAY, MARCH 14

Sculpture of the week [2]

Andrea della Robbia. *The Adoration of the Child* (Samuel H. Kress Collection) West Garden Court, Tuesday through Saturday 12:00 and 2:00; Sunday 3:30 and 6:00.

Tour of the week

Hogarth's Italian Contemporaries. Rotunda, Tuesday through Saturday 1:00; Sunday 2:30.

Tour

Introduction to the Collection. Rotunda, Monday through Saturday 11:00 and 3:00, Sunday 5:00.

Sunday lecture

Vasari, the Man and the Book: The Critic; Guest Speaker: T. S. R. Boase, A. W. Mellon Lecturer in the Fine Arts; Auditorium 4:00.

"Civilisation," XI—*The Worship of Nature,* Saturday and Sunday, 12:30 and 1:30.

Sunday concert

National Gallery Orchestra; Richard Bales, *Conductor;* Luis Leguiá, *Cellist* (A Concert of American Music commemorating the 30th Anniversary of the National Gallery of Art) East Garden Court, 7:00.

MONDAY, MARCH 15, THROUGH SUNDAY, MARCH 21

Painting of the week [1]

Picasso. *Still Life* (Chester Dale Collection) Gallery G–13, Tuesday through Saturday 12:00 and 2:00; Sunday 3:30 and 6:00.

Tour of the week

Hogarth's French Contemporaries. Rotunda, Tuesday through Saturday 1:00 Sunday 2:30.

Tour

Introduction to the Collection. Rotunda, Monday through Saturday 11:00 and 3:00, Sunday 5:00.

Sunday lecture

Vasari, the Man and the Book: Errors and Omissions; Guest Speaker: T. S. R. Boase, A. W. Mellon Lecturer in the Fine Arts, Auditorium 4:00.

"Civilisation," XII—*The Fallacies of Hope,* Saturday and Sunday, 12:30 and 1:30.

Sunday concert

Hamilton College Choir: James Fankhauser, *Director;* Hamilton College Brass Choir: Albert Rodewald, *Director;* East Garden Court, 7:00.

All concerts, with intermission talks by members of the National Gallery Staff, are broadcast by Station WGMS–AM (570) and FM (103.5).

MONDAY, MARCH 22, THROUGH SUNDAY, MARCH 28

Painting of the week [1]

Luini. *Portrait of a Lady* (Andrew Mellon Collection) Gallery 8, Tuesday through Saturday 12:00 and 2:00; Sunday 3:30 and 6:00.

Tour of the week

Hogarth's English Contemporaries. Rotunda, Tuesday through Saturday 1:00; Sunday 2:30.

Tour

Introduction to the Collection. Rotunda, Monday through Saturday 11:00 and 3:00; Sunday 5:00.

Sunday lecture

Vasari, the Man and the Book: Later Years; Guest Speaker: T. S. R. Boase, A. W. Mellon Lecturer in the Fine Arts, Auditorium 4:00.

"Civilisation," XIII—*Heroic Materialism* Saturday and Sunday, 12:30 and 1:30.

Sunday concert

Jorge Zulueta, *Pianist;* East Garden Court, 7:00.

Inquiries concerning the Gallery's educational services should be addressed to the Educational Office or telephoned to (202) 737–4215, ext. 272.

FOOTNOTES

[1] 11-by-14 inch reproductions with texts for sale this week—15 cents each. If mailed, 25 cents each.

[2] Color postcards with texts for sale this week—5 cents each, postpaid.

DAV DAY IN CONGRESS

HON. RICHARDSON PREYER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. PREYER of North Carolina. Mr. Speaker, today we honor men who have given their full measure of loyalty to this country and recognize the distinguished national organization which serves them.

The Disabled American Veterans through its national service program assists disabled veterans, their dependents, widows, and orphans in obtaining all benefits to which they have legal entitlement. In doing that it truly serves all of us because it helps us fulfill our national obligation to these men and their families.

Justice Brandeis said that the early Americans were characterized by a spirit "that believed liberty to be the secret of happiness, and courage to be the secret of liberty."

The disabled American veteran has shown that he has that same brave heart. He did his best at a time when his best required great sacrifice.

The dimensions of our tribute to these men must be far greater than the words spoken here today. As those who have the power to act for a national conscience, we must see that this Congress gives adequate recognition to the needs of the disabled veteran of past wars and his comrades returning today from Vietnam. Their's must not be a forgotten sacrifice.

We commend the DAV for its great years of service and assure them of our support for their continued efforts.

We pledge our devotion to the memory of those we honor here today.

Let us be worthy of their example.

HOUSE OF REPRESENTATIVES—*Monday, March 8, 1971*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

As many as are led by the spirit of God, they are the sons of God.—Romans 8: 14.

O God of peace, in the midst of the troubles of these times, we take a moment to lift our hearts unto Thee, seeking light for our minds and strength for our spirits. Draw us unto Thyself where there is peace and silence the worries that wear us out and the discords that disturb us. Fill us with Thy love and truth that we may better serve Thee and our Nation.

May Thy wisdom guide our President, our Speaker, and these representatives of our people. Touch their spirits with Thy spirit and grant unto them such understanding that they may have courage and patience as they seek to solve the problems of this age and to establish a better order of life for all people.

In the spirit of Christ we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment joint resolutions of the House of the following titles:

H.J. Res. 16. Joint resolution to authorize the President to designate the period beginning March 21, 1971, as "National Week of Concern for Prisoners of War/Missing in Action"; and

H.J. Res. 337. Joint resolution authorizing the President to proclaim the second week of March 1971 as Volunteers of America Week.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 55. Joint resolution to provide a temporary extension of certain provisions of law relating to interest rates and cost-of-living stabilization.

SUEZ CANAL

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, I am amazed at the lack of official U.S. concern which has been expressed over the efforts to reopen the Suez Canal to shipping.

I recognize the interest on the part of many nations friendly to the United States that this shipping lane again be made available to them. But we must not lose sight of the fact it would be the Soviets who would stand to gain most from a reopened Suez Canal and it is to this point that I direct my remarks today.

It is no secret the Soviets are assembling a modern Navy with tremendous power. Neither is it a secret they use their merchant fleet and the merchant fleets of nations friendly to the Soviet bloc to service their naval vessels and to conduct clandestine intelligence operations. No small part of this activity is the attempt to sway governments considered ripe for Soviet influence.

While the Suez Canal cannot be considered in any way as the vital link in this chain of Soviet operations, the reopening of that waterway will make these activities much easier for the Soviets and their friends.

Since the Suez was closed to shipping in June 1967, we have been witness to growing Soviet influence in the Arab States. In some ways, Egypt has now become a Soviet satellite and there is growing evidence the Soviets play now, and hope to play in the future, a critical and decisive role in Egyptian foreign policy.

Consider this Soviet role in light of the reason Egypt gave back in 1967 when they closed the canal.

Citing the Constantinople Convention of 1888, the Egyptian Government declared the canal closed, based on article 10 of that convention which states that freedom of passage of ships "shall not interfere with measures Egypt might find necessary to take to secure the defense of Egypt."

Mr. Speaker, that article remains the key to free world access to the Suez Canal.

Consider also, the wording of that article in light of the growing Soviet influence over Egyptian foreign policy. The brutal fact is that, at some future date, the Egyptian Government, influenced by the Soviets, might well decide free world shipping is to be unduly delayed or even stopped at the canal on the flimsy excuse that a possible threat to Egyptian security is involved or because they or the Russians object to our policies abroad.

What we might well be creating in the reopening of the Suez Canal is an Arab States checkpoint at Suez, with all of the troubles, and more, that we have experienced with Russian harassment on the Autobahn approaches to Berlin in Germany.

There is another factor to be considered. That is, the growing activity on the part of the Soviets in affairs in the Indian Ocean. It is well known that the British are reducing their presence in the Indian Ocean while the Soviets and Red Chinese show increasing interest in the area. The Red Chinese already are in the process of building a railroad from Tanzania to Zambia on the Indian Ocean. There is evidence the Soviets are now in possession of certain port agreements and are in the process of negotiating more at Indian Ocean ports for the purpose of providing logistical support to their navy. Even as this Soviet effort continues, the United States has shown a reluctance to display appreciable public interest in the Indian Ocean. Yet it is in this ocean which is found some of the most important shipping lanes in the world and the approaches to some of the world's most strategic areas. Communications and other base facilities are notably lacking for the allied cause in that part of the world. This despite the fact that over $10 billion in U.S. investments are to be found in the countries bordering on the Indian Ocean.

In the Mediterranean, the Soviets continue to display more and more naval and political power while our presence diminishes. More and more, the eastern Mediterranean ports are becoming off limits to the U.S. Navy but we note the Soviet fleet is welcome at more and more ports.

In the midst of all this and despite the consequences to be anticipated, I hear no expression of official U.S. concern over the reopening of the Suez Canal.

What that reopening will do, Mr. Speaker, is further strengthen the Soviet's hold on the eastern Mediterranean and reduce ours. It will further strengthen the Soviet hold on the Arab States at the expense of the security and future stability of the area. It will further strengthen the Soviet and Red Chinese presence along the eastern coast of Africa while placing the interests of the United States in further jeopardy. It will open wider the Indian Ocean to the Soviet Navy at a time when a power vacuum exists there. It will shorten the Soviet shipping time from Black Sea ports to Southeast Asia by two weeks or more. And it will expose the free world's major oil supply to greater influence by a Soviet influenced Egyptian Government.

In short, Mr. Speaker, the reopening of the Suez Canal is a potential source of major trouble to the United States and it is an action which I believe this Congress and this administration should view with the deepest concern. In altogether too many instances, we have ignored the potential impact of actions on the security of our own nation and been influenced solely by the wishes of other nations. I fear we are again headed down a one-way, no-return street.

A TIME FOR PRESIDENTIAL SPEECHES

(Mr. SIKES asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SIKES. Mr. Speaker, while we are sweeping around our own door, it may be somewhat brash for a House Member to propose rules of procedure for our august colleagues in the other body. Nevertheless, facts being what they are, it is possible that recommendations from any source might be helpful. It occurs to me that the Senate could profit by setting aside time each day—say 2 hours or even half a day—for presidential speeches; then devote the rest of the day to the work of the Senate. Since most of the Senators appear to be running for President, there might be some problem in dividing up the time in a body which jealously upholds the right of unlimited debate. Nevertheless, it would seem worth an effort. In this way, presidential aspirants would not have to waste their time waiting around while ordinary matters, such as legislative programs, are being considered. They could direct their principal efforts into channels more in line with presidential campaigns. I earnestly recommend that the distinguished Members of the other body not relegate this suggestion to the wastebasket without mature consideration.

THE NEED TO REGULATE ENZYME DETERGENTS

(Mr. VANIK asked and was given permission to address the House for 1 minute, to revise and extend his remarks; and include extraneous matter.)

Mr. VANIK. Mr. Speaker, recent actions by the Federal Trade Commission, the Food and Drug Administration and—most importantly—a brilliant article in the January 16, 1971, issue of the New Yorker magazine by Paul Brodeur have raised serious questions about the safety of enzyme detergents to the Nation's health. At the time of Mr. Brodeur's article, nearly 80 percent of all detergents being sold in the United States contained enzymes. This amounts to some 2.5 billion pounds of enzyme detergents entering 50 million American homes.

The importance of the public health hazard poised by the enzyme detergent cannot be questioned. That it does constitute a hazard is impossible to question after reading the Brodeur article and the medical evidence which he presents.

In the belief that national scientific debate should be encouraged on the issue of enzyme safety, I am introducing legislation in the House tomorrow which would ban the importation into or manufacture in the United States of any detergent formulation containing enzymes purposefully added to the detergent.

Enzymes—a Greek word meaning "in yeast"—are protein chemicals which are not alive but are derived from living cells. They are different from ordinary proteins in that they have the ability to act as catalysts. In detergents, their purpose is to catalyze the breaking down of certain types of stains into soluble molecular particles which then can be washed away by normal detergent and washing machine action.

For some time the detergent companies have been advertising that enzymes could break down all types of stains. On last Wednesday, the Federal Trade Commission announced an agreement with the Nation's three leading detergent manufacturers to stop this type of advertising with its sweeping claims for enzyme efficiency. The FTC charged that enzyme detergents did not remove all stains and that many stains that were removed were removed by other, ordinary ingredients in the detergents. As a result of the agreement, the detergent manufacturers have agreed not to make any stain removal claims for a year unless the packages clearly disclose the types of stains the product can and cannot remove. Furthermore, the media advertising must call attention to the fact that not all types of stains will be removed by the products.

But this, obviously, is not the main reason that I believe we should consider removing enzyme detergents from the market. The health and safety reason for such a removal is paramount—and urgent.

Although enzyme detergents became popular in Europe in about 1962, there was no indication of their health danger until the June 14, 1969, issue of the British medical journal, Lancet. That issue contained two stories and an editorial on the occurrence of lung disease in British workers who had inhaled enzyme-detergent dust. The initial examination was concerned with 28 workers who complained of lung disorders:

Dr. L. H. Flindt observed:

> The most significant symptoms were breathlessness and uncontrollable coughing, and, to a lesser extent, there were chest pain, general weakness, and a vague sense of discomfort. The breathlessness, usually acute in onset, lasted from several hours to several days, and it was so severe in some patients that they were unable to get out of bed.

Dr. Flindt fairly rapidly came to the conclusion that the men had been allergically sensitized to the enzyme protein.

The editorial in Lancet warned that—

> The appearance of allergic lung disease in workers heavily exposed to the dust of washing powders containing enzymes could mean that the people who used such products might also have allergic reactions to the enzymes.

Shortly after the Lancet article appeared, studies on the subject began in America in a number of medical groups and Government agencies. The detergent manufacturers began admitting that enzyme detergents might be a form of industrial hazard and moved to protect their workers. But the question remained as to whether the consuming public might not also become sensitized. The FTC ordered an inquiry into the question of whether health problems might be encountered as a result of prolonged use of household detergents containing enzymes at lower concentrations. Some of the detergent manufacturers protested against the implications in the FTC's study, despite mounting evidence from medical sources around the world that enzymes were a severe hazard to detergent plant workers:

> During the early part of 1970, enzyme detergents came under attack from another quarter, when English dermatologists began to report severe cases of inflammation and cracked skin on the hands of housewives who were using enzyme laundry products.

Despite the mounting evidence, no action removing enzyme detergents was able to be taken by the FTC—which regulates advertising—or by the FDA—which felt that it did not have jurisdiction because of the nature of detergents as nonedible and noncosmetic products.

The increasing consumer concern, however, was demonstrated by the efforts of the Consumer Association of the District of Columbia, the American Federation of Homemakers, and Ralph Nader in asking the FTC to ban the sale of enzyme detergents because they "pose the clear danger to the public of chronic, acute, and potentially irreversible lung disease, as well as severe skin reactions.' Since the Nader and consumer group petition, the evidence has mounted that the use of enzyme detergents in the household can be dangerous—just as it is to workers in the factories.

In short, what has happened is that we have allowed a product to come on the market and into mass consumption without knowing for sure whether it is safe or not and to remain on the market when there are clear signs that it is unsafe. At the very least the consumer should be warned that the product has not been proven safe and may in fact be dangerous. As one expert in this field said:

> What the manufacturers are saying, in effect, is that it is *not known* if there is a hazard associated with long-term low-level exposure to proteolytic enzymes. From there, however, it's a giant step to a statement such as "It is *known* that there is no such hazard." There is absolutely no way to take this step except to perform necessary studies of the consumer population. Such studies should be requierd *before* the introduction of a new substance like proteolytic enzymes . . .
>
> The fact is that we have no course at the present time except to keep our fingers crossed and hope that the long-term effects of enzme detergents on the general population will not prove to be serious. I hope this will not be the case, but is it the way for our society to manage things? Should we be in a position where the only defense of the American people is crossed fingers?

Because of gaps and inadequacies in the law this is the situation in which we find ourselves. I plan to introduce legislation within the week to give the Government wider pretesting authority to protect the public. In the meantime, to protect the public from the immediate potential danger of enzyme detergents, I am introducing this legislation to prevent these detergents from being produced in and imported into the United States.

The text of the bill is as follows:

H.R. —

A bill to prohibit the use of enzymes in detergents

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Detergent Enzyme Control Act of 1971."

DECLARATION OF POLICY AND PURPOSE

SEC. 2. The Congress finds and declares that the recently added enzyme ingredients in presoak compounds and laundry detergents have been found to pose serious and immediate health hazards to humans on exposure, and may also act as disease carriers if they are not free from live spores.

SEC. 3. For the purposes of this Act—

(1) The term "detergent" means a cleaning compound composed of inorganic and organic components, including surface active agents, soaps, water softening agents, builders, dispersing agents, corrosion in-

hibitors, foaming agents, buffering agents, brighteners, fabric softeners, dyes, perfumes, enzymes and fillers, which is available for household, personal, laundry, industrial and other uses in liquid, bar, spray, tablet, flake, powder or other form.

(2) The term "enzyme" means any of the various organic substances that are produced in plant and animal cells and cause changes in other substances by catalytic action.

(3) The term "Administrator" means the Administrator of the Environmental Protection Agency.

SEC. 4. (a) It shall be unlawful after June 30, 1973, for any person to import into the United States or manufacture in the United States any detergent formulation containing enzymes purposefully added or not in compliance with subsection (b) of this section.

(b) (1) The Administrator shall, on or before June 30, 1972, prescribe such regulations as are necessary to carry out the policy of this Act.

(2) The Administrator and the Secretary of the Treasury shall jointly promulgate regulations (A) that prohibit the importation of any detergent formulation containing enzymes purposefully added or which fails to meet the requirements of regulations under this subsection and (B) which contain such provisions as may be necessary to administer such prohibition on importation.

(3) Any person who willfully violates any provision of the regulations established pursuant to this subsection shall be guilty of a misdemeanor and upon conviction thereof shall be subject for the first offense to a fine of not more than $5,000 and for any subsequent offense to a fine of not more than $20,000.

(c) (1) (A) Any detergent formulation containing enzymes purposefully added or not in compliance with requirement of regulations under subsection (b), which is imported or manufactured in violation of this section shall be liable to be proceeded against on libel of information and condemned in any district court in the United States within the jurisdiction of which such detergent is found.

(B) Such detergent shall be liable to seizure by process pursuant to the libel. The procedure in cases under this subsection shall conform, as nearly as may be, to the procedure under section 304(b) of the Federal Food, Drug and Cosmetic Act. The first sentence of section 304(d) (1) of such Act and sections 304 (e) and (f) of such Act shall apply to such a proceeding to the same extent they apply to a proceeding under such section 304.

(2) (A) The United States district courts shall have jurisdiction.

(B) In any proceeding for criminal contempt for violation of an injunction or restraining order issued under this paragraph, which violation also constitutes a violation of this section, trial shall be by the court or, upon demand of the accused, by a jury. Such trial shall be conducted in accordance with the practice and procedure applicable in the case of proceedings subject to the provisions of rule 42(b) of the Federal Rules of Criminal Procedure.

(d) All libel or injunction proceedings for the enforcement, or to restrain violations, of this section shall be by and in the name of the United States. Subpenas for witnesses who are required to attend a court of the United States in any district may run into any other district in any such proceeding.

(e) (1) The Administrator is authorized to conduct examinations, inspections, and investigations for the purposes of this Act.

(2) For purposes of enforcement of this section, officers or employees duly designated by the Administrator, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are authorized (A) to enter, at reasonable times, any factory, warehouse, or establishment in which detergents are manufactured, processed, packed, or held, or to enter any vehicle being used to transport or hold such detergents; (B) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, establishment, or vehicle, and all pertinent equipment, finished and unfinished materials; and (C) to obtain samples of such materials. A separate notice shall be given for each such inspection, but a notice shall not be required for each entry made during the period covered by the inspection. Each such inspection shall be commenced and completed with reasonable promptness.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

MARCH 8, 1971.

The Honorable the SPEAKER,
U. S. House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 12:20 p.m. on Friday, March 5, 1971, said to contain a Message from the President regarding Urban Community Development Special Revenue Sharing Proposal.

With kind regards, I am

Sincerely,

W. PAT JENNINGS, *Clerk,*
U. S. House of Representatives.

SPECIAL REVENUE SHARING FOR URBAN COMMUNITY DEVELOPMENT, AND PLANNING AND MANAGEMENT ASSISTANCE FOR STATE AND LOCAL GOVERNMENTS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92–61)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on Banking and Currency and ordered to be printed:

To the Congress of the United States:

As the size of Federal programs for renewing our cities has grown in recent years, so has the evidence of their basic defects. Plagued by delay and duplication, by waste and rigidity, by inconsistency and irrationality, Federal grant-in-aid programs for urban development have simply not achieved the purposes for which they were established. Sometimes, they have even worked to complicate and extend the very problems they were designed to remedy.

The time has come for us to stop merely giving more money to these programs and to begin giving more thought to them. That is why I am proposing today two new instruments for renewing and rebuilding our cities. One is a new plan of Special Revenue Sharing for Urban Community Development. The other is a new program of Planning and Management Assistance for State and local governments which will benefit both urban and rural areas.

GROWING NEEDS AND GROWING EXPENDITURES

The Federal Government's first significant involvement in community development came with the passage of the Housing Act of 1949, which established as a national goal the realization of "a decent home and a suitable living environment for every American family. . . ." We were already a nation of cities when that legislation was passed. In the two decades since that time we have become even more highly urbanized.

In 1950, some 56 percent of our population lived in metropolitan areas; today the comparable figure is almost 69 percent. The recent Census shows that three-fourths of our population growth in the last ten years came in metropolitan areas, especially in the suburbs which grew by more than 25 percent.

This concentration of population growth in already crowded areas is not a trend that we wish to perpetuate. This administration would prefer a more balanced growth pattern—and we are taking a number of steps to encourage more development and settlement in the less densely populated areas of our country. But this does not mean that we will avoid or slight the challenge of the cities and the suburbs. This is a highly metropolitan nation. It must have an effective strategy for meeting metropolitan problems.

As those problems have mounted in recent years we have often responded by creating more programs and by spending more money. Since 1949, we have committed more than $10 billion to those urban development programs which I would consolidate into this Special Revenue Sharing Program. We will commit almost three times as much money to these programs this year as we did six years ago. While a number of good things have been accomplished with this money, the returns have still fallen far short of even the most reasonable expectations.

On every hand we see the results of this failure: a sorely inadequate supply of housing and community facilities, vast wastelands of vacant and decaying buildings, acre upon acre of valuable urban renewal land lying empty and fallow, and an estimated 24 million Americans still living in substandard housing. Many of our central cities—once symbols of vitality and opportunity—have now become places of disillusion and decay. As many suburban neighborhoods have grown older, they, too, have begun to deteriorate and to take on the problems of the central cities. Even some of the newest suburban "subdivisions," planned and developed in a shortsighted, haphazard manner, are not prepared to provide essential public services to their growing populations. They are already on their way to becoming the slums of tomorrow.

It is a sad and ironic fact that even as America has become a more highly urbanized nation, its cities have become less attractive and their governments less able to deal with their problems. Federal assistance has failed to reverse these trends and frequently it has compounded them.

PROBLEMS WITH THE PRESENT SYSTEM

Just what is it that is wrong with our present system of Federal aid? There are two basic problems. First, Federal assistance is excessively fragmented—it is channeled through many separate and independent grant programs. Second, spending under each of these programs is excessively controlled at the Federal level.

1. *Fragmentation.* The present system of categorical grants-in-aid has grown up over the years by bits and by pieces. As each new goal or concern was articulated, new categorical programs were set up. Conventional urban renewal was begun in 1949 to help acquire and clear land in deteriorating areas and plan for its development. Other specialized urban renewal programs followed which focused on the demolition of unsafe structures, on making interim repairs in neighborhoods which were scheduled for renewal, and on helping localities enforce their own housing codes. In 1968 a new Neighborhood Development Program was established for funding urban renewal projects on a year-by-year basis rather than through commitments extending many years into the future.

Other programs were also created over the years for a variety of other purposes, including the rehabilitation of private buildings and the construction of water and sewer facilities and other public works. The tangle of separate Federal programs became so frustrating that when a new Model Cities program was added in 1966, it was expressly designed to provide general, flexible support for coordinated development programs, though only in a limited number of targeted areas.

The proliferation of separate grant programs has created a difficult situation for local governments that wish to utilize Federal development money. For each community must now make a series of separate applications to a series of Federal officials for a series of separate grants, each of which must be spent for a stipulated purpose—and for nothing else. Ideally, all of these grants should fit into a single comprehensive development program, tailored to each community's particular needs. But it is extremely difficult for any community to create an overall strategy for development when each element in that strategy must be negotiated separately by officials who cannot be sure about the outcome of all the other negotiations.

To make things even worse, some of these Federal programs require local communities to work through semi-autonomous local officials—often bypassing the elected local leaders. Thus, even if one leader, a mayor, for example, *does* manage to create a comprehensive development plan for the money he controls, he is often unable to include in his plan that Federal assistance which goes directly to an urban renewal agency or a local sanitary district. Often, mayors are unable even to calculate the overall level of Federal development aid that is coming into their communities.

These categorical programs, in other words, are separated not only on the giving end in Washington, but also on the receiving end in the local community. And there is no one, anywhere, who can plan so that all the various parts will fit into a comprehensive whole.

The fragmentation which afflicts the planning process continues after the grants are made. Each program is surrounded by its own wall of regulations and restrictions and coordination between programs is often very difficult. Sometimes programs work at cross-purposes and sometimes they needlessly duplicate one another. For example, the Federal Government, working through two different agencies, has been known to fund two different local authorities to build two sewer systems to serve the *same* neighborhood.

The inflexibility of the present system often means that money cannot be used where the need for money is greatest. If a city suddenly finds that it must put in new street lights, it cannot use funds that are earmarked for demolition or rehabilitation. Geographic restrictions are also a problem. Money for an urban renewal project which has been approved for one carefully defined neighborhood, for example, cannot be used at a closely related site just across the street, if that street happens to be the boundary of the renewal area.

The result of these fragmented and inflexible grant programs has been a highly irrational pattern of development in many urban communities. Rather than focusing and concentrating resources in a coordinated assault on a common problem, the categorical grant system works to divide and scatter those resources and severely to diminish their impact.

2. *Federal Control.* The first major problem, fragmentation, concerns what happens *among* various grant programs. The second major problem concerns what happens *within* each program as a result of excessive Federal control.

Almost all of our present development grant programs require a local community to file an extensive application with Federal authorities who, if they approve the plan, will then pay out available money on a project-by-project basis. Because competition between localities for limited Federal dollars is most intense, local officials are highly motivated to meet both the formal requirements and the informal preferences of Federal officials as they file their applications. And since Federal monitoring often continues after the funds are approved, local decisions inevitably continue to reflect Federal viewpoints.

But what is gained by these requirements? There is simply no good reason why a Federal official should have to approve in advance a local community's decision about the shape a new building will have or where a new street will run or on what corner it will put a new gas station. Yet that is precisely the kind of matter that now must be reviewed at the Federal level. In one case, in fact, the Federal reviewer actually turned down a grant application because the architect had included an eight-sided building in his design and the Federal regulations did not specifically allow for funding octagonal buildings.

Decisions about the development of a local community should reflect local preferences and meet local needs. No group of remote Federal officials—however talented and sincere—can effectively tailor each local program to the wide variety of local conditions which exists in this highly diversified land. The only way that can be done is by bringing more tailors into the act, tailors who are elected to make sure that the suit fits the customer.

While little is gained by inordinate Federal involvement; a great deal can be lost. Excessive Federal influence can work to limit the variety and diversity of development programs—which means that the opportunity to experiment with new techniques and to learn from a wide range of experiences is also limited. Because little decisions tend to drive out bigger ones, the present arrangements give the Federal Government less opportunity to focus on the questions it can answer best. And even under the best of circumstances, excessive Federal control results in massive inefficiency and intolerable delays.

I looked recently at some of the applications that communities have submitted for certain urban development funds. One of them was two and a half feet high. I am told that Federal participation in any given urban renewal project now involves almost 300 separate procedural steps. No wonder it now takes an average of three years for an urban renewal plan to be developed and accepted and an average of ten years before a project is completed.

One result of such delays is a particularly troubling urban problem which is known as "planner's blight." It often sets in between the time a Federal renewal project is announced and the time it is actually started. During this interval, a neighborhood frequently stagnates. Since they have been marked for eventual destruction, streets and parks and buildings are allowed to fall into disrepair. Residents and businesses move away and no one moves in to replace them. As the quality of life declines in one area, surrounding neighborhoods—which have not been marked for renewal—can also be adversely affected. Thus a program which was set up to cure a problem, can actually work to make that problem worse, particularly for the poorer residents of the neighborhood who are often unable to receive relocation assistance until the project actually begins.

"Planner's blight" is one dramatic result of Federal red tape. But there are many other costs as well. Instead of focusing their time and their resources and their talents on meeting local needs, city officials must concentrate on pleasing Washington. They must learn to play a terrible game called "grantsmanship," in which the winners are those who understand the rules and intricacies of the Federal bureaucracy rather than those who understand the problem that needs to be solved. Many local governments now feel they must hire experts who have specialized in grantsmanship to carry on their dealings with Washington. Additional distortions in local efforts occur when local resources are diverted from higher priority programs in order to provide the matching funds which are needed to qualify for many Federal grants.

Deprived of the freedom and the tools to undertake broad programs of renewal and development in their jurisdictions, local officials grow more and more frustrated. And so do local voters who too often find that the official who is most accessible to them can escape from their complaints by saying, "We had to do it this way to qualify for Federal money."

TWO TRAPS TO AVOID

Clearly we can do better than this—indeed, we must do better if our cities are to be revived. But our search for a better answer will never be successful unless we avoid two temptations which have trapped us in the past.

The first is the temptation to try to force progress with money. If only we appropriate more funds, we are often told, then everything will be all right. How long will it take us to learn the danger of such thinking? More money will never compensate for ineffective programs. The question we must ask is not "how much?" but "how?"—and the answer to that question lies not in the quantity of our resources, but in the quality of our thinking.

The second trap we must avoid is that of confusing national interest with Federal control. We have too easily assumed that because the Federal Government has a stake in meeting a certain problem and because it wants to play a role in attacking that problem, it therefore must direct all the details of the attack. The genius of the Federal system is that it offers a way of combining local energy and local adaptability with national resources and national goals. We should take full advantage of that capacity as we address the urban challenge.

HOW THE NEW PROGRAM WOULD OPERATE

The $5 billion program for General Revenue Sharing which I proposed to the Congress on February 4th was designated to give greater resources to hard-pressed States and localities. But a lack of resources is only one of the deficiencies from which State and local governments now suffer. They also lack the opportunity to exercise sufficient responsibility in meeting social needs. As a further step in revitalizing State and local governments, I am therefore recommending a series of six Special Revenue Sharing programs under which the National Government would set certain general goals while programmatic decisions would be made at the State and local level. I have already sent two such proposals to the Congress—in the fields of law enforcement and manpower training.

My third Special Revenue Sharing proposal is for urban community development. I recommend that four categorical grant programs now administered by the Department of Housing and Urban Development be consolidated into a single fund. The size of the fund in the first full year of operation would be $2 billion. Cities would be able to spend their money as they see fit, provided only that they used it for community development purposes.

The four elements which would be combined to form this new fund would be the current programs for urban renewal, Model Cities, water and sewer grants, and loans for the rehabilitation of existing structures. The urban renewal program, in turn, now contains several subcategories which money will become part of the new fund, including so-called "conventional" urban renewal, the Neighborhood Development Program, assistance for concentrated local code enforcement, interim assistance for blighted neighborhoods, demolition grants and rehabilitation grants. I am proposing that this new program begin on January 1, 1972. In its second year of operation, I would add to this fund by including the money which the Office of Economic Opportunity now spends on some of the elements of its Community Action Programs.

DISTRIBUTING THE FUNDS

How would the money be distributed? Because these funds are designed to achieve the specific purpose of urban development, most of the money would be sent to the metropolitan areas of our Nation where the vast majority of Americans live and work. Eighty percent of this Special Revenue Sharing Fund would be assigned for use in Standard Metropolitan Statistical Areas. The Office of Management and Budget defines a Standard Metropolitan Statistical Area as an area which contains a central city or cities with an aggregate population of 50,000 or more and those surrounding counties which have a metropolitan character and are socially and economically integrated with the central city. There are 247 such areas in the United States at the present time.

The money assigned to Standard Metropolitan Statistical Areas—eighty percent of the total fund—would be allocated among the SMSA's according to a strict formula which would be written into the law so that each SMSA would be assured in advance of its fair share. The central cities and other cities in each SMSA with a population of more than 50,000 would, in turn, automatically receive a stable annual share of the SMSA's funds—again, according to the same objective formula.

In each Standard Metropolitan Statistical Area, some balance would remain after the major communities had received their formula share. In the initial years, this balance would be used by the Department of Housing and Urban Development to compensate any major city in that metropolitan area which received less from the formula allocation than it received annually from the old categorical grant programs over the past few years. Thus, all of these cities would be "held harmless" against reductions in the total urban development support they receive from Washington. None would be hurt—and many would receive more assistance than they do at present.

This administration also recognizes the needs of the growing and changing suburban and smaller communities—with populations under 50,000—within metropolitan areas. After the formula allocation and "hold harmless" commitments have been honored within each Standard Metropolitan Statistical Area, the remaining balance would be available to assist such smaller units, as well as counties, and to encourage area-wide developmental cooperation.

The formula according to which the funds would be distributed among the Standard Metropolitan Statistical Areas and among the cities within them would be "problem oriented"—so that the money would be channeled into the cities which need it most. The formula would take into account the number of people who live in an area or a city, the degree of overcrowding there, the condition of its housing units, and the proportion of its families whose income is below the poverty level.

The remaining twenty percent of the Special Revenue Sharing fund for Urban Community Development—the part that did not go by formula to the Standard Metropolitan Statistical Areas—would be available to the Secretary of Housing and Urban Development to distribute. Much of this money would be used during the transitional period to help hold communities harmless against reductions in the overall level of their urban development support. These funds would also be used to encourage state involvement in urban community development, to perform research, to demonstrate new techniques and to aid localities with special needs and with special opportunities to implement national growth policy.

SPENDING THE FUNDS

How would cities use this money? For community development purposes—which could include investments in both physical and human resources. All of the activities which are eligible for support under the present urban development categorical grants would be eligible for support from the new Special Revenue Sharing fund which would take their place. Cities could thus use their allocations to acquire, clear, and renew blighted areas, to construct public works such as water and sewer facilities, to build streets and malls, to enforce housing codes in deteriorating areas, to rehabilitate residential properties, to fund demolition projects, and to help relocate those who have been displaced from their homes or businesses by any activities which drew on these urban community development special revenue sharing funds. They could also fund a range of human resource activities including those now funded by Model Cities and Community Action programs.

Just which of these activities would be supported and what proportion of available funds would be channeled into each activity are decisions that would be made locally. No Federal approval would be required. Cities would simply be asked to indicate how they plan to use their funds and to report periodically on how the money was expended. This requirement is included merely to insure that funds would be used for eligible activities.

As is the case with all other revenue sharing programs, there could be no discrimination in the use of these funds. The rights of all persons to equitable treatment would be protected. Any monies expended under this program would be considered as Federal financial assistance within the meaning of Title VI of the Civil Rights Act of 1964.

THE TRANSITION PROCESS

The Department of Housing and Urban Development has already taken a number of steps designed to achieve more coordination among grant programs and greater decentralization on decision-making within the present structure of categorical grants. For example, the Department has been encouraging cities to create total community development strategies and has been working to fit categorical aids into such strategies wherever possible. It has also delegated substantial authority to its own regional and area offices. Such efforts are helping to lay a foundation for Special Revenue Sharing and all of them will continue.

One of the most important existing stepping stones to revenue sharing is the Model Cities program which was designed to provide a local community with flexible funding and sufficient freedom so that it can coordinate a wide variety of development programs in a given target area. The Model Cities idea grew out of a mounting frustration with traditional categorical grants. Ideally, it embodies—on a limited basis—the principles we are trying to extend to all development aid through Special Revenue Sharing.

Even in the Model Cities program, however, the idea has not yet been fully realized. The program is still limited in scope and it still suffers from certain restrictions—the need to negotiate projects with Washington, for example, and the fact that some programs are still limited to certain neighborhoods. The Department of Housing and Urban Development has worked to minimize these limitations and it will continue to do so. At the same time, I hope that the Congress will enact this Special Revenue Sharing program and thus complete the work which began when the Model Cities program was set up five years ago.

I would emphasize that there will be no lessening of Federal support for urban development activities between now and January 1, 1972, the proposed starting date for the new program. Our problems will not take "time out" and neither can our efforts to deal with them. Where long-range commitments have been made to fund urban renewal projects, those commitments will be honored. Amendatories—supplementary pledges which cover cost increases in urban renewal projects—will also continue to be funded. We will, however, discourage applications for new conventional urban renewal projects—since they would tie up future funds today which would mean cash through Special Revenue Sharing in future years. Instead, we will prepare for Special Revenue Sharing by placing greater emphasis in all programs on annual incremental funding—of the sort that is now used in Neighborhood Development Programs.

Similarly, all other affected programs will continue to be funded until the new program comes into effect. This includes our Model Cities and Community Action commitments. As soon as the starting date for Special Revenue Sharing is established by the Congress, this administration will work out transition arrangements, so that there will be neither a funding gap nor a period of double funding.

WHAT THIS PROGRAM WILL—AND WILL NOT—DO

Special Revenue Sharing for Urban Community Development offers a precise and direct solution to the problems which now afflict our system of urban aid. Unlike fragmented and rigid categorical grants, this new plan would allow local leaders to marshal Federal and local dollars according to a simple, comprehensive plan which could be rationally formulated and then intelligently adjusted as conditions change. And—unlike the present system of Federal approval for local project grants—Special Revenue Sharing would give the responsibility for making local decisions back to local officials who can make them best. It is this feature which distinguishes Special Revenue Sharing from the so-called "block grant" which also consolidates categorical grants into a single fund but which retains the Federal approval process and the concomitant disadvantages of excessive Federal control.

Instead of spending their time trying to please Federal officials in Washington—so that money will continue to flow—local leaders would be able to concentrate on pleasing the people who live in their city—so that the money would do more good. A great deal of red tape would be eliminated at both the local and the Federal level—and with it a great deal of waste and delay.

The merger of several categorical programs into a single development fund would enhance the authority and capacity of local officials. It would also serve as a means to dramatize the overall share of national resources which are allocated to this process. The concern of Federal officials and the Congress would no longer be with the details of local projects but with the general place of urban development among our national priorities.

For a variety of reasons, local governments would find that they are better off financially under Special Revenue Sharing than they were before. In the first place, the new plan would provide cities with a level of urban development funding which is at least comparable to that which they have now. In addition, it would contain some extra money which would allow many communities to improve their position. In future years, the overall program could reasonably be expected to grow.

General Revenue Sharing, of course, would provide still more new dollars for these local governments. In addition, cities would get back their discretionary power over the money they were previously spending on matching funds. Because they would not have to prepare and follow up on immense applications and detailed reports for Washington, local governments would save a considerable administrative expense. And, to the degree that they used their new freedom to make wiser spending decisions, they would find that their new Special Revenue Sharing dollars would go further than did their old grants-in-aid.

One point that should be very clearly understood is that *no* program currently funded by categorical grants need be discontinued under the new arrangement. Every community would have the capacity to maintain—and many would have the capacity to expand—any of these current programs. The suggestion that Model Cities programs, for example, would be terminated is extremely misleading. That would happen only if a locality made a deliberate decision that it wanted to terminate the program, something it is free to do right now. Since existing Model Cities programs require local governments to take the initiative in applying for participation, there is little reason to think that many cities would be motivated to dismantle their Model Cities projects under Special Revenue Sharing—unless they were fairly certain they could use the development money more effectively somewhere else.

Similarly, there is little reason to fear that the problems of impoverished areas would somehow be neglected under this plan. The political leverage of these who live in poverty areas has increasingly been focused on local governments in recent years—and it often has greater impact in such places than when it is diluted at the national level.

STRENGTHENING THE FEDERAL SYSTEM

This Special Revenue Sharing program is built upon a fundamental faith in the inherent capacity of local governments to govern well—if they are given sufficient resources and sufficient responsibility.

Some will argue against such a program by contending that a number of State and local officials will prove to be unresponsive or irresponsible. But this is no reason to reject revenue sharing. Whenever one is dealing with thousands of local officials, there is always a danger that some will prove to be less worthy of one's confidence than others. That is always the risk of moving toward greater freedom—it necessarily becomes more difficult for any one authority to guarantee how the many will behave.

The question is *not* whether revenue sharing is a foolproof way to avoid bad decisions. No system can do that. The question is whether—on balance—revenue sharing is more likely or less likely to produce *good* decisions than our present system of grants-in-aid.

The question is not whether there are risks in this program. Of course there are. The question is whether the rewards outweigh those risks.

I have already presented a number of reasons why I believe the potential rewards of revenue sharing are considerable. It should also be emphasized, however, that the risks are really very small. The Model Cities program has both demonstrated and enhanced the growing capacity of local leaders to deal skillfully with developmental questions. Moreover, those who talk about the risks of revenue sharing often forget that revenue sharing will *itself* do a great deal to strengthen and improve State and local government. *That is why I so strongly believe that those who are most concerned about the shortcomings of State and local governments ought to be most* *enthusiastic about a strong Federal revenue sharing program.*

In many fields today, State and local officials are often forced to function as wards of the Federal Government. Often, they are treated as children who are given a meager allowance, told precisely how to spend it, and then scolded for not being self-reliant enough to handle more responsibility. If we want State and local government to survive, then we must break into this vicious cycle.

The best way to develop greater responsibility at the State and local level is to give greater responsibility to State and local leaders. Only then can we reward and strengthen the many leaders who are effective and help the public to identify and to replace the few who are not. If we want to get more good people into government, then we must give them more opportunity to do good things. To do otherwise, to continue with programs that assign to appointed Federal bureaucrats decisions that should be made by elected local leaders, will only serve to compound the danger of governmental atrophy at the State and local level.

A NEW PLANNING AND MANAGEMENT PROGRAM

To strengthen State and local capacities even further, I am presenting a second proposal today, one that would do a great deal to help *all* of our revenue sharing proposals work even better. I am asking the Congress to authorize a new program of Planning and Management Assistance to States, to areawide agencies and to localities. Under this program, $100 million would be available for these purposes.

The new program would involve more money, and would provide recipient governments with broader and more flexible support for building up their capacity to govern effectively. It would be focused primarily on the chief executives of State and local general purpose governments—on governors, mayors and county executives—to enhance their ability to make well informed policy decisions, to lay intelligent long range plans, to allocate their budgetary resources wisely, and to coordinate complex development activities in many fields. It will place new emphasis on the creation of a comprehensive management process, one that ties together planning and action, not just in the community development field, but in fields such as transportation, education, law enforcement and all other fields of local and areawide governmental endeavor. Local officials would have a great deal of discretion in determining just how this planning and management assistance would be utilized.

Special Revenue Sharing itself can do a great deal to liberate local governments so that their planning and their programs can become more imaginative and more effective. A new program of planning and management assistance would help States and local officials take full advantage of this opportunity. It is a significant companion proposal to *all* of our revenue sharing initiatives.

CONCLUSIONS

For a variety of reasons, then, we can be confident that the States and localities will prove equal to their revenue sharing responsibilities. But as we consider these programs, we should also remember one more thing. To choose the revenue sharing mechanism is not to choose any *one* level of government over *another* level of government. In supporting revenue sharing we are not deciding *against* the Federal Government, but *for* the Federal system.

That system is one which has served our country well for nearly two centuries, allowing us to combine national unity and regional diversity, to balance our common ideals with our highly varied ways of pursuing them, to solve the ancient philosophical challenge of reconciling the many and the one.

But the Federal system does not work automatically. Like democracy itself, it lives only because those who work within it are committed to its success. It is now for us to decide whether the Federal system will decay or flourish in our time.

RICHARD NIXON.

THE WHITE HOUSE, *March 5, 1971.*

PRESIDENT'S MESSAGE ON SPECIAL REVENUE SHARING

Mr. HUNGATE. Mr. Speaker, I am in sympathy with the President's desire to simplify procedures whereby Federal funds are made available for local projects, but as I examine his formula for redistribution of funds, I am not so certain he is accomplishing his goal. The Department of Treasury has issued a booklet—322 pages—explaining the revenue sharing formula.

An explanation of the formula shown in the booklet follows:

METHOD OF CALCULATION

State area allocation.—As specified in the President's proposal, the *state area* allocation, S, for a particular state, j, is determined as follows:

$$S_j = N\left[\frac{(P_j)\left(\frac{R_j}{Y_j}\right)}{\sum_{i=1}^{51}(P_i)\left(\frac{R_i}{Y_i}\right)}\right]$$

where P=population of a State,

R=general revenues from own sources for a State and all its units of local government (including school and special districts),[2]

Y=total personal income for a State,

N=nationwide appropriation for revenue sharing,

i=index of State (containing particular State j).

That is, the payment percentage for any particular state can be found by multiplying that state's population by its revenue effort (defined as the ratio of general revenues from own sources to personal income for the state), and dividing the product by the sum of such products for all 50 states and the District of Columbia. In preparing the tables reprinted in this publication, N was taken to be $5 billion.

Once the state area allocation is determined in accordance with the above formula, calculations must be made to determine the total allocation to local governments, the individual allocations to local governments, and the state government allocation.

Total Local Government Allocation. Under the President's proposal, all general purpose local governments (counties, municipalities, and townships) are included in revenue sharing. The total amount, L. to be shared with these governments in state j is determined as follows:

$$L_j = S_j\left(\frac{C_j}{R_j}\right)$$

where C=general revenues from own sources for all units of local government in State j.

Thus, for every revenue-sharing payment allocated to a state, the general purpose local governments will receive the fraction of that payment which corresponds to the ratio of local general revenues to total state and all local general revenues. This fraction, of course, will vary by state depending on the existing division of public financing responsibilities.

Individual Local Government Allocation. Each individual unit of local government, h, will receive an amount, X, determined as follows:

$$X_h = L_j\left(\frac{G_h}{\sum_{n=1}^{z} G_n}\right)$$

where G=general revenues from own sources for a general purpose local government,

z=number of municipalities, counties, and townships in State j,

n=index of local governments.

That is, each local government will receive a share which corresponds to the ratio of its general revenues from own sources to the sum of such general revenues for all eligible local governments.

State Government Allocation. The amount, M. which the State government of state j will retain for its use is simply the residual after deducting the local share from the total state allocation:

$$M_j = S_j - L_j$$

Mr. Speaker, I am not sure most of us would regard this as a simplification of the paperwork necessary to get Federal assistance.

APPOINTMENT AS MEMBERS OF FEDERAL RECORDS COUNCIL

The SPEAKER. Pursuant to the provisions of title 44, United States Code, section 2701, the Chair appoints as members of the Federal Records Council the following Members on the part of the House: Mr. BURLISON, of Missouri, and Mr. LUJAN, of New Mexico.

APPOINTMENT AS MEMBERS OF COMMISSION ON POPULATION GROWTH AND THE AMERICAN FUTURE

The SPEAKER. Pursuant to the provisions of section 2(a), Public Law 91–213, the Chair appoints as members of the Commission on Population Growth and the American Future the following Members on the part of the House: Mr. SCHEUER, of New York, and Mr. ERLENBORN, of Illinois.

ANNOUNCEMENT BY MAJORITY LEADER REGARDING SECURITY ON CAPITOL HILL

Mr. BOGGS. Mr. Speaker, at a meeting in the Speaker's office this morning, attended by the Speaker, the miniority leader of the House, the majority leader of the House, the minority leader of the Senate, the majority leader of the Senate, the Chief of Police, the Assistant Architect, and by the Sergeant at Arms of the Senate and the Sergeant at Arms of the House, there was much discussion, which will be of great interest to the Members of this body and of the other body, about providing further security for the Capitol and buildings which come under the jurisdiction of the legislative branch; namely, the three House office buildings, the two Senate office buildings, and of course the Capitol itself.

I believe the most significant discussion was that about making the police force professionalized. We hope to establish as fine a police force as exists anywhere in the country.

Second, there was discussion about transferring the doorkeepers to the Police Department in the Capitol.

Consideration is also being given to having elevator operators in the Rayburn Building. We have had complaints from some of the Members about young ladies being molested in those elevators.

Also, buildings would be closed. I am talking now about the House office buildings and the Senate office buildings, for the Capitol already has a closing schedule. All these buildings, other than the Capitol, would close at 1 o'clock on Saturdays and be closed all day on Sundays. In order to gain admission, any person entering would need identification. If he carries a package of any kind the police would be instructed to make sure that package is deposited where he says it is going.

These measures are not repressive. They do not deprive our people of the opportunity of visiting the Nation's Capitol. But they would be taken in the view that there must be some further security in these buildings.

Also, the Speaker has moved forward on the legislative enactment of last year in the reform bill to enclose the galleries of the House; and I understand similar measures will be taken in the Senate.

Finally, we are pleased to announce that a public spirited citizen who wants to be anonymous has made available the sum of $100,000 for the apprehension. and the arrest and conviction, of the person or persons responsible for desecrating this building on March 1.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I am happy to yield to the chairman of the committee.

Mr. HAYS. I would just like to say to the gentleman that last week I was in London and I had occasion to go to the House of Commons to meet a Member there. When I went to the door to go into the building there were two policemen there who very politely and courteously asked me to identify myself. I told them who I was and showed them an identity card. In 15 seconds I was on my way in the building.

It occurred to me after I heard about this bombing that there is nothing wrong with a procedure like that for people who come in and out of these buildings. I think the very fact that it is known we had such a procedure would probably be a pretty big deterrent to anyone carrying explosives into the building anyway.

Mr. BOGGS. Mr. Speaker, I commend the gentleman.

Of course, as chairman of the Committee on House Administration he has made a very significant contribution to all of the measures that I mentioned.

Mr. MINSHALL. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I am glad to yield to the gentleman.

Mr. MINSHALL. I would like to commend the majority and minority leaders of the House and the Senate for taking this action. It is long overdue.

As you well remember, we had right here on the floor of the House an incident involving a member of the American Nazi Party some 6 years ago. At that time I offered a resolution to set up a joint House-Senate committee to look into this matter, but no action was ever taken on it.

I am glad to see that this committee has gone ahead, composed of my good friends, Mr. ARENDS and GERRY FORD and the distinguished majority leader and others, and that they have some positive action which will be taken in these measures which will be implemented as soon as they possibly can be.

Mr. BOGGS. I might add—and I did not mention this—that we have had very comprehensive recommendations from the FBI and Mr. Hoover.

SECURITY MEASURES IN THE CAPITOL

(Mr. ARENDS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARENDS. Mr. Speaker, I am very pleased to hear what the gentleman from Louisiana just stated as to the action taken by the Speaker on these matters.

Yesterday afternoon for the first time, as I drove into the garage on a Sunday afternoon, when I came to the office with some papers, I was very pleasantly surprised to be stopped by a policeman and to have to identify myself and my wife and to be asked about any packages which we might have with us. The whole procedure had a great appeal to me. I feel this is a move that can be extremely helpful in the future toward providing needed protection for the Members of the Congress, the buildings of the Nation, and all property of the United States.

SECURITY MEASURES IN THE CAPITOL

(Mr. WALDIE asked and was given permission to address the House for 1 minute.)

Mr. WALDIE. Mr. Speaker, I wanted to ask the distinguished majority leader a question. It is my understanding in his presentation he had said you were proceeding with plans to enclose the galleries in this House as well as in the other body. I hope that meant that you are just proceeding with a study as to the feasibility of that move. I have personally been one who believes that enclosing the galleries and shutting the people off from their representatives would be an act that would not be desirable. I think for us to react to what has happened, as deplorable as it was, in a manner that would keep the people even more remote from this institution than they are now is not desirable.

Mr. BOGGS. Will the gentleman yield?

Mr. WALDIE. I yield to the distinguished majority leader.

Mr. BOGGS. To clarify my remarks, I would like to say to the gentleman that all of the measures I mentioned are in the planning stages. No final decisions have been made. Insofar as the gallery is concerned, the Speaker is operating under the mandate of the Congress enacted in the reform bill. Public Law 91-510, the Legislative Reorganization Act, provides for an enclosure of the galleries. I share the gentleman's concern that this is a people's body. The people own this institution, and it is with great regret that I make these announcements, but somewhere there must be a balance between the people's right to be with public officials and the safety of the Government of the United States.

Mr. WALDIE. Mr. Speaker, I appreciate the response of the majority leader, and I concur in the recommendation that I heard the gentleman discuss with the exception of sealing this institution off from the people of the country. I think this would be a deplorable act of fear on our part, and I would hope that we should not do so.

Mr. BOGGS. Mr. Speaker, if the gentleman will yield further, I think I can speak for the Speaker, having attended the meeting with him, and having been at so many meetings with him over the years, that I can assure the gentleman from California that there is certainly no intention of anybody on the part of the leadership of this House to seal off this body from the public.

The SPEAKER. The time of the gentleman has expired.

SECURITY FOR THE CAPITOL

(Mr. HAYS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. HAYS. Mr. Speaker, I just want to say to the gentleman from California that in reference to sealing the gallery off, that was debated here last year in the so-called reform bill, handled by the gentleman from California (Mr. SISK) and it was debated extensively pro and con, and then it was voted on, and the vote was that the gallery be enclosed with some kind of bullet-proof material. This does not mean that it would be enclosed so that the public could not see and hear, but it would be enclosed so that somebody could not fire down on the floor of the House, as happened in the process of discussion during the past, and as some have been threatening to do in the future.

Mr. WALDIE. My recollection may possibly be in error, but what I had thought we had considered in the reform bill—and I frankly opposed that—was that it was to request the Speaker to appoint a committee to report back to the House as to what possible steps could be taken with respect to sealing the gallery off.

Mr. HAYS. I think, if the gentleman from California will check it, that he will find that it was mandated that the Speaker go ahead with it, and proceed with it.

Mr. WALDIE. If that is so, then the question is moot, and our discussion is moot.

Mr. HAYS. I feel sure that my memory is correct on that.

Mr. WALDIE. It probably is, and I only add that I am sorry that we have to do it.

VAST MAJORITY SHUT OUT OF ALI-FRAZIER FIGHT

(Mr. BOLAND asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BOLAND. Mr. Speaker, television coverage of tonight's Ali-Frazier fight will reach only a handful of people—about 1 percent of a potential TV audience that approaches 200 million. And the cost of tickets for the closed circuit TV showings borders on the extortionate, making a major sports event available only to a relatively few. The vast majority of the American viewing public has been shut out of the fight.

The closed circuit approach promises to yield staggering profits for the fight's promoters—profits so inviting that the entire entertainment world is looking on in envy.

The principle of free broadcasting is at stake here, Mr. Speaker, and this fight threatens to begin a slow erosion of that principle.

Jack Gould's column in today's New York Times discusses the implications of closed circuit television for the viewing public.

With permission, Mr. Speaker, I put it in the Record at this point:

The Fight: TV Fan Counted Out—Far-Reaching Impact Could Be Blow to All Free Time

(By Jack Gould)

The impact of the Joe Frazier-Muhammed Ali fight on the world of communications will extend far beyond tonight. The effect thus far of the closed-circuit presentation already bears out many contentions of broadcasters who have opposed pay-as-you-see TV on economic and public service grounds. The electronic life is going to change. Even if every seat in 350 theaters and an unknown number of hotels, motels and cable systems is sold out, the TV audience in the United States will be one of the smallest in the history of the medium. The total number of persons watching the fight live is unlikely to exceed two million or so, a figure of minuscule proportions in comparison with the audience for an old movie on free TV.

DIFFERENT ECONOMICS

The rich few will be able to afford the astronomical prices asked by theaters but millions of the poor will be left with only nostalgic memories of Joe Louis, Jersey Joe Walcott and Kid Gavilan on their 12-inch screens. The TV medium once opened to all, regardless of station, is becoming a restricted instrument, and the fight may be the handwriting on the wall for the future of much entertainment and big sports.

The different economics of closed-circuit TV and advertiser-sponsored TV turn all video statistics upside down. An audience of 150 million might tune in if a handful of advertisers footed the bill for free TV. But the fight promoters are shooting for a vastly greater gross by having two million fight fans as their "sponsors" through purchase of tickets to closed showings of the match.

The old rule of show business is back: Who cares about 148 million freeloaders? Only the 2 million with cash in hand warrant tender, loving care. Advertisers count noses of prospective customers; promoters only count dollars from those checking in.

And if in coming decades this country and then the world are wired up for pay TV in the home, the wild statistics surrounding the Frazier-Ali fight will be penny ante stuff.

One development is certain. The $2.5-million guarantees to Frazier and Ali are not being ignored by Hollywood's top stars. If that kind of money is around by staying off free TV and going to the closed-circuit or cable route, there'll be many a second thought about the appeal of the existing home medium. A prize fight admittedly is unique in its international attraction. But a film star might not be adverse to a modest $500,000 guarantee plus a percentage of the gross paid by 30 million homes, half the potential in this country.

BLEAK PROSPECT FOR VIEWER

Broadcasters for expedient reasons have repeatedly said that the day may come when viewers would have to pay for what they once watched without charge. Even to think of charging anything for much that is now shown would seem a colossal conceit. But serious students of communications are not devoid of genuine worries over erosion of the free air waves.

Only time—perhaps a very long time—will tell what will be the impact of closed-circuit TV on free TV's economic ability to offer news and information to rich and poor alike, carry political addresses and provide other services not returning a profit. A broadcaster is required to provide a balanced service; a closed-circuit promoter is not.

A vivid example of the social consequences of shifting from free broadcasting to closed-circuit broadcasting has come with the fight. Instead of having the military circuits blanketed as usual with blow-by-blow accounts of the fight, G.I.'s overseas will have a sharply limited service designed to avoid conflict with the overseas commercial contracts of the promoters. In South Vietnam there will be no pictures, only the commentary. Many men in uniform will hear only news bulletins.

Tonight's fight is far more than just an unusual sporting event. Most TV viewers will not see TV's biggest attraction because the medium's economics are not up to meeting the new competition for the dollar. And, in the process, radio has also been squeezed out.

Distribution of the fight on closed-circuit is being handled by Management Television Systems, which is handled by E. William Henry. By way of an ironic touch, Mr. Henry also had a previous job: the chairmanship of the Federal Communications Commission, the agency that will be making decisions on all forms of TV in coming years.

JAPANESE PROPOSAL A HOAX

(Mr. DORN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DORN. Mr. Speaker, the Japanese textile industry announced in Tokyo this morning a plan to unilaterally protect itself. It is incredible that the Japanese textile industry would expect the American textile industry to be duped into buying their proposal, concocted, and conceived in Tokyo.

This plan, as advanced by the Japanese textile industry, would ask that the American Government, the Congress, and the American people guarantee to the Japanese their highest level of exports into the United States of cheap, low-wage textile products, plus an immediate 5-percent increase the first year, and an additional 6 percent each year for the next 2 years.

This unbelievable proposal would not cover specific categories of textiles within the overall limitation, thus enabling the Japanese textile industry to, one-at-a-time, flood specific segments of our market until we are completely out of business.

Mr. Speaker, without reservation I denounce this proposal for what it is, a fake, a subterfuge, and a fraud. Mr. Speaker, let us proceed with the legislation and with meaningful, mutually advantageous agreements sponsored by the Government of the United States and the Government of Japan. I repeat, Mr. Speaker, that this legislation provides for negotiations and voluntary agreements before actually applying any quotas.

ARTHUR GODFREY IS AGAINST THE SST

(Mr. YATES asked and was given permission to address the House for 1 minutes, and to revise and extend his remarks, and include extraneous material.)

Mr. YATES. Mr. Speaker, in connection with the hearings on the SST last week before the Transportation Subcommittee of the Committee on Appropriations, I had requested Arthur Godfrey to testify, as chairman of the coalition against the SST. Unfortunately, he was unable to do so.

I have just received a letter from him which I shall read to the Members now. The letter is addressed to me, and is dated March 4. He said:

Dear Mr. Congressman: I was very sorry not to be able to testify for you on March 2 or 3 because of previous non-cancellable commitments.

I thougth you might like to know, however, that I'm secheduled to appear before the Senate Committee on Wednesday, March 10.

Thanks for all your help in this cause.

Mr. Godfrey included a copy of a letter which he had addressed to Mr. James H. Straubel of the Air Force Association, dated March 4, in which he said:

Dear Jim: It is with sincere regret that I feel obliged to write this letter. I am just in receipt of your memo of February 22 describing the position of the AFA with regard to the SST.

As Chairman of the Coalition Against the SST, I am scheduled to testify before the Senate Committee on Wednesday, March 10. Regrettably, I find this affiliation conflicts with the position taken by the AFA.

Let me say this. If the SST were being developed by the Air Force strictly for military purposes, I would be the first to support it. But it isn't. It is proposed only as a commercial, civilian vehicle which we need in this world about as much as we need another load of those rocks from the moon. I am unalterably opposed to it not only because it adds to the pollution of the ecosphere, however slightly, but principally because at a time when so many other things should take unchallenged priority, this industrial play toy becomes something akin to an obscenity. Who in the hell needs to get wherever it's going so damn fast? To transport military personnel and logistics would be one thing, but to accommodate some rich "jet set" slobs who want to get their aperitifs in Paris in half the time is ridiculous.

Not only that, but the airlines are admittedly already over expended and in serious trouble and I'm doing everything I can to help alleviate that situation. I cannot speak for them officially, of course, but I'll bet you a plate of beans that they hope they'll never live to see it!

Sorry, Jim, but you just lost me.

Regretfully,

ARTHUR GODFREY.

ADVICE AND DISCONTENT IN FEDERAL ADVISORY COMMITTEES

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, I should like to bring to the attention of my colleagues the article entitled "Federal Advisory Processes: Advice and Discontent" by Dr. Thomas E. Cronin and Norman C. Thomas which appeared in the 26th of February 1971 issue of Science magazine. Dr. Cronin is a research political scientist at the Brookings Institution, Washington, D.C., and Dr. Thomas is a professor of political science at Duke University, Durham, N.C.

A companion paper on the subject prepared by the same authors may be found on pages 184–198 of the Presidential Advisory Committees hearings of the Special Studies Subcommittee of the Committee on Government Operations. Dr. Cronin also appeared as a witness at the hearings which I had the privilege to chair. I am pleased to note that the article's findings obtained by interview and questionnaire support many of the same conclusions and recommendations as the Committee on Government Operations report entitled "The Role and Effectiveness of Federal Advisory Committees."

The article points out the confused manner in which advisory committee functions are conceived and defined, their inadequate staffing, the insufficient meeting time and the lack of full opportunity for the examination of policy and program alternatives, the need for more thoughtful congressional appreciation of the use of advisory committees, the involvement of too many of the same people in the policy area as well as on the advisory committees, the demand for a more balanced and broader membership representation, the need to make advisory groups independent of the agencies they are advising, and members' complaints about misuse or exploitation of such committees.

On February 17, 1971, I introduced, together with Messrs. GALLAGHER, MYERS, MOORHEAD, ROSENTHAL, and MANN H.R. 4383 which seeks to remedy many of the advisory committee problems referred to in the report and also in the article. The bill essentially incorporates the unanimous recommendations of the report of the Committee on Government Operations.

MEDICARE COVERAGE FOR LOCAL PUBLIC EMPLOYEES

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, today I am reintroducing my bill to authorize the Secretary of Health, Education, and Welfare to enter into agreements with States to provide hospital insurance coverage under medicare for annuitants of teacher retirement systems and other public employee retirement systems who are presently excluded from coverage.

This bill is an expanded version of legislation I introduced in the 91st Congress and it will allow all persons age 65 or over who are ineligible for hospital insurance coverage under medicare to purchase coverage on a voluntary basis. Individuals electing coverage will pay the full cost of the protection, determined to be $27 a month in 1969, rising as hospital costs rise.

Connecticut is one of 12 States having teacher retirement programs which are adequate in every respect except that the programs exclude hospital insurance coverage under medicare. Under the terms of the bill States and other organizations will be allowed to purchase coverage on a group basis for employees presently excluded from coverage. Because the participating States or other organizations will pay the full cost of the medicare coverage, this bill will require no present or future appropriation. A participating state or organization will reimburse the social security medicare trust fund for all benefits paid out plus administrative expenses.

Passage of this bill will bring approximately 750,000 public school teachers in the Nation under medicare protection at no cost to the Federal Government. In my own State of Connecticut, which only awaits congressional authorization for its public employees and public school teachers to participate in the medicare program, approximately 35,000 public school teachers will be affected by this bill. A large number of State and municipal employees now excluded from coverage by virtue of their membership in public employee retirement systems instead of social security will also be able to enjoy medicare hospital coverage.

This is a just and reasonable measure, and it deserves the support of Congress.

J. EDGAR HOOVER

(Mr. DEVINE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DEVINE. Mr. Speaker, it seems to be the order of the day among the radicals, the militant activists, revolutionaries, and other dissidents to attack one of the greatest contemporary Americans, J. Edgar Hoover.

In fact, one might imagine whether this borders on a conspiracy of destruction.

The other side of the coin surfaces occasionally, however, and I am happy to offer an editorial which appeared in the Columbus, Ohio, Dispatch, Wednesday, March 3, and would commend it to the attention of my colleagues, as well as the American public:

ATTACK ON J. EDGAR HOOVER REFLECTS ON 8 PRESIDENTS

If J. Edgar Hoover isn't the strongest, most dedicated bulwark against crime this nation has ever known, then he has pulled the wool over the eyes of eight presidents.

Since he was named director of the Federal Bureau of Investigation in 1924 by Calvin Coolidge, every president since—Democrat and Republican—was quick to publicly state he wanted Mr. Hoover to stay on. He serves at the pleasure of the president and if he lacked the ring of authenticity, genuine dedication to duty and ability, one of the eight presidents would have detected it.

But every one of the eight presidents under whom Mr. Hoover served was, like the majority of law-abiding American citizens, impressed by the unending battle against subversiveness as waged by the FBI under the direction of Mr. Hoover.

But small men, unable to attain the stature of highly respected men such as J. Edgar Hoover, try then to cut them down to their size.

That is how we view the anonymous letter purportedly written by 10 FBI agents charging the bureau is slipping as an effective crime fighter because too much time is spent polishing the director's image.

Sen. George S. McGovern, D-S.D., claims to have received the letter, typed on FBI stationery, something easily obtained.

The faceless informers from whom Senator McGovern says he received the letter are but 10 in an organization of more than 15,000, if indeed they are current FBI personnel. Why did the letter supposedly represent the view of 10 persons? Why not several hundred? Certainly in an agency that large 10 is a very small number of disgruntled employees. Doesn't every organization have its share?

But Senator McGovern, a presidential hopeful in need of national publicity, grabbed on to the unsigned letter and used it as material for an attack on Mr. Hoover in a speech on the Senate floor.

We hope the early-starting presidential aspirant will have something more concrete to offer the public in the long months before convention time than what he has come up with so far.

Attacks of his kind, being party to anonymous informers, don't speak well for the supposed stature of a U.S. Senator. It's like throwing bricks over a wall and not knowing or caring who may be hit.

No man is immortal and the time is coming when Mr. Hoover probably will look to retirement. When the aging but certainly very alert FBI Director does retire, it will be a day for the subversive element of our nation to rejoice.

An untiring foe against Reds and crime in all its ugly forms, J. Edgar Hoover will stand always as a symbol of defense against the criminal world.

MANPOWER REVENUE SHARING ACT

(Mr. KYL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KYL. Mr. Speaker, the Manpower Revenue Sharing Act presents a real opportunity for this Congress to give serious and thoughtful consideration to the relationship of Federal-State-local governments in planning and administering our social programs. This proposal should help the Congress to consider the pros and cons of the dozen or more categorical programs that have been developed and implemented in job training during the decade of the 1960's.

It offers the alternative we have been searching for in providing a balanced manpower program, streamlining the administrative machinery which delivers the manpower services, and makes manpower programs responsive to the needs of unemployed and underemployed persons.

The present grant-in-aid system, of which manpower programs are a part, grew up in a piecemeal fashion. This growth is characterized by great overlap, little coordination, restrictive and burdensome administrative requirements. All too often those who operate programs at the local level are required by rigid Federal guidelines to waste funds on outdated projects. These deficiencies were not planned or intended. They are simply the inherent part of the problem of trying to plan programs in Washington that are needed in innumerable different settings and circumstances throughout the States.

The development of meaningful patterns of expenditures at the local level can best be done by those closest to the problems. The opportunity for decisionmaking and resource distribution by State and local officials would be a real step forward in streamlining the administration of manpower programs. An example of what can be done with local planning is the multicounty effort in my own congressional district—the results were so good that the plan will be followed in other areas. Its success will depend on how much local control can be retained.

I strongly urge my colleagues to support this measure to assure its early enactment.

MANPOWER REVENUE SHARING ACT

(Mr. KEMP asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. KEMP. Mr. Speaker, as a representative from a major metropolitan area, I rise in support of the proposed Manpower Revenue Sharing Act, which the President has sent to the Congress. Cities such as mine are in the throes of continual crises—crises in education, housing, transportation, pollution, and unemployment.

More and more, the cities are where people live—and every year, more money is required to deal with the cities' mounting problems. Yet the cities are in bad trouble financially. They desperately need more money, but they can expect significant new money only from Washington.

Therefore, the Manpower Revenue Sharing bill seems to me a rare beacon of hope in these gloomy days. It would provide money directly to the cities, in proportion to the relative needs of each one, for a variety of locally designed activities aimed at opening up new job opportunities and helping hundreds of thousands of needy people become employed taxpayers.

Eligible jurisdictions would include cities and counties of 100,000 or more people, consortia of government in smaller standard metropolitan statistical areas, and other combination of units of general local government which include a city or county of 100,000 or more people.

Money would flow to these jurisdictions without a requirement for approval of plans at either the Federal or State level, thus assuring that special urban needs could be recognized and effectively dealt with at the local level without equivocation or delay.

I am grateful for this bill and heartened by its appearance. I recommend to my colleagues that we act upon it as soon as possible.

FAMILY HEALTH CARE PLAN

(Mr. McKEVITT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. McKEVITT. Mr. Speaker, the family health care plan outlined by the President in his state of the Union message is the right answer to the health crisis which confronts our Nation. Those who are familiar with this problem are well aware that the larger difficulty is in the delivery of health services rather than the payment for those services.

The President has rightfully included in his health plan a provision so that no American family will be denied medical care because of their inability to pay. However, it would be a tragedy to pretend that simply by providing the means to pay for health care we have solved the problem. For the fact is that in America today we do not have the medical resources necessary to provide an adequate level of care to all our people.

It is gratifying then that President Nixon has chosen to meet this aspect of the problem head on by such means as an increase in aid to medical schools, new incentives for preventive medicine, increased use of nurses and paramedical personnel and a fairer distribution of medical services. In asking for an intensive research approach to find a cure for cancer, the President has set what may be the pattern for future research efforts.

This is an outstanding program for health care. One that would meet our needs and is within the realistic range of our financial resources. It deserves prompt consideration by the Congress.

CAPITOL POLICE

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute.)

Mr. GONZALEZ. Mr. Speaker, a few minutes ago we heard a discussion about whether or not we should have the galleries enclosed. In connection with that, I think a very shameful thing is happening.

Immediately after the bombing on the Senate side, the Capitol Police were subjected to criticisms and editorials because it was claimed they were just students and inexperienced policemen, which is a harsh judgment to say the least in view of the record of performance of the Capitol Police force.

I do not know what anybody can do, given the temper of the times, with the number of people running loose who do strange and insane things, that could protect us completely and totally.

But, on top of that, the Capitol policemen have been working overtime and in some cases 30 hours and 28 hours and 20 hours straight without 1 cent of compensation for that overtime. I think this reflects on us. I think this injustice ought to be corrected. I think we should look at this from the standpoint of just plain elementary justice.

So far as what the policemen can do, there is nothing to prevent anybody from coming in and sitting in the gallery and pulling out a hand grenade and throwing it right in the middle of this House floor if anybody was really determined to do that. I remember President Kennedy mentioning twice in my presence that if anybody wanted and intended to kill the President of the United States, it would not be too hard a thing to do. I think we ought to keep our perspective and I do not think we ought to use the policemen and their good will and efficiency by exploiting them and not paying them for their overtime work. If we need more policemen, then let us expand the budget and hire them and pay them adequately for the work they do. But let us not take it out on those who are doing a good job, and who are honest and responsible and responsive to our needs on Capitol Hill.

FASCELL INTRODUCES EMERGENCY SCHOOL AID ACT OF 1971

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, the Emergency School Aid Act of 1971, which I introduced last week, is designed to meet a financial crisis caused by the necessary but costly implementation of desegregation plans by our Nation's school systems.

By providing relief for financially overburdened local educational agencies, this bill will also encourage voluntary elimination of racial isolation in schools with substantial numbers of minority group students.

I am pleased that this proposal has been received favorably by the House of Representatives. As the sponsor of similar legislation which was approved by the House in the last session of Congress, I believe the merits of this bill are even more persuasive today.

The implementation of desegregation plans and the elimination of dual systems have drained the resources of many school districts threatening the quality of education for all of the children.

We now know there are added costs of special programs and personnel to effect desegregation with the minimum possible disruption to the primary educational function of our schools. It is only fair that the Federal Government should assume part of this financial burden.

Desegregation does not take place in a vacuum. Like all social processes it is acted upon by human factors which complicate it and, therefore, necessitate special attention.

Funds appropriated under this act would be used for remedial programs, additional professional staff, comprehensive guidance and counseling, and repair or remodeling of existing school facilities. In addition, the money will promote innovative interracial educational programs and the development of new instructional techniques.

If the reasons for favorable consideration of this legislation are stronger this session, so, too, has the bill itself been strengthened. The arbitrary cutoff date, requiring a court order or HEW order to implement desegregation plans since 1968, has been eliminated. Also, a provision prohibiting the use of funds for busing students to achieve racial balance, except at the specific request of the local educational agency, has been added.

Mr. Speaker, the Congress has concerned itself more and more with the quality of education and the increasing financial squeeze being felt by school systems across the country. The impacted area aid program and the landmark Elementary and Secondary Education Act are concrete results of that concern.

Now our already overburdened school systems face the additional financial strain of immediate desegregation. I believe the Congress has a responsibility commensurate with our history of commitment to quality public education to provide this needed relief.

ORGANIZED CRIME—THE NATION'S LEADING HEROIN IMPORTER

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, in most of the accounts, statements, and documentaries on our Nation's drug problems little reference is made to the principal supplier and vital underpinning of the giant illegal hard drug business in this country—organized crime. The connection between organized crime and illicit traffic in narcotics has long been known by most law enforcement agency officials, and landmark hearings and reports by both the House and Senate Government Operations Committees have attempted to project this deadly relationship before the American public.

Recently, Attorney General John Mitchell announced that the Justice Department had achieved "the largest Federal crackdown ever on narcotics distribution by organized crime." I applaud the Department not only for the success of this mission but also for emphasizing the primary role that organized crime plays in this festering problem. I hope the Department will continue to educate the American people on the involvement of organized crime in drug trafficking and the amount of funds it derives for this purpose from its loansharking and illegal gambling operations.

The following Miami Herald editorial of February 27, 1971, succinctly underscores the relationship:

DRUG-FIGHTING AT THE TOP

Drug addicts have been enriching the underworld. That is clear from the value of dope seized in raids over the past five months in "the largest federal crackdown ever on narcotics distribution by organized crime."

The words came from Attorney General John N. Mitchell. So did these figures on the total haul: 71 pounds of heroin, 49 pounds of cocaine and 250 pounds of marijuana with a street sale value of $12.8 million, plus $431,341 in cash, 35 automobiles and 78 guns.

In other words, if the raiders hadn't struck, the persons arrested would have pocketed $12.8 million on top of that nearly half-million cash already in hand.

No wonder organized crime controls half the heroin traffic in New York and 70 per cent in Chicago, according to Mr. Mitchell.

We agreed with his stated strategy: "By concentrating the federal enforcement on importers, wholesalers and distributors, we believe we can cut the illicit supply lines." If so, the pushers, professional and amateur, will be out of business for lack of dope to sell.

ALCOHOL, TOBACCO, AND FIREARMS DIVISION OF INTERNAL REVENUE SERVICE EXPANDS ITS COOPERATIVE TRAINING FOR STATE AND LOCAL AGENTS

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, one of the unsung but most effective proponents of improved cooperation and coordination among Federal, State, and local law enforcement agencies is the Alcohol, Tobacco, and Firearms Division of the Internal Revenue Service. Charged with weighty and growing responsibilities under recent congressional enactments pertaining to explosives and firearms, among its many other responsibilities, the Alcohol, Tobacco, and Firearms Division has fashioned an overall enforcement program, including comprehensive formal training and cooperation with State and local agencies, which is or should be a model for emulation by other Federal enforcement agencies.

During the current 2-week period the Alcohol, Tobacco, and Firearms Division of the Internal Revenue Service is conducting a thorough investigator training school for the benefit of agents of the Florida State Beverage Department and the Dade County Public Safety Department.

This type of cooperation and extension of benefits to State and local agents is exactly what the House Government Operations Committee has recommended in its report titled "Unmet Training Needs of the Federal Investigator and the Consolidated Federal Law Enforcement Training Center," House Report No. 91–1429. The report which was the culmination of extensive hearings by the Legal and Monetary Affairs Subcommittee, which I chair, proposed a 25-point program for improvement of Federal investigative training programs. The hearings reviewed the training programs of more than 30 Federal investigative agencies, and were aimed at improving not only Federal investigative training programs but also the degree of intergovernmental cooperation in areas of common interests.

It is noteworthy that the investigator training program which the Alcohol, Tobacco, and Firearms Division is currently providing for the Florida State Beverage Department has more scope and depth than the training programs of most Federal investigative agencies for their own personnel. For that reason, I include in my statement the listing of courses in the current Alcohol, Tobacco, and Firearms Division program in Florida:

ALCOHOL, TOBACCO & FIREARMS DIVISION—INTERNAL REVENUE SERVICE INVESTIGATOR TRAINING SCHOOL FOR THE FLORIDA STATE BEVERAGE DEPARTMENT

FIRST WEEK

Monday, March 1, 1971

8:00 a.m. to 9:00 a.m.: Welcome and Orientation.

9:00 a.m. to 12:00 noon: Illicit Distilling.

1:00 p.m. to 2:00 p.m.: Illicit Distilling (con't.).

2:00 p.m. to 3:00 p.m.: Handling of Seized Property.

3:00 p.m. to 5:00 p.m.: Investigative Techniques—Use and Handling of Explosives.

Tuesday, March 2, 1971

8:00 a.m. to 11:00 a.m.: Investigative Techniques (Rural Operations).

11:00 a.m. to 12:00 noon: Investigative Techniques—Use and Handling of Explosives (con't.).

1:00 p.m. to 3:30 p.m.: Investigative Techniques (Urban Operations).

3:30 p.m. to 5:00 p.m.: Law-Introduction to Search and Seizure.

Wednesday, March 3, 1971

8:00 a.m. to 12:00 noon: Law-Search and Seizure (con't.).

1:00 p.m. to 4:00 p.m.: Investigative Techniques—Raid Planning and Crime Scene Search.

4:00 p.m. to 5:00 p.m.: Law-Introduction to the Rules of Evidence.

Thursday, March 4, 1971

8:00 a.m. to 11:00 a.m.: Law-Rules of Evidence (con't.)

11:00 a.m. to 12:00 noon: Investigative Techniques—Collection and Preservation of Evidence (con't.)

1:00 p.m. to 3:00 p.m.: Investigative Techniques—Collection and Preservation of Evidence (con't.)

3:30 p.m. to 5:00 p.m.: Illicit Distilling Review and Laboratory.

Friday, March 5, 1971

8:00 a.m. to 9:30 a.m.: Law-Arrest.

9:30 a.m. to 11:00 a.m.: Investigative Techniques—Arrest and Handling of Prisoners.

11:00 a.m. to 12:00 noon: Law-Introduction to Conspiracy.

1:00 p.m. to 3:00 p.m.: Law-Conspiracy (con't.)

3:00 p.m. to 5:00 p.m.: Public Relations and Liaison with Other Agencies.

Saturday, March 6, 1971

8:00 a.m. to 1:00 p.m.: Field Exercise—Use and Handling of Explosives.

SECOND WEEK

Monday, March 8, 1971

8:00 a.m. to 9:30 a.m.: Examination #1.

9:30 a.m. to 12:00 noon: Investigative

Techniques—Retail Liquor Dealer Investigations.

1:00 p.m. to 2:30 p.m.: Gun Control Act of 1968.

2:30 p.m. to 4:00 p.m.: Investigative Techniques—Preparation of Statements.

4:00 p.m. to 5:00 p.m.: Investigative Techniques—Introduction to Report Writing.

Tuesday, March 9, 1971

8:00 a.m. to 10:30 a.m.: Investigative Techniques—Report Writing.

9:30 a.m. to 10:30 a.m.: Investigative Techniques—Raw Materials.

10:30 a.m. to 12:00 noon: Explosive Control Act of 1970.

4:00 p.m. to 5:00 p.m.: Investigative Techniques—Development of Informers and Information.

Wednesday, March 10, 1971

8:00 a.m. to 9:30 a.m.: Critique of Examination.

9:30 a.m. to 11:00 a.m.: Organized Crime.

11:00 a.m. to 12:00 noon: Investigative Techniques—Introduction to Undercover Operations.

1:00 p.m. to 3:00 p.m.: Investigative Techniques—Undercover Operations (con't.)

3:00 p.m. to 5:00 p.m.: Law—Interrogation.

Thursday, March 11, 1971

8:00 a.m. to 11:00 a.m.: Investigative Techniques—Interviewing and Interrogation.

11:00 a.m. to 12:00 noon: Investigative Techniques—Courtroom Procedures.

1:00 p.m. to 2:30 p.m.: Investigative Techniques—Courtroom Procedures (con't.)

2:30 p.m. to 5:00 p.m.: Review—Question and Answer.

Friday, March 12, 1971

8:00 a.m. to 9:30 a.m.: Examination No. 2.

9:30 a.m. to 11:00 a.m.: Critique of Examination.

11:00 a.m.—Closing.

REVENUE SHARING IS AN IDEA WHOSE TIME HAS COME

The SPEAKER. Under previous order of the House, the gentleman from Kentucky (Mr. MAZZOLI) is recognized for 1 hour.

Mr. MAZZOLI. Mr. Speaker, in his state of the Union address, President Nixon described revenue sharing as one of the "six great goals" he was proposing to the Congress. Whether or not one assigns as high a priority to the subject as the President does I believe it can be fairly said that the revenue sharing is an idea whose time has come.

Revenue sharing is not a new matter to the Congress. In fact, revenue sharing proposals have been offered for several years running. But each proposal has routinely been pigeonholed without serious consideration.

For example, the administration's plan for sharing Federal income tax revenues with the States, offered in 1969, was given short shrift—not even a hearing—by the committee to which it was assigned. Meantime, State and local governments struggle to maintain services in the face of increased costs and decreased revenues.

Although Congress has shunned revenue sharing measures in the past, it has not shown any hesitancy in obligating the Federal Government to greater and greater oulays in the form of narrow, categorical grants for State and local use. Such Federal assistance has increased 30 times during the past 25 years.

The current estimate of Federal assistance to State and local agencies is $30 billion annually.

So, Congress is not really philosophically opposed to placing Federal resources at the disposal of local government but, up to now, Congress has been opposed to placing such Federal funds at the discretionary and unfettered use of local government.

Congress, to this point, has not trusted local government enough to let it handle Federal money. We have insisted on attaching strings and redtape. But, I believe, it now is time to abandon the strings and the tape because local government has come of age.

Perhaps a short explanation of the two-phase revenue sharing proposal is in order:

The general revenue sharing proposal which projects a string-free grant of $5 billion in fiscal year 1972, incorporates the following general provisions:

First. An annual appropriation to general reveune sharing of a designated proportion of the Federal personal income tax base; 1.3 percent is suggested as the reasonable figure for the permanent annual appropriation.

Second. A distribution of these funds to the 50 States on a per capita basis, adjusted for the level of revenue effort maintained by the individual State.

Such distribution would be made in two parts—a 90-percent payment divided among the States, and an incentive payment of 10 percent distributed only to those States adopting a pass-through formula other than the formula called for by the legislation, a pass-through formula is simply a plan by which a State shares funds with local taxing units.

Third. Inclusion of all cities, counties, and towns in an equitable pass-through formula, either the one provided in the legislation or one agreed to by the State and its local units.

Fourth. No Federal strings governing the use of the funds.

The only guidelines are that the States pass through the money on an equitable basis, that efforts to maintain or enhance local tax revenues not be abandoned, and that all recipient governments provide a reasonable amount of information to the Federal Government covering the uses made of the funds received.

A second phase of the revenue sharing plan proposed by the President is termed "special revenue sharing." This proposes to abolish approximately 130 categorical programs of aid to States and localities in favor of broad-purpose block grants.

The $10.4 billion now going to these narrow and specific programs, many of which are overlapping and redundant, would provide the basic funding for special revenue sharing.

An additional $700 million would be placed into the program bringing the total budget authorization to $11.1 billion.

These funds would be extended in the form of annual block grants strings-free to State and local units of government for use within six broad, basic areas, to wit: education, transportation, urban community development, manpower training, rural community development, and law enforcement. State and local units would decide for themselves the specific use to be made of the money so long as the use is logically within the six broad purposes described.

Let me be the first to admit that revenue sharing is most certainly not the panacea for all the ills which presently afflict our cities and States. A great deal more must be done by local government employing locally generated revenues if we are to bring our cities and States up to date. But, if revenue sharing is not the total answer, I suggest that it will prove helpful and it should not be dismissed out of hand as some of its more vocal critics are wont to do.

In many respects, the issue of revenue sharing reminds me of the controversy over medicare in the mid-1960's. Opponents predicted medicare would destroy both the medical profession and the solvency of the Federal Government.

As we all know now, medicare was enacted over strong opposition. While it has its defects and may have fallen short of achieving the goals envisioned by its overawed promoters, it is, nevertheless, a workable, useful concept which daily assists our Nation's elderly. I feel the same evaluation will be made in the future about revenue sharing: a far-from-perfect, but eminently useful, plan.

Although critics of the concept of revenue sharing have offered a number of objections to its passage, I will address myself only to the one that is inevitably mentioned. That is, unrestricted grants to State and local governments will finance irresponsibility and generate unnecessary and ill-conceived projects.

In an article in the February 22 issue of Newsweek, Prof. Henry C. Wallich, of Yale University, refutes this position:

> Contrary to what the critics seem to think, it would take a good deal of incompetence or worse to get less use from the money by spending it according to local references . . . fear that the money will be spent less carefully is equally misplaced. It is the money with strings that invites carelessness.

While I am well aware that State and local governments have their share of incompetent and wasteful officials, I do not subscribe to the view that all virtue and all competence reside in Washington. Nor do I believe that the Federal Government has a perfect track record in the use it makes of its funds.

In fact, I believe that the proximity of local officials to those who elected them would almost certainly guarantee great caution in the design and implementation of programs using federally shared funds. And, in those instances where questionable programs are proposed or initiated, responsibility would be much easier to fix and adjustment would be more easily made than is now the case with unsuccessful Federal programs guided from afar by anonymous bureaucrats.

I think we ought not be so fearfully anxious about possible waste and mismanagement of programs organized and operated at the local level. Local control of Federal money cannot be any worse than what we have now, and, I venture to say, it will prove to be a whole lot better.

Professor Wallich also discusses in his article, the various alternatives which have been suggested to revenue sharing. For the most part the alternatives involve Federal assistance to the States in collecting taxes, tax credits of various sorts and Federal takeover of the welfare system in America. In reality, though, such proposals are not creative but merely palliative, as Professor Wallich states:

> Some alternative proposals contain ideas that are intrinsically good. Some differ rather drastically from the original revenue-sharing plan. But what is good in these alternative proposals is not really different. What is different is not very good.

Mr. Speaker, I believe that revenue sharing will be one of the most important issues to come before the 92d Congress.

In the last Congress, 133 Members of the House and 40 Senators supported revenue-sharing legislation. Governors and mayors and county executives beyond number have expressed the urgency for congressional enactment of some form of revenue sharing during this Congress.

My own belief is that a revenue-sharing system would prove more reliable than many of our present Federal grant programs. State and local officials would know in advance exactly how much Federal money would be forthcoming, and planning for the future would thereby be facilitated. This contrasts sharply with the present setup where appropriations are uncertain and the existence and continuance of programs is left to the mercy of a sometimes capricious Congress.

In all probability shared revenues would permit local government to stabilize sales and property taxes, and, thereby, offer some overdue relief to those on fixed incomes whose only possession in life is their home.

The financial and fiscal dilemma of our cities and States is no mirage. It is reality, and it is upon us. Immediate and unprecedented steps must be taken to help local government regain fiscal and financial health. Revenue sharing will do it. This legislation needs and deserves to become law, and I urge all my colleagues to support its passage.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. MAZZOLI. I yield to my distinguished colleague from Kentucky.

Mr. CARTER. I congratulate the distinguished gentleman from Kentucky on his remarks, with which I wish to concur at this time. I am indeed pleased to hear what he has to say, and I am sure the House is, too.

Mr. MAZZOLI. I thank the gentleman.

A BILL FOR THE PROTECTION OF WILD HORSES AND BURROS ON PUBLIC LAND

The SPEAKER pro tempore (Mr. HUNGATE). Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, many Americans are becoming concerned about the fate of the wild horses and burros that still roam free in the remote areas of our Western States. I feel that their concern is fully justified; therefore, I strongly urge the House to take action on H.R. 4220, introduced by the gentleman from Maryland, GILBERT GUDE, and cosponsored by myself and 74 other colleagues, designed to protect, manage, and control these endangered animals.

These rugged, abused animals have become a symbol of freedom in a time when the survival of wild creatures is constantly threatened by man. The wild horse and the wild burro are colorful, living symbols of the history of this Nation. They represent the pioneer spirit that explored America and built the West. They are a part of our great national heritage and deserve something better than neglect, abuse, and disregard.

At one time the wild horses numbered in the millions; today the population is down to about 17,000. In many places the population is still decreasing as their natural habitat keeps giving way to the onslaught of civilization. They have become outcasts. They have been crowded into the most remote and hostile areas—the mountains and deserts. They exist on range too poor to keep a cow alive.

It is true that on public lands these wild horses and burros do compete with big game and domestic livestock. In some places they contribute to overgrazing and erosion. To some ranchers they are a nuisance. To the authorities they are often a legal headache, for they are not protected by game laws. Neither are they given the same grazing rights as domestic livestock. If they were pastured like other animals, they would no longer be truly wild. They are not classed as an endangered species. They are not even native to this country. Where then do they belong in the modern management scheme of things? That is the question my bill attempts to solve.

I should point out that some efforts have been made by the Bureau of Land Management—although inadequate—to protect the wild horse. Refuges have been established by BLM in Nevada and in Montana, but these two refuges afford protection for only 300 to 400 animals. I am told that last year the Bureau of Land Management received some 1,400 letters from concerned citizens urging that further steps be taken to save the wild horse. These letters were mostly from people who never expect to see a wild horse during their lifetime; still they care about things wild and free. With many it is an emotional issue—a matter of principle—a humane concern for life.

Public interest has been expressed in other ways also. Last year a new book "America's Last Wild Horses" was published by E. P. Dutton & Co. In the January 1971 issue of National Geographic a beautifully illustrated feature article by Hope Ryden vividly describes the problem under the title, "On the Track of the West's Wild Horses." Numerous other articles have been printed in recent months in leading newspapers and magazines.

TV coverage has also been given. In early February the American Sportsman TV show plans to release a documentary on the Pryor Mountain wild horse controversy that aroused nationwide attention in 1967 and 1968.

Congress has also considered the problem. In 1959, we passed the so-called Wild Horse Annie law, which prohibits harassment of wild horses or burros by aircraft or motorized vehicle on public lands. This law has loopholes and needs to be strengthened. In the 91st Congress, bills similar to mine were introduced but not acted upon.

Mr. Speaker, I say that now is the time to take action upon this important measure. We cannot afford further delay, disregard, and congressional unconcern for these historic wild horses that J. Frank Dobie so fittingly described as "drinkers of the wind."

LEADERSHIP FOR RURAL ELECTRIC CO-OPS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PICKLE) is recognized for 15 minutes.

Mr. PICKLE. Mr. Speaker, I am deeply concerned that a funding practice which works like a revolving fund is financially draining our rural electric co-ops to a bare subsistence level.

If traced to its origin, the phrase "power to the people" could mean rural electric co-ops. These hardy groups of private citizens grabbed the challenge of lighting the 40-watt bulb in rural America—and their accomplishments deserve the highest admiration of the Congress and the country.

However, vital as these organizations are, especially in the face of a growing national power shortage, current practices are handing our rural electric co-ops the short end of the stick.

On several fronts changes are affecting the co-ops and now is the time for strong national leadership.

FUNDS

Considerable controversy is brewing about whether or not the REA cash flow to co-ops is adequate—or even meets what the Congress intended.

The first key issue in this controversy is not the amount of loans the REA is making, but the amount of cash they are advancing each year.

When the REA makes loans, all of the loan amount is—of course—not given out at one time. The co-op requisitions for cash as it needs to.

Inquiries and reports which have come to me, however, charge that the REA is honoring such requisitions only at a rate comparable to the amount which is returning to the treasury from previous loans—about $250 million per year—this figure compared to the $345 million in loans which were authorized by the Congress last year and the $800 million which remains in outstanding cooperative loans.

There are many semantic games one

can play with this situation—but the actual result is to operate the loan fund as though it were a revolving fund—with no or little new money going into the system.

Mr. Speaker, if these allegations are true, then I think it is easy for us to see that in light of the growing demands for power in this country our rural people are getting a short circuit.

Mr. Speaker, I suggest that with 225,000 new customers added to REA-financed systems in 1970 alone, our co-ops need more than a revolving fund to supply them with power.

I raised this question with the National REA Office and the Deputy Administrator replied that their "loan program was about the same as last year." If this in fact means that they have indeed loaned funds but still have not advanced the cash, then this is really begging the issue.

I make no charge that this is a deceit, but this does sound like we are not being given the full information.

I am certainly mindful that there is a shortage of funds and that this shortage prevails at the REA as well as at other offices. It does seem though that these people would advance the cash that the Congress has appropriated. If this is not done, I repeat that these co-ops are going to have very difficult days ahead.

The second key issue is the allegation that this so-called revolving fund practice is being combined with strictures on the loans themselves, and these strictures have dangerously reduced the level of reserve funds in the co-ops.

Let me first emphasize that these reserve funds are not an expendable matter. It is from these funds that a co-op is often able to restore service after a flood, hurricane, or other natural disaster. When equipment, such as poles and lines, wears out a co-op uses its reserves to replace the worn-out parts. Many of our co-ops over the country received loans 20 or 25 years ago, and these lines and poles must now be replaced. If their reserves have been whittled to a dangerous low it is obvious that they will have little or nothing to fall back on should a disaster strike.

I am informed that by a written notice the national REA has set 8 percent as the proper reserve level for a co-op to maintain. I would like to point out that this is in contrast to the level of 15 percent suggested by a study made by the REA a few years ago. My local people further allege that by verbal order no reserve is being allowed to climb over 6.5 percent even with a new loan, and that loans are not even being considered until the reserve funds of a co-op get down as low as—in some cases—2 percent or at the most 4 to 5 percent.

Additional costs are being added by cutting the loan program from 2 or more years to 1 year or less—and the building up of reserves is further hampered, my people report, by the practice of subtracting the co-op's expected income from the amount of a loan the REA will approve.

I am told that in 1960 the rural electric co-ops—nationwide—had $523 million in reserves—16.7 percent of their total net resources. In 1970, they still had $523 million in reserves—although their net investment had more than doubled.

Mr. Speaker, I fear that in a future hurricane or earthquake—or in just trying to do a good job of normal upkeep—some of these co-ops with their reserves so low literally may be wiped out. I think we need a full airing of these allegations.

If these allegations are true, then I say that our rural electric co-ops deserve better treatment. These are grassroots, efficient, proud and sturdy organizations we are talking about. They pay their own way—or at least they always have. When the REA bank bill failed 3 years ago—although many objections to the bill were well taken—the determined spirit of the co-ops showed through. They did not waver or cower back. Instead they went to work and created the National Rural Utilities Cooperative Finance Corporation—or the CFC as it is commonly called.

The CFC will make $45 million in new money available to the co-ops across the country. Although this sum is small and limited in scope, it is a clear signal that the co-ops intend to keep on paying their own way.

It is a clear signal, too, that national commitment is in order. The Congress should appropriate more money for the rural people of America. And the national REA should make every effort to extend to its people the full benefits of the funds made available by Congress.

There is a State responsibility here, too. These problems I have been talking about were relayed on to me by the State cooperative association as well as by members of specific cooperatives. I share their concerns—but the concern of the State association is more than concern—it is a direct responsibility, a direct responsibility which they must meet. I would hope that these State associations and I believe they will—would meet this duty in doing their part to solve these and other problems facing our co-ops.

RATES

National and local leadership are both needed in another area—the area of rates.

While we all realize that times do arise when rate hikes are needed, I think we would all agree that such increases should occur as infrequently as possible.

The national REA has admitted that it has followed a policy of "acquiescence" regarding rate hikes—if they knew of no emergency reason to question the hike, they did not look closely into the matter. Rate approvals here have been an almost automatic process.

The REA has admitted it does not normally ask for full audits or for proof of allegations of claims, nor does it question in great detail. In addition, the national offices do have fieldmen who, of course, pass on general information, but who also help a co-op prepare the information for a rate increase. It seems to me that the REA offices here ought to be requiring instead full and positive proof that raises in rates are absolutely necessary.

Recent controversies over some rate increases, however, have brought a review of the situation. I hope the REA will take the steps it has indicated it is considering—that is, to review more carefully proposals for rate increases. I am advised that there is a possibility the national offices will require a 90-day advance notice from any co-op of any pending rate increase—with full supporting facts attached.

The local co-op needs to shoulder some of the burden here as well. Each local co-op should always give clear notice of proposed rate increases well in advance of the time the increase would go into effect.

I do not think that it is enough to submit a general statement in a general statewide publication in which a co-op talks about many problems—one of which is the possibility of a rate increase. I would think that a co-op should put a notice in a newspaper or publicize it through other media, and should include in the regular billing an individual notice to every member—and thereafter allow a time certain and a place specific for the members to be able to discuss the proposed rates.

The co-op should listen to the opinions of its members regarding the proposed increase; and it should resist the temptation to raise its own rates every time the private utilities raise theirs.

It must be remembered that the co-op business is a public business. It belongs to every single member of a co-op—it does not belong to a select group or board of directors—it must not be a "closed corporation."

In every way possible the business of a co-op should be made known to its members.

In line with rate problems, Mr. Speaker, I would like to point out that the reduced time REA has placed on loans it makes increases the necessity of and the chances for more rapid rate hikes. If a co-op were under a 2- or 5-year contract, it would have a greater tendency to keep its rates constant for that period. When it has to remake all its contracts every 6 months to a year, however, it gets caught in the tide of rising inflation and rising costs, and is more inclined to raise rates to meet these new costs.

REGULATION

There is currently some talk in the wind about putting the REA under a national regulatory agency—and about putting our co-ops under a State regulatory agency.

I am strongly opposed to the proposition that rural electric co-ops should come under the jurisdiction of the Federal Power Commission. These bodies were specifically exempted from such jurisdiction when the law was passed creating the FPC. It was never intended that we have Federal power, or jurisdiction over these local, rural, intrastate electric cooperatives.

There is in my own State, however, a growing advocacy for some kind of State regulatory body or commission which might have some sort of jurisdiction over co-ops.

In many States these kinds of commissions are already established—although some of them deal strictly with the matter of jurisdictional allocation of lines rather than with rates.

Whatever approach is taken, we certainly should recognize that all of this is in the public interest—and someone probably does have a right to look over the practices of individual co-ops to preserve that interest.

But I do not know if that is the answer. I would really like to see the national REA and our many co-ops continue to work together under their own steam to bring ever better services to the rural people of this country.

The service which the REA has performed for this country deserves our highest praise. It has helped bring a commodity—electricity—to millions of people who otherwise would still be in the age of the oil lamp and the hand wringer washer. And the REA and the people it has served have pulled their own weight all these years.

Mr. Speaker, I truly think the REA is one of the finest organizations in our Government. And I think the rural electric co-ops are one of the finest examples of democracy in action. I want them both to be able to keep that reputation. I want them both to be able to remain leaders in service to our rural people. I challenge them to meet the new responsibilities which lie before them. And I challenge this administration to let them have the tools—the money—to do so.

THE BANKING REFORM ACT OF 1971—INTRODUCTION TODAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PATMAN) is recognized for 15 minutes.

Mr. PATMAN. Mr. Speaker, today I am introducing, along with eight of my colleagues on the Banking and Currency Committee, comprehensive legislation concerning certain basic reforms that are vitally needed in the field of banking and finance. The proposals made in the Banking Reform Act of 1971 are based on several years of thorough study and investigation by the House Banking and Currency Committee. This careful examination has uncovered many serious abuses and potentially dangerous practices that require correction.

The proposals contained in the Banking Reform Act are also based in part on studies and recommendations made over the years by various agencies of the Federal Government, and by special committees and commissions that have been set up to study reform of laws relating to banking and finance.

Among those who have recommended legislation in some areas covered by this bill are the Federal Reserve Board, the Federal Trade Commission, the Advisory Committee on Banking to the Comptroller of the Currency, the Federal Home Loan Bank Board's study of the savings and loan industry and a number of distinguished individuals who have studied these problems.

This legislation seeks to achieve two basic goals: First, the enhancement of competition among financial institutions and the reduction of concentrations of economic power within the financial community; and, second, the elimination of certain serious conflict of interest situations which have been allowed to continue because of existing practices of various financial institutions.

This legislation will give added protection to the public. It will also provide for better financial services to the public by creating a more competitive environment. This legislation will go a long way toward enhancing the protection of depositors, stockholders, borrowers and the public in general from many extremely serious abuses that now exist in the financial world.

The bill covers five basic areas:

First, certain interlocking relationships among financial institutions, and between them and other corporations;

Second, certain restrictions and disclosures in connection with loans made by financial institutions;

Third, the problem of brokered deposits, which has caused a number of bank failures in recent years;

Fourth, the practice of offering gifts to potential depositors by financial institutions in order to attract deposits; and

Fifth, expanding insurance coverage on the deposits of public funds in insured banks and savings and loan associations to 100 percent.

Let me briefly discuss the content of the provisions under each one of these headings.

INTERLOCKING RELATIONSHIPS

Certain interlocking relationships among financial institutions have been criticized for years. This is particularly true of the provisions of section 8 of the Clayton Antitrust Act restricting interlocking relationships as they relate to officers and directors of commercial banks. The law on this subject, it is generally recognized, is completely out of date and inadequate for a modern competitive economic system. The provisions on the books now were written in the early part of this century and have not been revised for many years. Without going into great detail, these provisions are limited to only certain classes of commercial banks and prohibit these relationships in only a very small geographic area. The Federal Reserve Board and many others have agreed that substantial legislative reform is necessary in this area to make the law effective.

In order to meet this weakness, this bill would prohibit any officer, director, employee, or trustee of any insured commercial bank, savings and loan association, mutual savings bank, insurance company, brokerage firm, credit union, bank holding company, or savings and loan company from holding a similar position with any other of these eight types of financial institutions.

A number of interlocking relationships between financial institutions and other corporations have also been uncovered and have been shown to have created serious problems. These relationships include those of managing pension and other employee benefit plans, the voting of securities held in trust for the benefit of others, the granting of credit, the performing of legal services and the control of certain types of businesses by various financial institutions. Therefore, this legislation would prohibit officers, directors, employees, or trustees of certain types of financial institutions from serving in a similar capacity with other business entities where a close relationship of the kind indicated above existed between the financial institution and the other entity. Such business and fiduciary relationships carried on between financial institutions and others should be performed on an arm's-length basis and all potential conflicts of interest should be eliminated.

In addition, certain practices have been uncovered, particularly in connection with the Banking Committee's investigation of the Penn Central failure, that should be prohibited. Thus, this bill makes it unlawful for a financial institution to offer or agree to give a personal benefit to an officer, director or employee of a company, or for an officer, director, or employee of a company to accept from a financial institution without his employer's consent, any personal benefit in order to influence his conduct in handling the firm's affairs in transacting business with the financial institution.

In a study conducted by the Banking and Currency Committee in 1968, a number of instances were found where mutual savings banks were potentially restricting competition because of their ownership of substantial blocks of stock of commercial banks with which they competed. Thus, this legislation would prohibit mutual savings banks from owning stock in other financial institutions, such as a commercial bank, an insurance company, a savings and loan association, a bank holding company, a savings and loan holding company, or a brokerage firm.

Studies have also shown that trust departments of some commercial banks were accumulating large blocks of stock in major corporations to the point of having the potential for exercising tremendous influence over these corporations. In some cases, the other corporations were competing financial institutions, including other commercial banks. In other cases, large blocks of stock were held by a single trust department in several major, in some cases competing, nonfinancial corporations.

This legislation would, therefore, prohibit commercial banks from holding in the aggregate in their trust departments more than 10 percent of any class of stock of any corporation whose stock must be registered under the Securities Act of 1933. This is similar to a restriction placed on mutual funds under the securities laws. This restriction would eliminate the potential for a bank, through trust investments, interlocking directorships, loans, and other relationships to gain undue influence or control over nonbanking businesses.

We have also uncovered the highly questionable situation where a bank trust department controls a large percentage of the stock of its own bank. The percentage of the total outstanding stock has ranged upward to as much as 45 percent in some cases, obviously enough to control the bank. This is a clear case of conflict of interest at its worst, insuring the ability of management to perpetuate itself indefinitely. Such practices should be prohibited by law.

In addition, it is impossible under present circumstances to determine the concentration of stockholdings held in the trust departments of banks. Unlike other financial institutions which manage other people's investments, such as mutual funds and insurance companies, which must under Federal and State laws disclose their aggregate stockholdings in other corporations at least annually, bank trust departments' investments are totally secret. This gives banks a great advantage over their competitors and hides from the public potentially dangerous situations involving concentrations of economic power. In 1968, the staff of the House Banking and Currency Committee for the first time carried out a study which revealed the aggregate stockholdings of each of 49 large commercial bank trust departments. The results were startling and have been considered a tremendous breakthrough in understanding the concentration of financial power in our economic system. It was found that commercial bank trust departments had control of very large percentages of the total outstanding stock in some of the largest corporations in the United States.

While it is extremely important that this kind of data be available on a continuing basis, it cannot be provided, as a practical matter, only through congressional committee investigations with the use of subpena powers and the expenditure of large amounts of staff time. Such information should be gathered as a routine matter on an annual basis by agencies responsible for bank regulation and made available to the public. In order to provide this, this legislation would require disclosure by commercial bank trust departments on an annual basis of a list of the aggregate holdings of all securities held by it, the voting rights of the bank with respect to these securities, and the voting of proxies where exercised by the bank during the previous year. It would completely protect the confidentiality of the trust relationship by not requiring the disclosure of the investments of individual trusts, only the aggregate of all trusts.

RESTRICTIONS AND DISCLOSURES WITH RESPECT TO LOANS

Over the last 2 years there has been something of an outcry among corporate borrowers concerning what is known as equity kickers. An equity kicker is a provision in a loan agreement which requires the borrower to provide equity participation for the lender as a condition for obtaining a loan.

The Congress has spent 2 years attempting, through the amendments to the Bank Holding Company Act, to separate the business of banking from nonbanking activities. If the equity kicker practice is not prohibited, this could enable lenders to control nonbanking companies through the back door. A lender should be in the business of lending money, and not become involved in the control and management of other corporations. This legislation would prohibit the use of equity kickers by commercial banks, savings and loan associations, mutual savings banks, bank holding companies.

It has also been revealed that insiders have, through various devices, secured favorable loans from the financial institutions with which they are connected. Therefore, it is felt necessary to require these institutions to publicly disclose the nature and amount of extensions of credit to directors, officers, employees, or members of their immediate families and to require the disclosure to the lender of the identity of persons receiving the benefit from any loan where the loan is made to an agent, trustee, or nominee. In addition, this legislation would prohibit banks, savings and loan associations, and mutual savings banks from extending credit to any corporation where 5 percent or more of any class of stock of a corporation is owned in the aggregate by the directors, trustees, officers or employees, or members of their immediate families of such financial institutions.

BROKERED DEPOSITS

Without going into great detail, the use of brokered deposits has caused an increasing number of bank failures in recent years. It seems to me that what little social value there may be in connection with the operation of money brokers, such considerations are far outweighed by the dangers created by this practice. This is especially true when the practice causes the loss of large sums of money by the innocent individuals who have placed savings with credit unions, savings and loan associations, union pension funds, and the like. Therefore, this legislation prohibits anyone from receiving anything of value from a lending institution for obtaining funds for deposits in that lending institution and prohibits the lending institution from paying a broker or anyone else for obtaining deposits.

GIFTS TO ATTRACT DEPOSITS

Another abuse that has been growing in recent years is the so-called premium war among financial institutions in order to attract deposits. This has become extremely costly and wasteful for these institutions, and perhaps has even affected, to some extent, the solvency of some institutions. The practice serves no useful purpose. Therefore, this legislation would prohibit the offering of such gifts to attract deposits.

UP TO 100 PERCENT DEPOSIT INSURANCE FOR PUBLIC UNITS

When Federal, State, or local government agencies lose money in a bank failure, it is the taxpayer who suffers. As bank failures have increased, a number of Government entities have lost substantial sums of money. Therefore, it seems appropriate to insure such deposits up to 100 percent, rather than having to resort to increasing taxes to make up for such losses. In order to assure that such deposits do not become a disproportionate part of the total deposits in any individual insured banking institutions, however, this legislation would permit the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation to limit the amount of such public funds that can be accepted by insured institutions.

CONCLUSION

While this is a comprehensive package providing much needed banking reform, which has been put together after careful study and long consideration, there are many other reforms that could and probably should be proposed. During the hearings on this legislation, the Banking and Currency Committee will welcome suggestions for other reforms needed in the banking field for consideration in the final version of this legislation. However, whatever does appear in the final version, it is clear that legislation in this field is absolutely necessary and long overdue.

Under unanimous consent I include a copy of the Banking Reform Act of 1971 in the RECORD at this point.

H.R. 5700

A bill to prohibit certain conflicts of interest and encourage competition in the banking industry and related fields, to provide for restrictions and disclosures with respect to certain loans, to prohibit brokered deposits in banks and other financial institutions, to prohibit the use of giveaways in the solicitation of deposits, to permit full deposit insurance for government depositors, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Banking Reform Act of 1971".

INTERLOCKING RELATIONSHIPS AND RELATED MATTERS

SEC. 2. The Federal Deposit Insurance Act is amended by adding at the end thereof the following new sections:

"SEC. 23. (a) Except as provided in subsection (b) of this section, a person who is a director, trustee, officer, or employee of an insured bank may not at the same time be a director, trustee, officer, or employee of

"(1) any other insured bank;

"(2) any insured institution as defined in section 401 of the National Housing Act;

"(3) any Federal credit union;

"(4) any insurance company;

"(5) any company which is a bank holding company as defined in the Bank Holding Company Act of 1956, a savings and loan holding company as defined in section 408 of the National Housing Act, or a subsidiary of a bank holding company or a savings and loan holding company;

"(6) any broker or dealer registered under the Securities Exchange Act of 1934, or be a proprietor or general partner of any such broker or dealer; or

"(7) in the case of a company with which such insured bank has a substantial and continuing business relationship, any (A) title company, (B) company engaged in the business of appraising property, or (C) company which provides service in connection with the closing of real estate transactions.

"(b) An individual may hold any number of positions as director, trustee, officer, or employee of any number of companies within any given group of companies if one of the companies is a bank holding company as defined in the Bank Holding Company Act of 1956 and all the rest of them are subsidiaries of that holding company.

"SEC. 24. No—

"(1) insured bank;

"(2) officer or director of an insured bank; or

"(3) member of the immediate family of an officer or director of an insured bank shall directly or indirectly control any (A) title company, (B) company engaged in the business of appraising property, or (C) company which provides service in connection with the closing of real estate transactions.

"SEC. 25. A person who is a trustee, director, officer, or employee of an insured bank may not at the same time perform legal services, in connection with a loan or other business transaction with such insured bank, for or on behalf of any person."

SEC. 3. Title IV of the National Housing Act is amended by adding at the end thereof the following new sections:

"SEC. 411. (a) Except as provided in subsection (b) of this section, a person who is a director, trustee, officer, or employee of an insured institution may not at the same time be a director, trustee, officer, or employee of

"(1) any other insured institution;

"(2) any insured bank as defined in section 3 of the Federal Deposit Insurance Act;

"(3) any Federal credit union;

"(4) any insurance company;

"(5) any company which is a bank holding company as defined in the Bank Holding Company Act of 1956, a savings and loan holding company as defined in section 408 of the National Housing Act, or a subsidiary of a bank holding company or a savings and loan holding company;

"(6) any broker or dealer registered under the Securities Exchange Act of 1934, or be a principal or a general partner of any such broker or dealer; or

"(7) in the case of a company with which such insured institution has a substantial and continuing business relationship, any (A) title company, (B) company engaged in the business of appraising property, or (C) company which provides service in connection with the closing of real estate transactions.

"(b) An individual may hold any number of positions as director, trustee, officer, or employee of any number of companies within any given group of companies if one of the companies is a savings and loan holding company as defined in section 408 of the National Housing Act and all the rest of them are subsidiaries of that holding company.

"SEC. 412. No—

"(1) insured institutions;

"(2) officer or director of an insured institution; or

"(3) member of the immediate family of an officer or director of an insured institution

shall directly or indirectly control any (A) title company, (B) company engaged in the business of appraising property, or (C) company which provides service in connection with the closing of real estate transactions.

"SEC. 413. A person who is a trustee, director, officer, or employee of an insured institution may not at the same time perform legal services, in connection with a loan or other business transaction with such insured institution, for or on behalf of any person."

SEC. 4. (a) Except as provided in subsection (b) of this section, a person who is a trustee, director, officer, or employee of a mutual savings bank other than an insured bank may not at the same time be a director, trustee, officer, or employee of

(1) any other mutual savings bank which is not an insured bank;

(2) any insured bank as defined in section 3 of the Federal Deposit Insurance Act;

(3) any insured institution as defined in section 401 of the national Housing Act;

(4) any Federal credit union;

(5) any insurance company;

(6) any company which is a bank holding company as defined in the Bank Holding Company Act of 1956, a savings and loan holding company as defined in section 408 of the National Housing Act, or a subsidiary of a bank holding company or a savings and loan holding company;

(7) any broker or dealer registered under the Securities Exchange Act of 1934, or be a principal or a general partner of any such broker or dealer; or

(8) in the case of a company with which such mutual savings bank has a substantial and continuing business relationship, any (A) title company, (B) company engaged in the business of appraising property, or (C) company which provides service in connection with the closing of real estate transactions.

(b) An individual may hold any number of positions as director, trustee, officer, or employee of any number of companies within any given group of companies if one of the companies is either a bank holding company as defined in the Bank Holding Company Act of 1956 or a savings and loan holding company as defined in section 408 of the National Housing Act and all the rest of them are subsidiaries of that holding company.

SEC. 5. No—

(1) mutual savings bank other than an insured bank;

(2) officer or director of a mutual savings bank other than an insured bank; or

(3) member of the immediate family of an officer or director of a mutual savings bank other than an insured bank

shall directly or indirectly control any (A) title company, (B) company engaged in the business of appraising property, or (C) company which provides service in connection with the closing of real estate transactions.

SEC. 6. A person who is a trustee, director, officer, or employee of a mutual savings bank may not at the same time perform legal services, in connection with a loan or other business transaction with such mutual savings bank, for or on behalf of any person.

SEC. 7. A person who is a director, trustee, officer or employee of a financial institution may not at the same time serve on the board of directors of any corporation with respect to which such financial institution manages an employee welfare or pension benefit plan. For the purposes of the preceding sentence, the term "financial institution" refers to

(1) any mutual savings bank which is not an insured bank;

(2) any insured bank as defined in section 3 of the Federal Deposit Insurance Act;

(3) any insured institution as defined in section 401 of the National Housing Act;

(4) any company which is a bank holding company as defined in the Bank Holding Company Act of 1956, a savings and loan holding company as defined in section 408 of the National Housing Act, or a subsidiary of a bank holding company or a savings and loan holding company;

(5) any Federal credit union;

(6) any insurance company; or

(7) any broker or dealer registered under the Securities Exchange Act of 1934.

SEC. 8. (a) Except as provided in subsection (b), a director, trustee, officer, or employee of a financial institution may not at the same time serve as an officer or director of any other corporation with respect to which such financial institution holds in the aggregate, with power to vote, more than 5 percent of any class of stock of such corporation. For the purposes of the preceding sentence, the term "financial institution" refers to

(1) any mutual savings bank which is not an insured bank;

(2) any insured bank as defined in section 3 of the Federal Deposit Insurance Act;

(3) any insured institution as defined in section 401 of the National Housing Act;

(4) any company which is a bank holding company as defined in the Bank Holding Company Act of 1956, a savings and loan holding company as defined in section 408 of the National Housing Act, or a subsidiary of a bank holding company or a savings and loan holding company;

(5) any Federal credit union;

(6) any insurance company; or

(7) any broker or dealer registered under the Securities Exchange Act of 1934.

(b) An individual may hold any number of positions as director, trustee, officer, or employee of any number of companies within any given group of companies if one of the companies is either a bank holding company as defined in the Bank Holding Company Act of 1956 or a savings and loan holding company as defined in section 408 of the National Housing Act and all the rest of them are subsidiaries of that holding company.

SEC. 9. (a) Except as provided in subsection (b), a person who is a director, trustee, officer, or employee of any insured bank as defined by section 3 of the Federal Deposit Insurance Act, any insured institution as defined in section 401 of the National Housing Act, or any mutual savings bank not an insured bank may not at the same time serve on the board of directors of any corporation with which such insured bank, insured institution, or mutual savings bank has a substantial and continuing relationship with respect to the making of loans, discounts, or extensions of credit. For the purposes of the preceding sentence, that which constitutes a "substantial and continuing relationship" shall be determined (1) by the Federal Reserve Board in the case of an insured bank and a mutual savings bank not an insured bank and (2) by the Federal Home Loan Bank Board in the case of an insured institution.

(b) An individual may hold any number of positions as director, trustee, officer, or employee of any number of companies within any given group of companies if one of the companies is either a bank holding company as defined in the Bank Holding Company Act of 1956 or a savings and loan holding company as defined in section 408 of the National Housing Act and all the rest of them are subsidiaries of that holding company.

SEC. 10. No mutual savings bank shall own stock in—

(1) any insured bank as defined in section 3 of the Federal Deposit Insurance Act;

(2) any insured institution as defined in section 401 of the National Housing Act;

(3) any insurance company;

(4) any company which is a bank holding company as defined in the Bank Holding Company Act of 1956, a savings and loan holding company as defined in section 408 of the National Housing Act, or a subsidiary of a bank holding company or a savings and loan holding company;

(5) any broker or dealer registered under the Securities Exchange Act of 1934.

SEC. 11. (a) Chapter 11 of title 18 of the United States Code is amended by adding at the end thereof the following new section:

"§ 225. Influencing certain banking and related matters.

"(a) Whoever, without the consent of his (1) corporation in the case of an officer or director, (2) principal in the case of an agent, or (3) employer in the case of an employee, solicits, accepts, or agrees to accept any substantial benefit from a financial institution under an agreement or understanding that such benefit will influence his conduct with respect to the affairs between such financial institution and such corporation, principal, or employer, as the case may be, shall be fined not more than $10,000 or imprisoned not more than one year, or both.

"(b) A financial institution which, without the consent of (1) a corporation in the case of an officer or director, (2) a principal in the case of an agent, or (3) an employer in the case of an employee, confers, or offers or agrees to confer, any substantial benefit upon such officer, director, agent, or employee, with the intent to influence his conduct with respect to the affairs between such financial institution and such corporation, principal, or employer, as the case may be, shall be fined not more than $25,000.

"(c) For the purposes of this section, the term 'financial institution' refers to

"(1) any mutual savings bank which is not an insured bank;

"(2) any insured bank as defined in section 3 of the Federal Deposit Insurance Act;

"(3) any insured institution as defined in section 401 of the National Housing Act;

"(4) any company which is a bank holding company as defined in the Bank Holding Company Act of 1956, a savings and loan holding company as defined in section 408 of the National Housing Act, or a subsidiary of a bank holding company or a savings and loan holding company;

"(5) any Federal credit union;

"(6) any insurance company; or

"(7) any broker or dealer registered under the Securities Exchange Act of 1934."

(b) The chapter analysis of such chapter is amended by inserting immediately below the item relating to section 224 the following new item:

"225. Influencing certain banking and related matters."

Sec. 12. Section 7 of the Federal Deposit Insurance Act is amended by adding at the end thereof the following new subsection:

"(k) With respect to the aggregate of all securities (other than Government securities) it holds in a fiduciary capacity, each insured bank shall submit annually to the Corporation—

"(1) a list indicating the name, class, value, and number held of each security;

"(2) a report indicating the extent to which it has authority to exercise voting rights with respect to each security; and

"(3) a report indicating the manner in which it has exercised proxies, if at all, with respect to voting rights in connection with each security.

For the purpose of the preceding sentence, the term 'fiduciary capacity' refers to the position of trustee, executor, administrator, guardian, or any other position occupied by a bank in which it manages money or property for the benefit of others. The Corporation shall make available for public inspection the contents of all lists and reports filed under this subsection."

SEC. 13. The Federal Deposit Insurance Act, as amended by section 2 of this Act, is further amended by adding at the end thereof the following new section:

"SEC. 26. With respect to the aggregate of all securities it holds in a fiduciary capacity, no insured bank shall hold

"(1) in connection with any one corporation, more than 10 percent of any class of stock for which a registration statement has been filed under the Securities Act of 1933; or

"(2) bank stock which it has itself issued or stock which has been issued by its parent company. For the purposes of the preceding sentence, the term 'fiduciary capacity' refers to the position of trustee, executor, administrator, guardian, or any other position occupied by a bank in which it manages money or property for the benefit of others."

RESTRICTIONS AND DISCLOSURES WITH RESPECT TO LOANS

SEC. 14. (a) For the purposes of this section—

(1) The term "lender" means any—

(A) insured bank as defined in section 3 of the Federal Deposit Insurance Act;

(B) insured institution as defined in section 401 of the National Housing Act;

(C) company which is a bank holding company as defined in the Bank Holding Company Act of 1956, a savings and loan holding company as defined in section 408 of the National Housing Act, or a subsidiary of a bank holding company or a savings and loan holding company;

(D) mutual savings bank which is not an insured bank; or

(E) any insurance company.

(2) The term "equity participation" refers to—

(A) an ownership interest in any property or enterprise; or

(B) any right to any payment or credit which is proportionate to or contingent upon the net or gross income from any property or enterprise, including but not limited to—

(i) a share in the profits, income, or earnings from a business enterprise of the borrower;

(ii) warrants entitling the lender to purchase stock of the borrower at certain prices; or

(iii) shadow warrants entitling the lender to compensation based upon changes in the market price of the borrower's stock over a specified period.

(b) No lender may accept any equity participation in consideration of the making of any loan.

(c) Any lender which acquires an equity participation from a borrower in violation of this chapter shall, upon demand, assign all its right, title, and interest therein to the borrower and in addition be liable to the borrower in an amount equal to twice the fair market value of the equity participation at the time of its creation or at the time of demand, whichever is higher, and shall in addition be liable to the borrower for his reasonable attorney's fees and costs of suit as determined by the court in any action to enforce the liability created by this section. Any such action may be brought in any district court of the United States regardless of the amount in controversy, or in any other court of competent jurisdiction, within six years after the date on which the liability arises.

(d) Whoever willfully violates the provisions of subsection (b) of this section, or willfully and knowingly participates in any such violation, shall be fined not more than $10,000 or imprisoned not more than one year, or both.

SEC. 15. The Federal Deposit Insurance Act, as amended by section 2 and section 13 of this Act, is further amended by adding at the end thereof the following new sections:

"SEC. 27. (a) Each insured bank shall report to the Corporation on the nature and amount of all loans, discounts, or other extensions of credit which it makes to any of its directors, trustees, officers, or employees or to any member of the immediate family of any such director, trustee, officer, or employee.

"(b) The Corporation shall make available to the public the information contained in the reports submitted under subsection (a) of this section.

"(c) No insured bank shall make any loan, discount, or other extension of credit to any agent, trustee, nominee, or other person acting in a fiduciary capacity without the prior condition that the identity of the person receiving the beneficial interest of such loan, discount, or extension of credit shall at all times be revealed to the bank.

SEC. 28. No insured bank shall make any loan, discount, or other extension of credit to any corporation with respect to which five percent of the total outstanding shares of any class of stock is owned in the aggregate by the directors, trustees, officers, or employees, or the members of their immediate families, of such insured bank."

SEC. 16. Title IV of the National Housing Act, as amended by section 3 of this Act, is further amended by inserting at the end thereof the following new sections:

"SEC. 414. (a) Each insured institution shall report to the Federal Home Loan Bank Board on the nature and amount of all loans, discounts, or other extensions of credit which it makes to any of its directors, trustees, officers, or employees or to any member of the immediate family of any such director, trustee, officer, or employee.

"(b) The Federal Home Loan Bank Board shall make available to the public the information contained in the reports submitted under subsection (a) of this section.

"(c) No insured institution shall make any loan, discount, or other extension of credit to any agent, trustee, nominee, or other person acting in a fiduciary capacity without the prior condition that the identity of the person receiving the beneficial interest of such loan, discount, or extension of credit shall at all times be revealed to the institution.

"SEC. 415. No insured institution shall make any loan, discount, or other extension of credit to any corporation with respect to which five percent of the total outstanding shares of any class of stock is owned in the aggregate by the directors, trustees, officers, or employees, or the members of their immediate families, of such insured institution."

SEC. 17. (a) Each mutual savings bank other than an insured bank shall report to the Federal Deposit Insurance Corporation the nature and amount of all loans, discounts, or other extensions of credit which it makes to any of its directors, trustees, officers, or employees or to any member of the immediate family of any such director, trustee, officer, or employee.

(b) The Federal Deposit Insurance Corporation shall make available to the public the information contained in the reports submitted under subsection (a) of this section.

(c) No mutual savings bank shall make any loan, discount or other extension of credit to any agent, trustee, nominee or other person acting in a fiduciary capacity without the prior condition that the identity of the person receiving the beneficial interest of such loan, discount, or extension of credit shall at all times be revealed to the institution.

SEC. 18. No mutual savings bank shall make any loan, discount, or other extension of credit to any corporation with respect to which five percent of the total outstanding shares of any class of stock is owned in the aggregate by the directors, trustees, officers, or employees, or the members of their immediate families, of such insured institution.

BROKERED DEPOSITS PROHIBITED

SEC. 19. Subsection (g) of section 18 of the Federal Deposit Insurance Act (12 U.S.C. 1828(g)) is amended by striking out the next to the last sentence thereof, relating to penalties for violations of such subsection, by inserting "(1)" at the beginning thereof, and by adding thereto the following paragraphs:

"(2) No insured bank or officer, director, agent, or substantial stockholder thereof may pay or agree to pay a broker, finder, or other person compensation for obtaining a deposit for such bank. For the purposes of this paragraph, any payment made by any other person to induce the placing of a deposit in a bank shall be deemed to be a payment of compensation by the bank if the bank had or reasonably should have had knowledge of such payment when it accepted the deposit.

"(3) Any violation by an insured bank of the provisions of this subsection or of regulations issued hereunder shall subject the bank to a penalty of not more than 10 per centum of the amount of the deposit to which the violation relates. The Corporation may recover the penalty, by suit or otherwise, for its own use, together with the costs and expenses of the recovery.

"(4) For the purposes of this subsection, the term 'payment of interest' includes an agreement to pay interest and includes payments to the depositor or any other person directly or indirectly made by any officer, director, agent, or substantial stockholder of the bank in which the deposit is made if the bank had or reasonably should have had knowledge of the agreement or payment when it accepted the deposit. The Board of Directors shall by regulation prescribe definitions of the terms 'payment or compensation' and 'substantial stockholder' and shall prescribe such further definitions of 'payment of interest' as it may deem appropriate for the purposes of this subsection. The Board of Directors shall prescribe such rules and regulations as it may deem necessary to effectuate the purposes of this subsection and prevent evasions thereof."

SEC. 20. Section 5B of the Federal Home Loan Bank Act (12 U.S.C. 1425b) is amended (1) by inserting "(a)" after "Sec. 5B." and (2) by adding at the end thereof the following:

"(b) No member which is an insured institution as defined in section 401(a) of the National Housing Act and no officer, director, agent, or substantial stockholder thereof shall pay or agree to pay a broker, finder, or other person compensation for obtaining funds to be deposited or invested in such member (hereinafter in this section referred to as deposits). For the purposes of this paragraph, any payment made by any other person to induce the placing of a deposit in such a member shall be deemed to be a payment of such compensation by the member if the member had or reasonably should have had knowledge of such a payment when it accepted the deposit.

"(c) Any violation by a member of the provisions of this subsection or of regulations issued hereunder shall subject the member to a penalty of not more than 10 percent of the amount of the deposit to which the violation relates. The Board may recover the penalty, by suit or otherwise, for the use of the Federal Savings and Loan Insurance Corporation, together with the costs and expenses of the recovery.

"(d) For the purposes of this section, the term 'payment of interest or dividends' includes an agreement to pay interest or dividends and includes payments to the depositor or investor or any other person directly or indirectly made by any officer, director, agent, or substantial stockholder of the member in which the deposit is made if the member had or reasonably should have had knowledge of the agreement or payment when it accepted the deposit. The Board shall by regulation prescribe definitions of the terms 'payment of compensation' and 'substantial stockholder' and shall prescribe such further definitions of 'payment of interest or dividends' as it may deem appropriate for the purposes of this section. The Board shall prescribe such rules and regulations as it may deem necessary to effectuate the purposes of this section and prevent evasions thereof."

SEC. 21. (a) Chapter 11 of title 18 of the United States Code as amended by section 11 of this Act is further amended by adding at the end thereof the following new section:

"§ 226. Obtaining funds for deposit or investment in certain banks.

"Whoever, directly or indirectly, knowingly asks, demands, exacts, solicits, seeks, accepts, receives, or agrees to receive from any insured bank as defined in section 3 of the Federal Deposit Insurance Act or any insured institution as defined in section 401 of the National Housing Act anything of value for himself or for any other person or entity in return for obtaining or assisting in obtaining funds of another for deposit or investment in such insured bank or insured institution shall be fined not more than $10,000 or imprisoned not more than one year, or both."

(b) The chapter analysis of such chapter is amended by inserting immediately below the item relating to section 225 the following new item:

"226. Obtaining funds for deposit or investment in certain banks."

CERTAIN GIVEAWAYS PROHIBITED

SEC. 22. Section 18(g) of the Federal Deposit Insurance Act (12 U.S.C. 1828(g)) is amended by adding at the end thereof the following: "Except for the payment of interest on deposits subject to limitation under this section, no insured bank may offer or deliver any merchandise or any certificate, stamp, ticket, or other obligation or memorandum which is or may be redeemable in merchandise, money, or credit as an inducement to any person to make or add to any deposit."

SEC. 23. Section 5B(a) of the Federal Home Loan Bank Act (12 U.S.C. 1425b) is amended by adding at the end thereof the following: "Except in the case of interest or dividends subject to limitation under this section, no member may offer or deliver any merchandise or any certificate, stamp, ticket, or other obligation or memorandum which is or may be redeemable in merchandise, money, or credit as an inducement to any person to make, open, or add to any deposit or account."

SEC. 24. Except for the payment of ordinary interest or dividends, no mutual savings bank not an insured institution may offer or deliver any merchandise or any certificate, stamp, ticket, or other obligation or memorandum which is or may be redeemable in merchandise, money, or credit as an inducement to any person to make or add to any deposit.

FULL DEPOSIT INSURANCE FOR PUBLIC UNITS

SEC. 25. The Federal Deposit Insurance Act is amended—

(1) in subsection (m) of section 3 (12 U.S.C. 1813(m)), by inserting immediately after "depositor" in the first sentence the following: "(other than a depositor referred to in the third sentence of this subsection)";

(2) in subsection (i) of section 7 (12 U.S.C. 1817(i)), by striking out "Trust" and inserting in lieu thereof the following: "Except with respect to trust funds which are owned by a depositor referred to in paragraph (2) of section 11(a) of this Act, trust"; and

(3) in subsection (a) of section 11 (12 U.S.C. 1821(a)), by inserting "(1)" immediately after "(a)", by striking out "The" in the last sentence and inserting in lieu thereof the following: "Except as provided in paragraph (2), the", and by inserting at the end of such subsection the following:

"(2)(A) Notwithstanding any limitation in this Act or in any other provision of law relating to the amount of deposit insurance available for the account of any one depositor, in the case of a depositor who is an officer, employee, or agent of the United States, of any State of the United States, of the District of Columbia, of any Territory of the United States, of Puerto Rico, of the Virgin Islands, of any county, of any municipality, or of any subdivision thereof having official custody of public funds and lawfully investing the same in an insured bank, his deposit shall be insured for the full aggregate amount of such deposit.

"(B) The Corporation may limit the aggregate amount of funds that may be deposited in insured banks by any depositor referred to in subparagraph (A) of this paragraph."

SEC. 26. Title IV of the National Housing Act is amended—

(1) in section 401(b) (12 U.S.C. 1724(b)), by striking out "Funds" in the third sentence and inserting in lieu thereof the following: "Except in the case of an insured member referred to in the preceding sentence, funds";

(2) in section 405(a) (12 U.S.C. 1728(a)), by inserting after "except that no member or investor" the following: "(other than a member or investor referred to in subsection (d))"; and

(3) by adding at the end of section 405 (12 U.S.C. 1728), the following new subsection.

"(d)(1) Notwithstanding any limitation in this subchapter or in any other provision of law relating to the amount of deposit insurance available for any one account, in the case of an insured member who is an officer, employee, or agent of the United States, of any State of the United States, of the District of Columbia, of any Territory of the United States, of Puerto Rico, of the Virgin Islands, of any county, of any municipality, or of any subdivision thereof having official custody of public funds and lawfully investing the same in an insured institution, the account of such insured member shall be insured for the full aggregate amount of such account.

(2) The Corporation may limit the aggregate amount of funds that may be invested in insured institutions by any insured member referred to in paragraph (1) of this subsection.

SEC. 27. (a) Except as otherwise specified in this section, the provisions of this Act become effective upon enactment.

(b) Sections 4, 5, 6, 7, 8, 9, and 10 and the amendments made by sections 2, 3, and 13 become effective on the first day of the fourth calendar year which begins after the date of enactment.

CAPT. JERRY LANE FINLEY—CASUALTY OF RACISM IN REVERSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. RARICK) is recognized for 15 minutes.

Mr. RARICK. Mr. Speaker, on the 11th and 17th of February 1971, I brought to the attention of our colleagues the highly irregular military action taken by the Judge Advocate General of the U.S. Army, Maj. Gen. Kenneth J. Hodson, in suspending a legal officer from his duties in Okinawa and returning him to Washington upon an allegation that Captain Finley had declined to interrupt his meal to shake hands with a black equal employment opportunity officer while eating.

I have been presented with a copy of General Hodson's March 5 letter to Captain Finley and am advised by the captain this is the first written notification concerning this action he has ever received. And rather than being any explanation of why he was reassigned, it comes as a notice for elimination proceeding.

I have tried since January 22 to obtain some concrete factual evidence as the basis for such dictatorial and unprecedented action and have only today received a reply, which I insert in the RECORD at this point followed by the letter to Captain Finley and my letter of this date to the Judge Advocate General reiterating my request for a detailed factual report rather than rhetorical leftwing prejudicial conclusions which must, at most, be considered to represent the Judge Advocate General's own personal opinions.

DEPARTMENT OF THE ARMY, OFFICE
OF THE JUDGE ADVOCATE GENERAL,
Washington, D.C., March 5, 1971.

Hon. JOHN R. RARICK,
House of Representatives,
Washington, D.C.

DEAR MR. RARICK: This is in further response to your letters of 22 and 30 January 1971 concerning Captain Jerry L. Finley.

A review of this case indicates that Captain Finley is so biased against black persons, as a class, that he has not treated, and refuses to treat, black servicemen with the respect due them as fellow members of our armed forces. As his conduct and attitude are contrary to long-standing national and Army policy, as evidenced by Army Regulation 600–21, prohibiting discrimination against members of our armed forces because of their race, religion, or color, I have recommended that Captain Finley be considered for administrative separation from the Army.

Captain Finley will be given an opportunity to explain or rebut the evidence against him and will be provided with the assistance of legal counsel.

Sincerely yours,
Maj. Gen. KENNETH J. HODSON,
The Judge Advocate General.

DEPARTMENT OF THE ARMY, OFFICE
OF THE JUDGE ADVOCATE GENERAL,
Washington, D.C., March 5, 1971.

Capt. JERRY L. FINLEY, JAGC.
Office of the Staff Judge Advocate,
Headquarters, Military District of Washington, Washington, D.C.

1. Under the provisions of subparagraphs 5–29 *d* and *e*, Section IX, Army Regulation 635–100, I have initiated a recommendation for your administrative separation from the Army.

2. In support of this recommendation are sworn statements prepared by Colonel Clement E. Carney, Colonel James F. Senechal, Captain John P. Sauntry, Jr., Captain Ronald H. Branch, Jr., and Captain Ralph Lewis, Jr. These statements indicate that you are so biased against black persons, as a class, that you have not treated, and refuse to treat, black servicemen with the respect due them as fellow members of the United States armed forces. Your conduct and attitude are contrary to long-standing national and Army policy, as evidenced by Army Regulation 600–21, that members of our armed forces will be accorded equality of treatment and opportunity, regardless of their race, religion, or color.

3. You have a period not to exceed 7 days, though you may request additional time for good cause, in which to prepare a written statement indicating any pertinent facts or submitting any evidence bearing on the question of your separation. Your statement may be made with the assistance of either an officer of the Judge Advocate General's Corps or civilian counsel of your own selection obtained by you at no expense to the Government. Your statement may be sworn or unsworn and should be returned to me for forwarding with my recommendation to The Adjutant General, Department of the Army.

Maj. Gen. KENNETH J. HODSON,
The Judge Advocate General.

WASHINGTON, D.C.
March 8, 1971.

Re: Capt. Jerry L. Finley, JAGC.

Maj. Gen. KENNETH J. HODSON,
The Judge Advocate General, Department of the Army, Washington, D.C.

DEAR GENERAL HODSON: Your kind letter of March 5, 1971, in reply to my inquiries on behalf of Captain Finley, dated January 22 and 30, of this year, are acknowledged.

Unfortunately, after having waited 42 days for the courtesy of a report on Captain Finley, all I am apprised of is that you have tried and convicted him with a verdict to purge from the Army, and giving him the stigma of being some kind of an undesirable citizen. In your letter you overlook including any names, dates, or supporting evidence.

I had always been of the opinion that even military justice provided some degree of due process to the accused to at least give an impression that you are operating in a quasi-judicial function. However, the use of such inflammatory and psychological trigger words as "biased against black persons as a class," "refuses to treat . . . with respect due them . . . ," "conduct and attitude . . . contrary to long-standing national and Army policy . . ." as conclusions without any suggestion as to the basis for such findings must be considered an indictment of The Judge Advocate General far more serious than that of an Army JAGC Captain.

Any sense of fairness or justice from you or even due process seems further subject to necessary ridicule by your notifying me that you have recommended the Captain for administrative separation from the Army; and yet having passed judgment, you will offer him the assistance of legal counsel and an opportunity to explain or rebut the evidence against him.

Howbeit, the report on the incident which I had requested in January has never been supplied.

It appears to me that AR 600–21, which you cite against Captain Finley should be the basis for Captain Finley asserting that you have discriminated against him.

Most assuredly, the action that you have outlined will never be in the interest of any volunteer army. You may get volunteers from the Peace Corps, Vista, the flower children, and the civil rights movement, but I fear you will find few men who will be willing to take the oath to preserve and defend the Constitution at the cost of forfeiting their First Amendment rights of freedom of association.

I reiterate my request for a complete and detailed report upon which you as The Judge Advocate General of the United States Army have personally prejudged Captain Finley's conduct as to the conclusions and findings set forth in your letter.

Sincerely,
JOHN R. RARICK,
Member of Congress.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. The American free enterprise system has enjoyed unprecedented growth and success in recent years. Since 1939 the number of proprietorships, partnerships, and corporations has increased from 1,793,000 to 11,566,000 in 1967.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. HOGAN (at the request of Mr. GERALD R. FORD), through March 19, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HALPERN (at the request of Mr. FISH), for 5 minutes, today, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. MAZZOLI), to revise and extend their remarks and to include extraneous matter:)

Mr. PICKLE, today, for 15 minutes.

Mr. PATMAN, today, for 15 minutes.

Mr. RARICK, today, for 15 minutes.

Mr. GONZALEZ, today, for 10 minutes.

Mr. PRYOR of Arkansas, on March 11, for 60 minutes.

Mr. MILLER of Ohio (at the request of Mr. KEMP), for 5 minutes, today, and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent (at the request of Mr. FISH) permission to revise and extend remarks was granted to:

Mr. HUNGATE to revise and extend his remarks immediately following the message of the President.

Mr. BOLAND, and to include extraneous material.

(The following Members (at the request of Mr. FISH) and to include extraneous matter:)

Mr. STEIGER of Wisconsin in four instances.

Mr. HOSMER in three instances.

Mr. BAKER.

Mr. WYMAN in two instances.

Mr. ARENDS in two instances.

Mr. RHODES.

Mr. DEVINE.

Mr. SCOTT.

Mr. MYERS.

Mr. CONTE.

Mr. SCHWENGEL.

Mr. PRICE of Texas in two instances.

Mr. BURKE of Florida.

Mr. HILLIS.

Mr. ZWACH.

Mr. PETTIS.

Mr. LENT.

Mr. MICHEL.

Mr. BROWN of Michigan.

Mr. HALPERN.

Mr. SHOUP in two instances.

(The following Members (at the request of Mr. KEMP) and to include extraneous matter:)

Mr. SCHMITZ.

Mr. MILLER of Ohio in four instances.

Mr. HAMMERSCHMIDT in two instances.

Mr. NELSEN in three instances.

Mr. SCHWENGEL in five instances.

(The following Members (at the request of Mr. MAZZOLI), and to include extraneous matter:)

Mr. HAMILTON.

Mr. DRINAN.

Mr. MCKAY.

Mr. LONG of Maryland.

Mr. CORMAN.

Mr. DINGELL in four instances.

Mr. HATHAWAY.

Mr. CLARK.

Mr. MURPHY of New York.

Mr. Aspin in two instances.
Mr. Vanik in two instances.
Mr. William D. Ford in two instances.
Mr. Biaggi in 10 instances.
Mr. Andrews of Alabama.
Mr. Bingham in two instances.
Mr. Fraser in four instances.
Mr. Hébert in two instances.
Mr. Rodino.
Mr. Waldie in two instances.
Mr. Rarick in three instances.
Mr. Fuqua.
Mrs. Sullivan in two instances.
Mr. Kluczynski in two instances.
Mr. Fountain.
Mr. Slack.
Mr. Gonzalez in two instances.
Mr. Hungate in six instances.
Mr. Anderson of California in three instances.
Mr. Flowers in two instances.
Mr. Bevill.

ENROLLED JOINT RESOLUTIONS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.J. Res. 16. Joint resolution to authorize the President to designate the period beginning March 21, 1971, as "National Week of Concern for Prisoners of War/Missing in Action"; and

H.J. Res. 337. Joint resolution authorizing the President to proclaim the second week of March 1971 as "Volunteers of America Week."

ADJOURNMENT

Mr. MAZZOLI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 14 minutes p.m.) the House adjourned until tomorrow, Tuesday, March 9, 1971, at 12 o'clock noon.

REPORTS OF COMMITTEE ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[*Pursuant to the order of the House on March 4, 1971, the following report was filed on March 5, 1971*]

Mr. PATMAN: Committee on Banking and Currency. H.R. 4246. A bill to extend until March 31, 1973, certain provisions of law relating to interest rates, mortgage credit controls, and cost-of-living stabilization; with amendments (Rept. No. 92–36). Referred to the Committee of the Whole House on the State of the Union.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

363. A letter from the Chief Justice of the United States, transmitting the proceedings of the Judicial Conference held in Washington, D.C., on October 29–30, 1970 (H. Doc. No. 92–62); to the Committee on the Judiciary and ordered to be printed.

364. A letter from the Assistant Secretary of State for Congressional Relations, transmitting copies of the Determination of the President No. 71–6, concerning Kuwait, pursuant to section 3(a)(1) of the Foreign Military Sales Act of 1968, as amended; to the Committee on Foreign Affairs.

365. A letter from the Assistant Secretary of State for Congressional Relations, transmitting copies of the Determination of the President No. 71–7, concerning Cambodia, pursuant to sections 610 and 614(a) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

366. A letter from the Assistant Secretary of Agriculture, transmitting a draft of proposed legislation to extend the authority for insuring loans under the Consolidated Farmers Home Administration Act of 1961; to the Committee on Agriculture.

367. A letter from the General Sales Manager, Export Marketing Service, U.S. Department of Agriculture, transmitting a report of agreements signed for the use of foreign currencies during January and February, 1971, pursuant to Public Law 85–128; to the Committee on Agriculture.

368. A letter from the Assistant Director, Office of Management and Budget, Executive Office of the President, transmitting a Federal plan for meteorological services and supporting research for fiscal year 1972, pursuant to section 304 of the Department of Commerce Appropriation Act, 1963; to the Committee on Appropriations.

369. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a draft of proposed legislation to amend the Export-Import Bank Act of 1945, as amended, to allow for greater expansion of the export trade of the United States, to exclude Bank receipts and disbursements from the budget of the U.S. Government, to extend for 3 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves and against full reserves, insurance and guarantees, to authorize the Bank to issue for purchase by any purchaser its obligations maturing subsequent to June 30, 1976, and for other purposes; to the Committee on Banking and Currency.

370. A letter from the Secretary of Health, Education, and Welfare, transmitting a negative report on disposal of excess foreign property for calendar year 1970, pursuant to the Federal Property and Administrative Services Act of 1949; to the Committee on Government Operations.

371. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to declare that certain federally owned lands within the White Earth Reservation shall be held by the United States in trust for the Minnesota Chippewa Tribe, and for other purposes; to the Committee on Interior and Insular Affairs.

372. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to declare that certain federally owned lands shall be held by the United States in trust for the Stockbridge Munsee Community, Wis.; to the Committee on Interior and Insular Affairs.

373. A letter from the Chairman, Indian Claims Commission, transmitting a report on the final conclusion of judicial proceedings in Docket No. 288, *The Washoe Tribe, Plaintiff*, v. *The United States of America, Defendant*, pursuant to 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

374. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for the reporting of weather modification activities to the Federal Government; to the Committee on Interstate and Foreign Commerce.

375. A letter from the Secretary of Commerce, transmitting the annual report for fiscal year 1970 on Department of Commerce activities under the Fair Packaging and Labeling Act, pursuant to section 8 of the act; to the Committee on Interstate and Foreign Commerce.

376. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on studies of deaths, injuries, and economic losses resulting from accidental burning of products, fabrics or related materials, through June 1970, pursuant to section 14(a) of the Flammable Fabrics Act Amendments of 1967; to the Committee on Interstate and Foreign Commerce.

377. A letter from the Executive Director, Federal Communications Commission, transmitting a report of the backlog of pending applications and hearing cases in the Commission as of January 31, 1971, pursuant to section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

378. A letter from the Administrator, Environmental Protection Agency, transmitting a report that no exemptions from section 118 of the Clean Air Act were granted during 1970; to the Committee on Interstate and Foreign Commerce.

379. A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation to amend sections 2734a(a) and 2734b(a) of title 10, United States Code, to provide for settlement under international agreements, of certain claims incident to the noncombat activities of the Armed Forces, and for other purposes; to the Committee on the Judiciary.

380. A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation to amend section 2735 of title 10, United States Code, to provide for the finality of settlement effected under sections 2733, 2734, 2734a, 2734b, or 2737; to the Committee on the Judiciary.

381. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

382. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize an appropriation for fiscal year 1972 to carry out the metric system study; to the Committee on Science and Astronautics.

383. A letter from the Presiding Commissioner, U.S. Tariff Commission, transmitting the annual report of the Commission for fiscal year 1970, pursuant to section 332 of the Tariff Act of 1930; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 5669. A bill relating to the use in good faith by State and local authorities of freedom of choice systems for the assignment of students to public elementary and secondary schools; to the Committee on Education and Labor.

H.R. 5670. A bill to amend title VI of the Civil Rights Act of 1964 with respect to the use in good faith by State and local authorities of freedom of choice systems for the assignment of students to public elementary and secondary schools; to the Committee on the Judiciary.

By Mr. ABBITT (for himself and Mr. Watts):

H.R. 5671. A bill to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. ABERNETHY (by request):

H.R. 5672. A bill to authorize the use of certain real property in the District of Columbia for chancery purposes; to the Committee on the District of Columbia.

By Mr. ANDERSON of California:

H.R. 5673. A bill to amend the Fish and Wildlife Act of 1956 to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft; to the Committee on Merchant Marine and Fisheries.

By Mr. CARTER:

H.R. 5674. A bill to amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 to provide an increase in the appropriations authorization for the Commission on Marihuana and Drug Abuse; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTER (for himself, Mr. Baker, Mr. Dickinson, Mr. Donohue, Mr. Dorn, Mr. Duncan, Mr. Kuykendall, Mr. Martin, Mr. Mazzoli, Mr. Myers, Mr. Roy, Mr. Sebelius, Mr. Thone, and Mr. Watts):

H.R. 5675. A bill to amend the Uniform Time Act of 1966 to provide that daylight saving time shall begin on Memoral Day and end on Labor Day of each year; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK:

H.R. 5676. A bill to amend the Internal Revenue Code of 1954 and title II of the Social Security Act to provide a full exemption (through credit or refund) from the employees' tax under the Federal Insurance Contributions Act, and an equivalent reduction in the self-employment tax, in the case of individuals who have attained age 65; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 5677. A bill to correct the Tariff Schedules to group cordage products into the same parts of the Tariff Schedules; to the Committee on Ways and Means.

H.R. 5678. A bill to amend the Internal Revenue Code of 1954 to increase the credit against tax for retirement income; to the Committee on Ways and Means.

By Mr. CORMAN (for himself and Mr. Helstoski):

H.R. 5679. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5680. A bill to amend the Federal Coal Mine Health and Safety Act of 1969 with respect to the requirements for notification and reports to the Secretary where coal mine accidents occur; to the Committee on Education and Labor.

By Mr. EDWARDS of Alabama:

H.R. 5681. A bill to amend the Higher Education Act of 1965 to remove restrictions on the attendance of students at the community or junior college of their choice; to the Committee on Education and Labor.

By Mr. FULTON of Pennsylvania:

H.R. 5682. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. GIAIMO (for himself and Mr. Burton):

H.R. 5683. A bill to authorize the National Science Foundation to conduct research, educational, and assistance programs to prepare the country for conversion from defense to civilian, socially oriented research and development activities, and for other purposes; to the Committee on Science and Astronautics.

By Mr. GUDE (for himself, Mr. Alexander, Mr. Badillo, Mr. Boland, Mr. Caffery, Mr. Collier, Mr. Dellums, Mr. Duncan, Mr. William D. Ford, Mr. Gibbons, Mr. Gubser, Mr. Hogan, Mr. Jacobs, Mr. McKay, Mrs. Reid of Illinois, Mr. Ryan, Mr. St Germain, Mr. Thomson of Wisconsin, Mr. Whalen, Mr. Whitehurst, Mr. Wiggins, and Mr. Yatron):

H.R. 5684. A bill to authorize the Secretary of the Interior to protect, manage, and control free-roaming horses and burros on public lands; to the Committee on Interior and Insular Affairs.

By Mr. HANLEY:

H.R. 5685. A bill to prohibit certain conflicts of interest and encourage competition in the banking industry and related fields, to provide for restrictions and disclosures with respect to certain loans, to prohibit brokered deposits in banks and other financial institutions, to limit the use of giveaways in the solicitation of deposits, to permit full deposit insurance for Government depositors, and for other purposes; to the Committee on Banking and Currency.

By Mr. HARRINGTON (for himself, Mr. Waldie, and Mr. Wolff):

H.R. 5686. A bill to amend the Foreign Assistance Act of 1961, as amended, to prohibit any involvement or participation of U.S. Armed Forces in an invasion of North Vietnam without prior and explicit congressional authorization; to the Committee on Foreign Affairs.

By Mr. HELSTOSKI:

H.R. 5687. A bill to assist in the provisions of housing for the elderly, and for other purposes; to the Committee on Banking and Currency.

H.R. 5688. A bill to amend title II of the Social Security Act to increase to $3,000 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Ways and Means.

By Mr. HOSMER (for himself, Mr. Kyl, Mr. Steiger of Arizona, Mr. Don H. Clausen, Mr. Ruppe, Mr. Camp, Mr. Sebelius, Mr. Terry, Mr. Gerald R. Ford, Mr. Bob Wilson, Mr. Widnall, Mr. Blackburn, and Mr. Coughlin):

H.R. 5689. A bill to provide for the cooperation between the Federal Government and the States with respect to environmental regulations for mining operations, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KOCH (for himself, Mrs. Abzug, Mr. Burton, Mr. Clay, Mr. Drinan, Mr. Fraser, Mr. Mikva, Mr. Mitchell, and Mr. Rosenthal):

H.R. 5690. A bill to amend the Military Selective Service Act of 1967 clarifying the definition of conscientious objector so as to specifically include conscientious opposition to military service in a particular war; and providing certain individuals the opportunity to claim exemption from military service as selective conscientious objectors irrespective of their existing selective service status; to the Committee on Armed Services.

By Mr. KOCH (for himself, Mrs. Abzug, Mr. Burton, Mr. Clay, Mr. Drinan, Mr. Fraser, Mr. Harrington, Mr. Mikva, Mr. Mitchell, and Mr. Rosenthal):

H.R. 5691. A bill to amend the Military Selective Service Act of 1967 clarifying the definition of conscientious objector so as to specifically include conscientious opposition to military service in a particular war; to the Committee on Armed Services.

By Mr. LENNON:

H.R. 5692. A bill to consent to the Interstate Environment Compact; to the Committee on the Judiciary.

By Mr. MATSUNAGA (for himself, Mr. Frenzel, Mr. Hathaway, Mr. Kemp, Mr. McKay, and Mr. Pucinski):

H.R. 5693. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on Judiciary.

By Mrs. MINK:

H.R. 5694. A bill to amend title 38, United States Code, to permit veterans' educational assistance payments to be applied to the repayment of educational loans under Federal programs entered into by veterans before commencing active service; to the Committee on Veterans' Affairs.

H.R. 5695. A bill to carry out the recommendations of the Presidential Task Force on Women's Rights and Responsibilities, and for other purposes; to the Committee on Ways and Means.

By Mr. MONAGAN:

H.R. 5696. A bill to amend section 103 of the Social Security Amendments of 1965 to provide hospital insurance benefits (under title XVIII of the Social Security Act) for certain uninsured individuals who are not otherwise eligible for such benefits; to the Committee on Ways and Means.

H.R. 5697. A bill to amend the Trade Expansion Act of 1962; to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 5698. A bill to strengthen enforcement of the Flammable Fabrics Act and to authorize appropriations for fiscal years 1971, 1972, and succeeding fiscal years in order to carry out the purposes of the act; to the Committee on Interstate and Foreign Commerce.

By Mr. NELSEN:

H.R. 5699. A bill to provide for the disposition of funds appropriated to pay judgment in favor of the Mississippi Sioux Indians in Indian Claims Commission dockets Nos. 359, 360, 361, 362 and 363, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PATMAN (for himself, Mr. Barrett, Mr. Moorhead, Mr. St Germain, Mr. Gonzalez, Mr. Minish, Mr. Annunzio, Mr. Brasco, and Mr. Mitchell):

H.R. 5700. A bill to prohibit certain conflicts of interest and encourage competition in the banking industry and related fields, to provide for restrictions and disclosures with respect to certain loans, to prohibit brokered deposits in banks and other financial institutions, to prohibit the use of giveaways in the solicitation of deposits, to permit full deposit insurance for Government depositors, and for other purposes; to the Committee on Banking and Currency.

By Mr. PERKINS:

H.R. 5701. A bill to amend section 302(c) of the Labor-Management Relations Act, 1947, to permit employer contributions for joint industry promotion of products in certain instances; to the Committee on Education and Labor.

H.R. 5702. A bill relating to the requirements for proof of entitlement to black lung benefits under the Federal Coal Mine Health and Safety Act of 1969; to the Committee on Education and Labor.

By Mr. PICKLE:

H.R. 5703. A bill to amend title 39, United States Code, as enacted by the Postal Reorganization Act, to provide that proposed changes in postal rates and classes shall be submitted to Congress and shall be ineffective if either House disapproves such changes by three-fifths vote, to repeal the authorization for temporary postal rates and classes, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PODELL:

H.R. 5704. A bill to amend the Fair Packaging and Labeling Act to require a packaged perishable food to bear a label specifying the date after which it is not to be sold for consumption as food; to the Committee on Interstate and Foreign Commerce.

H.R. 5705. A bill to amend the Fish and Wildlife Coordination Act to provide additional protection to marine and wildlife ecology by providing for the orderly regulation of dumping in the ocean, coastal, and other waters of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 5706. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. PRICE of Texas:

H.R. 5707. A bill to require advance payments to feed grain farmers participating in the feed grain program; to the Committee on Agriculture.

By Mr. QUIE:

H.R. 5708. A bill to prevent the assignment of draftees to active duty in combat areas without their consent; to the Committee on Armed Services.

H.R. 5709. A bill to make rules respecting military hostilities in the absence of a declaration of war; to the Committee on Foreign Affairs.

H.R. 5710. A bill to establish a Department of Education and Manpower; to the Committee on Government Operations.

By Mr. QUILLEN:

H.R. 5711. A bill to amend the Social Security Act to provide for medical and hospital care through a system of voluntary health insurance including protection against the catastrophic expenses of illness, financed in whole for low-income groups through issuance of certificates, and in part for all other persons through allowance of tax credits; and to provide effective utilization of available financial resources, health manpower, and facilities; to the Committee on Ways and Means.

By Mr. RHODES (for himself, Mr. COLLIER, Mr. DERWINSKI, Mr. DEVINE, Mr. GOODLING, Mr. GUBSER, Mr. HALEY, Mr. MCKINNEY, Mr. MYERS, and Mr. WHITEHURST):

H.R. 5712. A bill to provide for the establishment of a U.S. Court of Labor-Management Relations which shall have jurisdiction over certain labor disputes in industries substantially affecting commerce; to the Committee on the Judiciary.

By Mr. RODINO (for himself, Mr. ALEXANDER, and Mr. WRIGHT):

H.R. 5713. A bill to amend section 620 of the Foreign Assistance Act of 1961 to suspend, in whole or in part, economic and military assistance and certain sales to any country which fails to take appropriate steps to prevent narcotic drugs, produced or processed, in whole or in part, in such country from entering the United States unlawfully, and for other purposes; to the Committee on Foreign Affairs.

H.R. 5714. A bill to provide for the mandatory civil commitment of certain narcotic addicts, to provide for more facilities for treating, supervising, and controlling narcotic addicts, and for other purposes; to the Committee on the Judiciary.

By Mr. RONCALIO (for himself and Mr. MCKAY):

H.R. 5715. A bill to amend the Rail Passenger Service Act of 1970 in order to expand the basic rail passenger transportation system to provide service to certain States; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL:

H.R. 5716. A bill to amend the Public Health Service Act to continue and broaden eligibility of schools of nursing for financial assistance, to improve the quality of such schools, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RUPPE:

H.R. 5717. A bill making appropriations to the Secretary of Commerce for the fiscal year 1972 to carry out the provisions of the National Sea Grant College and Program Act of 1966; to the Committee on Appropriations.

By Mr. SCHWENGEL:

H.R. 5718. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to require motor vehicle safety standards relating to the ability of the vehicle to withstand certain collisions; to the Committee on Interstate and Foreign Commerce.

By Mr. SKUBITZ:

H.R. 5719. A bill to authorize the Secretary of the Interior to conduct a program of demonstration parks, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STEELE:

H.R. 5720. A bill to prohibit the furnishing of mailing lists and other lists of names or addresses by Government agencies to the public in connection with the use of the U.S. mails, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ULLMAN:

H.R. 5721. A bill pertaining to the inheritance of enrolled members of the Confederated Tribes of the Warm Springs Reservation of Oregon; to the Committee on Interior and Insular Affairs.

By Mr. WINN:

H.R. 5722. A bill to provide for a program of Federal assistance in the development, acquisition, and installation of aircraft antihijacking detection systems and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5723. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas; to the Committee on Ways and Means.

By Mr. ABBITT:

H.J. Res. 442. Joint resolution proposing an amendment to the Constitution relating to the continuance in office of Justices of the Supreme Court; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.J. Res. 443. Joint resolution to proclaim National Night Driving Safety Week; to the Committee on the Judiciary.

By Mr. RIEGLE (for himself, Mr. BARING, Mr. BLACKBURN, Mr. CARTER, Mr. ERLENBORN, Mr. GUDE, Mr. HALPERN, Mr. HORTON, Mr. KUYKENDALL, and Mr. STUCKEY):

H.J. Res. 444. Joint resolution to declare the policy of the United States with respect to its territorial sea; to the Committee on Foreign Affairs.

By Mr. RODINO:

H.J. Res. 445. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 446. Joint resolution to proclaim the second week in July as National Salesmen's Week; to the Committee on the Judiciary.

By Mr. KEMP:

H. Con. Res. 196. Concurrent resolution expressing the sense of Congress that U.S. Route 219 should be designated as part of the Interstate System; to the Committee on Public Works.

By Mr. RODINO (for himself, Mr. BURTON, Mr. DIGGS, Mr. EVINS of Tennessee, Mr. FLOOD, Mrs. MINK, and Mr. WOLFF):

H. Con. Res. 197. Concurrent resolution expressing the sense of Congress relating to films and broadcasts which defame, stereotype, ridicule, demean, or degrade ethnic, racial, and religious groups; to the Committee on Interstate and Foreign Commerce.

By Mr. KEMP:

H. Res. 275. Resolution requesting the National Park Service make available to Congress the findings of the National Safety Council study; to the Committee on Interior and Insular Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

42. By Mr. BARING: Memorial of the Assembly and Senate of the State of Nevada, jointly, that the Legislature of the State of Nevada memorializes the President of the United States, the Congress of the United States, the U.S. Department of the Interior, the Bureau of the Budget, and the U.S. Bureau of Reclamation to accelerate the funding, designing, and construction of the Marble Bluff Dam and fishway; to the Committee on Interior and Insular Affairs.

43. Also, a memorial of the Assembly and Senate of the State of Nevada, jointly, that the Legislature of the State of Nevada hereby requests the Hurlbut Amusement Co. and Paramount Pictures give priority consideration to the State of Nevada in its desire to reacquire the collection of locomotives and cars of the old Virginia & Truckes R.R. to the State of Nevada; and be it further

Resolved, That the National Park Service is hereby requested to assist in turning over to the State of Nevada such collection; to the Committee on Interior and Insular Affairs.

44. Also, a memorial of the Assembly and Senate of the State of Nevada, jointly, that the Administrator of Veterans' Affairs is hereby respectfully memorialized to submit a plan for the establishment of a Veterans' Administration hospital in southern Nevada to the Congress of the United States; and be it further

Resolved, That the Legislature of the State of Nevada respectfully requests the Congress of the United States to approve such a plan for the establishment of such a hospital; to the Committee on Veterans' Affairs.

45. Also, a memorial of the Assembly and Senate of the State of Nevada, jointly, that the Legislature of the State of Nevada hereby respectfully memorializes the Congress of the United States to establish a national cemetery in southern Nevada; to the Committee on Veterans' Affairs.

46. Also, a memorial of the Assembly and Senate of the State of Nevada, jointly, that this Legislature on behalf of the people of the State of Nevada respectfully memorializes the Congress of the United States to enact legislation providing a credit of 80 percent against the tax imposed by 26 U.S.C. § 4461 upon slot machines for the amount of any tax paid upon such machines to a State, for educational support; to the Committee on Ways and Means.

47. By the SPEAKER: A memorial of the Legislature of the State of Nevada, relative to construction of the Marble Bluff Dam and Fishway; to the Committee on Interior and Insular Affairs.

48. Also, a memorial of the Senate of the State of Indiana, relative to daylight saving time; to the Committee on Interstate and Foreign Commerce.

49. Also, a memorial of the Legislature of the Commonwealth of Massachusetts, requesting Congress to call a convention for the purpose of amending the U.S. Constitution to provide for intergovernmental sharing of Federal income tax revenue; to the Committee on the Judiciary.

50. Also, a memorial of the Senate of the State of Washington, relative to funding for the Lower Granite Dam project, Washington; to the Committee on Public Works.

51. Also, a memorial of the Legislature of

the State of Nevada, relative to the establishment of a national cemetery in southern Nevada; to the Committee on Veterans' Affairs.

52. Also, a memorial of the Legislature of the Commonwealth of Massachusetts, relative to Federal-State revenue sharing; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 5724. A bill for the relief of Giacomo and Salvatrice DiGrigoli and minor son, Angelo; to the Committee on the Judiciary.

By Mr. BROTZMAN:

H.R. 5725. A bill for the relief of Robert E. Middleton; to the Committee on the Judiciary.

By Mr. HARVEY:

H.R. 5726. A bill for the relief of Josefa Peconcillo-Nepomueeno; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 5727. A bill for the relief of Kelvin Roberto Forbes to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 5728. A bill for the relief of Meir Dayan; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 5729. A bill for the relief of Salvador A. Casaclang; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 5730. A bill for the relief of Santo Midulla; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 5731. A bill for the relief of Elena Affo; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

38. By the SPEAKER: Petition of the Senate of Micronesia, Saipan, Mariana Islands, Trust Territory of the Pacific Islands, relative to the self-government of the Trust Territory; to the Committee on Interior and Insular Affairs.

39. Also, petition of the Portland, Maine, Superintending School Committee, relative to Federal-State revenue sharing; to the Committee on Ways and Means.

SENATE—*Monday, March 8, 1971*

(Legislative day of Wednesday, February 17, 1971)

The Senate met at 11:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. ELLENDER).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Thou God of life and light, shed Thy pure light upon this place, and illumine our minds that this may be a vital week of service to the Nation. Take from us all that obscures Thy presence or dims the light of Thy truth from the judgments which must be made. Grant that clear illumination which separates truth from falsehood, justice from injustice, love from hate. Help us to have the hospitality of mind and magnanimity of spirit, which leads beyond contention and division that we may learn from one another and be drawn into a firmer alliance and truer brotherhood.

Let Thy blessing be upon all who lead this Nation that out of troubled times may come a brighter, fairer world in which Thou dost rule in the hearts of men and in the capitols of the nations.

In the Redeemer's name we pray. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received today, see the end of Senate proceedings.)

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Friday, March 5, 1971, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. SCOTT. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I am delighted to yield.

Mr. SCOTT. I would like to inquire as to the course of business during the present week.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished minority leader, if we dispose of the pending motion tomorrow, it is the intention of the majority leader—the minority leader concurring—to ask unanimous consent that the Senate turn to the consideration of the joint resolution reported by the Judiciary Committee which has to do with extending the vote, through constitutional amendment, to those 18 years of age and over who are excluded on the basis of the Supreme Court finding which allows 18-year-olds to vote in national elections only. This constitutional amendment would cover State and local elections as well.

Mr. SCOTT. If the distinguished majority leader will further yield, I have no objection to the joint resolution coming up at that time. I would simply ask that time be given us to advise the ranking minority member of the committee, the Senator from Nebraska (Mr. HRUSKA), to make sure he knows of no objection. With that reservation, I would agree that we ought to dispose of whatever we have before us in the way of legislation.

Mr. MANSFIELD. That is a most reasonable request. It is my understanding—and I see the distinguished chairman of the subcommittee, the Senator from Indiana (Mr. BAYH), and the distinguished Senator from Kentucky (Mr. COOK), the Senator from West Virginia (Mr. BYRD), all members of the Judiciary Committee, present—that it was reported by the Judiciary Committee unanimously. The Senator from Pennsylvania also is a member of the committee.

Mr. SCOTT. Yes.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. BAYH. The Senator from Montana is exactly correct. It was reported unanimously. The Senator from Nebraska supported the measure in the subcommittee and the full committee. It was supported by the Senator from Kentucky (Mr. COOK) and the Senator from West Virginia (Mr. BYRD). We have had more unanimity on this critical measure than on any that has come before the committee.

Mr. MANSFIELD. I thank the Senator.

Mr. SCOTT. Mr. President, if the majority leader will yield, does he have any thought as to how long the debate might require?

Mr. MANSFIELD. No. I should not think too long in view of the unanimity in the Judiciary Committee, the need for something to be done, and the fact that if something is not done it will place a costly burden on the States because of the necessity of the preparation of separate ballots.

Then it is anticipated, following the disposal of that resolution, that the Senate will turn to the consideration of the bill dealing with Appalachia—again with the approval of the distinguished minority leader.

Mr. SCOTT. I know of no objection to that bill.

I know that this colloquy will now be in the RECORD, and the members of the relevant committees will indeed be advised.

Mr. MANSFIELD. I thank the Senator.

REWARD OF $100,000 FOR INFORMATION RELATING TO BOMBING OF THE U.S. CAPITOL

Mr. SCOTT. Mr. President, just a few minutes ago the joint leadership of the House of Representatives and the Senate announced the posting, by private sources, of a reward of $100,000. The distinguished majority leader and I made such an announcement this morning to the press. It is for information leading to the arrest and conviction of the person or persons responsible for the bombing of the U.S. Capitol on March 1, 1971.

Any person or persons providing such information will be fully protected. Sources of information will be regarded as completely confidential.

Any person having information should make such information available to any law-enforcement agency or official, including local offices of the Federal Bureau of Investigation.

This reward is being announced by the congressional leadership, who in turn have been advised that the money has been made available by private sources, and has been placed in escrow—I might add, in a bank—for payment to any person or persons providing information leading to the arrest and conviction of those responsible for the Capitol bombing.

Announcement of this reward has been authorized by the Speaker of the House, the majority and minority leaders of the House, the President pro tempore of the Senate, and the majority and minority leaders of the Senate.

I ask unanimous consent to include the announcement of the reward at this point in the Record.

There being no objection, the announcement was ordered to be printed in the Record, as follows:

Reward: $100,000

For information leading to the arrest and conviction of the person or persons responsible for the bombing of the United States Capitol, on March 1, 1971.

Any person or persons providing information will be fully protected. Sources of information will be regarded as completely confidential.

Any person having information should make such information available to any law enforcement agency or official, including local offices of the Federal Bureau of Investigation.

This reward is being announced by the Congressional leadership, Senate and House of Representatives, Democratic and Republican, who have been advised that the money has been made available by private sources, and has been placed in escrow, for payment to any person or persons providing information leading to the arrest and conviction of those responsible for the Capitol bombing.

Announcement of this reward has been authorized by:

Representative Carl Albert, Speaker, U.S. House of Representatives.

Representative Hale Boggs, Majority Leader, U.S. House of Representatives.

Representative Gerald R. Ford, Minority Leader, U.S. House of Representatives.

Senator Allen Ellender, President Pro Tempore, U.S. Senate.

Senator Mike Mansfield, Majority Leader, U.S. Senate.

Senator Hugh Scott, Minority Leader, U.S. Senate.

Mr. SCOTT. Mr. President, I yield back the remainder of my time.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the previous order entered, the Senator from Indiana (Mr. Bayh) is recognized for 15 minutes.

(Mr. BAYH'S remarks when he introduced S. 1127, providing for a comprehensive revision of the Uniform Code of Military Justice, are printed in the Record under Statements on Introduced Bills and Joint Resolutions.)

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the order previously entered, the Senator from Wisconsin (Mr. Proxmire) is recognized for 15 minutes.

(The remarks of Mr. Proxmire when he introduced S. 1129, the Foreign Military Assistance Reform Act of 1971, are printed in the Record under Statements on Introduced Bills and Joint Resolutions.)

EXPORT-IMPORT BANK SHOULD NOT HAVE PRIORITY OVER HOUSING, SMALL BUSINESS, FARMERS

Mr. PROXMIRE. Mr. President, legislation is pending to remove the Export-Import Bank from the discipline of the Federal budget.

This legislation is opposed by the Federal Reserve Board and the General Accounting Office. Nevertheless, it has the strong support of the Senate Banking, Housing, and Urban Affairs Committee and unless we are alert to it, it may very well pass the Senate. It would blast the first big hole in the consolidated budget which was designed to end the back-door hidden subsidy of programs that happened to have special interest pressure.

It would also toss out $290 million of spending which would otherwise have to appear in the Federal budget.

It is bookkeeping gimmickry and I oppose it.

It would give the Export-Import Bank precedence over housing programs, farm loan programs, and small business loan programs. While I approve of the Export-Import Bank, I think that we should provide some control over subsidies. We should know exactly what we are doing. We should not take away from the Appropriations Committee or take this away from congressional responsibility year by year.

I ask unanimous consent that a statement I made to the Banking Committee this morning on this legislation be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator William Proxmire Before the Subcommittee on International Finance, Committee on Banking, Housing and Urban Affairs, on S. 19 and S. 581 To Amend the Export-Import Bank Act, Monday, March 8, 1971

Mr. Chairman, I welcome the opportunity to testify at these hearings on legislation to amend the Export-Import Bank Act. The activities and programs of the Export-Import Bank play an important role in our national and international economy. Nevertheless, I am deeply concerned over the provisions of S. 19 and S. 581 which would remove the Bank from the discipline of the Federal Budget. I have not had a chance to review the other items in the legislation and my testimony today will be confined solely to the budgetary provisions.

Under current budget procedures established by the President's Commission on Budget Concepts, all Federal lending programs are carried in the Federal budget and are subject to Congressional ceilings on outlays to the extent that loan disbursements exceed loan repayments. The legislation before the Committee would undermine this well established principle by granting a special exemption for the loan activities of the Export-Import Bank.

The net effect of the legislation will be to remove $290 million in total outlays from the Federal budget in Fiscal Year 1972, thus reducing the size of the Federal deficit by the same amount. It was this very type of bookkeeping gimmickry by the previous Administration which led to the reforms proposed by the President's Commission on Budget Concepts. I find it disappointing that the present Administration has not taken a strong stand against this latest attempt at backdoor spending.

I understand the provisions removing the Ex-Im Bank from the budget are opposed by the Federal Reserve Board and the General Accounting Office. It is also significant that the President's budget for Fiscal Year 1972 does not provide for the removal of the Ex-Im Bank from the budget.

Removing the Ex-Im Bank from the Federal budget is unwise and unsound in a number of respects.

First, it removes Export-Import Bank operations from the discipline of the budgetary process. Under the Federal budget process, all programs must compete with one another for a limited supply of funds. In this manner, priorities are established and less essential programs are reduced or eliminated. By removing a program from this discipline, however meritorious the program might be, we are in effect saying the program has a higher priority than any other program in Government and should not be subject to budgetary constraints or ceilings. Thus, the Federal budgetary process is distorted, resources are misallocated, and congressional control over expenditures is weakened.

Second, the legislation is discriminatory since it singles out only one Federal lending program for favored treatment. There are a number of highly desirable Federal loan programs which are carried in the Federal budget and which are subject to congressional expenditure ceilings. These programs involve loans for low- and moderate-income housing, loans to small business firms, loans to farmers and rural electrification associations and for many other purposes. There is no evidence that the activities of the Export-Import Bank are of a higher order of priority over all other Federal lending programs. Why should a subsidized government loan to a multimillion dollar export firm receive priority over a housing loan to a low-income slum dweller?

Third, the legislation sets a dangerous precedent for excluding other Federal lending programs from the budget. Indeed, if a case can be made to exclude the Ex-Im Bank, I believe a far stronger case can be made to exclude other lending programs such as housing or small business. The President's budget for Fiscal Year 1972 shows that all Federal lending programs will disburse $13.5 billion in loans and collect $10.8 billion in payments for a net outlay of $2.7 billion. All of these funds would be excluded from the budget if we treated all lending programs the way we are proposing to treat the Ex-Im Bank.

Fourth, the legislation is unnecessary since the President already has adequate administrative authority to exclude the operations of the Export-Import Bank from the Federal budget. This point was made very clear in testimony presented to the committee last year by Elmer B. Staats, Comptroller General of the United States. Mr. Staats said:

"In our opinion, whether the net lending of the Bank is included in the portion of the President's budget used in determining the deficit or surplus was within his discretion and legislation for this purpose was not required."

The effect of the legislation, therefore, is to make the Congress a willing partner in the budgetary manipulations of the Administration, thereby insulating the Administration from any criticism.

Fifth, the legislation infringes upon the jurisdiction of the Appropriations and Finance Committees insofar as expenditure or outlay ceilings are involved. These Committees have, from time to time, established government-wide expenditure ceilings. Both bills seek to bypass these two Committees and bind future Congresses when they state that the receipts and disbursements of the Bank "shall be exempt from any annual expenditure and net lending (budget outlays) limitations imposed on the budget of the United States Government." This means that the Bank would not be restrained by any Congressional ceiling on expenditures unless the legislation establishing the ceiling specifically rescinded the budgetary provisions now before the Committee.

If a case can be made for excluding Ex-Im Bank operations from a Congressionally imposed expenditure ceiling, proper procedure would call for the Bank to justify a specific exemption each time the ceiling is set. The burden of proof to secure an exemption should be on the Bank; we should not place the burden on Congress to revoke a pre-existing exemption.

About the only reason which has been advanced for this legislation is that it would permit a greater level of Export-Import Bank lending which in turn is supposed to enhance the U.S. balance of payments. This argument is of dubious merit. The Federal Reserve Board has a far greater concern with our balance of payments than the Export-Import Bank and considerably more economic expertise. In a letter to the Committee, Chairman Burns of the Federal Reserve Board cast considerable doubt upon the argument that the legislation would improve our balance of payments. The Federal Reserve Board Chairman states that:

"The Board is fully aware of the desirability of expanding U.S. exports to help improve our balance of payments. However, not all Export-Import Bank loans result in additional export sales. This is especially true when the Bank finances the sale of U.S. goods for which there is little or no competition in world markets. Frequently the Bank's loans are substituted for other financing in the United States or from abroad. Finally, to the extent that the Bank's credit is used to substitute for offshore financing of our exports, our balance of payments will suffer.

"Accordingly, the Board recommends against enactment of the bill."

I hope that the members of this Subcommittee will give great weight to the views of Mr. Burns. He is far more qualified to judge the impact on our balance of payments than are the officials of the Ex-Im Bank.

It has also been argued that Export-Import Bank loans are not true expenditures since they are fully repayable with interest. Accordingly, it is argued that no great harm is done if the net lending figures are removed from the budget.

This argument is also misleading. Ex-Im Bank loans do represent a claim on private resources to achieve public objectives. Moreover, the net outlays of the Bank must be financed in the capital markets the same as any other Federal spending program. One of the basic purposes of the budget is to show the total financial claims of the public sector on the private sector. Excluding Ex-Im Bank loans therefore understates the degree or extent of Federal claims upon the economy.

An argument has also been made that the Bank does not operate on appropriated funds hence its activities need not be carried in the budget. Once again, this argument is seriously misleading. Even though the Bank does not use Federal funds, hidden Federal subsidies to the Bank cost the American taxpayer nearly $40 million a year. The legislation before this Committee would exempt these funds from budgetary control.

One way of appreciating the subsidized nature of Ex-Im Bank loans is to examine their operations for Fiscal Year 1970. During the year, the Bank was making export loans at 6% when the market rates were 8 or 9%. Moreover, the Bank still earned a profit of $110.7 million. How can the Bank earn money by making below-market rate loans? The answer is that it does so through hidden Federal subsidies.

There are two backdoor subsidies to the Bank. The first is the investment of government capital at a ridiculously low rate. The Bank has over $2.2 billion in government capital, including $1 billion in initial capital stock and $1.2 billion in retained earnings. The entire $2.2 billion belongs to the American taxpayer. If we closed down the Bank, the $2.2 billion would be returned to the Treasury and the funds could be used to reduce the national debt. Interest paid on the national debt would be similarly reduced. Thus, the real cost to the taxpayer is the interest he is paying on his total investment of $2.2 billion. Assuming an average interest rate of 6% on government obligations during Fiscal Year 1970, the interest cost of financing the Ex-Im Bank is $132 million.

What did the taxpayers get back for the $132 million? They received only $50 million in dividends or less than 2.5% on their total investment. The Bank also kept $60 million in retained earnings for a total profit of $110 million. The difference of $22 million represents a hidden subsidy paid by the taxpayer.

The second backdoor subsidy comes from the ability of the Bank to borrow directly from the Treasury at rates below the cost of funds to the Treasury. The General Accounting Office estimates this backdoor subsidy cost the taxpayers $16.8 million in Fiscal Year 1970.

When we add the two backdoor subsidies together—$22 million in low cost capital and $16.8 million in cut rate loans, we get a total subsidy of $38.8 million.

Mr. Chairman, I would prefer to keep the Ex-Im Bank in the Federal budget. Nonetheless, I recognize that the majority of the Committee probably favors the exclusion of the Bank from the budget. For that reason, I have proposed a compromise which I hope a majority of the Committee can support. Briefly stated, my compromise amendment would permit the exclusion of loan disbursements and repayments from the budget as is provided in the two bills before the Subcommittee. However, my amendment would also convert the backdoor subsidies to front-door subsidies and require that the subsidized portion of the Ex-Im Bank be carried as a line item in the budget.

In other words, my amendment would permit the exclusion of $290 million in net outlays anticipated in Fiscal Year 1972. However, if the Bank needed a $40 million subsidy to sustain those outlays, it would have to request those funds from Congress through the budget. I believe this to be an entirely reasonable approach. It permits the exclusion of the vast bulk of Ex-Im Bank outlays and requires that only the subsidized portion of the Bank's operations be included in the Budget.

This objective would be accomplished in the following manner. First, the Bank would be required to pay dividends to the Treasury on its total government capital at the current Treasury cost of borrowing. This eliminates the first backdoor subsidy I referred to earlier.

Second, the authority of the Treasury to make below market rate loans to the Ex-Im Bank would be removed. The rate on all loans would have to be at least equal to the current Federal cost of borrowing. This eliminates the second backdoor subsidy.

Third, my amendment authorizes the appropriation of such sums as may be necessary to subsidize the operations of the Ex-Im Bank. If the Bank desired to make low rate loans to exporters in order to meet foreign competition and stimulate U.S. exports, it could continue to do so provided it came to Congress for the funds needed to subsidize the interest rate.

These are the exact procedures we follow on our housing programs for low and moderate income families. I can see no reason why the Ex-Im Bank should be treated any differently.

My amendment would actually give the Congress a greater degree of control over the operations of the Ex-Im Bank. Under current procedures, the Congress can limit the gross lending authority of the Bank; however, it has no say as to the degree or depth of the subsidy given the Bank. Because the subsidies are injected through the backdoor, the Congress has been effectively bypassed. The degree of taxpayer subsidy is really decided by Ex-Im Bank and Treasury officials free from any control by the Appropriations Committees.

My amendment would also provide for a more flexible approach to supervising the Bank. It permits Congress to alter the degree of subsidy as well as the total volume of Ex-Im Bank loans. Increasing the subsidy may be preferable to increasing the volume of Ex-Im Bank loans, particularly when an increase in the volume of loans would merely displace private loans already being made.

Mr. Chairman, I hope that your Subcommittee will give serious consideration to my amendment. As you know, I have recently become the Chairman of the Foreign Operations Appropriations Subcommittee which sets the yearly lending ceiling for the Bank. Naturally, I have a keen interest in the operations of the Bank including the extent to which it is subsidized by the taxpayer. I have no pre-conceived notions that the Federal subsidy is too low or too high. Perhaps a good case can be made for increasing the subsidy in order to stimulate exports. I do feel strongly, however, that the amount of the subsidy ought to be reviewed each year by the Congress and my amendment is designed to achieve this objective.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDENT pro tempore. Under the order previously entered, there will now be a period for the transaction of routine morning business for 45 minutes, with a time limitation therein of 3 minutes.

Is there any morning business?

Mr. BYRD of West Virginia. Mr. President, I believe the order calls for a period not to exceed 45 minutes; is that not correct?

The PRESIDENT pro tempore. That is correct.

Mr. BYRD of West Virginia. I thank the Chair.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TUNNEY). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TUNNEY). Without objection, it is so ordered.

PROTECTION OF THE CAPITOL

Mr. BYRD of West Virginia. Mr. President, a complicated problem has been created by the bombing which damaged a portion of the U.S. Capitol. What permanent steps should be taken to prevent another such senseless and stupid act?

As yet, there are no wholly satisfactory answers. The physical nature of the buildings on Capitol Hill, and their symbolic importance in our open society, make the imposition of strict security measures difficult.

The Capitol with its historic treasures belongs to the people of our country. Americans have the right to visit it. Indeed, they should be encouraged to do so. Our citizens have the right to visit their lawmakers in the office buildings of the Senate and House of Representatives. They have a right to visit and enjoy the Library of Congress.

How, then, should these buildings—which historically have always been open to the public and should remain so—be protected against those who would desecrate and destroy them?

Many methods are being discussed. Closed circuit television monitors such as are used in stores to trap shoplifters have been proposed. Sensor devices to detect metal objects and explosives have been suggested. Requiring visitors to leave packages and bags at building entrances has been advocated.

There are practical drawbacks to most of the proposals that have been put forward. Hundreds of staff people work in the Capitol and its supporting buildings, and uncounted thousands of persons visit these buildings daily, on business or for pleasure. Checking each one of them in and out is an almost impossible task.

Since the bombings, employees have had to show their identification cards, and open their bags and brief cases for police inspection. Entering or leaving the buildings before or after normal working hours, they must sign in or out.

But what about the thousands and thousands of tourists, whose identification—if they have any—would mean next to nothing to any police officer or guard? The visitors—who have a right to be there—pose the biggest problem. Those who perpetrated the bombing almost certainly entered the Capitol in the guise of normal visitors.

It seems to me that at least three things are going to have to be done. Some system of sophisticated electronic surveillance should be considered; certain areas of the Capitol such as working spaces that have little or no interest for tourists should be placed off limits for casual visitors; and the Capitol Police Force should be increased and fully professionalized.

The Capitol Police Force now consists of an authorized strength of 622 men, 39 percent of whom are authorized to be patronage appointments. I am informed that, in actuality, 20 percent of the total force are students. The remainder of the patronage appointments are career-type officers who do not enjoy tenure.

I have made patronage appointments to the force, and I believe I have named good men. But in the future, only fully qualified, professional police officers should make up the force. The patronage appointments should be phased out through attrition and eventually eliminated. Officers who have patronage appointments should be given the opportunity, however, to qualify for the all-professional force.

At the same time the size of the force must be increased. Since the bombings, all days off for the police have been cancelled, and they have had to work longer hours each day. They have done a good job and are to be commended. But when the lives of hundreds of people are endangered, when the security of Federal Government buildings involving millions of dollars worth of property—much of it irreplaceable and its value not measureable in dollars—are at stake then nothing less than realism must guide us.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

Mr. STENNIS. Mr. President, will the Senator withhold that request?

Mr. BYRD of West Virginia. Mr. President, I withdraw the request?

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

DISCHARGE OF COMMITTEE—REFERRAL OF A BILL

Mr. STENNIS. Mr. President, I ask unanimous consent that the Committee on Armed Services be discharged from further consideration of S. 73, a bill to authorize the Secretary of the Army to convey certain land in the State of North Dakota, the Mountrail County Park Commission at Mountrail, N. Dak., for recretational development and that it be rereferred to the Committee on Public Works.

The PRESIDING OFFICER (Mr. TUNNEY). Without objection, it is so ordered.

Mr. STENNIS. Mr. President, by way of explanation, this bill covers conveyance of land acquired by the Army for the construction and maintenance by the Corps of Engineers of the Garrison Dam and Reservoir project in North Dakota.

It will properly come under the jurisdiction of the Committee on Public Works. Therefore, I have secured unanimous consent that it be referred there.

Mr. President, I ask unanimous consent that a printer's error on page 3, line 3, be corrected. The word "Navy" should be changed to "Army."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report of Agreements Providing for Foreign Currencies

A letter from the General Sales Manager of the Export Marketing Service of the United States Department of Agriculture, transmitting, pursuant to law, a report of agreements signed providing for foreign currencies for January and February, 1971 (with an accompanying report); to the Committee on Agriculture and Forestry.

Proposed Legislation Extending Authority Under the Consolidated Farmers Home Administration Act of 1961

A letter from the Assistant Secretary of Agriculture, transmitting a draft of proposed legislation to extend the authority for insuring loans under the Consolidated Farmers Home Administration Act of 1961 (with accompanying papers); to the Committee on Agriculture and Forestry.

Report on Final Conclusion of Judicial Proceedings Regarding Claim of Certain Indians

A letter from the Chairman, Indian Claims Commission, transmitting, pursuant to law, a report on the final conclusion of judicial proceedings regarding the claim of the Washoe Tribe, Plaintiff v. The United States of America, Docket No. 288 (with accompanying papers); to the Committee on Appropriations.

Proposed Legislation Requiring the Reporting of Weather Modification Activities

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for the reporting of weather modification activities to the Federal Government (with accompanying papers); to the Committee on Commerce.

Proposed Legislation Relating to Authorization of Appropriation to Carry Out the Metric System Study

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize an appropriation for fiscal year 1972 to carry out the metric system study (with accompanying papers); to the Committee on Commerce.

Proposed Legislation Extending and Amending the Renegotiation Act of 1951

A letter from the Chairman, the Renegotiation Board, transmitting a proposed draft of legislation to extend and amend the Renegotiation Act of 1951 (with an accompanying paper); to the Committee on Finance.

Proposed Legislation Transferring Certain Land Within the White Earth Reservation to the Minnestoa Chippewa Tribe

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to declare that certain federally owned lands within the White Earth Reservation shall be held by the United States in trust for the Minnesota Chippewa Tribe, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

Four Corners Regional Commission's 1970 Annual Report

A letter from the Office of the Federal Cochairman of the Four Corners Regional Commission, Department of Commerce, transmitting the Commission's 1970 Annual Report (with an accompanying report); to the Committee on Public Works.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A resolution of the Legislature of the State of Indiana; to the Committee on Commerce:

"Senate resolution memorializing the Congress of the United States to so amend the Federal Uniform Time Act as to permit the twelve Indiana counties within the Central Time Zone to observe daylight time between 2 a.m. of the last Sunday in April and 2 a.m. of the last Sunday in October in each calendar year

"Whereas, the six northwest counties of the State of Indiana within the Central Time Zone maintain close economic, social and cultural ties with the Chicago metropolitan area and are therefore adversely affected by provisions of the Uniform Time Act.

"Whereas, residents of the six counties in the southwestern portion of the state are equally as adversely affected during the summer months by close proximity to both Illinois and Kentucky where Central Daylight Time is observed in both states in addition to the time differential with eighty other Indiana counties; and

"Whereas, the situation created by provisions of the Federal Uniform Time Act leaves these portions of the state operating for six months of the year on a different time from neighboring states with resulting adverse affect on commuters, broadcast communications and transportation schedules; and

"Whereas, the 96th General Assembly anticipated this problem in 1969 by enacting a Concurrent Resolution (HCR 76) dealing with the Indiana time dilemma Acts 1969 (chapter 469) which urged the United States Congress to amend the Federal Uniform Time Act to permit the northwestern and southwestern areas to remain on central daylight time in the summer months; and

"Whereas, the 97th General Assembly takes note that efforts to amend the Federal Uniform Time Law are even now being made by several members of Congress representing Indiana.

"Be it resolved by the Senate of the General Assembly of the State of Indiana:

"SECTION 1. That the United States Congress do now amend the Federal Uniform Time Act to permit Indiana counties within the Central Time Zone to observe daylight time between 2 A.M. of the last Sunday in April and 2 A.M. of the last Sunday in October in each calendar year.

"SEC. 2. That because the advent of the change to Daylight Time in states bordering Indiana on the last Sunday in April 1971 will impose great hardship and inconvenience to the twelve Indiana counties in the Central Time Zone, prompt remedial action is urgently needed.

"SEC. 3. That the Secretary of the Senate shall prepare copies of this resolution and transmit the same to the President of the United States Senate and the Speaker of the United States House of Representatives and to members of the United States Senate and United States House of Representatives who represent the State of Indiana."

A concurrent resolution of the Legislature of the State of South Dakota; to the Committee on Commerce:

"HOUSE CONCURRENT RESOLUTION 505

"A concurrent resolution memorializing the Secretary of Transportation to reconsider the feasibility of using the main line of the Chicago, Milwaukee, St. Paul & Pacific Railroad for the primary northern railroad passenger transportation route in order to provide passenger service to the people of South Dakota

"Be it resolved by the House of Representatives of the State of South Dakota, the Senate concurring therein:

"Whereas, the Congress of the United States has enacted and the President has signed the Rail Passenger Service Act of 1970 establishing the National Rail Passenger Corporation, which Act declares that the federal Congress has found that modern, efficient, intercity railroad passenger service is a necessary part of a balanced transportation system; that the public convenience and necessity require the continuance and improvement of such service to provide fast and comfortable transportation between crowded urban areas and in other areas of the country; that to achieve these goals requires the designation of a basic national rail passenger system and the establishment of a rail passenger corporation for the purpose of providing modern, efficient, intercity rail passenger service; and that federal financial assistance as well as investment capital from the private sector of the economy is needed for this purpose; and

"Whereas, the Secretary of Transportation is authorized by the said Act to determine the route to be used to provide rail passenger service between Chicago, Illinois and Seattle, Washington; and

"Whereas, the Chicago, Milwaukee, St. Paul and Pacific Railroad's main line between Chicago and Seattle is the shortest of the possible routes between the two cities; and

"Whereas, the main line of the Chicago, Milwaukee, St. Paul and Pacific Railroad is the most scenic of the possible routes connecting the two cities, in that it passes through the prairies of South Dakota, the Badlands of North Dakota, the Rocky Mountains in Montana, the Bitterroot Mountains in Montana and Idaho, and the Cascade Mountains in Washington; and

"Whereas, the main line of the Chicago, Milwaukee, St. Paul and Pacific Railroad is situated approximately equidistant from most of the population centers of North and South Dakota and would therefore be equally accessible to most of the people of the two states, while a more northerly route would deprive the majority of the people of South Dakota of practical access to rail passenger service, and a more southerly route would deprive all of the population of North Dakota, Minnesota Montana, Wyoming and a large part of the population of South Dakota practical access to rail passenger service; and

"Whereas, east-west passenger service available to the people of North Dakota and South Dakota is very limited in comparison to the east-west service which would be available for the same areas if the Chicago, Milwaukee, St. Paul and Pacific Railroad route were utilized for rail passenger service; and

"Whereas, one of the objectives of the Act is to improve the financial structure and strengthen railroad companies, and the Chicago, Milwaukee, St. Paul and Pacific Railroad is financially distressed, having recently experienced large operating losses:

"Now, therefore be it resolved, by the House of Representatives of the Forty-sixth Legislature of the State of South Dakota, the Senate concurring therein, that the Secretary of Transportation is hereby respectfully requested to reconsider announced plans for a northern route for the National Rail Passenger Corporation service which would permanently leave the people of South Dakota entirely without railroad passenger service and to determine the feasibility of utilizing the main line of the Chicago, Milwaukee, St. Paul and Pacific Railroad for such service, which would also provide balanced railroad passenger service to all the states of the northern plains; and

"Be it further resolved, that copies of this Concurrent Resolution be transmitted by the Chief Clerk of the House of Representatives of the State of South Dakota to the offices of the President and Vice President of the United States, the Secretary of Transportation, the Interstate Commerce Commission, and the Congressional Delegation of the State of South Dakota."

A joint resolution of the Legislature of the State of South Dakota; to the Committee on the Judiciary:

"HOUSE JOINT RESOLUTION 503

"A joint resolution memorializing the Congress of the United States to amend the Constitution of the United States in accordance with article V of said Constitution

"Whereas, a resolution of our nation's myriad and diverse problems is contingent upon a viable partnership between the federal government and strengthened state governments; and

"Whereas, increasing demands upon state and local governments for essential public services have compelled the states to rely heavily on highly regressive and inelastic consumer taxes and property taxes; and

"Whereas, federal revenues based predominantly on income taxes increase significantly faster than economic growth, while state and local revenues based heavily on sales and property taxes do not keep pace with economic growth; and

"Whereas, the fiscal crisis at state and local levels has become the overriding problem of intergovernmental relations and of continuing a viable federal system; and

"Whereas, the evident solution to this problem is a meaningful sharing of federal income tax resources; and

"Whereas, the United States Congress, despite the immediate and imperative need therefor, has failed to enact acceptable revenue sharing legislation; and

"Whereas, in the event of such congressional inaction, article V of the Constitution of the United States grants to the states the right to initiate constitutional change by applications from the Legislatures of two-thirds of the several states to the Congress, calling for a constitutional convention; and

"Whereas, the Congress of the United States is required by the constitution to call such a convention upon the receipt of applications from the Legislatures of two-thirds of the several states:

"Be it resolved, by the House of Representatives of the State of South Dakota, the Senate concurring therein, that pursuant to article V of the Constitution of the United States, the Legislature of the state of South Dakota does hereby memorialize and make application to the Congress of the United States to call a convention for the sole and exclusive purpose of proposing to the several states a constitutional amendment which shall provide that a portion of the taxes on income levied by Congress pursuant to the sixteenth amendment of the Constitution of the United States shall be made available each year to state governments and political subdivisions thereof, by means of direct allocation, tax credits, or both, without limiting directly or indirectly the use of such moneys for any purpose not inconsistent with any other provision of the Constitution of the United States; and.

"Be it further resolved, that this application shall constitute a continuing application for such convention pursuant to article V until the Legislatures of two-thirds of the states shall have made like applications and such convention shall have been called by the Congress of the United States unless previously rescinded by this Legislature; and

"Be it further resolved, that certified copies of this resolution shall be presented forthwith to the President of the Senate and the Speaker of the House of Reprsentatives of the United States and to the Legislatures of each of the several states attesting the adoption of this resolution by the Legislature of the state of South Dakota.

A joint resolution of the Legislature of the State of Nevada; to the Committee on Veterans' Affairs:

"ASSEMBLY JOINT RESOLUTION No. 8

"Joint resolution memorializing the Congress of the United States to establish a national cemetery in southern Nevada.

"Whereas, An increasing number of military personnel are spending their retirement years in southern Nevada; and

"Whereas, The inaccessibility of existing national cemeteries makes it impossible for the families of western veterans to provide for the interment of their loved ones in a cemetery fitting as a remembrance to the career pursued; and

"Whereas, Southern Nevada is an ideal location for the establishment of a national cemetery; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of Nevada, jointly,* That the legislature of the State of Nevada hereby respectfully memorializes the Congress of the United States to establish a national cemetery in southern Nevada; and be it further.

"*Resolved,* That copies of this resolution be prepared and transmitted forthwith by the legislative counsel to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives and each member of the Nevada congressional delegation."

A resolution of the Congress of Micronesia; to the Committee on Foreign Relations:

"SENATE RESOLUTION No. 5, S.D. 1

"A Senate resolution requesting the Special Committee of Twenty-Four of the United Nations to visit the Trust Territory of the Pacific Islands to examine the present and future status of self-government for the Trust Territory, and for other purposes.

"Whereas, Article 76 of Chapter XII of the Charter of the United Nations sets forth the basic objectives of the trusteeship system to be the promotion of 'the political, economic, social, and educational advancement of the inhabitants of the trust territories, and . . . progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the people concerned . . .'; and

"Whereas, the United States of America as a member nation of the United Nations assumes these responsibilities and obligations with regards to the former Japanese Mandated Islands, namely the Trust Territory of the Pacific Islands; and

"Whereas, the duly elected representatives of the people of the Trust Territory of the Pacific Islands in Congress of Micronesia assembled have sought the early resolution of the future political and constitutional status of the Trust Territory of the Pacific Islands and established a Political Status Commission to examine reasonable and practical political alternatives open to the Micronesians and their most democratic way in which the wishes of the people may be ascertained with respect to this important matter; and

"Whereas, after expensive study, travel, and discussions with representatives of the United States as an Administering Authority on the future political status of Micronesia, the Future Political Status Delegation submitted a final Report, recommending, among other things, the status alternative of 'free association with United States' and advising the Congress of the offer of the United States of a Commonwealth' status for the Trust Territory of the Pacific Island; and

"Whereas, the Third Congress of Micronesia, Third Regular Session, adopted the Report of its Political Status Delegation and rejected the offer of the United States of America; and

"Whereas, by Senate Joint Resolution No. 100, adopted in 1970, the Third Congress duly informed the United Nations of its action, and expressly solicited advice and any comments from the United Nations or any of its organs or instrumentalities as may be appropriate under the circumstances; and

"Whereas, the United Nations Special Committee of Twenty-Four has demonstrated its unselfish and untiring efforts in seeking self-government for all developing countries of the world community and may be in a better position to assess and review the prevailing conditions and present stage of negotiations with the United States by the people of Micronesia regarding the political status question; now, therefore,

"Be is resolved by the Senate of the Fourth Congress of Micronesia, First Regular Session, 1971, that the United Nations Special Committee of Twenty-Four be and is hereby invited to visit the Trust Territory of the Pacific Islands to examine and advise upon the present and future status of self-government for the Trust Territory of the Pacific Islands; and

"Be it further resolved that the Joint Committee on Future Status of the Congress of Micronesia is hereby requested to make arrangements for the details and timing of such visit; and

"Be it further resolved that certified copies of this Resolution be transmitted to the Secretary-General, the General Assembly, the Security Council, the Trusteeship Council, and the Special Committee of Twenty-Four of the United Nations; the President, and the Secretaries of State, Defense and the Interior of the United States; the President of the Senate, the Speaker of the House of Representatives and the Chairmen of the Senate and House Committees on Interior and Insular Affairs of the United States Congress; and the High Commissioner."

A resolution adopted by the Tomigusuku Village Assembly, Tomigusuku, Okinawa, demanding the immediate removal all poison gas weapons from Okinawa; to the Committee on Armed Services.

A resolution adopted by the Tomigusuku Village Assembly, Tomigusuku, Okinawa, demanding the transfer to the Government of the Ryukyu Islands of the right to make criminal investigation and jurisdiction as to the offenses committed by the members and civilian components of the U.S. Army Forces; to the Committee on Armed Services.

A resolution adopted by the Lithuanian American Council, Inc., Rochester, N.Y., relating to Indochina and Eastern and Central Europe; to the Committee on Foreign Relations.

A resolution adopted by the Tennessee Association of Conservation Districts, Moscow, Tenn., relating to surface mining; to the Committee on Interior and Insular Affairs.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. BAYH, from the Committee on the Judiciary, with amendments:

S.J. Res. 7. Joint resolution proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older (Rept. No. 92–26).

BILLS AND JOINT RESOLUTIONS INTRODUCED

The following bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as indicated:

By Mr. BAYH (for himself, Mr. HARRIS, Mr. HART, and Mr. RANDOLPH):

S. 1127. A bill to protect the constitutional rights of those subject to the military justice system, to revise the Uniform Code of Military Justice, and for other purposes. Referred to the Committee on Armed Services.

By Mr. BAYH:

S. 1128. A bill for the relief of Gaspar Ramos. Referred to the Committee on the Judiciary.

By Mr. PROXMIRE:

S. 1129. A bill to improve and reform the foreign military assistance program of the United States. Referred to the Committee on Foreign Relations.

By Mr. HRUSKA (for himself and Mr. CURTIS):

S. 1130. A bill to provide for the establishment of the George W. Norris Home National Historic Site in the State of Nebraska, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

By Mr. YOUNG:

S. 1131. A bill to amend the Agricultural Adjustment Act of 1938 to provide that review committee members may be appointed from any county within a State. Referred to the Committee on Agriculture and Forestry.

By Mr. CRANSTON:

S. 1132. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968; and

S. 1133. A bill to amend the Omnibus Control and Safe Streets Act of 1968, to provide assistance for the development of nonlethal weapons and police protection equipment, and for other purposes. Referred to the Committee on the Judiciary.

By Mr. MOSS (for himself and Mr. HANSEN):

S. 1134. A bill to amend the Internal Revenue Code of 1954 to clarify the status of certain oil well service equipment under subchapter D of chapter 36 of such Code (relating to tax on the use of certain vehicles). Referred to the Committee on Finance.

By Mr. MONDALE:

S. 1135. A bill for the relief of Ellin Gorky; and

S. 1136. A bill for the relief of Michael Langham. Referred to the Committee on the Judiciary.

By Mr. BAKER:

S. 1137. A bill to amend section 123(3) of title 28 of the United States Code, so as to transfer Obion County and Lake County from the Eastern to the Western Division of the Western District of Tennessee. Referred to the Committee on the Judiciary.

By Mr. THURMOND:

S. 1138. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1954 to provide an optional exemption from coverage for individuals who have attained age 65. Referred to the Committee on Finance.

By Mr. BAKER (for himself and Mr. HRUSKA, Mr. RANDOLPH, and Mr. TAFT):

S.J. Res. 66. A joint resolution providing for the designation and adoption of the American marigold as the national floral emblem of the United States. Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BAYH (for himself, Mr. HARRIS, Mr. HART, and Mr. RANDOLPH):

S. 1127. A bill to protect the constitutional rights of those subject to the military justice system, to revise the Uniform Code of Military Justice, and for other purposes. Referring to the Committee on Armed Services.

REVISION OF UNIFORM CODE OF MILITARY JUSTICE

Mr. BAYH. Mr. President, today I am introducing a bill which I believe is one of the most comprehensive—and at the same time realistic and workable—plans ever proposed for the meaningful reform of our military justice system.

The main thrust of the bill is an attempt to eliminate completely all danger of command influence, the possibility—or even the appearance—that the commanding officer of an accused man could affect the outcome of his court-martial. This reform, together with other substantial improvements embodied in the bill, requires a complex and far-reaching restructuring of the Uniform Code of Military Justice and the entire military justice system. But I believe that such reforms are essential to the continued vitality of the system. As long as the remotest possibility of undue command influence remains, we will never be able to avoid the implication—or at least the appearance—of fundamental unfairness. And no such system of justice can earn or maintain the respect of those it serves.

Mr. President, during my remarks, I shall refer repeatedly to command influence and to the commanding officer. It is my judgment that most commanding officers in the military forces of this country try their best to be fair. They try to see that those whom they command are treated justly, whether on the battlefield, in the barracks, or in the military courts-martial room. But military laws need to be structured in such a way that those few commanding officers who might yield to the temptation and not be fair are denied this opportunity to affect the case of one of the soldiers, sailors, or airmen who serve in their commands.

Mr. President, I believe that this proposal—although designed to end the danger of command influence and to effect other badly needed reforms—recognizes the legitimate concern our Armed Forces do and must have with maintaining discipline and preserving order. The reformed system of courts-martial would continue to be operated within the framework of military command, although the bill envisions a separate Courts-Martial Command, removed from the influence of individual commanding officers and concerned only with the fair administration of the system of military justice. And individual commanding officers would retain the power to punish minor infractions under the provisions of article 15 of the UCMJ.

This bill is an extended and revised version of S. 4191 which I introduced late in the 91st Congress. S. 4191 was introduced last August, not in the hope of immediate action, but in order to provoke thought and comment on the issue generally and on the merits of my proposal. After introduction, I sent copies of S. 4191 to a number of military and civilian experts specializing in military law, both in Washington and elsewhere. I received a wide range of comments, all of them constructive, and almost all of them favorable.

In redrafting the bill we took these comments into account and made a series of improvements. The bill contains two major changes of substance from the earlier proposal. First, it would eliminate the much-criticized summary court-martial. Second, it contains a new section—not paralleled in the present UCMJ—defining each party's rights to discover information held by the other in the course of a court-martial.

Mr. President, I believe that we will see major legislative reforms in the military justice system in the 92d Congress. I have talked with the distinguished Senator from North Carolina (Mr. ERVIN), who has long been in the forefront of the efforts to reform our military justice system, about this subject. Senator ERVIN informs me that his Subcommittee on Constitutional Rights, of which I am a member, is anxious to take another look at the problems of our military justice system, and that he is interested in further reform.

Senator ERVIN is the author of a far-reaching measure designed to correct the shortcomings in our administrative discharge system. Other legislation has been proposed.

I look forward to participating in the subcommittee's hearings, and I have the greatest confidence that the subcommittee will come up with substantial, and at the same time realistic, reform proposals. My confidence stems both from my long experience with the great dedication the Senator from North Carolina has for preserving our cherished constitutional rights, and from my experience with the subcommittee's previous efforts in this area.

In 1966, the Subcommittee on Constitutional Rights, together with the Committee on Armed Services, conducted several weeks of hearings on military justice. These hearings led to the most recent amendments to the Uniform Code of Military Justice, known as the Military Justice Act of 1968. That legislation is a tribute to the outstanding and extraordinary teamwork between two great Senate committees, and I am confident that this exceptional relationship will continue.

I hope that the Armed Services Committee will again join in this effort from the outset. I hope that new hearings will explore the problems equally as successfully, as was the case in the past, so that we can have meaningful reform by the end of this Congress.

SUMMARY OF THE BILL

Mr. President, before I go into detail about the specific provisions, I would like to give a quick summary of the major provisions of this measure, for the benefit of my colleagues in the Senate.

The main objective of the bill is to eliminate completely the problem of command influence, as I have stated. The bill would establish an independent Courts-Martial Command composed of four divisions: defense, prosecution, judicial, and administration. This command would be responsible only to the Judge Advocate General, thereby removing defense and prosecuting attorneys from the control of the accused's commanding officer. Under the present system of military justice, the prosecuting officer and the defense officer in any given court-martial are directly responsible to the commanding officer of the command which brings the charges against the enlisted man or officer brought before the court-martial proceeding.

Each accused would be entitled to have an independent defense counsel appointed upon request immediately following arrest. He would also have the right to a formal hearing, similar to the hearing required by rule 5 of the Federal Rules of Criminal Procedure, in front of an independent military judge within 24 hours of arrest. Thus, the commander would no longer have the final voice in deciding whether to prosecute.

Several crucial decisions now made by the commanding officer or the prosecutor would be delegated to the independent military judges. At present, the commanding officer has the sole power to authorize searches and issue arrest warrants. Under the new bill, these decisions, which deal with critically important constitutional rights, would be made by an independent judge. In like manner, the military judge—not the commander—would have the power to release an accused serviceman pending trial or pending appeal. Under present law, the prosecutor has the exclusive power to issue subpenas, and this authority would also be vested in the military judge under the bill.

The commanding officer—the convening authority—now performs the initial review in many cases. This procedure has become, for the most part, either a time-consuming formality or an invitation to impose maximum sentences so that the commander can reduce them. The power to review would be transferred either to the Judge Advocate General or to the military courts, depending on the nature of the case. The power to suspend or reduce sentences would be transferred from the commanding officer to the military judge.

At the present time, the commander has exclusive power to choose members of the court—the jurors. This widely criticized power would be eliminated and a completely random system of selection would be substituted in its place. The bill would also abolish the requirement that two-thirds of the members of the court-martial be officers.

In addition to measures aimed exclusively at eliminating command influence, the bill would provide for a number of other reforms.

The revised bill I am introducing today would eliminate the summary courts-martial. These proceedings—which are conducted by one man who presents the evidence for the prosecution, listens to and evaluates the evidence of the defendant, rules on questions of law and fact, and also determines the sentence—are inconsistent with the whole thrust of this reform bill. And that would be true even if the summary court-martial officer were not appointed—as he is today—by the defendant's commanding officer. It is simply unfair to let a serviceman suffer a burden which is the equivalent of a criminal conviction without granting him all the procedural safeguards that are fair and practicable.

Military judges would be present at all trials, and would have the power to "issue all writs necessary or appropriate in aid of" their jurisdiction. They would also be given the same power Federal judges now have to punish for contempts in their presence. The Court of Military Appeals would be enlarged from three to nine judges and authorized to sit in panels of three judges, in order to increase the court's continuity and its capacity to handle the increased workload. And the Supreme Court would be empowered to issue writs of certiorari to review cases decided by the Court of Military Appeals.

The bill would also extend additional substantive and procedural rights to each defendant. For the first time there would be no possibility of double jeopardy problems. Trying a defendant by court-martial after trial in a State court for the same act, and vice versa, would be forbidden. And military defense attorneys would be specifically authorized to seek collateral relief for their clients in civilian courts whenever appropriate, relief often unavailable today unless the accused serviceman obtains civilian counsel. The accused would get complete credit toward any ultimate sentence for any pretrial confinement. Finally, all confined servicemen—including those awaiting trial or appeal—would be permitted to participate in work, exercise, and rehabilitation programs wherever adequate facilities were available.

New in this year's provision is a discovery section, modeled after the Federal rules, to define each party's rights to obtain information held or controlled by the other party. This subject is not covered by the present code, and I have been informed by several experts that greater specificity in this area would be of great value to all parties concerned.

A committee composed of the judge advocate generals of each of the services and three civilians appointed by the President would be charged with studying and making recommendations about the following questions: the desirability of transferring jurisdiction over absence offenses to the Federal courts; additional methods of eliminating delays in the appellate process; means of dealing with prisoners who complete the service of their sentence to confinement prior to the completion of appellate review; and revisions in the current table of maximum punishments.

THE NEED FOR REFORM

Mr. President, the quality of the military justice system is perhaps more important today than ever before. The men now in uniform serve in an army which has changed substantially over the years. Most of these men will not see combat. Many of them live off post and serve in a military capacity only during normal working hours. In many ways there is an increased similarity between military service and skilled civilian occupational pursuits. We cannot afford to subject these men to a second-rate system of military justice.

Moreover, there are now nearly 4 million men under arms. Most of these men are young and impressionable, and some will be confronted with American justice for the first time while serving in the Armed Forces. The 1969 report of the Judge Advocate General of the U.S. Army noted that in the Army alone there were 76,320 courts-martial, 94 percent which resulted in convictions. If we are to preserve the integrity of our civilian system, we must see to it that these men return to civilian life with a view of criminal justice that recognizes the fundamental principles of fairness and human dignity. We must see to it that no man is convicted and confined, his life perhaps ruined, without having been accorded full procedural and substantive safeguards.

In light of the increasing importance of the military justice system, we must review its quality, and the fundamental question of its fairness.

The most serious shortcoming in our military justice system is the danger of undue command influence over courts-martial, which may impose numerous penalties, including dishonorable discharge, lengthy imprisonment, or even death. In courts-martial, the commander determines whether to prosecute, controls the court-martial procedure, and plays an integral role in the appellate process. He authorizes searches and arrests, convenes the court-martial, and decides whether the accused serviceman shall remain in pretrial confinement. He chooses the prosecuting attorney and, in some instances, the defense counsel. Finally, he chooses the men to serve as members of a court, the military equivalent of jurors, reviews the findings and sentence, and decides whether a sentence to confinement shall be deferred pending appeal.

In addition to the danger presented by command influence, the military justice system denies a defendant other rights fundamental to a free society. He may be denied credit for time spent in confinement before trial. His military counsel may be precluded from seeking collateral relief. He must apply to the prosecuting counsel, rather than the independent military judge, for subpenas.

These shortcomings must be remedied, and they must be remedied now. We ask our young men by the millions to give their time and their energies to strengthen our national defense. And we have asked them by the tens of thousands to give their lives on our behalf. I believe we can delay no longer in giving these men a first-class system of military justice.

The need for reform is urgent. But reform cannot be allowed to come in a piecemeal fashion. Individual, patchwork alternations might well suffice to plug some of the smaller gaps in the system. What is urgently needed, however, is a comprehensive revision of the uniform code, a reform which will make military justice conform as nearly as possible to the civil system we find in our State and Federal courts. But at the same time any such proposal must recognize the armed services' legitimate concern to maintain discipline and preserve order.

The legislation which I am introducing today is such a reform. It is a comprehensive revision of all parts of the Uniform Code of Military Justice dealing with courts-martial, from the moment of arrest to the final disposition of appeals and the completion of confinement. I believe that this proposal would insure every American serviceman the kind of speedy, fair, and impartial judicial system to which he is entitled.

COMMAND INFLUENCE

Mr. President, I would like briefly to explain the bill's major provisions and to give an example of how the revised code would apply to a typical court-martial proceeding from beginning to end.

The bill would eliminate all forms of command influence over the court-martial process and proceedings. It would vest in a separate and independent Court-Martial Command the crucial powers to convene courts-martial; to detail military judges and defense and prosecuting attorneys; and to choose the members of the court—the jury.

Such an independent command is absolutely essential to a fair system.

The Uniform Code of Military Justice was a landmark reform and an important step forward in ensuring fundamental fairness of military justice and that code does contain a number of provisions designed to increase the rights of an accused serviceman by reducing the commander's influence over the court-martial procedure. Thus, the code prevents a commander from convening a court-martial if he has a "personal interest" in the case or if he is "the accuser," and prevents him from censuring, reprimanding, or admonishing any court member, law officer, or counsel with respect to the findings of a court or for the sentence imposed or in any manner attempting by unlawful means to influence the action of a court-martial or any member thereof. But we have not yet provided the full measure of protection required. As long as the commander makes all decisions there is a continuing possibility of improper command influence, and the right to a fair and impartial trial remains in jeopardy.

The commander controls the whole court-martial process. He continues to have and to exercise the authority and responsibility to appoint a subordinate to conduct a preliminary investigation.

The officer appointed by the commander to conduct an investigation under article 32 is subject to all of the inherent pressures of a command whose legitimate concern is discipline. This procedure appears to be incompatible with the fundamental principle of civilian jurisprudence which provides that no person should be subjected to a criminal trial unless the prosecutor can demonstrate to an impartial magistrate or grand jury that there is probable cause to believe, first, that a crime has been committed and, second, that this crime was committed by the accused.

The recommendations of the officer conducting the article 32 investigation, as well as those of the commander's legal officer, are not binding upon the commander and are purely advisory. As a result, military law suffers from the absence of any binding legal decision as to the allocation of prosecutorial resources. The regard for efficient allocation of prosecutorial resources and the evenhanded administration of justice which characterize the typical U.S. attorney or State district attorney's office, is therefore, reduced in the military system.

In those instances where the accused is entitled to military legal counsel, the choice of those available to defend the accused remains generally in the hands of the commander. In addition, the commander chooses the counsel who prosecutes the case. The possession of the power to choose the defense counsel and the prosecutor gives the appearance of permitting the commander, by manipulating the choice of personnel, to control the outcome of the case.

Unlike the civilian system, where the accused is entitled to trial by a jury of his peers selected at random, the commander is empowered, virtually without limitation, to choose the members of a court-martial—those who serve in effect, as jurors. While an accused enlisted man is entitled to request that one-third of the court be composed of enlisted men, the selection of those enlisted men who are to serve in the event of such a request is in the hands of the commander. The practice of selecting only senior noncommissioned officers, who are considered more severe than commissioned officer, has been upheld by the Court of Military Appeals. And, while he is required to select those best qualified, there is nothing to preclude a commanding officer from selecting officers known by him to be particularly strict or notably hostile to certain types of alleged offenses. This entire system of selection gives the impression of a "hand picked" jury and is clearly incompatible with the history and theory of trial by jury.

The Uniform Code of Military Justice provides that military appeals are to be heard initially by the convening authority who ordered the trial in the first instance. Although in theory this procedure provides an additional level of appellate review, in practice it has become a time-consuming formality—in one case, the convening authority took no action for 10 months and thereby delayed judicial appeal for that period. And in most cases its results are foregone conclusions. Moreover, it encourages some courts-martial—even when instructed to disregard the commanding officer's review authority—to adjudge automatic maximum sentences so that the commander may reduce the sentence if he so desires. This is clearly an inappropriate and undesirable procedure.

The power to place a soldier in confinement pending trial is also in the hands of the commander. This system, which permits the commander to act virtually without supervision or review has the potential for arbitrary and vexatious action and gives the appearance of unfairness.

COURTS-MARTIAL COMMAND

This independent Courts-Martial Command would take over the functions now performed by the commander. The Courts-Martial Command would be under the administrative supervision of the Judge Advocate General and would be divided into regional commands. It would have four divisions. Prosecution, Defense, Judicial, and Administration.

The Prosecution Division would function much as the U.S. attorney's office functions in the Federal courts. It would receive complaints from any interested person, investigate them, and prefer charges only if it felt that there was sufficient evidence to convict the accused of the charges brought against him. But the determination of the Prosecution Division that the accused should be brought to trial would not be final. Just as in the civilian system, the accused would have to be brought before an independent judge—in this case a military judge. The judge would have to determine whether there was probable cause to hold the accused for trial.

After the preliminary hearing and the determination by the judge that the charges should not be dropped, the Prosecution Division would refer the case to a special or general court-martial, as it thought appropriate. The Prosecution Division would also be responsible for detailing trial counsel—now to be called the prosecutor—to courts-martial trials.

The Judicial and Defense divisions would be made responsible for detailing military judges and defense attorneys to courts-martial trials. The bill specifically provides that members of the Judicial and Defense Divisions would be responsible only to the chiefs of their respective divisions, and to the Judge Advocate General. This provision assures that the prosecution division will not be able to influence the actions of the defense or judicial divisions. The performance of the members of the latter two divisions is to be rated by members of that division alone.

I might point out, Mr. President, that under present practice the commander on any military post is the one who looks at the record. He also is the one who determines job ratings and decides whether his men are promoted.

The Administration Division would be made responsible for picking at random the members of the court, for such general administrative duties as are now performed by the trial counsel, and for detailing or employing court reporters and interpreters.

The establishment of this independent command, and the consequent abolition of the office of "convening authority," as that term is now used in the code, will eliminate any possibility or appearance that the commander, by manipulating the choice of personnel, could control the outcome of a particular case. In addition, the proposal will do much to preclude the institution of charges for what may appear to be arbitrary reasons, provide for the efficient allocation of prosecutorial resources, and ensure the professional drafting and processing of formal charges.

The establishment of this separate command will not jeopardize the maintenance of discipline. I think this is important. We need discipline in our armed forces. Any person, including the commander, would be entitled to refer charges to the Prosecution Division for possible trial. In addition, the commander will retain the nonjudicial punishment powers granted to him by article 15. Thus, the commander will be empowered to punish minor breaches of discipline by means of the power he now possesses, and he will be able to refer more serious offenses to the Prosecution Division.

ABOLITION OF THE SUMMARY COURTS-MARTIAL

This bill would finally eliminate the summary courts-martial from the Uniform Code of Military Justice. We decided to abolish these proceedings because they are consistent with the whole thrust of this plan for reform. One officer is delegated to perform all the functions at summary courts-martial. He presents the prosecution's case, hears and evaluates the evidence offered by the defendant, decided whether or not the accused is guilty, and he determines the sentence, if any. While eliminating the commander's power to appoint the Summary Court-Martial Officer would be an improvement, but would not be sufficient. We should not allow any serviceman to suffer such a burden—a burden which is equivalent to a criminal conviction—without granting him all the procedural safeguards that are fair and practicable. By their very nature, summary courts do not and cannot afford those basic protections.

Elimination of this category of courts-martial is fully in accord with current practice and thought in the military. Before 1968 a serviceman could be given a summary court-martial over his objection if he had previously been offered and had refused an article 15 proceeding. As a result of the 1968 reform, no person may be brought to trial before a summary court-martial if he objects thereto. And since 1968 the use of summary courts has been generally discouraged; many commands have almost completely eliminated them.

As long as article 15 procedures remain available, the local commander has adequate procedures for dealing with minor infractions which really do not justify the use of a court-martial. In short, abolishing the summary courts will not impair discipline. But it will improve the quality of justice in the military.

NEW POWERS FOR MILITARY JUDGES

When a man is accused of a crime, all of the power and resources at the command of the State are brought to bear against him in an attempt to deprive him of his liberty against his will. To prevent the Government from using the resources at its disposal unjustly, significant control over the accusatory process and the trial proceedings must be granted to independent and impartial judges.

Although the Military Justice Act of 1968 created an independent military judiciary, military judges lack many of the powers which are necessary if they are to play a significant role in the military justice process. For example, although it is now clear that the judges of the Court of Military Appeals have such power, judges of the Court of Military Review and military trial judges may lack the "all writs" power exercised by civilian judges, such as the power to issue writs of mandamus, prohibition, and coram nobis.

Unlike their civilian counterparts, military judges lack the ability to utilize the contempt power as a means of controlling those individuals outside the courtroom whose conduct constitutes a direct threat to courtroom discipline and to the right of the accused to a fair trial.

Accordingly, this bill would grant to military judges at the trial level the power to issue all writs necessary or appropriate in aid of their jurisdiction, as now provided in the All Writs Act. Military judges would also be given the power to punish for contempt, power which is now possessed by the Federal judiciary. Punishment would be limited to confinement for not more than 30 days or a fine not to exceed $100 or both.

This bill would also give powers over sentencing to the professional judges. At present, the uniform code empowers the members of a court-martial to adjudge sentences. The members of a court are not experienced judges. Due to the restrictions imposed by article 37 of the code upon the type of instruction which members may receive, they often cannot and do not become familiar with the intricacies of the sentencing process. As a result, to quote the 1969 report of the Judge Advocate General of the Army:

> The sentences adjudged by court members run the gamut from being so severe as to hamper rehabilitation to being too light to permit effective rehabilitation or to have any deterrent effect.

In many civilian cases, if the court were to impose the minimum sentence provided by law for a defendant found guilty of the commission of an offense, the demands of justice and equity would not be served. Accordingly, in such cases, the sentencing authority, the judge, suspends the sentence. In the military system, cases which would justify suspension of the sentence also occur. However, the sentencing authority, the members of the court or the military judge, lack the power to suspend a sentence.

Under this bill the sentencing power, including the power to issue suspended sentences—but not including sentences of death—would be transferred to the military judge. The judge would only be allowed to impose a death sentence if the crime was one for which the code specifically allows that penalty, and if the court-martial's jurors unanimously recommend that penalty. The final decision would be up to the judge, however. The recommendation would not be binding upon him. This change would place the power to sentence in the hands of the men who are in a position to develop the expertise required, in the words of the Army Judge Advocate General, to "strike a reasonable balance between the frequently competing factors of deterrence and rehabilitation." Moreover, it would bring military justice procedures into accord with the Federal civilian practice and the practice in the large majority of State courts.

GRANTING FUNDAMENTAL RIGHTS TO THE ACCUSED

The proposed legislation would extend to servicemen certain basic rights now accorded their civilian counterparts.

The Uniform Code of Military Justice would be amended to provide for the appointment of a member of the Defense Division of the independent trial command upon request immediately following arrest. Procedurally, this would be accomplished at a formal hearing following arrest similar to the presentment required by rule 5 of the Federal Rules of Criminal Procedure.

The subpena power—the power to compel the attendance of witnesses and the production of documents—is made available to civilian defendants through an impartial third party, the trial judge, in order to prevent the State from presenting only the evidence most favorable to its attempt to prove the guilt of those it accuses of the commission of a crime. To accord accused servicemen the same protection, the bill which I introduce today will transfer the subpena power from the trial counsel—the prosecutor—where it now resides, to military trial judges and the requirement that expected testimony be revealed in advance would be abolished.

Under this bill, both prosecution and defense counsel would have to show that the subpena was necessary to an adequate presentation of their case. This provision would eliminate even the appearance that the prosecutor could abuse the subpena power by limiting the ability of the accused to present his defense effectively.

This bill also contains a section on discovery, outlining in detail the information each party can obtain from the other. Such provisions are essential to any system which attempts to provide fair trials.

The Uniform Code of Military Justice provides that no serviceman may be tried for the same act both by court-martial and in a Federal court, regardless of which trial occurs first. However, the code does not prevent a serviceman from being tried for the same act in both military and State courts, thus leaving open the distinct possibility of equally severe double jeopardy.

The bill would extend to servicemen the complete protection accorded civilians against double jeopardy by prohibiting trial by court-martial after trial in a State court for the same act, and vice versa.

Under the present law, the power to authorize the search of military persons or property on a military installation is exercised solely by the commanding officer. This officer may be the same individual who determines whether to prosecute, controls the court-martial procedure, and reviews the findings and sentence. It is true that the commander must have "probable cause" to authorize a search and that the standards established by the Court of Military Appeals have in some cases exceeded those applying to civilian courts. However, the probable cause need not be proven to an independent authority until the court-martial itself, and there are no affidavits or other evidence available as to the probable cause at the time the search is authorized.

In the civilian justice system, however, the power to authorize searches and to issue arrest warrants is vested in an independent magistrate. In order to make the military system conform to the civilian process, the bill would vest the power to issue search and arrest warrants in the military judges, and take it away from the commanding officer.

Under the present law the only procedure for determining whether the accused should be held for trial is the investigation provided by article 32. This investigation is normally conducted by an officer who is subject to the influence of the commander pressing the charges. Furthermore, this officer is usually not trained in the law and is therefore often incapable of adequately appraising the legal sufficiency of the evidence presented to him. For this practice, the bill would substitute an initial investigation by the Prosecution Division of the charges. If that division determined that there was enough evidence, it would bring the accused before a military judge. The judge would then determine whether there was probable cause to hold the accused for trial and set bail or its military equivalent. Furthermore, he would be given the power summarily to dismiss legally or factually insufficient charges. The accused would have to be brought before the judge within 24 hours after arrest.

The practical availability of collateral relief would also be affected by this bill. Unlike civilian attorneys, military defense lawyers may seek relief in Federal courts only if given permission to do so by their immediate legal superior, the staff judge advocate. Thus, an accused who has civilian defense counsel, who is not subject to this control, may seek necessary relief in the civilian courts while an accused who is represented by a military lawyer may be inhibited in the attempt to obtain the same relief.

This bill would empower military defense attorneys, at Government expense, to seek collateral relief for their clients in civilian courts when appropriate, and would thereby make the availability of this form of relief independent of the ability of the accused serviceman to employ civilian counsel.

SELECTION OF MEMBERS OF THE JURY

The right to trial by individuals selected at random, some of whom may possess attitudes and prior experience similar to those of the accused is a fundamental tenet of American jurisprudence. In accord with this principle, the bill I am introducing would establish a system of random selection for members of general and special courts-martial.

It is especially important that enlisted men be more adequately represented on courts-martial. For it is enlisted men who are being tried in these proceedings. In a recent year, the Army tried more than 68,000 men. Of those prosecuted, only 63 were officers, less than one-tenth of 1 percent. Given this great discrepancy in the number of officers and enlisted men who go to trial, it is essential that more enlisted men serve on courts so that the accused can be judged by a jury of his peers.

I have no doubt that enlisted men could serve with honor on these courts-martial. This bill would require all members of the court to have served on active duty for a year or more. A high percentage of enlisted men possess a high school education and a substantial minority have college education—over 15 percent of those men who enlisted last year were college graduates. Thus, there should be little fear that the inclusion of enlisted men as members of courts-martial will result in the inclusion of men unqualified to serve as jurors. Moreover, the fact that the members will be selected at random will insure that the members of the courts-martial will reflect the different experiences and attitudes possessed by the various members of the community. Today's soldiers are part of a different kind of army, much of it engaged in a far different kind of conflict than we knew a generation ago. If they are to be tried for military crimes—and without in any way suggesting that the guilty be excused—they have the right to be judged by those fully familiar with the kind of army we have, the kind of war it is fighting.

In addition, in order to make the military system of selecting court-martial members conform more closely to the civilian jury selection system, the number of peremptory challenges would be increased to three per side—and per accused in a joint trial—in a special court-martial empowered to adjudge a bad conduct discharge, and six per side in a general court-martial—10 per side in a capital case. The number of peremptory challenges in a special court-martial not empowered to adjudge a bad conduct discharge will remain at one per side.

CONFINEMENT

The power to confine a citizen against his will is surely one of the most significant powers possessed by the Government. This power ought to be exercised only under the most stringent conditions and only pursuant to the most rational and enlightened procedures. Accordingly, my proposed legislation contains a number of provisions designed to modernize military confinement and sentencing procedures and policies.

The powers to decide whether an accused serviceman should be subject to pretrial confinement and to deter sentence to confinement pending appeal would be transferred from commanding officers to the independent military judges. A presumption in favor of release, which would seem to present no threat to military discipline and which would enable the accused to perform military duties and to utilize the time to prepare his defense, would also be established. Of course, that presumption could be overridden by the judges.

The judge's rulings would be appealable as interlocutory matters to the U.S. Court of Military Review.

If the military judge decided to confine the accused prior to trial or pending appeal, the accused, like nonmilitary criminal defendants, would be entitled to full credit toward any sentence eventually imposed.

I wonder how many of us realize that if a civilian is confined to jail prior to trial and then is found guilty, the time he has served, sometimes 6 months, sometimes 9 months, is applied to the penalty meted out by the court; but that is not true of the GI or naval officer who is thrown into the stockade or the brig. For some reason or another we have omitted the seemingly obvious point that the time spent in pretrial detention should be deduced from the punishment meted out after trial. I hope we can correct that injustice by adopting this provision of the proposed reform.

The legislation also provides that all those confined—including those awaiting trial or appeal—are to be permitted to participate in work, exercise, and rehabilitation programs wherever adequate facilities are available.

A committee composed of judges of the U.S. Court of Military Appeals, the Judge Advocates General of the Armed Forces, and the General Counsel of the Department of Transportation—representing the Coast Guard—together with three civilians appointed by the President, would be directed to study and suggest revisions in the current table of maximum punishments. This study would be conducted with a view toward identifying and correcting apparent inequities and establishing if possible, subcategories based upon differences in elements of culpability. The study would also include an examination of the advisability of retaining the President's power to alter or suspend the table of maximum punishments as to particular geographical areas or to suspend the table for particular crimes. The committee would be directed to report to Congress within 1 year of the date of the enactment of the bill.

APPELLATE PROCEDURE

A somewhat antiquated appellate process creates unnecessary delays and imposes a heavy burden upon the judges of the Court of Military Appeals and other officials involved in the processing of appeals. My legislation is intended to improve this situation in several ways.

It would, as noted above, eliminate review by the convening authority. As a result cases which are now heard by the military courts only after a long delay for convening authority would now be appealed directly to the military courts.

Furthermore, the Uniform Code of Military Justice would be amended to allow the Judge Advocate General of each service to review the findings and the sentence of a court-martial not reviewed by the Court of Military Review.

In addition, the bill would empower the Supreme Court of the United States to issue writs of certiorari to the Court of Military Appeals. The Court of Military Appeals is the highest court in the military justice system and its decisions often involve important questions of individual constitutional rights. The ultimate resolution of these important questions of constitutional law ought to be the responsibility of the court which is, in all other cases, considered to be the final arbiter of meaning of the Constitution. Review of military decisions by the Supreme Court should create no fear of granting the power of review to civilians outside of the military system because the Court of Military Review may be composed in part of civilians and since the Court of Military Appeals is, by law, composed only of civilians.

Finally, in order to allow the Court of Military Appeals to hear additional cases and to provide for continuity, the Revised Uniform Code of Military Justice would increase the number of judges who sit on this court to nine and empower the court to sit in panels of three judges each. This will triple the time available for the court to deal with its heavy workload with no great increase in cost.

STUDY OF OTHER PROBLEMS

There are three other aspects of the military justice system which perhaps should be modified. Rather than delay those reforms which can and should be enacted immediately, section 4 would direct a special committee composed of judges of the Court of Military Appeals, the Judge Advocates General of the Armed Forces, the General Counsel of the Department of Transportation for the Coast Guard, and three civilians appointed by the President, to study these problems and to recommend solutions within 1 year of the date of passage of the act.

Specifically, the committee would be directed to study: First, the desirability over some absence offenders to the Federal courts; second, methods, other than those I have outlined, of eliminating delays in the appellate process; and, third, methods of handling prisoners who complete the service of sentence to confinement prior to the completion of appellate review.

HOW THE NEW CODE WILL WORK

Mr. President, in order to illustrate how the new code will work, I would like to take a hypothetical example of a soldier arrested for a crime and to follow him through the court-martial procedure as I have proposed it.

Suppose that Private Jones were arrested—article 7(a)—by the military policeman late at night for committing a crime on post. The arresting MP immediately notified a representative of the Prosecution Division of the local Regional Court-Martial Command, and the investigation was immediately coordinated between investigative and legal personnel—article 30(a). Private Jones declined to make a statement about the offense—article 31—but had likewise declined to exercise his right to the presence of a lawyer.

Within 24 hours of Jones' arrest, the military police brought him before a local independent military judge—article 32 (a)—who advised him of his rights, including his right to have a preliminary examination—article 32(c)—set bail pursuant to regulations, and appointed free counsel from the defense division. The judicial and defense divisions of the Regional Command are independent of all local control, and indeed of any control in the Court-Martial Command except within their own division—article 6a(f). In addition, the judge required that Jones be formally charged by the prosecution division at that time and examined the charge to see that it stated an offense. If Jones had not been charged within 24 hours after arrest, he would have been ordered released until he was charged—article 32(b).

Jones requested that counsel be appointed for him, and after consultation with counsel he decided to request a preliminary hearing—article 32(d). The judge set this hearing for 2 weeks hence, and instructed Jones' counsel that if he needed it, he could request a continuance in order to prepare his case—article 40. The judge also ordered that Jones be restricted to his company area. Since this restriction was not particularly onerous, Jones decided not to appeal it to the Court of Military Review as an interlocutory matter.

Two weeks later, a preliminary hearing was held before the same judge who presided at the presentment. The Government was represented by a lawyer from the prosecution division, and the defense was represented by a lawyer from the defense division—the same lawyer who had been advising Jones all along—article 6a(c)(d). A summarized record of the proceedings was made by a court reporter assigned by the Administration Division of the Regional Command—article 6a(3). At this hearing, Jones had a right to confront his accusers, to cross-examine witnesses against him, and "to discover the evidence against him"—article 32(d). He was shown copies of his prior statements, and statements made by prospective witnesses against him—article 39A. He also had the right to present evidence in his own behalf.

When the hearing was over, the judge found that there was probable cause to believe that Jones committed the crime charged and so, within 8 days, the judge transmitted the case, including the summarized record, to the prosecution division of the Regional Command for trial—article 33(a). The prosecution division decided that there was sufficient evidence upon which to prosecute, and that a general court-martial was the appropriate level trial, and so it "referred" the case to trial by a general court-martial, and notified all parties concerned—article 33(b). Likewise it notified the administration division to "convene" a court-martial, that is, to order members of the Armed Forces within its geographical jurisdiction to appear at the appointed time for a court-martial—article 1(15). This selection was made on a random basis, and was done without regard to rank—article 25(b).

In the meantime, Jones had been arbitrarily picked up from his company area, and he was being held incommunicado in the post stockade. His military counsel filed a petition for a writ of habeas corpus with the local military judge, but it was denied without reason—article 26(a)(2). An appeal to the Court of Military Review and to the Court of Military Appeals likewise failed—article 66(i). Since the trial date was approaching and Jones' lawyer needed to talk to him, the military counsel then filed a petition for a writ of habeas corpus and for injunctive relief in the local Federal district court—article 38(c). There, after a hearing, Jones was ordered released.

A search warrant had been obtained earlier in this case by a request from the prosecution division to a military judge—article 46(b)—supported with a written affidavit from a military policeman making out probable cause to search, and particularly describing the thing to be seized and the place to be searched—article 46(b)(2).

Before trial, Jones had an opportunity to present to the military judge motions, to suppress the evidence obtained by this search and other motions to suppress, and the judge ruled on them—article 39(a)(1). Also, Jones requested that the military judge subpena his mother from the next county to appear as a character witness for him. The judge found the request reasonably necessary to insure an adequate defense, and so he signed the subpena—article 46(a). If she failed to appear, the judge could have punished her for contempt—article 48(b)(3).

When the trial began, Jones had a right to challenge six jurors peremptorily, as did the Government—article 41(a). The judge ruled finally on all challenges for cause. Since enough court members had been summoned to appear by the administration division, seven jurors plus one alternate were selected.

Upon conviction, the judge heard evidence in extenuation and mitigation, and passed sentence on Jones—article 26(a)(1). At this time, Jones asked the judge to defer his sentence to confinement pending appellate review, but the judge denied the request—article 57(a). The judge, however, accompanied his denial with a written statement pointing out that in his opinion, Jones would likely flee to avoid confinement, because he has previously been convicted of an absence offense—article 57(a). Jones' counsel appealed this determination as an interlocutory matter to the Court of Military Review—article 57(d)—and since the judge's determination was reasonable, the appeal was denied.

During all the time Jones was in confinement, he was able to take part in rehabilitative programs conducted by the stockade—article 58(b)—and all time spent in confinement following his arrest was deducted from the sentence eventually imposed—article 57(b).

The record of trial was expeditiously prepared by the administration division of the regional command under the supervision of the prosecutor—article 38(a)—and when completed, was forwarded without further review at this level directly to the Court of Military Review—article 66(b).

The Court of Military Review functioned as an intermediate-level military court, statutorily independent of command control with respect to its judicial functions—article 66(a)—and having the power to issue all writs—article 66(i)—to review matters of fact and law, and to review the appropriateness of the sentence. When the case was appealed automatically to this court, appellate counsel assigned to the Office of the Judge Advocate General were appointed to represent Jones, upon his request—article 70.

When the Court of Military Review affirmed Jones' conviction, Jones had a right to appeal further to the Court of Military Appeals, since his original sentence included a punitive discharge, or confinement for a year or more—article 67. Pending that appeal, Jones, sentence was not executed—article 71(c). A panel of three judges from the nine-member Court of Military Appeals—article 67—also affirmed Jones' conviction.

If Jones and his counsel had considered that a significant constitutional issue was still unsatisfactorily resolved in his case, they could have petitioned for a writ of certiorari to the Supreme Court (28 U.S.C. 1259), and Jones could have been represented before that Court by appointed military counsel—article 70(e).

CONCLUSIONS

Mr. President, some critics of the military justice system so distrust the military's capability in this area that they would abolish or virtually abolish the power of the services to punish civilian-type felonies in time of peace. I have made the proposals which I have outlined above in the belief that the time for such drastic surgery has not yet arrived. Few civilian crimes are tried in the military courts. The special civilian committee for the study of the U.S. Army confinement system has estimated that of the prisoners placed in confinement by the military, at least 85 percent and perhaps as many as 90 percent are men who have either absented themselves without leave or deserted. These, of course, are crimes uniquely within the purview of the military courts. Another 3 to 5 percent are imprisoned for other military type offenses, such as disrespect of a superior officer, failure to obey a lawful order, and breaking restriction. While these figures do not include the number of men tried and acquitted or tried and not sentenced to confinement, it does appear that the total number of men who are processed by the military justice system for civilian offenses is very small. I believe that these men would be adequately protected if the reforms I have suggested were to be enacted into law.

Moreover, the Supreme Court and the Court of Military Appeals have decided that court-martial jurisdiction does not extend to civilian dependents or employees abroad in time of peace, whether they are accused of capital or noncapital offenses. In addition, the Supreme Court has decided that court-martial jurisdiction extends only to these individuals who are members of the armed services both at the time of the commission of the offense and at the time of trial. Finally, the Supreme Court, in the recent case of O'Callahan against Parker, has decided that members of the Armed Forces can be court-martialed for service-connected crimes only. Under these circumstances, and with the hope of enactment of significant reforms, I do not believe that further curtailment of court-martial jurisdiction over civilian-type offenses is appropriate at this time.

However, I do believe that reform is necessary and desirable. The enactment of the Military Justice Act of 1968 clearly resulted in an improvement of our system of military justice. Experience has already revealed, however, that the enactment of this important legislation did not sufficiently reduce the effects of command influence—of justice by fiat—and did not succeed in guaranteeing to our men in uniform the same rights and safeguards provided their civilian counterparts. Greater reform is urgently required.

Military commanders should not be concerned that the more equitable system of justice created by my proposed legislation will serve to undercut the discipline which we all recognize as necessary to an effective armed force. Indeed, experience has taught us that inequitable laws spawn disrespect for the law, and disrespect in turn eventually leads to disobedience. Moreover, for relatively minor matters—matters of discipline rather than criminal law—the commander will retain the well-established powers of nonjudicial punishment granted to him by article 15 of the Uniform Code of Military Justice.

My proposals will not, I believe, greatly increase manpower requirements beyond the increases which have already occurred in order to implement the Military Justice Act of 1968. Rather, I believe that they will enable the Armed Forces to utilize present legally trained personnel more efficiently and effectively. Moreover, any desirable increase in personnel could be met by the enactment of legislation designed to improve the retention rate of experienced legal officers. On December 2, 1969, the House passed H.R. 4296, providing for professional pay for judge advocates. Its Senate counterpart, S. 704, introduced again this year by the Senator from Hawaii (Mr. INOUYE) is now pending before the Senate Armed Services Committee. The enactment of this legislation by the Senate would do much to solve the retention problem.

Mr. President, I believe that the legislation which I have introduced will help create a better system of military justice, a system which will not only bear scrutiny but which will invite admiration.

Mr. President, I hope that the Senate can give immediate attention to this matter. As I mentioned earlier, we have today an army of 4 million young men. Most of these young men are going to come in contact with military justice in one form or another while they are serving their country. If we are to create, at an early age the respect for the law which these young men ought to take back into civilian life, I think it is imperative that we see that justice is justice, whether it is civilian or military. I recommend the consideration by our colleagues of this important piece of legislation as a way in which we can establish true justice in the military.

Mr. President, I ask unanimous consent to have the bill printed in the RECORD at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1127

A bill to protect the constitutional rights of those subject to the military justice system, to revise the Uniform Code of Military Justice, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Military Justice Act of 1971".

SEC. 2. Articles 1 through 76 and 133 of the Uniform Code of Military Justice are repealed, and the following sections are substituted in lieu thereof:

"SUBCHAPTER I.—GENERAL PROVISIONS

"Sec. Art.
"801. 1. Definitions.
"802. 2. Persons subject to this chapter.
"803. 3. Jurisdiction to try certain personnel.
"804. 4. Dismissed officer's right to trial by court-martial.
"805. 5. Territorial applicability of legal officers.
"806. 6. Judge advocates and legal officers.
"806a. 6a. Court Martial Command.

"§ 801. Article 1. Definitions

"In this chapter:

"(1) 'Judge Advocate General' means, severally, the Judge Advocates General of the Army, Navy, and Air Force and, except when the Coast Guard is operating as a service in the Navy, the General Counsel of the Department of Transportation.

"(2) The Navy, the Marine Corps, and the Coast Guard when it is operating as a service in the Navy, shall be considered as one armed force.

"(3) 'Commanding officer' includes only commissioned officers.

"(4) 'Officer in charge' means a member of the Navy, the Marine Corps, or the Coast Guard designated as such by appropriate authority.

"(5) 'Superior commissioned officer' means a commissioned officer superior in rank or command.

"(6) 'Cadet' means a cadet of the United States Military Academy, the United States Air Force Academy, or the United States Coast Guard academy.

"(7) 'Midshipman' means a midshipman of the United States Naval Academy and any other midshipman on active duty in the naval service.

"(8) 'Military' refers to any or all of the armed forces.

"(9) 'Accuser' means a person who signs charges, any person who directs that charges nominally be signed by another, and any other person who has an interest other than an official interest in the prosecution of the accused.

"(10) 'Military judge' means a commissioned officer detailed in accordance with section 826 of this title (article 26).

"(11) 'Law specialist' means a commissioned officer of the Coast Guard designated for special duty (law).

"(12) 'Legal officer' means any commissioned officer of the Navy, Marine Corps, or Coast Guard designated to perform legal duties for a command.

"(13) 'Judge Advocate' means an officer of the Judge Advocate General's Corps of the Army or the Navy or an officer of the Air Force or the Marine Corps who is designated as a judge advocate.

"(14) (Omitted.)

"(15) 'Convening the court-martial' means ordering to the place of trial at the appointed time, those persons selected as potential jurors pursuant to article 25 for the trial of such cases as may be brought before them.

"(16) 'Court-Martial Command' means a separate and independent command established pursuant to article 6a, located for administrative purposes in the office of the Judge Advocate General of each service, and subdivided into two or more Regional Commands.

"(17) 'Regional Command' means a subdivision of the Court-Martial Command with direct responsibility for the administration of military justice within such geographical jurisdiction as the Secretary concerned shall by regulation establish.

"(18) 'Initial appearance' means the taking of a person subject to this chapter before a military judge, pursuant to section 832 of this chapter.

"§ 802. Art. 2. Persons subject to this chapter

"The following persons are subject to this chapter:

"(1) Members of a regular component of the armed forces, including those awaiting discharge after expiration of their terms of enlistment; volunteers from the time of their muster or acceptance into the armed forces; inductees from the time of their actual induction into the armed forces; and other persons lawfully called or ordered into, or to duty in or for training in, the armed forces, from the dates when they are required by the terms of the call or order to obey it.

"(2) Cadets, aviation cadets, and midshipmen.

"(3) Members of a reserve component while they are on inactive duty training authorized by written orders which are voluntarily accepted by them and which specify that they are subject to this chapter.

"(4) Retired members of a regular component of the armed forces who are entitled to pay.

"(5) Retired members of a reserve component who are receiving hospitalization from an armed force.

"(6) Members of the Fleet Reserve and Fleet Marine Corps Reserve.

"(7) Persons in custody of the armed forces serving a sentence imposed by a court martial.

"(8) Members of the Environmental Science Services Administration, Public Health Service, and other organizations, when assigned to and serving with the armed forces.

"(9) Prisoners of war in custody of the armed forces.

"(10) In time of war formally declared by Congress, persons serving with or accompanying an armed force in the field.

"§ 803. Art. 3. Jurisdiction to try certain personnel

"(a) Each person discharged from the armed forces who is later charged with having fraudulently obtained his discharge is, subject to section 843 of this title (article 43), subject to trial by court-martial on that charge and is after apprehension subject to this chapter while in the custody of the armed forces for that trial. Upon conviction of that charge he is subject to trial by court-martial for all offenses under this chapter committed before the fraudulent discharge.

"(b) No person who has deserted from the armed forces may be relieved from amenability to the jurisdiction of this chapter by virtue of a separation from any later period of service.

"§ 804. Art. 4. Dismissed officer's right to trial by court-martial

"(a) If any commissioned officer, dismissed by order of the President, makes a written application for trial by court-martial, setting forth, under oath, that he has been wrongfully dismissed, the President, as soon as practicable, shall order convened a general court-martial to try that officer on the charges on which he was dismissed. A court-martial to try that officer on the charges on which he was dismissed. A court-martial so convened has jurisdiction to try the dismissed officer on those charges, and he shall be considered to have waived the right to plead any statute of limitations applicable to any offense with which he is charged. The military judge may, as part of his sentence, adjudge the affirmance of the dismissal, but if the court-martial acquits the accused or if the sentence adjudged, as finally approved or affirmed, does not include dismissal or death, the Secretary concerned shall substitute for the dismissal ordered by the President a form of discharge authorized for administrative issue.

"(b) If the President fails to order convened a general court-martial within six months from the presentation of an application for trial under this article, the Secretary concerned shall substitute for the dismissal ordered by the President a form of discharge authorized for administrative issue.

"(c) If a discharge is substituted for a dismissal under this article, the President alone may reappoint the officer to such commissioned grade and with such rank as, in the opinion of the President, that former officer would have attained had he not been dismissed. The reappointment of such a former officer shall be without regard to the existence of a vacancy and shall affect the promotion status of other officers only insofar as the President may direct. All time between the dismissal and the reappointment shall be considered as actual service for all purposes, including the right to pay and allowances.

"(d) If an officer is discharged from any armed force by administrative action or is dropped from the rolls by order of the President, he has no right to trial under this article.

"§ 805. Art. 5. Territorial applicability of this chapter

"This chapter applies in all places.

"§ 806. Art. 6. Judge advocates and legal officers

"(a) The assignment for duty of judge advocates of the Army, Navy, and Air Force and law specialists of the Coast Guard shall be made upon the recommendation of the Judge Advocate General of the armed force of which they are members. The assignment for duty of judge advocates of the Marine Corps shall be made by direction of the Commandant of the Marine Corps. The Judge Advocate General or senior members of his staff shall make frequent inspections in the field in supervision of the administration of military justice.

"§ 806a. Art. 6a. Courts-Martial Command

"(a) There is established in the Office of the Judge Advocate General of each armed force an independent command known as the Courts-Martial Command. Such command shall function under the administrative supervision of the Judge Advocate General of the armed force concerned, and each such command shall be divided into four separate divisions as follows:

"(1) Judicial Division;
"(2) Prosecution Division;
"(3) Defense Division; and
"(4) Administration Division.

"(b) The Judicial Division of any Courts-Martial Command shall be responsible, under such rules and regulations as the President may prescribe, for the detailing of military judges, including the detailing of such judges to courts-martial trials.

"(c) The Prosecution Division of any Courts-Martial Command shall be responsible for detailing prosecutors and assistant prosecutors (when appropriate) to courts-martial trials, in addition to such other responsibilities as are set forth elsewhere in this chapter.

"(d) The Defense Division of any Courts-Martial Command shall be responsible for detailing defense counsel and assistant defense counsel (when appropriate) to represent persons entitled to such representation under this chapter. Such military investigators as shall be required for the proper performance of its duties shall be assigned to the Defense Division of the Courts-Martial Command.

"(e) The Administrative Division of any Courts-Martial Command shall be responsible for convening courts-martial, detailing or employing qualified court reporters for courts-martial trials and for any military commission or court of inquiry.

"(f) The Judicial Division and the Defense Division shall be located in the Court-Martial Command for administrative and logistic purposes only. Members of these divisions shall be subject to the command and control of the Chiefs of the respective divisions, and the Judge Advocate General of the appropriate armed force, only.

"(g) Each Court-Martial Command shall be subdivided into two or more Regional Commands which shall have direct responsibility for the administration of military justice within its geographical area, as designated in appropriate regulations by the Secretary concerned.

"SUBCHAPTER II.—APPREHENSION AND RESTRAINT

"Sec. Art
"807. 7. Arrest.
"808. 8. Arrest of deserters.
"809. 9. Imposition of restriction.
"810. 10. Restriction of persons charged with offenses.
"811. 11. Reports and receiving of prisoners.
"812. 12. Confinement with enemy prisoners prohibited.
"813. 13. Punishment prohibited before trial.
"814. 14. Delivery of offenders to civil authorities.

"§ 807. Art. 7. Arrest

"(a) Arrest is the taking of a person into custody or otherwise impairing his freedom of locomotion in any significant way under the authority of this chapter.

"(b) Any person authorized under regulations governing the armed forces to arrest persons subject to this chapter may do so upon reasonable belief that an offense has been committed and that the person arrested committed it.

"(c) Commissioned officers, warrant officers, petty officers, and noncommissioned officers have authority to quell quarrels, frays, and disorders among persons subject to this chapter and to arrest persons subject to this chapter who take part therein.

"§ 808. Art. 8. Arrest of deserters

"Any civil officer having authority to apprehend offenders under the laws of the United States or of a State, Territory, Commonwealth, or possession, or the District of Columbia may summarily arrest a deserter from the armed forces and deliver him into the custody of those forces.

"§ 809. Art. 9. Imposition of Restriction

"(a) Restriction is the restraint of a person by an order, directing him to remain within certain specified limits. Confinement is the physical restraint of a person.

"(b) No person may be ordered into arrest or confinement except for probable cause.

"§ 810. Art. 10. Restriction of persons charged with offenses

"Any person subject to this chapter charged with an offense under this chapter shall be ordered into restriction or confinement only as provided in sections 815 and 832 of this chapter.

"§ 811. Art. 11. Reports and receiving of prisoners

"(a) No provost marshal, commander of a guard, or master at arms may refuse to receive or keep any prisoner committed to his charge by a military judge pursuant to section 832 of this chapter.

"(b) Every commander of a guard or master at arms to whose charge a prisoner is committed shall, within twenty-four hours after that commitment or as soon as he is relieved from guard, report to his commanding officer the name of the prisoner, the offense charged against him, and the name of the person who ordered or authorized the committment.

"§ 812. Art. 12. Confinement with enemy prisoners prohibited

"No member of the armed forces may be placed in confinement in immediate association with enemy prisoners or other foreign nationals not members of the armed forces.

"§ 813. Art. 13. Punishment prohibited before trial

"Subject to section 857 of this chapter (article 57), no person, while being held for trial or the result of trial, may be subjected to punishment or penalty other than restriction or confinement upon the charges pending against him, nor shall the restriction or confinement imposed upon him be any more rigorous than the circumstances require to insure his presence, but he may be subjected to minor punishment during that period for infractions of discipline.

"§ 814. Art. 14. Delivery of offenders to civil authorities

"(a) Under such regulations as the Secretary concerned may prescribe, a member of the armed forces accused of an offense against civil authority may be delivered, upon request, to the civil authority for trial.

"(b) When delivery under this article is made to any civil authority of a person undergoing sentence of a court-martial, the delivery, if followed by conviction in a civil tribunal, interrupts the execution of the sentence of the court-martial, and the offender after having answered to the civil authorities for his offense shall, upon the request of competent military authority, be returned to military custody for the completion of his sentence.

"SUBCHAPTER III.—NONJUDICIAL PUNISHMENT

"§ 815. Art. 15. Commanding officer's nonjudicial punishment

"(a) Under such regulations as the President may prescribe, and under such additional regulations as may be prescribed by the Secretary concerned, limitations may be placed on the powers granted by this article with respect to the kind and amount of punishment authorized, the categories of commanding officers and warrant officers exercising command authorized to exercise those powers, the applicability of this article to an accused who demands trial by court-martial, and the kinds of courts-martial to which the case may be referred upon such a demand. However, except in the case of a member attached to or embarked in a vessel, punishment may not be imposed upon any member of the armed forces under this article if the member has, before the impostion of such punishment, demanded trial by court-martial in lieu of such punishment. Under similar regulations, rules may be prescribed with respect to the suspension of punishments authorized hereunder. A commanding officer authorized to exercise the powers under this article may, if authorized by regulations, delegate such powers to a principal assistant.

"(b) Subject to subsection (a) of this section, any commanding officer may, in addition to or in lieu of admonition or reprimand, impose one or more of the following disciplinary punishments for minor offenses without the intervention of a court-martial—

"(1) upon officers of his command—

"(A) restriction to certain specified limits, with or without suspension from duty, for not more than 30 consecutive days;

"(B) if imposed by an officer exercising general court-martial jurisdiction or an officer of general or flag rank in command—

"(i) restriction to quarters for not more than 30 consecutive days;

"(ii) forfeiture of not more than one-half of one month's pay per month for two months;

"(iii) restriction to certain specified limits, with or without suspension from duty, for not more than 60 consecutive days;

"(iv) detention of not more than one-half of one month's pay per month for three months;

"(2) upon other personnel of his command—

"(A) if imposed upon a person attached to or embarked in a vessel, confinement on bread and water or diminished rations for not more than three consecutive days;

"(B) correctional custody for not more than seven consecutive days;

"(C) forfeiture of not more than seven days' pay;

"(D) reduction to the next inferior pay grade, if the grade from which demoted is within the promotion authority of the officer imposing the reduction or any officer subordinate to the one who imposes the reduction;

"(E) extra duties, including fatigue or other duties, for not more than 14 consecutive days;

"(F) restriction to certain specified limits, with or without suspension from duty, for not more than 14 consecutive days;

"(G) detention of not more than 14 days' pay;

"(H) if imposed by an officer of the grade of major or lieutenant commander, or above—

"(i) the punishment authorized under subsection (b)(2)(A);

"(ii) correctional custody for not more than 30 consecutive days;

"(iii) forfeiture of not more than one-half of one month's pay per month for two months;

"(iv) reduction to the lowest or any intermediate pay grade, if the grade from which demoted is within the promotion authority of the officer imposing the reduction or any officer subordinate to the one who imposes the reduction, but an enlisted member in a pay grade above E-4 may not be reduced more than two pay grades;

"(v) extra duties, including fatigue or other duties, for not more than 45 consecutive days;

"(vi) restrictions to certain specified limits, with or without suspension from duty, for not more than 60 consecutive days;

"(vii) detention of not more than one-half of one month's pay per month for three months.

Detention of pay shall be for a stated period of not more than one year but if the offender's term of service expires earlier, the detention shall terminate upon that expiration. No two or more of the punishments of restriction to quarters, confinement on bread and water or diminished rations, correctional custody, extra duties, and restriction may be combined to run consecutively in the maximum amount imposable for each. Whenever any of those punishments are combined to run consecutively, there must be an apportionment. In addition, forfeiture of pay may not be combined with detention of pay without an apportionment. For the purposes of this subsection, 'correctional custody' is the physical restraint of a person during duty or nonduty hours and may include extra duties, fatigue duties, or hard labor. If practicable, correctional custody will not be served in immediate association with persons awaiting trial or held in confinement pursuant to trial by court-martial.

"(c) An officer in charge may impose upon enlisted members assigned to the unit of which he is in charge such of the punishments authorized under subsection (b)(2)(A)-(G) as the Secretary concerned may specifically prescribe by regulation.

"(d) The officer who imposes the punishment authorized in subsection (b), or his successor in command, may, at any time, suspend probationally any part or amount of the unexecuted punishment imposed and may suspend probationally a reduction in grade or a forfeiture imposed under subsection (b), whether or not executed. In addition, he may, at any time, remit or mitigate any part or amount of the unexecuted punishment imposed and may set aside in whole or in part the punishment, whether executed or unexecuted, and restore all rights, privileges, and property affected. He may also mitigate reduction in grade to forfeiture or detention of pay. When mitigating—

"(1) restriction to quarters to restriction to other specified limits;

"(2) confinement on bread and water or diminished rations to correctional custody;

"(3) correctional custody or confinement on bread and water or diminished rations to extra duties or restrictions, or both; or

"(4) extra duties to restriction;

the mitigated punishment shall not be for a greater period than the punishment mitigated. When mitigating forfeiture of pay to detention of pay, the amount of the detention shall not be greater than the amount of the forfeiture. When mitigating reduction in grade to forfeiture or detention of pay, the amount of the forfeiture or detention shall not be greater than the amount that could have been imposed initially under this article by the officer who imposed the punishment mitigated.

"(e) A person punished under this article who considers his punishment unjust or disproportionate to the offense may, through the proper channel, appeal to the next superior authority. The appeal shall be promptly forwarded and decided, and the person punished may not in the meantime be required to undergo the punishment adjudged. The superior authority may exercise the same powers with respect to the punishment imposed as may be exercised under subsection (d) by the officer who imposed the punishment. Before acting on an appeal from a punishment of—

"(1) restriction to quarters for more than seven days;

"(2) correctional custody for more than seven days;

"(3) forfeiture of more than seven days' pay;

"(4) reduction of one or more pay grades from the fourth or a higher pay grade;

"(5) extra duties for more than 14 days;

"(6) restriction for more than 14 days; or

"(7) detention of more than 14 days' pay;

the authority who is to act on the appeal shall refer the case to a judge advocate of the Army, Navy, Air Force, or Marine Corps, or a law specialist or lawyer of the Marine Corps, Coast Guard, or Department of Transportation for consideration and advice and may so refer the case upon appeal from any punishment imposed under subsection (b).

"(f) The imposition and enforcement of disciplinary punishment under this article for any act or omission is not a bar to trial by court-martial for a serious crime or offense growing out of the same act or omission, and not properly punishable under this article; but the fact that a disciplinary punishment has been enforced may be shown by the accused upon trial, and when so shown shall be considered as a mitigating factor in determining the measure of punishment to be adjudged in the event of a finding of guilty.

"(g) The Secretary concerned may, by regulation, prescribe the form of records to be kept of proceedings under this article and may also prescribe that certain categories of those proceedings shall be in writing.

"SUBCHAPTER IV.—COURT-MARTIAL JURISDICTION

"Sec. Art.

"816. 16. Courts-martial classified.

"817. 17. Jurisdiction of courts-martial in general.

"818. 18. Jurisdiction of general courts-martial.

"819. 19. Jurisdiction of special courts-martial.

"820. 20. (Omitted).

"821. 21. Jurisdiction of courts-martial not exclusive.

"§ 816. Art. 16. Courts-martial classified

"The three kinds of courts-martial in each of the armed forces are

"(1) general courts-martial, consisting of—

"(A) a military judge and seven jurors; or

"(B) only a military judge, if before the court is assembled the accused, knowing the identity of the military judge and after consultation with defense counsel, requests in writing a court composed only of a military judge.

"(2) special courts-martial consisting of

"(A) a military judge and three jurors; or

"(B) only a military judge, if the accused under the same conditions as those prescribed in clause (1)(B) so requests.

"§ 817. Art. 17. Jurisdiction of courts-martial in general

"(a) Each armed force has court-martial jurisdiction over all persons subject to this chapter. The exercise of jurisdiction by one armed force over personnel of another armed force shall be in accordance with regulations prescribed by the President.

"(b) In all cases, departmental review, where that review is required under this chapter, shall be carried out by the department that includes the armed force of which the accused is a member.

"§ 818. Art. 18. Jurisdiction of general courts-martial

"Subject to section 817 of this chapter (article 17), general courts-martial have jurisdiction to try persons subject to this chapter for any offense made punishable by this chapter and may, under such limitations as the President may prescribe, adjudge any punishment not forbidden by this chapter, including the penalty of death when specifically authorized by this chapter. General courts-martial also have jurisdiction to try any person who by the law of war is subject to trial by a military tribunal and may adjudge any punishment permitted by the law of war. However, a general court-martial of the kind specified in section 816(1)(B) of this title (article 16(1)(B)) shall not have jurisdiction to try any person for any offense for which the death penalty may be adjudged unless the case has been previously referred to trial by the Prosecution Division as a noncapital case.

"§ 819. Art. 19. Jurisdiction of special courts-martial

"Subject to section 817 of this chapter (article 17), special courts-martial have jurisdiction to try persons subject to this chapter for any noncapital offense made punishable by this chapter and, under such regulations as the President may prescribe, for capital offenses. Special courts-martial may, under such limitations as the President may prescribe, adjudge any punishment not forbidden by this chapter except death, dishonorable discharge, dismissal, confinement for more than six months, hard labor without confinement for more than three months, forfeiture of pay exceeding two-thirds pay per month, or forfeiture of pay for more than six months. A bad-conduct discharge may not be adjudged unless a verbatim record of the proceedings and testimony has been made.

"§ 820. Art. 20. (Omitted)

"§ 821. Art. 21. Jurisdiction of courts-martial not exclusive

"The provisions of this chapter conferring jurisdiction upon courts-martial do not deprive military commissions, provost courts, or other military tribunals of concurrent jurisdiction with respect to offenders or offenses that by statute or by the law of war may be tried by military commissions, provost courts, or other military tribunals.

"SUBCHAPTER V.—COMPOSITION OF COURTS-MARTIAL

"Sec. Art.
"822. 22. Who may convene courts-martial.
"823. 23. (Omitted.)
"824. 24. (Omitted.)
"825. 25. Who may serve on courts-martial juries.
"826. 26. Military judges.
"827. 27. Detail of trial counsel and defense counsel.
"828. 28. (Omitted.)
"829. 29. Absent and additional members.

"§ 822. Art. 22. Who may convene courts-martial.

"Courts-martial may be convened by the Chief of the Administration Division of the Regional Command or his designee within that division.

"§ 823. Art. 23. (Omitted.)

"§ 824. Art. 24. (Omitted.)

"§ 825. Art. 25. Who may serve on courts-martial.

"(a) Any member of the armed forces who has served on active duty for one year or more is eligible to serve on general and special courts-martial juries for the trial of persons who may lawfully be brought before such court for trial.

"(b) Members of a general or special court-martial jury shall be selected on a random basis from among all those eligible persons permanently stationed within the geographical limits of the Regional Command convening the court-martial unless the Secretary concerned prescribes by regulation the selection of jurors from geographical areas smaller than the limits of the Regional Command. Any such regulation shall be consistent with the principle of randomness. The selection of jurors shall, to the maximum extent practicable, follow the procedure prescribed for the selection of federal juries.

"(c) No member of an armed force is eligible to serve as a juror when he is the accuser, a witness, or has acted as an investigating officer or as counsel in the same or a related case.

"§ 826. Art. 26. Military judges

"(a) The Judicial Division of the appropriate Courts-Martial Command shall assign at least two military judges to each Regional Command for a period not less than six months. A military judge shall preside over each court-martial referred to the Judicial Division for trial by the Prosecution Division of the Regional Command. He shall—

"(1) rule finally on all matters of law,

"(2) rule finally on all motions, and

"(3) except as otherwise provided in this chapter, decide all other questions raised at the trial of the accused.

In any case referred to him for trial, the military judge shall impose sentence on the accused and shall have authority to suspend, vacate a suspension, or remit any such sentence.

"(b) A military judge may issue all writs necessary or appropriate in aid of his jurisdiction and agreeable to the usages and principles of law.

"(c) No person other than the Judge Advocate General or his designee within the Judicial Division of the Courts-Martial Command of the armed force of which any military judge is a member shall prepare or review any report concerning the effectiveness, fitness or efficiency of such military judge.

"(d) A military judge shall be a commissioned officer of the armed forces who is a member of the bar of a Federal court or a member of the bar of the highest court of a State and who is certified to be qualified for duty as a military judge by the Judge Advocate General of the armed force of which such military judge is a member.

"(e) No person is eligible to act as a military judge in a case if he is the accuser or a witness or has acted as investigating officer or a counsel in the same or a related case.

"(f) The military judge of a court-martial may not consult with the members of the jury except in the presence of the accused, trial counsel, and defense counsel, nor may he vote with the members of the jury.

"§ 827. Art. 27. Detail of trial counsel and defense counsel

"(a) For each general and special court-martial, the Chief of the Prosecution Division of the Regional Command or his designee within that division shall detail a prosecutor, and the Chief of the Defense Division of the Regional Command or his designee within that division shall detail a defense counsel, and such assistants as the Chiefs or their designees shall deem appropriate. No person who has acted as investigative officer, military judge, or court member in any case may act later as prosecutor, assistant prosecutor, or, unless expressly requested by the accused, as defense counsel or assistant defense counsel in the same case. No person who has acted for the prosecution may act later in the same case for the defense, nor may any person who has acted for the defense act later in the same case for the prosecution.

"(b) Each prosecutor or defense counsel detailed for court-martial—

"(1) must be a judge advocate of the Army, Navy, Air Force, or Marine Corps or a law specialist of the Coast Guard, and must be a member of the bar of a Federal court or of the highest court of a State; and

"(2) must be certified as competent to perform such duties by the Judge Advocate General of the armed force of which he is a member.

"§ 828. Art. 28. (Omitted)

"§ 829. Art. 29. Absent and additional members

"(a) No juror may be absent or excused after the court has been assembled for the trial of the accused except for physical disability or as a result of a challenge or by order of the military judge for good cause.

"(b) A general court-martial shall be composed of seven regular jurors and at least one alternate juror, selected pursuant to section 825 of this chapter. If any regular juror of a court-martial is absent, he shall be permanently replaced by an alternate juror, providing that the alternate juror had been present at all previous open sessions of the court-martial. If a seven-member quorum cannot be maintained pursuant to this article, a mistrial shall be declared, and the case shall be returned to the Prosecution Division of the Regional Command for such futher proceedings as it may deem appropriate.

"(c) A special court-martial shall be composed of three regular jurors and at least one alternate juror selected pusuant to section 825 of this chapter. If any regular juror of a special court-martial is absent, he shall be permanently replaced by an alternate juror, providing that the alternate juror had been present at all pevious open sessions of the court-martial. If a three-juror quorum cannot be maintained pursuant to this article, a mistrial shall be declared, and the case shall be returned to the Prosecution Division or the Regional Command for such further proceedings as it may deem appropriate.

"(d) If the military judge of a court-martial is unable to proceed with the trial because of physical disability, as a result of a challenge, or for other good cause, the trial shall proceed, subject to any applicable conditions of section 816 (1) (B) or (2) (B) of this title (article 16 (1) (B) or (2) (B)), after the assignment of a new military judge as if no evidence had previously been introduced, unless a verbatim record of the evidence previously introduced or a stipulation thereof is read in court in the presence of the new military judge, the accused, and counsel for both sides, but in the absence of the jurors.

"Subchapter VI.—Pre-Trial Procedure

"Sec. Art.
"830. 30. Charges and specifications.
"831. 31. Compulsory self-incrimination prohibited.
"832. 32. Initial appearance; preliminary examination.
"833. 33. Forwarding of charges.
"834. 34. Conforming the charges to the evidence.
"835. 35. Time of trial.

"§ 830. Art. 30. Charges and specifications.

"Charges and specifications shall be preferred in writing by the Chief of the Prosecution Division of the Regional Command or his designee within that division, if he has reasonable cause to believe that an offense has been committed by the person to be charged.

"(1) Any person may refer to the Prosecution Division of the Regional Command any matter for the purpose of investigation or prosecution.

"(2) The Chief of the Prosecution Division of the Regional Command or his designee within that division may, on his own initiative, cause any matter to be investigated with a view toward prosecution. Investigations with a view toward prosecution may be coordinated between the Prosecution Division of the Regional Command and any authorized investigative body.

"§ 831. Art. 31. Compulsory self-incrimination prohibited

"(a) No person subject to this chapter may compel any person to incriminate himself or to answer any question the answer to which may tend to incriminate him.

"(b) No person subject to this chapter may interrogate, or request any statement from, an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected and that any statement made by him may be used as evidence against him in a trial by court-martial.

"(c) No person subject to this chapter may compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him.

"(d) No statement obtained from any person in violation of this article, or through the use of coercion, unlawful influence, or unlawful inducement may be received in evidence against him in a trial by court-martial.

"§ 832. Art. 32. Initial Appearance; preliminary examination

"(a) Within 24 hours after any person is arrested under the authority of this chapter, or within 24 hours after charges are preferred against any person under the authority of this chapter, whichever event occurs first, the accused person shall be taken before a military judge authorized by the Judicial Division of the appropriate Court-Martial Command to commit persons charged with offenses under this chapter. Any statement made by an accused person held in violation of this article shall be inadmissible in a trial by court-martial unless objection to such statement in affirmatively waived by the accused person at trial.

"(b) Any person not charged with an offense punishable by this chapter within 24 hours after his arrest under the authority of this chapter shall be forthwith released until such time as charges are preferred.

"(c) The military judge shall inform the accused of the charges against him, of his right to be represented by a civilian lawyer if provided by him, or a military lawyer of his own selection if such lawyer is reasonably available, or by a lawyer detailed by the Defense Division of the Regional Command, and of his right to have a preliminary examination. The military judge shall also inform the accused that he is not required to make a statement and that any statement made by him may be used against him. The military judge shall allow the accused reasonable time and opportunity to consult counsel and shall admit the accused to bail, in accordance with regulations prescribed by by the Secretary concerned, or may impose such restriction or confinement of the accused in lieu of bail as he determines necessary reasonably to insure the presence of the accused for trial.

"(d) Under the proceedings provided for in this section the accused shall not be called upon to plead. If the military judge determines that a specification does not state an offense punishable by this chapter, he shall dismiss the specification without prejudice. If the accused waives preliminary examination, the military judge shall forthwith refer the case to the Prosecution Division of the Regional Command for such further proceedings as it deems appropriate. If the accused does not waive preliminary examination, the military judge shall hear the evidence within a reasonable time. The accused may cross-examine witnesses against him, discover the evidence against him, and may introduce evidence in his own behalf. If from the evidence it appears to the military judge that there is probable cause to believe that an offense under this chapter has been committed and that the accused has committed it, the military judge shall forthwith hold him to answer in a court-martial; otherwise the military judge shall release him. The military judge shall admit the accused to bail in accordance with regulations prescribed by the Secretary concerned or may order such restriction or confinement on the accused in lieu of bail as he determines necessary reasonably to insure the presence of the accused for trial. Denial of bail may be appealed as an interlocutory matter to the Court of Military Review. After concluding the proceeding the military judge shall transmit all papers in the proceeding his findings, and any bail taken by him to the Prosecution Division of the Regional Command.

"§ 833. Art. 33. Forwarding of charges

"(a) When any person has been charged with an offense under this chapter the charges against such person shall be forwarded by the military judge to the Prosecution Division of the Regional Command together with a summarized record of the preliminary examination, if one was held, and other allied papers, within eight days after the conclusion of the preliminary examination if one was held, or within five days after the initial appearance if preliminary examination was waived, or else the charges shall be dismissed. A copy of the charges shall also be furnished to the accused. The Chief of the Prosecution Division or his designee within that division shall determine whether there is sufficient evidence to bring the accused to trial on such charges and whether such charges should be referred to a general or special court-martial for trial.

"(b) In any case in which the Prosecution Division determines that there is sufficient evidence to convict any person of the charges brought against him, it shall refer the case to trial by the appropriate level court-martial and shall promptly notify the Administration, Judicial, and Defense Divisions of the Regional Command, in addition to the accused and his civilian counsel, if any. The Administration Division shall convene a court-martial pursuant to section 833 of this chapter as soon as practicable thereafter.

"§ 834. Art. 34. Conforming the charges to the evidence

"If the charges or specifications are not formally correct or do not conform to the substance of the evidence presented at the preliminary examination, if one was held, or in the allied papers, formal corrections, and such changes in the charges and specifications are needed to make them conform to the evidence may be made by the Prosecution Division of the Regional Command, provided that the changes do not either change the nature of the offense charged or increase the severity of the punishment.

"§ 835. Art. 35. Time of trial

"In time of peace no person may, against his objection, be brought to trial or be required to participate by himself or counsel in a session called by the military judge under section 839(a) of this title (article 39(a)), in a general court-martial case within a period of five days after the initial appearance or in a special court-martial within a period of three days after the initial appearance.

"Subchapter VII.—Trial Procedure

"Sec. Art.
"836. 36. President may prescribe rules.
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"§ 836. Art. 36. President may prescribe rules

"(a) The procedure, including modes of proof, in cases before courts-martial, courts of inquiry, military commissions, and other military tribunals may be prescribed by the President by regulations which shall, so far as he considers practicable, apply the principles of law and the rules of evidence generally recognized in the trial of criminal cases in the United States district courts, but which may not be contrary to or inconsistent with this chapter.

"(b) All rules and regulations made under this article shall be uniform insofar as practicable and shall be reported to Congress.

"§ 837. Art. 37. Unlawfully influencing action of court

"(a) No person subject to this chapter may censure, reprimand, or admonish the jury or any member thereof, military judge, or counsel in a court-martial, with respect to the findings or sentence adjudged, or with respect to any other exercise of its or his functions in the conduct of the proceeding. No person subject to this chapter may attempt to coerce or, by any unauthorized means, influence the action of a court-martial or any other military tribunal or any member thereof, in reaching the findings or sentence in any case. The foregoing provisions of the subsection shall not apply with respect to (1) general instructional or informational courses in military justice if such courses are designed solely for the purpose of instructing members of a command in the substantive and procedural aspects of courts-martial, of (2) to statements and instructions given in open court by the military judge or counsel.

"(b) In the preparation of an effectiveness, fitness, or efficiency report or any other report or document used in whole or in part for the purpose of determining whether a member of the armed forces is qualified to be advanced in grade, or in determining the assignment or transfer of a member of the armed forces or in determining whether a member of the armed forces should be retained on active duty, no person subject to this chapter may, in preparing any such report (1) consider or evaluate the performance of duty of any such juror, as a juror, or (2) give a less favorable rating or evaluation of any member of the armed forces because of the zeal with which such member, as counsel, represented any accused before a court-martial, appellate tribunal, or related proceeding.

"§ 838. Art. 38. Duties of prosecutor and defense counsel

"(a) The prosecutor of a general or special court-martial shall prosecute in the name of the United States and shall be responsible for supervising the Administration Division of the Regional Command in its preparation of the record of the proceedings. All records of trial shall be prepared as expeditiously as possible.

"(b) The accused has the right to be represented in his defense before a general or special court-martial by civilian counsel, if provided by him, or by military counsel of his own selection if reasonably available, or by counsel assigned and detailed by the Defense Division of the Regional Command. Should the accused have counsel of his own selection, the defense counsel and assistant defense counsel, if any, who were detailed, shall, if the accused so desires, act as his associate counsel; otherwise they shall be excused by the military judge.

"(c) In every court-martial proceeding, the military defense counsel may, at any time, at government expense, seek such collateral relief as he deems necessary to protect the rights of the accused in any court having jurisdiction to grant such relief. In every court-martial proceeding, the defense counsel may, in the event of conviction, forward for attachment to the record of proceedings a brief of such matters as he feels should be considered in behalf of the accused on review, including any objection to the contents of the record which he considers appropriate.

"(d) An assistant prosecutor of a general court-martial may, under the direction of the prosecutor or when he is qualified to be a prosecutor as required by section 827 of this title (article 27), perform any duty imposed by law, regulation, or the custom of the service upon the prosecutor of the court. An assistant prosecutor of a special court-martial may perform any duty of the prosecutor.

"(e) An assistant defense counsel of a general or special court-martial may, under the direction of the defense counsel or when he is qualified to be the defense counsel as required by section 827 of this title (article 27), perform any duty imposed by law, regulation, or the custom of the service upon counsel for the accused.

"§ 839. Art. 39. Sessions

"(a) At any time after the case has been referred for trial by a general or special court-martial pursuant to section 833 of this chapter, the military judge may, subject to section 835 of this title (article 35),

"(1) hear and determine motions raising defenses or objections which are capable of determination without trial of the issues raised by a plea of not guilty, including motions to suppress evidence;

"(2) hear and rule upon any matter which may be ruled upon by the military judge under this chapter, whether or not the matter is appropriate for later consideration or decision by the jurors;

"(3) hold the arraignment and receive the pleas of the accused; and

"(4) perform any other procedural function which may be performed by the military judge under this chapter or under rules prescribed pursuant to section 836 of this title (article 36) and which does not require the presence of the jurors.

These proceedings shall be conducted in the presence of the accused, the defense counsel, and the prosecutor and shall be made a part of the record.

"(b) When the jurors of a court-martial deliberate or vote, only the regular jurors may be present. Alternate jurors shall be excused by the military judge prior to deliberation. All other proceedings, including any consultation of the jurors with counsel or the military judge, shall be made a part of the record and shall be in the presence of the accused, the defense counsel, the prosecutor, and the military judge.

"§ 839A. Art. 39A. Discovery

"(a) At any session convened pursuant to section 839 of this chapter, and, for good cause shown, at trial, the military judge shall, upon a motion of the accused, order the prosecutor to divulge to the accused, and where necessary to permit the accused to inspect, copy, or photograph:

"(1) any statement, written or recorded, verbatim or otherwise made by the accused relevant to the offense charged which is in the possession, custody, or control of the government, the existence of which is known or may become known to the prosecutor by the exercise of due diligence;

"(2) the substance of any oral statement made by the accused either before or after arrest which the prosecutor intends to offer into evidence at trial;

"(3) written or recorded statements, or the substance of an oral statement made by a co-accused either before or after arrest, which the prosecutor intends to offer into evidence at trial;

"(4) the prior military criminal record, if any, as is then available to the prosecutor, of the accused, of any co-accused, or of any person the prosecutor intends to call as his witness at trial;

"(5) the names and current addresses, if known, together with any relevant prior statement of all persons, civilian or military, whom the prosecutor intends to call as prosecution witnesses at trial;

"(6) the military personnel records (field 201 file) of all persons selected as prospective jurors, if such a selection has been made at the time of the session; if such selection has not been made at the time of the session,

"(7) the report of any nonjudicial or quasi-judicial investigation conducted by the service concerned relevant to the offense charged unless the military judge finds that such a disclosure would be inimical to the national security;

"(8) the results and reports of any physical or mental examinations, or of scientific tests or experiments, made in connection with the case, within the possession, custody, or control of the prosecutor, the existence of which is known to the prosecutor, or which may become known by the exercise of due diligence; and

"(9) the report of the military judge made pursuant to section 832 of this chapter, if any, and all exhibits and testimony appended thereto.

"(b) At any session convened pursuant to section 839 of this chapter, and, for good cause shown, at trial, the military judge may, upon a motion of the accused, order the prosecutor to permit the accused to inspect, copy or photograph books, papers, documents, tangible objects, buildings or places or copies or portions thereof, which are within the possession, custody or control of the government, upon a showing of materiality to the preparation of the defense, and that the request is reasonable. If the relief requested hereunder is granted, the military judge may, upon motion of the prosecutor, condition his order by requiring the accused to permit the government to inspect, copy or photograph scientific or medical reports, books, papers, documents, tangible objects, or copies or portions thereof which the accused intends to introduce into evidence at trial, which are related to the discovery sought by the accused and which are within his possession, custody or control, upon a showing of materiality to the preparation of the government's case and that the request is reasonable.

"(c) Notwithstanding any other provisions of this Article, the prosecutor shall disclose to the accused, as soon as it is discovered, all material, exculpatory evidence actually known to the prosecutor, whether or not a request for such evidence has been made by the accused.

"(d) Except as provided in subsections (a) and (c), the discovery or inspection is not authorized of reports, memoranda, or other internal government documents made by government agents in connection with the investigation or prosecution of the case, or of statements made by government witnesses or prospective government witnesses to agents of the government except as provided in 18 U.S.C. section 3500 (1964). Except as to scientific and medical reports, nothing in this article shall be construed as authorizing the discovery or inspection of reports, memoranda, or other internal defense documents made by the accused, his counsel or agent in connection with the investigation or defense of the case, or of statements made by the accused, or by actual or prospective government or defense witnesses to the accused, his agents or counsel.

"(e) The military judge granting relief under this article shall if necessary specify the time, place, and manner of making the discovery and inspection permitted, and may prescribe such terms and conditions as are just.

"(f) Except for good cause shown, only one motion for discovery, specifying all relief sought under this article, may be made during any criminal proceeding.

"(g) Whenever discovery is ordered or required under this article, a continuing duty to disclose exists, and whenever a party discovers additional material previously requested or ordered which is subject to discovery or inspection, he shall promptly notify the other party or his counsel and the military judge of the existence of such additional material. In the event that either party fails to comply with this article or with an order issued pursuant to this Article, the military judge may grant a continuance or prohibit the party from introducing into evidence the material not disclosed, or it may enter such other order, including dismissal of all charges with prejudice, as it deems just under the circumstances.

"(h) Upon a sufficient showing by either party the military judge may at any time order that discovery or inspection be denied, restricted or deferred, or make such other order as is appropriate.

"(i) The military judge may at any time, upon motion of the accused, direct the filing of a bill of particulars, which bill may be amended at any time subject to such conditions as justice requires.

"§ 840. Art. 40. Continuances

"The military judge may, for reasonable cause, grant a continuance to any party for such time, and as often as may appear to be just, at any time after a case has been referred to trial pursuant to section 833.

"§ 841. Art. 41. Challenges

"(a) The military judge and jurors of a general or special court-martial may be challenged by the accused or the prosecutor for cause stated to the court. The military judge, shall determine the relevancy and validity of challenges for cause, and may not receive a challenge to more than one person at a time. Challenges by the prosecutor shall ordinarily be presented and decided before those by the accused are offered.

"(b) Each accused and the prosecutor are each entitled to one peremptory challenge at any special court-martial trial if a bad conduct discharge may not be adjudged by the court at the trial; and each accused and the prosecutor are each entitled to three peremptory challenges at any special court-martial trial if a bad conduct discharge may be adjudged. Each accused and the prosecutor are each entitled to six peremptory challenges at any general court-martial; except that each shall be entitled to ten peremptory challenges if the death penalty may be adjudged. The military judge detailed to any court-martial trial may not be challenged except for cause.

"§ 842. Art. 42. Oaths

"(a) Before performing their respective duties, military judges, jurors, prosecutors, assistant prosecutors, defense counsel, assistant defense counsel, reporters, and interpreters shall take an oath to perform their duties faithfully. The form of the oath, the time and place of the taking thereof, the manner of recording the same, and whether the oath shall be taken once for all cases in which these duties are to be performed or for a particular case, shall be as prescribed in regulations of the Secretary concerned.

"(b) Each witness before a court-martial shall be examined under oath.

"§ 843. Art. 43. Statute of limitations

"(a) A person charged with desertion or absence without leave in time of war, formally declared by Congress, or with aiding the enemy, mutiny, or murder, may be tried and punished at any time without limitation.

"(b) Except as otherwise provided in this article, a person charged with desertion in time of peace or any of the offenses punishable under sections 919–932 of this title (articles 119–132) is not liable to be tried by court-martial if the offense was committed more than three years before charges are preferred pursuant to section 830 of this title.

"(c) Except as otherwise provided in this article, a person charged with any offense is not liable to be tried by court-martial or punished under section 815 of this title (article 15) if the offense was committed more than two years before the charges are preferred pursuant to section 830 of this title, or before the imposition of punishment under section 815 of this title.

"(d) Periods in which the accused was absent from territory in which the United States has the authority to apprehend him, or in the custody of civil authorities, or in the hands of the enemy, shall be excluded in computing the period of limitation prescribed in this article.

"(e) For an offense the trial of which in time of war, formally declared by Congress, is certified to the President by the Secretary concerned to be detrimental to the prosecution of the war or is inimical to the national security, the period of limitation prescribed in this article is extended to six months after the termination of hostilities as proclaimed by the President or by a joint resolution of Congress.

"(f) When the United States is at war, as formally declared by Congress, the running of any statute of limitations applicable to any offense under this chapter—

"(1) involving fraud or attempted fraud against the United States or any agency thereof in any manner, whether by conpiracy or not;

"(2) committed in connection with the acquisition, care, handling, custody, control, or disposition of any real or personal property of the United States; or

"(3) committed in connection with the negotiation, procurement, award, performance, payment, interim financing, cancellation, or other termination or settlement, of any contract, subcontract, or purchase order which is connected with or related to the prosecution of the war, or with any disposition of termination inventory by any war contractor or Government agency;

is suspended until three after the termination of hostilities as proclaimed by the President or by a joint resolution of Congress.

"§ 844. Art. 44. Former jeopardy

"(a) (1) No person may, without his consent, be tried a second time for the same offense.

"(2) No person may be tried by court-martial for any offense if he has been tried for substantially the same offense in any State court or in any court of the United States; and no person may be tried for any offense in any State court or any court of the United States if he has been tried for substantially the same offense by court-martial.

"(b) No proceeding in which an accused has been found guilty by a court-martial upon any charge or specification is a trial in the sense of this article until the finding of guilty has become final after review of the case has been fully completed.

"(c) A proceeding which, after the introduction of evidence but before a finding, is dismissed or terminated by the military judge or on motion of the prosecution for failure of available evidence or witnesses without any fault of the accused is a trial in the sense of this article.

"§ 845. Art. 45. Pleas of the accused

"(a) If an accused after arraignment makes an irregular pleading, or after a plea of guilty sets up matter inconsistent with the plea, or if it appears that he has entered the plea of guilty improvidently or through lack of understanding of its meaning and effect, or if he fails or refuses to plead, a plea of not guilty shall be entered in the record, and the court shall proceed as though he had pleaded not guilty.

"(b) A plea of guilty by the accused may not be received to any charge or specification alleging an offense for which the death penalty may be adjudged. With respect to any other charge or specification to which a plea of guilty has been made by the accused and accepted by the military judge a finding of guilty of the charge or specification may be entered immediately. This finding shall constitute the finding of the court unless the plea of guilty is withdrawn prior to announcement of the sentence, in which event the proceedings shall continue as though the accused had pleaded not guilty.

"§ 846. Art. 46. Opportunity to obtain witnesses and other evidence; search and seizure

"(a) The prosecutor, the defense counsel, and the court-martial shall have equal opportunity to obtain witnesses and other evidence in accordance with such regulations as the President may prescribe. Process issued in court-martial cases to compel witnesses to appear and testify and to compel the production of other evidence shall be the same as that which courts of the United States having criminal jurisdiction may lawfully issue and shall run to any part of the United States, or the Territories, Commonwealths, and possessions. All requests to compel witnesses to appear and testify and to compel the production of other evidence shall be submitted to the military judge. Subpoenas shall be signed by a military judge, and shall be issued upon a showing by either party that the witness or evidence is necessary to an adequate prosecution or defense. A refusal by a military judge to issue a subpoena shall be appealable as an interlocutory matter to the Court of Military Review of the service concerned.

"(b) (1) The authority to issue orders to conduct searches and seizures of persons and property subject to the provisions of this chapter in connection with any offense prohibited by this chapter may be exercised only by military judges in accordance with regulations promulgated by the President.

"(2) No search or seizure of persons or property shall be ordered by any military judge except in writing upon probable cause supported by written affidavits or sworn testimony given before him and recorded verbatim, and particularly describing the person or place to be searched or the person or thing to be seized.

"(3) No other search or seizure is authorized, except as may be necessary to protect the life of a person making an arrest under the authority of this chapter, or to prevent the destruction of evidence.

"§ 847. Art. 47. Refusal to appear or testify

"(a) Any person not subject to this chapter who—

"(1) has been duly subpoenaed to appear as a witness before a court-martial, military commission, court of inquiry, or any other military or board, or before any military or civil officer designated to take a deposition to be read in evidence before such a court, commission, or board;

"(2) has been duly paid or tendered the fees and mileage of a witness at the rates allowed to witnesses attending the courts of the United States; and

"(3) willfully neglects or refuses to appear, or refuses to qualify as a witness or to testify or to produce any evidence which that person may have been legally subpoenaed to produce;

is guilty of an offense against the United States.

"(b) Any person who commits an offense in subsection (a) shall be tried on information in a United States district court or in a court of original criminal jurisdiction in any of the Territories, Commonwealths, or possessions of the United States, and jurisdiction is conferred upon those courts for that purpose. Upon conviction, such a person shall be punished by a fine of not more than $500, or imprisonment for not more than six months, or both.

"(c) The United States attorney or the officer prosecuting for the United States in any such court of original criminal jurisdiction shall, upon the certification of the facts to him by the military judge, commission, court of inquiry, or board, file an information against and prosecute any person violating this article.

"(d) The fees and mileage of witnesses shall be advanced or paid out of the appropriations for the compensation of witnesses.

"§ 848. Art. 48. Contempts.

"(a) A provost court or military commission may punish for contempt any person who uses any menacing word, sign, or gesture in its presence, or who disturbs its proceedings by any riot or disorder.

"(b) A military judge of a court-martial shall have power to punish by fine or imprisonment, at his discretion, such contempt of his authority, and none other, as—

"(1) misbehavior of any person in his presence or so near thereto as to obstruct the administration of justice;

"(2) misbehavior of any of the counsel of the court-martial or the jurors, in their official transactions; and

"(3) disobedience or resistance to the lawful writ, process, order, rule, decree, or command of the military judge.

"(c) Punishment under this section may not exceed confinement at hard labor for 30 days, or a fine of $100, or both.

"§ 849. Art. 49. Depositions

"(a) At any time after charges have been preferred as provided in section 830 of this chapter, any party may take oral or written depositions unless a military judge forbids it for good cause.

"(b) The party at whose instance a deposition is to be taken shall give to every other party reasonable written notice of the time and place for taking the deposition.

"(c) Depositions may be taken before and authenticated by any military or civil officer authorized by the laws of the United States or by the laws of the place where the deposition is taken to administer oaths.

"(d) A duly authenticated deposition taken upon reasonable notice to the other parties so far as otherwise admissible under the rules of evidence, may be read in evidence before any military court or commission in any case not capital, or in any proceeding before a court of inquiry or military board, if it appears—

"(1) that the witness is a civilian and resides or is beyond the State, Territory, Commonwealth, or District of Columbia in which the court, commission, or board is ordered to sit, or beyond 100 miles from the place of trial or hearing;

"(2) that the witness by reason of death, age, sickness, bodily infirmity, imprisonment, military necessity, nonamenability to process, or other reasonable cause, is unable or refuses to appear and testify in person at the place of trial or hearing; or

"(3) that the present whereabouts of the witness is unknown.

"(e) Subject to subsection (d), testimony by deposition may be presented by the defense in capital cases.

"(f) Subject to subsection (d), a deposition may be read in evidence in any case in which the death penalty is authorized but is not mandatory, whenever the Chief of the prosecution division of the Regional Command or his designee within that division directs that the case be treated as not capital, and in such a case a sentence of death may not be adjudged by the court-martial.

"§ 850. Art. 50. Admissibility of records of courts of inquiry

"(a) In any case not capital and not extending to the dismissal of a commissioned officer, the sworn testimony, contained in the duly authenticated record of proceedings of a court of inquiry, of a person whose oral testimony cannot be obtained, may, if otherwise admissible under the rules of evidence, be ready in evidence by any party before a court-martial or military commission if the accused was a party before the court of inquiry and if the same issue was involved or if the accused consents to the introduction of such evidence.

"(b) Such testimony may be read in evidence only by the defense in capital cases or cases extending to the dismissal of a commissioned officer.

"(c) Such testimony may also be read in evidence before a court of inquiry or a military board.

"§ 851. Art. 51. Voting and rulings

"(e) Voting by jurors in a general or special court-martial on the findings shall be by secret written ballot. The junior juror shall count the votes. The count shall be checked by the senior juror, who shall forthwith announce the result of the ballot to the other jurors.

"(b) The military judge shall rule upon all questions of law and all interlocutory questions arising during the proceedings. Any such ruling made by the military judge upon any question of law or any interlocutory question is final and constitutes the ruling of the court. However, the military judge may change his ruling at any time during the trial. The military judge of any court-martial shall have authority, on motion of the accused or on his own motion, to order the entry of judgment of acquittal of any charge or specification against the accused after the evidence on either side is closed if the evidence is insufficient to sustain a conviction of such charge or specification.

"(c) Before a vote is taken on the findings, the military judge shall, in the presence of the accused and counsel, instruct the jurors as to the elements of the offenses, the law applicable to any defenses raised by the evidence, and any other material issues, and charge them:

"(1) that the accused must be presumed to be innocent until his guilt is established by legal and competent evidence beyond reasonable doubt;

"(2) that in the case being considered, if there is a reasonable doubt as to the guilt of the accused, the doubt must be resolved in favor of the accused and he must be acquitted;

"(3) that, if there is a reasonable doubt as to the degree of guilt, the finding must be in a lower degree as to which there is no reasonable doubt; and

"(4) that the burden of proof to establish the guilt of the accused beyond reasonable doubt is upon the United States.

"(d) Subsections (a), (b), and (c) do not apply to a court-martial composed of a military judge only. The military judge of such a court-martial shall determine all questions of law and fact arising during the proceedings. The military judge of such a court-martial shall make a general finding and shall in addition on request find the facts specially. If an opinion or memorandum of decision is filed, it will be sufficient if the findings of fact appear therein.

"§ 852. Art. 52. Number of votes required

"(a)(1) No person may be convicted of an offense for which the death penalty or confinement at hard labor for life is made mandatory by law, except by the concurrence of all the jurors of the court-martial present at the time the vote is taken.

"(2) No person may be convicted of any other offense, except as provided in section 845(b) of this title (article 45(b)) or by the concurrence of two-thirds of the jurors present at the time the vote is taken.

"(b) No person may be sentenced to suffer death for an offense in this chapter expressly marked punishable by death except upon the recommendation of all the jurors of the court-martial. Such recommendation shall not be binding on the military judge.

"(c) All other questions to be decided by the jurors of a general or special court-martial shall be determined by a majority vote, but a determination to reconsider a finding of guilty may be made by any lesser vote which indicates that the reconsideration is not opposed by the number of votes required for the finding.

"§ 853. Art. 53. Jury to announce action

The senior juror shall announce the finding of the court-martial to the parties as soon as determined.

"§ 854. Art. 54. Record of trial

"(a) Each court-martial shall keep a separate and verbatim record of the proceedings of each case brought before it, and the record shall be authenticated by the signature of the military judge. If the record cannot be authenticated by the military judge by reason of his death, disability, or absence, it shall be authenticated by the signature of the prosecutor or by that of a juror if the prosecutor is unable to authenticate it by reason of his death, disability, or absence. In a court-martial consisting of only a military judge the record shall be authenticated by the court reporter under the same conditions which would impose such a duty on a juror under this subsection. If the proceedings have resulted in an acquittal of all charges and specifications the record need not be verbatim, but shall contain such matters as may be prescribed by regulations of the President.

"(b) A copy of the record of the proceedings of each court-martial shall be given to the accused as soon as it is authenticated.

"SUBCHAPTER VIII.—SENTENCES

"Sec. Art.
"855. 55. Cruel and unusual punished prohibited.
"856. 56. Maximum limits.
"857. 57. Effective date of sentences.
"858. 58. Execution of confinement.
"858a. 58a. Sentences: reduction in enlisted grade upon approval.

"§ 855. Art. 55. Cruel and unusual punishments prohibited

"Punishment by flogging, or by branding, marking, or tattooing on the body, or any other cruel or unusual punishment, may not be adjudged by any military judge or inflicted upon any person subject to this chapter. The use of irons, single or double, except for the purpose of safe custody, is prohibited.

"§ 856. Art. 56. Maximum limits

"The punishment which a military judge may direct for an offense may not exceed such limits as the President may prescribe for that offense.

"§ 857. Art. 57. Effective date of sentences

"(a) Whenever a sentence of a military judge as lawfully adjudged includes a forfeiture of pay or allowances in addition to confinement not suspended or deferred, the forfeiture may apply, if the military judge so designates to pay or allowances becoming due on or after the date the sentence is adjudged, or any other subsequent date designated by the military judge. No forfeiture may extend to any pay or allowances accrued before such date.

"(b) Any period of confinement included in a sentence of a court-martial begins to run from the date the sentence is adjudged by the military judge, but periods during which the sentence to confinement is suspended or deferred shall be excluded in computing the service of the term of confinement. Any period during which the accused is held in confinement before or during trial shall be deducted from any period of confinement to which the accused is sentenced, unless the confinement of the accused during such period was imposed pursuant to the sentence of a previous court-martial trial. Such deduction shall be made by the commanding officer of the confinement facility wherein the accused's confinement is served.

"(c) All other sentences of courts-martial are effective on the date ordered executed.

"(d) On application by an accused who is under sentence to confinement that has not been ordered executed, the military judge detailed to the trial of the accused may defer service of the sentence to confinement. Deferment shall be granted unless it affirmatively appears likely that the accused would flee to avoid confinement or would be a danger to the military or civilian community. Denial of deferment shall be accompanied by a written statement signed by the military judge detailing his reasons for such denial. The deferment shall terminate when the sentence is ordered executed. The deferment may be rescinded at any time for good cause by the military judge who granted it. A denial of the application of an accused for deferment of service of sentence pending appeal of his conviction may be appealed by the accused, as an interlocutory matter, to the Court of Military Review.

"§ 858. Art. 58. Execution of confinement

"(a) Under such instructions as the Secretary concerned may prescribe, a sentence of confinement adjudged by a military judge or other military tribunal, whether or not the sentence includes discharge or dismissal, and whether or not the discharge or dismissal has been executed, may be carried into execution by confinement in any place of confinement under the control of any of the armed forces or in any penal or correctional institution under the control of the United States, or which the United States may be allowed to use. Persons so confined in a penal or correctional institution not under the control of one of the armed forces are subject to the same discipline and treatment as persons confined or committed by the courts of the United States or of the State, Territory, District of Columbia, or place in which the institution is situated.

"(b) The omission of the words 'hard labor' from any sentence of a court-martial adjudging confinement does not deprive the authority executing that sentence of the power to require hard labor as a part of the punishment. Persons confined either before or after trial in penal or correctional institutions under control of the armed forces, or confined in any other facility under the control of the armed forces, shall be permitted to participate in work, regular physical exercise, and rehabilitation programs whenever facilities for such purposes will permit.

"§ 858a. Art. 58a. Sentences: reduction in enlisted grade upon approval

"(a) Unless otherwise provided in regulations to be prescribed by the Secretary concerned, a court-martial sentence of an enlisted member in a pay grade above E–1, that includes—

"(1) a dishonorable or bad-conduct discharge;

"(2) confinement; or

"(3) hard labor without confinement;

reduces that member to pay grade E–1, effective on the date the sentence is ordered executed.

"(b) If the sentence of a member who is reduced in pay grade under subsection (a) is set aside or disapproved, or, as finally approved, does not include any punishment named in subsection (a)(1), or (3), the rights and privileges of which he was deprived because of that reduction shall be restored to him and he is entitled to the pay and allowances to which he would have been entitled, for the period the reduction was in effect, had he not been so reduced.

"SUBCHAPTER IX.—REVIEW OF COURTS-MARTIAL

"Sec. Art.
"859. 59. Error or law; lesser included offense.
"860. 60. (Omitted.)
"861. 61. (Omitted.)
"862. 62. (Omitted.)
"863. 63. Rehearings.
"864. 64. (Omitted.)
"865. 65. (Omitted.)
"866. 66. Review by Court of Military Review.
"867. 67. Review by Court of Military Appeals.
"868. 68. (Omitted.)
"869. 69. Review in the Office of the Judge Advocate General.
"870. 70. Appellate counsel.
"871. 71. Execution of sentence; suspension of sentence.
"872. 72. Vacation of suspension.
"873. 73. Petition for a new trial.
"874. 74. Remission and suspension.
"875. 75. Restoration.
"876. 76. Finality of proceedings, findings and sentences.

"§ 859. Art. 59. Error of law; lesser included offense

"(a) A finding or sentence of a court-martial may not be held incorrect on the ground of an error of law unless the error materially prejudices the substantial rights of the accused.

"(b) Any reviewing authority with the power to approve or affirm a finding of guilty may approve or affirm, instead, so much of the finding as includes a lesser included offense.

"§ 860. Art. 60. (Omitted)

"§ 861. Art. 61. (Omitted)

"§ 862. Art. 62. (Omitted)

"(a) If the Judge Advocate General or his designee, the Court of Military Review, or the Court of Military Appeals, disapproves the findings and sentence of a court-martial, the Chief of the Prosecution Division of the Regional Command in which the accused was originally tried may, except where there is lack of sufficient evidence in the record to support the findings, order a rehearing. If the findings and sentence are disapproved and a rehearing is not ordered, he shall dismiss the charges.

"(b) Each rehearing shall take place before a court-martial composed of jurors who did not participate in the court-martial which first heard the case. Upon a rehearing the accused may not be tried for any offense of which he was found not guilty by the first court-martial, and no sentence in excess of or more severe than the original sentence may be imposed, unless the sentence is based upon a finding of guilty of an offense not considered upon the merits in the original proceedings, or unless the sentence prescribed for the offense is mandatory.

"§ 864. Art. 64. (Omitted)

"§ 865. Art. 65. (Omitted)

"§ 866. Art. 66. Review by Court of Military Review

"(a) There is established in each service a Court of Military Review which shall be composed of one or more panels, and each such panel shall be composed of not less than three appellate military judges, appointed by the Judge Advocate General of the service concerned. Each Court of Military Review shall be located for administrative purposes in the Office of the Judge Advocate General of the service concerned, but shall be otherwise independent of all other military command and control with respect to the performance of its judicial function. For the purpose of reviewing court-martial cases, the court may sit in panels or as a whole in accordance with rules prescribed under subsection (f). Appellate military judges who are assigned to a Court of Military Review may be commissioned officers or civilians, each of whom must be a member of a bar of a Federal court or of the highest court of a State. The Judge Advocate General shall designate one of the appellate military judges as chief judge. The chief judge shall determine on which panels of the court the appellate judge assigned to the court will serve and which military judge assigned to the court will act as the senior judge on each panel.

"(b) The Administrative Division of the Regional Command within which the accused was tried shall refer to a Court of Military Review the record in every case of trial by court-martial in which the sentence extends to death, dismissal of a commissioned officer, cadet, or midshipman, dishonorable or bad-conduct discharge or confinement for one year or more.

"(c) In a case referred to it, the Court of Military Review may affirm only such findings of guilty and the sentence or such part or amount of the sentence as it finds correct in law and fact and determines, on the basis of the entire record, should be approved. In considering the record, it may weigh the evidence, judge the credibility of witnesses, and determine controverted questions of fact, recognizing that the trial court saw and heard the witnesses.

"(d) If the Court of Military Review sets aside the findings and sentence, it may, except where the setting aside is based on lack of sufficient evidence in the record to support the findings, order a rehearing. If it sets aside the findings and sentence and does not order a rehearing, it shall order that the charges be dismissed.

"(e) The Court of Military Review shall prescribe rules of procedure for practice before it, and shall establish rules for the qualification of attorneys admitted to its bar.

"(f) No judge of a Court of Military Review shall be required, or on his own initiative be permitted, to prepare, approve, disapprove, review, or submit, with respect to any other judge of the same or another Court of Military Review, an effectiveness, fitness, or efficiency report or any other report or document used in whole or in part for the purpose of detemining whether a member of the armed forces if qualified to be advanced in grade, or in determining the assignment or transfer of a member of the armed forces, or in determining whether a member of the armed forces shall be retained on active duty.

"(g) No judge of a Court of Military Review shall be eligible to review the record of any trial if such judge served as military judge, juror, defense counsel, or prosecutor of such trial.

"(h) Judges of a Court of Military Review shall be deemed military judges for the purpose of section 836(a)(2) of this chapter.

"§ 867. Art. 67. Review by the Court of Military Appeals

"(a)(1) There is a United States Court of Military Appeals established under article I of the Constitution of the United States and located for administrative purposes only in the Department of Defense. The court consists of nine judges appointed from civil life by the President, by and with the advice and consent of the Senate, for a term of fifteen years. The terms of office of all successors of the judges serving on the effective date of this Act shall expire fifteen years after the expiration of the terms for which their predecessors were appointed, but any judge appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired term of his predecessor. Not more than five of the judges of the court may be appointed from the same political party, nor is any person eligible for appointment to the court who is not a member of the bar of a Federal court or the highest court of a State. Each judge is entitled to the same salary and travel allowances as are, and from time to time may be, provided for judges of the United States Court of Appeals, and is eligible for reappointment. The President shall designate from time to time one of the judges to act as chief judge. The chief judge of the court shall have precedence and preside at any session which he attends. The other judges shall have precedence and preside according to the seniority of their commissions. Judges whose commissions bear the same date shall have precedence according to seniority in age. The court may prescribe its own rules of procedure and determine the number of judges required to constitute a quorum. A vacancy in the court does not impair the right of the remaining judges to exercise the powers of the court.

"(2) Judges of the United States Court of Military Appeals may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, or for mental or physical disability, but for no other cause.

"(3) If a judge of the United States Court of Military Appeals is temporarily unable to perform his duties because of illness or other disability, the President may designate a judge of the United States Court of Appeals for the District of Columbia to fill the office for the period of disability.

"(4) Any judge of the United States Court of Military Appeals who is receiving retired pay may become a senior judge, may occupy offices in a Federal building, may be provided with a staff assistant whose compensation shall not exceed the rate prescribed for GS-9 in the General Schedule under section 5332 of title 5, and, with his consent, may be called upon by the chief judge of said court to perform judicial duties with said court for any period or periods specified by such chief judge. A senior judge who is performing judicial duties pursuant to this subsection shall be paid the same compensation (in lieu of retired pay) and allowances for travel and other expenses as a judge.

"(b) The Court of Military Appeals shall review the record in—

"(1) all cases in which the sentence, as affirmed by a Court of Military Review, extends to death;

"(2) all cases reviewed by a Court of Military Review which the Judge Advocate General orders sent to the Court of Military Appeals for review; and

"(3) all cases reviewed by a Court of Military Review in which, upon petition of the accused and on good cause shown, the Court of Military Appeals has granted a review.

"(c) The accused has 30 days from the time when he is notified of the decision of a Court of Military Review to petition the Court of Military Appeals for review. The Court shall act upon such a petition within 30 days after issue is joined by appellate defense and government counsel.

"(d) In any case reviewed by it, the Court of Military Appeals may act only with respect to the findings and sentence as affirmed or set aside as incorrect in law by the Court of Military Review. In a case which the Judge Advocate General orders sent to the Court of Military Appeals, that action need be taken only with respect to the issues raised by him. In a case reviewed upon petition of the accused, that action need be taken only with respect to issues specified in the grant of review. The Court of Military Appeals shall take action only with respect to matters of law.

"(e) If the Court of Military Appeals sets aside the findings and sentence, it may, except where the setting aside is based on lack of sufficient evidence in the record to support the findings, order a rehearing. If it sets aside the findings and sentence and does not order a rehearing, it shall order that the charges be dismissed.

"(f) After it has acted on a case, the Court of Military Appeals may return the record to the Court of Military Review for further review in accordance with the decision of the court. Otherwise, unless there is to be further action by the President or the Secretary concerned, the Judge Advocate General shall take action in accordance with that decision. If the court has ordered a rehearing, but the Judge Advocate General or his designee within the court-martial command finds a rehearing impracticable, he may dismiss the charges.

"(g) The Court of Military Appeals and the Judge Advocate General shall meet annually to make the comprehensive survey of the operation of this chapter and report to the Secretary of Defense, the Secretaries of the military departments and the Secretary of Transportation the number and status of pending cases and any other matters considered appropriate.

"(h) Whenever the court determines it necessary to expedite the businses of the Court, the Court may authorize the hearing and determination of cases by separate divisions, each consisting of three judges. Such divisions shall sit at the times and places and hear the cases assigned as the Court directs. In all cases decided by a three judge division, a rehearing before the Court en banc may be ordered by a majority of the judges of the Court who are in regular active service.

"§ 868. Art. 68. (Omitted)

"§ 869. Art. 69. Review in the Office of the Judge Advocate General

"Every record of trial by special or general court-martial, in which there has been a finding of guilty and a sentence, the appellate review of which is not otherwise provided for by section 866 of this chapter (article 66), shall be examined by the Judge Advocate General, or his designee. The Judge Advocate General, or his designee, may set aside the findings and sentence in any case and may in any such case, except where the setting aside is based on lack of sufficient evidence in the record to support the findings, order a rehearing. If the Judge Advocate General, or his designee, sets aside the findings and sentence and does not order a rehearing, he should order that the charges be dismissed. If the Judge Advocate General, or his designee, so directs the record of trial in any such case shall be reviewed by a Court of Military Review in accordance with section 866 of this title (article 66), but in that event there shall be no further review by the Court of Military Appeals, either by petition of the accused or by certification of the Judge Advocate General. Notwithstanding section 876 of this title (article 76) the findings or sentence, or both, in a court-martial case which has been finally reviewed, but has not been reviewed by a Court of Military Review may be vacated or modified, in whole or in part, by the Judge Advocate General on the ground of newly discovered evidence, fraud on the court, lack of jurisdiction over the accused or the offense, or error prejudicial to the substantial rights of the accused.

"§ 870. Art. 70. Appellate counsel

"(a) The Judge Advocate General shall detail in his office one or more commissioned officers as appellate Government counsel, and one or more commissioned officers as appellate defense counsel, who are qualified under section 827(b)(1) of this title (article 27(b)(1)).

"(b) Appellate Government counsel shall represent the United States or any other respondent before the Court of Military Review or the Court of Military Appeals when directed to do so by the Judge Advocate General.

"(c) Appellate defense counsel shall represent the accused before the Court of Military Review or the Court of Military Appeals in extraordinary pleadings, interlocutory and direct appeals:

"(1) when he is requested to do so by the accused;

"(2) when the United States or any respondent is represented by counsel; or

"(3) when the Judge Advocate General has certified a case to the Court of Military Appeals.

"(d) The accused has the right to be represented before the Court of Military Appeals or the Court of Military Review by civilian counsel if provided by him.

"(e) Appellate defense counsel may seek relief in any court, at government expense, if he deems such relief appropriate to safeguard the rights of an accused.

"§ 871. Art. 71. Execution of sentence; suspension of sentence

"(a) No court-martial sentence extending to death may be executed until approved by the President. He shall approve the sentence or such part, amount, or commuted form of the sentence as he sees fit, and may suspend the execution of the sentence or any part of the sentence, as approved by him, except a death sentence.

"(b) No sentence extending to the dismissal of a commissioned officer, cadet, or midshipman may be executed until approved by the Secretary concerned, or such Under Secretary or Assistant Secretary as may be designated by him. He shall approve the sentence or such part, amount, or commuted form of the sentence as he sees fit, and may suspend the execution of any part of the sentence as approved by him. In time of war or national emergency he may commute a sentence of dismissal to reduction to any enlisted grade. A person so reduced may be required to serve for the duration of the war or emergency and six months thereafter.

"(c) No sentence which includes, unsuspended, a dishonorable or bad-conduct discharge, or confinement for one year or more, may be executed until affirmed by a Court of Military Review and, in cases reviewed by it, the Court of Military Appeals.

"(d) All other court-martial sentences, unless suspended or deferred, may be ordered executed by the Chief of the Prosecution Division of the Regional Command within which the accused was tried.

"(e) In cases reviewed by the Court of Military Review, no sentence may be ordered executed until 30 days have elapsed from the date the decision of that court was personally served on the accused.

"(f) A death sentence may not be suspended.

"§ 872. Art. 72. Vacation of suspension

"(a) Before the vacation of the suspension of any court-martial sentence, a military judge shall hold a hearing on the alleged violation of probation. The probationer shall be represented at the hearing by counsel if he so desires.

"(b) The record of the hearing and the decision of the military judge who conducted the hearing shall be sent to the Prosecution Division of the Regional Command for further action. If the suspension is vacated by the military judge, any unexecuted part of the sentence, except a dismissal, shall be executed, subject to applicable restrictions in section 871(c) of this title (article 71(3)). The vacation of the suspension of a dismissal is not effective until approved by the Secretary concerned.

"(c) The suspension of any other sentence may be vacated by a military judge pursuant to such regulations as the Secretary concerned may promulgate.

"§ 873. Art. 73. Petition for a new trial

"At any time within two years after affirmance of a court-martial sentence by the Court of Military Review, or if review by the court was not held, by the Judge Advocate General or his designee, the accused may petition the Judge Advocate General for a new trial on the grounds of newly discovered evidence or fraud on the court. If the accused's case is pending before a Court of Military Review or before the Court of Military Appeals, the Judge Advocate General shall refer the petition to the appropriate court for action. Otherwise the Judge Advocate General shall act upon the petition.

"§ 874. Art. 74. Remission and suspension.

"(a) The Secretary concerned and, when designated by him, any Under Secretary, Assistant Secretary, Judge Advocate General, or commanding officer may remit or suspend any part or amount of the unexecuted part of any sentence, including all uncollected forfeitures other than a sentence approved by the President.

"(b) The Secretary concerned may, for good cause, substitute an administrative form of discharge for a discharge or dismissal executed in accordance with the sentence of a court-martial.

"§ 875. Art. 75. Restoration

"(a) Under such regulations as the President may prescribe, all rights, privileges, and property affected by an executed part of a court-martial sentence which has been set aside or disapproved, except an executed dismissal or discharge, shall be restored unless a new trial or rehearing is ordered and such executed part is included in a sentence imposed upon the new trial or rehearing.

"(b) If a previously executed sentence of dishonorable or bad-conduct discharge is not imposed on a new trial, the Secretary concerned shall substitute therefor a form of discharge authorized for administrative issuance unless the accused is to serve out the remainder of his enlistment.

"(c) If a previously executed sentence of dismissal is not imposed on a new trial, the Secretary concerned shall substitute therefor a form of discharge authorized for administrative issue, and the commissioned officer dismissed by that sentence may be reappointed by the President alone to such commissioned grade and with such rank as in the opinion of the President that former officer would have attained had he not been dismissed. The reappointment of such a former officer shall be without regard to the existence of a vacancy and shall affect the promotion status of other officers only insofar as the President may direct. All time between the dismissal and the reappointment shall be considered as actual service for all purposes, including the right to pay and allowances.

"§ 876. Art. 76. Finality of proceedings, findings, and sentences

"The appellate review of records of trial provided by this chapter, the proceedings, findings, and sentences of courts-martial as approved, reviewed, or affirmed as required by this chapter, and all dismissals and discharges carried into execution under sentences by courts-martial following approval, review, or affirmation as required by this chapter, are final and conclusive. Orders publishing the proceedings of courts-martial and all action taken pursuant to those proceedings are binding upon all departments, courts, agencies, and officers of the United States, subject only to action upon a petition for a new trial as provided in section 873 of this title (article 73) and to action by the Secretary concerned as provided in section 874 of this title (article 74), and the authority of the President.

"§ 938. Art. 138. Complaints of wrongs

"Any member of the armed forces who believes himself wronged by his commanding officer, and who, upon due application to that commanding officer, is refused redress, may complain to any superior commissioned officer, who shall forward the complaint to the Judge Advocate General of the armed force of which the officer against whom it is made is a member. The Judge Advocate General shall examine the complaint and is authorized to take proper measures for redressing the wrong complained of; and he shall, as soon as possible, send to the Secretary concerned a true statement of that complaint, with the proceedings had thereon."

SEC. 3. Chapter 81 of title 28 of the United States Code is amended by adding at the end thereof the following section:

"§ 1259. Court of Military Appeals; certiorari

"Cases in the United States Court of Military Appeals may be reviewed by the Supreme Court by writ of certiorari."

SEC. 4. (a) There is hereby established a special committee to be composed of the judges of the United States Court of Military Appeals the Judge Advocate General of the Armed Forces, the General Counsel of the Department of Transportation, and three civilian members to be appointed by the President. The committee shall conduct a thorough study with respect to—

(1) the table of maximum punishments prescribed by the President for offenses punishable under chapter 47 of title 10, United States Code, with a view to (A) recommending improvements therein, (B) identifying and recommending corrective actions for apparent inequities in such table, and (C) recommending the establishment of subcategories of offenses, where appropriate, based upon differences in degree of seriousness of the offenses;

(2) the advisability of legislation which would limit the authority of the President to alter or suspend the table of maximum punishments as to particular geographical areas and to suspend the table with respect to particular offenses;

(3) the desirability of transferring to the district courts of the United States jurisdiction of certain cases involving desertion and other unauthorized absences from the armed forces;

(4) further means of improving and elimi-

nating undue delays in the appellate process of military justice; and

(5) appropriate action in the case of any prisoner who has completed serving his sentence prior to the completion of appellate review of his case.

(b) The Committee shall submit a written report of the results of its study to the President and to the Congress, together with such recommendations as it deems appropriate, not later than one year after the date of enactment of this Act.

SEC. 5. The provisions of this Act shall become effective on the first day of the twelfth calendar month following the month in which this Act is enacted, except that section 4 shall become effective upon enactment.

By Mr. PROXMIRE:

S. 1129. A bill to improve and reform the foreign military assistance program of the United States. Referred to the Committee on Foreign Relations.

Mr. PROXMIRE. Mr. President, I introduce today the Foreign Military Assistance Reform Act of 1971. As chairman of the Subcommittee on Foreign Operations of the Senate Appropriations Committee, which has jurisdiction over many aspects of the foreign aid program, I hope that these reforms may be acted on in this session of the Congress.

REMOVES RESPONSIBILITY FROM DEFENSE DEPARTMENT

The purpose of this bill is to cut back and reshape our foreign military aid program. It puts the foreign military aid program back under the Secretary of State where it belongs.

It places the responsibility to authorize funds back under the Senate Foreign Relations Committee and the House Foreign Affairs Committee who should be the chief congressional watchdogs over foreign policy.

The bill removes from the Secretary of Defense the primary responsibility for determining and procuring foreign military aid, the supervision of its use, and its allocation and delivery, and places that responsibility squarely on the Secretary of State.

When President Kennedy came into office, he placed responsibility for the administration of American foreign policy abroad in the hands of the Ambassador in each country. But when the Vietnam buildup came, we shifted much of the control of military aid to the military services. This should now be rectified. Once again, American foreign policy should be run by the civilian agency charged with it rather than by the military.

PHASE OUT SERVICE FUNDED AID

Under the bill, the present $2.5 billion military aid grant programs for Vietnam, Laos, and Thailand, now run by the Army, Navy, and Air Force, are phased out. The remaining military aid grant program under the Secretary of State—the grant MAP program—would be converted to a sales and credit sales program. Instead of forcing free military aid upon friendly countries, they would have to make the hard choice whether they wanted to buy the military equipment or not.

In my view, these reforms would represent an historic shift in the control over and nature of our foreign military aid programs. Such a shift away from the military and into civilian hands is long overdue.

NEED FOR REFORM IS CLEAR

The need for such a shift was clearly shown in the hearings held in January by the Joint Economic Committee's Subcommittee on Economy in Government.

At the present time, the military aid program is unmanaged and out of control. It is fractionalized and scattered between and among a dozen or more departments and agencies. No one even appears to know how much we spend. While the military budget gives a total of $1.1 billion and the AID budget a total of $1.7 billion for military aid, the actual total for all programs lies somewhere between $4.8 and $7 billion.

The problem is made more difficult because the details of amounts granted annually to individual countries are stamped secret on grounds that to make them public might embarrass the receiving nation.

In addition, some programs are authorized by legislative committees and funded by direct appropriations. In others, such as the food-for-peace program or through the sale of excess and surplus supplies, hundreds of millions of dollars in military stores are supplied free or at bargain prices under general authority and without direct appropriation.

But, in many cases, the amounts are no real bargain. Poor and developing countries have had free military supplies thrust upon them which they would never buy under the discipline of payment and budgetary controls. The cost of maintaining weapons or training the forces to use them has drawn desperately needed funds from programs to feed, clothe, and house the poor.

To bring some discipline and reform to these overlapping programs, which now have conflicting goals and confusing results, several things should be done. In addition to placing all military aid under a single department and shifting the existing military grant programs to cash or credit sales, funds should be authorized and appropriated directly, not hidden and spent secretly. Country by country amounts should be declassified. The excess supply, surplus ship, and credit sales programs should all be placed on a businesslike basis.

A MORAL ISSUE

These reforms are needed not merely to bring some order to the administrative organization charts of the U.S. Government and not simply to save money, although I think it would save, in my view, hundreds of millions—indeed, billions—of dollars a year. What we are talking about is war and peace. We are confronted with a moral problem and not a classroom exercise.

From $4.5 to $7 billion a year is now dispensed by way of military aid to foreign countries. Much of it is used to rain down death and destruction on men, women, and children in the hamlets and villages throughout Southeast Asia.

This is not merely a question of dull balance-of-payment statistics or of how much of the American taxpayer's money is transferred to the exchequers and military inventories of nations throughout the world.

These funds are used to buy the massive technical instruments of war which are now pulverizing portions of Laos, Cambodia, and North Vietnam. It is proposed that in the future these funds be used in gigantic quantities to arm the South Vietnamese and others as we withdraw our own men from the conflict. All of this is going on while the citizens of this country remain relatively safe in their homes and their communities and it is being done at the moment with very little physical risk to ourselves. But tens of thousands of people abroad are suffering the consequences of these policies, and 40,000 Americans gave their lives in Vietnam as a result of them.

There is great division in the Nation over whether we should be doing what we are doing. Even if it is absolutely justified, no thinking person can welcome it when he contemplates the suffering it inflicts.

NO EXCUSE FOR MINDLESS ACTION

But to give foreign military aid mindlessly, without either knowing the total amounts or considering the consequences, is incredible. To shovel out billions of dollars in weapons of destruction without questioning the amounts or the purposes for which they are used is for the citizens of this country and the lawmakers of the land to abdicate their responsibilities and to cede power to the military which it should not be theirs to exercise except through the deliberate action of the people—and, I should say, the representatives of the people.

We have given arms to two or more countries which have been used to fight each other rather than to defend against some common enemy. Weapons have been used to undermine political democracy and to keep reactionary governments in power. And more often than not the decisions to do so have been made secretly and surreptitiously without proper questioning or debate as to whether they really defend the vital interests of the people of the United States or whether they do not in fact undermine our efforts for peace in the world.

Those are the issues which this bill is really attempting to bring to the fore.

In a world which is complex and difficult enough, and where the threat of nuclear extinction hangs over all of our heads, it could be suicidal to set events into motion through the unthinking exercise of power as is now often done through our foreign military aid programs.

The reform of these programs is long overdue. Reforms are needed not only to bring some order out of chaos but to make certain that they do not do more harm than good. They are needed even more if this Nation is to carry out the goals of Woodrow Wilson that in our policies abroad:

> What we seek is the rule of law, based on the consent of the governed, and sustained by the organized opinion of mankind.

SPECIFIC PROVISION OF BILL

The Foreign Military Assistance Reform Act which I am introducing attempts to carry out these principles through the following specific provisions:

PHASEOUT OF SERVICE FUNDED MILITARY AID

First. The present $2.5 billion military aid program funded by the three military services would be phased out entirely over a 3-year period.

To do this, the bill authorizes an appropriation of an amount not to exceed $470 million for fiscal year 1972. Superficially, this may appear to be larger than the existing authorization. It is, in fact, smaller for it reflects not only the regular authorization but the supplemental amounts as well. It reduces the total by one-third.

Authority for fiscal year 1973 is left undetermined by the bill.

Congress has yet to determine either the nature of or the amount of any aid going to the Vietnamization program under the Nixon doctrine. The bill does not anticipate the nature of that decision.

PROGRAMS UNDER SECRETARY OF STATE

Second. All remaining military assistance programs would be put under the responsibility of the Secretary of State.

This is done by providing that, after June 30, 1972, no military assistance shall be provided by the United States to any foreign country or international organization unless that assistance is authorized under the Foreign Assistance Act of 1961 or the Foreign Military Sales Act.

The bill also amends section 623 of the Foreign Assistance Act of 1961, relating to the responsibilities of the Secretary of Defense, by transferring to the Secretary of State the primary responsibility in the foreign military aid program for: First, the determination of end-item requirements; second, the procurement of military equipment; third, the supervision of end-item use by the recipient countries; fourth, the supervision of the training of foreign military personnel; fifth, the establishment of priorities in the procurement and delivery and allocation of military equipment; and sixth, the performance of any other function with respect to the furnishing of military assistance.

This provision would be effective on July 1, 1972, by which time our combat activities in South Vietnam should be wound down.

GRANTS CONVERTED TO SALES PROGRAMS

Third. Existing grant military assistance programs would be converted to sales or credit sales programs.

A possible exception to this generalization is the fact that supporting assistance, which is classified as economic rather than military aid, is often used in considerable part for indirect military purposes. Except for that gray area, the general principle is carried out.

COUNTRY AMOUNTS DECLASSIFIED

Fourth. The bill contains a direct prohibition against classifying the names of foreign countries and the amounts of military assistance intended to be provided to them each year.

This provision would make the country by country lists public information. The present reason given for classifying the list: namely, that it might embarrass the countries if it were made public, makes no sense at all. If we followed such logic domestically, we would classify our entire military budget on the ground that to reveal that next year's estimate for the Pentagon is $75 billion would embarrass the Joint Chiefs of Staff.

EXCESS ITEMS TO BE SOLD

Fifth. Excess and surplus military supplies could no longer be given away free or for a few cents on the dollar. A minimum of one-third of the acquisition cost of the articles would be required from the receiving country, except in the case of articles which are considered to be only of scrap value or in the case of motor vehicles.

In the case of scrap items, the country pays only for the scrap value but must agree to use them only for scrap. In the case of motor vehicles, the actual depreciated value of the vehicle would be charged.

The Comptroller General is required to make an annual report that excess defense articles are being provided in accordance with the act.

The funds received in payment by the U.S. Government would go into a fund which could be used to pay for American obligations in the country involved or to finance international education and cultural exchanges.

To prevent abuse of these funds and to insure accountability, the President is required to submit a semiannual report to the Committees on Appropriations of the House and Senate explaining, in detail, the expenditures of these currencies. The committees, under the bill, are to use this information when they determine the appropriations of the affected agency. For example, if the funds were used by the United States to pay for the expense of U.S. State Department personnel in India or Korea, the Appropriations Committees could then reduce the amount of funds needed by the State Department for such purposes by the amount drawn from the funds built up through the sale of excess or surplus military supplies.

This provision could result in considerable savings to the U.S. Government.

SALE OF OVERAGE SHIPS

Sixth. Receiving countries would be required to pay at least 25 percent of the acquisition cost for overage or surplus ships, plus the cost of rehabilitating and refitting them.

INTEREST RATE LEVEL

Seventh. The interest rate charged for military credit sales would be set at the Export-Import Bank interest rate for comparable programs.

CONTINGENCY FUND INCREASE

Eighth. To make certain that the President has adequate funds to help a friendly country in an emergency, the President's contingency fund is increased from $30 to $80 million. In addition, up to $300 million of the Department of Defense stocks could be drawn down, subject to 20 days' notice to Congress and the subsequent reimbursement through appropriations, for emergency use. Supporting assistance would also remain available for emergency uses also.

This should give the President adequate funds in a real emergency. In addition to these funds which the President could make available to friendly foreign countries in the case of an attack by an aggressor, the bill places no limitations not now in effect under the law or under the Constitution on the use of funds appropriated to the Department of Defense for American forces.

CREDIT SALES AUTHORIZATIONS

Ninth. In shifting existing grant military aid programs to sales or credit sales programs, the bill authorizes certain amounts now under the grant program for use for credit sales.

For fiscal year 1972, a sum of $485 million is authorized for credit sales. This reflects the existing authorization for fiscal year 1971 of $250 million, plus the $235 million of the military grant aid program being phased out and shifted to the sales program.

In addition, the bill places a ceiling for credit sales and guarantees of $340 million. Without such a ceiling, the total amounts of credit sales could greatly exceed the amount appropriated through the use of the guarantee authority.

INTERNATIONAL MILITARY ACTIVITIES

Tenth. In order to carry into practice the principle that American foreign policy should be under the Secretary of State and that funds should be authorized by those committees of Congress charged with the supervision of American foreign policy, the bill places the authority for international military headquarters funds and funds for military advisers in military assistance missions and military advisory groups in foreign countries under the Foreign Assistance Act of 1961.

The bill prohibits funds made available under other provisions of law to be used for these expenses.

OTHER REFORMS

Other reforms to the foreign military aid programs were included in a recent Proxmire-Mansfield-McGovern-Humphrey bill, which prohibited the use of food for peace funds for military purposes, and in the Case-Proxmire bill requiring a detailed annual public report on the specific kinds and amounts of foreign military aid going abroad.

Taken together, these reforms should bring our chaotic military aid program under control. By doing this, we can serve our real national interests, save the taxpayers billions of dollars, and help bring peace to a very unpeaceful world.

Mr. President, I send the bill to the desk and ask that it be appropriately referred; and ask unanimous consent that a copy of the bill and a summary of a section-by-section analysis of the bill be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred; and, without objection, the section-by-section analysis and a copy of the bill will be printed in the RECORD.

There being no objection, the bill and analysis ordered to be printed in the RECORD, as follows:

S. 1129

A bill to improve and reform the foreign military assistance program of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Military Assistance Reform Act".

DECLARATION OF PURPOSE

SEC. 2. The Congress declares that it is the purpose of this Act to further and more effectively sustain the peace, security, and prosperity of the United States by providing for reforms in the foreign military assistance program of the United States. The Congress further declares that the following reforms are necessary to assist in achieving such purpose:

(1) placing primary responsibility, to the maximum extent practicable, for administering all foreign military assistance provided by the United States to foreign countries and international organizations under the Secretary of State;

(2) phasing out, over a period of three years, the foreign military assistance grant program; and

(3) increasing, over a period of three years, the authority to enter into military credit and guaranty sales by the amounts that the military assistance grant program is reduced;

(4) prohibiting the classification of the amounts of military assistance provided to foreign countries and international organizations;

(5) placing the authorizations for all foreign military assistance under the Foreign Assistance Act of 1961 and the Foreign Military Sales Act;

(6) revising the excess defense articles program;

(7) requiring that vessels and boats of the United States may only be sold and sold only at certain reasonable values;

(8) increasing the authorization of appropriations of the President's contingency fund;

(9) extending the authority of the President to supply defense articles from existing stocks of the Department of Defense; and

(10) requiring that rates of interest and fees paid under military credit and guaranty sales arrangements be the same as rates paid to the Export-Import Bank.

MILITARY ASSISTANCE INFORMATION

SEC. 3. Chapter 2 of part II of the Foreign Assistance Act, relating to military assistance, is amended by adding at the end thereof the following new section:

"SEC. 511. Military Assistance Information.—Notwithstanding any other provision of law, that portion of any record showing the name of any foreign country or international organization and the amount of military assistance intended to be provided, or that has been provided, by the United States to such country or organization for any fiscal year under this or any other law shall be made available to the public, and that portion of the record shall not be withheld from public disclosure by designating such record as classified information."

MILITARY ASSISTANCE AUTHORIZATIONS

SEC. 4. (a) Chapter 1 of part II of the Foreign Assistance Act of 1961, relating to military assistance policy, is amended by adding at the end thereof the following new section:

"SEC. 502A. Unified Military Assistance Authorizations.—After June 30, 1972, no military assistance shall be provided by the United States to any foreign country or international organization unless that assistance is authorized under this Act or the Foreign Military Sales Act.".

(b) That portion of section 504 (a) of such Act which precedes the first proviso, relating to the military assistance authorization, is amended to read as follows: "(a) There is authorized to be appropriated to the President to carry out the purposes of this part not to exceed $470,000,000 for the fiscal year 1972, and $———— for the fiscal year 1973:".

(c) Section 506 (a) of such Act, relating to special authority, is amended to read as follows: "(a) During the fiscal years 1972 and 1973, the President may, if he determines it to be vital to the security of the United States, order defense articles from the stocks of the Department of Defense and defense services for the purposes of part II, subject to subsequent reimbursement therefor from subsequent appropriations available (1) through fiscal year 1973, for military assistance, and (2) after fiscal year 1973, for supporting assistance under section 402 of this Act and for the contingency fund under section 451 of this Act. The value of such orders under this subsection in each of the fiscal years 1972 and 1973 shall not exceed $300,000,000. The President shall not exercise his authority under this section unless he, at least twenty days prior to the date he intends to exercise that authority, notifies the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate in writing of each such intended exercise and the justification for, and the extent of, the exercise of such authority.".

(d) Effective July 1, 1973—

(1) sections 503 (as amended by section 5 (b) of this Act) and 504 of such Act, relating to military assistance authorities, are repealed; and

(2) section 507 (a) of such Act, relating to restrictions on military aid to Latin America, is amended by striking out "of grant programs".

EXCESS DEFENSE ARTICLES

SEC. 5. (a) Chapter 2 of part II of the Foreign Assistance Act of 1961, relating to military assistance, is amended by adding after section 511 of such Act (as added by section 3 of this Act) the following new sections:

"SEC. 512. Excess defense articles.—(a) The President is authorized to provide any excess defense article (other than a vessel or boat) to a foreign country if that country agrees—

"(1) to deposit in a special account established by the United States Government the following amounts of currency of that country:

"(A) in the case of any such article which that country considers to be only of scrap value to itself, the scrap value of that article;

"(B) in the case of any motor vehicle which is an excess defense article and which is not considered by that country to be only of scrap value to it, the depreciated vehicle, but in no event shall the depreciated value be less than the scrap value of the vehicle; and

"(C) in the case of any other excess defense article, the value of the article to that country, but in no event shall that value be less than one-third of the amount the United States paid at the time the excess defense article was acquired by the United States;

"(2) in the case of any excess defense article to be provided to that country which the country considers to be only of scrap value to itself, to use that article only for scrap; and

"(3) to make available to the United States Government, for use in paying obligations of the United States in that country and in financing international educational and cultural exchange activities in which that country participates under the programs authorized by the Mutual Educational and Cultural Exchange Act of 1961, such portion of the special account having the currencies of that country as may be determined, from time to time, by the President to be necessary for any such use.

"(b) The President is authorized to provide by grant to international organizations excess defense articles (other than boats or vessels) which do not exceed $———— in their aggregate value in any fiscal year. For purposes of this subsection, 'value' means the value to the international organization receiving the excess defense article, but in no event shall the value be less than one-third of the amount the United States paid at the time the excess defense article was acquired by the United States.

"(c) The Comptroller General of the United States shall review and determine annually whether excess defense articles are being provided in accordance with the provisions of subsection (a)(1) and (2) of this section. Not later than April 30 of each year, the Comptroller General shall make a report to the Congress on the results of his review and determination for the preceding calendar year.

"(d) (1) Section 1415 of the Supplemental Appropriation Act, 1953 (31 U.S.C. 724), shall not be applicable to the provisions of this section.

"(2) In order to provide the Committee on Appropriations of the Senate and House of Representatives with information to determine the amounts to be appropriated to any agency of the United States Government which expends currencies made available under this section, the President shall submit a semiannual report to such committees explaining each expenditure of currencies made available under this section, the agency expending the currencies, the foreign country which provided the currencies that were expended, and the value in United States dollars of the currencies so expended."

(b) Section 503 (a) of the Foreign Assistance Act of 1961, relating to general authority, is amended by inserting after "defense article" the following: "(other than an excess defense article)".

(c) Section 644 (m) of such Act, relating to definitions, is amended—

(1) by striking out clause (1); and

(2) by striking out "(2)" and "(3)" and inserting in lieu thereof "(1)" and "(2)", respectively.

(d) Section 8 of the Act entitled "An Act to amend the Foreign Military Sales Act, and for other purposes", approved January 12, 1971, is repealed.

CONTINGENCY FUND

SEC. 6. (a) Section 451(a) of the Foreign Assistance Act of 1961, relating to the contingency fund, is amended by striking out "for the fiscal year 1971 not to exceed $30,000,000" and inserting in lieu thereof "for the fiscal year 1972 not to exceed $80,000,000".

(b) Section 451 of such Act is amended by adding at the end thereof the following new subsection:

"(c) Within seventy-two hours after the President has determined to exercise any special authority given him under this Act to use funds made available under this section to provide military assistance to any foreign country or international organization, the President shall report to the Congress on the name of the foreign country or international organization receiving the funds, how the funds are to be used by that country or organization, and the amount of the funds made available to that country or organization. Any report submitted to the Congress under this subsection shall be made available to the public and shall not be withheld from public disclosure by designating such report as classified information."

INTERNATIONAL MILITARY ACTIVITIES

SEC. 7. (a) Chapter 2 of part II of the Foreign Assistance Act of 1961, relating to military assistance, is amended by adding after section 512 of such Act (as added by section 5 of this Act) the following new sections:

"SEC. 513. INTERNATIONAL MILITARY HEADQUARTERS AUTHORIZATION.—There are authorized to be appropriated to the President for the fiscal year 1973 not to exceed $——— for the cost-sharing expenses of the United States Government's participation in international military headquarters and related agencies program (including such expenses for the North Atlantic Treaty Organization infrastructure) and for the support of those United States organizations performing functions related to such headquarters and program. No part of any funds made available under any other provision of law shall be used to pay such expenses.

"SEC. 514. Military Adviser Authorization.—There are authorized to be appropriated to the President for the fiscal year 1973 not to exceed $——— to reimburse the Department of Defense for all expenses of that Department (including the pay and allowances of United States Government personnel) in providing military assistance missions and military advisory groups to foreign countries. No part of any funds made available under any other provision of law shall be used to pay such expenses."

COORDINATING FOREIGN POLICY

SEC. 8. (a) Section 623 of the Foreign Assistance Act of 1961, relating to the Secretary of Defense, is amended to read as follows:

"SEC. 623. Military Assistance Responsibilities.—(a) In the case of assistance provided under part II of this Act—

"(1) the Secretary of Defense shall have primary responsibility for the movement and delivery of military end-items; and

"(2) the Secretary of State shall have the primary responsibility for—

"(A) the determination of military end-item requirements;

"(B) the procurement of military equipment in a manner which permits its integration with service programs;

"(C) the supervision of end-item use by the recipient countries;

"(D) the supervision of the training of foreign military personnel;

"(E) the establishment of priorities in the procurement, delivery, and allocation of military equipment; and

"(F) the performance of any other functions with respect to the furnishing of military assistance.

"(b) Whenever the Secretary of State considers it appropriate, he shall consult with the Secretary of Defense prior to exercising any responsibility given the Secretary of State under subsection (a)(2) of this section.".

(b) The amendment made by subsection (a) of this section shall be effective July 1, 1972.

CHANGES IN COUNTRY ALLOCATION OF FOREIGN ASSISTANCE

SEC. 9. The Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 653. Changes in Allocation of Foreign Assistance.—(a) Effective July 1, 1972, not later than thirty days after the enactment of any law appropriating funds to carry out any provision of this Act (other than section 451 or 637), the President shall notify the Congress of each foreign country and international organization to which the United States Government intends to provide any portion of the funds under such law and of the total amount of funds under that law that the United States Government intends to provide to each. Notwithstanding any other provision of law, the United States Government shall not provide to any foreign country or international organization any funds under that law which is in excess of twenty per centum of the amount the President notified the Congress that the United States Government intended to provide that country or organization under that law.

"(b) The provisions of this section shall not apply in the case of any law making continuing appropriations."

INTEREST RATES AND FEES ON FOREIGN MILITARY SALES

SEC. 10. (a) Section 23 of the Foreign Military Sales Act, relating to credit sales, is amended to read as follows:

"SEC. 23. Credit Sales.—The President is authorized to finance procurements of defense articles and defense services by friendly countries and international organizations on terms requiring the payment to the United States Government in United States dollars of—

"(1) the value of such articles or services within a period not to exceed ten years after the delivery of such articles or the rendering of such services; and

"(2) interest, on the unpaid balance of that obligation for payment of the value of such articles or services, at a rate equivalent to the current average interest rate, as of the last day of the month preceding the financing of such procurement, that the Export-Import Bank of the United States charges for obligations of similar purposes and comparable maturities."

(b) The last sentence of section 24(a) of such Act, relating to guaranties, is amended to read as follows: "Fees and premiums shall be charged for each such guaranty and shall be equal, as nearly as practicable, to the fees and premiums charged, at the time the President issues the guaranty under this section, by the Export-Import Bank of the United States for a comparable guaranty."

(c) Section 34 of such Act, relating to credit standards, is amended by striking out "The" and inserting in lieu thereof the following: "Except as otherwise provided in this Act, the".

VESSELS AND BOATS

SEC. 11. Chapter 2 of the Foreign Military Sales Act, relating to foreign military sales authorizations, is amended by adding at the end thereof the following new section:

"SEC. 25. Vessels and boats.—Effective July 1, 1972, any vessel or boat of the United States Government (including, but not limited to, any battleship, aircraft carrier, cruiser, destroyer, or submarine) shall only be provided to a friendly foreign country or international organization in accordance with the provisions of this Act. No vessel or boat shall be so provided until the Comptroller General of the United States has determined the value of the vessel and, if that country or organization is acquiring the vessel or boat as scrap, that the vessel or boat is only of scrap value to the acquiring country or organization and will only be used for scrap purposes. Any vessel or boat shall be valued by the Comptroller General—

"(1) in the case of a vessel or boat to be provided to a friendly foreign country or international organization as scrap, at not less than scrap value; and

"(2) in the case of any other vessel or boat to be provided, at not less than (A) twenty-five per centum of the amount the United States Government paid at the time the boat or vessel was acquired by the United States, and (B) any expenses of the United States Government in activating, rehabilitating, and outfitting (including repairs, alterations, and logistic support) the vessel or boat."

FOREIGN MILITARY SALES AUTHORIZATIONS

SEC. 12. Section 31 of the Foreign Military Sales Act, relating to authorization and aggregate ceilings on foreign military credit sales, is amended—

(1) by striking out of subsection (a) "not to exceed $250,000,000 for each of the fiscal years 1970 and 1971" and inserting in lieu thereof "not to exceed $485,000,000 for the fiscal year 1972, not to exceed $——— for the fiscal year 1973, and not to exceed $——— for the fiscal year 1974"; and

(2) by striking out of subsection (b) "shall not exceed $340,000,000 for each of the fiscal years 1970 and 1971" and inserting in lieu thereof "shall not exceed $575,000,000 for the fiscal year 1972, $——— for the fiscal year 1973, and $——— for the fiscal year 1974".

SECTION-BY-SECTION ANALYSIS: FOREIGN MILITARY ASSISTANCE REFORM ACT

Purpose: To improve and reform the foreign military assistance program of the United States.

Section 2. Declaration of purpose.

The bill asserts that Congress declares the purpose of the Act is to further and more effectively sustain the peace, security, and prosperity of the United States by providing for reforms in the foreign military assistance program of the United States.

It declares the following reforms are necessary to assist in achieving such purpose.

(1) placing primary responsibility for administering all foreign military assistance provided by the United States to all foreign countries and international organizations under the Secretary of State, and

(2) phasing out, over a period of three years, the military assistance grant program.

In addition, it prohibits classifying the amounts of aid going to specific countries, provides that all funds must be authorized, requires partial payment in foreign currency for excess military articles, increases the President's contingency fund, provides that ships and boats shall be sold at not less than 25% of acquisition cost, except in the case of vessels sold for scrap.

Section 3. Military assistance information.

This section amends Chapter 2 of Part II of the Foreign Assistance Act relating to military assistance by requiring that the name and amounts of military assistance provided to foreign countries and international organizations shall be made available to the public.

Section 4. Military assistance authorizations.

(a) This section provides that after June 30, 1972, no military assistance shall be provided unless that assistance is authorized under this Act or the Foreign Military Sales Act.

The effect of this is to phase out the Service Funded Military Aid to Vietnam, Thailand and Laos now authorized under the military authorization bill.

(b) Authorizes military grant aid for fiscal 1972 at the phase out rate (based on the total military grant aid authorization for FY 1971) of one-third less funds per year.

It leaves open the amount, if any, of military aid that should be authorized for fiscal year 1973 to Vietnam, Laos and Thailand under any proposal for implementation of the Nixon Doctrine program.

(c) Provides Emergency Authority for the President, after 20 days notice to Congress, to draw down for use by friendly countries as much as $300 million, subject to subsequent reimbursement, of defense articles from the stocks of the Department of Defense.

(d) As the authority for military grants would end on June 30, 1973, subsections (d)(1) and (2) repeal certain sections of the law affecting the military grant authority and program.

Section 5. Excess defense articles.

Tightens conditions under which excess defense articles may be provided to foreign countries and international organizations.

The foreign country must agree to set up a special account, established for the U.S. and pay into it in the currency of the country:

(1) for military items of scrap value, the scrap value of the article,

(2) for motor vehicles, the depreciated

value of that vehicle, but in no case less than the scrap value,

(3) for any other article, the value of that article, but in no event shall that value be less than one-third of the amount of the acquisition cost.

The country must agree to make such sums available to the United States Government to pay for obligations of the United States in that country and to finance international education and cultural exchange activities under the Mutual Educational and Cultural Exchange Act of 1971 which the President, from time to time determines to be necessary for such use. The President must make a semi-annual request to the Appropriations Committees on the detailed use of the funds in order that the Committees can use the information in determining the Appropriations to the Agencies concerned.

Section 5(b) authorizes grant of excess articles of International organizations. It provides for the Congress to place a ceiling on such grants. The value of the items is to be no less than one-third their acquisition cost.

Section 5(e) provides for an annual review by the Comptroller General to determine whether the excess articles are being provided according to the provisions of the section.

As these restrictions in Section 5 are tighter than those provisions of existing law, those provisions are repealed. Present limits on the granting of excess military items are $100 million valued at not less than one-third of the acquisition cost of the articles.

Section 6. Contingency fund.

This section increases the amount of the President's contingency fund from $300 million to $80 million.

It also provides that within 72 hours after the President has exercised any special authority under the Act, he report to Congress the name of the country or international organization receiving the funds, how they are to be used, and the amount. It requires that such report not be classified.

As grants from the military services are phased out entirely, and as all other military aid is to be specifically authorized, shifted to credit sales, or, as in the case of excess supplies, more strictly controlled, there is need for some additional funds for the President to have available in an emergency.

Section 7. International military activities.

This section authorizes appropriations for the cost-sharing expenses of the United States Government in international organizations' military headquarters, and funds to reimburse the Defense Department for its costs in providing military assistance missions and military advisory groups to foreign countries.

Section 8. Coordinating foreign policy.

Section 8 amends the Foreign Assistance Act of 1961 to provide that the Secretary of State shall have the primary responsibility for a number of items which are now under the jurisdiction of the Secretary of Defense.

The Secretary of State is charged with the responsibility of determining military end-item requirements; procurement of military equipment to permit its integration with service programs; supervision of end-item use by the recipient countries; supervision of the training of foreign military personnel; establishment of priorities in the procurement, delivery and allocation of military equipment; and the performance of any other function with respect to furnishing of military assistance.

The Secretary of State is authorized to consult with the Secretary of Defense when the Secretary of State considers it appropriate.

The Secretary of Defense is given the primary responsibility for the movement and delivery of military end-items.

The purpose of this Section is to insure that the Secretary of State has the primary responsibility for both policy and operation of the military aid program.

Its effective date is July 1, 1972.

Section 9. Changes in country allocations of foreign assistance.

Section 9 provides that the President shall notify Congress, not later than 30 days after the enactment of appropriations to carry out the Foreign Assistance Act, of the amount of military aid he plans to furnish to each country and international organization and limits the President's authority to later change that sum to twenty per centum of the amount he notified Congress that the U.S. Government would provide.

Section 10. Interest rates and fees on foreign military sales.

This Section provides that credit sales must require the payment to the U.S. of the value of the articles sold within ten years of the sale, and that interest shall be at a rate equivalent to the Export-Import Bank rate for obligations of similar purposes and comparable maturities.

Fees and premiums shall be based on the same standard as interest rates.

Section 11. Vessels and boats.

This Section requires that any ships or boats provided to foreign countries by the U.S. Government be done only under authority of this Act.

The Comptroller General must determine the value of the vessel.

If the vessel is to be provided as scrap, the recipient country or organization must pay scrap value for it.

The Comptroller General, in that case, must determine that it is only of scrap value and will be used as scrap.

Any other vessel is to be provided at no less than 25% of acquisition cost to the United States, and the receiving country or organization must pay for any expense in activating, rehabilitating and outfitting the boat or vessel.

Section 12. Foreign military sales authorizations.

This Section strikes out the existing authorizations for foreign military credit sales, and authorizes for fiscal year 1972 a sum of $485 million, which reflects the existing authorization for fiscal year 1971 ($250 million) plus that portion of the military grant aid program being phased out and shifted to sales ($235 million).

The amount in Section 2 places a ceiling on credit sales *and* guarantees if $340 million. Without such a ceiling, the total amounts of credit sales could greatly exceed the amount appropriated, through use of the guarantee authority.

By Mr. HRUSKA (for himself and Mr. Curtis):

S. 1130. A bill to provide for the establishment of the George W. Norris Home National Historic Site in the State of Nebraska, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

ESTABLISHMENT OF THE GEORGE W. NORRIS HOME AS A NATIONAL HISTORIC SITE

Mr. HRUSKA. Mr. President, today I am introducing, on behalf of my colleague from Nebraska (Mr. Curtis) and myself, a bill providing for the National Park Service to acquire the George W. Norris Home in McCook, Nebr., and make of it a national historic site.

Senator Norris represented the State of Nebraska in this body for 30 years, from 1913 to 1943. Prior to that he served in the House for 10 years. Throughout his entire career he was a controversial figure. It is now a long time ago, but I can remember clearly that in those days there were few in my State who did not have strong feelings about Senator Norris, either for or against.

Without question he was an authentic voice—probably its greatest single voice—of middlewestern reform sentiment during the period of his career. Also, without question, he made his mark on the Nation and on our State of Nebraska. Nationally, he is perhaps best known as the father of the TVA, but in Nebraska he is more fondly remembered as a leader in the establishment of the Rural Electrification Administration.

Almost singlehandedly he authored an amendment to the U.S. Constitution which is still part of the supreme law of our land, changing the dates of our inaugurations and legislative sessions. He did likewise in leading his native State to a unicameral legislature, then and now a unique institution among American legislative bodies. Both of these achievements are a testament to the extraordinary determination of this man.

Mr. President, a good summary of the late Senator's life and achievements, together with a discussion of the Norris home and its status, is contained in the special report prepared by the National Park Service a few years ago at the time it was determined to designate the Norris home as a national historic landmark. The home is now available for acquisition by the Federal Government without cost. I ask unanimous consent that this report, which was written in 1967, may be printed in the Record at the conclusion of my remarks, and that the text of the bill likewise be printed.

There being no objection, the report and bill were ordered to be printed in the Record, as follows:

Senator George William Norris House, Nebraska

Location: Red Willow County, 706 Norris Avenue, McCook.

Ownership: Mrs. John P. Robertson, 2737 Devonshire Place, N.W., Washington, D.C. 20008; Mrs. Marian Norris Nelson, 1870 Verdugo Knolls Drive, Glendale, California 91208; Mrs. Gertrude Norris Rath, 3554 Raymoor Road, Kensington, Maryland 20795.

STATEMENT OF SIGNIFICANCE

George William Norris during his long Congressional career wrote and sponsored social and economic legislation that empowered the Federal Government to assume new and major responsibilities in promoting the national well-being. The Tennessee Valley Authority alone exemplifies the significance of Norris' legislative accomplishments. He lived in his McCook home throughout his career as a Federal legislator, and the house, which is privately owned, is in excellent condition.

HISTORY

Nebraska became Norris' home state by adoption. He was born on July 11, 1861, in Monroe County, Ohio, where he attended school. He subsequently matriculated at Baldwin University, Berea, Ohio, and later attended Northern Indiana Normal School, Valparaiso, Indiana. He also studied law there, and was admitted to the bar in 1883. Norris then went to the State of Washington, taught school for a term, and migrated to Nebraska, where he decided to settle. Before doing so, the young lawyer returned to the Buckeye State and taught school for some time. In 1885, he moved to Beaver City, Nebraska, where he began a law practice. He married Pluma Langley in 1890 and they had three daughters, the birth of the third girl causing Mrs. Norris' death. Norris then married Ellie Leonard in July, 1903. Some time before that, in 1889 or 1900, Norris had settled in McCook.

Norris' political career began about the time he moved to McCook. He campaigned for the prosecuting attorney's office in Furnas County in 1890 and lost. Two years later he won. The voters then elected him as a judge of the Fourteenth Nebraska Judicial Circuit in 1895, and he served as such until 1902.

A Republican, Norris entered national politics in 1902, when his fellow citizens elected him to the House of Representatives. When he appeared in Washington, Norris espoused conservative opinions, but the longer he stayed in the capitol, the more liberal became his ideas. And he was re-elected as a representative for five consecutive terms. In 1910 he headed the successful struggle in the House to end the Speaker's dictatorial control over legislation. Two years later, Norris' growing liberalism prompted him to support the candidacy of Theodore Roosevelt, who had left the Republican party, for the presidency.

The 1912 campaign resulted in Roosevelt's defeat, and in Norris' election as a Senator. Still a nominal Republican, Norris, more than ever, labored for the benefit of the Nation and not for partisan benefit. He advocated the conservation of natural resources and opposed the efforts of private individuals to exploit the country's land and water riches. His apostasy of traditional Republican Beliefs is illustrated by his backing of Robert F. LaFollette in 1924; his campaigning for Alfred E. Smith, a Democrat, in 1928; and his endorsing Franklin Delano Roosevelt in 1932 and 1936. The final break with the Republican Party occurred in 1936. Norris then ran for the Senate as an independent and won.

Norris' legislative accomplishments prior to 1936 made the national welfare a Federal concern. In 1932 he and Fiorello La Guardia sponsored the Norris-La Guardia Act, often hailed as the Magna Carte of organized labor. The act supported the right of a worker to join a non-company union. In 1933 Norris triumphed in a struggle of over a decade's duration by the passage of an act establishing the Tennessee Valley Authority. The national accomplishments and international fame of the T.V.A. need no elaboration here. Another Norris victory in 1933 was the ratification of the Twentieth Amendment to the Constitution, which Norris had sponsored since 1922. The amendment provided that Congress would convene each year on January 3 and that a newly elected President would take office on January 20. After the President established the Rural Electrification Administration by Executive Order in 1935, Norris wrote the law that made the REA a permanent office. That office subsequently spurred farm electrification throughout the country.

Norris sought re-election in 1942, but suffered his first and only defeat in a contest for a Federal Congressional seat.

After leaving Washington, Norris retired to his home in McCook. There he labored on his autobiography, completing it just four weeks before his death on September 3, 1944. His personal account was entitled, *The Fighting Liberal; The Autobiography of George W. Norris.*

PRESENT CONDITION

Norris' house has been little changed since 1944. He purchased the two-story and cross-gabled building in 1899 and remodeled it in 1930–32. The house was stuccoed at that time. It contains eight rooms and has a full basement and an unfinished attic. The first floor has a small entrance hall with a stairway, a living room, a study, and an enclosed sun room. The diningroom is now used as a bedroom and the kitchen has been modernized. On the second floor there is a large hall and three bedrooms, each with a full bath and closet. Most of the original furnishings, which date from various eras, are in the house. The house sits on a pleasant lot and there is a garage in the northeast corner of the grounds.

Mrs. Norris, the Senator's widow, lives in the house. She and her family plan to give the house to the Nebraska State Historical Society at sometime in the future.

Reference: Ray H. Mattison and Harry B. Robinson, "The Senator George Norris Home, McCook, Nebraska, A Preliminary Study," Unpublished report, Department of the Interior, National Park Service, Region Two Office, Omaha, Nebraska, August 1961.

S. 1130

A bill to provide for the establishment of the George W. Norris Home National Historic Site in the State of Nebraska, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve in public ownership the historically significant property associated with the life of Senator George William Norris, the Secretary of the Interior is authorized to acquire by donation, purchase with donated or appropriated funds, or exchange, the land and interest in land, together with buildings and improvements thereon, located at, or in the vicinity of, 706 Norris Avenue, McCook, Nebraska, together with such other lands and interests in lands, including scenic easements, as the Secretary shall deem necessary for the administration of the area. The Secretary shall establish the George W. Norris Home National Historic Site by publication of a notice to that effect in the Federal Register at such time as he deems sufficient lands and interests in lands have been acquired for administration in accordance with the purposes of this Act.

SEC. 2. Pending establishment and thereafter, the Secretary of the Interior shall administer lands and interests in lands acquired for the George W. Norris Home National Historic Site in accordance with the Act approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented, and the Act approved August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.), as amended.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

By Mr. CRANSTON:

S. 1132. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968; and

S. 1133. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968, to provide assistance for the development of nonlethal weapons and police protection equipment, and for other purposes. Referred to the Committee on the Judiciary.

Mr. CRANSTON. Mr. President, I introduce, for appropriate reference, three amendments to the Omnibus Crime Control and Safe Streets Act of 1968.

The first amendment will enable local police departments to buy their equipment at discount prices through State central purchasing agencies, a new procedure which I estimated would save medium- and small-sized cities some $3 million a year.

The second amendment authorizes $12 million for research and development of nonlethal weapons and protective equipment for police, and subsidizes their purchase by local departments.

The third amendment creates a college fellowship program for 2,000 policemen and deputies over the next 2 years so they can take advanced training in law enforcement.

All three of these amendments stem from a survey of California law-enforcement officers I conducted last year.

Mass purchasing by police procurement centers will allow equipment purchases at the lowest market price. The savings can be passed on to local police departments.

No such central purchasing procedures now exist and each municipal police department buys its own equipment directly from manufacturers and suppliers often at high prices because of small quantity purchases.

Smaller police departments in California, for example, pay anywhere from 11 to 27 percent more than big city police pay for the same equipment.

These smaller departments pay more for their equipment because the administrative and sales cost must be spread over fewer items. In New York State, for example, the Syracuse police force paid $3,500 a piece for 20 squad cars last year. The State ordered 600 of the same type car for its highway patrol and paid only $2,200 a piece.

This is a deplorable waste of taxpayer money. That extra money should either have been spent in buying more necessary equipment, or put to good use on other essential city programs.

Central purchasing could have saved 110 smaller California cities some $315,000 in 1969 when there was a total outlay of $3,119,000 for police equipment statewide.

Only Los Angeles, San Diego, San Francisco, Long Beach, Oakland, San Jose, and Sacramento were able to buy in large enough quantities to get the lowest unit prices.

Cities the size of Fresno, Berkeley, and Santa Ana—100,000 to 250,000 population—paid an average of 11 percent more for the same equipment; cities the size of Vallejo, Bakersfield, and Santa Barbara—50,000 to 100,000—paid 16 percent more; and cities the size of Beverly Hills, Modesto, and Oceanside—25,000 to 50,000—paid an average of 27 percent more.

While there are no readily available figures on how much municipal police departments spend nationally each year, on the basis of California's population as a percent of the total population, I estimate $30 million per year is spent for the purchase of police equipment such as squad cars, radios and uniforms.

If California's purchasing experience is duplicated throughout the country, central procurement could save the Nation's smaller cities $3 million a year or more just in their law enforcement budget.

Central purchasing so far has been tried only at Dayton, Ohio, to serve police in a six-county area. This was set up only 6 months ago and though officials tell me they are already saving money, they are unable to estimate how much. Another local central purchasing experiment has been approved for the Pittsburgh, Pa., area, but has not yet gone into operation.

The second amendment I am introducing, provides for the research and development of nonlethal weapons and police protective equipment. Once this equipment is developed, the Federal Government will then help subsidize its purchases by State and local police departments.

The need to develop police protective equipment has been established by the tragic results of civil disturbances. Policemen attempting to control demonstrations have often been injured. Police protective equipment such as flak vests and helmets can help prevent these injuries. This amendment will help supply that needed equipment.

At the same time that we develop police protective equipment, we must develop and distribute nonlethal weapons. These weapons are needed to protect innocent bystanders from injury while our police are apprehending criminals. Nonlethal weapons also avoid the use of unnecessary force by police when they apprehend individuals who have apparently committed crimes.

The capacity of police to apprehend criminals will be improved by the development of nonlethal weapons. At present, police are sometimes unable to do their work effectively for fear of injuring innocent bystanders. Nonlethal weapons provide police with an additional alternative to avoid that dilemma.

The third amendment I am introducing establishes a fellowship program to enable police and deputies to go to college full time.

While 30,000 law-enforcement officers are now taking college courses on a part-time basis, only 382 officers have been able to take a leave of absence to study full time.

Police officers do not have sufficient resources to support themselves while studying full time. The current LEAA program does not provide these officers with a stipend to cover living costs while they are attending college.

The present alternative is either to drag out training time in part-time courses or for a man to overburden himself with a full load of credits while working full time. Neither alternative is satisfactory.

The program I am introducing today will avoid this unnecessary dilemma. It will provide 1,000 policemen each year with fellowships for full-time study in law-enforcement related areas. This training will help provide policemen with a better understanding of both the causes of crime, and the methods with which to prevent and detect crimes.

By Mr. THURMOND:

S. 1138. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1954 to provide an optional exemption from coverage for individuals who have attained age 65. Referred to the Committee on Finance.

Mr. THURMOND. Mr. President, the bill I introduce today concerns itself with the employee who is also receiving social security—the individual 65 and over who, whether reluctant to retire or seeking additional income, chooses to continue working.

In the United States today there are 20 million citizens 65 years of age and over. Many of them live on fixed incomes and are mercilessly confronted by increasing rental costs, medical expenditures, and the increasing expense of food, clothing, and transportation. In 1969, we found 4.8 million of these Americans living below the poverty margin. Yet 81 percent get along on their own. Over 3 million of America's population eligible to receive social security continue to be employed. Only 1 in 20 is confined to an institution.

Mr. President, our Nation showed great foresight in 1935 when the Social Security Act was passed, enabling its citizens to envision a secure retirement. When on August 14, 1935, Franklin Delano Roosevelt signed the act into being, he referred to social security by saying that its passage marked the end of a long struggle for protecting and enhancing human rights. Nonetheless, he went on to say that social security was "a cornerstone in a structure which is being built but is by no means complete." Provisions allowing for review and improvement showed foresight as well. The original act allowed for old age and unemployment insurance. In 1939, survivors insurance was added. In 1956, disability insurance was introduced. In 1965, medicare came into being.

Mr. President, this bill will provide for an optional social security exemption from coverage for individuals who have attained age 65. Those individuals who choose to be fully retired are collecting social security benefits and no longer paying toward this coverage. Besides losing some or all benefits consequent to employment, the older worker faces taxes past retirement age and continues to have amounts subtracted from his pay as social security deductions. In effect, this employee is paying a right-to-work tax unbeknown to those fully retired.

I should like to point out several important features of this bill which should be noted. First, exemption from this tax is made optional. A worker 65 or over who wishes to continue to pay social security tax in order to qualify for greater benefits in the future remains free to do so. Second, while employees on social security may choose exemption from this tax, employers are obligated to continue paying the tax even though their employee chooses exemption. This prevents an employer from having a financial incentive to encourage workers to choose the exemption or a similar incentive for preferential hiring of those who have chosen the exemption.

Mr. President, at a time when the elderly are clearly in need, we should do nothing to discourage the aged individual who is willing and able to work. Placing a disadvantage on personal initiative is contrary to our great American heritage. It is time that we focus our attention on the 3 million workers in this situation.

Mr. President, I send this bill to the desk, ask that it be appropriately referred, and that it be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1138

A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1954 to provide an optional exemption from coverage for individuals who have attained age 65

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 210 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"SERVICE EXCLUDED UNDER ELECTION MADE BY INDIVIDUAL 65 YEARS OF AGE OR OVER

"(p) Notwithstanding the provisions of subsection (a), the term 'employment' shall not include any service with respect to which an election under section 3121(r) of the Internal Revenue Code of 1954 applies."

(b) Section 211(a) of such Act is amended—

(1) by striking out "and" at the end of paragraph (8);

(2) by striking out the period at the end of paragraph (9) and inserting in lieu thereof "; and"; and

(3) by inserting after paragraph (9) the following new paragraph:

"(10) There shall be excluded any income (and related items) with respect to which an election under section 1402(l) of the Internal Revenue Code of 1954 applies."

SEC. 2. (a) (1) Section 1402(a) of the Internal Revenue Code of 1954 (relating to definition of net earnings from self-employment) is amended—

(A) by striking out "and" at the end of paragraph (9);

(B) by striking out the period at the end of paragraph (10) and inserting in lieu thereof "; and "; and

(C) by inserting after paragraph (10) the following new paragraph:

"(11) there shall be excluded any income (and related items) with respect to which an election under subsection (l) applies."

(2) Section 1402 of such Code (definitions relating to tax on self-employment income) is further amended by adding at the end thereof the following new subsection:

"(l) Election of Exemption by Individuals 65 Years of Age or Over.—

"(1) In general.—Any individual who at the close of his taxable year is 65 years of age or over may, at his option, in such manner and form and at such time as the Secretary or his delegate shall by regulations prescribe, elect to be exempt from the tax under section 1401 for such taxable year. An election made by an individual for any taxable year under this paragraph shall be irrevocable (and may not be subsequently changed by amendment of such individual's return for such year or otherwise).

"(2) Applicability of elections.—An election made by an individual under paragraph (1) shall apply with respect to all income derived during the taxable year for which it is made from every trade or business carried on by such individual (and with respect to all deductions attributable to each such trade or business and any distributive shares of income or loss therefrom), and shall be effective with respect to any payments of estimated tax for the taxable year under section 6153 which fall due after it is made.

"(3) Requirement of simultaneous election with respect to employment.—No election may be made for any taxable year under paragraph (1) by an individual who during such year performed service which constituted (or would but for an election under section 3121 (r) constitute) 'employment' for purposes of chapter 21 unless such individual also makes an election with respect to all such service under section 3121 (r);

and, under regulations prescribed by the Secretary or his delegate, the election under paragraph (1) shall also include or be accompanied by such an election under section 3121 (r)."

(b) Section 3121 of such Code (definitions under Federal Insurance Contributions Act) is amended by adding at the end thereof the following new subsection:

"(r) Service Excluded Under Election Made by Individual 65 Years of Age or Over.—

"(1) In general.—For purposes of this chapter other than for purposes of the taxes imposed by section 3111, the term 'employment' shall not include any service with respect to which an election under paragraph (2) applies.

"(2) Election of exemption—

"(A) In general.—Any individual who at the close of his taxable year (which shall be determined in the manner provided by section 211(e) of the Social Security Act) is 65 years of age or over may, at his option, in the manner provided in subparagraph (C), elect to be exempt from the tax under section 3101 for such taxable year. An election made by an individual for any taxable year under this paragraph shall be irrevocable (and may not be changed by amendment of such individual's return for such year or otherwise).

"(B) Applicability of election.—An election made by an individual under this paragraph shall apply with respect to all service performed by such individual during the taxable year for which it is made which would constitute 'employment' for purposes of this chapter but for this subsection.

"(C) Manner of election.—An election by an individual under this paragraph to be exempt from the tax under section 3101 for any taxable year may be made only by filing a claim (which must be included in or accompany an election made under section 1402(i) (1) in the case of an individual who is described in section 1402(i) (3)) for a special refund of such tax under section 6413(d), by means of a credit against the income tax on account thereof under section 31(b) for such taxable year or otherwise."

Sec. 3. (a) (1) Section 6413 of the Internal Revenue Code of 1954 (special rules applicable to certain employment taxes) is amended by redesignating subsection (d) as subsection (e), and by inserting after subsection (c) the following new subsection:

"(d) Special Refunds Arising Out of Exemption Based on Age.—

"(1) In general.—If an employee described in section 3121(r) (2) (A) receives wages from one or more employers for services performed during the taxable year, such employee shall be entitled (subject to the provisions of section 31(b)) to a credit or refund of any amount of tax, with respect to such wages, imposed by section 3101 and deducted from the employee's wages (whether or not paid to the Secretary or his delegate).

"(2) Notification to Secretary of Health, Education, and Welfare.—The Secretary or his delegate shall promptly notify the Secretary of Health, Education, and Welfare of each special refund allowed under this subsection."

(2) Section 6413(c) of such Code (relating to special refunds) is amended—

(A) by inserting "Based on Multiple Employment" after "Refunds" in the heading; and

(B) by inserting after "during such year" where it appears in clause (D) of paragraph (1) the following: "(after the application of section 3121(r) (1) in any case to which it applies)".

(b) Section 31(b) of such Code (relating to credit for special refunds of social security tax) is amended—

(1) by inserting "or 6413(d)" after "section 6413(c)" in paragraph (1); and

(2) by inserting after "to which paragraph (1) applies" in paragraph (2) the following: "and which represents a special refund allowable under section 6413(c)".

(c) Section 205(c) (5) (F) (i) of the Social Security Act is amended by inserting after "information returns" the following: ", elections made under sections 1042(i) and 3121 (r) of the Internal Revenue Code of 1954,".

Sec. 4. The amendments made by this Act shall apply only with respect to taxable years beginning after the date of the enactment of this Act.

By Mr. BAKER (for himself, Mr. Hruska, Mr. Randolph, and Mr. Taft):

S.J. Res. 66. A joint resolution providing for the designation and adoption of the American marigold as the national floral emblem of the United States; referred to the Committee on the Judiciary.

Mr. BAKER. Mr. President, I send to the desk on behalf of myself and Senators Hruska, Randolph, and Taft a joint resolution providing for the designation and adoption of the American marigold as the national floral emblem of the United States. I ask that it be appropriately referred.

Mr. President, one may recall that a little over 2 years ago, the late Senator Dirksen introduced this resolution in his typical unique style. He spoke of the marigold's rugged character which enables it to resist most insects as well as air pollution, but what impressed him the most and impresses me the most is the true beauty of the flower.

Although we have adopted the American eagle and the American flag to represent the strength and freedom of our land, we have no symbol that properly represents the vast beauty of this Nation. I feel that the American marigold could very appropriately be that symbol. It is a native American flower which grows in great profusion in all 50 States and yet it is not the official flower of any State.

As my good friend, David Burpee, of W. Atlee Burpee Seed Growers, has pointed out, the marigold is quickly and easily grown from seed packets which are readily available at most nurseries and hardware stores.

Therefore, in view of the fact that the United States is the only major free country in the world without a national floral emblem, I introduce this joint resolution, stating very simply that the American marigold—Tagetes erecta—shall be designated and shall be adopted as the national floral emblem of the United States, and that the President be requested to declare that fact by proclamation.

I ask unanimous consent that a copy of the joint resolution be printed in the Record.

There being no objection, the joint resolution was ordered to be printed in the Record, as follows:

S. J. Res. 66

Joint resolution providing for the designation and adoption of the American marigold as the national floral emblem of the United States.

Whereas the peoples of the world have from time immemorial adopted emblems—flags, birds, flowers—for their countries, representative of their national virtues; and

Whereas the people of the United States have similarly adopted emblems—the American flag and the American eagle—to represent the virtues of this country; and

Whereas each of the fifty sovereign States of the United States, in addition to its State flag has a floral emblem which it cherishes as its own; and

Whereas the United States is the only major "free" country in the world without a floral emblem; and

Whereas the American marigold represents the character of the United States more appropriately as an emblem than does any other flower in that it is an American native and native of nowhere else in the world; grown in abundance in the home gardens of every State in the Union yet not the floral emblem of any State in the Union; grown easily and quickly from seed; already acknowledged as a symbol of religious faith; a flower in its very appearance representing not just beauty but a rugged humility of character; and, like the American eagle and the American flag, an exclusively American emblem, unclaimed by any foreign nation: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the flower commonly known as the American marigold is hereby designated and adopted as the national floral emblem of the United States, and the President is requested to declare such fact by proclamation.

ADDITIONAL COSPONSORS OF BILLS

S. 34

At the request of Mr. Kennedy, the Senator from New Jersey (Mr. Case) and the Senator from North Carolina (Mr. Jordan) were added as cosponsors of S. 34, the Conquest of Cancer Act.

S. 582

At the request of Mr. Hollings, the Senator from Texas (Mr. Bentsen), the Senator from New Jersey (Mr. Case), the Senator from Florida (Mr. Gurney), the Senator from Washington (Mr. Jackson), and the Senator from Maine (Mr. Muskie) were added as cosponsors of S. 582, a bill to establish a national policy and develop a national program for the management, beneficial use, protection, and development of the land and water resources of the Nation's coastal and estuarine zones.

S. 726 AND S. 727

At the request of Mr. Mondale, the Senator from Utah (Mr. Moss) was added as a cosponsor of S. 726, the National Agricultural Bargaining Act of 1971, and S. 727, the National Agricultural Marketing Act of 1971.

S. 743

At the request of Mr. McGovern, the name of the Senator from Massachusetts (Mr. Kennedy) was added as a cosponsor of S. 743 designating the birthday of Martin Luther King, Jr., as a legal public holiday.

S. 859

At the request of Mr. Hartke, the Senator from West Virginia (Mr. Randolph) was added as a cosponsor of S. 859 to improve programs of aid to the blind.

S. 973

At the request of Mr. Bayh, the Senator from Rhode Island (Mr. Pastore), the Senator from Alaska (Mr. Stevens), the Senator from Alaska (Mr. GRAVEL), the Senator from South Dakota (Mr. McGOVERN), the Senator from Minnesota (Mr. HUMPHREY), and the Senator from Michigan (Mr. HART) were added as cosponsors of S. 973, a bill to improve the unemployment insurance compensation system.

S. 1053

At the request of Mr. HOLLINGS, the Senator from New Hampshire (Mr. McINTYRE) was added as a cosponsor to S. 1053, a bill to authorize a program to develop and demonstrate low-cost means of preventing shoreline erosion.

S. 1121

At the request of Mr. KENNEDY, the Senator from Minnesota (Mr. HUMPHREY) was added as a cosponsor of S. 1121, the Campaign Financing and Lobbying Reform Act of 1971.

ADDITIONAL COSPONSOR OF A SENATE JOINT RESOLUTION

SENATE JOINT RESOLUTION 32

At the request of Mr. BAKER, the Senator from Idaho (Mr. CHURCH) was added as a cosponsor of Senate Joint Resolution 32 proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings.

ADDITIONAL COSPONSORS OF A RESOLUTION

SENATE RESOLUTION 64

At the request of Mr. HARTKE, the Senator from Mississippi (Mr. EASTLAND), the Senator from Nevada (Mr. BIBLE), and the Senator from Utah (Mr. MOSS) were added as cosponsors of Senate Resolution 64, relating to the importation of heroin.

PROPOSED AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE—AMENDMENT

AMENDMENT NO. 12

Mr. MILLER submitted an amendment, in the nature of a substitute, intended to be proposed by him, to the resolution (S. Res. 9) amending rule XXII of the Standing Rules of the Senate with respect to the limitation of debate, which was ordered to lie on the table and to be printed.

ASSISTANCE TO STATE AND LOCAL COMMUNITIES IN PROVIDING NEEDED PUBLIC SERVICES—AMENDMENT

AMENDMENT NO. 13

VETERANS UNEMPLOYMENT—AMENDMENT TO S. 31

Mr. MONDALE. Mr. President, unemployment continued in February at the unacceptable level of 5.4 million. Because of our appalling inability to deal with the problem of unemployed veterans I am submitting an amendment to S. 31.

We are all painfully aware that the present unemployment rate is too high. In some unfortunate areas unemployment has nearly reached crisis proportions. S. 31 seeks to ameliorate these conditions by providing temporary jobs in the public sector. In my opinion the hearings conducted on this bill have documented the need for this type of legislation many times over. I hope that the Congress will soon approve S. 31, the Emergency Employment Act, and send it to the President.

This amendment will help assure that the bill can attain one of its stated purposes, namely to help provide "expanded work opportunities * * * (for) persons who have recently been separated from military service."

Mr. President, it is a personal tragedy for an individual to be unable to find a job in order to support himself and his family. But when that individual has just spent 12 months or more risking his life in support of his country, being unemployed is an unconscionable injustice.

For the 3 months ending in January of this year the unemployment rate for males aged 20 to 29 was 7.5 percent. For that same period, veterans of the same age experienced an unemployment rate of 9.4 percent. Any number of factors could be put forward in an attempt to explain the difference, yet the fact remains that veterans suffer from unemployment at a rate that is more than 25 percent greater than their peers. Is this the best we can do for men who have served their country so well?

Not only is the situation bad, it seems to be getting worse. Unemployment for 20- to 29-year-old veterans during the 3 months ending in January of last year was only 5.1 percent, compared to the 9.4 percent for the same period this year. And on February 12, 1971, the Washington Post reported that during the last 3 months of 1970 uemployment for veterans aged 20 to 24 jumped from 6.4 to 10.8 percent. That is an increase of better than 1 percentage point per month.

For released veterans who are fortunate enough to secure employment, it takes on the average, nearly 2 months to find a job. The more we learn of the veterans' situation, the more grim the picture becomes. Still, we do not know as much about the employment circumstances of veterans as we should. For example, there is no information available about the unemployment of disabled veterans.

Although there are no official statistics on the unemployment of disabled veterans I know from having personally discussed this matter with individuals directly involved with the problem that disabled veterans have an extraordinarily difficult time finding employment. In other words, unemployment is high for veterans in general, but it is even higher for veterans who are disabled.

Mr. President, there are few situations more tragic than that of a man permanently maimed in the service of his country who is unable even to find a job to support himself. This national outrage has continued far too long. Therefore, I am asking that 10 percent of all moneys appropriated for S. 31 be used specifically to create jobs for veterans.

Mr. President, two very informative articles on this problem appeared just this past weekend. The first, from Saturday's Washington Post, amplifies the statistics I have already cited, and describes the situation in the District of Columbia, which is even worse than it is for the Nation as a whole. The most alarming observation in the article is that veterans unemployment is up again in January.

The second article, by James Reston, appeared in yesterday's New York Times. Mr. Reston observes:

> Seldom a speech is made here about the war without verbal tribute being paid to the men of the expeditionary force, and to the extraordinary sacrifices they have made under conditions unprecedented in the history of the armed forces.
>
> But this does not really help the veterans. They need money and jobs, and the cost of providing them is likely to be far less in the long run than the cost of paying for the consequences of indifference.

Mr. President, I ask unanimous consent that these two articles be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. There being no objection, it is so ordered.

(See exhibit 1.)

Mr. MONDALE. Mr. President, there is a good deal said these days about supporting our troops. Yet our concern for their welfare too often seems to stop when they leave the battlefield. No matter what our differences are about the war, we have a national obligation to do everything in our power to see our veterans settled back into civilian life with decent jobs. In light of what these men have done for their country, it is the least we can do.

EXHIBIT 1

[From the Washington Post, Mar. 6, 1971]

VIET VETERANS HAVE TOUGH TIME LANDING JOBS HERE

(By Leon Dash)

Vietnam veterans are finding it increasingly difficult to find work in Washington, and people whose job it is to help them see no solution to the problem.

Nationwide, it is estimated that there are 321,000 unemployed veterans of Vietnam. District officials say 1,631 of the approximately 7,000 returned Vietnam veterans who live here are unemployed.

In addition, many other veterans have come here from across the nation looking for government jobs. Their number is unknown because they remain on the unemployment rolls of their home states.

Critics, in testimony before the City Council last week, said the District government and its major agency for veterans, the D.C. Veterans Affairs Administration, are not doing enough to help them. On all sides, there seems agreement that compared with veterans of other wars, very little is being done for the Vietnam returnee, possibly because the war itself is unpopular and the veteran is seldom welcomed back as a hero.

William Syphax, a veteran's employment representative for the Labor Department's District office, notes that government and private industry are cutting back on hiring, and other officials point out that many veterans are caught in the middle because "they lack skills."

Fred Z. Hetzel, deputy administrator of the D.C. Manpower Administration, said that although his office gives preference to Vietnam veterans, it was able to place only 587 veterans in jobs in 1970, after placing 789 the year before. In 1970, he noted, the number of applicants had doubled.

Hardest hit locally and across the nation are veterans in the 20-to-24 age group. As of January, 12.4 per cent of them were unemployed, up from 6.8 per cent a year ago.

"The number of veterans we're getting in here has increased almost 40 per cent in the last six months," James W. Bowie, director of the Veterans Assistance Center, said.

Wardell Mallory, a 21-year-old Vietnam veteran, is typical of many young men. He was discharged from the Army last October.

"When I got back, I couldn't find anything," he said, "so I got my old job back as a unit aide at Freedmen's (Hospital)." (By law, returning servicemen must be rehired by their former employers. But many went into the service directly from school and have no job to return to.)

A unit aide, Mallory explained, does general cleanup duties such as the sweeping of floors and the emptying of bedpans.

"I'm not satisfied with it, that's why I'm here."

On Feb. 25, Mallory was referred by the center to the Government Printing Office for on-the-job training. He is still waiting for word that he has been accepted.

"There is an additional problem beside lack of skills," says Walter Hundley, the only social worker at the center. "The veteran receives no mustering-out pay, so he jumps for the first job he can get."

When the center opened in 1968, there were five Labor Department job counselors there, but they have since been transferred back to Labor.

"It was an economy cutback," Bowie said.

Edward Dixon, director of veterans affairs for the Urban League, has charged the D.C. Veterans Affairs Administration with being a "hollow mockery of a service facility" and said it should be reorganized.

"That office is just behind the times," Dixon said in an interview.

The office originally was established in 1944 as an information agency for World War II veterans.

It now deals primarily with claims and does not even attempt to concern itself with the problems of today's veterans, Dixon said.

The Rev. Douglas Moore, an independent candidate for District delegate, recommended in Council hearings that A. Leo Anderson, director of the administration, be retired.

Moore, who is also chairman of the Black United Front, also recommended the reorganization of the agency. He said it should be more active in helping veterans get housing, jobs and education.

Moore also suggested that District veterans should get an automatic payment of $250 to $350 from the local government. (Eight states currently give cash bonuses to Vietnam veterans.)

Testifying before the Council on his department's $146,236 budget request, Anderson said that of 8,742 veterans serviced by his office last year, approximately 35 per cent were Vietnam returnees.

Saying that his office "is not in the job placement business," he told a reporter that it had nevertheless made "150 job placements in the past seven months."

Mallory, the veteran at Freedmen's is bitter about the lack of employment opportunities.

"I knew it was going to be hard to find a job, but a veteran shouldn't be hassled like this. You know?"

[From the New York Times, Mar. 7, 1971]

A Land Fit for Heroes?

(By James Reston)

Washington.—So the "boys," as we call them, are coming back from the war, but what are they coming back to? And what are they bringing back with them—what thoughts, what dreams, what habits?

It is easier to answer the first question than the second. They are coming back to a divided country, which has five million unemployed and a dwindling market for unskilled labor; a fabulously rich country with a shortage of houses as well as jobs and a surplus of inflation and social tension—scarcely "a land fit for heroes."

We do not know what they are bringing back with them, but we know they are no longer "boys." They are men trained in violence and guerrilla warfare, many of them no doubt resentful of their contemporaries who stayed at home, many more brutalized by battle or corrupted by cheap strong dope, all of them expecting, and rightfully too, useful work and a decent life.

No doubt a majority of them, as in past wars, will slip back under the orderly and civilizing routine of work and family. General Westmoreland, for example, is persuaded that the discipline of Army life will prove to be a stronger and more lasting force than the brutality or the corruption.

Still, even if he is right, even if they are not a problem or a danger, they are surely a debt. At least on this we should be able to agree, regardless of our views on the war. It is not a debt that can await the slow return of "full employment" or "stable prices," both of which may be far down the road. Many of them are going to be mental casualties or even prisoners of war at home: restless, frustrated and out of work.

The Government of course, is conscious of all this. There is a demobilization program designed to ease the transition back to civilian life, hospital care for the wounded, educational assistance for the yearners, medical and psychiatric help for the dope addicts—even a careful security watch, just in case—but the sum of all this is pitifully small compared with the magnitude of the problem.

Lately there has been a lot of talk in Washington about priorities, allocation of resources, revenue sharing and local responsibility for local problems. The Congress is deeply divided on all these. The Senate has not even been able to agree on its own rules of procedure, let alone getting down to legislating on urgent questions of policy.

The returning veterans, however, are a special question, a first priority, an obvious test for revenue sharing and local responsibility, and they need Federal money and special local help much faster than they are getting it now.

What is happening in most cases, despite the help of veterans' organizations and Federal assistance, is that most of them are thrown in with the rest of the unemployed to seek jobs or welfare as best they can. During the autumn months of 1970, according to the latest figures, public welfare increased faster than ever before partly as a result of returning veterans, and the increase already threatens to drive welfare costs at least $1.5 billion above the estimates in President Nixon's 1972 budget.

In explaining the steep rise in the nation's unemployed during the last year the Administration has "blamed" much of it on the reduction in the armed forces and the layoffs in factories working for the Pentagon, but very little has been said of the human plight of the returning veterans.

The politics of this problem are not an insuperable barrier. Few Federal legislators of whatever persuasion are prepared to vote against appropriations for veterans' jobs, even if this means financing public-service work under the states, cities, counties and municipalities of the country.

Meanwhile, much could be done by private employers in every community, if separate lists of local veterans were compiled and local committees were established to help employ the veterans as a first priority.

At the present time, the major complaint in Washington, both in the executive and the legislative branches of the Government, is that officials feel trapped in vast controversies and cannot get action on new welfare housing or job-training projects.

On the conduct of the war, there is of course a bitter stalemate. On the conditions of a negotiated peace and on the future of Vietnam, Cambodia and Laos it is the same. But the problem of the veterans is not a major divisive issue. The debt and the danger are widely recognized, but somehow they have been shoved aside by the more dramatic political and economic arguments.

Seldom a speech is made here about the war without verbal tribute being paid to the men of the expeditionary force, and to the extraordinary sacrifices they have made under conditions unprecedented in the history of the armed forces.

But this does not really help the veterans. They need money and jobs, and the cost of providing them is likely to be far less in the long run than the cost of paying for the consequences of indifference.

NOTICE OF HEARINGS ON THE ADMINISTRATION ON AGING AND THE 1971 WHITE HOUSE CONFERENCE ON AGING

Mr. EAGLETON. Mr. President, in 1965 the Congress unanimously enacted the Older Americans Act and welcomed the establishment of the U.S. Administration on Aging under the terms of that act.

In 1967 and again in 1969, Congress passed amendments to strengthen the Administration on Aging and give it new authority to build upon the Federal-State-local working relationship envisioned by the authors of the original legislation.

In every possible way, Congress has expressed its conviction that the Administration on Aging should be a vital contributing factor to the well-being of the 20 million Americans who are now 65 years and over and the many millions more who soon will be.

Now recent reorganizations and funding cutbacks proposed by this administration indicate that the Administration on Aging may be in serious trouble.

As chairman of the Subcommittee on Aging of the Senate Labor and Public Welfare Committee, I am directly concerned about the future of the Administration of Aging.

The Older Americans Act is scheduled to expire in 1972 unless Congress acts to extend it. Legislation for that purpose would be considered by the Subcommittee on Aging.

For these reasons, I believe it is essential that the appropriate committees undertake a review of the programs authorized by the Older Americans Act and an evaluation of the effectiveness of the Administration on Aging.

I am pleased to announce that the Subcommittee on Aging—in conjunction with the Senate Special Committee on Aging—will conduct hearings on the Administration on Aging and plans for the 1971 White House Conference on Aging on March 25, 29, and 30.

Senator Church, chairman of the special committee, is making a similar announcement to the Senate today. As a member of his committee as well as chairman of the Subcommittee on Aging, I am especially pleased that we can cooperate in this effort. Both the investigative functions of the committee and the legislative functions of the subcommittee can, I believe, be carried out efficiently in this manner, and I look forward to this unusual, but sensible means of joint action.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

Mr. STEVENS. Mr. President, will the Senator withhold that request?

Mr. BYRD of West Virginia. Mr. President, I withdraw my request.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

THE ALASKA PIPELINE

Mr. STEVENS. Mr. President, the subject of the Alaska pipeline has aroused a great deal of interest in the press and, I am sure, it will in the future.

The other day a Member of the other body introduced a report containing comments of the acting District Engineer of the Corps of Engineers from Anchorage and indicated that the comments were a great setback for the Alaska pipeline.

I think the comments have to be viewed in context.

I would like to try to clarify the situation which exists with reference to the Corps of Engineers and Department of Defense position on the environmental impact statement that has been prepared by the Department of the Interior.

Under the National Environmental Policy Act of 1969, the Department of tne Interior has the assigned responsibility of preparing an impact statement under section 102 of that law and delivering it to the Council of Environmental Quality. In order to do so, it must prepare a draft and submit that draft to each of the departments and agencies of the Federal Government that would have any concern with the proposed project. It did this and sent to the Deparment of Defense a request for its comments on the draft of the environmental statement for the trans-Alaska pipeline.

The Department of Defense has prepared and sent to the Department of Interior its comments on the proposed environmental impact statement.

I view them as being very well reasoned and necessary comments. I think it is very important to note that the department said, in the letter of March 3 to Mr. Jack Horton, the special assistant in the Department of the Interior coordinating the draft of this report:

> Our experts believe that a hot-oil pipeline can be built structurally sound if the strict controls, as proposed in the document, are enforced.

I also note that in the report the Department of Defense states:

> While the stipulations do establish excellent guidelines for design, construction, and operating considerations, we believe it will be absolutely necessary for the Government to insist upon specific and detailed design, construction, operation, maintenance and monitoring plans supported by strict review, inspection, and supervision.

The Department of the Interior must prepare and present to the Council on Environmental Quality an environmental impact statement which will withstand the attack we know it will receive in the courts.

I believe that the Corps of Engineers and the Department of Defense have given assistance in the preparation of such a statement and that if the Department of the Interior does, in fact, follow the suggestions made by the Department of Defense, the impact statement will be improved.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, if the Chair will recognize me, I will be glad to yield my 3 minutes to the Senator from Alaska.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD of West Virginia. Mr. President, I yield my 3 minutes to the Senator from Alaska.

Mr. STEVENS. Mr. President, further I believe that we have not suffered a setback, but have cleared another hurdle which is absolutely necessary for this project to be built in a way that will assure those of us who are interested, and everyone, who wishes this project to be built, that it will be built with the absolute controls and protection necessary to protect our Alaska environment. We have gone another inch down the long road to securing the final approval that will withstand the attack that this project has in the court.

It is important for everyone to realize that the Department of Defense, through the Corps of Engineers, must at a later date issues permits or licenses to cross the navigable areas in Alaska, and that the Department, and particularly the Corps of Engineers, has an absolute role in the preparation of this document.

I am very pleased that the Corps of Engineers has responsibly exercised its authority in this matter and is giving its guidance to the Department of the Interior so that the impact statement when finally presented to the President's Council on Environmental Quality will be all-encompassing so that there will be no necessity for further environmental hearings. Once the impact statement is filed it will be for the entire Federal Government and not just the Department of the Interior.

Viewed in that context, the action taken last week by the Department of Defense reflected credibly on the people who worked on the project, and on this series of comments on the drafting of the environmental statement.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter of transmittal from the office of the Assistant Secretary of Defense and the Department of Defense comments on the Department of the Interior's draft environmental impact statement on a trans-Alaska pipeline.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF THE
ASSISTANCE SECRETARY OF DEFENSE,
Washington, D.C., March 8, 1971.

MR. JACK HORTON,
Special Assistant,
Department of the Interior,
Washington, D.C.

DEAR MR. HORTON: This is in response to Under Secretary Russell's letter of 12 January 1971 transmitting a draft environmental statement on the Trans Alaska Pipeline and requesting comments on those areas of the statement over which this Department has jurisdictional responsibility or special competence.

For many years the Department of Defense has had extensive experience with civil and military facilities in Alaska, including responsibility for various military reservations and, through the Army Corps of Engineers, for certain activities in navigable waters and their tributaries. The concerned elements of this Department have reviewed the draft environmental impact statement and have suggested various clarifications and improvements.

We assume that the final version of the environmental impact statement will apply to the total over-all project, from well field to ocean terminal, and, accordingly, should serve as the basis upon which requests for permits or licenses should be processed under the appropriate laws.

The Department of Defense believes that the availability of Alaskan oil would make an important contribution to this Department's capability to meet its responsibilities during national emergencies. Our experts believe that a hot-oil pipeline can be built structurally sound if the strict controls, as proposed in the document, are enforced.

Comments that reflect our responsibilities under law or special expertise are enclosed for your consideration. We will be pleased to discuss any questions raised by our comments or assist in any way possible.

Thank you for the opportunity to participate in the review.

Sincerely,
M. G. PATTON, M.D.
Acting Deputy Assistant Secretary,
(Environmental Quality).

DEPARTMENT OF DEFENSE COMMENTS ON THE DEPARTMENT OF THE INTERIOR'S DRAFT ENVIRONMENTAL IMPACT STATEMENT ON A TRANS ALASKA PIPELINE

GENERAL COMMENTS

1. Expand the scope of the statement to include secondary actions associated with and stemming from the proposed pipeline such as ocean terminals in the contiguous U.S., the potential for additional Alaskan pipelines and facilities, and offshore leasing and drilling.

2. To reduce any possible confusion that might arise as to responsibility, a new section should be added that delineates the jurisdiction and requisite action of the State of Alaska and each Federal agency as they pertain to the proposed project.

3. A shorter document, with perhaps some material in technical appendices, and a glossary of terms would improve readibility and comprehension.

4. It should be recognized that successful execution of the immensely complex and diverse responsibiliites placed on the Authorized Officer will be extremely difficult.

5. It is recommended that the proposed U.S. Labor Department Safety Standards, under the Construction Safety Act of 1969 as finally adopted, be utilized and enforcement of these standards be designated the responsibility of the Authorized Officer.

6. The impact statement should state that specific stipulations applicable to Military Real Estate would be contained in a permit

authorizing construction on lands controlled by the Department of Defense. These stipulations would contain provisions peculiar to military operations as well as all of the Interior Department's environmental stipulation which would not conflict with the military missions.

7. The statement should note that Department of the Army permits will be required for all work, discharges, and deposits in navigable waters of the United States which involve structures, activities or alterations covered in Sections 9 and 10 of the Rivers and Harbors Act of 1899, 33 U.S.C. 401 and 403. In addition to the pipeline itself this would include removal of material from the bed of any navigable waterway and required port facilities constructed below mean high water. In issuing permits in the above situations, the DA may impose additional provisions as appear necessary.

8. In regard to both (6) and (7) above, acceptable: design, analysis, plans and specifications; construction procedures, sequence and timing; quality controls; and other supporting data would be required by the Department of the Army for permit processing.

9. The stipulations contained in this Impact Statement provide that the issuance of permit for construction will be subject to valid existing rights already granted to others. It is assumed that PLO No. 3520 dated 5 January 1965, withdrawing 8,958,720 acres of land as a Power Site Classification (No. 445) is such a valid right; however, these exists no specific conditions in the stipulations alerting the Permittee to potential impact of crossing this area.

10. The question of future designation of streams and rivers as navigable within the meaning of the Rivers and Harbors Act of 1899 and future public works projects on public lands is not specifically treated in the current stipulations. To avoid possible misunderstanding, we recommend that the stipulations be expanded to include the following:

a. Relocation or modification of the pipeline necessitated by the future designation of streams, rivers and lakes as "Navigable" within the meaning of the Rivers and Harbors Act of March 3, 1899, as amended, shall be at the sole expense of the Permittee.

b. Relocation or modification of the pipeline which might be required in planned or future public works projects shall be at the sole expense of the Permittee providing any such projects are constructed partially or fully with Federal funds or grants.

11. In our opinion, the technical and environmental stipulations presently contained in the statement while well done, are too general to support the positive assurances given throughout the report that adverse ecological changes and pollution potential will be eliminated or minimized by these stipulations. Our experience is that such stipulations in themselves cannot guarantee structural integrity or adequate protection of environmental matters. While the stipulations do establish excellent guidelines for design, construction. and operating considerations, we believe that it will be absolutely necessary for the Government to insist upon specific and detailed design, construction, operation, maintenance and monitoring plans supported by strict review, inspection and supervision. This data would include all features associated with the project and should be approved prior to authorization for construction. Such detail would facilitate a more quantitative assessment of the proposal.

12. We suspect serious questions will be raised regarding the discussion on alternatives. A more definitive discussion will probably answer many of these questions.

13. There is very little information present on the timing and sequence of governmental review and authorizations.

SPECIFIC COMMENTS—MAIN BODY

Page and comment

1. (a) Clarify use of the terms as; Federal lands, public lands, access roads, and haul roads (used on page 9).

(b) Project description is vague.

(c) Suggest deletion of last sentence.

2. (a) References to ANSI B 31.4, 1966, on page 2 of the impact statement and on page 16 of the Environmental Stipulations, should include ANSI reference addendum ANSI B 31.4a, 1969, and all addendums that may be current and applicable at time of design approval.

(b) Recommend that the words "Transportation of Hazardous Materials by Pipeline" on page 2 and in the Environmental Stipulations (page 16) be deleted and the following be substituted:

"Code of Federal Regulations, Title 49 (1969 Ed.), Chapter I, Part 195, Transportation of Liquids by Pipeline, with the following exceptions: Delete subparagraph 195.1 (b)(4) in its entirety." The proposed pipeline would transport crude petroleum in rural areas, except for minor segments of pipeline, between a production facility and the point where the petroleum is received by carrier. It therefore is exempt from Part 195, except for Subpart B, Accident Reporting. It is recommended that the provisions of Part 195 be made applicable to the project except (1) that all materials shall be constructed to be suitable and safe against damage in storage, in construction, and after installation in the pipeline when subjected to temperatures in the range to which it will be exposed, (2) in paragraph 195.248 add new subparagraph 195.248(b)(3) with the language, 'soil types and seismic occurrences described in subparagraph 195.248(c) are present or are likely to occur during the anticipated life of the pipeline.' "

(c) We recommend the following be substituted for the entire paragraph at line 14:

"The pipe is manufactured to American Petroleum Institute Specifications 5LX and 5LS, modified to provide greater ductility at the low Arctic temperatures. The steel pipe has an outside diameter of 48 inches and is furnished in two wall thicknesses, 0.462 inches and 0.562 inches, and in three strengths, (1) 60,000 psi. minimum yield and 75,000 psi. minimum tensile, (2) 65,000 psi. minimum yield and 77,000 psi. minimum tensile, and (3) 75,000 psi. minimum yield and 82,000 psi. minimum tensile in 0.462 inch wall thickness only. The specifications additionally require fine grain, fully kilned steel and Charpy impact tests to control toughness and ductility, in recognition of the exposure conditions. Ultrasonic, radiographic, and hydrostatic testing, including a 20 second hydrostatic mil test at 95% of minimum yield strength, and a 24 hour pressure test at 125% of maximum operating pressure in the as constructed condition, are required. The pipe coating selected is 10 mil powdered epoxy resin that is resistant to flame, funginert, and resistant to chemicals normally present in soils. The coated pipe would be cathodically protected after burial by impressed current devices that operate successfully in cold climates. This dual protection would minimize the adverse effects from external corrosion to the pipe."

3. (a) Additional discussion as to the reasons for and heat dissipation methods of the future cooling system at the origin station would be desirable.

(b) Where would the pump stations be located?

4. We suggest more details be supplied on the marine terminal at Valdez. In particular, this should include information on: Cathodic protection; second and third stages of development; water and harbor characteristics and their effects on berthing, maneuvering and cleanup.

6. The use of the communications system is not clear.

7. (a) Our information indicates that pressure, flow rate, and volume measurements are not sensitive enough to indicate the presence of small leaks.

(b) The impact statement does not clearly explain how intermediate pipeline isolating valves will be operated in case of emergency condition or their location. It implies manual operation for some valves which we seriously question as being adequate to minimize environmental damage. We recommend that the valving system be fully developed in the impact statement to demonstrate the effectiveness of the system.

(c) Seismic Considerations: This title should be changed to Seismic Monitoring.

(d) How would the seismic monitoring data be used?

8. (a) Revise the last sentence of 1st paragraph to read—where the pipeline crosses *known* major fault zones.

(b) We believe both marine and terrestrial cleanup procedures should be spelled out and evaluated prior to authorization for construction. It should be noted that, unless carefully devised, the terrestrial cleanup processes may be more damaging than a minor oil spill.

(c) How would floating booms and skimming devices operate during periods of floating or solid ice?

10. The last sentence of the second paragraph indicates the military comprises about 11 percent of the total population of Alaska. This should be changed to reflect the Department of Defense military and civilian personnel, and their dependents, comprise 23 percent of the total population of Alaska. The breakout of figures to support this is based on 1 January 1971 data as follows:

Military, 29,986.
Military Dependents, 32,865.
DOD Civilians, 5,178.
DOD Civilian Dependents, 3,826.

71,855 divided by 313,000 equals 22.96 percent.

15. (a) The conclusions that the information on permafrost and geology is adequate (line 6) for this statement is a matter of judgment and should be deleted.

(b) We suggest the sentence beginning in the fifth line of the second paragraph be revised as follows:

"It is formed when the net heat lost, usually to the atmosphere of the surface, exceeds the net heat gain from surface and subsurface sources and produces negative temperatures (—°) below the depth of maximum summer thawing."

16. Last sentence: This sentence is a repeat of the definition given on the previous page.

17. The map is virtually unreadable.

18. Suggest that earthquake magnitude scale be noted . . . e.e., Richter.

40. Line 21 says that the entire province is underlain by continuous permafrost and the last paragraph on page 41 says the permafrost is generally discontinuous along the proposed pipeline route.

46. Kenny Lake should be mentioned prior to Copper Center for a consistent south-to-north discussion.

51. What is the status of the proposed master land use plan?

53. "Lower River" should be "Lowe River."

74. Should cite source of information. January and July wind-chill factors appear to have been transposed.

78. Statement implies that "streams" are inactive in winter, which is not necessarily true; winter flow and icing development are active in many small drainage basins during the January-March period.

79. Data available to us indicates that information contained in this table could be misleading. Please cite the data source.

81. The value of 10 inches/year as an aver-

age runoff in the Yukon Basin may be high. See table on page 79.

88. On water quality, the statements "the pH of most waters is above 7" and "very few highly acid waters are found in Alaska" is questioned. While our investigations and data of areas examined do show this condition for ground water; surface waters generally have a pH value above pH 5.5 and below 7. Please cite the sources of information.

92. Freight tonnage appears to be low. Cite data source.

101. Heading does not agree with Table of Contents.

108. Gulkana has been omitted from the table.

111. Paragraph 2: Where recreational facilities are now taxed beyond capacity, is anyone planning for the expansion necessary to accommodate the present demand as well as for the impact to be created by pipeline construction and operation? Additionally, plans should now be made to provide recreational facilities in areas where such facilities do not exist in order to accommodate not only the pipeline's direct impact, but also future demands which will occur as a residual of the pipeline construction.

113.(a) First sentence: The statement that it is unlikely that there would be a significant influx of permanent settlers and that it is erroneous to view the public availability of this right-of-way as the first step in the "opening of the North" seems inconsistent with the findings on page 45 that land use patterns in most developing areas occur along existing transportation routes. The findings on pages 134 and 135 covering secondary effects due to mineral development potential also seem contradictory to the findings under land use.

(b) Pipeline right-of-way will not accommodate many areas where retainment berms, erosion control structures, etc., are required.

(c) Acreage calculations for right-of-way for both roads and pipeline appear to be underestimated.

(d) Gravel sites—should include rock quarries.

(e) What lands will revert to non-use status after construction?

114. The statement that "the quantity of material necessary for the project has not been proven" could be misleading, as elsewhere (pages 131, 178, 191, and 194) the report states that up to 80 million cubic yards are needed. The statement should probably read "the quantity of material available for the project has not been proven."

(b) Consideration should be given in the rehabilitation of upland borrow pits into waterfowl producing "pot holes" or other beneficial uses.

116. Paragraph 2: If the project is constructed, many adverse effects will not be *potential*, but will actually exist.

119. With regard to "techniques and designs" being developed to allow unrestricted passage of wildlife, it may be desirable to provide examples of such designs.

121. (a) At the moment, effective methods to remove spilled oil, particularly on land, and to rehabilitate the area do not exist.

(b) The parenthetical expression under item 3 does not clarify the sentence as worded.

123. The relationships between the Beaufort Sea and the pipeline is not clear.

126. It may be appropriate to note other hindrances to revegetation, such as (a) overgrazing by animals attracted to snow-free areas over the pipe, and (b) pathogenic microorganism attack on plants in moist warm soils over the pipe, particularly in winter.

129. Implication is that all disturbances to surface or ground water movement can be avoided by appropriate system design. At this time, the influence of a buried heat pipe on shallow groundwater movement is largely speculative in permafrost situations.

131. What is estimated effect of using 80 million cubic yards of granular material on future development along pipeline corridor?

136. (a) Last paragraph: The findings that marine transport activity in Prince William Sound with the proposed 120,000 to 250,000 ton tankers operating between aldez and ports to the south seem to understate the potential impact on fishing. The traffic involved to move 2,000,000 barrels (and possibly more) a day will change the character of this fishing village to that of an industrial nature.

(b) What is the view of the Alaska Highway Department regarding the additional loading of the Richardson Highway?

147. It is implied that native vegetation will invade an area revegetated with introduced species. At the moment this is only a premise, as exotic species could well resist invasion at some sites. Present indications are that a viable revegetation over the pipe may not be possible, and thus alternative measures of soil stabilization may have to be developed.

154. Golovnin Bay is east of Nome.

157. (b) The number of pumping stations is based on several factors not yet presented. We assume, therefore, that the numbers presented (5 initial and 12 ultimate) are tentative.

170. It is probably unrealistic to imagine that vegetation might not be "greatly disturbed or compressed" during construction activities.

179. A growth rate in energy of 4.2 percent is noted for the last decade. It is assumed that this is an annual rate, although it is not so stated.

180. No mention is made of the large natural gas deposits on the North Slope. We suggest this energy source be discussed.

185. The three million barrels per day cited as the 1985 input from the North Slope activities indicates the possibility of another pipeline.

SPECIFIC COMMENTS—ENVIRONMENTAL STIPULATIONS

Page and comment

1. (a) The Environmental Stipulations should have a title page.

1. (b) The crude oil transportation pipeline system must be provided with adequate pressure relief devices and pressure disposal piping. Drawings, specifications and design analysis should clearly delineate disposal methods, where the protection will be installed, and details for the construction.

20. (a) The environmental stipulations covering the contingency plans for recovery and disposal of oil spills require the permittee to prepare a detailed plan for acceptance prior to commencement of operations. In the case of massive spills, we suggest consideration be given to reintroduction of the oil back into the line in the immediate area of the spill by tapping the pipe and pumping.

(b) Change first sentence to indicate individual containment dikes are required for each storage tank.

22. Environmental stipulation No. 16 does not adequately cover the problems inherent in deactivation of the pipeline and its future impact on the environment. We believe that additional thought should be given to this subject.

25. Flow control valves should be required on both the upstream and downstream side of major earthquake faults, as warranted to preclude spillage. These valves would close automatically.

30. The requirement that streams be crossed underground appears to be in conflict with paragraph on page 3 of the Technical Stipulations which provides for "both buried and elevated stream crossings."

31. The use of ramps may not be acceptable in all cases.

32. (a) Clarify water crossings with respect to timing of stream bed excavations.

32. We suggest changing the second sentence to indicate that disturbed areas shall be restored by permittee to a condition which is fully as resistant to erosion as the original condition.

33. Change this paragraph to indicate that seeding and planting shall be repeated, if necessary, until an adequate cover of vegetation is successfully established. Also, where seeding or planting must be delayed due to seasonal conditions, temporary mulching or other treatments will be applied sufficiently to protect against erosion until permanent vegetation can be established.

34. It will be nearly impossible to stay within the 54 ft. wide pipe right-of-way unless it is directly adjacent to the road. The stipulations on page 34, paragraph F-6 directs the contractor to stay within the right-of-way.

36. Stipulation H, "Small Craft Passage," does not appear to be warranted. Any obstruction to navigation on U.S. navigable waterways must be authorized by the Department of the Army and the stipulation implies that obstructions of craft over 40 feet is permissable.

40. In paragraph 3 it provides that "Request for exceptions . . . shall be submitted . . . at least thirty (30) days in advance of approval." It is suggested that "approval" be replaced with "construction at the location in question."

42. Rather than specify a maximum flow velocity through culverts of 4 ft./sec., and a zero gradient, a more suitable alternative would be to minimize disturbance to the natural hydraulic regime of the stream.

SPECIFIC COMMENTS—TECHNICAL STIPULATIONS

Page and comment

2. We recommend that a further discussion of crossing faults subject to differential movement be included.

9. (a) Recommend changing the word "described" to "defined" as Corps of Engineers Bulletin 52-8 was initially referenced only as a course for definition of the Standard Project Flood (SPF). Also add "(Engineering Manual 1110-2-1411)" at the end of the sentence.

9. (b) We suggest more flexibility be allowed for those cases where prudent design or potential adverse effects require accommodation of an event larger than either the 50-year flood or the maximum flood of record.

10. Design based on the maximum rainfall and snowmelt rate combination reasonably characteristic of the region does not specifically define the protection or erosion control expected. Perhaps some reference to probability or design storm criteria such as Standard Project Flood is needed.

11. The last sentence should be amended to read, "Plans and Specifications, design analysis, procedures, and quality controls, together with all supporting data, including, but not limited to exploration and test data, that will insure compliance with the environmental and technical needs shall be presented to and be acceptable to the Authorized Officer prior to authorization."

Addition

(a) We recommend that the stipulations include a requirement for a geology and soils strip plan and section.

(b) We recommend the stipulations be amended to require complete and specific coverage of "as-built" data having a bearing on location, azimuths, closures, ties, permanent markers and protection as well as tie-in of temporary stakes to permanent markers.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk (Mr. William F. Farmer, Jr.) proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESOLUTION OF WEST VIRGINIA HOUSE OF DELEGATES REQUESTING REIMBURSEMENT FOR CERTAIN REVENUE LOSSES AND LIMITING FEDERAL ACQUISITION OF LAND WITHIN COUNTIES

Mr. BYRD of West Virginia. Mr. President, I have been supplied with a resolution adopted by the West Virginia House of Delegates requesting Congress to adopt legislation reimbursing counties for revenue loss due to Federal land acquisition and limiting Federal acquisition of land within counties.

Mr. President, I ask unanimous consent that the full text of concurrent Resolution No. 3 adopted by the West Virginia House of Delegates be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

A RESOLUTION REQUESTING CONGRESS TO ADOPT LEGISLATION REIMBURSING COUNTIES FOR REVENUE LOSS DUE TO FEDERAL LAND ACQUISITION AND LIMITING FEDERAL ACQUISITION OF LAND WITHIN COUNTIES

Whereas, Taxation of real property is the fundamental source of revenue for the operation of county government; and

Whereas, The Federal government, which pays no real property taxes has acquired large tracts of land in various parts of the United States and in West Virginia in particular; and

Whereas, This acquisition of land has all but destroyed the tax base in some counties of this State resulting in a serious curtailment in county services and facilities; therefore, be it

Resolved by the Legislature of West Virginia:

That the Congress of the United States is hereby requested to adopt appropriate legislation to provide annual reimbursement to the county from which such land may be removed or has been heretofore removed from the tax rolls, equivalent to the revenue lost to such county, and that there be a showing of necessity before there be acquisition; and, be it

Further Resolved, That the Clerk of the House of Delegates is hereby directed to forward copies of this resolution to the members of the West Virginia Congressional delegation in Washington, D.C.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED AMENDMENT TO THE CONSTITUTION EXTENDING THE RIGHT TO VOTE TO CITIZENS 18 YEARS OF AGE OR OLDER—AMENDMENT

AMENDMENT NO. 11

Mr. KENNEDY. Mr. President, on behalf of Senator EAGLETON and myself, together with Senators HARRIS, JAVITS, MCGOVERN, and MONDALE, I send to the desk an amendment intended to be proposed by us, jointly, to Senate Joint Resolution 7. I ask that it may lie on the table and be printed, and that the text of the amendment may be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table, and, without objection, the amendment will be printed in the RECORD in accordance with the Senators' request.

(See exhibit 1.)

Mr. KENNEDY. Mr. President, the purpose of this amendment is to amend the U.S. Constitution to provide full voting representation in Congress for the District of Columbia—two Senators and the number of Representatives—probably two—to which the District would be entitled on the basis of its population.

Full voting representation in Congress for the District of Columbia is an act of simple justice that is long overdue for the citizens of the Nation's Capital. For nearly 200 years, the citizens of the District have been subjected to precisely the sort of injustice that triggered the American Revolution and led to the founding of our Republic.

Nowhere in America should the principles of democracy be more firmly established than in the Nation's Capital. In Washington today, however, democracy is weakest where it should be strongest. The District of Columbia is the last bastion of taxation without representation in the United States. By some cruel irony, a nation founded as a haven from tyranny and oppression denies to the citizens of its Capital the blessings of democracy. Indeed it is fairly said, Washington, D.C., is America's last colony.

The merits of the argument for District of Columbia representation in Congress are so well known—and so overwhelming—that it would serve no useful purpose for me to reiterate them again today. Time out of mind, the facts and arguments for District of Columbia representation have been set out in detail. The tragic history of 80 years of efforts to achieve this goal is well known. Our effort now would be especially significant, coming as it does on the eve of the election in the District to choose a nonvoting Delegate, an election in which every candidate enthusiastically endorses the need for full voting representation.

If one conclusion emerges from the futility of the legislative efforts of the past, it is that District of Columbia representation in Congress cannot be achieved in the foreseeable future on its own. There is no realistic possibility that the District of Columbia proposal, standing alone, will be reported by the Judiciary Committee or subcommittee in the Senate or cleared by the Rules Committee in the House.

Therefore, our goal of bringing real democracy to the people of Washington can only be accomplished, if at all, by a Senate floor amendment. I am hopeful, therefore, that before the vote every Member of the Senate will give the most careful consideration to the merits of the issue, and to the basic American rights of the 760,000 American citizens among whom we live and work.

Perhaps the most unfortunate aspect of the District of Columbia amendment in its present posture is the furor that may be generated over the procedural step of attaching the amendment to Senate Joint Resolution 7, the 18-year-old voting amendment.

It is entirely proper for the District of Columbia amendment to be considered as part of the 18-year-old voting amendment. At a time when the attention of the Nation is about to become fixed on the Senate debate as we seek to extend the franchise for millions of young Americans throughout the Nation, it is fitting that we should also consider the very similar question of the voting rights of citizens of the Nation's Capital.

I firmly believe that no action we take on the District of Columbia amendment can or should be permitted to jeopardize the 18-year-old voting amendment. There is no danger that the District of Columbia amendment will kill or even substantially delay the 18-year-old voting amendment. To suggest otherwise is to disparage the rights of hundreds of thousands of citizens of the Nation's Capital.

I yield to none in my strong support for the right of 18-year-olds to vote in State and local elections, and in my strong determination to eliminate as rapidly as possible the unfortunate effect of the Supreme Court's decision in the 18-year-old voting case last December.

At the same time, however, I am convinced that no action we now take on the District of Columbia amendment will interfere in any way with the enactment of the 18-year-old voting amendment. Obviously, there is no danger of such jeopardy in the process by which the States must ratify the 18-year-old voting amendment. Under the language of the District of Columbia amendment I have proposed, the States would be required to ratify the two provisions separately.

Nor do I believe that any jeopardy exists with respect to the passage of the 18-year-old voting amendment by Congress. That amendment now has a total of 86 cosponsors. Rarely, if ever, has a proposed constitutional amendment had such overwhelming support in the Congress. A brief delay now will in no way delay the business of the Senate. It will in no way prevent the ratification of the amendment in time for the 1972 elections. Yet, the delay can mean a different world for every citizen of the District of Columbia.

It is worth rebutting a number of the arguments that have been made in the past and are now being made against the District of Columbia amendment itself.

First, overhanging the entire debate is the specter of racism and partisan politics. I raise these two arguments only to rebut them, because they cannot stand the light of day. No Senator—no Senator whatever—would vote against the citizens of the District for these reasons.

Second, it is said that the District of Columbia amendment deserves longer and more careful study than it can receive at this time as a Senate floor amendment. In my prior statements on the proposed amendment, I have described in detail the history of efforts to achieve voting representation in Congress for the District of Columbia. The first constitutional amendment to win this goal was introduced in Congress in 1888. Since that date, hundreds of different amendments have been introduced in Congress, and dozens of hearings have been held by Senate and House committees over the years. The scenario is always the same. Inevitably, the hearings generate overwhelming support for the District of Columbia amendment. And, just as inevitably, every effort meets with uniform frustration and defeat.

The most recent Senate experience is instructive. Last year, at the beginning of June, the Senate Subcommittee on Constitutional Amendments held hearings on the District of Columbia amendment. Under the leadership of Senator Birch Bayh, one of the most distinguished and longstanding advocates of the cause of District of Columbia representation, the hearings again developed virtually unanimous support for the District of Columbia amendment. Over the period of the next several weeks because of its inability to obtain a quorum, the subcommittee was continuously thwarted in its effort to report the amendment favorably. Finally, when the subcommittee was able to muster a quorum at the end of July, Senator Bayh's motion to bring up the District of Columbia amendment for debate and action was blocked by the objection of several members of the subcommittee, and the amendment was effectively killed for that Congress.

On the face of this dismal record, unbroken since the District of Columbia amendment was first proposed in the 19th century, can we really maintain that it needs "more debate?" I submit that 80 years is long enough.

Third, it is said, Congress has just given the District a nonvoting delegate, and this is enough of an accomplishment for this session and this Congress. It is nothing of the sort. The nonvoting delegate is not an end in itself. The only real value it has is as an interim measure, a halfway house to tide us over the brief period while a constitutional amendment for full representation is enacted by Congress and ratified by the States.

Now that the nonvoting delegate is a reality, we must fix our attention on the true goal. We must adopt a constitutional amendments for full voting representation for the District, and submit it to the States for ratification. There could be no more ideal result than for the District to have the active voice and benefit of the nonvoting delegate as a forerunner in the present Congress, to lay the foundation for the voting Senators and Congressmen who will come after him in the 93d Congress.

The one thing we cannot do is to allow the status of the interim delegate to deteriorate into that of a permanent nonvoting representative. At last, we have a good chance of success, if only we keep our sights high, and do not relax our effort before the job is done.

Fourth, some opponents of representation for the District of Columbia claim that the amendment would treat the District as a State. They say that the District is not a State, but a city, smaller than at least eight other cities in the Nation, and that there is no greater reason for this city to be represented in Congress than larger cities which are denied the right. This argument ignores the obvious fact that other American cities are political subdivisions of States, which are already represented in both the Senate and the House of Representatives.

Moreover, for years, the District of Columbia has traditionally been treated as a State in virtually every major Federal grant legislation. In program after program, in statute after statute, all of us in Congress are familiar with the well-known clause:

> For the purposes of this legislation, the term "State" shall include the District of Columbia.

This argument against District of Columbia representation is heard most frequently in relation to the Senate. The objection is raised that only States should be represented in the Senate, and that the District of Columbia is not and cannot ever become a State.

I believe that we can accept the logic of this argument without making it dispositive. I share the strong concern of the Members of this body for the traditions and prerogatives of the Senate, but I feel a stronger concern against the injustice of denying a substantial group in our population the right to participate in making the laws by which they are governed. Vital legislation affecting the lives of all the citizens in the Nation is debated in every session of the Senate. Until the people of the District are represented in the Senate as well as in the House, they will not have the right of true self-government that is the birthright of every American citizen.

In addition, by accepting two Senators for the District of Columbia as part of the amendment, the Senate itself will be demonstrating its good faith to the House. Too often, as the recent House debate on the nonvoting delegate made clear, the Senate has been generous in proposing representation in the House for the District of Columbia, but reluctant to invite the District into the well of the Senate itself. Once the Senate accepts the principle of full-voting representation in the Senate for the District of Columbia, I am confident that the House will follow suit.

To be sure, the status of the District of Columbia is unique in the politics and geography of America. Obviously, for example, we would not grant full voting representation in either the Senate or the House to Puerto Rico, unless that Commonwealth chooses to become a State. We know, however, that, unlike all our other territories, past or present, the District of Columbia can never aspire to statehood in the United States. Can we really maintain, therefore, that the citizens of the District are doomed to a perpetual colonial status, to denial of the most basic right in civilized society—the right that is preservative of all other rights, the right of self-government? Surely this is too high a price to pay for preserving the traditions and prerogatives of the Senate.

Nothing in our Constitution or its history supports the interpretation that the District of Columbia was intended to be denied representation in both the Senate and the House. Indeed, in "The Federalist," No. 43, James Madison, one of the principal architects of the Constitution, wrote that the prospective inhabitants of the Federal City—

> Will have had their voice in the election of the government which is to exercise authority over them.

Clearly, Madison was assuming that the citizens of the Nation's Capital would be represented in Congress.

Fifth, another, even less persuasive, objection to District of Columbia representation in Congress rests on the proviso in article V of the Constitution, which declares that—

> No state, without its consent, shall be deprived of its equal suffrage in the Senate.

It is far too late in our history to argue that the admission of the District of Columbia to representation in Congress would deprive any State of its "equal suffrage in the Senate." In light of the history of the Constitution and the precedents under it, the meaning of article V is clear—no single State may be given a larger number of Senators than any other State.

This was the essence of the Federal compromise at the Constitutional Convention in 1787. It has guided us for 200 years, and it is intended to endure throughout our history. This is all that article V means, and all that it requires.

In addition, article V has never been read as prohibiting the representation of new States in the Senate, even though—obviously—the admission of a new State dilutes the voice and power of the existing States in the Senate. Indeed, since the ratification of the Constitution by the original 13 States, 37 new States have been admitted to the Union. As a result, the power of the original 13 States in the Senate has been diluted nearly fourfold, from 2/26 to 2/100. Yet, no one has ever argued that any of the original 13 States has been deprived of its equal suffrage in the Senate.

The principle is clear. So long as the District of Columbia is represented in the Senate no more advantageously than any State, it cannot be said that representation for the District deprives any State of its equal suffrage in the Senate.

Each State will still have two votes in the Senate and each State will still have the same proportionate vote as any other State.

As I have attempted to show, the arguments against full voting representation in Congress for the District of Columbia have no merit, especially in light of the grave injustice that is being perpetuated against the citizens of the District. Today, the United States stands virtually alone among the democratic nations of the world in denying representative government to the people of its capital city. The citizens of Washington deserve to share in the right of self-government, the birthright of every American citizen. The Senate vote will be a symbol of our commitment to our heritage and to the cause of freedom, equality, and justice for all our citizens.

Propitious opportunities often come in strange guises and alliances, and the present opportunity is no exception. If we do not embrace it now, we may not soon see its like again.

EXHIBIT 1

AMENDMENT NO. 11

On page —, line —, insert the following:

Beginning with the word "That" in line 3, page 1, strike out all to and including the colon in line 7, page 1, and insert in lieu thereof the following: "That the following articles are hereby proposed as amendments to the Constitution of the United States, any one of which shall be valid to all intents and purposes as part of the Constitution only if ratified separately by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:".

On page 2, after line 7, insert the following:

"ARTICLE —

"SECTION 1. The people of the District constituting the seat of government of the United States shall elect two Senators and the number of Representatives in Congress to which the District would be entitled by apportionment if it were a State. Each Senator or Representative so elected shall be an inhabitant of the District and shall possess the same qualifications as to age and citizenship, shall be elected for the same term, and shall have the same rights, privileges, and obligations as a Senator or Representative from a State.

"SEC. 2. When vacancies happen in the representation of the District in either the Senate or the House of Representatives, the people of the District shall fill such vacancies by election.

"SEC. 3. This article shall have no effect on the provision made in the twenty-third article of amendment to the Constitution for determining the number of electors for President and Vice President to be appointed for the District. Each Representative or Senator from the District shall be entitled to participate in the choosing of the President or Vice President in the House of Representatives or Senate under the twelfth article of amendment as if the District were a State.

"SEC. 4. The Congress shall have power to enforce this article by appropriate legislation."

Amend the title so as to read "Joint resolution proposing amendments to the Constitution to provide equal rights for men and women, and to provide for the representation of the District of Columbia in the Congress."

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD a more detailed statement I made last year upon introducing a similar District of Columbia representation amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR EDWARD M. KENNEDY, ON INTRODUCING A CONSTITUTIONAL AMENDMENT TO PROVIDE FULL VOTING REPRESENTATION IN CONGRESS FOR THE DISTRICT OF COLUMBIA, SEPTEMBER 16, 1970

Mr. President, on behalf of myself and Senator Mathias, and Senator Church, Senator Cranston, Senator Eagleton, Senator Gravel, Senator Harris, Senator Magnuson, Senator Mondale, Senator Nelson, Senator Proxmire and Senator Stevens, I submit an amendment to S.J. Res. 1 and ask unanimous consent that it lie on the table and be printed. The purpose of the amendment is to amend the United States Constitution to provide full voting representation in Congress for the District of Columbia—two Senators and the number of Representatives to which the District would be entitled on the basis of its population. It is my intention to call up this amendment at the appropriate time during the present debate.

It is entirely proper for this amendment to be considered as part of S.J. Res. 1, the proposed constitutional amendment to establish a system of direct popular election of the President of the United States. The attention of the nation is now fixed on the current debate in the Senate, as we seek to resolve the question of the manner in which all our nation's citizens are to be represented by their President, and it is fitting that we also consider the manner in which the citizens of our nation's capital are to be represented in the Congress.

One of the most glaring injustices in our democracy today is our failure to give full voting representation in Congress to the people of the District of Columbia. In recent years, we have made substantial progress toward extending the franchise and broadening the base of representative government in America. Most recently, we voted overwhelmingly last spring to lower the voting age to 18, thereby bringing millions of young Americans into the mainstream of the political process.

I believe that the opportunity is now at hand to take another major step forward in our long march toward fulfilling the promise of representative government for all our people. The time has come to eliminate the injustice to which the people of the nation's capital has been so unfairly subjected for so long. The time has come to give full voting representation in Congress to the District of Columbia.

SUMMARY OF THE PROPOSED CONSTITUTIONAL AMENDMENT

The Constitutional Amendment I am offering would provide full voting representation in Congress for the District of Columbia. The amendment would contain seven principal provisions:

First, citizens of the District of Columbia would elect two Senators and the number of Representatives in Congress (probably two) to which the District would be entitled on the basis of population.

Second, each Senator or Representative would be required to be a resident of the District.

Third, each Senator or Representative would possess the same qualifications as to age and citizenship and have the same rights, privileges, and obligations as other Senators or Representatives.

Fourth, a vacancy in the representation of the District of Columbia in the Senate or the House of Representatives would be filled by a special election by the voters in the District.

Fifth, the amendment would have no effect on the provision in the Twenty-third amendment for determining the number of electors for President and Vice President to be appointed for the District. However, depending upon the outcome of the debate on S.J. Res. 1, each Senator or Representative from the District would be entitled to participate in choosing the President or Vice President in cases where the presidential election is decided by the Congress.

Sixth, Congress would have the power to implement the amendment by appropriate legislation.

Seventh, the amendment would have to be ratified by the States separately from the direct popular election amendment.

DISTRICT OF COLUMBIA REPRESENTATION IN CONGRESS AND HOME RULE FOR DISTRICT OF COLUMBIA

The proposed amendment deals only with representation in Congress for the District of Columbia. It is *not* a proposal for "Home Rule" for the District. Citizens of the nation's capital have never had representation in Congress. Ironically, however, in times past, they have had home rule—the right to choose their own local government. For almost a century—from 1800, when the District of Columbia was first established by Congress, until 1874, when Congress eliminated all elective offices for the District—citizens of the District had at least some form of elected self-government.

I strongly support the principle of home rule for the District of Columbia. In the next Congress, I intend to make a strong effort to end the years of frustrating effort to achieve this basic reform. Whatever the result of these efforts, however, at least we can agree now that representation in Congress for the District of Columbia is both deserved and justified.

THE NEED FOR FULL VOTING REPRESENTATION IN CONGRESS FOR THE DISTRICT OF COLUMBIA

Full voting representation in Congress is an act of simple justice for the District of Columbia that is long overdue. For nearly a century, every effort to accomplish this goal has met with uniform frustration and defeat. It is time now for Congress to act to end this injustice.

Thanks to the 23rd Amendment to the Constitution, adopted in 1961, the citizens of the District of Columbia are now eligible to vote for President and Vice President. But, there is still an unfair barrier against their participation in the national legislature. By some strange anomaly, citizens of the District can vote for their President, but not for their own representatives in Congress.

There is no reasonable basis to continue to exclude the citizens of the District from the right to representation in Congress. We can no longer ignore the fact that the power of the vote in Congress determines much of the life and direction of the nation. Even without the power of this vote, the people of the District are still required to fulfill all the obligations of American citizenship. But because they have no voice in shaping the laws by which they are governed, they are relegated to the status of second class citizens in our society.

The residents of the Federal City are as deeply concerned about their city's condition and future as are the residents of Boston, New York, Chicago, Los Angeles, or any other American metropolis. But Washingtonians do not share equally with other Americans in the opportunity to make the decisions that affect their lives. Only a Constitutional Amendment granting full representation in Congress will enable citizens of the District to enjoy each of the rights granted to all Americans by the Constitution of our country.

D.C. representation in Congress, however, is more than just a prize for the citizens of the District. It is also a symbol of the problems and aspirations of the nation as a whole. For the United States, the world's greatest democracy, to deny the right of representation to the people of its capital is unconscionable, and the shame of the denial is compounded by the bitter racial emotions to which it gives rise. All of us in Congress, whatever the State or District we represent, have the obligation to eliminate this blight on the principles of our democracy.

The right of representative government is fundamental to democracy in America. Nowhere in America should the principle of representative government be more firmly established than in the nation's capital. In Washington today, however, democracy is weakest where it should be strongest. In this city where the principle of representative government should be practiced with pride as a symbol of freedom to the rest of the country and to the entire free world, democracy is shamefully lacking. By some cruel irony, a nation founded as a haven from oppression and tyranny denies to the citizens of its capital the blessing of democracy. Indeed, it is fairly said that Washington is America's Last Colony.

Washington today is a city of 764,000 people. It has a population greater than that of each of eleven states. Together, those eleven states have a total of 39 representatives in the Senate and the House. Yet, the people of Washington have no voice whatever in Congress. By contrast, those eleven states are currently represented as follows:

Number of Senators, number of Representatives and population—preliminary 1970 census estimate

District of Columbia	764,000
Two Senators, two Representatives:	
Hawaii	748,000
New Hampshire	722,000
Idaho	698,000
Montana	682,000
South Dakota	661,000
North Dakota	610,000
Two Senators, one Representative:	
Delaware	542,000
Nevada	481,000
Vermont	437,000
Wyoming	328,000
Alaska	294,000

The nation is now completing the 1970 census, from which these figures are derived. Article I, Section 2 of the Constitution requires that the census shall be taken at least once every ten years. Although the census now fulfills many purposes, the Constitution makes clear that the primary purpose of the census is to determine congressional representation in the House of Representatives. Ironically, in the District of Columbia, the national census continues to fulfill every purpose except its primary purpose.

As viewed by our nation's official policy, Washingtonians are equal for the purpose of taxation, the draft, and all the other duties of citizenship, but not for the purpose of representation. Each year, they are taxed for hundreds of millions of dollars without representation, and their sons are drafted to fight and die in Vietnam. In countless ways, the people of Washington bear the manifold responsibilities of Federal citizenship, but they are denied the opportunity to participate in making the laws by which they are governed.

To deny District citizens a voice and a vote in the Congress is not only to deny 764,000 people their rightful representation in the Senate or House. At least in part, it is also to deny more than 35 million people in sixteen different states the full attention of their own Senators and Representatives. These are the people represented by the twelve Senators and 32 Representatives serving on the Senate and House Committees on the District of Columbia and the respective appropriations subcommittees.

Although representation in Congress for the District will not end the participation of members of Congress on the Senate and House District Committees, it may reasonably be expected that at least Senators from the most populous states like New York, would be more free to devote their attention to their own constituents and would not also be assigned the responsibility of the detailed local work of a District Committee. It is notorious, in the present situation, that Senators and Representatives on the District Committees are too often obliged to put their work on national legislation ahead of their work on District legislation. Clearly, it would be desirable to have Senators and Representatives on those committees whose primary loyalty would be to the citizens of the District.

Of course, in the early years of our republic the status of the District of Columbia was not the same as it is today. Our founding fathers had no idea that the pastures, marshes and cornfields along the Potomac River would one day become the residence for nearly a million people and the center of one of the nation's greatest metropolitan areas.

Today, however, the situation is different. The nation's capital has expanded into a vast and complex society, the heart of democracy in America. Washingtonians live with precisely the same issues that face every other part of the nation. War and race, poverty and crime, education and health are the great issues of our time, and they vitally affect all our people. Only in Washington, however, are American citizens denied a voice in solving these problems. The laws and policies that personally affect the daily lives of Washington residents are entirely dictated by us in Congress. Yet, not one of us in Congress is a direct representative of the people of the capital city.

Equally important, the vast political changes in our society in recent years have placed extraordinary emphasis on the fair and equal participation of every citizen in the most basic right of all in our democratic society—the right to vote. The decade of the sixties brought enormous progress in this area to millions of Americans. The Civil Rights Acts, the Voting Rights Act, the abolition of the poll tax, the reapportionment decisions of the Supreme Court, and now the 18 year old vote, are just a few of the great steps we have taken in recent years to achieve the ideal stated so eloquently in the Declaration of Independence, that "Governments are instituted among men, deriving their just powers from the consent of the governed."

At the same time, the remarkable advances we have secured in another area demonstrate even more clearly the injustice to which hundreds of thousands of Washington citizens are condemned. By denying them the right to representation in Congress, we rob them of one of the basic birthrights of American citizens.

In large part, I believe, the absence of D. C. representation in Congress is the result of ignorance and apathy, not conscious discrimination. Wherever I travel in Massachusetts, I find that people are amazed to hear that the citizens of Washington have no representation in Congress. Now that the plight of the nation's capital is becoming familiar in states throughout the country, I am hopeful that the remedy will be swift.

I fully understand the issues raised by those concerned about the changing relationship of the Federal Government and the Congress to the District. We all know that this is not and has never been a static relationship. Rather, the relationship has undergone a process of continual evolution through the years.

It is fair to say, however, that the only real controversy in the debate has always been over the question of home rule—a question entirely separate from the fundamental issue of representation in Congress for the citizens of the District.

Agonizing debates over many years have produced a wide variety of proposals to resolve the question of home rule. Some have suggested a federal enclave, withholding most or all federal property from municipal jurisdiction, but restoring all the rest to local control. Others call for complete local self-government, subject only to such minimum controls as may be clearly essential to protect the seat of Federal Government.

No such bitter controversy surrounds the question of D.C. representation in Congress. This is one contemporary need to which Congress can and should respond. The people of Washington are entitled to full voting representation in the United States Senate and House of Representatives. It is long past time for Congress to demonstrate to our own people and to people throughout the world that in America, democracy exists for all.

SENATE JOINT RESOLUTION 1 AS AN APPROPRIATE VEHICLE FOR ACHIEVING FULL VOTING REPRESENTATION IN CONGRESS FOR THE DISTRICT OF COLUMBIA

As I have already briefly indicated, I believe that S.J. Res. 1 is an appropriate vehicle for achieving full voting representation in Congress to the District of Columbia. At a time when we in Congress are considering a change in one of the fundamental aspects of our democracy—the way we choose our president—it is fitting that we also consider one of the most glaring additional flaws in our democracy—the lack of representation in Congress for the citizens of the nation's capital.

I firmly believe that no action we take on the amendment for D.C. representation should be permitted to jeopardize the pending amendment for popular action of the President. For far too long, we have failed to act to insure that our President is the people's President, not a minority President chosen by the Electoral College or by the House of Representatives. Therefore, our first priority must be to insure prompt action by the Senate on the pending resolution, which has already passed the House, so that it may be sent quickly to the States for ratification.

Obviously, before proceeding with the amendment for D.C. representation, we must be certain that we will not jeopardize the popular election amendment. It is my belief that there will be no such jeopardy, and that the Senate and House procedures are fully adequate to insure this result.

Six months ago, similar arguments were made against our effort to lower the voting age to 18 by amending the Voting Rights Bill on the Senate floor. To do so, it was said, might endanger passage of the Voting Rights Bill itself. We know now that those arguments were wrong. By the overwhelming vote of 64–17, the Senate passed the amendment to lower the voting age. The entire Senate bill was accepted by the House and signed into law by the President. As a result, next January 1, the Supreme Court willing, eleven million new young voters between the ages of 18 and 21 will be eligible to go to the polls for the first time.

Indeed, it seems clear in retrospect that, far from jeopardizing the Voting Rights Bill, the Voting Age amendment actually contributed to the overall passage of the bill. Similarly, I believe the amendment for D.C. representation may actually contribute to Senate and House passage of the pending amendment for popular election of the President.

Moreover, the overwhelming margin—300-

58—by which the House of Representatives recently approved a nonvoting delegate in the House for the District of Columbia indicates the substantial likelihood that the House will also accept full voting representation for the District, once the House is permitted to vote on the question.

Of course, no argument can be made that the D.C. amendment will jeopardize ratification of the popular election amendment by the States. Under clearly established precedents, it is possible for Congress to pass a single resolution submitting a series of constitutional amendments to the States, with the provision that each of the amendments is to become effective as soon as it is *separately* ratified by the required number of States.

This was the procedure followed with respect to the Bill of Rights, the first ten amendments to the Constitution. In September 1789, the First Congress approved a resolution submitting twelve proposed constitutional amendments to the States. Ratification of amendments 3 through 12, which became the Bill of Rights, was completed in 1791. But the first two amendments, one dealing with representation in the House and the other affecting the compensation of Members of Congress, were never ratified.

Similarly, in the 86th Congress, the full Senate approved a resolution containing three separate constitutional amendments. In 1959, the Senate Judiciary Committee had favorably reported an amendment authorizing State Governors to fill vacancies in the House of Representatives, whenever the total number of vacancies exceeded half the membership of the House. Under the 17th Amendment, State Governors already had the power to fill vacancies in the Senate, and the proposed amendment was designed to enable the House to be reconstituted in the event of a devastating nuclear attack. In the course of the Senate floor debate on that amendment in 1960, two additional, unrelated amendments were added:

The first, offered by Senator Spessard Holland, would have repealed the poll tax in Federal elections.

The second, an amendment offered by Senator Kenneth Keating, would have given citizens of the District of Columbia the right to vote in Presidential elections, and a representative in the House.

The House refused to accept the three-part resolution passed by the Senate. Instead, the House passed a resolution containing only the provision for D.C. voting in Presidential elections. The House version was accepted by the Senate, and eventually became the 23rd Amendment. Thus, what is now the 23rd Amendment to the Constitution began its life as a Senate floor amendment. It is precisely this procedure, justified by recent history, that I seek to follow for D.C. representation in Congress.

Moreover, as is well known, the 23rd Amendment was one of the most rapidly ratified amendments in the history of the Constitution. The amendment passed Congress and was submitted to the States for ratification in June 1960. It was ratified before the end of March 1961. Less than ten months elapsed between final action by Congress on the amendment and ratification by the States. Unlike the prospects of ratification of S.J. Res. 1 by the States, therefore, which now seem increasingly uncertain, I am confident that the States will embrace the D.C. representation amendment as enthusiastically as they embraced the 23rd Amendment, if only Congress will lift the barrier it has imposed for so long.

It is also worth mentioning what I think is already clear. Over the past 80 years, hundreds of different resolutions have been introduced in Congress to establish voting representation for the District of Columbia, but all efforts to achieve this goal have met with uniform frustration and defeat. Just as in the case of the 18 year old voting provision, there is no realistic possibility that a proposal on its own for D.C. representation in Congress will be reported by the Judiciary Committee in the Senate or cleared by the Rules Committee in the House at any time in the foreseeable future.

Our goal of bringing a greater measure of democracy to the people of Washington can be accomplished, if at all, only by a floor amendment. I am hopeful, therefore, that all of us in the Senate will give the most careful consideration to the opportunity that is at hand.

FULL VOTING REPRESENTATION AND THE NONVOTING DELEGATE

On Wednesday, September 9, the Senate passed and sent to the President for his signature a bill to create a nonvoting delegate in the House of Representatives for the District of Columbia.

On August 10, the Nonvoting Delegate Bill had passed the House of Representatives by the overwhelming vote of 300–57. Shortly thereafter, upon consulting publicly and privately with leaders in District of Columbia affairs and Members of the Senate, I asked the Majority Leader to defer Senate consideration of the Nonvoting Delegate Bill until after the Labor Day recess.

I believe that this brief delay would enhance the prospect of achieving full voting representation in Congress for the District of Columbia. I was confident that the delay would in no way jeopardize the enactment of the nonvoting delegate bill in this Congress.

As I made clear at the time, I fully supported a nonvoting delegate in Congress for the District of Columbia. I commended the successful efforts of Senator Tydings, Congressman Nelsen, and District leaders in bringing this goal within easy reach at last. I especially commended Mayor Walter Washington, David Carliner, and the other leaders of the District for the common bond of unity they formed in successfully urging passage of the nonvoting delegate bill in the House. These leaders have served the District well. There is no difference among us on the overall goal. The question that arose was entirely one of timing and legislative strategy.

A number of Senators and District leaders with whom I conferred shared my concern that the immediate passage of nonvoting delegate would diminish the very real opportunity we have in this Congress to achieve our vastly more important goal of full voting representation for the District of Columbia—two voting Senators and two voting Congressmen.

Already, sentiment had begun to develop in Congress that the nonvoting delegate is enough of an accomplishment for this session and this Congress. It is nothing of the sort. The nonvoting delegate is not an end in itself. The only real value it has is as an interim measure, a half-way house to tide us over the brief period while a constitutional amendment for full voting representation is enacted by Congress and ratified by the States.

Last Wednesday, when the Senate returned from its Labor Day recess, I conferred again with members of the Senate and leaders of the District of Columbia. In light of the impending rush toward congressional adjournment, it was clear that the Senate action on the nonvoting delegate bill should no longer be delayed. More important, it was also clear that the brief delay in Senate action had succeeded in bringing an extraordinary amount of local and national attention to the higher goal we seek—full voting representation in Congress for the District—and a deeper understanding of the role of the nonvoting delegate as an interim measure en route to full voting representation.

Within hours after I removed my "hold" on the nonvoting delegate bill, it passed the Senate and was cleared for final action by the President.

Now that the nonvoting delegate is virtually a reality, I am hopeful that we can return our attention to the true goal. We must adopt the constitutional amendment I have offered, and submit it to the states for ratification. Of course, during the ratification process, the District will have the active voice and benefit of the nonvoting delegate, who will be a forerunner in Congress for the voting Senators and Congressmen who will come after him.

Only in this way can we maintain the momentum we have begun to generate. We simply cannot allow the status of the interim delegate to deteriorate into that of a permanent nonvoting representative. At last, we have a good chance of success, if only we keep our sights high, and do not relax our effort before the job is done.

POSSIBLE ARGUMENTS AGAINST FULL VOTING REPRESENTATION IN CONGRESS FOR THE DISTRICT OF COLUMBIA

In the past, representation in Congress for the District of Columbia has been the subject of a number of unconvincing opposing arguments. Because they are so unconvincing, most of us who favor representation for the District dismiss these arguments as a cover for partisan politics, or, worse, as a cover for racism.

Some opponents of representation for the District of Columbia claim that the amendment would treat the District as a state. They say that the District is not a State, but a city, smaller than at least eight other cities in the nation, and that there is no greater reason for this city to be represented in Congress than larger cities which are denied the right. This argument ignores the obvious fact that other American cities are political subdivisions of States, which are already represented in both the Senate and the House of Representatives. For years, the District of Columbia has traditionally been treated as a state in virtually every major Federal grant legislation. In program after program, in statute after statute, all of us in Congress are familiar with the well-known clause—"For the purposes of this legislation, the District of Columbia shall be treated as a State."

This argument against D.C. representation is heard most frequently in relation to the Senate. The objection is raised that only States should be represented in the Senate, and that the District of Columbia is not and cannot ever become a State.

I believe that we can accept the logic of this argument without making it dispositive. I share the strong concern of the members of this body for the traditions and prerogatives of the Senate, but I also feel a strong concern against the injustice of denying a substantial group in our population the right to participate in making the laws by which they are governed. Vital legislation affecting the lives of all the citizens in the nation is debated in every session of the Senate. Until the people of the District are represented in the Senate as well as in the House, they will not have the right of true self-government that is the birthright of every American citizen.

In addition, by accepting two Senators for the District of Columbia as part of the amendment, as well as representation in the House, the Senate itself will be demonstrating its good faith to the House. Too often, as the recent House debate on the nonvoting delegate made clear, the Senate has been generous in proposing representation in the House for the District of Columbia, but reluctant to invite the District into the well of the Senate itself. Once the Senate accepts the principle of full-voting representation in the Senate for the District of Columbia. I am confident that the House will follow suit.

To be sure, the status of the District of Columbia is unique in the politics and geography of America. Obviously, for example, we would not grant voting representation in either the Senate or the House to Puerto Rico, unless that Commonwealth chose to become a state. We know, however, that, unlike all our other territories, past or present, the District of Columbia can never aspire to statehood in the United States. Can we really maintain, therefore, that the citizens of the District are doomed to a perpetual colonial status, to denial of the most basic right in civilized society—the right that is preservative of all other rights, the right of self-government? Surely this is too high a price to pay for preserving the traditions and prerogatives of the Senate.

Nothing in our Constitution or its history supports the interpretation that the District of Columbia was not intended to be entitled to representation in both the Senate and the House. Indeed, in the Federalist, No. 43, James Madison, one of the principal architects of the Constitution, wrote that the prospective inhabitants of the Federal City "will have had their voice in the election of the government which is to exercise authority over them." Clearly, Madison was assuming that the citizens of the Nation's Capital would be represented in Congress.

Another, even less persuasive, objection to District representation rests on the proviso in Article V of the Constitution, which declares that "No state, without its consent, shall be deprived of its equal suffrage in the Senate." It is far too late in our history to argue that the admission of the District of Columbia to representation in Congress would deprive any state of its "equal suffrage in the Senate." In light of the history of the Constitution and the precedents under it, the meaning of Article V is clear—no single state may be given a larger number of Senators than any other State.

In other words, it was the intention of the founding fathers in the proviso of Article V to make clear that the Senate could never—even by Constitutional amendment—be apportioned by population or on any other basis that would give one State more representatives in the Senate than any other state.

This was the essence of the Federal compromise at the Constitutional Convention in 1787. It has guided us for two hundred years, and it is intended to endure throughout our history. This is all that Article V means, and all that it requires.

In addition, Article V has never been read as prohibiting the representation of new States in the Senate, even though—obviously—the admission of a new State dilutes the voice and power of the existing states in the Senate. Indeed, since the ratification of the Constitution by the original 13 states, 37 new states have been admitted to the Union. As a result, the power of the original 13 states in the Senate has been diluted nearly fourfold, from 2/26 to 2/100. Yet, no one has ever argued that any of the original 13 States has been deprived of its equal suffrage in the Senate.

The principle is clear. So long as the District of Columbia is represented in the Senate no more advantageously than any State, it cannot be said that representation for the District deprives any State of its equal suffrage in the Senate. Each State will still have two votes in the Senate. and each State will still have the same proportionate vote as any other State.

RECENT EFFORTS TO OBTAIN REPRESENTATION IN CONGRESS FOR THE DISTRICT OF COLUMBIA

Although a large number of proposed constitutional amendments for full voting representation in Congress in the District of Columbia have been introduced over the years, none has yet come to a vote on the floor of either the Senate or the House.

One of the most significant recent developments occurred in 1967, when the Johnson Administration proposed a constitutional amendment to provide a single voting representative for the District in the House of Representatives. The proposal would also have authorized Congress to act by statute to enlarge D.C. representation in either the Senate or the House, up to the representation to which the District's population entitles it. Hearings on this proposal were held before both the Senate and House Judiciary Committees in the 90th Congress.

No further action was taken in the Senate, but the House Judiciary Committee—under the leadership of its distinguished Chairman, Congressman Emanuel Celler—reported the proposal in a much more far reaching form. As reported, the proposal—essentially the same proposal that I am now offering—would provide for the election of two Senators by the voters of the District and election of the number of Representatives based on the city's population. Unfortunately, the House Rules Committee failed to act on the proposal. No further action could be taken by the House, and the amendment died when the 90th Congress adjourned. Nevertheless, this action by the House Judiciary Committee is the high-water mark of all the efforts to achieve this reform. But for the remarkable record of achievement already compiled in the House, there would be no real prospect for enactment of the amendment at this time.

It is also significant that a few years earlier, in 1960, the full Senate itself had accepted the principle of representation in Congress for the District of Columbia. By a vote of 63–25—well over the two-thirds majority required to pass a constitutional amendment—the Senate accepted an amendment, sponsored by Senator Kenneth Keating, which would have given citizens of the District of Columbia the right not only to vote in Presidential elections, but also to be represented in the House of Representatives. Under the provisions of the amendment, Congress was authorized to determine by statute whether the District representatives would be given voting privileges in the House. The provision for D.C. voting in Presidential elections went on to become the 23rd amendment, but the provision for D.C. representation in the House died in the House Judiciary Committee. Today, however, a decade later, the climate in that Committee is obviously more favorable toward full voting representation in Congress for the District.

In addition, it is worth emphasizing that the principle of D.C. representation in Congress has broad and bipartisan support. In his message to Congress on the District of Columbia in April 1969, President Nixon expressed the Administration's strong support for D.C. representation in Congress. As the President stated:

"It should offend the democratic sense of this nation that the . . . citizens of its capital comprising a population larger than eleven of its states have no voice in Congress."

Last October, and again as recently as last Friday, President Nixon reiterated his strong concern for voting representation in Congress for the citizens of the District. As part of his message to Congress on September 11 entitled "A Call for Cooperation," the President emphasized his view that the lack of representative government for the people of the District was "one of the truly unacceptable facts of American life." As the President said, "I share the chagrin that most Americans feel at the fact that Congress continues to deny self-government to the nation's capital."

As long ago as December 1952, President-elect Eisenhower spoke eloquently of the need for D.C. representation in Congress. As he put it, taxation without representation was contrary to the principles of our nation. He specifically expressed his strong feeling that something was basically wrong in America if we tax the citizens of the District and draft their children for military service, but do not give them the right to vote.

VOTING RIGHTS OF RESIDENTS OF THE DISTRICT OF COLUMBIA UPON ITS ESTABLISHMENT AS THE SEAT OF THE FEDERAL GOVERNMENT

The origin of the District of Columbia is found in Article I Section 8, Clause 17 of the Constitution, which provides:

"The Congress shall have Power . . . To exercise exclusive Legislation in all Cases whatsoever, over the District (not exceeding ten Miles square), as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States."

In 1788, the year after the Constitution was ratified, Maryland ceded territory for the District. In 1789, Virginia also ceded territory. From the Maryland and Virginia cessions, the ten-mile square area on both sides of the Potomac River constituting the original District of Columbia was selected.

In the Residence Act of July 16, 1790, Congress approved the territory ceded by Maryland and Virginia as the site for the seat of the Federal Government, and empowered President Washington to engage in all activities necessary for the site to be ready for occupation and use by the Government of the United States on the first Monday of December 1800.

The original ten-mile square area—100 square miles—approved for the Nation's capital contained two municipalities—Georgetown and Alexandria. Georgetown had originally been laid out in 1752. It was incorporated by Maryland in 1789 and had a population of 3,000 persons in 1800. Alexandria had been founded in 1749. It was incorporated by Virginia in 1790, and had a population of 5,000 in 1800.

Prior to the cut-off date of the first Monday of December, 1800, residents of the area included in the District of Columbia continued to vote for Senators and Representatives from their respective States, as well as for the President of the United States and for local officials. In the case of the national election in 1800, for example, voters from the newly laid out city of Washington cast their ballots at Bladensburg, Maryland, and residents of Georgetown and Alexandria voted in their respective cities.

The right to vote in national elections remained in force until the first Monday in December, 1800, when, as announced in an opinion by Justice William Cranch of the United States Circuit Court of the District of Columbia, the exclusive jurisdiction of Congress over the District took effect.

In 1846, at the solicitation of the citizens of Alexandria, aggrieved by the denial of their voting rights and their representation in the Federal Government, Congress ceded the thirty square miles of the Virginia portion of the District back to the State of Virginia. A referendum by the people of the area approved the retrocession by an overwhelming majority of nearly 80%. In 1838, Georgetown had sought retrocession unsuccessfully. Thus, the territory comprising the District of Columbia today is the 70 square miles of the original Maryland cession.

The grievances of the people of Alexandria leading to the demand for retrocession to Virginia were vividly described by Representative Robert M. T. Hunter of Virginia in a speech on the floor of the House during the debate on the retrocession bill. The reporter of the debates summarized Congressman Hunter's speech as follows:

"He spoke of the importance of the retrocession to the people of Alexandria; and depicted, in glowing colors, the blight that had fallen on that city by reason of her dependence on the General Government; her declining commerce, her premature decay; the desolation which had come upon her, not by the scourge of God, but by the hand of man. He believed that if the boon contemplated by this bill were granted, the blessings of the people of Alexandria and of their posterity would fall upon Congress. If this opportunity was neglected, Congress would be responsible for whatever evils might result." Cong. Globe, 29th Cong., 1st Sess., p. 778.

The echoes of these grievances are still heard today, more than a century later, with respect to the descendants of the residents of the original Maryland territory ceded to the nation. The call for action by Congress is now clear.

EARLY EFFORTS TO OBTAIN REPRESENTATION IN CONGRESS FOR THE DISTRICT OF COLUMBIA

From the beginning of the nineteenth century, there have been a number of strong proponents of full voting representation in Congress for the District of Columbia. One of the earliest advocates was Mr. Augustus B. Woodward, a protege of Thomas Jefferson, who wrote a series of eight articles and pamphlets on the issue for the *National Intelligencer* between 1801 and 1803. In this pamphlet, entitled "Considerations on the Government of the Territory of Columbia" and signed "Epaminondas," Mr. Woodward described the plight of the citizens of the new District, who were forced to endure the very sort of taxation without representation that had so recently triggered the Revolutionary War. As Mr. Woodward eloquently stated:

This body of people is as much entitled to the enjoyment of the rights of citizens as any other part of the people of the United States. There can exist no necessity for their disenfranchisement, no necessity for them to repose on the mere generosity of their countrymen to be protected from tyranny; to mere spontaneous attention for the regulation of their interests. They are entitled to a participation in the general councils on the principles of equity and reciprocity." Considerations on the Government of the Territory of Columbia, Nos. I–IV, Georgetown Museum, 1801–1803.

The other well-known early advocate of D.C. representation in Congress was Theodore W. Noyes, a native Washingtonian and the editor of the Evening Star from 1908 to 1946. In 1888, a year after he first came to the Star as an associate editor, Noyes wrote a series of five articles, entitled "Some of Washington's Grievances," in which he strongly urged that the District of Columbia deserved voting representation in Congress. Throughout his life, Noyes devoted much of his time and effort to the cause of D.C. representation in Congress, and he may legitimately be called the father of the contemporary movement for such representation.

Indeed, in large part, the history of the movement for D.C. representation in the late nineteenth century and the first half of the twentieth century is a chronicle of Noyes' activities. Following his famous series of articles in 1888, it is worth noting these additional landmarks:

In 1914, the movement began to gain broader support with the official backing of the Washington Chamber of Commerce, in a report written by Noyes himself.

In 1916, Noyes was the leading witness at the first Senate hearings ever held on representation in Congress for the District of Columbia.

In 1917, the Washington Board of Trade, the Chamber of Commerce, and many other organizations joined to organize the "Citizens' Joint Committee on National Representation for the District of Columbia," with Noyes as Chairman. Noyes held the position until is death, and testified frequently for the Committee in Senate and House hearings.

In 1922, in what stood for many years as the high water mark of the legislation until Congressman Celler's action in 1967, the Senate District Committee favorably reported the D.C. Amendment, with a report closely tracking the testimony Noyes had given.

By 1928, Noyes had become known across the nation for his crusade. Testifying before Congress at the age of 70, he was praised as a man "of invincible determination and unquenchable hope."

In 1946, at his death, Noyes' will created a small trust to continue the movement for D.C. representation in Congress. In the words he used in the bequest, Noyes created the trust because he was "convinced that no other representation is so essential to the welfare of the men and women of my home community." In 1951, the trust published a volume of Noyes' collected writings on the subject, entitled, "Our National Capital and Its Un-Americanized Americans."

The first Constitutional Amendment to be introduced in Congress for D.C. representation was proposed by Senator Henry W. Blair of New Hampshire in 1888, in response to a train of events set in motion by Noyes' articles. On March 10 of that year, the Star carried the fourth article of Noyes' series, describing the unfortunate political plight of the citizens of the District. In the article, Noyes proposed an amendment to provide voting representation in Congress for the District by one Senator and one or more Representatives, according to population. As Noyes stated in his article:

"(The Amendment) would be a compromise between granting only local, qualified suffrage, which is highly objectionable to the District, and consenting to absolute self-government, which involves a surrender of national control over the capital, and to which the United States, as owner of one-half the city . . . would never consent. The wisdom of this course is sustained by all the arguments which go to show that the constitutional power of "exclusive legislation" by Congress should not be hastily yielded, and also by those who maintain that taxation without representaton and inequality of citizens before the law should not be allowed to exist.

"The District would be placed in certain respects on a level with the States. Taxed like them, it would have like them a voice in the disposition of the general taxes. It would not, however, stand upon precisely the same footing with them, for the States are subordinated to the general government only in certain defined particulars, whereas the District would be subordinated in all respects . . . Enjoying representation in Congress and participation in the choice of the President, who appoints its local officers, Washington would resemble in its municipal government a city which, after voting for the governor and legislature of a State is managed by a commission appointed by the former and approved by the latter." *Our National Capital and Its Unamericanized Americans*, pp 62–63.

Shortly after publication of this article, Mr. Appleton P. Clark, Sr., a local civic leader, submitted a letter requesting presentation of an amendment to Congress for D.C. representation in Congress and in the electoral college. The amendment was presented by Senator Blair, and was printed in the CONGRESSIONAL RECORD of April 3, 1888 (50th Congress). The amendment was identical to the proposal outlined by Mr. Noyes. On April 5, the Senate Judiciary Committee asked to be discharged from consideration of the amendment for technical procedural reasons, and asked that the amendment be referred to the Committee on Privileges and Elections.

On May 15, 1888, Senator Blair reintroduced the amendment as S.J. Res. 82, and this resolution has come to be accepted as the first constitutional amendment to provide representation for the District of Columbia in Congress.

During the 51st Congress, two constitutional amendments were introduced in the Senate—S.J. Res. 11 (December 5, 1889) and S.J. Res. 18 (December 9, 1889). On December 19, 1889, both amendments were reported unfavorably by the Senate Committee on Privileges and Elections, with the recommendation that consideration be indefinitely postponed. On September 17, 1890, Senator Blair was recognized and spoke strongly before the Senate in support of the resolutions, but they remained on the calendar without further legislative action.

Although a number of individuals made efforts to promote Congressional representation for the District and a number of constitutional amendments were introduced during the ensuing quarter of a century, the next period of major interest in the proposal did not begin until 1915.

In December 1915, H.J. Res. 37 and S.J. Res. 32 (64th Congress) were introduced by Representative Richard W. Austin of Tennessee and Senator George E. Chamberlain of Oregon. The resolutions were identical, and provided that the citizens of the District should be accorded the status of citizens of a state in the elections of President and Vice President and should be represented in Congress on the same basis.

On February 24 and 25, 1916, and on March 2, 1916, the Senate Committee on the District of Columbia held the first hearings on the proposal. Theodore Noyes, testifying before the Committee, presented the arguments which had been promulgated as early as 1801 in the pamphlets of August B. Woodward.

In his testimony, Noyes emphasized that the arguments made since 1800 for D.C. representation were the same, basically, as those he had presented in his article in *The Star* in 1888. The principle of self-government he said, was so basic to the human dignity and constitutional rights of the people in the District that Congress should act without delay. No further action was taken by the committee, however, and no committee report was filed.

On January 27, 1917, near the end of the 64th Congress, Senator Chamberlain introduced S.J. Res. 196. This proposal is of importance because it was the first of the so-called "permissive" forms of the amendment to be introduced. Under Senator Chamberlain's new amendment, Congress would have been authorized to act by statute to give the residents of the District the status of citizens of a State for the purpose of representation in Congress and election of the President and Vice President. Under the earlier, "mandatory" forms of the constitutional amendment, representation in Congress would have been *required* by the terms of the amendment itself.

Between 1917 and 1921, fifteen additional resolutions were introduced. The Senate District Committee held a new round of hearings on four of the proposals, and on February 21, 1922, S.J. Res. 133, a permissive form of the amendment, was reported favorably by Senator Wesley L. Jones of Washington, the chairman of the committee. (Senate Report No. 507, 67th Congress). Except for the increased population of the District, the findings and conclusions of the committee are as valid and current today as they were in 1922, 48 years ago. As the committee report stated:

"Yet in the District of Columbia, the seat of the government of the United States, 437,571 Americans, performing justly and honorably all the duties of peace and war, remain without any representation whatever in the Government which rules and taxes them, makes the laws they must obey, and sends their sons to battle.

"What is there in our scheme of government that requires that the Capital of the United States should be the one capital among the civilized nations, the inhabitants of which are excluded, deliberately and of set purpose, from all participation in their government?"

The 1922 report of the Senate District Committee was twice reaffirmed in subsequent Congresses without hearing, but no further substantial legislative action was taken. The rising tide of the movement had crested and begun to subside.

At the beginning of this period, various citizen groups had begun to lend increasingly active support to the D.C. representation movement. Outstanding among them was the Citizens' Joint Committee on National Representation for the District of Columbia, which convened initially on November 21, 1917. The Committee was composed of delegates from Washington's principal commercial and civic bodies, and was intended to become a smooth working, powerful organization, operating solely and with one voice for the passage by Congress and ratification by the State legislatures of a constitutional amendment to give representation in Congress for citizens of the District. Theodore Noyes was unanimously elected chairman and he served in that capacity until his death July 4, 1946.

The injustice of taxation without representation, and the participation of District citizens in World War I without the full political status of their comrades, had succeeded in bringing the D.C. representation issue to the forefront. By 1919, the Citizens' Joint Committee had established an essentially all-inclusive membership among local organizations and institutions. The rolls of the committee contained every significant civic and business organization in Washington, such as the Chamber of Commerce, the Board of Trade, the Merchants' and Manufacturers' Association, the Central Labor Union, the Federation of Citizens' Associations, the Oldest Inhabitants Association, the Bar Association, and many others.

The Joint Committee's executive officers had laid effective groundwork by visiting several cities for the purpose of studying their tax structures. The Washington press carried long accounts of progress toward the goal, and out-of-town correspondents kept other localities aware of the movement.

Red stickers were printed emphasizing that the 400,000 inhabitants of the District paid taxes, obeyed Federal laws and went to war, but were forced to remain voteless. Businessmen attached the stickers to their non-local correspondence. The response throughout the country was surprisingly rapid and heartening. Many persons offered support and expressed astonishment at learning that Washingtonians were disfranchised, or that they were required to pay taxes in any form. And yet, although not a dissident note sounded in these early years, no action occurred in Congress.

Then, the civic front began to crack. The organizations making up the Joint Committee began to take differing positions on the amendment they desired Congress to enact. A severe blow fell in July 1919, when racial violence broke out in Washington. The disturbances produced deep political divisions within the city on the issue, causing a loss of faith in the people of Washington throughout the country.

Apathy set in. Although the Joint Committee remained in existence for many years it was never able to generate the strong combination of interests that it had secured in the early years.

Leaders in the District and in Congress sought to maintain the pressure to achieve the goal, but the next major step forward did not come until the action of the House Judiciary Committee in 1967. The time is now at hand to take the final step.

REPRESENTATION OF THE CAPITAL CITY IN THE NATIONAL LEGISLATURE OF FOREIGN NATIONS

The denial of representation in Congress to the District of Columbia stands in sharp contrast to the representation enjoyed by citizens of capital cities governed under a federal system in many foreign nations throughout the world.

Within the British Commonwealth, two of the three nations with national capitals under Federal jurisdiction—Australia and India—grant voting representation in the national legislature to citizens of the capital city. Australia's Capital Territory at Canberra is administered by the Commonwealth Government in much the same fashion as Congress governs the District of Columbia. Canberra, however, unlike the District, has an elected representative in the House of Parliament who has full voting privileges.

India's capital, New Delhi, is administered by the President of India through an Administrator of his designation. Elections of representatives to both the upper and lower Houses of Parliament from the capital city are conducted in the same manner as elections for representatives from the other states and territories in India.

Of the British Commonwealth nations with federal systems, only Pakistan denies representation in the national legislature to the citizens of its capital. At the present time, Pakistan is under military rule. In an order of April 1, 1970, providing for a general election, the President of Pakistan excluded Isamabad, the capital, from the voting district of Punjab, in which the capital is located.

In general, the constitutions of European nations grant no special status to the capital cities, and they impose no limitations on the rights of citizens of the capital cities to vote in national elections. Even in countries with a federal structure, such as Austria, West Germany, Switzerland, and the Soviet Union, the electoral codes give the capital cities equal footing with other electoral districts, determined on the basis of population.

Similarly, in three of the four federated republics in Latin America in which a Federal District has been established—Argentina, Mexico and Venezuela—the citizens of the capital city enjoy voting representation in the national legislature.

Only in Brazil are the citizens of the capital city, Brasilia, denied such voting representation. And even in Brasilia, the circumstances are unique and reminiscent of the District of Columbia at its origin. Until 1956, Rio de Janeiro was the capital of Brazil, and its citizens enjoyed full voting representation in the national legislature. When the capital was transferred to Brasilia in 1956, the capital was a "new city," like Washington in 1800, carved out of wilderness territory, with a "population" expected to consist essentially of the members of the government and the national legislature. As in the case of Washington, the founding fathers in Brazil simply did not anticipate the rapid growth of their new capital city.

Indeed, half a century ago, in the first committee report of the United States Senate urging representation in Congress for the District of Columbia, the Senate District Committee emphasized the irony of the disfranchisement of Washington residents compared to the citizens of the capital cities of Brazil and other Latin American nations.

As the committee stated in 1922:

"National representation of the District will remove from the Nation the shame of impotency.

"It will proclaim to the world that the great Republic is as devoted to the principles of representative government and as capable of enforcing them as other republics with capitals in nation-controlled districts, like Mexico, Brazil, and Argentina. These nations have not found themselves impotent to give full national representation to the people of their capitals.

"It will proclaim to the world that the people of Washington are as fit to participate in national representative government as the people of Rio de Janeiro, Buenos Aires, and Mexico City. Washington will cease to be the only capital in all the world whose people, slurred as tainted or defective, are unworthy to enjoy the same national representation as that enjoyed by all other cities of the Nation."

The conclusion is inescapable. In nation after nation throughout the world, the citizens of capital cities are accorded the dignity and respect of representation in their national legislatures. Surely the citizens of the Capital of the United States deserves no less.

Mr. EAGLETON. Mr. President, as chairman of the District Committee, I wish to add my support to Senator KENNEDY's proposed amendment granting to the District of Columbia full congressional representation.

Having spent the past 2 years as a member of the District Committee, I am only too aware of how deeply Congress intrudes into the essentially local affairs of the District. It is the only jurisdiction in the country for which Congress sets taxes on groceries and dry cleaning. It is the only jurisdiction in the country for which Congress sets salaries for teachers and policemen. It is the only jurisdiction in the country for which Congress reviews laws relating to snow and ice removal. Yet, for all of that, it is the only jurisdiction with no voice in Congress.

I am fully aware that the people of the District will soon have their first opportunity to send a spokesman to the House of Representatives. I view this nonvoting delegateship as a step forward—but I believe it can only be viewed as an interim measure.

The District is home to nearly 760,000 Americans—a population greater than that of 10 of our States. Yet each of these States has two Senators and either one or two Representatives—a total of 35 voices in the Congress. The District has no one—and soon it will have only one man, without a vote, to represent its interests on Capitol Hill.

The people of the District carry the same responsibilities of citizenship as other Americans. They are subject to the draft and they pay income taxes. They care about education, public health, crime, and inflation. They are affected, like everyone else, by all aspects of our foreign and domestic policy. Yet they alone have no voice in the making of this policy.

The question before Congress at this point is not home rule. Much to my regret, even if this amendment to the Constitution passes, the people of the District still will not be able to choose their own local officials. We are concerned now solely with the question of representation in the Congress.

It is appropriate, in my view, that we look at this question together with the proposed amendment to extend the franchise to 18-year-olds for all elections. In broad terms we are concerned about extending the franchise to those who have a stake in our Government but who have had no voice in its makeup. Surely that inequity is as true of District residents as it is of our youth.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. EAGLETON. I am pleased to yield to the distinguished Senator from Massachusetts.

Mr. KENNEDY. I commend the Senator from Missouri for his comments. As the chairman of the Senate District Committee, I think he and the members of his committee have a deep understanding of the need for this amendment. As he has indicated in his statement, he and his committee are dealing in detail with many matters of the most basic and fundamental importance to local government and to representative government. I believe his support for this amendment is of great significance and consequence.

The PRESIDING OFFICER. The Senator's 3 minutes have expired.

Mr. BYRD of West Virginia. Mr. President, if the Chair will recognize me, I shall be happy to yield my 3 minutes to the able Senator.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. EAGLETON. I thank the Senator from West Virginia. I yield to the Senator from Massachusetts.

Mr. KENNEDY. I thank the Senator for his comments and support. I think he has pointed out that this is a matter which is long overdue. There is no legitimate reason why the people who live in the District of Columbia ought to be denied the kind of representation which the rest of the American people take for granted. This is certainly an idea whose time has come. Indeed, as the Senator has stated, the idea is long overdue. I look forward to working with the Senator in this effort, which I think is a matter of great urgency.

Mr. EAGLETON. Mr. President, I thank the Senator from Massachusetts. He has carried on a noble tradition of his family insofar as his interest in and concern for the people of the District of Columbia is concerned. His brother, the late President John F. Kennedy, served as an active member of the House District Committee during his tenure in the House of Representatives. The late Senator Robert Kennedy was a member of the Senate District Committee during his tenure in this body. Senator EDWARD KENNEDY of the Commonwealth of Massachusetts has carried on that interest. Although not a resident of the District of Columbia, the Senator has a strong feeling for the residents of the District and a concern for their problems. It is my pleasure to join the Senator in this battle for a constitutional amendment which would provide some measure of equity insofar as representation in the Halls of Congress is concerned to the people of the District of Columbia.

Mr. KENNEDY. I thank the Senator. In closing, Mr. President, it is worth pointing out that we in this country are fighting 10,000 miles away to provide representative government for the people of South Vietnam. This amendment is our opportunity to provide the same thing—representative government—right here at home, for the residents of the District of Columbia.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, how much time remains of the period designated for the transaction of routine morning business?

The PRESIDING OFFICER. Five minutes.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

ANNOUNCEMENT OF HEARINGS EVALUATING FUNCTIONS AND POLICIES ON THE U.S. ADMINISTRATION ON AGING

Mr. CHURCH. Mr. President, the Senate Special Committee on Aging—in cooperation with the Subcommittee on Aging of the Senate Committee on Labor and Public Welfare—will conduct joint hearings on March 25, 29, and 30 to take testimony related to a joint evaluation of the functions and policies of the U.S. Administration on Aging.

As chairman of the committee, I see a clear need for an inquiry into issues that have arisen since the AOA was established by enactment of the Older Americans Act in 1965.

As chairman of the subcommittee, the Senator from Missouri (Mr. EAGLETON) is also a member of the Committee on Aging. We have conferred and reach the conclusion that such issues could best be explored through a joint inquiry.

Among the matters that will receive attention:

First. Potential effects of the cutbacks for AOA funding as expressed in the new budget requests submitted this year.

Second. Plans for the White House Conference on Aging and the pace at which preparations are now proceeding.

Third. The effects of recent reorganizations within HEW upon the Administration on Aging, in view of congressional expressions of intent before, during, and after enactment of the Older Americans Act of 1965.

Fourth. Discussion of whether the Older Americans Act should be extended when it expires in 1972, or a new agency should be named to succeed the Administration on Aging.

In regard to the cutbacks mentioned above, a few days ago I addressed the Senate about the devastating effects that such reductions would have on programs which deliver services, or provide training, or demonstrate new techniques of meeting the needs of older Americans.

On the same day, the Senator from Vermont (Mr. PROUTY), the ranking Republican member of the Committee on Aging, took issue with the proposed reduction in funds. As he said:

> The needs of older Americans, and hopes created by the unanimous enactment of the Older Americans Act in 1965, are such that there should be an immediate reconsideration of these funding cuts.

Additional statements, similar in nature, were made by the Senator from New Jersey (Mr. WILLIAMS), former chairman of the Committee on Aging and now chairman of the Committee on Labor and Public Welfare; and the Senator from West Virginia (Mr. RANDOLPH), chairman of the Subcommittee on Employment and Retirement Incomes of the Committee on Aging, and chairman of the Committee on Public Works. I have been informed that several other Senators may soon issue statements on the AOA budget.

Mr. President, the concern about the future of the Administration on Aging is not centered solely upon funding problems, immediate as those problems may be. Within recent years several actions taken by the executive branch, without consultation with Congress, have led to a growing conviction among many Members of Congress that the AOA is gradually being downgraded in its role and in practical effectiveness.

In 1967, the AOA was transformed into a unit of a new "umbrella" agency, the Social and Rehabilitation Service, despite prior congressional direction that the AOA Commissioner should have high visibility and direct lines of communication with the Secretary of Health, Education, and Welfare.

In 1969 and in 1970, the executive branch failed to request funds authorized by the Congress for such purposes as a retired senior volunteer program or adequate funding for the White House Conference on Aging.

And in 1970, two entire titles of the Older Americans Act—one related to training and one related to research and development—were taken away from the direct administration of AOA and put under the direction of the Social and Rehabilitation Service.

Perhaps, as some legislators and specialists in aging have suggested, the Older Americans Act did not establish the kind of agency really needed to fulfill the purposes of that act as expressed in its preamble. The Older Americans Act was a compromise between those who wanted a Cabinet-level agency with fixed responsibility for program operation and those who wanted a commission or some such mechanism to encourage existing Federal units to devote adequate attention to the elderly in all appropriate programing.

But now the compromise has been compromised. In view of the fact that the Older Americans Act will expire in 1972, Congress should evaluate the AOA and what has become of the Older Americans Act during the last 5½ years.

Closely related to the overall question of the effectiveness of the AOA is the conduct of the White House Conference on Aging, now scheduled for the last 2 days of November and the first 2 days of December.

It is clear, I think, that—if the very agency which has been assigned the responsibility of directing that conference is in trouble—then the conference, too, may fall far short of the goals set for it by Congress in legislation enacted more than 2 years ago.

For these reasons and others to be explored at the hearing, it is essential for Congress to have all the facts before making decisions related to the extension of the Older Americans Act and actions that may be necessary to assure the success of the White House Conference.

In conclusion, I wish to thank Senator EAGLETON for his cooperation and concern. By making this a joint inquiry, he is broadening its congressional base and providing a direct channel into whatever legislative activity may result.

PROPOSED CUTS IN OLDER AMERICANS ACT FUNDING

Mr. EAGLETON. Mr. President, I wish to add my voice to those of others who have expressed concern about proposed reductions in funding for programs under the Older Americans Act.

For fiscal 1972, the administration proposes to cut funds for these programs back to $29.5 million from the $32 million appropriated this year.

This includes a cut of $3 million for the foster grandparents program and a reduction of $2.15 million for research and training projects.

But of even greater concern is the $3.65 million reduction proposed for title III community grants. This activity represents the heart and soul of the Older Americans Act—a Federal-State-community cooperative effort to expand the services available to senior citizens.

Although this has been a very successful program, it has been cut back from its fiscal 1969 level of $14.5 million to $9 million in the last 2 years. Now the administration proposes to cut it back still further to only $5.35 million in fiscal 1972.

My State of Missouri, which was allocated $202,619 this year, would receive only $120,374 next year—a 40-percent reduction.

Early R. Welty, director of Missouri's Office of Aging, has written to me as follows:

> The reduction of funds for the Title III program in Missouri will result in a rapidly declining system of services for older people which was developed at a level of $394,684 in fiscal 1969 to a drop of $207,000 in fiscal 1970, $202,619 in 1971, and an administrative request for $120,374 for 1972. The request for next fiscal year is a death notice for the grant program. At this rate of decline, the end is approximately two years away.
>
> We would be able to fund two new programs next year, and none the following year if we receive the amount requested by the administration. This is based on the assumption none of the communities request fourth year funding.
>
> It is our conviction the programs developed under Title III have value and are not wasteful of tax monies. We feel the grant program has been convicted to death without adequate trial.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a list of Missouri projects under title III of the Older Americans Act.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

DESCRIPTION OF TITLE III PROJECTS IN MISSOURI OLDER AMERICANS ACT—OFFICE OF AGING, DEPARTMENT OF COMMUNITY AFFAIRS, STATE OF MISSOURI

Location	Project number and title	Sponsoring organization	Project period	Description
St. Louis	1001—Information and referral service for older persons.	Health and Welfare Council of Metropolitan St. Louis.	Feb. 1, 1967 to Feb. 1, 1970.	An information and referral service for the aging operated in cooperation with the city of St. Louis.
Columbia	1002—Older Americans Klub	Boone County Association for Mental Health	do.	A multipurpose activity center for the elderly in the public housing community space.
St. Louis	1003—Seminar on new dimensions in services to the aging (terminated).	Jewish Center for Aged, St. Louis	Jan. 1, 1967 to Jan. 1, 1968.	A training seminar for policy and decision makers in the community on up-to-date concepts in services for the elderly.
Lee's Summit	1004—Lee Haven service center	American Association of Retired Persons, Lee's Summit Chapter.	Feb. 1, 1967 to Feb. 1, 1970.	An activity center with social and recreational activities for the aged within the community in a housing project for the elderly.
Clayton	1005—Mobilizing a State's scientific and educational resources in behalf of services and programs for the State's aging population (terminated).	Gerontological Society, St. Louis	Feb. 1, 1967	A study of training and research needs and resources in aging for Missouri.
St. Joseph	1006—Comprehensive planning program for the elderly in the St. Joseph area (terminated).	Community Welfare Council	Feb. 1, 1967 to Oct. 1, 1967.	Development of a comprehensive plan for the expansion of existing services for the aging.
Jefferson City	1007—Missouri Association of Licensed Nursing Homes education program.	Missouri Nursing Home Association	Oct. 1, 1967 to Oct. 1, 1970.	A comprehensive program of education for nursing home personnel in the State.
Trenton	1008—A multi-county development program for the aging.	Green Hills Regional Planning Commission, Bethany.	do.	A program to assist in the development of local, county, and regional services and facilities for the aging.
Kansas City	1009—Coordinated diversional activities program.	Swope Ridge Nursing Home, Kansas City	do.	Development of a coordinated diversional activities program in a comprehensive long-term care facility and the development of "How To Do It" manual.
Van Buren	1010—Senior citizens center (terminated).	Carter County Senior Citizens, Inc., Van Buren	do.	An activity center with social, recreational, and craft activities.
Poplar Bluff	1011—Senior citizens service center	Altrusa Club of Poplar Bluff	do.	An activity center with social and recreational activities in a housing project for the elderly.
Kansas City	1012—Easter Seal homecraft program for the aged.	Jackson County Easter Seal Society	do.	A demonstration training project for elderly in arts and crafts and the development of marketing outlets.
Do.	1013—Jackson county resident aide program (terminated).	Jackson County Home for the Aged	do.	Development of a "New Careers" training in work with the elderly utilizing a home for the aged.
Lexington	1014—Health related social services for the aging in rural and small town areas.	University of Missouri, School of Social Work	do.	Development of social services including placement of trained social work aides and students in physicians' offices in rural areas to give services to elderly.
St. Louis	1015—Senior citizens safety training program (terminated).	Safety Council of greater St. Louis	Sept. 1, 1967 to Sept. 1, 1968.	A series of training workshops for agency personnel on utilization of safety measures for older persons both at home and in public.
West Plains	1016—Planning for the felt needs of senior citizens (terminated).	Southcentral Ozarks Regional Planning Commission, West Plains.	July 1, 1967 to July 1, 1968.	Development of a plan for the elderly through an assessment of the needs of older people in a multicounty area.
St. Louis	1017—Cardinal Ritter institute senior center	Cardinal Ritter Institute, St. Louis	Apr. 1, 1968 to Apr. 1, 1971.	An activity center with recreation, social and educational services for the aged within the community in a housing project for the elderly.
Do.	1018—Elderly neighborhood services (terminated).	Human Development Corporation of Metropolitan St. Louis.	May 15, 1968 to Sept. 30, 1968.	A project focused on using older persons to assist in carrying out summer programs for youth and other elderly persons.
St. Joseph	1019—Focus on the aging	Community Council	Apr. 1, 1968 to Apr. 1, 1971.	Implementation of a plan for services for the elderly based on plans developed through project No. 1006.
Jackson	1020—Project moneywise-senior	Curators of the University of Missouri	Oct. 1, 1968 to Sept. 30, 1971.	A training project to assist older citizens in gaining maximum returns from their limited income.
Do.	1021—Home management systems (terminated).	Catholic Family and Community Services, Kansas City.	July 1, 1968 to June 30, 1969.	Project focused on providing services to older people who are in need of assistance in their own homes.
Nevada	1022—Vernon County information and referral center.	Vernon County Council on Aging	July 1, 1968 to June 30, 1971.	An information and referral service for the aging operated in cooperation with the Vernon County Council on Aging.
Springfield	1023—Homemarker project	Visiting Nurse Association of Greene County	Sept. 1, 1968 to Aug. 31, 1969.	A project to provide homemaker service to older people.
Kansas City	1024—Project communication	Kansas City College of Osteopathy and Surgery	Oct. 1, 1968 to Sept. 30, 1969.	A project designed to facilitate communication between the medical profession and a referral service for older people.
Do.	1025-City-county office of aging	Kansas City Health Dept	Oct. 1, 1968 to Sept. 30, 1971.	A city-county office of aging to develop a system for adequate services to older people and to coordinate existing services.
Bethany	1026—Harrison County homecraft shop	Harrison County Council on Aging	Feb. 1, 1969 to Jan. 31, 1972.	A project to provide educational, social, and recreational activities for the Harrison County elderly.
Springfield	1027—Springfield parks recreation center and program for senior citizens.	Springfield Public Park Board	Apr. 1, 1969, to Mar. 31, 1972.	A project designed to provide an activity and service program for older persons in the Springfield area.
Kansas City	1028—Kansas City area senior citizens month project.	American Assoc. Retired Persons/Natl. Assoc. Retired Teachers, Kansas City.	April 1, 1969 to July 30, 1969.	A senior citizens month project designed to develop public awareness and interest in the well-being of senior citizens.

DESCRIPTION OF TITLE III PROJECTS IN MISSOURI OLDER AMERICANS ACT—OFFICE OF AGING, DEPARTMENT OF COMMUNITY AFFAIRS, STATE OF MISSOURI

Location	Project number and title	Sponsoring organization	Project period	Description
Camdenton	1029—Camden County senior citizens center	Lake of the Ozarks Camden County Senior Citizens Assn.	July 1, 1969 to June 30, 1972.	An activity center with recreational, social, and educational services for the aged within a retirement community.
Branson	1030—Tri-Lakes adult community center	Tri-Lakes Adults, Inc., Branson	do	Do.
Columbia	1031—Library services to the Aging	Daniel Boone Regional Library, Columbia	do	A project focused on the delivery of library services to older persons in their homes and institutions within a 3-county area.
Sikeston	1032—Heritage house	First United Methodist Church, Sikeston	Oct. 1, 1969 to Sept. 30, 1972.	An activity center with recreation, social, and educational services for the aged within the community in a housing project for the elderly.
St. Louis	1033—Mobile social service for the isolated elderly.	Yeatman District Community Corp., St. Louis	July 1, 1969 to June 30, 1972.	A social service delivery system for isolated elderly persons.
Monticello	1034—Rural multi-county service and education program for the elderly.	Curators of the University of Missouri	do	An activity center with recreation, social, and educational services for older people within a 3-county area.
Kansas City	1035—Senior citizens community visitors	Inner City Health Agency, Inc., Kansas City.	do	A project designed to provide health related services to homebound older persons.
Poplar Bluff	1036—Twin Towers meals for older citizens	Community Nutrition Corp., Poplar Bluff	Oct. 1, 1969 to Sept. 30, 1970.	A meals program based on a public housing project designed to deliver nutritious, attractive low-cost meals to older persons living within the county.
Trenton	1037—Green Hills HRC mobile kitchen	Green Hills Human Resources Corp., Trenton	July 1, 1969 to June 30, 1972.	A project designed to deliver meals to older persons in a 9-county area through use of a mobile kitchen.
Kansas City	1038—YWCA inner city senior center	Young Women's Christian Association of Kansas City, Deramus Branch.	do	A multipurpose center located in the inner-city area to help meet the needs of older inner-city residents.
St. Louis	1039—Older Adults Special Issues Society, Inc.	Older Adults Special Issues Society, Inc., St. Louis.	Apr. 1, 1970 to Mar. 31, 1973.	A program to coordinate existing services for the aged and to stimulate the development of new services for older St. Louisans.
St. Joseph	1040—The Bee Hive	Wesley Community Center	May 1, 1970 to Apr. 30, 1973.	A multipurpose activities center for senior citizens.
Columbia	1041—Program resources for older people	Program Resources for Older People, Inc., Columbia.	Aug. 1, 1970 to July 31, 1973.	A multipurpose activity center for the elderly in the public housing community space.
West Plains	1042—South Tower senior center	Business and Professional Women's Club, White Plains.	July 1, 1970 go June 30, 1973.	A program to provide a central source for program resources for older people.

Mr. EAGLETON. Mr. President, the first casualty in Missouri of this restricted funding could be the Cardinal Ritter Institute Senior Center which serves some 800 elderly people in the Blumeyer Housing project in St. Louis. Third-year funding for this project terminates on March 31.

The Older Americans Act Amendments of 1969 authorized funding of selected projects beyond the third year. The Institute is asking for an additional year of funding at $25,000 to match local in-kind contributions valued at $45,000. Lack of funds, however, has rendered meaningless the fourth-year funding authorization in the 1969 amendments.

Unless $25,000 is forthcoming from some source, this lifeline for 800 elderly people in St. Louis may be broken. I hope that somewhere in a $200 billion-plus Federal budget, this small sum can be found.

Mr. President, I ask unanimous consent that a description of the Cardinal Ritter Institute Senior Center, furnished by the Reverend Robert P. Slattery, Director of the Institute, be printed at this point in my remarks.

There being no objection, the description was ordered to be printed in the RECORD, as follows:

CARDINAL RITTER INSTITUTE SENIOR CENTER

At the invitation of the St. Louis Housing Authority, Cardinal Ritter Institute initiated a Senior Center Program in the two high rise buildings designed for the elderly in the Blumeyer Housing Project. The Center is located in two sites at 3210 Easton Avenue and 3330 Page Boulevard respectively.

A multi-purpose Senior Center is a place to which older people living in the area can go to enjoy the companionship of their peers, and to participate in activities and services that are meaningful to them in their later years of life. The Senior Center stresses the maintenance and enhancement of the physical, social and emotional well being of the older person. The unique feature of a multi-purpose Senior Center is its concern for the older person as a total person in all aspects of his life. This concern is expressed in a wide range of individual and group services and activities.

During the past three years, under a grant from the Missouri Office of Aging which expires March 31, 1971, the Center followed the program pattern of *leisure time activities, community service activities* and *professional services,* for older poor people.

Approximately 200 activities have been scheduled monthly. These include adult education classes, parties, outings, lectures arts and crafts activities, musical programs, dances, games, movies, etc. Professional social and health counseling services are also provided as well as opportunities for volunteer community service. Some 800 poor elderly citizens are enjoying and benefitting from this varied program. Indeed, for many of these people hindered by the limitations of advanced age and inadequate income, the Center provides their only source of social activity. The quality of life for these people would be significantly lessened without the programs of the Center.

The average age of the people served at the Center last year was 71.9 years. 35% of these people were male and 65% female. 85% of them were Protestant and 15% Catholic. 92% of the Center membership is Negro and 8% White. 85.3% of the people were over 65 years of age. All of these people are of the low income group.

Besides the Center core staff of a Project Director, Program Director, and two Activities Supervisors, the Center has arranged for staff from other agencies to help with the 200 activities programmed every month. The St. Louis Department of Parks, Recreation and Forestry provides recreation specialists. The St. Louis Board of Education has assigned adult education teachers to teach four classes a week. The St. Louis Public Library staffs the two Center libraries. St. Louis University School of Social Service places a graduate student at the Center two days a week. The Older Adult Special Issues Society utilizes the Center staff to supervise three senior aides at the Center.

In short, because of a variety of meaningful programs and the commitment of various community agencies, the Cardinal Ritter Institute Senior Center has measurably improved the quality of life of more than 800 senior citizens.

We feel that the Center program is a good investment for any funding source because of the $45,000 of contributed services which are assured through the services of the various agencies involved at the Center. This means that, with an investment of $25,000, the community would receive over $70,000 worth of service. But without the $25,000 the entire package of services will be jeopardized.

Mr. EAGLETON. Finally, Mr. President, as chairman of the Subcommittee on Aging of the Committee on Labor and Public Welfare, I intend to examine closely the justifications—or lack of them—for these reductions in funding. I do not believe we should attempt to economize at the expense of older citizens who so desperately need the services that Congress intended the Older Americans Act to provide.

DOD PLANS 10-POINT PROGRAM TO END DOCTOR DRAFT

Mr. GOLDWATER. Mr. President, 3 weeks ago I presented remarks in the Chamber calling for the establishment of a comprehensive military medical program. At that time, I mentioned four essential features which should be included in such a system in order to assure its success. My plan suggested eliminating the doctors' draft, increasing compensation for military doctors and dentists, assuring the continued provision of high quality medical care to military patients, and developing a self-supporting capacity for the military services whereby they can educate some percentage of their future medical officers at a medical institution of their own.

After making these suggestions, I have learned they are on all-fours with a comparable and much expanded program being developed by the Department of Defense itself. This information came to my attention recently when I was reading an excellent article in the distinguished Defense weekly, the "Armed Forces Journal," examining the same subject. The article, entitled "DOD Plans Ten-Point Program To End Doctor Draft," outlines in clear detail the depth of thinking which is underway at the Pentagon on the subject of improving military medical careers and health services.

The Journal describes four points which require legislative action and six which can be accomplished through administrative action. I am pleased to note that three of the four legislative recommendations have been provided for in legislation which I and other Members of Congress already have introduced, and I earnestly hope the Pentagon can get behind our proposals after offering any recommended improvements which might come to mind.

According to the Journal, Assistant Secretary of Defense, Dr. Rousselot, has proposed establishment of new "competitive" rates of compensation for all military health care personnel, creation of a military medical college, increases in the military medical scholarship program, and increases in the number of star-rank billets for military medical officers.

As I mentioned in February, the first proposal would be implemented in great part by a provision of the volunteer military legislation which the Senator from Oregon (Mr. HATFIELD) and I have drafted. It is true the DOD package would extend the salary increases to all military health care professionals, not solely doctors, dentists, and veterinarians; and this addition is an excellent idea which might be easily incorporated in the Hatfield-Goldwater bill.

Also, the Senator from Oregon and I have included in our legislation a provision expanding the medical scholarship program operated in exchange for obligated military service. The Department of Defense will submit legislation providing for at least 2,000 medical scholarships annually supported by an appropriation of $20 million in the 1972 fiscal year budget. This sum is less than the amount programed for the same purpose in my own legislation, but is an excellent and necessary step forward.

The third point urged by Assistant Secretary Rousselot is actually a concept long advocated by the distinguished chairman of the House Committee on Armed Services. Representative F. EDWARD HÉBERT. Congressman HÉBERT has been pressing for creation of a Federal medical school for the military services since as far back as 1949. In order to generate some steam for the idea on this side of Capitol Hill and not in any way to detract from keeping the authorship where it belongs—with Mr. HÉBERT, I introduced a similar measure in the Senate last month.

The only difference between our bills is that mine includes provisions requiring the Secretary of Defense to study and report on the feasibility of later creating a medical college at one of the large military hospitals and to expand the current program of premedical courses offered at the military service academies. These are suggestions which I feel are reasonably related to the military medical college proposal and which deserve a fair hearing at the same time that plan is acted upon. If they would in any way impede the progress of the bill's primary purpose, I would, of course, promptly withdraw them.

Mr. President, the "Armed Forces Journal" article warrants a reading by all Members of Congress. In order to make it easily available, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOD PLANS 10-POINT PROGRAM TO END DOCTOR DRAFT

(By James D. Hessman)

The Office of the Assistant Secretary of Defense for Health and Environment is preparing a ten-point package of proposals designed to eliminate the doctor draft, improve the attractiveness of military careers for health care personnel, and, not incidentally, provide better, quicker, and more complete medical care for active-duty and retired military personnel and their dependents.

Four of the 10 OASD (H&E) proposals will require legislative action; some may face strong in-house opposition from the military line; several could have a major impact on U.S. civilian health care programs.

In a Journal interview, Assistant SecDef (H&E) Dr. Louis M. Rousselot listed the 10 points as follows (not necessarily in this order of priority):

(1) Establishment of new "competitive" rates of compensation for all professional health care personnel.

(2) Establishment of a Uniformed Services University of the Health Sciences.

(3) An increased number of star-rank billets for military medical professionals.

(4) An increased military medical scholarship program.

(5) An independent military medical R&D budget.

(6) Personalized career planning for military medical professionals.

(7) An improved promotion system for military medical professionals.

(8) A reduction in the "payback time" required of MDs who receive their specialist training in military medical facilities.

(9) Continuation of the recently liberalized continuation pay program for critical-skill MDs.

(10) Establishment of a separate medical command system.

Dr. Rousselot said the first four points listed would require legislative action; the other six, some of which already have been implemented, at least in part, could be accomplished through administrative action.

THE 7-YEAR POOL

The Defense Department currently has 15,050 physicians and 6,500 dentists to provide medical and dental care for three million active-duty members, a retiree force now numbering an estimated 800,000 persons, and active-duty and retiree dependents—very few of the latter three groups receive any dental care, however, and many receive only limited medical care from active-duty medical care resources. By 30 June 1972 the Department's active-duty MD/DD requirements will be reduced to an estimated 14,000 physicians and 6,000 dentists.

Despite the reduction in requirements, the Administration's plan to end the draft and move to an all-volunteer force makes it particularly important at this time that the Defense Department take whatever steps are necessary to improve the attractiveness of military medical careers.

Even if the draft is extended for two years, as the Administration has proposed, and as Dr. Rousselot and most other Pentagon and congressional officials believe it will be, the handwriting is on the wall for the doctor draft itself, which for the past 13 years has been the Department's authority for filling its medical, dental, and other health care needs. The proposed abolition of student deferments, combined with the lottery system which gives most young men a one-time-only draft vulnerability at age 19, means that there is now, at best, only about a seven-years' supply of persons already on students deferments who will be liable to the doctor draft by the time they complete their medical education.

The doctor draft law, which applies to all health professions, has been in use on an uninterrupted basis since 1950. Initially it included all doctors up to age 51. In 1957, the original doctor draft law was permitted to expire and military medical needs were thereafter met under authority of the general draft, amended as follows:

"Provided further that nothing herein shall be construed to prohibit the President under such rules and regulations as he may prescribe . . . for providing for the selection or induction of persons qualified in needed medical, dental or allied specialist categories pursuant to requisitions submitted by the Secretary of Defense."

The effect of the amended draft law was that any individual who obtained a student deferment prior to age 26 became liable for military service until age 35. Dr. Rousselot has stated publicly that "Without it [the doctor draft] we could not have survived until today; without a similar provision we will not be able to meet our needs tomorrow."

THE 10-POINT PACKAGE

Here, as spelled out by Dr. Rousselot and other OASD (H&E) officials, is a brief rundown on each of the proposals in the ten-point package.

(1) A new competitive compensation plan for all military medical health professionals (in addition to the doctors and dentists, the Services also have on board a combined total of 10,370 nurses and 818 veterinarians, as well as 996 BSC [Biomedical Science Corps], 7,867 MSC [Medical Service Corps], and 483 AMSC [Army Medical Specialist Corps] officers)—The Services have, through use of such devices as proficiency pay, variable reenlistment bonuses, flight and submarine pay, etc., been steadily moving through the years toward a "supply and demand" compensation policy, particularly in critical skill shortage areas. More importantly, perhaps, the basic concept underlying the all-volunteer force proposal is to increase military pay sufficiently to make it competitive with pay scales in the civilian economy.

Military MDs already earn appreciably more than most other officers of the same age and of the same rank—a fact sometimes resented by the military Line. But the simple fact is that, as survey after survey has proven, doctors have a higher per capita income than any other professional group in the U.S. economy. Career military MDs earn considerably less than their civilian contemporaries and thus, despite earning more than their military Line contemporaries (which, from an economic viewpoint, may be an irrelevant consideration in any case), are making a substantial financial sacrifice by remaining on active duty beyond their obligated service.

Recognizing this point, the Gates Commission on an All-Volunteer Force (Journal 14 Mar. 1970) recommended a "new medical pay plan" which would increase a medical officer's total salary to $22,000 by his sixth year of service, with annual or bi-annual increases thereafter raising the total salary level, for a colonel with 22 years' service, to $39,955.

The current H&E package proposes implementation of the Gates Commission proposal (or a reasonable modification thereof), and would extend the "competitive" salary schedule to all other military health care professionals—for whom the Commission recommended "similar but somewhat less severe" pay hikes.

(2) Establishment of a Uniformed Services University of the Health Sciences—This move has long been advocated by House Armed Services Committee Chairman F. Edward Hé-

bert (D-La.), and has again been suggested by him this year in a bill (H.R. 2) introduced at the start of the current session of Congress.

Dr. Rousselot, unlike some of his predecessors, favors enactment of the Hébert proposal and is, in fact, enthusiastic about a new provision added by Mr. Hébert to establish, not one, but five or more such Health Science Universities (see end of article) for detailed analysis of the Hébert bill, on which hearings are scheduled to begin in June).

(3) Increasing the number of flag and general officer billets for military health care professionals—The Army, Navy, and Air Force presently have a combined total of 49 Medical Corps officers serving in the rank of brigadier general and above. Only two—BGen Walter R. Tkach, USAF, the President's physician, and RAdm Rufus J. Pearson, attending physician to the Congress—are primarily practicing physicians.

Military medical career patterns as they are now structured necessarily channel most of the more senior MC officers into administrative and managerial jobs, for which reason—and because of present limitations on Medical Corps star-rank officers—there is little hope for advancement for the vast number of military doctors who want to continue in clinical medicine. (Such great practicing physicians as Doctors Michael De Bakey, Paul Dudley White, Denton Cooley, and Christian Barnard—not to mention Benjamin Spock—would have found it impossible to rise above the rank of colonel had they chosen to practice medicine in the U.S. military.)

Dr. Rousselot believes that shutting off Medical Corps promotions at the O-6 level poses a most serious problem in retaining the best physicians and medical investigators on active duty, and therefore thinks "a certain number" (unspecified) of star-rank billets should be provided to enable the Services to keep their top-notch medical men on active duty. He thinks the extra Medical Corps star-rank billets should not come, however, at the expense of the Line, but should be granted as an exception to the current legal (and so-called "Stennis ceiling") limitations on total flag and general officer ceilings.

(4) Increasing the medical scholarship program—The Department currently is authorized a total of 458 scholarships, and wants an initial increase to 2,000—75% of which would be allocated for physicians, and 25% to dentists. The program would later be increased in gradual steps, according to H&E officials to 5,000 spaces—4,000 for medical and 1,000 for other health fields.

Legislation requesting the proposed first increase already has been sent to Congress for hearings this session. Congressional reception of the proposal has been so far sympathetic, and it is likely that at least a partial increase will be granted. Because of the still climbing cost of medical and dental education, it can be confidently predicted that there will be no shortage of applicants for the scholarship program even if the doctor draft is ended.

(5) An independent military medical R&D budget—in the form of separate line budget items for clinical investigation. All present military medical research money comes under the overall jurisdiction of the Director of Defense Research and Engineering. H&E officials believe the Defense Department should train its own medical investigators, and to do this should fund a program big enough and challenging enough to permit retention of the many medical investigators and researchers needed to work on the literally worldwide spectrum of diseases and occupational hazards to which U.S. military men and women are exposed.

(Not always appreciated is the fact that military medical researchers have been in the forefront of numerous medical advances which have improved the health and well being of the civilian as well as the military population. Dr. William Beaumont's work in gastroenterology, for example, was fundamental to a number of breakthroughs in that field, and Dr. Walter Reed's work on yellow fever is well known to every American schoolboy.)

(6) Personalized career planning—This is a goal which military health care professionals share with all other military specialist groups, and, indeed, with all Service personnel of whatever rank, grade, designator, MOS, and specialty.

Because the military medical community is relatively small in number, however, and because a relatively high percentage of billets are set aside for medical specialists in various categories—cardiologists, surgeons, pediatricians, etc.—the programming of career patterns on an individual basis may be easier to achieve for Medical Corps officers than for personnel in other programs.

The lack of opportunity to participate in a member's own career development, and the "indifference of career management personnel" toward long-range development of an individual officer's career have been cited in the past as important factors contributing to the inability of the Medical Corps to retain officers on active duty.

The personalized career planning program now under study would, among other things: (a) provide an improved orientation and indoctrination program for each Medical Corps officer entering active duty; (b) evaluate first-term MC officers for retention, and advise potential career officers of the career patterns and training programs open to them if they remain on active duty; (c) establish a "Career Management Information System" through which all career officers would be advised periodically—"at least monthly"—of training opportunities (medican conventions, internships, residencies, etc.) and career assignments newly available; and (d) permit each individual career officer to participate in development of his own career pattern, in which alternate career paths would be indicated at appropriate promotion points.

(7) An improved promotion system for Medical Corps officers—This has been accomplished in part. Medical Corps promotion quotas no longer come under overall Line quotas, as previously, but are established as a separate entity (except for flag and general officer ranks). In addition, the vast majority of Medical Corps promotions are now judged under "fully qualified" rather than "best qualified" standards.

(8) A reduction in payback time for special training—This, too, already has been accomplished. Until recently, a doctor serving residency training as a military internist or thoracic surgeon, for example, had to serve on active duty for several years beyond the two years' obligations required for other MDs. This requirement resulted in a shortage of applicants for many much needed resident training billets. The system was changed to provide a standard two-year payback, and there since has been a surplus of applicants in numerous specialties.

(9) A liberalized continuation pay program—The original continuation pay program established in 1968 permitted a physician with over eight years' active service to receive a three-month bonus for each year of active duty for which he agreed to extend, and gave a four-month bonus to each physician with over 20 years of service for each year he agreed to extend.

Last year the program was liberalized to permit a qualified specialist who has completed his initial active-duty tour to get a four-month bonus after five years of service as a medical officer, and to give credit for civilian specialty training in computing a doctor's active service as a medical officer.

It is still too early to make a final determination as to how effective the continuation program will be, but initial soundings indicate, H&E officials say, it already has been and likely will continue to be extremely beneficial in retaining critical skill specialists on active duty.

(10) Establishment of a medical command system—the command relationships between the various military Medical Corps and Service Line components can, charitably, only be described as a disorganized mess. Within the San Diego area, for example, are the 2,200-bed San Diego Naval Hospital (the largest U.S. military hospital anywhere in the world) and some 22 naval dispensaries and other medical facilities—four of which come under the Navy Surgeon General and 18 of which come under the jurisdiction of four separate Line commands, including one (CINCPAC) headquartered in Hawaii.

Dr. Rousselot believes it would make more sense to establish a medical command system which would have jurisdiction over all of a Service's medical units and facilities in a given area.

LINE OPPOSITION

Dr. Rousselot, who is as astute politically as he is respected medically, already has received "100% endorsement" of the ten-point package from members of his Medical Advisory Committee—composed of representatives from the American Medical Association, American College of Surgeons, American Hospital Association, American College of Physicians, and Association of American Medical Colleges. Dr. Rousselot also concedes, however, that certain proposals in the ten-point package already have encountered opposition from the Line military and may therefore be difficult to get enacted. (Dr. Rousselot declined to go into particulars, but JOURNAL sources say the strongest Line opposition relates to the proposed increase in Medical Corps star-rank billets and to the medical command system.) Higher pay for military MDs also is opposed by some Line elements, it is believed, as is, perhaps, the establishment of a separate medical R&D budget. Most other items in the ten-point package reportedly have the solid endorsement of the military Line, and thus are more likely for early enactment.

How soon any or all of the proposals can be put into effect is, of course, speculative, but at least two of the four legislative recommendations—for an increase in medical scholarships and for establishment of the Military Health Sciences University—probably will be enacted during the current Congress.

It may well be that the pressures for eliminating the draft and the move toward an all-volunteer military will force early enactment of the other proposals as well. In Dr. Rousselot's words, "The inescapable conclusion is that we must move to an all-volunteer force of health professionals within two years, if that is the period for which the general draft is extended."

We'll See Your One, and Raise You Four

The concept of a Health Sciences University for the Armed Services would seem to be an idea whose time has come.

Establishment of a "Federal Medical School, similar in pattern of operation to West Point and the Naval Academy" first was suggested by Representative F. Edward Hebert (D-La), then a relatively junior Congressman, in 1949. Mr. Hebert, the new Chairman of the House Armed Services Committee, has pushed and promoted his idea through the years ever since, usually against formidable DoD opposition, and has reintroduced the now much modified idea into the 92nd Congress in the form of H.R. 2, a bill "to establish a Uniformed Services University of the Health Sciences."

If the time was not opportune in the years past for establishment of such an institution, it is now. Once-adamant DoD opposition has been replaced, since the arrival on the Pentagon scene of Dr. Louis P. Rousselot, Assistant Secretary of Defense for Health and Environment, by enthusiastic support of the Hebert proposal. There also is increasing concern in both the civilian medical and federal government communities over the continuing national shortage of physicians—the Soviet Union has a greater number of MDs per capita than does the United States.

Finally, the push for an all-volunteer force and to eliminate the Selective Service System also will mean an end to the doctor draft. Even if this were not the case, the 1969 switch to a lottery system of selective service means that, within six or seven years at best, the pool of draft-eligible doctors will be completely exhausted. Unless current rules are changed, young men who are subject to the lottery will not be draft-eligible a second time when they complete medical school.

The solution to all of these and several more problems, say OASD (H&E) officials, is enactment of H.R. 2, which will permit the Armed Services to become, for the first time, "producers of doctors, rather than consumers of doctors."

H.R. 2 proposes, as did earlier versions of the bill, establishment of a military Health Sciences University "within a twenty-five mile radius of the District of Columbia." The D.C. area was chosen because of the location in or near Washington of such major military medical facilities as the National Naval Medical Center in Bethesda, Md., the Malcolm Grow USAF hospital at Andrews AFB, Md., and the Army's Walter Reed General Hospital and the Armed Forces Institute of Pathology, both in Washington.

The bill also directs the Secretary of Defense to report to the House and Senate Armed Services Committees "on the feasibility of establishing educational institutions similar or identical . . . at Portsmouth [Va.], San Antonio, San Diego, San Francisco, and at any other locations he deems appropriate." The idea of expanding to five or more schools ("We'll see your one and raise you four" is the way one enthusiastic supporter of the Hebert proposal put it) was the natural outgrowth of the original plan to establish only one such facility. There are large military populations in each of the other locations designated for feasibility studies—the last feasibility report is due no later than 30 June 1976. OASD (H&E) officials, including Dr. Rousselot, told The Journal they strongly support the five school program.

In accordance with other sections of H.R. 2:

The Health Sciences University would be organized "to graduate not less than 100 medical students annually."

The University would be governed by a Board of Regents consisting of nine civilians "outstanding in the fields of health and health education" appointed by the President, the Secretary of Defense or his deputy (an ex-officio member), the surgeons general of the uniformed Services (ex-officio members), and the Dean of the University—who would be appointed by the Board from civilian life, and who would serve on the Board as a non-voting, ex-officio member.

Students would be commissioned officers in a Reserve component, serving on active duty in pay grade O-1 "with full pay and allowances of that grade." Upon graduation they would be given regular commissions and would be required to serve on active duty "for not less than seven years, unless sooner released."

The faculty and administrative staff of the school would come from both the civilian and military medical communities under regulations prescribed by the Board of Regents. (The opportunity for such academic assignment would be a powerful career incentive for military MDs, say OASD (H&E) officials.)

The school could, through the Board of Regents, negotiate affiliation agreements "with an accredited university or universities" and/or "become part of a national university of Health Sciences should such an institution be established in the vicinity of the District of Columbia."

The Board of Regents would have the power to establish postdoctoral, postgraduate, and technological institutes—assignment to any of these, H&E officials say, also would provide a strong career incentive for military MDs.

Hearings on H.R. 2 are scheduled to begin in June before the House Armed Services Committee, chaired by Mr. Hébert. The bill is expected to be approved by the Committee and passed by the House in short order, and to get Senate approval somewhat later in the session. If everything goes according to expectations, a 21-year dream will finally have come true for Chairman Hébert. The first class of medical school seniors, under terms of H.R. 2, is to graduate "not later than ten years from the date of enactment of this Act."

IT'S WYOMING

Mr. McGEE. Mr. President, a constituent of mine, Mrs. Gladys Housman, of Guernsey, Wyo., has sent me a song which she authored. The song, entitled "It's Wyoming," expresses in a very concise and poetic manner what we hold so dear in my State.

The song is a tribute not only to Mrs. Housman's creative abilities but also to those things which make Wyoming the great State it is.

I ask unanimous consent that the song be printed in the Record.

There being no objection, the song was ordered to be printed in the Record, as follows:

It's Wyoming

(By Mrs. Gladys Housman of Guernsey, Wyo.)

Fairest State in the land,
Blest by God on ev'ry hand
And this State of which we sing,
Beloved by all is Wy-o-ming.

In the West where cattle roam
On the Plains, is our dear home.
This great State of which we sing,
Beyond compare is Wy-o-ming.

Bluest skies, sunsets rare,
Friendly folk eve-ry where.
So this State of which we sing,
Renown'd to all, It's Wy-o-ming.

THE 337TH ANNIVERSARY OF THE FOUNDING OF MARYLAND

Mr. MATHIAS. Mr. President, on March 25, 1971, we will commemorate the 337th anniversary of the founding of Maryland. While this is a day of celebration and thanksgiving, it is also a day for renewed resolve and dedication.

Last year a prayer for Maryland Day was written by the Very Reverend Francis Sayre, dean of the Washington Cathedral. Since his thoughts and words should provide continuing inspiration for the people of Maryland, I submit them here for the Record:

Blow, Lord, Thy clean winds upon the shores and shoals of Maryland.

Blow gentle breeze of blessing across the earth, atop her stalwart hills, and over the greening fields.

Blow, Holy Spirit, the freshness of liberty through the hearts of Thy people whose domain names for a queen, yet worships the King who is the Father of us all.

So may Thy children catch upon their hopes the breath of glory which Thou doth send to fill the spangled sky, the lofty sails of ships, and faithful lives of men.

Fulfill then, Oh God, the promise once borne upon the wings of a dove of a land of peace and companionship, and courage enough ever to follow after Thee; through Jesus Christ Our Lord. Amen.

ARIZONA WINS INITIAL WELFARE VICTORY

Mr. GOLDWATER. Mr. President, on January 27, I predicted that a new day is breaking in America when the Federal courts will listen to the reasonable interests of all segments of society, our taxpayers and State officials included. My remarks were made in anticipation of a fair ruling by the judiciary on the State of Arizona's challenge of an incredible order issued by the Department of HEW which would have cut off the entire welfare assistance funds provided to nearly 100,000 needy Arizona citizens.

Senators may recall that on that day an HEW Administrator had announced his decision to withhold the welfare checks of all Arizona recipients as an enforcement measure designed to bludgeon Arizona into accepting four minor HEW regulations of dubious constitutionality. At that time, I urged the State to fight the issues through in the court system where I foresaw its eventual success.

This the State has now done, and I am pleased to report today the U.S. Court of Appeals for the Ninth Circuit has agreed to examine the unconstitutionality of HEW's activities. On February 22 the court issued an order allowing Arizona to file its opening brief by April 5 and setting the time for submission of the Department of HEW defense by May 3. The State of Arizona may then furnish a reply brief by May 17, after which the court will schedule oral argument before a regular panel of the court.

Most important of all, I am delighted to announce that the court granted Arizona's motion for a stay of the arbitrary HEW cutoff order. The circuit court decreed that HEW cannot enforce its order pending disposition by the court of the entire proceeding. This is a dramatic and important victory for Arizona in its confrontation with the bureaucratic regime in Washington. I believe it is fair to interpret the court's decision preventing the withholding of welfare moneys as a clear sign of the court's belief Arizona's legal arguments are not frivolous and are not being presented for purposes of delay.

Some arrogant welfare organizations have accused the Arizona government of nearly every sin under the sun against welfare individuals, and the decision by the Court of Appeals staying the HEW order is a definite repudiation of these wild charges. The court ruling clearly vindicates the sincerity and reasonableness of Arizona's position. It remains my view that HEW has attempted to write law by administrative fiat in the Arizona welfare situation and has flagrantly distorted the true intent of Congress when it wrote the welfare statute. I will repeat my prediction that by the time the Arizona compliance case is settled in the judiciary, HEW will be taught its regulations are not holy script.

Mr. President, I congratulate the attorneys for Arizona and the experts in its welfare department for winning this initial victory and look forward with confidence to the final judgment which will be forthcoming from the court of appeals. It is the Arizona welfare recipients themselves who will benefit from the continued flow of welfare payments and for this they have the State officials to thank, not HEW.

AMERICA IN THE WORLD OF THE 1970'S

Mr. McGEE. Mr. President, on Friday, March 5, the Senator from Washington (Mr. Jackson) appeared before the Commonwealth Club of California in San Francisco and presented a frank and realistic analysis of some of the serious problems confronting this country in foreign and defense affairs.

In concluding his impressive statement, Senator Jackson said:

> I've discussed these matters today—even though they are unpleasant—because I think it is important for people to speak out.

I also think it is important for people to speak out—in this kind of straightforward way. I recommend that Members of Congress read the entire text of Senator Jackson's speech. And I ask unanimous consent that it be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

America in the World of the 1970's

(By Senator Henry M. Jackson)

I am delighted to be here and share in this program. It is an honor to speak from this respected platform.

In this great port city of San Francisco, you have always had a special relationship to the countries of the Pacific. Here on the West Coast there has been an historic recognition that American interests are deeply tied to what is going on in the rest of the world. Here our trade and cultural relationships with other countries have increasing significance.

In the world of the 70's what is it that America is working for?

The world we want is one in which each people will be free to develop its national life in its own way, subject only to the requirement of full respect for the rights of others to live their lives in their own ways. This is the kind of world in which we want to live—one in which our free institutions can survive and flourish, can gain strength and become even more responsive to the needs and interests of the American people. But we do not ask more for ourselves than we gladly and freely accord to others.

This is the kind of world described in the opening articles of the Charter of the United Nations. It is a noble cause. But a cause must have its champions, and we may take pride in being counted among them.

For well over a decade the attention of the American people has been focused on Southeast Asia.

For too long now the war in Vietnam has absorbed an inordinate amount of the time and energy and resources of this country. But we are there. We must resolve our involvement in a responsible way.

We did not prosecute this war to a military conclusion. Now we are reducing our military involvement, withdrawing U.S. forces.

There are a few people in this country who want to bring the war to an end by a military victory—by Hanoi. I don't think there are very many such people. The great majority of us want to end the war by an agreement that stops the fighting on all sides—that ends the killing by all parties, that opens the way for a fair electoral solution of the political issues, and that does not create dangerous new instabilities throughout the whole Pacific area.

The primary leverage we have with Hanoi to end the fighting and to achieve a release of American prisoners lies in the uncertainty that surrounds the timetable of U.S. withdrawal. Any announced deadline for a U.S. pullout can undermine the confidence of the South Vietnamese and the spirit of cooperation essential to their effective takeover of their own defense. Setting a public deadline is not a responsible policy for achieving an end to the conflict. It is an escape from reality.

I want to speak to you today about two other critical regions in the world: one—Northeast Asia—where our most difficult problems are still some way down the road; the other—the Middle East—where the crisis is full-blown upon us.

NORTHEAST ASIA

While the attention of the American people has been focused on Southeast Asia, important developments have been occurring in Northeast Asia—developments that in effect add up to a shifting balance of power.

During the 60's, Japan emerged as a great power—the third largest industrial power in the world—with rising nationalist sentiment. This nationalist sentiment is not now of the messianic, pre-war type, but it does reflect a desire for greater independence from U.S. influence and a search for meaningful national goals beyond mere economic growth.

Of obvious importance is the maintenance of close and cooperative American relations with Japan. We should not permit immediate difficulties over trade policy to overshadow the immensity of our mutual interests—across a broad front of political, economic, and security concerns.

The agreement on the return of Okinawa in November of 1969 eliminated perhaps the greatest obstacle to the continuation of a close United States-Japanese association. However, relations between our two countries continue to suffer from a major handicap: on the part of the Japanese, a sensitivity to their past, and now more limited, dependence on the U.S.; on our part, a failure fully to overcome the "occupation hangover". It is the responsibility of both our peoples to eliminate this outdated thinking.

In the near future, we can expect that Japan will press for a reconsideration of present U.S. base arrangements. A gradual reduction of American bases in Japan, worked out in close conjunction with the host government, is advisable and inevitable. With some strong bargaining on both sides, we should be able to fashion mutually satisfactory arrangements for the remaining bases that will meet our requirements, including those for emergency situations.

Japan is an independent, great power with whom we should consult on issues of mutual concern on the same basis as we consult with our NATO partners. What Japan wants is political recognition of its status as a great power. To the extent that we recognize this legitimate Japanese aim, and retain the confidence of the Japanese people in the reliability of our treaty obligations in the area, I believe we can improve the prospect of a constructive evolution in Japan's nationalist sentiments and of close American-Japanese cooperation in the future.

A year and a half ago I outlined key components of a U.S. policy toward Mainland China which would open the way for a positive Chinese response and a genuine improvement in relations between our two governments, if not in the immediate future, at least over the longer term.

Today I want to emphasize an additional element. We cannot ignore the fact that within the year we may see a major change in Mainland China's international position. By this I mean Peking's entry into the United Nations. It is generally agreed that by one formula or another the way will be opened to Peking to be admitted to the United Nations if not this fall, then in the fall of 1972. Rather than concentrate U.S. efforts on how we can best delay such entry we should be thinking more as to how we may utilize the presence of the Mainland Chinese in the UN and of a delegation in New York to improve our relationships with Peking.

At the United Nations we could signal United States willingness to explore with Mainland China directly and with great concreteness such issues as:

The improvement of trade relations between U.S. and Mainland China, including the mutual reduction of barriers to trade;

The accomplishment of mutual U.S.-Chinese exchanges of reporters, scholars, scientists, and cultural performers;

The inclusion of the Peking regime in negotiations on arms control. It is obvious that sometime, somehow, the Mainland Chinese regime will have to join in the negotiations on arms control. No strategic arms control agreement with a loophole as large as China could survive Chinese acquisition of a substantial nuclear force.

We cannot, of course, predict how Mao Tse-tung or his successors will respond to a chance to enter the UN. For reasons of their own, they may insist on totally unacceptable conditions of entry.

The Chinese Communists have followed a policy of isolating themselves—cutting their people off from the world by their chaotic Cultural Revolution, mistreating foreign diplomats posted in Peking, and so on. It does not follow from this that our only response should be a policy of isolating Communist China.

Our treaty obligations for the defense and security of the Republic of China on Taiwan will continue whatever the formula whereby Mainland China enters the UN. We have a long record of alliance and friendship with the Republic of China on Taiwan. We will continue this close association, and I do not believe it need constitute a block to the movement toward more normal relations between the U.S. and Mainland China.

Peking's presence in the UN would be no panacea for the host of problems involving China that affect world peace and stability. But Mainland China's participation in the UN can provide an opportunity for them and for us to demonstrate our responsibility for peace and stability in the Western Pacific—a responsibility which is in our mutual interest.

THE MIDDLE EAST

In the Middle East, where we have been preoccupied with the immediate consequences of recurring crises, the vision of our long term interests and of the requirements for a stable peace has been clouded. The result is a policy based on a fundamental misconception: that the central problem in the Middle East is the conflict between Israel and the Arab nations. I believe that we have been far too slow to recognize the threat to our own long term security resulting from the deepening involvement of the Soviet Union in the Middle East.

We must face up to the fact that the central problem in the Middle East is the Russian drive for hegemony. If there were no Middle East problem, the Soviets would invent one. If Israel did not exist, the Russians would find another pretext for pursuing their historic ambitions in the Mediterranean and the Persian Gulf.

In pursuit of this goal, which dates back to Czarist times, the Soviets have, for the first time since World War II, dispatched large numbers of military personnel to combat operations in a foreign country.

Russian pilots, flying aircraft with Egyptian markings, are flying long range reconnaissance missions in the Mediterranean.

Russian pilots have engaged Israeli pilots in the air.

Russian personnel have engaged Israeli aircraft with surface-to-air missiles—missiles that are part of the most sophisticated system of air defense in the world, deployed and partly manned by Soviet troops and technicians.

There are, today, approximately 15,000 Russians in the United Arab Republic.

The Soviets have lavished vast sums of military and economic aid on a long list of Middle Eastern countries: Egypt, Syria, Iraq, Sudan, Algeria, Yemen and South Yemen. The Middle East in general, and Egypt in particular, has received the lion's share of Soviet worldwide economic and military assistance.

The Soviet Mediterranean fleet now numbers some 40 ships, rising, on occasion, to 60 or more. In Egypt the Soviets have established a major naval base at Alexandria where her ships discharge military cargo at the rate of one every four days.

Algiers, Latakia, Port Said, Tartus, Port Sudan, Aden and Berbera have become Soviet ports of call from which her extensive and growing naval activities can be supported.

The Soviets in the Middle East are pursuing a policy of "opportunistic expansion". Moscow's aim is to: destroy Western influence in the Middle East; gain control of oil sources vital to Western Europe and Japan which now fill a great proportion of their oil needs from the Middle East (Europe 75%—Japan 90%); and threaten NATO's soft underbelly with a substantial military presence on and around the shores of the Mediterranean and the Red Sea.

The immediate Soviet objective is the reopening of the Suez Canal—which doubles the effectiveness of the growing Soviet military and merchant fleets and enables a single fleet to move rapidly between the Mediterranean and Indian Oceans and thereby contributes to their ongoing penetration of Africa.

The current negotiations in New York have drawn attention to the immediate situation in the Middle East. But while we all share an urgent desire for a settlement of the tragic conflict between the Arabs and Israelis, we must not be a party to forcing a fragile interim arrangement that prejudices Israel's security and, at the same time, fails to guard the national security interests of the United States and our NATO allies.

The borders to which the Soviets and Arabs are pressing Israel were insecure even before the introduction into Egypt of substantial Soviet military deployments. Today these borders would be untenable.

A settlement based on Israeli withdrawal to inherently indefensible borders offers at best a temporary respite almost certain to yield, in time, to new and far more dangerous hostilities than anything likely at present.

The opening of the Suez Canal and the direct negotiation of defensible borders are the trump cards in any forthcoming settlement of the Arab-Israeli dispute. As such, agreement on these issues should be withheld until a settlement of all other outstanding issues is reached, including Israel's right of access to the Canal—an international waterway. With the Canal back in operation, one of the chief incentives the Soviets have to make concessions on other outstanding issues will vanish.

Under no circumstances should Israel be pressed to withdraw or the Canal be reopened as a means of achieving a temporary settlement that leaves the larger question of Soviet involvement in the region unaffected. Israeli withdrawal to defensible borders must be accompanied by Soviet withdrawal from Egypt. The clear and present danger to the survival of Israel is obviously not the Egyptian Army, but the direct and indirect military participation of operational Russian forces.

It would be short-sighted and irresponsible to conclude an agreement that gave the appearance of settling differences between Israel and the Arabs while ignoring the chief source of instability in the Middle East: the large and uncontrolled Russian military presence.

Any partial settlement that provided for the continued presence of substantial Soviet military deployments in Egypt would merely perpetuate the insecurity that has three times resulted in war in the Middle East. It would plant the seed—not of peace and stability—but of tension and eventual conflict. It would be ironic indeed if the American effort to bring peace to the Middle East were to culminate instead in the achievement of an historic Russian imperial ambition.

In conclusion let me add this:

I've discussed these matters today—even though they are unpleasant—because I think it is important for people to speak out.

In issues of national defense and foreign affairs, the national interest, not a party interest, comes first. Sometimes that means that one must be critical of national policy, not because it is the policy of a Republican or Democratic Administration, but because it is poor policy for the nation. Sometimes it means that one must give one's support to a policy even though that support may incur a partisan disadvantage. And to be in the best interests of the nation, such criticism and such support should be free of the flavor of partisanship.

In the words of Robert Lovett, a great American, who served both Democratic and Republican Presidents:

"While the challenges of the moment are most serious in a policy-making sense, I see no reason for black despair or for defeatist doubts as to what our system of government or this country can do. We can do whatever we have to do in order to survive and to meet any form of economic or political competition we are likely to face. All this we can do with one proviso: we must be willing to do our best."

OPPOSITION TO PRESIDENT'S PROPOSAL TO EXTEND DRAFT

Mr. BAYH. Mr. President, I ask unanimous consent that a statement I made before the Senate Committee on Armed Services, in opposition to the President's request for a 2-year extension of the draft be printed in the RECORD.

In my statement, I said that the power to conscript men into the Armed Forces is awesome. Congress, therefore, should not lightly grant this authority to the President—nor for too long a period of time.

In addition, I suggested that if Congress were to extend the President's authority to draft men, then Congress should annually authorize a ceiling on the number of draftees.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BIRCH BAYH OPPOSING PRESIDENT NIXON'S PROPOSAL TO EXTEND THE DRAFT FOR 2 YEARS

Mr. Chairman, I urge the Senate Armed Services Committee not to approve the President's request for a two-year extension of the draft. If the Committee determines that our national security needs demand an extension of the President's authority to conscript men into the armed forces then, I respectfully submit, a one-year extension is a more appropriate measure. I would also urge that the Committee seriously consider authorizing Congress to establish a ceiling on the number of draftees that could be inducted in the next fiscal year.

Congress has the Constitutional authority to raise and maintain armies. Translated into legislative functions, Mr. Chairman, this means it has the power both to establish the size of the armed forces and to determine the manner in which our young men are asked to serve. Congress should—indeed it must—exercise this vital Constitutional prerogative annually.

The power to conscript men into the Armed Forces is an awesome responsibility. Congress should not lightly grant this authority to the President—nor for too long a period of time. When it does, moreover, it should continue to exercise its full Constitutional powers to determine the number of draftees required to meet our national defense needs.

As a result of my amendment to the Military Procurement Act of 1970, Mr. Chairman, Congress is specifically charged with the responsibility for annually authorizing the average active-duty force levels of the component services. By requiring annual authorizations, Congress struck at the visible structure of the military manpower issue. Since active duty strength is, in part, a function of annual induction levels, Congress should likewise have the power to determine the proper mix of draftees and volunteers.

For a Congress concerned about its proper role in the formulation of foreign and national security policy to simply extend the President's authority to draft—without imposing any restraints—is an abdication of its proper role in our scheme of government. The size and nature of our military manpower, after all, is a major index of our national security posture and our treaty obligations. In terms of the total costs of the defense budget, moreover, manpower is the single most expensive item. Most importantly, manpower is our most precious resource.

Mr. Chairman, in looking back over the post World War II years at previous Congressional actions in extending the draft I was shocked by the apparent willingness of Congress to grant the President long-term authority to conscript men. In 1951, 1954, 1958, 1963, and again in 1967 the President's authority to draft—an authority that established no limits on the number of such draftees—was extended with only little debate. It simply sufficed for the Department of Defense to say in its 1967 request for a four-year extension, for example, that it was "in accordance with the procedures followed by the Congress in the previous extensions."

I submit, Mr. Chairman, that such explanations are no longer adequate—if indeed they ever were.

We are now being told that as long as the war in Vietnam continues, there is need for the flexibility in force strength afforded by the present draft system—a system that imposes no limit on the number of young men to be drafted. In light of the current military situation in Southeast Asia, this could easily be interpreted to mean that the President would like to retain the power to increase draft calls in the event he escalated the American combat role in Indochina—without Congressional interference. I, for one, am not prepared to grant him that kind of unfettered authority.

Mr. Chairman, a decision to extend the Selective Service Act must necessarily involve a consideration of the desirability—and feasibility—of replacing the draft with an all-volunteer force. I welcome the national debate now underway on this question. Hopefully, it will focus attention not only on the many administrative shortcomings of the present draft but will force us to face up to the basic meaning of conscription. To draft young men to fight—and, for many, to die—is to impose a limitation on human freedom. Such a limitation should not be imposed for any but the most compelling reasons of national defense.

I strongly favor an announced American withdrawal from Vietnam within one year from the date of announcement. I had hoped that this goal could be reached by the end of 1971. But I believe that as long as young Americans are forced to fight in Southeast Asia they should be chosen under the draft system rather than through a voluntary army. The draft should be retained, on the basis of an annual congressional authorization, but not for the generally accepted reason about manpower needs.

There is a much more fundamental reason, Mr. Chairman. An elementary sense of justice, it seems to me, requires that the tragic burdens of wartime military service should be distributed as evenly as possible across all groups in American society.

I personally abhor the situation which now finds our young men fighting and dying in Southeast Asia. In my judgment, this is a bad war. It will not become a good war by merely changing the names and faces of those who fight it. If a certain foreign policy is bad we should change it—not just change the way it is implemented.

An all-volunteer army might well be comprised of young men from the lower end of the economic spectrum—those who cannot find similarly lucrative employment in the private economy. And at this time, it should be noted, we are experiencing a 6 percent unemployment rate and youth unemployment rates of double that. This is no way for a democratic government to implement its foreign policy or sustain its military during a war.

To move directly to a volunteer army today, Mr. Chairman, would be a mistake. There are some still unresolved problems associated with raising an all-volunteer force that must be answered convincingly. I am not yet convinced, for example, that we could avoid the kind of discrimination based on race and income that would perpetuate—possibly increase—division and injustice in our society. More importantly, the process of controlling military adventurism is strengthened by the leavening influence of civilians spread throughout the military.

A number of proposals have been made concerning the first steps we should take this year in moving toward a volunteer army. A one-year extension of the draft, it seems to me, would be perfectly consistent with these efforts. A one-year extension would present Congress with another opportunity next year to review the impact of these proposed changes and to evaluate the likelihood of their eventually producing an all-volunteer military.

Mr. Chairman, any extension of the draft, moreover, must include a major overhaul of the present administrative machinery to insure that those who must serve have been selected by as fair and just a process as we can devise.

At a time when the complexion of the war in Indochina and our strategic needs can change dramatically within a few months time, Congress should exercise an annual check on both the level of troop strength and the method of induction. The need to determine both of these questions, in line with changing strategic goals, is based on a Constitutional grant of authority that Congress cannot now afford to neglect.

The essential precondition for abolishing the draft, Mr. Chairman, is the ending of our tragic involvement in Vietnam.

FEDERAL AID TO MEDICAL SCHOOLS

Mr. MATHIAS. Mr. President, recently I arranged for a briefing of the Maryland congressional delegation by deans of Maryland's medical and dental schools: Dr. John H. Moxley III, dean of the University of Maryland Medical School; Dr. David E. Rogers, dean of the Johns Hopkins University School of Medicine; and Dr. Charles Barr, assistant dean of the University of Maryland School of Dentistry.

At this meeting, Mr. President, only one item on the agenda: the burgeoning financial crisis facing these and indeed almost all of America's medical and dental schools. Cuts in Federal funding have already spelled death for two of the Nation's 55 dental schools.

Very significant, I think, was the participation, also, of representatives from the State medical associations. Lending important perspective to the dialog were Dr. John Chissell, president of the Maryland Academy of General Practice; Dr. Paul Mullan, official of the Maryland Medical and Chirurgical Faculty; and Dr. Emerson C. Walden, past president of the Maryland Academy of General Practice and president elect of the National Medical Association.

An important national viewpoint was also represented, in the person of Dr. John Cooper, president of the Association of American Medical Colleges. Still others were present and made meaningful contributions.

In the course of the discussion, one written submission was offered—that by the dean of the Johns Hopkins School of Medicine. Because it speaks not only of problems in Maryland and at Johns Hopkins, but indeed presents conclusions of national significance, I ask unanimous consent that it be printed in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Testimony Before the Maryland Delegation to the U.S. Congress Regarding Federal Aid to Medical Schools

(By David E. Rogers, M.D.)

Maryland medical schools are currently struggling to meet their commitments to the people of Maryland while burdened with a crucial financial dilemma. The State's medical schools are extending their physical, financial and human resources to deliver health care in inner city areas, increase the supply of health personnel, and perform research which will improve health care in the future. At the same time, funds available to support medical education have decreased under the impact of reduced federal funding, increased demand for services, inflation, decreased private giving, and lower income from endowment and investments. In the following statements, the record of achievement and the financial plight of the Johns Hopkins Medical Institutions will be detailed. The University of Maryland School of Medicine faces a similar crisis and, indeed, so do most of the nation's medical schools.

RECORD OF SERVICE

The Johns Hopkins Medical Institutions (JHMI) provide medical care primarily to Maryland residents and to a large segment of the inner Baltimore City population at an annual cost of $40 million. Over $1.8 million of this amount represents deficit spending by Hopkins to give ambulatory health care to the needy without charge for the professional services rendered by our staff. The amount of service rendered is impressive.

One out of every 6 patients who visits a physician in Baltimore is seen at the Johns Hopkins Hospital.

Johns Hopkins Hospital plus its sister teaching institutions, University Hospital, Baltimore City Hospitals, Sinai Hospital, together handle 40 per cent of *all* patient care visits in Baltimore.

Hopkins Hospital sees 24 per cent of all emergency room visits in the city of Baltimore.

Of the active physicians practicing in this state, over 25 per cent have been or are associated with the JHMI, either as graduates of the Medical School, full or part-time faculty, or trainees in its intern and residency programs. The JHMI attracts physicians into this state since many non-residents take up residence in Maryland after training at JHMI. As an example, virtually all of the new physicians in Howard County have come there to participate in our new Columbia Health Program.

Nationally, the School of Medicine ranks second only to Harvard in the number of persons it has provided as teachers to other medical schools.

The JHMI are one of the largest employers in the State, employing over 6,000 persons.

Between 1965 and the coming year, the JHMI have responded to the need for more physicians by increasing the entering class size from 90 to 115, a 22 per cent increase. In addition, we have accelerated the training period of physicians without sacrifice in quality and are considering other programs which may further reduce the duration of medical education.

In recognition of the need for new types of health professionals, JHMI have instituted over 60 programs for training other kinds of health professionals and have established a new Center for Allied Health Careers which will further expand this effort.

The Medical School has initiated new programs for delivering health care in the new city of Columbia and has provided physician manpower for this area of the State.

Working with representatives of the community, local, state and federal health authorities, the Johns Hopkins Medical Institutions has developed plans for and will soon open a new primary care center in East Baltimore.

FINANCIAL SITUATION

In fiscal 1970, the deficit of the Johns Hopkins University School of Medicine was over $900,000. In fiscal 1971, the deficit will climb to $2.2 million. Despite heroic efforts to increase income and reduce expenditures, including restrictions on hiring and salary increases, the projections for fiscal 1972 indicate a deficit of over $1.7 million. This simply cannot be sustained, and we run the real possibility of losing staff and programs which have taken many years to establish.

The prime cause of these deficits is the reduction in the percentage of our total budget provided by the federal government. Decreasing federal support has placed an increasing burden on the limited non-federal sources of funds available to the School (see appendix 1). Despite our financial crisis, we have improved and expanded our delivery of health care, are training greater numbers of physicians, and have, to date, retained the precious resource of an outstanding professional staff.

Concurrent with the decrease in federal support, the JHMI have been subject to the pressures common to the rest of the economy: unionization of some of its non-professional personnel resulting in higher wages; decreasing income from investments; escalating costs for essential services and supplies; and sharp decreaess in private giving.

Simply stated, the costs of maintaining our educational, service and research functions have increased more sharply than our income.

SUMMARY

Since its founding in 1893, the Johns Hopkins University School of Medicine has served and continues to serve the needs of the citizens of Maryland for health care and trained health personnel.

Now the school finds itself in dire financial straits, at a time when it is being asked to increase its service to the State of Maryland and to medicine. Since 1965 the size of our entering class has risen 22 per cent, while at the same time the Federal share of our budget has decreased 28 per cent. This Federal cut-back seriously threatens our immediate future. We cannot pass this additional expense on to our students, over 50 per cent of whom already receive financial aid. Financial stability must be restored if Hopkins is to continue its important role in medical education, research, and vital health services to its community.

One of the most important concepts which we wish to bring to this delegation is the inseparable relationship among the three elements—training of health care personnel, delivery of health care, and biomedical research. Recent shifts in emphasis by Federal funding agencies toward increased funds for direct aid to medical schools—while at the same time decreasing aid to medical students, biomedical research, new construction and training programs of many kinds—is no more than squeezing a balloon to displace funds from one part to another without actually increasing aid to the schools.

In order to truly aid the schools in their multiple mission, the Federal government must support at an adequate level all facets of that mission. Failure to do so must inevitably result in financial failure of many medical schools—a loss of a precious national resource.

The following list details specific areas in which the Maryland Delegation to the United States Congress is asked to exert its force to effect improvement to the financial problems of the nation's medical schools.

1. Per capita aid to schools based on enrollment in the amount of $5,000 per student each year. The absolute minimum cost of educating a medical student is $4,000 per year and estimates of actual costs for faculty, facilities and maintenance range to well over $10,000 per year. President Nixon's request for $6,000 per *graduating* students is entirely inadequate to meet the real needs of the schools.

2. Continuation of special project grants which aid schools in expanding enrollment and developing new curricula.

3. Increase in scholarship award levels from $2,500 to $3,500 per year, and continuation of student loan programs at an increased funding level to provide a maximum award per student of $3,500. The current HEW manpower bill provides *no* money authorization for direct loans to students. Most important is the provision of funds based on a formula of $3,000 multiplied by 10 per cent of the school's enrollment.

4. Provide substantial funds for construction of health facilities for the needs of the present and the future. HEW now plans *no* Hill-Burton Act funds for hospital construction.

5. Support of Health Maintenance Organizations at a level adequate to care for the health needs of the nation.

6. Increased support of biomedical research, both for its own clear value and because funds for research have in the past helped to support the operation of medical schools.

7. Reassessment of the recent NIH decision to discontinue renewal of Research Career Development Awards beyond five years. This decision, if enforced, will guarantee financial disaster to departments dependent on such awards for the maintenance of their faculty members. Further, it will limit the number of physicians choosing medical research. Those so choosing represent only a small percentage of total graduates (less than 5 per cent) but their contribution to medical research and the nation's health is significant.

8. Increased funding for programs of care for indigent patients.

9. Restoration of funds for training grants which have been sharply reduced, threatening the future supply of health personnel.

Legislation has been introduced by Representative Staggers of West Virginia which encompasses some of the points made above. We request your support of these bills.

These recommendations are based on the proposition that medical education is a function of national importance and that the academic institutions involved are national resources which should be provided Federal support in substantial amounts to achieve stated national objectives.

We appreciate the opportunity to present this testimony before the Maryland Delegation and hope that you share with us our concern regarding the financial plight of medical schools.

SENATOR ERVIN'S FORESIGHT ON ARTICLE V EXEMPLARY

Mr. ALLEN. Mr. President, the Washington Star for February 2, 1971, published a column entitled "Senator ERVIN's Foresight on Article V Exemplary," written by James J. Kilpatrick. Inasmuch as the article refers to a bill introduced by Senator ERVIN which undertakes to prescribe the rules governing constitutional conventions called under article V at the instance of the States and for that reason merits consideration by Members of the Senate, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATOR ERVIN'S FORESIGHT ON ARTICLE V EXEMPLARY

(By James J. Kilpatrick)

North Carolina's Sen. Sam Ervin is performing another great service just now in his effort to get prompt action on a bill fixing the ground rules for a constitutional convention. The senator is a wise old owl, possessed of perfect vision. In a tangled underbrush of law, he sees a crisis creeping up.

Few others have paid much attention. After all, the country hasn't seen a constitutional convention since 1787; it is widely supposed that such a political animal is extinct. But unless Ervin is sorely mistaken—and he isn't mistaken often—the next few months are likely to see the Congress eyeball to eyeball with Article V of the Constitution.

That widely forgotten provision says flatly, in words that would seem to defy misunderstanding, that on the applications of the legislatures of two-thirds of the states, the Congress "shall call" a convention for proposing amendments to the Constitution. Such amendments, if subsequently ratified by three-fourths of the states, would become valid additions to our fundamental law.

During the first hundred years of our republic's history, according to a study by Fred Graham in 1963, only 10 such "applications" were filed by the states with the Congress. Between 1893 and 1911, however, petitions came on with a rush; 31 state legislatures sought a convention to propose an amendment for the direct election of U.S. senators, and though they didn't get the convention, they did get the 17th Amendment.

Over the past 60 years, the tide has ebbed and flowed: World government, the prohibition of polygamy, wages and hours, the Townsend plan of old-age assistance. It wasn't until 1967, four years ago this spring, the members of Congress gave such applications a second glance. At that time, it appeared that 32 state legislatures had applied for a convention to propose a constitutional amendment overturning the Supreme Court's rule of "one man, one vote" for apportioning legislative seats.

We heard a good deal of discussion then of the legal complexities. The late Sen. Everett Dirksen fulminated gloriously for a while; law professors came and went; newspaper editors, all of whom are thwarted constitutional lawyers, delivered themselves of advisory opinions. Eventually the uproar subsided.

Now it's back again. This time the target is federal revenue share—an idea with enormous appeal to state legislatures across the land. Five states (New Hampshire, Florida, Louisiana, California and New Jersey) already have filed formal applications with Congress to call a constitutional convention for such an amendment. At least 14 other legislatures, now in session, are known to be considering such resolutions.

Ideas are contagious. This idea could become epidemic. Unlike other convention movements of recent years, revenue sharing arouses few objections of philosophy or principle. The purpose is far removed from reapportionment, state control of obscenity, prayer in the schools, or a new "Supreme Court of the Union." State legislatures are hungry for money with no strings attached. If they can't get it any other way, how about amending the Constitution?

Ervin is asking his colleagues to suppose that 34 States file Article V applications. What then? One belligerent response is to say that no power can compel the Congress to carry out the constitutional commandment that Congress "shall call" a convention. But members are sworn to uphold the Constitution; we have to assume they would perform their duty.

How? Ervin's bill would establish a permanent, orderly plan. If 34 states, within a seven-year period, should ask for a convention on a given issue, Congress would schedule a convention that would be strictly limited to consideration of that issue alone. Each state would elect one delegate from each congressional district, plus two at large. When the convention had finished its business, Congress would transit the proposed amendment back to the states for ratification.

This is a wise and prudent bill. It ought to be taken up now, in tranquillity, before the predictable spring day when crisis arrives on the Hill with the postman. He may be bearing application 34.

WYOMING'S WAR ON DEADLY STREP

Mr. McGEE. Mr. President, the March 1971 issue of Today's Health, a magazine published by the American Medical Association, contains an article entitled "Wyoming's War on Deadly Strep." The article deals with a unique program that has been developed in Wyoming schools to combat strep throat, the cause of crippling rheumatic heart disease.

As the article points out, rheumatic fever remains the most common cause of heart disease in children. About 1.6 million Americans now suffer cardiac damage from this disease, which each year claims about 14,000 lives.

The article also points out that Casper, Wyoming's second largest city, began the program of strep detection, utilizing volunteer services from parents and the medical profession. As a result, there has not been one single case of rheumatic fever in Natrona County in 3 years.

What the city of Casper and other Wyoming communities have done demonstrates how problems can be overcome and solved when a community is willing to become involved.

The city of Casper and the State of Wyoming are to be saluted for their outstanding achievement, which has been brought about only because people were willing to become involved to eradicate this menace from their midst.

The efforts of so many people in Wyoming which have made this program a success have gained national recognition for the State, and deservedly so.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WYOMING'S WAR ON DEADLY STREP

(By Mike Michaelson)

Westerners are taciturn folk. They'll likely answer your questions with tight-lipped "yeps" or "nopes." So goes the stereotype. Yet in Wyoming—proudly tagged "the Cowboy State"—a generation has grown up unshakably convinced of the virtue of opening the mouth real wide at least once a week.

They have good reason for their conviction, for the simple, weekly act of inspecting the throat of every child in grade school has virtually eliminated dreaded rheumatic fever among Wyoming's school population. It means that tell-tale signs of "strep throat" can be spotted early, verified by swabbing and lab culture, and, if necessary, treated.

Rheumatic fever remains the commonest cause of heart disease in children. It is produced by infection with a specific germ—group A, beta hemolytic streptococci—which causes the familiar "strep throat." About three out of every 100 such infections lead to rheumatic fever, which can inflict crippling damage to the heart.

About 1.6 million Americans now suffer cardiac damage from rheumatic heart disease, which each year claims about 14,000 lives. Yet it is a disease which can be prevented if strep infections are detected and treated early.

And this is something Wyoming communities are doing with notable success. A leading authority on streptococcal infections and rheumatic fever admits surprise at the low level of the insidious strep strain found in a community randomly tested. "This is perhaps the lowest incidence recorded in children," says Angelo Taranta, M.D., associate professor of medicine at New York University.

Wyoming's victory over this incapacitating disease becomes even more remarkable in light of some elementary geography: Wyoming is sliced by the string of towering peaks that form the Great Divide; Casper, where the strep detection program began, lies in the long shadow of the Rockies. And medical scientists know that the Rocky Mountain region is one of the nation's prime target areas for the disease—although this peculiar geographic prevalence has so far defied scientific explanation.

"It was not uncommon, at one time, to have as many as 25 rheumatic fever cases in County Hospital," says Louis J. Roussalis, a bright, young general practitioner who settled in Casper about nine years ago and who serves as co-chairman of the local Rheumatic Fever Control Committee. "By contrast," he notes, "we haven't had a single case from this county in three years."

These dramatic results are beginning to attract wide attention. Internationally known experts are looking toward Wyoming, and communities in several states recently have expressed interest in setting up similar programs.

National recognition of the Wyoming success has been long coming: 15 years. And it has required the commitment of local doctors, public health nurses, teachers, and school officials, the unstinting voluntary help of parents, and the unwavering belief and tireless efforts of a transplanted Chicagoan, Brendan Phibbs.

Could that which works in Wyoming be applied elsewhere? Doctor Taranta believes it could—provided it had the same kind of energetic leadership and community support.

"Bren Phibbs is a charming and persuasive individual," he notes, "and although I believe the Casper program is largely a personal success, it could be done elsewhere.

"Certainly, one of the key elements has been the mustering of the support of large numbers of volunteers. This makes the program quite inexpensive," says Doctor Taranta, citing lack of funding as one of the common barriers to successful communitywide programs.

Brendan Phibbs is built tall and solid like a pro football linebacker. He wears his iron-gray hair brushed straight back and has the ruddy complexion of his Irish forebears. An enthusiastic outdoorsman, he skis, hunts, fishes, and climbs mountains. During World War II he took part in the Allied push across the Rhine as a front-line surgeon with a tank company.

Today, he specializes in internal medicine and has a practice in Casper, Wyoming's second largest city, population 48,000. With cardiology as his subspecialty, Doctor Phibbs runs a sophisticated cardio-pulmonary laboratory and treats heart patients from across the state.

He also has a Gaelic penchant for clinging determindedly to an idea he believes in and for speaking plainly, particularly when chasing down a medical myth. It is not calculated to endear him to many of his peers, for example, when he states bluntly that "probably half of the physicians in the United States don't know how to treat streptococcal pharyngitis." And then shows slides which prove that *he* does!

"Even some of the very capable pediatricians have a tendency to treat a bad-looking throat with a lot of quick-acting penicillin. What's really needed is the long-acting kind," says Doctor Phibbs, explaining that it takes 10 days to eradicate the strep organism.

Brendan Phibbs' mercurial Irish personality also is endowed with ample quantities of a disarming, puckish charm and a smidgeon of pure blarney. Pulling off the program on a frugal budget, Doctor Phibbs admits that he and his people "beg, borrow, and steal" a great deal of help and equipment, and that he blatantly underpays his dedicated staff. And the program has built up in the community, he points out, a veritable army of "hundreds of moms who know better than many doctors how to swab a throat."

Certainly, the level of public information about strep and its odious complications is uncommonly high. One time, Brendan Phibbs was driving with a visiting public-health researcher and happened to stop at the general store of a small mining community. To make a point, the Casper doctor asked his companion to question the little lady who owns the store and pumps the gas about the strep program. "She answered all his questions," Phibbs relates with a grin. "He was astonished. She knew more than the average doctor did."

Clearly, the strep prevention program which began in Casper and now has been expanded to include most of the state, is unique. Yet, it is remarkably simple.

Fact One: Strep infections can lead to the serious complications of rheumatic fever or nephritis, a kidney disease. Unfortunately, as many as 30 percent of the infections which produce an attack of rheumatic fever may be so mild as to cause no apparent symptoms. "This means that the parents may be wholly unaware of the danger," the American Heart Association has commented, "and that no physician is asked to examine the child."

Lack of severe symptoms also is one reason that has gained rheumatic fever the reputation as a "disease of poverty," explains Doctor Phibbs. "Poor people don't regard a sore throat as a reason for a trip to the doctor. Instead, they'll take aspirin, or a lozenge, or a throat gargle. This, of course, doesn't affect strep, which is a very contagious organism." Add crowded living conditions to this equation and you have the climate for the rapid spread of infection.

Fact Two: Strep infections occur mainly in the five-15 age bracket. "Rheumatic fever is an occupational disease of school children," notes Doctor Phibbs.

Fact Three: It is impossible to diagnose a strep throat by mere physical examination. Diagnosis is dependent upon laboratory tests. Doctor Phibbs notes "a reluctance" on the part of some of the medical profession to accept this fact. "It is difficult to persuade some physicians that they cannot diagnose streptococcal pharyngitis without a throat culture, and it isn't sufficiently widely realized or accepted, he observes "that any pharyngitis may be streptococcal and may be dangerous."

Solution: Examine weekly the throat of every child in school. When there are signs or symptoms of pharyngitis, swab the child's throat and make laboratory cultures. (Rule-of-thumb: When in doubt, swab!) Isolate and treat all children with positive cultures—those youngsters indicted by lab tests as harboring the troublesome strain of strep bacteria.

As a workable remedy, the idea perhaps seems oversimplified—like a cure-all patent medicine. Yet it works as well in practice as it sounds in theory—much to the astonishment of a goodly number of people. Not the least of these is Donald Becker, M.D., pathologist at the 329-bed Natrona County Hospital (Casper's only hospital) and one of the originators of the program.

It was about 15 years ago when Doctors Becker and Phibbs first discussed the idea. They were sitting over coffee in the hospital cafeteria one bleak morning. That their ambitious long-range plans would involve a vast education of the public and a delicate reeducation of many fellow physicians didn't faze them. "Brendan Phibbs is a pretty yeasty guy, anyway," Doctor Becker comments dryly.

"But there really isn't anything magic about the program," he says. "It is the elaboration and application of something that has been known for many years. What is remarkable is that so many people have stuck with it and that it has worked so well for so long—particularly when you consider the number of links in the chain, the number of people it involves, and the number of places it could break down."

Conversely, Doctor Becker is convinced that without its small army of dedicated and capable volunteers the program would stall. "It's a case of giving people an opportunity to help themselves," he explains.

Mother-volunteers report for duty in teams of two or three on every school day in nearly every grade school in the state (about 90 percent of Wyoming's schools participate). Often they must battle the harsh Wyoming winter that can produce sudden, blinding, 60-mph blizzards. High winds whip swirling snow off the plains which can "white-out" a car in seconds, reducing visibility to near zero.

Let's travel with volunteer Judy Aurelius, attractive wife of a Casper moving and storage company operator, and mother of four, as she sets out one morning for Manor Heights, one of the city's 21 elementary schools. It's early, for like many mothers in the program, Judy usually arrives at school before many of the students. And it's bright. Despite its reputation for fierce winters, Wyoming enjoys a remarkably high number of clear days and hours of winter sunshine.

Accompanying Judy Aurelius this morning is her daughter Katy, a wide-eyed second-grader with shoulder-length blond hair. Most of the mother-volunteers have a child of their own attending the school they serve. "I've followed all my kids through the strep program," says Judy, who started about 10 years ago as one of the earliest volunteers.

Manor Heights school sits at the edge of the city close to the foot of the wooded slopes of 8200-foot Casper Mountain. Judy Aurelius' teammate, Jere Baze, already is at the school and the two exchange greetings and quickly prepare for the student influx, setting out tongue depressors, flash light, swabs, and record sheets.

Classes assemble and teachers perform the now-familiar ritual of asking if any child has a cold or sore throat. Some of the younger children have brought notes.

Youngsters who respond are sent to have their throats inspected. To make sure each child is examined at least once a week, one row of children from each class is sent every day for routine examination (at some schools they're rotated by class). Kindergarten children—the age group most susceptible to strep infections—are examined twice weekly.

"We believe the program has reduced absenteeism," says Doctor Wheatley, principal of Manor Heights, "particularly the absences of three or four days you normally expect during the winter cold season."

It's Thursday, one of the days all kindergarten children are examined. They file into the small room allotted the volunteers.

There's some jostling and a little chattering as these moppets wait in line. Two girls near the back are giggling, apparently about the boy ahead of them who sports a "Laugh-In" T-shirt. Another boy, with Indian features, drops a coin, his milk money, perhaps.

Most, though, watch solemnly as classmates get inspected and/or swabbed. Some practice saying "ah" way ahead of time. But when their turns come they open their tiny mouths on cue, like birds.

There is one recalcitrant youngster, a dark, fringe-haired boy who hangs back in the line when his turn comes. "You're not gonna put that in *my* mouth," he says, defiantly.

But Judy Aurelius, a veteran throat-peerer, is persuasive. Hiding the objectionable tongue-depressor behind her back, she coaxes the difficult child forward.

"Come on, let's see what kind of cereal you had for breakfast." Reluctantly, he allows his throat to be examined without use of the depressor.

With experience, volunteers become adept at spotting the tell-tale signs of strep. They are taught to look for swollen and tender glands in the neck and under the jaw, for fever, red throat, or the drainage of mucus in the throat and on the tonsils.

Jere Baze is a first-year volunteer with only a few inspection sessions behind her. Gingerly, she tries her hand at swabbing, trying to do it by the book: Place depressor way back on the tongue; swab the throat with circular motion; make sure to reach up behind the uvala. She has a large wall chart to guide her, and a partner to offer a welcome measure of encouragement.

As with many volunteer-mothers, the neophyte swabber finds hardest the point that the instructions emphasize strongest—produce gagging! "You won't hurt the child," Judy assures her, "and you must get a good moist swab from the back of the throat."

Throat swabbing is by no means a gentle art. "We're barbaric," says Dr. Rousallis. "We have to be." Then he tells of an incident that sets Dr. Phibbs apart as perhaps the most vigorous throat swabber who ever came down the pike.

The Casper team was making one of its random checks, mass-swabbing at a school in an outlying area. Dr. Phibbs and two local doctors were sharing the chores. It didn't take the visiting doctor long to acquire a reputation. After a while, each of the local physicians had before them lines of students to be swabbed. Doctor Phibbs hadn't a single customer. "But when the swabs were cultured, he had 90 percent of the positive pick-ups," notes Doctor Rousallis.

Doctors Phibbs and Rousallis and others from the Casper program travel frequently to other communities in the state, providing guidance and support, and making studies. In winter, most of the old hands guard against the unpredictable Wyoming weather, traveling with emergency supplies in their cars—food, clothing, blankets, and canned cooking heat.

In hours, conditions can change from a Chinook wind, warm enough to melt deep snowbanks, to the biting cold blast of a howling blizzard. "It seems we lose a salesman from back east every winter when his car gets socked in and he tries to walk for help—often in low-cut shoes—instead of sticking it out."

Back at Manor Heights, all suspect throats have been swabbed. Swabs then are numbered, listed on a corresponding sheet, and delivered by one of the volunteers to the strep lab at Natrona County Hospital.

Results of the lab work will become known the following morning when the school office is notified of those children infected with strep. Each child then is dispatched home with a note and cannot return to school until treatment has begun.

If treated that same afternoon, the student may return to school next morning. "Infectivity will have dropped so sharply the morning after an injection," notes Doctor Phibbs, "that the child is substantially noncontagious. We've tried culturing them the next day and we hardly ever get a positive culture."

When a child is shown to be infected, other members of the family—especially high-risk preschool siblings and young adults—are encouraged to go to the school and be swabbed. "If one child in the family is positive, there's a 36 percent chance that someone else is going to be positive," says Doctor Phibbs. "If two children are infected, you almost know someone else is going to be!"

During the huge eruption of strep that struck Casper after the Asian flu pandemic of 1957–1958—three years after the program began—25 cases of rheumatic fever developed in the general population. In contrast, there were only four cases reported among the 14,000 school children involved in the program. Normally, 80 percent of the rheumatic fever would be expected to occur in this group.

"Success in controlling strep in the school population must hinge on mandatory treatment—the ability to exclude children from school," says Robert A. Zimmerman, Ph. D., a leading strep expert with the National Center for Disease Control. "Without it you probably will encounter a few critical instances where, because of lack of parental interest or perhaps for economic reasons, the child is not treated." Of course, the child then creates a little epicenter of infection in the classroom.

Doctor Phibbs suggests that legal mechanism does, in fact, exist in every state, waiting only to be enforced. "Streptococcal pharyngitis is a reportable and hence excludable disease in any school in the United States," he says.

"Exclusion for strep infections makes good sense," maintains NYU's Doctor Taranta, "when you consider that other communicable diseases—such as chicken pox—which are much less dangerous in terms of long-term complications, are considered grounds for exclusion from school."

Occasionally, when parents balk, Doctor Phibbs explains that strep results from the same organism that causes scarlet fever. "I tell them that strep throat is scarlet fever without a rash and ask how they'd like a kid with scarlet fever sitting in a school room with their children. And that's how they get the message.

"Every year," says Doctor Phibbs, "we'd have someone object on religious grounds, or we'd run into a health food enthusiast, or someone who simply doesn't like to pay for a shot for his kids. So we thought we'd nail it down with a ruling from the state attorney general."

They did. And it sticks. Last year a Christian Scientist balked at having his daughter treated for strep. Her throat was swabbed twice a week for three weeks, and she was allowed to return to school only after she produced a negative culture. "It brought a lot of 'oohs' and 'aahs' in Atlantic City [at a recent meeting of the American Heart Association] when I showed our take-home slip," Doctor Phibbs notes with a chuckle. But he also was able to demonstrate that strict enforcement had curbed strep to a prodigiously low rate.

He could say this with confidence, for only recently had the Casper program been subjected to critical scrutiny. A U.S. Public Health Service team led by Doctor Zimmerman—whom Brendan Phibbs describes as "one of the best strep men in the world"—had randomly checked strep infections of students in the Casper area.

"I'd often told him we got our rate down under five percent, and held it there all winter," Phibbs recalls. "But Bob Zimmerman was the big skeptic. He'd say, 'Bren, if I come to Casper, I'll find 20 percent strep in your kids.' So, finally, I took him up on it and they came in and did their own swabbing and processing."

The findings have surprised many clinical investigators who have made a lifelong study of strep. The team found only 1.9 percent of the students suffering strep infections. By comparison, a check of three Colorado communities showed that anywhere from 11 percent to 20 percent of these students had strep infections.

"Kids are not as sick any more with strep infections," notes Martin Ellbogen, M.D., a Casper general practitioner. "We catch them before they are symptomatic, when they are strictly carriers." Doctor Ellbogen shares the opinion of many colleagues that the strep detection program has elevated the level of medical care in the community. In some local doctors' offices the nurse may swab the incoming patient's throat as routinely as she takes his temperature.

Patients are less demanding of a penicillin shot for a cold. In fact, the citizens of Casper—particularly the schoolage population—may receive fewer doses of antibiotics per capita than the residents of any other community in the United States.

Since many colds and sore throats result from viruses, which are unassailable with antibiotics, many U.S. children in communities where family doctors do not emphasize routine swabbing, receive the drugs unnecessarily. "If a culture shows pharyngitis is not streptococcal," says Doctor Phibbs, "chances are it's viral, in which case what you really need is aspirin and bed rest.

"In the population at large, too, I think we have made educational inroads," says Doctor Phibbs, "by emphasizing that any sore throat may lead to rheumatic fever or nephritis and that it always is prudent to get a throat culture. And God help any doctor," says Phibbs, "if he doesn't take a throat culture if a mother brings a child to his office when school is out."

Public education has been achieved through the schools, through the news media, and through the vast number of mothers in the community who either serve or have served as volunteers. Some, of course, move away, and the Casper group has heard more than one anguished plea from an out-of-state public-health colleague being hounded "to set up a strep program like Casper's."

If volunteers are the program's muscles, the strep lab is the nerve center that coordinates their work. A team of four processes swabs—sometimes more than 1500 a day, including mail-ins—for approximately one-half of the state of Wyoming. A lab in Cheyenne handles the other half of the workload.

"A central lab with skilled staff and good equipment is a prerequisite for anyone considering a strep control program," says Doctor Phibbs. "And it should be a free or very cheap facility funded, perhaps, through a health department or a heart association."

Due to some determined scrounging, and the generous donation of time, space, and equipment, the Casper program has been relatively cheap, running at about 20 cents a culture. But the most important saving has been in the incalculable currency of healthy hearts and full lives.

INTERNATIONAL WOMEN'S DAY AND HUMAN RIGHTS

Mr. PROXMIRE. Mr. President, today, women throughout the Nation will celebrate International Women's Day, the date commemorating the 1857 female garment and textile workers march in New York City. They feel that action now on the Convention for the Political Rights for Women would be an extremely powerful influence internationally for the rights of women.

One of the purposes of the United Nations, as proclaimed in article 1 of the charter, is to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms for all, without distinction as to race, sex, language, and religion.

One of the achievements of the United Nations toward this goal over the 25 years of its existence are substantial, but it cannot be said that the road is easy or that progress is rapid. If nations and peoples all over the world are fully to accept the idea that human rights can and should be secured through international cooperation, much new ground has to be broken and many problems and difficulties must be faced and overcome.

The Human Rights Convention on Political Rights for Women fulfills the purposes of article 1. It provides that women shall be entitled to vote in all elections on equal terms with men. It provides that women shall be eligible for election to all publicly elected bodies, to hold public office, and to exercise public functions established by national law, all on equal terms with men.

United States representatives participated in all phases of the drafting and this Government was represented in several of the committees actively and favorably urging the adoption of the draft convention. This convention was signed in New York on March 31, 1953. Sixty-eight nations have given their signature. The United States has not, however.

The right of women to vote is recognized in the 19th amendment to the Constitution. The eligibility of women to be elected and to be appointed to public office has long been recognized by law and practice. President Kennedy submitted this convention to the Senate for ratification in July 1963. Hearings were held in February, March, and September of 1967 by the Foreign Relations Committee. The convention was tabled on October 11, 1967. No further action has been taken.

It is past time for the Senate to reassert the leadership of the United States in the realm of Human Rights and freedoms. Most Americans believe, and I am among them, that the United Nations serves the interest of the United States and all mankind, because the United Nations can serve the cause of world peace. Let us recommit ourselves to the purposes of the United Nations and the rights of women by acting on the Human Rights Convention for Equal Rights for Women now.

CONGRESS AND DISENGAGEMENT: A LEGISLATIVE RESPONSIBILITY

Mr. PACKWOOD. Mr. President, I ask unanimous consent that a statement by the Senator from Massachusetts (Mr. BROOKE) be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CONGRESS AND DISENGAGEMENT: A LEGISLATIVE RESPONSIBILITY

(Statement by Senator BROOKE)

Mr. BROOKE. Mr. President, on Monday last I introduced S. Res. 62, proposing that the Senate assume its proper responsibility for overseeing, together with the President, disengagement of U.S. forces from South Vietnam.

My profound hope is that a thorough Senate examination of the problems associated with the historic disengagement program already initiated by the President will provide a sound basis for harmonizing legislative and executive policy on this vital issue. Like most Americans, I pray that we can devise a new consensus among ourselves and between the branches of government.

Toward that end, my proposal, very simply, would call upon the Committees on Foreign Relations, Armed Services and Appropriations to consider all of the factors involved in our disengagement from this undeclared and unduly prolonged war, and to come forth with a joint recommendation for withdrawal which could have the support of this government and of the American people.

I am pleased to say that this proposal has received the support of Mr. John W. Gardner, head of the bipartisan citizens' group, Common Cause. It is with pleasure that I received his warm letter of endorsement and I ask unanimous consent that the full text of his communication be printed at this point in the RECORD.

COMMON CAUSE,
Washington, D.C., March 5, 1971.

Senator EDWARD W. BROOKE,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR BROOKE: I write to express my support for your resolution calling upon the Senate Foreign Relations, Appropriations, and Armed Services Committee to investigate the requirements and consequences of the orderly withdrawal of all armed forces of the United States from Indochina.

As you know Common Cause has launched a national campaign working with our more than 100,000 members and with other organizations in an effort to persuade the Congress to exercise its constitutional responsibilities and to legislate American disengagement from Indochina.

The suggestion, contained in your speech accompanying the resolution, that the three committee chairmen designate a joint body to hold suitable open hearings seems to me to be eminently desirable. Congress must take the lead in showing the people that our institutions of government are responsive to their demands. Your resolution is an excellent starting point and I am glad to endorse it.

Sincerely,

JOHN W. GARDNER,
Chairman.

COMMEMORATION OF AMERICAN DISABLED VETERANS DAY

Mr. McGOVERN. Mr. President, it is important that, for the golden anniversary of Disabled American Veterans Day, we reflect on the debt the Nation owes to our disabled veterans and to the Disabled American Veterans organization for their work in service to their members.

In particular, I wish to take note of the service provided in my own State of South Dakota by the Disabled American Veterans Department of South Dakota, under the direction of John P. Redmond, its commander. I want to thank the department for myself and for the people of South Dakota.

The recent achievement of our department is quite notable. It consists of 10 chapters, two of which were just started this year. The membership for the year has increased by 30 percent. The officers come from every corner of the State. The department provides volunteer work in VA hospitals in Sioux Falls, Hot Springs, and Fort Meade and at the State veterans home in Hot Springs. Special thanks is due to the auxiliary for their help in this work. The department has a full-time national service officer, Donald Halligan, whose office is located in the VA center at Sioux Falls.

We have some 7,000 wartime disabled veterans in the State of South Dakota. The Disabled American Veterans of South Dakota give invaluable time and assistance to veterans needing hospitalization, education, or the establishment of claims. They have given the fullest support to the various POW and MIA projects and programs.

The service of the Disabled American Veterans of South Dakota is exemplary of the national effort which represents the best qualities of our people. Their work is a testament to the kind of concern and commitment that will redeem this great but deeply troubled land.

DAV Day in Congress has very fittingly been called a tribute to quiet courage. These are men who understand the greatest burden of our involvement in the war in Asia—the extreme suffering and sacrifice it has exacted. Yet their response has been a profoundly humane and constructive dedication. This is courage in the best sense of the word; quiet courage, without notoriety or glory but deserving of the deepest respect and gratitude of the American people

CAMPAIGN REFORM

Mr. MATHIAS. Mr. President, the need to reform political campaign practices is evident to all of us. There have been a number of proposals advanced to achieve reform, and I am hopeful that legislation will be forthcoming this year.

The Commerce Committee Subcommittee on Communications, under the leadership of its distinguished chairman (Mr. PASTORE), has moved promptly to conduct hearings on this problem. Last Wednesday, the distinguished minority leader (Mr. SCOTT) and I had the opportunity to appear before the subcommittee and discuss the comprehensive campaign reform bill we recently introduced, S. 956.

I ask unanimous consent to have printed in the RECORD the testimony submitted by the minority leader and myself at that time.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

JOINT STATEMENT OF SENATOR HUGH SCOTT AND SENATOR CHARLES McC. MATHIAS

Mr. Chairman, we very much appreciate this opportunity to express our views on the critical problem of political broadcasting. As you know, we have recently introduced a comprehensive campaign reform bill, S. 956, which does have provisions relating to political broadcasting, and advertising as well.

About one year ago, this Subcommittee took an important step in favorably reporting legislation to repeal the "equal time" requirements for Presidential and Vice Presidential candidates and to require that broadcast time be sold to candidates at so-called "lowest unit rates". That bill (S. 3637) took the right approach. It wasn't until it reached the Senate floor that the bill became entangled in a vast political web. The rest is history. We seek now to begin again, using that which has been proven sound and adding some new dimensions.

Our bill, as did last year's, repeals the Section 315(a) requirements for "equal time" only as they relate to the office of President or Vice President. S. 956 also requires that the sale of political broadcast time be made available to all legally qualified candidates, at lowest unit rates. We have amended this particular provision to offer the preferred rates only during specified pre-election periods—four weeks before primaries and six weeks before general elections. Of course, political advertising time may still be obtained, at the regular rates, prior to these pre-election periods. Our intent here is to shorten election campaigns by encouraging candidates to use time during periods immediately prior to elections, rather than three or four months ahead.

We believe the inclusion of these two provisions is a *must* for any political broadcasting bill. Repealing the "equal time" requirement for Presidential elections would provide for greater contribution of free time by broadcasters. Selling political broadcast time at preferred rates assures candidates the fairest break they can expect in their purchases.

Our bill also requires that broadcasters may not refuse to sell "reasonable" amounts of political broadcast time to all legally qualified candidates for public office. While we recognize the pitfalls in employing the word "reasonable", we wish to make clear our intent. We want to assure that those few broadcasters who happen to favor incumbent candidates cannot continue to do so by forbidding the sale of time to the opposition as well.

Additionally, S. 956 directs the Federal Communications Commission to report back to Congress, within one year from the date of enactment, on the implementation of the broadcast provisions, with recommendations for supplementary or corrective legislation.

The second part of our political advertising section deals with nonbroadcast communications media—specifically, newspapers, magazines and other periodical publications, and billboard facilities. In this regard, we assure that political advertising space purchased by candidates for Federal office is offered at lowest unit rates during the previously discussed pre-election periods.

In our attempt to treat equitably *all* media, broadcast and nonbroadcast alike, we further recognize the legitimate extent to which the Federal government may go in this regard. The language of the bill is specific enough to include only newspapers, magazines and other periodicals, and billboard facilities. Our constitutional basis rests on Congress' right to regulate the conduct of Federal elections and on Congress' right to regulate commerce, including postal rates for news distribution. Our bill, however, would not abridge the Constitutional guarantees of free press as protected by the First Amendment. Simply stated, the bill does not require such media to make available any of its space, but if it chooses to make its space available for one candidate for Federal office, then it must make an equivalent amount of space available, at the same rates, for all other candidates for such office. We believe these requirements to be reasonable and equitable.

Some discussion is now in order in regard to the imposition of ceilings on the amounts candidates may spend in election campaigns. S. 956 was presented to the Senate with a heavy reliance on disclosure, as opposed to limits, to curb abuses and excesses. In regard to political broadcasting, we feel that the imposition of ceilings would do considerable damage to the political system.

First, limits on spending, if such limits are low, tend to favor incumbent candidates.

Fully recognizing that the Congress might prefer legislation giving incumbents an edge, we honestly believe that a good reform bill should attempt to equalize the campaign vis-a-vis the challenger. As such, we don't want to give the incumbent excessive advantages. But, we do want to give the challenger proper access to those same advantages. Limits on political broadcast spending might perpetually exclude from office those challengers who will need to spend more money than incumbents to get the same kind of public recognition.

Second, every campaign is different. Some utilize more television than others. Some utilize no television at all. We must not attempt to dictate a candidate's approach to his campaign. We must allow him all the flexibility he needs to reach the electorate.

Third, as the cost of media time goes up, and a ceiling is in effect, candidates will be buying less and less time as the years progress. We all know that our dollars do not buy as much now as they used to buy. Whatever efforts the Administration is making to curtail inflation, there is simply no way to control absolutely the costs in one business or another without actually moving in to administer fully its operation.

We feel that this Subcommittee ought to place a greater emphasis on floors, or guarantees, rather than on ceilings. It is absolutely essential that candidates be allowed as much access to television and radio as they wish. To impose ceilings without offsetting them with guarantees, by subsidizing or otherwise, is to ignore the real problem—access to the media, and thus the electorate.

One more point ought to be made. Constitutionally, a good case can be presented against imposing any limits on political broadcast time. As *New York Times* columnist Tom Wicker recently pointed out, "some authorities believe that an expenditure for speech is essentially the same thing under the first amendment as speech itself. If a candidate already had spent whatever amount the law permitted, would it be constitutional to prevent some individual or group from spending their own money to express support for him, or opposition for his opponent? Again, it would be difficult to enforce over-all spending ceilings if a candidate himself was not responsible for controlling all expenditures in his behalf. Yet it seems a dubious proposition indeed that a citizen may not, if he wishes, take out an ad to express his personal political convictions. Effective enforcement would appear to limit constitutional rights; but protecting constitutional rights would make enforcement of over-all spending ceilings next to impossible."

Several days ago, we announced that the major broadcast networks approved of our approach to political broadcast reform. Unfortunately, a wire service story did not document more fully that announcement, and the consequent misunderstanding now requires a bit of clarification.

Specifically, we discussed, with the networks, the political broadcasting and advertising provisions in our bill prior to the bill's introduction. All the major networks indicated to us, at that time, that there were certain items that should be considered in any bill: 1) repeal of the "equal time" requirements for Presidential campaigns and 2) lowest unit rates, if enacted, should be enacted across-the-board for broadcast and nonbroadcast media alike. Our bill offers both of these items.

At no time did we indicate that the networks had given a blanket endorsement to our entire bill. We simply indicated their approval of the approach taken in the two major provisions of our political broadcasting and advertising section. While each of the networks may have other differences, there does appear to be some unanimity here on these two items. And, of course, the networks can speak for themselves.

Mr. Chairman, there is no ideal solution to this problem of broadcast reform. Our bill, surely, is not offered as the panacea. However, we do believe our bill offers a solid foundation upon which to build. Congress must act this year. We commend the distinguished Chairman and members of this Subcommittee for having the courage and foresight to take the first swing at this elusive ball.

REACHING THE CENTURY MARK

Mr. MATHIAS. Mr. President, in these days of tension and turmoil, it is indeed an achievement to reach the age of 100. But it is a still greater achievement to reach that age while remaining active citizens contributing to the community. I wish to congratulate two metropolitan Washington residents—Dr. Noah Willis Pomeroy and Zachariah D. Blackistone—who celebrated their 100th birthdays on February 16. I ask unanimous consent that the articles and editorials relative to this occasion be printed in the Record.

There being no objection, the items were ordered to be printed in the Record as follows:

[From the Kenwood Kalendar,
Washington, D.C.]

Congratulations

Once again we have the pleasure of extending birthday greetings to two fine members of Kenwood Club, Z. D. Blackistone and Dr. Noah Pomeroy. This year is a real milestone—they are 100 years young on February 16th. We are sure we voice the sentiments of Kenwood's entire membership in extending the heartiest of congratulations.

Dr. Noah Willis Pomeroy was born in Washington and was well known at the turn of the century as a Dentist and amateur athlete. He later became a member of the Board of Veteran's Appeals of the U.S. Veterans' Administration. His wife of 34 years died in 1947. He retired in 1941 at 70 years of age. An expert golfer, "Pom" once sported an eight handicap and as recently as 1962, at 91, paired with Joe Gambatese, to win the club's two-man team championship for the second time in 7 years. Dr. Pomeroy shot a score equal to or lower than his age with regularity; one of the more recent times was in the National Press Golf Tournament at Kenwood in 1964, when he scored 86. In 1960 his many Kenwood friends provided a large silver trophy in his name which is awarded annually to the club's senior champion. He lived at Kenwood Club for many years and could be found almost every afternoon, with his cigar, in the men's grill playing gin rummy. He now lives at the Sligo Gardens Nursing Home, 7525 Carroll Ave., Takoma Park, Md. 20012. He enjoys cards and the frequent visits of his many friends from Kenwood.

Zachariah D. Blackistone

Zachariah D. Blackistone was born in St. Mary's County, Md. He is probably the world's oldest flower child. The "owner, overseer and office boy of Blackistone's Florists, is used to superlatives, being the oldest flower dealer in the country, as far as anyone knows, and the oldest holder of a D.C. driver's license. As a youngster he worked for a florist as a delivery boy, dreaming of the day he would have his own shop. This became a reality at 825-14th St., N.W. when he sank the only $10.00 he had into the first month's rent. Now he has 4 shops. His wife of 53 years died in 1959; they had 3 children. Besides working with flowers, Mr. Blackistone likes golf. He plays never less than 18 holes. In summer he plays here 3 days a week; in the spring and falls he plays at Pinehurst, N.C. and Sea Island, Georgia where he competes each year in the Seniors Tournament. In the winter he plays golf in Florida. "Blackie" leads an active life and has no plans for retirement. Each year he sponsors the Ladies Orchid Tournament at Kenwood, a unique and beautiful affair with hundreds of orchids which he donates.

[From the Washington (D.C.) Post, Feb. 17,
1971]

Bouquets for Mr. Blackistone and Dr. Pomeroy

"Spry"—word usually reserved for news items about elderly people who in one way or another are still able to get around—only begins to approach a full description of Zachariah D. Blackistone, Washington's marvelously busy florist who this week breezed by his 100th birthday with a regular day of work.

More accurately, you might say that Mr. Blackistone is downright vigorous and far more energetic than a lot of us. The business he founded here 73 years ago now does more than $1.5 million in sales annually, at four stores with 75 employees. What's more, Mr. Blackistone is on hand at the main store, at 1407 H Street NW., every morning—seven days a week—"365 days a year, except when I'm out of town." He reports in at 7:30 a.m. (except on Sunday, when he attends church at 8), after a round of calisthenics and some 200 yards of pacing in the hallways of his apartment.

Once in the shop, Mr. Blackistone is not content to sit back and play executive. He prefers to oversee personally the operations, tend to the flowers and run "up and down the stairs 50 times a day." Once in a while, he used to play golf with Dr. Noah Willis Pomeroy, a retired dentist who also celebrated his 100th birthday on the same day. (Dr. Pomeroy gave up the game two years ago).

To celebrate the centenary of these two men merely because they have made it to a particularly "ripe old age" might be enough. But both Mr. Blackistone and Dr. Pomeroy merit more than a routine tribute from the community, for they are outstanding citizens whose achievements and contributions to this town have shown a delightful disrespect for their ages. To both of them, many happy returns of the day.

[From the Washington (D.C.) Post,
Feb. 2, 1971]

Breaking 100: Life (Over), Golf (Under)

Said Zachariah D. "Zed" Blackistone. "I've been training like a prize fighter for this 100-year thing." The founder of the Washington florist shops that bear his name is preparing for a round of television appearances in connection with his 100th birthday Feb. 18.

Blackistone, who still "breaks his age" in thrice-weekly golf games, described a typical day in his life at the kick-off luncheon yesterday at the Mayflower Hotel for the 1971 fund drive of the Washington Heart Association. He had gone to bed the night before at 10 p.m., arisen at 2 a.m. and written for two hours before fixing himself a breakfast of sliced apples, buttermilk, whole wheat toast and "a dash of wine." Then he jogged 200 paces in place, knelt in prayer for 10 minutes, washed and dressed and went back to bed for a little catnap before going in the office. He arrived only five minutes late—at 7:35 a.m.

Asked about his future plans, the centenarian-minus-two-weeks replied that after his birthday he had promised to play in the Sea Island golf tournment Feb. 22. "But when that is over," he said, "I guess I can die."

[From the Washington (D.C.) Post, Feb. 16,
1971]

Florist Begins 2d Century—Physical Fitness Is His "No Secret"

(By Martin Weil)

Spry, smiling and still operating the flourishing florist business he founded here 73 years ago, Zachariah D. Blackistone will celebrate his 100th birthday today.

Another Washington area man, Dr. Noah Willis Pomeroy, also will become 100 today. He and Blackistone will join a group that statisticians believe includes few more than 10,000 others in the entire United States.

A unique member of a unique group, Blackistone believes he will be the only centenarian still running a flower business with four stores, 75 employees and more than $1.5 million in sales annually.

A native of St. Mary's County, Md., Blackistone came here at 20, worked first as a florist's apprentice, then started his own business in 1898. His main store is at 1407 H St. NW.

Arriving there "at 7:30 a.m., every morning, seven days a week, . . . 365 days a year, except when I'm out of town," he puts in a full day's work.

On Sundays he interrupts the routine briefly to attend 8 a.m. services at the Church of the Epiphany, 1317 G St. NW.

People ask him the secret of his longevity.

"It's no secret," Blackistone insisted yesterday as he stood in his shop among the chrysanthemums and anthuriums, a knife for trimming their stems hanging from his belt. "I tell people every day—physical conditioning."

The white-haired, 5-foot-8 inch 145 pounder starts the day with calisthenics in his apartment at 1425 N St. NW, then follows with 200 yards of pacing in the hallways "until I'm puffing."

After driving to work (he believes he is Washington's oldest licensed driver) he runs "up and down the stairs 50 times a day".

Washington has changed since the days when Blackistone could "stand on (an F Street NW) corner and say 'how do you do' to most everybody who came up."

"Now I could stand there an hour and not see anybody I know," he said.

Dr. Pomeroy, a retired dentist, who also celebrates his 100th birthday today, will be honored at the Sligo Gardens Nursing Home where he lives.

Both men are members of the Kenwood Country Club where they sometimes golfed together until Dr. Pomeroy gave up the game two years ago.

[From the Evening Star, Feb. 17, 1971]

A Bunny for "Zeddy"

(By Anne Christmas)

For Zachariah D. Blackistone, his 100th birthday yesterday began a trifle late—actually at 8 a.m.—but he still was going strong to greet 500 longtime friends and fellow Washington merchants at a 5:30 p.m. reception in his honor at the Washington Hilton Hotel.

Furthermore, the dean of the city's businessmen surprised nobody by outlasting scores of relatives and friends who joined him for dinner that wound up long after midnight.

In the course of his tremendous party in the Washington Hilton's East Ballroom, "Zeddy" received gifts from the Washington Board of Trade, the Kiwanis Club, the Early Birds and the Florists' Trans-World Delivery (FTD) which already boasts an octogenarian club and made him the first member of its century club.

Even the Playboy Club of Baltimore sent over a real, live bunny in yellow costume (what there was of it) to give him a life membership and a demure kiss.

A seemingly endless receiving line didn't deter his hundreds of well-wishers from waiting 30 minutes to shake his hand at the entrance.

TWO SYLLABLES

"He's such a fine man that it's quite an honor to wait like this to greet him," observed insurance broker Tinsley Adams, himself a native Washingtonian who has known "Mr. B" most of his life.

Actually, few persons in the room realized that most of Washington's business community has been mispronouncing the family name since Z. D. Blackistone opened a tiny florist shop here in 1898 with $10 he had saved and a few dollars he had borrowed from friends.

Although customers, competitors and others have been calling the now-expanded chain of shops "Black-is-tone," there are scores of family members who pronounce it "Blackstone," precisely as did the earliest inhabitants of Maryland when they came to the shores of Maryland aboard the Ark and the Dove in 1634.

The ancestors of Z. D. Blackistone also were responsible for naming historic Blackistone Island where the Ark and the Dove first touched land. The island also is pronounced with two syllables through the intervening centuries.

The younger generation have become perfectly oriented to the three-syllable use of their name, but they all stick to the original pronunciation, slurring over the "i" in the same soft accent of their forefathers in St. Marys County.

"All of us in the family call it Blackstone," carefully explained Paul Blackistone Krogh, 11, son of Mr. B's innumerable young relatives on hand for his big evening. Paul, his brother Peter, 10, and sister Kay, 9, were fascinated observers as their great-great-uncle made his official speech at his party.

The ballroom was decorated with Mr. B's favorite flowers, red roses, his trademark since he began promoting "the goodwill dozen," which in his firm has meant 15 roses the last 70 years.

Since his first 75-cent sale in 1898, his business sales have risen to more than $1.5 million annually.

He still drives his own car and goes to the wholesale market before dawn to select the freshest flowers. This week, however, he has been given the use of a chauffeur-driven red "car for the young at heart," a Mustang Mach I, by his Kiwanis Club buddies.

Last night's mementoes included a telegram from President Nixon, with whom he had attended religious services at the White House last Sunday in honor of his birthday last week.

[From the Washington (D.C.) Post, Feb. 24, 1971]

Washington's Blackistone Achieves Goal at Age 100

Sea Island, Ga.—Senior golfer Zachariah D. Blackistone, dapper in sweater and slacks and with a 22-year-old female companion tagging along, warmed up on the 6,650-yard Sea Island Golf Course today and announced he was ready for 18 holes Wednesday.

"I was just warming up," Blackistone said of his five-over-par 55 for today's nine holes. "Tomorrow I'm going to play the full 18."

Blackistone, a Washington, D.C., florist, turned 100 years old on Feb. 16. He is believed to be the oldest tournament golfer in the country.

Blackistone, of Kenwood Golf and Country Club is appearing in the Sea Island Seniors golf tournament—where 55 years of age or older is a prime requirement for players—on this sunny isle off the Georgia coast. His partner is A. J. Hendley, also from Washington and a mere youngster of 85.

Appearing rather than competing in the tournament is a better way of describing Blackistone's performance here, says Sea Island pro Eddie Thompson, host to 150 senior amateur golfers in the tourney.

"He set a goal to play here when he was 100 and that's what he is doing," Thompson said. "But he and his partner are playing along with rather than competing with the other golfers. He's sort of lending color to the tournament."

Thompson said Blackistone first played in the Sea Island tournament at the age of 89 and said then that he looked forward to playing the course at 100.

"He's pretty good, considering," Thompson said. "He doesn't drive so far but he is consistent."

Blackistone himself admits his drive is not as long as it once was, maybe 100 to 125 yards, where once it was 200 or more.

And he can't remember when he first took up golf.

"I remember winning a prize at a tournament in the Columbia Country Club in Washington in 1910," Blackistone said. He was 39 years old then.

Tournament officials assigned Kathy Hite, Southern women's amateur champion, to ride along on the golf cart with Blackistone and Hendley. She said she picked up quite a few pointers from her companions.

"I work every day when I'm back in Washington," Blackistone told a reporter. "But right now I'm just relaxing, playing gin rummy and talking to the girls."

"Did you say you were chasing the girls?" the reporter asked.

"No, sir," Blackistone answered. "I don't chase them any more. I just talk to them. I'm like a sailor, I've got a girl to talk to in every port."

CONNECTICUT'S ALL-AMERICA CITIES

Mr. RIBICOFF. Mr. President, each year Look magazine, together with the National Municipal League, chooses 11 communities across the Nation as All-America Cities. Any Senator would be proud to have a city in his State selected for this impressive honor.

This year is special, however, for Connecticut. The jury of distinguished citizens and experts on government chose not one, but two Connecticut communities, Enfield and Bloomfield, as All-America Cities.

These two municipalities were selected because they faced up to and began solving two of the most important problems facing American cities today—racial separation and outmoded, unresponsive forms of local government. They showed that it is possible in this era of skepticism and alienation to gather citizens together to solve the problems of their communities.

Bloomfield is a suburb of Hartford, a city which has unfortunately been hit by racial tensions. As blacks moved out into Bloomfield it became clear to some farsighted citizens and local authorities that Bloomfield would be the victim of similar strife unless some action were taken. These men and women alerted the townspeople to the danger. Together, they developed a voluntary busing plan to avoid the possibility of an immediate racial imbalance in the schools. They also undertook a school building program designed to avoid this problem on a long-term basis.

Enfield was a small town on the Connecticut River near the Massachusetts border until 1950. However, in the past two decades industry has entered the area, and the population doubled as the town developed into an important regional commercial center. As in Bloomfield, a few farsighted citizens realized that the town was going to face a serious crisis. Enfield was governed by an archaic, part-time government unable to provide the services an enlarged Enfield would need. A citizens government reform group was formed and convinced the townspeople that action had to be taken soon or chaos would result. The voters of Enfield took that advice and approved a modern council-manager plan of government based on the National Municipal League model.

It is hoped that other cities and towns in Connecticut and across the Nation will use Bloomfield, Enfield, and the nine other All-America Cities as examples of how concerned citizens can make their hometowns better places in which to live and work.

I ask unanimous consent that the portion of the Look magazine article concerning Enfield and Bloomfield be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

All-American Cities

BLOOMFIELD, CONN.

In the late 1950's, a number of citizens of Bloomfield thought they detected the cancer of de facto segregation—a concentration of blacks—in the Blue Hills elementary school. At the same time, the idea of a middle school for grades five to seven, that would separate upper-elementary pupils from primary-grade kids, was being discussed. Dr. Howard Wetstone, a board of education member for 14 years, recalls: "A lot of us felt the middle school was a good idea, and when we saw one pocket becoming black, we figured we could plan to integrate the middle school and improve our educational program."

An effort to inform the community followed. A school census confirmed the fears of de facto segregation. Blue Hills numbered close to 50 percent nonwhite; other schools, as low as 1.5. The issues were discussed at town and neighborhood meetings. A report on the situation went to residents. Compulsory two-way busing was rejected in favor of a voluntary tack. A committee hired four workers to canvass Blue Hills families in search of children to ride buses to other schools. About 150 black kids have transferred annually since the program began. Mrs. Ruth Mantak was one of the few whites whose daughter chose Blue Hills. "I think more white children's parents would have volunteered but nobody attempted to get them. My daughter is happy; she says Blue Hills is the best school in the whole world."

Busing, strictly a board of ed decision, moved Bloomfield down integration road. But the new middle school required taxpayers to accept a $5.5 million bond issue plus involuntary integration. The Chamber of Commerce approved the idea of the middle school but wouldn't buy the cost. A Citizens for Community Coordination opposed the project because some members didn't like integration, others felt themselves deceived or manipulated. Tempers heated, but the bond issue squeaked by at the polls.

Roy Craddock, from the black community, sees benefits already in busing. "The feedback from parents and from observations shows that you can't completely overcome color identity, but it's fading. We're seeing mixed participation and representation in things like the PTA."

A few whites talk of a climate of fear caused by the controversy. But Alvin Wood, a black Hartford principal who grew up in Bloomfield, says, "If opened on the basis projected, I think the middle school can have a great and good effect."

ENFIELD, CONN.

A bedroom community—the good life for wives and kids and a soothing refuge for blue-collar breadwinners who prefer the clean air and do-it-yourself life of suburbia. That's what thousands of young marrieds found in Enfield, near Hartford. Since 1950, the population has exploded to almost 50,000 residents, which more than doubles the head count taken 20 years ago. Home builders, with few zoning and planning restraints to hinder them, grabbed old tobacco farms and hammered out moderately priced dwellings (over 1,000 new homes annually during the sixties) that families quickly filled. As easy-going Enfield continued to bulge, it awoke from its peaceful suburban dream to face a serious city-sized crisis.

The majority of Enfield's skilled workers earned their money out of town but expected to get the same kind of municipal services in Enfield that were provided in other cities. But Enfield's part-time local government hadn't the muscle or money to get things done. The building boom continued, and the state health authorities became increasingly concerned about the concentration of septic systems handling waste disposal in the new developments. Families not only earned their money in other cities but spent most of it outside Enfield. Commercial and industrial growth was slow, and real estate taxes zoomed.

What hurt most was the hopeless educational system in which children got their schooling on the run—in double sessions.

Eight years ago, Enfielders started to change the course of a city headed for disaster. A citizens' government-reform group went into neighborhoods with coffee-and-talk hours, telephone campaigns and a television program. The result: A sluggish, old-guard government was replaced by a modern council-manager plan based on the National Municipal League model. The new system costs people more money, but voters like the way it works and show their support at the polls. Though it took $23 million to straighten out the school mess, Enfield got up the money. It now has ten new schools. To insure the health of their families, Enfielders also backed an $18 million sewer-construction program, a Drug Advisory Council and a Mental Health Center.

Costs are still high, but new industries, which take over some of the tax burden, are settling in Enfield, and new shopping complexes will make it one of the smartest retail centers in New England. Enfield is paying the price of progress, but it's still a nice place to raise a family. That's the way it wants to stay.

SOCIAL WELFARE PROGRAMS

Mr. CURTIS. Mr. President, Congress has before it a number of proposals to expand our social welfare programs. Before Congress acts on these proposals, it would be well for us to consider the cost of such proposals and the impact upon our economy. It would also be well that we consider the situation with respect to other countries which have operated as a welfare state.

Mr. President, I ask unanimous consent to have printed in the RECORD an article from Barron's Weekly for March 1, 1971, concerning the welfare state in Sweden. It is entitled, "Caught in the Middle." Also, I ask unanimous consent to have printed in the RECORD an editorial published recently in the St. Paul, Minn., Pioneer Press, entitled, "Sweden's Class Struggle."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CAUGHT IN THE MIDDLE: THE WELFARE STATE IN SWEDEN IS WAGING CLASS WAR

"STOCKHOLM, February 23.—The Swedish Government, facing the most severe labor conflict in postwar years, announced tonight that 3,000 army officers would be locked out of their bases next week in a move to bring pressure on striking Government employes. The lockout, to start March 4, would bring the number of striking and locked-out Swedes—including teachers, railwaymen and civil servants—to 50,000. It was believed that this would be the first time that a government has locked out members of its own armed forces in a labor conflict.

"Defense Minister Sven O. M. Andersson said that all key officers manning radar stations and holding key mobilization positions in the army, air force and navy would be exempt from the lockout to insure the nation's security. 'In a crisis situation we would, of course, call off the lockout immediately,' Mr. Andersson said."

Apart from occasional lapses like granting Nazi forces transit to Norway, harboring GI deserters and furnishing economic aid and comfort to Castro's Cuba and the Vietcong, Sweden has cherished its neutrality for a century and a half. While the rest of the free world might look askance at the foregoing tactics, such a peaceful sanctuary perhaps won't even miss three thousand army officers. One way or another, however, the Swedes of late indeed have been deprived. According to the Swedish Information Service, virtually all railroad traffic has come to a halt since February 5. Customs officials have abandoned their posts, thereby sharply curtailing air freight shipments from abroad. Owing to a lockout of teachers, classes have been suspended for 700,000 students in high schools and universities. Since 2,500 members of the Swedish Confederation of Professional Associations (SACO) went on strike a month ago, walkouts and lockouts have spread far and wide, encompassing meteorologists, librarians, dentists and planning engineers. Nor is an early end to the unprecedented turmoil in sight.

In the land of the enlightened middle way, where in theory nobody has too little or too much and everyone lives at peace with his neighbor, this might be called a striking turn of events. Though sadly neglected in the American press (which could not ignore the headline making military lockout), the month-old dispute—and the Swedish government's uncompromising response—suggest that in perhaps the most overtouted workers' paradise of all, something has gone wrong. So it has. As more than one collective has learned to its cost, "equality and solidarity," watchwords of the newly elected regime of radical Socialist Olof Palme, come high. In Sweden they have led to a step-up in the rate of inflation, to a barely tolerable 6%–7% per year, as well as to heavier levies on people already burdened by a back-breaking tax load. Again, in an ominous break with tradition (not to mention the homely wisdom in the fable of the goose that laid the golden eggs), Stockholm has plunged into direct ownership and control of companies and industries. Doctrinaire passions, finally, have spawned egalitarian extremes in wage negotiations and income policy, which, in turn, have triggered the bitter reaction of underpaid professionals and public servants. In the mixed economy, by a kind of Gresham's Law, the bad inevitably drives out the good. In the 20th Century, as in 19th, no nation can exist half-slave and half-free.

Measured in terms of what people keep of their earnings after taxes, that roughly describes the state of Sweden today. One invariably reads about the Utopian aspects of Scandinavian life: low unemployment, free university education, paid vacations for weary mothers. The cost is rarely mentioned. Yet it is very high and perennially on the rise. Swedish taxation last year exceeded 41% of the gross national product (compared to 27.7% in the U.S. and 21.8% in Switzerland). Shortly after the September elections (the Social Democrats, while losing their majority, stayed in power by making common cause with the Communists), new taxes were imposed. For 1971, a steeply graduated national and municipal income tax exacts a punitive 87% at the $29,000 salary bracket, while a new net wealth tax has been piled atop it. Furthermore, the value-added tax on home appliances, passenger cars and boats went up from 11%–14% to 15%, the levy on private consumption of electric power from 7% to 10%. To worsen the pinch, prices in 1970 advanced nearly 7%, according to official statistics, which, in Sweden as elsewhere, doubtless understate the case.

On balance, the system for a long time somehow seemed to work. Over the years, with a big assist from neutrality in two world wars, Swedes acquired a standard of living ranked (despite a miserable housing shortage) fairly close to that of the U.S.; one way or another, the Social Democrats have remained in office for a generation. Perhaps emboldened by success—or, more likely, pushed by the political imperative of their credo—the Socialists lately have taken a harder line. While professing neutrality, Stockholm has furnished economic aid to both Cuba and North Vietnam; anti-Americanism, contrariwise, has been rampant. On the domestic scene, the powers-that-be, breaking with wise and time-honored practice, have refused to settle for merely sharing (lion's share, to be sure) in the fruits of industry and labor; instead, despite a virtually unbroken record of failure, bureaucracy has opted for aggrandizement of the public sector.

On this score, a Swedish correspondent recently wrote us: "A state-owned nuclear power plant, built at a cost of, I think, around $100 million, turns out not to be usable at all, no doubt the largest white elephant in Swedish history. The government claims, with some accuracy, that technology had not developed sufficiently by the time the project was started; other authorities say that the government had clear warning of the risks, but chose to ignore them. In any case, the failure does not do anything to help an already poor record. Events in recent months add to the debit side. At one point, it was discovered, (much to everyone's consternation) that one part of the sprawling state-owned-industrial sector was planning to build a plant for production of disposable hospital supplies, while another part had signed a joint-venture agreement with American Hospital Supply for that very purpose. More serious has been the failure of Kalmar Verkstads AB, a company taken over by the state some years ago with the intention of re-directing it into more promising lines in order to maintain employment in that area. One of the new products developed was an automatic parking apparatus, a kind of Ferris Wheel device that would allow several cars to be parked in one parking place. Not one of the gadgets was sold, despite considerable fanfare, and that product was abandoned.

"More solid was the development of an ultra-mini car, the 'Tjorven,' intended for use as a delivery vehicle in cities. Some of these have been sold (mainly thanks to the state's aggressive sales efforts to itself in the form of the post office), but not enough—last week it was announced that 200 employes were being laid off because of insufficient Tjorven orders. Perhaps the most embarrassing failure has been the collapse of a company which was mainly intended to promote efficiency in state enterprises and elsewhere—Rationell Planerings AB, a kind of consultant operation. Results have been so bad that the company is now being liquidated. . . ." The name of the ill-fated company, by the way, means "rational planning."

Where ideology is concerned, evidently, failure doesn't count. "Equality and solidarity" lately have thrust their way into the realm of collective bargaining. In progress for some time in heavy industry, where an effort to narrow wage differentials paid skilled labor precipitated a long and bitter dispute in a state-owned iron ore mine, the movement lately has spread from mine and mill to office. Variously dubbed the College Graduate Walkout and the Luxury Strike, the mass shutdown now afoot plainly reflects the widespread, and mounting, discontent of Swedish professionals and civil servants. Owing to lagging wages and rising prices, both groups in the past two years have forfeited an estimated 7% of their purchasing power. To make up the ground already lost (and that threatened by persistent inflation), their unions are seeking a 22% raise. The government, through its agent, the Collective Bargaining Office, has offered 7%, and, in a kind of Boulwarism with a gun, refuses to budge. Last Friday an aide to Premier Palme (whom The New York Times described as "seated beside a table on which rested Charles A. Reich's book, 'The Greening of America' ") observed: "We are not an egalitarian society but the aim is to create one." Gunnar Myrdal, who has done as much as any man to further the cause, was quoted as saying: "The organized welfare state has gone mad . . . It's become a class struggle."

Sweden's Class Struggle

Sweden, often called the world's "most advanced" welfare state, has found that virtual elimination of poverty does not produce an end to social and class struggles.

The country is embroiled in the worst labor troubles in 25 years. Inflation is rampant. Taxes are near confiscatory levels. Many people retire early, complaining so little is left of their take-home pay after the tax bite that there's no point in keeping a job. Yet the government still is in financial straits. The quest for an egaletarian Utopia with complete cradle-to-grave welfare for everyone has not worked out in practice as the theorists had hoped.

For nearly a month the nation has been disrupted by unprecedented strikes among both blue collar and white collar workers—including even judges and army officers. In turn the government has imposed lockouts in sectors of public employment. In some respects the situation has developed into a rebellion of "upper class," high status groups against what they consider government discrimination in favor of industrial workers.

Gunnar Myrdal, the famous Swedish economist and sociologist, said in Stockholm: "The organized welfare state has gone mad. The situation involves a strike of well paid government employes who shouldn't have the right to strike in the first place. It's become a class struggle with academics and civil servants seeing the lower classes creeping up on them, and not liking it at all."

Steady advances in industrial wages have not been accompanied by comparable increases in status jobs. The professional and white collar people argue that they are taxed so highly their once satisfactory salaries are no longer adequate.

Sweden's taxes are among the highest in the world. A person earning $10,000 a year may pay out 44 per cent of that amount in income taxes. In addition sales taxes on consumer items run up to 17 per cent.

Sweden's goal has been an egalitarian society, where all people are equal. But the fact appears to be that people don't want to be equal. The disappearance of poverty does not produce social content and happiness. Thus fundamental concepts of the welfare state theory are under challege from the people supposed to be its chief beneficiaries.

BIG LABOR LEADERS MAKE SELF-SERVING STATEMENTS

Mr. FANNIN. Mr. President, it seems strange that one of the instigators of our current inflation dilemma should be the one to do most of the throwing of stones.

I see a report in the press today that George Meany, president of the AFL–CIO, is putting all the blame for inflation, unemployment, and business stagnation on the Nixon administration.

This is absurd.

Where were Mr. Meany and his colleagues in 1967 and 1968, when our economy was becoming overheated and the current economic situation was initiated?

We know where they were. They were in the forefront of those who were calling for more coal to be tossed on the fire.

Certainly Government must take a major portion of the blame for the current problems. Excessive Federal spending did set in motion excessive inflation.

Certain Federal laws, such as Davis-Bacon, which President Nixon recently suspended, did help union workers on Federal projects win excessive wage increases. Federal, State, and local laws and regulations biased toward unions have fed an exorbitant wage spiral in crucial industries, such as construction.

Mr. Meany would further feed inflation and unemployment by raising the minimum wage from $1.60 to $2 per hour.

This would, in some cases, force more marginal industries and factories to close down, thus increasing unemployment and swelling the already overloaded welfare rolls.

It would, in other cases, simply mean that the manufacturer or store owner would pass the 25-percent increase in labor costs on to the consumer. Thus the cycle of unemployment and inflation moves on.

I am aware that the leaders of big unions have little sympathy with—or desire to preserve—small businesses. They would just as soon have huge, unified industries where it is easy to collect their dues and easy to effect crippling strikes.

High minimum wages do not have much of an effect on the big businesses. Most of them already pay over the minimum anyway.

There are, however, many thousands of small businesses in our Nation, and these often are the backbone of smaller communities. I do not want to see these small businesses forced out of the picture.

Mr. President, the people of the Nation must realize that the giant union officials are leading the American economy to runaway inflation, which, if not checked, will greatly destroy the purchasing power of the dollar.

Already our economy is in deep trouble with increased difficulties projected if the power of union dictation is not curtailed.

The U.S. Bureau of Labor Statistics reported early in December 1970, compensation on the average in the United States, had gone up about 7 percent in that year along with rising unemployment.

The 7 percent is double the average increases in the 1960–65 period. The inflationary trend in those years were charged to deficit Government spending and Federal Reserve monetary policy—those policies were the start of our present inflation beginning in the 1966–68 years, but now being skyrocketed by the irresponsible wage increases being forced onto our economy without increased productivity.

Settlements with the unions over the past 3 years in the construction industry have averaged in excess of 15 percent with a further acceleration in the third quarter of 1970 providing a first-year increase of 22 percent. That is almost 2½ times the amount provided in manufacturing settlements whose 9 percent is excessive and over the overall national average.

Over all of recorded economic history, with only brief periods of divergence, the price level has risen or stayed level or declined precisely in line with the unit labor cost, the cost of labor for each unit of output.

In the past as the decline in demand was followed by declines in the output and employment, the rate of wage increases fell back and soon afterward, the rate of inflation. But now the normal economic forces of supply and demand have not been possible because of the dictatorial power of union leaders being protected by Federal inequitable labor laws. Industries in many instances have the choice of yielding to strikes for excessive wage increases or facing bankruptcy.

Instead of giving an incentive for management and labor to cooperate and coordinate their efforts for common benefits which would result in sharing progress with consumers, they promote conflicts penalizing all involved, especially the public.

The union officials argue the corporations have excessive profits quoting increases over a prior period as proof but seldom evaluating profits with the percentage of return on investments.

In 1970, it cannot be argued that on the whole profits were a cause of inflation. From preliminary reports corporate profits in 1970 will turn out to be the smallest as a percentage of the gross national product, for, any year since World War II. They were on the low side in 1969—and the stock market reflects the conditions in 1966, 1967, and 1968.

But so long as union officials exercise monopoly power in the marketplace and in the legislative bodies of our land, a free labor market will not function.

French economist Michael Garibol, in a New York Times article of December 3, entitled "A Warning to the Dollar," stated:

> The Americans are no longer in a position to modify a policy that is getting out of control as they sink gradually into the permissive society. This bodes ill, in the eyes of Europeans.

The deficiency of competitive discipline has been greatest in the collective-bargaining area, but it is also a growing factor in the pricing area.

What is the reaction of the union officials to this threat to our economy and to the dollar?

"We will be fighting the White House on almost every major issue," said a spokesman for George Meany after the mid-February AFL–CIO leaders meeting in Miami.

One indication of their determination to have the taxpayers help finance their strikes was the demand of a more liberal food stamp program.

Mr. Meany is carrying through on his avowed program of obstructionism. Whatever the administration proposes, Mr. Meany will automatically say it is bad.

Mr. President, I ask unanimous consent to have printed in the RECORD an article from today's Washington Post reporting on the latest AFL–CIO statement.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AFL–CIO ASSAILS NIXON ON ECONOMY

(By Frank C. Porter)

The AFL–CIO urged the Congress today to seize the legislative initiative from President Nixon, castigated his administration for economic stagnation, and reaffirmed organized labor's determination to press for substantial wage increases in 1971.

"Wage and salary earners did not cause the inflationary rise of prices, nor have they been its beneficiaries," said AFL–CIO President George Meany in a 48-page statement to the Joint Economic Committee. "They are among its chief victims."

The federation called for the "complete rejection" of Mr. Nixon's revenue-sharing program, for full funding of existing categorical grants in aid (which would add $6 billion to the budget), and a complete federal takeover of welfare costs.

It also urged increasing the present federal minimum wage of $1.60 an hour to "at least" $2, a new round of tax reform, a federal urban bank and land use policy, a capital budget separate from general operating expenses, a comprehensive national health program, an overhaul of foreign trade policy, modernization of state and local governments, a federal program of public service jobs at the state and local level, and a federal tax credit for state income tax payments.

Although the AFL–CIO white paper, released in advance, addressed itself to Mr. Nixon's annual economic report delivered early last month, it was in effect labor's own economic report. Much of it had already been tracked over in a spate of separate statements turned out by the federation's executive council at its midwinter meeting a fortnight ago in Miami Beach. Meany's statement pulled them all together.

STRONGEST YET

It was the strongest denunciation by labor as yet of Mr. Nixon's economic policies.

It lambasted the White House's old economic "game plan" for producing "a prolonged recession and increasing unemployment, combined with an accelerated rise of living costs."

It called the new game plan "a half-hearted exercise in success-through-optimism" which is impotent to carry the economy out of stagnation into a sustained upturn.

Meany reeled off a long list of alleged shortcomings of the Nixon administration—recession, unemployment, inflation, "solicitude for corporate America," "prodigal" depreciation allowances, program cutbacks, vetoes of education and health and manpower legislation, the inability to provide leadership and cope with domestic problems—and said working men and their unions are "looking to Congress to fill the void."

"In the light of the Nation's experience over the last 26 months, the AFL–CIO submits that the Congress cannot look to the executive branch to offer a coherent, progressive legislative program designed to meet the needs of the present," he said.

"We believe the Congress must take the initiative in shaping such a program on behalf of all the people."

Although Meany spoke only for the 13 million members represented by the AFL–CIO, many of his sentiments are shared by unions outside the federation. For example, Leonard Woodcock, president of the independent United Automobile Workers, had similarly called upon Congress to seize the initiative from Mr. Nixon in earlier testimony before the Joint Committee.

Meany noted "outcries in the news media about the size of collective bargaining settlements" and admitted "there have been some large ones."

MOSTLY MODEST

But he insisted that "the overwhelming majority have been modest in the face of the accelerated rise in living costs" and observed that Labor Department figures show that last year the average hourly earnings of non-supervisory workers on private non-farm jobs rose only 5.9 per cent. This was a shade under the 6 per cent increase in consumer prices, he said, without taking into account the 3.3 per cent annual trend increase in output per man-hour.

"The record since 1960 clearly shows that the accelerated rise in living costs came long before the push for larger wage settlements," Meany said. "That push is a reaction to inflation, not its cause."

Summing up, Meany claimed that "the income gains of workers lagged considerably behind the gains of other groups in the society."

LIST OF COMPLAINTS

On income-sharing, the AFL–CIO had a variety of complaints.

One was that, by cutting back on other programs, the proposal "will not add one federal penny to the money available to the states and localities."

Another was that priorities for specific American problems would be virtually discarded since the states and cities would receive the $5 billion in federal revenues proposed by Mr. Nixon without any strings.

There is no reason to believe that each of the 50 states and 81,000 cities, boroughs, townships and school districts is in a better position to weigh and balance national priority needs and use federal funds to meet them more effectively and efficiently," Meany said.

Many of the arguments by Meany and the AFL–CIO against present national economic policy were advanced last night by Leon H. Keyserling in an address to the 40th annual convention of the National Housing Conference here.

Keyserling, chief economic adviser to Harry S. Truman and roundly snubbed by the Kennedy and Johnson administrations, reiterated a thesis that is slowly gaining grudging acceptance among a few professional economists

"A reasonably full economy has turned out to be the less inflationary in the long run, and a stagnant or recessionary economy fans inflation."

Mr. FANNIN. Mr. President, we can only hope that the people of our Nation will not be taken in by the self-serving statements of big labor leaders.

The blame for the beginning of our current inflation and unemployment lies with the Johnson administration and organized labor. The blame for the continuing inflation and unemployment is primarily with unions.

Spiraling wages are forcing factories to close their doors or move overseas. Wage increases result in price boosts that are causing consumers to cut back on their purchases.

Mr. Meany may be right in saying that Congress should show more initiative in combating inflation and unemployment. We could begin by repealing or revising a number of our labor laws which give unions the powers they have chronically abused in recent years.

TIME FOR REFORM OF RAILROAD RATE STRUCTURE

Mr. TAFT. Mr. President, after introducing the Modern Railway Transportation Act on March 3, I was contacted by Mr. Herbert O. Whitten, of Herbert O. Whitten and Associates. Mr. Whitten is a transportation consultant for the Department of Transportation and other organizations and agencies.

In a letter to me dated March 5, 1971, he described our railroad rates and tariffs as "conflicting, obfiscated, confusing, complex, outdated, and even deceiving." The absurdity of the present rate structure is dramatically illustrated in his letter:

> I have estimated that there are in excess of 43 trillion railroad rates on file at the ICC. Stated another way, I estimate that there are over 1.44 septillion railroad rate and revenue division possibilities, this is 1,440,000,000,000,000,000,000,000 or 1.44 x 10^{24} rate and division possibilities. I have personally measured the tariffs on file in the ICC Tariff Room and counted 4300 feet of tariffs—without an index to the rates covered! This is equal to a single stack 7½ to 8 times as tall as the Washington Monument or 3½ times as tall as the Empire State Building with its TV antenna!
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> * * * * *
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> Interestingly enough, some 1300 electric utilities, serving the same National economy, manage to produce about twice as much revenues in the same National economy with a rate structure which is entirely contained in a book about 2½ inches thick, published by the Federal Power Commission.

The American railroad rate structure is the work product of bureaucracy at its worst. The Modern Railway Transportation Act would give railroads rate-making freedom subject only to specified anti-discrimination provisions. The present regulatory framework is an absurd nightmare which should be evidence to all of us that the time for reform has come.

MINNESOTA STUDENTS FORM PUBLIC INTEREST RESEARCH GROUP

Mr. MONDALE. Mr. President, most of us in public office constantly stress the necessity of achieving social change by working through the system.

Students of the various colleges and universities in Minnesota have demonstrated their commitment to our political and legal system by forming the Minnesota Public Interest Research Group. These students have recognized that grave problems now face our society and that the way to solve those problems is by establishing mechanisms for responsible citizen action.

MPIRG will establish a firm of full-time professional personnel to work on problems of the environment, consumer protection, and corporate responsibility. This organization will give students an effective channel through which to seek responsible change.

The eventual establishment of MPIRG will demonstrate, once again, that our American system can work. I strongly endorse that effort, and I will do whatever I can to help it succeed.

Austin Wehrwein, of the Minneapolis Star, has written an excellent article on the formation of the Minnesota Public Interest Research Group. The article, written by one of our best legal commentators, explains the potential importance of such an organization.

I ask unanimous consent that Mr. Wehrwein's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A GROUP TO WORK FOR CHANGE

(By Austin C. Wehrwein)

Ralph Nader has started a groundswell of student support on Minnesota campuses for a "Minnesota Public Interest Research Group."

If the campaign succeeds students at every university, college and junior college in the state will contribute effort and money to an organization that will work within the political and legal systems for "change."

What change, how much change and by which methods is yet to be decided. In general it can be assumed that consumer and environmental issues would be high on the list. So might civil liberties.

The vehicle would be a statewide nonprofit, nonpartisan corporation, whose directors would be chosen by elected boards on the various campuses.

To finance the corporation, the participating institutions would collect a refundable fee of $3 from each student. Assuming 80,000 students, you arrive at an annual $240,000 take.

With it the corporation could hire lawyers, engineers, scientists and other experts. It could set up research and educational programs, even make research grants to professors.

The legal and social ramifications are as breath-taking as they are unprecedented for Minnesota. But that isn't all by any means.

A similar campaign is afoot on 14 Oregon campuses and if the disciples of Nader prevail there ahead of those here, precedent of sorts will have been set. Students are also organizing in California, Texas, Georgia, Illinois and Wisconsin. With 8 million students in more than 2,000 colleges and universities in this country, a victory in both Oregon and Minnesota would provide impetus for a remarkable development.

But before anyone proclaims a super student-supported public interest corporation domino (or chain reaction) theory, some hurdles must be cleared. Take the University of Minnesota for example. And you must. Because while state and private institutions will have different rules to be surmounted, the university here was the starting point and by sheer weight of numbers is the necessary foundation.

The first hurdle: The incidental fees committee of six students, five faculty and four administration members. Incidental fees have grown steadily from, for example, $6 in 1930 to $41 a quarter now.

They are a form of tax, and are levied for the Daily ($1.15), health service ($21), student government (25 cents), Union ($11.75), intramural sports ($4.35), aid fund ($1.70), bands, etc. (20 cents), international programs (10 cents), student ombudsman (4 cents), course evaluation (5 cents), and a proposed FM station (41 cents).

The committee has taken some off over the years, for example a library fee. But the trend has been upward, and although in three years the Daily fee probably will be erased, one question is whether any new fee should be added.

The key question, however, is whether this is a fee that fits the past pattern. The others all support activities of varying direct benefit to students, as students. This is a fee for a student-operated activity. But (say critics) aside from the benefit some participating students would get as functioning citizens, and academic credit if their professors agreed to make the projects part of their courses, the money is spent off campus for activities that affect the institutions as educational bodies only slightly. Students might challenge their own institution, perhaps as a polluter, but is that an educational function?

The answer is that the project would be of far more benefit to more students as an educational experience than some of the fee-supported activities are now. Also, that it would be instituted in response to student demand. At the university, verified petitions already contain more than 19,000 names, and a majority of 21,000 is being sought. (Concordia in St. Paul, Carleton and the university's Morris branch have passed the 65 percent mark.) Some existing fees were imposed with only a shadow of student consent. A majority demand would be hard to ignore.

But isn't this a mandatory tax to support a pressure group? The answer is that a majority should be able to get university help whatever the activity is called. And more important, dissenting students can get their $3 back. The precedent at the university is a $3 rebate for students covered by family health plans; an adverse precedent is the committee's refusal to refund the Daily fees to those who don't like the paper.

But if so many want a public service corporation, why not let those who do contribute voluntarily? The frank answer is that it is more expedient to have the university be the collecting agency. This accepts the fact that some students may object but be too lazy to get their $1 back each quarter.

If the fees committee approves, the next hurdle is the regents. With another tuition increase likely, the mere fact that past policy has been to avoid an incidental fee increase in a year when tuition is hiked may be a persuasive reason to say nay.

Even if internal issues are resolved, the Legislature might raise questions about as yet uncited contrary state statutes. Like the regents, legislators also might raise political and economic questions. For example, should it let the regents tax students to attack a polluting industry?

Federal tax, and possibly related state tax laws also pose a problem, although the Nader organization in Washington believes it has tacit approval.

The Internal Revenue Code bars tax-exempt status to educational institutions that engage in politics, or which use a "substantial" (more than 5 percent) part of their income for lobbying. The corporation could avoid the first, but the second isn't easy. Lobbying would be essential. Even if the university, unlike private schools, would be beyond the reach of the federal tax collectors, would donors run the risk of losing their right to deduct gifts on their federal tax returns?

The legal job is to insulate the university from any possible attack by contending that the refund features makes the university only an agent, like a company checking off union dues. If the university is no more than that and not a party to the corporation's activities, the lack of university participation in the corporation's activities becomes a positive virtue in this context, as opposed to a detriment at the fee committee level.

The legal and policy hurdles should not, of course, be taken lightly, and the corporation's articles must be cleverly drawn. But the ultimate question is political, and it is good news that Sens. Mondale and Humphrey have given "MIPRG" their support, seeing it as a way to "give students an effective channel through which to seek responsible change."

Sen. Mark Hatfield, R-Ore., in his endorsement, said he encouraged students to work within the system and not to resort to senseless acts which are counter-productive. That is really the point. When so many students come up with a challenge like this, they deserve a chance to show what they can do to put their education to work for a better world.

SUMMARY OF NATIONAL PENITENTIARIES SUBCOMMITTEE HEARINGS

Mr. BURDICK. Mr. President, the Subcommittee on National Penitentiaries of the Judiciary Committee completed hearings on March 3 on the work of the U.S. Bureau of Prisons. The scope of of these hearings included not only the administration of the Bureau, but also its employees, former inmates, and research being done concerning its methods.

The opening witness was Norman A. Carlson, Director of the Bureau of Prisons. The inmate population is increasing, due to additional commitments from the Federal courts as well as increases in the average length of sentence. The average age of inmates is declining, and they tend to be more assaultive and aggressive.

The Bureau estimates that it spends at present 85 percent of its funds on custody and care of prisoners, and 15 percent on rehabiiltation efforts. The Bureau is requesting additional funds for the next fiscal year that would increase the percentage spent on treatment, and allow for employment of additional caseworkers, teachers and other professional personnel. Correctional officers, guards will be given training as para-professionals in the treatment of offenders.

The Bureau has approximately 6,000 employees, of whom 3,000 are correctional officers, and 400 professionals.

The Bureau's construction plans for the future include a psychiatric center which will separate some of the conflicting functions now carried on by the medical center at Springfield, Mo. Psychiatric diagnosis and treatment of some offenders will be moved to the new center, and Springfield will continue with its medical and surgical functions.

The Bureau expects to open new Community Treatment Centers, and contract with State, local, and private agencies operating halfway houses for inmates about to be released. If funds requested for the new fiscal year are approved, the Bureau will be able to accommodate 16 percent of its releases in prerelease guidance centers.

Fewer than 5 percent of inmates committed to Federal institutions function at the 12th grade educational level, and 9 percent of inmates complete their high school equivalency during a year. Eighty-five percent of inmates lack marketable job skills, and about 20 percent are participating in full-time vocational training. The average length of time served is slightly more than 1½ years, so on the average a higher percentage of inmates would have participated in these programs prior to their release.

The Bureau at present contracts for the care of approximately 2,800—most awaiting trial in Federal court—in State and local jails and correctional institutions. The Bureau has 8 inspectors to check that facilities meet minimum standards of health, sanitation, et ceterea, although there are virtually none with any type of program. The Bureau is involved in establishing jail training programs for employees, and is planning correctional centers with detention facilities in eight metropolitan areas which it hopes will be a model for improved local facilities, that could be provided with aid from Law Enforcement Assistance Funds.

John Griner, president of the American Federation of Government Employees which represents Bureau employees, cited the changing prison population as requiring increased numbers of correctional officers and additional steps for their protection. The correctional officer is growing in professional importance to the correctional system, and his role must be recognized.

Prof. Larry Kraft of the University of North Dakota Law School said that court decisions left many questions as to what due process rights prisoners may or may not have in disciplinary situations, but that it appears the Bureau meets most standards set out so far. He said the Bureau should insure this position by establishing written rules of conduct instead of verbal guidelines, and that consideration should be given to external review of disciplinary decisions. He suggested two areas of correctional reform, providing compensation for victims of crime, and diversion of nondangerous offenders prior to sentencing.

Charles Lankford, Fairfax, Va., emphasized the importance of treatment programs and consultation in prisoner rehabilitation. Having served time in Federal, State, and local correctional institutions, he said that in his experience the operations of the Federal institutions were a model for others to follow.

THE UNIVERSITY AND SOCIETY

Mr. KENNEDY. Mr. President, one of the most important topics for contemporary discussion is the "Function of the University in Our Society." Prince Bernhard of the Netherlands, in a recent address at the University of London, King's College, offered a concise and provoking statement of his views on that topic.

Mr. President, in recommending this speech to the attention of the Senate, I also am pleased to acknowledge the continuing friendship and historical ties between the Netherlands and the United States and the extraordinary contribution of Prince Bernhard and the Royal Family of the Netherlands to the strengthening of the bond between our two countries.

I ask unanimous consent that the speech delivered by Prince Bernhard be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE COMMEMORATION ORATION BY HIS ROYAL HIGHNESS THE PRINCE OF THE NETHERLANDS AT THE UNIVERSITY OF LONDON KING'S COLLEGE, ON NOVEMBER 18TH, 1970

After a certain amount of thought on the subject, I have finally come to the conclusion that a suitable topic for the present talk before such an august assembly of professors and students might be "*The Function of the University in Our Society*". When considering this theme, it seems to me that a relevant question could be raised—a question which has strangely enough not received too much attention in most countries—and that is: to whom should the average university be responsible for the composition of its curriculum, its faculty and its student body? One approach might be to translate the answers into economic terms along the following lines: first, the University could be solely responsible to its *consumers* or in other words to its *students*. This might, however, entail the disadvantage that there would be a tendency, often manifested by the present younger generation, to require "relevance" as an important part of the Universities' curriculum. In this context the expression "relevance" might be defined as clear-cut recipes and formula's providing for success during examination sessions and also, preferably, during later life. It seems to me that such an empirical approach would hardly leave much room for the teaching of the important discipline of rational and systematic thinking, which serves as the basis of excellence in the fields of law, mathematics, physics etc.

I also wonder, taking into account that what I have just said, whether sole responsibility of the University to its consumers for the composition of its curriculum, its faculty and its student-body might not also imply that students would have to finance the greater part of the Universities' revenues. I can hardly imagine any outside source that is willing to finance an institution without having at least something to say about the manner in which the funds are allocated! Should students consequently have to bear the greater part of the financial burden—as they did during the nineteenth century—then it seems obvious that the relatively large number of scholarships and fellowships which is required in this day and age, can no longer be sustained.

Should Universities then be solely responsible for the criteria of what should be taught, who should teach and whom should be taught, to those authorities and those institutions who presently are responsible for the financing? In many cases, it seems to me, this would boil down to an exclusive responsibility to the state—that is specifically to the ministries of education and/or to the parliaments. Undoubtedly sole responsibility to the state would also imply control by the state. And I venture to say, with all respect to state institutions, that such control might inhibit some of the most essential functions of the Universities, notably to serve as an impartial adviser and a neutral arbitrator to various segments and institutions in our society, and furthermore it might jeopardize the library to launch into logical and reasoned criticism of government.

Alternatively, Universities could be made responsible to the "users of its product" or in other words the future employers. In such a case a disproportionate amount of grants, on which a great number of students is dependent, might be awarded by these employers or to use concrete terms, by industry, the professional or the state for the study of specific subjects such as science and technology, as opposed to, for example, the liberal arts, theology or languages. Consequently some faculties might flourish and others might wither so that the Universities would acquire a rather lob-sided nature. It seems to me that such a development would be contrary to the required universality of higher education.

One might also stipulate that a University should be responsible to itself as to a guild of masters and scholars. This solution might however lead to a certain intellectual stagnation. For the question could be raised whether the academic environment as such is very adept at making political and social decisions. Perhaps a certain amount of outside intervention, for example by government commissions might have a healthy effect upon a society that might otherwise become too introspective.

Finally, I should like to add that if a University besides being responsible to masters and scholars, should also be responsible to a board of overseers, a board of governors, or a committee of curators—and this seems to be a plausible proposition—then it is of very great importance that the persons who are chosen to serve in such a capacity possess powerful and original minds and originate from diverse backgrounds.

In my opinion a good understanding between professors and students is of great importance and this can only be achieved by a continual consultation between these groups.

After having made these more or less introductory remarks, I should like to concentrate to some extent on three intriguing questions: They are: Who should be taught at Universities?; What should be taught at Universities?; and Who is to teach at Universities?

Let me consider the first question: Who should be taught? Until rather recently, higher education was even in the developed countries, largely confined to a relatively small group, which has more often than not consisted of elements representing the privileged classes. Since the last war, however, a mounting pressure has emerged and materialized in favour of the admission of an increasing number of students from all walks of life. The present academic generation consequently consists of many representatives from the less-privileged classes; their participation in higher education has been made possible through fellowships, scholarships, grants etc. Despite this new influx into the Universities many progressive thinkers in western countries are far from satisfied. They believe that Universities should be open to practically everyone at some period or another in their lifetime. Even those performing rather noncerebral jobs in every day life have, according to these "progressives", a right to more knowledge, more intelligence, and, consequently to more happiness. In a sense this school of thought advocates mass higher education, not restricted to a certain age. Perhaps an analogy could be drawn with a museum or a public library where attendance is not confined to a privileged few, but where everyone is welcome. Those who favour this mass higher educational approach have suggested that in affluent countries all people (of whatever age) might for a few years attend University. The state would then finance their tuition as well as their room and board. In less affluent countries such financing would, of course, hardly be possible; perhaps here a solution might be found in correspondence courses, evening classes or occasional days off.

Although mass education seems at a first glance to be a very desirable goal, we must, it seems to me, also look at the inherent disadvantages of such a system. One disadvantage is, of course, that people who have undergone higher education must find it very difficult to return to or to assume non-cerebral jobs.

Another disadvantage is that mass education entails the risk of a levelling down of general academic standards. An interesting corollary is that, according to statistics, the number of gifted individuals does not increase in proportion to University attendance. Furthermore, by establishing mass education, the confusion between the gifted and the less-gifted might give rise to frustration and to an unwanted degree of collectivism—unwanted, because collectivism is an improper basis for the selection and encouragement of individuals capable of assuming responsibilities and making decisions in later life.

A solution might be found in the concept of a coexistence within the University between a more basic academic course adjusted to the masses and a more thorough and specialized teaching reserved for the very gifted students. In other words, a University would have to maintain facilities to service the masses and the elite at the same time. Special care would, however, have to be taken that the more brilliant students actually do come out on top. To express it in a more colloquial fashion: "the road to the Nobel Prize must be safeguarded". Should the very able students not be selected for further more specialized and more cerebral training and should the Universities confine themselves to a general higher education for *everyone*, then, I think, there would be a real danger that future employers would create their own training systems and would consequently select their executives and specialists from these specialized schools and institutes. Hence, the role of the Universities would be reduced to teaching little more than a protracted secondary education.

When thinking along these lines, it will also be necessary to come to grips with the problem of *how* students will be selected for further intensive education as opposed to standard higher education for the masses. Obviously Universities will have to arrange a filter system "through which opportunities for the intellect can be stretched to the point of capacity and the critical faculty sharpened to the point where it can exchange ideas by close contact with men who are really intellectual masters". It will be very difficult to solve the problem of what kind of filters must be applied. For instance, I believe that the filter of massive failure rates—a system that is more often than not of a competitive nature—does not seem to be very commendable, nor is it a very moral approach. Many true things have often been said about the negative effect that a perpetual feeling of competition and the accompanying stress have upon a student-body. Under such conditions, young people usually no longer study for scholarship's sake as such. Quite to the contrary, they tend to concentrate upon accumulating the necessary marks so that they will not be eliminated in the competitive struggle. Perhaps the filter of very stringent selection *prior* to being admitted with low subsequent failure rates might be a more commendable solution. Or possibly some system of diverse stratification within the University or between Universities, designed according to the ability and ambition of the candidate, could be an even better way-out. In this respect the Anglo-Saxon system of an undergraduate education supplemented by post graduate studies of diverse natures and disciplines could be regarded as a step in the right direction.

I have already indicated that higher education should not be confined to the present standard age level (18—±25 years). In fact, I believe that some of the candidates for further intensive education should be men and women, who after some years of being "on the job" in the various professions, in industries and in the state could be regarded as potential leaders or, to use a sometimes rather ambiguous and dangerous term, as an elite. These "chosen few" might participate in refresher courses, organised by the Universities along very exacting lines. In order to achieve such advanced adult education it will be necessary for employers to be more willing than they are now to release future leaders for a period of about two or three years while it will also be necessary for Universities to make the necessary adjustments in this curricula. Undoubtedly both employers and Universities would ultimately benefit through the contacts established by this category of very gifted people.

Without a doubt, advanced education in general will be a very expensive affair. Excellence can only be attained when there is a high ratio between numbers of eminently qualified teachers and of students. The teachers must naturally be well paid. Inevitably the high costs of the salaries and sabbaticals for the teaching staff will be criticized, the answer, it seems to me, must be that a similar financial burden should be borne for the education of a person who is destined to administer or play an important role in human affairs as for the education of for example a test-pilot, an astronaut or a juvenile delinquent (whose education is even more costly than Eten's tuition fee.

I should now like to address myself to the second question: *"What should be taught?"* A leading French educator has expressed the opinion that teaching should generally be assigned the following three-fold mission: transmission of knowledge, the formation of character and intelligence, and the integration of the student into society. It seems to me that the accomplishment of the third mission is narrowly related and would almost flow automatically from a proper handling of the first two.

On the first point—the transmission of knowledge—I should like to suggest that here the problem is not what to teach about physics to professional physicists, about medicine to medical students, about economics to students who are going to become economists. Specialist subjects where knowledge is advancing rapidly, are on the whole well taught. Symptomatic of this condition is the fact that graduate students frequently equal their teachers.

The problem is in fact two fold: firstly, what *else* should the University teach to physicists, doctors and economists, and secondly what should the University offer to those who are destined to administer or govern human affairs, bearing in mind that the latter category more often than not consists of generalists. It seems to me that both groups would immensely profit by not only, more or less passively, listening to mandatory lectures which are necessary for attaining a University degree, but also by exchanging ideas, preferably in seminars, with men who are already, in a responsible position administering human affairs. Anyone who fulfills some role of leadership in the state or in the community at this time, must have reflected on, for example, urban development, birth control, the problem of youth, East-West cooperation etc. etc. Such a seminar-approach is in fact little different from the "case-methods" which are already practiced in law schools and business schools.

The advantage of the seminar system is undoubtedly that students must actively engage in an exchange of opinions and are thereby more or less forced to think and to rationalize. Until recently, at least in my country, students, belonging to certain faculties, had to do little more than sit back and listen to a lecture in order to absorb as many facts as possible which they could more or less mechanically recite during a subsequent examination session. In this present day and era the simple memorization of a large quantity of facts has with the introduction of much more efficient computers become rather superfluous. It seems to me that current education should therefore not be so much directed at the mechanical transmission of facts that must be memorized, but rather at teaching students *how to think and how to rationalize* so that their decision-making will be as balanced and as effective as possible once they have a function in society.

Besides the seminar system, one could imagine a procedure (already being used by a certain University in my country) through which, at an early stage of the educational process, tasks would be assigned to *working teams* rather than to *individuals*. These teams might be formed more or less spontaneously by the students themselves. Teachers would encourage and instigate these working groups rather than impose their views upon them. The draw-back of such a procedure could be that the less-gifted students would, by relying on the abilities of the more capable members of the team, acquire a passing mark or even a degree in a relatively easy fashion. The positive aspect would be that the best individuals would after a certain amount of time naturally emerge from the best teams. Consequently one might say that a built-in filter will exist within the working team system which might effectively separate those who are destined for more intensive and exacting higher education from those who should only participate in higher learning for the masses.

Besides the seminar system and the working team system I should like to suggest that University teaching might be influenced in a positive fashion if University staffs were able to keep in touch with alumni during the latters' first five years as employees of the state, industry, the professions etc. This would have the following advantages: First, the Universities would be able to adjust their curricula to given professions or jobs so that the gap between academic learning and the often more practical requirements of a certain function in society would not be as great as is often presently the case. Second, the Universities would keep abreast of the latest developments and third there would be a constant intercourse between the University and the outside world so that outsiders could no longer accuse the academic community of living in an ivory tower.

I should like to add to my previous remarks on *"What should be taught"*, by mentioning a few actions that might be taken within Universities toward the formation of the students' character and intelligence: I think that students should participate in social activities but that these activities should not be considered as part of the University curriculum. They should perhaps be wholly relegated to the initiative and inventiveness of the students themselves. When I speak of such social actions I do not mean dance-weekends or beer-brawls but rather more charitable activities such as teaching less-gifted children, helping out in the community where the University is situated, etc. In this context I may also add that I consider it beneficial for the modern student to show some interest in politics.

Second, I would judge it to be very important that students should be taught more about self-expression, which after all is one of the very important aspects of many jobs and professions. I think that it would be recommendable if as many students as possible engaged in such extra-curricular activities as debating and dramatics.

Sometimes, I wonder to what extent it might be possible to "teach" characters and morals within a University. I am fully aware of the fact that there are no professors in such an intangible subject as character-building. Nor are there prefabricated and instant-formula courses in morality. But, nevertheless, when we, who are university graduates, examine our debt to our "alma mater", we recognize that the debt is not primarily to an institution but rather to certain professors or certain tutors. And the qualities which made these teachers seem to be great educators to us were not only the qualities of a learned scholar but also the qualities of a humane, moral and constructive man with a genuine interest in his pupil. For in teaching at its highest level, as in friendship, there must be a good deal of personal relationship and personal interest. It seems to me that such a relationship should not be completely devoid of a constructive example, set by the teacher vis-a-vis his student, in morals as well as in character. Particularly during this epoch when standards are becoming looser and morals more flexible, a positive example manifested by the older generation might serve as a clear beacon for those members of the younger generation who are losing themselves in the turbulent waves of uncertain ethics.

As a consequence of this last consideration, I have now arrived at the point where I should like to examine the last of the three questions which I mentioned at the beginning of this talk—that is the question of: "*Who is to teach at Universities?*"

In the old Anglo-Saxon tradition, teachers of Universities were appointed on the basis of their "erudition and piety". At present I believe that practically everywhere in secular higher education the criterion of piety is somehow out of date. Apparently the continental tradition, always very much manifested in my country as well as in Germany, that a professor should be appointed mainly because of his learnedness and scholarship has gained more adherence. Consequently, many professors feel that they should confine their activities to lecturing, research, publishing and serving in some advisory capacity to outside interests and institutions. They therefore have little time and interest left to be—in the original sense of the word—a "guru" to their students. Certainly they do not consider themselves to be "in loco parentis". In a way this is a pity. Granting that professors cannot be expected to act as guardians, I also believe the following to be true: Particularly during the last ten years the younger generation seems to be loosening its bonds with its parents more than ever before. The "home" no longer is the centripetal force that it once used to be. When teen-age students arrive at Universities they consequently very often do not possess that which for the ordinary man is almost a necessity imposed by nature, i.e. ties with a family. The University must, in order to prevent these young men and women from falling into a vacuum, supply an alternative if not a substitute. Formerly this alternative was to some extent achieved by the Anglo-Saxon fraternities, clubs or colleges as well as by the continental student-corporations. But these institutions, at present often condemned as being the ugly buds from which the establishment sprouts, are rapidly losing their appeal. Perhaps something else should take their place. In this connection, I should like to mention the thoughts of a prominent British educator on the subject, who believes that a substitute-family might be formed by the concept of "the University-as-Community" of senior and junior scholars. He also thinks that this concept may be more important for the stability of the Universities of 1970–2000 than we are at present disposed to grant. It seems to me that in order to attain "the University-as-Community" it will be of the utmost importance to select professors not only because of their scholastic capacities and their erudition but also because of their abilities as a teacher and as a companion of youth. For the latter qualities a professor would, besides the other moral qualities which I mentioned a moment ago, need a fair measure of the virtues of humility, courage, flexibility, tolerance and respect for the humanity of others. He would also have to be convinced of the necessity of establishing some sort of informal contacts with his students outside the lecture halls. In the very large Universities where every professor faces thousands of students such informal contacts will of course be very difficult to achieve; perhaps in these cases this function can be delegated (at least to some extent) to assistant professors, instructors, or other senior members of the academic community.

In the context of the question: "Who shall teach" I should also like to examine a problem to which I already briefly referred a moment ago—that is the problem of the extent to which a professor should engage in activities *outside* the University-Community: Firstly, let me say that I consider it essential that teachers who must educate young men and women to manage human affairs should also have some active experience in human affairs themselves. This in its ideal form implies that professors must leave Universities at regular intervals so that, through regular, sabbaticals or through being "on loan" for a few years to the government, professions or commercial interests, they can remain in touch with the outside world. Another feasible procedure would be to make a number of professorial appointments from the ranks of those who have throughout many years served society successfully in some other capacity and who therefore already possess an abundance of practical experience. On the other hand, I should also like to state that it sometimes seems to me as though we have in some cases reached a state of affairs where certain professors tend to use the University as a launching pad for their extramural activities. Inevitably these men are always absent. Another common phenomenon is that a number of Universities and colleges frequently include a few very well-known men on their faculty-lists; in actual fact these much sought-after personages are usually away from the campus and are rarely accessible to students. It seems to me that both those categories, I have just mentioned, should be requested to teach at Universities on an *ad hoc* basis, or to be more specific, they should be invited to talk on the few dates during an academic year when they can definitely expect to be available, about concrete topics, determined in previous consultation with the University c.q. faculty. They should, however, *not* be considered as *regular* professors on whom students are dependent for classes, the marking of papers or for examinations. I say this because I have known of several instances where students have lost quite a bit of time because they were not able to attend lectures or take examinations owing to the perennial absence of their teachers in the course of the academic year. This is a situation which, I am convinced, is extremely undesirable and must, wherever possible, be altered.

I should also like to emphasize again that a University must always guard itself against being considered a self-sufficient or introspective unit which is slanted in a certain ideological or political direction. Such an "image" would definitely be contrary to the original conception of the "Universitas". It is therefore important that both the permanent faculty as well as those outsiders who are either invited regularly or just in one instance to address the University-Community, will be selected from *as broad a basis as possible*. I attach great value to the fact that also this latter category—that is to say the statesman, the senior civil servants, the townplanners, the industrialists and the distinguished representatives of the professions—be given the opportunity and should be willing to visit Universities in order to expose their often very contradictory and original ideas, prejudices, and, perhaps most important of all, their principles to the sharp interrogation and scrutiny of the emerging generation. Such a course of action will prevent students from being influenced towards standardized thinking along a certain pattern and in a certain direction. It will also prevent the University from ever taking a corporate stand on specific issues and thereby safeguard the intellectual freedom of its individual members.

Finally a general remark, about you, the present generation here, and the two generations that came before—your parents and your grandparents. Somebody drew my attention to this and I believe it is worthwhile to tell it here. Not long ago someone got together some facts about these last two generations. I would like to share some of these facts with you. These are the people who within just five decades—1919–1969—have by their work increased your life expectancy by approximately 50 percent—who while cutting the working day by a third, have more than doubled the per capita output.

These are the people who have given a healthier world than they found. And because of this you no longer have to fear the epidemics of flu, typhus, dipththeria, smallpox, scarlet fever, measles or mumps that they knew in their youth. And the dreaded polio is no longer a medical factor, while TB is almost unheard of.

Let me remind you that these remarkable people lived through history's greatest depression. Many of these people know what it is to be poor, what it is to be hungry and cold. And because of this, they determined that it would not happen to you, that you would have a better life, you would have food to eat, milk to drink, vitamins to nourish you, a warm home, better schools and greater opportunities to succeed than they had.

Because they gave you the best, you are the tallest, healthiest, brightest and probably best looking generation to inhabit the land. And because they were materialistic, you will work fewer hours, learn more, have more leisure time, travel to more distant places, and have more of a chance to follow your life's ambition.

These are also the people who fought man's grisliest war. They are the people who defeated the tyranny of Hitler, and who when it was all over, in the case of America, had the compassion to spend billions of dollars to help their former enemies rebuild their homelands. And these are the people who had the sense to begin the United Nations.

They built thousands of high schools, trained and hired tens of thousands of better teachers, and at the same time made higher education a very real possibility for millions of youngsters—where once it was only the dream of a wealthy few.

And they made a start—although a late one—in healing the scars of the earth and in fighting pollution and the destruction of our natural environment. They set into motion new laws giving conservation new meaning and setting aside land for you and your children to enjoy. They also held the dubious *record* for paying taxes—although you will probably exceed them in this!

While they have done all these things, they have had some failures. They have not yet found a solution for war, nor for racial hatred.

Perhaps you, the present generation, will perfect the social mechanisms by which all men may follow their ambitions without the threat of force so that the earth will no longer need police to enforce the laws, nor armies to prevent some men from trespassing against others.

But they—those generations—made more progress by the sweat of their brows than in any previous era, and don't you forget it!

And, if your generation can make as much progress in as many areas as these two generations have, you should be able to solve a good many of the world's remaining ills.

It is my hope, and I know the hope of those two generations as I am part of them, that you find the answers to many of the problems that still plague mankind.

But it will not be easy. And you will not do it by negative thoughts, nor by tearing down or belittling. You may and can do it by hard work, humility, hope and faith in mankind. Try it! *Do it!*

Goodbye and good luck to all of you.

REV. LEON H. SULLIVAN, FOUNDER OF OIC, APPEARS ON MEET THE PRESS

Mr. SCHWEIKER. Mr. President, yesterday on the NBC television program "Meet the Press" the guest personality was the Reverend Leon H. Sullivan, of Philadelphia, pastor of Zion Baptist Church and the founder of the Opportunities Industrialization Centers, better known as OIC.

The Reverend Mr. Sullivan has been the driving force behind the OIC's, which began in Philadelphia and now operate across the Nation in 58 cities. Through the success of OIC's, the Reverend Mr. Sullivan has shown the enormous potential of underprivileged minority groups of our Nation to help themselves rise out of poverty through basic education, job training, and improved self-esteem. I might add that Reverend Sullivan has also given his leadership to various minority enterprises, including housing projects, shopping center developments, factories, and retail businesses.

In his appearance on "Meet the Press," the Reverend Mr. Sullivan spoke eloquently of the need for more programs like OIC for all poor minority groups—blacks, Puerto Ricans, Mexican Americans, and American Indians. But he also expressed his underlying faith in the greatness of our Nation and his confidence that America can do the job that needs to be done in raising such minority groups out of poverty.

I hope that all Senators will read and reflect on the Reverend Mr. Sullivan's remarks made on the "Meet the Press" show on March 7. I ask unanimous consent that a transcript of this show be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

MEET THE PRESS

Guest: Rev. Leon H. Sullivan, founder, Opportunities Industrialization Centers.

Moderator: Edwin Newman, NBC News.

Panel: Nick Kotz, Washington Post; Carl T. Rowan, Chicago Daily News; Ron Nessen, NBC News; and Lawrence E. Spivak, regular panel member.

Mr. NEWMAN. Our guest today on Meet the Press is a pioneer in helping black men and women get better jobs, Leon H. Sullivan, pastor of the Zion Baptist Church of Philadelphia. He is founder and Chairman of Opportunities Industrialization Centers of America, a nationwide job training program.

Dr. Sullivan is the first black director ever elected to the Board of General Motors, the world's largest corporation.

Mr. SPIVAK. Reverend Sullivan, President Nixon the other day asked Congress for $2 billion in revenue sharing funds for a manpower training program to be under state and local government. Based on your experience with manpower training programs, do you think that a good or a bad idea?

Dr. SULLIVAN. It will be a good idea if people in the communities where the problems are have the discretion and the ability to utilize those funds for the development of their own programs. As long as manpower programs are developed from the top down, rather than from the bottom up, they will not be successful. They will get caught in the old concept of big jobs, big salaries and big heads, where the money stays up rather than going down to help the people.

So I would say, if the money doesn't get caught in the old patronage bags where people get the money, rather than money to help the people, it might work, and if the government decides not to try to run the programs. Because if the government tries to run them with their bureaucracy, they will ruin them.

* * * programs to succeed in manpower you have to come up from the people and the people themselves must want them to help themselves.

Mr. SPIVAK. Well, now what do you think is going to happen in your state and in your city of Philadelphia if the Mayor and the Governor are given a big chunk of federal money to do with as they please without any strings? What, for example will happen to your own manpower training program?

Dr. SULLIVAN. I know what will happen to OIC in this country, in every city where OIC is developing, OIC is going to be in those Mayors programs and those Governors offices to see that OIC gets its fair share. We can't depend just on government functionaries to see that we get the help. We have to be there as community people concerned about programs to help ourselves, to see that we get out part. We won't be able to depend on others to do it for us because we will be caught in the same old nets, the same old bags that never reach down to help the people.

Mr. SPIVAK. Reverend Sullivan, I think you indicated at one time that it cost you about $1,000 a year to train a man or a woman for a job, while the government training programs have averaged about $3,600 per person. Why do you think you are able to train men so much more cheaply than the government can?

Dr. SULLIVAN. Because of the motivation and because OIC belongs to the people. We are not in the business of manpower training just to be doing something, but we are in the business of OIC to help the people. And because we want to spend as little as we can on every person so we will have more money to help more people. In other words, we realize that we need training in order to move ahead, and OIC says to a man: "Get your training as fast as you can, get motivated in and out so that your brother can come and take the seat or the bench that you are leaving."

So, we don't create situations where there are more people to do a job than are needed. If there is one person needed to do a job we will do it with that one person. If we can we will do it with a half a person. We will use as many volunteers as we can, but most of all, the students help themselves, and so the costs are down and we do do it for less than one-fourth of what manpower costs are for training an individual in OIC.

Mr. SPIVAK. Reverend Sullivan, the Nixon Administration also recently proposed that some 225,000 public service jobs be made available for people on welfare. How do you feel about that proposal?

Dr. SULLIVAN. Oh, I think there is no question about the need for public service jobs for people on welfare. Not only people on welfare, but for young veterans who are coming out of this war. You must remember, 100,000 veterans who are black are coming back from Vietnam—we hope soon. Right now, these hundred thousand black veterans who are coming back are the best trained killers in the world. And if they come back to a nation that has no job opportunities for them because they start with two and a half strikes against them—first they are black, second they have to start on a job at the bottom rung, and in the course of a sort of economic depression, two strikes against them and a broken back, you are going to have to have jobs available to get these men in the mainstream of being able to make a living. Otherwise, you are going to have all kinds of problems in our communities, because these young men coming back aren't going to take the stuff that was taken before they went.

(Announcements.)

Mr. ROWAN. Reverend Sullivan, Mr. Nixon visited you in Philadelphia in 1968, praised the OIC, promised you strong support. Are you satisfied with the way the administration has met that promise?

Dr. SULLIVAN. No, I am not. OIC needs $100 million right now to do the job that it needs to do. We have tens of thousands of people waiting in line to get into OIC programs. Up to just a few months ago we were operating on $13 million of budget. The most successful manpower program in America dealing with black needs and Puerto Rican needs and Indian needs and Mexican-American needs, and yet we were operating on less than 50 cents of every $100.00 spent in manpower.

Mr. ROWAN. How much money are you getting now from the federal government?

Dr. SULLIVAN. Up until a few weeks ago we were getting $13 million a year. Now—incidentally, it happened, Mr. Rowan, that we are getting $10 million more as of last month. The Department of Labor, HEW, and OEO made funds available of $10,700,000 to augment what we are already getting, so now we have $24 million to train with. We need $75 million more. So Mr. Nixon's administration has taken an important step, and we appreciate that step, but if Mr. Nixon is listening, I have $75 million more to go, because I have to train 100,000 people a year in jobs.

Mr. ROWAN. One of Mr. Nixon's constituents wrote me a letter the other day about your program and your demands for more money, and that writer said "You Negroes are always griping, you want everything. You are so much better off than you were, but you are never satisfied."

Is that a valid description of you and OIC?

Dr. Sullivan. OIC is the greatest thing to help America that has come along the pike in a hundred years. OIC is a program that was born out of self-help. How did it start? It started because I saw that industry and business weren't employing blacks or Puerto Ricans as they should, so I boycotted them. I created a selective patronage program and I said, "If you don't employ my people we won't buy from you." Then when the jobs became open, as they began to come open by the thousands in Philadelphia, I couldn't find people to fill the jobs, and I said, integration without preparation is frustration.

So now the great effort of my community must be toward preparation, preparation is the key to opportunity. So I started the self-help program, OIC. Some people say, "Why don't you black people help yourselves?" Well, OIC is helping ourselves. We are helping ourselves, and someone like that says, "These black people are never satisfied."

Never satisfied? We don't have anything now. We are the most repressed, the most congested, the most looked down upon, humiliated people in America. Don't have enough? We don't have nothing now.

So OIC is coming and you are saying we want something, but we are saying to America now "You don't have to give it to us. We will help ourselves. All we want is for you to help us, the Congress to give us some funds to help us to build programs to develop and train ourselves." Oh, Mr. Rowan, either OIC will succeed in America or this country is going to be in deep trouble. It is the one positive program that has come along, that is saying to America, "We want to build America." I am not in OIC to tear America down. I am a patriot. I am a crazy black patriot who believes in America, but who believes too in black people, and Puerto Ricans and Indians and Mexican-Americans. I want the same chance and opportunity for them as white people have been getting all these years. And OIC says "We will train you, get you a job, stand on your feet and make your own way," and we want to do it by a million people in the next decade. So I want you to help me.

Mr. Kotz. I would like to ask you several questions about General Motors, of which you are a new board member. Several criticisms: One criticism raised last year at GM's board meeting was only about 10 of 13,000 GM dealerships are held by blackmen, today. Do you consider this tells you something about General Motors? Does this call for an OIC-type boycott? What do you plan to do about it?

Dr. Sullivan. No, there is no question it tells me something. The last two board meetings—I have only attended two, and the board knows it tells me something. I have already told the board that I am there to see what I can do to help people, black people and underprivileged. Lyndon Johnson called me, President Johnson called me a day after the appointment was announced and he said, "Leon, this is Lyndon." He said, "What's good for General Motors now really is good for America."

Well, I am going to see as best I can that what's good for General Motors is good for America. That means more black dealerships. I don't mean ten more or 20 only, I mean hundreds ultimately. I don't mean people fixing cars and learning to be repairmen. I mean a thousand of them. I don't mean a few new salesmen, I mean hundreds of them. I don't mean just car salesmen and dealers. I mean in the 150 plants where General Motors operates I want to see blacks in middle management jobs, I want to see blacks in executive positions, I want to see blacks coming up that ladder. I am at General Motors not because I am so proud to be a member of General Motors. When I was asked by Mr. Roach to be a member of General Motors Corporation I told him I would have to think about it, and I went and talked to my wife about it and my family. We vote on everything. We had a vote. The vote was four to one. I have three little children and a wife and myself. I voted against it. I said, "What am I saying? Am I saying to my people I am joining the establishment?"

Then I made a calculated risk and I said "I must do this because if any place industry can be developed and used to help my people, it is General Motors."

So I said, "I am going to do the best I can, and I am going to do the best I can."

As my wife said, "Keep your hat near your hand and stay near the door," because I am not going to get caught in anything. I am there to help General Motors sell more Chevrolets than have ever been sold. Chevrolet is the best car on the road I know. I have been driving one all my life. It is all I could afford. But if you sell Chevrolets and Cadillacs [we] you help black people and underprivileged people to rise.

Mr. Kotz. There are three concrete proposals that are going to be brought to the next General Motors meeting by Project GM. They are asking that challengers be placed on the ballot to run against the members of the Board. They are asking that GM make provision for membership on the Board for consumer interests, for dealer interests, for worker interests, and they are asking that GM report in detail to the public what it is doing about auto pollution and development of more safe cars.

Where will you stand on these proposals?

Dr. Sullivan. I have been considering all those proposals and of course I will make my own decisions as to where I will stand. I do believe that far greater and broader reports have to be given to the people in terms of what we are doing for minorities in this country. The other areas—I am considering them now as to what my position will be, because I will make my own determination as to what I shall do. There is one incidentally you didn't mention. What to do about the Union of South Africa. Let me speak to it. I believe that apartheid has to come to an end. I believe that America, itself, with its industries and business can no longer underwrite apartheid. Whether it be General Motors, Chrysler, Ford, or 300 other companies that are there. The tide is moving in the direction of freedom and opportunity in the world, not in the direction of apartheid, and I am saying that the United States government ought to declare an economic embargo against the Union of South Africa. I am saying if it happened for the Italians, the Italians would say something about it, or the Irish, the Irish would say something about it, for the Jews, the Jews would say something about it.

This is happening to black people in Africa.

Mr. Nessen. What about GM, should they take their business out of South Africa?

Dr. Sullivan. They know. I have said so already, and I am saying that every business that is doing business in the Union of South Africa ought to do something about it, to get apartheid straightened out, because I am a black man, and I want to see black men free and the only place in the world where something like this is, is in the Union of South Africa and I want to see the flag of America fly for freedom around this world again so I say not only companies but the government itself, the Congress of the United States ought to take a stand and say apartheid has to end. To save a soul, you take away the sin. To get rid of apartheid, you take away its money, its industrial support. I would say to the Union of South Africa: These are things that we want to see done, one two three, four five. Do them within a span.

If they don't, office by office, factory by factory, plant by plant, they come out, because if we don't take them out like that, one day the Communists are going to take them out for us.

Mr. Nessen. Dr. Sullivan, in answer to several questions you have spoken of the country facing deep trouble if job training doesn't work. You have spoken of black G.I.s coming home as the best trained killers in the world.

What are you suggesting, that there is going to be a black armed revolution if your plan is not expanded?

Dr. Sullivan. I am working on the system to see that that doesn't happen. There are those that are working against the system to see that it happens. It depends upon whether Americans will help me as I work on the system to get the system straightened out. In America great invisible walls separate the black community from moving out into the great suburban areas of America. Segregation is still a theme for black people in this country. It is backed up by banks, it is backed up by real estate brokers, it is backed up by investment houses to keep their invisible wall. As long as you compress people, you will have combustion. Where you have combustion you will have explosion. Don't think because you can't see the flames, there are no fires. There are fires, and what our people are saying through OIC, OIC is a hope of the people. It is not the only hope. Abernathy has a great hope. Roy Wilkins is one of the greatest men in the world. He is trying to give us hope. OIC is one hope, though, and I am saying help OIC.

I want to train one million men and women in the next decade in what I call a Decade of Progress. Help me America, I am saying, to work on the system to get it straight, to get those invisible walls down so that blacks can move out like anyone else and stop supporting segregation and discrimination with government funds and tax supports.

Mr. Nessen. Now in answer to another question you say that government job training programs have produced big jobs, big salaries and big patronage.

Are you suggesting that there is something illegal, that there has been a misuse of funds? Would you name some names and give some instances of patronage and big salaries going to the administraters?

Dr. Sullivan. No, that is only a generality use because I work——

Mr. Nessen. Would you give the specifics to back it up?

Dr. Sullivan. Because I work in the field, in this way: OIC uses one man to do one man's work. If you go into an OIC center you will see a man or a woman about their work to help that student to help themselves. In many of our bureaucratic systems you find five people sitting around twiddling papers and twiddling their thumbs. I am saying it is fine for a man to have a job. I want him to have a job. But when it comes to helping underprivileged people, I want every dollar to go to underprivileged people to help them that can be helped.

OIC is a non-profit private program. People wonder why I do it. I take no salary for it. I haven't gotten a penny from OIC since I started this thing. Why do I do it? I do it because the resources of America, I think, have to be channeled to programs like OIC to help the people to stand on their feet. Some people have asked me "Well, are you against President Nixon?" No President I know of has done so for black people in America. That is why we are in such a rut and in such a fix as we are in. He is no better or worse than most we have ever had. My little boy said something to me yesterday, he said "Daddy," he said "you can't expect a man to help you by knocking him down." I am not here to knock Mr. Nixon down. He has his problems. I think Mr. Nixon wants to do as best he can. I am not going to knock him down because I have got to work with Mr. Nixon. Although I disagree with many things he might do.

Mr. Spivak. We don't have too much time.

Dr. Sullivan. I am a Baptist preacher and when Baptist preachers start talking, you know they keep on going.

Mr. Spivak. You have been saying if you are going to stay on the General Motors Board, they will have to put more black dealers in. Do you think black dealers should be set up on some special basis by General Motors, do you think a black dealer should be subsidized and kept in business regardless of whether or not he can run that business?

Dr. Sullivan. I think once we get a black dealer in a business, we should see to it that he knows how to run it. One of the keys to the ability of a business to succeed is management. The ability of a man to manage a business. Just last week I met with the top officials of General Motors all day to develop a plan to see that more black dealers and more black salesmen get into the funnel of General Motors and within the next year some exciting things are going to happen at General Motors.

Mr. Spivak. That is not quite responsive to my question. You wouldn't want to have a black dealer kept in a business if he couldn't run that business profitably?

Dr. Sullivan. Absolutely not. Nor do I think black businesses should only be for black people. There is no such thing as black capitalism, for example. There is no such thing. A dollar bill isn't black or white, it is green, and so whatever a black man or a white man can do to develop an economy with blacks and white, that is what I am looking for.

Mr. Newman. We have less than four minutes left.

Mr. Rowan. Dr. Sullivan, there is a third-world movement coming up where blacks are trying to organize a major protest against the war. Do you think black people have a special reason to oppose the Indochina war?

Dr. Sullivan. I think the black people are so concerned with eating and sleeping and living in America that our concerns with the Indochina war are great, but our greatest emphasis is just to survive here on earth.

Yes, we have an interest, but our major interest still has to be, with all the interests we have in Indochina as I have, is right here at home; not just on the moon, right here at home.

Mr. Kotz. The Nixon Administration has a black capitalism program. Critics have said that it does not have the kind of community participation that you have in your programs. Please evaluate the President's Black Capitalism program.

Dr. Sullivan. There is no such thing as black capitalism. Capitalism is neither black nor white. But I think the President's program has done this, it has opened a door for the first time to blacks to see what free enterprise is. It has helped us to do things we never did before. For example, the General Electric Company, and my corporation, and a man by the name of Mark Morton, got together in partnership and set up Progress Aerospace enterprises, the program in which G.E. didn't put money in it, but put skills behind it so that we could develop an enterprise.

Now that enterprise is a multi-million dollar operation because business and the black people got together around the concept of free enterprise. It has opened a door, and I hope to see 50,000 black-owned businesses in the next decade, in America, lifting people and helping people to become a real part of this system, of this system that will become the kind of system we want.

Mr. Newman. We have about two minutes left.

Mr. Nessen. Dr. Sullivan, you have persuaded a lot of white businessmen to give your graduates of your training schools jobs. The government has a similar plan called JOBS. The businesses have not come up with the jobs they promised under that program. Why have you been able to persuade businessmen? Is it just the force of your rhetoric and personality?

Dr. Sullivan. Well, motivation and because businessmen believe in what we are doing. We are in it because we help businessmen to get manpower for their jobs.

George Champion, one of the great Americans of our day, a retired chairman of the Chase Manhattan Bank, has sold to the business men of America that OIC is good for America and good for business, and now Americans all over America are joining OIC. So, OIC is succeeding where the others aren't because business and the masses are coming together helping each other as we strive to help ourselves.

Let me just say this: Black people for years have had to depend on others for what they want, for where they live, for what they eat. Take away where you live, what you eat, he falls. He has nothing to stand upon.

OIC is saying, "In the next ten years I want to train 1 million people. So if they take away your house, take away your job, take away your welfare, take it away, I won't fall because I have something to stand upon.

I am teaching blackmen and Chicanos to stand on their feet, to help themselves and to help build America so we can change the cry from Burn, baby, burn, to Build, brother, build. Help "OIC."

Mr. Newman. Thirty seconds.

Mr. Spivak. Reverend Sullivan, in your book "Build, Brother, Build," you wrote, "I believe in the future of America, regard it as my duty as a citizen to promote the good of the nation."

Now, we have heard a lot about what is bad about America. What do you think is good about it?

Dr. Sullivan. America right now is the greatest experiment for human good in this world. If America doesn't succeed, opportunity and equality isn't going to succeed any place in this world.

Mr. Newman. I am sorry to interrupt; our time is up.

Thank you, Dr. Sullivan, for being with us today on Meet the Press.

TOP HOOVER AIDS DEFEND THEIR BOSS

Mr. McGOVERN. Mr. President, on March 1, I placed in the Record a letter from 10 special agents of the FBI. The letter explained that the administration of the FBI has degenerated into a public relations operation to support the reputation of J. Edgar Hoover.

Soon after the publication of this letter in the Congressional Record, I received a group of letters from Mr. Hoover's key assistants, complaining that the letter I had introduced into the Record was unsigned, and engaging in a personal attack on me for the release of the information it contained.

These letters are almost exclusively from the upper echelon administrators of the FBI, the very bureaucrats who have joined with Mr. Hoover his long immunity from congressional review. Indeed, these are the very men who have cooperated in the redirection of Mr. Hoover's administration from the interests of law enforcement to an overbearing concern for the FBI's public image. Most of these letterwriters have prospered in their favored positions with Mr. Hoover for more than 30 years.

I have been trying to secure congressional review of the administration of the FBI. This response by Mr. Hoover's key aides, sometimes with almost hysterical vehemence, is the reaction of stultified bureaucracy that sees itself threatened by criticism too long delayed. Indeed, the personal attack by Clyde Tolson, Mr. Hoover's associate director, who has been retained well past retirement age, has well exceeded the bounds of proper comment by a high Government official.

I presented the letter which was on FBI stationery, to the Senate because it raises specific charges about the administration of the FBI which can be judged on their own merits. I released the unsigned letter only after checking with responsible law enforcement officials on the merits of the allegations. Their response was uniformly that the letter made a fair statement of the sorry state of the administration of the FBI.

If Mr. Hoover and his closest associates regard these criticisms as inaccurate, their response should be to support my call for the fair and impartial review of his administration's procedures. To respond instead by personal attacks on me, reveals a bureaucracy insensible to the most critical responsibility of a Government of free men.

Above all we must recognize that their attempt to make this a personal matter betrays their classic tactic of diverting attention from the critical need for congressional review.

These key administrators, who have themselves for decades enjoyed their privileged positions of power, subject only to the whim of Mr. Hoover, purport to speak for the thousands of employees of the FBI. Yet these colleagues of Mr. Hoover refuse to support the very review of personnel procedures which could vindicate the rights of their employees. My own concern began with the discovery of Mr. Hoover's vindictive persecution of a loyal agent of the FBI, John F. Shaw, for privately voicing a criticism of Mr. Hoover. It is in defense of the better nature of the FBI and in defense of thousands of employees who see their dedication distorted to the service of Mr. Hoover's ego that I have called for a review.

So in spite of the response of Mr. Hoover's regime, I will continue to try to secure the needed review. It has been time enough, and this time of ours is too important to be stopped by the pressure of bureacratic oppression.

Mr. President, Mr. Hoover's associates have requested that their letters be published. I ask unanimous consent that their letters be printed in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

March 2, 1971.

Senator George McGovern,
United States Senate,
Washington, D.C.

Dear Senator: As a veteran of more than 42 years' service in the Federal Bureau of Investigation who is knowledgeable concerning not only J. Edgar Hoover's extremely capable and inspiring leadership of the Bureau, but also the selflessness which dominates both his official and personal life, I am appalled at the grossly irresponsible and opportunistic attack which you have launched on him.

I label your March 1, 1971, press release as irresponsible because it is based upon a highly spurious source—a three-page anonymous letter which is replete with sensationalized generalities that are as unsubstantiated as they are false. Although the opening sentence of your release flatly states that this letter was written to you by "10 FBI agents," a careful reading indicates that you, in fact, do not know who wrote the letter or by whom he is (or they are) employed.

I term you an opportunist because it is no small coincidence that you have singled out a man of Mr. Hoover's national stature for attack at a time when waves of publicity are urgently needed to buoy your political career. You are not the first person I have encountered during almost 50 years in Washington whose ambition has far exceeded his ability, and I cannot help wondering how many other esteemed career public servants will be maligned and abused before your political balloon runs out of hot air.

Your March 1st press release is an affront not only to Mr. Hoover, but to the many thousands of dedicated employees—past and present—who have helped the FBI reach a position of nationwide respect and acclaim. Let me assure you that the outstanding men and women with whom it has been my privilege to work since 1928 would neither tolerate nor condone investigative or administrative practices such as you and your anonymous letter claim.

I urge that you give this letter the same publicity which you accorded to the three-page anonymous communication—unless, of course, it is against your policy to call public attention to correspondence regarding the FBI from persons who are neither faceless nor ill-informed.

Very truly yours,

Clyde Tolson,
Associate Director.

March 1, 1971.

Mr. George S. McGovern,
U.S. Senate,
Washington, D.C.

Dear Sir: It never fails to amaze me, and to create considerable concern, when a public figure such as yourself attempts to mislead the people of our Nation through use of an age-old ploy such as an anonymous letter coupled with personal conclusions and innuendoes built on a foundation of sand. The very lead paragraph in your press release of March 1 concerning Mr. J. Edgar Hoover and the FBI is inherently dishonest as it is designed to give the unwary reader the impression that you received a letter from ten FBI Agents concerning undesirable practices existing within that agency.

To save the time of your staff for more important work than checking the identities of correspondents, I am currently an employee of the FBI and have been for in excess of thirty years, and I am currently serving as Assistant Director in charge of the Bureau's Training Division. As such, I am and have been very closely affiliated with all of the FBI's training programs, including the indoctrination and training of newly appointed Special Agents who will be expected to share in carrying out the investigative functions mandated to the FBI. I can say without reservation that every item of training, guidance, instruction and advice that is afforded FBI personnel is geared to create and sustain exemplary public servants who are proud of their motto "Fidelity, Bravery, Integrity."

The pseudo-author of the February 2 communication, had he researched his subject matter better, could easily have determined that FBI statistical accomplishments are not reported in the FBI Uniform Crime Reports. The former are carefully recorded from FBI investigative reports and the latter are compiled from returns voluntarily submitted by municipal, county and state law enforcement agencies. Were not the allegation and implications so serious, the statement that FBI accomplishments are realized for the most part from minor and petty offenses in which the subjects can be easily talked into pleading guilty would not be worthy of acknowledgment and answer, as the FBI's investigative record in all types of cases falling within its investigative jurisdiction speaks for itself; however, the alleged author pursues this blatant falsehood and adds that Mr. Hoover insists that the FBI concentrate its investigative work among people who do not understand their rights. Senator, I think you know better than that; at least you should, because the performance of our Agents in observing both the letter and spirit of existing laws and court decisions in matters of criminal interrogation, search and seizure, et cetera, has been rcorded and documented in many official documents, including decisions handed down by the highest court in our land. We vigorously investigate all violations falling within our assigned jurisdiction without concern for the race, creed, economic and social status or national origin of those who are or may be involved, and I am sure even you will admit it is rather difficult to know the pedigree of any defendant before he is identified and apprehended.

Senator, I have dedicated my life as a public servant to the preservation of our way of life. As a father and a grandfather, I believe the guidance and leadership I have received and am receiving from Mr. Hoover will perpetuate those ideals which I hold so dear. I believe that your unjust attack upon a great American and our organization is completely uncalled for and a direct affront to the loyal and dedicated personnel of the greatest and most honorable investigative agency in the world. I personally deplore the misleading method you have used to attack a great American and his agency, apparently for reasons known only to yourself.

Very truly yours,

Joseph J. Casper.

March 1, 1971.

Hon. George McGovern,
United States Senate,
Washington, D.C.

Dear Senator: I have read the Washington Daily News item in today's issue which attributes certain remarks to you. It is incredible to me you would attach any significance to an anonymous communication. Surely the stature of your high office I believe would demand greater restraint.

During recent weeks many irresponsible statements not based on facts have been made by persons who can be characterized as engaging in a personal vendetta against the FBI and our Director. It saddens me greatly to see that a member of our most respected legislative body has joined hands with these persons. I as well as many thousands of dedicated FBI employees deeply resent this.

Very truly yours,

Al Rosen,
Assistant Director.

March 1, 1971.

Senator George S. McGovern,
United States Senate,
Washington, D.C.

Dear Sir: To anyone within the FBI the spuriousness of the letter "purportedly" written by an Agent on behalf of other Agents is readily apparent. For anyone occupying a position of high responsibility such as you hold to rush into print with it is extraordinarily reprehensible. If anyone else showed such abandon in treading upon the unimpeachable and richly deserved reputation of a public official, I warrant you would be among the first to criticize and denounce his tactics.

John Edgar Hoover has stood for meticulous fairness and unswerving firmness in the administration of law enforcement duties for five decades. No one is more aware of this dedication than his own employees and I am sure he bears the slings and arrows of such outrageous actions as yours far better than we do.

I suspect it is in vain, but I would like to think the signed letters you receive from FBI employees obtain the same publicity as the alleged "anonymous" ones.

Yours very truly,

L. M. Walters,
Assistant Director.

March 1, 1971.

Hon. George S. McGovern,
U.S. Senate,
Washington, D.C.

Dear Senator: During 37 years of Government service, I have never witnessed any act so grossly irresponsible or so transparently self-serving as your reprehensible action in issuing a press release today attacking Director J. Edgar Hoover and calling for an inquiry into his administration of the FBI.

First, let me point out that the opening sentence of your press release obviously was written by someone who is either a prevaricator or a fool—because the letter to which it refers as having been written by "10 FBI agents" was, in fact, only *purportedly* written by 10 Special Agents of the FBI. I challege you to prove your unsubstantiated contention that the three-page anonymous letter actually was written by anyone presently or formerly employed by the FBI.

Second, let me state that during a 32-year career in the FBI, I have had the privilege of working very closely with Mr. Hoover, and I have detected none of the weaknesses of character which you impute to him in your March 1, 1971. release. Nor have I seen the oppressive personnel policies or the contrived scheme to maintain the FBI's image which you and the author(s) of your anonymous letter imply.

Third, let me express my opinion that something is sorely awry with both the judgment and the motivation of any Government official who would be triggered by the completely unconfirmed information in an *anonymous* communication into attacking the record and maligning the reputation of one who has devoted a lifetime to honestly, impartially and selflessly serving the people of the United States.

I consider your press release to be an insult not only to Mr. Hoover, but to the more than 18,000 fine men and women who are honored to serve under him in the FBI; and in reading it, I could not help recalling the "old saw" about political ambition bringing out the worst traits of character in weak and expedient men. With this thought in mind, I want to express my sincere hope that your March 1st release will produce many headlines—not the kind you seek, but the kind you deserve.

Very truly yours,

John Mohr,
Assistant to the Director,
Federal Bureau of Investigation.

March 2, 1971.

Senator George McGovern,
United States Senate,
Washington, D.C.

Dear Sir: The release which you issued on March 1, 1971, regarding the FBI refers to the letter to you "from 10 FBI Agents." The copy of the letter in question, which you released, indicates it was written by one unknown individual *claiming* to be a Special Agent who *alleges* he wrote it on behalf of himself and 9 others. I am astounded that you accept without question and lend credence to such statements. If the FBI were to jump to conclusions in such a manner it would indeed be open to criticism.

Actually, the tenor of the letter militates against its authenticity. While it is always possible there is some malcontent in any organization who might write such a letter, it is inconceivable 10 Agents would get together in any one place and prepare a letter containing such unsupported and unfounded generalities. Our entire training is directed toward getting and presenting facts and it is directed against the use of nonspecific allegations.

We in the FBI have over the years been dedicated to the work of demonstrating crime does not pay and to the building of respect for the law in an effort to motivate people not to harm their fellow man. Under the Director's leadership the Bureau has established its well-known record for steadfast firmness and fairness in the enforcement of the law. This policy has not suddenly changed; it is the same today as it has been for almost half a century.

Your personal vendetta against Mr. Hoover, based in part on such anonymous fulminations, is, however, undermining and destroying what so many thousands of us have labored so long and so hard to achieve.

Very truly yours,

LORENZ H. MARTIN.

MARCH 1, 1971.

Senator GEORGE MCGOVERN,
United States Senate,
Washington, D.C.

DEAR SENATOR: I have read the letter allegedly written by several FBI Agents, given by you to the press, in which the writers object to the discipline in the Bureau. I am amazed that a man in your position, one who holds himself out as a Presidential candidate, would be so irresponsible as to publicize such anonymous gripes without any evidence as to their accuracy.

The fact is the writers make statements which are absolutely false. I have worked for the FBI as an Agent and official for almost thirty years, and during that time Mr. Hoover has never precluded any Agent from investigating any type of violation within our jurisdiction which comes to his attention. Their allegation that Agents are not allowed to fight "real crime" is, therefore, ridiculous. Neither are our efforts directed primarily against minority groups, as the writers infer. When the FBI investigates a complaint of a crime from a member of the public, it does not know initially who committed the crime but directs its efforts to solving it, whoever he may be. It is not Mr. Hoover but Congress and the Attorney General who determine what types of violations the Bureau investigates, but Mr. Hoover has always insisted that every investigation be given the same vigorous and meticulous attention. The number of bank robbers, kidnapers, and top figures in organized crime which the FBI has brought to justice and the thousands of Agent days devoted to these cases testify to the effort expended on major cases.

The writers state that the FBI could be a force for good if they were allowed to do the job that needs doing, but they fail to state what that job is or to specify even one case where the Bureau's responsibilities have been neglected. They cannot do so truthfully because none have been.

There is no doubt that in any tightly disciplined organization there are those mavericks who chafe under it, and they are always free to leave but, in my opinion, it is the discipline exercised by Mr. Hoover and his insistence on the pursuit of perfection that is largely responsible for the efficient, hard-hitting law enforcement agency which he has built. It is because of this discipline and the achievements it has produced that I have remained with the Bureau proudly for so many years.

Because of my official position, I'm sure you will discount this as a mandatory defense of Mr. Hoover. It is not. I could have remained silent, but I admire him and his achievements tremendously and I could not sit quiet while he and the organization are unjustly maligned.

In view of your self-proclaimed concern with fairness and justice, I'll be interested to see if you afford my defense the same nationwide verbatim publicity which you arranged for the anonymous criticism.

Very truly yours,

SAXBY TAVEL,
Assistant Director,
Federal Bureau of Investigation.

MARCH 1, 1971.

GEORGE MCGOVERN,
U.S. Senate,
Washington, D.C.

DEAR SIR: I have read your reply of March 1, 1971, to a letter allegedly written you on behalf of ten unnamed Special Agents.

It is evident to me that you take as the truth anything which is critical of Mr. Hoover and the FBI, although I dare say a little research on your part would show its untruth. If you want a factual description of FBI operations, why don't you take a look at Mr. Hoover's annual testimony before the House Subcommittee on Appropriations? Perhaps that's too much work and might contradict the version you want to believe, the version that catches the headlines and brings publicity to the aspiring presidential candidate.

As a veteran employee of almost 29 years service in the FBI under Mr. Hoover's dedicated leadership, I protest your unwarranted and untrue accusations.

Very truly yours,

EUGENE W. WALSH,
Inspector, FBI.

MARCH 2, 1971.

Senator GEORGE MCGOVERN,
U.S. Senate,
Washington, D.C.

DEAR SIR: As one of over 7000 who have chosen the FBI as a career, I have resented your recent all-out attack on Mr. J. Edgar Hoover. At the same time, I recognize that anyone as prominent as Mr. Hoover is fair game for an individual with admitted Presidential aspirations, and every time you launch an attack your name will appear in the public press. This is a tested and proven sure-fire public relations operation, and following P. T. Barnum's theory, there will doubtlessly be a few suckers who go for the bait.

Fortunately for those of us who work for Mr. Hoover, he is a man who has worked for and earned the reputation as one of this country's outstanding civil servants, and that reputation will withstand the brickbats of those who choose to attempt to raise their stature at the expense of others.

I joined the ranks of the FBI in 1939 when it was a much smaller organization. I have seen it grow through all these years under the firm but fair leadership of Mr. Hoover. Throughout all these years there has been a very small number who could not stand up to the discipline required to be a Special Agent of the FBI. Some of these few felt that the answer to their frustrations was to launch an attack on the organization by means of anonymous letters.

I hope, Senator McGovern, that when you have served this country as long as Mr. Hoover has, you will be able to look back with just a small fraction of the pride of accomplishment that I am positive Mr. Hoover can do today.

Very truly yours,

WILLIAM V. CLEVELAND.

MARCH 1, 1971.

Senator GEORGE MCGOVERN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I have just had the displeasure of reading your March 1, 1971, press release and frankly was astonished to learn that one who holds the high office of United States Senator could be so gullible, or so hungry for headlines, as to endorse an anonymous letter, one completely devoid of substantiation, in the manner you have done.

Having served in the FBI for nearly 30 years, I can assure you that the FBI was not built into the outstanding organization it is today by anyone whose tactics were so high-handed, or whose activities were so objectionable, as your March 1st press release implies. Furthermore, as Assistant Director in charge of the FBI's Inspection Division, I can assure you that the FBI's constantly growing record of accomplishments could not be, and has not been, produced at the hands of men cowed and intimidated by their Director. On the contrary, the dedication which prompts Agents day after day to put public interests above their own personal comfort and convenience is indicative of the strong and courageous leadership which we receive from Mr. Hoover.

I strongly doubt that the anonymous letter which you have publicized was written by "10 FBI agents" as claimed in your March 1st release, and I strongly question also your ability to prove this very positive assertion. In addition, I am repulsed by your reprehensible efforts to undermine public confidence in so genuinely dedicated and rightfully revered a public servant so that your own political ambitions and interests might be served.

Yours truly,

W. MARK FELT.

MARCH 2, 1971.

Senator GEORGE MCGOVERN,
U.S. Senate,
Washington, D.C.

DEAR SIR: Your recent disclosure of an anonymous letter has reached a new low in your campaign to malign J. Edgar Hoover, and prompts me to call a few facts to your attention.

I have worked for Mr. Hoover since I was 18 years old and am now nearly 50 and intensely resent your obvious endorsement of the anonymous letter writer as well as the efforts of a former FBI Agent whose cause you are championing, who are trying to picture Mr. Hoover as an ego-maniac, arbitrary, capricious and senile person whose only aim is to personally aggrandize himself. What makes this particularly distressing is that undoubtedly the people whose prattling you are disseminating have never talked to Mr. Hoover or had any personal dealings with him.

I have talked with him on hundreds of occasions, both personally and telephonically, and have always found him to be most thoughtful, courteous, and without arrogance. Far from being senile, his mind is as razor sharp now as it was when I first talked to him 20 years ago. He has always insisted on the FBI being a "we" organization and is quick to recognize and commend outstanding investigative accomplishment.

You, of course, are trying to picture him as a heartless ogre, completely insensitive to the personal problems of FBI Agents. This is blatantly false. I have seen over the years hundreds of cases where Mr. Hoover has given Agents transfers to various parts of the country because of health problems of either the Agent himself or members of his family. During times of personal crisis, such as deaths in the family and other personal problems, he has been a tower of understanding and comfort to the employees of this Bureau.

An FBI Agent with whom I worked was transferred a short time ago from Los Angeles to Washington, and before he could move his family, the earthquake severely damaged his home; fortunately his family was uninjured. Mr. Hoover, upon hearing of his plight, ordered him immediately returned to California on temporary assignment so he could be with his family and resolve his personal problems. Does this sound like the inhuman monster you are portraying to the American public?

Mr. Hoover could retire tomorrow on full pay, so in effect he is donating his services to the American public out of a sense of deep dedication and patriotism. You obviously have chosen to ignore, or at most minimize, his great contributions to our country—cleaning up the gangsters of the 30s; the saboteurs and spies of World War II; the Rosenberg atom spy case; the elimination of kidnaping as a major threat to this country; the hundreds of bank robbery, extortion and major thefts solved; the establishment of the FBI Academy and the FBI Laboratory; the solution and capture of the slayer of Martin Luther King; the solution of the Yablonski murder case, and the Barbara Mackle kidnaping case. I could go on for many pages.

I can only conclude that your motives for this unwarranted attack are certainly suspect and it appears that you are trying to sacrifice Mr. Hoover on the altar of personal ambition to curry favor with the various dissident elements in our country.

Very truly yours,

JAMES H. GALE.

MARCH 2, 1971.

Senator GEORGE S. MCGOVERN,
United States Senate,
Washington, D.C.

DEAR SIR: It was somewhat surprising to note that you have begun so early to strike out blindly at dedicated public servants in your quest for further political aggrandizement. I am referring to recent publicity in Washington newspapers quoting you as advocating the need for a Congressional investigation of the FBI and its Director, Mr. J. Edgar Hoover. Surely you have better reasons to offer your Congressional Colleagues for such action that you have provided to the Information Media and the general public. Also, despite my knowledge of your affinity for anonymous letters of highly questionable origin, I intend to sign this communication and identify myself.

I am a career government employee with almost 37 years of service in the FBI. I currently hold the rank of Inspector. I started as a clerk, completed college and law school, and was appointed a Special Agent. I have worked as a Special Agent, Supervisor, and Special Agent in Charge prior to my current assignment. This brief autobiography is not to impress you but is to establish my qualifications and to state unequivocally that your statements and innuendoes that FBI personnel spend too much time "polishing" Mr. Hoover's image are irresponsible and totally without foundation of fact.

The most bothersome aspect of your attack upon the FBI, if for the reasons you gave, is that I believe you know better. Our successes in the investigative field, within the purview of our jurisdiction, through the years would certainly negate any claims that our Agents spend most of their time protecting and polishing Mr. Hoover's public image, rather than fulfilling their investigative responsibilities. To carry the absurdity even further, if an employee did attempt to handle his official duties and responsibilities in the manner you suggest, Mr. Hoover would be the first to criticize and correct his performance and judgment. If you want to contend that efficiency and high level of performance in government service are nothing more than ploys to reflect upon the head of an agency, then I certainly hope that I and my associates are and have helped to sustain the image of the FBI. Whether you believe it or not, Senator, your statements, actions, and performance reflect directly upon the image of the people in your State.

I am certain that the people who read the results of your press release will feel the same as I do; namely, that your irresponsible and misleading attack upon Mr. Hoover and the FBI has done a disservice to the people of your Nation and a grave injustice to a dedicated man who has contributed most of his adult life to helping the people of our country and sustaining the American way of life.

Very truly yours,

THOMAS J. JENKINS.

MARCH 2, 1971.

Senator GEORGE MCGOVERN,
United States Senate,
Washington, D.C.

DEAR SENATOR: I have read your press release of March 1, 1971, and I find it totally incomprehensible that a man, entrusted by the citizens of his state with the honor of the office of Senator would choose to align himself with forces seeking to undermine public confidence in one of the truly great leaders and dedicated public servants of our Nation. Your actions become even more reprehensible when you adduce in support of that position "faceless" accusers in the form of an alleged anonymous letter.

I don't personally believe the anonymous letter to which you have referred was written by "ten FBI Agents" as claimed in your release, and as a proud member of the FBI team for many years I assure you the allegations contained in the letter are wholly without foundation in fact in my experience or knowledge. Indeed, to anyone who has the privilege of knowing Mr. Hoover, the anonymous letter impeaches itself by alleging that the Director of the FBI demands an attitude of "take the easy road." Nothing could possibly be more completely sheer nonsense than this allegation. No individual, Agent or otherwise, who has ever worked for the FBI can honestly say that he has ever been even permitted to take an "easy road," much less encouraged or ordered to do so. On the contrary, the uniform experience of all of us is that of having to exert ourselves to the utmost in order to meet the very high standards of conduct and work performance which Mr. Hoover, on behalf of the American people, sets for himself and for all of his associates in the FBI. As a taxpayer, and as an American citizen concerned for the welfare of our country, and as an employee believing in his work, I am personally grateful for these high standards.

I am not impressed by the statements of "faceless" accusers; such accusers are foreign to the American philosophy. I am far more impressed by the statements and actions of an entirely different group of persons, namely, the Presidents of our country. Our Presidents are able and distinguished men duly elected by the people as their chosen leaders, sworn to uphold American ideals and our way of life. Election to the Presidency certainly is one of the highest honors and the greatest expressions of confidence our country can bestow. Since 1924, in unbroken sequence and without exception, every one of our Presidents, in spite of varying party affiliation and in spite of varying philosophy of government, has shown one characteristic in common with all the others, namely, unanimous opinion concerning the outstanding qualifications and consequent choice of Mr. Hoover to head the FBI.

Therefore, I am compelled to wonder, Senator, if you have ever really taken the time to look closely at the group or to study the motives of those who have chosen to be Mr. Hoover's detractors, the group with which you have now chosen to align your support. Obviously, our Presidents over the years have taken such a close look, and the recognition and evaluation of certain of the components of that detractor group are undoubtedly among the many outstanding reasons leading the Presidents uniformly to retain Mr. Hoover as Director of the FBI. Certainly the American public has shown that it also has evaluated the unwarranted attacks as well as the underlying motives, and has demonstrated its support of the action taken by the Presidents in this regard.

Accordingly, contrary to your unfounded implications that personal privacy and personal freedom are being jeopardized by the abuse of power, the vast majority of Americans know from long years of experience that there is neither now nor has there ever been a greater champion of their true personal privacy and personal freedom than Mr. Hoover. You do yourself and the citizens of your great State a monstrous disservice in lending support to the unfounded and "faceless" allegations.

Yours truly,

IVAN W. CONRAD,
Assistant Director,
Federal Bureau of Investigation.

MARCH 3, 1971.

Hon. GEORGE S. MCGOVERN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MCGOVERN: The right to criticize public officials and agencies is an undeniable one under our system of government. And when the criticism flows from a United States Senator in the form of statements to the press the hope always exists that it will be fair and responsible.

Your most recent personal attack on Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, meets neither of these standards.

I was shocked to read the press story on Monday in which you were referred to as citing "new proof" in the form of an "anonymous" letter purportedly written by "10 FBI Agents." The technique of making public charges on the basis of anonymous material is a reprehensible one but I realize, after reading the Congressional Record, that you have simply utilized it as a convenient tool in furthering a very personal attack upon Mr. Hoover.

Deliberately maligning a man in the course of an acrimonious personal attack hardly serves the purpose of constructive criticism. And your implication that the FBI is an organization "dedicated to its perpetuation and glorification without regard to the public interest" and "devoted above all to sustaining the power and ego of one man" is not just untrue, it is unpardonably shabby. These characteristics pervade the other charges and distortions.

I am very proud of my career as a Special Agent of the FBI which has spanned over 30 years. It is an organization devoted to public service, to integrity of operations, to excellence in performance and to discharging its responsibilities with the due regard to the rights of all. Those standards have flowed from the dedicated personal leadership of Mr. Hoover and have found expression in the efforts of many fine, capable employees with whom I have been associated over the years.

You demean us all with your unprincipled attack.

Very truly yours,

STERLING B. DONAHOE.

MARCH 4, 1971.

Senator GEORGE S. MCGOVERN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MCGOVERN: As an FBI Inspector with over 23 years of service, I am constrained to take issue with you on your recent vitriolic attacks on our Director. While you may consider it politically expedient to assail Mr. Hoover, the unfortunate result is not only the degrading of a dedicated American, but the debasing of an organization which for years has stood as the pinnacle of law enforcement.

Shaw's allegations and those of the "faceless informers" are replete with outright falsehoods and misconceptions. I am disturbed that a man of your background would take any stock whatsoever in assertions made anonymously or by an individual who elected to air alleged grievances without extending the courtesy of making his thoughts known to his superiors. I wonder how long you would employ one of your assistants under similar circumstances.

There are a number of reasons why the FBI over the years has been so successful in its investigative endeavors. Paramount is the tight discipline under which we all operate. The success of any organization, whether it be civilian or military, is directly related to the discipline which exists. General MacArthur and Vince Lombardi are additional excellent examples of this.

While I recognize you have a right to condemn or attack any person or organization, I personally feel you are doing a disservice to a great American and causing irreparable damage to law enforcement in general. The conditions existing in our country today cannot tolerate either.

Very truly yours,

REX I. SHRODER.

MARCH 3, 1971.

Senator GEORGE S. MCGOVERN,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR: Seeing that you recently have shown a great interest in the views of other FBI Agents on the FBI and Director John Edgar Hoover, I thought you might be equally interested in mine.

Let me first introduce myself. I was born and reared on a farm in Iowa. My wife is a native of Centerville, South Dakota. Thus we share a Midwestern orientation, which we like to think of as characterized by a strong sense of individuality and fair play. I have worked in private industry, and have now been employed in the FBI for more than 30 years. I have worked in five field offices, on foreign assignment during World War II, and in five divisions at FBI Headquarters. I have been censured for mistakes, commended for good work, and, quite obviously, I have been transferred and have taken the transfers some of which were not to places of my own choosing. I know the organization, its people, and its policies. I have for years been eligible to retire, have been offered interesting employment elsewhere, and have stayed because I believe in the FBI, the merit of its work, and the quality of its people.

There is no time or space here to debate each of the many points of criticism which have been raised to you. I take what seems to me to be the central issue, namely, that there is a "cult of personality" in the FBI, centering on the Director. The term is one impossible of precise definition. But if it means what I think it is intended to mean, it is an odd charge indeed. It is my impression that every President of the United States, every chief executive of every business, and every other person who manages any legitimate establishment seeks to blend into his administration his own personal views of what is right and what is wrong. He thus puts the stamp of his own personality upon the organization. Moreover, he expects a certain basic loyalty to him and to his directives. He expects, and quite properly, that subordinate employees will either defend him and the organization, or go elsewhere and criticize to their hearts content. I would expect to find all of this in your operation of your own office and quite frankly, I fail to see in what respect it is improper. I know of no other way in which any centrally directed organization can operate.

Mr. Hoover has done no more than place upon the FBI his personal stamp of what he believes to be proper in the administration of public office. If you demand of your own employees the hard work, personal discipline, integrity, and imagination that Mr. Hoover has demanded of us, our nation is the better for it.

If by "cult of personality" the critic means praise of Director Hoover, and admiration for him within the FBI, the charge must be admitted. You seem to forget that we are necessarily dealing here with a man of enormous fame and ability. Not since Sir Robert Peel reorganized the police of England in the early 1800's has one man, by his own efforts, so tremendously improved law enforcement as has John Edgar Hoover. I challenge to you to name his superior in this respect, for none exists.

The proof is abundant, and much too voluminous to cite here in its entirety. As one example, the decision of the Supreme Court in *Miranda*, giving a criminal suspect in custody certain rights concerning counsel and self-incrimination, was hailed throughout this nation as a modern Magna Charta of human rights. Yet the FBI already had, for decades, been advising the suspect of his right to counsel, and his right to say nothing, on the orders of Director Hoover. As another example, it is now quite strongly believed that police officers should be better trained in their profession, and the Congress has made large amounts of money available for this purpose. Director Hoover started this idea in the FBI more than a third of a century ago when he inaugurated the FBI National Academy in 1935 for police officer training. As I said, other examples abound. It is inevitable that a man of such uncommon ability will draw praise and admiration, from within the organization as well as from without, and that he will continue to do so as long as man celebrates the nobility of his fellow man rather than the reverse. Is this wrong?

I am intrigued, also, by the "evidence" upon which you rely to "prove" that Director Hoover and his policies do not meet with the approval of FBI employees. You have mentioned the complaints of one former Agent and one present Agent, the latter anonymous. Assume that you have 11 Agents, if the word of the anonymous letter writer can be believed. You disregard the fact that the FBI has approximately 7,000 Special Agents and the great bulk of them give no support to these charges. You disregard the fact that the FBI has thousands of former Special Agents and that at a National Convention of their organization a few years ago, they cheered Director Hoover to the rafters when he spoke before them. You disregard the fact that large numbers of FBI Agents stay on past the minimum retirement age when they obviously could "escape" if they wished to do so. You disregard the fact that sons and daughters of former Agents are now working for the organization. In short, you have taken the word of so few against that of so many. What would you think of me as an investigator—or as a man—if I brought charges on the basis of such limited testimony so heavily contradicted?

That there are a few who disagree with Mr. Hoover and his policies is obvious. There always will be those who chafe at discipline and long hours of work and other points of criticism, real or imagined. I think it is a total answer to say that neither you nor anyone else could put together a force of 7,000 Special Agents or other employees without having a few who would disagree with your policies.

One thing more. The Shaw case is now in the courts. I should think that in such a situation those who believe in the American system, and in the just resolution of disputes among men, would be willing to leave the case to the courts to decide.

Sincerely yours,

DWIGHT J. DALBEY,
Assistant Director, Legal Counsel.

MARCH 4, 1971.

Senator GEORGE MCGOVERN,
United States Senate,
Washington, D.C.

DEAR SENATOR MCGOVERN: As a reputedly educated man and former teacher, I assume you know that a demagogue is defined as a person who tries to stir up people by appeals to emotion and prejudice in order to achieve selfish ends. As a politician, I also assume you could not care less!

I am led to this conclusion by your eager acceptance of two letters, written by people whose credentials are entirely unknown to you, as proof that a distinguished American leader has now become "a liability to law enforcement." May I ask by whose standards you made this rapid and far-reaching conclusion? Did you use any other criteria than these two questionable documents to reach your decision that it is now imperative that a serious review of Mr. Hoover's administration of the FBI be made?

As a veteran employee of the FBI, I deeply resent the use of sweeping and prejudicial language such as employed by you in the Congressional Record when you alluded to "a pattern of public and private conduct" on the part of Mr. Hoover which you say is "common knowledge among law enforcement officials." What specifically do you mean, Senator, and how about some documentation of these ugly insinuations? Or, am I asking you to respond as a man of scruples when I should know better?

Disraeli once said that demagogues and agitators are very unpleasant, but they are necessary evils of a free and constitutional country and we must put up with them or do without many important advantages. This may be true, Senator, but I deeply regret it for you are the type of unprincipled individual that makes the gorge rise beyond endurance.

Very truly yours,

WILLIAM B. SOYARS, Jr.,
Inspector, Federal Bureau of Investigation.

MARCH 4, 1971.

Senator GEORGE MCGOVERN,
U.S. Senate,
Washington, D.C.

DEAR SIR: While this letter is inspired by your press release of March 1 and the anonymous letter which you made public with it, I had delayed writing because I wished my communication to you to be completely dispassionate.

I must say, however, that your action in making public an anonymous letter which contains baseless accusations against Mr. Hoover and the organization to which I have dedicated over 29 years of my life, is completely reprehensible. I realize, of course, that your ambition to become President requires that you keep your name before the public, but I feel that you have seriously injured your credibility, as well as tarnished your qualifications for high office, by relying on an unsigned letter as proof of very serious charges made by you.

I am certain that the American public would not want to put its trust in the hands of a man who has demonstrated the lack of both principle and ethics that you have shown. While you have gained your few miserable lines of type, which apparently are so urgently required by your ego and your ambition, you will find that in the long run these two characteristics will be the cause of your political downfall.

Mr. Hoover and the FBI have honorably served the people of the United States for over 46 years. This record cannot be sullied by anonymous letters made public by publicity-hungry politicians.

Very truly yours,

THOMAS E. BISHOP,
Assistant Director,
Federal Bureau of Investigation.

MARCH 4, 1971.

GEORGE MCGOVERN,
U.S. Senate,
Washington, D.C.

DEAR SIR: On this my Thirty-sixth Anniversary of service in the FBI I write you to register my disgust with your obviously politically inspired statements concerning the Honorable J. Edgar Hoover, Director of this outstanding organization.

Your most recent statement of March 1st was based on a letter prepared by ten alleged FBI Agents. If, in fact, they are FBI Agents they do themselves and the Bureau a great disservice and are not worthy to carry the credential and badge of an FBI Agent. One phrase in the letter raises the gravest doubt as to their authenticity—it is the allegation that Mr. Hoover is demanding an attitude of "take the easy road."

Mr. Hoover did not build the Bureau into the organization it is today nor overcome all of the obstacles and survive all the attacks against him and the organization by taking the easy road. Neither has any employee who has worked for the organization ever considered the accomplishments achieved could be attained by taking the easy way.

You make much to-do over the point of personal loyalty, belaboring it as if it were a great evil. Such loyalty cannot be demanded and then expected. It can be earned, however, as Mr. Hoover has earned it and then appreciated as he himself consistently evidences, not only to the FBI as an entity, but to its personnel as well. Loyalty in the Bureau is not unilateral as some would have had you believe, but is very much a two-way street.

I am proud of the years I have worked for Mr. Hoover and the FBI. They have not been "easy" years, but have been rewarding in ways that your nameless, gutless writers wouldn't understand.

The absurdities written or mouthed by a few persons will not, and they cannot in any way, negate or even slightly tarnish the accomplishments or character of the FBI or Mr. Hoover.

Very truly yours,
NICHOLAS P. CALLAHAN,
Assistant Director.

MARCH 2, 1971.

Senator GEORGE MCGOVERN,
U.S. Senate, Washington, D.C.

DEAR SENATOR: I wish to strongly protest your remarks criticizing the administration of the FBI, reportedly based on an anonymous communication of complaint from ten Agents of the FBI.

Publicly attacking the character and motives of the man who has made the FBI what it is, J. Edgar Hoover, based upon what is likely a phony letter, which its author or authors lacked the integrity to sign, I feel is totally unfair and completely unbecoming a candidate for the highest office of this land. The big smear technique may gain temporary headlines, but I sincerely doubt that many members of the public will be fooled.

That one holding an office as you uses such a method to gain attention insults the honor and integrity of the thousands of men and women I have been privileged to associate with during my almost 30 years service with the FBI. You have, in my opinion, done a grave disservice to our country by your unwarranted and unsubstantiated criticisms.

Very truly yours,
JAMES F. BLAND.

MARCH 4, 1971.

Senator GEORGE MCGOVERN,
United States Senate,
Washington, D.C.

DEAR SENATOR: As one of the 18,000 present FBI employees with more than twenty years' service under the leadership of J. Edgar Hoover, I resent your personal vendetta against the FBI and its Director.

Rashly and brashly you charged on February 10th that Mr. Hoover committed contempt of Congress by declining to furnish a subcommittee data in the case of former FBI Agent John Shaw, and you demanded the subcommittee call the FBI Director for a hearing. Your total lack of knowledge regarding the facts in this case was clearly set forth in subsequent news articles. It is indeed fortunate that your associates in the Senate and on the Subcommittee on Administrative Practice and Procedure, as well as the American electorate, hold other views.

Your press release of March 1st, on your personalized stationery letterhead, was a self-serving political advertisement. The inclusion of an anonymous letter, which you blatantly called a letter from "ten FBI Agents" with insufficient evidence to support this contention, cannot be justified by political expediency. How will your present supporters, and those whom you hope to rally to your support, view the tactic of using an anonymous letter of unproved charges to indict a man whose long-standing record is public knowledge?

We all, however, can take some measure of comfort and consolation in the realization that the American public, who have respected and benefited from Mr. Hoover's half century of dedicated public service, will be the jury in regard to his record—and will also bring in the verdict concerning your presumptuous preposterous grasp for political power and prestige.

Very truly yours,
RUFUS R. BEAVER,
Inspector,
Federal Bureau of Investigation.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 2(a), Public Law 91–213, the Speaker had appointed Mr. SCHEUER and Mr. ERLENBORN as members of the Commission on Population Growth and the American Future, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of 44 United States Code 2701, the Speaker had appointed Mr. BURLISON of Missouri and Mr. LUJAN members of the Federal Records Council, on the part of the House.

ENROLLED JOINT RESOLUTIONS SIGNED

The message announced that the Speaker had affixed his signature to the following enrolled joint resolutions, and they were signed by the President pro tempore:

H.J. Res. 16. Joint resolution to authorize the President to designate the period beginning March 21, 1971, as "National Week of Concern for Prisoners of War/Missing in Action"; and

H.J. Res. 337. Joint resolution authorizing the President to proclaim the second week of March 1971 as Volunteers of America Week.

AMENDMENT OF RULE XXII OF THE STANDING RULES OF THE SENATE

The Senate continued with the consideration of the motion to proceed to the consideration of the resolution (S. Res. 9) amending rule XXII of the Standing Rules of the Senate with respect to the limitation of debate.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TALMADGE. Mr. President, we continue to debate a principle that is so fundamental to the constitutional role of the Senate that it should need no debate at all.

Because of its rules, because of freedom of debate—which embraces the ideal that each Senator stands on equal footing with every other—the U.S. Senate is respected as the guardian of fundamental liberty in this country and enjoys the confidence and admiration of the masses of this Nation and of the world.

By and large, the Senate has adhered to the cardinal rule that no extreme or far-reaching legislation affecting the basic rights of the people of the United States be adopted without substantial unanimity and support of the Senators and their constituents.

Union, not division, has been the Senate goal.

The right of every Senator to freedom of debate is the great buffer which protects both the smaller and larger States from imposing upon each other.

I would like to refer again to hearings conducted by the senior Senator from New York (Mr. JAVITS) and myself during the 85th Congress.

I would like to reiterate conclusions of my report on those hearings. Those conclusions are as valid and meaningful today as they were then. In my judgment, they get to the heart of the issue that we consider today. I now quote from my report:

> Freedom of debate is the only effective screen which the people have against hidden defects, both unintentional and calculated, which escape detection in the hasty process of passage by the House of Representatives. Without this backstop for the people, unfairness, discrimination, and special privilege for the favored few might well come to be the rule rather than the exception.
>
> Even a cursory study of constitutional history and an examination of contemporary documents penned at the time of the drafting of the Constitution and its approval by the States show beyond any doubt that the creation of the Senate, as a continuing council of States wherein each has an equal voice, was the price of forming the General Government.
>
> At the formation of this Government the Constitutional Convention stood for the protection of private economic interests; a stronger central authority; a stabilized monetary policy; orderly legal processes; and for a republican form of government as opposed to an unlimited democracy.

The whole motivating spirit of the Convention—not expressed but clearly understood—was to make the Nation safe from the tyranny of unchecked majorities. The intention is unmistakable as one may deduce from James Madison's own notes and also from the papers of most of the delegates.

No doubt if Madison, Thomas Jefferson, Alexander Hamilton, and John Jay could return to the scene today they would be shocked at the manner in which some of their writings have been distorted out of context, particularly with reference to the question of the nature of the Senate, and freedom of debate therein.

A favorite device of the advocates of gag rule is to quote Alexander Hamilton's contributions to the Federalist in support of their position.

An examination of these quotations in the light of context and the theme of the entire series of letters reveals such quotations to be a complete distortion of truth.

The whole spirit pervading The Federalist and the elucidation of its component letters regarding the foundation of the Senate cry out for the maintenance of freedom of debate in that body.

It must be borne in mind that Hamilton and the other patriots of that day were writing about inadequacies of the loosely drawn Articles of Confederation and in favor of the adoption of a clear-cut new Constitution. In the quotations most frequently attributed to Hamilton on this subject, he was detracting from the Articles of Confederation in a concerted effort to convince the people that the new Constitution was good for the country and should be ratified by the States.

Hamilton is often quoted from letter 22 in which he stressed the weakness of the requirement that legislation adopted by the Continental Congress receive the approval of three-fourths of all the States. That quotation, while applicable to that situation, by no stretch of the imagination can rightly be applied to free debate in the Senate.

Another quotation frequently attributed to Hamilton by proponents of majority cloture is the one referring to the treaty-making power and other resolutions. There must have been strong sentiment for a constitutional two-thirds requirement before Senate approval, for Hamilton sought to allay the fears of the people urging the view that a simple two-thirds would be sufficient in any circumstance for protection against abuses.

By no rule of logic can the language quoted from Hamilton in letter 75 be applied to the fundamental right of a State to be heard from fully through its Senators in Senate debate.

Thus, it is a gross distortion when we have those of the present seeking to apply the words of the great patriots of the past in an effort to detract from the Constitution and the principles of government which they established when, in reality those quotations when written were in reference to the Articles of Confederation.

There is no comfort for any proponent of gag rule in the Senate in the words of any of these founders of our system of government. Jefferson, for example, wrote in his Manual of Parliamentary Procedure:

"The rules of the Senate which allow full freedom of debate are designed for protection of the minority, and this design is a part of the warp and woof of our Constitution. You cannot remove it without damaging the whole fabric. Therefore, before tampering with this right, we should assure ourselves that what is lost will not be greater than what is gained."

Hamilton foresaw just such a day as this when he wrote in The Federalist:

"There are particular moments in public affairs, when the people, stimulated by some irregular passion, or some illicit advantage, or misled by the artful misrepresentations of interested men, may call for measures which they themselves will afterwards be the most ready to lament and condemn. In these critical moments, how salutary will be the interference of some temperate and respectable body of citizens, in order to check the misguided career, and to suspend the blow meditated by the people against themselves, until reason, justice, and truth can regain their authority over the public mind?"

It is significant that, in urging the adoption of the Constitution by the States, Hamilton emphasized that the Senate is far more than an "upper house" in the commonly accepted sense of the term:

"I am not unaware of the circumstances which distinguish the American from other popular governments, ancient as well as modern . . . Many of the defects, as we have seen, which can only be supplied by a senatorial institution, are common to a numerous assembly frequently elected by the people, and to the people themselves . . . The people can never willfully betray their own interests; but they may possibly be betrayed in the hands of one body of men, than where the concurrence of separate and dissimilar bodies is required in every public act."

Another phase of this question is whether the U.S. Senate is a continuing body and whether the Senate is the sole judge of the rules under which it functions.

The Federalist sheds important light on these objects.

For instance, Hamilton in letter 62 stresses that the Senate is more than just an extended version of the House. He alludes to the qualifications required of Senators, the nature of the senatorial trust as contradistinguished from membership in the lower branch, and emphasizes the "necessity of some stable institution in the Government."

In letter 63 he wrote:

"An assembly (the House of Representatives) elected for so short a term (2 years) as to be unable to provide more than one to two links in a chain of measures, on which the general welfare may essentially depend, ought not to be answerable for the final result, any more than a stewart or tenant, engaged for one year could be justly made to answer for plans or improvements, which could not be accomplished in less than half a dozen years.

"The proper remedy for this defect must be an additional body in the legislative department, which, having sufficient permanency to provide for such objects as require a continued attention, and a train of measures, may be justly and effectually answerable for the attainment of those objects."

Those words adequately describe the role of the Senate and prove beyond all doubt the deliberate intent of the framers of our Government to create it as a continuing body.

Now, as to the question of whether the rules of the Senate carry over from session to session and are permanent, valid, and subsisting until changed by proper procedure, let us look to John Jay's Federalist letter 64 for the incontrovertible answer:

"It was wise, therefore, in the (Constitutional) Convention to provide, not only that the power of making treaties should be committed to able and honest men, but also that they should continue in place a sufficient time to become perfectly acquainted with our national concerns, and to form and introduce a system of the management of them. The duration prescribed, is such as will give them an opportunity of greatly extending their political information, and of rendering their accumulating experience more and more beneficial to their country.

"Nor has the Convention discovered less prudence in providing for the frequent elections of Senators in such a way, as to obviate the inconvenience of periodically transferring these great affairs entirely to new men—for, by leaving a considerable residue of old ones in place, uniformity and order, as well as a constant succession of official information will be preserved."

That language shatters once and for all time the contention that the life of the Senate is only 2 years and that its rules must be altered from session to session.

The system "formed and introduced in the Senate to manage and resolve grave issues of national concern has served the country well.

The tragic inconvenience of periodic upheaval in this institution of the Government has been prevented; "uniformity and order" insured.

How has this been done?

There can be only one answer in the light of history: this body has functioned through wise and just rules that have withstood the tortuous test of time.

It is only reasonable and logical therefore, that any proposed change in those rules should be open to the fullest and most completely unfettered debate.

If freedom of debate, the committee system, and the seniority system are destroyed or weakened in the Senate, this body will become nothing more than a useless appendage of the House of Representatives.

There has been much ado about the authority for moving the previous question having been included in the early rules of the Senate.

Though such was the case, the rule was resorted to only four times and used only three times in 22 years.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CHILES). Does the Senator yield?

Mr. TALMADGE. Mr. President, I am delighted to yield to my good friend, the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, was the previous question as utilized in those very early years following 1789 similar to the previous question as it is today used in the House of Representatives?

Mr. TALMADGE. No, it was not. As a matter of fact, it did not foreclose further debate. The previous question as used in the Senate was merely to bring up an issue for discussion and not foreclose debate, as was the case in the House of Representatives.

We have never had a previous question rule that would shut off debate in the U.S. Senate. And God forbid that we ever have it.

Mr. BYRD of West Virginia. Mr. President, I thank the Senator.

Mr. TALMADGE. Mr. President, I thank my distinguished friend, the Senator from West Virginia, for his contribution.

I continue reading:

> It can safely be concluded from the experience that any limitation on free expression was obnoxious to the patriots of that day. Certainly, it may be assumed further that this was the underlying reason that the rule was dropped by the Senate during the time Jefferson was President.

Even though under that previous question rule they did not have the authority to cut off debate. It was obnoxious to the Senate to even think of anything that would smack of terminating debate. That particular rule was dropped by the Senate and never used again, even though it had no effect in cutting off debate.

I continue reading:

The fact of the rule being in existence during these first years is hardly significant. It means merely that it was carried over automatically from the Continental Congress and was later discarded.

It is argued by the opponents of free debate that the Senate of the United States is the only place in the world where the gag rule does not prevail. My answer to that is: "so what?"

The pages of history are literally filled with Republican forms of government that committed suicide by their parliamentary bodies delegating to the Executive dictatorial and arbitrary power that could have been used by skillful men had they had an opportunity to discuss the situation at some length and alert the country of the fearful consequences of what was considered by their parliamentary bodies:

The patriots who established this Government were free men and did not elect to surrender their new and hard-won liberties nor to copy the governments of foreign lands where freedom either did not exist or came and went with the political tide.

The point also has been made that the Senate's cloture rule is more liberal than similar rules of most State senates. To make such a comparison is to misconstrue totally the unique position which the United States Senate occupies in our Federal-State structure.

As we have seen from Alexander Hamilton's writings, the Senate is not an "upper house" of a national legislature in any sense of the word.

The Senate exercises quasi-executive functions in relation to the treaty-making power.

The Senate sits as a judicial body in impeachment proceedings.

The Senate must give its advice and consent to the appointments of the Executive.

The Senate is the repository of State sovereignty on the National level.

The Senate cannot legitimately be compared in any terms with either State senators or with the assemblies of foreign nations.

One reason given by those advocating that the Senate of the United States surrender its freedom of debate is that the House of Commons of the British Parliament has done so.

What they either forget or choose deliberately to ignore is that much of the difficulty experienced by Great Britain as a nation and as a world power has stemmed directly from the loss of freedom of debate in the House of Commons and a steady diminution in the power of the House of Lords.

The British system of government is not and never has been comparable to the constitutional system of government created here.

Every right the Englishman has is at the mercy of a majority in the House of Commons.

It was not always so.

A little over 75 years ago unlimited debate in Commons and the veto power in the House of Lords served as mighty barriers against the evils of state socialism.

Those two safeguards restrained competing political parties from inflicting too great harm on each other or on the country, but they were thorns in the flesh of the Liberal and later the Labor Party.

The former Deputy Prime Minister of the Labor Government, Herbert Morrison, writes in his book, Government and Parliament, of how free debate was lost in the House of Commons:

"Although there had been talk about the need to expedite business by curtailing Private Members' rights, it was only in the panic which followed the successful Irish obstruction in the 1880's that the House parted with its long preserved liberties. One of the most far-reaching of these reforms was the closure (that is to say, the motion 'That the Question be now put'). It was the first used by Mr. Speaker Brand, on February 2, 1881, who, in the course of long debate and considerable obstruction, decided to put the question without further debate. (Before the introduction of the closure Members could proceed with debate indefinitely.) . . . And it was eventually decided that a 3 to 1 majority would be required for a closure in a house of not less than 300 members."

Mr. Morrison goes on to explain that the standing order governing closure in Commons today requires only a simple majority which cannot be less than 100 members.

Before 1911, Lords possessed absolute veto power over Commons. As a result of the rejection of the finance bill of 1909 by the Lords, the Liberal Government of that day appealed to the people and won a majority on the issue. A measure to curb the powers of Lords was offered, and a promise obtained from the King that, should the Lords reject the bill, he would create a sufficient number of peers to insure its passage.

The threat was effective and in 1911 the Parliament Act became law. By it the veto of Lords was curtailed for a period of 2 years for bills passed by the Commons in three successive sessions (whether of the same Parliament or not) and was abolished altogether in respect to appropriations.

The Labor Party in its preelection platform of 1945 stated:

"We give clear notice that we will not tolerate obstruction of the people's will by the House of Lords."

On October 31, 1947, the Parliament bill was presented to the House of Commons and passed on December 10. It was rejected by the House of Lords on June 9, 1948.

The bill provided that, in the future, such legislation might be passed into law, notwithstanding the rejection of the House of Lords, if (1) it had been passed by the House of Commons in 2 successive sessions, instead of 3 as provided for by the Parliament Act of 1911, and (2) 1 year (instead of 2 years) had elapsed between the date of the first second reading in the House of Commons and the date on which it was passed finally by Commons for a second time.

The bill further restricting the power of Lords was again passed by the Commons on September 21, 1948, and again rejected, September 23, 1948.

The bill was passed for the third time by the Commons on November 14, 1949. It was rejected by the Lords on November 29, but received the royal assent and became law on December 16, 1949, under the terms of the Parliament Act of 1911.

Thus was removed from the Government of Britain a great measure of its stability and strength and the whole world was the loser.

We know the rest and those who have the vision to see beyond the transitory objectives of political advantages should be able to detect the grave danger of this bit of history repeating itself in the United States today.

It is interesting to note in retrospect that the House of Lords—although liquidated in all by name by an unbridled majority in its sister chamber—has clung steadfastly to the principle of freedom of debate. It still has only two standing rules governing debate; that a peer can speak only once on the same motion and debate must be relevant to the question before the House.

Much has been made of the fact that standing rule XXII gives "power" to the individual Senator which those so contending maintain should be possessed by the majority, right or wrong. Such a view is contrary to the origin of the Senate as the voice of the individual States in the Federal establishment.

There is no escaping the fact that proposals for further limiting debate in the Senate would have the effect of negating the power, the prestige, and the perquisites of the Senator as an individual officeholder and of the Senate as a protective instrumentality of the Federal Government.

The smaller States rightly were given equal representation in the Senate but this influence will be dissipated in direct proportion to the degree of any revision of rule XXII.

During the last quater of a century we have seen an unending encroachment on the powers of Congress by both the executive and judicial branches. One by one its powers, and the prerogatives of its members, have been dissipated either by delegation or acquiescence.

Congressional powers over the purse, over patronage, over the budget, over trade, over war powers and all other phases of government operation have slipped away or have been greatly reduced.

It is time to reverse this trend and the proper place to start is by refusing to surrender the right of freedom of speech on the floor of the Senate.

No more eloquent defense of the right of the individual Senator to the power which comes through freedom of debate has ever been penned than that written by the distinguished and erudite journalist, William S. White of the New York Times, in his book, Citadel—the Story of the United States Senate. It is appropriate that his conclusions be considered here:

"Conscious though one is of the abuse of senatorial power, one glories nevertheless in the circumstances that there is such a place, where big Senators may rise and flourish from small States.

For the Institution protects and expresses that last, true heart of democratic theory, the triumphant distinction and oneness of the individual and of the little State, the infinite variety in each of which is the juice of national life.

It is perhaps often forgotten that the democratic ideal is not all majority; that, indeed, at its most exquisite moments the ideal is not for the majority of all but actually for the minority of one.

"The Senate, therefore, may be seen as a uniquely constitutional place in that it is here, and here alone, outside the courts—to which access is not always easy—that the minority will again and again be defended against the majority's most passionate will.

"This is a large part of the whole meaning of the Institution. Deliberately it puts Rhode Island, in terms of power, on equal footing with Illinois. Deliberately by its tradition and practice of substantially unlimited debate, it rarely closes the door to any idea, however wrong, until all that can possibly be said has been said, and said again. The price sometimes is high. The time killing, sometimes, seems intolerable and dangerous. The license, sometimes, seems endless; but he who silences the cruel and irresponsible man today must first recall that the brave and lonely man may in the same way be silenced tomorrow.

"For illustration, those who denounce the filibuster against, say, the compulsory civil rights program, might recall that the weapon has more than one blade and that today's pleading minority could become tomorrow's arrogant majority. They might recall, too, that the techniques of communication, and with them the drenching power of propaganda, have vastly risen in our time when the gaunt aerials thrust upward all across the land. They might recall that the public is not always right all at once and that it is

> perhaps not too bad to have one place in which matters can be examined at leisure, even if a leisure uncomfortably prolonged.
>
> "It is, in the very nature of the Senate, absolutely necessary for the small States to maintain the concept of the minority's veto power, having in mind that it is only within the Institution that his power can be asserted or maintained.
>
> "Where a powerful majority really wants a bill it will find means to have its way, cloture or no cloture."
>
> In considering the implications of "majority rule," one must not lose sight of a few simple facts about the origin and composition of the Senate.
>
> It is impossible to apply to the Senate with any degree of accuracy the principle of popular majority rule as we usually consider it.
>
> The very composition of the United States Senate where all States have an equal vote prevents such an application . . .
>
> Some of the terms of reference to standing rule XXII are both shocking and disturbing not only because they insult the intelligence and integrity of those privileged to serve their States in the Senate but also because of the manner in which they distort facts and ignore history to support partisan ends.
>
> A few choice current examples are that Senate rule XXII—
>
> Must be changed to conform with the challenge of Russian missiles and sputniks.
>
> Paralyzes decision in the Senate.
>
> Is archaic.
>
> Would have been opposed at the time of the adoption of the Constitution.
>
> Is contrary to the views of the Founding Fathers.
>
> Violates fundamental parliamentary law.
>
> Is at odds with early Senate procedures.
>
> Is not supported by the national interest.
>
> Is not supported by common sense.
>
> Is not supported by history.
>
> Stultifies Congress.
>
> Violates the Constitution.
>
> Is offensive to the dignity of the Senate.
>
> Has destroyed the Senate's deliberative function.
>
> Thwarts discipine in the Senate.
>
> These and many more similar unfounded assertions and puerile implications which could be cited are offensive to the character of every Member of the Senate and to the memory of those now departed who either served under or helped draft standing rule XXII.
>
> I am indignant at the implication that I, or any other Member of the Senate, would consent to serve under, let alone defend, any rule of procedure which could to any degree be as reprehensible and alien to the American concept as opponents of standing rule XXII would picture it to be.

I would point out that the Congress of the United States and our Republic are almost 200 years of age. From 1789, when the first Senate met, until 1917, when Senate rule XXII was adopted, there was absolutely no rule whatever limiting or restricting debate in any way whatsoever. In 1917, when a group of willful men filibustering against President Wilson's desire to arm ships adopted, for the first time, Senate rule XXII, it required two-thirds of the Members of the Senate to close debate.

Here is a country that won its independence less than 200 years ago, and in that relatively short period of time has become the guardian and protector of the world's liberties, the greatest power that the world has ever known, with the greatest degree of freedom to our citizens that mankind has ever known, with the highest standard of living that has ever been experienced on the face of the earth. So why should some of my colleagues want to argue against success? Something that has benefitted our country and contributed to its greatness so long should not be stricken down lightly.

I continue to quote from my report:

> Now is no time to forget the lessons of history. Before tearing down a chamber that has served the United States and its people well, Senators should search for truth by asking themselves:
>
> Are we so blind as not to realize that if free debate perishes in the Senate our leaders in the future will be rising like jacks-in-the-box to move the previous question?
>
> Do we not know that this evil thing will become the weapon of the majority party or coalition to be resorted to habitually in stifling all opposition?
>
> Do we not know that when such an event comes to pass minority thought and opinion will lie prostrate and defenseless against the tyrannical abuses of any transient majority that might for the moment occupy the seats of the Senate?
>
> Have we forgotten that everyone at one time or another, belongs to a minority?
>
> Have we lost sight of the unchanging truth that unbridled majority sway without proper restraint is mob rule?
>
> Are our memories so short that we have forgotten the maxim that free government destroying dissenting opinion, thereby destroys itself?
>
> Have we forgotten that in such circumstances dictatorship of one form or another steps into the vacuum thus created to wrest all rights from the people, minorities and majorities alike?
>
> The alternative to unlimited debate is gag rule, which was aptly defined by the late Senator Reed as "the last resort of the legislative scoundrel."
>
> The issue at stake here is far more fundamental than any mere question of legislation. It is as basic as our freedom itself. Gag rule, and its stepchild, censorship, are abhorrent to and incompatible with our American heritage.
>
> The Senate has proved itself worthy of the rules by which it now operates.
>
> Commonsense and the Nation's survival dictate that our time-honored procedures should not be subjected to whimsical tampering on the slightest provocation.
>
> It is essential to our interests as a nation that we keep vital and inviolate our system of checks and balances.
>
> With unlimited debate in the United States Senate, all Americans have the assurance that no act jeopardizing their rights will ever be proposed without some Member of the Senate having the opportunity to resist it and to warn the Nation of its consequences.
>
> Franklin D. Roosevelt, while Governor of New York, foresaw just such dangers to the Republic, in a radio address on States rights, delivered March 2, 1930, when he warned:
>
> "The moment a mere numerical superiority by either States or voters in this country proceeds to ignore the needs and desires of the minority, and, for their own selfish purposes or advancement, hamper or oppress that minority or debar them in any way from equal privileges and equal rights—that moment will mark the failure of our constitutional system."
>
> His warning, valid then, is even more so today.
>
> It is a concern Americans share fullest in this hour.
>
> It is a concern which the Senate can ignore only at its own peril.
>
> It is a concern which the Senate can allay only by upholding standing rule XXII as written.

Mr. President, at one time the Georgia House of Representatives had 205 members. We once had a speaker of the house there who was the most skilled parliamentarian that I think I ever knew in a State legislative body.

From time to time, criticism was made about utilizing steamroller methods in the Georgia Legislature. I assume that criticism has been leveled from time to time at all legislative bodies, particularly State legislatures, which usualy have limitations on debate.

This particular speaker of the house and parliamentarian, when responding to a question as to what a steamroller was, said, "A steamroller is 103 votes plus me."

I hope the time never arises in the U.S. Senate when anyone can refer to steamrollers in this legislative body. They cannot at this time, because there can be no steamroller in the U.S. Senate as long as we have 34 Members who have the courage to stand on their feet, articulate their objections to a bill, and alert the country to the dangers in a proposed piece of legislation.

But if we start tampering with and whittling away at the rules of the Senate, first from a two-thirds majority to 60 percent, if that time comes, as the night follows the day, then it will be 55 percent, and then 51 percent; and if that time ever comes, Mr. President, the steamroller in the U.S. Senate will then become 51 Senators plus the Vice President of the United States.

God forbid that such a time will ever come to the U.S. Senate.

Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **CHURCH.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

CONGRESS—THE FIRST BRANCH OF GOVERNMENT

Mr. **CHURCH.** Mr. President, in the words of the old song "It seems that we have stood and talked like this before."

Now, I heed to reasoned and informed discussion in the Senate—regardless of political affiliation and regardless of political tendencies—we all believe in the tradition of thorough, exhaustive, and informed discussion.

I emphasize "exhaustive"—not "exhausting." I make this distinction, Mr. President, because it is my belief—shared by at least a constitutional majority of this very Senate—that the cloture rule, rule XXII, has been the stick with which intransigent minorities have beaten to legislative death the efforts of large majorities to work their will.

I have said once before, on a similar occasion, that God in all His omniscience could not devise a new argument favoring or opposing a change in the existing cloture rule. Yet, the old arguments are repeated endlessly. I respect the intensely held views of the minority in this matter. I have listened carefully over the years to their rationale for fiercely defending the cloture rule in its present form.

But, Mr. President, the words of wisdom in our Bibles, Korans, and Torahs take far less time to read. Wordiness is no certain guide to wisdom.

We justifiably refer to the Constitution of the United States as the finest political document that ever came from the hands of men. Yet the Constitution of the United States—embodying the organic law on our Nation—is a product of a Constitutional Convention which lasted only 4 months—May 14, the convening date, to September 17 in 1787, the date of its adoption by the delegates. Now if there had been a rule XXII in that convention, the delegates would still be talking, trying to reconcile the Virginia and the New Jersey plans for determining representation in a proposed U.S. Congress. But blessedly, there was no rule XXII to block the Constitutional Convention delegates in the fulfillment of their responsibilities. The delegates argued and cajoled and snapped at each other in the summer heat, but the document emerged within 127 days. Today, March 8 in the year 1971, is the 43d day of lapsed time during which a filibuster has been underway to block even the taking-up of the resolution, Senate Resolution 9, for a change in cloture.

During all that time, not one offer—not a single one—has come from the other side, the opponents of a change in rule XXII, in an effort to bridge the differences. Indeed, one opponent of change suggested that the three-fifths cloture formula be altered into an even more insuperable barrier—that the formula be increased to 70 percent.

Now, Mr. President, I have a second point I wish to make. During this debate there have been numerous learned references to the "Federalist Papers"—another remarkable document written by those who supported the Federal Constitution as a means of welding the 13 States into one Nation. I should like to quote some passages from the "Federalist Papers" in respect to the relative merits of minority as against majority rule.

First, I quote from paper No. 22 ascribed to Alexander Hamilton, who was a nation-builder not a nay-sayer.

Addressing himself to the proposals for representation in the two Houses of the Congress, Hamilton referred to:

> That fundamental maxim of republican government which required that the sense of the majority should prevail.

To those who argued that in all cases the several States should be equally represented in both Houses of the Congress, Hamilton wrote:

> But this kind of logical legerdemain will never counteract the plain suggestions of justice and common-sense. It may happen that this majority of states is a small minority of the people of America; and two-thirds of the people will not long be persuaded upon the credit of artificial distinctions and syllogistic subtleties to submit their interests to the management and disposal of *one-third*.

In this connection, Hamilton was pointing out that New Hampshire, Rhode Island, New Jersey, Delaware, Georgia, South Carolina, and Maryland were a majority of the whole number of the States, but they did not contain one-third of the people.

Later on in this same paper, we find Hamilton discussing our old friend, the two-thirds formula. There had been advanced the proposition that agreement of nine of the 13 States should be obtained in order to give consent to important resolutions. Hamilton, when the occasion demanded, could speak bluntly.

About this proposition, he said:

> To give a minority a negative upon the majority (which is always the case where more than a majority is requisite to a decision) is, in its tendency, to subject the sense of the greater number to that of the lesser number.

Hamilton pointed to the ridiculous situation in the Polish Diet at the time, wherein a single veto was sufficient to put a stop to all its movements.

Hamilton explained:

> A veto by a small minority is one of those refinements which, in practice, has an effect the reverse of what is expected from it in theory. The necessity of unanimity in public bodies, or of something approaching towards it, has been founded upon a supposition it would contribute to security. But its real operation is to embarrass the administration, to destroy the energy of the government and to substitute the pleasure, caprice or artifices of (a minority) to the regular deliberations and decisions of a respectable majority.

Mr. President, Hamilton and the other Founding Fathers had a greater faith in the collective wisdom of the enfranchised voters than do we here today. They had suffered from minorities of one—the kings of England—and the minorities of a few—the counselors of kings, accountable to no one and propelled by vanity and self-interest.

In Federalist Paper No. 8, Hamilton again pressed the cause of a "respectable majority," which the opponents of a cloture change scoff at. Hamilton is discussing the number of Members of the Houses of Congress who should be present in order to conduct legislative business. It had been argued that more than a majority should be required in some, if not all, occasions, for a decision.

Hamilton wrote:

> That some advantages might have resulted from such a precaution cannot be denied. It might have been an additional shield to some particular interest, and another obstacle generally to hasty and partial measures. But these considerations are outweighed by the inconveniences in the opposite scale. In all cases where justice and the general good might require new laws to be passed or active measures to be pursued, the fundamental principle of free government would be reversed. It would be no longer the majority that would rule; the power would be transferred to the minority.

To accept such a situation, Hamilton wisely said, would be:

> A practice subversive of all the principles of order and regular government . . .

To accept the argument of the opposition, Mr. President, is to court disorder and the existence of an enfeebled legislative assembly—a situation in which we have frequently found ourselves.

The opponents of a cloture change keep pointing to the logic of their position. But I do think that they shrink from the full logic of their position. They insist upon a two-thirds cloture rule before discussion may be ended on any legislative matter.

But why stop there? Why not insist on a two-thirds vote in order to pass the legislation itself?

After all, Mr. President, we once exposed our sons to war on a one-vote margin.

In August 1941, the House of Representatives agreed to an extension of the expiring Selective Service Act by one vote—203 to 202.

We know that the Senate failed to convict a President, Andrew Johnson, by a margin of one vote. On two occasions, a single vote carried the Presidency for John Quincy Adams and for Rutherford Hayes.

In earlier times, one vote cost King Charles the First of England his head.

If the opponents of changing rule XXII really believed in the efficacy of the two-thirds principle, they should advocate it for all important legislation, not just constitutional amendments and treaties, as the Constitution itself provides.

We need—indeed, we are committed in the Senate to extensive debate. But the dubious anecdote that the Senate is the saucer into which the hot legislation of the House is to be cooled, means no more than cooled.

Cooled coffee is suitable to drink: Cold coffee must be discarded.

Discarded not cooled, as the history of the past half-century demonstrates, has been the record, for rule XXII has proved to be all but an insuperable barrier to the enactment of legislation, even though in many cases a large majority in the Senate desired to support the legislation that this rule has blocked.

At this time, I wish to make an additional point, Mr. President.

I was somewhat distressed last week on the occasion of the third cloture vote when the ranks of the opposition suggested that this effort to change rule XXII is a biennial charade. Indeed, the distinguished Senator from Alabama (Mr. ALLEN) suggested that the time we spend discussing a rules change allows many Senators to extend their recess period for an additional 30 days.

Now, I acknowledge the fiercely held views of the distinguished Senator from Alabama and his like-minded colleagues. But I insist that the views of the majority of Senators who support a rules change are equally sincere—not expressed as part of some charade or empty gesture to occupy time at the commencement of a new session.

That really is not a worthy criticism about those of us who feel that the Senate would be better safeguarded against the uncertainties of the future and that the protection of our very rules and procedures would be better insured if we were to make this modest change in the present cloture rule. We are, after all, as sincere in our belief as those who oppose the change.

Finally, Mr. President, I suggest that no Senator should be under the impression that proposals for a cloture change are matters either new or unanalyzed, that this proposal is something unexpectedly placed before us. It has all been said before. The cloture question over the years is the most thoroughly discussed topic ever placed before the Senate. Every opportunity has been extended this year, as on past occasions, for Senators to express themselves as to the concept of cloture in general and as to specific proposals for changes in the rule.

In this connection, I do wish to point out that cloture itself has seldom been sought hastily or impulsively. There were four successful cloture votes during the 1960's. In each case, cloture was not sought until the measures in question had been discussed for periods ranging from 24 days to 8 weeks. Unsuccessful cloture attempts have likewise been customarily sought only after debate of correspondingly lengthy periods.

The Library of Congress has done a detailed analysis of all measures on which cloture petitions have been filed under rule XXII.

This data shows that only on three other measures has the Senate met as many times as it has on Senate Resolution 9, this year's basic proposal to change the cloture rule. The three are the treaty ratification in 1919 on which the Senate held 55 meetings; the 1922 Forney-McCumber tariff bill on which 60 meetings were held; and the 1964 Civil Rights Act on which there were 55 meetings.

It is quite evident, then, that this subject of cloture does not lack for sufficient discussion.

Therefore, Mr. President, I urge each Senator to translate his affections for the Senate into a willingness to support those measures which will make it work more effectively for the American people and into a willingness to permit the Senate to proceed to the consideration of Senate Resolution 9. There will be additional opportunity to consider the proposal and such amendments to it as may be advanced by any Senator or any combination of Senators. And if cloture is voted tomorrow, it will still be open, if no suitable compromise can be reached, for Senators to oppose another effort to limit debate on final consideration.

Nothing would be lost, on either side, if the Senate were to permit a limitation of debate on the motion to proceed to the consideration of the resolution.

No one would be prejudiced, for it would still be necessary, in order to reach a final vote on the merits, to cut off debate a second time.

Government by paralysis will not work in the demanding decade of the 1970's.

Two Vice Presidents—one a Democrat and one a Republican—have in recent years recognized the deficiency that rule XXII contains. Each man, ruling from the chair of the presiding officer, has encouraged a change in this rule.

An intractable insistence upon retaining the cloture rule in its present form is a way of telling the American people that we in this Senate regard ourselves as being under siege; that we are permitting ourselves to remain blinded by attitudes which—whatever their legitimacy in the past—have long since been rendered obsolete.

To persist in this intransigence is to affirm that the supreme legislative assembly in our Nation wishes to remain insulated, in the utmost degree, from the most pressing problems afflicting our country. It is as if we actually covet the thick masonry walls that rise around us.

Such an attitude reflects a negatively charged vision of our duties and responsibilities. It bodes ill for the future reputation of the Senate. Others may disagree, but a recent Harris poll I had printed in the CONGRESSIONAL RECORD on March 2, 1971, shows that Americans do in fact have an unfavorable impression of the Congress, except, as I pointed out at the time, when we have acted affirmatively, when we in Congress have proceeded to move, to approve affirmative measures designed to deal with controversial problems.

The last time that happened in any marked degree was in 1964 and 1965. Interestingly enough, it was in those years that the American people gave Congress its highest marks; and the reputation of Congress has been in decline ever since.

Obstructionism for the sake of obstructionism can only further diminish the reputation of the Senate in the eyes of the people.

The cloture formula of two-thirds stands athwart our legislative pathways as a virtually impassable barrier to the carrying out of the public business, wherever the subject matter is highly controversial and requires, for its solution, affirmative legislative action. If a modest measure that would permit relaxation of the existing cloture rule to enable three-fifths of the Senators voting, rather than the present two-thirds, to limit debate cannot even be brought before the Senate for a vote, then I fear the U.S. Senate is doomed to play an essentially negative role in the future.

It will be foreclosed from exercising an imaginative and innovative role in our public life. If anyone doubts it, I would ask him to consider what chance any proposal now pending in the Senate—that is, any proposal of a momentous character—has of passing this body, given the present cloture rule.

For example—let wavering liberals take notice—an amendment was proposed and voted upon last year, when it was clear no majority could be marshaled for its support, known as the McGovern-Hatfield amendment, the purpose of which was to fix a date for completing the withdrawal of American forces from the war in Southeast Asia. What chance has that amendment of passing the Senate, given the present cloture rule? I can foresee events in Southeast Asia that might move a majority of this body to favor the passage of that amendment. But I cannot foresee any circumstances that would ever reduce to fewer than one-third the Senators who would oppose that amendment.

Rule XXII, as it presently stands, prevents any affirmative action of the kind and character that would inspire a determined opposition to talk it to death. Thus we are cast in a negative role in the Senate. It is a role fashioned by a siege mentality that sees the Senate as a citadel to hold back the forces of change.

It is a limiting role. We cannot fulfill the great potential that might be ours if we remain manacled to a rule which so severely restricts our scope for legislative action.

So I would hope, Mr. President, that we might at least be permitted to proceed to the consideration, on the merits, of so modest a proposal to change the cloture rule. I would hope that we could somehow overcome this obscession of ours, this concept of the Senate as a citadel, this siege mentality.

How much greater our role might be if we conceived of the Senate as the legislative cockpit for initiative in our public life. That would assure the American people that we are mindful of the necessity to find solutions to the problems that have come to plague our society.

We will not find them through Government by paralysis; it will not happen. One day we will become bogged down here, just as we were 50 years ago, and our incapacity to act will so enrage the country that the best of our procedures will give away to the tide of public indignation. And those who fancied they were safeguarding the Senate will, ironically, become the very ones who contributed most to its downfall.

I would hope we could act tomorrow in such a way as to lay the groundwork for making Congress truly the first branch of Government as our forefathers intended it should be.

Mr. President, recently the Hartford Times editorialized in favor of a change in the cloture rule. It concluded by declaring:

> If we can not trust a three-fifths majority in the United States Senate, the American system isn't going to work.

I ask unanimous consent, Mr. President, that the text of this fine editorial be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IF WE CANNOT TRUST A THREE-FIFTHS MAJORITY

There will be another effort on Tuesday to tighten the limit on Senate filibusters. It will be a final vote for this year on the proposal to reduce the two-thirds rule on ending debate to a three-fifths rule. This is a reasonable change, and good government would benefit from its adoption.

The arrangement which allows one third of the present and voting Senators to block any legislation by filibuster is not exactly hallowed by American tradition. It was installed in 1917 and used first in an attempt to block a vote on the Treaty of Versailles.

Principally, the filibuster has been used to fight off civil rights legislation. For decade after decade it was used to prevent the federal government from passing laws against lynching. The filibuster rule was the great strategic weapon for protecting poll tax laws and the impossible literacy tests that kept to much of black America from achieving full citizenship in the South.

Rule 22, as it is known in the Senate, has been used to fight fair employment, open housing, and home rule for the District of Columbia. A glance at the record of its use during the past half century demonstrates beyond all question that this is the refuge for the worst of our national impulses.

It can be argued that Rule 22 is a valuable part of our checks-and-balances system. It can be claimed, as by Senator James Buckley of New York, that it saves the nation from a "mindless majoritarianism."

But "majoritarianism" is, indeed, the political rule in the American system. A majority is clearly intended to prevail in most situations, even a very narrow majority. When it comes to elections—like the three-way contest won by Senator Buckley last year with 38 per cent of the vote—the Constitution doesn't even insist that the winner have a majority.

The House of Representatives has always managed very well without a filibuster rule. When a majority in the House decides to end debate, the question on the floor can be put to a vote.

The Senate got along that way, too, for the first 128 years of its existence. And Rule 22 would have been abolished long ago if the very existence of the rule makes it impossible to call a vote on the matter.

There are some who defend the filibuster on the grounds that it can be used for good purposes as well as for bad ones. It was used last December, for instance, to block passage of an impossible lump of good welfare legislation and bad trade proposals. But the record runs strongly against the filibuster technique, which is a denial of fair procedure and an open, shameless squandering of valuable time and effort.

In the two tests on Rule 22 this year, most of New England's senators have voted for modification—all except Mr. Weicker of Connecticut and Mr. Cotton of New Hampshire. In the next test it would be encouraging to see them join their colleagues in support of the three-fifths proposal. If we cannot trust a three-fifths majority in the United Senate, the American system isn't going to work.

U.S. FOREIGN POLICY ON ISRAEL

Mr. RIBICOFF. Mr. President, the United States is hovering on the brink of committing a tragic foreign policy blunder.

The State Department, indirectly through the Jarring talks and directly through its own channels, is advocating Israel's total withdrawal back to the pre-June 1967 borders. In return, Israel is being offered only vague promises by the Arabs and uncertain assurances by the U.N. and the United States. However laudable the ultimate goal of our policymakers, the results of their present efforts will not, and cannot, bring lasting peace to the Middle East.

Israel's return to the old vulnerable armistice lines can only increase the probability of another major outbreak of hostilities—with all the consequences this would have for world peace. Strict implementation of the Rogers plan of December 1969 as the basis for an Arab-Israel settlement is an open invitation for continuing conflict.

The recent display of reasonableness by Egypt, its first since 1948, has created such euphoria over at the State Department that vital American interests in the Middle East are being ignored. In exchange for what amounts to heads I win, tails you lose proposals by Egypt, our State Department is trying to persuade Israel to pledge in advance of negotiations that she will surrender the key to any lasting negotiated settlement—the very territories she now holds. Once Israel does this there will be no incentive for any concessions by the Arabs to guarantee Israel's future security.

The current themes of "insubstantial alterations" and "total withdrawal" have the same ring as "peace in our time." Again the world is witnessing the sacrifice of the security of a small, independent nation in a shortsighted attempt to appease an aggressor and avoid conflict. The present American position on boundaries is an unnecessary retreat from our previous insistence on defensible borders for Israel. This requirement of secure and recognized boundaries was included in the November 1967 Security Council resolution—the basic U.N. statement on the subject—for good reason.

For Israel now to be forced by the United States to repeat the fiasco of the 1957 Sinai withdrawal is not only the height of irony—but the height of folly. It would be more desirable and logical for the United States to press for the withdrawal of the more than 15,000 Soviet troops from Egypt, rather than a complete pullback of Israeli forces. The United States is now in effect seeking to accomplish what lavish Soviet assistance and Egypt's "war of attrition" failed to do.

A return by Israel to its June 4, 1967, borders before an agreement between the parties involved is a sure-fire formula for instant crises. It means that any Arab military threat must again be met with a high level of mobilization by Israel. Because Israel's Army is essentially a citizen force, full mobilization can be sustained for only a few days. On the other hand, if Israel is permitted to negotiate the retention of certain strategicly placed points, she will have much greater flexibility of response. Within her old borders, an offensive military strategy was the only rational alternative left to Israel. This strategy was dictated by her geography, and great numerical inferiority. Giving Israel greater security will abate the crisis atmosphere in any future crunch, and thereby lessen the chances of a United States-Soviet confrontation.

A resurrection of the old borders will serve as a constant temptation for the Soviet-supported Arab armies to launch their "final battle of destiny." Once again, Tel-Aviv would be only 30 miles away, almost all of Israel would be within artillery range, and Israel's vulnerable waist would be only 10 miles wide at one point. In addition, without a demilitarized Sinai and an Israel presence in Sharm-el-Sheik, a blockade of the vital Straits of Tiran might again become an irresistible impulse for an Egyptian leader with internal problems.

A settlement imposed on Israel by outsiders would actually place Israel in greater peril than before the June 1967 war, because of the massive and unprecedented direct Soviet military involvement in both Egypt and Syria. Only the creation of defensible borders offers some realistic hope that hostilities will not resume as soon as the Arabs feel they are ready for another round.

In their haste to gain Egyptian continuation of the cease-fire, our policymakers have been too quick to rely on Arab words while choosing to ignore Israel's deeds, and her willingness to surrender most of the territories she now holds as part of a real peace. Sadat's threats to terminate the cease-fire and resume hostilities are nonsense. His Russian masters obviously do not now want to be dragged into a serious confrontation with our own country, and this was obviously made clear to Sadat in Moscow last week. The Russians know full well that their Egyptian clients are still in no shape for any military encounter with Israel. Based on reports of the comic-opera quality of the latest Egyptian military maneuvers, present Soviet reticence is based on a hard-headed appraisal of the military skills of the Egyptian forces, rather than any desire for a genuine peace settlement.

The Soviet hand can easily be detected in the latest Egyptian diplomatic maneuverings which have so beguiled our State Department. Ignoring its diplomatic debacle of last August when the Egyptians with Soviet help brazenly violated the cease-fire agreement, the State Department is once more ready to leap before it looks. Unless the current Middle East peace fever is treated with strong doses of reality, the State Department will again be left with egg a la Russe on its face. Only now, the stakes involved are greater than the loss of Israel air superiority over the Suez Canal area, or even the future security of 2½ million Israelis. At stake now are vital, long-term interests of the United States. Some blunt facts of life dictate a change in direction from the course now being pursued:

First, the Soviet Union and not the United States will be the hero in the Arab eyes if Israel is pressured into abandoning all of the territories captured in the six-day war in exchange for nothing more than vague assurances.

Second, the Arab rulers who arrogantly demand total and immediate Israeli withdrawal in return for their future recognition of Israel's right to exist, have yet to state publicly they can live in peace with Israel, and have normal relations. One indication of this is that President Sadat, like his predecessor, speaks in one voice for Western consumption, and in a much different voice to his own people—and to Palestinian terrorist leaders.

Third, given the instability of the Arab dictatorial regimes, any purely paper agreement entered into by an existing government is likely to be reinterpreted or scrapped the next day. Syria has averaged almost one coup a year since World War II. Egypt's Sadat has by no means consolidated his own rule, and must rely heavily on the backing of his Soviet masters to keep restive elements from toppling him. An assassin's bullet aimed at King Hussein could change Jordan's political complexion literally overnight.

Finally, U.N. or multipower guarantees have notably failed to keep the peace in the past. Vietnam, Laos, and the Middle East all furnish examples of this. Security Council or Big Four assurances of a Middle East settlement are no substitutes for direct negotiations and mutual expressions of peaceful intentions.

American retreat from the concept of defensible borders for Israel at this critical juncture is a clear signal to the Soviet Union that the United States is seeking an easy way out of the current impasse. More ominously this is an unmistakable indication that the United States is more unwilling to protect its own vital economic, strategic and political interests in this region. This reluctance has to have serious implications for our NATO allies—and for our commitments elsewhere.

Israel's strategic value to the United States is being too easily overlooked. Israel's strength deterred massive Syrian involvement in the Jordanian crisis. It also enables the remaining pro-Western Arab governments to survive in Jordan, Lebanon, and Saudi-Arabia. Most importantly, Israel is blocking Soviet domination of the eastern Mediterranean and its expansion into the Indian Ocean and Africa. Israel's victory over the combined Arab armies was a staggering defeat for the Soviet Union.

Today, Israel's proven fighting abilities and determination not to be bullied, lessens Soviet mischief-making potential in the entire Mediterranean area.

It makes little sense to squander this asset in vain attempts to curry favor with unreliable Arab dictatorships. This does not mean we should not seek to improve our relations with all the Arab countries. But this should not be at the expense of our overriding interests.

It is also puzzling why our country appears to be in such unseemly haste to reopen the Suez Canal. Opening the canal is undoubtedly a top priority for the Soviet Union. It now has problems in supplying North Vietnam and in making more efficient use of its naval power on a global basis. By comparison, our own interest in having the canal in operation is marginal. In fact, once it is opened and world commerce makes the necessary adjustments again, we will have given the Soviets a trump card—threatened closure of the canal again.

While there is reason to be encouraged by the first Egyptian hints that they might sign a peace agreement with Israel, even their tentative expressions of peaceful intent are clouded by contradictions. There is ample reason to be disturbed by what has not been stated. In Egypt's earlier reply to Ambassador Jarring there was no mention by Egypt that she would specifically permit Israel to use the Suez Canal if it was reopened thus making it clear that Egypt intended to reserve her rights of belligerency under the Constantinople Treaty. Egypt's next "magnanimous" offer was to acknowledge Israel's rights of passage through international waterways, but this was made conditional on prior total Israeli withdrawal and a satisfactory solution of the Arab refugee problem. To Egypt, "satisfactory" means Israel's absorption of all those Arab refugees who wish to return—which is another way of insuring the destruction of Israel.

The one-sided exchanges of tentative Egyptian statements of intent for drastic Israel concessions to date are ludicrous on their face. They are certainly not in keeping with the "even-handed" policy we are supposed to be pursuing. American support for these Egyptian-Soviet positions on total withdrawal would be equally preposterous if this, in fact, was not the goal of our present policies.

By seeking a "quickie" settlement at the expense of Israel's basic security interests, we will not be moving closer to peace, but helping the Soviet Union to consolidate its gains in the Middle East. Well-meaning men who earnestly desire peaceful solutions are easy prey for unscrupulous men who exploit this desire for tranquility. American insistence on an Israel pledge of total withdrawal in advance of a settlement is both unwise and unnecessary. If "peace is too important to be left to the generals"—then certainly peace in the Middle East is too crucial to be left to the Arabists in the State Department.

I implore the President to undertake an urgent review of our current Middle East policies before irreparable damage is done to American interests.

Only the President's direct and immediate intervention can arrest the dangerous drift of American policy toward forcing Israel to submit to a disastrous settlement without adequate guarantees.

Given the nature of the relationship which must necessarily exist between Israel and our own country, any "suggestion" by the United States to Israel in the current diplomatic context is tantamount to a command.

While we may officially claim we are against imposing a settlement, Israel cannot defy the wishes of the United States for long. But if Israel's survival must depend on the wisdom and foresight of our current policies, we must also take into account how much we can depend on Israel, and how little we should rely on vague Arab assurances backed by Russian promises.

Mr. BAYH. Mr. President, I compliment our distinguished colleague from Connecticut (Mr. RIBICOFF) for the perceptive statement he has just made on the problem which exists at this very moment in the Middle East.

Two salient concerns expressed by the Senator from Connecticut are shared by the Senator from Indiana. I have just returned from a visit to the Middle East. I am impressed with the perceptive analysis of the situation as outlined by the Senator from Connecticut. I had the opportunity to visit most of the trouble spots once again, and to talk with a number of high-ranking Israeli officials. I think I came back a bit more aware of the current dimensions of the crisis than I had been earlier, inasmuch as I had not been to Israel since shortly following the Six-Day War in 1967.

The two points that most impressed me were, first, the position that it appears this country is increasingly getting itself into of urging the Israelis to accept a total and complete withdrawal from the present occupied territories in exchange for only nebulous and uncertain guarantees from the Big Four parties.

What is in the best interests of the United States? I make no apologies for my belief that what we do in the Middle East, as well as elsewhere, should be based on this criterion and this criterion alone. What is in the best interests of the United States of America? But the one indispensable ingredient for which we should be striving is not a withdrawal, not an opening of the canal, not a temporary settlement. But what we should be after is a peace treaty, a permanent settlement of all the grievances that exist in the area, not a temporary hiatus.

In my judgment, we should encourage the parties to sit down, and we should urge them to do so and not get ourselves involved in such a way that we have prejudged the situation prior to any meaningful negotiation. There have been no meaningful negotiations to date, and in my judgment the problem is not going to be solved unless there are such talks.

I might make one additional reference to the withdrawal issue. If what we are after is a permanent peace treaty, and if what we are after are secure boundaries, it should be recognized that we are not going to have a permanent peace treaty until all the parties feel secure in their ability to protect themselves from aggression—Israelis and Arabs alike. But there is a dramatic inconsistency, in the judgment of the Senator from Indiana, between total withdrawal, and secure boundaries.

There are some places that militarily are absolutely critical if we look at the history of events in that area. Sharm-el-Sheikh and the Golan Heights, for example, are of significant military consequence to Israel. The Senator from Indiana does not have any magic formula here. But to suggest that we should put Sharm-el-Sheikh and the Golan Heights back into the same circumstances, the same conditions that existed before the 1967 war, is just to invite another confrontation.

What should be done, what disposition should be made of those particular areas and the other sensitive areas, I think, is a matter of negotiation between the parties. But for the United States to get itself in a position where we decide in advance what should be done—and the formula we suggest is going back to the conditions which precipitated the 1967 war—I think is folly.

Point No. 2 of the Senator from Connecticut was his view of the suggestion made by President Sadat that the Suez Canal be opened. I happened to be addressing a convocation, a joint student and faculty meeting, in Haifa, at the Technion Institute, when this suggestion first was made. My immediate reaction was, as it still is, that our policy should be that we want the Suez Canal and the Gulf of Aqaba—we want all international waterways—made truly international.

But when we read the full Sadat statement, little guarantee is actually made by Egypt. When this was first published by the press, it seemed Sadat was calling for that partial withdrawal of the Israelis from the Sinai in exchange for opening the Suez Canal. But that is not what the full statement says.

The total statement says, on the one hand, "We are going to consider opening the Suez Canal," and, on the other, we want a partial withdrawal and a solution of the refuge problem.

In those few words we have the crux of the problems in the entire area that have been of concern and dispute for generations.

The United States would like to have the Suez Canal opened as an international waterway. There can be no question, too, that the Soviet Union is much more anxious to have it opened than we are. In my judgment, just from the standpoint of negotiating—and I think the Senator from Connecticut hit this and expressed it well—if we do not use the Suez Canal as a bargaining tool to try to get the Russians to insist that the Egyptians make a greater good-faith effort to negotiate, I feel that we are giving away something for nothing. The opening of the canal is the one thing the Soviet Union would like to see happen more than anything else in the area. I think we should insist that opening the Suez Canal should be a part of a total settlement. It should be part of a permanent peace settlement, not just a temporary step.

Another word or two in addition to these two references to the Senator from Connecticut: Let me reiterate what I said a moment ago, that I think a settlement in the Middle East can only be a real and permanent settlement if it is a settlement participated in and agreed to by the parties involved. We must recognize that there are limits beyond which the so-called big powers cannot make a significant contribution to the settlement of this controversy.

First, I think the Big Four powers can indeed urge the parties in the area to negotiate in good faith. But to the degree the United States become committed to supporting the contentions of one side—as apparently is increasingly the case—we are damaging our credibility to try to persuade both sides to negotiate in good faith.

Second, I think the major parties can have a significant role to play in enforcing any agreement that is agreed upon by the parties, enforcing the agreement after it has been made by the parties.

Third, I think we can play a role in trying to balance the military situation there. I hope we can convince the Russians that it is folly for us to continue with the arms escalation.

In my judgment, much as I dislike to make this assessment, my belief is that we cannot sit idly by and let the Russians imbalance the military situation to the point that an outbreak of hostilities is increased, not lessened. I think we must convince the Russians that it is in our national interest not to permit another outbreak of hostilities in the Middle East. It seems to me that we were so obsessed with Southeast Asia and Vietnam that we forgot that what goes on in the Middle East is of much more consequence to our basic national interest than what goes on in Southeast Asia.

I think that now the Russians have the message, but I think it is important for us to continue to let them know that we are not going to sit idly by and let any big power or group of powers destroy one of the states which exists in that part of the world.

I yield the floor.

Mr. JAVITS. I have stayed and listened to the Senator's views with very great interest. What I should like to know from the Senator is this: Does he feel that, as far as the United States has gone now—and I realize that he sees certain trends—it has as yet sought to exercise, as the lawyers say, undue influence on Israel in respect of a settlement which would be dangerous to Israel's future security, but in which her sheer exigencies might make her yield, notwithstanding the peril which would be created for her?

Mr. BAYH. I appreciate the question of the Senator from New York.

From what has been made public up to this moment, I think that our country's position has been, to my knowledge, to walk that thin line in which it does not have a client. I am concerned about some overtures that have been made privately to Egypt, which have been brought to my attention. I hope that when all this comes to light, my information will be erroneous. For us to get ourselves in a position where we take away some of the bargaining cards of one side or the other, will lessen the chance that they will sit down at the negotiating table. I am very much aware that we are close to having done that. I feel, sometimes, that we are so big and so powerful we think we can solve all problems. If we should learn anything from the history of the confrontation there, it is that we should not settle finally with a peace treaty unless the parties themselves agree to it. The United States and Russia can temporarily settle it, as the United States did in 1956; but if we do not go to the core of the problem and solve it at the level of letting the parties decide, we are asking for trouble later on.

Mr. JAVITS. I thank my colleague. Would my colleague agree with me, in this particular case, that as it is Israel, which will have to bear the brunt of that eruption in the Middle East, though we do run the danger, we certainly had better not fail to take comfort from the fact that if they are willing to stand it and face the dangers, that represents a real inducement to us with respect to their exigencies and their needs for security, as they see them.

Mr. BAYH. Yes. I concur. I do not buy the effort of some to equate South Vietnam and the Middle East. First of all, as I said earlier, the Middle East is much more in our total national interest than South Vietnam. Second, if we look at the ability of the Israelis to defend themselves and the absolute lack of need for any advisers, technicians, or combat troops in the effort of that small nation to defend itself, we have an entirely different equation.

I feel strongly about the need for us to maintain clean hands and not take away some of the bargaining chips from the Israelis. I am sure that neither they, nor the Arabs, are going to be able to get a settlement that will be all they want; but the chance of that being the result of negotiations will be significantly enhanced if we do not position ourselves on one side or the other before the negotiations.

Now, it should be pointed out there have not been any negotiations. Gunnar Jarring has been diligently running back and forth, but so far as I have been able to interpret it, I have not seen any results of a meaningful dialog, the kind that would bear fruit as of yet, although we seem to be close to having that happen.

Mr. JAVITS. I agree with the Senator. I feel right now that the Russians are trading big on the desire to avoid an eruption. They think that in this analogy, the eyeball-to-eyeball negotiations, we will give very quickly. I believe what the Senator has said. I also heard what the Senator from Connecticut (Mr. RIBICOFF) said today. I think these are all valuable. It supports and enlarges the feeling expressed by the President that we will not impose a settlement.

Mr. BAYH. If the Senator will yield for a question, because he has been very kind to help in this colloquy, I made a statement a moment ago that when we are on the scene, as the Senator from New York has been, there seems to be a rather dramatic inconsistency between total withdrawal to the status of all territories prior to the 1967 war on the one hand and secure boundaries on the other. If we are looking for a permanent settlement, certainly we are bound to seek as the fundamental ingredient secure boundaries. Does the Senator from New York make any assessment close to that judgment, or would he care to comment on that?

Mr. JAVITS. Yes; I think secure boundaries mean boundaries which are based upon what has been learned from the events that preceded the 1967 Six-Day War. At that time, a number of things were learned. One, that Egypt did not regard the Sinai Desert as a mutually acceptable demilitarized buffer. President Nasser blew the whistle, and the United Nations forces, upon which there had been so much reliance, simply faded away; then, he moved in massive armored forces. Second, that the general acceptance which Secretary of State Dulles thought he had gotten accepted—that Israel should have an assured exit and entry to its port of Elath, through the Strait of Tiran. We found that was not true. One fine day President Nasser declared that the Straits of Tiran were closed to Israel. The world powers failed to make "free passage" good even though the United States tried to enlist a multinational force to break the blockade of Tiran.

In addition, Egypt does not own the Gaza strip, but merely occupied it in the 1948–49 fighting. There is some historical question about the Sinai itself. The simplistic approach of "get Israel out of everything which belongs to Egypt" is just a slogan, to substitute for reason and to substitute for negotiation of the areas of danger. I am not even speaking of the Golan Heights, or the west bank, and the very knotty problem of Jerusalem.

For many years I have been deeply interested in this whole problem. I hasten to add, obviously, we will not be guided by what the internal politics of Israel may compel upon a democratic government there. We understand that, and the Israelis themselves understand that. They have made it clear that they are going to have to "give" something. But the question is whether they will yield their whole security position because the United States tries too hard to accommodate the Russians.

Let us remember that if hostilities break out, on the record Israel has done a great deal better than the Arab States, not that that should be a matter of vainglory, or a basis necessary for policy, but it should moderate any sense of insecurity we feel when Egypt says it is not going to renew the ceasefire or the Russians say that "anything can happen." If anything happens, it may be more dangerous for the Arabs than for Israel. But I think the answer, as the Senator is so correct to say, is just to keep our "cool."

We know that neither party can get all it wants to, but we certainly are under no necessity or even compulsion to make—which is what this is all about—Israel throw in on Arab demands.

Mr. BAYH. I certainly appreciate the comments of the Senator from New York. This business of negotiating and solving some of the differences that have existed, really for ages, is not going to be an easy one, but it must be resolved by the parties who have been for part of the problem and must, therefore, be a part of the solution. To the degree that the United States and the Russians throw themselves in on one side or the other—at that moment in history we have totally removed the issue of secure boundaries and how they are arrived at from the process of negotiation.

I hope that this will not happen, but I must say that I am concerned and to the degree that those Senators here have expressed concern to me, we may minimize the chance of it happening.

Mr. JAVITS. Mr. President, I agree. I thank my friend, the Senator from Indiana.

ORDER FOR RECESS TO 11:30 A.M.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until 11:30 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHRISTMAS EDITORIAL BY VIRGINIA WELDON KELLY

Mr. STENNIS. Mr. President, recently my attention was called to a splendid editorial entitled "Be Ye Kind One to Another."

I now call to the attention of the Senate and the people of the Nation that editorial which was written by Mrs. Virginia Weldon Kelly. It appeared in the Long Beach, Calif., Independent Press Telegram of December 25, 1970, and many other newspapers in several States.

I ask unanimous consent that the editorial of Mrs. Kelly be printed at this point in the RECORD so that the spirit and inspiration may be shared by the people of the country at large.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BE YE KIND ONE TO ANOTHER

(By Virginia Weldon Kelly)

Christmas renews our joy in Jesus, who said, "Blessed are the peacemakers for they shall be called the children of God."

Teaching that God is love, He admonished His disciples to love one another as He loved them. With understanding, Saint John said, "If a man says he loves God and hateth his brother, he is a liar."

The old and new Testaments, all great religions and philosophies forbid anger which Saint Augustine defined as "the wicked will be avenged."

For two thousand years, anger has been called a cardinal sin equal to pride, envy, sloth, avarice, gluttony and lust.

Jesus gave anger's antidote in the greatest commandments: to love God with all our hearts, souls, and minds; and our neighbor as ourselves.

Anger affecting generations, classes, races, and sexes is reflected in our country by unseemly words and deeds.

Jesus eternal and newly rediscovered offers healing and the way of life to all, and especially to the young who deplore materialism's emptiness.

In "Love and Will," the psychoanalyst Dr. Rollo May writes that only love can heal modern society's emptiness which has brought hatred, violence, and assassination.

The prayer of Saint Francis of Assisi is timely: "Where there is hatred, let me sow love."

Saint Paul, who said, "Let not the sun go down on your wrath," expresses our Christmas wish: "Be ye kind one to another, tender-hearted, forgiving one another as God for Christ's sake hath forgiven you."

THE AMERICAN PEOPLE SAY END THE WAR NOW

Mr. HARTKE. Mr. President, public opinion polls indicate that until fairly recently the American people, albeit with great reluctance, supported first President Johnson, then President Nixon in their determination to continue the Indochina war until some sort of "victory" could be won. We now know, however, that 1968 was the great transitional year for popular support of the war, and Mr. Nixon was elected on a pledge to end it.

He has not carried out that pledge. Fully 18,000 American men have died in Indochina since President Nixon took office—and that is one-third of our entire total of fatalities. Though our casualty rate has indeed dropped in the past year, our commitments have widened; and the prospects for ending the war and terminating our military commitments to the governments of Indochina are no brighter today than they were in 1968.

This the American people know. They have seen through the mists of official rhetoric and they now reject the spurious rationalizations that are meant to pass for statements of policy. And as a recent Gallup poll showed, 73 percent of the people now want the war ended by not later than the end of this year.

Nowhere has this shift in public opinion appeared more dramatically than in the great heartland of America, the Middle West. It becomes increasingly obvious to me with each day I spend in my own State of Indiana. And just last week, a very perceptives essay by the distinguished journalist, Joseph Kraft, described a similar mood in Minnesota, where "both houses of the State legislature are considering bills that question the authority of the Federal Government to draft Minnesota citizens for service in undeclared wars."

The resolution I introduced on March 4 calling for immediate withdrawal of all American forces from Indochina, conditional only upon their safety and upon a satisfactory arrangement for release of our prisoners of war, is based firmly upon the will of the American people. The overwhelming majority who say they want an end to the war by the end of this year would, I am convinced, demand that it be ended immediately if they were made aware that the only consequence of continuing it for the additional 8 or 9 months would be 2,000 dead and 10,000 severely wounded Americans and $9 billion wasted.

Mr. President, I asked unanimous consent that the article by Mr. Kraft be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 4, 1971]

WAR STIRS MINNESOTA

(By Joseph Kraft)

MINNEAPOLIS.—The Democrats may not be the war party, as their critics so often charge. But neither will the country back a war unless it is supported by the Democrats.

For the Republicans are too much of a minority to sustain a war on their own hook. And nothing shows it better than the dramatic turn of opinion against the Vietnam policy of the Nixon administration here in the heartland state of Minnesota.

The state has been subject to deep doubts about the war for years. Minneapolis was the first port of call for Allard Lowenstein back in 1967 when he set out to organize a nationwide campaign against the war. Eugene McCarthy, who became the leader of that campaign, was senator from Minnesota. And the McCarthy candidacy won the endorsement of the Democratic Party in three of this state's eight congressional districts in 1968.

But in loyalty to Lyndon Johnson, the regular Democratic leadership in the state went after the doves with a vengeance. The state's leading political figure, Vice President Hubert Humphrey, equated those who would make a political settlement with those who would "let the fox in among the chickens." Sen. Walter Mondale denounced "one-issue" in politics. And under these assaults antiwar opinion tended to be obscured and muted.

But with Mr. Nixon in the White House the constraints on dovish opinion have dropped away. A Niagara of antiwar feeling has been loosened by the latest events in Laos.

According to the highly respected Minneapolis Poll, the President's approval rating in the state has dropped from 49 to 41 per cent in the past few weeks. Half the voters oppose the use of American air power in Laos. Two-thirds of them believe American forces will be fighting on the ground in Laos and Cambodia a year from now.

Senator Humphrey has joined the ranks of the critics with the claim that had he been elected in 1968 he would have had all American troops out of Vietnam by now. Senator Mondale has emerged as a leading dove, author of a resolution to deny any American support for an invasion of North Vietnam.

Gov. Wendell Anderson asserts that "Vietnam is the No. 1 issue. People may be sick and tired of talking about it. They may not want to read about it. But they've made up their minds. They want the war over and done."

Naturally, the university is not exempt from these feelings. Minnesota's president, Malcolm Moos, a former speechwriter for President Eisenhower, has been able to keep things relatively calm. But he likens the present situation to the "sitzkrieg that took place after the Germans conquered Poland in 1939. You know, everybody speculated they might not move again. But then came spring, and they attacked."

Both houses of the State Legislature are considering bills that question the authority of the federal government to draft Minnesota citizens for service in undeclared wars. The Senate committee hearing the proposal reported it out favorably by a lopsided majority.

One of those testifying for the measure was the wife of a pilot shot down over Laos in February 1969. Mrs. Richard Walsh told the Legisuature:

"My husband wore the uniform of his country for over 20 years. He was a dedicated believer in supporting his President and our nation. I never recall him doubting the reasons for our presence in Asia, but I think if he were here today he would question our involvement . . .

"The number of men missing in Laos is ever increasing. Not one letter from any American has ever come out of Laos. Not one American man is listed as a prisoner in Laos, all 267 are listed as MIA—missing in action. Gentlemen, the war has gone on too long and the bombing has gone on too long. I believe the Pathet Lao and the North Vietnamese to be rigidly inflexible in this regard. They mean what they say when they say there will be no man released until we set a date for complete withdrawal for supportive and combative troops in South Vietnam."

The general meaning of all this is not in doubt. The fact is that President Nixon has not wound down opposition to the war. He has not defused the Vietnam issue. On the contrary, with the Democrats finally free to say what they really think, it is more difficult than ever to maintain a base for continuation of the war in Vietnam.

ORDER FOR RECOGNITION OF SENATOR PROXMIRE TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that tomorrow, following the approval of the Journal, if there is no objection, and the recognition of the two leaders under the standing order, the able Senator from Wisconsin (Mr. PROXMIRE) be recognized for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. BYRD of West Vrginia. Mr. President, I ask unanimous consent that, following the remarks of the able Senator from Wisconsin (Mr. PROXMIRE) tomorrow, there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes, the period not to extend beyond 12 o'clock meridian.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR THE SUSPENSION OF RULE XXII ON TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the operation of Senate rule XXII be suspended tomorrow until 12 o'clock meridian.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM CLOSE OF BUSINESS TOMORROW UNTIL 11:30 A.M. WEDNESDAY, MARCH 10, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, it stand in adjournment until 11:30 a.m. on Wednesday morning next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR CHURCH ON WEDNESDAY, MARCH 10, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Wednesday morning next, immediately following the disposition of the Journal and the recognition of the two leaders under the standing order, the distinguished Senator from Idaho (Mr. CHURCH) be recognized for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DILEMMA FACING THE NATION'S CITIES

Mr. BAKER. Mr. President, few if any of the Nation's cities face the multitude of problems confronting the city of New York. An increasing demand for services is met by a decreasing capacity to raise the necessary funds. Although the city and the State have made courageous efforts to meet the needs of the city, it becomes increasingly clear that the fiscal resources of the city and the State are inadequate to the job. On a somewhat lesser scale, this same pattern is emerging in communities throughout the Nation.

It is in recognition of this dilemma that the President of the United States has proposed a system of general and special revenue sharing. Such a system would draw on the unquestioned efficiency of the Federal revenue-collecting structure and on the familiarity of State and local governments with their own needs and priorities.

I ask unanimous consent that two editorials on revenue sharing appearing in the March 6, 1971, editions of the New York Times be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

NEEDED FEDERAL TAX LIFELINE

The enormous new city and state taxes confronting New Yorkers drive home the necessity for a massive program of Federal revenue sharing. Whatever the argument over the size and thrust of President Nixon's tax sharing plan, one point is undebatable: the Federal Government alone can raise funds in a manner that will enable New York and other metropolitan centers to meet their huge needs without drying up industry and driving away their most productive citizens.

The big cities have become the repository of the social anguish generated by the technological revolution in agriculture and other long-term upheavals that have concentrated 80 percent of the country's population in urban areas. Yet, as New York's plight demonstrates, the more energetically each community draws on its own resources to grapple with the consequences of this national dislocation, the harder it becomes to hold on to the business enterprises and the creative people needed for viability.

America's cities and states are in frenzied competition to attract and retain industries that will provide stable jobs and function as responsible corporate citizens. The level of local taxes is a major element in that competition.

It becomes particularly decisive when a city depends as heavily as does New York on its appeal as a headquarters for industry, finance, communications and other white-collar activities. Attractiveness to middle mannagement tends to be controlling in company thinking on whether to come or to stay.

When New York City projects a 6 percent local payroll tax at the same time that state income taxes are due to rise and the combined level of city and state sales taxes goes to 7 per cent, it is nonsense to suggest that these imposts will not operate as a powerful deterrent to many employers—to say nothing of their effect on middle-class and well-to-do families.

The whole national tax pattern is becoming a crazy-quilt in which the cities and states that are most responsible in meeting social needs are at a crushing competitive disadvantage. The Federal Government could best rationalize the structure by functioning as central collector of individual and corporate income taxes, then making disbursements to the localities under equitable standards established by Congress. That is the direction in which revenue sharing points.

As it is, the Federal Government last year collected $90 billion in individual income taxes and $33 billion more in corporate taxes. For state and local governments, according to the Tax Foundation, collections came to $11 billion in individual income taxes and another $4 billion in corporate payments.

Pennsylvania and Rhode Island have just joined the club, but eleven states still collect no income taxes.

It is perfectly plain that neither New York City nor New York State can avoid the painful necessity of doing much more on their own, no matter how generously Washington responds this year. But the economy-chilling potentialities of the specific programs now under consideration at City Hall and in Albany are so drastic that the patient may well die if the White House and Congress bog down in endless debate over the right cure.

SOUND START BY THE PRESIDENT

The messages President Nixon has sent to Congress on the manpower and urban development parts of his revenue-sharing plan reflect an admirable willingness to adapt his program to make it more responsive to valid criticisms.

He has recognized the incapacity of many local governments to measure up to the heavy responsibilities the Administration plan would thrust on them by recommending a $100-million program of planning and management assistance to states, cities and area-wide agencies. Such a program could do more than raise the deplorably low level of professional competence now so widespread in local government. It could contribute to regionalization and other movements toward more rational organization of local services.

Similarly, in the manpower field, Mr. Nixon has recognized that the ultra-purist view of job training he took in vetoing the bill passed by Congress last year would work to deprive hard-pressed cities of the opportunity to create public service jobs that would benefit the unemployed as much as the community.

On urban development he has provided maximum latitude to the cities in applying funds that up to now have been smothered in red tape to the vast detriment of progress. He rules out none of the programs now under way, from Model Cities to sewer construction; but the absence of any apparent standards or review power on the part of the Federal Government may prove a death knell for many undertakings vital to the poor.

Over-all, the central criticism remains the small size of the special sharing programs. When allowance is made for normal growth of programs launched in recent years, it is not enough to provide assurance that no city will lose funds. The needs are staggering. Standstill grants are not remotely adequate.

SPECIAL REVENUE SHARING

Mr. BAKER. Mr. President, on February 9, on behalf of myself and 37 of our colleagues, I had the privilege of introducing S. 680, embodying the President's general revenue-sharing proposal.

In seeking support for that proposal, I frequently encountered Senators who expressed approval and, indeed, enthusiasm for the general revenue-sharing concept but who were concerned about the implications of the second component of the President's concept: special revenue sharing.

Ironically enough, it now appears that the three special revenue-sharing proposals which have surfaced to date—law enforcement assistance, manpower development, and community development—are generating as much or more public support than the more simple and readily acceptable proposal for general revenue sharing.

In my view it is essential that both general and special revenue sharing be enacted, because only then will Federal aid to State and local governments have maximum flexibility, coming as it would in three distinct forms: general revenue sharing, with no strings attached; special revenue sharing, or block grants, for use according to local needs within broadly defined areas of national priority; and categorical grants-in-aid where a strong and precise Federal presence is necessary.

Mr. President, I ask unanimous consent that an article by James Welsh, which appeared in the March 6 editions of the Washington Evening Star be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

URBAN GROUPS HAILING NIXON TAX-SHARING PLAN

(By James Welsh)

Organizations that represent the nation's mayors and cities today responded warmly to President Nixon's latest revenue-sharing proposal, a $2 billion package of urban-development aid.

"Our people like the sound of it," said Patrick Healy, executive vice president of the National League of Cities.

Healy said the President's message to Congress on the proposal, announced yesterday, "is so good we're going to have it reproduced and sent to all our members."

At the same time Healy qualified his comments to say that some cities, notably those that in recent years aggressively sought and obtained large urban renewal grants, may be disappointed in that they will eventually get less money under Nixon's proposed new formula for subsidizing local governments.

THIRD OF SIX PROPOSALS

The Nixon plan, the third of six special revenue-sharing proposals to be made public, would consolidate four big existing programs—Model Cities, urban renewal, housing rehabilitation loans, and water and sewer grants.

Eighty percent of the $2 billion consolidated fund would go to 247 standard metropolitan statistical areas, containing nearly 70 percent of the nation's population. These are areas containing at least one city of 50,000 population.

The money would be distributed according to a formula based on four factors—population, degree of overcrowding in homes and apartments, degree of substandard housing, and the incidence of poverty within the population.

GENERAL STATEMENT

To get the money, local governments would have to do nothing but submit a simple general statement on how they intend to spend it. If this fits the plan's definition of "community development," a definition still to be formulated, the money would be forthcoming, no strings attached.

Of the remaining 20 percent, more than half would be needed for a provision of the plan guaranteeing that no community would receive less in urban aid than before.

At a press briefing, George W. Romney, secretary of the Department of Housing and Urban Development, qualified this "hold harmless" guarantee to say it would be good only during the first year of the program. After that, the guarantee would phase out, with every community receiving funds according to the population-housing-overcrowding-poverty formula.

Under such a provision, as Healy pointed out, a number of cities may eventually lose money. Others would gain. Added the League of Cities official:

"I think as the cities study the details of the program, they'll find much to recommend it. For one thing, it promises a source of steady funding, whereas in the past, funding from Washington has been largely unpredictable."

Last Tuesday, Romney outlined much of the plan to a group of mayors who were largely receptive to it, Healy said. The mayors included Thomas D'Alesandro of Baltimore, Joseph Alioto of San Francisco and the District's Walter Washington.

Many of the nation's mayors have grown increasingly critical of the administration recently because the White House has withheld nearly $1 billion in appropriated urban aid for the current fiscal year.

"That's the current hang-up," said Healy. "Those frozen funds amount to a sleight-of-hand gimmick, and it's too bad it has come to be confused with the revenue sharing proposal. Divorce the withholding of funds, and the rest looks pretty good."

THE PRESIDENT'S GENERAL AND SPECIAL REVENUE-SHARING PROPOSALS

Mr. BAKER. Mr. President, I have become increasingly disconcerted by what appears to be a conclusion in some of the news media that President Nixon's general and special revenue-sharing proposals face certain defeat in the Congress.

It is certainly true that the proposals do not have universal support. It is also true that general revenue sharing faces opposition from some quarters, at least one of those quarters being a very potent one—the chairman and ranking Republican on the House Committee on Ways and Means.

But it is altogether wrong to assume that the President, the many Members of both the House and the Senate who support the proposals, the Governors, mayors, and county officials who participated in their drafting, or some 77 percent of the American people reported by George Gallup to be in support of revenue sharing, have abandoned the fight.

On the contrary, revenue sharing and the other elements of what the President has so rightly termed a "new American Revolution" are very much alive, and the battle is only just being joined. The opinions of local and State officials and the preferences of the vast majority of the American people will not be ignored by the Senate of the United States and the U.S. House of Representatives.

I recently had the privilege of accompanying the Vice President to a meeting with State and local leaders at Indianapolis. The response at this meeting was overwhelmingly favorable to revenue sharing, and it was a wholly bipartisan, even nonpartisan response. Revenue sharing has won the support of Democrats and Republicans alike. I was particularly impressed by this fact at the Indianapolis meeting.

Some have alleged that the President does not want a program, that he simply wants an issue, that he wants to be able to label the 92d as a "do-nothing" Congress. Although we might well deserve such a label if we do not take affirmative action on the President's proposals, to suggest that this is his wish could not be a more tortured version of the truth. President Nixon has been an active student of government and participant in government for a quarter of a century, and these revenue-sharing proposals, together with his recommendations for organizational reform, give flesh to his most deeply held beliefs about the nature of our democratic republic and how it can best meet the legitimate needs of the people it is bound to serve. To suggest that he does not seek the enactment of these proposals, that he is indifferent to their ultimate fate, borders on being ludicrous.

If nothing else, this President is a realist. He can count, and he knows that his program will need support from members of the Democratic Party. He has repeatedly made it clear that he earnestly seeks such support. This determination to win opposition support is clearly reflected in the details of the three special revenue-sharing proposals that he has not transmitted to the Congress. Each of these proposals incorporates features suggested by critics of the concept.

On Friday, February 19, the National League of Cities and the National Association of Counties hosted in Indianapolis the meeting that the Vice President and I, among others, atended.

That meeting was historic because those assembled unanimously adopted the following resolution in support of general revenue sharing:

> Whereas, the National League of Cities and the National Association of Counties have supported the concept of revenue sharing for more than five years; and
>
> Whereas, Revenue Sharing provides a distribution of power and resources that will strengthen the Federal system and lead to a revitalization of state and local governments; and
>
> Whereas, the fiscal plight of local governments of all sizes has grown more acute and is beyond the capacity of local governments to solve without assistance from the Federal government; and
>
> Whereas, the local and state governments worked closely with the Administration in the development of a new general revenue sharing proposal which the President has adopted and forwarded to Congress for action: Now therefore be it
>
> *Resolved,* That those members of the National League of Cities and the National Association of Counties meeting in Indianapolis, Indiana, February 19, 1971, reaffirm their long-standing commitments to general revenue sharing, commend President Nixon for his leadership in offering this vital and long overdue proposal and call upon the continuation of bipartison efforts in the Congress to immediately enact the $5 billion general revenue sharing measure.

The unanamity of support for the resolution adopted at Indianapolis is indicative of the widespread support for revenue sharing in this country today.

We must revitalize the capacity of our State, county, and municipal governments to deal with their own problems according to their own priorities. General and special revenue sharing are the most important steps that this Congress can take in that direction.

Mr. President, I ask unanimous consent that a speech delivered at Indianapolis on February 19 by the distinguished mayor of that great city, Richard G. Lugar, be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REVENUE SHARING, A REDRESSING OF AMERICAN FEDERALISM

(By Richard G. Lugar, Mayor of Indianapolis)

Vice President Agnew, and fellow governmental officials: Despite assurances that 77 percent of the American people favor revenue sharing, including 42 Governors at latest count and a prohibitive majority of state legislators, county officials, and municipal officers, it is widely predicted that revenue sharing will not enjoy legislative life during the current session of the United States Congress. This pessimistic assessment is not based on closely guarded rumors but rather on several conspicuous and widely reported speeches delivered by Congressman Wilbur D. Mills, Chairman of House Ways and Means Committee. In a bipartisan spirit of opposition Congressman Wills has been joined by Congressman John Byrnes, the ranking Republican member on the House Ways and Means Committee.

They have raised questions such as: (1) What revenue does the Federal government have to share? (2) Why should those who spend the money not have the responsibility of raising it? (3) Will proposed revenue sharing distributions injure certain states and cities by disrupting current grant-in-aid programs, ignoring severe needs of unusually hard-pressed situations, and failing to meet national objectives which the Congress has stated on numerous occasions through legislation? (4) Is not the performance level at the state and local level a most uneven prospect and worse still, what assurances does the federal taxpayer have under revenue sharing that his monies will not be squandered, used for racial discrimination, stolen by venal local politicians, or used by ambitious political rivals of Federal officials to strengthen partisan or personal political machinery?

A few news analysts have concluded in the month following President Nixon's State of the Union Message that the questions raised promptly by Congressman Mills and others are "devastating" and that those of us gathered here in Indianapolis today for a strategy conference on revenue sharing are discussing an academic issue whose time has come and gone within a relatively brief month.

A cursory reading of the national press indicates that many Congressmen who extol the virtues of grass roots government enjoy the pleasures of grass roots spending patronage even more and are prepared to protect each and every one of 435 categorical grant-in-aid programs against tampering by consolidation, simplification, or even further discussion of such can be discouraged.

Other journalists find the immediate debate intriguing and the role of Congressman Mills and a majority of the House Ways and Means Committee flexible. Two broad courses of action are suggested as methods of achieving sounder state and local budgets without adopting a revenue sharing plan.

First of all, larger bloc grants of revenues to state governments might be employed with relatively few strings attached. In this manner, broad objectives of Congress in health, education, welfare, environmental issues, transportation, and other pursuits might be met without giving up all ties to the money. In summary, President Nixon would be granted a more flexible federal mechanism and local governments while failing to enjoy the promised land of "no strings attached" money might find appeal in more abundant monies only a few stages removed from local control.

Secondly, a few political observers have suggested that Congressman Mills and others ought to outflank the President's alleged political strategy by coming forward with plans for complete Federal assumption of public welfare payments, an objective which would relieve much state and local financial anxiety, rationalize a current nightmare of regulation and misapplication, and recapture a Federal role of responsibility without surrendering any other roles and privileges.

I have reviewed a portion of current discussion about revenue sharing because so much water has gone over the dam since President Nixon's most recent revenue sharing proposals that the simple bald assertions of the past are no longer persuasive. That state and local governments are suffering budgetary problems of severe national consequences and that state and local governments know best how to spend scarce tax dollars, these arguments are self-evident to most Americans. Eventually, the stark simplicity of these arguments may prevail. In the meanwhile, let us spar a few rounds in the in-fighting which will precede an honest coming to grips with revenue sharing legislation.

Federalism in the United States of America involves intergovernmental cooperation among all levels of government if it is to work. It is not an easy process to fine-tune all of the elements nor is it an easy task to provide service to 206 million Americans under thousands of diverse geographical and historical circumstances. We approach the prospects with perpetual confidence because we see government in this country as one whole cloth. If, in fact, we are a people determined to be divided into different levels of government, determined to stand on the proposition that Federal government is essentially of a different character than state government and that local governments are essentially different and antagonistic to both of the above, we are not only dealing in a dangerous fiction, but governmental quality and diversity will suffer grievously in the years ahead.

Let me state the proposition in unmistakable language. A few Congressmen are operating under the illusion that Congress can establish national priorities, pass laws to alleviate discovered needs, raise revenues and appropriate monies to meet these needs, formulate organizational structures to implement the spending, review the results by conducting public hearings and reading reports from the field, and thus respond to the national will and achieve the public good.

In truth, the Congress of the United States, as a body, reacts very sluggishly, if at all, to current needs in the country, indulges in considerable individual oratorical efforts to dramatize sensitivity, occasionally passes laws which are well meant but clumsy responses to a myriad of local situations, does raise revenue but appropriates funds in a rather hap-hazard and ill-timed manner to meet already fuzzy legislative mandates, conceives implementation which is frequently so wide of the mark as to render hapless whatever idealism the legislation contained, and then listens to reviews of what happened which bear only a possible relationship to the truth because the realities of what occurred are unknown to Federal officials at any level for many months and even years after the fact.

This is not an overdrawn summary. It is stated so badly because Congress will need to make a fundamental decision in the revenue sharing debate. Either State and local governments are a part of the Federal system of government or the Congress had best employ tens of thousands of new functionaries to monitor what actually does occur in the American Federal system. For the moment, State and local governments stand between the Congress and sheer anarchy.

While Congressmen ponder over the potential quality of local governmental officials, the nation observes a Congress long overdue for fundamental internal reform and the Executive branch of government crying out for the radical surgery which the President recommended in his State of the Union address and which many Congressmen dismissed as unrealistic and Utopian thinking.

If the current system of Congressional speech-making, legislation, taxing and spending had worked, with a reasonable degree of success, the current pressures for revenue sharing would be much less intense. In fact, however, the domestic problems of the United States have become much more grim while Congress passed more and more bills and parcelled out more and more billions of dollars, most of them unknown in quantity or form to State and local administrators who became reluctant bystanders in this bizarre process. Congress has created far too many ill-defined, unintelligible, and ineffective political mechanisms which are ill-coordinated and in many cases, contradictory in impact. Congress can literally get by with such shoddy results because it is, in reality, very seldom accountable for any expenditures or results, insulated from the every day cares of actual face-to-face confrontation with ordinary citizens, and divided into tens of tiny duchies serving very narrow interests at the expense of the general public as a whole.

In August of 1970, the Report of The President's Task Force on Model Cities was published and under the guidance of Professor Edward C. Banfield, Chairman, addressed itself to the questions I have been discussing generally. The report commenced by saying, "In recent years the federal government has taken many important steps in the direction of supporting the cities in their efforts to provide more and better services. The creation since 1960 of two new departments concerned mainly with urban affairs (housing and transportation) and the Council for Urban Affairs are examples of this greater support as is the increase in federal aid to urban areas from $3.9 billion in 1961 to $10.3 billion in 1968. There is little doubt that when the Vietnam War ends the federal contribution to local government revenues will rise sharply again. Some expect it to double almost immediately.

"Unfortunately these efforts have not produced the results that were hoped for in the places where conditions are worst, especially the inner parts of the older and larger cities. One reason for this is that the really big federal outlays—for subsidized mortgages, highway construction, hospital construction, and aid to elementary and secondary schools—have gone mainly to the suburban fringes, where most of the growth has been taking place, and to rural areas. The central cities have not had anywhere near as large a share of federal expenditures and tax subsidies as is generally supposed.

"Another reason why the money has produced disappointing results is that almost every dollar of it has had a thousand strings attached to it. There are about 400 federal grant-in-aid programs, each with its own set of rules and regulations, some statutory and some administrative, often very detailed. Because a city receiving a grant can use the money (as well as whatever matching money it may put up) only for the purposes and in the manner specified by these rules and regulations, a great deal of waste and frustration results. Cities commonly find themselves able to get federal money that they can spend only for things that are relatively low on their list of priorities (highways and urban renewal projects, say) and at the same time unable to get money that they can spend for the things that they consider most urgent (hiring more teachers and policemen and paying them better salaries, say). Everyone knows of instances in which a city has done things with federal money that it would not have done with its own simply because otherwise the federal money would be "lost." Everyone knows, too, of instances in which a city was unable to do something that should have been done simply because the 400-odd "categorical" programs did not authorize the doing of that particular thing.

"Federal laws and regulations not only restrict the purposes for which money can be spent: they also prescribe how the cities are to organize and manage their programs. In this manner city governments are prevented from using the full strength of their local styles and capacities in the creation of organizational forms and procedures. They are rendered incapable of dealing effectively with problems that in the opinion of a Washington official (but not necessarily in fact) fall in the space between categorical programs, and they are made objects of distrust by citizens who see that they are serving the interest of others (those eligible for something that is federally supported) at their expense. We believe that if mayors and other local elected officials did not have to play second-, third-, or fourth-fiddle to so many federal officials they could do a much better job of managing the conflict that is so characteristic and important a feature of American city life.

"The jungle-growth of aid programs is formidable. The planners of the model cities agency of Cambridge, Massachusetts, for example, have identified 134 federal and 17 state programs that they think might contribute to their model cities program. They must make separate applications to each program; if they should receive aid from all, they will have to follow 153 different sets of rules and regulations, most of them very detailed.

"It would be easy to blame these developments on arrogant bureaucrats and the almost universal tendency of bureaus to aggrandize themselves. These are indeed important factors in the situation. But it must be remembered that it is Congress which attaches the largest and most important of the strings to the federal dollars. Some of these it attaches at the behest of special interests. Others it attaches in an effort to assert what may be called a national will or purpose. Most of the rules and regulations made by executive agencies are justified by them on the grounds that they are responsible for seeing to it that the money is spent as Congress intends.

"This is the way the American system of government works, and we do not think that it is either possible or desirable to change it in its essentials. We would note, however, that as a rule Congressional purposes are stated in very general terms. Agency heads, in prescribing the detailed regulations by which these purposes are to be given content in particular circumstances, necessarily rely heavily on their own more or less arbitrary judgments. There is no reason to suppose that their judgments about what is or is not implied by a statement of Congressional intent is necessarily sounder that the somewhat different judgments that might be made by other persons—local government officials, for example. To be sure, the agency heads are under the discipline of knowing that they may be called publicly to account before a Congressional committee if they make determinations that are clearly inconsistent with the spirit, not to mention the letter, of the law. The effect of this discipline, however, is to incline them to play it safe and piling on regulations and then more regulations. They know that they will not be praised for getting things done; their problem is to avoid being blamed for doing things that Congress—or rather certain Congressmen—do not want done, and the way to avoid blame is to take as few chances as possible. It is probably safe to say that timid bureaucrats produce more red tape than arrogant ones.

"We believe that city and state officials are as capable as federal ones of reading the laws that Congress passes and of interpreting them correctly. We believe also that in general they can be trusted to respect the intentions of Congress and this even though they, unlike the federal officials, do not have to answer hard questions before Congressional committees. There can be no doubt that the capacity of local officials to do these things has been growing steadily and that in most parts of the country it is now fairly high. Looking ten to twenty years ahead, we feel reasonably confident in predicting further dramatic improvement in the quality of local government provided that the Federal government allows it greater freedom.

"Even if the quality of local government is much poorer than we suppose it to be, it is essential, in our opinion, that there be an immediate and large-scale shift of responsibility from federal to local officials. The scale of federal operations in the cities has suddenly become much too great to be carried on under the present arrangements. Now that billions instead of millions are being appropriated, the system simply will not work as it used to; Congress and the federal bureaus cannot possibly regulate and supervise the details of hundreds of programs operating in thousands of cities. It is necessary either to give local governments vastly greater freedom in the use of federal funds or else in effect to replace them with a much enlarged federal and state bureaucracy. We have no doubt whatever as to which alternative is preferable."

We are thus discussing, today, whether the American Federal system might work better if $5 billion or slightly more than 2 per cent of the current Federal budget might be spent by agents of the new federalism, state and local governmental officials, with superior results when compared with past performances of other representatives of the Federal system. We are discussing the value of having active local citizen scrutiny of tax funds which have escaped such watchfulness in the past. We are not discussing new taxes nor are we discussing the winding up of various programs, however desirable such winding up might be. Every state and city will be better off financially and better off in terms of potential responsiveness and accountability to an electorate which shows many signs of weariness with all government, currently.

We are prepared to give full credit to Congress for showing new vigor and ability to show faith in new ways of extending national idealism to local implementation.

I have no doubt that as the revenue sharing debate proceeds, attempts will be evident to renew old antagonisms between state and local governmental officials. Suggestions that the mandatory pass-through feature be dropped in favor of purely state-administered bloc grants reveal the poverty of imagination which surrounds those who cannot see clearly that the new federalism demands responsive and enthusiastic participation at the grass roots level by vital, living, organisms called local governments who do not want to become wards of the Congress or Federal and State administrative bureaucracy. Suggestions that the Federal government might assume new burdens such as greater welfare costs might be constructive, but such suggestions do not replace the fundamental virtue of revenue sharing.

The time must be at hand for local governments to determine local priorities not as a purely parochial calling but in the light of activities which will make the United States of America a stronger nation. The President and Congress must see that our foreign policy depends fundamentally upon our internal strength and ability to withstand unusual technological stresses instantly and with constancy. This internal strength must be a high national priority. It has been taken for granted but even a casual look at the state and local governments of America today should indicate that vital local strength can be taken for granted no longer.

If we are asked—what revenue is there to share?—we must answer with one voice that the first $5 billion in the current Federal budget had best be spent insuring the vitality of state and local governments who hold together that vast structure of government which supports the Federal establishment. If Congress has "shadow governments" to disperse throughout the land, let them come forward. Otherwise, Congress would do well to trust those now in state and local authority to do a better job than the results of the past indicate that present grant-in-aid structures and methods achieve.

I appreciate that in the midst of a revenue sharing seminar, we can become highly emotional about our cause. I feel a natural surge of anger whenever I hear a Congressman suggesting that he knows more about the needs of Indianapolis than the Mayor or the Council of this city. That is the assumption of each Federal program with which we struggle in this city. The temptation is frequently very great to clear the entire Federal apparatus away and to pretend that we do not belong to any Federal system. I am certain that we could put a perverse twist on Congressman Mills' logic and suggest that those Congressmen who have presented our local government with such a welter of federal laws with which to comply ought to bear the penalty of raising the funds to help us comply. In summary, in return for the physic pleasures of passing laws to do good must come the pains of paying for it.

For the moment, however, let us appreciate that political life does not permit instant poetic justice. It does permit plain speaking. I am convinced that the ordinary citizen wants responsive government and visible performance, now. This state of affairs can come about with considerable strengthening of American federalism, in the process.

Our task as local officials is to make certain that enthusiasm for reform of the Congress, of the federal bureaucracy and of state government does not obscure the pressing need for local structural reform. That need is monumental and all of the money in America is not going to revitalize local government unless business practices, sensitivity to the problems of all citizens, highest caliber citizens participation, and abundant imagination replace far too many situations in which government is fragmented unbelievably geographically and functionally, some citizens are ignored, and ill-qualified and unimaginative leaders are at best simply holding on for dear life while talent and wealth and hope ebbs away.

The crises of many cities were not created by the Congress, the President, or state governments and will not be remedied by them.

Revenue sharing, now, can make a big difference in arresting a dangerous trend toward failure of the Federal government to produce results even with the best of intentions and tens of billions of dollars to back up those intentions. The federal system and this includes local governments can be strengthened and this will say much to questions about the quality of government as our country becomes even more diverse and complex. All or any of this will, occur, finally because a sufficient number of individual Congressmen see merit in the idea of revenue sharing and note that we plan to support them in their work and to criticize them without pause if they are arrogant, indolent, or unwilling to take seriously the strong pleas of every other branch of government in America. Revenue sharing is not a simple solution to all that ails America. It is an important step in the strengthening of our country and all its governmental institutions. It is sufficiently important that the sentiments of each Congressman must be found and the good will of each Congressman secured by those among us who have political strength in our own localities.

Congressmen who oppose us will need to face us with better arguments than specious judgments that we are seeking to spend Congressional money that we are incompetent or potentially dishonest, that there is no money to spend, that our abilities to do well are dubious even in light of their disastrous activities of the past.

We are in process of setting the domestic record straight. The status quo is indefensible and even very influential Congressmen will not be able to walk like the "emperor with no clothes" for long. We are going to point out that the Emperor wears no clothes. Having said this, we are commencing a redressing of American federalism from top to bottom.

TRIBUTE TO DR. GUY L. VARN

Mr. THURMOND. Mr. President, a dedicated educator and personal friend recently announced his retirement after a distinguished career in the public school system of Columbia, S.C.

Dr. Guy L. Varn has served faithfully as superintendent of the Columbia—district 1—public schools for the past 20 years. His wise and competent administration of the schools has directly benefited thousands of citizens in our State.

Dr. Varn's own life illustrates his deep personal devotion to education. Born in 1906, he began his formal education in a one-room country school. He earned his high school diploma in Columbia, graduated from Wofford College in Spartanburg, and received his master's degree from the University of South Carolina. Dr. Varn continued his graduate education at Peabody, Columbia, and New York Universities, and was awarded an honorary doctorate from Wofford College.

Dr. Varn came to the Columbia school system in 1936, and served 9 years as principal of Schneider Elementary. He was promoted to the system's central office in 1945, serving 3 years as Columbia's first personnel director, and 3 years as assistant superintendent before becoming superintendent in 1951.

Mr. President, I ask unanimous consent to insert in the RECORD an editorial from the February 24, 1971, Columbia Record of Columbia, S.C., which calls attention to Dr. Varn's lifelong contribution to public education in South Carolina and his outstanding record of public service.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THANK YOU GUY VARN

Two decades ago, Guy Varn became superintendent of the Columbia (District One) Public Schools. He was no stranger to the central office, having served three years as director of personnel and another three years as assistant superintendent. Before that, he guided Schneider Elementary for nine years as its principal.

A goodly portion of Guy Varn's life, thus, has been given to the children of Columbia. Many a Columbian knows him well because of his presence in our midst over the extended period of time.

What a rich experience it has been for Varn! "Experience" is a counter-word in the educators' vocabulary, but in this instance it serves extremely well. For Varn has experienced many physical, educational, social and economic changes in the school system he has served.

"My experiences," he said in his retirement letter to the school board, "have been quite varied and challenging." Varied? Challenging? He adds, "I have served through the depression years, the war years, the population explosion, and the massive changes resulting from the Supreme Court decision of 1954." Need one amplify on the alterations, troublesome and tiring decisions, and restraint needed during such a time span to educate Columbia's children and youngsters?

A grateful citizenry can thank Guy Varn for his patience, endurance, loyalty and his constant endeavor to provide the city's young men and women with the best education attainable with the best teachers available and the fiscal resources obtainable.

Few men have served our city so well, so long. For the thousands whose lives were enriched because of prudent administration of the schools where they learned, we say: "Thank you, Guy Varn."

ORDER FOR RECOGNITION OF SENATOR JACKSON TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on tomorrow immediately following the remarks of the able Senator from Wisconsin (Mr. PROXMIRE), the distinguished Senator from Washington (Mr. JACKSON) be recognized for not to exceed 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that following the remarks of the able Senator from Washington (Mr. JACKSON) on tomorrow, there be a period for the transaction of routine morning business for not to extend beyond 12 o'clock meridian and that statements therein be limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BYRD of West Virginia. Mr. President, the program for tomorrow is as follows: The Senate will convene at 11:30 a.m. following the expiration of a recess. Immediately upon the conclusion of the remarks by the two able leaders under the standing order, the distinguished Senator from Wisconsin (Mr. PROXMIRE) will be recognized for not to exceed 15 minutes, to be followed by the distinguished Senator from Washington (Mr. JACKSON) for not to exceed 10 minutes, to be followed by the transaction of routine morning business with statements therein limited to 3 minutes.

The period for the transaction of routine morning business is not to extend beyond 12 o'clock meridian under the previous order.

The operation of rule XXII will be suspended until 12 o'clock meridian tomorrow. Under the rule there will be 1 hour of debate, and under the previous order, the hour will be equally divided and controlled by the distinguished Senator from North Carolina (Mr. ERVIN) and the equally distinguished Senator from Idaho (Mr. CHURCH).

At the conclusion of the hour of debate, a quorum call is mandatory under the rule. Upon the establishment of the presence of a quorum by the Presiding Officer, a rollcall vote on the motion to invoke cloture on the motion to proceed to the consideration of Senate Resolution 9 will be mandatory under the rule. Therefore, there will be an automatic rollcall vote on tomorrow at about 1:10 p.m.

Following the disposition of the pending business on tomorrow—if cloture is not invoked—the Senate will consider Senate Joint Resolution 7, lowering the age to 18 for voting in State and local elections.

Under the previous order, when the Senate completes its business tomorrow, it will stand in adjournment until 11:30 a.m. on Wednesday next.

On Wednesday next, under the previous order, immediately following action on the approval of the Journal, if there is no objection, and the recognition of the two leaders under the standing order, the distinguished Senator from Idaho (Mr. CHURCH) is to be recognized for not to exceed 15 minutes.

RECESS UNTIL 11:30 A.M

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 11:30 a.m. tomorrow.

The motion was agreed to; and (at 3 o'clock and 26 minutes p.m.) the Senate took a recess until tomorrow, Tuesday, March 9, 1971, at 11:30 a.m.

NOMINATIONS

Executive nominations received by the Senate March 8 (legislative day of February 17), 1971:

IN THE AIR FORCE

Maj. Gen. Homer I. Lewis, [redacted] FV, U.S. Air Force Reserve, for appointment as Chief of Air Force Reserve under the provisions of section 8019, title 10, of the United States Code.

IN THE ARMY

Gen. George Robinson Mather, [redacted] Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of general under the provisions of title 10, United States Code, section 3962.

The following-named officer for appointment as Chief, Army Reserve and for appointment as major general, Army of the United States, and major general, U.S. Army Reserve, under the provisions of title 10, United States Code, sections 3019, 3442, and 3447:

To be major general

Brig. Gen. James Milnor Roberts, Jr., [redacted] Army of the United States (colonel, U.S. Army Reserve).

The following-named officers for appointment in the Regular Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3284 and 3307:

To be major general

Maj. Gen. Howard Wilson Penney, [redacted] Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Roderick Wetherill, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. David Stuart Parker, [redacted] Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Raymond Leroy Shoemaker, [redacted] Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Lloyd Brinkley Ramsey, [redacted] Army of the United States (brigadier general, U.S. Army).

Maj. Gen. George Philip Seneff, Jr., [redacted] Army of the United States (brigadier general, U.S. Army).

Major Gen. Edward Harleston deSaussure, Jr., [redacted] Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Hugh Franklin Foster, Jr., [redacted] Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Andrew Peach Rollins, Jr., [redacted] Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Robertson Desobry, [redacted] Army of the United States (brigadier general, U.S. Army).

Maj. Gen. George Lafayette Mabry, Jr., [redacted] Army of the United States (brigadier general, United States Army).

Maj. Gen. Herron Nichols Maples, [redacted] Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Leo Henry Schweiter, [redacted] Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Edward Bautz, Jr., [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. George Marion Seignious II, [redacted] Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Richard Logan Irby, [redacted], Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Franklin Milton Davis, Jr., [redacted] Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Paul Alfred Feyereisen, [redacted] Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Richard George Ciccolella, [redacted] Army of the United States (brigadier general, U.S. Army).

Maj. Gen. James Francis Hollingsworth, [redacted] Army of the United States (brigadier general, U.S. Army).

MEDICAL CORPS

Maj. Gen. Kenneth Dew Orr, [redacted], Army of the United States (brigadier general, Medical Corps, U.S. Army).

Lt. Gen. Hal Bruce Jennings, Jr., [redacted] Army of the United States (brigadier general, Medical Corps, U.S. Army).

EXTENSIONS OF REMARKS

JUNIOR GIRL SCOUTS MAKE AN ECOLOGY PLEDGE

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. WALDIE. Mr. Speaker, many Americans are greatly concerned about the problems of pollution and litter and their effect on our environment and our natural resources.

Unfortunately, too many of us voice our concern and then neglect to follow through.

A group of Junior Girl Scouts and their leaders from Atwater, Calif., have written me of their own environmental concerns, and have also spelled out their pledge to protect the environment and preserve our Nation's natural resources.

I found this group's pledge and letter to be outstanding and worthy of the attention of all Members of the Congress.

Thus, Mr. Speaker, I would like to include the letter to me from Junior Girl Scout Troop 19, Atwater, Calif., in the CONGRESSIONAL RECORD:

FEBRUARY 25, 1971.

Hon. JEROME R. WALDIE,
Sacramento, Calif.

MY DEAR MR. WALDIE: Junior Girl Scout Troop 19 is studying a new badge this year. We are pioneering in Eco-Action for 1971. We are learning, what we can, of the problems facing us as a nation and as individuals. We are making a pledge, our own solemn pledge to find the pioneering spirit to start to overcome the problems which are robbing us of clean water, free fresh air which we need to sustain life, problems of too many people, too much litter and shrinking wilderness areas.

OUR PLEDGE

1. I promise to never, ever throw or drop a single tiny piece of litter on the ground. If I see someone doing it be he child or old, old man, I will pick up his litter and politely hand it back to him.
2. I will never contaminate a stream, river, lake or waterway in any way.
3. I will not waste paper or food. When I am grown, I will not work for a company which willfully pollutes our environment.
4. I will encourage my dad and mom to demand autos which will not pollute, to demand that our local water supplies be clean and healthy and that our sewage treatment plant be adequate for our community; and that our community and state adapt methods of collecting items which can be recycled.

5. I will encourage my family and friends to support legislation which will help clean up our environment and to enforce these laws; and to support legislation to create new wilderness areas.

In looking for some way to actively participate in saving our remaining wilderness areas from encroaching civilization, we found that there is a proposed all-weather highway planned to go through the high Sierras between the John Muir Wilderness and Dana Minares Wilderness areas crossing the 200-mile road-free John Muir Trail.

We applaud your efforts to block this proposed highway by reintroducing the San Joaquin Wilderness Bill.

As Girl Scouts who live with and love the outdoor in its natural state we support this bill. And, although we cannot yet vote, we want to raise our voice in opposition to this highway. We have written letters to the President, the Secretary of the Interior and our Representatives in Congress. As well as the Governor, Lt. Governor, Attorney General and our representatives in the state legislature. We have urged them to support the San Joaquin Wilderness Bill with whatever power they possess.

We would like someday to take our own children to this most lovely area where no road exists and where hopefully no road will ever exist.

Very sincerely,

JUNIOR GIRL SCOUT TROOP 19.

ATWATER, CALIF.

Deana Adams, Kathy Grammes, Michelle Hemme, Deborah Lloyd, Sharon Lonjin, Lisa Gycock, Terri Culbreth, Beth Grammes, Susie Mahoney, Angela Bone, Cathy Gurley, Vicky Spagnola, Barbara Pierce, Tammy Spagnola, Annqunette Myers.

Susan Katsch, Shirley Bone, Cathy Snyder, Kathy Clifford, Judith Noderer, Christine Honea, Sandra Boyce, Naomi Czipka, Melanie Grisby, Deborah Robinson, Laura Prowell, Cindy Anstead, Connie Grammes, Leader; Janet Smyela, Assistant Leader; Patricia S. Bone, Leader.

DAV 1971 LEGISLATIVE PROGRAM

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. HAMMERSCHMIDT. Mr. Speaker, the national commander of the Disabled American Veterans, Mr. Cecil W. Stevenson of Jonesboro, Ark., recently appeared before the Committee on Veterans' Affairs with a presentation of the DAV 1971 legislative program.

That program reflects the continued high purpose of the DAV to assure adequate care for the disabled veteran and his family.

I commend to the attention of my colleagues the presentation by Commander Stevenson which follows:

STATEMENT OF CECIL W. STEVENSON

Mr. Chairman and members of the committee, thank you so much for giving me the opportunity to come before you to speak on the 1971 Legislative Program of the Disabled American Veterans.

I thank you, too, on behalf of our National Officers, our State Commanders and Adjutants who are here with us this morning. Our mutual interest in veterans' affairs brings us together again in the Nation's Capitol for formal discussions on programs and plans of our Organization for the current year.

It would be derelict on the part of the Disabled American Veterans, Mr. Chairman, if we did not at the very outset pay special notice . . . and give congratulatory appreciation to you and the members of your Committee who have made it possible for the 91st Congress to be remembered as the "Best Veterans' Congress in Years."

That quote is not mine, ladies and gentlemen, but it has been used to describe the 91st Congress in the newspapers, service organization publications, and in the *Congressional Record* itself.

We know you made it possible for the new legislation now on the books—new laws—that makes life easier for the disabled war veteran, his dependents and survivors. We are especially grateful that you gave your all-out support to have the new compensation law become effective on July 1, 1970, instead of January 1, 1971, as originally scheduled.

In addition to the generous increases in compensation rates, the 91st Congress substantially improved and expanded the programs of education and training, dependency and indemnity compensation, disability and death pension, and the hospital and medical care program. Indeed, every major benefit program for veterans and their dependents was dramatically improved and expanded.

These and other actions—all of which cannot be covered here—provide more than three quarters of a billion dollars in increased benefits and represent achievements of outstanding significance by this Committee and the 91st Congress. I know that the Committee will, as it has always done in the past, continue to give serious recognition to veterans problems as it undertakes its work in the 92nd Congress.

We of the Disabled American Veterans look forward to working with you, and providing you with whatever assistance we can in the coming months. I wish to take this opportunity to express our appreciation to the dedicated members who continue to serve on this great Committee and to say a very warm word of welcome and congratulations to the newly assigned members. I know that all members will find us ready and available at all times so that with our joint efforts we may continue to give all help, reasonable and proper, to those of our fighting forces who bear the scars of battle wounds, or the marks of injuries or illnesses incurred while on active duty.

Before proceeding further, Mr. Chairman, perhaps I should take this occasion to explain to the new members the principal purpose for which the Disabled American Veterans was created. That purpose in part urges all of us "to uphold and maintain the Constitution and laws of the United States; to realize the true American ideals and aims for which those eligible to membership fought; to advance the interests and work for the betterment of all wounded, injured and disabled veterans; to cooperate with the United States Veterans Administration and all other public and private agencies devoted to the cause of improving and advancing the condition, health, and interest of all service-disabled veterans."

In accordance with these principles, the DAV, as part of its National Service Program, is making a special effort to seek out returning war veterans to advise them that our Organization stands ready to offer assistance in securing for them all benefits to which they may be entitled. For this purpose, the DAV maintains 150 National Service Officers—46 are Vietnam veterans—located in Veterans Administration Regional Offices and Centers across the Country. These dedicated, specially trained national employees—all of them disabled as the result of wartime service—assist the veteran in the preparation and presentation of claims for compensation, pension, hospitalization, medical treatment, education and vocational training, and sundry other benefits under law.

As National Commander of the DAV, Mr. Chairman, I have a genuine pride in our Service Program and the high stature it has attained through the efforts of our National Service Officers. In this connection, I recognize that the success of their efforts often depends upon the sympathetic understanding that you and your Committee members have consistently given to our Legislative presentations.

Now, Mr. Chairman, and honorable members of the Committee on Veterans' Affairs, here are the 1971 DAV Legislative Objectives.

I want to say at once, ladies and gentlemen, that it is not the purpose of the DAV to come here and make extravagant demands upon the Committee and the public treasury. The generous record of veterans' benefits enacted in the 91st Congress would, in any case, constrain us to keep our program within reasonable and equitable limits. However, with your indulgence, I should like to cover in general terms certain areas of veterans' programs to which the DAV is addressing itself this year.

DISABILITY COMPENSATION

With respect to the VA disability compensation program, Mr. Chairman, I want to reemphasize that the DAV, throughout the years, has been deeply impressed with the interest and concern this Committee has consistently shown for those veterans who have suffered disability as the result of service in our armed forces. We are most grateful to the Committee for repeatedly exercising initiative and leadership in the development of programs to meet the growing needs of these deserving war veterans.

Traditionally, it has been accepted that payments for service-incurred disablement should be adequate to meet the special circumstances of the veteran. This is particularly so in the cases of the very severely disabled, whose income consists solely of compensation and where very often the recipient is so disabled that he cannot work. Accordingly, it is the feeling of the DAV that the maintenance of the purchasing value of compensation payments must continue to be a major factor in the established compensation policy.

We are confident that the Committee will, as it has steadfastly done in the past, keep the disability compensation program under close and continuing study. The constant rise in the cost of goods and services offers, we think, a real and compelling reason for the Committee to do so.

Since Disability compensation is a matter of fundamental interest to the Disabled American Veterans, it is only natural that a number of resolutions touching on this program be considered and approved by our National Conventions.

Among those adopted by our most recent National Convention is a resolution calling for a long-delayed and well-deserved increase in the statutory awards payable to disabled veterans for the loss or loss of use of a single extremity or body organ. The Veterans Administration has persistently opposed this proposal, giving as its reason that they "have been engaged in the preliminary steps" of a study to obtain data for use in validating the disability Rating Schedule. This study has been going on now for well over a decade, and we cannot see it as a valid excuse for delaying action any longer on this worthy proposal.

Although the basic rates of disability compensation have been increased at more or less regular intervals over the years, the monthly rates for the statutory awards have remained constant since July 1, 1952, at which time there was granted an increase of $5 a month over the rate prevailing since September 1, 1946.

Inasmuch as the costs of goods and services have risen substantially during the 1952–1971 period, we believe a generous increase in these statutory payments is wholly justified. We urge the Committee's favorable consideration of this pending proposal.

Another DAV resolution associated with compensation would authorize an annual clothing allowance of $300 to veterans who, because of service-connected disabilities are forced to wear prosthetic appliances which tend to wear out or tear their clothing.

The proposal is a most reasonable one, is inexpensive, and its enactment will give recognition to the value of military service and the difficulties these veterans endure daily because of the special nature of their service-connected disabilities. We urge the Committee's approval of this deserving and appealing measure.

The DAV also proposes a modification of existing law to extend the full range of wartime benefits to a very deserving group of VA beneficiaries.

Enactment of the Cold War G.I. Bill (P.L. 89–358) in March of 1966, and the Veterans' Pension and Readjustment Assistance Act of 1967, expanded significantly the wartime benefits program for veterans who have served in time of peace under wartime conditions.

There still remains, however, a group of disabled peacetime veterans who are paid disability compensation at wartime rates but who are not, under existing law, entitled to other wartime benefits.

The DAV believes that a veteran who sustained a disability under wartime conditions, while performing extra-hazardous service, should have a fundamental entitlement to the same benefits provided for war veterans who became disabled under similar circumstances.

In the spirit of fair play, we heartily recommend that equal treatment be accorded these deserving veterans and that they be provided with the full range of wartime benefits.

The DAV National Convention last August adopted a number of other resolutions on the subject of disability compensation. Included are proposals to authorize concurrent payment of compensation and pension under a special formula; dependency allowances for veterans whose disabilities are rated less than 50 percent; dependency and indemnity compensation for widows of veterans rated 100 percent service-connected disabled for 20 or more years; and to authorize aid and attendance allowances for dependent parents of veterans who die as a result of service-connected disability.

VA MEDICAL CLAIM

The DAV, by its very nature, has a deep and abiding interest in the Veterans Administration's Hospital and Medical Care Program. We strongly support the position that the VA Department of Medicine and Surgery maintain its prominence in the entire field of medical care.

The DAV is deeply indebted to you, Mr. Chairman, for conducting the surveys last year which resulted in a better understanding of the hospital and medical needs of disabled war veterans. Indeed, information adduced by the surveys was instrumental in securing additional hospital funds which brought about improvements in the VA Medical Care Program.

As you are aware, Mr. Chairman, much discussion is going on within and outside the Government to establish a National Health Insurance Program. There is a variety of health care legislation of both large and small scope pending before the Congress. Proposals to improve the distribution of physicians, dentists, nurses, technicians, and other allied health personnel are under consideration. Some of these proposals have a laudable purpose because the national shortage of doctors and other health professionals is severe and worsening.

The DAV recognizes that the problem of health care for the general population is swelling rapidly and that legislation is needed to deal realistically with all aspects of the health issue, including the plight of medical education.

The question arises as to what role the VA will play in any proposed National Health Care Program. In this connection, the VA Chief Medical Director stated recently that all health systems "must link their resources, talent, and knowledge." It was further stated that "no component of the Nation's Health Care System as large as that represented by the VA's Department of Medicine and Surgery can consider itself, or be considered, in isolation—no matter how splendid."

The DAV senses here the beginning of a subtle effort to assimilate the VA medical system into a National "unified health plan" under the jurisdiction of HEW or some other social agency. As the Chairman and members of the Committee know, HEW has already proposed that 8 of its Public Health Service hospitals and 30 out-patient clinics be closed. It is indicated that if the closings occur, public health service patients will be transferred to VA hospitals.

Despite all of the plans being advanced for the operation of a National Health Program, we believe that the welfare of the disabled war veteran and the debt his nation owes him dictate aggressive action to make certain he receives a high level of medical service as a matter of right, that he be considered apart from the general population, and that he must be given total priority with respect to health care benefits. In our view, the principle of first-rate medical care for wounded and otherwise disabled war veterans is at once so just and indisputably right that the Government is under a strong moral obligation to continue to effectively operate the VA Hospital and Medical Care system as it is presently constituted.

In this regard, the recently published VA budget for fiscal year 1972 indicates an increase of $124.7 million over fiscal year 1971 for medical care. Upon reviewing the immediate and massive needs of the Program, it becomes evident that this increase is unrealistically low and will necessarily result in the loss of 5,500 hospital beds. At the same time, reports received from across the country reveal that applications for VA hospital and out-patient treatment have been on the increase, the demands for all hospital and medical services have reached an all-time high, that the number of veterans seeking nursing home care is rising. The reports, in fact, reflect an increased need for across-the-board services to psychiatric, medical, and surgical patients.

The VA can go forward with positive programs that provide greater health services to more patients with increased effectiveness. But, again, this can only be done with a level of funds far higher than that requested in the budget for fiscal year 1972.

Mr. Chairman, several resolutions relating to the VA Hospital and Medical Care Program were adopted by our National Convention. Included are proposals to provide an Aid and Attendance allowance for service-connected totally disabled veterans who are confined to a nursing home; to provide complete medical services to veterans who are rated 50 percent or more disabled; to authorize hospital care for the widows and children of veterans who died of service-connected disabilities and for wives and children of veterans who have service-connected conditions rated as totally disabling.

As you know, under the terms of the Military Medical Benefits Act, hospital care is made available to dependents of retired military personnel and to the widows and children of servicemen who die while on active duty.

It is the feeling of the DAV that dependents of totally disabled service-connected veterans and the survivors of veterans who die of service-connected causes should be placed in a position comparable to that enjoyed by dependents of military retirees.

Over the years, this Committee and the Congress has consistently recognized that the widow of a man who dies of service-incurred disease or injury is in a very select category and deserves the special gratitude and assistance of our nation.

This is reflected in the passage of legislation that has established programs of death compensation payments, provisions for home loans, and for educational assistance benefits to war orphans and widows. We believe that authorization for hospital and medical benefits would be a logical and natural progression of a grateful nation's efforts to fulfill in a greater degree the needs of survivors of those who contributed so much to preserve America's security in time of war.

NATIONAL CEMETERIES

The subject of national cemeteries has been a long-standing priority concern of the Disabled American Veterans. Several bills pending before the Committee would consolidate Federal cemeteries into one system administered by the Veterans Administration. The DAV strongly supports this proposed legislation, for we see it as a means of eliminating the confusing and uncertain condition currently associated with the cemetery program.

The DAV has National Convention resolutions calling for increasing the burial allowance to $400, and to establish a National Cemetery in every state. With regard to the latter resolution, we recognize that for practical purposes this proposal may have to be modified. Some heavily veteran-populated areas may require several sites. There is no easy solution, but we are sure that the members of this distinguished Committee recognize this. We know, too, that the Committee has, through the years, constantly held to the view that veterans who have faithfully and honorably served our country should be entitled to the secure knowledge that there is a carefully drawn plan governing cemeteries for veterans—a plan that is equitable now and will sustain in the future.

I want to say again, Mr. Chairman, that the DAV is solidly behind the proposal to transfer control of national cemeteries to the Veterans Administration. It represents, in our opinion, a major step toward the fulfillment of the doctrine that "every veteran should have the right to burial in a national cemetery situated reasonably close to his home."

GUARANTEED AND INSURED HOME LOANS

As you know, Mr. Chairman, since the inception of the Home Loan Program, the interest rate has risen from the original 4 percent to last year's all-time high of 8½ percent—a cost of financing that has priced most of the nation's veterans out of the housing market.

The members of our Organization have always held that in order for the Home Loan Program to be a meaningful benefit, the interest rates on these well-secured, Government guaranteed loans must be set at a reasonable level which is within the reach of the average veteran. We, therefore, welcomed the recent actions which started the downward trend in interest rates, and we are hopeful that the present 7 percent rate will soon go even lower.

While encouraged by the lowering of the interest rates and the extension of the Loan Program to cover mobile homes and condominiums, Mr. Chairman, we were dismayed to learn that the Veterans Administration apparently intends to get out of the "direct loan program." The news that there were no funds available in the 1972 VA Budget request for this important Program came as a shock, and must have been especially discouraging to that small group of severely disabled veterans who, by an act of Congress last year, were made eligible for direct loans to purchase specially adapted housing. Veterans who will benefit from this new law deserve every consideration and should be assured of this benefit without regard to where they live or the availability of other possible sources of mortgage credit.

Eliminating the direct home loan program runs counter to resolutions adopted by the DAV National Convention. These resolutions urge that the Program be expanded, that the maximum direct loan amount be increased to $25,000, and that such loans be made available in metropolitan areas.

We view the hasty and ill conceived decision to eliminate direct loans as an arbitrary abuse of Executive authority, and we respectfully request that this distinguished Committee exercise its power of legislative oversight to reassert the will of the Congress that "direct loans" in any area be made available to disabled veterans who are entitled to assistance in the purchase of specially adapted housing.

Other DAV legislative recommendations associated with the Home Loan Program provide that the specially adapted housing benefit be extended to veterans who have suffered the service-connected loss, or loss of use of an upper and lower extremity; that the exercise of strict controls over the discount rate be maintained in order to prevent lenders from artificially increasing the maximum interest levels by the charging of excessive points; and that the National Service Life Insurance reserve fund be used to provide home loans for veterans at reasonable interest rates.

Mr. Chairman, my statement has covered some of the major aspects of our 1971 Legislative Program. There are other matters of equal urgency which will receive our attention during the course of the 1st session of the 92nd Congress.

The Committee has been furnished a complete set of resolutions adopted at the 1970 DAV National Convention held at Los Angeles, California. Bills relating to most of these proposals have already been introduced, while others are presently in the drafting stage.

When the Committee holds hearings on specific pending legislation, we hope you will allow us to present more detailed reasons why we feel that these and other proposals in which we are deeply interested should be given early approval by the Committee.

Mr. Chairman, I again want to express our grateful appreciation for giving me the opportunity to come before you and present our views on matters of vital importance to the people whom we serve—the wartime disabled, his dependents and survivors. I also want to take this occasion to pay special tribute to the staff members of this distinguished Committee and to thank them for all the competent help, advice, and practical assistance they have given us throughout the years. I am pleased to commend and thank them for their splendid cooperation.

In closing, Mr. Chairman, I want to call attention to another high-point of our Conference this year. This afternoon the Senate and House of Representatives will salute the Disabled American Veterans on the Anniversary of its fifty years' of service to America's disabled war veterans and their dependents.

The highly respected ranking majority member of the House Veterans' Affairs Committee, Mr. Dorn, will act as Co-Chairman of this event in the House. It is my hope that other members of the Committee will participate in this very special event.

The final activity of our Conference will, of course, take place this evening when we have our annual reception honoring all members of the Congress. I shall look forward to meeting with you on this festive occasion which begins at 6:00 P.M. in the Presidential Ballroom of the Hotel Statler Hilton.

MINED AREA PROTECTION ACT OF 1971

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. HOSMER. Mr. Speaker, I am introducing for myself and for Messrs. KYL, STEIGER of Arizona, DON H. CLAUSEN, RUPPE, CAMP, SEBELIUS, TERRY, GERALD R. FORD, BOB WILSON, WIDNALL, BLACKBURN, and COUGHLIN, legislation to provide for cooperation between Federal Government and the States with respect to environmental regulations for mining operations, and for other purposes.

This legislative proposal is a part of President Nixon's environmental message which was submitted to the Congress on February 8, 1971.

Historically, the continued growth, prosperity, and strength of this Nation has been proportional to our ability to develop our mineral and human resources. Throughout the length and breadth of our land we see the marvels of our great strength as a Nation—great highways, inspiring buildings, factories, steel mills.

And throughout our land, too, we see the price paid for these structures—great pits, spoil banks, and other unsightly scenes.

President Nixon—and more than 200 million Americans—would like to see this growing ugliness stopped. And a proposal by the administration, keyed to the President's far-reaching environmental message of February 8 is designed to do just that. I am proud to lend my support to legislation that will soften the environmental impact by mining in the United States.

Action is long overdue. We owe it to present generations and future ones to save whatever we can of our terrain.

In our quest for minerals, 3.2 million acres of land already have been disturbed by mining. And some 150,000 acres are being added annually to this total. If we continue along the present path, 5 million acres will have been affected by 1980.

I do not mean that the States and some of the mining companies have ignored the problem. They recognize it and have taken steps to reclaim the countryside. There are, on the books of 22 States, regulations concerning mining environmental problems.

But there is a lack of uniformity, both in the laws and in the effort to see that they are followed to the letter.

Corrective National legislation is the only reasonable approach to the problem. The legislation I support gives the States the initial responsibility for developing and enforcing environmental mining regulations. This is an excellent approach. However, if the States do not act by coming up with an acceptable program in 2 years, the Secretary of the Interior would promulgate regulations for mining operations within the State.

I have not touched upon cleaning up the damage already suffered—the millions of acres already ravished. The administration, I have been assured, is working on this phase, too, but it is not part of the present legislative proposal.

I wish to point out that the proposed Mined Area Protection Act of 1971, which should become law, is not limited to the adverse effects of surface mining, but would cover such eyesores as unsightly spoil heaps from underground mines and the sink holes and the water pollution created by workings beneath the surface.

It is a good bill and merits your support.

FEDERAL GRANTS-IN-AID

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. RHODES. Mr. Speaker, this body spends a good deal of time considering Federal grant-in-aid proposals which would affect both the State and local levels. And in considering them, we always try to be alert to the proper balance among State and city interests and competition for funds, on the one hand, and national goals versus local preferences, on the other.

This sometimes confused democratic process somehow seems to produce relatively adequate legislation when we need it—but we seldom have adequately solved the problems of State versus city interests, of national responsibilities versus local wishes. And perhaps the nature of this pluralistic country is that these problems never can be permanently or completely solved. Perhaps, too, we try to say too much for a piece of legislation to hold.

Maybe the motto in Washington should be the fewer words the better—and I am happy to note that the President seems to feel the same way. Let me refer specifically to his Manpower Revenue Sharing bill, which I trust the Congress will consider fully in this session. One of the simple, but logical, features of this bill is to give revenue sharing funds directly to both State governments and local jurisdictions, according to simple published formulas, without the complications of "pass-through" devices, comprehensive State plans, new organizations in the State governments, or approval of local plans by the Federal Government. In this way, the principle that government should be returned to the people is followed in State and local relations as well as in national and State relations.

Both State governments and local jurisdictions are required, however, to publish their annual plans 2 months in advance. Then the State has 1 month in which to comment on each local plan, and each local jurisdiction has 1 month in which to comment on the State plan. I think this is a sensible, realistic way of encouraging coordination without encouraging the growth of excessive redtape.

This example is typical of the approach in this bill. I think it would be instructive for each of us to study this bill carefully and consider the ways in which it contrasts with much of the legislation now on the books.

I, for one, am grateful to the President for showing that far-reaching legislation can still be written in a few simple pages, and that power can flow back to the people again—if we in this Congress are equal to the moment.

ALASKA PIPELINE QUESTIONS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. DRINAN. Mr. Speaker, the Gardner, Mass., News recently had one of its characteristically perceptive editorials on the Alaska pipeline question.

I am happy to include this editorial in the RECORD as a balanced presentation of a very complex subject.

At the same time I am happy to pay tribute to the Gardner News, a daily which under the able leadership of the Bell Family, has served the greater Gardner community for all of the 70 years of this century.

The editorial follows:

> ALASKA PIPELINE QUESTIONS
>
> A short time ago a Department of Interior report cited numerous reasons for not installing the proposed trans-Alaska hot oil pipeline, but then came down in favor of it on the grounds of overriding national need for the oil. This appeared to all but deliver the coup de grace to the efforts of conservationists and others to halt the project at least pending more study of alternatives.
>
> Hope is not quite gone, however. Hearings in Washington and in Alaska offer one last chance to make a case against the pipeline persuasive enough to overcome the momentum generated by powerful oil interests—interests so confident that pipe already is stacked across the tundra awaiting the green light.
>
> Another encouraging note has been sounded by Russell Train, chairman of the President's Council on Environmental Quality. He said in a televised interview on the eve of the Washington hearings that the agency he heads is "not satisfied completely" with the justification for the pipeline.
>
> "Before we go ahead with the pipeline," Train said, "I think we must be satisfied that pipeline represents the best alternative available to us." This is the nub of the matter. Few would maintain that the Alaska oil reserves should simply be abandoned; that would be folly, in a society that depends so heavily on oil. Other methods of transporting the oil are potentially feasible, and ought to be thoroughly investigated—not merely by the oil companies, which necessarily are more concerned about profit than environmental questions, but by such ecological expertise as the government can command.
>
> Even the federal report opting for the pipeline noted its many-faceted threat to the ecological balance in a large slice of Alaska. Unanswered questions about possible alternatives should be carefully gone into before the oil companies are given the final go-ahead.

HERE, SIR, THE PEOPLE GOVERN

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. FLOWERS. Mr. Speaker, that which we all knew could happen did happen last week when the Capitol Building of the United States was desecrated by a tremendous bomb blast at 1:32 a.m. on March 1. The indignation, the outrage, that I feel for this tragic act is not that of a Member of Congress apprehensive of any special danger but rather that of an individual citizen of the United States realizing the proportion to which disregard for authority and lawful processes of Government has risen.

In describing the position of the Congress and particularly the House of Representatives to the New York State Convention on the adoption of the Constitution of 1788, Alexander Hamilton said, "Here, sir, the people govern." In all its imperfections—compromising, slow moving, sometimes tedious—the Congress is fairly representative of the people of America, and generally the end product of its work should be the composite will of the American people. The Capitol itself is both a workplace and a national symbol of the institution. It belongs to all of the citizens of the United States, past, present, and future; we who are privileged to labor here for a time as elected Representatives have no proprietary interest other than as ordinary citizens of the Republic.

Whether by derangement of mind and purpose or by design, those who perpetrated this act have committed a grievous crime against our society. If possible, it is even more reprehensible coming as it did during the week that the House passed the bill raising the public debt limit of our Nation to $430 billion. The enormous debt was largely incurred by a nation caring for its own and at the same time trying to be a good neighbor to the rest of the world.

Those who would damage the Capitol deny both the attempts which have been made to improve mankind under this roof and the system of government under which those attempts have been made. No honest man contends that the system is flawless; but no rational man could argue either that it has not dreamed of great achievements and often implemented them.

In a speech to Parliament shortly after World War II, Winston Churchill said:

> Many forms of Government have been tried, and will be tried in this world of sin and woe . . . No one pretends that democracy is perfect or all-wise. Indeed it has been said that democracy is the worst form of Government except all those other forms that have been tried from time to time.

Mr. Speaker, if we really believe that our system is worthy of saving, it is becoming increasingly apparent that more must be done by all Americans if we are to preserve it for our children and grandchildren.

I believe it is not enough to merely tighten security in our Capitol—though this must and will be done. Nor is it enough to insure continued free access by all Americans to these Halls—though this too must be accomplished. What is needed is a reawakening of the old virtues of America—the belief in ourselves and in each other which has been our crowning virtue in times past and seems so desperately lacking throughout our country. Those who through violence, would cripple this free system should be met by an America determined to strive, to seek, to find, and not to yield.

In those famous words spoken at Gettysburg over a century ago:

> It is rather for us to be here dedicated—that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.

THE REVEREND AND MRS. DuRANT

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. FUQUA. Mr. Speaker, the Reverend Marion A. DuRant is leaving the pastorate of the First Presbyterian Church in Marianna, Fla.

For 29 years he has been the spiritual leader of this congregation and has watched the church grow and prosper. But more important, the Reverend and Mrs. DuRant have been leaders in their community and an inspiration to all who know them.

My wife and I attended his church and his example and kindness have been a particular source of comfort to me in many hours of trial.

His has been a life of service—dedication—devotion.

Some men cross the paths of others and inspire them. This is the tribute that I would pay to this devoted couple.

In that regard, I would have to have reprinted on these pages the resolution which was adopted by the Jackson County Ministerial Association as a testimonial of the esteem that all of us have for the DuRants:

Resolution Honors Rev. and Mrs. DuRant

Whereas, the Rev. Marion A. DuRant has retired from the pastorate of the First Presbyterian Church, Marianna, Florida, after 29 years of faithful and effective service, during which time the church grew in membership from 107 to 373, and

Whereas, he has served for 46 years in the ministry, and

Whereas, he has served as president and held other offices in the Jackson County Ministerial Association, and

Whereas, he has served as Moderator of the Presbytery of Florida and Moderator of the Presbyterian Synod of Florida, and

Whereas, he has been a member of the Marianna Welfare Board, president of Marianna Rotary Club and president of Jackson County Conservation Club, and

Whereas, he has been called to serve as interim pastor of the Presbyterian Church at Thornwell Orphanage, Clinton, South Carolina,

Be it resolved, that the Jackson County Ministerial Association extend to Brother and Mrs. DuRant our sincere and earnest prayers, our Christian love and best wishes, and our hopes for an effective minstry as they go from our county to this new work.

PRIVATE POWER PRESENTS A PARADOX IN MAINE

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. HATHAWAY. Mr. Speaker, the following feature appeared in the Portland, Maine, Press Herald of March 3 under the by-line of Frank Sleeper, our State's most impressive business columnist. The article is devoted to a curious contradiction which Maine private power companies have adopted of late with regard to the needs of the people of Maine and the cause of the environment. I believe that it will prove interesting reading for many of our colleagues:

Little Man Is Paying the Bill

November 30, the Public Utilities Commission granted Bangor Hydro-Electric Co. a fuel adjustment clause to let that company pass along to its customers the added cost of oil used at its generating stations.

Recently, Maine Public Service Co. applied for a similar increase.

In its annual report, Central Maine Power Co. hints that it will seek rate increases.

Great Northern Nekoosa Paper Co. attributes some layoffs at its Maine mills to the higher cost of fuel.

Thank you, conservationists and those opposing oil in the Maine Legislature.

The costs of conservation are now coming home to roost.

The private power companies of Maine present a paradox and a puzzle in all this.

The fight for an oil moratorium on the Maine coast is being led by State Sen. Richard Berry, R-Cape Elizabeth, the president of Rangeley Power Co.

Yet, the presidents of all three large Maine private power companies assured this writer about half a year ago that they favored an oil refinery being built in Maine. They wanted the cheaper fuel which would result and might have not only allowed them to keep power rates stable but even might have let them drop those rates.

Power company people aren't running around explaining this apparent contradiction. Here's one try at an explanation.

The power people in Maine can't at this juncture, come out in opposition to the conservationists. They even feel they have to lead the conservationists as Sen. Berry is doing right now.

The reason—the power companies don't want the conservationists to raise a rumpus about Maine Yankee Atomic Power Co., about the nuclear power plant that's being built in Wiscasset.

There are other benefits for the companies. They can blame (and probably justly) any rate increases in the near future on the rising price of oil fuel. With others to blame, the power companies won't have to bear the brunt of public disfavor which would drive them farther down on the public opinions polls in Maine. Several times polls made by candidates in this state showed the power companies as the most unpopular of all businesses here—and a good subject to take off against if you wanted to get votes.

If they get along well with the conservationists on Maine Yankee, other nuclear power plants may eventually rise in Maine. And there would be no trouble with conservationists over hydro projects—such as the proposed peaking power project just off the Kennebec River. The power companies, keeping the conservationists as allies, could get them to continue their opposition to the Dickey-Lincoln public power project.

The benefits outweigh the costs, by far. One of the costs may well be an oil refinery on the Maine coast and lower fuel costs for Maine. The power companies may want such a refinery but not enough to break their alliance with the conservationists. That alliance has been built up over many years. Rod and gun club meetings for years have received benefits from Central Maine Power Co. I've talked to fishermen who swear by CMP in spite of the dams that company has built. I've been to rifle club meetings where the hall was donated by CMP. There was method in this. The power company wanted the fish and gun men to be under obligation to them when they wanted to put in a major hydro project on a Maine river. When that happened, CMP colleced the IOU's in silence from the fish and game clubs. This is what is going on now with the conservationists. Remember, power companies supply electricity to summer homes just as they do to industry.

Oil prices will continue to go up. The settlements on increased prices in the Middle East guarantee that. The small Maine consumer will be hit as he already has in the coming higher power bills.

He'll be hit again and again by higher home heating fuel costs. A way out of this is provided by a refinery on the Maine coast. The Maine legislature is actively fighting that solution to high fuel costs.

It's clear that the establishment—both in Maine and outside this state—has taken over the fight to preserve the Maine coast against oil. Note the makeup of the board of directors of CRAC (Coastal Resources Action Committee). It's an elite board. Note the votes in the legislature on conservation. Many are nearly unanimous.

The little guy, most hit by the increases in power and heating fuel bills, is overlooked. He's the same little guy who probably makes the least use of the Maine coast.

Extremes in conservation, like anything else, are bad. In this case, it's the little man who is being hurt.

FREEDOM—OUR HERITAGE

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. ZWACH. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conducts a Voice of Democracy Contest. This year over 400,000 school students participated in the contest competing for the five scholarships which are awarded as the top prizes. The first prize is a $10,000 scholarship, second prize is $5,000, third prize is $3,500, fourth prize is $2,500, and the fifth prize is $1,500.

The contest theme was "Freedom—Our Heritage."

Mr. Speaker, I am happy and proud to announce that the contest winner for the great State of Minnesota is Miss Candace Fier, a 19-year-old lass from Ivanhoe in my Sixth Congressional District.

Candace plans to enter the medical or health field as a career. She has been secretary of the student council, editor of her school paper, and business manager of the school magazine subscription drive.

She received an A rating in the district speech contest, an A rating for flute trio in the regional music contest, was chosen to represent her high school at Minnesota Girls' State, lettered in band and chorus and was awarded two bowling trophies.

Mr. Speaker, I would like to insert into the Congressional Record at this time the winning entry, the Minnesota first place winner in the Voice of Democracy Contest, "Freedom—Our Heritage" by Miss Candace Fier, daughter of Mr. and Mrs. Edward Fier, of Ivanhoe, and I extend my most sincere congratulations to the winner.

Freedom—Our Heritage

Headlines: "Riots Disrupt Campus for Third Day," "Bomb Explodes Killing Ten," "Peace in the Middle East Elusive Dream." There is much in our world today that is disturbing and disruptive. There are many conditions that men are striving to change. But how do we, or how should we strive for change?

Many people seem to have varying views. Some favor violent means of protest such as bombing, burning, and destruction of property, while others use democratic and peaceful means.

Freedom is an age-old thing based on understanding; an understanding between people and their ideas. This understanding must be one and the same for all ages and all ideas.

We in the United States live in a nation founded on relative rights and freedoms. By relative, I mean your rights as an individual in so far as they do not infringe upon the rights of your fellow man. Because of this fact, our nation is comprised of many different kinds of people. We have left wing and right wing, radical and conformist, apathetical and extremely patriotic people.

The fact that we do live in a democracy makes it mandatory that we live in contact with people who through their beliefs threaten to tear down our free system.

So whether a person is left wing, right wing, or believes in our democratic system, he is free to live in our society and take advantage of all the freedoms it offers. Because of this fact, we must be constantly on guard against the destruction that is brought about by these people who are fighting against our freedom. And we must listen more closely to those that fight to strengthen freedom. We can do this by strictly enforcing the laws that structure our society and protect us against those that are striving to destroy us from within.

More and more each day this seems to be coming evident in the upcoming generations. Today, one half the total population is under 21 years of age. We young people are trying to direct the country's attention to the fact that we are distressed and disillusioned by conditions in our land—conditions such as poverty, racism, fraud, hypocrisy, and militarism. We firmly believe that only by facing, understanding, and trying to cope with these problems does hope reside for our country.

Stemming from this mixture of people and these relative freedoms come the demonstrations of freedom of speech and dissent. Because of our relative freedom of speech and dissent, we are able to assemble and march, to rally with people free to express their views and ideas to those that will listen and understand. We must listen and try to understand, but are we? Have we, in the United States, really been listening? I think not, when it becomes evident that we have headline stealers who bomb, burn, and destroy just so we will listen.

Freedom, as all things, has extremes. We here in the United States, have a heritage, a birthright, of relative freedoms. But as we take our relative freedoms of speech and dissent, and in the process bomb and destroy human life as well as property, are we still taking relative freedom, or have we gone to the extreme and taken absolute freedom? Absolute freedom means we have no respect for our fellow man's freedom, only our own. It is when we think only in terms of ourselves and not how something may limit another man.

Prince Charles, 22-year-old heir to the British throne, has been quoted as saying:

"Sad as it may seem, we do not live on a desert island where complete freedom may be thought to exist."

No, for if we do not strive for a better understanding among people to facilitate our relative, not absolute freedom, we will not survive. For if we cannot, in our free country, solve our problems, dissent will reign and a totalitarian government such a Russia will be happy to step in and solve our problems for us.

For yes, freedom is our heritage, our birthright, but we can throw it away, or we can fight through understanding to keep it. It is our freedom to choose.

We live in a large complex society where reasoning, understanding, and above all listening, are very important in making our plan of action, our choice of freedom.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,600 American prisoners of war and their families.

How long?

FREEDOM—OUR HERITAGE

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. ARENDS. Mr. Speaker, over 400,000 students participated in the Voice of Democracy essay contest sponsored by the Veterans of Foreign Wars and its Ladies Auxiliary.

I take pride in saying that the winner in the State of Illinois is from my congressional district. Her name is Melissa Jo Bailey, of Kankakee. She is a student at Eastridge High School. I am sure I speak for all the people of my district in extending to her our congratulations.

Under leave to extend my remarks I am inserting in the CONGRESSIONAL RECORD her prize winning essay, entitled "Freedom—Our Heritage."

I include the material as follows:

FREEDOM—OUR HERITAGE

Freedom—our heritage—my heritage and your heritage.

As a member of the "tell it like it is" generation the words "freedom" and "heritage" are sometimes forgotten in the noise of the crowd.

It is difficult to convey my feelings. If I were a parent today, these are the thoughts I would leave with my child:

Dear Johnny, Bobby, Susie, Mary (or whatever your name may be)—

I believe that you should know right from the beginning that in which I believe very deeply.

I hope that you grow up believing in America as I do. I want you to be different and to talk openly of your love of God and country; not hide behind petty politics and crumbling convictions. You should stand firm for the things in which you believe but respect the rights of others to disagree with you. I'd like you to be the kind of person who is a real honest-to-God, flag-waving patriot, who, if you much march, will tell people what you are marching for—not against. You're not aware of this but just a few months ago in Russia a group of students were protesting the arrest of a small band of scientists. As their punishment they were sentenced, without trial, to 20 years in Siberia in a concentration camp at hard labor.

But that was Russia and this is the United States.

Not long ago I heard some lyrics of a familiar song, which started me thinking of America and our heritage. The words went something like this:

Freedom isn't free,
Freedom isn't free,
You've got to pay the price,
You've got to sacrifice
For your liberty.

These are just words to a song and you don't know the meaning of it yet. But you will someday. Just like we the people of the United States know of the price we have had to pay. Or do we?

You will learn in your history class someday that our system of freedom began when 56 men affixed their signatures to the Declaration of Independence. The idea of freedom began centuries before that with the hopes and dreams of man since the first day he was set on earth.

Your ancestors have had this freedom in their blood since the beginning of time and have tried to preserve it through the ages. Naturally there has been blood shed, generations of it and each generation fights harder than the previous because of the increasing difficulty to keep this freedom. Your great-great grandfather, great grandfather, and grandfather were not just fighting for a dream of their own—but for an ideal for future generations.

The idea of freedom is what the young dissenters of today find so hard to accept. They are constantly protesting our involvement in foreign nations. But do these radicals realize that we are fighting to protect for these nations what we ourselves not too long ago were fighting for. The right for their natural God-given freedom. These young people condemn our system of government and so-called tyrannical establishment. But what gives them the right to express their grievances and objections? The very same government they are condemning.

As you grow older be proud of your country. Don't ever be ashamed of the mist in your eyes or the lump in your throat when you look at the Stars and Stripes or hear the Star-Spangled Banner being played. Be just a little humble because your grandfather and great-grandfather, and yes, maybe by that time, your father and millions like him paid a high price for the freedom you enjoy.

I want you to always be proud of your name and origin and keep your morals and ideals high. I expect you to face fear, disappointment and indecision—but just remember—that because of the heritage being passed to you, you can become a carpenter, a salesman, or president of the United States. It's your choice!

You are, and will be, enjoying the country in which your ancestors believed and fought so hard to protect. One of the signers of the Declaration of Independence when told that the war for freedom was ended said, "But the fight for liberty has just begun:

Be proud, my child, for you do have a great heritage.

FIGHTING OVER FILIBUSTERS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, March 8, 1971

Mr. THURMOND. Mr. President, a succinct editorial titled "Fighting Over Filibusters" appeared in the February 27, 1971, edition of the Charleston Evening Post newspaper in Charleston, S.C.

This editorial makes several excellent points in reference to the current debate about changing the rules of the Senate.

Mr. President, I ask unanimous consent that this editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FIGHTING OVER FILIBUSTERS

Twice in the month liberals in the U.S. Senate have been thwarted in their attempt to modify rules governing extended debate. More precisely, they have been unable to muster enough votes to choke off a filibuster against making it easier to choke off a filibuster.

It is just as well.

The reformers are out to change the Senate rule which requires a two-thirds majority vote to end debate. They want to reduce the margin to three-fifths. Thus far they have been defeated by Southern-led conservatives who have been talking against change.

Attempting to weaken the filibuster as an accepted parliamentary instrument, opponents are saying it is undemocratic, that it permits a minority to stymie the will of the majority. The argument is baseless. The Senate can cut off extended debate anytime it wants simply by voting cloture.

Existing rules governing the filibuster are, rather, part of the prized system of checks and balances. Filibusters can serve to focus the attention of the Senate and the public on hasty or ill-conceived legislation. They can give the people time to let their senators know their feelings on controversial bills. Further, in necessitating more than just a simple majority to override opposition, they help assure passage of laws which express the will of a substantial majority of the Senate—and presumably of the citizens back home.

Liberals in the Senate and out charge that filibusters are used most by Southerners, in concert with a few Republican conservatives, to block civil rights measures. They conveniently neglect to mention the times they themselves have resorted to filibustering.

On Tuesday the anti-filibuster forces will have another go at it. We see no reason to wish them well.

NATIONAL WEEK OF CONCERN FOR PRISONERS OF WAR/MISSING IN ACTION

HON. PIERRE S. (PETE) duPONT

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. duPONT. Mr. Speaker, I consider it a privilege to join with my colleagues in sponsoring House Joint Resolution 16, which authorizes the President to designate the period beginning March 21, as "National Week of Concern for Prisoners of War/Missing in Action."

For too long the American public has remained largely unaware and uninformed about the plight of those brave fighting men who are still fighting a very lonely, grim battle of their own.

I hope that a week of concern will focus attention on this atrocious treatment of our men by the North Vietnamese, and that the American people will mount a loud and indignant protest against Hanoi.

I include the text of this resolution in the RECORD at this point to remind all citizens that we all must take part in bringing world criticism down on the North Vietnamese for their atrocious acts, which are in clear violation of the Geneva Convention.

Text of resolution follows:

H.J. RES. 16

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That to demonstrate our support and concern for the more than one thousand five hundred American listed as prisoners of war or missing in action in Southeast Asia, and to forcefully register our protest over the inhumane treatment these men are receiving at the hands of the North Vietnamese, in violation of the Geneva Convention, the President is hereby authorized and requested to issue a proclamation designating the period beginning March 21, 1971, and ending March 27, 1971 as "National Week of Concern for Prisoners of War/Missing in Action", calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

PROTECTION OF AMERICAN WAR PRISONERS

HON. JOHN M. SLACK

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. SLACK. Mr. Speaker, the condition and prospects of our American war prisoners being held by the North Vietnamese is a matter of growing concern at all levels of our society. That concern was voiced again in strong official terms last week by the State Senate of West Virginia with the adoption of Senate Concurrent Resolution No. 24 introduced by State Senators Leonard and Sharpe.

Official action of this kind of a State deliberative body underscores the very heavy trend of public interest in this question and the need for maximum attention to its solution. The following text of Senate Concurrent Resolution No. 24 of the West Virginia State Senate reminds us again of the growing public and official interest:

SENATE CONCURRENT RESOLUTION NO. 24

Expressing concern and sympathy to the families of West Virginians, and to the families of all Americans, held as prisoners of war in Southeast Asia

Whereas, All captured American personnel held in Southeast Asia suffer privation and hardship; and

Whereas, Prisoners held in North Vietnam are existing under particularly harsh circumstances; and

Whereas, Many of these prisoners are confined in a primitive jungle environment in Vietnam, Laos or Cambodia; and

Whereas, These prisoners are primarily members of the United States Army, Navy, Air Force and Marine Corps; and

Whereas, These prisoners include American civilians; and

Whereas, The enemy's refusal to acknowledge publicly the presence of all prisoners in these areas, and the enemy's refusal to permit certain prisoners to correspond with their families, have increased the burden of anxiety and concern on the families of prisoners of war; and

Whereas, The government of West Virginia and the government of the United States are concerned with continuing efforts to bring national and world public opinion to bear in securing humane treatment for, and the release of, our beloved sons of West Virginia, and all captured American personnel; and

Whereas, The National League of Families of American Prisoners Missing in Southeast Asia, recognizes that the Prisoner of War issue is not a political issue, but is a humanitarian issue; and

Whereas, The West Virginia State Coordinator of the National League of Families of American Prisoners Missing in Southeast Asia has received permission from a few families to furnish names of certain West Virginians who are prisoners of war; and

Whereas, Lieutenant Commander William Hardman, U.S. Navy, son of Mrs. Sadie M. Thompkins, St. Albans, West Virginia; Major Glenn H. Wilson, U.S. Air Force, son of Mr. and Mrs. Stanley Wilson, St. Albans, West Virginia; and Major Hubert Kelley Flesher, U.S. Air Force, nephew of Mrs. Charles Carson, Jane Lew, West Virginia are prisoners in Hanoi; and

Whereas, Sergeant Albert H. Altizer, son of Mr. and Mrs. Kenneth W. Altizer, Squire, West Virginia, and Chief Warrant Officer Joseph A. Rose, U.S. Army, son of Mr. and Mrs. Joseph Rose, Morgantown, West Virginia, are believed to be prisoners of war in Southeast Asia; and

Whereas, There are more than fifteen hundred Americans known to be missing or prisoners; therefore, be it

Resolved by the Legislature of West Virginia:

That the members of the Senate express their deep concern and sympathy for the families of all West Virginians held by hostile forces in Southeast Asia; and, be it

Resolved further, That the members of the Senate express their deep concern and sympathy for the families of all Americans held by hostile forces in Southeast Asia; and, be it

Resolved further, That the members of the Senate are mindful of the sacrifice of West Virginians and many Americans who have given their lives in the Vietnam War, and that the Senate of West Virginia expresses sympathy to the families of those who will not return, and, be it

Resolved further, That the Senate of West Virginia urges humane treatment for, communication with, and the release of, all prisoners of war; and, be it

Resolved further, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the families of the West Virginians named herein who are prisoners of war or who are known to be missing and to The Honorable Richard M. Nixon, President of the United States, Washington, D.C.; The Honorable Ton Duc Thang, President, Democratic Republic of North Vietnam, Hanoi, North Vietnam; The Honorable David K. E. Bruce, U.S. Delegation to the Paris Meeting, U.S. Embassy, 2 Avenue Gabriel, Paris, France; Minister Xuan Thuy, 8 Avenue General Le Clerc, 94 Choisy-Le-Roi, Paris, France; Mme. Nguyen Thi Binh, 39 Avenue Georges Mandell, Paris 16, France; and Mrs. Bobby G. Vinson, National Coordinator, National League of Families of American Prisoners Missing in Southeast Asia, 1 Constitution Avenue, N.E., Washington, D.C.

AEROSPACE INDUSTRY LOSES A LEADER—GEORGE H. STONER

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. PELLY. Mr. Speaker, the aerospace industry of America has lost one of its leaders, George H. Stoner, who was senior vice president—operations, the Boeing Co.

Mr. Stoner joined the Boeing Co. as a 24-year-old engineer and later helped develop and manager major missile and space programs. He was responsible for Boeing's engineering and manufacturing operations as well as corporate planning and corporate offices outside Seattle. His accomplishments over the years are a testimonial to his talents. One of his major contributions to our Nation's defense was the B-47, the first Boeing multijet bomber.

In 1950, Mr. Stoner was appointed assistant project engineer on the Bomarc pilotless interceptor, frequently called one of the most difficult programs in Boeing's history. He was responsible for design and development testing of Bomarc's guidance and control system.

And, in 1961, Mr. Stoner led Boeing's winning proposal to build first stages for Saturn V rockets which have been so successful in our moon missions.

Mr. Speaker, a giant of our vital aerospace industry is gone, but his contributions will be with all generations of the future.

MANPOWER REVENUE SHARING ACT

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. DEVINE. Mr. Speaker, I am happy to join with my other colleagues in endorsing the new Manpower Revenue Sharing Act proposed by the President.

During the last 9 years we have witnessed a continual growth of manpower training programs—one stacked upon another—each one of which was directed to a specific group of individuals.

Many times, too numerous to mention, it was found that the States and their local units of government—the cities and counties—could not use the funds allocated to one program, while, at the same time, they were in need of additional funds to administer another program for which there were insufficient moneys as all had been used. There were provisions, of course, for the reallocation of unused funds—but this required action from Washington and we all know the additional time this consumes.

With the enactment of this legislation, such restrictions will not be encountered.

The States will be allocated specific amounts of manpower funds, to be used for manpower training and manpower related services—even to the extent of underwriting jobs in public service employment in Federal, State, and local governmental units.

This same opportunity will be available for city and local government units as certain amounts of money will be allocated to them—using the State apportionment formula—to train or hire, or both, some of their residents who are unemployed or underemployed.

The decision of what to do—and how to do it—when it comes to helping their constituency secure adequate training, either institutional or occupational, will be made by the proper elected officials—mayor or Governor. They are close to the people and they know better what they need.

Mr. Speaker, I ask my colleagues to join me in support of this legislation which brings Washington—and its programs—home to our people.

CONTEMPT POWER: PREVENTION, NOT RESTRICTION

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. HUNGATE. Mr. Speaker, the issue of media coverage of congressional hearings is very much in the forefront and the following article by Prof. Paul Freund on the contempt power and the need for further education of all citizens as to the laws of our courts is valuable. The theory Professor Freund advances is that while exclusion of television from the courtroom meets with his general approval, the use of television at a trial for documentary purposes, not for the broadcast of live news, but as an educational experiment would meet with his approval. We might be well advised to consider similar experimentation with congressional hearings and committee markup sessions.

The article follows:

CONTEMPT POWER: PREVENTION, NOT RETRIBUTION

(By Professor Paul Freund)

The problem of controlling courtroom disorder depends on both judge and counsel. The main reliance of the judge must be on his moral authority, compounded of austerity, balance, and comprehension.

Normally counsel can be relied upon to deter their clients from making a shambles out of the proceedings. But when counsel as well as clients regard the courtroom as an open forum for demonstrations, presumably addressed to a wider audience elsewhere, the system is put under an extraordinary strain.

To the argument that only by indulging counsel and client will defendants receive the representation to which they are entitled, Justice Jackson—himself a hard-hitting courtroom lawyer—has replied: "That such clients seem to have thought these tactics necessary is likely to contribute to the bar's reluctance to appear for them rather more than fear of contempt." [1]

It may well be that we are experiencing a general revolt against authority that history will see as a secular Reformation, with the most militant playing the role of the radical Anabaptists. But if so, the infantile regressive mode of expression by the vanguard is all the more unworthy of the cause. It has all the persuasive power of that classic line of Ring Lardner, " 'Shut up!' he explained."

The courts, in one way or another, will protect their own processes. As Justice Jackson said, courts "will not equate contempt with courage or insults with independence." [2]

It is ironic, and self-defeating, that the assault on authority should now focus on the courts, which have been the special shield of the liberties of the dissident and despised. The contempt power itself has been a crucial instrument for enforcing civil rights.

One is reminded of the spectacle of Sir Thomas More's young friend William Roper, who is described in *A Man For All Seasons* as a youth with "an all-consuming rectitude which is his cross, his solace, and his hobby." He would, he exclaims, cut down every law in the land to get at the devil. And then, More asks, where would you hide, how could you stand upright against the winds that would blow through the void?

The judicial process, like the scientific process, can commit blunders, but each has its built-in correctives. If a jury convicts, an appeal can challenge the statute, the composition of the jury panel, the atmosphere permeating the trial, the sufficiency of the evidence, and the rulings of the trial judge.

Those who would transform the very nature of the process from a reasoned search for truth and justice to a trial by epithets and antics are committing the most grievous of offenses—a crime against intelligence.

The right blend of firmness and forbearance, of respect for the dignity of one's office and for the humanity of its contemnors is as difficult to achieve as it is universally moving when it occurs. For a century and a half Congress and the federal courts have been concerned with the proper use of the ancient Anglo-American judicial power to hold a recalcitrant person in contempt of court.

Three kinds of contumacious behavior have to be kept distinct.

One is *conduct disrespectful to a judge but not occurring in his presence*, such as a verbal attack in a newspaper. When a hypersensitive federal judge in the early 19th century committed an editor for contempt, an impeachment proceeding was brought against the judge, and although he was not convicted, Congress in 1831 enacted a law, which is still in force, severely limiting the contempt power in such cases.

An editor would be entitled to a jury trial on a charge of obstructing justice, and the guarantee of freedom of the press would give him large protection. The power of the judge acting alone was limited to cases of disobedience of an order of the court, or misbehavior in the presence of the court or so near thereto as to obstruct the administration of justice.[3]

In the second class of cases—*disobedience of an order*—Congress again intervened. This time it was not the press, but organized labor, that was aggrieved. Some federal judges were issuing injunction orders against strikers, often without a full hearing, and when the strikers were charged with violating the injunction by obstructing or damaging their employer's property they could be jailed by the judge for contempt.

The Clayton Act of 1914 reformed this bypassing of normal procedures by requiring a jury trial in such cases and limiting the maximum sentence (unless the suit for injunction was brought by the United States).[4] Similar restrictions on the judge have been included in the Civil Rights Acts of 1957 and 1964.

All of this legislative activity left intact the judge's authority to deal with the final class of contempt—*misbehavior in the courtroom itself*. Here the need for summary power is clearest, in order to keep the pursuit of truth through the adversary process within tolerable bounds of reason and civility. Here, too, the facts about what actual misbehavior did occur are plainest.

Even in the case of courtroom misbehavior, however, there have been misgivings about the power of the judge alone to impose lengthy sentences of imprisonment. A majority of the Supreme Court in 1968 decided,

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Footnotes at end of article.

for the first time, that a sentence of more than six months would require a jury trial,[5] but whether this limit applies to the aggregate sentence or merely to the punishment for such separate act of obstruction remains to be decided.

Unless some latitude is allowed in the definition of separate offenses, a judge, who before the trial is over imposes a series of sentences aggregating six months upon a recalcitrant person, will have exhausted his power to deal with that person by further exercise of his authority during the remainder of the trial. The alternative of a jury trial for this class of cases is not entirely satisfactory, because of the awkwardness of reconstructing the setting through oral testimony addressed to a lay jury. It is assumed that the original trial jury would be disqualified to serve in the contempt case.

The option whether to pronounce sentence immediately upon the commission of an act of contempt or to await the ending of the trial is itself a decision of some moment. Immediate action may be imperative to protect the court or necessary to make credible the risk of penalty for contempt. Where these factors are not urgent, the judge may be well advised to wait, in order not to interrupt the trial unduly and not to act under the emotion of the moment.

But if the judge does wait, and if the contempt involved personal abuse directed at himself, the question arises: Should he refer the record to another judge for suitable action, in order to remove even the appearance of personal vindictiveness or wounded pride?

This course was in fact decreed by Chief Justice Taft, speaking for the Supreme Court in 1925. Taft pointed to the psychological dilemma facing the judge in the exercise of this "indispensable" but "delicate power":

"The judge must banish the slightest personal impulse to reprisal, but he should not bend backward and injure the authority of the court by too great leniency." In that situation the judge may refer the matter to a fellow judge "without flinching from his duty," and he was required to do so.[6]

Although in the later case of contempt involving the lawyers in the celebrated Communist trial of 1949 this procedure was urged by Justices Frankfurter, Black and Douglas, it was held not to be mandatory.[7] It remains, however, at the very least a salutary device in the measured administration of justice.

Punishment for contempt is effective only if the threat of it serves as a deterrent to obstructive conduct. The power is used not for retribution but for prevention. Because some defendants may be prepared to risk the penalty, other measures may have to be brought to bear to neutralize their behavior in the interest of an orderly trial.

If the defendants are in custody, the proceedings may be suspended indefinitely, until they agree to speak only through their counsel or on the witness stand. This course is more suitable for pretrial hearings before the judge than for the main trial before a jury, since it might entail a new start for the trial and a newly impaneled jury.

But the defendants could hardly assert that they were being deprived of their right to a speedy trial, since the key to speedy resumption of trial would be held, so to speak, in their own pocket. This is, in substance, and can be best treated, in form, as an order of civil contempt.

May defendants by their disorderly conduct in the courtroom be held to forfeit their basic right to be present at their trial? This is a drastic forfeiture. Nevertheless the Supreme Court has given its approval to this sanction against courtroom disruptions, evidently finding it closer to the self-created loss of a speedy trial than to the case of an accused who cannot be apprehended for trial.[8] Although permissible, the sanction of continuing the trial without the presence of the defendant is plainly one not lightly to be employed.

Footnotes at end of article.

Still more extraordinary, although also approved by the court, is the confinement of a defendant in a glass enclosure, perhaps with telephonic communication between him and counsel—the use of modern technology that would produce a disturbingly archaic atmosphere in the courtroom.

Thus, we face a time of crisis of confidence in our legal system. It is no great consolation to recognize that a similar crisis besets our other ancient institutions of authority—the churches and the universities. Nor is it much comfort to reflect that the phenomenon is not merely national; it is worldwide, or at least it is endemic in the more industrialized countries of the world.

Though these facts are not a comfort, they are a *caution* against any purely parochial or one-dimensional view of the crisis. As lawyers we know that causation, like truth, is rarely pure and never simple. No doubt the crisis is fed by such elements in our culture as permissiveness, affluence, boredom, the Indochina war, the problems of race, the migration to the overcrowded and impersonal cities—every citizen has his own favorite cause, and these are just a few.

But the global nature of the crisis leads me to seek out a more general explanation, to which these others may well be tributary, and I find this above all in the gap that exists between the technological capacity and moral promise of our society on the one hand and the actuality of our achievement on the other.

What does all this imply for lawyers individually and in convention assembled? To meet the crisis of confidence is an urgent task. I would suggest three ways by which in combination this might be done: *expiation, mediation,* and *education.*

Expiation: The first requisite for gaining and holding respect is to deserve it. Still unfinished business for law since Magna Carta is King John's pledge: To no one will we sell, to no one will we deny or delay right and justice.

No longer is the problem simply or primarily corruption or wilful injustice; rather it is the inherent injustice of heavy costs and long delays, a problem attacked with increasing concern in recent years, through support of legal assistance programs, group legal practice, and administrative reforms in our courts.

The ordinary citizen—and I do not think the justices would disagree—judges law less by the pronouncements of the Supreme Court, vital as these are in setting standards and a tone for the whole country, than by what he sees of local courthouses, lawyers' offices, legal aid bureaus, prisons and probation services.

Not only the procedures but the substance of law must meet the demands of rising expectations. Justice, we would agree, is the giving to every person his due, measured by merit or achievement or need or his equal worth as a human being. Sometimes merit and achievement have served as standards of measurement that perpetuate an initial injustice, so that the system of justice itself becomes a closed circle. The critics, focusing on these instances, would explode the whole system, while the standpatters are lost in admiration of the comfort and abstract symmetry of the circle.

Put in this way, the description leads to the second recourse of lawyers: *mediation.* Our whole perspective and experience leads us to see civilization as a tension between continuity and change, between heritage and heresy, atrophy and anarchy.

Because we regard ourselves as having clients rather than being somebody's lawyer, because our detachment gives us a longer-range view than the immediate contestants may have of their self-interest, because we are accustomed to cushioning the overly enthusiastic client against the shock of disappointment, and prodding the overly complacent against the dangers of lethargy, because we are used to interpreting to each adversary the point of view of the other, we are in an especially favorable position to mediate sympathetically the claims of constancy and reform.

This position is no longer a luxury, it is a pressing necessity, and the councils of this Association provide a beckoning opportunity to help construct an order that is stable while it is in motion.

There is, finally, besides expiation and mediation, the avenue of *education.* There is an immense fascination with law on the part of the layman, but in fact he generally sees law in its least appealing aspects, or he appreciates it as a spectacle where a crime is solved in the courtroom by suddenly breaking down a guilty witness at invariably two and a half minutes before the program ends. At its best the legal process can be a most moving and memorable experience, as we are assured by jurymen who have served in a well-tried and scrupulously conducted case.

A few years ago, on a plane leaving London, I found myself seated next to a passenger who introduced himself as an emigre to England from Latvia. He spoke feelingly of a recent newspaper account of a trial in which the accused, when offered a chance to address the court before sentence, let loose a tirade of abuse on the judge. When the outburst subsided, the judge said that he would recess the case for 24 hours because he did not trust himself to pass sentence at that moment. My neighbor on the plane was deeply moved by this. "Where else in the world," he said, "could you find such justice?"

In fairness let me refer to an American experience many of my lay friends found similarly moving. An educational television network filmed a trial in Denver of a Black Panther leader on charges of resisting arrest, and broadcast the document in full, in four instalments, several months after the case was concluded—concluded incidentally, with a verdict of acquittal.

No one could witness that trial without a feeling of profound respect for the painstaking way in which the truth was searched for, for the ways whereby law copes with uncertainties and ambiguities through presumptions and burden of proof, and the sense of gravity with which judge and jury carried out their responsibilities.

I agree in general with the exclusion of television from the courtroom, for the familiar good reasons. And yet the use of television at a trial for documentary purposes, not for the broadcast of live news, and with the safeguards of completeness and consent, is an educational experiment that I would be prepared to welcome. Properly safeguarded and with suitable commentary, the depiction of an actual trial is an agency of enlightenment that could have few equals in its impact on the public understanding.

Understanding of our legal process, so rarely provided by our educational system, is now a desperate need.

FOOTNOTES

[1] *Sachar v. United States,* 343 U.S. 1, 13.

[2] *Ibid.*

[3] See *Nye v. United States,* 313 U.S. 33.

[4] See *Michaelson v. United States* ex. rel. Chicago, S.T.P., etc. Ry., 266 U.S. 42.

[5] *Bloom v. Illinois,* 391 U.S. 194; cf. *Frank v. United States,* 395 U.S. 147 (1969).

[6] *Cooke v. United States,* 267 U.S. 517.

[7] *Sachar v. United States,* supra note 1.

[8] *Illinois v. Allen, decided* March 31, 1970.

BILL SCOTT REPORTS

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. SCOTT. Mr. Speaker, since coming to Congress, I have sent a monthly newsletter to my constituents in the Eighth District of Virginia, and I would like to insert the March issue in the RECORD at this point for the information of the membership:

YOUR CONGRESSMAN BILL SCOTT REPORTS

CONGRESS ORGANIZES

Much criticism has been levied at the seniority system but it still exists in large measure. Primarily because of this, I chose to remain on the Committee on Veterans Affairs where I rank fourth among the 11 Republicans and the Committee on Post Office and Civil Service on which I rank fifth. These two committees will hold their initial meetings to adopt rules and organize within the next few days. However, the House, in each instance, has re-named the same Chairmen who headed the Committees in the 91st Congress. The 92nd Congress convened on January 21, a bit later than usual, and members have spent much of their time since then in organizing the House, introducing bills and hearing Administration proposals. There are 53 House members serving their first terms and two vacancies among the membership.

REDISTRICTING

The State Legislature has reapportioned Congressional seats as well as those of the General Assembly. The reapportionment places my home just a hundred yards across the boundary line into the new 10th Congressional District, but you should know that I will continue to represent the 8th District as it existed prior to the passage of this act until noon, January 3, 1973, and hope you will continue to call on me whenever I can be of assistance. This new law is subject to approval by the Attorney General under the Voting Rights Act, and apparently, its validity is being challenged in the courts. Among the alternatives open to me are the following: 1) to be a candidate for election to Congress from the 10th District now represented by another Congressman, 2) to be a candidate for re-election to the new 8th District since the law does not require a Congressman to be a resident of the District from which he is elected, 3) to move my home into the newly created 8th District in the event the validity of the reapportionment is upheld, 4) to be a candidate for election to the U.S. Senate, 5) to return to private practice of law. One of my sons was admitted to the Virginia Bar last year and the other will graduate from the University of Virginia Law School this year, so, we could have a family firm.

BUDGET SUBMITTED

The President's Budget released on January 29 was a surprise to most of the members of Congress since it contained a planned deficit. Mr. Nixon calls it a "Full Employment Budget". Simply stated, this means that the Federal Government will spend as much as if the tax system were collecting revenues under full employment conditions. He believes that by spending as if we had full employment will help bring about full employment. Budget receipts for the fiscal year beginning July 1 are estimated to be 217.6 billion dollars and the budget deficite for the year is estimated by the resident to be 11.6 billion dollars. Of course, this method of accounting includes trust funds not subject to appropriation by the Congress and which are earmarked to be spent only for a specific purpose such as Social Security and highway funds. Some fiscal experts believe that the budget deficit, exclusive of trust funds, may approach a 40 billion dollar mark if the budget proposals are carried out.

While most people are concerned with the present state of the economy, I have reservations about the deficit financing concept he has proposed. The Federal Reserve Board has attempted to increase the money supply by reducing interest rates and the President has attempted to stabilize wages by suspending the operation of the Davis-Bacon Act which requires contractors working on Federal construction projects to pay certain prescribed wages. It is understood that almost one-third of all construction is done by various levels of government and it is hoped that the suspension of the law requiring the area wage rate to be followed in Federal construction will tend to halt the inflationary spiral. Of course, the backlog in the demand for new automobiles built up during the General Motors strike a few months ago should help stimulate the economy and if citizens gain an increased confidence in the future of the economy, the pump priming technique proposed by the President may not be necessary.

SOMETHING TO PONDER

A status symbol is an instrument you clash when you want someone to know you are there.—William Sansom.

COMMUTER TAX

The head of the District of Columbia government has indicated that principal revenue measures to be included in next year's D.C. budget will be a tax on all individual income earned in Washington and that the proposal has the support of the President. The Chairman of the District of Columbia Committee has been advised of my opposition to any form of income or payroll tax for non-residents and has indicated that he will do everything possible to prevent the passage of this legislation. I have also written to the President expressing the hope that contrary to Commissioner Washington's statement, the Administration will not support such a proposal. While this is the Federal capital and assistance in the cost of government must be given to local residents, it seems reasonable that the Federal contribution be paid from general funds rather than by a special levy on those who live in nearby Virginia and Maryland.

OPINION POLL

We received more than 30,000 responses to our recent questionnaire and the tabulated results are shown below in percentages:

	Yes	No	No opinion
1. To settle nationwide labor-management disputes, would you favor:			
a. Compulsory binding arbitration in lieu of right to strike	47	48	5
b. Compulsory binding arbitration only for industries affecting the public interest such as railroad and public utilities	67	30	3
c. Permit strikes in all industries after reasonable cooling off period and negotiation	36	56	8
d. Let labor and management settle all their differences without governmental restrictions	26	67	7
2. To strengthen the economy:			
a. The administration should urge labor and management to hold the line on wages and prices	88	9	3
b. The Government should put wage and price controls into effect	51	46	3
c. There should be no Government control of wages and prices	33	60	7
d. There should be a general cutback of Government spending	68	27	5
3. Should the development of the supersonic transport (SST):			
a. Be subsidized by Federal loans	40	53	7
b. Be subsidized through cooperative effort of private industry	72	22	6
c. Be left to development by other nations	36	56	8
4. Do you believe the busing of schoolchildren to obtain racial balance should:			
a. Be required by the Federal Government	12	85	3
b. Be determined by State and local governments	34	62	4
c. Be eliminated entirely	81	16	3
5. In Vietnam and Southeast Asia, do you:			
a. Support the President's method of terminating the war	80	18	2
b. Favor immediate unilateral withdrawal of all American troops	32	65	3
c. Favor escalating the war to obtain a military victory	25	68	7
6. Do you believe airline hijacking could be reduced by:			
a. International agreements for the return of hijackers	94	5	1
b. Strict examination of passengers and freight before departure	82	11	2
c. Armed guards on flights	74	23	3
d. Arming the crew	37	58	5
7. Supreme Court Justice William O. Douglas:			
a. Should be impeached	34	50	16
b. Should be left alone	44	44	12
c. Should be investigated and hearings had by a Congressional committee to determine whether impeachment is warranted	69	23	8
8. Selective Service laws should be amended:			
a. To abolish the draft and have all volunteers	46	49	5
b. To have universal military conscription for all males	61	34	5
c. Continue existing laws	48	47	5
9. In trade with other nations, do you believe this country should:			
a. Have no traiffs on imports	22	69	9
b. Have tariffs only to protect new industry	17	72	11
c. Have general tariffs to protect American industries	48	45	7
d. Establish reciprocal tariffs based upon those imposed on American imports by other countries	86	10	4
10. A national health program for all citizens:			
a. Should be established and operated solely by the Government	39	55	6
b. Should be established by the Government, but operated through private insurance and medical organizations	57	37	6
c. Should not be established	41	52	7

THE 18-YEAR-OLD VOTE

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. SCHWENGEL. Mr. Speaker, in the State of Iowa we have an organization which has done a tremendous job of educating voters in Iowa, and contributing to their understanding of how our political system operates. I refer to the Iowa Center for Education in Politics headed by George B. Mather. One of the center's current projects is of special interest to me, since it deals with our new 18-year-old voters. It seeks to explore means by which political parties, schools, and Government officials can assist the new 18-year-old voters as they prepare to become active participants in our political process.

A recent story from the Cedar Rapids Gazette gives more details on the program:

[From the Cedar Rapids (Iowa) Gazette, Dec. 24, 1970]

VOTE RULING TO ALTER EDUCATION

IOWA CITY.—The U.S. supreme court's ruling Monday to lower the voting age to 18 for federal offices will have a profound effect on teaching about politics in high schools and colleges, George B. Mather, director of Iowa Center for Education in Politics, said this week.

"Teaching objectives and methods will have to change radically to accord with this new reality," Mather said.

"It's a totally new ballgame."

The implications of a lower voting age were discussed at a Dec. 7 meeting of the advisory board of the Iowa Center for Education in Politics, Mather said. The board comprises representatives of the state's political parties and college teachers and administrators.

ICEP headquarters is on the campus of the University of Iowa. Mather is assistant to the U. of I. dean of extension and university services.

EXPAND PROGRAM

"We agreed that we should expand our program to include more activities for high school and junior college teachers and prospective teachers," he said.

In the past, one objective of ICEP was "to encourage college men and women to participate actively in the political party of their choice after graduation," he said.

"In view of this new reality, such an objective is fatuous.

"Voting and political participation now are an immediate anticipation for high school students; political action is a current activity for college students.

"We must work very hard to make sure that teaching approaches and methods adjust quickly enough to meet these new conditions."

New activities proposed at the ICEP meeting earlier in the month include expanded workshops on the legislative process. In the past such workshops were limited to college students and teachers, said Mather, but now high school teachers, and possibly students, will be invited to participate.

REGIONAL WORKSHOPS

Also, regional workshops for high school social studies teachers were proposed. Mather said the cooperation of the state department of public instruction and the Iowa State Education Assn. will be solicited in these efforts.

"The emphasis in political eduaction must be put on practical political participation, rather than on theoretical or idealistic considerations.

"Not that these matters are unimportant," Mather said. "Rather, we must concentrate on how our political system really operates, and how citizens can have an effective voice in what the system produces," he said.

Another implication of the court ruling on the lower voting age is that the Young Democratic and Young Republican organizations "now are superfluous," Mather said.

"On the other hand, the Teen Dem and Teen Age Republicans organizations will take on new meaning for the parties and their young members," he said.

PARTY PROBLEMS

"The parties have new problems of recruitment to face. They will have to find ways to involve these new voters in meaningful activities."

While the shift in voting age was anticipated, the changes in educational methods are not clear even now, he said.

"We reached no consensus at our Dec. 7 meeting. However, we agreed on the awesome problems of political education that remain to be solved and the great need for concerted action to try to solve them quickly."

The Iowa Center for Education in Politics is a cooperative effort of the state's political parties, colleges and universities to improve teaching about practical politics. Its action program is supported entirely by contributions from foundations, organizations and individuals.

LESSON OF A PERSONAL TRAGEDY

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. MYERS. Mr. Speaker, the tragic and needless death of yet another teenager as a result of an overdose of drugs prompted the boy's grandfather to make an appeal to me to share with my colleagues his expression of concern about the nature and extent of the drug problem.

What follows is the letter from Mr. Richard F. Thornton, Linton, Ind., grandfather of the 17-year-old high school junior, and the statement made by the principal of the victim's school to the student body on the day of his funeral. I share them with you in the hope that those who still doubt the seriousness of this problem will learn something from this personal tragedy:

LINTON, IND.,
February 26, 1971.

HON. JOHN MYERS:

I am sending you a four page story written by the principal of a high school at Waterford, Michigan. The story is about my grandson and I'm hurt very badly.

I can't understand spending billions and billions of dollars on moon rockets and foreign aid and letting this drug racket ruin our country.

Dear Mr. Myers, I hope you will take this to the floor of the Congress and get something done. Thank you very much.

Sincerely,
RICHARD F. THORNTON.

STATEMENT TO THE STUDENT BODY REGARDING THE DEATH OF RICK THORNTON

(By Howard R. Bennetts, assistant principal)

I have a story to tell—it is not fictitious—it is a true story which began here at Waterford-Kettering last Thursday, February 11, 1971. I have not been free to tell you this until this moment, and it is at the request of a boy's mother that I tell you now.

Last Thursday, one of our students, Rick Thornton, got up to get ready for school. He kidded with his mother who was busily getting breakfast of bacon and eggs—for Rick always ate a full breakfast. As she was preparing the meal, Rick called out he thought he had time for a shower—it was only 6:30. When breakfast was being served, his best friend came in and sat at the table while Rick finished eating. In kidding with his mother, he said, "I don't feel like going to school today." His mother responded by saying, "You had better be there unless you are sick. Don't you feel well?" Rick laughed it off, and the two boys left for school.

When they reached school, the two boys lingered in the main lobby and, eventually, decided to go through with their plans to skip school for the day. They were joined by another boy who agreed to go with them and provide his home as a place to stay. As they made their plans, Rick said he wanted to take a trip. His friend advised him against this, but Rick insisted on it. Rick went into the boys' lavatory in the main lobby and allegedly made a buy of LSD for $2.00. Soon afterward, he took the pill, turned to his best friend and said, "So long, friend. See you later."

The three boys then left the school and walked toward a house in a nearby subdivision. While on the way, they stopped off at Huntoon Lake and sat on a raft there.

Meanwhile, back at the school, a student came in and said she wasn't feeling well and wanted to go home. A parent was called, but had no way to come to the school. Apparently, the student had thought of this, and she had brought a senior boy with her to provide the ride. This was agreeable with the parent. The boy loaded his car with skippers—seven in all—and proceeded to the home of the girl. As they passed Huntoon Lake, they spotted Rick and his friends; two of the boys got out of the car and went down to the raft. This increased the party at the raft to five.

From there, the boys proceeded to their destination. They sat around talking during the morning hours, but it was apparent that Rick was extremely ill. He complained that he thought he was going to swallow his tongue. One boy held on to his tongue while another went to get a glass of water. This did not seem to help. Rick thought the best thing to do was to go home and get his mother to take him to the hospital. The boys were worried whether Rick could make it on his own, but Rick insisted on going home alone. It is about a twenty minute walk down Airport Road. The boys gave Rick sufficient time to get there, then they began calling every ten minutes or so to see if he had made it. But there was no answer. The school also called about 11:00 to see why Rick's name was on the absence list, but there was no answer.

Apparently, finding no one at home, Rick went up to his room and lay on the bed. His mother later said there was an imprint on the bed. Rick's mother returned home from shopping to pick up some things, but immediately left again for her work, not realizing her son was on the bed upstairs. What happened then is simply guesswork. In that lonely hour, apparently the effects of the drug were so severe that Rick preferred death to enduring the hallucinations he was suffering. He descended from his room and picked a .22 calibre rifle from his dad's gun case, went out on the back patio, sat down, leaned his head against the barrel and pulled the trigger. This was about 12:30. Rick's father came home from work much later—about 4:30—entered the front door, turned on the TV, and proceeded to the refrigerator for a snack. As he looked out the kitchen window, he saw his son in the snow surrounded by blood. He went, and as he says, "Rick must have been dead for some time, the snow was melted all around him, and he was so cold."

Back at the house of his friend, one boy decided to return to school about 11:00. Two others returned later and caught the 2:30 bus home. One remained at the house. They found out that Rick Thornton had died when one of them called about 5:00 p.m.

On Friday, friends of Rick's reported to my office and told the story. It was heart-breaking, recounting the chain of events, errors in judgment, tragic mistakes made during those fateful hours. There was guilt expressed, there was anger expressed toward those who brought drugs into the school for distribution—not realizing the serious consequences of their acts.

I told the group that we were aware that a drop had been made about 7:35 in the parking lot, and that the police had been notified, that we were anxious about unusual behavior in the student body. But we had nothing concrete to go on. As I talked with students on Friday, they were anxious to prevent a recurrence of this kind, but still reluctant and afraid to supply details. The Narcotics Bureau of the State Police Department arrived at the school, as did the Waterford Police. Investigations were made.

I am not free to divulge the direction the police are taking, except to say that Rick's death is not fully attributed to the fact that he pulled the trigger of a rifle. His death was staged when he made a $2.00 purchase in the boys' lavatory in the main lobby of our school; it was staged when some big-wheel supplier contacted students in our school to act as pushers.

Many of you know more of the story than I but are afraid. May I tell you this: when I talked with Rick's Mom and Dad yesterday, their only comfort now is that in Rick's death many other students will realize the seriousness of drug abuse and be willing to do something about it. We on the staff have long realized that there are drugs in the building, that many of you are using them, and that many of you need help. We have talked with you, we have counseled you, we have warned you, but we do not know if we are effective, apparently, we are not. We know that there are students who bring drugs into the building to make a fast buck. These persons are often suspected, but we do not have the proof to take action. Students simply will not talk. I plead with you now—tell us before others are also dead like Rick. Somewhere in this student body there must be those who have the courage to be heroes—and we need these heroes now. Let us not sit back under some fake code which tolerates and encourages the destruction of the lives of our friends. Let us not say Rick Thornton died for nothing.

Rick's funeral will take place at 1:00 today at the Faith Baptist Church on Airport Road. At that time I will come on the air and ask for a moment's silence in the memory of this happy-go-lucky, 17 year old boy who tragically died because he needed to do his thing and because there are those who would let him die.

NATIONAL ECONOMIC CONVERSION COMMISSION

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. ANDERSON of California. Mr. Speaker, on the first day of the 92d Congress, I introduced legislation, H.R. 1209, which would establish a National Economic Conversion Commission in order to cushion the human and economic impact of ending the war, withdrawing the troops, and cutting back on military production.

I have asked for the views of business and government leaders on my proposal and am pleased to include these comments in the CONGRESSIONAL RECORD for the benefit of my colleagues.

Most recently, I have received a letter from W. M. Magruder in the Department of Transportation. He states that:

> The proposed legislation could be a major step in helping bridge the gap between the defense-oriented economy and a civilian-oriented economy.

However, Mr. Magruder feels that the $450 million which is authorized in H.R. 1209, may not be enough if we cut back our spending in scientific research and development. I, too, feel that the Government must stimulate or facilitate more ambitious programs in transportation, electronics, power generation, and the like to make up for the programs and cutbacks in the Defense Department and NASA.

Mr. Speaker, defense industries have been a great blessing to this country and they have contributed greatly to our success as a nation. We must keep this great resource of talent together by guiding them toward fields such as pollution control, housing, mass transportation, oceanography, and recreation.

The letter from Mr. Magruder follows:

OFFICE OF THE SECRETARY
OF TRANSPORTATION,
Washington, D.C., March 4, 1971.

Mr. CLIFTON MADISON,
Legislative Assistant,
Longworth Building,
Washington, D.C.

DEAR MR. MADISON: I appreciated very much and enjoyed the opportunity to discuss the SST program with you and Congressman Anderson on Thursday, 18 February.

We have reviewed the proposed legislation H.R. 1209 to "Establish a National Economic Conversion Commission" with interest and are very much encouraged to see the recognition of a serious problem and a proposal for a constructive interim solution. My staff and I are not qualified to objectively comment in detail on the proposed legislation due to our limited perspective. It does appear, however, that perhaps several times the total $450 million requested may be required if programs like the SST are not continued and if the strong opponents to technology are successful in their efforts. For unless there are jobs for the people that would be retrained and unless there are healthy technology oriented industries, then the funds spent under H.R. 1209 could to a large extent be wasted. The Government must stimulate or facilitate more ambitious programs in transportation, electronics, power generation and the like to make up for the programs and cutbacks in the Defense Department and NASA. There is considerable leverage that can be gained from R&D which is needed to maintain a constantly increasing standard of living and constantly improving quality of life. We believe that rather than attacking technology there should be constantly increasing support for technology for only through technology will solutions to many of our current problems be achieved.

In summary, we believe the proposed legislation could be a major step in helping bridge the gap between the defense oriented economy and a civilian oriented economy but must be related to a long range permanent solution.

Sincerely,

W. M. MAGRUDER,
Director, SST Development.

THE MANPOWER REVENUE SHARING ACT

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. SHOUP. Mr. Speaker, the Manpower Revenue Sharing Act offers to our State and local governments, and to our people, a better means of solving our chronic unemployment problems.

We are all aware of the many unmet needs in our local communities and our cities. The schools, libraries, recreation facilities, police and fire departments, hospitals, day care centers, even the clerical divisions of these institutions and agencies; all of these lack sufficient personnel to conduct normal day-to-day activities.

Simultaneously, we see scores of unemployed people—from the school dropout to the highly skilled technician and professional man or woman—all unable to find employment due to a slowed economy, resulting from our war-to-peace transition.

The enactment of this legislation would contribute much toward solving the problems of our States and local communities.

With Manpower Revenue Sharing Act money, the cities and States could train—where necessary—and hire many of the unemployed of today. They could bring them on the payroll today; and over a 2-year period move them into regular public jobs.

If these jobseekers could become jobholders, not only could they provide the needed services in the community, but they also could regain their self-respect, support their families, contribute their share of the cost of State government and become an active member of the American economy. This, in turn, would decrease the need for so much State financial aid to the cities, thereby lightening the burdensome responsibilities now carried by the State.

I ask the support of all my colleagues in getting the bill enacted into law.

GOOD TIMES IN PEORIA

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. MICHEL. Mr. Speaker, last Tuesday the Peoria Journal Star had an editorial which was of considerable interest to me, and I would like to call it to the attention of my colleagues here in the House:

GOOD TIMES IN PEORIA

Peoria is in a unique position in regard to unemployment, judging from a nationwide analysis of the problem which was published last week in the Congressional Record.

The study lists the changes in unemployment figures between November 1969 and November 1970 in the 145 major labor markets where more than 3 per cent of work force was out of work.

And Peoria is the only one of the 145 cities where the unemployment declined!

In every other city on the list unemployment was rising—and rising dramatically in most cases.

Even though Peoria was bucking the trend, the improvement in Peoria taken by itself was not really significant—from 3.5 per cent in 1969 to 3.4 per cent in 1970.

But compared to most other cities where unemployment was jumping by several full percentage points—and often doubling—Peoria has really been sitting on top of the nation during this recession.

In six major cities, the unemployment rate in November rose to more than 10 per cent—a figure so high that Peorians will have to think back to the massive Caterpillar layoffs in 1957–58 to appreciate what it means.

And in every one of those six cities the increase must seem just about as catastrophic as the 1957–1958 lay-offs were in Peoria, because in every one of the cities the lay-offs came suddenly judging from the fact that 1969 unemployment in these cities was generally 5 per cent or less.

So things were bad in Wichita, Kansas; Seattle, Wash.; Flint, Mich.; Muskegon, Mich.; New Bedford, Mass.; and Waterbury, Conn.

And things weren't very good in Los Angeles (6.6 unemployed compared to 4.1 a year earlier) in New Orleans (6.2 compared to 4.5), in Lowell, Mass. (9.5 compared to 5.1), in New York City (4.4 compared to 3.3), in Detroit (7.3 compared to 3.1), and Chicago (3.7 compared to 2.7)—all big cities where such statistics translate into increasing thousands upon thousands of men and women without jobs.

Chicago's jobless level—like the level in Peoria and a few other midwestern cities—is not and has not been as high as the rates in many other parts of the nation which do not have strong comparatively stable employers.

Even so, Peoria stands much better off today than Chicago and most other metropolitan areas in the midwest.

For instance, Rockford's rate rose from 3.4 to 5.5 in the period involved, Davenport-Rock Island-Moline rose from 4.3 to 5.7, St. Louis went from 3.4 to 5.6, Indianapolis from 2.5 to 4.8, Terre Haute from 2.6 to 5.1, Gary from 2.8 to 4.7, Cedar Rapids from 1.8 to 4.6, Louisville, from 2.8 to 4.3, Milwaukee from 2.9 to 4.9, Cleveland from 3.1 to 4.6, and Kansas City from 3.6 to 5.7.

Peoria with its 3.4 rate in November, 1970, was less than one full percentage point above the lowest November unemployment rate—2.5 in 1966—during the past decade. What that means is that we in this area are not generally feeling the big impact of unemployment that is being felt elsewhere.

So there is something we in Peoria, Woodford, and Tazewell counties (the Peoria labor market area) can be thankful about in this period of general bad times.

But it's hard to be happy when we look at what seems to be happening almost everywhere else.

ACCOMPLISHMENTS OF AMERICAN AGRICULTURE

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. STEIGER of Wisconsin. Mr. Speaker, it is a pleasure to join my colleagues on both sides of the aisle in discussing American agriculture, and the great progress made by the American farmer. Discussion of agricultural programs is of tremendous value, for in drawing farm problems to the attention of Congress and the urban population, we can implement progressive, positive, agricultural policies.

In the past decade, farm production has increased 6 percent, or approximately twice that of other industries. One American farmworker produces enough farm commodities for himself and 44 other Americans.

Still, there are many problems. Though farm income has increased, more and more rural residents are moving to the cities. Farmers are bound in the cost-price squeeze. Farmers face an ecological challenge. Foreign imports are increasing. Basic services such as health care are scarce or absent.

We must continue to provide incentives to keep young men on the farm. We must stimulate rural development and continue to develop a progressive land-use policy.

The administration has recognized many of the problems and has formulated policies to try to solve them. Revenue sharing can provide $16.1 billion immediately for the decisionmaking centers in the States, cities, and rural communities to better meet the needs of rural inhabitants. In 1970, rural housing loan efforts increased 5 percent over 1969. In 1971, they increased another 88 percent to equal an annual amount of over $1.4 billion. Other special revenue sharing benefits will help manpower development and training, education, transportation, and law enforcement.

Administration welfare proposals will help rural America by helping the working poor, many of whom are agricultural workers. The Nixon health proposals offer health education centers in medically underserved rural areas.

Congress, too, has recognized rural Americans' needs. Last year's farm bill benefited dairy farmers in Wisconsin and throughout the country. Dairy products owned by the Commodity Credit Corporation can be donated to veterans hospitals. Indemnity payments can be paid to dairy farmers whose milk was condemned because of pesticides and residues. Dairymen's class I base plan in Federal milk market order areas has been extended in order to reduce dairy surpluses in areas of excess production and help stabilize income.

The farm bill also extends the National Wool Act through 1973, continues the food for peace program, and the cropland conversion and greenspan programs, and establishes an indemnity program to reimburse beekeepers for losses caused by pesticide residues.

In less than a month, the Secretary of Agriculture will announce the 1972 dairy price supports. I include in the RECORD a copy of my letter to Secretary of Agriculture Hardin urging him to announce supports at 90 percent of parity:

FEBRUARY 24, 1971.

Hon. CLIFFORD M. HARDIN,
Secretary, Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: I respectfully urge you to raise dairy price supports to 90% of parity, or $5.157 per cwt.

Additionally, I hope you will complete your review and announce your decision as soon as possible, and certainly well before the April 1 deadline, so that dairy farmers in Wisconsin, the nation's leading milk-producing state, as well as dairymen and processors throughout the United States can formulate their production program.

I need not remind you of the uncertainty facing the dairy industry. Suspension of the mandatory price support for butterfat for three years, cheese imports, and substantially higher costs for both production and processing have contributed to the uncertainty. Though milk production is up nationally, and up in the state of Wisconsin, the twelve North Central States as a unit, traditionally the major milk producers, showed a decrease.

Both the Congress and the President have indicated a strong commitment to the goal of adequate nutrition for all Americans. Milk is vital to this effort. Because there is a two to three year gap between the birth of a calf and its production of milk, the strong resolve of the Department of Agriculture and the Administration to continue to maintain a healthy and strong dairy industry must be shown now.

An increase in the dairy price support to 90% of parity is vital, and immediate announcement would be most helpful, to insure a productive and strong dairy industry ready to meet the needs of all Americans.

Thank you for your attention to this matter.

Very sincerely,

WILLIAM A. STEIGER,
Member of Congress.

Imports of foreign milk products continue to challenge our dairy industry. Though more needs to be done, quotas placed on four products have already been of some help; first, ice cream quotas have cut the import quantity 95 percent; second, chocolate crumb imports have been cut to less than one-third of last year's imports; third, animal feeds have been cut to one-half; and fourth, skim milk cheese has been reduced 8 percent.

The special milk program, overwhelmingly supported by the Congress, reaches one-third of our schoolchildren. Adequate amounts of protein in a child's diet are vital for proper mental and physical development. The special milk program provides, in many cases, the only fluid milk disadvantaged children get. We must give this program top priority to assure adequate nutrition and development to all our children.

As a member of the Education and Labor Committee, I do not become directly involved in most problems of agriculture. I do, however, deal directly with nutrition of our young, our poor, and our elderly.

The hungry people of this country cannot hope to get adequate nourishment or hope to get a minimum diet unless we have a prosperous and productive agriculture. It is basic to a healthy economy.

Our farmers cannot and must not be ignored. We have taken this segment of our population for granted too long. Their contribution to a sound economy, to an adequate food supply for all our needs, cannot be ignored. Their contribution deserves more recognition, attention, understanding, and action.

FARMERS' SHARE MIGHTY SLIM

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. NELSEN. Mr. Speaker, the Worthington Daily Globe in an editorial appearing on January 30 performed an excellent service in putting agriculture's share of the U.S. budget in proper perspective. As the editorial emphasizes, "Eliminating actual farm programs totally will scarcely shave a penny from a tax dollar." It is a story that needs telling more often, and I insert the entire editorial in the Record at this point:

Farmers' Share of Total U.S. Budget

At this time of year, as Americans begin computing their income tax obligations simultaneous with the announcements of new state and national budgets, even small cuts in government spending can seem important. All across the predominantly urban nation expressions of resentment can be heard directed toward the U.S. Department of Agriculture and the federal agricultural budget. Efforts in the national press to "expose" and discredit agricultural appropriations seem sometimes to be a planned and coordinated campaign.

USDA appropriations are substantial, undeniably. For fiscal 1972 they will total $9.5 billion, an increase of $800 million above appropriations for the current fiscal year.

The agriculture budget should be considered in the context of the entire budget, however: $9.5 billion out of $229.2 billion. If the agriculture budget were eliminated entirely, and if this saving were passed intact to the taxpayers, it would cut tax bills by four per cent. Every tax dollar owed would be reduced to a 96-cent obligation.

But first . . .

It is important to consider that $2 billion in the agriculture budget is earmarked for the national food stamp program. This program benefits farmers in the sense that farmers produce food and the stamps buy food. The food stamp program indisputably, however, is primarily a program which benefits urban America. It is credited to the Department of Agriculture budget; could as well (even more appropriately) be credited to the budget of the Department of Health, Education and Welfare.

The actual appropriation for agriculture is thus reduced to $7.5 billion, three per cent of the total budget.

But one more thing . . .

The USDA budget also includes $356 million for the nation's school lunch program. Once again, primary benefit accrues to urban America rather than America's farmers. It would not be untoward to credit school lunch appropriations to the Department of Health, Education and Welfare.

Then there is $5 million appropriated for meat inspection. Most citizens would want this service continued. There is another $4.2 million for poultry inspection—in all, $12.4 million for consumer protection programs all of which are made a part of "agriculture's grab." The Consumer and Marketing Service (which reports to the nation week by week on the best buys in food at the supermarket) will get $172.5 million which is also made part of the agriculture budget.

This cataloguing of specific expenditures could grow long finally, approximately three-fifths of the agriculture budget is for programs related to farms and rural development. This total ($5.7 billion) is but two percent of the total federal budget.

Still . . . two per cent is two per cent. Cut out the federal allocations specifically for farmers and you slice two cents off each tax dollar owed.

If the farmer is to be permitted any break at all, however, it should put on the record that $2.46 billion in the USDA budget is earmarked for the Farmers Home Administration. This is not money given away, it is money put out to farmers on loans. It will be repaid with some interest. It is an investment rather than an appropriation. That much might be allowed.

Then there is $345 million for the Rural Electrification Association—all money put out on loans, not a gift. REA will also get $125 million for telephone loans.

The total actually allocated for the "notorious" crop price support operation is $2.7 billion, less than two per cent of the total budget. And even this appropriation is a form of loan. If the government in not repaid in cash it has the commodities—the foodstuffs—for its own.

To the extent that the American public has been persuaded that huge and unconscionable piles of tax money are being doled out to America's farmers the public has been misled. Eliminating actual farm programs totally will scarcely shave a penny from a tax dollar. In the total picture of federal spending, agriculture is an incidental item.

ANSWERS TO QUESTIONS ABOUT TV PROGRAM: "THE SELLING OF THE PENTAGON"

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. HÉBERT. Mr. Speaker, I have, on several recent occasions, pointed out that the CBS program, "The Selling of the Pentagon," made a number of implications about me which were and are false.

Inasmuch as some of the program contained erroneous information and biased implications, I requested that the Department of Defense respond to 15 specific questions in order to determine the accuracy of the other portions of the program.

I have received the response I expected and, in the interest of providing the facts to Members of Congress and the American public, I submit both my letter to Secretary Laird and the response I received from the Assistant Secretary of Defense for Public Affairs, the Honorable Daniel Z. Henkin, for insertion in the Record:

March 2, 1971.

Hon. Melvin R. Laird,
Secretary of Defense,
Washington, D.C.

Dear Mr. Secretary: As you are perhaps aware, I have expressed some concern about a CBS television program of February 23 entitled "The Selling of the Pentagon." I pointed out that the program made a number of implications about me which are false. Because of the blatantly false innuendos about me in the program and the slanted nature in which the whole thing was presented, I would like additional information from your department concerning various matters mentioned in the program.

Specifically, I would like answers to the following questions:

1. How much time and money was spent by the Department of Defense in assisting CBS in this movie?

2. What was the duration of Secretary Henkin's interview with Roger Mudd?

3. How many questions did Mr. Mudd ask Mr. Henkin and how many were used on the program?

4. Were any of the answers taken out of context?

5. Was there anybody else in the grandstands at the fire power demonstrations besides the Joint Civilian Orientation Conference members? And have any of them complained that they were brainwashed?

6. Would it be possible under the Freedom of Information Act, as voted by the Congress, for the Defense Department to withhold from the public any films which have been cleared for public release in past years? How many of the Defense Department films used as illustrations in the programs were initially made for internal information programs, and how many were initially made solely for public release?

7. Why wasn't the former Air Force officer who bragged about deceiving CBS when he was serving in Vietnam fired for doing that?

8. Does the Department of Defense know why the producers of the program chose to single out particularly Mr. Chet Huntley and Mr. Walter Cronkite for opprobrium in that they were allegedly used by the Department of Defense in certain films? Have either Mr. Huntley or Mr. Cronkite requested the Department of Defense to withdraw the films in which they appeared from Defense Department use?

9. How much of Mr. Friedheim's 11:00 news briefing at the Pentagon did CBS film? What portion of the briefing appeared on their show?

10. Would answers to any of the questions from that briefing, which were carried on the show, have involved classified national security information?

11. What are the facts concerning the so-called "traveling colonels" who are discussed in the program and, specifically, is it true that they are discussing foreign policy in violation of regulations as the programs implied? What foreign policy direction is provided to these colonels?

12. I am aware that the Department of Defense budget provides so much money

each year for use of ammunition in training of personnel and in unit training. Is the use of ammunition at fire power demonstrations, such as that for the Joint Civilian Orientation Conference members, part of the regular practice firing of troops and units or is it an additional use of ammunition for which additional funds have to be provided?

13. The program did show, in at least one case, small children observing demonstrations of killing tactics used by professional military personnel. I agree with the inference of the program that showing such things to small children is objectionable. Is it possible for the Department of Defense to take steps to prevent reoccurrences of this kind of action?

14. Would you provide me with the breakdown of the budget for public information for the Department of Defense and for the several military departments.

15. During the course of our hearings on the extension of the draft and related legislation, I asked for a detailed breakdown on the money that will be spent for recruiting in connection with the department's aim to move toward a voluntary force. I reiterate that I would like a complete breakdown as to what outlets will be used in the spending of this advertising money and how much it is planned to spend with each outlet.

Sincerely yours,

F. EDWARD HÉBERT,
Chairman.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., March 4, 1971.

Hon. F. EDWARD HÉBERT,
Chairman, Committee on Armed Services,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: Secretary Laird has asked that I respond to your letter of March 2 in which you expressed concern about the CBS television program titled "The Selling of the Pentagon."

Enclosed are the answers to the 15 questions you posed in your letter.

Sincerely,

DANIEL Z. HENKIN.

QUESTIONS AND ANSWERS

Question 1. How much time and money was spent by the Department of Defense in assisting CBS in this movie?

Answer. It is impossible to estimate precisely the number of DoD manhours devoted to helping in preparation of this program. Understandably, we don't know everywhere CBS went, everyone they talked with or everything they did and asked for—nor should we. We do know what we provided from OASD (Public Affairs) and what has been reported to us as provided by the military departments at the request of CBS. In that context, we estimate that more than 640 DoD manhours were expended, including at least 200 manhours by our Audio-Visual Division's action officers, and more than 440 hours by units of the military departments, other OSD offices, and DoD agencies. We regard this as a conservative estimate.

Our OASD (Public Affairs) file on assistance to this program contains 150 separate letters, memoranda and other information.

The cost of this work to DoD can only be roughly addressed by applying an average hourly time and labor cost (assuming $5 per hour) to the conservative estimate of manhours expended by DoD personnel of various ranks in various offices—or at least $3,200 in time and labor costs.

I believe that it was completely appropriate to provide this assistance, as we would to any other news organization working on a documentary show.

Question 2. What was the duration of Secretary Henkin's interview with Roger Mudd?

Answer. The interview took slightly more than an hour. Mr. Henkin was on camerea more than 40 minutes of that time. On its program CBS showed 2:04 minutes, including the time for the narrator's questions.

Question 3. How many questions did Mr. Mudd ask Mr. Henkin and how many were used on the program?

Answer. Forty-five questions were asked and all were answered in the interview.

It is difficult to assign a specific number to the questions CBS used because of the way Mr. Henkin's responses were edited. Fragments of answers appear to have been used, sometimes edited down to only parts of Mr. Henkin's responses and sometimes transposed to questions other than the one to which Mr. Henkin responded.

Question 4. Were any of the answers taken out of context?

Answer. Some answers were taken out of context by cutting and rearrangement. A transcript of the "interview" as it was telecast by CBS on the program is provided below with explanatory comments. Also attached is a transcript of the entire interview as filmed in the Pentagon on September 23, 1970. Only those portions of the interview that were used by CBS are underlined.

MUDD NARRATION. We asked the man in charge of all Pentagon public relations, Assistant Secretary of Defense Daniel Henkin, if he felt the press did a good job covering the Defense Department.

Mr. HENKIN. I believe that it does. It from time to time, of course, gives me some headaches, and I give the press some headaches. We understand that. We act as professionally as a professional relationship, not only with the Pentagon press and other members of the Washington press corps, but with newsmen who cover military activities around the world.

This constitutes about half the original answer. The meaning and intent were not changed substantially. (See Tab "A")

* * * * *

MUDD. What about your public displays of military equipment at state fairs and shopping centers? What purpose does that serve?

Mr. HENKIN. Well, I think it serves the purpose of informing the public about their armed forces. I believe the American public has the right to request information about the armed forces, to have speakers come before them, to ask questions, and to understand the need for our armed forces, why we ask for the funds that we do ask for, how we spend these funds, what are we doing about such problems as drugs—and we do have a drug problem in the armed forces; what are we doing about the racial problem—and we do have a racial problem.

I think the public has a valid right to ask us these questions.

Only the first sentence of the original answer was used. (*See Tab "B"*) The remainder of the material was taken from another question and answer. (*See Tab "C"*) The modification alters the tenor of the response from attracting volunteers to problems in the armed forces.

* * * * *

MUDD. Well, is that the sort of information about the drug problem you have and the racial problem you have and the budget problems you have—is that the sort of information that gets passed out at state fairs by sergeants who are standing next to rockets?

Mr. HENKIN. No, I wouldn't limit that to sergeants standing next to any kind of exhibit. Now, there are those who contend that this is propaganda. I do not agree with this.

Only the first sentence of Mr. Henkin's original answer is used. (*See Tab "D"*) CBS then added two sentences which were lifted from the middle of an earlier question. (*See Tab "E"*) Mr. Henkin's comment referred to data on increasing Soviet threat.

(No intro; abuts DeMiter interview.)

Mr. HENKIN. We're trying our best to provide information. There undoubtedly have been times when certain actions have been staged. I think this is true of all TV news coverage. After all, this interview is being staged.

MUDD. How so?

Mr. HENKIN. Well, props were set up; arrangements were made. You and I just did not walk into this room cold. Arrangements were made for it.

MUDD. Well, we wanted to film in your office. But your people said let's go in the studio. So we didn't stage it.

This segment on staging is inserted without narration immediately following DeMiter's claim that newsfilm released by DoD is staged. Mr. Henkin qualified his statement that the interview was "staged", the qualifying line, "as one might say", was cut. The deletion changes a statement into an accusation. (*See Tab "F"*)

INTERVIEW BETWEEN DANIEL Z. HENKIN, ASSISTANT SECRETARY OF DEFENSE AND ROGER MUDD, COLUMBIA BROADCASTING SYSTEM

Mr. MUDD. Mr. Henkin, in a recent speech you gave here in Washington you said that you were one of those who took unequivocal positions on the need for a strong defense posture and the need for a strong and free press.

Could you tell me what you mean? Are the two antithetical? Do they work at cross purposes? What is your definition? When one definition collides with the other?

Mr. HENKIN. Quite the opposite. I don't believe they work at cross purposes. I believe they are inter-related. I believe a strong defense in our country requires an informed public. And the American public has the right to know about what our armed forces are doing. I don't see any antithetical position.

Mr. MUDD. But there have been times when the national security and the free press collide, have there not?

Mr. HENKIN. Oh, yes, there . . . in our society there are inevitable times when the working of newsmen collecting news and the needs of the government at that moment may be in opposition, but over the long period of time, there is, I think, an interrelationship that is very, very vital to our society.

Mr. MUDD. But when they do collide, as you say they do on occasions, what do you do, what is your position?

Mr. HENKIN. Well, first of all I—my responsibility is for the security of the United States and the safety of our men and women in uniform. That is my first responsibility. With that is my responsibility to make available to the public through the press as much information as possible. And one must make judgments on a day-to-day basis with those criteria. Those are spelled out for us in a statement of principles issued by Secretary Laird shortly after he assumed office.

But it is a matter of judgment.

Mr. MUDD. Well, now, I can remember the famous quotation from one of your predecessors, Arthur Sylvester, that the press is part of the nation's weaponry, and when threatened by war, the government has the right to lie. Everybody remembers that.

Phil Goulding, who was your immediate predecessor, said he regarded his job as that of a game keeper and the press as that of a poacher. How do you view your relationship between the press and the Pentagon?

Mr. HENKIN. Well, without regard to what any of my predecessors may or may not have said, I feel strongly that no government official ever has the right to lie, but I believe that every government official always has the responsibility to protect the country. That is my view.

Mr. Mudd. Well, you mean you don't call it lying? But what do you call it? If you are withholding or giving out——

Mr. Henkin. Well, there are certainly a number of occasions when either I or one of my two deputies, Mr. Friedham or Brig. Gen. Chappie James, must respond with a "no comment", or "I can't give you that information", or "I am sorry, I can't discuss that" in order to protect the security of the country or the safety of our men and women. That we do. You may interpret that as withholding information. I don't. But that, again, is a matter of judgment.

The information is not made available to you at that time, but, oh, no one, at least I would hope no one who is responsible to me, would ever tell a lie.

Mr. Mudd. But, what is your view, Mr. Henkin, of the press, and how it functions? Do you—does the press do a good job covering your department?

Mr. Henkin. I believe that it does. From time to time, of course, it gives me some headaches, and I give the press some headaches. We understand that. We act professionally, there is a professional relationship, not only with the Pentagon press but with other members of the Washington news corps, but with newsmen who cover military activities around the world.

I—It is for them to assess not for me to assess, but my evaluation of this is that we have a working relationship, an understanding that we make mistakes and we do make mistakes, the press makes mistakes, but I do not believe that there is a feeling of distrust. I think there is an understanding of the fact that we do make mistakes and the press makes mistakes. And I think it would be a tragic situation for our country, particularly for our national strength, if there developed a feeling of distrust, and not a recognition that as humans we do make mistakes.

Mr. Mudd. You don't think distrust exists?

Mr. Henkin. It does not exist on my part. As for the press, it must make its own assessment.

Mr. Mudd. What about, uh—what are your views of television coverage of DOD and the war in Vietnam?

Mr. Henkin. Well, television coverage has presented additional problems, there's some technical problems. It takes a bit of equipment to move a television team to a scene of action. There television news presentation requires condensation. That is just a reality. But it has brought—in my view, television has brought to the American public more information about defense activities than ever before. It has problems, which I think the television news industry recognizes and certainly which we recognize. With a mutual trust, I think we are able to provide increased assistance to television people in access to the story and I think the television news industry has an increased understanding of the complexities of covering national defense news.

Mr. Mudd. Do you think the American TV viewer has got a good picture of the war in Vietnam, having watched television?

Mr. Henkin. I believe over the long run—a month, two months, six months, a year—that the American public has received a fine understanding of the war. And I don't include from this just the daily or hourly or evening news shows, but when one views the total picture including some of the documentaries which have been run, some of which have been outstanding. I believe that the public has received an insight into the war that would not be possible through any other medium.

Mr. Mudd. And you include in that the local stations? In their coverage?

Mr. Henkin. Well, as to the local stations, I am not in a position to give a really perceptive evaluation of that. I met with a number of local TV news directors and I feel that they have not devoted as much attention to defense news on a broad scale beyond the local story as is true comparably with newspapers. We have discussed this. Therefore a number of local television stations throughout the country which have done some very fine work in covering defense news, but not yet to the extent that newspapers throughout the country have covered defense news.

Mr. Mudd. The reason I asked, was because of a recent speech by Senator Fulbright criticizing the existence in Vietnam of four or five—I don't know the number—Defense Department film crews which turn out a—maybe seven stories a week that are brought back here and you distribute to the local stations, or at least offer them to everybody——

Mr. Henkin. That is right. We offer them to everybody on an equal basis.

Mr. Mudd. Why do you do that?

Mr. Henkin. Well, these teams were established after some discussion with the television network people and with others. First, we felt that we had to develop a technological capability to see if we could do it in the Armed Forces with military people. I think we have established that we have that capability.

Secondly, there are some stories that do not lend themselves to coverage on a spot news basis which we felt the American public had a right to be informed about and we covered those. I think now that we have gained this knowledge, learned a lot of technical details with regard to our own needs and those of national and local TV that we can reduce these teams in Vietnam, particularly as we reduce our strength there and as these reductions will be made.

But I think it is essential that the Department of Defense have the capability to document our actions. There could be times when it might be possible only to get a military TV team, news team, into a particular scene of action initially. And I think it is very important that we have that capability.

And in this I have the agreement of the TV news executives with whom I spoke about.

Mr. Mudd. As far as I know, uh, networks do not use DOD film do they?

Mr. Henkin. I have seen some networks use some of our TV on film.

Mr. Mudd. But generally the DOD film production is used on local stations, is that right?

Mr. Henkin. Well, I am pleased that local stations do use a considerable amount of our footage, but again I say there are a number of instances where this footage has been used by the networks, where it so happens that one of our teams was on the scene of a particular action that was not covered in any other way.

Mr. Mudd. Well, now, Senator Fulbright has said and I am sure you are familiar with his comments since this is in your province, he said that there have been instances of "staging", that almost 50 per cent of the output during a given period of '69 was designed to make the South Vietnamese Army look more proficient than it was and that the real purpose of—I think you called it the V Series, Victory Series—was to propagandize the American people into thinking the South Vietnamese were better than they really were. What is your answer to that?

Mr. Henkin. First, let me say that we here have studied and, of course, will continue to study very closely any comments made by Chairman Fulbright. I have been in communication with him and his office over a number of months on his views with regard to these, this TV coverage. I do not believe that we have—in fact, as we are forbidden by Secretary Laird's directive from participating in a propaganda effort. We are trying our best to provide information. There undoubtedly have been times when certain actions have been staged. I think this is true of all TV news coverage. After all, this interview here is being staged, as one might say.

Mr. Mudd. How so?

Mr. Henkin. Well, props were set up, arrangements were made—I did not just walk into this room cold; arrangements were made for it.

Mr. Mudd. Well, we wanted to film in your offices, but your people said let's go to the studios. So, we didn't stage it.

Mr. Henkin. No, I am not accusing you of staging it. I made no accusations at all.

Mr. Mudd. But back to the point that Senator Fulbright made about the propagandizing, he said that the bulk of the subjects chosen by the film crews, and the audio-visual team over there, was to elevate the image of the South Vietnamese.

Mr. Henkin. Well, I think that one would have to go through all of the releases that were made and I do not believe that that contention would be proven correct.

Mr. Mudd. Ah,——

Mr. Henkin. Let me say that we do make mistakes and there have been times when actions were misrepresented, but if that is true, it was a mistake, and should not have been done.

Mr. Mudd. Did I understand you, Mr. Secretary, to say that the—that you were reducing the number and the amount of activity on your crews?

Mr. Henkin. In Vietnam, yes.

Mr. Mudd. And why?

Mr. Henkin. Well, first of all, we have established—we gained the technological knowledge of what it takes in the armed forces to staff these teams. We have learned how to handle the copy. The material is brought back here and processed commercially and made available on a pool basis to the TV networks and to local stations. Secondly, we are reducing our strength in Vietnam and, as we reduce our strength I think it is possible now to reduce significantly the number and activity of these teams.

Mr. Mudd. But the whole question of a government having film crews in the field on any kind of story raises the question of—of putting the government in the position of deciding which stories ought to be covered.

Mr. Henkin. I don't believe——

Mr. Mudd. Is that valid?

Mr. Henkin. I don't believe it is any more valid than our putting out news releases to what we in our trade call the hard print side of the picture. I don't think there is any great difference between putting out a printed news release for use in newspapers than making film available for TV networks. Now if the TV networks disagree with that they have yet to communicate with me that disagreement.

Mr. Mudd. But in the case of a press release, the AP man or the Cincinnati Inquirer man can take your press release and dump it or rewrite it or add to it. But in the case of a film clip it is there to use or not to use. And isn't there a difference?

Mr. Henkins. I don't see a difference. Perhaps you on the TV side of the news coverage do. I don't. I think your—TV news directors have the same option, to use it or don't use it, to come in and ask us questions about it, to amplify it. I don't see any fundamental difference. Perhaps you on the TV news side view it differently than other newsmen. If so, that has not been communicated to me.

Mr. Mudd. Ah—to go on to another subject, Mr. Henkin. It has been pointed out to me that—I've taken the last ten years—the overall budget for the Defense Department has approximately doubled. I think—would you accept that? I think that is about right. About double. And the budget for the Public Affairs department of the Defense Department has increased approximately tenfold. If that is accurate, and I can't swear that it is, but if that is accurate, how do you explain that?

Mr. Henkin. Well, I can't attest to its accuracy either. The only thing I can attest to are the figures in my own office. There has been an increase in public information activities. I think there has been better accounting for what is public information activiteis. I think there has also been an increase in troop information activities, which, in the services, I am not at all responsible for troop information. My only responsibility is for public information.

But in the services an information officer may be, and usually is, responsible for both troop information and public information. So it is very difficult to, in my view, obtain precise figures on what is public information and what is troop information.

Mr. Mudd. Well, how much has your budget increased? In the last ten years?

Mr. Henkin. Very little in my office, in the ten-year period, except as regards pay increases which have increased substantially—pay increases, per diem increases over the years.

Mr. Mudd. But by your office, do you include audiovisual and community service and speakers bureau and all those related agencies?

Mr. Henkin. That's right.

Mr. Mudd. That is your whole Henkin domain, if I can use that.

Mr. Henkin. That's right.

Mr. Mudd. And it has not increased much at all?

Mr. Henkin. The fact is it is going down; it has been going down for the last several years. It continues to go down. This also includes—this as you call it, the Henkin domain—also includes approximately 40 people, more than 20 per cent, who are in the of—in the Directorate of Security Review, who review congressional testimony, who review the speeches (unintelligible) to see how much information we can make available. This office was expanded some years ago after a—before my time here, when the Senate Armed Services Committee concluded an investigation of certain Defense information activities and decided that the Office of Security Review should be expanded and it was expanded, after that action by the Senate Armed Services Committee.

Mr. Mudd. What about the community relations service, if that is the correct title?

Mr. Henkin. Directorate of Community Relations is the correct title.

Mr. Mudd. What is the purpose of that Mr. Henkin?

Mr. Henkin. It is to establish and maintain liaison with national organizations throughout the country whether they be veterans organizations, labor organizations, student organizations, to respond to their requests for information about the Department of Defense. Thus it is that that directive would for example maintain a liaison relationship with the organizations such as, well, let's just say, the Air Force Association and also arrange for meetings here at the Pentagon which we held not to long ago with the group called the "Concerned Mothers of Massachusetts". We spent several hours with them here. That meeting was arranged by the directorate of community relations.

It also recently has focused strong attention on arranging meetings in responding to requests from student groups throughout the country. We are very much interested in increasing our communications with students and this—these past months, we have met here in this building and elsewhere in the country with, I would say, thousands of students, in what have been very informative and rewarding sessions.

TAB B

Mr. Mudd. But aside from your meetings in which you disseminate information, what about your public displays of military equipment at State Fairs and shopping centers? What purpose does that serve?

Mr. Henkin. Well, I think it serves the purpose of informing the public about their armed forces. It also has the ancillary benefit, I would hope, of simulating interest in recruiting as we move or try to move to zero draft calls and increased reliance on volunteers for our armed forces, I think it is very important that the American youth have an opportunity to learn about the armed forces.

Mr. Mudd. Is a rocket or missile display on a flatbed, is that put at a state fair by request of the State Fair people or do your various officers apply for space?

Mr. Henkins. No, these are—all of these are requests, made by State Fair people and others under our directive which imposes certain restrictions. These must be—for example, there must be no admission charge. They must be non-profit. There must be adequate insurance provisions. There are a number of others listed. They must be non-political. We have a number of restrictions which apply as we assess these requests.

Mr. Mudd. But there is no pressure on these field offices to place their displays at various public functions?

Mr. Henkins. There is no pressure from my office. I cannot speak for the entire Defense establishment. I can say there is no pressure from my office.

Mr. Mudd. I—

Mr. Henkins. We have more requests than we can fulfill.

Mr. Mudd. You do?

Mr. Henkin. Both for exhibits, for speakers—we just can't fulfill all the requests we have.

Mr. Mudd. Do you regard the display of military equipment in the country and the instant availability of military speakers at Kiawanis and Rotary and so forth as excessively militaristic?

Mr. Henkin. Of course I don't. If I believed that we would not have approved these requests. I believe it is our obligation insofar as our resources permit to respond to a request from Kiawanis or a Rotary group in a Midwestern city as well—or any city, as well as New York or Chicago or San Francisco. I think the people in any part of our country have a right to come to us and ask us if we can provide a speaker, and when we can, I would hope we will.

Mr. Mudd. But criticism has been raised, Mr. Henkin, that the result, unconscious though it may be, does create in the minds of the citizen a dependence, or an acceptance of the military and what it represents, as a way to solve problems. You have heard that criticism?

Mr. Henkin. Yes, but I——

Mr. Mudd. What do you say—

TAB C

Mr. Henkin.—I would—I would only amend your question there, Mr. Mudd, to say in the minds of some citizens, it presents this, if I may use the word "image." But I believe that the American public has the right to request information about the armed forces, to have speakers come before them, to ask questions, and to understand the need for our armed forces, why we ask for the funds that we do ask for, how we spend these funds, what are we doing about such problems as drugs and we do have a drug problem in the armed forces—what are we doing about the racial problem in the armed forces—and we do have a racial problem. I think the public has a valid right to ask us these questions. Not only in the big cities but throughout the country and to the extent that our resources permit, I believe we should respond to these requests. And also I believe that we have an obligation to inform, discuss with the American public the problems that we confront, problems such as the increasing Soviet threat.

TAB E

Now there are those that contend that this is propaganda. I don't—do not agree with this. There are those who contend that we do this to influence the budget. I submit to you that, in my view at least, this is not a valid argument. The budget for the current fiscal year was sent to Congress in February. It has not yet passed. It probably will not pass, as you well know, covering the Hill, until late this year, possibly early next year.

If I permitted that to be my criteria, I would be forced to suppress news, and I am not in this job to suppress news.

TAB D

Mr. Mudd. Well, is that sort of information about the drug problem you have and the racial problem you have and the budget problems you have, is that the sort of information that gets passed out at State Fairs by sergeants who are standing next to rockets?

Mr. Henkin. No, I didn't—wouldn't limit that to sergeants standing next to any kind of exhibits. I knew—I thought we were discussing speeches and all.

Mr. Mudd. What I mean—what—what possible—what sort of information—

Mr. Henkin. But I am sure that if someone at a State Fair were to ask an officer in charge or a sergeant. We have some understanding sergeants who can speak to all of these subjects and we are proud of them—who would respond and tell the public, the youth there, what we are trying to do in the armed forces to increase equality of opportunity, as an example.

Mr. Mudd. You mentioned.

Mr. Henkin. One might be concerned about sending our sergeants to meet with the American public. I am not.

Mr. Mudd. I didn't mean to say that I was, I was just thinking that the display of a rocket was seen more for display than for the actual dissemination of information.

Mr. Henkin. Well, we find that a number of citizen groups who sponsor State Fairs, to use that as an example, requests from time to time displays of military hardware. Where we can provide this within our resources, we do try to do that.

Mr. Mudd. What purpose does it serve, Mr. Henkin, for the so-called VIP trips where a base is opened up, for a display of a new weapon and you bring on a group of businessmen and important people in a community, is that a—is that a necessary function within a—in a democratic—

Mr. Henkin. Well, I believe it has been an important and valuable function since these were started in 1948 to bring together our military people and the VIP's, as you describe them, these VIP's include college presidents, professors, labor leaders, church leaders, business leaders, academicians, scientists, the whole variety, the whole spectrum of American society. I think it contributes to public understanding of our armed forces that these visits are made, and that these people have an opportunity to meet with our men and women in uniform. I go back to my basic conviction and it is one that I held since I first began covering this building in the early days of—just before World War II that our national strength depends upon an informed public to a large extent. And that which contributes to informing the public about our progress and our problems, our successes and our failures, I think, contributes in the long run, contributes greatly, to the strength of our country. And I am interested in this job, in my professional career in two things.

One is to strengthen the country, and, two, free access to what our armed forces are doing.

Mr. Mudd. I will have to stick a knife in you right now—I'm sure it won't hurt——

Mr. Henkin. Make sure it won't hurt.

Mr. Mudd. I am sure it wont' hurt. But you just mentioned that you were an ex-reporter and I am prompted to ask because of that background I was curious to know why you or your office asked me to submit a list of questions to you ahead of time.

Mr. Henkin. I don't know. As I recall, before we came in here, I asked you, I believe I am quoting myself correctly, "Do you want to do this cold turkey or do you want to discuss some of the questions you may wish to address to me—just to save you time?" Well, I don't know what your next question is going to be—

Mr. Mudd. I know—I know you don't, but a week ago we were asked to submit a list of questions that I was—knowing your background, I was curious——

Mr. Henkin. In the interest of saving time, I sometimes ask newsmen who interview others around here what they are interested in so the person can be prepared.

Mr. Mudd. It was just as simple as that?

Mr. Henkin. Yes.

Mr. Mudd. You mentioned a minute ago, Mr. Henkin, that included in your area was the Security Review, I think you call it.

Mr. Henkin. Yes, sir.

Mr. Mudd. There has been a lot of attention given to a case up on the Hill, I think maybe six weeks ago, in which a transcript before the Foreign Relations Committee was released, made public, about our relations with the Government of South Korea, and in it there was an article published in the New York Times deleted from the hearing. In other words——

(Break in production—physical break—new start below.)

Mr. Mudd. You mentioned a moment ago, Mr. Henkin, that one of your agencies that you control, that you run, Security Review, there was a well-publicized case a few weeks ago in which a transcript before the Senate Foreign Relations Committee was made public, and deleted for reasons of security was an article or part of an article from the New York Times which circulates all over the country and abroad. And how possibly could the interests of security be served by withholding a paragraph from a newspaper?

Mr. Henkin. I said earlier in this interview, Mr. Mudd, that we make mistakes here. Mistakes were made. Incidentally that transcript was shown to the staff of the Foreign Relations Committee before it was published and they raised no objection to the error that had been made, and it was put out. Obviously an article of the New York Times is not classified or in any other place.

Mr. Mudd. It—it was just simply a slip there.

Mr. Henkin. Yes, it was a slip.

Mr. Mudd. What is the general philosophy that you have as regards classifying documents? What is the criterion for classifying a document?

Mr. Henkin. I don't classify any information. Information that is classified comes to me, as the person who originates it classifies it. To the best of our ability we try to see if we can get information de-classified to be made public, and we go through the various agencies, offices, the Office of the Secretary himself, at times, to try and get information de-classified, so that it can be made available. But I do not classify any information myself.

Mr. Mudd. Your purpose is in de-classifying it?

Mr. Henkin. That is correct.

Mr. Mudd. By your estimate, how much of classified material could be de-classified right now, today, without hurting the national interests?

Mr. Henkin. I believe a considerable amount. Secretary Laird and Deputy Secretary Packard agree, more importantly than I, with this. We have been trying here, of recent months, to develop a system to declassify much more information, and we have been able in the last—we have in the last 18 months declassified a considerable amount of information, particularly academic research. We are moving now to greatly expand that project, that effort, and hopefully we will be able to announce something on this in the near future.

Mr. Mudd. Well, who are these people who keep classifying?

Mr. Henkin. Well, you must——

Mr. Mudd. They work for Mr. Laird, don't they?

Mr. Henkin. Well, you must remember that much information is classified over the years there's much information, for example, about World War II that is still classified, and we—going back 6, 8, 12 years, and we believe first, that much—a good bit of that information needs to be looked at and made available to the newsmen, to students, to educators—to the public.

Also, there is a tendency on the part of some to overclassify today, and we are trying to, as best we can, to make more information available. And, that is why, in recent months, we are discussing publicly certain activities of the Department of Defense, which were not discussed publicly before. For example, our air activities in Laos. Or, another example, is the story of our prisoners of war and missing in action. We have made much more information available about that subject than was the case several years ago. Yet, another is the information related to chemical warfare and biological research. We are discussing this much more evenly than it was the case before, and these are just some examples.

Mr. Mudd. It just occurs to me to ask you, Mr. Henkin, do you think the press did a good job on the My Lai massacre?

Mr. Henkin. I would not want to comment on that at all. The—this is a matter that is still pending in the judicial process and for that reason I would decline any comment on that.

Mr. Mudd. Well, I didn't mean to pass on the innocence. I just——

Mr. Henkin. I know you didn't.

Mr. Mudd. —the alertness of the press——

Mr. Henkin. I know that.

Mr. Mudd. —in picking up the story.

Mr. Henkin. Well, in order to protect the interests of all individuals and the interest of government, I feel that I should refrain from any comment on that.

Mr. Mudd. Okay.

Mr. Henkin. And, this is a problem, Mr. Mudd, that I think that our country needs—needs to think about, is the problem of protecting the right of individuals, protecting the rights of the federal, state, local government in its judicial process. It is a very complex problem.

Mr. Mudd. Well you are as aware of the word as anyone, and that was the phrase "credibility gap." You, I am sure, have to live with it all the time. Have you succeeded——

Mr. Henkin. Well fortunately, I'm hearing that word less. I am—I don't know about others.

Mr. Mudd. Are you, are you? Well, that was my question which you anticipated. Have you, and your people here, succeeded in closing the gap, if it ever did exist?

Mr. Henkin. Well, again, this is an assessment that I think newsmen need to make. We feel that we have. We feel that there is a better understanding, or I feel I shall take the responsibility for that statement. I feel that there is a better understanding of mutual professional responsibilities of newsmen and military and civilian information people who work for the Department of Defense.

Mr. Mudd. Well, it occurs to me to mention this instance. If you recall, Secretary Laird has repeatedly, and you and your subordinates refer repeatedly to, our air cover, our air support in Cambodia, as being for the purpose of interdiction.

Mr. Henkin. Interdiction, or harassing or in any other way intefering with the possible flow of men and material that could jeopardize the lives of our men in Vietnam.

Mr. Mudd. But the evidence from the free press over there is that it is much more than just interdiction; it is in fact supplying air cover and close support for Cambodian ground troops.

Mr. Henkin. If our air activities have the ancillary effect of assisting Cambodian ground troops, so be it. But the primary mission, the primary objective of our air operations in Cambodia, is to interdict, thwart, harass—you choose the word—the flow of men and material that could possibly jeopardize American lives in South Vietnam. And this is particularly important as we continue to withdraw additional thousands of men from Vietnam.

Mr. Mudd. Well, the word that the Department uses is this interdiction, which doesn't quite include ground sup—air support.

Mr. Henkin. Secretary Laird has used a number of other words to describe our activities—to assay, interdict, harass, thwart, delay, prevent the flow of men and material in South Vietnam. And we have said—and I repeat here—that this—these operations may well have the effect of assisting the Cambodian forces. If it does, it does. But the objective is to save American and Allied lives in South Vietnam.

Mr. Mudd. The famous example was the fighting around Skun (?), I think, back in August when the word most used was interdiction of air supplies to protect South Vietnam and particularly the seaport when the actual action was about 115 miles from the seaport. Immediately, the press and the TV picked up that this is another example of Pentagon credibility.

Mr. Henkin. Well, it is a two-edge sword. It is—I am particularly pleased that we were able to make the story of our operations along the Cambodian sanctuary so available, that we made access so easy, relatively easy for newsmen. With our—when our first troops went in, newsmen, American newsmen, newsmen from other nations, went with them. In fact, General Abrams made his own personal plane available around midnight one evening to move some newsmen from Saigon to the front. That is important to me, that there is this access by some 400 newsmen give or take, which there were at anytime, in Vietnam, to the story.

I think that credibility will be judged on their report.

Mr. Mudd. What comment would you make on the presence of the military band over there at the Cambodian border when the first withdrawals occurred of U.S. troops from Cambodia, back into South Vietnam. That was laughed at considerably as a propaganda hoopla showboat.

Mr. Henkin. I would make no comment on that because I just have nothing to do—or no real, first-hand knowledge of that. But if some commanders thought it might raise—up the morale of his men to be greeted by a band, I am in favor of bands.

Mr. Mudd. Especially when they are meeting the presidential deadline to get out.

Mr. Henkin. Well, I am in favor of bands at any time. I think it lifts our spirits; we like to have our spirits lifted.

Mr. Mudd. I have a final question.

Thank you for your patience.

I have a final question. Why do you think, Mr. Henkin, that the military has become fair game for every critic whether serious, well-motivated, whether carping, whether unreasoned? Why is it that way now?

It does represent a change in our whole way of thinking, does it not? As a nation?

Mr. Henkin. I don't believe that it represents a total change. I recall, and I am sure you do too, Mr. Mudd, times in our history where the military—particularly after a conflict—have been under attack—I think it is a healthy sign that the American public is interested enough to care about the military. If this means criticism from time to time, that is all right, too, as long as the criticism is constructive. I think the, because of our size and mostly because of our importance and the safety and security of our country—the survival of our country—it is essential that the press, the public, the Congress keep a close watch on the Department of Defense. I also note, that when the chips go down, and the chips go down mostly in my view, when Congress votes, what I perceive is a recognition on the part of the Congress of a need for a strong defense establishment and this support has been forthcoming and I would hope and pray that it will continue to be that way. And this support will be forthcoming because the public has access to what we are doing, right and wrong, and is keenly involved in our activities.

I happen to believe this.

Mr. Mudd. Okay.

* * * * *

Question 5. Was there anybody else in the grandstands at the fire power demonstrations besides the Joint Civilian Orientation Conference members? And have any of them complained that they were brainwashed?

Answer. Besides the 72 member JCOC party present at the Fort Bragg exercise where CBS filmed, other groups present included ROTC groups from Appalachian State University (40), Virginia Tech (50), N. C. State University (10), and Hanover High School (50) and Terry Sanford High School (50); local area Jaycees (25); Strike Command (15); Military Attaches (60); Military Counterparts of Military Advisory Council (20); 140 civilians from local area; and 346 Air Force personnel from nine Tactical Air Command operational and training bases.

To our knowledge, there have been no complaints of "brainwashing."

Question 6. Would it be possible under the Freedom of Information Act, as voted by Congress, for the Defense Department to withhold from the public any films which have been cleared for public release in past years? How many of the Defense Department films used as illustrations in the program were initially made for internal information programs, and how many were initially made solely for public release?

Answer. Under the Congressionally approved Freedom of Information Act, the Department of Defense does not feel it can withhold or suppress any films requested by the public which have been previously cleared for public release.

Of the seven films addressed specifically in the show (there are twenty-one, if one includes all those identified only by briefly flashing a title on the screen), only one, "The Eagle's Talon", was made in 1962 specifically for public release. All the rest were made for internal troop information and cleared for public release by previous Administrations.

Question 7. Why wasn't the former Air Force officer who bragged about deceiving CBS when he was serving in Vietnam fired for doing that?

Answer. We do not know that CBS was actually deceived, although the former officer inferred that to the narrator. The individual interviewed is no longer in the Air Force; he did hold information jobs—and other jobs—during 12 years on active duty.

There is no place in the Department of Defense for any official either military or civilian who deliberately deceives or dupes news media in contravention of the Public Affairs Principles of the Secretary of Defense of March 4, 1969, which are as follows:

PUBLIC INFORMATION PRINCIPLES

To assure that the American people are fully informed about matters of national defense, I intend that the Department of Defense shall conduct its activities in an open manner, consistent with the need for security. This means that unclassified information, other than that exempted by the Freedom of Information Act, must be readily accessible to the public and the press. Because of the importance I attach to this matter, I want to state certain principles which I expect to be followed in the conduct of public affairs activities of this Department.

1. Our first concern must be the security of the United States and the safety of our Armed Forces. Therefore, information which would adversely affect the security of our country or endanger our men should not be disclosed.

2. The provisions of the Freedom of Information Act (5 USC 552) will be supported in both letter and spirit.

3. No information will be classified solely because disclosure might result in criticism of the Department of Defense. To avoid abuse of classification procedures, we must adhere strictly to the criteria set forth in Executive Order 10:01.

4. Our obligation to provide the public with accurate, timely information on major Department of Defense programs will require, in some instances, detailed public information planning and coordination within the Department and with other government agencies. However, I want to emphasize that the sole purpose of such planning and coordination will be to expedite the flow of information to the public. Propaganda has no place in Department of Defense public information programs.

Therefore, I direct that each addressee review all pertinent directives, policies and public information plans to insure prompt and complete compliance with these principles. Those which do not meet the foregoing criteria will be revised or rescinded.

The Assistant Secretary of Defense (Public Affairs) is responsible for advising and assisting me in the fulfillment of these public information principles throughout the Department of Defense.

Melvin R. Laird.

Question 8. Does the Department of Defense know why the producers of the program chose to single out particularly Mr. Chet Huntley and Mr. Walter Cronkite for opprobrium in that they were allegedly used by the Department of Defense in certain films? Have either Mr. Huntley or Mr. Cronkite requested the Department of Defense to withdraw the films in which they appeared from Department of Defense use?

Answer. We do not know why the producer singled out Mr. Huntley and Mr. Cronkite for specific mention in reference to their roles in narrating certain DoD films made some years ago. Nearly all the film production in which CBS expressed interest featured prominent newsmen and motion picture stars.

We know of no request from Mr. Huntley or Mr. Cronkite that these films be suppressed or withdrawn from use. We have noted in answer to a previous question the Freedom of Information Act considerations.

Question 9. How much of Mr. Friedheim's 11:00 news briefing at the Pentagon did CBS film? What portion of the briefing appeared on their show?

Answer. The entire 11:00 news briefing with Mr. Friedheim was filmed by CBS. Mr. Friedheim made nine announcements that day, and replied to approximately 34 questions from newsmen. CBS selected six questions and answers for the program, taking a total of one minute of air time. Three "no comment" type answers were included in the six used by CBS, the only three, incidentally, that Mr. Friedheim gave during the entire briefing. Had he responded to any one of the three "no comment" replies aired by CBS, he would have revealed classified national security information.

Question 10. Would answers to any of the questions from that briefing, which were carried on the show, have involved classified national security information?

Answer. Yes, to discuss sizes of possible multiple nuclear warheads on the Soviet SS-11 ICBM would disclose information damaging to the Defense interest of the United States.

Question 11. What are the facts concerning the so-called "traveling colonels" who are discussed in the program, and specifically, is it true that they are discussing foreign policy in violation of regulations as the program implied? What foreign policy direction is provided to these colonels?

Answer. The officers mentioned in the CBS show were faculty members of the Industrial College of the Armed Forces. The group consisted of two Army colonels, one Navy captain, one Marine colonel, one Air Force colonel, and one State Department Foreign Service Officer. They appeared in Peoria at an event arranged and sponsored by the Peoria Association of Commerce—not the Caterpillar Tractor Company as CBS erroneously reported. We understand that an employee of Caterpillar, as a private individual, was chairman of the ICAF Seminar.

There is no Army regulation specifically prohibiting statements on foreign policy by Army personnel. The applicable directive, AR360-5, paragarph 9, prescribes that persons speaking in an official capacity must have their material cleared for accuracy, propriety, and consistency with national policy. The other Services have similar directives. All presentations by the faculty group were cleared by the Department of Defense and other appropriate government agencies, including the Department of State in the case of subjects dealing with foreign affairs or foreign policy. The one specific presentation at Peoria that dealt directly with the formulation of U.S. foreign policy was given by the Foreign Service Officer.

A CBS film team spent three days at the seminar recording various presentations and was briefed on the entire National Security Seminar Program, including details on the funding, costs, curriculum, military and civilian participation, scheduling, and clearance procedures to ensure consistency with national policy. 79 seconds appeared on the air.

In the brief segment of the CBS show covering the presentation of a Marine colonel, comments were edited and rearranged by CBS, giving the impression that the words he used were his own. In fact he was quoting from his prepared and cleared text a 1967 statement by the Prime Minister of Laos: "If South Vietnam becomes communist it would be difficult for Laos to exist; the same goes for Cambodia and the other countries of Southeast Asia."

Question 12: I am aware that the Department of Defense budget provides so much money each year for use of ammunition in training of personnel and in unit training. Is the use of ammunition at fire power demonstrations, such as that for the Joint Civilian Orientation Conference members, part of the regular practice firing of troops and units or is it an additional use of ammunition for which additional funds have to be provided?

Answer. Use of ammunition at these demonstrations is a normal training expenditure. JCOC tours, such as that we assisted CBS in filming at Fort Bragg during Exercise Brass Strike, are scheduled to take advantage of *previously scheduled training activities*. In such cases, training firing would take place with or without the JCOC group's presence. While it is true that selected weapons are fired near grandstands to give the audience closeup views, there is nevertheless training value in this. Audiences also include viewing groups other than civilians. For example, the Brass Strike Exercise at Fort Bragg also included a group of foreign military attaches, and other groups.

We regard it as our responsibility and obligation to make it possible for members of the public to see the type of training their Armed Forces engage in and the defense capabilities this provides our nation.

Question 13. The program did show, in at least one case, small children observing demonstrations of killing tactics used by professional military personnel. I agree with the inference of the program that showing such things to small children is objectionable. Is it possible for the Department of Defense to take steps to prevent reoccurrences of this kind of action?

Answer. The exact nature of the displays and demonstrations at military open houses is largely the responsibility of local commanders. Local commanders do not, of course, control whether or not parents bring children to these public demonstrations.

Hand to hand combat has traditionally been a part of many of the demonstrations, particularly where such techniques are a major part of the training as with the infantry. Military demonstrations normally include a talk or lecture that explains what is occurring and why. It is not in any sense portrayed as gratuitous violence.

Nevertheless, the Department of Defense is in complete accord with your view that closer supervision is required, particularly when children may be present at open demonstrations. We have initiated a review and will take corrective action.

Question 14. Would you provide me with the breakdown of the budget for public information for the Department of Defense and for the several military departments?

Answer. Listed below are the costs of my office, the Defense agencies, the Joint Staff, and the cost of Service public information activities provided by the four Services. New fiscal procedures were initiated this year by OASD (Comptroller) to establish public information as a program budget item in order to improve fiscal control.

Fiscal year 1971, congressional limitation

Army	$10,300,000
Navy/Marine Corps	10,400,000
Air Force	8,100,000
Office of Secretary of Defense [1]	[2] 1,200,000
Defense Agencies and Joint Chiefs of Staff [1]	400,000
Total	30,400,000

The limitation reflects a Congressional reduction of more than $7 million from initial cost estimates for fiscal year 1971.

Fiscal year 1972 costs are estimated at:

Army	$7,412,000
Navy/Marine Corps	9,677,000
Air Force	6,279,000
Office of the Secretary of Defense [1]	[2] 1,148,000
Defense Agencies and Joint Chiefs of Staff [1]	400,000
Total	24,982,000

[1] Applicable to "Operation and Maintenance" only. Military personnel assigned to these activities are subject to the limitation imposed on each of the Services.

[2] Excludes costs associated with security review operations which costs were exempted from the Congressional limitation.

Thus, Congressional reductions for public affairs activities in FY 1971 totalled more than $7 million and FY 72 estimates reflect a further reduction of approximately $5 million attributable to the Office of Management and Budget direction after allowable increases for such items as increased cost of materials and higher pay scales enacted by the Congress.

Question 15. During the course of our hearings on the extension of the draft and related legislation, I asked for a detailed breakdown on the money that will be spent for recruiting in connection with the department's aim to move toward a volunteer force. I reiterate that I would like a complete breakdown as to what outlets will be used in the spending of this advertising money and how much it is planned to spend with each outlet.

Answer. We have been advised that the ASD (Manpower & Reserve Affairs) is providing this information directly to you.

ON THE BOMBING OF THE CAPITOL

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. BIAGGI. Mr. Speaker, the cowardly act perpetrated against the Capitol last Monday cannot be allowed to force this Congress to become a legislative body in a goldfish bowl. Various recommendations have been made over the years to encase the visitors galleries of the House and Senate in bulletproof glass. Others have suggested we televise our sessions via closed circuit into reception rooms so that people cannot get too close to their legislators.

Either of these suggestions would do little more than further divorce the people from their representatives, whom many consider already too distant.

As a former law enforcement officer, I know quite well the difficulty of protecting another person. Moreover to protect them from those who skulk around in the night, planting explosive devices that could maim or kill hundreds of people is quite impossible without the proper equipment.

We already have an excellent Capitol Police Force who, despite the recent criticism, have always performed admirably in an emergency. However, the Capitol and its surrounding buildings are difficult to guard. Thus I am now drafting legislation that would equip them with the proper tools to do the job better.

I would like to authorize the installation of metal sensors at every entrance to the Capitol and the office buildings. These are similar to the machines in use at airports to guard against hijackers carrying guns or bombs aboard a plane. Additionally, we should equip the police force with a closed circuit television network to further enhance their law enforcement and protection capabilities.

Such a twofold upgrading of the police force would still permit maximum freedom of movement for the countless thousands of Americans that tour the Capitol each year, and at the same time vastly improve the protection afforded Members of Congress.

I, for one, do not want to be locked up in a goldfish bowl. This body has remained the shining light of democracy in the world because of the close interaction of legislators with their constituents. Cut off this contact with people and you cut off democracy.

We need not turn this Capitol into an armed camp. Nor do we need to allow the perverted minds of the perpetrators of such cowardly bombing attacks on this building to rule over our lives. We need only insure the safety and security of the people and the hallowed Halls of Congress. Technology provides us with the means to that safety and security. Now all we have to do is use it.

JOHN RUBACK OF THE MANSFIELD, TEX., NEWS MIRROR WRITES ABOUT CANCER RESEARCH

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. TEAGUE of Texas. Mr. Speaker, under leave to extend my remarks in the RECORD, I include an article written by Mr. John Ruback of the Mansfield, Tex., News Mirror expressing his thoughts on cancer research. I am hopeful that this Congress can and will provide sufficient money to take this research to its finality and find the answer to this killer disease.

The article follows:

THOUGHTS

(By John Ruback)

We are told by people who are supposed to know that the war in Viet Nam is winding down. The President promises that our troops will be out as quickly as possible.

This should give us one more leg up on the fight against inflation. And we could use a little less inflation!

I have a suggestion, though—a suggestion that I make really without regard to whether the war winds down or not.

Right at this moment about one million Americans are suffering from a disease that may kill at least two-thirds of them. The other third of these million people will survive because some of the answers are already known—medical science was in time for them.

Another three million people are closely connected with this disease. They are the families of this million people.

So four million people in this country are concerned and countless millions more will become concerned as time goes on. All are waiting for science to solve the riddle of why human cells go wild and kill.

The question cancer sufferers are asking each day of their life is, "Will research find the answers in time to save my life?

When we look at all that science has managed to do in the short time since World War II—a way to prevent the dread disease of polio, computers which solve complicated mathematical problems and decide what the tensile strength of the wings must be in order to carry jet airplanes at speeds several times faster than sound, a way to put men on the moon and send space ships to other planets—if we can do all these things, surely it is not too much to ask that a real drive be made to find a cure for cancer.

If we can spend billions of dollars for researchers to find way to a better life, why can't we match this with billions more to find answers to preserve life?

I believe that a good part of the money that is now being spent on the war could well be diverted in the days ahead to an all out effort to find a cure for cancer.

Of course, the American Cancer Society has done a tremendous amount of good work with the donations they have received over the years but it is becoming obvious that there are not the funds available to pay all the scientists who need to be put to work on finding the cause and cure of cancer. Our continuing donations are needed—but we need to prod our senators and representatives to see that more money from the federal budget is made available so that there can be a real breakthrough.

DAV DAY IN CONGRESS: A TRIBUTE TO QUIET COURAGE

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. MATSUNAGA. Mr. Speaker, as a past commander of the first chapter of the DAV in Hawaii, I consider it a high honor to be able to join in this salute to the Disabled American Veterans on the 50th anniversary of its organization.

National organizations are especially effective, both in Congress and with the general public, when they are made up of dedicated individuals who know their work not only with their minds but also with their hearts. The DAV is an outstanding example of such an organization. It commands admiration and respect because its members and officers know through their own experience what the disabled veteran needs in order to attain a useful place in society today.

Since 1920, when the Disabled American Veterans was organized under the leadership of Judge Robert S. Marx, of Cincinnati, Ohio, who became its first president, and during the period since 1932, when it was recognized by Congress as the "official voice of the Nation's wartime disabled," the need for such an organization as the DAV has grown tremendously. Thousands of disabled veterans were left bewildered and lonely in civilian society at the end of World War II. They needed understanding and legislation which would give them the special benefits which they deserved from a grateful country. Congress provided the legislation. The DAV, to its eternal credit, was there to give these disabled veterans a helping hand and to smooth the difficult transition from wartime military service to useful civilian life

This service, performed free of charge by the DAV national service officers, working with our war-disabled, their widows, and their orphans, on the one hand, and the Veterans' Administration and other Federal agencies, on the other hand, is today an indispensable part of the American scene. Its beneficiaries number in the millions. As a Congressman, I find it a source of considerable reassurance to know that the DAV national service program will extend into the future, helping other disabled Americans as it has in the past.

We salute today not only a great organization, but also the nearly 300,000 members of that organization who individually have overcome the disabilities of war and helped their families and persons with natural handicaps face the future with renewed faith and confidence. Theirs is a lesson in quiet courage. It is a lesson which will continue to benefit all Americans and strengthen the moral fiber of our great Nation.

TRIBUTE TO DR. JAMES FLETCHER

HON. K. GUNN McKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. McKAY. Mr. Speaker, a distinguished citizen from the State of Utah has been nominated by the President to head the Nation's Space Program.

Dr. James Fletcher, president of the University of Utah, is well qualified to serve as head of the National Aeronautics and Space Administration. He comes from a noted family that has distinguished itself in many ways in its service to this country. He is an able administrator and has a varied background in private industry and in public service.

Dr. Fletcher is a native of Millburn, N.J., and holds degrees from Columbia University and the California Institute of Technology where he was the first recipient of that school's Distinguished Alumni Award. He has served on over 50 national committees in recent years and has acted as chairman of 10 of those committees.

In private industry, Dr. Fletcher organized the Space Electronics Corporation and was its president from 1960 to 1962. Prior to that time, he was associate director for the Guided Missile Laboratory of the Ramo-Woolridge Corporation. He has served often in the past as a Government consultant to the Defense Department, the Arms Control and Disarmament Agency, and, the President's Science Advisory Committee.

Dr. Fletcher was, at one time, the chairman of the board of Space General Corporation and systems vice president of Aerojet General Corporation. In July of 1964, he resigned these positions to become the eighth president of the University of Utah, a position he has held to the present time. As its president, Dr. Fletcher has led the University of Utah through the most extensive program of change in the school's history.

Dr. Fletcher is a noted research scientist and developed patents in areas from sonar devices to missile guidance systems. He served as a member of President Johnson's Science Advisory Committee and also has been on several Presidential task forces, the most recent being the Task Force on Higher Education.

Mr. Speaker, I think it is a distinct honor to Utah to have a man of Dr. Fletcher's caliber picked to head one of our Nation's most successful programs. He is very capable in every respect and I feel the President has made an excellent selection in nominating Dr. James Fletcher to head NASA.

HORIZON UNLIMITED

HON. GEORGE W. ANDREWS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. ANDREWS of Alabama. Mr. Speaker, my wife and I had the special pleasure to attend yesterday's White House Sunday service. It was one of the most inspiring and spiritually uplifting services that I have ever attended.

It was also a special day of recognition for the State of Alabama. Former Congressman and Mrs. James D. Martin of Alabama were special guests of the President, and several other Members of Alabama's congressional delegation and their wives attended the services.

After a hymn, sung beautifully by Mrs. Martin, Rabbi Joshua O. Haberman of the Washington Hebrew Congregation, delivered an outstanding message.

Rabbi Haberman stated that we cannot make significant moral progress unless each and every one of us will accept personal responsibility and quit shifting blame on society, the environment, and the establishment. He said:

> The place from which we must build the good society, the place where the revolution must begin, is within ourselves.

That is sound advice for all Americans. I want to share the rabbi's entire text with my colleagues and hope that all shall take the opportunity to read his important and timely message:

HORIZON UNLIMITED

Mr. President, Mrs. Nixon, Distinguished Guests, Fellow Worshipers, the poet, Carl Sandburg, once opened a speech by saluting the people with two words: fellow worms!

In a flash, the relative status between God and man had been defined. In our ultimate humiliation is exaltation, said Rabbi Hillel in the Talmud. There is no true act of worship without humbling oneself before the Almighty. It is the glory of the human spirit that we are capable of transcending our natural egocentricity, that we can see ourselves, our personal concern, our power, in the perspective of the eternal: "Our little systems have their day," said the poet. (Tennyson)

As an American I rejoice in this hour in which the head of our government, from the very center of global power, replaces the call to *argument*: "Come now, and let us reason together." (Isaiah 1.18) with the psalmist's call to *worship*: "Oh. come let us worship together." (Psalm 95.6)

Ultimately, the problems which have baffled human reason for millenia can be solved only by spiritual force, such as may be tapped in the act of worship.

In January (20th) 1969, the President took the oath of office on a Bible which was opened to a text from the Prophet, Isaiah, Chapter 2.

It is from the same prophet that I have chosen a text for this morning. It is a passage which defines the major problem of civilization.

What is civilization? Civilization is pushing back the wilderness. Civilization is cutting a way thru the trackless jungle. All this is implied in Isaiah's challenge to man:

"Build up, build up
Prepare the way
Remove the stumbling block out of the way
of my people."—(Isaiah 57.14)

Let us understand these words figuratively, symbolically: man's destiny is not merely growing along with nature, but building and creating. Progress does not happen. It is an artificial product. Culture is a breakthrough of order into chaos, a treading out of paths in the wilderness for, "nature red in tooth and claw" knows no order and no law.

Prepare the way: This refers to the central task of religion, to mark the main roads for the good life. One of the key words in Judaism is "halacha" which means a way of walking, a pattern of conduct which has been sanctioned by the moral consensus of the teachers.

But there is a difficulty: Remove the stumbling block out of the way of my people.

What is the stumbling block? What is this major obstacle in the way of human progress?

When Isaiah gave his talk, the audience understood immediately what he meant. The stumbling block? It was sin! Do *we* understand the *meaning* of sin?

Let us admit that for many this word has become a tired, meaningless expression.

There was a time when *sin* was a solemn, frightening word. It suggested deep-rooted evil in man, an offense against God.

Nowadays, most people use the word casually and empty of conviction.

Who was it that took the sting out of sin?

It happened 200 years ago in one of the great intellectual revolutions of all time. Jean Jacques Rousseau, in the middle of the 18th century changed our evaluation of nature and led us into an estimate of man which did away with the whole idea of sin.

At the age of 29, Rousseau arrived in Paris where he was shocked by the artificiality and unfairness of society. After years of study, he wrote his famous "Social Contract." Some sentences of that book became the slogans of the century, such as:

"Man is born free, but everywhere he is in chains."

The stumbling block was redefined by Rousseau. Man, he said, is not sinful by nature. On the contrary, he is naturally good and would remain so if only society did not corrupt him. The stumbling block was not in man but in social institutions. The answer, therefore, was social reform which later came to mean social revolution.

Well, if Rousseau returned to the scene today, he would find society radically altered. Material standards of life have risen beyond wildest dreams. The mental blight of illiteracy is practically eliminated in the western world. The normal life span of man has been doubled since the days of Rousseau.

Yet, with all of this social progress, has the millenium come? Has man reached the perfection of which Rousseau held him capable? Why do you lock your door at night? Why do you want a policeman to patrol your block? Why don't you trust human nature?

Because underneath our theories and abstractions about noble human nature, we have made a realistic estimate of man. On the basis of our day by day experience, we know that there remains a big stumbling block, a major obstacle to confidence between man and man. There is overwhelming evidence of our moral failure. Despite all external improvements, we have an unimproved man. Some said: the caveman has not disappeared He has learned to wear a tuxedo.

Sin we have explained away;
Unluckily, the sinners stay.

A century ago, in Boston, Horace Mann said crime could be eliminated by increasing the size and number of schools in America. Surely, Princeton University is a fine school with students from excellent backgrounds. I remember reading a few years ago a report published by the Princeton University book store, announcing the loss of 200,000 dollars within four years due to shoplifting by a large number of students.

Could it be that, despite vast improvements of the social environment, the natural goodness in man just won't come out automatically? Was there something wrong with Rousseau's formula? What is the stumbling block?

I suppose many of us still hesitate to call it sin. I suppose many of us, upon seeing wrong or misconduct in a man or a woman, would blame it on a complex, neurosis or frustration. Unmanageable youths are called "maladjusted". The cause of marital friction is given as "incompatibility," and infidelity is attributed to "indiscretion" or "emotional immaturity." Any good psychiatrist can sell us one of these words for 50 dollars per hour.

Complex, neurosis, maladjustment, emotional immaturity, frustration.

In defining one of these terms, an anonymous poet intimated what we have done:

FRUSTRATION

"I never have frustration
The reason is, to wit
If, at first, I don't succeed
I quit."

We have found new labels for the old evils.

Why all this verbal masquerade? What are we trying to hide? I'll tell you what it is we're trying to hide: Responsibility. Nobody should get the blame. We are resisting responsibility with might and main. We are resisting the concept of accountability, the idea of sin, which would locate the stumbling block of evil within ourselves.

To blame our calamities on others is almost second nature with us. It has been said:

Every man needs a wife because a lot of things go wrong which you can't blame on the government.

People will come up with the most incredible excuses rather than admit their own fault:

An 88 year old man in Oklahoma City, driving a motor scooter without a license, explained his misdeed to the traffic court:

"I did not apply for a license because I thought you had to be accompanied by a parent."

We all blame our troubles on others. What's wrong with the world? The leaders, of course, the statesmen, the diplomats—it's always *"they,"* those *others*, who are making trouble.

One of America's wisest old men was Judge Learned Hand. He died ten years ago at the age of 89. One of his last interviews with a reporter turned to William Shirer's book, "The Rise and Fall of the Third Reich," which had troubled him very deeply. What did you think about the book, asked the reporter. Judge Hand stared into space with the patient wisdom of his age, and he answered:

"You know, the trouble is that it isn't just the Nazis. It isn't just the Russians. It's human nature. Human nature through the centuries. We all have totally unreasonable and cruel ambitions."

The stumbling block is in human nature, in our defective and delinquent human nature.

I believe that I am safe in the assumption that every one assembled here in this room shares a profound concern over the mood of a large number of our youth. We ponder the meaning of such statistics as the 500,000 kids who ran away from home last year, or, the one and a half million juvenile arrests reported in a single year. The generation gap is not just a handy phrase. Something approaching an exodus from the home is taking place. Thousands are wandering off into communes. More and more of our single sons and daughters are choosing to live in separate residences, underscoring the moral and spiritual separation from the values of their families. At the extreme end are the cop-outs who have turned their backs on our whole way of life. These are grave symptoms of mutual rejection between the generations. In explanation of this phenomenon, one powerful line of argument would fault our system. We are alleged to be an oppressive society. The favorite villains are now the military-industrial complex and the CIA. Suddenly, we have developed a passion for self contempt and self abuse. The label "ugly American" was pinned upon us not by aliens but by our own native critics.

It was the so-called "ugly American" who saved mankind in World War II from the greatest menace to life and freedom in all of recorded history. When the war was over, this "ugly American" dug deep down into his pocket and paid for the rebuilding of devasted lands and industry of friend and foe through the Marshall Plan. Throughout the war and post-war tensions, the "ugly American" expanded civil rights, raised living standards, shared wealth among a larger proportion of its citizens than has ever been done in any part of the world, and tolerated dissent and protest even by extremist groups.

This land of ours is unsurpassed in its humanitarian response to smaller nations, seeking freedom and self-determination. We are moved and gratified by the President's reaffirmation of peace with justice in the Middle East and his understanding of Israel's unique problem of survival.

What would not the Jewish people in the Soviet Union give if only they could live under laws as tolerant and liberal as ours! If only *they had the protection* of the First Amendment, the right to practice and teach their religion.

It would be idolatrous to give America a blanket endorsement. We do *not* say, "my country, right or wrong." It is to the credit of the US that our army officers must stand public trial for alleged war atrocities.

If proven guilty, we shall have to live with this horrible blot on our national honor and conscience. Though the Mylai massacre is by no stretch of the imagination a case of genocide, no act of national atonement at this time would have greater compensatory, moral value than quick ratification by the U.S. Senate of the Genocide Convention which the President has already endorsed and recommended. We must reaffirm reverence for human life as the cardinal doctrine on which our whole democracy is based.

Like every other nation, we, too, need to purge ourselves through honest, critical soul searching. But, it would be the biggest moral cop-out if we blamed all of our problems on the so-called "system." What's wrong with the world is what's wrong with each of us multiplied three billion times. Wars are the boils in which the moral imperfections of mankind have come to a head. There are no political panaceas, no easy solutions, no clever strategies. The communist theoretician, Milovan Djilas, who broke with Marshall Tito, concluded:

"The fact is, we now see that a revolution cannot change a nation, its tendencies, and qualities and traits."

The major stumbling block, my friends, is not in any system or form of government but in the character and nature of human beings. We shall not make significant moral progress unless each and every one of us will accept personal responsibility and quit shifting blame on society, the environment and the establishment. The place from which we must build the good society, the place where the revolution must begin, is within ourselves. The inner man is the basic battleground between good and evil:

Here, a little child I stand
Lifting up my eager, hand
One is dirty, one is clean
I am the problem in between

Good and evil are the choices placed into our hands. We may rebuild the world if we remove the stumbling block within:

Build up, Build up
Prepare the way
Remove the stumbling block out of the way
of my people. Amen.

MURDER ABOLITION MOVEMENT GROWING

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. RARICK. Mr. Speaker, in recent years many controversial legislative proposals, extending from the extreme to the sublime, have been enacted into law not only by the Congress but by State and local legislative bodies. But never did I think that a measure legalizing the murder of innocents would be made a law. Yet, that is what has occurred in New York, California, Hawaii, and in some other States. I am referring to laws permitting abortion as a right.

The right to life is declared by the word of God in the Holy Bible and is also proclaimed in our Declaration of Independence and Constitution.

Yet there has been a well-organized campaign nationwide in scope to prevent and limit birth of people by such means as contraception, sterilization, and now even abortion. The movement to limit and destroy life, which has hitched on to the ecology and pollution fright bandwagon, is being publicized widely and frequently by the mass communication media.

Life is so precious and procreation is such a sacred duty that I find it incredible that any legislator would vote in favor of making abortion a lawful act.

Apparently, those who vote for legalizing abortion have a different conception of the meaning and purpose of life than I have. A husband and wife cooperate with God in bringing children into the world. The soul—a creation of God—of the unborn child is infused by God in the unborn child within the mother's womb.

What other purpose can there be in a moral life than to give honor and glory to God by knowing, loving, and serving Him in this world so as to be happy with Him in eternity in the life to come. It is a sin against one's creator and a crime against humanity to murder an unborn child, thereby denying it a chance to strive to fulfill its destiny.

A question to ponder for those who favor legalizing abortion for disposing of unwanted babies is this: Are you unhappy that your own mother did not have an abortion when you were inside her womb?

In our lifetime we are reminded of the guilt assessed against the German people—those responsible as well as those uninvolved—for the alleged execution of 6 million persons. Are we in America to sit back in acquiescence and have our posterity accuse us of doing nothing while a minority executes millions of innocent unborn children? In both instances the executioners can claim to have acted in a lawful manner.

Abortion like all murders solves nothing since it goes to an effect and not to a cause of the problem. In this instance the undesired effect is a child said to be unwanted by the mother. So the mother, to solve her problem, is given a license to execute her own baby. Few animals are even guilty of such bestiality.

The problem, in most instances, comes before the abortion impulse. That is through illicit sexual relations. We as humans are said to be victims of our own environment. If so, look at the generated atmosphere of sex, promiscuity, lewdness, pornography—and even in some schools and churches our young people are being sexually turned on prematurely by sex education, family planning, and overpermissiveness; in our homes lack of parental guidance and discipline is often the case; and slick magazines, TV, and movies bombard young people with such hullabaloo as sexual freedom and the right to sex.

The causes that induce abortion are traced back to immorality, sex, and sensuality which are taught or learned through environmental exposure.

If immorality like abortion can be taught, then a solution is to teach morality, pride in parenthood, and the beauty of virginity and to encourage our youth to reject a sexually inducing environment. In addition, we should strive to rid our environment polluted by pornography, obscenity, and indecency with clean and wholesome surroundings, thereby establishing an ecological condition conducive to morality.

The abortion threat is a very tragic one. The intentional murder of thousands of innocent unborn children is worsened by the populist clamor to make the foul deed respectable and socially acceptable. We, as a people, must adhere to the word of God by enacting laws to expose and prohibit abortion for what it is—premeditated murder. The wrath of Almighty God will surely fall upon those who remain silent simply because they feel they are uninvolved.

A program of education concerning this threat and prayer for morality and human value of life should be undertaken in cities and towns throughout the land so that people are given a chance to become informed and take action to mitigate or solve the problem. Abortion should be considered an issue in the election of public officials, especially of lawmakers.

I was pleased to learn that Patrick Cardinal O'Boyle, Archbishop of Washington, in a letter to the faithful of his Archdiocese, called attention to this immoral condition and has designated March 7 as Right to Life Sunday in the Archdiocese of Washington. I commend this outspoken religious leader for his forthright and timely action. I insert the Cardinal's letter at this point in my remarks:

ARCHDIOCESE OF WASHINGTON,
Washington, D.C., February 23, 1971.

DEAR FRIENDS IN CHRIST: I am addressing this message to you on the right to life of every individual. Life is the first among man' inalienable "rights" in the Declaration of Independence. The right to life is guranteed every individual by the Constitution of the United States. This right begins when a child is conceived in his mother's womb and extends through childhood, youth, adulthood and old age. Each of us has a moral obligation to safeguard this right.

The helpless and innocent unborn has the right to be born. A child has the right to protection, love, support and an education. A youth has the right to expect understanding and guidance from those who have this responsibility. An adult has the right to life assured by the laws of God and man. The aged person has the right to essential care and comfort he cannot provide for himself.

Yet we see these rights threatened and violated on every side. In the District of Columbia and Maryland, there are those who would make slaughter of the unborn easier of accomplishment by the further liberalization of the existing laws on abortion. This is both morally and legally wrong.

In order that we may direct our attention to this alarming and dangerous development in our midst, I am asking all the faithful in the Archdiocese of Washington to observe the "Right to Life Sunday" on March 7. On this occasion, I urge all of us to give serious and prayerful thought to the evils of abortion, and resolve to exert every effort to stem the current movement to legalize abortion on demand.

Praying God's blessing upon you, I am
Faithfully yours in Christ,
PATRICK CARDINAL O'BOYLE,
Archbishop of Washington.

A constituent recently sent me a newspaper which is largely devoted to a discussion of the abortion problem. The newspaper is called the Educator, of Fullerton, Calif., and is edited by Mr. James Townsend. The Educator is an excellent newspaper in that it promotes morality, patriotism, free enterprise, constitutional government—those ideas, concepts, and practices which have made America strong spiritually as well as materially.

It is encouraging to know that Right-to-Life units are being formed across the Nation and to learn about what concerned mothers are doing to protect the rights of the unborn.

The articles on abortion are most enlightening. I urge that they be widely read.

I insert articles from the Educator following my remarks:

The right to life is guaranteed in the United States Declaration of Independence as an unalienable right "endowed by their (man's) Creator" along with the right to liberty and the right to the pursuit of happiness.

That right to life, has been recognized by the courts as applying to a person from conception to death—although some would deny the person his right with laws permitting abortion of unborn human beings and the practice of euthanasia or so-called "mercy killing" on those human beings who have reached older years and perhaps harder times.

Across this land Right To Life Committees are being formed to combat the genocide prone abortionist and their fellow traveling, lawmaking stooges.

What kind of people make up the leadership in these Right To Life Committees? The Educator cannot of course, list chairman from the hundreds of areas where these committees have formed, but a profile of Dr. John Grady, chairman of the Florida Right To Life group, will give you an idea.

Dr. Grady is a 30-year-old family physician who has 10 years experience in obstetrics and is Chief of Staff at Glades General Hospital in Belle Glades.

He is mayor of the city of Belle Glades and a member of the executive committee of the Palm Beach County League of Municipalities, and past president of the Belle Glades Chamber of Commerce.

Dr. Grady is a director of the Palm Beach County unit of the American Cancer Society and the American Heart Association and a medical examiner for the State Attorney's office.

He and his wife, Carol, are the parents of two sons and a daughter.

U.S. Jews Split Over Abortion Issue

New York.—The abortion issue is no respecter of ethnic lines. American Jews, like other race and language groups, are split over the question.

One of the leading pro-abortionists is Miss Merle Goldberg of New York. She is executive director of a group that sponsors the Women's Abortion Clinic in that city.

Speaking after the death of an abortion patient, Miss Goldberg said she hoped the fatality would not deter women from seeking abortions if necessary.

However, Rabbi Joseph Karasick, president of New York's Union of Orthodox Jewish Congregations of America, and Rabbi Bernard L. Berzon, president of the Rabbinical Council of America, took a less liberal tack.

The Orthodox leaders said that to terminate a pregnancy for arbitrary reasons was "literally for man to play God and is religiously blasphemous and socially destructive."

A joint statement issued by the two rabbis stated, no woman is the "final arbiter about the disposition of her body and the embryonic human life flourishing therein. Doctors, too, must face up to the moral dilemma; whether they can play havoc with the basic worth and dignity of human life when they freely perform abortion."

In an added explanation, after issuance of the statement, Rabbi Karasick quoted the Talmud, "who so shed the blood of man within his blood shall be shed." This passage has been traditionally interpreted as constituting a commandment against killing of unborn children," he said.

The statement was aimed at New York's permissive abortion law that went into effect July 1.

Does the Fetus Have a Soul? The Bible Answers

(By Sam Campbell)

When national and state legislators throughout the country began a synchronized push for easy abortion, they stepped into the religious arena.

Persons of Roman Catholic and fundamentalist Christian convictions are especially concerned, but they are not the only ones.

Orthodox Jews likewise are perfectly aware that the new permissiveness runs directly counter to Biblical teaching and culture.

It will come as a surprise to many that the most vocal spokesman against child killing was neither Christian nor Jewish, but Moslem. He was, in fact, the founder of Islam-Mohammed I. The prophet declaimed mightily against the then common practice in the Mideast of burying girl babies alive when the parents preferred a boy.

BLOODLESS KILLING

This practice was a sort of returning to the womb, or post-natal abortion, regarded as permissible because the killing did not involve the shedding of blood. This strained reasoning left the parent with the impression that his hands were clean.

One of the touching stories of Mohammed's era is the account of a fierce Bedouin chief who was said to have shed his first tear when his tiny daughter brushed a clod of sand from his beard as the father was placing her living body into a desert grave. To Mohammed's fiery preaching goes the credit for persuading his contemporaries that they were committing a hideous abomination; thereafter the crime was greatly diminished in moslem areas.

In this country, of course, most people of religious faith are either Christians or Jews. The doctrines of major influence upon their culture come from the Bible. This elaborate document embraces an estimated 6,000 years of experience. Directly or indirectly, these Scriptures speak on every conceivable human problem and lay down principles for their solution. The Bible speaks both directly and indirectly on the question of abortion.

EYE FOR EYE

For example, the ancient law "eye for eye, tooth for tooth" is familiar to most persons, but few would recall that such law was specifically to deal with a type of abortion. The complete quotation (Exodus 21:22–25) gives the context:

"If men strive, and hurt a woman with child, so that her fruit depart from her, and yet no mischief follows; he shall be surely punished, according as the woman's husband will lay upon him; and he shall pay as the judges determine.

"And if any mischief follows, then thou shall give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burning for burning, wound for wound, stripe for stripe."

The context clearly deals with an abortion that takes place in the course of other violence where the parties involved do not take care to avoid harm to an expectant mother and to the child that she carries. The crime is unthinking neglect that causes the loss of an unborn infant. When you bring this picture up to modern times, in which the abortion is performed by a doctor in a hospital, the chief moral change is that the deed was committed intentionally instead of accidentally. It is settled law that willfulness does not mitigate a crime.

Abortions performed by qualified medical personnel with the consent of the mother do raise a question of whether there is a stage at which the fetus is only an attachment to the mother, and does not have an identity apart from her. Obviously, there is a period in early gestation when the fetus cannot live without its host. Does the fetus, being attached to another physical body, yet have a distinguishable soul?

The question of the separate identity of the fetus is the key to a moral decision on the abortion issue. For if the fetus does not have a soul of its own, but rather is only a fleshly appendage to the mother, then its removal would have no more moral implication than an appendectomy. On the other hand, if the unborn child has a soul independent of the soul of its mother, the bodily dependence upon the mother is not the only factor involved, and, from a non-material moral standpoint, is not the major consideration. What does the Bible say on this subtle, but critical point?

IDENTITY BEGINS EARLY

According to the Scripture, the separate identity of the fetus begins very early. Some faiths hold that there is a pre-life, or in other words that the soul existed even before its eventual body was conceived. Psalm 22:9 says, "I was cast upon thee from the womb; thou art my God from mother's body." The prophet Isaiah in a series of passages refers to the life of the soul even in the fetal stage, notably "Thus saith the Lord that made thee, and formed thee from the womb, who will help thee . . ." (Isaiah 44.2).

Those are quotations from the Old Testament. The Christian Scriptures are vivid on the same point. Luke, a physician of the times, writes of a visit that Mary who was to become the mother of Jesus paid to Elisabeth who was to become the mother of John the Baptist.

"And it came to pass," Luke wrote (1:41–44), "that, when Elisabeth heard the greeting of Mary, the babe leaped in her womb; and Elisabeth was filled with the Holy Spirit. And she spoke out with a loud voice, and said, Blessed art thou among women, and blessed is the fruit of thy womb. And why is this granted to me, that the mother of my Lord should come to me? For, lo, as soon as the voice of thy greeting sounded in mine ears, the babe leaped in my womb for joy."

As a doctor, Luke noted the lengths of the respective gestations. John the Baptist was then six months toward development, and Jesus had been conceived a matter of a few days previous to the meeting of the mothers. The manifestation on the part of John was evidence of his identity, apart from his mother, and was a response to another identity; namely, that of Jesus.

Let us explain that not all persons accept the Scripture as precise. The object here is not to argue the matter, but to note that the traditional Roman Catholic does place a literal and specific interpretation on the Bible, and the non-Catholic fundamentalist does likewise. The two combined are not an inconsiderable segment of society, either in numbers of influence. Both would conclude from the quoted passages that the soul joins the body at an early point in development, perhaps at conception.

DISASTER FOR POLITICIANS

This much would be certain to a wider number, that if a doctor willfully kills a baby a second after it's born, he is a murderer. If he does the same thing two seconds earlier, he may be legally clear under the new laws, but his moral guilt is not removed. In Christian sight, the body and soul of an unborn infant are not less significant than those of a grown man because Christ paid the same price to redeem both.

State and Federal legislators have involved themselves, therefore, in a religious war. Political survivors of religious controversy are most notable for their scarcity. The battle will be long, without quarter or compromise, extremely costly and ruinous to the ambitions of many.

Fetus Is Knowledgeable, Science Now Claims

Washington, D.C.—Medical science has caught up with the Bible in showing that the unborn infant is an independent human form.

Up to the 17th century, medical men accepted Aristotle's teaching that 40 to 80 days after conception the fetus underwent a transformation that placed him in the human class. In other words, the view was that the fetus changed in kind about six to twelve weeks after conception.

Holy Writ, however, sets the beginning of idenity even earlier.

The Gospel according to Luke (Chapter I) in the New Testament describes the reaction of John the Baptist when he was in the sixth month in the womb of his mother. At that time, according to the physician Luke, he did "leap with joy." The occasion of his joy was the presence of the person of his Saviour, Jesus, then but a few days from conception. So, in the view of Luke and of all those who accept the Christian Scriptures as literal truth, not only did John the Baptist have a soul three months before his birth, but Jesus Christ did also nearly nine months before His birth.

From the Christian view, the identity of the unborn is a measureable factor since Christ left his royal estate, took human form and submitted to a public execution in order to save "whosoever believeth in him." The life of Jesus, therefore, is the price that God is willing to pay for a human soul.

In the mid 1960s, the relatively recent science of fetology served to confirm Dr. Luke's insights. In a volume titled "Modern Motherhood," two pioneering fetologists, Dr. Lilley and wife, stated:

"The fluid that surrounds the human fetus at 3, 4, 5 and 6 months, is essential to both its grace. The unborn's structure at this early stage is highly liquid, and although his organs have developed, he does not have the same relative bodily proportions that a new born baby has.

"The head, housing the miraculous brain, is quite large in proportion to the remainder of the body and the limbs are still relatively small. Within his watery world, however where we have been able to observe him in his natural state by closed circuit x-ray television set, he is quite beautiful and perfect in his fashion, active and graceful. He is neither an acquiescent vegetable nor a witless tadpole as some have conceived him to be in the past, but rather a tiny human being as indpendent as though he were lying in a crib with a blanket wrapped around him instead of his mother."

A psychologist Dr. Hellegers in "Fetal Development" adds his testmony to the same point. In addition to studying motion-picture X-rays, he watched direct simulation and reaction of the fetus. Specifically a means was found to tickle the embryo with a hair. The unborn baby reacted. Here are Dr. Hellegers' own words:

"After the second week of pregnancy the zygote rapidly becomes more complex and is now called the embryo.

"Somewhere between the third and fourth week, the differentiation of the embryo will have been sufficient for heart pumping to occur, although the heart will by no means yet have reached its final configuration.

"At the end of six weeks all of the internal organs of the fetus will be present, but as yet in a rudimentary stage.

"The blood vessels leading from the heart will have been fully deployed, although they too will continue to grow in size with growth of the fetus.

"By the end of seven weeks tickling of the mouth and nose of the developing embryo with a hair will cause it to flex its neck, while at the end of eight weeks there will be readable electrical activity coming from the brain. The meaning of the activity cannot be interpreted.

"By now also the fingers and toes will be fully recognizable. Sometimes between the ninth and the tenth week local reflexes appear such as swallowing, squinting, and tongue retraction.

"By the tenth week spontaneous movement is seen, independent of stimulation.

"By the eleventh week thumbsucking has been observed and X-rays of the fetus at this time show clear details of the skeleton.

After twelve weeks the fetus, now 3½ inches in size, will have completed its brain structure, although growth of course will continue."

Aborted Baby Comes Out Alive, Survives 11 Hours

Los Angeles—Investigation into an abortion has ended here with no criminal charges being filed.

The investigation hinged on the death of a three-pound baby girl who lived 11½ hours after the intended abortion that was triggered by a physician's needle.

According to Inspector John W. Powers of the Los Angeles Police Department's Central Homicide Division, a "misconstruction as far as the length of gestation" led to the therapeutic abortion which resulted in the child's death.

Except for the length of gestation, the abortion was carried out under the provisions of the Therapeutic Abortion Act of Nov. 8, 1967 introduced by State Sen. Beilenson (D–26th).

Powers said the "misconstruction" was made by the doctor who conducted the abortion, John Jacob Hale, 22554 Ventura Blvd., Woodland Hills.

The misconstruction as to the length of gestation was partially explained by the 16-year-old mother of the aborted child.

According to the District Attorney's rejection of the complaint report, the mother indicated that "she told (Hale) the date of her last normal menstral period was Dec. 27, 1969."

The report continues, "abortion was performed on April 29, 1970. Two days later a girl was born and determined to be in the sixth month of gestation."

Other evidence indicates the Wolfe baby was even further along.

The police report indicates that the abortion method was the saline technique. In this procedure a salt or sugar solution is injected into the womb. The effect of the salt concentration is to draw water from the body of the unborn child, in other words to dry the fetus out and cause it to shrink.

If, therefore, the Wolfe baby weighed three pounds in a shrunken condition, it may have weighed even more before the abortion procedure was begun.

Normally, a baby will triple its weight in the last two months of gestation. In such cases, an infant weighing nine pounds at birth would be seven months in gestation at three pounds weight.

Had the date of the last menstrual period been correct, the gestation period would have been just over four months.

According to the child's death certificate, she died of atelectasis, insufficient development of the lungs. "Doctors at the Canoga Park Hospital indicated (that) any doctor should have been able to tell she was further along in the pregnancy than (the mother) claimed," the report said.

"In this situation, two doctors examined the victim and accepted her statement regarding her last menstrual period. Another doctor said she may be further along than she claims; while two other doctors claim, after the birth of the child, that any doctor should have known."

Dr. Louis Schneidman, 360 N. Bedford Drive, Beverly Hills, performed a psychiatric examination of the young mother. The report said he "recommended a termination and stated (that) she appeared to be further advanced than she claimed."

Schneidman is also a staff doctor at the Canoga Park Hospital.

The report concluded that there was insufficient evidence to support criminal charges.

How the Pro-Abortionists Defend Their Case

(By James Townsend)

Don't think for a minute that the abortionists lack an argument.

You will hear such arguments not only from the abortionists themselves, but from the legislators they control, from the press, and from the thousands on thousands of confused persons whom they influence.

Some people are confused merely because they have not thought about the subject long enough to discern the spiritual issue involved. In fact, the editors of The Educator were surprised to discover how deeply they had ventured when they began to assemble information for this issue. Other persons are confused even though they know the spiritual issue because they lack spiritual commitment, and hence are blown this way and that by every plausible wind.

Plausibility and half-truth are the chief tools of Satan. He puts pleasing speech on the lips of pleasant people, not infrequently of even good people. And so many are misled thereby.

The most frequent argument in behalf of abortion is the rape argument. The reasoning goes that a woman should not be compelled to bear a child from a union in which she was an involuntary participant. This argument finds a sympathetic reception normally from the sheer horror of the idea that a mother must needs be reminded of her assailant even while she cares for the infant in her arms.

Once a concession is gained in favor of abortion of pregnancy resulting from rape, the abortionists then push forward with other arguments—the right of a woman to command her own body, the right of parents to determine the size of their family, etc.

So far as the rape argument is concerned, ordinary judgment supplies the answer. First, many cases of so-called rape have been proved in court to be morning-after remorse on the part of the supposed victim; seduction would be a more accurate description of the crime. There are, of course, bonafide cases of rape. Of these, many and perhaps most are statutory, not actual copulation, but a touching of an unwilling woman for that purpose. Though the crime justifiably is described as "rape"—and legally is rape—pregnancy does not result because there was no sexual union.

In the relatively rare case of an actual consummated rape, medical science tells us that pregnancy would be unlikely because of the extraordinary trauma and the terror of the moment on the part of the woman. As any parent would understand, that is not the condition conducive to conception. Even then, the woman who has been raped knows what has happened and can be expected to seek prompt medical treatment before the fertilizated ovum, if any, begins to develop. With the chemicals available to modern medicine for such treatment pregnancy under this set of conditions is virtually unknown. In all the literature that we have read on the subject, we have not heard of a single case. Certainly, there is less warrant now than ever before to use rape as a pretext for repeal of the law that forbids murder of the unborn.

Laying aside arguments that rest primarily on emotion and going to the sheer right and wrong of the matter, the abortion question turns on whether the fetus has an identity or whether it is simply a fleshly projection of the mother. This is a religious question, and The Educator discusses it from that standpoint under the heading "What the Bible Says About Abortion" in this issue.

From the rational viewpoint, Robert Lefevre, president of Rampart College (Santa Ana, Calif.), states the question provocatively in the fall, 1970 issue of RAP, a college magazine. He writes:

"No matter how the question of pregnancy and abortion is examined, the fact remains that a bald statement that the pregnant woman has a right to remove the fetus or even embryo, proclaims in effect the concept that the child has no rights at all. Yet a reverse statement, which says that the pregnant woman may not have an abortion unless her social peers approve, is to deny the woman the rights she naturally has over her own person. How can this apparent conflict of rights be resolved?"

Yet, if God is the author of all rights (God being completely consistent and free of all contradiction), how can His decree of what is right come into conflict? Mr. Lefevre is reluctant to say that rights actually collide, but he does say that "whenever human rights APPEAR to be in collision, a state of conflict ensues." He classes unwanted pregnancy as "a natural condition in which it appears that human rights may be in collision." He writes:

"What appears to be the case, as I look at it, is that both the life within the womb and the life of the mother are morally justified. Both have their rights. And, therefore, pregnancy, from the moment of conception until delivery, is a condition wherein the rights of two human beings appear to be in conflict. If the mother wants the child, there is no conflict. If she doesn't, then what?"

Mr. Lefevre illustrates the dilemma with a less emotional example. He gives an imaginary case where a father brings home a pony and gives it to his twin sons, saying to each, "This is your pony." The father, in this hypothetical case, then dies, removiing the possibility that he can be consulted and thus alter his decision. How is such a matter to be judged? Lefevre says, "There are only four possible solutions to any conflict in which rights appear to be opposed. You can win. You can lose. You can compromise. Or you retain the conflict. No other possible solutions exist."

Then he relates this APPARENT collision of rights to the woman who finds herself with an unwanted pregnancy. And he renders his decision:

"Suppose a woman decides to have an abortion. Let us admit that this may very well be an immoral act. Let the woman as well as the man involved, carry the burden . . . Rather than passing laws permitting abortions under certain conditions or preventing them in others, suppose we simply abolish all laws relating to pregnancy?"

What Mr. Lefevre has done in his gracious manner is fail to solve the problem. Mr. Lefevre believes in absolute property rights and that problems can be solved on the proposition that you find the boundary line that separates those properties. What is on one side belongs to A. What is on the other side belongs to B. In actuality, he failed to apply his own philosophy.

The woman's body is her own, by gift of God, until she engages in activity that invites a guest to share it with her for a period of time, roughly nine months. Having entered into that solemn obligation, she is bound by the law of God and nature not to disturb the tenant. She had a property right in her body and she, for a consideration, voluntarily relinquished a part of that right to another. Her body no longer is completely her own. That is what pregnancy means.

Mr. Lefevre's conclusion "suppose we simply abolish all laws relating to pregnancy" can be defeated by the very example he cited—the case of the twin boys having an undivided interest in one pony. Mr. Lefevre says that situation has four, and only four, possible solutions: win, lose, compromise or keep fighting. Applying his reasoning on abortion to the pony conflict, we must suppose that one twin kills the other, and society should look on helplessly while the crime takes place.

So we can imagine that Mr. Lefevre would pen another article in his charming libertarian manner. We envision him as writing: "Suppose that a twin decides to commit murder. Let us admit that this may very well be an immoral act. Let the surviving brother as well as any accessories involved carry the burden . . . Rather than passing laws permitting murder under certain conditions or preventing them in others, suppose we simply abolish all laws relating to human life and the retention thereof."

Proponents for abortion and fellow apologists may argue themselves and others into utter confusion, but the answer always comes up the same. When you look at the fetus that has been removed from the sanctuary that it occupied by God-given right, you see a human form. The taking of human life is a matter of moment to society for to regard human life lightly sets a precedent that poses a potential danger to every member of society.

Furthermore, it is almost impossible for the mother to have removed the life form by herself. She had to have the help of a medical agent. So she involves a third party, a member of society not directly related to the pregnancy. She enlists him to do the killing that she had not the skill to perform. Even though the act is committed in secrecy, that is no more a claim for justified privacy than that stealth is a good excuse for murder. Yes, the answer always comes up the same. It is always spelled with the same six letters. It always comes up murder.

Libs Shift Position When They Hear About L.I.F.E.

Pro-abortion supporters and their elected political lackies, have just begun to realize the powerful force the anti-abortion groups have mustered against them.

In Orange County, a group called LIFE has become a force that politicians must reckon with. Headed by an attorney, the group membership already exceeds 1,000 members.

Like hundreds of other groups across the country opposed to abortions, Life has made a number of political candidates back off their stand for abortion.

Veteran congressman Blank now seeking a 5th term in office, found it necessary to repudiate his own party platform as a result of their stand on abortion. Blank, already in danger of being defeated by candidate Blank, evidently thought Life and their membership, would finish his political career. Therefore, Congressman Blank, wanted no part of a pro-abortionist tag.

Blank's attempt to disassociate himself from the democratic party, "pro-abortion stand," may have come too late to save his seat in Congress. A Life spokesman told the Educator, "we don't trust him as far as we can throw him, and this twelfth hour attempt to save his floundering campaign, just won't work."

The Life spokesman also took Assemblyman Kenneth Cory, Anaheim, to task, claiming, that Cory voted in favor of SB 542 on August 17, 1970, and then after he saw the bill passed with more votes than was needed, asked for and received permission of the Assembly, to change to a no vote.

Cory did the same thing, according to the Life spokesman, on August 21, 1970, when he first voted yes on SB 543, and then, after the bill passed, received permission from the Assembly to have the record show a no vote.

If Cory thinks Life Members and their supporters will be fooled by his political chicanery, the anti-abortion spokesman said, he is in for a surprise.

Life is headed by Robert L. Sassone, and is located at 615 W. Civic Center Drive, Santa Ana, California, phone 547-9167. Other officers are, Ernie Cody, a scientist, Vice Pres., Rev. Ritz Tadema, a Protestant minister, Mauvis Mills, flower shop owner, and Nicki Scott, a legal secretary.

Life sends out trained speakers with handouts and audio-visual aids, upon request. Life also helps train speakers for other groups, church, etc.

Life maintains an abortion library and can answer tough questions relating to abortion, population expansion, pollution and practically anything else in that field.

The Santa Ana group works with other anti-abortion groups around the country, plus all the local ones. Their fight against the abortionist, has already resulted in several thousand democrats being re-registered into the republican party in protest of the democratic party's stand on the abortion issue.

The Educator would not be the least bit surprised to find many veterans now holding office via their election as Democrats, go down to defeat in November over the abortion issue.

If Life and other anti-abortion groups carry out their threat to vote against any candidate supporting the abortion issue, office seekers in both parties may find themselves looking for another job after the votes are tallied in November.

How Medics Kill Unborn Infants

Webster's dictionary defines abortion as "the expulsion of the human fetus prematurely, particularly at any time before it is viable."

The definition no longer is adequate legally or medically.

Under the liberalized abortion laws, passed by many state legislatures and under consideration by others, the time element is not a factor. In some of the legislation, the fetus could be expunged a few moments before birth, and the baby's death would qualify as an abortion instead of a murder.

Medically, abortion is no longer limited to expulsion of the fetus. The unborn can be removed in other ways.

Principal methods are (1) suffocation, (2) crushing, (3) incision, (4) saline solution, (5) quartering, and (6) dilation and curettage (D & C).

Suffocation technique—A tube resembling a small vacuum cleaner is inserted into the mother. It sucks up material in the womb including the fetus. The vacuum is sufficient-by strong to tear the limbs of the child in some cases, but the common result is suffocation.

Crushing technique—Entrance to the womb is dilated. A large forceps is inserted. Working by touch alone, the surgeon locates the fetus, or parts. According to Dr. H. P. Dunn, a Fellow of the Royal Colleges of Surgeons and of the Royal College of Gynecologists and Obstetricians, the surgeon "gives a tug—a tiny arm comes away; then other fragments of the body. The head is always difficult; the skull gets crushed; the eyeballs protrude. All the time the bleeding is profuse."

Incision technique—Dr. Dunn describes

the method as follows: "The woman has a general anaesthetic, an abdominal incision, the womb is incised from top to bottom and the baby lifted out. It makes some weak movement of its arms and legs, and tries to breath. Sometimes it manages a pathetic cry like a kitten; then after a few minutes it dies an asphysical death and dies coldly in a stainless steel bowl."

Saline solution—Dr. Dunn description: "A large needle is inserted through the abdomen into the womb and a strong solution of salt or glucose is injected. The baby can be felt to make a few convulsive movements, and within a few minutes it dies. In about 24 hours labor starts and the already disintegrating baby is delivered."

Quartering—This consists of drawing a deep x in the baby's mid-section or neck with a knife.

Dilation and Curettage—This operation sometimes issued in cases not connected with abortion. In the case of abortion, Dr. Charles E. Rice in "The Vanishing Right to Live" quotes Dr. Alan Guttmacher of the World Population—Planned Parenthood Association: "A sharp currette is then inserted to the top of the fundus with very little force, for it is during this phase that the uterus is most likely to be perforated. Moderate force can be safely exerted on the down stroke. The whole uterine cavity is curetted with short strokes, by visualizing a clock and making a stroke at each hour. The curette is then withdrawn several times bringing out pieces of placenta and sac. A small ovum forceps is then inserted and the cavity tonged for tissue, much like an oysterman tonging for oysters . . . In pregnancies beyond the seventh week, fetal parts are recognizable as they are removed piecemeal."

Hitlers Born, Not Made, UNESCO Scientist Claims

Paris—The U.N. Educational Scientific and Cultural Organization (UNESCO) is considering abortions as a method of eliminating fetuses that might, in its judgment, turn out to be Hitlers.

Dr. David A. Hamburg, Stanford University psychiatry professor, told an international scientific meet that research had linked the presence in mothers of abnormally high amounts of testosterone, the male sex hormone, with aggressiveness in their children.

Reuters news agency reported the meeting.

Hamburg envisioned the time when a doctor and his patient might choose abortion to prevent the birth of an extremely aggressive individual.

Japan Pushing to Avoid a Decline

Tokyo—Japanese politicians and economists, after 25 years of unrestricted abortions, have suddenly started to worry about a nation of old people with a built-in labor shortage.

Following World War II, Japanese politicians afflicted with the Atom Bomb syndrome, adopted the attitude now pushed by the people depopulators in the U.S., namely, that a woman was the only one that had the right to control her body.

The results of this permissive thinking resulted in so many abortions that it staggers the imagination. It has been estimated that over 50 million babies have beeen aborted in Japan since 1945.

Estimates of the Japanese population in 1945 were around 95 million people, and 25 years later, the population is estimated at 103.5 million, a gain of approximately 8 million. In only 10 years, the U.S. population advanced over 20 million.

Japan is a country almost exactly the same size as California and yet, with a population of five times that of California, they are worried about a declining birth rate.

Last year Governor Saburo Kamaru of Kagoshima province began a "more babies" campaign in an effort to stem the declining birth rate.

The official aim was to get Kagoshima women to have at least three children, Governor's aides admit the campaign has not yet caught on.

A Mother Battles for the Children of All

Beverly Hills, Calif.—A Beverly Hills mother is carrying the hopes of concerned parents throughout the state as she battles for a seat in the California state senate.

Meeting with supporters from Orange County towns ranging from Anaheim to Corona del Mar, and all stops in between, Mrs. Shipp said the reason for her widespread support—financially and morally, since countians cannot vote for her—is due to the "anti-God measures placed before the Senate by my opponent, Anthony Beilenson."

Specifically, Mrs. Shipp was talking about Beilenson's liberal abortion bill that is now up for consideration in Sacramento, although Mrs. Shipp added that her opponent is "also against tax exemption for churches, has voted against every single anti-pornography measure and most of his other bills have been on the side of anti-family, anti-church and anti-God."

Beilenson's bill, which would virtually wipe out any laws dealing with abortion, has caused a statewide furor, with citizen committees being formed statewide to fight the measure.

For instance, two committees were formed in Orange County specifically to help defeat the Beilenson bill.

One of the committees is made up largely of members of St. Barbara's (Roman Catholic) parish in Santa Ana, in tandem with other citizen groups that were originally designed to fight other issues.

A second committee, formed just this week, is a broad based organization made up of residents of the city of Anaheim, a committee that includes clergymen and physicians of both Protestantism and Catholicism, as well as laymen from a variety of church backgrounds.

Mrs. Shipp, a member of the Episcopal Church, is a resident of the Cheviot Hills section of Beverly Hills and has been active in literally dozens of clubs and civic organizations including Boy Scouts, Episcopal Church lay work; Chamber of Commerce; Ebell Club; Cheviot Hills Garden Club; Music Center Building Fund Blue Ribbon Committee; Children's Hospital Auxiliary; American Guild of Authors and Composers; Cheviot Hills Homeowners Association; Junior Philharmonic Committee; United Republicans of California; Neighborhood Youth Association and various Republican groups.

"I never dreamed I would be running for political office," she told an admiring group of women who met with her at a bayside home in Newport Beach Tuesday to pledge their support in her campaign.

Supporters in the county rationalize their participation in her campaign by stating that Beilenson, her Democrat opponent, is soliciting help from throughout the state, "especially in the San Francisco area."

"Furthermore," she said, "the bills submitted by Beilenson directly involve every taxpayer in this state."

In that sense, she said, the state Senate office is always a "statewide" office rather than regional as far as the welfare of the voters is concerned.

Mrs. Sharp drew a laugh from her audience when she told them that her husband has always been somewhat negative about her involvement in civic activities but is backing her completely on this issue.

"He told me it was the only important thing I've ever done," she said, adding that she thought the birth of her two children was fairly important, also.

The 26th district in which Mrs. Shipp is campaigning embraces such diverse areas as Venice, Beverly Hills, Exposition Park and Baldwin Hills.

However, it is the very diversity of the area that encourages her.

"The Beverly Hills area is generally very liberal," she said, adding that even there she has begun to receive support from some surprising circles.

At the same time, she said, she feels she will run very well in the Negro areas of Baldwin Hills and Exposition Park, "since they see abortion and family planning as a genocidal attack upon their race," she said.

With Conrad Hilton as her campaigning treasurer, Mrs. Shipp said she is confident that she will "be able to raise the $80,000 it will take to beat my opponent."

Abortions Account for One of Five Pregnancy Deaths

Los Angeles.—New legislation, proposed on behalf of the abortion mills, characteristically cite health of the mother as justification for the operation.

The implied assumption is that abortion is safer than pregnancy.

Official vital statistics, however, fail to sustain that common notion.

An analysis is contained in a brilliant appeal brief filed by Attorney Robert L. Sassone on behalf of an amicus curiae in "The United States vs. Milan Vuitah," U.S. Supreme Court, for the October 1970 term.

The details of the case are prolonged and will not be recited here. The statistics presented by Attorney Sassone are pertinent and stand on their own feet.

Mr. Sassone begins by pointing out the basis of the belief that abortion is not as risky as pregnancy. U.S. Vital Statistics, he explains, indicate a death rate from pregnancy of 0.5 persons per 100,000. The same source reports 0.1 deaths per 100,000 are caused by abortion, leaving 0.4 deaths per 100,000 caused by complications of pregnancy other than abortions.

"Superficially," Mr. Sassone states, "it appears that pregnancy is four times as dangerous as abortion." So many persons are likely to be misled until they get the rest of the story. Here are the facts that have not been disclosed to the public print hereto.

"The white death rate from pregnancy," Mr. Sassone continues, "is less than 30 per cent of the non-white death rate from pregnancy, showing that proper medical care would greatly reduce the 0.4 per 100,000 death rate from pregnancy."

This one sentence stands as a strong indictment of the medical care accorded in obstetric cases to the Negro population, that is the target of the current genocide-through-abortion campaign.

In other words, out of 10 million white pregnancies, you can expect 12 mothers to die of complications therefrom. But out of the same number of Negro pregnancies, the rate would be 29 deaths. If Negro deaths were reduced to the white level, the death rate from pregnancy would be cut drastically.

Yet a more important piece of the jigsaw puzzle is that the abortion-death rate is unduly low for the reason that the legal standards hereto were more stringent and the number of abortions was kept down. Even so, deaths resulting from abortion were running at one-fourth the deaths resulting from pregnancies. As the number of abortions per 100,000 climbs, the number of deaths per 100,000 can be expected to climb also.

The first month of New York City's experience under the liberalized law was three deaths in the first 1,000 operations. There is no way to apply these figures on a per 100,000 population basis. New York health authorities indicated they would tolerate three deaths per 100,000 operations (not per 100,-

000 population) so the abortion death rate there for that one month was 100 times greater than the highest tolerable limit.

A NURSE'S STORY: "I WOULD NEVER BE ABLE TO CLOSE MY EYES AT NIGHT . . ."

(By Pat Jones, R.N.)

(Editor's note: Mrs. Robert Jones is a wife and mother as well as a nurse. She has assisted at many births. She told The Educator she cannot separate the sight of any baby from the thought of her own children. "I would never be able to close my eyes at night," she said, "without that little face flashing through the dark. My conscience would never let me help an abortionist." In the following article she explains in detail.)

I am a nurse. All my life I have been devoted to preserving health.

Women come to the medical profession carrying babies in their arms—and carrying babies under their hearts.

Married and unmarried alike, they come—with the married mother leaning on the strong arm of her husband.

But for the unmarried mother there is no such strength for her weakness, no thrill of joy that life is about to come into the world—and my heart goes out to her, my heart often breaks for her, because she cannot share life's greatest moment with the one she loves.

How beautiful is that moment of newly created life—when lungs take air for the first time and the cry of the child announces triumphantly that he has arrived, whole and well and eager to start the great adventure.

It is then that I turn away and weep, silently perhaps, but nonetheless I weep for the mother who cannot hold that bright new life up to the wondering eyes of her husband—because she has no husband.

THAT NEW LIFE IS STILL A BABY

But still, that new life is the same as the life produced by the mother whose husband is waiting to take the lively new infant home to those shiny new toys.

There is the baby, beautifully formed, lying securely in the arms of his mother—married or not.

The child knows nothing about his father—he knows only that he is loved by one, and for now, that is all that matters.

But how many babies will not lie warm and secure in the arms of their mothers—because their life has been terminated, violently, horribly terminated by abortion.

Suffocated, crushed and dismembered, the beating heart of the tiny child is mangled and torn in an act called abortion.

Abortion. It sounds clinical and impersonal, like an appendix removal or a tonsillectomy.

But there is this difference. That tiny child—expelled by force from its warm and secure place inside its mother's body—is flushed down the drain, incinerated or tossed into a stainless steel bucket, there to slowly suffocate and die—alone and unloved.

Without the cool efficient hands of the abortionist, that miniature human being might still be functioning perfectly within its protective environment at the moment it takes its last strangled breath.

SUDDENLY THE ENVIRONMENT IS DESTROYED

It might still be functioning when the surgical instrument crushes its skull inside its protecting environment, or cuts through its flesh as arms and legs are mangled, torn and dismembered one by one.

You say it is not a child. Ah, but have you watched one cry out as it is disposed of as waste through hideous multilation?

Have you looked at it and realized that it could even survive, despite the cruel shock of being torn from its protecting place, if it were to receive skilled medical care—because it has reached the age when the possibility of surviving in the world is a fact.

It doesn't matter to the child if there is a father waiting for it—it only knows, or will one day know, that it somehow survived the ghastly ordeal.

But the abortionist is not interested in preserving the tiny breath of life, for now his skills are used to exterminate life, to kill.

Yes, abortion is a coldly clinical term—and the proposed or enacted laws allow the mother to decide for herself, exclusively, if that child is to live or die.

No one asks the father. No one asks the unborn infant. No one asks the creator of us all.

My heart goes out to the unmarried woman who is pregnant—but it goes out also to the baby that will never grow to feel the sun and the rain on its face, that will never know the warm glow of love or the terms of sorrow, that will never bounce a bright rubber ball down a flower filled hill.

I am a nurse. My life is dedicated to saving of the lives of others. Pray with me for the restoration of the sanity of healing.

LIBERAL RC PRIEST CAUGHT IN DILEMMA

Granfield is a liberal Roman Catholic priest who is caught on the horns of a real dilemma over the matter of abortion and abortion laws.

Through a lawyer who is licensed to practice in both Massachusetts and before the Supreme Court, Granfield must, by the very nature of his full time vocation, take a slightly different tack than would generally be the case with a barrister of liberal persuasions.

However, after weighing all the pros and cons of the matter, Granfield comes to the conclusion that though over population may be a serious future problem, man should not solve his problem by the wholesale slaughter of people—including the unborn infant.

Mankind, he decides, has usually solved its problems—such as the insane, ill, old, etc.—by something other than mass euthanasia, and the population problem will have to be solved the same way if man is not to become so brutalized that he loses all conscience and human life in general becomes worthless and tenuous at best.

As a matter of fact, the priest cites impressive statistics to show that the United States is so far from over population as to make all the alarms sounded by the ecologists a laughing matter.

He proves conclusively—from a variety of sources both inside and outside religious circles—that the taking of a human life is definitely involved in abortion, and as such it is simply murder, no matter the fancy therapeutic labels attached to it by the apologists for infanticide.

Warning that abortion is a new tool for social engineering, Granfield makes the salient point that the worse part of abortion may not be the simple taking of the life of a helpless, unborn baby—it may be the opening gate to allowing the state to think of people as expendable units of social utility.

That, of course, is the charted pathway to a horror the like of which the world has never seen, and one that no nation would want to voluntarily walk.

GREEK CHURCH RAPS LIB LAW

NEW YORK.—The 20th biennial clergy-laity congress of the Greek Orthodox Archdiocese of North and South America has declared against liberalized abortion.

'We must give a clarion call to all the people of our nation warning them of this serious violation of the reverence for life by the indiscriminate exercises of abortion," the convention declared. The Greek Orthodox constituency represents 1.8 million in the Western Hemisphere.

RACE DISCRIMINATION IN NATION'S CAPITAL

PORTLAND, OREGON—U.S. Senator Blank has offered a bill that would authorize abortions for the densely Negro areas of the District of Columbia.

The Blank bill does not mention the race factor, but specifies a geographic area of the country that is heavily Negro in population.

The Republican cited "over population" as one of the primary causes of an environmental crisis facing the world today.

Blank said his legislation was an effort "to ease the strain on an overtaxed environment," referring to large Negro families in the nation's capital.

For other areas of the country, and not limited to Negro-populated Washington, D.C., Blank proposed a tightening of the federal income tax laws so that a family could have exemptions for only three children.

Anti-abortionists in Los Angeles characterized Packwood as the Blank plan as a "federal Beilenson law."

The Senator had the backing of U.S. Senator Blank.

OVERPOPULATION MYTH EXPLODED BY BISHOP

BURLINGTON, VERMONT — Roman Catholic Bishop Robert F. Joyce of Burlington exploded the overpopulation myth.

Referring to the vast numbers of persons in urban centers, Bishop Joyce said the real problem is overconcentration, not overpopulation.

In his column in the Vermont Catholic Tribune, Bishop Joyce quoted the words of U.S. Secretary of Interior Walter J. Hickel, "We don't have too many people. The trouble is that they're concentrated in the wrong places."

The bishop said 80 per cent of the 200 million population of the country is crowded into cities which constitute about 10 per cent of the land area. He said there are now 11 acres of land for every man, woman and child in the U.S., "But most people live on only a few square yards."

"So the easy solution is offered of preventing life or destroying it," the bishop wrote. "Respect for life, for human nature, for profound human values and instincts, these are considered secondary and totally irrelevant."

The bishop said the country has been bombarded in recent years with much population explosion propaganda, "much of it based on loose thinking, with all kinds of connections with pollution, birth control, abortion, and other current issues."

ED REINECKE ON RECORD OPPOSING LIB LAW

SACRAMENTO.—Lt. Gov. Ed Reinecke is on record here that liberalization of California's abortion statute would "cut at the very fiber of our people."

"To place in the hands of a prospective mother, with or without nominal medical consent, the future existence of a life already conceived is to stretch beyond rational bounds the traditional, the moral or the religious convictions of a spiritual person.

"Therapeutic abortion is acceptable under strict and multiple consent of the medical profession for reasons determined to be valid, but the indiscriminate, selfish egotistic decision by man or woman to take the life of unborn child begs the question of the very existence of God," Reinecke said.

A California law (SB 462) opened the floodgates for abortion in 1967. In part, the law provides that abortions may be performed in hospitals when a medical committee finds there is risk to the mother's physical or mental health or when the pregnancy resulted from rape or incest.

The procedure for the finding of rape or incest is minimal, amounting to little more than affidavit verified by the opinion of the district attorney. The new abortion statute does not provide for a qualified person to serve on the medical panel in the finding of risk to mental health.

In one section, the 1967 statute defines "mental health" to mean exactly the opposite. Section 2594, newly added to Division 20 of the Health and Safety Code, reads: "The term mental health as used in Section 25951 means MENTAL ILLNESS to the extent that the woman is dangerous to herself or to the person or property of others or is in need of supervision or restraint." (Emphasis added by editor.)

The measure does forbid abortions after the 20th week of pregnancy.

Boy Saw Babies in Jars, That Made Him a Fighter

Anaheim.—Mark White Jr. is 16 years old. He opposes legalization of abortion for a variety of reasons.

"It seems to me a doctor's duty is to save life and not to destroy it," he said Tuesday. "By performing abortions, a doctor is actually going back on his creed."

Recently they had jars on display at his parish with "aborted babies" in them.

"I just can't describe it," he said, "except to say they looked just like human babies except they are smaller."

"If God didn't have a purpose for that child," he said, "he wouldn't have created him. Each child has a purpose in life and by legalizing abortion we would be interfering with God's plans."

Mark said he believes the primary purpose of the pro-abortion individuals is to "cut down on population, but that's not the right thing."

On the day Mark was interviewed, the state assembly had just passed a bill allowing 13 year old girls to be sterilized without their parents consent or even knowledge.

He was encouraging everyone to wire their assemblymen and protest the passage, and to encourage them to vote against the bill that same afternoon because it was coming up for another vote count on request of Assemblyman Robert Badham-R, Newport.

Labor Paper Labels Lib Law Brutal

Chicago.—The Butcher Workman, published by the Amalgamated Meat Cutters and Butcher Workmen, AFL–CIO, characterized permissive abortion laws as "abominably brutal."

An editorial in the July-August issue said something must be done about the population explosion. It added:

"We are not opposed to the pill, and dozens of other precautionary measures, including restraint to prevent conception. We shall never, however, favor outright murder to stop the over-inhabitation of the earth."

Two Pro-Abortionists Defeated

Albany, N.Y.—Two of New York's leading pro-abortionists will not be back to vote on more permissive abortion laws.

They are Democratic Assemblyman George M. Michaels of Auburn and Republican State Sen. D. Clinton Dominick.

Michaels' was the key vote that put the abortion-on-demand law to clear the assembly. Dominick piloted the same measure through the State Senate.

Both were defeated in the June 23 primaries.

Legislators Who Put the Baby in the Bucket!

Since 1961, eight bills have been introduced in the California legislature that bear on the subject of abortion.

Of these, six were introduced by State Senator Anthony Beilenson, Democrat representing the 26th Senatorial District, comprising Venice, Beverly Hills, Exposition Park and Baldwin Hills. The two other bills were introduced by Assemblyman John T. Knox, Democrat of the 11th District in Richmond and by Assemblyman Craig Biddle, representing the 74th district in Riverside.

Of the six Beilenson bills, three were introduced prior to 1966 when the author was in the Assembly, and three were introduced after 1966 when he was in the Senate.

The later three Beilenson bills are numbered as follows: SB 462 (1967), SB 1029 (1968), and SB 544 (1970). They provide, in general, for a loosening of restrictions on abortion.

The Beilenson abortion bill of 1970 (SB 544) did not stand alone, but was accompanied by five other bills related to family life and medical intimacies. The bills bore numbers SB 541, SB 542, SB 543, SB 545, and SB 546. Together with SB 544 they came to be known as the "Beilenson package."

Because of space limitations, we will discuss here only the bills that were passed by the Legislature. These were the 1967 measure SB 462 and SB 542. The content was as follows:

—SB 462 provided that a hospital medical staff may authorize abortion in cases where the pregnancy resulted from rape or incest, or in which there is "substantial risk that continuance of the pregnancy would gravely impair the physical or mental health of the mother." No proof of the rape or incest was required, but only an affidavit from the district attorney. No psychiatric qualification was required in the case of the medical panel that was to judge of the mental health.

—SB 542 permits a female child who is unmarried to be sterilized or aborted without the consent of the parents.

RELUCTANT UNTIL 1967

The record indicates the California legislature was generally reluctant to involve itself with legislation to ease restrictions on the killing of unborn infants until 1967. The key measure of that year was the Beilenson bill SB 462. The measure was couched in plausible terms that made it defensible before a public that was not then overly inquiring. Experienced legislators, however, would have had no problem divining the intent and direction of the measure. As related above, the measure ostensibly set the mother's life as the chief matter of concern in an abortion. A careful reader will note the deception, however. SB 462 offers to protect the mother against the danger of pregnancy, but gives no balancing protection against the danger of the abortion.

Aside from the grave moral implications, the bill was technically deficient. The legislation requires only an affidavit from the district attorney as to rape or incest. The bill authorizes abortion in instance when there is "substantial risk that continuance of the pregnancy would gravely impair the physical or mental health of the mother." These terms are so broad that it excludes no one; the sole qualification is pregnancy. Any woman who has a baby is gravely impaired, at least for a time; the legislation sets no minimum duration for the impairment.

Such loopholes are glaringly obvious even to a layman. Clearly SB 642 was a wet finger held up to the winds of public opinion. The forces behind the abortion drive were ready with another boatload of laws.

And SB 462 did pass.

In spite of glaring technical deficiencies, SB 462 got 48 votes in the Assembly against 30 noes. The measure passed the Senate 21 to 17.

"YES" ASSEMBLYMEN

Assemblymen voting in favor of SB 462 included the following who also are members of the 1970 legislature:

William Bagley, R–7th, San Rafael; Carlos Bee, D–13th, Hayward; Craig Biddle, R–74th, Riverside; Yvonne Brathwaite, D–63rd, Los Angeles; Willie L. Brown, Jr., D–18th, San Francisco; John L. Burton, D–20th, San Francisco; Charles J. Conrad, R–47th, Sherman Oaks; Kenneth Cory, D–69th, Anaheim; Earl P. Crandall, R–25th, San Jose; Robert W. Crown, D–14th, Oakland; Waddie P. Deddeh, D–77th, Chula Vista; James W. Dent, R–10th, Concord; Gordon W. Duffy, R–21st, Hanford; John F. Dunlap, D–5th, Vallejo; March K. Fong, D–15th, Oakland; Bill Greene, D–53rd, Los Angeles; Leroy F. Green, D–3rd, Sacramento; Harvey Johnson, D–58th, El Monte; Ray E. Johnson, R–4th, Chico; Walter J. Karabian, D–45th, Monterey Park; William M. Ketchum, R–29th, Bakersfield; John T. Knox, D–11th, Richmond; Frank Lanterman, R–47th, Pasadena; John J. Miller, D–17th, Oakland; Bob Monagan, R–12th, Stockton; Don Mulford, R–16th, Oakland; Carley V. Porter, D–38th, Compton; Walter W. Powers, D–8th, Sacramento; Leon Ralph, D–55th, Los Angeles; Newton L. Russell, R–62nd, Burbank; Leo J. Ryan, D–27th, South San Francisco; Alan Sieroty, D–59th, Los Angeles; Kent H. Stacey, R–28th, Bakersfield; Victor V. Veysey, R–75th, Brawley; Charles Warren, D–56th, Los Angeles; Pete Wilson, R–76th, San Diego; Edwin L. Z'berg, D–9th, Sacramento; George N. Zenovich, D–32nd, Fresno; Jesse Unruh, D–65th, Inglewood.

SENATORS WHO VOTED "YES"

Yes votes in favor of SB 462 were cast by the following Senators who also are members of the 1970 Legislature.

Alfred E. Alquist, D–13th, San Jose; Anthony C. Beilenson, D–26th, Los Angeles; Clark L. Bradley, R–14th, San Jose; Clair W. Burgener, R–38th, La Mesa; William E. Coombs, R–20th, Rialto; George Deukmejian, R–37th, Long Beach; Ralph C. Dills, D–32nd, San Pedro; Mervyn M. Dymally, D–29th, Los Angeles; Donald L. Grunsky, R–17th, Watsonville; John L. Harmer, R–21st, Glendale; Fred W. Marler, Jr., R–2nd, Redding; James R. Mills, D–40th, San Diego; George R. Moscone, D–10th, San Francisco; Nicholas C. Petris, D–11th, Oakland; Albert S. Rodda, D–5th, Sacramento; Lewis F. Sherman, R–9th, Oakland; Alan Short, D–6th, Stockton; Walter W. Stiern, D–18th, Bakersfield; Stephen P. Teale, D–3rd, Sacramento; Howard Way, R–15th, Exeter.

One of the "aye" votes is no longer serving in the Senate, but since 20 of them continue there, the skids were greased for additional legislation of this type.

After his success with SB 462, Senator Beilenson began a shotgun attack upon existing laws to safeguard the family relationship. Beilenson called for contraceptives to be paid for out of state funds, for additional income tax to be heaped upon families with more than two children, and to limit the discretion that a hospital staff has to curb sterilizations. SB 542, permitting sterilization and abortion of female children without consent of parents, passed both houses of the Legislature.

SIX VOTED "NO"

In the Senate, SB 542 went through with only six votes against it. All opposition votes were cast by Republican Senators. On the other hand, 10 Republicans teamed with 15 Democrats to put it over—25 yes and 6 no. Five Republicans and six Democrat Senators did not vote.

Between the time of the Senate vote and the SB 542's appearance on the house floor, the legislators began to feel the ground swell of public opinion. In fact, the Assembly took two roll calls and there was considerable switching of position that clouds the true feelings of the legislators involved.

In the first go round, 21 Republicans voted for the bill along with 21 Democrats to give passage—41 yes, to 33 no. Twenty-one Republicans and 12 Democrats voted no. One Republican and five Democrats did not vote.

The second roll call—on a motion to reconsider—showed 38 Assemblymen opposed to SB 542, or at least favorable to studying the matter for a longer period. Twenty-six voted to the contrary, a sufficient number to block reconsideration.

In the second vote 26 Republicans teamed with 12 Democrats to seek reconsideration. Seven Republicans teamed with 19 Democrats in favor of the Beilenson bill. Thus the first decision stood.

CORY SWITCHES

Among those changing positions was Assemblyman Kenneth Cory, Democrat of the 69th District in Orange County. He voted against SB 542 the first time when it passed by a heavy margin. But when opponents of legalized abortion picked up strength on reconsideration, he abstained from voting. Seven other Democrats and eight Republicans abstained, also.

In spite of the seeming confusion in the SB 542 roll calls, The Educator was able to identify hard-line pro-abortionists by comparing the 1970 votes with the 1967 votes on the first successful abortion bill.

Those Assemblymen who voted pro-abortion straight down the line on SB 462 of 1967 and SB 542 of 1970 are as follows (the district number precedes the name):

3. Leroy F. Green, D-Sacramento; 4. Ray E. Johnson, R-Chico; 5. John F. Dunlap, D-Vallejo; 7. William T. Bagley, R-San Rafael; 8. Walter W. Powers, D-Sacramento; 9. Edwin L. Z'berg, D-West Sacramento; 11. John T. Knox, D-Richmond; 12. Bob Monagan, R-Stockton; 14. Robert W. Crown, D-Oakland; 15. March K. Fong, D-Oakland; 17. John J. Miller, D-Oakland; 18. Willie L. Brown, Jr., D-San Francisco; 20. John L. Burton, D-San Francisco; 21. Gordon W. Duffy, R-Hanford; 26. Carl A. Britschgi, R-Redwood City; 28. Kent H. Stacey, R-Bakersfield; 29. William M. Ketchum, R-Bakersfield; 32. George N. Zenovich, D-Fresno; 53. Bill Green, D-Los Angeles; 55. Leon Ralph, D-Los Angeles; 56. Charles Warren, D-Los Angeles; 59. Alan Sieroty, D-Los Angeles; 61. Henry A. Waxman, D-Los Angeles; 63. Yvonne W. Brathwaite, D-Los Angeles; 75. Victor V. Veysey, R-Brawley; 76. Pete Wilson, R-San Diego.

On the Senate side the diehard pro-abortionists are:

3. Stephen P. Teale, D-Sacramento. 5. Albert S. Rodda, D-Sacramento; 6. Alan Short, D-Stockton; 8. Lewis F. Sherman, R-Oakland; 10. George R. Mascone, D-San Francisco; 11. Nicholas C. Petris, D-Oakland; 13. Alfred E. Alquist, D-San Jose; 15. Howard Way, R-Exeter; 17. Donald L. Grunsky, R-Watsonville; 18. Walter W. Stiern, D-Bakersfield; 20. William E. Coombs, R-Rialto; 22. Tom Carrell, D-San Fernando; 26. Anthony C. Beilenson, D-Los Angeles; 29. Mervyn M. Dymally, D-Los Angeles; 32. Ralph C. Dills, D-San Pedro; 37. George Deukmejian, R-Long Beach; 38. Clair W. Burgener, R-La Mesa.

Many will be shocked and saddened that legislators in whom they have reposed confidence are exposed in this edition of the Educator, irrespective of party. But the facts cannot be altered. These are the men who withdrew the state from prosecution for murder of the unborn. These are the lawmakers who put the baby in the bucket.

IOWANS IN THE PEACE CORPS

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. SCHWENGEL. Mr. Speaker, a recent issue of the Des Moines Sunday Register Picture magazine contains a story telling of the efforts of Iowans in the Peace Corps in South America. These young men and women are certainly to be commended for their unselfish and meaningful contributions to the furtherance of better understanding among the nations of the world. I must, of course, note that one of the young men discussed, Mr. Michael DeVine, is from Bettendorf in my district.

I include the article as follows:

HOW IOWANS HELP SOUTH AMERICANS TO A BETTER LIFE

(By Don Muhm)

Peace Corps officials estimate that about 85 per cent of the 7,000 or so Volunteers they have scattered about the world in 60 countries work in rural areas. And the bulk of these Volunteers wind up in some field of agriculture, because so many of the developing nations lack sufficient food. After nearly 10 years, the Peace Corps has developed a new emphasis on locating trained and skilled people for overseas assignments. And officials are finding the demand for skilled people is growing.

"We want our Volunteers to be not just a friend of the people in the developing countries," points out Leo Gallarano, who served with the Peace Corps in Africa and who is now in the Corps' assignment division in Washington, D.C. "We want them to be helpers as well."

AN IOWA STATE GRADUATE WHO BUILT A NEEDED CANAL

Gallarano points out: "You can't expect to pick a man, and turn him into an expert in hog production in a few months. This is why we have emphasis on skills. We're more concerned today with the skills of the Peace Corps applicants than we are with the numbers of applicants. And we're doing more specialization in our recruiting seeking out these skills."

An example of this new selectivity is Brent Parker, an Iowa State University graduate who worked for the Soil Conservation Service. During Parker's two years in Ecuador his chief claim to fame was construction of an irrigation canal being used to grow more and more diversified crops.

A pair of Drake University graduates, Louise and Peter Gregg, are sociologists working in southern Bolivia on a tuberculosis program. The Greggs, from Ohio, received special training in Los Angeles for their tuberculosis detection program they now operate in a broad area of the tropics. The husband-wife team arranges vaccinations and lines up cure treatments once tuberculosis is verified.

FROM AN IOWA NURSERY TO THE FORESTS OF CHILE

Another "specialist" is Eric Rund of Champaign, Ill., who grew up raising Hampshire and Chester White hogs on his father's farm. Now Rund is a Volunteer in charge of a swine reproduction center in Ecuador where U.S. Hampshire hogs donated by Heifer Project, Inc., are being produced for mating with native swine.

Michael DeVine of Bettendorf spent his spare time working at his grandfather's nursery at Pleasant Valley in eastern Iowa. This experience resulted in a forestry assignment in Chile where he was a Peace Corps Volunteer the past two years, and will probably figure into his new work in Paraguay with the Corps.

But while some of the Volunteers "fit" in their foreign assignments, others have had to adapt to a role not in line with their university studies. Lee Arbuckle of Alzada, Mont., is a Dartmouth College economics graduate who now supervises the work of 38 Volunteers in central and eastern Bolivia where the emphasis is strongly agricultural. But after two years working in Colombia and two more in Bolivia, Arbuckle has adjusted to the agrarian task.

Pete Stubben of New York City received a potato assignment in Bolivia where fertilization experiments are being conducted. "I was astounded to see that the potato seed was the potato itself" Stubben confided about his lack of potato production knowledge.

CONSERVATION TERRACES IN SOUTHERN PARAGUAY

A Parsons College mathematics graduate, Pedro H. W. Tichauer, has a general assignment for World Neighbors, a private group that works at the village level to help Bolivians raise more gardens, combat disease and harvest more fish. This group is not related to the Peace Corps, and Tichauer is not a Volunteer.

"Our work is essentially the same," the Parsons College graduate said. "We're trying to help people grow more food, so they don't have to spend as much money for something to eat, and to help improve diets."

Bill Saint of Erie, Pa., majored in psychology at Oberlin College, Ohio, but for the past four years has worked in rural areas in Paraguay helping with all kinds of projects—ranging from banana and corn production experiments, to hand-shoveled soil conservation terraces in southern Paraguay and a bridge he is helping to build across a fast-flowing river.

His wife, Candy, a native of Chicago, studied theater at the University of Denver. Also a Peace Corps Volunteer, Candy Saint has had her most recent "success" in helping a farm wife build a new kitchen stove.

"A KITCHEN RANGE HERE IS REALLY SOMETHING"

This Paraguayan mother had cooked her meals over a campfire built on the floor of her humble home. "Now she can stand while she cooks," Candy Saint explained. "That may not sound like a big deal back home, but a kitchen range here is really something—no more kneeling over the fire to cook meals."

Peace Corps Volunteers tackle all kinds of assignments—in agriculture, education, professional services, the sciences and skills and trades, according to Frank Pixley of Washington, D.C., who works in recruiting.

"Agriculture offers the chance to make a showing—to do something that people can see," Pixley, a former New York farmers, explained. "It may be a new breed of hogs or cattle, or a fertilizer plot. But these things offer dramatic opportunities to demonstrate what can be done to fight hunger and poverty.

"And our two big problems about the world are hunger and poverty."

TESTIMONY OF NATIONAL COMMANDER OF DISABLED AMERICAN VETERANS

HON. ELWOOD HILLIS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. HILLIS. Mr. Speaker, on March 3, 1971, the House Committee on Veterans' Affairs heard testimony from the National Commander of the Disabled American Veterans, Cecil W. Stevenson.

Commander Stevenson presented his legislative program for the 92d Congress.

I think it is important that this entire body be made aware of some of the needs of this group of veterans who so valiantly served our Nation in time of peril.

I include in the RECORD the following transcript of Commander Stevenson's testimony:

STATEMENT OF CECIL W. STEVENSON, NATIONAL COMMANDER OF THE DISABLED AMERICAN VETERANS, BEFORE THE COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, MARCH 3, 1971

Mr. Chairman and Members of the Committee: Thank you so much for giving me the opportunity to come before you to speak on the 1971 Legislative Program of the Disabled American Veterans.

I thank you, too, on behalf of our National Officers, our State Commanders and Adjutants who are here with us this morning. Our mutual interest in veterans' affairs brings us together again in the Nation's Capitol for formal discussions on programs and plans of our Organization for the current year.

It would be derelict on the part of the Disabled American Veterans, Mr. Chairman, if we did not at the very outset pay special notice . . . and give congratulatory appreciation to you and the members of your Committee who have made it possible for the 91st Congress to be remembered as the "Best Veterans' Congress in Years."

That quote is not mine, ladies and gentlemen . . . but it has been used to describe the 91st Congress in the newspapers, service organization publications, and in the *Congressional Record* itself.

We know you made it possible for the new legislation now on the books . . . new laws . . . that make life easier for the disabled war veteran, his dependents and survivors. We are especially grateful that you gave your all-out support to have the new compensation law become effective on July 1, 1970 . . . instead of January 1, 1971 as originally scheduled.

In addition to the generous increases in compensation rates, the 91st Congress substantially improved and expanded the programs of education and training, dependency and indemnity compensation, disability and death pension, and the hospital and medical care program. Indeed, every major benefit program for veterans and their dependents was dramatically improved and expanded.

These and other actions . . . all of which cannot be covered here . . . provide more than three quarters of a billion dollars in increased benefits and represent achievements of outstanding significance by this Committee and the 91st Congress. I know that the Committee will . . . as it has always done in the past . . . continue to give serious recognition to veterans' problems as it undertakes its work in the 92nd Congress.

We of the Disabled American Veterans look forward to working with you, and providing you with whatever assistance we can in the coming months. I wish to take this opportunity to express our appreciation to the dedicated members who continue to serve on this great Committee and to say a very warm word of welcome and congratulations to the newly assigned members. I know that all members will find us ready and available at all times so that with our joint efforts . . . we may continue to give all help . . . reasonable and proper . . . to those of our fighting forces who bear the scars of battle wounds, or the marks of injuries or illnesses incurred while on active duty.

Before proceeding further, Mr. Chairman, perhaps I should take this occasion to explain to the new members the principal purpose for which the Disabled American Veterans was created. That purpose in part urges all of us "to uphold and maintain the Constitution and laws of the United States; to realize the true American ideals and aims for which those eligible to membership fought; to advance the interests and work for the betterment of all wounded, injured and disabled veterans; to cooperate with the United States Veterans Administration and all other public and private agencies devoted to the cause of improving and advancing the condition, health, and interest of all service-disabled veterans."

In accordance with these principles, the DAV, as part of its National Service Program, is making a special effort to seek out returning war veterans to advise them that our Organization stands ready to offer assistance in securing for them all benefits to which they may be entitled. For this purpose, the DAV maintains 150 National Service Officers—46 are Vietnam veterans—located in Veterans Administration Regional Offices and Centers across the Country. These dedicated, specially trained national employees—all of them disabled as the result of wartime service—assist the veteran in the preparation and presentation of claims for compensation, pension, hospitalization, medical treatment, education and vocational training, and sundry other benefits available under law.

As National Commander of the DAV, Mr. Chairman, I have a genuine pride in our Service Program and the high stature it has attained through the efforts of our National Service Officers. In this connection, I recognize that the success of their efforts often depends upon the sympathetic understanding that you and your Committee members have consistently given to our Legislative presentations.

Now, Mr. Chairman, and honorable members of the Committee on Veterans' Affairs, here are the 1971 DAV Legislative Objectives.

I want to say at once, ladies and gentlemen, that it is not the purpose of the DAV to come here and make extravagant demands upon the Committee and the public treasury. The generous record of veterans' benefits enacted in the 91st Congress would, in any case, constrain us to keep our program within reasonable and equitable limits. However, with your indulgence, I should like to cover in general terms certain areas of veterans' programs to which the DAV is addressing itself this year.

DISABILITY COMPENSATION

With respect to the VA disability compensation program, Mr. Chairman, I want to reemphasize that the DAV, throughout the years, has been deeply impressed with the interest and concern this Committee has consistently shown for those veterans who have suffered disability as the result of service in our armed forces. We are most grateful to the Committee for repeatedly exercising initiative and leadership in the development of programs to meet the growing needs of these deserving war veterans.

Traditionally, it has been accepted that payments for service-incurred disablement should be adequate to meet the special circumstances of the veteran. This is particularly so in the cases of the very severely disabled, whose income consists solely of compensation and where very often the recipient is so disabled that he cannot work. Accordingly, it is the feeling of the DAV that the maintenance of the purchasing value of compensation payments must continue to be a major factor in the established compensation policy.

We are confident that the Committee will, as it has steadfastly done in the past, keep the disability compensation program under close and continuing study. The constant rise in the cost of goods and services offers, we think, a real and compelling reason for the Committee to do so.

Since Disability compensation is a matter of fundamental interest to the Disabled American Veterans, it is only natural that a number of resolutions touching on this program be considered and approved by our National Conventions.

Among those adopted by our most recent National Convention is a resolution calling for a long-delayed and well-deserved increase in the statutory awards payable to disabled veterans for the loss or loss of use of a single extremity or body organ. The Veterans Administration has persistently opposed this proposal, giving as its reason that they "have been engaged in the preliminary steps" of a study to obtain data for use in validating the disability Rating Schedule. This study has been going on now for well over a decade, and we cannot see it as a valid excuse for delaying action any longer on this worthy proposal.

Although the basic rates of disability compensation have been increased at more or less regular intervals over the years, the monthly rates for the statutory awards have remained constant since July 1, 1952, at which time there was granted an increase of $5 a month over the rate prevailing since September 1, 1946.

Inasmuch as the costs of goods and services have risen substantially during the 1952–1971 period, we believe a generous increase in these statutory payments is wholly justified. We urge the Committee's favorable consideration of this pending proposal.

Another DAV resolution associated with compensation would authorize an annual clothing allowance of $300 to veterans who, because of service-connected disabilities, are forced to wear prosthetic appliances which tend to wear out or tear their clothing.

The proposal is a most reasonable one, is inexpensive, and its enactment will give recognition to the value of military service and the difficulties these veterans endure daily because of the special nature of their service-connected disabilities. We urge the Committee's approval of this deserving and appealing measure.

The DAV also proposes a modification of existing law to extend the full range of wartime benefits to a very deserving group of VA beneficiaries

Enactment of the Cold War G.I. Bill (P.L. 89–358) in March of 1966, and the Veterans' Pension and Readjustment Assistance Act of 1967, expanded significantly the wartime benefits program for veterans who have served in time of peace under wartime conditions.

There still remains, however, a group of disabled peacetime veterans who are paid disability compensation at wartime rates but who are not, under existing law, entitled to other wartime benefits.

The DAV believe that a veteran who sustained a disability under wartime conditions, while performing extra-hazardous service, should have a fundamental entitlement to the same benefits provided for war veterans who became disabled under similar circumstances.

In the spirit of fair play, we heartily recommend that equal treatment be accorded these deserving veterans and that they be provided with the full range of wartime benefits.

The DAV National Convention last August adopted a number of other resolutions on the subject of disability compensation. Included are proposals to authorize concurrent payment of compensation and pension under a special formula; dependency allowances for veterans whose disabilities are rated less than 50 percent; dependency and indemnity compensation for widows of veterans rated 100 percent service-connected disabled for 20 or more years; and to authorize aid and attendance allowances for dependent parents of veterans who die as a result of service-connected disability.

VA MEDICAL PROGRAM

The DAV, by its very nature, has a deep and abiding interest in the Veterans Administration's Hospital and Medical Care Program. We strongly support the position that the VA Department of Medicine and Surgery maintain its prominence in the entire field of medical care.

The DAV is deeply indebted to you, Mr. Chairman, for conducting the surveys last year which resulted in a better understanding of the hospital and medical needs of disabled war veterans. Indeed, information adduced by the surveys was instrumental in securing additional hospital funds which brought about improvements in the VA Medical Care Program.

As you are aware, Mr. Chairman, much discussion is going on within and outside the Government to establish a National Health Insurance Program. There is a variety of health care legislation of both large and small scope pending before the Congress. Proposals to improve the distribution of physicians, dentists, nurses, technicians, and other allied health personnel are under consideration. Some of these proposals have a laudable purpose because the national shortage of doctors and other health professionals is severe and worsening.

The DAV recognizes that the problem of health care for the general population is swelling rapidly and that legislation is needed to deal realistically with all aspects of the health issue, including the plight of medical education.

The question arises as to what role the VA will play in any proposed National Health Care Program. In this connection, the VA Chief Medical Director stated recently that all health systems "must link their resources, talent, and knowledge." It was further stated that "no component of the Nation's Health Care system as large as that represented by the VA's Department of Medicine and Surgery can consider itself, or be considered, in isolation—no matter how splendid."

The DAV senses here the beginning of a subtle effort to assimilate the VA medical system into a National "unified health plan" under the jurisdiction of HEW or some other social agency. As the Chairman and members of the Committee know, HEW has already proposed that 8 of its Public Health Service hospitals and 30 out-patient clinics be closed. It is indicated that if the closings occur, public health service patients will be transferred to VA hospitals.

Despite all of the plans being advanced for the operation of a National Health Program, we believe that the welfare of the disabled war veteran and the debt his nation owes him dictate aggressive action to make certain he receives a high level of medical service as a matter of right, that he be considered apart from the general population, and that he must be given total priority with respect to health care benefits. In our view, the principle of first-rate medical care for wounded and otherwise disabled war veterans is at once so just and indisputably right that the Government is under a strong moral obligation to continue to effectively operate the VA Hospital and Medical Care system as it is presently constituted.

In this regard, the recently published VA budget for fiscal year 1972 indicates an increase of $124.7 million over fiscal year 1971 for medical care. Upon reviewing the immediate and massive needs of the Program, it becomes evident that this increase is unrealistically low and will necessarily result in the loss of 5,500 hospital beds. At the same time, reports received from across the country reveal that applications for VA hospital and out-patient treatment have been on the increase, the demands for all hospital and medical services have reached an all-time high, that the number of veterans seeking nursing home care is rising. The reports, in fact, reflect an increased need for across-the-board services to psychiatric, medical, and surgical patients.

The VA can go forward with positive programs that provide greater health services to more patients with increased effectiveness. But, again, this can only be done with a level of funds far higher than that requested in the budget for fiscal year 1972.

Mr. Chairman, several resolutions relating to the VA Hospital and Medical Care Program were adopted by our National Convention. Included are proposals to provide an Aid and Attendance allowance for service-connected totally disabled veterans who are confined to a nursing home; to provide complete medical services to veterans who are rated 50 percent or more disabled; to authorize hospital care for the widows and children of veterans who died of service-connected disabilities and for wives and children of veterans who have service-connected conditions rated as totally disabling.

As you know, under the terms of the Military Medical Benefits Act, hospital care is made available to dependents of retired military personnel and to the widows and children of servicemen who die while on active duty.

It is the feeling of the DAV that dependents of totally disabled service-connected veterans and the survivors of veterans who die of service-connected causes should be placed in a position comparable to that enjoyed by dependents of military retirees.

Over the years, this Committee and the Congress has consistently recognized that the widow of a man who dies of service-incurred disease or injury is in a very select category and deserves the special gratitude and assistance of our nation.

This is reflected in the passage of legislation that has established programs of death compensation payments, provisions for home loans, and for educational assistance benefits to war orphans and widows. We believe that authorization for hospital and medical benefits would be a logical and natural progression of a grateful nation's efforts to fulfill in a greater degree the needs of survivors of those who contributed so much to preserve America's security in time of war.

NATIONAL CEMETERIES

The subject of national cemeteries has been a long-standing priority concern of the Disabled American Veterans.

Several bills pending before the Committee would consolidate Federal cemeteries into one system administered by the Veterans Administration. The DAV strongly supports this proposed legislation, for we see it as a means of eliminating the confusing and uncertain condition currently associated with the cemetery program.

The DAV has National Convention resolutions calling for increasing the burial allowance to $400, and to establish a National Cemetery in every state. With regard to the latter resolution, we recognize that for practical purposes this proposal may have to be modified. Some heavily veteran-populated areas may require several sites. There is no easy solution, but we are sure that the members of this distinguished Committee recognize this. We know, too, that the Committee has, through the years, constantly held to the view that veterans who have faithfully and honorably served our country should be entitled to the secure knowledge that there is a carefully drawn plan governing cemeteries for veterans—a plan that is equitable now and will sustain in the future.

I want to say again, Mr. Chairman, that the DAV is solidly behind the proposal to transfer control of national cemeteries to the Veterans Administration. It represents, in our opinion, a major step toward the fulfillment of the doctrine that "every veteran should have the right to burial in a national cemetery situated reasonably close to his home."

GUARANTEED AND INSURED HOME LOANS

As you know, Mr. Chairman, since the inception of the Home Loan Program, the interest rate has risen from the original 4 percent to last year's all-time of 8½ percent—a cost of financing that has priced most of the nation's veterans out of the housing market.

The members of our Organization have always held that in order for the Home Loan Program to be a meaningful benefit, the interest rates on these well-secured, Government guaranteed loans must be set at a reasonable level which is within the reach of the average veteran. We, therefore, welcomed the recent actions which started the downward trend in interest rates, and we are hopeful that the present 7 percent rate will soon go even lower.

While encouraged by the lowering of the interest rates and the extension of the Loan Program to cover mobile homes and condominiums, Mr. Chairman, we were dismayed to learn that the Veterans Administration apparently intends to get out of the "direct loan program." The news that there were no funds available in the 1972 VA Budget request for this important Program came as a shock, and must have been especially discouraging to that small group of severely disabled veterans who, by an act of Congress last year, were made eligible for direct loans to purchase specially adapted housing. Veterans who will benefit from this new law deserve every consideration and should be assured of this benefit without regard to where they live or the availability of other possible sources of mortgage credit.

Eliminating the direct home loan program runs counter to resolutions adopted by the DAV National Convention. These resolutions urge that the Program be expanded, that the maximum direct loan amount be increased to $25,000, and that such loans be made available in metropolitan areas.

We view the hasty and ill conceived decision to eliminate direct loans as an arbitrary abuse of Executive authority, and we respectfully request that this distinguished Committee exercise its power of legislative oversight to reassert the will of the Congress that "direct loans" in any area be made available to disabled veterans who are entitled to assistance in the purchase of specially adapted housing.

Other DAV legislative recommendations associated with the Home Loan Program provide that the specially adapted housing benefit be extended to veterans who have suffered the service-connected loss, or loss of use of an upper and lower extremity; that the exercise of strict controls over the discount rate be maintained in order to prevent lenders from artificially increasing the maximum interest levels by the charging of excessive points; and that the National Service Life Insurance reserve fund be used to provide home loans for veterans at reasonable interest rates.

Mr. Chairman, my statement has covered some of the major aspects of our 1971 Legislative Program. There are other matters of equal urgency which will receive our attention during the course of the 1st session of the 92nd Congress.

The Committee has been furnished a complete set of resolutions adopted at the 1970 DAV National Convention held at Los Angeles, California. Bills relating to most of these proposals have already been introduced, while others are presently in the drafting stage.

When the Committee holds hearings on specific pending legislation, we hope you will allow us to present more detailed reasons why we feel that these and other proposals in which we are deeply interested should be given early approval by the Committee.

Mr. Chairman, I again want to express our grateful appreciation for giving me the opportunity to come before you and present our views on matters of vital importance to the people whom we serve—the wartime disabled, his dependents and survivors. I also want to take this occasion to pay special tribute to the staff members of this distinguished Committee and to thank them for all the competent help, advice, and practical assistance they have given us throughout the years. I am pleased to commend and thank them for their spendid cooperation.

In closing, Mr. Chairman, I want to call attention to another high-point of our Conference this year. This afternoon the Senate and House of Representatives will salute the Disabled American Veterans on the Anniversary of its fifty years' of service to America's disabled war veterans and their dependents.

The highly respected ranking majority member of the House Veterans' Affairs Committee, Mr. Dorn, will act as Co-Chairman of this event in the House. It is my hope that other members of the Committee will participate in this very special event.

The final activity of our Conference will, of course, take place this evening when we have our annual reception honoring all members of the Congress. I shall look forward to meeting with you on this festive occasion which begins at 6:00 P. M. in the Presidental Ballroom of the Hotel Statler Hilton.

THE RISING COSTS OF MEDICAL CARE

HON. FRANK M. CLARK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. CLARK. Mr. Speaker, I have a very interesting letter I would like to insert in the RECORD. It is an answer to a TV program concerning rising costs of all hospitals and care.

I believe William Esson has done a terrific job at the Youngstown Hospital and by his letter knows his job thoroughly.

The letter reads as follows:

DEAR MR. DOWNS: On the Tuesday morning "Today" show February 16, 1971, you interviewed an individual identified as "a medical writer"—Mr. Selig Greenberg, who apparently had just published a book devoted to the matter of medical care in this country. During your interview reference was made to costs of medical care, etc.

Having been associated for 25 years or more in the management of hospitals in this country the interview was appreciated. There was some emphasis upon the rapid increase in hospital costs today in America. Because of the nature of the hospital, people must be on the job 365 days a year, 24 hours every day. Coupled with this are the many services now required to meet the medical needs of patients referred to hospitals by doctors. It is necessary for hospitals, such as the one of which I am now Executive Director, to employ 2½ persons per patient, per day to do this. In other words this means that we have to pay for 20 hours of labor per patient, per day.

Within the last five years it has been necessary for the hospital service industry, if it can be called an industry, to adjust wages and salaries which were far out of line when compared with fellow workers in other industries and activities in this nation. Wages and salaries are still not comparable in many cases with workers in other fields. However, great strides have been made to reduce this margin and this accounts in a large measure for the rapid rise in hospital costs. Out of every dollar we spend in hospitals in this country more than 65c goes to meet payrolls.

In a wage settlement reached within the last day or so ago between United Steelworkers and one of the can manufacturers (according to Mr. Abel, U.S.W. President), there was a wage increase of $1.00 per hour, plus other adjustments and improvements in fringe benefits. . . . Mr. Downs, you can readily see, therefore, that if in the "hospital industry" within the next year we are required to adjust our wages and salaries by $1.00 an hour then hospital costs would rise at least $20 per day, per patient.

All of this chatter and discussion about blaming doctors or Blue Cross or somebody else for the rising costs of hospital care in this country today becomes somewhat tiring after a while to people such as myself who have been in the hospital business for many years. It is almost so much nonsense to assume that the cost of hospital medical care is going to be reduced by some magic formula when those who work in other industries continue to receive pay increases that are such as mentioned in this letter. It is obvious that hospitals must keep pace in order to retain their employees, otherwise we would find ourselves before too long without any employees and no hospitals.

Incidentally the writer you interviewed referred to the Kaiser Program as being an exemplary medical care system. You might like to know that the Kaiser Program is an excellent one, but it should not be compared to a community oriented type of hospital organization such as The Youngstown Hospital Association. We operate two large general hospitals; 4½ miles apart in this community, designed to care for the acutely ill who will stay in a hospital a relatively short time. Our Governing Board is made up of a fifteen-member Board, all of whom contribute their time as Board Members free of charge. We depend entirely on patient revenue generated by caring for patients and require them to pay for the services provided. Many are covered by programs such as Blue Cross, Welfare programs, Public Agencies, etc.

The Kaiser-Permanente program provides medical and hospital services for subscribers to the program. It covers only individuals or groups who are able to pay for the cost of the subscription or premium. The Kaiser program does not take care of those who cannot pay for their care and are not subscribers (emergencies excepted). Hospital programs such as ours accepts any patient who might be referred to the hospital. The cost of providing care for those who cannot pay, or can only pay part of the cost, is passed on as part of the charge made to the patient who is able to pay their way, and to those covered by Blue Cross and other such agencies.

I don't believe there is any such thing as an ideal system, but to say that the American hospital and medical system in this country is a poor one is an incorrect and unfair position to be taken. It is true that there are many problems involved in this business of providing medical care for those who need it, but they will be solved. If they are to be solved, however, our society must be prepared to pay the cost for it.

Those of our society who continue to receive substantial wage increases must accept the fact that equal wage increases will occur for those who work in hospitals and the cost will continue to rise. There is no way to make this available to society without cost, unless, and until, all of our suppliers of drugs, food, light, heat, power, and the labor of physicians, nurses, technicians, dietitians, mechanics, laundry of linens and all of the people needed to staff the modern hospital, make all these things (goods, services and labor) available free, to hospitals and to the society in which we live.

SO WHEN IS THE MONEY COMING?

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. CORMAN. Mr. Speaker, our colleague, RICHARD HANNA, recently delivered an address before the annual meeting of the Southern California Association of Governments on the subject of President Nixon's revenue sharing proposal.

I believe that Congressman HANNA's observations add a great deal of information to the subject, and I recommend them highly to the Members.

The speech, entitled "So When Is the Money Coming?" follows:

"SO WHEN IS THE MONEY COMING?"

(A speech delivered before the annual meeting of the Southern California Association of Governments by Congressman RICHARD T. HANNA)

Ladies and Gentlemen, some of you may remember the old Rosemary Clooney song that went:

"If you wanta be a friend of mine
Getta your money on the line—"

So when is the money coming? I'm sure at this moment that is the collective question being asked by virtually every mayor, city councilman, supervisor, and state legislator in the room. To be candid, I don't know the answer to that question. I doubt if anyone does.

As consolation, I'll attempt to inform you of the latest developments on the revenue-sharing front as well as offer some of my own personal observations on the subject.

Of course, revenue-sharing is not a very new concept. The Federal Government has been sharing its revenue with the States ever since the founding of the Republic. Debts incurred by the States during the Revolution were assumed by the Federal Government in the latter half of the eighteenth century. In 1836, the Federal Treasury was authorized to divide its surplus among the states. More than $28 million was eventually distributed through a formula based upon each State's proportion of the electoral vote.

Times have changed. Although the Federal Government today distributes more than $30 billion to the States and cities through more than 400 categorical grant programs, it also collects 9 out of every 10 personal income tax dollars. This leaves local units of government dependent upon the overburdened property and sales tax methods. Considering the demands for local services, cities and states cannot raise the needed revenues from the sources available to them.

Local finances are near catastrophe. California faces an unconstitutional deficit of at least $124 million. The County of Los Angeles is running a deficit of $59 million, and the city of New York is approaching bankruptcy. Unless something substantial is done, the projected net deficit in local expenditures, for all States, cities and counties in the United States, will be $12 billion in the year 1975. Without Federal assistance, the financial future of many States and cities is bleak. The only alternative, especially in urban areas, is increased property taxes, and this is so unpalatable, particularly in light of so many recent heavy increases in the property tax rate, that it must be considered unrealistic.

The only current viable solution to the financial dilemma faced by local units of government lies in Washington. The question now is will that solution be revenue sharing?

Daniel Webster once said that Alexander Hamilton "smote the rock of the national resources and abundant streams of revenue gushed forth . . ." In a modern Hamiltonian gesture, President Nixon is hammering at the Congressional rock with the hope that "streams of revenue gush forth." Sixteen billion in revenue to be exact.

And while I am sure that few if any of you here today are rooting for the "rock", I am as equally certain you share my concern for the course the "stream" will take.

During this session, Congress will be creating new political relationships. Massive revenue-sharing, as envisioned by the President, will substantially alter the present methods of Federal-state relations.

Such readjustments in the fabric of our institutions cannot be done casually. They require careful and considered examination. Although there is a national campaign underway to pressure Coongress into accepting the Administration's plan, do not expect anything to happen quickly.

I realize many of you can point to a number of modern revenue-sharing schemes that have been before Congress for quite awhile, including the Heller-Peckman plan first unveiled in 1964. This, of course, is true, but there are two circumstances that make 1971 different. First, revenue sharing concepts will get hearings this year. Congress will be seriously considering the idea. Second, the President's proposal is a massive one, much different from his modest ½ billion dollar recommendation made to the 91st Congress.

Less than one week ago, the President sent his first detailed revenue sharing message to Congress. It is still being digested.

The first message deals with the $5 billion, no strings, portion of his program. We still have no idea what he plans for the much larger $11 billion portion of the program, the portion that redirects $10 billion in present categorical aid into block grants with an additional one billion in new funds.

Let us first take a look at the general revenue sharing portion of the President's proposal. It provides that the States shall receive 1.3% of all personal federal income tax received. This, the President estimates, will be $5 billion in fiscal 1972.

Revenue will then be dispersed to the States based upon a formula that multiplies population by the revenue effort of each state, and then is divided by the sum of all the States' population and revenue effort. In English, this means that California will receive $590 million under the President's program.

Through an equally euphemistic process that includes such juicy considerations as a "pass through formula," and a "local distribution factor," the Administration plan would insure approximately 50% of the State's share to cities and counties. California's 380 plus cities and towns and 58 counties, if they meet the population requirements, will split about 290 million.

If anyone is interested in the formula that will determine their share, you can contact my office. I also understand that someone in the deep recesses of the White House basement has already worked out tables which show how much every city, county, and town is entitled to receive.

What I've described only pertains to 90% of the $5 billion. Ten percent is being reserved as an incentive to those states that create their own pass through formula. A state plan has to have the approval of enough local governments that in total, contain at least a majority of the State's population.

The second half, or the block grant section, of the program has not been spelled out. The only details we are now aware of are that the Administration proposes diverting $10 billion in existing funds for functioning categorical aid programs into six broad areas, and then divide the funds among the states. The six areas include: 1) urban development, 2) rural development, 3) education, 4) transportation, 5) job training, and 6) law enforcement.

An additional one billion dollars in new revenue for block grants will be thrown in to sweeten the pot.

The President's program does have much to commend it. But it also lacks a great deal.

I want to make it perfectly clear that I support the concept of revenue sharing. I will work to help pass a generous program during this Congress. I, however, cannot support the Administration's plan as it has been outlined so far.

There are deficiencies in both parts of the President's program. In the general revenue sharing portion, the formulas for distributing funds de-emphasize, and discourage needed regional planning. The proposal therefore will have a substantial impact upon SCAG. Many of the statutory foundations that helped create SCAG are circumvented, avoided, and downright ignored in the President's concept of revenue-sharing.

Anyone familiar with the conditions in Southern California realizes the serious need for regional cooperation. To create new financial and political relationships that mitigate against regional planning in highly urbanized areas is unwise. Yet this is exactly what the President's program will do. The key "pass through" formula literally passes right over regional mechanisms.

My central complaint against the Administration plan is that it not only discourages one of the more innovative and important developments in local government—regional planning and cooperation—but it offers no inducements, no compelling reasons, for local governments to pursue new methods for streamlining cumbersome practices. In other words, the program accepts what exists and assumes it to be sufficient to handle the problems.

In fact, what exists at most local levels is inadequate. To be really helpful, a revenue sharing program should encourage local governments to deal with their inadequacies and offer incentives to those who make the attempt.

The President's proposal will simply hand money to many jurisdictions that have no other claim to it than they are already raising a lot of money. Need will play a small role. I'm sure the equity of providing significant revenue shares to such places as Vernon, the City of Commerce, and Beverly Hills will be subject to question. And without a utilization factor as part of the formula, money will flow where it is not particularly needed.

To me the key in any sharing scheme must be how the funds are utilized. While I agree general revenue-sharing should be without strings, there must still be some guarantee, some incentive to insure that States, counties and cities make maximum utilization of the federal revenues they receive.

To do this, and to maintain the "no strings" concept will require new thinking at the Federal level. We are presently unequipped, both intellectually and technically, to share revenue, demand optimum utilization, and not attach conditions.

I believe that a utilization factor must be built into a revenue sharing formula. By utilization, I simply mean that a local unit of government, in order to share in Federal revenues, must demonstrate its ability to efficiently use these funds for its priority needs. This means that the unit of government must first set priorities for its needs, and then create mechanisms, including regional institutions, which can most efficiently service the needs.

To require such change at the local level without demanding corresponding changes in thinking at the Federal level is naive. Nothing could be more remote from my recommendation than the image of the Washington bureaucrat quibbling with a city council over whether it has accurately put into priority its needs and sufficiently streamlined its operations to insure servicing those needs. Unfortunately, this happens now in some categorical aid programs. It must not be allowed in any new revenue sharing effort.

What is needed at the Federal level is fresh thinking. We need new methods of measuring utilization of federal funds. Not only do we need new methods for the new program, but for existing categorical grant programs as well.

New indexes of performances are required, indexes more in harmony with the realities of our complex problems, and how they are dealt with at the local level. Through new monitoring capabilities we will be better able to understand what we can reasonably expect to accomplish by sharing Federal revenues.

I'd like to now turn, for just a brief moment, to my concerns for the second section of the President's program—the portion which will divert $10 billion in present categorical grant programs into block grants to the States. While there is still very little detail on the program, I do have some doubts about the idea itself.

My first concern is similar to my reservations about the President's general revenue sharing program. Will the States be able to effectively utilize, once again the key word is utilize, these great sums?

In a number of cases I frankly doubt it. The fact is, in some instances, such as urban development, few States are even in the business. Up until two years ago, the California Legislature didn't even have a Committee on this subject.

We may be enacting a whole new, and totally unneeded urban development bureaucracy. In a rush to strengthen the State we may in fact paralyze it, while shelving regional and local bureaucracies that have a more compelling jurisdiction.

Secondly, in the transition to block grants we can expect a corresponding decrease in the impact the present program is having without anyone picking up the slack. Even after the transition, there is no guarantee that the various programs will ever reach the level of impact they have today. After all, we are only transferring bureaucracies, not concepts. Categorical money is spent at the local level whether it originates in Washington or Sacramento. It would be naive to believe that present money, already allocated, will be redistributed simply because the States will be distributing it.

My question is can we afford, given the terrible pressures of modern problems, the luxury of a transition?

My other questions on this portion of the program will wait until I have more details.

Although I have raised some personal reservations about the President's revenue sharing program, and have offered my own suggestion for revising it, I am still committed to a program before the end of the 92nd Congress. Since you know where I stand, your next question must of course be what are the chances of some reasonable program getting through the Congress at all?

That is quite a question. And I'm frankly going to hedge on its answer, because it largely depends upon who you've talked to last.

The Administration has marshalled a formidable array of support. From virtually every council chamber and legislative hall in the country, Congressmen are being intensely lobbied by their fellow office holders.

However, the opposition on Capitol Hill is equally formidable. Wilbur Mills, the well respected Chairman of the House Ways and Means Committee, is strongly opposed to revenue sharing whether it be Mr. Nixon's plan or any other. And Mr. Mills rarely ever loses a fight.

In this particular battle he has as an ally the ranking Republican on the Committee, John Byrnes of Wisconsin. This substantial bi-partisan opposition on the Committee has usually been enough to kill off any bill. Joining them is Hale Boggs, House Majority Leader, thereby making the opposition to revenue sharing very potent indeed.

Opposition to, and support for revenue sharing does not simply confine itself to a convenient Party label. Democrats and Republicans are all over the map on this issue. Although I expect many Democrats to specifically oppose the President's program, there is an alternative plan, not too dissimilar from Mr. Nixon's, that has been introduced by such well known Democrats as Senator Hubert Humphrey, and Congressman Henry Reuss.

Most of the members, however, I believe are caught somewhere in the middle. Supporting the concept on the one hand, while trying to rationally construct a meaningful framework for distribution is the dilemma that I, and I believe a majority of Members of the House, face.

We realize the pressure you are under. You must very shortly reconcile increasing expenditures with overburdened tax sources. You expect relief, and deserve it, and hopefully it will be forthcoming soon. But please do understand that we are serious about what we are doing, and don't want to create more problems than we solve. I am sure the complexities of the issue will not deter us from being responsive. But we also want to be right.

A NATIONAL COMMISSION ON THE REVISION OF ANTITRUST LAWS

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. PETTIS. Mr. Speaker, I have recently studied H.R. 3997, a bill introduced by my colleague, Representative ROBERT PRICE of Texas, which would create a National Commission on the Revision of Federal Antitrust Laws. I heartily endorse the proposal and urge the House to give it serious consideration.

The Congress has two basic responsibilities to the people of the United States. The first is to enact new legislation to meet new needs. The other is to insure that law already on the books continues to meet the purposes for which it was passed and is in keeping with changes or new developments in the life and business of the Nation.

In terms of antitrust, we have not completely fulfilled this latter responsibility. The basic antitrust law was formulated in late last century and the early part of this 20th century. It was designed to correct ills of those periods, and, while it has been updated piecemeal fashion throughout the years, it has not remained totally responsive to current needs.

No segment of our society has undergone such radical change in the past 50 years as has the business community. It is a tribute to our free enterprise system that industry and commerce have been successful in readjusting in form, structure and methods of operation to meet the growing demands for goods and services. But our antitrust laws have not kept pace. They are still attuned to the robber baron days and are not only ineffective in properly curtailing abuses, but in many cases are serving as a deterrent to legitimate business progress.

In addition, outdated laws and regulations carry with them the inherent danger of being misinterpreted as persons charged with their administration try to stretch and twist them to meet situations or conditions not contemplated at the time of passage.

Therefore, I think the introduction of the bill setting up a national commission is timely and should demand our urgent attention. Prominent professional economists, distinguished representatives of the business community, and eminent professors of law could sit on this Commission. They will be given the authority to thoroughly review our antitrust statutes in the light of present business conditions and the economic realities of the marketplace. Recommendations made by them would lead to revisions in the law which would be more satisfactory and reasonable for consumer and business alike. I support and hope my colleagues will also support H.R. 3997 which will set up such a Commission.

THE SELECTIVE SERVICE SYSTEM

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. SCHMITZ. Mr. Speaker, a recent issue of U.S. News and World Report carried two articles on the Selective Service System which should be of interest to all my colleagues as we consider the extension of the present Selective Service System.

The first article presents some arguments presented by military experts on this subject and the second deals with the experiences of Britain and Canada in their attempts to muster an armed force composed strictly of volunteers.

Both of the articles which follow appeared in the March 1, 1971, issue of U.S. News and World Report.

IF U.S. TRIES AN ALL-VOLUNTEER ARMY—SURVEY OF MILITARY EXPERTS

(The battle lines are being drawn in Congress on one of the most explosive military issues in years: Will an all-volunteer service meet the needs of the nation? Strong arguments are being mustered on both sides)

President Nixon's latest plan to end the draft and recruit, instead, an Army of volunteers appears to be heading for stormy going.

Both in Congress and among the military, powerful opponents are lining up against the proposal. Among the reasons for opposition—some stated publicly, others not—are these:

Problems of recruiting enough volunteers for combat forces—infantry, artillery and armored units.

Difficulty of maintaining a "high quality" Army under present standards that permit enlistment of men who are educationally deficient.

Arguments that "liberalization" designed to make Army life less rigorous for enlisted men could lead to dangerous breakdowns of battlefield discipline.

Assertions that even with higher pay, a volunteer Army would attract only the poor.

Contentions that an all-voluntary Army would be disproportionately black.

Charges such as those—to which the Administration says it has the answers—are sure to arise again and again in congressional hearings that are just getting under way.

PRESIDENT'S PROPOSALS

Key issue in the hearings is the President's request—in line with his target of mid-1973 for abolishing conscription—that the draft law, due to expire June 30, be extended for a period of only two years instead of the usual four.

Mr. Nixon also is asking for a 1.5-billion-dollar boost in military pay, in addition to the 1.2 billion that went into effect January 1. The new increase, the President said, "would move us substantially closer to the goal of an all-volunteer force."

Besides raises in basic pay, the Administration now proposes bonuses of $1,000 to $3,000 for enlistees in combat branches, plus "proficiency" pay.

Some military officers say that the bonus program would be "catastrophic." One high-ranking officer contends that the Government would have to spend "vast sums on manpower and, given the budget limitations, would have fewer men than needed."

DOUBTERS' GROUNDS

Those military experts who doubt that the U.S. can achieve an effective all-volunteer force point to findings such as these:

An Army survey of 836,000 volunteers on active duty at the end of 1969 indicated that 50 per cent had enlisted because they were about to be drafted anyway, or because under the three-year volunteer program they could select a particular job skill.

During the first half of 1970, the Army surveyed 71,342 volunteers. Of these, 43,705 signed up for three years to exercise their options in military occupational specialties. Only 2.5 per cent of this group selected combat arms.

Chiefs of all the services stress the need for "high quality" manpower.

But it is pointed out that 24 per cent of all the men entering military ranks in the three years after Oct. 1, 1966, were accepted under "new standards"—that is, they scored well below average on the Armed Forces Qualification Test.

For the most part, these men were educationally deficient—previously considered unqualified for military service except in time of grave national peril. The reduction in standards was imposed upon the military by the then Secretary of Defense, Robert S. McNamara.

Of the total of 246,042 "new standards" men, 53 per cent were volunteers and 41 per cent were black. The Army, which took 162,342 of the men listed in the educationally deficient category, assigned 66,560 of them to the combat arms, mostly as infantrymen. The Marine Corps took 26,712 and assigned 14,958 to combat occupations. The Navy and the Air Force used very few in combat roles.

A question nagging each of the services is this: Can an all-volunteer force—smaller and with a need for higher efficiency—still use "new standards" men?

One thing stands out as manpower experts study feasibility of an all-volunteer force: Few men with college training volunteer to serve in the enlisted ranks.

Between mid-1965 and mid-1968, years of the great U.S. build-up in Vietnam, college men represented only 1.6 per cent of volunteers. In 1969, as draft deferments began to run out for many, this same group accounted for 4.2 per cent of those who enlisted—and 11 per cent of those drafted.

THE AIR FORCE FINDINGS

Only one service—the Air Force—has conducted an in-depth study of what kinds of men volunteer as enlistees. Among findings in a survey of 41,098 basic airmen, completed last August:

At the time of enlistment, 71 per cent were supported by parents working at nonprofessional jobs, including 14.7 per cent whose fathers were laborers and 31 per cent whose fathers were skilled craftsmen.

Only 4 per cent had graduated from college, though 80 per cent were high-school graduates. The rest were dropouts.

41 per cent came from homes valued at between $10,000 and $20,000; 27 per cent from homes valued at less than $10,000; 24.5 per cent from homes valued at more than $20,000, and 7.3 per cent from apartments. A large majority came from comparatively small communities.

Of the 41,098 airmen studied, 97 per cent said they regarded the Air Force and the Navy as "safer" services than the Army or Marine Corps.

DEBATE IN CONGRESS

On Capitol Hill, the debate over the President's plan for doing away with the draft is creating some strange political alliances between "conservatives" and "liberals" on both sides of the issue.

For example, Senator John C. Stennis (Dem.), of Mississippi, chairman of the Senate Armed Services Committee—a "conservative"—says the objective of a volunteer army "is a flight from reality unless the size of the armed forces is to be reduced in the years ahead far below any figures I consider our minimum requirements."

Adding that he has talked with hundreds of GI's and junior officers, the Mississippi Senator says:

"To at least 95 per cent of these men trying to maintain a combat Army without a draft was a pure joke, and they said so."

Senator Edward M. Kennedy (Dem.) of Massachusetts—a "liberal"—is opposed to ending the draft while the U.S. remains involved in Vietnam. He argues that sons of the well-to-do could not be induced by money to volunteer and maintains that with an all-voluntary force "you would have poor people fighting a rich man's war."

On the opposite side, arguing for creation of a volunteer Army even faster than Mr. Nixon proposes, are such Senators as Barry Goldwater, Arizona Republican, a "conservative," and George McGovern, South Dakota Democrat, and Mark O. Hatfield, Oregon Republican, both "liberals."

Introduced on February 17, a bill backed by 82 Congressmen would boost military pay by 3.1 billion dollars instead of the 1.5 billion asked by Mr. Nixon. It would hike a recruit's pay from $134 a month to $301—compared with $201 requested by the President.

NEW INDUCEMENTS

Roger T. Kelley, Assistant Secretary of Defense, emphasizes that if the goal of ending the draft is to be achieved, pay increases, a bonus system to attract volunteers and the addition of proficiency pay to hold them all are essential.

Mr. Kelley adds that improvement of conditions in which troops live and work is even more important than cash incentives.

Pentagon officials say that what the Administration wants is a post-Vietnam volunteer Army of 13½ divisions of highly trained men led by well-qualified officers. A conventional infantry division has a strength of 14,500.

The Army plans to speed the flow of able young officers into the service by increasing Reserve Officers' Training Corps scholarships. Planners believe they can surmount an obstacle that has been raised—antimilitarism on campuses which has forced withdrawal of the ROTC program from a number of colleges and universities.

INTENSIVE TRAINING

Some career officers maintain that a professional, volunteer force is what is needed to meet the requirements of technological warfare, which call for intensive and prolonged training on the sophisticated weapons systems planned or now in use.

Others, however, say that the draft has helped the Army by broadening its outlook and bringing it closer to civilian life.

To those who maintain that a volunteer Army would be made up largely of blacks, officers at the Pentagon cite studies leading to estimates that Negroes would form no more than 16 to 18 per cent of a voluntary force. The present percentage of blacks in the Army is estimated at from 11 to 12 per cent, roughly the same as the percentage of Negroes in the total population.

A main argument advanced by proponents of a volunteer force is that far fewer men who receive job training in the service will be returning to civilian life just when they begin to be most productive.

WHEN TWO REPLACE THREE

Manpower experts also contend that two "dedicated" volunteers will be able to do the work of three draftees.

A trimming of American commitments around the world is considered a certainty over the next few years. As this comes about, the Nixon Administration maintains, a smaller, volunteer Army is entirely feasible.

But it is Congress that must make the decision. And Congress still seems unconvinced.

Millions Who Avoided the Draft

Pentagon computers have divided into groups the millions of young Americans who, by one means or another, escaped the draft during the Vietnam-war build-up.

One group includes 1.4 million men who managed to evade full-time military service—or any service at all—by taking advantage of loopholes in the law.

Another group includes 1.8 million undergraduates granted college deferments during the height of the manpower build-up, between 1965 and 1969.

In the same period, the number of Americans holding various occupational deferments as schoolteachers, graduate students, members of the Peace Corps and apprentices in certain job areas, jumped from 220,012 to 491,998—an increase of 124 per cent.

Those holding dependency deferments climbed from 3,766,117 to 4,194,756. This represented a gain of 428,639, or 11 per cent. For the most part, these dependency deferments went to men who married and quickly became parents.

THE RESERVES

After it became clear in 1965 that there would be no general mobilization of the reserve forces—and that membership carried an automatic draft deferment—810,000 physically fit, draft-eligible men signed up through 1969.

A study made for the Army found that 83 per cent of those joining the Army's reserve forces did so, by their own admission, to avoid being drafted. Of those who enlisted in the Air Force Reserves, 86.5 per cent said they wanted to "beat the draft." Half of those who entered the Marines' Reserves and 75 per cent of those who selected the Navy conceded they did so to escape full-time military service.

"This information," the study noted, "might provide ammunition to critics who allege the reserves are a haven for draft dodgers."

SOME REVISION

President Nixon drastically changed the draft rules on April 23, 1970, ending a variety of exemptions. By Nov. 1, 1970, the number of men holding occupational, student and dependency deferments declined by nearly 662,000.

A Pentagon manpower analyst said: "If you take a close look at those who avoided military service, you would find that most would rank above average in intelligence. What we are talking about are men with the greatest stake in the democratic process who sought to avoid its application to themselves."

There is one group of college students the Pentagon's statisticians single out with pride. Between mid-1965 and mid-1970, 101,882 men, all volunteers, were commissioned from the Reserve Officers' Training Corps. All were called to active duty and 40 per cent were assigned to combat duty.

How Two Allies Fare With Volunteers

WITH NO MILITARY DRAFT, BRITAIN AND CANADA MUST MAKE DO WITH FEWER MEN AT HIGHER EXPENSE. ONE MAJOR WORRY: GETTING THE RIGHT RECRUITS FOR TODAY'S SPECIALIZED FORCES

When it comes to shifting to an all-volunteer army, there is a lesson to be learned from the experiences of two close allies—Britain and Canada:

Only by chopping down on the size of military forces far enough, and raising the pay high enough, is there a chance of making it work.

But a volunteer army is not without headaches, even then.

BRITAIN'S EXPERIENCE

Britain has been at it for 10 years. Morale and efficiency are better than with a draftee army, but the problem of recruiting enough qualified men—even with higher pay—may prove insurmountable.

Since abolishing conscription in 1960, Britain has made determined efforts to reduce both its armed forces and its global commitments to match realistic recruiting targets.

Britain's military forces stood at more than *700,000 a decade ago*. Today they *are down to 340,000*.

Still, *enlistments are running roughly 10 percent below minimum* manpower requirements. That represents a substantial improvement since 1969, when the armed forces faced a disaster situation because of a 25 percent shortfall in recruiting. Now officials say they see no practical way of closing the remaining manpower gap any further.

SERVICE REFORMS

In an effort to attract the 43,000 enlisted volunteers needed each year, the British have introduced two major reforms—

The minimum period of enlistment has been reduced from six to three years. Aim is to overcome the reluctance of young men to join the services for a long period without any experience of military life and without a chance to leave if they dislike it.

A radical new "military salary" plan has been introduced in the past year to make pay competitive with wages in comparable civilian jobs. When this plan is fully implemented in April it will mean an increase in a private's pay of about 95 per cent—from $19.75 weekly to $37.80. It will also mean an increase of 28[illegible] million dollars in Britain's defense bill.

In the year that the new pay plan has been in effect, enlistments totaled about 39,000—a rise of 5,000 from the previous year.

The manpower shortages are felt acutely in some of the most critical fields—medical officers and administrative and technical specialists. The Navy has trouble recruiting seamen for a career that takes them away from home much of the time.

There is an accompanying failure to attract qualified young men as career officers for the Army. *Sandhurst, the West Point of Britain, has only 510 cadets this year, with nearly 400 openings unfilled.*

Even with a higher pay scale, Britain faces these problems—

There is widespread antimilitary sentiment, a political and psychological climate that regards "defense" as of little importance.

The "old Army" image of "spit and polish" keeps many recruits away.

Physical and mental standards are so high that 50 per cent of volunteers are rejected

CANADA'S EXPERIENCE

The Canadian all-volunteer defense force has four applicants for each opening—but it is still in trouble. The big reason. Too few are qualified for the "specialist" ratings a modern military force requires.

Canada's armed forces are small and getting smaller. Hacking away at manpower has been going on since 1964, when there were nearly *120,000 in uniform.* Now there are *90,000, and the goal of about 82,000 is expected to be reached* by 1973.

The country has gone a step further than an "all volunteer" force. It has integrated its forces, even to ordering all elements into the same uniform. This unification move is to save the Government an estimated 500 million dollars a year.

HIGHER PAY, BUT—

In Canada, a private can now make up to $527 a month, a sergeant $840 and a chief warrant officer $1,065.

There are other advantages: the privilege of living off the military post, the opportunity to become a physician, dentist or dietitian at Government expense.

But the U.S., working toward an all volunteer force, could well ponder Canada's experience. As summed up by Gen. Frederick R. Sharp, Chief of the Defense Staff—

"In a small, professional military force, selectivity is important. The forces have to attract men who can learn to use the newest and most sophisticated equipment. For that caliber, the forces have to compete with private industry.

"Men have to be given the same advantages in pay, opportunity and professional challenge as they would get outside the military establishment.

"After we get through training a man, we have to compete with private industry to hold him."

BERNADETTE DEVLIN ABUSES GUEST PRIVILEGES

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. BURKE of Florida. Mr. Speaker, the Statue of Liberty stands proudly in New York Harbor to welcome all foreigners to our great country, and no country on earth has offered more to the oppressed that come to our shores to start a new life. It is, therefore, a sad instance when one comes as a guest to our country and subjects our people and Government to the ridicule and indignities such as that espoused by Northern Ireland's fiery leftwing leader and extremist, Bernadette Devlin, during her recent speaking tour at American colleges.

Freedom of speech is a right cherished by most Americans but it is inexcusable that some of our citizenry abuse this right by practicing subversion in the name of freedom of speech. To me it is more intolerable when a foreign visitor disregards the fact that entering this country is a privilege extended by our Government officials and people, and then proceeds to disregard this right.

There is no justification for American officials to sit idly by as Miss Devlin harangues our system of government and our President, while at the same time applauding Angela Davis, and avowed Marxist Socialist and revolutionary whose dedication is to destroy our American system of government.

An editorial by Mr. Peter Wallenberg in the Fort Lauderdale News recently, properly expresses dismay at her outrageous conduct. I would like to share this editorial with you and include it in the RECORD as follows:

WHY PAY RABBLE ROUSERS TO RUN DOWN AMERICA AND INCITE REBELLION?

Over the years, a motley crew of foreigners have come to our shores to tell us what's wrong with us and, to boot, make us pay for the doubtful privilege of listening to their low opinions of us.

Mind you, we believe in welcome wagons for foreign dignitaries and just common people. We listen to them with respect even when we don't share their ideas. We heartily applaud them for the courage of their convictions. And often, we believe, our guests return home with less bias than they had when they entered.

But every once in a while, we really play host to a lulu. One such, having found out some time ago that Americans gladly reach into their pocketbooks to aid almost any cause, recently returned to our land to rake us over the coals at so much per head.

Her name is Bernadette Devlin, booked as a Northern Irish civil rights leader, here to address American college audiences on the subject of Irish civil strife between Catholics and Protestants. She represents the former and is a Northern Irish member of the British parliament in London.

Just exactly where the money she collects goes isn't quite clear, and even some of her fellows in what, no doubt, is a good cause, wonder about that.

Recently, Miss Devlin addressed 2,500 persons at Oregon State University eager to hear what the civil strife in Northern Ireland was all about. They obtained quite a good education on the matter.

She told them that American interests and military bases should depart from Ulster and that American industries there should be nationalized.

"Just leave them, we'll run them for you," said the young lady, adding that capitalism was the enemy of the Irish people and that the civil strife there as a class struggle, not a religious war.

"Capitalism killed our fathers. Capitalism killed our children. We have a right to survive. We'll kill capitalism."

Thus, Miss Devlin gave us hell for believing that religion had anything to do with the unfortunate events in her home country.

"The fight is over the fact that both Protestants and Catholics need houses, need work, need food," she said. She didn't quite explain just why Catholics and Protestants should fight each other if both had the same aim.

But explaining the Irish situation was not enough for Miss Devlin. With great courage, she delved into American matters. Like "Angela Davis was not faced with criminal charges including homicide so that she could be jailed; Angela Davis was guilty of being a black militant communist organizer."

Miss Devlin went on that Miss Davis was arrested under a law covering persons who purchase guns used in homicides (slight errors in facts may be excused now and later, we suppose), but "President Nixon uses tax money to buy guns which kill in Vietnam."

Having done away with our great problems in minutes, Miss Devlin took on women's lib. She said she favored it if it were part of the struggle to overthrow oppression of the working class.

"But I have no time for middle-class American women who do not think they are being well-treated by middle-class men," she opined. And then, figuratively speaking, she passed the collection plate.

Verily, Miss Devlin is a lulu. And the patience of American audiences is wonderful, indeed.

LET'S DIGNIFY OUR FLAG

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. SHOUP. Mr. Speaker, the following editorial, entitled 'Let's Dignify our Flag," was written by Mr. Chet Shore, editor of the Montana Legionnaire and published in the June 1970 issue. Mr. Shore has been notified by the Freedoms Foundation that the editorial is to receive the Honor Certificate Award for 1970 from the National Awards Jury of Freedoms Foundation at Valley Forge, Pa.

This will be the second editorial by Mr. Shore to receive such a national honor within 6 months. Mr. Shore received the William E. Rominger Memorial Plaque for the best editorial in a Legion paper at the 1970 National Legion convention at Portland, Ore., last September by the American Legion Press Association.

Inasmuch as I am cosponsoring legislation making Flag Day a legal holiday, I feel it appropriate to include this editorial in the Extensions of Remarks, as follows:

FLAG DAY

Flag Day, June 14, should be a day of gratification for all true Americans who love their country dearly and would lay down their lives for it. It's also a time to dignify our flag.

Do you recall where this scene took place: "An American flag torn from its flagstaff was passed through the crowd and furiously torn to pieces. Tear it, kill it, it's dead, the flag is dead!" a young girl screamed.

Sickening isn't it? This happened in front of the Justice Department in our nation's capital during last November's moratorium demonstration. The Vietnam Moratorium was organized by the so-called "New Mobe" whose key leaders, according to FBI Director J. Edgar Hoover, are "co-ordinating their activities with international communist elements."

In this day when the American flag is enduring so much disrespect, all Americans should determine to elevate it to the place of dignity it rightly deserves. This worthy emblem is being lowered, burned, torn apart, trampled on and spat upon. This, by that minority who have lost respect for our country and themselves.

It is high time that we dignify our flag by giving it a place of distinction, ennoblement and elevation. We should continue to treasure Old Glory as a symbol to which humanity aspires.

How very far we have come as a nation when a group of people can burn our flag, tear it to pieces, or trample it underfoot? It would almost seem to the bystander that we are being tormented and dared to see how much we will condone.

The majority of people are not involved. Very few, considering the numbers of our population. The question still remains: Why should anyone be allowed to bring even momentary disgrace to the President of these United States, or even his invited guests?

Loyalty is not a cloak to put on or off at will. It is a whole way of life! With no spaces in between!

SEAT BELTS SAVE LIVES

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. SCHWENGEL. Mr. Speaker, located in the National Bureau of Standards is an office of great importance to our efforts to reduce death, injury, and property damage on our Nation's highways. I refer to the Office of Vehicle Systems Research headed by Paul J. Brown. I have had numerous occasions to call on Mr. Brown and his excellent staff for assistance on various aspects of highway and vehicle safety. The assistance which they have provided, has always been prompt and of the highest caliber. In some respects, this would not be regarded as unusual since we are all well aware of the high degree of competence at the Bureau of Standards. However, it is unusual in the field of vehicle and highway safety as dealt with by Government agencies. At least in the past, there has been too much of a cloud nine approach to solving these problems. This is certainly not true of Paul Brown's operations and other Government agencies operating in this area could do well to emulate Mr. Brown's operation.

The following article further amplified on a current area of research in Mr. Brown's office:

AUTOMOBILES

RESTRAINTS TESTED

A reliable topic to move the conversation in any social gathering is automobile seat belts. Mention their use, or nonuse, or safety attributes or discomfort and from each respondent will come a different opinion.

"There are so many myths about seat belts today," said Paul J. Brown, chief of the Vehicle Systems Research Office of the National Bureau of Standards (NBS) in Washington. "We are convinced people are not using them, and we are equally convinced of their necessity—they do save lives and prevent injury, even in low-speed accidents."

Most available statistics support his belief; yet, says Brown: "People always quote the one in a thousand who says he is alive today because he did not wear a safety belt and thus was thrown clear of his demolished and/or burning car. They never quote the other 999, because they are all dead."

And the danger of accidents worsens as highway congestion increases, Brown adds: "Automobile growth is staggering in the U.S. Statistics show that 33,000 new cars are added to our highways each day while only 1,000 a day are junked."

Brown directs an engineering-scientific staff of over 50 who are developing design and safety criteria for total vehicle-restraint systems, including occupant restraints, braking systems and tires. The results of their research are fed to manufacturers and to the National Highway Safety Bureau of the U.S. Department of Transportation as base data for establishing manufacturing rules and regulations.

But Brown admits that although his group has contributed heavily to seat belt improvements, there is little it can do to convince the American public to wear safety restraints while driving. User estimates in the United States vary from 20 percent to 34 percent; an AB Volvo study over a long-term period determined a figure of only 26 percent for Sweden.

NBS initiated seat belt research with a staff of three following passage of seat belt and brake fluid laws in 1964. In 1966 the National Traffic and Motor Vehicles Safety Act and the Highway Safety Act were enacted. Out of these bills came formation of the Transportation Department (DOT) and an interagency agreement with the Commerce Department in 1967 retaining NBS services for total restraint system research and development. The NBS research office is funded by DOT at about $1.5 million annually, according to Brown.

Indicative of the slow start by DOT in this field is the fact that the manufacturing standards in force today for vehicle seat belts are those written by NBS and published in the *Federal Register* in August 1966.

Nourished by DOT funds, the NBS group was expanded and in 1967 and 1968 it sponsored a restraint system test program through the 6571st Aeromedical Research Laboratory at Holloman Air Force Base, New Mexico. There, researchers used both human volunteers and anthropomorphic dummies on the Daisy Decelerator, an experimental test sled on a 240-foot track.

Thrusts of 5 to 185 feet per second was achieved by the sled from an air piston and deceleration forces up to 30 gravities was obtained using a water brake. Using only 120 feet of track, volunteers experienced simulated impacts to nearly 17-g; dummies were subjected to the full 30-g loading. New commercially available seat belts were employed on each test run and the results were meticulously photographed and measured with a variety of sensors.

From the 75 human test runs, NBS obtained the first and only available data on the character of seat belt restraints on a living subject. For the first time, it was learned that loads experienced by even the most sophisticated dummy exceeded that by man, for the latter counteracts some deceleration effects through his legs and feet planted firmly on the floor.

In the dummy tests, seat belt loads were determined to vary by as much as 150 percent; the greater the articulation and pliability of their trunks, the lower the seat belt loads imposed by the standard-weight dummy (162 pounds for the 50th-percentile man). Tests also provided impact pulse shapes, critical angles of impact and the effect of anchorage locations or angles.

It was a good beginning but testing had to be continued in the Washington laboratory. Brown's staff set about the design of a low-cost test sled. The result is the new NBS dynamic seat tester that reverses the approach used at Holloman: To simulate deceleration, the sled is accelerated backwards.

To achieve this, a very heavy flywheel, rotating rapidly, briefly engages a radical cam that reels in a strap attached to the sled. The cam shape establishes the impact pulse, a half sine wave, such that the 400-pound sled goes from 0 to 30 to 0-g in only 19 inches of travel before being stopped by a cable and disc brake.

Thus, a test sled was built for less than $50,000 equal in performance to those costing 10 times more, and it can be reproduced for less than $20,000, Brown asserts. The short travel simplifies both the installation of transducers for measurements and the photographic recording of tests.

Present studies center on strength of seat belt materials, new inertial-locking retractors and improved child restraints, such as the Ford Tot Guard that provides full body cover with a padded, molded-plastic form.

The inertia reel shows high promise for the future. Worn like a conventional T-seat belt, it affords freedom of movement to the occupant as long as he moves slowly. However, under any sudden movement exerting a force of over ½-g on the straps, the retracting mechanism locks instantly.

DOT has given auto makers until July 1, 1973, before they must install in new cars automatic crash-protection systems. These must be passive and must allow front-seat occupants to survive, without serious injury, a head-on collision with another vehicle, both travelling at 30 mph.

So far, the favored crash envelope seems to be an air-bag system that inflates on impact with great speed (0.03 seconds). But, Brown feels the present state of development leaves a lot to be desired before such systems are employed as seat belt replacements.

He notes, for example, that one requires use of a compressed-air bottle under a pressure of 3,500 pounds per square inch. When the air is released, the noise level is resounding—"like firing a 12-gauge shotgun in a confined room." The pressure of the bag on the driver can cause loss of steering control and the protection offered against an oblique impact is negligible, he declares.

Brown places more faith, at least for the foreseeable future, in belt restraints. A recent study tends to support his belief.

At the Society of Automotive Engineers annual meeting in January, General Motors released a report of the performance of four-point-anchored front seat belts. Using a data base of 186 accidents occurring at speeds of over 50 mph, only two fatalities were registered—one front seat and one rear seat passenger in a car were killed because a telephone pole sheared through the vehicle. All others survived without serious injury.

DRUG ABUSE

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. CONTE. Mr. Speaker, every Member of this body is fully aware of the dangers of drug abuse in this country and, I believe deeply dedicated to doing all that we can to end this national tragedy which hits hardest at our young people.

In this effort, I think we can be justifiably proud of the Bureau of Customs in the Treasury Department which, under the stewardship of Myles J. Ambrose, is compiling an excellent record of achievement in the fight against drug abuse.

It has been my privilege to work closely with the Bureau for the 12 years I served on the Treasury-Post Office Appropriations Subcommittee, and with Mr. Ambrose since his appointment in August 1969. I have always been impressed by the talent and dedication of our customs agents and their expertise and effectiveness have grown under Mr. Ambrose.

In the January 1971, issue of the Police Chief, Commissioner Ambrose has written a very concise article entitled "How U.S. Customs Fights the Drug Traffic." This excellent article deals not only with the successes his Bureau have achieved, but also with problems overcome and other obstacles ahead.

Mr. Speaker, I recommend the reading of this article to all my colleagues and I insert it in the RECORD at this time:

HOW U.S. CUSTOMS FIGHTS THE DRUG TRAFFIC

Participating in this dramatic case, which broke up an international drug smuggling ring, were U.S. Customs, the Bureau of Narcotics and Dangerous Drugs, the Federal Aviation Agency, the Royal Canadian Mounted Police, the California State Narcotics Bureau, various European government operating through a multi-nation Interpol alert, and others.

It provided an example of what can be accomplished when efforts are pooled on an international basis, and when local, state and federal efforts are combined in a common cause!

When the final report on this case is published—after the loose ends are tied together—it will be a tribute to the courage and perseverance of the agents involved but above all to the effectiveness of joint investigative work by many agencies and at least nine governments.

What are we doing to stop the illicit drug traffic which has brought so much misery and suffering to the youth of this country and a national inflation in crime?

The federal government has mounted an intensified program of cooperation with friendly governments and international organizations at three levels in a common effort: (1) to encourage, through diplomatic channels, those countries where illicit drugs are cultivated to control the practice; (2) to eliminate illegal manufacturing and processing facilities, and (3) to control drug smuggling and trafficking.

On the diplomatic level, promising results can be anticipated in the State Department's stepped-up drive to persuade producer nations such as Turkey to eliminate the production of opium where small farmers have been growing it for centuries.

On the level of manufacturing and processing, elimination of illegal processing in such areas as southern France, where the opium, grown in Turkey, is converted into heroin by small mobile laboratories before being shipped to the United States, has been the subject of discussions between the two governments at the diplomatic level.

Just a few weeks ago, at the Western White House in San Clemente, California, the U.S. Customs Service was host at a three-day conference with Mexican and Canadian Customs officials. In a spirit of complete cooperation and mutual understanding, we agreed upon improved anti-smuggling procedures, exchange of intelligence and other related activity.

Mexico has taken significant steps in the eradication of marijuana and opium growth despite problems of terrain, and is working closely with our government in border surveillance and related investigative operations. The United States has provided Mexico with a million dollars for the procurement of helicopters, light spotting planes and other equipment which can be used for the destruction of marijuana and poppy fields in the almost inaccessible hills and mountains of the country.

Canada, where the drug problem has been growing in seriousness, as in many other nations, is exchanging and developing meaningful and essential intelligence information with the United States. We have been working together on the problem of intercepting smuggling operators using Canada for transiting illicit drugs. Cooperative programs are being increased and intensified and will continue to expand along our common borders.

On the level of control of smuggling and trafficking, in carrying out the mandate of President Nixon to the Treasury and Justice Departments, the Customs Service has introduced many radical changes in its usual procedures. These changes, some of which are described below, have been coming extremely rapidly, and they will continue as we mobilize our increased manpower and resources with the objective of frustrating and disrupting the giant smuggling syndicates, hopefully we may then be able to bring their ringleaders to book, and cut off the illicit drug supply in our country.

The big question confronting us in law enforcement is: Can we—federal, state, county and international law enforcement agencies—functioning together, do the job before it is too late?

NOT AN EASY TASK

We in the Bureau of Customs have a significant role to play in the overall effort and we are determined to improve our performance. With 250 million residents, foreign visitors and others coming into the United States each year, the task of making the necessary customs inspection of these people and their baggage has become gargantuan. When you add the immense quantities of imported merchandise which must be inspected, it can easily be realized that a Customs force which had not increased materially since the 1920's simply cannot do the job as mandated by Congress.

The President and the Congress realized that fact, and during the 1970 fiscal year a supplemental appropriation of $8.75 million was approved for the U.S. Customs Service to beef up its programs. With these funds, we have augmented our force of agents and inspectors by more than 900. We have acquired our own aircraft, boats and vehicles for stepped up surveillance and enforcement work, and we are modernizing our agency from top to bottom.

Can the smuggling of these narcotics actually be stopped? Perhaps not completely, but they can be reduced substantially.

Effective border controls can result in crippling the efforts of smugglers to use what has heretofore been the simplest routes for the introduction of drugs into the United States, either on the person, in accompanying baggage, in planes, ships, vehicles, etc. Our action forces professional smugglers to resort to more bizarre and open methods of smuggling and requires them to snare more and more members into the conspiracy at greater cost and danger of detection.

It is our belief, as Assistant Secretary of the Treasury Eugene T. Rossides has stated, that we may have already turned the corner. The professionals are not entirely unaware of the risks they run, the penalties they face, the efforts we are making.

To illustrate how some of the "non-professionals" operate, in a recent two-week period, Customs officers dug out dope and other contraband in talcum powder cans, hollowed-out books, cosmetic kits, neckties, a splash pan of a truck, brassware shipments from Bombay, a stereo set, laundry bags, a canvas bag with a false bottom, the headlight of a motorcycle, and even from false table tops.

When the Customs Service was formed in 1789, its duties were to collect the revenue on imports and to prevent violations of the laws governing the delivery of merchandise into this country. There have been many new laws since 1789, and the functions of Customs have been greatly magnified, but we are still basically concerned with the collection of duties and taxes and the interdiction of contraband.

President Nixon has characterized drug abuse as a problem of epidemic proportions. In his July 14, 1969, message to Congress, the President referring to the control of dangerous drugs and narcotics said:

"The Department of the Treasury, through the Bureau of Customs, is charged with enforcing the nation's smuggling laws. I have directed the Secretary of the Treasury to initiate a major new effort to guard the nation's borders and ports against the growing volume of narcotics from abroad. There is a recognized need for more men and facilities in the Bureau of Customs to carry out this directive."

Customs is working in closest cooperation with the Bureau of Narcotics and Dangerous Drugs. Some of their agents are assigned to our offices to work together in our efforts not only to stop the entrance of illegal drugs and narcotics, but also to catch the people involved in the distribution of these mind- and body-killing substances. We have stationed agents in various BNDD foreign offices to enable both organizations to gather and disseminate information about smuggling operations.

We are gradually tightening our inspection and enforcement activities all along the northern and eastern borders, and at all major gateways to our country. We are checking more baggage, people and cargo more thoroughly than ever before, at more ports of entry with better results than ever before.

The results of the program have been impressive but are still far from our objectives. From June 1 to August 22, there were 1,361 arrests and over 1,400 seizures. Almost 46 pounds of cocaine, nearly 14 tons of marijuana, and over a quarter of a million five-grain units of dangerous drugs were seized by customs. Fourteen tons of marijuana, if converted into cigarettes, could have produced about 38 million cigarettes; the dangerous drug "tabs," liquid and powder LSD, could have produced 4.5 million illegal doses. The fourteen pounds of heroin could have provided about 98,000 injections for addicts, possibly more.

We also seized almost 1,100 pounds of hashish during this period. When you realize that it requires 625 pounds of marijuana to produce one pound of hashish, the total is the startling equivalent of over 337 tons of marijuana.

We estimate that the drugs seized during this period have a value of about $20 million on the street market. In addition, we detained 463 vehicles and two airplanes, with a value of over a million dollars. From any point of view, Customs' intensified enforcement is yielding handsome results.

"Intensified enforcement" is not a short-time affair. It is an escalating program involving the use of computers, an electronic network, aircraft, ships, detector dogs, chemicals, and a wide range of other devices. Some of these devices are being tested, some are in the planning stage, and others are on the calendar for the future.

The Customs Data Processing Intelligence Network (CADPIN) is currently in operation along the Mexican border, and also at such ports as Detroit, Champlain, Buffalo, and the airports at Boston, New York, and Miami. CADPIN was launched with the co-operation of the State of California, but now we have our own computers at San Diego, which have stored in their electronic "brain" the records of known smugglers and cars involved in smuggling. In a few seconds, a check can be made that will let a Customs officer know whether or not the car is on a suspect list. CADPIN is being gradually expanded and perfected and its input will soon be available on an instantaneous basis at any Customs port, giving us a new dimension in our work.

Since its inception, CADPIN has yielded many productive "strikes" leading to the seizure of marijuana, heroin, dangerous drugs, and many arrests.

REORGANIZATION OF INVESTIGATIONS

The Customs Agency Service, the investigative arm of our Bureau, under the direction of Assistant Commissioner Harold F. Smith, has been reorganized and modernized, enabling it to move more effectively against all violations in this fast-moving world.

There are 20 newly established districts in the United States, with a Special Agent in Charge at each of them, all reporting directly to headquarters in Washington. The tighter liaison between the field service and the Bureau headquarters has already proved its worth.

We are receiving vital support from the local police and enforcement agencies, the value of which cannot be exaggerated.

Public support is a vital element in the program. We are receiving this support and our efforts are acknowledged by concerned Americans from all walks of life. Let me quote from just one of thousands of letters received by the Bureau of Customs from anxious citizens:

"Mr. R. and I just returned to the U.S. from Puerte Vallarta, Mexico, on Monday, August 3rd.

"We just wanted to write you and your department a word of thanks. I'm sure you receive many complaints for the delays you cause. Being the mother and father of a nine-year-old boy and a twelve-year-old girl, we could not be more pleased with all the precautions now being taken to keep narcotics out of this country . . .

"The American people should be thankful to have men who really care for this country and the safety of our children."

REPORT TO NINTH DISTRICT CONSTITUENTS, MARCH 8, 1971

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the last of three report on the Nation's growing welfare crisis:

REMARK BY CONGRESSMAN LEE H. HAMILTON

It is commonplace, now, to describe the Nation's welfare system as a colossal failure. Our present system is costly and almost impossible to administer. It often degrades the recipient. Its benefits fluctuate wildly from state to state. It breaks up families and drives millions into the slums of the cities. It provides no benefits for the "working poor," and for others, benefits are too meager to meet basic human needs.

While I agree with the assessment of failure, I hasten to add that I am not critical of those who work within the system—the caseworkers and the administrators whose job it is to deal compassionately with the last, the least and the lost of society.

To recite the wrongs of welfare is easy. To suggest meaningful reforms is not. Everyone agrees that much is wrong. But those who are critical without offering positive and realistic reforms are giving approval—intentionally or not—to the welfare system in its present form.

Several proposals—all of them complicated and some of them drastic—have been offered to alter the whole approach to welfare and poverty. The broad choices apparently are the President's Family Assistance Plan (FAP), a form of federal takeover of the welfare system, or the continuation of the present system.

The President's plan would establish an income floor under all poor families. It would require that all recipients, except those exempted because of age, physical disability or to care for infants, register for employment or job training. Failure to comply would mean loss of benefits.

Under the plan, any family of four, with an income of less than $3920 would be eligible for benefits, up to a maximum of $1600. It would make food stamps available to all recipients, and it would eliminate the Aid to Families With Dependent Children (AFDC) program, the most costly welfare category.

Critics of FAP say the plan does not provide incentives for welfare recipients to work their way off welfare. The Congress has returned the plan to the President several times, insisting that the work and training requirements be strengthened to encourage recipients to work, and to discourage "freeloaders." The President's plan still offers no guarantee that jobs will be available, particularly in times of high unemployment.

The Congress also is concerned that the FAP does not offer an improved administration of welfare. Under the President's plan, welfare would continue to be administered by states under contract to the Federal government. In the past, this system has spawned miles of red tape, regulations, and rules creating frustrations for the recipients and for the welfare workers.

Additionally, the FAP has been censured because it does not deal with the wide variations of welfare payments from state to state. The day care centers, which the FAP proposes to permit mothers to work, also has been criticized as being disruptive to family unity.

The federalization of welfare, the gradual assumption of costs, and administration of the welfare program by the Federal government, has been getting increasing attention as an alternative to FAP. However, unless accompanied by reforms, the only advantage to this approach would be fiscal relief for State and local governments. Reforms are now being discussed.

It begins to look as if a new welfare plan will emerge, patterned after the FAP, with increasing Federal funding and responsibilities for administration, with strong incentives for welfare recipients to work or train for work, and with restrictions on the number of recipients and the amount of benefits in order to keep total costs within acceptable limits.

ELECTRIC POWER—MORE OR LESS

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. COLLIER. Mr. Speaker, most people recall very vividly how long and hard Americans worked to rise above the daily drudgery of life without the modern conveniences we now take for granted. We all know that electricity plays a vital role in making our conveniences possible.

Our national concern is now more with newer problems such as water and air pollution, and some people have talked about cutting back on the availability of electricity in order to control pollution.

I have noted a speech made a short time ago by Mr. John W. Simpson, president of Westinghouse Power Systems Co., pointing out that a cutback in power production would cause even greater problems than we now face. Mr. Simpson points out that, with the help of present and foreseeable technology and through proper management of energy resources, electric power production will not only meet the needs of our population growth, higher living standards, economic expansion, and agricultural production, but also help solve environmental problems. "Massive amounts" of electric power will be needed for pollution control—for recycling and the operation of waste treatment plants, as examples.

Mr. Simpson said:

> We must direct our efforts not towards reducing our use of electrical energy but rather towards providing an adequate supply of that energy and at the same time minimizing the adverse effects involved in its production.

Mr. Simpson's speech to the St. Louis, Mo., Electrical Board of Trade on February 9, 1971, discusses many of the problems related to the "energy crisis" and pollution abatement in thoughtful perspective:

ELECTRIC POWER—MORE OR LESS

Years ago, as an engineer, I learned to think about electricity in terms of its polarity—that is, a negative or a positive charge. Now, I've become more concerned about a polarity of *attitudes* about electric power—positive or negative, for or against.

Everybody seems to be polarized these days, no matter what the issue. Politics, law and order, war in Indochina, breakfast cereals and women's skirts. You're either for or against, positive or negative, and polarization on some of these issues absolutely refutes an old law of magnetism that says opposites attract.

The production of electric power has become such an issue, and a lot of people are charged up negatively against it, saying that we've got to cut back on our use of electricity and stop building power plants and transmission lines.

Environmental pollution is probably the greatest single issue in the country today. Power generating plants pollute the air and release waste heat. Let's cut back on electric power to stop this pollution before we choke.

Electric power plants take up space. It has been projected that if we continue to double our demand for power every decade and continue to build new plants to meet that demand, well, in about 200 years, power plants will take up *all* available space in the country, leaving none for us humans. Let's cut back before electric power plants push us into the ocean.

Transmission lines right of way already occupy about four million acres of land. By 1990, transmission lines will take up space equal to more than twice the size of the state of Connecticut. Let's cut back before we have transmission towers walking through our living rooms.

The production and use of electric power also involve the generation of quantities of heat. If we release enough heat, which builds up in the biosphere, we might change the climate of the world. A few degrees warming could bring about a melting of the polar ice caps and resultant flooding throughout the world. Let's cut back on electric power before we're all flooded.

Now, there are some of the arguments that we've been hearing against electric power—the negative side of the story. These arguments sometimes can make a pretty convincing case for cutting back on our power consumption and production, on the surface.

But can we really do it? Could we either freeze our level of electric power use or put some arbitrary ceiling on future consumption?

Not a chance.

To freeze or attempt to cut back on power consumption would have disastrous consequences that would dwarf our present environmental problems by comparison. Producing electric power causes certain environmental effects, to be sure. But those who would reduce power output and consumption have not considered the environmental effects of *not* producing enough electric power.

Let's examine some of the components of electric power consumption to see what will happen in the future.

First, there is the natural growth of our population. While a reduction in the rate of population increases may come about, I don't think we will ever achieve a zero population growth in the forseeable future, as some people are advocating. And we cannot pass laws against population increases, because it seems to me that such legislation would violate our rights in a very fundamental way. Those who will be starting families and building houses in the 80's are already born. Should we ship all of these people off to some island in the South Seas so they will not create demands for electric power in the United States?

It is safe to say that there will be more people in this country, and these additional people will need more homes, schools, hospitals and jobs, all of which things call for more electric power. In addition, more electric power will be needed to generate the additional goods and services that a larger population will need.

More people will need more power.

Another factor that will create additional demands for power is the growth in our standard of living. In general, the living standard of any given family in the United States can roughly be measured by the number of appliances it has and by the amount of electricity it consumes, just as total power consumption is a good indicator of the standard of living of a nation. In America, electricity has enhanced our lives with many labor and time saving devices that free us from routine chores in the home. We continue to increase our consumption of power as our living standard rises. Between 1960 and 1969, the average household consumption of electric power rose from 3,851 to 6,550 kilowatt hours, up 70 per cent. By 1985, it has been projected that average annual consumption will be 17,240 kilowatt hours, about four and a half times that of 1960.

Now, millions of families can be considered average in terms of living standard and power consumption. But millions more are below that average. If we were to freeze our rate of power generation and consumption, we would effectively deny those millions who are below the average any chance to improve their lot in the future. I would not personally like to be the one to tell a young family just starting out that they can never buy that air conditioner or color television set because they can't have the extra electricity needed to run them.

There also are some economic ramifications to freezing the level of power consumption and, in effect, living standard. If we can't let people buy new and additional appliances such as air conditioners and television sets, nobody is going to be making those appliances, which means fewer jobs, less personal income and stunted economic growth nationally.

Furthermore, consider the mechanics of administering such a cutback or rationing of electric power. How would we determine who gets how much power? Would we get books with stamps for each kilowatt-hour of electricity we could use? Any system that could be devised would ultimately be not only arbitrary and discriminatory but just about impossible to enforce.

The forces of growth will continue to push up the demand for electric power at fairly predictable rates. Beyond these influences, however, are the new uses for electricity which we will develop and which will create additional demands for power. Technology constantly brings us new and more efficient ways of doing things.

In the home, we have already seen the introduction of garbage compactors and the microwave oven, a new and highly efficient way to cook food. Yet to come are such appliances as ultrasonic dishwashers and laundry equipment; home computers and more extensive use of heat pumps for heating and cooling.

These and more new products will create further demands for power.

Industrial use of electricity is growing at an increasing rate. Between 1960 and 1970 industries increased their use of electric power by 70 per cent. Yet in the decade from last year to 1980, industries will double their use of power. New processes and techniques such as electron beam welding, ultrasonic cleaning, induction heating, computerized process controls and electric arc furnaces are contributing to the increased industrial use of electric power.

But beyond these developments, we can see further industrial demands for electricity created by new technology to control pollution and treat wastes from plants. And as we get into recycling, an even greater need for electric power in industrial applications will be created.

Our increasing population is placing tremendous demands upon our cities and municipalities and their sewage treatment and water purification facilities, many of which are strained to beyond their capacity and are operating with turn-of-the-century technology.

It has been estimated that we will have to spend about $30 billion on new sewage treatment facilities in this country in the next five years to clean up water pollution. To accomplish this, massive amounts of electric power will be needed to operate these plants.

There is a fairly direct correlation between the use of electric power and farm production. Between 1950 and 1970, the farm output per man-hour more than tripled in this country. And in the same period the nonhousehold use of electric power on farms just about tripled also, as we saw a trend towards fewer but much larger farms.

Increasing amounts of energy will be needed in agriculture to raise farm production in the future. Energy will be needed for such things as poultry production, sprinkler irrigation and crop drying. It is my personal hope that electric power will supply an ever increasing share of that energy needed for agricultural production, and I am sure that our friends here at Union Electric will be seeing to that in their service area.

Using electric power, we will be able to revolutionize our modes of transportation and at the same time sharply cut levels of air pollution. The man who now creeps 15 miles or so to work in a 300 horsepower, 14-foot chariot that gets 10 miles to the gallon will some day have the option of taking electric powered mass transit vehicles into the city or of driving an electric commuter car that does the job so much more efficiently and cheaply and does not pollute the air.

At the present time, transportation uses about the same amount of energy as electric power generation. As we move in the future towards more use of electric power for ground transportation, tremendous additional demands for power will be created.

From what I've just touched on, I think it's obvious that we will need much greater amounts of electric power in this country in the years to come. Historically, the demand for power doubles every ten years. By some estimates, this demand has recently begun to double in nine or eight years. Obviously, this nation and its electric utility companies are going to be hard pressed to keep up with this growing need for power.

The next questions that come to mind are these: Where are we going to get all that power; and can we do it without creating unbearable levels of pollution?

Let's take the first question. Where will all that power come from?

Obviously, the tremendous task of building more new electric power generating facilities lies before us. Between now and 1990, our nation's utilities will need some $350 billion to finance new plants and equipment. That's a staggering amount of capital, and the competition for capital funds will be intense.

During these next two decades, the industry will need to build and install about one million megawatts of new capacity. This breaks down to about 40 new hydroelectric installations of 100 megawatts or more; approximately 50 new pumped storage hydroelectric installations of 300 megawatts or more and about 90 fossil and 165 nuclear power plants.

Just as pressing as the problem of building these new power plants is the need to maintain a plentiful supply of the fuels required to generate power in these plants. The energy crisis of 1970 was largely a fuel crisis. We awoke to the fact that because of various problems associated with the production and supply of fossil fuels, we can no longer count on coal, gas and oil to provide limitless, low-cost energy for our power generating plants.

The proper management of fuel resources has become a major national priority. Beyond the immediate problem of supplying enough fuel to generate power in 1971, lies the need to conserve these resources for important future uses other than power production such as the manufacture of chemicals and plastics.

Nuclear power has arrived as *the* desirable alternative to fossil fuel generation, not only from an economic standpoint, but because of environmental considerations. Fossil fuel prices—especially in the case of coal—have risen dramatically within the last year and we expect continuing increases in the future. A recent study by our company projected that the cost of coal in 1980 would be around 45 cents per million B.t.u.s, while nuclear fuel costs would remain fairly steady, perhaps declining, and would be well below 20 cents per million B.t.u.s in 1980. With the development of fast breeder reactors, plentiful supplies of nuclear fuel with be assured for many decades to come.

The environmental effects of nuclear power plants have been discussed thoroughly, sometimes more with the heat of emotion than with cold reason. But in the last analysis, nuclear power will be proven conclusively to be the most pollution-free source of electric power—by an order of magnitude—available to us for many years to come.

Yet, before we begin to worry about how much physical *space* all these plants I mentioned will occupy, consider that tremendous reductions in the amount of space to produce a given kilowatt or megawatt of electricity have been made over the past forty or fifty years. The average turbine-generator of the thirties and forties put out less than 100 megawatts and occupied roughly the same space of a modern turbine-generator unit of today, which can generate 1100 megawatts or more than ten times that of the old units. We can project units in the next ten years with outputs ranging to 2000 megawatts which will be comparable in size to these units, and who knows what lies beyond that. The coal yard of a typical coal-fired plant takes up space, to be sure, but, we have learned to extract a lot more energy out of a pound of coal in recent decades. And, nuclear power plants use less physical space, because the coal yard is not necessary.

We cannot project what developments the technology of 2071 or 2171 will bring to the production of electric power. Certainly between now and then we can expect great improvements in efficiency and capacity in equipment of the type we know now. Certainly by that time we will have learned the answers to the questions posed to us in 1971 by such exotic yet theoretical forms of power generation such as fusion, magnetohydrodynamics, fuel cells, geothermal power and so on. Well before that hypothetical 200 years from now, we will have seen a leveling off in the rate of increase of power consumption. At some point in time, well before power plants crowd us into the ocean or we change the climate of the earth through the rejection of heat into the atmosphere, we will reach an energy plateau, a level at which our technology will have placed us through the super-efficient utilization of power. In other words, we will have learned to do so much more with so much less power that more power plants as we know them today probably would be superfluous.

Transmission line rights of way pose the same kind of problem as the need for more plant sites: they must be located so they can transmit power over the shortest routes and at the same time cause minimum disturbance to the environment.

Yet before we begin to bemoan the projected demands for right of way space needed by 1990 or 2050, remember that technology will bring us advances in this area also. A 765-KV line, the highest voltage in use today, transmits four times the amount of power of the 345-KV transmission line, giving a cost saving of two to one over the lower rating. In effect, the higher voltage requires 50 feet of right-of-way per 1000 megawatts as opposed to 150 feet per 1000 megawatts at 345 KV. When we move to 1100 KV, even further savings in space and investment will be realized per unit of power transmitted.

Furthermore, I am confident we will develop ways to transmit huge blocks of power underground, whether we use superconducting cables, cryogenic systems or compressed gas insulated cables. In addition, development of the concept of the utility corridor, which brings together communications and energy transmission lines and perhaps transportation routes will mean even greater savings of space in the future.

Some of these things, of course, lie well ahead in the future. We must get on with the job, however, of solving today's problems with present technology. We can't wait for tomorrow's developments, because we must be building today to meet tomorrow's demands.

I feel it is urgent that we tell our story—the story of electric power not as a convenience or a luxury but rather as a necessity and a national resource whose adequate supply is absolutely essential to this country's growth and well-being. We must educate the American public to the fact that new generating and transmission facilities *must* be built to maintain our way of life, and that this sometimes can be accomplished *only* at the expense of altering the natural environment to some extent.

Can we do this without creating unbearable levels of pollution?

Yes, we can. We can continue to maintain a plentiful supply of electric power and at the same time we can *reduce* levels of pollution, using *present* and *foreseeable* technology, and through proper management of our energy sources.

With the coming development of flue gas desulphurization, and other pollution minimizing techniques, electric power generation will become the least polluting of all forms of fossil energy use. Furthermore, the use of nuclear power would reduce these pollutant emissions to zero.

Then, if we were to substitute electric power for more polluting forms of energy use in such areas as space heating, process heating in industry and ground transportation, it would be possible to just about eliminate the air pollution from these sources.

The increased use of electric power in these applications could reduce air pollution by about 50 per cent by the year 2000, if nuclear power plants are used to provide the additional power needed.

The rejection of waste heat from power plants is another potential problem, but one that can be handled using present technology. Those who contend that this waste heat will contribute to the warming up of the atmosphere and resultant climatic changes should realize that all the heat releases from power plants throughout the world during the period 1970 to 2000 could only raise the temperature of the earth's surface one degree Fahrenheit in 10,000 to 100,000 years.

Of far more concern are the additions to the atmosphere of carbon dioxide, which affects the ability of the atmosphere to dissipate heat into space. More carbon dioxide was released to the atmosphere in 1970 than was released by man in all of history up through 1900. If all other factors affecting the earth's heat balance remained constant, this buildup of CO_2 by the year 2000 could have a far greater effect on the temperature of the biosphere than the direct heat additions from power plants.

However, not enough is conclusively known about the earth's thermal budget to make any meaningful projections. What is suggested, however, is that electrical energy from nuclear power plants be substituted for those combustion processes that release carbon dioxide in order to hold down this buildup.

As far as the ecological effects of thermal discharges in rivers and lakes are concerned, this becomes a question of whether the thermal effects will indeed cause a problem, and, if so, is the public willing to pay the added cost of equipment such as cooling towers and ponds to avoid these problems.

Both cooling towers and ponds have their own particular set of environmental problems which must be examined to the same degree as the problems they are intended to solve. If alternate cooling methods are used, the cost of such expensive equipment must ultimately be passed on to the consumer in the form of higher electricity bills.

This is a matter, however, the people must decide.

Technology and science have brought us what we wanted. Technology has also brought us things we don't want, but it must be remembered that technology can also solve its own problems, but at a price. If we are willing to pay the cost of a better environment, the majority must speak and let it be known. Industry and technology can do the job if we are given a mandate. We should not, however, be directed by the vocal minorities who would impose costly and unneeded restrictions on our efforts to meet the energy needs of this nation.

The point I'd like to make here today, is that this country will be faced with staggering demands for electric power in the years ahead. Suggestions that we weight our rate structures to penalize large users of electric power, notions that we freeze levels of power consumption, recommendations that we begin to cut back on our use of electricity, all of these things, well-intentioned though *some* of them may be, are absolutely *wrong* and dangerous. To pull in the reins on our economic growth, to push down our living standards, to paralyze our society, would be a sure guarantee of national disaster and the swift demise of the United States as a nation of any consequence whatever.

Man has lived with pollution for millions of years, be it the tons of particulate matter from volcanoes, the refuse of the animals he domesticated and put to work, or his own garbage that littered our early tribes. Yet, man has learned to handle or to adapt to these things as he increased his knowledge of the world about him.

But now, in 1971, in an era whose sophisticated technology was undreamt of 20 or 30 years ago, are we suddenly losing our nerve?

Listening to the shrill cries of the few who see imminent destruction woven into the fabric of an age of the highest affluence and achievement, I sense that we have become afraid.

Reacting in alarm to predictions of global deluge, tens of thousands of cancer deaths from radiation or whatever horror statistic is fashionable at the time, we take extreme positions and call for the removal of whatever cause might be involved.

Have we lost our nerve?

Granted, these are complicated times we live in And granted, we do face serious problems that have come about as a result of the technological advances that have brought us an unparalleled standard of living.

But aren't we really running away from these problems when we try to turn back the times, slow our advances and cripple our growth?

Where is our nerve?

Electric power has become a national resource. Yet, the production of electric power has been indicted on moral grounds because of its effects on the environment. Much more serious, however, are the *moral* implications of *not* producing that electric power.

No, we don't have all the answers in hand, right now, in 1971.

But, I have the strongest faith that we will in time learn all of those answers.

We must direct our efforts not towards reducing our use of electrical energy but rather towards providing an adequate supply of that energy and minimizing the adverse effects involved in its production.

STUDENTS CONCERNED ABOUT INDOCHINA WAR

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. SCHWENGEL. Mr. Speaker, when I was at the Burlington Community College recently, student leaders presented me with a petition signed by 300 students which expressed their great concern about American involvement in Laos.

The petition read:

> We, the undersigned, request that you, Representative Fred Schwengel, support actively the withdrawal of all U.S. Personnel from all direct or indirect or air war actions in the country of *Laos*.

The many letters I have received indicate that a substantial number of First District residents share the students' concern about the recent developments in Laos. There is great concern that our involvement in these two countries may broaden the war and lead to a deeper commitment on our part to Cambodia and Laos. At least, no American ground troops are being used for the operation now underway, thanks to congressional action taken last year which I strongly supported. Should there be any indication that our support activities will lead to a wider involvement or deeper commitment, Congress should seriously consider more stringent restrictions on the use of American forces and air power.

THE PANTHERS, THE POLICE, AND THE PRESS

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. SIKES. Mr. Speaker, the following editorial appeared on February 21 in the Sunday Star in Washington, entitled "The Panthers, the Police, and the Press." It deserves careful study. I submit it for reprinting in the Record:

The Panthers, the Police, and the Press

Rumors are to the newspaperman what weeds are to the farmer.

Unwanted seeds, falling on the fertile soil of preconditioned public opinion, take hold, spread and threaten to choke out the truth. It is the duty of the newsman to identify the falsehood and to uproot it before it becomes firmly implanted. It is a duty that is not always fulfilled. There is, for example, the matter of the Black Panthers and the police vendetta.

On December 4, 1969, the Chicago police staged a pre-dawn raid on the Illinois headquarters of the Black Panther Party in a search, according to their warrant, for illegal weapons. The Panthers' state chairman, Fred Hampton, and a party member, Mark Clark, were shot to death. Four of the seven other Panthers present and one member of the 13-man police raiding party were wounded. Less than a week later, three Panthers were seriously wounded in a similar raid on the Los Angeles headquarters.

The press dutifully reported the facts and quite properly started asking some questions. Was the similarity between the raids a coincidence, or did it indicate a federally orchestrated assault on an organization that preaches race hatred and revolution? Was the gunfire a justified response, or was it an inexcusable use of police power? Had the Panthers, in fact, been marked for extermination?

In the prolonged journalistic debate that followed, one very specific item of information was repeated time and again. The police, it was said, had shot to death 28 members of the Black Panther party. The figure appeared in news stories, columns and editorials, sometimes qualified by attribution to Panther sources, sometimes stated simply as a fact. But, in effect, the press accepted the figure as a fact, contributing to the growing suspicion that the Panthers were the victims of police persecution.

Now we know that the debate was unnecessary, that the figure was a phoney, and that the press as a whole failed in an important part of its job. We know, because of an article in The New Yorker, a magazine noted for its wit and its literary quality, written by Edward Jay Epstein, who is a teaching fellow at Harvard working for a Ph.D. in political science.

The original source of the figure was readily identifiable. Charles R. Garry, the chief lawyer and frequent spokesman for the Black Panthers, was interviewed shortly after the Chicago and Los Angeles raids. Hampton and Clark, he announced, were "in fact the 27th and 28th Panthers murdered by the police" within the year. There was, he said, "a national scheme by various agencies of the government to destroy and commit genocide upon members of the Black Panther Party."

That quotation, Epstein notes, was widely reported. So it should have been. The statements and opinions of a recognized spokesman for the Panthers constituted a legitimate part of a major news story. But within the week, Epstein discovered, two journalistic giants—the New York Times and the Washington Post—had reported that figure as a fact, without attribution or qualification. The flat assertion that 28 Panthers had been killed by police during 1969 was, Epstein said, sent by those two newspapers to hundreds of clients of their wire services. Civil rights leaders, on the basis of the stories, took up the cry: Roy Innes of the Congress of Racial Equality demanded an investigation into "the death of 28 Black Panther members"; Whitney Young of the National Urban League spoke of the "nearly 30 Panthers . . . murdered by law-enforcement officials"; Ralph Abernathy of the Southern Christian Leadership Conference talked about "a calculated design of genocide"; Julian Bond of the Georgia State Legislature said that the Panthers "are being decimated by political assassination."

The rumor—or, more properly, the flat misstatement of fact—began to fatten on itself. The newspapers now could quote those civil rights leaders (who were commenting on the press statements), lending still more credence to the picture of wanton police murder and widespread guerrilla warfare in the streets of the inner cities.

There were some attempts to verify the facts and some questioning of the Garry figures, primarily by individual columnists. James Kilpatrick, in a column that appeared eight months ago, challenged the Garry figure and suggested that a top investigative reporter should be assigned to digging out the truth.

But no major newspaper, it seems, did what Epstein did. None of us asked Garry just who those 28 victims were. And so none of us found out, as Epstein did, that the Garry indictment was a work of fiction.

When Epstein asked for the names, Garry amended the total number of victims to 20. Of these, 19 were actually members of the Black Panther Party. Nine of these were killed by non-policemen: One by a store owner during a holdup, one by his wife, one died in a shootout with an acquaintance, four were killed by a rival black-militant organization, one—according to three confessions—was tortured and killed by fellow Panthers, one was shot by an unknown gunman using a foreign-made pistol that was not a police weapon.

That leaves 10 Panthers who were, in fact, shot to death by police. Six of these, Epstein's investigation disclosed, were killed by policemen who had been seriously wounded by those they subsequently killed, or by an accomplice. Two were shot after threatening the police with a gun. One was shot while running from the scene of a gun battle in which three policemen were wounded. One—Fred Hampton—was killed in what must, on the basis of the official inquiries into the case, be termed unnecessary, uncontrolled and unjustified police gunfire.

A reading of Epstein's documented indictment of the press led, as might be expected, to a quick check of The Star files. We had, it developed, avoided the obvious trap. The figure of 28 police killings was, in observance of the first law of cautious journalism, always attributed to Garry or to a Panther spokesman. Our first instinct was to congratulate ourselves for being less embarrassed than our competitors on the Post, who ran a forthright editorial last Friday confessing their error. We were technically clean.

But, in this case, technical cleanliness is not enough. The ritual hand-washing of attribution may suffice the first time a statement is reported. But when the statement is repeated, as it was in The Star, more than a dozen times over the course of a year, the covering phrases just won't do. The failure to check a statement so shocking in its implications from so obviously biased a source was a cardinal sin of omission. Indeed our own measure of blame is increased by the fact that Kilpatrick, in his column of June 18, had cited many of the facts later verified by Epstein's research—including the conclusion that the Chicago shootout was the only case of suspect police action. Kilpatrick's column appears in The Star, and is distributed by The Star syndicate.

But we failed to take the hint and went on repeating the lie. And the repetition, even with the qualifying cliches, must be counted as a contribution to the climate of uncertainty and fear in a society that was already dangerously divided. It fed the myth that the Panthers are the targets of a police vendetta—a myth that has, with the passage of time, become a fixed part of American thinking, and that has contributed to the distorted picture of the police in the minds of much of this country's youth, both black and white.

Garry has been frank about his role in the affair. He picked the figure 28, he said, because "it seemed to be a safe number." He was, he said, justified in using any figure, however inflated, if it focused attention on even one improper killing of a Panther by police.

Epstein tends to clear Garry of blame for the fiasco. "I think a lawyer has a license to exaggerate," he said. "It's the press that should be suspect of Garry."

Epstein is correct—at least in his condemnation of the press. We should have learned to suspect the casual statistic from the bitter history of Senator Joseph McCarthy, who transformed the numbers game into an impure art.

The charge is justified. The plea is guilty. The pledge is to resharpen the instinct for skepticism that is the first requirement of responsible journalism.

THE MANPOWER REVENUE SHARING ACT OF 1971

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. ARENDS. Mr. Speaker, I recommend to my colleagues a thoughtful and thorough study of the administration's imaginative new proposal for planning and administering manpower programs and services. All too often, we—the Congress—and the bureaucracy respond to demands for change by adding a new wrinkle to an existing program. The Manpower Revenue Sharing Act of 1971 rejects that easy response. Rather, this proposal would consolidate a variety of programs to provide job training and employment and give the government closest to the people to be served a real opportunity to carry out the intent of Congress.

This Manpower Revenue Sharing Act will bring about the kind of total programing and funding overall so necessary to make this important program more responsive to unemployed and underemployed people. The proposal will continue the full range of services currently available. But most important, it will allow these services to be provided as needed at the local level, rather than as believed needed by planners in Washington.

And further, these services could be provided without the necessity of requesting shifts and changes in funding from Washington. State and local officials would be given broad discretion not only to design the program of services but also to fund the various services on the scale appropriate for their respective communities.

I am pleased to endorse this legislation.

HASSIDIC LEADER MOURNED

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mrs. ABZUG. Mr. Speaker, an extraordinary outpouring of people took place on the Lower East Side in New York City on March 4 to mourn the loss of a revered leader of the international Jewish community. More than 7,000 people attended the funeral of Rabbi Mordche Shlomo Friedman, Hassidic leader of the Rizhiner dynasty and president of the Union of Hassidic Rabbis. He was 80 years old at his death.

Rabbi Friedman presided over the Boyaner Synagogue on East Broadway, but his influence extended far beyond the confines of this modest place of worship. His following was worldwide, and his contributions to maintaining the vitality and continuity of the Jewish people and their cultural, social and religious traditions were enormous. The rabbi and his wife, who died several months ago, were both descendents of distinguished Hassidic families.

Rabbi Friedman helped to save thousands of Jews who were the victims of the Nazi war of aggression in the 1940's. He was a founder of the Rizhiner Yeshiva in Jerusalem and served for 30 years on the presidium of Agudath Israel.

His loss is keenly felt among all those who knew and loved him during his long and remarkable life. I extend my deepest sympathy to his family and to the members of his congregation. I am inserting in the Record an article which appeared in the New York Times March 3 giving some of the highlights of Rabbi Friedman's life:

Mordche S. Friedman, 80, Dies; Led Union of Hassidic Rabbis

Rabbi Mordche Shlomo Friedman, Hassidic leader of the Rizhiner dynasty and president of the Union of Hassidic Rabbis, died yesterday in Beth Israel Hospital. He was 80 years old.

Rabbi Friedman was known as the Boyaner rabbi because he was born in Boyan, then part of Austria-Hungary, now part of Soviet Russia, on Sept. 12, 1890. His synagogue at 247 East Broadway, which has room for no more than 175 worshippers, is known as the Boyaner Synagogue.

The rabbi, who came to this country in 1926 from Vienna, presided here over a large and international constituency.

As the chief executive of the Union of Hassidic Rabbis he helped thousands of survivors of the war in Europe in the early 1940's.

Rabbi Friedman served for 30 years on the Presidium of Agudath Israel and sat on its rabbinic tribunal. He also founded the Rizhiner Yeshiva in Jerusalem and B'nai Brak.

The rabbi was the descendant, through six generations, of the Maggid of Mezhritsch, the primary disciple of Rabbi Israel Ba'al Shem Tov, the founder of Hassidism.

To his synagogue on the Lower East Side came the greatest of Jewish leaders and the most humble of worshipers.

Three months ago, the rabbi's wife, the former Chava, Heschel died. She was a descendant of Abraham Joshua Heschel, known as the Apter Rabbi, one of the outstanding Hassidic leaders of the nineteenth century.

Surviving are three children, Israel, an official of the Department of Welfare; Mrs. Mimi Brayer and Isaac, and 10 grandchildren.

A funeral service will be held at 12:30 P.M. today at the rabbi's synagogue, after which the body will be flown to Israel for burial on the Mount of Olives in Jerusalem.

COLLEGIANS FACE JOB PINCH

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. WILLIAM D. FORD. Mr. Speaker, we have long been aware of the constant erosion of the very foundation of this Nation's once healthy economy. As inflation continues to climb, job opportunities continue to decline.

In my own congressional district I have been becoming increasingly concerned with the growing lack of job opportunities, especially for the young people graduating from high school, who for one reason or another, are unable to continue their education. Many of these youngsters have been denied the opportunity to obtain gainful employment right from the very outset of their careers.

Yet it appears that we have now hit a new all-time low—even college graduates are unable to find jobs. We have always assumed that the youngster who would only continue his education long enough to obtain a college degree would not experience this problem.

Now we find that after encouraging our students to pursue their education, to learn advanced skills and obtain advanced degrees, they, too, are unable to find employment. The students become frustrated and discouraged and the talents they possess cannot be channeled effectively into our society which needs them so badly.

William Delaney, of the Washington Star, recently conducted a very discouraging survey of this dismal aspect of our economy. At this point I would like to insert this highly informative article into the Record, and I highly recommend it for my colleagues' reading:

[From the Washington Evening Star, Mar. 4, 1971]

Pickings Slimmest in Years: Collegians Face Job Pinch

(By William Delaney)

"I refused to believe it at first," says Georgetown University's Estill Guinane, "but it's slowly dawning on me."

What's dawning bright and clear to Mrs. Guinane—and to many of her fellow college placement officers around the country—is that college seniors in 1971 may be facing a rougher task landing jobs than at any time in at least the past two decades.

"This is definitely the worst year I've had in my 16 years here," says Mrs. Guinane, who has watched Georgetown's list of visiting job recruiters shrink from about 200 last year to "very little over 100" now.

At Alabama's Auburn University, placement director Scott Farley describes the current situation as "the most severe"—and, to students, the most frustrating—in his 23 years there.

And in Evanston, Ill., Dr. Frank Endicott says the well-qualified Northwestern University senior has slimmer job pickings than at any time since the depression year of 1935, when Endicott began placement work at Northwestern.

Without exception, a Washington Star check of eight varied universities this week bore out the gloomy prediction of a national College Placement Council survey last December—that employers would be making 21 percent fewer visits to campuses this year, and hiring 23 percent fewer graduates.

In fact, at several campuses, that forecast now appears to have been a bit optimistic.

Massachusetts Institute of Technology, for example, has scheduled one-third fewer recruiters this year than the number who visited there in 1970.

SECOND STRAIGHT YEAR

At 26,000-student San Diego State College, such visits are down an estimated 25 to 30 percent. At Princeton University, the figure is 28 percent, and in the South, both Tulane and Auburn report a 25 percent drop.

Even worse—as the placement officers invariably point out—this is the second consecutive year employers have reduced their campus recruiting. For example, the 20 percent cutback at Northwestern this year follows last year's 15 percent recruiting drop from what Endicott terms the "peak" year of 1969.

Though the hiring cutbacks have been sharpest in the hard-hit aerospace and defense-related industries, the demand for college graduates in virtually all fields appears to have been reduced by the nation's continuing tight economic picture.

According to the placement directors queried by The Star, some members of the Class of '71 who will generally fare best in the sluggish job market are: accounting majors, basic engineers, electrical engineers skilled in the power industry, business management types with computer expertise and teachers who are willing to locate outside metropolitan areas.

And even the bleak plight of a graduating bachelor's-degree physicist appears to be brighter than that of many a 1971 Ph.D.

Once the superstars of the campus market, doctoral degree candidates this year face not only a 43 percent reduction in government-industry demand for their talents (according to the Placement Council survey), but also the current "hiring freeze" imposed by many of the nation's fund-troubled universities.

From New England to California, at public independent and Catholic universities, placement officers cite these trends which have accompanied this year's shrunken job market:

Starting salaries, where they are up at all, generally won't reflect the 5–7 percent increases enjoyed by the Class of '70 .(Auburn's Farley puts the increase in the 2–3 percent range; a University of Maryland placement specialist guesses 3–4 percent; Samuel Hall at Washington's black Howard University says salaries are running "about the same" as last year.

College seniors, well aware of the tight job market, are signing up for interviews with more firms than usual. ("They don't need counseling on that," says Mason Webster, Tulane's placement director).

At Maryland and San Diego State, for example, students are making greater use of placement office libraries, producing a heavier-than-usual flow of direct applications to employers.

Summer job opportunities for college juniors, traditionally offered by major firms to students they may want after graduation, are sharply reduced this year.

Though Hall says Howard seniors are no more in demand than their white peers elsewhere, Princeton says black seniors have "unprecedented job opportunities"—but are shunning them to take advantage of postgraduate scholarships, despite the general decline in those.

Recruiters are markedly slow this year in making firm job offers, in part because they can be more selective and in part, Endicott feels, because a sudden economic upturn may enable them to hire more than they now plan.

"This year the whole process (of job offers) is delayed a wait-and-see proposition," says Northwestern's veteran specialist. "What used to happen in February will happen in April or May."

To students raised in a climate of prosperity and rising expectations, the prospect of settling for a third-choice job—if there is an offer at all—can be "extremely frustrating," Farley notes.

"I've been so pessimistic I thought it would be silly even to bother interviewing here," said Maryland marketing senior Fred Sixt as he waited in the placement office for his first interview yesterday. "But, well, it's getting late . . ."

If he gets no satisfactory offers in three or four interviews, Sixt says, "I'll just try local firms myself."

CHECK YELLOW PAGES

That, at Northwestern, is what Endicott says he's advising seniors to do: "Go through the Yellow Pages and pick out some companies you've never heard of."

At Princeton, assistant career services director Jerome Webster says student attitude ranges from a determined aggressiveness to a feeling "that they might as well go to Europe and bum around for awhile, the copping-out bit."

With the end of graduate student draft deferments, he adds, Princeton's percentage of seniors going to graduate school has slipped from 76 percent in 1966 to 50 percent in the past two years. Webster feels the slippage may continue this year, due to a shrinkage in government and other funds to subsidize graduate research and the much-publicized "Ph.D. glut."

UP AGAINST WALL

And at Howard, Hall is fearful his job-hunting seniors may be lulled by the "myth" that blacks are much in demand by industry, and by the "cosmopolitan" feeling that they will, in any case, fare better than their peers at less well-known black schools.

As for the plight of specific majors, Princeton's Webster flatly observes: "Physicists and chemists are up against the wall."

For example, Philadelphia's Rohm and Haas chemical firm, highly regarded at MIT's placement office, regretfully informed placement director Robert Weatherall that it is "not hiring any college graduates this year." And Shell Oil is not interviewing this spring at Tulane, an old-line private school in oil-conscious Louisiana.

Yet despite the reduced employment demand, placement officers voice confidence that bright, aggressive students—even with such hard-to-market humanities majors as religion and art history—can land attractive jobs.

"Math, economics and statistics majors are probably in as good a shape as any," says Princeton's Webster, "and liberal arts majors with some business experience, whether summer work or the Daily Princetonian (college newspaper), can do well with banks, insurance or other management programs."

Teacher placement, almost everywhere, seems to be gripped by the problem of seniors seeking city glitter when the pull of a reduced demand is to more remote school systems.

"We'll be lucky if we get 60 to 70 percent of our (1,200) teacher graduates placed,"says Lash Laker of San Diego State's placement office, an estimate which Hall says also holds true at Howard.

Maryland's teacher-placement specialist, however, feels all but 50 or 60 of 1,200 education graduates there will have jobs, despite slight drops in elementary school enrollment's, a lower teacher-turnover rate due to higher salaries, and local cutbacks in special areas such as music and art, physical education and kindergarten.

Surveying the 1971 employment scene overall, Endicott concludes: "Some of these kids are going to wind up doing things they hadn't thought of doing, but that may be the most important experience of their lives.

VIETNAM

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. ASPIN. Mr. Speaker, it has long been painfully apparent that the Vietnam war is a mistake from every possible angle. Our only recourse, I believe, is to extricate the United States from this unfortunate conflict at the earliest possible date. The war has hurt America in so many ways it is difficult to conceive of the damage we have inflicted on ourselves. A listing of only the most serious and easily identifiable ways in which U.S. participation has disrupted American society is not difficult, however. This list is not new, yet I feel it bears repeating at every possible opportunity, if only to emphasize the urgency of congressional action on behalf of a speedy end to the fighting.

As we know, hundreds of our men have been imprisoned by the North Vietnamese—often under brutal conditions in defiance of both international law and the common considerations of human decency. Despite our best efforts to free them, it has become increasingly clear that these men will remain captive as long as American involvement continues.

Throughout the long course of this war we have witnessed the creation of an unparalleled bitterness and division within our society. No issue in our time has so polarized the American people. The erosion of faith within our country has been further intensified by the occurrence of mass killings, coverups, and widespread graft—which have struck at the very moral fiber of our society. Only by ending this war can we begin to heal our wounds and restore harmony to the country.

On an international scale, the Vietnam war has brought about a serious reduction in U.S. world prestige. In the eyes of the international community we have frequently appeared as silly, destructive, and ultimately impotent. Moreover, our deep involvement in Southeast Asia has caused both the partial abandonment by the United States of more important foreign commitments and the rise of a neo-isolationist trend within the United States.

And lastly, there is the tragic waste of tens of billions of dollars, which could have been used in a multitude of ways to improve our society. Only by ending the Indochina war can we redirect our priorities to our many domestic needs.

Today, I am cosponsoring two bills which, if enacted, will go a long way toward assuring an early end to American involvement in the Vietnam war. The first bill, by the gentleman from Massachusetts (Mr. HARRINGTON) is an amendment to the Foreign Assistance Act of 1961 and would prohibit the use of any U.S. troops in an invasion of North Vietnam without the explicit authorization of Congress. I believe it is of the highest urgency to bring the war under this type of strict congressional control.

In addition, I am cosponsoring H.R. 4100 which has been introduced by Representative JONATHAN BINGHAM. This bill would require that all U.S. forces be withdrawn from Southeast Asia by December 31, 1971.

At this point, I believe it is appropriate to mention the one area of agreement between the administration and its critics. The President, I believe, knows that eventually he must set a specific timetable for withdrawal and that this date must be before the 1972 elections. Thus, on the eventual need for a timetable, all are in apparent agreement.

It is only on the specific date of withdrawal where the administration and the war critics begin to diverge. Right now, this is a difference of probably no more than 9 months—in other words, the difference between the December, 1971 deadline that the Hatfield–McGovern bill now calls for and the 1972 elections. This 9-month separation is still, however, a vital difference in terms of the number of casualties our forces will suffer during this period of time.

In my estimation, however, the real battle with the administration will focus increasingly on what withdrawal means, whether it means withdrawal of only what the Pentagon defines as "combat troops" or whether it also means "support troops," "advisers," and other categories. In our eagerness to end this war, we must be very careful not to ignore the remaining complications that will be incurred by withdrawal.

Mr. Speaker, we are all tired of this

bitter and futile war. But, unfortunately, military disinvolvement from Southeast Asia will continue to require the closest scrutiny on the part of both Congress and the American people for a considerable time to come.

GREECE: FEBRUARY 1971: NO RETURN TO CONSTITUTIONAL GOVERNMENT

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. FRASER. Mr. Speaker, "Greece: February 1971" is the title of an unclassified staff report prepared by James G. Lowenstein and Richard M. Moose for the use of the Senate Foreign Relations Committee.

These former Foreign Service officers previously made a pair of informative reports on Cambodia. Their temperate, low-key, firsthand observations have been widely reported and well received. The report on Greece is destined to make known to a wider audience the weaknesses of U.S. policy some of us have observed and commented upon previously.

I place the Lowenstein-Moose report in the RECORD. It deserves to be read:

REPORT ON GREECE ACCUSES U.S. AIDES—SENATE INVESTIGATORS CHARGE STATE DEPARTMENT MISLED ITSELF AND CONGRESS

(By John W. Finney)

WASHINGTON, March 4.—A report to the Senate Foreign Relations Committee contended today that the State Department had misled itself—and in the process Congress—about the willingness of the military junta in Athens to restore constitutional democracy in Greece.

The report argued that the State Department and the United States Embassy in Greece had given too much credence to statements by the junta that parliamentary government would be restored and had then given away their political leverage when the embargo on American arms shipments was lifted last year.

Instead of pushing the regime toward constitutional government, the report found, the United States has now got itself into the position of seeming to support the junta, with the State Department and the embassy issuing misleading statements about the progress being made toward restoration of democratic government.

The report, made public today by the committee, was submitted by two staff members—James G. Lowenstein and Richard Moose, two former Foreign Service officers—who earlier this year were ordered to make a fact-finding trip to Greece to review the political situation and the Nixon Administration's decision to resume arms shipments.

TWO REPORT BEING TRAILED

During the last three days of their week-long stay in Greece, the two reported, they were trailed by plainclothes policemen in cars and on foot and were followed to the airport as they left. Apparently the police surveillance was imposed after the Greek Government found that the two, in addition to talking with Government and embassy officials, were also consulting with opposition leaders.

The generally critical report may set the stage for hearings on Administration policy toward Greece by the committee, which is also considering summoning Henry Tasca, the United States Ambassador in Athens, for testimony.

In general, the report was more critical of the embassy than it was of the State Department, and there were suggestions in the report that a split has developed between the embassy and Greek-affairs officers in the State Department over the desirability of lifting the arms embargo and the willingness of the junta to move toward constitutional government.

The "general attitude" of the embassy, the report said, "is defensive about the regime—quick to praise during the period before the embargo was lifted but slow to critcize now that the embargo has ended and the regime is in default on its assurances.

"The embassy," it said, "appears to have operated on the assumption that the regime was sincere in its declared intention to return to parliamentary government" by the end of 1970.

SILENT ON ARRESTS

Now that the junta is in default on such assurances, the report said, the embassy "not only rationalizes the lack of progress but often appears to be more concerned with the regime's 'image' than with the substance of its actions."

The report noted that the embassy, in support of the regime, "refers to the release of detainees" but make no mention of the fact that political arrests are still continuing. The two investigators said that they had heard of the arrest of 40 to 180 persons since last November, when "the new wave of arrests apparently began."

As an example of an apparent pro-junta attitude, the report pointed to a "fact sheet" issued by the State Department, presumably on the basis of reports from the embassy, that contains "the remarkable sentence" that "with minor exceptions, all institutional laws necessary to put into force the Constitution were promulgated by the end of 1970 as pledged by the Greek Government."

In point of fact, the report said, "the Constitution is by no means yet in effect; elections have not been scheduled or even promised and martial law is still in effect superseding the guarantees of due process for which the Constitution provides."

"COOL BUT CORRECT RECEPTION"

ATHENS, March 4.—The two-man Senate fact-finding mission was given a "cool but correct" reception by officials here, where the pro-Government press often refers to Senator J. W. Fulbright, chairman of the Senate Foreign Relations Committee, as a Communist fellow-traveler for criticizing the Greek junta.

Although the two investigators apparently applied in advance for appointments with top leaders, they were seen only by Education Minister Nikitas Sioris, Press Under Secretary George Georgalas, and Foreign Under Secretary Christian Xanthopoulos-Palamas.

Opponents of the junta were reported to have complained that their contacts with the United States Embassy here were sparse. The more inflexible among them accused the United States of forsaking its democratic principles by backing the Greek regime unreservedly in order to protect its strategic position in the area.

The two investigators interviewed Alexandros Dimitsas, president of the Council of State, the nation's highest administrative tribunal, which has often challenged the junta's abuse of authority.

They sought information on the number of Greeks—estimated at 40 to 120—arrested since Nov. 28 and held incommunicado in evident defiance of the habeas corpus provisions of the Constitution. The restoration of the provisions by Premier Padadopoulos in April of last year weighed in the United States decision to resume full military aid.

On Feb. 20, the Greek Government maintained that no amount of pressure from the United States would influence its political course at home.

GREECE: FEBRUARY 1971

A STAFF REPORT, PREPARED FOR THE USE OF THE COMMITTEE ON FOREIGN RELATIONS, UNITED STATES SENATE

LETTER OF TRANSMITTAL

FEBRUARY 26, 1971.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations, U.S. Senate.

DEAR MR. CHAIRMAN: On January 25 you asked us to visit Greece and to report back to the Committee "on the situation in that country, the considerations affecting the need for furnishing military assistance to Greece and the status of and prospects regarding U.S.-Greek relations." By letter you informed Secretary Rogers, Secretary Laird and Mr. Helms of our trip and its purposes, and you asked them each to arrange for us to be briefed in Washington before our departure which was done. The Department of State cabled the Embassy in Athens quoting your letter and asking the Embassy to arrange briefings and "appointments with appropriate Greek officials."

One of us (Mr. Lowenstein) spent a day and a half in Brussels on the way to Athens examining the question of the importance of Greece to the alliance. He saw Ambassador Ellsworth and various members of the U.S. Mission to NATO; General Goodpaster, the Supreme Allied Commander, and Admiral Henderson, Chairman of the Military Committee; and a number of other Ambassadors to NATO.

We both arrived in Athens on January 31 and left one week later. In Athens, we talked to Ambassador Tasca, members of the Embassy staff, Major General Hightower, Chief of the Joint United States Military Advisory Group Greece (JUSMAGG) and members of his staff. We met with the Under Secretary for Foreign Affairs, the Minister of Education, the Under Secretary to the Prime Minister, who is the official spokesman of the government, the President of the Council of State, which is the supreme administrative court of Greece, and the Governor of the Bank of Greece. We also met with a number of political leaders active in previous governments including former Prime Ministers Kanellopoulos and Stephanopoulos, former Foreign Minister Averoff, former Ministers Mavros and Markezinis, and the President of the last parliament, Dimitrious Papaspyrou. The appointments with those in the Greek Government were arranged by the Embassy. Most of the others we arranged ourselves. In addition, we saw several experienced foreign observers and Greek private citizens.

When we arrived in Athens we were told by the Embassy that, on its own initiative, the Foreign Ministry had informed the Embassy that the Prime Minister (who is also Foreign Minister and Defense Minister) and the Chief of Staff were considering seeing us. Several times during the course of our week in Athens we said to the Embassy that while we did not want to appear presumptuous we were anxious to see whoever in the government would be willing to see us so that we would have the fullest possible exposure to the Greek Government's point of view. The Embassy's response was that appointments with the Prime Minister and the Chief of Staff were pending. But on the next to last day of our visit, the Embassy informed us that they had been told that appointments with the Prime Minister and the Chief of Staff were "not possible." The Minister of Justice, who had fixed an appointment on the next to last day of our visit, called an Embassy officer the night before to say that he was too busy.

For much of the last three days at least, and perhaps for more of the time, we were followed by plain clothes police both in cars and on foot. We found ourselves followed when we were in taxis as well as in Embassy cars. We were followed even when going from the hotel to the Embassy. On the last day, a police car followed us to the airport and one of the plain clothes police then entered the airport building and, while pretending to read his newspaper, watched as we cleared through passport control.

When we presented our classified report to the Committee in Executive Session on February 18, we were asked to prepare an unclassified report. That report, in which we have followed our usual practice of avoiding direct attribution, follows.

Sincerely yours,

JAMES G. LOWENSTEIN.
RICHARD M. MOOSE.

GREECE: FEBRUARY 1971

I. THE POLITICAL SITUATION

Asked to describe the present political situation in Greece, one high ranking Greek official said to us: "Greece today may have the attributes of a political dictatorship but the tendency is not to reinforce these attributes." He went on to point out that since World War II there have been 42 changes of government and that over the years since World War I there have been coups, attempted coups, dictatorships, democracies with a King, democracies without a King and a civil war. The Embassy made the same argument somewhat differently, emphasizing that there have been 45 changes of government in the past 30 years and ten military governments since 1909. The point of these statements, of course, is that one should not speak of the present situation in Greece, or of the future, without bearing in mind the country's turbulent political past.

Other observers commented to us that in order to achieve the totals cited above for the period since World War II, it is necessary to count as changes every transition to and from caretaker government in connection with parliamentary elections. They note that these totals also give disproportionate weight to the five-year period immediately following World War II and obscure the fact that between 1952 and 1965 only three individuals served as Prime Ministers heading a parliamentary government, as distinct from a caretaker government, and the further fact that one of these Prime Ministers—Mr. Karamanlis—was in office continuously for eight years.

The present Prime Minister often refers in his speeches to the chaotic situation which led the group of military officers who constituted themselves the "Revolutionary Council" to take over power in April 1967, although it is said on good authority that he and others had begun preparing for such a move at least as early as 1956. At the same time, he continues to emphasize the transitional nature of his government and his desire to return to parliamentary democracy.

That transitional government has, however, now been in power for almost four years. The constitution has not yet been implemented in most important respects. Martial law remains in effect for political offenses, and as a result civilians are still being arrested for political offenses by military police. If they are charged or tried at all, it is before courts martial. The Prime Minister referred in a press interview, early in 1970, to the efficacy of the "shadow of martial law," tacit admission of its deliberate use as a tool of intimidation. What talk there has been by government leaders of elections has been to the effect that they will not take place in the foreseeable future, although in a recent statement the Prime Minister issued a veiled threat to his colleagues in the regime that, in effect, if they did not fall into line under his leadership, elections might be held sooner than they might wish.

It is against this background that recent U.S. official statements seem incomprehensible to many Greeks, foreign observers and even some officials in the Executive Branch. When the United States announced on September 22, 1970, the lifting of the selective embargo on the delivery of heavy military equipment to Greece, imposed immediately after the coup in April 1967 and maintained since then except for a brief period in the fall of 1968 after the Soviet invasion of Czechoslovakia, the announcement stated that the decision to resume the shipment of suspended items rested "entirely" on considerations relating to the strategic advantages to the NATO alliance and the United States which were of great importance to the West. But the announcement went on to say: "The trend toward a constitutional order is established . . . Major sections of the constitution have been implemented . . . The Government of Greece has stated that it intends to establish parliamentary democracy . . ."

As for the importance of the strategic advantages to NATO and the United States, both NATO authorities and U.S. officials do indeed look on Greece as a valuable and important ally. They refer to its vital strategic position on the eastern flank of the alliance, its willingness to increase defense expenditures, the fact that it has the longest term of military service of any NATO country, the excellence of its armed forces, their fighting spirit, Greece's attachment to the west and abhorrence of communism and the common boundary that Greece shares with three communist countries—Albania, Yugoslavia and Bulgaria.

For the United States, still other important factors were pointed out to us. In a Mediterranean increasingly inhospitable to the United States, and in which there is a growing Soviet naval presence, Greece provides an unrestricted port of call and supply for the Sixth Fleet as well as valuable communications sites. (Last fall, during the Jordanian crisis, there were several hundred ship visits during a three month period at a time when political conditions in Turkey permitted only a few ship visits, and we were told in Athens that there is an average of about 2,000 U.S. fleet personnel ashore per day in Greek ports.)

In addition, Greece affords important operational and logistics military facilities which, in view of current anti-Americanism in Turkey, would be of great potential value in the event of direct U.S. involvement in the Middle East. During the recent Middle East crisis, Greece permitted the United States to evacuate 150 Americans from Jordan and also allowed us to airlift mobile hospitals to Jordan through Greek airfields. In this connection, however, some question whether Greece's willingness to allow its territory to be used in connection with possible direct U.S. involvement in the Middle East can be taken for granted. They note that while providing a safe haven for American civilians does not jeopardize Greek interests in the Arab world, any proposal to use bases in Greece as a staging area for direct intervention could involve risks which no Greek government might consider worth taking. They refer, for example, to the presence of some 25,000 to 50,000 Greek nationals in Arab countries and to Greece's interest in those countries as an outlet for exports. As an illustration of Greek sensitivity to such considerations, it was pointed out to us that although Greek-Israeli relations are friendly, and there is a Greek representative with the personal rank of Ambassador in Israel, out of deference to Arab countries Greece does not maintain an Embassy in Israel.

As for the second part of the aforementioned Department of State announcement, the Greek Government has indeed stated that it "intends to establish parliamentary democracy" (perhaps a better term would have been to reestablish parliamentary democracy) but it certainly has never stated when it will actually do so. Even in the October 1969 statement of the late Greek Foreign Minister Pipinelis to the Council of Europe, the nearest approach so far to setting a timetable for implementing the constitution, Pipinelis refused to fix a date for elections. A high Greek official told us that five conditions would have to be fulfilled before a "healthy" parliamentary system could be, established. These conditions, which have been set forth in various public statements over the last few months but which have no basis in the constitution, were that Greece must move to a developed state economically with a per capita national income of about $1,050 a year (the present level is about $700 and the official estimated that it would take "two to three years" for it to rise about 50%, although others estimate that this will require at least five to seven years), a fairer distribution of wealth, a reorganization of the machinery of government, the necessary conditions for a healthy "new political life" for which there must be new kinds of political parties and a better press, and reform of Greece's system of education. When all five of these goals are realized, he said, then there could be a return to parliamentary government without danger.

Over the past year and a half, the government has issued a number of statements promising full implementation of the constitution and the lifting of martial law and has then withdrawn those promises or undercut them by its actions. On August 25, 1969 the Greek Government submitted a note to the Council of Europe stating that the laws envisaged by the constitution would enter into effect by December 1970. In his statement to the Council of Europe in October 1969, Mr. Pipinelis repeated the assurance that the entire constitution would be implemented by the end of 1970. In a speech on December 15, 1969, the Prime Minister said, in a somewhat more qualified manner, that "the passage of institutional laws will be completed" in 1970 (and, incidentally, also said in the same speech: "We are not . . . about to proceed to elections"). But on December 19, 1970 the Prime Minister said flatly that there would be "no change in the coming year" in the constitutional field.

Thus, for the moment at least, further progress on the most significant aspects of the constitution is frozen. Eight of the twelve constitutional articles which were suspended upon promulgation of that document will, according to the Prime Minister, remain suspended through 1971. These are Article 12, relating to the trial of civilians by civilian courts; Article 14, relating to freedom of the press; Article 25, relating to the role of the Council of State and the Parliament in decreeing a state of seige; Article 58, relating to political parties; Article 60, relating to parliamentary elections; Article 111, relating to trial by jury and to trial of press offenses by regular courts; Article 112, relating to the non-trial of civilians by courts-martial; and Article 121, relating to the election of municipal and community authorities. It is argued by some critics of the regime that, in fact, 65 of the 138 articles of the constitution are not being applied at present, in part in some cases and in full in others, either because they are still specifically suspended, or because the necessary enabling or institutional legislation has not been put into effect, or because they depend for full implementation on other articles that are not presently operative.

Putting an article of the constitution into effect involves a complicated legal procedure. In brief, some articles must be implemented through enabling legislation or institutional laws. These laws are first published in the official gazette and may or may not be referred for further study. In any event, they do not take effect until the Prime Minister so decrees.

Fifteen institutional laws to implement the constitution that the government has promised at various times would be enacted and put into effect by decree by the end of 1970 were, in fact, gazetted on January 5 of this year. The Prime Minister then decreed that six of them were to take effect immediately, the dates later this year on which four would take effect were given and five—among which were the most significant of the fifteen—were simply gazetted without specific dates being mentioned. These five relate to the state of siege, the regency, political parties, the Constitutional Court and the functions of the Commissioner of Parliament.

Government statements with regard to institutional laws do not include any mention of articles of the constitution relating to elections and the creation of parliament. These articles of the constitution apparently simply remain suspended.

The regime has created a "Consultative Committee on Legislation," referred to in Athens as the "miniparliament." The decree establishing the Consultative Committee provides that it may debate and comment on draft laws, but it does not give the Consultative Committee the power to initiate or enact legislation. Forty-six of the fifty-six members of the body were chosen by 1200 government appointed electors from among 92 persons nominated by local officials and the executive committees of trade unions and professional associations (membership in such executive committees is controlled by the regime). The remaining ten members of the Consultative Committee were appointed outright by the regime. In statements intended for consumption abroad, the regime tends to portray the Consultative Committee as the forerunner of a true parliament. One opposition figure characterized it, however, as "worse than a farce."

The most discussed provision of the Constitution in Article Ten which relates to due process. The Greek Code of Penal Procedure is controlled by, and utlimately flows from, articles in the constitution which detail the procedures that must be followed in arrests, the issuance of warrants, search and seizure and pretrial detention.

Article Ten specifically states that with the exception of persons caught in the act of committing an offense, no one shall be arrested or imprisoned without a judicial warrant which must be served at the time of arrest or remand in custody pending trial, that the person arrested must be brought before the competent examining magistrate not later than 24 hours from the time of the arrest, that within three days of the time of presentation the examining magistrate is obliged either to release the person arrested or to deliver a warrant for his imprisonment, and that the maximum term of custody pending trial cannot exceed one year for criminal charges and six months for misdemeanor charges. The Greek Code of Penal Procedure also provides that arrests cannot be carried out at night in a house unless the occupant of the house requests it, or a person in the house is in the act of committing a felony or misdemeanor, or a gathering is being held in the house for the purpose of gambling or immoral activities or the house is open to the public at night.

The Prime Minister has stated, however, most recently in his December 19, 1970 speech, that crimes "concerning the integrity or security or constitutional order of the country" have been left under the jurisdiction of military tribunals. The regime itself is apparently the sole judge of what constitutes a crime against the state.

We were assured by several leading Greek lawyers that under no provision of either civil or military law can the period in which someone detained is held incommunicado exceed 20 days. Yet according to many reports that we heard from the wives of persons now detained, from their attorneys and from their friends, some people are still being picked up without warrants by the military police and are then removed to police stations or detained elsewhere incommunicado for periods considerably in excess of 20 days.

Of course, the question of how Article Ten and martial law can exist side by side is a difficult one to explain. Indeed, no one, including the government officials with whom we spoke, offered an explanation based on law. The government asserts simply that martial law takes precedence over Article Ten and that all the arrests that have been made are according to proper legal procedure.

In the early days of the regime, over 6,000 alleged communists and known communists were rounded up and detained. U.S. and Greek officials say that by April 1970 all but 1,200 of these had been released. We were told that there are now somewhere between 335 and 355 in detention. The Prime Minister has said in a public speech that within the first four months of 1971 all of these detainees, most of whom are on the island of Leros and have been there since immediately after the coup, will be released "provided the internal security situation develops as expected."

These detainees are known as *Kratoumeni*. There are two other categories of prisoners. Those in internal exile, who have been sent to remote islands and villages, are known as *Ektopismeni*. They are considered to have passed through the judicial system, although apparently no specific charges have been made against them. This group, now about 60, includes former members of parliament, high ranking military officers and civilians. The Prime Minister has said that he will release them, too, within the first four months of 1971 if security conditions permit.

The third group are known as *Fylakismeni*. They are prisoners convicted and sentenced who are now serving terms for political crimes the regime has charged were clearly felonious in intent. We heard various estimates of the number of those in this category ranging from 340 to 380.

Arrests, it should be noted, are still continuing, although when the government or the Embassy refers to the release of detainees no mention is made of these new addtions to the number of those being held. The new wave of arrests apparently began in November. Estimates we heard of those arrested ranged from 40 to 180. The government links these arrests to the setting off of a small bomb on October 3 in the garden adjacent to the Prime Minister's office at the time Secretary of Defense Laird was with the Prime Minister and the explosion of a bomb on November 28 at President Truman's statue at downtown Athens.

It should be noted that the policy announced by the Prime Minister of releasing detainees and those in domestic exile on remote islands will have the effect of freeing all known to have, or suspected to have, communist convictions. But it will leave in prison, or in an indefinite status awaiting trial, non-communist regime opponents—that is, those who are center or conservative.

Often when the number of prisoners, detainees and those in exile is discussed by the Embassy or by government officials it is contended that the numbers involved are lower than under any previous government. Even opposition sources in Athens say that when Karamanlis became Prime Minister in October 1955, there were 4,338 political prisoners sentenced by ordinary or military courts (most of whom had been imprisoned as a result of antigovernment actions during the occupation and civil war) and 833 deportees. They contend, however, that by the time Prime Minister Karamanlis left power there were only 959 political prisoners and no deportees and that in the course of the following four years all but 17 of the political prisoners were released.

One cannot talk of prisoners in Greece without referring to the emotionally charged and heavily publicized question of torture. We felt that there was little we could do to gather direct evidence on this question during our brief stay in Athens. Suffice it to say, then, that on the one hand government spokesmen continue to deny that any tortures have taken place. On the other hand, we talked to former prisoners who said that they had been "tortured" and to wives of other prisoners who said their husbands had been "tortured," although these tortures were never described and we did not feel we could ask for particulars. Sometimes wives talked about the torture of solitary confinement, and other times it seemed to us that the word "torture" was used as a synonym for such brutality as severe beating. It seems clear, however, that there have been cases of "falanga" or bastinado.

The general feeling among Western observers is that there is less torture today than there was before, and perhaps even none at all now, although there were reports during the time of our visit that some of the students recently arrested who are still being held incommunicado were being tortured. Most observers believe it likely, nevertheless, that prisoners are still being mishandled and even brutally treated in police stations. As the agreement between the government of Greece and the International Red Cross, which expired in November of last year, was not renewed by the Government, there is no way to check on such questions. (One of the explanations offered on this point was that the regime may now have less need to resort to torture because people think they may be tortured.)

Since the present regime took power, it has never put its popularity to a free vote, and there seems no way of measuring accurately the extent of its popular support. It is generally accepted among political observers in Athens, however, that the regime is supported by the business community, including the foreign business community (which is actively courted by the regime and obviously prefers a stable political situation—"an oasis of tranquility" as one put it—with no labor unrest, continuing economic growth and favorable terms offered by the government); much of the army (which has been the recipient of salary and pension increases from the regime); and many members of the church hierarchy (church salaries have also been increased). Some say the peasants are more favorably inclined to the regime than opposed to it because the government has brought more roads and electricity to the countryside. Some say the reverse. Some say the peasantry is politically apathetic. The regime is said to be opposed by most intellectuals, the professional class, civil servants and students. Those who contend that more people are opposed to the regime than in favor of it argue that were this not the case it would not be necessary for the regime, after almost four years in power, to continue martial law in force and that if the regime did enjoy popular support it would have held elections by now if for no other reason than to improve its image abroad.

There are at least five major resistance organizations in Greece, some more active than others. They are PAM, an organization of the extreme left, many members of which, including the nominal leader of the organization, Mikis Theodarikis, are communists; PAK, the Pan Hellenic Liberation Movement which is led by Andreas Papandreou; Democratic Defense, a centrist group; the Free Greeks, an organization composed principally of former army officers loyal to the King; and the Righas Ferraios, a student group. All are dedicated to the overthrow of the present regime, and some are even willing to use violent means.

As far as legitimate political activity is concerned—if indeed such can be said to exist at all—leading personalities of the former center and right parties—many of whom have been in detention or prison at some time since the present regime came to power—continue to speak out to visitors and some occasionally issue messages to the foreign press. They are extremely careful in their activities, however, acutely aware that they are continually under the "shadow" of martial law. The left has been quiet, some believe because they feel that a natural polarization will result and, in the long run, play into their hands.

The status of the press is difficult to define—but it is neither free nor completely under government control. There is no longer precensorship, but the subjects prohibited under the constitution and the new press law are so broad and vaguely defined that the press is reluctant to take chances, particularly in view of the fate of those who have. The Prime Minister said in his April 10, 1970 press conference that offenses described by Article 52 of the new press law—that is, publishing "texts, pictures or illustrations which may revive political passion"—would come before military tribunals. Other offenses come before civilian courts but, under Article 34 of the press law, those who can be punished for acts committed by the press are "the author of the publication, and regardless of responsibility the Publisher and the Managing Editor . . ."

Furthermore, the press is subjected to indirect measures of control. Article 20 of the press law imposes a penalty on newspapers of large circulation (and it is the opposition newspapers that have the largest circulation) by providing that publication with a circulation of 25,000 or less can be printed on newsprint imported duty free while those with a circulation of between 25,000 and 50,000 receive a discount of 50%, those whose circulation is between 60,000 and 75,000 a discount of 25%, those whose circulation is between 75,000 and 100,000 a discount of 10% and those with a circulation of more than 100,000 copies a discount of 5%. The regime is also said to interfere with the distribution of opposition papers outside of Athens and to penalize offending papers by withdrawing government advertising. Finally, the fact that heavy sentences, ranging up to five years, were given the publishers and others on the staff of *Ethnos*, an anti-government newspaper, in April 1970 for publishing an interview which referred to the need for a "national government" to deal with the Cyprus crisis has had an intimidating effect.

The radio and television networks, being state owned, are completely controlled by the government. Thus the paradoxical situation exists of the United States using Voice of America transmitters in Greece to broadcast about democracy to communist countries, transmitting these broadcasts from installations located in a country where the radio is completely controlled by a regime which has no elected parliament and denies many fundamental civil liberties.

On the other hand, the press apparently feels that it can reprint official documents of foreign governments without punishment. The entire record of the Symington Subcommittee hearings on Greece was published, for example. And there is no restriction on the sale of foreign newspapers and periodicals. All can be found at newsstands in Athens.

Political observers in Athens say that the leadership of the regime is not monolithic in its views. It is said that four or five members of the inner council of about 15 are unwilling to go even as far as the Prime Minister in returning to parliamentary democracy, and some argue therefore that the most likely alternative to the present regime is a government even less willing to return to a democratic order. There are also reports that there is a small group of younger Army officers who look to Colonel Gaddafi, the Libyan leader, as their example. Highly nationalistic and chauvinistic, they are said to favor authoritarianism at home and a policy of complete independence from all blocs.

Among the opposition politicians of the center and right, there are a few who believe that they could, under certain conditions, work with the regime, acting as a bridge between the present military government and a civilian government. Others in the opposition feel that a political government cannot evolve from the present military government and that there must be a transitional stage with a government of mixed character under the King.

The regime seems to have a firm hold on the administration of the country. While mayors and village presidents were formerly elected, they are now appointed by the government, and many of them are ex-officers. Similarly, there are military officers attached to every government ministry, in many cases in the post of secretary general, and to university faculties.

Greeks have, of course, been generally pro-American, but now there are reports of growing anti-Americanism, reports which the Embassy seems inclined to discount. On the one hand, the regime seeks to exploit national resentment of outside interference, just as Andreas Papandreou sought to exploit it in the period immediately before the coup. On the other hand, those who are opposed to the present regime blame the United States for strengthening the government's hand by appearing to support it. (As an example, we were shown a student flyer which said that the Embassy "should stop talking about this country on which Americans have imposed the most corrupt, the most immoral and the most backward form of government so that Greece does not become a European state but an American Protectorate.")

Among opposition leaders—most of whom have the reputation of having been strongly pro-American—there is a feeling that the United States has betrayed its true friends and natural allies in the Greek population, selling out these friendships for immediate strategic advantages. Opposition leaders feel that they have been purposely ignored by the Embassy and some, if not all, are obviously becoming progressively disenchanted with the U.S. role in Greece. They point out the existence of what appears to them to be a vicious circle: the Greek people believe the United States supports the regime, and therefore consider opposing it futile, while the United States interprets absence of outward opposition as evidence of support for the regime. None of those who took this view advocated direct intervention to depose the regime. Instead, they suggested that the United States could afford to put some distance between itself and the regime by means such as restricting the exchange of high-level visits, limiting public appearances by U.S. officials in Greece with leaders of the regime, and characterizing the regime's failure to live up to its promises more realistically in U.S. official statements.

II. THE ECONOMIC SITUATION

In almost lyrical terms, the Embassy's unclassified analysis of the Greek economy, which is given to visiting American businessmen, begins by stating: "The Greeks have a word—*apithanos*—magic—which might well be used to describe how Greece through August 1970 was able to raise GNP at constant prices by 7½ percent while holding the rise in the consumer price index to 2.8 percent. . . ." The paper goes on to say that "Greece's economic performance has continued to sparkle" and adds that "the steady progress of one of America's closest allies in twenty years from a backward, agricultural country to a more prosperous, partially industrialized one, is bound to strengthen our political and economic position in this critical part of the world."

The Embassy analysis also notes that since 1953 U.S. investors have provided some 40 percent—the largest single share—of foreign capital; that over one-quarter of Greece's foreign tourists and 60 percent of its tourist earnings are from America; that the United States has traditionally been the second largest supplier of imports to Greece; and that, in sum, "the United States is far and away the most important source of foreign exchange for Greece."

The following favorable economic factors are cited:

(a) The GNP at 1958 prices rose by 7.1 percent in 1970, according to the Bank of Greece, thus returning to the high rate of growth which began years before the coup but was interrupted in 1967 and 1968.

(b) Manufacturing output rose 10.3 percent in the first nine months of 1970, again according to the Bank of Greece.

(c) Agricultural production rose 7.5 percent over 1969, according to the Embassy.

(d) The average level of consumer prices rose 3.1 percent between January and October 1970, compared to the same period in 1969—a lower rate of increase than any other European country, according to the Bank of Greece.

On the other hand, it is also noted that:

(a) There are inflationary forces present as a result of a 15 percent increase in imports in 1970, a 9 percent rise in industrial wages and a 5 percent rise in pensions of public employees and low unemployment. As a result, the money supply was up last year by 16 percent.

(b) Greece continues to have a chronic trade deficit which reached a level of $1,003.8 million in the first eleven months of 1970, up from $842.3 million in 1969. Invisibles produced a net surplus of $616.1 million in this period so that the balance on current account for the period January through November 1970 was $387.7 million. (The final figure for the year was $406.8 million, we were told, compared to $247.5 million in 1968). The trade deficit in 1970 was apparently worse than planned and had to be offset by borrowing from abroad in the amount of $28 million between January and November 1970, although this amount was lower than the $47.1 million borrowed from abroad in the first eleven months of 1969.

It is emphasized by NATO officials in Brussels, and pointed to with pride by JUSMAGG in Greece, that in 1969 Greece devoted 5.1 percent of its GNP to defense expenditures (this figure is estimated to be 6 percent in 1970). Greece is thus the third highest among NATO countries in terms of the percentage of GNP devoted to defense. Only the United States at 8.7 percent and Portugal at 6.2 percent are higher.

In 1966, before the present regime came to power, Greece contributed only 3.7 percent of its GNP to defense and was tied for sixth place, with the Netherlands, after the United States, Portugal, the UK, France, Germany and Turkey. In fact, between 1966 and 1969, the last year for which complete figures are available, only Greece showed a significant rise in the percentage of GNP devoted to defense, due in large part to increased pay and allowances. During this three-year period, the percentage rose from 8.5 percent to 8.7 percent for the United States, from 3.6 percent to 3.7 percent for Norway and from 4.7 percent to 4.9 percent for Turkey. In the case of Greece, the rise was from 3.7 percent to 5.1 percent.

The 1971 Greek budget presented on December 30, 1970, shows a surplus projected of $143 million of revenues over expenditures, a surplus 16.3 percent greater than 1970. Expenditures in the sector of "defense and public security" (there is no breakdown in the budget between the two and expenditures on internal security do not, of course, necessarily contribute to NATO defense purposes) will be up $50 million (or 9.2 percent compared to a 10.8 percent rise in all budget expenditures) and will represent 32 percent of total regular budget expenditures. Of this $50 million increase, $13 million is earmarked for increased military pensions which are now 131 percent higher than they were in 1966. If the budget is implemented as planned, Greek defense and security expenditures will have more than doubled since 1966.

III. THE U.S. MILITARY ASSISTANCE PROGRAM

In presenting the justification for the fiscal year 1971 Military Assistance Program for Greece to the Congress, the Department of Defense stated: "Greece has been dependent on U.S. military assistance programs to meet its military equipment requirements since 1957." That statement seems to be as true for the period during which the heavy arms embargo was in effect as for any other period since 1947. Indeed, despite the embargo, lifted briefly in the fall of 1968 after the invasion of Czechoslovakia, Greece received even larger amounts of U.S. military assistance, taking all categories combined, during the three years and five months the embargo was in effect than in the equivalent period before the embargo was imposed.

Figures recently released by the Department of State for fiscal years 1968, 1969 and 1970 (a period that begins two months after the coup and ends, two and a half months before the embargo was finally lifted) show military grant aid deliveries totaling $131.4 million. In addition, the figures show that Greece received a total of $169.7 million in delivered excess equipment, at acquisition value, and $25.8 million under the Foreign Military Sales program in this period. Thus, the total military aid received in these three years was $326.9 million.

This figure does not, of course, represent the total value of military assistance received while the embargo was in force because the period of fiscal years 1968, 1969 and 1970 is four and a half months shorter than the period in which the embargo applied. But the State Department figures do show that the average total military assistance in the three fiscal years preceding the embargo was about $95.2 million a year while the average total program in the three fiscal years in which the embargo was in effect was about $106.9 million a year. This rise was due to the fact that while grant aid deliveries generally declined during the embargo period, compared to the period before the embargo, deliveries of excess defense articles and Foreign Military Sales deliveries both rose sharply.

While these deliveries were being made, a large amount of embargoed material was accumulating. When the embargo was imposed, about $60 million worth of grant aid was awaiting shipment to Greece. When the embargo was lifted, the total "in the pipeline," over and above the deliveries already cited, was $42.8 million in excess articles and $67.8 million in undelivered Military Assistance Program materiel, according to the Defense Department. In addition, the loans of two submarines and six destroyers have been renewed for ten years.

The embargo of major weapons did not, of course, affect the regime's military capability internally. The United States continued to provide small arms, ammunition, communications equipment, and trucks which could be used by the Army for internal security purposes. Nevertheless, the embargo was not generally popular with opposition leaders in Greece because they felt that it did weaken the country's ability to defend itself. On the other hand, there was no pressure from NATO countries for lifting the embargo and apparently some surprise that the embargo was lifted when it was.

The personnel directory of JUSMAGG shows a total of 72 U.S. military personnel, 38 U.S. civilians and 57 local employees. The civilians include 15 "technical representatives" from General Electric, Lockheed, RCA, Northrop, Hughes Aircraft, Pratt and Whitney, General Dynamics, Grumman and Curtis Wright whose salaries and expenses are paid by Military Assistance Program funds for "support of Air Force MAP materiel program," according to the Defense Department. The 73 U.S. military personnel are accompanied by 170 dependents and the civilians by 74 dependents. The announced total is thus 354 Americans.

JUSMAGG is, incidentally, excused from end-use reporting requirements because of "recent personnel reductions." We were told that this exemption applies in a number of other countries which receive U.S. military assistance.

The foregoing personnel figures are, of course, limited to the military advisory mission. They do not include the approximately 7,000 other military personnel, and their dependents, based in Greece. To see what restrictions were imposed on us as representatives of the Committee, we asked what bases we could visit, other than the principal U.S. base at the Athens airport, and we also asked the Embassy for an updated list of U.S. bases and facilities in Greece. The Embassy said that it would have to ask for instructions on both questions. The reply given us the next day was that the Embassy was instructed not to provide us with a list of all U.S. bases and facilities in Greece, but that such a list would be provided in Washington by the Defense Department. As for visits, we were told that we could visit four bases. We were told that we could not visit a number of other bases including a base that had been visited two years ago by members of the Symington Subcommittee staff.

It should be noted that the United States is the only NATO country now giving Greece military assistance. The only other sizable military assistance program was that of West Germany, but that government continues its embargo on military assistance imposed soon after the regime assumed power. At the same time, NATO countries do not restrict their commercial sales to Greece. According to press reports, West Germany has sold Greece patrol aircraft and submarines and France has sold patrol boats and tanks.

The purchase of French arms is seen by some U.S. officials as ill-conceived because of the drain on Greece's foreign exchange reserves. But the Greek press refers to these foreign arms purchases, as did the Prime Minister in a recent speech, as proof of Greece's ability to provide itself with the weapons it needs. Most independent observers—and some U.S. officials—have concluded that the motivation for weapons purchases from France was primarily political, designed to put pressure on the United States to resume shipments of heavy arms. And indeed the prospect of Greece's buying arms from France, instead of receiving them as gifts from the United States, does seem to have given rise to some concern among American officials that the United States was in danger of losing a source of leverage that could be applied on the Greek Government and, as a result, to have had an influence on the American decision to lift the embargo.

IV. THE EMBASSY AND THE REGIME

"Is the Junta deceiving the Embassy, is the Embassy deceiving the State Department or is the State Department deceiving the Congress?" a prominent Greek critic of the regime—known to be pro-American—asked us. The question was repeated, in less well formulated fashion, countless times during our stay in Athens. Those who posed the question pointed not only to the statement that "the trend toward a constitutional order has been established" but also to the testimony of Executive Branch witnesses before Senator Symington's subcommittee last June, specifically the statements by Deputy Assitant Secretary of State Roger Davies that "we are informed that the entire constitution will be implemented by the end of the year" and that "it is my belief that the assurance we have received from Athens, that the constitution will be implemented in full by the end of the calendar year, will be carried out."

The Embassy appears to have operated on the assumption that the regime was sincere in its declared intention to return to parliamentary democracy and that the continuation of the arms embargo was harmful to the development of the kind of relationship which would permit the United States to exercise some persuasion on the Greek regime to restore civil liberties and parliamentary government. It appears to other observers with whom we talked, however, that the Embassy tends to read more into the regime's statements than the regime intends or that is warranted on the basis of the performance to date. Certainly, the general attitude of the Embassy is defensive about the regime—quick to praise during the period before the embargo was lifted but slow to criticize now that the embargo has been ended and the regime in default on its assurances.

Many in the Embassy tend to rationalize the actions of the regime in terms similar to those the regime itself uses. For example, the Embassy apparently believes that the proposed law on political parties is basically democratic and compatible with local conditions despite the fact that under Article 58 of the new constitution, which the new law would implement when put into force, the charter of every political party must be approved by the Constitutional Court which also can supervise the functioning of the parties and has the power to dissolve any party whose "aims or activities are manifestly or covertly opposed to the form of government . . ."

In this same connection, we noted that in Embassy meetings the coup and its aftermath was often referred to as the "revolution." Those Greeks opposed to the regime in Athens refer not to the "revolution" but to the "junta" or the "Colonels." Others, less partisan, refer to the "government," or the "leadership" or the "regime." It is only those who support the government who refer to the "revolution." The term is certainly not neutral.

The Public Affairs Office of the Department of State, presumably on the basis of reporting from the Embassy in Athens, publishes an unclassified quick reference aid entitled "Greece: U.S. Policy." The latest version of that year, published in January of this year, makes a number of statements that do not seem to be accurate.

It states that: "From a high of over 6,000 in 1967, there are now approximately 300 political prisoners. The Prime Minister has pledged to free all remaining political detainees by the end of April 1971 if security conditions permit." There are, of course, far more than 300 political prisoners if the numbers of those in exile (of which there are about 345) and sentenced prisoners (of which there are about 350) are combined. The 6,000 figure refers, moreover, to those suspected of communist sympathies who were detained immediately after the coup. The Prime Minister's statement applied to the remaining detainees from among that group but not to those sentenced for political crimes, to say nothing of those arrested since November.

The State Department paper includes the remarkable sentence that "With minor exceptions, all institutional laws necessary to put into force the constitution were promulgated by the end of 1974 as pledged by the Greek Government." As we have noted in this report, the institutional laws not yet put into force are hardly minor since they relate to the state of seige, political parties, parliament and the constitutional court. Furthermore, the constitution is by no means yet in effect; elections have not been scheduled or even promised and martial law is still in effect superseding the guarantees of due process for which the constitution provides.

Finally, on the question of torture, the paper states that during the operative period of the agreement between the Greek Government and the International Committee of the Red Cross, "no instances of torture of prisoners were confirmed by the Red Cross." The fact of the matter is that, as a matter of policy, the Red Cross never confirms or denies instances of torture or indeed ever issues public reports. Its reports were made to the Greek Government and were confidential. The implication of the statement quoted is that no torture has taken place when in fact it seems far more probable that some tortures have occurred.

During our visit to Athens, we were struck by the fact that while the Embassy does not question the desirability of a return to parliamentary government in Greece, it not only rationalizes the lack of progress but often appears to be more concerned with the regime's "image" than with the substance of its actions. Time and again we heard expressions of regret at the regime's poor sense of public relations.

As far as arrests under martial law are concerned, the Embassy stated to us that it assumed that the arrests were being carried out under the letter, if not the spirit, of the law. Yet no one in Athens was able to cite to us any provisions of the military or civilian penal code which permits holding persons in detention incommunicado for more than 20 days.

We have already referred several times to the statement issued by the Department of State at the time the embargo on the shipment of heavy arms was lifted last September. A number of opposition leaders told us that they had not objected to the resumption of heavy arms aid on the ground that no patriotic Greek could oppose the provision of U.S. arms to help safeguard the security of their country. But they emphasized that they had regarded the kind of statement issued in connection with ending the embargo to be of primary importance. One opposition leader told us that the statement that was issued was "pure nonsense", and he asked: "In view of the actual trend of events in Greece, why did the United States become a lying witness in favor of the regime?" The strongly pro-Western former Foreign Minister Averoff gave us a copy of the statement he had issued on September 23 to foreign correspondents. In that statement, he said that he regretted the text of the announcement and that the assurance in the statement that conditions had been created for a return to normal democratic life signified "either that the responsible Americans are badly informed by their services or that they seek for Greece the masks of democracy in order to present those to their public opinion in order to calm it." His statement went on to say:

"The reality in Greece is that the situation has been improved, that we live under a dictatorship that is more lenient but that individual liberties have not been reestablished, that human dignity is trampled upon and that the conditions for a return to democracy have not been created. On the contrary, it appears that conditions are being created for a very long prolongation of the dictatorship under the comic masks of democracy. Not to recognize this reality, and to countenance the harmful hypocrisy, does not serve the prestige of the United States which until yesterday was respected and loved by the Greeks."

V. CONCLUDING COMMENTS

Since the present Greek regime seized power, U.S. policy has had two declared objectives: to maintain Greek military cooperation with the United States and NATO, and to bring about the restoration of democratic institutions in Greece. Both objectives became enmeshed in the matter of the embargo on heavy arms.

The decision to lift the embargo was based on a judgment that continuing the embargo would, on the one hand, jeopardize military cooperation with Greece and diminish Greece's ability to defend itself against Communist aggression without, on the other hand, producing any further movement toward the restoration of democratic institutions. Furthermore, the Embassy had apparently persuaded itself that significant progress had been made in returning to democratic order and that, on the basis of assurances given or assumed, even greater progress would be forthcoming by the end of 1970.

In the military sphere, it would appear that our declared policy objectives have been achieved. While there may be some question as to the realistic limits of Greek cooperation in the event of a crisis involving the United States in the Middle East, insofar as it has been tested, Greek cooperation on military matters has been satisfactory. It should be noted, however, that this cooperation continues to involve a *guid pro quo* in the form of a large U.S. military assistance program. By contrast, the declared policy objectives in the political sphere have not been achieved. The "trend toward a constitutional order" is at best ambiguous, and the confident predictions by American officials with regard to the reestablishment of parliamentary democracy have not been borne out by events.

To many with whom we talked, it does not appear that the United States has placed as much emphasis on pursuing its avowed political objectives as on pursuing its military objectives. Those who hold this view believe that the United States has sacrificed its interest in seeing a return to democratic institutions in order not to jeopardize continued access to military bases, access which they believe any Greek Government would grant. Others, putting aside considerations of principle and morality, fear that we are being shortsighted from a practical standpoint. They argue that the continued absence of meaningful progress toward restoring democratic processes works to our long-run disadvantage and that the emphasis the United States has placed on maintaining smooth relations with the regime has strengthened the position of the regime in Greece and at the same time has reduced the incentives for a return to democratic order.

Many observers—both Greek and American—pointed out to us that, rightly or wrongly, most Greeks believe that the United States supports the regime. Given the importance Greeks attach to American support, because of America's role in Greece since World War II and the respect for the power of the United States, this belief, quite apart from its accuracy or our intentions, constitutes the regime's greatest asset and at the same time provides the United States with its most effective potential leverage. As far as the pursuit of our declared objectives in the political sphere is concerned, however, this potential leverage does not seem to have been effectively applied. The policy of friendly persuasion has clearly failed. The regime has accepted the friendship, and the military assistance, but has ignored the persuasion. Indeed, the regime seems to have been able to exert more leverage on us with regard to military assistance than we have been willing to exert on the regime with regard to political reform. We see no evidence that this will not continue to be the case.

A MATTER OF BALANCE

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. LENT. Mr. Speaker, in these days of inflated rhetoric and violent emotions on so many issues of public concern, it is worthy of note when a voice of reason speaks out on one of the questions that divide our society.

The Long Island Press, one of the major daily newspapers serving my district, has recently made what I consider to be a highly significant contribution to the national dialog. Addressing itself editorially to the question of bias in the news media—an issue that has evoked vehement argument on both sides—the Press has raised its voice in moderation and set forth a cogent case for responsibility in criticism both on the part of the media and those who would censor it.

This issue is an important one, for it indicates an apparent dichotomy between our constitutional liberties and the national interest. Any attempt to censor the media flies in the face of the constitutionally guaranteed freedom of the press; but constant severe criticism of our Government by the media contributes to a growing condition of public discouragement and disaffection. So severely does this question divide us that few on either side have been willing to seek a resolution of this problem that would be acceptable to all.

I believe that the Long Island Press has cut through the emotionalism that has surrounded this issue and set forth a reasonable, responsible position to which all can subscribe. I enthusiastically commend this editorial to the attention of my colleagues:

[From the Long Island Press, Feb. 28, 1971]

A MATTER OF BALANCE

Daniel P. Moynihan, President Nixon's former urban affairs advisor, who has a knack of saying things that ought to be said, but usually aren't, has zeroed in on the American press.

He has some justification, although he will probably be blasted as another Agnew in liberal's clothing for his article in Commentary magazine. In it, he accuses the press of being so harsh in its disparagement of the federal government that it "is now becoming a matter of national morale."

He blamed much of this on the elitist bias of journalists influenced by the Ivy League's "adversary culture" which knocks the government so much that it encourages distrust of American society and its institutions.

There is truth in this charge, but it goes deeper than the conflict between certain types of journalists and the presidency. Distrust of government is not a class thing, but a deep-seated tradition growing out of our historical roots. The founding fathers built a government precisely out of a profound fear of government free from criticism. This lies at the heart of our unique political freedom. Unfortunately, it has also nurtured a traditional distrust on all levels of society of politicians on all levels of government.

Mr. Moynihan's criticism serves as a warning that this can tip the balance so far away from appreciation of the positive aspect of government that it contributes to a crisis in confidence and the erosion of authority. Presidents have been degraded as "criminals" or dehumanized into devils. But not only presidents get this treatment, and not only journalists dish it out. Black and white radicals dehumanize the police by calling them pigs; ordinary citizens refer over and over to judges as bums; and public officials, from councilmen to mayors, from state legislators to governors, are glibly damned on all sides for all our ills.

One institution catching the most hell recently has been the Army. Just last week alone—even as it was engaged in an unpopular war—it was intensely attacked at home from a variety of sources. It was berated by CBS for wasting millions on highly questionable propaganda; it was under investigation by Sen. Ervin's constitutional liberties for spying on civilians; it was caught in the court-martial spotlight shining on the horrors of My Lai; Sen. Ribicoff's government operations committee was holding hearings on corruption in army PXs, clubs and messes. And for several years it has been fighting a running battle against critics of its spending policies.

But such reportage and criticism, painful as it is, is also the saving grace of America. It is right—indeed vital—that the President be accountable for his decisions, that the press feel free to call the army to account for its excesses, that every institution, from the police to pollution control agencies, be subject to public scrutiny.

But Mr. Moynihan makes an important point in warning that without balance in reportage and criticism, we run the danger of destroying faith in our institutions themselves.

Many people, for instance, swallowed without question the charge by a Black Panther spokesman that 28 Panthers were victims of a police conspiracy to wipe them out. Like the wild charges of Sen. Joseph McCarthy, this one also was inadequately checked out and became accepted as fact—until a New Yorker Magazine reporter laboriously examined every case and proved that of the 28 names on the Panther list, just two could be said to have been victims of deliberate police aggression.

Locally, hundreds of thousands of citizens were outraged by a law that permitted the court to take a 3-year-old boy from his adoptive parents, the only ones he knew, and send him back to his natural mother. Yet, not until an exhaustive study of the decision by a Long Island Press reporter did anyone realize that there was good reason for the court's decision.

In one case it was the police and in the other, the court, that took a bum rap because of inadequate reporting. The police and the courts, like the President and the Army, are hardly beyond criticism. But they deserve respect and fair treatment. When they are poorly treated, they deserve as much redress as any other individual or group that has been wronged. Without this balance, we only encourage those who are not interested in reforming our institutions, but in destroying them.

LaGUARDIA COMMUNITY COLLEGE

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. HALPERN. Mr. Speaker, I would like to call to the attention of my colleagues a most significant tribute recently paid to a former distinguished member of this House, the late mayor of New York, Fiorello H. LaGuardia. The occasion was the ceremonies commemorating the naming of Fiorello H. LaGuardia Community College.

The career of "the Little Flower" was filled with color as well as adventure, innovation and courage. He was the first Italian-American elected to Congress back in 1922 and then was reelected for five consecutive terms. As an active legislator, a brilliant debater, and a learned parliamentarian, his career in Congress has become legendary. One of the highlights of his achievements is that he was responsible for the Norris-LaGuardia Act, which guaranteed Labor's right to collective bargaining. In 1929 LaGuardia hit a low period of his political life. He ran for mayor of New York and was defeated. In 1932 he tried to regain his seat in Congress but was again defeated. But, in 1934 he came back. He was elected the 99th mayor of New York, and was then reelected three times. Under his dynamic, fearless and brilliant leadership, his fusion regime symbolized reform, integrity and efficiency in municipal government.

It is significant that a college in New York has chosen to honor the memory of the late Fiorello H. LaGuardia by carrying his name. LaGuardia College is to be located in my district and as a LaGuardian and member of the LaGuardia Memorial Association, I truly feel the following remarks are extremely relevant.

The remarks were delivered by three distinguished leaders of our community who were either associated with "the Little Flower" or associated with the college.

The first speech was delivered by Dr. Frederick Burkhardt, chairman of the Board of Higher Education of New York. Dr. Joseph Shenker then spoke, who at the age of 30 is probably the youngest college president in New York City history. The final speaker was the Hon. Eugene R. Canudo who is chairman of the LaGuardia Memorial Association and a judge of the criminal court of New York.

I feel the remarks are well worth the attention of my fellow colleagues and I highly commend them to you.

I include the material as follows:

TEXT OF REMARKS BY DR. FREDERICK BURKHARDT, CHAIRMAN OF THE BOARD OF HIGHER EDUCATION, AT NAMING CEREMONY FOR FIORELLO H. LAGUARDIA COMMUNITY COLLEGE—DECEMBER 5, 1970

I am pleased to welcome all of you here to celebrate the naming of Community College Number Nine of The City University of New York. I am particularly pleased to welcome members of the LaGuardia Memorial Association who have just concluded their annual meeting.

As Chairman of the Board of Higher Education, I am honored to announce that Community College Number Nine of The City University will be known officially as Fiorello H. LaGuardia Community College.

We are most grateful to the LaGuardia family for their permission to use the late Mayor's name for this new college. Indeed, it is most fitting that this new community college, which will offer an experimental work-study program to all of its students, should be named for Mayor LaGuardia. He knew so well the meaning of both working and studying. Without the usual undergraduate preparation, he earned his law degree at night at New York University while working by day in a variety of jobs, such as a steamship company clerk, a stenographer at Abercrombie and Fitch, and as an interpreter at Ellis Island.

The discipline that such a schedule required served Fiorello LaGuardia well. The career of "The Little Flower" was filled with color as well as daring, innovation and courage. He entered city politics as President of the New York City aldermen in 1921 after attaining distinction in the Air Corps during World War I. He was elected to Congress in 1922—the first Italian-American to serve there—and then was re-elected for five consecutive terms. In Congress he was known as a "Progessive" and was responsible for the passage of what is known as "Labor's Magna Carta": the Norris-LaGuardia Act, which guaranteed Labor's right to collective bargaining.

He ran for Mayor of New York in 1929, but was defeated. He also lost his bid for re-election to Congress in 1932. For many, this would have signalled the end of a political career.

However, in 1934 "The Little Flower" became the 99th mayor of New York. He was re-elected three times, and during those 12 years, he pleased New Yorkers with a relentless fight against the underworld and he inspired voters with the moral, financial, administrative and physical rehabilitation through which he put the City Government. He is also credited with steps that led to the city colleges emerging from being only locally known institutions to colleges nationally prominent for their scholarly excellence. This he achieved by searching for persons of outstanding abilities, regardless of political affiliations, to serve on the Board of Higher Education. These members, in turn, recruited outstanding college presidents who fostered the growth of three city colleges into the vast City University of today, of which Fiorello H. LaGuardia Community College takes its place as the twentieth institution.

Mayor LaGuardia was committed to the role higher education should play in the life of the city and voiced a hope that future legislators would be drawn from the colleges, and not from the political clubs. He declared that "quality of a college is not the quality of its buildings," but he was successful in obtaining Public Works Administration funds from Harold Ickes for the construction of Brooklyn College's 27-acre landscaped campus and Hunter College's present quarters on Park Avenue.

Perhaps he foresaw open admissions when he said in 1939: "Advanced education today is a responsibility of government and something that every boy and girl ought to get."

It was also with Mayor LaGuardia's help that the city colleges started attracting better qualified faculty members. When he took office, large numbers of the instructional staff were called "tutors" and were paid $1,000 a year, or less. He supported the tenure laws for the colleges—the first of its kind in the country—which also established a scale of salary advancement and a structure of professorial ranks for the faculty.

The visionary mayor helped improve the quality of life in New York City in still other ways. It was he who in 1935 established in New York the first housing project in the United States. And it was he who first hired Robert Moses to reorganize the City's parks and recreation programs. New hospitals, a strengthened welfare system and the Health Insurance Program for City employees were also among his achievements, and these are still benefiting New Yorkers.

At this point I would like to ask Mrs. Marie LaGuardia to come forward. Mrs. LaGuardia, on behalf of the Board of Higher Education, I would like to present this scroll to you as written record of today's occasion. I will read the text:

More than a great Mayor, Fiorello H. LaGuardia personified the resurgence of New York City as a world metropolis.

In a time of despair he gave the people of our City the spirit to fight and the will to prevail. Throughout his historic mayoralty, Fiorello LaGuardia acknowledged and enhanced the City's commitment to public higher education as a vital force in assuring the economic prosperity and cultural enrichment of its citizens.

In recognition of his many contributions to higher education in the City of New York, and of his example as a fearless, wise and compassionate leader of men, the Board of Higher Education of the City of New York is proud to commemorate his name by officially designating this important new unit of the City University as Fiorella H. LaGuardia Community College.

FIORELLO H. LAGUARDIA COMMUNITY COLLEGE

(Speech Delivered by Dr. Joseph Shenker President, Fiorello H. LaGuardia Community College to the LaGuardia Memorial Association Saturday, December 5, 1970, Park Sheraton Hotel, New York City)

As the Board of Higher Education formally announces the naming of Community College Number IX as the Fiorello H. LaGuardia Community College, I am pleased to have this opportunity to describe our plans to you up to this date. Of course, it is impossible to tell you all of the things that are going on in planning a new institution but let me try to indicate some of the highlights of our development.

The college was formally established by virtue of action of the Board of Higher Education and the Regents of New York last April. We are using this academic year for the development of our plans. The college will admit an initial freshman class of 450 day students next September and eventually grow to 5000 in 1978. There will be, of course, a number of various evening programs.

We have just moved into our facilities located in Long Island City. The building, which we have purchased, formerly known as the Ford Instrument Building at 31–10 Thomson Avenue, is a large building of 250,000 square feet, very near to excellent transportation facilities. We are involved in a two-stage renovation process—the first part to be completed by September, 1971; the second part by September, 1973. We estimate the cost of both stages of renovation to be somewhere in the 7 to 8 million dollar area.

We are developing our academic program around the Cooperative Education theme. Cooperative Education is the effort to integrate practical and academic work in one curriculum. I am sure you are familiar with the program at Antioch College in Ohio and Northeastern in Boston. The theme of Antioch is to provide work opportunities and specifically reinforce career programs. We are attempting to combine the features of both and adapting them to a two-year institution. All of our students will be placed in work experience related to what they are studying. For the career students, those persons planning to seek immediate employment after two years, their work experience will expand and reinforce classroom learning. For the transfer students, those who wish to continue their education at a senior college, the work experience will provide an opportunity to explore various fields, hence when a student must choose a major field of study as he enters the Senior College, he will have a basis for his decisions.

We are in contact with the labor market and request job placements. We have received affirmative responses from various New York governmental agencies (such as, the Urban Corps, the New York State Civil Service) and other areas including Wall Street, Alexanders, etc. and we now have a commitment of a hundred jobs.

To support Cooperative Education Programs, we are developing a Quarterly Calendar which will provide five study periods and three cooperative education periods in the two-year study program.

Because we are a new institution, we have launched a fairly extensive student information campaign in the high schools, newspapers, parent meetings, T.V. spots and 18,000 letters. The reaction of students and parents has been favorable. Our opening curriculum will be in the Liberal Arts field and Business Careers. We have chosen Business Careers because of labor market demand and high student interest. For the future, we will be extremely interested in the Human Services Career field and the Communication field.

It is our intention to launch and develop an extensive program to serve the community in which we are located. This will include the large industrial firms and employees of these firms as well as the various community groups in the local area.

These are the highlights of what we have been doing. I have tried to cover them quickly to give you an overview of the planning process for the college. We are very pleased that we are able to name our college after Mayor LaGuardia and look forward to a continuing relationship between the Association and the College. We hope we can call upon the Association and individual members for counseling, advice, and assistance during the development of all phases of the college.

REMARKS OF JUDGE EUGENE R. CANUDO, CHAIRMAN OF THE LA GUARDIA MEMORIAL ASSOCIATION, AT THE DEDICATION OF LA GUARDIA COMMUNITY COLLEGE, DECEMBER 5, 1970

We are very proud indeed, we who had the good fortune to be part of the official La Guardia family, to join with the fathers of our great City University—on this occasion on which we are observing the 88th birthday next Friday of Fiorello La Guardia—in celebrating a most significant first: the naming of a college of the City University in honor of one of New York's mayors.

When one recalls La Guardia's pride in his native city, his keen appreciation of the meaning of higher education, and particularly the warm affection that he held for all young people, it is easy to understand why the creation of this pioneer institution which up to now has been known as Community College IX and which today is undergoing a change of name, would have made him very happy indeed, had he been here to see it. As ardent La Guardians, we of the memorial association which bears his name and carries the little flower on its letterhead are very happy and most grateful that you have given us the opportunity to be part of this important occasion.

I remember reporting to work as usual at City Hall one morning back in the fall of 1934 and interrupting the Mayor's reading of his morning mail to say: "Mayor, I think you might like to know, I started law school last night." He looked up, lifted his thick tortoise-shell reading glasses to his forehead, and said: "Dammit, Gene, what did you want to do that for? Why don't you study something useful like chemistry?"

"Gee, Major," I blurted out, "I'd make a lousy chemist. I have no feeling for it."

"OK" he answered. "Have it your way. But don't say I didn't warn you." He lowered his glasses and went on with his morning mail.

I went through with it, because I became more than ever convinced that I would have made a lousy chemist. In time I got my degree and was admitted.

La Guardia couldn't keep a grudge very long, especially where young people were concerned. It seems that in time he forgave me for studying law instead of chemistry. In fact, almost 12 years later, he appointed me to the bench. It was flattering to know that my boss would have preferred seeing me in what he considered a more useful calling, but I'm still convinced I would have made a lousy chemist.

I think you get the picture. La Guardia believed in higher education. The city colleges enjoyed an era of tremendous development during the 12 years that he was mayor. But, if he had lived, he would have derived great joy from the changing concepts in education He would have applauded with typical La Guardia zest the twofold development we see here today: first, the realization of the dream that a unique educational opportunity—within a university framework—could serve the needs of students, business, industry and government all at one time; and second, the organization of so distinctive an educational institution under the able management of a brilliant young scholar. Only because of his age and without any reference to his abilities, the prospect of becoming a college president would, in 1934 and even in 1945, have been just a dream, an impossible dream, for a long time to come to our 30-year old president, Dr. Joseph Shenker.

We feel ourselves most fortunate to be able to witness this event today. We sincerely thank you, Chairman Burkhardt and your worthy colleagues on the Board of Higher Education, for making these impossible dreams come true.

CONSERVATION IS REALLY UP TO YOU

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. BAKER. Mr. Speaker, for too long in this country the quality of the environment is something most individual citizens have left up to someone else. We all knew that it was getting bad and that we were running out of time, but we expected other people to save us from ourselves.

My good friend, Michael Frome, whose credentials in the area of conservation are considerable, has recently written an article for VISTA USA, the magazine of the Humble Travel Club, in which he places the responsibility where it belongs and outlines some goals we should set for ourselves and the country if we are going to succeed in improving the environment to the point where we, in good conscience, can turn it over to the next generation.

Mr. Frome's article, "Conservation Is Really Up to You," should be required reading in the schools, in the offices of industry and management, and in the Halls of Congress. I am pleased to place it in the RECORD, so that its circulation can be increased. The article follows:

CONSERVATION IS REALLY UP TO YOU

(By Michael Frome)

Conservation wears a thousand faces at a thousand different places. In one way or another, we're all concerned with the state of the environment—all of us, from the apartment dweller with flowers in a window box, to the deer hunter, boater, birdwatcher, camper, cattleman, farmer, forester, scholar and, yes, the captain of industry, who is too often pictured as the arch villain of the piece.

But what is conservation, really? Saving scenery and natural beauty is part of it, of course. So is the protection of parks and wilderness. One must wonder, however, in facing the tumultuous challenges of our times, whether these comprise the sum total. Or, is there something quite larger besides?

It sometimes strikes me that public understanding of the issues has not yet reached the level of public concern. People respond to the call of idealism and esthetics, desiring to preserve some segment of the landscape for its own sake. This much is good. But to grasp the total scene the true conservationist must go further, and deeper.

"From birth to death, natural resources, transformed for human use, feed, clothe, shelter and transport us," wrote Gifford Pinchot. "Upon them we depend for every material necessity, comfort, convenience and protection in our lives. Without abundant resources, prosperity is out of reach. Therefore the conservation of natural resources is the fundamental material problem."

Pinchot was the pioneer of scientific forestry in America and close collaborator of President Theodore Roosevelt in the conservation crusade of the early 20th century. Pinchot based his creed on the proposition that, "No generation can be allowed needlessly to damage or reduce the future general wealth and welfare by the way it uses or misuses any natural resource." Thus, he said, conservation means the wise use of the earth for the lasting good of men.

Since the beginning of time, nations have risen in direct ratio to the abundance and husbandry of their natural resources. So history is written. We have only to look to the Middle East, India and China to see what happens to a culture and economy when the rich raw materials of the earth are destroyed.

Here in the U.S. our entire course of growth has been based on the principle of resource luxury—limitless land, forests, water, soil, air. Now, at last, we have crossed the last frontier. The country is operating on a declining curve. Vast portions of our water supply are unfit to drink, scarcely fit for industry. The air is unfit to breathe and getting worse, not better. No fence is tight enough to shut out radiation clouds, drifting sewage or noise from aircraft. Twenty years ago, possibly even 10, we could still escape by moving to Arizona, the Rockies or the Cascades. Now there is no escape. Instead, there is the challenge to clean up the environment and to keep it clean. Otherwise, our health and safety, and the quality of life will be seriously degraded, perhaps life itself endangered.

I like to search history for hopeful guideposts of practical conservation. One favorite begins at the monastery at Monte Cassino, Italy, which St. Benedict established in the sixth century. Because the abiding goal of the monks was self-sufficiency, they learned to manage the land to supply them with food and clothing, while retaining its productivity despite intensive cultivation. They developed a lasting architecture of functional beauty, well-suited to the country in which they lived (as well as to their activities). The Cistercian monks, who followed the Benedictine rule, converted areas of swamps and forests into fertile lands, which make up much of Europe's countryside today. They did so through technological practices, suggesting that technology does not have to be a dirty word.

We have examples in our own country, too. The Spanish padres who came to California built their missions of earth and seashell, mortar and reeds, wasting neither land nor materials. In fact, they laid out their presidios and pueblos allowing room for growth according to plans that had already influenced the pattern of cities in South America. One may conjecture that if this design had continued there might be far less urban sprawl in California today.

One of the most fascinating examples of use in harmony with the land is found in Pleasant Hill, Ky., the Shaker village of the 19th century that was intended to be God's kingdom on earth. Though the religious order (which once settled colonies in seven states) has virtually disappeared, Pleasant Hill remains as a durable monument to its good works. The Shakers' agriculture and industries were unrivaled for practicality and progress. They invented ingenious labor-saving devices like the circular saw, common clothespin and metal pen. They are recognized as the first to have sold garden seeds in packets. They manufactured their own farm implements and succeeded in installing a fantastic central water system, probably the first west of the Alleghenies.

Those people are gone. The Pennsylvania Dutch, however, are much a part of the present. Where other settlers around them exploited the land and moved on, these thrifty Germans sheltered cattle, rotated crops (planting carefully to avoid erosion) and stayed put. Anyone driving through the Dutch country today will be impressed at the sight of land farmed for three centuries that continues to be fertile and productive.

The examples I have cited, as you may note, share a common quality: the utter absence of waste. Conservation is based upon respect for natural systems and the elimination of waste. This is the fundamental principle that must be applied to industrial production and to our life-style as individuals.

We are told more forests must be cut because the nation needs wood for housing construction, yet logging has been a consistently destructive practice. Consider that about half the wood cut is left in the forest, then half the remainder is discarded in processing. Air is then polluted by burning of logging slash and sawmill "residues" (otherwise known as waste). Water is fouled when pulp mills dump their residues into streams.

How much do we Americans waste? Studies show that in solid materials alone we discard 350-million tons of residential, commercial and industrial rubbish (about one-million tons a day); 1.3-billion tons of agricultural manure; 1-billion tons of mining wastes, and 15-million tons of scrapped automobiles. Measured another way, every day of the year, as individuals we throw out almost 500,000 tons of paper, cans, bottles, garbage and other refuse.

We are, in fact, distinguishing ourselves as the most wasteful people on earth. A study by Keep America Beautiful, the anti-litter organization, reveals that each individual generates an annual average of 1,800 pounds of waste, compared with 1,000 in Canada, 500 in England, only 200 in India. Waste is the offspring of an affluent society, in which people are prone to devour endless quantities of "disposable" products—newspapers, magazines, paper bags, cellophane, packages, tissues, bottles, cans—with little thought of where they come from or where they must go, and with scant inclination to save, or repair, anything older than yesterday.

This approach might have worked 50 years ago, but since then the population has doubled. The towering mountains of waste create tremendous problems. Many cities, large and small, still cart the stuff to smelly, rat-infested dumps, which the Public Health Service warns "represent disease potential, threat of pollution and land blight." Besides, we are simply running out of dumping space.

Sure, we can do a better job of disposal through more efficient incineration and composting and landfilling (which inevitably claims valuable marshes, resources in their own right for fish, birds, mammals and recreation). But we would still be discarding vast quantities of products made from raw materials in limited supply. The answer is at last dawning on the nation that we can and must shift from a use-and-discard philosophy to a cycle of use-salvage-and-reuse.

Recycling represents an urgent aspect of modern conservation. It saves raw materials, eliminates pollution, and protects the shrinking open space and wilderness which enhance the quality of life. It even offers the basis of an entire new industry, for it is clearly evident that modern technology can provide the means for recycling vast quantities of materials presently being "poured down the drain." With discipline and determination, society can return paper to the paper mill, aluminum to the smelter, scrap iron to the foundry.

In short, we need a new national goal based on doing more with less. The target should be to recycle, remelt and reuse every pound of metal—just as was the practice centuries ago when metals were not as readily available—rather than tolerating ugly and growing refuse piles. An all-out effort should be directed at collecting and utilizing 25-million tons of fly ash from coal-burning power plants (as other nations do), instead of allowing this resource to pollute the air. The time is now to give the answer to years of neglect, overuse, misuse and waste.

With the tempo of national feeling at a high pitch, Americans have reached the hour for action on a broad front. As one deeply involved in environmental issues, I believe we must assign responsibilities, rather than assess guilt. There is plenty of room for all. Industry must be required to do its full share (and is likely to find that environmental responsibility increases efficiency and saves more money than it costs), but should not be a whipping boy. Thousands of municipalities must respond, too. Do you realize that about 30-million Americans still live without adequate sewage installations or with none at all? That about 2,400 communities need new or better treatment facilities in order to stop further degradation of water quality?

The point is that conservation is everybody's business. It begins in everybody's backyard and neighborhood. Each individual American who cares must accept the responsibility for his own life-style. For example, those who complain about phosphates in synthetic detergents leading to the deterioration of lakes and streams can switch to soap. The family farmer can decide to raise crops and animals by "organic" specifications, switching from poison sprays and high-nitrate fertilizers to more natural fertilizers and soil conditioners and to rotations that return plant residues to the soil. Instead of burning leaves or cuttings from plants, the home gardener can build a compost pile, which is one of the most direct and personal means of conserving resources and curbing pollution. Any group of citizens can clean up a nearby vacant lot or stream, which may have been a dump, and turn it into a place of beauty and use.

It's amazing how little we understand of the American life community and how poorly we use it. Many insects which we destroy indiscriminately are regarded in more frugal countries to be good food. Not all insects are "dirty," either; some, in fact, are cleaner than the residues of insect killers which farmers spread on their vegetables. By the same token, many plants we shun as "weeds" yield wholesome, palatable and edible fruits, nuts, leaves, stems, roots and seeds to those who involve themselves in the natural world.

Individually and collectively, conservationists can work miracles. The average citizen must keep continuing pressure on everybody who has influence in order to stop the dumping of waste—whether in the form of kitchen scraps, cans, automobile or smokestack exhausts—into the common environment of our small planet. It can be done.

THE "NEW SPRINGFIELD," MASS. STORY BY DON FRIFIELD IN THE AMERICAN AIRLINES INFLIGHT MAGAZINE

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. BOLAND. Mr. Speaker, complex problems stemming from core-city deterioration and blight in older major American metropolitan areas, and what my home city of Springfield, Mass., is doing to counter this trend, continues to receive favorable nationwide attention.

Don Frifield wrote a perceptive and interesting article entitled "New Springfield" for the February 1971 edition of The American Way, the inflight magazine published monthly by American Airlines.

Noting this predicament of many larger cities, Mr. Frifield points to Springfield as an example of what can be done to save our cities. Through the efforts and continuing dedication of many private citizens and public servants, Springfield has developed a highly successful combination of private financial sponsorship and local-State-Federal Government initiative.

Springfield has been successful in the inauguration of a hopeful program for the rejuvenation of its downtown area, making it accessible through an improved transportation street-highway network, and providing for the preservation of the area's historical heritage. I include Mr. Frifield's article at this point in the RECORD:

NEW SPRINGFIELD

(By Don Frifield)

The impact of inner-city deterioration and blight, the now-familiar pattern of the affluent deserting the city for the suburbs and leaving the central city for the poor, is a problem Springfield, Massachusetts (population 175,000) shares with many cities of approximately the same size.

But Springfield's response amounts to a kind of clarion call of faith in the central city itself. The city serves a metropolitan area of more than 500,000 persons. After Boston and Worcester, it's the third-largest city in Massachusetts, but in economic power it's second only to Boston.

Now taking form in the heart of Springfield is a massive rebuilding of the main commercial area that will—all concerned hope—make downtown Springfield a Place to Go, to Be in. But the very idea implies far more than just another shopping center with office buildings and retail stores: calls for a plan, its backers assert, that will make the downtown area a focus of attraction beyond the power of any suburban areas to duplicate.

In essence, this is the very principle of the city as an idea: you need compelling reasons to journey to the heart of *any* city—reasons that will overwhelm all problems of transport, parking, convenience, and expense, because the city itself is indispensable.

Among American cities, New York, San Francisco, New Orleans, Chicago, Boston, and Philadelphia—among others—have either retained or rebuilt this irresistibly magnetic power into their central sections, often at great effort and expense, to say nothing of controversy.

But, as we're all aware, most other American cities have lost the magnetism of their downtown areas to suburban areas, some more, some less.

And, even among those cities cited above, the battle remains touch-and-go: Philadelphia has revitalized itself enormously in the areas around the 30th Street Station and Independence Hall, but its inner-city problems grow worse. Nor have new office buildings helped New York and Chicago conspicuously. Even San Francisco has to contemplate a loss in its panoramic views; from the Top of the Mark you now see predominantly the Top of the Fairmont next door.

Springfield's own plans, now in the midst of construction, include:

A massive civic and convention center in the heart of the city, to restore Springfield's importance as a New England convention center. The Civic-Convention Center will be the first of many new buildings in the city's Court Square Urban Renewal area. Its initial capacity of 9,000 will be expanded to 10,600 seats, as the need arises.

Baystate West, a 50 million dollar project of Massachusetts Mutual Life Insurance Company (headquartered in Springfield, where it has 2400 employees), is building on four acres of downtown Springfield just two blocks from the Civic-Convention Center. It will consist of two levels of enclosed retail stores, three levels of parking above the stores, a 29-story office tower, and a 15-story hotel. Sheltered airwalks will connect the various elements of Baystate West, affording an all-weather, air-conditioned environment for shoppers, workers, and visitors.

The North End Project, under the aegis of the Springfield Redevelopment Authority, combines private and urban renewal funds, comprising a 240-room motor hotel topped with a revolving restaurant, a twin-tower high-rise apartment building for the elderly, a bus terminal, a new YMCA building, new office and plant for Springfield's newspapers, and additional commercial construction.

Whatever the immediate benefits of these projects when they are completed, Springfieldites are convinced that the real success of the effort will be determined by one factor alone: Will these initial programs spark others to the point where the central area will once again become significant?

Today the expected poverty-stricken ghetto areas are immediately adjacent to downtown. Civic leaders believe the middle-class flight to the suburbs—and even out of the area altogether—will not be curbed, let alone reversed, by good intentions and limited efforts, however dazzling.

The impression one gets from Springfield people—as from other, similarly-situated Americans at this point in our national history—is of a total rejection of the old chamber of commerce enthusiasms, advertisingese, and the so-called 'Edifice Complex, wherein great slabs of new masonry once spelled progress itself.

"We've got to make this city mean something to today's Americans," says Paul Mason, Springfield's black city councillor. "We've all come to learn that bigger isn't necessarily better, that you can build yourself right out of the human perspective. Size and budget are important, of course, but the human scale is indispensable. We want people to be comfortable in downtown Springfield. We want them to look upon the new creations here as their very own . . . as places to enjoy. The esthetics are every bit as important as the financial prospects—and it may well be that the two considerations can no longer be considered separate, or opposing one another.

"Coming to Springfield as a convention visitor or as a tourist has got to be an *event.* And this is easier said than done."

The decision of the Springfield municipal government to build the Civic-Convention Center in the heart of town should perhaps be self-explanatory. At any rate, a city spokesman answered the question "Why?" with two others: "Where else would you build such a facility to be most convenient to the most people? And where else could you find a neighborhood that needs improvement more?"

But why did a private company, Massachusetts Mutual Life, choose to build in the central city?

"Well," said James R. Martin, president and chief executive officer, "We just couldn't imagine a better place. If we don't show our genuine faith in our headquarters city, how can we expect others to join us? Besides, our choice was more than a matter of faith. It was the logical place.

"When the interstate highway network is complete around here in late 1971, downtown Springfield will be the easiest place in the area to reach, the easiest place to park your car, and the easiest place to do the most things with the least effort."

While the very phrase "Great Springfield" may bring smiles to the lips of New Yorkers and Los Angelenos, among others, the fact remains that Springfield is in the heart of many things near and dear to the American spirit.

Old Storrowton Villages, on the grounds of the Eastern States Exposition (an annual fair that is the largest in the Northeast and among the dozen largest fairs in the U.S.), recreates a colonial American that helps visitors evoke the land that the bulldozers have destroyed in those places where time alone wasn't enough.

Thirty miles away, the much great recreation of post-colonial America, Sturbridge Village, brings the late 18th and the early 19th century America of farms and vilages to life for today's over-urbanized generations, many of whom come away dazzled with the energies and talents of a bygone America.

Within a half hour's drive from central Springfield are some of the nation's first and best colleges: Smith at Northampton; Mt. Holyoke at Mt. Holyoke; Amherst at Amherst. Forty-five minutes away are Williams College at Williamstown and Tanglewood and the Berkshires.

Thus Springfield is in the center of western Massachusetts' uniquely New England contribution to the American experience.

In the city itself, the Springfield Armory Museum reminds us of the armorial tradition of the city: here originated the first U.S. Army musket in 1795, the Springfield Rifle in 1903, and the Garand Rifle in 1937.

Springfield also boasts the first commercially-sold automobile, the 1892 Duryea, and memorializes the creation of the game of basketball in The Nation's Basketball Hall of Fame (Dr. James Naismith dreamed up the game while teaching in the world's first YMCA college in Springfield in 1891).

"We've got to make civic spirit—call it civic *optimism*—contagious in Springfield," says Richard Booth, former bank president and active in downtown redevelopment since its inception. "This is no time for old-fashioned boosterism and mindless promotionalism, but it *is* a time to begin conquering our problems before they conquer *us*.

"But nothing we say has any meaning unless we're willing to put our money where our hopes are. Things are not going to get better in the American city unless the city-dwellers *make* them better."

DRAFT REFORM

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. SCHWENGEL. Mr. Speaker, the question of extending our selective service laws and the general question of draft reform is a topic with which we are all very much currently concerned. The Armed Services Committee is currently conducting hearings on this subject. I have recently received a letter from the Iowa Youth Advisory Committee containing a number of recommendations with respect to the Selective Service System. These suggestions are well thought out and I urge my colleagues to read and consider them.

I include the material as follows:

FEBRUARY 24, 1971.

The Hon. Congressman FRED SCHWENGEL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN SCHWENGEL: The Iowa Youth Advisory Committee to the Selective Service System has now been in operation for over a year and one-half. Our 10-member committee, representative of the divergent youth groups and areas of Iowa, has as its primary function the representation of contemporary youth's ideas to the Selective Service.

Since the law regulating the Selective Service is now being considered, we feel that it is important to communicate our ideas to you. Beyond this, we would hope that you would communicate your ideas with us.

Among the recommendations which we urge you to consider are the following:

1. The committee strongly favors elimination of the 2-S (student) classification.

2. The committee also recommends the elimination of the 2-A (Apprentice) and the 3-A (Fatherhood) classifications.

3. With respect to the 1-0 (Conscientious Objection) classification, it is our feeling that those so classified should be channeled into the following fields:

a. VISTA.

b. Teachers Corps.

c. PEACE Corps.

d. Other federal or state programs.

4. The committee feels that the 1-Y classification is being abused. We would recommend a standard comprising the 1-Y classification for use in noncombatant capacities (i.e., desk jobs, etc.) in the military.

5. The committee recommends a 2-year extension of the current draft. We do so with the hope that a "Zero Draft" call will be possible at the end of that period. In addition, we recommend analysis of the potential prospect of incorporating the "Zero Draft" for the last 6 months of this period. We feel that this would be an excellent opportunity to test the potential of the "Zero Draft."

6. We hope that Congress will not overlook reform in passing a 2-year extension of the law. A realistic analysis of the potential for reaching the "Zero Draft" in 1973 leads us to conclude that reform of the current system should not be disregarded in the belief that the current draft will be ending in 2 years.

In closing, I would like to thank you for your consideration of the committee's recommendations. I hope that we can hear from you in the near future regarding your opinions and ideas about the current draft law.

Sincerely,

LARRY E. MCKIBBEN, *Chairman.*

PRICE OPPOSES RAISING NATIONAL DEBT

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. PRICE of Texas. Mr. Speaker, in the first year of the Nixon administration I, for the first time since coming to Congress, voted to raise the ceiling on the national debt. I did so then because I believed the President needed some fiscal elbowroom to help him turn the economy away from the inflationary spiral caused by the excessive spending and deficit financing of previous administrations.

I took this step in good faith; I took this step in the hopes that it would help the Federal Government set its financial house in order. Regrettably, most regrettably, I took this step in vain.

That financial order at the Federal level has not been attained is obvious. One need look no further than the so-called full employment budget for fiscal 1972, which is nothing more than deficit spending by another name, to see that Federal fiscal policymakers are embarked upon another round of "go now, pay later" Government financing. And, predictably, Congress is now being asked to raise the national debt ceiling once again to provide the extra margin for the so-called money experts to wheel and deal as well as deficit spend.

But, Mr. Speaker, I say far more than enough leeway has been extended. Far too much debt is outstanding. By stretching our indebtedness further we are stretching to a breaking point the fiscal integrity of the U.S. dollar.

Instead of attempting to solve our financial woes by spending more money, let us, just for once, take a serious stab at attempting to solve our financial woes by spending less money. I say it is time, indeed it is way past time, to recognize a fundamental law of economics; namely, you cannot spend or give away more than that which you have to spend or give away.

I realize this simple precept might shock a highly paid bureaucrat who is more comfortable dealing with abstract facts and national debt account figures, but I am confident every last wage earner, every last taxpayer who has to make out and stick to a budget will know full well what I am saying and will accept it for the basic truth it is. You simply cannot spend more than you have.

Well, the bureaucrat says, when the family wants to spend more than it has it borrows money. Why then cannot the Government do the same?

To the bureaucrat I say, when the family or the individual borrows money repayment is called for, and if repayment is not made as agreed upon then personal or commercial bankruptcy ensues. In contrast, when the Federal Government borrows money, it borrows it, in effect, from either the people in the form of notes or bonds, or from itself. And when repayment is due, the Government often merely prints enough new money to cover its indebtedness or it refinances its indebtedness.

Mr. Speaker, I say this form of government by printing press, or government by continual debt renegotiation, is destined to fail. No government, I repeat, no government can perpetuate itself successfully by building paper castles in the air. And believe you me, this is exactly what we are now doing; and this is exactly what we have been doing for the last 20 years.

To those who think there is no such thing as an inevitable day of financial reckoning for a nation as there is for an individual or a family, let me address a simple thought. At the present time, the second biggest item of Federal expenditure is the $20.8 billion that will be spent this year just to pay the interest, not the principal, just the interest, on our national debt. This next year, the interest costs will run over $21 billion. Contrast these staggering interest costs to the more modest amount of $8 billion that it took to service the national debt in 1961. And if this contrast is not startling enough to make all but the compulsive take pause, it has been computed that on the basis of this year's interest of $20.8 billion, just the interest alone costs $39,600 for each minute of the year or $400 million each week of the year. This is what it costs each and every one of us to support those who blindly spend, spend, spend on the Federal level.

Mr. Speaker, the history of the last few years is clear. The limit on the national debt, although established in 1917 as a statutory ceiling or maximum limit on the total amount of Federal securities that may be outstanding at one time, has become merely an invitation to costly and misleading fiscal maneuvers. Keynesian theorists, Fabian Socialists, and plain misguided and misinformed altruists have used the national debt limit as a level to jockey this Nation into a financially treacherous position.

The "go now, pay later" boys have

overspent the real resources of this Nation to the point that U.S. gold reserves have shrunk from almost $24 billion to under $11 billion at the same time short-term U.S. dollar claims held by foreign interests have climbed to more than $42 billion.

Yet in the face of this financial crunch, what do we hear from the free spenders? We hear, "The heck with reality, the heck with financial stability, open the doors of the Nation's Treasury and full speed ahead."

Mr. Speaker, now is the time to say, enough is enough. Now is the time to say this far and no further. Now is the time to say "tonstaffl"—there is no free lunch. Somebody pays for it sometime. In the case of the national debt, that "somebody" is the taxpayer, and the "sometime" is, I am afraid, soon.

HOW THE HOUSE VOTES ON INTEREST RATES

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. PATMAN. Mr. Speaker, last Wednesday the high- and low-interest forces in the House of Representatives were plainly revealed for the American public. The low-interest forces lost, 212 to 180, but there are many significant points about that vote that should be brought to the attention of the American people.

Without a solid Republican vote for high-interest rates, it would have been impossible for the removal of the 4¼-percent ceiling to have passed the House of Representatives. Ninety-one percent of the Republicans—all but 14—voted for removal of the 4¼-percent ceiling and for allowing the Treasury Department to market $10 billion of long-term Government bonds without regard to this ceiling.

On the low-interest side of the issue were 166 Democrats and the 14 Republicans.

Nearly three-quarters of the Democrats present were recorded for the 4¼-percent ceiling and low-interest rates.

Mr. Speaker, the American voters will long remember this division in the House. I am proud of the fact that the leadership—including 11 committee chairmen—stood by the principles of the Democratic Party and voted for low-interest rates.

It is also significant that 29 of the 32 new Democratic Members of the House present cast votes to retain the 4¼-percent ceiling. These are people who were elected in a 1970 campaign which centered heavily on economic issues including interest rates. Only three of these new Members were recorded on the high-interest side of this issue.

Mr. Speaker, many of the State Democratic delegations voted together to keep the 4¼-percent ceiling. In 11 States, only a single Democratic Member crossed the line and voted against the 4¼-percent ceiling.

The Banking and Currency Committee has long been concerned about high-interest rates and I am happy to report that 14 of the 16 Democrats present voted on the low-interest side of H.R. 4690. Only two Democrats on the committee voted the other way.

Last week's vote against low-interest rates, 212 to 180, threatens to label the 92d Congress as "The High-Interest Congress." However, the 180 Members who voted for low-interest rates cannot be blamed for the mistakes of the 212 who pushed this ill-timed measure through the House.

Mr. Speaker, the 180 Members who voted for low-interest rates are to be commended in the highest terms. They are reflecting the demands of the American people for economic stability and the lowest possible interest rates and the lowest possible charges on Government borrowings. These 180 Members make up the honor roll of the low-interest forces in the House of Representatives.

Mr. Speaker, I place in the RECORD a list of the names of the 180 Members by State:

THE 180 MEMBERS WHO VOTED FOR LOW INTEREST RATES

ALABAMA

Robert E. Jones, Democrat.

ALASKA

N. J. Begich, Democrat.

ARIZONA

Morris K. Udall, Democrat.

CALIFORNIA

Glenn M. Anderson, Democrat.
Phillip Burton, Democrat.
George E. Danielson, Democrat.
Ronald V. Dellums, Democrat.
Barry M. Goldwater, Jr., Republican.
Augustus F. Hawkins, Democrat.
Chet Holifield, Democrat.
Harold T. Johnson, Democrat.
Robert E. Leggett, Democrat.
John J. McFall, Democrat.
George P. Miller, Democrat.
John E. Moss, Democrat.
Thomas M. Rees, Democrat.
Edward R. Roybal, Democrat.
John G. Schmitz, Republican.
B. F. Sisk, Democrat.
Lionel Van Deerlin, Democrat.
Jerome R. Waldie, Democrat.
Charles H. Wilson, Democrat.

CONNECTICUT

William R. Cotter, Democrat.
Robert N. Giaimo, Democrat.
Ella T. Grasso, Democrat.

FLORIDA

Charles E. Bennett, Democrat.
Bill Chappell, Jr., Democrat.
Dante B. Fascell, Democrat.
Don Fuqua, Democrat.
Sam Gibbons, Democrat.
James A. Haley, Democrat.
Paul G. Rogers, Democrat.
Robert L. F. Sikes, Democrat.

GEORGIA

Jack Brinkley, Democrat.

HAWAII

Spark M. Matsunaga, Democrat.
Patsy T. Mink, Democrat.

ILLINOIS

Frank Annunzio, Democrat.
George W. Collins, Democrat.
Philip M. Crane, Republican.
Edward J. Derwinski, Republican.
Kenneth J. Gray, Democrat.
John C. Kluczynski, Democrat.
Abner J. Mikva, Democrat.
Melvin Price, Democrat.
Roman C. Pucinski, Democrat.
George E. Shipley, Democrat.
Sidney R. Yates, Democrat.

INDIANA

John Brademas, Democrat.
Lee H. Hamilton, Democrat.
Andrew Jacobs, Jr., Democrat.
Ray J. Madden, Democrat.
J. Edward Roush, Democrat.

IOWA

John C. Culver, Democrat.
H. R. Gross, Republican.
Fred Schwengel, Republican.
Neal Smith, Democrat.

KANSAS

William R. Roy, Democrat.

KENTUCKY

Romano L. Mazzoli, Democrat.
Carl D. Perkins, Democrat.
M. G. Snyder, Republican.
Frank A. Stubblefield, Democrat

LOUISIANA

Hale Boggs, Democrat.
Patrick T. Caffery, Democrat.
John R. Rarick, Democrat.

MAINE

Peter N. Kyros, Democrat.

MARYLAND

Parren J. Mitchell, Democrat.
Paul S. Sarbanes, Democrat.

MASSACHUSETTS

James A. Burke, Democrat.
Harold D. Donohue, Democrat.
Robert F. Drinan, Democrat.
Michael Harrington, Democrat.
Louise Day Hicks, Democrat.
Torbert H. Macdonald, Democrat.
Thomas P. O'Neill, Jr., Democrat.

MICHIGAN

John Conyers, Jr., Democrat.
John D. Dingell, Democrat.
William D. Ford, Democrat.
Lucien N. Nedzi, Democrat.
James G. O'Hara, Democrat.

MINNESOTA

Bob Bergland, Democrat.
John A. Blatnik, Democrat.
Joseph E. Karth, Democrat.
John M. Zwach, Republican.

MISSOURI

Bill D. Burlison, Democrat.
Durward G. Hall, Republican.
William L. Hungate, Democrat.
Richard H. Ichord, Democrat.
William J. Randall, Democrat.
Leonor K. Sullivan, Democrat.
James W. Symington, Democrat.

MONTANA

John Melcher, Democrat.

NEVADA

Walter S. Baring, Democrat.

NEW JERSEY

Dominick V. Daniels, Democrat.
Cornelius E. Gallagher, Democrat.
Henry Helstoski, Democrat.
James J. Howard, Democrat.
Joseph G. Minish, Democrat.
Peter W. Rodino, Jr., Democrat.
Robert A. Roe, Democrat.
Charles W. Sandman, Jr., Republican
Frank Thompson, Jr., Democrat.

NEW MEXICO

Manuel Lujan, Jr., Republican.
Harold L. Runnels, Democrat.

NEW YORK

Bella S. Abzug, Democrat.
Joseph P. Addabbo, Democrat.
Herman Badillo, Democrat.
Mario Biaggi, Democrat.
Frank J. Brasco, Democrat.
Shirley Chisholm, Democrat.
John G. Dow, Democrat.
Thaddeus J. Dulski, Democrat.
Seymour Halpern, Republican.
James M. Hanley, Democrat.
Edward I. Koch, Democrat.
Otis G. Pike, Democrat.
Bertram L. Podell, Democrat.
Charles B. Rangel, Democrat.
Benjamin S. Rosenthal, Democrat.
William F. Ryan, Democrat.
James E. Scheuer, Democrat.
Samuel S. Stratton, Democrat.
Lester L. Wolff, Democrat.

NORTH CAROLINA

L. H. Fountain, Democrat.
Nick Galifianakis, Democrat.
David N. Henderson, Democrat.
Roy A. Taylor, Democrat.

NORTH DAKOTA

Arthur A. Link, Democrat.

OHIO

Charles J. Carney, Democrat.
John F. Seiberling, Jr., Democrat.
J. V. Stanton, Democrat.
Charles A. Vanik, Democrat.

OKLAHOMA

Carl Albert, Democrat.
Ed Edmondson, Democrat.
Tom Steed, Democrat.

OREGON

Edith Green, Democrat.
Al Ullman, Democrat.

PENNSYLVANIA

William A. Barrett, Democrat.
James A. Byrne, Democrat.
John H. Dent, Democrat.
Joshua Eilberg, Democrat.
Daniel J. Flood, Democrat.
Joseph M. Gaydos, Democrat.
Thomas E. Morgan, Democrat.
Robert N. C. Nix, Democrat.
Fred B. Rooney, Democrat.
Joseph P. Vigorito, Democrat.
Gus Yatron, Democrat.

RHODE ISLAND

Robert O. Tiernan, Democrat.

SOUTH CAROLINA

John L. McMillan, Democrat.
James R. Mann, Democrat.

SOUTH DAKOTA

James Abourezk, Democrat.
Frank E. Denholm, Democrat.

TENNESSEE

William R. Anderson, Democrat.
Ray Blanton, Democrat.
Joe L. Evins, Democrat.
Richard Fulton, Democrat.

TEXAS

Jack Brooks, Democrat.
Bob Casey, Democrat.
Jim Collins, Republican.
Bob Eckhardt, Democrat.
Henry B. Gonzalez, Democrat.
Abraham Kazen, Jr., Democrat.
Wright Patman, Democrat.
J. J. Pickle, Democrat.
Richard C. White, Democrat.
Jim Wright, Democrat.

UTAH

K. Gunn McKay, Democrat.

VIRGINIA

William L. Scott, Republican.

WASHINGTON

Brock Adams, Democrat.
Julia Butler Hansen, Democrat.
Mike McCormack, Democrat.
Lloyd Meeds, Democrat.

WEST VIRGINIA

Ken Hechler, Democrat.
Harley O. Staggers, Democrat.

WISCONSIN

Leslie Aspin, Democrat.
Robert W. Kastenmeier, Democrat.
David R. Obey, Democrat.
Henry S. Reuss, Democrat.
Clement J. Zablocki, Democrat.

WYOMING

Teno Roncalio, Democrat.

A NEW BREED OF LAWMAN FROM SWTU

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. PICKLE. Mr. Speaker, because of the vision of the Southwest Texas State University at San Marcos, the future of law enforcement looks brighter and stronger.

This university has initiated and doubled the size of its department of law enforcement education in less than 2 years. Now, SWTU is one of only 11 universities in the State of Texas offering a 4-year bachelor program in law enforcement. Plus, it is one of only three universities in the entire United States selected by the Air Force to train its Institute of Technology personnel.

Mr. Speaker, obviously the leadership at SWTU is not content to talk about the problem of the rising crime rate—they want to do something about it. That something first begins with trained law enforcement personnel. Therefore, in the hopes that the Nation will prosper by the example begun at SWTU, I ask unanimous consent to present for the RECORD the following article written by Don Fairchild in the February 27 edition of the Austin American:

SWT TRAINING A NEW BREED OF LAWMAN

(By Don Fairchild)

SAN MARCOS.—Beginning in September of 1969 with 22 students, the Department of Law Enforcement Education at Southwest Texas State University has more than doubled in two years to 568 students, 188 of whom are making this field their major.

The department at the San Marcos school now has two fulltime professors, a chairman, and two part-time instructors.

And a large group of enthusiastic, dedicated students, young and some not-so-young. But all of them are enthusiastic.

They are enthusiastic about what is a new approach to law enforcement, as well as a new venture in education.

San Marcos's SWTU is one of only 11 universities in Texas offering a four-year, bachelor-level program in law enforcement.

And it is one of only three universities in the United States selected by the Air Force to train its Institute of Technology personnel.

Chairman of the department is Dr. Oscar Dorsey, who is also dean of professional schools at the university.

Master teacher is C. C. Mahaney, with I. J. Horn, a retired Air Force major, as the other fulltime instructor.

Part-time instructors are William O. Maddox, who is campus security director, and D. B. Harrelson, who will go on fulltime basis in the fall.

According to professionals in the field, what is the future for a young man or young woman in the field of law enforcement?

Mahaney is definite: "Now is a good time to go into the field." Standards are rising. So are pay and consideration, Mahaney said this week in an interview.

"Right now would be a good time to enter the field, for someone who wants to be of service to society," said the master teacher.

"Pay and rewards are much better now—but they should be even higher; I think they will be better when society realizes the law enforcement officer is trying to become a professional person," said Mahaney.

The Law Enforcement Education program is designed to give its students a strong academic background, including must-take courses in psychology and sociology; a common ground with other professionals in the academic courses taught; a free exchange of information between departments; and a code of ethics.

Mahaney says "psychology and sociology and a study of social attitudes of people and individuals are musts."

"The human affairs part is vital—to know how people are going to act and react under stressful situations."

The students must take several courses in abnormal psychology and human behavior in abnormal situations, Mahaney says.

Mahaney says the Department is perhaps the fastest growing department at the university. "We have to turn away students," he said. The Department has been "well received" by faculty and students, he added.

What about pay and incentives for the graduate? Mahaney says the standard-setting department in Texas at the moment is Dallas. There, the rookie officer, once he has been through the police academy of the Dallas force, can expect to begin at $700 a month. "That's pretty good pay for a starting bachelor of science degree in any field," said Mahaney.

But the graduates aren't limited to the choice of being an officer on the beat, says Mahaney. Many go into federal service; some go to the Treasury Department; and many of them go into security work.

"Let's get one thing straight," says Mahaney. "The degree won't make you a good officer automatically. It depends on what the individual is capable of doing with his degree. The degree doesn't automatically make you a good law enforcement officer—but it will aid."

What about public attitudes toward law enforcement people, especially in view of these troubled times?

Mahaney still thinks it's a good time to get into the field. Public attitudes are changing, he said, and they are changing in favor of professionally trained, high-standard peace officers.

"The public can have the type of police force it wants," says Mahaney. "If the citizens will demand an excellent force, they'll get it."

Also, Texas is fortunate in that it does not have the human relations problems of the East and West Coasts, said the teacher.

The beginning peace officer should be between 21 and 35 years of age, but that doesn't mean the law enforcement courses are limited to that age bracket. "Many senior officers are going to school so that they can take their place in law enforcement education," said Mahaney. "There is a big demand for college-trained peace officers."

The San Marcos course is a four-year, 128-semester-hour course from which the graduates receive a bachelor's degree in law enforcement. "We hope to be able to offer a master's degree course in 1973," the teacher said.

Although the field is practically brand new, more than 600 universities and junior colleges in the United States now have programs in law enforcement, said Mahaney.

And the field is attracting more and more women. There are 11 girls majoring in law enforcement at SWT; 10 are majoring in social law enforcement, and one in criminal law enforcement.

"Many girls want to go into juvenile work," says Mahaney, "That is why they study social law enforcement."

"It is," he said, "an expanding field for women."

Security also is a field that is opening to women, he said. And the field is big. "There are two guards to each police officer in America," said Mahaney. Women are welcomed in industrial security, personnel security, department stores, and other areas, said Mahaney.

PLANS, PROGRAMS, AND ECONOMICS OF THE COAL INDUSTRY TO MEET POWER REQUIREMENTS

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. BEVILL. Mr. Speaker, meeting America's increasing power requirements is one of the most pressing problems facing us today. In a recent speech before the American Institute of Mining Engineers, Mr. Carl E. Bagge, president of the National Coal Association, presented the views of his association with regard to this problem and offered some suggestions as to how we can best meet these power needs. Mr. Speaker, I insert Mr. Bagge's remarks in the RECORD so that my colleagues may have the opportunity to study his proposals:

PLANS, PROGRAMS AND ECONOMICS OF THE COAL INDUSTRY TO MEET POWER REQUIREMENTS

(A speech by Carl E. Bagge)

My topic today is to inform you, the engineers who have such a vital input into industry's future plans, how the coal industry is planning to meet power requirements. Such a subject presents quite a challenge in at least two unique respects. First, the coal industry has sufficient productive capacity to meet existing demands and in 1970 proved its ability to do so by establishing a 20 year production record. Secondly, while other fuels are short of reserves, coal will only be short of productive capacity to meet future demands to the extent that industry, particularly the electric utilities, fails to make a timely commitment to rely on coal. The problem is one of attracting sufficient investment capital to expand our productive capacity. And this cannot be achieved if the prevailing attitude of a large segment of the utility industry continues to consider coal as the last resort in any plans for the future. If the coal industry can be assured of the role you planners want it to assume in your company's future, I can assure you, gentlemen, that the coal industry will be willing to invest the risk capital necessary to develop the productive capacity to meet those future demands.

The relationship in the past between the coal industry and the utilities undoubtedly could have been improved but history can serve us only if we profit from the mistakes of the past without dwelling on them. At this critical time in the development of our energy-oriented society the limitations on our existing energy sources must be taken into account in the development of realistic solutions which are so essential if the growing needs of this and future generations are to be met. It is imperative for the electric utilities to recognize that coal must assume an essential role in their future plans—not only with respect to the requirements of existing plants but the need for the construction of new coal-fired facilities well into the next century.

My remarks today will focus primarily upon some of the major considerations which should form the basis for any constructive approach to our mutual problems.

Throughout most of our recent history, as a nation, we have enjoyed abundant quantities of low-cost energy. It has been only within the last few years that we have been forced to face the inevitable; when our geometrically increasing demand began encountering some troublesome and finite limits on supply.

There was a small foretaste of future troubles last year when an autumn heat wave caught some power companies with many of their facilities off line for annual maintenance and some brownouts resulted in the northeast. That situation was caused primarily by a shortage of generating capacity, not fuel. Nevertheless, some utility executives spent some worried weeks watching their fuel stockpiles dwindle. And all fuels were in short supply.

While the immediate concern has been with generating capacity, the underlying problem in the long run is one of an adequate and available fuel supply. It is in this regard that coal enjoys an enviable position within the fuel spectrum. While the other fuels are short of reserves, as pointed out above, coal is only short of the productive capacity necessary to meet your projected demands for coal in the future.

If the nation's present rate of energy demand is projected into the future, we come up with some staggering figures. In 1969, the United States consumed nearly 65.8 quadrillion Btu of energy, more than 95 percent of it from fossil fuels. A consensus of recent estimates indicates a national demand for 145.4 quadrillion Btu of fossil fuels by the year 2000.

Estimates of the recoverable reserves of coal in the United States range from 7,980 quadrillion Btu in the sort of seams now being mined, to 32,973 quadrillion Btu in estimated total ultimately recoverable reserves. This is our greatest stockpile of energy, making up 88 per cent of our known or provable reserves of energy fuels—including uranium—and 74 per cent of our ultimate recoverable fuel reserves.

In this context, the future fuel demand by the electric generating industry will also undergo a dramatic increase. The Federal Power Commission estimated last year that by the year 1990, the nation's electric power requirements will increase more than four times to approximately 5.83 trillion kilowatt hours. Given this increased demand, the electric power industry will require an annual energy equivalent to 2 billion tons of coal. While this figure is indeed difficult to even comprehend, it should be pointed out that at this rate our known recoverable coal reserves could support the entire electric utility demand for at least 160 years before we would have to search for presently undiscovered coal seams.

Conversely, the discovered reserves of oil and gas do not approach those of coal, though many persons have stated that if the price justified the risks, sufficient quantities of oil and gas could be discovered to meet our domestic oil and gas needs for the rest of the century. By the same token, the question of price may also determine whether synthetic oil and gas are produced from coal to replace the depleting natural supply.

The problem with respect to uranium, the other fuel presently available to the utilities is not generally publicized and yet could be most critical to the long run economic utilization of atomic energy. There are at least two principal complications, for the question of possible reserves of uranium depends on the date that a dependable commercial breeder becomes available, and on how fast it breeds—in other words, its doubling time. It is becoming increasingly apparent that unless a breeder reactor is successfully developed and on line providing a substantial portion of our atomic energy—and thus increasing the energy potential of uranium by a factor of 80—the present types of light water reactors will soon exhaust the slender supplies of uranium economically available. Moreover, the AEC concedes that all of the "reasonably assured" uranium resources at the present price—up to $8 a pound—will be consumed by 1980.

The AEC estimates that if the breeder is introduced in 1984—which is presently about the most optimistic date being discussed—and if uranium prices and fossil fuel prices continue to rise, approximately 1,150,000 tons of uranium will be required by the year 2000. If development of the breeder is delayed ten years or significant online problems arise and if the price of uranium somehow stays at $8 a pound, 1,750,000 tons of uranium will be needed by the end of the century. The profound implications of these forecasts are critical because the AEC states that we are now reasonably assured of only 204,000 tons of $8 uranium, with ultimate figures put at an additional 390,000 tons. These AEC reserve figures would indicate that we will be forced to resort to using uranium in the $15 to $30 a pound range to meet the turn-of-the-century demand, and at that price level the economic feasibility of nuclear power generation will obviously be less than predicted and must undergo a critical reevaluation.

In light of these considerations it is abundantly clear that the coal industry and the electric power industry need each other now and will continue to need each other far into the future. Based upon this common bond, it is imperative that the coal and electric utility industries work together in order to meet the present and future concerns affecting our ability to achieve a reliable and adequate power supply.

One of the most critical issues relates to environment. The most troublesome aspect of the problem at the moment is the sulfur dioxide from coal-burning power plants. Compounding the already difficult technical problems has been the immediate over-reaction on the part of many who have urged, and in some instances required, the use of low-sulfur fuel without a reasonable attempt at rational solutions.

We presently possess abundant reserves of low-sulfur coal but it is unfortunately located in those areas least available for use by the majority of the nation's power plants. The U.S. Bureau of Mines states that more than 100 billion tons of bituminous coal with less than 0.7 percent sulfur are to be found in the United States, but only 36 percent of that total is found east of the Mississippi River, and nearly all of that in a very limited region near the junction of Virginia, West Virginia and Kentucky. This area produces roughly 86 percent of the low-sulfur coal mined in the United States. But besides being low in sulfur content, this coal has other characteristics which make it ideally suited to conversion to coke for the manufacture of steel and most of the reserves are owned by steel companies or coal producers who have committed their reserves to them under long-term contracts. Moreover, two-thirds of the coking coal consumed in this country is mined by steel companies and does not enter the commercial market. Further, this metallurgical coal generally lies in thin, deep seams which are usually more difficult to mine.

The bulk of our low-sulfur coal—64 percent of it—lies west of the Mississippi, in States like North Dakota, Montana and Wyoming. The distance of these reserves from the major markets is so great that freight rates generally preclude their substitution for high-sulfur fuel, even assuming they could be used in existing boilers. But even if utilities would pay the freight, the problem of adequate mining facilities still exists because the western states account for only 4 percent of our present coal output. To supply the power industry from these fields would mean abandoning more than half the mining capacity east of the Mississippi. Such a decision would not only have devastating effects on the economy of Eastern mining regions, but would also require an investment of three or four billion dollars in new mines.

A rational solution to the nation's environmental needs, and at the same time, one which takes into consideration our present and future energy requirements, simply stated, is one which places the SO_2 controls on the stack and not the stoker. The techniques for removing sulfur dioxide from stack gases have been intensively researched and a number of processes are being tested in large-scale commercial plants. Some of the most promising test installations are being financed by the Air Pollution Control Office of the Environmental Protection Agency in cooperation with the electric utility industry. The manufacturers say they are certain the plants will work. Although the precise costs are not yet known, the manufacturers state that the operating costs will be between 4 and 8 cents per million Btu, or $1 to $2 per ton of coal. When these plants are proven reliable and their costs are known, the electric utilities will be able to meet the present conflicting demands for plentiful power and for clean air and just as important, the power companies can then make good on their promise to the public on both of these national objectives.

The coal industry achieved a commendable record in helping avert a potential fuel supply crisis late last year. Given the incentive of a free market price structure, coal production was able to respond to the law of supply and demand by meeting the utilities' critical fuel needs. The industry is making good use of its present facilities and is running at full capacity, allowing for wildcat strikes, railroad equipment shortages and extreme weather conditions.

The cost of developing new mine capacity raises the same money problems that confront other industries. The problem of risk is common to any extractive industry and is generally complicated by the difficulty in accumulating capital and higher interest rates for capacity expansion.

In this regard, a no-profit industry holds few charms for investors, and this concern becomes more important in view of the tremendous investment which will be necessary to enable the coal industry to meet future demands for energy.

To open a new underground mine now requires a capital investment of $12 to $14 per ton of annual capacity, and that does not include the cost of coal reserves. The cost spread is contingent upon several variables, the type of mine, the seam of coal, the amount of preparation or milling required to develop and attain product status, to name a few.

Before committing that much money investors want some promise of a return commensurate with the risks involved. At present that rate of return must compete with the high rates available on many other industry and government securities.

The utility industry has a vital role to play in this area through the use of long-term contracts. Faced with present and future mining costs, nobody is going to open new coal mines on speculation, in the hope that somewhere, somehow, they can sell the coal for some price to somebody. Coal producers must have some assurance of a viable market before undertaking the required large capital investment.

The days of unreasonably cheap energy are gone forever. The cost of mining coal along with most fuels has risen after years of stability, and the factors which caused the increase will remain for the foreseeable future. Beyond these higher costs, the coal industry will require a reasonable profit in order to attract the capital necessary to support the expansion to meet the nation's critical energy requirements.

Higher costs for coal, however, should not impair coal's competitive position. The other fuels have their own problems, including one coal does not share—scarcity of proven domestic reserves.

Canada has an available supply of natural gas but restricts exports to those reserves which are in excess of its own long range market needs. As a result Canadian gas may constitute an important supplement to domestic supplies, as it does now, but will probably supply a relatively minor share of the total U.S. market. Furthermore, in view of the transportation costs involved, it is questionable whether Canadian imports could successfully compete in many of our major market areas, with the price of domestic gas if available. However, foreign gas supplies are being contracted for today primarily because additional new domestic supplies cannot be purchased at any price. But once the domestic wellhead price is freed from the unrealistically low levels set by federal regulation, thereby giving impetus to the exploration and development of our untapped potential gas reserves, the comparative cost of the various alternatives will again become a vital factor and the pressure to supplement reserves with imports will probably taper off.

Liquified natural gas from Algeria and some from Venezuela is also being imported because of the gas shortage in the U.S. but primarily at this time for peak shaving purposes. The price of imported LNG is still considerably higher than that of domestic natural gas.

Through 1965 imports of foreign residual oil into the East Coast were limited to a reasonable percentage of demand which prevented an undue dependence by the electric power industry on foreign sources of supply. In 1966, however, the East Coast was thrown open to unlimited imports of foreign residual oil due in large measure to the mounting pressures to make the cheap, residual oil from the Middle East available. As a byproduct with little world wide demand at the time, it was priced just under coal, the lowest cost alternative fuel in the U.S. market.

Ordinances were passed which encouraged the wholesale conversion to imported low sulfur residual oil on the East Coast without considering the long range availability of this supply source and the effect this action would have on demand and price. This unrealistic approach caused a massive shift away from coal in the Northeast and created a tremendous demand for low sulfur residual oil which has today proved to be in limited supply. As a result, coal handling facilities at generating plants in the East were scrapped, coal production had to be diverted to new markets, railroads serving this area atrophied and the urgent need to develop systems for the removal of SO_2 from stack emissions was forgotten. And today, when imported residual oil is in tight supply and its price appears destined to climb to unprecedented heights, vast domestic coal reserves simply cannot be utilized to alleviate the fuel shortage overnight. We are obliged, however, as a nation, to live for some time with the consequences of this decision. And we are now paying the price: First, in higher prices; Second, in vulnerability of supply and; Thirdly, in delaying the evolution of the technology which would permit the utilization of abundant domestic supplies of fossil fuels in harmony with our environment.

Low sulfur fuels, residual oil as well as coal, are scarce and cannot meet the world's demand for energy. The U.S. is blessed with abundant reserves of fossil fuel, particularly coal, and primary reliance for our energy needs must be placed upon the utilization of these domestic sources with the development of adequate safeguards to protect the atmosphere from harmful SO_2 emissions.

The coal industry firmly supports the adoption of a realistic national energy policy which recognizes the critical need to utilize our abundant fossil fuel reserves without damage to the environment.

Such a policy would have obvious implications for the electric utility industry in meeting its commitment to provide the public with abundant and reliable electric power. It will not only help determine the kind and quantity of fuel available for today's conventional steam-electric generating plants, but, at the same time, it will provide viable solutions for the future.

A prudent national energy policy should include a decision to reevaluate the present government research program. While it is encouraging to note the nearly $4 million increase in this year's Office of Coal Research budget, the current allocation of approximately $21 million for coal research is but only about one-tenth of that accorded civilian nuclear research by the federal government. The vital role of coal in meeting the nation's energy requirements makes it essential that the government research program increase its allocation to coal and fossil fuels, both in its funding and planning. We are not asking that the nuclear R&D program be diminished; rather, we seek a more equitable commitment of the government's R&D priorities to all energy sources in order to ensure that the public will benefit from the maximum utilization of the nation's fuel supplies.

Coal holds great promise in providing alternatives to be employed in meeting future fuel demand. One of the most important is the manufacture of pipeline quality gas from coal. The significance of this program becomes more apparent in view of the Federal Power Commission's predictions that the nation is facing an immediate natural gas shortage. There are at least two processes in the government-sponsored pilot-plant stage to make pipeline-quality gas from coal. The industry-supported laboratory, Bituminous Coal Research, Inc., has a third process which also looks promising. Some of these processes have a byproduct of char, which can be used as fuel for electric power generation. And in the process of gasifying coal they also remove its sulfur content, thereby making available to the utilities a source of clean fuel.

Government research is also sponsoring pilot-plant tests to convert coal to a substitute for crude petroleum, which can then be refined by conventional methods. Again, there is a byproduct of char which can be used as fuel for generating electricity.

In addition to these programs, the government should invest funds to push research in exotic means of generation, such as magnetohydrodynamics, or fluid bed combustion. Another interesting method is combined-cycle power generation by gasifying coal and then using a combination of gas and steam turbines; this holds promise of simpler removal of sulfur compounds and reduced thermal emissions compared to today's conventional fossil fuel plants. Early laboratory work on these exotic methods shows promise, but to date no one has been willing to undertake the expensive pilot-plant stage.

This year's outlook for coal supplies is encouraging. The National Coal Association estimates that customers' requirements will total 604 million tons of bituminous coal in 1971, the largest market since 1947, and one of the greatest of all time. During this year it is estimated that coal production will reach 610 to 615 million tons, providing there are no major labor problems or other unforeseen delays. This will allow consumers to rebuild some of their stockpiles.

Electric utilities consumed about 325 million tons of coal last year and in 1971 they are expected to increase this by 5.5 percent, to 343 million tons. The coal industry can produce fuel in these quantities today and in the larger amounts required in the future. However, the industry's vast productive capacity cannot be turned off and on and the utilities must realize this in planning their own requirements. A national energy policy will help assure that coal will be available in an orderly manner to meet any long-term demands.

In meeting these future demands, the coal industry will require more than opening new mines. Except for mine-mouth plants, it will need some way to deliver the coal, and this will mean more railroad hopper cars. The hopper car shortage was critical last year, and obviously many railroads are in such deep financial trouble they cannot invest heavily in new rolling stock. A government policy to assure an adequate hopper car supply is urgently required.

The utilities and the coal industry must unite to meet the public's demand for an improved quality of life. The coal industry will strive to meet the utilities' requirements with an adequate and reliable supply of fuel. The utilities, on the other hand, must recognize that the days of coal's surplus production capacity, which they could always fall back on, no longer exist, and that there must be a definite commitment to coal to ensure the necessary confidence and capital investment if our most plentiful source of energy is to be fully utilized. The recognition of this fact by the individual utility companies is essential and the attitude that coal is all right for another company's generating plants cannot remain a part of utility management thinking. If we are to achieve a reliable and adequate energy supply, these realities must be accepted and dealt with at the early planning stages. In this way, these two industries can meet today's problems and at the same time prepare for tomorrow's challenges.

DISABLED AMERICAN VETERANS

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. MURPHY of New York. Mr. Speaker, this is a most propitious time to honor those heroes who have sacrificed themselves for their country. At a time when we see dissident elements in our cities and colleges desecrate the American flag, ridicule the American dream, defile the Armed Forces of the United States and try to turn patriotism into an ugly word, I feel a burst of pride on this day to recapture the exhilarating sense of devotion and honor that comes from a love of country. This is especially true when I review in my mind the history of the American fighting man.

This is what this day is really all about, the American fighting man. Not the hippies, the drop-outs, the drug users, and those "jolly" radicals and bombers who would not fight for their country even if it were under enemy attack, but who readily reap in the benefits this country hands them at the cost of the lives and limbs of those heroic young Americans who willingly assume the responsibility of defending the freedom of their country and the world.

The American soldier was first put to the test in early March of 1918. In this, what was to be America's first real entry into the arena of world conflict, our Allies wanted to know, our enemy wanted to know, indeed, millions of people throughout the entire world wanted to know, "How will the 'Yanks' do when they meet the enemy in their first battle?"

On that cold, grey, wet March morning in France, the world saw for the first time the courage and determination of American troops.

In a battlefront described as a "fiery furnace" the men of a battalion of the 168th Infantry of the Rainbow Division rose up out of their trenches, took the enemy after a bitter struggle and won the accolades of friend and foe alike.

And for 82 days thereafter these fine American youth fought the enemy with such valor the French Corp Commander cited the division thusly:

> For its offensive ardor, the spirit of method, the discipline shown by all its officers and men, the inspiration animating them, prove that at first call, they can henceforth take a glorious place in the new line of battle.

From this first major test of her fighting men America was set on a course that was to see it assume the leadership role in the defense of the free world.

And the American "civilian soldier" was to be the instrument which defeated those who would deny freedom to the weak and enslave the world.

After this auspicious beginning on the Salient du Feys in 1918, there followed a succession of great and sometimes agonizing victories. The Marines halted the German drive on Paris at Belleau Wood near Chateau Thierry, again, in World War I. Then in World War II there were the courageous, outnumbered GI's in the Battle of the Bulge, the Marines at Tarawa and our Navy at the battles of the Coral Sea and Midway. Then in Korea there were those men who fought the memorable battles of Pork Chop Hill and Heartbreak Ridge—and I am proud to have served with those men. And now in Vietnam our current generation of fighting men who were given their baptism of fire at the Iron Triangle and the siege of Khe Sanh are showing the world that the American GI is still a courageous defender of freedom.

While we were not always victorious I recall with pride the return of the American fighting men from some battles lost—Bataan, Corregidor, Kasserine Pass, and Rapido River to name a few. They came back from humiliating defeats to destroy the enemy that had sworn to destroy America and the world.

From all of these tests of America's strength and will, the Disabled Veterans of America has taken the shattered and wounded heroes that survived these and all our other battles and given them a helping hand in every form imaginable.

Their services run from hospital aid to the distribution of clothing in furniture to the compensation of wives, children, and parents of veterans who prematurely die of wounds they received in the service of their country.

I am especially proud of their current efforts to retrieve from North Vietnam those unfortunate prisoners of war who have paid a price for serving their country far and beyond the call of duty.

I especially want to commend the DAV unit in my own district which is now larger than it has ever been since World War II. Day after day they aid my office in helping to obtain for the disabled veteran the things he deserves for the sacrifices he made.

They have rendered unstinting service to my district and I am grateful to such men as Bernard L. Bonner, commander-adjutant, Kenneth Doyle, senior vice commander, Leonard Martin, junior vice commander, and Matthew Baldi, treasurer, men I have known for years.

I am certain these men are looking to the next 50 years with even greater enthusiasm than in the past in their efforts to restore New York's wounded veterans to productive happy civilian lives.

But no matter how much these men meld into the civilian world, the vast majority of them, and I know this is true of most veterans wounded or not, will reserve a place in their hearts for that period of time when they proudly wore the uniform of the United States, a place in their hearts where they will recall their buddies, alive and dead, who served beside them when their country needed them.

PRIME MINISTER OF ITALY VISITS CAPITOL

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. RODINO. Mr. Speaker, as you know, during their recent state visit, the President of the Council of Ministers of Italy, Mr. Colombo and Italian Foreign Minister, Mr. Moro, joined by Italian Ambassador Egidio Ortona as well as a number of other distinguished representatives of the Republic of Italy, honored us with their presence at the Capitol. It was indeed a privilege to have had you share in that occasion, reaffirming the deep bonds and affection between the American and Italian peoples. And, I wish, therefore, Mr. Speaker, to include in the RECORD the sentiments expressed by Prime Minister Colombo as well as your own expression of the feeling which exists between our nations.

REMARKS OF HIS EXCELLENCY, THE PRESIDENT OF THE COUNCIL OF MINISTERS OF ITALY

It is with great pleasure that I am amongst you today, honorable Members of Congress, together with the Chairman of the House of

Representatives, Representative Carl Albert, who today so worthily occupies the place of Speaker, held for many years and with much prestige by the Representative John McCormack (who was recently awarded the decoration of "Cavaliere di Gran Croce" by the President of the Italian Republic). I extend to all of you the most cordial and warmest greeting on the part of the Italian Government.

Our visit to the U.S.A. has afforded us the means to verify once more the depth of the long-standing friendship between our two nations, which has been strengthened by the fruitful contribution you have made in participating in the political life of the country.

Your involvement in the political life, as eminent representatives of the Italo-American community, has increased in the last decades: today it is the most eloquent proof of the admirable success with which the Italian Americans have followed the rapid progress of the American nation. Looking back on the past, we note with great pleasure that in little over twenty years the number of Congressmen of Italian origin has increased from one to nineteen.

We are aware that, with utmost loyalty and deep pride as American citizens, you act in Congress for the good of the United States and that for this Country you express with dedication the best of yourselves. But we are also aware that, while you bear constantly in mind your duty as representatives of the American People, you have not forgotten the homeland of your forefathers, Italy, to which you give proof of sincere attachment and deep affection.

Thanks to the contributions of each one of you, over the years, initiatives of particular importance have been realized; among these I would like to mention the introduction of more liberal measures in the field of immigration, which has facilitated—among other things—the reunification of the families of our immigrants. This is a need which is deeply felt, at the present moment: in view of the changed economic and social conditions of the Italians, the pattern of emigration is also undergoing a change: it is no longer due to the dire pressure of economic necessities, but above all to the legitimate desire of many to be reunited with their loved ones who have definitely settled in this great and hospitable country. We are confident that this valuable humanitarian achievement will be completed by other legislative provisions which will provide a more adequate solution to the still pressing problem of re-uniting families.

Your commitment in strengthening the bonds between the two countries has also been focused on other objectives to which the name and prestige of the home country have been associated. Evidence of this lies in your generous endeavors to have Columbus Day made into a national holiday in the United States, a significant acknowledgment of the spiritual ties which for centuries have united our two countries.

We are grateful to you for all this and we thank you for the sincere and real contribution which you have and will continue to make in order to strengthen the friendship between the U.S.A. and Italy.

Our thoughts of gratitude at this moment are also turned to your parents and to the older Italian immigrants who through their humble and unobstrusive hard work, have been truly responsible for the present success of Italians in America.

With these sentiments of warmth and grititude to all Italian Americans, I wish you, Hon. members of Congress, and to your families, every happiness and the best of success.

To the "Leaders" of the House, who have honored us with their presence at this meeting, I wish to say that we regard the American Congress as the truest seat of freedom and democracy, as the most efficient instrument of progress and most prolific example of wise decision-making. To the Speaker, Mr. Albert, of whose laudable work as legislator we are well aware, and to his colleagues, we also extend our fervent greeting.

REMARKS OF THE HONORABLE CARL ALBERT, SPEAKER OF THE HOUSE OF REPRESENTATIVES

Your Excellency, the Prime Minister; Your Excellency, the Foreign Minister; Your Excellency, the Ambassador of Italy; Your Excellency, the Ambassador of the United States; Your Excellencies, and my colleagues and friends:

It is a great honor for me to be present at the second coming of Columbus.

Mr. Prime Minister, your name is, of course, a household word in this country. It was here when this continent was discovered by one of your distant relatives nearly five centuries ago. It was another compatriot of yours of that same generation that gave this hemisphere its name. It was principally Italian navigators who opened up the two oceans and a new world to Spain and Britain and other European nations. It was your people who laid the foundations of civilization in this hemisphere; they have been participating citizens ever since. As witness today, that seventeen American Congressmen of Italian descent hold outstanding positions in the House of Representatives, and one, Senator Pastore, is probably the most eloquent member of the United States Senate. Italians in America have excelled in every walk of American life. The spirit of America would not be the same if it did not have in it a blend of the spirit of Italy. Here in this very Capitol, the mecca of American democracy, Italian influences are evident everywhere. It was Italian-born Constantino Brumidi who became the Michelangelo of the Capitol. The most famous art work in any public building in America was done by him here in the Capitol dome, which is directly above the room in which we are meeting now. Every President who walks out of the Capitol Building onto the steps of the East Front to be sworn into office by the Chief Justice, passes through bronze doors containing a picture of the first landing of Columbus. Thanks to Congressman Peter Rodino of New Jersey, Columbus Day is now one of the few American national holidays.

We welcome you not only as a great man and citizen of the world, but as a representative of a free and friendly nation whose ties to this country in culture, blood and politics are very strong. The United States of America has no better friend in the world than the Republic of Italy. We have common interests in human freedom and common beliefs in the dignity and importance of human beings. I have said that no country, not even Great Britain, has had a greater impact on this country than Italy. Yes, no country in all the world has had an impact so great on western civilization as the country from which you come. In no other country can one see outstanding physical representations of every generation since western civilization began, in such quantity as in your own. Western civilization was founded there. Italy is the cultural capital of the world, as it is the original capital of the modern civilized world. No other country has matched the quality of your artists. In sculpture, painting, and in song, there is only one Italy.

I have been in your beautiful country many times. I first went there in 1927 when I was a high school student. I was never more impressed. The beauty and majesty of the Italian Alps, your great galleries, operas and theaters, your matchless cuisine, your friendly and loveable people, made an early impression upon me that has caused me to believe over the years that the spirit of Italy is the spirit of life itself. I am proud that I come from the county in Oklahoma that has more citizens of Italian origin than any other county in my State. I have known Italian-Americans all my life; I have known them in Italy since I was a boy. I can count any number of them among my finest and closest friends.

So, sir, it is a great privilege for me personally to be able to welcome one of Italy's most distinguished sons to the Capital of the United States. And now, will you stand with me as I propose a toast, first to the Prime Minister of Italy, and second to the President of the Republic of Italy?

AUTOMOBILE GRAVEYARDS—LET US MAKE A NATIONAL EYESORE A NATIONAL ASSET

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. MILLER of Ohio. Mr. Speaker, the junked automobile is the most obvious example of our nationwide solid waste disposal problem. In his environmental message last year the President noted that—

> Few of America's eyesores are so unsightly as its millions of junk automobiles.

It has been estimated that if we placed all the abandoned and obsolete automobiles in the United States side by side we could put a "girdle around the earth." The number of rusty hulks in junkpiles and graveyards throughout the country is estimated between 15 and 20 million and represents $1 billion in reuseable metals. This year 85 percent of the 9 million automobiles which will go out of service will be recycled into new metals, but the remaining 1,300,000 will simply be abandoned on neighborhood streets, deserted roads, or country hillsides.

The richest mineral source of the products discarded by our affluent society is interestingly enough scrap autos. Although discarded car hulks constitute only a small fraction of the waste disposal problem in terms of tonnage, they are higher in metal recycle value than other material. Recent studies by the Bureau of Mines on the conversion of old cars to metals suitable for recycling pointed to the fact that a representative automobile would yield 2,500 pounds of steel, 500 pounds of zinc, 20 pounds of lead, and 51 pounds of aluminum. The use of just 1 ton of scrap would eliminate the need for 1½ tons of iron ore, 1 ton of coke, and one-half ton of limestone.

There is growing recognition in the Congress and throughout the Nation that we need to recycle solid waste material back into the economy instead of permitting it to deface our landscape and pollute our environment. The Resource Recovery Act approved by the 91st Congress was an important step forward in providing the mechanism for proper solid waste management, but we need to do more in this area.

I have cosponsored legislation which I believe will effectively deal with the abandoned automobile problem and change it from a national eyesore into a national asset by recycling these rusting, worn-out hulks back into the steel making process. The legislation is designed to encourage States to establish abandoned automobile removal programs and to provide tax incentives for the recycling of auto scrap.

Specifically, the bill would annually earmark 1 percent of the Federal auto excise tax to assist States in funding pickup and removal programs.

It is felt that this amount will enable us to collect the number of automobiles abandoned each year and begin to remove the 15 to 20 million strewn throughout our countryside. In order for scrap processors to increase efficiency and handle the added volume under these collection programs, the bill would allow rapid amortization tax benefits for the purchase of modern equipment and machinery for reducing old cars to useable scrap. As I have indicated an old, junked car is a valuable mineral resource if recycled. The reclamation of abandoned automobiles is a logical answer to cleaning up our landscape and at the same time conserving irreplaceable natural minerals.

IN COMMEMORATION OF GREEK INDEPENDENCE

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. YOUNG of Florida. Mr. Speaker, on May 29, 1453, Constantinople, the New Rome, fell into the hands of the Ottoman Turks, and more than 1,000 years of Byzantine history came to an end. As a result, Greece, and most of Eastern Europe, were placed in a servitude which lasted almost four centuries, and what was left of the Hellenic and Byzantine cultures was forced to be buried in the monasteries or to be passed from one generation to another by secret gatherings of worshippers and children seeking a knowledge of their historic past. In this way, Greece was able to preserve her traditions, and in doing so the desire for a liberated Greece was always present, for Greeks, from the beginnings of the ancient city-states, always recall the thought of Isocrates:

> Remember no human condition is ever permanent. Then, you will not be overjoyed in good fortune, nor too sorrowful in misfortune.

The success of the American Revolution, and its "shot heard around the world," inspired, as it still does, the oppressed people of the world. And, then the French Revolution with its principles of liberty and equality again challenged the old order. Europe was swept with these ideals, and Greece, too, was touched by the cries of freedom.

On March 25, 1821, Archbishop Germanos, and his fellow churchmen, raised the sign of the cross, their banner of rebellion, and the Greek war of independence had begun. Great Britain, France, and czarist Russia all sympathized with this noble cause.

And, although the Ottoman Turks were ruthless in their massacre of Greeks, ever to the point of executing the ecumenical patriarch of the Orthodox Church, Greece was zealous in her desire to overthrow the yoke of bondage, so that by 1830 with the final defeat of the Ottoman Empire, she was guaranteed her independence.

Greece is no longer as powerful as she once was. Nevertheless, we are still indebted to her and her people. Let us, for a moment, recall the words of Odysseus:

> Ay, miserable me, now I am only a shadow
> Of the strong man that I once was! But if
> You look with care at this old stubble
> Then you may guess how straight and tall
> Once grew the corn.

Consequently, in the year in which all Greeks will be commemorating the 150th anniversary of the birth of their nation, I have introduced H.R. 5491 because it is fitting for the United States to pay tribute to this historic occasion with a commemorative postage stamp, for Greece, as the United States did in 1776, came out of chaos. However, unlike the United States, Greece was reborn, not born. And, while Odysseus and Achilles are dead, and while there is no longer a Plato, Socrates, and Aristole, and while Aescphylus, Sophocles, and Euripides are now of the past, the commemoration of Greek independence reminds us all of that gift, bequeathed to the world by Greece, and yet rediscovered by her only in 1821—freedom.

AFL–CIO CONSUMER STATEMENT

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. ROSENTHAL. Mr. Speaker, the AFL–CIO executive council recently issued a statement on consumer protection which was an articulate, forceful presentation of the types of legislation required to give the consumer adequate protection in the marketplace. It reflects the firm and unswerving commitment of the labor movement to progressive consumer legislation.

The statement follows:

STATEMENT BY THE AFL-CIO EXECUTIVE COUNCIL ON CONSUMER PROTECTION

Despite some forward steps by the 91st Congress, the advance of consumer protective legislation was disappointingly small in the past two years. The disappointment is especially keen, in view of the large number of proposals that were made and the several that came close to final passage, but narrowly missed.

Outstanding among the bills on which the Congress had nearly completed action were the consumer class action proposal and the bill to create an independent Consumer Protection Agency in the Executive Branch of the federal government. We urge the 92nd Congress to act promptly on these measures.

Other major consumer legislation which will be ready for consideration by the 92nd Congress will reflect the work of special studies, authorized in previous years. The National Commission on Product Safety, which completed its report in June 1970, recommended a comprehensive Consumer Product Safety Act which would for the first time provide significant consumer protection against hazardous household appliances and equipment. Certain features of the proposed legislation may need improvement or strengthening, but we are glad to endorse its major objectives and commend the Commission on its work.

The principles of testing for safety before releasing unknown potentially hazardous new products upon the public should be firmly imbedded in the proposed new legislation. This requirement should also be introduced in existing consumer safety statutes where it does not now exist, such as the Hazardous Substances Act, the Flammable Fabrics Act, and the parts of the Food and Drug Act dealing with cosmetics and medical equipment. Recent evidence of possible consumer injuries from widely-sold new enzyme laundry detergents is a clear case in point.

The safety of food products is of mounting concern to the public, alarmed in recent months over mercury contamination of tuna packs. We call for greatly stepped up resources for the Food and Drug Administration and speedy enactment of the previously proposed Wholesome Fish and Fishery Products Act, including provision for continuous, full-time inspection of fish-processing plants.

The comprehensive Automobile Insurance and Compensation Study conducted by the Department of Transportation has been largely completed and Congress should be in a position to act concretely on the crisis in auto insurance. The outlines of constructive auto insurance reform have already been laid out in legislative proposals introduced by Senator Philip Hart toward the close of the last Congress. We are glad to endorse this approach, including the introduction of the "no-fault" principle into the basic system of compensation to accident victims, the encouragement of group coverage and the provisions designed to reduce the costs of auto repair.

The National Commission on Consumer Finance, currently engaged in a study of consumer credit practices under the terms of the Consumer Credit Protection Act of 1968, will not report until July 1972. Pending completion of this work, Congress and the administrative agencies can and should take action on immediate, pressing issues. In particular, we commend the Federal Trade Commission for its proposed Trade Regulation Rules which would provide a "cooling off" period in door-to-door sales and, even more important, preserve a buyer's rights and defenses when a retailer transfers a consumer credit contract to a finance company or other party.

Legislative or administrative action should also be taken to remedy consumer complaints of faulty billing practices and computation of finance charges on revolving credit accounts. Excessive charges for credit life, accident and health insurance, sold by lenders in connection with consumer loans, should be eliminated by legislation directing the Federal Reserve Board to establish ceilings on such charges.

The proposed Uniform Consumer Credit Code, intended by its sponsors for adoption into the laws of every state, will again be under widespread consideration in 1971, when most state legislatures are scheduled to meet. We again caution state bodies as to inadequacies in the Code, especially the excessive finance charges permitted to creditors and the failure to make significant improvements in wage garnishment provisions, beyond those already established in federal law.

Sales and promotional gimmickry continue to frustrate the consumer's need for reliable and unbiased product information on the product he buys.

To enable the consumer to make easy price comparisons on packaged products, we favor amending the Truth in Packaging Act to require disclosure of prices in terms of price per unit of quantity.

Present government consumer information services should be expanded and consumer product-testing results, compiled by federal agencies, should be made fully available to the public in readily understandable form. Additional facilities for impartial testing of consumer products should be developed and the groundwork laid for instituting a system of labeling on performance characteristics of consumer products.

Immediate progress toward more informative labeling can be made by enacting legislative propsals to require label information on product durability. Labeling of expiration dates for food and other perishable products is of particular priority. Broader requirements for disclosure of food ingredients and nutritive values are also needed.

Government product grading programs should be improved and made compulsory at the retail level at least for basic foods.

The public continues to be harassed and cheated by meaningless and ineffective guarantees and warranties issued by manufacturers on the reliability and performance of their products. We favor legislation that will induce manufacturers to stand—not hide—behind their products.

Finally, we support stronger and broader powers for the Federal Trade Commission to deal with consumer deception and fraud. Increased penalties expanded jurisdiction over commerce, power to issue temporary injunctions and binding regulations, plus authority to obtain redress for injured consumers are essential ingredients. If these reforms can be enacted, along with a strong consumer class action bill enabling consumers to sue as a group when they have been cheated in sales transactions, real progress can be made in reducing the victimization and gouges that today are too often the experience of the buying public.

MULTIYEAR CONSTRUCTION CONTRACTS

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. SIKES. Mr. Speaker, I am impressed with an article by Capt. Donald A. Patrick, ASCE, who recently has been appointed vice president of Pacific Architects & Engineers International, and will oversee Far East operations from the firm's Tokyo office. I feel this subject should receive more consideration and I submit the article for reprinting in the RECORD:

MULTIYEAR CONSTRUCTION CONTRACTS

A multi-year contract makes the total scope of a project a condition of the contract even though only increments of this total scope are placed in the contract as funds are needed. Thus, both parties assume a risk that future funds will become available as agreed to in the contract, in the belief that economies resulting from the larger scope will more than offset the probability of paying termination charges if the full contract scope is not carried out.

The Armed Services Procurement Regulations (ASPR) (1-322.1) indicate that the advantages of multi-year procurement include such things as lower cost, more standardization, reduced contract administration, improved continuity, and greater competition. Basically, the features of multi-year contracts are as follows:

(1) The procurement covers two to five years of funding increment according to ASPR. A similar construction period is probably all that is reasonable in the non-federal market as well. Funds are added annually or at other intervals to the contract.

(2) If funding for future increments is relatively uncertain, or if, as in the federal case, the Congress normally requires it, each funding increment may be structured to provide a complete and usable product.

(3) Funds are obligated as each funding increment is added.

(4) The contract form can be any of the normal types: formally advertised, fixed price, unit price negotiated, etc.

(5) Award may be based on the total package price or the first-year price, although only the initial increment of funds is obligated.

(6) The contractor is paid termination costs if the contract term is shortened.

(7) The contracts may include price escalation provisions.

(8) The contract is not an option contract unless specific option features are included. Option, in this case, means the contractor may select among materials, designs, or methods as permitted by the specifications. A contract giving the client an option to add work at a later date lacks many of the multi-year contract advantages. First, it is a much more uncertain situation usually causing the contractor to bid to get the work on the first increment, and then charge as much as the traffic will bear (rather than incremental cost basis) for the follow-on. Second, the contractor certainly is not going to deveolp special equipment, training programs, casting yards, etc., for uncertain future programs.

SOME CASES IN POINT

The Department of Defense has found considerable advantage, both to itself and to industry, by contracting for procurement in a two- to five-year time frame, using the multi-year technique. Specifically, aircraft ships and all manner of smaller hardware have been contracted on a multi-year basis. Similarly, the Congress recently approved multi-year contracting for certain operations and maintenance services, especially where mobiliaztion and demobilization costs are relatively high. And so two questions arise: (1) should multi-year procurement be used for construction, and (2) if so, what are the decision rules for selecting multi-year procurement over other types?

Before going into the details of multi-year contracting for construction and what it entails, a review of some typical construction situations will illustrate some opportunities for improvement. The following are based on actual construction projects:

(1) Facilities not needed all at once—For example, housing and dining facilities for 1,000 students were needed to accommodate a build-up in increments of 250 students. Funding was in four successive increments with four successive contracts. Three different contractors were employed on the first three increments, followed by the first contractor being awarded the four increment. All of these contracts were formally advertised, fixed-price, competitively bid.

(2) Facilities can't be built all at once—Replacement projects, say in a facilities complex, may require demolishing facilities and replacing with other facilities while the overall facility remains in operation; or a building may require considerable time to erect followed by equipment installation or outfitting of some kind. The tendency in these cases is to award individual contracts, even though the full scope is known.

(3) Sequential projects cannot be awarded individually within available funds—The tendency is to wait until later increments make the project big enough to attract suitable bids. For example, housing in several successive funding increments could not be awarded within available funds when advertised successively. The projects were awarded within available funds when packaged in one increment with an option (which was exercised) to add an increment in a later program. This procedure was not a true multi-year contract in that the option rested with the client as to whether the final increment would be added.

(4) Funds not available all at once—Government agencies and other clients all have budget restraints and desire to make funds go as far as possible in any budget period. Thus, if parts of the project can be deferred for any reason, they will be budgeted incrementally. The tendency is to award individual contracts as funds become available. Projects funded by bond issues and borrowed money may show substantial savings if funds are applied only as needed incrementally.

(5) Plans changed without full knowledge—when projects are presented individually, various reviewers tend to treat them as individual projects for deleting or reducing the scope. Such action may be inconsistent with a master plan, and require redesign in the midst of plan execution.

From these typical situations, opportunities can be seen for the construction industry working with the client to stabilize the situation considerably and achieve substantial economies by longer term, more comprehensive contracts. Thus the question, "Should multi-year procurement be used for construction?", is answered "Yes."

NEED FOR ECONOMY

For many owners a reduction in costs for construction projects will result in the same or even increased budgets for construction. Level budgets will go further towards reducing construction backlogs, and economically marginal projects will become cost effective.

Specifically, the military construction programs have been too small in terms of support to new mission requirements as well as modernization of existing facilities. Serious shortages occur in such critical areas as personnel facilities, naval shipyard modernization, industrial facilities, hospitals and pollution abatement.

Congressman Robert L. F. Sikes, chairman of the subcommittee on military construction, House Committee on Appropriations, U.S. Congress, asked a poignant question concerning military construction appropriations: "Are we planning right and building enough?"[1] His answer was "no" to both parts of the question. He indicated a need for sound planning supported by proper maintenance as a joint responsibility of the Congress and the Department of Defense.

In addition, programming and cost estimating for military construction projects have received considerable attention. With combined annual military construction programs of the Army, Navy and Air Force in the $1 billion cost range, programming and estimating assume major importance. In 1968, for example, the under secretary of the

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Footnotes at end of article.

Navy initiated a new emphasis on multiyear construction programming. He stated that "the formulation and review tasks associated with the current budget years have tended to distract us from the long range programs of which the budget year programs is an increment. It also seems that the strength of our program is degraded in Congressional presentations which do not illustrate adequately the relationships of the annual increment to our important long range programs."[2] Similarly, the Congress, through its hearings and committee reports, has spurred the Department of Defense to improve programming and cost estimating.

One contribution to reducing costs and also solving these programming and estimating problems would be to enlist more of the management and ingenuity of the private construction industry which does most DOD construction. In this regard, multiyear contracting could make a definite contribution.

CONSTRUCTION INDUSTRY WOULD BENEFIT

Long term construction contracts often are not awarded because of the uncertainties in the industry. In addition, many contractors, particularly smaller ones, are geared for single task projects and do not have the management staffs for longer term projects. On the other hand, many large projects are awarded, such as dams, industrial facilities and housing projects, which do require the long range viewpoint.

The construction industry traditionally has been fractionated in such a manner that modern management techniques, as well as long-term development and research, have been inhibited. In 1967 there were 800,000 contractors in the U.S. doing an $80 billion annual business, yet a listing of university research on construction would fit on a single typewritten page.[3] And in 1969, only three firms had more than $1 billion of contracts.[4]

Longer term contracts on a multi-year basis would greatly tend to stabilize the income of the contractor. Thus, the contractor could expand his permanent staff on management and labor in order to reap additional profits. Pooling of resources through joint ventures would be encouraged. Sophisticated managerial techniques, research and development could be used to obtain economies.

Of course, in such an industry as construction, with its long traditions, unique features, and competition-tested makeup, major changes do not come easily. Multiyear contracting, nevertheless, can provide an element of stability which will encourage the better managed firms.

DECISION GUIDELINES

The decision framework which would lead to selection or rejection of a multi-year construction contract should be identified. A number of considerations should be examined in detail, both separately and in combination. A list of questions has been derived which should aid in the decision. Other questions may be applicable to a specific project; however, answers to these questions, especially quantitative answers, may reveal opportunities for significant cost savings and other improvements.

(1) Planning and Design.

a. Master plan—Is a master plan firm enough to look two to five years ahead?

b. Systems—Is a larger project suitable for systems applications, such as modular design, integrated structural and mechanical systems, or computer uses?

c. Stability of development—Is the end product stable in development, such as paying, or are breakthroughs expected during the multi-year period, such as factory fabrication of sub-assemblies? Note that a multiyear approach may encourage such breakthroughs.

d. Design status—Will design for the entire project be complete by the time the first increment is awarded? Should design be included in the construction contract as a turnkey project?

e. Will financing costs be stabilized and reduced through substitution of agreed contract costs for estimates, and use of incremental funding having a lower present value than a single funding amount?

(2) Construction Features.

a. Remoteness of site—Is the construction site so remote that extensive contractor facilities will be required?

b. Continuity of performance—Can the contractor, knowing the full future scope and the funding schedule, provide for continuous performance, leveling our seasonal peaks and arranging for resources scheduling?

c. Specialized developments—Are more efficient equipment, casting yards, new techniques and specialized facilities likely to be developed for a contract with a broader base than a single increment?

d. Similarity of construction type—Are similar or related construction features involved, such as pile driving, precast concrete sections, or compatibility of electrical gear?

e. Repetitiveness—Does the project under consideration have repetitive end products, such as housing, increments of aircraft parking aprons, or highway work? Will standardization be enhanced?

(3) Construction Execution.

a. Mobilization costs—Are these, as well as demobilization costs, a substantial part of the total cost, and would they be repeated in successive contracts?

b. Quality control procedures, pre-production runs and pilot testing—Would they be repeated in successive contracts?

c. Level of effort—Is a level of effort approach, rather than peaks and valleys, likely to have benefits? Will the work force and other resources be stabilized?

d. Learning curves—Are personnel apt to improve with a more extensive contract period, and are they likely to stay with the job until the end?

e. Construction sequencing—Is the sequencing such that activities such as pile driving or mechanical installations would be completed in the first increment in proper time phase with the follow-on increments?

f. Materials buys—Would single purchases with phased delivery schedules be less costly?

g. Equipment usage—Will schedules be more economical and over longer depreciation periods?

h. Quality—Will it be improved under a single contract?

(4) Contract Administration.

a. Project scope—Will a larger scope interest more contractors, plus enhancing competition resulting in lower total cost?

b. Work phasing—Will phasing with owner operations and among the several items under the single contract be simplified? Will a single source of responsibility aid in fitting all items into an integrated whole?

c. Other fund sources—Is it reasonable to include other funds for related work for a larger single contract, such as operations and maintenance funds for outfitting, or procurement funds for installed equipment in later years?

d. Future increments—Are the out-year items in an approved plan or do they otherwise have an approval for follow-on budgets? Will fund flow synchronize with field needs?

e. Periodic revalidation—Does the character of the work lend itself to revalidation as time progresses, in comparison to paying the termination costs of the multi-year contract and starting a new contract?

f. Contract administration costs—Will a single contract covering several increments reduce contract administration costs both for the owner and the contractor? Are multiyear sub-contracts desirable?

(5) Other.

a. Area-wide considerations—Can appropriate items be grouped within a logical geographic area, such as phased construction of housing throughout a metropolitan complex?

b. Construction industry—What specific industry factors, such as small business set-asides, would affect multi-year contracting?

c. Contractor capabilities—Are these suitable for longer term, more extensive projects, or are potential contractors all of small scale?

d. Politics—Are politics, domestic or foreign, amenable to longer term commitments?

e. Termination costs—Are the termination costs, even though presumably stepped down year by year, compatible with the savings anticipated? Note that in many cases the first-year cost plus the termination cost would not exceed the cost under a single increment contract and in the second and subsequent years savings would accrue.

f. Risk and uncertainty—Can the decision be reduced to a risk situation with probabilities assigned to the various possible outcomes? Or is it an uncertainty situation with inadequate probability information, but still subject to rational decision?

ACTIONS NOW

Sufficient reasons are available to proceed with multi-year construction contracts more extensively in appropriate cases. The decision considerations listed previously should be applied to each potential multi-year contracting situation. These considerations should be quantified as much as possible, particularly in cost areas. However, the real test of multi-year contracting is in the market. The end result expected is greater use of construction industry management talent and resources to the mutual benefit of owners and constructors.

FOOTNOTES

[1] Sikes, Robert L. F., "Military Construction Appropriations," Defense Management Journal, Vol. V, Issue No. 4, 1969.

[2] Under Secretary of the Navy, Memorandum for the Chief of Naval Operations, the Commandant of the Marine Corps, subject: Military Construction—Multi-Year Programming, 30 Jan. 1968.

[3] "ASCE Forms Construction Research Council," Civil Engineering, August 1968, p. 90.

[4] "ENR's Top 400 Contractors," Engineering News-Record, April 9, 1970, p. 73.

DAV DAY IN CONGRESS—A TRIBUTE TO QUIET COURAGE

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1971

Mr. BROWN of Michigan. Mr. Speaker, the responsibility of a democratic society to its disabled veterans was set forth more than 2,000 years ago by the Greek ruler Pericles, in a funeral oration in honor of Athenian soldiers.

Pericles stated that when a democracy accepts men to fight in its defense, it incurs a duty to provide for those men and their families should they be injured or killed. This duty arises from the risks of armed service to the relatively few and the considerable benefits resultant thereupon to all.

The gap between democratic ideals and democratic practice is, of course, always with us, but of this Nation's continuing fulfillment of its duty to its disabled veterans, there is much to be proud.

Our present as well as our hope for continued progress in this regard is in large part due to the efforts of disabled veterans themselves. Their strength and persistent courage in 50 years of organized effort to make the American governmental system aware and responsive to its obligations to disabled American veterans has made such a contribution to the functioning of that system as to rank only with their own wartime sacrifices.

When the Disabled American Veterans initially organized in 1920, there was a wide gap between our intent and our ability to meet a democratic society's obligations to its disabled veterans. A summary of the historical circumstances is included in the Disabled American Veterans 50th anniversary report:

> Of the approximately four million men who returned to civilian life after World War I, about 300,000 were wounded, disabled, handicapped or ill. This large number of disabled men caught the country by surprise. The government was not prepared to cope with their problems.
>
> Most of these men were in desperate need of immediate help in the form of medical care, vocational training and compensation.
>
> Government bureaus were hastily set up and existing ones tried to handle some of the problems. What resulted was utter chaos. There were many different bureaus, all working at cross purposes. The bewildered disabled veterans were in the midst of it—going from one bureau to another without getting any real or beneficial help.
>
> Medical treatment was deplorable. In the veterans' hospitals disabled and sick men were sleeping on the floor. There was not enough doctors and nurses to care for them properly.
>
> The entire compensation program had bogged down. Many of the men who were entitled to compensation were getting nothing at all and those who were, received unequal and inadequate ratings.
>
> A plan was evolved by the government to institute vocational training courses for disabled veterans in an attempt to give each man a trade or profession to compensate for his handicap. These were poorly organized and run.
>
> Many disabled veterans enrolled in these courses, but the need for self-help and recognition of their problems was all too apparent. They formed clubs—mostly for fraternal reasons and to be in a position to help each other.
>
> The beginning of the organization was unpretentious. From the ranks of those disabled veterans in the various clubs across the country came the men who conceived and brought into being the Disabled American Veterans.

In 50 years of service, the DAV has done much to close the gap. Its early objectives remain the same today:

> To advance the interest and work for the betterment of all wounded, injured disabled veterans, their widows and dependents . . . to cooperate with all federal and private agencies devoted to the cause of improving and advancing the conditions, health and interest of wounded, injured or disabled veterans.

The number of disabled veterans assisted and the amounts of compensation recovered for them bear impressive testimony to the Disabled American Veterans efforts. In my own State of Michigan, there are 131 chapters of the Disabled American Veterans with a membership of nearly 22,000. In 1970, they handled 11,711 cases resulting in recovery for disabled veterans and their dependents annual and retroactive benefits totalling $14,014.454.

A breakdown of these figures further demonstrates the scope of service the Michigan chapters provide Michigan veterans.

MICHIGAN: RECOVERY OF COMPENSATION IN 1970 BY DISABLED AMERICAN VETERANS

1. Service Connected Disabilities: 629. Annual and Retroactive Benefits, $1,199,409.
2. Compensation Increases: 2,044. Annual and Retroactive Benefits, $2,532,218.
3. Compensation Maintained: 1,701. Annual and Retroactive Benefits, $4,664,448.
4. Pension Maintained: 496. Annual and Retroactive Benefits, $604,800.
5. Non-Service Pension Claim: 620. Annual and Retroactive Benefits, $886,396.
6. Education Benefits: 1,830. Annual and Retroactive Benefits, $1,508,192.
7. Misc.: 51. Annual and Retroactive Benefits, $69,759.
8. Death Compensation: 305. Annual and Retroactive Benefits, $467,063.
9. Death Pensions: 2,354. Annual and Retroactive Benefits, $1,399,957.
10. Insurance: 79. Annual and Retroactive Benefits, $424,268.
11. Burial Allowance: 981. Annual and Retroactive Benefits, $249,456.
12. Pension Increases: 659. Annual and Retroactive Benefits, $408,483.

These efforts multiplied by similar efforts in 49 other States and the District of Columbia resulted in recovery of nearly $200,000,000 in compensation in 1970 alone. The lives thus affected, directly and indirectly, stand in tribute to the quiet courage that made them possible.

Mr. Speaker, I submit that there is much to be learned about how our democratic system works from the example of the Disabled American Veterans.

After having served their country in World War I, many disabled veterans returned home to confront treatment which often was incredibly—if unintentionally—cruel and unjust. They responded. Not with self-pity nor anger but with action—in the best democratic sense. In the ensuing 50 years, Disabled American Veterans has made the American people aware of their responsibility and provided invaluable, continuing service to disabled veterans—and their country—in making our veterans compensation system work.

It is a privilege to join with my colleagues in recognizing the Disabled American Veterans on their 50th anniversary.

THE CALLEY TRIAL—MEDIA POLLUTION OF JUSTICE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. RARICK. Mr. Speaker, the persecution of Lieutenant Calley, under the pretext of a trial, continues. Not only is Lieutenant Calley one Army officer who has fearlessly performed the duties in combat for which he was trained but also one officer who has had the courage to face his antagonists without cringing or denying his performance. Not only is Lieutenant Calley being tried by court-martial in Georgia, but almost daily in every communications media in our land, to the humiliation and disgust of the American people. It becomes increasingly more obvious from the biased and one-sided reporting of the trial of Lieutenant Calley that there is a definite movement aided by the news media to have Lieutenant Calley tried by public opinion on the charges in order to discredit the military in the eyes of young draft-age men.

The March 5 issue of Life magazine continues the prejudicial onslaught upon this American officer. On page 24 of this Life magazine the reader sees a reproduction of a photograph which depicts a group of dead men, women, and children lying in a road. The inference is that this picture shows people killed by Lieutenant Calley or under his command, although the reader has no way of knowing when the picture was taken, whether the people are Chinese, Vietnamese, Koreans, or other—or even where it was taken.

From past experiences, the American people should have learned to question the authenticity and accuracy of photographs, especially photographs from slick-paper magazines like Life.

The December 6, 1968, edition of Life, at page 35, carried a photograph of uniformed, helmeted people—supposedly police officers—involved in an altercation with uniformed people in Chicago at the National Democratic Convention. Almost a year later, the October 17, 1969, Life magazine, pages 70 and 71, carried a picture bearing the caption, "Club swinging police move in on students and faculty members who protested a Pentagon-backed institute operating at Princeton University."

Ironically, the photograph of the so-called Princeton riot in 1969 is the same photograph that had appeared in Life magazine in 1968 as a pictorial report of the National Democratic Convention. It is doubtful that even the Life magazine people know just what the picture does show and where it was taken. Further investigation might very well prove that the same picture of the police was used during the Selma March.

Since the Life photographs of the police are obviously unreliable, one must be suspect of the authenticity of the photographs used to prejudice the Calley case.

We hear considerable talk these days about our environment and its pollution. Perhaps some people will understand the need for ethics in news reporting to protect the people from mental pollution by staged photographs and biased reporting.

As for Lieutenant Calley, the American people are aware that he is one of the very few military officers who can show psychiatric evidence of his sanity. I question how many of the garrison officers and national leaders who have insitgated this charade and permit it to continue could stand similar examinations.

Why should American soldiers such as Sergeant Mitchell, Lieutenant Calley, and others continue to fight for a country which sends them into battle and then submits them to exhibition and ridicule for doing their duty?

The whole My Lai incident is being exploited to portray the American soldier as if a sadistic murderer who enjoys killing innocent people so as to discredit and weaken the Army. Likewise by sensitivity training it so psychologically conditions the minds of impressionable young men that they will do all possible to avoid serving in the Armed Forces; or if they serve, they will be ineffective combat soldiers for fear of becoming criminals rather than heroes.

The American people can be thankful that, in spite of the many handicaps under which our fighting men must serve, there still exists the spark of patriotism, love of country, and sense of duty and honor in the makeup of the majority of American soldiers which cause them to come to the defense of their fatherland.

The time is well nigh when a concerted effort must be made by responsible military officers, members of veteran's organizations, and other Americans toward giving full support to our Armed Forces and reversing the trend toward permissive breakdown in discipline which results in an inept and ineffective force.

Two Americans who have undertaken a role in coming to the aid of distressed men such as Sergeant Mitchell, Lieutenant Calley, and Captain Medina are Walter James Dilbeck, Jr., and Charles T. Kandel.

Dilbeck, presently residing in Evanston, Ind., is the holder of the DSC for valor, three Bronze Stars, and three Purple Hearts. Kandel, who resides in Las Vegas, Nev., is a combat veteran of World War I and World War II.

Maj. Gen. Charles A. Willoughby, U.S. Army, retired, Chief of Intelligence for Gen. Douglas MacArthur from 1941–51 and author of numerous books and articles, became interested in the efforts of Dilbeck and Kandel and has written in his Foreign Intelligence Digest a series of three enlightening articles about the endeavors of Dilbeck and Kandel and of the meaning of the My Lai incident.

I insert the three articles by General Willoughby at this point and call special attention to his conclusions and recommendations:

EFFECTIVE TEAM IN DEFENSE OF VIETNAM GI'S ACCUSED OF MURDER IN WAR

The Hon. Roger H. Zion, M.C. statement:

"Profile of a Companion" is the first of a planned series of articles analyzing the so-called My Lai "massacre"—a totally unwarranted attack on the American Army with serious moral and social implications that have undermined the prestige of American arms. The entire journalistic approach to this incident is crypto-communist. Its calculated effect was to whitewash the bonafide atrocities perpetrated by the Russians and their Communist stooges, as a pattern in all their wars.

Evansville Marine Thomas R. Bold was under orders to "eliminate Viet Cong" in Son Thang IV where he and four other Leathernecks are under investigation in the "slaying" of 16 Vietnamese civilians.

"Virtually all of the alleged victims were either related to members of the Viet Cong or working directly with them. The village in which the incidents occurred is considered a hostile hamlet and is located in a free fire zone, i.e., shoot on sight.

"Testimony from many of the young men in the unit revealed that these civilians were supporting the enemy, sometimes to the point of using small children to lead our boys into ambush. Many of the women set booby traps and alerted the Cong when our Marines arrived."

"These young men have been caught in the middle of a dispute between the Marine field commanders whose responsibility is eliminating Viet Cong and the politically motivated military here in Washington who are concerned with world opinion," he said.

At this point, Walter Dilbeck stepped into the picture. Evansville is his home town. His commercial Headquarters is at the Ramada Inn—Suite 821. He undertook to engage a first-class local firm of attorneys: "Trockman, Lloyd, Flynn & Swain," and flew to Viet-Nam.

Pfc. Boyd was acquitted of the trial charges. Other Marines in the same patrol were not so fortunate.

MY LAI AND A KOREAN ROADSIDE DITCH

BY WAY OF AN INTRODUCTION

In view of the editorial trend of the "Foreign Intelligence Digest", since 1938, it was inevitable that we should enter the national controversy over an alleged "massacre" in Viet Nam (1968). I go on record that I do not see eye to eye with "Harper's" of the hydrocephalic crew that awarded the author a Pulitzer Prize. As a combat veteran in every American war (or police action?) from 1916 to 1951, I am on the side of the American soldier, our teenage draftees, carelessly dumped into assorted rats-nests of a largely anti-American and hostile world. I am for the bedraggled GI of Bill Mauldin and Ernie Pyle! I was one of them, in my days, and I look at the muckraking Ridenhour and Hersh with contempt and loathing.

Fortunately, there are more appetizing citizens to turn to for a breath of fresh air. There is something stirring in the ranks of old soldiers: Walter J. Dilbeck, D.S.C., Evansville, Indiana, who flew his attorneys to Saigon to defend a home-town boy, Pvt. Boyd, Co. B, Seventh U.S. Marines; and Charles Kandel, of the "Sands", Las Vegas, Nevada, who sponsored Captain E. L. Medina, a key figure in the My Lai alleged "massacre".

I assisted Dilbeck and Kandel in developing two preliminary articles "Profile of a Companion" and "Effective Team in Defense of Viet Nam GI's". My editorial position is reiterative: ". . . the My Lai Operation, largely on a company and platoon level, has been blown up beyond reasonable proportion by a collection of careless journalists, photographers, and radic-liberal publications ranging from "Harper's" to "Time" and "Life." Their handling of the material represents a shabby story initially related by malicious gossip mongers, endless delays and thus endless inaccuracies and errors, in a conspiratorial web spun by digruntled soldiers who were not present at the action and did not belong to the unit involved.

In this connection, a group of conservative publications have understood the socio-political implications of the Viet Nam trials and have attempted to inject a note of sanity into procedings, vis: *"Herald of Freedom,"* P. O. Box 3, Zarephath, New Jersey; *"American Opinion,"* Belmont, Massachusetts; *"The Manion Forum,"* St. Joseph Bank Building, South Bend, Indiana; *"Tactics,"* Arlington, Virginia; *"National Economic Council,"* 230 Park Avenue, New York, New York; and *"Boniface Press,"* 8207 Flower Avenue, Tacoma Park, Maryland. A dollar spent in support of these publications will produce more effective intelligence on domestic communist infiltration than a thousand dollar bill, flung around by tax-exempt *"Foundations"* or D. of D. *"think-tanks"*, plagiarizing each other and the files of the War College.

THE SECRETARY OF WAR: NOVEMBER 26, 1969

Here follows extracts from a personal report of the Secretary of the Army, the Hon. Stanley A. Resor, who is a holdover from the Johnson administration, to a Congressional Committee:

"Let me review the known facts concerning the tragic events which took place at My Lai hamlet, Song My village, Quang Ngai Province.

"My Lai is located in an area which is now and has been for several years the home of the 48th 'Local Force Battalion,' considered one of the best Viet Cong units in the country. U.S. Forces had conducted prior operations in this vicinity (i.e. enemy territory) and had suffered casualties, principally from mines and boobytraps. In March 1968, the 11th Infantry Brigade, a unit of the American Division, made plans to conduct an operation in this area.

"On the morning of March 16th, following a three-minute artillery preparation on its landing zone, Company C, commanded by Capt. Medina and consisting of approximately 105 infantrymen, made a helicopter assault immediately west of My Lai. Company A simultaneously occupied a blocking position to the north, and Company B made a helicopter assault into an uninhabited area to the south. The 1st Platoon, commanded by Lt. Calley, led the advance and physically occupied the cluster of habitations that constituted the hamlet. Most of the buildings were then burned or otherwise destroyed. The operation terminated at approximately 6:00 p.m. on that day, and our troops were withdrawn.

"The Task Force commander's after action report for the entire operation indicated enemy losses as 128 killed; it made no mention of civilian casualties. Friendly losses were given as 2 killed and 11 wounded.

"The Brigade Commander interviewed the Task Force Commander, S-3, and the commanders of the two companies which had been in the immediate area. It was concluded that approximately 20 noncombatants had been inadvertently killed by "preparatory fires" and "in crossfires between friendly and enemy forces", and that the reports of unnecessary killing civilians were merely another instance of a common Viet Cong propaganda technique and were groundless—a view shared by the (local) Vietnamese District Chief. The matter was not brought to the attention of Saigon headquarters or the Department of the Army.

"Over one year later, in early April 1969, the Department of Army received identical letters, dated 29 March 1969 and originally addressed to Secretary Laird and five members of Congress, from a Mr. Ronald Ridenhour, a former soldier who "had heard rumors about a supposed atrocity from fellow soldiers", alleged that Task Force had been assigned "the mission of destroying My Lai and all its inhabitants". He went on to describe in considerable detail several instances of alleged murder which "he believed" had occurred there.

"Upon receipt of these letters, the Chief of Staff on April 23, 1969, directed the Inspector

General to conduct a full-scale investigation of all allegations made by Mr. Ridenhour. This investigation took place both here in the United States and in Viet Nam.

"On August 4, 1969 the investigation was transferred to the Provost Marshal General. Since that date, criminal investigators have located and interrogated over 75 witnesses, 28 of whom are still on active military duty. They have also visited the site of the incident and interviewed local Vietnamese officials and former inhabitants (all Viet Cong) of the hamlet who witnessed the alleged killings.

"An Army combat photographer present at My Lai took a number of (colour) photographs, which he did not turn over to Army officials.

"I have reviewed what we know of the incident at My Lai with a number of officers who have served in Vietnam. It is their judgment—that what apparently occurred at My Lai is wholly unrepresentative of the manner in which our forces conduct military operations in Vietnam. Our men in Vietnam operate under detailed directives from higher headquarters which prohibit in unambiguous terms the killing of civilian noncombatants under circumstances such as those at My Lai. During the last few years hundreds of thousands of American soldiers have participated in similar operations in Vietnam. I am convinced that their overall record is one of decency, consideration and restraint towards the unfortunate civilians who find themselves in a zone of military operations. Against this record, the events at My Lai are difficult to understand. . . ."

We dislike the apologetic nuance of the Secretary's last paragraph. The investigation and report of the local Vietnamese civil authorities is largely ignored; instead, reports by an outsider (Ronald Ridenhour) who was not physically present—i.e. hearsay evidence, jurisdicially unacceptable (!) set the pace for publicity.

This report contains professional items, that may escape the average non-military reader—but will be important to luckless Lt. Calley and Capt. Medina.

There is the admission of "preparatory fire" and "cross fire" between friendly and enemy forces; the admission that, for months, My Lai and vicinity was "the home of a Viet Cong battalion" and "casualties from mines and booby traps." I trust that the defense will raise technically pertinent questions viz:

I. Who made the count of casualties?

II. Percentage of wounds ascribed to preparatory fires, artillery or copter gunnery.

III. Percentages of rifle wounds ascribed to Calley's Platoon?

IV. Combat veterans of all wars know what "preparatory softening-up fires" mean. The bleeding hearts do not know—and could not care less.

V. Army photographers, malcontents and literary scavengers select biased material—for the highest bidder.

VI. A shabby story—published by shabby people.

EYE-WITNESS AND FRONT-LINE COMMENTS

The testimony of one of the soldiers, normally acceptable as an eye-witness participant, Sgt. Charles West is very significant: ". . . In moving on My Lai, "C" Co. was badly blooded, with soldiers killed and wounded by snipers and booby traps. The company was pinned down by enemy fire just outside the village and took shelter in a rice paddy. Then it attacked; it was met by sniper fire. When the company entered the village, they found many dead as a result of artillery shelling and bombing from the air. The only firing into groups of old men, women and children . . . when males of military age deliberately ran into these civilians. Eventually it was established that some of them were Viet Cong or northern troops . . ."

West's report on My Lai confirmed by other front-line comments, establishing a consistent pattern in similar combat situations, viz: ". . . We would take a village from the V.C. There would only be old men, women and children in evidence. Troops would search the native houses. When two or three men went in, a "Claymore mine" would go off and they would be blown up. Some "little old lady" sitting on her doorsteps was also sitting on a number of strings and when she saw our men go into a certain building, she would pull a certain string and off would go a mine. Even innocent looking little children are used by the Viet Cong. Any time you see a kid with a package, especially one who is pushing into our men, crying for candy—especially chocolate—it's time to yell out an alarm. The chances are the kid's carrying a bomb and has been taught by the Viet Cong to pull a string and "give the soldiers a surprise." That the kid was blown up along with the explosive, is no concern whatever to the V.C. . . . "

OFFICIAL SOUTH VIETNAM REPORTS 1968

President Nguyen Van Thieu initiated an official investigation. The My Lai area is an enclave in the command of Lt. Gen. Hoang Xuan Lam: " . . . Reports that 527 civilians were massacred were completely inaccurate . . ."

". . . When (Americans) moved into that area, they met strong resistance from the enemy . . . the result of contact was 125 enemy killed . . . about 20 civilians were killed by tactical airstrikes and artillery . . ."

Washington, i.e. the Department of the Army, should have accepted and stuck to this official Vietnamese statement. Obviously local Government investigators are more competent than private muckrakers like Ridenhour, giving the immediate language problem, if nothing else. The American "public relations" handling was incredibly inept, if not stupid. They deliberately equated My Lai with Hue (1968) and Katyn (1943).

LT. GEN. LEWIS W. WALT, U.S. MARINE CORPS

"I learned early in my two years of duty in South Vietnam, fighting and working alongside the South Vietnamese forces, the Communist terrorism is no mere accident of war but a program of systematic butchery. This deliberate and brutal assault against the grassroots citizenry is one reason why we who have responded to South Vietnam's call for assistance believe devoutly that our efforts to save this nation are worthwhile, necessary and important . . ."

"General Walt tells of his arrival at a district headquarters the day after it had been overrun by VC and North Vietnamese army troops. Those South Vietnamese soldiers not killed in the battle had been tied up and shot through their mouths or the backs of their heads. Then their wives and children, including a number of two- and three-year-olds, had been brought into the street, disrobed, tortured and finally executed: their throats were cut; they were shot, beheaded, disemboweled. The mutilated bodies were draped on fences and hung with signs telling the rest of the community that if they continued to support the Saigon government and Allied forces, they could look forward to the same fate.

"These atrocities are not isolated cases; they are typical. For this is the enemy's way of warfare, clearly expressed in his combat policy in Vietnam. While the naive and anti-American throughout the world, cued by Communist propaganda, have trumpeted against American 'immorality' in the Vietnam War . . . the Communists have systematically authored history's grisliest catalogue of barbarism . . ."

PINKERTON ON COMMUNISM

Communism has always been an inhumanely evil force. The late Allan Pinkerton, founder of the famous Pinkerton Detective Agency, warned of this evil many years ago in his 1878 book entitled "Strikers, Communists, Tramps and Detectives". In regard to the Paris Commune he wrote:

"With a grim sort of humor, the Commune abolished public executions, while foully murdering scores of victims in prison . . . It destroyed public buildings and demolished monuments. It levied upon the rich and encouraged rapine upon both rich and poor. Incendiarism, robbery and murder were its constant practices. It brushed out of existence near a hundred great newspapers, and brought into existence nearly a hundred sheets which for vileness were never equaled. Unbridled license was the crowning feature. All that is held by mankind as execrable and infamous was enacted by it. . . .

"Its lesson is not one for Paris . . .(but) for the entire civilized world. . . . Give it time and let it alone, and it will lift its red hand with all the savage ferocity with which it struck Paris . . . (Communists) are a class of human hyenas worthy of all notice and attention . . ." Later in the book he rightly contended that communism "calls for as prompt an extermination as we would give a deadly reptile . . ."

Mr. Pinkerton's warnings were absolutely correct some 92 years ago and they are still correct today. Truth, instead of misinformation about communism, can lead more of our nation's idealistic young activists to work against this evil instead of helping to bring its terror upon an unsuspecting American populace.

A SHABBY REPORT BY SHABBY PEOPLE

The battle for Vietnam is not fought solely in rice-paddies and the jungle, but in news print and on the airways. Given any juicy morsel of "atrocity," the journalistic rodents bare their fangs and go to work. Though they may live in sheltered America, these character-assassins are crypto-communists; their current objectives is to discredit the military, at the front and at home—not to mention a fast buck!

The horror story disseminated by "Life" has distinct commercial elements!

The Army photographer involved was one R. L. Haeberle, assisted by Jay Roberts, both of the Pub. Inf. Det. 11th Inf. Brig. Both "volunteered" for this operation because word was out that it would be "a hot one." Haeberle was well prepared with three cameras, one for the Army and two de luxe types for himself, the Army film being black and white and the private film being in color. When he returned from the war, he lectured and showed his "horror" films around the Cleveland area. When the massacre story finally hit the news, he took his pictures to the liberal Cleveland "Plain Dealer." The paper printed eight of the pictures. That same night, Haeberle flew to New York. He set up shop in Room 801 of the Gotham Hotel, went into business and invited bids from newspapers and magazines. A package deal was made with "Life"; payments were reportedly in five figures.

The timing was suspicious—especially Haeberle's "volunteerism". The effect was calculated. "Time" has done it before on a shattering scale. With the connivance of the "New York Times", they built up Castro and Cuba is now a deadly Russian missile base.

My Lai publicity furnished "cover-up" for a vast and real massacre in Vietnam and in the same month: the murder of thousands during the brief Communist occupation of Hue. We will pursue this theme elsewhere.

Although the newspaper headlines screamed "Only the chickens were left alive," Chief W. O. Hugh C. Thompson received the D.F.C. for his action as helicopter pilot, March 16, 1968 at My Lai. The citation: "He spotted 15 young children trying to hide in a bunker and evacuated them to a safe area. Moments later, he spotted a wounded Vietnamese child and disregarding his own safety, he again landed and evacuated the child to the Quang Ngai hospital . . ."

Compare this with the mealy-mouthed muckraking of another helicopter crewman (far away from My Lai), the "conscience-stricken" vagaries of one Ronald Lee Ridenhour, an avid collector and purveyor of hearsay evidence and indefatigable gossip.

WHO OPENED THIS CAN OF WORMS?

Seymour M. Hersh, a free-lance writer got a tip from the Pentagon. With a $1000 grant from leftist tax-exempt "Philip M. Stern Foundation" he tracked down some ex-GI's who were "willing to talk". It may be remembered that one of the Sterns, long suspected as a Communist activist, is a fugitive behind the iron curtain with his wife, the notorious daughter of an American Ambassador.

Seymour has now expanded his flash reports (hearsay evidence!) to the leading article in left-leaning "Harper's", in the May issue in thirty-three full pages of biased, highly prejudicial material, preceding the expected trial of the My Lai participants. Hersh has since received the current Pulitzer Prize—a bit of ammoral back-scratching by a coterie of literary prostitutes.

Ronald Lee Ridenhour, a disgruntled draftee, never served in or near My Lai but nevertheless took it upon himself to "investigate" the massacre. He claims he was "conscience stricken". We share the view of Col. O. K. Henderson, 11th Brig.: "I can't believe a guy who did not participate in action, that his "conscience would bother" him, a year later, more than the men involved." When his informational coup did not immediately burst upon the American scene, Ridenhour got a "literary agent" (M. Cunningham) who attempted to sell Ridenhour's story to newspapers, magazines and television networks.

Paul D. Medlo, another GI witness appeared with Mike Wallace on C.B.S. The intermediary again was "Dispatch News Service" which was reportedly paid $10,000.00. Medlo got nothing but has since told prospective interviewers ". . . I ain't talking to nobody now unless they pay." This schizoid casually boasted: ". . . Calley ordered 370 villagers killed. I killed personally about 10 to 15 . . ."

Of course, the Communist Press loved every minute of this and had itself a field day. The Communist "Daily World" promptly induced conscience-stricken Ridenhour to give them an interview. Cui Bono? If Ridenhour did not know that he was appearing before the official Communist daily organ—he was stupid. If he knew, his action could only be interpreted as "aid and comfort to the enemy" and that is treason. The net effect of this "witness" (for a quick buck) was to furnish whitewash for Red atrocities, on a vast scale, from Hue contemporaneously (1968) to Katyn Forest (1943), the standard Red genocide pattern.

THE SCAVENGERS ON THE SCENT

C.I.A. information (confirmed by the International Comite, D.C.C.) indicates that Communist organizations throughout the world have been instructed by Moscow to go all out in using the My Lai incident to discredit the U.S. Army and the American war effort in defending South Vietnam.

"Cui Bono" is still valid. Smearing the American military with alleged "atrocities" will cover up the historically demonstrable barbarities of the Russians, as at Katyn (1943), near Smolensk and the systematic destruction of hundreds of thousands of Japanese in Siberian P.W. Camps (1945–1948).

Military deserters in Sweden are being organized to hold press conferences and fabricate that they witnessed atrocities and torture in South Vietnam. Deserters and "draft resisters" are to be helped by clergy and laymen. The group had an Episcopal priest stationed in Stockholm to aid the colony of traitors there. We seem to be confronted with a crypto-Communist drive to drop Vietnam as we previously abandoned China. The tax exempt I.P.R. (Institute for Pacific Relations) then did the hatchet job on China.

Naturally, given the nature of the enemy, there now are tax exempt "pinko" outfits, in the States, leaping to an opportunity to attack the "military-industrial complex": the new "Institute for Policy Research" merged with the "Peace Research Institute" . . . note the deliberately misleading labels! It is financed by the "Ford Foundation", the "Institute for International Order", the "Field Foundation" and the "Edgar Stern Family Fund"—which paid Seymour Hersh, the "investigative reporter", scouring the country for talkative eyewitnesses to "the massacre of My Lai"! Suggestively, one James Boyd is executive director of the "Stern Fund". Boyd is better known as the former employee of Senator T. Dodd, ransacking and copying thousands of the Senator's private files, to accommodate Drew Pearson's smear job on the Senator.

A new left-wing "news" (i.e. propaganda) service called "Dispatch News Service" opened the My Lai barrage. The outfit was started in Taiwan by David Obst, a Chinese language student. Assistants set up a staff in Saigon: Morrow, M. D. Luce, D. Ronke and Dick Berliner. In Washington, they have D. Norcross who writes "Youth Notes" for "Parade". Richard J. Barnet, who has recently returned from Hanoi—a source of impartial war news?—acts as "advisor". Barnet is a director of the leftist "think tank": Washington's "Institute for Policy Study"—policy derived from Hanoi trips, enemy-territory, pure and simple. The "Dispatch" sponsored Seymour M. Hersh, free-lance writer and peddled his "My Lai stories" for $100.00 a clip. Some 35 newspapers printed it in November 1969.

There are other anti-American channels and operators: "American Documentary Films," San Francisco, plans to import and distribute sixteen (16) North Vietnam and Veit Cong films. David Castro, an executive of this outfit, stated that he will distribute to churches, trade unions, libraries and campus groups. The films are "gifts from the Vietnamese people". As an index of the social and journalistic level of this traitorous scum, travelling on the My Lai excitement, Castro spent seven years in American prisons on narcotic charges.

MY LAI: VOX POPULI: A MIXED BAG

Space available, we could have listed many more "Letters to the Editor." Percentages pro-and-con are about even. I find some items totally unpalatable. I take the liberty of some editorial appraisals, viz: (1) A not so subtle undercurrent of racist feeling? (3) This bird will shortly run out of curses. He will have nothing left for Hue. And how will foul-mouth emote when he is confronted with American teenage conscripts, slaughtered like animals and flung into a Korean roadside ditch? (5) This is the piece-de-resistance. This beldame is a recognizable throwback to the French revolution—the cradle of Communism. Her vulgar prototype enjoyed frontrow seats when the guillotine was clattering. We recommend item (6) as appropriate for the not-so-charming Metz (3)—Fox (5) statements.

(1). Sir: The trite phrase "My country right or wrong" sounds very hollow in view of the American war atrocities at My Lai. The innocent, helpless civilians so brutally murdered there are another testimony to the fact that "liberty and justice for all" exist only if one happens to be American wealthy and white. (The Rev. F. O. Villien, Lafayette, La.)

(2). Sir: Why is the world so horrified? I don't remember hearing any outcry against the air crews who bombed civilians in Germany and Japan. Or is there an Army regulation which stipulates that civilians may be killed only when they cannot be seen? (E. K. Anderson, Leicester, England.)

(3). Sir: I just watched the television coverage of the Pinkville "atrocity", and for the first time I am bitterly ashamed to be an American. All I could do was mutter helplessly, "God damn them! God damn them!" (Donald S. Metz, Deerfield, Ill.)

(4). Sir: Let's not allow the issue an undeserved partiality. The village was a haven for Viet Cong. The people were sympathizers with the V. C., and their direct aid contributed to American combat deaths.

When I was in Viet Nam, our battalion had a young sergeant who had been first on a battle scene where he discovered half a dozen Americans hanging upside down, tied through the ankles like deer, and castrated. The V.C. had attempted to skin their "war prisoners" like we skin animals. Cuts circled their wrists, ankles and thighs from the futile attempts. Yet I do not recall any uproars about the atrocites of the V.C.

It is folly to think that war should be conducted with a cool head and a box score delivered every day. (Roger Gallagher, Lafayette, La.)

(5). Sir: I, who detest violence of any kind, would deem it an honor to be in the firing squad to mete out their just due to the murdering cowards of the C Company of the 11th Infantry Brigade. My only regret would be that I would not have the advantage of the element of surprise that these merciless killers had in the slaughter of the innocent people of My Lai. (Mrs. Naomi S. Fox, Burlington, Mass.)

(6) Sir: I wish the people of the world who are speaking out so loudly against the U.S presence in South Viet Nam and the incident of My Lai could see the "friendly" villagers by day and the fighting hardcore V.C. by night. I wish they could see the women and children setting booby traps and mines. I wish they could see a young child that has had his limbs cut off by V.C. terrorists. I wish they could see the good will many of our troops have spread throughout the countryside of South Viet Nam. I wish they could see the harm done to the fighting morale resulting from peace marches and war demonstrations. I wish they could see that this war, just as any other war, is hell! And until they see some of these things themselves firsthand, I wish they would keep their damned mouths shut! (Marvin F. Pixton, III, Capt., U.S.M.C.)

(7) Sir: Since when do men have the right to judge a man for murder, when they taught him how? We hand these men guns, teach them to kill, and then expect them to remain mentally intact. If you think the younger generation is screwed up now, wait until you start checking out what's coming home from Viet Nam. (Ellin Pollachek, Elizabeth, N.J.)

(8). Sir: Why the hell all that noise about My Lai? The story of humanity is a long, uninterrupted list of atrocities. I remember the Spanish War, Lidice, Babi Yar, Korea, Algeria, the Congo, Mozambique, day after day after day—children murdered—all in my generation.

We are only human beings, and the fittest will survive. Please stop playing with ideals and words, and be prepared, for "something rather dark and bloody" may happen someday in the States, and it won't even be WW III. (Jean Crete, Sao Paulo, Brazil)

(9). Sir: Lieut. Calley or his commander, or both, will be tried and convicted and punished, because someone has to be the "patsy" in any war.

Nineteen years ago today, I was a captain in front-line combat in Korea, with orders to shoot anything that moved after dark. We did, and we "won." On D-Day in Normandy and for some time afterward, the same order applied in my outfit, and we "won' that war, too. So it has always been, is now and will ever be, until some power stops war. (Harry McDaniel, Carmel Valley, Calif.)

(10). Sir: Just what the hell is this country coming to? What kind of America is it that sends its men into foreign countries to help uphold the doctrines of freedom, yet will not back these men when they wage war as they have been ordered? No one condones this alleged act of violence, yet one cannot help feeling that this man is being made a scapegoat to ease the minds of those who believe that our position in Viet Nam is unethical. (Charles G. Michal, Baltimore, Md.)

(11). Sir: I will go on active duty as an Army lieutenant in January, and what with the Green Beret case and now this one, I am not at all certain that there is any future for me. If one side doesn't get me, the other will. (Robert C. Meehan, Pittsburgh, Pa.)

By and large, the main agitators are the mass circulation media, the weekly's, notably "Time". With malicious ingenuity, they knew that a certain handling of photographic reproduction would be effective in emphasizing the "culprit," luckless Lieut. Calley. We will admit that he is not bright—but he is not a case-hardened criminal either. So they touched up a front page portrait of Calley.

"Color-key transfer by Fred Burrell, whose technique of diffusing the photograph through various layers of colored plastic is to suggest "the mist of horror surrounding the massacre and any who participated in it."

Bunk! Burrell is not as vicious as Haeberle and I suspect that his prose is one of "Time's" pinko-editors or rewrite men. What Burrell has done, however, is to "diffuse" Calley's undistinguished visage and make him look like a Miafioso thug. So much for "unbiased" reporting, and pictorial fraud.

MASSACRE IN HUE: RED TET OFFENSIVE, 1968

While My Lai reports on numbers of killed have varied initially from 50 to 126, the "Tet" offensive, in the same year, a Communist operation, involved literally thousands of South Vietnam victims. The City of Hue was held by the Viet Cong and the Vietminh for about three weeks. They rounded up all prominent local officials and conservative citizens and murdered them barbarously. The victims were lined up with arms bound, bludgeoned to death or simply buried alive.

L.B.J.'s Secretary of Defense (as of 1958) Clark Clifford perorates in "Life," May 22, 1970, ". . . the President has suggested that a 'blood bath' could be expected with Catholics as a target." Clifford claims that in two years, following the Red takeover in Hanoi, "only 19 complaints of political reprisals" were filed with the International Control Commission.

As Secretary of Defense, he must have known the lurid details of the Red Massacre in Hue. In three weeks of occupancy of the ancient Capital City, the Reds rounded up about 5000 citizens; the total is not fully accounted for, but mass graves are discovered continuously and approximately 3000 victims have been identified. If Nixon has "lost credibility," what degree can be attached to the ex-Secretary of Defense?

Not quite as naive as the Secretary, the American Press largely ignored or played down the Hue horror. At any rate, at least in comparison to their major effort vis-a-vis My Lai.

There was no Haeberle around to carefully select and arrange coloured films as at My Lai, and there was no money; they were not worth a counterfeit piaster. The Pentagon and State Department had early and complete information about Hue, but chose to ignore it. They would reveal little or nothing on the old basis that "we were trying to negotiate a peaceful settlement with Hanoi."

Compare this relative silence with the strident caterwauling about My Lai. Obviously the phony indignation was a cover-up for current and past Communist crimes. However, the similarity between Katyn and Hue was noted by Rep. Roman Pucinski April 3, 1969, viz:

". . . I was the chief investigator of the special Congressional Committee which in 1952 investigated the Katyn Forest massacre, and I was struck by the tragic similarity between the methods and techniques used (by the Russians) in Katyn near Smolensk in 1940 and the methods used by the Communists (Viet Cong) against the South Vietnamese civilians in Hue. The entire world should be shocked by the discovery of mass graves in Hue . . ."

They could not care less! Washington kept the facts bottled up along with photographic proof. Instead, we were fed the "Green Beret Scandal" and now the My Lai "Massacre". Anything to keep our attention away from the unmistakable Russian pattern as adopted by their "stooges"; their consistent program of genocide, the killing of civic leaders, teachers, magistrates, etc., by special goon-squads and executioners. The American people have been left in the dark concerning enemy behaviour. If the networks and leftist papers such as the "Washington Post," "New York Times," and "Los Angeles Times" were to exert a tiny fraction of the initiative and indignation they habitually concentrate on exposing American soldiers, in just simply reporting the vast program of mass murders by Communist terror groups, we could have a united public opinion. Elsewhere, we shall expose the "double standard" of the knee-jerk liberals in an eyewitness report of the massacre at Masan, South Korea, in 1951. The victims were American teenage prisoners of war and the technique of assassination was like Katyn (1943) and Hue (1968) . . . but Agnew's "effete snobs and impudent fools" remained discreetly silent and contemptuously indifferent.

THE BLEEDING HEARTS AND A KOREAN ROADSIDE DITCH

Here follow extracts from a column by a clergyman, the prototype of bourgeois morality (11) and a sophisticated weekly, i.e. normally not in the field of geopolitics. (12)

To demonstrate the utter idiocy of these bleeding hearts, apply their lachrymose wording to the massacre of Hue (1968) and most particularly, the massacre of hundreds of teenage American P.W.'s at Masan, Korea (1950) in a Korean roadside ditch.

Read the hypocritical prose inspired by Haeberle's commercial photos showing Viet Cong (i.e. enemy) men, and a scattering of women and compare it with an identical horror photo (not for sale), showing hundreds of young American P.W. murdered by Korean Communists, on the eve of their panicky flight after MacArthur's capture of Inchon. When you make that visual comparison, keep "Life's" commercial photos in mind and reflect on the lachrymose prose, they engendered in a literary psychopath. The inserts in brackets are our editorial reactions: ". . . Our best instincts are deserting us . . . we are quietly choking on the blood of innocents (in a Viet Cong stronghold) . . . When soldiers of other nations did such things we have no trouble finding words of condemnation . . . Now we find ourselves (looking) through the eyes of (American) perpetrators . . . A death close to us personally (it was close in Korea but never personally!) seems unfathomably large, but their deaths (Viet Cong) dwindle to abstraction . . . All the shame and horror of Viet Nam seems to settle on this tiny hamlet . . . It is still the price the nation must pay for its miscalculation and folly (The White House is a better reference than the Nation) . . . the people in the living rooms of America are the final victims of this Asian conflict! . . . If anything good has come of the shabby story, it is the tenacious honesty of young veterans, to come forward as witness to the truth . . ."

What about the shame and horror of a Korean hamlet (Masan in lieu of My Lai?). Who came forward at Hue, on the same date as My Lai? Whose tenacious honesty is eulogized? Ridenhour, a military malcontent, a gossip monger on events to which he was neither eyewitness nor participant? An avid purveyor of "hearsay evidence." And where were the "tenaciously honest veterans" to come forward at the Masan, Korean mass murder in 1950? Most of them were killed: their hands tied behind their backs with captured American signal wire and shot behind the ears with Czech-Russian rifles or pistols.

If "confrontation with Communism" is a compulsive national or international issue, it would have been plausible (and still is!) vis-a-vis Castro and Cuba, a Russian missile base 90 miles from Florida, in contemptuous violation of the Monroe Doctrine, vitiated by the late but not lamented F. D. Roosevelt. However, confrontation with Communism in Viet Nam, thousands of miles from North America was and is an indefensible geopolitical folly.

At this point we accept that Nixon is the only President to seriously attempt to retrieve Kennedy's monumental fumble.

This thing is relentlessly evolutionary. My Lai is just another move on the checkerboard. I have used the photo of a Korean roadside ditch to accompany an older F.I.D. article: "International and Domestic Policies of the Roosevelt-Truman Regimes 1933–1952." That is when all this began—the military and international adventurism by executive fiat!

Things have not improved much since that date. I am reminded of a statement by MacArthur on the eve of the execution of General Tojo, Japanese wartime Premier. Considerable pressure was applied on MacArthur to personally attend that macabre occasion. He flatly refused: ". . . I am not a hangman. I am opposed to post-facto war crimes trials. They have set a dangerous precedent. We better win the next war—or some of us are going to swing." Of course, the General had no idea that the "boomerang" would someday be hurled from Washington by its own brand of bleeding hearts and a schizophrenic concern for "world opinion," in a world largely dominated by cynical Russia.

As a professional soldier, in defense of other soldiers, I challenge the fraudulent manipulations by which the My Lai incident was blown up beyond reasonable proportions.

The frenetic and wholly phony agitation over My Lai (1968), as compared with the relative silence on Korea (1950), indicates a moral degeneracy of certain public mediae and a spineless connivance within and without the Government.

Federal officers, military and civil, have sworn valid oaths on accepting their commissions, under the Constitution, to "defend the United States against all Enemies, Foreign and Domestic."

Only ignorance or treasonable flirtation will deny that we have now entered a danger zone in which Russian-directed international communism may ultimately score a world victory.

The earliest expose of the My Lai hoax was made by Frank A. Capelle, publisher of the

"Herald of Freedom," P.O. Box 3, Zarephath, New Jersey. I rate Capelle tops in the development of hard intelligence on Communist or Radic-Liberal domestic subversion. He moves swiftly and accurately! Within ten days, he reported on the recent crypto-Communist ruling of Judge Gerhard A. Gesell D.C. against publication of a report by the "House Internal Security Committee, October 14, 1970."

Gesell's blatantly biased ruling is in keeping with his murky background. It takes one back to the Kennedy days. Yarmolinsky, McNamara and the plan "for racial equality within the Armed Forces." The directive was probably written by Adam Yarmolinsky (in the shadow of Babette Deutsch?). The Hon. Mendel Rivers M.C. denounced it "as the most infamous document ever devised, highly inflammatory, vicious and extremely prejudiced . . ." Gesell was involved in this action in 1962.

There is a genetic parallelism between Gesell's (1963) and the current persecution of Viet Nam GI's (1970).

THE VOICE OF H. L. HUNT

The recent quotation from this remarkable man is pertinent to Gesell's incredible ruling. H. L. Hunt is one of a half a dozen giant-size American entrepreneurs in the oil industry. He is deeply concerned with the future of the United States: ". . . Constructive action can build a political party. Plans should be implemented to convert one of the major parties to the freedom side . . ."

". . . Entrenched appointed Government officials, who cannot be fired by elected officers because of civil service laws, can do much harm to our constitutional system by sabotaging the policies of a newly elected party. Patriots can expect to face the wrath of a small but powerful clique of these left-leaning, entrenched appointed officials any time a constructive step is taken to fight crime or communism . . ."

This is a perfect delineation of Gesell's operations. The My Lai agitation may become the catalyst for effective reforms.

In the growing internal degeneracy, from campus riots to illegal postal strikes, Washington's only recourse has been to call in troops when the police failed. This puts a premium on the Regular Army and/or National Guard. It puts a premium on their "morale", their "esprit de corps" . . . that intangible, elusive element that holds Armies together, that tied the bedraggled Confederate soldier to Robert E. Lee, that kept the South going for four bitter years.

In our days, the effrontery of McNamara's civilian "whiz kids" came near corroding the morale of the Officer Corps.

Highly competent Armies and Navies felt the gnawing of the cancer: The French Army practically mutinied (1917) in a sit-down performance. The British Navy suffered similar convulsions. The entry of fresh American troops restored the broken spirit.

In Viet Nam, there have been instances of individual and collective resistance, though we rotate troops after one year service. Let us call it "war weariness"—a charitable interpretation but a danger symptom in any event!

When these confused, insecure young soldiers are exposed to the further pressure of "courts martial" when they merely carry out orders in actual combat situations, when self-defense is equated with murder in peacetime, the morale factor enters precipitatively! Believe me, as a professional soldier of forty years service in all ranks from Private to Major-General, when you tamper with the morale of an Army, you gamble with national security!

The alleged "barbarities" are a totally unwarranted attack on our soldiers in the field, with serious defamatory moral and social implications that have undermined the prestige of American Arms. The entire journalistic approach to this incident is crypto-communist slander. Cui bono? It's calculated effect was to whitewash bona fide atrocities, systematically perpetrated by the Reds, in Viet Nam and elsewhere, in a consistent and vastly larger pattern.

CONCLUSIONS AND RECOMMENDATIONS

The My Lai "farce," exaggerated by rascally journalists and pinko publishers, must be viewed against the current background of a hostile Russia, arming at white-heat in every category of their military forces, in a race to overtake the United States—while local termites undermine our own establishment.

We concur in Mr. Hunt's appraisal, but would strengthen and amplify his cautious recommendations:

1. All fraternal veteran's organizations, on the State and National level, to unite in a common political philosophy for direct action. Required: A national network of veterans' and military retired personnel for constructive intelligence and security operations, in support of the police, the F.B.I. and civil defense agencies.

2. The voting potential is demonstrable in the current operations of labor unions. There is a greater number of war veterans and draftees—a voting bloc of literally millions of immense power, provided they act in tight unity.

3. Suggested title: "Coalition of Veterans and Draftees" (C.V.D.). Suggested emblem: "Don't tread on me . . ." the historical Arizona rattler, uncoiling for self-defense.

4. Within constitutional limitations, the C.V.D. to band together for the sole purpose of electing conservative Congressional candidates, all war veterans with emphasis on combat service. The historical precedent is found in the political impact of the G.A.R. in the post-Civil War period.

5. The resulting militarized Congress is expected to curb international adventurism by executive fiat, from the Mekong to Lebanon.

6. A militarized Congress is expected to control current crypt-communist trends in education, welfare and social experimentation.

7. A revision of Federal Centralism from the Supreme Court to the Internal Revenue Service with emphasis on sanitizing tax exempt foundations.

8. Revision of taxation to return 50% of revenues to the States of origin. Revision of pension to widows of service men, now approximately $50/$75 per month—a contemptible figure, unworthy of the United States.

9. A revision of the United Nations structure and location, with emphasis on curbing the Afro-Asian "bloc", the so-called "Third World."

10. Revision and control of Foreign Aid recipients.

11. Revision and control of current foreign alliances and commitments.

12. Outlawing the Communist Party and affiliated groups with emphasis on the immediate, accelerated prosecution of their leaders until these crypto-Communist cells are destroyed.

13. The revival of Alcatraz as a place of confinement for foreign and domestic spies and traitors.

14. Nixon is the only President to have made a substantial effort to reduce our military commitment in the Far East. He now has a political opportunity to intervene in aid of our Viet Nam GI's—an opportunity of unparalleled psychological and sentimental impact that may affect the upcoming elections.

15. The action: a) Terminate promptly all current Viet Nam Courts Martial; b) Stop all further denunciatory allegations by irresponsible muckrakers; c) As C. in C. pardon all convicted Viet Nam GI's as victims of a ludicrous miscarriage of justice; d) Advise hypocritical foes and friends that the U.S. Services will not accept allegations of crime in the heat of combat actions, under orders, and e) That the U.S. is fully aware that, by comparison, Russia and its stooges practice genocide on a vast scale.

PROFILE OF A COMPANION: WALTER J. DILBECK, DSC

Walter James Dilbeck, Junior, holder of the DSC—for Valor, 3 Bronze Stars and 3 Purple Hearts, was born July 11, 1918, in Fort Riley, Kansas. His mother Catherine Gray Dilbeck, was a gentle soft-spoken, southern girl; his father a stern, army sergeant-major who had served with Black Jack Pershing during the Mexican Border troubles. Dubbed the "rattlesnake major" because he casually carried a live de-fanged rattlesnake about his neck during the pursuit of Pancho Villa, Water Senior, was a stern disciplinarian. Later he advanced to the rank of Major during World War I. Upon his retirement, the family moved to Fort Branch, Indiana, where Major Dilbeck became a building contractor.

Walter Junior, was the first of eight children, four boys, and four girls.

Fort Branch was a town of some 1500 citizens, a considerable portion of whom worked on farms or in the neighboring coal mines. However, it is widely accepted that the small, grassroots community is a source of sound Americanism: it contributed to Dilbeck's exemplary career.

Throughout 4 years of high school, Walter starred in football, baseball, and basketball. When he was 19, the St. Louis Cardinals signed him to their Joplin Farm Club. It was a year later while playing exhibition games through Southern Indiana that Walter met a pert and pretty Irish girl named Dorothy Rogers. By Dec. 7, 1941, he was married, father of a baby girl, and working for Swift & Co., in its Evansville plant.

The meat industry was considered essential to the war effort and its employees were immune from the draft. By 1943, as America and its allies geared themselves for the attack on "Festung Europa." Walter and Dorothy had acquired a family of three lovely girls: Carol Sue, now 3, Jo Ann 2, and Barbara Ellen, 1. It required money to support this flourishing brood. Walter who, with Dorothy, had been operating a small grocery on the side borrowed $6500.00 and took a three months leave of absence from Swifts to open a small roadhouse catering to soldiers from a nearby army camp.

The opening night was a great success but before Walter and Dorothy had time to exult, a familiar greeting arrived from Uncle Sam. No longer under the protecting arm of Swift & Co., Walter had received his notice to report for military service.

After induction at Fort Harrison, Walt was shipped on to Camp Branning, Florida for basic training. After a short leave home, the company was re-mustered at Camp Patrick Henry, in Virginia. From there they moved to Fort Meade, Maryland, and were put aboard the U. S. S. Monticello. In about 10 days they would be landing in North Africa.

Bivouacked outside Casablanca, Walt's outfit was assigned as a replacement unit for the 36th division, a tough and distinguished Texas outfit, which fought in almost every action from North Africa, through Sicily, Salerno, up the Italian Boot, and later on into the heart of Germany.

North of Rome, Walt received his first taste of combat. He was "picked" to volunteer to deliver some special equipment to a front line unit. They gave Walter a mule already loaded with two boxes of equipment, a compass, and a nose hook to persude the mule in case it got stubborn. Together they set out up a narrow, tortuous mountain trail. Progress was deadly slow and suddenly became deadly dangerous when a German fighter plane spotted Walt and his mule and dove at them, machine guns chattering. Walt made it to the safety of a ditch but the mule was killed, leaving Walt to finish the delivery of the special equipment on his own. It was nightfall before he dragged himself and the boxes of equipment into the command post only to be greeted with: "What the hell took you so long?"

With the Italian campaign pretty much stalemated, the 7th Army was formed to invade Southern France. Walt's outfit was transferred to the newly organized 63rd division, but still functioning as a back-up unit. As they moved toward the Vosges, he trained the green G.I.'s in the use of mortars and the automatic rifle.

Last of the leisurely, back-up days ended when the war neared German soil. Walt's group graduated to a spearhead unit. By war's end, of 194 men in his rifle company only some 36 emerged alive and unscathed. Walt was not one of them. Outside Heidelberg, battling S. S. troops in one of the sharpest actions of the war, he was wounded.

CITATION: DISTINGUISHED SERVICE CROSS

Mr. Walter J. Dilbeck, DSC, Ramada Inn, Suite 821, 600 Walnut St., Evansville, Indiana, was granted the Distinguished Service Cross for his extraordinary heroism while serving as a private first class with F Company, 253rd Infantry Regiment, 63rd Infantry Division on 6 April 1945, in the vicinity of Buchof, Germany. When his company was hit from two sides by a strong and determined enemy force of over two hundred SS troops, Private First Class Dilbeck observed that panic was running wild among our troops. Everyone just took off for the rear allowing the enemy forces to move into the foxholes as fast as they were vacated. From his new position Germans poured out a deadly stream of automatic and small arms fire causing terrific casualties among the Americans and giving them no chance to reorganize. Realizing that something had to be done to stop the enemy attack, Private First Class Dilbeck stopped voluntarily on a bare knoll and began to pour deadly automatic rifle fire into the ranks of the charging SS troops. With conspicuous gallantry and determination he stood his ground even though all the fire power of the enemy was almost upon him, but he continued to fire as fast as he could change magazines. The enemy attack finally stalled because of their terrible losses. Private First Class Dilbeck had killed or wounded over sixty of the SS troops. Because of his indomitable courage and fearless tenacity, Private First Class Dilbeck saved the lives of many of his comrades and made it possible for this company to withdraw successfully, reorganize and hold its new position.

Companion Dilbeck holds battle stars on his campaign medal to indicate participation in the battles for Italy, Southern France, and Germany. In addition, he wears three awards of the Bronze Star, three awards of the Purple Heart (wounded in combat), and the Combat Infantryman's Badge. Now engaged in the development and financing of real estate, Mr. Dilbeck was nominated for membership in the Legion of Valor, by Major General Charles A. Willoughby, DSC, USA, Retired, 3602 Massachusetts Ave., Washington, D.C. 20007.—General Orders—Legion of Valor—February, 1968.

In the lapel of his coat, Walt wears the small emblem indicating the second-highest battle award in the American Army: the Distinguished Service Cross for Valor.

Since the war and his recovery from battle wounds, Walt and Dorothy have made their home in Evansville. Successful in business, Walt heads some nine companies engaged in real estate and large land development. Several of his old comrades now work for him.

HANDS ACROSS THE SEAS

Walter has never lost his interest and affinity for the young men in our armed forces. He has made two trips to Vietnam and on one occasion made a practice jump with the 101st airborne.

It is a far cry from Buchof, Germany to My Lai, Vietnam but they are linked by that intangible feeling between fighting men, the brotherhood of combat veterans, the bedraggled doughboys of Bill Mauldin and Ernie Pyle, and Walter Dilbeck is one of them. He can't keep away from it—and thereby hangs another story: Report by Arlo Wagner, Washington Correspondent.

Evansville Marine Thomas R. Bold was under order to "eliminate Viet Cong" in Son Thang IV where he and four other Leathernecks are under investigation in the "slaying" of 16 Vietnamese civilians.

Rep. Roger Zion divulged this fact today. His administrative assistant Belden Bell said Zion has other secret information to exonerate Boyd and his companions from blame in the Feb. 19 incident. "If civilians were killed by these men, there is reason to believe Boyd and his companions thought they were the enemy."

Bell said the basic situation is similar to the My Lai massacre in which 10 U.S. military men are charged with murdering 128 Vietnamese civilians.

The Marines were in a battle situation, felt they were under orders and subsequently 16 villagers were found dead in a front yard.

Zion described the Son Thang incident viz:

"Virtually all of the alleged victims were either related to members of the Viet Cong or working directly with them. The village in which the incidents occurred is considered a hostile hamlet and is located in a free fire zone.

"Inhabitants were repeatedly ordered to evacuate and on several occasions were forceably removed.

"Testimony from many of the young men in the unit revealed that these civilians were supporting the enemy, sometimes to the point of using small children to lead our boys into ambush. Many of the women set booby traps and alerted the Cong when our Marines arrived."

The congressman said Boyd and the other four Marines have been crunched between the requirements of battle and the politics of an unpopular war.

"These young men have been caught in the middle of a dispute between the Marine field commanders whose responsibility is eliminating Viet Cong and the politically motivated military here in Washington who are concerned with world opinion," he said.

Boyd and two of the other four Marines have been awarded Purple Hearts, i.e. wounded in action. He has been in Vietnam since August.

Evansville relatives and friends of Boyd have collected 5,000 signatures on petitions to Zion asking that the young Marine be absolved of the blame.

At this point, Walter Dilbeck stepped into the picture. Evansville is his home town. His commercial Headquarters is at the Ramada Inn—Suite 821. He undertook to engage a first-class local firm of attorneys: "Trockman, Lloyd, Flynn & Swain."

Mr. Trockman, Esq. will fly to Saigon and represent the Evansville man, at his upcoming court-martial. Dilbeck will accompany him and finance the entire operation.

SPACE EXPLORATION AND THE FUTURE

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. NELSEN. Mr. Speaker, writing in the Mankato Free Press recently, Editor Ken Berg made the point that while reductions in space spending are "proper," it would be a mistake to abandon the space program entirely because of many real and intangible benefits that are important to the United States and because future space discoveries may help to lift all mankind to a better life. I request the inclusion of Mr. Berg's thoughtful editorial in full at this point in my remarks.

CAN'T ABANDON SPACE

Quickly now. Who was the first man to set foot on the moon?

Any difficulty in recalling immediately that it was Neil Armstrong is symbolic of the fate that has overtaken the space program a year-and-a-half after the silient footsteps of man initially disturbed the lunar dust.

The tremendously successful flight of Apollo 14 has only momentarily diverted our attention from the needs of Spacecraft Earth.

Diminished enthusiasm about the moon is reflected in the exploratory program itself. Only three more such flights are planned; previously, there were to have been six additional manned flights. Some additional unmanned flights to Mars and Venus also will be forthcoming.

Changes in schedules have resulted from budget cuts and altered priorities. Three space facilities have been ordered closed. Space-industry employment, has dropped more than 70,000 in two years. The over-all budget is down from $6 billion in 1969 to $3.3 billion, with more trimming in sight.

A sign of the times is NASA's increasing stress on earth resources and ecology, together with the nation's concentrating on closer-to-home issues as welfare and the economy.

This is proper, of course.

Dividends from our space missions will be slow in coming, but they will come. While cutbacks surely are in order, space exploration should be continued on a programmed basis.

Despite our present economic difficulties, most of mankind yearns—with little prospect of fulfillment—toward the material and even social accomplishments of the U.S. The contention that we must forgo all further achievements in space to put society in order therefore rings somewhat hollow.

We should hate to see a virtually abandoned space program strengthening the foreign image that views America as a wholly materialistic, profit-grubbing society. Little America has done recently has evoked as much admiration as its space record. It would be unfortunate if we make it appear that Americans strive almost exclusively for immediate gain.

After all, knowledge of the moon's nature and origin is still slight after only three landings. There is much more to know, before we can begin comprehending fundamental questions of the universe. Then, too, space research provides channels for directing money to stimulate economic activity, as the current layoffs illustrate in a negative way, and realizing that our chief economic problem is not production but distribution.

The quest for knowledge in both space and vast oceans is a noble endeavor, highly productive in the broadest social, intellectual sense and the narrower practical, economic sense.

Although the U.S. and other favored nations cannot endure as islands of prosperity amid seas of misery, no economic or technical tools now available can transform the economies of the depressed two-thirds of mankind.

Only new techniques and new frontiers can enable the depressed to make better material and intellectual lives by our collective efforts.

DR. WERNHER VON BRAUN ADDRESSES TEXAS CHRISTIAN UNIVERSITY

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 8, 1971

Mr. TEAGUE of Texas. Mr. Speaker, I had the pleasure of escorting Dr. Wernher Von Braun to Texas Christian University several weekends ago where he addressed a large segment of the student body and citizens of the Fort Worth area. He made a most interesting speech in which he vindicated our space program and science in general.

Under leave to extend my remarks in the RECORD, I include an editorial which appeared in the February 22 edition of the Fort Worth Star Telegram:

MORE SCIENCE, NOT LESS, IS NEEDED

Dr. Wernher von Braun, deputy administrator of NASA, speaking at Texas Christian University the other day, delivered a timely vindication of the American space program and, by extension, of American science and technology in general.

Dr. Von Braun's remarks were appropriate for there seems to be today a massive turning away from traditional faith in science. It is reported that some 50,000 U.S. scientists and engineers are presently walking the streets, driving taxis or running gas stations. Research projects once welcomed are so thinned out that the president of the National Academy of Sciences talks grimly of the whole national research structure becoming a "shambles."

And all of this at a time when the country needs more science, not less, than ever before.

Dr. Von Braun noted in his TCU address that the gross national product nearly doubled in the past decade, and that half of the real growth can be attributed to new technological knowledge from research and development investments. This is an important point, for in our concern for social reform we run the risk of paying too little attention to the economic base necessary to support this reform.

Many politicians and conservationists have turned inward in assessing priorities. They want to know why we aren't using resources for better housing, education, health, law enforcement, pollution control. Why build a better plane or go to the moon when we can build a better hospital or school?

The people who ask these questions are on the track of something very good and wonderful—but what they fail to understand is that without strong industry and a healthy economy, social reform is impossible.

If we really intend to keep the planet livable, we are going to need all the applied science we can get—to build machinery for recycling waste, to develop better fuels, to pursue much-needed breakthroughs in medicine, biology, oceanography.

It is time to stop blaming science for all the sour products of materialism, rather than the other way around.

We are indebted to Dr. Von Braun for putting things in better perspective.